



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

February 17, 2021

CALIFORNIA ENVIRONMENTAL QUALITY ACT ENVIRONMENTAL CHECKLIST FORM INITIAL STUDY (IS 19-35)

1. **Project Title:** LDM II
2. **Permit Numbers:** Use Permit UP 19-20
Initial Study IS 19-35
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):** 7295 Adobe Creek Road, Lakeport, CA
APN: 007-021-23
6. **Project Sponsor’s Name/Address:** LDM Operations
22700 Morgan Valley Road
Lower Lake, CA 95422
7. **General Plan Designation:** Agriculture
8. **Zoning:** “A-WW-FF-SC” Agriculture – Waterway – Floodway
Fringe - Scenic Combining
9. **Description of Project: (Describe the whole action involved, including but not limited to later phases of the project, and any secondary, support, or off-site features necessary for its implementation. Attach additional sheets if necessary).**
Supervisor District: District 4
Flood Zone: A
Slope: Flat
Fire Hazard Severity Zone: High Fire Severity Zone
Earthquake Fault Zone: Not within a mapped fault zone
Dam Failure Inundation Area: Located within a Dam Failure Inundation Area
Parcel Sizes: 23± acres

The applicant is requesting approval for (1) A-Type 3 (medium outdoor) commercial cannabis cultivation license that would include a 22,500 s.f. cultivation area enclosed in a 6 foot tall fence, and for (1) A-Type 13 ‘Self Distribution’ license. Lake County Zoning Ordinance, On December 15, 2020, the County of Lake adopted new setbacks for any outdoor cultivation that is within 1000 feet of an

established Agricultural use, such is the case with this proposal. This setback however can be waived if the submitted application was determined to be complete on or before September 15, 2020. This application was complete as of July 2020.

Article 27, subsection (at) in part regulates cannabis cultivation in Lake County. The 20+ acre property is large enough to support these licenses. The applicant is not within an “exclusion overlay district”, and the applicant is pre-enrolled with the Regional Water Board. The applicant must meet all requirements for commercial cannabis cultivation.

The site will be served by an on-site well; the applicant has provided water flow data for this water source.

The Planning and Building Department conducted a site inspection on Tuesday November 26, 2019 to determine the following: (1) whether compliance with Public Resource Codes (PRC) 4290 and 4291 were met; (2) whether the site plan accurately depicted the site layout, and (3) whether any buildings were present that were not accounted for on the site plan submitted.

Construction

- Construction of the site would take place over a two to four week period
- Constructing a fence for the cultivation area
- Importing fabric pots and soil for the cannabis plant growing medium
- Improvements to interior driveway
- Construction-related estimated daily trips would range between four and eight trips per day, primarily to bring construction-related supplies to the site (fencing, restroom items, fabric pots, soil).

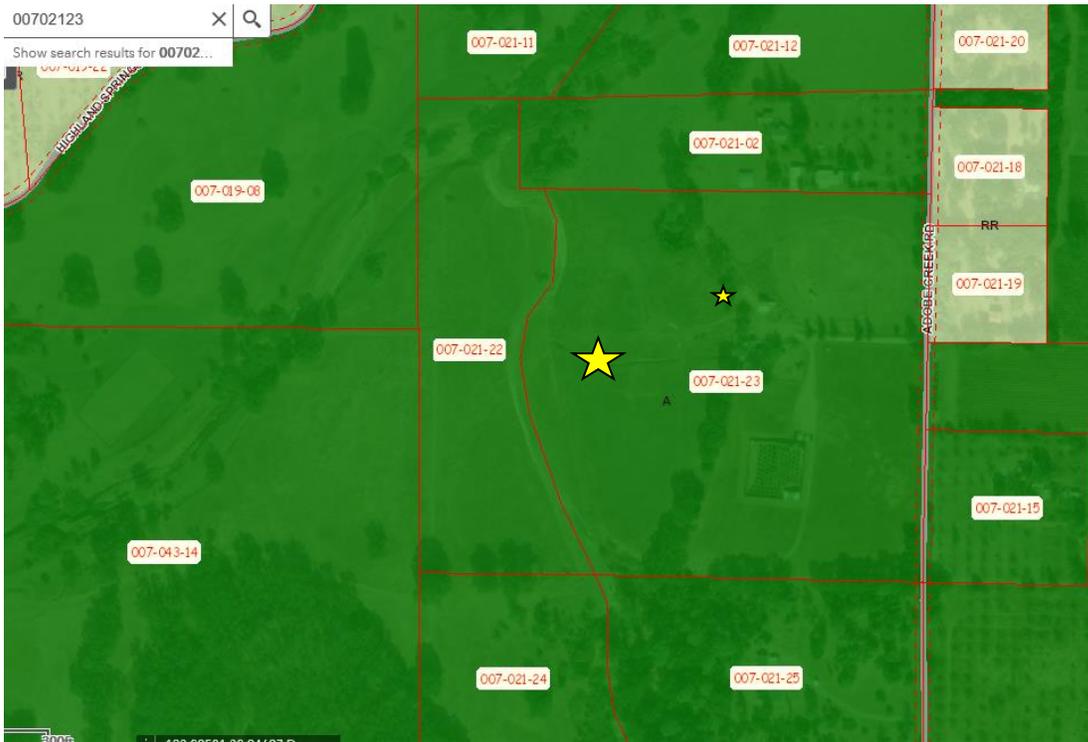
Post Construction Cultivation Activities

