



**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 10 2020

LAKE COUNTY COMMUNITY  
 DEVELOPMENT DEPT.

DISTRIBUTION DATE: March 5, 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
  - 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
- NW INFORMATION CENTER
- ARMY CORPS
- BLM
- CALCANNABIS
- GRADING
- 
- US FISH & WILDLIFE SVC
- US FOREST SERVICE

FROM: Victoria Kim, Assistant Planner  
 REQUEST: Use Permit, UP 19-40; Initial Study, IS 19-59, Early Activation, EA 19-65  
 APPLICANT/OWNER: CUA, 10 Creeklodge Ct., Danville, CA 94506

APNs: 013-017-35, 36, 92 and 74  
 LOCATION: 25392, 25372, 25252 and 25322 Jerusalem Grade Road, Middletown, CA 95461

ZONING: "RL-WW" Rural Lands; Water Way Combining  
 GENERAL PLAN: Rural Lands – Resource Conservation  
 HAZARDS: Project Parcel Located within State Responsibility Area  
 FLOOD ZONE: Not in a special flood hazard area  
 SOIL STABILITY: Varies from variably stable to unstable, average slope 24.24%  
 PREVIOUS PERMITS: VM 18-28 <Merge of a 9.81 Acre Parcel>; CC 00-11 <Certificate of Compliance>  
 EXISTING-DEVELOPMENT: Rural Residential; Agricultural  
 WATER SOURCE: Well

PROPOSAL: The applicant requests approval of a Major Use Permit to allow the following: (1) A-Type 3 "Outdoor" cultivation/canopy area (43,400 SF), (2) A-Type 3 "Outdoor" cultivation/canopy areas (40,000 SF each), 80,000 SF in total, (2) 160 SF harvest storages, (1) chemical storage, and Type 13 "Transport Only, Self-distribution." *Please refer to attached site plans, biological assessment, property management plan, and project description for further information.*

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 19, 2020**. Please email your comments to [victoria.kim@lakecountycal.gov](mailto:victoria.kim@lakecountycal.gov) or mail them to the address listed in the letterhead above.

**Attachment 3**

Operator

COMMENTS: They need to obtain an Identification Number to use and apply pesticides - organic and conventional. They also need to obtain a Private Applicator

NAME Steve Hajek DATE 3-6-20

cc: 1 Supervisorial District (RFR Only) Simon Redbud Audubon Farm Bureau / etc.) (RFR Only)  
Other (Examples:      Sierra Club /      HOA / @ Only)

A applicator Certificate to train employees applying pesticides. These can be obtained at the Ag Commissioners office.



# United States Department of the Interior



BUREAU OF LAND MANAGEMENT  
Ukiah Field Office  
2550 North State Street, Suite 2  
Ukiah, CA 95482  
[www.blm.gov/office/ukiah-field-office](http://www.blm.gov/office/ukiah-field-office)

November 4, 2020

County of Lake  
Community Development Department  
Attn: Victoria Kim  
255 N. Forbes Street, Lakeport, CA 95453

Dear Victoria:

Thank you for providing the Bureau of Land Management with the opportunity to share our concerns regarding county permitting for cannabis cultivation on private parcels if this affects federal lands or requires federal authorizations.

The Comprehensive Drug Abuse Prevention and Control Act of 1970 and more specifically Title II of the act (the Controlled Substances Act), lists Cannabis as a Schedule I drug. The BLM does not have any discretion to permit activities on the public land that will violate the Controlled Substances Act or any other federal law. The BLM therefore, cannot authorize any activities related to cannabis authorizations on public land such as the *cultivation, production, transportation or distribution* of supplies or product.

We recommend that permit applicants adjacent to or near BLM lands have their parcels surveyed by a professional land surveyor so that their operations do not trespass upon or cause impacts to federal lands. Individuals that cause resource damage (i.e. erosion or soil contamination) to BLM-administered lands from illicit acts, including the manufacturing of cannabis, may be subject to federal criminal and/or civil action. Permit applicants should also be aware that transporting cannabis across an existing right-of-way on federal lands to access a private parcel, is also illegal under federal law, and violators could face federal criminal action.

Thank you again for the opportunity to comment. Please contact me if you would like to further discuss the issue. You can reach me at 707-468-4070.

