

**CALIFORNIA ENVIRONMENTAL QUALITY ACT
ENVIRONMENTAL CHECKLIST FORM
INITIAL STUDY IS 20-118**

1. **Project Title:** Kanapy
2. **Permit Number:** Major Use Permit, UP 20-98
Initial Study, IS 20-118
3. **Lead Agency Name and Address:** County of Lake
Community Development Department
Courthouse – 255 North Forbes Street
Lakeport CA 95453
4. **Contact Person:** Andrew Amelung
Cannabis Program Manager
(707) 263-2221
5. **Project Location(s):** 1010 Argonaut Rd., Lakeport, CA 95453
APNs: 008-033-61
6. **Project Sponsor's Name/Address:** Kanapy, Inc.
1010 Argonaut Rd.
Lakeport, CA 95453
7. **General Plan Designation:** Agriculture
8. **Zoning:** "A-WW-FF-SC-AA" Agriculture -Waterway - Floodway
Fringe - Scenic Combining - Airport Approach
Combining District
9. **Supervisor District:** District Four (4)
10. **Flood Zone:** AO - Flood zone
11. **Slope:** 0%, parcel is flat
12. **Fire Hazard Severity Zone:** Non-Wildland/Non-urban
13. **Earthquake Fault Zone:** No
14. **Dam Failure Inundation Area:** Located within Dam Failure Inundation Area
15. **Parcel Sizes:** 38.27 acres

16. Environmental Setting and Existing Conditions

The proposed Kanapy cannabis project is located at 1010 Argonaut Rd. approximately 3.25 miles southeast of the intersection of the city of Lakeport and within 1,000 feet of Highway 29, within the Kelseyville Planning Area. The proposed project area is within Watershed HUC-12180201160306, bordering western Clear Lake. The property has a Class II watercourse flowing north/south through the western side of the property and a Class III watercourse, flowing along the northern property boundary, both of which are over 100 feet from the proposed cultivation areas. There are no other identified surface water bodies on the Project property, and there are no stream crossings or diversions on site. The property is developed with a permitted residence and septic system, residential accessory structures, and an existing well.

The property is accessed from an existing driveway off of Argonaut Road, immediately next to Highway 29. The property has been utilized for residential purposes. The proposed project is sited within an approximately 2.5-acre area on the east portion of the property that is mostly clear, flat, and with a prior agricultural use as a walnut orchard.

17. 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).

As shown in Figure 1, Kanapy is seeking discretionary approval from Lake County for a Major Use Permit (UP 20-98), for a total of 29,498 square feet (sq. ft.) of canopy area and a total of 79,500 sq. ft. of cultivation area at 1010 Argonaut Road, Lakeport (APN 008-033-61), as follows:

- (1) *A-Type 3B: "mixed light" license*: Greenhouse cultivation for adult-use cannabis with the use of artificial lighting in the canopy area from 10,001 sq. ft. to 22,000 sq. ft.
- (3) *A-Type 1C: "Specialty Cottage" license*: Greenhouse cultivation for adult-use cannabis with the use of artificial lighting in the canopy area up to 2,500 sq. ft.

The applicant is proposing 1 A-Type 3B “mixed light” license and 3 A-Type 1C “Specialty Cottage” licenses within (19) 30’ x 100’ greenhouses each being 15’ tall.

(1) *A-Type 13 Self Distribution license*

The project also proposes:

- (1) One 30’ x 100’ processing facility with ADA-compliant restroom that will apply through a building permit for a septic
- (2) Two 30’ x 75’ processing facilities
- (8) Eight 2,500-gallon water tanks, one being steel or fiberglass for fire suppression
- (1) One 20’-wide access driveway from Argonaut Way
- (4) Four employee parking spaces, including one (1) ADA-compliant parking space
- (1) One loading zone

Perimeter fence and security cameras

The use of an existing on-site agricultural well



Figure 1: Proposed Project Site Plan (Source: Kanapy Site Plans)

The proposed cultivation activities would occur in an open flat area of unused land on APN 008-033-61. The 29,498 sq. ft. of mixed-light cultivation would occur within nineteen (19) 30' x 100' greenhouses each being 15' tall. The greenhouses will be constructed from galvanized steel frames with a 6-millimeter polyethylene film covering the entire roof for black-out purposes. On each of the 30' ends of the greenhouse will be a metal bay door. Artificial lighting for the mixed-light cultivation would occur year-round at a rate of up to 25 watts per sq. ft.

Immature plants would be sourced either from a permitted off-site nursery, or cultivated onsite in the Immature Plant Greenhouses. Processing activities, such as drying, trimming, curing, and packaging, would occur within the two proposed 30' x 75' and one proposed 30' x 100' processing buildings. Self-transport distribution activities would also operate out of these processing buildings and would include up to one delivery/pickup per day.

Water for the proposed project would be sourced from the existing onsite well (lat/long 38.995627, -122.891535) located near the center of the property. The well report did not disclose the depth. Cal-Tech Pump filed a Well Completion Report on November 18th, 2020 and found that the well is rated at 320 gallons per minute.

Water would be pumped from the well to the eight (8) proposed 2,500-gallon capacity storage tanks, gravity-fed to the cultivation area through underground water lines and delivered to the plants utilizing drip irrigation techniques to conserve water. According to the Water Use Management section of the Property Management Plan, the projected water use for the proposed 29,498 sq. ft. of canopy area was estimated to be 459,475 gallons annually. Table 1 details projected monthly water use estimates for a typical year.

Monthly Water Use Estimates											
Jan	Feb	Mar	April	May	June	July	Aug	Sept	Oct	Nov	Dec
18,532	18,532	18,532	33,294	48,043	52,964	57,885	57,885	57,885	48,043	28,373	18,532

Table 1: Proposed Monthly Water Use (Source: Kanapy Management Plan)

A Hydrology Report for the proposed project was prepared by VanderWall Engineering, dated October 25, 2021. The report estimated the total water usage based on irrigation numbers from the agricultural well (Well #1), and domestic water use from Well #5. Well #1 will be used to irrigate the mature canopy, immature greenhouse area, and for employee activities within the three storage containers (processing buildings). Well #5, the domestic well, will be used for the 3-bedroom home on-site. Total annual water usage from these activities is estimated at 643,493 gallons. The aquifer recharge rate for this given location was then calculated by the area x drought precipitation x coefficient of seepage, which estimated a total volume of 1,875,787 gallons per year. The report concluded that given current estimations, this proposed project would have more than adequate water supply for at least double the proposed irrigation use. Additionally, even within a drought year (where only 20% of the annual precipitation is received) the proposed irrigation needs for this project would not impact the surrounding neighbors' wells.

Power for the proposed cultivation activities would come from a proposed Pacific Gas and Electric (P.G.&E.) service through the future building permit for the processing facility, greenhouses, and security system. A gasoline-powered generator would be kept onsite for use during emergency situations only. The project provided a potential energy load calculation based on the estimated energy usage for the proposed project. The load calculation was completed by an electrical contractor JW Electric out of Kelseyville, California. The load estimates the total amps required for the proposed project to be 10,800 amps.

Approximately four (4) employees are proposed to run the activities during peak seasonal activities. Four (4) parking spots, including one (1) ADA-compliant space, would be made available to employees. One (1) delivery/pickup per day is estimated. Hours of operation for the proposed activities would typically be between 8 am and 6 pm daily, with deliveries and pickups restricted to 9 am -7pm Monday through Saturday and Sunday from 12 pm to 5 pm. Employees would have access to the ADA-compliant restroom proposed in the 30' x 100' processing facility.

Kanapy plans to be fully organic with their supplements of both dry and liquid fertilizers. The proposed dry fertilizers will be from organic compost. Only pesticides listed on the CDFA approved list of pesticides will be used for this cultivation project. Any use of the pesticides and fertilizers will be in limited quantities during the growing months and only used when necessary. All the fertilizers, nutrients, and pesticides will only be purchased and delivered to the property as needed. They will be stored separately in the secure processing facility, in their original containers and used as directed by the manufacturer. All pesticides/fertilizers will be mixed/prepared on an impermeable surface with secondary containment, at least 100 feet from surface water bodies. Empty containers will be disposed of by placing them in a separate seal tight bin with a fitted lid and disposed of at the local solid waste facility within the county. At no time will fertilizers/nutrients be applied at a rate greater than 319 pounds of nitrogen per acre per year (requirement of the State Water Resource Control Board's Cannabis General Order). Water soluble fertilizers/nutrients will be delivered via the drip and micro-spray irrigation system(s) of the proposed cultivation operation to promote optimal plant growth and flower formation while using as little product as necessary. Petroleum products will be stored year-round in State of California-approved containers with secondary containment and separate from pesticides and fertilizers, within the processing facilities.

No hazardous waste would be produced from this project. Organic waste, including stems, root balls, and leaves from the cannabis plants, would be placed in a designated composting area within the cultivation area (outside of stream buffers), to be composted and reused in the cultivation process. All non-organic solid waste would be stored in bins with securely fitted lids in the cultivation area until proper disposal at a Lake County Integrated Waste Management facility, likely Eastlake Landfill.

Security for the site would include an access gate, which would remain locked outside of business hours. The gate would be secured with a heavy-duty chain, commercial grade padlock, and a Knox Box to allow 24/7 access to emergency service vehicles in the event of an emergency. Additionally, a 6 ft.-tall chain-link perimeter fence and privacy mesh screen would be constructed around the entire cultivation area and would be mounted with three (3) security cameras, per the Security Plan (Sheet 6 of Site Plans). An additional camera and security infrastructure would be located inside the proposed 30' x 100' processing facility for compliance with the Department of Cannabis Control regulations for distribution activities.

Construction

According to the applicant, the following is regarding the site preparation and construction of the proposed project:

1. Ground disturbance and structure construction activities would take place over a 7-to-10-week period.
2. The proposed cultivation areas are extremely flat at nearly 0% slope and require minimal to no grading in the form of topsoil smoothing for greenhouses, according to the applicant. The amount of grading would be allowed under the building permits to build the greenhouses. Grading is estimated to include 2-4 cubic yards of topsoil movement for each structure, totaling 108 cubic yards (27 separate structures X 4 cubic yards each). No grading is needed for the upgrade of the

roadway as its width is sufficient but would require additional gravel to be placed on top in order to meet a minimum depth of 6", as per Lake County standards.

3. The proposed project requires the addition of a short gravel roadway to 20' in width, and parking spaces to be constructed for the project.
4. Approximately 130 to 160 truck vehicle trips would be necessary for construction.
5. Six walnut trees, not being harvested, will be cut and removed from the base of the topsoil to intentionally exclude the root system.
6. Water from the existing onsite well would be used to mitigate the generation of dust when needed during construction.
7. Materials and equipment will only be staged on previously disturbed areas (the site had been previously used as a walnut orchard). No areas will be disturbed for the purpose of staging materials or equipment.
8. All construction activities, including engine warm-up, would be limited to Monday through Saturday, between the hours of 9:00 AM to 7:00 PM, and Sunday from 12:00 PM to 5:00 PM.

All equipment would be maintained and operated to minimize spillage or leakage of hazardous materials. All equipment would be refueled in locations more than 100 feet from surface water bodies. Servicing of equipment would occur on an impermeable surface. In the event of a spill or leak, the contaminated soil would be stored, transported, and disposed of consistent with applicable local, state, and federal regulations.

Minimal grading is proposed as the project area is a previously disturbed, 0% sloped flat area, as described above. Due to the project area being flat, an estimated 2-4 cubic yards of topsoil would needed to be displaced, which would be covered under the building permit. According to the Property Management Plan, the following erosion control measures would be followed:

1. Installation of straw wattles made from a non-plastic material around the cultivation area
2. Addition of gravel/crushed rock on the access road
3. Application of native grass seed mixture to exposed or bare areas
4. Frequent visual monitoring inspections during the wet season
5. Application of erosion control measures as needed to minimize concentrated flow paths.

Erosion control measures proposed to be followed would be regulated by the State Water Resources Control Board (SWRCB). Annual reporting, which includes proof of erosion control measures that were implemented during the previous grow season, to the SWRCB is required for the WDID to remain in compliance. Erosion control measures to be implemented are outlined within the SWRCB General Order as well as in the biological assessment conducted on site.

Post - Construction

1. Hours of operation will be 8:00 AM to 6:00 PM
2. Up to 4 employees per shift would occupy the site
3. Two-way trips per day (including deliveries) estimated at 8 Average Daily Trips. During peak season with 2 shifts there would be an estimated 16 employee trips.

4. On-grid power with P.G.&E. is proposed with an emergency backup generator
5. Existing well would be used for irrigation
6. Vegetative waste to be composted on site

Paul Walia (Discharger) of Kanapy is enrolled with the State Water Resources Control Board (SWRCB) for Tier 2, Low Risk coverage under Order No. WQ 2019-001-DWQ (General Order). The site was assigned WDID No. 5S17CC429184. The General Order requires the preparation of a Site Management Plan (SMP) and a Nitrogen Management Plan (NMP). The purpose of the SMP is to identify Best Practicable Treatment or Control (BPTC) measures that the site intends to follow for erosion control purposes and to prevent stormwater pollution. The purpose of the NMP is to identify how nitrogen is stored, used, and applied to crops in a way that is protective to water quality.

