

Simone Hingston

From: Fried, Janae@Waterboards <Janae.Fried@Waterboards.ca.gov>
Sent: Wednesday, March 4, 2020 4:38 PM
To: Simone Hingston
Subject: [EXTERNAL]RE: Request for Review for Major Use Permit (UP 19-43, IS 19-62, EA 19-68)

Good afternoon Simone,

This discharger is permitted with us for the full Phase 2 60,000 SF of cultivation area. I was told by their consultant that their Site Management Plan for the Water Boards is complete and that I will have it by next week. Once I have their SMP for us, they will be in full compliance with our permit.

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: Simone Hingston <Simone.Hingston@lakecountyca.gov>
Sent: Wednesday, March 4, 2020 3:57 PM
To: Steven Hajik <Steven.Hajik@lakecountyca.gov>; Doug Gearhart <doug@lcaqmd.net>; fahmya@lcaqmd.net; Elizabeth Knight <elizabethk@lcaqmd.net>; Richard Ford <Richard.Ford@lakecountyca.gov>; Jim Campbell <Jim.Campbell@lakecountyca.gov>; David Casian <David.Casian@lakecountyca.gov>; Scott DeLeon <Scott.DeLeon@lakecountyca.gov>; Kelli Hanlon <Kelli.Hanlon@lakecountyca.gov>; Lucas Bingham <Lucas.Bingham@lakecountyca.gov>; Gloria Gregore <Gloria.Gregore@lakecountyca.gov>; Dennis Keithly <Dennis.Keithly@lakecountyca.gov>; Lori Baca <Lori.Baca@lakecountyca.gov>; Gordon Haggitt <Gordon.Haggitt@lakecountyca.gov>; Greg Peters <Greg.Peters@lakecountyca.gov>; Yuliya Osetrova <Yuliya.Osetrova@lakecountyca.gov>; chief500@lakeportfire.com; pbleuss@kelseyvillefire.com; chief800@northshorefpd.com; Fong, Gloria@CALFIRE <Gloria.Fong@fire.ca.gov>; Wink, Mike@CALFIRE <Mike.Wink@fire.ca.gov>; Fdchf700@yahoo.com; PGENorthernAgencyIns@pge.com; T4b5@pge.com; Robinson, Talmadge (Tal)@Wildlife <Talmadge.Robinson@Wildlife.ca.gov>; Stoner, Kyle@Wildlife <Kyle.Stoner@wildlife.ca.gov>; Wildlife R2 CEQA <R2CEQA@wildlife.ca.gov>; Fried, Janae@Waterboards <Janae.Fried@Waterboards.ca.gov>; nwc@sonoma.edu; kevinponce@cdfa.ca.gov; Moke Simon <Moke.Simon@lakecountyca.gov>; Carol Huchingson <Carol.Huchingson@lakecountyca.gov>; Michelle Scully <Michelle.Scully@lakecountyca.gov>; Susan Parker <Susan.Parker@lakecountyca.gov>; lcfarmbureau@sbcglobal.net
Subject: Request for Review for Major Use Permit (UP 19-43, IS 19-62, EA 19-68)
Importance: High

EXTERNAL:

Simone Hingston

From: Lori Baca
Sent: Thursday, March 5, 2020 8:56 AM
To: Simone Hingston
Subject: RE: Request for Review for Major Use Permit (UP 19-43, IS 19-62, EA 19-68)

Simone,

Parcels 013-015-34, -35, -39, and -43 are all outside of any Special Districts service area, no impact.

Have a wonderful day!!

Lori A. Baca, CTA

Customer Service Coordinator

Lori.Baca@lakecountyca.gov

Office Number (707) 263-0119

Fax (707) 263-3836



From: Simone Hingston

Sent: Wednesday, March 04, 2020 3:57 PM

To: Steven Hajik <Steven.Hajik@lakecountyca.gov>; Doug Gearhart <doug@lcaqmd.net>; fahmya@lcaqmd.net; Elizabeth Knight <elizabethk@lcaqmd.net>; Richard Ford <Richard.Ford@lakecountyca.gov>; Jim Campbell <Jim.Campbell@lakecountyca.gov>; David Casian <David.Casian@lakecountyca.gov>; Scott DeLeon <Scott.DeLeon@lakecountyca.gov>; Kelli Hanlon <Kelli.Hanlon@lakecountyca.gov>; Lucas Bingham <Lucas.Bingham@lakecountyca.gov>; Gloria Gregore <Gloria.Gregore@lakecountyca.gov>; Dennis Keithly <Dennis.Keithly@lakecountyca.gov>; Lori Baca <Lori.Baca@lakecountyca.gov>; Gordon Haggitt <Gordon.Haggitt@lakecountyca.gov>; Greg Peters <Greg.Peters@lakecountyca.gov>; Yuliya Osetrova <Yuliya.Osetrova@lakecountyca.gov>; chief500@lakeportfire.com; pbleuss@kelseyvillefire.com; chief800@northshorefpd.com; Gloria.Fong@fire.ca.gov; mike.wink@fire.ca.gov; Fdchf700@yahoo.com; PGENorthernAgencyIns@pge.com; T4b5@pge.com; talmadge.robinson@wildlife.ca.gov; kyle.stoner@wildlife.ca.gov; R2CEQA@wildlife.ca.gov; Janae.Fried@Waterboards.ca.gov; nwic@sonoma.edu; kevinponce@cdfa.ca.gov; Moke Simon <Moke.Simon@lakecountyca.gov>; Carol Huchingson <Carol.Huchingson@lakecountyca.gov>; Michelle Scully <Michelle.Scully@lakecountyca.gov>; Susan Parker <Susan.Parker@lakecountyca.gov>; lcfarmbureau@sbcglobal.net

Subject: Request for Review for Major Use Permit (UP 19-43, IS 19-62, EA 19-68)

Importance: High

Good Afternoon Fellow Agencies,

The above attachments are a Request for Review for Major Use Permit (UP 19-43, IS 19-62, EA 19-68), please review the attached documents.

Simone Hingston

From: Northwest Information Center <nwic@sonoma.edu>
Sent: Thursday, March 5, 2020 9:00 AM
To: Simone Hingston
Subject: [EXTERNAL]Re: Request for Review for Major Use Permit (UP 19-43, IS 19-62, EA 19-68)

Thank you for your UP 19-43, IS 19-62, EA 19-68; Michael Ross Cunningham; 013-015-34 / 013-015-35 / 013-015-39 / 013-015-43 request, we have added it to our queue and will be in touch if questions arise.

Your file has been assigned NWIC 19-1547

Contact our office referencing this number for any further questions or concerns regarding this project.

Thanks,
Claire Shudde
Northwest Information Center
150 Professional Center Dr., Suite E, Rohnert Park, CA 94928
T: (707) 588-8455
nwic@sonoma.edu
www.sonoma.edu/nwic

On Wed, Mar 4, 2020 at 3:58 PM Simone Hingston <Simone.Hingston@lakecountyca.gov> wrote:

Good Afternoon Fellow Agencies,

The above attachments are a Request for Review for Major Use Permit (UP 19-43, IS 19-62, EA 19-68), please review the attached documents.

Please advise us if additional information is needed, which permits are required from your agency (if any), and of your environmental concerns. Additionally, please advise if your agency recommends any modifications to the project that would reduce potential environmental impacts. Due to the provisions of state law, it is essential that we receive your comments as soon as possible but in no case later than **March 18, 2020**. Please email your comments to simone.hingston@lakecountyca.gov or mail them to the address listed on the RFR document.

Sincerely,

Simone Hingston

From: Yuliya Osetrova
Sent: Thursday, March 5, 2020 9:25 AM
To: Simone Hingston
Subject: RE: Request for Review for Major Use Permit (UP 19-43, IS 19-62, EA 19-68)

Simone,

For this project my comments are;

- Both wells' documents showing it's a legal source & stating the production rate/yield are missing
- Evidence of installation of water quantity/ water level reading devices is missing
- The county records show that the owners of the parcels listed on the application are different from the applicant. Also, the location of canopy and wells are not on the same parcels for some cases here. Written agreement of a well owner given to parcel owner where the canopy is located should be collected.