Sincerely,

**NICHOLAS  
LAVROV**

Digitally signed by  
NICHOLAS LAVROV  
Date: 2020.11.06  
16:25:42 -08'00'

Nick Lavrov  
Field Manager

**From:** [Wink\\_Mike@CALFIRE](mailto:Wink_Mike@CALFIRE)  
**To:** [Victoria\\_Kim](mailto:Victoria_Kim)  
**Cc:** [Jack\\_Smalley](mailto:Jack_Smalley); [David\\_Casian](mailto:David_Casian); [Hakala\\_Jeff@CALFIRE](mailto:Hakala_Jeff@CALFIRE); [Hannan\\_Jake@CALFIRE](mailto:Hannan_Jake@CALFIRE); [Devin\\_Hoberg](mailto:Devin_Hoberg); [Jim\\_Comisky \(Yes on L\)](mailto:Jim_Comisky); [Willie\\_Sapeta](mailto:Willie_Sapeta) ([wsapeta@lakecountyfire.com](mailto:wsapeta@lakecountyfire.com))  
**Subject:** [EXTERNAL]Re: Request for Review for Sufficiency (Use Permit, UP 19-40; Initial Study, IS 19-59; Early Activation, EA 19-25)  
**Date:** Sunday, March 29, 2020 11:12:52 PM  
**Attachments:** [image001.png](#)

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

These comments are from CAL FIRE.

This Use Permit is shown as East of Soda Creek and the Soda Creek Bridge. The Soda Creek Bridge nor the main road meets Fire Safe Regulations. This is of great concern to CAL FIRE. CAL FIRE is requesting that the AHJ not issue any Use Permits or Early Activation East of the Soda Creek Bridge until it and the roads meet the minimum State Fire Safe Regulations.

There are sections of Jerusalem Grade Road to access the address's in this permit that traverse BLM Lands. BLM will need to be involved in the permission process to make the required road improvements to this location. BLM has also said they have a process for applicants to use their easements on BLM Lands for commercial use.

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

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

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

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

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

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

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

emergency vehicle ingress and egress

- A "One Way" loop road standard could be used, or a two lane road.
- A "Road" is two 10 foot lanes of travel for a total of 20 feet of derivable surface not including the shoulders.
- A "Driveway" is a 10 foot wide road with a turnout every 400 feet. This shall not be used for commercial applications, or access to more than three structures that are residences.
- A "Turnout" shall be a minimum 10 feet wide and 30 feet long, with a 25 foot taper at each end
- A "One Lane", "One Way" only loop road is 12 feet wide of derivable surface, plus shoulders. A one lane road must connect on both ends to a two lane road or County Road.
- A bridge can meet the "One Lane", "One Way" 12 feet wide road standard with appropriate signage. A bridge must be marked by the owner of the bridge that it is rated to support 75,000 pounds.
- A bridge shall not be less than 12 feet wide.
- A bridge can meet the "Road " 20 feet wide standard. A bridge must be marked by the owner of the bridge that it is rated to support 75,000 pounds.
- Existing roadways on private property shall meet, and or be improved to meet "Road" standards.
- All weather roadway surfaces shall be rated/engineered for 75,000 lb vehicles is the minimum (including bridges).
- All weather roadway surfaces do not ever have mud, standing or flowing water that vehicles have to travel through.
- Maximum roadway slope is 16%.
- Gate width is 14 foot minimum.
- Gate set backs are a minimum of 30 feet from a road to the gate.
- Gates shall have access criteria locks and alike that meet the local Fire Protection District standard "KNOX" (or similar) access program.
- Parking at the site shall allow for turnarounds, hammerhead T, or similar.
- Minimum fuels reduction of 100 feet of defensible space from all structures.
  - Some applications have mention that they may have a gasoline generator for backup power when solar is not available. If this is the case, the generator shall be placed on a minimum of a 10 foot radius of a non combustible surface. It shall have a minimum of a 3A-40B.C Fire Extinguisher within the 10 foot radius.
- This property will meet the criteria to be, or will be a CERS / CUPA reporting facility/entity to Lake County Environmental Health (see hyperlink below), it shall also comply specifically with PRC4291.3 requiring 300 feet of defensible space and fuels reduction around structures. In summary, any structure or location that stores hazardous, flammable or dangerous items shall establish and maintain 300 feet of defensible space / fuels reduction around its radius.
- While not in Title, Code or Regulation, CAL FIRE does support the County of Lake's "Dark Sky Initiative". This standard reduces the false reporting of a vegetation fire from light during the night. False activation of the 911 system puts the community and first responders at risk when it can be avoided.

