



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 14, 2022

CALIFORNIA ENVIRONMENTAL QUALITY ACT INITIAL STUDY (IS 21-55) ENVIRONMENTAL CHECKLIST FORM

1. **Project Title:** LuvBug Farms
2. **Permits:** Initial Study IS 21-55
Minor Use Permit MUP 21-40
3. **Lead Agency Name and Address:** County of Lake
Community Development Department
Courthouse – 255 North Forbes Street
Lakeport, California 95453
4. **Supervisor District:** District One (1)
5. **Contact Person/Phone Number:** Mary Claybon, Assistant Planner (707) 263-2221
6. **Project Location:** 15500 Roberts Road, Middletown, CA
7. **Parcel Numbers:** 013-029-34
8. **Property Size:** **90.73 acres**
9. **Project Sponsor's Name/Address:** Matthew Barash
P.O. Box 746
Middletown, CA 95461
10. **Property Owner:** Same as Applicant
11. **General Plan Designation:** Rural Lands and Resource Conservation
12. **Zoning:** "RL-WW"; Rural Lands - Waterway
13. **Flood Zone:** "X"
14. **Slope:** Steep, mostly over 30%
15. **Natural Hazards:** State Responsibility Area (High Fire Area)
16. **Waterways:** Bradford Creek (intermittent Class II watercourse); an above-ground pond; two Class III unnamed seasonal streams
17. **Fire District:** South Lake County Fire Protection District (CalFire)
18. **School District:** Middletown Unified School District

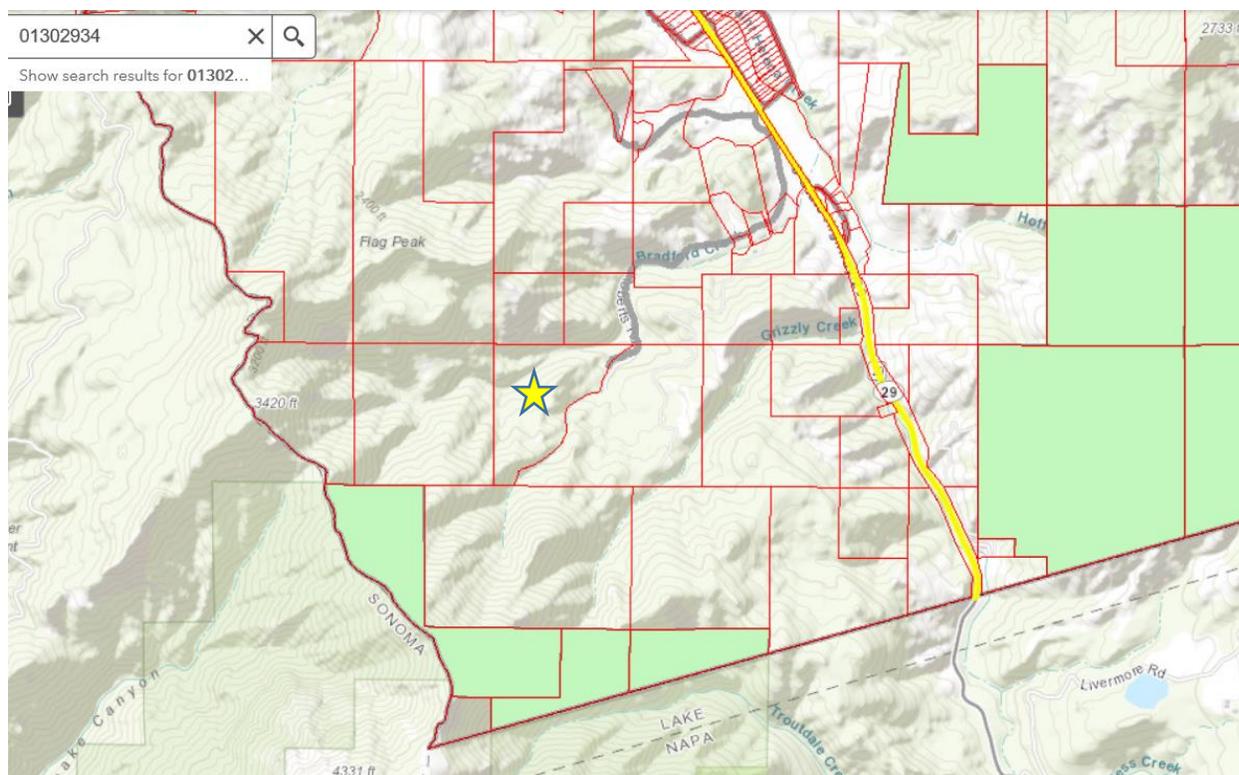
19. Description of Project: (Describe the whole action involved, including but not limited to later phases of the project, and any secondary, support, or off-site features necessary for its implementation. Attach additional sheets if necessary).

One A-Type 2 small outdoor license consisting of 10,000 square feet of cultivation area and an estimated 8,000 square feet of canopy area; the cultivation area also includes two sheds; one of which is 160 sq. ft.; the other is 120 sq. ft. in size; **the total cultivation area shown is 10,280 sq. ft.** The applicant has also applied for an A-Type 13 Self Distribution license to legally transport cannabis to and from the site. The subject parcel is enrolled with the North Coast Regional Water Quality Control Board; this is a pre-requirement for consideration of any cannabis use permit in Lake County.

The site had been previously used for Medicinal Marijuana Cultivation under the now defunct Article 72 within the Lake County Zoning Ordinance. Article 72 was discontinued when the County began allowing adult-use commercial cannabis cultivation in year 2018. The Property Management Plan indicates that because the site had been previously used for commercial cannabis cultivation, no new ground disturbance is needed, and no vegetation is proposed to be removed.

Access to Cultivation Site

Access to the site is taken from Roberts Road, an unpaved shared access road at this location. Roberts Road connects with Highway 29 approximately 1 mile to the south of the subject site.



Construction

The applicant has stated that construction will last up to two weeks. Minimal construction is needed; the site is already prepared for cultivation due to prior use as medicinal marijuana cultivation that occurred in the same footprint that is now proposed for adult-use cannabis. The anticipated construction will primarily pertain to construction of gardening beds and interior road improvements. Staging will occur on previously-disturbed areas on site.

Post-Construction Operations

The application material submitted indicates that daily operations will occur Monday through Saturday, from 8 a.m. to 6 p.m. A maximum of two employees is anticipated. The projected daily delivery trips is one trip per day; the projected maximum projected employee trips are up to four per day (2 employees; 2 trips arriving and 2 trips leaving post-shift). The applicant has stated that two shifts per day will occur, most probably during harvest season. The applicant will place four (4) parking spaces on site by the residence and one (1) ADA compliant parking space next to the cultivation sites.

20. Surrounding Land Uses and Setting: Describe the project's surroundings:

- North, South, East and West: RL-zoned lots ranging in size from 40 acres to over 238 acres. Most are undeveloped. There are no obvious agricultural sites in close proximity to the subject site.

