

**Highway 53 Project Mitigation Monitoring and Reporting Program  
Major Use Permit, UP 19-49; Initial Study, IS 19-71**

Potential Impact	Mitigation Measure	Implementati on Responsibility	Monitoring & Reporting Responsibility	Timing	Date Implement ed
<b>AESTHETICS</b>					
The project is located within a scenic vista, however, the lighting plan and tree planting mitigation plan may improve the aesthetic impact to less than significant.	AES-1: Prior to construction, the applicant shall provide a conservation and management plan of the oak woodland community.	Applicant	Applicant	Prior to construction	
	AES-2: An Outdoor Lighting Plan that meets the darkskies.org lighting recommendations shall be submitted for review and acceptance, or review and revision before cultivation.	Applicant	Applicant	Prior to construction	
	AES-3: All structures incorporating artificial lighting shall be equipped with blackout film/material to be used at night for the maximum light blockage to lessen the impact on the surrounding parcels and the dark skies. The applicant shall submit a Blackout Film/Materials Plan to the Community Development Department for review and approval before the issuance of any permits.	Applicant	Applicant	Prior to construction	
	AES-4: Security lighting shall be motion-activated and all outdoor lighting shall be shielded and downcast or otherwise positioned in a manner that will not shine a light or allow light glare to exceed the boundaries of a lot of records upon which they are placed.	Applicant	Applicant	Prior to operation	
<b>AIR QUALITY</b>					
The project has the potential to create short- and long-term impacts on air quality through dust from the driveway and cultivation operation and odor from the cultivation operation, however, mitigation measures will be implemented to lessen the impact.	AQ-1: Prior to cultivation, the applicant shall submit an Odor Control Plan to the Community Development Department for review and approval, or review and revision.	Applicant	Applicant	Prior to operation	
	AQ-2: 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 to complete an updated Air Toxic emission Inventory.	Applicant	Applicant	During site development and operation	
	AQ-3: Construction and/or work practices that involve masonry, gravel, grading activities, vehicular and fugitive dust shall be managed by the use of water or other acceptable dust palliatives to mitigate dust generation during and after site development.	Applicant	Applicant	During construction and operation	
	AQ-4: 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.	Applicant	Applicant	During operation	
	AQ-5: The applicant shall have the primary access and parking areas surfaced with chip seal, asphalt, or an equivalent all-weather surfacing to reduce fugitive dust generation. The use of white rock as a road base or surface material for travel routes and/or parking areas is prohibited.	Applicant	Applicant	During operation	

