



COUNTY OF LAKE

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

Dated: November 3, 2020

CALIFORNIA ENVIRONMENTAL QUALITY ACT INITIAL STUDY IS 19-59 ENVIRONMENTAL CHECKLIST FORM

1. **Project Title:** CUA
2. **Permit Number:** Initial Study, IS 19-59 for Major Use Permit, UP 19-40
3. **Lead Agency and Address:** County of Lake
Community Development Department – Planning Division
Courthouse – 255 North Forbes Street
Lakeport CA 95453
4. **Contact Person:** Victoria Kim, Assistant Planner (707) 263-2221
5. **Project Location(s):** 25392, 25372, 25252 and 25322 Jerusalem Grade Road,
Middletown (APNs: 013-017-35, 36, 92 and 74)
6. **Project Sponsor’s Name/Address:** CUA Investments
10 Creeklodge Ct., Danville, CA 94506
7. **General Plan Designation:** Rural Residential and Resource Conservation
8. **Zoning:** “RR – WW” Rural Residential - Waterway Combining
Districts
9. **Supervisor District:** District One (1)
10. **Flood Zone:** Not in a special flood hazard area
11. **Soil:** Unstable to Variably Stable
12. **Fire Hazard Severity Zone:** Project Parcels Located within State Responsibility Area,
Very High - Wildland Fire Hazard Severity Zone
13. **Earthquake Fault Zone:** None
14. **Parcel Size:** ±77.04 Acres
15. **Previous Land Use Permit:** Voluntary Merge, VM 18-28;
Certificate of Compliance, CC 00-11
16. **Description of Project: (Describe the whole action involved, including but not limited to later phases of the project, and any secondary, support, or off-site features necessary for its implementation. Attach additional sheets if necessary).**

CUA is seeking a major use permit to obtain three (3) A-Type 3 “Outdoor” License and one (1) Type 13 “Self-Transport Distribution” License to allow a total of 104,400 square feet of commercial cannabis canopy area, with a total of 104,840 square feet of cultivation area located at 25392, 25372, 25252 and 25322 Jerusalem Grade Road on Lake County APN 013-017-35,

36, 92 and 74 in Middletown, California. The Project Property is currently accessed by a shared private gravel driveway off of Jerusalem Grade. The proposed canopy area will be surrounded by a 6-foot tall galvanized woven wire fences, covered with privacy mesh to screen from public view.

The proposed ancillary facilities include:

- One (1) 8' x 20' harvest storage shed;
- One (1) 10' x 12' wooden security shed;
- One (1) 120 square foot pesticides, agricultural chemical storage shed; and
- Four (4) 8,000-gallon water storage tanks.

The proposed cultivation method will be an organic soilless growing with micro-spray drip irrigation systems. Additionally, agricultural chemicals associated with cannabis cultivation including fertilizers, pesticides, and petroleum products will be securely stored inside the proposed pesticides and agricultural chemical storage shed.

The parcels are located at the base of Bishop Mountain in eastern Lake County and lie within the Upper Putah Creek watershed (HUC10) and the Hunting Creek sub-watershed (HUC12). Multiple ephemeral Class III watercourses begin on the Project Property and flow northeast into Jericho Creek. The cannabis cultivation area will be setback more than 100 feet from the top of the bank of any bodies of water. There are no other surface water bodies on the Project property.

The proposed cultivation operation will utilize drip irrigation systems, to conserve water resources. All water for the cultivation operation will come from two existing onsite groundwater wells and the project site has been enrolled for coverage under the State Water Resources Control Board.

The well on site will be pumped to the water storage tanks proposed right next to the proposed canopy area. Water use is projected to be approximately 10,000 gallons per day, 75,000 gallons per year. The cultivation area is relatively flat with 5 % to 15% slopes. A native grass seed mixture and certified weed-free straw mulch is proposed around the exposed soil area every year before eastern portion of the cultivation area to filter sediment from stormwater as it moves on to the property's seasonal drainages. The natural existing vegetated buffer will be maintained as needed between all project areas and waterways on the property. All organic waste will be placed in the designated composting area within the cultivation area.

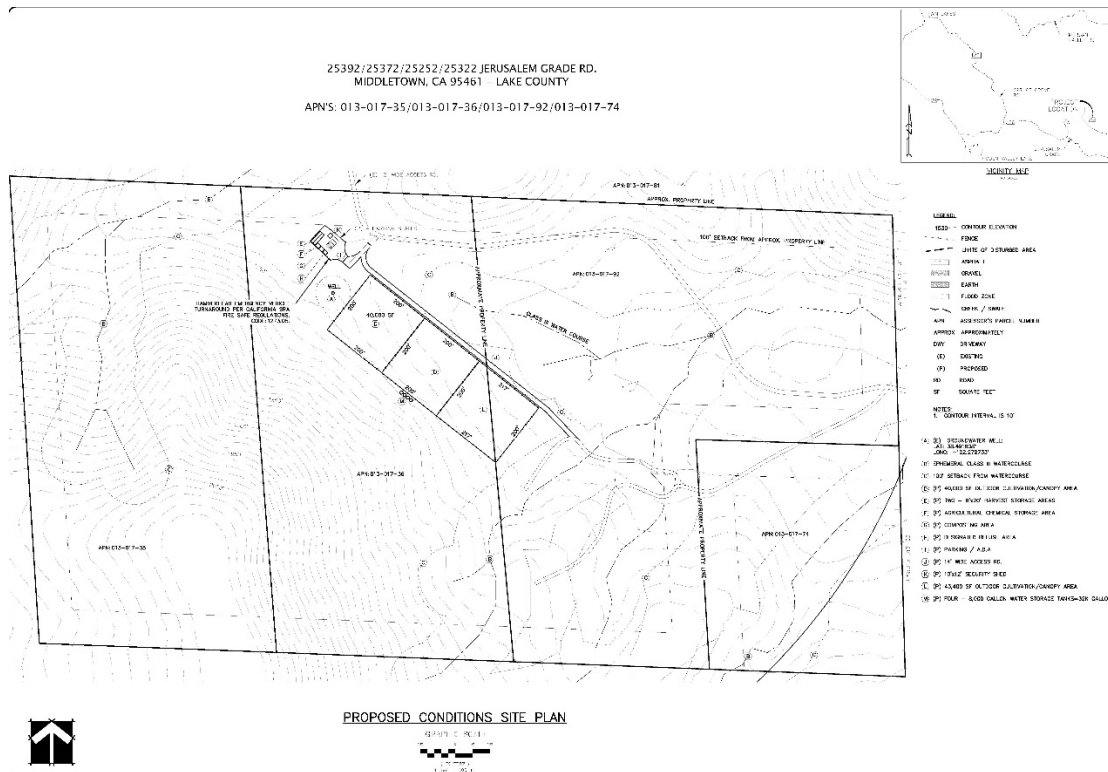
The proposed project site is accessed from a private easement road connecting to Jerusalem Grade, a county maintained road. The access road will be graveled to support a 75,000 lbs. load as well as be a minimum of 20 feet wide and have a 60 feet by 20 feet hammerhead turnaround at the terminus. A minimal increase in traffic is anticipated due to construction, maintenance and weekly and/or monthly incoming and outgoing deliveries through the use of small vehicles only. Daily employee trips are anticipated to be between 8 and 12 trips during cultivation season from April 1st to November 15th.