- Self-distribution; an A-Type 13 self-distribution is requested
- Off-site drying, trimming and packaging
- The applicant and has provided well data showing the adequacy of the water table in this location.
- Fertilizer is packed in five-gallon, resealable containers and stored in a secondary storage container located in a locked storage shed adjacent to the canopy site. Fertilizer is entirely organic
- Only enough product will be kept on site for ongoing cultivation purposes.
- The remaining containers are returned to the supplier.
- There are no other “chemicals” stored on site. There will be no use of chemical pesticides, rodenticides, or herbicides.
- The facility is open for delivery and pick-ups Monday through Saturday, 7:00 AM to 7:00 PM, and Sunday 12:00 PM to 5:00 PM.
- Up to two employees working on the site during peak harvest times, and between one and two employees working on non-peak harvest times.
- Estimated daily vehicle trips would range between two and four following construction.

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

North, South, West and portion of South-East: “A” Agriculture; parcels range between 10 and over 20 acres in size. The adjacent south-east property contains an established agricultural area. All adjacent lots developed with dwellings. The nearest off-site dwelling is located about 380 feet south of the cultivation area.

North-East: “RR” Rural Residential zoning; several lots are 2+ acres in size and developed with dwellings.



Zoning Map of Site and Vicinity



Figure 1. Aquatic Features Present at APN 007-021-23

Site Plan

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

Lake County Community Development Department
 Lake County Department of Environmental Health
 Lake County Air Quality Management District
 Lake County Department of Public Works
 Lake County Department of Public Services
 Lake County Agricultural Commissioner
 Lake County Sheriff Department
 Lakeport Fire Protection District
 Central Regional Water Quality Control Board
 California Water Resources Control Board
 California Department of Forestry & Fire Protection (Calfire)
 California Department of Fish & Wildlife (CDFW)
 California Department of Food and Agriculture (CalCannabis)
 California Department of Pesticides Regulations
 California Department of Public Health
 California Bureau of Cannabis Control
 California Department of Consumer Affairs
 California Department of Transportation (CalTrans)

12. Have California Native American tribes traditionally and culturally affiliated with the project area requested consultation pursuant to Public Resources Code section 21080.3.1? If so, is there a plan for consultation that includes, for example, the determination of significance of impacts to tribal cultural resources, procedures regarding confidentiality, etc.? Note: Conducting consultation early in the CEQA process allows tribal governments, lead agencies, and project proponents to discuss the level of environmental review, identify and address potential adverse impacts to tribal cultural resources, and reduce the potential for delay and conflict in the environmental review process. (See Public Resources Code section 21080.3.2.) Information may also be available from the California Native American Heritage Commission's Sacred Lands File per Public Resources Code section 5097.96 and the California Historical Resources Information System administered by the California Office of Historic Preservation. Please also note that Public Resources Code section 21082.3 (c) contains provisions specific to confidentiality.

Notification of the project was sent to local tribes on July 5, 2019. None of the notified tribes responded to the AB 52 Tribal Consultation notice that was sent out.

