SR0003627

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
JAN 23 2020
Environmental Health

DISTRIBUTION DATE: January 22, 2020

REQUEST FOR REVIEW FOR SUFFICIENCY

@	**AG. COMMISSIONER**		**FIRE PROTECTION DIST:**	@	**CA DEPT FISH & WDLF**
@	**AIR QUALITY MGMT**	@	**Kelseyville**	@	**CALTRANS**
@	**ASSESSOR**	@	**Lake County**		**STATE LANDS COMM.**
@	**BUILDING DIVISION**		**Lake Pillsbury** (no contact info)	@	**CRWQCB**
@	**DPW - ROADS**	@	**Lakeport County**		STATE DEPT. OF HEALTH
@	**ENVIRON HEALTH**	@	**Northshore**	@	**SONOMA STATE**
	LAKEBED MANAGEMENT	@	**South Lake County**		NW INFORMATION CENTER
	PUBLIC SERVICES	@	**CalFire**		ARMY CORPS
@	**SHERIFF**			@	**BLM**
@	**SPECIAL DISTRICTS**			@	**CALCANNABIS**
@	**SURVEYOR**	@	**PG&E**	@	**GRADING: PEGGY/RON**
@	**TAX COLLECTOR**		HOA_____		
	WASTE DISPOSAL		WATER CO_____		US FISH & WILDLIFE SVC
@	**WATER RESOURCES**		OTHER_____		US FOREST SERVICE

FROM: Sateur Ham, Assistant Planner
REQUEST: Major Use Permit, UP 20-03; Initial Study IS 20-02, Early Activation EA 20-02
OWNER/APPLICANT: Freddie Alvarez
APNs: 012-067-40
LOCATION: 12290 Spruce Grove, Lower Lake, CA
ZONING: "RL" Rural Lands
GENERAL PLAN: Rural Lands
HAZARDS: Project Parcel located within moderate-very high fire zone
FLOOD ZONE: "D" areas of undetermined
SOIL STABILITY: Generally stable; Average Slope 30.78%
DEVELOPMENT: Existing greenhouse, pig enclosure, barn, well house
WATER SOURCE: Well
CONSTRUCTION: Two-three months operating small farm equipment for maintenance such as auger, leaf blower, and weed whacker. Five trips per week. No grading or tree removal.

PROPOSAL: Applicant is requesting approval of a major use permit to allow the following:

- **Three (3) A – Type 3: "Outdoor":** Outdoor cultivation for adult use cannabis without the use of light deprivation to allow 195,000 ft^2 total cultivation and 130,680ft^2 total canopy.
- **A-Type 1C "Indoor":** Cultivation for adult use cannabis in greenhouse structure with light deprivation below a rate of 25 watts/ft^2 to allow 1,500 ft^2 total cultivation and 500 ft^2 total canopy.

Fencing, security, organic farming, integrated pest management, parking, ADA approved portable restrooms. Three cultivation site area within the parcel consist of 70 ft^2 for fertilizer and pesticide storage shed, composting area, and Conex storage each cultivation site (see site plans). The operation will include employees. ***Please refer to attached site plans and project description for further information.***

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 **February 4, 2020**. **Please email your comments to Sateur.Ham@lakecountyca.gov or mail them to the address listed in the letterhead above.**

COMMENTS: See attached memorandum

NAME Tina Rubin DATE 2/6/20

cc: 1 **Supervisorial District (RFR Only)** _____ Redbud Audubon

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 707/263-1090
FAX 707/263-4395

Denise Pomeroy
Health Services Director

Gary Pace, MD, MPH
Public Health Officer

Jasjit Kang
Environmental Health Director

Promoting an Optimal State of Wellness in Lake County

Memorandum

DATE: February 6, 2020

TO: Sateur Ham, Assistant Planner

FROM: Tina Dawn-Rubin, Environmental Health Aide

RE: UP 20-03 Major Use Permit, IS 20-02, EA 20-02
Commercial Cannabis

APN: 012-067-40 12290 Spruce Grove Rd, Lower Lake

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

The applicant must apply and pay for a major repair permit (see site evaluation report dated August 11, 2006. The existing SFD has an unpermitted cesspool that must be properly destroyed.

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.

SITE EVALUATION REPORT: SYSTEM SPECIFICATIONS

nitial: ☐ Standard ☐ Alt. Seepage Trench ☐ Secondary Treatment

☐ Other: _____

☐ Cap & Fill (Only between June 1 & Oct. 1, LCR 1-150)

System Size: _____ feet/150 gals

Max./Min. Depth Absorption Facility: _____ min. inches/ _____ max. inches

Total Rock: _____ min. inches

Distribution System Type (Check as appropriate): ☐ Equal ☐ Loop ☐ Serial

☐ Pressurized ☐ Other

Replacement : ☐ Same as above
☐ As follows: _____

Design Considerations:

☑ Maintain all required setbacks.

☑ Maintain a minimum 50' feet setback from intermittent stream/creek.
☑ " " " 20' " " " drainage swale.

☐ Maintain a minimum setback of 3.3 times the height of the cut not to exceed 25 feet for all natural & manmade cuts in excess of 30 inches.

☐ Maintain a minimum setback of 50 feet from all natural and manmade cuts in excess of 30 inches which intersect layers that limit effective soil depth within 48 inches of surface.

☐ Please note approved area. ☐ Stake out is required prior to permit issuance.

☐ Recommendations: Un-permitted cesspool must be pumped by a certified/professional septic pumper. Please provide a receipt for effluent that was pumped. Cesspool must be destroyed.

DATE: 08/11/06

APN: 012-067-40

Rev 6/06

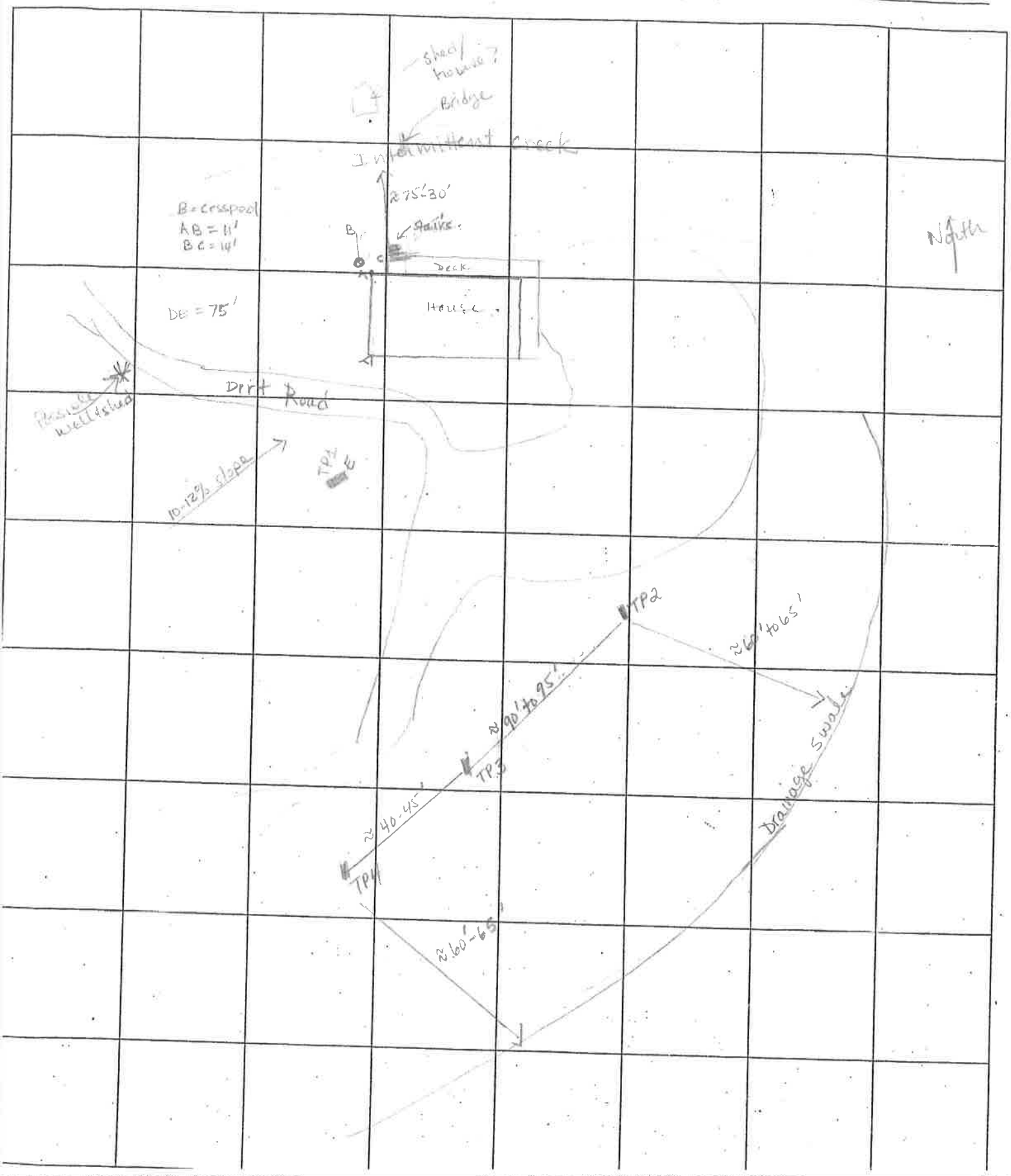
SITE EVALUATION REPORT

Applicant Name: Ignacio Alvarez

Evaluator: J. Del Signore / P. Procaide

APN: 012-067-40

Date: 08/11/06



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 (No Mail Delivery)
Telephone 707/ 994-2257 FAX: 994-8950

Jim Brown
Health Services Director

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

August 28, 2006

Ignacio & Idolina Alvarez
1060 Dorrit Avenue
Santa Rosa, CA 95401

RE: APN 012-067-40
12990 Spruce Grove Rd., Lower Lake

Dear Mr. & Mrs. Alvarez:

The Department of Environmental Health has completed a soil study of the above referenced property for an On-Site Sewage Disposal System in the area that you indicated. The test pit excavation should be back-filled without delay. On the basis of this study the site appears suitable for on-site sewage disposal. Approval of the permit to install is contingent on the size of system and proposed layout of the lot. A copy of the study is attached and the results are as follows:

The site has been approved for a Standard Septic System.

A minimum of 100 lineal feet of drainfield will be required per bedroom or 150 gallons of flow. This is to be an equal or serial distribution system. Trench depth is not to exceed 24 inches nor be shallower than 24 inches with 12 inches total rock.

LOW FLUSH TOILETS OF 1.6 GALLONS OR LESS REQUIRED.

Maintain all required setbacks. Maintain a minimum 20 foot setback from drainage swale. Maintain a minimum 100 foot setback from all wells.

Please provide the pump calculations and the pump curve. A 300 gallon minimum dosing tank with a 940 gallon septic tank is required.

Please provide an engineered proposal for secondary treatment with subsurface drip dispersal prior to permit issuance for the replacement field.

Please remit $225.00 for field consultation fees. Payment must be received prior to permit issuance.

The Lake County Division of Environmental Health would consider a design for this parcel which incorporated an approved secondary treatment method and subsurface drip disposal for the initial and/or replacement leachfield area.

APN: 012-067-40

Drainfields must be installed on contour in the area as shown on the attached Site Evaluation Report. Drainfield installation is not permitted on ground that has been altered by cutting or filling.

Any person other than the property owner must be licensed by the State of California to install and/or construct a septic system. A construction permit must be obtained from this office prior to installation of this system.

Please feel free to contact this office at (707) 994-2257 if you should have any additional questions regarding this report.

Sincerely,

James B. Scott
Supervising Environmental Health Specialist

SITE EVALUATION REPORT

Pit # 1 Depth: 0-15"
Rock Fragments: <15% 15%-30% >35%
Texture: CLAY LOAM
Color: (Matrix) 10 YR 3/3
Mottles: Color
Abundance: <2% 2-20% >20%
Size <5mm 5-15mm >15mm
Contrast: faint distinct prominent
Structure: Grade - weak moderate strong
Type - gr pl pr cpr abk sbk
Consistence: wet - stickiness so ss s vs
plasticity po ps p vp
Roots: few common many
very fine fine medium coarse
.1-.5mm .5-2mm 2-5mm 5-10mm+
Horizon - Distinctness: a c g d
Topography: s w l b
Groundwater - Depth: actual
predicted
Pores: few common many
very fine fine medium coarse
.1-.5mm .5-2mm 2-5mm 5-10mm+
ESD (effective soil depth): 60" inches

Pit # 1 Depth: 15"-60"
Rock Fragments: <15% 15%-30% >35% 50% @ 40"
Texture: CLAY
Color: (Matrix) 10 YR 5/4 60"
Mottles: Color
Abundance: <2% 2-20% >20%
Size <5mm 5-15mm >15mm
Contrast: faint distinct prominent
Structure: Grade - weak moderate strong
Type - gr pl pr cpr abk sbk
Consistence: wet - stickiness so ss s vs
plasticity po ps p vp
Roots: few common many
very fine fine medium coarse
.1-.5mm .5-2mm 2-5mm 5-10mm+ TO 40"
Horizon - Distinctness: a c g d
Topography: s w l b
Groundwater - Depth: actual
predicted
Pores: few common many
very fine fine medium coarse
.1-.5mm .5-2mm 2-5mm 5-10mm+
ESD (effective soil depth): 60" inches

Pit # Depth:
Rock Fragments: <15% 15%-30% >35%
Texture:
Color: (Matrix)
Mottles: Color
Abundance: <2% 2-20% >20%
Size <5mm 5-15mm >15mm
Contrast: faint distinct prominent
Structure: Grade - weak moderate strong
Type - gr pl pr cpr abk sbk
Consistence: wet - stickiness so ss s vs
plasticity po ps p vp
Roots: few common many
very fine fine medium coarse
.1-.5mm .5-2mm 2-5mm 5-10mm+
Horizon - Distinctness: a c g d
Topography: s w l b
Groundwater - Depth: actual
predicted
Pores: few common many
very fine fine medium coarse
.1-.5mm .5-2mm 2-5mm 5-10mm+
ESD (effective soil depth): inches