A Biological Resource Assessment & Plant Survey were conducted for the project area by Pinecrest Environmental Consulting on November 22, 2020. A Cultural Resource Evaluation was conducted for the project area by Dr. John Parker on October 9, 2020.

18. Surrounding Land Uses and Setting (Figure 2 and Figure 3):

- North: Agriculture (A) zoned properties
- South: Agriculture (A) zoned properties
- East: Agriculture (A) zoned properties
- West: Agriculture (A) zoned properties

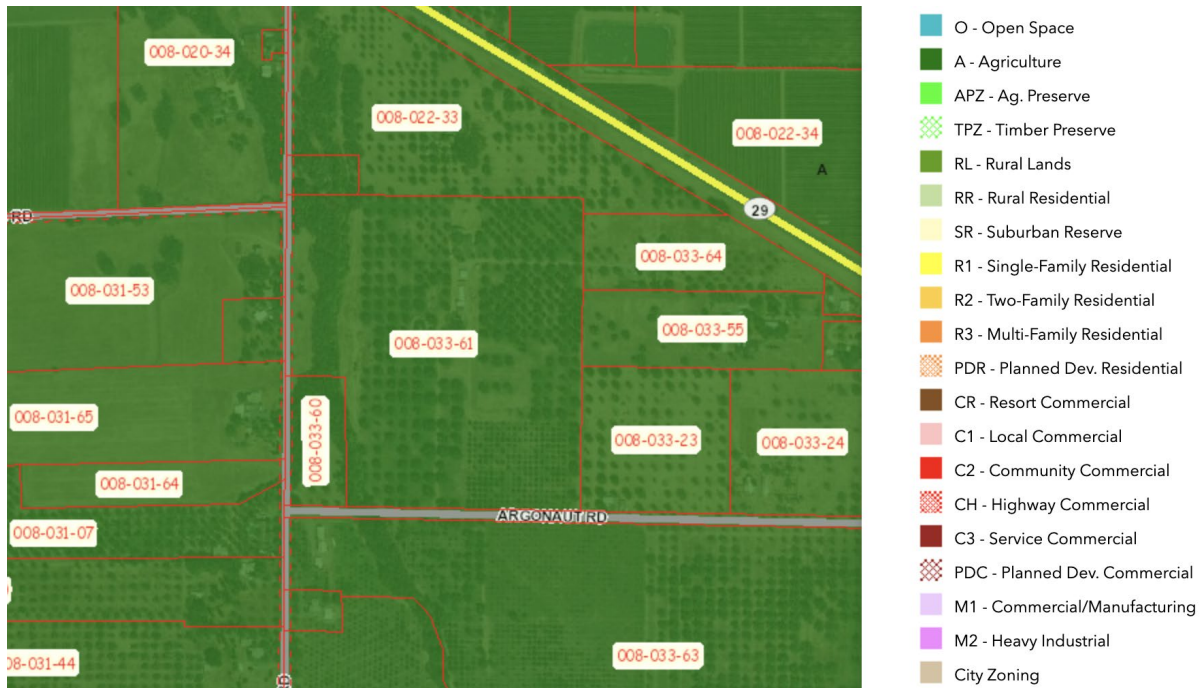


Figure 2. Zoning of Project Parcel (APN 008-033-61) and Surrounding Properties (Source: Lake County Parcel Viewer, 2021)

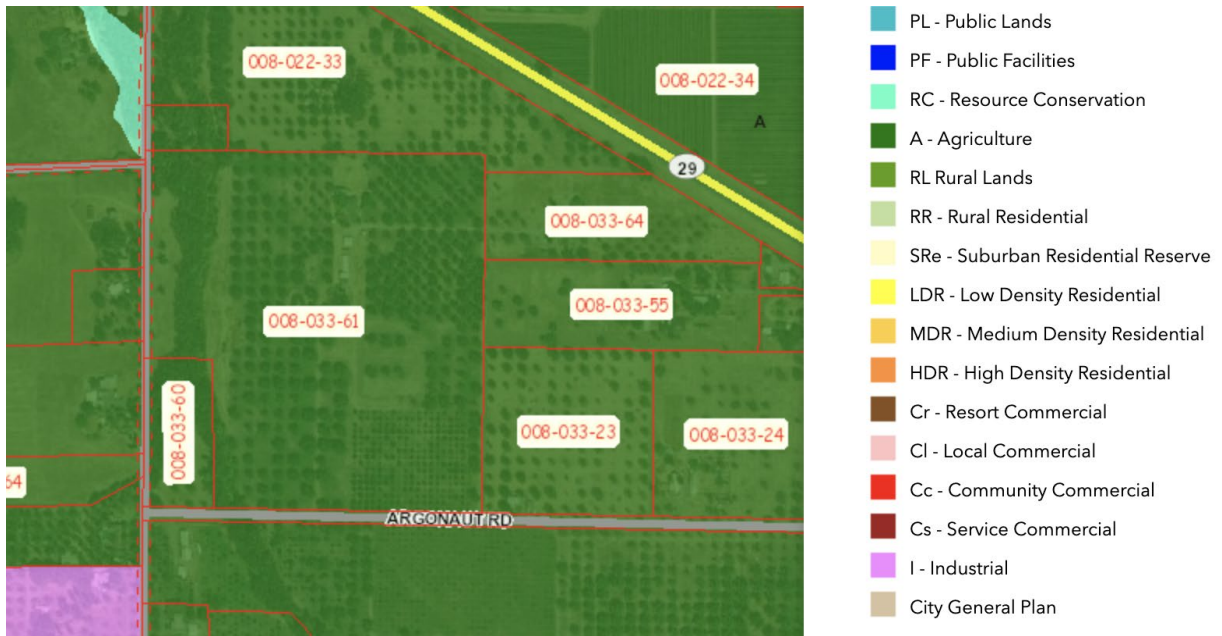


Figure 3: General Plan Designations of Project Parcel (APN 008-033-61) and Surrounding Properties (Source: Lake County Parcel Viewer, 2021)

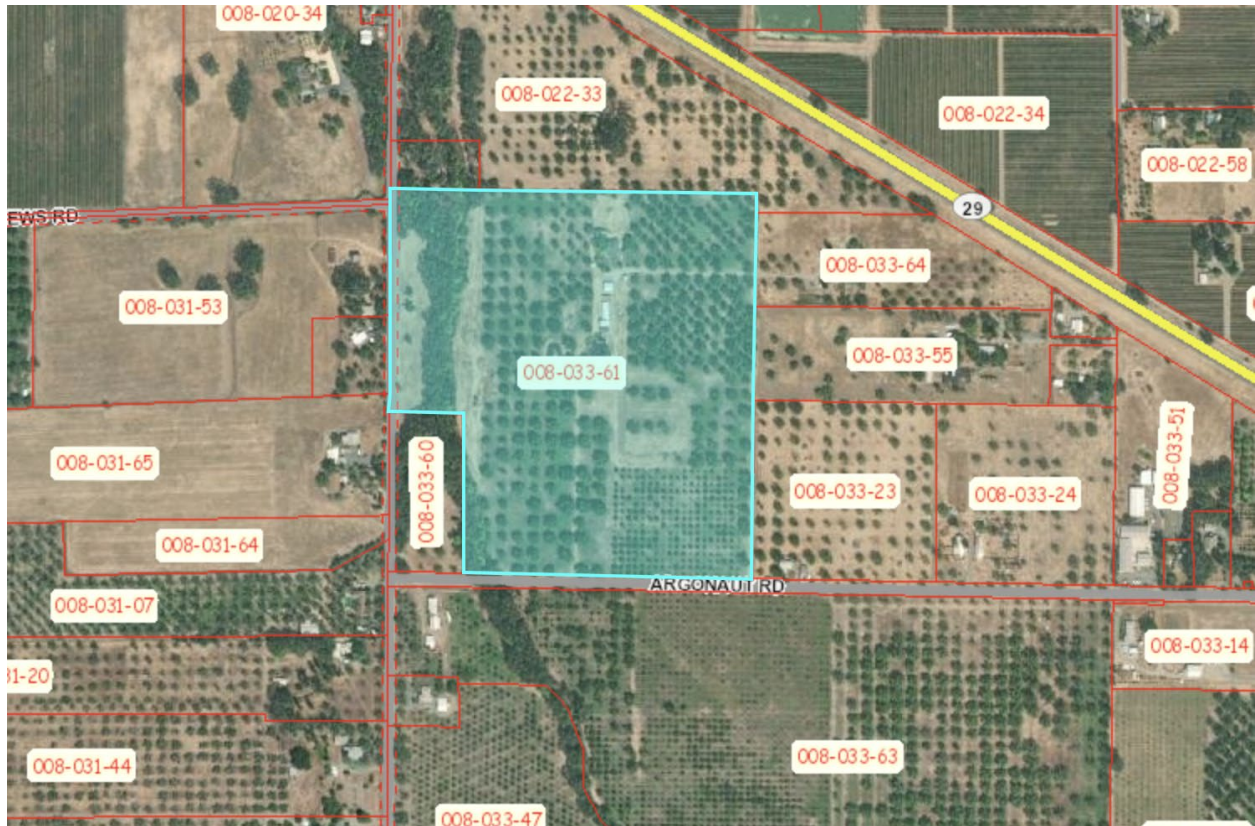


Figure 4. Aerial Photo of Project Parcel (APN 008-033-61) (Source: Lake County Parcel Viewer, 2021)

19. Other public agencies whose approval may be required (e.g., Permits, financing approval, or participation agreement.)

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

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

Notification of the project was sent to local tribes on August 11, 2020, through the Assembly Bill 52 consultation process. AB52 Tribal Consultation Notification was sent to Big Valley Rancheria, Cortina Rancheria, Elem Colony, Hopland Band of Pomo, Koi Nation, Mishewal-Wappo, Middletown Rancheria, Redwood Valley, Robinson Rancheria, Scotts Valley Band of Pomo, Upper Lake Habematolel, and Yocha Dehe.

On April 20, 2021, Ronald Montez, Tribal Historic Preservation Officer for the Big Valley Band of Pomo Indians, requested a consultation with the County of Lake, given the project's potential for tree removal, and the necessary 2-3 cubic yards of grading per greenhouse. Mr. Montez additionally requested a Tribal Monitoring Contract from the applicant on any ground disturbance associated with the project. The project owners and consultant reached out to THPO Montez via email to request a site visit and further discuss the project. THPO Montez scheduled a site visit with the applicants on June 10, 2021, to observe the location of the potential tree removal and any

other ground disturbance areas. On July 2, 2021, THPO Montez spoke with the project consultant and determined that since the trees would be removed at the base, not uprooted, that the earlier request for consultation be withdrawn. Email confirmation outlining the formal withdrawal of consultation from THPO Montez was sent to the consultant on the same day. The consultant forwarded the comments to the County of Lake on July 15, 2021.

Another comment was received on April 20, 2021, by Mary Camp, Tribal Administrator for the Redwood Valley Rancheria. Ms. Camp deferred commentary to the Big Valley and Scotts Valley Tribes. The Scotts Valley Tribe has not yet replied to the County's AB52 request for commentary.

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

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

<input checked="" type="checkbox"/>	<u>Aesthetics</u>	<input type="checkbox"/>	<u>Greenhouse Gas Emissions</u>	<input type="checkbox"/>	<u>Public Services</u>
<input type="checkbox"/>	<u>Agriculture & Forestry</u>	<input checked="" type="checkbox"/>	<u>Hazards & Hazardous Materials</u>	<input type="checkbox"/>	<u>Recreation</u>
<input checked="" type="checkbox"/>	<u>Air Quality</u>	<input checked="" type="checkbox"/>	<u>Hydrology / Water Quality</u>	<input type="checkbox"/>	<u>Transportation</u>
<input checked="" type="checkbox"/>	<u>Biological Resources</u>	<input type="checkbox"/>	<u>Land Use / Planning</u>	<input type="checkbox"/>	<u>Tribal Cultural Resources</u>
<input checked="" type="checkbox"/>	<u>Cultural Resources</u>	<input type="checkbox"/>	<u>Mineral Resources</u>	<input checked="" type="checkbox"/>	<u>Utilities / Service Systems</u>
<input type="checkbox"/>	Energy	<input checked="" type="checkbox"/>	<u>Noise</u>	<input checked="" type="checkbox"/>	<u>Wildfire</u>
<input checked="" type="checkbox"/>	<u>Geology / Soils</u>	<input type="checkbox"/>	<u>Population / Housing</u>	<input checked="" type="checkbox"/>	<u>Mandatory Findings of Significance</u>


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 Prepared By:
Sufyan Houmada, Lake County Planning Consultants

Reviewed and Edited By:
Katherine Schaefer, Assistant Planner
Andrew Amelung, Cannabis Program Manager

SIGNATURE  AWA

Date: 11/21/2022

Mireya Turner – Community Development Director
Community Development Department, County of Lake