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

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

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

Findings of

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		The site is accessed from Adobe Creek Road, a paved County-maintained road. The site is set in a pastoral setting on a flat area on the 23 acre property. There are no impacts to any scenic vistas. The actual cultivation area will be on a portion of the site that will be fully enclosed by a solid wood 6' tall fence.	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		The proposed cultivation area is existing due to previously grown medicinal marijuana and would not require the removal of any trees. No rock outcroppings or historic buildings were observed or identified in the Cultural Study undertaken for this site. Less Than Significant Impact	1, 2, 3, 4, 5, 6, 7, 8
c) In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?			X		The site is located about 2-1/2 miles from the outskirts of the Lakeport city limits. As previously stated, the cultivation area is within a solid wood 6' tall fence that will conceal the cannabis crops from Adobe Creek Road, which is located about 325 feet from the edge of the cultivation area. The property is served by Adobe Creek Road, which is located adjacent to the site. The project is not located in an urbanized area. Less Than Significant Impact	1, 2, 3, 4, 5, 6, 7
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?		X			The project has little potential to create additional light or glare; the only lighting on the site related to the project will be near the security cameras, and will be downcast and limited to the perimeter fencing for security purposes. Less Than Significant Impact	1, 2, 3, 4, 5, 6, 7
II. AGRICULTURE AND FORESTRY RESOURCES <i>In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment Project; and forest carbon measurement methodology provided in Forest protocols adopted by the California Air Resources Board.</i> <i>Would the project:</i>						
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?			X		The site contains farmland that is a mixture of high value and 'other farmland' which is generally regarded as lower value soil. There are pockets of 'farmland of local importance on the site, however the cultivation area is outside of the higher value farmland that is mapped on the site. No conversion of prime farmland would occur as the result of this project. Less than Significant Impact	1, 2, 3, 5, 6, 9, 10
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?			X		The property is not under Williamson Act contract. None of the neighboring properties are under Williamson Act contracts. The land to the immediate south-east contains a vineyard. The County has established a 1000 foot buffer between cannabis and traditional agricultural crops, however this setback can be waived if the application was submitted and determined to be complete on or before September 15, 2020, the date of adoption of the setback from an established Agricultural use. This application was complete as of July 2020 and pre-dates this relatively newly adopted setback. Lake County allows cannabis cultivation inside greenhouses if the cultivation area is within 1000 feet of established agricultural uses. The following mitigation measure is therefore required: Less than Significant Impact	1, 2, 3, 5, 6, 9, 10, 11

IMPACT CATEGORIES*	1	2	3	4	All determinations need explanation. Reference to documentation, sources, notes and correspondence.	Source Number**
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?				X	As proposed, the project will not conflict with existing zoning for, and/or cause rezoning of forest lands and/or timberlands or timberlands in production. No Impact	1, 2, 3, 5, 6
d) Result in the loss of forest land or conversion of forest land to non-forest use?				X	The project would not result in the loss or conversion of forest land to a non-forest use. No Impact	1, 2, 3, 5, 6, 7
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?			X		This project would not induce changes that would result in its conversion to non-agricultural or non-forest use on the subject site. Less Than Significant Impact	1, 2, 3, 5, 6, 7, 11
III. AIR QUALITY <i>Where available, the significance criteria established by the applicable air quality management district or air pollution control district may be relied upon to make the following determinations.</i> <i>Would the project:</i>						
a) Conflict with or obstruct implementation of the applicable air quality plan?		X			<p>The project has little potential to result in air quality impacts. The cultivation area proposed is outdoors; is 22,500 sq. ft. in size, and is set back over 300 feet from the nearest property line.</p> <p>The cultivator will use “above-ground fabric pots”, and no generators are proposed, which will minimize dust migration. Lake County requires an “Odor Control Plan” which was provided by the applicant; he states that the primary odor mitigation measure used is separation distance. There are dwellings (sensitive receptors) located around this site. Consequently mitigation measures are needed as follows;</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>	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>AQ-6: All areas subject infrequent use of driveways, over flow parking, etc., shall be surfaced with gravel. Applicant shall regularly use and/or maintain graveled area to reduce fugitive dust generations.</p> <p>AQ-7: Prior to this permit having any force or effect, the applicant shall plant fragrant plants around the perimeter of the cultivation area spaced no further than 3 feet apart. These fragrant plants shall be irrigated and maintained in a health state over the life of the use permit.</p> <p>AQ-8: The applicant shall apply water to the ground during any and all site preparation work that is required for the greenhouses and drying building, as well as during any interior driveway improvements to mitigate dust migration.</p> <p>Less than Significant Impact with mitigation measures added.</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. The cannabis cultivation must occur within greenhouses, and air filtration systems are required that will reduce or eliminate potential contaminants from the atmosphere that are generated from inside the greenhouses.</p> <p>Less Than Significant Impact</p>	1, 2, 3, 4, 12
c) Expose sensitive receptors to substantial pollutant concentrations?		X			<p>The nearest sensitive receptor is a residence located approximately 380 feet to the south of the proposed cultivation area, and another house located about 450 feet to the east of the cultivation area. Levels of pollutants associated with cannabis are typically based on odors and dust migration during site preparation, and from odors generated by the plants during maturity. Mitigation measures are proposed that will mask odors and suppress dust migration during and after site preparation. Burning cannabis plant waste is prohibited on site.</p> <p>Less Than Significant Impact with mitigation measures added</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>This area is moderately populated. The number of potentially impacted persons in this general area is small, and the cultivation must occur inside of greenhouses given the proximity of nearby traditional ag uses. Given the separation of this cultivation site from its nearest neighbor (380 feet away), and given mitigation measure #7, it is unlikely that odors and dust will impact the neighbors after site construction concludes, and water will be applied to the disturbed portion of the site during site construction. The cannabis plants will be in fabric pots, further minimizing the migration of dust.</p> <p>Less Than Significant Impact</p>	1, 2, 3, 4, 7, 12
IV. BIOLOGICAL RESOURCES <i>Would the project:</i>						
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?			X		<p><u><i>A Biological Study</i></u> was done by Huffman-Broadway LLC dated April 30, 2019. No sensitive species were observed, and the conclusion reached by the Study indicated that no mitigation measures were necessary given the minimal impact to the site and the lack of observed and mapped sensitive species.</p> <p>Less than Significant Impact</p>	1, 2, 3, 4, 5, 6, 14, 15, 39

