



## COUNTY OF LAKE

### COMMUNITY DEVELOPMENT DEPARTMENT

Planning Division

Courthouse - 255 N. Forbes Street

Lakeport, California 95453

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

Dated: **June 25, 2020**

## CALIFORNIA ENVIRONMENTAL QUALITY ACT ENVIRONMENTAL CHECKLIST FORM INITIAL STUDY IS 19-27

1. **Project Title:** Legendary Farms
2. **Permit Number:** Major Use Permit, UP 19-15  
Initial Study, IS 19-27
3. **Lead Agency Name and Address:** County of Lake  
Community Development Department  
Courthouse – 255 North Forbes Street  
Lakeport CA 95453
4. **Contact Person:** Eric Porter, Associate Planner (707) 263-2221
5. **Project Location(s):** 2290 Soda Bay Road, Lakeport, CA 95453  
APN: 008-010-29
6. **Project Sponsor's Name/Address:** Melissa Smith  
2290 Soda Bay Road  
Lakeport, CA 95453
7. **General Plan Designation:** Agriculture
8. **Zoning:** "A – WW – FF - SC"; Agriculture – Waterway –  
Floodway Fringe – Scenic Combining
9. **Supervisor District:** District Four (4)
10. **Flood Zone:** AO
11. **Slope:** Flat
12. **Fire Hazard Severity Zone:** None
13. **Earthquake Fault Zone:** None
14. **Dam Failure Inundation Area:** Not located within Dam Failure Inundation Area
15. **Parcel Size:** 41.26 Acres

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

- (1) **A-Type 3: "outdoor" license:** Outdoor cultivation for adult-use cannabis without the use of light deprivation and/or artificial lighting in the canopy area at any point in time from 10,001 square feet to one acre, inclusive, of total canopy size on one premises.
- (1) **A-Type 13 "Self Distribution" license** to allow lawful transportation of cannabis to and from the premises

**Construction**

*According to the applicant, the following is in regards to the site preparation and construction:*

- Ground disturbance activities will take place over a 2-3 week period.
- Materials and equipment will only be staged on previously disturbed areas (the site had been previously used for crop production). No areas will be disturbed for the purpose of staging materials or equipment.
- Construction will occur Monday through Friday from the hours of 8:00 AM to 6:00 PM
- Water from the existing onsite well will be used to mitigate the generation of dust during construction.
- All construction activities, including engine warm-up, will be limited to Monday through Friday, between the hours of 7:00 AM to 7:00 PM.

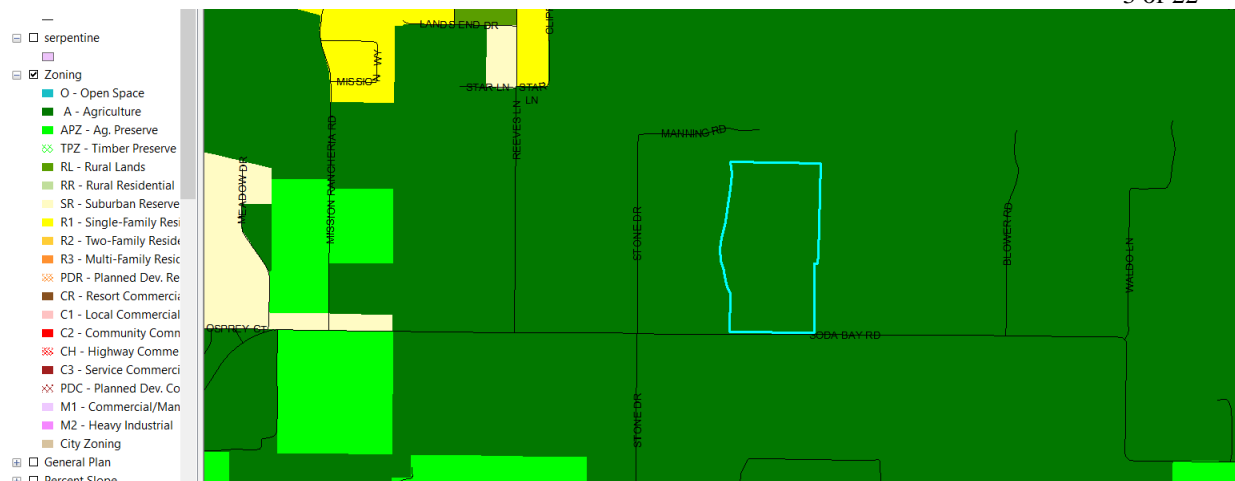
All equipment will be maintained and operated to minimize spillage or leakage of hazardous materials. All equipment will be refueled in locations more than 100 feet from surface water bodies. Servicing of equipment will occur on an impermeable surface. In an event of a spill or leak, the contaminated soil will be stored, transported, and disposed of consistent with applicable local, state, and federal regulations.

**Post - Construction**

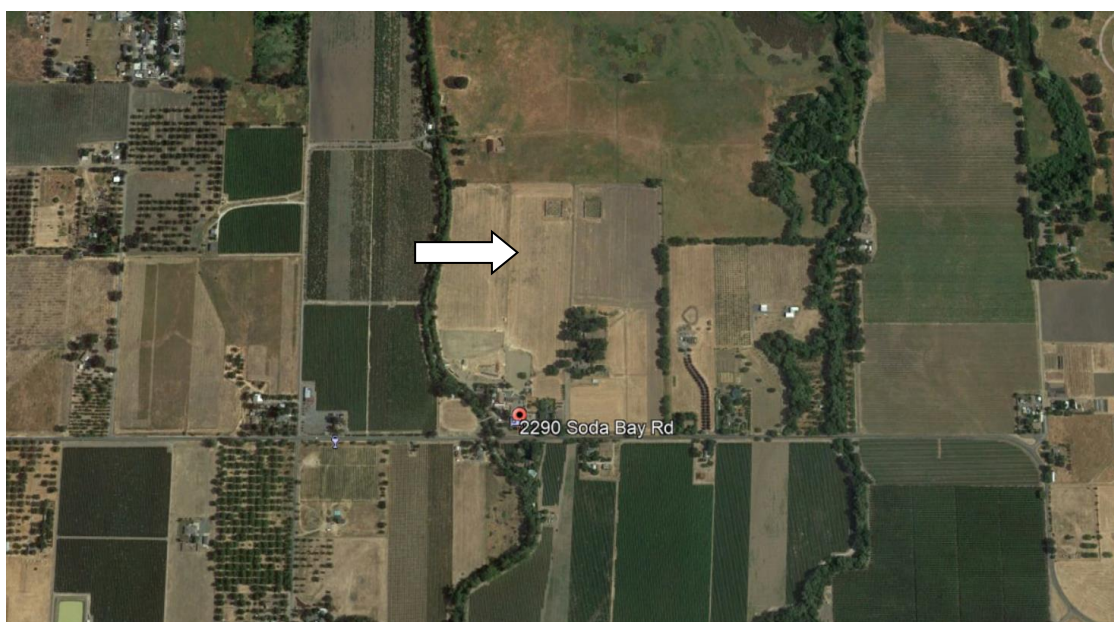
- Between 2 and 4 employees per day would occupy the site
- Trips per day estimated at 4 to 12 Average Daily Trips (ADT)
- No greenhouses are proposed
- Chemicals, fuel and fertilizer to be stored in an existing on-site 5000 s.f. barn

