



COUNTY OF LAKE

COMMUNITY DEVELOPMENT DEPARTMENT

Planning Division

Courthouse - 255 N. Forbes Street

Lakeport, California 95453

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

December 7, 2020

CALIFORNIA ENVIRONMENTAL QUALITY ACT INITIAL STUDY (IS 20-08) ENVIRONMENTAL CHECKLIST FORM

1. **Project Title:** Ancient Lake Farms
2. **Permit(s):** Use Permit (UP 20-09)
Initial Study (IS 20-08)
3. **Lead Agency Name and Address:** County of Lake
Community Development Department
Courthouse – 255 North Forbes Street
Lakeport CA 95453
4. **Contact Person:** Sateur Ham, Assistant Planner (707) 263-2221
5. **Supervisor District:** District One (1)
6. **Project Location(s) & Parcel Number:** 23095 Jerusalem Grade Road, Middletown, CA 95461
(013-015-44)
23203 Jerusalem Grade Road, Middletown, CA 95461
(013-015-46)
23155 Jerusalem Grade Road, Middletown, CA 95461
(013-015-47)
23107 Jerusalem Grade Road, Middletown, CA 95461
(013-015-48)
7. **Project Sponsor's Name/Address:** Robert Nothnagle and Kimberly Kent
PO Box 828
Lower Lake, CA 95457
8. **General Plan Designation:** Rural Lands - Resource Conservation
9. **Zoning:** "RL-WW" -Rural Lands-Waterway
10. **Flood Zone:** D- Areas of undetermined, but possible, flood hazard
11. **Slope:** The parcel is relatively flat with a few small raised areas.
The cultivation site is almost entirely flat. 10-18%
12. **Natural Hazards:** Project area is within the State Responsibility Area
(Moderate fire)
13. **Fire District:** South Lake County FPD/CalFire

14. Attachments:

Attachment A: Project Management Plan
 Attachment B: Site Plans
 Attachment C: Biological Assessment Report
 Attachment D: Site Visit Photographs
 Attachment E: Mitigation Monitoring and Reporting Program

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

Ancient Lake Farms (ALF) is requesting a Major Use Permit to obtain one A-Type 3 “Outdoor” License and a Type 13 Self-Transport Distribution License from the County of Lake Community Development Department to allow a total of 43,560 sq. ft. of commercial cannabis canopy area with a total of 49,160 sq. ft. of cultivation area located at 23095 Jerusalem Grade Road, Middletown, CA in Lake County (APN 013-015-44). The individual parcels involved in this project will be merged into a single parcel to meet county ordinance which requires minimum acreage size to apply for the use permit (proposed project).

The proposed cultivation method is via an above grade organic soil mixture in hardware cloth planting beds with drip irrigation systems. The proposed ancillary facilities include storage sheds, water tanks and a processing facility in Phase 2 (see table 1 and site plans) enclosed by a 6-foot tall chain link fence with privacy mesh coverings. The second phase of construction will be implemented when all building codes and regulations are satisfied, including satisfying the requirement for the State Responsibility Area Fire Safe Regulations. Agricultural chemicals associated with cannabis cultivation (fertilizers, pesticides, and petroleum products) will be stored within the secured proposed 200 sq. ft. storage area until the processing facility is built in the future. The proposed processing building will contain cannabis processing activities such as drying, trimming, curing, and packaging.

The project parcel currently contains an existing permitted home on APN 013-015-47 which is southwest of the cultivation site. There are no off-site residences within 200 feet of the cultivation site.

Table 1. Proposed structures for cannabis cultivation

Proposed Structures	Phase	Proposed Area of Structures	Proposed Use
Processing Facility	2 nd	5,000 ft ²	Drying, Trimming, Curing, Packaging, Storage.
(3) Storage Sheds	1 st	200 ft ²	Storage of Fertilizers, Pesticides, and Petroleum Products
(4) Water Tanks (one is steel/fiberglass)	1 st /2 nd	2,500 Gallons	Water Storage, Fire Suppression

The Rural Land designated parcel is located roughly 10 miles to the east of intersection Highway 29 and Spruce Grove Road in Hidden Valley. The parcel lies within the 8-digit HU (Sub basin): Upper Putah Creek, Soda Creek Watershed (HUC10). Just south of the parcels is Gunther Creek, an Intermittent Class II watercourse indicated on the NHD map layer utilized by California resource agencies via CNDDB and the Federal NWI map layer, which flows along the southern boundary before entering Soda Creek. The Biological Assessment outline two (2) seasonal Class III watercourses that flow from North to South between the 4 parcels. The cannabis cultivation area will be setback a minimum of 100 feet from the top of the bank of any bodies of water. There are no other surface water bodies on the project property. There will be no surface water diversions with this project.

Cultivation Operations

Ancient Lake Farms plans to be fully organic with their supplements of both dry and liquid fertilizers. The proposed dry fertilizers include dry worm castings as well as Chicken and Bat Guano. As for liquid fertilizers, most of it will be coming from MaxSea and organic compost. The pesticides that will be used for this cultivation project include citric acid oil and Sulphur, both at limited quantities during the growing months and only used when necessary. All of the fertilizers, nutrients, and pesticides will only be purchased and delivered to the property as needed. They will be stored separately in the secure storage shed in their original containers and used as directed by the manufacturer. All pesticides/fertilizers will be prepared on an impermeable surface with secondary containment away from at least 100 feet of surface waterbodies as required on the Lake County Zoning Ordinance. Empty containers will be disposed of by placing them in a separate seal tight bin with a fitted lid and disposed of at the local solid waste facility within the county. At no time will fertilizers/nutrients be applied at a rate greater than 319 pounds of nitrogen per acre per year (requirement of the State Water Resource Control Board's Cannabis General Order). Water soluble fertilizers/nutrients will be delivered via the drip and micro-spray irrigation system(s) of the proposed cultivation operation to promote optimal plant growth and flower formation while using as little product as necessary. Petroleum products will be stored year-round in State of California-approved containers with secondary containment and separate from pesticides and fertilizers, within the storage area. When Jerusalem Grade Road meets state responsibility area standards, the building permit for the processing facility will be submitted and all agricultural materials will be located into the processing facility.

The proposed cultivation operation will utilize drip irrigation systems to conserve water resources. The well near the northern parcel boundary will be pumped above ground to the water storage tanks directly next to the cultivation area. From the well to the storage tanks, ALF will utilize aboveground water lines, constructed with a combination of PVC piping and black poly tubing. Water use is projected to be approximately 746,740 gallons per year (please see Water Use Section for methodology). The cultivation property is fairly sloped downhill, meaning rainwater runoff will need to be mitigated. Straw wattles are proposed around the entire southern border of the cultivation area to filter sediment from stormwater as it moves on to the property's seasonal drainages. The natural existing vegetated buffer will be maintained as needed between all project areas and waterways on the property.

ALF's site will not require a high amount of electricity as they will be cultivating 1 acre outdoor using all-natural sunlight. All electricity needed for the project at this time will be supplied from existing solar panels and backup generator for the security system. The proposed project does have a backup generator; however, it is not expected to be needed since PG&E is not the primary power source. The project does not propose the storage or use of any hazardous materials. All organic waste will be placed in the designated composting area within the cultivation area. All solid waste will be stored in bins with secure fitting lids until being disposed of at a Lake County Integrated Waste Management facility, at least once a week during the cultivation season. The closest Lake County Integrated Waste Management facility to the proposed cultivation operation is the Eastlake Landfill.

The project's core business hours of operation will take place between 8:00 A.M. to 6:00 P.M. with deliveries and pickups restricted to 9:00 A.M. to 7:00 P.M. Monday through Saturday and Sunday from 12:00 P.M. to 5:00 P.M. The Community Liaison/Emergency Contact, Mr. Nothnagle and Ms. Kent, will be available to contact 24 hours a day, seven days a week, including holidays.