IMPACT CATEGORIES*	1	2	3	4	All determinations need explanation. Reference to documentation, sources, notes and correspondence.	Source Number**
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?			X		There are no mapped sensitive habitats that are on the subject site. There is a Class III stream on the site (Adobe Creek), but the top of the bank is located more than 500 feet from the edge of the cultivation area. Less than Significant Impact	1, 2, 3, 5, 6, 7, 14, 15, 39
c) Have a substantial adverse effect on state or federally protected wetlands (including, not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?				X	There are no federally protected wetlands on the subject site. No Impact	1, 2, 3, 5, 6, 7, 14, 15, 39
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?			X		No fish species or migratory corridors will be impacted either directly or indirectly by this action. Less than Significant Impact	1, 2, 3, 5, 6, 14, 15, 39
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?			X		There are no mapped conservation easements or oak woodlands on this site that might otherwise require extra protection or tree replacement. 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, 39
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?				X	There are no Habitat Conservation Plans associated with this property. No trees would need to be removed by this project, which was previously used as a medicinal marijuana cultivation area in 2017. No Impact	1, 2, 3, 5, 6, 39
V. CULTURAL RESOURCES <i>Would the project:</i>						
a) Cause a substantial adverse change in the significance of a historical resource pursuant to §15064.5?		X			A Cultural Study was prepared for this project by Wolf Creek Archaeology dated April 24, 2019. The Cultural Study submitted concluded that no cultural resources sites were discovered as a result of the survey. Should archaeological materials be discovered during future development, the surveying Archaeologist added that he recommends that in the event any potentially significant artifacts or remains are discovered, that all activity be temporarily halted in the vicinity of the find(s), and that a qualified archaeologist be retained to evaluate the find(s) and to recommend mitigation procedures, if necessary According to the Study, it is unlikely that human remains will be discovered during project construction. If, however, human remains of any type are encountered, the project sponsor must contact the Sheriff's Department, a qualified archaeologist, and the culturally-affiliated Tribe to assess the situation. Mitigation Measures CUL-1 and CUL-2 are added as follows: <u>CUL-1:</u> Should any archaeological, paleontological, or cultural materials be discovered during site development, all activity shall be halted in the vicinity of the find(s), the applicant shall notify the local overseeing Tribe, and a qualified archaeologist to evaluate the find(s) and recommend mitigation procedures, if necessary, subject to the approval of the Community Development Director. Should any human remains	1, 2, 3, 5, 6, 40

IMPACT CATEGORIES*	1	2	3	4	All determinations need explanation. Reference to documentation, sources, notes and correspondence.	Source Number**
					<p>be encountered, the applicant shall notify the Sheriff's Department, the local overseeing Tribe, and a qualified archaeologist for proper internment and Tribal rituals per Public Resources Code Section 5097.98 and Health and Safety Code 7050.5.</p> <p>CUL-2: All employees shall be trained in recognizing potentially significant artifacts that may be discovered during ground disturbance. If any artifacts or remains are found, the 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.</p> <p>Less than Significant with these mitigation measures 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.</p> <p>Less Than Significant Impact</p>	1, 2, 3, 5, 6, 40
c) Disturb any human remains, including those interred outside of formal cemeteries?		X			<p>Some ground-disturbing activities are proposed affecting 22,500 square feet of cultivation area. Disturbance of human remains is not anticipated. The applicant shall halt all work and immediately contact the Lake County Sheriff's Department, the local overseeing Tribe, and the Community Development Department if any human remains are encountered.</p> <p>Less Than Significant with mitigation measures CUL-1 and CUL-2 added.</p>	1, 2, 3, 5, 6, 40
VI. ENERGY <i>Would the project:</i>						
a) Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?			X		<p>The proposed energy usage for this facility is minimal; energy use would be limited to the security system, the well pump, and minimal outdoor security 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.</p> <p>Less than Significant Impact</p>	1, 2, 3, 5, 6
b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?				X	<p>The proposed cultivation operations would not conflict with or obstruct an energy plan.</p> <p>No Impact</p>	1, 2, 3, 5, 6

