

WE GROW
PROPERTY MANAGEMENT PLAN

Project Location

16750 Herrington Rd.
Middletown, CA 95457

Project Parcels

Lake County APN's
Cultivation/ Project Parcel: 013-060-40
Collocation/Clustering parcels: 013-014-03 & 11

Project Manager:

Zarina Otchkova

July 7th, 2020

TABLE OF CONTENTS

Project Description	2-5
Supplemental Data for Initial Study	6-12
Planting Schedule.....	13
Air Quality	14-16
Grounds.....	17-18
Grading and Erosion Control BMP's.....	19-20
Security	21-23
Stormwater Management.....	24-26
Water Use.....	27-29

Project Description

WeGrow is seeking a major use permit to obtain fifteen A-Type 3B “Mixed-Light” Licenses, an A Type 1C Specialty Cottage License and a Type 13 Self-Transport Distribution License from the County of Lake Community Development Department to allow a total of 332,160 s.f. of commercial cannabis canopy area, with a total of 387,600 s.f. of cultivation area at 1670 Herrington Rd, Middletown CA on Lake County APN 013-060-40. This project is being proposed with 2 additional contiguous parcels, APNs 013-014-03 & 013-014-11 in order to allow collocation/clustering of permits. No part of the 2 additional properties will be disturbed with the proposed project. Any mention of the project parcel or project property beyond this point will only describe APN 013-060-40. The proposed cultivation method is via an above grade organic soil mixture in hardware cloth planting beds with drip irrigation systems. The greenhouses will be composed of galvanized steel frame structures with 6 mil polyethylene film coverings and polycarbonate covered end walls and have a maximum of 25 watts per square foot. The Proposed ancillary facilities include thirty two 90' x 125' greenhouses, two 90' x 125' immature plant greenhouses, four 50' x 100' processing facilities, two 200 s.f. storage sheds, and five 2,500-gallon water storage tanks (one steel or fiber glass for fire suppression), please see Site Plan for details. Agricultural chemicals associated with cannabis cultivation (fertilizers, pesticides, and petroleum products) will be stored within the secure proposed 200 ft² storage area. The proposed processing buildings will contain cannabis processing activities such as drying, trimming, curing, and packaging. The nearest offsite residence is over 350 feet away from the proposed cultivation area. All areas of the proposed project will be fully out of view from all public view due to the dense vegetation and slope of the location.

The current owner of the property is Zarina Otchkova and Ms. Otchkova is also the project manager. The total acreage of the all of the parcels is 309.06 acres (154.02 + 103.3 + 51.74) and the parcel is split zoned RL/RR-WW; Rural Land/Rural Residential - Waterway. The parcel is located roughly 1.5 miles west of the intersection of Highway 29 and Spruce Grove Rd in Hidden Valley Lake CA. The parcel lies within the 8-digit HU (Sub basin): Kelsey Creek-Clear Lake, and Crazy Creek- Putah Creek Watershed (HUC10). There is an unnamed perennial Class III watercourse indicated on the NHD map layer utilized by California resource agencies via CNDDDB and the Federal NWI map layer, which flows across the south eastern corner of the Project property. The Biological Report also identified a creek and a potential wetland on the northeastern corner of the parcel. The cannabis cultivation area will be setback a minimum of 150 feet from the top of the bank of any bodies of water. There are no other surface water bodies on the Project property. There will be no surface water diversions or water crossings with this project.

WeGrow plans to be fully organic with their supplements of both dry and liquid fertilizers. The proposed dry fertilizers include dry worm castings as well as Chicken and Bat Guano. As for liquid fertilizers most of it will be coming from MaxSea and organic compost. The pesticides that will be used for this cultivation project include neem oil and capsaicin, both at limited quantities during the growing months and only used when necessary. All of the fertilizers, nutrients, and pesticides will only be purchased and delivered to the property as needed. They will be stored separately in the secure storage shed, in their original containers and used as

directed by the manufacturer. All pesticides/fertilizers will be mixed/prepared on an impermeable surface with secondary containment, at least 150 feet from surface water bodies. Empty containers will be disposed of by placing them in a separate seal tight bin with a fitted lid and disposed of at the local solid waste facility within the county. At no time will fertilizers/nutrients be applied at a rate greater than 319 pounds of nitrogen per acre per year (requirement of the State Water Resource Control Board's Cannabis General Order). Water soluble fertilizers/nutrients will be delivered via the drip and micro-spray irrigation system(s) of the proposed cultivation operation to promote optimal plant growth and flower formation while using as little product as necessary. Petroleum products will be stored year-round in State of California-approved containers with secondary containment and separate from pesticides and fertilizers, within the processing facilities.

The proposed cultivation operation will utilize drip irrigation systems, to conserve water resources. The well in the center of the property is directly next to the proposed cultivation area. Since the well, storage tanks and cultivation area all within feet of each other above ground water lines will be used which will be a combination of PVC piping and black poly tubing. Water use is projected to be approximately 4,713,410 gallons per year (please see Water Use Section for methodology). The cultivation area is nearly completely flat with little to no slope, meaning rainwater runoff will not be a huge concern. Straw wattles are proposed around southeastern portion of the cultivation area to filter potential sediment from stormwater as it moves on to the property's seasonal drainages to the east. The natural existing vegetated buffer will be maintained as needed between all project areas and waterways on the property.

A Biological Assessment for the property was completed on March 1, 2020 prepared Pinecrest Environmental Consulting Inc., 5627 Telegraph Avenue Suite 420, Oakland, California 94609. The results of the Biological Assessment are described below, however for the complete results please see the attached report.

- No special status plant species were observed, and no impacts are expected to occur to any based-on lack of sighting and lack of suitable habitat at the cultivation area.
- No special status animal species were observed, and no impacts are expected to occur to any. There are several wetlands on the eastern portion of the parcel that may be suitable for sensitive frog species and should not be disturbed.
- No impacts are predicted for sediment discharge to watercourses or wetlands due to the absence of the features near the cultivation area.
- No impacts are predicted for habitat conservation or with local ordinances and no further mitigations are required.

A Cultural Resource Evaluation for the parcel was completed on February 28, 2020 prepared by Dr. John Parker, RPA. No significant historic/prehistoric sites were discovered during the field inspection. Based on the field evaluation by Dr. Parker, it was recommended that the proposed project be approved as planned. Please see attached study for full results and

recommendations. WeGrow is aware that if 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 archeologists retained to evaluate the find(s) and recommend mitigation procedures, if necessary, subject to the approval of the Community Development Director. The applicant shall halt all work and immediately contact the Lake County Sheriff's Department and the Community Development Department if any human remains are encountered. All human remains will be treated in accordance with Public Resources Code Section 5097.98.

WeGrow's site will require a high amount of electricity as they will be cultivating 332,160 s.f. of mixed light in greenhouses with a maximum of 25 watts per square foot. All electricity needed for the project will be supplied from PG&E through the existing connection but will require an electrical upgrade. The proposed project is proposing a backup generator to be used in emergency situations when electricity cannot be supplied by PG&E. The project does not propose the storage or use of any hazardous materials. All organic waste will be placed in the designated composting area within the cultivation area. All solid waste will be stored in bins with secure fitting lids until being disposed of at a Lake County Integrated Waste Management facility, at least once a week during the cultivation season. The closest Lake County Integrated Waste Management facility to the proposed cultivation operation is the Eastlake Landfill.

At this time WeGrow is currently being operated and managed by Zarina Otchkova, who is also the property owner. Ms. Otchkova does not currently have employees, but all future employees will undergo a background check by the Lake County Sheriff's Department before starting employment and be a United States citizen or eligible for employment within the US. The projects core business hours of operation will take place between 8am-6pm with deliveries and pickups restricted to 9am-7pm Monday through Saturday and Sunday from 12pm-5pm. The Community Liaison/Emergency Contact is Ms. Otchkova, who will be available to contact 24 hours a day, seven days a week, including holidays.

The Project Property is currently accessed by a private gravel driveway off Herington Road. The existing access driveway on the property leads to the center of the property where the cultivation area is proposed. At minimum the driveway will be 20 ft wide with 14 ft of unobstructed horizontal clearance and 15 feet of unobstructed vertical clearance. The access driveway will have 6-inch gravel added to the entire length of it and have 31 parking stalls (two ADA) as well as hammerhead turnaround in front of the cultivation area that will be 20' wide and 60' in length. A gate will be installed with an entrance of at least 2 feet wider than the width of the traffic lane with a minimum of 14 feet unobstructed horizontal clearance and 15 feet on unobstructed vertical clearance. The access gate will be located at least 30 feet from the main shared access road and property line. The gate will be locked outside of core operating/business hours (8am to 6pm) and whenever WeGrow personnel are not present. The gate will be secured with a heavy-duty chain, commercial grade padlock and a Knox Box to allow 24/7 access for emergency services. Only approved WeGrow managerial staff and emergency service providers are able to unlock the gates on the Project Property. The cultivation area fence will be a 6 ft tall chain link fence with a privacy mesh screen and mounted

with security cameras. Posts will be set into the ground at not more than 10-foot intervals, and terminal posts set into concrete footings.

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

Supplemental Data for Initial Study

***Please Note-** a CEQA Initial Study in the Lake County template will be provided with the project in a Microsoft Word Document through FileTransfer and can be emailed directly to the project planner.

Description of project and its operational characteristics

Type of Business: *Commercial Cannabis Cultivation*

Product or service provided: *Cannabis*

Hours of Operation: *8am to 6pm*

Number of shifts: *2 shifts, 3 shifts at peak. Employees are needed only at certain times of the cultivation season.*

Number of employees per shift: *Roughly 20 employees are estimated.*

Number of deliveries per day: *Max 1*

Number of pick-ups per day: *Max 1*

Lot Size: *309 acres*

Number and type of company vehicles: *3, likely pickup trucks*

Type of loading facilities: *There will be a designated open loading zone in the front entrance of the cultivation site/ processing facility.*

Floor area of existing structures: *Existing Ag building on site*

Proposed building floor area: *thirty-two 90' x 125' greenhouses, t90' x 125' immature plant greenhouses, four 50' x 100' processing facilities, two 200 s.f. storage sheds. Total Proposed = 387,600 s.f.*

Number of parking spaces: *31 parking (two ADA) parking spots proposed*

Number of floors: *1*

Additional Relevant Information: *No structures will be built until final approval.*

Description of Site Prep/Construction Activities

- **When do you anticipate starting construction?**

November 2020, or earlier depending upon approval of Use Permit.

- **How long will construction take?**

Approximately 7-10 weeks.

- **What days/times will construction occur?**

9am to 6pm, Monday through Saturday.

- **What type of construction equipment will be used?**

Truck, hand tools, general construction equipment.

- **What many truck vehicle trips will be necessary for construction?**

Approximately 130 to 160.

- **Will equipment be idling during construction?**

All equipment will be shut off when not in use.

- **Where will construction equipment be staged/stored?**

On existing driveway/parking lot, in existing garage or work areas

- **Will any trees or vegetation be removed? If yes, please provide type and amounts.**

Low lying dense vegetation and trees will be cleared in accordance with the biological report

- **How much grading is anticipated to occur and where?**

Grading between 2-4 cubic yard per greenhouse will be needed, which will be covered under the building permit application.

- **Will soil be imported or exported to/from the site? If so where and what amount?**

Pre-Soiled pots will need to be imported due to the planting method being in above ground pots. The source nor amount has yet to be determined at this time.

- **Is trenching required? If yes, please provide location, dimensions and cubic yards.**

Additional trenching for this project is not needed as the well is existing.

- **How much water will be used for construction, operation and maintenance? What is the water source?**

Please See water section for methodology and amount of water use

Other questions and information needed for the Initial Study

- **Describe how scenic views or vistas are impacted by the cultivation site.**

Views will not be impacted as the cultivation area cannot be seen from any public view. Due to the topography of the site, and dense vegetation around the cultivation perimeter no portion of the site is visible. The entire cultivation area will be surrounded by a 6' tall wire fence and if needed privacy mesh can be added.

- **What lighting is proposed for the project? Will areas be lit at night?**

Lighting is proposed along the front access gate, parking area, front of the processing facility, and surrounding the cultivation area. All lighting will be fully shielded, downward casting and will not spill over onto other properties or the night sky.

- **Are there existing agricultural uses on-site besides cannabis? Will they be removed?**

At one point in time a few years ago there was, however, there are there are none existing currently

- **Will the project result in the loss of forest land? If so, describe how many acres and what type of trees.**

No Forest Land exists. Trees and low lying shrubs will be removed in accordance of the biological report

- **How will dust, ash, smoke, fumes, or odors generated by the cultivation site be managed?**

Dust: watering or placing seed/mulch/gravel on bare soil.

Odor: carbon filters, ventilation system, maintaining native vegetation surrounding the cultivation area.

- **Are there any water features (drainages, streams, creeks, lakes, rivers, vernal pools, wetlands, etc.) on-site or immediately adjacent to the project? If yes, will any work take place in them or near them?**

There is are 2 Class III Intermittent Watercourse (Unnamed) that on the eastern portion of the property away from the cultivation area. A minimum of 150-foot setbacks will be maintained from all waterways.

- **Will there be a loss of any wetland or streamside vegetation? If yes, describe where, total area, and type of vegetation lost.**

No vegetation will need to be removed near waterways. The project is a minimum of 150 feet from waterways and protects riparian areas.

- **Describe any site or buildings that have archaeological or historical significance.**

There is 1 site of archaeological or historical significance not near the proposed cultivation. Please see attached cultural report for any further details.

- **What are the slopes of the cultivation site?**

The cultivation area is nearly entirely flat, with a maximum of 3% slope in some cultivation areas.

- **Describe the soils found at the site and their potential for landslides, erosion, lateral spreading, subsidence, liquefaction, or collapse.**

This soil is moderately well-drained soil with low frequency of flooding/ponding and a low runoff class.

- **Describe methods to be taken to reduce greenhouse gases.**

Using limited amount of equipment that produce any emissions. Offset any limited emissions by growth of the Cannabis canopy.

- **Will solid waste be produced? If yes, how will it be disposed of?**

Some solid waste will be produced, and will be disposed of at the Lake County Integrated Waste Management facility closest to the proposed project (Eastlake Landfill)

- **Will hazardous waste be produced? If yes, how will it be disposed of?**

No hazardous waste will be produced from this project.

- **How will vegetative waste be managed?**

Vegetative waste will be composted within the designated composting area.

- **How will growth medium waste be managed?**

Will be mixed within the composting area to be recycled and further used in the following grow.

- **Will any material be taken to a landfill? If yes, which one and how much material is anticipated?**

Solid waste materials consistent with regular business waste will be taken to the Eastlake Landfill

- **Describe the existing drainage patterns on the site and how they may be alternated and to what degree as a result of this project.**

Existing drainage pattern flows generally from the northwest to the south east. There will be no alterations specifically proposed and due to the low slope of the land, the proposed project will not significantly change any existing drainage patterns.

- **What Best Management Practices (BMPs) or measures will be implemented in order to prevent erosion and impacts to water quality?**

Native vegetation will be maintained within the 100 ft setbacks from all watercourses that front the watercourses. Straw wattles will also be implemented on the southern & eastern portions of the cultivation area to provide an additional buffer between the creek and the grow site.

- **Is wastewater treatment required for the project? If yes, what is the source?**

Wastewater treatment will be through the building permits for the proposed processing facilities. The restrooms will be ADA standard bathrooms.

- **Describe how this project is consistent with the County's General Plan and Zoning Ordinance.**

The general plan and zoning ordinance sections pertaining to cannabis cultivation were referenced in the making

- **Describe the level and frequency of noise or vibration that will be generated from this project.**

Short-term increases in ambient noise levels to uncomfortable levels could be expected during the construction of the processing facility as well as deliveries. The hours of construction and deliveries will be limited to standard business hours.

- **Describe what measures have been taken to maintain or improve the level of service for the appropriate fire district and CalFire.**

Maintaining the land surrounding the cultivation area can help reduce the fuel load for fires. Clearing of the dense brush vegetation that is extremely flammable

- **How is this site accessed?**

The parcel is currently accessed from private driveway off of Herrington Rd.

- **Describe the amount of traffic the project will generate?**

Daily employee trips are anticipated to be around 40 trips, however the access roadway from highway 29 through Herrington road is well maintained that the additional traffic will not decrease roadway conditions.

- **Are there any road improvements that would be required? If yes, please provide specs (type of materials and dimensions)**

Access will be improved by applying a 6-inch layer of crushed rock/gravel at 20 ft

- **Describe if this project will result in increased traffic hazards to motor vehicles, bicyclists, or pedestrians?**

This project will not result in traffic hazards as it is a private road off of a county-maintained road

- **Are greenhouses or other accessory structures proposed? If yes, what are the dimensions of the structures and materials/colors they will be constructed out of?**

Thirty-two 90' x 125' greenhouses, two 90' x 125' immature plant greenhouses, four 50' x 100' processing facilities, two 200 s.f. storage shed

What sources of energy will be used?

The project will be using on grid energy from PG&E and through the building permit. An electrical upgrade will be required and requested with the greenhouse building permits.

Planting Schedule

Purpose

The Planting Schedule is intended to portray the time of year and how much mature cannabis cultivation will occur at a single given moment in the project's life. Due to the nature of the cannabis licensing processing time being highly variable all the timings estimated below are fully contingent on the processing time of the project. The timing and planting schedules listed below are estimated to the best of the applicant's ability, however, can be changed at the discretion of the Lake County Planning Departments request. Seeing as the timing can change these should be used as a rough time frame.

A. Post Permit Approval Cultivation Phase

Once the Permit is fully approved, WeGrow will apply for the building permits for the thirty-two 90' x 125' greenhouses, two 90' x 125' immature plant greenhouses and the four 50' x 100' processing facilities. Assuming the permit is approved after November 2020, cultivation for the 332,160 s.f. mixed-light area will take place year-round inside of the greenhouses. All growing methods are proposed above ground in hardware cloth smart pots. Please See Sheet 1 of the attached site plans for details of the area of cultivation.

Air Quality Management Plan

Purpose

The Air Quality Management Plan is intended to maintain the high-quality air in Lake County by managing the emissions of activities associated with commercial cannabis as well as manage the off-site drift of odors. Information in this section will be pertinent to meeting the standards of Finding 1 in Section 51.4 (a) of the Lake County Zoning Ordinance, which protects the health, safety, and welfare of the county and its residents. This Air Quality Management Plan will detail the mitigation techniques used to lessen or remove the negative externalities, in relation to odor and air quality, that stem from this commercial cannabis cultivation project. Additionally, sources of emissions and odors will be described, and the agent to contact for any air quality or odor problems will be provided at the conclusion of this section.

A. Project Contact and Community Liaison

The Community Liaison/Emergency Contact for WeGrow's cultivation operation is Ms. Zarina Otchkova. Ms. Otchkova's cell phone number is (602) 809-0909 and the company email address is WeGrowLLC@yahoo.com. Any residences within 1,000 feet of the property boundaries, all of which will receive this contact information directly prior to project implementation. The Community Liaison/Emergency Contact will be responsible for responding to or employing someone to respond to all odor complaints 24 hours a day, seven days a week, including holidays. It is highly encouraged that neighboring residents contact the above Community Liaison/Emergency Contact to resolve any operating problems before reaching out to any County Officials/Staff.

When an odor complaint is received, the Community Liaison/Emergency Contact will immediately take action to eliminate the odor as soon as possible. The first step will be to determine the source of the odor from which the complaint was received (cultivation area, processing facility, or other). Then the best mitigation method will be implemented dependent on the source. Some of the mitigation methods include windscreens, upgrading odor control filtration systems/ventilation system, or even installing additional odor control equipment.

B. Emission Sources

The following sources are anticipated to be the most significant emitters of odor, air pollutants, and particles from the proposed cultivation operation. However, no single source or combined sources are anticipated to be harmful or detrimental to neighboring residences or the community of Lake County.

Gasoline Powered Generator: WeGrow's proposed cannabis cultivation operation will be connected to the electricity through PG&E. The proposed project is proposing a backup generator to be used in emergency situations when electricity cannot be supplied by PG&E.

Gasoline and Diesel-Powered Equipment: The proposed cultivation operation will generate small amounts of carbon dioxide from the operation of small gasoline engines (tillers, weed eaters, lawnmowers, etc.), and from vehicular traffic associated with staff commuting. The generation of carbon dioxide is partially offset by the cultivation of plants, which remove carbon dioxide in the air for photosynthesis.

Fugitive Dust: The proposed cultivation operation may generate fugitive dust emissions through ground-disturbing activities, uncovered compost piles, and vehicle or truck trips on unpaved roads. Fugitive dust will be controlled by wetting soils with a mobile water tank and hose, or by delaying ground disturbing activities until site conditions are not windy, and by eliminating soil stockpiles. Fugitive dust may also be generated temporarily during the construction period. Fugitive dust will be greatly reduced and almost nonexistent once the roadway has been constructed.

Odors: Cannabis cultivation can generate objectionable odors, particularly when the plants are mature/flowering. The ventilation system of the Processing Facility, in which the processing of raw cannabis plant material from the proposed cultivation area occurs, are equipped with carbon filters/air scrubbers to mitigate odors emanating from the building. The greenhouses will also be equipped with filters to further mitigate any odors during peak grow times.

Erosion Control Measures during grading and construction:

- Fugitive dust will be controlled by wetting soils with a mobile water tank and hose, or by delaying ground disturbing activities until site conditions are not windy, and by not storing soil stockpiles. Also, the existing dirt access road will be layered with 6" gravel/crushed rock prior to any construction to mitigate any air quality impacts from dust/debris.

- Hazardous spills:

All purchased products including; chemicals, fertilizers/nutrients, pesticides, petroleum products and sanitation products will all be kept in their manufactures original containers/packaging. All fertilizers/nutrients and pesticides, when not in use, are stored in their manufacturer's original containers/packaging and undercover inside the secure 200 ft² storage area. Petroleum products are stored under cover and in State of California-approved containers with secondary containment and will be within the processing facilities. Sanitation products are stored in their manufacturer's original containers/packaging within a secure cabinet inside the processing facilities. Spill containment and cleanup equipment will be maintained within the secure Processing Facilities as well. All employees will be trained to properly use all equipment according to the manufacturer's procedures. All pouring activities of any products will take place on gravel and within a secondary containment to reduce chances of spill.

- Wildfire prevention will be achieved by maintaining the project grounds. The entire vegetative area surrounding the cultivation area will be well trimmed in order to reduce fire fuel load. The reduction of the dense brush layer to create the cultivation area is greatly reducing the fuel load for fires. All gasoline and diesel-powered equipment will only be used by trained personnel and will be turned off and stored indoors when not in use.
- Noise during grading and construction will be inevitable however all construction will only take place during regular business hours: Monday through Saturday: 9:00 a.m. - 7:00 p.m. and Sunday: 12:00 p.m. - 5:00 p.m. Also, no idling will occur, and all equipment will be turned off when not in use.

C. Mitigation Measures, Monitoring, and Maintenance

To help reduce odor impacts from this project, native vegetation will be maintained around the property to try masking off-site odor drift. The processing facility, which will be holding flowered cannabis plants, will have fans and carbon filters/air scrubbers installed to prevent odors from leaving the premises during all processing phases. The greenhouses will also be equipped with filters to further mitigate any odors during peak grow times.

All air filtration and odor mitigation equipment will be inspected every other month by a WeGrow supervisor to ensure each one is running as efficiently as possible. All carbon filters/air scrubbers will be replaced each quarter. WeGrow supervisory staff will log and maintain accurate records of the replacement/repairs to any odor mitigation system and retain records for at least three years. Annually the managerial staff will review all documentation pertaining to the performance of the equipment to determine if there are any ways to further improve odor mitigations.

At this time there is no proposed demolition or renovations of any building, however if proposed a Certified Asbestos Consultant will be contacted for inspections.

Grounds

Purpose

The Grounds section is intended to ensure that the project property is well maintained in order to prevent the buildup of pests and bacteria, eliminating the chance that potential problems could arise and create health problems or contaminate the environment. Information in this section will be pertinent to meeting the standards of Finding 1 in Section 51.4 (a) of the Lake County Zoning Ordinance, which protects the health, safety, and welfare of the county and its residents. The Grounds section will outline the proper storage and maintenance procedures implemented in conjunction with this project, keeping the premises clean and preventing any potential contamination that could stem from the equipment or substances used.

A. Storage Procedures

All chemicals and substances that are potentially hazardous or could create problems with contamination will be stored a minimum of 150 feet from all designated surface water areas, including the Class III intermittent streams found on the property. All fertilizers/nutrients and pesticides, when not in use, are stored in their manufacturer's original containers/packaging and undercover inside the secure storage area. Petroleum products are stored under cover and in State of California-approved containers with secondary containment and will be stored within the Processing Facilities. Sanitation products are stored in their manufacturer's original containers/packaging within a secure cabinet inside the Processing Facilities. Spill containment and cleanup equipment will also be maintained within the Processing Facility. No effluent is expected to be produced by the proposed cultivation operation. All additional equipment will be stored within the processing facility.

B. Site Maintenance

Trash and recycling receptacles will be provided for anyone on-site to properly dispose of waste. The designated grounds manager will visually sweep the parcel and collect any waste that was not properly disposed of at the end of each day. During this daily property check, all areas of vegetation will be inspected to ensure they are not overgrown, and all access roads and parking areas will be inspected to ensure they are in good order. The necessary equipment to maintain the property to the county ordinance standards will be on hand, stored in the processing facility. Isopropyl alcohol will be kept on-site in the processing facility to ensure proper sanitation after equipment use and to maintain cleanliness within the on-site facilities. The processing facility will include ADA standard restrooms available for all employees.

A. Calfire 4290 and 4291 SRA requirements

All requirements below are proposed to be met with this project and will be confirmed with the required Community Development- Building Division inspection prior to the project being deemed complete.

- Property line setbacks for structures shall be a minimum of 30 feet.
- Per NFPA 1142 water storage tanks for commercial use will be steel or fiberglass (not plastic). At this time the applicant is getting quotes on which material will be cheaper but will only purchase either steel or fiberglass water tanks.
- Roadway for this commercial use shall consist of 20 ft. wide gravel roadway
- All weather roadway surfaces engineered for 75,000 lb. vehicles is the minimum (including bridges). All weather roadway surfaces do not have standing or flowing water that vehicles must travel through.
- The maximum roadway slope for any road is 16%.
- Gate width is 14 foot minimum and Gate setbacks are a minimum of 30 feet from a road.
- Parking allows for a turnaround/hammerhead T, or similar.
- Minimum fuel reduction of 100 feet of defensible space. Additionally, 300 feet of defensible space will be used for any structure that stores hazardous, flammable or dangerous items.

Grading and Erosion Control BMP's

Purpose

The Purpose of this Grading and Erosion Control BMP's are to highlight all the practices that will take place pre and post construction for this project. Then goal of this section is to outline all environmental areas that could be impacted, and how each will be mitigated. The section is broken down into preconstruction, during construction, and post construction that will take place for life of the project. All of the BMP's below are taken from the California Stormwater Quality Association BMP Handbook, The California State Water Quality Control Board BMP's, and the Lake County Water Resources Construction & Development BMPs.

A. Grading

WeGrow does not propose to do any grading prior to the building permits being submitted. Per the biological report, the trees and dense brush layer covering the proposed area will be removed. The imported material will be crushed rock/gravel at a depth of 6 inches to apply to the access roadway in order to meet 4290 regulation standards. After the Use Permit is approved the greenhouses will require between 2-4 cubic yards for each one. The total amount estimated is 150 cubic yards at most and will covered through the building permit which allows for 500 cubic yards.

B. Pre-Construction BMP's

The activities listed below will be implemented prior to any form of the project beginning. Once the project is deemed complete and no further changes/clarifications are needed by the CDD, the applicant will begin to prepare these erosion control measures around the outlined cultivation areas, beginning with the upgrades to the roadway.

- Fugitive dust will be controlled by wetting soils with a mobile water tank and hose, or by delaying ground disturbing activities until site conditions are not windy. Prior to any vehicular traffic related to the cultivation, 6" gravel/crushed rock will be freshly layered onto the roadway to mitigate any air quality impacts from dust/debris.
- Wildfire prevention will be achieved by maintaining the project grounds. The entire vegetative area surrounding the cultivation area will be well trimmed in order to reduce fire fuel load. The removal of the dense shrub layer in the proposed cultivation area will greatly reduce fuel load and is the recommended area for cultivation from the biological report. All gasoline and diesel-powered equipment will only be used by trained personnel and will be turned off and stored indoors when not in use.
- Straw wattles will be placed around the southern and eastern borders of the cultivation area in order to prevent sediment runoff and erosion into natural drainages.

C. During Construction BMP's

The BMP's listed below will be implemented by the management team overseeing the construction.

- Vehicles will not be left staging/idling
- Vehicles will only be parked on the existing roadway/driveway or on areas that will be further developed as part of the project.
- Petroleum products will be stored under cover and in State of California-approved containers within a secondary containment inside of the storage area in order to prevent any spills.
- A native grass seed mixture and certified weed-free straw mulch will be applied to all areas that are exposed due to the construction.
- All solid waste generated from construction will be stored in bins with secure fitting lids until being disposed of at a Lake County Integrated Waste Management facility.

D. Post Construction BMP's (maintained for life of project)

All BMP's listed here will be implemented yearly prior to the November 15th (or the beginning of the raining season).

- In order to protect against hazardous spills:
 - All purchased products including chemicals, fertilizers/nutrients, pesticides, petroleum products and sanitation products will all be kept in their manufactures original containers/packaging. All fertilizers/nutrients and pesticides, when not in use, are stored in their manufacturer's original containers/packaging and undercover inside the secure storage area. Petroleum products are stored under cover and in State of California-approved containers with secondary containment. Sanitation products are stored in their manufacturer's original containers/packaging within a secure cabinet inside the processing facilities. Spill containment and cleanup equipment will be maintained within the secure Processing Facilities as well. All employees will be trained to properly use all equipment according to the manufacturer's procedures. All pouring activities of any products will take place on gravel and within a secondary containment to reduce chances of spill.
- Straw wattles will remain around the southern and eastern portion of the cultivation area and maintained/exchanged as needed each year in order to prevent sediment runoff.
- Native vegetation around the proposed cultivation operation will be maintained as a permanent erosion and sediment control measures. A native grass seed mixture and certified weed-free straw mulch will be applied to all areas of exposed soil.
- All solid waste that cannot be composted, will be stored in bins with secure fitting lids until being disposed of at a Lake County Integrated Waste Management facility, at least once a week during the cultivation season.

Security Management Plan

Purpose

The purpose of this Security Management Plan (SMP) is to minimize criminal activity, provide for safe and secure working environments, protect private property and prevent damage to the environment. This SMP includes a description of the security measures that will be implemented at the proposed cultivation operation to provide adequate security on the premises as approved by the Lake County Sheriff. The three main goals of the security plan are to prevent access to the cultivation site by unauthorized personnel, protect the physical safety of employees, and prevent theft/loss of cannabis products. This SMP is also created to be compliant with emergency regulations for CDFA's CalCannabis Licensing program and the California Department of Public Health for cannabis businesses.

A. Secured Entry and Access

The Project Property is currently accessed by a private gravel driveway off Herington Road. The existing access driveway on the property leads to the center of the property where the cultivation area is proposed. At minimum the driveway will be 20 ft wide with 14 ft of unobstructed horizontal clearance and 15 feet of unobstructed vertical clearance. The access driveway will have 6-inch gravel added to the entire length of it and have 31 parking stalls (two ADA) as well as hammerhead turnaround in front of the cultivation area that will be 20' wide and 60' in length. A gate will be installed with an entrance of at least 2 feet wider than the width of the traffic lane with a minimum of 14 feet unobstructed horizontal clearance and 15 feet on unobstructed vertical clearance. The access gate will be located at least 30 feet from the main shared access road and property line. The gate will be locked outside of core operating/business hours (8am to 6pm) and whenever WeGrow personnel are not present. The gate will be secured with a heavy-duty chain, commercial grade padlock and a Knox Box to allow 24/7 access for emergency services. Only approved WeGrow managerial staff and emergency service providers are able to unlock the gates on the Project Property. The cultivation area fence will be a 6 ft tall chain link fence with a privacy mesh screen and mounted with security cameras. Posts will be set into the ground at not more than 10-foot intervals, and terminal posts set into concrete footings.

A 100-foot defensible space of vegetation will be established around the proposed cultivation operation for fire protection and to provide for clear visibility for security monitoring. A Motion-sensing alarm will be installed at the main gate entrance to alert staff when someone/something has entered onto the premises. Motion-sensing security lights will be installed on all external corners of the proposed cultivation area(s), and at the main entrance to the Project Parcel. All lighting will be fully shielded, downward casting and will not spill over onto other properties or the night sky.

Staff are instructed to notify the WeGrow supervisor on duty immediately if/when suspicious activity is detected. The WeGrow supervisor will investigate the suspicious activity for potential threats, issues, or concerns and will contact the Lake County Sheriff's Office immediately if/when a threat is detected. If the active supervisor on duty is not a manager, the WeGrow managerial staff will be contacted immediately following the contact of the Lake County Sheriff's Office.

If a visitor arrives at the proposed cultivation operation via the main entrance during core operating hours, they will be greeted by a member of the projects staff. The staff member will verify the visitor's identification and escort the visitor to the appropriate area for their visit. No visitors will ever be left unattended.

B. Theft Prevention

All WeGrow staff are required to undergo a criminal background check. Visitors and staff are required to sign-in and sign-out each day and note the areas/tasks in which they worked that day. Staff are required to store personal items in the onsite break room located in the Processing Facilities. WeGrow will adhere to the inventory tracking and recording requirements of the California Cannabis Track-and-Trace (CCTT) system. All staff members will be trained in the procedures of the CCTT system, and any cannabis movement will be reported through the CCTT system. At least two members of the WeGrow managerial staff will be designated to supervise all tasks with high potential for diversion/theft and will document which staff member took part in each of the roles. In the event of any diversion/theft, law enforcement and the appropriate licensing authority will be notified within 24 hours of discovery.

C. Community Liaison and Emergency Contact

The Community Liaison/Emergency Contact for WeGrow's cultivation operation is Ms. Zarina Otchkova. Ms. Otchkova's cell phone number is (602) 809-0909 and the company email address is WeGrowLLC@yahoo.com. The Community Liaison/Emergency Contact will be made available to everyone through multiple sources including this Use Permit, Lake County Officials/Staff and the Lake County Sheriff's Office. WeGrow will encourage neighboring residents to contact the Community Liaison/Emergency Contact to resolve any problems before contacting County Officials. When a complaint is received, the Community Liaison/Emergency Contact will document the complainant, their contact information and the reason for the complaint. The Community Liaison will then take action to resolve the issue as quickly and efficiently as possible and follow up with the complainant to update them on the actions being taken to resolve the issue brought up. A summary of complaints/issues will be provided in WeGrow's Annual Performance Review Report.

D. Video Surveillance

WeGrow uses a closed-circuit television (CCTV) system with a minimum camera resolution of 1080p at a minimum of 30 frames per second to record activity in designated areas. All cameras will include motion sensors are color capable with all exterior cameras being rated I-66 waterproof and all interior cameras being moisture proof. Cameras monitoring the cultivation area will be equipped with thermal technology. The CCTV system feeds into a monitoring and

recording station in the Processing Facilities, in a secured office, where video from the CCTV system is digitally recorded. WeGrow will obtain a video management software that will integrate the cameras of the CCTV system to door alarms and will be equipped with a failure notification system that immediately notifies staff of any interruptions or failures. All cameras of the CCTV system operate continuously 24 hours a day, 7 days a week, recording current date and time on the feed. All recordings are kept a minimum of 90 days, and 7 years for any corresponding reported incidents caught on tape.

Proposed camera placements can be found on the accompanying Security Site Plan. Areas that will be covered by the CCTV system include:

- Entryways to the property, cultivation areas, and Processing facilities,
- Perimeter of the cultivation/canopy areas
- The monitoring, recording station and security room (within the Processing Facility),
- Interior of the Processing Facilities.

Stormwater Management Plan

Purpose

The Stormwater Management Plan is intended to ensure that commercial cannabis projects do not have any negative impacts on the environment through stormwater runoff and any water the project may discharge. Particularly this section mandates necessary stormwater mitigation measures to help reduce the transportation of sediment, prevent erosion problems, and maintain the quality of nearby surface water. This Stormwater Management Plan will detail the mitigation measures proposed to be implemented as well as the monitoring and reporting procedures that will ensure the stormwater mitigation measures are well maintained throughout the life of the project. This section works in accordance with the Erosion and Sediment Control site plan (Sheet 2).

A. Stormwater Management, Erosion and Sediment Control Measures

WeGrow plans to add a thirty-two 90' x 125' greenhouses, two 90' x 125' immature plant greenhouses, four 50' x 100' processing facilities and two 200 s.f. storage shed for a total impervious footprint of 387,600 square feet. This total impervious footprint is roughly 3% of the area of the total parcel size of 309 acres. As mandated by the development standards in Article 27, Section (at), all development, cultivation, pesticides, and fertilizers will be located a minimum of 100 feet from all surface water, which are the unnamed intermittent streams and seasonal wetlands identified on the property. To further reduce any impacts the proposed project will be a minimum of 150 feet away from any surface water. As depicted on the Topographic Map site plan (Sheet 6), the slope of the cultivation area is completely flat, with minimal slopes. Displayed is a minimum of 100 feet of naturally existing vegetated buffer area between project areas and watercourses, which will naturally filter any runoff, removing sediment, nutrients, and pesticides that become mobilized and allow it to infiltrate into the soil/groundwater basin. There are proposed straw wattles surrounding the south and eastern half of the cultivation to prevent sediment movement from the cultivation site to natural surface water. At the county's request or if site characteristics change over the course of time, the applicant will extend straw wattles to further mitigate for sediment movement.

B. Erosion and Sediment Control Measures

WeGrow will maintain the existing natural vegetated buffer around the proposed cultivation operation as needed. Native vegetation around the proposed cultivation operation will be maintained as a permanent erosion and sediment control measures. A native grass seed mixture and certified weed-free straw mulch will be applied to all areas of the exposed soil. Straw wattles will be installed on the south and eastern half of the cultivation areas and maintained throughout the proposed cultivation operation. If areas of concentrated

stormwater runoff begin to develop, additional erosion and sediment control measures will be implemented to protect those areas and their outfalls. WeGrow Site Managers will conduct monthly monitoring inspections to confirm that this operation is in compliance with California Water Code.

- A visual monitoring inspection program will be implemented to check the following, at a minimum frequency of before each rain event.
 - All water conveyance areas and storm water drainage areas to identify any spills, leaks, or uncontrolled pollutant sources.
 - All BMPs to identify whether they have been properly implemented and remain in adequate condition.
 - Any storm water storage or containment areas and ensure the maintenance of adequate freeboard.
- Apply straw mulch to the cultivation area after the conclusion of the growing season to prevent erosion.
- All BPTC Measures will be completed by November 15th.
- If areas of concentrated stormwater runoff begin to develop, additional erosion and sediment control measures will be implemented to protect those areas and their outfalls.

During Construction these BMP's will be implemented and maintained throughout the life of the project:

- Straw wattles will be installed and maintained throughout the entire life of the proposed cultivation operation along the south and eastern borders of the cultivation areas.
- Gravel will be placed along all access roads to reduce exposed dirt.

C. Regulatory Compliance (Stormwater)

WeGrow proposed cannabis cultivation operation is enrolled for coverage under the State Water Resources Control Board's Cannabis General Order (Order No. WQ 2019-0001-DWQ) as a Tier 2 Low Risk Discharger (WDID: 5S17CC424072). A Site Management Plan will be developed for the proposed commercial cannabis cultivation operation and will be reviewed and approved by the Central Valley Water Board's Cannabis Cultivation Waste Discharge Regulatory Program.

Stormwater runoff from the proposed cultivation operation will not discharge into any Lake County maintained drainage system. The project site does not contain any or culverts. The BMP's along with the erosion and sediment control measures, the proposed project will not increase the volume of stormwater discharges from the Project Property onto adjacent properties or flood elevations downstream.

D. Monitoring and Reporting Program

The following are the Monitoring and Reporting Requirements for WeGrow's proposed cannabis cultivation operation from the Cannabis General Order:

- Winterization Measures Implementation
- Tier Status Confirmation
- Third Party Identification (if applicable)
- Nitrogen Application (Monthly and Total Annual)

An Annual Report shall be submitted to the State Water Quality Control Board by March 1st of each year. The Annual Report shall include the following:

1. Facility Status, Site Maintenance Status, and Storm Water Runoff Monitoring.
2. The name and contact information of the person responsible for operation, maintenance, and monitoring.

A letter transmitting the annual report shall accompany each report. The letter shall summarize the number and severity of violations found during the reporting period, and actions taken or planned to correct the violations and prevent future violations. WeGrow will adhere to all monitoring requirements to maintain compliance with the Cannabis General Order, and upon request submit a copy of the Annual Monitoring Report to the County.

E. Cannabis Vegetative Material Waste / Growing Medium Management

Based on the methods of growing done by WeGrow, it is estimated that 3,000 lbs. of vegetative waste will be generated. However, in order to reduce waste and recycle nutrients, all vegetative waste will either be buried in the composting area found within the cultivation area or chipped and stored to be used when soil cover is needed. All solid waste will be stored in bins with secure fitting lids until being disposed of at a Lake County Integrated Waste Management facility, at least once a week during the cultivation season. The closest Lake County Integrated Waste Management facility to the proposed cultivation operation is the Eastlake Landfill.

WeGrow proposes to plant above ground, where additional growing medium will be purchased from Nor-Cal Soil Builders as needed between seasons. Fertilizers as well as recycled vegetative waste that has been composted on site will be used to supplement the existing soil on site.

Water Use Management Plan

Purpose

This Water Use Management Plan is designed to conserve Lake County's water resources and to ensure that the proposed cultivation operation's water use practices are in compliance with applicable County, State, and Federal regulations at all times. This Water Use Management Plan focuses on designing a water efficient delivery system and irrigation practices, and the appropriate and accurate monitoring and reporting of water use practices. The Water Use Plan aims to provide details for all the sources of water on the property, how it will be used and its amount of use.

A. Water Sources and Irrigation

Water is provided to WeGrow's proposed cultivation operation from a groundwater well, located at Latitude 38.818230, Longitude -122.542413 (via google maps imagery). The Well Completion Report is included in the submittal of this management plan. The parcel has undergone multiple APN and address changes due to lot line adjustments, which is why the well reports APN and Address do not match the proposed parcel. However, if by googling the address on the well report, 15454 Spruce Grove Road, the location will match 16750 Herrington Road. The well located at the center of the property will pump water to the five 2,500-gallon (one steel/fiber glass) water tanks. Water will then be delivered to the cannabis plants using highly efficient drip irrigation. Water lines are a combination of PVC piping, black poly tubing, and drip lines. The water storage tanks will be equipped with float valves to prevent overflow and runoff of irrigation water when full. Additionally, safety valves will be equipped to supply lines in case the flow of water needs to be stopped in an emergency situation. A meter compliant with Title 23, Division 3, Chapter 2.7 of the California Code of Regulations will be installed and attached to the water system in order to record continuous data that will be maintained for a 5-year duration minimum. All records will be made available to all interested state and county departments upon request. The monitoring of the well will begin 3 months prior to the use of the well for cultivation.

B. Projected Water Use

Due to the federally illegal status of cannabis, the industry is far behind other crops in water use studies. While few exist, it is probable that the resulting water use numbers from these studies are only accurate to a certain degree, particularly as water use is extremely dependent upon the natural conditions of the location where cultivation is taking place. According to Bauer et al. (2015), a study of water use in Northern California determined cannabis plants used approximately 22.7 liters per day, which translates to roughly 5.99 gallons per day. It has also been documented through CalCannabis's Final Programmatic Environmental Impact Report that outdoor cannabis uses between 25-35 inches per year, based on Hammon et al. (2015). The

PEIR also stated that it is comparable to other crops such as corn, tomatoes, alfalfa, and hops. However, projecting cannabis water use in line with that of tomatoes (20 inches per year) would likely be the absolute minimum as the few water use studies published have been more in line with 25-35 inches per year.

It is almost a certainty that water use will differ between projects, based on soil type, irrigation method, and growing method, among other factors, however, through well monitoring these estimates can be replaced with much more robust numbers in the future. For the purposes of this Water Use Management Plan, the following table below will display water use estimates based on range of probable outcomes starting at 20 inches (a probable best case scenario) up to 35 inches (a probable worst case scenario) of water per year and a total canopy area of 332,160 ft². The average (27.5 inches) being the projected water use total for this project until further data is captured.

Total Project Water Use Estimates*		
Inches	Gallons	Acre Feet
20-25 (best case scenario)	3,770,727 - - - 4,713,410	11.5 - - - 14.4
25-30 (likely scenario)	4,713,410 - - - 5,656,089	14.4 - - - 17.3
30-35 (worst case scenario)	5,656,089 - - - 6,598,772	17.3 - - - 20.2
Estimated Water Use Total for Project*		
<i>25 Inches is estimated</i>	<i>4,713,410*</i>	<i>14.4</i>

Monthly Water Use Estimates											
Jan	Feb	Mar	April	May	June	July	Aug	Sept	Oct	Nov	Dec
190,106	190,106	190,106	341,547	492,844	543,325	593,805	593,805	593,805	492,844	291,067	190,106
.59	.59	.59	1.5	1.5	1.65	1.8	1.8	1.8	1.5	1.12	.59

*Estimates based on data from available published studies and are unlikely to reflect the true water use of this project. Actual water use could be lower or higher depending on conditions and methods of irrigation. By utilizing micro drip irrigation, water use is more likely to be lower than the estimated water use total.

Methodology:

Approximately 27,154 gallons of water equals one inch of water per year for one acre (USGS). To achieve the total amount of gallons, the gallons per inch per acre was multiplied by the number of inches. A foot being 12 inches, therefore, one-acre foot of water would be approximately 325,850 gallons of water, with 27.5 inches yielding a value of 746,740 gallons per acre for outdoor. Due to the cultivation being grown inside of greenhouses where the temperature can be regulated more easily, it is anticipated that this project will likely be closer to the 25 inches.

C. Water Conservation

In accordance with the State Water Quality Control Board Cannabis General Order, WeGrow will implement the following BMPs and mitigation techniques to help conserve water over the duration of the project.

- A visual monitoring inspection program will be implemented to check the following, at a minimum frequency of before each rain event.
 - All water conveyance areas and storm water drainage areas to identify any spills, leaks, or uncontrolled pollutant sources.
- Will use drip lines for water delivery to the plants in order to efficiently and effectively irrigate.
- The areas inside the cultivation area without ground cover will be applied with mulch to conserve soil moisture within the grow area.
- An inline water meter will be installed on the dripline supply line as well as the water storage tanks in order to accurately determine where and how much water is being used. Staff will record and log all data in order to be reviewed annually to see the projects water use.

From: [Fahmy Attar](#)
To: [Eric Porter](#)
Subject: [EXTERNAL]Re: UP 20-22, Otchkova - request for comments
Date: Monday, March 16, 2020 3:18:27 PM

Eric,

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

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

the use permit to minimize dust impacts to the public, visitors, and road traffic. At a minimum, the District recommends chip seal as a temporary measure for primary access roads and parking. Paving with asphaltic concrete is preferred and should be required for long term occupancy. All areas subject to semi truck / trailer traffic should require asphaltic concrete paving or equivalent to prevent fugitive dust generation. Gravel surfacing may be adequate for low use driveways and overflow parking areas, however, gravel surfaces require more maintenance to achieve dust control, and permit conditions should require regular palliative treatment if gravel is utilized. White rock is not suitable for surfacing (and should be prohibited in the permit) because of its tendency to break down and create excessive dust. Grading and re-graveling roads should utilizing water trucks if necessary, reduce travel times through efficient time management and consolidating solid waste removal/supply deliveries, and speed limits.

Best,

Fahmy Attar

Air Quality Engineer

Lake County Air Quality Management District

2617 S. Main Street, Lakeport, CA, 95453

(707) 263-7000 | fahmya@lcaqmd.net

On Mar 16, 2020, at 12:29 PM, Eric Porter <Eric.Porter@lakecountyca.gov> wrote:

Good afternoon;

Here is the 5th of 5 new commercial cannabis applications received by the County. This permit, if approved, would allow 30 greenhouses for mature plants, 4 greenhouses for immature plants, and other appurtenant buildings for drying / chemical storage and data security (security cameras).

I have the Biological Study for this proposal that is too large to email. Let me know if you want it, and I'll send it via FileShare.

Please have any comments you have back to me by or before March 31, 2020.

Thank you,

Eric Porter

<WeGrow Management Plan 3.3.20.pdf><WeGrow Site Plans 3.5.20.pdf><16750 Herrington Property Information.pdf><16760 Herrington Road Well Report.pdf><UP 20-22 RFR.doc>



Lake County Planning Consultants <lakecountyplanningconsultants@gmail.com>

16750 Herrington Rd, MDLT

Dana Hueners <Dana.Hueners@lakecountyca.gov>

Tue, May 19, 2020 at 2:20 PM

To: Lake County Planning Consultants <lakecountyplanningconsultants@gmail.com>

Good morning,

I just wanted to let you know that the red tag-stop work order has been removed for address 16750 Herrington Rd, Middletown CA.

Please let me know if you have any additional questions or concerns.

Have a great day!

Dana Hueners

CDD Technician

County of Lake

Community Development Department

(707)263-2382

Current social-distancing and shelter in place measures are being taken by the Community Development Department in response to the COVID-19 pandemic.

Many of our staff are teleworking, in the office during non-traditional work day hours, or not presently working. As a result, responses to your public inquires may be delayed.

We will work with you as quickly as possible during this time.

From: [Wink, Mike@CALFIRE](mailto:Wink.Mike@CALFIRE)
To: [Eric Porter](mailto:Eric.Porter@lakecountyca.gov)
Cc: [Fong, Gloria@CALFIRE](mailto:Fong.Gloria@CALFIRE); [David Casian](mailto:David.Casian@lakecountyca.gov); [Jack Smalley](mailto:Jack.Smalley@lakecountyca.gov); [Devin Hoberg](mailto:Devin.Hoberg@lakecountyca.gov); [Jim Comisky \(Yes on L\)](mailto:Jim.Comisky@lakecountyca.gov); [Hannan, Jake@CALFIRE](mailto:Hannan.Jake@CALFIRE)
Subject: [EXTERNAL]Re: UP 20-22, Otchkova - request for comments
Date: Friday, April 10, 2020 10:27:56 PM

Good evening Planner Porter. These comments are from the South Lake County Fire Protection District.

This Use Permit documents show a total of 413,300 square feet of Structures (Greenhouses, Processing et'al).

The Fire Mitigation Fee adopted by the Lake County Board of Supervisors is applicable to all structures built within the District.

Please make sure the Applicant shows proof of paying the \$413,300.00 in Mitigation Fee's to the Fire District prior to permit issuance.

While not in Title, Code or Regulation, South Lake County 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. The District is requesting that this be a mandatory requirement.

From: Eric Porter <Eric.Porter@lakecountyca.gov>
Sent: Monday, March 16, 2020 12:29 PM
To: Steven Hajik <Steven.Hajik@lakecountyca.gov>; Fahmy Attar <FahmyA@lcaqmd.net>; Ryan Lewelling <Ryan.Lewelling@lakecountyca.gov>; David Casian <David.Casian@lakecountyca.gov>; Scott DeLeon <Scott.DeLeon@lakecountyca.gov>; Kelli Hanlon <Kelli.Hanlon@lakecountyca.gov>; Lori Baca <Lori.Baca@lakecountyca.gov>; Gordon Haggitt <Gordon.Haggitt@lakecountyca.gov>; Dennis Keithly <Dennis.Keithly@lakecountyca.gov>; Fong, Gloria@CALFIRE <Gloria.Fong@fire.ca.gov>; Gloria Gregore <Gloria.Gregore@lakecountyca.gov>; Elizabeth Martinez <Elizabeth.Martinez@lakecountyca.gov>; 500, chief@LKP <chief500@lakeportfire.com>; Beristianos, J@NSD <chief800@northshorefpd.com>; Wink, Mike@CALFIRE <Mike.Wink@fire.ca.gov>; Stoner, Kyle@Wildlife <Kyle.Stoner@wildlife.ca.gov>; Ponce, Kevin@CDFA <Kevin.Ponce@cdfa.ca.gov>; Northwest Information Center <nwic@sonoma.edu>; Michelle Scully <Michelle.Scully@lakecountyca.gov>; Susan Parker <Susan.Parker@lakecountyca.gov>; Carol Huchingson <Carol.Huchingson@lakecountyca.gov>; Yuliya Osetrova <Yuliya.Osetrova@lakecountyca.gov>
Subject: UP 20-22, Otchkova - request for comments

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

Good afternoon;

Here is the 5 of 5 new commercial cannabis applications received by the County. This permit, if approved, would allow 30 greenhouses for mature plants, 4 greenhouses for immature plants, and other appurtenant buildings for drying / chemical storage and data security (security cameras).

I have the Biological Study for this proposal that is too large to email. Let me know if you want it, and I'll send it via FileShare.

Please have any comments you have back to me by or before March 31, 2020.

Thank you,
Eric Porter

From: [Wink, Mike@CALFIRE](mailto:Wink.Mike@CALFIRE)
To: [Eric Porter](#)
Cc: [Duncan, Paul@CALFIRE](mailto:Duncan.Paul@CALFIRE); [Fong, Gloria@CALFIRE](mailto:Fong.Gloria@CALFIRE); [Devin Hoberg](#); [Jim Comisky](#); [Ray Kehoe](#)
Subject: [EXTERNAL] Re: Notice of Intent - file no. UP 20-22, Otchkova
Date: Saturday, March 20, 2021 5:20:22 PM
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)
[image004.gif](#)
[image005.png](#)

Greetings Mr Porter

Comments from the South Lake County Fire Protection District.

The project documents identify 39 structures that will each require an individual building permit and will have electrical power at each of them.

The 39 permitted structures are identified in the documents of having a combined total square footage of 395,000 square feet.

Per governance in the Lake County Code, mitigation fee's shall apply to these structures for a total of \$395,000.00.

The fee was originally put into code in 1992 and updated in 2006 by the Board of Supervisors per online documents.

- Lake County Code, Chapter 27
- Section 27-1 to 27-13 – Fire Mitigation Fee's
- Sec. 27-8. - Fire Mitigation Fee Ceiling Established.
- (a)Based upon the average cost of providing a fully equipped fire station within the County of Lake, in relation to the average number of new structures served by said station, a Fire Mitigation Fee Ceiling of one dollar (\$1.00) per square foot of construction for all covered roof area is hereby established.

The applicant is welcome to use the Fire Districts Website to pay the fee at www.southlakecountyfire.org . Or they can contact staff through the website for alternate payment methods.

[Home \[www.southlakecountyfire.org\]](http://www.southlakecountyfire.org)

Mission Statement . It is the South Lake County Fire Protection District's (SLCFPD) mission to minimize injuries, fatalities, and property losses through efficient and effective fire protection programs while maintaining a high level of fire suppression of structural, vehicular and wildland fires.

www.southlakecountyfire.org

From: Eric Porter <Eric.Porter@lakecountyca.gov>

Sent: Monday, February 22, 2021 8:23 AM

To: Ryan Lewelling <Ryan.Lewelling@lakecountyca.gov>; Jack Smalley <Jack.Smalley@lakecountyca.gov>; Wink, Mike@CALFIRE <Mike.Wink@fire.ca.gov>; 500, chief@LKP <chief500@lakeportfire.com>; Rymer-Burnett, Saskia@DOT <Saskia.Rymer-Burnett@dot.ca.gov>; John Everett <John.Everett@lakecountyca.gov>; Lars Ewing <Lars.Ewing@lakecountyca.gov>; Lori Baca <Lori.Baca@lakecountyca.gov>; Kelli Hanlon <Kelli.Hanlon@lakecountyca.gov>; Gordon Haggitt <Gordon.Haggitt@lakecountyca.gov>; Greg Peters <Greg.Peters@lakecountyca.gov>; Yuliya Osetrova <Yuliya.Osetrova@lakecountyca.gov>; Carol Huchingson <Carol.Huchingson@lakecountyca.gov>; Susan Parker <Susan.Parker@lakecountyca.gov>; 'tc@middletownrancheria.com' <tc@middletownrancheria.com>; External, JSimon@DOT <jsimon@middletownrancheria.com>; 'mshaver@middletownrancheria.com' <mshaver@middletownrancheria.com>; 'THPO@middletownrancheria.com' <THPO@middletownrancheria.com>; 'btorres@middletownrancheria.com' <btorres@middletownrancheria.com>; 'sshope@middletownrancheria.com' <sshope@middletownrancheria.com>; 'scottg@mishewalwappotribe.com' <scottg@mishewalwappotribe.com>; 'admin@rvrpomo.net' <admin@rvrpomo.net>; 'drogers@robinsonrancheria.org' <drogers@robinsonrancheria.org>; 'terre.logsdon@sv-nsn.gov' <terre.logsdon@sv-nsn.gov>; 'thomas.jordan@sv-nsn.gov' <thomas.jordan@sv-nsn.gov>; 'lbill@yochadehe-nsn.gov' <lbill@yochadehe-nsn.gov>; 'jkinter@yochadehe-nsn.gov' <jkinter@yochadehe-nsn.gov>; 'aroberts@yochadehe-nsn.gov' <aroberts@yochadehe-nsn.gov>; 'Sarah Ryan' <sryan@big-valley.net>; NAHC@NAHC <NAHC@nahc.ca.gov>

Subject: Notice of Intent - file no. UP 20-22, Otchkova

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

Good morning;

Attached is a Notice of Intent and Initial Study (CEQA) that was sent to the State Clearinghouse for file no. UP 20-22, 'We Grow' / Otchkova.

Please have any comments to me on or before March 25, 2021.

Thank you,
Eric Porter



Eric J. Porter
Associate Planner
Department of Community Development
255 N. Forbes St.
Lakeport, CA 95453
Phone: (707) 263-2221 x 37101
Fax: (707) 262-1843
Email: eric.porter@lakecountyca.gov
STAY CONNECTED:



From: Wink, Mike@CALFIRE
To: [Eric Porter](#)
Cc: [Hakala, Jeff@CALFIRE](#); [David Casian](#); [Jack Smalley](#); [Fong, Gloria@CALFIRE](#); [Hannan, Jake@CALFIRE](#); [Devin Hoberg](#); [Jim Comisky \(Yes on L\)](#)
Subject: [EXTERNAL]Re: UP 20-22, Otchkova - request for comments
Date: Friday, April 10, 2020 10:31:14 PM

Greetings Planner Porter.

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

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.

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](http://www.fire.ca.gov)
www.fire.ca.gov

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

http://www.lakecountycalifornia.gov/Government/Directory/Environmental_Health/Programs/cupa.htm
[Hazardous Materials Management \(CUPA\)](#)

www.lakecountycalifornia.gov

The Lake County Division of Environmental Health is the Certified Unified Program Agency for all of Lake County, dealing with hazardous waste and hazardous materials.

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

www.lakecountycalifornia.gov

The Lake County Division of Environmental Health is the Certified Unified Program Agency for all of Lake County, dealing with hazardous waste and hazardous materials.

<https://www.nfpa.org/assets/files/AboutTheCodes/1142/1142-A2001-ROP.PDF>

[Report of the Committee on - NFPA](#)

www.nfpa.org

351 Report of the Committee on Forest and Rural Fire Protection Richard E. Montague, Chair FIREWISE 2000, Inc., CA [SE] John E. Bunting, Secretary New Boston Fire Dept., NH [U]

[Report of the Committee on - NFPA](#)

www.nfpa.org

351 Report of the Committee on Forest and Rural Fire Protection Richard E. Montague, Chair FIREWISE 2000, Inc., CA [SE] John E. Bunting, Secretary New Boston Fire Dept., NH [U]

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

[California's Wildland-Urban Interface Code Information - CAL FIRE - Home](#)

www.fire.ca.gov

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

http://www.lakecountycalifornia.gov/Government/Directory/Environmental_Health/Programs/cupa.htm

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

www.lakecountycalifornia.gov

The Lake County Division of Environmental Health is the Certified Unified Program Agency for all of Lake County, dealing with hazardous waste and hazardous materials.

<https://www.nfpa.org/assets/files/AboutTheCodes/1142/1142-A2001-ROP.PDF>

[Report of the Committee on - NFPA](#)

www.nfpa.org

351 Report of the Committee on Forest and Rural Fire Protection Richard E. Montague, Chair FIREWISE 2000, Inc., CA [SE] John E. Bunting, Secretary New Boston Fire Dept., NH [U]

From: Eric Porter <Eric.Porter@lakecountycalifornia.gov>

Sent: Monday, March 16, 2020 12:29 PM

To: Steven Hajik <Steven.Hajik@lakecountycalifornia.gov>; Fahmy Attar <FahmyA@lcaqmd.net>; Ryan Lewelling <Ryan.Lewelling@lakecountycalifornia.gov>; David Casian <David.Casian@lakecountycalifornia.gov>; Scott DeLeon <Scott.DeLeon@lakecountycalifornia.gov>; Kelli Hanlon <Kelli.Hanlon@lakecountycalifornia.gov>; Lori Baca <Lori.Baca@lakecountycalifornia.gov>; Gordon Haggitt <Gordon.Haggitt@lakecountycalifornia.gov>; Dennis Keithly <Dennis.Keithly@lakecountycalifornia.gov>; Fong, Gloria@CALFIRE <Gloria.Fong@fire.ca.gov>; Gloria Gregore <Gloria.Gregore@lakecountycalifornia.gov>; Elizabeth Martinez <Elizabeth.Martinez@lakecountycalifornia.gov>; 500, chief@LKP <chief500@lakeportfire.com>; Beristianos, J@NSD <chief800@northshorefpd.com>; Wink, Mike@CALFIRE <Mike.Wink@fire.ca.gov>; Stoner, Kyle@Wildlife <Kyle.Stoner@wildlife.ca.gov>; Ponce, Kevin@CDFA <Kevin.Ponce@cdfa.ca.gov>; Northwest Information Center <nwic@sonoma.edu>; Michelle Scully

<Michelle.Scully@lakecountycalifornia.gov>; Susan Parker <Susan.Parker@lakecountycalifornia.gov>; Carol Huchingson
<Carol.Huchingson@lakecountycalifornia.gov>; Yuliya Osetrova <Yuliya.Osetrova@lakecountycalifornia.gov>
Subject: UP 20-22, Otchkova - request for comments

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

Good afternoon;

Here is the 5th of 5 new commercial cannabis applications received by the County. This permit, if approved, would allow 30 greenhouses for mature plants, 4 greenhouses for immature plants, and other appurtenant buildings for drying / chemical storage and data security (security cameras).

I have the Biological Study for this proposal that is too large to email. Let me know if you want it, and I'll send it via FileShare.

Please have any comments you have back to me by or before March 31, 2020.

Thank you,
Eric Porter

From: [Jeri Driver](#)
To: [Eric Porter](#)
Cc: [Michael Herringshaw](#)
Subject: RE: [EXTERNAL] COMMENTS RE: MAJOR USE PERMIT (UP 20-22) and Initial Study (IS 20-25)
Date: Wednesday, February 24, 2021 8:38:58 AM
Attachments: [image001.png](#)

I don't see any code cases in Accela for these properties. I do see a complaint that alleges the same (almost word for word) violations that this letter does. I assume the complaint was filed by the same person who wrote this letter. Maybe the building department did an action for building without permits that didn't make it into Accela. Or perhaps Michael Herringshaw know what she is referring to.



Jeri Driver
Community Development Technician
Code Enforcement Department
255 N. Forbes St.
Lakeport, CA 95453
Phone: (707) 263-2309
Fax: (707) 263-2225
Email: jeri.driver@lakecountyca.gov

From: Shannon Saiz
Sent: Wednesday, February 24, 2021 8:25 AM
To: Cannabis@lakecountyca.gov
Cc: Eric Porter <Eric.Porter@lakecountyca.gov>; Jeri Driver <Jeri.Driver@lakecountyca.gov>
Subject: FW: [EXTERNAL] COMMENTS RE: MAJOR USE PERMIT (UP 20-22) and Initial Study (IS 20-25)

From: Shannon Williams [<mailto:shannonwilliams707@gmail.com>]
Sent: Tuesday, February 23, 2021 6:21 PM
To: Eric Porter <Eric.Porter@lakecountyca.gov>
Cc: Moke Simon <Moke.Simon@lakecountyca.gov>; Dist1 PlanningComm <dist1planningcomm@lakecountyca.gov>; CDD - Email <CDD@lakecountyca.gov>
Subject: [EXTERNAL] COMMENTS RE: MAJOR USE PERMIT (UP 20-22) and Initial Study (IS 20-25)

Dear Mr. Porter, County Supervisors, Planning Dept. & Code Enforcement-

I am writing to vehemently OBJECT to the Major Use Permit that is being considered for "We Grow Farms - APN No's: 013-060-40, 013-014-03 and 11.

In addition to being active members of the South Lake County community since 2004, we currently own a property on Jaclyn Dr. in Middletown and have built our dream home in this

beautiful location. Our property borders 16750 Herrington Rd., Middletown. It was recently purchased by a party who I understand has applied for a cannabis permit. I am writing to strongly urge you to DENY this permit. All three parcels that are included in this permit are surrounded by residential neighborhoods, ours included.

I am also a real estate agent and have sold several homes and parcels on Stinson Rd., Dallas Ct., Spruce Grove Rd. and in Hidden Valley - all to people who appreciate the beautiful, rural nature of our community. I don't know of a single person who would actively welcome a commercial cannabis growing operation and "self-distribution" in their neighborhood.

Speaking about just the small subdivision to the north of this proposed project, there are a number of elderly people, as well as families with all ages of children, many of whom can be found playing outside, walking their dogs around the neighborhood and riding bikes. The idea of a commercial operation being built right next door to all of us is literally awful. I know the same can be said for the homes that border the potential operation to the south! I, in addition to the majority of our community, am worried about a number of things.

I am concerned about the extra traffic we are already seeing in and out of the property and the impact on our local roads. All the homeowners in this area pay extra on our property taxes for a road maintenance fee. The owner of the Herrington property is not obligated to pay that currently, and yet, they will be bringing all sorts of trucks and traffic in and out of the property. Not to mention, I am concerned for the kids who are out playing in the neighborhood as a number of "workers" are driving VERY quickly up and down the roads, distracted and I am hoping and praying NOT under the influence of the substance that they are cultivating.

I am also concerned that this sort of operation will bring unsavory characters to our neighborhood. Already, the law enforcement has been out to the property MULTIPLE TIMES where they found a large amount of stolen equipment. If this is how things are starting out, I can only imagine what other issues that will follow! Again, with the amount of children in our neighborhood, I am worried about bringing these people so nearby. The safety and security of our community should be a PRIORITY for you as you make your decision.

Additionally, as you know, cannabis is not a regular agricultural crop. It has an extremely pungent smell that carries far beyond the property boundaries of which it is grown. Unlike vineyards or fruit orchards, this crop is nauseating and affects all of the properties around it. Not to mention the amount of water that will be used - drawing from the water reservoirs and water table that so many local homeowners rely on!

The bottom line is this: **Having a cannabis grow, whether out of sight or not, will still majorly affect the quality of life and the property values for the entire neighborhood affecting hundreds of people, if not more.**

In addition, the owner of the Herrington property has already been in violation of county building codes, as I'm sure you know. Code enforcement had to step in to stop illegal construction already happening on this property. This should be a wake up call to decision makers as to what is to come!

While I understand the county's willingness to work with the cannabis industry, I also think it's extremely important that we don't negatively impact the good residents of the County,

especially when so many of the cannabis growers who are benefiting are from out of the area and have no regard for the local families they are affecting. It is apparent that these particular owners have no regard for the rules & regulations in place, nor for the neighborhoods they are affecting.

I implore you, as decision makers for this county, to consider how allowing a permit such as this will both set a precedent and also how it will negatively affect the hard-working, tax-paying members of our community. We should not be making cannabis growers a priority in this county - but rather the safety, security & well being of our community.

