



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

December 1, 2023

**CALIFORNIA ENVIRONMENTAL QUALITY ACT
ENVIRONMENTAL CHECKLIST FORM
SUBSEQUENT INITIAL STUDY (UP 23-08, IS 23-19)
ORIGINAL SCH# 2020060431**

1. Project Title: Wellness Ranch III / Luis Martinez
2. Permit Numbers: Major Use Permit UP 23-08
Subsequent Initial Study IS 23-19 (former IS 22-43)
3. Lead Agency Name and Address: County of Lake Community Development Department
Courthouse, 3rd Floor, 255 North Forbes Street
Lakeport, CA 95453
4. Contact Person: Andrew Amelung, Cannabis Program Manager
5. Project Location(s): 6751 Ridge Road, Lakeport, CA
APN: 007-045-16
6. Project Name & Address: Wellness Ranch III
10522 Poinsettia Lane
Santa Fe Springs, CA 90670
7. General Plan Designation: Rural Lands
8. Zoning: "RL-B5-WW" Rural Lands, Frozen, Waterway
9. Supervisor District: District 3
10. Flood Zone: None mapped
11. Slope: Varied; cultivation sites are less than 10%
12. Fire Hazard Severity Zone: SRA; High Fire Risk
13. Earthquake Fault Zone: None
14. Dam Failure Inundation Area: Not located within Dam Failure Inundation Area
15. Parcel Size: ±106.47 Acres
16. Previous Land Use Permits: MUP 19-15 (10,000 sf of outdoor cultivation area)
MUP 22-13 (10,000 sf of outdoor, and 2,400 sf of indoor)

17. Description of Project:

Three acre expansion of outdoor cannabis cultivation area; the original application (Minor Use Permit no. MUP 19-15) approved 10,000 sq. ft. of canopy inside a 13,000 sq. ft. area. Subsequent minor use permit MUP 22-13 added an additional 10,000 sf of outdoor canopy area and 2,400 sf of indoor cultivating inside the existing shop building. The proposed project requests three additional acres of outdoor canopy area, and 2,500 sf of indoor canopy area.

Staff has evaluated this proposal and the original two projects that had been approved in 2020 and 2023 and has determined that the project qualifies for a major use permit review, and that the cumulative impacts from all three permits must be evaluated under CEQA evaluation requirements.

Construction

Construction is expected to take between 2 and 3 months, primarily to build the 2,500 sf barn-like structure and install three acres of screening fencing around the three acre (new) cultivation area.

Other project details:

- Outdoor cultivation will be in outdoor smart pots;
- Drip irrigation system, consisting of a water storage tank, valves and filters, PVC pipe, black polyvinyl flexible tubes, drip emitters;
- Waterproof storage shed/Conex container or similar for storage of chemicals and hand tools;
- Irrigation water supplied via existing groundwater well;
- Water storage to occur in twelve (12) 5,000-gallon water tank and four (4) 2,500 gallon tanks. There are four (4) existing 2,500 gallon water tanks near the previously approved cannabis cultivation area.
- Electricity will be supplied by on-grid PG&E service;
- Parking, portable restrooms with hand washing stations, and trash enclosures will be provided within each fenced cultivation area
- Generators will only be used during emergencies such as power outages

Construction Equipment

The following equipment is expected to be used to construct the project facilities:

- Excavator
- Backhoe or skid loader
- Pickup trucks
- Water truck

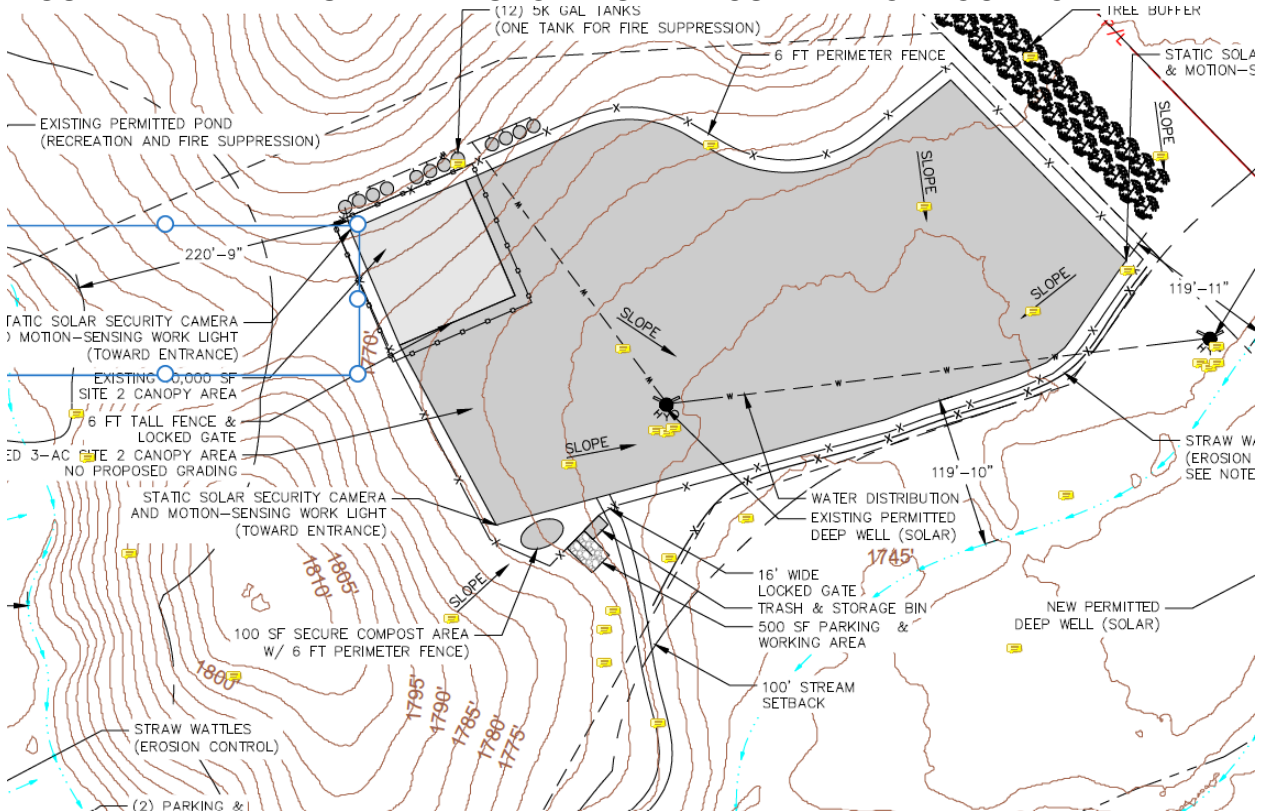
Vehicle Trips During Construction

The County estimates that 4 daily trips (two arriving, two departing) will result during construction. If the project takes three months of construction time, a total of about 360 daily employee trips is probable in addition to up to 12 delivery trips during construction. The County estimates that 2 employees will work during construction. Deliveries during construction will likely generate 2 trips per week.

Operational Details

The proposed project will operate from 6 am to 8 pm, Monday through Saturday. Estimated number of employees - 4 during non-harvest season, and 6 during peak harvest season. Vehicle trips per day would be 8 to 16 daily trips. The County anticipates that up to 2 deliveries per week on average will occur during operations and following site construction for each stage. The applicant is proposing 5 parking spaces including one (1) ADA parking space (the project site is flat at the cultivation site and has ample room for additional non-designated parking).

FIGURE 1 – PARTIAL SITE PLAN SHOWING NEW CULTIVATION LOCATION



Source: Materials Submitted by Applicant

Water Analysis

A Technical Memorandum was prepared for the 2023 expansion project by Northpoint Consulting and is dated April 5, 2023. Additionally a Property Management Plan was prepared for the 2022 minor use permit project by Natural Investigations, Inc., and is dated March 10, 2020 which evaluated annual water demand for the two original projects and provided well data on the on-site wells.

Well Test

The 2023 Technical Memorandum (Memorandum) evaluated the two existing wells, identified as Well #1 and Well #2 in the Memorandum. A well test on Well #1 was performed on August 29, 2019 by Cal-Tech Pump Well & Water Treatment and yielded 14 gallons per minute (GPM) over a three-hour testing period. The water level dropped 6 feet during the well test. After a 1 hour shut-down period, the well fully recovered.

Underground water will be exclusively used for irrigation; no surface water diversion is being proposed.

Well #2 was tested on July 7, 2021 during a period of severe drought, and yielded 5.6 GPM over the course of the test. The well fully recovered after a 1.5 hour shut-down period of time.

Projected Water Demand

The applicant maintained records of water usage for the 20,000 sf of outdoor cannabis cultivation area from 2021 and 2022. The water data shows a total of 27,600 gallons were used for a 10,000 sf of canopy area using a drip irrigation system; this is excluding the 2,500 sf of indoor cultivation and the dwelling. Using the figure of 27,600 gallons for each 10,000 sf of outdoor canopy, the total outdoor canopy area would be three acres plus 20,000 sf for the existing two smaller cultivation areas for a total projected area of 150,680 sf for outdoor canopy. Assuming 27,600 gallons for each 10,000 sf of canopy, a total annual demand of 415,876 gallons is estimated excluding the dwelling and the indoor cultivation.

On-Site Water Storage

The materials submitted by the applicant state that twelve (12) new 5,000 gallon water tanks and four (4) existing 2,500 gallon water tanks will be placed or have been placed on site. Of these, one of the 5,000 gallon water tank will be reserved for fire suppression. There are four (4) 2,500 gallon water storage tanks located near the original cultivation site that will remain.

Aquifer Data

The Memorandum does not estimate the aquifer storage capacity but does estimate the annual recharge rate during drought- and non-drought years. The Memorandum concludes that the recharge range from the 106.5 acre property is between 7.5 and 49.2 acre-feet during a drought year, and between 35.9 and 236.6 acre-feet during a non drought year. The Memorandum then evaluates the demand from other wells in the vicinity, and concludes that this project will not adversely affect the neighboring wells that compete for the same underground water source.

Energy Usage

According to the application material submitted, the applicant uses and will continue to use on-grid power. The site presently has a 200 amp service serving the on-site dwelling and an additional 200 amp service is used to power the lighting inside the barn and additional security equipment. The three acre (new) outdoor canopy area will have minimal power demands; power will be needed for the security system primarily. The new 2,500 sf barn-style building will likely require one additional 200 amp service that would use on-grid power.

Solid Waste Management

Annual non-hazardous solid waste generated by project operations is estimated to be about 500 to 1000 pounds per year. All non-hazardous waste will be hauled to the nearest waste disposal facility located in Clear Lake. There are no capacity issues at the South Lake Waste Facility in Clear Lake.

Wastewater Management

The site uses the existing septic system serving the house, and portable ADA-compliant restrooms for the cannabis workers. No new septic systems are proposed.