CONSTRUCTION

According to the applicant, the following is in regards to the site preparation and construction:

1. Less than fifty (50) cubic yards of grading will be anticipated for the proposed cultivation operation.

2. Materials and equipment will only be staged on previously disturbed areas (existing roads, parking and work areas). No areas will be disturbed for the purpose of staging materials or equipment.
3. Any drivers will be instructed to drive slowly for safety and keep down dust to mitigate the generation of dust during construction.
4. All construction activities, including engine warm-up, will be limited to Monday through Saturday between the hours of 8:00am and 7:00pm.
5. All equipment will be maintained and operated in a manner that minimizes any spill or leak of hazardous materials. All equipment will only be refueled in locations more than 100 feet from surface water bodies, and any servicing of equipment will occur on an impermeable surface. In the event of a spill or leak, the contaminated soil will be stored, transported, and disposed of consistent with applicable local, state and federal regulations.
6. Estimated construction period is 2 weeks and could generate a maximum of 40 to 80 vehicle trips, in addition to the 4 to 8 vehicle trips generated by potential employees (which averages 9.55 average daily trips according to International Transportation Engineer's manual, 9th edition).



Proposed Project Map



Zoning Map at Project Site

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

North: “RL-O” Rural Lands – Open Space. Parcel sizes range from approximately 10.14 acres to 605.71 acres in size.

South: “O” Open Space. Parcel size is approximately 605.71 acres in size.

West: “RL” Rural Lands. Parcel sizes is approximately 20.67 acres in size.

East: “RL” Rural Land. Parcel size is approximately 8.77 acres in size.

The project parcel is not within a Community Growth Boundary. The nearest parcel boundary is approximately 20,000 feet from the Community Growth Boundary.

18. Other public agencies whose approval may be required (e.g., Permits, financing approval, or participation agreement.)

Lake County Community Development Department
 Lake County Department of Environmental Health
 Lake County Air Quality Management District
 Lake County Department of Public Works
 Lake County Agricultural Commissioner
 Lake County Sheriff Department
 South Lake County Fire Protection District (CalFire)
 Central Valley Regional Water Quality Control Board
 California Water Resources Control Board
 California Department of Forestry & Fire Protection (CalFire)
 California Department of Fish & Wildlife (CDFW)
 California Department of Food and Agriculture

California Department of Pesticides Regulations
 California Department of Public Health
 California Bureau of Cannabis Control
 California Department of Consumers Affairs

19. Have California Native American tribes traditionally and culturally affiliated with the project area requested consultation pursuant to Public Resources Code section 21080.3.1? if so, is there a plan for consultation that includes, for example, the determination of significance of impacts to tribal cultural resources, procedures regarding confidentiality, etc.?

Note: Conducting consultation early in the CEQA process allows tribal governments, lead agencies, and project proponents to discuss the level of environmental review, identify and address potential adverse impacts to tribal cultural resources, and reduce the potential for delay and conflict in the environmental review process. (See Public Resources Code section 21080.3.2.) Information may also be available from the California Native American Heritage Commission's Sacred Lands File per Public Resources Code section 5097.96 and the California Historical Resources Information System administered by the California Office of Historic Preservation. Please also note that Public Resources Code section 21082.3 (c) contains provisions specific to confidentiality.

Notifications of the project was sent to local tribes on January 24, 2020 and March 25, 2020. Yocha Dehe Wintun Nation declined comment on April 30, 2020 since the project is not within the aboriginal territories. Middletown Rancheria commented on March 9, 2020 that they are comfortable with project moving forward, under the mutual understanding that the Tribe is contacted should there be any significant inadvertent discoveries.

ATTACHMENTS

- Attachment 1** – CUA Commercial Cannabis Cultivation Management Plan dated March 4, 2020
- Attachment 2** – proposed and Existing Site Plan
- Attachment 3** – Biological Assessment by Wiemeyer Ecological Sciences dated March 6, 2020
- Attachment 4** – Supplemental Data dated April 2, 2020
- Attachment 5** – Serpentine Dust Control Plan dated March 4, 2020
- Attachment 6** – Well Performance Test Report by JAK Drilling & Pump dated January 24, 2020
- Attachment 7** – Mitigation Monitoring Report

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 checked="" type="checkbox"/> <u>Aesthetics</u> | <input type="checkbox"/> <u>Greenhouse Gas Emissions</u> | <input type="checkbox"/> <u>Population / Housing</u> |
| <input type="checkbox"/> <u>Agriculture & Forestry</u> | <input checked="" type="checkbox"/> <u>Hazards & Hazardous Materials</u> | <input type="checkbox"/> <u>Public Services</u> |
| <input checked="" type="checkbox"/> <u>Air Quality</u> | <input checked="" type="checkbox"/> <u>Hydrology / Water Quality</u> | <input type="checkbox"/> <u>Recreation</u> |
| <input checked="" type="checkbox"/> <u>Biological Resources</u> | <input type="checkbox"/> <u>Land Use / Planning</u> | <input type="checkbox"/> <u>Transportation</u> |

- | | | |
|---|---|---|
| <input checked="" type="checkbox"/> <u>Cultural Resources</u> | <input type="checkbox"/> <u>Mineral Resources</u> | <input checked="" type="checkbox"/> <u>Tribal Cultural Resources</u> |
| <input checked="" type="checkbox"/> <u>Geology / Soils</u> | <input checked="" type="checkbox"/> <u>Noise</u> | <input type="checkbox"/> <u>Utilities / Service Systems</u> |
| <input type="checkbox"/> <u>Wildfire</u> | <input type="checkbox"/> <u>Energy</u> | <input checked="" type="checkbox"/> <u>Mandatory Findings of Significance</u> |

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:
Victoria Kim, Assistant Planner



SIGNATURE

Date: November 3, 2020

Scott DeLeon, Director
Community Development Department


SECTION 1 - EVALUATION OF ENVIRONMENTAL IMPACTS:

- 1) A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).

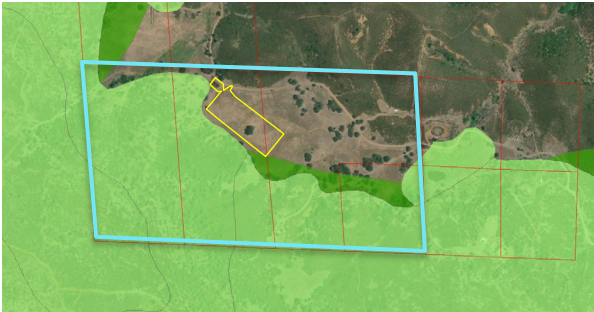
- 2) All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
- 3) Once the lead agency has determined that a particular physical impact may occur, and then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect may be significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.
- 4) "Negative Declaration: Less Than Significant With Mitigation Incorporated" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less Than Significant Impact." The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from Section XVII, "Earlier Analyses," may be cross-referenced).
- 5) Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063(c)(3)(D). In this case, a brief discussion should identify the following:
 - a) Earlier Analysis Used. Identify and state where they are available for review.
 - b) Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
 - c) Mitigation Measures. For effects that are "Less than Significant with Mitigation Measures Incorporated," describe the mitigation measures, which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.
- 6) Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.
- 7) Supporting Information Sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.
- 8) This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies should normally address the questions from this checklist that are relevant to a project's environmental effects in whatever format is selected.
- 9) The explanation of each issue should identify:
 - a) the significance criteria or threshold, if any, used to evaluate each question; and
 - b) the mitigation measure identified, if any, to reduce the impact to less than significance

KEY: 1 = Potentially Significant Impact
2 = Less Than Significant with Mitigation Incorporation
3 = Less Than Significant Impact
4 = No Impact