Pit # 2 Depth: 0-6"
Rock Fragments: <15% 15%-30% >35%
Texture: CLAY LOAM
Color: (Matrix) 10 YR 4/4
Mottles: Color
Abundance: <2% 2-20% >20%
Size <5mm 5-15mm >15mm
Contrast: faint distinct prominent
Structure: Grade - weak moderate strong
Type - gr pl pr cpr abk sbk
Consistence: wet - stickiness so ss s vs
plasticity po ps p vp
Roots: few common many
very fine fine medium coarse
.1-.5mm .5-2mm 2-5mm 5-10mm+
Horizon - Distinctness: a c g d
Topography: s w l b
Groundwater - Depth: actual
predicted
Pores: few common many
very fine fine medium coarse
.1-.5mm .5-2mm 2-5mm 5-10mm+
ESD (effective soil depth): 36" inches

Pit # 2 Depth: 6-60"
Rock Fragments: <15% 15%-30% >35% 50% SHALE @ 40"-60"
Texture: CLAY
Color: (Matrix) 10 YR 5/4
Mottles: Color
Abundance: <2% 2-20% >20%
Size <5mm 5-15mm >15mm
Contrast: faint distinct prominent
Structure: Grade - weak moderate strong
Type - gr pl pr cpr abk sbk
Consistence: wet - stickiness so ss s vs
plasticity po ps p vp
Roots: few common many
very fine fine medium coarse
.1-.5mm .5-2mm 2-5mm 5-10mm+
Horizon - Distinctness: a c g d
Topography: s w l b
Groundwater - Depth: actual
predicted
Pores: few common many
very fine fine medium coarse
.1-.5mm .5-2mm 2-5mm 5-10mm+
ESD (effective soil depth): 36" inches

*SIGNIFICANT SHALE AND DECOMPOSING FRACTURED ROCK AT 40"

Pit # Depth:
Rock Fragments: <15% 15%-30% >35%
Texture:
Color: (Matrix)
Mottles: Color
Abundance: <2% 2-20% >20%
Size <5mm 5-15mm >15mm
Contrast: faint distinct prominent
Structure: Grade - weak moderate strong
Type - gr pl pr cpr abk sbk
Consistence: wet - stickiness so ss s vs
plasticity po ps p vp
Roots: few common many
very fine fine medium coarse
.1-.5mm .5-2mm 2-5mm 5-10mm+
Horizon - Distinctness: a c g d
Topography: s w l b
Groundwater - Depth: actual
predicted
Pores: few common many
very fine fine medium coarse
.1-.5mm .5-2mm 2-5mm 5-10mm+
ESD (effective soil depth): inches

Date: 25 AUG 06
Evaluator: SCOTT J
APN: 012-067-46
Applicant: IGNACIO ALVAREZ

Landscape Notes STUNTED OAKS, GRASSES MANZANITA Slope Aspect

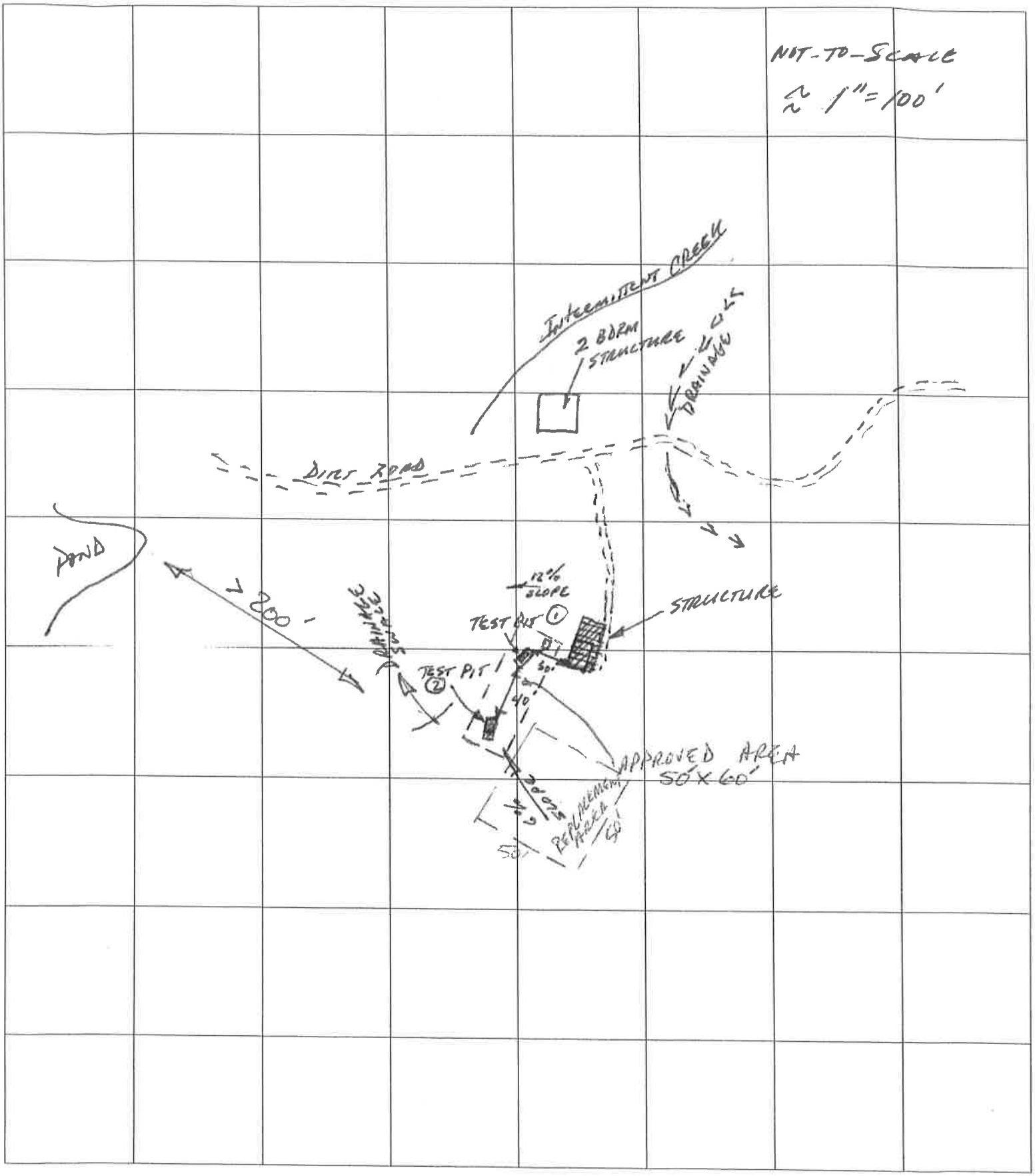
Other Site Notes MAINTAIN 100' SET BACK FROM POND.

Rev. 6/06

SITE EVALUATION REPORT

Applicant Name: IGNACIO ALVAREZ Evaluator: SCOTT, J.

APN: 014-067-40 Date: 25 AUG 06



CALIFORNIA HISTORICAL RESOURCES INFORMATION SYSTEM

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

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

February 5, 2020 File No.: 19-1216

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

re: County File Numbers UP 20-03, IS 20-02, EA 20-02 / 12290 Spruce Grove, Lower Lake / Freddie Alvarez

Dear Sateur Ham:

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 to allow outdoor cultivation for adult use cannabis without the use of light deprivation for 195,000 square feet of total cultivation and 130,680 square feet of total canopy. The project also includes cultivation for adult use cannabis in a greenhouse structure with light deprivation below a rate of 25 watts per square foot too allow 1,500 square feet of total cultivation and 500 square feet of total canopy. The operation will include fencing, security, organic farming, integrated pest management, parking, and ADA-approved portable restrooms. There will be three cultivation areas and a 70 square foot storage shed to house fertilizer and pesticides, a composting area. There will also be a Conex storage container at each cultivation site. The operation will require employees.

Previous Studies:

_XX_ Study #S-53813 (Flaherty 2019), covering approximately 100% of the proposed project area, identified no archaeological resources. Further study for cultural resources is not recommended at this time.

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 on lakeshores and near watercourses. The proposed project area encompasses a small, partially wooded ridge and is in proximity to multiple

watercourses. The project area also contains a large pond. Given the similarity of these environmental factors, the project area and its general vicinity should be considered sensitive for Native American archaeological resources.

However, a recent study of the proposed project area (Flaherty 2019) identified no cultural resources. Therefore, further study for archaeological resources is not recommended at this time.

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 The 1945 and 1958 USGS Lower Lake 15' quads depict a building within the project parcel. If present, this unrecorded building or structure meets the Office of Historic Preservation's (OHP) minimum age standard that buildings, structures, and objects that are 45 years of age or older may be of historical value. Therefore, it is recommended that prior to commencement of project activities, a qualified professional familiar with the architecture and history of Alameda County conduct a formal CEQA evaluation.

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

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

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

Sincerely,

Jessika Akmenkalns, Ph.D.
Researcher

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

February 13, 2020 Via Electronic Mail

Sateur Ham
County of Lake
255 N. Forbes Street
Lakeport, CA 95453
sateur.ham@lakecountyca.gov

Request:	Major Use Permit. UP 20-03; IS 20-02; EA 20-02
Applicant:	Freddie Alvarez
Location:	12290 Spruce Grove Road, Lower Lake, CA
APN:	012-067-40

Dear Ms. Ham,

The Middletown Rancheria (Tribe) is in receipt of your notification dated January 22, 2020 regarding the above referenced matter. The proposed Project site and its surrounding area is a site of cultural, historical, and religious significance for the Tribe. The Tribe is aware of and concerned about significant cultural and sacred resources that, while known to the Tribe, might not be properly identified through record and survey searches. Moreover, the potential for cumulative impacts to tribal cultural resources must be adequately assessed.

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

Mitigation Measures

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

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

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

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

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

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

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

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

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

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

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

Please contact me at your earliest convenience at to schedule a meeting and if you have questions and/or concerns. Please reference **THPD File Number 20-01-008**.

Thank you,

Sally Peterson
Tribal Vice-Chairwoman
THPO Director

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

Sateur Ham

From: Steven Hajik
Sent: Monday, March 30, 2020 1:46 PM
To: Sateur Ham
Subject: RE: Additional information for sufficiency on ongoing project UP 20-03; IS 20-02

They will need to obtain an Operator Identification Number to purchase and use any pesticides- whether organic/conventional/restricted/non restricted. They will also need to obtain a Private Applicator Certificate to train any employees that apply pesticides. Both can be obtained at the Lake County Ag Commissioner's office.

Steve Hajik
Lake County Agricultural Commissioner & Sealer

From: Sateur Ham
Sent: Monday, March 30, 2020 1:35 PM
To: Steven Hajik <Steven.Hajik@lakecountyca.gov>; BLM <anafus@blm.gov>; CalCannabis (kevin.ponce@cdfa.ca.gov) <kevin.ponce@cdfa.ca.gov>; Calfire <mike.wink@fire.ca.gov>; CalTrans-Rex <Rex.Jackman@dot.ca.gov>; Carol Huchingson <Carol.Huchingson@lakecountyca.gov>; CDFW Kyle <kyle.stoner@wildlife.ca.gov>; CRWQCB (Janae.Fried@Waterboards.ca.gov) <Janae.Fried@Waterboards.ca.gov>; Doug Gearhart <dougg@lcaqmd.net>; Elizabeth Knight <elizabethk@lcaqmd.net>; Fahmy-Lake County Air Quality <fahmya@lcaqmd.net>; Farm Bureau <lcfarmbureau@sbcglobal.net>; Jacob_dot <Jacob.Rightnar@dot.ca.gov>; Jim Campbell <Jim.Campbell@lakecountyca.gov>; Kelli Hanlon <Kelli.Hanlon@lakecountyca.gov>; Richard Ford <Richard.Ford@lakecountyca.gov>; Saskia Rymer-Burnett <saskia.rymer-burnett@dot.ca.gov>; South Lake County Fire <Gloria.Fong@fire.ca.gov>; Lori Baca <Lori.Baca@lakecountyca.gov>; Yuliya Osetrova <Yuliya.Osetrova@lakecountyca.gov>; CDFW Kyle <kyle.stoner@wildlife.ca.gov>; CEQA CDFW <R2CEQA@wildlife.ca.gov>
Subject: Additional information for sufficiency on ongoing project UP 20-03; IS 20-02

Hello,

This project was previously sent out for review but additional information was recently provided based on agency comment. Please review for sufficiency, thank you.

Best,

Sateur Ham

Assistant Planner I
Department of Community Development
Planning Division
255 N. Forbes Street
Lakeport, CA 95453
E-mail: Sateur.ham@lakecountyca.gov
Phone: (707)263-2221 ext. 37102

Sateur Ham

From: Wink, Mike@CALFIRE <Mike.Wink@fire.ca.gov>
Sent: Sunday, March 29, 2020 5:25 PM
To: Sateur Ham
Cc: Willie Sapeta (wsapeta@lakecountyfire.com); Cory Smith; Jack Smalley; David Casian
Subject: [EXTERNAL]Re: Request for Review: UP 20-03; IS 20-02; EA 20-02

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

These comments are from CAL FIRE.

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 Lake County Fire Protection Districts Boundary, where they are a cooperator in applying and enforcing all Codes, Laws, Regulations and etcetera for this project and they will also have comments.

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

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

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

- A "One Way" loop road standard could be used, or a two land road.
- A "Road" is two 10 foot lanes of travel for a total of 20 feet of derivable surface not including the shoulders.
- A "Driveway" is a 10 foot wide road with a turnout every 400 feet. This shall not be used for commercial applications, or access to more than three structures that are residences.
- A "Turnout" shall be a minimum 10 feet wide and 30 feet long, with a 25 foot taper at each end
- A "One Lane", "One Way" only loop road is 12 feet wide of derivable surface, plus shoulders. A one lane road must connect on both ends to a two lane road or County Road.
- A bridge can meet the "One Lane", "One Way" 12 feet wide road standard with appropriate signage. A bridge must be marked by the owner of the bridge that it is rated to support 75,000 pounds.
- A bridge shall not be less than 12 feet wide.
- A bridge can meet the "Road " 20 feet wide standard. A bridge must be marked by the owner of the bridge that is is rated to support 75,00 pounds.
- Existing roadways on private property shall meet, and or be improved to meet "Road" standards.
- All weather roadway surfaces shall be rated/engineered for 75,000 lb vehicles is the minimum (including bridges).
- All weather roadway surfaces do not ever have mud, standing or flowing water that vehicles have to travel through.
- Maximum roadway slope is 16%.
- Gate width is 14 foot minimum.
- Gate set backs are a minimum of 30 feet from a road to the gate.
- Gates shall have access criteria locks and alike that meet the local Fire Protection District standard "KNOX" (or similar) access program.
- Parking at the site shall allow for turnarounds, hammerhead T, or similar.
- Minimum fuels reduction of 100 feet of defensible space from all structures.
    - Some applications have mention that they may have a gasoline generator for backup power when solar is not available. If this is the case, the generator shall be placed on a minimum of a 10 foot radius of a non combustible surface. It shall have a minimum of a 3A-40B.C Fire Extinguisher within the 10 foot radius.

