

Agency Comments UP 21-10

Sourz HVR

APN: 006-004-07; 006-004-25; 006-004-24; 006-002-04; 006-002-09; 006-004-06; 006-009-36

Central Valley Regional Water Quality Control Board, Region 5R

This site has submitted all required technical reports and is in good standing with the Water Board.

Lake County Water Resources

A Type 3 outdoor license only allows for up to 1 acre, and this application seems to be applying for 80 acres of outdoor grow. Additionally, the amount of nursery licenses is also in question. Please ask the applicant to provide the **exact amount** of licenses requested for each type.

Lake County Sheriff

In review of the Security Management Plan submitted for revised MUP 21-10 via the Lake County Community Development Department in April 2021. The Lake County Sheriff's Office has determined the submitted security plan meets the requirements of the County of Lake as set forth in Lake County Ordinance 3084 / 3073.

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

Lake County Special Districts

All parcels listed are outside of any Special Districts service area, no impact.

Lake County Surveyor

There are recorded survey maps showing portions of the property. The boundary should be located on the ground in areas where setbacks become an issue with adjoining properties.

Redbud Audoban

The fact that they state no trees will be removed is encouraging. I didn't see anything about fencing. For instance, is the whole 80 acres going to be fenced? Or will the grow sites be fenced individually? This is important for wildlife movement.

Lake County Resource Planner

Thank you for the questionnaire. I will review it this morning and we can schedule a time to discuss via the phone. But, to address the ag exempt grading question... ag exempt grading is typically only for existing ag operations that have already been through the full CEQA analysis and impacts have already been disclosed. For instance, annual tilling would be covered under the Ag Exempt grading permit. Ag Exempt activities still require a review and permitting.

CAL FIRE

These comments and questions from CAL FIRE.

The project proposes 110,000 or more square feet of drying sheds, harvested plant storage and cold storage structures. I did not observe water supply for fire use in any of the documents. We are requesting that the AHJ (Lake County) please check the formula from NFPA 1142 to see what the water for fire suppression is for 110,000 square feet of structure.

Question - The structures indicate they will be used for cold storage, plant storage and drying. Does the electrical required to support these activities meet the California Electrical Code for cold and drying purposes? This is critical to help mitigate wildland fire ignitions in the wildland from an electrical source that does not meet code.

Question - The property management plan is a thorough and well completed document. Please consider adding a specific section for Fire, Fire Prevention or similar so applicant can focused on these title, code and regulation requirements. With 60 plus percent of the land mass in Lake County having burned from Wildland Fire in the past 7 years, it seems applicable.

The PMP identifies 100 feet of defensible space will be applied in many sections. That is applicable.

On page 12 of 65 of the PMP says gates will meet emergency vehicle width. Gate width minimum is 14 feet wide.

On page 54 of 65 of the PMP it identifies the Lake County Fire Protection District as the responding Fire entity. This address is located in the Northshore Fire Protection District.

On page 58 of 65 on the PMP is says the project will apply all sections of PRC 4290 / 4291 et'al. Please see below for all section of PRC code to be applied.

The Lake County RFR Document says that roads and access for "Emergency Vehicles" is a requirement. Below are the minimum requirements for "Emergency Vehicles".

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

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

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

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

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 lane road.

A "Road" is two 10 foot lanes of travel for a total of 20 feet of derivable surface not including the shoulders.

A "Driveway" is a 10 foot wide road with a turnout every 400 feet. This shall not be used for commercial applications, or access to more than three structures that are residences.

A "Turnout" shall be a minimum 10 feet wide and 30 feet long, with a 25 foot taper at each end

A "One Lane", "One Way" only loop road is 12 feet wide of derivable surface, plus shoulders. A one lane road must connect on both ends to a two lane road or County Road.

A bridge can meet the "One Lane", "One Way" 12 feet wide road standard with appropriate signage. A bridge must be marked by the owner of the bridge that it is rated to support 75,000 pounds.

A bridge shall not be less than 12 feet wide.

A bridge can meet the "Road " 20 feet wide standard. A bridge must be marked by the owner of the bridge that 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.

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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.

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<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]

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March 17, 2021

Katherine Schaefers
County of Lake
255 N Forbes St
Lakeport, CA 95453

Ref: Gas and Electric Transmission and Distribution

Dear Katherine Schaefers,

Thank you for submitting the UP 21-10 plans for our review. PG&E will review the submitted plans in relationship to any existing Gas and Electric facilities within the project area. If the proposed project is adjacent/or within PG&E owned property and/or easements, we will be working with you to ensure compatible uses and activities near our facilities.