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

North, South, East and West: "A" Agriculture. Parcel sizes range from approximately 3.5 to over 100 acres in size. About half of the neighboring properties contain dwellings, and there is significant agricultural activity in this general vicinity.



**Zoning of Site and Surrounding Properties**



**Aerial Photo of Site and Surrounding Properties**

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

Lake County Community Development Department  
 Lake County Department of Environmental Health  
 Lake County Air Quality Management District  
 Lake County Department of Public Works  
 Lake County Agricultural Commissioner  
 Lake County Sheriff Department  
 South Lake County Fire Protection District (CalFire)  
 Central Valley Water Resource Control  
 California Department of Forestry & Fire Protection (CalFire)  
 California Department of Food and Agriculture (CalCannabis)  
 California Department of Pesticides Regulations  
 California Department of Public Health  
 California Department of Consumers Affairs

- 18. Have California Native American tribes traditionally and culturally affiliated with the project area requested consultation pursuant to Public Resources Code section 21080.3.1? If so, is there a plan for consultation that includes, for example, the determination of significance of impacts to tribal cultural resources, procedures regarding confidentiality, etc.?** Note: Conducting consultation early in the CEQA process allows tribal governments, lead agencies, and project proponents to discuss the level of environmental review, identify and address potential adverse impacts to tribal cultural resources, and reduce the potential for delay and conflict in the environmental review process. (See Public Resources Code section 21080.3.2.) Information may also be available from the California Native American Heritage Commission's Sacred Lands File per Public Resources Code section 5097.96 and the California Historical Resources Information System administered by the California Office of Historic Preservation. Please also note that Public Resources Code section 21082.3 (c) contains provisions specific to confidentiality.

All 11 Tribes located in Lake County were notified of this proposal on July 26, 2019. No tribal comments were received as the result of the AB 52 notice that was sent out to the tribes.

**19. Attachments:**

1. Property Management Plan
2. Site Plans
3. Supplemental Material:
  - a) Notice of Completion
  - b) Notice of Intent
  - c) Summary Form
  - d) Mitigation Measure Summary

**ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:**

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

- |   |  |   |
|---|--|---|
| <input type="checkbox"/> <u>Aesthetics</u>                    | <input type="checkbox"/> <u>Greenhouse Gas Emissions</u>             | <input type="checkbox"/> <u>Population / Housing</u>                          |
| <input type="checkbox"/> <u>Agriculture &amp; Forestry</u>    | <input type="checkbox"/> <u>Hazards &amp; Hazardous Materials</u>    | <input type="checkbox"/> <u>Public Services</u>                               |
| <input checked="" type="checkbox"/> <u>Air Quality</u>        | <input checked="" type="checkbox"/> <u>Hydrology / Water Quality</u> | <input type="checkbox"/> <u>Recreation</u>                                    |
| <input type="checkbox"/> <u>Biological Resources</u>          | <input type="checkbox"/> <u>Land Use / Planning</u>                  | <input type="checkbox"/> <u>Transportation</u>                                |
| <input checked="" type="checkbox"/> <u>Cultural Resources</u> | <input type="checkbox"/> <u>Mineral Resources</u>                    | <input type="checkbox"/> <u>Tribal Cultural Resources</u>                     |
| <input type="checkbox"/> <u>Geology / Soils</u>               | <input checked="" type="checkbox"/> <u>Noise</u>                     | <input type="checkbox"/> <u>Utilities / Service Systems</u>                   |
| <input type="checkbox"/> <u>Wildfire</u>                      | <input type="checkbox"/> <u>Energy</u>                               | <input checked="" type="checkbox"/> <u>Mandatory Findings of Significance</u> |

**DETERMINATION: (To be completed by the lead Agency)**

On the basis of this initial evaluation:

- ☐ I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.

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

Initial Study Prepared By:  
Eric Porter, Associate Planner

Date: \_\_\_\_\_

\_\_\_\_\_  
SIGNATURE

Scott DeLeon – Interim Community Development Director  
Community Development Department

#### **SECTION 1 - EVALUATION OF ENVIRONMENTAL IMPACTS:**

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

briefly explain how they reduce the effect to a less than significant level (mitigation measures from Section XVII, "Earlier Analyses," may be cross-referenced).

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


**KEY: 1 = Potentially Significant Impact**

**2 = Less Than Significant with Mitigation Incorporation**

**3 = Less Than Significant Impact**

**4 = No Impact**

IMPACT CATEGORIES*	1	2	3	4	All determinations need explanation. Reference to documentation, sources, notes and correspondence.	Source Number**
<b>I. AESTHETICS</b> <i>Would the project:</i>						
a) Have a substantial adverse effect on a scenic vista?			X		<p>There are no scenic vistas on or adjacent to the subject site.</p> <p>The project site is located on a property that is flat, and contains structures and signs that will partially or largely obscure the view of the cannabis cultivation area. Soda Bay Road is a scenic road, however the setbacks (100 feet from the road minimum) coupled with the outdoor nature of the cultivation will not cause adverse visual impacts to a scenic vista.</p> <p><b>Less Than Significant Impact</b></p>	1, 2, 3, 4, 6, 9