Access and Transportation Standards

The project property is accessed by private/shared dirt access driveways connecting to Jerusalem Grade Road. The shared access driveway begins at Jerusalem Grade Road and leads to property parcel where the existing home is. There is a proposed separate access driveway that breaks off the road to the west towards the cultivation area. This newly proposed cultivation access roadway will be approximately 275 feet in length to the entrance of the cultivation site, with an approximate slope of 0-1%. At minimum the driveway

will be 20 feet wide with 14 feet of unobstructed horizontal clearance and 15 feet of unobstructed vertical clearance. The access driveway will have six-inch gravel added to the entire length of it and have four parking stalls (One ADA), as well as hammerhead turnaround at the cultivation site 20 feet wide and 60 feet in length. Turnouts are not proposed due to the access driveway being proposed at 20 feet wide, however if needed, turnouts will be at minimum 12 feet wide and 30 feet long, with a minimum 25 feet taper on each end, roughly every 400 feet. The access driveway to the parcel currently has a security gate at the entrance of the parcel. The gate entrance will be at least two feet wider than the width of the traffic lane with a minimum of 14 feet unobstructed horizontal clearance and 15 feet on unobstructed vertical clearance. The access gate will be located at least 30 feet from the main shared access road and property line. The gate will be locked outside of core operating/business hours (8:00 A.M. to 6:00 P.M.) and whenever ALF personnel are not present. The gate will be secured with a heavy-duty chain, commercial grade padlock and a Knox Box to allow 24/7 access for emergency services. Only approved ALF managerial staff and emergency service providers are able to unlock the gates on the Project Property. The fencing for this project will include a perimeter fence around the entire outdoor cultivation area. The cultivation area fence will be a 6-foot tall chain link fence with a privacy mesh screen and mounted with security cameras.

As Ancient Lake Farms is applying for a Type-13 Self-Transport Distribution license, there will be a dedicated loading zone in the parking lot. ALF will utilize unmarked transport vans to transport product off premises and will be in compliance with all California Cannabis Track and Trace requirements throughout the distribution process.

Construction. *The applicant has stated the following regarding site preparation and construction:*

1. Ground disturbing activities will take place over a five to seven week period and take approximately 130 to 160 vehicle trips. Any grading for buildings will be under 500 cubic yards, which is the allowance for a building permit. The project proposes about three cubic yards of grading for some minor trenching, approximately 300 feet long and six-inch wide by six-inch deep will be required to place irrigation lines in-ground, but the trench will be refilled and restored to prior condition.
2. Materials and equipment will only be staged on previously disturbed areas (existing parking areas and access road). No areas will be disturbed for the purpose of staging materials or equipment. Equipment will not be left in idle when not in use. Equipment includes common gardening and yard tools such as trimmers, lawn mowers, hand tools, etc. A small tractor/bobcat may be used for light grading.
3. Water (from the existing onsite well) will be used to wet disturbed soils to mitigate the generation of dust during construction.
4. All construction activities, including engine warm-up, will be limited to Monday through Friday between the hours of 7:00 A.M and 7:00 P.M. Back-up beepers will be adjusted to the lowest allowable levels.
5. All equipment will be maintained and operated in a manner that minimizes any spill or leak of hazardous materials. All equipment will only be refueled in locations more than 100 feet from surface water bodies, and any servicing of equipment will occur on an impermeable surface. In the event of a spill or leak, the contaminated soil will be stored, transported, and disposed of consistent with applicable local, state and federal regulations.

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

- North: Rural Lands. Parcels ranges from four to five acres in sizes; some parcels are vacant and some residential use.

- South: Agricultural Preserve. Parcel is approximately 200 acres in size.
- West: Agricultural Preserve. Parcel is approximately 321 acres in size.
- East: Rural Land. Parcels is approximately 5 acres in size.

The property is completely surrounded by: “APZ” Agricultural Preserve Zone and “RL” Rural Lands zoned properties. Sizes of the parcels vary greatly, from just about 4.5 acres to over 320 acres. The majority of nearby properties appear to be vacant, with a few being used as residential dwelling.

Other public agencies whose approval may be required (e.g., Permits, financing approval, or participation agreement.)

Lake County Community Development Department
 Lake County Department of Environmental Health
 Lake County Air Quality Management District
 Lake County Department of Public Works
 Lake County Department of Public Services
 Lake County Agricultural Commissioner
 Lake County Sheriff Department
 Northshore Fire Protection District
 Central Valley Regional Water Quality Control Board
 CalCannabis (via Dept. of Food and Agriculture)
 California Water Resources Control Board
 California Department of Forestry & Fire Protection (Calfire)
 California Department of Fish & Wildlife (CDFW)
 California Department of Food and Agriculture
 California Department of Pesticides Regulations
 California Department of Public Health
 California Bureau of Cannabis Control
 California Department of Consumer Affairs
 California Department of Transportation (CalTrans)

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a “Potentially Significant Impact” as indicated by the checklist on the following pages.

- | | | |
|---|---|---|
| ☒ Aesthetics | ☐ Greenhouse Gas Emissions | ☐ Population / Housing |
| ☐ Agriculture & Forestry | ☐ Hazards & Hazardous Materials | ☐ Public Services |
| ☒ Air Quality | ☒ Hydrology / Water Quality | ☐ Recreation |
| ☒ Biological Resources | ☐ Land Use / Planning | ☒ Transportation |
| ☒ Cultural Resources | ☐ Mineral Resources | ☒ Tribal Cultural Resources |
| ☒ Geology / Soils | ☒ Noise | ☐ Utilities / Service Systems |
| ☒ Wildfire | ☐ Energy | ☒ Mandatory Findings of Significance |

DETERMINATION: (To be completed by the lead Agency)

On the basis of this initial evaluation:

- ☐ I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- ☒ **I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.**
- ☐ I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- ☐ I find that the proposed project MAY have a “potentially significant impact” or “potentially significant unless mitigated” impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
- ☐ I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

Initial Study Prepared By:
Sateur Ham, Assistant Planner

Date: _____

SIGNATURE

Scott DeLeon, Interim Director
Community Development Department

SECTION 1 EVALUATION OF ENVIRONMENTAL IMPACTS:

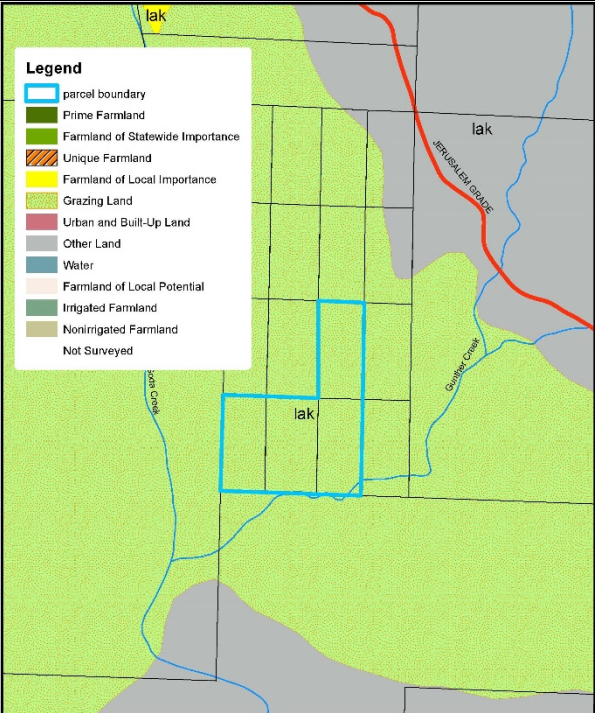
- 1) A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).
- 2) All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
- 3) Once the lead agency has determined that a particular physical impact may occur, and then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect may be significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.
- 4) "Negative Declaration: Less Than Significant With Mitigation Incorporated" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less Than Significant Impact." The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from Section XVII, "Earlier Analyses," may be cross-referenced).

