



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

August 31, 2021

**CALIFORNIA ENVIRONMENTAL QUALITY ACT
 ENVIRONMENTAL CHECKLIST FORM - **ADDENDUM**
 INITIAL STUDY (IS 20-25) – **SCH #2021020311****

1. **Project Title:** WeGrow
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 (cultivation site)
APN: 013-060-40

17610 Sandy Road, Middletown (cluster site)
APN: 013-014-03

19678 Stinson Road, Middletown
APN: 013-014-11
6. **Project Sponsor's Name/Address:** WeGrow, 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 and (1) A Type 1C (Specialty Cottage mixed-light) license that would include 387,600 sq. ft. of mixed light cultivation area. The project includes thirty two 90' x 125' greenhouses for mature canopy; two 90' x 125' greenhouses for immature canopy, four 50' x 100' processing buildings, two 200 sq. ft. sheds, twenty 5,000 gallon water tanks. The cultivation area is hidden from

view due to the terrain and slope, however the applicant is proposing to build an 8' tall metal fence with privacy screening around the cultivation area perimeter. Additionally, the applicant is proposing a natural vegetative screen that will be at minimum 20 feet tall surrounding the north end of the cultivation area. Lastly the applicant is applying for (1) A-Type13 'Self Distribution' license.

Article 27, subsection (at) in part regulates cannabis cultivation in Lake County. The 309+ acre properties are large enough to support the 15 proposed licenses; each license requires 20 acres of land area. The applicant is not within an "exclusion overlay district", and the applicant is pre-enrolled with the Regional Water Quality Control Board. The applicant must meet all requirements for commercial cannabis cultivation.

The Planning and Building Department conducted a site inspection on Friday March 19, 2021, 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.

Water

The site will be served by 2 on-site wells; one of the wells is intended for domestic use and cannabis irrigation; the other is intended to be used solely for agricultural purposes (cannabis irrigation).

The applicant has provided an engineered cumulative Water Availability Analysis prepared by Hurvitz Environmental Services Inc., dated August 1, 2021. The Analysis evaluated water demands by this project, and included well draws from other known area wells. The Analysis concluded that an annual total of 4,751,735 gallons would be required once the project is at full capacity, and that the total aquifer storage was estimated at 911 acre feet, or about 297,000,000 total gallons (1 acre foot = 325,851 gallons). The project is anticipated to use 14.48 acre feet of water per year.

A well test was performed on the domestic well on February 17, 2021 and a test was performed on the agricultural well on April 9, 2021; the agricultural well first pumped 76 gallons per minute (GPM), and reduced gradually down to 40 GPM after approximately 6 hours of run time. After a 30 minute shut-down period, the well recharged by 98%. The smaller well first pumped 10 gallons per minute (GPM), and reduced gradually down to 8 GPM after approximately 6 hours of run time. After a 30 minute shut-down period, the domestic well recharged by 72.5%.

The water flow data for both of the wells dated February 21, 2021 and April 9, 2021, were prepared by JAK Drilling and Pump.

Construction

- Construction of the site would take place over a 7 to 10 week period
- Proposed are 38 buildings requiring building permits, and two 200 sq. ft. sheds
- 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, fabric pots, soil).