Again, please DENY the application of a cannabis permit for the Herrington property and the following properties:

16750 Herrington Road Middletown, CA 95461 - APN: 013-060-400-000 – 155 acres – Zone: RR

19678 Stinson Rd. Hidden Valley Lake, CA 95467 - APN: 013-014-110-000 – 107 acres – Zone: RR

17610 Sandy Rd. Middletown, CA 95461 - APN: 013-014-030-000 – 71 acres – Zone: RR

Thank you for your time and thoughtful consideration. Please don't hesitate to reach out if you need additional information.

Sincerely,

Todd & Shannon Williams
707-888-1116 - Shannon
707-363-0386 - Todd



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

Denise Pomeroy
Health Services Director

Gary Pace, MD, MPH
Health Officer

Craig Wetherbee
Environmental Health Director

MEMORANDUM

DATE: March 12, 2021

TO: Eric Porter, Associate Planner

FROM: Tina Dawn-Rubin, Environmental Health Aide

RE: Use Permit UP 20-22; IS 20-25 Notice of Intent
Commercial Cannabis

APN: 013-060-40, 013-014-11, 013-014-03 16750 Herrington Rd

The applicant must meet the EH requirements regarding Onsite Wastewater Treatment System (OWTS) and potable water.

Also see attached review memorandum dated April 15, 2020. Since that review period, the applicant has applied for 5 well permits for agricultural wells and those permits were approved and issued on March 11, 2021.

EH 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 materials declaration.



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: April 15, 2020
TO: Community Development Department
FROM: Kelli Hanlon, Environmental Health Division
RE: UP 20-22; IS 20-25; EA 20-26
APN: 013-060-40; 013-014-11 and 013-014-03

013-060-40:

A site evaluation will need to be completed in the area of the proposed project to determine if the soil is suitable for an On-site Wastewater Treatment System (OWTS). The applicant must apply for an OWTS permit before Environmental Health can sign-off an approval for any building permit applications, unless portable toilets are proposed. Please show existing septic permit #13051 for the SFD on the plot plan.

013-014-11 and 013-014-03:

The Environmental Health Division has no concerns at this time if the project is completed according to the plans submitted.

All:

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



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

- ☒ County Clerk
☒ Interested Parties



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

Project Title: We Grow Farms; Use Permit (UP 20-22) and Initial Study (IS 20-25)

Project Location: 16750 Herrington Road, Middletown, CA

APN No's.: 013-060-40; 013-014-03 and 11

Project Description: The applicant, We Grow / Zarina Otchkova, is requesting approval of a Major Use Permit for fifteen (15) A-Type 3B medium mixed light commercial cannabis cultivation licenses and one A-Type 13 'self distribution' license. The cultivation would occur in 35 greenhouses. Lake County Zoning Ordinance, Article 27, subsection (at) in part regulates cannabis cultivation in Lake County. The 309+ acre property is large enough to support these cannabis licenses; 20 acres per license is required. The applicant is not within an exclusion overlay district. The applicant is pre-enrolled with the Regional Water Board. The applicant must meet all applicable local, state and federal requirements for cannabis cultivation.

The public review period for the respective proposed Mitigated Negative Declaration based on Initial Study IS 20-25 will begin on February 19, 2021 and end on March 25, 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 to eric.porter@lakecountyca.gov.



SP00037114

Donna Cloninger

From: Kelli Hanlon
Sent: Monday, February 22, 2021 9:04 AM
To: Donna Cloninger
Subject: FW: Notice of Intent - file no. UP 20-22, Otchkova
Attachments: NOI Otchkova.pdf; IS Otchkova V1.pdf

SOP, thanks.

From: Eric Porter
Sent: Monday, February 22, 2021 8:24 AM
To: Ryan Lewelling <Ryan.Lewelling@lakecountyca.gov>; Jack Smalley <Jack.Smalley@lakecountyca.gov>; Wink, Mike@CALFIRE <Mike.Wink@fire.ca.gov>; chief500@lakeportfire.com; Rymer-Burnett, Saskia@DOT <Saskia.Rymer-Burnett@dot.ca.gov>; John Everett <John.Everett@lakecountyca.gov>; Lars Ewing <Lars.Ewing@lakecountyca.gov>; Lori Baca <Lori.Baca@lakecountyca.gov>; Kelli Hanlon <Kelli.Hanlon@lakecountyca.gov>; Gordon Haggitt <Gordon.Haggitt@lakecountyca.gov>; Greg Peters <Greg.Peters@lakecountyca.gov>; Yuliya Osetrova <Yuliya.Osetrova@lakecountyca.gov>; Carol Huchingson <Carol.Huchingson@lakecountyca.gov>; Susan Parker <Susan.Parker@lakecountyca.gov>; 'tc@middletownrancheria.com' <tc@middletownrancheria.com>; 'jsimon@middletownrancheria.com' <jsimon@middletownrancheria.com>; 'mshaver@middletownrancheria.com' <mshaver@middletownrancheria.com>; 'THPO@middletownrancheria.com' <THPO@middletownrancheria.com>; 'btorres@middletownrancheria.com' <btorres@middletownrancheria.com>; 'sshope@middletownrancheria.com' <sshope@middletownrancheria.com>; 'scottg@mishewalwappotribe.com' <scottg@mishewalwappotribe.com>; 'admin@rvrpomo.net' <admin@rvrpomo.net>; 'drogers@robinsonrancheria.org' <drogers@robinsonrancheria.org>; 'terre.logsdon@sv-nsn.gov' <terre.logsdon@sv-nsn.gov>; 'thomas.jordan@sv-nsn.gov' <thomas.jordan@sv-nsn.gov>; 'lbill@yochadehe-nsn.gov' <lbill@yochadehe-nsn.gov>; 'jkinter@yochadehe-nsn.gov' <jkinter@yochadehe-nsn.gov>; 'aroberts@yochadehe-nsn.gov' <aroberts@yochadehe-nsn.gov>; 'Sarah Ryan' <sryan@big-valley.net>; 'nahc@nahc.ca.gov' <nahc@nahc.ca.gov>
Subject: Notice of Intent - file no. UP 20-22, Otchkova

Good morning;

Attached is a Notice of Intent and Initial Study (CEQA) that was sent to the State Clearinghouse for file no. UP 20-22, 'We Grow' / Otchkova.

Please have any comments to me on or before March 25, 2021.

Thank you,
Eric Porter



Eric J. Porter
Associate Planner
Department of Community Development
255 N. Forbes St.
Lakeport, CA 95453
Phone: (707) 263-2221 x 37101
Fax: (707) 262-1843
Email: eric.porter@lakecountyca.gov



**HABEMATOLEL POMO
CULTURAL RESOURCES**

February 24, 2021
Community Development Department
Attn: Eric Porter, Assistant Planner
255 North Forbes Street
Lakeport, CA 95453

RE: We Grow Farm LLC

Dear Mr. Eric Porter:

Thank you for your project notification letter received February 22, 2021, regarding cultural information on or near the proposed 16750 Herrington Road, Middletown, Lake County. We appreciate your effort to contact us.

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

James Rivera
Tribal Council Vice-Chair & THPO
Post Office Box 1035
22223 Hwy 29 @ Rancheria Rd
Middletown, CA 95461
Email: jrivera@middletownrancheria.com

Please refer to identification number HP-20210222-04 in any future correspondence with Habematolel Pomo of Upper Lake concerning this project.

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

Sincerely,

A handwritten signature in blue ink, appearing to read "Robert Geary", written in a cursive style.

Robert Geary
Tribal Historic Preservation Officer

HABEMATOLEL POMO OF UPPER LAKE

P: 707.900.6923 F: 707.275.0757 P.O. Box 516 Upper Lake, CA 95485



RECEIVED

MAR 01 2021

LAKE COUNTY COMMUNITY
DEVELOPMENT DEPT

**HABEMATOLEL POMO
CULTURAL RESOURCES**

February 24, 2021
Community Development Department
Attn: Eric Porter, Assistant Planner
255 North Forbes Street
Lakeport, CA 95453

RE: We Grow Farm LLC

Dear Mr. Eric Porter:

Thank you for your project notification letter received February 22, 2021, regarding cultural information on or near the proposed 16750 Herrington Road, Middletown, Lake County. We appreciate your effort to contact us.

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

James Rivera
Tribal Council Vice-Chair & THPO
Post Office Box 1035
22223 Hwy 29 @ Rancheria Rd
Middletown, CA 95461
Email: jrivera@middletownrancheria.com

Please refer to identification number HP-20210222-04 in any future correspondence with Habematolel Pomo of Upper Lake concerning this project.

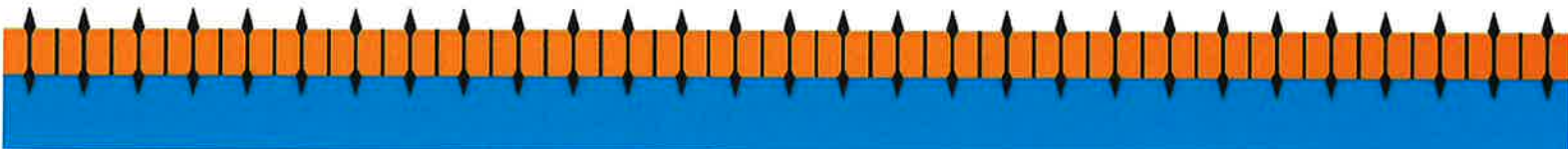
Thank you for providing us with this notice and the opportunity to comment.

Sincerely,

Robert Geary
Tribal Historic Preservation Officer

HABEMATOLEL POMO OF UPPER LAKE

P: 707.900.6923 F: 707.275.0757 P.O. Box 516 Upper Lake, CA 95485



From: [Mary Camp](#)
To: [Eric Porter](#)
Subject: [EXTERNAL] RE: Notice of Intent - file no. UP 20-22, Otchkova
Date: Monday, February 22, 2021 11:12:27 AM
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)
[image004.gif](#)
[image005.png](#)

Eric – in light of the current drought conditions, Redwood Valley would object to any projects requiring new or increased access to ag water.

From: Eric Porter <Eric.Porter@lakecountyca.gov>
Sent: Monday, February 22, 2021 8:24 AM
To: Ryan Lewelling <Ryan.Lewelling@lakecountyca.gov>; Jack Smalley <Jack.Smalley@lakecountyca.gov>; Wink, Mike@CALFIRE <Mike.Wink@fire.ca.gov>; chief500@lakeportfire.com; Rymer-Burnett, Saskia@DOT <Saskia.Rymer-Burnett@dot.ca.gov>; John Everett <John.Everett@lakecountyca.gov>; Lars Ewing <Lars.Ewing@lakecountyca.gov>; Lori Baca <Lori.Baca@lakecountyca.gov>; Kelli Hanlon <Kelli.Hanlon@lakecountyca.gov>; Gordon Haggitt <Gordon.Haggitt@lakecountyca.gov>; Greg Peters <Greg.Peters@lakecountyca.gov>; Yuliya Osetrova <Yuliya.Osetrova@lakecountyca.gov>; Carol Huchingson <Carol.Huchingson@lakecountyca.gov>; Susan Parker <Susan.Parker@lakecountyca.gov>; 'tc@middletownrancheria.com' <tc@middletownrancheria.com>; 'jsimon@middletownrancheria.com' <jsimon@middletownrancheria.com>; 'mshaver@middletownrancheria.com' <mshaver@middletownrancheria.com>; 'THPO@middletownrancheria.com' <THPO@middletownrancheria.com>; 'btorres@middletownrancheria.com' <btorres@middletownrancheria.com>; 'sshope@middletownrancheria.com' <sshope@middletownrancheria.com>; 'scottg@mishewalwappotribe.com' <scottg@mishewalwappotribe.com>; 'admin@rvrpomo.net' <admin@rvrpomo.net>; 'drogers@robinsonrancheria.org' <drogers@robinsonrancheria.org>; 'terre.logsdon@sv-nsn.gov' <terre.logsdon@sv-nsn.gov>; 'thomas.jordan@sv-nsn.gov' <thomas.jordan@sv-nsn.gov>; 'lbill@yochadehe-nsn.gov' <lbill@yochadehe-nsn.gov>; 'jkinter@yochadehe-nsn.gov' <jkinter@yochadehe-nsn.gov>; 'aroberts@yochadehe-nsn.gov' <aroberts@yochadehe-nsn.gov>; 'Sarah Ryan' <sryan@big-valley.net>; 'nahc@nahc.ca.gov' <nahc@nahc.ca.gov>
Subject: Notice of Intent - file no. UP 20-22, Otchkova

Good morning;

Attached is a Notice of Intent and Initial Study (CEQA) that was sent to the State Clearinghouse for file no. UP 20-22, 'We Grow' / Otchkova.

Please have any comments to me on or before March 25, 2021.

Thank you,
Eric Porter



Eric J. Porter

Associate Planner

Department of Community Development
255 N. Forbes St.

Lakeport, CA 95453

Phone: (707) 263-2221 x 37101

Fax: (707) 262-1843

Email: eric.porter@lakecountyca.gov

STAY CONNECTED:



From: [Sally Peterson](#)
To: [Eric Porter](#)
Cc: [Ronald \(Ron\) Montez, Sr.](#); [Charlie Wright](#); [a.tyler@elemindiancolony.org](#); [aarroyosr@hpultribe-nsn.gov](#); [Irosas@hpultribe-nsn.gov](#); [kn@koination.com](#); [tc@middletownrancheria.com](#); [jsimon@middletownrancheria.com](#); [mshaver@middletownrancheria.com](#); [THPO@middletownrancheria.com](#); [btorres@middletownrancheria.com](#); [rpeterson@middletownrancheria.com](#); [sshope@middletownrancheria.com](#); [scottg@mishevalwappotribe.com](#); [admin@rvrpomo.net](#); [drogers@robinsonrancheria.org](#); [terre.logsdon@sv-nsn.gov](#); [thomas.jordan@sv-nsn.gov](#); [lbill@yochadehe-nsn.gov](#); [jkinter@yochadehe-nsn.gov](#); [aroberts@yochadehe-nsn.gov](#); [Sarah Ryan](#); [nahc@nahc.ca.gov](#)
Subject: [EXTERNAL]Re: UP 20-22, Otchkova - AB 52 Tribal Notice attached
Date: Tuesday, March 17, 2020 10:44:43 AM

Hi Eric - The addresses listed in this notice are in Middletown and within our Tribe's Area of Concern; therefore, Middletown Rancheria will be consulting with the County of Lake regarding this notice.

Thank you,
Sally

ka hujka (Thank you)
Sally Peterson, Tribal Council Vice-Chairwoman, and Tribal Historic Preservation Officer
Middletown Rancheria of Pomo Indians of California
Post Office Box 1035
22223 Hwy 29 at Rancheria Road
Middletown, CA 95461-1035
Phone: (707) 987-3670
Direct: (707) 987-1307
Fax: (707) 987-9091
Cell: (707) 533-3132
Email: speterson@middletownrancheria.com
Email: THPO@middletownrancheria.com

On Mon, Mar 16, 2020, 3:18 PM Eric Porter <Eric.Porter@lakecountyca.gov> wrote:

Good afternoon.

This is the last of the five commercial cannabis applications we received last week.

There is no Cultural Study for this project, however we are requiring that one be undertaken as a 'complete application' item.

Please provide any comments you might have by or before April 16, 2020. I will forward the Cultural Study to all tribes that are interested in receiving it once I have it.

Take care,

Eric Porter

From: [Northwest Information Center](#)
To: [Eric Porter](#)
Subject: [EXTERNAL]Re: UP 20-22, Otchkova - request for comments
Date: Tuesday, March 17, 2020 9:09:28 AM

Thank you for your UP 20-22, IS 20-25, EA 20-26; Zarina Otchkova; 013-060-40, 013-014-11 and 013-014-03 request, we have added it to our queue and will be in touch if questions arise.

Your file has been assigned NWIC 19-1639

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

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

On Mon, Mar 16, 2020 at 12:31 PM Eric Porter <Eric.Porter@lakecountyca.gov> wrote:

Good afternoon;

Here is the 5th of 5 new commercial cannabis applications received by the County. This permit, if approved, would allow 30 greenhouses for mature plants, 4 greenhouses for immature plants, and other appurtenant buildings for drying / chemical storage and data security (security cameras).

I have the Biological Study for this proposal that is too large to email. Let me know if you want it, and I'll send it via FileShare.

Please have any comments you have back to me by or before March 31, 2020.

Thank you,

Eric Porter

CALIFORNIA
HISTORICAL
RESOURCES
INFORMATION
SYSTEM



ALAMEDA
COLUSA
CONTRA COSTA
DEL NORTE

HUMBOLDT
LAKE
MARIN
MENDOCINO
MONTEREY
NAPA
SAN BENITO

SAN FRANCISCO
SAN MATEO
SANTA CLARA
SANTA CRUZ
SOLANO
SONOMA
YOLO

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

April 2, 2020

File No.: 19-1639

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

re: County File Numbers UP 20-22, IS 20-25, EA 20-26 / 16750 Herrington Road, 17610 Sandy Road, and
19678 Stinson Road, Middletown / Zarina Otchkova

Dear Mr. Porter:

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 total of 329,705 square feet of commercial cannabis canopy area, with a total of 395,405 square feet of cultivation area. The proposed cultivation method is via an above-grade organic soil mixture in hardware cloth planting beds with drip irrigation systems. Proposed ancillary facilities include thirty 90' x 125' greenhouses, one 90' x 112' greenhouse, four 90' x 125' immature plant greenhouses, four 50' x 100' processing facilities, a 200 square foot storage shed, and four 2,500-gallon water storage tanks.

Previous Studies:

XX Studies S-16341 (Sayers 1991) and S-16448 (Napton and Greathouse 1994), collectively covering less than 5% of the project parcel, identified one or more cultural resources (see recommendations below).

Archaeological and Native American Resources Recommendations:

XX The project parcel contains the archaeological site P-17-000055, which consists of an historic-period cabin site. It is recommended that a qualified professional archaeologist assess the status of this resource and provide project-specific recommendations.

XX Based on an evaluation of the environmental setting and features associated with known sites, Native American resources in this part of Lake County have been found near oak woodland, as well as near a variety of plant and animal resources. Sites are also found near watercourses and lakshores. The project parcel encompasses an area of rolling, wooded hills and contains a branch of Gallagher Creek. The project parcel is also in proximity to Hidden Valley Lake. Given the similarity of these environmental factors, there is a moderate potential for unrecorded Native American resources to be within the proposed project area. Furthermore, the presence of a known historic-period site indicates the potential for additional historic-period archaeological resources to be within the proposed project area.

Therefore, due to the passage of time since the previous surveys (Napton and Greathouse 1994; Sayers 1991) and the changes in archaeological theory and method since that time, we recommend that a qualified archaeologist conduct further archival and field study for the entire project area to identify any unrecorded archaeological resources. Field study may include, but is not limited to, hand auger sampling, shovel test units, or geoarchaeological analyses as well as other common methods used to identify the presence of archaeological resources. Please refer to the list of consultants who meet the Secretary of Interior's Standards at <http://www.chrisinfo.org>.

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

Built Environment Recommendations:

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

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

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

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

Sincerely,

Jessika Akmenkalns, Ph.D.
Researcher



Lake County Planning Consultants <lakecountyplanningconsultants@gmail.com>

Public Records Request

Von Morshed <Von.Morshed@lakecountyca.gov>

Wed, May 20, 2020 at 10:44 AM

To: Lake County Planning Consultants <lakecountyplanningconsultants@gmail.com>

Hello Sofyan,

I just spoke with Laura Najd who works in our civil division and who would know of any civil action on the property located at 16750 Harrington Road and she is unaware of any.

I hope this answers your question.

[Quoted text hidden]

From: [Lori Baca](#)
To: [Eric Porter](#)
Subject: RE: Notice of Intent - file no. UP 20-22, Otchkova
Date: Monday, February 22, 2021 11:58:55 AM
Attachments: [image006.jpg](#)
[image007.png](#)
[image008.png](#)
[image009.png](#)
[image010.png](#)
[image011.gif](#)
[image012.png](#)

Eric,

Parcels 013-060-40, 013-014-03 and -11 are all outside any Special Districts service area, no impact.

Have a great day!

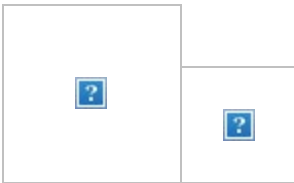
Lori A. Baca

Customer Service Coordinator

Lori.Baca@lakecountyca.gov

Office Number (707) 263-0119

Fax (707) 263-3836



From: Eric Porter

Sent: Monday, February 22, 2021 8:24 AM

To: Ryan Lewelling <Ryan.Lewelling@lakecountyca.gov>; Jack Smalley <Jack.Smalley@lakecountyca.gov>; Wink, Mike@CALFIRE <Mike.Wink@fire.ca.gov>; chief500@lakeportfire.com; Rymer-Burnett, Saskia@DOT <Saskia.Rymer-Burnett@dot.ca.gov>; John Everett <John.Everett@lakecountyca.gov>; Lars Ewing <Lars.Ewing@lakecountyca.gov>; Lori Baca <Lori.Baca@lakecountyca.gov>; Kelli Hanlon <Kelli.Hanlon@lakecountyca.gov>; Gordon Haggitt <Gordon.Haggitt@lakecountyca.gov>; Greg Peters <Greg.Peters@lakecountyca.gov>; Yuliya Osetrova <Yuliya.Osetrova@lakecountyca.gov>; Carol Huchingson <Carol.Huchingson@lakecountyca.gov>; Susan Parker <Susan.Parker@lakecountyca.gov>; 'tc@middletownrancheria.com' <tc@middletownrancheria.com>; 'jsimon@middletownrancheria.com' <jsimon@middletownrancheria.com>; 'mshaver@middletownrancheria.com' <mshaver@middletownrancheria.com>; 'THPO@middletownrancheria.com' <THPO@middletownrancheria.com>; 'btorres@middletownrancheria.com' <btorres@middletownrancheria.com>; 'sshope@middletownrancheria.com' <sshope@middletownrancheria.com>; 'scottg@mishewalwappotribe.com' <scottg@mishewalwappotribe.com>; 'admin@rvrpomo.net' <admin@rvrpomo.net>; 'drogers@robinsonrancheria.org' <drogers@robinsonrancheria.org>; 'terre.logsdon@sv-nsn.gov' <terre.logsdon@sv-nsn.gov>; 'thomas.jordan@sv-nsn.gov'

<thomas.jordan@sv-nsn.gov>; 'lbill@yochadehe-nsn.gov' <lbill@yochadehe-nsn.gov>;
'jkinter@yochadehe-nsn.gov' <jkinter@yochadehe-nsn.gov>; 'aroberts@yochadehe-nsn.gov'
<aroberts@yochadehe-nsn.gov>; 'Sarah Ryan' <sryan@big-valley.net>; 'nahc@nahc.ca.gov'
<nahc@nahc.ca.gov>

Subject: Notice of Intent - file no. UP 20-22, Otchkova

Good morning;

Attached is a Notice of Intent and Initial Study (CEQA) that was sent to the State Clearinghouse for file no. UP 20-22, 'We Grow' / Otchkova.

Please have any comments to me on or before March 25, 2021.

Thank you,
Eric Porter



Eric J. Porter
Associate Planner
Department of Community Development
255 N. Forbes St.
Lakeport, CA 95453
Phone: (707) 263-2221 x 37101
Fax: (707) 262-1843
Email: eric.porter@lakecountyca.gov
STAY CONNECTED:

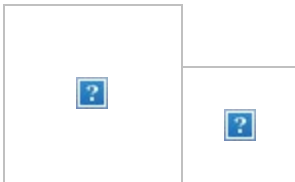


From: [Lori Baca](#)
To: [Eric Porter](#)
Subject: RE: UP 20-22, Otchkova - request for comments
Date: Tuesday, March 17, 2020 10:35:17 AM
Attachments: [image001.jpg](#)
[image002.png](#)

Eric,

Parcels 013-060-40, 031-014-03 and 013-014-11 are all outside of any Special Districts service area, no impact.

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



From: Eric Porter
Sent: Monday, March 16, 2020 12:30 PM
To: Steven Hajik <Steven.Hajik@lakecountyca.gov>; Fahmy Attar <FahmyA@lcaqmd.net>; Ryan Lewelling <Ryan.Lewelling@lakecountyca.gov>; David Casian <David.Casian@lakecountyca.gov>; Scott DeLeon <Scott.DeLeon@lakecountyca.gov>; Kelli Hanlon <Kelli.Hanlon@lakecountyca.gov>; Lori Baca <Lori.Baca@lakecountyca.gov>; Gordon Haggitt <Gordon.Haggitt@lakecountyca.gov>; Dennis Keithly <Dennis.Keithly@lakecountyca.gov>; Gloria Fong <Gloria.Fong@fire.ca.gov>; Gloria Gregore <Gloria.Gregore@lakecountyca.gov>; Elizabeth Martinez <Elizabeth.Martinez@lakecountyca.gov>; chief500@lakeportfire.com; chief800@northshorefpd.com; mike.wink@fire.ca.gov; kyle.stoner@wildlife.ca.gov; Kevin Ponce <Kevin.Ponce@cdfa.ca.gov>; Northwest Information Center <nwic@sonoma.edu>; Michelle Scully <Michelle.Scully@lakecountyca.gov>; Susan Parker <Susan.Parker@lakecountyca.gov>; Carol Huchingson <Carol.Huchingson@lakecountyca.gov>; Yuliya Osetrova <Yuliya.Osetrova@lakecountyca.gov>
Subject: UP 20-22, Otchkova - request for comments

Good afternoon;

Here is the 5th of 5 new commercial cannabis applications received by the County. This permit, if approved, would allow 30 greenhouses for mature plants, 4 greenhouses for immature plants, and other appurtenant buildings for drying / chemical storage and data security (security cameras).

I have the Biological Study for this proposal that is too large to email. Let me know if you want it, and I'll send it via FileShare.

Please have any comments you have back to me by or before March 31, 2020.

Thank you,
Eric Porter

From: [Gordon Haggitt](#)
To: [Eric Porter](#)
Subject: RE: Notice of Intent - file no. UP 20-22, Otchkova
Date: Tuesday, February 23, 2021 12:40:58 PM
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)
[image004.gif](#)
[image005.png](#)

Eric: It appears the site is located on APN 013-060-40 which is a legal parcel by way of a 2006 lot line adjustment. I'm not sure why the application is including other APN's? There is a recorded survey showing a portion of the boundary of this parcel that applicant needs to use in order to show that setbacks are being met and no encroachments onto adjoiners.

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

From: Eric Porter
Sent: Monday, February 22, 2021 8:24 AM
To: Ryan Lewelling <Ryan.Lewelling@lakecountyca.gov>; Jack Smalley <Jack.Smalley@lakecountyca.gov>; Wink, Mike@CALFIRE <Mike.Wink@fire.ca.gov>; chief500@lakeportfire.com; Rymer-Burnett, Saskia@DOT <Saskia.Rymer-Burnett@dot.ca.gov>; John Everett <John.Everett@lakecountyca.gov>; Lars Ewing <Lars.Ewing@lakecountyca.gov>; Lori Baca <Lori.Baca@lakecountyca.gov>; Kelli Hanlon <Kelli.Hanlon@lakecountyca.gov>; Gordon Haggitt <Gordon.Haggitt@lakecountyca.gov>; Greg Peters <Greg.Peters@lakecountyca.gov>; Yuliya Osetrova <Yuliya.Osetrova@lakecountyca.gov>; Carol Huchingson <Carol.Huchingson@lakecountyca.gov>; Susan Parker <Susan.Parker@lakecountyca.gov>; 'tc@middletownrancheria.com' <tc@middletownrancheria.com>; 'jsimon@middletownrancheria.com' <jsimon@middletownrancheria.com>; 'mshaver@middletownrancheria.com' <mshaver@middletownrancheria.com>; 'THPO@middletownrancheria.com' <THPO@middletownrancheria.com>; 'btorres@middletownrancheria.com' <btorres@middletownrancheria.com>; 'sshope@middletownrancheria.com' <sshope@middletownrancheria.com>; 'scottg@mishewalwappotribe.com' <scottg@mishewalwappotribe.com>; 'admin@rvrpomo.net' <admin@rvrpomo.net>; 'drogers@robinsonrancheria.org' <drogers@robinsonrancheria.org>; 'terre.logsdon@sv-nsn.gov' <terre.logsdon@sv-nsn.gov>; 'thomas.jordan@sv-nsn.gov' <thomas.jordan@sv-nsn.gov>; 'lbill@yochadehe-nsn.gov' <lbill@yochadehe-nsn.gov>; 'jkinter@yochadehe-nsn.gov' <jkinter@yochadehe-nsn.gov>; 'aroberts@yochadehe-nsn.gov' <aroberts@yochadehe-nsn.gov>; 'Sarah Ryan' <srryan@big-valley.net>; 'nahc@nahc.ca.gov' <nahc@nahc.ca.gov>
Subject: Notice of Intent - file no. UP 20-22, Otchkova

Good morning;

Attached is a Notice of Intent and Initial Study (CEQA) that was sent to the State Clearinghouse for file no. UP 20-22, 'We Grow' / Otchkova.

Please have any comments to me on or before March 25, 2021.

Thank you,
Eric Porter



Eric J. Porter

Associate Planner

Department of Community Development
255 N. Forbes St.

Lakeport, CA 95453

Phone: (707) 263-2221 x 37101

Fax: (707) 262-1843

Email: eric.porter@lakecountyca.gov

STAY CONNECTED:



From: [Linda Rosas](#)
To: [Eric Porter](#); [thpo@big-valley.net](#); [cww281@gmail.com](#); [a.tyler@elemindiancolony.org](#); [Anthony Arroyo, Sr](#); [kn@koination.com](#); [tc@middletownrancheria.com](#); [jsimon@middletownrancheria.com](#); [mshaver@middletownrancheria.com](#); [THPO@middletownrancheria.com](#); [btorres@middletownrancheria.com](#); [rpeter@middletownrancheria.com](#); [sshope@middletownrancheria.com](#); [speterson@middletownrancheria.com](#); [scottq@mishewalwappotribe.com](#); [admin@rvrpomo.net](#); [drogers@robinsonrancheria.org](#); [terre.logsdon@sv-nsn.gov](#); [thomas.jordan@sv-nsn.gov](#); [lbill@yochadehe-nsn.gov](#); [jkinter@yochadehe-nsn.gov](#); [aroberts@yochadehe-nsn.gov](#); [Sarah Ryan](#); [nahc@nahc.ca.gov](#)
Subject: [EXTERNAL]Re: UP 20-22, Otchkova - AB 52 Tribal Notice attached
Date: Monday, March 16, 2020 4:33:26 PM

Hello Mr. Porter,

Habematolel Pomo of Upper Lake wishes to consult. White Rock Canyon is an area of cultural concern. I am available for a call tomorrow .

Respectfully,

Linda D. Rosas-Bill
Environmental Director
Habematolel Pomo of Upper Lake
9470 Main Street
P.O Box 516
Upper Lake, California
95485
(707) 348-8892 - Direct line
(707) 275-0737 - Tribal Office
(707) 275-0757 - Fax

This electronic message contains information generated by Habematolel Pomo of Upper Lake Environmental Department solely for the intended recipient(s). Any unauthorized interception of this message or the use or disclosure of the information it contains may violate the law and subject the violator to civil or criminal penalties. If you believe you have received this message in error, please notify the sender and delete email immediately.

From: Eric Porter <Eric.Porter@lakecountyca.gov>
Sent: Monday, March 16, 2020 3:17 PM
To: [thpo@big-valley.net](#) <[thpo@big-valley.net](#)>; [cww281@gmail.com](#) <[cww281@gmail.com](#)>; [a.tyler@elemindiancolony.org](#) <[a.tyler@elemindiancolony.org](#)>; [Anthony Arroyo, Sr](#) <[aarroyosr@hpultribe-nsn.gov](#)>; [Linda Rosas](#) <[lrosas@hpultribe-nsn.gov](#)>; [kn@koination.com](#) <[kn@koination.com](#)>; [tc@middletownrancheria.com](#) <[tc@middletownrancheria.com](#)>; [jsimon@middletownrancheria.com](#) <[jsimon@middletownrancheria.com](#)>; [mshaver@middletownrancheria.com](#) <[mshaver@middletownrancheria.com](#)>; [THPO@middletownrancheria.com](#) <[THPO@middletownrancheria.com](#)>; [btorres@middletownrancheria.com](#) <[btorres@middletownrancheria.com](#)>; [rpeter@middletownrancheria.com](#) <[rpeter@middletownrancheria.com](#)>; [sshope@middletownrancheria.com](#) <[sshope@middletownrancheria.com](#)>;

speterson@middletownrancheria.com <speterson@middletownrancheria.com>;
scottg@mishewalwappotribe.com <scottg@mishewalwappotribe.com>; admin@rvrpomo.net
<admin@rvrpomo.net>; drogers@robinsonrancheria.org <drogers@robinsonrancheria.org>;
terre.logsdon@sv-nsn.gov <terre.logsdon@sv-nsn.gov>; thomas.jordan@sv-nsn.gov
<thomas.jordan@sv-nsn.gov>; lbill@yochadehe-nsn.gov <lbill@yochadehe-nsn.gov>;
jkinter@yochadehe-nsn.gov <jkinter@yochadehe-nsn.gov>; aroberts@yochadehe-nsn.gov
<aroBERTs@yochadehe-nsn.gov>; Sarah Ryan <sryan@big-valley.net>; nahc@nahc.ca.gov
<nahc@nahc.ca.gov>

Subject: UP 20-22, Otchkova - AB 52 Tribal Notice attached

Good afternoon.

This is the last of the five commercial cannabis applications we received last week.

There is no Cultural Study for this project, however we are requiring that one be undertaken as a 'complete application' item.

Please provide any comments you might have by or before April 16, 2020. I will forward the Cultural Study to all tribes that are interested in receiving it once I have it.

Take care,
Eric Porter

From: [Linda Rosas](#)
To: [Eric Porter](#); [thpo@big-valley.net](#); [cww281@gmail.com](#); [a.tyler@elemindiancolony.org](#); [Anthony Arroyo, Sr](#); [kn@koination.com](#); [tc@middletownrancheria.com](#); [jsimon@middletownrancheria.com](#); [mshaver@middletownrancheria.com](#); [THPO@middletownrancheria.com](#); [btorres@middletownrancheria.com](#); [rpeter@middletownrancheria.com](#); [sshope@middletownrancheria.com](#); [speterson@middletownrancheria.com](#); [scottq@mishewalwappotribe.com](#); [admin@rvrpomo.net](#); [drogers@robinsonrancheria.org](#); [terre.logsdon@sv-nsn.gov](#); [thomas.jordan@sv-nsn.gov](#); [lbill@yochadehe-nsn.gov](#); [jkinter@yochadehe-nsn.gov](#); [aroberts@yochadehe-nsn.gov](#); [Sarah Ryan](#); [nahc@nahc.ca.gov](#)
Subject: [EXTERNAL]Re: UP 20-22, Otchkova - AB 52 Tribal Notice attached
Date: Monday, March 16, 2020 4:33:26 PM

Hello Mr. Porter,

Habematolel Pomo of Upper Lake wishes to consult. White Rock Canyon is an area of cultural concern. I am available for a call tomorrow .

Respectfully,

Linda D. Rosas-Bill
Environmental Director
Habematolel Pomo of Upper Lake
9470 Main Street
P.O Box 516
Upper Lake, California
95485
(707) 348-8892 - Direct line
(707) 275-0737 - Tribal Office
(707) 275-0757 - Fax

This electronic message contains information generated by Habematolel Pomo of Upper Lake Environmental Department solely for the intended recipient(s). Any unauthorized interception of this message or the use or disclosure of the information it contains may violate the law and subject the violator to civil or criminal penalties. If you believe you have received this message in error, please notify the sender and delete email immediately.

From: Eric Porter <Eric.Porter@lakecountyca.gov>
Sent: Monday, March 16, 2020 3:17 PM
To: thpo@big-valley.net <thpo@big-valley.net>; cww281@gmail.com <cww281@gmail.com>; a.tyler@elemindiancolony.org <a.tyler@elemindiancolony.org>; [Anthony Arroyo, Sr](mailto:Anthony.Arroyo,Sr@hplultribe-nsn.gov) <Anthony.Arroyo,Sr@hplultribe-nsn.gov>; [Linda Rosas](mailto:Linda.Rosas@hplultribe-nsn.gov) <Linda.Rosas@hplultribe-nsn.gov>; kn@koination.com <kn@koination.com>; tc@middletownrancheria.com <tc@middletownrancheria.com>; jsimon@middletownrancheria.com <jsimon@middletownrancheria.com>; mshaver@middletownrancheria.com <mshaver@middletownrancheria.com>; THPO@middletownrancheria.com <THPO@middletownrancheria.com>; btorres@middletownrancheria.com <btorres@middletownrancheria.com>; rpeter@middletownrancheria.com <rpeter@middletownrancheria.com>; sshope@middletownrancheria.com <sshope@middletownrancheria.com>;

speterson@middletownrancheria.com <speterson@middletownrancheria.com>;
scottg@mishewalwappotribe.com <scottg@mishewalwappotribe.com>; admin@rvrpomo.net
<admin@rvrpomo.net>; drogers@robinsonrancheria.org <drogers@robinsonrancheria.org>;
terre.logsdon@sv-nsn.gov <terre.logsdon@sv-nsn.gov>; thomas.jordan@sv-nsn.gov
<thomas.jordan@sv-nsn.gov>; lbill@yochadehe-nsn.gov <lbill@yochadehe-nsn.gov>;
jkinter@yochadehe-nsn.gov <jkinter@yochadehe-nsn.gov>; aroberts@yochadehe-nsn.gov
<aroBERTs@yochadehe-nsn.gov>; Sarah Ryan <sryan@big-valley.net>; nahc@nahc.ca.gov
<nahc@nahc.ca.gov>

Subject: UP 20-22, Otchkova - AB 52 Tribal Notice attached

Good afternoon.

This is the last of the five commercial cannabis applications we received last week.

There is no Cultural Study for this project, however we are requiring that one be undertaken as a 'complete application' item.

Please provide any comments you might have by or before April 16, 2020. I will forward the Cultural Study to all tribes that are interested in receiving it once I have it.

Take care,
Eric Porter



COUNTY OF LAKE

COMMUNITY DEVELOPMENT DEPARTMENT

Planning Division

Courthouse - 255 N. Forbes Street

Lakeport, California 95453

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

DISTRIBUTION DATE: March 16, 2020

AB52 TRIBAL CONSULTATION NOTIFICATION

Please note: In accordance with Section 21080.3.1(b) of the PRC, Consultation request under AB52 must be received in writing within 30 days of receipt of this notice.

@	HERC
@	NATIVE AMERICAN HERITAGE
	TRIBES:
@	Big Valley Rancheria
@	Cortina Rancheria
@	Elem Colony
@	Hopland Band of Pomo
@	Koi Nation

@	Mishewal-Wappo
@	Middletown Rancheria
@	Redwood Valley
@	Robinson Rancheria
@	Scotts Valley Band of Pomo
@	Upper Lake Habematolel
@	Yocha Dehe

FROM: Eric Porter, Associate Planner

REQUEST: UP 20-22, Initial Study, IS 20-25, Early Activation, EA 20-26

OWNER/APPLICANT: Zarina Otchkova

APN: **013-060-40 (cultivation site), 013-014-11 and 013-014-03**

LOCATION: 16750 Herrington Road, 17610 Sandy Road, and 19678 Stinson Road, Middletown

ZONING: Lot 40: (split zoned) "RL – WW" and "RR – WW" – Rural Lands – Waterway and Rural Residential – Waterway
Lots 3 and 11: "RL – WW" - Rural Lands – Waterway

GENERAL PLAN: Rural Lands and Resource Conservation

HAZARDS: SRA High Fire Area

NATURAL RESOURCES: Year round and seasonal streams

SUPERVISOR DIST: 1

PROPOSAL: The applicant is requesting approval of a Major Use Permit for commercial cannabis cultivation. According to the applicant's application packet, the applicant is proposing the following: **Please refer to attached Project Management Plan and Site Plans for further information.**

- (15) A-Type 3B "Mixed-Light" Licenses
- (1) Type 13 Self-Transport Distribution License
- 329,705 s.f. of commercial cannabis canopy area
- 395,405 s.f. of cultivation area
- Project is proposed with 2 additional contiguous parcels, APNs 013-014-03 & 013-014-11 in order to allow collocation/clustering of permits
- Primary cultivation parcel is APN 013-060-40
- (30) 90' x 125' greenhouses
- (1) 90' x 112' greenhouse
- (4) 90' x 125' immature plant greenhouses

- (4) 50' x 100' processing facilities
- (1) 200 s.f. storage shed
- (4) 2,500-gallon water storage tanks (one steel or fiber glass for fire suppression)

The cultivation sites are required to meet the following access standards: 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. Driveway encroachments onto County-maintained roadways shall be constructed to current County standards and shall be constructed with an encroachment permit obtained from the Department of Public Works. All driveways shall be constructed and maintained so as to prevent road surface and fill material from discharging to any surface water body. The design of all access to and driveways providing access to the site where the cannabis related activity that is permitted shall be sufficient to be used by all emergency vehicles and shall be approved by the applicable fire district. Gates shall not be constructed across driveways or access roads that are used by neighboring properties or the general public.

In accordance with Assembly Bill 52 (AB52) and Section 21080.3.1(b) of the California Public Resources Code (PRC), we are responding to your request to be notified of projects in our jurisdiction that will be reviewed under CEQA. We are hereby notifying you of an opportunity to consult with us regarding the potential for this project to impact Tribal Cultural Resources, as defined in Section 21074 of the PRC. The purposes of tribal consultation under AB52 are to determine, as part of the CEQA review process, whether or not Tribal Cultural Resources are present within the project area, and if so, whether or not those resources will be significantly impacted by the project. If tribal cultural resources may be significantly impacted, then consultation will also help to determine the most appropriate way to avoid or mitigate those impacts. In accordance with Section 21080.3.1(b) of the PRC, Consultation request under AB52 must be received in writing within 30 days of receipt of this notice. If the Tribe would like to formally request an AB 52 consultation, please email or write your request and designated lead contact person to Rob Fitzsimmons at rob.fitzsimmons@lakecountycal.gov or mail them to the address listed in the letterhead above.

COMMENTS: _____

NAME DATE



COUNTY OF LAKE

COMMUNITY DEVELOPMENT DEPARTMENT

Planning Division

Courthouse - 255 N. Forbes Street

Lakeport, California 95453

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

DISTRIBUTION DATE: March 16, 2020

REQUEST FOR REVIEW FOR SUFFICIENCY

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

FROM: Eric Porter, Associate Planner

REQUEST: Major Use Permit, UP 20-22, Initial Study, IS 20-25, Early Activation, EA 20-26

OWNER/APPLICANT: Zarina Otchkova

APN: **013-060-40 (cultivation site), 013-014-11 and 013-014-03**

LOCATION: 16750 Herrington Road, 17610 Sandy Road, and 19678 Stinson Road, Middletown

ZONING: Lot 40: (split zoned) "RL – WW" and "RR – WW" – Rural Lands – Waterway and Rural Residential – Waterway
Lots 3 and 11: "RL – WW" - Rural Lands – Waterway

GENERAL PLAN: Rural Lands and Resource Conservation

HAZARDS: SRA High Fire area

NATURAL RESOURCES: Year-round and seasonal streams

SUPERVISOR DIST: 1

PROPOSAL: The applicant is requesting approval of a Major Use Permit for commercial cannabis cultivation. According to the applicant's application packet, the applicant is proposing the following: **Please refer to attached Site Plans for further information.** Project details are as follows:

- (15) A-Type 3B "Mixed-Light" Licenses
- (1) Type 13 Self-Transport Distribution License
- 329,705 s.f. of commercial cannabis canopy area
- 395,405 s.f. of cultivation area
- Project is proposed with 2 additional contiguous parcels, APNs 013-014-03 & 013-014-11 in order to allow collocation/clustering of permits
- Primary cultivation parcel is APN 013-060-40
- (30) 90' x 125' greenhouses
- (1) 90' x 112' greenhouse
- (4) 90' x 125' immature plant greenhouses
- (4) 50' x 100' processing facilities
- (1) 200 s.f. storage shed
- (4) 2,500-gallon water storage tanks (one steel or fiber glass for fire suppression)

The cultivation sites are required to meet the following access standards: 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. Driveway encroachments onto County-maintained roadways shall be constructed to current County standards and shall be constructed with an encroachment permit obtained from the Department of Public Works. All driveways shall be constructed and maintained so as to prevent road surface and fill material from discharging to any surface water body. The design of all access to and driveways providing access to the site where the cannabis related activity that is permitted shall be sufficient to be used by all emergency vehicles and shall be approved by the applicable fire district. Gates shall not be constructed across driveways or access roads that are used by neighboring properties or the general public.

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, your environmental concerns, and whether you recommend that a Negative Declaration or an Environmental Impact Report be prepared. 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 **3/31/2020**. Please email your comments to Eric Porter at eric.porter@lakecountyca.gov or mail them to the address listed in the letterhead above.

COMMENTS: _____

NAME DATE

cc: 1 Supervisory District (RFR Only) County Administration

From: [Yuliya Osetrova](#)
To: [Eric Porter](#)
Subject: RE: UP 20-22, Otchkova - request for comments
Date: Tuesday, April 14, 2020 11:43:13 AM

Eric,

The only comments for this project is that the information on installed monitoring equipment (to monitor the flow and read water levels) is missing

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

From: Eric Porter
Sent: Monday, March 16, 2020 12:30 PM
To: Steven Hajik <Steven.Hajik@lakecountyca.gov>; Fahmy Attar <FahmyA@lcaqmd.net>; Ryan Lewelling <Ryan.Lewelling@lakecountyca.gov>; David Casian <David.Casian@lakecountyca.gov>; Scott DeLeon <Scott.DeLeon@lakecountyca.gov>; Kelli Hanlon <Kelli.Hanlon@lakecountyca.gov>; Lori Baca <Lori.Baca@lakecountyca.gov>; Gordon Haggitt <Gordon.Haggitt@lakecountyca.gov>; Dennis Keithly <Dennis.Keithly@lakecountyca.gov>; Gloria.Fong@fire.ca.gov; Gloria Gregore <Gloria.Gregore@lakecountyca.gov>; Elizabeth Martinez <Elizabeth.Martinez@lakecountyca.gov>; chief500@lakeportfire.com; chief800@northshorefpd.com; mike.wink@fire.ca.gov; kyle.stoner@wildlife.ca.gov; Kevin Ponce <Kevin.Ponce@cdfa.ca.gov>; Northwest Information Center <nwic@sonoma.edu>; Michelle Scully <Michelle.Scully@lakecountyca.gov>; Susan Parker <Susan.Parker@lakecountyca.gov>; Carol Huchingson <Carol.Huchingson@lakecountyca.gov>; Yuliya Osetrova <Yuliya.Osetrova@lakecountyca.gov>
Subject: UP 20-22, Otchkova - request for comments

Good afternoon;

Here is the 5th of 5 new commercial cannabis applications received by the County. This permit, if approved, would allow 30 greenhouses for mature plants, 4 greenhouses for immature plants, and other appurtenant buildings for drying / chemical storage and data security (security cameras).

I have the Biological Study for this proposal that is too large to email. Let me know if you want it, and I'll send it via FileShare.

Please have any comments you have back to me by or before March 31, 2020.

Thank you,
Eric Porter

COUNTY OF LAKE
MAJOR USE PERMIT, UP 20-22
INITIAL STUDY, IS 20-25
WE GROW LLC

CONDITIONS OF APPROVAL
EXPIRES IF NOT USED BY: April 22, 2023
VALID UNTIL April 22, 2031

Pursuant to the approval of the Planning Commission on **April 22, 2021**, there is hereby granted to **WeGrow LLC, a Major Use Permit, UP 20-22** with the following conditions of approval to allow a Commercial Cannabis Cultivation License as follows: (15) A Type 3B (medium mixed light) licenses; (1) A-Type 1C (specialty cottage) license consisting of a cultivation area **of 400,405 square feet (sq. ft.) of mixed light (greenhouse) cultivation area**, and a Type 13 'Self Distribution' license on property located at **16750 Herrington Road, Hidden Valley Lake**; and further described as **APNs: 013-060-40, 013-014-03 and 11** subject to the following terms and conditions.

A. GENERAL

1. The use hereby permitted shall substantially conform to the ***Site Plan(s), Project Description*** and ***Property Management Plan*** and any conditions of approval imposed by the **Major Use Permit** and Review Authority for the mixed light cultivation of **400,405** square feet of cultivation area as shown on the approved site plan for this action, and for several small sheds for use of chemical and security data storage. This approval includes a Type 13 'self-distribution' license. The Community Development Director may approve, in writing, minor modifications that do not result in increased environmental impacts. Applicant shall be in substantial conformance with the following:
 - a. Property Management Plan received April 9, 2020
 - b. Site and Grading Plans received April 9, 2020
 - c. Biological Study, received April 9, 2020
 - d. Tree Replacement Plan, received April 1, 2021
2. This permit does not abridge or supersede the regulatory powers or permit requirements of any federal, state, local agency, special district or department which may retain a regulatory or advisory function as specified by statute or ordinance. The applicant shall obtain permits as may be required from each agency.
3. **Prior to cultivation**, the applicant shall obtain building permits for all new structures that require building permits.
4. **Prior to this permit having full force or effect and following completion of the on-site improvements to Herrington Road and the internal driveway**, the applicant shall contact the Lake County Building Department to schedule an inspection(s) to assure that Public Resource Code sections 4290 and 4291 are being complied with; at 707-263-2221.
5. **Prior to building permit final**, the permit holder shall adhere to all requirements of Chapter 13 of the Lake County Code, including but not limited to adherence with the Hazardous Vegetation requirements
6. All necessary permits shall be obtained from applicable Federal, State and County agencies having jurisdiction over this project **prior to this use permit being of any force or effect**, including but not limited to, Department of Cannabis Control, Department of Food and Agriculture, Department of Pesticide Regulation, Department of Fish and Wildlife, The State Water Resources Control Board, Board of Forestry and Fire Protection, Central Valley or North Coast Regional Water Quality Control Board, Department of Public Health, and Department of Consumer Affairs.
7. The Applicant shall comply with the State of California Track and Trace requirements.
8. The applicant shall not sell, transfer and/or give cannabis or cannabis products to any person under the age of 21 and/or allow any person under the age of 21 into the cultivations area and/or employ or retain persons under the age of 21 years old.

9. An applicant shall keep accurate records of commercial cannabis activity. All records related to commercial cannabis activity as defined by the State Licensing Authorities shall be maintained for a minimum of seven (7) years.
 - *The County may examine the books and records of an applicant and inspect the premises of a permittee when the County deems necessary to perform its duties under this division. All inspections shall be conducted during standard business hours of the permitted facility or at any other reasonable time.*
 - *Applicants shall keep records identified by the County on the premises of the location permitted and the County may make any examination of the records of any applicant. Applicants shall also provide and deliver copies of such documents to the County upon request.*
 - *An applicant, or its agent or employee, that refuses, impedes, obstructs, or interferes with an inspection of the premises or records of the applicant pursuant to this section, has engaged in a violation of this article.*
 10. All applicants and/or employees shall undergo and pass a background check by the Lake County Sheriff Department.
 11. **Prior to or concurrently with final building inspection**, all structure(s) used for commercial cultivation shall meet accessibility standards. Please contact the Community Development Department - Building Division for more information.
 12. **Prior to or concurrently with final building inspection**, all employees shall have access to ADA-compliant restrooms and hand-wash stations.
 13. The proper storage of equipment, removal of litter and waste, and cutting of weeds or grass shall not constitute an attractant, breeding place or harborage for pest.
 14. The applicant shall maintain a record of all complaints and resolution of complaints and provide tally and summary of the issues in the Annual Performance Review Report.
 15. The permit holder shall pay the cannabis cultivation tax to the Lake County Tax Collector in accordance to the cannabis billing cycle. The applicant shall submit proof of payment to the Community Development Department within thirty (30) days of receiving payment confirmation. Failure to pay said cultivation tax will result in the initiation of permit revocation proceedings. For further details on cultivation taxes, please contact the Lake County Tax Collectors Office at (707) 263-2234.
 16. This permit shall be null and void if not used by **April 22, 2021** or if the use is abandoned for a period of two (2) years.
 17. The California Department of Fish & Wildlife filing fee shall be submitted as required by California Environmental Quality Act (CEQA) statute, Section 21089(b) and Fish and Game Code Section 711.4. The fee should be submitted to the Community Development Department **within five days of final approval of the mitigated negative declaration**.
 18. **Prior this use permit becoming effective, operative, vested or final** the applicant shall pay the second installment of the Cannabis Program Service Fee in the amount of \$1,623.50 to the Community Development Department.
 19. **Prior to this permit having any force or effect**, the permittee(s) shall adhere to the Lake County Division of Environmental Health requirements regarding on-site wastewater treatment and/or potable water requirements. The permittee shall contact the Lake County Division of Environmental Health for details.
 20. **Indemnification:** The applicant shall indemnify and hold harmless the County and its officers, agents, and employees from actions or claims of any description brought on account of any injury or damages sustained, by any person or property resulting from the issuance of the permit and the conduct of the activities authorized under this permit.
- B. AESTHETICS**
1. Prior to cultivation, the applicant shall provide blackout screening in or on each greenhouse to block light from spilling out beyond each greenhouse.

2. The applicant shall screen all cultivation activities with a minimum 6' tall fence with screening applied to the entire fence around the perimeter of the cultivation area.
3. Prior to cultivation, the applicant shall plant screening trees at no more than 20' distance apart from one another around the perimeter of the project area. These trees shall be no less than 5' tall at time of planting, shall be irrigated, and shall be maintained in a healthy state by the applicant for the life of the project. These trees are the replacement trees to be planted at a 3:1 ratio for each oak tree over 5" in diameter measured at 4.5 feet above grade; for each oak tree removed that meets this size limit, three new deciduous trees capable of reaching a height to 20 feet shall be planted.

C. AIR QUALITY

1. 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. *Mitigation measure AQ-1*
2. 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. *Mitigation measure AQ-2*
3. 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. *Mitigation measure AQ-3*
4. All vegetation during site development shall be chipped and spread for ground cover and/or erosion control. The burning of vegetation, construction debris, including waste material is prohibited. *Mitigation measure AQ-4*
5. 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. *Mitigation measure AQ-5*
6. 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. *Mitigation measure AQ-6*
7. Each greenhouse shall contain an air and odor filtration system. Method of filtration shall be provided to the Lake County Planning Department for review prior to any construction occurring on site. *Mitigation measure AQ-7*
8. The applicant shall apply water to the ground during any and all site preparation work that is required for the greenhouses and drying building, as well as during any interior driveway improvements to mitigate dust migration. *Mitigation measure AQ-8*

D. BIOLOGICAL RESOURCES

1. A follow up Biological Assessment (nesting) survey shall be conducted by a licensed and qualified biologist prior to the start of cultivation. The results of this follow up site visit, including recommendations, shall be provided to the Lake County Planning Department prior to a hearing and cultivation. Any recommendations shall be added as conditions of approval for this use permit. *Mitigation measure BIO-1*

E. CULTURAL, GEOLOGIC (HISTORIC) AND TRIBAL RESOURCES:

1. 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 culturally affiliated 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 with California Health and Safety Code section 7050.5. *Mitigation measures CUL-1*

2. 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 culturally affiliated tribe shall immediately be notified; a licensed archaeologist shall be notified, and the Lake County Community Development Director shall be notified of such finds. *Mitigation measures CUL-2*

F. ENERGY:

1. Prior to building permits being issued, the applicant shall provide energy calculations for the proposed project. These calculations shall be prepared by an energy professional, and the means of providing adequate power shall clearly be identified within the scope of these calculations. PG&E confirmation of being able to provide adequate power to the site may be required at the discretion of the Building Official or designee. If the applicant is unable to obtain 'on grid' power for this project, then an alternative energy source shall be submitted to the Building Official for consideration (i.e. solar). Total amperage needs shall be provided within the energy calculations provided. A description of energy use per building may be necessary, as well as engineered energy calculations at the discretion of the Building Official. *Mitigation measure EN-1*
2. If the applicant is unable to obtain adequate 'on-grid' power, the applicant shall be responsible for finding an alternative energy source(s) for this project. The use of generators is prohibited except during an emergency such as a power failure and is only allowed on a short-time basis.

G. GEOLOGY AND SOIL:

1. Excavation, filling, vegetation clearing or other disturbance of the soil shall not occur between October 15 and April 15 unless authorized by the Community Development Director. The actual dates of this defined grading period may be adjusted according to weather and soil conditions at the discretion of the Community Development Director.

H. HAZARDS & HAZARDOUS MATERIALS

1. Storage of potentially hazardous waste shall be in its original package, and shall be clearly labeled to display the volume and type of material stored. These packages will be kept inside a storm-proof shed, a locked storage area that will only be accessible to authorized staff. When removing materials from storage the employee name, the type of material, date, and time will be entered into a hazardous waste manifest located within the secure storage area and will be stored for five years. When returning material into storage, the type of material, volume used, name of employee, date and time will be entered into the manifest. Storage areas containing hazardous waste will be inspected weekly by staff/employees to ensure accurate record keeping and safe storage conditions.

I. HYDROLOGY & WATER QUALITY

1. The applicant shall maintain on-site water storage of 20,000 gallons for irrigation purposes, and 5,000 gallons in a metal water storage tank with fire department connectivity for fire suppression purposes. *Mitigation measure HYD-1*
2. The applicant shall maintain a record of all data collected and shall provide a report of the data collected to the County annually.
3. The illicit discharge of irrigation or storm water from the project parcel, as defined in Tile 40 of the Code of Federal regulation, Sections 122.26, which may result in degradation of water quality of any water body is prohibited.
4. **Prior to this permit having any force or effect**, the applicant shall submit a Storm Water Management Plan based on the requirements of the California Regional Water Quality Control Board – Central valley region to the Community Development Department for review and approval. Said plan shall include the following:
 - *Identification of any Lake County maintained drainage or conveyance system that the storm water is discharged into and documentation that the storm water discharge is in compliance with the design parameters of those structures.*
 - *Identification of any public roads and bridges that are downstream of the discharge point and documentation that the storm water discharge is in compliance with the design parameters of any such bridges.*
 - *Documentation that the discharge of storm water from the site will not increase the volume of water that historically has flow onto adjacent properties.*

- *Documentation that the discharge of storm water will not increase flood elevations downstream of the discharge point.*
- *Documentation that the discharge of storm water will not degrade water quality of any water body.*
- *Documentation of compliance with the requirements of Chapter 29, Storm Water Management Ordinance of the Lake County Ordinance Code.*
- *Describe the proposed grading of the property.*
- *Describe the storm water management system.*
- *Describe the best management practices (BMPs) that will be used during construction and those that will be used post-construction. Post-construction BMPs shall be maintained through the life of the permit.*
- *Describe what parameters will be monitored and the methodology of the monitoring program.*

5. The applicant shall maintain all necessary permits from the Central Valley Regional Water Quality Control Board and submit written verification to the Community Development Department. A copy of all permits shall be included in the Annual Performance Report.
6. The applicant shall have a legal water source on the premises, and shall obtain and maintain all necessary Federal, State or local permits required to utilize the water source. If the permitted activity utilizes a shared source of water from another site, such source shall be a legal source, have all Federal, State or local permits required to utilize the water source, and have a written agreement between the property owner of the site where the source is located and the permitted activity agreeing to the use of the water source and all terms and conditions of that use.
7. The use of water provided by a public water supply, unlawful water diversions, transported by a water hauler, bottled water, a water-vending machine, or a retail water facility is prohibited. The utilization of water that has been or is illegal diverted from any lake, springs, wetland, stream, creek, vernal pool and/or river is prohibited. The applicant shall not engage in unlawful or unpermitted drawing of surface water.
8. The applicant may use water supplied by a licensed retail water supplier, as defined in Section 13575 of the Water Code, on an emergency basis only. The applicant shall notify the Community Development Department within seven (7) days of the emergency and provide the following information: (a) A detailed description of the emergency; (b) Identification of the retail water supplier including license number; (c) The volume of water supplied and actions taken to prevent the emergency in the future.

J. NOISE

1. 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. *Mitigation measures NOI-1*
2. Maximum non-construction related sounds levels shall not exceed levels of 55 dBA between the hours of 7:00AM to 10:00PM 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. *Mitigation measures NOI-2*
3. 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. *Mitigation measures NOI-3*

K. TRANSPORTATION

1. **Prior to final building inspection**, the applicant shall improve the on-site portion of Herrington Road and the interior driveway to comply with PRC 4290 and 4291 road standards. The applicant shall schedule an inspection with the Fire Marshal through the Community Development Department once improvements to the road are completed. A Grading Permit and engineered drawings may be required prior to any work occurring to improve this road. The applicant shall coordinate with the Building Official regarding potential grading plans that might be required prior to any work occurring on Herrington Road or interior driveway improvements. *Mitigation measure TRANS-1.*

2. All deliveries and/or pickups shall during the hours of Monday through Saturday from 7:00AM to 7:00 p.m. and Sundays from 12:00 p.m. to 5:00 p.m.
3. **Prior to final inspection**, the applicant shall provide a minimum of one (1) parking space per employee on the shift having the largest number of employees. The applicant is proposing up twenty (20) employees, therefore there shall be a minimum of twenty (20) employee parking spaces and one (1) Accessibility Compliant Parking Space including ADA signage for this space.
4. The applicant shall comply with the State of California Weights and Measures requirements found in the California Food and Agriculture Code, California Code of Regulations, and the California Business and Professions Code.
5. The project site(s) 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. Driveway encroachments onto County-maintained roadways shall be constructed to current County standards and shall be constructed with an encroachment permit obtained from the Department of Public Works.
 - a) *All driveways shall be constructed and maintained so as to prevent road surface and fill material from discharging to any surface water body*
 - b) *The design of all access to and driveways providing access to the site where the cannabis related activity that is permitted shall be sufficient to be used by all emergency vehicles and shall be approved by the applicable fire district.*
 - c) *Gates shall not be constructed across driveways or access roads that are used by neighboring properties or the general public. Gates constructed across public access easements are subject to removal per State Street and Highway Codes.*
6. Driveway encroachments onto State and/or County-maintained roadways shall be constructed to current federal, State or local Standards and shall be constructed with an encroachment permit if one is required by the jurisdiction.
7. First fifty (50) feet of a driveway beginning at the edge of the existing improved surface shall be constructed and maintained with an all-weather surface. An all-weather surface includes: Six (6) inches of gravel or crushed rock, an oil and rock surface, asphaltic concrete, or concrete as to prevent road surfaces and fill material from discharging to any surface water body. The use of White Rock is prohibited for any road surfacing.
8. The applicant shall meet and maintain all the requirements and/or regulations as define in 14 California Code of Regulations (CCCR), Division 1.5, Chapter 7, Subchapter 2, Article 2, §1273.00 through §1273.11 of the California Department of Forestry and Fire Protection (Cal Fire) for Emergency Access and Egress Requirements.
9. Gates shall not be constructed across driveways or access roads that are used by neighboring properties or the general public. Gates constructed across public access easements are subject to removal per State Street and Highway Codes. A Knox box is required on all gated entrances.
10. **Prior to final inspection**, all ADA-related (accessible) parking areas, routes of travel, building access and/or bathrooms shall meet all California Building Code Requirements.
11. A Grading Permit and engineered drawings may be required prior to any work occurring to improve this road. The applicant shall coordinate with the Building Official regarding potential grading plans that might be required prior to any work occurring on Herrington Road improvements. *Mitigation measure TRANS-2*

L. TIMING & MITIGATION MONITORING

1. The permit holder shall permit the County of Lake or representative(s) or designee(s) to make periodic and/or annual inspections at any reasonable time deemed necessary in order to assure that the activity being performed under authority of this permit is in accordance with the terms and conditions prescribed herein.

2. The applicant shall submit an Annual Performance Review Report their initial date of operation for review and approval by the Planning Commission. The Planning Commission may delegate review of the Annual Report to the Community Development Director at the time of the initial hearing or at any time thereafter. The Annual Report shall identify the effectiveness of the approved Major Use Permit, Operations Manual, Operating Standards, and Conditions of Approval, as well as the identification and implementation of additional procedures deemed necessary. In the event the Planning Commission identifies issues with the Annual Performance Review Report, it may lead to revocation of the approved use and/or the Planning Commission may require the submittal of more frequent Performance Review Reports. Additionally, the Performance Review Report shall include the following:
- *The project parcel shall be inspected by the Community Development Department on an Annual Basis and/or less frequently if approved by the Community Development Director. A copy of the results from said inspection shall be provided to the applicant to for inclusion in their Performance Review Report.*
 - *A Compliance Monitoring Fee of \$760.00 shall be paid by applicant and accompany the Performance Review Report.*
 - *A Compliance Monitoring Inspection of the Cultivation Site shall be conducted annually during growing season. The applicant shall contact the Community Development Department to schedule such inspection.*
 - *If there are no violation of the use permit and/or State License during the first five (5) years, the inspections may be reduced by the Community Development Director to not less than once every 5 years*
 - *Non-compliance by the applicant in allowing the inspection by the Community Development Department, or refusal to pay the required fees, or noncompliance in submitting the annual "Performance Review Report" for review by the Planning Commission shall be deemed grounds for a revocation of the development permit or use permit and subject the holder of the permit(s) to the penalties outlined in this Code.*
3. The applicant(s) shall submit an application for renewal of the authorized use to the Community Development Department a minimum of 180 days prior to the expirations date of said use. Failure to submit an application for renewal at least six months prior to the expiration date of the permit may result in the expiration of the permit. Applicant shall submit the required application, associated fees and the following additional information which may include but is not limited to:
- *A copy of all licenses, permits, and conditions of such licenses or permits related to the project from state agencies as appropriate including, but not limited to the California Department of Food and Agriculture, Department of Pesticide Regulation, Department of Fish and Wildlife, The State Water Resources Control Board, Board of Forestry and Fire Protection, Central Valley or North Coast Regional Water Quality Control Board, and the Department of Public Health.*
 - *A copy of all reports provided the County and State agencies as determined by the Director.*
 - *A list of all employees on the premise during the past year and a copy of the background checks certification for each.*
 - *Documentation that the applicant is still qualified to be an applicant.*
 - *Any proposed changes to the use permit or how the site will be operated.*
 - *Payment of all fees as established by resolution by the Board of Supervisors.*
4. This permit may be revoked if the use for which the permit was granted is conducted as to be detrimental to the public health, safety, or welfare or as to be a nuisance. This permit shall be valid until it expires or is revoked pursuant to the terms of this permit and/or Chapter 21 of the Lake County Code.

Scott DeLeon, Director
COMMUNITY DEVELOPMENT DEPARTMENT

Prepared by: EJP

By: _____
Kerrian Marriott, Office Assistant III

ACCEPTANCE

I have read and understand the foregoing Major Use Permit and agree to each and every term and condition thereof.

Date:_____

Applicant or Authorized Agent Signature

Printed Name of Authorized Agent

COUNTY OF LAKE
MAJOR USE PERMIT, UP 20-22
INITIAL STUDY, IS 20-25
WE GROW LLC

CONDITIONS OF APPROVAL
EXPIRES IF NOT USED BY: April 22, 2023
VALID UNTIL April 22, 2031

Pursuant to the approval of the Planning Commission on **April 22, 2021**, there is hereby granted to **WeGrow LLC, a Major Use Permit, UP 20-22** with the following conditions of approval to allow a Commercial Cannabis Cultivation License as follows: (15) A Type 3B (medium mixed light) licenses; (1) A-Type 1C (specialty cottage) license consisting of a cultivation area **of 400,405 square feet (sq. ft.) of mixed light (greenhouse) cultivation area**, and a Type 13 'Self Distribution' license on property located at **16750 Herrington Road, Hidden Valley Lake**; and further described as **APNs: 013-060-40, 013-014-03 and 11** subject to the following terms and conditions.

