



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

September 28, 2021

**CALIFORNIA ENVIRONMENTAL QUALITY ACT
 ENVIRONMENTAL CHECKLIST FORM
 INITIAL STUDY (IS 20-110) – SCH #2018112008**

1. **Project Title:** KLS-RBS LLC (Formerly Draper)
2. **Permit Numbers:** **Modification (MMU 20-11) to Use**
Permit UP 18-25; Initial Study IS 20-110
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):** 9475 Bottle Rock Road, Kelseyville, CA
APN: 011-004-60
6. **Project Sponsor’s Name/Address:** KLS-RBS LLC / Mike Mitzel and Jed Morris
9475 Bottle Rock Road
Kelseyville, CA 95451
7. **General Plan Designation:** Rural Lands
8. **Zoning:** “RL” Rural Lands
9. **Supervisor District:** District Five (5)
10. **Flood Zone:** None
11. **Slope:** Moderate to Steep
12. **Fire Hazard Severity Zone:** High Fire Severity Zone
13. **Earthquake Fault Zone:** None
14. **Dam Failure Inundation Area:** None
15. **Parcel Sizes (based on GIS data):** 77.32 acres
16. **Description of Project: (Describe the whole action involved, including but not limited to later phases of the project, and any secondary, support, or off-site features necessary for its implementation. Attach additional sheets if necessary).**

The original applicant placed an 8100 square foot metal building on the property with no permits in 2020 for use as a cannabis drying building, then sold the property. The current applicants then purchased the property and realized that the building had been illegally built. The applicant is now trying to legitimize the building. No other changes are proposed in this initial study. The 2018 Initial Study, IS 18-32, contains mitigation measures that still apply to this site.