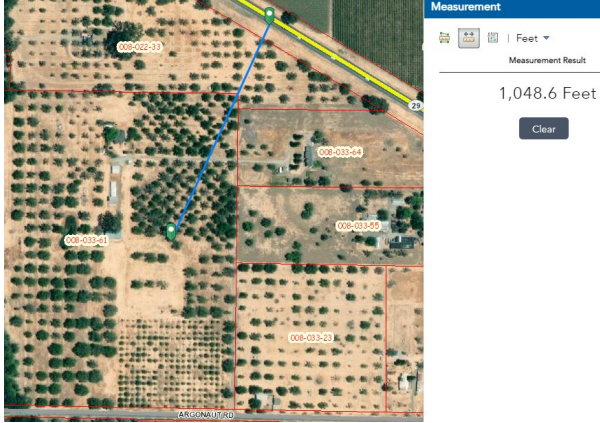
SECTION 1 - EVALUATION OF ENVIRONMENTAL IMPACTS:


- 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>Would the project:</i>						
a) Have a substantial adverse effect on a scenic vista?			X		<p>The project site is accessed by a private driveway off Argonaut Rd., which is in close proximity to State Highway 29. There are no scenic vistas on or adjacent to the subject site, however due to proximity to Highway 29 it is in a scenic combining district zone. The proposed project would be located over 1,000 feet from Highway 29 and is naturally screened by the existing vegetation surrounding the property. The property is heavily vegetated with walnut trees as well as some scattered oak trees. Walnut trees would only be removed in the proposed cultivation area, however the remaining walnut trees completely surrounding the proposed project would remain and block the views of the site year-round. The greenhouse height of 15' tall will not be seen over the walnut trees. The cultivation site is located near the center of the Project Parcel and is enclosed within the existing walnut orchard surrounding the cultivation site.</p>  <p>Less than Significant Impact</p>	1, 2, 3, 4, 5, 6, 943
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?			X		<p>The site is located near Highway 29, which is not designated as a state scenic highway but is eligible to be designated. Although the project parcel has a Scenic Corridor (SC) Combining zone designation, the property is not immediately adjacent to State Highway 29; there are properties between the subject lot and the source of the Scenic Combining overlay district. See graphic above.</p> <p>The County has made an interpretation that a lot must be adjacent to a scenic road in order for the restrictions associated with greenhouses to apply. This site, while in the SC overlay zone, does not have to adhere to the height and size restrictions that would otherwise apply to greenhouses if the lot were immediately adjacent to the scenic road.</p> <p>The proposed project would involve the construction of greenhouses and processing buildings on the project property, but these would be similar to existing structures in the vicinity of the proposed project, and at 15' in height, they would not be tall enough to affect the views along Highway 29, due to the</p>	2, 3, 4, 9

			<p>vegetative screening. Therefore, the impact would be less than significant, and no mitigation is required.</p>  <p><i>Figure 5: Street View of Project Parcel (Source: Google Earth, 2021)</i></p> <p>Less than Significant Impact</p>	
c) Substantially degrade the existing visual character or quality of public views the site and its surroundings? If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?		X	<p>See response I(b). The site is in a rural, unincorporated area of Lake County south of Lakeport and is situated in a manner that makes it difficult to be seen from Highway 29, particularly while driving at typical highway speeds. There will be dense underbrush and trees as well as screened fencing between the road and the cultivation areas. The project is consistent with the property zoning and general plan land use designations in the area.</p> <p>Less Than Significant Impact</p>	1, 2, 3, 4, 6, 9
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?		X	<p>The project has some potential to create additional light and/or glare through the mixed-light cultivation and the exterior security lighting. The proposed use is a mixed light cultivation operation; however, all cultivation lighting would be concealed within the greenhouses. The following mitigation measures have been implemented that would reduce the impacts to less than significant:</p> <p>Less than Significant Impact with Mitigation Measure AES-1 through AES-4</p> <p>AES-1: Prepare an Outdoor Lighting Plan The permit holder will prepare an Outdoor Lighting Plan that meets the lighting recommendations of the International Dark Sky Association, to be found at: https://www.darksky.org/our-work/lighting/. A draft Outdoor Lighting Plan shall be submitted to the Lake County Community Development Department for review and approval prior to operation of the facility.</p> <p>AES-2: Artificial Lighting Use in Greenhouses All greenhouses incorporating artificial lighting shall be equipped with blackout film/material to be used at night for maximum light blockage to lessen the impact of such lighting on surrounding parcels and to maintain dark skies. The Applicant shall submit a Blackout/Materials Plan to the Community Development Department for review and approval prior to issuance of any permits.</p>	1, 2, 3, 4, 5, 6, 9

				<p>AES-3: All cannabis-related buildings shall be screened from view from neighboring lots and public roads by a minimum 6' tall screening fence.</p> <p>AES-4: Prior to any phase, all cultivation areas shall incorporate a vegetative plant screening consisting of trees being planted at 25' intervals. Vegetation screening shall be irrigated; shall consist of native trees and shall be maintained in good health for the life of the project.</p> <p>By preparing an Outdoor Lighting Plan that complies with the International Dark Sky Association recommendations, by application of materials to block light from greenhouses at night, and by constructing view-blocking fencing and vegetation, all with review from the Community Development Department, the potential for the project to result in a substantial amount of stray light would be minimized.</p> <p>Less Than Significant Impact with Mitigation Incorporated</p>	
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II. AGRICULTURE AND FORESTRY RESOURCES
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:

a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?			X	<p>The property contains farmland classified as "Prime Farmland" and "Unique Farmland" per the Lake County 2016 Farmland Mapping and Monitoring Program (FMMP) (Figure 6). The Unique and Prime Farmland is located on the project property but does not overlap the proposed cultivation area. Additionally, commercial cannabis cultivation would not convert the land from agricultural uses nor impact the continued use of the property for agricultural purposes.</p> <p>Lake County Ordinance No. 3101 (15, December 2020) requires all commercial cannabis cultivation within important farmland soils be restricted to an indoor or enclosed structure with an air filtration system.</p> <p>Although the project is within an area designated as a farmland protection zone, all cultivation will take place indoors, and thus meets the County's requirements. Thus, there would be no impact and no mitigation measures are required.</p>	1, 2, 3, 4, 7, 8, 11, 13, 38
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				<p>Figure 6. Farmland Mapping and Monitoring Program designations on the project site</p>	
				<p>No Impact</p>	
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?			X	<p>The site is not under a Williamson Act Contract.</p> <p>Additionally, the cultivation portion of the site would not interfere with the ability of the owner or neighbors to use the non-cannabis land for more traditional crop production. The site is zoned Agriculture (A), and the proposed project would be consistent with that use.</p> <p>No Impact</p>	1, 2, 3, 4, 5, 7, 8, 11, 13
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	<p>The property is zoned Agriculture (A) and does not contain forest land. Therefore, the proposed project would not conflict with existing zoning and/or cause the rezoning of forest land as defined by Public Resource Code section 4526, or of timberland as defined by Government Code section 51104(g).</p> <p>No Impact</p>	1, 2, 3, 4, 5, 7, 8, 11, 13
d) Result in the loss of forest land or conversion of forest land to non-forest use?			X	<p>Please see response to Section II (c). The project would not result in the loss or conversion of forest land to a non-forest use.</p> <p>No Impact</p>	1, 2, 3, 4, 5, 7, 8, 11, 13
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	<p>As noted above, the proposed project site is not zoned as timberlands. Neither would the proposed project result in the conversion of any farmlands. Therefore, there would be no impacts related to the conversion of farmland or forest lands to other uses, and no mitigation measures are required.</p> <p>No Impact</p>	1, 2, 3, 4, 5, 7, 8, 11, 13

III. AIR QUALITY
Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations.
Would the project:

<p>a) Conflict with or obstruct implementation of the applicable air quality plan?</p>	<p>X</p>	<p>The project site is located within the Lake County Air Basin, which is under the jurisdiction of the Lake County Air Quality Management District (LCAQMD). The LCAQMD applies air pollution regulations to all major stationary pollution sources and monitors air quality. The Lake County Air Basin is in attainment with both state and federal air quality standards. According to the USDA Soil Survey and the GIS soils map of Lake County, serpentine soils have not been found within the project area or project vicinity.</p> <p>Since the Lake County Air Basin is in attainment for all air pollutants, air quality plans are not required in Lake County.</p> <p>Although the Lake County Air Basin is not required to have an air quality plan, the proposed project has the potential to result in short- and long-term air quality impacts from construction and operation of the proposed project.</p> <p>The applicant developed an Air Quality Management Plan to manage cannabis-related emissions and odors during construction and operation of the proposed project. Construction impacts, which are limited to road improvements, building the processing buildings and greenhouses, preparing soils for planting, and running gasoline and diesel-powered equipment, would be temporary in nature and would occur over about a 7-to-10-week period. Ongoing field management is considered an operational, not construction, activity.</p> <p>According to the Air Quality Management Plan from Kanapy, operational impacts would include emissions from the gasoline-powered generator, which is proposed to be used only for emergencies, and from dust and fumes from site preparation of the cultivation area and vehicular traffic, including small delivery vehicles that would be contributors during and after site preparation/construction. Odors generated by the plants, particularly during harvest season, would be mitigated through passive means (separation distance), maintenance of native vegetation, and through the ventilation system (carbon filters/air scrubbers) in the processing facility. Implementation of mitigation measures would reduce air quality impacts to less than significant. Dust during site preparation would be limited during periods of high winds (over 15 mph). All visibly dry, disturbed soil and road surfaces would be watered to minimize fugitive dust emissions.</p> <p>Dust and fumes may be released as a result of vehicular traffic, including small delivery vehicles. The proposed cultivation areas are relatively flat at nearly 0% slope and require minimal to no grading in the form of topsoil smoothing for greenhouses, according to the applicant. The amount of grading would be allowed under the building permits to build the greenhouses and is estimated to be 2-4 cubic yards of topsoil movement for each structure. No grading is needed for the upgrade of the roadway. Additionally, implementation of mitigation measures below would further reduce air quality impacts to less than significant.</p> <p>Project Construction</p> <p>Construction of the proposed project has the potential to result in short-term dust emissions during site preparation and</p>	<p>1, 3, 4, 5, 21, 24, 31, 36</p>
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				<p>construction. To reduce this impact to less than significant, implement Mitigation Measure AQ-1 through AQ-7</p> <p>AQ-1: Authority to Construct Permit Prior to obtaining the necessary permits and/or approvals for any phase, the 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: Mobile Diesel Equipment 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 compression ignition engines.</p> <p>AQ-3: Disposal of Vegetation Materials During Construction All vegetation removed during site development shall be chipped and spread for ground cover and/or erosion control. The burning of vegetation and construction debris including waste material is prohibited.</p> <p>AQ-4: Surfacing of Access and Parking Areas The application shall apply gravel to all vehicle access and parking areas and will provide concrete walkways for all pedestrian travel paths.</p> <p>AQ-5: Infrequently Used Driveways and Parking All areas subject to infrequent use of driveways, overflow parking, etc., shall be surfaced with gravel. Applicant shall regularly use and/or maintain graveled area to reduce fugitive dust generations.</p> <p>AQ-6: Dust Migration Mitigation The applicant shall apply water to the ground during any and all site preparation work that is required for project building, as well as during any interior driveway improvements to mitigate dust migration.</p> <p>Because Mitigation Measures AQ-1 through AQ-6 requires the applicant to minimize dust generation and to minimize other sources of pollution during construction of the proposed project, it will ensure that this impact is less than significant.</p> <p>Project Operations</p> <p>The project will only use stationary diesel generators in emergency situations. Power use on the project site will be electricity provided by PG&E. However, operation of the proposed project has the potential to generate air pollutants through travel to and from the site by workers, for delivery of materials, and for the shipment of finished project. Travel-related emissions would be a total of 16 trips (4 workers per shift, with 2 sets of shifts and workers traveling to and from the site). The delivery and shipment of product is expected to average 2 trips per week (1 delivery/shipment per week to and from the site).</p>	
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				<p>In addition, emissions could result from the use of volatile compounds in project operations. This is considered a significant impact. To reduce this impact to less than significant, implement Mitigation Measure AQ-7.</p> <p>AQ-7: Hazardous or Toxic Materials 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>Impacts would be Less than Significant with Mitigation Measures AQ-1 through AQ-7 incorporated.</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 County of Lake is in attainment of state and federal ambient air quality standards. Burning cannabis waste is prohibited within the commercial cannabis ordinance for Lake County, and use of generators are only allowed during a power outage. On-site construction is likely to occur over a relatively short period of time (estimated 7 to 10 weeks) with minimal grading. Potential particulate matter could be generated during construction activities and build-out of the site, however, in general, construction activities that last for less than one year, and use standard quantities and types of construction equipment, are not required to be quantified and are assumed to have a less than significant impact. It is unlikely that this use would generate enough particulates during and after construction to violate any air quality standards.</p> <p>Less than Significant Impact</p>	1, 2, 3, 4, 5, 21, 24, 31, 36
c) Expose sensitive receptors to substantial pollutant concentrations?			X	<p>Land uses that are considered sensitive receptors typically include residences, schools, parks, childcare centers, hospitals, convalescent homes, and retirement homes. There are no schools, parks, childcare centers, convalescent homes, or retirement homes located near the project. The nearest off-site residence appears to be located approximately 500 feet from the proposed cultivation area to the southeast. Article 27 of the Lake County Zoning Ordinance requires that the minimum setback for commercial cannabis cultivation be 200 feet from off-site residences. Pesticide application would be only organic, according to the Property Management Plan, and would only be applied during the growing months and applied carefully to individual plants. The cultivation area would be surrounded by a fence and mesh which would help prevent off-site drift of pesticides. As such, sensitive receptors would not likely be exposed to substantial pollutant concentrations from pesticides. Additionally, no demolition or renovation is proposed that could expose sensitive receptors to asbestos and no serpentine soils are mapped onsite.</p> <p>Less than Significant Impact</p>	1, 2, 3, 4, 5, 10, 21, 24, 31, 36