Post Construction Cultivation Activities

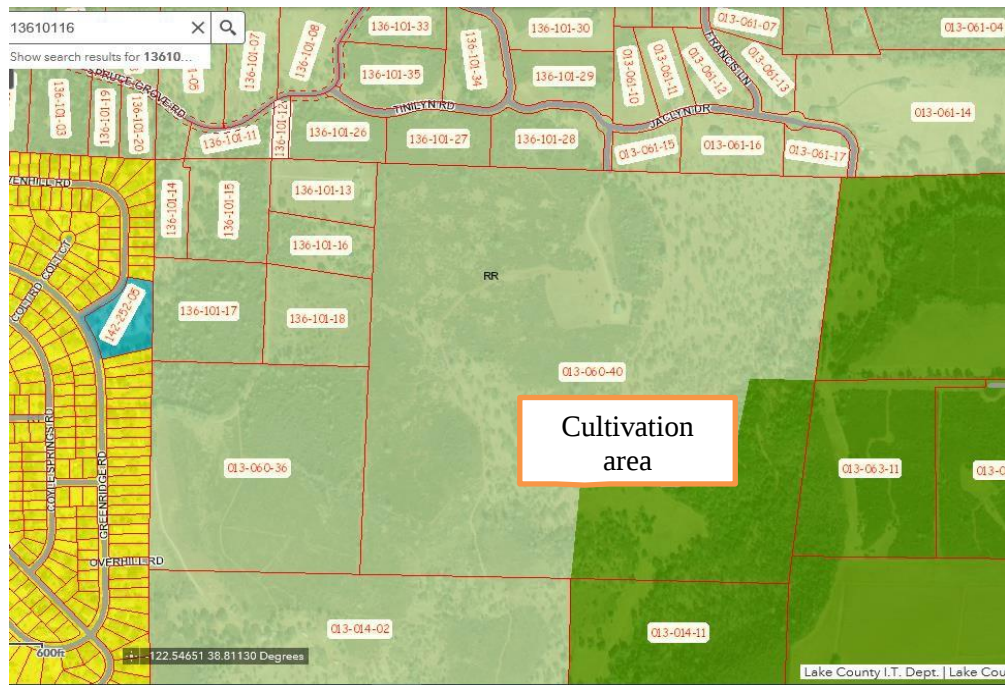
- Self-distribution: an A-Type 13 self-distribution is requested
- On-site drying, trimming and packaging
- The applicant has provided well data and a hydrology report showing the adequacy of the water table in this location.
- Fertilizer is packed in five-gallon, resealable containers and stored in 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.
- 20 employees are estimated to be working on the site at any given time.
- Estimated daily vehicle trips would range between 40 and 80 following the construction.

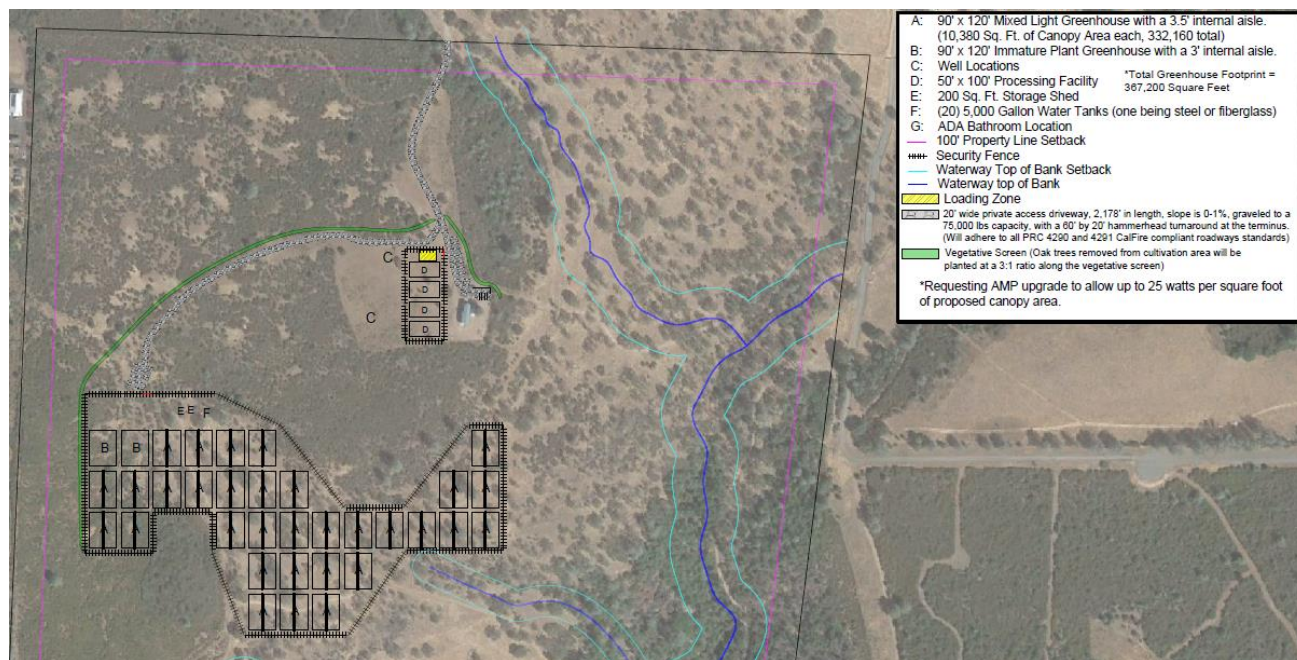
10. Surrounding Land Uses and Setting: Briefly describe the project’s surroundings:

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.