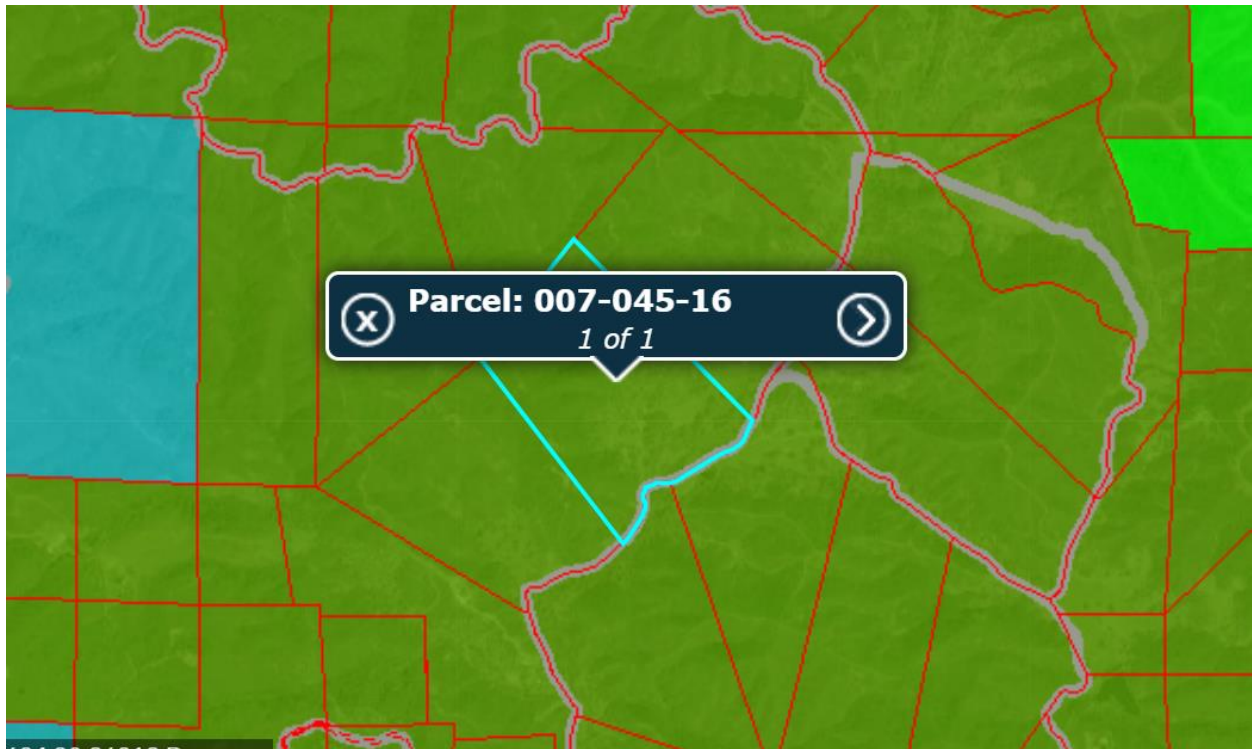
Stormwater Management

A Stormwater Management Plan (sheet 3 of the submitted plan set) has been prepared by Gregory Engineering. The Plan identifies the method of stormwater containment in the cultivation area (straw wattles), which are typical for this type of cultivation activity. The cultivation area is set back more than 100 feet from all water courses on site. Setbacks from any surface water channel or above-ground water storage facility is 100 feet or more as is required by Article 27.13(at) of the Lake County Code.

18. Surrounding Land Uses and Setting:

- North, East, South and West: All properties surrounding the project property are zoned “RL” Rural Lands, and are all roughly 100 or more acres in size and are undeveloped or sparsely populated.

FIGURE 2 – VICINITY AND ZONING MAP OF SITE AND SURROUNDING LOTS



Source: Lake County GIS Mapping, 2023

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

The extent of this environmental review falls within the scope of the Lead Agency, the Lake County Community Development Department, and its review for compliance with the Lake County General Plan, the Lakeport Area Plan, the Lake County Zoning Ordinance, and the

Lake County Municipal Code. Other organizations in the review process for permitting purposes, financial approval, or participation agreement can include but are not limited to:

- 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
- Northshore Fire Protection District
- Department of Motor Vehicles
- Central Valley Regional Water Quality Control Board
- California Water Resources Control Board
- California Department of Food and Agricultural
- California Department of Pesticides Regulations
- California Department of Public Health
- California Bureau of Cannabis Control
- California Department of Consumer Affairs
- California Department of Fish & Wildlife (CDFW)
- California Department of Forestry & Fire Protection (CAL FIRE)
- California Department of Transportation (CALTRANS)

20. 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.?

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, per Public Resources Code §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.

The applicant provided a Cultural Resource Assessment prepared by Natural Investigations, Inc., and dated March 2020. This Assessment yielded two isolated artifacts on the site. These isolates were found outside of the cultivation areas and are not regarded as having historical significance.

Lake County sent an email to the Big Valley Tribe and the Upper Lake Habematolel Tribe on April 10, 2023, informing tribes of the proposed project and offering consultation under AB-52. The AB 52 notice was also formally sent out to all eleven Lake County tribes on April 11, 2023. The Big Valley Tribe typically has ancestral interest in this project's area.

Of the notified tribes, only the Upper Lake Habematolel Tribe responded and deferred to Big Valley Band of Pomo Indians, who never responded to the notice.

The County requested comments from Sonoma State's Cultural Heritage group (CHRIS), who replied via emailed letter dated August 6, 2019, indicating that there no surveys on

record for this property (note: the CHRIS letter was sent prior to the submission of the Natural Investigations Cultural Study, which is noted above). The applicant has not revised the original cultural study given the area surveyed in 2019 by Natural Investigations.

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 checked="" type="checkbox"/> Tribal Cultural Resources |
| <input checked="" type="checkbox"/> Cultural Resources | <input type="checkbox"/> Mineral Resources | <input type="checkbox"/> Utilities / Service Systems |
| <input type="checkbox"/> Energy | <input checked="" type="checkbox"/> Noise | <input checked="" 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: 12-1-2023

SIGNATURE

Mireya G. Turner, 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

I. AESTHETICS

	Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less Than Significant Impact	No Impact	Source Number
Except as provided in Public Resource Code Section 21099, would the project:					
a) Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1, 2, 3, 4, 5, 6, 9
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	2, 3, 4, 9
c) 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1, 2, 3, 4, 5, 6, 9
d) Would the project create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1, 2, 3, 4, 5, 6, 9

Discussion:

- a) The project site is located in a natural valley that has heavy tree coverage on all sides. The cultivation areas are on a relatively flat portion of the site at the bottom of the valley. The sites will be somewhat visible from Ridge Road, a lightly traveled shared access easement at this location, however the applicant will place a 6' tall wire fence around the new cultivation area. The method of screening is not clear based on the plans submitted, and screening the new outdoor cultivation area is required. Because fabric screening tends to deteriorate quickly; the project will need to have screening fencing around the perimeter of the cultivation area because of its visibility from Ridge Road and for security reasons, and the screening materials used must be durable and effective. This will be added to the conditions of approval for this application.

Less than Significant Impact

- b) The proposed project will be somewhat visible from Ridge Road, which is located about 400 feet from the new cultivation area. The terrain is relatively flat in this location having a gentle uphill slope, and the requirement for a 6' tall screening fence will help to screen the cultivation site from view from Ridge Road and from neighboring lots, although most of the adjacent lots are undeveloped.

Less Than Significant Impact

- c) The site is located in an area that contains large lots (over 100 acres per lot) that are mostly undeveloped.

Less Than Significant Impact

- d) The project has little potential to create additional light or glare. The existing 2,400 sf barn and the proposed 2,500 sf barn-like building will be used for 'indoor' cultivation, and no new exterior lighting fixtures are proposed. The outdoor cultivation areas will have some security lighting, however the light fixtures to be used are downcast and comply with the outdoor lighting recommendations found in darksky.org materials.

Less Than Significant Impact

II. AGRICULTURE AND FORESTRY RESOURCES	Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less Than Significant Impact	No Impact	Source Number
Would the project:					
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1, 2, 3, 4, 7, 8, 11, 13, 39
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1, 2, 3, 4, 5, 7, 8, 11, 13
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))?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1, 2, 3, 4, 5, 7, 8, 11, 13
d) Result in the loss of forest land or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1, 2, 3, 4, 5, 6, 9

- 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? 1, 2, 3, 4, 5, 7, 8, 11, 13

Discussion:

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.

- a) The proposed cultivation site is on soil mapped as ‘farmland of local importance’, however this mapped soil unit is isolated and is not regarded as being a significant source of potential farmland due to its isolated nature. The site is not within a mapped Farmland Protection Zone.

Less Than Significant Impact

- b) The site is not under a Williamson Act contract, nor are any of the neighboring properties. This project will have no effect on any Williamson Act properties.

No Impact

- c) The project site is zoned “RL” Rural Lands, and is not zoned for forestland or timberland, nor has it been used historically for timber production.

No Impact

- d) The project site does not contain land designated as forest lands and has not been used historically for timber production, and no tree removal is needed for this project, which will occupy a cleared area on site. Because no timber harvesting is proposed or needed, the proposed project has no potential to result in the loss of forest land or the conversion of forest land to non-forest use.

No Impact

- e) The project would not adversely affect neighboring lots or the subject parcel in a manner that would inhibit or prevent agricultural uses on site or on surrounding lots.

Less Than Significant Impact

III. AIR QUALITY

Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less Than Significant Impact	No Impact	Source Number
--------------------------------	------------------------------------------------	------------------------------	-----------	---------------

Would the project:

- | | | | | | |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------|-------------------------------------|-------------------------------------|--------------------------|-----------------------------------------|
| a) Conflict with or obstruct implementation of the applicable air quality plan? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | 1, 3, 4, 5,
21, 24, 31,
36 |
| 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? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | 1, 2, 3, 4,
5, 21, 24,
31, 36 |
| c) Expose sensitive receptors to substantial pollutant concentrations? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | 1, 2, 3, 4,
5, 10, 21,
24, 31, 36 |
| d) Result in other emissions (such as those leading to odors or dust) adversely affecting a substantial number of people? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | 1, 2, 3, 4,
5, 21, 24,
31, 36 |

Discussion:

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.

- a) The project site is located within the Lake County Air Basin, which is under the jurisdiction of the Lake County Air Quality Management District (LCAQMD). The LCAQMD applies air pollution regulations to all major stationary pollution sources and monitors air quality. The Lake County Air Basin is in attainment with both state and federal air quality standards.

According to the USDA Soil Survey and the ultramafic, ultrabasic, serpentine rock and soils map of Lake County, serpentine soils have not been found within the project property. There is some mapped serpentine soil located on an adjacent lot, however the cultivation area is located over 1000 feet from the property line of the adjacent lot containing a pocket of serpentine soil.

Due to the fact that the Lake County Air Basin is in attainment of both state and federal air quality standards, LCAQMD has not adopted an Air Quality Management Plan, but rather uses its Rules and Regulations to address air quality standards.

According to the Lake County Zoning Ordinance section on Commercial Cannabis Cultivation (§27.13), Air Quality must be addressed in the Property Management Plan. The intent of addressing this is to ensure that “all cannabis permittees shall not degrade the County’s air quality as determined by the Lake County Air Quality Management District” and that “permittees shall identify any equipment or activity that may cause, or potentially cause the issuance of air contaminates including odor and shall identify measures to be taken to reduce, control or eliminate the issuance of air contaminants, including odors”. This includes obtaining an Authority to Construct permit pursuant to LCAQMD Rules and Regulations.

The proposed project has minimal potential to result in short- and long-term air quality impacts from construction and operation of the proposed project. The low projected vehicle trip rate will limit CO₂ emissions. There are up to twelve (12) daily trips projected by employees during construction and operation. The nearest population base is the City of Lakeport, located about 4 miles east of the site. A vehicle generates an average of 404 grams of CO₂ for each mile traveled. Assuming twelve trips x 24 miles (12 miles coming in and 12 miles returning to Lakeport), a total of 288 daily vehicle miles would likely be traveled excluding delivery trips. With each mile generating 404 grams of CO₂, the daily amount of CO₂ emissions would be about 116,352 grams of CO₂. Assuming a 270 day growing season, the annual amount of CO₂ emissions would be about 31,415,040 grams of CO₂, or about 31.4 tons per year.

Construction CO₂ emissions, which are expected to last up to twelve weeks, will have similar daily CO₂ emission characteristics. Less than 50 cubic yards of earth will be moved with this proposal based on flat terrain, above-ground pots, and minimal building pad preparation would occur due to the flat terrain of the new building site.