Construction

- Completed in 2020

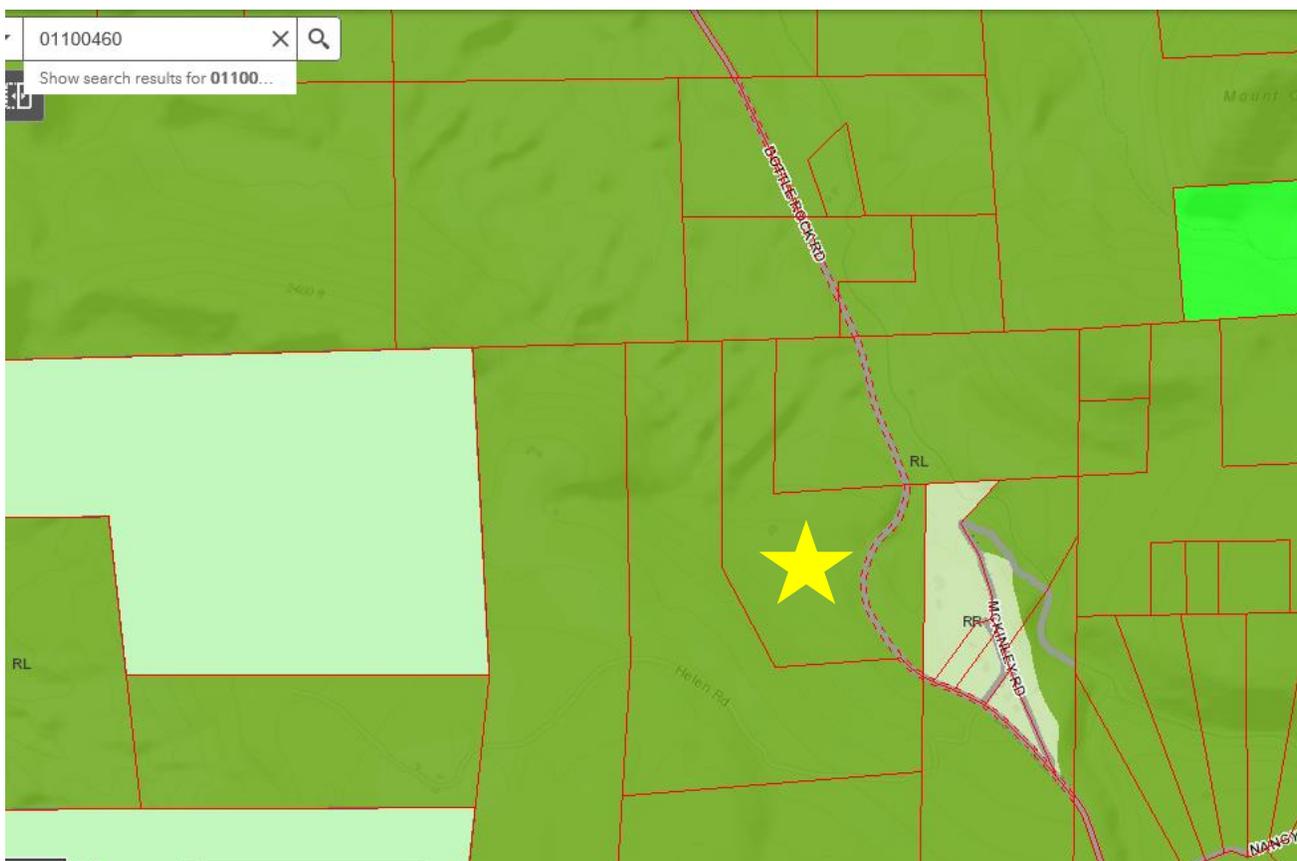
Post Construction

- Ongoing use of the building as a drying building for commercial cannabis grown on site through Use Permit UP 18-25.

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

North, West and South: RL 'Rural Land.' Parcel sizes generally range from 45 to 160 acres that are primarily undeveloped. A property located northeast of the northern subject lot contains a vineyard.

West: RR 'Rural Residential'; four lots in total. All four lots contain dwellings; three are used for crop production (vineyards and orchards).



ZONING OF SITE AND SURROUNDING AREA

18. 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)

19. 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 December 18, 2020. The Middletown Rancheria Tribe requested consultation on January 4, 2021. Staff reached out to the Rancheria Tribe in January 2021 and again in September 2021 while writing this initial study and did not receive a response.

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

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

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

DETERMINATION: (To be completed by the lead Agency)

On the basis of this initial evaluation:

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

Initial Study Prepared By:
Eric Porter, Associate Planner



Date: 9-28-2021

SIGNATURE

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) "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).
- 4) 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.
- 5) 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.
- 6) Supporting Information Sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.
- 7) 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.
- 8) 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 new building will not have a substantial adverse effect on the "Scenic Vista" as the building site and parent property are not located within a designated scenic area and are located in a rural area of Lake County, CA. The building will not be visible from Bottle Rock Road due to the terrain; the building is located on a hill above the public road, and is totally screened by significant tree coverage. Less than Significant Impact	1, 2, 3, 4, 5, 6, 7

