



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

March 15, 2023

**CALIFORNIA ENVIRONMENTAL QUALITY ACT
ENVIRONMENTAL CHECKLIST FORM
INITIAL STUDY (UP 20-21, IS 20-24, EA 20-25, EA 21-24)**

1. Project Title: Brush Ridge P1, LLC
2. Permit Numbers: Major Use Permit UP 21-32
Initial Study IS 21-33
3. Lead Agency Name and Address: County of Lake
Community Development Department
Courthouse, 3rd Floor, 255 North Forbes Street
Lakeport, CA 95453
4. Contact Person: Andrew Amelung, Program Manager
(707) 263-2221
5. Project Location(s): 21242 Morgan Valley Road, Lower Lake, CA
APN: 012-069-08; 04, 05 and 09
6. Project Name & Address: Brush Ridge P1, LLC
1701 Pine Street
St. Helena, CA 94574
7. General Plan Designation: Rural Lands
8. Zoning: APZ – Agriculture Preserve; and RL – Rural Lands
9. Supervisor District: District 1
10. Flood Zone: "D": Areas of undetermined, but possible, flood hazard risk
11. Slope: Mostly over 30%, however the cultivation area is less than 10% slope
12. Fire Hazard Severity Zone: California State Responsibility Area (CALFIRE):
High Risk
13. Earthquake Fault Zone: None
14. Dam Failure Inundation Area: Not located within Dam Failure Inundation Area
15. Parcel Size: 183.70 Total Acres
16. Description of Project:

On August 13th, 2020, Major Use Permit UP 18-48 was granted to Spencer Clark, for a Commercial Cannabis Cultivation Operation at 21242 Morgan Valley Road near Lower Lake, CA on Lake County APN 012-069-08. UP 18-48 allows for a total combined cultivation area of 41,940 ft², with 41,550 ft² of outdoor canopy area. In February of 2021, Spencer Clark submitted a Change of Ownership Statement for Major Use Permit UP 18-48 to the Lake County Community Development Department, to change ownership of UP 18-48 to Brush Ridge P1, LLC. An A-Type 3 "Medium Outdoor" Commercial Cannabis Cultivation License has been obtained by Brush Ridge P1, LLC for the cultivation operation permitted under UP 18-48 (CCL21-0001059).

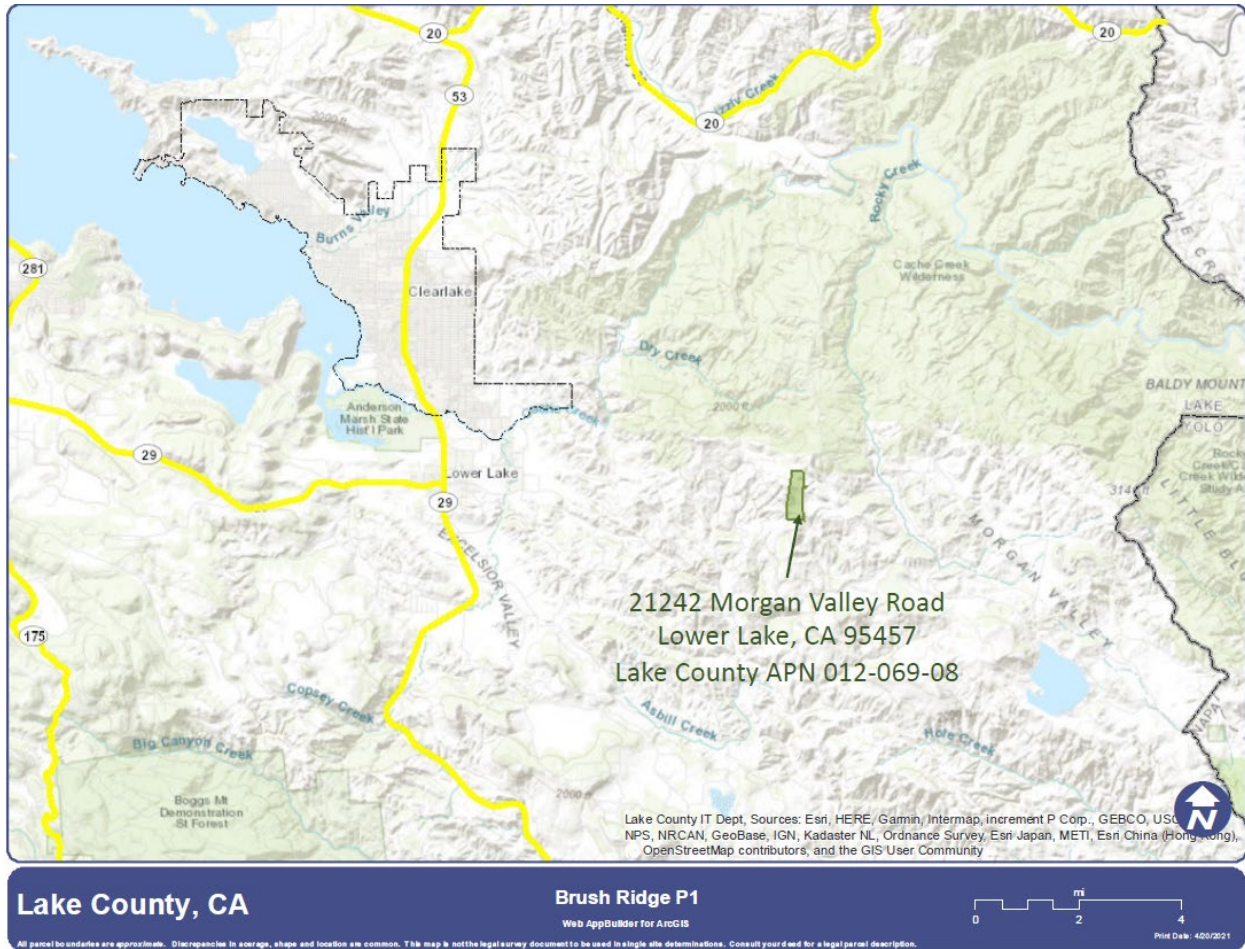
The applicant, Brush Ridge P1, LLC, is now requesting discretionary approval from Lake County for a Major Use Permit, UP 21-32, for commercial cannabis cultivation at 21242 Morgan Valley Road, Lower Lake (APN: 012-069-08; 04, 05 and 09), as described below:

Four (4) A-Type 3: "Outdoor" licenses: Outdoor cultivation for adult-use cannabis under direct sunlight. The applicant proposes 3.6 acres [156,816 square feet (sf)] of commercial cannabis canopy area in 44 12'x90' low hoopouses.

Three (3) A-Type 3B: "Mixed-light" license: Mixed-light cultivation for adult-use cannabis in a greenhouse, glasshouse, conservatory, hothouse, or other similar structure using light deprivation and/or artificial lighting below a rate of 25 watts per square foot. The applicant proposes 47,520 sf of commercial cannabis canopy area.

One (1) A-Type 13 Self-distribution License: In the "RL" zoning district the Type 13 Distributor Only, Self-distribution State licenses are an accessory use to an active cannabis cultivation or cannabis manufacturing license site with a valid minor or major use permit. Per Article 27 Section 11 (ay), the parcel where the distributor transport only, self-distribution license is issued shall front and have direct access to a State or County maintained road or an access easement to such a road, the permittee shall not transport any cannabis product that was not cultivated by the permittee, and all non-transport related distribution activities shall occur within a locked structure. Furthermore, all guidelines for Distributor Transport Only License from the California Department of Cannabis Control's Title 4, Division 19, Chapter, as described in §15315, must be followed.

Figure 1. Vicinity Map



The proposed project will occur on Assessor Parcel Number (APN) 012-069-08 and APN 012-069-04, -05, and -09 will be used for clustering. The proposed cannabis cultivation operation includes a 4,000 sf Processing Building, two 3,000 sf Immature Plants Areas/Greenhouses, two 192 sf Pesticides & Agricultural Chemicals Storage Areas, and two 192 sf Harvest Storage Areas. The applicant is proposing 44 12' x 90' 'low hoop houses' to protect the plants. The entire cultivation area is about 3.6 acres in size. The applicant has four 5,000-gallon water tanks (existing) and one 2,500-gallon water tank on site.

The Project proposes the following:

- An existing groundwater well
- An existing 832 sf residence
- An existing 20'x30' metal barn
- An existing 2,500-gallon water storage tank
- An existing 12'x16' pesticides & agricultural chemicals storage shed

- An existing 12'x16' harvest storage shed
- Twelve existing 5,000-gallon water storage tanks
- A proposed foundation with 8' diameter – 5,000-gallon metal fire water storage tank
- A proposed 30'x30' composting area
- Four proposed 2,500-gallon water storage tanks
- A proposed 12'x16' pesticides & agricultural chemicals storage shed
- A proposed 12'x16' harvest storage area/shed
- A proposed 40'x100' processing building
- Two proposed 30'x100' immature plants greenhouse
- Three proposed parking spaces with one ADA compliant space

Figure 2. High Valley Oaks Site Plan



The proposed cultivation areas will be enclosed with 6-foot tall galvanized woven wire fences, covered with privacy screen where necessary to screen the cultivation areas from public view. The growing medium of the proposed cultivation areas will be a combination of an imported organic soil mixture in aboveground circular fabric planters (“smart pots”) and native soil amended

with compost. BRP1 will utilize drip and micro-spray irrigation systems to conserve water resources.

Solid waste generated from the proposed cultivation operation will be transported weekly to the Eastlake Landfill (described in detail in the Grounds Management section of this Property Management Plan). All vegetative waste generated from the proposed cultivation operation will be composted on-site, and the growing medium of the proposed cultivation areas will be amended and reused annually (described in detail in the Storm Water Management section of this Property Management Plan). BRP1 will adhere to the fish and wildlife protection measures of the Biological Resources Assessment included in this Property Management Plan. BRP1 will adhere to the cultural resources protection measures outlined in the Cultural Resources Inventory included in this Property Management Plan. The Water Use Management and Stormwater Management sections of this Property Management Plan include measures to protect water resources and monitor water usage.