Lake County does not have thresholds for CO₂ emissions, and defers to Bay Area Air Quality Management District (BAAQMD) standards. The BAAQMD standards for acceptable levels of CO₂ emissions is 1,100 tons *per project*. *At a rate of 31 tons of emissions per year, it would take this project 35 years to reach the BAAQMD 'per project' threshold for CO₂ emissions.*

Operational impacts would include dust and fumes from some vehicular traffic, including small delivery vehicles that would be contributors during operations.

Odors from the outdoor cultivation activity may be released, particularly during flowering season. Carbon air filtration systems are proposed to be installed inside the barns, which will help to minimize odors from escaping from the barns into the atmosphere. The outdoor cultivation areas are more difficult to mitigate odors. The main mitigation measure for the outdoor area is the distance that this area is from the nearest dwellings, which are located about ¼ mile from the cultivation sites.

Less than Significant Impact

- b) The Project area is in the Lake County Air Basin, which is designated as in attainment for state and federal air quality standards for criteria pollutants (CO, SO₂, NO_x, O₃, PM₁₀, PM_{2.5}, VOC, ROG, Pb). Any Project with daily emissions that exceed any of the thresholds of significance for these criteria pollutants should be considered as having an individually and cumulatively significant impact on both a direct and cumulative basis.

As indicated by the Project's Air Quality Management Plan, near-term construction activities and long-term operational activities would not exceed any of the thresholds of significance for criteria pollutants. As stated in "a" above, Lake County has adopted Bay Area Air Quality Management District (BAAQMD) thresholds of significance as a basis for determining the significance of air quality and greenhouse gas impacts. Using the California Emissions Estimator Model, air emissions modeling performed for this project during the construction stage and the operational stage, will not generate significant quantities of ozone or particulate matter and does not exceed the recommended maximum project-level thresholds. Construction and operational emissions are summarized in the following tables:

Comparison of Daily Construction Emissions Impacts with Thresholds of Significance

Criteria Pollutants	Project Emissions unmitigated (pounds/day)	BAAQMD Threshold (pounds/day)	Significance
ROG (VOC)	1 to 10	54	Less than significant
NO _x	10 to 20	54	Less than significant
CO	10 to 30	548	Less than significant
SO _x	< 1	219	Less than significant
Exhaust PM ₁₀	1 to 10	82	Less than significant
Exhaust PM _{2.5}	1 to 10	54	Less than significant
Greenhouse Gasses (CO _{2e})	2,000 to 3,500	No threshold established	Less than significant

Comparison of Daily Operational Emissions Impacts with Thresholds of Significance

Criteria Pollutants	Project Emissions unmitigated (pounds/day)	BAAQMD Threshold (pounds/day)	Significance
ROG (VOC)	1 to 10	54	Less than significant
NO _x	1 to 5	54	Less than significant
CO	1 to 10	548	Less than significant
SO _x	< 1	219	Less than significant
PM ₁₀ (total)	1 to 5	82	Less than significant
PM _{2.5} (total)	1 to 5	54	Less than significant
Greenhouse Gasses (CO _{2e})	1 to 20	No threshold established	Less than significant

Comparison of Annual Operational Emissions Impacts with Thresholds of Significance

Criteria Pollutants	Project Emissions (tons/year)	BAAQMD Threshold (tons/year)	Significance
ROG (VOC)	0 to 1	10	Less than significant
NO _x	0 to 1	10	Less than significant
CO	0 to 1	100	Less than significant
SO _x	0 to 1	40	Less than significant
PM ₁₀	0 to 1	15	Less than significant
PM _{2.5}	0 to 1	10	Less than significant
Greenhouse gasses (as CO ₂ or methane)	1 to 100	10,000	Less than significant

Less than Significant Impact with mitigation measures AQ-1 through AQ-7 added

- c) Sensitive receptors (i.e., children, senior citizens, and acutely or chronically ill people) are more susceptible to the effects of air pollution than the general population. Land uses that are considered sensitive receptors typically include residences, schools, playgrounds, childcare centers, hospitals, convalescent homes, and retirement homes.

There are no schools, parks, childcare centers, convalescent homes, or retirement homes located within one mile of the project site. The nearest off-site residence is located about 1,500 feet to the east of the cultivation area. This is well over the 200-foot setback for offsite residences from commercial cannabis cultivation as described in Article 27.13 of the Lake County Zoning Ordinance.

Pesticide application will be used during the growing season and, as described in the Property Management Plan, will be applied carefully to individual plants. The outdoor cultivation area will be surrounded by a fence, which will help reduce the risk of off-site drift of pesticides. Additionally, no demolition or renovation will be performed which would cause asbestos exposure, and no serpentine soils have not been detected and are not mapped onsite.

Cannabis cultivation activities involve certain disturbance of soil; whether it is related to grading to upgrade interior driveways to meet PRC 4290 and 4291 commercial driveway standards; preparing areas as parking lots, or importing soil for outdoor cultivation (usually fabric pots). Lake County routinely puts mitigation measures in place to prevent dust from the project to migrate, and to protect the site and area from air quality-related impacts. To ensure dust and odor impacts are reduced to a less than significant level, the following mitigation measures (Mitigation Measures AQ-1 through AQ-7) are required:

- AQ-1: Prior to obtaining the necessary permits and/or approvals for any phase, applicant shall contact the Lake County Air Quality Management District (LCAQMD) 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.
- AQ-2: All mobile diesel equipment used must be in compliance with state registration requirements. Portable and stationary diesel-powered equipment must meet all federal, state, and local requirements, including the requirements of the State Air Toxic Control Measures for compression ignition engines. Additionally, all engines must notify LCAQMD prior to beginning construction activities and prior to any diesel engine use.
- AQ-3: The applicant shall maintain records of all hazardous or toxic materials used, including a Material Safety Data Sheet (MSDS) for all volatile organic compounds utilized, including cleaning materials. Said information shall be made available upon request and/or the ability to provide the LCAQMD such information in order to complete an updated Air Toxic emission Inventory.
- AQ-4: All vegetation removed 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.
- 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 to infrequent use of driveways, overflow parking, etc., shall be surfaced with gravel, chip seal, asphalt, or an equivalent all weather surfacing. Applicant shall regularly use and/or maintain graveled area to reduce fugitive dust generations.

- AQ-7: All buildings containing mature cannabis plants shall be equipped with carbon or similar air filtration systems prior to cultivation.

Less than Significant Impact with Mitigation Incorporated

- d) The proposed project has the potential to cause objectionable odors, particularly during the harvest season. The applicant is required to install carbon filtration systems inside the barn and in any other building that will contain cannabis plants. With the closest neighboring residence being more than 1/4 mile away, and given the sparse population of the area, a substantial number of people will not be adversely affected.

The proposed cultivation would generate minimal amounts of carbon dioxide from operation of small gasoline engines (tillers, weed eaters, lawn mowers, etc.) and from vehicular traffic associated with staff commuting, deliveries and pickups. This was discussed in greater detail under “a” above.

Less than Significant Impact

IV. BIOLOGICAL RESOURCES

	Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less Than Significant Impact	No Impact	Source Number
Would the project:					
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	2, 5, 11, 12, 13, 16, 24, 29, 30, 31, 32, 33, 34
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1, 2, 3, 4, 5, 11, 12, 13, 16, 17, 29, 30, 31, 32, 33, 34
c) Have a substantial adverse effect on state or federally protected wetlands (including, not limited to, marsh, vernal pool, coastal wetlands, etc.) through direct removal, filling, hydrological interruption, or other means?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1, 2, 3, 4, 5, 11, 12, 13, 16, 17, 21, 24, 29, 30, 31, 32, 33, 34
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	13
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1, 2, 3, 4, 5, 11, 12, 13

- 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? 1, 2, 3, 5, 6

Discussion:

- a) Biological Resources Report (Report) was prepared by Natural Investigations and dated March 5, 2020; this report was updated on October 13, 2023. The Report and the Update were both done in season, and concluded that there was some potential to harm some smaller ephemeral stream beds, and that Best Management Practices would reduce the risk to these seasonal channels significantly. The Report recommended a minimum 20' setback to these seasonal water channels, however Article 27.13(at) of the Lake County Zoning Ordinance requires a 100' setback to top-of-bank of any water course, seasonal or otherwise.

The Report and the Update concluded that listed plant species, while possible to be on site, were not observed during the field survey, and none were seen in the areas that contain the cultivation activities.

The Report and the Update concluded that no impacts to listed or threatened flora or fauna would occur as the result of cannabis activities on site; that no impacts to riparian habitat would occur, and that no wetlands would be disturbed by the cannabis proposal.

Based on the lack of observed listed or threatened species in or near the cultivation area, no mitigation measures were proposed.

Less than Significant Impact

- b) According to the Lake County General Plan Chapter 9.1 Biological Resources, “the County should ensure the protection of environmentally sensitive wildlife and plant life, including those species designated as rare, threatened, and/or endangered by State and/or Federal government,” and upon review of the biological report on the parcel, it was determined that no substantial adverse effect will result from the project.

The Report and the Update did not identify any riparian habitats within the cultivation areas. The Property Management Plan submitted indicates that no removal of riparian or any other vegetation is proposed as part of this project, which is limited to discing and ground preparation for the outdoor cultivation activity.

Erosion control measures to control erosion and sedimentation during construction and operation have been identified in the Property Management Plan and in the grading plan submitted for this project (reference Sheet 3 submitted by applicant). Erosion control measures include straw wattles, vegetated swales, and buffer strips.

Less Than Significant Impact

- c) According to the Report and the Update, there are no wetlands and vernal pools or other isolated wetlands within 100 feet of the project area.

Less Than Significant Impact

- d) The Report and the Update state that no specific wildlife corridors exist within or near the project area. Although no mapped wildlife corridors (such as the California Essential Habitat Connectivity Area layer in the CNDDB) exist within or near the cultivation area, the open space and the stream corridors in the cultivation area facilitate animal movement and migrations, primarily those of the black-tailed deer. The proposed Project would not have a significant impact on this movement because it would not create any unpassable barriers and the majority of the Study Area will still be available for corridor and migration routes. Of the 106 acres on the parcel, about 105 acres would remain available for natural habitat and wildlife corridors.

Implementation of the Project will not 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.

Less than Significant Impact

- e) In Article 27 of the County of Lake, CA Zoning Ordinance, under §27.13 on Conditions for Commercial Cannabis Cultivation, Tree Removal is listed under Prohibited Activities, whereas “(the) removal of any commercial tree species as defined by the California Code of Regulations section 895.1, Commercial Species for the Coast Forest District and Northern Forest District, and the removal of any true oak species (*Quercus* species) or Tan Oak (*Notholithocarpus* species) for the purpose of developing a cannabis cultivation site should be avoided and minimized.”

The County of Lake General Plan Policy OSC-1.13 states the County shall support the conservation and management of oak woodland communities and their habitats, and Resolution Number 95-211 was adopted as a Management Policy for Oak Woodlands in Lake County, whereas the County of Lake aims to monitor oak woodland resources, pursue education of the public, federal, state and local agencies on the importance of oak woodlands, promote incentive programs that foster the maintenance and improvement of oak woodlands, and, through federal, state, and local agency land management programs, foster oak woodlands on their respective lands within the county.

As such, the Property Management Plan for the Project has incorporated conservation and mitigation measures similar to those that have been included in other county oak woodlands conservation plans used in the State of California, which follow Assembly Bill 242, referred to as the Oak Woodlands Conservation Act. The project does not propose to remove any trees greater than 5-inches DBH, and there are no mapped sensitive species on the site.

Implementation of the project does not conflict with any county or municipal policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance.

Less than Significant Impact

- f) No special conservation plans have been adopted for this site and no impacts are anticipated.