IMPACT CATEGORIES*	1	2	3	4	All determinations need explanation. Reference to documentation, sources, notes and correspondence.	Source Number**
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?			X		 <p><b><u>View of the Site's Entry from Soda Bay Road</u></b></p> <p>There are no scenic resources on the site, such as trees, rock outcroppings or historic buildings.</p> <p><b>Less Than Significant Impact</b></p>	1, 2, 3, 4, 6, 9
c) Substantially degrade the existing visual character or quality of public views the site and its surroundings? If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?			X		<p>The site is accessible from a paved County roadway (Soda Bay Road). As mentioned, Soda Bay Road is designated as a 'scenic combining overlay', which requires certain considerations with any new development that primarily apply to building heights. This cultivation area will be located in the rear of the property well beyond the scenic overlay boundary line. The site is not located within an urbanized area.</p> <p><b>Less Than Significant Impact</b></p>	1, 2, 3, 4, 6, 9
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?			X		<p>The project has very little potential to have substantial light or glare impacts on persons enjoying a day or nighttime view in this area. Any security lighting contemplated would have to be downcast and shielded; this is a standard condition of approval for all cannabis cultivation licenses issued by the County.</p> <p><b>Less than Significant Impact</b></p>	1, 2, 3, 4, 5, 6, 9
<p align="center"><b>II. AGRICULTURE AND FORESTRY RESOURCES</b></p> <p><i>In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment Project; and forest carbon measurement methodology provided in Forest protocols adopted by the California Air Resources Board.</i></p> <p align="center"><i>Would the project:</i></p>						
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?			X		<p>There are two classifications of soil on the site; the northern portion of the property contains 'soil of local importance' (moderate to high quality), however the cultivation site location contains soil that is categorized as 'other soil', thereby qualifying for outdoor cultivation activities as proposed.</p> <p><b>Less than Significant Impact</b></p>	1, 2, 3, 4, 5, 7, 8, 11, 13
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?			X		<p>The site will not conflict with existing zoning and is not under Williamson Act contract.</p> <p><b>Less than Significant Impact</b></p>	1, 2, 3, 4, 5, 7, 8, 11, 13

IMPACT CATEGORIES*	1	2	3	4	All determinations need explanation. Reference to documentation, sources, notes and correspondence.	Source Number**
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?				X	The proposed project will not conflict with existing zoning and/or cause the rezoning of forest land as defined by Public Resource Code section 4526, or of timberland as defined by Government Code section 51104(g).  <b>No Impact</b>	1, 2, 3, 4, 5, 7, 8, 11, 13
d) Result in the loss of forest land or conversion of forest land to non-forest use?				X	Please see response to Section II (c). The project would not result in the loss or conversion of forest land to a non-forest use.  <b>No Impact</b>	1, 2, 3, 4, 5, 7, 8, 11, 13
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?				X	As proposed, this project would not involve other changes to existing environment that would result in its conversion to non-agricultural use. There is no forest land on the property.  <b>No Impact</b>	1, 2, 3, 4, 5, 7, 8, 11, 13
<b>III. AIR QUALITY</b> <i>Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations.</i> <i>Would the project:</i>						
a) Conflict with or obstruct implementation of the applicable air quality plan?		X			<p>The project has some potential to result in short- and long-term air quality impacts. Dust and fumes may be released as a result of vehicular traffic, including small delivery vehicles. Odors generated by the plants, particularly during harvest season, will need to be mitigated either through passive means (separation distance), or active means (Odor Control Plan). Additionally, implementation of mitigation measures below would further reduce air quality impacts to less than significant.</p> <p><b>Mitigation measures:</b></p> <p><b><u>AQ-1:</u></b> Prior to obtaining the necessary permits and/or approvals for any phase, applicant shall contact the Lake County Air Quality Management District and obtain an Authority to Construct (A/C) Permit for all operations and for any diesel powered equipment and/or other equipment with potential for air emissions.</p> <p><b><u>AQ-2:</u></b> All mobile diesel equipment used must be in compliance with State registration requirements. Portable and stationary diesel powered equipment must meet the requirements of the State Air Toxic Control Measures for CI engines.</p> <p><b><u>AQ-3:</u></b> The applicant shall maintain records of all hazardous or toxic materials used, including a Material Safety Data Sheet (MSDS) for all volatile organic compounds utilized, including cleaning materials. Said information shall be made available upon request and/or the ability to provide the Lake County Air Quality Management District such information in order to complete an updated Air Toxic emission Inventory.</p> <p><b><u>AQ-4:</u></b> All vegetation during site development shall be chipped and spread for ground cover and/or erosion control. The burning of vegetation, construction debris,</p>	1, 3, 4, 5, 10, 21, 24, 31, 36



IMPACT CATEGORIES*	1	2	3	4	All determinations need explanation. Reference to documentation, sources, notes and correspondence.	Source Number**
					<p>including waste material is prohibited.</p> <p><b>AQ-5:</b> The applicant shall have the primary access and parking areas surfaced with chip seal, asphalt or an equivalent all weather surfacing to reduce fugitive dust generation. The use of white rock as a road base or surface material for travel routes and/or parking areas is prohibited.</p> <p><b>AQ-6:</b> All areas subject infrequent use of driveways, over flow parking, etc., shall be surfaced with gravel. Applicant shall regularly use and/or maintain graveled area to reduce fugitive dust generations.</p>	
b) Violate any air quality standard or result in a cumulatively considerable net increase in an existing or projected air quality violation?			X		<p>The County of Lake is in attainment of state and federal ambient air quality standards. Burning cannabis waste is prohibited within the commercial cannabis ordinance for Lake County, and use of generators is only allowed during a power outage. On-site construction is likely to occur over a relatively short period of time (estimated between 1 to 2 months), and minimal construction would be required to build several greenhouses and a processing building. It is unlikely that this use would generate enough particulates during and after construction to violate any air quality standards.</p> <p><b>Less than Significant Impact</b></p>	1, 3, 4, 5, 10, 21, 24, 31, 36
c) Expose sensitive receptors to substantial pollutant concentrations?			X		<p>The nearest residence appears to be located approximately 1000 feet to the northeast according to Google Earth map measurement. This neighboring house is generally located upwind of the normal prevailing wind direction in this area; prevailing winds typically originate from the north / northwest and blow to the south / southeast. Also, the neighboring lot has applied for a different commercial cannabis cultivation license that is currently under review.</p> <p><b>Less than Significant Impact</b></p>	1, 3, 4, 5, 10, 21, 24, 31, 36
d) Result in substantial emissions (such as odors or dust) adversely affecting a substantial number of people?		X			<p>The cultivation area on the site was previously disturbed by the approval of 'self certification' for medicinal marijuana in 2017, and minimal site disturbance is needed to implement the phased project as proposed. The applicant will be required to submit an Odor Control Plan as a condition of approval, and will need to mitigate both the mixed light and outdoor cultivation areas through the use of filtration system(s) and odor-masking means such as fragrant plants around the perimeter of the outdoor growing area.</p> <p><b>Implementation of mitigation measures AQ-1 through AQ-6 will reduce impacts to less than significant.</b></p>	1, 2, 3, 4, 5, 10, 21, 24, 31, 36
<b>IV. BIOLOGICAL RESOURCES</b> <i>Would the project:</i>						
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and		X			<p>The applicant provided a Biological Assessment prepared by Natural Resources dated July 8, 2019. The Assessment summarized the Biological Study by indicating that there was a riparian corridor along Adobe Creek (west side of the property), and that the proposed cannabis cultivation site was 150 feet from this creek (it is unclear whether this was measured to the top of the bank, however the creek is less than 20 feet wide, therefore it is clear that the mandatory 100 foot setback from 'top of bank' from Adobe Creek is met). The</p>	1, 2, 3, 4, 5, 11, 12, 13, 16, 17, 21, 24, 29, 30, 31, 32, 33, 34

