



COUNTY OF LAKE

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

Date: November 20, 2020

CALIFORNIA ENVIRONMENTAL QUALITY ACT ENVIRONMENTAL CHECKLIST FORM INITIAL STUDY (IS 19-20)

1. **Project Title:** Floribunda Farms
2. **Permit Numbers:** Minor Use Permit MUP 19-14
Initial Study IS 19-20
3. **Lead Agency Name and Address:** County of Lake
Community Development Department
Courthouse – 255 North Forbes Street
Lakeport CA 95453
4. **Contact Person:** Eric Porter, Associate Planner
(707) 263-2221
5. **Project Location(s):** 11444 Bottle Rock Road, Kelseyville
APN: 011-068-23
6. **Project Sponsor’s Name/Address:** Michael Blum
PO Box 972
Middletown, CA 95461
7. **General Plan Designation:** Rural Residential
8. **Zoning:** “RR-B5-SC” Rural Residential – B Frozen – Scenic
Combining
9. **Supervisor District:** District 5
10. **Flood Zone:** Not within a designated flood zone.
11. **Slope:** Varied; relatively flat at cultivation site
12. **Fire Hazard Severity Zone:** High Fire Severity Zone
13. **Earthquake Fault Zone:** Not within a mapped fault zone
14. **Dam Failure Inundation Area:** Not within a mapped dam failure zone
15. **Parcel Size:** ±18.78 acres
16. **Description of Project: (Describe the whole action involved, including but not limited to later phases of the project, and any secondary, support, or off-site features necessary for its implementation. Attach additional sheets if necessary).**

The applicant seeks to obtain a Minor Use Permit for a Commercial Cannabis Cultivation Operation composed of three (3) A – Type 1C “specialty cottage” licenses, for a total combined cultivation area of 14,664 sq. ft. with a total combined cannabis canopy of 7,500 sq. ft. The applicant is also requesting an A-Type 13 Self Distribution license. The applicant proposes to locate 75 mature cannabis plants that will form the canopy of the three A – Type 1C “specialty cottage” outdoor

cultivation areas within an existing 14,664 sq. ft. fenced garden area on the site. The applicant also proposes to convert an existing 864 sq. ft. metal building on the project property into a drying building, and to construct an 1,800 sq. ft. greenhouse to use as an immature plant cultivation area.

The Project Property sits atop a low ridge that separates Boggs Lake and Harrington Flat Road to the northeast, from Bottle Rock Road and the headwaters of Sweetwater Creek to the southwest. Land uses in the vicinity of the Project Parcel are primarily rural residential, commercial vineyard and orchard, timber production, and chaparral wildlands. Recent land uses for the area of the proposed commercial cannabis cultivation operation are/were rural residential and Medicinal cannabis cultivation.

The 18.8-acre Rural Residential zoned Project Property is located approximately seven miles south-southeast of Kelseyville, CA, near Harrington Flat, Boggs Lake, and Mount Hannah. The Project Property is within the Kelsey Creek – Clear Lake watershed (HUC10) and straddles the divide between the Kelsey Creek and Cole Creek sub-watersheds (HUC12). The Project Property sits atop a low ridge that separates the Boggs Lake drainage to the north and the Sweetwater Creek drainage to the south. Soils of the Project Property are volcanic in origin and support a mixed oak/conifer woodland and chaparral environment. Land uses in the vicinity of the Project Parcel are primarily rural residential, commercial vineyard and orchard, timber production, and chaparral wildlands. Recent land uses for the area of the proposed commercial cannabis cultivation operation are/were rural residential and medicinal cannabis cultivation.

Existing ancillary facilities include a groundwater well, a 2,500-gallon water storage tank, a 192 sq. ft. wooden shed, and an 864 sq. ft. metal building. Proposed ancillary facilities include an 1,800 sq. ft. greenhouse / Immature Plants Cultivation Area, an 80 sq. ft. composting area, and an 80 sq. ft. designated refuse area. There is also a 1,300 sq. ft. residence on the property that is not directly associated with the proposed cultivation operation.

The proposed cannabis cultivation area(s) and associated facilities will be accessed via an existing private gravel access road/driveway off of Bottle Rock Road. The proposed outdoor cultivation method is via an above grade organic soil mixture in 300-gallon fabric pots (“smart pots”) with drip irrigation systems in full sun. The proposed greenhouse structure / Immature Plants Cultivation Area will be composed of steel frames with a non-glare six-mil polyethylene glaze. The proposed cultivation areas will be surrounded by a six-foot tall wire fence with privacy mesh where necessary to screen the cultivation areas from public view.

The Lake County Community Development Department regulates odor control, and a standard condition of approval requires an Odor Control Plan for each cultivation site. No trees will be removed by this action; the site is already cleared from prior Medicinal Marijuana cultivation that was approved under former Article 72 of the Lake County Zoning Ordinance.

The applicant has been approved for Early Activation through file no. EA 19-11.

Construction

- One (1) 1,800 sq. ft. greenhouse.
- Two weeks estimated construction time.
- Total construction trips generated is projected to be 10 to 20 trips.
- Equipment to be used would include a small tractor, a flatbed truck, a forklift and hand tools. Equipment staging will occur on the previously disturbed portion of the site.
- Construction would occur Monday through Friday between 9:00 am and 6:00 pm.
- Less than 50 cubic yards of dirt will be moved to clear the building pad for the greenhouse.
- Dust suppression will occur (during construction) from on-site water sources.

Post-Construction Operations

- One full time employee during non-harvest times
- Two full time employees during harvest time
- Hours of operation will be Monday through Saturday from eight am to six pm.
- Fertilizers and pesticides will be securely stored in a locked storage container located near the canopy site.
- The product is entirely organic, and only enough product will be kept on site for ongoing cultivation purposes.
- The remaining containers are returned to the supplier.
- There are no other “chemicals” stored on site. There will be no use of chemical pesticides, rodenticides, or herbicides.

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

- North: RR and O ‘Rural Residential and Open Space’, the adjacent northern lot contains a single family dwelling. Boggs Lake is located north and east of the subject property, but is not an actively used public-use facility, so no 1000’ separation is required.
- South: RR and O ‘Rural Residential and Open Space’; the southern adjacent lot contains a single family dwelling.
- West: RL ‘Rural Lands’ zoned lots, sparsely populated with dwellings.
- East: RR ‘Rural Residential’ zoned lots, sparsely populated with dwellings.