A Water Analysis, submitted by the applicant, was included in the Property Management Plan. All water for the proposed cultivation operation will come from an existing onsite groundwater well located at Latitude 39.91013° and Longitude -122.51445°. The well was drilled in 2008 and has a productivity rate of 48 gallons per minute (gpm) when drilled. Water storage on site consists of twelve existing 5,000 gallon water tanks, one existing 2,500 gallon water tank, and four proposed 2,500 water storage tank.

A Hydrogeologic Assessment Report, prepared by Hurvitz Environmental Services, INC., dated December 2021, estimates that the 3.6-acre cultivation area would consist of approximately total water usage would be about 2,522,000 gallons of water per year for the outdoor cultivation; an estimated 710,355 gallons per year for mixed-light cultivation, an estimated 44,883 gallons of water per year for immature plants, and an estimated 38,252 gallons of water per year for employee and residential use for a total estimated water demand of 3,439,768 gallons, or about 10.56 acre-feet of water per year.

The applicant has submitted an Aquifer Recharge Study, prepared by Lincoln AE LLC., and dated August 25, 2008, along with a Drought Management Plan with this application. The Recharge Study estimates that the aquifer has an annual recharge rate of about 280 acre-feet per year but does not state whether this estimate is taken during a drought or non-drought year. Assuming the estimate was taken during a non-drought year, the drought year recharge rate could be as little as 17% of the rate during a drought year based on other water analyses that have been prepared for similar cultivation projects in Lake County. This would mean that the recharge rate during a severe drought year could be reduced to just under 50 acre-feet per year, or about 10 times the amount of water projected to be needed for this cultivation project.

The Biological Resources Assessment, prepared by Pinecrest Environmental Consulting, Inc., dated September 2021, evaluated the existence of special-status species and/or habitats to occur on or near the project site. Additionally, a wildlife and botanical survey was conducted at the site on April 15, 2021, and a second visit on May 11, 2021 was conducted. The Report identified two unnamed seasonal Class II watercourses onsite, and a number of contributing ephemeral Class III watercourses. No jurisdictional wetlands were observed. The Report concluded that no special status plants species or special status animal species were observed during the surveys performed at the site and no impacts are predicated for any special status animal or plant species.

All electricity for the proposed project will be provided by on-site solar panels, and no on-grid power will be needed for the cultivation project. The dwelling on site is served by an existing 200 amp service.

All non-hazardous waste will be hauled to the nearest waste disposal facility located in Lakeport. Annual non-hazardous solid waste generated by project operations is estimated to include:

- 100 pounds of printer paper (peak daily usage of 5 pounds),
- 1 ton of plastic wrap, pallet shrink wrap, and plastic trellises (peak daily usage of 100 pounds),
- 3-4 tons of cultivation green waste and 500 pounds of wooden pallets to be disposed of as green waste, and
- 20 gallons of 90% isopropyl alcohol (peak daily usage of 0.5 gallons).

No hazardous waste generated by project operations will need to be hauled offsite. Such waste will be is expected to include:

- Biological hazards such as powdery mildew and fungus, which can grow on cannabis will be managed using OMRI-certified horticultural oils and greenhouse management practices; any affected product will be added to the compost, and
- Chemical hazards, which will include nutrients (to be delivered through soil amendment and through the irrigation system), and certified organic pesticides.

The dwelling is served by an existing on-site septic system. No new septic systems are proposed. The cultivation area will be served by a portable ADA-compliant restroom and wash station and will be serviced at regular intervals by the applicant's septic company.

A Stormwater Management Plan (SMP) has been prepared by Realm Engineering and submitted to the Lake County Planning Division. The SMP addresses specific stormwater management measures. Those features include out-sloping, waterbars and rolling dips, as well as straw wattles.

The proposed project will be operated from 8 am to 8 pm, seven days a week from March 1 through December 31 of each year. The cannabis operation is expected to employ 5 permanent workers, working 8 am to 8 pm, 5 days per week. During non-peak operation periods, vehicle trips generated are expected to be up to 10 daily trips for employees, and 2 deliveries per week at most. In addition, there will be occasional trips to deliver the product offsite. Estimates for daily vehicle trips during site preparation is 10 trips per day to transport supplies (hoop house material) and employees to and from the site.

Construction of project buildings and facilities is expected to take approximately 4 to 6 weeks. Minimal site preparation for the 44 proposed hoop houses is needed; the cultivation site portion of the combine properties is relatively flat. The following equipment is expected to be required to construct the proposed project buildings and facilities:

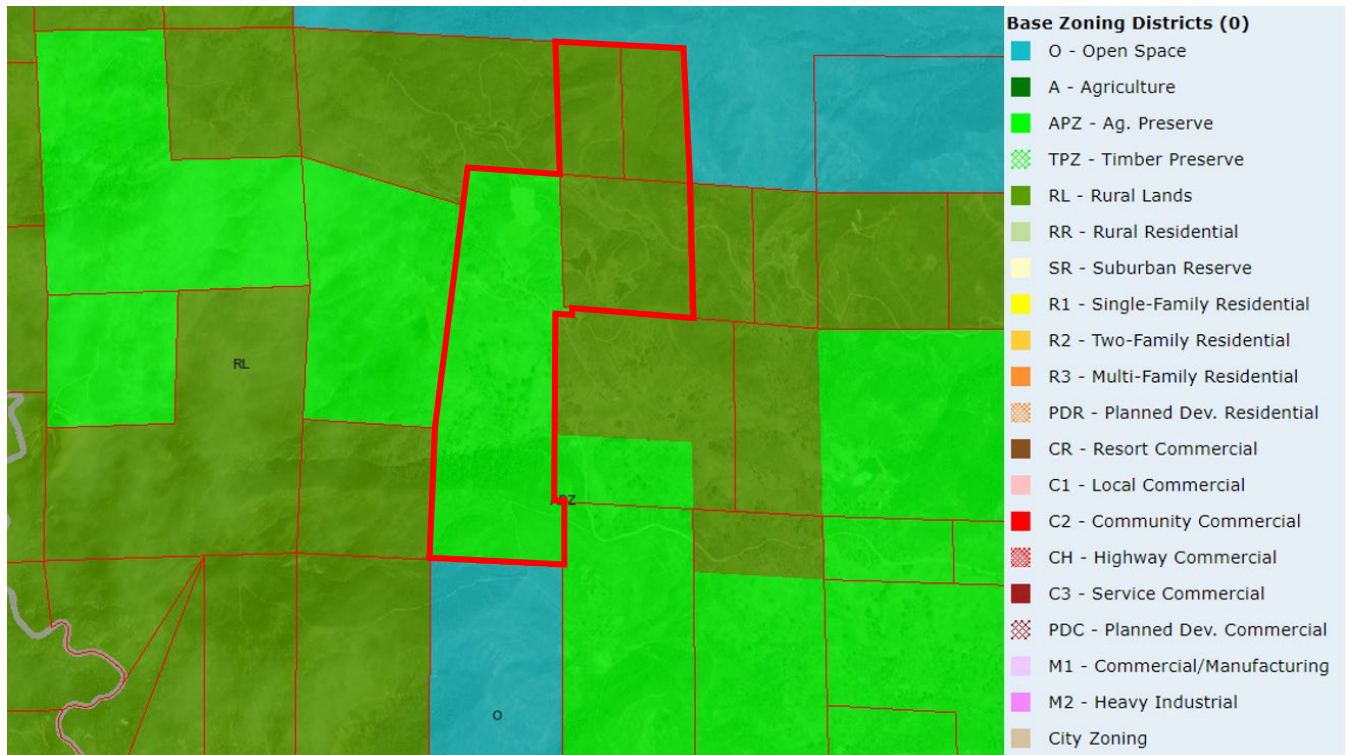
- Trencher,
- Backhoe,
- Excavator,
- Backhoe,
- Cement truck, and
- Water truck.

17. Environmental Setting and Existing Conditions:

The Project Parcel consists of burned chaparral and oak savannah, as the entire Project Property was severely burned during the Rocky Fire in July of 2015. Work to develop three vineyard blocks on the Project Property occurred in 2010 and again in 2018 (GR09-018), but establishment of the vineyard was never completed. Historical land uses of the Project Property include extensive agriculture (animal grazing), collective cannabis cultivation, as well as a rural residential estate.

The 183.7-acre APZ and RL-zoned Project Property (Lake County APNs 012-069-04, 05, 08 & 09) is located on Sky High Ridge/Mountain, approximately 4.5 miles east of Lower Lake, CA. The Project Property is accessed via a shared private gravel access road off of Morgan Valley Road. Areas of the proposed cultivation operation are accessed via private native soil surfaced access roads off of the shared private gravel access road. Locking metal gates across the shared private gravel access road and private native soil surfaced access roads control access to the Project Property. The proposed Project is located in the Lower Lake Planning Area.

Figure 4. Lake County Aerial Imagery



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

The extent of this environmental review falls within the scope of the Lead Agency, the Lake County Community Development Department, and its review for compliance with the Lake County General Plan, the Northshore Area Plan, the Lake County Zoning Ordinance, and the Lake County Municipal Code. Other organizations in the review process for permitting purposes, financial approval, or participation agreement can include but are not limited to:

- 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
- Northshore Fire Protection District
- Department of Motor Vehicles
- Central Valley Regional Water Quality Control Board
- California Water Resources Control Board
- California Department of Food and Agricultural
- California Department of Pesticides Regulations
- California Department of Public Health
- California Bureau of Cannabis Control
- California Department of Consumer Affairs
- California Department of Fish & Wildlife (CDFW)
- California Department of Forestry & Fire Protection (CALFIRE)
- California Department of Transportation (CALTRANS)

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.?

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, per Public Resources Code §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.

Lake County sent letters to 11 tribes on March 9, 2022, informing tribes of the proposed project and offering consultation under AB-52. Of the 11 notified Tribes, only the Yocha Dehe Tribes response, indicating that the project site was located outside of their Tribal areas of interest.