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

From: Simone Hingston
Sent: Wednesday, March 4, 2020 3:57 PM
To: Steven Hajik <Steven.Hajik@lakecountyca.gov>; Doug Gearhart <dougg@lcaqmd.net>; fahmya@lcaqmd.net; Elizabeth Knight <elizabethk@lcaqmd.net>; Richard Ford <Richard.Ford@lakecountyca.gov>; Jim Campbell <Jim.Campbell@lakecountyca.gov>; David Casian <David.Casian@lakecountyca.gov>; Scott DeLeon <Scott.DeLeon@lakecountyca.gov>; Kelli Hanlon <Kelli.Hanlon@lakecountyca.gov>; Lucas Bingham <Lucas.Bingham@lakecountyca.gov>; Gloria Gregore <Gloria.Gregore@lakecountyca.gov>; Dennis Keithly <Dennis.Keithly@lakecountyca.gov>; Lori Baca <Lori.Baca@lakecountyca.gov>; Gordon Haggitt <Gordon.Haggitt@lakecountyca.gov>; Greg Peters <Greg.Peters@lakecountyca.gov>; Yuliya Osetrova <Yuliya.Osetrova@lakecountyca.gov>; chief500@lakeportfire.com; pbleuss@kelseyvillefire.com; chief800@northshorefpd.com; Gloria.Fong@fire.ca.gov; mike.wink@fire.ca.gov; Fdchf700@yahoo.com; PGENorthernAgencyIns@pge.com; T4b5@pge.com; talmadge.robinson@wildlife.ca.gov; kyle.stoner@wildlife.ca.gov; R2CEQA@wildlife.ca.gov; Janae.Fried@Waterboards.ca.gov; nwic@sonoma.edu; kevinponce@cdfa.ca.gov; Moke Simon <Moke.Simon@lakecountyca.gov>; Carol Huchingson <Carol.Huchingson@lakecountyca.gov>; Michelle Scully <Michelle.Scully@lakecountyca.gov>; Susan Parker <Susan.Parker@lakecountyca.gov>; lcfarmbureau@sbcglobal.net
Subject: Request for Review for Major Use Permit (UP 19-43, IS 19-62, EA 19-68)
Importance: High

Good Afternoon Fellow Agencies,

The above attachments are a Request for Review for Major Use Permit (UP 19-43, IS 19-62, EA 19-68), please review the attached documents.

Please advise us if additional information is needed, which permits are required from your agency (if any), and of your environmental concerns. Additionally, please advise if your agency recommends any modifications to the project that would reduce potential environmental impacts. Due to the provisions of state law, it is essential that we

Simone Hingston

From: THPO <thpo@big-valley.net>
Sent: Thursday, March 5, 2020 2:23 PM
To: Simone Hingston
Cc: Sarah Ryan
Subject: [EXTERNAL]RE: AB52 Tribal Consultation Notification for Major Use Permit (UP 19-43, IS 19-62, EA 19-68)

Hello Simone Hingston,

This proposed project is located outside of the Historic Tribal Boundary of the Big Valley Band of Pomo Indians, we will not request tribal consultation.

Thank you,

Ronald Montez Sr.
Tribal Historic Preservation Officer
The Big Valley Band of Pomo Indians
2726 Mission Rancheria Rd.
Lakeport, CA 95453
Thpo@big-valley.net
707-263-3924 ext. 135
707-262-2690 cell

From: Simone Hingston <Simone.Hingston@lakecountyca.gov>
Sent: Wednesday, March 4, 2020 3:58 PM
To: Sarah Ryan <sryan@big-valley.net>; THPO <thpo@big-valley.net>; cww281@gmail.com; a.tyler@elemindiancolony.org; aarroyosr@hpultribe-nsn.gov; lrosas@hpultribe-nsn.gov; kn@koination.com; sjelliott@hoplandtribe.com; cfo@hoplandtribe.com; tc@middletownrancheria.com; jsimon@middletownrancheria.com; mshaver@middletownrancheria.com; THPO@middletownrancheria.com; btorres@middletownrancheria.com; rpeterston@middletownrancheria.com; sshope@middletownrancheria.com; speterston@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; nahc@nahc.ca.gov
Subject: AB52 Tribal Consultation Notification for Major Use Permit (UP 19-43, IS 19-62, EA 19-68)
Importance: High

Good Afternoon Tribal Agencies,

The above attachments are a AB52 Tribal Consultation Notification for Major Use Permit (UP 19-43, IS 19-62, EA 19-68), please review the attached documents.

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

Simone Hingston

From: Ryan Peterson <rpeterson@middletownrancheria.com>
Sent: Thursday, March 5, 2020 3:21 PM
To: Simone Hingston
Cc: Sally Peterson
Subject: [EXTERNAL]Re: AB52 Tribal Consultation Notification for Major Use Permit (UP 19-43, IS 19-62, EA 19-68)

Hey Simone,

This project does fall within our area of concern. Could you please forward us the CRS and CHRIS report for our review. Thank you.

Regards,

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

On Wed, Mar 4, 2020 at 3:59 PM Simone Hingston <Simone.Hingston@lakecountyca.gov> wrote:

Good Afternoon Tribal Agencies,

The above attachments are a AB52 Tribal Consultation Notification for Major Use Permit (UP 19-43, IS 19-62, EA 19-68), please review the attached documents.

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

Sincerely,



COUNTY OF LAKE

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

RECEIVED

MAR 05 2020

LAKE COUNTY COMMUNITY
DEVELOPMENT DEPT.

DISTRIBUTION DATE: March 4, 2020

REQUEST FOR REVIEW FOR SUFFICIENCY

☒ 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

☐ PG&E
☐ HOA
☐ WATER CO
☐ OTHER

☒ CA DEPT FISH & WDLF
☐ CALTRANS
☐ STATE LANDS COMM.
☒ CRWQCB
☐ STATE DEPT. OF HEALTH
☒ SONOMA STATE

☐ ARMY CORPS
☐ BLM
☒ CALCANNABIS
☐ GRADING:
☐ NRCS
☐ US FISH & WILDLIFE SVC
☐ US FOREST SERVICE

FROM: Simone Hingston, Assistant Planner
REQUEST: Major Use Permit UP 19-43; Initial Study IS 19-62; Early Activation EA 19-68
OWNER/APPLICANT: Michael Ross Cunningham
APNs: 013-015-34 / 013-015-35 / 013-015-39 / 013-015-43
LOCATION: 23167 / 23119 / 23131 / 23143 Jerusalem Grade, Middletown, CA 95461
ZONING: "RL" Rural Lands District
GENERAL PLAN: Rural Lands
HAZARDS: Project Parcel located within State Responsibility Area
FLOOD ZONE: "D" Areas of undetermined, but possible, flood hazard.
SERPENTINE SOILS: None.
SOIL STABILITY: Generally stable.
PREVIOUS APPLICATIONS: CC 06-05 / CC 06-04 / CC 06-10 / CC 06-11
MUP 05-62; IS 05-83 (road improvement) – "Denied without Prejudice" on Planning Commission hearing on 10/24/2013.
EXISTING-DEVELOPMENT: Residence, 30,000 gallon metal water tank (fire storage), one (1) 8' x 8' agricultural shed, 28' x 40' barn, 14' x 16' wooden shed, septic, wells.
WATER SOURCE: Two (2) wells.
SEWAGE: Septic system.
CONSTRUCTION: One (1) 10' x 12' security center and four (4) 2,500-gallon water storage tanks.

Accordingly to Lake County Ordinance Article 27(at)1.i. the minimum acreage for a qualifying property is 5 acres. APN 013-015-34 (4.8 acres) does not qualify for a commercial cannabis cultivation. The Community Development Department is currently processing a Voluntary Merger for APNs 013-015-34 and 013-015-35 to meet those standards. After the recording of the merger the parcel will be approximately 10.2 acres and fulfill the requirements.

PROPOSAL:

The applicant is requesting approval of a Major Use Permit for commercial cannabis cultivation. The applicant is proposing to allow the following (*Please refer to the attached Project Management Plan and Site Plans*):

Phase I:

- One (1) 12,000 square feet outdoor cultivation area
- One (1) 30,000 square feet outdoor cultivation area
- Six (6) parking spaces
- One (1) ADA compliant parking space
- 2 employees in general, 6 at peak
- Max of 1 delivery and 1 pick up per day

Phase II:

- Expand the 12,000 square feet outdoor cultivation area to 30,000 square feet

The applicant is proposing to allow the following licenses:

Two (2) A – **Type 3B: “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.