21. Other public agencies whose approval is required (e.g., permits, financing approval, or participation agreement.):

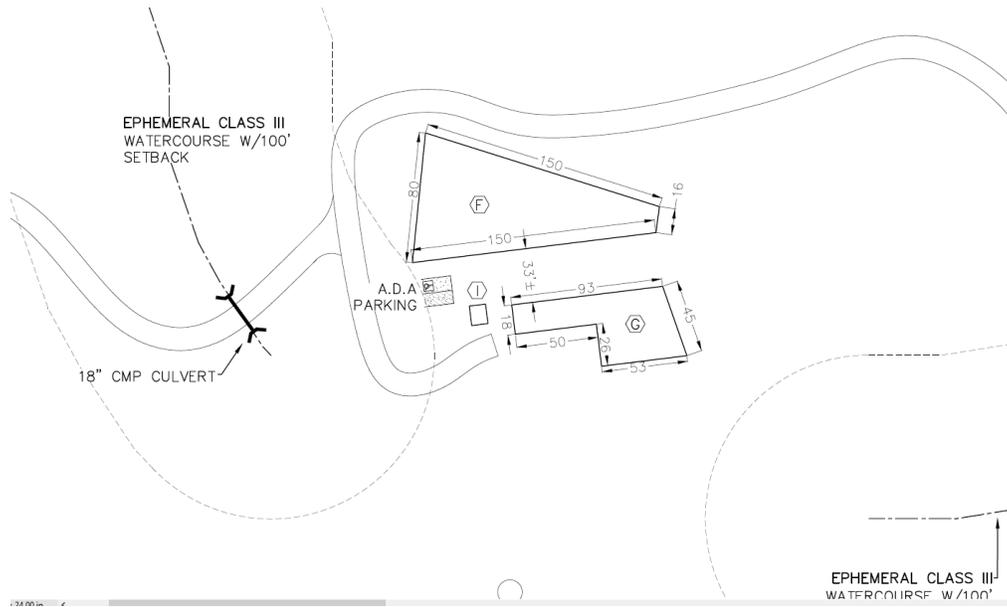
- County of Lake
 - Lake County Community Development Department
 - Lake County Department of Public Works
 - Lake County Air Quality Management District
 - Lake County Sheriff Department
 - Lake County Water Resources Department
 - Lake County Public Services
 - Lake County Department of Environmental Health
- South Lake Fire Protection District (CalFire)
- Central Valley Regional Water Quality Control Board
- California Water Resources Control Board
- California Department of Fish and Wildlife (CDFW)
- Dept. of Cannabis Control (Dept. of Food and Agriculture)
- California Department of Forestry & Fire Protection (Calfire)
- California Department of Pesticides Regulations
- California Department of Public Health
- California Department of Consumer Affairs

22. 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.?

An "AB52 Notice" was sent to area tribes on November 24, 2021. This notice, which is required by Assembly Bill AB52, allowed culturally-affiliated tribes the opportunity to request a formal consultation with the County to discuss potential impacts on tribal resources associated with the project.

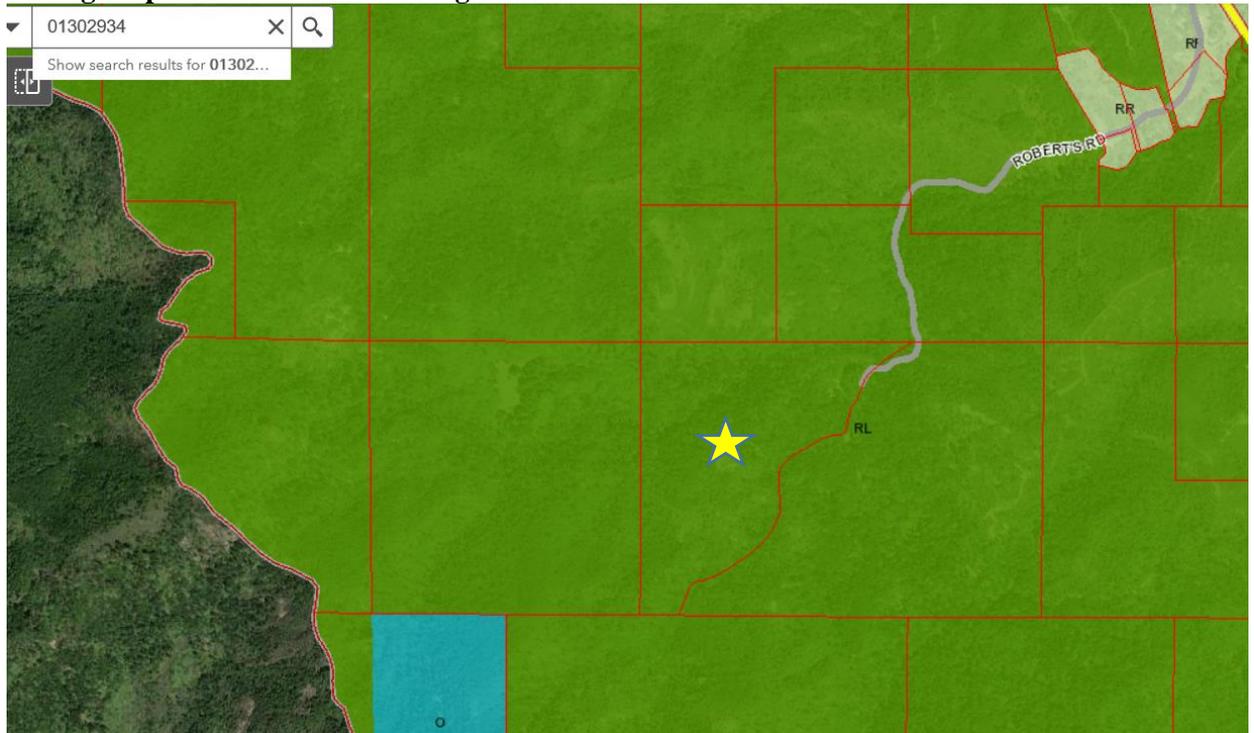
The County received deferral letters from the Upper Lake Habematolel Tribe and from the Yocha Dehe Tribes, neither of which have territorial interest in this site. The Middletown Rancheria Tribe is the culturally-affiliated tribe for this area, however they have not expressed interest in the project.

Site Plans Submitted



Source: Revised Site Plan submitted by Applicant on 2-18-2021

Zoning Map of Site and Surrounding Area



Source: Lake County GIS Mapping Data Base

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

The environmental factors checked below would be potentially affected by this Project, involving at least one impact requiring mitigation to bring it to a less-than-significant level. A Mitigation Monitoring and Reporting Program, included as **Attachment 8**, ensures compliance with mitigation measures during project implementation.

- | | | |
|---|--|---|
| <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 checked="" 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 type="checkbox"/> Geology / Soils | <input type="checkbox"/> Population / Housing | <input checked="" type="checkbox"/> Mandatory Findings of Significance |

DETERMINATION: (To be completed by the lead Agency) - On the basis of this initial evaluation:

- I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.**
- I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- I find that the proposed project MAY have a “potentially significant impact” or “potentially significant unless mitigated” impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
- I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

Initial Study prepared by:
Mary Claybon and Eric Porter



Date: 2-14-2022

SIGNATURE

Mary Darby, 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.

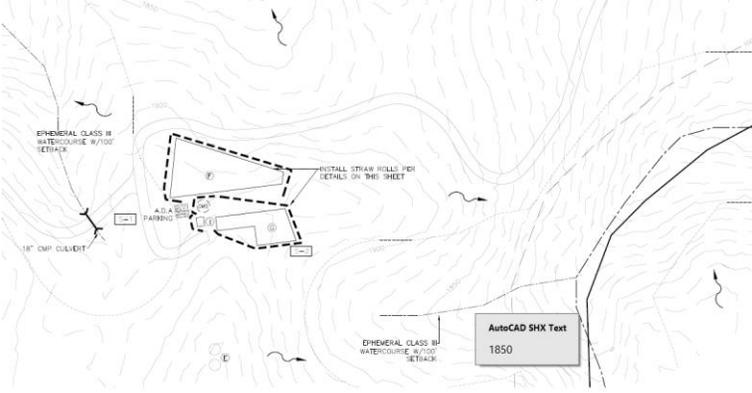
KEY: 1 = POTENTIALLY SIGNIFICANT IMPACT
2 = LESS THAN SIGNIFICANT WITH MITIGATION INCORPORATION
3 = LESS THAN SIGNIFICANT IMPACT
4 = NO IMPACT