IMPACT CATEGORIES*	1	2	3	4	All determinations need explanation. Reference to documentation, sources, notes and correspondence.	Source Number**
Wildlife Service?					<p>Biological Assessment made several recommendations which are incorporated as mitigation measures as follows.</p> <p><b>BIO-1: If any land clearing is undertaken, a pre-construction special status survey is required.</b></p> <p><b>BIO-2: Trees must be inspected for the presence of active bird nests before tree felling or ground clearing. If active nests are present in the project area during construction of the project, CDFW should be consulted to develop measures to avoid “take” of active nests prior to the initiation of any construction activities. Avoidance measures may include establishment of a buffer zone using construction fencing or the postponement of vegetation removal until after the nesting season, or until after a qualified biologist has determined the young have fledged and are independent of the nest site.</b></p> <p><b>Less than Significant Impact with mitigation measures BIO-1 and BIO-2.</b></p>	
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?			X		<p>The site contains no mapped riparian habitats or other mapped sensitive natural communities identified on local or state plans or mapping programs available to Lake County.</p> <p><b>Less than Significant Impact</b></p>	1, 2, 3, 4, 5, 11, 12, 13, 16, 17, 29, 30, 31, 32, 33, 34
c) Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?			X		<p>The County’s CNDDDB GIS layer shows no sensitive mapped species on the subject site, which is consistent with the data provided in the Biological Study regarding wetlands.</p> <p><b>Less than Significant Impact</b></p>	1, 2, 3, 4, 5, 11, 12, 13, 16, 17, 21, 24, 29, 30, 31, 32, 33, 34
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?			X		<p>The Biological Study submitted stated that there were no observed native resident or migratory fish or wildlife species within the study area.</p> <p><b>Less than Significant Impact</b></p>	1, 2, 3, 4, 5, 11, 12, 13, 16, 17, 21, 24, 29, 30, 31, 32, 33, 34
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?			X		<p>This project does not conflict with any local policies or ordinances protecting biological resources. The trees on site are primarily introduced / non-native. There are no mapped sensitive species on the site.</p> <p><b>Less than Significant Impact</b></p>	1, 2, 3, 4, 5, 11, 12, 13, 16, 17, 21, 24, 29, 30, 31, 32, 33, 34
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?				X	<p>No special conservation plans have been adopted for this site and no impacts are anticipated.</p> <p><b>No Impact</b></p>	1, 2, 3, 4, 5, 11, 12, 13, 16, 17, 21, 24, 29, 30, 31, 32, 33, 34
<b>V. CULTURAL RESOURCES</b> <i>Would the project:</i>						
a) Cause a substantial adverse change in the significance of a historical resource pursuant to §15064.5?		X			A Cultural Resources Evaluation was conducted for the subject parcel involved with this proposal by Natural Resources Inc., dated June 21, 2019.	1, 3, 4, 5, 11, 14, 15

IMPACT CATEGORIES*	1	2	3	4	All determinations need explanation. Reference to documentation, sources, notes and correspondence.	Source Number**
					<p>The Cultural Resources Evaluation stated: "As no significant historic or prehistoric cultural materials were encountered during the field inspection, it has been determined that no significant cultural sites exist on the parcel."</p> <p>Lake County is rich in cultural sites that have the potential to be significant resources. The County routinely adds mitigation measures into commercial cannabis projects in the event that potentially significant resources are discovered during the process of site disturbance, as follows:</p> <p><b>CUL-1:</b> Should any archaeological, paleontological, or cultural materials be discovered during site development, all activity shall be halted in the vicinity of the find(s), the local overseeing Tribe shall be notified, and a qualified archaeologist retained to evaluate the find(s) and recommend mitigation procedures, if necessary, subject to the approval of the Community Development Director. Should any human remains be encountered, they shall be treated in accordance with Public Resources Code Section 5097.98 and Health and Safety Code 7050.5.</p> <p><b>CUL-2:</b> All employees shall be trained in recognizing potentially significant artifacts that may be discovered during ground disturbance. If any artifacts or remains are found, the local overseeing Tribe shall immediately be notified; a licensed archaeologist shall be notified, and the Lake County Community Development Director shall be notified of such finds.</p> <p><b>Less than Significant Impact</b></p>	
b) Cause a substantial adverse change in the significance of an archeological resource pursuant to §15064.5?		X			<p>Please see response to Section V(a). The applicant is proposing minimal site disturbance, however mitigation measures are added that address the slight possibility that significant archeological resources are discovered during site disturbance.</p> <p><b>Less than Significant Impact with mitigation measures incorporated</b></p>	1, 3, 4, 5, 11, 14, 15
c) Disturb any human remains, including those interred outside of formal cemeteries?		X			<p>The Cultural Study stated that it was unlikely that any significant findings, including human remains, appear likely on this site. The amount of new site disturbance that would occur is minimal. There is a slight possibility that there are significant resources on the site even though none were discovered during the Site Survey that occurred in June 2019. Because the Lake County is rich in tribal resources, mitigation measures are added in the unlikely event that human remains are discovered during site disturbance.</p> <p><b>Less than Significant Impact</b></p>	1, 3, 4, 5, 11, 14, 15
<b>VI. ENERGY</b> <i>Would the project:</i>						
a) Result in a potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy, or wasteful use of energy resources, during project construction or operation?			X		<p>The applicant states that she will use an on-grid power system as the primary energy source. The outdoor cultivation areas will have minimal need for power. The likely power sources include the security system, the well pump, and any outdoor security lighting that might be needed in the future.</p> <p><b>Less than Significant Impact</b></p>	1, 3, 4, 5, 11, 14, 15