Zoning Map of Site and Surrounding Area

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

CalCannabis (via Dept. of Food and Agriculture)
 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
 Northshore Fire Protection District
 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 Consumer Affairs
California Department of Transportation (CalTrans)



Aerial View of Site and Vicinity

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.

All 11 local tribes were notified of this action by an AB 52 notice that was emailed to the Tribes on June 12, 2019. The Middletown Rancheria Tribe requested a condition of approval that requires a Tribal Monitoring Agreement. The County contacted the applicant and asked him to communicate directly with the Tribe to come to an agreement.

20. Attachments:

1. Property Management Plan, submitted material including Biological Study
2. Site Plans

3. CEQA support documents, including the Mitigation Measure Report, NOI, NOC, Summary Report

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

The environmental factors checked below would be potentially affected by this project, involving at least one impact that states: “(the) Applicant must engage with the Middletown Rancheria in a Cultural Resource Monitoring Agreement for the preservation and protection of all cultural resources during all ground disturbance activities as identified by the Middletown Rancheria.” This is further addressed under responses for ‘Cultural Resources’ and ‘Tribal Resources’ in this document.

- | | | |
|---|--|---|
| <input checked="" type="checkbox"/> Aesthetics | <input type="checkbox"/> Greenhouse Gas Emissions | <input type="checkbox"/> Public Services |
| <input type="checkbox"/> Agriculture & Forestry Resources | <input checked="" type="checkbox"/> Hazards & Hazardous Materials | <input type="checkbox"/> Recreation |
| <input checked="" type="checkbox"/> Air Quality | <input type="checkbox"/> Hydrology / Water Quality | <input checked="" 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 type="checkbox"/> Wildfire |
| <input type="checkbox"/> Geology / Soils | <input type="checkbox"/> Population / Housing | <input checked="" 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: _____

SIGNATURE


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>Except as provided in Public Resources Code Section 21099, would the project:</i>						
a) Have a substantial adverse effect on a scenic vista?			X		<p>The site is accessed from Bottle Rock Road, a County designated scenic road. The project parcel is located within a valley and is surrounded by a mountainous terrain. The project is not anticipated to screen views from surrounding property owners of the valley and/or mountains.</p> <p>According to the site plan submitted, the closest cultivation area is located about 280 feet from Bottle Rock Road. The cultivation portion of the site is uphill from the public road, and is screened by the terrain and by dense vegetation. The cultivation site is within the Scenic Combining Overlay Zone, however the site is obscured from the road as stated herein, and no buildings will be built taller than what is allowed by the Scenic Combining regulations. This project will not have a substantial adverse impact on a scenic vista.</p> <p>Based on the terrain and topography, the cultivation site and 18' tall processing building will not be visible from Bottle Rock Road. No further screening is required for this proposed use.</p> <div data-bbox="634 1041 1382 1482" style="text-align: center;">  </div> <p style="text-align: center;">View of the driveway from Bottle Rock Road</p>	1, 2, 3, 4, 5, 6, 7
Less Than Significant Impact						

IMPACT CATEGORIES*	1	2	3	4	All determinations need explanation. Reference to documentation, sources, notes and correspondence.	Source Number**
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?			X		<p>The property is not located on a scenic highway. The nearest scenic highway to this site is Highway 29, located about 4 miles north of the subject site. The proposed cultivation sites would not require the removal of any trees; the cultivation sites were prepared in 2017 and require little alterations to accommodate the proposed cultivation sites.</p> <p>No rock outcroppings, historic buildings were observed on the site, and no trees will be impacted by this proposal. The site is within a County scenic road corridor, however the cultivation site is located about 280 feet from the road, is uphill and out of view, and cannot be seen from Bottle Rock Road based on topography and vegetation. It is very unlikely that this project will substantially damage any scenic resources.</p> <p>Less Than Significant Impact</p>	1, 2, 3, 4, 5, 6, 7, 8
c) In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?			X		<p>The site is located over five miles from the nearest community, 'The Riviera'. As stated in I(b), the cultivation areas are not visible from Bottle Rock Road, or from other public roads in the vicinity. The project will not degrade the existing visual character or quality of public views of the site.</p> <p>Less Than Significant Impact</p>	1, 2, 3, 4, 5, 6, 7
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?		X			<p>The project has a slight potential to create additional light through exterior security lighting and greenhouse lighting. A lighting plan showing fixture types and locations is required and shall meet the County's recommended darkskies.org lighting standards.</p> <p>Mitigation Measures</p> <p>AES-1: All greenhouses incorporating artificial lighting shall be equipped with blackout film/material to be used at night for maximum light blockage to lessen the impact on the surrounding parcels and the dark skies. Applicant shall submit a <u>Blackout Film/Materials Plan</u> to the Community Development Department for review and approval prior to issuance of any permits.</p> <p>Less than Significant Impact with mitigation measure AES-1 added</p>	1, 2, 3, 4, 5, 6, 7
<p>II. AGRICULTURE AND FORESTRY RESOURCES</p> <p><i>In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment Project; and forest carbon measurement methodology provided in Forest protocols adopted by the California Air Resources Board.</i></p> <p><i>Would the project:</i></p>						
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?			X		<p>Most of the site is categorized as 'other land', a category that has no farming value based on soil types. There is a pocket of Farmland of Local Importance that is approximately 500 feet to the south of the southern property boundary line, however it will not be impacted by this project.</p> <p>Less than Significant Impact</p>	1, 2, 3, 5, 6, 9, 10