No Impact

V. CULTURAL RESOURCES

	Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less Than Significant Impact	No Impact	Source Number
Would the project:					
a) Cause a substantial adverse change in the significance of a historical resource pursuant to §15064.5?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	1, 3, 4, 5, 11, 14c, 15
b) Cause a substantial adverse change in the significance of an archeological resource pursuant to §15064.5?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	1, 3, 4, 5, 11, 14, 15
c) Disturb any human remains, including those interred outside of formal cemeteries?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	1, 3, 4, 5, 11, 14, 15

Discussion:

- a) A Cultural Resources Assessment (CRA) for the proposed cultivation project was completed by Natural Investigations Inc., dated March 2020 to identify potentially significant cultural resources. The field survey yielded two isolated relics that were not determined to be significant based on what was found.

A California Historical Resources Information System (CHRIS) records search was completed by the Northwest Information Center (NWIC) on August 6, 2019. The Native American Heritage Commission (NAHC) returned the results of the Sacred Lands File (SLF) search in August 2019. The County sent an AB52 notice to all eleven area tribes on April 11, 2023. To date, only the Upper Lake Habematolel Tribe has responded indicating that the site was within the ancestral boundary of the Big Valley Tribe.

CHRIS comments indicated that there are no known tribal activities on the site.

Based on the findings of the CHRIS search, field survey, and outreach efforts with the eleven local area tribes, and equally importantly based on the original mitigation measures associated with MUP 19-15 that remain in place, there is no indication that the project will impact any historical or archaeological resources as defined under CEQA Section 15064.5 or tribal cultural resources as defined under Public Resources Code Section 21074. It is possible, but unlikely, that significant artifacts or human remains could be discovered during Project construction. If, however, significant artifacts or human remains of any type are encountered it is recommended that the project sponsor contact the culturally affiliated tribe and a qualified archaeologist to assess the situation. The Sheriff's Department must also be contacted if any human remains are encountered. This is all required by MUP 19-15 conditions of approval and are reiterated here as mitigation measures for this project as follows:

- CUL-1: Should any archaeological, paleontological, or cultural materials be discovered during site development, all activity shall be halted in the vicinity of the find(s), the applicant shall notify the culturally affiliated Tribe(s), 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 culturally affiliated Tribe(s), and a qualified archaeologist for proper internment and Tribal rituals per Public Resources Code Section 5097.98 and Health and Safety Code 7050.5.
- CUL-2: All employees shall be trained in recognizing potentially significant artifacts that may be discovered during ground disturbance. If any artifacts or remains are found, the culturally affiliated Tribe(s) 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 Impact with mitigation measures added

- b) A California Historical Resources Information System (CHRIS) records search was completed by the Northwest Information Center (NWIC) to determine if the Project would affect archaeological resources. The record search found that there are no mapped historically significant sites on the 106 acre property.

The County has added two mitigation measures to protect any culturally-sensitive items that might be inadvertently discovered during site preparation and operations which are added as mitigation measures CUL-1 and CUL-2 above.

Less than Significant Impact with mitigation measures added

- c) The project site does not contain a cemetery and there are no known cemeteries are located within the immediate site vicinity. In the event that human remains are discovered on the project site, the project would be required to comply with the applicable provisions of Health and Safety Code §7050.5, Public Resources Code §5097 et. seq. and CEQA Guidelines §15064.5(e). California Health and Safety Code §7050.5 states that no further disturbance shall occur until the County Coroner has made the necessary findings as to origin. Pursuant to California Public Resources Code §5097.98(b), remains shall be left in place and free from disturbance until a final decision as to the treatment and disposition has been made by the Coroner.

If the Coroner determines the remains to be Native American, the California Native American Heritage Commission must be contacted and the Native American Heritage Commission must then immediately notify the "most likely descendant(s)" of receiving notification of the discovery. The most likely descendant(s) shall then make recommendations within 48 hours, and engage in consultations concerning the treatment of the remains as provided in Public Resources Code §5097.98. Mandatory compliance with these requirements would ensure that potential impacts associated with the accidental discovery of human remains would be less than significant.

Less than Significant Impact with mitigation measures added

VI. ENERGY

	Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less Than Significant Impact	No Impact	Source Number
Would the project:					
a) Result in potentially significant environmental impacts due to wasteful, inefficient, or unnecessary consumption of energy resource, during construction or operation?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	5
b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1, 3, 4, 5

Discussion:

- a) On-site electricity will be supplied by on-grid power. The County estimates that a total of 400 amps are needed to power the dwelling, barn, security system, and well pump, as well as any other lighting that may be desired. The house is already served by a 200 amp service and the existing shop building has a 200 amp service; the new 2,500 sf building may need an additional 200 amp service. There are no known grid capacity issues at this location, and the probable increase with a new 200 new amp service is realistic given the relatively small scale of the project's energy demands.

Less than Significant Impact

- b) According to the California Department of Cannabis Control's Title 4 Division 19 §15010 on compliance with the CEQA, all cannabis applications must describe their project's anticipated operational energy needs, identify the source of energy supplied for the project and the anticipated amount of energy per day, and explain whether the project will require an increase in energy demand and the need for additional energy resources.

Less than Significant Impact

VII. GEOLOGY AND SOILS

	Potentially Significant Impact	Less Than Significant With Mitigation Measures	Less Than Significant Impact	No Impact	Source Number
Would the project:					
a) Directly or indirectly cause potentially 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.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1, 2, 3, 4, 5, 18, 19
ii) Strong seismic ground shaking?					

- | | | | | | |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------|--------------------------|-------------------------------------|--------------------------|--------------------------------|
| iii) Seismic-related ground failure, including liquefaction? | | | | | |
| iv) Landslides? | | | | | |
| b) Result in substantial soil erosion or the loss of topsoil? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | 1, 3, 4, 5, 19, 21, 24, 25, 30 |
| c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on-site or off-site landslide, lateral spreading, subsidence, liquefaction or collapse? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | 1, 2, 3, 5, 6, 9, 18, 21 |
| 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? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | 5, 7, 39 |
| 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? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | 2, 4, 5, 7, 13, 39 |
| f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | 1, 2, 3, 4, 5, 14, 15 |

Discussion:

- a) The Project site is located in a seismically active area of California and is expected to experience moderate to severe ground shaking during the lifetime of the project. That risk is not considered substantially different than that of other similar properties and projects in California.

Earthquake Faults (i)

According to the USGS Earthquake Faults map available on the Lake County GIS Portal, there are no earthquake faults in the vicinity of the subject site. Because there are no known faults located on the project site, there is little potential for the project site to rupture during a seismic event. Thus, no rupture of a known earthquake fault is anticipated and the proposed project would not expose people or structures to an adverse effects related rupture of a known earthquake fault as no structures for human occupancy are being proposed.

Seismic Ground Shaking (ii) and Seismic-Related Ground Failure, including liquefaction (iii)

Lake County contains numerous known active faults. Future seismic events in the Northern California region can be expected to produce seismic ground shaking at the site. No new structures are proposed on this project site.

Landslides (iv)

The project cultivation sites are generally level without significant slopes, although the remaining portions of the property are significantly sloped. There are some risks of landslides on the parcel, however the proposed project's cultivation site is located on a

flat area along the top of the ridgeline. According to the Landslide Hazard Identification Map prepared by the California Department of Conservation's Division of Mines and Geology, the area is considered generally stable. As such, the project's cultivation site is considered moderately susceptible to landslides and will not likely expose people or structures to substantial adverse effects involving landslides, including losses, injuries or death.

Less Than Significant Impact

- b) No major grading is proposed to prepare the project site for cultivation. The project involves moderate grading for greenhouse pad preparation; tilling the soil to prepare for cultivation and also includes the import of soil for other cultivation activities, and according to the Property Management Plan this would not involve any adverse effects on the potential for erosion or the loss of topsoil. The proposed greenhouses require the applicant to apply for and obtain a grading permit from the Lake County Community Development Department prior to ground disturbance.

The project is enrolled with the SWRCB for Tier 2, Low Risk coverage under Order No. WQ 2019-001-DWQ (Cannabis Cultivation General Order). The Cannabis Cultivation General Order implements Cannabis Policy requirements with the purpose of ensuring that the diversion of water and discharge of waste associated with cannabis cultivation does not have a negative impact on water quality, aquatic habitat, riparian habitat, wetlands, or springs. The General Order requires the preparation of a Site Management Plan (SMP), a Nitrogen Management Plan (NMP), and the submittal of annual technical and monitoring reports demonstrating compliance. The purpose of the SMP is to identify BPTC measures that the site intends to follow for erosion control purposes and to prevent stormwater pollution. The purpose of the NMP is to identify how nitrogen is stored, used, and applied to crops in a way that is protective to water quality. The SMP and NMP are required prior to commencing cultivation activities and were submitted with the application materials. As part of the Applicant's enrollment, they are required to complete Annual Monitoring and Reporting to the State Water Board, which requires that winterization BPTC measures for erosion and sediment control are in place prior to the winter period.

Less Than Significant Impact

- c) The primary geologic unit on the project site is Type 247 – Wolfcreek Loam. This map unit is characterized by slow permeability, slow surface runoff, and low risk of landslides.

The applicant has submitted an Grading and Erosion Control plan (sheet no. 3) in anticipation of the incorporation of Best Management Practices as being a requirement. The Grading Plan has mitigation measures that will decrease the likelihood of the loss of topsoil due to erosion.

Less Than Significant Impact

- d) The Uniform Building Code is a set of rules that specify standards for structures. Greenhouse structures are proposed that would require a building permit, and the soil subtypes are generally stable. The applicant has submitted an Grading and Erosion Control plan.

Less Than Significant Impact

- e) The proposed project will be served by an Americans with Disability Act compliant portable toilet. In addition, there is a restroom in the existing dwelling supported by an existing septic system. No new septic systems are proposed with this project.

Less Than Significant Impact

- f) The project site does not contain any known unique geologic feature or paleontological resources, and the Cultural Resources Assessment performed by Natural Investigations, Inc., yielded negative results of finds of significance. Disturbance of sensitive prehistoric resources is not anticipated.

Less than Significant Impact

VIII. GREENHOUSE GAS EMISSIONS

	Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less Than Significant Impact	No Impact	Source Number
Would the project:					
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1, 3, 4, 5, 36
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1, 3, 4, 5, 36

Discussion:

- a) The Project consists of 3-1/2 acres of outdoor cannabis canopy area including the original two 10,000 sf canopy areas, and 2,500 sf of new indoor canopy, plus the existing 2,400 sf of indoor canopy. The project site is located within the Lake County Air Basin, which is under the jurisdiction of the Lake County Air Quality Management District (LCAQMD). The LCAQMD applies air pollution regulations to all major stationary pollution sources and monitors countywide air quality.

The Lake County Air Basin is in attainment for all air pollutants with a high air quality level, and therefore the LCAQMD has not adopted thresholds of significance for Greenhouse Gas (GHG) emissions. In the interim, emissions estimates have been calculated using the California Emissions Estimator Model (CalEEMod) and compared with thresholds defined by the Bay Area Air Quality Management District (BAAQMD).

As stated under findings for Air Quality, the project is projected to generate about 31 tons of CO₂ per year. The recommended maximum threshold used by Lake County is 1,100 metric tons *per project*. This project would take about 35 years to meet the significance threshold for CO₂ emissions.

Less than Significant Impact

b) For purposes of this analysis, the Project was evaluated against the following applicable plans, policies, and regulations:

- The Lake County General Plan
- The Lake County Air Quality Management District
- AB 32 Climate Change Scoping Plan
- AB 1346 Air Pollution: Small Off-Road Equipment

Policy HS-3.6 of the Lake County General Plan on Regional Agency Review of Development Proposals states that the “County shall solicit and consider comments from local and regional agencies on proposed projects that may affect regional air quality. The County shall continue to submit development proposals to the Lake County Air Quality Management District for review and comment, in compliance with the California Environmental Quality Act (CEQA) prior to consideration by the County.” The proposed Project was sent out for review from the LCAQMD and the only concern was restricting the use of an onsite generator to emergency situations only.