IMPACT CATEGORIES*	1	2	3	4	All determinations need explanation. Reference to documentation, sources, notes and correspondence.	Source Number**
b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?			X		There are no mandatory energy reductions for cultivation activities within Article 27 of the Lake County Zoning Ordinance unless the applicant proposes 'indoor cultivation' (not proposed with this application).  <b>Less than Significant Impact</b>	1, 3, 4, 5, 11, 14, 15
<b>VII. GEOLOGY AND SOILS</b> <i>Would the project:</i>						
a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:  i) Rupture of a known earthquake fault, as delineated on the most recent Alquist- Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.  ii) Strong seismic ground shaking?  iii) Seismic-related ground failure, including liquefaction?  iv) Landslides?			X		<u>Earthquake Faults</u> There are no mapped earthquake faults on or adjacent to the subject site.  <u>Seismic Ground Shaking and Seismic-Related Ground Failure, including liquefaction.</u> The mapping of the site's soil indicates that the soil is stable and not prone to liquefaction.  <u>Landslides</u> According to the Landslide Hazard Identification Map prepared by the California Department of Conservation, Division of Mines and Geology, the area is considered generally stable.  <b>Less Than Significant Impact</b>	1, 3, 4, 5, 6, 7, 10, 17, 18, 19, 21, 24, 25
b) Result in substantial soil erosion or the loss of topsoil?			X		Minimal grading and/or earth movement will result with this project. The applicant will need to import soil for the pots, however this will not have any effect on the potential for erosion or the loss of topsoil. The site is flat, and the soil types present (123 and 233) are not prone to erosion / loss of topsoil.  <b>Less than Significant Impact</b>	1, 3, 4, 5, 6, 7, 10, 16, 17, 18, 19, 21, 24, 25, 30
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on-site or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?			X		The applicant will use existing cultivation areas and above-ground pots. The soil on the site is mapped as 'stable' on the County GIS data base. Additionally, minimal construction will occur for the proposed infrastructure.  <b>Less Than Significant Impact</b>	1, 3, 4, 5, 6, 7, 10, 16, 17, 18, 19, 21, 24, 25, 30
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?			X		The shrink-swell potential for type 123 project soil is high; the shrink-swell potential for type 233 soil type is low to moderate. Surface runoff is slow, and the hazard of erosion is slight based on flat topography and soil characteristics. This soil is subject to rare periods of flooding or ponding during prolonged, high-intensity storms, and the entire site is within the AO flood plain.  <b>Less Than Significant Impact</b>	1, 3, 4, 5, 6, 7, 10, 16, 17, 18, 19, 21, 24, 25, 30

<b>IMPACT CATEGORIES*</b>	<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>	<b>All determinations need explanation. Reference to documentation, sources, notes and correspondence.</b>	<b>Source Number**</b>
e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of waste water?				X	The project site will be served through an existing on-site septic system. The +40 acre site is large enough to support the existing in-ground septic system.  <b>No Impact</b>	1, 3, 4, 5, 6, 7, 10, 16, 17, 18, 19, 21, 24, 25, 29, 30
f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?				X	There will be minimal ground disturbances occurring with this project to prepare the site for the complete cultivation area, which indicated that there are no unique paleontological or geologic features on the site.  <b>No Impact</b>	1, 3, 4, 5, 11, 14, 15
<b>VIII. GREENHOUSE GAS EMISSIONS</b> <i>Would the project:</i>						
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?			X		In general, greenhouse gas emissions come from construction activities (vehicles) and from post-construction activities (vehicles primarily). Construction activities on this site will be minimal, since the cultivation site was legally and generally established in 2017 during a 'Self Certification' process. Burning plant material is prohibited in Lake County, and projected trips generated will be between 4 and 16 per day during and after construction. An average single family dwelling generates 9.55 average daily trips according to the International Transportation of Engineer's manual; this cultivation proposal will similar daily trips to a typical dwelling both during and after construction takes place.  <b>Less than Significant Impact</b>	1, 3, 4, 5, 21, 24, 29, 30, 31, 32, 34, 36
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?			X		This project will not conflict with any adopted plans or policies for the reduction of greenhouse gas emissions.  <b>Less than Significant Impact</b>	1, 3, 4, 5, 21, 24, 29, 30, 31, 32, 34, 36
<b>IX. HAZARDS AND HAZARDOUS MATERIALS</b> <i>Would the project:</i>						
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?			X		This proposal will use organic pest control and fertilizers. This will significantly limit potential environmental hazards that would otherwise result. Cannabis waste is required to be chipped and spread on site; burning cannabis waste is prohibited in Lake County. All pesticides and fertilizers are required to be stored in a locked and secure facility as are being proposed by the applicant. The site is within a flood zone, so special anchoring of buildings to the ground will be required during building permit review.  <b>Less than Significant Impact</b>	1, 3, 4, 5, 10, 13, 17, 21, 24, 25, 29, 30, 31, 32, 33, 34, 36
b) Create a significant hazard to the public or the environment through reasonable foreseeable upset and accident conditions involving the release of hazardous materials into the environment?			X		The pesticides and fertilizers proposed are mostly organic, and will be stored in a secure building. The site preparation will require some light construction equipment; all equipment staging shall occur on previously disturbed areas on the site.  <b>Less than Significant Impact</b>	1, 3, 4, 5, 10, 13, 17, 20, 21, 24, 25, 29, 30, 31, 32, 33, 34, 36