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 cultivation site is located in hilly terrain that is not visible from any scenic highways or neighboring lots due to the terrain and the significant tree coverage. The cultivation will occur on a small area that had been previously used for medicinal marijuana cultivation. No Impact	1, 2, 3, 14
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?			X		The applicant states that no trees will be removed with this project, and there are no rock outcroppings or historic buildings on the site. The cultivation site had been previously disturbed by legal medicinal marijuana cultivation under Article 72 (no longer active). Less Than Significant Impact	1, 2, 3, 14
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 not accessible by the public; the road serving the site is a private driveway that terminates on the subject site. The site is 90.73 acres in size, and the terrain is such that neighboring lots and public roads will not be able to see the relatively small (10,280 sq. ft.) cultivation site. Aerial Photo of Site and Surrounding Area  <i>Source: Google Earth Pro</i> Less Than Significant Impact	1, 2, 3, 14
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?			X		No greenhouses are being proposed, and the only potential light sources will be downcast lighting mounted on either the two sheds and/or fence for security purposes. Lighting must meet the recommendations for exterior lighting established within darksky.org; this is a standard condition of approval for all cannabis projects. Less Than Significant Impact	1, 2, 3, 14, 42

IMPACT CATEGORIES*	1	2	3	4	All determinations need explanation. Reference to documentation, sources, notes and correspondence.	Source Number**
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. 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 and surrounding area are zoned Rural Lands, and do not contain active agricultural production. Reference: Lake County Zoning Map, Google Earth Aerial Photo. No Impact	1, 2, 3, 4, 15, 18, 33
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?				X	The surrounding area, including the subject site, are all zoned Rural Lands and are not under Williamson Act contracts. No Impact	1, 2, 3, 4, 18, 15, 33
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?				X	The cultivation sites and surrounding properties are not zoned forest land or timberland, nor are they timber-producing properties. The project will and not result in the rezoning of forest land or timberland. No Impact	1, 2, 3, 4, 18, 15
d) Result in the loss of forest land or conversion of forest land to non-forest use?			X		The proposed project would not result in the loss or conversion of forest land to a non-forest use. No trees would be removed or disturbed since the cultivation area already exists and was historically used for Article 72 medicinal cannabis cultivation. Less Than Significant Impact	1, 2, 3, 4, 18, 15
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	No conversion of farm or forest land will occur as the result of this project. No Impact	1, 2, 3, 4, 18, 15
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. Would the project:</i>						
a) Conflict with or obstruct implementation of the applicable air quality plan?		X			The project has little potential to result in short- and long-term air quality impacts because the affected portion of the site was already used for cannabis cultivation under Article 72, Medicinal Marijuana, and no further site disturbance appears to be necessary. Day-to-day operations of commercial cannabis cultivation projects do have some potential for generating dust, smoke and odors unless some mitigation measures are put in place. The following mitigation measures shall be incorporated as conditions of approval and would further reduce air quality impacts to less than significant for the duration of the project:	1, 3, 32, 5

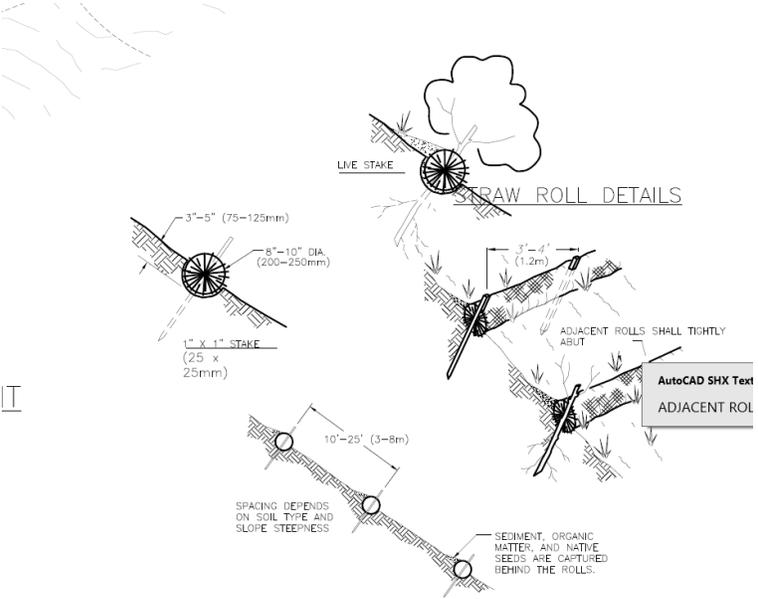
IMPACT CATEGORIES*	1	2	3	4	All determinations need explanation. Reference to documentation, sources, notes and correspondence.	Source Number**
					<p>AQ-1: Prior to obtaining the necessary permits and/or approvals for any phase, applicant shall contact the Lake County Air Quality Management District 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>AQ-2: 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>AQ-3: 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>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.</p> <p>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.</p> <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>Less Than Significant with mitigation measures added.</p>	
b) Violate any air quality standard or result in a cumulatively considerable net increase in an existing or projected air quality violation?			X		<p>The Lake County Air Basin is designated as an attainment area for all applicable federal and state ambient air quality standards. The cultivation activity will not generate any smoke, odor, particulates or other potentially harmful airborne elements that might otherwise adversely impact air quality.</p> <p>Less Than Significant Impact</p>	1, 3, 32, 5
c) Expose sensitive receptors to substantial pollutant concentrations?		X			<p>The cultivation area is located at least 3,000 feet from the nearest house according to GIS mapping data. Neighboring residences are regarded as sensitive receptors.</p> <p>Less Than Significant Impact</p>	1, 3, 32
d) Result in substantial emissions (such as odors or dust) adversely affecting a substantial number of people?		X			<p>Construction on the site will be limited to two small sheds and will last about two weeks, so dust control will be minimally necessary. The small cultivation site, just over 10,000 sq. ft., will not generate significant odors that will be noticeable due to the separation distance of neighboring dwellings. No further odor controls appear to be needed.</p> <p>Less Than Significant with mitigation measures added.</p>	

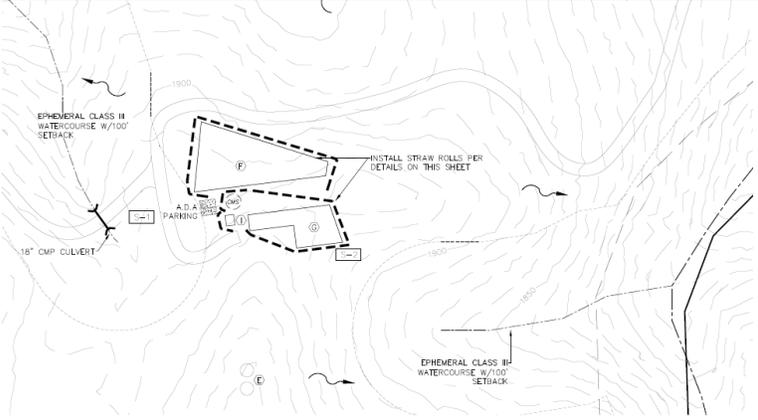
IMPACT CATEGORIES*	1	2	3	4	All determinations need explanation. Reference to documentation, sources, notes and correspondence.	Source Number**
IV. BIOLOGICAL RESOURCES <i>Would the project:</i>						
<p>a) Have a substantial adverse effect, either directly or through habitat modifications, on any species 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?</p>		X			<p>A Biological Assessment was prepared for the project by Pinecrest Environmental Consulting and dated 10-1-2021. Three surveys were conducted at the site: December 1, 2020; March 26, 2021; and July 26, 2021 and concluded a special-status habitat and special-status plant species were observed near the propose cultivation/canopy areas.</p> <p>The onsite communities consist of oak and conifer woodland with an outcrop of serpentine soil near the cultivation area that supports some native grass and chaparral species (Figure 3). There are also riparian zones surrounding the two Class II watercourses onsite. The specific community descriptions below are organized based on the zones that were surveyed. We have used as guidance the <i>Manual of California Vegetation</i> (Sawyer et al. 2009) to guide community classification. Special-status species observed onsite are denoted with an asterisk (*) and followed by their listing status.</p> <p>One special-status plant species was observed near the cultivation areas, St. Helena Fawn Lily (<i>Erythronium helenae</i>; CNPS List 4.2). One special-status habitat was also observed, native serpentine grassland composed primarily of <i>Festuca californica</i>. There are also numerous individuals of Scarlett Fritillary (<i>Fritillaria recurva</i>) in this area. The extent of these sensitive habitat areas are shown in Figure 4. None of these species are listed as Threatened or Endangered by the State or Federal governments, but St. Helena Fawn Lily is included on California Native Plant Society Lists of species that are rare or uncommon and that are required to be avoided, or mitigated for if impacts to their populations are unavoidable. Serpentine outcrops are habitats that contain an unusual proportion of rare native species, and our recommendation is to continue cultivation in existing areas, but to strictly observe the existing boundaries of the cultivation areas, and protect all vegetation inside the red outline areas in Figure 4 within the Biological Study.</p> <p>The Study also recommends the protection and enhancement of the habitat within these sensitive habitat areas by installing erosion control materials upslope of any sensitive habitats, by removing non-native species by hand each spring, and by removing all trash and debris from within sensitive habitat areas.</p> <p>No special-status animal species were directly observed at the time of the site visit. Despite this, there are known occurrences of Northern Spotted Owl (<i>Strix occidentalis</i>; NSO) within 1.5 miles of the cultivation area, thus we recommend protocol-level NSO surveys if conifers greater than 6” are to be removed.</p> <p>The Assessment made the following recommendations:</p> <p>RECOMMENDATIONS Protocol-level NSO surveys are recommended if conifers greater than 6” are to be removed.</p> <p>Installation of erosion control materials upslope of the sensitive habitats. Applicant is to remove non-native species within the special status habitat by hand each Spring.</p> <p>Less Than Significant Impact with Mitigation Incorporated</p> <p>Mitigation Measures:</p>	<p>1, 2, 3, 4, 5, 6, 8, 10, 11, 36, 37, 38, 39, 40, 41</p>