IMPACT CATEGORIES*	1	2	3	4	All determinations need explanation. Reference to documentation, sources, notes and correspondence.	Source Number**
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?			X		As proposed, the project will not impact agricultural uses or Williamson Act contracts given that there are no productive agricultural properties in the immediate vicinity. The project site is zoned "RR" Rural Residential and does not contain a Williamson Act contract. The neighboring properties to the north, west, east and south are zoned Rural Residential, Rural Lands and Open Space, nor do they contain Williamson Act contracts. Less than Significant Impact	1, 2, 3, 5, 6, 9, 10, 11
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?				X	As proposed, the project will not conflict with existing zoning for, and/or cause rezoning of forest lands and/or timberlands or timberlands in production. No Impact	1, 2, 3, 5, 6
d) Result in the loss of forest land or conversion of forest land to non-forest use?				X	The project would not result in the loss or conversion of forest land to a non-forest use. No Impact	1, 2, 3, 5, 6, 7
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?				X	As proposed, this project would not induce changes that would result in its conversion to non-agricultural or non-forest use. No Impact	1, 2, 3, 5, 6, 7, 11
III. AIR QUALITY <i>Where available, the significance criteria established by the applicable air quality management district or air pollution control district may be relied upon to make the following determinations.</i> <i>Would the project:</i>						
a) Conflict with or obstruct implementation of the applicable air quality plan?			X		There are no County-adopted air quality plans, however the County is a designated Air Attainment County with good air quality, and cannabis cultivators are required to mitigate dust and odors associated with the cannabis cultivation projects. The project has a slight potential to result in air quality impacts. The applicant indicates that a total combined cultivation area of 14,664 sq. ft. will be planted with 7,500 sq. ft. of outdoor canopy. The applicant plans on using 300 gallon fabric pots rather than in-ground planting to enable the applicant to provide higher quality soil. This will also result in less dust-related particulates. The driveway be maintained using on-site water. There is no mapped serpentine soil on the site, although some serpentine soil exists in the vicinity. An odor mitigation plan has not been submitted, however it is standard practice for the county to require odor mitigation measures through conditions of approval, and when necessary, through mitigation measures. In this case, a mitigation measure is added that requires planting fragrant non-cannabis plants around the southern and eastern edges of the cultivation area (the downwind side of the cultivation area) in order to mask potential odors. See Mitigation Measure AQ-7, next page. The nearest house is located about 350 feet to the northwest of the cultivation site and is upwind from the prevailing wind direction. The applicant has provided a contact in the event of odors, and has indicated that he would resolve any odor issues if they arise. The applicant would be using organic methods and preventative pest management strategies in order to help reduce the amount of air pollution and/or particulates. Construction of the site will be minimal; the 864 sq. ft. metal building to be	1, 2, 3, 5, 6, 9, 12, 13

IMPACT CATEGORIES*	1	2	3	4	All determinations need explanation. Reference to documentation, sources, notes and correspondence.	Source Number**
					<p>used for processing already exists, and the new 1,800 sq. ft. greenhouse has a relatively small footprint. The house exists and will not be used for any aspect of the cannabis cultivation activity. Some minor site improvements will be necessary, however the amount of earth that needs to be moved is not significant enough to trigger a grading permit. The staging area for any construction equipment will take place on the portion of the site to be used for employee parking; this area is already disturbed and will not further be degraded significantly by this portion of the site being used as a staging area. Site preparation for the 'outdoor grow areas' will be minimal (the 14,664 square foot area is existing; only a pad for the 1,800 sq. ft. greenhouse will be graded).</p> <p>Less than Significant Impact</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?				X	<p>The County of Lake is in attainment of state and federal ambient air quality standards.</p> <p>No Impact</p>	1, 2, 3, 4, 12

IMPACT CATEGORIES*	1	2	3	4	All determinations need explanation. Reference to documentation, sources, notes and correspondence.	Source Number**
c) Expose sensitive receptors to substantial pollutant concentrations?		X			<p>There are residences on properties adjacent to the subject parcel. The nearest residence is approximately 350 feet to the northwest of the proposed cultivation area. The applicant has proposed an Odor Mitigation Plan that primarily consists of the cultivator mitigating odors on a complaint basis.</p> <p>Mitigated to less than significant impacts with mitigation measures MM AQ-1 through 7 to be added as follows:</p> <p><u>Mitigation Measures:</u></p> <p><u>AQ-1:</u> Prior to obtaining the necessary permits and/or approvals for any phase, applicant shall contact the Lake County Air Quality Management District and obtain an Authority to Construct (A/C) Permit for all operations and for any diesel powered equipment and/or other equipment with potential for air emissions.</p> <p><u>AQ-2:</u> All mobile diesel equipment used must be in compliance with State registration requirements. Portable and stationary diesel powered equipment must meet the requirements of the State Air Toxic Control Measures for CI engines.</p> <p><u>AQ-3:</u> The applicant shall maintain records of all hazardous or toxic materials used, including a Material Safety Data Sheet (MSDS) for all volatile organic compounds utilized, including cleaning materials. Said information shall be made available upon request and/or the ability to provide the Lake County Air Quality Management District such information in order to complete an updated Air Toxic emission Inventory.</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, 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.</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 use and/or maintain graveled area to reduce fugitive dust generations.</p> <p><u>AQ-7:</u> The applicant shall plant fragrant plants no further than three feet on center (such as lavender) around the eastern and southern ends of the cultivation site and within five feet of the fence of the cultivation site as an Odor Mitigation Measure. These plants shall be provided with irrigation water and maintained over the life of the use permit. Any plants that do not survive shall be immediately replaced.</p> <p>Less Than Significant with Mitigation Measures AQ-1 through AQ-7 Incorporated.</p>	1, 2,3, 4, 7, 12
d) Result in other emissions (such as those leading to odors or dust) adversely affecting a substantial number of people?		X			<p>There are residences on properties located in the vicinity of the subject parcel. The nearest residence is approximately 380 feet from the cultivation area.</p> <p>Some odor impacts are anticipated from this cultivation operation; cannabis cultivation, especially during the flowering phase, generates volatile compounds (terpenes) that some people find objectionable. The <i>Project Management Plan - Air Quality</i> describes the odor mitigation plan to be enacted should odors become objectionable to neighbors. The cannabis facilities are set back more than 100 feet from property lines, and the prevailing winds generally blow from the northwest toward the southeast, which is away from the nearest dwellings. The applicant must provide an odor mitigation plan (AQ-4) to the Lake County Community Development Department for review and acceptance, or for review and revision, prior to cultivation occurring – this is a standard condition of approval for all cultivation activities.</p>	1, 2, 3, 4, 7, 12