IMPACT CATEGORIES*	1	2	3	4	All determinations need explanation. Reference to documentation, sources, notes and correspondence.	Source Number**
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?				X	The proposed project is not located within one-quarter mile of an existing or proposed school.  <b>No Impact</b>	1, 3, 4, 5, 10, 13, 17, 21, 24, 25, 29, 30, 31, 32, 33, 34, 36
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?				X	The project site is not listed as a site containing hazardous materials in the databases maintained by the Environmental Protection Agency (EPA).  <b>No Impact</b>	1, 3, 4, 5, 10, 13, 17, 21, 24, 25, 29, 30, 31, 32, 33, 34, 36
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?				X	The project is not located within two (2) miles of an airport and/or within an Airport Land Use Plan.  <b>No Impact</b>	1, 3, 4, 5, 20, 22
f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?			X		The project would not impair or interfere with an adopted emergency response or evacuation plan.  <b>Less Than Significant Impact</b>	1, 3, 4, 5, 20, 22, 35, 37
g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?			X		The site is not mapped as being a fire risk. The project will not further heighten fire risks on the site, and will actually provide a small fire break where the cultivation activity will occur. The applicant will adhere to all Federal, State and local fire requirements/regulations for setbacks and defensible space; these setbacks are applied at the time of building permit review.  <b>Less than Significant Impact</b>	1, 3, 4, 5, 20, 35, 37
<b>X. HYDROLOGY AND WATER QUALITY</b> <i>Would the project:</i>						
a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?			X		The project parcel is current served by an existing onsite septic and well. The applicant shall adhere to all Federal, State and Local regulations regarding wastewater treatment and water usage requirements. <b>Less Than Significant Impact</b>	1, 3, 4, 5, 13, 21, 23, 24, 25, 29, 31, 32, 33, 34
b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?			X		The existing on-site well was drilled in 2005. A well log was submitted showing a steady flow of 55 gallons per minute. The water table in this area is stout. The proposed water usage varies from 500 to 1000 gallons per week, which is consistent with similarly sized cultivation projects. The cultivator will need to provide a Water Availability Analysis prior to going to the public hearing, however the well log is satisfactory for County purposes in the interim. The cultivation site was previously used as a legal medicinal marijuana cultivation that occurred during 2017 and 2018 under former Article 72 of the Lake County Zoning Ordinance (article 72 has since been removed). The project would not impede any sustainable water in this vicinity, which is agriculturally productive and has no history of water shortages, even during drought years.  <b>Less than Significant Impact</b>	1, 3, 4, 5, 13, 21, 23, 24, 25, 29, 31, 32, 33, 34

IMPACT CATEGORIES*	1	2	3	4	All determinations need explanation. Reference to documentation, sources, notes and correspondence.	Source Number**
<p>c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:</p> <ul style="list-style-type: none"> <li>i) Result in substantial erosion or siltation on- or off-site;</li> <li>ii) Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site;</li> <li>iii) Create or contribute to runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff;</li> <li>iv) Impede or redirect flood flows?</li> </ul>			X		<p>The applicant has stated that the total cultivation area is about 1 acre in size. The outdoor cultivation area will remain permeable, since above-ground pots can act as water absorption, since water can pass through the above-ground pots and be absorbed into the soil. The total non-permeable surface area is 5000 s.f. (the existing barn).</p> <p><b>Less than Significant Impact</b></p>	1, 3, 4, 5, 13, 21, 23, 24, 25, 29, 31, 32, 33, 34
d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?			X		<p>The project site is located in an AO flood plain, so special consideration will be given to any structures that are established on the site, primarily regarding method of attachment to the ground. The project shall adhere to all Federal, State and Local agency flood-zone related requirements.</p> <p><b>Less than Significant Impact</b></p>	1, 3, 4, 5, 13, 21, 23, 24, 25, 29, 31, 32, 33, 34
e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?			X		<p>The proposed use will not conflict with or obstruct the implementation of water quality control plan or ground water management plan as all hazardous materials including pesticides and fertilizers will be stored in a locked / secured barn and will meet all Federal, State and Local agency requirements for hazardous material storage and handling.</p> <p><b>Less than Significant Impact</b></p>	1, 3, 4, 5, 10, 13, 21, 23, 24, 25, 29, 31, 32, 33, 34
<p align="center"><b>XI. LAND USE AND PLANNING</b> <i>Would the project:</i></p>						
a) Physically divide an established community?				X	<p>The proposed project site would not physically divide an established community.</p> <p><b>No Impact</b></p>	1, 3, 4, 5, 6, 35
b) Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?			X		<p>This project is consistent with the Lake County General Plan, the Lakeport Area Plan and the Lake County Zoning Ordinance.</p> <p><b>Less than Significant Impact</b></p>	1, 3, 4, 5, 20, 21, 22, 27, 28

IMPACT CATEGORIES*	1	2	3	4	All determinations need explanation. Reference to documentation, sources, notes and correspondence.	Source Number**
<b>XII. MINERAL RESOURCES</b> <i>Would the project:</i>						
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?				X	The Aggregate Resource Management Plan (ARMP) does not identify this project as having an important source of aggregate.  <b>No Impact</b>	1, 3, 4, 5, 26
b) Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan?				X	The County of Lake's General Plan, the Lakeport Area Plan nor the Lake County Aggregate Resource Management Plan designates the project site as being a locally important mineral resource recovery site.  <b>No Impact</b>	1, 3, 4, 5, 26
<b>XIII. NOISE</b> <i>Would the project result in:</i>						
a) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?		X			Noise related to cannabis cultivation typically occurs either during construction, or as the result of machinery related to greenhouses (fans or odor control devices), or to emergency backup generators during power outages.  This project will have some minimal site preparation (hours of construction are limited through standard conditions of approval). The greenhouses will be assessed for noise specifications at the time of building permit review. The County has established noise thresholds that must be met. There may be a need for an emergency backup generator, however generator usage would be limited to power outages. <b>Less Than Significant with the following mitigation measures incorporated:</b>  <b><u>NOI-1:</u></b> All construction activities including engine warm-up shall be limited Monday Through Friday, between the hours of 7:00am and 7:00pm to minimize noise impacts on nearby residents. Back-up beepers shall be adjusted to the lowest allowable levels. This mitigation does not apply to night work.  <b><u>NOI-2:</u></b> Maximum non-construction related sounds levels shall not exceed levels of 55 dBA between the hours of 7:00AM to 7:00PM and 45 dBA between the hours of 10:00PM to 7:00AM within residential areas as specified within Zoning Ordinance Section 21-41.11 (Table 11.1) at the property lines.  <b><u>NOI-3:</u></b> The operation of the Air Filtration System shall not exceed levels of 57 dBA between the hours of 7:00AM to 10:00PM and 50 dBA from 10:00PM to 7:00AM within residential areas as specified within Zoning Ordinance Section 21-41.11 (Table 11.2) measured at the property lines.	1, 3, 4, 5, 13
b) Generation of excessive groundborne vibration or groundborne noise levels?			X		The project is not expected to create unusual groundborne vibration due to facility operation. The low level truck traffic during construction and for deliveries would create a minimal amount of groundborne vibration.  <b>Less Than Significant Impact</b>	1, 3, 4, 5, 13