- 5) Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063(c)(3)(D). In this case, a brief discussion should identify the following:
- Earlier Analysis Used. Identify and state where they are available for review.
 - Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
 - Mitigation Measures. For effects that are "Less than Significant with Mitigation Measures Incorporated," describe the mitigation measures, which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.
- 6) Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.
- 7) Supporting Information Sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.
- 8) This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies should normally address the questions from this checklist that are relevant to a project's environmental effects in whatever format is selected.
- 9) The explanation of each issue should identify:
- The significance criteria or threshold, if any, used to evaluate each question; and
 - The mitigation measure identified, if any, to reduce the impact to less than significance

KEY: 1 = POTENTIALLY SIGNIFICANT IMPACT
2 = LESS THAN SIGNIFICANT WITH MITIGATION INCORPORATION
3 = LESS THAN SIGNIFICANT IMPACT
4 = NO IMPACT

IMPACT CATEGORIES*	1	2	3	4	All determinations need explanation. Reference to documentation, sources, notes and correspondence.	Source Number* *
I. AESTHETICS <i>Would the project:</i>						
a) Have a substantial adverse effect on a scenic vista?			X		There are no scenic vistas on or adjacent to the subject site. The cultivation site can be seen from the private easement road and a few adjacent properties, however the general area is well screened from the public due to topography, vegetation, and the significant distance from the public highway. The cultivation area will be surrounded by fencing with privacy screening as part of the conditions of approval. Less than significant.	1, 2, 3, 4, 6, 9
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?				X	The project cannot be seen from a designated state scenic highway. There are no scenic resources, historic buildings, or damage to rock outcroppings. The project does not propose the removal of trees No impact.	1, 2, 3, 4, 6, 9
c) In non-urbanized areas, substantially degrade the existing visual character or quality of public views the site and its surroundings? If the project is in an urbanized area, would the			X		The majority of the proposed use would occur on what is currently an open, flat grassy area a significant distance from most public roadways, as the property is accessed through a private easement road. No trees are proposed to be removed. The cultivation site will be concealed by fencing and privacy screening. The use will be compatible with zoning of this	1, 2, 3, 4, 6, 9

project conflict with applicable zoning and other regulations governing scenic quality?				property and the project will adhere to all development standards.	
				Less than significant.	
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?		X		The project has a slight potential to create additional light through exterior security lighting, front access gate, parking area, processing facility, and parts of the area surround the cultivation area. Upon the approval of the use permit, a lighting plan showing fixture types and locations is required and shall meet the County's recommended darksky.org lighting. AES-1: An Outdoor Lighting Plan that meets the darksky.org lighting recommendations shall be submitted for review and acceptance, or review and revision prior to cultivation. AES-2: All outdoor lighting shall be directed downward onto the project site and not onto adjacent properties. Less than significant with mitigation measures AES-1 through AES-2 added.	1, 2, 3, 4, 5, 6, 9
II. AGRICULTURE AND FORESTRY RESOURCES <i>In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment Project; and forest carbon measurement methodology provided in Forest protocols adopted by the California Air Resources Board.</i> <i>Would the project:</i>					
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?			X	The proposed cultivation site is in an area designated as 'Grazing Land' by the Farmland Mapping and Monitoring program. The proposed project will not convert farmland to non-agricultural use nor impact farmland. The subject site is not within a Williamson Act contract.	1, 2, 3, 4, 5, 7, 8, 11, 13

				 <i>Figure 1. Project site location within grazing land shown highlighted (light blue). Site is not located within Prime Farmland, Unique Farmland, or Farmland of Statewide Importance.</i> Less than significant impact.	
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?			X	See Section II (a). The project does not conflict with zoning for agricultural use and the project property is not in a Williamson Act Contract. Less than significant impact.	1, 2, 3, 4, 5, 7, 8, 11, 13
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?			X	The project site is zoned "RL" Rural Lands and is not zoned for forestland or timberland. No impact.	1, 2, 3, 4, 5, 7, 8, 11, 13
d) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?			X	As proposed, this project would not induce changes to existing farmland that would result in its conversion to non-agricultural use. The project would not result in the loss or conversion of forest land to a non-forest use. See response to Section II (c). No impact.	1, 2, 3, 4, 5, 7, 8, 11, 13

III. AIR QUALITY

Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations.

Would the project:

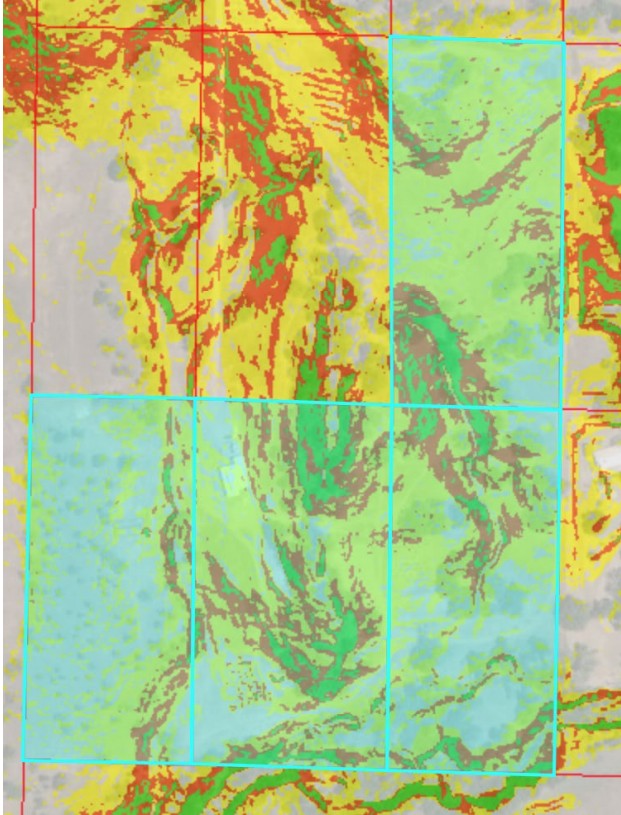
a) Conflict with or obstruct implementation of the applicable air quality plan?		X		The project has some potential to result in short- and long-term air quality impacts. Dust and fumes may be released as a result of site preparation/construction of the cultivation area; and vehicular traffic, including small delivery vehicles would be contributors during and after site preparation/construction. Odors generated by the plants, particularly during harvest season, will need to be mitigated either through passive means (separation distance), or active means (odor control plan). While the project does propose the use of carbon filters in the processing facility, the implementation of mitigation measures below would further reduce air quality impacts to less than significant. A back-up generator is proposed and will be regulated through the Air Quality Management Department. <u>AQ-1:</u> Prior to cultivation, the applicant shall submit an Odor Control Plan to the Community Development Department for review and approval, or review and revision. <u>AQ-2:</u> Prior to obtaining the necessary permits and/or approvals for any phase, the applicant shall contact the Lake County Air Quality Management District and obtain an Authority to Construct (A/C) Permit for all operations and for any diesel powered equipment and/or other equipment with potential for air emissions. <u>AQ-3:</u> All mobile diesel equipment used 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. <u>AQ-4:</u> The applicant shall maintain records of all hazardous or toxic materials used, including a Material Safety Data Sheet (MSDS) for all volatile organic compounds utilized, including cleaning materials. Said information shall be made available upon request and/or the ability to provide the Lake County Air Quality Management District such information in order to complete an updated Air Toxic emission Inventory. <u>AQ-5:</u> Water shall be used as dust suppression during all site disturbance. <u>AQ-6:</u> Planting of fragrant native flowering vegetation surrounding the cultivation area to mask any potential foul smell. Less than significant with mitigation measures AQ-1 through AQ-6 added.	1, 3, 4, 5, 10, 21, 24, 31, 36
b) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under and		X		The proposed project would not result in a cumulatively considerable net increase of any criteria pollutant. The County of Lake is in attainment of state and federal ambient air quality standards.	1, 3, 4, 5, 10, 21, 24, 31, 36