A. GENERAL

1. The use hereby permitted shall substantially conform to the ***Site Plan(s), Project Description*** and ***Property Management Plan*** and any conditions of approval imposed by the **Major Use Permit** and Review Authority for the mixed light cultivation of **400,405** square feet of cultivation area as shown on the approved site plan for this action, and for several small sheds for use of chemical and security data storage. This approval includes a Type 13 'self-distribution' license. The Community Development Director may approve, in writing, minor modifications that do not result in increased environmental impacts. Applicant shall be in substantial conformance with the following:
 - a. Property Management Plan received April 9, 2020
 - b. Site and Grading Plans received April 9, 2020
 - c. Biological Study, received April 9, 2020
 - d. Tree Replacement Plan, received April 1, 2021
2. This permit does not abridge or supersede the regulatory powers or permit requirements of any federal, state, local agency, special district or department which may retain a regulatory or advisory function as specified by statute or ordinance. The applicant shall obtain permits as may be required from each agency.
3. **Prior to cultivation**, the applicant shall obtain building permits for all new structures that require building permits.
4. **Prior to this permit having full force or effect and following completion of the on-site improvements to Herrington Road and the internal driveway**, the applicant shall contact the Lake County Building Department to schedule an inspection(s) to assure that Public Resource Code sections 4290 and 4291 are being complied with; at 707-263-2221.
5. **Prior to building permit final**, the permit holder shall adhere to all requirements of Chapter 13 of the Lake County Code, including but not limited to adherence with the Hazardous Vegetation requirements
6. All necessary permits shall be obtained from applicable Federal, State and County agencies having jurisdiction over this project **prior to this use permit being of any force or effect**, including but not limited to, Department of Cannabis Control, Department of Food and Agriculture, Department of Pesticide Regulation, Department of Fish and Wildlife, The State Water Resources Control Board, Board of Forestry and Fire Protection, Central Valley or North Coast Regional Water Quality Control Board, Department of Public Health, and Department of Consumer Affairs.
7. The Applicant shall comply with the State of California Track and Trace requirements.
8. The applicant shall not sell, transfer and/or give cannabis or cannabis products to any person under the age of 21 and/or allow any person under the age of 21 into the cultivations area and/or employ or retain persons under the age of 21 years old.

9. An applicant shall keep accurate records of commercial cannabis activity. All records related to commercial cannabis activity as defined by the State Licensing Authorities shall be maintained for a minimum of seven (7) years.
 - *The County may examine the books and records of an applicant and inspect the premises of a permittee when the County deems necessary to perform its duties under this division. All inspections shall be conducted during standard business hours of the permitted facility or at any other reasonable time.*
 - *Applicants shall keep records identified by the County on the premises of the location permitted and the County may make any examination of the records of any applicant. Applicants shall also provide and deliver copies of such documents to the County upon request.*
 - *An applicant, or its agent or employee, that refuses, impedes, obstructs, or interferes with an inspection of the premises or records of the applicant pursuant to this section, has engaged in a violation of this article.*
 10. All applicants and/or employees shall undergo and pass a background check by the Lake County Sheriff Department.
 11. **Prior to or concurrently with final building inspection**, all structure(s) used for commercial cultivation shall meet accessibility standards. Please contact the Community Development Department - Building Division for more information.
 12. **Prior to or concurrently with final building inspection**, all employees shall have access to ADA-compliant restrooms and hand-wash stations.
 13. The proper storage of equipment, removal of litter and waste, and cutting of weeds or grass shall not constitute an attractant, breeding place or harborage for pest.
 14. The applicant shall maintain a record of all complaints and resolution of complaints and provide tally and summary of the issues in the Annual Performance Review Report.
 15. The permit holder shall pay the cannabis cultivation tax to the Lake County Tax Collector in accordance to the cannabis billing cycle. The applicant shall submit proof of payment to the Community Development Department within thirty (30) days of receiving payment confirmation. Failure to pay said cultivation tax will result in the initiation of permit revocation proceedings. For further details on cultivation taxes, please contact the Lake County Tax Collectors Office at (707) 263-2234.
 16. This permit shall be null and void if not used by **April 22, 2021** or if the use is abandoned for a period of two (2) years.
 17. The California Department of Fish & Wildlife filing fee shall be submitted as required by California Environmental Quality Act (CEQA) statute, Section 21089(b) and Fish and Game Code Section 711.4. The fee should be submitted to the Community Development Department **within five days of final approval of the mitigated negative declaration**.
 18. **Prior this use permit becoming effective, operative, vested or final** the applicant shall pay the second installment of the Cannabis Program Service Fee in the amount of \$1,623.50 to the Community Development Department.
 19. **Prior to this permit having any force or effect**, the permittee(s) shall adhere to the Lake County Division of Environmental Health requirements regarding on-site wastewater treatment and/or potable water requirements. The permittee shall contact the Lake County Division of Environmental Health for details.
 20. **Indemnification:** The applicant shall indemnify and hold harmless the County and its officers, agents, and employees from actions or claims of any description brought on account of any injury or damages sustained, by any person or property resulting from the issuance of the permit and the conduct of the activities authorized under this permit.
- B. AESTHETICS**
1. Prior to cultivation, the applicant shall provide blackout screening in or on each greenhouse to block light from spilling out beyond each greenhouse.

2. The applicant shall screen all cultivation activities with a minimum 6' tall fence with screening applied to the entire fence around the perimeter of the cultivation area.
3. Prior to cultivation, the applicant shall plant screening trees at no more than 20' distance apart from one another around the perimeter of the project area. These trees shall be no less than 5' tall at time of planting, shall be irrigated, and shall be maintained in a healthy state by the applicant for the life of the project. These trees are the replacement trees to be planted at a 3:1 ratio for each oak tree over 5" in diameter measured at 4.5 feet above grade; for each oak tree removed that meets this size limit, three new deciduous trees capable of reaching a height to 20 feet shall be planted.

C. AIR QUALITY

1. 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. *Mitigation measure AQ-1*
2. 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. *Mitigation measure AQ-2*
3. 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. *Mitigation measure AQ-3*
4. All vegetation during site development shall be chipped and spread for ground cover and/or erosion control. The burning of vegetation, construction debris, including waste material is prohibited. *Mitigation measure AQ-4*
5. 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. *Mitigation measure AQ-5*
6. 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. *Mitigation measure AQ-6*
7. Each greenhouse shall contain an air and odor filtration system. Method of filtration shall be provided to the Lake County Planning Department for review prior to any construction occurring on site. *Mitigation measure AQ-7*
8. The applicant shall apply water to the ground during any and all site preparation work that is required for the greenhouses and drying building, as well as during any interior driveway improvements to mitigate dust migration. *Mitigation measure AQ-8*

D. BIOLOGICAL RESOURCES

1. A follow up Biological Assessment (nesting) survey shall be conducted by a licensed and qualified biologist prior to the start of cultivation. The results of this follow up site visit, including recommendations, shall be provided to the Lake County Planning Department prior to a hearing and cultivation. Any recommendations shall be added as conditions of approval for this use permit. *Mitigation measure BIO-1*

E. CULTURAL, GEOLOGIC (HISTORIC) AND TRIBAL RESOURCES:

1. 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 culturally affiliated 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 with California Health and Safety Code section 7050.5. *Mitigation measures CUL-1*

2. 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 culturally affiliated tribe shall immediately be notified; a licensed archaeologist shall be notified, and the Lake County Community Development Director shall be notified of such finds. *Mitigation measures CUL-2*

F. ENERGY:

1. Prior to building permits being issued, the applicant shall provide energy calculations for the proposed project. These calculations shall be prepared by an energy professional, and the means of providing adequate power shall clearly be identified within the scope of these calculations. PG&E confirmation of being able to provide adequate power to the site may be required at the discretion of the Building Official or designee. If the applicant is unable to obtain 'on grid' power for this project, then an alternative energy source shall be submitted to the Building Official for consideration (i.e. solar). Total amperage needs shall be provided within the energy calculations provided. A description of energy use per building may be necessary, as well as engineered energy calculations at the discretion of the Building Official. *Mitigation measure EN-1*
2. If the applicant is unable to obtain adequate 'on-grid' power, the applicant shall be responsible for finding an alternative energy source(s) for this project. The use of generators is prohibited except during an emergency such as a power failure and is only allowed on a short-time basis.

G. GEOLOGY AND SOIL:

1. Excavation, filling, vegetation clearing or other disturbance of the soil shall not occur between October 15 and April 15 unless authorized by the Community Development Director. The actual dates of this defined grading period may be adjusted according to weather and soil conditions at the discretion of the Community Development Director.

H. HAZARDS & HAZARDOUS MATERIALS

1. Storage of potentially hazardous waste shall be in its original package, and shall be clearly labeled to display the volume and type of material stored. These packages will be kept inside a storm-proof shed, a locked storage area that will only be accessible to authorized staff. When removing materials from storage the employee name, the type of material, date, and time will be entered into a hazardous waste manifest located within the secure storage area and will be stored for five years. When returning material into storage, the type of material, volume used, name of employee, date and time will be entered into the manifest. Storage areas containing hazardous waste will be inspected weekly by staff/employees to ensure accurate record keeping and safe storage conditions.

I. HYDROLOGY & WATER QUALITY

1. The applicant shall maintain on-site water storage of 20,000 gallons for irrigation purposes, and 5,000 gallons in a metal water storage tank with fire department connectivity for fire suppression purposes. *Mitigation measure HYD-1*
2. The applicant shall maintain a record of all data collected and shall provide a report of the data collected to the County annually.
3. The illicit discharge of irrigation or storm water from the project parcel, as defined in Tile 40 of the Code of Federal regulation, Sections 122.26, which may result in degradation of water quality of any water body is prohibited.
4. **Prior to this permit having any force or effect**, the applicant shall submit a Storm Water Management Plan based on the requirements of the California Regional Water Quality Control Board – Central valley region to the Community Development Department for review and approval. Said plan shall include the following:
 - *Identification of any Lake County maintained drainage or conveyance system that the storm water is discharged into and documentation that the storm water discharge is in compliance with the design parameters of those structures.*
 - *Identification of any public roads and bridges that are downstream of the discharge point and documentation that the storm water discharge is in compliance with the design parameters of any such bridges.*
 - *Documentation that the discharge of storm water from the site will not increase the volume of water that historically has flow onto adjacent properties.*

- *Documentation that the discharge of storm water will not increase flood elevations downstream of the discharge point.*
 - *Documentation that the discharge of storm water will not degrade water quality of any water body.*
 - *Documentation of compliance with the requirements of Chapter 29, Storm Water Management Ordinance of the Lake County Ordinance Code.*
 - *Describe the proposed grading of the property.*
 - *Describe the storm water management system.*
 - *Describe the best management practices (BMPs) that will be used during construction and those that will be used post-construction. Post-construction BMPs shall be maintained through the life of the permit.*
 - *Describe what parameters will be monitored and the methodology of the monitoring program.*
5. The applicant shall maintain all necessary permits from the Central Valley Regional Water Quality Control Board and submit written verification to the Community Development Department. A copy of all permits shall be included in the Annual Performance Report.
 6. The applicant shall have a legal water source on the premises, and shall obtain and maintain all necessary Federal, State or local permits required to utilize the water source. If the permitted activity utilizes a shared source of water from another site, such source shall be a legal source, have all Federal, State or local permits required to utilize the water source, and have a written agreement between the property owner of the site where the source is located and the permitted activity agreeing to the use of the water source and all terms and conditions of that use.
 7. The use of water provided by a public water supply, unlawful water diversions, transported by a water hauler, bottled water, a water-vending machine, or a retail water facility is prohibited. The utilization of water that has been or is illegal diverted from any lake, springs, wetland, stream, creek, vernal pool and/or river is prohibited. The applicant shall not engage in unlawful or unpermitted drawing of surface water.
 8. The applicant may use water supplied by a licensed retail water supplier, as defined in Section 13575 of the Water Code, on an emergency basis only. The applicant shall notify the Community Development Department within seven (7) days of the emergency and provide the following information: (a) A detailed description of the emergency; (b) Identification of the retail water supplier including license number; (c) The volume of water supplied and actions taken to prevent the emergency in the future.
 9. Prior to this permit having any force or effect, the applicant shall provide the well test data for the 2nd (new) well to the County Planning Department as a file copy.

J. NOISE

1. 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. *Mitigation measures NOI-1*
2. Maximum non-construction related sounds levels shall not exceed levels of 55 dBA between the hours of 7:00AM to 10:00PM 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. *Mitigation measures NOI-2*
3. 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. *Mitigation measures NOI-3*

K. TRANSPORTATION

1. **Prior to final building inspection**, the applicant shall improve the on-site portion of Herrington Road and the interior driveway to comply with PRC 4290 and 4291 road standards. The applicant shall schedule an inspection with the Fire Marshal through the Community Development Department once improvements to the road are completed. A Grading Permit and engineered drawings may be required prior to any work occurring to

improve this road. The applicant shall coordinate with the Building Official regarding potential grading plans that might be required prior to any work occurring on Herrington Road or interior driveway improvements. *Mitigation measure TRANS-1.*

2. All deliveries and/or pickups shall during the hours of Monday through Saturday from 7:00AM to 7:00 p.m. and Sundays from 12:00 p.m. to 5:00 p.m.
3. **Prior to final inspection**, the applicant shall provide a minimum of one (1) parking space per employee on the shift having the largest number of employees. The applicant is proposing up twenty (20) employees, therefore there shall be a minimum of twenty (20) employee parking spaces and one (1) Accessibility Compliant Parking Space including ADA signage for this space.
4. The applicant shall comply with the State of California Weights and Measures requirements found in the California Food and Agriculture Code, California Code of Regulations, and the California Business and Professions Code.
5. The project site(s) 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. Driveway encroachments onto County-maintained roadways shall be constructed to current County standards and shall be constructed with an encroachment permit obtained from the Department of Public Works.
 - a) *All driveways shall be constructed and maintained so as to prevent road surface and fill material from discharging to any surface water body*
 - b) *The design of all access to and driveways providing access to the site where the cannabis related activity that is permitted shall be sufficient to be used by all emergency vehicles and shall be approved by the applicable fire district.*
 - c) *Gates shall not be constructed across driveways or access roads that are used by neighboring properties or the general public. Gates constructed across public access easements are subject to removal per State Street and Highway Codes.*
6. Driveway encroachments onto State and/or County-maintained roadways shall be constructed to current federal, State or local Standards and shall be constructed with an encroachment permit if one is required by the jurisdiction.
7. First fifty (50) feet of a driveway beginning at the edge of the existing improved surface shall be constructed and maintained with an all-weather surface. An all-weather surface includes: Six (6) inches of gravel or crushed rock, an oil and rock surface, asphaltic concrete, or concrete as to prevent road surfaces and fill material from discharging to any surface water body. The use of White Rock is prohibited for any road surfacing.
8. The applicant shall meet and maintain all the requirements and/or regulations as define in 14 California Code of Regulations (CCCR), Division 1.5, Chapter 7, Subchapter 2, Article 2, §1273.00 through §1273.11 of the California Department of Forestry and Fire Protection (Cal Fire) for Emergency Access and Egress Requirements.
9. Gates shall not be constructed across driveways or access roads that are used by neighboring properties or the general public. Gates constructed across public access easements are subject to removal per State Street and Highway Codes. A knox box is required on all gated entrances.
10. **Prior to final inspection**, all ADA-related (accessible) parking areas, routes of travel, building access and/or bathrooms shall meet all California Building Code Requirements.
11. A Grading Permit and engineered drawings may be required prior to any work occurring to improve this road. The applicant shall coordinate with the Building Official regarding potential grading plans that might be required prior to any work occurring on Herrington Road improvements. *Mitigation measure TRANS-2*

L. TIMING & MITIGATION MONITORING

1. The permit holder shall permit the County of Lake or representative(s) or designee(s) to make periodic and/or annual inspections at any reasonable time deemed necessary in

order to assure that the activity being performed under authority of this permit is in accordance with the terms and conditions prescribed herein.

2. The applicant shall submit an Annual Performance Review Report their initial date of operation for review and approval by the Planning Commission. The Planning Commission may delegate review of the Annual Report to the Community Development Director at the time of the initial hearing or at any time thereafter. The Annual Report shall identify the effectiveness of the approved Major Use Permit, Operations Manual, Operating Standards, and Conditions of Approval, as well as the identification and implementation of additional procedures deemed necessary. In the event the Planning Commission identifies issues with the Annual Performance Review Report, it may lead to revocation of the approved use and/or the Planning Commission may require the submittal of more frequent Performance Review Reports. Additionally, the Performance Review Report shall include the following:
 - *The project parcel shall be inspected by the Community Development Department on an Annual Basis and/or less frequently if approved by the Community Development Director. A copy of the results from said inspection shall be provided to the applicant to for inclusion in their Performance Review Report.*
 - *A Compliance Monitoring Fee of \$760.00 shall be paid by applicant and accompany the Performance Review Report.*
 - *A Compliance Monitoring Inspection of the Cultivation Site shall be conducted annually during growing season. The applicant shall contact the Community Development Department to schedule such inspection.*
 - *If there are no violation of the use permit and/or State License during the first five (5) years, the inspections may be reduced by the Community Development Director to not less than once every 5 years*
 - *Non-compliance by the applicant in allowing the inspection by the Community Development Department, or refusal to pay the required fees, or noncompliance in submitting the annual "Performance Review Report" for review by the Planning Commission shall be deemed grounds for a revocation of the development permit or use permit and subject the holder of the permit(s) to the penalties outlined in this Code.*
3. The applicant(s) shall submit an application for renewal of the authorized use to the Community Development Department a minimum of 180 days prior to the expirations date of said use. Failure to submit an application for renewal at least six months prior to the expiration date of the permit may result in the expiration of the permit. Applicant shall submit the required application, associated fees and the following additional information which may include but is not limited to:
 - *A copy of all licenses, permits, and conditions of such licenses or permits related to the project from state agencies as appropriate including, but not limited to the California Department of Food and Agriculture, Department of Pesticide Regulation, Department of Fish and Wildlife, The State Water Resources Control Board, Board of Forestry and Fire Protection, Central Valley or North Coast Regional Water Quality Control Board, and the Department of Public Health.*
 - *A copy of all reports provided the County and State agencies as determined by the Director.*
 - *A list of all employees on the premise during the past year and a copy of the background checks certification for each.*
 - *Documentation that the applicant is still qualified to be an applicant.*
 - *Any proposed changes to the use permit or how the site will be operated.*
 - *Payment of all fees as established by resolution by the Board of Supervisors.*
4. This permit may be revoked if the use for which the permit was granted is conducted as to be detrimental to the public health, safety, or welfare or as to be a nuisance. This permit shall be valid until it expires or is revoked pursuant to the terms of this permit and/or Chapter 21 of the Lake County Code.

Scott DeLeon, Director
COMMUNITY DEVELOPMENT DEPARTMENT

Prepared by: EJP

By: _____
Kerrian Marriott, Office Assistant III

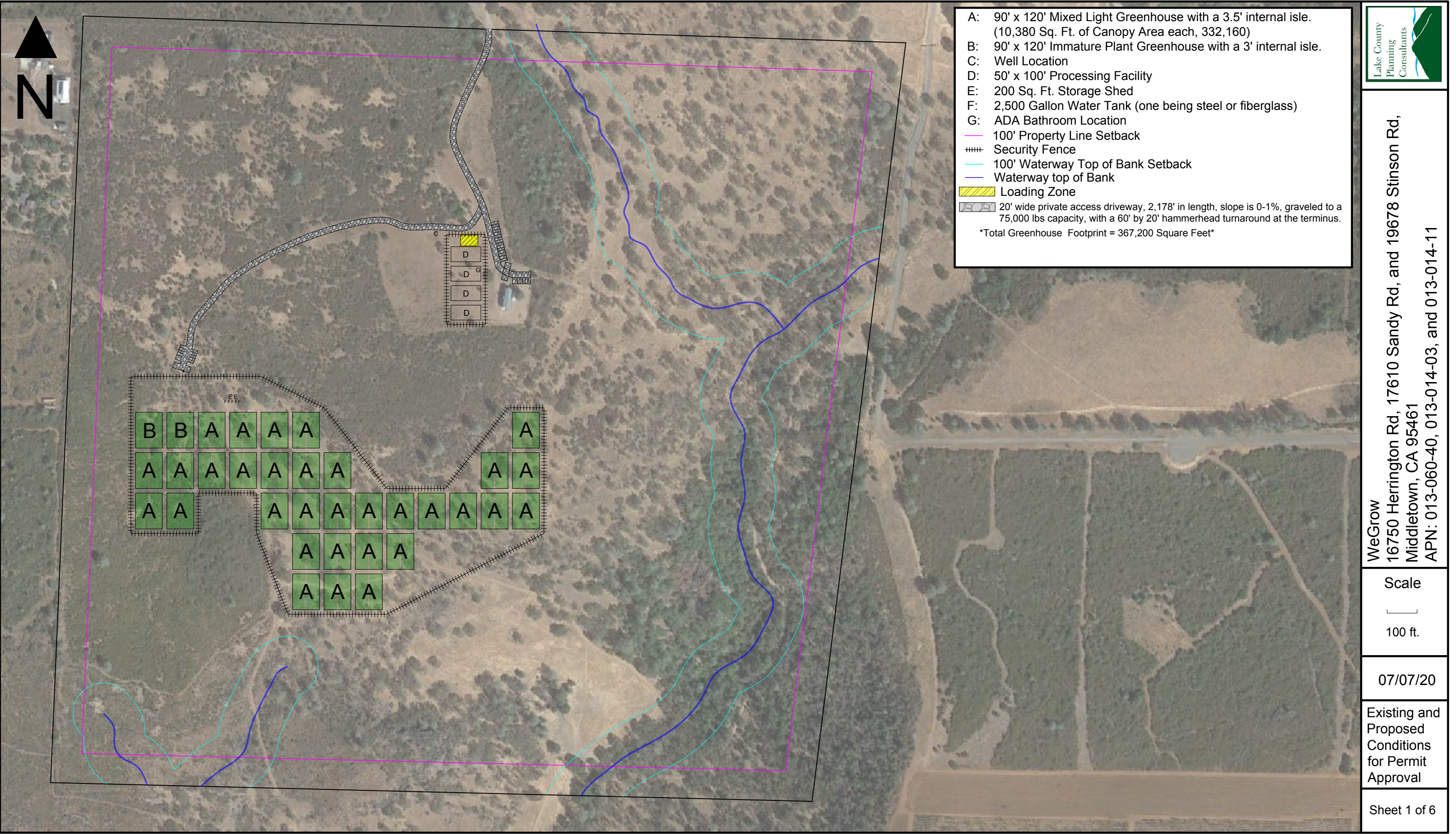
ACCEPTANCE

I have read and understand the foregoing Major Use Permit and agree to each and every term and condition thereof.

Date: _____

Applicant or Authorized Agent Signature

Printed Name of Authorized Agent



- A: 90' x 120' Mixed Light Greenhouse with a 3.5' internal isle. (10,380 Sq. Ft. of Canopy Area each, 332,160)
 - B: 90' x 120' Immature Plant Greenhouse with a 3' internal isle.
 - C: Well Location
 - D: 50' x 100' Processing Facility
 - E: 200 Sq. Ft. Storage Shed
 - F: 2,500 Gallon Water Tank (one being steel or fiberglass)
 - G: ADA Bathroom Location
 - 100' Property Line Setback
 - Security Fence
 - 100' Waterway Top of Bank Setback
 - Waterway top of Bank
 - Loading Zone
 - 20' wide private access driveway, 2,178' in length, slope is 0-1%, graveled to a 75,000 lbs capacity, with a 60' by 20' hammerhead turnaround at the terminus.
- *Total Greenhouse Footprint = 367,200 Square Feet*



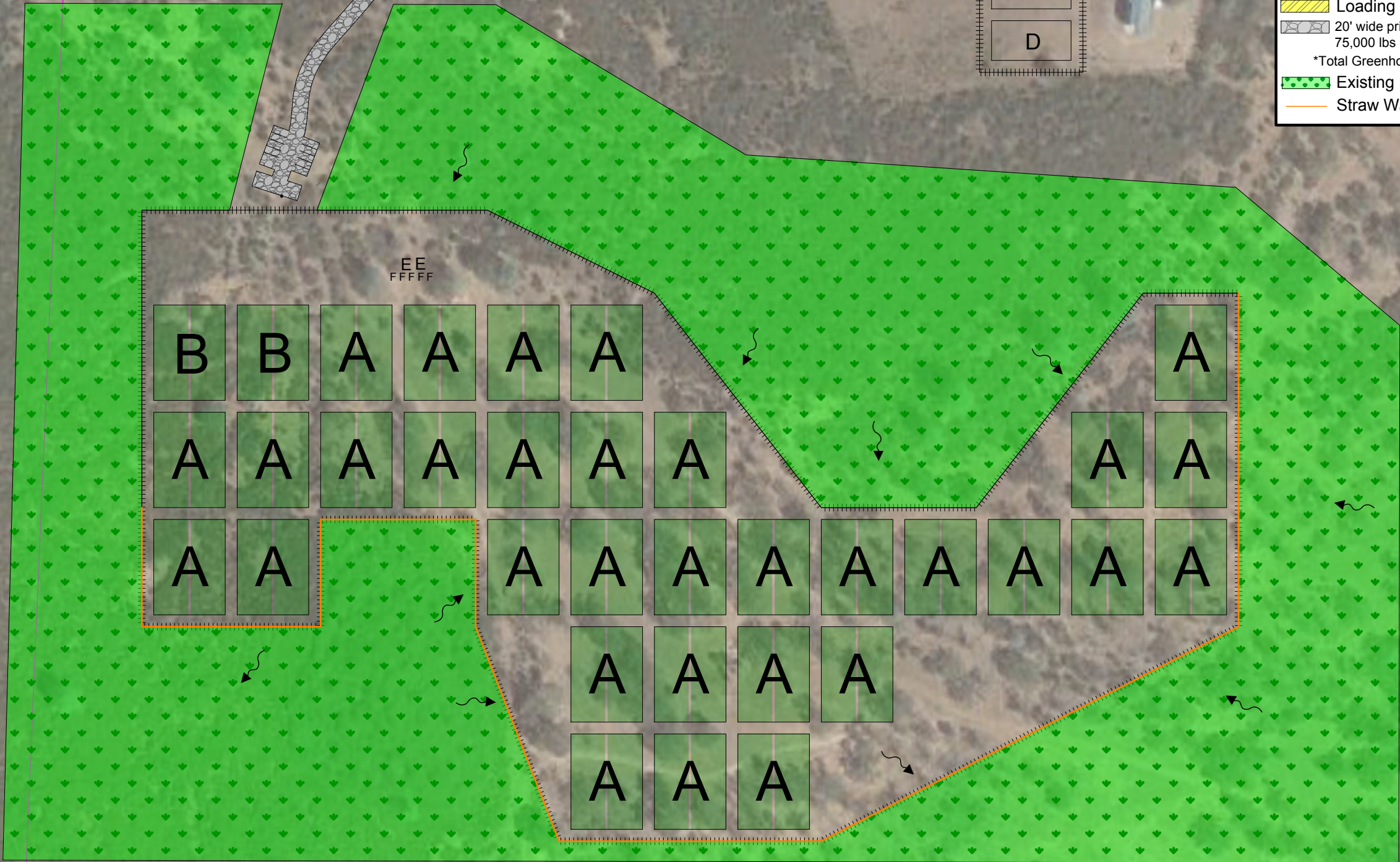
WeGrow
16750 Herrington Rd, 17610 Sandy Rd, and 19678 Stinson Rd,
Middletown, CA 95461
APN: 013-060-40, 013-014-03, and 013-014-11

Scale
100 ft.

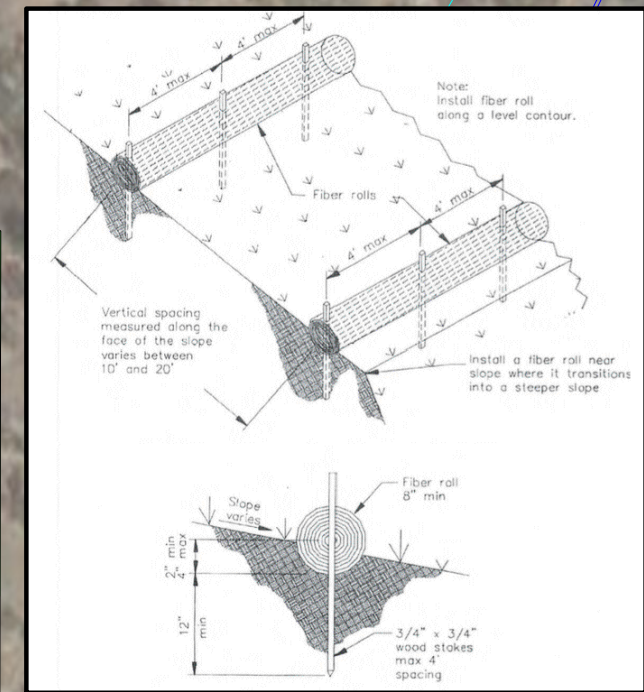
07/07/20

Existing and Proposed Conditions for Permit Approval

Sheet 1 of 6

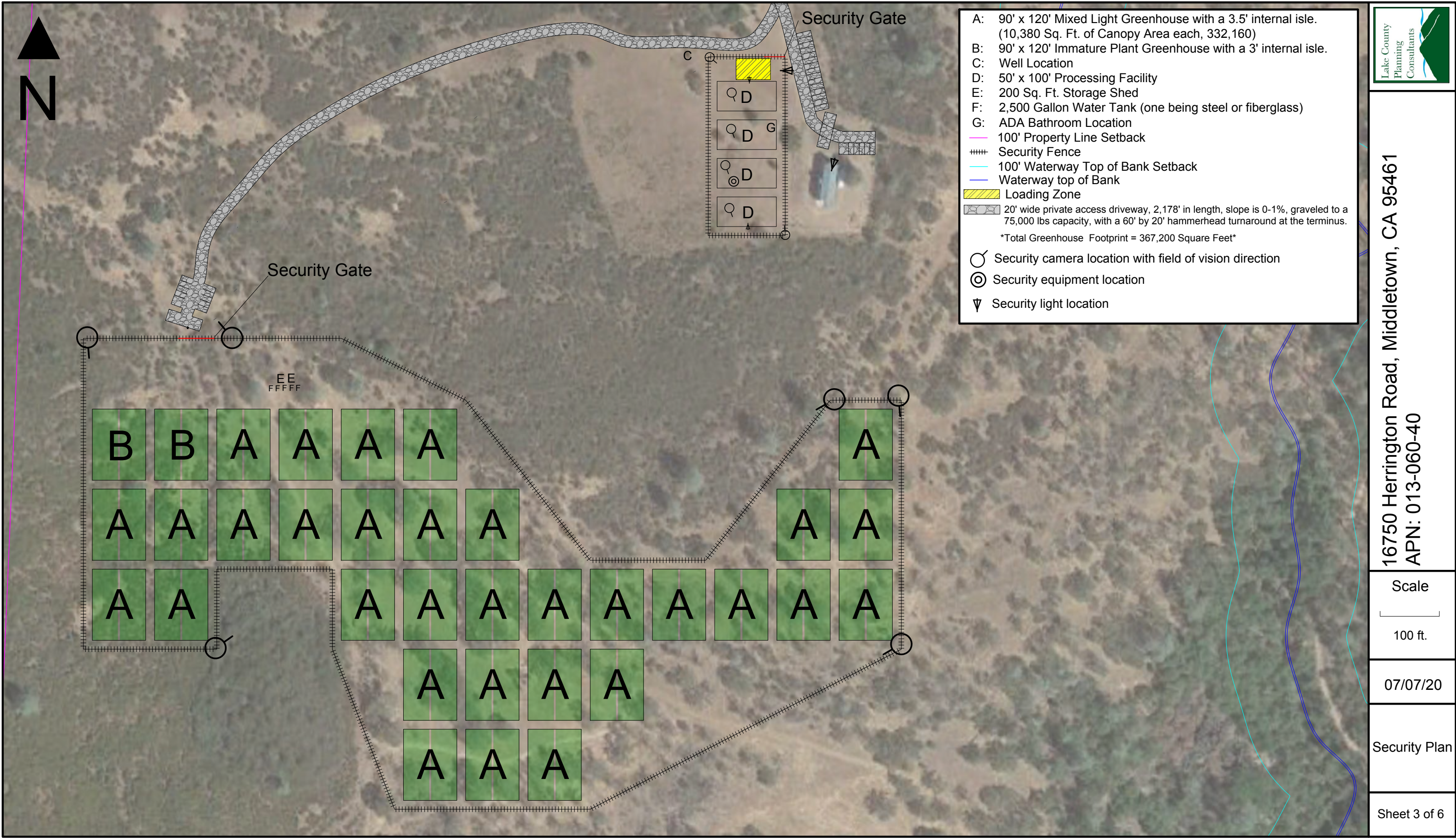


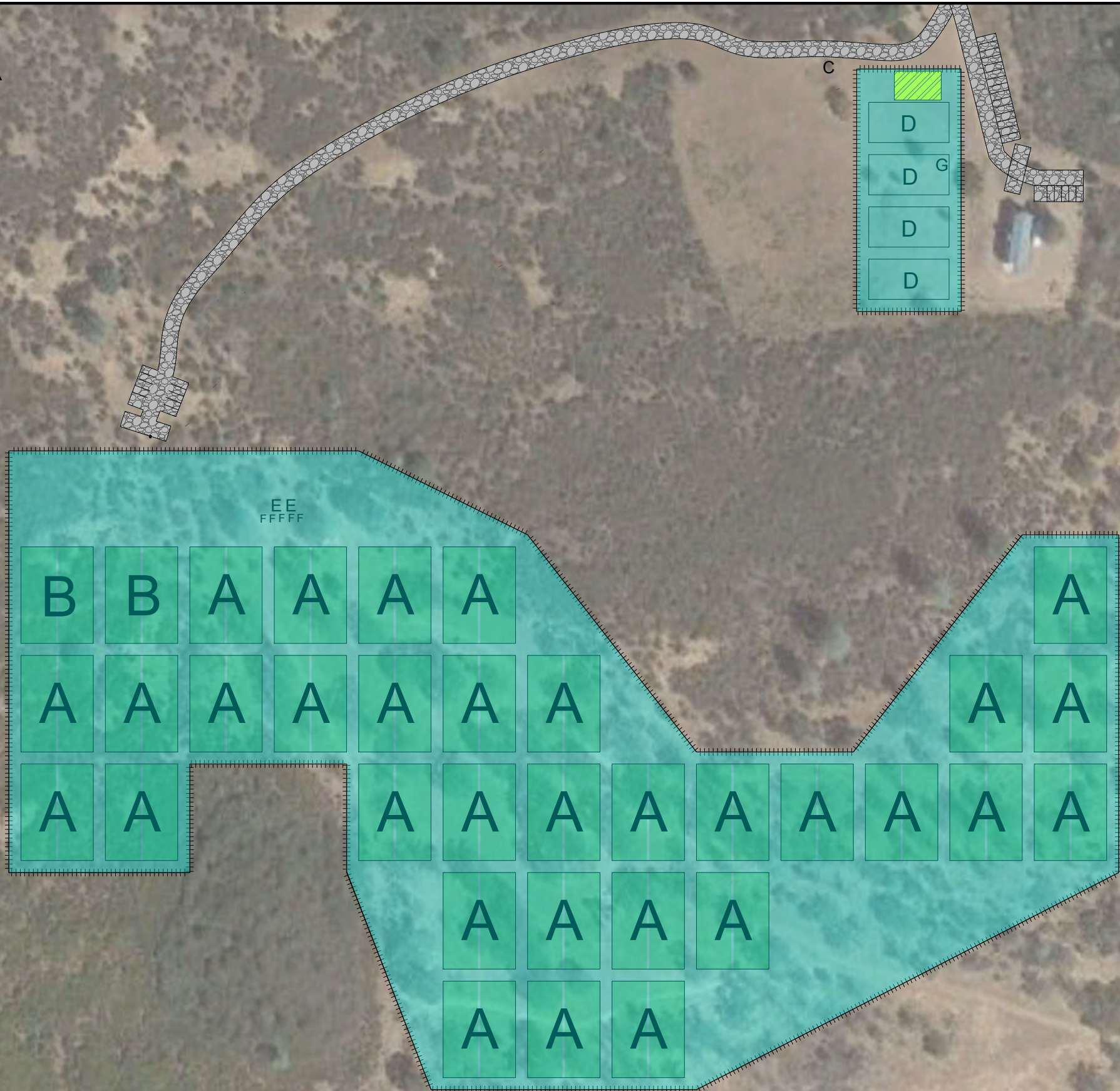
- A: 90' x 120' Mixed Light Greenhouse with a 3.5' internal isle. (10,380 Sq. Ft. of Canopy Area each, 332,160)
- B: 90' x 120' Immature Plant Greenhouse with a 3' internal isle.
- C: Well Location
- D: 50' x 100' Processing Facility
- E: 200 Sq. Ft. Storage Shed
- F: 2,500 Gallon Water Tank (one being steel or fiberglass)
- G: ADA Bathroom Location
- 100' Property Line Setback
- Security Fence
- 100' Waterway Top of Bank Setback
- Waterway top of Bank
- Loading Zone
- 20' wide private access driveway, 2,178' in length, slope is 0-1%, graveled to a 75,000 lbs capacity, with a 60' by 20' hammerhead turnaround at the terminus.
- *Total Greenhouse Footprint = 367,200 Square Feet*
- Existing Natural Vegetation Buffer
- Straw Wattle Location



16750 Herrington Road, Middletown, CA 95461
APN: 013-060-40

Scale
100 ft.
07/07/20
Sediment and Erosion Control Plan
Sheet 2 of 6





Disturbed Areas Proposed (Cubic Yards of Grading Needed)

- A: 90' x 120' Mixed Light Greenhouse with a 3.5' internal isle. (2-4 cubic yards each)
- B: 90' x 120' Immature Plant Greenhouse with a 3' internal isle. (2-4 cubic yards each)
- C: Well Location
- D: 50' x 100' Processing Facility (1-2 cubic yards each)
- E: 200 Sq. Ft. Storage Shed
- F: 2,500 Gallon Water Tank (one being steel or fiberglass)
- G: ADA Bathroom Location

100' Property Line Setback

Security Fence

100' Waterway Top of Bank Setback

Waterway top of Bank

Loading Zone

20' wide private access driveway, 2,178' in length, slope is 0-1%, graveled to a 75,000 lbs capacity, with a 60' by 20' hammerhead turnaround at the terminus.(0 cubic yards)

All cultivation areas are completely flat and all proposed grading will be top soil scraping to remove grass under proposed building footprints. All grading will be covered under the building permit, which allows up to 500 cubic yards. Total grading for this project is less than 150 cubic yards. Please refer to management plan for all erosion control measures and BMP's.



16750 Herrington Road, Middletown, CA 95461
APN: 013-060-40

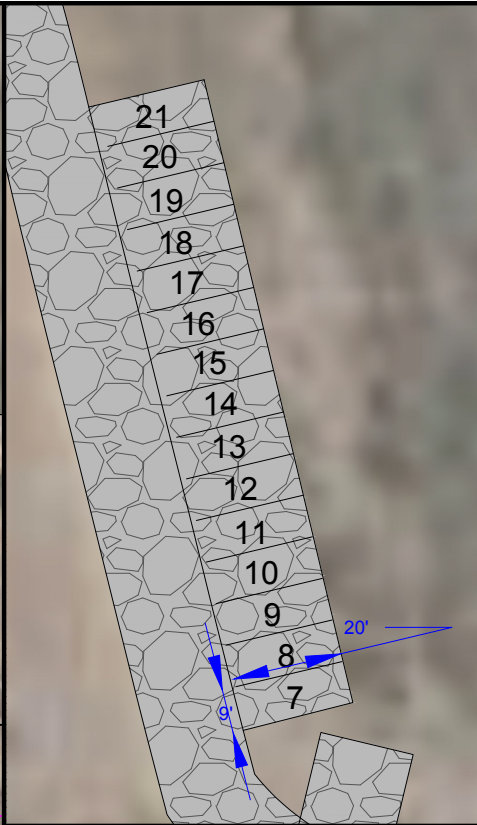
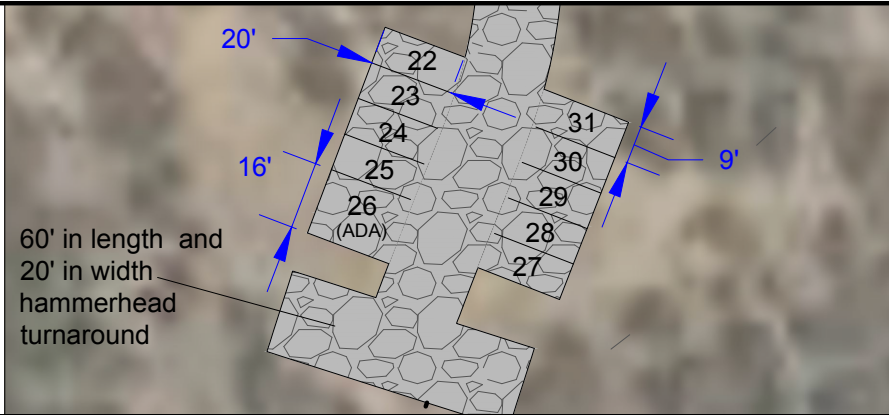
Scale

100 ft.

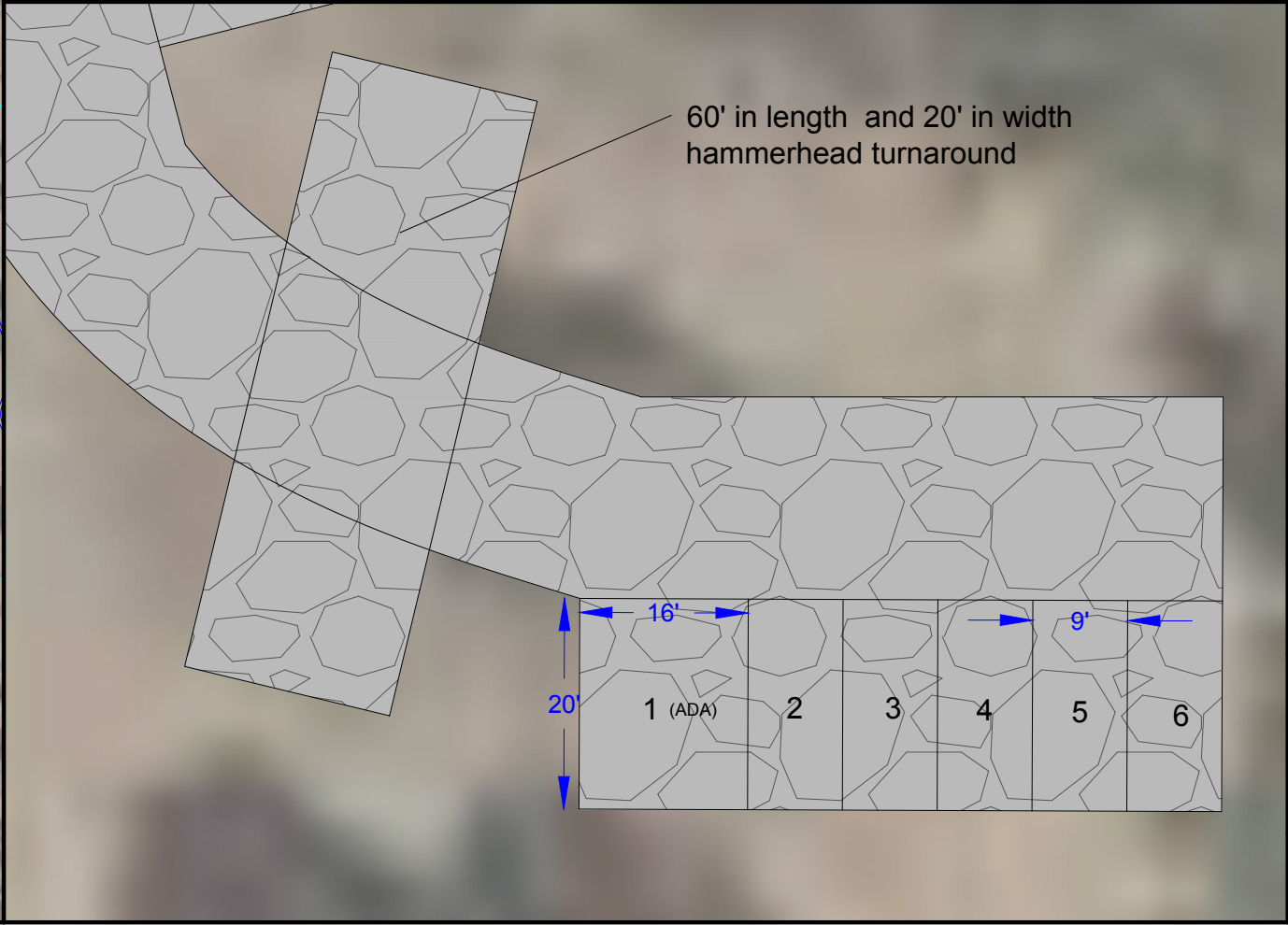
07/07/20

Grading and
Erosion
Control Plan

Sheet 4 of 6



- A: 90' x 120' Mixed Light Greenhouse with a 3.5' internal isle. (10,380 Sq. Ft. of Canopy Area each, 332,160)
 - B: 90' x 120' Immature Plant Greenhouse with a 3' internal isle.
 - C: Well Location
 - D: 50' x 100' Processing Facility
 - E: 200 Sq. Ft. Storage Shed
 - F: 2,500 Gallon Water Tank (one being steel or fiberglass)
 - G: ADA Bathroom Location
 - 100' Property Line Setback
 - Security Fence
 - 100' Waterway Top of Bank Setback
 - Waterway top of Bank
 - Loading Zone
 - 20' wide private access driveway, 913' in length, slope is 0-1%, graveled to a 75,000 lbs capacity, with a 60' by 20' hammerhead turnaround at the terminus.
- *Total Greenhouse Footprint = 367,200 Square Feet*





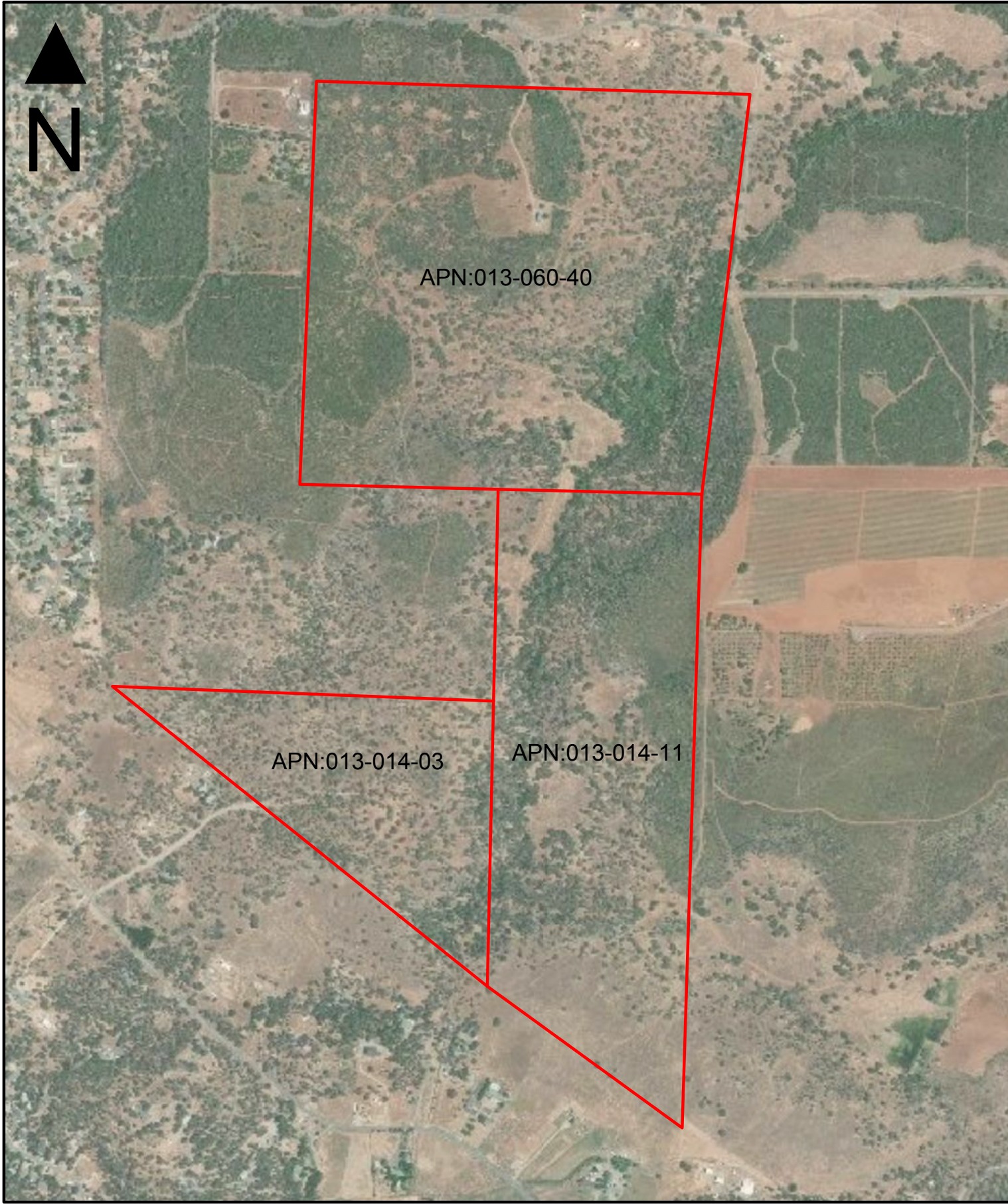
WeGrow

16750 Herrington Rd, 17610 Sandy Rd, and 19678 Stinson Rd,
Middletown, CA 95461
APN: 013-060-40, 013-014-03, and 013-014-11

07/07/20

Parking and Circulation Plan

Sheet 5 of 6



			
WeGrow 16750 Herrington Rd, 17610 Sandy Rd, and 19678 Stinson Rd, Middletown, CA 95461 APN: 013-060-40, 013-014-03, and 013-014-11			
40' Contour Intervals			
07/07/20			
Topographic and Vicinity Map			
Sheet 6 of 6			



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

February 17, 2021

CALIFORNIA ENVIRONMENTAL QUALITY ACT ENVIRONMENTAL CHECKLIST FORM INITIAL STUDY (IS 20-25)

- 1. Project Title:** We Grow LLC
- 2. Permit Numbers:** Use Permit UP 20-22
Initial Study IS 20-25
- 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):** 16750 Herrington Road, Middletown, CA (cultivation site)
APNs: 013-060-40, 013-014-03 and 11
- 6. Project Sponsor's Name/Address:** We Grow LLC / Zarina Otchkova
16750 Herrington Road
Middletown, CA 95422
- 7. General Plan Designation:** Rural Lands, Resource Conservation, Rural Residential
- 8. Zoning:** “RL-RR-WW” Rural Lands – Rural Residential – Waterway
- 9. 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).**
Supervisor District: District 1
Flood Zone: None
Slope: Mostly flat with slopes generally ranging from 0% to 10%
Fire Hazard Severity Zone: High Fire Severity Zone
Earthquake Fault Zone: Not within a mapped fault zone
Dam Failure Inundation Area: Not located within a Dam Failure Inundation Area
Parcel Sizes: 309± acres (combined; three parcels)

The applicant is requesting approval for (15) A-Type 3B (medium mixed light) commercial cannabis cultivation licenses that would include 395,405 sq. ft. of mixed light cultivation area. The project includes thirty 90' x 125' greenhouses; one 90' x 112' greenhouse, four 90' x 125' nursery greenhouses, four 50' x 100' drying buildings, one 200 sq. ft. shed, four 2,500 gallon water tanks. The cultivation area is hidden from view due to the terrain and slope according to the applicant's

Property Management Plan, however the applicant is proposing to build a 6' tall metal fence with privacy screening around the cultivation area perimeter. The applicant is also applying for (1) A-Type 13 'Self Distribution' license.

Article 27, subsection (at) in part regulates cannabis cultivation in Lake County. The 309+ acre properties are not large enough to support these licenses; the scope of this application will need to be amended to conform to the limits established in Article 27 based on property size. The applicant is not within an "exclusion overlay district", and the applicant is pre-enrolled with the Regional Water Board. The applicant must meet all requirements for commercial cannabis cultivation.

The site will be served by an on-site well; the applicant has provided water flow data for this water source.

The Planning and Building Department conducted a site inspection on Tuesday November 26, 2019 to determine the following: (1) whether compliance with Public Resource Codes (PRC) 4290 and 4291 were met; (2) whether the site plan accurately depicted the site layout, and (3) whether any buildings were present that were not accounted for on the site plan submitted.

Construction

- Construction of the site would take place over a 7 to 10 week period
- Proposed are 39 buildings requiring building permits, and one 200 sq. ft. shed
- Construction of a fence to enclose the cultivation area
- Importing fabric pots and soil for the cannabis plant growing medium
- Improvements to interior driveway
- Construction-related estimated daily trips would range between four and eight trips per day, primarily to bring construction-related supplies to the site (fencing, restroom items, fabric pots, soil).

Post Construction Cultivation Activities

- Self-distribution; an A-Type 13 self-distribution is requested
- On-site drying, trimming and packaging
- The applicant and has provided well data showing the adequacy of the water table in this location.
- Fertilizer is packed in five-gallon, resealable containers and stored in a secondary storage container located in a locked storage shed adjacent to the canopy site. Fertilizer is entirely organic
- Only enough product will be kept on site for ongoing cultivation purposes.
- The remaining containers are returned to the supplier.
- There are no other "chemicals" stored on site. There will be no use of chemical pesticides, rodenticides, or herbicides.
- The facility is open for delivery and pick-ups Monday through Saturday, 7:00 AM to 7:00 PM, and Sunday 12:00 PM to 5:00 PM.
- Up to 20 employees working on the site during peak harvest times, and an estimated 10 employees working during on non-peak harvest times.
- Estimated daily vehicle trips would range between twenty and forty following construction.

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

North, South, West: "RR" Rural Residential; parcels range between 5 and over 40 acres in size. Most are developed with dwellings.

North-East: "RL" Rural Lands zoning; large undeveloped lots.

A: 90' x 125' Mixed Light Greenhouse with a 3' internal isle.
(10,750 Sq. Ft. of Canopy Area each, 322,500)

B: 90' x 112' Mixed Light Greenhouse with a 3' internal isle.
(9,795 Sq. Ft. of Canopy Area)

C: 90' x 125' Immature Plant Greenhouse with a 3' internal isle
(10,750 Sq. Ft. of Canopy Area each, 43,000 Sq. Ft. total)

D: 50' x 100' Processing Facility

E: 200 Sq. Ft. Storage Shed

F: 2,500 Gallon Water Tank (one being steel or fiberglass)

G: Well Location

100' Property Line Setback

----- Fence

100' Watercourse Top of Bank Setback

Watercourse Top of Bank

Loading Zone

20' wide access driveway, 913' in length, slope 0-1%, gravelled to a 75,000 lbs load capacity, with a 60 by 20' hammerhead turnaround at the terminus.

Site Address: 16750 Herrington Rd., 17610 Sandy Rd, and 19678 Stinson Rd, Middletown, CA 95461
APN: 013-060-40, 013-014-03, and 013-014-11

Scale: 100 ft.

Date: 03/02/20

Existing and Proposed Conditions for Permit Approval

Sheet 1 of 7

Site Plan

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

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

12. 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.

Notification of the project was sent to local tribes on March 16, 2020. The Middletown Rancheria Tribe requested consultation on March 17, 2020. Consultation was postponed due to significant violations that had occurred on the site, and which have been since corrected. Consultation is anticipated to occur during the last week of February 2021.

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.

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

Findings of

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

SIGNATURE

Date: _____

Scott DeLeon – 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**
I. AESTHETICS <i>Except as provided in Public Resources Code Section 21099, would the project:</i>						
a) Have a substantial adverse effect on a scenic vista?			X		The site is accessed from Herrington Road, a paved County-maintained road that becomes a private dirt road leading into the site. There are no impacts to any scenic vistas. The actual cultivation area will be on a portion of the site that will be fully enclosed by a metal 6’ tall fence with privacy screening around the perimeter of the fence. Less than Significant Impact	1, 2, 3, 4, 5, 6, 7

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		According to the application material submitted, only low-lying brush will be removed. No rock outcroppings or historic buildings were observed or identified in the Cultural Study undertaken for this site. Less Than Significant Impact	1, 2, 3, 4, 5, 6, 7, 8
c) In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?			X		The site is located about 2-1/2 miles from the outskirts of the Clearlake city limits. As previously stated, the cultivation area is within a metal 6' tall fence that will conceal the cannabis crops from Herrington Road, which is located about 325 feet from the edge of the cultivation area. The property is served by Adobe Creek Road, which is located adjacent to the site. The project is not located in an urbanized area. Less Than Significant Impact	1, 2, 3, 4, 5, 6, 7
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?		X			The project has the potential to create additional light or glare coming from the greenhouses. A mitigation measure is added that requires blackout screening within or outside each greenhouse as follows: <u>AES-1:</u> Prior to cultivation, the applicant shall provide blackout screening in or on each greenhouse to block light from spilling out beyond each greenhouse. <u>AES-2:</u> The applicant shall screen all cultivation activities with a minimum 6' tall fence with screening applied to the entire fence around the perimeter of the cultivation area. Less Than Significant Impact with mitigation measure added	1, 2, 3, 4, 5, 6, 7
II. AGRICULTURE AND FORESTRY RESOURCES <i>In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment Project; and forest carbon measurement methodology provided in Forest protocols adopted by the California Air Resources Board.</i> <i>Would the project:</i>						
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?			X		The site contains farmland that is mapped as 'other farmland' which is generally regarded as lower value soil. There are pockets of 'farmland of local importance in the vicinity, however the cultivation area is outside of the higher value farmland that is mapped in the area. No conversion of prime farmland would occur as the result of this project. Less than Significant Impact	1, 2, 3, 5, 6, 9, 10
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?			X		The property is not under Williamson Act contract. None of the neighboring properties are under Williamson Act contracts, and there are no traditional agricultural uses within 1000 feet of the cultivation area. Less than Significant Impact	1, 2, 3, 5, 6, 9, 10, 11

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	As proposed, the project will not conflict with existing zoning for, and/or cause rezoning of forest lands and/or timberlands or timberlands in production. No Impact	1, 2, 3, 5, 6
d) Result in the loss of forest land or conversion of forest land to non-forest use?				X	The project would not result in the loss or conversion of forest land to a non-forest use. No Impact	1, 2, 3, 5, 6, 7
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		This project would not induce changes that would result in its conversion to non-agricultural or non-forest use on the subject site. Less Than Significant Impact	1, 2, 3, 5, 6, 7, 11
III. AIR QUALITY <i>Where available, the significance criteria established by the applicable air quality management district 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			The project has the potential to result in air quality impacts. The cultivation area proposed is significant at 395,000 sq. ft. inside 39 buildings. Site construction is projected to last between 7 and 10 weeks to build these structures. The cultivator will use “above-ground fabric pots”, and no generators are proposed, which will minimize dust migration. Lake County requires an “Odor Control Plan” which was provided by the applicant; he states that the primary odor mitigation measure used is separation distance. There are dwellings (sensitive receptors) located around this site. Consequently mitigation measures are needed as follows; <u>AQ-1:</u> 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. <u>AQ-2:</u> All mobile diesel equipment used must be in compliance with State registration requirements. Portable and stationary diesel powered equipment must meet the requirements of the State Air Toxic Control Measures for CI engines. <u>AQ-3:</u> The applicant shall maintain records of all hazardous or toxic materials used, including a Material Safety Data Sheet (MSDS) for all volatile organic compounds utilized, including cleaning materials. Said information shall be made available upon request and/or the ability to provide the Lake County Air Quality Management District such information in order to complete an updated Air Toxic emission Inventory. <u>AQ-4:</u> All vegetation during site development shall be chipped and spread for ground cover and/or erosion control. The burning of vegetation, construction debris, including waste material is prohibited. <u>AQ-5:</u> 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.	1, 2,3, 5, 6, 9, 12, 13

IMPACT CATEGORIES*	1	2	3	4	All determinations need explanation. Reference to documentation, sources, notes and correspondence.	Source Number**
					AQ-6: 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. AQ-7: Each greenhouse shall contain an air and odor filtration system. Method of filtration shall be provided to the Lake County Planning Department for review prior to any construction occurring on site. AQ-8: The applicant shall apply water to the ground during any and all site preparation work that is required for the greenhouses and drying building, as well as during any interior driveway improvements to mitigate dust migration. Less than Significant Impact with mitigation measures added.	
b) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under and applicable federal or state ambient air quality standard?			X		The County of Lake is in attainment of state and federal ambient air quality standards. The cannabis cultivation must occur within greenhouses, and air filtration systems are required that will reduce or eliminate potential contaminants from the atmosphere that are generated from inside the greenhouses. Less Than Significant Impact	1, 2, 3, 4, 12
c) Expose sensitive receptors to substantial pollutant concentrations?		X			The nearest sensitive receptor is a residence located approximately 350 feet to the west of the proposed cultivation area. Levels of pollutants associated with cannabis are typically based on odors and dust migration during site preparation, and from odors generated by the plants during maturity. Mitigation measures are proposed that will mask odors and suppress dust migration during and after site preparation. Burning cannabis plant waste is prohibited on site. Less Than Significant Impact with mitigation measures added	1, 2, 3, 4, 7, 12
d) Result in other emissions (such as those leading to odors or dust) adversely affecting a substantial number of people?			X		This area is sparsely populated. The number of potentially impacted persons in this general area is small, and the cultivation will occur inside of greenhouses. Given the separation of this cultivation site from its nearest neighbor (350 feet away), and given mitigation measure #7, it is unlikely that odors and dust will impact the neighbors after site construction concludes, and water will be applied to the disturbed portion of the site during site construction. The cannabis plants will be in fabric pots and inside of greenhouses, further minimizing the migration of dust. Less Than Significant Impact	1, 2, 3, 4, 7, 12

IMPACT CATEGORIES*	1	2	3	4	All determinations need explanation. Reference to documentation, sources, notes and correspondence.	Source Number**
IV. BIOLOGICAL RESOURCES <i>Would the project:</i>						
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?		X			<u>A Biological Study</u> was done by Pinecrest Environmental Group dated March 1, 2020. The on-site survey was conducted on February 15, 2020 and out of the flowering season. A follow up report 'in season' is required, and will be required prior to the public hearing being scheduled for this project. According to the study, no sensitive species were observed, and the conclusion reached by the Study indicated that no mitigation measures were necessary given the minimal impact to the site and the lack of observed and mapped sensitive species, and that a follow up 'in season' site visit / study would likely be needed. The following mitigation measure is needed to ensure that no significant flora or fauna exist on the site, which require survey during the spring or summer months: BIO-1: A follow up survey shall be conducted by a licensed and qualified biologist. The results of this follow up site visit, including recommendations, shall be provided to the Lake County Planning Department prior to a hearing and cultivation. Any recommendations shall be added as conditions of approval for this use permit. Less than Significant Impact with mitigation measure added.	1, 2, 3, 4, 5, 6, 14, 15, 39
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		There are no mapped sensitive habitats that are on the subject site. Less than Significant Impact	1, 2, 3, 5, 6, 7, 14, 15, 39
c) Have a substantial adverse effect on state or federally protected wetlands (including, not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?				X	There are no federally protected wetlands on the subject site. No Impact	1, 2, 3, 5, 6, 7, 14, 15, 39
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		No fish species or migratory corridors will be impacted either directly or indirectly by this action. Less than Significant Impact	1, 2, 3, 5, 6, 14, 15, 39
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?			X		There are no mapped conservation easements or oak woodlands on this site that might otherwise require extra protection or tree replacement. The applicant has indicated that no trees will be removed, and the cultivation areas are essentially ready for planting. Less than Significant Impact	1, 2, 3, 5, 6, 39
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?				X	There are no Habitat Conservation Plans associated with this property. No trees would need to be removed by this project, which was previously used as a medicinal marijuana cultivation area in 2017. No Impact	1, 2, 3, 5, 6, 39

IMPACT CATEGORIES*	1	2	3	4	All determinations need explanation. Reference to documentation, sources, notes and correspondence.	Source Number**
V. CULTURAL RESOURCES <i>Would the project:</i>						
a) Cause a substantial adverse change in the significance of a historical resource pursuant to §15064.5?		X			A Cultural Study was prepared for this project by Wolf Creek Archaeology dated February 28, 2020. The Cultural Study submitted concluded that no cultural resources sites were discovered within the cultivation area as a result of the survey. A prehistoric rock wall was located well outside the proposed cultivation area; the surveying archaeologist recommended that this wall be left intact, and that no site disturbance should occur on or near this wall. Should archaeological materials be discovered during future development, the surveying Archaeologist added that he recommends that in the event any potentially significant artifacts or remains are discovered, that all activity be temporarily halted in the vicinity of the find(s), and that a qualified archaeologist be retained to evaluate the find(s) and to recommend mitigation procedures, if necessary According to the Study, it is unlikely that human remains will be discovered during project construction. If, however, human remains of any type are encountered, the project sponsor must contact the Sheriff's Department, a qualified archaeologist, and the culturally-affiliated Tribe to assess the situation. Mitigation Measures CUL-1 and CUL-2 are added as follows: <u>CUL-1:</u> Should any archaeological, paleontological, or cultural materials be discovered during site development, all activity shall be halted in the vicinity of the find(s), the applicant shall notify the local overseeing Tribe, and a qualified archaeologist 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, the applicant shall notify the Sheriff's Department, the local overseeing Tribe, and a qualified archaeologist for proper internment and Tribal rituals per Public Resources Code Section 5097.98 and Health and Safety Code 7050.5. <u>CUL-2:</u> All employees shall be trained in recognizing potentially significant artifacts that may be discovered during ground disturbance. If any artifacts or remains are found, the local overseeing Tribe shall immediately be notified; a licensed archaeologist shall be notified, and the Lake County Community Development Director shall be notified of such finds. Less than Significant with these mitigation measures added	1, 2, 3, 5, 6, 40
b) Cause a substantial adverse change in the significance of an archeological resource pursuant to §15064.5?			X		No changes are expected to archaeological resources. Less Than Significant Impact	1, 2, 3, 5, 6, 40
c) Disturb any human remains, including those interred outside of formal cemeteries?		X			Some ground-disturbing activities are proposed affecting 395,000 square feet of cultivation area. Disturbance of human remains is not anticipated. The applicant shall halt all work and immediately contact the Lake County Sheriff's Department, the local overseeing Tribe, and the Community Development Department if any human remains are encountered. Less Than Significant with mitigation measures CUL-1 and CUL-2 added.	1, 2, 3, 5, 6, 40

IMPACT CATEGORIES*	1	2	3	4	All determinations need explanation. Reference to documentation, sources, notes and correspondence.	Source Number**
VI. ENERGY <i>Would the project:</i>						
a) Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?		X			The proposed energy usage for this facility is potentially significant. The applicant is proposing to use 'on grid' power to provide low lighting to 35 greenhouses and four 5000 sq. ft. drying buildings, as well as to surveillance cameras and well pumps. The applicant has not indicated that amperage that would be needed to power the site; this is required prior to a public hearing occurring. Engineered energy calculations may be required prior to the hearing. The following mitigation measure is therefore required: EN-1: The applicant shall provide energy calculations for the proposed project prior to the hearing. Total amperage needs shall be provided within the energy calculations provided. A description of energy use per building may be necessary, as well as engineered energy calculations at the discretion of the Building Official. Less than Significant Impact with mitigation measure added.	1, 2, 3, 5, 6
b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?				X	The proposed cultivation operations would not conflict with or obstruct an energy plan. No Impact	1, 2, 3, 5, 6
VII. GEOLOGY AND SOILS <i>Would the project:</i>						
a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving: i) Rupture of a known earthquake fault, as delineated on the most recent Alquist- Priolo 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> The project site is not located within a mapped Earthquake Fault area as established by the California Geological Survey. <u>Seismic Ground Shaking and Seismic-Related Ground Failure including liquefaction.</u> This lot does not contain mapped unstable soils. It appears unlikely that ground shaking, ground failure or liquefaction will occur on this property in the future. The site is flat, ranging in slope between 0% and 5%, with the cultivation area being located on the flattest part of the property. The disturbed area is far enough away from the watershed that it will not impact this hillside with runoff, thus reducing risk of liquefaction. <u>Landslides</u> According to the Landslide Hazard Identification Map prepared by the California Department of Conservation, Division of Mines and Geology, the project parcel soil is prone to erode and has a high shrink-swell character, but is not located within and/or adjacent to an existing mapped landslide area. According to the Property Management Plan, grading would occur on the property to accommodate the 39 buildings that are proposed. The applicant believes that the total earth being moved will not exceed 500 cubic yards, the maximum amount allowed with a building permit. The Building Official however has not seen engineered grading plans; these are required as a mitigation measure to assure that a Grading Permit is in fact not needed. Project design shall incorporate Best Management Practices (BMPs) to the maximum extent possible to prevent or reduce discharge of all construction or post construction pollutants into the County storm drainage system. BMPs include scheduling of activities, erosion and sediment control (proposed is a one-foot tall berm around the perimeter of the cultivation area), operation and maintenance procedures and other measures in accordance with Chapter 29 of the Lake County Code. Less Than Significant Impact	1, 2, 3, 5, 6, 9, 17, 18, 19, 20