IMPACT CATEGORIES*	1	2	3	4	All determinations need explanation. Reference to documentation, sources, notes and correspondence.	Source Number**
I. AESTHETICS <i>Would the project:</i>						


a) Have a substantial adverse effect on a scenic vista?			X	<p>The project parcel is located in a rural area of the County that is protected by steep topography and dense vegetation. There are no scenic vistas on or adjacent to the subject site. The cultivation site can be seen from the private easement road and potentially two neighboring properties. However, according to the Property Management Plan, the cultivation area will be conducted within a fence area. The screen fencing will be covered with a privacy mesh to help screen the cultivation area. Therefore, the proposed use will not have a substantial adverse effect on a scenic vista.</p>  <p style="text-align: center;"><u>Existing Site Condition Surveyed on March 20, 2020</u></p> <p>Less Than Significant Impact.</p>	1, 2, 3, 4, 6, 9
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?			X	<p>There are no scenic resources, historic buildings, or damage to rock outcroppings. The project site is approximately 33,430 feet (6.33 miles) away from state highway 29 and the project is not located within the vicinity of a state scenic highway. See response to Section I(a).</p> <p>Less Than Significant Impact.</p>	1, 2, 3, 4, 6, 9
c) Substantially degrade the existing visual character or quality of public views the site and its surroundings? If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?			X	<p>The project parcel is located in a rural area of the County that is protected by steep topography and dense vegetation. The majority of the cultivation of commercial cannabis would occur on what is currently an open, flat grassy area/glade. The nearest off-premises house is approximately over 1,700 feet away from the edge of the cultivation area but is not considered a “public view” under CEQA. Additionally, the cannabis operation is a 1.25 miles away from Jerusalem Grade Road and cannot be seen from the road. Therefore, the cannabis operation will not substantially degrade the existing visual character or quality of public views the site and/or the surrounding area; it is not located within an urbanized area.</p> <p>Less Than Significant Impact.</p>	1, 2, 3, 4, 6, 9
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?			X	<p>The project has a potential to create additional light and/or glare through exterior security lighting. All lighting equipment shall be consistent with all recommendations on the website: www.darksky.org and provisions of section 21.41.8 of the Zoning Ordinance. Less than Significant with the Incorporated Mitigation Measures.</p> <p>If structures are to be used for the cultivation of cannabis, all structures shall be equipped with blackout film to minimize the impact to surrounding parcels and the dark skies</p> <p>Less Than Significant with a Mitigation Measure added:</p> <p><u>AES-1:</u> Prior to operation, the applicant shall submit a Lighting Plan to the Community Development Department for review and approval. Said plan shall be consistent with</p>	1, 2, 3, 4, 6, 9

				all recommendations on the website: www.darksky.org and provisions of section 21.41.8 of the Zoning Ordinance.	
II. AGRICULTURE AND FORESTRY RESOURCES <i>In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment Project; and forest carbon measurement methodology provided in Forest protocols adopted by the California Air Resources Board.</i> <i>Would the project:</i>					
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?			X	The project parcel is classified as "Other Land" by the Lake County Important Farmland Map. The proposed project will not convert farmland to non-agricultural use nor impact farmland. The subject site is not within a Williamson Act contract. Less than Significant Impact.	1, 2, 3, 4, 5, 7, 8, 11, 13
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?			X	Refer to Section II (a). Less than Significant Impact.	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))?			X	The proposed use will not conflict with existing, zoning, or cause rezoning of forest land, timberland, or timber production as defined by the Government Code. No Impact.	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?			X	See response to Section II (c). The project would not result in the loss or conversion of forest land to a non-forest use. No Impact.	1, 2, 3, 4, 5, 7, 8, 11, 13
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?			X	As proposed, this project would not induce changes to existing farmland that would result in its conversion to non-agricultural use. Less than Significant Impact.	1, 2, 3, 4, 5, 7, 8, 11, 13
III. AIR QUALITY <i>Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations.</i> <i>Would the project:</i>					
a) Conflict with or obstruct implementation of the applicable air quality plan?		X		The project has some potential to result in short- and long-term air quality impacts. Although there are serpentine soils on the project parcels, the proposed cultivation area, indicated with yellow lines on the Serpentine Soil Map below, is outside of the serpentine soil peripheries. Additionally, the applicant submitted Serpentine Dust Control Plan (Attachment 5) to Lake County Air Quality Management District for approval. Dust and fumes may be released as a result of site preparation/construction of cultivation area; and vehicular traffic, including small delivery vehicles would be contributors during and after site preparation/construction. Odors generated by the plants, particularly during harvest season, will need to be mitigated through 1000 foot setbacks and a ventilation system. While the project does propose the use of carbon filters/air scrubbers in the processing facility, the implementation of mitigation measures below would further	1, 3, 4, 5, 10, 24, 31, 36, 38

			<p>reduce air quality impacts to less than significant. A back-up generator is proposed and will be regulated through the Air Quality Management District. The backup generator shall only be used during emergency situations, such as a Public Safety Power Shutoff.</p>  <p style="text-align: center;">Serpentine Soil Map at Project Parcels</p> <p>Less Than Significant with Mitigation Measures Incorporated:</p> <p><u>AQ-1:</u> All Mobile diesel equipment used for construction and/or maintenance shall be compliance with State registration requirements. Portable and stationary diesel powered equipment must meet the requirements of the State Air Toxic Control Measures for CI engines as well as Lake County Noise Emission Standards.</p> <p><u>AQ-2:</u> Construction and/or work practices that involve pavement, masonry, sand, gravel, grading, and other activities shall be managed by adequate dust control to mitigate airborne emission during and after site development.</p> <p><u>AQ-3:</u> If construction or site activities are conducted within Serpentine soils, a Serpentine Control Plan shall be required. Any parcel with Serpentine soils must obtain proper approvals from Lake County Air Quality Management District.</p> <p><u>AQ-4:</u> All vegetation during site development shall be chipped and spread for ground cover and/or erosion control. The burning of vegetation, construction debris, including waste material is prohibited.</p> <p><u>AQ-5:</u> The applicant shall have the primary access and parking areas surfaced with chip seal as a temporary measure, and asphalt or an equivalent all weather surfacing for long term occupancy to reduce fugitive dust generation. All areas subject to semi-truck/ trailer traffic shall require asphaltic concrete paving or equivalent to prevent fugitive dust generation. The use of white rock as a road base or surface material for travel routes and/or parking areas is prohibited.</p> <p><u>AQ-6:</u> All areas subject infrequent use of driveways, over flow parking, etc., shall be surfaced with gravel. Applicant shall regularly maintain and require palliative treatment at the graveled area to reduce fugitive dust generations.</p>	
<p>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?</p>		<p>X</p>	<p>The County of Lake is in attainment of state and federal ambient air quality standards.</p> <p>Less than Significant Impact.</p>	<p>1, 3, 4, 5, 10, 21, 24, 31, 36</p>

c) Expose sensitive receptors to substantial pollutant concentrations?		X	<p>The operation as proposed is not expected to release any significant amounts of pollutants. There appears to be the nearest residence to the project parcel is approximately 1,700 feet away from the cultivation site.</p> <p>Less than Significant Impact with Mitigation Measures AQ-1 through AQ-6 incorporated.</p>	1, 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?		X	<p>Sensitive receptors in the area include adjacent and near proximity residents. The nearest off-premises house is approximately over 1,700 feet away from the edge of the cultivation area. Odor control measures will be necessary for the cultivation areas, including the outdoor portion of the site used for cannabis cultivation. The cultivation areas are set back a significant distance from the nearest off-site dwellings, so passive odor control (separation distance) and the project's proposed mitigations may be adequate for the outdoor cultivation area. The applicant has an emergency contact name and number that will be distributed to neighbors within 1000 feet of the property as is required by Air Quality. As described in Section III (a) above, with implementation of mitigation measures AQ-1 through AQ-6 will reduce impacts to less than significant.</p>	1, 2, 3, 4, 5, 10, 21, 24, 31, 36
IV. BIOLOGICAL RESOURCES <i>Would the project:</i>				
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?		X	<p>The applicant provided a Biological Assessment covering the project site, which was prepared by Wiemeyer Ecological Sciences (2020). The Assessment concluded that The proposed project will result in impacts to, and the loss of, non-native annual grassland and chaparral habitat at the site. An undetermined number of blue oak and foothill pine trees are proposed to be removed as a result of the proposed project. The cultivation area has nesting habitat for various nesting bird species including birds of prey in the event native birds initiate nesting activities at the project site. Additionally, the project has the potential to impact special-status animal species including foothill yellow-legged frog and special-status bat species. However, with implementation of the mitigation measures below, all impacts to these species can be mitigated to Less Than Significant levels.</p> <p>BIO-1: A qualified biologist shall perform a pre-construction survey for nesting birds within 48 hours prior to tree removal and/or ground breaking at the site if construction activities will take place between February 1 and August 31. If nesting birds are found, the qualified biologist shall establish suitable buffers prior to tree removal and/or ground breaking activities. To prevent encroachment, the established buffer(s) shall be clearly marked by highly visibility material. The established buffer(s) shall remain in effect until the young have fledged or the nest has been abandoned as confirmed by the qualified biologist. To more effectively identify active nests and to facilitate project scheduling, it is recommended that initial nesting surveys begin as early as February when the foliage on the trees are at a minimum and the nest building activity is high.</p> <p>BIO-2: The pruning or removal of living trees or snags must not occur during the maternity season between April 1 and September 1 to minimize the disturbance of young that may be present and unable to fly.</p> <p>BIO-3: The pruning or removal of living trees or snags must occur between the hours of 12 pm and sunset on days after nights when low temperatures were 50° For warmer to minimize impacting bats that may be present in deep</p>	1, 2, 3, 4, 5, 11, 12, 13, 16, 17, 21, 24, 29, 30, 31, 32, 33, 34