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

Below is additional information for your review:

1. This plan review process does not replace the application process for PG&E gas or electric service your project may require. For these requests, please continue to work with PG&E Service Planning: https://www.pge.com/en_US/business/services/building-and-renovation/overview/overview.page.
2. If the project being submitted is part of a larger project, please include the entire scope of your project, and not just a portion of it. PG&E's facilities are to be incorporated within any CEQA document. PG&E needs to verify that the CEQA document will identify any required future PG&E services.
3. An engineering deposit may be required to review plans for a project depending on the size, scope, and location of the project and as it relates to any rearrangement or new installation of PG&E facilities.

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

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

Sincerely,

Plan Review Team
Land Management



Attachment 1 – Gas Facilities

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

1. Standby Inspection: A PG&E Gas Transmission Standby Inspector must be present during any demolition or construction activity that comes within 10 feet of the gas pipeline. This includes all grading, trenching, substructure depth verifications (potholes), asphalt or concrete demolition/removal, removal of trees, signs, light poles, etc. This inspection can be coordinated through the Underground Service Alert (USA) service at 811. A minimum notice of 48 hours is required. Ensure the USA markings and notifications are maintained throughout the duration of your work.
2. Access: At any time, PG&E may need to access, excavate, and perform work on the gas pipeline. Any construction equipment, materials, or spoils may need to be removed upon notice. Any temporary construction fencing installed within PG&E's easement would also need to be capable of being removed at any time upon notice. Any plans to cut temporary slopes exceeding a 1:4 grade within 10 feet of a gas transmission pipeline need to be approved by PG&E Pipeline Services in writing PRIOR to performing the work.
3. Wheel Loads: To prevent damage to the buried gas pipeline, there are weight limits that must be enforced whenever any equipment gets within 10 feet of traversing the pipe.

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

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

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

4. Grading: PG&E requires a minimum of 36 inches of cover over gas pipelines (or existing grade if less) and a maximum of 7 feet of cover at all locations. The graded surface cannot exceed a cross slope of 1:4.
5. Excavating: Any digging within 2 feet of a gas pipeline must be dug by hand. Note that while the minimum clearance is only 12 inches, any excavation work within 24 inches of the edge of a pipeline must be done with hand tools. So to avoid having to dig a trench entirely with hand tools, the edge of the trench must be over 24 inches away. (Doing the math for a 24 inch



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

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

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

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

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

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

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

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

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

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



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

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

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



Attachment 2 – Electric Facilities

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

1. **Buildings and Other Structures:** No buildings or other structures including the foot print and eave of any buildings, swimming pools, wells or similar structures will be permitted within fee strip(s) and/or easement(s) areas. PG&E's transmission easement shall be designated on subdivision/parcel maps as **"RESTRICTED USE AREA – NO BUILDING."**
2. **Grading:** Cuts, trenches or excavations may not be made within 25 feet of our towers. Developers must submit grading plans and site development plans (including geotechnical reports if applicable), signed and dated, for PG&E's review. PG&E engineers must review grade changes in the vicinity of our towers. No fills will be allowed which would impair ground-to-conductor clearances. Towers shall not be left on mounds without adequate road access to base of tower or structure.
3. **Fences:** Walls, fences, and other structures must be installed at locations that do not affect the safe operation of PG&E's facilities. Heavy equipment access to our facilities must be maintained at all times. Metal fences are to be grounded to PG&E specifications. No wall, fence or other like structure is to be installed within 10 feet of tower footings and unrestricted access must be maintained from a tower structure to the nearest street. Walls, fences and other structures proposed along or within the fee strip(s) and/or easement(s) will require PG&E review; submit plans to PG&E Centralized Review Team for review and comment.
4. **Landscaping:** Vegetation may be allowed; subject to review of plans. On overhead electric transmission fee strip(s) and/or easement(s), trees and shrubs are limited to those varieties that do not exceed 15 feet in height at maturity. PG&E must have access to its facilities at all times, including access by heavy equipment. No planting is to occur within the footprint of the tower legs. Greenbelts are encouraged.
5. **Reservoirs, Sumps, Drainage Basins, and Ponds:** Prohibited within PG&E's fee strip(s) and/or easement(s) for electric transmission lines.
6. **Automobile Parking:** Short term parking of movable passenger vehicles and light trucks (pickups, vans, etc.) is allowed. The lighting within these parking areas will need to be reviewed by PG&E; approval will be on a case by case basis. Heavy equipment access to PG&E facilities is to be maintained at all times. Parking is to clear PG&E structures by at least 10 feet. Protection of PG&E facilities from vehicular traffic is to be provided at developer's expense AND to PG&E specifications. Blocked-up vehicles are not allowed. Carports, canopies, or awnings are not allowed.
7. **Storage of Flammable, Explosive or Corrosive Materials:** There shall be no storage of fuel or combustibles and no fueling of vehicles within PG&E's easement. No trash bins or incinerators are allowed.