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

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

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

DETERMINATION: (To be completed by the lead Agency)

On the basis of this initial evaluation:

- I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- I find that although the proposed Project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the Project have been made by or agreed to by the Project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
- I find that the proposed Project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- I find that the proposed Project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been

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

I. AESTHETICS

	Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less Than Significant Impact	No Impact	Source Number
Except as provided in Public Resource Code Section 21099, would the project:					
a) Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1, 2, 3, 4, 5, 6, 9
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	2, 3, 4, 9
c) Substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point). If the project is in an urbanized area would the project conflict with applicable zoning and other regulations governing scenic quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1, 2, 3, 4, 5, 6, 9

- d) Would the project create a new source of substantial light or glare which would adversely affect day or nighttime views in the area? 1, 2, 3, 4, 5, 6, 9

Discussion:

- a) The General Plan Land Use Zone and Zoning District designation currently assigned to the proposed cannabis cultivation site is Agricultural Preserve District (APZ). The project site is located on a property that is surrounded by dense vegetation; the topography and natural vegetation would act as a natural screen. Therefore, this project would not have a substantial adverse effect on a scenic vista.

Less than Significant Impact

- b) The project site is located at 21242 Morgan Valley Road, Lower Lake, which is not identified as "Officially Designated" or an "Eligible State Scenic Highway-Not Officially Designated". The project site is not visible from Morgan Valley Road due to vegetative features that provide natural screening. Therefore, there will be no significant impact.

The proposed project is not visible from a state scenic highway, would not result in the removal of any trees, and does not contain any rock outcroppings or historic buildings. The proposed project would therefore would not substantially damage any scenic resources visible from a state scenic highway, and no mitigation measures are required.

Less than Significant Impact

- c) Given that the parcel is located entirely out of view from the public, no significant impacts are expected. The proposed use will not substantially degrade the existing visual character of the site or the quality of public views of the surrounding area as there are no additional major structures being proposed.

No major physical changes to the site are proposed or needed other than the preparation of the cultivation areas and the construction of the work and storage areas. The site is not within an urbanized area and is not highly visible from any public property.

Less than Significant Impact

- d) The project is not anticipated to create additional light or glare as it is exclusively an outdoor cultivation site. Lighting will be directed downward and consistent with the Lake County Zoning regulations for lighting.

II. AGRICULTURE AND FORESTRY RESOURCES

Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less Than Significant Impact	No Impact	Source Number
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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 1, 2, 3, 4, 7, 8, 11, 13, 39

California Resources Agency, to non-agricultural use?

- | | | | | | |
|--|--------------------------|--------------------------|-------------------------------------|-------------------------------------|-----------------------------|
| b) Conflict with existing zoning for agricultural use, or a Williamson Act contract? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | 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))? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | 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? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | 1, 2, 3, 4, 5, 6, 9 |
| 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? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | 1, 2, 3, 4, 5, 7, 8, 11, 13 |

Discussion:

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.

- a) According to the California Department of Conversation Farmland Mapping and Monitoring Program the Project site is not mapped as Prime Farmland, Unique Farmland, or Farmland of Statewide Importance, and falls within the classification of 'Other Land'. There are no mapped soils categorized as 'prime farmland', 'farmland of statewide importance' or any other high value soils on site. The site surrounding lots are not involved in any agricultural activities.

As the proposed Project is classified as Other Land, the project would not be converting farmland that is high quality or significant farmland to a non-agricultural use.

No Impact

- b) Under Article 27.11 of the Lake County Zoning Ordinance, Outdoor and Mixed-light Cannabis Cultivation is permitted on parcels with a Base Zoning District of "APZ" with a minimum of 20 acres. The Project parcels consists of 183.70 acres.

The cultivation site is currently zoned Agricultural Preserve District (APZ), which is consistent with its land use designation as Rural Land as described in the County of Lake General Plan Chapter 3 – Land Use.

Agricultural uses as described in California Government Code §51201(c) are generally allowed on Rural Lands, and the site is not under a Williamson Act contract. The cultivation portion of the site would not interfere with the ability of the owner or neighbors to use the remaining land for more traditional crop production and/or grazing land.

Less than Significant Impact

- c) Public Resources Code §12220(g) defines “forest land” as land that can support 10% native tree cover of any species, including hardwoods, under natural conditions, and that allows for management of one or more forest resources, including timber, aesthetics, fish and wildlife, biodiversity, water quality, recreation, and other public benefits.

Public Resources Code §4526 defines “timberland” as land, other than land owned by the federal government and land designated by the State Board of Forestry and Fire Protection as experimental forest land, which is available for, and capable of, growing a crop of trees of a commercial species used to produce lumber and other forest products, including Christmas trees.

Government Code §51104(g) defines “timberland production zone” as an area that has been zoned pursuant to Government Code Section 51112 or 51113 and is devoted to and used for growing and harvesting timber, or for growing and harvesting timber and compatible uses.

The project site does not contain any forest lands, timberland, or timberland zoned Timberland Production lands, nor are any forest lands or timberlands located on or nearby the Project site. Because no lands on the Project site are zoned for forestland or timberland, the project has no potential to impact such zoning. The Project does not propose a zone change that would rezone forest land, timberland, or timberland zoned for Timberland Production. No impact would occur.

No Impact

- d) The Project site and surrounding properties do not contain forest lands, are not zoned for forest lands, nor are they identified as containing forest resources by the General Plan. Because forest land is not present on the Project site or in the immediate vicinity of the Project site, the proposed Project has no potential to result in the loss of forest land or the conversion of forest land to non-forest use. No impact would occur.

No Impact

- e) Lands surrounding the Project site include privately-owned, undeveloped land to the immediate north, east, southeast, south, southwest, west, and northwest, which are zoned Rural Lands, Agricultural Preserve Zone, and Open Space. Undeveloped land to the north zoned Open Space is owned and managed by the Bureau of Land Management. Given the absence of farmland or forest land on the Project site and the undeveloped character of surrounding lands, the proposed Project would have no potential to convert farmland to non-agricultural use or forest land to non-forest use. No impact would occur.

No Impact

III. AIR QUALITY

	Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less Than Significant Impact	No Impact	Source Number
Would the project:					
a) Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	1, 3, 4, 5, 21, 24, 31, 36
b) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under and applicable federal or state ambient air quality standard?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1, 2, 3, 4, 5, 21, 24, 31, 36
c) Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1, 2, 3, 4, 5, 10, 21, 24, 31, 36
d) Result in other emissions (such as those leading to odors or dust) adversely affecting a substantial number of people?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	1, 2, 3, 4, 5, 21, 24, 31, 36

Discussion:

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

- a) 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 ultramafic, ultrabasic, serpentine rock and soils map of Lake County, serpentine soils have not been found within the Project area or Project vicinity and would pose no threat of asbestos exposure during either the construction phase or the operational phase.

Due to the fact that the Lake County Air Basin is in attainment of both state and federal air quality standards, LCAQMD has not adopted an Air Quality Management Plan, but rather uses its Rules and Regulations to address air quality standards.

According to the Lake County Zoning Ordinance section on Commercial Cannabis Cultivation (§27.11), Air Quality must be addressed in the Property Management Plan. The intent of addressing this is to ensure that “all cannabis permittees shall not degrade the County’s air quality as determined by the Lake County Air Quality Management District” and that “permittees shall identify any equipment or activity that may cause, or potentially cause the issuance of air contaminants including odor and shall identify measures to be taken to reduce, control or eliminate the issuance of air contaminants, including odors”. This includes obtaining an Authority to Construct permit pursuant to LCAQMD Rules and Regulations.

The project has potential to result in short- and long-term air quality impacts. It is likely that some dust and fumes may be released as a result of site preparation and construction of the building pads and the cultivation area. Some vehicular traffic, including small delivery vehicles would be contributors during and after site preparation and construction; trips generated by the use will be minimal, estimated at 1 to 2 average daily trips. Odors generated by the plants, particularly during harvest season, will need to be mitigated either through passive means (separation distance), or active means (Odor Control Plan), which is required prior to cultivation occurring.

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. Additionally, implementation of mitigation measures below would further reduce air quality impacts to less than significant.

Less than Significant Impact with Mitigation Measures AQ-1 through AQ-6 incorporated:

AQ-1: Prior to obtaining the necessary permits and/or approvals for any phase, applicant shall contact the Lake County Air Quality Management District (LCAQMD) and obtain an Authority to Construct (A/C) permit for all operations and for any diesel-powered equipment and/or other equipment with potential for air emissions. Or provide proof that a permit is not needed.

AQ-2: All mobile diesel equipment used must be in compliance with state registration requirements. Portable and stationary diesel-powered equipment must meet all federal, state, and local requirements, including the requirements of the State Air Toxic Control Measures for compression ignition engines. Additionally, all engines must notify LCAQMD prior to beginning construction activities and prior to engine use.

AQ-3: The applicant shall maintain records of all hazardous or toxic materials used, including a Material Safety Data Sheet (MSDS) for all volatile organic compounds utilized, including cleaning materials. Said information shall be made available upon request and/or the ability to provide the LCAQMD such information in order to complete an updated Air Toxic emission Inventory.

AQ-4: All vegetation during site development shall be chipped and spread for ground cover and/or erosion control. The burning of vegetation, construction debris, including waste material is prohibited.

AQ-5: The applicant shall have the primary access and parking areas surfaced with chip seal, asphalt, or an equivalent all weather surfacing to reduce fugitive dust generation. The use of white rock as a road base or surface material for travel routes and/or parking areas is prohibited.

AQ-6: All areas subject to infrequent use of driveways, overflow parking, etc., shall be surfaced with gravel, chip seal, asphalt, or an equivalent all weather surfacing. Applicant shall regularly use and/or maintain graveled area to reduce fugitive dust generations.

- b) The Project area is in the Lake County Air Basin, which is designated as in attainment for state and federal air quality standards for criteria pollutants (CO, SO₂, NO_x, O₃, PM₁₀, PM_{2.5}, VOC, ROG, Pb). Any Project with daily emissions that exceed any of the thresholds of significance for these criteria pollutants should be considered as having an individually and cumulatively significant impact on both a direct and cumulative basis.