			<p>torpor. Sunset times shall be obtained from http://aa.usno.navy.mil/data/docs/RS_OneDay.php and temperatures for prior-work nights shall be obtained from http://www.wunderground.com/history/.</p> <p>BIO-4: When it is necessary to perform crown reduction on trees over 12 inches in diameter breast height or remove entire trees or branches over six inches in diameter there shall be preliminary pruning of small branches less than 2 inches in diameter performed the day before. The purpose of this is to minimize the probability that bats would choose to roost in those trees the night before the work is performed.</p> <p>BIO-5: A qualified biologist shall perform a pre-construction survey for foothill yellow- legged frogs 300 feet from the edge of the seasonal drainage within 48 hours prior to ground breaking at the site. If foothill yellow-legged frogs are found, the qualified biologist should establish suitable buffers and/or relocation of individuals prior to initiation of construction activities.</p> <p>BIO-6: The planting of blue oak and foothill pine trees at a 3:1 mitigation ratio shall be performed at the site to mitigate for the loss of blue oak trees over 6 inch diameter breast height at the site. All tree replacement shall be monitored and maintained for life of the project.</p> <p>BIO-7: Habitat mitigation and or/conservation for the loss of chaparral habitat as a result of the proposed project shall be performed at the site. Prior to operation, this shall either consist of the restoration of chaparral habitat at the site or the conservation of chaparral habitat at the site in the form of a conservation easement or deed restriction.</p> <p>BIO-8: Due to an early season botanical survey not performed at the site. Prior to vegetation clearance, ground disturbing activities, or operation of the project (whichever comes first), protocol-level botanical survey shall to be performed in the early spring to ensure that all special-status plant species with the potential to occur at the site were surveyed during the appropriate bloom time. A separate report of findings shall be prepared or the biological assessment shall be updated to include the results of the early season special-status plant species survey. The results of this survey shall be submitted to the Community Development Department prior to operation of the project.</p> <p>Less Than Significant Impact with mitigation measures BIO-1 through BIO-8 incorporated.</p>	
<p>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?</p>		<p>X</p>	<p>There are a few Class III intermittent waterways within the project parcels, as well as seasonal wetland (discussed below in (c)). However, the Biological Assessment states that there are no expected impacts to watercourse or wetland areas as a result of this project. The project is setback over 100 feet from any water features. The project is proposing to use a native grass seed mixture and certified weed-free straw mulch around the cultivation site to reduce sediment movement from the cultivation site and will maintain the natural vegetation buffers between the creeks/drainages and the cultivation site. Impacts to vegetation are discussed in (a) above; with incorporation of mitigation measures, impacts to riparian habitat would be Less than Significant.</p>	<p>1, 2, 3, 4, 5, 11, 12, 13, 16, 17, 29, 30, 31, 33</p>

				Less Than Significant Impact with mitigation measures BIO-1 through BIO-8 incorporated.	
c) Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?		X		<p>According to the Biological Assessment, Seasonal wetland habitat occurs at the site as swales which are located in the northeastern portion of the site. . The seasonal wetlands flow into ephemeral and seasonal drainages and merge into a single unnamed seasonal drainage at the site before flowing east offsite. The seasonal wetland and ephemeral drainage are considered Waters of the United States within the jurisdiction of the USACE and SWRCB. However, the proposed project will avoid impacts to the seasonal wetland, seasonal drainage and ephemeral drainages at the site. Site developments (parking areas, accessory structures and cultivation areas) will be located at a distance of 100 feet or greater from the top of the bank of the seasonal and ephemeral drainages and from the edge of seasonal wetland habitat. The incorporated mitigation measures BIO-1 through BIO 8 would further reduce any potential impacts to less than significant.</p>  <p style="text-align: center;">Habitat Map</p>	1, 2, 3, 4, 5, 11, 12, 13, 16, 17, 29, 30, 31, 33
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?		X		<p>The Biological Assessment provided states that there is a Class III Watercourse on the property. However, the proposed use meets and/or exceeds the minimum 100 foot requirements from any known waterways, wetland, etc.</p> <p>The incorporated mitigation measures BIO-1 through BIO 8 would reduce any potential impacts to less than significant.</p>	1, 2, 3, 4, 5, 11, 12, 13, 16, 17, 29, 30, 31, 33
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?		X		<p>See discussion (a) above. According to the Biological Assessment, an undermined number of blue oaks and foothill pine trees are proposed to be removed. However, mitigation measure BIO-6 requires the planting of blue oak and foothill pine trees at a 3:1 mitigation ratio for blue oak trees over 6 inch diameter breast height at the site.</p> <p>Less than Significant Impact with mitigation measures BIO-1 through BIO-8 incorporated.</p>	1, 2, 3, 4, 5, 11, 12, 13, 16, 17, 29, 30, 31, 33
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?			X	<p>See discussion (a) above. All Biological impacts can be mitigated using Avoidance and Protection measures as stated in Section IV (a).</p> <p>Less than Significant Impact with mitigation measures BIO-1 through BIO-8 incorporated.</p>	1, 2, 3, 4, 5, 11, 12, 13, 16, 17, 29, 30, 31, 33
V. CULTURAL RESOURCES					
<i>Would the project:</i>					
a) Cause a substantial adverse change in the significance of a historical resource pursuant to §15064.5?		X		<p>A Cultural Resources Evaluation was conducted by John Parker, PhD of Archaeological Research on July 16, 2019. John Parker's.</p>	1, 3, 4, 5, 11, 15