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

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

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

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

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

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

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



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 24, 2021

TO: Katherine Schaefer, Assistant Planner

FROM: Tina Dawn-Rubin, Environmental Health Aide

RE: UP 21-10 Major Use Permit, IS 21-10, EA 21-10
Commercial Cannabis

APN: 006-004-07 11650 High Valley Rd, Clearlake Oaks
Including APNs: 006-004-25, 006-004-24, 006-002-04, 006-002-09,
006-004-06, 006-009-36

Lake County Division of Environmental Health (EH) has on file for the subject parcel:

APN: 006-004-25 – a 1972 septic permit (2789-S) designed to service 9 bedrooms/11 bathrooms (has 2 1,600 gallon tanks).

APN: 007-004-24 – a 2012 well permit (WE 2844P) for a public well. Well permit (WE 2840P) was a dry hole.

APN: 006-002-04, 006-002-09, 006-004-06 & 006-009-36 – nothing of file

APN: 006-004-07 – this is a very large and extensive file and includes multiple septic systems and wells and a permitted commercial catering kitchen. *The applicant will need to contact Environmental Health regarding the use of the commercial kitchen as it is currently permitted under PSI Seminars.* There are currently 3 domestic wells and 1 public well on this parcel (WE 2317, 2318, 1547P, 494); there are multiple septic permits: 2020 18988A for installation of new leach field designed to service 2 bedrooms; 2008 septic permit (20590) designed to service a 6 bed dormitory; 2008 septic repair permit (20586R) to replace riser & sanitary tee; 1990 septic repair permit (9524S) to repair leach field; 1988 septic permit (9254S) designed to service 7750 Gals/Day of flow and 15,000 gal septic tank & 1500 dosing tank; 1987 septic permit (9154S) with verbage indicating unpermitted system functioning correctly; 1975 septic permit (3566S) designed to service 2 bedrooms; 1972 septic permit (2860S) designed to service 2 bedrooms; 1972 septic permit (2840S) designed to service restrooms; 1972 septic permit (2750S) designed to service 2 bedrooms; 1969 septic permit (1709S) designed to service 2 bedrooms.

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

For any proposed building permits or projects where the parcel is serviced by an OWTS or well, the applicant may need to demonstrate the location of any proposed or existing structures including residential or commercial dwellings, garages, driveways, shed, barns, green houses, non-perimeter fences, well houses, etc., and the location of the proposed project on a to-scale site plan prior to building permit issuance and/or project approval.

Promoting an Optimal State of Wellness in Lake County

EH may require a field clearance to validate septic or well locations prior to site plan approval.

If the applicant is proposing a commercial cannabis operation and the operation will be constructing or utilizing an existing structure (i.e., processing facility) that will have plumbing for a restroom, sink, etc, that structure will be required to have its own OWTS, separate from any existing or new OWTS designed to service a residential structure.

If the applicant is proposing an OWTS, then applicant must apply for a site evaluation and, if the site is acceptable to support an OWTS, apply for a permit.

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.



NORTHSHORE FIRE PROTECTION DISTRICT
6257 Seventh Avenue • Post Office Box 1199 • Lucerne, California 95458
(707) 274-3100 • (707) 274-3102 Fax
District Fire Chief Mike Ciancio

Station 75
(707) 998-3294

Station 80
(707) 274-3100

Station 85
(707) 274-8834

Station 90
(707) 275-2446

March 22, 2021

Northshore Fire Protection District has the following comments regarding the proposed project.

Aviona LLC
11650 High Valley Road, Clearlake Oaks, CA 95423
Major Use Permit, UP 21-10; Initial Study IS 21-10; Early Activation 21-10

The Northshore Fire Protection District provides year-round fire protection services to the project area. Our closest staffed station to the project is at 12655 E. Hwy 20 in Clearlake Oaks about 4 miles from the project area.

The project area is also in State Responsibility Area (SRA). California Department of Forestry and Fire Protection (Cal Fire) has primary responsibility for wildland fire protection during the fire season which generally runs from June to October. Cal Fire may require the project to meet state Public Resource Codes. Your Cal Fire contact will be at the St. Helena Station which is the Lake/ Napa and Sonoma Unit Headquarters for Cal Fire.