As indicated by the Project's Air Quality Management Plan, near-term construction activities and long-term operational activities would not exceed any of the thresholds of significance for criteria pollutants. Lake County has adopted Bay Area Air Quality Management District (BAAQMD) thresholds of significance as a basis for determining the significance of air quality and greenhouse gas impacts. Using the California Emissions Estimator Model, air emissions modeling performed for this Project, in both the construction phase and the operational phase, will not generate significant quantities of ozone or particulate matter and does not exceed the Project-level thresholds. Construction and operational emissions are summarized in the following tables:

Comparison of Daily Construction Emissions Impacts with Thresholds of Significance

Criteria Pollutants	Project Emissions unmitigated (pounds/day)	BAAQMD Threshold (pounds/day)	Significance
ROG (VOC)	1 to 10	54	Less than significant
NO _x	10 to 20	54	Less than significant
CO	10 to 30	548	Less than significant
SO _x	< 1	219	Less than significant
Exhaust PM ₁₀	1 to 10	82	Less than significant
Exhaust PM _{2.5}	1 to 10	54	Less than significant
Greenhouse Gasses (CO _{2e})	2,000 to 3,500	No threshold established	Less than significant

Comparison of Daily Operational Emissions Impacts with Thresholds of Significance

Criteria Pollutants	Project Emissions unmitigated (pounds/day)	BAAQMD Threshold (pounds/day)	Significance
ROG (VOC)	1 to 10	54	Less than significant
NO _x	1 to 5	54	Less than significant
CO	1 to 10	548	Less than significant
SO _x	< 1	219	Less than significant
PM ₁₀ (total)	1 to 5	82	Less than significant
PM _{2.5} (total)	1 to 5	54	Less than significant
Greenhouse Gasses (CO _{2e})	1 to 20	No threshold established	Less than significant

Comparison of Annual Operational Emissions Impacts with Thresholds of Significance

Criteria Pollutants	Project Emissions (tons/year)	BAAQMD Threshold (tons/year)	Significance
ROG (VOC)	0 to 1	10	Less than significant
NO _x	0 to 1	10	Less than significant
CO	0 to 1	100	Less than significant
SO _x	0 to 1	40	Less than significant
PM ₁₀	0 to 1	15	Less than significant
PM _{2.5}	0 to 1	10	Less than significant
Greenhouse gasses (as CO ₂ or methane)	1 to 100	10,000	Less than significant

Less than Significant Impact

- c) Sensitive receptors (i.e., children, senior citizens, and acutely or chronically ill people) are more susceptible to the effects of air pollution than the general population. Land uses that are considered sensitive receptors typically include residences, schools, playgrounds, childcare centers, hospitals, convalescent homes, and retirement homes.

There are two dwellings located on lots adjacent to the cultivation lot. The nearest dwelling is located about 1500 feet to the south-east of the cultivation site; the other dwelling is located about the same distance to the west. A total separation of 200 feet is required by Article 27.11(at) of the Lake County Zoning Ordinance, the governing County document for commercial cannabis cultivation. Therefore, this impact is considered less than significant.

Impacts would be Less than Significant.

- d) The proposed Project includes outdoor and mixed-light cannabis canopy area which has the potential to cause objectionable odors, particularly during the harvest season. However, due to the fact that the closest neighboring residence is 1,500 feet away, a substantial number of people will not be adversely affected. Mitigation measures to address any objectionable odors include the planting of native flowering vegetation that will surround the cultivation area.

The proposed cultivation would generate minimal amounts of carbon dioxide from operation of small gasoline engines (tillers, weed eaters, lawn mowers, etc.) and from vehicular traffic associated with staff commuting, deliveries and pickups. Additionally, Mitigation Measures AQ-1 and AQ-6 would reduce impacts of dust generation from on-site roads and parking areas.

Impacts would be Less than Significant with Mitigation Measure AQ-7 incorporated:

AQ-7: Prior to cultivation, the applicant shall plant fragrant plants at 2' intervals along the south-eastern portion of the cultivation site. These plants shall be irrigated and be maintained in a healthy state for the life of the project.

IV. BIOLOGICAL RESOURCES

	Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less Than Significant Impact	No Impact	Source Number
Would the project:					
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?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	2, 5, 11, 12, 13, 16, 24, 29, 30, 31, 32, 33, 34
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1, 2, 3, 4, 5, 11, 12, 13, 16, 17, 29, 30, 31, 32, 33, 34
c) Have a substantial adverse effect on state or federally protected wetlands (including, not limited to, marsh, vernal pool, coastal wetlands, etc.) through direct removal, filling, hydrological interruption, or other means?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	13

- | | | | | | |
|--|--------------------------|--------------------------|-------------------------------------|-------------------------------------|---------------------------------|
| e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | 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? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | 1, 2, 3, 5,
6 |

Discussion:

- a) The applicant provided a Biological Assessment with Botanical Survey and Delineation of Water of the US, prepared by Northwest Biosurvey, dated August 8, 2008. The Biological Assessment with Botanical Survey and Delineation of Water of the U.S. was initially created for a proposed vineyard development. According to the applicant's application packet, the proposed cultivation area will be within the surveyed area done in the Biological Assessment (2008).

The survey identified Northern California Black Walnut, a sensitive plant species, to be present on the property. The survey also identified the pallid bat, northwestern pond turtle, white-tailed kite, purple martin, foothill yellow-legged frog, and golden eagle to potentially be present on the property.

The subject site was disturbed in the Valley Fire in October 2015. The applicant provided a letter from Dr. Christopher T. DiVittorio, Pinecrest Environmental Consulting, dated September 30, 2018, summarizing the findings of the field visit of the subject site. Dr. DiVittorio determined the Valley Fire burned with both great intensity and severity onsite and thus the species diversity is much more depauperate than was documented by the original 2008 survey. There was an increased abundance of fire-dependent species such as Yerba Santa, chamise, and poison oak. Most of the black oak and manzanita plants were burned, especially those on south-facing slopes. However, there were many areas where regrowth is occurring and the pre-fire community composition is anticipated to recover fairly rapidly from this point forward. The following measures were recommended per the Biological Study dated August 8, 2008:

Less than Significant Impact with Mitigation Measures BIO-1 through BIO-3 incorporated:

BIO-1: Any grading or construction proposed within the possible waters of the U.S. will require approval of a Nationwide permit from the U.S Army Corps of Engineers, and a 401 Water Quality Certification from the Regional Water Quality Control Board.

BIO-2: To preserve Northern California black walnut and California valley oak woodland, no-project related activity should occur within the driplines of the valley oak woodland as mapped in the biological assessment.

BIO-3: Any grading or vegetation clearing within 300 feet of the mixed oak woodland adjacent to the two ponds, proposed between April 1 and August 15 shall be preceded by a survey for white-tailed kite and purple martin. In the event that nesting individuals of these species are found, all project-related activity within 300 feet of the nest shall be postponed until after August 15, or until fledging is complete as determined by a qualified biologist.

- b) According to the Lake County General Plan Chapter 9.1 Biological Resources, “the County should ensure the protection of environmentally sensitive wildlife and plant life, including those species designated as rare, threatened, and/or endangered by State and/or Federal government,” and upon review of the biological report on the parcel, it was determined that no substantial adverse effect will result from the project.

No development is proposed within 100-feet of the identified watercourses, which 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 and there are no sensitive natural communities within the project area.

Erosion control measures to control erosion and sedimentation during construction and operation have been identified in the Property Management Plan. Measures include straw wattles, vegetated swales, and buffer strips.

Less Than Significant Impacts with Mitigation Measure BIO-4 incorporated:

BIO-4: All work shall incorporate erosion control measures consistent with the engineered Grading and Erosion Control Plans submitted, the Lake County Grading Regulations, and the State Water Resources Control Board Order No. WQ 2019-001-DWQ.

- c) According to the Biological Resources Assessment (BA), there are no wetlands and vernal pools or other isolated wetlands in the Study Area. Therefore, project implementation would not directly impact any wetlands.

Refer to Section IV(a) and (b).

Less Than Significant Impact

- d) Wildlife movement corridors consist of areas of undisturbed vegetation that interconnect separate areas of habitat. Riparian areas, in particular, 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.

The Assessment and the Study did not identify any wildlife corridors, and no mitigation measures of protection are necessary.

Less than Significant Impact

- e) The proposed project would be consistent with all Lake County ordinances related to the protection of biological resources, because there are no protected biological resources present on the project site. The proposed project would not affect any wetlands, ephemeral drainages, or other sensitive habitats protected by the Lake County Zoning Ordinance. No tree removal will be required, so no County tree removal policies or ordinances would apply. Therefore, this impact is considered less than significant, and no mitigation is required.

Less than Significant Impact

- f) There are no adopted habitat conservation plans or natural community conservation plan, or other approved local, regional, or state habitat conservation plan applicable to the project site. Therefore, this impact is considered less than significant, and no mitigation is required.

No Impact

V. CULTURAL RESOURCES

	Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less Than Significant Impact	No Impact	Source Number
Would the project:					
a) Cause a substantial adverse change in the significance of a historical resource pursuant to §15064.5?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	1, 3, 4, 5, 11, 14c, 15
b) Cause a substantial adverse change in the significance of an archeological resource pursuant to §15064.5?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	1, 3, 4, 5, 11, 14, 15
c) Disturb any human remains, including those interred outside of formal cemeteries?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	1, 3, 4, 5, 11, 14, 15

Discussion:

- a) A Cultural Resource Evaluation was prepared for this project by Wolf Creek Archaeology and dated September 23, 2021.

The background research indicated that no historic or prehistoric sites had been recorded within 1 mile of the project areas. During the field inspection, no historic or prehistoric cultural materials or features were discovered.

Lake County is rich in tribal culture. Because of this, it is a matter of practice that mitigation measures are put in place whenever a discretionary land use project involves any earth movement.

The following mitigation measures are therefore added as a precautionary measure:

Less than Significant Impacts with Mitigation Measures CUL-1 and CUL-2 incorporated:

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.

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 findings.

- b) Some excavation and trenching will take place as part of construction project, so there is a potential for inadvertent discovery of as-of-yet undiscovered resources during project construction. Therefore, this impact is considered significant. Mitigation Measures CUL-1 and CUL-2 will reduce potential effects of inadvertent discovery to less than significant levels.

Less than Significant Impact with Mitigation Measures CUL-1 and CUL-2

- c) In the event that human remains are discovered on the project site, the Project would be required to comply with the applicable provisions of Health and Safety Code §7050.5, Public Resources Code §5097 et. seq. and CEQA Guidelines §15064.5(e). California Health and Safety Code §7050.5 states that no further disturbance shall occur until the County Coroner has made the necessary findings as to origin. Pursuant to California Public Resources Code §5097.98(b), remains shall be left in place and free from disturbance until a final decision as to the treatment and disposition has been made by the Coroner.