- This property will meet the criteria to be, or will be a CERS / CUPA reporting facility/entity to Lake County Environmental Health (see hyperlink below), it shall also comply specifically with

PRC4291.3 requiring 300 feet of defensible space and fuels reduction around structures. In summary, any structure or location that stores hazardous, flammable or dangerous items shall establish and maintain 300 feet of defensible space / fuels reduction around its radius.

- While not in Title, Code or Regulation, CAL FIRE does support the County of Lake's "Dark Sky Initiative". This standard reduces the false reporting of a vegetation fire from light during the night. False activation of the 911 system puts the community and first responders at risk when it can be avoided.

http://www.fire.ca.gov/fire_prevention/fire_prevention_wildland_codes

California's Wildland-Urban Interface Code Information - CAL FIRE - Home
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www.lakecountyca.gov
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From: Sateur Ham <Sateur.Ham@lakecountyca.gov>
Sent: Wednesday, January 22, 2020 3:21 PM
To: Steven Hajik <Steven.Hajik@lakecountyca.gov>; Andrew Williams <Andrew.Williams@lakecountyca.gov>; BLM <anafus@blm.gov>; Ponce, Kevin@CDFA <Kevin.Ponce@cdfa.ca.gov>; Wink, Mike@CALFIRE <Mike.Wink@fire.ca.gov>; Jackman, Rex A@DOT <rex.jackman@dot.ca.gov>; Stoner, Kyle@Wildlife <Kyle.Stoner@wildlife.ca.gov>; Gordon Haggitt <Gordon.Haggitt@lakecountyca.gov>; Fried, Janae@Waterboards <Janae.Fried@Waterboards.ca.gov>; David Casian <David.Casian@lakecountyca.gov>; Gearhart, Doug@lcaqmd <dougg@lcaqmd.net>; Elizabeth Knight <elizabethk@lcaqmd.net>; Fahmy-Lake County Air Quality <fahmya@lcaqmd.net>; Farm Bureau <lcfarmbureau@sbcglobal.net>; Jim Campbell <Jim.Campbell@lakecountyca.gov>; Kelli Hanlon <Kelli.Hanlon@lakecountyca.gov>; Kelseyville Fire <pbleuss@kelseyvillefire.com>; Ch700, Fd@yahoo <fdchf700@yahoo.com>; Greg Peters <Greg.Peters@lakecountyca.gov>; 500, chief@LKP <chief500@lakeportfire.com>; Lucas Bingham <Lucas.Bingham@lakecountyca.gov>; Mary Jane Montana <MaryJane.Montana@lakecountyca.gov>; Beristianos, J@NSD <chief800@northshorefpd.com>; PG&E <T4b5@pge.com>; PG&E <PGENorthernAgencyIns@pge.com>; Richard Ford <Richard.Ford@lakecountyca.gov>; Rymer-Burnett, Saskia@DOT <Saskia.Rymer-Burnett@dot.ca.gov>; Scott DeLeon <Scott.DeLeon@lakecountyca.gov>; Sonoma State <nwic@sonoma.edu>; Fong, Gloria@CALFIRE <Gloria.Fong@fire.ca.gov>; Lori Baca <Lori.Baca@lakecountyca.gov>; Yuliya Osetrova <Yuliya.Osetrova@lakecountyca.gov>; Moke Simon <Moke.Simon@lakecountyca.gov>; Ronald Yoder <Ronald.Yoder@lakecountyca.gov>
Subject: Request for Review: UP 20-03; IS 20-02; EA 20-02

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

Please respond no later than February 4, 2020.

Thank you,

Sateur Ham

Assistant Planner I
Department of Community Development

Sateur Ham

From: Wink, Mike@CALFIRE <Mike.Wink@fire.ca.gov>
Sent: Saturday, April 11, 2020 11:11 PM
To: Sateur Ham
Cc: Hakala, Jeff@CALFIRE; Hannan, Jake@CALFIRE; Ch700, Fd@yahoo; Cory Smith; David Casian; Jack Smalley
Subject: [EXTERNAL]Re: Additional information for sufficiency on ongoing project UP 20-03; IS 20-02

Greetings Planner Ham.

This project location is within the Lake County Fire Protection District. I did not see their designee included in this email. I have included the LCFPD in this response.

These are the comments from CAL FIRE.

While the Property Management Plans are a detailed and well written document. The documents reference to emergency preparedness, engineering controls to reduce fire or its spread of fire is minimal. This area in the SRA is in, or in proximity to our most extreme wildland fire hazard severity zone.

p 36 - In the last paragraph. References the support of vegetation reduction for fire protection. Minimum vegetation removal is 100 feet around all structures and increases to 300 feet around structures that store hazardous items.

p 44 - In the last paragraph. References calling the Lower Lake Fire Department. Chief Sapeta or his designee might have a comment on this.

p 54 - In the middle of the page. References "All road watercourse crossing structures will allow for the unrestricted passage of water and should be designed to accommodate the 100-year flood flow - consult CAL FIRE 100-year Watercourse Crossings document for examples and calculations (minimum of 18” diameter for all culverts);". This document is targeted to Timber Harvest operations/access Registered Professional Foresters on Marketable Timber Lands. While it is a outstanding document, it can not be used in lieu of a licensed/certified industry representative to certify roads are all weather, and are rated to accommodate 75,000 pound weight rating.

p 59 - Section 12.6 Monitoring the Performance of Water. References water for fire. Where, and how much water is available for fire suppression. Does it meet NFPA standards?

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From: Sateur Ham <Sateur.Ham@lakecountyca.gov>
Sent: Monday, March 30, 2020 1:35 PM
To: Steven Hajik <Steven.Hajik@lakecountyca.gov>; BLM <anafus@blm.gov>; Ponce, Kevin@CDFA <Kevin.Ponce@cdfa.ca.gov>; Wink, Mike@CALFIRE <Mike.Wink@fire.ca.gov>; Jackman, Rex A@DOT <rex.jackman@dot.ca.gov>; Carol Huchingson <Carol.Huchingson@lakecountyca.gov>; Stoner, Kyle@Wildlife <Kyle.Stoner@wildlife.ca.gov>; Fried, Janae@Waterboards <Janae.Fried@Waterboards.ca.gov>; Gearhart, Doug@lcaqmd <dougg@lcaqmd.net>; Elizabeth Knight <elizabethk@lcaqmd.net>; Fahmy-Lake County Air Quality <fahmya@lcaqmd.net>; Farm Bureau <lcfarmbureau@sbcglobal.net>; Rightnar, Jacob@DOT <Jacob.Rightnar@dot.ca.gov>; Jim Campbell <Jim.Campbell@lakecountyca.gov>; Kelli Hanlon <Kelli.Hanlon@lakecountyca.gov>; Richard Ford <Richard.Ford@lakecountyca.gov>; Rymer-Burnett, Saskia@DOT <Saskia.Rymer-Burnett@dot.ca.gov>; Fong, Gloria@CALFIRE <Gloria.Fong@fire.ca.gov>; Lori Baca <Lori.Baca@lakecountyca.gov>; Yuliya Osetrova <Yuliya.Osetrova@lakecountyca.gov>; Stoner, Kyle@Wildlife <Kyle.Stoner@wildlife.ca.gov>; Wildlife R2 CEQA <R2CEQA@wildlife.ca.gov>
Subject: Additional information for sufficiency on ongoing project UP 20-03; IS 20-02

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Hello,

This project was previously sent out for review but additional information was recently provided based on agency comment. Please review for sufficiency, thank you.

Best,

Sateur Ham

Assistant Planner I
Department of Community Development
Planning Division
255 N. Forbes Street
Lakeport, CA 95453
E-mail: Sateur.ham@lakecountyca.gov
Phone: (707)263-2221 ext. 37102

Sateur Ham

From: Rymer-Burnett, Saskia@DOT <Saskia.Rymer-Burnett@dot.ca.gov>
Sent: Friday, January 24, 2020 1:28 PM
To: Sateur Ham
Subject: [EXTERNAL]RE: RE: Request for Review: UP 20-03; IS 20-02; EA 20-02 - Alvarez Farms Use Permit

Hello Sateur,
Thank you for the supplemental data. However, we still find that the project needs more complete, clear information to review potential vehicle trips and other traffic related issues. Therefore, please provide the following additional information for the project:

- Clear estimates of proposed employee numbers (regular and peak season staffing levels) for the business
- Estimated total vehicle trips (employees, deliveries/pickup, customers) and frequency (daily, weekly, seasonally)
- Total number and location(s) of parking spaces and loading, clearly shown on site layout plans and in the project description
- Vehicle types and size (especially for delivery/pickup vehicles, ie. vans, box trucks)

Please also provide a copy of the Initial Study for the project, or a state clearinghouse number. The requested information is routinely provided in plans and materials for other cannabis cultivation project referrals. When we receive complete information, the project will be reviewed by our divisions. As a future note, it would be helpful to include this type of information as part of the project description and scope. Please let me know if you have any questions.

Thank you,

Saskia Rymer-Burnett
Caltrans District 1
Transportation Planning
Ph: (707) 441-2009
saskia.rymer-burnett@dot.ca.gov

From: Sateur Ham <Sateur.Ham@lakecountyca.gov>
Sent: Friday, January 24, 2020 8:07 AM
To: Rymer-Burnett, Saskia@DOT <Saskia.Rymer-Burnett@dot.ca.gov>
Subject: RE: RE: Request for Review: UP 20-03; IS 20-02; EA 20-02

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Hello Saski,

The information was also provided in the supplemental data. Thank you for informing me, please let me know if there are ways I can improve my RFR and how applicants can provide better information for the agencies.

Best,

From: Rymer-Burnett, Saskia@DOT [mailto:Saskia.Rymer-Burnett@dot.ca.gov]
Sent: Thursday, January 23, 2020 3:43 PM
To: Sateur Ham <Sateur.Ham@lakecountyca.gov>
Subject: [EXTERNAL]RE: Request for Review: UP 20-03; IS 20-02; EA 20-02

Hello Sateur,
I reviewed the RFR attachments, but did not find estimates of the number of employees, parking spaces, vehicle trips, deliveries and type or size of delivery vehicle anticipated for the business. Could you please provide this information, or point me to where it is in the RFR? We request that project referrals include this information for our review of potential vehicle trips and any traffic safety or other issues associated with the project.

Thank you for your assistance,

Saskia Rymer-Burnett
Caltrans District 1
Transportation Planning
Ph: (707) 441-2009
saskia.rymer-burnett@dot.ca.gov

From: Sateur Ham <Sateur.Ham@lakecountyca.gov>
Sent: Wednesday, January 22, 2020 3:22 PM
To: Steven Hajik <Steven.Hajik@lakecountyca.gov>; Andrew Williams <Andrew.Williams@lakecountyca.gov>; BLM <anafus@blm.gov>; Ponce, Kevin@CDFA <Kevin.Ponce@cdfa.ca.gov>; Wink, Mike@CALFIRE <Mike.Wink@fire.ca.gov>; Jackman, Rex A@DOT <rex.jackman@dot.ca.gov>; Stoner, Kyle@Wildlife <Kyle.Stoner@wildlife.ca.gov>; Gordon Haggitt <Gordon.Haggitt@lakecountyca.gov>; Fried, Janae@Waterboards <Janae.Fried@Waterboards.ca.gov>; David Casian <David.Casian@lakecountyca.gov>; Doug Gearhart <dougg@lcaqmd.net>; Elizabeth Knight <elizabethk@lcaqmd.net>; Fahmy-Lake County Air Quality <fahmya@lcaqmd.net>; Farm Bureau <lcfarmbureau@sbcglobal.net>; Jim Campbell <Jim.Campbell@lakecountyca.gov>; Kelli Hanlon <Kelli.Hanlon@lakecountyca.gov>; Kelseyville Fire <pbleuss@kelseyvillefire.com>; Lake Co. Fire <Fdchf700@yahoo.com>; Greg Peters <Greg.Peters@lakecountyca.gov>; Lakeport Fire <chief500@lakeportfire.com>; Lucas Bingham <Lucas.Bingham@lakecountyca.gov>; Mary Jane Montana <MaryJane.Montana@lakecountyca.gov>; Northshore Fire <chief800@northshorefpd.com>; PG&E <T4b5@pge.com>; PG&E <PGENorthernAgencyIns@pge.com>; Richard Ford <Richard.Ford@lakecountyca.gov>; Rymer-Burnett, Saskia@DOT <Saskia.Rymer-Burnett@dot.ca.gov>; Scott DeLeon <Scott.DeLeon@lakecountyca.gov>; Sonoma State <nwic@sonoma.edu>; Fong, Gloria@CALFIRE <Gloria.Fong@fire.ca.gov>; Lori Baca <Lori.Baca@lakecountyca.gov>; Yuliya Osetrova <Yuliya.Osetrova@lakecountyca.gov>; Moke Simon <Moke.Simon@lakecountyca.gov>; Ronald Yoder <Ronald.Yoder@lakecountyca.gov>
Subject: Request for Review: UP 20-03; IS 20-02; EA 20-02

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Hello,

Please respond no later than February 4, 2020.

Sateur Ham

From: Rymer-Burnett, Saskia@DOT <Saskia.Rymer-Burnett@dot.ca.gov>
Sent: Tuesday, January 28, 2020 12:49 PM
To: Sateur Ham
Subject: [EXTERNAL]RE: RE: Request for Review: UP 20-03; IS 20-02; EA 20-02 - additional information requested
Attachments: supplemental data.pdf; RFR_Alvarez.pdf

Good Afternoon Sateur,

The supplemental data sheet contains the statement (on page 6), "one truck and two cars for possible employees" under a heading to describe potential traffic generated by the project. This is not enough detail to proceed with our project review. The application continues to lack clear, adequate information for District review of potential vehicle trips, traffic, parking and other issues associated with the proposed business and its operation.