A proposed Use Permit may will require a Change of Occupancy and will be subject to the requirements of the California Fire Code and NFPA standards and the Public Resource Code. The need for fire hydrants and supporting water storage will be determined by the Lake County Building official and/or Cal Fire. Sprinkler systems, fire alarm systems, portable fire extinguishers, fire hose reels and other fire protection methods may need to be provided as required by the California Fire Code and the Lake County Building official.

The project may be subject to Fire Mitigation Fees. Once plans are submitted those fees may be calculated if applicable.

Fire Access Roads shall be meet the requirements of CCR 1273/PRC 4290.
Premises Identification- approved address numbers shall be placed on all buildings and or driveways in such a position as to be plainly visible and legible from the street or road fronting the property. Numbers shall contrast with their background.

Key Box- a rapid entry lock box, approved by this fire district will be required if a gate is installed.

Thank you for your consideration in this matter. Please feel free to contact me if you have any questions or concerns regarding these comments.

Respectfully,

Fire Chief
NorthShore Fire Protection District

RECEIVED

MAY 21 2021

LAKE COUNTY COMMUNITY
DEVELOPMENT DEPT.

County of Lake
Community Development Department
Planning Division
Courthouse – 255 N. Forbes Street
Lakeport, CA 95423

To whom it may concern,

We recently received the attached Notice of Intent for the Project Titled: Sourz High Valley Road. The letter was addressed to PSI World, A New Mexico Non-Profit Organization, at P.O. Box 990, Clearlake Oaks, CA 95423.

Please be advised that PSI World has sold the property at 11650 High Valley Road. The new owners of that property is Aviona, LLC / Sourz HVR, Inc. Please update the owner's name of the Property at 11650 High Valley Road, Clearlake Oaks, CA 95423. You may also use that as the new mailing address for anything related to the Project.

PSI World will continue to use the P.O. Box 990, in Clearlake Oaks, CA.

Thank you,



Debbie Vogel

Corporate Secretary

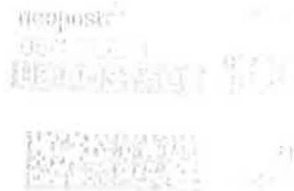
P.O. Box 990

High Valley Ranch 11650 High Valley Road | Clearlake Oaks, CA 95423

PHONE 707.998.2222 | FAX 707.998.2233 | www.psiworld.org | E-MAIL psiworld@psiseminars.com

COUNTY OF LAKE

COMMUNITY DEVELOPMENT DEPARTMENT
PLANNING DIVISION
Courthouse – 255 N. Forbes St.
LAKEPORT, CALIFORNIA 95453



PSI WORLD A NEW MEXICO NON PROFIT
ORGANIZATION

P O BOX 990

CLEARLAKE OAKS, CA, 95423

9542380990 6008



COUNTY CLERK
BY D. Hallett
DEPUTY CLERK

- ☒ County Clerk
☒ Interested Parties

MAY 13 2021

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

Project Title: Sourz High Valley Road (HVR); Major Use Permit (UP 21-10); Early Activation (EA 21-10); Initial Study (IS 21-10)

Project Location: 11650 High Valley Road, Clearlake Oaks, CA 95423

APN: 006-004-07, 006-004-25, 006-004-24, 006-004-06, 006-002-04, 006-002-09, 006-009-36

Project Description: The proposed commercial cannabis cultivation operation is located at 11650 High Valley Road Clearlake, CA, on APNs 006-004-07, 006-004-25, 006-004-24, 006-002-04, 006-002-09, 006-004-06, and 006-009-36 (Project Parcels). The proposed commercial cannabis cultivation operation will be composed of (80) A type 3 outdoor cultivation, (1) type 11 distributor, and (1) A type 4 nursery licenses with a total combined canopy area of 3,485,000 square feet (sf). The proposed project includes 11 buildings totaling 110,000 sf for storage and drying of cannabis. This includes one cold storage structure. The 1,639.96-acre property is large enough to support the proposed canopy areas; the applicant is not within an 'exclusion overlay district'; and that the applicant is pre-enrolled with the Regional Water Board. The applicant must meet all applicable local and state requirements for cannabis cultivation..