The Lake County Air Basin is in attainment for all air pollutants with a high air quality level, and therefore the LCAQMD has not adopted an Air Quality Management Plan, but rather uses its rules and regulations for the purpose of reducing the emissions of greenhouse gases. The proposed Project does not conflict with any existing LCAQMD rules or regulations and would therefore have no impact at this time.

The 2017 AB Climate Change Scoping Plan recognizes that local government efforts to reduce emissions within their jurisdiction are critical to achieving the State’s long term GHG goals, which includes a primary target of no more than six (6) metric tons CO₂ per capita by 2030 and no more than two (2) metric tons CO₂ per capita by 2050. As described in the Property Management Plan, the Project will have two (2) individuals working on site (owners/operators) during normal operational hours, and with an expected 10 metric tons of overall operational CO₂ per year.

On October 9, 2021, AB 1346 Air Pollution: Small Off-Road Equipment (SORE) was passed, which will require the state board, by July 1, 2022, consistent with federal law, to adopt cost-effective and technologically feasible regulations to prohibit engine exhaust and evaporative emissions from new small off-road engines, as defined by the state board. The bill would require the state board to identify and, to the extent feasible, make available funding for commercial rebates or similar incentive funding as part of any updates to existing applicable funding program guidelines to local air pollution control districts and air quality management districts to implement to support the transition to zero-emission small off-road equipment operations, and the applicant should be aware of and expected to make a transition away from SOREs by the required future date.

Less than Significant Impact

IX. HAZARDS AND HAZARDOUS MATERIALS

Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less Than Significant Impact	No Impact	Source Number
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Would the project:

- | | | | | | |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------|--------------------------|-------------------------------------|-------------------------------------|-----------------------------------------|
| a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | 1, 3, 5, 13, 21, 24, 29, 31, 32, 33, 34 |
| 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? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | 1, 3, 5, 13, 21, 24, 29, 31, 32, 33, 34 |
| c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | 1, 2, 5 |
| 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? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | 2, 40 |
| 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? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | 1, 3, 4, 5, 20, 22 |
| f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | 1, 3, 4, 5, 20, 22, 35, 37 |
| g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | 1, 3, 4, 5, 20, 35, 37 |

a) 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 unintentionally released and could create a significant hazard to the public or the environment if done so without intent and mitigation. According to the revised Property Management Plan (PMP) for the proposed project, only organic fertilizers and pesticides will be used. The PMP indicates that all potentially harmful chemicals would be stored and locked in a secured building on site and measures will be taken to avoid any accidental release and environmental exposure to hazardous materials.

The project will 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.

The Lake County Division of Environmental Health, which acts as the Certified Unified Program Agency (CUPA) for Hazardous Materials Management, has been consulted about the project and the project is required to address Hazardous Material Management in the Property Management Plan, which has been reviewed by the Lead Agency to ensure the contents are current and adequate. In addition, the Project will require measures for employee training to determine if they meet the requirements outlined in the Plan and measures for the review of hazardous waste disposal records to ensure proper disposal methods and the amount of wastes generated by the facility.

The Property Management Plan also addresses the following:

Bulk fertilizers will be incorporated into the soil shortly after delivery and will not typically be stockpiled or stored on site. Should bulk fertilizers need to be stockpiled, they will be placed on a protective surface, covered with tarps, and secured with ropes and weights, or stored within the four conex containers proposed for the site. Dry and liquid fertilizers will be stored in a stormproof shed inside each cultivation compound.

All other pesticides and fertilizers will be stored within one of the conex containers, in their original containers with labels intact, and in accordance with the product labeling. Agricultural chemicals and petroleum products will be stored in secondary containment, within separate storage structures alongside compatible chemicals. The pesticide, fertilizer, chemical, and petroleum product storage buildings will have impermeable floors. The storage building will be located over 100 feet from any watercourses. There are two watercourses that are in vicinity of the cultivation area; Clayton Creek (Class I stream), and one unnamed seasonal drainage channel. Both are mapped and located beyond 100 feet of the cultivation area.

Any petroleum products brought to the site, such as gasoline or diesel to fuel construction equipment, will be stored and covered in containers deemed appropriate by the Certified Unified Program Agency. All pesticides and fertilizers products will be stored a minimum of 100 feet from all potentially sensitive areas and watercourses.

Cannabis waste will be chipped and spread on site or composted as needed. The burning of cannabis waste is prohibited in Lake County and will be not take place as part of Project operations.

A spill containment and cleanup kit will be kept on site in the unlikely event of a spill. All employees would be trained to properly use all cultivation equipment, including pesticides. Proposed site activities would not generate any additional hazardous waste.

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 in accordance with applicable local, state, and federal regulations.

As long as the Project is in operation, the Certified Uniform Program Agency and Lead Agency will conduct regular and/or annual inspections and monitor activities to ensure that the routine transport, use, and disposal of hazardous materials will not pose a significant impact.

Less Than Significant Impact

- b) The Project involves the use of organic fertilizers and pesticides which will be stored in a secure, stormproof structure. Flood risk at the Project site is minimal and according to Lake County GIS Portal data and the Project is not located in or near an identified earthquake fault zone. Fire hazard risks on the Project site is very high; the applicant has indicated that four (4) 2,500 gallon water tanks and twelve (12) 5,000 gallon water tank will be placed near the cultivation areas, and that one (1) 5,000 gallon water tank is exclusively for fire suppression if needed.

The project site does not contain any identified areas of serpentine soils or ultramafic rock, and risk of asbestos exposure during construction is minimal. The site preparation would require some construction equipment and would last for about five to seven weeks. All equipment staging shall occur on previously disturbed areas on the site.

A spill kit would be kept on site in the unlikely event of a spill of hazardous materials. 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

- c) There are no schools located within one-quarter mile of the proposed project site.

No Impact

- d) The California Environmental Protection Agency (CALEPA) has the responsibility for compiling information about sites that may contain hazardous materials, such as hazardous waste facilities, solid waste facilities where hazardous materials have been reported, leaking underground storage tanks and other sites where hazardous materials have been detected. Hazardous materials include all flammable, reactive, corrosive, or toxic substances that pose potential harm to the public or environment.

The following databases compiled pursuant to Government Code §65962.5 were checked for known hazardous materials contamination within ¼-mile of the project site:

- The SWRCB GeoTracker database
- The Department of Toxic Substances Control EnviroStor database
- The SWRCB list of solid waste disposal sites with waste constituents above hazardous waste levels outside the waste management unit.

The project site is not listed in any of these databases as a site containing hazardous materials as described above.

No Impact

- e) The Project site is located approximately 3 miles from the nearest airport, Lampson Field, which has not adopted an Airport Land Use Compatibility Plan. In accordance with regional Airport Land Use Compatibility Plans, the site would not be located within an area of influence for the airport. Therefore, there will be no hazard for people working in the project area from Lampson Field.

No Impact

- f) Access to the project site is from Ridge Road, a gravel shared access road in this location. Ridge Road runs through the subject site and would be used as an emergency evacuation route if necessary. The road is well maintained, and although it is a gravel road, is about 20 feet wide and capable of supporting a 75,000 pound emergency vehicle.

Less than Significant Impact

- g) The project site is on an area of high fire risk. CalFire's requirement for defensible space in high fire risk areas requires the removal of brush and vegetation that would reduce fire risk around the existing buildings on site. The interior driveway already meets Public Resource Code (PRC) 4290 and 4291 standards. Additionally, the proposed project proposes one 5,000 gallon tank to be exclusively used as a water source for fire suppression if needed.

The applicant would adhere to all federal, state, and local fire requirements and regulations for setbacks and defensible space required for any new buildings that require a building permit. All proposed construction will comply with current State of California Building Code construction standards. To construct the proposed greenhouses, the applicant will be required to obtain a building permit with Lake County to demonstrate conformance with local and state building codes and fire safety requirements.

Less than Significant Impact

X. HYDROLOGY AND WATER QUALITY	Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less Than Significant Impact	No Impact	Source Number
Would the project:					
a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1, 2, 3, 5, 6, 29, 30
b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1, 2, 3, 5, 6, 29, 30
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 off-site;	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1, 2, 3, 5, 6, 7, 15, 18, 29, 32
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?					

- | | | | | | |
|-------------------------------------------------------------------------------------------------------------------------|--------------------------|--------------------------|-------------------------------------|--------------------------|-----------------------------|
| d) In any flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | 1, 2, 3, 5, 6, 7, 9, 23, 32 |
| e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | 1, 2, 3, 5, 6, 29 |

Discussion:

- a) The Project parcel has no stream crossings in proximity to the cultivation area. There are no above-ground water sources within 100 feet of either cultivation site.

According to the proposed Project's *Property Management Plan – Waste Management Plan*, the cultivation operation is enrolled in the State Water Resources Control Board's Order WQ 2019-0001-DWQ *General Waste Discharge Requirements for Discharges of Waste Associated with Cannabis Cultivation Activities* (General Order). Compliance with this Order will ensure that cultivation operations will not significantly impact water resources by using a combination of BPTC measures, buffer zones, sediment and erosion controls, inspections and reporting, and regulatory oversight. Note also that a sediment and erosion control plan is being implemented as part of the Property Management Plan, and is the plan used to evaluate the grading permit that is concurrent with this CEQA evaluation.

Potential adverse impacts to water resources could occur during construction by modification or destruction of stream banks or riparian vegetation, the filling of wetlands, or by increased erosion and sedimentation in receiving water bodies due to soil disturbance. Project implementation will not directly impact any channels or wetlands. Soil disturbance from project implementation could increase erosion and sedimentation. Regulations at both the County and State levels require the creation and implementation of an erosion control and stormwater management plan.

The County's Cannabis Ordinance requires that all cultivation operations be located at least 100-feet away from all waterbodies (i.e. spring, top of bank of any creek or seasonal stream, edge of lake, wetland or vernal pool).

Additionally, cultivators who enroll in the State Water Board's Waste Discharge Requirements for Cannabis Cultivation Order WQ 2019-001-DWQ must comply with the Minimum Riparian Setbacks. Cannabis cultivators must comply with these setbacks for all land disturbances, cannabis cultivation activities, and facilities (e.g., material or vehicle storage, diesel powered pump locations, water storage areas, and chemical toilet placement).

As described above, the current project site has been placed as far away as possible from waterbodies and in the flattest practical areas to reduce the potential for water pollution and erosion.

Less Than Significant Impact

- b) Due to the existing exceptional drought conditions, on July 27, 2021, the Lake County Board of Supervisors passed an Urgency Ordinance (Ordinance 3106) requiring land use applicants to provide enhanced water analysis during a declared drought emergency.

Ordinance 3106 requires that all project that require a CEQA analysis of water use include the following items in a Hydrology Report prepared by a licensed professional experienced in water resources:

- Approximate amount of water available for the project's identified water source,
- Approximate recharge rate for the project's identified water source, and
- Cumulative impact of water use to surrounding areas due to the project

Water Analysis

A Technical Memorandum (Analysis) was prepared for this project by Northpoint Consultants and is dated April 5, 2023. The Analysis evaluates annual water demand for the project and provides well data on the two on-site wells.

Water. Other than the house on the subject site, there are no dwellings in the vicinity closer than 1,500 feet to the existing and proposed wells, and the impact on the aquifer is anticipated to be 'less than significant' based on the Analysis. The total canopy area of Wellness Ranch I and II is about 23,000 sq. ft. in size, and the expansion would add another 130,680 sf of outdoor canopy and 2,500 sf of indoor canopy. There are two on-site wells that generate about 20 gallons per minute combined, and a third on-site well is proposed with this project. Well #1 was tested on August 29, 2019 and yielded a rate of 14 gallons per minute (GPM); Well #2 was tested on July 7, 2021, and yielded 5.6 GPM. During 2021, Wellness site I required 122,215 gallons of water over a 129 day cultivation period, or an average of 947.4 gallons per day for 10,000 sq. ft. of canopy area during the first year, however this amount was reduced in 2022 to 27,600 gallons through the use of drip irrigation systems and water budgeting due to drought conditions.