<p>d) Result in substantial emissions (such as odors or dust) adversely affecting a substantial number of people?</p>	<p>X</p>		<p>See response to <i>III Air Quality (c)</i> above. Odors generated by the plants, particularly during harvest season, would be mitigated. The processing buildings (shipping containers) would be outfitted with carbon filters/air scrubbers installed to prevent odors from leaving the premises during all processing phases (see Mitigation Measure AQ-1). Additionally, odors would be mitigated through passive means (separation distance) and maintenance of native vegetation surrounding the site (outside of the defensible space buffer). Implementation of mitigation measures would reduce air quality impacts to less than significant.</p> <p>The proposed cultivation would generate minimal amounts of emissions from operation of small gasoline engines (tillers, weed eaters, lawn mowers, etc.) and from vehicular traffic associated with staff communicating and delivery/pickups. Additionally, Mitigation Measures AQ-1 and AQ-7 would reduce impacts of dust generation from on-site roads and parking areas.</p> <p>Impacts would be Less than Significant with Mitigation Measures AQ-1 through AQ-9 Incorporated.</p> <p>AQ-8: Each greenhouse shall contain an air and odor filtration system. Method of filtration shall be provided to the Lake County Planning Department for review prior to any construction occurring on site.</p> <p>AQ-9: The applicant shall apply water to the ground during any and all site preparation work that is required for the greenhouses and drying building, as well as during any interior driveway improvements to mitigate dust migration.</p>	<p>1, 2, 3, 4, 5, 21, 24, 31, 36</p>
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IV. BIOLOGICAL RESOURCES
Would the project:

<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>	<p>X</p>		<p>A Biological Resource Assessment with Botanical Survey (discussed further as “BA”) was prepared by Pinecrest Environmental Consulting on November 22, 2020.</p> <p>Onsite Waters/Wetlands: The proposed project area is within Watershed HUC-12180201160306. There are two jurisdictional watercourses onsite and one stock pond with wetland vegetation. The main watercourse is a Class II reach of Thompson Creek that flows north along the western parcel boundary. This channel is seasonal and largely inaccessible due to dense riparian vegetation. No development is proposed within the required state and county setbacks from these features.</p> <p>Wildlife: The BA reviewed relevant databases for special-status wildlife species, which showed 14 species as documented within five miles. A survey was conducted to observe potential habitat, which found that potential habitat existed for Foothill Yellow Legged Frogs.</p> <p>Plants: The BA reviewed relevant databases for special-status plant species, which showed 16 species documented within five miles. However, after an in-field survey it was determined that none occurred on site, other than the Black Walnut, which was said to occur within the creek setbacks, a significant distance from the cultivation site, therefore no impacts are</p>	<p>2, 5, 11, 12, 13, 16, 24, 29, 30, 31, 32, 33, 34</p>
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anticipated.

Mitigation Measures:

The BA did recommend a few mitigation measures as follows:

BIO-1: Due to the presence of suitable habitat, and due to the existence of the Foothill Yellow Legged Frog within migration distance of the site, the avoidance and minimization measures related to amphibians in Appendix F7 of the Biological Assessment dated November 22, 2020, be followed at all times, including:

7. All employees and contractors including one-time contractors and day-laborers should be distributed cards with visual identification of the Foothill Yellow Legged Frog, including both male and female, and juvenile and adult forms, and be briefed on all of the following AMMs contained herein.
8. Observation of any Foothill Yellow Legged Frog onsite shall result in immediate stoppage of all work and notification of a qualified Biologist and/or the California Department of Fish and Wildlife.
9. All animals observed onsite shall be allowed to leave the premises voluntarily without being harassed.
10. Vehicle speeds should be limited to 5 mph all year, with 3 mph limit during amphibian breeding and migration season from October 1-June 1.
11. Avoid ground disturbance including trenching, grading, or road scraping to a depth of greater than 10” without first clearing the site from a qualified biologist to avoid disturbing estivating amphibians.
12. All roadways and culverts should be inspected once before major rain events and once after to ensure that all erosion control materials are effective and not discharging sediment to any jurisdictional watercourses.
13. All containers and other vessels left outside unattended should be checked before use to ensure that no animals are inside.
14. Vessels including buckets should be turned over on their sides to allow animals to escape.
15. No holes greater than 6” deep should be left exposed and uncovered to avoid making “pitfall traps” into which animals can enter but cannot escape. If holes such as post holes must be left for more than 24 hours, they should be

				<p>checked daily to ensure no animals are inside.</p> <p>16. Clear areas within 100 feet of any watercourse by a biological monitor prior to disturbing the ground more than 6”.</p> <p>BIO-2: The pond with wetland vegetation should not be modified or removed due to the presence of wetland vegetation and the high likelihood for native amphibians to utilize that habitat.</p> <p>BIO-3: An annual survey for bullfrogs be performed and any bullfrogs present in the pond be removed with a trident on an annual basis. Removal should be undertaken by a qualified biologist to ensure that only American Bullfrogs and not Foothill Yellow Legged Frogs are removed.</p> <p>BIO-4: The riparian corridor surrounding Thompson Creek shall not be disturbed as part of Cannabis development in any case.</p> <p>BIO-5: The very large Valley Oak (Quercus lobata) just north of the old wood barn should not be removed due to the value it provides for wildlife habitat and due to its age.</p> <p>Less than Significant Impact with mitigation measures BIO-1 through BIO-5 added.</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?	X		<p>Refer to Section <i>IV Biological Resources (a)</i> above. All project activities would be set back from watercourses by at least 100-feet. This setback is consistent with Article 27 of the Lake County Zoning Ordinance that regulates commercial cannabis cultivation. The applicant has provided a Property Management Plan, which addresses controlled water runoff in a manner that reduces impacts to this stream. No development would occur within the drainage buffers and setbacks.</p> <p>Erosion control measures to control erosion and sedimentation during construction and operation have been identified in the Property Management Plan. Measures include straw wattles and vegetative buffers.</p> <p>The project is enrolled with the State Water Resources Control Board (SWRCB) for Tier 2, Low Risk coverage under Order No. WQ 2019-001-DWQ (General Order). Tier 2 dischargers reflect cultivation sites that disturb over one acre and are located on flat slopes outside of riparian setbacks. The General Order requires the preparation of a Site Management Plan (SMP) and a Nitrogen Management Plan (NMP). The purpose of the SMP is to identify Best Practicable Treatment or Control (BPTC) measures that the site intends to follow for erosion control purposes and to prevent stormwater pollution. The purpose of the NMP is to identify how nitrogen is stored, used, and applied to crops in a way that is protective to water quality. The SMP and NMP are required prior to commencing cultivation activities and were submitted with the application materials.</p>	1, 2, 3, 4, 5, 11, 12, 13, 16, 17, 29, 30, 31, 32, 33, 34	

				<p>Impacts would be Less Than Significant with Mitigation Measures BIO-1 through BIO-6 Incorporated.</p> <p>BIO-6: All work should incorporate erosion control measures consistent with Lake County Grading Regulations and the State Water Resources Control Board Order No. WQ 2019-001-DWQ.</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?			X	<p>Refer to Section <i>IV Biological Resources (a) and (b)</i> above.</p> <p>The small stock pond and riparian corridor along Thompson Creek are not anticipated to experience any impacts. The applicant has provided a Property Management Plan, which addresses controlled water runoff in a manner that reduces impacts to this stream. No development would occur within the drainage buffers and setbacks.</p> <p>Therefore, project implementation would not directly impact any wetlands.</p> <p>No Impact</p>	1, 2, 3, 4, 5, 11, 12, 13, 16, 17, 21, 24, 29, 30, 31, 32, 33, 34
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	<p>Wildlife movement corridors consist of areas of undisturbed vegetation that interconnect separate areas of habitat. Riparian areas are important for maintaining terrestrial wildlife movement, as these areas provide cover, water, and other wildlife habitat elements, and owing to their linear nature along creeks and streams, provide natural interconnections among non-adjacent areas of wildlife habitats.</p> <p>The project site will be set back from watercourses, including the riparian corridor along Thompson Creek, by at least 100-feet. Additionally, the project will abide by the best management practices within the Site Management Plan and Nitrogen Management Plan required by the SWRCB's Cannabis General Order. Further, the portion of the property used for cannabis cultivation is relatively small compared to the size of the property, so any migrations that could occur, would not be prevented by development of the proposed project. This impact is considered less than significant, and no mitigation is required.</p> <p>Less than Significant Impact</p>	13
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?			X	<p>Refer to Section <i>Biological Resources IV(a-d)</i> above. This project does not conflict with any local policies or ordinances protecting biological resources. The project proposes to remove up 6 walnut trees that are no longer producing, from the base up excluding the root system.</p> <p>Implementation of the project does not conflict with any county or municipal policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance.</p> <p>Less than Significant Impact</p>	1, 2, 3, 4, 5, 11, 12, 13
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	<p>No special conservation plans have been adopted for this site and no impacts are anticipated.</p> <p>No Impact</p>	1, 2, 3, 4, 5, 13
<p>V. CULTURAL RESOURCES <i>Would the project:</i></p>					


<p>a) Cause a substantial adverse change in the significance of a historical resource pursuant to §15064.5?</p>	<p>X</p>	<p>A record search was conducted at the Sonoma State University office of the California Historical Resource Information System, which indicated two surveys had been conducted on the project parcel, one in 2010 by Farrel which resulted in no cultural resources identified, and another in 2020 specifically for this project by Dr. John W. Parker, discussed below.</p> <p>The California Historical Resources Information System also indicated a 1959 USGS Highland Springs 7.5' quad depicting three buildings in the proposed parcel, with two buildings adjacent to the proposed project area. If present, these unrecorded buildings, or structures meet the Office of Historic Preservation's (OHP) minimum age standard that buildings, structures, and objects 45 years or older may be of historical value. However, these structures/buildings are no longer present on the project site.</p> <p>Dr. John Parker and his associate Cheyenne Parker conducted a pedestrian survey of the proposed project area, measuring 95 meters NS by 53 meters EW, with a center point UTM location 509438E/4316269N. A transect sweep method with transects spaced 5 meters apart was utilized. The resulting report has been omitted from the appendix of this IS/MND for confidentiality purposes. As discussed below, the entire site area was not inspected and defined.</p> <p>A few isolated artifacts were discovered. None of the artifacts nor the prehistoric site found were considered to be "significant" cultural resources as defined in the Public Resources Code for the purposes of the California Environmental Quality Act. No prehistoric or historic-era archaeological sites or ethnographic sites were identified during the field survey.</p> <p>Per the report, in the flatland of Big Valley, there is a high probability of buried sites. This is due to the silt buildup from over-bank deposits from Thompson Creek, Kelsey Cree, Cole Creek and McGaugh Slough. Sites have been discovered between 3 feet and 20 feet. The report further recommends that the proposed project be approved as planned with a stipulation that a Registered Professional Archaeologist be retained to monitor any ground disturbance activity related to the project.</p> <p>Additionally, the existing driveway that runs from the Northeast of the property, the connection with Argonaut Road, and potential parking areas were not surveyed in the report. Per the recommendations from the Lake County Department of Public works, it is recommended to improve the driveway connection to Argonaut Road to existing standards for a commercial driveway. All accessible parking areas, routes of building ingress/egress, and/or access to bathrooms shall meet California Building Code Requirements, and a Stabilized Construction Entrance or Stabilized Construction Roadway for the construction site should be in place immediately after grading is completed.</p> <p>Due to the potential sensitivity of the project parcel, and the recommended improvements above, impacts would be less than Significant with Mitigation Measures CUL-1 and CUL-3 incorporated:</p>	<p>1, 3, 4, 5, 11, 14, 15</p>
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			<p>CUL-1: Should any archaeological, paleontological, or cultural materials be discovered during site development, all activity shall be halted in the vicinity of the find(s), the 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 internment and Tribal rituals per Public Resources Code Section 5097.98 and Health and Safety Code 7050.5.</p> <p>CUL-2: All employees shall be trained in recognizing potentially significant artifacts that may be discovered during ground disturbance. If any artifacts or remains are found, the 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 finds.</p> <p>CUL-3: A registered Archaeologist be retained to monitor any walnut tree removal and any other ground disturbance activity related to the project.</p>	
b) Cause a substantial adverse change in the significance of an archeological resource pursuant to §15064.5?	X		<p>Implementation of Mitigation Measures CUL-1 and CUL-2 would protect any previously unidentified cultural resources identified during project construction, by requiring sensitivity training for all construction personnel and by halting all construction upon the discovery of any previously unidentified cultural materials until protective measures have been completed.</p> <p>Less than Significant Impact with Mitigation Measures CUL-1 and CUL-2 incorporated.</p>	1, 3, 4, 5, 11, 14, 15
c) Disturb any human remains, including those interred outside of formal cemeteries?	X		<p>Despite the shallow nature of grading that would occur with the construction of the greenhouses (2-4 cubic yards each), processing facilities and road improvements, there is a remote possibility that an unanticipated discovery of human remains could occur during construction of the proposed project. This impact is considered significant. To reduce this impact to less than significant, the following mitigation measure will be implemented.</p> <p>CUL-4: Discovery of Human Remains If human remains are encountered during site preparation or construction activities, the Permit Holder shall halt all work and immediately contact the Lake County Sheriff's Department and the Lake County Community Development Department (CCR 15064.5e (1) (A); HSC Sec. 7050.5). If the Sheriff's Department determines the remains to be Native American, they shall contact the NAHC within 24 hours and collaboratively determine the Most Likely Descendant (CCR 15064.5(e)(1)(B).</p> <p>Implementation of Mitigation Measure CUL-3 will ensure that any human remains found during construction are handled according to State law and with appropriate sensitivity and coordination with the appropriate Tribe(s) and would thus ensure that this impact is less than significant.</p> <p>Less Than Significant with Mitigation Incorporated</p>	1, 3, 4, 5, 11, 14, 15