The public review period for the respective proposed Mitigated Negative Declaration based on Initial Study IS 21-10 will begin on May 12, 2021 and end on June 12, 2021. You are encouraged to submit written comments regarding the proposed Mitigated Negative Declaration. You may do so by submitting written comments to the Planning Division prior to the end of the review period. Copies of the application, environmental documents, and all reference documents associated with the project are available for review through the **Community Development Department, Planning Division; telephone (707) 263-2221.** Written comments may be submitted to the Planning Division or via email at katherine.schaefer@lakecountyca.gov.

2021 MAY 12 P 4:36

AUDITOR-CONTROLLER
COUNTY CLERK

MAY 13 2021

COUNTY CLERK
BY D. Hockett
DEPUTY CLERK

**NOTICE OF INTENT
FOR THE ISSUANCE OF 'EARLY ACTIVATION' FOR THE
CULTIVATION OF COMMERCIAL CANNABIS
NOTICE DATE: May 12, 2021**

MAY 13 2021

NOTICE IS HEREBY GIVEN that the Planning Department of the County of Lake, State of California, will be issuing **Early Activation EA 21-10 on May 22, 2021**, Early Activation allows for the temporary legal cultivation of commercial cannabis while the Use Permit applied for by the cultivator is under review by the County. Unless appealed, Early Activation is valid for a period of up to six (6) months. This decision may be appealed if any neighboring property owner who receives this notice believes that this decision is made in error. The appeal process is identified below.

Project details:

- Applicant/Owner:
- Proposed Project: (80) A-Type 3 outdoor cultivation licenses, (1) Type 11 Distributor license, (1) A-Type 4 nursery license
- Total Proposed Canopy Area: 3,485,000 square feet
- Total Proposed Cultivation Area: 3,595,000 square feet
- Project Location: 11650 High Valley Road, Clearlake Oaks, CA 95423
- Project APNs: 006-004-07, 006-004-25, 006-004-24, 006-004-06, 006-002-04, 006-002-09, 006-009-36
- Project Planner: Katherine Schaefer

NOTE: The applicant or any interested person is reminded that the Zoning Ordinance provides for a seven (7) calendar day appeal period following the date of issuance of this Early Activation permit. If there is a disagreement with the Planning Department, an appeal to the Planning Commission may be filed. The appropriate forms and applicable fee must be submitted prior to 5:00 p.m. on or before the seventh calendar day following the Planning Department's date of Early Activation permit issuance.

Posted: MAY 13 2021 - June 17th 2021

EJ Crandell Supervisor District 3
Scott Deleon Community Development Interim Director
Katherine Schaefer – Assistant Planner
Lake County Community Development Department
Lake County Courthouse
255 North Forbes St.
Lakeport, CA 95453

May 19, 2021

Re: Notice of Intent to Issue Early Activation for Cultivation of Cannabis

At a recent meeting we became aware of a large-scale cannabis cultivation project to be developed on the land adjacent to our property (APN 006 – 011 – 54) on Valley Oak Drive. We also recently received the Notice of Intent that was mailed out on May 12, 2021 regarding this project located at 11650 High Valley Rd.

We have several concerns about this project that need to be considered before issuance of the Early Activation and approval of the Use Permit. These concerns are:

The impact of the smell/odor of 80 acres of outdoor growing maturing cannabis plants during the typical cultivation season, which could last for 6 to 8 weeks. Our residents are located to the east of the proposed gross site and downwind of the prevailing wind direction. We will be significantly impacted by this potential odor situation to the point of possibly not being able to enjoy the peaceful outdoor environment at our place. The concentration of cannabis plants within a large-scale growing operation will exacerbate this odor problem by increasing the number of plants per acre. The odor impacts associated with a large-scale operation are real. The County in the review of these proposed cannabis projects does not seem to have an answer (mitigation plan) to the odor problem, particularly the cumulative impact of large-scale grows.

Aquifer drawdown of groundwater to supply the needed irrigation water to grow 80 acres of cannabis and supply the nursery is a potentially significant adverse environmental impact that could affect the existing water wells in the area and on our property. We have been told that this project will result in a demand of 351 acre-feet of water/per year which equates to 214 million gallons of ground water used for cultivation. The project proponent should be required to prepare a water availability plan that addresses the need and projected use of groundwater and the identification of existing wells in the area along with an analysis of the impact created by this project on the existing water wells specifically those wells that are used for domestic purposes.

The design of the security systems associated with the cannabis cultivation and processing facilities is important. Details matter with regard to how this security system is to be developed and operated including where cameras will be located, perimeter fencing locations and design, intended signage, road and property access design is important as these points of ingress and egress and on-site circulation are

potential points of entry for unwanted visitors. There is a history of home invasion activity up in the High Valley area in the form of a high-profile event nearby that took place some years ago. These kinds of situations do occur and are a seemingly a regular occurrence in some parts of northern California. The security and well-being of the residents and property owners in this somewhat secluded valley is of concern when large-scale cannabis cultivation operations are proposed.