IMPACT CATEGORIES*	1	2	3	4	All determinations need explanation. Reference to documentation, sources, notes and correspondence.	Source Number**
					Less Than Significant with mitigation measures AQ-1 through AQ-7 added.	
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 subject site was burned during the 2015 Valley Fire, which has reduced the habitat potential of most of the property, including the actual cultivation site, according to the material submitted by the applicant.</p> <p>According the Biological Resources Assessment prepared by Pinecrest Environmental Consulting, March 24, 2019. See Attachment 1. , he dominant habitat types of the Project Property are Chaparral and Mixed Oak and Pine Woodland.</p> <p>The onsite communities consist entirely of mixed chaparral and pine woodland, with a small clearing that contains the existing/proposed cultivation area and developed structures.</p> <p>No special-status plant species were observed during the surveys performed at the site in February 2019. No impacts are predicted for any of the State or Federal special-status plant species in the Biological Resources Assessment submitted (Attachment 1) based on lack of actual sightings, and lack of suitable habitat in the proposed development areas. Development is proposed to be limited to existing disturbed areas. The redevelopment areas are located on previously stabilized and graded pads and the vast majority of vegetation surrounding these areas was destroyed by the fire. There are no wetlands and no serpentine or other special soil types on site that would indicate high likelihood of special status species. Despite the high abundance of special-status species in nearby Boggs Lake these species are adapted to the aquatic vernal pool habitats of the volcanic lake, conditions which do not exist on the project parcel, and not near the project area. The only species that have a significant likelihood of occurrence are Konocti manzanita and Glandular western flax, however neither of these species was observed onsite, and no chaparral is proposed to be removed as part of this project.</p> <p>The Biological Resources Assessment does not make any specific recommendations for habitat protection for this site. Based on the Biological Resources Assessment submitted, this proposal will have a less than significant impact to biological resources.</p> <p>Less than Significant Impact</p>	1, 2, 3, 4, 5, 6, 14, 15, 16
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?			X		<p>According to the Biological Resources Assessment, there are no mapped sensitive habitats that are on the subject site. There is a small lake on the northeastern adjacent property ('Boggs Lake'), but it is not mapped as containing sensitive species, nor will it be impacted by this proposal based on separation and topography, and based on the 2017 medicinal cannabis cultivation that occurred on the proposed cultivation area under review here. There are no mapped creeks, waterways or runoff channels on the subject site.</p> <p>Less than Significant Impact</p>	1, 2, 3, 5, 6, 7, 14, 15, 16
c) Have a substantial adverse effect on state or federally protected wetlands (including, not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?				X	<p>According to the Biological Resources Assessment submitted for this project, there are no federally protected wetlands on the subject site.</p> <p>No Impact</p>	1, 2, 3, 5, 6, 7, 14, 15, 16

IMPACT CATEGORIES*	1	2	3	4	All determinations need explanation. Reference to documentation, sources, notes and correspondence.	Source Number**
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?			X		No fish species will be impacted either directly or indirectly by this action. There are no mapped species of sensitive wildlife in the general vicinity of this site. Less than Significant Impact	1, 2, 3, 5, 6, 14, 15, 16
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?			X		There are no mapped conservation easements or oak woodlands on this site that might otherwise require extra protection or tree replacement. The area near the proposed cultivation area contains primarily conifer trees. There is a small grove of oak trees located south of the cultivation site that would not be impacted. The 'road' (internal driveway) is already existing, although it may not comply with Public Resource Codes 4290 and 4291 based on width. The applicant has indicated that no trees will be removed, and the cultivation areas are essentially ready for planting. Less than Significant Impact	1, 2, 3, 5, 6
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?				X	There are no Habitat Conservation Plans associated with this property, and no other adopted Plans would be affected by this project. Less Than Significant Impact	1, 2, 3, 5, 6
V. CULTURAL RESOURCES <i>Would the project:</i>						
a) Cause a substantial adverse change in the significance of a historical resource pursuant to §15064.5?		X			A Cultural Study was prepared for this project by Wolf Creek Archeology dated March 14, 2019. The Study submitted concluded that "(a)s no "significant" historic or prehistoric cultural resources were found ... and that no further cultural resource work is necessary." Staff notified all Tribes that are known within Lake County; Middletown Rancheria (Tribe) had the following comment: In keeping with CEQA Guidelines, if archaeological resources are uncovered during construction, work at the place of discovery should be halted immediately until a qualified archaeologist can evaluate the finds [§15064.5(f)]. Further, upon discovery of any 'significant' artifacts, the overseeing Tribe shall be contacted, and if the Tribe determines that it is relevant to their cultural heritage, they shall choose the method of involvement in overseeing the construction of the site for the duration of ground disturbance. <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 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 Health and Safety Code 7050.5. <u>CUL-2:</u> All employees shall be trained in recognizing potentially significant artifacts that may be discovered during ground disturbance. If any artifacts or remains are found, the local overseeing Tribe shall immediately be notified; a licensed archaeologist shall be notified, and the Lake County Community Development Director shall be notified of such finds. Less than Significant Impacts with Mitigation Measures CUL-1 and	1, 2, 3, 5, 6

IMPACT CATEGORIES*	1	2	3	4	All determinations need explanation. Reference to documentation, sources, notes and correspondence.	Source Number**
					CUL-2 incorporated	
b) Cause a substantial adverse change in the significance of an archeological resource pursuant to §15064.5?		X			No changes are expected to archaeological resources. Mitigation measures have been added in the unlikely event that any potentially sensitive items, artifacts or remains are discovered during the minimal site disturbance is needed. Less Than Significant Impact with mitigation measures CUL-1 and CUL-2 incorporated	1, 2, 3, 5, 6
c) Disturb any human remains, including those interred outside of formal cemeteries?		X			Minimal ground-disturbing activities are proposed (limited to one 1,800 sq. ft. greenhouse and a 24' x 36' metal processing building; the other site amenities and cultivation area were already in place). Disturbance of human remains is not anticipated. The applicant shall halt all work and immediately contact the Lake County Sheriff's Department and the Community Development Department if any human remains are encountered. Less Than Significant with mitigation measures CUL-1 and CUL-2 incorporated	1, 2, 3, 5, 6
VI. ENERGY <i>Would the project:</i>						
a) Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?			X		The proposed energy usage for this facility is minimal; energy use would be limited to the security system, the well pump, lighting for the storage building, lighting for the greenhouse, and some outdoor lighting. The applicant is proposing the use of 'on grid' power, however no adverse impact is anticipated through the use of grid power in this circumstance. Less than Significant Impact	1, 2, 3, 5, 6
b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?			X		The proposed cultivation operations would not conflict with or obstruct any state or local energy plans. Less than Significant Impact	1, 2, 3, 5, 6