One (1) **Type 13: “Distributor Transport Only, Self-distribution”**: The transport of medicinal cannabis goods between entities licensed pursuant to California Code. (Ord.No. 3079, 12/11/2018)

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

Please advise us if additional information is needed, which permits are required from your agency (if any), and of your environmental concerns. Additionally, please advise if your agency recommends any modifications to the project that would reduce potential environmental impacts. Due to the provisions of state law, it is essential that we receive your comments as soon as possible but in no case later than **March 18, 2020**. Please email your comments to simone.hingston@lakecountycal.gov or mail them to the address listed in the letterhead above.

COMMENTS: They will need to have an Operator Identification Number if they use any pesticides-organic or conventional. They will also need a Private
 NAME Steve Majik DATE 3-4-20

cc: 1	Supervisory District (RFR Only)	Moke Simon	Redbud Audubon
@	Carol Huchingson/Michelle Scully/Susan Parker		
	Other (Examples: Sierra Club / HOA /	Farm Bureau / etc.) (RFR Only)	

Applicator certificate if they have any employees that apply pesticides. They can get these items at the Ag Commissioner's office.

Simone Hingston

From: Lucas Bingham
Sent: Monday, March 9, 2020 4:05 PM
To: Simone Hingston
Subject: RE: Request for Review for Major Use Permit (UP 19-43, IS 19-62, EA 19-68)
Attachments: MJ security plan review MUP 19-43.pdf

Lt. Bingham

From: Simone Hingston
Sent: Wednesday, March 4, 2020 3:57 PM
To: Steven Hajik <Steven.Hajik@lakecountyca.gov>; Doug Gearhart <dougg@lcaqmd.net>; fahmya@lcaqmd.net; Elizabeth Knight <elizabethk@lcaqmd.net>; Richard Ford <Richard.Ford@lakecountyca.gov>; Jim Campbell <Jim.Campbell@lakecountyca.gov>; David Casian <David.Casian@lakecountyca.gov>; Scott DeLeon <Scott.DeLeon@lakecountyca.gov>; Kelli Hanlon <Kelli.Hanlon@lakecountyca.gov>; Lucas Bingham <Lucas.Bingham@lakecountyca.gov>; Gloria Gregore <Gloria.Gregore@lakecountyca.gov>; Dennis Keithly <Dennis.Keithly@lakecountyca.gov>; Lori Baca <Lori.Baca@lakecountyca.gov>; Gordon Haggitt <Gordon.Haggitt@lakecountyca.gov>; Greg Peters <Greg.Peters@lakecountyca.gov>; Yuliya Osetrova <Yuliya.Osetrova@lakecountyca.gov>; chief500@lakeportfire.com; pbleuss@kelseyvillefire.com; chief800@northshorefpd.com; Gloria.Fong@fire.ca.gov; mike.wink@fire.ca.gov; Fdchf700@yahoo.com; PGENorthernAgencyIns@pge.com; T4b5@pge.com; talmadge.robinson@wildlife.ca.gov; kyle.stoner@wildlife.ca.gov; R2CEQA@wildlife.ca.gov; Janae.Fried@Waterboards.ca.gov; nwic@sonoma.edu; kevinponce@cdfa.ca.gov; Moke Simon <Moke.Simon@lakecountyca.gov>; Carol Huchingson <Carol.Huchingson@lakecountyca.gov>; Michelle Scully <Michelle.Scully@lakecountyca.gov>; Susan Parker <Susan.Parker@lakecountyca.gov>; lcfarmbureau@sbcglobal.net
Subject: Request for Review for Major Use Permit (UP 19-43, IS 19-62, EA 19-68)
Importance: High

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Sincerely,

Simone Hingston - Assistant Planner

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



LAKE COUNTY SHERIFF'S DEPARTMENT

1220 Martin Street • Lakeport, California 95453

Administration
(707) 262-4200

Central Dispatch
(707) 263-2690

Coroner
(707) 262-4215

Corrections
(707) 262-4240

Patrol/Investigation
(707) 262-4230

Substation
(707) 994-6433

Brian L. Martin
Sheriff / Coroner

Lake County Community Development

RE: MUP 19-43
Jerusalem Grade
Middletown, CA

In review of the Security Management Plan submitted for MUP 19-43 via the Lake County Community Development Department in February 2020. The Lake County Sheriff's Office has determined the submitted security plan meets the requirements of the County of Lake as set forth in Lake County Ordinance 3084 / 3073.

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

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

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

Simone Hingston

From: Fahmy Attar <FahmyA@lcaqmd.net>
Sent: Tuesday, March 10, 2020 8:52 AM
To: Simone Hingston
Subject: [EXTERNAL]Re: Request for Review for Major Use Permit (UP 19-43, IS 19-62, EA 19-68)
Importance: High

Simone,

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

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

dust impacts to the public, visitors, and road traffic. At a minimum, the District recommends chip seal as a temporary measure for primary access roads and parking. Paving with asphaltic concrete is preferred and should be required for long term occupancy. All areas subject to semi truck / trailer traffic should require asphaltic concrete paving or equivalent to prevent fugitive dust generation. Gravel surfacing may be adequate for low use driveways and overflow parking areas, however, gravel surfaces require more maintenance to achieve dust control, and permit conditions should require regular palliative treatment if gravel is utilized. White rock is not suitable for surfacing (and should be prohibited in the permit) because of its tendency to break down and create excessive dust. Grading and re-graveling roads should 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 4, 2020, at 3:57 PM, Simone Hingston <Simone.Hingston@lakecountyca.gov> wrote:

Good Afternoon Fellow Agencies,

The above attachments are a Request for Review for Major Use Permit (UP 19-43, IS 19-62, EA 19-68), please review the attached documents.

Please advise us if additional information is needed, which permits are required from your agency (if any), and of your environmental concerns. Additionally, please advise if your agency recommends any modifications to the project that would reduce potential environmental impacts. Due to the provisions of state law, it is essential that we receive your comments as soon as possible but in no case later than **March 18, 2020**. Please email your comments to simone.hingston@lakecountyca.gov or mail them to the address listed on the RFR document.

Sincerely,

Simone Hingston - Assistant Planner

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

<UP 19-43 RFR.PDF><UP 19-43 Updated Property Management Plan 2-26-2020.pdf><UP 19-43 Updated Site Plans 2-26-2020.pdf>

Simone Hingston

From: Northwest Information Center <nwic@sonoma.edu>
Sent: Tuesday, March 17, 2020 1:20 PM
To: Simone Hingston
Subject: [EXTERNAL]NWIC Results letter
Attachments: NWIC 19-1547 - UP 19-43, IS 19-62, EA 19-68.pdf

Good afternoon Simone,
We hope all is well.

Attached please find NWIC's response letter to UP19-43, IS 19-62, EA 19-68 (File #19-1547). Unless you need a hard copy of our recommendations, distribution will be by email only.
Please contact our office if you have any further questions or comments regarding this project

Thank you, please have a wonderful day.
Emily Dankowski
Northwest Information Center
150 Professional Center Dr. Suite E
Rohnert Park, CA 94928
Phone: 707.588.8455
Email: nwic@sonoma.edu

CALIFORNIA
HISTORICAL
RESOURCES
INFORMATION
SYSTEM



ALAMEDA
COLUSA
CONTRA COSTA
DEL NORTE

HUMBOLDT
LAKE
MARIN
MENDOCINO
MONTEREY
NAPA
SAN BENTO

SAN FRANCISCO
SAN MATEO
SANTA CLARA
SANTA CRUZ
SOLANO
SONOMA
YOLO

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

03-17-2020

File No: 19-1547

Simone Hingston, Assistant Planner
Lake County
Community Development Department
255 N. Forbes Street
Lakeport, CA. 95453

County File Numbers UP19-43, IS19-62, EA 19-68 / 23167, 23119, 23131, 23143 Jerusalem Grade Rd,
Middletown, CA 95461 / Michael Ross Cunningham

Dear Simone Hingston,

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

Project Description:

The applicant is requesting approval of a Major Use Permit for commercial cannabis cultivation. The applicant is proposing to allow the following

One(1) 12,000 square feet outdoor cultivation area
One (1) 30,000 square feet outdoor cultivation area
Six (6) parking spaces
One (1) ADA compliant parking space
2 employees in general, 6 at peak
Max of 1 delivery and 1 pickup per day
Phase II:
Expand the 12,000 square feet outdoor cultivation area to 30,000 square feet

Previous Studies:

XX This office has no record of any previous cultural resource studies by a professional archaeologist or architectural historian for the proposed project area (*see recommendation below*).