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

[California's Wildland-Urban Interface Code Information - CAL FIRE - Home](http://www.fire.ca.gov)  
[www.fire.ca.gov](http://www.fire.ca.gov)

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

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[Hazardous Materials Management \(CUPA\)](#)

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

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---

**From:** Victoria Kim <Victoria.Kim@lakecountyca.gov>

**Sent:** Thursday, March 5, 2020 4:52 PM

**To:** DCA, BCC@DCA <BCC@dca.ca.gov>; Jackman, Rex A@DOT <rex.jackman@dot.ca.gov>; Rymer-Burnett, Saskia@DOT <Saskia.Rymer-Burnett@dot.ca.gov>; Fried, Janae@Waterboards <Janae.Fried@Waterboards.ca.gov>; Wildlife R2 CEQA <R2CEQA@wildlife.ca.gov>; PG&E 1 <PGENorthernAgencyIns@pge.com>; PG&E 2 <T4b5@pge.com>; Sonoma State <nwic@sonoma.edu>; Wink, Mike@CALFIRE <Mike.Wink@fire.ca.gov>; Fong, Gloria@CALFIRE <Gloria.Fong@fire.ca.gov>; Moke Simon <Moke.Simon@lakecountyca.gov>; Steven Hajik <Steven.Hajik@lakecountyca.gov>; Ryan Lewelling <Ryan.Lewelling@lakecountyca.gov>; David Casian <David.Casian@lakecountyca.gov>; Scott DeLeon <Scott.DeLeon@lakecountyca.gov>; Kelli Hanlon <Kelli.Hanlon@lakecountyca.gov>; Gearhart, Doug@lcaqmd <dougg@lcaqmd.net>; LAQMD 2 <fahmya@lcaqmd.net>; Elizabeth Knight <elizabethk@lcaqmd.net>; Lucas Bingham <Lucas.Bingham@lakecountyca.gov>; Lori Baca <Lori.Baca@lakecountyca.gov>; Gordon Haggitt <Gordon.Haggitt@lakecountyca.gov>; Greg Peters <Greg.Peters@lakecountyca.gov>; Yuliya Osetrova <Yuliya.Osetrova@lakecountyca.gov>

**Subject:** Request for Review for Sufficiency (Use Permit, UP 19-40; Initial Study, IS 19-59; Early Activation, EA 19-25)

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

Good afternoon,

Please review attached and send any comments by March 19, 2020.

Thank you,

**Victoria Kim**

**Assistant Planner**

Community Development Department

255 N. Forbes St.

Lakeport, CA 95453

P: (707) 263-2221 | F: (707) 263-2225



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**From:** [Wink\\_Mike@CALFIRE](mailto:Wink_Mike@CALFIRE)  
**To:** [Victoria Kim](#)  
**Cc:** [Toccarra Thomas](#); [Jack Smalley](#); [Hakala\\_Jeff@CALFIRE](mailto:Hakala_Jeff@CALFIRE); [Duncan\\_Paul@CALFIRE](mailto:Duncan_Paul@CALFIRE); [Fong\\_Gloria@CALFIRE](mailto:Fong_Gloria@CALFIRE); [Cory Smith](#); [Hannan Jake@CALFIRE](#); [Dist1 PlanningComm](#)  
**Subject:** [EXTERNAL] Re: NOTICE OF INTENT for Major Use Permit for CUA (UP19-40); Initial Study (IS 19-59)  
**Date:** Saturday, November 14, 2020 11:25:34 AM  
**Attachments:** [image001.png](#)  
[image002.png](#)  
[image003.png](#)  
[image005.png](#)

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Greetings Planner Kim.

While the comments below are standard and apply to most all projects in the SRA, this project location has challenges for the Applicant. No matter what the activity is at this location, the access does not meet egress and ingress standards. There is a bridge on private property that is not rated or wide enough. The road goes through stream crossings. There are compromised culverts. The road is not a all weather surface and turns to mud in some places in the winter and is not passable for emergency response apparatus. We urge the County to require the access road from the end of the County Road on Jerusalem Grade Road (before the bridge) to the site to meet minimum road standards. The RFR cover letter document says there has to be access from the County Road to the project site for the Sheriff, County and Emergency Response. The private access does not meet the need for Emergency Response.

These comments are from CAL FIRE.