IMPACT CATEGORIES*	1	2	3	4	All determinations need explanation. Reference to documentation, sources, notes and correspondence.	Source Number**
					<p>BIO-1: Before any further vegetation removal occurs a certified biologist shall survey the disturbed areas for vegetation and wildlife. Erosion control materials are to be used upslope of identified sensitive habitats.</p> <p>BIO- 2: Applicant is to remove non-native species within the special-status habitat by hand each Spring per survey recommendations listed in the Botanical Assessment prepared by Pinecrest Environmental Consulting.</p> <p>Less Than Significant with mitigation measures BIO-1 and BIO-2 added.</p>	
<p>b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?</p>			X		<p>There were no locations onsite identified as potential wetlands, although there are several jurisdictional watercourses that should be avoided and appropriate setbacks observed. Article 27.11(at) requires a 100’ setback from top of bank of any watercourse, seasonal or otherwise. No vegetation removal is proposed by this project other than the removal of non-native species by hand as recommended in the Biological Assessment submitted.</p>  <p>The diagram is a site plan showing a project layout overlaid on a topographic map. It features several watercourses and their associated setbacks. Key features include: <ul style="list-style-type: none"> An '18" CMP CULVERT' on the left side. An 'ADJACENT PARKING' area in the center. 'EMERGENCY CLASS II WATERCOURSE W/100' SETBACK' labels pointing to a watercourse on the left and another on the right. 'EMERGENCY CLASS III WATERCOURSE W/100' SETBACK' labels pointing to two watercourses at the bottom. 'DETAIL STRIP ROLLS PER DETAILS ON THIS SHEET' pointing to a dashed-line boundary. 'AutoCAD SHX Text 1850' in the bottom right corner. </p> <p>Less Than Significant Impact</p>	1, 2, 3, 4, 6, 8, 10, 11, 36, 37, 38, 39, 40, 41
<p>c) Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?</p>			X		<p>There is an above-ground pond located on APN 013-029-34 (project parcel). Bradford Creek, an intermittent Class II watercourse, flows from southwest to northeast along the Eastern boundary of the project parcel. North Fork Bradford Creek, an intermittent Class II watercourse flows from southwest to northeast through the northern third of the project parcel. Two ephemeral Class III watercourses form on the project parcel and flow into Bradford Creek and North Fork Bradford Creek.</p> <p>The proposed project does not include project components, including storage of materials, within 100 feet of aquatic habitat. This is consistent with setbacks identified in the State Water Resources Control Board Requirements for cannabis cultivation, and with the setback requirements found in Lake County Zoning Ordinance, Article 27, Part 27.11(at).</p> <p>Less Than Significant Impact</p>	1, 2, 3, 4, 6, 8, 10, 11, 36, 37, 38, 39, 40, 41

IMPACT CATEGORIES*	1	2	3	4	All determinations need explanation. Reference to documentation, sources, notes and correspondence.	Source Number**
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?			X		The cultivation areas totaling 10,280 sq. ft. will be fenced in with a 6' tall chain link or similar type of fence to prevent animals from disturbing the cannabis crop. The fenced areas comparatively small, and are not located on any identified migratory corridors based on the Botanical Assessment submitted to the County. There are no obvious conflicts with migratory wildlife associated with this project. No special habitat species were observed on the site. Less Than Significant Impact	1, 2, 3, 4, 6, 8, 10, 11, 36, 37, 38, 39, 40, 41
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?				X	The Proposed Project would not conflict with any local policies protecting biological resources. According to the Biological Assessment, there are no significant biological resources present on the cultivation area site and no vegetation removal is proposed. There would be no impact. No Impact	1, 2, 3, 4, 6, 8, 10, 11, 36, 37, 38, 39, 40, 41
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 adopted Habitat Conservation Plans, Natural Community Conservation Plans, or other approved local, regional, or state habitat conservation plans that cover project parcel. The project does not conflict with an established or proposed conservation plan. No Impact	1, 2, 3, 4, 6, 8, 10, 11, 36, 37, 38, 39, 40, 41
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 Resource Evaluation was completed for the affected portions of APN 013-029-34, the cultivation areas, by Wolf Creek Archaeological Research and dated March 20, 2021. The cultivation areas on the site had been previously planted with medicinal marijuana in year 2017, and had been previously disturbed. No further disturbance is proposed on the site other than pad preparation for two small sheds. The background research indicated that no cultural sites had been recorded within 1 mile of the project area. During the field inspection, no historic or prehistoric cultural materials were discovered. The surveying archaeologist therefore recommended that the project should proceed as proposed. Lake County is rich in tribal heritage; eleven Tribes either originated from or have tribal interests on properties throughout Lake County. Because of this heritage, the County routinely places several mitigation measures on all commercial cannabis cultivation activities within the County. These mitigation measures are as follows; Mitigation Measures: 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), and the culturally-affiliated Tribe shall be notified, and a qualified archaeologist retained to evaluate the find(s) and recommend mitigation procedures, if necessary, subject to the approval of the Community Development Director. Should any human remains be encountered, they shall be treated in accordance with Public Resources Code Section 5097.98 and Health and Safety Code 7050.5. CUL-2: All employees shall be trained in recognizing potentially significant	1, 2, 3, 6, 19, 20