	AQ-6: All areas subject to infrequent use of driveways, overflow parking, etc., shall be surfaced with gravel. The applicant shall regularly use and/or maintain the graveled area to reduce fugitive dust generations.	Applicant	Applicant	During operation	
<b>BIOLOGICAL RESOURCES</b>					
Potential to impact species identified as a candidate, sensitive, or special status species. The proposed cultivation area will take place on an undisturbed location and existing cultivation area. Sensitive species were found within the proximity and will be mitigated accordingly.	BIO-1: All waste and by-products shall be kept in plastic drums with tight-fitting lids so that water is not able to make contact with the contents and potentially leach into the environment.	Applicant/ Contractor	Applicant	The life of the project	
	BIO-2: Due to the presence of suitable habitat for bent-flowered fiddleneck and because the biological survey was performed outside of the appropriate blooming period, a botanical survey shall be performed by a qualified biologist during the appropriate blooming period (March-June) to determine the presence or absence of the species before any project related ground disturbance occurs. If the plant is not detected during the survey, then no further measures are required. If the plant is detected within the area, the applicant shall notify the county, and shall submit a CNDDDB record. The project area shall be adjusted to avoid impacts to individual plants and a buffer of at least 25 feet in coordination with the qualified biologist, or CDFW should be consulted to develop appropriate mitigation measures.	Applicant/ Contractor	Applicant	Prior to site development	
	BIO-3: If construction activities would occur during the nesting season (typically February through August), a pre-construction survey for the presence of special-status bird species or any nesting bird species should be conducted by a qualified biologist within one week of the commencement of ground disturbance in a survey area that extends 500 feet from proposed construction areas. If active nests are identified in these areas, a professionally qualified biologist experienced with the monitoring and avoidance of bird nesting territories, CDFW, and/or USFWS should be consulted to develop measures to avoid “take” of active nests before the initiation of any construction activities. Avoidance measures may include the establishment of a buffer zone using construction fencing, nest monitoring by a qualified biologist, the postponement of vegetation removal until after the nesting season, postponement until after a qualified biologist has determined that the young have fledged and are independent of the nest site, or a combination thereof.	Applicant/ Contractor	Applicant	Prior to site development	
	BIO-4: If there are the presence of special-status bird species, the establishment of a buffer zone using construction fence, postponement of vegetation removal until after the nesting season, postponement until after a qualified biologist has determined that the young have fledged and are independent of the nest site, or a combination thereof may be implemented.	Applicant/ Contractor	Applicant	Prior to site development and construction	
	BIO-5: Impacts to the unidentified species of fiddleneck shall be avoided by the creation of a 25-foot buffer around the population and moving the proposed boundary of the phase 2 cultivation compound as shown in the Botanical Survey Report.	Applicant/ Contractor	Applicant	Prior to site development and construction	
	BIO-6: Pesticides and fertilizer storage facilities shall be located outside of the Riparian Corridor setbacks for structures. Pesticide and fertilizer storage facilities shall not be located within 100 feet of a wellhead or 50 feet of identified wetlands.	Applicant/ Contractor	Applicant	The life of the project	
	BIO-7: The use of water provided by a public water supply, unlawful water diversions, transported by a water hauler, bottled water, a water vending machine, or	Applicant/ Contractor	Applicant	The life of the project	

	a retail water facility is prohibited. The utilization of water that has been or is illegally diverted from any lake, springs, wetland, stream, creek, vernal pool, and/or river is prohibited. The applicant shall not engage in any unlawful or unpermitted drawing of surface water.				
	BIO-8: The applicant shall maintain all necessary permits from the Central Valley Regional Water Quality Control Board and submit written verification to the Community Development Department. A copy of all permits shall be included in the Annual Performance Report.	Applicant/ Contractor	Applicant	The life of the project	

**CULTURAL RESOURCES/TRIBAL CULTURAL RESOURCES**

Disturb an archaeological resource or human remains during construction activities.	CUL-1: Should any archaeological, paleontological, or cultural materials be discovered during site development, all activity shall be halted in the vicinity of the find(s). The local overseeing Tribe(s) shall be notified, and a qualified archaeologist retained to evaluate the find(s) and recommend mitigation procedures, if necessary, subject to the approval of the Community Development Director. Should any human remains be encountered, they shall be treated in accordance with Public Resources Code Section 5097.98 and with California Health and Safety Code section 7050.5.	Applicant	Applicant	The life of the project	
	CUL-2: All employees shall be trained in recognizing potentially significant artifacts that may be discovered during the ground disturbance. If any artifacts or remains are found, the local tribe shall immediately be notified; a licensed archaeologist shall be notified, and the Lake County Community Development Director shall be notified of such finds.	Applicant	Applicant	Prior to site development	
	CUL-3: In the event of an unanticipated discovery of cultural resources during the implementation of the project, all work must be halted within 100 feet (30 meters) of the find and a qualified archaeologist (36 CFR Part 61) notified so that its potential significance can be assessed.	Applicant	Applicant	The life of the project	
	CUL-4: The County Coroner shall be notified of the find immediately upon discovery of any human remains. If the human remains are determined to be of Native American origin, the Coroner will notify the NAHC, which will determine and notify a Most Likely Descendant (MLD). The MLD must complete an inspection of the site within 48 hours of notification and may recommend scientific removal and nondestructive analysis of human remains and items associated with Native American burials.	Applicant	Applicant	The life of the project	
	TRIB-2: In the unlikely event that undiscovered cultural material is encountered elsewhere on the project, work near the find should stop and these should be evaluated for significance by a qualified archaeologist and either preserved or mitigated as outlined in CEQA (sec.21083.2 [b] or 15126.4c).	Applicant	Applicant	The life of the project	