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 not located within a mapped Earthquake Fault area as established by the California Geological Survey.</p> <p><u>Seismic Ground Shaking and Seismic-Related Ground Failure including liquefaction.</u> This lot does not contain mapped unstable soils. It appears unlikely that ground shaking, ground failure or liquefaction will occur on this property in the future. The site is flat, ranging in slope between 0% and 5%, with the cultivation area being located on the flattest part of the property. The disturbed area is far enough away from the watershed that it will not impact this hillside with runoff, thus reducing risk of liquefaction.</p> <p><u>Landslides</u> According to the Landslide Hazard Identification Map prepared by the California Department of Conservation, Division of Mines and Geology, the project parcel soil is prone to erode and has a high shrink-swell character, but is not located within and/or adjacent to an existing mapped landslide area.</p> <p>According to the Property Management Plan, minimal grading would occur on the property to accommodate the cannabis grow site; however because the grow site is already established, the amount of grading needed is minimal (limited to a one-foot tall earth berm around the cultivation area), 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 (proposed is a one-foot tall berm around the perimeter of the cultivation area), operation and maintenance procedures and other measures in accordance with Chapter 29 of the Lake County Code.</p> <p>Less Than Significant Impact</p>	1, 2, 3, 5, 6, 9, 17, 18, 19, 20
b) Result in substantial soil erosion or the loss of topsoil?			X		<p>No erosion or loss of topsoil is anticipated. The cultivation area will be enclosed by a one-foot tall earth berm to retain stormwater within the cultivation area.</p> <p>Regarding the new proposal, some minor grading needed for this major use permit will be minimal and will be well below the threshold for requiring a grading permit. The applicant has also indicated that a one-foot tall berm will be placed on the outer boundary of the cultivation area to further prevent soil erosion, and stormwater runoff will channel into the existing on-site stormwater retention basin.</p> <p>Less Than Significant Impact</p>	1, 2, 3, 5, 6, 9
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on-site or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?			X		<p>According to the soil survey of Lake County, prepared by the U.S.D.A., the soil at the site (types 233 and some 235 soil) is considered generally stable. There is a less than significant chance of landslide, subsidence, liquefaction or collapse as a result of the project based on the characteristics of these soil types, the slope (generally under 5%), and the lack of faults in this immediate area.</p> <p>Less Than Significant Impact</p>	1, 2, 3, 5, 6, 9, 20