If the Coroner determines the remains to be Native American, the California Native American Heritage Commission must be contacted and the Native American Heritage Commission must then immediately notify the "most likely descendant(s)" of receiving notification of the discovery. The most likely descendant(s) shall then make recommendations within 48 hours and engage in consultations concerning the treatment of the remains as provided in Public Resources Code §5097.98. Mandatory compliance with these requirements would ensure that potential impacts associated with the accidental discovery of human remains would be less than significant.

Less than Significant Impacts with Mitigation Measure CUL-2

VI. ENERGY

Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less Than Significant Impact	No Impact	Source Number
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Would the project:

- | | | | | | |
|---|--------------------------|--------------------------|-------------------------------------|-------------------------------------|------------|
| a) Result in potentially significant environmental impacts due to wasteful, inefficient, or unnecessary consumption of energy resource, during construction or operation? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | 5 |
| b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | 1, 3, 4, 5 |

Discussion:

- a) According to the applicant's application packet, the proposed use would consist of outdoor cultivation only. The proposed energy usage for this facility is minimal. The primary source of energy would be solar, and electrical generators would be used for emergencies only. Energy usage would be limited to the security system, well, lighting for storage sheds, and some outdoor lighting.

Less than Significant Impact

- b) There are presently no mandatory energy reduction requirements for outdoor cultivation activities within Article 27 of the Lake County Zoning Ordinance, and the proposal will not conflict with, or obstruct, a state or local plan for renewable energy or energy efficiency.

No Impact

VII. GEOLOGY AND SOILS

Potentially Significant Impact	Less Than Significant With Mitigation Measures	Less Than Significant Impact	No Impact	Source Number
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Would the project:

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|---|--------------------------|-------------------------------------|-------------------------------------|--------------------------|--------------------------------|
| a) Directly or indirectly cause potentially substantial adverse effects, including the risk of loss, injury, or death involving: | | | | | |
| i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special. Publication 42. | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | 1, 2, 3, 4, 5, 18, 19 |
| ii) Strong seismic ground shaking? | | | | | |
| iii) Seismic-related ground failure, including liquefaction? | | | | | |
| iv) Landslides? | | | | | |
| b) Result in substantial soil erosion or the loss of topsoil? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | 1, 3, 4, 5, 19, 21, 24, 25, 30 |

- | | | | | | |
|--|--------------------------|-------------------------------------|-------------------------------------|--------------------------|--------------------------|
| 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? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | 1, 2, 3, 5, 6, 9, 18, 21 |
| 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? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | 5, 7, 39 |
| e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of waste water? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | 2, 4, 5, 7, 13, 39 |
| f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | 1, 2, 3, 4, 5, 14, 15 |

Discussion:

- a) The Project site is located in a seismically active area of California and is expected to experience moderate to severe ground shaking during the lifetime of the Project. That risk is not considered substantially different than that of other similar properties and projects in California.

Earthquake Faults (i)

According to the USGS Earthquake Faults map available on the Lake County GIS Portal, there are no mapped earthquake faults on or adjacent to the subject site. Because there are no known faults located on the Project site, there is no potential for the Project site to rupture during a seismic event. Thus, no rupture of a known earthquake fault is anticipated, and the proposed project would not expose people or structures to an adverse effects related rupture of a known earthquake fault as no structures for human occupancy are being proposed.

Seismic Ground Shaking (ii) and Seismic-Related Ground Failure, including liquefaction (iii)

Lake County contains numerous known active faults. Future seismic events in the Northern California region can be expected to produce seismic ground shaking at the site. All proposed construction is required to be built under Current Seismic Safety Construction Standards, and no large structures are proposed on this project site.

Landslides (iv)

The project cultivation site is generally level without significant slopes. There are some risks of landslides on the parcel, however the proposed project's cultivation site is located on a flat area. According to the Landslide Hazard Identification Map prepared by the California Department of Conservation's Division of Mines and Geology, the area is considered generally stable. As such, the Project's cultivation site is considered moderately susceptible to landslides and will not likely expose people or structures to substantial adverse effects involving landslides, including losses, injuries or death.

Less Than Significant Impact

b) According to the soil survey of Lake County, prepared by the U.S.D.A, the soil within the project is as follows:

- Maymen-Etsel-Snook (Type 169): This map unit is on hills and mountains. The vegetation is mainly brush with some hardwoods and annual grasses. The soil is shallow and somewhat excessively drained. Permeability of the soil is moderate with the water capacity of 1 inch to 3 inches. Surface runoff is very rapid, and the hazard of erosion is severe.
- Skyhigh-Millsholm (Type 209): 15% to 50% percent slopes. This map unit is on hills. The soil is moderately deep and well drained. Permeability of the soil is slow with water capacity of 3 to 7 inches. Surface runoff is rapid, and the hazard of erosion is severe. The shrink-swell potential is high in the subsoil.
- Skyhigh-Sleeper-Millsholm (Type 212): 30% to 50% percent slopes. This map unit is on hills. The soil is moderately deep and well drained. Permeability of the soil is slow with water capacity of 3 to 7 inches. Surface runoff is rapid, and the hazard of erosion is severe. The shrink-swell potential is high.

According to the applicant the access road will be improved with turnouts at every 400 feet. The Private shared easement is accessed off of Morgan Valley Road (County Maintained Road) and is approximately 2.28 miles long. According to the applicant approximately 250 cubic yards of soil is expected to be disturbed/excavated. The depth of the cut will be approximately 1-3 feet, and 0.05 acres of grass and vegetation is expected to be cleared. These improvements are proposed to satisfy the Public Resources Code 4290/4291 for access.

If greater than 500 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 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.

Less Than Significant Impacts with Mitigation Measures GIO-1 through GEO-4 incorporated:

GEO-1: 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.

GEO-2: Excavation, filling, vegetation clearing, or other disturbance of the soil shall not occur between October 15 and April 15 unless authorized by the Community Development Department Director. The actual dates of this defined grading period may be adjusted

according to weather and soil conditions at the discretion of the Community Development Director.

GEO-3: The permit holder shall monitor the site during the rainy season (October 15 – May 15), including post-installation, application of BMPs, erosion control maintenance, and other improvements as needed.

GEO-4: If greater than fifty (50) cubic yards of soils are moved, a Grading Permit shall be required as part of this project. The project design shall incorporate Best Management Practices (BMPs) to the maximum extent practicable to prevent or reduce the discharge of all construction or post-construction pollutants into the County storm drainage system. BMPs typically include scheduling of activities, erosion and sediment control, operation and maintenance procedures, and other measures in accordance with Chapters 29 and 30 of the Lake County Code.

- c) The According to Lake County GIS data and the soil survey of Lake County, prepared by the U.S.D.A., the soil at the site is mapped as “Generally Stable” and there is a less than significant chance of landslide, subsidence, liquefaction or collapse as a result of the project.

Less Than Significant Impacts with Mitigation Measures GIO-1 through GEO-4

- d) The Uniform Building Code is a set of rules that specify standards for structures. No structures are proposed that would require a building permit.

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 the result of inadequate soil and foundation engineering or the placement of structures directly on expansive soils.

According to the soil survey of Lake County, prepared by the U.S.D.A., the soils (Skyhigh-Millsholm and Skyhigh-Sleeper-Millsholm) have a high shrink-swell potential. However, construction of the proposed hoop houses and storage sheds would not increase risks to life or property and impacts would be less than significant.

Less Than Significant Impact with Mitigation Measures GEO-1 through GEO-6 incorporated:

GEO-5: Prior to operation, all buildings, accessible compliant parking areas, routes of travel, building access, and/or bathrooms shall meet all California Building Code Requirements.

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.

- e) The proposed project will be served by existing leach field, approved by Lake County. Therefore, the proposed project will not have soils incapable of adequately supporting the use of septic tanks for the disposal of wastewater.

Less Than Significant Impact

- f) No paleontological resources have been identified on the project site, and there are no unique geological features on or near the site according to the Cultural Assessment that was prepared for this project.

Less than Significant Impact

VIII. GREENHOUSE GAS EMISSIONS

	Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less Than Significant Impact	No Impact	Source Number
Would the project:					
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1, 3, 4, 5, 36
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1, 3, 4, 5, 36

Discussion:

- a) In general, greenhouse gas emissions from construction activities include the use of construction equipment, trenching, landscaping, haul trucks, delivery vehicles, and stationary equipment (such as generators, if any are used). Given that the project site area is flat and will require very minimal grading, greenhouse gas emissions resulting from construction would be from building pad preparation; deliveries, employee trips to and from the site during construction.

A typical car generates 404 grams of CO₂ gas for each mile traveled. Source: EPA website. It is anticipated that vehicles used during construction would be roughly the equivalent of 5 mile of emissions per day, or about 1616 grams of CO₂ per vehicle per day. Truck and site preparation equipment would generate more emissions than a car, so the assumption for construction vehicles is double the amount projected for cars, or 3232 grams of CO₂ per vehicle per day. The applicant has stated that construction will last for about four to six weeks. The County anticipates two construction vehicles per day being used for a four to six-week period, amounting to 6464 grams of CO₂ per vehicle per day for a period of 30 to 42 days.

Although the County of Lake has no thresholds for 'significant levels' of greenhouse gas emissions, the Bay Area Air Quality Management District has adopted standards for air emissions which are used informally by the County of Lake. This threshold of significance is 1100 metric tons of emissions per year per project. The estimated amount of CO₂ being generated over a 45 day period is 290,880 grams, or 641 pounds. This is well under the threshold of significance of 1100 metric tons of emissions established by the Bay Area Air Quality Board.

Regarding emissions during construction, the applicant submitted material that includes a

description of factors that contribute to emissions, including an estimate that up to five employees per day will be coming to and leaving the site, and that up to two deliveries per day will occur during the construction period.

Operational emissions would be considerably lower. The greenhouses and processing building are equipped with carbon filtration systems, and a total of up to 10 daily vehicle trips to and from the site is projected.