IMPACT CATEGORIES*	1	2	3	4	All determinations need explanation. Reference to documentation, sources, notes and correspondence.	Source Number**
					artifacts that may be discovered during ground disturbance. If any artifacts or remains are found, the culturally-affiliated Tribe shall immediately be notified; alicensed archaeologist shall be notified, and the Lake County Community Development Director shall be notified of such finds. Less Than Significant with mitigation measures added	
b) Cause a substantial adverse change in the significance of an archeological resource pursuant to §15064.5?			X		The cultivation areas on the site had been previously planted with medicinal marijuana in year 2017, and had been previously disturbed. No further disturbance is proposed on the site other than pad preparation for two small sheds. Less Than Significant Impact	1, 2, 3, 6, 19, 20
c) Disturb any human remains, including those interred outside of formal cemeteries?			X		Because no further site disturbance is proposed, and because the site had been used in 2017 for medicinal marijuana cultivation, and because the Archaeological Survey yielded no finds, relics or remains, it is probable that no remains exist or will be discovered on the site. The proposal will use raised flower beds, and the pad for the two small sheds are each under 200 sq. ft. in size. Less Than Significant Impact	1, 2, 3, 6, 19, 20
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		Construction of the proposed project would require no power. The applicant intends on using an existing small-scale hydropower system that currently supplies electricity to the on-site residence. A closed-circuit television system (CCTV) with motion sensor activated cameras will be used. All areas covered by video surveillance will have adequate lighting to illuminate the camera's field of vision when cameras are activated. Less Than Significant Impact	1, 2, 3, 4, 6, 9, 24, 34, 35
b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?			X		The project is not required to provide renewable energy, which is not a requirement in California until 2024 for projects of this type. Less Than Significant Impact	1, 2, 3, 4, 6, 9, 24, 34, 35
VII. GEOLOGY AND SOILS <i>Would the project:</i>						
a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving: 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			X		<u>Earthquake Faults</u> There are no mapped surface faults on the project property that would have the Based on the Earthquake Fault Zone maps provided by the California Department of Conservation, the project site is not located within an Alquist-Priolo Earthquake Fault Zone, no known faults underlie the site, and no active or potentially active faults are trending towards or through the site. The nearest mapped fault is the Mayacama Fault Zone, which is located approximately 8.3 miles from the Project site. Because there are no known faults located in the Project site, there is no potential for the Project site to rupture during a seismic event. <u>Seismic Ground Shaking and Seismic-Related Ground Failure, including liquefaction</u> Faults exist throughout the County; therefore, there will always be the potential for seismic ground shaking. However, the project site does not contain any mapped unstable soils. It is unlikely that ground failure or liquefaction would	1, 2, 3, 4, 6, 8, 9, 10, 12, 13, 16, 18, 24, 30

IMPACT CATEGORIES*	1	2	3	4	All determinations need explanation. Reference to documentation, sources, notes and correspondence.	Source Number**
<p>and Geology Special Publication 42.</p> <p>ii) Strong seismic ground shaking?</p> <p>iii) Seismic-related ground failure, including liquefaction?</p> <p>iv) Landslides?</p>					<p>occur on the cultivation site in the future given the relatively flat terrain on the cultivation area.</p> <p><u>Landslides</u> Due to low slopes and relatively stable soils on the cultivation sites, the two cultivation areas would not be significantly prone to landslides and would not result in an increased risk of landslides.</p> <p>Less Than Significant Impact</p>	
<p>b) Result in substantial soil erosion or the loss of topsoil?</p>			X		<p>Soils on the site's cultivation areas are classified as Type 115, Benridge-Sodabay loams, 15 to 30 percent slopes. This map unit is on hills. The vegetation is mainly brush with scattered oaks and conifers.</p> <p>Permeability of the Benridge soil is moderately slow; surface runoff is rapid, and the hazard of erosion is severe.</p> <p>The Sodabay soil is very deep and well drained; surface runoff is rapid, and the hazard of erosion is severe.</p>  <p>The applicant has submitted an Erosion Control Plan (Realm Engineering, sheet 1) that shows straw wattles being placed around the perimeter of the cultivation areas for stormwater management and control. Because the site had been previously disturbed by Article 72 medicinal cannabis cultivation, and based on the engineered Soil and Erosion Control plan submitted, the possible impact of this activity is less than significant.</p>	<p>1, 2, 3, 4, 5, 6, 8, 9, 10, 12, 13, 16, 18, 24</p>

IMPACT CATEGORIES*	1	2	3	4	All determinations need explanation. Reference to documentation, sources, notes and correspondence.	Source Number**
					 <p>Less Than Significant Impact</p>	
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on-site or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?			X		<p>According to the Lake County Soil Survey provided for the subject site, the cultivation areas contain type 115 soil; this soil type is not unstable, but is prone to erosion. The cultivation areas are flat and would not be prone to landslides, liquefaction, lateral spreading or collapse.</p> <p>Less Than Significant Impact</p>	1, 2, 3, 4, 6, 8, 9, 10, 12, 13, 18, 24, 30
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?			X		<p>The soils within the cultivation areas are generally stable and are not classified as having a high shrink-swell potential. Although the overall site is steep (greater than 30% slope), the cultivation areas are relatively flat (less than 10% slope). Therefore, the project would not expose people or structures to substantial adverse effects from expansive soil.</p> <p>Less Than Significant Impact</p>	1, 2, 3, 4, 6, 8, 9, 10, 12, 13, 18, 24
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		<p>No new septic systems are proposed or needed. The existing dwellings already have septic systems, and the 90.7 acre property is large enough to accommodate these existing septic systems. The applicant has indicated that portable restrooms will be added to the site for employee use; one of these must be ADA compliant; be cleaned regularly, and an ADA compliant hand-wash station must be added. This is a standard condition of approval for all cannabis cultivation projects.</p> <p>Less Than Significant Impact</p>	1, 2, 3, 4, 6, 8, 9, 10, 12, 13, 18, 24
f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?			X		<p>Due to the site having cultivated medicinal marijuana in 2017, the site had been previously disturbed. There is no proposal of any further site disturbance at the project site location. There were no unique paleontological or unique geologic features identified on the site within any Study conducted on the site.</p> <p>Less Than Significant Impact</p>	1, 2, 3, 6, 11
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		<p>With cannabis cultivation projects, most greenhouse gasses are created during construction. The construction of this project is brief in duration, lasting a period (estimated) of two weeks, and would primarily involve drilling fence post-holes, installing a fence, and installing security cameras.</p>	1, 2, 3, 4, 6, 9, 34, 35

IMPACT CATEGORIES*	1	2	3	4	All determinations need explanation. Reference to documentation, sources, notes and correspondence.	Source Number**
					<p>The outdoor cultivation activity would not generate significant amounts of greenhouse gasses, which are typically created when grown indoors*.</p> <p>*Source: “The Conversation”; article on Greenhouse Gasses. Jason Quinn and Hailey Summers; Colorado State University.</p> <p>Levels of greenhouse gasses emanating from outdoor cannabis cultivation are not yet well studied. The applicant submitted the following by email on January 25, 2022 regarding potential greenhouse gasses:</p> <p>“The potential for carbon payments has special interest for farmers growing hemp, which reportedly (consumes) carbon (dioxide) at a rate of 6 tons per acre, according to the European Industrial Hemp Association, and can play a key role in regenerative farming and soil remediation.”</p> <p>“For biomass carbon inventories of 750 t/ha and typical yields (5000 kg/ha) (UNODC, 2009), associated biomass-related CO2 emissions would be on the order of 150 kg CO2/kg Cannabis (for only one harvest per location), or 3% of that associated with indoor production. These sites typically host on the order of 10,000 plants, although the number can go much higher (Mallery, 2011).”</p> <p>Based on a total cultivation area of 10,300 sq. ft. of potential plants, and based on staff’s estimate of 500 plants per acre, it is probable that a total of about 130 cannabis plants could be planted. The total estimated CO2 output for 135 plants grown outdoors is about 1.5 kg/year.</p> <p>The County of Lake has no thresholds for greenhouse gas emissions; it is therefore not yet possible for any threshold amounts to be established. The County is an air-attainment County with air that is low in particulates that are harmful to humans, assuming a non-fire year.</p> <p>Less Than Significant Impact</p>	
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?			X		<p>To date, Lake County has not adopted any specific GHG reduction strategies or climate action plans. The quantitative thresholds developed by BAAQMD were formulated based on AB 32 and California Climate Change Scoping Plan reduction targets. Thus, a project cannot exceed a numeric BAAQMD threshold without also conflicting with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of GHGs (the state Climate Change Scoping Plan). The applicant’s submittal indicates that projected emissions would be below the BAAQMD numeric threshold, and therefore the project would not conflict with any adopted plans or policies for the reduction of greenhouse gas emissions.</p> <p>Less Than Significant Impact</p>	1, 2, 3, 4, 6, 9, 24, 34, 35
IX. HAZARDS AND HAZARDOUS MATERIALS <i>Would the project:</i>						
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?			X		<p>Materials associated with the cultivation of commercial cannabis, such as fertilizers, pesticides and cleaning solvents, could be considered hazardous if improperly stored, disposed of, or transported. However, all fertilizers, pesticides, and other hazardous materials would be properly stored in their manufacturer’s original containers and placed within a well-marked hazardous waste storage locker within lockable sheds, and all fertilizers and pesticides proposed are organic. Cannabis waste would be mulched or composted; solid waste is not</p>	1, 2, 3, 6, 8, 9, 10, 12, 21