Therefore, we request that the following additional project information be submitted:

1. Estimated number of employees for operation of the business (including staff year-round, and peak season).
2. Proposed number of parking spaces and locations provided on-site (in written narrative, and shown as parking spaces and loading areas on site plans)
3. Estimated number (frequency) of vehicle trips and deliveries/pickup vehicles (for employees, business operations, customers if any) – per week or monthly
4. The type or size of delivery vehicles/trucks to be used for operation of the business

Please advise the applicant that District review of this project is on hold until we receive this information, which is provided in other cannabis permit applications. We also request more time for the District to comment on the project.

Thank you,

Saskia Rymer-Burnett
Caltrans District 1
Transportation Planning
Ph: (707) 441-2009
saskia.rymer-burnett@dot.ca.gov

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From: Sateur Ham <Sateur.Ham@lakecountyca.gov>
Sent: Wednesday, January 22, 2020 3:22 PM
To: Steven Hajik <Steven.Hajik@lakecountyca.gov>; Andrew Williams <Andrew.Williams@lakecountyca.gov>; BLM <anafus@blm.gov>; Ponce, Kevin@CDFA <Kevin.Ponce@cdfa.ca.gov>; Wink, Mike@CALFIRE <Mike.Wink@fire.ca.gov>; Jackman, Rex A@DOT <rex.jackman@dot.ca.gov>; Stoner, Kyle@Wildlife <Kyle.Stoner@wildlife.ca.gov>; Gordon Haggitt <Gordon.Haggitt@lakecountyca.gov>; Fried, Janae@Waterboards <Janae.Fried@Waterboards.ca.gov>; David Casian <David.Casian@lakecountyca.gov>; Doug Gearhart <dougg@lcaqmd.net>; Elizabeth Knight <elizabethk@lcaqmd.net>; Fahmy-Lake County Air Quality <fahmya@lcaqmd.net>; Farm Bureau <lcfarmbureau@sbcglobal.net>; Jim Campbell <Jim.Campbell@lakecountyca.gov>; Kelli Hanlon <Kelli.Hanlon@lakecountyca.gov>; Kelseyville Fire <pbleuss@kelseyvillefire.com>; Lake Co. Fire <Fdchf700@yahoo.com>; Greg Peters <Greg.Peters@lakecountyca.gov>; Lakeport Fire <chief500@lakeportfire.com>; Lucas Bingham <Lucas.Bingham@lakecountyca.gov>; Mary Jane Montana <MaryJane.Montana@lakecountyca.gov>; Northshore Fire <chief800@northshorefpd.com>; PG&E <T4b5@pge.com>; PG&E <PGENorthernAgencyIns@pge.com>; Richard Ford <Richard.Ford@lakecountyca.gov>; Rymer-Burnett, Saskia@DOT <Saskia.Rymer-Burnett@dot.ca.gov>; Scott DeLeon <Scott.DeLeon@lakecountyca.gov>; Sonoma State <nwic@sonoma.edu>; Fong, Gloria@CALFIRE <Gloria.Fong@fire.ca.gov>; Lori Baca <Lori.Baca@lakecountyca.gov>; Yuliya Osetrova <Yuliya.Osetrova@lakecountyca.gov>; Moke Simon <Moke.Simon@lakecountyca.gov>; Ronald Yoder <Ronald.Yoder@lakecountyca.gov>
Subject: Request for Review: UP 20-03; IS 20-02; EA 20-02

CAUTION: External email. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hello,

Sateur Ham

From: Gordon Haggitt
Sent: Wednesday, January 22, 2020 4:14 PM
To: Sateur Ham
Subject: RE: Request for Review: UP 20-03; IS 20-02; EA 20-02

Sateur: FYI, there is no public access to this parcel so any access would be by private easements. My main concern is that the project does not encroach into the setbacks or neighboring properties. Thanks, Gordon

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

From: Sateur Ham
Sent: Wednesday, January 22, 2020 3:22 PM
To: Steven Hajik <Steven.Hajik@lakecountyca.gov>; Andrew Williams <Andrew.Williams@lakecountyca.gov>; BLM <anafus@blm.gov>; CalCannabis (kevin.ponce@cdfa.ca.gov) <kevin.ponce@cdfa.ca.gov>; Calfire <mike.wink@fire.ca.gov>; CalTrans-Rex <Rex.Jackman@dot.ca.gov>; CDFW Kyle <kyle.stoner@wildlife.ca.gov>; Gordon Haggitt <Gordon.Haggitt@lakecountyca.gov>; CRWQCB (Janae.Fried@Waterboards.ca.gov) <Janae.Fried@Waterboards.ca.gov>; David Casian <David.Casian@lakecountyca.gov>; Doug Gearhart <dougg@lcaqmd.net>; Elizabeth Knight <elizabethk@lcaqmd.net>; Fahmy-Lake County Air Quality <fahmya@lcaqmd.net>; Farm Bureau <lcfarmbureau@sbcglobal.net>; Jim Campbell <Jim.Campbell@lakecountyca.gov>; Kelli Hanlon <Kelli.Hanlon@lakecountyca.gov>; Kelseyville Fire <pbleuss@kelseyvillefire.com>; Lake Co. Fire <Fdchf700@yahoo.com>; Greg Peters <Greg.Peters@lakecountyca.gov>; Lakeport Fire <chief500@lakeportfire.com>; Lucas Bingham <Lucas.Bingham@lakecountyca.gov>; Mary Jane Montana <MaryJane.Montana@lakecountyca.gov>; Northshore Fire <chief800@northshorefpd.com>; PG&E <T4b5@pge.com>; PG&E <PGENorthernAgencyIns@pge.com>; Richard Ford <Richard.Ford@lakecountyca.gov>; Saskia Rymer-Burnett <saskia.rymer-burnett@dot.ca.gov>; Scott DeLeon <Scott.DeLeon@lakecountyca.gov>; Sonoma State <nwic@sonoma.edu>; South Lake County Fire <Gloria.Fong@fire.ca.gov>; Lori Baca <Lori.Baca@lakecountyca.gov>; Yuliya Osetrova <Yuliya.Osetrova@lakecountyca.gov>; Moke Simon <Moke.Simon@lakecountyca.gov>; Ronald Yoder <Ronald.Yoder@lakecountyca.gov>
Subject: Request for Review: UP 20-03; IS 20-02; EA 20-02

Hello,

Please respond no later than February 4, 2020.

Thank you,

Sateur Ham

Assistant Planner I
Department of Community Development
Planning Division
255 N. Forbes Street
Lakeport, CA 95453
E-mail: Sateur.ham@lakecountyca.gov
Phone: (707)263-2221 ext. 37102

Sateur Ham

From: Ronald Yoder
Sent: Tuesday, January 28, 2020 1:16 PM
To: Sateur Ham
Subject: RE: Request for Review: UP 20-03; IS 20-02; EA 20-02

Sateur, the storm water and source(Pollution) control plans seen adequate. A grading permit is required for all grading and land disturbance activities.

Ron Yoder
Grading Stormwater Inspector II

From: Sateur Ham
Sent: Wednesday, January 22, 2020 3:22 PM
To: Steven Hajik <Steven.Hajik@lakecountyca.gov>; Andrew Williams <Andrew.Williams@lakecountyca.gov>; BLM <anafus@blm.gov>; CalCannabis (kevin.ponce@cdfa.ca.gov) <kevin.ponce@cdfa.ca.gov>; Calfire <mike.wink@fire.ca.gov>; CalTrans-Rex <Rex.Jackman@dot.ca.gov>; CDFW Kyle <kyle.stoner@wildlife.ca.gov>; Gordon Haggitt <Gordon.Haggitt@lakecountyca.gov>; CRWQCB (Janae.Fried@Waterboards.ca.gov) <Janae.Fried@Waterboards.ca.gov>; David Casian <David.Casian@lakecountyca.gov>; Doug Gearhart <dougg@lcaqmd.net>; Elizabeth Knight <elizabethk@lcaqmd.net>; Fahmy-Lake County Air Quality <fahmya@lcaqmd.net>; Farm Bureau <lcfarmbureau@sbcglobal.net>; Jim Campbell <Jim.Campbell@lakecountyca.gov>; Kelli Hanlon <Kelli.Hanlon@lakecountyca.gov>; Kelseyville Fire <pbleuss@kelseyvillefire.com>; Lake Co. Fire <Fdchf700@yahoo.com>; Greg Peters <Greg.Peters@lakecountyca.gov>; Lakeport Fire <chief500@lakeportfire.com>; Lucas Bingham <Lucas.Bingham@lakecountyca.gov>; Mary Jane Montana <MaryJane.Montana@lakecountyca.gov>; Northshore Fire <chief800@northshorefpd.com>; PG&E <T4b5@pge.com>; PG&E <PGENorthernAgencyIns@pge.com>; Richard Ford <Richard.Ford@lakecountyca.gov>; Saskia Rymer-Burnett <saskia.rymer-burnett@dot.ca.gov>; Scott DeLeon <Scott.DeLeon@lakecountyca.gov>; Sonoma State <nwic@sonoma.edu>; South Lake County Fire <Gloria.Fong@fire.ca.gov>; Lori Baca <Lori.Baca@lakecountyca.gov>; Yuliya Osetrova <Yuliya.Osetrova@lakecountyca.gov>; Moke Simon <Moke.Simon@lakecountyca.gov>; Ronald Yoder <Ronald.Yoder@lakecountyca.gov>
Subject: Request for Review: UP 20-03; IS 20-02; EA 20-02

Hello,

Please respond no later than February 4, 2020.

Thank you,

Sateur Ham

Assistant Planner I
Department of Community Development
Planning Division
255 N. Forbes Street
Lakeport, CA 95453
E-mail: Sateur.ham@lakecountyca.gov
Phone: (707)263-2221 ext. 37102

Sateur Ham

From: Fahmy Attar <FahmyA@lcaqmd.net>
Sent: Tuesday, February 11, 2020 11:11 AM
To: Sateur Ham
Subject: [EXTERNAL]Re: Request for Review: UP 20-03; IS 20-02; EA 20-02

Sateur,

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 Jan 22, 2020, at 3:21 PM, Sateur Ham <Sateur.Ham@lakecountyca.gov> wrote:

Hello,

Please respond no later than February 4, 2020.

Thank you,

Sateur Ham

Assistant Planner I
Department of Community Development
Planning Division
255 N. Forbes Street
Lakeport, CA 95453
E-mail: Sateur.ham@lakecountyca.gov
Phone: (707)263-2221 ext. 37102

<Site_Plan_maps.pdf><Site_Management_Plan.pdf><Site_Management_Plan2.pdf><Site_Management_3.pdf><Site_Management_4.pdf><RFR_Alvarez.pdf>

Sateur Ham

From: Lori Baca
Sent: Thursday, January 23, 2020 12:07 PM
To: Sateur Ham
Subject: RE: Request for Review: UP 20-03; IS 20-02; EA 20-02

Sateur,

Parcel 012-067-40 is outside of any Special Districts service areas, no impact.

Have a great day!

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

From: Sateur Ham
Sent: Wednesday, January 22, 2020 3:22 PM
To: Steven Hajik <Steven.Hajik@lakecountyca.gov>; Andrew Williams <Andrew.Williams@lakecountyca.gov>; BLM <anafus@blm.gov>; CalCannabis (kevin.ponce@cdfa.ca.gov) <kevin.ponce@cdfa.ca.gov>; Calfire <mike.wink@fire.ca.gov>; CalTrans-Rex <Rex.Jackman@dot.ca.gov>; CDFW Kyle <kyle.stoner@wildlife.ca.gov>; Gordon Haggitt <Gordon.Haggitt@lakecountyca.gov>; CRWQCB (Janae.Fried@Waterboards.ca.gov) <Janae.Fried@Waterboards.ca.gov>; David Casian <David.Casian@lakecountyca.gov>; Doug Gearhart <dougg@lcaqmd.net>; Elizabeth Knight <elizabethk@lcaqmd.net>; Fahmy-Lake County Air Quality <fahmya@lcaqmd.net>; Farm Bureau <lcfarmbureau@sbcglobal.net>; Jim Campbell <Jim.Campbell@lakecountyca.gov>; Kelli Hanlon <Kelli.Hanlon@lakecountyca.gov>; Kelseyville Fire <pbleuss@kelseyvillefire.com>; Lake Co. Fire <Fdchf700@yahoo.com>; Greg Peters <Greg.Peters@lakecountyca.gov>; Lakeport Fire <chief500@lakeportfire.com>; Lucas Bingham <Lucas.Bingham@lakecountyca.gov>; Mary Jane Montana <MaryJane.Montana@lakecountyca.gov>; Northshore Fire <chief800@northshorefpd.com>; PG&E <T4b5@pge.com>; PG&E <PGENorthernAgencyIns@pge.com>; Richard Ford <Richard.Ford@lakecountyca.gov>; Saskia Rymer-Burnett <saskia.rymer-burnett@dot.ca.gov>; Scott DeLeon <Scott.DeLeon@lakecountyca.gov>; Sonoma State <nwic@sonoma.edu>; South Lake County Fire <Gloria.Fong@fire.ca.gov>; Lori Baca <Lori.Baca@lakecountyca.gov>; Yuliya Osetrova <Yuliya.Osetrova@lakecountyca.gov>; Moke Simon <Moke.Simon@lakecountyca.gov>; Ronald Yoder <Ronald.Yoder@lakecountyca.gov>
Subject: Request for Review: UP 20-03; IS 20-02; EA 20-02

Hello,

Please respond no later than February 4, 2020.

Sateur Ham

From: Fried, Janae@Waterboards <Janae.Fried@Waterboards.ca.gov>
Sent: Monday, February 10, 2020 3:47 PM
To: Sateur Ham
Subject: [EXTERNAL]RE: Request for Review: MUP20-03; IS20-10; EA 20-11

No comments, everything matches up and looks good.