b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?			X	<p>The building will not substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway as the building is located on a previously cleared portion of the site that had been previously cleared, and that did not require any impacts to trees, rock outcroppings or any historic buildings.</p> <p>Less Than Significant Impact</p>	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	<p>The project is not located in an urbanized area and will not impact a non-urbanized area and/or substantially degrade the existing visual character or quality of public views.</p> <p>Less Than Significant Impact</p>	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	<p>The project has limited potential to create additional light or glare during evening and/or nighttime operations depending on the positioning of any outdoor lighting proposed. The County requires all lighting to be directed downwards, shielded and adhere to all Federal, State and local agency requirements, including all dark-sky requirements.</p> <p>Less Than Significant Impact</p>	1, 2, 3, 4, 5, 6, 7
<p>II. AGRICULTURE AND FORESTRY RESOURCES</p> <p><i>In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment Project; and forest carbon measurement methodology provided in Forest protocols adopted by the California Air Resources Board.</i></p> <p><i>Would the project:</i></p>					
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?			X	<p>The site contains farmland that is mapped as 'Other Land' which is generally regarded as lower value soil. There are no actively farmed lands or mapped high value soil located on or adjacent to the subject site.</p> <p>Less than Significant Impact</p>	1, 2, 3, 5, 6, 9, 10
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?			X	<p>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 building under consideration herein.</p> <p>Less than Significant Impact</p>	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 building 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 little potential to result in air quality impacts. There is some potential for odors to migrate to beyond the building. Consequently, a mitigation measure is needed as follows: AQ-1: Within ninety (90) days of the date of approval of the modification, the applicant shall install air filtration system(s) inside the building to limit or eliminate odors from migrating beyond the interior of the building. Less Than Significant Impact with mitigation measure AQ-1 added.	1, 2, 3, 5, 6, 9, 12, 13
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 over 1350 feet to the east of the building. 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. In this case the building is already built; the new owners are trying to legitimize the building, which was built without building permits. A mitigation measure is proposed that will mask odors during harvest time. 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 generally sparsely populated. The building has some potential to generate odors during harvest time; consequently a mitigation measure is added requiring air filters inside the building has been added. 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		<p><u>A Biological Assessment</u> was done by Jacobzoon Associates (JA) in October 2017. JA queried the California Dept. of Fish and Wildlife's 'Threatened and Endangered Species' data base according to the PEIR submitted. No sensitive species were found in the site survey.</p> <p>An addendum from Jacobzoon was written on March 3, 2021 and was specific to this project. The addendum indicated that no new sensitive species were discovered on the site, and that the original Biological Assessment was valid.</p> <p>Less than Significant Impact</p>	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		<p>There are no mapped sensitive habitats that are on the subject site.</p> <p>Less than Significant Impact</p>	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	<p>There are no federally protected wetlands on the subject site.</p> <p>No Impact</p>	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		<p>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.</p> <p>Less than Significant Impact</p>	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		<p>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.</p> <p>Less than Significant Impact</p>	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	<p>There are no Habitat Conservation Plans associated with this property.</p> <p>No Impact</p>	1, 2, 3, 5, 6, 39

IMPACT CATEGORIES*	1	2	3	4	All determinations need explanation. Reference to documentation, sources, notes and correspondence.	Source Number**
V. CULTURAL RESOURCES <i>Would the project:</i>						
a) Cause a substantial adverse change in the significance of a historical resource pursuant to §15064.5?			X		<p>A Cultural Analysis of the site was performed in September 2018 by Wolf Creek Archeology. The Analysis determined that there were no significant artifacts or relics found in the disturbed portion of the site or its immediate surrounding area during the Analysis.</p> <p>The study area of the Analysis included the site where the building was located. The recommendation made by the surveying Archaeologist was that the project should proceed.</p> <p>The County routinely places conditions of approval on sites that have some potential for uncovering Tribal relics, artifacts or human remains during site disturbance; these mitigation measures are already in place from the original IS-MND 18-32 from 2018, and are within conditions of approval for the original use permit. It would be redundant to again require these already-active conditions of approval in this document.</p> <p>Less than Significant Impact</p>	1, 2, 3, 5, 6, 40
b) Cause a substantial adverse change in the significance of an archeological resource pursuant to §15064.5?			X		<p>No changes are expected to archaeological resources.</p> <p>Less Than Significant Impact</p>	1, 2, 3, 5, 6, 40
c) Disturb any human remains, including those interred outside of formal cemeteries?			X		<p>Some ground-disturbing activities occurred while preparing the pad for the 8100 sq. ft. drying building. Disturbance of human remains was not reported during the ground disturbance. 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.</p> <p>Less Than Significant Impact</p>	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			<p>The proposed energy usage for this building is minimal. Some lighting and air filtration systems will require power, however the power needs for this building are anticipated to be less than for a single family dwelling, and can be accommodated by on-grid power.</p> <p>Less than Significant Impact</p>	1, 2, 3, 5, 6
b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?				X	<p>The proposed cultivation operations would not conflict with or obstruct an energy plan.</p> <p>No Impact</p>	1, 2, 3, 5, 6

VII. GEOLOGY AND SOILS

Would the project:

<p>a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:</p> <ul style="list-style-type: none"> 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	<p><u>Earthquake Faults</u> The project site is not located within a mapped Earthquake Fault area as established by the California Geological Survey.</p> <p><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 where the building is located 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.</p> <p><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.</p> <p>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 building footprint), operation and maintenance procedures and other measures in accordance with Chapter 29 of the Lake County Code.</p> <p>Less Than Significant Impact</p>	<p>1, 2, 3, 5, 6, 9, 17, 18, 19, 20</p>
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b) Result in substantial soil erosion or the loss of topsoil?			X	<p>No erosion or loss of topsoil is anticipated.</p> <p>Regarding the new proposal, some minor grading of the building pad occurred, but is 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.</p> <p>Less Than Significant Impact</p>	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	<p>According to the soil survey of Lake County, prepared by the U.S.D.A., the soil at the site 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.</p> <p>Less Than Significant Impact</p>	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	<p>The shrink-swell potential for the project soil type (117) is low to moderate. The placement of the building on this soil type would not increase risks to life or property.</p> <p>Less Than Significant Impact</p>	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	<p>The project site will be served through an existing onsite waste disposal system.</p> <p>Less Than Significant Impact</p>	1, 2, 3, 5, 6, 9, 21
f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?			X	<p>Disturbance of paleontological resources or unique geologic features was not documented during site preparation. No further soil disturbance is needed.</p> <p>Less than Significant Impact</p>	1, 2, 3, 5, 6

VIII. GREENHOUSE GAS EMISSIONS

Would the project:

a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?			X	<p>The construction of the building has already occurred, and no additional vehicle trips associated with the building are anticipated, since no new employees are added due to the addition of the drying building.</p> <p>Less than Significant Impact</p>	1, 2, 3, 5, 6, 12
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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	<p>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.</p> <p>No Impact</p>	1, 2, 3, 5, 6, 12

IX. HAZARDS AND HAZARDOUS MATERIALS*Would the project:*

a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?			X		The applicant is using organic fertilizers and pesticides, and minimal toxic chemicals such as small quantities of fuel will be stored in the building, which is secured and only accessible by employees. 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 listed the chemicals that will be used on site within the original (2018) and revised Property Management Plan for this project, including the method of storage in a secure and lockable building (shed). Other than fuel, the chemicals that will be stored in this building include organic fertilizers and organic pesticides, which are necessary to maintain acceptable levels of otherwise toxic substances for state testing purposes. 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, indicating that the likelihood of accidents occurring involving chemicals or other hazardous materials is minute. Less than Significant Impact	1, 2, 3, 5, 6, 23
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?				X	The proposed project is not located within one-quarter mile of an existing or proposed school. No Impact	1, 2, 3, 5, 6, 7
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?			X		The project site is not listed as a site containing hazardous materials in the databases maintained by the Environmental Protection Agency (EPA), California Department of Toxic Substance, and Control State Resources Water Control Board. Less Than Significant Impact	1, 2, 3, 4, 5, 6, 24, 25

IMPACT CATEGORIES*	1	2	3	4	All determinations need explanation. Reference to documentation, sources, notes and correspondence.	Source Number**
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?				X	The project is not located within two (2) miles of an airport. No Impact	1, 2, 3, 4, 5, 6, 26, 38
f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?			X		The project would not impair or interfere with an adopted emergency response or evacuation plan. Less Than Significant Impact	1, 2, 3, 4, 5, 6, 22, 38
g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?			X		The project site is located in a high fire hazard severity zone and is in State (CalFire) Responsibility Area. The applicant had cleared a 100' wide buffer around the lower cultivation site, including the building pad for this building under consideration in 2018. Less Than Significant Impact	1, 2, 3, 4, 5, 6, 22, 27, 28, 38

X. HYDROLOGY AND WATER QUALITY

Would the project:

<p>a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?</p>			<p>X</p>	<p>The building will require minimal water, and stormwater runoff is addressed in the engineered Erosion Control plan submitted, as well as in the Property Management Plan for the project.</p> <p>The Plan shows the building site being protected by permanent erosion control methods in order to retain stormwater runoff within the confined cultivation areas.</p> <p>Less Than Significant Impact</p>	<p>1, 2, 3, 5, 6, 29, 30</p>
<p>b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?</p>			<p>X</p>	<p>The building will require minimal water usage that will have virtually no impact to the water table. The cultivation areas were evaluated in 2018 during the original review of the cannabis cultivation areas.</p> <p>Less Than Significant Impact</p>	<p>1, 2, 3, 5, 6, 31</p>

IMPACT CATEGORIES*	1	2	3	4	All determinations need explanation. Reference to documentation, sources, notes and correspondence.	Source Number**
<p>c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner that would:</p> <p>i) result in substantial erosion or siltation on-site or off-site;</p> <p>ii) substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite;</p> <p>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</p> <p>iv) impede or redirect flood flows?</p>			X		<p>The soil type is Type 117 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.</p> <p>The applicant has submitted an Erosion Control Plan that shows best management practices for the cultivation area consisting of stormwater channelization into a confined area.</p> <p>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.</p> <p>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.</p> <p>Less Than Significant Impact</p>	1, 2, 3, 5, 6, 7, 15, 17, 29, 30
<p>d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?</p>			X		<p>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 building pad area is almost flat, ranging from 0% to 5%. There is minimal potential to induce mudflows.</p> <p>Less Than Significant Impact</p>	1, 2, 3, 5, 6, 7, 9, 24, 32
<p>e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?</p>				X	<p>The project would not conflict with or obstruct any water quality control or sustainable groundwater management plans.</p> <p>No Impact</p>	1, 2, 3, 5, 6, 29
XI. LAND USE AND PLANNING <i>Would the project:</i>						
<p>a) Physically divide an established community?</p>				X	<p>The 8100 sq. ft. building would not physically divide an established community.</p> <p>No Impact</p>	1, 2, 3, 5, 6
<p>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?</p>			X		<p>This project is consistent with the Lake County General Plan, Kelseyville Area Plan, the Lake County Zoning Ordinance, and the Hazard Mitigation Plan.</p> <p>Less Than Significant Impact</p>	1, 2, 3, 5, 6

IMPACT CATEGORIES*	1	2	3	4	All determinations need explanation. Reference to documentation, sources, notes and correspondence.	Source Number**
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 and is not listed as an important mineral recovery site on any adopted Plans. 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			The building is already built. This modification is strictly to legitimize a building that was built without building permits. No further construction will occur, and the site already has noise restrictions based on UP 18-32 and its conditions of approval, which will cover any potential noises associated with this building. Less Than Significant Impact	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 or a public use airport. Lampson Field is located about 4 miles from the site. 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 will not 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

Would the project:

<p>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:</p> <ul style="list-style-type: none"> - Fire Protection? - Police Protection? - Schools? - Parks? - Other Public Facilities? 			X	<p>The project has no effect on any public services with the exception of power. A minimal amount of on-grid power is needed to supply power for lighting and the required air filtration system inside the building.</p> <p>Less Than Significant Impact</p>	1, 2, 3, 5, 6
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XVI. RECREATION

Would the project:

<p>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?</p>			X	<p>The project will not have any impacts on existing parks or other recreational facilities.</p> <p>No Impact</p>	1, 2, 3, 5, 6
<p>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?</p>			X	<p>This project will not necessitate the construction or expansion of any recreational facilities.</p> <p>No Impact</p>	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 a private driveway that connects with Bottle Rock Road. Staff has visited the site on at least three occasions for various reasons including for compliance with Public Resource Codes (PRC) 4290 and 4291. The site was determined to be in compliance with PRC 4290 and 4291, and as such is able to apply for and receive building permits, provide the building(s) meet all other requirements. Less Than Significant Impact	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 drying building under consideration does not generate any new vehicle trips. No additional employees are added because of the building. No Impact	1, 2, 3, 4, 5, 6, 34, 35
c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?			X		No changes to the interior driveway or to Bottle Rock Road are necessary because of this building. Less Than Significant Impact	1, 2, 3, 4, 5, 6, 23, 34, 35
d) Result in inadequate emergency access?			X		As proposed, this project site will not impact existing emergency access. Less Than Significant Impact	1, 2, 3, 4, 5, 6, 23, 34, 35
XVIII. TRIBAL CULTURAL RESOURCES <i>Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:</i>						
a) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or			X		The applicant has submitted a Cultural Resource study prepared by Wolf Creek Archaeology dated September 2018. 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. Less Than Significant Impact	1, 2, 3, 5, 6, 40
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.			X		There are no mapped or observed significant resources (Tribal Cultural) that are on or immediately adjacent to the site according to the 2018 Cultural Study done for this property by Wolf Creek Archaeology. Less than Significant Impact	1, 2, 3, 5, 6, 40

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 building requires minimal water for employee use. Less Than Significant Impact	1, 2, 3, 5, 6, 21
b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?			X		The cultivation area on the site was evaluated for water adequacy in 2018. The building under consideration herein will be a minimal user of water, given that the purpose of the building is to dry cannabis plants following harvest. Given the minimal water demand of the building, it is not considered to be a potentially significant water user. Less Than Significant Impact	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. The 77 acre site is large enough to accommodate a second septic system if one is needed for the drying building. 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 building will not generate additional waste. Most of the waste associated with commercial cannabis cultivation is either plant material, which is required to be chipped and spread on the site, or is in the form of food wrappers and other typical household solid waste. The landfill serving Lake County is not at capacity and according to its manager, has the ability to expand if and when needed. 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		The applicant shall meet all federal, state and local requirements related to solid waste disposal. This is a standard condition of approval for all cannabis cultivation activities and projects. 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 building site is located within a high fire hazard area. The applicant had cut a 100' wide vegetation 'clear area' in 2018, and the building is not placed in a location where evacuation from the site would be compromised if it needed to occur. 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	<p>The building has a neutral effect on wildfire-related impacts.</p> <p>Less than Significant Impact</p>	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	<p>The portion of the site that contains the building also has a 100 foot 'clear area' around the building and cultivation site. Portions of the site contain significant fuel load; however, the cultivation areas including the building pad have much less of a fuel load, and there are on-site water storage tanks that could be used for wildfire suppression if necessary.</p> <p>Less than Significant Impact</p>	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	<p>The cultivation / building sites are located on portions of the parent property that are flat. There is a slight incline leading up the driveway to the site, however the developed portion of the site has little likelihood of flooding or landslides given its slope.</p> <p>Less Than Significant Impact</p>	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 building under consideration herein is already built. There is some potential for odor migration, but virtually no potential for adverse impacts to fish or wildlife. The site was minimally disturbed during building site preparation, and no culturally significant items were found during the site disturbance. Less Than Significant Impact	ALL
b) Does the project have impacts that are individually limited, but cumulatively considerable? (“Cumulatively considerable” means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?		X			The only item under consideration in this Initial Study is the 8100 sq. ft. cannabis drying building that was built illegally and without building permits. There is some potential for additional stormwater runoff to occur, however the applicant has prepared and submitted engineered Drainage and Erosion Control plans that show adequate mitigation measures related to stormwater containment. 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 little potential to result in adverse indirect or direct effectson human beings. Risks associated are limited to Air Quality through odor migration of drying cannabis plants; this can be mitigated using air filters inside the building. Implementation of and compliance with mitigation measures identified in the Air Quality 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. Kelseyville Area Plan
4. Site Visits; September 2018 and January 2020
5. Original Major Use Permit Application and Supplemental Materials for Modification MMU 20-11
6. Project Management Plan for Major Use Permit and Modification MMU 20-11
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 and Addendum, prepared by Jacobzoon and Associates; October 2017 and March 3, 2021
40. Cultural Study, prepared Wolf Creek Archaeology dated September 2018.