Archaeological and Native American Resources Recommendations:

XX The proposed project area has the possibility of containing unrecorded archaeological site(s). A study is recommended prior to commencement of project activities.

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

Built Environment Recommendations:

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

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

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

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

Sincerely,

Bryan Much
Coordinator

Simone Hingston

From: Greg Peters
To: Simone Hingston
Sent: Wednesday, March 18, 2020 9:14 AM
Subject: Not read: Request for Review for Major Use Permit (UP 19-43, IS 19-62, EA 19-68)

Your message

To: Greg Peters
Subject: Request for Review for Major Use Permit (UP 19-43, IS 19-62, EA 19-68)
Sent: Wednesday, March 04, 2020 3:57:17 PM (UTC-08:00) Pacific Time (US & Canada)

was deleted without being read on Wednesday, March 18, 2020 9:13:48 AM (UTC-08:00) Pacific Time (US & Canada).



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 5, 2019

East Side Farms, Inc.
Attention: Michael Ross Cunningham
10621 Bloomfield St., #35
Los Alamitos, CA 90720

Email: rcunningham@cunninghamswaim.com

Subject: Major Use Permit (UP 19-43), Early Activation (EA 19-68) and Initial Study (IS 19-62) for the Cultivation of Commercial Cannabis located at 23119 and 23131 Jerusalem Grade, Middletown described as assessor parcel numbers 013-015-34, 013-015-35, 013-015-39 and 013-015-43.

Dear East Side Farms, Inc.:

Thank you for submitting your application for a major use permit and initial study [environmental review to satisfy the California Environmental Quality Act (CEQA)] to allow the cultivation of commercial cannabis located at the above noted addresses. Upon further review, the Community Development Department has determined your application to be incomplete. Therefore, please submit the following information to the Community Development Department, so we may continue processing your application.

You have applied for Early Activation of use. Please note, your application must be deemed complete before we can consider and/or process your early activations request. Even though you have applied for early activation of use, you are not permitted in any way for the cultivation of cannabis at this time.

Early Activation cannot allow any type of construction, including the construction of greenhouses, hoop houses, hothouses etc., it cannot allow any type of grading or removal of trees nor can it have an adverse environmental impact or be currently operating in violation of the Lake County Zoning Ordinance.

1. According to Article 27(at)1.ii.(j)(1) of the Lake County Zoning Ordinance all parcels must qualify for a commercial cannabis cultivation permit independently. According to County records APN 013-015-34 is approximately 4.8 acres in size and does not meet the minimum lot size requirements of the above mentioned article. Therefore, please submit a recorded document or a record of survey indicating that the above parcel meets the minimum lot requirements. Alternatively, you may apply for a voluntary merger. I have enclosed the application for your convenience.
2. According to Article 27(at)1.ii.(j)(2) of the Lake County Zoning Ordinance the title interest on all parcels shall be held under identical ownership. Therefore, please record the applicable deed(s) and submit copies of the deed(s) showing identical ownership to the Community Development Department.

3. Please submit a *Planting Timeline Schedule* to the Community Development Department for review and approval. Said schedule shall detail the date of when the cannabis plants will be planted for early activation, the general cultivation season, the square footage to be planted and if the plants will be planted above ground or in ground.
 - Taxes are due prior to cultivation, as it is considered legally authorized cannabis cultivation at that time. A condition will be included that the taxes must be paid prior to cultivation activity. Proof of payment is required to be submitted to the Community Development Department. Failure to pay said tax will result in the initiation of permit revocation proceedings.
4. Please submit revised Site Plan(s) to the Community Development Department for review and approval. Said revisions shall include the following additional information:
 - Clearly label all existing and/or proposed access ways/roadways with dimensions.
 - *Driveway/Access roads shall be at least ten (10) feet wide and when exceeding 150 feet in length but not less than 800 feet in length shall provide a turnout near the midpoint of the roadway. Access roadways exceeding 800 feet in length, turnouts shall be provided no more than 400 feet apart. Additionally, turnarounds shall be required for all building sites on access roadways greater than 300 feet in length and must be within 50 feet of the building(s). Therefore, please revised your Property Management Plan and site plans to include the appropriate turnouts according to the information above. All site plans shall clearly label all turnarounds with dimensions.*
 - Clearly label the slope of all access roads as the maximum slope of the access roads shall not exceed 16%.
 - Please submit engineered plans showing the bridge at Soda Creek can support 75,000 lbs. Clearly label the all-weather surface to be used on all access roads for the entire length and provide engineering specification from a qualified professional indicating all roadways have meet the above requirements.
 - *The all-weather roadway surface shall be designed and maintained to support the imposed load of fire apparatus weighing at least 75,000 pounds, (including bridges, culverts, etc.). All existing and/or proposed road access shall meet all Federal, State and local agencies requirements for commercial uses.*
 - Clearly label all gates with dimensions, including the setbacks from all roadways (*all gates shall be setback a minimum of thirty (30) feet from the roadway and the minimum width of the gate shall be fourteen (14) feet*).
 - The minimum fuel reduction shall be 100 feet of defensible space for *all* structures, except for structure(s) and/or location(s) which stores hazardous, flammable or dangerous material shall establish and maintain a minimum of a 300 foot vegetation fuels reduction buffer.
 - *Defensible space* [as defined in Section 1271 of the California Code of Regulations – Title 14] is the area within the perimeter of a parcel, development, neighborhood or community where basic wildland fire

protection practices and measures are implemented, proving the key point of defense from an approaching wildfire or defense encroaching or escaping structure fires. The perimeter as used in this regulation is the area encompassing the parcel or parcels proposed for construction and/or development, excluding the physical structure itself. The area is characterized by the establishment and maintenance of emergency vehicle access, emergency water reserves, street names and building identification and fuel modification measures.

Therefore, please revise your Site Plans and Property Management detailing the appropriate defensible space clearance based on the information above with dimensions. If vegetation and/or trees are to be removed, please submit a Tree/Vegetation Removal Plan. Said plan shall identify the species to be removed, including the breast height if any oak tree to be removed.

5. According to your Proposed Conditions Site Plan the existing wooden barn (Building K, Cannabis Drying & Storage Facility) is within the required setbacks of defensible space. You will need to apply for a variance in the event you want to continue using this building for your cannabis application. Please refer to Art. 52 of the Lake County Zoning Ordinance for further information. The applicant needs to supply a plan of the details of the variance, and other pertinent information required by the Planning Department as provided in Article 55 and evidence showing 1) that the granting of the variance will not be contrary to the intent of that Chapter or to the public safety, health and welfare, and 2) that due to special conditions or exceptional characteristics of the property, or its location, the strict application of that Chapter would result in practical difficulties and unnecessary hardships. I have enclosed a variance application for your convenience.
6. Please submit Grading and Erosion & Sediment Control Plans (in accordance with Chapter 30 of the Lake County Code) to the Community Development Department for review and approval. Said plan shall include but is not limited to the following:
 - Name and address of property owner and the individual(s) who prepared the plans.
 - Assessor's parcel numbers (APN) and addresses of the project site.
 - Vicinity map indicating location of project site in relation to adjacent roads, and
 - Detail the amount of cubic yards disturbed for each area to be disturbed and/or developed, including the areas to be improved to meet the California Public Resource Code, Section 4290 and 4291 and building sites.
 - Existing and proposed land contours with cross-sections showing depths and volumes of cuts and fills, clearly indicating the top and toe of slopes. Contours shall be shown at intervals suitable to ensure clarity.
 - Source location for any fill material imported to the site or destination location of material to be exported from the site.
 - Locations of access routes to the site as well as proposed haul routes for import/export of materials.
 - Detail how the existing erosion and water run off issues will be addressed and mitigated to prevent further damage to the project site and surrounding parcels.
 - Excess soil stockpile location, if applicable
 - Detail existing and proposed roads/driveways, structures, watercourses, drainage ditches and drainage structures, springs, seeps, existing drainage patterns and proposed changes to existing drainage pattern, location of large trees,

easements/rights-of-way, wells and sewage disposal systems, topographical features such as existing rock outcroppings, type of existing vegetation, and other geologic features

- Details of all erosion control measures shall be identified for both construction/grading and permanent erosion control (permanent erosion control already submitted in the Erosion and Sediment Control Plan)
- Detail the measures of protection against dust, hazardous spills, wildfire and noise during grading and construction.
- Detail the existing roadways standards versus the proposed improvements to all existing and/or proposed access ways.