Zoning Map of Site and Vicinity



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. The applicant reached out to the tribe's representative on March 5th, 2021, offering a site visit. The Middletown Rancheria Tribe met with the applicant on the project property on March 15, 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 | ☒ |

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: _____

Carol Huchingson, County Administrative Officer, Interim CDD 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 county 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 8' tall fence with privacy screening around the perimeter of the fence. Also surrounding the cultivation will be a natural vegetative screen of tree species that will grow to a minimum of 20 feet tall. 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		This proposed project would remove approximately 130 mature oak trees and would replace them at a 3:1 replacement ratio using native trees. According to the biological report, the trees are nearing the end of their lifespans and replanting will provide greater biological diversity within the area. No rock outcroppings or historic buildings were observed or identified within the proposed cultivation area as outlined 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 over 500' outside of the 1000' buffer for the Hidden Valley Lake Community growth boundary. As previously stated, the cultivation area is setback on the property which conceals the view of the cultivation area due to topography and vegetation. Additionally, a 20' natural vegetative screen and 8' tall fence with privacy mesh covering is proposed to further conceal any views from accessible vantage points. 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 is proposing greenhouses with artificial lighting that could cause additional glare, however the proposed greenhouses include automated blackout screening. Security lighting surrounding the cultivation fence and front entrance do have the potential to create additional light or glare. A mitigation measure is added that requires all lighting to follow the darksky.org provisions. <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 8' tall fence with screening applied to the entire fence around the perimeter of the cultivation area. <u>AES-3:</u> All outdoor lighting shall be directed downward onto the project site and not onto adjacent properties. All lighting equipment will need to comply with the recommendations of darksky.org and provisions of Section 21.48 of the Zoning Ordinance. 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 Land' 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 387,600 sq. ft. inside 38 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 only backup generators are proposed, which will minimize dust migration. Lake County requires an “OdorControl Plan” which was provided by the applicant. The odor control plan identifies that all proposed structures including the greenhouses will be fully enclosed which greatly reduces any odor migration. All structures will be equipped with active carbon filters to further filter any odor escaping. Lastly the applicant identifies the distance and natural vegetation between the cultivation area and the public will also mitigate any odor migration. The nearest dwelling (sensitive receptor) is located over 750 ft away from the cultivation area which is separated by natural vegetation. Consequently, mitigation measures 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.	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-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. 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 over 750 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 (750 feet away), and given mitigation measure AQ-7 which requires each greenhouse to have a carbon filtration system to minimize odors, 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 with mitigation measures added	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 done by Emerald Triangle Associates conducted a site visit on April 13, 2021, while in the flowering season. An additional site visit was done by Emerald Triangle Associates on 7/24/21. According to all three studies, no sensitive species were observed, and the conclusion reached by the studies indicated that minimal impact would occur on the site due to the lack of observed and mapped sensitive species. The second & third biological reports did include a Tree Removal and Revegetation Plan to mitigate for the removal of mature trees. A 3:1 tree replacement was recommended by the biologist. 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: Any mature trees greater than 5" DBH that are removed shall be replanted with blue oak saplings (or similar indigenous species) at a 3:1 ratio under the guidance of a qualified biologist. Trees shall be 5' tall at time of planting, and any tree that fails to survive during the duration of the use permit shall be replanted with a healthy tree. All newly planted trees shall be irrigated. 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, and no migratory corridors were identified within or near the cultivation site according to the three bio studies submitted. 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 on this site. The applicant has indicated that tree removal of 130 blue oak trees will occur, and has provided a tree replacement plan completed by a qualified biologist. 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 Impact	1, 2, 3, 5, 6, 39
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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 387,600 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 has identified that the site is currently connected to PG&E power and is proposing to use 'on grid' power to provide lighting to 34 greenhouses and four 5000 sq. ft. drying buildings, as well as to surveillance cameras and well pumps. The applicant has indicated that with 25 watts per square foot for each greenhouse the minimum amperage that would be needed to power the site is 30,000 AMPs. The existing connection will need to be upgraded in order to allow for the energy consumption estimated. Staff contacted PG&E by emailed letter during the week of August 18, 2021 regarding this specific project. Staff inquired whether the grid was capable of being easily upgraded in this location; the PG&E Engineer Justin Newell indicated that an upgrade to the system would be needed in this location, and that the applicant will be responsible for paying for the power upgrade. Mr. Newell confirmed that power was scarce in this power grid, and that outages had occurred because of overuse coupled with insufficient power available. The following condition applies to this proposal: EN-1: The applicant shall demonstrate how they will be able to provide adequate power to this site within 90 days of permit approval. Evidence of adequate power shall be in the form of a contract of agreement with PG&E, or by engineered power calculations showing an alternative energy source. Failure to provide this energy verification will result in revocation of this use permit. 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*Would the project:*