				<p>According to the Cultural Resources Evaluation no historic or prehistoric cultural materials or features were discovered during the assessment. However, in the unlikely event that undiscovered cultural sites are encountered during the ground disturbance process, it is recommended that work in the immediate vicinity of the find be suspended and a Registered Professional Archaeologist called in to evaluate the find as required by California Environmental Quality Act guidelines.</p> <p><u>CUL-1:</u> Should any archaeological, paleontological, or cultural materials be discovered during site development, all activity shall be halted in the vicinity of the find(s), the local overseeing Tribe(s) shall be notified, and a qualified archaeologist retained to evaluate the find(s) and recommend mitigation procedures, if necessary, subject to the approval of the Community Development Director. Should any human remains be encountered, they shall be treated in accordance with Public Resources Code Section 5097.98 and with California Health and Safety Code section 7050.5.</p> <p><u>CUL-2:</u> All employees shall be trained in recognizing potentially significant artifacts that may be discovered during ground disturbance. If any artifacts or remains are found, the local overseeing Tribe(s) shall immediately be notified; a licensed archaeologist shall be notified, and the Lake County Community Development Director shall be notified of such finds.</p> <p>Less than Significant Impact with mitigation measures CUL-1 and CUL-2 added.</p>	
b) Cause a substantial adverse change in the significance of an archeological resource pursuant to §15064.5?		X		<p>No changes are expected to archaeological resources. See Response to Section V (a).</p> <p>Less than Significant Impact with mitigation measures CUL-1 and CUL-2 added.</p>	1, 3, 4, 5, 11, 15
c) Disturb any human remains, including those interred outside of formal cemeteries?		X		<p>See Response to Section V (a).</p> <p>The applicant shall immediately halt all work and contact the Lake County Sheriff's Office, the local overseeing tribe, and the Community Development Department if any human remains are encountered.</p> <p>Less than Significant Impact with mitigation measures CUL-1 and CUL-2 added.</p>	1, 3, 4, 5, 11, 15
VI. ENERGY <i>Would the project:</i>					
a) Result in a potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy, or wasteful use of energy resources, during project construction or operation?			X	<p>The applicant states that they will use on-grid power as the primary energy source and roof-mounted photovoltaic solar arrays as a secondary power source. The overall power usage of the propose project will be minimal. Uses that require power include the well and security system, and processing facility for lighting. The applicant shall adhere to all federal, state and local agency requirements.</p> <p>Less than Significant Impact.</p>	1, 3, 4, 5, 11, 15
b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?			X	<p>The proposed use will not conflict with, or obstruct a state or local plan for renewable energy or energy efficiency.</p> <p>Less than Significant Impact.</p>	1, 3, 4, 5, 11, 15
VII. GEOLOGY AND SOILS <i>Would the project:</i>					
a) Directly or indirectly cause potential substantial adverse			X	<u>Earthquake Faults</u>	1, 3, 4, 5, 6, 7, 10, 17, 18,

<p>effects, including the risk of loss, injury, or death involving:</p> <p>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.</p> <p>ii) Strong seismic ground shaking?</p> <p>iii) Seismic-related ground failure, including liquefaction?</p> <p>iv) Landslides?</p>			<p>There are no mapped earthquake faults on or adjacent to the subject site.</p> <p><u>Seismic Ground Shaking and Seismic-Related Ground Failure, including liquefaction.</u> 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. All proposed construction is required to be built consistent with Current Seismic Safety construction standards.</p> <p><u>Landslides</u> There is little to no risk of landslides based on the slope at the proposed cultivation area, which is relatively flat with 0 to 5 percent slopes.</p> <p>Less Than Significant Impact.</p>	19, 21, 24, 25
<p>b) Result in substantial soil erosion or the loss of topsoil?</p>	X		<p>According to the soil survey of Lake County, prepared by the U.S.D.A., the soil within the proposed parcels consist of Maxwell clay loam, 0 to 2 percent slopes; Maymen-Millsholm-Bressa complex, 30 to 50 percent slopes; Okiota-Henneke complex, 5 to 30 percent slopes; and Skyhigh-Asbill complex, 8 to 15 percent slopes. More detail information of the soil type at the proposed cultivation area is as follows:</p> <ul style="list-style-type: none"> • Skyhigh-Asbill Complex (207): 8 to 15 percent slopes. The Skyhigh soil is moderately deep and well-drained soil with slow permeability. Surface runoff is rapid, and hazard of erosion is moderate. Water capacity is 3 to 7 inches. <p>Less Than Significant with mitigation measure GEO-1 and GEO-2 incorporated:</p> <p><u>GEO-1:</u> Prior to any ground disturbance, the permitted shall submit Erosion Control and Sediment Plans to the Community Development Department for review and approval. Said Erosion Control and Sediment Plans shall protect the local watershed from runoff pollution through the implementation of appropriate Best Management Practices (BMPs) in accordance with the Grading Ordinance. Typical BMPs include the placement of straw, mulch, seeding, straw wattles, silt fencing and the planting of native vegetation on all disturbed areas. No silt, sediment or other materials exceeding natural background levels shall be allowed to flow from the project area. All BMP's shall be maintained for life of the project.</p> <p><u>GEO-2:</u> Prior to any ground disturbance, the permit holder shall submit and obtain a Grading Permit from the Community Development. The project design shall incorporate appropriate BMPs consistent with County and State Storm Water Drainage Regulations to the maximum extent practicable. The project design shall incorporate Best Management Practices (BMPs) to the maximum extent practicable to prevent or reduce discharge of all construction or post-construction pollutants into the County storm drainage system. BMPs typically include</p>	1, 3, 4, 5, 6, 7, 10, 16, 17, 18, 19, 21, 24, 25, 30

				scheduling of activities, erosion and sediment control, operation and maintenance procedures and other measures in accordance with Chapters 29 and 30 of the Lake County Code.	
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on-site or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?		X		According to the soil survey of Lake County, prepared by the U.S.D.A., the cultivation site is mapped as being variably stable to unstable. Less Than Significant Impact with Mitigation Measures GEO-3 and GEO-4 incorporated: GEO-3: Excavation, filling, vegetation clearing or other disturbance of the soil shall not occur between October 15 and April 15 unless authorized by the Community Development Director. The actual dates of this defined grading period may be adjusted according to weather and soil conditions at the discretion of the Community Development Director. GEO-4: The permit holder shall monitor the site during the rainy season (October 15 -May 15), including post-installation, application of BMPs, erosion control maintenance, and other improvements as needed.	1, 3, 4, 5, 6, 7, 10, 16, 17, 18, 19, 21, 24, 25, 30
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?			X	The soil on the cultivation site is type 207 which is expected to be expansive as it is indicated to have high shrink-swell potential. However, the proposed cultivation area is relatively flat with 0 to 5 percent slopes. Less Than Significant Impact.	1, 3, 4, 5, 6, 7, 10, 16, 17, 18, 19, 21, 24, 25, 30
e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of waste water?			X	A portable restroom facility is proposed for the project. However, the approving body could require permanent bathrooms, which would require a septic permit from the Lake County Environmental Health Division. According to the soil survey of Lake County, prepared by U.S.D.A., for soil type 207 if it is used for septic tank absorption fields, the limitation of moderately slow permeability can be minimized by increasing the size of the absorption field or by using a specially designed sewage disposal system Less Than Significant Impact.	1, 3, 4, 5, 6, 7, 10, 16, 17, 18, 19, 21, 24, 25, 29, 30
f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?			X	No identified unique paleontological resources or unique geologic features were discovered, and none are currently mapped or known on the site. Less Than Significant Impact.	1, 3, 4, 5, 11, 15
VIII. GREENHOUSE GAS EMISSIONS <i>Would the project:</i>					
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?			X	In general, greenhouse gas emissions result from construction activities and from post-construction activities. Some new construction will occur on the site from the proposed harvest and agricultural chemical storages, and there are minimal gasses that could result from outdoor cultivation activities. The harvest and agricultural chemical storages will be equipped with airborne particulate carbon filters/air scrubber. The cultivation areas will not have specific greenhouse gas-producing elements; no ozone will result, and the cannabis plants will to a small degree help capture carbon dioxide. The cultivation operation as a whole is also likely to generate small amounts of carbon dioxide from vehicle trips for employees. Since Lake County is an air attainment county, the small levels of greenhouse gasses emitted are not anticipated to be significant. Less Than Significant Impact.	1, 3, 4, 5, 21, 24, 29, 30, 31, 34, 36

