

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

Potential Impact	Mitigation Measure	Implementation Responsibility	Monitoring & Reporting Responsibility	Timing	Date Implemented
AESTHETICS					
The project is located within a scenic combining district, however the project site is located almost entirely out of public view and through mitigation measures the aesthetic impact is expected to be less than significant.	<u>AES-1</u> : The cultivation area shall be screened from public view. Methods of screening may include, but are not limited to, topographic barriers, vegetation, or solid (opaque) fences.	Applicant	Applicant	Prior to construction	
	<u>AES-2</u> : All outdoor lighting shall be directed downward onto the Project site and not onto adjacent properties. All lighting equipment shall comply with the recommendations of www.darksky.org .	Applicant	Applicant	Prior to construction	
	<u>AES-3</u> : All indoor lighting shall be fully contained within structures or otherwise shielded to fully contain any light or glare. Artificial light shall be completely shielded between sunset and sunrise.	Applicant	Applicant	Prior to construction	
	<u>AES-4</u> : 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 light or allow light glare to exceed the boundaries of the lot of record upon which they are placed.	Applicant	Applicant	Prior to operation	
AIR QUALITY					
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.	<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 (LCAQMD) and obtain an Authority to Construct (A/C) permit for all operations and for any diesel-powered equipment and/or other equipment with potential for air emissions. Or provide proof that a permit is not needed.	Applicant	Applicant	Prior to operation	
	<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 all federal, state, and local requirements, including the requirements of the State Air Toxic Control Measures for compression ignition engines. Additionally, all engines must notify LCAQMD prior to beginning construction activities and prior to engine use.	Applicant	Applicant	During site development and operation	
	<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	Applicant	Applicant	During construction	

	utilized, including cleaning materials. Said information shall be made available upon request and/or the ability to provide the LCAQMD such information in order to complete an updated Air Toxic emission Inventory.			and operation	
	<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.	Applicant	Applicant	During operation	
	<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.	Applicant	Applicant	During operation	
	<u>AQ-6:</u> All areas subject infrequent use of driveways, over flow parking, etc., shall be surfaced with gravel, chip seal, asphalt or an equivalent all weather surfacing. Applicant shall regularly use and/or maintain graveled area to reduce fugitive dust generations.	Applicant	Applicant	During operation	
	<u>AQ-7:</u> The cultivation area will be surrounded by a fence during the application of pesticides in order to prevent off-site drift.	Applicant	Applicant	During operation	
BIOLOGICAL RESOURCES					
The site has been highly disturbed by the Mendocino Complex Fire in 2018, and while it has the potential to host sensitive species in the future, through mitigation measures the impacts on those species and ecosystems will be less than significant.	<u>BIO-1:</u> If the establishment of cultivation operations requires the destruction of chaparral habitat, a pre-construction survey for special-status species should be performed by a qualified biologist to ensure that special-status species are not present. If any listed species or special-status species are detected, construction should be delayed, and the appropriate wildlife agency, either the California Department of Fish and Wildlife or the US Fish and Wildlife Service, should be consulted, and Project impacts and mitigation should be reassessed.	Applicant/	Applicant	The life of the project	
	<u>BIO-2:</u> If construction activities require the removal of trees or shrubs, or disturbance to riparian habitat, and if these activities occur during the nesting season (usually March to September), 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 500 feet of proposed construction areas. If active nests are identified in these areas, the California Department of Fish and Wildlife or the US Fish and Wildlife Service should be consulted to develop measures to avoid a “take” of active nests prior to the initiation of any construction activities. Avoidance measures may include establishment of a buffer zone using construction fencing or the postponement of vegetation removal until after the nesting season, or until after a qualified biologist has determined the young have fledged and are independent of the nest site.	Applicant	Applicant	Prior to site development	