IMPACT CATEGORIES*	1	2	3	4	All determinations need explanation. Reference to documentation, sources, notes and correspondence.	Source Number**
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?			X		The shrink-swell potential for the project soil type is low to moderate. The proposed project would not increase risks to life or property. Less Than Significant Impact	1, 2, 3, 5, 6, 9
e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of waste water?			X		The project site will be served through an existing onsite waste disposal system. Less Than Significant Impact	1, 2, 3, 5, 6, 9, 21
f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?		X			Disturbance of paleontological resources or unique geologic features is not anticipated, and mitigation measures are in place to assure that in the event any artifacts are found, that the applicant will notify the overseeing Tribe(s) and a licensed Archeologist - CUL-1 and CUL-2. Less than Significant Impact with mitigation measures added.	1, 2, 3, 5, 6
VIII. GREENHOUSE GAS EMISSIONS <i>Would the project:</i>						
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?			X		Cannabis cultivation activities would not generate a substantial number of vehicle trips and would not require intensive use of heavy equipment, and as such, would not degrade air quality or produce significant amounts of greenhouse gasses. The applicant has indicated that construction will take place over a two to three week period of time for site and interior driveway preparation. 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 of two employees, with one or two employees working in the non-harvest periods. Construction-related daily trips are estimated to be 2 to 4 trips per day, and non-construction (day to day site access) will generate up to 4 daily trips. The use of carbon air filtration systems within the greenhouses will further reduce particulate emission into the atmosphere that occur within the actual greenhouses. Less than Significant Impact	1, 2, 3, 5, 6, 12
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?				X	This project will not conflict with any adopted plans or policies for the reduction of greenhouse gas emissions. The County of Lake is an 'air attainment' County, and does not have established thresholds of significant for greenhouse gases. No Impact	1, 2, 3, 5, 6, 12
IX. HAZARDS AND HAZARDOUS MATERIALS <i>Would the project:</i>						
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?			X		Materials associated with the proposed Cultivation of Commercial Cannabis, such as gasoline, pesticides, fertilizers, alcohol, hydrogen peroxide and the equipment emissions may be considered hazardous if released into the environment. The applicant has stated that all potentially harmful chemicals will be stored in a locked, secured metal building on site (see photo, next page). The risk of a <u>significant hazard</u> is very minimal. Some gasoline will be stored on site for use in on-site vehicles. No generators are proposed, and the applicant already has on-grid power serving his site. The fertilizers that will be used are organic. Routine construction materials and all materials associated with the proposed Cultivation of Commercial Cannabis shall be transported and disposed of properly in accordance with all applicable Federal, State and local regulations. According to the <i>Property Management Plan - Fertilizer Management Plan</i> ,	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>the fertilizer used will consist of organic materials.</p> <p>According to the <i>Property Management Plan – Pest Control</i>, all pesticides will be stored in 200 sq. ft. sheds on site, which are lockable and secure buildings.</p> <p>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</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 (sheds). The site is located outside the Adobe Creek flood inundation area, and is not located 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
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 located within two (2) miles of an airport (about 10,000 feet from the start of the landing strip of the Lakeport Private Airport), however the site would have buildings that are 20' tall or less, and which are not located in the flight path.</p> <p>Less Than Significant Impact</p>	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		<p>The project would not impair or interfere with an adopted emergency response or evacuation plan.</p> <p>Less Than Significant Impact</p>	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		<p>The project site is located in a moderate to high fire hazard severity zone and is in State (CalFire) Responsibility Area.</p> <p>Less Than Significant Impact</p>	1, 2, 3, 4, 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**
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 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. The cultivation sites are positioned in a manner that will allow stormwater runoff to drain into the existing on-site water basin. 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		The applicant has provided a Water Availability Analysis. The Analysis showed a 6' drawdown over a 4 hour well run period, and almost a complete recharge after 1 hour of inactivity. The well produces about 30 gallons per minute. Projected water usage for this proposal is between 40,000 and 80,000 gallons per month during the growing season. Less Than Significant Impact	1, 2, 3, 5, 6, 31
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner that would: i) result in substantial erosion or siltation on-site or off-site; ii) substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite; iii) create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or iv) impede or redirect flood flows?			X		The soil type on the cultivation site is Type 233 (Still loam, stratified substratum, 0 to 2% slope) and 235 (Still-Talmage complex, 2 to 8% slope). Neither soil type has significant erosion due to the lack of slope associated with each. The cultivation area is flat, and the applicant has provided an engineered soil and erosion control plan that shows best management practices for erosion control due to stormwater runoff. The total "disturbed area" on the site is about 22,500 sq. ft. and is existing. The cannabis plants will be in fabric pots, which will limit erosion from the plant soil. Also, the entire cultivation site will be enclosed by a one-foot tall earth berm, intended to prevent stormwater from migrating outside the cultivation area. The slope at the cultivation site is relatively flat, ranging from 0% to 5%. There is minimal likelihood that this project will substantially alter the drainage pattern of the site or area; will result in <i>substantial</i> erosion on or off site; would <i>substantially</i> increase the rate or amount of surface runoff, or would create or contribute to water runoff that would exceed the capacity of existing or planned stormwater drainage systems or have any effect on flood flows, which (if present during a significant storm event) would occur several hundred feet to the south of the cultivation site based on the topography of the property. Less Than Significant Impact	1, 2, 3, 5, 6, 7, 15, 17, 29, 30
d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?			X		The project site is not located in an area of potential inundation by seiche or tsunami. The parcel is not located within a flood zone. In addition, the soils at the project site are generally stable, and the slope of the site is almost flat, ranging from 0% to 5%. There is minimal potential to induce mudflows. Less Than Significant Impact	1, 2, 3, 5, 6, 7, 9, 24, 32
e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?				X	The project would not conflict with or obstruct any water quality control or sustainable groundwater management plans. No Impact	1, 2, 3, 5, 6, 29

IMPACT CATEGORIES*	1	2	3	4	All determinations need explanation. Reference to documentation, sources, notes and correspondence.	Source Number**
XI. LAND USE AND PLANNING <i>Would the project:</i>						
a) Physically divide an established community?				X	The proposed project would not physically divide an established community. There is an existing driveway that serves the site that would need to be improved slightly (widening and surface treatment), however no new roads are needed, and no division of an existing community would occur by this action. No Impact	1, 2, 3, 5, 6
b) Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?			X		This project is consistent with the Lake County General Plan, Lakeport Area Plan, the Lake County Zoning Ordinance, and the Hazard Mitigation Plan. The property is zoned "A" Agriculture, which allows outdoor cannabis cultivation on non-high value farmland per Lake County Zoning Ordinance (Article 27, Table B and subsection (at) with a use permit. The applicant shall adhere to all incorporated mitigation measures and conditions of approval. California Department of Food & Agriculture (CDFA) is responsible for licensing and regulation of cannabis cultivation and enforcements defined in the Medicinal and Adult Use Cannabis Regulation and Safety Act (MAUCRSA) and CDFA regulations related to cannabis cultivation. Less Than Significant Impact	1, 2, 3, 5, 6
XII. MINERAL RESOURCES <i>Would the project:</i>						
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?				X	The site contains no known mineral resources. No Impact	1, 3, 4, 5, 6, 33
b) Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan?				X	The site contains no known mineral resources. No Impact	1, 2, 3, 5, 6, 33
XIII. NOISE <i>Would the project result in:</i>						
a) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?		X			No permanent increases in ambient noise levels will occur with this project. A small amount of infrequent noise could be anticipated if a properly-permitted backup power generator is activated during any power outage or during generator testing, but these impacts would not be significant or long lasting. Maximum non-construction related sound levels shall not exceed maximum levels specified in Zoning Ordinance Section 21-41.11 (Table 11.2) at the surrounding residences. NOI-1: All construction activities including engine warm-up shall be limited Monday Through Friday, between the hours of 7:00am and 7:00pm, and Saturdays from 12:00 noon to 5:00 pm to minimize noise impacts on nearby residents. Back-up beepers shall be adjusted to the lowest allowable levels. This mitigation does not apply to night work. NOI-2: Maximum non-construction related sounds levels shall not exceed levels of 55 dBA between the hours of 7:00AM 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. NOI-3: Generators shall only be used as Emergency Power Backup supply and shall not be used for regular power provision to this facility.	1, 2, 3, 5, 6