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

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  - Some applications have mention that they may have a gasoline generator for backup power when solar is not available. If this is the case, the generator shall be placed on a minimum of a 10 foot radius of a non combustible surface. It shall have a minimum of a 3A-40B.C Fire Extinguisher within the 10 foot radius.
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2000, Inc., CA [SE] John E. Bunting, Secretary New Boston Fire Dept., NH [U]

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**From:** Victoria Kim <Victoria.Kim@lakecountyca.gov>  
**Sent:** Tuesday, November 3, 2020 2:09 PM  
**To:** Victoria Kim <Victoria.Kim@lakecountyca.gov>  
**Subject:** NOTICE OF INTENT for Major Use Permit for CUA (UP19-40); Initial Study (IS 19-59)

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

The public review period for the respective proposed Mitigated Negative Declaration based on Initial Study IS 19-59 will begin on **November 3, 2020** and end on **December 8, 2020**. You are encouraged to submit written comments regarding the proposed Mitigated Negative Declaration. You may do so by submitting written comments to the Planning Division prior to the end of the review period. Copies of the application, environmental documents, and all reference documents associated with the project are available for review through the Community Development Department, Planning Division.

Sincerely,



**Victoria Kim**  
**Assistant Planner**  
Department of Community Development  
255 N. Forbes St.  
Lakeport, CA 95453  
Phone: (707) 263-2221  
Fax: (707) 262-1843  
Email: [victoria.kim@lakecountyca.gov](mailto:victoria.kim@lakecountyca.gov)  
STAY CONNECTED:



SR0003701  
SR0003702  
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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

DISTRIBUTION DATE: March 5, 2020

**REQUEST FOR REVIEW FOR SUFFICIENCY**

- |  |  |   |
|--|--|---|
| <input type="checkbox"/> @ AG. COMMISSIONER  | <input type="checkbox"/> FIRE PROTECTION DIST: | <input type="checkbox"/> @ CA DEPT FISH & WDLF  |
| <input type="checkbox"/> @ AIR QUALITY MGMT  | <input type="checkbox"/> Kelseyville           | <input type="checkbox"/> @ CALTRANS             |
| <input type="checkbox"/> @ ASSESSOR          | <input type="checkbox"/> Lake County           | <input type="checkbox"/> STATE LANDS COMM.      |
| <input type="checkbox"/> @ BUILDING DIVISION | <input type="checkbox"/> Lake Pillsbury        | <input type="checkbox"/> @ CRWQCB               |
| <input type="checkbox"/> @ DPW - ROADS       | <input type="checkbox"/> Lakeport County       | <input type="checkbox"/> STATE DEPT. OF HEALTH  |
| <input type="checkbox"/> @ ENVIRON HEALTH    | <input type="checkbox"/> Northshore            | <input type="checkbox"/> @ SONOMA STATE         |
| <input type="checkbox"/> LAKEBED MANAGEMENT  | <input type="checkbox"/> @ South Lake County   | <input type="checkbox"/> NW INFORMATION CENTER  |
| <input type="checkbox"/> PUBLIC SERVICES     | <input type="checkbox"/> @ CalFire             | <input type="checkbox"/> ARMY CORPS             |
| <input type="checkbox"/> @ SHERIFF           | <input type="checkbox"/>                       | <input type="checkbox"/> @ BLM                  |
| <input type="checkbox"/> @ SPECIAL DISTRICTS | <input type="checkbox"/>                       | <input type="checkbox"/> @ CALCANNABIS          |
| <input type="checkbox"/> @ SURVEYOR          | <input type="checkbox"/> @ PG&E                | <input type="checkbox"/> GRADING                |
| <input type="checkbox"/> @ TAX COLLECTOR     | <input type="checkbox"/> HOA _____             | <input type="checkbox"/>                        |
| <input type="checkbox"/> WASTE DISPOSAL      | <input type="checkbox"/> WATER CO _____        | <input type="checkbox"/> US FISH & WILDLIFE SVC |
| <input type="checkbox"/> @ WATER RESOURCES   | <input type="checkbox"/> OTHER _____           | <input type="checkbox"/> US FOREST SERVICE      |

FROM: Victoria Kim, Assistant Planner  
REQUEST: Use Permit, UP 19-40; Initial Study, IS 19-59, Early Activation, EA 19-65  
APPLICANT/OWNER: CUA, 10 Creeklodge Ct., Danville, CA 94506

APNs: 013-017-35, 36, 92 and 74  
LOCATION: 25392, 25372, 25252 and 25322 Jerusalem Grade Road, Middletown, CA 95461

ZONING: "RL-WW" Rural Lands; Water Way Combining  
GENERAL PLAN: Rural Lands – Resource Conservation  
HAZARDS: Project Parcel Located within State Responsibility Area  
FLOOD ZONE: Not in a special flood hazard area  
SOIL STABILITY: Varies from variably stable to unstable, average slope 24.24%  
PREVIOUS PERMITS: VM 18-28 <Merge of a 9.81 Acre Parcel>; CC 00-11 <Certificate of Compliance>  
EXISTING-DEVELOPMENT: Rural Residential; Agricultural  
WATER SOURCE: Well