IMPACT CATEGORIES*	1	2	3	4	All determinations need explanation. Reference to documentation, sources, notes and correspondence.	Source Number**
					<p>expected from cannabis vegetative material. The project shall comply with Section 41.7 of the Lake County Zoning Ordinance, which specifies that all uses involving the use or storage of combustible, explosive, caustic, or otherwise hazardous materials shall comply with all applicable local, state, and federal safety standards and shall be provided with adequate safety devices against the hazard of fire and explosion, and adequate firefighting and fire suppression equipment. This is a standard condition of approval for all commercial cannabis cultivation projects.</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>All fertilizers, pesticides, and other hazardous materials are proposed to be properly stored in their manufacturer's original containers and placed within a well-marked hazardous waste storage locker within the agricultural building. The cultivation sites are not located within a flood zone or inundation area, nor is it in area mapped as having unstable soils according to the USDA Web Soil Survey.</p> <p>Less Than Significant Impact</p>	1, 2, 3, 6, 8, 9, 10, 12, 13, 21, 27
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 cultivation sites are located in a rural area and are not located within one-quarter mile of an existing or proposed school.</p> <p>Less Than Significant Impact</p>	1, 2, 3, 6, 8, 9, 10, 12, 13, 21, 27
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 Department of Toxic Substances Control EnviroStor database or the State Water Resources Control Board's GeoTracker database.</p> <p>No Impact</p>	1, 2, 3, 25, 26
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 Proposed Project is not located within an airport land use plan or within two miles of a public airport or private airstrip.</p> <p>No Impact</p>	1, 2, 3
f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?			X		<p>No changes to the existing road network are proposed, nor do any appear to be needed. The subject site accesses Roberts Road, an unpaved shared access road at this location. Roberts Road connects with Highway 29 approximately 1 mile to the south of the subject site. The site is not ideally situated for emergency evacuations given the terrain, however the site is located about 1 mile from a paved State Highway, and the applicant will be required to upgrade the interior driveway to meet Public Resource Code (PRC) 4290 and 4291 road standards.</p> <p>Less Than Significant Impact</p>	1, 2, 3
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 within a High Fire Hazard Severity Zone in a State Responsibility Area. The project will result in two areas that will have new plant materials added (cannabis), and will be located in areas that were previously cleared of fuel load, which may exacerbate the potential for new fuels to be introduced onto the site. The applicant has indicated that excess fuel load has already been removed from the cultivation area portion of the site.</p> <p>Less Than Significant Impact</p>	1, 2, 3, 6, 8, 9, 10, 12, 16, 17, 21,

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		<p>A Hydrology Report, prepared by Realm Engineering and dated December 17, 2021 was submitted for this application. The western half of the project property is located within the southern portion of the Big Valley Groundwater Basin/Management Plan Area, as identified in the 2006 Lake County Groundwater Management Plan. According to the 2006 Lake County Groundwater Management Plan1, the majority of groundwater recharge to the aquifers in the northern portion of the Big Valley Groundwater Basin is derived from infiltration of surface flow from Kelsey and Adobe Creeks. While the aquifers in the southern portion of the Big Valley Groundwater Basin are recharged by percolation of rainfall and by infiltration of streamflow at surface exposures of volcanic ash. There is no evidence in the Hydrology Report that would conclude that this project will violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality.</p> <p>Less Than Significant Impact</p>	1, 2, 3, 4, 6, 8, 9, 10, 18, 24																											
b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?			X		<p>PROJECTED USAGE. The following table presents the expected water use of the proposed cultivation operation in gallons by month during the cultivation season (April through November).</p> <table border="1" data-bbox="656 989 1393 1100"> <thead> <tr> <th></th> <th>Apr</th> <th>May</th> <th>June</th> <th>July</th> <th>Aug</th> <th>Sept</th> <th>Oct</th> <th>Nov</th> </tr> </thead> <tbody> <tr> <td>Low (25" per year)</td> <td>7,500</td> <td>14,000</td> <td>21,500</td> <td>29,000</td> <td>35,000</td> <td>29,000</td> <td>14,000</td> <td>5,850</td> </tr> <tr> <td>High (35" per year)</td> <td>10,000</td> <td>20,000</td> <td>30,000</td> <td>40,000</td> <td>50,000</td> <td>40,000</td> <td>20,000</td> <td>8,180</td> </tr> </tbody> </table> <p>Based on the water use estimates above, the estimated maximum water use is approximately 1,670 gallons per day during peak season.</p> <p>All water for the proposed cultivation operation will come from an existing permitted onsite groundwater well and stored within two existing 3,000 gallon water storage tanks. The onsite groundwater well is located on the subject site. The onsite groundwater well was drilled in October or 2020 to a depth of 140 feet below ground surface (bgs).</p> <p>In June of 2021, a 6-hour Well Performance Test was performed by JAK Drilling & Pump (License No. 1013957) to thoroughly evaluate the production capacity of the well. During the Well Performance Test, the well was pumped between 16 and 6 gallons per minute while the water level in the well was monitored using a Powers Water Meter. Results and conclusions from the Well Performance Test indicate that the existing onsite groundwater well could sustainably produce at least 6 gallons per minute.</p> <p>Irrigation water for the proposed cultivation operation will be stored within two 3,000-gallon water storage tanks. Irrigation water would be pumped to the proposed cultivation areas from the proposed water storage tanks via a system of plastic pipes fitted with outlets for water emitters.</p> <p>As previously stated, the peak anticipated daily demand for water of the proposed cultivation operation is ~1,667 gallons per day, which equates to a need for the water supply well to produce at least 2.4 gpm over a 12-hour pumping period (or 1.2 gpm over a 24-hour period). The Analysis concludes that there is little doubt that the water supply groundwater well will be able to produce at least 2.4 gallons per minute on the hottest driest days in the latest</p>		Apr	May	June	July	Aug	Sept	Oct	Nov	Low (25" per year)	7,500	14,000	21,500	29,000	35,000	29,000	14,000	5,850	High (35" per year)	10,000	20,000	30,000	40,000	50,000	40,000	20,000	8,180	1, 2, 3, 4, 6, 8, 9, 10, 18, 22, 23, 43
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IMPACT CATEGORIES*	1	2	3	4	All determinations need explanation. Reference to documentation, sources, notes and correspondence.	Source Number**
					<p>part of the summer when irrigation water is needed most. Additionally, there is 6,000 gallons of established water storage capacity on the property.</p> <p>AQUIFER/GROUNDWATER RECHARGE Groundwater recharge is the replenishment of an aquifer with water from the land surface. It is usually expressed as an average rate of inches of water per year, similar to precipitation. Thus, the volume of recharge is the rate times the land area under consideration times the time period, and is usually expressed as acre-ft per year. In addition to precipitation, other sources of recharge to an aquifer are stream and lake or pond seepage, irrigation return flow (both from canals and fields), inter-aquifer flows, and urban recharge (from water mains, septic tanks, sewers, and drainage ditches).</p> <p>To estimate the groundwater recharge at the site, we first must assume that the recharge to the aquifer is primarily through rainfall across the 90.7-acre Project Parcel (Lake County APN 013-029-34). Therefore, the annual precipitation available for recharge onsite can initially be estimated using the following data and equation.</p> <p>90.7 acres x 3.2 feet (Average Annual Precipitation for Middletown, CA) = 290.2 acre-feet</p> <p>Estimated Annual Precipitation Onsite = 290.2 acre-feet/year</p> <p>However, this estimate does not account for surface run-off, stream underflow, and evapotranspiration that occurs in all watersheds. According to the USGS, the long-term average precipitation that recharges groundwater in the northern California region is approximately 15 percent. Since the Project Parcel is mountainous, but covered in well-drained very gravelly loams and vegetation, we estimate that the long-term average precipitation that recharges groundwater within the entire site is at least 5 percent (a conservative estimate). With this data and the precipitation data presented above, we can estimate the groundwater recharge of the Project Property by using the following equation.</p> <p>290.2 acre-feet/year (annual precipitation onsite) x 0.05 (long term average recharge) =</p> <p>Estimated Groundwater Recharge = 14.5 acre-feet/year</p> <p>Based on the estimated average annual recharge to the aquifer under the Project Parcel (at least 14.5 acre-feet/year) and the estimated annual water usage of the proposed cultivation operation (0.48 to 0.67 acre-feet/year), it appears that the Applicant will have enough water to meet his demands without causing overdraft conditions.</p> <p>CONCLUSION. All water for the proposed cultivation operation would come from an existing onsite groundwater well located at Latitude: 38.68959° and Longitude: -122.61585°, near the eastern boundary of the Project Parcel. The onsite groundwater well was drilled to a depth of 151 feet below ground surface (bgs) in April of 2021, through clays (7-45 feet bgs) and layered volcanic ash (45-151 feet bgs), and had an estimated yield of 7 gallons per minute (gpm) at the time it was drilled. A recent well pump test performed in September of 2021, indicates that the onsite groundwater well can sustainably produce at least 4.66 gallons per minute. From the well performance test data we can calculate a Specific Capacity of approximately 0.45 gpm/foot for the onsite groundwater well. The total estimated annual water use requirement for the proposed cultivation operation is between 155,850 to 218,180 gallons per year.</p>	