applicable federal or state ambient air quality standard?					Less than significant impact.	
c) Expose sensitive receptors to substantial pollutant concentrations?		X			The operation as proposed is not expected to release any significant amounts of pollutants. There appears to be a few residences within 1,000 feet of the cultivation site, with the closest one about 335 feet away from the cultivation site. Less than significant impact with mitigation measures AQ-1 through AQ-6 incorporated.	1, 3, 4, 5, 10, 21, 24, 31, 36
d) Result in other emissions (such as those leading to odors or dust) adversely affecting a substantial number of people?		X			Sensitive receptors in the area include adjacent and near proximity residents. The nearest off-premises house is about 335 feet away from the edge of the cultivation area. Odor control measures will be necessary for the cultivation areas, including the outdoor portion of the site used for cannabis cultivation. The cultivation areas are set back a significant distance from the nearest off-site dwellings, so passive odor control (separation distance) and the project's proposed mitigations may be adequate for the outdoor cultivation area. The applicant has an emergency contact name and number that will be distributed to neighbors within 1000 feet of the property as is required by Air Quality. As described in Section III (a) above. Less than significant impact with mitigation measures AQ-1 through AQ-6 incorporated.	1, 2, 3, 4, 5, 10, 21, 24, 31, 36
IV. BIOLOGICAL RESOURCES <i>Would the project:</i>						
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?			X		The applicant provided a Biological Assessment (BA) covering the project parcel, which was prepared by Pinecrest Environmental Consulting, dated January 23, 2020. The author assessed the project parcel for Federal Critical Habitat (FCH) designated by the U.S Fish and Wildlife (USFWS) to provide special protections for habitats considered important for long-term population persistence of endangered or threatened species. There is no FCH onsite for any animal or plant species. The nearest FCH for plant and animal species: Slender Orcutt grass (<i>Orcuttia tenuis</i>) and Northern spotted owl (<i>Strix occidentalis</i>; NSO) is located 4.3 miles northwest and 13 miles west, respectively. There is no other FCH within 10 miles of the project parcel. No special-status plant species were observed during the surveys performed at the site in November 2019. No impacts are predicted for any of the State or Federal special-status plant species based on lack of actual sightings, and lack of suitable habitat in the proposed cultivation activity areas. Activities are largely proposed to be limited to existing disturbed areas and will observe all required setbacks from jurisdictional watercourses. There are no wetlands, vernal pools, serpentine outcrops, or other special habitat types that possess a high likelihood of containing special status plant species in the proposed cultivation areas. No special-status animal species were observed during the surveys performed at the site in November 2019. No impacts are predicted for any State or Federal special-status animal	1, 2, 3, 4, 5, 11, 12, 13, 16, 17, 21, 24, 29, 30, 31, 32, 33, 34

				species due to the lack of actual observations and lack of suitable habitat near the proposed redevelopment sites. Although there is suitable habitat onsite for Foothill yellow-legged frog (FYLF) in Gunther Creek, the nearest occurrence is 1.9 miles away and there are no plans to approach within 200 feet of Gunther Creek. Furthermore there are few cracks or rodent burrows in the proposed cultivation areas that would provide estivation habitat, although there is a chance that animals may migrate through the area. BIO-1: Care shall be taken not to impact any amphibians observed onsite including frogs or salamanders or turtles, and all animals should be allowed to leave work areas on their own and should not be harmed or harassed in any way. Less than significant impact with mitigation measures BIO-1 incorporated.	
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?		X		According to the BA, the entirety of the parcel consists of oak savannah, with higher outcrops of chaparral and oak trees on rocky substrates down the center of the property, and riparian woodland in the south along Gunther Creek. The entire property has been grazed intermittently and the species composition is reflective of this land use. Two small unnamed Class III watercourses drain the south parcel, and there are no watercourses on the north parcel. Overall, the north parcel consists of approximately 50% annual grassland, 40% oak and manzanita woodland and 10% riparian woodland. See Section IV (a). The project site does not have any features of sensitive natural community or riparian habitat or located near to sensitive habitats. The only potentially jurisdictional features onsite are two small Class III drainages that initiate onsite and flows offsite to the south eventually intersecting Gunther Creek. BIO-2: Pesticides and fertilizer storage facilities shall be located outside of the Riparian Corridor setbacks for structures. BIO-3: Pesticide and fertilizer storage facilities shall not be located within 100 feet of a wellhead, or within 50 feet of identified watercourses, and any overland routes for sediment should not exist between any work areas and these unnamed watercourses or Gunther Creek. Less than significant with mitigation measures BIO-2 through BIO-3 incorporated.	1, 2, 3, 4, 5, 11, 12, 13, 16, 17, 29, 30, 31, 32, 33, 34
c) Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?			X	There are no wetlands on the project parcel as determined by the Biological Assessment submitted with the project. The only potentially jurisdictional features onsite are the two small Class III drainages that initiate onsite and flows offsite to the south eventually intersecting Gunther Creek. Less than significant impact.	1, 2, 3, 4, 5, 11, 12, 13, 16, 17, 21, 24, 29, 30, 31, 32, 33, 34
d) Interfere substantially with the movement of any native resident or migratory			X	The proposed project will not interfere substantially with the movement of any native resident or migratory fish or wildlife species. There is one known occurrence of special-status	1, 2, 3, 4, 5, 11, 12, 13, 16, 17, 21,

fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?				animal species from the project parcel, an indistinct locality of Prairie Falcon (<i>Falco mexicanus</i>) located in the Jericho Valley 7.5 minute USGS quad, observed in 1991. There are no special-status plant species known from within the project parcel. There are no other known occurrences within 3 miles of the project parcel for special-species plant or animal species. Less than significant impact.	24, 29, 30, 31, 32, 33, 34
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?			X	There are some local policies and ordinance protecting biological resources. The lake county ordinance discourage the removal of any true oak species (<i>Quercus species</i>) or Tan Oak (<i>Notholithocarpus species</i>). However, no trees are proposed to be removed for this project. There are 100 feet setbacks required in the ordinance from all watercourse, wells, and waterways. The project site is located in the region with the least impact on wildlife within the parcel area. Less than significant impact.	1, 2, 3, 4, 5, 11, 12, 13, 16, 17, 21, 24, 29, 30, 31, 32, 33, 34
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?			X	There are no adopted Habitat Conservation Plans or Natural Community Conservation Plans, or other local, regional, or state habitat conservation plans associated with this site. Less than significant impact.	1, 2, 3, 4, 5, 11, 12, 13, 16, 17, 21, 24, 29, 30, 31, 32, 33, 34
V. CULTURAL RESOURCES <i>Would the project:</i>					
a) Cause a substantial adverse change in the significance of a historical resource pursuant to §15064.5?		X		A Cultural Resources Evaluation was conducted for the project parcel and the two adjoining parcels by Dr. John. Parker of Archaeological Research on January 13, 2020. The study (Parker 2020) covered approximately 100% of the proposed project area and identified no cultural resources. It is recommended that the proposed project be approved as planned. In the unlikely event that undiscovered cultural sites are encountered during the ground disturbance process, it is recommended that work in the immediate vicinity of the find be suspended and a Registered Professional Archaeologist called in to evaluate the find as required by CEQA. <u>CUL-1:</u> Should any archaeological, paleontological, or cultural materials be discovered during site development, all activity shall be halted in the vicinity of the find(s). The local overseeing Tribe(s) shall be notified, and a qualified archaeologist retained to evaluate the find(s) and recommend mitigation procedures, if necessary, subject to the approval of the Community Development Director. Should any human remains be encountered, they shall be treated in accordance with Public Resources Code Section 5097.98 and with California Health and Safety Code section 7050.5. <u>CUL-2:</u> All employees shall be trained in recognizing potentially significant artifacts that may be discovered during ground disturbance. If any artifacts or remains are found, the local overseeing Tribe(s) shall immediately be notified; a licensed archaeologist shall be notified, and the	1, 3, 4, 5, 11, 14, 15