Please note: If you disturb more than one (1) acre, a *Construction General Permit* may be required by the California Regional Water Quality Control Board. Additionally, the *Erosion Control and Sediment Detention Plan* may be incorporated as part of a *Storm Water Pollution Prevention Plan (SWPPP)*.

7. Prior to deeming your application complete, please schedule the following inspections:
 - Please contact the Community Development Department – Building Division at (707) 263-2382 to schedule an inspection(s) to assure that Public Resource Code sections 4290 and 4291 are being satisfied. Please be aware upon findings during the inspection(s) you may have to amend your proposal as needed.
 - Please contact the Community Development Department – Planning Division at your earliest convenience to schedule a preliminary site visit to meet with you and/or your representative. Please be aware upon findings during the inspection(s) you may have to amend your proposal as needed. You may contact me at (707) 263-2221 or simone.hingston@lakecountycal.gov with any questions or concerns you may have.

If possible, these inspections should occur at the same time.

Once we receive the requested items, the Community Development Department can continue to process your application and circulate your project for review to responsible Federal, State and local agencies. Please be advised that additional items may be required upon further review and the receipt of additional comments from other agencies. *Also, you should be aware the items below will likely to be required as conditions of approval which may include, but are not limited to the following:*

- *Upon Approval of this project, the California Department of Fish & Wildlife filing fee shall be submitted as required by California Environmental Quality Act (CEQA) statute, Section 21089(b) and Fish and Game Code Section 711.4. The fee should be submitted to the Community Development Department within five (5) days of approval of the mitigated negative declaration.*
- *Upon the issuance of early activations and/or use permit approval. The applicant shall post the Cannabis Cultivation Permit Card received from the Community Development Department at the entrance of project parcel(s) and at the location of each cultivation site within thirty (30) of receiving permit card. The Cannabis Permit card shall be clearly visible and remain posted for life of the project on a permanent weather proof fixture. (If you a replacement Cannabis Cultivation Permit Card, please contact the Community Development Department-Planning Division).*

- *The applicant shall submit an Odor Control Plan to the Lake County Community Development Department for review and approval. Cannabis related permits shall not propagate objectionable odors which cause injury, detriment, nuisance, or annoyance to any considerable number of person or the public, or that endanger the comfort, repose, health, or safety of any of those person or the public. If substantial odor complaints are received the permit may be revoked.*
- *The applicant shall submit a complete list of all equipment utilized at the site with the potential to emit air containments to the Lake County Air Quality Management which includes but is not limited to diesel powered generators, pumps, and off-road equipment. All diesel powered equipment shall meet the requirements of the state ATCM's for CI engines (stationary & portable).*
- *All outdoor lighting will need to be directed downward onto the project site and not onto adjacent properties. All lighting equipment will need to comply with the recommendations of darksky.org and provisions of section 21.48 of the Zoning Ordinance. All lights used for cannabis related permits including indoor or mixed light cultivation of cannabis shall be fully contained within structures or otherwise shielded to fully contain any light or glare involved in the cultivation process. Artificial light shall be completely shielded between sunset and sunrise. Security lighting shall be motion activated and all outdoor lighting shall be shielded and downcast or otherwise positioned in a manner that will not shine light or allow light glare to exceed the boundaries of the lot of record upon which they are placed.*
- *Prior to issuance of any permits, the applicant shall obtain two (2) copies of a site plan, which has been reviewed and approved by Lake County Environmental Health Department.*
- *Prior to Operation, all structure(s) used for commercial cultivation shall meet accessibility standards. Please contact the Community Development Department - Building Division at (707) 263-2382 for more information.*
- *Prior to Operation, all employees shall have access to restrooms and hand-wash stations (permanent restrooms may be required). The restrooms and hand wash stations shall meet all accessibility requirements. Please contact the Department of Environmental Health at (707) 263-1164 for further information.*
- *Prior to Operation, all accessible compliant parking areas, routes of travel, building access and/or bathrooms shall meet all California Building Code Requirements. Please contact the Community Development Department – Building Division at (707) 263-2382 for further information.*
- *Applicable permits, such as from Department of Consumer Affairs, Bureau of Cannabis Control, Department of Food and Agriculture, Department of Pesticide Regulation, Department of Fish and Wildlife, The State Water Resources Control Board, Board of Forestry and Fire Protection, Central Valley or North Coast Regional Water Quality Control Board, Department of Public Health, and shall be obtained, as appropriate.*
- *An applicant shall keep accurate records of commercial cannabis activity. All records related to commercial cannabis activity as defined by the state licensing authorities shall be maintained for a minimum of seven years. The County may examine the books and records of an applicant and inspect the premises of a permittee when the County deems necessary to perform its duties under this division. All inspections shall be conducted during standard business hours of the permitted facility or at any other reasonable time. Applicants shall keep records identified by the County on the premises of the location permitted. The County may*

make any examination of the records of any applicant. Applicants shall also provide and deliver copies of such documents to the County upon request. An applicant, or its agent or employee, that refuses, impedes, obstructs, or interferes with an inspection of the premises or records of the applicant pursuant to this section, has engaged in a violation of this article.

- *All applicants and employees shall undergo a background check by the Lake County Sheriff Department. An individual may fail the background check if employee has been convicted of an offense that is substantially related to the qualifications, functions, or duties of the business or profession for which the application is made, except that if the sheriff determines that the applicant or permittee is otherwise suitable to be issued a license and granting the license would not compromise public safety, the sheriff shall conduct a thorough review of the nature of the crime, conviction, circumstances, and evidence of rehabilitation of the applicant, and shall evaluate the suitability of the applicant or permittee be issued a license based on the evidence found through the review. In determining which offenses are substantially related to the qualifications, functions, or duties of the business or profession for which the application is made, the sheriff shall include, but not be limited to, the conditions described in Section 26057 of the California Business and Professions Code.*
- *An encroachment permit from the Lake County Department of Public Works and/or Caltrans shall be required before any work can be completed within the right-of-way. Please contact Department of Public Works at (707) 263-2341 or Caltrans at (707) 445-6385 for further information. 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. All driveways shall be constructed all Federal, State and local agency requirements 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. Gates constructed across public access easements are subject to removal per State Street and Highway Codes.*
- *An annual compliance monitoring inspection will be required. The fee for this inspection is \$760.00. The inspections may reduce in frequency after five years if there are no violations.*
- *The project shall comply with Section 41.7 of the Lake County Zoning Ordinance that specifies that all uses involving the use or storage of combustible, explosive, caustic or otherwise hazardous materials shall comply with all applicable local, state and federal safety standards and shall be provided with adequate safety devices against the hazard of fire and explosion, and adequate firefighting and fire suppression equipment.*
- *The storage of potentially hazardous materials shall be located at least 100 feet from any existing water well. These materials shall not be allowed to leak onto the ground or contaminate surface waters. Collected hazardous or toxic materials shall be recycled or disposed of through a registered waste hauler to an approved site legally authorized to accept such materials.*
- *Hazardous waste (including industrial waste) must be handled according to all Hazardous Waste Control and Generator regulations. Waste shall not be disposed of on-site without review or permits from EHD, the California Regional Water Control Board, and/or the Air Quality Board. Collected hazardous or toxic waste materials shall be recycled or disposed*

of through a registered waste hauler to an approved site legally authorized to accept such material.