IMPACT CATEGORIES*	1	2	3	4	All determinations need explanation. Reference to documentation, sources, notes and correspondence.	Source Number**
Less Than Significant Impact with mitigation measures added.						
b) Generation of excessive groundborne vibration or groundborne noise levels?			X		The project is not expected to create unusual groundborne vibration due to site development or operation. The low level truck traffic during construction and for occasional deliveries would create a minimal amount of groundborne vibration. Less Than Significant Impact	1, 2, 3, 5, 6
c) For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?			X		The project is located within two miles of a private airport, the Lakeport Airport. The airport is not frequently used, and allows only light plane usage. The project would include greenhouses and a 2,400 sq. ft. drying building, all of which would be under 20 feet tall. The project would not generate any air traffic, and there is no adopted Air Traffic Control Plan serving the Lakeport Air Strip. Less Than Significant Impact	1, 2, 3, 5, 6, 26
XIV. POPULATION AND HOUSING <i>Would the project:</i>						
a) Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?				X	The project is not anticipated to induce population growth. No new dwelling units are proposed, nor are any needed. No Impact	1, 2, 3, 5, 6
b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?				X	No people or housing will be displaced as a result of the project. No Impact	1, 2, 3, 5, 6
XV. PUBLIC SERVICES <i>Would the project:</i>						
a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services: - Fire Protection? - Police Protection? - Schools? - Parks? - Other Public Facilities?			X		The project does not propose housing or other uses that would necessitate the need for new or altered government facilities. There will not be a need to increase fire or police protection, schools, parks or other public facilities as a result of the project's implementation. The cultivation activity would use "on-grid" power, however the power needs for this type of activity would involve power for the well pump, security cameras and potentially some minimal outdoor security lighting. 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

IMPACT CATEGORIES*	1	2	3	4	All determinations need explanation. Reference to documentation, sources, notes and correspondence.	Source Number**
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
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 Adobe Creek Road, a paved County-maintained road at this location. No improvements to Adobe Creek Road are proposed, nor do they appear to be necessary at this location. Adobe Creek Road has two 10' wide travel lanes and 2' wide shoulders in this vicinity that can be used by bicycles and pedestrians. Less Than Significant Impact	1, 2, 3, 4, 5, 6, 34, 35, 38
b) Would the project conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)?			X		The project is expected to generate an average of 2 to 4 vehicle trips per day during construction and 2 to 4 trips after the end of construction. Significant impacts are not anticipated based on the proposed on-site construction that would occur during the preparation of the cultivation area. CEQA Guidelines section 15064.3, subdivision (b) lists thresholds that would otherwise trigger a traffic impact study (TIS); this project does not qualify for the TIS requirement. 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 as no road improvements other than some minor improvements to the existing interior driveway are needed. Interior driveway improvements will occur to make the site compliant with Public Resource Code (PRC) sections 4290 and 4291, 'CalFire Road Standards' since building permits for the greenhouse and drying building are required. No Impact	1, 2, 3, 4, 5, 6, 23, 34, 35
d) Result in inadequate emergency access?			X		As proposed, this project site will not impact existing emergency access, which is taken from Adobe Creek Road adjacent to the site. Less Than Significant Impact	1, 2, 3, 4, 5, 6, 23, 34, 35
XVIII. TRIBAL CULTURAL RESOURCES <i>Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:</i>						
a) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or		X			The applicant has submitted a Cultural Resource study prepared by Wolf Creek Archaeology LLC. The findings listed in the Study did not indicate that this site is a candidate for listing in the California Register of Historic Resources, and the site is not within any designated 'local sites of historic resource'. Further, a standard mitigation measure (CUL-1) requires the notification of the local culturally-affiliated Tribe and contacting a licensed Archeologist of any Native American artifacts or remains are found. Less Than Significant Impact with mitigation measures added.	1, 2, 3, 5, 6, 40
b) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code section 5024.1. In applying the criteria set forth in			X		There are no mapped or observed significant resources (Tribal Cultural) that are on or immediately adjacent to the site. All eleven Lake County tribes were notified of this action, and there were no requests for consultation or adverse comments received by Lake County Planning Department regarding this project. . Less than Significant Impact	1, 2, 3, 5, 6, 40