From: Sateur Ham <Sateur.Ham@lakecountyca.gov>
Sent: Thursday, February 6, 2020 11:24 AM
To: Steven Hajik <Steven.Hajik@lakecountyca.gov>; Andrew Williams <Andrew.Williams@lakecountyca.gov>; BLM <anafus@blm.gov>; Ponce, Kevin@CDFA <Kevin.Ponce@cdfa.ca.gov>; Wink, Mike@CALFIRE <Mike.Wink@fire.ca.gov>; Jackman, Rex A@DOT <rex.jackman@dot.ca.gov>; Carol Huchingson <Carol.Huchingson@lakecountyca.gov>; Stoner, Kyle@Wildlife <Kyle.Stoner@wildlife.ca.gov>; Gordon Haggitt <Gordon.Haggitt@lakecountyca.gov>; Fried, Janae@Waterboards <Janae.Fried@Waterboards.ca.gov>; David Casian <David.Casian@lakecountyca.gov>; Doug Gearhart <dougg@lcaqmd.net>; Elizabeth Knight <elizabethk@lcaqmd.net>; Fahmy-Lake County Air Quality <fahmya@lcaqmd.net>; Farm Bureau <lcfarmbureau@sbcglobal.net>; Jim Campbell <Jim.Campbell@lakecountyca.gov>; Kelli Hanlon <Kelli.Hanlon@lakecountyca.gov>; Kelseyville Fire <pbleuss@kelseyvillefire.com>; Lake Co. Fire <Fdchf700@yahoo.com>; Greg Peters <Greg.Peters@lakecountyca.gov>; Lakeport Fire <chief500@lakeportfire.com>; Lucas Bingham <Lucas.Bingham@lakecountyca.gov>; Mary Jane Montana <MaryJane.Montana@lakecountyca.gov>; Michelle Scully <Michelle.Scully@lakecountyca.gov>; Northshore Fire <chief800@northshorefpd.com>; PG&E <T4b5@pge.com>; PG&E <PGENorthernAgencyIns@pge.com>; Richard Ford <Richard.Ford@lakecountyca.gov>; Ronald Yoder <Ronald.Yoder@lakecountyca.gov>; Rymer-Burnett, Saskia@DOT <Saskia.Rymer-Burnett@dot.ca.gov>; Scott DeLeon <Scott.DeLeon@lakecountyca.gov>; Sonoma State <nwic@sonoma.edu>; Fong, Gloria@CALFIRE <Gloria.Fong@fire.ca.gov>; Lori Baca <Lori.Baca@lakecountyca.gov>; Susan Parker <Susan.Parker@lakecountyca.gov>; Yuliya Osetrova <Yuliya.Osetrova@lakecountyca.gov>; Moke Simon <Moke.Simon@lakecountyca.gov>
Subject: Request for Review: MUP20-03; IS20-10; EA 20-11

EXTERNAL:

Good morning—

Please review the attached files for commenting no later than February 22, 2020. Thank you

Best,

Sateur Ham
Assistant Planner I
Department of Community Development
Planning Division
255 N. Forbes Street
Lakeport, CA 95453
E-mail: Sateur.ham@lakecountyca.gov
Phone: (707)263-2221 ext. 37102

Sateur Ham

From: Yuliya Osetrova
Sent: Thursday, April 16, 2020 3:36 PM
To: Sateur Ham
Subject: RE: Additional information for sufficiency on ongoing project UP 20-03; IS 20-02

Sateur,
For this project:

- Require straw wattles and silt fences installation on the canopy's perimeter to ensure surface water sources protection
- Information on installed monitoring equipment (water flow and levels) is missing

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

From: Sateur Ham
Sent: Thursday, April 16, 2020 12:25 PM
To: Yuliya Osetrova <Yuliya.Osetrova@lakecountyca.gov>
Subject: RE: Additional information for sufficiency on ongoing project UP 20-03; IS 20-02

Good afternoon Yuliya,

I hope you are doing well. I've included the previous RFR, site plans and a new PMP. The new PMP is more in-dept description of the project but their proposal remains the same. Thank you ☺

From: Yuliya Osetrova
Sent: Thursday, April 16, 2020 12:12 PM
To: Sateur Ham <Sateur.Ham@lakecountyca.gov>
Subject: RE: Additional information for sufficiency on ongoing project UP 20-03; IS 20-02

Sateur,
Please send with RFR and set of plans
Y

From: Sateur Ham
Sent: Monday, March 30, 2020 1:35 PM
To: Steven Hajik <Steven.Hajik@lakecountyca.gov>; BLM <anafus@blm.gov>; CalCannabis (kevin.ponce@cdfa.ca.gov) <kevin.ponce@cdfa.ca.gov>; Calfire <mike.wink@fire.ca.gov>; CalTrans-Rex <Rex.Jackman@dot.ca.gov>; Carol Huchingson <Carol.Huchingson@lakecountyca.gov>; CDFW Kyle <kyle.stoner@wildlife.ca.gov>; CRWQCB (Janae.Fried@Waterboards.ca.gov) <Janae.Fried@Waterboards.ca.gov>; Doug Gearhart <dougg@lcaqmd.net>; Elizabeth Knight <elizabethk@lcaqmd.net>; Fahmy-Lake County Air Quality <fahmya@lcaqmd.net>; Farm Bureau <lcfarmbureau@sbcglobal.net>; Jacob_dot <Jacob.Rightnar@dot.ca.gov>; Jim Campbell <Jim.Campbell@lakecountyca.gov>; Kelli Hanlon <Kelli.Hanlon@lakecountyca.gov>; Richard Ford <Richard.Ford@lakecountyca.gov>; Saskia Rymer-Burnett <saskia.rymer-burnett@dot.ca.gov>; South Lake County Fire

<Gloria.Fong@fire.ca.gov>; Lori Baca <Lori.Baca@lakecountyca.gov>; Yuliya Osetrova <Yuliya.Osetrova@lakecountyca.gov>; CDFW Kyle <kyle.stoner@wildlife.ca.gov>; CEQA CDFW <R2CEQA@wildlife.ca.gov>
Subject: Additional information for sufficiency on ongoing project UP 20-03; IS 20-02

Hello,

This project was previously sent out for review but additional information was recently provided based on agency comment. Please review for sufficiency, thank you.

Best,

Sateur Ham
Assistant Planner I
Department of Community Development
Planning Division
255 N. Forbes Street
Lakeport, CA 95453
E-mail: Sateur.ham@lakecountyca.gov
Phone: (707)263-2221 ext. 37102

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

February 13, 2020 Via Electronic Mail

Sateur Ham
County of Lake
255 N. Forbes Street
Lakeport, CA 95453
sateur.ham@lakecountyca.gov

Request:	Major Use Permit. UP 20-03; IS 20-02; EA 20-02
Applicant:	Freddie Alvarez
Location:	12290 Spruce Grove Road, Lower Lake, CA
APN:	012-067-40

Dear Ms. Ham,

The Middletown Rancheria (Tribe) is in receipt of your notification dated January 22, 2020 regarding the above referenced matter. The proposed Project site and its surrounding area is a site of cultural, historical, and religious significance for the Tribe. The Tribe is aware of and concerned about significant cultural and sacred resources that, while known to the Tribe, might not be properly identified through record and survey searches. Moreover, the potential for cumulative impacts to tribal cultural resources must be adequately assessed.

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

Mitigation Measures

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

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

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

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

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

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

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

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

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

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

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

Please contact me at your earliest convenience at to schedule a meeting and if you have questions and/or concerns. Please reference **THPD File Number 20-01-008**.

Thank you,

Sally Peterson
Tribal Vice-Chairwoman
THPO Director

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

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

February 13, 2020 Via Electronic Mail

Sateur Ham
County of Lake
255 N. Forbes Street
Lakeport, CA 95453
sateur.ham@lakecountyca.gov

Request:	Major Use Permit. UP 20-03; IS 20-02; EA 20-02
Applicant:	Freddie Alvarez
Location:	12290 Spruce Grove Road, Lower Lake, CA
APN:	012-067-40

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

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

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

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

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

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

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

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

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

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

Please contact me at your earliest convenience at to schedule a meeting and if you have questions and/or concerns. Please reference **THPD File Number 20-01-008**.

Thank you,

Sally Peterson
Tribal Vice-Chairwoman
THPO Director

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

Sateur Ham

From: Mary Camp <admin@rvrpomo.net>
Sent: Wednesday, January 22, 2020 4:06 PM
To: Sateur Ham
Subject: [EXTERNAL]RE: Request for Review: UP 20-03; IS 20-02; EA 20-02

Redwood Valley thanks you for the notice. We would defer to any review, comments or concerns from Middletown Rancheria and Koi Nation.

From: Sateur Ham <Sateur.Ham@lakecountyca.gov>
Sent: Wednesday, January 22, 2020 3:32 PM
To: Cortina Rancheria <cww281@gmail.com>; Elem Colony <a.tyler@elemindiancolony.org>; Koi Nation <kn@koination.com>; middletownrancheria <THPO@middletownrancheria.com>; Mishewal-Wappo <scottg@mishewalwappotribe.com>; Redwood Valley <admin@rvrpomo.net>; Robinson Rancheria <drogers@robinsonrancheria.org>; Sarah Ryan <sryan@big-valley.net>; Scotts Valley Band of Pomo <terre.logsdon@sv-nsn.gov>; Upper Lake Habematolel <aarroyosr@hpultribe-nsn.gov>; Yocha Dehe <aroberts@yochadehe-nsn.gov>; speterson@middletownracheria.com
Subject: Request for Review: UP 20-03; IS 20-02; EA 20-02

Hello,

Enclosed is a commercial cannabis project request for review, please respond accordingly.

Thank you,

Sateur Ham
Assistant Planner I
Department of Community Development
Planning Division
255 N. Forbes Street
Lakeport, CA 95453
E-mail: Sateur.ham@lakecountyca.gov
Phone: (707)263-2221 ext. 37102

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

March 9, 2020 Via Electronic Mail

Sateur Ham
255 N. Forbes Street
Lakeport, California 95453
Satuer.ham@lakecountyca.gov

Request: 12990 Spruce Grove Road, Lower Lake, CA
Applicant: Freddie Alvarez

Dear Ms. Ham:

The Middletown Rancheria (Tribe) conducted a site visit with you and the applicant regarding the proposed project at above mentioned location on Friday, March 6, 2020. We thank you and the applicant, Mr. Freddie Alvarez, for your willingness to work with us to safely mitigate our concerns regarding our sacred resources. The Tribe and our Department takes the preservation of our resources and sacred sites seriously.

Through participation in a site visit with the applicant our concerns regarding the project has been properly addressed. We also conclude that the consultation process has been done in good faith and we consider it fulfilled. The Tribe is comfortable with the project moving forward, under the mutual understanding that the Tribe is contacted should there be any inadvertent discoveries. We do have a process to protect such important and sacred resources. Thank you and we look forward to working with you in the future.

Regards,

p.p.
Ryan Peterson
Administrative and Projects Coordinator

Signed on behalf of Sally Peterson, Tribal Vice-Chairperson

Sateur Ham

From: William H. Paynter <paynteroffice@gmail.com>
Sent: Tuesday, March 9, 2021 5:07 PM
To: Sateur Ham
Cc: Maureen Flynn Garcia
Subject: [EXTERNAL] Project Location: 12990 Spuce Grove Road, Lower Lake, CA
Attachments: HPSCAN_20210222215751728_2021-02-22_215840404.pdf; IMG_0276.JPG.pdf; IMG_3462.JPG.pdf; IMG_0275_2.JPG.pdf; IMG_3463.JPG.pdf; IMG_3484.JPG.pdf; IMG_3485.JPG.pdf; IMG_3487.JPG.pdf

Ham Sateur, Assistant Planner of County of Lake

My name is William H. Paynter, and I represent Maureen and Servando Garcia. They are the owners of the property that is immediately adjacent to the project and the easement that crosses their property accesses the applicant's project.

We intend to file a lawsuit against the owners and their tenants of the 12990 Spruce Grove Road for waste and destruction of the easement and will be requesting that they restore the easement to their condition. Please find attached pictures of the easement property before their involvement, and the modifications to the easement.

We oppose the project because the improvements they plan on making for the easement was never meant for a commercial enterprise. Please note our objection for the record, and advise me if there is any further information you may need.

William H. Paynter
Law Offices of William H. Paynter
809 Broadway, Suite 6
Sonoma, CA 95476
707.996.5605
707.996.4629 fax
Website: paynterlawoffices.com

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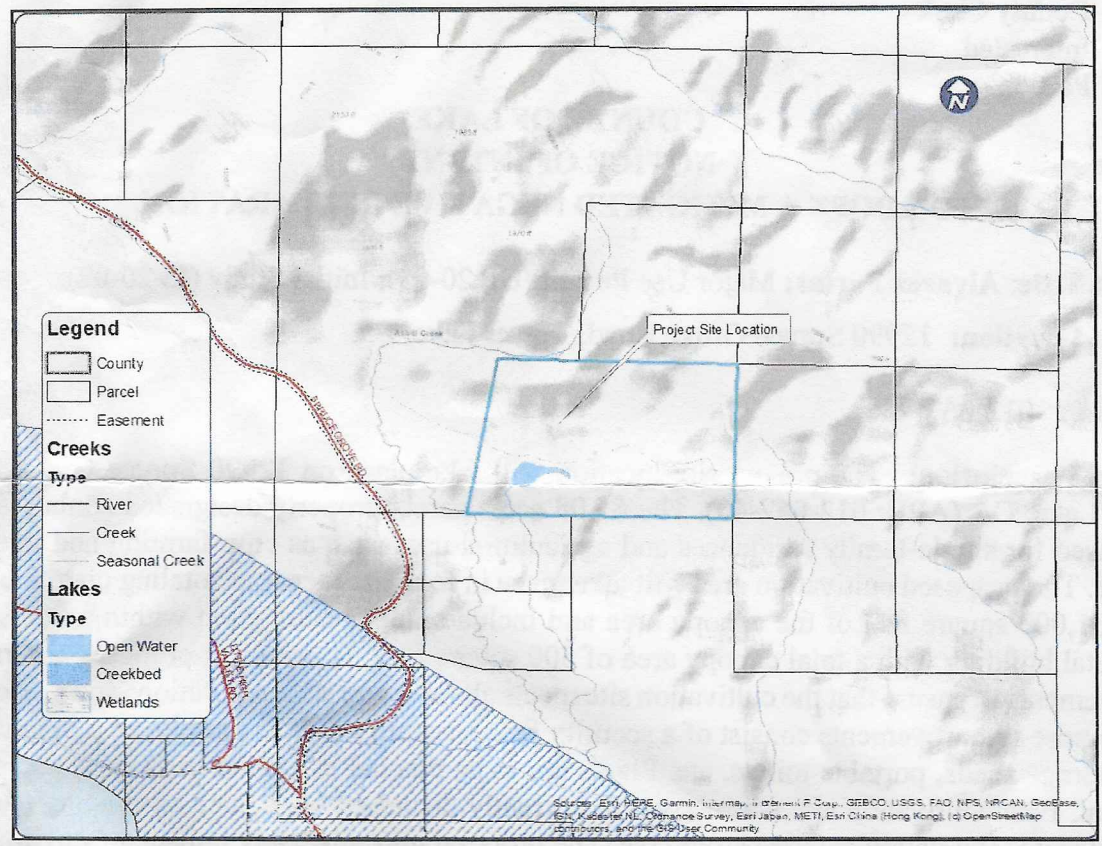

Vicinity Map of Alvarez Farm's Cannabis Cultivation Project

CALIFORNIA DEPARTMENT OF FOOD & AGRICULTURE

March 11, 2021

Sateur Ham, Assistant 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. 2021020125) – Alvarez Farms – Major Use Permit (UP) 20-03, Initial Study (IS) 20-02

Dear Ms. Ham:

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. 2021020125) prepared by Lake County for the proposed Alvarez Farms Project (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.