				Lake County Community Development Director shall be notified of such finds. Less than significant impact with mitigation measures CUL-1 through CUL-2 added.	
b) Cause a substantial adverse change in the significance of an archeological resource pursuant to §15064.5?		X		No changes are expected to archaeological resources. See Response to Section V (a). Less than significant impact with mitigation measures CUL-1 through CUL-2 added.	1, 3, 4, 5, 11, 14, 15
c) Disturb any human remains, including those interred outside of formal cemeteries?		X		The proposed project will consist of minimal ground disturbance activities for the processing facility and it is located in a generally flat area. The processing only needs up to 10 total cubic yards of minor topsoil scraping, likely much less. This amount is consistent and significantly less than the maximum allowable of 500 cubic yards with a building permit. Additionally, 47 cubic yards of grading will be needed to smooth out two small bumps in the cultivation area as well as widen the gravel access driveway to 20' wide. This amount is consistent with the 50 cubic yards of grading allowed without a permit. The county requires the applicant to notify the Lake County Sheriff's Department, the local overseeing tribe(s), and the Community Development Department if any human remains (or significant artifacts) are unearthed during site preparation. Less than significant impact with mitigation measures CUL-1 through CUL-2 added.	1, 3, 4, 5, 11, 14, 15
VI. ENERGY <i>Would the project:</i>					
a) Result in a potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy, or wasteful use of energy resources, during project construction or operation?			X	The applicant states that they will use on-grid power as the primary energy source. The overall power usage of this facility is low. The cultivation site will require small amounts of power for the well and security system. After the second phase and the built-out of a processing facility will require energy source to power for lighting. Less than significant impact.	1, 3, 4, 5, 11, 14, 15
b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?			X	The local ordinance requires indoor cultivation and mixed-light cultivation light to not exceed 1,200 watts and shall conform to all applicable electrical codes. However, the proposed project will not consist of the construction of greenhouses. The proposal will not conflict with, or obstruct, a state or local plan for renewable energy or energy efficiency. Less than significant impact.	1, 3, 4, 5, 11, 14, 15
VII. GEOLOGY AND SOILS <i>Would the project:</i>					
a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving: i) Rupture of a known earthquake fault, as delineated on the most recent Alquist- Priolo			X	<u>Earthquake Faults</u> There are no mapped earthquake faults on or adjacent to the subject site. <u>Seismic Ground Shaking and Seismic-Related Ground Failure, including liquefaction.</u> The project property does not contain any mapped unstable soils. It appears unlikely that ground shaking, ground failure or liquefaction will occur on this property in the future.	1, 3, 4, 5, 6, 7, 10, 17, 18, 19, 21, 24, 25

Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42. ii) Strong seismic ground shaking? iii) Seismic-related ground failure, including liquefaction? iv) Landslides?			<u>Landslides</u> There is little to no risk of landslides based on the parcel's slope, which is almost completely flat. Therefore, the project is not expected to elevate the risk of landslides on the property.  <i>Figure 2. The percentage slope of the parcel showing various slope: 0-10% (shown in gray), 10-20% (shown in yellow), 20-30% (shown in orange), and greater than 30% (shown in green)</i> No impact.	
b) Result in substantial soil erosion or the loss of topsoil?	X		Phipps Complex, 5 to 15 percent slopes is the soil type occurring where the cultivation site is located. Phipps is very deep and well-drained soil with slow permeability and a moderate erosion potential. However, the project location is entirely flat and the project scope will consist of a 3,000 square feet processing facility and 43,560 square feet of outdoor cannabis canopy. The project will not result in substantial soil erosion or the loss of topsoil. However, there will be some vegetation clearings of grasses and scraping to level the proposed area for the processing facility. <u>GEO-1:</u> Prior to any ground disturbance, the permittee shall submit erosion control and sediment plans to the Water Resource Department and the Community Development Department for review and approval. Said erosion control and sediment plans shall protect the local watershed from runoff pollution through the implementation of appropriate Best Management Practices (BMPs) in accordance with the Grading Ordinance. Typical BMPs include the placement of straw, mulch, seeding, straw wattles, silt fencing and the planting	1, 3, 4, 5, 6, 7, 10, 16, 17, 18, 19, 21, 24, 25, 30

				of native vegetation on all disturbed areas. No silt, sediment or other materials exceeding natural background levels shall be allowed to flow from the project area. The natural background level is the level of erosion that currently occurs from the area in a natural, undisturbed state. Vegetative cover and water bars shall be used as permanent erosion control after project installation. GEO-2: Excavation, filling, vegetation clearing or other disturbance of the soil shall not occur between October 15 and April 15 unless authorized by the Community Development Department Director. The actual dates of this defined grading period may be adjusted according to weather and soil conditions at the discretion of the Community Development Director. GEO-3: The permit holder shall monitor the site during the rainy season (October 15 – May 15), including post-installation, application of BMPs, erosion control maintenance, and other improvements as needed. Less than significant impact with mitigation measures GEO-1 through GEO-3 incorporated.	
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on-site or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?			X	The cultivation site is mapped as “generally stable” soil. No impact.	1, 3, 4, 5, 6, 7, 10, 16, 17, 18, 19, 21, 24, 25, 30
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?			X	The soil on the cultivation site is Phipps Complex (type 195), is potentially expansive as it is indicated to have high shrink-swell potential. However, historically the parcel has been used for cultivation and other general anthropogenic disturbances with no issues. The developer will incorporate the limitations of the soil type behavior when constructing the processing facility. Less than significant impact.	1, 3, 4, 5, 6, 7, 10, 16, 17, 18, 19, 21, 24, 25, 30
e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of waste water?			X	The 20-acre property does adequately support a permitted septic system through Environmental Health. Portable ADA toilets are proposed for the project. However, the approving body could require permanent bathrooms, which would likely use the existing septic. Less than significant impact.	1, 3, 4, 5, 6, 7, 10, 16, 17, 18, 19, 21, 24, 25, 29, 30
f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?			X	No identified unique paleontological resources or unique geologic features were discovered, and none are currently mapped or known on the site. Less than significant impact.	1, 3, 4, 5, 11, 14, 15