b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?			X	<p>This project will not conflict with any adopted plans or policies for the reduction of greenhouse gas emissions. The County of Lake is an 'air attainment' county, and does not have established thresholds of significance for greenhouse gases.</p> <p>No Impact.</p>	1, 3, 4, 5, 21, 24, 29, 30, 31, 32, 34, 36
IX. HAZARDS AND HAZARDOUS MATERIALS <i>Would the project:</i>					
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?		X		<p>Although the applicant proposes all pesticides will be kept in manufactures original containers/packaging and when not in use, are store in the manufacturer's original containers/packaging and undercover inside the secure proposed processing structure, there are some potential hazards to the environment through the routine transport, use or disposal of agricultural chemical and hazardous materials. Cannabis waste is required to be chipped and disbursed on site; burning cannabis waste is prohibited. The applicant has stated that all cannabis waste from the proposed cultivation operation will be composted in the designated composting area on-site.</p> <p>The project shall comply with Section 41.7 of the Lake County Zoning Ordinance, which 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.</p> <p>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.</p> <p>Less than Significant with Mitigation Measures HAZ-1 to HAZ-5 added.</p> <p><u>HAZ-1:</u> All hazardous waste shall not be disposed of on-site without review or permits from Environmental Health Department, the California Regional Water Control Board, and/or the Air Quality Board. Collected hazardous or toxic waste materials shall be recycled or disposed of through a registered waste hauler to an approved site legally authorized to accept such material.</p> <p><u>HAZ-2:</u> The storage of potentially hazardous materials shall be located at least 100 feet from any existing water well. These materials shall not be allowed to leak onto the ground or contaminate surface waters. Collected hazardous or toxic materials shall be recycled or disposed of through a registered waste hauler to an approved site legally authorized to accept such materials.</p> <p><u>HAZ-3:</u> Any spills of oils, fluids, fuel, concrete, or other hazardous construction material shall be immediately cleaned up. All equipment and materials shall be stored in the staging areas away from all known waterways.</p> <p><u>HAZ-4:</u> The storage of hazardous materials equal to or greater than fifty-five (55) gallons of a liquid, 500 pounds of a solid, or 200 cubic feet of compressed gas, then a Hazardous Materials Inventory Disclosure Statement/Business Plan shall be submitted and maintained in compliance with requirements of Lake County</p>	1, 3, 4, 5, 10, 13, 17, 21, 24, 25, 29, 30, 31, 32, 33, 34, 36

				<p>Environmental Health Division. Industrial waste shall not be disposed of on site without review or permit from Lake County Environmental Health Division or the California Regional Water Quality Control Board. The permit holder shall comply with petroleum fuel storage tank regulations if fuel is to be stored on site.</p> <p><u>HAZ-5:</u> The project design shall incorporate appropriate BMPs consistent with County and State Storm Water Drainage regulations to prevent or reduce discharge of all construction or post-construction pollutants and hazardous materials offsite or into the creek. The site shall be monitored during the rainy season (October 15-April 15) and erosion controls maintained.</p>	
b) Create a significant hazard to the public or the environment through reasonable foreseeable upset and accident conditions involving the release of hazardous materials into the environment?		X		<p>See Response to Section IX (a).</p> <p>Less Than Significant with Mitigation Measures HAZ-1 to HAZ-5 added.</p>	1, 3, 4, 5, 10, 13, 17, 20, 21, 24, 25, 29, 30, 31, 32, 33, 34, 36
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?			X	<p>The proposed project is not located within one-quarter mile of an existing or proposed school.</p> <p>No Impact.</p>	1, 3, 4, 5, 10, 13, 17, 21, 24, 25, 29, 30, 31, 32, 33, 34, 36
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?			X	<p>The project site is not listed as a site containing hazardous materials in the databases maintained by the Environmental Protection Agency (EPA).</p> <p>Less Than Significant Impact.</p>	1, 3, 4, 5, 10, 13, 17, 21, 24, 25, 29, 30, 31, 32, 33, 34, 36
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?			X	<p>The project is not located within two (2) miles of an airport and/or within an Airport Land Use Plan.</p> <p>No Impact.</p>	1, 3, 4, 5, 20, 22
f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?			X	<p>The project would not impair or interfere with an adopted emergency response or evacuation plan. Although Cal Fire commented about traversing BLM Lands, the Lake County Ordinance does not regulate crossing BLM Lands for the commercial cannabis cultivation. The applicant shall apply for the use of easements on BLM Lands for commercial use.</p> <p>Less Than Significant Impact.</p>	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?			X	<p>The site is mapped as having a Very High Fire Risk. The applicant will adhere to all Federal, State, and local fire requirements and/or regulations for setbacks and defensible space. See Section XX, Wildfire, for more information.</p> <p>Less than Significant Impact.</p>	1, 3, 4, 5, 20, 35, 37
X. HYDROLOGY AND WATER QUALITY					
<i>Would the project:</i>					
a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?		X		<p>As discussed in Section IV, Biological Resources, there are a few Class III intermittent waterways within the project parcels, as well as seasonal wetland. However, the Biological Assessment states that there are no expected impacts to watercourse or wetland areas as a result of this project. The</p>	1, 3, 4, 5, 13, 21, 24, 25, 29, 31, 32, 33, 34

				<p>project is setback over 100 feet from any water features. The project is proposing to use a native grass seed mixture and certified weed-free straw mulch around the cultivation site to reduce sediment movement from the cultivation site and will maintain the natural vegetation buffers between the creeks/drainages and the cultivation site. With incorporation of mitigation measures BIO-1 through BIO-8 and HYD-1 and HYD-2, impacts to water quality would be less than significant. The applicant shall adhere to all Federal, State and Local regulations regarding wastewater treatment and water usage requirements.</p> <p>Less Than Significant Impact with Mitigation Measures added:</p> <p>HYD-1: The applicant shall adhere to all Federal, State and Local regulations regarding wastewater treatment and water usage requirements.</p> <p>HYD-2: Prior to this permit having any force or effect, the permittee(s) shall adhere to the Lake County Division of Environmental Health requirements regarding on-site wastewater treatment and/or potable water requirements. The permittee shall contact the Lake County Division of Environmental Health for details.</p>	
b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?		X		<p>According to the applicant, the project is equipped with one onsite well (Well No. 4, Attachment 7). The well will be used as a primary water source and has an estimated 5 GPM per the state well report. The applicant has indicated that the estimated water use for an entire year will be 2,137,461 gallons.</p> <p>According to the <u>Property Management Plan</u>, the following are best management practices (BMP's) that are proposed by CUA Investments:</p> <ul style="list-style-type: none"> • Straw wattles will be installed and maintained throughout the entire life of the proposed cultivation operation around the cultivation site. • Piled topsoil that is exposed will be covered with a tarp while not in use to maintain sediment control and reduce dust impacts. • Gravel will be placed along all access roads to reduce exposed dirt. <p>Less Than Significant Impact.</p>	1, 3, 4, 5, 13, 21, 24, 25, 29, 31, 32, 33, 34
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 which would: <ul style="list-style-type: none"> i) Result in substantial erosion or siltation on- 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; iii) Create or contribute to runoff water which would exceed the capacity of existing or planned stormwater drainage systems or 		X		<p>The applicant has stated that the total cultivation area is about 104,840 square feet in size, and the canopy area is about 104,400 square feet including one (1) 160 square foot harvest storages, one (1) 120 square foot pesticides and agricultural chemicals storage, and one (1) 120 square foot security shed. The total canopy area represents about 3.11% of the total 77.04-acre site. The whole cultivation area will be outfitted with straw wattles for sediment control until permanent stabilization will be achieved. Most of the cultivation areas will be outdoor which is 104,840 square feet, and permeable as the above ground planting will let water reach the ground. However, there will be some runoff resulting from the proposed structures.</p> <p>Less Than Significant Impact with Mitigation Measures added:</p> <p>HYD-3: The applicant shall prepare a groundwater management plan to ensure that the groundwater resources of the County are protected used and managed in a sustainable manner. The plan would support the Integrated Regional Water Management Plan and include</p>	1, 3, 4, 5, 13, 21, 24, 25, 29, 31, 32, 33, 34