Less than Significant Impact

b) For purposes of this analysis, the Project was evaluated against the following applicable plans, policies, and regulations:

- The Lake County General Plan
- The Lake County Air Quality Management District
- AB 32 Climate Change Scoping Plan
- AB 1346 Air Pollution: Small Off-Road Equipment

The construction and operation of the proposed project would generate a small amount of GHG emissions. Lake County has not adopted a Climate Action Plan, so the proposed project could not conflict with a local plan. Energy for the proposed project would come entirely from electricity provided by PG&E, which is required to comply with the requirements of the California Renewable Energy Portfolio Standard, so the project would be consistent with that plan. Therefore, this impact is considered less than significant, and no mitigation is required.

Less than Significant Impact

IX. HAZARDS AND HAZARDOUS MATERIALS

	Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less Than Significant Impact	No Impact	Source Number
Would the project:					
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	1, 3, 5, 13, 21, 24, 29, 31, 32, 33, 34
b) Create a significant hazard to the public or the environment through reasonable foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1, 3, 5, 13, 21, 24, 29, 31, 32, 33, 34
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	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? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | 2, 40 |
| 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? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | 1, 3, 4, 5,
20, 22 |
| f) | Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | 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? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | 1, 3, 4, 5,
20, 35, 37 |

- a) Materials associated with the proposed Cultivation of Commercial Cannabis, such as pesticides, fertilizers, gasoline, and cleaning materials. The applicant has stated that all potentially harmful chemicals will be stored in a locked, secured storage shed on site.

Routine construction materials and all materials associated with the proposed Cultivation of Commercial Cannabis shall be transported and disposed of properly in accordance with all applicable Federal, State, and Local regulations.

The project shall comply with Section 41.7 of the Lake County Zoning Ordinance that specifies that all uses involving the use or storage of combustible, explosive, caustic or otherwise hazardous materials shall comply with all applicable local, state and federal safety standards and shall be provided with adequate safety devices against the hazard of fire and explosion, and adequate firefighting and fire suppression equipment.

All equipment shall be maintained and operated in a manner that minimizes any spill or leak of hazardous materials. Hazardous materials and adequate firefighting and fire suppression equipment.

Less Than Significant Impact with Mitigation Measures HAZ-1 through HAZ-2 incorporated:

HAZ-1: All equipment will be maintained and operated to minimize spillage or leakage of hazardous materials. All equipment will be refueled in locations more than 100 feet from surface water bodies. Servicing of equipment will occur on an impermeable surface. In an event of a spill or leak, the contaminated soil will be stored, transported, and disposed of consistent with applicable local, state, and federal regulations.

HAZ-2: With the storage of hazardous materials equal to or greater than fifty-five (55) gallons of a liquid, 500 pounds of a solid, or 200 cubic feet of compressed gas, a Hazardous Materials Inventory Disclosure Statement and Business Plan shall be submitted and maintained in compliance with requirements of Lake County Environmental Health Division. Industrial waste shall not be disposed of on site without review or permit from Lake County Environmental Health Division or the California Regional Water Quality

Control Board. The permit holder shall comply with petroleum fuel storage tank regulations if fuel is to be stored on site.

- b) The applicant has stated the chemicals that will be used on site will be stored in a secure and lockable building. The site is not within a flood inundation area, nor is it within an area mapped as unstable soil according to County GIS data.

The project site does not contain any identified areas of serpentine soils or ultramafic rock, and risk of asbestos exposure during construction is minimal. The site preparation would require some construction equipment and would last for about two to four weeks. All equipment staging shall occur on previously disturbed areas on the site.

Less than Significant Impact

- c) There are no schools located within one-quarter mile of the proposed Project site. The nearest school is Lower Lake High School, which is located approximately five (5) miles west of the project site. Impacts would be less than significant, and no mitigation measures would be required.

No Impact

- d) 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:

- The SWRCB GeoTracker database
- The Department of Toxic Substances Control EnviroStor database
- The SWRCB list of solid waste disposal sites with waste constituents above hazardous waste levels outside the waste management unit.

The project site does not contain any sites identified on a list of hazardous materials sites compiled pursuant to California Government Code Section 65962.5. The proposed project will not be sited in or disturb an area containing hazardous materials.

No Impact

- e) The Project site is located approximately 21.2 miles from Lampson Field, administered by the Lake County Airport Land Use Commission, which has not adopted an Airport Land Use Compatibility Plan. In accordance with regional Airport Land Use Compatibility Plans, the site would not be located within an area of influence for the airport. Therefore, there will be no hazard for people working in the Project area from Lampson Field.

No Impact

- f) Access to the project site is from Morgan Valley Road, which is in compliance with California Public Resources Code §4290. The Project site does not contain any emergency facilities nor does it serve as an emergency evacuation route or is located adjacent to an emergency evacuation route. During long-term operation, adequate access for emergency vehicles via Morgan Valley Road and connecting roadways will be available. Furthermore, the project would not result in a substantial alteration to the design or capacity of any public road that would impair or interfere with the implementation of evacuation procedures. Because the project would not interfere with an adopted emergency response or evacuation plan, impacts are less than significant, and no mitigation measures are required.

Less than Significant Impact

- g) The project site sits between an area of high fire risk. The applicant would adhere to all federal, state, and local fire requirements and regulations for setbacks and defensible space required for any new buildings that require a building permit. All proposed construction will comply with current State of California Building Code construction standards. To construct the proposed processing structure, the applicant will be required to obtain a building permit with Lake County to demonstrate conformance with local and state building codes and fire safety requirements.

Less than Significant Impact

X. HYDROLOGY AND WATER QUALITY

	Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less Than Significant Impact	No Impact	Source Number
Would the project:					
a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1, 2, 3, 5, 6, 29, 30
b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	1, 2, 3, 5, 6, 29, 30
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner that would:					
i) Result in substantial erosion or siltation on-site or off-site;					
ii) Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site;	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1, 2, 3, 5, 6, 7, 15, 18, 29, 32
iii) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or					
iv) Impede or redirect flood flows?					
d) In any flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1, 2, 3, 5, 6, 7, 9, 23, 32

- e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan? 1, 2, 3, 5, 6, 29

Discussion:

- a) The project parcels have two unnamed seasonal Class II watercourses onsite and a number of contributing ephemeral Class III watercourses. No locations onsite that are likely to qualify as jurisdictional wetlands were identified.

The project will not violate any water quality standards or waste discharge requirements. The project will employ Best Management Practices (BMP's) related to erosion and water quality to reduce impacts related to storm water and water quality and adhere to all federal, state, and local requirements, as applicable. Minimal site preparation, construction and/or grading are proposed.

The County's Cannabis Ordinance requires that all cultivation operations be located at least 100-feet away from all waterbodies (i.e. spring, top of bank of any creek or seasonal stream, edge of lake, wetland or vernal pool).

The project areas are setback as follows:

- Over 500 feet from the nearest Class I watercourse
- Over 300 feet from the nearest Class II watercourse
- 120 feet from the nearest Class III watercourse
- Over 500 feet from the nearest wetland

Potential adverse impacts to water resources could occur during construction by modification or destruction of stream banks or riparian vegetation, the filling of wetlands, or by increased erosion and sedimentation in receiving water bodies due to soil disturbance. Project implementation will not directly impact any channels or wetlands. Soil disturbance from project implementation could increase erosion and sedimentation. Regulations at both the County and State levels require the creation and implementation of an erosion control and stormwater management plan.

As described above, the current project site has been placed as far away as possible from waterbodies and in the flattest practical areas to reduce the potential for water pollution and erosion.

Less Than Significant Impact

- b) Due to the existing exceptional drought conditions, on July 27, 2021, the Lake County Board of Supervisors passed an Urgency Ordinance (Ordinance 3106) requiring land use applicants to provide enhanced water analysis during a declared drought emergency. Ordinance 3106 requires that all project that require a CEQA analysis of water use include the following items in a Hydrology Report prepared by a licensed professional experienced in water resources:

- Approximate amount of water available for the project's identified water source,
- Approximate recharge rate for the project's identified water source, and

- Cumulative impact of water use to surrounding areas due to the project

There is one (1) existing, permitted groundwater well that will be used for cultivation. The well is approximately 375 feet deep and was installed in March of 2008. When the well was drilled, it was estimated to have a yield of 48 gallons per minute (gpm). Currently, the well has a sustainable pumping rate of 27.5 gpm.

Water Demand

According to the Hydrogeologic Assessment Report, prepared by Hurvitz Environmental Services, Inc., dated December 13, 2021 states that the total project water use will be approximately 3,439,768 gallons or 10.56 acre-feet per year. The outdoor cannabis cultivation will use approximately 2,522,086 gallons or 7.74 acre-feet per year and the mixed-light cannabis cultivation will use 710,355 gallons or 2.18 acre-feet per year. The estimated employee water use is approximately 21,960 gallons or 0.07 acre-feet per year. The domestic water for the residential dwelling will use approximately 0.5 acre-feet per year. Lastly, the applicant plans to propagate cannabis plants in a greenhouse nursery onsite which will use approximately 44,883 gallons or 0.14 acre-feet per year.

Surrounding Areas

In addition to monitoring drawdown in the pumping well, two adjacent wells were monitored during the yield test. Well #0963025 and Well #013368, located 493 ft and 1,570 ft (respectively) from the Site irrigation well, were utilized as observation wells. No change in water level was observed during the 364 minutes of pumping at either observation well. As estimated, pumping the project well at 27.5 gpm with a drawdown of 138.5 feet indicates a specific capacity of 0.20 gpm/ft drawdown. Using this data and applying it to the site, we calculated a zone of pumping influence extending approximately 150 feet from the well for an unconfined aquifer or 1,200 feet for confined aquifer. The two observation wells; well #0963025 and well #013368, located 493 ft and 1,570 ft (respectively) from the site irrigation well, showed no response to pumping during the testing period.

It is recommended that the project applicant monitor water levels in the well. The purpose of the monitoring is to evaluate the functionality of the well to meet the long-term water demand of the proposed project. Water level monitoring is required by the Lake County Zoning Ordinance. Ordinance Article 27 Section 27.11(at) requires the well to have a water level monitor. With these required measures in place, the impact is expected to be less than significant with Mitigation Measure HYD-1.

Less Than Significant Impact with Mitigation Measure HYD-1 incorporated:

HYD-1: The production well shall have a meter to measure the amount of water pumped. The production wells shall have continuous water level monitors. The methodology of the monitoring program shall be described. A monitoring well of equal depth within the cone of influence of the production well may be substituted for the water level monitoring of the production well. The monitoring wells shall be constructed and monitoring began at least three months before the use of the supply well. An applicant shall maintain a record of all data collected and shall provide a report of the data collected to the County annually and/or upon made upon request.