VIII. GREENHOUSE GAS EMISSIONS						
<i>Would the project:</i>						
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?			X		In general, greenhouse gas emissions can come from construction activities and from post-construction activities. Some new construction will occur on the site (the new processing facility), and there are minimal gasses that could result from outdoor and indoor cultivation activities. The greenhouse and processing facility will be equipped with airborne particulate carbon filters. The cultivation areas will not have specific greenhouse gas-producing elements; no ozone will result, and the cannabis plants will (to a small degree) help capture carbon dioxide. The cultivation operation as a whole is also likely to generate small amounts of carbon dioxide from vehicle trips for employees. Since Lake County is an air attainment county, the small levels of greenhouse gasses emitted are not anticipated to be significant. Less than significant impact.	1, 3, 4, 5, 21, 24, 29, 30, 31, 32, 34, 36
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?			X		This project will not conflict with any adopted plans or policies for the reduction of greenhouse gas emissions. The County of Lake is an 'air attainment' county, and does not have established thresholds of significance for greenhouse gases. No impact.	1, 3, 4, 5, 21, 24, 29, 30, 31, 32, 34, 36
IX. HAZARDS AND HAZARDOUS MATERIALS						
<i>Would the project:</i>						
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?			X		Materials associated with the cultivation of commercial cannabis could be considered hazardous if released into the environment. The proposed project will use organic pest control and fertilizers, which will significantly limit potential environmental hazards that could otherwise result. All fertilizers, pesticides, and other hazardous materials are proposed to be properly stored in their manufacturer's original containers and placed within secondary containment structures. Cannabis waste is required to be chipped and disbursed on site; burning cannabis waste is prohibited. The project shall comply with Section 41.7 of the Lake County Zoning Ordinance, which specifies that all uses involving the use or storage of combustible, explosive, caustic, or otherwise hazardous materials shall comply with all applicable local, state, and federal safety standards and shall be provided with adequate safety devices against the hazard of fire and explosion, and adequate firefighting and fire suppression equipment. Less than significant impact.	1, 3, 4, 5, 10, 13, 17, 21, 24, 25, 29, 30, 31, 32, 33, 34, 36
b) Create a significant hazard to the public or the environment through reasonable foreseeable upset and accident conditions involving the release of hazardous materials into the environment?			X		All fertilizers, pesticides, and other hazardous materials are proposed to be properly stored in their manufacturer's original containers and placed within secondary containment structures. The site is not within a flood zone or inundation area, nor is it in area mapped as unstable soil according to County GIS Data. See response to section IX (a). Less than significant impact.	1, 3, 4, 5, 10, 13, 17, 20, 21, 24, 25, 29, 30, 31, 32, 33, 34, 36
c) Emit hazardous emissions or handle hazardous or acutely			X		The proposed project is not located within one-quarter mile of an existing or proposed school. See response to section IX (a).	1, 3, 4, 5, 10, 13, 17, 21, 24, 25,

hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?				No impact.	29, 30, 31, 32, 33, 34, 36
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?			X	The project site is not listed as a site containing hazardous materials in the databases maintained by the Environmental Protection Agency (EPA), the California Department of Toxic Substance, and State Water Resources Control Board. Less than significant impact.	1, 3, 4, 5, 10, 13, 17, 21, 24, 25, 29, 30, 31, 32, 33, 34, 36
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?			X	The project is not located within two (2) miles of an airport and/or within an Airport Land Use Plan. No impact.	1, 3, 4, 5, 20, 22
f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?			X	The project would not impair or interfere with an adopted emergency response or evacuation plan. Less than significant impact.	1, 3, 4, 5, 20, 22, 35, 37
g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?			X	The site is mapped as having a moderate fire risk. The applicant will adhere to all Federal, State, and local fire requirements/regulations for setbacks and defensible space; these setbacks are applied at the time of building permit review. Less than significant impact.	1, 3, 4, 5, 20, 35, 37
X. HYDROLOGY AND WATER QUALITY <i>Would the project:</i>					
a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?			X	The project parcel is currently served by an existing onsite well and has a permitted septic system. The project will employ Best Management Practices related to the reduction of impacts related to stormwater and water quality. Less than significant impact.	1, 3, 4, 5, 13, 21, 23, 24, 25, 29, 31, 32, 33, 34
b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?			X	There is no groundwater 'depletion threshold' established for water usage in Lake County. The water consumption with the use of cannabis cultivation is fairly new. Understanding the amount of consumption to implement conservation techniques should be utilized to the greatest extent possible. The applicant also proposes 3 storage tanks to be used on-site. The applicant has indicated that the estimated water use for an entire year will be 746,740 gallons. This is consistent with other / similar sized cannabis cultivation water use projections in water consumption study (see attachment A-Project Management Plan). <u>HYD-1:</u> The applicant shall prepare a groundwater management plan to ensure that the groundwater	1, 3, 4, 5, 13, 21, 23, 24, 25, 29, 31, 32, 33, 34

				resources of the County are protected used and managed in a sustainable manner. The plan would support the Integrated Regional Water Management Plan and include an inventory of groundwater resources in the County and a management strategy to maintain the resource for the reasonable and beneficial use of the people and agencies of the County. HYD-2: The production well shall have a meter to measure the amount of water pumped. The production wells shall have continuous water level monitors. The methodology of the monitoring program shall be described. A monitoring well of equal depth within the cone of influence of the production well may be substituted for the water level monitoring of the production well. The monitoring wells shall be constructed and monitoring begun at least three months prior to the use of the supply well. An applicant shall maintain a record of all data collected and shall provide a report of the data collected to the County annually. Less than significant impact with mitigation measures HYD-1 through HYD-2 incorporated.	
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would: i) Result in substantial erosion or siltation on- or off-site; ii) Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site; iii) Create or contribute to runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; iv) Impede or redirect flood flows?		X	The applicant has stated that the total cultivation area is about 48,560 square feet with the canopy area is about 43,560 square feet included in the total cultivation area after the complete built-out. The total impervious footprint of this 20 acre property will increase by roughly 0.005%, due to the addition of the 5,000 square feet processing facility. The whole cultivation site with the exception of the northern boundary (as it faces away from all water resources) will be outfitted with straw wattles for sediment control. Most of the cultivation area is permeable as the above ground pots will still let water reach the ground. However, there will be some runoff resulting from the proposed building, though it is not anticipated to be significant with the project’s implementation of straw wattles and Best Management Practices. The cultivation area is located with a buffer of 100 feet from all watercourses (Attachment B-Site Plans). HYD-3: Erosion control and sediment detention devices and materials shall be incorporated into the cleanup/restoration work design and installed prior to the end of project work and before the beginning of the rainy season or any predicted rain events. HYD-4: Location of sediment sources shall be identified during rain events and mitigated where appropriate. HYD-5: Plant waste and other compostable materials be stored (or composted, as applicable) at locations where they will not enter or be blown inter surface waters, and in a manner that ensures that residues and pollutants with those materials do not migrate or leach into surface water or groundwater. Less than significant impact.	1, 3, 4, 5, 13, 21, 23, 24, 25, 29, 31, 32, 33, 34	

d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?			X		There are no flood zones on the project parcel. The project parcel is not in any tsunami or seiche zone. Further, all chemicals including pesticides, fertilizers and other potentially toxic chemicals shall be stored in a manner that the chemicals will not be adversely affected in the event of a flood. Less than significant.	1, 3, 4, 5, 13, 21, 23, 24, 25, 29, 31, 32, 33, 34
e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?		X			The applicant will install straw wattles for sediment control, however, no specific water quality control plan was provided by the applicant (none are required by the county), and there is no threshold in Lake County for groundwater depletion or baseline for sustainable groundwater. The burden of the applicant is to be able to provide adequate water for their cannabis cultivation sites; they are prohibited to import water other than 1 time in an emergency situation, and only with Community Development Department Director's written permission. See response to section X (a)(b). Less than significant impact with mitigation measures HYD-1 through HYD-3 incorporated.	1, 3, 4, 5, 10, 13, 21, 23, 24, 25, 29, 31, 32, 33, 34
XI. LAND USE AND PLANNING <i>Would the project:</i>						
a) Physically divide an established community?				X	The proposed project site would not physically divide an established community. No impact.	1, 3, 4, 5, 6, 35
b) Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?			X		This project is consistent with the Lake County General Plan, the Middletown Area Plan and the Lake County Zoning Ordinance. The property is zoned "RL" Rural Residential, which is a land-use zone that Article 27 of the Lake County Zoning Ordinance allows commercial cannabis cultivation in. However, the project initially do not meet the minimum lot size and a voluntary merger is needed in order to meet requirement in the set forth by the Lake County Zoning Ordinance. Less than significant.	1, 3, 4, 5, 20, 21, 22, 27, 28
XII. MINERAL RESOURCES <i>Would the project:</i>						
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?				X	This site contains no mapped mineral resources. No impact.	1, 3, 4, 5, 26
b) Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan?				X	Neither the County of Lake's General Plan, the Middletown Area Plan nor the Lake County Aggregate Resource Management Plan designates the project site as being a locally important mineral resource recovery site. No impact.	1, 3, 4, 5, 26
XIII. NOISE <i>Would the project result in:</i>						
a) Generation of a substantial temporary or permanent increase in		X			Short-term increases in ambient noise levels to uncomfortable levels could be expected during project construction.	1, 3, 4, 5, 13

ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?				Mitigation measures will decrease these noise levels to an acceptable level. <u>NOI-1:</u> All construction activities including engine warm-up shall be limited Monday through Friday, between the hours of 7:00 a.m. and 7:00 p.m. to minimize noise impacts on nearby residents. Back-up beepers shall be adjusted to the lowest allowable levels. <u>NOI-2:</u> Maximum non-construction related sounds levels shall not exceed levels of 55 dBA between the hours of 7:00 a.m. to 10:00 p.m. and 45 dBA between the hours of 10:00 p.m. to 7:00 a.m. within residential areas as specified within Zoning Ordinance Section 21-41.11 (Table 11.1) at the property lines. <u>NOI-3:</u> The operation of the air filtration system shall not exceed levels of 57 dBA between the hours of 7:00 a.m. to 10:00 p.m. and 50 dBA from 10:00 p.m. to 7:00 a.m. within residential areas as specified within Zoning Ordinance Section 21-41.11 (Table 11.2) measured at the property lines. Less than significant impact with mitigation measures NOI-1 through NOI-3 incorporated.	
b) Generation of excessive groundborne vibration or groundborne noise levels?			X	The project is not expected to create unusual ground-borne vibration due to facility operation. The low level truck traffic during construction and deliveries would create a minimal amount of ground-borne vibration. No impact.	1, 3, 4, 5, 13
c) For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?			X	Project is not located within an airport land use plan or within 2 miles of a public airport. No impact.	1, 2, 3, 4, 5, 6, 24
XIV. POPULATION AND HOUSING <i>Would the project:</i>					
a) Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?			X	The project is not anticipated to induce population growth. No impact.	1, 3, 4, 5
b) Displace substantial numbers of existing people or housing, necessitating the construction of			X	No housing will be displaced as a result of the project. No impact.	1, 3, 4, 5

				<u>TRANS-1:</u> Prior to this use permit having any force or effect, the applicant will be required to submit and have approved a timeline to make all necessary road improvements to comply with Public Resource Code (PRC) section 4290 and 4291. The building official will inspect this road following completion of the road to assure PRC compliance. <u>TRANS-2:</u> Facilities constructed or utilized for new development shall comply with County standards in order to minimize initial and subsequent maintenance costs. Less than significant impact with mitigation measure TRANS-1 through TRANS-2 incorporated.	
b) For a land use project, would the project conflict with or be inconsistent with CEQA guidelines section 15064.3, subdivision (b)?		X		The five to seven weeks construction period could generate a maximum of 130-160 vehicle trips. However, post-construction will result in four to eight vehicle trips generated by potential employees. It is undetermined the distance of travel attributable to the project. However, significant impacts are not anticipated and the project is consistent with 15064.3 (b). See Response to Section XVII (a). Less than significant impact with mitigation measure TRANS-1 through TRANS-2 incorporated.	1, 3, 4, 5, 9, 20, 22, 27, 28, 35
c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?		X		A 10-foot wide railcar bridge is used to cross to the project site. The proposed project itself will not substantially increase hazards to the bridge directly. However, due to traffic flow and commercial cannabis cultivators using the bridge to cross to the project sites may substantially increase hazards to the public utilizing the bridge through cumulative effects. In addition, adjacent to bridge is an underpass crossing Soda Creek. The applicant and landowners utilizing the bridge and shared access roads are proposed to work together to improve all shared access roads. The bridge will have to be upgraded to meet California Fire and Forestry State Responsibility Area Standards prior to construction of the processing facility.  <i>Figure 3. The circulation system toward the cultivation site consist of one route driving pass a 10 feet wide bridge (light blue arrow) or adjacent to the bridge crossing Soda Creek (white arrow).</i>	1, 3, 4, 5, 9, 20, 22, 27, 28, 35

				Less than significant impact with mitigation measures TRANS-1 through TRANS-2 and GEO-1 through GEO-3.	
d) Result in inadequate emergency access?		X		As proposed, this project will not have direct impact on existing emergency access on its own. The property and cultivation site access is proposed to meet SRA fire regulations to improve and provide emergency access. The applicant must widen the internal access road to the cultivation site to 20-feet wide, gravel, and must meet 75,000 lbs. load capacity where culverts and bridges is present. It is possible upon inspection that the private easement road also will need to be widened to 20' and graveled to a 75,000 load capacity. The emergency access can only improve with implementation of this project. See response in section XVII (c). Less than significant impact with mitigation measures TRANS-1 through TRANS-2 and GEO-1 through GEO-3.	1, 3, 4, 5, 9, 20, 22, 27, 28, 35
XVIII. TRIBAL CULTURAL RESOURCES <i>Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:</i>					
a) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or		X		The applicant has undertaken a Cultural Resource Study. The findings yielded no significant historical, cultural, or tribal resources. California Register of Historic Resources also did not have any significant findings for the parcel. See response for section V (a). Less than significant impact with mitigation measures CUL-1 and CUL-2 added.	1, 3, 4, 5, 11, 14, 15
b) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resources Code 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.		X		There are no mapped significant resources that are on or adjacent to the site. See response for section V (a). Less than significant impact with mitigation measures CUL-1 and CUL-2 added.	1, 3, 4, 5, 11, 14, 15
XIX. UTILITIES AND SERVICE SYSTEMS <i>Would the project:</i>					
a) Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?			X	The project parcel is served by an existing well and septic system. The applicant shall adhere to all Federal, State and Local regulations regarding wastewater treatment and water usage requirements. Further, a stormwater management plan was submitted that addresses on-site run-off. There is no obvious change proposed that might adversely affect these named categories.	1, 3, 4, 5, 29, 32, 33, 34, 37

				Less than significant impact.	
b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?		X		The applicant is required to confirm the adequacy of the water source productivity as a condition of approval via well test. In addition, the applicant proposes three water tank storage which will be used for the project. The applicant proposes minimizing water use through drip irrigation and mitigations in are place to prevent potential leaks. Less than significant impact with mitigation measures HYD-2 through HYD-3 incorporated.	1, 3, 4, 5, 29, 32, 33, 34, 36, 37
c) Result in a determination by the wastewater treatment provider, which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?			X	The project parcel is currently served by a permitted on-site septic system, however it is not currently proposed to be used for the project. There are ADA portable toilets proposed for the project. However, the septic system may be used for bathrooms should the approving body for this permit ask to provide permanent bathrooms to employees. Less than significant impact.	1, 3, 4, 5, 29, 32, 33, 34
d) Generate solid waste in excess of State or local standards or in excess of the capacity of local infrastructure?			X	The existing landfill has sufficient capacity to accommodate the project's solid waste disposal needs. The county does require waste management plan for cannabis cultivation projects. The project is not proposed to generate solid waste in excess. All vegetative waste will be composted and to be used as soil amendments. Less than significant impact.	1, 3, 4, 5, 28, 29, 32, 33, 34, 36
e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?			X	All federal, state, and local requirements related to solid waste will apply to this project, but are not anticipated to create issues that require additional mitigation measures. Less than significant impact.	1, 3, 4, 5, 29, 32, 33, 34, 36