provide substantial additional sources of polluted runoff; iv) Impede or redirect flood flows?				<p>an inventory of groundwater resources in the County and a management strategy to maintain the resource for the reasonable and beneficial use of the people and agencies of the County.</p> <p>HYD-: The production well shall have a meter to measure the amount of water pumped. The production wells shall have continuous water level monitors. The methodology of the monitoring program shall be described. A monitoring well of equal depth within the cone of influence of the production well may be substituted for the water level monitoring of the production well. The monitoring wells shall be constructed and monitoring begun at least three months prior to the use of the supply well. An applicant shall maintain a record of all data collected and shall provide a report of the data collected to the County annually and/or upon made upon request.</p>	
d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?			X	<p>There are no flood zones on the project parcel. The project parcel is not in any tsunami or seiche zone. Further, all chemicals including pesticides, fertilizers and other potentially toxic chemicals shall be stored in a manner that the chemicals will not be adversely affected in the event of a flood.</p> <p>Less Than Significant Impact.</p>	1, 3, 4, 5, 13, 21, 23, 24, 25, 29, 31, 32, 33
e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?			X	<p>See response to X (d) above.</p> <p>Less Than Significant Impact.</p>	1, 3, 4, 5, 10, 13, 21, 23, 24, 25, 29, 31, 32, 33
<p>XI. LAND USE AND PLANNING <i>Would the project:</i></p>					
a) Physically divide an established community?			X	<p>The proposed project site would not physically divide an established community.</p> <p>No Impact.</p>	1, 3, 4, 5, 6, 35
b) Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?			X	<p>The proposed project will not cause a significant environmental impact or conflict with any land use plan, including but not limited to the Lake County General Plan, the Middletown Area Plan and the Lake County Zoning Ordinance. The current zoning on the site is "RL-WW" Rural Lands and Water Way Combining districts. The site's General Plan land use designations are Rural Lands and Resource Conservation. Pursuant to Lake County Zoning Ordinance, Article 27, the proposed cannabis cultivation with Type 3 "outdoor" and Type 13 "Cannabis Distributor Transport Only, Self-Distribution" licenses are permitted uses in the Rural Lands District. The project meets all applicable development standards outlined in the zoning ordinance.</p> <p>Less Than Significant Impact.</p>	1, 3, 4, 5, 20, 21, 22, 27, 28
<p>XII. MINERAL RESOURCES <i>Would the project:</i></p>					
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?			X	<p>According to the California Department of Conservation: Mineral Land Classification, there are no known mineral resources on the project site</p> <p>No Impact.</p>	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?			X	<p>Neither the County of Lake's General Plan, the Lower Lake Area Plan nor the Lake County Aggregate Resource Management Plan designates the project site as being a locally important mineral resource recovery site.</p> <p>No Impact.</p>	1, 3, 4, 5, 26

XIII. NOISE					
<i>Would the project result in:</i>					
a) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?			X	<p>Short-term increases in ambient noise levels to uncomfortable levels could be expected during project construction. However, mitigation measures will decrease these noise levels to an acceptable level.</p> <p>Less Than Significant with the following mitigation measures incorporated:</p> <p><u>NOI-1:</u> All construction activities including engine warm-up shall be limited Monday Through Friday, between the hours of 7:00am and 7:00pm to minimize noise impacts on nearby residents. Back-up beepers shall be adjusted to the lowest allowable levels. This mitigation does not apply to night work.</p> <p><u>NOI -2:</u> Maximum non-construction related sounds levels shall not exceed levels of 55 dBA between the hours of 7:00AM to 10:00PM and 45 dBA between the hours of 10:00PM to 7:00AM within residential areas as specified within Zoning Ordinance Section 21-41.11 (Table 11.1) at the property lines.</p> <p><u>NOI-3:</u> The operation of the Air Filtration System shall not exceed levels of 57 dBA between the hours of 7:00AM to 10:00PM and 50 dBA from 10:00PM to 7:00AM within residential areas as specified within Zoning Ordinance Section 21-41.11 (Table 11.2) measured at the property lines.</p>	1, 3, 4, 5, 13
b) Generation of excessive groundborne vibration or groundborne noise levels?			X	<p>The project is not expected to create unusual groundborne vibration due to facility operation. The low level truck traffic during construction and deliveries would create a minimal amount of groundborne vibration.</p> <p>Less Than Significant Impact.</p>	1, 3, 4, 5, 13
c) For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?			X	<p>Project is not located within an airport land use plan or within 2 miles of a public airport.</p> <p>No Impact.</p>	1, 2, 3, 4, 5, 6, 22, 24
XIV. POPULATION AND HOUSING					
<i>Would the project:</i>					
a) Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?			X	<p>The project is not anticipated to induce population growth.</p> <p>Less Than Significant Impact.</p>	1, 3, 4, 5
b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?			X	<p>No housing will be displaced as a result of the project.</p> <p>No Impact.</p>	1, 3, 4, 5
XV. PUBLIC SERVICES					
<i>Would the project:</i>					
a) Would the project result in substantial adverse physical impacts associated with the			X	<p>The project does not propose housing or other uses that would necessitate the need for new or altered government facilities. There will not be a need to increase fire or police protection,</p>	1, 3, 4, 5, 13, 17, 20, 21, 22, 23, 24,

provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services: - Fire Protection? - Police Protection? - Schools? - Parks? - Other Public Facilities?					schools, parks or other public facilities as a result of the project's implementation. No Impact.	27, 28, 29, 30, 31, 32, 33, 34, 36, 37
XVI. RECREATION <i>Would the project:</i>						
a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?				X	The project will not have any impacts on existing parks or other recreational facilities. No Impact.	1, 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?				X	This project will not necessitate the construction or expansion of any recreational facilities. No Impact.	1, 3, 4, 5
XVII. TRANSPORTATION <i>Would the project:</i>						
a) Conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadways, bicycle lanes and pedestrian paths?				X	The proposed project site is accessed from a private easement road connecting to Jerusalem Grade, a county maintained road. The access road will be graveled to support a 75,000 lbs. load as well as be a minimum of 20 feet wide and have a 60 feet by 20 feet hammerhead turnaround at the terminus. A minimal increase in traffic is anticipated due to construction, maintenance and weekly and/or monthly incoming and outgoing deliveries through the use of small vehicles only. Daily employee trips are anticipated to be between 8 and 12 trips during cultivation season from April 1 st to November 15 th . According to the applicant, estimated construction period is 2 weeks and could generate a maximum of 40 to 80 vehicle trips, in addition to the 4 to 8 vehicle trips generated by potential employees (which averages 9.55 average daily trips according to International Transportation Engineer's manual, 9th edition). Less than Significant Impact.	1, 3, 4, 5, 9, 20, 22, 27, 28, 35
b) Would the project conflict with or be inconsistent with CEQA guidelines section 15064.3, subdivision (b)?				X	Although a maximum of 40 to 80 vehicle trips could be generated during the two week construction period, post-construction will only result 4 to 8 vehicle trips by future employees. The project is consistent with 15064.3 (b) and significant impacts from the project are not anticipated. Less than Significant Impact.	1, 3, 4, 5, 9, 20, 22, 27, 28, 35
c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or				X	See Response to Section XVII (a).	1, 3, 4, 5, 9, 20, 22, 27, 28, 35