We understand that the Lake County Board of Supervisors has adopted a cannabis cultivation ordinance that allows property owners to apply for use permits that allow for outdoor cultivation farms. However, the zoning ordinance also requires that cannabis growers comply with the specific development criteria in the ordinance and with the use permit criteria

Article 51, Section 51.4 (a) 1. – 6. Lake County Zoning Ordinance:

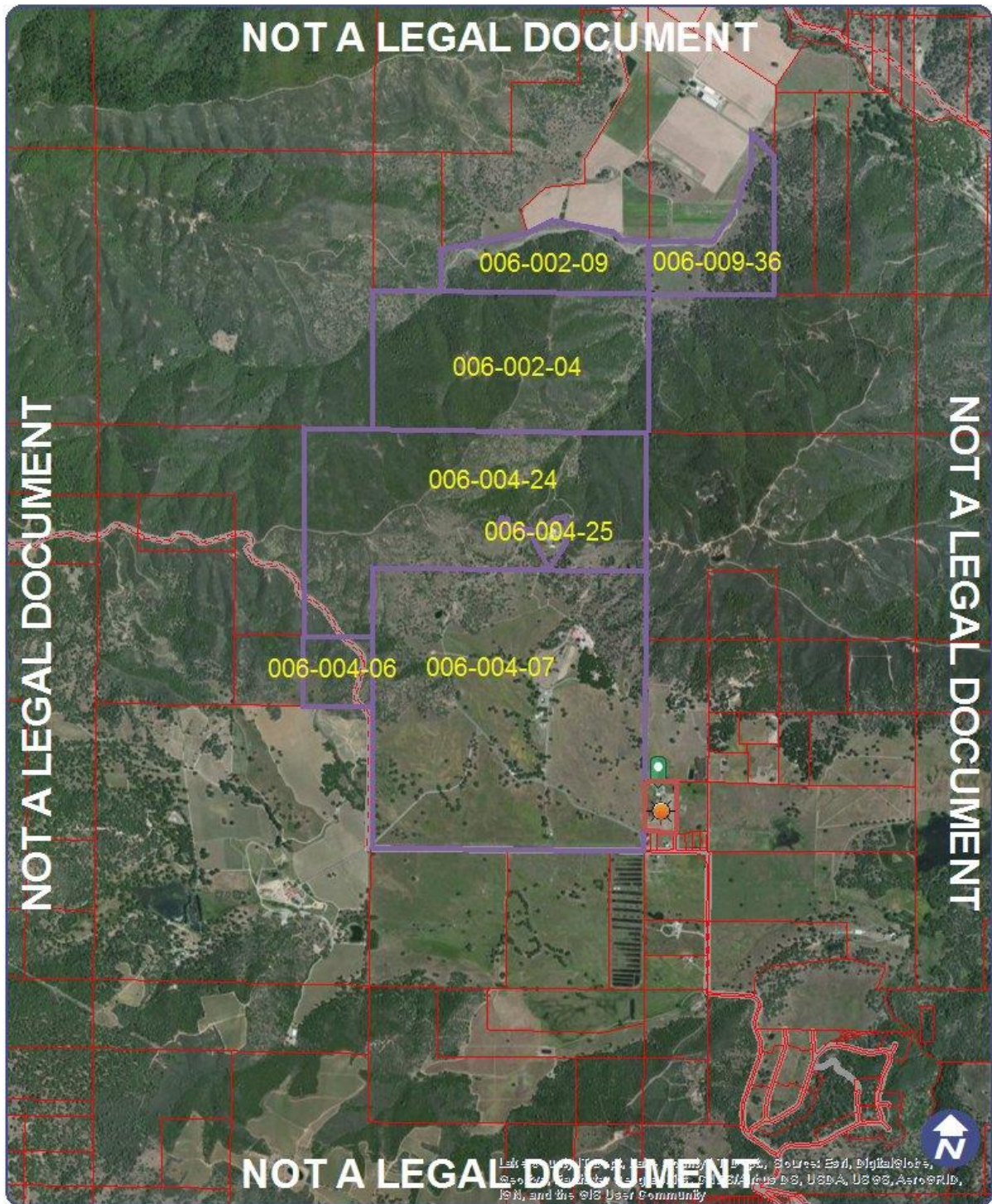
(a) The Lake County Planning Commission) may only approve or conditionally approve a major use permit if all the following findings are made:

1. *That the establishment, maintenance, or operation of the use applied for will not under the circumstances of the case, be detrimental to the health, safety, morals, comfort and general welfare of the persons residing or working in the neighborhood of such proposed use or be detrimental to property and improvements in the neighborhood or the general welfare of the County.*
2. *That the site for the project is adequate in size, shape, location, and physical characteristics to accommodate the type of use and level of development proposed.*
3. *That the streets, highways, and pedestrian facilities are reasonably adequate to safely accommodate the specific proposed use.*
4. *That there are adequate public or private services, including but not limited to fire protection, water supply, sewage disposal, and police protection to serve the project.*

We understand that the County recognizes the tax revenue and economic development benefits from approval of cannabis cultivation projects. The County must also value the neighborhood concerns associated with these cultivation projects and not sacrifice personal space or the ability to enjoy one's property in favor of a tax return. Additionally, I do not feel an objection to early activation should incur any costs to myself associated with an appeal until such issues can be mitigated. Thank you for the opportunity to comment.

Don and Margie Van Pelt

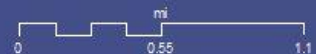
707-272-2850



Lake County, CA

High Valley Road 80 Acres

Web AppBuilder for ArcGIS



All parcel boundaries are approximate. Discrepancies in acreage, shape and location are common.
This map is not the legal survey document to be used in any legal determination. Consult your deed for a legal parcel description.

Print Date: 5/15/2021

October 1, 2020

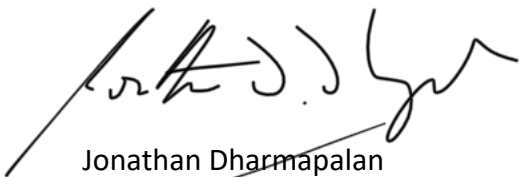
Steven Hajik
Agricultural Commissioner
Lake County Department of Food and Agriculture
883 Lakeport Blvd.
Lakeport, CA 95453

No Objection Letter – Cannabis Cultivation

Dear Sir,

I am writing to you on the behest of Mr. Richard Derum who has requested that a letter be sent to you. Our family owns Monte Cristo Vineyards located in the High Valley AVA (American Viticultural Area) in Clear Lake Oaks California. We developed the vineyards over 20 years ago and have farmed several varieties of wine grapes on the property since. We wish to express that we have no objections to the legal cultivation of cannabis in the area or in the surrounding vicinity of our vineyards in compliance with prevailing Lake County ordinances. Please feel free to be in contact with me if you have any questions.

Best Regards,

A handwritten signature in black ink, appearing to read 'Jonathan Dharmapalan', is written over a horizontal line.

Jonathan Dharmapalan
Monte Cristo Vineyards
11250 Ceritto Drive
Clearlake Oaks, CA 95423
Phone: 510-599-5246



Steven Hajik <Steven.Hajik@lakecountyca.gov>

to me ▼

Tue, Oct 27, 2020, 3:33 PM



Redo—Too many errors in the first reply.

I am not going to oppose the proposed project located at 11650 High Valley Road, operated by Eli Hagoel and ADE Mutual.

Steve Hajik

Lake County Agricultural Commissioner & Sealer

Friday September 18, 2020

Noel Stehly, Owner

Stehly Farms Organics

12630 Santa Catalina Road

Valley Center, CA, 92082

To Whom It May Concern:

I have known Avi Pollack since 2011 when Pollack Trading and Pollack USA purchased the 207 acre farm adjacent to Stehly Farms Organics in Valley Center. Avi Pollack has been practicing agriculture in San Diego since this time and has always been a knowledgeable and valuable member of the community.

Avi Pollack is a shining example of a large-scale professional farmer, always in compliance, and engaged in the bureau's activities. He is a community leader and adversary for sound farming practices, and worthy of any commercial license that can be afforded to him.

In good faith,



Noel Stehly

Former President of San Diego Farm Bureau
Stehly Farms Organics
760-801-4902

From: Jerry Brassfield <jgbrassfield@gmail.com>

Date: October 4, 2020 at 2:01:55 PM PDT

To: Elli Hagoel <hagoel@me.com>

Subject: Re: Letter of support

Hi Elli,

Per our discussions, this email serves as a notice that I have no opposition to the legal cultivation of cannabis in High Valley following Lake County rules and regulations. I am the owner of Brassfield Estate Winery and Vineyards, located in the High Valley AVA. Our family bought property in High Valley in 1973 and planted grapes in 2000. Let me know if you need anything else regarding your project.