VI. ENERGY				
<i>Would the project:</i>				
<p>a) Result in a potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy, or wasteful use of energy resources, during project construction or operation?</p>	X		<p>On-grid power, supplied by PG&E, is the proposed primary energy source for this project. The mixed light cultivation areas would include artificial lighting of up to 25 watts per square foot of canopy area. Other power sources include the interior lighting and ventilation systems of the processing facilities, security system, the well pump, and any outdoor security lighting that might be needed in the future.</p> <p>The applicant has provided an electrical report from JW Electrical with estimated calculations for the greenhouses to be 10,800 amps. Energy demand for the processing facilities, security system, well pump, and outdoor security lighting is yet to be determined, but is not predicted to be significant, per the discussion below.</p> <p>Construction</p> <p>The energy consumption associated with construction of the proposed project includes primarily diesel and petroleum fuel consumption from trucks, hand tools, and general construction equipment, along with worker commutes and vendor trips. The amount of electricity used during construction would be minimal; typical demand would stem from the use of electrically powered hand using petroleum</p> <p>There are no unusual project characteristics that would necessitate the use of construction equipment that would be less energy-efficient than at comparable construction sites in the region or state. However, if construction equipment used is old and inefficient, this would have the potential to result in an inefficient use of energy, which would be a significant impact. The implementation of Mitigation Measure AQ-2 would require that all construction equipment conform to State registration requirements, which will ensure that the equipment is operating efficiently. With implementation of Mitigation Measure AQ-2, this impact would be reduced to a less-than-significant level.</p> <p>In addition, some incidental energy conservation would occur during construction through compliance with State requirements that equipment not in use for more than five minutes be turned off. Project construction equipment would also be required to comply with the latest EPA and CARB engine emissions standards. These engines use highly efficient combustion engines to minimize unnecessary fuel consumption</p> <p>Additionally, use of construction fuel would cease once the project is fully developed. As such, project construction would have a nominal effect on the local and regional energy supplies. Therefore, it is expected that construction fuel consumption associated with the project would not be inefficient, wasteful, or unnecessary. The project would not substantially affect existing energy or fuel supplies, or resources and new capacity would not be required. Impacts would be less than significant in this regard.</p> <p>Operations</p> <p>For operation of the proposed project, power from PG&E would be provided to the well pump, greenhouses, processing buildings, and security lighting. The greenhouses will not be</p>	5, 44

				<p>heated or air conditioned, so they are not subject to Title 24 energy efficiency requirements. However, several energy conservation measures are proposed to minimize the energy usage of the proposed project, including: the use of LED lighting in the greenhouses; and the use of a greenhouse with both an external frame and an internal frame with an interior curtain to trap thermal energy. Additionally the greenhouses are proposed to be dual insulated and fully enclosed with automatic roll up doors to further increase energy efficiency.</p> <p>The use of electricity to power the well pump and the cannabis operations would not result in significant environmental impacts due to the wasteful, inefficient, or unnecessary consumption of energy resources, because the project will use LED lighting for all interior lights in the greenhouses/processing buildings, and the greenhouses will be equipped with an interior frame and curtain system to retain heat which eliminates the need to air condition the greenhouses. Therefore, this impact is considered less than significant</p> <p>Less than Significant Impact.</p>	
b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?		X		<p>Construction of the proposed project would involve only a small amount of energy use over a short period of time. Project operations would rely on electricity provided by PG&E, which is required to comply with California Renewable Energy Portfolio Standard, which requires that 60% of the state's electricity to come from renewable sources by 2030 and all of the state's electricity to come from renewable sources by 2045 (California Public Utilities Commission 2021). Therefore, this impact is considered less than significant, and no mitigation is required.</p> <p>Additionally, there are no mandatory energy reductions for cultivation activities within Article 27 of the Lake County Zoning Ordinance unless the applicant proposes 'indoor cultivation' (not proposed with this application).</p> <p>Less than Significant Impact.</p>	1, 3, 4, 5
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:		X			
<p>17. Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.</p> <p>18. Strong seismic ground shaking?</p>				<p><u>Earthquake Faults</u></p> <p>There are no mapped earthquake faults on or adjacent to the subject site. Further, the structures will be built according to current California Building Code requirements, intended to ensure that buildings are designed and constructed to provide protection from ground shaking associated with expected earthquakes.</p> <p><u>Seismic Ground Shaking and Seismic-Related Ground Failure, including liquefaction.</u></p> <p>The mapping of the site's soil indicates that the soil is stable and not prone to liquefaction.</p> <p><u>Landslides</u></p> <p>According to the Landslide Hazard Identification Map prepared by the California Department of Conservation, Division of Mines and Geology, there are no historic landslides in the project footprint the area is considered generally stable.</p>	1, 2, 3, 4, 5, 18, 19

<p>19. Seismic-related ground failure, including liquefaction?</p> <p>20. Landslides?</p>			<p>Less Than Significant Impact with Mitigation Measure GEO-1 Incorporated.</p> <p>GEO-1: Prior to operation, all buildings, accessible compliant parking areas, routes of travel, building access, and/or bathrooms shall meet all California Building Code Requirements.</p>	
<p>b) Result in substantial soil erosion or the loss of topsoil?</p>	<p>X</p>		<p>Major grading is not proposed to prepare the site for cultivation as the land is relatively flat, however, some minor grading is proposed to smooth the surface where greenhouses are proposed. This amount of grading is allowed through the building permit, which would be obtained from the Lake County Community Development Department prior to construction.</p> <p>In addition, the project is enrolled with the State Water Resources Control Board (SWRCB) for Tier 2, Low Risk coverage under Order No. WQ 2019-001-DWQ (General Order). The General Order requires the preparation of a Site Management Plan (SMP) and a Nitrogen Management Plan (NMP). The purpose of the SMP is to identify Best Practicable Treatment or Control (BPTC) measures that the site intends to follow for erosion control purposes and to prevent stormwater pollution. The purpose of the NMP is to identify how nitrogen is stored, used, and applied to crops in a way that is protective to water quality. The SMP and NMP are required prior to commencing cultivation activities and were submitted with the application materials.</p> <p>Impacts would be Less Than Significant with Mitigation Measures BIO-4 and GEO-2 through GEO-5 Incorporated.</p> <p>GEO-2: 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.</p> <p>GEO-3: 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.</p>	<p>1, 3, 4, 5, 19, 21, 24, 25, 30</p>

			<p>GEO-4: 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.</p> <p>GEO-5: 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.</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>The project site is not identified as containing landslides or other unstable geologic conditions. The proposed cultivation sites are located within a cleared area and in areas with less than 10 percent slopes (Figure 7). There is a less than significant chance of landslide, subsidence, liquefaction or collapse as a result of the proposed project.</p>  <p><i>Figure 7. Percent Slope Across the Project Parcels (Lake County Parcel Viewer, 2021)</i></p> <p>Less Than Significant Impact</p>	1, 3, 4, 5, 6, 7, 10, 16, 17, 18, 19
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 Uniform Building Code is a set of rules that specify standards for structures. Structures proposed are greenhouses, containers for storage and processing, and one processing facility with an ADA bathroom.</p> <p>Expansive soils possess a “shrink-swell” characteristic. Shrink-swell is the cyclic change in volume (expansion and contraction) that occurs in fine-grained clay sediments from the process of wetting and drying. Structural damage may occur over a long period of time due to expansive soils, usually</p>	5, 7, 38

			<p>the result of inadequate soil and foundation engineering or the placement of structures directly on expansive soils.</p> <p>Cultivation activities proposed in the application would occur on two types of soil: Cole Clay Loam, Drained and Talmage Very Gravelly Sandy Loam (Map Unit Symbols 123, and 237), according to the Soil Survey of Lake County and the USDA Web Soil Survey website (Figure 8).</p> <p>All three soil types are very deep, well drained soils with slight erosion potential. The soil type, Cole Clay, was said to be potentially expansive, and have high shrink-swell potential. However, the project parcel has been historically used for both residential and agriculture with no issues.</p> <p>Any new construction requiring a building permit, such as the proposed processing building, greenhouses, and storage/processing containers, would be subject to the Uniform Building Code and California Building Code for foundation design to meet the requirements associated with expansive soils, if they are found to exist with a site-specific study.</p>  <p><i>Figure 8. Soil Types (Lake County Parcel Viewer, 2021)</i></p> <p>Less Than Significant Impact with Mitigation Measures GEO-1 through GEO-6 incorporated.</p> <p>GEO-6: 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.</p>	
<p>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 wastewater?</p>		<p>X</p>	<p>The proposed project would be served by a proposed ADA-compliant restroom within the proposed processing facility. The restroom is anticipated to rely on the current onsite wastewater treatment septic system.</p> <p>If a new septic is needed, state law requires permits for onsite systems to ensure that they are constructed and sited in a manner that protects human health and the environment. Prior to applying for a permit, Lake County Division of</p>	<p>2, 4, 5, 7, 13, 38</p>

				<p>Environmental Health requires a Site Evaluation to determine suitability of the site for a septic system. A percolation test would be conducted to determine the water absorption rate of the soil, and the septic system would be located, designed, and installed appropriately, following all applicable State and County guidelines and requirements.</p> <p>There is no proposed system currently that would be located in the Type 123 or 237 soils. According to the USDA Soil Survey, this soil has a moderately slow permeability, which could support a septic system, if needed.</p> <p>Therefore, the Proposed Project would not have soils incapable of adequately supporting the use of septic tanks for the disposal of wastewater. In addition, a proposed system would be reviewed and approved by the County Division of Environmental Health.</p> <p>Less Than Significant Impact</p>	
f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?		X		<p>The project site does not contain any known unique geologic feature or paleontological resources. Disturbance of these resources is not anticipated.</p> <p>Less than Significant Impact with Mitigation Measures CUL-1 and CUL-4 incorporated.</p>	1, 2, 3, 4, 5, 14, 15

VIII. GREENHOUSE GAS EMISSIONS
Would the project:

a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?			X	<p>The project site is located within the Lake County Air Basin, which is under the jurisdiction of the LCAQMD. The LCAQMD applies air pollution regulations to all major stationary pollution sources and monitors air quality. Climate change is caused by greenhouse gases (GHGs) emitted into the atmosphere around the world from a variety of sources, including the combustion of fuel for energy and transportation, cement manufacturing, and refrigerant emissions. GHGs are those gases that have the ability to trap heat in the atmosphere, a process that is analogous to the way a greenhouse traps heat. GHGs may be emitted as a result of human activities, as well as through natural processes. Increasing GHG concentrations in the atmosphere are leading to global climate change. The Lake County Air Basin is in attainment for all air pollutants and has therefore not adopted thresholds of significance for GHG emissions.</p> <p>The primary GHGs that are of concern for development projects include Carbon dioxide (CO₂), methane (CH₄), and nitrous oxide (N₂O). CO₂, CH₄, and N₂O occur naturally, and through human activity. Emissions of CO₂ are largely by-products of fossil fuel combustion and CH₄ results from off-gassing associated with agricultural practices and landfills. CO₂ is the most common GHG emitted by human activities.</p> <p>In general, greenhouse gas emissions come from construction activities (vehicles) and from post-construction activities (energy to run mixed-light cultivation and the processing building and employee/delivery vehicles). Construction activities on this site would be minimal, due to the existing flat condition of the proposed site area, which is currently a vineyard. Construction would occur over a 7-to-10-week period and approximately 130 to 160 trips would be needed to</p>	1, 3, 4, 5, 36
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				<p>complete construction activities over that period. Post-construction, average daily employee trips are anticipated to be 8, including one (1) delivery/pickup trip per day, which is approximately the equivalent of less than half of one single-family dwelling, according to the Property Management Plan, which averages 9.55 average daily trips.</p> <p>Energy would be required to power the 29,498 sq. ft. of mixed-light cultivation of up to 25 watts per square foot as well as the processing facility (with ventilation/odor control system) and security system. The proposed power for this project is P.G.& E., which would be brought to the cultivation area through the building permit process with Lake County.</p> <p>The California Department of Food and Agriculture regulations for commercial cannabis operations include renewable energy requirements beginning January 1, 2023, which require all indoor and mixed-light cultivators cultivating at greater than 6 watts per sq. ft. of canopy area to ensure that electrical power related to commercial cannabis activities meets the average greenhouse gas emissions intensity required by their local utility provider. As such, HiCann would be required to ensure that the electrical power used to power the 29,498 sq. ft. of mixed-light cultivation meets the average greenhouse gas emissions intensity as required by P.G.&E.</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>Lake County has not adopted any specific GHG reduction strategies or climate action plans. Therefore, this project would not conflict with any adopted plans or policies for the reduction of greenhouse gas emissions.</p> <p>As mentioned above, the applicant would be required to meet the CDFA requirement to ensure that electrical power used to power the mixed-light cultivation meet average greenhouse gas emissions intensities as required by P.G.& E.</p> <p>Less than Significant Impact</p>	1, 3, 4, 5, 36
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 proposed Cultivation of Commercial Cannabis, such as gasoline, pesticides, fertilizers, alcohol, hydrogen peroxide and the equipment emissions may be considered hazardous if released into the environment. The applicant has stated that all potentially harmful chemicals would be stored and locked in a secured building on site.</p> <p>Kanapy plans to be fully organic with their supplements of both dry and liquid fertilizers. The proposed dry fertilizers will be from organic compost. Only pesticides listed on the CDFA approved list of pesticides will be used for this cultivation project. Any use of the pesticides and fertilizers will be in limited quantities during the growing months and only used when necessary. All the fertilizers, nutrients, and pesticides will only be purchased and delivered to the property as needed. They will be stored separately in the secure processing facility, in their original containers and used as directed by the manufacturer. All pesticides/fertilizers will be mixed/prepared on an impermeable surface with secondary containment, at least 100 feet from surface water bodies. Empty containers will be disposed of by placing them in a separate seal tight bin with</p>	1, 3, 5, 13, 21, 24, 29, 31, 32, 33, 34, 40