- c) According to Lake County Ordinance Section 27.13 (at) 3, the Property Management Plan must have a section on Storm Water Management based on the requirements of the California Regional Water Quality Control Board Central Valley Region or the California Regional Water Quality Control Board North Coast Region, with the intent to protect the water quality of the surface water and the stormwater management systems managed by Lake County and to evaluate the impact on downstream property owners. All cultivation activities shall comply with the California State Water Board, the Central Valley Regional Water Quality Control Board, and the North Coast Region Water Quality Control Board orders, regulations, and procedures as appropriate.

The applicant has provided an engineered Drainage and Erosion Control plan that shows Best Management Practices by channeling the stormwater into a confined area, and allowing stormwater to infiltrate the soil within the cultivation area boundary.

According to the Storm Water Management Plan, proposed cultivation operation would increase the impervious surface area of the project parcels by approximately 12,000 sf, or less than 0.3% of the project parcels. Establishment of the cultivation operations will require some grading, but they have been located in areas partially cleared for past, non-Cannabis land uses. Establishment of the cultivation operations does include the installation of two 3,000 sf greenhouses (proposed immature plant area), a 4,000 sf metal processing building, two 192 sf wooden sheds, and four 2,500-gallon heavy-duty plastic water storage tanks. The outdoor cultivation area would not increase the impervious surface area of the project parcel and should not increase the volume of runoff from the project site. The proposed parking lot will have a permeable gravel surface, and the proposed ADA parking spaces will be constructed of permeable pavers. Grading will be less than 500 cubic yards for creating the level pads on which the proposed buildings/structures would be constructed. BMPs include the placement of straw, mulch, seeding, straw wattles, silt fencing, and planting of native vegetation on all disturbed areas to prevent erosion.

Due to the natural conditions of the project site and with these erosion mitigation measures, the Project i) will not result in substantial erosion or siltation on-site or off-site; ii) will not substantially increase the rate or amount of surface runoff in a manner which would result in flooding on or offsite; iii) will not create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; and iv) will not impede or redirect flood flows.

Less than Significant Impact

- d) The Project site is not located in an area of potential inundation by seiche or tsunami. The Project site is designated to be in Flood Zone X – areas of minimal flooding – not in a special flood hazard area. While some soils on the parcel are susceptible to erosion, soils at the project site are relatively stable, with a minimal potential to induce mudflows.

Less than Significant Impact

- e) The project has adopted a Drought Management Plan (DMP) as part of the requirements of Lake County Ordinance 3106, passed by the Board of Supervisors on July 27, 2021, which depicts how the applicant proposes to reduce water use during a declared drought

emergency and ensures both the success and decreased impacts to surrounding areas. The project also proposes water metering and conservation measures as part of the standard operating procedures, and these measures will be followed whether or not the region is in a drought emergency.

As part of the project's standard operational procedures, the project proposes to implement ongoing water monitoring and conservation measures that would reduce the overall use of water. These measures are included in the Water Use Management Plan (Section 15.2) as required by Article 27, Section 27.13 (at) 3 of the Lake County Zoning Ordinance. On-going water conservation measures include:

- No surface water diversion
- The selection of plant varieties that are suitable for the climate of the region
- The use of driplines and drip emitters rather than spray irrigation
- Covering drip lines with straw mulch or similar materials to reduce evaporation
- Using water application rates modified from data obtained from soil moisture meters and weather monitoring
- Utilizing shutoff valves on hoses and water pipes
- Daily visual inspections of irrigation systems
- Immediate repair of leaking or malfunctioning equipment
- Water-use metering and budgeting

In addition to water use metering, water level monitoring is also required by Lake County Zoning Ordinance Article 27 Section 27.11 (at) 3, specifically that wells must have a meter to measure the amount of water pumped as well as a water level monitor.

Measuring a water level in a well can be difficult and the level of difficulty will depend on site-specific conditions. As part of the well monitoring program, the well owner or operator will work with a well expert to determine the appropriate methodology and equipment to measure the water level, as well as who will conduct the recording and monitoring of the well level data. The methodology of the well monitoring program will be described and provided in the project's annual report.

In addition to monitoring and reporting, an analysis of the water level monitoring data will be provided and included in the project's annual report, demonstrating whether or not use of the project wells is causing significant drawdown and/or impacts to the surrounding area and what measures can be taken to reduce their impacts. If there are impacts, a revised Water Management Plan will be prepared and submitted to the County for review and approval, which demonstrates how the project will mitigate the impacts in the future.

In the event that the well cannot supply the water needed for the project, the following measures may be taken:

- Reduce the amount of cultivation and/or length of cultivation season
- Install additional water storage
- If possible, develop an alternative, legal, water source that meets the requirements of Lake County Codes and Ordinances.

Less Than Significant Impact with Mitigation Measure HYD-2 incorporated:

HYD-2: The applicant will adhere to the measures described in the Drought Management Plan during periods of a declared drought emergency.

XI. LAND USE PLANNING

Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less Than Significant Impact	No Impact	Source Number
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Would the project:

- | | | | | | |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|----------------------------|
| a) Physically divide an established community? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | 1, 2, 3, 5, 6 |
| b) Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | 1, 3, 4, 5, 20, 21, 22, 27 |

Discussion:

- a) The project site consists of 183.7 acres of undeveloped land in the Lower Lake Planning Area. The closest community growth boundary accessible by road is Lower Lake, which is approximately 3.9 miles away.

The area is characterized by large parcels of rural, undeveloped land within some proximity to limited uses such as open space, and low density housing. There are no established networks of horse or pedestrian trails on or around the project site.

The proposed project site would not physically divide any established community.

No Impact

- b) This project is consistent with the Lake County General Plan, the Lower Lake Area Plan, the Lake County Zoning Ordinance, and the Lake County Hazard Mitigation Plan.

No Impact

XII. MINERAL RESOURCES

Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less Than Significant Impact	No Impact	Source Number
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Would the project:

- | | | | | | |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|----------------|
| 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? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | 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? 1, 3, 4, 5, 26

Discussion:

- a) The Lake County Aggregate Resource Management Plan does not identify the portion of the project parcel planned for cultivation as having an important source of aggregate resources. Additionally, according to the California Department of Conservation, Mineral Land Classification, there are no known mineral resources on the project site, and thus no impact.

No Impact

- b) According to the California Geological Survey's Aggregate Availability Map, the project site is not within the vicinity of a site being used for aggregate production. In addition, the site not delineated on the County of Lake's General Plan, the Lower Lake Area Plan nor the Lake County Aggregate Resource Management Plan as a mineral resource site. Therefore, the project has no potential to result in the loss of availability of a local mineral resource recovery site.

No Impact

XIII. NOISE

Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less Than Significant Impact	No Impact	Source Number
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Would the project:

- | | | | | | |
|---|--------------------------|-------------------------------------|-------------------------------------|-------------------------------------|------------------------|
| a) Result in the 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? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | 1, 3, 4, 5, 13 |
| b) Result in the generation of excessive ground-borne vibration or ground-borne noise levels? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | 1, 3, 4, 5, 13 |
| c) Result in the generation of excessive ground-borne vibration or ground-borne noise levels? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | 1, 3, 4, 5, 11, 14, 15 |

Discussion:

- a) This project will have some noise related to site preparation, and hours of construction are limited through standards described in the conditions of approval.

Although the property size and location will help to reduce any noise detectable on at the property line, mitigation measures will still be implemented to further limit the potential sources of noise.

In regard to the Lake County General Plan Chapter 8 - Noise, there are no sensitive noise receptors within 1,500 feet of the project site, and Community Noise Equivalent Levels (CNEL) are not expected to exceed the 55 dBA during daytime hours (7am – 10pm) or 45 dBA during night hours (10pm – 7am) when measured at the property line.

Less than Significant Impact with Mitigation Measures NOI-1 and NOI-2 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 10:00PM to 7:00AM within residential areas as specified within Zoning Ordinance Section 21-41.11 (Table 11.1) at the property lines.

- b) The construction of the proposed project would generate some groundborne vibration and noise through the operation of construction equipment, but these vibrations would be relatively small and temporary, and the distance of the work from neighboring residences would attenuate these vibrations to where they would not be noticeable. Operation of the proposed project would generate some ground-borne vibration and noise as a result of truck trips to the site for the delivery of materials and shipment of products. However, the distance of the cultivation site from potential sensitive noise receptors, combined with the dense foliage that is in between neighboring dwellings and the cultivation site, limit the distance that construction- or post-construction noise would carry.

Less Than Significant Impact

- c) The Project site is located approximately 21.2 miles from Lampson Field, administered by the Lake County Airport Land Use Commission, which has not adopted an Airport Land Use Compatibility Plan. Therefore, no impact is anticipated.

No Impact

XIV. POPULATION AND HOUSING

Potentially Significant Impact	Less Than Significant With Mitigation Measures	Less Than Significant Impact	No Impact	Source Number
--------------------------------	--	------------------------------	-----------	---------------

Would the project:

- | | | | | | |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|------------|
| 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)? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | 1, 3, 4, 5 |
| b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | 1, 3, 4, 5 |

Discussion:

- a) The Project is not anticipated to induce significant population growth to the area. No new housing is proposed or necessary for this project to occur.

No Impact

- b) The proposed project is not in an urban area, so the proposed project would not lead to the displacement of any existing people or housing. There would be no impact and no mitigation measures are required.

No Impact

XV. PUBLIC SERVICES

Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less Than Significant Impact	No Impact	Source Number
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Would the project:

- | | | | | | |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|---|
| a) 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:
1) Fire Protection?
2) Police Protection?
3) Schools?
4) Parks?
5) Other Public Facilities? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | 1, 2, 3, 4, 5, 20, 21, 22, 23, 27, 28, 29, 32, 33, 34, 36, 37 |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|---|

Discussion:

- 1) Fire Protection
The Lake County Fire Protection District provides fire protection services to the proposed Project area. The proposed Project would be served by the Lake County Fire Protection District – Station 65, an existing station located approximately 10.5 roadway miles from the project site. Development of the proposed project would impact fire protection services by increasing the demand on existing County Fire District resources. To offset the increased demand for fire protection services, the proposed project would be conditioned by the County to provide a minimum of fire safety and support fire suppression activities and installations, including compliance with State and local fire codes, as well as minimum private water supply reserves for emergency fire use. With these measures in place, the project would have a less than significant impact on fire protection.