Regards

Jerry Brassfield

510-364-1568

Initial Study Commentary

UP 21-10 Sourz HVR

CHP Clear Lake Area

Thank you for your submittal, the State Clearinghouse (SCH) is in receipt of your comments.

Mikayla Vaba
State Clearinghouse
(916) 445-0613

From: Fansler, Daniel@CHP <DFansler@chp.ca.gov>
Date: Wednesday, June 9, 2021 at 2:01 PM
To: katherine.schaefers@lakecountyca.gov <katherine.schaefers@lakecountyca.gov>
Cc: CHP-10AAdesk <10AAdesk@chp.ca.gov>, Hutchings, Kara@CHP <Kara.Hutchings@chp.ca.gov>, OPR State Clearinghouse <State.Clearinghouse@opr.ca.gov>
Subject: RE: 063 – Environmental Document Review – SCH # 2021050225 -- Due to Lead Agency by 06/10/2021

To whom it may concern,

After driving to the location for this proposed commercial cannabis operation, I would argue there will be a potential impact to CHP operations and with traffic congestion in the small community of Clear Lake Oaks.

I'm no expert on cannabis operations but based on the attachments provided, this reads like a very large operation. The first three tenths of mile on High Valley Road from State Route 20 is narrow and partially within a residential area. The increase in potential commercial traffic and daily employee traffic traveling to a 3.5 million canopy feet commercial cannabis operation every day will have an impact on traffic flow on High Valley Road and when entering/ exiting State Route 20, especially in the narrow portions of the roadway. A significant increase in traffic will generate more traffic complaints and potentially more traffic collisions. I would imagine traffic congestion never experienced before by the small community of Clear Lake Oaks would occur. Respectfully,

Dan Fansler, Lieutenant
Commander
CHP Clear Lake Area (151)
[707-279-0103](tel:707-279-0103) (Office)
[707-279-2863](tel:707-279-2863) (Fax)
dfansler@chp.ca.gov

"I prefer to see the sunrise!"



Safety, Service, and Security

Disclaimer: This Message contains confidential information and it is intended only for the individual named. If you are not the named addressee you should not disseminate, distribute or copy this e-mail. Please notify the sender immediately by e-mail if you have received this e-mail by mistake and delete this e-mail from your system. E-mail transmissions can be intercepted, corrupted, lost, destroyed, arrive late or incomplete, or contain viruses. The sender therefore does not accept liability for any errors or omissions in the contents of this message, which arise as a result of e-mail transmission.

From: Hutchings, Kara@CHP <Kara.Hutchings@chp.ca.gov>
Sent: Friday, May 28, 2021 9:58 AM
To: Dye, Arthur J@CHP <ADye@chp.ca.gov>
Cc: Enciso, Blanca@CHP <Blanca.Enciso@chp.ca.gov>; Krul, Steven@CHP <SKrul@chp.ca.gov>; CHP-10AAdesk <10AAdesk@chp.ca.gov>; Fansler, Daniel@CHP <DFansler@chp.ca.gov>
Subject: 063 – Environmental Document Review – SCH # 2021050225 -- Due to Lead Agency by 06/10/2021

Special Projects Section (SPS) recently received the referenced Notice of Environmental Impact document from the State Clearinghouse (SCH) outlined in the following Web site:

<https://ceqanet.opr.ca.gov/2021050225>

Due to the project's geographical proximity to the Clear Lake Area, please use the attached checklist to assess its potential impact to local Area/Section operations and public safety. If impact is determined, responses should be e-mailed directly to **Lake County (Lead Agency)** with cc to SCH and myself.

CC to Division FYI only.

Please feel free to e-mail me if you have any questions.

Thank you!

Kara Hutchings

Associate Governmental Program Analyst
California Highway Patrol
Special Projects Section
916-843-3370

Department of Toxic Substances Unit

Ms. Schaefer,

Good afternoon. We received an Initial Study for the subject project. Lake County seems to have quite a few cannabis operations popping up and I have sent comment letters on a number of them. I thought this time I would reach out directly via email. Does Lake County take any steps to ensure that soils in which cannabis will be planted is not contaminated with pesticides or other contaminants? It's my understanding that CalCannabis requires a search of Envirostor, but I haven't been able to determine if any steps are taken for pesticides specifically.

Thank you.

Gavin McCreary
Project Manager
Site Evaluation and Remediation Unit
Department of Toxic Substances Control
8800 Cal Center Drive
Sacramento, CA 95826
(916)255-3710
Gavin.McCreary@dtsc.ca.gov