			<p>a fitted lid and disposed of at the local solid waste facility within the county. At no time will fertilizers/nutrients be applied at a rate greater than 319 pounds of nitrogen per acre per year (requirement of the State Water Resource Control Board's Cannabis General Order). Water soluble fertilizers/nutrients will be delivered via the drip and micro-spray irrigation system(s) of the proposed cultivation operation to promote optimal plant growth and flower formation while using as little product as necessary. Petroleum products will be stored year-round in State of California-approved containers with secondary containment and separate from pesticides and fertilizers, within the processing facilities.</p> <p>The project would comply with Section 41.7 of the Lake County Zoning Ordinance that specifies that all uses involving the use or storage of combustible, explosive, caustic, or otherwise hazardous materials shall comply with all applicable local, state, and federal safety standards and shall be provided with adequate safety devices against the hazard of fire and explosion, and adequate firefighting and fire suppression equipment.</p> <p>Additionally, to utilize pesticides for agricultural purposes, the applicant would be required to obtain an Operator Identification Number (OIN) from the California Department of Pesticide Regulation (Mitigation Measure HAZ-8).</p> <p>Any petroleum products brought to the site, such as gasoline or diesel to fuel construction equipment, would be stored under cover and in State of California-approved containers. All pesticides, fertilizers, or petroleum products would be stored a minimum of 100 feet from all potential sensitive areas and watercourses.</p> <p>Cannabis waste, as appropriate, would be chipped and spread on site; burning cannabis waste is prohibited in Lake County.</p> <p>A spill containment and cleanup kit would be kept on site in the unlikely event of a spill. All employees would be trained to properly used all cultivation equipment, including pesticides. Proposed site activities would not generate hazardous waste.</p> <p>All equipment shall be maintained and operated in a manner that minimizes any spill or leak of hazardous materials. Hazardous materials and contaminated soil shall be stored, transported, and disposed of consistent with applicable local, state, and federal regulations.</p> <p>Impacts would be than Significant with Mitigation Measures HAZ-1 and HAZ-2:</p> <p>HAZ-1: All equipment shall 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.</p> <p>HAZ-2: The storage of hazardous materials equal to or</p>	
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				<p>greater than fifty-five (55) gallons of a liquid, 500 pounds of a solid, or 200 cubic feet of compressed gas, then a Hazardous Materials Inventory Disclosure Statement/Business Plan shall be submitted and maintained in compliance with requirements of Lake County Environmental Health Division. Industrial waste shall not be disposed of on site without review or permit from Lake County Environmental Health Division or the California Regional Water Quality Control Board. The permit holder shall comply with petroleum fuel storage tank regulations if fuel is to be stored on site.</p>	
<p>b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?</p>	X		<p>Refer to <i>Section IX Hazards and Hazardous Materials (a)</i> above.</p> <p>The pesticides and fertilizers proposed would be stored in a secure processing facility. The site preparation would require some construction equipment and would last for about 7 to 10 weeks. All equipment staging would occur on previously disturbed areas on the site. As stated above, a spill kit would be kept on site in the unlikely event of a spill. All equipment would be maintained and operated in a manner that minimizes any spill or leak of hazardous materials. Hazardous materials and contaminated soil shall be stored, transported, and disposed of consistent with applicable local, State, and Federal regulations.</p> <p>Less than Significant Impact with Mitigation Measures HAZ-1 through HAZ-8 Incorporated.</p> <p>HAZ-3: 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.</p> <p>HAZ-4: 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.</p> <p>HAZ-5: 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.</p> <p>HAZ-6: 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.</p> <p>HAZ-7: 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.</p>	<p>1, 3, 5, 13, 21, 24, 29, 31, 32, 33, 34, 40</p>	

				HAZ-8: The applicant shall obtain an Operator Identification Number from the California Department of Pesticide Regulation prior to using pesticides onsite for cannabis cultivation.	
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	The proposed project is not located within one-quarter mile of an existing or proposed school. No Impact	1, 2, 5
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	The California Environmental Protection Agency (CALEPA) has the responsibility for compiling information about sites that may contain hazardous materials, such as hazardous waste facilities, solid waste facilities where hazardous materials have been reported, leaking underground storage tanks and other sites where hazardous materials have been detected. Hazardous materials include all flammable, reactive, corrosive, or toxic substances that pose potential harm to the public or environment. The following databases compiled pursuant to Government Code §65962.5 were checked for known hazardous materials contamination within ¼-mile of the project site: <ol style="list-style-type: none"> 1. State Water Resources Control Board (SWRCB) GeoTracker database 2. Department of Toxic Substances Control EnviroStor database 3. SWRCB list of solid waste disposal sites with waste constituents above hazardous waste levels outside the waste management unit. The project site is not listed in any of these databases as a site containing hazardous materials as described above. The nearest mapped site is Airpower Inc, located approximately 2.5 miles south of the project site. No Impact	2, 39
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?			X	The project is located within two (2) miles of an airport and/or within an Airport Land Use Plan. It is not anticipated that the noise pollution from the local low-use airport will have significant impacts on people employed or living on the project side. Less than Significant	1, 3, 4, 5, 20, 22
f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?			X	The project would not impair or interfere with an adopted emergency response or evacuation plan. No Impact	1, 3, 4, 5, 20, 22, 35, 37
g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?			X	The site is mapped as being a Non-wildland/non-urban fire risk, therefore the project is not expected to further heighten fire risks on the site. The area proposed for cultivation is in an open area in proximity to the residential use. The project would utilize vegetation management to maintain defensible space around the cultivation area. Additionally, the project proposes a 2,500-gallon water tank to be used for fire suppression purposes. The applicant would adhere to all Federal, State, and local fire requirements/regulations for setbacks and defensible space required for any new buildings that require a building permit.	1, 3, 4, 5, 20, 35, 37

				<p>All proposed construction is required to be built consistent with current county and State of California Building Code construction standards. To construct the proposed processing buildings, the applicant would be required to obtain building permits with Lake County to demonstrate conformance with local and state building codes and fire safety requirements.</p> <p>Please refer to <i>Section XX, Wildfire</i>, for additional details.</p> <p>Less than Significant Impact</p>	
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X. HYDROLOGY AND WATER QUALITY
Would the project:

a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?	X		<p>The proposed project is located in the Kelseyville Planning Area. The proposed project area is within the watershed (HUC-12180201160306). Thompson Creek flows through the western property and an unnamed Class III watercourse flows along the north boundary of the property, over 100 feet from the proposed cultivation areas. No development is proposed within 100-feet of this waterbody, and there are no other identified surface water bodies on the property.</p> <p>The Property Management Plan submitted with the application materials address runoff, and certain BMPs during and after construction to reduce impacts associated with water quality.</p> <p>All equipment shall be maintained and operated in a manner that minimizes any spill or leak of pollutants.</p> <p>In addition, the project is enrolled with the State Water Resources Control Board (SWRCB) for Tier 2, Low Risk coverage under Order No. WQ 2019-001-DWQ (General Order). Tier 2 dischargers reflect cultivation sites that disturb over one acre and are located on flat slopes outside of riparian setbacks. The General Order requires the preparation of a Site Management Plan (SMP) and a Nitrogen Management Plan (NMP). The purpose of the SMP is to identify Best Practicable Treatment or Control (BPTC) measures that the site intends to follow for erosion control purposes and to prevent stormwater pollution. The purpose of the NMP is to identify how nitrogen is stored, used, and applied to crops in a way that is protective to water quality. The SMP and NMP are required prior to commencing cultivation activities and were submitted with the application materials.</p> <p>The proposed project has been designed to maintain riparian buffers and grading setbacks of 100 feet. No development would occur within the drainage buffers and setbacks. Additionally, straw wattles would be staked around the cultivation area to provide an additional buffer between the cultivation area and surface waters.</p> <p>The proposed project is expected to be served by an existing onsite wastewater treatment septic system. The new septic system must adhere to all federal, state, and local regulations regarding wastewater treatment and water usage requirements.</p> <p>State law requires permits for onsite systems to ensure that they are constructed and sited in a manner that protects human health and the environment. A permit from Lake County is required to install a new septic system. Prior to applying for a permit, Lake County Division of Environmental Health</p>	1, 2, 3, 4, 5, 13, 43, 21, 23, 24, 33, 34, 41, 42
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			<p>requires a Site Evaluation to determine suitability of the site for a septic system. A percolation test would be conducted to determine the water absorption rate of the soil, and the septic system would be located, designed, and installed appropriately, following all applicable State and County guidelines and requirements.</p> <p>Less Than Significant Impact with Mitigation Measure HYD-1 incorporated.</p> <p>HYD-1: Before this permit having any force or effect, the permittee(s) shall adhere to the Lake County Division of Environmental Health requirements regarding on-site wastewater treatment and/or potable water requirements. The permittee shall contact the Lake County Division of Environmental Health for details.</p>	
<p>b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?</p>		X	<p>The project site does not have a municipal water supply service and would rely on well water. The proposed project would use water from an existing, onsite, permitted, metered agricultural well. The meter measures the total gallons pumped and can be used to determine the discharge rate.</p> <p>The project is located in the Big Valley Groundwater Management Plan Area in the Lake County Groundwater Management Plan (GMP). The Big Valley Basin is the source of water supply for Kelseyville and is the largest agricultural area in Lake County. The agricultural demand on groundwater in the Basin is approximately 2,369 acre-feet for an average year. Basin Management Objectives outlined in the GMP for Big Valley primarily focus on increased monitoring and information gathering, in addition to maintaining groundwater levels to assure an adequate irrigation and domestic water supply in the area.</p> <p>The agricultural well to be used for cultivation activities had an unknown depth, with an 8"-diameter casing. The applicant provided a well drawdown test demonstrating a well yield of 320 gallons per minute (GPM) and well drawdown over a 4-hour time frame and recharge rate after a 30-minute time period. (See Well Test Report performed by Cal-Tech Pump on November 18, 2020).</p> <p>Additionally, a Hydrology Report for the proposed project was prepared by VanderWall Engineering dated October 25, 2021. The report estimated the total water usage based on irrigation use from the agricultural well (Well #1), and domestic water use from Well #5. Well #1 will be used to irrigate the mature canopy, immature greenhouse area, and for employee activities within the three storage containers (processing buildings). Well #5, the domestic well, will be used for the 3-bedroom home on-site. Total annual water usage from these activities is estimated at 643,493 gallons. The aquifer recharge rate for this given location was then calculated by the area x drought precipitation x coefficient of seepage, which estimated a total volume of 1,875,787 gallons per year. The report concluded that given current estimations this proposed project has more than adequate water supply for at least double the proposed irrigation use. Additionally, even within a drought year (where only 20% of the annual precipitation is received) the proposed irrigation needs for this project would not impact the surrounding neighbors' wells.</p>	<p>1, 2, 3, 4, 5, 13, 43, 21, 23, 24, 33, 34, 41, 42</p>