**GEOLOGY AND SOILS**

The proposed project will not cause potential substantial adverse effects. However, a minor ground disturbance is proposed for site preparation	GEO-1: Prior to any ground disturbance, the permittee shall submit erosion control and sediment plans to the Water Resource Department and the Community Development Department for review and approval. Said erosion control and sediment plans shall protect the local watershed from runoff pollution through the implementation of appropriate Best Management Practices (BMPs) in accordance with the Grading Ordinance. Typical BMPs include the placement of straw, mulch, seeding, straw wattles, silt fencing, and the planting of native vegetation on all disturbed areas. No silt, sediment, or other materials exceeding natural background levels shall be allowed to flow from the project area. The natural background level is the level of erosion that currently occurs from the area in a natural, undisturbed state. Vegetative cover and water bars shall be used as permanent erosion control after project installation.	Applicant	Applicant	The life of the project	
	GEO-2: Excavation, filling, vegetation clearing, or other disturbance of the soil shall not occur between October 15 and April 15 unless authorized by the Community Development Department Director. The actual dates of this defined grading period may be adjusted according to weather and soil conditions at the discretion of the Community Development Director.	Applicant	Applicant	Prior to construction and operation	
	GEO-3: The permit holder shall monitor the site during the rainy season (October 15 – May 15), including post-installation, application of BMPs, erosion control maintenance, and other improvements as needed.	Applicant	Applicant	During construction and operation	
	GEO-4: If greater than fifty (50) cubic yards of soils are moved, a Grading Permit shall be required as part of this project. The project design shall incorporate Best Management Practices (BMPs) to the maximum extent practicable to prevent or reduce the discharge of all construction or post-construction pollutants into the County storm drainage system. BMPs typically include scheduling of activities, erosion and sediment control, operation and maintenance procedures, and other measures in accordance with Chapters 29 and 30 of the Lake County Code.	Applicant	Applicant	Prior and during construction and operation	
	GEO-5: Prior to operation, all accessible compliant parking areas, routes of travel, building access, and/or bathrooms shall meet all California Building Code Requirements.	Applicant	Applicant; contractor	Prior to construction	
	GEO-6: Prior to operation, all structure(s) used for commercial cultivation shall meet accessibility standards. Please contact the Lake County Community Development Department's Building Division for more information.	Applicant	Applicant; contractor	Prior to construction	
<b>HAZARDS AND HAZARDOUS MATERIALS</b>					
Exposure to hazards and hazardous materials can occur during and after construction. However, preventative measures including mitigation measures and best management practices can	HAZ-1: All equipment shall be maintained and operated in a manner that minimizes any spill or leak of hazardous materials. Hazardous materials and contaminated soil shall be stored, transported, and disposed of in a manner that is consistent with applicable local, state, and federal regulations.	Applicant	Applicant; Community Development Department	Prior to operation	
	HAZ-2: Prior to operation, the applicant shall schedule an inspection with the Lake County Code Enforcement Division within the Community Development Department to verify adherence to all requirements of Chapter 13 of the Lake County Code, including but not limited to adherence with the Hazardous Vegetation requirements.	Applicant	Applicant	Prior to operation	