- *All equipment shall be maintained, stored and operated in a manner that minimizes any spill or leak of hazardous materials. Hazardous materials and contaminated soil shall be stored, transported, and disposed of consistent with applicable local, state and federal regulations.*
- *The applicant shall adhere to all federal, state and local regulations regarding onsite - wastewater treatment and water usage requirements.*
- *Prior to obtaining any permits, the permit holder shall submit and maintain a Materials Inventory Disclosure Statement/Business Plan with the Environmental Health Department for the storage of hazardous materials equal to or greater than fifty-five (55) gallons of a liquid, 500 pounds of a solid, or 200 cubic feet of compressed gas. The applicant shall submit written documentation to the Community Development Department that all necessary permits have been obtained.*
- *All construction activities including engine warm-up shall be limited Monday Through Friday, between the hours of 7:00am and 7:00pm to minimize noise impacts on nearby residents. Back-up beepers shall be adjusted to the lowest allowable levels. This mitigation does not apply to night work.*
- *Maximum non-construction related sounds levels shall not exceed levels of 55 dBA between the hours of 7:00AM to 10:00PM and 10:00PM to 7:00AM within residential areas as specified within Zoning Ordinance Section 21-41.11.12 at the property lines.*

Sincerely,

Simone Hingston
Assistant Planner

Encl.: Voluntary Merger Application
Variance Application

The applicant or any interested person is reminded that the Zoning Ordinance provides for a seven (7) calendar day appeal period. If there is a disagreement with the Zoning Administrator, an appeal to the Planning Commission may be filed. The appropriate forms and applicable fee must be submitted prior to 5:00 p.m. on or before the seventh calendar day following the final determination.

that if the Lake County Sheriff finds that the applicant, owner, or permittee is otherwise suitable to be issued a permit, and granting the permit would not compromise public safety, the Lake County Sheriff shall conduct a thorough review of the nature of the crime, conviction, circumstances, and evidence of rehabilitation of the applicant or owner, and shall evaluate the suitability of the applicant, owner, or permittee to be issued a permit based on the evidence found through the review.

(i) Property Owner's Approval:

If the property where the cannabis activity is to be located is not owned by the applicant, written approval shall be obtained from the property owner(s), containing the property owner(s) notarized signature that authorizes the tenant or lessee to cultivate cannabis at the site. A copy of the written approval shall be maintained by the tenant or lessee and made available for review by enforcement officials upon request. Written approvals shall be renewed annually.

(j) Collocation of Permits and Clustering

Multiple Cultivation permits may be allowed on a single parcel provided that each permit meets the minimum acreage requirement and all other development standards. Clustering a cultivation site across multiple contiguous parcels may be permitted when all of the following criteria are met:

- (1) All parcels must qualify for a commercial cannabis cultivation permit independently,
- (2) Title interest on all parcels shall be held under the same identical ownership.
- (3) All required cultivation setbacks shall be maintained from exterior property lines and the cultivation site may be permitted to cross contiguous property lines,
- (4) A deed restriction prohibiting commercial cannabis cultivation shall be recorded on each parcel where density has been transferred.

(k) Permitted activities:

The following uses in connection with the cultivation of cannabis:

- (1) Cultivation of cannabis
- (2) Cannabis processing such as drying, curing, grading, packaging, or trimming



AFTER RECORDING

Please Return To:

Lake County Community Develop. Dept.
255 N. Forbes Street
Lakeport, CA 95453

Doc # 2006003373
Page 1 of 2
Date: 02/09/2006 10:40A
Filed by: LAKE CO COMMUNITY DEVELOPMENT
Filed & Recorded in Official Records
of COUNTY OF LAKE
DOUGLAS W. WACKER
COUNTY RECORDER
Fee: \$10.00

CERTIFICATE OF COMPLIANCE

(Section 66499.35, Government Code)

PROPERTY OWNER:

Gary and Michelle Holquin

1326 Tucker Road

Calistoga, CA 94515

REAL PROPERTY:

ALL THAT REAL PROPERTY SITUATE IN THE UNINCORPORATED AREA OF THE COUNTY OF LAKE, STATE OF CALIFORNIA AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

The West one-half of the Northwest one-quarter of the Northwest one-quarter of the Northeast one-quarter of Section 14, Township 11 North, Range 6 West, M.D.B. & M.

APN: 013-015-34

CC 06-05

The Lake County Community Development Director, acting pursuant to Section 66499.35 of the Subdivision Map Act and local ordinances enacted pursuant thereto, hereby finds, determines and certifies:

(1) that the real property described herein is considered one lot of record that complies with the applicable provisions of the Subdivision Map Act and local ordinances enacted pursuant thereto; and

(2) that the issuance and recordation of this Certificate of Compliance has been duly authorized and approved by the Community Development Director of the County of Lake.

(3) this certificate relates only to issues of compliance or noncompliance with the Subdivision Map Act and local ordinances enacted pursuant thereto. The parcel described herein may be sold, leased, or financed without further compliance with the Subdivision Map Act or any local ordinance enacted pursuant thereto. Development of the parcel may require issuance of a permit or permits, or other grant or grants or approval.

Holguin CC 06-05

Date of Issuance: 2-08-2006

COMMUNITY DEVELOPMENT DEPARTMENT

Mary Jane Fagalde, Director

By:

Carolyn E. Ruttan
Carolyn E. Ruttan, Assistant Resource Planner

STATE OF CALIFORNIA)
)SS.
COUNTY OF LAKE)

On February 8, 2006 before me, Janice K. PanKratz, personally appeared Carolyn E. Ruttan, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument and acknowledged to me that she executed the same in her authorized capacity, and that by her signature on the instrument the person or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.

ATTEST: PAM COCHRANE
County Clerk-Auditor

By:

Janice K. PanKratz
Deputy County Clerk





AFTER RECORDING

Please Return To:

Lake County Community Develop. Dept.
255 N. Forbes Street
Lakeport, CA 95453

Doc # 2006003372
Page 1 of 2
Date: 02/09/2006 10:39A
Filed by: LAKE CO COMMUNITY DEVELOPMENT
Filed & Recorded in Official Records
of COUNTY OF LAKE
DOUGLAS W. WACKER
COUNTY RECORDER
Fee: \$18.00

CERTIFICATE OF COMPLIANCE

(Section 66499.35, Government Code)

PROPERTY OWNER: Frank Groggins
P.O. Box 422
Angwin, CA 94508

REAL PROPERTY:

ALL THAT REAL PROPERTY SITUATE IN THE UNINCORPORATED AREA OF THE COUNTY OF LAKE, STATE OF CALIFORNIA AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

The East one-half of the Northwest one-quarter of the Northwest one-quarter of the Northeast one-quarter of Section 14, Township 11 North, Range 6 West, M.D.B. & M.

APN: 013-015-35

CC 06-04

The Lake County Community Development Director, acting pursuant to Section 66499.35 of the Subdivision Map Act and local ordinances enacted pursuant thereto, hereby finds, determines and certifies:

(1) that the real property described herein is considered one lot of record that complies with the applicable provisions of the Subdivision Map Act and local ordinances enacted pursuant thereto; and

(2) that the issuance and recordation of this Certificate of Compliance has been duly authorized and approved by the Community Development Director of the County of Lake.

(3) this certificate relates only to issues of compliance or noncompliance with the Subdivision Map Act and local ordinances enacted pursuant thereto. The parcel described herein may be sold, leased, or financed without further compliance with the Subdivision Map Act or any local ordinance enacted pursuant thereto. Development of the parcel may require issuance of a permit or permits, or other grant or grants or approval.

Groggins CC 06-04

Date of Issuance: 2-08-2006

COMMUNITY DEVELOPMENT DEPARTMENT

Mary Jane Fagalde, Director

By:

Carolyn E. Ruttan
Carolyn E. Ruttan, Assistant Resource Planner

STATE OF CALIFORNIA)
)SS.
COUNTY OF LAKE)

On February 8, 2006 before me, Janice K. PanKratz, personally appeared Carolyn E. Ruttan, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument and acknowledged to me that she executed the same in her authorized capacity, and that by her signature on the instrument the person or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.