IMPACT CATEGORIES*	1	2	3	4	All determinations need explanation. Reference to documentation, sources, notes and correspondence.	Source Number**
b) Result in substantial soil erosion or the loss of topsoil?			X		No erosion or loss of topsoil is anticipated. Regarding the new proposal, some minor grading needed for this major use permit will be minimal and will be well below the threshold for requiring a grading permit. The applicant has also indicated that a one-foot tall berm will be placed on the outer boundary of the cultivation area to further prevent soil erosion, and stormwater runoff will channel into the existing on-site stormwater retention basin. Less Than Significant Impact	1, 2, 3, 5, 6, 9
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		According to the soil survey of Lake County, prepared by the U.S.D.A., the soil at the site (types 233 and some 235 soil) is considered generally stable. There is a less than significant chance of landslide, subsidence, liquefaction or collapse as a result of the project based on the characteristics of these soil types, the slope (generally under 5%), and the lack of faults in this immediate area. Less Than Significant Impact	1, 2, 3, 5, 6, 9, 20
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 the project soil type is low to moderate. The proposed project would not increase risks to life or property. Less Than Significant Impact	1, 2, 3, 5, 6, 9
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 onsite waste disposal system. Less Than Significant Impact	1, 2, 3, 5, 6, 9, 21
f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?		X			Disturbance of paleontological resources or unique geologic features is not anticipated, and mitigation measures are in place to assure that in the event any artifacts are found, that the applicant will notify the overseeing Tribe(s) and a licensed Archeologist - CUL-1 and CUL-2. Less than Significant Impact with mitigation measures added.	1, 2, 3, 5, 6
VIII. GREENHOUSE GAS EMISSIONS <i>Would the project:</i>						
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?			X		Cannabis cultivation activities would not generate a substantial number of vehicle trips and would not require intensive use of heavy equipment, and as such, would not degrade air quality or produce significant amounts of greenhouse gasses. The applicant has indicated that construction will take place over a two to three week period of time for site and interior driveway preparation. The applicant indicates that up to two employees will be working on site depending on the time of year – harvest time will support the maximum of two employees, with one or two employees working in the non-harvest periods. Construction-related daily trips are estimated to be 2 to 4 trips per day, and non-construction (day to day site access) will generate up to 4 daily trips. The use of carbon air filtration systems within the greenhouses will further reduce particulate emission into the atmosphere that occur within the actual greenhouses. Less than Significant Impact	1, 2, 3, 5, 6, 12

IMPACT CATEGORIES*	1	2	3	4	All determinations need explanation. Reference to documentation, sources, notes and correspondence.	Source Number**
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?				X	This project will not conflict with any adopted plans or policies for the reduction of greenhouse gas emissions. The County of Lake is an 'air attainment' County, and does not have established thresholds of significant for greenhouse gases. No Impact	1, 2, 3, 5, 6, 12
IX. HAZARDS AND HAZARDOUS MATERIALS <i>Would the project:</i>						
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?			X		Materials associated with the proposed Cultivation of Commercial Cannabis, such as gasoline, pesticides, fertilizers, alcohol, hydrogen peroxide and the equipment emissions may be considered hazardous if released into the environment. The applicant has stated that all potentially harmful chemicals will be stored in a locked, secured metal building on site (see photo, next page). The risk of a <u>significant hazard</u> is very minimal. Some gasoline will be stored on site for use in on-site vehicles. No generators are proposed, and the applicant already has on-grid power serving his site. The fertilizers that will be used are organic. Routine construction materials and all materials associated with the proposed Cultivation of Commercial Cannabis shall be transported and disposed of properly in accordance with all applicable Federal, State and local regulations. According to the <i>Property Management Plan - Fertilizer Management Plan</i> , the fertilizer used will consist of organic materials. According to the <i>Property Management Plan – Pest Control</i> , all pesticides will be stored in s 200 sq. ft. shed on site, which is a lockable and secure building. The project shall comply with Section 41.7 of the Lake County Zoning Ordinance that specifies that all uses involving the use or storage of combustible, explosive, caustic or otherwise hazardous materials shall comply with all applicable local, state and federal safety standards and shall be provided with adequate safety devices against the hazard of fire and explosion, and adequate firefighting and fire suppression equipment. All equipment shall be maintained and operated in a manner that minimizes any spill or leak of hazardous materials. Hazardous materials and contaminated soil shall be stored, transported, and disposed of consistent with applicable local, state and federal regulations. Less than Significant Impact	1, 2, 3, 5, 6, 22, 23
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 applicant has stated the chemicals that will be used on site, including the method of storage in a secure and lockable building (shed). The site is located outside of any flood inundation area, and is not located within an area mapped as unstable soil according to County GIS data. Less than Significant Impact	1, 2, 3, 5, 6, 23
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. No Impact	1, 2, 3, 5, 6, 7
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), California Department of Toxic Substance, and Control State Resources Water Control Board. Less Than Significant Impact	1, 2, 3, 4, 5, 6, 24, 25

IMPACT CATEGORIES*	1	2	3	4	All determinations need explanation. Reference to documentation, sources, notes and correspondence.	Source Number**
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. No Impact	1, 2, 3, 4, 5, 6, 26, 38
f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?			X		The project would not impair or interfere with an adopted emergency response or evacuation plan. Less Than Significant Impact	1, 2, 3, 4, 5, 6, 22, 38
g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?			X		The project site is located in a high fire hazard severity zone and is in State (CalFire) Responsibility Area. The project will require the removal of about 5 acres of brush, a fuel source for wildfire, and will reduce the potential for wildfire within the cultivation area. The applicant is proposing to use one 2,500 gallon water tank for fire suppression if it is needed. Less Than Significant Impact	1, 2, 3, 4, 5, 6, 22, 27, 28, 38
X. HYDROLOGY AND WATER QUALITY <i>Would the project:</i>						
a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?			X		This project will not violate any water quality standards or waste discharge requirements. The project will employ Best Management Practices (BMPs) related to erosion and water quality to reduce impacts related to storm water and water quality and adhere to all federal, state and local requirements, as applicable. The cultivation sites are positioned in a manner that will allow stormwater runoff to drain into the existing on-site water basin. Less Than Significant Impact	1, 2, 3, 5, 6, 29, 30
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 applicant has provided a Well Test dated 1997. The Test showed a 315' drawdown over a 1 hour well run period and did not list any recharge rate after a period of inactivity. The well produces about 106 gallons per minute. Projected water usage for this proposal is between 746,000 gallons during each growing season. The applicant has provided a well test conducted in 1997, however this well test does not show the recharge rate and duration, which is required prior to the public hearing as follows: HYD-1: The applicant shall provide a water availability analysis to the Community Development Department prior to a public hearing that shows total well drawdown over a 4 hour time-frame, and recharge rate after a one-hour (minimum) shut-down period. Less Than Significant Impact with mitigation measure added	1, 2, 3, 5, 6, 31

IMPACT CATEGORIES*	1	2	3	4	All determinations need explanation. Reference to documentation, sources, notes and correspondence.	Source Number**
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 that would: i) result in substantial erosion or siltation on-site or off-site; ii) substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite; iii) create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or iv) impede or redirect flood flows?			X		The soil type is Type 219 at the cultivation site. This soil type is not particularly prone to erosion, and there are no creeks or streams in the immediate vicinity of the site. The applicant has submitted a Soil and Erosion Control Plan that shows best management practices for the cultivation area consisting of straw wattles and stormwater channelization. The total “disturbed area” on the site is significant at about 395,000 sq. ft. The cannabis plants will be in greenhouses and inside fabric pots, both of which will limit erosion from the plant soil. The slope at the cultivation site is relatively flat, ranging from 0% to 5%. There is minimal likelihood that this project will substantially alter the drainage pattern of the site or area; will result in <u>substantial</u> erosion on or off site; would <u>substantially</u> increase the rate or amount of surface runoff, or would create or contribute to water runoff that would exceed the capacity of existing or planned stormwater drainage systems or have any effect on flood flows, which (if present during a significant storm event) would occur several hundred feet to the south of the cultivation site based on the topography of the property. Less Than Significant Impact	1, 2, 3, 5, 6, 7, 15, 17, 29, 30
d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?			X		The project site is not located in an area of potential inundation by seiche or tsunami. The parcel is not located within a flood zone. In addition, the soils at the project site are generally stable, and the slope of the site is almost flat, ranging from 0% to 5%. There is minimal potential to induce mudflows. Less Than Significant Impact	1, 2, 3, 5, 6, 7, 9, 24, 32
e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?				X	The project would not conflict with or obstruct any water quality control or sustainable groundwater management plans. No Impact	1, 2, 3, 5, 6, 29
XI. LAND USE AND PLANNING <i>Would the project:</i>						
a) Physically divide an established community?				X	The proposed project would not physically divide an established community. There is an existing driveway that serves the site that would need to be improved slightly (widening and surface treatment), however no new roads are needed, and no division of an existing community would occur by this action. No Impact	1, 2, 3, 5, 6
b) Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?			X		This project is consistent with the Lake County General Plan, Middletown Area Plan, the Lake County Zoning Ordinance, and the Hazard Mitigation Plan. The property is zoned “RR and RL” Rural Residential – Rural Land, which allows commercial cannabis cultivation per Lake County Zoning Ordinance (Article 27, Table B) and subsection (at) with a use permit. The applicant shall adhere to all incorporated mitigation measures and conditions of approval. California Department of Food & Agriculture (CDFA) is responsible for licensing and regulation of cannabis cultivation and enforcements defined in the Medicinal and Adult Use Cannabis Regulation and Safety Act (MAUCRSA)	1, 2, 3, 5, 6

IMPACT CATEGORIES*	1	2	3	4	All determinations need explanation. Reference to documentation, sources, notes and correspondence.	Source Number**
					and CDFA regulations related to cannabis cultivation. Less Than Significant Impact	
XII. MINERAL RESOURCES <i>Would the project:</i>						
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?				X	The site contains no known mineral resources. No Impact	1, 3, 4, 5, 6, 33
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 site contains no known mineral resources. No Impact	1, 2, 3, 5, 6, 33
XIII. NOISE <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			There is some potential for permanent increases in ambient noise levels resulting from air filtration systems within the greenhouses and from site preparation for the building pads. Some infrequent noise could be anticipated if a backup power generator is activated during any power outage or during generator testing, but those impacts would not be significant or long lasting. Maximum construction and non-construction related sound levels shall not exceed maximum levels specified in Zoning Ordinance Section 21-41.11 (Table 11.2) at the surrounding residences. NOI-1: All construction activities including engine warm-up shall be limited Monday Through Friday, between the hours of 7:00am and 7:00pm, and Saturdays from 12:00 noon to 5:00 pm 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. NOI-2: Maximum non-construction related sounds levels shall not exceed levels of 55 dBA between the hours of 7:00AM to 10:00PM 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. NOI-3: Generators shall only be used as Emergency Power Backup supply and shall not be used for regular power provision to this facility. Less Than Significant Impact with mitigation measures added.	1, 2, 3, 5, 6
b) Generation of excessive groundborne vibration or groundborne noise levels?			X		The project is not expected to create unusual groundborne vibration due to site development or operation. The low level truck traffic during construction and for occasional deliveries would create a minimal amount of groundborne vibration. Less Than Significant Impact	1, 2, 3, 5, 6
c) For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?			X		The project is not located within two miles of a private airport. Less Than Significant Impact	1, 2, 3, 5, 6, 26

IMPACT CATEGORIES*	1	2	3	4	All determinations need explanation. Reference to documentation, sources, notes and correspondence.	Source Number**
XIV. POPULATION AND HOUSING <i>Would the project:</i>						
a) Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?				X	The project is not anticipated to induce population growth. No new dwelling units are proposed, nor are any needed. No Impact	1, 2, 3, 5, 6
b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?				X	No people or housing will be displaced as a result of the project. No Impact	1, 2, 3, 5, 6
XV. PUBLIC SERVICES <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. The cultivation activity would use "on-grid" power, which could be significant given the sizes and numbers of greenhouses proposed. Mitigation measure EN-1 requires energy calculations be submitted prior to the public hearing to assure that these buildings can receive adequate power for the proposed usage. The applicant may need to provide additional power source(s), such as solar panels or wind power as a backup power source; this will be determined by the Building Official following review of projected power needs and proposed amperage needs from the applicant. Less Than Significant Impact with mitigation measure EN-1 added.	1, 2, 3, 5, 6
XVI. RECREATION <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. No Impact	1, 2, 3, 5, 6
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. No Impact	1, 2, 3, 5, 6

IMPACT CATEGORIES*	1	2	3	4	All determinations need explanation. Reference to documentation, sources, notes and correspondence.	Source Number**
XVII. TRANSPORTATION <i>Would the project:</i>						
a) Conflict with a program plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?		X			The project site is accessible off of Herrington Road, a private gravel road at this location. Some improvements to Herrington Road are needed in order to make the road compliant with Public Resource Code sections 4290 and 4291 (CalFire road standards); this is a requirement and requires the following mitigation measure: TRANS-1: Prior to a building permit being issued, the applicant shall improve Herrington Road to comply with PRC 4290 and 4291 road standards. The applicant shall schedule an inspection with the Fire Marshal through the Community Development Department once improvements to the road are completed. A Grading Permit and engineered drawings may be required prior to any work occurring to improve this road. The applicant shall coordinate with the Building Official regarding potential grading plans that might be required prior to any work occurring on Herrington Road improvements. Less Than Significant Impact with mitigation measure added	1, 2, 3, 4, 5, 6, 34, 35, 38
b) Would the project conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)?			X		The project is expected to generate an average of 10 to 20 vehicle trips per day during and after construction and site preparation. Significant impacts are not anticipated based on the projected number of construction-related and post construction related trips. CEQA Guidelines section 15064.3, subdivision (b) lists thresholds that would otherwise trigger a traffic impact study (TIS); this project does not qualify for the TIS requirement. Less Than Significant Impact	1, 2, 3, 4, 5, 6, 34, 35
c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?				X	The proposed project would not increase hazards at the project site as the road improvements that would occur would follow the path of the existing Herrington Road 'right of way', which does not contain sharp curves or dangerous intersections. Interior driveway improvements will occur to make the site compliant with Public Resource Code (PRC) sections 4290 and 4291, 'CalFire Road Standards' since building permits for the greenhouse and drying building are required. No Impact	1, 2, 3, 4, 5, 6, 23, 34, 35
d) Result in inadequate emergency access?			X		As proposed, this project site will not impact existing emergency access, which is taken from Herrington Road adjacent to the site. Less Than Significant Impact	1, 2, 3, 4, 5, 6, 23, 34, 35
XVIII. TRIBAL CULTURAL RESOURCES <i>Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:</i>						
a) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or		X			The applicant has submitted a Cultural Resource study prepared by Wolf Creek Archaeology LLC. The findings listed in the Study did not indicate that this site is a candidate for listing in the California Register of Historic Resources, and the site is not within any designated 'local sites of historic resource'. Further, a standard mitigation measure (CUL-1) requires the notification of the local culturally-affiliated Tribe and contacting a licensed Archeologist of any Native American artifacts or remains are found. Less Than Significant Impact with mitigation measures added.	1, 2, 3, 5, 6, 40
b) A resource determined by the lead agency, in its discretion and			X		There are no mapped or observed significant resources (Tribal Cultural) that are on or immediately adjacent to the site. All eleven Lake County tribes were	1, 2, 3, 5, 6, 40

IMPACT CATEGORIES*	1	2	3	4	All determinations need explanation. Reference to documentation, sources, notes and correspondence.	Source Number**
supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resources Code 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.					notified of this action, and Middletown Rancheria has requested consultation regarding this project. To date this consultation has not occurred, but is anticipated to occur in late February 2021. Less than Significant Impact	
XIX. UTILITIES AND SERVICE SYSTEMS <i>Would the project:</i>						
a) Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?			X		The subject parcel is served by an existing domestic well and onsite septic system. Power is available from PG&E lines that already serve the site; however total power demands are not yet known and are required. Additional power source(s) may be required pending the outcome of power demand needs that the applicant must provide. The site does not contain a telecommunication system, and is not supplied with natural gas. Less Than Significant Impact	1, 2, 3, 5, 6, 21
b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?		X			The subject parcel is served by an existing domestic well that has significant gallons per minute output, but that also has significant drawdown, and no recharge data was provided and is required. There is no minimum threshold for well productivity in Lake County, however the applicant will need to demonstrate that the existing well can supply adequate water for the project, and that the aquifer is stout enough to enable the well to fully recharge within a short period of time. The applicant is required to provide well data, including recharge rate and duration, as a mitigation measure HYD-1 . Less Than Significant Impact with mitigation measure added.	1, 2, 3, 5, 6, 21
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 subject parcel is served by an onsite septic system. A new ADA-compliant restroom will be required as a condition of approval. The Planning Commission may at their discretion allow a portable ADA-compliant restroom and handwash station; that will be determined at the public hearing for this use permit. Less Than Significant Impact	1, 2, 3, 5, 6, 21
d) Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?			X		The existing landfill has sufficient capacity to accommodate the project's solid waste disposal needs for at least 5 years according to the Lake County Public Services Director. According to the Property Management Plan – Waste Management Plan has been developed to help minimize the generation of waste and for the proper disposal of waste produced during the cultivation and processing of cannabis at the project site. The goal is to prevent the release of hazardous waste into the environment, minimize the generation of cannabis vegetative waste and dispose of cannabis vegetative waste properly, and manage growing medium and dispose of growing medium properly. All employees are required to follow the procedures outlined in this plan. Any deviations from this plan must be immediately brought to the attention of Director of Cultivation. Less Than Significant Impact	1, 2, 3, 5, 6, 36, 37

IMPACT CATEGORIES*	1	2	3	4	All determinations need explanation. Reference to documentation, sources, notes and correspondence.	Source Number**
e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?			X		All requirements related to solid waste disposal will apply to this project. Less Than Significant Impact	1, 2, 3, 5, 6, 36, 37
XX. WILDFIRE <i>If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:</i>						
a) Substantially impair an adopted emergency response plan or emergency evacuation plan?			X		The property including the cultivation site is located within a High fire hazard area. A site visit on November 26, 2019 confirmed that the cultivation site is relatively well-tended. The interior driveway will be compliant with PRC 4290 and 4291, and there are substantial flat areas that can be used for emergency vehicle turn-around purposes. The applicant is proposing to maintain a 100 foot-wide fire break around the cultivation area. Less Than Significant Impact	1, 2, 3, 5, 6, 22, 27, 28, 38
b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?			X		The cultivation area is largely devoid of manzanita and other fast-burning fuels, and the applicant is proposing the removal of low-lying vegetation in and near the cultivation site. The interior road will be required to meet PRC 4290 and 4291 road standards. The cultivation activity proposed will have a neutral effect on exposing persons to pollutant concentrations in the event of a wildfire in the area. Less than Significant Impact	1, 2, 3, 5, 6, 22, 27, 28, 38
c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?			X		The developed portion of the site will contain a five-acre fire break along with a 100 foot 'clear area' around the cultivation site which the applicant shall maintain. Portions of the site contain significant fuel load, however the cultivation area would be devoid of potential fuels. It appears that no additional infrastructural improvements are needed. Less than Significant Impact	1, 2, 3, 5, 6, 38
d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?			X		There is an existing residence on the property. The risk of flooding, landslides, slope instability, or drainage changes would not be increased due to this project based on the existing development combined with lack of slope in the cultivation areas and on the entire site. Less Than Significant Impact	1, 2, 3, 5, 6, 20, 29, 32, 38

IMPACT CATEGORIES*	1	2	3	4	All determinations need explanation. Reference to documentation, sources, notes and correspondence.	Source Number**
XXI. MANDATORY FINDINGS OF SIGNIFICANCE						
a) Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?			X		The project proposes a cultivation of commercial cannabis in a previously disturbed area. Because of this, there is minimal risk of degradation, and mitigation measures are proposed that would alleviate most or all of the project-related impacts. As proposed, this project is not anticipated to significantly impact habitat of fish and/or wildlife species or cultural resources, nor will the project contribute to factors that would harm the environment, or add to any wildfire risk. Less Than Significant Impact	ALL
b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?		X			Potentially significant impacts have been identified related to Aesthetics, Air Quality, Biological Resources, Cultural / Tribal Resources, Energy Resources, Hydrology, Noise, Transportation and Utilities (power). These impacts in combination with the impacts of other past, present and reasonably foreseeable future projects in the vicinity could cumulatively contribute to significant effects on the environment if proper mitigation measures are not put in place. The scope of this project is 395,000 square feet of mixed light cultivation area. Also, 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. Can be mitigated to Less Than Significant Impact	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, risks associated Aesthetics, Air Quality, Biological Resources, Cultural / Tribal Resources, Energy Resources, Hydrology, Noise, Transportation and Utilities (power), and have the potential to impact human beings. Implementation of and compliance with mitigation measures identified in each section would reduce adverse indirect or direct effects on human beings and impacts. Can be mitigated to Less Than Significant Impact	ALL

* Impact Categories defined by CEQA

****Source List**

1. Lake County General Plan
2. Lake County Zoning Ordinance
3. Middletown Area Plan
4. Site Visit, November 26, 2019
5. WeGrow Major Use Permit Application and Supplemental Materials
6. Project Management Plan for Major Use Permit; March 9, 2020
7. U.S.G.S. Topographic Maps
8. California Department of Transportation:
http://www.dot.ca.gov/hq/LandArch/16_livability/scenic_highways/index.htm
9. U.S.D.A. Lake County Soil Survey
10. Important Farmland Map <https://maps.conservation.ca.gov/agriculture/>
11. Lake County Department of Agriculture
12. Lake County Air Quality Management District
13. Lake County Serpentine Soil Mapping

14. California Natural Diversity Database (<https://www.wildlife.ca.gov/Data/CNDDB>)
15. U.S. Fish and Wildlife Service National Wetlands Inventory
16. Vacant
17. Lake County Grading Ordinance, adopted 2007
18. U.S.G.S. Geologic Map and Structure Sections of the Clear Lake Volcanic, Northern California, Miscellaneous Investigation Series, 1995
19. Official Alquist-Priolo Earthquake Fault Zone maps for Lake County
20. 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
21. Lake County Health Services Department
22. Lake County Emergency Management Plan
23. Lake County Hazardous Waste Management Plan, adopted 1989
24. Lake County Natural Hazard database
25. Hazardous Waste and Substances Sites List: www.envirostor.dtsc.ca.gov/public
26. Lake County Airport Land Use Compatibility Plan, adopted 1992
27. California Department of Forestry and Fire Protection - Fire Hazard Mapping
28. South Lake Fire Protection District (CalFire)
29. National Pollution Discharge Elimination System (NPDES)
30. Central Valley Regional Water Quality Control Board
31. State Water Resources Control Board
32. FEMA Flood Hazard Maps
33. Lake County Aggregate Resource Management Plan
34. 2010 Lake County Regional Transportation Plan, Dow & Associates, October 2010
35. California Department of Transportation (CalTrans)
36. CalRecycle Solid Waste Information System
<http://www.calrecycle.ca.gov/SWFacilities/Directory/Search.aspx>
37. Lake County Countywide Integrated Waste Management Plan and Siting Element, 1996
38. Lake County Hazard Mitigation Plan, adopted February 2018
39. Biological Study, prepared by Pinecrest Environmental Services and dated March 2020.
40. Cultural Study, prepared by Wolf Creek Archaeological Services dated February 28, 2020.

BIOLOGICAL ASSESSMENT

**16750 HERRINGTON ROAD [APN 013-060-40]
LAKE COUNTY, CALIFORNIA**

SUBMITTED TO:

Lake County Planning Consultants
16750 Herrington Road
Middletown, CA 95461

PREPARED BY:

Pinecrest Environmental Consulting
5627 Telegraph Avenue Suite 420
Oakland, California 94609
(510) 881-3039

PROJECT № LAK013



MARCH 1, 2020

TABLE OF CONTENTS

1.0 INTRODUCTION	3
1.1 PURPOSE.....	3
1.2 LOCATION	3
1.2.1 Site Overview.....	3
1.2.2 Critical Habitat	3
1.2.3 Special-Status Species Occurrences	4
1.2.4 Landforms & Water Features	5
1.2.5 Existing Structures.....	6
1.2.6 Regional Land Uses	6
1.3 METHODS.....	7
1.3.1 Records Search & Literature Review.....	7
1.3.2 Field Surveys	7
2.0 RESULTS	8
2.1 NATURAL COMMUNITIES IN THE REGION.....	8
2.2 NATURAL COMMUNITIES ON THE PROJECT SITE.....	8
2.2.1 Quercus-Pinus Woodland & Savannah	8
2.2.3 Mixed Quercus-Arctostaphylos Chaparral.....	9
2.3 WILDLIFE.....	9
2.4 WATERCOURSES & POTENTIAL WETLANDS.....	10
2.5 SOILS & GEOMORPHOLOGY	10
3.0 SUMMARY & CONCLUSIONS	11
4.0 REGULATORY FRAMEWORK.....	12
4.1 FEDERAL ENDANGERED SPECIES ACT	12
4.2 CALIFORNIA ENDANGERED SPECIES ACT.....	12
4.3 CALIFORNIA ENVIRONMENTAL QUALITY ACT	12
4.4 CLEAN WATER ACT.....	13
4.5 CALIFORNIA WATER QUALITY REGULATORY PROGRAMS	13
5.0 REFERENCES.....	14

FIGURE 1: REGIONAL LOCATION	15
FIGURE 2: 40 FOOT CONTOURS	16
FIGURE 3: WATERCOURSES	17
FIGURE 4: PHOTOGRAPH OF ACCESS ROAD.....	18
FIGURE 5: PHOTOGRAPH OF ACCESS GATE	19
FIGURE 6: PHOTOGRAPH OF GROUNDWATER WELL	20
FIGURE 7: PHOTOGRAPH OF BARN	21
FIGURE 8: PHOTOGRAPH OF ROCK FORD	22
FIGURE 9: PHOTOGRAPH OF POTENTIAL WETLAND	23
FIGURE 10: PHOTOGRAPH OF POTENTIAL CULTIVATION AREA.....	24
FIGURE 11: PHOTOGRAPH OF OAK WOODLAND	25
APPENDIX A: SPECIAL-STATUS SPECIES CONSIDERED	26
APPENDIX B: SPECIES ENCOUNTERED	43
APPENDIX C: CNDDB OCCURRENCES MAP	46
APPENDIX D: MAP OF FEDERAL CRITICAL HABITAT	47
APPENDIX E: CANNABIS CULTIVATION BEST MANAGEMENT PRACTICES	48
E.1 CANNABIS CULTIVATION.....	48
E.2 EROSION & SEDIMENT CONTROL.....	50
E.3 WATER USE & POLLUTION	52
E.4 ROAD MAINTENANCE & GENERAL CONSTRUCTION.....	54
E.5 SWALE & VEGETATION MANAGEMENT	56
E.6 IRRIGATION & CULTIVATION MANAGEMENT	57
APPENDIX F: STREAM CLASSIFICATION CRITERIA	60

1.0 INTRODUCTION

1.1 PURPOSE

The purpose of this reconnaissance-level Biological Assessment (BA) is to evaluate the existence of special-status species (SSS) and/or habitats, as well as assess the potential for SSS listed in Appendix A to occur on or near the site of commercial cultivation activities, pursuant to applicable regulations from County of Lake and the State of California. This BA also analyzes the potential for jurisdictional wetlands and other waters of the U.S. to exist onsite, and classifies landforms that may potentially convey sediment to waters of the U.S. including dry creeks, washes, swales, gullies, and other erosional features. Also included is a set of Best Management Practices (BMP) that are adapted from a variety of sources including State Water Resources Control Board *Cannabis* General Order No. WQ 2019-0001-DWQ ("General Order") and a variety of other state and local ordinances.

1.2 LOCATION

1.2.1 Site Overview

The project site is located at 16750 Herrington Road in unincorporated Lake County, 1 mile east of Hidden Valley Lake, and 25 miles southeast of Lakeport (Figure 1). The parcel is located in Section 8, Township 11 North, Range 6 West, on the USGS Middletown 7.5 minute quadrangle (Figure 2). The approximate latitude and longitude of the centroid of the parcel is 38.8185 (N), -122.5421 (W). The parcel is designated Assessor's Parcel Number 013-060-40, is deeded 154.02 acres, has a split zoning, and is under the jurisdiction of the North Coast (Region 1) Regional Water Quality Control Board (RWQCB), and the Northern Region (District 1) of the California Department of Fish & Wildlife (CDFW).

1.2.2 Critical Habitat

Federal Critical Habitat (FCH) is designated by the U.S. Fish & Wildlife Service (USFWS) and provides special protections for habitats considered important for long-term population persistence of endangered or threatened species. The nearest FCH is for Slender Orcutt grass (*Orcuttia tenuis*) located approximately 2 miles north of the parcel (Appendix D). This grass is known to occur in several isolated and discrete locations associated with volcanic basalt vernal pools. There is also habitat FCH for this species surrounding Bogg's Lake further to the northeast. There is no other FCH for any species within 5 miles of the project parcel.

1.2.3 Special-Status Species Occurrences

Special-status species (SSS) are those species that receive special protections under either local, State, or Federal law and include both State and Federally Endangered and Threatened species of animals and plants, as well as candidate listing species and other species or populations of special concern for which additional information is required. The California Natural Diversity Database (CNDDB) provides information on most known SSS occurrences in the State of California. A description of the habitat requirements and likelihood of occurrence of potential SSS on the project parcel based the CNDDB database, published scientific literature, and the expertise of PEC staff, is provided in Appendix A, with all SSS known from a 5 mile radius around the project parcel highlighted. Additionally, a map-based representation of SSS around the project site is provided in Appendix C.

Special-Status Animal Species

There are 8 known occurrences of special-status animal species from within 5 miles of the project parcel. There are no known special-status animal species known from the project parcel (Appendix C). The nearest known occurrence of special-status animal species is Foothill yellow-legged frog (*Rana boylei*; FYLF) located approximately 1.6 miles west of the project parcel in Coyote Creek. Other occurrences of FYLF are located 2.3 miles north of the parcel in Asbill Creek. The next nearest known occurrence of special-status animal species is Prairie falcon (*Falco mexicanus*) located approximately 1.8 miles east of the project parcel near Jericho Valley. The next nearest known occurrence of special-status animal species is Western pond turtle (*Emys marmorata*) located approximately 2.3 miles north of the project parcel in Asbill Creek. The next nearest known occurrence of special-status animal species is Townsend's big-eared bat (*Corynorhinus townsendii*) located approximately 3.3 miles north of the project parcel near Cantwell Ranch Road. The next nearest known occurrence of special-status animal species is Bald eagle (*Haliaeetus leucocephalus*) located approximately 3.6 miles southeast of the project parcel near McCreary Lake. The next nearest known occurrence of special-status animal species is American peregrine falcon (*Falco peregrinus anatum*) located approximately 3.8 miles south of the project parcel near Detert Reservoir. The next nearest known occurrences of special-status animal species are Hoary bat (*Lasiurus cinereus*) and Silver-haired bat (*Lasionycteris noctivagans*) located approximately 4.9 miles southwest of the project parcel in Long Valley. There are no other known occurrences of special-status animal species within 5 miles of the project parcel.

Special-Status Plant Species

There are 20 known occurrences of special-status plant species from within 5 miles of the project parcel. There are no known special-status plant species known from the project parcel (Appendix C). The nearest known occurrence of special-status plant species is Jepson's milk vetch (*Astragalus rattanii* var. *jepsonianus*) located approximately 0.9 miles west of the project parcel near Hidden Valley Lake. The next nearest known occurrence of special-status plant species is Burke's goldfields (*Lasthenia burkei*) located approximately 1.8 miles southwest of the project parcel near Coyote Creek. The next nearest known occurrence of special-status plant species are Bogg's Lake hedgehyssop (*Gratiola heterosepala*), Legenere (*Legenere limosa*), Many-flowered navaretia (*Navaretia leucocephala* spp. *pliantha*), Sharsmith's Western flax (*Hesperolinon sharsmithiae*), and Slender

Orcutt grass (*Orcuttia tenuis*) located approximately 2.1 miles north of the project parcel in a volcanic vernal pool to the east of Spruce Grove Road. The next nearest known occurrence of special-status plant species are Lake County Western flax (*Hesperolinon didymocarpum*), Pink cream sacks (*Castilleja rubicundula* var. *rubicundula*), and Two-carpellate Western flax (*Hesperolinon bicarpellatum*) located approximately 2.9 miles west of the project parcel near Big Canyon Road. The next nearest known occurrence of special-status plant species is Adobe lily (*Fritillaria pluriflora*) located approximately 3.4 miles southeast of the project parcel in Jerusalem Valley. The next nearest known occurrence of special-status plant species is Lake County stonecrop (*Sedella leiocarpa*) located approximately 3.8 miles northwest of the project parcel in Little High Valley. The next nearest known occurrences of special-status plant species are Baker's navarretia (*Navarretia leucocephala* ssp. *bakeri*), Bent-flowered fiddleneck (*Amsinckia lunaris*), Congested-headed hayfield tarplant (*Hemizonia congesta* ssp. *congesta*), Green jewelflower (*Streptanthus hesperidis*), Hall's harmonia (*Harmonia hallii*), and Porter's navarretia (*Navarretia paradoxinota*) located approximately 4.3 miles southwest of the project parcel along CA-29. The next nearest known occurrences of special-status plant species are Mt. St. Helena morning glory (*Calystegia collina* spp. *oxyphylla*) and Saline clover (*Trifolium hydrophilum*) located approximately 4.9 miles southwest of the project parcel in Long Valley. There are no other known occurrences of special-status plant species within 5 miles of the project parcel.

1.2.4 Landforms & Water Features

The maximum elevation of the parcel is 1,756 feet above sea level in the far northeastern corner of the parcel, and the minimum elevation is 1,427 feet above sea level along the center of the southern parcel line where the unnamed watercourse exits the property (Figure 2). The topography of the parcel is moderately sloped in the northwest and steeply sloped in the southeast, with grades between 5% and 20% in the northwest, and 20% to 50% in the southeast, as measured by Suunto PM5 handheld clinometer. There is one network of jurisdictional watercourses that drains the east side of the parcel, a combination of Class III and Class II reaches that flow generally south. There are also several small Class III spurs that initiate before exiting the parcel in the southwest corner of the parcel (Figure 3). These watercourses are crossed by rock fords in several locations where the rural ranch access roads intersect (e.g. Figure 8) although these are generally in good condition and exhibit adequately sized rock armor. There is also one complex of potential wetlands identified at the time of the survey, although a protocol-level wetland delineation was not performed. This area surrounds the flat bench where the Class III/II watercourses meander across the grassland, occasionally ponding and forming pools with aquatic insects, although they still maintain overland hydrological connectivity so it is not accurate to call them vernal pools (Figure 9). See §2.4 for additional discussion of wetlands and watercourses onsite. After exiting the parcel water flows offsite to the south for 1.0 miles before entering Gallagher Creek, that then flows west for another 0.6 miles before the confluence with Coyote Creek, after which it flows west for another 0.5 miles before entering Putah Creek. Putah Creek continues east for 25 miles before flowing into the Central Valley and past the City of Davis before emptying into a series of low-lying basins known as the Putah Creek Sinks. From there water flows into the Yolo Bypass and south into the Sacramento River which flows south for approximately 40 miles before emptying into Suisun Bay and the Pacific Ocean.

1.2.5 Existing Structures

There is one existing permanent structure onsite, a two-story barn and residence (Figure 7). There is one groundwater well located to the west of the access road (Figure 6). There is not currently water storage onsite. The potential cultivation area is located on a cleared pad located adjacent to the barn and to the west of the access road in an area of chaparral (Figure 10). Access to the parcel is currently controlled by a locking gate (Figure 5) and the main road/driveway onsite is generally in good condition (Figure 4). The perimeter is not completely fenced but does feature some welded wire wildlife fencing around the barn. Roads and driveways onsite are packed earth and gravel and are generally in good condition although some of the ranch roads providing access to the outlying areas of the property are unimproved (Figure 7). There are no culverts or other water crossings required to reach the proposed cultivation area however there are several water fords in the outlying areas of the property (Figure 8) that do not appear to be eroding or problematic.

1.2.6 Regional Land Uses

Land uses in the vicinity of the project parcel are primarily private residential and agricultural parcels. The surrounding are to the north and south are Mendocino National Forest land managed for mixed uses including timber harvest, recreation, and wilderness. The remainder of the private lands are rural residential parcels, with pastureland in the valley bottoms, and scattered *Cannabis* cultivation farms on south facing slopes. To the northeast the parcel becomes densely wooded and steeply sloped and is undeveloped until reaching the Asbill Creek valley. Regionally to the west is a man-made lake and residential development called Hidden Valley Lake (Figure 1).

1.3 METHODS

1.3.1 Records Search & Literature Review

Based on a review of the literature and all relevant databases, we compiled a list of special-status plant and animal species that are known to occur within 5 miles of the project site, or that occupy habitats that are known to be present on or near the project site (Appendix A). Sources of information referenced include the California Natural Diversity Database (CNDDB 2020), U.S. Fish and Wildlife Service Environmental Conservation Online System (USFWS 2020), the California Native Plants Society (CNPS) Inventory of Rare and Endangered Vascular Plants of California (CNPS 2020), and the knowledge of PEC staff familiar with the species and habitats of Lake County. Additional information on sensitive habitats including wetlands was obtained from the USFWS National Wetlands Inventory (NWI 2020), and County of Lake Geographic Information System Portal (Lake Co. 2020). Plant species included here are State or Federally Endangered or Threatened, and/or considered Rare by CDFW, and/or are recognized as special-status species by the CNPS or CDFW. Animal species included here are designated as State or Federally Endangered or Threatened, and/or California Species of Special Concern, and/or Fully Protected species by the CDFW. In addition, nests of most native bird species, regardless of their regulatory status, are protected from take or harassment under the Migratory Bird Treaty Act (MBTA) and California Fish and Wildlife Code.

1.3.2 Field Surveys

A wildlife and botanical survey was conducted at the site on February 15, 2020. The weather was cloudy and fair at the time of the survey. The temperature at the start of the survey was 63 degF, relative humidity was 43%, and wind gust speed was 3-5 mph, as measured with Kestrel 3000 handheld weather station. Approximately 6" of rain fell the preceding two months, and the water year was somewhat higher than average (NWS 2020). Due to the temperature and seasonal conditions, animal activity was moderate at the time of the survey. Starting with the portion of the property closest to the entrance and proposed cultivation area, the entire project site was surveyed on foot by PEC Senior Biologist Dr. Christopher T. DiVittorio, recording the location and identity of all plant and animal species encountered. Plant voucher specimens were taken of any species that were not identifiable in the field, and that were not likely to be special-status. The vast majority of species were identifiable at the time of the survey, although some had to be identified based on vegetative parts. Photographs and voucher specimens were taken of any plants that were identified solely based on vegetative characters. The field survey was conducted by dividing the outdoor portions of the parcel into zones and cataloging all of the species found in each zone. Each zone was surveyed by walking in parallel lines until the whole zone was covered. Notes were also taken in each zone documenting the general site characteristics and current land uses, as well as any surface erosional features that may require remediation. Botanical specimens were taken back to the laboratory for identification if identification was not possible in the field. If species were not flowering at the time of the survey and morphological characteristics indicated that the species may be special-status, notes were made for a follow-up visit. Birds and nests were identified by call and with binoculars. Vocalizations, scat, tracks, feathers, burrows, nests, and molts were used for identification of animals present onsite. Any onsite aquatic habitats were observed for a minimum of ten minutes without movement in order to observe animals that may hide when approached.

2.0 RESULTS

2.1 NATURAL COMMUNITIES IN THE REGION

Using field surveys, a review of published literature, and the knowledge of PEC staff, all of the natural communities present on and around the project site were assessed. Regionally, the dominant vegetation type is mixed *Quercus-Arctostaphylos* chaparral and mixed conifer and *Quercus* woodland, with higher proportions of hardwoods near watercourses, and grasslands on flat floodplains and ridge tops (Figure 3). Some volcanic basalt vernal pools exist to the north of the parcel known as Stienhart Lakes, located to the east of Spruce Grove Road.

2.2 NATURAL COMMUNITIES ON THE PROJECT SITE

The parcel consists of a mosaic of oak savannah mixed with *Arctostaphylos* chaparral, with several patches of grassland (Figure 3). Some of the chaparral has been cleared in the past (Figure 10) and this is an ideal location for cultivation since there are few native species coming back in this area for whatever reason. Several watercourses and one potential wetland were identified at the time of the survey, and these are located in the eastern portion of the site in the oak woodland. The property has not been grazed or burned recently and the species composition is reflective of this land use, with large mature oak trees and expanses of unburned manzanita chaparral that extend right up to the eastern border of houses in Hidden Valley Lake. The specific community descriptions below are organized based on the zones that were surveyed, and the floristic results presented in Appendix B. Overall, the north parcel consists of approximately 50% mixed *Quercus-Pinus* woodland, 40% oak and manzanita chaparral, and 10% annual grassland. The grassland has been treated below along with the oak woodland since there is no distinct separation between these community types and the woodland is more savannah-like in places. Chaparral has been treated separately however since much of the chaparral is disturbed and is clearly a different and discrete habitat type and is located in different areas of the parcel than the oak woodland/grassland (Figure 3). There is little differentiating the vegetation surrounding the Class II and III watercourses and potential wetland, although there are a few unique species and these have been described at the end of Section 2.2.2.

2.2.1 *Quercus-Pinus* Woodland & Savannah

Woodland portions of the site include mature medium sized oak trees with occasional pines. Tree density increases towards watercourses and decreases towards the tops of hills. Canopy trees predominantly include Gray pine (*Pinus sabiniana*) to 24" DBH, Interior live oak (*Quercus wislizeni*) to 20" DBH, Ponderosa pine (*Pinus ponderosa*) to 20" DBH, Black oak (*Quercus kelloggii*) to 16" near watercourses, Blue oak (*Quercus douglasii*) to 16" DBH at the tops of hills, and Madrone (*Arbutus menziesii*) to 12" DBH at the edges of chaparral.

Understory species in this area and in the grassland portions of the site are predominantly non-native annual grasses and forbs including wild oats (*Avena barbata*), blue wildrye (*Elymus glaucus*), soft chess (*Bromus hordeaceus*), ripgut brome (*Bromus diandrus*), medusahead (*Elymus caput-medusae*), Zorro fescue (*Festuca myuros*), medusahead (*Elymus caput-medusae*), dogstail grass (*Cynosurus echinatus*), hairgrass (*Aira caryophyllea*), common bedstraw (*Galium aparine*), yellow star thistle (*Centaurea solstitialis*), harvest brodiaea (*Brodiaea elegans*), Queen Anne's lace (*Daucus carota*), common tarweed (*Centromadia pungens*), Italian thistle (*Carduus pycnocephalus*), bull thistle (*Cirsium vulgare*), prickly lettuce (*Lactuca serriola*), ladies' tobacco (*Gnaphalium californicum*), turkey mullein (*Croton setiger*), Klamathweed (*Hypericum perforatum*), Western buttercup (*Ranunculus occidentalis*), big heron bill (*Erodium botrys*), spring vetch (*Vicia sativa*), field parsley (*Torilis arvensis*), common yarrow (*Achillea millefolium*), smooth cat's ear (*Hypochaeris glabra*), hairy bitter cress (*Cardamine hirsuta*), Fuller's teasel (*Dipsacus fullonum*), chickweed (*Stellaria media*), sheep sorrel (*Rumex acetocella*), annual lupine (*Lupinus bicolor*), wild geranium (*Geranium molle*), wild carrot (*Daucus pusillus*), rose clover (*Trifolium hirtum*), willow herb (*Epilobium densiflorum*), and sweet clover (*Melilotus albus*).

2.2.2 Mixed *Quercus-Arctostaphylos* Chaparral

The woodland portions of the site are thoroughly interspersed with patches of chaparral featuring mature stands of a variety of species of manzanita and most of the aforementioned species of oaks. In addition to many of those mentioned earlier, species found these areas include leather oak (*Quercus durata*), common manzanita (*Arctostaphylos manzanita*), greenleaf manzanita (*Arctostaphylos patula*), mountain mahogany (*Cercocarpus betuloides*), Sonoma sage (*Salvia sonomensis*), chamise (*Adenostoma fasciculatum*), buck brush (*Ceanothus cuneatus*), deerbrush (*Ceanothus integrerrimus*), coyote brush (*Baccharis pilularis*), Yerba Santa (*Eriodictyon californicum*), poison oak (*Toxicodendron diversilobium*), toyon (*Heteromeles arbutifolia*), coffeeberry (*Rhamnus californica*), Douglas' iris (*Iris douglasii*), French broom (*Genista monspessulana*), goat's beard (*Tragopogon dubius*), woodland madia (*Ansiocarpus madioides*), white-headed navarretia (*Navarretia leucocephala*), bird's foot trefoil (*Acmispon americanus*), and soap plant (*Chlorogalum pomeridianum*).

Some wetland and riparian species are evident where the watercourses pass through the grassland and chaparral (Figure 9). While the vegetation is little differentiated there are some unique hydrophytic species including green *Cladophora* algae, toad rush (*Juncus bufonius*), mugwort (*Artemisia douglasiana*), California bedstraw (*Galium californicum*), white meadowfoam (*Limnanthes douglasii*), miner's lettuce (*Claytonia perfoliata*), Himalayan blackberry (*Rubus armeniacus*), and pennyroyal (*Mentha pulegium*).

2.3 WILDLIFE

Wildlife activity was moderate to low due to the time of year and the weather. Nonetheless, numerous wildlife species were observed both directly and indirectly including prints of mule deer (*Odocoileus hemionus*), scat of black-tailed jackrabbit (*Lepus californicus*), calls of Pacific tree frog (*Pseudacris regalia*), an unidentified bumble bee (*Bombus* spp.), excavation mounds of pocket gopher (*Thomomys*

bottae), Western grey squirrel (*Sciurus griseus*), and scat of coyote (*Canis latrans*). Bird species include mourning dove (*Zenaida macroura*), red-tailed hawk (*Buteo jamaicensis*), and black-eyed junco (*Junco hyemalis*), Hutton's vireo (*Vireo huttoni*), Western scrub jay (*Aphelocoma californica*), Pacific slope flycatcher (*Empidonax difficilis*), acorn woodpecker (*Melanerpes formicivorus*), turkey vulture (*Cathartes aura*), crow (*Corvus brachyrhynchos*), California quail (*Callipepla californica*). Invertebrate species observed in the seasonal wetland and stream segments included an unidentified *Lumbriculidid* worm, water boatmen of the family *Corixidae*, and unidentified water beetles smaller in size and black.

2.4 WATERCOURSES & POTENTIAL WETLANDS

There is one main drainage system onsite, a Class II/III network that drains the eastern oak woodland portion of the site (Figure 3). This system has several spurs, and there is one potential wetland associated with this system, along the western branch (Figure 9), although a protocol-level wetland delineation was not performed. There are two low-water ford crossings (Figure 8) on the main stem that appear to be stable and are not required to reach the cultivation area. There are also two small Class III spurs that initiate in the southwest corner of the parcel and extend offsite on the steep chaparral slope.

2.5 SOILS & GEOMORPHOLOGY

The parent materials are typical of inner Coast Range mountains of the Lake County subtype, with highly dissected valleys cut into soft Franciscan sediments, with abundant volcanic extrusive and intrusive formations (USGS 1985). Local formations on the western portion of the site including the proposed cultivation area are mapped as well-drained Sobrante-Guenoc-Hambright complex (#219), 15% to 30% slopes, with lesser proportions of Aiken (5%), Collayomi (5%), and rock outcrop (5%) soil types. There are no serpentine or other ultramafic rock types onsite and no serpentine derived soils. There are no alkalai or vernal pool soil types onsite. The habitat is designated not prime farmland.

3.0 SUMMARY & CONCLUSIONS

No special-status plant species were observed during the surveys performed at the site in February 2020. No impacts are predicted for any of the State or Federal special-status plant species in Appendix A based on lack of actual sightings, and lack of suitable habitat in the proposed cultivation activity areas. Activities are largely proposed to be limited to existing cleared areas of chaparral and will observe all required setbacks from jurisdictional watercourses, of which we did not observe any onsite. There are no wetlands, vernal pools, serpentine outcrops, or other special habitat types that possess a high likelihood of containing special-status plant species in the proposed cultivation areas despite the presence of a volcanic basalt vernal pool to the north of the parcel with a high abundance of special-status plants. All of these plants are considered endemic to these unique soil types in the vernal pool, and no vernal pool habitats exist in the proposed cultivation areas or anywhere else onsite. There are some wetland plants in the eastern oak woodland surrounding the seasonal watercourse, however these would be protected by required Water Board setbacks in any case and will not be disturbed.

No special-status animal species were observed during the surveys performed at the site in February 2020. There are, however, several potential wetlands and some seasonal stream segments in the eastern portion of the site that may be potential breeding and/or estivation habitat for Foothill yellow-legged frog (FYLF). Due to the proximity to known occurrences of FYLF, we recommend avoiding the oak woodland portion of the site and performing cultivation if possible in the previously disturbed areas of chaparral that include the completely cleared area shown in the figure below, and also the partially cleared area to the north. These areas avoid removal of oak trees and also avoid any potential estivation habitat, since there are no gopher burrows in the chaparral and these animals prefer to estivate near watercourses if possible. Due to the potential for FYLF to exist onsite, the avoidance measures in Appendix G should be followed in order to reduce the chances of take to negligible levels.

No impacts are predicted for sediment discharge to watercourses or wetlands due to the absence of such features near the cultivation area. There are several jurisdictional watercourses and one area that does contain potential wetlands, although these features are mostly limited to the eastern side of the parcel. The several rock fords onsite are generally in good condition and not used regularly and not on the way to cultivation activity areas. As long as all of the BMPs in Appendix D are followed at all times impacts of the proposed cultivation operation discharging sediment to waters of the State should be negligible. Native vegetation should also be used at all times in lieu of generic seed mixes along road cuts and anywhere soil stabilization is required in the future.

4.0 REGULATORY FRAMEWORK

4.1 FEDERAL ENDANGERED SPECIES ACT

The U.S. Fish and Wildlife Service (USFWS) has jurisdiction over federally-listed threatened and endangered species under the federal Endangered Species Act (FESA). The USFWS also maintains a list of 'proposed' species and candidate species that are not legally protected under the FESA, but are often included in their review of a project as they may become listed in the near future. The FESA protects listed animal species from harm or "take" which is broadly defined as to harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, collect, or attempt to engage in any such conduct. Take can also include habitat modification or degradation that results in death or injury to a listed species. An activity can be defined as a "take" even if it is unintentional or accidental. Listed plant species are provided less protection than listed wildlife species. Listed plant species are legally protected from take under FESA if they occur on federal lands. Pursuant to the requirements of the FESA, a federal agency reviewing a proposed project within its jurisdiction must determine whether any federally-listed threatened or endangered species (plants and animals) may be present in the project area and determine whether the proposed project may affect such species. Any activities that could result in the take of a federally-listed species will require formal consultation with the USFWS.

4.2 CALIFORNIA ENDANGERED SPECIES ACT

The California Endangered Species Act (CESA) protects any plant or animal listed or proposed for listing as rare (plants only), threatened, or endangered. In accordance with the CESA, the California Department of Fish and Wildlife (CDFW) has jurisdiction over state-listed species (California Fish and Wildlife Code 2070). Take of state-listed species requires a permit from CDFW, which is granted only under strictly limited circumstances. Additionally, the CDFW maintains lists of "species of special concern" that are defined as animal species that appear to be vulnerable to extinction because of declining populations, limited ranges, and/or continuing threats. Pursuant to the requirements of CESA, an agency reviewing a proposed project within its jurisdiction must determine whether any state-listed or proposed endangered or threatened species may be present in the project area and determine whether the proposed project may result in a significant impact on such species.

4.3 CALIFORNIA ENVIRONMENTAL QUALITY ACT

Section 15380(b) of the California Environmental Quality Act (CEQA) Guidelines provides that a species not listed on the federal or state list of protected species may be considered rare or endangered if the species can be shown to meet certain specified criteria. These criteria have been modeled after the definitions in FESA and CESA and the section of the California Fish and Wildlife Code dealing with rare or endangered plants or animals. This section was included in the guidelines primarily to deal with situations in which a public agency is reviewing a project that may have a significant effect on a species that has not yet been listed by either the USFWS or CDFW. Thus, CEQA provides an agency with the ability to protect a species from a project's potential impacts, if it finds that the species meets the criteria of a threatened or endangered species.

4.4 CLEAN WATER ACT

Under Section 404 of the federal Clean Water Act, the U.S. Army Corps of Engineers (Corps) is responsible for regulating the discharge of fill material into waters of the United States. Waters of the U.S. and their lateral limits are defined in 33 CFR Part 328.3 (a) and include streams that are tributary to navigable waters and their adjacent wetlands. Wetlands that are not adjacent to waters of the U.S. are termed "isolated wetlands" and, depending on the circumstances, may also be subject to Corps jurisdiction. In general, a Corps permit must be obtained before placing fill in wetlands or other waters of the U.S. The type of permit depends on the acreage involved and the purpose of the proposed fill. Minor amounts of fill are sometimes covered by Nationwide Permits, which were established to streamline the permit process for projects with "minimal" impacts on wetlands or other waters of the U.S. An Individual Permit is required for projects that result in more than a minimal impact on jurisdictional areas. The Individual Permit process requires evidence that fill of jurisdictional areas has been minimized to the extent "practicable" and provides an opportunity for public review of the project.

4.5 CALIFORNIA WATER QUALITY REGULATORY PROGRAMS

Pursuant to Section 401 of the federal Clean Water Act and the state's Porter-Cologne Act, projects that are regulated by the Corps must obtain water quality certification from the Regional Water Quality Control Board (RWQCB). This certification ensures that the project will uphold state water quality standards. The RWQCB sometimes asserts jurisdiction over wetlands that the Corps does not (e.g. certain isolated wetlands) and may impose mitigation requirements even if the Corps does not. The CDFW also exerts jurisdiction over the bed and banks of watercourses and water bodies according to provisions of Section 1601 to 1603 of the Fish and Wildlife Code. The Fish and Wildlife Code requires a Stream Alteration Agreement for the fill or removal of material within the bed and banks of a watercourse or water body.

5.0 REFERENCES

- Baldwin, B.G., et al. 2012. *The Jepson Manual: Vascular Plants of California*. University of California Press, Berkeley, CA.
- California Department of Fish and Wildlife (CDFW). 2020. *California Natural Diversity Database*. CDFW Wildlife and Habitat Data Analysis Branch, Sacramento, CA. <https://www.wildlife.ca.gov/data>.
- California Native Plant Society (CNPS). 2019. *Inventory of Rare and Endangered Plants*. CNPS, Sacramento, CA.
- Central Valley Regional Water Quality Control Board (CVRWQCB). 2015. *Waste Discharge Requirements General Order for Discharges of Waste Associated with Medicinal Cannabis Cultivation Activities*. Order No. R5-2015-0113.
- County of Lake Assessor's Office. 2020. *Geographical Information Systems (GIS) Databases*. County of Lake, Lakeport, CA.
- Natural Resources Conservation Service (NRCS). 2018. *SoilWeb*. University of California, Agricultural and Natural Resources, Davis, CA. <http://casoilresource.lawr.ucdavis.edu/gmap/>.
- North Coast Regional Water Quality Control Board (NCRWQCB). 2015. *Best Management Practices for Discharges of Waste Resulting from Cannabis Cultivation and Associated Activities or Operations with Similar Environmental Effects*. Order No. R1-2015-0023.
- Sawyer, J.O., T. Keeler-Wolf, J. Evens. 2009. *Manual of California Vegetation*. California Native Plant Society Press, Sacramento, CA.
- State Water Resources Control Board (SWRCB). 2017. *Cannabis Cultivation General Order WQ 2017-0023-DWQ*. SWRCB, Sacramento, CA.
- U.S. Department of Agriculture (USDA). 1989. *Soil Survey of Lake County, California*. Soil Conservation Service, Washington D.C.
- U.S. Fish and Wildlife Service (USFWS). 2020. *Environmental Conservation Online System*. USFWS, Washington, DC. <https://ecos.fws.gov/ecp/>.
- U.S. Fish and Wildlife Service (USFWS). 2020. *National Wetlands Inventory*. USFWS, Washington, DC. <https://www.fws.gov/wetlands/>.

FIGURE 1: REGIONAL LOCATION



(916) 881-5039 info@pinecrestenvironmental.org
5627 Telegraph Ave., Ste. 420 562 Morris St., Suite 104
Oakland, CA 94609 Sebastopol, CA 95472

SOURCES: CDFW

APN 013-060-40
16750 Herrington Rd. Middletown CA 95461

FIGURE 2: 40 FOOT CONTOURS

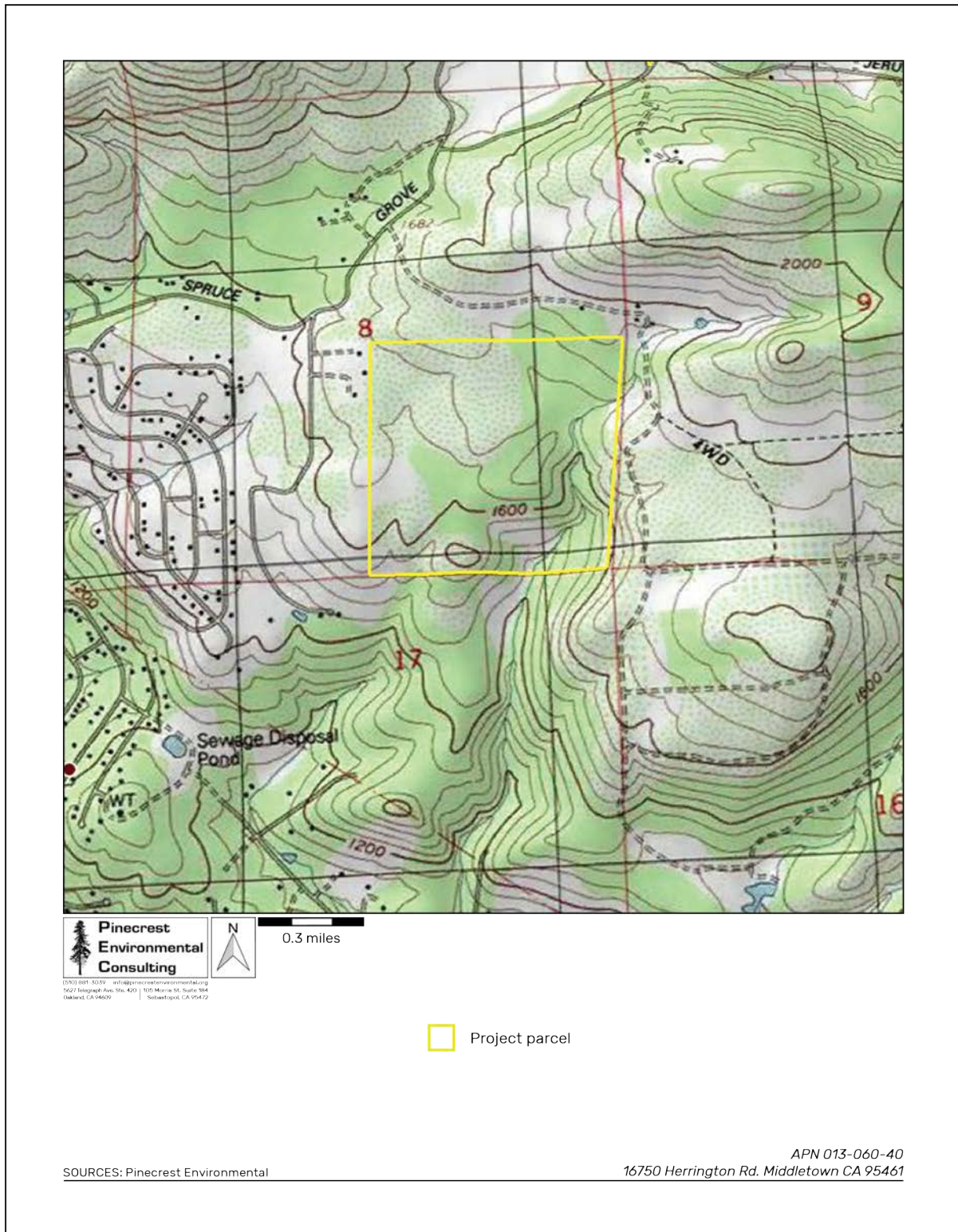


FIGURE 3: WATERCOURSES

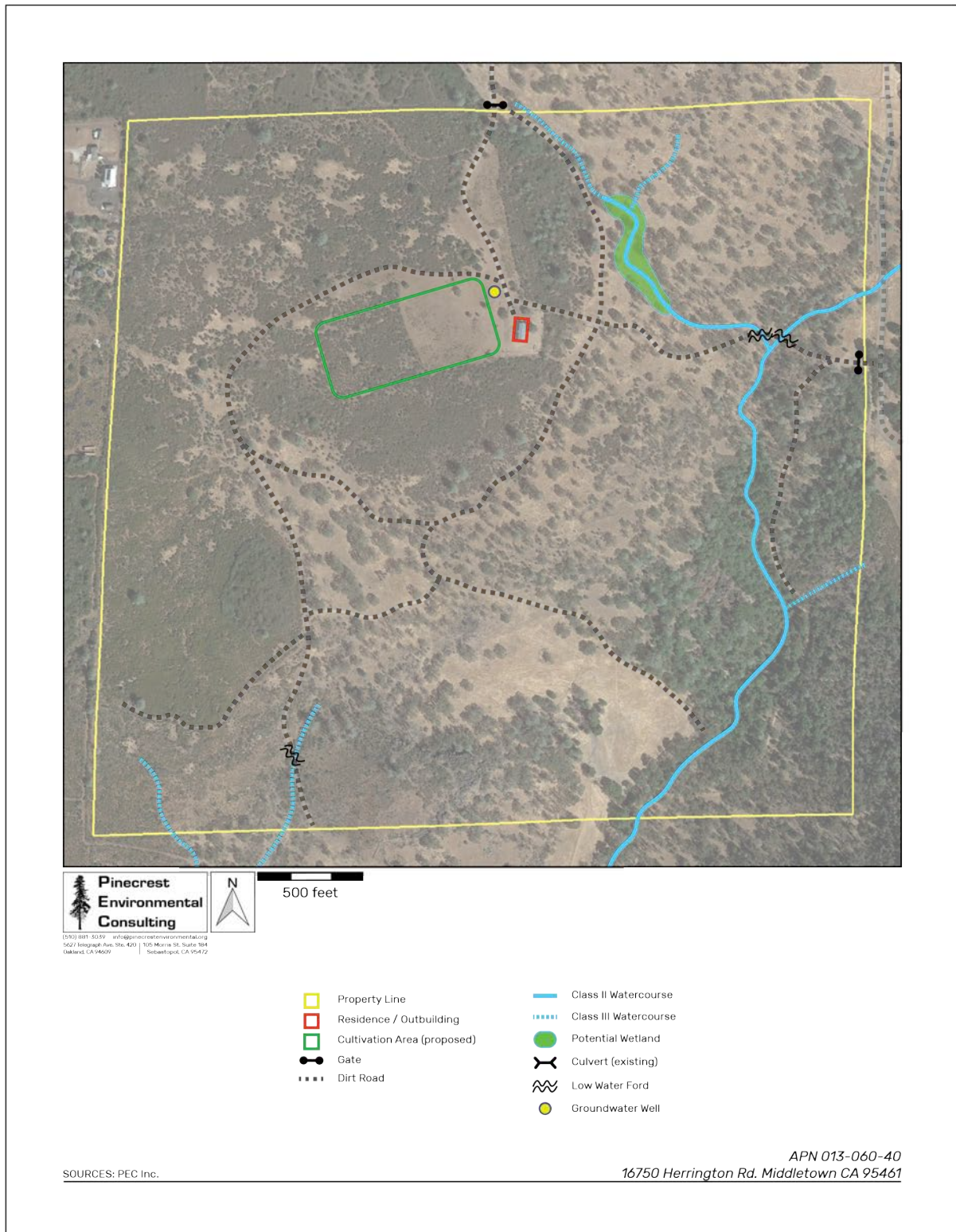


FIGURE 4: PHOTOGRAPH OF ACCESS ROAD



SOURCES: PEC Inc.

APN 013-060-40
16750 Herrington Rd. Middletown CA 95461

FIGURE 5: PHOTOGRAPH OF ACCESS GATE



SOURCES: PEC Inc.

APN 013-060-40
16750 Herrington Rd. Middletown CA 95461

FIGURE 6: PHOTOGRAPH OF GROUNDWATER WELL



SOURCES: PEC Inc.

APN 013-060-40
16750 Herrington Rd. Middletown CA 95461

FIGURE 7: PHOTOGRAPH OF BARN



SOURCES: PEC Inc.

APN 013-060-40
16750 Herrington Rd. Middletown CA 95461

FIGURE 8: PHOTOGRAPH OF ROCK FORD



SOURCES: PEC Inc.

APN 013-060-40
16750 Herrington Rd. Middletown CA 95461

FIGURE 9: PHOTOGRAPH OF POTENTIAL WETLAND



SOURCES: PEC Inc.

APN 013-060-40
16750 Herrington Rd. Middletown CA 95461

FIGURE 10: PHOTOGRAPH OF POTENTIAL CULTIVATION AREA



15901 68th St. #100
5627 Telegraph Ave. Ste. 420
Oakland, CA 94609

www.pinecrestenvironmental.com
1015 Morris St. Suite 104
Berkeley, CA 94702

SOURCES: PEC Inc.

APN 013-060-40
16750 Herrington Rd. Middletown CA 95461

FIGURE 11: PHOTOGRAPH OF OAK WOODLAND



15901 68th St. #100
5627 Telegraph Ave. Ste. 420
Oakland, CA 94609

www.pinecrestenvironmental.com
1015 Morris St. Suite 104
Berkeley, CA 94702

SOURCES: PEC Inc.

APN 013-060-40
16750 Herrington Rd. Middletown CA 95461

APPENDIX A: SPECIAL-STATUS SPECIES CONSIDERED

The following is a list of special-status plant and animal species generated based on knowledge of the species and habitats of Lake County by PEC staff, from various State and Federal databases, and from the California Natural Diversity Database (CNDDB). CNDDB occurrences within 5 miles of the project site are shown in bold.

Taxon	Status ¹ Fed/State/CNPS	Habitat	Potential to Occur Within the Project Area
PLANTS			
Adobe lily (<i>Fritillaria pluriflora</i>)	—/—/1B.2	Valley grasslands, foothill woodland	Low: Some grassland habitat exists onsite. Nearest known occurrence is 3.4 miles SE of the parcel near Jerusalem Grade.
Anthony peak lupine (<i>Lupinus antoninus</i>)	—/—/1B.2	Montane forest	<u>None:</u> No suitable montane habitat exists onsite.
Baker's manzanita (<i>Arctostaphylos bakeri</i> ssp. <i>bakeri</i>)	—/—/1B.1	Serpentine chaparral	<u>None:</u> No serpentine habitat exists onsite.
Baker's meadowfoam (<i>Limnanthes bakeri</i>)	—/ST/1B.1	Vernal pools, freshwater wetland	<u>None:</u> No suitable wetland habitat exists onsite.
Baker's navarretia (<i>Navarretia leucocephala</i> ssp. <i>bakeri</i>)	—/—/1B.1	Vernal pools	Very Low: No vernal pool habitat exists onsite. Nearest known occurrence is 4.3 miles SW of the parcel near CA-29.
Beaked tracyina (<i>Tracyina rostrata</i>)	—/—/1B.2	Valley grassland, foothill woodland	<u>Low:</u> Some grassland habitat exists onsite.
Bent flowered fiddleneck (<i>Amsinckia lunaris</i>)	—/—/1B.2	Valley grassland, foothill woodland	Medium: Some suitable grassland habitat exists onsite. Nearest known occurrence is 4.3 miles SW of the parcel near CA-29.
Big scale balsamroot (<i>Balsamorhiza macrolepis</i>)	—/—/1B.2	Valley grassland, foothill woodland	<u>Low:</u> Some grassland habitat exists onsite.