incompatible uses (e.g., farm equipment)?				Less than Significant Impact.	
d) Result in inadequate emergency access?			X	See Response to Section XVII (a). Less than Significant Impact.	1, 3, 4, 5, 9, 20, 22, 27, 28, 35
XVIII. TRIBAL CULTURAL RESOURCES					
<i>Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:</i>					
a) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or		X		See Response to Section V (a). Less Than Significant with mitigation measures CUL-1 and CUL-2 added.	1, 3, 4, 5, 11, 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. In applying the criteria set forth in subdivision (c) of Public Resources Code 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.		X		See Response to Section V (a). Less than Significant with mitigation measures CUL-1 and CUL-2 added.	1, 3, 4, 5, 11, 15
XIX. UTILITIES AND SERVICE SYSTEMS					
<i>Would the project:</i>					
a) Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?			X	According to the applicant, the proposed use is anticipated to use 2,137,461 gallons annually for cultivation. The site is served by an onsite well and proposed primary electrical power is through PG&E and roof-mounted photovoltaic solar arrays as secondary source. The applicant proposes minimizing water use through drip or trickle and micro-spray irrigation. Less Than significant Impact.	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?			X	See Response to Section XIX (a). Less Than Significant Impact.	1, 3, 4, 5, 29, 32, 33, 34, 36, 37
c) Result in a determination by the wastewater treatment provider, which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?			X	See Response to Section XIX (a). Less Than Significant Impact.	1, 3, 4, 5, 29, 32, 33, 34
d) Generate solid waste in excess of State or local standards or in excess of the capacity of local infrastructure?			X	The existing landfill has sufficient capacity to accommodate the project's solid waste disposal needs. The county does not require such a waste management plan for cannabis cultivation projects. However, waste generation from site will be minimal and all vegetative waste will be composted at the proposed designated area. Less than Significant Impact.	1, 3, 4, 5, 28, 29, 32, 33, 34, 36

e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?			X	All federal, state, and local requirements related to solid waste will apply to this project. Less Than Significant Impact.	1, 3, 4, 5, 29, 32, 33, 34, 36
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XX. WILDFIRE					
<i>If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:</i>					
a) Substantially impair an adopted emergency response plan or emergency evacuation plan?			X	<p>The subject site is accessed through an easement roads connecting to Jerusalem Grade Road which is a paved county maintained road. The property is located within the SRA area and is in a very high fire hazard severity zone. The applicant shall adhere to all Federal, State, and local agency requirements.</p> <p>Less than Significant Impact.</p>	1, 2, 4, 5, 6, 20, 23, 31, 35, 37
b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?			X	<p>See responses in Section XX (a and c).</p> <p>Less than Significant Impact.</p>	1, 2, 4, 5, 6, 20, 23, 31, 35, 37
c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?			X	<p>The site improvements proposed are minimal and some areas of heavy vegetation. However, the responsible Fire Districts, who were notified of this action, have not indicated that additional fire breaks are necessary. A steel or fiberglass fire suppression water tank will be located at the cultivation site.</p> <p>All regulations on the State of California’s Public Resource Code, Division, and all Sections in 4290 and 4291 (4001-4958) shall apply to this application/construction. All regulations of California Code Regulations Title 14, Division 1.5, Chapter 7, Subchapter 2, and Article 1 through 5 shall apply to this application/construction. All regulations of California Building Code, Chapter 7A, Section 701A, 701A.3.2.A. All regulations in the California Government Code, Title 5. Local Agencies [50001- 57550], Part 1. Powers and Duties Common to Cities and Counties [50001 - 51189], Section 51182.</p> <p>This shall include, but not be limited to property line setbacks for structures that are a minimum of 30 feet, addressing on-site water storage for fire protection, driveway/roadway types and specifications based on designated usage, all weather driveway/roadway surfaces engineered for 75,000 lbs vehicles, maximum slope of 16%, turnouts, gates (14 foot wide minimum), gate setbacks (minimum of 30 feet from the road), parking, fuels reduction, including a minimum of 100 feet of defensible space. If this property will meet the criteria to be, or will be a CUPA reporting facility/entity to Lake County Environmental Health (see hyperlink below), it shall also comply specifically with PRC4291.3 requiring 300 feet of defensible space and fuels reduction around said structure.</p> <p>Less than Significant Impact.</p>	1, 2, 4, 5, 6, 20, 23, 31, 35, 37
d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?			X	<p>There is little chance of 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, which already contains residential use.</p> <p>Less Than Significant Impact.</p>	1, 2, 4, 5, 6, 20, 23, 31, 35, 37
XXI. MANDATORY FINDINGS OF SIGNIFICANCE					

<p>a) Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?</p>	X		<p>The project proposes a Cultivation of Commercial cannabis in an open somewhat previously disturbed area with minimal to no vegetation. As proposed, this project is not anticipated to significantly impact habitat of fish and/or wildlife species or cultural resources with the incorporated mitigation measures described above.</p> <p>Less than Significant with Mitigation Incorporation.</p>	All
<p>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)?</p>	X		<p>Potentially significant impacts have been identified related to <u>Aesthetics</u>, <u>Air Quality</u>, <u>Biological Resources</u>, <u>Geology/Soils</u>, <u>Cultural and Tribal Resources</u>, <u>Hazards</u>, <u>Hydrology/Water Quality</u>, and <u>Noise</u>. 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 mitigation measures identified in each section as project conditions of approval would avoid or reduce potential impacts to less than significant levels and would not result in any cumulatively considerable environmental impacts.</p> <p>Less than Significant with Mitigation Incorporation.</p>	All
<p>c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?</p>	X		<p>The proposed project has the potential to result in adverse indirect or direct effects on human beings. In particular, to <u>Aesthetics</u>, <u>Air Quality</u>, <u>Biological Resources</u>, <u>Geology/Soils</u>, <u>Cultural and Tribal Resources</u>, <u>Hazards</u>, <u>Hydrology/Water Quality</u>, and <u>Noise</u> have the potential to impact human beings. Implementation of and compliance with mitigation measures identified in each section as conditions of approval would not result in substantial adverse indirect or direct effects on human beings and impacts would be considered less than significant.</p> <p>Less than Significant with Mitigation Incorporation.</p>	All

* Impact Categories defined by CEQA

****Source List**

1. Lake County General Plan
2. Lake County GIS Database
<http://gispublic.co.lake.ca.us/portal/home/>
3. Lake County Zoning Ordinance
4. Middletown Area Plan
5. Community Development Department Applications for a Major Use Permit.
6. U.S.G.S. Topographic Maps
7. U.S.D.A. Lake County Soil Survey
https://www.nrcs.usda.gov/Internet/FSE_MANUSCRIPTS/california/CA033/0/lake.pdf
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://www.arcgis.com/apps/webappviewer/index.html?id=2e921695c43643b1aaf7000dfcc19983>
10. Lake County Serpentine Soil Mapping
11. California Natural Diversity Database
<https://www.wildlife.ca.gov/Data/CNDDDB>
12. U.S. Fish and Wildlife Service National Wetlands Inventory
13. Biological Assessment prepared by Wiemeyer Ecological Sciences, dated March 4, 2020
14. Cultural Resource Evaluation prepared by Jason Vine dated July 16, 2019
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
<http://www.fema.gov/>
26. Lake County Aggregate Resource Management Plan
27. Lake County Draft Regional Transportation Plan, 2017
<http://www.lakeapc.org/docs/2017%20RTP-Draft.pdf>
28. Living with Wildfire, Lake County Community Wildfire Protection Plan
<http://www.lakecountyca.gov/Assets/County+Site/Fire+Safe+Council/cwpp/cwpp.pdf>
29. Lake County Environmental Health Division
http://www.lakecountyca.gov/Government/Directory/Environmental_Health.htm
30. Lake County Grading Ordinance – Chapter 30 of County Code
https://library.municode.com/ca/lake_county/codes/code_of_ordinances?nodeId=COOR_CH30GROR
31. Lake County Natural Hazard database
www.envirostor.dtsc.ca.gov/public
32. Lake County Countywide Integrated Waste Management Plan and Siting Element, 1996
33. Lake County Water Resources
<http://www.lakecountyca.gov/Government/Directory/WaterResources.htm>

34. Lake County Waste Management Department
<http://www.lakecountyca.gov/Residents/WasteManagement.htm>
35. California Department of Transportation (CALTRANS)
<http://www.dot.ca.gov>
36. Lake County Air Quality Management District
37. Lake County Fire Protection District
38. Agency Comments
39. Site Visit – March 20, 2020