IMPACT CATEGORIES*	1	2	3	4	All determinations need explanation. Reference to documentation, sources, notes and correspondence.	Source Number**
VII. GEOLOGY AND SOILS <i>Would the project:</i>						
<p>a) Directly or indirectly cause potential substantial adverse 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>			X		<p><u>Earthquake Faults</u> The project site is located partially within a mapped Earthquake Fault area as established by the California Geological Survey. The structure proposed, an 1800 square foot greenhouse, is unlikely to cause harm to persons working in or near the structures.</p> <p><u>Seismic Ground Shaking and Seismic-Related Ground Failure including liquefaction.</u> These particular lots do not contain mapped unstable soils. It appears unlikely that ground shaking, ground failure or liquefaction will occur on this property in the future; the eastern hillside next to Bottle Rock Road is steep, but also heavily vegetated. The disturbed area is far enough away from the watershed that it will not impact this hillside with runoff, thus reducing risk of liquefaction.</p> <p><u>Landslides</u> According to the Landslide Hazard Identification Map prepared by the California Department of Conservation, Division of Mines and Geology, the project parcel soil is prone to erode and has a high shrink-swell character, but is not located within and/or adjacent to an existing mapped "landslide area".</p> <p>According to the property Management Plan, some grading would occur on the property to accommodate the greenhouse; however the amount of grading needed is minimal and would not require a grading permit.</p> <p>Project design shall incorporate Best Management Practices (BMPs) to the maximum extent possible to prevent or reduce discharge of all construction or post construction pollutants into the County storm drainage system. BMPs include scheduling of activities, erosion and sediment control, operation and maintenance procedures and other measures in accordance with Chapter 29 of the Lake County Code.</p> <p>Less Than Significant Impact</p>	1, 2, 3, 5, 6, 9, 17, 18, 19, 20
<p>b) Result in substantial soil erosion or the loss of topsoil?</p>			X		<p>No erosion or loss of topsoil is anticipated. Some grading occurred in 2017 on this site to accommodate the medicinal marijuana cultivation that had been approved under Article 72 of the Lake County Zoning Ordinance (now defunct). The house and metal building already exist.</p> <p>Regarding the new proposal, some minor grading needed for this minor use permit but will be minimal and well below the threshold for requiring a grading permit. The applicant has also indicated that wattles and other organic materials will be place on the outer boundary of the grow sites to further prevent soil erosion.</p> <p>Less Than Significant Impact</p>	1, 2, 3, 5, 6, 9
<p>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?</p>			X		<p>According to the soil survey of Lake County, prepared by the U.S.D.A., the soil at the site is Type 128 soil (Collayomi-Aiken-Whispering complex, 30 to 50 percent slopes). This map unit is on mountains. There is a less than significant chance of landslide, subsidence, liquefaction or collapse as a result of the project based on the characteristics of this soil type, although Type 128 soil is prone to erosion due to typical associated slopes.</p> <p>Less Than Significant Impact</p>	1, 2, 3, 5, 6, 9, 20
<p>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?</p>			X		<p>The shrink-swell potential for the project soil type is low to moderate. The proposed project would not increase risks to life or property.</p> <p>Less Than Significant Impact</p>	1, 2, 3, 5, 6, 9

IMPACT CATEGORIES*	1	2	3	4	All determinations need explanation. Reference to documentation, sources, notes and correspondence.	Source Number**
e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of waste water?			X		The project site will be served through an existing onsite waste disposal system. Less Than Significant Impact	1, 2, 3, 5, 6, 9, 21
f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?			X		Disturbance of paleontological resources or unique geologic features is not anticipated based on the previously existing cultivation area that will be used. An 1,800 sq. ft. greenhouse and a 24' x 36' metal processing building will be constructed, so some minor pad preparation will be needed, however it is unlikely that this activity will destroy any unique paleontological resource based on the small improvement area involved, and based on the findings of the Cultural Study done on the site. Less than Significant Impact	1, 2, 3, 5, 6
VIII. GREENHOUSE GAS EMISSIONS <i>Would the project:</i>						
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?			X		Cannabis cultivation activities would not generate a substantial number of vehicle trips and would not require intensive use of heavy equipment for either site preparation or for construction of the greenhouse. The applicant has indicated that equipment will not be allowed to idle when not in use. The applicant has indicated that construction will take place over a short period of time because the site had previously been used (legally) for medicinal cannabis cultivation. The applicant indicates that up to two employees will be working on site depending on the time of year – harvest time will support the maximum number of employees, with one employee working in the non-harvest periods. Construction-related daily trips are estimated to be up to 10 trips per day, and non-construction (day to day site access) will generate between two and four daily trips. Since Lake County is an ‘air attainment’ county, the levels of greenhouse gasses emitted are no anticipated to be excessive. Less than Significant Impact	1, 2, 3, 5, 6, 12
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?				X	This project will not conflict with any adopted plans or policies for the reduction of greenhouse gas emissions. The County of Lake is an ‘air attainment’ County, and does not have established thresholds of significant for greenhouse gases. No Impact	1, 2, 3, 5, 6, 12
IX. HAZARDS AND HAZARDOUS MATERIALS <i>Would the project:</i>						
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?		X			Materials associated with the proposed Cultivation of Commercial Cannabis, such as gasoline, pesticides, fertilizers, alcohol, hydrogen peroxide and the equipment emissions may be considered hazardous if released into the environment. The applicant has stated that all potentially harmful chemicals will be stored in a locked, secured building on site. Materials to be used on site are as follows: Flammable / petroleum products: <ul style="list-style-type: none"> • Gasoline – no more than five gallons at any given time; • Diesel Fuel – no more than five gallons at any given time; • Oils / Lubricants – no more than one gallon at any given time, and • Isopropyl alcohol – no more than three gallons at any given time. All petroleum products will be stored under cover and in State of California-approved containers with secondary containment within a secure cabinet in the Processing Facility. Isopropyl alcohol is used to sanitize equipment used for harvesting and processing cannabis, and will be stored within a secure	1, 2, 3, 5, 6, 22, 23