Taxon	Status ¹ Fed/State/CNPS	Habitat	Potential to Occur Within the Project Area
Bogg's Lake hedge-hyssop (<i>Gratiola heterosepala</i>)	—/—/1B.2	Vernal pools, lake margins	Very Low: No suitable wetland habitat exists onsite. Nearest known occurrence is 2.1 miles N of the parcel near Spruce Grove Road.
Bolander's horkelia (<i>Horkelia bolanderi</i>)	—/—/1B.2	Yellow pine forest, grassland	<u>Low:</u> No suitable forest habitat exists onsite.
Brandegee's eriastrum (<i>Eriastrum brandegeae</i>)	—/—/1B.1	Clearings in chaparral	<u>Low:</u> No suitable chaparral habitat exists onsite.
Bristly sedge (<i>Carex comosa</i>)	—/—/2B.1	Freshwater marsh, riparian	<u>Very Low:</u> No suitable wetland habitat exists onsite.
Brownish beaked-rush (<i>Rhynchospora capitellata</i>)	—/—/2B.2	Freshwater marsh, riparian	<u>Very Low:</u> No suitable wetland habitat exists onsite.
Burke's goldfields (<i>Lasthenia burkei</i>)	FE/SE/1B.1	Vernal pools	Very Low: No suitable vernal pool habitat exists onsite. Nearest known occurrence is 1.8 miles SW of the parcel near Coyote Creek.
California alkalai grass (<i>Puccinellia simplex</i>)	—/—/1B.2	Alkalai sink	<u>None:</u> No alkalai wetland habitat exists onsite.
California beaked-rush (<i>Rhynchospora californica</i>)	—/—/1B.1	Freshwater wetlands	<u>None:</u> No suitable wetland habitat exists onsite.
California satintail (<i>Imperata brevifolia</i>)	—/—/2B.1	Chaparral	<u>Very Low:</u> No suitable chaparral habitat exists onsite.
Calistoga ceanothus (<i>Ceanothus divergens</i>)	—/—/1B.2	Chaparral	<u>Very Low:</u> No chaparral habitat exists onsite.
Cascade downingia (<i>Downingia willamettensis</i>)	—/—/2B.2	Vernal pool	<u>None:</u> No vernal pool habitat exists onsite.
Clara Hunt's milk vetch (<i>Astragalus claranus</i>)	—/—/1B.1	Chaparral, grassland	<u>Very Low:</u> No chaparral habitat exists onsite.
Cobb Mountain lupine (<i>Lupinus sericatus</i>)	—/—/1B.2	Chaparral, pine forest	<u>Very Low:</u> No chaparral habitat exists onsite.
Colusa layia (<i>Layia septentrionalis</i>)	—/—/1B.2	Chaparral, valley grassland	<u>Medium:</u> Some suitable grassland habitat exists onsite.

Taxon	Status ¹ Fed/State/CNPS	Habitat	Potential to Occur Within the Project Area
Congested-headed hayfield tarplant (<i>Hemizonia congesta</i> ssp. <i>congesta</i>)	—/—/1B.2	Grassland, coastal scrub	Low: Some grassland habitat exists onsite. Nearest known occurrence is 4.3 miles SW of the parcel near CA-29.
Deep scarred cryptantha (<i>Cryptantha excavata</i>)	—/—/1B.1	Foothill woodland	Low: Some grassland habitat exists onsite.
Dimorphic snapdragon (<i>Antirrhinum subcordatum</i>)	—/—/4.3	Serpentine chaparral	None: No serpentine habitat exists onsite.
Drymaria-like western flax (<i>Hesperolinon drymarioides</i>)	—/—/1B.2	Serpentine outcrops	None: No serpentine outcrop habitat exists onsite.
Dwarf downingia (<i>Downingia pusilla</i>)	—/—/2B.2	Vernal pools, freshwater wetland	None: No vernal pool habitat exists onsite.
Dwarf soaproot (<i>Chlorogalum pomeridianum</i> var. <i>minus</i>)	—/—/1B.2	Serpentine chaparral	None: No serpentine chaparral habitat exists onsite.
Early jewelflower (<i>Streptanthus vernalis</i>)	—/—/1B.2	Serpentine outcrops	None: No suitable serpentine outcrop habitat exists onsite.
Eel-grass pondweed (<i>Potamogeton zosteriformis</i>)	—/—/2B.2	Freshwater lakes, ponds	Very Low: No suitable pond habitat exists onsite.
Few-flowered navarretia (<i>Navarretia leucocephala</i> ssp. <i>pauciflora</i>)	FE/ST/1B.1	Vernal pools	Very Low: No suitable vernal pool habitat exists onsite.
Franciscan onion (<i>Allium peninsulare</i> var. <i>franciscanum</i>)	—/—/1B.2	Grassland	Very Low: Some grassland habitat exists onsite.
Freed's jewelflower (<i>Streptanthus brachiatus</i> ssp. <i>hoffmanii</i>)	—/—/1B.2	Serpentine outcrops	None: No serpentine outcrop habitat exists onsite.
Geysers panicum (<i>Panicum acuminatum</i> var. <i>thermale</i>)	—/—/1B.2	Chaparral, wetlands	Very Low: No chaparral seep habitat exists onsite.
Glandular western flax (<i>Hesperolinon adenophyllum</i>)	—/—/1B.2	Chaparral	Low: No suitable chaparral habitat exists onsite.
Grassleaf water plantain (<i>Alisma gramineum</i>)	—/—/2B.2	Wetland, riparian	Very Low: No suitable riparian habitat exists onsite.

Taxon	Status ¹ Fed/State/CNPS	Habitat	Potential to Occur Within the Project Area
Green jewelflower (<i>Streptanthus hesperidis</i>)	—/—/1B.2	Serpentine outcrops	None: No serpentine outcrop habitat exists onsite. Nearest known occurrence is 4.3 miles SW of the parcel near CA-29.
Greene's narrow-leaved daisy (<i>Erigeron greenei</i>)	—/—/1B.2	Serpentine grassland	None: No serpentine habitat exists onsite.
Hall's harmonia (<i>Harmonia hallii</i>)	—/—/1B.2	Chaparral, grassland	Medium: Some grassland habitat exists onsite. Nearest known occurrence is 4.3 miles SW of the parcel near CA-29.
Hoffman's bristly jewelflower (<i>Streptanthus glandulosus</i> spp. <i>hoffmanii</i>)	—/—/1B.3	Chaparral, foothill woodland	Very Low: No suitable chaparral habitat exists onsite.
Holly-leaved ceanothus (<i>Ceanothus purpureus</i>)	—/—/1B.2	Chaparral	Very Low: No suitable chaparral habitat exists onsite.
Hospital Canyon larkspur (<i>Delphinium californicum</i> ssp. <i>interius</i>)	—/—/1B.2	Foothill woodland	Low: Some woodland habitat exists onsite.
Indian Valley brodiaea (<i>Brodiaea rosea</i>)	—/SE/3.1	Serpentine chaparral	Very Low: No serpentine habitat exists onsite.
Jepson's coyote thistle (<i>Eryngium jepsonii</i>)	—/—/4.2	Wetlands and vernal pools	None: No vernal pool habitat exists onsite.
Jepson's dodder (<i>Cuscuta jepsonii</i>)	—/—/1B.2	Chaparral, grassland	Low: Some chaparral habitat exists onsite.
Jepson's leptosiphon (<i>Leptosiphon jepsonii</i>)	—/—/1B.2	Chaparral, serpentine grassland	None: No serpentine chaparral habitat exists onsite.
Jepson's milk-vetch (<i>Astragalus rattanii</i> var. <i>jepsonianus</i>)	—/—/1B.2	Chaparral, serpentine grassland	Low: No suitable chaparral habitat exists onsite. Nearest known occurrence is 0.9 miles W of the parcel near Hidden Valley Lake.
Keck's checkerbloom (<i>Sidalcea keckii</i>)	FE/—/1B.1	Valley grassland, serpentine	None: No suitable wetland habitat exists onsite.
Kenwood marsh checkerbloom (<i>Sidalcea oregana</i> ssp. <i>valida</i>)	FE/SE/1B.1	Freshwater wetlands	None: No suitable wetland habitat exists onsite.

Taxon	Status ¹ Fed/State/CNPS	Habitat	Potential to Occur Within the Project Area
Konocti manzanita (<i>Arctostaphylos manzanita</i> ssp. <i>elegans</i>)	—/—/1B.3	Chaparral, foothill woodland	<u>Low</u> : No suitable chaparral habitat exists onsite.
Kruckeberg's jewelflower (<i>Streptanthus morrisonii</i> ssp. <i>kruckebergii</i>)	—/—/1B.2	Serpentine outcrops	<u>None</u> : No serpentine outcrop habitat exists onsite.
Lake County stonecrop (<i>Sedella leiocarpa</i>)	—/—/1B.1	Rock outcrops	Very Low : No rock outcrop habitat exists onsite. Nearest known occurrence is 3.8 miles NW of the parcel near Little High Valley.
Lake County western flax (<i>Hesperolinon didymocarpum</i>)	—/SE/1B.2	Serpentine grasslands	<u>None</u> : No suitable serpentine habitat exists onsite. Nearest known occurrence is 2.9 miles W of the parcel near USS Liberty Lane.
Legenere (<i>Legenere limosa</i>)	—/—/1B.1	Vernal pool, freshwater wetland	<u>None</u> : No suitable vernal pool habitat exists onsite. Nearest known occurrence is 2.1 miles N of the parcel near Spruce Grove Road.
Loch Lomond button-celery (<i>Eryngium constancei</i>)	FE/SE/1B.1	Vernal pool, freshwater wetland	<u>None</u> : No suitable vernal pool habitat exists onsite.
Many-flowered navarretia (<i>Navarretia leucocephala</i> spp. <i>plieantha</i>)	FE/SE/1B.2	Vernal pools	Very Low : No vernal pool habitat exists onsite. Nearest known occurrence is 2.1 miles N of the parcel near Spruce Grove Road.
Marsh checkerbloom (<i>Sidalcea oregana</i> ssp. <i>hydrophila</i>)	—/—/1B.2	Freshwater wetland, riparian	<u>Low</u> : No suitable riparian habitat exists onsite.
Mayacamas popcornflower (<i>Plagiobothrys lithocaryus</i>)	—/—/A1	Foothill woodland, valley grassland	<u>Very Low</u> : Presumed extinct. Last observed in 1884 near present-day Lakeport.
Milo Baker's lupine (<i>Lupinus milo-bakeri</i>)	—/—/1B.1	Foothill woodland	<u>None</u> : No suitable woodland habitat exists onsite.
Morrison's jewelflower (<i>Streptanthus morrisonii</i> ssp. <i>morrisonii</i>)	—/—/1B.2	Serpentine outcrops	<u>None</u> : No serpentine outcrop habitat exists onsite.
Mt. St. Helena morning-glory (<i>Calystegia collina</i> ssp. <i>oxyphylla</i>)	—/—/4.2	Serpentine chaparral	None : No serpentine habitat exists onsite. Nearest known occurrence is 4.9 miles SW of the parcel in Long Valley.

Taxon	Status ¹ Fed/State/CNPS	Habitat	Potential to Occur Within the Project Area
Napa bluecurls (<i>Trichostema ruygtii</i>)	—/—/1B.2	Chaparral, grassland	<u>Low</u> : Some grassland habitat exists onsite.
Napa checkerbloom (<i>Sidalcea hickmanii</i> ssp. <i>napensis</i>)	—/—/1B.1	Chaparral	<u>Low</u> : Some woodland habitat exists onsite.
Napa false indigo (<i>Amorpha californica</i> var. <i>napensis</i>)	—/—/1B.2	Forest, woodland	<u>Very Low</u> : Some woodland habitat exists onsite.
Narrow-anthered brodiaea (<i>Brodiaea leptandra</i>)	—/—/1B.2	Foothill woodland, grassland	<u>Very Low</u> : Some grassland habitat exists onsite.
North Coast semaphore grass (<i>Pleuropogon hooverianus</i>)	—/—/1B.1	Freshwater wetland, vernal pools	<u>None</u> : No suitable vernal pool habitat exists onsite.
Northern California black walnut (<i>Juglans hindsii</i>)	—/—/1B.1	Riparian	<u>Low</u> : No suitable riparian habitat exists onsite.
Northern meadow sedge (<i>Carex praticola</i>)	—/—/2B.2	Freshwater wetlands	<u>None</u> : No suitable wetland habitat exists onsite.
Nuttall's ribbon-leaved pondweed (<i>Potamogeton epihydrus</i>)	—/—/2B.2	Ponds and lakes	<u>None</u> : No suitable pond habitat exists onsite.
Oregon polemonium (<i>Polemonium carneum</i>)	—/—/2B.2	Coastal scrub, yellow pine forest	<u>None</u> : No suitable habitat exists onsite.
Oval-leaved viburnum (<i>Viburnum ellipticum</i>)	—/—/2B.3	Chaparral	<u>Very Low</u> : No suitable chaparral habitat exists onsite.
Pappose tarplant (<i>Centromadia parryi</i> ssp. <i>parryi</i>)	—/—/1B.2	Grassland, wetland	<u>Medium</u> : Some grassland habitat exists onsite.
Pennell's bird's beak (<i>Cordylanthus tenuis</i> ssp. <i>capillaris</i>)	FE/SR/1B.2	Chaparral	<u>Very Low</u> : No suitable chaparral habitat exists onsite.
Peruvian dodder (<i>Cuscuta obtusiflora</i> var. <i>glandulosa</i>)	—/—/1B.2	Grassland, chaparral	<u>Very Low</u> : Parasitic plant, typical host plants not known from the property.
Pink creamsacs (<i>Castilleja rubicundula</i> var. <i>rubicundula</i>)	—/—/1B.2	Grasslands	<u>Low</u> : Some grassland habitat exists onsite. Nearest known occurrence is 2.9 miles W of the parcel near Big Canyon Road.

Taxon	Status ¹ Fed/State/CNPS	Habitat	Potential to Occur Within the Project Area
Porter's navarretia (<i>Navarretia paradoxinota</i>)	—/—/1B.3	Grasslands, wetlands	Low: Some grassland habitat exists onsite. Nearest known occurrence is 4.3 miles SW of the parcel near CA-29.
Raiche's manzanita (<i>Arctostaphylos stanfordiana</i> ssp. <i>raichei</i>)	—/—/1B.1	Serpentine chaparral	<u>None:</u> No serpentine chaparral habitat exists onsite.
Rincon Ridge ceanothus (<i>Ceanothus confusus</i>)	—/—/1B.1	Chaparral, foothill grassland	<u>Very Low:</u> No suitable chaparral habitat exists onsite.
Rincon Ridge manzanita (<i>Arctostaphylos stanfordiana</i> ssp. <i>decumbens</i>)	—/—/1B.1	Chaparral	<u>Very Low:</u> No suitable chaparral habitat exists onsite.
Round-leaved filaree (<i>California macrophylla</i>)	—/—/1B.2	Foothill grassland	<u>Low:</u> Some grassland habitat exists onsite.
Saline clover (<i>Trifolium hydrophilum</i>)	—/—/1B.2	Wetland, riparian	<u>None:</u> No suitable wetland habitat exists onsite. Nearest known occurrence is 4.9 miles SW of the parcel in Long Valley.
San Joaquin spearscale (<i>Extriplex joaquinana</i>)	—/—/1B.2	Shadscale scrub, valley grassland	<u>None:</u> No alkali scrub habitat exists.
Santa Rosa horkelia (<i>Horkelia tenuiloba</i>)	—/—/1B.2	Chaparral	<u>Low:</u> No suitable chaparral habitat exists onsite.
Sebastopol meadowfoam (<i>Limnanthes vincularis</i>)	FE/SE/1B.1	Freshwater wetland, vernal pools	<u>None:</u> No suitable vernal pool habitat exists onsite.
Serpentine cryptantha (<i>Cryptantha dissita</i>)	—/—/1B.2	Serpentine chaparral	<u>Very Low:</u> No serpentine habitat exists onsite.
Serpentine daisy (<i>Erigeron serpentinus</i>)	—/—/1B.3	Serpentine chaparral	<u>None:</u> No serpentine chaparral habitat exists onsite.
Sharsmith's western flax (<i>Hesperolinon sharsmithiae</i>)	—/—/1B.2	Chaparral	<u>Very Low:</u> No suitable chaparral habitat exists onsite. Nearest known occurrence is 2.1 miles E of the parcel in Jerusalem Valley.
Shining navarretia (<i>Navarretia nigelliformis</i> ssp. <i>radians</i>)	—/—/1B.2	Vernal pools	<u>Very Low:</u> No suitable vernal pool habitat exists onsite.

Taxon	Status ¹ Fed/State/CNPS	Habitat	Potential to Occur Within the Project Area
Slender Orcutt grass (<i>Orcuttia tenuis</i>)	FT/SE/1B.1	Grassland, freshwater wetlands	Very Low: No suitable wet meadow habitat exists onsite. Nearest known occurrence is 2.1 miles N of the parcel near Spruce Grove Road.
Small-flowered calycadenia (<i>Calycadenia micrantha</i>)	—/—/1B.2	Foothill grassland	<u>Medium:</u> Some suitable grassland habitat exists onsite.
Small groundcone (<i>Kopsiopsis hookeri</i>)	—/—/2B.3	Redwood forest	<u>None:</u> No suitable forest habitat exists onsite.
Small pincushion navarretia (<i>Navarretia meyersii</i> ssp. <i>deminuta</i>)	—/—/1B.1	Wetlands	<u>Very Low:</u> No suitable wetland habitat exists onsite.
Snow Mountain buckwheat (<i>Eriogonum nervulosum</i>)	—/—/1B.2	Serpentine outcrops	<u>None:</u> No serpentine outcrop habitat exists onsite.
Socrates Mine jewelflower (<i>Streptanthus brachiatus</i> ssp. <i>brachiatus</i>)	—/—/1B.2	Serpentine outcrops	<u>None:</u> No serpentine habitat exists onsite.
Sonoma beardtongue (<i>Penstemon newberryi</i> var. <i>sonomensis</i>)	—/—/1B.3	Chaparral	<u>Very Low:</u> No suitable chaparral habitat exists onsite.
Sonoma ceanothus (<i>Ceanothus sonomensis</i>)	—/—/1B.2	Chaparral	<u>Very Low:</u> No suitable chaparral habitat exists onsite.
Thin-lobed horkelia (<i>Horkelia tenuiloba</i>)	—/—/1B.2	Chaparral	<u>Very Low:</u> No suitable chaparral habitat exists onsite.
Three-fingered morning glory (<i>Calystegia collina</i> ssp. <i>tridactylosa</i>)	—/—/1B.2	Serpentine grassland	<u>Very Low:</u> No serpentine habitat exists onsite.
Three peaks jewelflower (<i>Streptanthus morrisonii</i> ssp. <i>elatus</i>)	—/—/1B.2	Serpentine outcrops	<u>None:</u> No serpentine outcrop habitat exists onsite.
Tracy's eriastrum (<i>Eriastrum tracyi</i>)	—/SR/3.2	Chaparral	<u>Low:</u> No suitable chaparral habitat exists onsite.
Two-carpellate Western flax (<i>Hesperolinon bicarpellatum</i>)	—/—/1B.2	Chaparral	Low: No suitable chaparral habitat exists onsite. Nearest known occurrence is 2.9 miles W of the parcel along Big Canyon Road.
Vine Hill ceanothus (<i>Ceanothus foliosus</i> var. <i>vineatus</i>)	—/—/1B.1	Chaparral	<u>Very Low:</u> No suitable chaparral habitat exists onsite.

Taxon	Status ¹ Fed/State/CNPS	Habitat	Potential to Occur Within the Project Area
Vine Hill manzanita (<i>Arctostaphylos densiflora</i>)	—/SE/1B.1	Chaparral	<u>Very Low</u> : Some chaparral habitat exists onsite.
Watershield (<i>Brasenia schreberi</i>)	—/—/2B.3	Pond, wetland	<u>Very Low</u> : No suitable pond habitat exists in the project area.
White beaked-rush (<i>Rhynchospora alba</i>)	—/—/2B.2	Wetlands, freshwater marsh	<u>None</u> : No suitable wetland habitat exists onsite.
White flowered rein orchid (<i>Piperia candida</i>)	—/—/1B.2	Yellow pine forest	<u>None</u> : No suitable forest habitat exists onsite.
Wolly meadowfoam (<i>Limnanthes floccosa</i> ssp. <i>floccosa</i>)	—/—/4.2	Vernal pools	<u>None</u> : No vernal pool habitat exists onsite.
MOSSES, LICHENS & LIVERWORTS			
Angel's hair lichen (<i>Ramalina thrausta</i>)	—/—/2B.1	Old growth conifer and hardwood forests	<u>None</u> : No suitable forest habitat exists onsite.
Coastal triquetrella (<i>Triquetrella californica</i>)	—/—/1B.2	Forest, woodland	<u>Very Low</u> : Some woodland habitat exists onsite.
Elongate copper moss (<i>Mielichhoferia elongata</i>)	—/—/4.3	Forest, woodland	<u>Very Low</u> : Some woodland habitat exists onsite.
Methuselah's beard lichen (<i>Dolichousnea longissima</i>)	—/—/4.2	Old growth conifer and hardwood forests	<u>None</u> : No suitable forest habitat exists onsite.
Slender silver moss (<i>Anomobryum julaceum</i>)	—/—/4.2	Rocky substrates in forests, riparian	<u>Very Low</u> : No suitable riparian habitat exists onsite.
Torren's grimmia (<i>Grimmia torenii</i>)	—/—/1B.3	Forest, woodland	<u>Very Low</u> : Some woodland habitat exists onsite.
FISH			
Chinook Salmon Coastal California DPS (<i>Oncorhynchus kisutch</i>)	FT/SE/—	Freshwater streams, open ocean and estuaries	<u>None</u> : No suitable streams exist onsite.

Taxon	Status ¹ Fed/State/CNPS	Habitat	Potential to Occur Within the Project Area
Clear Lake Drainage Resident Rainbow trout (<i>Oncorhynchus mykiss</i>)	FE/SE/—	Freshwater streams, open ocean and estuaries	<u>None</u> : No suitable habitat exists in the project area.
Clear Lake hitch (<i>Lavinia exilicauda chi</i>)	FE/SE/—	Freshwater lakes and streams	<u>None</u> : No suitable habitat exists in the project area.
Clear Lake tule perch (<i>Hysteroecarpus traskii lagunae</i>)	—/SSC/—	Freshwater lakes and streams	<u>None</u> : No suitable habitat exists in the project area.
Coho Salmon Central California Coast ESU (<i>Oncorhynchus kisutch</i>)	FE/SE/—	Freshwater streams, open ocean and estuaries	<u>None</u> : No suitable streams exist onsite.
Sacramento perch (<i>Archoplites interruptus</i>)	—/SSC/—	Low gradient sloughs and lakes	<u>None</u> : No suitable habitat exists in the project area.
Sacramento splittail (<i>Pogonichthys macrolepidotus</i>)	—/SSC/—	Low gradient freshwater streams	<u>None</u> : No suitable streams exist onsite.
Steelhead Central California Coast DPS (<i>Oncorhynchus mykiss irideus</i>)	FT/—/—	Freshwater streams, open ocean and estuaries	<u>None</u> : No suitable streams exist onsite.
Steelhead Northern California DPS (<i>Oncorhynchus mykiss irideus</i>)	FT/—/—	Freshwater streams, open ocean and estuaries	<u>None</u> : No suitable streams exist onsite.
AMPHIBIANS & REPTILES			
California giant salamander (<i>Dicamptodon ensatus</i>)	—/SSC/—	Wetlands and riparian areas	<u>None</u> : No suitable wetland habitat exists onsite. Species is not known from the region.
Foothill yellow-legged frog (<i>Rana boylei</i>)	—/SSC/—	Wetlands, riparian, streams and ponds	Very Low : No suitable breeding habitat onsite. Some poor quality estivation habitat onsite. Nearest known occurrence is 1.6 miles W of the parcel in Coyote Creek.
Red bellied newt (<i>Taricha rivularis</i>)	—/SSC/—	Woodland streams, riparian corridors	<u>Very Low</u> : No suitable stream habitat exists onsite.
Western pond turtle (<i>Emys marmorata</i>)	—/SSC/—	Slow-moving creeks, streams, ponds, rivers, ditches.	<u>None</u> : No suitable pond habitat exists onsite. Nearest known occurrence is 2.3 miles N of the parcel in Asbill Creek.

Taxon	Status ¹ Fed/State/CNPS	Habitat	Potential to Occur Within the Project Area
INVERTEBRATES			
Behren's silverspot butterfly (<i>Speyeria zerene behrensii</i>)	FE/SSC/—	Coastal prairie	<u>None</u> : Requires blue violet to reproduce; none onsite.
Blennosperma vernal pool andrenid bee (<i>Andrena blennospermatis</i>)	—/SSC/—	Upland areas near vernal pools	<u>None</u> : No suitable vernal pool habitat exists onsite although there is some grassland habitat.
Borax Lake cuckoo wasp (<i>Hedychridium milleri</i>)	—/SSC/—	Lakes and streams	<u>None</u> : No suitable lake or stream habitat exists onsite.
Brownish dubiraphian riffle beetle (<i>Dubiraphia brunnescens</i>)	—/SSC/—	Freshwater lakes and streams	<u>None</u> : No suitable stream habitat exists onsite.
California brackishwater snail (<i>Tryonia imitator</i>)	—/SSC/—	Brackish wetlands	<u>None</u> : No suitable wetland habitat exists onsite.
California floater (<i>Anodonta californiensis</i>)	—/SSC/—	Freshwater ponds, streams	<u>None</u> : No suitable stream habitat exists onsite.
California freshwater shrimp (<i>Syncaris pacifica</i>)	FE/SE/—	Freshwater ponds	<u>None</u> : No suitable pond habitat exists onsite.
California linderiella (<i>Linderiella occidentalis</i>)	—/SSC/—	Vernal pools	<u>None</u> : No vernal pool habitat exists onsite.
Clear Lake pyrg (<i>Pyrgulopsis ventricosa</i>)	—/SSC/—	Freshwater streams	<u>None</u> : No suitable stream habitat exists onsite.
Crotch bumble bee (<i>Bombus crotchii</i>)	—/SSC/—	Grassland, chaparral	<u>Medium</u> : Some grassland habitat exists onsite.
Leech's skyline diving beetle (<i>Hydroporus leechi</i>)	—/SSC/—	Freshwater ponds	<u>None</u> : No suitable pond habitat exists onsite.
Myrtle silverspot butterfly (<i>Speyeria zerene myrtilae</i>)	FE/SSC/—	Coastal prairie, chaparral	<u>None</u> : Requires western dog violet for reproduction; none onsite.
Monarch butterfly California overwintering Population #1 (<i>Danaus plexippus</i>)	—/SSC/—	Large trees required for roosting.	<u>Low</u> : Some suitable trees for roosting onsite.

Taxon	Status ¹ Fed/State/CNPS	Habitat	Potential to Occur Within the Project Area
Obscure bumble bee (<i>Bombus caliginosus</i>)	—/SSC/—	Grassland, foothill woodland, chaparral	<u>Medium</u> : Some grassland habitat exists onsite.
Opler's longhorn moth (<i>Adela oplerella</i>)	—/SSC/—	Usually associated with <i>Platystemon</i> (creamcups)	<u>None</u> : No suitable host plants onsite.
Oregon floater (<i>Anodonta oregonensis</i>)	—/SSC/—	Large freshwater streams	<u>None</u> : No suitable stream habitat exists onsite.
Ricksecker's water scavenger beetle (<i>Hydrochara rickseckeri</i>)	—/SSC/—	Freshwater lakes and ponds	<u>None</u> : No suitable pond habitat exists onsite.
Serpentine cypress wood-boring beetle (<i>Trachykele hartmani</i>)	—/SSC/—	Requires cypress trees in serpentine outcrops	<u>None</u> : No suitable host plants known from the project site.
Sonoma zerene fritillary (<i>Speyeria zerene sonomensis</i>)	—/SSC/—	Grasslands and meadows with <i>Viola</i> plants	<u>None</u> : Requires <i>Viola</i> for reproduction; none onsite.
Unnamed isopod (<i>Calasellus californicus</i>)	—/SSC/—	Freshwater wetlands	<u>None</u> : No suitable wetland habitat exists onsite.
Western bumblebee (<i>Bombus occidentalis</i>)	—/SSC/—	Grassland	<u>Medium</u> : Some grassland habitat exists onsite.
Wilbur Springs minute moss beetle (<i>Ochthebius reticulatus</i>)	—/SSC/—	Shorelines of hot springs	<u>None</u> : No suitable hot spring habitat exists onsite.
Wilbur Springs shorebug (<i>Saldula usingeri</i>)	—/SSC/—	Ponds	<u>None</u> : No suitable pond habitat exists onsite.
Wilbur Springs shore fly (<i>Paracoenia calida</i>)	—/SSC/—	Hot sulphur springs	<u>None</u> : No suitable hot spring habitat exists onsite.
BIRDS			
American peregrine falcon (<i>Falco peregrinus anatum</i>)	—/SSC/—	Forages in open grasslands, nests in trees	<u>Low</u> : Some suitable nesting and foraging habitat exists. Nearest known occurrence is 3.8 miles SE of the parcel near McCreary Lake.
Bank swallow (<i>Riparia riparia</i>)	FE/SE/—	Typically found near lakes and streams	<u>None</u> : No suitable stream habitat exists onsite.

Taxon	Status ¹ Fed/State/CNPS	Habitat	Potential to Occur Within the Project Area
Bald eagle (<i>Haliaeetus leucocephalus</i>)	—/SSC/—	Forages over open lakes and streams	Very Low: No suitable foraging or nesting habitat exists onsite. Nearest known occurrence is 3.6 miles SW of the parcel in Long Valley.
Bell's sage sparrow (<i>Artemisiospiza belli belli</i>)	—/SSC/—	Cliff faces near water	<u>Low:</u> Some suitable woodland habitat exists onsite.
Black swift (<i>Cypseloides niger</i>)	—/SSC/—	Cliff faces near water	<u>None:</u> No suitable stream habitat exists onsite.
Burrowing owl (<i>Athene cunicularia</i>)	—/SSC/—	Grasslands with ground squirrel burrows	<u>Very Low:</u> No suitable grassland habitat exists onsite due to lack of ground squirrel or other burrows.
California black rail (<i>Laterallus jamaicensis coturniculus</i>)	FE/SE/—	Coastal salt marshes and mudflats	<u>None:</u> No suitable salt marsh habitat exists onsite.
California horned lark (<i>Eremophila alpestris actia</i>)	—/SSC/—	Herbaceous vegetation, chaparral	<u>Low:</u> Some suitable foraging and nesting habitat exists onsite.
Cooper's hawk (<i>Accipiter cooperii</i>)	—/WL/—	Forages over open grassland.	<u>Low:</u> Some suitable foraging and nesting habitat exists onsite.
Ferruginous hawk (<i>Buteo regalis</i>)	—/SSC/—	Forages over open grassland. Nests in old- growth trees.	<u>Low:</u> Some suitable foraging and nesting habitat exists onsite.
Golden eagle (<i>Aquila chrysaetos</i>)	—/SSC/—	Forages over open grassland. Nests in old- growth trees.	<u>Medium:</u> Some suitable foraging habitat. Some suitable nesting habitat.
Grasshopper sparrow (<i>Ammodramus savannarum</i>)	—/SSC/—	Forages over open grassland.	<u>Low:</u> Some suitable foraging and nesting habitat exists onsite.
Great blue heron (<i>Ardea herodias</i>)	—/SSC/—	Nests in trees, forages in wetlands and grasslands	<u>None:</u> No suitable foraging or nesting habitat exists onsite.
Great egret (<i>Ardea alba</i>)	—/SSC/—	Nests in trees, forages in wetlands and grasslands	<u>None:</u> No suitable foraging or nesting habitat exists onsite.
Marbled murrelet (<i>Brachyramphus marmoratus</i>)	FT/SE/—	Old growth coniferous forest	<u>None:</u> No suitable forest habitat exists onsite.
Northern goshawk (<i>Accipiter gentilis</i>)	—/SSC/—	Coniferous forest	<u>None:</u> No suitable forest habitat exists onsite.

Taxon	Status ¹ Fed/State/CNPS	Habitat	Potential to Occur Within the Project Area
Northern spotted owl (<i>Strix occidentalis</i>)	FT/ST/—	Nests primarily in old growth forests	<u>Very Low</u> : No suitable nesting habitat onsite. Some marginal foraging habitat onsite.
Osprey (<i>Pandion haliaetus</i>)	—/WL/—	Areas with fish	<u>Very Low</u> : No suitable foraging habitat onsite. Some poor quality nesting habitat onsite.
Prairie falcon (<i>Falco mexicanus</i>)	—/SSC/—	Forages over grasslands	<u>Medium</u>: Some suitable nesting and foraging habitat exists onsite. Nearest known occurrence is 1.8 miles E of the parcel in Jericho Valley.
Purple martin (<i>Progne subis</i>)	FE/SE/—	Insectivorous, nests in cavities	<u>Low</u> : Some suitable nesting habitat onsite. Some suitable foraging habitat onsite.
Ridgway's rail (<i>Rallus obsoletus obsoletus</i>)	FE/SE/—	Mudflats and tidal sloughs	<u>None</u> : No suitable tidal habitat exists onsite.
Salt marsh common yellowthroat (<i>Geothlypis trichas sinuosa</i>)	—/SSC/—	Forages in grasslands and nests in dense freshwater marshes	<u>Very Low</u> : No suitable nesting or foraging habitat exists onsite.
Sharp-shinned hawk (<i>Accipiter striatus</i>)	—/SSC/—	Forest and woodland	<u>Very Low</u> : Some suitable nesting and foraging habitat exists onsite.
Tricolored blackbird (<i>Agelaius tricolor</i>)	—/SSC/—	Forages in grasslands and nests in freshwater marshes	<u>Low</u> : No suitable nesting habitat exists onsite. Some suitable foraging habitat.
Western yellow-billed cuckoo (<i>Coccyzus americanus occidentalis</i>)	—/SE/—	Woodland, riparian	<u>Low</u> : Some suitable nesting and foraging habitat exists onsite.
White-tailed kite (<i>Elanus leucurus</i>)	—/CFP/—	Prefers to nest in marshes next to deciduous forests.	<u>Low</u> : Some suitable nesting and foraging habitat exists onsite.
Yellow breasted chat (<i>Icteria virens</i>)	—/SSC/—	Dense shrubby growth, grasslands	<u>Low</u> : Some suitable grassland habitat exists onsite.
Yellow rail (<i>Coturnicops noveboracensis</i>)	—/SSC/—	Breeds in marshes, forages in wet meadows	<u>None</u> : No suitable marsh habitat exists onsite.
Yellow warbler (<i>Coturnicops noveboracensis</i>)	—/SSC/—	Riparian, shrubland, farmland	<u>Low</u> : Some suitable scrub habitat exists onsite.

Taxon	Status ¹ Fed/State/CNPS	Habitat	Potential to Occur Within the Project Area
MAMMALS			
American badger (<i>Taxidea taxus</i>)	—/SSC/—	Open grassland habitats with plenty of prey	<u>Low</u> : Some suitable den habitat exists onsite.
Big free-tailed bat (<i>Nyctinomops macrotis</i>)	—/SSC/—	Forages over open areas, roots in trees or caves	<u>Low</u> : Some suitable foraging habitat. Few suitable roosts in project area.
Fisher (<i>Pekania pennanti</i>)	—/SSC/—	Forages and breeds primarily in forests	<u>Very Low</u> : No suitable forest habitat exists onsite.
Fringed myotis (<i>Myotis thysanodes</i>)	—/SSC/—	Roosts in caves or buildings and forages in open habitats	<u>Very Low</u> : Some suitable foraging habitat. Few suitable roosts in project area.
Hoary bat (<i>Lasiurus cinereus</i>)	—/SSC/—	Forages over open areas, roots in trees or caves at high altitude	<u>Very Low</u>: Few suitable roosts in the project area. Primarily forages at high altitude. Nearest known occurrence is 4.9 miles SW of the parcel in Long Valley.
Long-eared myotis (<i>Myotis evotis</i>)	—/SSC/—	Roosts in caves or buildings and forages in open habitats	<u>Low</u> : Some suitable foraging habitat. Few suitable roosts in project area.
Long-legged myotis (<i>Myotis volans</i>)	—/SSC/—	Roosts in caves or buildings and forages in open habitats	<u>Very Low</u> : Some foraging habitat. Few suitable roosts in project area.
North American porcupine (<i>Erethizon dorsatum</i>)	—/SSC/—	Require rocky areas or trees for dens, abundant open space for foraging	<u>Very Low</u> : Some suitable foraging and den habitat exists onsite.
Pallid bat (<i>Antrozous pallidus</i>)	—/SSC/—	Common in open dry habitats with rocky areas for roosting	<u>Low</u> : Some foraging habitat exists. Few suitable roosts in the project area.
Silver haired bat (<i>Lasionycteris noctivagans</i>)	—/SSC/—	Nocturnal, migratory, solitary, roosts in tree cavities	<u>Low</u>: Some suitable trees exist for roosting. Some foraging habitat exists. Nearest known occurrence is 4.9 miles SW of the parcel in Long Valley.
Sonoma tree vole (<i>Arborimus pomo</i>)	—/SSC/—	Old growth Douglas fir canopies	<u>None</u> : No suitable forest habitat exists onsite.

Taxon	Status ¹ Fed/State/CNPS	Habitat	Potential to Occur Within the Project Area
Townsend's big-eared bat <i>(Corynorhinus townsendii)</i>	—/SSC/—	Hibernate in mines or caves, roost in man made structures and caves	Medium: Few man-made structures exist suitable for roosting. Some habitat for foraging. Nearest known occurrence is 3.3 miles N of the parcel near Cantwell Ranch Road.
Western red bat <i>(Lasiurus blossevillii)</i>	—/SSC/—	Forages over open areas, roots in trees or caves	<u>Very Low:</u> Little suitable roosting habitat. Some suitable foraging habitat.
Yuma myotis <i>(Myotis yumanensis)</i>	—/SSC/—	Forages over open areas, roots in trees or caves	<u>Very Low:</u> No suitable nesting habitat exists onsite. Some suitable foraging habitat exists onsite.
HABITATS			
Coastal & Valley Freshwater Marsh (CVFM)	—	—	<u>None:</u> No marsh habitat exists onsite.
Northern Basalt Flow Vernal Pool (NBFVP)	—	—	<u>None:</u> No basalt flow vernal pool habitat exists onsite.
Northern Hardpan Vernal Pool (NHVP)	—	—	<u>None:</u> No hardpan vernal pool habitat exists onsite.
Northern Vernal Pool (NVP)	—	—	<u>None:</u> No vernal pool habitat exists onsite.
Sycamore Alluvial Woodland (SAW)	—	—	<u>None:</u> No woodland habitat exists onsite.
Valley Needlegrass Grassland (VNG)	—	—	<u>Low:</u> Some grassland habitat exists onsite.
Valley Oak Woodland (VOW)	—	—	<u>None:</u> No valley oaks exist onsite.
Valley Sink Scrub (VSS)	—	—	<u>None:</u> No sink habitat exists onsite.

¹ Status:

Federal

FE = Federally Endangered Species

FT = Federally Threatened Species

State

SE = State Endangered Species

ST = State Threatened Species

SR = State Rare (applies to plants only)

SSC = California Species of Special Concern

CFP = California Fully Protected Species

CNPS (applies to plants only)

List 1B = plants considered rare, threatened, or endangered in California and elsewhere

List 2B = plants rare, threatened or endangered in California, but more common elsewhere

List 4 = plants of limited distribution

² USFWS

APPENDIX B: SPECIES ENCOUNTERED

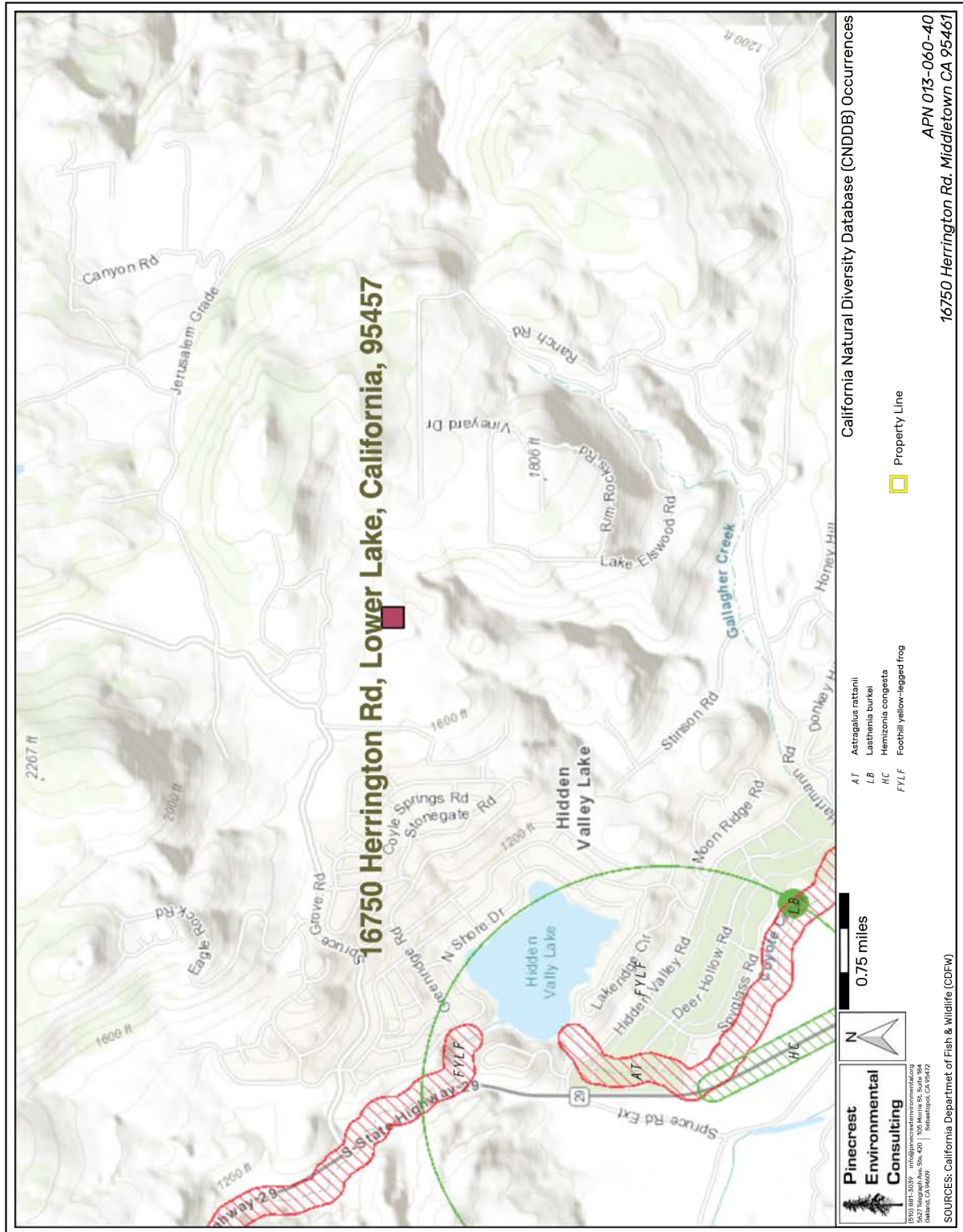
PLANTS
<i>Achillea millefolium</i>
<i>Acmispon americanus</i>
<i>Adenostoma fasciculatum</i>
<i>Aira caryophylla</i>
<i>Ansiocarpus madioides</i>
<i>Arbutus menziesii</i>
<i>Arctostaphylos manzanita</i>
<i>Arctostaphylos patula</i>
<i>Artemisia douglasiana</i>
<i>Avena barbata</i>
<i>Baccharis pilularis</i>
<i>Brodiaea elegans</i>
<i>Bromus diandrus</i>
<i>Bromus hordeaceus</i>
<i>Cardamine hirsuta</i>
<i>Carduus pycnocephalus</i>
<i>Ceanothus cuneatus</i>
<i>Ceanothus integerrimus</i>
<i>Centaurea solstitialis</i>
<i>Centromadia pungens</i>
<i>Cercocarpus betuloides</i>
<i>Chlorogalum pomeridianum</i>
<i>Cirsium vulgare</i>
<i>Cladophora</i>
<i>Claytonia perfoliata</i>
<i>Croton setiger</i>
<i>Cynosurus echinatus</i>
<i>Daucus carota</i>
<i>Daucus pusillus</i>
<i>Dipsacus fullonum</i>
<i>Elymus caput-medusae</i>
<i>Elymus caput-medusae</i>
<i>Elymus glaucus</i>
<i>Epilobium densiflorum</i>
<i>Eriodictyon californicum</i>
<i>Erodium botrys</i>
<i>Festuca myuros</i>
<i>Galium aparine</i>
<i>Galium californicum</i>

<i>Genista monspessulana</i>
<i>Geranium molle</i>
<i>Gnaphalium californicum</i>
<i>Heteromeles arbutifolia</i>
<i>Hypericum perforatum</i>
<i>Hypochaeris glabra</i>
<i>Iris douglasii</i>
<i>Juncus bufonius</i>
<i>Lactuca serriola</i>
<i>Limnanthes douglasii</i>
<i>Lupinus bicolor</i>
<i>Melilotus albus</i>
<i>Mentha pulegium</i>
<i>Navarretia leucocephala</i>
<i>Pinus ponderosa</i>
<i>Pinus sabiniana</i>
<i>Quercus douglasii</i>
<i>Quercus durata</i>
<i>Quercus kelloggii</i>
<i>Quercus wislizeni</i>
<i>Quercus-Arctostaphylos</i>
<i>Ranunculus occidentalis</i>
<i>Rhamnus californica</i>
<i>Rubus armeniacus</i>
<i>Rumex acetocella</i>
<i>Salvia sonomensis</i>
<i>Stellaria media</i>
<i>Torilis arvensis</i>
<i>Toxicodendron diversilobium</i>
<i>Tragopogon dubius</i>
<i>Trifolium hirtum</i>
<i>Vicia sativa</i>

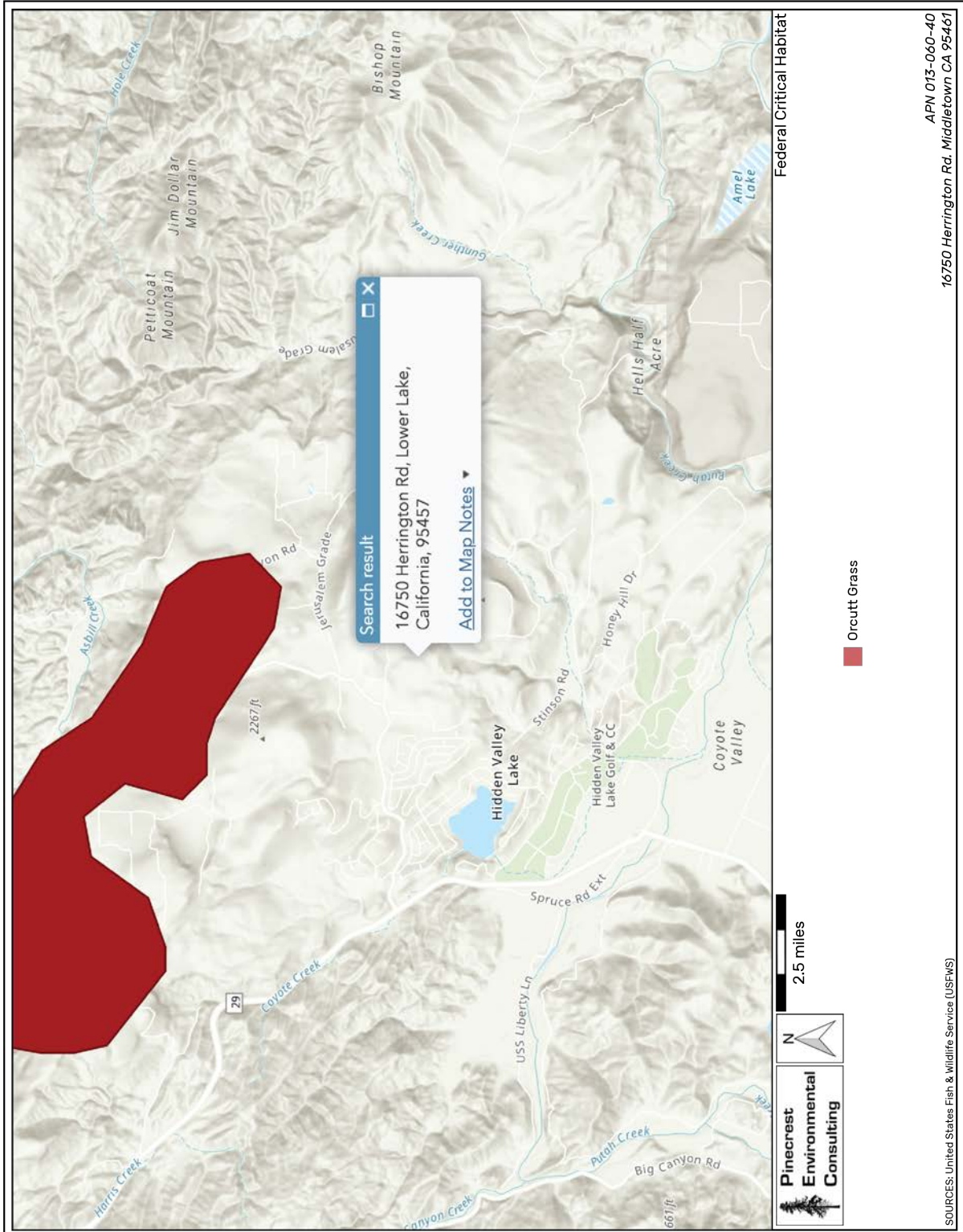
ANIMALS
<i>Aphelocoma californica</i>
<i>Bombus</i> spp.
<i>Buteo jamaicensis</i>
<i>Callipepla californica</i>
<i>Canis latrans</i>
<i>Cathartes aura</i>
<i>Corixidae</i> spp.
<i>Corvus brachyrhynchos</i>

<i>Empidonax difficilis</i>
<i>Junco hyemalis</i>
<i>Lepus californicus</i>
<i>Lumbriculidid</i> spp.
<i>Melanerpes formicivorus</i>
<i>Odocoileus hemionus</i>
<i>Pseudacris regalia</i>
<i>Sciurus griseus</i>
<i>Thomomys bottae</i>
<i>Vireo huttoni</i>
<i>Zenaida macroura</i>

APPENDIX C: CNDDDB OCCURRENCES MAP



APPENDIX D: MAP OF FEDERAL CRITICAL HABITAT



APPENDIX E: CANNABIS CULTIVATION BEST MANAGEMENT PRACTICES

Best management practices (BMPs) are designed to prevent, minimize, and control the discharge of waste and pollutants associated with site operations and maintenance for the aforementioned project. Many of these BMPs are considered enforceable conditions under North Coast Regional Water Quality Board Order No. R1-2015-0023 and applicable State Water Resources Control Board *Cannabis* General Order No. WQ 2017-0023-DWQ.

E.1 CANNABIS CULTIVATION

- Pesticide and fertilizer storage facilities shall be located outside of the Riparian Corridor setbacks for structures.
- Pesticide and fertilizer storage facilities shall not be located within 100 feet of a wellhead, or within 50 feet of identified wetlands.
- Pesticide and fertilizer storage facilities shall be adequate to protect pesticide and fertilizer containers from the weather.
- Store all bags and boxes of pesticides and fertilizers off the ground on pallets or shelves.
- If the structure does not have an impermeable floor, store all liquid pesticides and fertilizers on shelves capable of containing spills or provide appropriate secondary containment.
- Routinely check for leaks and spills.
- Have spill cleanup kit onsite to be able to respond to any leaks or spills.
- Inspect planting stock for pests and diseases prior to planting. Avoid planting stock with pests and disease and notify the supplier of the planting stock of the infestation.
- Comply with all pesticide laws and regulations as enforced by the California Department of Pesticide Regulation and Sonoma County Agricultural Commissioner.
- For pesticides with the signal word CAUTION that have listed food uses, comply with all pesticide label directions as they pertain to personal protective equipment, application method, and rate, environmental hazards, longest reentry intervals and greenhouse and indoor use directions.
- For all other pesticides, use must comply with all label requirements including site and crop restrictions.
- Prior to the use of any registered pesticide on cannabis, Operator Identification Number should be obtained from the County Agricultural Commissioner if required.
- Submit monthly pesticide use reports to the County Agricultural Commissioner if required.

- Prior to applying fertilizers, evaluate irrigation water, soils, growth media, and plant tissue to optimize plant growth and avoid over fertilization.
- Apply fertilizers at label rates and no higher.
- Do not apply fertilizers in a way that will result in runoff that may contaminate ground or surface water or escape via airborne drift or fugitive dust.
- Observe riparian corridor setbacks for agricultural cultivation as applicable. These shall be maintained as “no touch” areas. The removal of vegetation is prohibited within these setback areas.
- No equipment, vehicles, or other materials shall be stored in the riparian setback areas.
- Composting areas shall not be located in the riparian setback areas.
- Irrigation must be conducted in a manner that does not result in runoff from the cultivated area.
- Any water tanks or storage facilities must obtain all necessary permits from the Sonoma County Permit and Resource Management Department (PRMD).
- The use of membrane based water bladders is prohibited.
- If using an irrigation system, inspect for and repair leaks prior to planting each year and continuously during the season.
- Irrigation systems shall be equipped with a backflow prevention devices and shutoff valves.
- Recycle or properly dispose of all plastic bags, containers, and irrigation materials.
- Properly dispose of green waste in a manner that does not discharge pollutants to a watercourse. This may be accomplished by composting, chipping, and/or shredding. The method of green waste disposal must be documented.
- Used growth medium (soil and other organic medium) shall be handled to minimize or prevent discharge of soil and residual nutrients and chemicals to watercourses. Proper disposal could include incorporating into garden beds, spreading on a stable surface and re-vegetating, storage in watertight dumpsters, or covering with tarps or plastic sheeting prior to proper disposal. The method of disposal must be documented.
- Compost piles are to be located outside of riparian setbacks for agricultural cultivation and in a manner that will not discharge pollutants to a watercourse. If necessary, construct a berm or install fiber roll around compost area to prevent runoff or use straw wattles around perimeter.
- Cover compost piles with tarp or impermeable surface prior to fall rains and continuously throughout the rainy season.
- Leave a vegetative barrier along the property boundary and interior watercourses to act as a pollutant filter.
- Avoid soil disturbance between November 1 and April 15 and during times of active precipitation.

- All exposed and disturbed soil must be covered with a minimum of 2 inches of mulch, such as straw, bark, wood chips, etc., by November 15. Alternatively, establish a thick cover crop over disturbed areas composed of native species.
- Erosion control materials shall be available on site at all times in the form of straw or appropriate mulch adequate to cover area of disturbed soil.
- In the event of a forecast storm event likely to produce runoff, apply mulch to disturbed areas prior to rain event.
- Any grading or drainage conducted as part of site preparation shall have the appropriate permits from the Sonoma County PRMD.

E.2 EROSION & SEDIMENT CONTROL

- Erosion control and sediment detention devices and materials shall be incorporated into the cleanup/restoration work design and installed prior to the end of project work and before the beginning of the rainy season or any predicted rain events.
- Any continuing, approved project work conducted after October 15 shall have erosion control measures completed and up-to-date.
- All erosion control measures shall be inspected daily during severe rain events.
- Erosion control materials shall be, at minimum, stored on-site at all times during approved project work between May 1 and October 15.
- Approved project work within the 5-year flood plain shall not begin until all temporary erosion controls (straw bales or silt fences that are effectively keyed-in) are installed downslope of cleanup/restoration activities.
- Native species appropriate to the local habitat shall be used for all revegetation purposes. Non-invasive, non-persistent grass species (e.g., barley grass) may be used for their temporary erosion control benefits to stabilize disturbed slopes and prevent exposure of disturbed soils to rainfall.
- Upon work completion, all exposed soil present in and around the cleanup/restoration sites shall be stabilized within 7 days.
- The disturbed area will be minimized at all times to only that which is essential for the completion of the project.
- Provide temporary cover over disturbed areas that are not currently being worked on.
- Heavy equipment shall not be used in flowing water.
- Use of heavy equipment shall be avoided or minimized in a channel bottom with rocky or cobbled substrate.
- Heavy equipment shall not introduce chemicals or foreign sediment to the channel (e.g., remove mud from tracks or cover channel work area with plastic sheeting prior to heavy equipment entry).
- When heavy equipment is used, any woody debris and stream bank or streambed vegetation disturbed shall be replaced to a pre-project density with native species appropriate to the

site.

- When possible, existing ingress or egress points shall be used or work shall be performed remotely from the top of the creek banks.
- Divert runoff away from unprotected slopes or loose soils using a combination of mats, geotextiles, silt fencing, wattling, check dams, sediment basins, vegetated buffers, or rock armor.
- Deploy appropriate erosion control measures such as silt fencing or straw wattles around all temporary exposed piles or soil or surface disturbances.
- All temporary exposed piles or soil or surface disturbances shall have tarping and sand bags or other stabilization materials deployed in order to prevent discharge of sediments in the event of a rain or wind event.
- Geotechnical fabric shall be deployed on all exposed dirt surfaces with a slope of greater than 15% and staked in place during ground disturbing activities, and silt fencing deployed on slopes of greater than 15% where appropriate.
- Sand bags, straw bales, or other devices shall be placed at appropriate locations near and alongside the roadsides and swales in anticipation of large storm events.
- Bioswales and cultivation areas including parking areas shall be maintained free of trash including empty soil and pesticide or fertilizer containers.
- Locations of sediment sources shall be identified during rain events and mitigated where appropriate.
- Protect ditch inlets and outlets from erosion using rock armor.
- Silt fencing shall be installed downstream of rock piles, stockpiles, and temporary soils storage areas.
- Desilting or retention basins shall be installed if the capacity of the natural percolation exceeds the inputs during routine storm events.
- Sediment traps shall be used on all exposed driveway surfaces where natural vegetation is not able to be established.
- Exposed unvegetated surfaces will be graveled where appropriate.
- Rock placed for slope protection shall be the minimum necessary to avoid erosion, and shall be part of a design that provides for native plant revegetation and minimizes bank armoring.
- Soil exposed as a result of project work, soil above rock riprap, and interstitial spaces between rocks shall be revegetated with native vegetation by live planting, seed casting, or hydroseeding prior to the rainy season of the year work is completed.
- Avoidance of earthwork on steep slopes and minimization of cut/fill volumes, combined with proper compaction, shall occur to ensure the area is resilient to issues associated with seismic events and mass wasting. If cracks are observed, or new construction is anticipated, consultation with a qualified professional is recommended.
- Culvert fill slopes shall be constructed at a 2:1 slope or shall be armored with rock.

- If it is necessary to conduct work in or near a live stream, the work space shall be isolated to avoid project activities in flowing water.
- Any spoils associated with site maintenance shall be placed in a stable location where it cannot enter a watercourse.
- Sidecasting shall be minimized and shall be avoided on unstable areas or where it has the potential to enter a watercourse.
- Entrance to the project site shall be maintained in a condition that will prevent tracking or flowing of sediment into the public right-of-way.
- All sediment spilled, dropped, washed, or tracked onto the public right-of-ways shall be removed immediately.
- When necessary, wheels shall be cleaned to remove sediment prior to entrance onto public rights-of-ways.
- When wheel washing is required, it shall be done in an area stabilized with crushed stone that drains into a sediment trap fitted with appropriate erosion control measures.
- To control surface water runoff in and around cultivation areas use fiber rolls or wattling and stake appropriately and perpendicular to the flow path.
- Cover crops should be utilized on all exposed slopes that are not able to be protected by other means.
- Cover crops should be native species as described in the associated biological resources report.
- Rip compacted soils prior to placing spoils to prevent the potential for ponding under the spoils that could result in spoil site failure and subsequent sedimentation.
- Compact and contour stored spoils to mimic the natural slope contours and drainage patterns to reduce the potential for fill saturation and failure.
- Ensure that spoil materials are free of woody debris, and not placed on top of brush, logs or trees.
- Inspect all roads and culverts regularly for blockages.

E.3 WATER USE & POLLUTION

- Ensure that all appropriate water rights permits are filed with the State Water Resources Control Board.
- Notify the California Department of Fish and Wildlife by submitting a Lake and Streambed Alteration (LSA) notification package if the proposed activities involve substantial diversion from or alteration of the bed or bank of a stream or other waterbody.
- Ensure that all water storage features are permitted from the Department of Water Rights if necessary.

- All refueling and pesticide and chemical storage and transfer shall occur greater than 100 feet away from any swales, creeks, or natural areas.
- All refueling and pesticide and chemical storage and transfer shall occur on top of an impermeable metal or other fabric mat that is no less than 2 inches high on all sides and capable of completely containing any spillage.
- Concrete truck and other vehicles shall not be washed out in natural areas or directly onto soil and shall be washed out into a metal or other impermeable basin and disposed of properly such that no water is discharged to the soil.
- All waste shall be kept in plastic drums with tight fitting lids so that water is not able to make contact with the contents and potentially leach to the environment.
- All pesticide sprays shall occur on windless nights for outdoor facilities.
- Chemical or fertilizer wastes shall never be disposed of into swales or creeks and shall be contained inside closed-roof facilities and designated with appropriate labeling until it is possible to dispose of properly.
- Septic leach fields and graywater mulch fields shall be maintained free of large vegetation and not used for aboveground storage that may impact their proper functioning.
- Chemical contamination (fuel, grease, oil, hydraulic fluid, solvents, etc.) of water and soils is prohibited during routine equipment operation and maintenance.
- The use or storage of petroleum-powered equipment shall be accomplished in a manner that prevents the potential release of petroleum materials into waters of the state (Fish and Game Code 5650).
- Schedule excavation and grading activities for dry weather periods.
- Designate a contained area for equipment storage, short-term maintenance, and refueling. Ensure it is located at least 50 feet from waterbodies.
- Inspect vehicles for leaks and repair immediately.
- Clean up leaks, drips and other spills immediately to avoid soil or groundwater contamination.
- Conduct major vehicle maintenance and washing offsite.
- Ensure that all spent fluids including motor oil, radiator coolant, or other fluids and used vehicle batteries are collected, stored, and recycled as hazardous waste offsite.
- Ensure that all construction debris is taken to appropriate landfills and all sediment disposed of in upland areas or offsite, beyond the 100-year floodplain.
- Use dry cleanup methods (e.g., absorbent materials, cat litter, and/or rags) whenever possible. If necessary for dust control, use only a minimal amount of water.
- Sweep up spilled dry materials immediately.
- Separate organic material (e.g., roots, stumps) from the dirt fill and store separately. Place this material in long-term, upland storage sites, as it cannot be used for fill.
- Spoils shall not be placed or stored in locations where soils are wet or unstable, or where slope stability could be adversely affected.

- Do not locate spoil piles in or immediately adjacent to wetlands and watercourses.
- Store spoil piles in a manner (e.g. cover pile with plastic tarps and surround base of pile with straw wattle) or location that would not result in any runoff from the spoil pile ending up in wetlands and watercourses.
- Keep temporary disposal sites out of wetlands, adjacent riparian corridors, and ordinary high water areas as well as high risk zones, such as 100-year floodplain and unstable slopes.
- Conduct operations on a size and scale that considers available water sources and other water use and users in the planning watershed.
- Implement water conservation measures such as rainwater catchment systems, drip irrigation, mulching, or irrigation water recycling where possible.
- Hauled water utilized for irrigation shall be documented via receipt or similar, and show the date, name, and license plate of the water hauler, and the quantity of water purchased.
- If using a water storage tank, do not locate the tank in a flood plain or next to equipment that generates heat. Locate the tank so it is easy to install, access, and maintain.
- Vertical tanks should be installed according to manufacturer's specifications and placed on firm, compacted soil that is free of rocks/sharp objects and capable of bearing the weight of the tank and its maximum contents.
- Install float valves on tanks to prevent them from overflowing.
- Place proper lining or sealing in ponds to prevent water loss.

E.4 ROAD MAINTENANCE & GENERAL CONSTRUCTION

- Always limit work to the appropriate work date windows considering wet weather, migratory bird and other biological and environmental constraints that may be placed on the project.
- Proper design and location of roads and other features is critical to ensuring that a road or other feature be adequately drained and is best accomplished through consultation with a qualified professional.
- Placement of temporary access roads, staging areas, and other facilities shall avoid or minimize disturbance to habitat.
- If inspection identifies surface rills or ruts, then surfacing and drainage likely needs maintenance. Consultation should be made with a licensed professional to design appropriate erosion control strategies.
- Design of roads should allow for sheet flow of water and use water bars and rolling dips to break up slope length.
- Vehicle speed shall be kept to a maximum of 10 mph while onsite to minimize dust generation.
- All unvegetated and unpaved roadways and vehicle turnarounds shall be graveled to a depth of not less than 1" in order to prevent dust and sediment entrainment.

- Applicant will use geotechnical fabric or similar materials on exposed slopes, and distribute weed-free straw mulch wherever possible on exposed surfaces on the perimeter of all graded roads and graveled areas.
- Roads and the berms alongside all roads shall be maintained free of headcuts, gullies, stutter bumps, and other erosion features capable of discharging sediment to adjacent grassland areas.
- Roads will be graveled with clean rock whenever required to prevent dust and sediment erosion during the wet season.
- Whenever possible, road maintenance activities shall be performed from May 1 to October 15.
- Work performed outside of this window should take extra precautions for winter weather erosion control prevention beyond that which is described in this Plan.
- A 48 hour advance forecast for rain shall trigger a temporary cessation of work, and all soils piles will need to be covered and secured with sandbags or other materials.
- Placement of temporary access roads, staging areas, and other facilities shall avoid or minimize disturbance to habitat.
- Whenever feasible, finished grades shall not exceed 1.5:1 side slopes. In circumstances where final grades cannot achieve 1.5:1 slope, additional erosion control or stabilization methods shall be applied as appropriate for the project location.
- Spoils and excavated material not used during project activities shall be removed and placed outside of 100-year floodplains.
- Upon completion of grading, slope protection of all disturbed sites shall be provided prior to the rainy season through a combination of permanent vegetative treatment, mulching, geotextiles, and/or rock, or equivalent.
- Position vehicles and other apparatus so as to not block emergency vehicle access.
- After construction is complete, all storm drain systems and culverts shall be inspected and cleared of accumulated sediment and debris.
- Sediment barriers including wattles and silt fencing should be checked for sediment accumulation following each significant rainfall and sediment removed or the feature replaced as needed.
- Road drainage shall be discharged to a stable location away from a watercourse.
- Use sediment control devices, such as check dams, sand/gravel bag barriers, and other acceptable techniques, when it is neither practical nor environmentally sound to disperse ditch water immediately before the ditch reaches a stream.
- Within areas with potential to discharge to a watercourse (i.e. within riparian areas of at least 200 feet of a stream) road surface drainage shall be filtered through vegetation, slash, or other appropriate material or settled into a depression with an outlet with adequate drainage.