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 38 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. Prior to the issuance of the building permits, engineered plans shall be provided to the Building Official for review. This review will be required as a mitigation measure to assure that the proposed grading follows all guidelines. 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
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 soil stabilization will be placed on the outer boundary of the cultivation area to further prevent soil erosion, and stormwater runoff. 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 seven to ten week period of time for site and interior driveway preparation. The applicant indicates that 20 employees per shift will be working on site depending on the time of year. Construction-related daily trips are estimated to be 4-8 trips per day, and non-construction (day to day site access) will generate up to 80 daily trips by commuter vehicles. 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 <i>significant hazard</i> is very minimal. Some gasoline will be stored on site for use in on-site vehicles. Backup generators are proposed only for emergency use, 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 a 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

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 report for both wells on-site which will be used for cannabis cultivation. The first well was tested on February 17, 2021, which was pumped for 6 hours, yielded 7.76-GPM with a 72.5% recharge rate within 40 minutes of shutoff. The second well was tested on April 9, 2021, which was pumped for 6 hours, yielded 40-GPM with a 98% recharge rate within 40 minutes of shutoff. The applicant also provided a Water Use/Water Availability study conducted by Hurvitz Environmental Services. The study reviewed the projects proposal, well data and location to determine the impacts of the proposed project. The study concluded that based on well yield test data collected at the site, and based on the estimated aquifer capacity of 911 acre-feet, or about 297,000,000 gallons of water, it appears that the aquifer storage and recharge area are sufficient to provide for sustainable annual water use at the site and within the area. The study also determined that the quantity of groundwater to be used for the project compared to the average quantity of available groundwater and severe drought conditions indicates that pumping for the proposed project is unlikely to result in significant declines in groundwater elevations or depletion of groundwater resources over time. Less Than Significant Impact	1, 2, 3, 5, 6, 31
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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”, which includes roadways and parking, will be about 395,000 sq. feet. 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%. The applicant has provided an engineered Erosion Control Plan that shows best management practices necessary to contain storm water on site, mostly through the use of permanent straw wattles around the cultivation areas. The Erosion Control Plan submitted limits the runoff areas to the containment areas shown on the site plan. The use of water-channeling wattles will control the direction of runoff flow, and will retain water within their boundaries. 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. <u>NOI-1:</u> 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. <u>NOI -2:</u> Maximum non-construction related sound levels shall not exceed levels of 55 dBA between the hours of 7:00AM to 7:00PM and 45 dBA between the hours of 10:00PM to 7:00AM within residential areas as specified within Zoning Ordinance Section 21-41.11 (Table 11.1) at the property lines. <u>NOI-3:</u> 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. 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 either agreement with PG&E to upgrade the grid within 90 days of the use permit issuance, or engineered Energy plans showing an alternative energy source capable of creating 30,000 amps, the amount of power that the applicant needs (according to the application material submitted). 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. The County has some concerns about the traffic generated by this proposed development. The Lake County Department of Public Works (DPW) did not raise this issue on the original review of file no. UP 20-22 / WeGrow, likely because DPW didn't realize that they were accessing the nearest County road by passing through the subdivision roads. While the proposed development has the right to access the subdivision roads, the property owners pay DPW to maintain these roads and therefore the property owners are concerned about damages resulting from the extra traffic and who should have to pay for the additional wear. The subdivision roads are relatively minor in construction, with 2" of asphalt over 6" of aggregate base. They are designed for residential street traffic and may not be suitable for heavy commercial truck, or high volumes of traffic. Additionally, because of the rural, residential nature of the subdivision, intersection control signage is limited, and there are several intersections that will see much greater volumes of traffic and potential conflict. The residents would like to see a monetary fee assigned to the proposed grow-site, however the County is having difficulty quantifying a dollar figure as a mitigation. Consequently the following mitigation measures apply: TRANS-1: The cultivator shall enter into an extraordinary use agreement with the Department of Public Works for roads within the Dohnary Ridge Estates Subdivision (Tinalyn Road, Jaclyn Drive), along with Spruce Grove Road, which will require the cultivator to be financially responsible for all damages to road surfaces above and beyond normal wear. Photographic and video documentation shall be made on an annual basis to document the condition of these roads for comparison following the growing season. TRANS-2: A paved encroachment constructed to County Commercial standards shall be installed at the intersection of Herrington Road and Jaclyn Drive. TRANS-3: Stop Signs and pavement markings shall be installed at the intersections of Herrington Road and Jaclyn Drive, Jaclyn Drive and Tinalyn, and Tinalyn and Spruce Grove Road. Additionally, some improvements to the interior driveway are needed in order to make the interior driveway compliant with Public Resource Code sections 4290 and 4291 (CalFire road standards). Therefore, the following mitigation measure applies: TRANS-4: Prior to a building permit being issued, the applicant shall improve 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 the site, and with Public Works if any improvements to the publicly-dedicated portion of Herrington Road are proposed. 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 40 to 60 vehicle trips per day during and after construction and site preparation. Significant impacts are able to be mitigated through mitigation measures TRANS-1 through TRANS-4. Less Than Significant Impact with mitigation measures added	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 alter the path of access into the site, however certain improvements are necessary, and ongoing maintenance shall be in part the responsibility of the cultivators as identified under subsection a) above. Further, 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. Less Than Significant Impact with mitigation measures added	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