				Therefore, the proposed cannabis development is consistent with local plans and would likely not impede sustainable management of the local groundwater basin. Less than Significant Impact	
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 which would: i. Result in substantial erosion or siltation on- or off-site. ii. Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site. iii. Create or contribute to runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff. iv. Impede or redirect flood flows?			X	The proposed cultivation would be located in an existing flat area currently vacant. The cultivation would require minimal grading and would maintain riparian buffers and grading setbacks of 100 feet. Construction of the proposed processing building would require grading outside of riparian buffers and grading setbacks of 100 feet. No development would occur within the drainage buffers and setbacks. The proposed project has been designed to maintain existing flow paths. (i) As discussed in Section (a) above, construction activities and operation of the proposed project would not result in substantial erosion or siltation, with compliance with the erosion control plan and SWRCB Cannabis General Order. (ii)&(iii) Of the total 79,500 sq. ft. of cultivation area, all would be impermeable surface, including (25) 3,000 sq. ft. of mixed-light cultivation in greenhouses and an extra 4,500 sq. ft. of processing facility. The proposed impermeable area of nearly 2 acres would represent under 5% of the 38.27-acre cultivation parcel. Thus, the proposed project is likely to increase the rate or amount of surface runoff. Project BMPs and Buffer Zones proposed by the project in addition to proximity from any development or waterways would have plenty of land to infiltrate into the groundwater basin. (iv) The proposed cultivation area is within FEMA Zone AO, areas of potential flood hazards. The project is located on a flat area of the county that would not impede or redirect flood flows. Less than significant impact	1, 3, 4, 5, 13, 43, 21, 23, 24, 25, 29, 31, 32, 33, 34
d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?			X	The proposed cultivation areas are not located in a floodplain, tsunami or seiche zone. Less than Significant Impact	1
e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?			X	Refer to <i>Hydrology and Water Quality Sections X(a) and X(b)</i> . The proposed use would not conflict with or obstruct the implementation of water quality control plan or ground water management plan as all hazardous materials including pesticides and fertilizers would be stored in a locked / secured shed, and would meet all Federal, State and Local agency requirements for hazardous material storage and handling. Less than Significant Impact	1, 3, 4, 5, 10, 13, 43, 21, 23, 24, 25, 29, 31, 32, 33, 34
XI. LAND USE AND PLANNING					
<i>Would the project:</i>					
a) Physically divide an established community?			X	The proposed project site would not physically divide an established community. No Impact	1, 3, 4, 5, 6
b) Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for			X	This project is consistent with the Lake County General Plan, the Kelseyville Area Plan, and the Lake County Zoning Ordinance.	1, 3, 4, 5, 20, 21, 22, 27

the purpose of avoiding or mitigating an environmental effect?					Less than Significant Impact	
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 Aggregate Resource Management Plan (ARMP) does not identify the project area as a Quarry Resource Area. The proposed project has no impact on any quarry and is not identified in a location of having an important source of aggregate. No Impact	1, 3, 4, 5, 26
b) Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan?				X	The County of Lake's General Plan, the Kelseyville Area Plan nor the Lake County Aggregate Resource Management Plan designates the project site as being a locally important mineral resource recovery site. No Impact	1, 3, 4, 5, 26
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			Noise related to outdoor cannabis cultivation typically occurs either during construction, or as the result of machinery related to post construction equipment such as well pumps or emergency backup generators during power outages. This project would have some noise related to site preparation (hours of construction are limited through standard conditions of approval). There may be a need for an emergency backup generator, however generator usage would be limited to power outages. Although the property size would help to muffle noises heard by neighboring properties, mitigation measures are needed to further limit the potential sources of noise. Impacts would be Less than Significant with Mitigation Measures NOI-1 through NOI-3 Incorporated. NOI-1: All construction activities including engine warm-up shall be limited Monday Through Friday, between the hours of 7:00am and 7:00pm, and Saturdays from 12:00 noon to 5:00 pm to minimize noise impacts on nearby residents. Back-up beepers shall be adjusted to the lowest allowable levels. This mitigation does not apply to night work. NOI-2: Maximum non-construction related sounds levels shall not exceed levels of 55 dBA between the hours of 7:00AM to 10:00PM and 45 dBA between the hours of 10:00 PM to 7:00AM within residential areas as specified within Zoning Ordinance Section 21-41.11 (Table 11.1) at the property lines. NOI-3: Generators shall only be used as Emergency Power Backup supply and shall not be used for regular power provision to this facility.	1, 3, 4, 5, 13
b) Generation of excessive groundborne vibration or groundborne noise levels?			X		The project is not expected to create significant groundborne vibration due to construction or to post-construction facility operation. There would be some grading required for the greenhouses, however earth movement is not expected to	1, 3, 4, 5, 13

				generate groundborne vibration or noise levels. The low-level truck traffic during construction and for deliveries would create a minimal amount of groundborne vibration.	
Less Than Significant Impact					
XIV. POPULATION AND HOUSING					
<i>Would the project:</i>					
a) Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?			X	The project is anticipated to induce population growth to the area through employment, however, it is not expected to be substantial. The increased employment would be approximately eight (84 for each shift, with there being 2 shifts) employees hired locally.	1, 3, 4, 5
No Impact					
b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?			X	No housing would be displaced because of the project.	1, 3, 4, 5
No Impact					
XV. PUBLIC SERVICES					
<i>Would the project:</i>					
a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services: - Fire Protection? - Police Protection? - Schools? - Parks? -Other Public Facilities?			X	The project does not propose housing or other uses that would necessitate the need for new or altered government facilities. No new roads are proposed. The project would be required to comply with all applicable local and state fire code requirements related to design and emergency access. Construction and operation of the proposed project may result in accidents or crime emergency incidents that would require police services. Construction activities would be temporary and limited in scope. Accidents or crime emergency incidents during operation are expected to be infrequent and minor in nature. The Lake County Sheriff's Department, Lakeport Police Department and other law enforcement agencies were notified of the proposed project. There would not be a need to increase fire or police protection, schools, parks, or other public facilities because of the project's implementation.	1, 2, 3, 4, 5, 20, 21, 22, 23, 27, 28, 29, 32, 33, 34, 36, 37
Less than Significant Impact					
XVI. RECREATION					
<i>Would the project:</i>					
a) Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?			X	The project would generate business income, an increase in local employment opportunities, and would also increase public fee and tax revenue which may result in slight increases in population growth, which could lead to increased use of parks and recreational facilities. However, the increased use of parks and recreational facilities would occur over a large area and in multiple sites, and therefore not diminish or substantially deteriorate any one location. The project would not have any impacts on existing parks or other recreational facilities.	1, 2, 3, 4, 5
No Impact					
b) Does the project include recreational facilities or require the construction or expansion of			X	This project would not necessitate the construction or expansion of any recreational facilities.	1, 3, 4, 5

recreational facilities which might have an adverse physical effect on the environment?					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		<p>According to the application submitted, the project site is accessed by one (1) private driveway directly off Argonaut Rd. and in proximity to Highway 29. The driveway is proposed to be widened to 20-ft where it is not already and graveled to meet CalFire Standards.</p> <p>There are no known pedestrian or bicycle facilities on Highway 29, or Argonaut Rd., in the vicinity of the project.</p> <p>Less than Significant Impact</p>	1, 3, 4, 5, 9, 20, 22, 27, 28, 35
b) For a land use project, would the project conflict with or be inconsistent with CEQA guidelines section 15064.3, subdivision (b)(1)?			X		<p>State CEQA Guidelines Section 15064.3, Subdivision (b) states that for land use projects, transportation impacts are to be measured by evaluating the proposed project's vehicle miles traveled (VMT), as follows:</p> <p><i>"Vehicle miles traveled exceeding an applicable threshold of significance may indicate a significant impact. Generally, projects within one-half mile of either an existing major transit stop or a stop along an existing high quality transit corridor should be presumed to cause a less than significant transportation impact. Projects that decrease vehicle miles traveled in the project area compared to existing conditions should be presumed to have a less than significant transportation impact."</i></p> <p>The estimated employee two-way trips per day are 8 during operation, and 16 during peak harvest. 130 to 160 total trips are estimated during the 7-to-10-week construction period).</p> <p>To date, the County has not yet formally adopted its transportation significance thresholds or its transportation impact analysis procedures. The proposed project would not generate or attract more than 100 trips per day; therefore, it is not expected for the project to have a potentially significant level of VMT, therefore, impacts related to CEQA Guidelines section 15064.3, subdivision (b) would be less than significant.</p> <p>Less than Significant Impact.</p>	1, 3, 4, 5, 9, 20, 22, 27, 28, 35
c) For a transportation project, would the project conflict with or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)(2)?			X		<p>The project is not a transportation project. The proposed use would not conflict with and/or be inconsistent with CEQA Guidelines Section 15064.3, subdivision (b)(2).</p> <p>No Impact.</p>	1, 3, 4, 5, 9, 20, 22, 27, 28, 35
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		<p>As the project itself does not propose any changes to road alignment or other features, the project does not result in the introduction of any obstacles, nor does it involve incompatible uses that could increase traffic hazards.</p> <p>Less than Significant Impact</p>	1, 3, 4, 5, 9, 20, 22, 27, 28, 35
e) Result in inadequate emergency access?			X		<p>The proposed project would not alter the physical configuration of the existing roadway network serving the area and would have no effect on access to local streets or adjacent uses (including access for emergency vehicles). Internal roadways would meet CalFire requirements for vehicle access. Furthermore, as noted above under impact discussion (a), increased project-related operational traffic would be minimal.</p>	1, 3, 4, 5, 9, 20, 22, 27, 28, 35

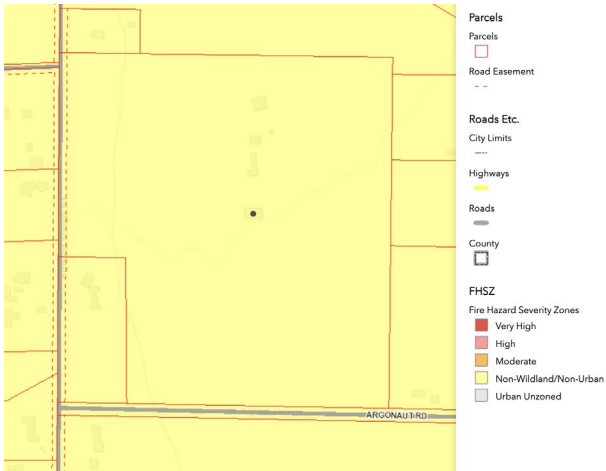
				<p>The proposed project would not inhibit the ability of local roadways to continue to accommodate emergency response and evacuation activities. The proposed project would not interfere with the City's adopted emergency response plan.</p> <p>Less than Significant Impact</p>	
<p>XVIII. TRIBAL CULTURAL 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></p>					
<p>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</p>			X	<p>1. Regulatory Setting Tribal Cultural Resources are considered a separate resource category from Cultural Resources under CEQA. California Assembly Bill 52 (AB 52), enacted July 1, 2015, expands CEQA by defining a new resource category, "tribal cultural resources." Assembly Bill 52 establishes that "A project with an effect that may cause a substantial adverse change in the significance of a tribal cultural resource is a project that may have a significant effect on the environment" (PRC Section 21084.2). It further states that the lead agency shall establish measures to avoid impacts that would alter the significant characteristics of a tribal cultural resource, when feasible (PRC Section 21084.3).</p> <p>PRC Sections 21074 (a)(1)(A) and (B) define tribal cultural resources as "sites, features, places, cultural landscapes, sacred places, and objects with cultural value to a California Native American tribe" and that meet either of the following criteria:</p> <ol style="list-style-type: none"> 1. 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 2. 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 Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe. <p>AB 52 also establishes a formal consultation process for California tribes regarding those resources. The consultation process must be completed before a CEQA document can be certified. AB 52 requires that lead agencies "begin consultation with a California Native American tribe that is traditionally and culturally affiliated with the geographic area of the proposed project." Native American tribes to be included in the process are those that have requested notice of projects proposed within the jurisdiction of the lead agency.</p> <p>2. Summary of Tribal Consultation Lake County sent letter to 12 tribes including Big Valley Rancheria, Cortina Rancheria, Elem Colony, Hopland Band of Pomo, Koi Nation, Misherwal-Wappo, Middletown Rancheria, Redwood Valley, Robinson Rancheria, Scotts Valley Band of Pomo, Upper Lake Habematolel, and Yocha Dehe on August 11, 2020, through the Assembly Bill 52 consultation process.</p> <p>On April 20, 2021, Ronald Montez, Tribal Historic Preservation Officer for the Big Valley Band of Pomo Indians, requested a</p>	<p>1, 3, 4, 5, 11, 14, 15</p>

				<p>consultation with the County of Lake, given the project's potential for tree removal, and the necessary 2-3 cubic yards of grading per greenhouse. Mr. Montez additionally requested a Tribal Monitoring Contract from the applicant on any ground disturbance associated with the project. The project owners and consultant reached out to THPO Montez via email to request a site visit and further discuss the project. THPO Montez scheduled a site visit with the applicants on June 10, 2021, to observe the location of the potential tree removal and any other ground disturbance areas. On July 2, 2021, THPO Montez spoke with the project consultant and determined that since the trees are to be removed at the base, not uprooted, that the earlier consultation request be withdrawn. Email confirmation outlining the formal withdrawal of consultation from THPO Montez was sent to the consultant on the same day. The consultant forwarded the comments to the County of Lake on July 15, 2021.</p> <p>Less than Significant Impact</p>	
<p>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.</p>		X		<p>Please see response to <i>Question XVIIIa.</i> above.</p> <p>Less than Significant Impact</p>	1, 3, 4, 5, 11, 14, 15
<p>XIX. UTILITIES AND SERVICE SYSTEMS <i>Would the project:</i></p>					
<p>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?</p>		X		<p>The proposed project would be served by an existing onsite irrigation well rated at 320 gallons per minute. The engineered hydrology report concluded the proposed project would require an estimated 643,493 gallons per year and that the aquifer recharge rate for this location was 1,875,787 gallons per year. This estimated water consumption was more than enough for the existing wells and aquifer recharge rates. A new wastewater treatment system is proposed. State law requires permits for onsite systems to ensure that they are constructed and sited in a manner that protects human health and the environment. A permit from Lake County is required to install a new septic system. Prior to applying for a permit, Lake County Division of Environmental Health requires a Site Evaluation to determine suitability of the site for a septic system. A percolation test would be conducted to determine the water absorption rate of the soil, and the septic system would be located, designed, and installed appropriately, following all applicable State and County guidelines and requirements. This has been included as Mitigation Measure HYD-1. The applicant shall adhere to all Federal, State and Local regulations regarding wastewater treatment and water usage requirements.</p> <p>Less than Significant Impact with Mitigation Measure HYD-1 incorporated</p>	1, 3, 4, 5, 29, 32, 33, 34, 37, 43