	<u>BIO-3</u> : All work shall incorporate erosion control measures consistent with the engineered Grading and Erosion Control Plans submitted, the Lake County Grading Regulations, and the State Water Resources Control Board Order No. WQ 2019-001-DWQ.	Applicant	Applicant	Prior to site development	
CULTURAL RESOURCES/TRIBAL CULTURAL RESOURCES					
Through an archaeological study and site survey, the project site was found to not contain any known cultural or tribal cultural resources, and through established mitigation measures in place, no significant impact is expected on any resources found during construction or operations.	<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 culturally affiliated 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 be encountered, the applicant shall notify the Sheriff's Department, the culturally affiliated Tribe, and a qualified archaeologist for proper interment and Tribal rituals per Public Resources Code Section 5097.98 and Health and Safety Code 7050.5.	Applicant	Applicant	The life of the project	
	<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 culturally affiliated Tribe shall immediately be notified; a licensed archaeologist shall be notified, and the Lake County Community Development Director shall be notified of such findings.	Applicant	Applicant	Prior to site development	
GEOLOGY AND SOILS					
The proposed project will not cause potential substantial adverse effects, despite a minor ground disturbance that is proposed for site preparation.	<u>GEO-1</u> : Prior to any ground disturbance for building construction, 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	
	<u>GEO-2</u> : 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	

	<u>GEO-3:</u> 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	
	<u>GEO-4:</u> 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	
	<u>GEO-5:</u> Prior to operation, all buildings, 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	
	<u>GEO-6:</u> Prior to operation, all structure(s) used for commercial cultivation shall meet accessibility and CALFIRE standard. Please contact the Lake County Community Development Department's Building Division for more information.	Applicant	Applicant; contractor	Prior to construction	
HAZARDS AND HAZARDOUS MATERIALS					
Exposure to hazards and hazardous materials can occur during and after construction. However, preventative measures including mitigation measures and best management practices can be implemented for a less than significant impact.	<u>HAZ-1:</u> All equipment will be maintained and operated to minimize spillage or leakage of hazardous materials. All equipment will be refueled in locations more than 100 feet from surface water bodies. Servicing of equipment will occur on an impermeable surface. In an event of a spill or leak, the contaminated soil will be stored, transported, and disposed of consistent with applicable local, state, and federal regulations.	Applicant	Applicant; Community Development Department	Prior to operation	
	<u>HAZ-2:</u> With 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, a Hazardous Materials Inventory Disclosure Statement and 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	Prior to operation	
	<u>HAZ-3:</u> 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	Life of the project	

	<u>HAZ-4</u> : 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	
	<u>HAZ-5</u> : 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; Lake County Air Quality Management; Environmental Health	Life of the project	
	<u>HAZ-6</u> : 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	
	<u>HAZ-7</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 to complete an updated Air Toxic Emission Inventory.	Applicant	Applicant; Lake County Air Quality Management; Environmental Health	Life of the project	
HYDROLOGY AND WATER QUALITY					
The proposed project will require additional use of water for irrigation purposes.	<u>HYD-1</u> : Before this permit shall have 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	During site development	
	<u>HYD-2</u> : 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; Contractor; Community Development Department	Prior to construction	
	<u>HYD-3</u> : 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 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.	Applicant/ Contractor	Applicant; Community Development Department; Department of Water Resources	Life of project	
	<u>HYD-4</u> : The applicant will adhere to the measures described in the Drought Management Plan during periods of a declared drought emergency.	Applicant/ Contractor	Applicant; Community Development	Prior to construction	

			Department; Department of Water Resources		
NOISE					
The proposed project will not have any adverse effect on the noise given its distant proximity to any sensitive receptors, neighboring property owners, and the general public.	<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, 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.	Applicant	Applicant	During site development and operation	
	<u>NOI-2</u> : Maximum non-construction related sounds levels shall not exceed levels of 55 dBA between the hours of 7:00AM to 10:00PM and 45 dBA between the hours of 10:00PM to 7:00AM within residential areas as specified within Zoning Ordinance Section 21-41.11 (Table 11.1) at the property lines.	Applicant	Applicant	During site development and operation	
WILDFIRE					
The proposed project is divided between high and very risk of wildfire hazard, however through mitigation measures the impact can be considered less than significant.	<u>WDF-1</u> : Construction activities will not take place during a red flag warning (per the local fire department and/or national weather service) and wind, temperature and relative humidity will be monitored in order to minimize the risk of wildfire. Grading will not occur on windy days that could increase the risk of wildfire spread should the equipment create a spark.	Applicant	Applicant	During site development and operation	
	<u>WDF-2</u> : Any vegetation removal or manipulation will take place in the early morning hours before relative humidity drops below 30 percent.	Applicant	Applicant	During site development and operation	
	<u>WDF-3</u> : A Water tender will be present on site during earth work to reduce the risk of wildfire and dust.	Applicant	Applicant	During site development and operation	