IMPACT CATEGORIES*	1	2	3	4	All determinations need explanation. Reference to documentation, sources, notes and correspondence.	Source Number**
subdivision (c) of Public Resources Code 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.						
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 that already serve the site. No system expansion is required. The site does not contain a telecommunication system, and is not supplied with natural gas. 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, however no well data was submitted and is required prior to a public hearing for this project. There is no minimum threshold for well productivity in Lake County, however the applicant will need to demonstrate that the existing well can supply adequate water for the project, and that the aquifer is stout enough to enable the well to fully recharge within a short period of time. The water table in this area is very strong; the area has been used for crop production for decades with no history of water shortages. 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. A new ADA-compliant restroom will be required as a condition of approval. The Planning Commission may at their discretion allow a portable ADA-compliant restroom and handwash station; that will be determined at the public hearing for this use permit. Less Than Significant Impact	1, 2, 3, 5, 6, 21
d) Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?			X		The existing landfill has sufficient capacity to accommodate the project's solid waste disposal needs for at least 5 years according to the Lake County Public Services Director. According to the Property Management Plan – Waste Management Plan has been developed to help minimize the generation of waste and for the proper disposal of waste produced during the cultivation and processing of cannabis at the project site. The goal is to prevent the release of hazardous waste into the environment, minimize the generation of cannabis vegetative waste and dispose of cannabis vegetative waste properly, and manage growing medium and dispose of growing medium properly. All employees are required to follow the procedures outlined in this plan. Any deviations from this plan must be immediately brought to the attention of Director of Cultivation. Less Than Significant Impact	1, 2, 3, 5, 6, 36, 37
e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?			X		All requirements related to solid waste disposal will apply to this project. Less Than Significant Impact	1, 2, 3, 5, 6, 36, 37

IMPACT CATEGORIES*	1	2	3	4	All determinations need explanation. Reference to documentation, sources, notes and correspondence.	Source Number**
XX. WILDFIRE <i>If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:</i>						
a) Substantially impair an adopted emergency response plan or emergency evacuation plan?			X		The property including the cultivation site is located within a High fire hazard area. The cultivation site is located in a Moderate fire hazard severity zone. A site visit on November 26, 2019 confirmed that the site is well-tended; the interior driveway will be 20' wide, and there is substantial flat areas that can be used for emergency vehicle turn-around purposes. The applicant has installed and maintains a 100 foot-wide fire break around the cultivation area. Less Than Significant Impact	1, 2, 3, 5, 6, 22, 27, 28, 38
b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?			X		The developed portion of the site including the cultivation area is neat and well maintained, and is largely devoid of manzanita and other fast-burning fuels. The interior road is 14' wide and surfaced with gravel with a turn-around located at the house approximately 200 feet from the cultivation area, and 300 feet from Adobe Creek Road. The cultivation activity proposed will have a neutral effect on exposing persons to pollutant concentrations in the event of a wildfire in the area. Less than Significant Impact	1, 2, 3, 5, 6, 22, 27, 28, 38
c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?			X		The developed portions of the site contain fire breaks, which the applicant shall maintain. Other than grasses and scattered oak trees located near Adobe Creek, the site is generally devoid of fuel load. 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 lack of slope in the cultivation areas and on the entire site. Less Than Significant Impact	1, 2, 3, 5, 6, 20, 29, 32, 38

IMPACT CATEGORIES*	1	2	3	4	All determinations need explanation. Reference to documentation, sources, notes and correspondence.	Source Number**
XXI. MANDATORY FINDINGS OF SIGNIFICANCE						
a) Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?			X		The project proposes a cultivation of commercial cannabis in a previously disturbed area. 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	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 Air Quality, Cultural / Tribal / Geological Resources and Noise. 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 22,500 square feet of outdoor cultivation area. Also, implementation of and compliance with mitigation measures identified in each section as project conditions of approval would avoid or reduce potential impacts to less than significant levels and would not result in cumulatively considerable environmental impacts. Can be mitigated to Less Than Significant Impact	ALL
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?		X			The proposed project has potential to result in adverse indirect or direct effects on human beings. In particular, risks associated Air Quality, Cultural / Tribal / Geological Resources and Noise, and have the potential to impact human beings. Implementation of and compliance with mitigation measures identified in each section would reduce adverse indirect or direct effects on human beings and impacts. Can be mitigated to Less Than Significant Impact	ALL

* Impact Categories defined by CEQA

****Source List**

1. Lake County General Plan
2. Lake County Zoning Ordinance
3. Lakeport Area Plan
4. Site Visit, November 26, 2019
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