IMPACT CATEGORIES*	1	2	3	4	All determinations need explanation. Reference to documentation, sources, notes and correspondence.	Source Number**
					<p>Based on data from the recent pump test and the estimated water use requirement(s) for the proposed cultivation operation, it appears that the onsite groundwater well is a sufficient water source for the proposed cultivation operation. Based on the estimated average annual recharge to the aquifer under the Project Property (+14.5 acre-feet/year) and the estimated annual water usage of the proposed cultivation operation (0.48 to 0.67 acre-feet/year), it appears that the aquifer storage and recharge area are sufficient to provide for sustainable annual water use at the site and on the Project Property.</p> <p>The calculated a zone of pumping influence for the proposed cultivation operation extends approximately 1,500 feet from the onsite groundwater well. It does not appear that pumping for the proposed cultivation operation will impact neighboring wells, given the horizontal and vertical separations between the onsite groundwater well and neighboring wells. It does not appear that pumping for the proposed cultivation operation will impact nearby ephemeral and intermittent watercourses, as the aquifer from which the onsite groundwater well receives water is considered to be a confined aquifer, receiving groundwater from fractures, joints, and weathered zones that formed between volcanic eruptions of Mt. Saint Helena.</p> <p>Less Than Significant Impact</p>	
<p>c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner that would:</p> <p>i) result in substantial erosion or siltation on-site or off-site;</p> <p>ii) substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite;</p> <p>iii) create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or</p> <p>iv) impede or redirect flood flows?</p>			X		<p>There is a Class III seasonal stream located on the site over 100 feet from the edge of the cultivation area. Bradford Creek, a Class I stream, is located about 600+ feet from the edge of the cultivation area. The Hydrology Report and submitted materials indicate that the cultivation activity would not impact either creek / seasonal channel based on topography, stormwater management plans and cultivation site layout.</p> <p>Less Than Significant Impact</p>	1, 2, 3, 4, 6, 8, 9, 10, 18, 24
<p>d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?</p>				X	<p>The project is not located within a mapped flood plain, tsunami or seiche zoned area.</p> <p>No Impact</p>	1, 2, 3, 4, 6, 8, 9, 10, 12, 16, 18, 24
<p>e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?</p>			X		<p>While there are no thresholds in the County for groundwater depletion, the Realm Hydrology Report calculates aquifer draw, recharge and overall potential for water table depletion due to this project, and has concluded that the project will not deplete the aquifer. There are no water quality control plans in place for the affected water basin.</p> <p>Less Than Significant Impact</p>	1, 2, 3, 4, 6, 8, 9, 10, 18, 22, 23, 24

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	Projects that have the potential to physically divide an established community typically include new freeways and highways, major arterials streets, and railroad lines. The project would not physically divide an established community. No impact would occur. No Impact	
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		The project is located within the Middletown Area Plan boundary and is designated Rural Lands (RL) in the Lake County General Plan and Zoning Maps. The project has not yet been evaluated for consistency with the General Plan or applicable Zoning Ordinance sections, however the sites are not located in a mapped Exclusion Area or Farmland Protection area, and commercial cannabis is allowed in the RL zoning district if the project meets all applicable standards and criteria, and can be approved through a major use permit. Less Than Significant Impact	1, 2, 3, 4, 6, 7, 16
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 Lake County Aggregate Resource Management Plan does not identify a source of minerals on the project site. No Impact	1, 2, 3, 16, 28, 29
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	Neither the County of Lake's General Plan nor the Lake County Aggregate Resource Management Plan designates the project site as not being a locally important mineral resource recovery site. No Impact	1, 2, 3, 16, 28, 29
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			Construction on the two cultivation sites may result in short-term increases in the ambient noise environment. Operational activities may result in a slight increase in the ambient noise environment (e.g. truck trips, air filtration system). The application materials submitted indicate that only a small skid loader would be needed to prepare the site. Skid loaders are generally not large enough to create groundborne vibrations, however noise-related mitigation measures are typically added for any site disturbance related to commercial cannabis site preparation and ongoing activities. Therefore, Mitigation Measures NOI-1 through NO-3 would ensure that the project adheres to all requirements and standards outlined in the Lake County Zoning Ordinance Section 21-41.11 during and after site preparation. Mitigation Measures: NOI-1: The 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 at the property lines NOI-2: All construction activities including engine warm-up shall be limited Monday through Friday, between the hours of 7:00am and 7:00pm to	1, 2, 3, 4, 6

IMPACT CATEGORIES*	1	2	3	4	All determinations need explanation. Reference to documentation, sources, notes and correspondence.	Source Number**
					<p>minimize noise impacts on nearby residents. Back-up beepers shall be adjusted to the lowest allowable levels.</p> <p>NOI-3: The maximum one-hour equivalent sound pressure received by a receiving property or receptor (dwelling, hospital, school, library, or nursing home) 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 measured at the property lines.</p> <p>Less Than Significant with Mitigation Incorporated</p>	
b) Generation of excessive groundborne vibration or groundborne noise levels?			X		<p>The project is not expected to create unusual groundborne vibration due to construction and the low level of truck traffic during construction and deliveries would create a minimal amount of groundborne vibration. The project would be required to adhere to all local noise requirements related to construction and post-construction activities.</p> <p>Less Than Significant Impact</p>	1, 2, 3, 4, 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	<p>The site is not located within two miles of a public airport or private airstrip.</p> <p>No Impact</p>	
XIV. POPULATION AND HOUSING <i>Would the project:</i>						
a) Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?				X	<p>The project does not involve the construction of homes or facilities that would directly or indirectly induce unplanned population growth.</p> <p>No Impact</p>	1, 2, 3, 6, 16
b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?				X	<p>No people or housing would be displaced as a result of the project.</p> <p>No Impact</p>	1, 2, 3, 6, 16
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:			X		<p>The project does not involve new or altered government facilities, and will not increase demand for police or fire protection. The water impacts were evaluated in the Hydrology portion of this report. Power demands will be minimal for the proposed 10,300 sq. ft. outdoor cultivation site, and the applicant is using solar power for the security system and for any new outdoor lighting. The site is served by an existing septic system. Less Than Significant Impact</p>	1, 2, 3