IMPACT CATEGORIES*	1	2	3	4	All determinations need explanation. Reference to documentation, sources, notes and correspondence.	Source Number**
					<p>cabinet within the Processing Facility.</p> <p>Fertilizers:</p> <ul style="list-style-type: none"> • DTE Azomite (0-0-0.2) – no more than 25 pounds at any time • DTE Bat Guano (9-3-1) – no more than 25 pounds at any time • DTE Kelp Meal (1-0.10-2) – no more than 25 pounds at any time • DTE Rock Phosphate (0-3-0) – no more than 25 pounds at any time <p>Pesticides:</p> <ul style="list-style-type: none"> • Doctor Zymes Eliminator (Citric Acid) – no more than 2.5 gallons at any time • Venerate (Burkholderia spp. Strain 1396) – no more than one gallon at any time <p>The application material provided listed several mitigation measures associated with this proposal as follows:</p> <p>HAZ-1: Routine construction materials and all materials associated with the proposed Cultivation of Commercial Cannabis shall be transported and disposed of properly in accordance with all applicable Federal, State and local regulations.</p> <p>All pesticides will be stored in a secure building on site.</p> <p>HAZ-2: The project shall comply with Section 41.7 of the Lake County Zoning Ordinance that specifies that all uses involving the use or storage of combustible, explosive, caustic or otherwise hazardous materials shall comply with all applicable local, state and federal safety standards and shall be provided with adequate safety devices against the hazard of fire and explosion, and adequate firefighting and fire suppression equipment.</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 Impact with mitigation measures HAZ-1 and HAZ-2 added.</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>The applicant has stated the chemicals that will be used on site, including the method of storage in a secure and lockable building. The site is not within a flood inundation area, nor is it within an area mapped as ‘unstable soil’ according to County GIS data.</p> <p>Less than Significant Impact</p>	1, 2, 3, 5, 6, 23
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?				X	<p>The proposed project is not located within one-quarter mile of an existing or proposed school.</p> <p>No Impact</p>	1, 2, 3, 5, 6, 7
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?			X		<p>The project site is not listed as a site containing hazardous materials in the databases maintained by the Environmental Protection Agency (EPA), California Department of Toxic Substance, and Control State Resources Water Control Board.</p> <p>Less Than Significant Impact</p>	1, 2, 3, 4, 5, 6, 24, 25

IMPACT CATEGORIES*	1	2	3	4	All determinations need explanation. Reference to documentation, sources, notes and correspondence.	Source Number**
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?				X	The project is not located within two (2) miles of an airport and/or within an Airport Land Use Plan. No Impact	1, 2, 3, 4, 5, 6, 26, 38
f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?			X		The project would not impair or interfere with an adopted emergency response or evacuation plan. Less Than Significant Impact	1, 2, 3, 4, 5, 6, 22, 38
g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?			X		The project site is located in a high fire hazard severity zone and is in State (CalFire) Responsibility Area. The applicant will adhere to all Federal, State and local fire requirements/regulations. Less Than Significant Impact	1, 2, 3, 4, 5, 6, 22, 27, 28, 38
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		This project will not violate any water quality standards or waste discharge requirements; the new non-permeable surface is small (1,800 s.f. greenhouse), and will generate minimal amounts of water runoff. The applicant has provided a Stormwater Management Plan with his submittal, prepared by Realm Engineering, a licensed civil engineering firm – see Attachment 1, “Property Management Plan”. The project will employ Best Management Practices (BMPs) related to erosion and water quality to reduce impacts related to storm water and water quality and adhere to all federal, state and local requirements, as applicable; this is particularly relevant as the site sits uphill from Boggs Lake, a small lake located on the eastern adjacent property. Minimal site preparation, construction and/or grading are needed. Less Than Significant Impact	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?			X		According to the <i>Property Management Plan – Water Resources Management Plan</i> , the projected monthly water usage would occur primarily between late spring and early fall (June through October), and would be 83,000 gallons used annually. The method of water storage on site will be an existing 2,500 gallon water storage tank. The water will be pumped into the tank from the existing on-site well. The water availability analysis provided shows a rapid aquifer recharge rate at this location, and it is unlikely that this project will substantially decrease groundwater supplies or interfere with groundwater recharge in this vicinity. Less Than Significant Impact	1, 2, 3, 5, 6, 31

IMPACT CATEGORIES*	1	2	3	4	All determinations need explanation. Reference to documentation, sources, notes and correspondence.	Source Number**
<p>c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner that would:</p> <p>i) result in substantial erosion or siltation on-site or off-site;</p> <p>ii) substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite;</p> <p>iii) create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or</p> <p>iv) impede or redirect flood flows?</p>			X		<p>There are no mapped or observed creeks, drainage channels or other drainage facilities on the site. Boggs Lake is located on the eastern adjacent site, however the engineered Erosion Control Plan submitted introduces methods of mitigating water runoff that might otherwise adversely impact the neighboring lake. The project area is small, under 15,000 sq. ft. in total, and the site is (with the exception of the 1,800 sq. ft. greenhouse that will be constructed) fully developed. No changes to existing drainage pattern would occur by this proposal.</p> <p>According to the <i>Property Management Plan – Storm Water Management Plan</i>, the proposed use would protect downstream water bodies from water quality by implementing measures to prevent potential of contamination from fertilizers and chemicals and using best management practices.</p> <p>Less Than Significant Impact</p>	1, 2, 3, 5, 6, 7, 15, 17, 29, 30
<p>d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?</p>			X		<p>The project site is not located in an area of potential inundation by seiche or tsunami. The parcel is not located within a flood zone. In addition, the soils at the project site are generally stable; therefore is minimal potential to induce mudflows.</p> <p>Less Than Significant Impact</p>	1, 2, 3, 5, 6, 7, 9, 24, 32
<p>e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?</p>				X	<p>The project would not conflict with or obstruct any water quality or management plans.</p> <p>No Impact</p>	1, 2, 3, 5, 6, 29
XI. LAND USE AND PLANNING <i>Would the project:</i>						
<p>a) Physically divide an established community?</p>				X	<p>The proposed project site would not physically divide an established community. Bottle Rock Road is an existing County (paved) road that serves this site, and will not be impacted by this proposal. The cultivation site is comparatively small and is existing, so no division of any established community would occur by this proposal.</p> <p>No Impact</p>	1, 2, 3, 5, 6
<p>b) Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?</p>			X		<p>This project is consistent with the Lake County General Plan, Cobb Mountain Area Plan, and the Lake County Zoning Ordinance.</p> <p>The property is zoned “RR” Rural Residential. Cannabis cultivation is permitted in this zone by the Lake County Zoning Ordinance with a use permit. The applicant shall adhere to all incorporated mitigation measures and conditions of approval.</p> <p>California Department of Food & Agriculture (DCFA) is responsible for licensing and regulation of cannabis cultivation and enforcements defined in the Medicinal and Adult Use Cannabis Regulation and Safety Act (MAUCRSA) and CDFA regulations related to cannabis cultivation.</p> <p>Less Than Significant Impact</p>	1, 2, 3, 5, 6