ATTEST: PAM COCHRANE
County Clerk-Auditor

By:

Janice K. PanKratz
Deputy County Clerk



Simone Hingston

From: Tina Rubin
Sent: Monday, March 23, 2020 11:14 AM
To: Simone Hingston
Subject: UP 19-43 Jerusalem Grade CDD Review comments
Attachments: 013-015-35 & 39 UP 19-43 CDD Review Comments.pdf

See attached comments

Tina Dawn-Rubin
Environmental Health Aide

County of Lake

Department of Health Services
Environmental Health Division
922 Bevins Ct, Lakeport, CA 95453
Tel: 707-263-1164 Fax: 707-263-1681

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COUNTY OF LAKE

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

Received

MAR 05 2020

Environmental Health

SR0003697
SR0003697

DISTRIBUTION DATE: March 4, 2020

REQUEST FOR REVIEW FOR SUFFICIENCY

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

FROM: Simone Hingston, Assistant Planner
REQUEST: Major Use Permit UP 19-43; Initial Study IS 19-62; Early Activation EA 19-68
OWNER/APPLICANT: Michael Ross Cunningham
APNs: 013-015-34 / 013-015-35 / 013-015-39 / 013-015-43
LOCATION: 23167 / 23119 / 23131 / 23143 Jerusalem Grade, Middletown, CA 95461
ZONING: "RL" Rural Lands District
GENERAL PLAN: Rural Lands
HAZARDS: Project Parcel located within State Responsibility Area
FLOOD ZONE: "D" Areas of undetermined, but possible, flood hazard.
SERPENTINE SOILS: None.
SOIL STABILITY: Generally stable.
PREVIOUS APPLICATIONS: CC 06-05 / CC 06-04 / CC 06-10 / CC 06-11
MUP 05-62; IS 05-83 (road improvement) - "Denied without Prejudice" on Planning Commission hearing on 10/24/2013.
EXISTING-DEVELOPMENT: Residence, 30,000 gallon metal water tank (fire storage), one (1) 8' x 8' agricultural shed, 28' x 40' barn, 14' x 16' wooden shed, septic, wells.
WATER SOURCE: Two (2) wells.
SEWAGE: Septic system.
CONSTRUCTION: One (1) 10' x 12' security center and four (4) 2,500-gallon water storage tanks.

Accordingly to Lake County Ordinance Article 27(at)1.i. the minimum acreage for a qualifying property is 5 acres. APN 013-015-34 (4.8 acres) does not qualify for a commercial cannabis cultivation. The Community Development Department is currently processing a Voluntary Merger for APNs 013-015-34 and 013-015-35 to meet those standards. After the recording of the merger the parcel will be approximately 10.2 acres and fulfill the requirements.

PROPOSAL:

The applicant is requesting approval of a Major Use Permit for commercial cannabis cultivation. The applicant is proposing to allow the following (Please refer to the attached Project Management Plan and Site Plans):

Phase I:

- One (1) 12,000 square feet outdoor cultivation area
- One (1) 30,000 square feet outdoor cultivation area
- Six (6) parking spaces
- One (1) ADA compliant parking space
- 2 employees in general, 6 at peak
- Max of 1 delivery and 1 pick up per day

Phase II:

- Expand the 12,000 square feet outdoor cultivation area to 30,000 square feet

The applicant is proposing to allow the following licenses:

Two (2) **A – Type 3B: “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.

One (1) **Type 13: “Distributor Transport Only, Self-distribution”**: The transport of medicinal cannabis goods between entities licensed pursuant to California Code. (Ord.No. 3079, 12/11/2018)

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

Please advise us if additional information is needed, which permits are required from your agency (if any), and of your environmental concerns. Additionally, please advise if your agency recommends any modifications to the project that would reduce potential environmental impacts. Due to the provisions of state law, it is essential that we receive your comments as soon as possible but in no case later than **March 18, 2020**. Please email your comments to simone.hingston@lakecountyca.gov or mail them to the address listed in the letterhead above.

COMMENTS: See attached memorandum

NAME Tim Rubi DATE 3/23/20

cc: 1	Supervisory District (RFR Only)	Moke Simon	Redbud Audubon
@	Carol Huchingson/Michelle Scully/Susan Parker		
	Other (Examples: Sierra Club / HOA / @	Farm Bureau / etc.) (RFR Only)	



COUNTY OF LAKE
Health Services Department
Environmental Health Division
922 Bevins Court
Lakeport, California 95453-9739
Telephone 707/263-1164
FAX 707/263-1681

Denise Pomeroy
Health Services Director

Gary Pace, MD, MPH
Health Officer

Jasjit Kang
Environmental Health Director

Promoting an Optimal State of Wellness in Lake County

Memorandum

DATE: March 23, 2020

TO: Simone Hingston, Assistant Planner

FROM: Tina Dawn-Rubin, Environmental Health Aide

RE: UP 19-43 Major Use Permit, IS 19-62, EA 19-68
Commercial Cannabis

APN: 013-015-35, 013-015-39, 013-015-43, 013-015-34
23167, 23119, 23131, 23143 Jerusalem Grade,
Middletown

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

APN: 013-015-39 Please provide our office with a maintenance agreement and deed recordation for the on-site wastewater treatment system. See letter from Environmental Health dated 10/13/2010.

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





COUNTY OF LAKE

HEALTH SERVICES DEPARTMENT

Division of Environmental Health

Lakeport:

922 Bevins Court, Lakeport, CA 95453-9739

Telephone 707/ 263-1164 FAX: 263-1681

Jim Brown
Health Services Director

Raymond Ruminski, R.E.H.S.
Environmental Health Director

October 13, 2010

Edwin Yearout
P.O. Box 19545
Sacramento, CA 95819

RE: 013-015-39
23131 Jerusalem Grade, Middletown

Dear Mr. Yearout,

Our records show you are the owner of the above referenced property and our office has not received a maintenance agreement or deed recordation for your On-Site Wastewater Sewage Treatment System.

Please submit a maintenance agreement and deed recordation to complete your file. Feel free to contact our office at 707-263-1164 if you have any questions or concerns.

Sincerely,

Amanda Kane

Amanda Kane
Office Assistant II

Encl

CC: Advanced Septic Solutions, Harry Robinson, P.O. Box 681, Middletown, CA 95461
CK Doud Construction, Brett Doud, P.O. Box 1331, Lower Lake, CA 95457



COUNTY OF LAKE

HEALTH SERVICES DEPARTMENT

Division of Environmental Health

Lakeport:

922 Bevins Court, Lakeport, CA 95453-9739

Telephone 707/ 263-1164 FAX: 263-1681

Lower Lake:

16195 Main Street, Lower Lake, CA 95457

Telephone 707/ 994-2257 FAX: 994-8950

Jim Brown
Health Services Director

Raymond Ruminski
Environmental Health Director

August 20, 2008

Edwin Yearout
3953 28th Street
Sacramento, CA 95820

RE: APN: 013-015-39
23131 Jerusalem Grade, Middletown

Dear Mr. Yearout:

This letter is to inform you that the County of Lake Department of Health Services, Division of Environmental Health is requesting your assistance to determine the current state of your existing residential On-Site Wastewater Supplemental Treatment System. Our County records indicate that you are the owner of the above referenced property.

Please review and consider the following questions pertaining to the above referenced parcel:

1. Are you aware that your home has a Supplemental On-Site Wastewater Treatment System (either an aerobic or media filter treatment unit) to treat and dispose of your household sewage or effluent wastes?
2. Does your parcel have a recorded deed of record with the County of Lake Recorder's Office that stipulates the following, "the system owner shall be responsible for continuous operation and maintenance of the system and shall keep in full force and effect an inspection, maintenance service contract with the distributor/servicing agent?" Please note that the servicing agent must be certified by the manufacturer of the supplemental treatment or on-site wastewater treatment system in order to perform any maintenance on the treatment unit.
3. As the owner, are you aware that you are responsible for the continuous operation and maintenance of the On-Site Wastewater Treatment system? This is a requirement in accordance with Lake County Rules and Regulations.
4. Have you ever received an owner's manual for the supplemental treatment unit that services your home and are you familiar with the requirements for maintaining the treatment unit and system?

Please note that without a properly scheduled maintenance of the system, there is an increased potential risk that the system could malfunction or fail to operate correctly. If the supplemental treatment system is not maintained, a major failure could occur. A failure may include effluent surfacing onto the ground or backing up into the home, both of which are considered a serious health and safety threat.

013-015-39
August 20, 2008
Page 2

Our office has contacted the manufacturer and the manufacturer's authorized representative for your supplemental treatment system and requested proof of a monitoring and maintenance agreement.