CalCannabis Cultivation Licensing Division ● 1220 N Street ● Sacramento, California 95814
1.833.225.4769 ● www.calcannabis.cdfa.ca.gov ● calcannabislicensing@cdfa.ca.gov

State of California
Gavin Newsom, Governor

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	I	9	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)).
2	XIX	24	Utilities and Service Systems	The IS/MND could be more informative if it described some of the stormwater management measures included in the Stormwater Management Plan.
3	X	19-21	Hydrology and Water Quality	The IS/MND could be improved if it noted that applicants are required to provide proof of enrollment in or exemption from the applicable SWRCB or Regional Water Quality Control Board (RWQCB) program for water quality protection. (Cal. Code Regs., tit. 3 § 8102(o).),and are required to provide a final copy of proof of a lake and streambed alteration agreement issued by CDFW or written verification that an agreement is not needed. (Cal. Code Regs., tit. 3 § 8102(v).) improved by including a discussion of criteria air pollutant emissions that could result from cannabis cultivation operations and routine maintenance at the project site.

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,
Licensing Program Manager

DocuSign Envelope ID: 180DAE0C-C5C1-4264-99C7-509FA31C91D8

YOCHA DEHE
CULTURAL RESOURCES

February 19, 2021

Lake County | Community Development Department
Attn: Sateur Ham, Planner
255 N. Forbes St.
Lakeport, Ca 95453

RE: 12990 Spruce Grove Rd Lower Lake Project YD-02052021-02

Dear Mr. Ham:

Thank you for your project notification letter dated regarding cultural information on or near the proposed 12990 Spruce Grove Rd Lower Lake Project, Lower Lake, 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 respectively 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 – 02052021-02 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,

DocuSigned by:
Isaac Bojorquez
A61DE454C98B40A...
Isaac Bojorquez
Director of Cultural Resources

cc: Middletown Rancheria

Yocha Dehe Wintun Nation
PO Box 18 Brooks, California 95606 p) 530.796.3400 f) 530.796.2143 www.yochadehe.org

11 March 2021

Sateur Ham
Lake County
Community Development Department
255 North Forbes Street
Lakeport, CA 95453

COMMENTS TO REQUEST FOR REVIEW FOR THE MITIGATED NEGATIVE DECLARATION, ALVAREZ FARMS PROJECT, SCH#2021020125, LAKE COUNTY

Pursuant to the State Clearinghouse's 5 February 2021 request, the Central Valley Regional Water Quality Control Board (Central Valley Water Board) has reviewed the *Request for Review for the Mitigated Negative Declaration* for the Alvarez Farms Project, located in Lake County.

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

I. Regulatory Setting

Basin Plan

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

The Basin Plan is subject to modification as necessary, considering applicable laws, policies, technologies, water quality conditions and priorities. The original Basin Plans were adopted in 1975, and have been updated and revised periodically as required, using Basin Plan amendments. Once the Central Valley Water Board has adopted a Basin Plan amendment in noticed public hearings, it must be approved by the State Water Resources Control Board (State Water Board), Office of Administrative Law (OAL) and in some cases, the United States Environmental

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

Antidegradation Considerations

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

In part it states:

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

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

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

II. Permitting Requirements

Cannabis General Order

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

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

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

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

Construction Storm Water General Permit

Dischargers whose project disturb one or more acres of soil or where projects disturb less than one acre but are part of a larger common plan of development that in total disturbs one or more acres, are required to obtain coverage under the General Permit for Storm Water Discharges Associated with Construction and Land Disturbance Activities (Construction General Permit), Construction General Permit Order No. 2009-0009-DWQ. Construction activity subject to this permit includes clearing, grading, grubbing, disturbances to the ground, such as stockpiling, or excavation, but does not include regular maintenance activities performed to restore the original line, grade, or capacity of the facility. The Construction General Permit requires the development and implementation of a Storm Water Pollution Prevention Plan (SWPPP). For more information on the Construction General Permit, visit the State Water Resources Control Board website at: http://www.waterboards.ca.gov/water_issues/programs/stormwater/constpermits.shtml

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

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

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

For more information on the Phase II MS4 permit and who it applies to, visit the State Water Resources Control Board at: http://www.waterboards.ca.gov/water_issues/programs/stormwater/phase_ii_municipal.shtml

Industrial Storm Water General Permit

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

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

Clean Water Act Section 404 Permit

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

Clean Water Act Section 401 Permit – Water Quality Certification

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

Waste Discharge Requirements – Discharges to Waters of the State

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

Projects involving excavation or fill activities impacting less than 0.2 acre or 400 linear feet of non-jurisdictional waters of the state and projects involving dredging activities impacting less than 50 cubic yards of non-jurisdictional waters of the state may be eligible for coverage under the State Water Resources Control Board Water

Quality Order No. 2004-0004-DWQ (General Order 2004-0004). For more information on the General Order 2004-0004, visit the State Water Resources Control Board website at: https://www.waterboards.ca.gov/board_decisions/adopted_orders/water_quality/2004/wqo/wqo2004-0004.pdf

Dewatering Permit

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

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

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

Limited Threat General NPDES Permit

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

NPDES Permit

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

If you have questions regarding these comments, please contact me at (916) 464-4644 or Stephanie.Tadlock@waterboards.ca.gov.

Stephanie Tadlock
Senior Environmental Scientist

cc: State Clearinghouse unit, Governor's Office of Planning and Research, Sacramento

Department of Toxic Substances Control

Jared Blumenfeld
Secretary for
Environmental Protection

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

Gavin Newsom
Governor

February 10, 2021

Ms. Sateur Ham
County of Lake
Community Development Department
255 N. Forbes Street
Lakeport, CA 95453
Sateur.Ham@lakecountyca.gov

MITIGATED NEGATIVE DECLARATION FOR ALVAREZ FARMS – DATED FEBRUARY 5, 2021 (STATE CLEARINGHOUSE NUMBER: 2021020125)

Ms. Ham:

The Department of Toxic Substances Control (DTSC) received a Mitigated Negative Declaration (MND) for Alvarez 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).

DTSC appreciates the opportunity to comment on the MND. Should you need any assistance with an environmental investigation, please submit a request for Lead Agency Oversight Application, which can be found at: https://dtsc.ca.gov/wp-

content/uploads/sites/31/2018/09/VCP_App-1460.doc. Additional information regarding voluntary agreements with DTSC can be found at: https://dtsc.ca.gov/brownfields/.

If you have any questions, please contact me at (916) 255-3710 or via email at Gavin.McCreary@dtsc.ca.gov.

Sincerely,

Gavin McCreary
Project Manager
Site Evaluation and Remediation Unit
Site Mitigation and Restoration Program
Department of Toxic Substances Control

cc: (via email)

Governor's Office of Planning and Research
State Clearinghouse
State.Clearinghouse@opr.ca.gov

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

Pacific Gas and Electric Company

Plan Review Team
Land Management

PGEPlanReview@pge.com

6111 Bollinger Canyon Road 3370A
San Ramon, CA 94583

February 9, 2021

Sateur Ham
County of Lake
255 N Forbes St
Lakeport, CA 95453

Ref: Gas and Electric Transmission and Distribution

Dear Sateur Ham,

Thank you for submitting the 12990 Spruce Grove Rd plans for our review. PG&E will review the submitted plans in relationship to any existing Gas and Electric facilities within the project area. If the proposed project is adjacent/or within PG&E owned property and/or easements, we will be working with you to ensure compatible uses and activities near our facilities.

Attached you will find information and requirements as it relates to Gas facilities (Attachment 1) and Electric facilities (Attachment 2). Please review these in detail, as it is critical to ensure your safety and to protect PG&E's facilities and its existing rights.

Below is additional information for your review:

1. This plan review process does not replace the application process for PG&E gas or electric service your project may require. For these requests, please continue to work with PG&E Service Planning: https://www.pge.com/en_US/business/services/building-and-renovation/overview/overview.page.

2. If the project being submitted is part of a larger project, please include the entire scope of your project, and not just a portion of it. PG&E's facilities are to be incorporated within any CEQA document. PG&E needs to verify that the CEQA document will identify any required future PG&E services.

3. An engineering deposit may be required to review plans for a project depending on the size, scope, and location of the project and as it relates to any rearrangement or new installation of PG&E facilities.

Any proposed uses within the PG&E fee strip and/or easement, may include a California Public Utility Commission (CPUC) Section 851 filing. This requires the CPUC to render approval for a conveyance of rights for specific uses on PG&E's fee strip or easement. PG&E will advise if the necessity to incorporate a CPUC Section 851filing is required.

This letter does not constitute PG&E's consent to use any portion of its easement for any purpose not previously conveyed. PG&E will provide a project specific response as required.

Sincerely,

Plan Review Team
Land Management

Attachment 1 – Gas Facilities

There could be gas transmission pipelines in this area which would be considered critical facilities for PG&E and a high priority subsurface installation under California law. Care must be taken to ensure safety and accessibility. So, please ensure that if PG&E approves work near gas transmission pipelines it is done in adherence with the below stipulations. Additionally, the following link provides additional information regarding legal requirements under California excavation laws: https://www.usanorth811.org/images/pdfs/CA-LAW-2018.pdf

1. Standby Inspection: A PG&E Gas Transmission Standby Inspector must be present during any demolition or construction activity that comes within 10 feet of the gas pipeline. This includes all grading, trenching, substructure depth verifications (potholes), asphalt or concrete demolition/removal, removal of trees, signs, light poles, etc. This inspection can be coordinated through the Underground Service Alert (USA) service at 811. A minimum notice of 48 hours is required. Ensure the USA markings and notifications are maintained throughout the duration of your work.

2. Access: At any time, PG&E may need to access, excavate, and perform work on the gas pipeline. Any construction equipment, materials, or spoils may need to be removed upon notice. Any temporary construction fencing installed within PG&E's easement would also need to be capable of being removed at any time upon notice. Any plans to cut temporary slopes exceeding a 1:4 grade within 10 feet of a gas transmission pipeline need to be approved by PG&E Pipeline Services in writing PRIOR to performing the work.

3. Wheel Loads: To prevent damage to the buried gas pipeline, there are weight limits that must be enforced whenever any equipment gets within 10 feet of traversing the pipe.

Ensure a list of the axle weights of all equipment being used is available for PG&E's Standby Inspector. To confirm the depth of cover, the pipeline may need to be potholed by hand in a few areas.

Due to the complex variability of tracked equipment, vibratory compaction equipment, and cranes, PG&E must evaluate those items on a case-by-case basis prior to use over the gas pipeline (provide a list of any proposed equipment of this type noting model numbers and specific attachments).

No equipment may be set up over the gas pipeline while operating. Ensure crane outriggers are at least 10 feet from the centerline of the gas pipeline. Transport trucks must not be parked over the gas pipeline while being loaded or unloaded.

4. Grading: PG&E requires a minimum of 36 inches of cover over gas pipelines (or existing grade if less) and a maximum of 7 feet of cover at all locations. The graded surface cannot exceed a cross slope of 1:4.

5. Excavating: Any digging within 2 feet of a gas pipeline must be dug by hand. Note that while the minimum clearance is only 12 inches, any excavation work within 24 inches of the edge of a pipeline must be done with hand tools. So to avoid having to dig a trench entirely with hand tools, the edge of the trench must be over 24 inches away. (Doing the math for a 24 inch

wide trench being dug along a 36 inch pipeline, the centerline of the trench would need to be at least 54 inches [24/2 + 24 + 36/2 = 54] away, or be entirely dug by hand.)

Water jetting to assist vacuum excavating must be limited to 1000 psig and directed at a 40° angle to the pipe. All pile driving must be kept a minimum of 3 feet away.

Any plans to expose and support a PG&E gas transmission pipeline across an open excavation need to be approved by PG&E Pipeline Services in writing PRIOR to performing the work.

6. Boring/Trenchless Installations: PG&E Pipeline Services must review and approve all plans to bore across or parallel to (within 10 feet) a gas transmission pipeline. There are stringent criteria to pothole the gas transmission facility at regular intervals for all parallel bore installations.

For bore paths that cross gas transmission pipelines perpendicularly, the pipeline must be potholed a minimum of 2 feet in the horizontal direction of the bore path and a minimum of 12 inches in the vertical direction from the bottom of the pipe with minimum clearances measured from the edge of the pipe in both directions. Standby personnel must watch the locator trace (and every ream pass) the path of the bore as it approaches the pipeline and visually monitor the pothole (with the exposed transmission pipe) as the bore traverses the pipeline to ensure adequate clearance with the pipeline. The pothole width must account for the inaccuracy of the locating equipment.

7. Substructures: All utility crossings of a gas pipeline should be made as close to perpendicular as feasible (90° +/- 15°). All utility lines crossing the gas pipeline must have a minimum of 12 inches of separation from the gas pipeline. Parallel utilities, pole bases, water line ‘kicker blocks’, storm drain inlets, water meters, valves, back pressure devices or other utility substructures are not allowed in the PG&E gas pipeline easement.

If previously retired PG&E facilities are in conflict with proposed substructures, PG&E must verify they are safe prior to removal. This includes verification testing of the contents of the facilities, as well as environmental testing of the coating and internal surfaces. Timelines for PG&E completion of this verification will vary depending on the type and location of facilities in conflict.