PROPOSAL: The applicant requests approval of a Major Use Permit to allow the following: (1) A-Type 3 "Outdoor" cultivation/canopy area (43,400 SF), (2) A-Type 3 "Outdoor" cultivation/canopy areas (40,000 SF each), 80,000 SF in total, (2) 160 SF harvest storages, (1) chemical storage, and Type 13 "Transport Only, Self-distribution." *Please refer to attached site plans, biological assessment, property management plan, and project description for further information.*

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 19, 2020**. Please email your comments to [victoria.kim@lakecountyca.gov](mailto:victoria.kim@lakecountyca.gov) or mail them to the address listed in the letterhead above.

COMMENTS: See attached Memorandum

NAME Lina Rubin DATE 3/23/20

cc: 1 **Supervisory District (RFR Only)** Simon **Redbud Audubon**  
**Farm Bureau / etc.) (RFR**  
Other (Examples:      **Sierra Club /**      **HOA /** @ **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:** Victoria Kim, Assistant Planner  
**FROM:** Tina Dawn-Rubin, Environmental Health Aide  
**RE:** UP 19-40 Major Use Permit, IS 19-59, EA 19-65  
Commercial Cannabis  
**APN:** 013-017-35, 36, 92 and 74 – 253+2, 25372, 25252 and  
25322 Jerusalem Grade Rd, Middletown

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

APN: 013-017-35 no concerns at this time regarding on-site wastewater.

APN: 013-017-36 if there is an existing septic permit for the existing house and it will be used, our office will need a field clearance to validate the septic system.

APN: 013-017-94 no concerns at this time regarding on-site wastewater.

The applicant is proposing the use of portable restrooms for the processing facility. No concerns at this time. If or when permanent restroom is added to the processing facility, contact our office for requirements (i.e. site evaluation, permits, etc.).

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



COUNTY OF LAKE  
HEALTH SERVICES  
prevent.promote.protect.

- County Clerk
- Interested Parties

**COUNTY OF LAKE  
NOTICE OF INTENT  
TO ADOPT A MITIGATED NEGATIVE DECLARATION**

**Project Title:** CUA Major Use Permit, UP 19-40

**Project Location:** 25392, 25372, 25252 and 25322 Jerusalem Grade Road, Middletown

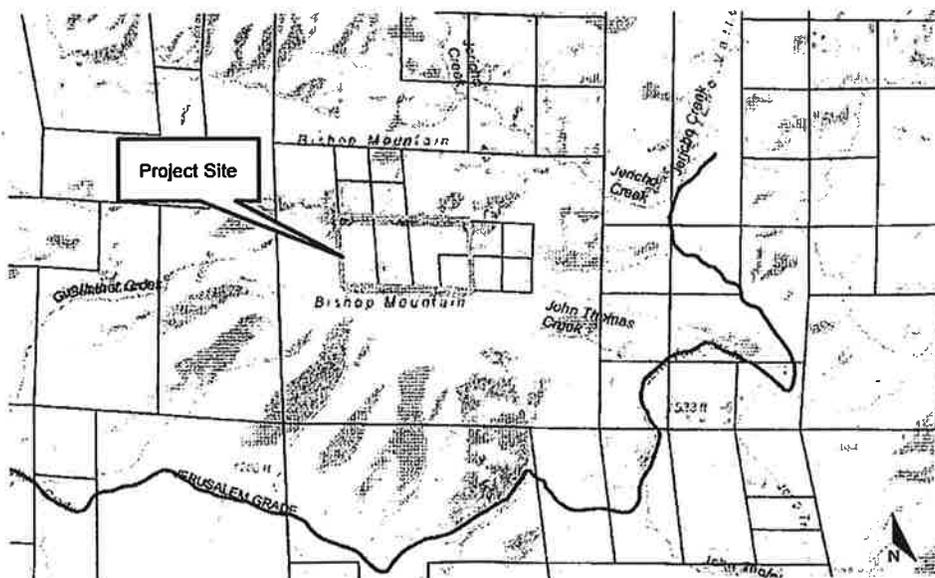
**APN No.:** 013-017-35, 36, 92 and 74

**Project Description:** CUA is seeking a major use permit to obtain three (3) A-Type 3 “Outdoor” License and one (1) Type 13 “Self-Transport Distribution” License to allow a total of 104,400 square feet of commercial cannabis canopy area, with a total of 104,840 square feet of cultivation area located at 25392, 25372, 25252 and 25322 Jerusalem Grade Road on Lake County APN 013-017-35, 36, 92 and 74 in Middletown, California. The Project Property is currently accessed by a shared private gravel driveway off of Jerusalem Grade. The proposed canopy area will be surrounded by a 6-foot tall galvanized woven wire fences, covered with privacy mesh to screen from public view.