IMPACT CATEGORIES*	1	2	3	4	All determinations need explanation. Reference to documentation, sources, notes and correspondence.	Source Number**
<b>XIV. POPULATION AND HOUSING</b> <i>Would the project:</i>						
a) Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?				X	The project will not induce population growth.  <b>No Impact</b>	1, 3, 4, 5
b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?				X	No housing will be displaced as a result of the project.  <b>No Impact</b>	1, 3, 4, 5
<b>XV. PUBLIC SERVICES</b> <i>Would the project:</i>						
a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services: - Fire Protection? - Police Protection? - Schools? - Parks? - Other Public Facilities?				X	The project does not propose housing or other uses that would necessitate the need for new or altered government facilities. There will not be a need to increase fire or police protection, schools, parks or other public facilities as a result of the project's implementation.  <b>No Impact</b>	1, 3, 4, 5, 13, 17, 20, 21, 22, 23, 24, 27, 28, 29, 30, 31, 32, 33, 34, 36, 37
<b>XVI. RECREATION</b> <i>Would the project:</i>						
a) Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?				X	The project will not have any impacts on existing parks or other recreational facilities.  <b>No Impact</b>	1, 3, 4, 5
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?				X	This project will not necessitate the construction or expansion of any recreational facilities.  <b>No Impact</b>	1, 3, 4, 5

IMPACT CATEGORIES*	1	2	3	4	All determinations need explanation. Reference to documentation, sources, notes and correspondence.	Source Number**
<b>XVII. TRANSPORTATION</b> <i>Would the project:</i>						
a) Conflict with a plan, ordinance or policy addressing the circulation system, including transit, roadways, bicycle lanes and pedestrian paths?			X		The proposed project site is accessed from Soda Bay Road, a paved County road with 10' wide travel lanes and 2' wide shoulders. A minimal increase in traffic is anticipated due to construction, maintenance and weekly and/or monthly incoming and outgoing deliveries through the use of van-type delivery vehicles. Daily employee trips are anticipated to be between 4 and 16 trips. There are no known capacity issues with Soda Bay Road.  <b>Less than Significant Impact</b>	1, 3, 4, 5, 9, 20, 22, 27, 28, 35
b) For a land use project, would the project conflict with or be inconsistent with CEQA guidelines section 15064.3, subdivision (b)(1)?			X		CEQA chapter 15064.3, subdivision (b)(1) requires analysis for thresholds of significance for a land use project. Projects in Lake County that produce more than 50 average daily trips (ADT) are looked at more carefully than smaller land use projects such as this one, and projects that generate 200 or more ADT require a traffic impact study. The site will use Soda Bay Road, a paved County maintained road.  <b>Less than Significant Impact</b>	1, 3, 4, 5, 9, 20, 22, 27, 28, 35
c) For a transportation project, would the project conflict with or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)(2)?				X	The project will not conflict with or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)(2). This project is not a transportation project.  <b>No Impact</b>	1, 3, 4, 5, 9, 20, 22, 27, 28, 35
d) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?			X		No changes to Soda Bay Road are proposed, nor do any appear to be needed.  <b>Less than Significant Impact</b>	1, 3, 4, 5, 9, 20, 22, 27, 28, 35
e) Result in inadequate emergency access?				X	As proposed, this project will not impact existing emergency access.  <b>No Impact</b>	1, 3, 4, 5, 9, 20, 22, 27, 28, 35
<b>XVIII. TRIBAL CULTURAL RESOURCES</b> <i>Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:</i>						
a) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or		X			The Cultural Study prepared by Natural Investigations Inc. indicated that there is a barn on the site built in the 1950s that has been substantially remodeled. This barn does not meet the characteristics to be considered as a potential candidate for the California Register of Historic Resources. Mitigation measures are in place in the unlikely event that potentially significant artifacts or items are discovered during site disturbance.  <b>Less Than Significant Impact with mitigation measures incorporated</b>	1, 3, 4, 5, 11, 14, 15
b) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code section 5024.1. In applying the criteria set forth in subdivision (c) of Public		X			Please see response to Section XVIII(a) above.  <b>Less Than Significant Impact with mitigation measures incorporated</b>	1, 3, 4, 5, 11, 14, 15

IMPACT CATEGORIES*	1	2	3	4	All determinations need explanation. Reference to documentation, sources, notes and correspondence.	Source Number**
Resources Code 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.						
<b>XIX. UTILITIES AND SERVICE SYSTEMS</b> <i>Would the project:</i>						
a) Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?			X		The subject parcel is served by an existing well and septic system. The applicant shall adhere to all Federal, State and Local regulations regarding wastewater treatment and water usage requirements.  <b>Less than Significant Impact</b>	1, 3, 4, 5, 29, 32, 33, 34, 37
b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?			X		The site contains an on-site well that is a significant water producing well. <b>NEED WELL DATA.</b>  <b>Less Than Significant Impact</b>	1, 3, 4, 5, 29, 32, 33, 34, 36, 37
c) Result in a determination by the wastewater treatment provider, which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?			X		The site is served by an existing septic system with no known issues regarding adequacy.  <b>Less Than Significant Impact</b>	1, 3, 4, 5, 29, 32, 33, 34
d) Generate solid waste in excess of State or local standards or in excess of the capacity of local infrastructure?			X		The existing landfill has sufficient capacity to accommodate the project's solid waste disposal needs for the next 5 years according to Lars Ewing, Manager of Public Services in Lake County.  <b>Less than Significant Impact</b>	1, 3, 4, 5, 28, 29, 32, 33, 34, 36
e) Negatively impact the provision of solid waste services or impair the attainment of solid waste reduction goals?			X		The applicant will chip and spread the cannabis waste on site, and the estimated total amount of solid waste from this project is about 400 pounds annually.  <b>Less than Significant Impact</b>	1, 3, 4, 5, 29, 32, 33, 34, 36
f) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?			X		The County uses a standard condition of approval regarding compliance with all federal, state and local management for solid waste. The cultivator must chip and spread any vegetative waste on-site, and the estimated total amount of solid waste from this project is 400 pounds annually.  <b>Less than Significant Impact</b>	1, 3, 4, 5, 29, 32, 33, 34, 36