The Hydrology Technical Memorandum concluded that this project was sustainable without impacting competition wells in the vicinity.

Less Than Significant Impact

- c) According to Lake County Ordinance Section 27.13 (at) 3, the Property Management Plan must have a section on Storm Water Management based on the requirements of the California Regional Water Quality Control Board Central Valley Region or the California Regional Water Quality Control Board North Coast Region, with the intent to protect the water quality of the surface water and the stormwater management systems managed by Lake County and to evaluate the impact on downstream property owners. All cultivation activities shall comply with the California State Water Board, the Central Valley Regional Water Quality Control Board, and the North Coast Region Water Quality Control Board orders, regulations, and procedures as appropriate.

The cultivation operation is enrolled in the State Water Resources Control Board's Order *WQ 2019-0001-DWQ General Waste Discharge Requirements for Discharges of Waste Associated with Cannabis Cultivation Activities* (General Order). Compliance with this Order will ensure that cultivation operations will not significantly impact water resources by using a combination of Best Management Practices, buffer zones, sediment and erosion controls, inspections and reporting, and regulatory oversight. A sediment and erosion control plan is also being implemented as part of the Site Management Plan.

According to the Storm Water Management Plan, the cultivation operations are not expected to alter the hydrology of the parcels significantly, and an engineered Erosion Control Plan has been submitted (sheet 3 of the plan set). Establishment of the cultivation operations will require some grading, but they have been located in areas partially cleared for past, non-Cannabis land uses. Establishment of the cultivation operations does not require the construction of new buildings, paved roads, or other significantly permanent and impermeable surfaces that would otherwise alter runoff significantly.

In addition to significantly exceeding all setback requirements, generous vegetative buffers exist between the cultivation area and the nearest water resource. These vegetated areas will be preserved as much as possible, with the exception of any fire breaks needed for wildfire protection.

BPTC measures will be deployed in a sequence to follow the progress of site preparation, tilling, and cultivation. As the locations of soil disturbance change, erosion and sedimentation controls should be adjusted accordingly to control stormwater runoff at the downgrade perimeter and drain inlets. BPTCs to be implemented include monitoring weather to track conditions and alert crews to the onset of rainfall events, stabilizing disturbed soils with temporary erosion control or with permanent erosion control as soon as possible after grading or construction is completed, and establishing temporary or permanent erosion control measures prior to rain events. Typical BMPs include the placement of straw, mulch, seeding, straw wattles, silt fencing, and planting of native vegetation on all disturbed areas to prevent erosion.

Due to the natural conditions of the Project site and with these erosion mitigation measures, the project will not result in substantial erosion or siltation on-site or off-site; will not substantially increase the rate or amount of surface runoff in a manner which would result in flooding on or offsite; will not 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; and will not impede or redirect flood flows.

Less than Significant Impact

- d) The Project site is not located in an area of potential inundation by seiche or tsunami. The project site is located in Flood Zone D (undetermined) – not in a special flood hazard area. The type 247 soil on the cultivation site portion of the parcels is not overly susceptible to erosion, and soils at the project site are relatively flat and stable, with a minimal potential to induce mudflows.

The Grading Plan submitted by the applicant shows mitigation measures associated with the Grading Plan that must be followed during site disturbance.

Less than Significant Impact

- e) The Project has adopted a Drought Management Plan (DMP) as part of the requirements of Lake County Ordinance 3106, passed by the Board of Supervisors on July 27, 2021, which depicts how the applicant proposes to reduce water use during a declared drought emergency and ensures both the success and decreased impacts to surrounding areas. The project also proposes water metering and conservation measures as part of the standard operating procedures, and these measures will be followed whether or not the region is in a drought emergency.

As part of the project's standard operational procedures, the project proposes to implement ongoing water monitoring and conservation measures that would reduce the overall use of water. These measures are included in the Water Use Management Plan (Section 15.2) as required by Article 27, Section 27.13 (at) 3 of the Lake County Zoning Ordinance. On-going water conservation measures include:

- No surface water diversion
- The selection of plant varieties that are suitable for the climate of the region
- The use of driplines and drip emitters rather than spray irrigation
- Covering drip lines with straw mulch or similar materials to reduce evaporation
- Using water application rates modified from data obtained from soil moisture meters and weather monitoring
- Utilizing shutoff valves on hoses and water pipes
- Daily visual inspections of irrigation systems
- Immediate repair of leaking or malfunctioning equipment
- Water-use metering and budgeting

A water budget will be created every year and water use efficiency from the previous year will be analyzed.

In addition to water use metering, water level monitoring is also required by Lake County Zoning Ordinance Article 27 Section 27.13 (at) 3, specifically that wells must have a meter to measure the amount of water pumped as well as a water level monitor. Well water level monitoring and reporting will be performed as follows:

Seasonal Static Water Level Monitoring

The purpose of seasonal monitoring of the water level in a well is to provide information regarding long-term groundwater elevation trends. The water level in each well will be measured and recorded once in the Spring (March or April), before cultivation activities begin, and once in the fall (October) after cultivation is complete, as the California Statewide Groundwater Monitoring Program (CASGEM) monitors semi-annually, around April 15 and October 15 of each year. Records shall be kept, and elevations reported to the County as part of the project's annual reporting requirements. Reporting shall include a hydrograph plot of all seasonal water level measurements, for all project wells, beginning with the initial measurements. Seasonal water level trends will aid in the evaluation of the recharge rate of the well. If the water level in a well measured during the Spring remains relatively constant from year to year, then the water source is likely recharging each year.

Water Level Monitoring During Extraction

The purpose of monitoring the water level in a well during extraction is to evaluate the performance of the well and determine the effect of the pumping rate on the water source during each cultivation season. This information will be used to determine the capacity and yield of the Project's wells and to aid the cultivators in determining pump rates and the need for water storage. The frequency of water level monitoring will depend on the source, the source's capacity, and the pumping rate. It is recommended that initially the water level be monitored twice per week or more, and that the frequency be adjusted as needed depending on the impact that the pumping rate has on the well water level. Records will be kept and elevations reported to the County as part of the project's annual reporting requirements. Reporting will include a hydrograph plot of the water level

measurements for all project wells during the cultivation season and compared to prior seasons.

Measuring a water level in a well can be difficult and the level of difficulty will depend on site-specific conditions. As part of the well monitoring program, the well owner or operator will work with a well expert to determine the appropriate methodology and equipment to measure the water level, as well as who will conduct the recording and monitoring of the well level data. The methodology of the well monitoring program will be described and provided in the project’s annual report.

In addition to monitoring and reporting, an analysis of the water level monitoring data will be provided and included in the project’s annual report, demonstrating whether or not use of the project wells is causing significant drawdown and/or impacts to the surrounding area and what measures can be taken to reduce their impacts. If there are impacts, a revised Water Management Plan will be prepared and submitted to the County for review and approval, which demonstrates how the project will mitigate the impacts in the future.

Drought Emergency Water Conservation Measures

In addition to the above on-going water monitoring and conservation measures, during times of drought emergencies or water scarcity the project may implement the following additional measures as needed or appropriate to the site in order to reduce water use and ensure both the success and decreased impacts to surrounding areas:

- Cover the soil and drip-lines with removable plastic covers or similar to reduce evaporation
- Irrigate only in the early morning hours or before sunset
- Cover plants with shaded meshes during peak summer heat to reduce plant water needs
- Use a growing medium that retains water in a way to conserve water and aid plant growth. Organic soil ingredients like peat moss, coco coir, compost and other substances like perlite and vermiculite retain water and provide a good environment for cannabis to grow
- Install additional water storage

In the event that the well cannot supply the water needed for the project, the following measures may be taken:

- Reduce the amount of cultivation and/or length of cultivation season
- Install additional water storage
- If possible, develop an alternative, legal, water source that meets the requirements of Lake County Codes and Ordinances.

Less Than Significant Impact

XI.	LAND USE PLANNING	Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less Than Significant Impact	No Impact	Source Number
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Would the project:

- | | | | | | |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------|--------------------------|-------------------------------------|-------------------------------------|----------------------------|
| a) Physically divide an established community? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | 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? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | 1, 3, 4, 5, 20, 21, 22, 27 |

Discussion:

- a) The project site consists of 106 acres of minimally developed land in the Lakeport Planning Area. The closest community growth boundary accessible by road is Lakeport, which is approximately 4 miles northeast of the subject site.

The area is characterized by large parcels, mostly over 100 acres each, of rural, marginally developed and undeveloped land.

The proposed project site would not physically divide any established community.

No Impact

- b) The General Plan Land Use Zone and Zoning District designation currently assigned to the Project site is Rural Land (“RL”). The Lake County Zoning Ordinance allows for commercial outdoor cannabis cultivation in the “RL” land use zone with a major use permit.

Less than Significant Impact

XII. MINERAL RESOURCES

Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less Than Significant Impact	No Impact	Source Number
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Would the project:

- | | | | | | |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------|--------------------------|--------------------------|-------------------------------------|----------------|
| 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? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | 1, 3, 4, 5, 26 |
| b) Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | 1, 3, 4, 5, 26 |

Discussion:

- a) The Lake County Aggregate Resource Management Plan does not identify the portion of the Project parcel planned for cultivation as having an important source of aggregate resources. According to the California Department of Conservation, Mineral Land Classification, there are no known mineral resources on the project site.

No Impact

- b) According to the California Geological Survey’s Aggregate Availability Map, the Project site is not within the vicinity of a site being used for aggregate production. In addition, the site not delineated on the County of Lake’s General Plan, the Lakeport Area Plan nor the Lake County Aggregate Resource Management Plan as a mineral resource site. Therefore, the project has no potential to result in the loss of availability of a local mineral resource recovery site.

No Impact

XIII. NOISE

	Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less Than Significant Impact	No Impact	Source Number
Would the project:					
a) Result in the 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?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	1, 3, 4, 5, 13
b) Result in the generation of excessive ground-borne vibration or ground-borne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1, 3, 4, 5, 13
c) Result in the generation of excessive ground-borne vibration or ground-borne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1, 3, 4, 5, 11, 14, 15

Discussion:

- a) Noise related to outdoor cannabis cultivation typically occurs either during construction, or as the result of machinery related to post construction equipment such as well pumps or emergency backup generators during power outages. Emergency generators are not proposed as part of this project. Energy will be supplied by solar power.

This project will have some noise related to site preparation, and hours of construction are limited through standards described in the conditions of approval.

Although the property size and location will help to reduce any noise detectable on at the property line, mitigation measures will still be implemented to further limit the potential sources of noise.

In regards to the Lake County General Plan Chapter 8 - Noise, there are few sensitive noise receptors within one (1) mile of the project site, and Community Noise Equivalent Levels (CNEL) are not expected to exceed the 55 dBA during daytime hours (7am – 10pm) or 45 dBA during night hours (10pm – 7am) when measured at the property line. The construction activities needed would take between 2 and 4 weeks, and construction hours and days are limited to Monday through Friday, 7 a.m. to 6 p.m., and Saturday from noon to 5:00 p.m. which is consistent with the noise levels established in the General Plan, Chapter 8.

The following mitigation measures are required for this (and most) cannabis project:

- NOI-1: All construction activities including engine warm-up shall be limited Monday through Friday, between the hours of 7:00 a.m. and 7:00 p.m., and Saturdays from 12:00 noon to 5:00 p.m. to minimize noise impacts on nearby residents. Back-up beepers shall be adjusted to the lowest allowable levels. This mitigation does not apply to night work.
- NOI-2: Maximum non-construction related sounds levels shall not exceed levels of 55 dBA between the hours of 7:00 a.m. to 10:00 p.m. and 45 dBA between the hours of 10:00 p.m. to 7:00 a.m. within residential areas as specified within Zoning Ordinance Section 21-41.11 (Table 11.1) at the property lines.