The proposed ancillary facilities include:

- One (1) 8’ x 20’ harvest storage shed;
- One (1) 10’ x 12’ wooden security shed;
- One (1) 120 square foot pesticides, agricultural chemical storage shed; and
- Four (4) 8,000-gallon water storage tanks.

**The public review period for the respective proposed Mitigated Negative Declaration based on Initial Study IS 19-59 will begin on November 3, 2020 and end on December 8, 2020.** You are encouraged to submit written comments regarding the proposed Mitigated Negative Declaration. You may do so by submitting written comments to the Planning Division prior to the end of the review period. Copies of the application, environmental documents, and all reference documents associated with the project are available for review through the **Community Development Department, Planning Division; telephone (707) 263-2221**. Written comments may be submitted to the Planning Division or via email at [victoria.kim@lakecountyca.gov](mailto:victoria.kim@lakecountyca.gov).





**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 Pomroy  
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:** November 20, 2020  
**TO:** Victoria Kim, Assistant Planner  
**FROM:** Donna Cloninger, Environmental Health Aide  
**RE:** UP 19-40 Major Use Permit, IS 19-59, EA 19-65  
Commercial Cannabis  
**APN:** 013-017-35, 36, 92 and 74 – 253+2, 25372, 25252 and  
25322 Jerusalem Grade Rd, Middletown

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

APN: 013-017-35 no concerns at this time regarding on-site wastewater.

APN: 013-017-36 if there is an existing septic permit for the existing house and it will be used, our office will need a field clearance to validate the septic system.

APN: 013-017-94 no concerns at this time regarding on-site wastewater.

The applicant is proposing the use of portable restrooms for the processing facility. No concerns at this time. If or when permanent restroom is added to the processing facility, contact our office for requirements (i.e. site evaluation, permits, etc.).

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



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

**From:** [Fahmy Attar](#)  
**To:** [Victoria Kim](#)  
**Subject:** [EXTERNAL]Re: Request for Review for Sufficiency (Use Permit, UP 19-40; Initial Study, IS 19-59; Early Activation, EA 19-25)  
**Date:** Tuesday, March 10, 2020 8:56:48 AM

---

Victoria,

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](mailto:fahmya@lcaqmd.net)

On Mar 5, 2020, at 4:52 PM, Victoria Kim <[Victoria.Kim@lakecountyca.gov](mailto:Victoria.Kim@lakecountyca.gov)> wrote:

Good afternoon,

Please review attached and send any comments by March 19, 2020.

Thank you,

**Victoria Kim**  
**Assistant Planner**  
Community Development Department  
255 N. Forbes St.  
Lakeport, CA 95453  
P: (707) 263-2221 | F: (707) 263-2225

[<image001.png>](#)

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<Application\_10.23.2019.pdf><Biological Assessment\_Part  
1\_03.04.2020.pdf><Biological Assessment\_Part 2\_03.04.2020.pdf><Property  
Management Plan\_Part 1\_03.04.2020.pdf><Property Management Plan\_Part  
2\_03.04.2020.pdf><Property Management Plan\_Part  
3\_03.04.2020.pdf><Serpentine Dust Control Plan\_03.04.2020.pdf><Well  
Performance Test Report\_03.04.2020.pdf><RFR UP 19-40.pdf>

**From:** [Ryan Peterson](#)  
**To:** [Victoria Kim](#)  
**Cc:** [Sally Peterson](#)  
**Subject:** Re: [EXTERNAL]Re: Request for Review for Sufficiency (Use Permit, UP 19-40; Initial Study, IS 19-59; Early Activation, EA 19-25)  
**Date:** Monday, March 9, 2020 3:39:10 PM  
**Attachments:** [image001.png](#)

---

Hey Victoria,

I am doing well thanks for asking, hope all is well with you. Thank you for sending over the CRS. Our Tribal Historic Preservation Office has reviewed the project and concluded that, although it is within the aboriginal territories of the Middletown Rancheria, our Department has cleared the project and is comfortable with project moving forward, *under the mutual understanding that the Tribe is contacted should there be any significant inadvertent discoveries.*

Should any new information or evidence of human habitation be found as this project progresses, or an expansion of ground disturbing activities, we respectfully ask that all work cease and that you contact the Tribe immediately. We do have a process to protect such important and sacred resources.