IMPACT CATEGORIES*	1	2	3	4	All determinations need explanation. Reference to documentation, sources, notes and correspondence.	Source Number**
<b>XX. WILDFIRE</b> <i>If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:</i>						
a) Impair an adopted emergency response plan or emergency evacuation plan?			X		<p>The subject site is in an area that has historically been used for crop production, and is largely devoid of natural landscape (and naturally growing fire fuel). The fire risk on the site is low.</p> <p>Should this site need to evacuate, Soda Bay Road is a County maintained paved road with multiple outlets located near the subject site.</p> <p><b>Less than Significant Impact</b></p>	1, 2, 4, 5, 6, 20, 23, 31, 35, 37, 38
b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?			X		<p>The site and surrounding lots are flat and generally devoid of vegetation other than some introduced trees. Approval of this project will not increase the fire risk in this area. Although pollutant impact from any wildfire is a serious risk, this site is located in an area that is unlikely to be affected by a wildfire.</p> <p><b>Less than Significant Impact</b></p>	1, 2, 4, 5, 6, 20, 23, 31, 35, 37, 38
c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?			X		<p>The site is served by Soda Bay Road, a well maintained and paved County road. No other infrastructural improvements appear to be necessary for this project.</p> <p><b>Less than Significant Impact</b></p>	1, 2, 4, 5, 6, 20, 23, 31, 35, 37, 38
d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?			X		<p>The site is flat; there is little chance of risks associated with post-fire slope runoff, instability or drainage changes based on the lack of site changes that would occur by this project.</p> <p><b>Less than Significant Impact</b></p>	1, 2, 4, 5, 6, 20, 23, 31, 35, 37, 38
<b>XXI. MANDATORY FINDINGS OF SIGNIFICANCE</b>						
a) Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?		X			<p>The project proposes a cultivation of commercial cannabis in previously disturbed area. As proposed, this project is not anticipated to significantly impact habitat of fish and/or wildlife species or cultural resources with the incorporated mitigation measures described above. Further, mitigation measures have been added to minimize any adverse impacts that might otherwise result to fish and wildlife specie(s) that might be present on the project property.</p>	All

IMPACT CATEGORIES*	1	2	3	4	All determinations need explanation. Reference to documentation, sources, notes and correspondence.	Source Number**
b) Does the project have impacts that are individually limited, but cumulatively considerable? (“Cumulatively considerable” means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?		X			Potentially significant impacts have been identified related to Air Quality. These impacts in combination with the impacts of other past, present and reasonably foreseeable future projects could cumulatively contribute to significant effects on the environment. Implementation of and compliance with mitigation measures identified in each section as project conditions of approval would avoid or reduce potential impacts to less than significant levels and would not result in cumulatively considerable environmental impacts.	All
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?		X			The proposed project has potential to result in adverse indirect or direct effects on human beings. In particular, to Air Quality have the potential to impact human beings. Implementation of and compliance with mitigation measures identified in each section as conditions of approval would not result in substantial adverse indirect or direct effects on human beings and impacts would be considered less than significant.	All

\* Impact Categories defined by CEQA

**\*\*Source List**

1. Lake County General Plan
2. Lake County GIS Database
3. Lake County Zoning Ordinance
4. Lakeport Area Plan
5. Legendary Farms Cannabis Cultivation Application – Major Use Permit.
6. U.S.G.S. Topographic Maps
7. U.S.D.A. Lake County Soil Survey
8. Lake County Important Farmland Map, California Department of Conservation Farmland Mapping and Monitoring Program
9. Department of Transportation’s Scenic Highway Mapping Program,  
([http://www.dot.ca.gov/hq/LandArch/16\\_livability/scenic\\_highways/index.htm](http://www.dot.ca.gov/hq/LandArch/16_livability/scenic_highways/index.htm))
10. Lake County Serpentine Soil Mapping
11. California Natural Diversity Database (<https://www.wildlife.ca.gov/Data/CNDDDB>)
12. U.S. Fish and Wildlife Service National Wetlands Inventory
13. Biological Assessment for Legendary Farms property; prepared by Natural Investigations and dated July 8, 2018.
14. Cultural Site Assessment Survey – Natural Investigations Inc., dated June 21, 2019.
15. California Historical Resource Information Systems (CHRIS); Northwest Information Center, Sonoma State University; Rohnert Park, CA.
16. Water Resources Division, Lake County Department of Public Works Wetlands Mapping.
17. U.S.G.S. Geologic Map and Structure Sections of the Clear Lake Volcanic, Northern California, Miscellaneous Investigation Series, 1995
18. Official Alquist-Priolo Earthquake Fault Zone maps for Lake County
19. Landslide Hazards in the Eastern Clear Lake Area, Lake County, California, Landslide Hazard Identification Map No. 16, California Department of Conservation, Division of Mines and Geology, DMG Open –File Report 89-27, 1990
20. Lake County Emergency Management Plan
21. Lake County Hazardous Waste Management Plan, adopted 1989
22. Lake County Airport Land Use Compatibility Plan, adopted 1992
23. California Department of Forestry and Fire Protection - Fire Hazard Mapping
24. National Pollution Discharge Elimination System (NPDES)
25. FEMA Flood Hazard Maps
26. Lake County Aggregate Resource Management Plan

27. Lake County Bicycle Plan
28. Lake County Transit for Bus Routes
29. Lake County Environmental Health Division
30. Lake County Grading Ordinance
31. Lake County Natural Hazard database
32. Lake County Countywide Integrated Waste Management Plan and Siting Element, 1996
33. Lake County Water Resources
34. Lake County Waste Management Department
35. California Department of Transportation (CALTRANS)
36. Lake County Air Quality Management District website
37. South Lake County Fire Protection District (CalFire)
38. Site Visit – June 10, 2019