E.5 SWALE & VEGETATION MANAGEMENT

- The work area shall be restored to pre-project work condition or better.
- Any stream bank area left barren of vegetation as a result of cleanup/restoration activities shall be stabilized by seeding, replanting, or other means with native trees, shrubs, and/or grasses appropriate to the site prior to the rainy season in the year work was conducted.
- Ensure that vegetated swales are properly formed, allow moderate velocity water passage without causing sediment entrainment, and are otherwise functioning properly.
- Create and expand vegetated bioswales where necessary, should additional construction or road maintenance be required, in order to maintain flow without scour.
- All bioswales and other drainage features requiring revegetation will be seeded with native vegetation and lawns and hedgerows maintained in good health and watered in dry years.
- Vegetation including grasses shall be mowed as necessary to create fire breaks and to prevent the accumulation of fuels that would be able to sustain a ground fire.
- All vegetation shall be surveyed on foot once a year by staff and new outbreaks of any invasive weeds identified by the California Invasive Plant Council as noxious or invasive to be removed by the owner or qualified landscaping professionals.
- Channels and swales that show evidence of overland flow and scour (e.g. bare of vegetation) shall be seeded with native grasses such as *Stipa pulchra*, *Hordeum brachyantherum*, *Elymus glaucus*, and *Bromus carinatus*, and kept vegetated at all times.
- If shrubs and non-woody riparian vegetation are disturbed, they shall be replaced with similar native species appropriate to the site.
- Disturbance to native shrubs, woody perennials or tree removal on the streambank or in the stream channel shall be avoided or minimized.
- If riparian trees over six inches dbh (diameter at breast height) are to be removed, they shall be replaced by native species appropriate to the site at a 3:1 ratio.
- Where physical constraints in the project area prevent replanting at a 3:1 ratio and canopy cover is sufficient for habitat needs, replanting may occur at a lesser replacement ratio.
- Vegetation planting for slope protection purposes shall be timed to require as little irrigation as possible for ensuring establishment by the commencement of the rainy season.
- The spread or introduction of exotic plant species shall be avoided to the maximum extent possible by avoiding areas with established native vegetation during cleanup/restoration activities, restoring disturbed areas with appropriate native species, and post-project monitoring and control of exotic species.
- Removal of invasive exotic species after construction activities is strongly recommended. Mechanical removal (hand tools, weed whacking, hand pulling) of exotics shall be done in preparation for establishment of native plantings.
- Where permanent soil stabilization is required a locally-appropriate mix of native grass species shall be used such as a mix containing *Nassella pulchra*, *Hordeum*

brachyantherum, *Elymus glaucus*, and *Bromus carinatus* or as described in the site's Biological Resources Assessment.

- Entire cultivation site shall be seeded and maintained as a permanent non-tilled cover crop during non-usage times. Straw mulch shall be used where native seeding is not practicable.
- Use mulches (e.g. wood chips or bark) in cultivation areas that do not have ground cover to prevent erosion and minimize evaporative loss.
- Mulch shall be applied at a rate of 4000 lbs / acre and seeding shall be applied to achieve 70% cover in the first year or approximately 200 lbs / acre.
- Annual inspections for the purpose of assessing the survival and growth of revegetated areas and the presence of exposed soil shall be conducted for three years following project work.
- Dischargers and/or their consultant(s) or third party representative(s) shall note the presence of native/non-native vegetation and extent of exposed soil, and take photographs during each inspection.
- Dischargers and/or their consultant(s) or third party representative(s) shall provide the location of each work site, pre- and post-project work photos, diagram of all areas revegetated and the planting methods and plants used, and an assessment of the success of the revegetation program in the annual monitoring report as required under relevant state and local water board regulations.

E.6 IRRIGATION & CULTIVATION MANAGEMENT

- Cultivation-related waste shall be stored in a place where it will not enter a stream.
- Soil bags and other garbage shall be collected, contained, and disposed of at an appropriate facility, including for recycling where available.
- Pots shall be collected and stored where they will not enter a waterway or create a nuisance.
- Plant waste and other compostable materials be stored (or composted, as applicable) at locations where they will not enter or be blown into surface waters, and in a manner that ensures that residues and pollutants within those materials do not migrate or leach into surface water or groundwaters.
- Imported soil for cultivation purposes shall be minimized. In the event that containers (e.g. grow bags or grow pots) are used for cultivation, reuse of soil shall be maximized to the extent feasible.
- Spent growth medium (i.e. soil and other organic medium) shall be handled to minimize discharge of soil and residual nutrients and chemicals to watercourses. Proper handling of spent soil could include incorporating into garden beds, spreading on a stable surface and revegetation, storage in watertight dumpsters, covering with tarps or plastic sheeting prior to proper disposal.
- Trash containers of sufficient size and number shall be provided and properly serviced to contain the solid waste generated by the project.

- Provide roofs, awnings, or attached lids on all trash containers to minimize direct precipitation and prevent rainfall from entering containers.
- Use lined bins or dumpsters to reduce leaking of liquid waste. Design trash container areas so that drainage from adjoining roofs and pavement is diverted around the area(s) to avoid run-on.
- Make sure trash container areas are screened or walled to prevent off-site transport of trash. Consider using refuse containers that are bear-proof and/or secure from wildlife.
- Refuse shall be removed from the site on a frequency that does not result in nuisance conditions, transported in a manner that they remain contained during transport, and the contents shall be disposed of properly at a proper disposal facility.
- Ensure that human waste disposal systems do not pose a threat to surface or ground water quality or create a nuisance. Onsite treatment systems should follow applicable County ordinances for human waste disposal requirements, consistent with the applicable tier under the State Water Resources Control Board Onsite Waste Treatment System Policy.
- Install buffer strips, bioswales, or vegetation downslope of cultivation areas to filter runoff of chemicals from irrigation.
- Irrigate at rates to avoid or minimize runoff.
- Regularly inspect and repair leaks in mains and laterals, in irrigation connections, or at the ends of drip tape and feeder lines.
- Design irrigation system to include redundancy (i.e., safety valves) in the event that leaks occur, so that waste of water is prevented and minimized.
- Recapture and reuse irrigation runoff (tailwater) where possible, through passive (gravity-fed) or active (pumped) means.
- Construct retention basins for tailwater infiltration; percolation medium may be used to reduce pollutant concentration in infiltrated water. Constructed treatment wetlands may also be effective at reducing nutrient loads in water.
- Ensure that drainage and/or infiltration areas are located away from unstable or potentially unstable features.
- Regularly replace worn, outdated or inefficient irrigation system components and equipment.
- Leave a vegetative barrier along the property boundary and interior watercourses to act as a pollutant filter.
- Employ rain-triggered shutoff devices to prevent irrigation after precipitation.
- Evaluate irrigation water, soils, growth media, and plant tissue to optimize plant growth and avoid over-fertilization.
- All chemicals shall be stored in a manner, method, and location that ensures that there is no threat of discharge to waters of the State.
- Products shall be labeled properly and applied according to the label.

- Use integrated pest management strategies that apply pesticides only to the area of need, only when there is an economic benefit to the grower, and at times when runoff losses are least likely.
- Periodically calibrate pesticide application equipment.
- Use anti-backflow devices on water supply hoses, and other mixing/loading practices designed to reduce the risk of runoff and spills.
- Petroleum products shall be stored with a secondary containment system such as a pan or a tub
- Throughout the rainy season, any temporary containment facility shall have a permanent cover and side-wind protection, or be covered during non-working days and prior to and during rain events.
- Materials shall be stored in their original containers and the original product labels shall be maintained in place in a legible condition. Damaged or otherwise illegible labels shall be replaced immediately.
- Bagged and boxed materials shall be stored on pallets and shall not be allowed to accumulate on the ground. To provide protection from wind and rain throughout the rainy season, bagged and boxed materials shall be covered during non-working days and prior to rain events.
- Have proper chemical and fertilizer storage instructions posted at all times in an open and conspicuous location.
- Prepare and keep a spill prevention and cleanup plan onsite when dealing with any hazardous materials.
- Keep ample supply of appropriate spill clean-up material near storage areas.
- Plant cover crops to boost soil fertility, improve soil texture, and protect from storm caused sediment runoff.

APPENDIX F: STREAM CLASSIFICATION CRITERIA

The following stream classification criteria were copied from the California Department of Forestry & Fire Protection *Forest Practice Rules* (CALFIRE 2017) and is widely used by many state and local agencies. Most state and local jurisdictions require setbacks of 50, 100, and 150 feet from Class III, II, and I streams, respectively (as shown in Figure 4) although greater setbacks may be required in some jurisdictions.

Watercourse – a natural or artificial channel through which water flows.

- **Perennial watercourse (Class I*):**
 1. In the absence of diversions, water is flowing for more than nine months during a typical year,
 2. Fish always or seasonally present onsite or includes habitat to sustain fish migration and spawning, and/or
 3. Spring: an area where there is concentrated discharge of ground water that flows at the ground surface. A spring may flow any part of the year. For the purpose of this Policy, a spring does not have a defined bed and banks.
- **Intermittent watercourse (Class II*):**
 1. In the absence of diversions, water is flowing for three to nine months during a typical year,
 2. Provides aquatic habitat for non-fish aquatic species,
 3. Fish always or seasonally present within 1,000 feet downstream, and/or
 4. Water is flowing less than three months during a typical year and the stream supports riparian vegetation.
- **Ephemeral watercourse (Class III*):** In the absence of diversion, water is flowing less than three months during a typical year and the stream does not support riparian vegetation or aquatic life. Ephemeral watercourses typically have water flowing for a short duration after precipitation events or snowmelt and show evidence of being capable of sediment transport.
- **Other watercourses (Class IV*):** Class IV watercourses do not support native aquatic species and are man-made, provide established domestic, agricultural, hydroelectric supply, or other beneficial use.

*Except where more restrictive, stream class designations are equivalent to the Forest Practice Rules Water Course and Lake Protection Zone definitions (California Code of Regulations, title 14, Chapter 4. Forest Practice Rules, Subchapters 4, 5, and 6 Forest District Rules, Article 6 Water Course and Lake Protection).

APPENDIX G: AVOIDANCE & MINIMIZATION MEASURES FOR WORKING AROUND FYLF & NSO

A comprehensive list of BMP's and avoidance measures relating to erosion, sediment control, water use, vegetation maintenance, and industrial practices are provided in Appendix D. However, below are some specific Avoidance & Minimization Measures (AMM) designed to ensure that there will be no incidental take of any special status animals during the course of construction or operation of the proposed commercial *Cannabis* farm for both Foothill yellow-legged frog (*Rana boylei*; FYLF) and Northern spotted owl (*Strix occidentalis*; NSO).

- All employees and contractors including one-time contractors and day-laborers shall be distributed cards with visual identifications of both FYLF and NSO, including both male and female, and juvenile and adult forms, and be briefed on all of the following AMMs contained herein.
- Operator should obtain signatures from all employees at the bottom of a copy of these A&M's on an annual basis to demonstrate understanding of these measures.
- Any animals of FYLF or NSO observed onsite should result in immediate stoppage of all work, and allowed to leave the site unmolested.
- All animals observed onsite should be allowed to leave the premises voluntarily, unmolested, and their locality should be recorded in the CNDDB database if possible.
- Vehicle speeds should be limited to 5 mph all year, with 3 mph limit during FYLF breeding and migration season, October to June.
- Avoid ground disturbance including trenching, grading, or road scraping without first clearing the site from a qualified biologist.
- All roadways and culverts shall be inspected once before major rain events and once after to ensure that all erosion control materials are effective.
- Operator shall keep onsite sufficient emergency road erosion repair materials to fix sediment discharge problems during storms in real-time.
- All containers and other vessels shall be checked before use to ensure that no animals are inside.
- Vessels shall be turned over and not made into "pitfall traps" out of which animals cannot escape.
- No uncovered holes with vertical sides greater than 5 inches should exist for more than 24 hours.

- Native woody species should be planted wherever revegetation is required.
- Preconstruction breeding bird surveys for NSO are recommended if tree removal is to take place.
- Avoid loud noises or heavy machinery work during the breeding and nesting window which is generally February 1 to September 1.

RECEIVED

Mar. 18 2021

LAKE COUNTY COMMUNITY
DEVELOPMENT DEPT.

RECEIVED

March 15, 2021

MAR 17

LAKE COUNTY COMMUNITY
DEVELOPMENT DEPT.

Mr. & Mrs. Brett & Kathleen Madsen

20100 Hartmann Road
Hidden Valley Lake, CA 95467
(707) 987-0768
madsenranch@mchsi.com

Mr. Eric Porter, County Planner, Lake County CA Planning Department

255 N. Forbes Street
Lakeport, CA 95453

RE: Notice of Intent to Adopt a Mitigated Negative Declaration for Project We Grow Farms; Use Permit (UP20-22) and Initial Study (IS 20-25)

Dear Mr. Porter,

We purchased our rural 5 acre "Rancho" near the Hidden Valley Lake planned development in 1989, and chose to rebuild our home, barn, and shop after the Valley Fire. We cherish this bucolic, wholesome lifestyle.

We have serious concerns and anxiety regarding the County's consideration of a very large cannabis cultivation operation and "self distribution" business in such close proximity to family home developments, an elementary school, and many small family ranch and farm properties.

These concerns include the negative effect on the value of the home and property in which we have dedicated decades of our lives to purchase and maintain, and re-invested in after the devastating 2015 fire. The environmental pressure on the ground water resources in this arid county where many properties rely on well water, and the climate change threat that looms, is a major concern. The use of pesticides and fertilizers are also of great concern where the quality and safety of the communal water table is paramount to the health of the community.

The air quality issues with marijuana cultivation are well documented. The stench of 35 greenhouses near and above so many homes is not acceptable.

The draw of criminal activity to the south county area by regulatory approval of this type of propagation and distribution business is a heartbreaking worry to the citizens who live nearby. These businesses are known to store large amounts of cash on site, and require military-style security for the prevention of theft of assets and plants. Due to our county topographical configuration, law enforcement response time delays are another concern, as is the probability of black market activity.

Thank you for taking our concerns into serious consideration as you decide the fate of the Hidden Valley Lake area.

Sincerely,



Attachment 9 Public Comments

Kerrian Marriott

From: Eric Porter
Sent: Thursday, March 18, 2021 10:06 AM
To: Kerrian Marriott
Subject: RE: file no. UP 20-22, 'We Grow' (Otchkova) - a request

Kerry,

Below is the message that you could not open. It sounds like you need to get Adobe Acrobat installed on your computer to open pdfs! You can print this email and add it to the printed documents that you assisted with earlier this morning, and thanks again -

Eric

Begin forwarded message:

From: CAROL BECK <cablif@aol.com>
Subject: Request for documents Herrington Road
Date: March 11, 2021 at 1:46:36 PM PST
To: "eric.porter@lakecountyca.gov" <eric.porter@Lakecountyca.gov>

Hello Eric, I really appreciate your accommodation of my request for copies of the application, environmental documents, and all reference documents associated with the project at 16750 Herrington Road, Middletown. A friend of mine who lives in Lake County told me this was a possibility, and since we are considering moving to Middleton, and I am anxious to know the status of this project.

Thank you for your amicable professionalism.

Carol Beck
6480 Melville Lane
Oakland, CA 94611

From: Kerrian Marriott
Sent: Thursday, March 18, 2021 9:50 AM
To: Eric Porter <Eric.Porter@lakecountyca.gov>
Subject: RE: file no. UP 20-22, 'We Grow' (Otchkova) - a request

Hey Eric

I attached the only one not printed. I couldn't get the darn thing to open. Your good on the rest.

From: Eric Porter
Sent: Thursday, March 18, 2021 9:38 AM

To: Kerrian Marriott <Kerrian.Marriott@lakecountyca.gov>
Subject: RE: file no. UP 20-22, 'We Grow' (Otchkova) - a request

Thanks Kerry. Please let me know when they are printed so I can move them into a different folder.

Eric

From: Kerrian Marriott
Sent: Thursday, March 18, 2021 9:22 AM
To: Eric Porter <Eric.Porter@lakecountyca.gov>
Subject: RE: file no. UP 20-22, 'We Grow' (Otchkova) - a request

Hey Eric,

Of course!! I'll get em done right now.

From: Eric Porter
Sent: Thursday, March 18, 2021 9:16 AM
To: Kerrian Marriott <Kerrian.Marriott@lakecountyca.gov>
Subject: file no. UP 20-22, 'We Grow' (Otchkova) - a request

Good morning Kerry,

We're going to get bombarded with neighbor comments on this cannabis project. We've already received over 40 letters and emails in opposition.

Would you be willing to print the neighbor emails / letters that we have thus far and put them on my chair? I'll scan them in tomorrow when I'm back in the office; they will be attached to the staff report package as 'Attachment 9 – Public Comments'.

If you are willing to print them, here is the path to find them:

E/ADMINISTRATION/Staff current/Eric/UPs/UP 20-22 Otchkova/Public Comments

Let me know if you can help - this will be a tremendous help to me! I'll move the printed emails / letters into a new file called 'printed' once you've printed them. If you don't have time, please let me know and I will print them myself tomorrow.

Thanks,

Eric



Eric J. Porter
Associate Planner
Department of Community Development
255 N. Forbes St.
Lakeport, CA 95453
Phone: (707) 263-2221 x 37101
Fax: (707) 262-1843
Email: eric.porter@lakecountyca.gov
STAY CONNECTED:

Kerrian Marriott

From: CAROL BECK <cablife@aol.com>
Sent: Friday, March 12, 2021 6:45 PM
To: Eric Porter
Subject: [EXTERNAL] Fwd: Request for documents Herrington Road

Hello Eric,
I hope to hear from you soon.
Thanks,
Carol

Begin forwarded message:

From: CAROL BECK <cablife@aol.com>
Subject: Request for documents Herrington Road
Date: March 11, 2021 at 1:46:36 PM PST
To: "eric.porter@lakecountyca.gov" <eric.porter@Lakecountyca.gov>

Hello Eric, I really appreciate your accommodation of my request for copies of the application, environmental documents, and all reference documents associated with the project at 16750 Herrington Road, Middletown. A friend of mine who lives in Lake County told me this was a possibility, and since we are considering moving to Middleton, and I am anxious to know the status of this project.

Thank you for your amicable professionalism.

Carol Beck
6480 Melville Lane
Oakland, CA 94611

cablife@aol.com

Kerrian Marriott

From: Nikky Creager <creager03@gmail.com>
Sent: Monday, March 1, 2021 2:34 PM
To: Eric Porter
Cc: make.simon@lakecounty.gov
Subject: [EXTERNAL] 16750 Harrington Road,Middletown, CA

RE:

16750 Herrington Road Middletown, CA 95461

APN: 013-060-400-000 – 155 acres

19678 Stinson Rd. Hidden Valley Lake, CA 95467

APN: 013-014-110-000 – 107 acres

17610 Sandy Rd. Middletown, CA 95461

APN: 013-014-030-000 – 71 acres

Dear Sir(s),

I am a property owner & local business owner on Jaclyn Dr. bordering the location site on 16750 Harrington Rd. I am aware of the potential use permit for the property in question to have a planned commercial cannabis grow on that site.

This site, in question, is bordered by residential areas with families that have small children. This will impact our quiet, family atmosphere as well as our road use(SpruceGrove Rd.) that is in need of major repairs with numerous potholes and no shoulder. Residents here are required to pay a road tax that unfortunately Harrington Rd owner does not (WHY???). If they will be allowed to use that entrance for commercial use, then they need to pay the road tax as well as improvement to our road (Tinilyn & Jaclyn).

As a property owner we have noticed non clandestine events that have happened on the property in prior months: Late night construction, semi-trucks making late-night deliveries, out-of state vehicles in/out of gate, stolen equipment retrieval, swat team helicoptered in to cut down illegal grow, etc... We are a small tight knit community with children and this will pose a risk to our safe environment.

Also, we all have private wells and this will impact our water table. We have a serious drought situation if we don't see any rain in the future before summer begins. This will adversely affect our water use.

If you allow them a use permit, many of us in this area (Shadow Hills Estates)will leave the county along with our businesses. We will no longer feel safe in this county to raise our children.

Just a brief summary: The Herrington Ranch is 333 acres sold on 1/29/2020 to an out-of-state property owner. This property borders The Ranchos to the South, Rim Rock to the East, the Shadow Hills Subdivision (Jaclyn Dr.) to the North, and Hidden Valley to the West (less than 450 yards from Ravenhill Park). The new property owners purchased the property in January of 2020. In February of 2020, the new owners brought in stolen heavy equipment and the CHP served a search warrant. The stolen equipment was recovered and returned to the owners. CHP Northern ISU Case # F0005-107-20. Unpermitted construction began in March of 2020. This also included semi-truck deliveries, numerous out-of-state vehicles, and non-local workers coming in after 10pm and gone by sunrise. This continued until the County responded and Red Tagged the property.

Please consider the impact this Commercial Cannabis Business will have on our residential neighborhood:

- From the start, the new property owners were cutting corners, sneaking around, and stealing equipment.
- The illegal building and felony violation should prevent the permit from being issued according to Lake County Ordinance Chapter 21, Article 27. These violations were not even mentioned in the initial study prepared by the county.
- We continue to be in a drought, so water for 395,000 square feet of cannabis is a huge concern. The County estimates the water usage at 750,000 gallons for each grow. The new owners are applying for indoor lighting on their greenhouses, which gives the new owners the potential of 4 grows per year. That equates to 3 MILLION gallons per year!
- There will be an impact to our Air Quality. The year-round smell put off by cannabis and living or buying next door will affect our resale values.
- The criminal element that always seems to follow this type of business is a huge concern with all the children outside playing in the residential neighborhoods surrounding this property on all sides.
- The increased traffic and damage/wear to our roads should cause concern. Spruce Grove Rd already suffers from potholes and has no-shoulders, which have also caused several accidents and hazardous material spills as the road narrows and winds its way towards Tinilyn.
 - In addition, the Shadow Hills and Dohnery Ridge Subdivisions pay a separate road tax for a yearly road maintenance that Herrington Rd is not required to pay. They have an easement that runs through both subdivisions, therefore have been able to avoid the road tax. A commercial operation will certainly impact our roads much more than the current residential impact.

I am requesting to be notified of the public hearing on this project.

I am also requesting a "NO EARLY ACTIVATION" on this intended project.

And foremost, I am requesting that you seriously consider denying this project. Not a good fit for this area...to many residential properties that border this location.

Kerrian Marriott

From: Jesse Cude <jcude@att.net>
Sent: Wednesday, March 25, 2020 3:06 PM
To: Eric Porter; Moke Simon; Andrew Williams; dennis.kiethly@lakecountycalifornia.gov; Gary Frace
Cc: rhearn@chp.ca.gov
Subject: [EXTERNAL]16750 Herrington Road.

Here is the information I have so far on the properties listed below. The property is bordered by my subdivision to the north, Hidden Valley to the south and west, and Rim Rock ranch subdivision to the east. There is no current permitted residence on the property.

16750 Herrington Road Middletown, CA 95461

APN: 013-060-400-000 – 155 acres – Zone: RR

19678 Stinson Rd. Hidden Valley Lake, CA 95467

APN: 013-014-110-000 – 107 acres – Zone: RR

17610 Sandy Rd. Middletown, CA 95461

APN: 013-014-030-000 – 71 acres – Zone: RR

1/29/20 – Property sold (the three lots listed above) \$1,300,000 cash. Purchased by Zarina Otchkova. Single Woman. Address: 28592 N. 68th Avenue Peoria, AZ 85383.

2/27/20 – Stolen heavy equipment arrives. Witnessed by a neighboring property owner.

3/3/20 – CHP serves search warrant and recovers stolen equipment on the property. CHP Northern ISU Case # F0005-107-20.

3/12/20 – Truck loads of construction materials start arriving. (photos if needed)

3/15/20 – Unpermitted construction begins inside and outside of existing barn, also a large structure being constructed next to barn, witnessed by myself and neighboring property owners. I have photos if needed.

I am the president of the Dohnery Ridge and Shadow Hills homeowner association. I and the 52 residents in the subdivision are concerned about the permitting of a commercial marijuana operation that starts out by committing felonies and building without permits. We are also concerned that if the permit is granted it gives legitimacy to these non-locals. The county should not allow corner cutting and stealing equipment to start a business and compete with legitimate local growers. If this type of behavior is approved of by the County, then the word will get out and more of these types of problems will come to Lake County. Also, this property has an easement through Jaclyn Dr which is in our Subdivision. Our Subdivision has a private road agreement that all the residents pay to Lake County with our property taxes. This property does not currently contribute to our road maintenance. We are requesting that any future permit include a road maintenance fee to help

maintain the roads they are using. A commercial operation will certainly impact our roads much more than the current residential impact.

If you have any questions, please feel free to call me.

Thank you.

J. Cude
(707) 322-1832
jcude@att.net

Kerrian Marriott

From: Jesse Cude <jcude@att.net>
Sent: Wednesday, February 24, 2021 9:57 AM
To: CDD - Email; PlanningCounter@lakecountyca.gov
Cc: Eric Porter
Subject: [EXTERNAL] Project Title: We Grow Farm 16750 Herrington Rd. Middletown, CA

Project Title: We Grow Farm - 16750 Herrington Rd. Middletown, CA
MAJOR USE PERMIT (UP 20-22) and Initial Study (IS 20-25)

I am writing to request a copy of the application, environmental documents and all referenced documents associated with the project with the above listed address.

Email documents to: jcude@att.net

Text documents to: 707-322-1832

Thank you,

J. Cude
(707) 322-1832
jcude@att.net

Kerrian Marriott

From: Jesse Cude <jcude@att.net>
Sent: Wednesday, March 3, 2021 4:02 PM
To: Eric Porter
Cc: Moke Simon; Andrew Williams; Dennis Keithly; Mark Roberts; Jim Ryan; adye@chp.ca.gov; Karen Price; Six Sigma - Kaj Ahlmann; dibipi@gmail.com; scott.nagelson@gmail.com; mike.wink@fireca.gov; dennispgrrove@yahoo.com; 'Allison Brown'; 'Craig Bainbridge'; 'Dan & Deedee Levine'; 'Dan Hart'; 'Ellen Leu'; 'Jake Watson'; 'James Watson'; 'Janice Thompson'; 'Jason Krauss'; 'Jeannie Creager'; 'Jesse Cude'; 'Jill Hearn'; 'Jillian Krauss'; 'Julian'; 'Kathy Watson'; 'Lisa Hart'; 'MBC -Doug Thompson'; 'Nikky Creager'; 'Olivia Cude'; 'Rob Hearn'; 'Shawn Lescher'; 'Todd Shannon Williams'; 'Tom'; 'Darryl Mills'; 'Misha Grothe'; 'Pat Taylor'; 'Richmond'
Subject: [EXTERNAL] 16750 Herrington Road; file no. UP 20-22, Otchkova

Mr. Porter,

I am writing this email to formally oppose the commercial permit being sought on the below properties. I am within 700 feet of the property and in fact, share a lot corner with the Herrington Rd property. I have the following concerns that I am requesting a response from the County.

1. Water usage. We are in a drought and all the wells in this area are stressed. You have mentioned the estimate for each grow to be 746,000 gallons of water. However, the initial study report failed to disclose that if the permit includes grow lights the owners could have up to four grows per calendar year. This means the potential water use would be 2,984,000 gallons per year. There are 15 residential wells and two high volume commercial wells within 700 feet of the property.
2. Shadow Hills/Dohnery Ridge county road maintenance agreement. It is stated in the initial study that the access for the large scale commercial project will be through our quiet residential subdivision on Jaclyn Dr. All the residents in the Shadow Hills and Dohnery Ridge subdivisions pay the county for road maintenance. There is no mention in the initial study of the impact of commercial traffic on Jaclyn Dr. At a minimum, the owners should pay into our road agreement with the county and that should be retroactive to the time of purchase. Also, there are no stop signs at our intersections in the subdivision. I am requesting stop signs and that the Herrington property owners pay for them.
3. Early Activation. Based on the trac record of the new owners violating laws and county codes, no early activation should occur. All mitigation measures should be completed before the growing starts.
4. In the initial study it states that the property is 309 acres which would allow for the 15 licenses that are being sought (20 acres per license). However, approximately 100 acres of the property are in the exclusionary zone and can't be used or included in the calculation for the number of licenses. The number of licenses allowed should be amended to 10 licenses.
5. Fence height. The aesthetics of the green houses from the residences above the project will be significantly affected. There are 13 homes which are elevated above the project and will have a view of the green houses. The fence height should be amended to 8 feet to lower the impact to those residents.
6. The illegal building and felony violation should prevent the permit from being issued according to Lake County Ordinance Chapter 21, Article 27. The felony violation is documented in a CHP report, CHP Northern ISU Case # F0005-107-20. I don't have the case numbers for the county code violations, however I'm sure you have access to them.

7. Accountability. There seems to be a lack of staffing to respond to complaints surrounding commercial growing operations. How many legal commercial grows are in lake county? How many staff are directly assigned to investigate complaints? How many complaints in 2020?

I would like to reiterate; I do not wish for this application to be approved. It does not belong in a residential neighborhood and our roads and wells cannot support it.

Please forward this email to any county employees that are involved in the approval or denial of this permit. If you have any questions, please feel free to call me.

Thank you.

Jesse Cude
Parcel# 013-061-140-000
(707) 322-1832
jcude@att.net

16750 Herrington Road Middletown, CA 95461

APN: 013-060-400-000 – 155 acres – Zone: RR

19678 Stinson Rd. Hidden Valley Lake, CA 95467

APN: 013-014-110-000 – 107 acres – Zone: RR

17610 Sandy Rd. Middletown, CA 95461

APN: 013-014-030-000 – 71 acres – Zone: RR

Kerrian Marriott

From: Dan Levine <danhomerepair@gmail.com>
Sent: Wednesday, March 10, 2021 3:28 PM
To: Eric Porter
Subject: [EXTERNAL] Re: Commercial cannabis file UP 20-22, Otchkova

Eric, my address is
Dan Levine
19920, Nicholas Way, Lower Lake ca.
95457
Yes, you can send Diane Levine her notice here as well.
Thank you
Sent from my iPhone

On Mar 10, 2021, at 3:21 PM, Eric Porter <Eric.Porter@lakecountyca.gov> wrote:

Hi Dan,

I need your mailing address so I'm sure you get a Public Hearing Notice once they are ready to send out.

Also, does Diane Levine reside at the same address?

Thanks,
Eric Porter

Kerrian Marriott

From: Dr. Will Tuttle <karunaveg@gmail.com>
Sent: Saturday, March 6, 2021 8:17 AM
To: Eric Porter
Subject: [EXTERNAL] Commercial Cannabis Grow

Hello Eric,

I'm writing because I'm a resident of Hidden Valley Lake and just heard that there's a proposed large new commercial cannabis grow in the area of 16750 Herrington Road.

Can you please keep me informed if there is a mailing list of info on this, and send any initial study that may be available.

thanks!

Dr. Will Tuttle
Hidden Valley Lake, CA

Kerrian Marriott

From: J K <jrk1976@yahoo.com>
Sent: Wednesday, March 17, 2021 11:28 PM
To: Eric Porter
Subject: [EXTERNAL] 16750 Herrington rd
Attachments: 16750 Herrington RD.docx; ATT00001.txt

Mr. Porter,

Attached you will find my initial opposition to this project.

Thank you in advance,

Jason Krauss

16750 Herrington Road

Major Use Permit (UP-20-22); Initial Study (20-25)

Mr. Porter,

I am reaching out to you regarding the aforementioned Major Use Permit and Initial Study (IS) for the proposed cannabis grow and self-distribution application at 16750 Herrington Road. This application and related permits must be denied. The applicant produced an IS report with several technical inadequacies, misleading and/or untrue statements, and has already committed crimes at the listed location.

The Initial Study (IS 20-25), as you are aware, contains several technical inadequacies and misleading statements. For example:

- The applicant incorrectly states the area is sparsely populated (the projects is surrounded by residential communities on all sides)-odors will inevitably make their way to all of the surrounding neighborhoods.
- The proposed 6' fence will not provide adequate privacy screening and will degrade the existing visual character of the area (this property is known as the "green barn" property because it has a green barn that is visible from several adjacent properties and roadways). Additionally, the 6' fence will not prevent light from the greenhouses being visible from several nearby properties.
- Applicant indicates that each greenhouse will have an "air and odor" filtration system and then incorrectly assumes this will be a "less than significant impact." The applicant does not take the time to address CFM's required to mitigate the significant volume of odor from this many greenhouses; nor does the applicant identify how many hours a day these filters will run and at what decibel levels.
- Applicant does not acknowledge the regularity of PSPS events and the negative impacts of generators constantly running in a primarily residential area.
- Applicant should be required to produce engineered grading plans
- Hydrologic Analysis should be required which demonstrates that the developed post-project runoff rate will not exceed the existing pre-project runoff rate.
- The well pump test is outdated. A current WAA must be completed and the applicant needs to correct the anticipated water usage-which will be well north of 1 million gallons, not the stated 700 thousand gallons (+)
- Applicant states there will not need to be increased police protection, yet applicant anticipates needing surveillance cameras.
- A traffic analysis should be required. The intersection of Tinilyn road and Jacelyn has no traffic control devices and was not designed to handle the increased traffic of commercial vehicles this project will bring. There are no sidewalks in this area, as it was designed/approved by county as intended residential. Foot traffic is required to use the roadway. The applicant entirely neglects this major impact to quality of life.

- **The applicant has already shown blatant disregard for the law and our local ordinances. The applicant engaged in serious felony activity by being in possession of stolen construction equipment on the property and has violated several local building ordinances-requiring both law enforcement and code enforcement respond to the property.**

In closing, this commercial project is off to a highly questionable start, resulting in negative impacts to area residents and government services. The applicant should not be rewarded with project approval and/or expanded use.

Thank you for your careful consideration.

Jason Krauss

Kerrian Marriott

From: Jesse Jones <jesseljones83@gmail.com>
Sent: Saturday, March 13, 2021 7:39 AM
To: Eric Porter
Subject: [EXTERNAL] Re: Proposed Marijuana grow near hvl

This wasn't for a grow I intended to implement. This was in reference to the proposed grow near tinlyn rd and the fire danger that activity can present to the community of HVL.

Sent from my Verizon, Samsung Galaxy smartphone
Get [Outlook for Android](#)

From: Eric Porter <Eric.Porter@lakecountyca.gov>
Sent: Friday, March 12, 2021 11:06:28 PM
To: Jesse Jones <jesseljones83@gmail.com>
Subject: RE: Proposed Marijuana grow near hvl

Jesse,

It totally depends on what you have been approved for.

1. Do you have an approved Use Permit for growing cannabis?
2. If so, what is the file number? UP XX-XX
3. Were you approved for an indoor (greenhouse) grow?
4. If so, what do the conditions of approval that you were required to sign say?

Take care,
Eric Porter

From: Jesse Jones [mailto:jesseljones83@gmail.com]
Sent: Thursday, March 11, 2021 8:46 PM
To: Eric Porter <Eric.Porter@lakecountyca.gov>
Subject: [EXTERNAL] Proposed Marijuana grow near hvl

Hello,

I had a quick question on this project..

What are the requirements for fire suppression within an artificially lit grow house and processing facility? There have been a few I have seen that don't have anything at all, and with the dense fuel around the area and the proximity to a residential area it concerns me.

I appreciate you taking your time if you have it to ease my mind.

Thank you

Jesse Jones

Sent from my Verizon, Samsung Galaxy smartphone
Get [Outlook for Android](#)

Kerrian Marriott

From: jim ryan <emeraldlad2000@yahoo.com>
Sent: Wednesday, March 10, 2021 8:51 PM
To: Eric Porter
Subject: Re: [EXTERNAL] Re: 16750 Herrington Road; file no. UP 20-22, Otchkova

16912 Greenridge Rd. HVLA. Thank you

Sent from Yahoo Mail for iPhone

On Wednesday, March 10, 2021, 15:29, Eric Porter <Eric.Porter@lakecountycal.gov> wrote:

Hi Jim,

I need your mailing address so I can send you a public hearing notice on this application once it is ready to send out. The tentative hearing date is April 22, time TBD.

Thanks,

Eric Porter

Planner

County of Lake

From: jim ryan [mailto:emeraldlad2000@yahoo.com]
Sent: Thursday, March 4, 2021 6:26 PM
To: Eric Porter <Eric.Porter@lakecountycal.gov>
Subject: Re: [EXTERNAL] Re: 16750 Herrington Road; file no. UP 20-22, Otchkova

Mr Porter,

I reside just west of this proposed project and will certainly be effected by it. Please let me know of the date/time of this hearing. The area impact will certainly be larger than a mere 725ft. The mentioned criminal elements that associate with this project have already revealed themselves as Mr. Cude has outlined.

I look forward to your reply.

Sincerely, Mr. James Ryan (Hidden Valley Lake). Just to confirm my contact at emeraldlad2000@yahoo.

Sent from Yahoo Mail for iPhone

On Thursday, March 4, 2021, 08:49, Eric Porter <Eric.Porter@lakecountyca.gov> wrote:

Ms. Price,

Just as an FYI – our notice area only covers up to 725 feet from a project whose property is over 5 acres. If any of the persons that you have cc'd want a notice of public hearing on this item once the hearing date is scheduled, they will need to request it from me if they are further than 725 feet from any property line of the project site.

Email request for notice is fine. The hearing will be done remotely by Zoom, and we will send the Zoom link to anyone wishing to participate.

Take care,

Eric Porter

From: Karen Price [<mailto:karen@priceranch.com>]
Sent: Wednesday, March 3, 2021 8:08 PM
To: Jesse Cude <jcude@att.net>
Cc: Eric Porter <Eric.Porter@lakecountyca.gov>; Moke Simon <Moke.Simon@lakecountyca.gov>; Andrew Williams <Andrew.Williams@lakecountyca.gov>; Dennis Keithly <Dennis.Keithly@lakecountyca.gov>; Mark Roberts <Mark.Roberts@lakecountyca.gov>; Jim Ryan <emeraldlad2000@yahoo.com>; adye@chp.ca.gov; Six Sigma - Kaj Ahlmann <kahlmann@sixsigmaranch.com>; dibipi@gmail.com; scott.nagelson@gmail.com; mike.wink@fireca.gov; dennispgrrove@yahoo.com; Allison Brown <brattybones@yahoo.com>; Craig Bainbridge <cdmbainbridge@hotmail.com>; Dan & Deedee Levine <danhomerepair@gmail.com>; Dan Hart <baseballnut27@yahoo.com>; Ellen Leu <ellenmleu@att.net>; Jake Watson <jake@vantageconstructionco.com>; James Watson <jimmy@vantageconstructionco.com>; Janice Thompson <janicekthompson@hotmail.com>; Jason Krauss <jrk1976@yahoo.com>; Jeannie Creager <prairiebell@comcast.net>; Jill Hearn <jillhearn6@icloud.com>; Jillian Krauss <jillian_corsetti@yahoo.com>; Julian <juliannerentshvl@yahoo.com>; Kathy Watson <kathryn.osmun@gmail.com>; Lisa Hart <lisadhart@hotmail.com>; MBC -Doug Thompson <pastordougmbc@gmail.com>; Nikky Creager <middletownchristianschool@gmail.com>; Olivia Cude <oliviarae@att.net>; Rob

Hearn <robhearn16093@me.com>; Shawn Lescher <lescher5@att.net>; Todd Shannon Williams <shannon_williams@mchsi.com>; Tom <tmlaughlin@gmail.com>; Darryl Mills <dmillscon@gmail.com>; Misha Grothe <mishamonet@yahoo.com>; Pat Taylor <Patricktaylor1231@gmail.com>; Richmond <richmond designs@me.com>; Jen Home <jenniferheiser@att.net>; Greg Price <greg@priceranch.com>
Subject: [EXTERNAL] Re: 16750 Herrington Road; file no. UP 20-22, Otchkova

Dear M. Porter,

To add to your already busy day, I would be interested in receiving more information regarding this significant project including, but not limited to, the application, Biological Study, Cultural Study, and Initial Study. I would also appreciate details regarding the self-distribution/transport application, if that is within your purview. Please let me know.

I reside just down the street of this project on Spruce Grove Road. My initial concerns are not limited to traffic along my rural property, water resources, water quality concerns, light pollution, and energy demands to an already overtaxed and unstable system, and general impacts to our community. While I am just outside of Hidden Valley Lake (my property borders HVL), I am concerned and would like substantial consideration given to this residential community and very close proximity to Raven Hill Park enjoyed by local residents, pets, and play structures enjoyed by children and their families.

I am further concerned about the early development of this site. From what I have heard, this was not done in a responsible manner, if not in a criminal manner. This does not give me confidence about this enterprise being a good neighbor or partnering with our community going forward. THIS EARLY ACTIVATION SHOULD IMMEDIATELY STOP pending further review.

Additionally, I would like to remind you about the Wild Diamonds Vineyards and Winery project, on the mountain above our home, and in close proximity of this proposed development, that was proposed a few years ago and who's project and Environmental Impact Report (EIR) appeal was denied by the county Board of Supervisors.

My final request is that, besides notification of any Public Hearing and a full cease of early operations occurs immediately, is that a full EIR is completed for

this proposed significant impact project and made widely available to the public/interested parties.

This project SHOULD NOT BE APPROVED, before it is fully vetted on all fronts.

Thank you in advance for your consideration and response.

Karen Price

16265 Spruce Grove Road

(707) 484-0599

On Mar 3, 2021, at 4:02 PM, Jesse Cude <jcude@att.net> wrote:

Mr. Porter,

I am writing this email to formally oppose the commercial permit being sought on the below properties. I am within 700 feet of the property and in fact, share a lot corner with the Herrington Rd property. I have the following concerns that I am requesting a response from the County.

1. Water usage. We are in a drought and all the wells in this area are stressed. You have mentioned the estimate for each grow to be 746,000 gallons of water. However, the initial study report failed to disclose that if the permit includes grow lights the owners could have up to four grows per calendar year. This means the potential water use would be 2,984,000 gallons per year. There are 15 residential wells and two high volume commercial wells within 700 feet of the property.
2. Shadow Hills/Dohnery Ridge county road maintenance agreement. It is stated in the initial study that the access for the large scale commercial project will be through our quiet residential subdivision on Jaclyn Dr. All the residents in the Shadow Hills and Dohnery Ridge subdivisions pay the county for road maintenance. There is no mention in the initial study of the impact of commercial traffic on Jaclyn Dr. At a minimum, the owners should pay into our road

agreement with the county and that should be retroactive to the time of purchase. Also, there are no stop signs at our intersections in the subdivision. I am requesting stop signs and that the Herrington property owners pay for them.

3. Early Activation. Based on the trac record of the new owners violating laws and county codes, no early activation should occur. All mitigation measures should be completed before the growing starts.
4. In the initial study it states that the property is 309 acres which would allow for the 15 licenses that are being sought (20 acres per license). However, approximately 100 acres of the property are in the exclusionary zone and can't be used or included in the calculation for the number of licenses. The number of licenses allowed should be amended to 10 licenses.
5. Fence height. The aesthetics of the green houses from the residences above the project will be significantly affected. There are 13 homes which are elevated above the project and will have a view of the green houses. The fence height should be amended to 8 feet to lower the impact to those residents.
6. The illegal building and felony violation should prevent the permit from being issued according to Lake County Ordinance Chapter 21, Article 27. The felony violation is documented in a CHP report, CHP Northern ISU Case # F0005-107-20. I don't have the case numbers for the county code violations, however I'm sure you have access to them.
7. Accountability. There seems to be a lack of staffing to respond to complaints surrounding commercial growing operations. How many legal commercial grows are in lake county? How many staff are directly assigned to investigate complaints? How many complaints in 2020?

I would like to reiterate; I do not wish for this application to be approved. It does not belong in a residential neighborhood and our roads and wells cannot support it.

Please forward this email to any county employees that are involved in the approval or denial of this permit. If you have any questions, please feel free to call me.

Thank you.

Jesse Cude

Parcel# 013-061-140-000

(707) 322-1832

jcude@att.net

16750 Herrington Road Middletown, CA 95461

APN: 013-060-400-000 – 155 acres – Zone: RR

19678 Stinson Rd. Hidden Valley Lake, CA 95467

APN: 013-014-110-000 – 107 acres – Zone: RR

17610 Sandy Rd. Middletown, CA 95461

APN: 013-014-030-000 – 71 acres – Zone: RR

Kerrian Marriott

From: Julianne Schisler <juliannerentshvl@yahoo.com>
Sent: Thursday, March 4, 2021 1:02 PM
To: Eric Porter
Subject: Re: [EXTERNAL] Re: 16750 Herrington Road; file no. UP 20-22, Otchkova

Hi Eric,

May I be included? My property is on Nicholas and I think I'm a bit over 725 feet away, so I don't think that I am included already.

Thank you in advance!

Julianne Schisler

On Mar 4, 2021, at 8:49 AM, Eric Porter <Eric.Porter@lakecountyca.gov> wrote:

Ms. Price,

Just as an FYI – our notice area only covers up to 725 feet from a project whose property is over 5 acres. If any of the persons that you have cc'd want a notice of public hearing on this item once the hearing date is scheduled, they will need to request it from me if they are further than 725 feet from any property line of the project site.

Email request for notice is fine. The hearing will be done remotely by Zoom, and we will send the Zoom link to anyone wishing to participate.

Take care,

Eric Porter

From: Karen Price [<mailto:karen@priceranch.com>]
Sent: Wednesday, March 3, 2021 8:08 PM
To: Jesse Cude <jcude@att.net>
Cc: Eric Porter <Eric.Porter@lakecountyca.gov>; Moke Simon <Moke.Simon@lakecountyca.gov>; Andrew Williams <Andrew.Williams@lakecountyca.gov>; Dennis Keithly <Dennis.Keithly@lakecountyca.gov>; Mark Roberts <Mark.Roberts@lakecountyca.gov>; Jim Ryan <emeraldlad2000@yahoo.com>; adye@chp.ca.gov; Six Sigma - Kaj Ahlmann <kahlmann@sixsigmaranch.com>; dibipi@gmail.com; scott.nagelson@gmail.com; mike.wink@fireca.gov; dennispgrove@yahoo.com; Allison Brown <brattybones@yahoo.com>; Craig Bainbridge <cdbmbainbridge@hotmail.com>; Dan & Deedee Levine <danhomerepair@gmail.com>; Dan Hart <baseballnut27@yahoo.com>; Ellen Leu <ellenmleu@att.net>; Jake Watson <jake@vantageconstructionco.com>; James Watson <jimmy@vantageconstructionco.com>; Janice Thompson <janicekthompson@hotmail.com>; Jason Krauss <jrk1976@yahoo.com>; Jeannie Creager <prairiebell@comcast.net>; Jill Hearn <jillhearn6@icloud.com>; Jillian Krauss <jillian_corsetti@yahoo.com>; Julian <juliannerentshvl@yahoo.com>; Kathy Watson <kathryn.osmun@gmail.com>; Lisa Hart <lisadhart@hotmail.com>; MBC -Doug Thompson

<pastordougmbc@gmail.com>; Nikky Creager <middletownchristianschool@gmail.com>; Olivia Cude <oliviarae@att.net>; Rob Hearn <robhearn16093@me.com>; Shawn Lescher <lescher5@att.net>; Todd Shannon Williams <shannon_williams@mchsi.com>; Tom <tmlaughlin@gmail.com>; Darryl Mills <dmillscon@gmail.com>; Misha Grothe <mishamonet@yahoo.com>; Pat Taylor <Patricktaylor1231@gmail.com>; Richmond <richmond designs@me.com>; Jen Home <jenniferheiser@att.net>; Greg Price <greg@priceranch.com>

Subject: [EXTERNAL] Re: 16750 Herrington Road; file no. UP 20-22, Otchkova

Dear M. Porter,

To add to your already busy day, I would be interested in receiving more information regarding this significant project including, but not limited to, the application, Biological Study, Cultural Study, and Initial Study. I would also appreciate details regarding the self-distribution/transport application, if that is within your purview. Please let me know.

I reside just down the street of this project on Spruce Grove Road. My initial concerns are not limited to traffic along my rural property, water resources, water quality concerns, light pollution, and energy demands to an already overtaxed and unstable system, and general impacts to our community. While I am just outside of Hidden Valley Lake (my property borders HVL), I am concerned and would like substantial consideration given to this residential community and very close proximity to Raven Hill Park enjoyed by local residents, pets, and play structures enjoyed by children and their families.

I am further concerned about the early development of this site. From what I have heard, this was not done in a responsible manner, if not in a criminal manner. This does not give me confidence about this enterprise being a good neighbor or partnering with our community going forward. THIS EARLY ACTIVATION SHOULD IMMEDIATELY STOP pending further review.

Additionally, I would like to remind you about the Wild Diamonds Vineyards and Winery project, on the mountain above our home, and in close proximity of this proposed development, that was proposed a few years ago and who's project and Environmental Impact Report (EIR) appeal was denied by the county Board of Supervisors.

My final request is that, besides notification of any Public Hearing and a full cease of early operations occurs immediately, is that a full EIR is completed for this proposed significant impact project and made widely available to the public/interested parties.

This project SHOULD NOT BE APPROVED, before it is fully vetted on all fronts.

Thank you in advance for your consideration and response.

Karen Price

16265 Spruce Grove Road

(707) 484-0599

On Mar 3, 2021, at 4:02 PM, Jesse Cude <jcude@att.net> wrote:

Mr. Porter,

I am writing this email to formally oppose the commercial permit being sought on the below properties. I am within 700 feet of the property and in fact, share a lot corner with the Herrington Rd property. I have the following concerns that I am requesting a response from the County.

1. Water usage. We are in a drought and all the wells in this area are stressed. You have mentioned the estimate for each grow to be 746,000 gallons of water. However, the initial study report failed to disclose that if the permit includes grow lights the owners could have up to four grows per calendar year. This means the potential water use would be 2,984,000 gallons per year. There are 15 residential wells and two high volume commercial wells within 700 feet of the property.
2. Shadow Hills/Dohnery Ridge county road maintenance agreement. It is stated in the initial study that the access for the large scale commercial project will be through our quiet residential subdivision on Jaclyn Dr. All the residents in the Shadow Hills and Dohnery Ridge subdivisions pay the county for road maintenance. There is no mention in the initial study of the impact of commercial traffic on Jaclyn Dr. At a minimum, the owners should pay into our road agreement with the county and that should be retroactive to the time of purchase. Also, there are no stop signs at our intersections in the subdivision. I am requesting stop signs and that the Herrington property owners pay for them.
3. Early Activation. Based on the trac record of the new owners violating laws and county codes, no early activation should occur. All mitigation measures should be completed before the growing starts.
4. In the initial study it states that the property is 309 acres which would allow for the 15 licenses that are being sought (20 acres per license). However, approximately 100 acres of the property are in the exclusionary zone and can't be used or included in the calculation for the number of licenses. The number of licenses allowed should be amended to 10 licenses.
5. Fence height. The aesthetics of the green houses from the residences above the project will be significantly affected. There are 13 homes which are elevated above the project and will have a view of the green houses. The fence height should be amended to 8 feet to lower the impact to those residents.
6. The illegal building and felony violation should prevent the permit from being issued according to Lake County Ordinance Chapter 21, Article 27. The felony violation is documented in a CHP report, CHP Northern ISU Case # F0005-

107-20. I don't have the case numbers for the county code violations, however I'm sure you have access to them.

7. Accountability. There seems to be a lack of staffing to respond to complaints surrounding commercial growing operations. How many legal commercial grows are in lake county? How many staff are directly assigned to investigate complaints? How many complaints in 2020?

I would like to reiterate; I do not wish for this application to be approved. It does not belong in a residential neighborhood and our roads and wells cannot support it.

Please forward this email to any county employees that are involved in the approval or denial of this permit. If you have any questions, please feel free to call me.

Thank you.

Jesse Cude
Parcel# 013-061-140-000
(707) 322-1832
jcude@att.net

16750 Herrington Road Middletown, CA 95461

APN: 013-060-400-000 – 155 acres – Zone: RR

19678 Stinson Rd. Hidden Valley Lake, CA 95467

APN: 013-014-110-000 – 107 acres – Zone: RR

17610 Sandy Rd. Middletown, CA 95461

APN: 013-014-030-000 – 71 acres – Zone: RR

Kerrian Marriott

From: Karen Price <karen@priceranch.com>
Sent: Wednesday, March 3, 2021 8:08 PM
To: Jesse Cude
Cc: Eric Porter; Moke Simon; Andrew Williams; Dennis Keithly; Mark Roberts; Jim Ryan; adye@chp.ca.gov; Six Sigma - Kaj Ahlmann; dibipi@gmail.com; scott.nagelson@gmail.com; mike.wink@fireca.gov; dennispgrove@yahoo.com; Allison Brown; Craig Bainbridge; Dan & Deedee Levine; Dan Hart; Ellen Leu; Jake Watson; James Watson; Janice Thompson; Jason Krauss; Jeannie Creager; Jill Hearn; Jillian Krauss; Julian; Kathy Watson; Lisa Hart; MBC -Doug Thompson; Nikky Creager; Olivia Cude; Rob Hearn; Shawn Lescher; Todd Shannon Williams; Tom; Darryl Mills; Misha Grothe; Pat Taylor; Richmond; Jen Home; Greg Price
Subject: [EXTERNAL] Re: 16750 Herrington Road; file no. UP 20-22, Otchkova

Dear M. Porter,

To add to your already busy day, I would be interested in receiving more information regarding this significant project including, but not limited to, the application, Biological Study, Cultural Study, and Initial Study. I would also appreciate details regarding the self-distribution/transport application, if that is within your purview. Please let me know.

I reside just down the street of this project on Spruce Grove Road. My initial concerns are not limited to traffic along my rural property, water resources, water quality concerns, light pollution, and energy demands to an already overtaxed and unstable system, and general impacts to our community. While I am just outside of Hidden Valley Lake (my property borders HVL), I am concerned and would like substantial consideration given to this residential community and very close proximity to Raven Hill Park enjoyed by local residents, pets, and play structures enjoyed by children and their families.

I am further concerned about the early development of this site. From what I have heard, this was not done in a responsible manner, if not in a criminal manner. This does not give me confidence about this enterprise being a good neighbor or partnering with our community going forward. THIS EARLY ACTIVATION SHOULD IMMEDIATELY STOP pending further review.

Additionally, I would like to remind you about the Wild Diamonds Vineyards and Winery project, on the mountain above our home, and in close proximity of this proposed development, that was proposed a few years ago and who's project and Environmental Impact Report (EIR) appeal was denied by the county Board of Supervisors.

My final request is that, besides notification of any Public Hearing and a full cease of early operations occurs immediately, is that a full EIR is completed for this proposed significant impact project and made widely available to the public/interested parties.

This project SHOULD NOT BE APPROVED, before it is fully vetted on all fronts.

Thank you in advance for your consideration and response.

Karen Price

16265 Spruce Grove Road

(707) 484-0599

On Mar 3, 2021, at 4:02 PM, Jesse Cude <jcude@att.net> wrote:

Mr. Porter,

I am writing this email to formally oppose the commercial permit being sought on the below properties. I am within 700 feet of the property and in fact, share a lot corner with the Herrington Rd property. I have the following concerns that I am requesting a response from the County.

1. Water usage. We are in a drought and all the wells in this area are stressed. You have mentioned the estimate for each grow to be 746,000 gallons of water. However, the initial study report failed to disclose that if the permit includes grow lights the owners could have up to four grows per calendar year. This means the potential water use would be 2,984,000 gallons per year. There are 15 residential wells and two high volume commercial wells within 700 feet of the property.
2. Shadow Hills/Dohnery Ridge county road maintenance agreement. It is stated in the initial study that the access for the large scale commercial project will be through our quiet residential subdivision on Jaclyn Dr. All the residents in the Shadow Hills and Dohnery Ridge subdivisions pay the county for road maintenance. There is no mention in the initial study of the impact of commercial traffic on Jaclyn Dr. At a minimum, the owners should pay into our road agreement with the county and that should be retroactive to the time of purchase. Also, there are no stop signs at our intersections in the subdivision. I am requesting stop signs and that the Herrington property owners pay for them.
3. Early Activation. Based on the trac record of the new owners violating laws and county codes, no early activation should occur. All mitigation measures should be completed before the growing starts.
4. In the initial study it states that the property is 309 acres which would allow for the 15 licenses that are being sought (20 acres per license). However, approximately 100 acres of the property are in the exclusionary zone and can't be used or included in the calculation for the number of licenses. The number of licenses allowed should be amended to 10 licenses.
5. Fence height. The aesthetics of the green houses from the residences above the project will be significantly affected. There are 13 homes which are elevated above the project and will have a view of the green houses. The fence height should be amended to 8 feet to lower the impact to those residents.

6. The illegal building and felony violation should prevent the permit from being issued according to Lake County Ordinance Chapter 21, Article 27. The felony violation is documented in a CHP report, CHP Northern ISU Case # F0005-107-20. I don't have the case numbers for the county code violations, however I'm sure you have access to them.
7. Accountability. There seems to be a lack of staffing to respond to complaints surrounding commercial growing operations. How many legal commercial grows are in lake county? How many staff are directly assigned to investigate complaints? How many complaints in 2020?

I would like to reiterate; I do not wish for this application to be approved. It does not belong in a residential neighborhood and our roads and wells cannot support it.

Please forward this email to any county employees that are involved in the approval or denial of this permit. If you have any questions, please feel free to call me.

Thank you.

Jesse Cude
Parcel# 013-061-140-000
(707) 322-1832
jcude@att.net

16750 Herrington Road Middletown, CA 95461

APN: 013-060-400-000 – 155 acres – Zone: RR

19678 Stinson Rd. Hidden Valley Lake, CA 95467

APN: 013-014-110-000 – 107 acres – Zone: RR

17610 Sandy Rd. Middletown, CA 95461

APN: 013-014-030-000 – 71 acres – Zone: RR

Kerrian Marriott

From: Kaj Ahlmann <kahlmann@sixsigmaranch.com>
Sent: Thursday, March 4, 2021 8:59 AM
To: Eric Porter
Cc: Karen Price; Jesse Cude; Moke Simon; Andrew Williams; Dennis Keithly; Jim Ryan; adye@chp.ca.gov; dibipi@gmail.com; scott.nagelson@gmail.com; mike.wink@fireca.gov; dennispgrrove@yahoo.com; Allison Brown; Craig Bainbridge; Dan & Deedee Levine; Dan Hart; Ellen Leu; Jake Watson; James Watson; Janice Thompson; Jason Krauss; Jeannie Creager; Jill Hearn; Jillian Krauss; Julian; Kathy Watson; Lisa Hart; MBC -Doug Thompson; Nikky Creager; Olivia Cude; Rob Hearn; Shawn Lescher; Todd Shannon Williams; Tom; Darryl Mills; Misha Grothe; Pat Taylor; Richmond; Jen Home; Greg Price; Lake County Planning Consultants
Subject: Re: [EXTERNAL] Re: 16750 Herrington Road; file no. UP 20-22, Otchkova

Eric,

Please send me a notice of the hearing.

Thanks

Kaj

Six Sigma Ranch

13372 Spruce Grove Road

Sent from my iPhone

On Mar 4, 2021, at 8:50 AM, Eric Porter <Eric.Porter@lakecountyca.gov> wrote:

Ms. Price,

Just as an FYI – our notice area only covers up to 725 feet from a project whose property is over 5 acres. If any of the persons that you have cc'd want a notice of public hearing on this item once the hearing date is scheduled, they will need to request it from me if they are further than 725 feet from any property line of the project site.

Email request for notice is fine. The hearing will be done remotely by Zoom, and we will send the Zoom link to anyone wishing to participate.

Take care,

Eric Porter

From: Karen Price [mailto:karen@priceranch.com]

Sent: Wednesday, March 3, 2021 8:08 PM

To: Jesse Cude <jcude@att.net>

Cc: Eric Porter <Eric.Porter@lakecountyca.gov>; Moke Simon <Moke.Simon@lakecountyca.gov>;

Andrew Williams <Andrew.Williams@lakecountyca.gov>; Dennis Keithly <Dennis.Keithly@lakecountyca.gov>; Mark Roberts <Mark.Roberts@lakecountyca.gov>; Jim Ryan <emeraldldad2000@yahoo.com>; adye@chp.ca.gov; Six Sigma - Kaj Ahlmann <kahlmann@sixsigmaranch.com>; dibipi@gmail.com; scott.nagelson@gmail.com; mike.wink@fireca.gov; dennispgrove@yahoo.com; Allison Brown <brattybones@yahoo.com>; Craig Bainbridge <cdmbainbridge@hotmail.com>; Dan & Deedee Levine <danhomerepair@gmail.com>; Dan Hart <baseballnut27@yahoo.com>; Ellen Leu <ellenmleu@att.net>; Jake Watson <jake@vantageconstructionco.com>; James Watson <jimmy@vantageconstructionco.com>; Janice Thompson <janicekthompson@hotmail.com>; Jason Krauss <jrk1976@yahoo.com>; Jeannie Creager <prairiebell@comcast.net>; Jill Hearn <jillhearn6@icloud.com>; Jillian Krauss <jillian_corsetti@yahoo.com>; Julian <juliannerentshvl@yahoo.com>; Kathy Watson <kathryn.osmun@gmail.com>; Lisa Hart <lisadhart@hotmail.com>; MBC -Doug Thompson <pastordougmbc@gmail.com>; Nikky Creager <middletownchristianschool@gmail.com>; Olivia Cude <oliviarae@att.net>; Rob Hearn <robhearn16093@me.com>; Shawn Lescher <lescher5@att.net>; Todd Shannon Williams <shannon_williams@mchsi.com>; Tom <tmlaughlin@gmail.com>; Darryl Mills <dmillscon@gmail.com>; Misha Grothe <mishamonet@yahoo.com>; Pat Taylor <Patricktaylor1231@gmail.com>; Richmond <richmond designs@me.com>; Jen Home <jenniferheiser@att.net>; Greg Price <greg@priceranch.com>
Subject: [EXTERNAL] Re: 16750 Herrington Road; file no. UP 20-22, Otchkova

Dear M. Porter,

To add to your already busy day, I would be interested in receiving more information regarding this significant project including, but not limited to, the application, Biological Study, Cultural Study, and Initial Study. I would also appreciate details regarding the self-distribution/transport application, if that is within your purview. Please let me know.

I reside just down the street of this project on Spruce Grove Road. My initial concerns are not limited to traffic along my rural property, water resources, water quality concerns, light pollution, and energy demands to an already overtaxed and unstable system, and general impacts to our community. While I am just outside of Hidden Valley Lake (my property borders HVL), I am concerned and would like substantial consideration given to this residential community and very close proximity to Raven Hill Park enjoyed by local residents, pets, and play structures enjoyed by children and their families.

I am further concerned about the early development of this site. From what I have heard, this was not done in a responsible manner, if not in a criminal manner. This does not give me confidence about this enterprise being a good neighbor or partnering with our community going forward. THIS EARLY ACTIVATION SHOULD IMMEDIATELY STOP pending further review.

Additionally, I would like to remind you about the Wild Diamonds Vineyards and Winery project, on the mountain above our home, and in close proximity of this proposed development, that was proposed a few years ago and who's project and Environmental Impact Report (EIR) appeal was denied by the county Board of Supervisors.

My final request is that, besides notification of any Public Hearing and a full cease of early operations occurs immediately, is that a full EIR is completed for this proposed significant impact project and made widely available to the public/interested parties.

This project SHOULD NOT BE APPROVED, before it is fully vetted on all fronts.

Thank you in advance for your consideration and response.

Karen Price

16265 Spruce Grove Road

(707) 484-0599

On Mar 3, 2021, at 4:02 PM, Jesse Cude <jcude@att.net> wrote:

Mr. Porter,

I am writing this email to formally oppose the commercial permit being sought on the below properties. I am within 700 feet of the property and in fact, share a lot corner with the Herrington Rd property. I have the following concerns that I am requesting a response from the County.

1. Water usage. We are in a drought and all the wells in this area are stressed. You have mentioned the estimate for each grow to be 746,000 gallons of water. However, the initial study report failed to disclose that if the permit includes grow lights the owners could have up to four grows per calendar year. This means the potential water use would be 2,984,000 gallons per year. There are 15 residential wells and two high volume commercial wells within 700 feet of the property.
2. Shadow Hills/Dohnery Ridge county road maintenance agreement. It is stated in the initial study that the access for the large scale commercial project will be through our quiet residential subdivision on Jaclyn Dr. All the residents in the Shadow Hills and Dohnery Ridge subdivisions pay the county for road maintenance. There is no mention in the initial study of the impact of commercial traffic on Jaclyn Dr. At a minimum, the owners should pay into our road agreement with the county and that should be retroactive to the time of purchase. Also, there are no stop signs at our intersections in the subdivision. I am requesting stop signs and that the Herrington property owners pay for them.

3. Early Activation. Based on the trac record of the new owners violating laws and county codes, no early activation should occur. All mitigation measures should be completed before the growing starts.
4. In the initial study it states that the property is 309 acres which would allow for the 15 licenses that are being sought (20 acres per license). However, approximately 100 acres of the property are in the exclusionary zone and can't be used or included in the calculation for the number of licenses. The number of licenses allowed should be amended to 10 licenses.
5. Fence height. The aesthetics of the green houses from the residences above the project will be significantly affected. There are 13 homes which are elevated above the project and will have a view of the green houses. The fence height should be amended to 8 feet to lower the impact to those residents.
6. The illegal building and felony violation should prevent the permit from being issued according to Lake County Ordinance Chapter 21, Article 27. The felony violation is documented in a CHP report, CHP Northern ISU Case # F0005-107-20. I don't have the case numbers for the county code violations, however I'm sure you have access to them.
7. Accountability. There seems to be a lack of staffing to respond to complaints surrounding commercial growing operations. How many legal commercial grows are in lake county? How many staff are directly assigned to investigate complaints? How many complaints in 2020?

I would like to reiterate; I do not wish for this application to be approved. It does not belong in a residential neighborhood and our roads and wells cannot support it.

Please forward this email to any county employees that are involved in the approval or denial of this permit. If you have any questions, please feel free to call me.

Thank you.

Jesse Cude
Parcel# 013-061-140-000
(707) 322-1832
jcude@att.net

16750 Herrington Road Middletown, CA 95461

APN: 013-060-400-000 – 155 acres – Zone: RR

19678 Stinson Rd. Hidden Valley Lake, CA 95467

APN: 013-014-110-000 – 107 acres – Zone: RR

17610 Sandy Rd. Middletown, CA 95461

APN: 013-014-030-000 – 71 acres – Zone: RR

Kerrian Marriott

From: Kate Schmidt-Hopper <wiseacre1farm@gmail.com>
Sent: Sunday, March 14, 2021 3:02 PM
To: Eric Porter
Subject: Re: [EXTERNAL] We Grow Farms use permit

Thank you Mr Porter. Sincerely Kate Schmidt-Hopper

On Sun, Mar 14, 2021 at 2:43 PM Eric Porter <Eric.Porter@lakecountyca.gov> wrote:

Hi Ms. Schmidt-Hopper,

I received your email and it is part of the public record. When I return to the office tomorrow, I will make sure that your address gets placed on the public hearing mailing list, and you will receive an email with instructions for how to participate in the hearing via Zoom.

The tentative hearing date is April 22nd. The tentative start time is 9:30, however there are five items in front of this one, so the probable start time will be closer to 10:30 or 11:00. I will send out the staff reports to all 35+ residents who have expressed concerns about this project once the staff report is cleared by legal counsel and management.

Take care,

Eric Porter

From: Kate Schmidt-Hopper [mailto:wiseacre1farm@gmail.com]
Sent: Sunday, March 14, 2021 11:38 AM
To: Eric Porter <Eric.Porter@lakecountyca.gov>
Subject: [EXTERNAL] We Grow Farms use permit

Hello Mr Porter

As a resident of the HVL Ranchos, I would like to voice my opposition to a large scale cannabis grow use permit in the area behind Sandy Court. This We Grow Farms project is too close to high density family housing and will negatively impact quality of life due to increased noise and air pollution, traffic on access roads, nitrate run off into nearby private water wells, increased need for law enforcement security patrols and most importantly, elevated fire risk.

I recommend denial of this use permit. Thank you, Kate Schmidt-Hopper. 19118 Comstock Ct. Hidden Valley Lake, CA 95467

Kerrian Marriott

From: Kellie Davis <kellie_n_davis@icloud.com>
Sent: Thursday, March 11, 2021 2:08 PM
To: Eric Porter
Subject: [EXTERNAL] Hidden valley proposed marijuana grow

Dear Mr. Porter

Hidden Valley is a small town, we have schools and lots of children. We Do Not want a Marijuana grow here in this small town. They will deplete and destroy our water sources, they will put chemicals in the soil. We just lifted the water Moratorium because there is not enough water. There will be delivery vehicles in and out destroying our roads, distribution stores that will bring a clientele we do not want to have in our small town with no police and no one to protect our small town when people from other towns come to buy marijuana or come to steal there product. Mexican cartel are among these people who want to purchase and grow. This will destroy our community. This will bring unwanted riffraff to our quiet small golf course community. The road of Hofocker already has huge grows and it's unsafe to be around that area with out caring a gun. People have traveled from Vallejo with guns to kill and to steal marijuana. This is a drug and the more that comes the worse this small community will become. This is horrible. I'm ready to move away already this is ridiculous. They have already broke ground.