Less than Significant Impact with Mitigation Measures Incorporated

- b) Under existing conditions, there are no known sources of ground-borne vibration or noise that affect the project site such as railroad lines or truck routes. Therefore, the Project would not create any exposure to substantial ground-borne vibration or noise.

The project would not generate ground-borne vibration or noise, except potentially during the construction Stage from the use of heavy construction equipment. There will be moderate grading required for the greenhouse pads, however earth movement is not expected to generate ground-borne vibration or noise levels. According to California Department of Transportation's Transportation and Construction-Induced Vibration Guidance Manual, ground-borne vibration from heavy construction equipment does not create vibration amplitudes that could cause structural damage, when measured at a distance of 10 feet. The nearest existing off-site structures are located one quarter mile from the nearest point of construction activities and would not be exposed to substantial ground-borne vibration due to the operation of heavy construction equipment on the Project site.

Furthermore, the project is not expected to employ any pile driving, rock blasting, or rock crushing equipment during construction activities, which are the primary sources of ground-borne noise and vibration during construction. As such, impacts from ground-borne vibration and noise during near-term construction would be less than significant.

Less Than Significant Impact

- c) The project site is located approximately 3 miles from Lampson Field, administered by the Lake County Airport Land Use Commission, which has not adopted an Airport Land Use Compatibility Plan. Therefore, no impact is anticipated.

No Impact

XIV. POPULATION AND HOUSING

Potentially Significant Impact	Less Than Significant With Mitigation Measures	Less Than Significant Impact	No Impact	Source Number
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Would the project:

- | | | | | | |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------|--------------------------|--------------------------|-------------------------------------|------------|
| 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)? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | 1, 3, 4, 5 |
| b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | 1, 3, 4, 5 |

Discussion:

- a) The project is not anticipated to induce significant population growth to the area. The increased employment will be up to 2 fulltime employees to be hired locally.

No Impact

- b) The project will not displace any existing housing, thus no impact is expected.

No Impact

XV. PUBLIC SERVICES

Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less Than Significant Impact	No Impact	Source Number
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Would the project:

- | | | | | | |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------|--------------------------|-------------------------------------|--------------------------|------------------------------------------------------------------------------|
| a) 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: | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | 1, 2, 3, 4,
5, 20, 21,
22, 23, 27,
28, 29, 32,
33, 34, 36,
37 |
| 1) Fire Protection? | | | | | |
| 2) Police Protection? | | | | | |
| 3) Schools? | | | | | |
| 4) Parks? | | | | | |
| 5) Other Public Facilities? | | | | | |

Discussion:

1) Fire Protection

The Lakeport Fire Protection District provides fire protection services to the proposed project area. Development of the proposed project would impact fire protection services by increasing the demand on existing County Fire District resources. To offset the increased demand for fire protection services, the proposed project is conditioned by the City to provide a minimum of fire safety and support fire suppression activities and installations, including compliance with State and local fire codes, as well as minimum private water supply reserves for emergency fire use. With these measures in place, the project would have a less than significant impact on fire protection.

2) Police Protection

The Project site falls under the jurisdiction of the Lake County Sheriff's Department. Article 27 of the Lake County Zoning Ordinance lays out specific guidelines for security measures for commercial cannabis cultivation to prevent access of the site by unauthorized personnel and protect the physical safety of employees. This includes 1) establishing a physical barrier to secure the perimeter access and all points of entry; 2) installing a security alarm system to notify and record incident(s) where physical barriers have been breached; 3) establishing an identification and sign-in/sign-out procedure for authorized personnel, suppliers, and/or visitors; 4) maintaining the premises such that visibility and security monitoring of the premises is possible; and 5) establishing procedures for the investigation of suspicious activities. Accidents or crime emergency incidents during operation are expected to be infrequent and minor in nature, and with these measures the impact is expected to be less than significant.

3) Schools

The proposed project is not expected to significantly increase the population in the local area and would not place greater demand on the existing public school system by generating additional students. No impacts are expected.

4) Parks

The proposed project will not increase the use of existing public park facilities and would not require the modification of existing parks or modification of new park facilities offsite. No impacts are expected.

5) Other Public Facilities

As the staff will be hired locally, no increase in impacts are expected.

Less than Significant Impact

XVI. RECREATION

	Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less Than Significant Impact	No Impact	Source Number
Would the project:					
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1, 2, 3, 4, 5
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1, 3, 4, 5

Discussion:

- a) The staff will be hired locally, there will be no increase in the use of existing neighborhood and regional parks or other recreational facilities that would be the direct result of this project, and no impacts are expected.

No Impact

- b) The proposed project does not include any recreational facilities and will not require the construction or expansion of existing recreational facilities, and no impacts are expected.

No Impact

XVII. TRANSPORTATION

	Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less Than Significant Impact	No Impact	Source Number
Would the project:					
a) Conflict with a program plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1, 3, 4, 5, 9, 20, 22, 27, 28, 35
b) For a land use project, would the project conflict with or be inconsistent with CEQA guidelines section 15064.3, subdivision (b)(1)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1, 3, 4, 5, 9, 20, 22, 27, 28, 35
c) For a transportation project, would the project conflict with or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)(2)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1, 3, 4, 5, 9, 20, 22, 27, 28, 35
d) Substantially increase hazards due to geometric design features (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1, 3, 4, 5, 9, 20, 22, 27, 28, 35
e) Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1, 3, 4, 5, 9, 20, 22, 27, 28, 35

Discussion:

a) Roadway Analysis

The project is located on Ridge Road, a well-maintained gravel shared access easement and road at this location. Vehicles traveling to the site will use Highland Springs Road to Ridge Road to access the project site. There are two locked gates leading to the site that will need to have knock-boxes installed to enable emergency vehicles to enter the site.

The project site is situated on the west side of Ridge Road, a 20' wide gravel and privately-maintained shared access. Ridge Road was evaluated for Public Resource Code compliance in early 2020 and was found to be compliant with the addition of several turn-arounds for emergency vehicle use, and installation of a 22' wide gate.

The interior driveway has 6" of gravel base that is needed to support a 75,000 pound emergency vehicle, typically a semi truck hauling a bulldozer. As proposed, the interior driveway meets California PRC 4290 and 4291 road standards for fire equipment access.

The proposed project does not conflict with any existing program plan, ordinance or policy addressing roadway circulation, including the Lake County General Plan Chapter 6 – Transportation and Circulation, and a less than significant impact on road maintenance is expected.

Transit Analysis

The Lake County Transit Authority Route 1 – North Shore, Clearlake to Lakeport, runs along California State Highway 29, with several transit stops in Lakeport, approximately 3 miles from the cultivation site. This distance would make the use of public transit unlikely.

Bicycle Lane and Pedestrian Path Analysis

The proposed Project does not conflict with any existing program plan, ordinance or policy addressing bicycle and/or pedestrian issues, including Chapter 6 of the General Plan. Ridge Road, and to a lesser extent Highland Springs Road are not intended for pedestrian or bicycle use due to width and lack of defined shoulders.

Less than Significant Impact

- b) State CEQA Guidelines Section 15064.3, Subdivision (b) states that for land use projects, transportation impacts are to be measured by evaluating the proposed Project's vehicle miles traveled (VMT), as follows:

“Vehicle miles traveled exceeding an applicable threshold of significance may indicate a significant impact. Generally, projects within one-half mile of either an existing major transit stop or a stop along an existing high quality transit corridor should be presumed to cause a less than significant transportation impact. Projects that decrease vehicle miles traveled in the project area compared to existing conditions should be presumed to have a less than significant transportation impact.”

To date, the County has not yet formally adopted its transportation significance thresholds or its transportation impact analysis procedures. As a result, the project-related VMT impacts were assessed based on guidelines described by the California Office of Planning and Research (OPR) in the publication *Transportation Impacts (SB 743) CEQA Guidelines Update and Technical Advisory*, 2018.

The OPR Technical Advisory identifies several criteria that may be used to identify certain types of projects that are unlikely to have a significant VMT impact and can be “screened” from further analysis. One of these screening criteria pertains to small projects, which OPR defines as those generating fewer than 110 new vehicle trips per day on average.

OPR specifies that VMT should be based on a typical weekday and averaged over the course of the year to take into consideration seasonal fluctuations. The estimated trips per day for the proposed project are between 2 and 4 daily trips during construction and operation (2 employees). The applicant estimates up to two weekly delivery trips in addition to the 2 to 4 daily employee trips that would result.

The applicants will be operating under an A-Type 13 Cannabis Distributor Transport Only, Self-distribution License. In the “RL” zoning district the Type 13 Distributor Only, Self-distribution State licenses are an accessory use to an active cannabis cultivation or cannabis manufacturing license site with a valid use permit. The parcel where the Type 13 license will be located, as required by Article 27.11, shall front and have direct access to a State or County maintained road or an access easement to such a road, the permittee shall not transport any cannabis product that was not cultivated by the permittee, and all non-transport related distribution activities shall occur within a locked structure.

The proposed Project would not generate or attract more than the threshold of 110 trips per day, and therefore it is not expected for the Project to have a potentially significant level of VMT. Impacts related to CEQA Guidelines section 15064.3, subdivision (b) would be less than significant.

Less than Significant Impact

- c) The Project is not a transportation project. The proposed use will not conflict with and/or be inconsistent with CEQA Guidelines Section 15064.3, subdivision (b)(2).

No Impact

- d) The Project does not propose any changes to road alignment or other features, does not result in the introduction of any obstacles, nor does it involve incompatible uses that could increase traffic hazards.

Less Than Significant Impact

- e) The proposed project would not alter the physical configuration of the existing roadway network serving the area, and will have no effect on access to local streets or adjacent uses (including access for emergency vehicles). Internal gates and roadways will meet CALFIRE requirements for vehicle access according to PRC 4290 and 4291, including adequate width requirements, overhead clearances, on-site turn-arounds, sufficient base materials use. Furthermore, as noted above under impact discussion (a), increased project-related operational traffic would be minimal. The proposed project would not inhibit the ability of local roadways to continue to accommodate emergency response and evacuation activities. The proposed project would not interfere with the City’s adopted emergency response plan.

Less than Significant Impact

XVIII. TRIBAL CULTURAL RESOURCES

Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less Than Significant Impact	No Impact	Source Number
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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)? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | 1, 3, 4, 5,
11, 14, 15 |
| b) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | 1, 3, 4, 5,
11, 14, 15 |

Discussion:

- a) A Cultural Resources Assessment (Assessment) for the original cultivation Project was completed by Natural Investigations Inc. dated March 2020, and was submitted to the County for this project. The Assessment did identify two relics on site, however neither were regarded as sensitive or significant. CHRIS records from Sonoma State indicate that there is one area of the 106 acre property that has a sensitive archaeological site that is mapped.

On April 11, 2023, all eleven area tribes were notified of this action, and on April 10, 2023, Associate Planner Eric Porter sent an email to the two tribes most likely to have ancestral interest in this site; the Big Valley Tribe, and the Upper Lake Habematolel Tribe. Of these notified tribes, only the Upper Lake Habematolel Tribe responded indicating that the land was within the Big Valley Tribe's area of interest. Big Valley never responded to the notification.

A California Historical Resources Information System (CHRIS) records search was completed by the Northwest Information Center (NWIC) on August 19, 2019, and the Native American Heritage Commission (NAHC) returned the results of the Sacred Lands File (SLF) search in August 2019.

Assessment comments indicated that there is some tribal evidence in the form of two small isolated relics on site, but the area where the relics were found is not within the cultivation sites.