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:

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 John W. Parker, Ph.D., RPA dated February 28, 2020. 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 if any Native American artifacts or remains are found. Less Than Significant Impact with mitigation measures added.	1, 2, 3, 5, 6, 40
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b) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resources Code 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.					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 notified of this action, and Middletown Rancheria has requested consultation regarding this project. The Middletown Rancheria Tribe consulted with the applicant on the project property on March 15, 2021. Less than Significant Impact	1, 2, 3, 5, 6, 40
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XIX. UTILITIES AND SERVICE SYSTEMS

Would the project:

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 two existing onsite wells and onsite septic system. Power is discussed under 'Energy' and 'Public Services', and the amount of power requested for this project is significant according to the applicant, and the grid is close to needing an upgrade, which will be required of this applicant. Mitigation measure EN-1. The site does not contain a telecommunication system and is not supplied with natural gas. Less Than Significant Impact with mitigation measure added	1, 2, 3, 5, 6, 21
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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 two existing wells that have adequate gallons per minute output as well as recharge data provided during significant drought. There is no minimum threshold for well productivity in Lake County, however the applicant has demonstrated via the engineered hydrology report that the existing wells can supply adequate water for the project, and that the aquifer is stout enough to enable the wells to fully recharge within a short period of time. 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 existing 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 March 19, 2021, 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. The project is also proposing significant amount of water storage that can be utilized for fire emergencies. 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 nonresidential agricultural barn 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 that was previously occupied by horse grazing. 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 with mitigation measures added	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, Public Services, 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 387,600 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. Risks associated are Aesthetics, Air Quality, Biological Resources, Cultural / Tribal Resources, Energy Resources, Hydrology, Noise, Public Services, 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, March 19, 2021
5. WeGrow Major Use Permit Application and Supplemental Materials
6. Project Management Plan for Major Use Permit; August 26, 2021
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/CNDDDB>)
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 and 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. Biological Study, prepared by Emerald Triangle Associates and dated April 13, 2021. Biological Study prepared by Emerald Triangle Associates and dated August, 19, 2021.
40. Cultural Study, prepared Wolf Creek Archaeology dated February 28, 2020.