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

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

Middletown Rancheria  
Tribal Historic Preservation Department  
Office: (707) 987-1315  
Email: [THPO@middletownrancheria.com](mailto:THPO@middletownrancheria.com)  
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 Mon, Mar 9, 2020 at 3:33 PM Victoria Kim <[Victoria.Kim@lakecountyca.gov](mailto:Victoria.Kim@lakecountyca.gov)> wrote:

How are you, Ryan?

Please find attached.

If you have any question, do not hesitate to contact me.

**Victoria Kim**

**Assistant Planner**

Community Development Department

255 N. Forbes St.

Lakeport, CA 95453

P: (707) 263-2221 | F: (707) 263-2225



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**From:** Ryan Peterson [mailto:[rpeterson@middletownrancheria.com](mailto:rpeterson@middletownrancheria.com)]

**Sent:** Monday, March 9, 2020 2:38 PM

**To:** Victoria Kim <[Victoria.Kim@lakecountyca.gov](mailto:Victoria.Kim@lakecountyca.gov)>

**Cc:** Sally Peterson <[speterson@middletownrancheria.com](mailto:speterson@middletownrancheria.com)>

**Subject:** [EXTERNAL]Re: Request for Review for Sufficiency (Use Permit, UP 19-40; Initial Study, IS 19-59; Early Activation, EA 19-25)

Hey Victoria,

This project does fall within our area of concern, could you please send a copy of the cultural resources study?

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 Thu, Mar 5, 2020 at 4:56 PM Victoria Kim <[Victoria.Kim@lakecountyca.gov](mailto:Victoria.Kim@lakecountyca.gov)> wrote:

Good afternoon,

Please review attached and send any comments within 30 days.

Thank you,

**Victoria Kim**

**Assistant Planner**

**Community Development Department**

255 N. Forbes St.

Lakeport, CA 95453

P: (707) 263-2221 | F: (707) 263-2225



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CALIFORNIA  
HISTORICAL  
RESOURCES  
INFORMATION  
SYSTEM



ALAMEDA  
COLUSA  
CONTRA COSTA  
DEL NORTE

HUMBOLDT  
LAKE  
MARIN  
MENDOCINO  
MONTEREY  
NAPA  
SAN BENITO

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>

March 19, 2020

File No.: 19-1579

Victoria Kim, Project Planner  
Lake County  
Community Development Department  
255 N. Forbes Street  
Lakeport, CA. 95453

re: County File Numbers UP 19-40, IS 19-59, EA 19-65 / 25392, 25372, 25252, & 25322 Jerusalem Grade Road, Middletown / CUA Investments

Dear Ms. Kim:

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

**Project Description:** The proposed project entails a Major Use Permit for a proposed commercial cannabis cultivation operation, as well as a Use Permit for Type 13 Cannabis Distributor Transport Only, Self-Distribution. The proposed cultivation operation will consist of one 43,400 square foot A-Type 3 "Medium Outdoor" cultivation/canopy area, two 40,000 square foot A-Type 3 "Medium Outdoor" cultivation/canopy areas, two 160 square foot harvest storage areas, a 120 square foot security shed, and a 120 square foot pesticides and agricultural chemicals storage shed. All water for the cultivation operation will be sourced from an existing onsite groundwater well. The project property is accessed via a shared private gravel access road off Jerusalem Grade Road. The area of proposed cultivation is accessed via a private gravel access road/driveway off the aforementioned shared private access road. A proposed metal gate will control access to the private access road/driveway and the area of proposed cultivation. The proposed cultivation areas will be enclosed by 6-foot tall wire fences. The growing medium for cultivation will be an amended native soil mixture with drip irrigation systems. All cannabis waste generated by the operation will be composted onsite. Composted waste will be stored in the designated composting area until it is incorporated into the soils of the cultivation areas as soil amendment.

**Previous Studies:**

XX Study #S-53896 (Parker 2019), covering approximately 100% of the proposed project area and approximately 10% of the proposed project property, identified no cultural resources within those portions of the property (see recommendations below).

**Archaeological and Native American Resources Recommendations:**

XX Based on an evaluation of the environmental setting and features associated with known sites, Native American resources in this part of Lake County have been found near oak woodland, as well as near a variety of plant and animal resources. Sites are also found near watercourses and bodies of water. The proposed project area encompasses a portion of the Bishop Mountain ridge in a partially wooded landscape. The project property contains a portion of a drainage into Jericho Creek. Given the similarity of these environmental factors, the project property is located in an area that is moderately sensitive for Native American archaeological resources.