IMPACT CATEGORIES*	1	2	3	4	All determinations need explanation. Reference to documentation, sources, notes and correspondence.	Source Number**
XII. MINERAL RESOURCES <i>Would the project:</i>						
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?				X	The site contains no known mineral resources. No Impact	1, 3, 4, 5, 6, 33
b) Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan?				X	The site contains no known mineral resources and does not adversely impact any general plan, specific plan or other adopted Lake County plans. No Impact	1, 2, 3, 5, 6, 33
XIII. NOISE <i>Would the project result in:</i>						
a) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?		X			Short-term increases in ambient noise levels to uncomfortable levels could be expected during project grading and/or construction. Mitigation measures will decrease these noise levels to an acceptable level. Less Than Significant with the following mitigation measures incorporated: <u>NOI-1:</u> All construction activities including engine warm-up shall be limited Monday Through Friday, between the hours of 7:00am and 7:00pm to minimize noise impacts on nearby residents. Back-up beepers shall be adjusted to the lowest allowable levels. This mitigation does not apply to night work. <u>NOI-2:</u> Maximum non-construction related sounds levels shall not exceed levels of 55 dBA between the hours of 7:00AM to 7:00PM and 45 dBA between the hours of 10:00PM to 7:00AM within residential areas as specified within Zoning Ordinance Section 21-41.11 (Table 11.1) at the property lines. <u>NOI-3:</u> The operation of the Air Filtration System shall not exceed levels of 57 dBA between the hours of 7:00AM to 10:00PM and 50 dBA from 10:00PM to 7:00AM within residential areas as specified within Zoning Ordinance Section 21-41.11 (Table 11.2) measured at the property lines Less Than Significant Impact with mitigation measures incorporated	1, 2, 3, 5, 6
b) Generation of excessive groundborne vibration or groundborne noise levels?			X		The project is not expected to create unusual groundborne vibration due to site development or operation. The low level truck traffic would create a minimal amount of groundborne vibration. Less Than Significant Impact	1, 2, 3, 5, 6
c) For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?				X	Project is not located within an airport land use plan or within two miles of a public airport. No Impact	1, 2, 3, 5, 6, 26

IMPACT CATEGORIES*	1	2	3	4	All determinations need explanation. Reference to documentation, sources, notes and correspondence.	Source Number**
XIV. POPULATION AND HOUSING <i>Would the project:</i>						
a) Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?				X	The project is not anticipated to induce population growth. No Impact	1, 2, 3, 5, 6
b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?				X	No people or housing will be displaced as a result of the project. No Impact	1, 2, 3, 5, 6
XV. PUBLIC SERVICES <i>Would the project:</i>						
a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services: - Fire Protection? - Police Protection? - Schools? - Parks? - Other Public Facilities?			X		The project does not propose housing or other uses that would necessitate the need for new or altered government facilities. There will not be a need to increase fire or police protection, schools, parks or other public facilities as a result of the project's implementation. Less Than Significant Impact	1, 2, 3, 5, 6
XVI. RECREATION <i>Would the project:</i>						
a) Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?				X	The project will not have any impacts on existing parks or other recreational facilities. No Impact	1, 2, 3, 5, 6
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?				X	This project will not necessitate the construction or expansion of any recreational facilities. No Impact	1, 2, 3, 5, 6

IMPACT CATEGORIES*	1	2	3	4	All determinations need explanation. Reference to documentation, sources, notes and correspondence.	Source Number**
XVII. TRANSPORTATION <i>Would the project:</i>						
a) Conflict with a program plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?		X			The project site is accessible off of Bottle Rock Road, a paved County maintained 2 lane road with shoulders. The interior road must be made to comply with Public Resource Code sections 4290 and 4291; this can occur by mitigation measures prior to the cultivation permit being activated. A minimal increase in traffic is anticipated due to construction, employees exiting and entering premises, routine maintenance and periodic incoming and outgoing deliveries. The project is expected to generate an average of 10 to 20 vehicle trips per week. Mitigation measure TRANS-1: The applicant shall provide interior road(s) that comply with Public Resource Code sections 4290 and 4291; this shall be confirmed by the County prior to permit activation. Less Than Significant with mitigation measure TRANS-1 added.	1, 2, 3, 4, 5, 6, 34, 35, 38
b) Would the project conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)?			X		The project is expected to generate an average of 10 to 20 vehicle trips per week. Significant impacts are not anticipated. Less Than Significant Impact	1, 2, 3, 4, 5, 6, 34, 35
c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?				X	The proposed project would not increase hazards at the project site. No Impact	1, 2, 3, 4, 5, 6, 23, 34, 35
d) Result in inadequate emergency access?				X	As proposed, this project will not impact existing emergency access. No Impact	1, 2, 3, 4, 5, 6, 23, 34, 35
XVIII. TRIBAL CULTURAL RESOURCES <i>Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:</i>						
a) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or			X		The applicant has submitted a Cultural Resource study. The summary in the Study did not indicate that this site is a candidate for listing in the California Register of Historic Resources, and the site is not within any designated 'local sites of historic resource'. Less Than Significant Impact with mitigation measures CUL-1 and CUL-2 added	1, 2, 3, 5, 6
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		According to the Cultural Study submitted and the County's GIS data base, there are no mapped 'significant resources' (Tribal Cultural) that are on or immediately adjacent to the site. Less than Significant Impact with mitigation measures CUL-1 and CUL-2 added	1, 2, 3, 5, 6