<p>b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?</p>			<p>X</p> <p>Refer to <i>Section X (b) Hydrology and Water Quality</i>.</p> <p>According to the Water Use/Water Availability Study, the existing well can sustainably produce the water required to meet the proposed projects water demand.</p> <p>The Hydrology Report for the proposed project was prepared by VanderWall Engineering dated October 25, 2021. The report estimated the total water usage based on irrigation use from the agricultural well (Well #1), and domestic water use from Well #5. Well #1 will be used to irrigate the mature canopy, immature greenhouse area, and for employee activities within the three storage containers (processing buildings). Well #5, the domestic well, will be used for the 3-bedroom home on-site. Total annual water usage from these activities is estimated at 643,493 gallons. The aquifer recharge rate for this given location was then calculated by the area x drought precipitation x coefficient of seepage, which estimated a total volume of 1,875,787 gallons per year. The engineers report concluded that given current estimations this proposed project has more than adequate water supply for at least double the proposed irrigation use. Additionally, even within a drought year (where only 20% of the annual precipitation is received) the proposed irrigation needs for this project would not impact the surrounding wells.</p> <p>The applicant is prohibited from trucking in water other than a one-time emergency delivery and only with written permission from the Community Development Department Director or designee.</p> <p>Less Than Significant Impact</p>	<p>1, 3, 4, 5, 29, 32, 33, 34, 36, 37, 43</p>
<p>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?</p>			<p>X</p> <p>The site is not connected to a wastewater treatment provider. Staff would use a private ADA restroom in the proposed processing facility. The processing facility would be constructed through a building permit with Lake County. Therefore, a less than significant impact would occur.</p> <p>Less than Significant Impact</p>	<p>1, 3, 4, 5, 29, 32, 33, 34, 37</p>
<p>d) Generate solid waste in excess of State or local standards or in excess of the capacity of local infrastructure?</p>			<p>X</p> <p>According to the Property Management Plan, the site would generate organic waste to be composted. The site would also generate solid waste. All recyclable waste would be collected separately from non-recyclable waste. All waste and recycling would be hauled to the Lake County Transfer and Recycling Facility where it would be sorted and deposited at the Eastlake Sanitary Landfill (Landfill). According to the January 2020 Eastlake Landfill Expansion Initial Study, the Landfill is well below its current capacity of 6,050,000 cubic yards, with 2,859,962 cubic yards (47%) remaining capacity. For full details, please refer to the Initial Study proposed MND (State Clearing House Number: 2020010546), The Lake County Public Services Department is proposing an expansion of the Landfill to extend the landfill's life to about the year 2046; increasing the landfill footprint from 35 acres to 56.6 acres. Therefore, the Landfill would have sufficient capacity accommodate the solid waste generated by the project.</p> <p>Less than Significant Impact</p>	<p>1, 2, 3, 34, 36</p>

e) Negatively impact the provision of solid waste services or impair the attainment of solid waste reduction goals?			X	The applicant would chip and spread the cannabis waste on site. Less than Significant Impact	1, 3, 4, 5, 29, 32, 33, 34, 36
f) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?			X	The County uses a standard condition of approval regarding compliance with all Federal, State and Local management for solid waste. The cultivator would be required to chip and spread any vegetative waste on-site. Less than Significant Impact	1, 3, 4, 5, 29, 32, 33, 34, 36

XX. WILDFIRE
If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:

a) Impair an adopted emergency response plan or emergency evacuation plan?			X	<p>The project site is not located in the CalFire State Responsibility Area (SRA) within the Lakeport County Fire Protection District and is subject to all state fire safe related codes. The parcel is classified as having non-wildland/non-urban (Figure 9).</p>  <p><i>Figure 9: Fire Hazard Severity Zones on APN 014-006-14 (Source: Lake County WebGIS)</i></p> <p>Per Lake County's Fire History mapper, no fire has occurred on the site since 1920, when fires started to be tracked.</p> <p>Access to the property is a private driveway off Argonaut Road near Highway 29. Improvements to the private driveway are proposed to meet PRC 4290 and 4291 CalFire Standards, including widening the road to 20' (See Site Plans). The road would be graveled with a surface engineered for 75,000 lb. capacity. Should this site need to evacuate, Highway 29 would be the evacuation route.</p> <p>The applicant will adhere to all regulations of California Code Regulations Title 14, Division 1.5, Chapter 7, Subchapter 2, and Article 1 through 5 shall apply to this project; and all regulations of California Building Code, Chapter 7A, Section 701A, 701A.3.2.A.</p> <p>Per the Applicant's Property Management Plan, wildfire prevention techniques would include maintaining the vegetation surrounding the cultivation area, ensuring that gas and diesel-powered equipment is stored indoors and turned off when not in use, and ensuring that two personnel are always onsite during the use of equipment which has the potential to</p>	1, 2, 4, 5, 6, 20, 23, 31, 37,
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			<p>cause fire. Additionally, the applicant also proposes to install and maintain a 2,500-gallon fire suppression tank made of steel or fiberglass (not plastic).</p> <p>However, because the project is in a high-hazard zone, it has the potential of contributing to increased wildfire risk, and access to the site by emergency vehicles needs to be assured. Therefore, this impact is considered significant. To reduce this impact to less than significant, the following mitigation measures will be implemented:</p> <p>WILDFIRE-1: 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.</p> <p>WILDFIRE-2: Any vegetation removal or manipulation will take place in the early morning hours before relative humidity drops below 30%.</p> <p>WILDFIRE-3: A Water tender will be present on-site during earth work to reduce the risk of wildfire and dust.</p> <p>Less than Significant Impact with WILDFIRE-1 through WILDFIRE-3 and GEO-5 through GEO-6 incorporated.</p>	
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	<p>Refer to <i>Section XX (a) Wildfire</i> above. Additionally, the cultivation area is on an existing flat land area. The project proposes to clear and maintain defensible space around the cultivation area to help reduce fire risk. The site driveway allows for fire access. Approval of this project would not increase the fire risk in this area.</p> <p>Less than Significant Impact</p>	1, 2, 4, 5, 6, 20, 23, 31, 35, 37, 38
c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?		X	<p>The site is served by Argonaut Rd. a paved County maintained road. Access is from Argonaut Rd. to the site from an existing private driveway. The driveway is proposed to be upgraded to a width of 20-feet, and a 6-inch compacted gravel composition. A turnaround at the cultivation area is proposed for emergency vehicle access. No other infrastructure improvements appear to be necessary for this project.</p> <p>Less than Significant Impact</p>	1, 2, 4, 5, 6, 20, 23, 31, 35, 37, 38
d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?		X	<p>The site is generally flat near the cultivation area; there is little chance of risks associated with post-fire slope runoff, instability or drainage changes based on the lack of site changes that would occur by this project.</p> <p>Less than Significant Impact</p>	1, 2, 4, 5, 6, 20, 23, 31, 35, 37, 38
XXI. MANDATORY FINDINGS OF SIGNIFICANCE				
a) Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop		X	<p>Per the impact discussions above, the potential of the proposed project to substantially degrade the environment is less than significant with incorporated mitigation measures. As described in this Initial Study, the proposed project has the potential for impacts related to Aesthetics, Air Quality, Biological Resources, Cultural Resources, Energy, Geology</p>	All

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?				and Soils, Hazards & Hazardous Materials, Hydrology and Water Quality, Noise, Tribal Cultural Resources, Utilities and Service Systems, and Wildfire. However, these impacts would be avoided or reduced to a less-than-significant level with the incorporation of avoidance and mitigation measures discussed in each impact section. Impacts would be Less than Significant with Mitigation Incorporated.	
b) Does the project have impacts that are individually limited, but cumulatively considerable? (“Cumulatively considerable” means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?		X		Potentially significant impacts have been identified related to Aesthetics, Air Quality, Biological Resources, Cultural Resources, Energy, Geology and Soils, Hazards & Hazardous Materials, Hydrology and Water Quality, Noise, Tribal Cultural Resources, Utilities and Service Systems, and Wildfire. These impacts in combination with the impacts of other past, present, and reasonably foreseeable future projects could cumulatively contribute to significant effects on the environment. However, implementation of and compliance with mitigation measures identified in each section as project conditions of approval would avoid or reduce potential impacts to less than significant levels and would not result in cumulatively considerable environmental impacts. Impacts would be 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 proposed project has the potential to result in adverse indirect or direct effects on human beings in the areas of Aesthetics, Air Quality, Biological Resources, Cultural Resources, Energy, Geology and Soils, Hazards & Hazardous Materials, Hydrology and Water Quality, Noise, Tribal Cultural Resources, Utilities and Service Systems, and Wildfire. Because of existing federal, state, and local regulation and monitoring of many potential environmental impacts, and with the implementation of mitigation measures identified in this report, the proposed project would not have the potential to cause substantial adverse effects on human beings. This would be a less-than-significant impact with mitigation measures as stated herein. Impacts would be Less than Significant with Mitigation Measures Incorporated.	All

* Impact Categories defined by CEQA

****Source List**

2. Lake County General Plan
3. Lake County GIS Database
4. Lake County Zoning Ordinance
5. Kelseyville Area Plan
6. Kanapy Cannabis Cultivation Application – Major Use Permit.
7. U.S.G.S. Topographic Maps
8. U.S.D.A. Lake County Soil Survey
9. Lake County Important Farmland Map, California Department of Conservation Farmland Mapping and Monitoring Program
10. Department of Transportation’s Scenic Highway Mapping Program, (http://www.dot.ca.gov/hq/LandArch/16_livability/scenic_highways/index.htm)
11. Lake County Serpentine Soil Mapping
12. California Natural Diversity Database (<https://www.wildlife.ca.gov/Data/CNDDDB>)

13. U.S. Fish and Wildlife Service National Wetlands Inventory
14. Biological Resource Assessment prepared by Pinecrest Environmental Consulting on November 22, 2020.
15. Cultural Resource Evaluation prepared by Dr. John Parker, October 9, 2020.
16. California Historical Resource Information Systems (CHRIS); Northwest Information Center, Sonoma State University; Rohnert Park, CA.
17. Water Resources Division, Lake County Department of Public Works Wetlands Mapping.
18. U.S.G.S. Geologic Map and Structure Sections of the Clear Lake Volcanic, Northern California, Miscellaneous Investigation Series, 1995
19. Official Alquist-Priolo Earthquake Fault Zone maps for Lake County
20. Landslide Hazards in the Eastern Clear Lake Area, Lake County, California, Landslide Hazard Identification Map No. 16, California Department of Conservation, Division of Mines and Geology, DMG Open –File Report 89-27, 1990
21. Lake County Emergency Management Plan
22. Lake County Hazardous Waste Management Plan, adopted 1989
23. Lake County Airport Land Use Compatibility Plan, adopted 1992
24. California Department of Forestry and Fire Protection - Fire Hazard Mapping
25. National Pollution Discharge Elimination System (NPDES)
26. FEMA Flood Hazard Maps
27. Lake County Aggregate Resource Management Plan, Adopted 1992
28. Lake County Bicycle Plan
29. Lake County Transit for Bus Routes
30. Lake County Environmental Health Division
31. Lake County Grading Ordinance
32. Lake County Natural Hazard database
33. Lake County Countywide Integrated Waste Management Plan and Siting Element, 1996
34. Lake County Water Resources
35. Lake County Waste Management Department
36. California Department of Transportation (CALTRANS)
37. Lake County Air Quality Management District website
38. Lakeport Fire Protection District
39. United States Department of Agriculture – Natural Resources Conservation Service Web Soil Survey
40. Hazardous Waste and Substances Sites List, www.envirostor.dtsc.ca.gov/public
41. Department of Pesticide Regulation Operator Identification Number Requirements
42. State Water Resources Control Board (SWRCB) Cannabis Policy and General Order (https://www.waterboards.ca.gov/board_decisions/adopted_orders/water_quality/2019/wqo2019_000_1_dwq.pdf)
43. Lake County Groundwater Management Plan, March 31st, 2006.
<http://www.lakecountyca.gov/Assets/Departments/WaterResources/IRWMP/Lake+County+Groundwater+Managment+Plan.pdf>
44. Hydrology Report and Drought Management Plan prepared by VanDerWall Engineering on October 25, 2021.
45. Electrical Load Calculations prepared by Jon Waner, JW Electric on March 21, 2022.