be impacted to less than significant.	HAZ-3: Prior to operation, all employees shall have access to restrooms and hand-wash stations. The restrooms and hand wash stations shall meet all accessibility requirements.	Applicant	Applicant	Life of the project	
	HAZ-4: The proper storage of equipment, removal of litter and waste, and cutting of weeds or grass shall not constitute an attractant, breeding place, or harborage for pests.	Applicant	Applicant	Life of the project	
	HAZ-5: All food scraps, wrappers, food containers, cans, bottles, and other trash from the project area should be deposited in trash containers with an adequate lid or cover to contain trash. All food waste should be placed in a securely covered bin and removed from the site weekly to avoid attracting animals.	Applicant	Applicant; Lake County Air Quality Management; Environmental Health	Life of the project	
	HAZ-6: 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 to complete an updated Air Toxic Emission Inventory.	Applicant	Applicant; Lake County Air Quality Management; Environmental Health	Life of the project	
	HAZ-7: The storage of hazardous materials equal to or greater than fifty-five (55) gallons of a liquid, 500 pounds of a solid, or 200 cubic feet of compressed gas, then a Hazardous Materials Inventory Disclosure Statement/Business Plan shall be submitted and maintained in compliance with requirements of Lake County Environmental Health Division. Industrial waste shall not be disposed of on-site without review or permit from Lake County Environmental Health Division or the California Regional Water Quality Control Board. The permit holder shall comply with petroleum fuel storage tank regulations if fuel is to be stored on site.	Applicant	Applicant; Lake County Air Quality Management; Environmental Health	Life of the project	
<b>HYDROLOGY AND WATER QUALITY</b>					
The proposed project will create additional use of water for irrigation purposes.	HYD-1: The applicant shall adhere to all Federal, State, and Local regulations regarding wastewater treatment and water usage requirements.	Applicant/ Contractor	Applicant/ Contractor	During site development	
	HYD-2: Before this permit having any force or effect, the permittee(s) shall adhere to the Lake County Division of Environmental Health requirements regarding on-site wastewater treatment and/or potable water requirements. The permittee shall contact the Lake County Division of Environmental Health for details.	Applicant/ Contractor	Applicant; Contractor; Community Development Department	Prior to construction	
	HYD-3: The applicant shall prepare a groundwater management plan to ensure that the groundwater resources of the County are protected used and managed sustainably. The plan would support the Integrated Regional Water Management Plan and include an inventory of groundwater resources in the County and a management strategy to maintain the resource for the reasonable and beneficial use of the people and agencies of the County.	Applicant/ Contractor	Applicant; Community Development Department; Department of Water Resources	Life of project	
	HYD-4: The production well shall have a meter to measure the amount of water pumped. The production wells shall have continuous water level monitors. The methodology of the monitoring program shall be described. A monitoring well of equal depth within the cone of influence of the production well may be substituted for the water level monitoring of the production well. The monitoring wells shall be constructed and monitoring began at least three months before the use of the supply	Applicant/ Contractor	Applicant; Community Development Department; Department of Water Resources	Prior to construction	

	well. An applicant shall maintain a record of all data collected and shall provide a report of the data collected to the County annually and/or upon made upon request.				
	HYD-5: Prior to construction, the applicant shall provide a new site plan for the property to show all dimensions and setbacks to meet all federal, state, and local regulations and conform to all building codes.	Applicant/ Contractor	Applicant; Community Development Department	Prior to any construction	
<b>NOISE</b>					
The proposed project will not have any adverse effect on the noise. However, the future project may create short-term increases in ambient noise levels to uncomfortable levels during project preparation, construction, and operations.	NOI-1: All construction activities including engine warm-up shall be limited Monday through Friday, between the hours of 7:00 a.m. and 7:00 p.m. to minimize noise impacts on nearby residents. Back-up beepers shall be adjusted to the lowest allowable levels.	Applicant	Applicant	During site development and operation	
	NOI -2: Maximum non-construction related sounds levels shall not exceed levels of 55 dBA between the hours of 7:00 a.m. to 10:00 p.m. and 45 dBA between the hours of 10:00 p.m. to 7:00 a.m. within residential areas as specified within Zoning Ordinance Section 21-41.11 (Table 11.1) at the property lines.	Applicant	Applicant	During site development and operation	
	NOI-3: The operation of the air filtration system shall not exceed levels of 57 dBA between the hours of 7:00 a.m. to 10:00 p.m. and 50 dBA from 10:00 p.m. to 7:00 a.m. within residential areas as specified within Zoning Ordinance Section 21-41.11 (Table 11.2) measured at the property lines.	Applicant	Applicant	During site development and operation	