IMPACT CATEGORIES*	1	2	3	4	All determinations need explanation. Reference to documentation, sources, notes and correspondence.	Source Number**
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		The subject parcel is served by an existing domestic well and onsite septic system. Power is available from PG&E lines along Highway 29 adjacent to the site. No system expansion is required. Less Than Significant Impact	1, 2, 3, 5, 6, 21
b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?			X		The subject parcel is served by an existing domestic well. Cannabis cultivation will minimize water use by using a low-pressure drip irrigation system. Less Than Significant Impact	1, 2, 3, 5, 6, 21
c) Result in a determination by the wastewater treatment provider, which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?				X	The subject parcel is served by an onsite septic system. No Impact	1, 2, 3, 5, 6, 21
d) Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?			X		The existing landfill in Clearlake has sufficient capacity to accommodate the project's solid waste disposal needs. According to the Property Management Plan – Waste Management Plan has been developed to help minimize the generation of waste and for the proper disposal of waste produced during the cultivation and processing of cannabis at the project site. The goal is to prevent the release of hazardous waste into the environment, minimize the generation of cannabis vegetative waste and dispose of cannabis vegetative waste properly, and manage growing medium and dispose of growing medium properly. All employees are required to follow the procedures outlined in this plan. Any deviations from this plan must be immediately brought to the attention of Director of Cultivation. Less Than Significant Impact	1, 2, 3, 5, 6, 36, 37
e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?			X		All requirements related to solid waste will apply to this project. Less Than Significant Impact	1, 2, 3, 5, 6, 36, 37
XX. WILDFIRE <i>If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:</i>						
a) Substantially impair an adopted emergency response plan or emergency evacuation plan?			X		The 18 acre property is in a high fire area, and was partially burned during the 2015 Valley Fire. The project site is located in a State (CalFire) Responsibility Area as well as within the Kelseyville Fire Protection District's service area. The property is subject to the Lake County Hazard Mitigation Plan, and shall maintain fire breaks around all structures. The applicant will adhere to all Federal, State and local fire requirements/regulations. The project would not adversely impact any evacuation routes that would be needed during an emergency. Less Than Significant Impact	1, 2, 3, 5, 6, 22, 27, 28, 38

IMPACT CATEGORIES*	1	2	3	4	All determinations need explanation. Reference to documentation, sources, notes and correspondence.	Source Number**
b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?			X		The immediate area contains some dense undergrowth and tree coverage. The applicant has graded a portion of the site for a fire break. The cultivation areas proposed will serve to act as a buffer between eastern properties and fires that might originate from the west, however the cultivation activity proposed will have a neutral effect on exposing persons to pollutant concentrations in the event of a wildfire in the area. Less than Significant Impact	1, 2, 3, 5, 6, 22, 27, 28, 38
c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?			X		The interior road (shown as 'driveway') may not be 20' wide as required by Public Resource Code (PRC) sections 4290 and 4291. The applicant will revise the plans to note the width and slope of the interior driveway to assure compliance with PRC codes; this will be required as a condition of approval. The cultivation sites are already developed due to prior (legal) use as cannabis cultivation areas. The 'developed' portion of the site contain fire breaks, which the applicant shall maintain. It appears that no additional infrastructural improvements are needed. Less than Significant Impact	1, 2, 3, 5, 6, 38
d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?			X		There is an existing residence on the property. The risk of flooding, landslides, slope instability, or drainage changes would not be increased due to this project based on the existing development combined with the direction of slope, and the lack of slope in the cultivation areas. Less Than Significant Impact	1, 2, 3, 5, 6, 20, 29, 32, 38
XXI. MANDATORY FINDINGS OF SIGNIFICANCE						
a) Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?		X			The project proposes a cultivation of commercial cannabis in three previously disturbed areas. Because of this, there is minimal risk of degradation, and mitigation measures are proposed that would alleviate most or all of the project-related impacts. As proposed, this project is not anticipated to significantly impact habitat of fish and/or wildlife species or cultural resources, nor will the project contribute to factors that would harm the environment, or add to any wildfire risk. Less Than Significant Impact with mitigation measures incorporated	ALL
b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?		X			Potentially significant impacts have been identified related to Aesthetics, Air Quality, Cultural/Tribal, Hazards and Hazardous Materials; Noise and Transportation. These impacts in combination with the impacts of other past, present and reasonably foreseeable future projects in the vicinity could cumulatively contribute to significant effects on the environment if proper mitigation measures are not put in place. The scope of this project is relatively small, about 1% of the total 18+ acre site area. Also, implementation of and compliance with mitigation measures identified in each section as project conditions of approval would avoid or reduce potential impacts to less than significant levels with mitigation measures incorporated and would not result in cumulatively considerable environmental impacts.	ALL

IMPACT CATEGORIES*	1	2	3	4	All determinations need explanation. Reference to documentation, sources, notes and correspondence.	Source Number**
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?		X			The proposed project has potential to result in adverse indirect or direct effects on human beings. In particular, to Aesthetics, Air Quality, Cultural/Tribal, Hazards and Hazardous Materials; Noise and Transportation, and have the potential to impact human beings. Implementation of and compliance with mitigation measures identified in each section would reduce adverse indirect or direct effects on human beings and impacts to less than significant levels with mitigation measures incorporated.	ALL

* Impact Categories defined by CEQA

****Source List**

1. Lake County General Plan
2. Lake County Zoning Ordinance
3. Kelseyville Area Plan
4. Site Visit, November 14, 2019
5. County of Lake Major Use Permit Application and Supplemental Materials
6. *Project Management Plan for Minor Use Permit*; June 6, 2018
7. U.S.G.S. Topographic Maps
8. California Department of Transportation:
http://www.dot.ca.gov/hq/LandArch/16_livability/scenic_highways/index.htm
9. U.S.D.A. Lake County Soil Survey
10. Important Farmland Map <https://maps.conservation.ca.gov/agriculture/>
11. Lake County Department of Agriculture
12. Lake County Air Quality Management District
13. Lake County Serpentine Soil Mapping
14. California Natural Diversity Database (<https://www.wildlife.ca.gov/Data/CNDDB>)
15. U.S. Fish and Wildlife Service National Wetlands Inventory
16. Biological Survey prepared by Pinecrest Environmental Consulting (Oakland, CA)
17. Cultural Study prepared by Dr. John Parker, dated March 11, 2019.
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 Health Services Department
21. Lake County Emergency Management Plan
22. Lake County Hazardous Waste Management Plan, adopted 1989
23. Lake County Natural Hazard database
24. Hazardous Waste and Substances Sites List: www.envirostor.dtsc.ca.gov/public
25. Lake County Airport Land Use Compatibility Plan, adopted 1992
26. California Department of Forestry and Fire Protection - Fire Hazard Mapping
27. Northshore Fire Protection District
28. National Pollution Discharge Elimination System (NPDES)
29. Central Valley Regional Water Quality Control Board
30. State Water Resources Control Board
31. FEMA Flood Hazard Maps
32. Lake County Aggregate Resource Management Plan
33. 2010 Lake County Regional Transportation Plan, Dow & Associates, October 2010
34. California Department of Transportation (CALTRANS)
35. CalRecycle Solid Waste Information System
<http://www.calrecycle.ca.gov/SWFacilities/Directory/Search.aspx>
36. Lake County Countywide Integrated Waste Management Plan and Siting Element, 1996
37. Lake County Hazard Mitigation Plan, adopted February 2018