Kellie Davis

Kerrian Marriott

From: Dan Levine <danhomerepair@gmail.com>
Sent: Saturday, February 27, 2021 10:21 AM
To: Eric Porter
Subject: Re: [EXTERNAL] Pending cannabis grow in our neighborhood

Thank you Eric.
Is the hearing scheduled yet?
Will it be virtual or in person?
Dan Levine

Sent from my iPhone

> On Feb 25, 2021, at 1:45 PM, Eric Porter <Eric.Porter@lakecountycal.gov> wrote:
>
> Thank you Mr. Levine. I will put your comments into the public record. Other neighbors are objecting to this project as well for various reasons.
>
> The water argument may be hard to uphold - the well data we received shows a strong recharge rate at this location, but I have other concerns about the project. We'll see how it goes at the public hearing.
>
> Eric Porter
>
> -----Original Message-----
> From: Dan Levine [mailto:danhomerepair@gmail.com]
> Sent: Thursday, February 25, 2021 1:39 PM
> To: Eric Porter <Eric.Porter@lakecountycal.gov>
> Subject: Re: [EXTERNAL] Pending cannabis grow in our neighborhood
>
> The company is We Grow LLC
>
> UP 20-22
> IS 20-25
> 16750 Herrington road
>
> A.P. 013-060-400
> 19678 Stinson road
> Hidden valley lake
>
> 013-014-110
> 013-014-110
> 17610 Sandy road
> Middletown
>
> This permit is for 35 greenhouses!
> The water use is way too much not to mention the drought were in.
> They have no right to endanger our groundwater supply.
> Dan
> Sent from my iPhone

>
>> On Feb 25, 2021, at 10:47 AM, Eric Porter <Eric.Porter@lakecountycalifornia.gov> wrote:
>>
>> Dan, I need a project name, file number, address or some other way of locating which project this is.
>>
>> Eric Porter
>>
>> -----Original Message-----
>> From: Dan Levine [mailto:danhomerepair@gmail.com]
>> Sent: Thursday, February 25, 2021 10:12 AM
>> To: Eric Porter <Eric.Porter@lakecountycalifornia.gov>
>> Subject: [EXTERNAL] Pending cannabis grow in our neighborhood
>>
>> Hello Eric, my name is Dan Levine and I live in the shadow hills subdivision which is adjacent to a Potential cannabis
grow of 395,00 Sq feet. 35 greenhouses.
>> These owners have already broken the law Using stolen equipment and have Been red tagged for illegal building.
>>
>> This is huge of an operation belongs farther away from So many neighborhoods.
>> Please do not allow this to be permitted.
>> I will attend any hearings in opposition.
>> Thank you
>> Dan Levine
>>
>> Sent from my iPhone
>>
>

Kerrian Marriott

From: Dan Levine <danhomerepair@gmail.com>
Sent: Thursday, February 25, 2021 1:39 PM
To: Eric Porter
Subject: Re: [EXTERNAL] Pending cannabis grow in our neighborhood

The company is We Grow LLC

UP 20-22
IS 20-25
16750 Herrington road

A.P. 013-060-400
19678 Stinson road
Hidden valley lake

013-014-110
013-014-110
17610 Sandy road
Middletown

This permit is for 35 greenhouses!
The water use is way too much not to mention the drought were in.
They have no right to endanger our groundwater supply.
Dan
Sent from my iPhone

> On Feb 25, 2021, at 10:47 AM, Eric Porter <Eric.Porter@lakecountyca.gov> wrote:

>

> Dan, I need a project name, file number, address or some other way of locating which project this is.

>

> Eric Porter

>

> -----Original Message-----

> From: Dan Levine [mailto:danhomerepair@gmail.com]

> Sent: Thursday, February 25, 2021 10:12 AM

> To: Eric Porter <Eric.Porter@lakecountyca.gov>

> Subject: [EXTERNAL] Pending cannabis grow in our neighborhood

>

> Hello Eric, my name is Dan Levine and I live in the shadow hills subdivision which is adjacent to a Potential cannabis grow of 395,00 Sq feet. 35 greenhouses.

> These owners have already broken the law Using stolen equipment and have Been red tagged for illegal building.

>

> This is huge of an operation belongs farther away from So many neighborhoods.

> Please do not allow this to be permitted.

> I will attend any hearings in opposition.

> Thank you

> Dan Levine

>

Kerrian Marriott

From: lincolnae@gmail.com
Sent: Friday, February 26, 2021 1:58 PM
To: Eric Porter
Subject: [EXTERNAL] RE: UP 20-22 and IS 20-25

Thanks for the update. This will be an interesting process.

From: Eric Porter <Eric.Porter@lakecountyca.gov>
Sent: Friday, February 26, 2021 12:06 PM
To: Lincoln AE <lincolnae@gmail.com>
Subject: RE: UP 20-22 and IS 20-25

Unfortunately our Code does not have a 'minimum threshold' and we only require a water Availability Analysis, which is typically a well depth and recharge test after the well is run for a period of time, then shut down.

The Planning Commission has required monthly well reports from other cultivators, but that assumes that an approval will be issued. I have not yet decided on my recommendation for this one; many neighbors are in opposition. It depends on the basis of the opposition as to how my recommendation will go. The PC can always ignore my recommendation, but thus far they have followed my recommendations 100%.

Take care,
Eric Porter

From: Lincoln AE [<mailto:lincolnae@gmail.com>]
Sent: Friday, February 26, 2021 12:03 PM
To: Eric Porter <Eric.Porter@lakecountyca.gov>
Subject: [EXTERNAL] RE: UP 20-22 and IS 20-25

Ok, thanks. It looks like you did not require a full Hydrologic Study.
We are finding that the aquafer in this area is not holding up so will be asking for a study.

Sent from [Mail](#) for Windows 10

From: [Eric Porter](#)
Sent: Friday, February 26, 2021 11:54 AM
To: [Lincoln AE](#)
Subject: RE: UP 20-22 and IS 20-25

This is as far as I've gotten; these are the docs sent to the State Clearinghouse for state agency comments.

The staff report and recommendations have not yet been written; we're still in the Environmental Review portion of the process.

From: Lincoln AE [<mailto:lincolnae@gmail.com>]
Sent: Friday, February 26, 2021 11:42 AM
To: Eric Porter <Eric.Porter@lakecountyca.gov>
Subject: [EXTERNAL] UP 20-22 and IS 20-25

Eric
How do I go about getting access to the documents for this project?
Best,
Bill

Wm D. Lincoln
16903 Ranch Rd.
Middletown CA 95461

(707) 533-5337

Sent from [Mail](#) for Windows 10

Kerrian Marriott

From: Joan Makley <jccampi@gmail.com>
Sent: Thursday, March 11, 2021 12:40 PM
To: Eric Porter; Moke Simon
Subject: [EXTERNAL] NOI - We Grow Farms, UP 20-22, IS 20-25

Mr. Porter and Mr. Simon,

I am a property owner on Ranch Rd within the Rim Rock Ranch Subdivision and am very concerned about the negative impact We Grow Farms would have on our neighborhood.

Residential wells in the area are going dry during this extended draught. This is not the time to add high water demand to our already stressed water supply. This is a major area of concern.

The IS states that "The cultivation area is hidden from view due to the terrain and slope according to the applicant's Property Management Plan". This is not true. A 6' tall fence will not mitigate the significant negative impact on aesthetics from the Rim Rock Ranch vantage point. It appears that a more accurate site inspection is needed.

I look forward to your comments on the following questions:

Odor is a real problem. Not all the odor is contained and ventilation fans are noisy. How does the County enforce the "Odor Control Plan"?

What does the County do if "separation distance" is ineffective in preventing deterioration of neighbors air quality?

Please inform me of the date and time of any hearings pertaining to this NOI.

Thank you.

Joan Makley
17275 Ranch Rd.
Middletown, CA 95461

Kerrian Marriott

From: sheila manderson <smanders61@sbcglobal.net>
Sent: Friday, February 26, 2021 6:45 PM
To: Eric Porter
Subject: Re: [EXTERNAL] Project information

Thank you. I would appreciate receiving the. Notice of Public Hearing. My mailing address is as follows:

Sheila Manderson
19255 Dallas Court
Hidden Valley Lake
CA., 95467

Sheila.

On Friday, February 26, 2021, 11:38:32 AM PST, Eric Porter <eric.porter@lakecountyca.gov> wrote:

Sheila,

I'm the assigned planner on this file. You can request your email comments be entered into the record, or submit a formal letter. A public hearing will take place probably in late April or early May; that's when the public has an opportunity to testify either in support or in opposition to the project.

I need your mailing address so I can make sure you receive a Notice of Public Hearing.

Thanks,

Eric Porter

From: sheila manderson [mailto:smanders61@sbcglobal.net]
Sent: Friday, February 26, 2021 10:01 AM
To: Eric Porter <Eric.Porter@lakecountyca.gov>
Subject: [EXTERNAL] Project information

Mr. Porter,

My apologies, I accidentally sent an incomplete response a short while ago.

The project I am referring to is: 013-060-40, 013-014-03 and 11

Project Location: 16750 Herrington Road, Middletown, CA

Project Title: We Grow Farms Use Permit (UP 20-22) and Initial Study (15 20-25)

I would also like to ask how and to whom opinions should be addressed and if a public forum will be provided for one to register opinions should one choose to do so. Secondly who or which Body approves or disapproves such permit requests.

I look forward to your response. Thank you.

Yours truly,

Sheila Manderson

Kerrian Marriott

From: Glen Marks <Glen@rti2000.com>
Sent: Saturday, February 27, 2021 2:47 PM
To: Eric Porter
Cc: Moke.Simon@lakeountyca.gov
Subject: [EXTERNAL] Major Use Permit for The Herrington Ranch is 333 acres sold on 1/29/2020
Attachments: Letter.pdf

We own the property at 16345 Tinilyn Rd., Parcel #136-101-270 , a residential parcel with a view overlooking the valley below and which is contiguous with the property in question.

The scale of this proposed operation is huge, and is in an area of surrounding residential developments which, in our opinion, is not suitable for such a large industrial operation.

Please
See Attached

16750 Herrington Road Middletown, CA 95461

APN: 013-060-400-000 – 155 acres

19678 Stinson Rd. Hidden Valley Lake, CA 95467

APN: 013-014-110-000 – 107 acres

17610 Sandy Rd. Middletown, CA 95461

APN: 013-014-030-000 – 71 acres

Glen Marks *PEME*

Refrigeration Engineer

REFRIGERATION TECHNOLOGY INC

www.rti2000.com glen@rti2000.com

707-987-0500

February 25, 2021

TO: Eric Porter eric.porter@lakecountyca.gov

CC: Moke Simon Moke.Simon@lakecountyca.gov

RE: Major Use Permit

16750 Herrington Road Middletown, CA 95461

APN: 013-060-400-000 – 155 acres

19678 Stinson Rd. Hidden Valley Lake, CA 95467

APN: 013-014-110-000 – 107 acres

17610 Sandy Rd. Middletown, CA 95461

APN: 013-014-030-000 – 71 acres

We own the property at 16345 Tinilyn Rd., Parcel #136-101-270 , a residential parcel with a view overlooking the valley below and which is contiguous with the property in question. The scale of this proposed operation is huge, and is in an area of surrounding residential developments which, in our opinion, is not suitable for such a large industrial operation.

As we understand it, the facts are as follows:

The Herrington Ranch is 333 acres sold on 1/29/2020 to an out-of-state property owner. This property borders The Ranchos to the South, Rim Rock to the East, the Shadow Hills Subdivision (Jaclyn Dr.) to the North, and Hidden Valley to the West (less than 450 yards from Ravenhill Park. The new property owners purchased the property in January of 2020. In February of 2020, the new owners brought in stolen heavy equipment and the CHP served a search warrant. The stolen equipment was recovered and returned to the owners. CHP Northern ISU Case # F0005-107-20. Unpermitted construction began in March of 2020. This also included semi-truck deliveries, numerous out-of-state vehicles, and non-local workers coming in after 10pm and gone by sunrise. This continued until the County responded and Red Tagged the property.

It is our opinion that this Commercial Cannabis Business will have a very negative impact on our residential neighborhoods.

From the start, the new property owners were cutting corners, sneaking around, and stealing equipment. The illegal building and felony violation should prevent the permit from being issued according to Lake County Ordinance Chapter 21, Article 27. These violations were not even mentioned in the initial study prepared by the county.

We continue to be in a drought, so water for 395,000 square feet of cannabis is a huge concern. The County estimates the water usage at 750,000 gallons for each grow. The new owners are applying for indoor lighting on their greenhouses, which gives the new owners the potential of 4 grows per year. That equates to 3 MILLION gallons per year!

There will be an impact to our Air Quality. The year-round smell put off by cannabis and living or buying next door will be insufferable.

The criminal element that always seems to follow this type of business is a huge concern with all the children outside playing in the residential neighborhoods surrounding this property on all sides. This is a RESIDENTIAL area.

The increased traffic and damage/wear to our roads should cause concern. Spruce Grove Rd already suffers from potholes and has no-shoulders, which have also caused several accidents and hazardous material spills as the road narrows and winds its way towards Tinilyn. In addition, the Shadow Hills and Dohnery Ridge Subdivisions pay a separate road tax for a yearly road maintenance that Herrington Rd is not required to pay. They have an easement that runs through both subdivisions, therefore have been able to avoid the road tax. A commercial operation will certainly impact our roads much more than the current residential impact and the heavy commercial traffic through our residential areas raises safety concerns.

We are strongly opposed to this project.

Please notify us of the Public Hearing on this project.

We also request there is no "early activation" to start this project.

We repeat, there has already been a criminal element demonstrated from the beginning of the purchase of this property. It is located in the midst of substantial residential properties and is NOT a beneficial addition to our community at this location. The water usage issue is huge, especially given the many recent fires in our area.

Our Local County Supervisor, Moke Simon, has been doing an impressive amount of work in furthering good development in the Middletown/Hidden Valley area to make this a better community. This project would have a very detrimental effect on our area, especially on top of the Bar X operation and all the smaller ones in the Jerusalem Valley area.

Please, please, stop this project.

Sincerely

A handwritten signature in black ink that reads "Glen Marks". The signature is written in a cursive, flowing style with a long horizontal line extending from the end of the name.

Glen Marks and Amy Marks

Kerrian Marriott

From: Mary Sullivan <maryksullivan4@gmail.com>
Sent: Wednesday, March 10, 2021 3:55 PM
To: Eric Porter
Subject: Re: [EXTERNAL] We Grow Farms requested use permit

Eric,
Appreciate your follow up. My address is 21080 Buckeye Court, Middletown California 95461.

The Board that represents the residents of Rim Rock Ranch will also be submitting an appeal no later than tomorrow to deny this permit. Would you like them to include individual home owner physical addresses?

Thanks,
Mary

Sent from my iPhone. Please pardon typos.

On Mar 10, 2021, at 3:27 PM, Eric Porter <Eric.Porter@lakecountyca.gov> wrote:

Hi Mary,

I'm putting together a list of neighbors who are objecting to the commercial cannabis application you've commented on below to make sure everyone gets a mailed notice.

Can you email me your address please?

Thanks,
Eric Porter
Planner
County of Lake

From: Mary Sullivan [mailto:maryksullivan4@gmail.com]
Sent: Wednesday, February 24, 2021 2:27 PM
To: Eric Porter <Eric.Porter@lakecountyca.gov>
Cc: Moke Simon <Moke.Simon@lakecountyca.gov>; Dist1 PlanningComm <dist1planningcomm@lakecountyca.gov>; CDD - Email <CDD@lakecountyca.gov>
Subject: [EXTERNAL] We Grow Farms requested use permit

Mr. Porter, County Supervisors, Planning Dept. & Code Enforcement-

I am writing to vehemently **OBJECT** to the Major Use Permit that is being considered for "We Grow Farms - APN No's: 013-060-40, 013-014-03 and 11.

I live in Rim Rock Ranch Vineyard Estates and was the first to purchase a parcel in the development 12 years ago. My purchase was based on the beauty of its rural setting and small, home town feel. I care deeply about preserving the integrity and nature of our community in a

responsible way. I strongly oppose a commercial cannabis growing operation and “self-distribution” so close to such a large residential community. Rim Rock Ranch borders 16750 Herrington Rd., Middletown. All three parcels that are included in this proposed permit are surrounded by residential neighborhoods, ours included. I urge you to **DENY** this permit.

As you are aware, this same owner and location was already raided and shut down for an illegal grow, where law enforcement also found a large amount of stolen equipment. This should serve as an obvious **RED FLAG** about the character and intentions of the owner and the way they would potentially operate a business. It is apparent that this particular owner has no regard for the law, the rules and regulations in place, nor for the neighborhoods they are affecting.

I'm also concerned about the extremely pungent and nauseating smell of cannabis that carries far beyond the property boundaries of which it is grown, as well as amount of water that will be used, drawing from a dwindling water table that so many local homeowners rely on.

Having a large commercial cannabis grow, whether out of sight or not, will have major impacts on the quality of life and the property values for the surrounding residential community affecting thousands of people.

Allowing a permit such as this will set a precedent for further commercial grows near residential areas and negatively affect the hard-working, tax-paying members of our community. We should not be making cannabis growers a priority in this county - but rather promote the safety, security and well being of **all residents** in our community.

Again, please DENY the application of a cannabis permit for 16750 Herrington Road, Middletown, CA 95461 - APN: 013-060-400-000 – 155 acres – Zone: RR

Mary Sullivan
Rim Rock Ranch Vineyard Estates

Kerrian Marriott

From: Mary Sullivan <maryksullivan4@gmail.com>
Sent: Wednesday, February 24, 2021 2:27 PM
To: Eric Porter
Cc: Moke Simon; Dist1 PlanningComm; CDD - Email
Subject: [EXTERNAL] We Grow Farms requested use permit

Mr. Porter, County Supervisors, Planning Dept. & Code Enforcement-

I am writing to vehemently **OBJECT** to the Major Use Permit that is being considered for "We Grow Farms - APN No's: 013-060-40, 013-014-03 and 11.

I live in Rim Rock Ranch Vineyard Estates and was the first to purchase a parcel in the development 12 years ago. My purchase was based on the beauty of its rural setting and small, home town feel. I care deeply about preserving the integrity and nature of our community in a responsible way. I strongly oppose a commercial cannabis growing operation and "self-distribution" so close to such a large residential community. Rim Rock Ranch borders 16750 Herrington Rd., Middletown. All three parcels that are included in this proposed permit are surrounded by residential neighborhoods, ours included. I urge you to **DENY** this permit.

As you are aware, this same owner and location was already raided and shut down for an illegal grow, where law enforcement also found a large amount of stolen equipment. This should serve as an obvious **RED FLAG** about the character and intentions of the owner and the way they would potentially operate a business. It is apparent that this particular owner has no regard for the law, the rules and regulations in place, nor for the neighborhoods they are affecting.

I'm also concerned about the extremely pungent and nauseating smell of cannabis that carries far beyond the property boundaries of which it is grown, as well as amount of water that will be used, drawing from a dwindling water table that so many local homeowners rely on.

Having a large commercial cannabis grow, whether out of sight or not, will have major impacts on the quality of life and the property values for the surrounding residential community affecting thousands of people.

Allowing a permit such as this will set a precedent for further commercial grows near residential areas and negatively affect the hard-working, tax-paying members of our community. We should not be making cannabis growers a priority in this county - but rather promote the safety, security and well being of **all residents** in our community.

Again, please DENY the application of a cannabis permit for 16750 Herrington Road, Middletown, CA 95461 - APN: 013-060-400-000 – 155 acres – Zone: RR

Mary Sullivan
Rim Rock Ranch Vineyard Estates

Kerrian Marriott

From: maverick jones <mvrck_jns@yahoo.com>
Sent: Thursday, March 4, 2021 6:35 AM
To: Eric Porter
Subject: [EXTERNAL] When is the public hearing

On the cannabis grow near hvl

Sent from my iPad

Kerrian Marriott

From: Scott Nagelson <scott.nagelson@gmail.com>
Sent: Thursday, February 25, 2021 1:04 PM
To: Eric Porter
Cc: Andrea Nagelson
Subject: [EXTERNAL] We Grow Farms; Use Permit 20-22 and Initial Study 20-25

Re: We Grow LLC/Zarina Otchkova Use Permit UP 20-22, Initial Study IS 20-25

Dear Mr. Porter

I am in receipt of the following documents related to the above referenced Use Permit:

- CALIFORNIA ENVIRONMENTAL QUALITY ACT ENVIRONMENTAL CHECKLIST FORM INITIAL STUDY (IS 20-25)
- COUNTY OF LAKE NOTICE OF INTENT TO ADOPT A MITIGATED NEGATIVE DECLARATION
- MITIGATION MONITORING AND REPORTING PROGRAM

My wife and I, through our family trust, are the owners of parcel 013-063-12 which is on the southwest boarder of the proposed commercial cannabis project. I have reviewed these documents, as well as others provided to me by other interested parties, and have the following questions regarding the proposed Use Permit.

1. According to reports, there was stolen construction equipment recovered from this property in 2020, unauthorized construction that occurred on the property resulting in it being Red Tagged by the County. Within view of my property are the remains of what appears to be a greenhouse structure that was apparently part of this unauthorized, illegal and unpermitted activity. **Was We Grow LLC/Zarina Otchkova involved in this prior activity on the subject property?**
2. With regard to item #12 of the Initial Study, there is a statement that " Consultation was postponed due to significant violations that had occurred on the site...." **What were these violations and who was responsible for them?**
3. With regard to Impact Category I Aesthetics (a) and (c), how did you arrive at a Less than Significant Impact finding when the project with 39 buildings and a six foot fence will likely be in view of numerous residences and a public park in Hidden Valley Lakes?
4. With regard to Impact Category I Aesthetics (d), how did you arrive at a Less than Significant Impact finding when the proposed development will undoubtedly have security lighting and 24 hour interior fluorescent grow lighting? It does not seem likely that a six foot tall fence will screen this type of light completely from the surrounding property owners.
5. With regard to Impact Category II Agriculture and Forestry Resources (b), how did you arrive at a Less than Significant Impact finding when there are vineyards and olive orchards bordering the subject property?
6. With regard to Impact Category III Air Quality (a) AQ-7, what kind of air filtration system is required and how much odor and particulate matter is require to be removed?
7. With regard to Impact Category X Hydrology and Water Quality (a), how did you arrive at a Less than Significant Impact finding when I can find no evidence on any map of an "on-site water basin" for disposal of wastewater and stormwater?

8. With regard to Impact Category X Hydrology and Water Quality (a), it seems strange that this application would be allowed to move forward with a 24 year old Well Test. How did you arrive at a Less than Significant Impact finding when this information is not up to date and significant changes may have occurred in the water basin over that time?
9. With regard to Impact Category XIII Noise (a), how did you arrive at a Less than Significant Impact when there will be at least 39 air filtration systems running around the clock?
10. Does this project require approval by the Board of Supervisors at a regularly scheduled meeting?

It is possible that I may have additional questions prior to submitting my formal comments. Please ensure that I am notified of any public hearings and I would also request that there be no early activation that allows this project to move forward prior to formal approval.

Thanks

Scott Nagelson

Kerrian Marriott

From: nellis boyer <nellisboyer@yahoo.com>
Sent: Saturday, February 27, 2021 12:58 PM
To: Eric Porter
Cc: Moke Simon
Subject: [EXTERNAL] Major Use Permit hearing (UP 20-22) and (IS 20-25) 16750 Herrington Rd, Middletown

Please send me a notification of the date, time, and place of the hearing on the above mentioned project. I request that there be no early activation to start the project. I have many questions regarding water, power, and explanations of questionable mitigation plans.

Nellis Boyer
20765 Honey Hill Dr
Hidden Valley Lake, Ca 95467

707 355 0493

Kerrian Marriott

From: Olivia Cude <oliviarae@att.net>
Sent: Friday, March 5, 2021 10:14 AM
To: Eric Porter
Subject: [EXTERNAL] 16750 Herrington Rd.

Mr. Porter,

Please add me to the list to be notified of the public meeting scheduled for this project.
16750 Herrington Rd. Middletown

Thank you,
Olivia's Cude
oliviarae@att.net

Sent from my iPhone

Kerrian Marriott

From: pastordougmbc@gmail.com
Sent: Thursday, March 4, 2021 3:25 PM
To: Eric Porter
Subject: [EXTERNAL] RE: We Grow LLC

March 5, 2021

Dear Mr. Porter,

My wife and I recently built our dream home in the development off Spruce Grove Rd. called Dohnery Ridge/Shadow Hills. There are currently over a dozen developed lots. Many of our neighbors have children. We have gotten to know our neighbors and we have a warm and friendly community and we would like it to stay that way.

It's our understanding that the Harrington Road acreage (bordering our development) was purchased about a year ago by an out-of-state buyer called, We Grow LLC. The new owners have applied for a cannabis grow use permit which would include 35 greenhouses. The Harrington Road property shares a border with our development as well as a border with Hidden Valley.

At least once before, the Harrington property was raided for hiding stolen property and an illegal grow. We can see the property from our back deck and witnessed the raid, complete with helicopters. We built our home here partly for the peace and quiet.

We have many concerns should this permit be granted. Our peaceful community would be disrupted by constant in and out of trucks and equipment, not to mention the clients that would be entering our streets. The children in our development will not feel comfortable riding their bikes or walking their dogs. We will not feel comfortable allowing our grandchildren as much freedom.

Another concern is the huge amount of water it takes to grow pot. We are all on wells and this plan could reduce all of our well output. Not the least concern, is how this may impact our property values.

It doesn't make sense for a large pot farm to be approved in an area surrounded by residential neighborhoods with children. We want to go on record as strongly opposing this grow, and we would like to be notified of the public hearing on this matter.

Sincerely,
Doug and Janice Thompson
19965 Nicholas Way, Lower Lake, CA 95457
707-495-7955

Kerrian Marriott

From: Peter Makena <pmakena@mac.com>
Sent: Thursday, March 4, 2021 8:43 AM
To: Eric Porter
Subject: [EXTERNAL] Commercial Cannabis grower near Hidden Valley

A reminder!!!

Please send me the information on the cannabis grower project :
16750 Herrington Rd

Thank You
Peter Schober

> On Mar 4, 2021, at 8:27 AM, Eric Porter <Eric.Porter@lakecountycal.gov> wrote:

>

> Ok. That is file number UP 20-22, Zarina Otchkova.

>

> I'm working from home today but will be in the office tomorrow. Would you kindly send me a reminder email tomorrow so I can send you the relevant documents? No hearing date has been set yet for that project, but I am interested in getting that one to hearing sooner rather than later due to the volume of opposition toward the project.

>

> Thanks,

> Eric Porter

>

> -----Original Message-----

> From: Peter Makena [mailto:pmakena@mac.com]

> Sent: Wednesday, March 3, 2021 10:01 PM

> To: Eric Porter <Eric.Porter@lakecountycal.gov>

> Subject: Re: [EXTERNAL] Reg. Commercial Cannabis grower near Hidden Valley

>

> The Address is 16750 Herrington Rd

>

> Thank you

>

> Peter Schober

>

>> On Mar 3, 2021, at 4:27 PM, Eric Porter <Eric.Porter@lakecountycal.gov> wrote:

>>

>> Peter,

>>

>> What is the address that you are concerned about? I need to locate the file number and the assigned planner.

>>

>> Thanks,

>> Eric Porter

>>

>> -----Original Message-----

>> From: Peter Makena [mailto:pmakena@mac.com]

>> Sent: Wednesday, March 3, 2021 2:39 PM
>> To: Eric Porter <Eric.Porter@lakecountycal.gov>
>> Subject: [EXTERNAL] Reg. Commercial Cannabis grower near Hidden Valley
>>
>> Hi,
>>
>> My name is Peter Schober
>> 19560 Stonegate Rd. in Hidden Valley Lake
>>
>> I am concerned with this new enterprise being such a close neighbor!
>> Can you please email me more information regarding the project... and let me know about the date of the public hearing!
>> Thank you
>>
>> Peter Schober
>>
>

Kerrian Marriott

From: Richard Lenney <rlenney@gmail.com>
Sent: Wednesday, March 3, 2021 4:03 PM
To: Eric Porter
Subject: [EXTERNAL] Pending Permit

Hello,

I would like to request a copy of the initial study done for the Cannabis growing operation planned for 16750 Herrington Rd., in Hidden Valley Lake/Middletown.

I would also like to be notified of any public meetings regarding this project.

Thank You,

Richard Lenney
15682 Little Peak Rd.
Hidden Valley Lake, Ca 95467
707-529-5804

Kerrian Marriott

From: jim ryan <emeraldlad2000@yahoo.com>
Sent: Thursday, March 4, 2021 6:26 PM
To: Eric Porter
Subject: Re: [EXTERNAL] Re: 16750 Herrington Road; file no. UP 20-22, Otchkova

Mr Porter,

I reside just west of this proposed project and will certainly be effected by it. Please let me know of the date/time of this hearing. The area impact will certainly be larger than a mere 725ft. The mentioned criminal elements that associate with this project have already revealed themselves as Mr. Cude has outlined.

I look forward to your reply.

Sincerely, Mr. James Ryan (Hidden Valley Lake). Just to confirm my contact at emeraldlad2000@yahoo.

[Sent from Yahoo Mail for iPhone](#)

On Thursday, March 4, 2021, 08:49, Eric Porter <Eric.Porter@lakecountyc.ca.gov> wrote:

Ms. Price,

Just as an FYI – our notice area only covers up to 725 feet from a project whose property is over 5 acres. If any of the persons that you have cc'd want a notice of public hearing on this item once the hearing date is scheduled, they will need to request it from me if they are further than 725 feet from any property line of the project site.

Email request for notice is fine. The hearing will be done remotely by Zoom, and we will send the Zoom link to anyone wishing to participate.

Take care,

Eric Porter

From: Karen Price [mailto:karen@priceranch.com]
Sent: Wednesday, March 3, 2021 8:08 PM
To: Jesse Cude <jcude@att.net>
Cc: Eric Porter <Eric.Porter@lakecountyc.ca.gov>; Moke Simon <Moke.Simon@lakecountyc.ca.gov>; Andrew Williams <Andrew.Williams@lakecountyc.ca.gov>; Dennis Keithly <Dennis.Keithly@lakecountyc.ca.gov>; Mark Roberts <Mark.Roberts@lakecountyc.ca.gov>; Jim Ryan <emeraldlad2000@yahoo.com>; adye@chp.ca.gov; Six Sigma - Kaj Ahlmann <kahlmann@sixsigmaranch.com>; dibipi@gmail.com; scott.nagelson@gmail.com; mike.wink@fireca.gov; dennispgrrove@yahoo.com; Allison Brown <brattybones@yahoo.com>; Craig Bainbridge <cdmbainbridge@hotmail.com>; Dan & Deedee Levine <danhomerepair@gmail.com>; Dan

Hart <baseballnut27@yahoo.com>; Ellen Leu <ellenmleu@att.net>; Jake Watson <jake@vantageconstructionco.com>; James Watson <jimmy@vantageconstructionco.com>; Janice Thompson <janicekthompson@hotmail.com>; Jason Krauss <jrk1976@yahoo.com>; Jeannie Creager <prairiebell@comcast.net>; Jill Hearn <jillhearn6@icloud.com>; Jillian Krauss <jillian_corsetti@yahoo.com>; Julian <juliannerentshvl@yahoo.com>; Kathy Watson <kathryn.osmun@gmail.com>; Lisa Hart <lisadhart@hotmail.com>; MBC -Doug Thompson <pastordougmbc@gmail.com>; Nikky Creager <middletownchristianschool@gmail.com>; Olivia Cude <oliviarae@att.net>; Rob Hearn <robhearn16093@me.com>; Shawn Lescher <lescher5@att.net>; Todd Shannon Williams <shannon_williams@mchsi.com>; Tom <tmlaughlin@gmail.com>; Darryl Mills <dmillscon@gmail.com>; Misha Grothe <mishamonet@yahoo.com>; Pat Taylor <Patricktaylor1231@gmail.com>; Richmond <richmond designs@me.com>; Jen Home <jenniferheiser@att.net>; Greg Price <greg@priceranch.com>

Subject: [EXTERNAL] Re: 16750 Herrington Road; file no. UP 20-22, Otchkova

Dear M. Porter,

To add to your already busy day, I would be interested in receiving more information regarding this significant project including, but not limited to, the application, Biological Study, Cultural Study, and Initial Study. I would also appreciate details regarding the self-distribution/transport application, if that is within your purview. Please let me know.

I reside just down the street of this project on Spruce Grove Road. My initial concerns are not limited to traffic along my rural property, water resources, water quality concerns, light pollution, and energy demands to an already overtaxed and unstable system, and general impacts to our community. While I am just outside of Hidden Valley Lake (my property borders HVL), I am concerned and would like substantial consideration given to this residential community and very close proximity to Raven Hill Park enjoyed by local residents, pets, and play structures enjoyed by children and their families.

I am further concerned about the early development of this site. From what I have heard, this was not done in a responsible manner, if not in a criminal manner. This does not give me confidence about this enterprise being a good neighbor or partnering with our community going forward. THIS EARLY ACTIVATION SHOULD IMMEDIATELY STOP pending further review.

Additionally, I would like to remind you about the Wild Diamonds Vineyards and Winery project, on the mountain above our home, and in close proximity of this proposed development, that was proposed a few years ago and who's project and Environmental Impact Report (EIR) appeal was denied by the county Board of Supervisors.

My final request is that, besides notification of any Public Hearing and a full cease of early operations occurs immediately, is that a full EIR is completed for this proposed significant impact project and made widely available to the public/interested parties.

This project SHOULD NOT BE APPROVED, before it is fully vetted on all fronts.

Thank you in advance for your consideration and response.

Karen Price

16265 Spruce Grove Road

(707) 484-0599

On Mar 3, 2021, at 4:02 PM, Jesse Cude <jcude@att.net> wrote:

Mr. Porter,

I am writing this email to formally oppose the commercial permit being sought on the below properties. I am within 700 feet of the property and in fact, share a lot corner with the Herrington Rd property. I have the following concerns that I am requesting a response from the County.

1. Water usage. We are in a drought and all the wells in this area are stressed. You have mentioned the estimate for each grow to be 746,000 gallons of water. However, the initial study report failed to disclose that if the permit includes grow lights the owners could have up to four grows per calendar year. This means the potential water use would be 2,984,000 gallons per year. There are 15 residential wells and two high volume commercial wells within 700 feet of the property.
2. Shadow Hills/Dohnery Ridge county road maintenance agreement. It is stated in the initial study that the access for the large scale commercial project will be through our quiet residential subdivision on Jaclyn Dr. All the residents in the Shadow Hills and Dohnery Ridge subdivisions pay the county for road maintenance. There is no mention in the initial study of the impact of commercial traffic on Jaclyn Dr. At a minimum, the owners should pay into our road agreement with the county and that should be retroactive to the time of purchase. Also, there are no stop signs at our intersections in the subdivision. I am requesting stop signs and that the Herrington property owners pay for them.

3. Early Activation. Based on the trac record of the new owners violating laws and county codes, no early activation should occur. All mitigation measures should be completed before the growing starts.
4. In the initial study it states that the property is 309 acres which would allow for the 15 licenses that are being sought (20 acres per license). However, approximately 100 acres of the property are in the exclusionary zone and can't be used or included in the calculation for the number of licenses. The number of licenses allowed should be amended to 10 licenses.
5. Fence height. The aesthetics of the green houses from the residences above the project will be significantly affected. There are 13 homes which are elevated above the project and will have a view of the green houses. The fence height should be amended to 8 feet to lower the impact to those residents.
6. The illegal building and felony violation should prevent the permit from being issued according to Lake County Ordinance Chapter 21, Article 27. The felony violation is documented in a CHP report, CHP Northern ISU Case # F0005-107-20. I don't have the case numbers for the county code violations, however I'm sure you have access to them.
7. Accountability. There seems to be a lack of staffing to respond to complaints surrounding commercial growing operations. How many legal commercial grows are in lake county? How many staff are directly assigned to investigate complaints? How many complaints in 2020?

I would like to reiterate; I do not wish for this application to be approved. It does not belong in a residential neighborhood and our roads and wells cannot support it.

Please forward this email to any county employees that are involved in the approval or denial of this permit. If you have any questions, please feel free to call me.

Thank you.

Jesse Cude

Parcel# 013-061-140-000

(707) 322-1832

jcude@att.net

16750 Herrington Road Middletown, CA 95461

APN: 013-060-400-000 – 155 acres – Zone: RR

19678 Stinson Rd. Hidden Valley Lake, CA 95467

APN: 013-014-110-000 – 107 acres – Zone: RR

17610 Sandy Rd. Middletown, CA 95461

APN: 013-014-030-000 – 71 acres – Zone: RR

Kerrian Marriott

From: Sarah Pistone <sarah@hdvine.com>
Sent: Wednesday, March 10, 2021 1:23 PM
To: Eric Porter
Subject: [EXTERNAL] INITIAL STUDY (IS 20-25)

Hi Eric,

I'm in the process of reviewing the Use Permit UP 20-22 and Initial Study IS 20-25 for the "We Grow LLC / Zarina Otchkova" application.

Can you please send me a copy of the bio report and cultural survey to review?

39. Biological Study, prepared by Pinecrest Environmental Services and dated March 2020.

40. Cultural Study, prepared by Wolf Creek Archaeological Services dated February 28, 2020.

When does the public comment period end?

Thank you,
Sarah

--
Sarah Pistone, CPESC #9225

HDVine LLC

www.HDVine.com

PO BOX 1686 • Middletown, CA 95461 • C: 707-533-3511 • sarah@HDVine.com

Kerrian Marriott

From: sheila manderson <smanders61@sbcglobal.net>
Sent: Friday, February 26, 2021 10:01 AM
To: Eric Porter
Subject: [EXTERNAL] Project information

Mr. Porter,

My apologies, I accidentally sent an incomplete response a short while ago.

The project I am referring to is: 013-060-40, 013-014-03 and 11

Project Location: 16750 Herrington Road, Middletown, CA

Project Title: We Grow Farms Use Permit (UP 20-22) and Initial Study (15 20-25)

I would also like to ask how and to whom opinions should be addressed and if a public forum will be provided for one to register opinions should one choose to do so. Secondarily who or which Body approves or disapproves such permit requests.

I look forward to your response. Thank you.

Yours truly,
Sheila Manderson

Kerrian Marriott

From: Susanne Stallworth <sstallworthm@gmail.com>
Sent: Monday, February 22, 2021 11:31 AM
To: Eric Porter
Subject: [EXTERNAL] WE grow farms

Have a couple of questions about the proposed pot farm.

1. Will the people that work there be armed? With most businesses of this nature the employees are armed to protect the product. The proposed location is relatively close to schools and children.
2. Water usage. Each plant uses approximately 6 gallons of water per day. Since we are all on wells and the same water table will there be any restrictions on water usage, especially during a drought to prevent our wells from drying up.
3. If the wells start to dry up because of this project will the growers have any responsibility for assisting people financially who have to dig a deeper or new well?

Thank you. Any information you can provide would be greatly appreciated.

Kerrian Marriott

From: Shannon Williams <shannonwilliams707@gmail.com>
Sent: Tuesday, February 23, 2021 6:21 PM
To: Eric Porter
Cc: Moke Simon; Dist1 PlanningComm; CDD - Email
Subject: [EXTERNAL] COMMENTS RE: MAJOR USE PERMIT (UP 20-22) and Initial Study (IS 20-25)

Dear Mr. Porter, County Supervisors, Planning Dept. & Code Enforcement-

I am writing to vehemently OBJECT to the Major Use Permit that is being considered for "We Grow Farms - APN No's: 013-060-40, 013-014-03 and 11.

In addition to being active members of the South Lake County community since 2004, we currently own a property on Jaclyn Dr. in Middletown and have built our dream home in this beautiful location. Our property borders 16750 Herrington Rd., Middletown. It was recently purchased by a party who I understand has applied for a cannabis permit. I am writing to strongly urge you to DENY this permit. All three parcels that are included in this permit are surrounded by residential neighborhoods, ours included.

I am also a real estate agent and have sold several homes and parcels on Stinson Rd., Dallas Ct., Spruce Grove Rd. and in Hidden Valley - all to people who appreciate the beautiful, rural nature of our community. I don't know of a single person who would actively welcome a commercial cannabis growing operation and "self-distribution" in their neighborhood.

Speaking about just the small subdivision to the north of this proposed project, there are a number of elderly people, as well as families with all ages of children, many of whom can be found playing outside, walking their dogs around the neighborhood and riding bikes. The idea of a commercial operation being built right next door to all of us is literally awful. I know the same can be said for the homes that border the potential operation to the south! I, in addition to the majority of our community, am worried about a number of things.

I am concerned about the extra traffic we are already seeing in and out of the property and the impact on our local roads. All the homeowners in this area pay extra on our property taxes for a road maintenance fee. The owner of the Herrington property is not obligated to pay that currently, and yet, they will be bringing all sorts of trucks and traffic in and out of the property. Not to mention, I am concerned for the kids who are out playing in the neighborhood as a number of "workers" are driving VERY quickly up and down the roads, distracted and I am hoping and praying NOT under the influence of the substance that they are cultivating.

I am also concerned that this sort of operation will bring unsavory characters to our neighborhood. Already, the law enforcement has been out to the property MULTIPLE TIMES where they found a large amount of stolen equipment. If this is how things are starting out, I can only imagine what other issues that will follow! Again, with the amount of children in our neighborhood, I am worried about bringing these people so nearby. The safety and security of our community should be a PRIORITY for you as you make your decision.

Additionally, as you know, cannabis is not a regular agricultural crop. It has an extremely pungent smell that carries far beyond the property boundaries of which it is grown. Unlike vineyards or fruit orchards, this crop is nauseating and affects all of the properties around it. Not to mention the amount of water that will be used - drawing from the water reservoirs and water table that so many local homeowners rely on!

The bottom line is this: **Having a cannabis grow, whether out of sight or not, will still majorly affect the quality of life and the property values for the entire neighborhood affecting hundreds of people, if not more.**

In addition, the owner of the Herrington property has already been in violation of county building codes, as I'm sure you know. Code enforcement had to step in to stop illegal construction already happening on this property. This should be a wake up call to decision makers as to what is to come!

While I understand the county's willingness to work with the cannabis industry, I also think its extremely important that we don't negatively impact the good residents of the County, especially when so many of the cannabis growers who are benefiting are from out of the area and have no regard for the local families they are affecting. It is apparent that these particular owners have no regard for the rules & regulations in place, nor for the neighborhoods they are affecting.

I implore you, as decision makers for this county, to consider how allowing a permit such as this will both set a precedent and also how it will negatively affect the hard-working, tax-paying members of our community. We should not be making cannabis growers a priority in this county - but rather the safety, security & well being of our community.

Again, please DENY the application of a cannabis permit for the Herrington property and the following properties:

16750 Herrington Road Middletown, CA 95461 - APN: 013-060-400-000 – 155 acres – Zone: RR

19678 Stinson Rd. Hidden Valley Lake, CA 95467 - APN: 013-014-110-000 – 107 acres – Zone: RR

17610 Sandy Rd. Middletown, CA 95461 - APN: 013-014-030-000 – 71 acres – Zone: RR

Thank you for your time and thoughtful consideration. Please don't hesitate to reach out if you need additional information.

Sincerely,

Todd & Shannon Williams
707-888-1116 - Shannon
707-363-0386 - Todd

Kerrian Marriott

From: Shannon Saiz
Sent: Wednesday, February 24, 2021 8:25 AM
To: Cannabis@lakecountycalifornia.gov
Cc: Eric Porter; Jeri Driver
Subject: FW: [EXTERNAL] COMMENTS RE: MAJOR USE PERMIT (UP 20-22) and Initial Study (IS 20-25)

From: Shannon Williams [mailto:shannonwilliams707@gmail.com]
Sent: Tuesday, February 23, 2021 6:21 PM
To: Eric Porter <Eric.Porter@lakecountycalifornia.gov>
Cc: Moke Simon <Moke.Simon@lakecountycalifornia.gov>; Dist1 PlanningComm <dist1planningcomm@lakecountycalifornia.gov>; CDD - Email <CDD@lakecountycalifornia.gov>
Subject: [EXTERNAL] COMMENTS RE: MAJOR USE PERMIT (UP 20-22) and Initial Study (IS 20-25)

Dear Mr. Porter, County Supervisors, Planning Dept. & Code Enforcement-

I am writing to vehemently OBJECT to the Major Use Permit that is being considered for "We Grow Farms - APN No's: 013-060-40, 013-014-03 and 11.

In addition to being active members of the South Lake County community since 2004, we currently own a property on Jaclyn Dr. in Middletown and have built our dream home in this beautiful location. Our property borders 16750 Herrington Rd., Middletown. It was recently purchased by a party who I understand has applied for a cannabis permit. I am writing to strongly urge you to DENY this permit. All three parcels that are included in this permit are surrounded by residential neighborhoods, ours included.

I am also a real estate agent and have sold several homes and parcels on Stinson Rd., Dallas Ct., Spruce Grove Rd. and in Hidden Valley - all to people who appreciate the beautiful, rural nature of our community. I don't know of a single person who would actively welcome a commercial cannabis growing operation and "self-distribution" in their neighborhood.

Speaking about just the small subdivision to the north of this proposed project, there are a number of elderly people, as well as families with all ages of children, many of whom can be found playing outside, walking their dogs around the neighborhood and riding bikes. The idea of a commercial operation being built right next door to all of us is literally awful. I know the same can be said for the homes that border the potential operation to the south! I, in addition to the majority of our community, am worried about a number of things.

I am concerned about the extra traffic we are already seeing in and out of the property and the impact on our local roads. All the homeowners in this area pay extra on our property taxes for a road maintenance fee. The owner of the Herrington property is not obligated to pay that currently, and yet, they will be bringing all sorts of trucks and traffic in and out of the property. Not to mention, I am concerned for the kids who are out playing in the neighborhood as a number of "workers" are driving VERY quickly up and down the roads, distracted and I am hoping and praying NOT under the influence of the substance that they are cultivating.

I am also concerned that this sort of operation will bring unsavory characters to our neighborhood. Already, the law enforcement has been out to the property MULTIPLE TIMES where they found a large amount of stolen

equipment. If this is how things are starting out, I can only imagine what other issues that will follow! Again, with the amount of children in our neighborhood, I am worried about bringing these people so nearby. The safety and security of our community should be a **PRIORITY** for you as you make your decision.

Additionally, as you know, cannabis is not a regular agricultural crop. It has an extremely pungent smell that carries far beyond the property boundaries of which it is grown. Unlike vineyards or fruit orchards, this crop is nauseating and affects all of the properties around it. Not to mention the amount of water that will be used - drawing from the water reservoirs and water table that so many local homeowners rely on!

The bottom line is this: **Having a cannabis grow, whether out of sight or not, will still majorly affect the quality of life and the property values for the entire neighborhood affecting hundreds of people, if not more.**

In addition, the owner of the Herrington property has already been in violation of county building codes, as I'm sure you know. Code enforcement had to step in to stop illegal construction already happening on this property. This should be a wake up call to decision makers as to what is to come!

While I understand the county's willingness to work with the cannabis industry, I also think its extremely important that we don't negatively impact the good residents of the County, especially when so many of the cannabis growers who are benefiting are from out of the area and have no regard for the local families they are affecting. It is apparent that these particular owners have no regard for the rules & regulations in place, nor for the neighborhoods they are affecting.

I implore you, as decision makers for this county, to consider how allowing a permit such as this will both set a precedent and also how it will negatively affect the hard-working, tax-paying members of our community. We should not be making cannabis growers a priority in this county - but rather the safety, security & well being of our community.

Again, please DENY the application of a cannabis permit for the Herrington property and the following properties:

16750 Herrington Road Middletown, CA 95461 - APN: 013-060-400-000 – 155 acres – Zone: RR

19678 Stinson Rd. Hidden Valley Lake, CA 95467 - APN: 013-014-110-000 – 107 acres – Zone: RR

17610 Sandy Rd. Middletown, CA 95461 - APN: 013-014-030-000 – 71 acres – Zone: RR

Thank you for your time and thoughtful consideration. Please don't hesitate to reach out if you need additional information.

Sincerely,

Todd & Shannon Williams
707-888-1116 - Shannon
707-363-0386 - Todd

Kerrian Marriott

From: Mark Roberts
Sent: Thursday, March 26, 2020 11:28 AM
To: Simone Hingston; Victor Fernandez; Eric Porter; Victoria Kim; Sateur Ham
Subject: FW: [EXTERNAL]16750 Herrington Rd., Middletown - URGENT

Hi Planners,

Please see the email below in regards to proposed cannabis operations.

From: Trish Byrne
Sent: Thursday, March 26, 2020 11:24 AM
To: Mark Roberts <Mark.Roberts@lakecountyca.gov>; Andrew Williams <Andrew.Williams@lakecountyca.gov>
Subject: FW: [EXTERNAL]16750 Herrington Rd., Middletown - URGENT

Thank You,
Trish Byrne
Office Assistant
Community Development Department
(707) 263-2221
trish.byrne@lakecountyca.gov

From: Shannon Williams [mailto:shannon_williams@mchsi.com]
Sent: Thursday, March 26, 2020 10:53 AM
To: CDD - Email <CDD@lakecountyca.gov>; Dist1 PlanningComm <dist1planningcomm@lakecountyca.gov>; Compliance - Email <Compliance@lakecountyca.gov>; Moke Simon <Moke.Simon@lakecountyca.gov>
Subject: [EXTERNAL]16750 Herrington Rd., Middletown - URGENT

Dear County Supervisors & Planning Dept. & Code Enforcement-

In addition to being active members of the community, and owning a house in Hidden Valley Lake, we also own a property on Jaclyn Dr. in Middletown and have been slowly but surely building our dream home in this beautiful location. Our property borders 16750 Herrington Rd., Middletown. It was recently purchased by a party who I understand has applied for a cannabis permit. I am writing to strongly urge you to DENY this permit. Our small subdivision has a number of elderly people, as well as families with all ages of children, many of whom can be found playing outside, walking their dogs around the neighborhood and riding bikes. The idea of a commercial operation being built right next door to all of us is literally awful. I am worried about a number of things.

I am concerned about the extra traffic we are already seeing in and out of the property and the impact on our local roads. All the homeowners in this area pay extra on our property taxes for a road maintenance fee. The owner of the Herrington property is not obligated to pay that currently, and yet, they will be bringing all sorts of trucks and traffic in and out of the property. Not to mention, I am concerned for the kids who are out playing in the neighborhood as a number of "workers" are driving VERY quickly up and down the roads, distracted and I am hoping and praying NOT under the influence of the substance that they are cultivating.

I am also concerned that this sort of operation will bring unsavory characters to our neighborhood. Already, the law enforcement has been out to the property where they found a large amount of stolen equipment. If this is how things are starting out, I can only imagine what other issues that will follow. Again, with the amount of children in our neighborhood, I am worried about bringing these people so nearby.

Additionally, as you know, cannabis is not a regular agricultural crop. It has an extremely pungent smell that carries far beyond the property boundaries of which it is grown. Unlike vineyards or fruit orchards, this crop is nauseating and affects all of the properties around it. We are about to complete construction of our dream home and had selected this neighborhood very carefully for its views, setting and the surrounding quality of homes. **Having a cannabis grow, whether out of sight or not, will still majorly affect our quality of life and the property values for the entire neighborhood affecting over 50 people, if not more.**

In addition, the owner of the Herrington property has already started construction with loads of material arriving and we can see the construction of a large building next to the current barn from our new home. I am told that it is unpermitted construction, and I am hoping that someone at the county level can look into this and make sure that they are abiding by the proper building guidelines.

While I understand the county's willingness to work with the cannabis industry, I also think its extremely important that we don't negatively impact the good residents of the County, especially when so many of the cannabis growers who are benefiting are from out of the area and have no regard for the local families they are affecting.

Again, please DENY the application of a cannabis permit for the Herrington property and the following properties:

16750 Herrington Road Middletown, CA 95461 - APN: 013-060-400-000 – 155 acres – Zone: RR

19678 Stinson Rd. Hidden Valley Lake, CA 95467 - APN: 013-014-110-000 – 107 acres – Zone: RR

17610 Sandy Rd. Middletown, CA 95461 - APN: 013-014-030-000 – 71 acres – Zone: RR

Thank you for your time and thoughtful consideration. Please don't hesitate to reach out if you need additional information.

Sincerely,

Todd & Shannon Williams
707-888-1116 - Shannon
707-363-0386 - Todd

Dear Mr. Porter, County Supervisors, Planning Dept. & Code Enforcement-

I am writing to OBJECT to the Major Use Permit that is being considered for "We Grow Farms - APN No's: 013-060-40, 013-014-03 and 11.

We chose to live in Lake County to help make a positive difference in the community. Seeing the abundance of marijuana grows being permitted in this county is incredibly concerning and disheartening. The one addressed in this letter is the largest concern we have seen due to its proximity to neighborhoods. We recently purchased a home in the Hidden Valley Ranchos as a safe place to start our family. Due to this application we now fear that we purchased in a less than ideal or safe area.

People decide to buy homes in this area for nature and quiet. In subdivisions on 3 of the sides to this property, there are a number of elderly people, as well as families with all ages of children, many of whom can be found playing outside, walking their dogs around the neighborhood and riding bikes. The idea of a commercial operation being built right next door to all of us is literally awful.

We are concerned about the extra traffic we are already seeing in and out of the property and the impact on our local roads. All the homeowners in the north area pay extra on our property taxes for a road maintenance fee. The owner of the Herrington property is not obligated to pay that currently, and yet, they will be bringing all sorts of trucks and traffic in and out of the property. Not to mention, I am concerned for the kids who are out playing in the neighborhood as a number of "workers" are driving VERY quickly up and down the roads, distracted and I am hoping and praying NOT under the influence of the substance that they are cultivating. If they decide to access the property from Stinson, the situation becomes even more dire as that road is tiny and leads to unpacked roads for access.

Already, law enforcement has been out to the property MULTIPLE TIMES where they found a large amount of stolen equipment. If this is how things are starting out, I can only imagine what other issues that will follow! Again, with the amount of children in our neighborhood, I am worried about bringing these people nearby. The safety and security of our community should be a PRIORITY for you as you make your decision.

Additionally, as you know, cannabis is not a regular agricultural crop. It has an extremely pungent smell that carries far beyond the property boundaries of which it is grown. Unlike vineyards or fruit orchards, this crop is nauseating and affects all of the properties around it, which includes many homes. Ravenhill park is extremely close to this planned grow and how terrible it is to think that our youngest citizens would be smelling this as they play. Not to mention the amount of water that will be used - drawing from the water reservoirs and water table that so many local homeowners rely on!

It is astonishing to me that this permit would even be considered after the illegal activity on the property, the lack of large roads for access, the proximity to neighborhoods and parks, as well

as the water usage. There are waterways on the property and this is a drought year we are headed into. Not only will they be removing ground water that people rely on to live, they will be using fertilizer on the property, which in turn can taint the water for our communities. Any crop on this land would be dangerous due to the waterways and the huge community that depends on clean water from this location.

The bottom line is this: Having a cannabis grow, whether out of sight or not, will still majorly affect the quality of life and the property values for the entire neighborhood affecting hundreds of people, if not more. The water concerns alone are enough to stop this permit immediately before people begin getting sick from the increase in water contaminants.

In addition, the owner of the Herrington property has already been in violation of county building codes, as I'm sure you know. Code enforcement had to step in to stop illegal construction already happening on this property. This should be a wake up call to decision makers as to what is to come!

While I understand the county's willingness to work with the cannabis industry, I also think it's extremely important that we don't negatively impact the tax paying residents of the County, especially when so many of the cannabis growers who are benefiting are from out of the area and have no regard for the local families they are affecting. It is apparent that these particular owners have no regard for the rules & regulations in place, nor for the neighborhoods they are affecting.

I implore you, as decision makers for this county, to consider how allowing a permit such as this will both set a precedent and also how it will negatively affect the hard-working, tax-paying members of our community. We should not be making cannabis growers a priority in this county - but rather the safety, security & well being of our entire community. This is not the right property for a grow to be taking place.

Again, please DENY the application of a cannabis permit for the Herrington property and the following properties:

16750 Herrington Road Middletown, CA 95461 - APN: 013-060-400-000 – 155 acres – Zone: RR
19678 Stinson Rd. Hidden Valley Lake, CA 95467 - APN: 013-014-110-000 – 107 acres – Zone: RR
17610 Sandy Rd. Middletown, CA 95461 - APN: 013-014-030-000 – 71 acres – Zone: RR

Thank you for your time and thoughtful consideration.

Sincerely,
Kenneth & Carly Sherman

Mr. Porter,

I am writing to voice my concerns regarding the WeGrow project on the basis of its extreme proximity to Hidden Valley Lake, the 2nd largest population center in Lake County. By my rough estimation the WeGrow project boundaries will be less than 1 mile from Hidden Valley Lake.

I believe the proximity of WeGrow's cannabis operation will reduce the desirability of homes and land in Hidden Valley Lake and will therefore negatively impact the value of the homes and vacant land in Hidden Valley Lake. This will then result in a reduction of property tax revenues to the County of Lake from these properties. This therefore constitutes a clear "lose-lose" financial proposition for both the property owners of Hidden Valley Lake as well as the County of Lake.

I recognize that WeGrow's application is in conformance with the boundaries of the Cannabis Exclusion Zones as currently drawn, but in a county as sparsely populated as Lake County I believe the lines drawn by the County of Lake for the Cannabis Exclusion Zones are drawn in absurdly close proximity to areas of population density, and that is certainly not in the public interest. I therefore urge a complete review of the County's Cannabis Exclusion Zones and a redrawing of the lines to no less than 5 miles from areas of population density within the County. Until such time as the matter is reviewed and the exclusion lines redrawn I do not believe the County should authorize any commercial cannabis operations.

Jessica Bennett
19302 N. Shore Court
Hidden Valley Lake, CA 95467



3-25-21



Hidden Valley Lake Community Services District

19400 Hartmann Road
Hidden Valley Lake, CA 95467
707.987.9201
707.987.3237 fax
www.hvicsd.org

unified approach to wildfire mitigation. Please consider careful electrical planning, and NFPA 1144 principles to fuels reduction.

XXI. MANDATORY FINDINGS OR SIGNIFICANCE

As mentioned in Section IV. BIOLOGICAL SOURCES, we ask that you consider the potential effects of construction activities on the special status plants and wildlife of this area and take appropriate steps to mitigate these effects.

It is clear that We Grow Farms is complying with CEQA terms, and we appreciate the work that has been conducted to date. We are also aware that South Lake County is growing and is uniquely poised for an economic upturn. Just as California Special Districts like HVLCSO are regulated by Local Agency Formation Commission (LAFCO), for orderly economic development, so it is with CEQA and County Planning. We look forward to a resolution of these concerns, so our county can benefit from the economic improvements this project proposes.

Please do keep us informed on the Hearing Date, as we would like to be present.

Thank you for your consideration.

Sincerely,

Dennis
White

DENNIS WHITE
GENERAL MANAGER
HIDDEN VALLEY LAKE
COMMUNITY SERVICES DISTRICT

Dennis White
General Manager
Hidden Valley Lake Community Services District



Hidden Valley Lake Community Services District

19400 Hartmann Road
Hidden Valley Lake, CA 95467
707.987.9201
707.987.3237 fax
www.hvicsd.org

X. HYDROLOGY AND WATER QUALITY

As previously mentioned, this project is located within the Upper Putah Creek Watershed. Stormwater drainage patterns have a significant impact on the water & wastewater operations at the Hidden Valley Lake Community Services District (HVLCD), as well as water quality for our downstream neighbors of Putah Creek. The increased frequency and increased intensity of winter storm events have necessitated a higher awareness and action plan for stormwater management at our utility. The applicant's stormwater pollution prevention plan (SWPPP) of a retention basin, and straw wattles is helpful. We would also like to see the project altered to include permeable surfaces instead of asphalt, as discussed in Section III. AIR QUALITY. Our request to alter the AQ-5 mitigation action is of paramount importance to groundwater recharge and flood mitigation.

Groundwater recharge: We look forward to the upcoming water availability analysis which will shed some light on the recharge rate of your water source. We can in-turn compare our monthly drawdown activities to yours, to determine a baseline.

Flood mitigation: The applicant is also planning to remove 500CY of soil, the maximum allowed for a building permit. We look forward to the County's analysis of engineered grading plans.

XIX. UTILITIES AND SERVICE SYSTEMS

As luck would have it (and by luck, I mean bad luck!), The State Water Resources Control Board (SWRCB) has indicated that we may be entering into a drought condition of unknown duration. Since the previous drought lasted four years, we recommend the applicant seriously consider the impacts a drought may have on the Hidden Valley Lake community as well as the impact to We Grow Farms. A recent geological study by the SWRCB Division of Water Rights (https://www.waterboards.ca.gov/waterights/water_issues/projects/coyote_valley_basin_aquifer_analysis/) of the Coyote Valley Aquifer revealed some interesting sub-surface water characteristics. The movement of water underground is considered a subterranean stream, and therefore contributing to the flow of Putah Creek within this watershed. Do you know if your well is drawing water from a subterranean stream or percolating groundwater? This will be an important distinction in the upcoming dry seasons.

XX. WILDFIRE

The "Diablo winds" of Northern California during the late summer of a drought year, combined with electricity have proven disastrous for small communities like Hidden Valley Lake. Please understand this utilities passion and determination when it comes to the reduction of hazardous wildfire fuels. We are all in the Mayacamas Mountains and can benefit from a consistent and



Hidden Valley Lake Community Services District

19400 Hartmann Road
Hidden Valley Lake, CA 95467
707.987.9201
707.987.3237 fax
www.hvicsd.org

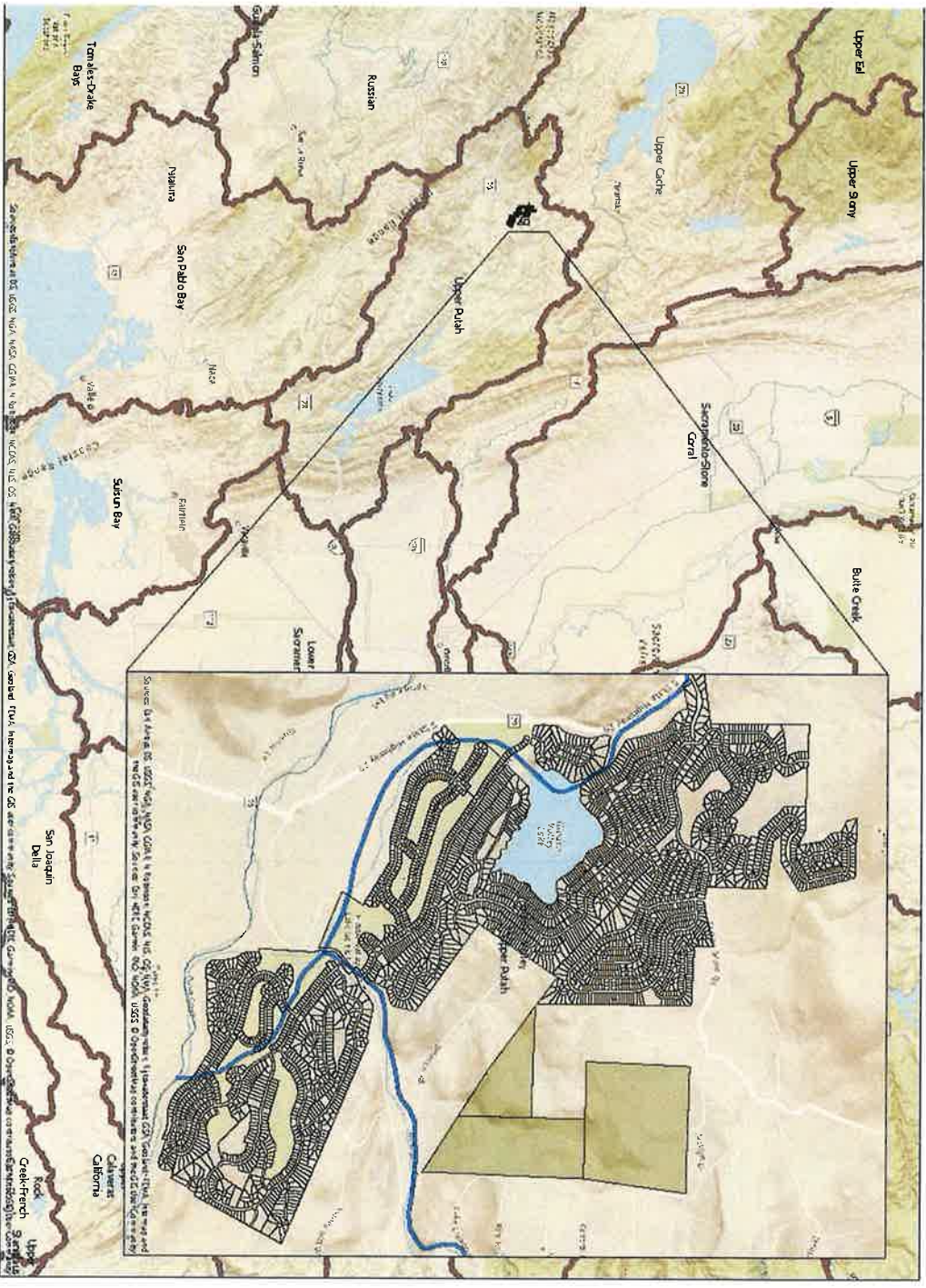


Figure 2

Perhaps your applicant is referring to a sub-watershed drainage basin in the immediate vicinity not named by the United States Geological Survey (USGS). We feel it is important to consider the effects of project activities to the entire Upper Putah Creek Watershed. A topological view of the project parcels reveals both hills and valleys, so I remain unsure of the meaning of "this hillside".

IX. HAZARDS AND HAZARDOUS MATERIALS

As is visually apparent in Figure 1, we would all experience the devastation of a major wildfire event. We are grateful for the applicant's efforts to reduce hazardous wildfire fuels with this project. We also invite the applicant to consider implementing 'Defensible Space' principles according to the NFPA 1144 guidelines that extend out 100' from the center of a residence or project.



Hidden Valley Lake Community Services District

19400 Hartmann Road
Hidden Valley Lake, CA 95467
707.987.9201
707.987.3237 fax
www.hvcsd.org

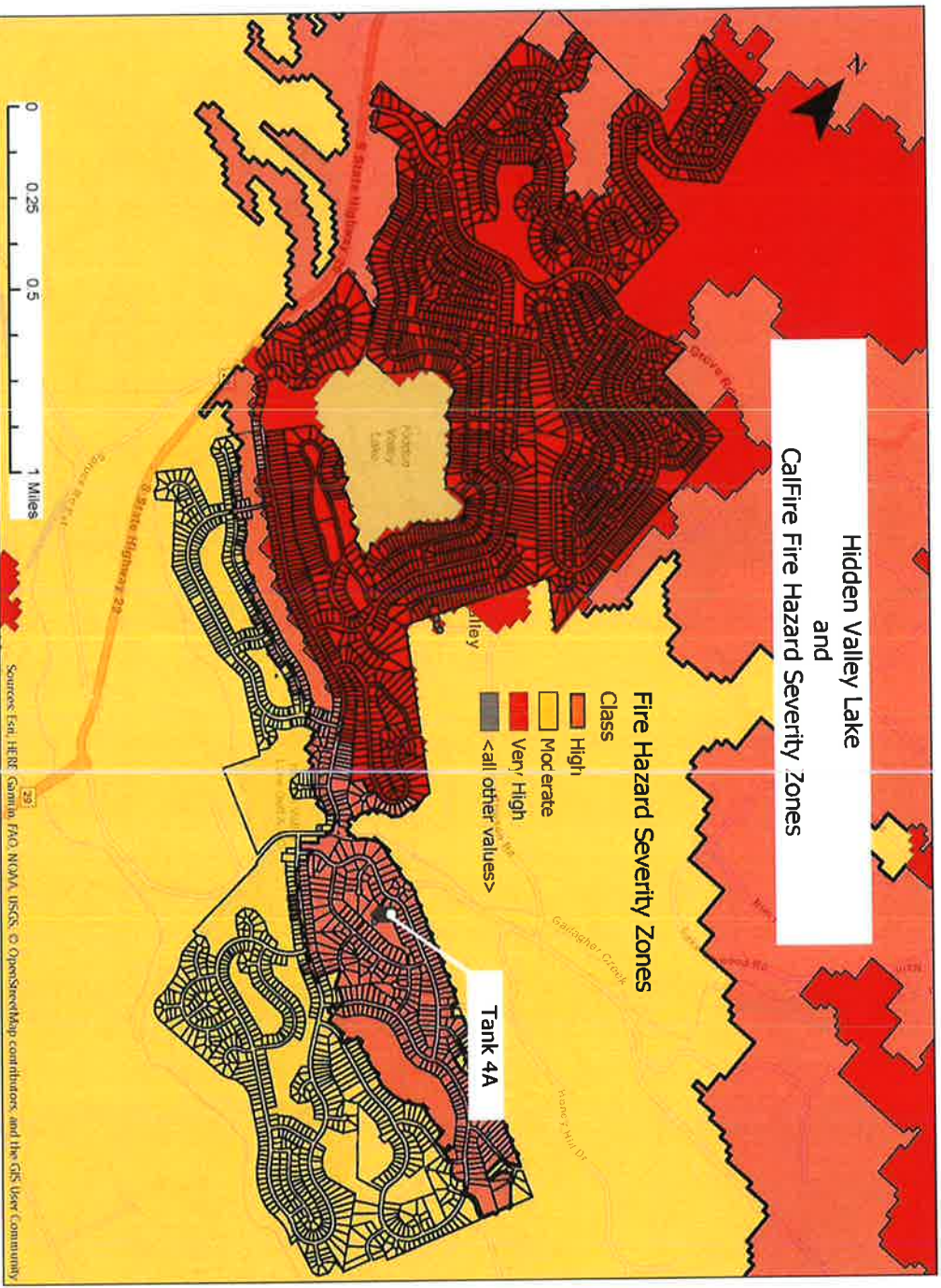


Figure 1

VII. GEOLOGY AND SOILS

Would it be possible to receive clarification on the following statement?