Please contact our office so that we may determine the status of your monitoring and maintenance agreement, your deed recordation (see attached example), and to answer any of your questions. You may contact this office at (707) 263-1164.

Sincerely,

A handwritten signature in cursive script that reads "James B. Scott".

James B. Scott, R.E.H.S. IV
Supervising Environmental Health Inspector

Attachment: Copy of Sample Deed Recordation



February 17, 2021

Eric Porter, Associate Planner
Lake County Community Development Department
Courthouse – 255 North Forbes Street
Lakeport, CA 95453
(707) 263-2221

Re: Review of Initial Study/Mitigated Negative Declaration (SCH No. 2021010091) –
Major Use Permit UP 19-43 for East Side Farms

Dear Mr. Porter:

Thank you for providing the California Department of Food and Agriculture (CDFA) CalCannabis Cultivation Licensing Division (CalCannabis) the opportunity to comment on the Initial Study/Mitigated Negative Declaration (IS/MND; SCH No. 2021010091) prepared by Lake County for the proposed East Side Farms (Proposed Project).

CDFA has jurisdiction over the issuance of licenses to cultivate, propagate and process commercial cannabis in California. CDFA issues licenses to outdoor, indoor, and mixed-light cannabis cultivators, cannabis nurseries and cannabis processor facilities, where the local jurisdiction authorizes these activities. (Bus. & Prof. Code § 26012(a)(2).) All commercial cannabis cultivation within California requires a cultivation license from CDFA. Therefore, with respect to the Proposed Project, CDFA is a responsible agency under the California Environmental Quality Act (CEQA). For a complete list of all license requirements, including CalCannabis Licensing Program regulations, please visit: https://static.cdfa.ca.gov/MCCP/document/CDFA%20Final%20Regulation%20Text_01162019_Clean.pdf.

CDFA expects to be a Responsible Agency for this project because the project will need to obtain an annual cultivation license from CDFA. In order to ensure that the IS/MND is sufficient for CDFA's requirements, CDFA requests that a copy of the IS/MND, revised in response to the comments provided in this letter, and a signed Notice of Determination be provided to the applicant, so the applicant can include them with the application package it submits to CDFA. This should apply not only to this Proposed Project, but to all future CEQA documents related to cannabis cultivation applications in Lake County.



CDFA offers the following comments concerning the IS/MND.

General Comments (GC)

GC 1: Proposed Project Description

In general, more detailed information related to Proposed Project operations and routine maintenance would be helpful to CDFA. This includes:

- the types and projected duration equipment anticipated for operations and maintenance activities;
- the number of workers employed at the cultivation site, and estimated number of daily vehicle trips projected to occur during operation; and
- the source (equipment) and amounts of energy expected to be used in operating the cultivation facility, including any energy management and efficiency features incorporated into the Proposed Project.

It appears that some of these details may be contained in the Stormwater Management Plan, Odor Management Plan, and other reports and studies prepared for the Proposed Project (as indicated in the list of sources at the end of the IS/MND). CDFA requests that the County remind applicants to include a copy of these documents with their application to CDFA.

GC 2: Acknowledgement of CDFA Regulations

The IS/MND states that CDFA is responsible for “monitoring commercial cannabis cultivation.” CDFA is responsible for the licensing of cannabis cultivation and is responsible for the regulation of cannabis cultivation and enforcement, as defined in the Medicinal and Adult Use Cannabis Regulation and Safety Act (MAUCRSA) and CDFA regulations related to cannabis cultivation (Bus. & Prof. Code, § 26103(a)). The IS/MND’s analysis would also benefit from discussion of the protections for environmental resources provided by CDFA’s regulations (Cal. Code Regs. tit.3, § 8000 et seq.). In particular, the impact analysis would be further supported by a discussion of the effects of state regulations on reducing the severity of impacts on the following resource topics:

- Aesthetics (See 3 California Code of Regulations § 8304(c); § 8304(g).)
- Air Quality and Greenhouse Gas Emissions (See § 8102(s); § 8304(e); § 8305; § 8306.)
- Biological Resources (See § 8102(w); § 8102(dd); § 8216; § 8304(a-c); § 8304(g).)
- Cultural Resources (See § 8304(d).)
- Hazards and Hazardous Materials (See § 8102(q); § 8106(a)(3); § 8304(f); § 8307.)

- Hydrology and Water Quality (See § 8102(p); § 8102(v); § 8102(w); § 8102(dd); § 8107(b); § 8216; § 8304(a and b); § 8307.)
- Noise (See § 8304(e); § 8306.)
- Utilities and Service Systems (See § 8102(s); § 8108; § 8308.)
- Energy (See § 8102(s); § 8305; § 8306.)
- Cumulative Impacts (related to the above topics).

GC 3: CalCannabis PEIR potential impacts

The CalCannabis PEIR determined that some environmental topics generally fell outside of CalCannabis' regulatory authority because these topics are regulated by local land use. Additionally, there are other topics for which detailed analysis in the CalCannabis PEIR was not possible because of the statewide nature of the CalCannabis licensure program. Many of these topics involve the evaluation of site-specific conditions, the details of which were infeasible to identify and evaluate in a statewide PEIR, and the characteristics of which were unknown at the time the PEIR was published (e.g., the locations of new cultivation sites that would be planned and licensed were unknown at the time the PEIR was published).

For those topics, listed below, the CalCannabis PEIR determined that potential impacts would most appropriately be evaluated in local regulatory program-level documents or site-specific documents.

CalCannabis requests that CEQA documents prepared by or on behalf of cannabis cultivation applicants evaluate the impacts of commercial cannabis cultivation projects for these resource topics, at an appropriate regionally-focused and site-specific level, and include mitigation measures that will ensure projects will not result in significant adverse impacts on the environment.

Specific Comments and Recommendations

In addition to the general comments provided above, CDFA provides the following comments regarding the analysis in the IS/MND.

Comment No.	Section Nos.	Page No(s).	Resource Topic(s)	CDFA Comments and Recommendations
1	Introduction	1	Introduction	The IS/MND does not list CDFA as the agency responsible for issuing a state cannabis cultivation license. In addition, the IS/MND would be more informative if it provided the permit(s) or approval(s) required from each of the agencies listed.
2	1	20	Aesthetics	The IS/MND would be improved if it referenced CDFA's requirements that all outdoor lighting for security purposes must be shielded and downward facing, and that lights used in mixed-light cultivation activities must be fully shielded from sunset to sunrise to avoid nighttime glare (Cal. Code Regs., tit. 3 §§ 8304(c) and (g)).
3	8	16	Greenhouse Gas Emissions	The IS/MND would be improved if it quantified the projected emissions of the Proposed Project from each phase of development and provided an analysis of how the projected emissions relate to a specific threshold of significance.
4	10	18	Hydrology and Water Quality	The IS/MND could be more informative if it better described some of the construction stormwater management measures as well post-construction controls included in the Stormwater Management and Pesticide Management Plans.

Conclusion

CDFA appreciates the opportunity to provide comments on the IS/MND for the Proposed Project. If you have any questions about our comments or wish to discuss them, please contact Kevin Ponce, Senior Environmental Scientist, at (916) 576-6407 or via e-mail at Kevin.Ponce@cdfa.ca.gov.

Sincerely,

Lindsay Rains Digitally signed by Lindsay Rains
Date: 2021.02.18 12:03:36 -08'00'

Lindsay Rains,
Licensing Program Manager



Jared Blumenfeld
Secretary for
Environmental Protection



Department of Toxic Substances Control

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



Gavin Newsom
Governor

January 13, 2021

Mr. Eric Porter
Associate Planner
County of Lake
Community Development Department
255 N. Forbes Street
Lakeport, CA 95453
Eric.Porter@lakecountyca.gov

MITIGATED NEGATIVE DECLARATION FOR MAJOR USE PERMIT UP 19-43, East Side Farms – DATED JANUARY 11, 2021 (STATE CLEARINGHOUSE NUMBER: 2021010090)

Mr. Porter:

The Department of Toxic Substances Control (DTSC) received a Mitigated Negative Declaration (MND) for Major Use Permit UP 19-43, East Side Farms (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).
5. 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/wp-content/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>).