However, a recent study of the proposed specific project area (Parker 2019) identified no archaeological resources within the project area. Therefore, further study for archaeological resources is not recommended at this time. Should the description, location, or boundaries of this project change, we recommend further review for the possibility of identifying Native American and historic-period archaeological resources.

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](mailto:nwic@sonoma.edu) or at (707) 588-8455.

Sincerely,

Jessika Akmenkalns, Ph.D.  
Researcher

**From:** [Yuliya Osetrova](#)  
**To:** [Victoria Kim](#)  
**Subject:** RE: Request for Review for Sufficiency (Use Permit, UP 19-40; Initial Study, IS 19-59; Early Activation, EA 19-25)  
**Date:** Wednesday, March 11, 2020 10:03:37 AM  
**Attachments:** [image001.png](#)

---

Victoria,

My comments for the project:

- On the plans only one well is proposed to be in use and it's shown to be located on APN 013-017-36. The Applicant submitted documents for the well located on APN 013-017-42 and APN 013-017-73 with capacity of 5 gpm and 1 gpm consequently. Given the magnitude of the proposed operations, these wells could not sustain the proposed acreage of the cannabis canopy. Advise to downsize the operations to aprox. 2.4 acres.
- Please request to install silt fences around the growing area perimeter to mitigate the growing soil erosion due to winds.

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

**From:** Victoria Kim  
**Sent:** Thursday, March 5, 2020 4:53 PM  
**To:** CALCANNABIS <bcc@dca.ca.gov>; Caltrans <Rex.Jackman@dot.ca.gov>; Caltrans\_District 1 <saskia.rymer-burnett@dot.ca.gov>; CRWQCB <Janae.Fried@Waterboards.ca.gov>; Fish & WDLF - ALL <R2CEQA@wildlife.ca.gov>; PG&E 1 <PGENorthernAgencyIns@pge.com>; PG&E 2 <T4b5@pge.com>; Sonoma State <nwic@sonoma.edu>; CalFire <mike.wink@fire.ca.gov>; South Lake County <Gloria.Fong@fire.ca.gov>; Moke Simon <Moke.Simon@lakecountyca.gov>; Steven Hajik <Steven.Hajik@lakecountyca.gov>; Ryan Lewelling <Ryan.Lewelling@lakecountyca.gov>; David Casian <David.Casian@lakecountyca.gov>; Scott DeLeon <Scott.DeLeon@lakecountyca.gov>; Kelli Hanlon <Kelli.Hanlon@lakecountyca.gov>; Doug Gearhart <dougg@lcaqmd.net>; LAQMD 2 <fahmya@lcaqmd.net>; Elizabeth Knight <elizabethk@lcaqmd.net>; Lucas Bingham <Lucas.Bingham@lakecountyca.gov>; Lori Baca <Lori.Baca@lakecountyca.gov>; Gordon Haggitt <Gordon.Haggitt@lakecountyca.gov>; Greg Peters <Greg.Peters@lakecountyca.gov>; Yuliya Osetrova <Yuliya.Osetrova@lakecountyca.gov>  
**Subject:** Request for Review for Sufficiency (Use Permit, UP 19-40; Initial Study, IS 19-59; Early Activation, EA 19-25)

Good afternoon,

Please review attached and send any comments by March 19, 2020.

Thank you,

**Victoria Kim**  
**Assistant Planner**  
Community Development Department  
255 N. Forbes St.  
Lakeport, CA 95453  
P: (707) 263-2221 | F: (707) 263-2225



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YOCHA DEHE  
CULTURAL RESOURCES

RECEIVED

MAR 20 2020

LAKE COUNTY COMMUNITY  
DEVELOPMENT DEPT.

March 16, 2020

County of Lake - Community Development Department  
Attn: Victoria Kim, Assistant Planner  
255 N. Forbes Street  
Lakeport, CA 95453

RE: 25392, 25372, 25252, 25322 Jerusalem Grade Rd Cannabis

Dear Ms. Kim:

Thank you for your project notification letter dated, March 5, 2020, regarding cultural information on or near the proposed 25392, 25372, 25252, 25322 Jerusalem Grade Rd Cannabis, Middletown, Lake County. We appreciate your effort to contact us.

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

Middletown Rancheria  
Attn: THPO  
PO Box 1035  
Middletown, CA 95461

Please refer to identification number YD - 03052020-01 in any future correspondence with Yocha Dehe Wintun Nation concerning this project.

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

Sincerely,

Tribal Historic Preservation Officer

cc: Middletown Rancheria