XX. WILDFIRE					
<i>If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:</i>					
a) Substantially impair an adopted emergency response plan or emergency evacuation plan?		X		The project will not further impair an adopted emergency response plan or evacuation plan. This site is no more prone to excessive fire risk than other sites in Lake County. Further, the trips generated by this use will be roughly the equivalent of a single family dwelling (around 10 average daily trips) based on the number of employees proposed. See response section XVII (d). All regulations on the State of California's Public Resource Code, Division, and all Sections in 4290 and 4291 (4001-4958) shall apply to this project. All regulations of California Code Regulations Title 14, Division 1.5, Chapter 7, Subchapter 2, and Article 1 through 5 shall apply to this project. All regulations of California Building Code, Chapter 7A, Section 701A, 701A.3.2.A Less than significant impact with mitigation measures TRANS-1 through TRANS-2 and GEO-1 through GEO-3.	1, 2, 4, 5, 6, 20, 23, 31, 35, 37, 38
b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?		X		The fire risk on the site is moderate and there is little slope on the site overall. The cultivation area does not further exacerbate the risk of wildfire, or the overall effect of pollutant concentrations to area residents in the event of a wildfire. The project would improve fire access and the ability to fight fires at or from the subject site and other sites accessed from the same roads. See response to section XX (a). Less than significant impact with mitigation measures TRANS-1 through TRANS-2 and GEO-1 through GEO-3.	1, 2, 4, 5, 6, 20, 23, 31, 35, 37, 38
c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?		X		The proposed project will require maintenance to meet roadway and driveway standards. A steel or fiberglass fire suppression water tank will be located at the cultivation site. All regulations in the California Government Code, Title 5. Local Agencies [50001- 57550], Part 1. Powers and Duties Common to Cities and Counties [50001 - 51189], Section 51182. This shall include, but not be limited to property line setbacks for structures that are a minimum of 30 feet, addressing on-site water storage for fire protection, driveway/roadway types and specifications based on designated usage, all weather driveway/roadway surfaces engineered for 75,000 lbs. vehicles, maximum slope of 16%, turnouts, gates (14 foot wide minimum), gate setbacks (minimum of 30 feet from the road), parking, fuels reduction, including a minimum of 100 feet of defensible space. If this property will meet the criteria to be, or will be a 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 said structure. Less than significant with mitigation measures TRANS-1 through TRANS-2 and GEO-1 through GEO-3.	1, 2, 4, 5, 6, 20, 23, 31, 35, 37, 38
d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?			X	There is little chance of risks associated with post-fire slope runoff, instability or drainage changes based on the lack of site changes that would occur by the project parcel, which already contains residential use. Risks are not expected to significantly increase from this project being added to the parcel. Less than significant impact.	1, 2, 4, 5, 6, 20, 23, 31, 35, 37, 38

XXI. MANDATORY FINDINGS OF SIGNIFICANCE						
<i>Would the project:</i>						
a) Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?		X			The project proposes a cultivation of commercial cannabis in an open somewhat previously disturbed area with minimal to no vegetation. As proposed, this project is not anticipated to significantly impact habitat of fish and/or wildlife species or cultural resources with the incorporated mitigation measures described above. Less than significant impact with mitigation measures AES-1 through AES-2, AQ-1 through AQ-6, BIO-1 through BIO-3, CUL-1 through CUL-2, GEO-1 through GEO-3, HYD-1 through HYD-5, NOI-1 through NOI-3, and TRANS-1 through TRANS-2.	All
b) Does the project have impacts that are individually limited, but cumulatively considerable? (“Cumulatively considerable” means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?		X			Potentially significant impacts have been identified related to Aesthetics, Air Quality, Biological Resources, Geology/Soils, Hydrology and Water Quality, Cultural and Tribal Resources, Transportation, Wildfire, and Noise. These impacts in combination with the impacts of other past, present and reasonably foreseeable future projects could cumulatively contribute to significant effects on the environment. Implementation of and compliance with mitigation measures identified in each section as project conditions of approval would avoid or reduce potential impacts to less than significant levels and would not result in any cumulatively considerable environmental impacts. Less than significant impact with mitigation measures AES-1 through AES-2, AQ-1 through AQ-6, BIO-1 through BIO-3, CUL-1 through CUL-2, GEO-1 through GEO-3, HYD-1 through HYD-5, NOI-1 through NOI-3, and TRANS-1 through TRANS-2.	All
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?		X			The proposed project has the potential to result in adverse indirect or direct effects on human beings. In particular, to Aesthetics, Air Quality, Biological Resources, Geology/Soils, Hydrology and Water Quality, Cultural and Tribal Resources, Transportation, Wildfire, and Noise have the potential to impact human beings. Implementation of and compliance with mitigation measures identified in each section as conditions of approval would not result in substantial adverse indirect or direct effects on human beings and impacts would be considered less than significant. Less than significant impact with mitigation measures AES-1 through AES-2, AQ-1 through AQ-6, BIO-1 through BIO-3, CUL-1 through CUL-2, GEO-1 through GEO-3, HYD-1 through HYD-5, NOI-1 through NOI-3, and TRANS-1 through TRANS-2.	All

* Impact Categories defined by CEQA

****Source List**

1. Lake County General Plan
2. Lake County GIS Database
3. Lake County Zoning Ordinance
4. Middletown Area Plan
5. Ancient Lakes Cannabis Cultivation Applications – Major Use Permit.
6. U.S.G.S. Topographic Maps
7. U.S.D.A. Lake County Soil Survey
8. Lake County Important Farmland Map, California Department of Conservation Farmland Mapping and Monitoring Program
9. Department of Transportation’s Scenic Highway Mapping Program,
(http://www.dot.ca.gov/hq/LandArch/16_livability/scenic_highways/index.htm)
10. Lake County Serpentine Soil Mapping
11. California Natural Diversity Database (<https://www.wildlife.ca.gov/Data/CNDDDB>)
12. U.S. Fish and Wildlife Service National Wetlands Inventory
13. Biological Assessment for Avenue Alternatives; prepared by Pinecrest Environmental Consulting, dated January 23, 2020.
14. Cultural Site Assessment Survey – Dr. John Parker, January 13, 2020.
15. California Historical Resource Information Systems (CHRIS); Northwest Information Center, Sonoma State University; Rohnert Park, CA.
16. Water Resources Division, Lake County Department of Public Works Wetlands Mapping.
17. U.S.G.S. Geologic Map and Structure Sections of the Clear Lake Volcanic, Northern California, Miscellaneous Investigation Series, 1995
18. Official Alquist-Priolo Earthquake Fault Zone maps for Lake County
19. Landslide Hazards in the Eastern Clear Lake Area, Lake County, California, Landslide Hazard Identification Map No. 16, California Department of Conservation, Division of Mines and Geology, DMG Open –File Report 89-27, 1990
20. Lake County Emergency Management Plan
21. Lake County Hazardous Waste Management Plan, adopted 1989
22. Lake County Airport Land Use Compatibility Plan, adopted 1992
23. California Department of Forestry and Fire Protection - Fire Hazard Mapping
24. National Pollution Discharge Elimination System (NPDES)
25. FEMA Flood Hazard Maps
26. Lake County Aggregate Resource Management Plan
27. Lake County Bicycle Plan
28. Lake County Transit for Bus Routes
29. Lake County Environmental Health Division
30. Lake County Grading Ordinance
31. Lake County Natural Hazard database
32. Lake County Countywide Integrated Waste Management Plan and Siting Element, 1996
33. Lake County Water Resources
34. Lake County Waste Management Department
35. California Department of Transportation (CALTRANS)
36. Lake County Air Quality Management District website
37. Lake County Fire Protection District
38. Site Visit – March 13, 2020