“The disturbed area is far enough away from the watershed that it will not impact this hillside with runoff, thus reducing risk of liquefaction.”

The HUC 18020117 Upper Putah Creek Watershed extends approximately 100 miles surrounding the applicant’s property, largely to the South and East (See Figure 2).



Hidden Valley Lake Community Services District

19400 Hartmann Road
Hidden Valley Lake, CA 95467
707.987.9201
707.987.3237 fax
www.hvicsd.org

IV. BIOLOGICAL SOURCES

As the water & wastewater entity of this community, we are dedicated to the good stewardship of the area's natural resources. Having considered the environmental impacts of multiple projects for our municipality, we have become aware of a few environmental considerations when conducting ground-disturbing activities.

Special Status Plants – Konociti Manzanita are prevalent in this area. The BIO-1 mitigation action of a follow-up 'in-season' study is appreciated. If this special status plant is found in the project area, we have learned that avoiding these plants to the greatest extent possible is a preferred mitigation action that can also contribute to the reduction of stormwater runoff potential.

Special Status Wildlife – The migratory bird treaty act (MBTA) was established to protect nesting birds (<https://wra-ca.com/spring-is-here-and-so-are-the-nesting-birds-what-does-it-mean-for-your-project/>). The BIO-1 mitigation action is also welcome because a survey by a qualified biologist during the nesting season of February 1 through August 31 could help identify active nests. The California Fish and Game Code (CFG) section 3503 states it is unlawful to "take, possess, or needlessly destroy the nest of eggs of any bird."

In particular, the White-Tailed Kite, and the Pallid Bat appear to have a moderate potential for roosting in the area. Potential impacts to birds and bats have been defined as project activities that create audible, vibratory, and/or visual disturbances that cause nest abandonment. Perhaps your applicant would consider the mitigation of this effect on wildlife.

VI. ENERGY

According to the CalFire Fire Hazard Severity Zone map (See Figure 1), your applicant's parcels are located in High and Very High Zones. Our community is painfully aware of the dangerous combination of electricity and high winds. We would urge your applicant to reach out to the electricity provider Pacific Gas and Electric to apprise them of the increased demand on distribution lines 1102 & 1103 within their "wind polygon".



Hidden Valley Lake Community Services District

19400 Hartmann Road
Hidden Valley Lake, CA 95467
707.987.9201
707.987.3237 fax
www.hvicsd.org

Thursday, March 25, 2021

Planning Division
Community Development Department
County of Lake
Attn: Mr. Eric Porter

RE: Comments regarding the proposed Mitigated Negative Declaration

Mr. Porter,

Thank you for the opportunity to review and provide comments on the proposed Mitigated Negative Declaration for the We Grow Farms Project. After reading through the California Environment Quality Act Environmental Checklist Form Initial Study (IS 20-25) that you sent on February 17, I have the following comments.

I. AESTHETICS

The Hidden Valley Lake Community is a Census Designated Place that has a population of approximately 7500. This population is higher than Lakeport, the county seat, and is therefore the second largest in the County. We are much closer to the parcels in question than Clearlake. In fact, 16750 Herrington Road is just over 2500' (.49 miles) from Ravenhill Park, home to a playground and walking trail. I ask that you consider the non-urban aesthetics of this project to Hidden Valley Lake. The elevation of the property is higher than Ravenhill Park, and therefore visible to the parents and children of our community.

III. AIR QUALITY

In the 7-10 week estimated structure construction timeline, it is appreciated that the applicant is taking measures to reduce fugitive dust generation. In the fifth Air Quality mitigation action (AQ-5), we would ask that the applicant consider having the primary access and parking areas constructed of permeable materials (<https://www.epa.gov/soakuptherain/soak-rain-permeable-pavement>). While the construction of the structures is a temporary condition, the useful life of a road and parking area is much longer. A permeable road surface over the next 10-20 rainy seasons, has the beneficial effects of contributing to subterranean streams and groundwater recharge, while also reducing the potential damaging effects of runoff to our rivers and streams.

From: Dan Weiss
To: Scott Nagelson
Cc: Eric Porter; Moke Simon; Jesse Cude; Olivia Cude; Chris Taylor; Julie Candelario; Rahul Pathare; Jeffrey Graham; Mary Sullivan; Patrick Wilken; Davis Palmer; David Dickson; Andrea Nagelson; Nathan@nathanthomason.com; hughesl@gmail.com; william@williamcooperdesign.com; mcchapman@outlook.com; danstone@mainairadiolence.com; kkgooden@gmail.com; Alka Aity; SFI13@me.com; rajsinh@gmail.com; jeff@bbuce.net; hellojiltman@gmail.com; michaeltwomey@comcast.net; jasonjones411@yahoo.com; cristina.jones@salesforce.com; imakley@comcast.net; wdlincoln@gmail.com; carolalincoln@gmail.com; dennis.jstone@wdrt.com; nanrain@aol.com; patricktaylor1231@gmail.com; sarah@ndvine.com; richmondsgns@me.com; sqhtam82@gmail.com
[EXTERNAL] Re: We Grow Farms Use Permit
Date: Friday, March 19, 2021 2:43:53 PM
Attachments: [Eric Porter.vcf](#)
[ATT00001.htm](#)

Sent from my iPhone

On Mar 19, 2021, at 1:09 PM, Scott Nagelson <scott.nagelson@gmail.com> wrote:

Re: We Grow Farms; Use Permit (UP 20-22) and Initial Study (IS 25-20)
16750 Herrington Road, Middletown, California
APN No's: 013-060-40, 013-014-03 and 11

Dear Mr. Porter:

My wife and I are writing to express opposition to the above referenced application for 15 commercial cannabis cultivation licenses and a self-distribution license. I have reviewed the Initial Study and other documents, including Chapter 21, Section 27 of the Lake County Code, and make the following observations:

1. 27-12(at)1.ii(e) requires the County to identify the individuals who manage, own and control the applicant. 27-12(at)1.ii(f) requires a background check of the applicant and the principals involved in the application. This section indicates that an applicant is disqualified if the applicant or employee has been convicted of an offense substantially related to the qualifications, functions or duties of the business. It is my understanding that stolen construction equipment was recovered from

this property prior to submission of the application. I also understand that the County discovered unpermitted construction work occurring and red-tagged the property. While I do not know the status of prosecution of these activities, it would seem to be a significant red flag with regard to the unsuitability of the applicant to qualify for a cultivation license.

2. 27-12(at)3.iv requires the applicant to submit a detailed Property Management Plan. While there are many aspects of this section that could be troubling for this application, as a property owner located downhill from the subject property, I am particularly concerned about stormwater and wastewater management. The Initial Study indicates that wastewater will be drained from the greenhouses into an existing on-site water basin. Undoubtedly, this wastewater will contain fertilizers and other harmful chemicals that will migrate downhill the into Putah Creek watershed.

Dear Mr. Porter, County Supervisors, Planning Dept. & Code Enforcement-

I am writing to OBJECT to the Major Use Permit that is being considered for "We Grow Farms - APN No's: 013-060-40, 013-014-03 and 11.

We chose to live in Lake County to help make a positive difference in the community. Seeing the abundance of marijuana grows being permitted in this county is incredibly concerning and disheartening. The one addressed in this letter is the largest concern we have seen due to its proximity to neighborhoods. We recently purchased a home in the Hidden Valley Ranchos as a safe place to start our family. Due to this application we now fear that we purchased in a less than ideal or safe area.

People decide to buy homes in this area for nature and quiet. In subdivisions on 3 of the sides to this property, there are a number of elderly people, as well as families with all ages of children, many of whom can be found playing outside, walking their dogs around the neighborhood and riding bikes. The idea of a commercial operation being built right next door to all of us is literally awful.

We are concerned about the extra traffic we are already seeing in and out of the property and the impact on our local roads. All the homeowners in the north area pay extra on our property taxes for a road maintenance fee. The owner of the Herrington property is not obligated to pay that currently, and yet, they will be bringing all sorts of trucks and traffic in and out of the property. Not to mention, I am concerned for the kids who are out playing in the neighborhood as a number of "workers" are driving VERY quickly up and down the roads, distracted and I am hoping and praying NOT under the influence of the substance that they are cultivating. If they decide to access the property from Stinson, the situation becomes even more dire as that road is tiny and leads to unpacked roads for access.

Already, law enforcement has been out to the property MULTIPLE TIMES where they found a large amount of stolen equipment. If this is how things are starting out, I can only imagine what other issues that will follow! Again, with the amount of children in our neighborhood, I am worried about bringing these people nearby. The safety and security of our community should be a PRIORITY for you as you make your decision.

Additionally, as you know, cannabis is not a regular agricultural crop. It has an extremely pungent smell that carries far beyond the property boundaries of which it is grown. Unlike vineyards or fruit orchards, this crop is nauseating and affects all of the properties around it, which includes many homes. Ravenhill park is extremely close to this planned grow and how terrible it is to think that our youngest citizens would be smelling this as they play. Not to mention the amount of water that will be used - drawing from the water reservoirs and water table that so many local homeowners rely on!

It is astonishing to me that this permit would even be considered after the illegal activity on the property, the lack of large roads for access, the proximity to neighborhoods and parks, as well

as the water usage. There are waterways on the property and this is a drought year we are headed into. Not only will they be removing ground water that people rely on to live, they will be using fertilizer on the property, which in turn can taint the water for our communities. Any crop on this land would be dangerous due to the waterways and the huge community that depends on clean water from this location.

The bottom line is this: Having a cannabis grow, whether out of sight or not, will still majority affect the quality of life and the property values for the entire neighborhood affecting hundreds of people, if not more. The water concerns alone are enough to stop this permit immediately before people begin getting sick from the increase in water contaminants.

In addition, the owner of the Herrington property has already been in violation of county building codes, as I'm sure you know. Code enforcement had to step in to stop illegal construction already happening on this property. This should be a wake up call to decision makers as to what is to come!

While I understand the county's willingness to work with the cannabis industry, I also think it's extremely important that we don't negatively impact the tax paying residents of the County, especially when so many of the cannabis growers who are benefiting are from out of the area and have no regard for the local families they are affecting. It is apparent that these particular owners have no regard for the rules & regulations in place, nor for the neighborhoods they are affecting.

I implore you, as decision makers for this county, to consider how allowing a permit such as this will both set a precedent and also how it will negatively affect the hard-working, tax-paying members of our community. We should not be making cannabis growers a priority in this county - but rather the safety, security & well being of our entire community. This is not the right property for a grow to be taking place.

Again, please DENY the application of a cannabis permit for the Herrington property and the following properties:

16750 Herrington Road Middletown, CA 95461 - APN: 013-060-400-000 – 155 acres – Zone: RR
19678 Stinson Rd. Hidden Valley Lake, CA 95467 - APN: 013-014-110-000 – 107 acres – Zone: RR
17610 Sandy Rd. Middletown, CA 95461 - APN: 013-014-030-000 – 71 acres – Zone: RR

Thank you for your time and thoughtful consideration.

Sincerely,
Kenneth & Carly Sherman

Kerrian Marriott

From: Eric Porter
Sent: Thursday, March 18, 2021 10:06 AM
To: Kerrian Marriott
Subject: RE: file no. UP 20-22, 'We Grow' (Otchkova) - a request

Kerry,

Below is the message that you could not open. It sounds like you need to get Adobe Acrobat installed on your computer to open pdfs! You can print this email and add it to the printed documents that you assisted with earlier this morning, and thanks again -

Eric

Begin forwarded message:

From: CAROL BECK <cablif@aol.com>
Subject: Request for documents Herrington Road
Date: March 11, 2021 at 1:46:36 PM PST
To: "eric.porter@lakecountyca.gov" <eric.porter@Lakecountyca.gov>

Hello Eric, I really appreciate your accommodation of my request for copies of the application, environmental documents, and all reference documents associated with the project at 16750 Herrington Road, Middletown. A friend of mine who lives in Lake County told me this was a possibility, and since we are considering moving to Middleton, and I am anxious to know the status of this project.

Thank you for your amicable professionalism.

Carol Beck
6480 Melville Lane
Oakland, CA 94611

From: Kerrian Marriott
Sent: Thursday, March 18, 2021 9:50 AM
To: Eric Porter <Eric.Porter@lakecountyca.gov>
Subject: RE: file no. UP 20-22, 'We Grow' (Otchkova) - a request

Hey Eric

I attached the only one not printed. I couldn't get the darn thing to open. Your good on the rest.

From: Eric Porter
Sent: Thursday, March 18, 2021 9:38 AM

To: Kerrian Marriott <Kerrian.Marriott@lakecountyca.gov>
Subject: RE: file no. UP 20-22, 'We Grow' (Otchkova) - a request

Thanks Kerry. Please let me know when they are printed so I can move them into a different folder.

Eric

From: Kerrian Marriott
Sent: Thursday, March 18, 2021 9:22 AM
To: Eric Porter <Eric.Porter@lakecountyca.gov>
Subject: RE: file no. UP 20-22, 'We Grow' (Otchkova) - a request

Hey Eric,

Of course!! I'll get em done right now.

From: Eric Porter
Sent: Thursday, March 18, 2021 9:16 AM
To: Kerrian Marriott <Kerrian.Marriott@lakecountyca.gov>
Subject: file no. UP 20-22, 'We Grow' (Otchkova) - a request

Good morning Kerry,

We're going to get bombarded with neighbor comments on this cannabis project. We've already received over 40 letters and emails in opposition.

Would you be willing to print the neighbor emails / letters that we have thus far and put them on my chair? I'll scan them in tomorrow when I'm back in the office; they will be attached to the staff report package as 'Attachment 9 – Public Comments'.

If you are willing to print them, here is the path to find them:

E/ADMINISTRATION/Staff current/Eric/UPs/UP 20-22 Otchkova/Public Comments

Let me know if you can help - this will be a tremendous help to me! I'll move the printed emails / letters into a new file called 'printed' once you've printed them. If you don't have time, please let me know and I will print them myself tomorrow.

Thanks,

Eric



Eric J. Porter
Associate Planner
Department of Community Development
255 N. Forbes St.
Lakeport, CA 95453
Phone: (707) 263-2221 x 37101
Fax: (707) 262-1843
Email: eric.porter@lakecountyca.gov
STAY CONNECTED:

Kerrian Marriott

From: CAROL BECK <cablife@aol.com>
Sent: Friday, March 12, 2021 6:45 PM
To: Eric Porter
Subject: [EXTERNAL] Fwd: Request for documents Herrington Road

Hello Eric,
I hope to hear from you soon.
Thanks,
Carol

Begin forwarded message:

From: CAROL BECK <cablife@aol.com>
Subject: Request for documents Herrington Road
Date: March 11, 2021 at 1:46:36 PM PST
To: "eric.porter@lakecountyca.gov" <eric.porter@Lakecountyca.gov>

Hello Eric, I really appreciate your accommodation of my request for copies of the application, environmental documents, and all reference documents associated with the project at 16750 Herrington Road, Middletown. A friend of mine who lives in Lake County told me this was a possibility, and since we are considering moving to Middleton, and I am anxious to know the status of this project.

Thank you for your amicable professionalism.

Carol Beck
6480 Melville Lane
Oakland, CA 94611

cablife@aol.com

Kerrian Marriott

From: Nikky Creager <creager03@gmail.com>
Sent: Monday, March 1, 2021 2:34 PM
To: Eric Porter
Cc: make.simon@lakecounty.gov
Subject: [EXTERNAL] 16750 Harrington Road, Middletown, CA

RE:

16750 Herrington Road Middletown, CA 95461

APN: 013-060-400-000 – 155 acres

19678 Stinson Rd. Hidden Valley Lake, CA 95467

APN: 013-014-110-000 – 107 acres

17610 Sandy Rd. Middletown, CA 95461

APN: 013-014-030-000 – 71 acres

Dear Sir(s),

I am a property owner & local business owner on Jaclyn Dr. bordering the location site on 16750 Harrington Rd. I am aware of the potential use permit for the property in question to have a planned commercial cannabis grow on that site.

This site, in question, is bordered by residential areas with families that have small children. This will impact our quiet, family atmosphere as well as our road use (Spruce Grove Rd.) that is in need of major repairs with numerous potholes and no shoulder. Residents here are required to pay a road tax that unfortunately Harrington Rd owner does not (WHY??). If they will be allowed to use that entrance for commercial use, then they need to pay the road tax as well as improvement to our road (Tinilyn & Jaclyn).

As a property owner we have noticed non clandestine events that have happened on the property in prior months: Late night construction, semi-trucks making late-night deliveries, out-of state vehicles in/out of gate, stolen equipment retrieval, swat team helicoptered in to cut down illegal grow, etc... We are a small tight knit community with children and this will pose a risk to our safe environment.

Also, we all have private wells and this will impact our water table. We have a serious drought situation if we don't see any rain in the future before summer begins. This will adversely affect our water use.

If you allow them a use permit, many of us in this area (Shadow Hills Estates) will leave the county along with our businesses. We will no longer feel safe in this county to raise our children.

Just a brief summary: The Herrington Ranch is 333 acres sold on 1/29/2020 to an out-of-state property owner. This property borders The Ranchos to the South, Rim Rock to the East, the Shadow Hills Subdivision (Jaclyn Dr.) to the North, and Hidden Valley to the West (less than 450 yards from Ravenhill Park. The new property owners purchased the property in January of 2020. In February of 2020, the new owners brought in stolen heavy equipment and the CHP served a search warrant. The stolen equipment was recovered and returned to the owners. CHP Northern ISU Case # F0005-107-20. Unpermitted construction began in March of 2020. This also included semi-truck deliveries, numerous out-of-state vehicles, and non-local workers coming in after 10pm and gone by sunrise. This continued until the County responded and Red Tagged the property.

Please consider the impact this Commercial Cannabis Business will have on our residential neighborhood:

- From the start, the new property owners were cutting corners, sneaking around, and stealing equipment.
- The illegal building and felony violation should prevent the permit from being issued according to Lake County Ordinance Chapter 21, Article 27. These violations were not even mentioned in the initial study prepared by the county.
- We continue to be in a drought, so water for 395,000 square feet of cannabis is a huge concern. The County estimates the water usage at 750,000 gallons for each grow. The new owners are applying for indoor lighting on their greenhouses, which gives the new owners the potential of 4 grows per year. That equates to 3 MILLION gallons per year!
- There will be an impact to our Air Quality. The year-round smell put off by cannabis and living or buying next door will affect our resale values.
- The criminal element that always seems to follow this type of business is a huge concern with all the children outside playing in the residential neighborhoods surrounding this property on all sides.
- The increased traffic and damage/wear to our roads should cause concern. Spruce Grove Rd already suffers from potholes and has no-shoulders, which have also caused several accidents and hazardous material spills as the road narrows and winds its way towards Tinilyn.
 - In addition, the Shadow Hills and Dohnery Ridge Subdivisions pay a separate road tax for a yearly road maintenance that Herrington Rd is not required to pay. They have an easement that runs through both subdivisions, therefore have been able to avoid the road tax. A commercial operation will certainly impact our roads much more than the current residential impact.

I am requesting to be notified of the public hearing on this project.

I am also requesting a "NO EARLY ACTIVATION" on this intended project.

And foremost, I am requesting that you seriously consider denying this project. Not a good fit for this area...to many residential properties that border this location.

Sincerely,

Jason & Nikol Creager

J.C. Construction & Grading

19910 Jaclyn Dr.

19965 Jaclyn Dr.

Lower Lake, CA;95457



Kerrian Marriott

From: Jesse Cude <jcude@att.net>
Sent: Wednesday, March 25, 2020 3:06 PM
To: Eric Porter; Moke Simon; Andrew Williams; dennis.kiethly@lakecountyca.gov; Gary Frace
Cc: rhearn@chp.ca.gov
Subject: [EXTERNAL]16750 Herrington Road.

Here is the information I have so far on the properties listed below. The property is bordered by my subdivision to the north, Hidden Valley to the south and west, and Rim Rock ranch subdivision to the east. There is no current permitted residence on the property.

16750 Herrington Road Middletown, CA 95461

APN: 013-060-400-000 – 155 acres – Zone: RR

19678 Stinson Rd. Hidden Valley Lake, CA 95467

APN: 013-014-110-000 – 107 acres – Zone: RR

17610 Sandy Rd. Middletown, CA 95461

APN: 013-014-030-000 – 71 acres – Zone: RR

1/29/20 – Property sold (the three lots listed above) \$1,300,000 cash. Purchased by Zarina Otchkova. Single Woman. Address: 28592 N. 68th Avenue Peoria, AZ 85383.

2/27/20 – Stolen heavy equipment arrives. Witnessed by a neighboring property owner.

3/3/20 – CHP serves search warrant and recovers stolen equipment on the property. CHP Northern ISU Case # F0005-107-20.

3/12/20 – Truck loads of construction materials start arriving. (photos if needed)

3/15/20 – Unpermitted construction begins inside and outside of existing barn, also a large structure being constructed next to barn, witnessed by myself and neighboring property owners. I have photos if needed.

I am the president of the Dohnery Ridge and Shadow Hills homeowner association. I and the 52 residents in the subdivision are concerned about the permitting of a commercial marijuana operation that starts out by committing felonies and building without permits. We are also concerned that if the permit is granted it gives legitimacy to these non-locals. The county should not allow corner cutting and stealing equipment to start a business and compete with legitimate local growers. If this type of behavior is approved of by the County, then the word will get out and more of these types of problems will come to Lake County. Also, this property has an easement through Jaclyn Dr which is in our Subdivision. Our Subdivision has a private road agreement that all the residents pay to Lake County with our property taxes. This property does not currently contribute to our road maintenance. We are requesting that any future permit include a road maintenance fee to help

maintain the roads they are using. A commercial operation will certainly impact our roads much more than the current residential impact.

If you have any questions, please feel free to call me.

Thank you.

J. Cude
(707) 322-1832
jcude@att.net

Kerrian Marriott

From: Jesse Cude <jcude@att.net>
Sent: Wednesday, February 24, 2021 9:57 AM
To: CDD - Email; PlanningCounter@lakecountyca.gov
Cc: Eric Porter
Subject: [EXTERNAL] Project Title: We Grow Farm 16750 Herrington Rd. Middletown, CA

Project Title: We Grow Farm - 16750 Herrington Rd. Middletown, CA

MAJOR USE PERMIT (UP 20-22) and Initial Study (IS 20-25)

I am writing to request a copy of the application, environmental documents and all referenced documents associated with the project with the above listed address.

Email documents to: jcude@att.net

Text documents to: 707-322-1832

Thank you,

J. Cude
(707) 322-1832
jcude@att.net

Kerrian Marriott

From: Jesse Cude <jcude@att.net>
Sent: Wednesday, March 3, 2021 4:02 PM
To: Eric Porter
Cc: Moke Simon; Andrew Williams; Dennis Keithly; Mark Roberts; Jim Ryan; adye@chp.ca.gov; Karen Price; Six Sigma - Kaj Ahlmann; dibipi@gmail.com; scott.nagelson@gmail.com; mike.wink@fireca.gov; dennispgrrove@yahoo.com; 'Allison Brown'; 'Craig Bainbridge'; 'Dan & Deedee Levine'; 'Dan Hart'; 'Ellen Leu'; 'Jake Watson'; 'James Watson'; 'Janice Thompson'; 'Jason Krauss'; 'Jeannie Creager'; 'Jesse Cude'; 'Jill Hearn'; 'Jillian Krauss'; 'Julian'; 'Kathy Watson'; 'Lisa Hart'; 'MBC -Doug Thompson'; 'Nikky Creager'; 'Olivia Cude'; 'Rob Hearn'; 'Shawn Lescher'; 'Todd Shannon Williams'; 'Tom'; 'Darryl Mills'; 'Misha Grothe'; 'Pat Taylor'; 'Richmond'
Subject: [EXTERNAL] 16750 Herrington Road; file no. UP 20-22, Otchkova

Mr. Porter,

I am writing this email to formally oppose the commercial permit being sought on the below properties. I am within 700 feet of the property and in fact, share a lot corner with the Herrington Rd property. I have the following concerns that I am requesting a response from the County.

1. Water usage. We are in a drought and all the wells in this area are stressed. You have mentioned the estimate for each grow to be 746,000 gallons of water. However, the initial study report failed to disclose that if the permit includes grow lights the owners could have up to four grows per calendar year. This means the potential water use would be 2,984,000 gallons per year. There are 15 residential wells and two high volume commercial wells within 700 feet of the property.
2. Shadow Hills/Dohnery Ridge county road maintenance agreement. It is stated in the initial study that the access for the large scale commercial project will be through our quiet residential subdivision on Jaclyn Dr. All the residents in the Shadow Hills and Dohnery Ridge subdivisions pay the county for road maintenance. There is no mention in the initial study of the impact of commercial traffic on Jaclyn Dr. At a minimum, the owners should pay into our road agreement with the county and that should be retroactive to the time of purchase. Also, there are no stop signs at our intersections in the subdivision. I am requesting stop signs and that the Herrington property owners pay for them.
3. Early Activation. Based on the trac record of the new owners violating laws and county codes, no early activation should occur. All mitigation measures should be completed before the growing starts.
4. In the initial study it states that the property is 309 acres which would allow for the 15 licenses that are being sought (20 acres per license). However, approximately 100 acres of the property are in the exclusionary zone and can't be used or included in the calculation for the number of licenses. The number of licenses allowed should be amended to 10 licenses.
5. Fence height. The aesthetics of the green houses from the residences above the project will be significantly affected. There are 13 homes which are elevated above the project and will have a view of the green houses. The fence height should be amended to 8 feet to lower the impact to those residents.
6. The illegal building and felony violation should prevent the permit from being issued according to Lake County Ordinance Chapter 21, Article 27. The felony violation is documented in a CHP report, CHP Northern ISU Case # F0005-107-20. I don't have the case numbers for the county code violations, however I'm sure you have access to them.

7. Accountability. There seems to be a lack of staffing to respond to complaints surrounding commercial growing operations. How many legal commercial grows are in lake county? How many staff are directly assigned to investigate complaints? How many complaints in 2020?

I would like to reiterate; I do not wish for this application to be approved. It does not belong in a residential neighborhood and our roads and wells cannot support it.

Please forward this email to any county employees that are involved in the approval or denial of this permit. If you have any questions, please feel free to call me.

Thank you.

Jesse Cude
Parcel# 013-061-140-000
(707) 322-1832
jcude@att.net

16750 Herrington Road Middletown, CA 95461

APN: 013-060-400-000 – 155 acres – Zone: RR

19678 Stinson Rd. Hidden Valley Lake, CA 95467

APN: 013-014-110-000 – 107 acres – Zone: RR

17610 Sandy Rd. Middletown, CA 95461

APN: 013-014-030-000 – 71 acres – Zone: RR

Kerrian Marriott

From: Dan Levine <danhomerepair@gmail.com>
Sent: Wednesday, March 10, 2021 3:28 PM
To: Eric Porter
Subject: [EXTERNAL] Re: Commercial cannabis file UP 20-22, Otchkova

Eric, my address is
Dan Levine
19920, Nicholas Way, Lower Lake ca.
95457
Yes, you can send Diane Levine her notice here as well.
Thank you
Sent from my iPhone

On Mar 10, 2021, at 3:21 PM, Eric Porter <Eric.Porter@lakecountyca.gov> wrote:

Hi Dan,

I need your mailing address so I'm sure you get a Public Hearing Notice once they are ready to send out.

Also, does Diane Levine reside at the same address?

Thanks,
Eric Porter

Kerrian Marriott

From: Dr. Will Tuttle <karunaveg@gmail.com>
Sent: Saturday, March 6, 2021 8:17 AM
To: Eric Porter
Subject: [EXTERNAL] Commercial Cannabis Grow

Hello Eric,

I'm writing because I'm a resident of Hidden Valley Lake and just heard that there's a proposed large new commercial cannabis grow in the area of 16750 Herrington Road.

Can you please keep me informed if there is a mailing list of info on this, and send any initial study that may be available.

thanks!

Dr. Will Tuttle
Hidden Valley Lake, CA

Kerrian Marriott

From: J K <jrk1976@yahoo.com>
Sent: Wednesday, March 17, 2021 11:28 PM
To: Eric Porter
Subject: [EXTERNAL] 16750 Herrington rd
Attachments: 16750 Herrington RD.docx; ATT00001.txt

Mr. Porter,

Attached you will find my initial opposition to this project.

Thank you in advance,

Jason Krauss

16750 Herrington Road

Major Use Permit (UP-20-22); Initial Study (20-25)

Mr. Porter,

I am reaching out to you regarding the aforementioned Major Use Permit and Initial Study (IS) for the proposed cannabis grow and self-distribution application at 16750 Herrington Road. This application and related permits must be denied. The applicant produced an IS report with several technical inadequacies, misleading and/or untrue statements, and has already committed crimes at the listed location.

The Initial Study (IS 20-25), as you are aware, contains several technical inadequacies and misleading statements. For example:

- The applicant incorrectly states the area is sparsely populated (the projects is surrounded by residential communities on all sides)-odors will inevitably make their way to all of the surrounding neighborhoods.
- The proposed 6' fence will not provide adequate privacy screening and will degrade the existing visual character of the area (this property is known as the "green barn" property because it has a green barn that is visible from several adjacent properties and roadways). Additionally, the 6' fence will not prevent light from the greenhouses being visible from several nearby properties.
- Applicant indicates that each greenhouse will have an "air and odor" filtration system and then incorrectly assumes this will be a "less than significant impact." The applicant does not take the time to address CFM's required to mitigate the significant volume of odor from this many greenhouses; nor does the applicant identify how many hours a day these filters will run and at what decibel levels.
- Applicant does not acknowledge the regularity of PSPS events and the negative impacts of generators constantly running in a primarily residential area.
- Applicant should be required to produce engineered grading plans
- Hydrologic Analysis should be required which demonstrates that the developed post-project runoff rate will not exceed the existing pre-project runoff rate.
- The well pump test is outdated. A current WAA must be completed and the applicant needs to correct the anticipated water usage-which will be well north of 1 million gallons, not the stated 700 thousand gallons (+)
- Applicant states there will not need to be increased police protection, yet applicant anticipates needing surveillance cameras.
- A traffic analysis should be required. The intersection of Tinilyn road and Jacelyn has no traffic control devices and was not designed to handle the increased traffic of commercial vehicles this project will bring. There are no sidewalks in this area, as it was designed/approved by county as intended residential. Foot traffic is required to use the roadway. The applicant entirely neglects this major impact to quality of life.

- **The applicant has already shown blatant disregard for the law and our local ordinances. The applicant engaged in serious felony activity by being in possession of stolen construction equipment on the property and has violated several local building ordinances-requiring both law enforcement and code enforcement respond to the property.**

In closing, this commercial project is off to a highly questionable start, resulting in negative impacts to area residents and government services. The applicant should not be rewarded with project approval and/or expanded use.

Thank you for your careful consideration.

Jason Krauss

Kerrian Marriott

From: Jesse Jones <jesseljones83@gmail.com>
Sent: Saturday, March 13, 2021 7:39 AM
To: Eric Porter
Subject: [EXTERNAL] Re: Proposed Marijuana grow near hvl

This wasn't for a grow I intended to implement. This was in reference to the proposed grow near tinlyn rd and the fire danger that activity can present to the community of HVL.

Sent from my Verizon, Samsung Galaxy smartphone
Get [Outlook for Android](#)

From: Eric Porter <Eric.Porter@lakecountycal.gov>
Sent: Friday, March 12, 2021 11:06:28 PM
To: Jesse Jones <jesseljones83@gmail.com>
Subject: RE: Proposed Marijuana grow near hvl

Jesse,

It totally depends on what you have been approved for.

1. Do you have an approved Use Permit for growing cannabis?
2. If so, what is the file number? UP XX-XX
3. Were you approved for an indoor (greenhouse) grow?
4. If so, what do the conditions of approval that you were required to sign say?

Take care,
Eric Porter

From: Jesse Jones [mailto:jesseljones83@gmail.com]
Sent: Thursday, March 11, 2021 8:46 PM
To: Eric Porter <Eric.Porter@lakecountycal.gov>
Subject: [EXTERNAL] Proposed Marijuana grow near hvl

Hello,

I had a quick question on this project..

What are the requirements for fire suppression within an artificially lit grow house and processing facility? There have been a few I have seen that don't have anything at all, and with the dense fuel around the area and the proximity to a residential area it concerns me.

I appreciate you taking your time if you have it to ease my mind.

Thank you

Jesse Jones

Sent from my Verizon, Samsung Galaxy smartphone
Get [Outlook for Android](#)

Kerrian Marriott

From: jim ryan <emeraldlad2000@yahoo.com>
Sent: Wednesday, March 10, 2021 8:51 PM
To: Eric Porter
Subject: Re: [EXTERNAL] Re: 16750 Herrington Road; file no. UP 20-22, Otchkova

16912 Greenridge Rd. HVLA. Thank you

[Sent from Yahoo Mail for iPhone](#)

On Wednesday, March 10, 2021, 15:29, Eric Porter <Eric.Porter@lakecountyca.gov> wrote:

Hi Jim,

I need your mailing address so I can send you a public hearing notice on this application once it is ready to send out. The tentative hearing date is April 22, time TBD.

Thanks,

Eric Porter

Planner

County of Lake

From: jim ryan [mailto:emeraldlad2000@yahoo.com]
Sent: Thursday, March 4, 2021 6:26 PM
To: Eric Porter <Eric.Porter@lakecountyca.gov>
Subject: Re: [EXTERNAL] Re: 16750 Herrington Road; file no. UP 20-22, Otchkova

Mr Porter,

I reside just west of this proposed project and will certainly be effected by it. Please let me know of the date/time of this hearing. The area impact will certainly be larger than a mere 725ft. The mentioned criminal elements that associate with this project have already revealed themselves as Mr. Cude has outlined.

I look forward to your reply.

Sincerely, Mr. James Ryan (Hidden Valley Lake). Just to confirm my contact at emeraldlad2000@yahoo.

Sent from Yahoo Mail for iPhone

On Thursday, March 4, 2021, 08:49, Eric Porter <Eric.Porter@lakecountyca.gov> wrote:

Ms. Price,

Just as an FYI – our notice area only covers up to 725 feet from a project whose property is over 5 acres. If any of the persons that you have cc'd want a notice of public hearing on this item once the hearing date is scheduled, they will need to request it from me if they are further than 725 feet from any property line of the project site.

Email request for notice is fine. The hearing will be done remotely by Zoom, and we will send the Zoom link to anyone wishing to participate.

Take care,

Eric Porter

From: Karen Price [<mailto:karen@priceranch.com>]

Sent: Wednesday, March 3, 2021 8:08 PM

To: Jesse Cude <jcude@att.net>

Cc: Eric Porter <Eric.Porter@lakecountyca.gov>; Moke Simon

<Moke.Simon@lakecountyca.gov>; Andrew Williams

<Andrew.Williams@lakecountyca.gov>; Dennis Keithly

<Dennis.Keithly@lakecountyca.gov>; Mark Roberts

<Mark.Roberts@lakecountyca.gov>; Jim Ryan <emeraldlad2000@yahoo.com>;

adye@chp.ca.gov; Six Sigma - Kaj Ahlmann <kahlmann@sixsigmaranch.com>;

dibipi@gmail.com; scott.nagelson@gmail.com; mike.wink@fireca.gov;

dennispgrove@yahoo.com; Allison Brown <brattybones@yahoo.com>; Craig

Bainbridge <cdmbainbridge@hotmail.com>; Dan & Deedee Levine

<danhomerepair@gmail.com>; Dan Hart <baseballnut27@yahoo.com>; Ellen

Leu <ellenmleu@att.net>; Jake Watson <jake@vantageconstructionco.com>;

James Watson <jimmy@vantageconstructionco.com>; Janice Thompson

<janicekthompson@hotmail.com>; Jason Krauss <jrk1976@yahoo.com>;

Jeannie Creager <prairiebell@comcast.net>; Jill Hearn <jillhearn6@icloud.com>;

Jillian Krauss <jillian_corsetti@yahoo.com>; Julian

<juliannerentshvl@yahoo.com>; Kathy Watson <kathryn.osmun@gmail.com>;

Lisa Hart <lisadhart@hotmail.com>; MBC -Doug Thompson

<pastordougmbc@gmail.com>; Nikky Creager

<middletownchristianschool@gmail.com>; Olivia Cude <oliviarae@att.net>; Rob

Hearn <robhearn16093@me.com>; Shawn Lescher <lescher5@att.net>; Todd Shannon Williams <shannon_williams@mchsi.com>; Tom <tmlaughlin@gmail.com>; Darryl Mills <dmillscon@gmail.com>; Misha Grothe <mishamonet@yahoo.com>; Pat Taylor <Patricktaylor1231@gmail.com>; Richmond <richmond designs@me.com>; Jen Home <jenniferheiser@att.net>; Greg Price <greg@priceranch.com>
Subject: [EXTERNAL] Re: 16750 Herrington Road; file no. UP 20-22, Otchkova

Dear M. Porter,

To add to your already busy day, I would be interested in receiving more information regarding this significant project including, but not limited to, the application, Biological Study, Cultural Study, and Initial Study. I would also appreciate details regarding the self-distribution/transport application, if that is within your purview. Please let me know.

I reside just down the street of this project on Spruce Grove Road. My initial concerns are not limited to traffic along my rural property, water resources, water quality concerns, light pollution, and energy demands to an already overtaxed and unstable system, and general impacts to our community. While I am just outside of Hidden Valley Lake (my property borders HVL), I am concerned and would like substantial consideration given to this residential community and very close proximity to Raven Hill Park enjoyed by local residents, pets, and play structures enjoyed by children and their families.

I am further concerned about the early development of this site. From what I have heard, this was not done in a responsible manner, if not in a criminal manner. This does not give me confidence about this enterprise being a good neighbor or partnering with our community going forward. THIS EARLY ACTIVATION SHOULD IMMEDIATELY STOP pending further review.

Additionally, I would like to remind you about the Wild Diamonds Vineyards and Winery project, on the mountain above our home, and in close proximity of this proposed development, that was proposed a few years ago and who's project and Environmental Impact Report (EIR) appeal was denied by the county Board of Supervisors.

My final request is that, besides notification of any Public Hearing and a full cease of early operations occurs immediately, is that a full EIR is completed for

this proposed significant impact project and made widely available to the public/interested parties.

This project SHOULD NOT BE APPROVED, before it is fully vetted on all fronts.

Thank you in advance for your consideration and response.

Karen Price

16265 Spruce Grove Road

(707) 484-0599

On Mar 3, 2021, at 4:02 PM, Jesse Cude <jcude@att.net> wrote:

Mr. Porter,

I am writing this email to formally oppose the commercial permit being sought on the below properties. I am within 700 feet of the property and in fact, share a lot corner with the Herrington Rd property. I have the following concerns that I am requesting a response from the County.

1. Water usage. We are in a drought and all the wells in this area are stressed. You have mentioned the estimate for each grow to be 746,000 gallons of water. However, the initial study report failed to disclose that if the permit includes grow lights the owners could have up to four grows per calendar year. This means the potential water use would be 2,984,000 gallons per year. There are 15 residential wells and two high volume commercial wells within 700 feet of the property.
2. Shadow Hills/Dohnery Ridge county road maintenance agreement. It is stated in the initial study that the access for the large scale commercial project will be through our quiet residential subdivision on Jaclyn Dr. All the residents in the Shadow Hills and Dohnery Ridge subdivisions pay the county for road maintenance. There is no mention in the initial study of the impact of commercial traffic on Jaclyn Dr. At a minimum, the owners should pay into our road

agreement with the county and that should be retroactive to the time of purchase. Also, there are no stop signs at our intersections in the subdivision. I am requesting stop signs and that the Herrington property owners pay for them.

3. Early Activation. Based on the trac record of the new owners violating laws and county codes, no early activation should occur. All mitigation measures should be completed before the growing starts.
4. In the initial study it states that the property is 309 acres which would allow for the 15 licenses that are being sought (20 acres per license). However, approximately 100 acres of the property are in the exclusionary zone and can't be used or included in the calculation for the number of licenses. The number of licenses allowed should be amended to 10 licenses.
5. Fence height. The aesthetics of the green houses from the residences above the project will be significantly affected. There are 13 homes which are elevated above the project and will have a view of the green houses. The fence height should be amended to 8 feet to lower the impact to those residents.
6. The illegal building and felony violation should prevent the permit from being issued according to Lake County Ordinance Chapter 21, Article 27. The felony violation is documented in a CHP report, CHP Northern ISU Case # F0005-107-20. I don't have the case numbers for the county code violations, however I'm sure you have access to them.
7. Accountability. There seems to be a lack of staffing to respond to complaints surrounding commercial growing operations. How many legal commercial grows are in lake county? How many staff are directly assigned to investigate complaints? How many complaints in 2020?

I would like to reiterate; I do not wish for this application to be approved. It does not belong in a residential neighborhood and our roads and wells cannot support it.

Please forward this email to any county employees that are involved in the approval or denial of this permit. If you have any questions, please feel free to call me.

Thank you.

Jesse Cude

Parcel# 013-061-140-000

(707) 322-1832

jcude@att.net

16750 Herrington Road Middletown, CA 95461

APN: 013-060-400-000 – 155 acres – Zone: RR

19678 Stinson Rd. Hidden Valley Lake, CA 95467

APN: 013-014-110-000 – 107 acres – Zone: RR

17610 Sandy Rd. Middletown, CA 95461

APN: 013-014-030-000 – 71 acres – Zone: RR

Kerrian Marriott

From: Julianne Schisler <juliannerentshvl@yahoo.com>
Sent: Thursday, March 4, 2021 1:02 PM
To: Eric Porter
Subject: Re: [EXTERNAL] Re: 16750 Herrington Road; file no. UP 20-22, Otchkova

Hi Eric,

May I be included? My property is on Nicholas and I think I'm a bit over 725 feet away, so I don't think that I am included already.

Thank you in advance!

Julianne Schisler

On Mar 4, 2021, at 8:49 AM, Eric Porter <Eric.Porter@lakecountyca.gov> wrote:

Ms. Price,

Just as an FYI – our notice area only covers up to 725 feet from a project whose property is over 5 acres. If any of the persons that you have cc'd want a notice of public hearing on this item once the hearing date is scheduled, they will need to request it from me if they are further than 725 feet from any property line of the project site.

Email request for notice is fine. The hearing will be done remotely by Zoom, and we will send the Zoom link to anyone wishing to participate.

Take care,

Eric Porter

From: Karen Price [<mailto:karen@priceranch.com>]
Sent: Wednesday, March 3, 2021 8:08 PM
To: Jesse Cude <jcude@att.net>
Cc: Eric Porter <Eric.Porter@lakecountyca.gov>; Moke Simon <Moke.Simon@lakecountyca.gov>; Andrew Williams <Andrew.Williams@lakecountyca.gov>; Dennis Keithly <Dennis.Keithly@lakecountyca.gov>; Mark Roberts <Mark.Roberts@lakecountyca.gov>; Jim Ryan <emeraldlad2000@yahoo.com>; adye@chp.ca.gov; Six Sigma - Kaj Ahlmann <kahlmann@sixsigmaranch.com>; dibipi@gmail.com; scott.nagelson@gmail.com; mike.wink@fireca.gov; dennispgrove@yahoo.com; Allison Brown <brattybones@yahoo.com>; Craig Bainbridge <cdbainbridge@hotmail.com>; Dan & Deedee Levine <danhomerepair@gmail.com>; Dan Hart <baseballnut27@yahoo.com>; Ellen Leu <ellenmleu@att.net>; Jake Watson <jake@vantageconstructionco.com>; James Watson <jimmy@vantageconstructionco.com>; Janice Thompson <janicekthompson@hotmail.com>; Jason Krauss <jrk1976@yahoo.com>; Jeannie Creager <prairiebell@comcast.net>; Jill Hearn <jillhearn6@icloud.com>; Jillian Krauss <jillian_corsetti@yahoo.com>; Julian <juliannerentshvl@yahoo.com>; Kathy Watson <kathryn.osmun@gmail.com>; Lisa Hart <lisadhart@hotmail.com>; MBC -Doug Thompson

<pastordougmbc@gmail.com>; Nikky Creager <middletownchristianschool@gmail.com>; Olivia Cude <oliviarae@att.net>; Rob Hearn <robhearn16093@me.com>; Shawn Lescher <lescher5@att.net>; Todd Shannon Williams <shannon_williams@mchsi.com>; Tom <tmlaughlin@gmail.com>; Darryl Mills <dmillscon@gmail.com>; Misha Grothe <mishamonet@yahoo.com>; Pat Taylor <Patricktaylor1231@gmail.com>; Richmond <richmond designs@me.com>; Jen Home <jenniferheiser@att.net>; Greg Price <greg@priceranch.com>

Subject: [EXTERNAL] Re: 16750 Herrington Road; file no. UP 20-22, Otchkova

Dear M. Porter,

To add to your already busy day, I would be interested in receiving more information regarding this significant project including, but not limited to, the application, Biological Study, Cultural Study, and Initial Study. I would also appreciate details regarding the self-distribution/transport application, if that is within your purview. Please let me know.

I reside just down the street of this project on Spruce Grove Road. My initial concerns are not limited to traffic along my rural property, water resources, water quality concerns, light pollution, and energy demands to an already overtaxed and unstable system, and general impacts to our community. While I am just outside of Hidden Valley Lake (my property borders HVL), I am concerned and would like substantial consideration given to this residential community and very close proximity to Raven Hill Park enjoyed by local residents, pets, and play structures enjoyed by children and their families.

I am further concerned about the early development of this site. From what I have heard, this was not done in a responsible manner, if not in a criminal manner. This does not give me confidence about this enterprise being a good neighbor or partnering with our community going forward. THIS EARLY ACTIVATION SHOULD IMMEDIATELY STOP pending further review.

Additionally, I would like to remind you about the Wild Diamonds Vineyards and Winery project, on the mountain above our home, and in close proximity of this proposed development, that was proposed a few years ago and who's project and Environmental Impact Report (EIR) appeal was denied by the county Board of Supervisors.

My final request is that, besides notification of any Public Hearing and a full cease of early operations occurs immediately, is that a full EIR is completed for this proposed significant impact project and made widely available to the public/interested parties.

This project SHOULD NOT BE APPROVED, before it is fully vetted on all fronts.

Thank you in advance for your consideration and response.

Karen Price

16265 Spruce Grove Road

(707) 484-0599

On Mar 3, 2021, at 4:02 PM, Jesse Cude <jcude@att.net> wrote:

Mr. Porter,

I am writing this email to formally oppose the commercial permit being sought on the below properties. I am within 700 feet of the property and in fact, share a lot corner with the Herrington Rd property. I have the following concerns that I am requesting a response from the County.

1. Water usage. We are in a drought and all the wells in this area are stressed. You have mentioned the estimate for each grow to be 746,000 gallons of water. However, the initial study report failed to disclose that if the permit includes grow lights the owners could have up to four grows per calendar year. This means the potential water use would be 2,984,000 gallons per year. There are 15 residential wells and two high volume commercial wells within 700 feet of the property.
2. Shadow Hills/Dohnery Ridge county road maintenance agreement. It is stated in the initial study that the access for the large scale commercial project will be through our quiet residential subdivision on Jaclyn Dr. All the residents in the Shadow Hills and Dohnery Ridge subdivisions pay the county for road maintenance. There is no mention in the initial study of the impact of commercial traffic on Jaclyn Dr. At a minimum, the owners should pay into our road agreement with the county and that should be retroactive to the time of purchase. Also, there are no stop signs at our intersections in the subdivision. I am requesting stop signs and that the Herrington property owners pay for them.
3. Early Activation. Based on the trac record of the new owners violating laws and county codes, no early activation should occur. All mitigation measures should be completed before the growing starts.
4. In the initial study it states that the property is 309 acres which would allow for the 15 licenses that are being sought (20 acres per license). However, approximately 100 acres of the property are in the exclusionary zone and can't be used or included in the calculation for the number of licenses. The number of licenses allowed should be amended to 10 licenses.
5. Fence height. The aesthetics of the green houses from the residences above the project will be significantly affected. There are 13 homes which are elevated above the project and will have a view of the green houses. The fence height should be amended to 8 feet to lower the impact to those residents.
6. The illegal building and felony violation should prevent the permit from being issued according to Lake County Ordinance Chapter 21, Article 27. The felony violation is documented in a CHP report, CHP Northern ISU Case # F0005-

107-20. I don't have the case numbers for the county code violations, however I'm sure you have access to them.

7. Accountability. There seems to be a lack of staffing to respond to complaints surrounding commercial growing operations. How many legal commercial grows are in lake county? How many staff are directly assigned to investigate complaints? How many complaints in 2020?

I would like to reiterate; I do not wish for this application to be approved. It does not belong in a residential neighborhood and our roads and wells cannot support it.

Please forward this email to any county employees that are involved in the approval or denial of this permit. If you have any questions, please feel free to call me.

Thank you.

Jesse Cude
Parcel# 013-061-140-000
(707) 322-1832
jcude@att.net

16750 Herrington Road Middletown, CA 95461

APN: 013-060-400-000 – 155 acres – Zone: RR

19678 Stinson Rd. Hidden Valley Lake, CA 95467

APN: 013-014-110-000 – 107 acres – Zone: RR

17610 Sandy Rd. Middletown, CA 95461

APN: 013-014-030-000 – 71 acres – Zone: RR

Kerrian Marriott

From: Karen Price <karen@priceranch.com>
Sent: Wednesday, March 3, 2021 8:08 PM
To: Jesse Cude
Cc: Eric Porter; Moke Simon; Andrew Williams; Dennis Keithly; Mark Roberts; Jim Ryan; adye@chp.ca.gov; Six Sigma - Kaj Ahlmann; dibipi@gmail.com; scott.nagelson@gmail.com; mike.wink@fireca.gov; dennispgrove@yahoo.com; Allison Brown; Craig Bainbridge; Dan & Deedee Levine; Dan Hart; Ellen Leu; Jake Watson; James Watson; Janice Thompson; Jason Krauss; Jeannie Creager; Jill Hearn; Jillian Krauss; Julian; Kathy Watson; Lisa Hart; MBC -Doug Thompson; Nikky Creager; Olivia Cude; Rob Hearn; Shawn Lescher; Todd Shannon Williams; Tom; Darryl Mills; Misha Grothe; Pat Taylor; Richmond; Jen Home; Greg Price
Subject: [EXTERNAL] Re: 16750 Herrington Road; file no. UP 20-22, Otchkova

Dear M. Porter,

To add to your already busy day, I would be interested in receiving more information regarding this significant project including, but not limited to, the application, Biological Study, Cultural Study, and Initial Study. I would also appreciate details regarding the self-distribution/transport application, if that is within your purview. Please let me know.

I reside just down the street of this project on Spruce Grove Road. My initial concerns are not limited to traffic along my rural property, water resources, water quality concerns, light pollution, and energy demands to an already overtaxed and unstable system, and general impacts to our community. While I am just outside of Hidden Valley Lake (my property borders HVL), I am concerned and would like substantial consideration given to this residential community and very close proximity to Raven Hill Park enjoyed by local residents, pets, and play structures enjoyed by children and their families.

I am further concerned about the early development of this site. From what I have heard, this was not done in a responsible manner, if not in a criminal manner. This does not give me confidence about this enterprise being a good neighbor or partnering with our community going forward. THIS EARLY ACTIVATION SHOULD IMMEDIATELY STOP pending further review.

Additionally, I would like to remind you about the Wild Diamonds Vineyards and Winery project, on the mountain above our home, and in close proximity of this proposed development, that was proposed a few years ago and who's project and Environmental Impact Report (EIR) appeal was denied by the county Board of Supervisors.

My final request is that, besides notification of any Public Hearing and a full cease of early operations occurs immediately, is that a full EIR is completed for this proposed significant impact project and made widely available to the public/interested parties.

This project SHOULD NOT BE APPROVED, before it is fully vetted on all fronts.

Thank you in advance for your consideration and response.

Karen Price

16265 Spruce Grove Road

(707) 484-0599

On Mar 3, 2021, at 4:02 PM, Jesse Cude <jcude@att.net> wrote:

Mr. Porter,

I am writing this email to formally oppose the commercial permit being sought on the below properties. I am within 700 feet of the property and in fact, share a lot corner with the Herrington Rd property. I have the following concerns that I am requesting a response from the County.

1. Water usage. We are in a drought and all the wells in this area are stressed. You have mentioned the estimate for each grow to be 746,000 gallons of water. However, the initial study report failed to disclose that if the permit includes grow lights the owners could have up to four grows per calendar year. This means the potential water use would be 2,984,000 gallons per year. There are 15 residential wells and two high volume commercial wells within 700 feet of the property.
2. Shadow Hills/Dohnery Ridge county road maintenance agreement. It is stated in the initial study that the access for the large scale commercial project will be through our quiet residential subdivision on Jaclyn Dr. All the residents in the Shadow Hills and Dohnery Ridge subdivisions pay the county for road maintenance. There is no mention in the initial study of the impact of commercial traffic on Jaclyn Dr. At a minimum, the owners should pay into our road agreement with the county and that should be retroactive to the time of purchase. Also, there are no stop signs at our intersections in the subdivision. I am requesting stop signs and that the Herrington property owners pay for them.
3. Early Activation. Based on the trac record of the new owners violating laws and county codes, no early activation should occur. All mitigation measures should be completed before the growing starts.
4. In the initial study it states that the property is 309 acres which would allow for the 15 licenses that are being sought (20 acres per license). However, approximately 100 acres of the property are in the exclusionary zone and can't be used or included in the calculation for the number of licenses. The number of licenses allowed should be amended to 10 licenses.
5. Fence height. The aesthetics of the green houses from the residences above the project will be significantly affected. There are 13 homes which are elevated above the project and will have a view of the green houses. The fence height should be amended to 8 feet to lower the impact to those residents.

6. The illegal building and felony violation should prevent the permit from being issued according to Lake County Ordinance Chapter 21, Article 27. The felony violation is documented in a CHP report, CHP Northern ISU Case # F0005-107-20. I don't have the case numbers for the county code violations, however I'm sure you have access to them.
7. Accountability. There seems to be a lack of staffing to respond to complaints surrounding commercial growing operations. How many legal commercial grows are in lake county? How many staff are directly assigned to investigate complaints? How many complaints in 2020?

I would like to reiterate; I do not wish for this application to be approved. It does not belong in a residential neighborhood and our roads and wells cannot support it.

Please forward this email to any county employees that are involved in the approval or denial of this permit. If you have any questions, please feel free to call me.

Thank you.

Jesse Cude
Parcel# 013-061-140-000
(707) 322-1832
jcude@att.net

16750 Herrington Road Middletown, CA 95461

APN: 013-060-400-000 – 155 acres – Zone: RR

19678 Stinson Rd. Hidden Valley Lake, CA 95467

APN: 013-014-110-000 – 107 acres – Zone: RR

17610 Sandy Rd. Middletown, CA 95461

APN: 013-014-030-000 – 71 acres – Zone: RR

Kerrian Marriott

From: Kaj Ahlmann <kahlmann@sixsigmaranch.com>
Sent: Thursday, March 4, 2021 8:59 AM
To: Eric Porter
Cc: Karen Price; Jesse Cude; Moke Simon; Andrew Williams; Dennis Keithly; Jim Ryan; adye@chp.ca.gov; dibipi@gmail.com; scott.nagelson@gmail.com; mike.wink@fireca.gov; dennispgrove@yahoo.com; Allison Brown; Craig Bainbridge; Dan & Deedee Levine; Dan Hart; Ellen Leu; Jake Watson; James Watson; Janice Thompson; Jason Krauss; Jeannie Creager; Jill Hearn; Jillian Krauss; Julian; Kathy Watson; Lisa Hart; MBC -Doug Thompson; Nikky Creager; Olivia Cude; Rob Hearn; Shawn Lescher; Todd Shannon Williams; Tom; Darryl Mills; Misha Grothe; Pat Taylor; Richmond; Jen Home; Greg Price; Lake County Planning Consultants
Subject: Re: [EXTERNAL] Re: 16750 Herrington Road; file no. UP 20-22, Otchkova

Eric,

Please send me a notice of the hearing.

Thanks

Kaj

Six Sigma Ranch

13372 Spruce Grove Road

Sent from my iPhone

On Mar 4, 2021, at 8:50 AM, Eric Porter <Eric.Porter@lakecountyca.gov> wrote:

Ms. Price,

Just as an FYI – our notice area only covers up to 725 feet from a project whose property is over 5 acres. If any of the persons that you have cc'd want a notice of public hearing on this item once the hearing date is scheduled, they will need to request it from me if they are further than 725 feet from any property line of the project site.

Email request for notice is fine. The hearing will be done remotely by Zoom, and we will send the Zoom link to anyone wishing to participate.

Take care,

Eric Porter

From: Karen Price [mailto:karen@priceranch.com]
Sent: Wednesday, March 3, 2021 8:08 PM
To: Jesse Cude <jcude@att.net>
Cc: Eric Porter <Eric.Porter@lakecountyca.gov>; Moke Simon <Moke.Simon@lakecountyca.gov>;

Andrew Williams <Andrew.Williams@lakecountyca.gov>; Dennis Keithly <Dennis.Keithly@lakecountyca.gov>; Mark Roberts <Mark.Roberts@lakecountyca.gov>; Jim Ryan <emeraldldad2000@yahoo.com>; adye@chp.ca.gov; Six Sigma - Kaj Ahlmann <kahlmann@sixsigmaranch.com>; dibipi@gmail.com; scott.nagelson@gmail.com; mike.wink@fireca.gov; dennispgrove@yahoo.com; Allison Brown <brattybones@yahoo.com>; Craig Bainbridge <cdmbainbridge@hotmail.com>; Dan & Deedee Levine <danhomerepair@gmail.com>; Dan Hart <baseballnut27@yahoo.com>; Ellen Leu <ellenmleu@att.net>; Jake Watson <jake@vantageconstructionco.com>; James Watson <jimmy@vantageconstructionco.com>; Janice Thompson <janicekthompson@hotmail.com>; Jason Krauss <jrk1976@yahoo.com>; Jeannie Creager <prairiebell@comcast.net>; Jill Hearn <jillhearn6@icloud.com>; Jillian Krauss <jillian_corsetti@yahoo.com>; Julian <juliannerentshvl@yahoo.com>; Kathy Watson <kathryn.osmun@gmail.com>; Lisa Hart <lisadhart@hotmail.com>; MBC -Doug Thompson <pastordougmbc@gmail.com>; Nikky Creager <middletownchristianschool@gmail.com>; Olivia Cude <oliviarae@att.net>; Rob Hearn <robhearn16093@me.com>; Shawn Lescher <lescher5@att.net>; Todd Shannon Williams <shannon_williams@mchsi.com>; Tom <tmlaughlin@gmail.com>; Darryl Mills <dmillscon@gmail.com>; Misha Grothe <mishamonet@yahoo.com>; Pat Taylor <Patricktaylor1231@gmail.com>; Richmond <richmond designs@me.com>; Jen Home <jenniferheiser@att.net>; Greg Price <greg@priceranch.com>
Subject: [EXTERNAL] Re: 16750 Herrington Road; file no. UP 20-22, Otchkova

Dear M. Porter,

To add to your already busy day, I would be interested in receiving more information regarding this significant project including, but not limited to, the application, Biological Study, Cultural Study, and Initial Study. I would also appreciate details regarding the self-distribution/transport application, if that is within your purview. Please let me know.

I reside just down the street of this project on Spruce Grove Road. My initial concerns are not limited to traffic along my rural property, water resources, water quality concerns, light pollution, and energy demands to an already overtaxed and unstable system, and general impacts to our community. While I am just outside of Hidden Valley Lake (my property borders HVL), I am concerned and would like substantial consideration given to this residential community and very close proximity to Raven Hill Park enjoyed by local residents, pets, and play structures enjoyed by children and their families.

I am further concerned about the early development of this site. From what I have heard, this was not done in a responsible manner, if not in a criminal manner. This does not give me confidence about this enterprise being a good neighbor or partnering with our community going forward. THIS EARLY ACTIVATION SHOULD IMMEDIATELY STOP pending further review.

Additionally, I would like to remind you about the Wild Diamonds Vineyards and Winery project, on the mountain above our home, and in close proximity of this proposed development, that was proposed a few years ago and who's project and Environmental Impact Report (EIR) appeal was denied by the county Board of Supervisors.

My final request is that, besides notification of any Public Hearing and a full cease of early operations occurs immediately, is that a full EIR is completed for this proposed significant impact project and made widely available to the public/interested parties.

This project SHOULD NOT BE APPROVED, before it is fully vetted on all fronts.

Thank you in advance for your consideration and response.

Karen Price

16265 Spruce Grove Road

(707) 484-0599

On Mar 3, 2021, at 4:02 PM, Jesse Cude <jcude@att.net> wrote:

Mr. Porter,

I am writing this email to formally oppose the commercial permit being sought on the below properties. I am within 700 feet of the property and in fact, share a lot corner with the Herrington Rd property. I have the following concerns that I am requesting a response from the County.

1. Water usage. We are in a drought and all the wells in this area are stressed. You have mentioned the estimate for each grow to be 746,000 gallons of water. However, the initial study report failed to disclose that if the permit includes grow lights the owners could have up to four grows per calendar year. This means the potential water use would be 2,984,000 gallons per year. There are 15 residential wells and two high volume commercial wells within 700 feet of the property.
2. Shadow Hills/Dohnery Ridge county road maintenance agreement. It is stated in the initial study that the access for the large scale commercial project will be through our quiet residential subdivision on Jaclyn Dr. All the residents in the Shadow Hills and Dohnery Ridge subdivisions pay the county for road maintenance. There is no mention in the initial study of the impact of commercial traffic on Jaclyn Dr. At a minimum, the owners should pay into our road agreement with the county and that should be retroactive to the time of purchase. Also, there are no stop signs at our intersections in the subdivision. I am requesting stop signs and that the Herrington property owners pay for them.

3. Early Activation. Based on the trac record of the new owners violating laws and county codes, no early activation should occur. All mitigation measures should be completed before the growing starts.
4. In the initial study it states that the property is 309 acres which would allow for the 15 licenses that are being sought (20 acres per license). However, approximately 100 acres of the property are in the exclusionary zone and can't be used or included in the calculation for the number of licenses. The number of licenses allowed should be amended to 10 licenses.
5. Fence height. The aesthetics of the green houses from the residences above the project will be significantly affected. There are 13 homes which are elevated above the project and will have a view of the green houses. The fence height should be amended to 8 feet to lower the impact to those residents.
6. The illegal building and felony violation should prevent the permit from being issued according to Lake County Ordinance Chapter 21, Article 27. The felony violation is documented in a CHP report, CHP Northern ISU Case # F0005-107-20. I don't have the case numbers for the county code violations, however I'm sure you have access to them.
7. Accountability. There seems to be a lack of staffing to respond to complaints surrounding commercial growing operations. How many legal commercial grows are in lake county? How many staff are directly assigned to investigate complaints? How many complaints in 2020?

I would like to reiterate; I do not wish for this application to be approved. It does not belong in a residential neighborhood and our roads and wells cannot support it.

Please forward this email to any county employees that are involved in the approval or denial of this permit. If you have any questions, please feel free to call me.

Thank you.

Jesse Cude
Parcel# 013-061-140-000
(707) 322-1832
jcude@att.net

16750 Herrington Road Middletown, CA 95461

APN: 013-060-400-000 – 155 acres – Zone: RR

19678 Stinson Rd. Hidden Valley Lake, CA 95467

APN: 013-014-110-000 – 107 acres – Zone: RR

17610 Sandy Rd. Middletown, CA 95461

APN: 013-014-030-000 – 71 acres – Zone: RR

Kerrian Marriott

From: Kate Schmidt-Hopper <wiseacre1farm@gmail.com>
Sent: Sunday, March 14, 2021 3:02 PM
To: Eric Porter
Subject: Re: [EXTERNAL] We Grow Farms use permit

Thank you Mr Porter. Sincerely Kate Schmidt-Hopper

On Sun, Mar 14, 2021 at 2:43 PM Eric Porter <Eric.Porter@lakecountyca.gov> wrote:

Hi Ms. Schmidt-Hopper,

I received your email and it is part of the public record. When I return to the office tomorrow, I will make sure that your address gets placed on the public hearing mailing list, and you will receive an email with instructions for how to participate in the hearing via Zoom.

The tentative hearing date is April 22nd. The tentative start time is 9:30, however there are five items in front of this one, so the probable start time will be closer to 10:30 or 11:00. I will send out the staff reports to all 35+ residents who have expressed concerns about this project once the staff report is cleared by legal counsel and management.

Take care,

Eric Porter

From: Kate Schmidt-Hopper [mailto:wiseacre1farm@gmail.com]
Sent: Sunday, March 14, 2021 11:38 AM
To: Eric Porter <Eric.Porter@lakecountyca.gov>
Subject: [EXTERNAL] We Grow Farms use permit

Hello Mr Porter

As a resident of the HVL Ranchos, I would like to voice my opposition to a large scale cannabis grow use permit in the area behind Sandy Court. This We Grow Farms project is too close to high density family housing and will negatively impact quality of life due to increased noise and air pollution, traffic on access roads, nitrate run off into nearby private water wells, increased need for law enforcement security patrols and most importantly, elevated fire risk.

I recommend denial of this use permit. Thank you, Kate Schmidt-Hopper. 19118 Comstock Ct. Hidden Valley Lake, CA 95467

Kerrian Marriott

From: Kellie Davis <kellie_n_davis@icloud.com>
Sent: Thursday, March 11, 2021 2:08 PM
To: Eric Porter
Subject: [EXTERNAL] Hidden valley proposed marijuana grow

Dear Mr. Porter

Hidden Valley is a small town, we have schools and lots of children. We Do Not want a Marijuana grow here in this small town. They will deplete and destroy our water sources, they will put chemicals in the soil. We just lifted the water Moratorium because there is not enough water. There will be delivery vehicles in and out destroying our roads, distribution stores that will bring a clientele we do not want to have in our small town with no police and no one to protect our small town when people from other towns come to buy marijuana or come to steal there product. Mexican cartel are among these people who want to purchase and grow. This will destroy our community. This will bring unwanted riffraff to our quiet small golf course community. The road of Hofocker already has huge grows and it's unsafe to be around that area with out caring a gun. People have traveled from Vallejo with guns to kill and to steal marijuana. This is a drug and the more that comes the worse this small community will become. This is horrible. I'm ready to move away already this is ridiculous. They have already broke ground.

Kellie Davis