Based on the findings of the CHRIS search, field survey, and outreach efforts with the eleven local area tribes, there is no indication that the project will impact any historical or archaeological resources as defined under CEQA Section 15064.5 or tribal cultural resources as defined under Public Resources Code Section 21074. It is possible, but unlikely, that significant artifacts or human remains could be discovered during Project construction. If significant artifacts or human remains of any type are encountered, the project sponsor must contact the culturally affiliated tribe and a qualified archaeologist to assess the situation. The Sheriff's Department must also be contacted if any human remains are encountered. This was required by the original IS / MND for original project MUP 19-15, 'Wellness Ranch I', and remain in full force and effect.

The County has added two mitigation measures that will protect tribal assets that might be inadvertently discovered during site preparation as mitigation measures CUL-1 and CUL-2.

Less than Significant Impact with mitigation measures added

- b) The California Historical Resources Information System records search showed the presence of one tribal cultural resources on the project site. The Assessment however generally resulted in negative findings following an on-site survey in and around the cultivation area portions of the site. The lead agency has determined that, in its discretion and supported by substantial evidence, no resources pursuant to criteria set forth in subdivision (c) of Public Resources Code section 5024.1 will be affected by the proposed project because the sensitive site is located outside the cultivation area boundary. With mitigation measures CUL-1 and CUL-2, the impact will be less than significant.

Less than Significant Impact with mitigation measures added

XIX. UTILITIES	Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less Than Significant Impact	No Impact	Source Number
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1, 3, 4, 5, 29, 32, 33, 34, 37
b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1, 2, 3, 5, 6, 22, 31
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1, 2, 3, 5, 6, 22
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1, 2, 3, 5, 6, 35, 36
e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1, 2, 3, 5, 6, 35, 36

Discussion:

- a) The proposed project will be served by an existing onsite irrigation well and is proposing on-grid power, potentially up to 600 amps (400 amps are existing). There is a proposed ADA compliant portable toilet and handwashing station that will be used on the project site, as well as ADA compliant restroom inside the existing dwelling.

The Project will not 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 impacts.

Less than Significant Impact

- b) The subject parcel is served by three existing wells as described in the Hydrology Study and submitted with the Use Permit application, and the cultivation operation is enrolled as a Tier II / Low Risk cultivation operation in the State Water Resources Control Board's *Order WQ 2017-0023-DWQ General Waste Discharge Requirements for Discharges of Waste Associated with Cannabis Cultivation Activities* (General Order). Compliance with this Order will ensure that cultivation operations will not significantly impact water resources by using a combination of BPTC measures for water conservation, including shut-off valves on water tanks, drip irrigation, continued maintenance of equipment, in addition to buffer zones, sediment and erosion controls, inspections and reporting, and regulatory oversight.

Less than Significant Impact

- c) The project will rely on the use of portable toilets and hand washing station for cultivation operations. There is an existing septic system on site that was installed during the new home construction in 2019.

Less than Significant Impact

- d) The existing landfill has sufficient capacity to accommodate the project's solid waste disposal needs. Estimated annual solid waste will be between 500 and 1000 pounds.

Eastlake Landfill, South Lake Refuse Center, and Quackenbush Mountain Resource Recovery and Compost Facility are located within reasonable proximity of the Project site. As of 2019, the Eastlake Landfill had 659,200 cubic yards available for solid waste, with an additional 481,000 cubic yards approved in 2020.

The project would not generate solid waste in excess of state or local standards, or in excess of the capacity of local infrastructure.

Less than Significant Impact

- e) The project will be in compliance with federal, state, and local management and reduction statutes and regulations related to solid waste.

Less than Significant Impact

XX. WILDFIRE

Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less Than Significant Impact	No Impact	Source Number
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If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:

- | | | | | | |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------|-------------------------------------|-------------------------------------|--------------------------|-------------------------------|
| a) Substantially impair an adopted emergency response plan or emergency evacuation plan? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | 1, 2, 3, 5, 6, 23, 25, 28, 29 |
| b) Would the project, 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? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | 1, 2, 3, 5, 6, 23, 25, 28, 29 |
| 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? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | 1, 2, 3, 5, 6 |
| 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? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | 1, 2, 3, 5, 6, 21, 23, 32 |

Discussion:

- a) The project will not further impair an adopted emergency response plan or evacuation plan. The applicant will adhere to all regulation of California Code Regulations Title 14, Division 1.5, Chapter 7, Subchapter 2, and Article 1 through 5 shall apply to this project; and all regulations of California Building Code, Chapter 7A, Section 701A, 701A.3.2.A.

In April 2020, Lake County Planning and Building Division staff conducted a PRC 4290 and 4291 site inspection and determined that the site could be accessed by emergency vehicles, and that the on-site driveway met PRC 4290 and 4291 standards with the addition of a wider gate and several on-site vehicle turn-arounds for emergency vehicle use.

Less than Significant Impact

- b) The Project site is within a high risk fire hazard zone, and the overall parcel boundary is considerably sloped, despite the project site being relatively flat. The cultivation area does not further exacerbate the risk of wildfire, however certain mitigation measures are necessary in the event of a wildfire on or near the site. The project is required to improve fire access and the ability to fight fires from the project site and other sites accessed from the same roads through the upkeep of the property area and maintaining the roadway in a manner that it meets PRC 4290 compliance regulations. The applicant is already using a CAL-FIRE compliant 5,000 gallon water tank for use as a fire suppression tank, in addition to the other four (4) 2,500 gallon water tanks and twelve (12) 5,000 gallon water tanks to be used for irrigation purposes and if necessary, for fire suppression.

The following mitigation measures are needed to insure that the site can be as fire-safe as possible:

- WILD-1: Prior to cultivation, the applicant shall schedule a site visit with the Building Official or designee to verify that the roads, gates, and sites are PRC 4290 compliant.

- WILD-2: The applicant shall maintain 100' of defensible space around all buildings associated with the cannabis project for the life of the project. Tree removal is not required, however trees shall be limbed up to a height of 8 feet to prevent ladder combustion in the event of a wildfire.

Less than Significant Impact with mitigation measures added

- c) The proposed Project, as described in the application documents and confirmed through site visits to the property, would not exacerbate fire risk through the installation of maintenance of associated infrastructure. The proposed project will require maintenance to meet and/or maintain roadway and driveway standards. A steel 5,000 gallon fire suppression water tank is already in use and is located at the cultivation site.

On July 31, 2019, CalFire provided comments on the original Wellness Ranch project, including the need for Fire Access Roads to meet the requirements of CCR 1273/PRC 4290 and 4291 road and defensible space requirements, the installation of approved address numbers to be placed on all buildings and/or driveways in such a position as to be plainly visible and legible from the street or road fronting the property with numbers that shall contrast with their background will be required, and the installation of a rapid entry lock box, approved by the fire district at the two gates that would be used by emergency vehicles.

CalFire comments deferred regulating this site to the Lake County Building Official, who acts as Fire Marshal for the Lake County planning areas.

Less than Significant Impact with mitigation measures added

- d) There is little chance of increased risks associated with post-fire slope runoff, instability, or drainage changes based on the lack of site changes that would occur by the Project parcel.

The Project site, along with much of the parcel, burned in 2018 in the Mendocino Complex fire, and the stability of the soil on the relatively flat sections where the Project parcel is located. Steeper sections of the parcel are heavily vegetated and remain stable. The erosion mitigation measures and BMPs to be implemented will provide further stability on and around the Project site, and with no neighboring people or structures within range of downstream flooding or landslides, the impact will be less than significant.

Less than Significant Impact

XXI. MANDATORY FINDINGS OF SIGNIFICANCE	Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less Than Significant Impact	No Impact	Source Number
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	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	ALL

animal, or eliminate important examples of the major periods of California history or prehistory?

- 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)? ALL
- c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly? ALL

Discussion:

- a) According to the biological and cultural studies conducted, the Wellness Ranch cannabis cultivation project does not 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 when mitigation measures are implemented.

All setbacks for watercourses will exceed local, state, and federal regulations to prevent significant impacts on water quality. With the implementation of mitigation measures described in the biological assessment and the Best Management Practices and other mitigation measures described throughout this initial study, the potential impact on important biological resources will be reduced to less than significant.

Less than significant impact

- b) Potentially significant impacts have been identified in relation to this project and include Air Quality, Cultural / Tribal, Noise and Wildfire. These impacts in combination with the impacts of other past, present, and reasonably foreseeable future projects could cumulatively contribute to significant effects on the environment.

Implementation of and compliance with the original mitigation measures as project conditions of approval would avoid or reduce potential impacts to less than significant levels and would not result in any cumulatively considerable environmental impacts.

- c) The proposed project has some potential to result in adverse indirect or direct effects on human beings in regards to Air Quality, Cultural / Tribal, Noise and Wildfire. Implementation of and compliance with mitigation measures identified in the original Initial Study remain in effect, and new mitigation measures have been added to this Initial Study that further protect the well being of persons within the vicinity. The impacts associated with this expansion are potentially significant but can be mitigated through mitigation measures found herein and in the original Initial Study for Wellness Ranch 1 minor use permit.

Source List

1. Lake County General Plan
2. Lake County GIS Database
3. Lake County Zoning Ordinance
4. Lakeport Area Plan
5. Wellness Ranch III Cannabis Cultivation Application – Minor Use Permit.
6. U.S.G.S. Topographic Maps
7. U.S.D.A. Lake County Soil Survey
8. Lake County Important Farmland Map, California Department of Conservation Farmland Mapping and Monitoring Program
9. Department of Transportation’s Scenic Highway Mapping Program, (<https://dot.ca.gov/programs/design/lap-landscape-architecture-and-community-livability/lap-liv-i-scenic-highways>)
10. Lake County GIS Serpentine Soil Mapping
11. California Natural Diversity Database (<https://wildlife.ca.gov/Data/CNDDDB>)
12. U.S. Fish and Wildlife Service National Wetlands Inventory
13. Biological Resources Assessment for Wellness Ranch II, prepared by Natural Investigations Inc., dated March 5, 2020 and updated October 13, 2023.
14. Cultural Resources Assessment, prepared by Natural Investigations Inc., dated March 2020.
15. California Historical Resource Information Systems (CHRIS); Northwest Information Center, Sonoma State University; Rohnert Park, CA.
16. Water Resources Division, Lake County Department of Public Works Wetlands Mapping.
17. U.S.G.S. Geologic Map and Structure Sections of the Clear Lake Volcanic, Northern California, Miscellaneous Investigation Series, 1995
18. Official Alquist-Priolo Earthquake Fault Zone maps for Lake County
19. Landslide Hazards in the Eastern Clear Lake Area, Lake County, California, Landslide Hazard Identification Map No. 16, California Department of Conservation, Division of Mines and Geology, DMG Open –File Report 89-27, 1990
20. Lake County Emergency Management Plan
21. Lake County Hazardous Waste Management Plan, adopted 1989
22. Lake County Airport Land Use Compatibility Plan, adopted 1992
23. California Department of Forestry and Fire Protection - Fire Hazard Mapping
24. National Pollution Discharge Elimination System (NPDES)
25. FEMA Flood Hazard Maps
26. Lake County Aggregate Resource Management Plan
27. Lake County Bicycle Plan
28. Lake County Transit for Bus Routes
29. Lake County Environmental Health Division
30. Lake County Grading Ordinance
31. Lake County Natural Hazard database
32. Lake County Countywide Integrated Waste Management Plan and Siting Element, 1996
33. Lake County Water Resources
34. Lake County Waste Management Department
35. California Department of Transportation (Caltrans)
36. Lake County Air Quality Management District website
37. South Lake Fire Protection District
38. Site Visit – August 2019

39. United States Department of Agriculture – Natural Resources Conservation Service
Web Soil Survey
40. Hazardous Waste and Substances Sites List,
41. State Water Resources Control Board (SWRCB) Cannabis Policy and General Order
42. Lake County Groundwater Management Plan, March 31st, 2006.
43. Lake County Rules and Regulations (LCF) for On-Site Sewage Disposal
44. Lake County Municipal Code: Sanitary Disposal of Sewage (Chapter 9: Health and
Sanitation, Article III)