8. Structures: No structures are to be built within the PG&E gas pipeline easement. This includes buildings, retaining walls, fences, decks, patios, carports, septic tanks, storage sheds, tanks, loading ramps, or any structure that could limit PG&E’s ability to access its facilities.

9. Fencing: Permanent fencing is not allowed within PG&E easements except for perpendicular crossings which must include a 16 foot wide gate for vehicular access. Gates will be secured with PG&E corporation locks.

10. Landscaping: Landscaping must be designed to allow PG&E to access the pipeline for maintenance and not interfere with pipeline coatings or other cathodic protection systems. No trees, shrubs, brush, vines, and other vegetation may be planted within the easement area. Only those plants, ground covers, grasses, flowers, and low-growing plants that grow unsupported to a maximum of four feet (4’) in height at maturity may be planted within the easement area.

11. Cathodic Protection: PG&E pipelines are protected from corrosion with an “Impressed Current” cathodic protection system. Any proposed facilities, such as metal conduit, pipes, service lines, ground rods, anodes, wires, etc. that might affect the pipeline cathodic protection system must be reviewed and approved by PG&E Corrosion Engineering.

12. Pipeline Marker Signs: PG&E needs to maintain pipeline marker signs for gas transmission pipelines in order to ensure public awareness of the presence of the pipelines. With prior written approval from PG&E Pipeline Services, an existing PG&E pipeline marker sign that is in direct conflict with proposed developments may be temporarily relocated to accommodate construction work. The pipeline marker must be moved back once construction is complete.

13. PG&E is also the provider of distribution facilities throughout many of the areas within the state of California. Therefore, any plans that impact PG&E’s facilities must be reviewed and approved by PG&E to ensure that no impact occurs which may endanger the safe operation of its facilities.

Attachment 2 – Electric Facilities

It is PG&E's policy to permit certain uses on a case by case basis within its electric transmission fee strip(s) and/or easement(s) provided such uses and manner in which they are exercised, will not interfere with PG&E's rights or endanger its facilities. Some examples/restrictions are as follows:

1. Buildings and Other Structures: No buildings or other structures including the foot print and eave of any buildings, swimming pools, wells or similar structures will be permitted within fee strip(s) and/or easement(s) areas. PG&E's transmission easement shall be designated on subdivision/parcel maps as "**RESTRICTED USE AREA – NO BUILDING."**

2. Grading: Cuts, trenches or excavations may not be made within 25 feet of our towers. Developers must submit grading plans and site development plans (including geotechnical reports if applicable), signed and dated, for PG&E's review. PG&E engineers must review grade changes in the vicinity of our towers. No fills will be allowed which would impair ground-to-conductor clearances. Towers shall not be left on mounds without adequate road access to base of tower or structure.

3. Fences: Walls, fences, and other structures must be installed at locations that do not affect the safe operation of PG&'s facilities. Heavy equipment access to our facilities must be maintained at all times. Metal fences are to be grounded to PG&E specifications. No wall, fence or other like structure is to be installed within 10 feet of tower footings and unrestricted access must be maintained from a tower structure to the nearest street. Walls, fences and other structures proposed along or within the fee strip(s) and/or easement(s) will require PG&E review; submit plans to PG&E Centralized Review Team for review and comment.

4. Landscaping: Vegetation may be allowed; subject to review of plans. On overhead electric transmission fee strip(s) and/or easement(s), trees and shrubs are limited to those varieties that do not exceed 15 feet in height at maturity. PG&E must have access to its facilities at all times, including access by heavy equipment. No planting is to occur within the footprint of the tower legs. Greenbelts are encouraged.

5. Reservoirs, Sumps, Drainage Basins, and Ponds: Prohibited within PG&E's fee strip(s) and/or easement(s) for electric transmission lines.

6. Automobile Parking: Short term parking of movable passenger vehicles and light trucks (pickups, vans, etc.) is allowed. The lighting within these parking areas will need to be reviewed by PG&E; approval will be on a case by case basis. Heavy equipment access to PG&E facilities is to be maintained at all times. Parking is to clear PG&E structures by at least 10 feet. Protection of PG&E facilities from vehicular traffic is to be provided at developer's expense AND to PG&E specifications. Blocked-up vehicles are not allowed. Carports, canopies, or awnings are not allowed.

7. Storage of Flammable, Explosive or Corrosive Materials: There shall be no storage of fuel or combustibles and no fueling of vehicles within PG&E's easement. No trash bins or incinerators are allowed.

8. Streets and Roads: Access to facilities must be maintained at all times. Street lights may be allowed in the fee strip(s) and/or easement(s) but in all cases must be reviewed by PG&E for proper clearance. Roads and utilities should cross the transmission easement as nearly at right angles as possible. Road intersections will not be allowed within the transmission easement.

9. Pipelines: Pipelines may be allowed provided crossings are held to a minimum and to be as nearly perpendicular as possible. Pipelines within 25 feet of PG&E structures require review by PG&E. Sprinklers systems may be allowed; subject to review. Leach fields and septic tanks are not allowed. Construction plans must be submitted to PG&E for review and approval prior to the commencement of any construction.

10. Signs: Signs are not allowed except in rare cases subject to individual review by PG&E.

11. Recreation Areas: Playgrounds, parks, tennis courts, basketball courts, barbecue and light trucks (pickups, vans, etc.) may be allowed; subject to review of plans. Heavy equipment access to PG&E facilities is to be maintained at all times. Parking is to clear PG&E structures by at least 10 feet. Protection of PG&E facilities from vehicular traffic is to be provided at developer's expense AND to PG&E specifications.

12. Construction Activity: Since construction activity will take place near PG&E's overhead electric lines, please be advised it is the contractor's responsibility to be aware of, and observe the minimum clearances for both workers and equipment operating near high voltage electric lines set out in the High-Voltage Electrical Safety Orders of the California Division of Industrial Safety (https://www.dir.ca.gov/Title8/sb5g2.html), as well as any other safety regulations. Contractors shall comply with California Public Utilities Commission General Order 95 (http://www.cpuc.ca.gov/gos/GO95/go_95_startup_page.html) and all other safety rules. No construction may occur within 25 feet of PG&E's towers. All excavation activities may only commence after 811 protocols has been followed.

Contractor shall ensure the protection of PG&E's towers and poles from vehicular damage by (installing protective barriers) Plans for protection barriers must be approved by PG&E prior to construction.

13. PG&E is also the owner of distribution facilities throughout many of the areas within the state of California. Therefore, any plans that impact PG&E's facilities must be reviewed and approved by PG&E to ensure that no impact occurs that may endanger the safe and reliable operation of its facilities.

Sateur Ham

From: Roberta Lyons <roberta.lyons@att.net>
Sent: Monday, February 8, 2021 12:39 PM
To: Sateur Ham
Subject: [EXTERNAL] Re: Notice of Intent to Adopt a Mitigated Negative Declaration and Initial Study (20-02)
Attachments: Initial Study for Alvarez Farms (UP20-03).pdf; Notice of Intent-Alvarez Farms.pdf

Hi Sateur,
Thank you for sending this. Once again, I am finding this reports rather vague. No fault of yours, so please don't think I'm criticizing you. When the applicant says "some clearing of brush." That is not a meaningful statement. Also, brush, is not a term that should be used. It is chaparral. Chaparral is an important California eco-system. What if the clearing includes ancient manzanita or other important plants of the chaparral community? If it were 10,000 square feet of clearing would a grading permit and a bio study be involved? Or, because there is no grading, any amount of clearing is allowed?

Thank you for considering my comments.

Sincerely
Roberta Lyons
Conservation Chair, Redbud Audubon Society

On Friday, February 5, 2021, 04:04:54 PM PST, Sateur Ham <sateur.ham@lakecountyca.gov> wrote:

Hello,

This email is in regards to the Notice of Intent (NOI) to adopt a Mitigated Negative Declaration for Major Use Permit (UP 20-03), and Initial Study (IS 20-02) located on 12990 Spruce Grove Road, Lower Lake, CA. I have attached a copy of the Notice of Intent (NOI) above, along with the Initial Study for you to review/comments. If you have any questions please contact me using the information provided below. Additional documents is posted on the State Clearinghouse, SCH# 2021020125.

The public review period for the respective proposed Mitigated Negative Declaration based on Initial Study IS 20-02 will begin on February 5, 2021 and end on March 15, 2021. 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 sateur.ham@lakecountyca. gov.

Have a great day!

Sateur Ham

From: THPO <thpo@big-valley.net>
Sent: Monday, February 8, 2021 3:49 PM
To: Sateur Ham
Cc: Sarah Ryan
Subject: [EXTERNAL] RE: Notice of Intent to Adopt a Mitigated Negative Declaration and Initial Study (20-02)

Sateur Ham,

This letter is in response to your notice for IS 20-02, This property is located outside of the Big Valley Band of Pomo Indians Historical Tribal Boundaries and we will not request tribal consultation.

Thank you,

Ronald Montez
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
541-570-5799 cell

From: Sateur Ham <Sateur.Ham@lakecountyca.gov>
Sent: Friday, February 5, 2021 4:03 PM
Cc: Steven Hajik <Steven.Hajik@lakecountyca.gov>; Andrew Williams <Andrew.Williams@lakecountyca.gov>; BLM <anafus@blm.gov>; Bureau of Cannabis Control <bcc@dca.ca.gov>; CA Dept. of Health <CDPH-LNCSANTAROSA@cdph.ca.gov>; CalCannabis (kevin.ponce@cdfa.ca.gov) <kevin.ponce@cdfa.ca.gov>; Calfire <mike.wink@fire.ca.gov>; California Native Plant Society <jruygt@comcast.net>; CalTrans-Rex <Rex.Jackman@dot.ca.gov>; Carol Huchingson <Carol.Huchingson@lakecountyca.gov>; CDFW Kyle <kyle.stoner@wildlife.ca.gov>; CEQA CDFW <R2CEQA@wildlife.ca.gov>; Gordon Haggitt <Gordon.Haggitt@lakecountyca.gov>; CRWQCB (Janae.Fried@Waterboards.ca.gov) <Janae.Fried@Waterboards.ca.gov>; Daycare proximity check <bperry@ncoinc.org>; Doug Gearhart <dougg@lcaqmd.net>; Elizabeth Knight <elizabethk@lcaqmd.net>; Fahmy-Lake County Air Quality <fahmya@lcaqmd.net>; Farm Bureau <lcfarmbureau@sbcglobal.net>; Jack Smalley <Jack.Smalley@lakecountyca.gov>; Jacob_dot <Jacob.Rightnar@dot.ca.gov>; Jim Campbell <Jim.Campbell@lakecountyca.gov>; Kelli Hanlon <Kelli.Hanlon@lakecountyca.gov>; Kelseyville Fire <pbleuss@kelseyvillefire.com>; Lake Co. Fire <Fdchf700@yahoo.com>; Greg Peters <Greg.Peters@lakecountyca.gov>; Lake Pillsbury <LPFPD.Chief.950@gmail.com>; Lakeport Fire <chief500@lakeportfire.com>; Lucas Bingham <Lucas.Bingham@lakecountyca.gov>; Michelle Scully <Michelle.Scully@lakecountyca.gov>; Northshore Fire <chief800@northshorefpd.com>; PG&E <PGEPlanReview@pge.com>; PG&E <PGENorthernAgencyIns@pge.com>; PGE Plan Review (PGEPlanReview@pge.com) <PGEPlanReview@pge.com>; POC-BLM <bhalstead@blm.gov>; Ray Kehoe <Ray.Kehoe@lakecountyca.gov>; Redbud Audobon <president@redbudaudubon.org>; Richard Ford <Richard.Ford@lakecountyca.gov>; Saskia Rymer-Burnett <saskia.rymer-burnett@dot.ca.gov>; Scott DeLeon <Scott.DeLeon@lakecountyca.gov>; Sierra Club <vbrandon@lakelive.info>; Sonoma State <nwic@sonoma.edu>; South Lake County Fire <Gloria.Fong@fire.ca.gov>; Lori Baca <Lori.Baca@lakecountyca.gov>; Susan Parker <Susan.Parker@lakecountyca.gov>; Yuliya Osetrova <Yuliya.Osetrova@lakecountyca.gov>; Cortina Rancheria <cww281@gmail.com>; Elem Colony (k.cole@elemindiancolony.org) <k.cole@elemindiancolony.org>; Guidiville Indian Rancheria <admin@guidiville.net>;

hopland <sjelliott@hoplandtribe.com>; Hopland Band of Pomo <cfo@hoplandtribe.com>; James Kinter-Yocha Dehe <jkinter@yochadehe-nsn.gov>; Koi Nation <kn@koination.com>; Linda Rosas <lrosas@hpultribe-nsn.gov>; Michael-Middletown <mlrivera@middletownrancheria.com>; middletownrancheria <THPO@middletownrancheria.com>; Mishewal-Wappo <scottg@mishewalwappotribe.com>; Redwood Valley <admin@rvrpomo.net>; Robinson Rancheria <drogers@robinsonrancheria.org>; Sarah Ryan <sryan@big-valley.net>; Scotts Valley Band of Pomo <terre.logsdon@sv-nsn.gov>; TeMashio Anderson-Robinson <tanderson@rrcbc-nsn.gov>; THPO <thpo@big-valley.net>; thpo@yochadehe-nsn.gov; Upper Lake Habematolel (Rgeary@hpultribe-nsn.gov) <Rgeary@hpultribe-nsn.gov>; Yocha Dehe <aroberts@yochadehe-nsn.gov>; Moke Simon <Moke.Simon@lakecountyca.gov>
Subject: Notice of Intent to Adopt a Mitigated Negative Declaration and Initial Study (20-02)

Hello,

This email is in regards to the Notice of Intent (NOI) to adopt a Mitigated Negative Declaration for Major Use Permit (UP 20-03), and Initial Study (IS 20-02) located on 12990 Spruce Grove Road, Lower Lake, CA. I have attached a copy of the Notice of Intent (NOI) above, along with the Initial Study for you to review/comments. If you have any questions please contact me using the information provided below. Additional documents is posted on the State Clearinghouse, SCH# 2021020125.

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Have a great day!

Sateur Ham
Assistant Planner I
Department of Community Development
Planning Division
255 N. Forbes Street
Lakeport, CA 95453
E-mail: Sateur.ham@lakecountyca.gov
Phone: (707)263-2221 ext. 37102

Sateur Ham

From: Fried, Janae@Waterboards <Janae.Fried@Waterboards.ca.gov>
Sent: Tuesday, February 9, 2021 11:16 AM
To: Sateur Ham
Subject: [EXTERNAL] RE: Notice of Intent to Adopt a Mitigated Negative Declaration and Initial Study (20-02)

Hello Sateur,

I know I have not responded to the RFRs in quite some time now. I believe I should be able to start participating again. This site is good standing with the Water Board.