IMPACT CATEGORIES*	1	2	3	4	All determinations need explanation. Reference to documentation, sources, notes and correspondence.	Source Number**
Fire Protection? Police Protection? Schools? Parks? Other Public Facilities?						
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 proposed project does not include components that would have any significant impacts on existing parks or other recreational facilities. No Impact	
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	The proposed project does not include recreational facilities and would not require the construction or expansion of recreation facilities. No Impact	
XVII. TRANSPORTATION <i>Would the project:</i>						
a) Conflict with a plan, ordinance or policy addressing the circulation system, including transit, roadways, bicycle lanes and pedestrian paths?		X			Access to the site is taken from Roberts Road, an unpaved shared access road at this location. Roberts Road connects with Highway 29 approximately 1 mile to the south of the subject site. The interior driveway needs to meet CalFire driveway standards, and will be required to be improved to comply with Public Resource Codes (PRC) 4290 and 4291. Verification of this will be a mitigation measure and condition of approval prior to the start of cultivation. The mitigation measure / condition of approval regarding the interior driveway is as follows: TRANS-1: Prior to cultivation, the applicant shall improve the interior driveway in a manner that complies with Public Resource Code sections PRC 4290 and 4291. This includes, but is not limited to, surface material, road slope, road width, turnouts, vertical clearance. The applicant shall contact the Lake County Building Department to schedule a 4290 and 4291 inspection prior to any cultivation activity occurring on the site. Less Than Significant Impact with mitigation measure added	1, 2, 3, 6
b) For a land use project, would the project conflict with or be inconsistent with CEQA guidelines section 15064.3, subdivision (b)(1)?			X		The project must meet Public Resource Codes 4290 and 4291 for the interior driveway. The applicant shall be able to upgrade the surface material of the existing interior driveway to gravel surface within a reasonable amount of time and as a mitigation measure stated in (a) above. Less Than Significant Impact	1, 2, 3, 6
c) For a transportation project, would the project conflict with or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)(2)?				X	The project is not a transportation project. No Impact	1, 2, 3, 6

IMPACT CATEGORIES*	1	2	3	4	All determinations need explanation. Reference to documentation, sources, notes and correspondence.	Source Number**
d) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?			X		This project does not include modification to the existing public roadways or design features that would increase hazards. The applicant is however required to verify that the interior driveway has been brought up to PRC 4290 and 4291 driveway standards, and will need to schedule a site visit with the Building Department prior to the start of cultivation. Less Than Significant Impact	1, 2, 3, 6
e) Result in inadequate emergency access?			X		The project will require the interior driveway to be in compliance with CalFire driveway standards as stated within (a) above. Less Than Significant Impact	
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		There are no potentially significant structures or other relics, artifacts or items on the site according to the Archeological Study undertaken for this site, and the cultivation sites were used previously as legally-permitted medicinal cannabis cultivation. Less Than Significant Impact	1, 2, 3, 6, 19, 20
b) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resources Code 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.		X			There were no significant or potentially significant items found on the site during the Archeological Study undertaken by Wolf Creek Archaeology. Less Than Significant Impact	1, 2, 3, 6, 19, 20
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		No new on-grid power demands are proposed. Water was evaluated through the Hydrology Report that was discussed previously; no un-mitigatable water issues are stated in the Report. No telecommunication systems are impacted or proposed. Stormwater drainage is addressed in the studies provided to the County for this project. No new wastewater treatment facilities are needed. Less Than Significant Impact	1, 3, 6
b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?			X		The Hydrology Report submitted shows that there is adequate aquifer recharge during drought- and non-drought years to support this project. Less Than Significant Impact	1, 3, 6

IMPACT CATEGORIES*	1	2	3	4	All determinations need explanation. Reference to documentation, sources, notes and correspondence.	Source Number**
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 project does not require any additional wastewater treatment. An ADA compliant portable toilet would be available on site according to the applicant's submitted materials. No Impact	6
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		Lake County solid waste provider has capacity for at least four more years of solid waste capacity before needing to expand their facilities according to the Public Services Director. Less Than Significant Impact	1, 3, 6, 31
e) Negatively impact the provision of solid waste services or impair the attainment of solid waste reduction goals?					There is adequate solid waste capacity in the Lake County solid waste facility to accommodate this project. Less Than Significant Impact	
f) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?			X		There is adequate solid waste capacity in the Lake County solid waste facility to accommodate this project. Commercial cannabis cultivation projects typically generate between 200 and 400 pounds of solid waste per year, although that estimate is based on much larger cultivation projects. There are no current capacity issues associated with the landfill for Lake County. Less Than Significant Impact	1, 3, 6, 31
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) Impair an adopted emergency response plan or emergency evacuation plan?		X			No changes to the road system serving the private driveway are proposed, and the applicant has indicated that he will upgrade the interior driveway to meet PRC 4290 and 4291 driveway standards. Confirmation via site visit will be required as a mitigation measure (TRANS-1) and as a condition of approval. Less Than Significant Impact with mitigation measure TRANS-1 added.	1, 2, 3, 6, 12, 16, 17, 18, 24, 44
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 Project Site is located within a High Fire Hazard Severity Zone in a State Responsibility Area. The applicant will have two 3,000 gallon water tanks on site that could be used for fire-suppression purposes if needed. The two cultivation areas are relatively flat, although the surrounding areas on the site are relatively steep. Prevailing winds are typically from the northwest and blow to the southeast in this area. The area is characterized by large lots that are either undeveloped or marginally developed, particularly in the direction of the prevailing winds. The cultivation areas proposed would introduce new potential fuel into areas that are presently (relatively) brush-free, but the project would also bring significant water storage onto the site, which would help suppress fire that were smaller in scale. The impact of wind-borne pollutants during a wildfire varies depending on the severity of the fire, and Lake County has a history of having very significant wildfires. There are no practical mitigation measures that can reasonably be placed on the cultivator that would cause pollutants that originate from an undetermined-sized wildfire to occur. Less Than Significant Impact	1, 2, 3, 6, 12, 16, 17, 18, 24

IMPACT CATEGORIES*	1	2	3	4	All determinations need explanation. Reference to documentation, sources, notes and correspondence.	Source Number**
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		No brush removal other than the recommended removal of non-native vegetation in the spring (recommended by the Biological Assessment submitted), or other fire suppression activities have been proposed in the Property Management Plan or any other materials submitted for this project. The site is located in a High Fire Area; however the project will not increase the potential risks of wildfire. Less Than Significant Impact	1, 2, 3, 6, 12, 16, 17, 18, 24
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		The two cultivation areas are relatively flat. This project would not increase the risk of people residing or working downslope from the cultivation sites due to the terrain. Less Than Significant Impact	1, 2, 3, 6, 12, 16, 17, 18, 24
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			As discussed in the previous sections, the Proposed Project could potentially have significant environmental effects with respect to Air Quality, Biological Resources, Cultural Resources and Noise. However, the impacts of the project can be reduced to a less than significant level with the implementation of the mitigation measures identified in the sections. Less Than Significant with Mitigation Measures Incorporated	ALL
b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?		X			Cumulative impacts for each resource area have been considered within the analysis of each resource area. There are no other cultivation sites located within 2 miles of the subject site. When appropriate, mitigation measures have been provided to reduce all potential impacts to a less-than-significant levels. Less Than Significant with Mitigation Measures Incorporated	ALL
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?		X			The potential direct environmental effects of the Proposed Project have been considered within the discussion of each environmental resource area in the previous sections. When appropriate, mitigation measures have been provided to reduce all potential impacts to a less-than-significant levels. Less Than Significant with Mitigation Measures Incorporated	ALL

* Impact Categories defined by CEQA

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