We are currently undergoing a reduced in-office presence from implications due to COVID19. But all efforts are made to reply as quickly as possible.

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
Office Line: 530-224-3291 - (Working remotely, may call back from a different or restricted number)

From: Sateur Ham <Sateur.Ham@lakecountyca.gov>
Sent: Friday, February 5, 2021 4:03 PM
Cc: Steven Hajik <Steven.Hajik@lakecountyca.gov>; Andrew Williams <Andrew.Williams@lakecountyca.gov>; BLM <anafus@blm.gov>; DCA, BCC@DCA <BCC@dca.ca.gov>; CA Dept. of Health <CDPH-LNCSANTAROSA@cdph.ca.gov>; Ponce, Kevin@CDFA <Kevin.Ponce@cdfa.ca.gov>; Wink, Mike@CALFIRE <Mike.Wink@fire.ca.gov>; California Native Plant Society <jruygt@comcast.net>; Jackman, Rex A@DOT <rex.jackman@dot.ca.gov>; Carol Huchingson <Carol.Huchingson@lakecountyca.gov>; Stoner, Kyle@Wildlife <Kyle.Stoner@wildlife.ca.gov>; Wildlife R2 CEQA <R2CEQA@wildlife.ca.gov>; Gordon Haggitt <Gordon.Haggitt@lakecountyca.gov>; Fried, Janae@Waterboards <Janae.Fried@Waterboards.ca.gov>; Daycare proximity check <bperry@ncoinc.org>; Doug Gearhart <dougg@lcaqmd.net>; Elizabeth Knight <elizabethk@lcaqmd.net>; Fahmy-Lake County Air Quality <fahmya@lcaqmd.net>; Farm Bureau <lcfarmbureau@sbcglobal.net>; Jack Smalley <Jack.Smalley@lakecountyca.gov>; Rightnar, Jacob@DOT <Jacob.Rightnar@dot.ca.gov>; Jim Campbell <Jim.Campbell@lakecountyca.gov>; Kelli Hanlon <Kelli.Hanlon@lakecountyca.gov>; Kelseyville Fire <pbleuss@kelseyvillefire.com>; Lake Co. Fire <Fdchf700@yahoo.com>; Greg Peters <Greg.Peters@lakecountyca.gov>; Lake Pillsbury <LPFPD.Chief.950@gmail.com>; Lakeport Fire <chief500@lakeportfire.com>; Lucas Bingham <Lucas.Bingham@lakecountyca.gov>; Michelle Scully <Michelle.Scully@lakecountyca.gov>; Northshore Fire <chief800@northshorefpd.com>; PG&E <PGEPlanReview@pge.com>; PG&E <PGENorthernAgencyIns@pge.com>; PGE Plan Review (PGEPlanReview@pge.com) <PGEPlanReview@pge.com>; POC-BLM <bhalstead@blm.gov>; Ray Kehoe <Ray.Kehoe@lakecountyca.gov>; Redbud Audobon <president@redbudaudubon.org>; Richard Ford <Richard.Ford@lakecountyca.gov>; Rymer-Burnett, Saskia@DOT <Saskia.Rymer-Burnett@dot.ca.gov>; Scott DeLeon <Scott.DeLeon@lakecountyca.gov>; Sierra Club <vbrandon@lakelive.info>; Sonoma State <nwic@sonoma.edu>; Fong, Gloria@CALFIRE <Gloria.Fong@fire.ca.gov>; Lori Baca <Lori.Baca@lakecountyca.gov>; Susan Parker <Susan.Parker@lakecountyca.gov>; Yuliya Osetrova <Yuliya.Osetrova@lakecountyca.gov>; Cortina Rancheria <cww281@gmail.com>; Elem Colony (k.cole@elemindiancolony.org) <k.cole@elemindiancolony.org>; Guidiville Indian Rancheria <admin@guidiville.net>;

hopland <sjelliott@hoplandtribe.com>; Hopland Band of Pomo <cfo@hoplandtribe.com>; James Kinter-Yocha Dehe <jkinter@yochadehe-nsn.gov>; Koi Nation <kn@koination.com>; Linda Rosas <lrosas@hpultribe-nsn.gov>; Michael-Middletown <mlrivera@middletownrancheria.com>; middletownrancheria <THPO@middletownrancheria.com>; Mishewal-Wappo <scottg@mishewalwappotribe.com>; Redwood Valley <admin@rvrpomo.net>; Robinson Rancheria <drogers@robinsonrancheria.org>; Sarah Ryan <sryan@big-valley.net>; Scotts Valley Band of Pomo <terre.logsdon@sv-nsn.gov>; TeMashio Anderson-Robinson <tanderson@rrcbc-nsn.gov>; thpo@big-valley.net; thpo@yochadehe-nsn.gov; Upper Lake Habematolel (Rgeary@hpultribe-nsn.gov) <Rgeary@hpultribe-nsn.gov>; Yocha Dehe <aroberts@yochadehe-nsn.gov>; Moke Simon <Moke.Simon@lakecountyca.gov>
Subject: Notice of Intent to Adopt a Mitigated Negative Declaration and Initial Study (20-02)

EXTERNAL:

Hello,

This email is in regards to the Notice of Intent (NOI) to adopt a Mitigated Negative Declaration for Major Use Permit (UP 20-03), and Initial Study (IS 20-02) located on 12990 Spruce Grove Road, Lower Lake, CA. I have attached a copy of the Notice of Intent (NOI) above, along with the Initial Study for you to review/comments. If you have any questions please contact me using the information provided below. Additional documents is posted on the State Clearinghouse, SCH# 2021020125.

The public review period for the respective proposed Mitigated Negative Declaration based on Initial Study IS 20-02 will begin on February 5, 2021 and end on March 15, 2021. 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 sateur.ham@lakecountyca. gov.

Have a great day!

Sateur Ham
Assistant Planner I
Department of Community Development
Planning Division
255 N. Forbes Street
Lakeport, CA 95453
E-mail: Sateur.ham@lakecountyca.gov
Phone: (707)263-2221 ext. 37102

Sateur Ham

From: Yuliya Osetrova
Sent: Wednesday, February 10, 2021 8:28 AM
To: Sateur Ham
Subject: RE: Notice of Intent to Adopt a Mitigated Negative Declaration and Initial Study (20-02)

Yes, this is the one I use:

1 acre x 500 plants x 6 gal per day = Number of gallons per day per acre of canopy.

Thank you for clarifying that.)
Yuliya

From: Sateur Ham
Sent: Wednesday, February 10, 2021 8:24 AM
To: Yuliya Osetrova <Yuliya.Osetrova@lakecountyca.gov>
Subject: RE: Notice of Intent to Adopt a Mitigated Negative Declaration and Initial Study (20-02)

No, I didn't it was already provided on the project management plan but I had some project management plans where they provided the methodology but did not do the calculations, so I would have to use it to get the numbers. One I've seen and used was "500 cannabis plants per acre, each requiring 6 gallons per day-3,000 gallons per day for an acre of cannabis canopy". Does that seem right to you? I might need some guidance here.

From: Yuliya Osetrova
Sent: Wednesday, February 10, 2021 8:18 AM
To: Sateur Ham <Sateur.Ham@lakecountyca.gov>
Subject: RE: Notice of Intent to Adopt a Mitigated Negative Declaration and Initial Study (20-02)

No worries, Sateur.)

You said, you'd do better calculations?
Are you the one who did this water calcs?
Could you send me the methodology behind it?
Thank you,
Yuliya

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

From: Sateur Ham
Sent: Wednesday, February 10, 2021 8:15 AM
To: Yuliya Osetrova <Yuliya.Osetrova@lakecountyca.gov>
Subject: RE: Notice of Intent to Adopt a Mitigated Negative Declaration and Initial Study (20-02)

Good morning Yuliya,

Thank you for catching that. I wrote it incorrectly, I had “per year” but this is a monthly water usage. I should’ve wrote it better, sorry. The complete attachments can be found on the State Clearinghouse, SCH# 2021020125. I didn’t include the information you have on the thread below because the initial study is more of an environmental analysis but it is attached with the project management plan. Hope that helps. I’ll do better on the calculations. ☺

Best,

From: Yuliya Osetrova
Sent: Tuesday, February 9, 2021 4:56 PM
To: Sateur Ham <Sateur.Ham@lakecountyca.gov>
Subject: RE: Notice of Intent to Adopt a Mitigated Negative Declaration and Initial Study (20-02)

Sateur,
For this project the comments are as follows:

- Is there a PMP associated with this project? The Declaration statement about the water use for the project seems off

  The applicant will be using an existing well from the 1920s. The well is drilled 125 feet deep and has detectable groundwater 35 feet below the surface with a discharge rate of 20 gallons per minute. The well is located at the bottom valley of two mountainsides. The well will provide for eight 5,000 gallon storage tanks approximately 650 feet on a hill above the westerly cultivation site of the subject parcel. The applicant has indicated that the estimated water use monthly will be 180,000 gallons per year for the whole cannabis grow. This is consistent with other/similar sized cannabis cultivation water use projections in the water consumption study (see attachment A). The method for water use in cultivation will be a drip irrigation system.

  :
- Well documents – missing (well permit and well testing docs)
- Information on installed well monitoring equipment (flow meter, water level reader) – missing

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

From: Sateur Ham
Sent: Friday, February 5, 2021 4:03 PM
Cc: Steven Hajik <Steven.Hajik@lakecountyca.gov>; Andrew Williams <Andrew.Williams@lakecountyca.gov>; BLM <anafus@blm.gov>; Bureau of Cannabis Control <bcc@dca.ca.gov>; CA Dept. of Health <CDPH-LNCSANTAROSA@cdph.ca.gov>; CalCannabis (kevin.ponce@cdfa.ca.gov) <kevin.ponce@cdfa.ca.gov>; Calfire <mike.wink@fire.ca.gov>; California Native Plant Society <jruygt@comcast.net>; CalTrans-Rex <Rex.Jackman@dot.ca.gov>; Carol Huchingson <Carol.Huchingson@lakecountyca.gov>; CDFW Kyle <kyle.stoner@wildlife.ca.gov>; CEQA CDFW <R2CEQA@wildlife.ca.gov>; Gordon Haggitt <Gordon.Haggitt@lakecountyca.gov>; CRWQCB (Janae.Fried@Waterboards.ca.gov) <Janae.Fried@Waterboards.ca.gov>; Daycare proximity check <bperry@ncoinc.org>; Doug Gearhart <dougg@lcaqmd.net>; Elizabeth Knight <elizabethk@lcaqmd.net>; Fahmy-Lake County Air Quality <fahmya@lcaqmd.net>; Farm Bureau <lcfarmbureau@sbcglobal.net>; Jack Smalley <Jack.Smalley@lakecountyca.gov>; Jacob_dot <Jacob.Rightnar@dot.ca.gov>; Jim Campbell <Jim.Campbell@lakecountyca.gov>; Kelli Hanlon <Kelli.Hanlon@lakecountyca.gov>; Kelseyville Fire <pbleuss@kelseyvillefire.com>; Lake Co. Fire

<Fdchf700@yahoo.com>; Greg Peters <Greg.Peters@lakecountyca.gov>; Lake Pillsbury <LPFPD.Chief.950@gmail.com>; Lakeport Fire <chief500@lakeportfire.com>; Lucas Bingham <Lucas.Bingham@lakecountyca.gov>; Michelle Scully <Michelle.Scully@lakecountyca.gov>; Northshore Fire <chief800@northshorefpd.com>; PG&E <PGEPlanReview@pge.com>; PG&E <PGENorthernAgencyIns@pge.com>; PGE Plan Review (PGEPlanReview@pge.com) <PGEPlanReview@pge.com>; POC-BLM <bhalstead@blm.gov>; Ray Kehoe <Ray.Kehoe@lakecountyca.gov>; Redbud Audobon <president@redbudaudubon.org>; Richard Ford <Richard.Ford@lakecountyca.gov>; Saskia Rymer-Burnett <saskia.rymer-burnett@dot.ca.gov>; Scott DeLeon <Scott.DeLeon@lakecountyca.gov>; Sierra Club <vbrandon@lakelive.info>; Sonoma State <nwic@sonoma.edu>; South Lake County Fire <Gloria.Fong@fire.ca.gov>; Lori Baca <Lori.Baca@lakecountyca.gov>; Susan Parker <Susan.Parker@lakecountyca.gov>; Yuliya Osetrova <Yuliya.Osetrova@lakecountyca.gov>; Cortina Rancheria <cww281@gmail.com>; Elem Colony (k.cole@elemindiancolony.org) <k.cole@elemindiancolony.org>; Guidiville Indian Rancheria <admin@guidiville.net>; hopland <sjelliott@hoplandtribe.com>; Hopland Band of Pomo <cfo@hoplandtribe.com>; James Kinter-Yocha Dehe <jkinter@yochadehe-nsn.gov>; Koi Nation <kn@koination.com>; Linda Rosas <lrosas@hpultribe-nsn.gov>; Michael-Middletown <mlrivera@middletownrancheria.com>; middletownrancheria <THPO@middletownrancheria.com>; Mishewal-Wappo <scottg@mishewalwappotribe.com>; Redwood Valley <admin@rvrpomo.net>; Robinson Rancheria <drogers@robinsonrancheria.org>; Sarah Ryan <sryan@big-valley.net>; Scotts Valley Band of Pomo <terre.logsdon@sv-nsn.gov>; TeMashio Anderson-Robinson <tanderson@rrcbc-nsn.gov>; thpo@big-valley.net; thpo@yochadehe-nsn.gov; Upper Lake Habematolel (Rgeary@hpultribe-nsn.gov) <Rgeary@hpultribe-nsn.gov>; Yocha Dehe <aroberts@yochadehe-nsn.gov>; Moke Simon <Moke.Simon@lakecountyca.gov>
Subject: Notice of Intent to Adopt a Mitigated Negative Declaration and Initial Study (20-02)

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Have a great day!

Sateur Ham

Assistant Planner I
Department of Community Development
Planning Division
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Lakeport, CA 95453
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Phone: (707)263-2221 ext. 37102