- 2) Police Protection
The Project site falls under the jurisdiction of the Lake County Sheriff's Department and is in a remote area not easily reached by law enforcement the event of an emergency. Article 27 of the Lake County Zoning Ordinance lays out specific guidelines for security measures for commercial cannabis cultivation to prevent access of the site by unauthorized personnel and protect the physical safety of employees. This includes 1) establishing a physical barrier to secure the perimeter access and all points of entry; 2) installing a security alarm system to notify and record incident(s) where physical barriers have been breached; 3) establishing an identification and sign-in/sign-out procedure for authorized personnel, suppliers, and/or visitors; 4) maintaining the premises such that visibility and security monitoring of the premises is possible; and 5) establishing procedures for the investigation of suspicious activities. Accidents or crime emergency incidents during operation are expected to be infrequent and minor in nature, and with these measures the impact is expected to be less than significant.

- 3) Schools
The proposed Project is not expected to significantly increase the population in the local area and would not place greater demand on the existing public school system by generating additional students. No impacts are expected.

- 4) Parks
The proposed Project will not increase the use of existing public park facilities and would not require the modification of existing parks or modification of new park facilities offsite. No impacts are expected.

- 5) Other Public Facilities
As the owners and operators currently reside in Lake County, and the small staff will be hired locally, and no impacts are expected.

No Impact

XVI. RECREATION

Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less Than Significant Impact	No Impact	Source Number
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Would the project:

- | | | | | | |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|---------------|
| 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? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | 1, 2, 3, 4, 5 |
| b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | 1, 3, 4, 5 |

Discussion:

- a) As the owners and operators currently reside in Lake County, and the small staff will be hired locally, there will be no increase in the use of existing neighborhood and regional parks or other recreational facilities and no impacts are expected.

No Impact

- b) The proposed Project does not include any recreational facilities and will not require the construction or expansion of existing recreational facilities, and no impacts are expected.

No Impact

XVII. TRANSPORTATION

Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less Than Significant Impact	No Impact	Source Number
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Would the project:

- | | | | | | |
|---|--------------------------|--------------------------|-------------------------------------|-------------------------------------|-----------------------------------|
| a) Conflict with a program plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | 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)? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | 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)? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | 1, 3, 4, 5, 9, 20, 22, 27, 28, 35 |
| d) Substantially increase hazards due to geometric design features (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | 1, 3, 4, 5, 9, 20, 22, 27, 28, 35 |
| e) Result in inadequate emergency access? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | 1, 3, 4, 5, 9, 20, 22, 27, 28, 35 |

Discussion:

- a) The proposed project site is accessible off of Morgan Valley road, a paved county maintained road. The private shared easement is approximately 2.28 miles long to the project parcel. A minimal increase in traffic is anticipated due to construction, and incoming and outgoing employees (up to 5 employees and 10 average daily trips, plus an occasional delivery following construction).

The proposed Project does not conflict with any existing program plan, ordinance or policy addressing roadway circulation, including the Lake County General Plan Chapter 6 – Transportation and Circulation, and a less than significant impact on road maintenance is expected.

Less than Significant Impact

- b) CEQA Guidelines section 15064.3, subdivision (b) lists thresholds that would trigger a traffic impact study (TIS). The proposed project would result in only a very small increase in vehicle miles travelled (VMT) and would thus not trigger the need to prepare a TIS. It would, therefore, also not conflict with or be inconsistent with CEQA Guidelines Section 15064.3.

The applicants will be operating under an A-Type 13 Cannabis Distributor Transport Only, Self-distribution License. In the “APZ” and “RL” zoning district the Type 13 Distributor Only, Self-distribution State licenses are an accessory use to an active cannabis cultivation or cannabis manufacturing license site with a valid minor or major use permit. The parcel where the Type 13 license will be located, as required by Article 27.11, shall front and have direct access to a State or County maintained road or an access easement to such a road, the permittee shall not transport any cannabis product that was not cultivated by the permittee, and all non-transport related distribution activities shall occur within a locked structure.

The proposed Project would not generate or attract more than 110 trips per day, and therefore it is not expected for the Project to have a potentially significant level of VMT. Impacts related to CEQA Guidelines section 15064.3, subdivision (b) would be less than significant.

Less than Significant Impact

- c) The project is not a transportation project. The proposed use will not conflict with and/or be inconsistent with CEQA Guidelines Section 15064.3, subdivision (b)(2).

No Impact

- d) The project does not propose any changes to road alignment or other features, does not result in the introduction of any obstacles, nor does it involve incompatible uses that could increase traffic hazards. Equipment used in cultivation will be transported to the project site as needed and will not need to be operated on Morgan Valley Road.

No Impact

- e) The proposed project would not alter the physical configuration of the existing roadway network serving the area and will have no effect on access to local streets or adjacent uses (including access for emergency vehicles). Internal gates and roadways will meet CALFIRE requirements for vehicle access according to PRC §4290, including adequate width requirements. Furthermore, as noted above under impact discussion (a), increased project-related operational traffic would be minimal. 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.

Less than Significant Impact

XVIII. TRIBAL CULTURAL RESOURCES

Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less Than Significant Impact	No Impact	Source Number
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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:

- | | | | | | |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|------------------------|
| 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)? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | 1, 3, 4, 5, 11, 14, 15 |
| 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, the lead agency shall consider the significance of the resource to a California Native American tribe? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | 1, 3, 4, 5, 11, 14, 15 |

Discussion:

- a) A Cultural Resources Evaluation (CRE) for the proposed cultivation project was completed by Dr. John Parker, Ph.D., RPA, dated September 2021, to identify potentially significant cultural resources. Prior to the field inspection, a record search was conducted at the Sonoma State University office of the California Historical Resource Information System. This record search indicated that the project area had not been previously inspected for cultural resources. This background research indicated that no historical or prehistoric sites had been recorded within 1 mile of the project area. One September 1st, a request was sent to the California Native American Heritage Commission (NAHC) for a review of the Sacred Lands File concerning the project area. No response from the NAHC were received.

There were no documented findings for potential inclusion into a local register of Historic Places, nor was there any potential for any structures or other artifacts to be discovered that would cause the site to be placed on a historic Registry.

It was determined that no significant historical or prehistoric cultural resources exist within the proposed project areas. In the unlikely event that undiscovered cultural sites are encountered elsewhere during the ground disturbance process, it is recommended that work in the immediate vicinity of the find be suspended, and a Registered Professional Archaeologist called in to evaluate the find according to California Environmental Quality Act (CEQA) guidelines.

Less than Significant Impact with Mitigation Measures CUL-1 and CUL-2

- b) The site was surveyed in 2021 for potential historic finds. There was no evidence of tribal activity on the ground. Mitigation measures have been added as CUL-1 and CUL-2 in the event of inadvertent discovery of potentially significant relics or other tribal activity.

Less than Significant Impact with Mitigation Measures CUL-1 and CUL-2

XIX. UTILITIES

	Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less Than Significant Impact	No Impact	Source Number
Would the project:					
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1, 3, 4, 5, 29, 32, 33, 34, 37
b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1, 2, 3, 5, 6, 22, 31
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1, 2, 3, 5, 6, 22
d) Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1, 2, 3, 5, 6, 35, 36
e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1, 2, 3, 5, 6, 35, 36

Discussion:

- a) The proposed project will be served by an existing onsite irrigation well and a PG&E for all project-related energy and water demands. There is currently an ADA compliant toilet and handwashing station on the project site. No new septic systems are proposed.

The project will not 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.

Less than Significant Impact

- b) The subject parcel is served by an existing well as described in the Hydrology Study and Project Description submitted with the Use Permit application. Cannabis cultivation will minimize water use by using a low-pressure drip irrigation system. The Water Analysis provided demonstrates that the recharge rate of the aquifer is significantly more than the drawdown requirements for this project and for neighboring wells. There is adequate water to serve the project without depleting area water resources.

Less than Significant Impact

- c) Wastewater is treated onsite using an existing leach field, and no new septic systems are proposed, nor do any appear to be necessary with the addition of the ADA-compliant portable restrooms and wash station. There would be no increased impact related to wastewater.

No Impact

- d) South Lake Refuse & Recycling is an existing landfill that would support the waste disposal capacity for the proposed project.

According to the applicant's Property Management Plan – Waste Management Plan, the plan has been developed to minimize the generation of waste and dispose of such waste properly to prevent the release of hazardous waste into the environment, also to minimize the generation of cannabis vegetative waste and dispose of cannabis vegetative waste properly, and manage and dispose the growing medium. All employees will be required to follow procedures outlined in this plan.

Less than Significant

- e) The project will be in compliance with federal, state, and local management and reduction statutes and regulations related to solid waste.

Less than Significant

XX. WILDFIRE

Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less Than Significant Impact	No Impact	Source Number
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If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:

- | | | | | | |
|--|--------------------------|-------------------------------------|-------------------------------------|--------------------------|-------------------------------|
| a) Substantially impair an adopted emergency response plan or emergency evacuation plan? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | 1, 2, 3, 5, 6, 23, 25, 28, 29 |
| b) Would the project, 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? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | 1, 2, 3, 5, 6, 23, 25, 28, 29 |
| 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? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | 1, 2, 3, 5, 6 |
| 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? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | 1, 2, 3, 5, 6, 21, 23, 32 |

Discussion:

- a) The subject site is accessed by a private shared easement off of Morgan Valley Road (County Maintained Road). The project parcel is located within the State Responsibility Area and has a 'Moderate' to 'Very High' fire hazard severity zone. A site visit on 08/15/2019 confirmed that the private shared easement off of Morgan Valley Road is 20' in width but shall be gravel surface. The driveway shall be improved with turnouts at every 400' feet.

Less than Significant

- b) The Project site is situated in a high risk fire hazard zone, and the overall parcel boundary is considerably sloped, despite the Project site and access to the project site being relatively flat. The cultivation area does not further exacerbate the risk of wildfire, or the overall effect of pollutant concentrations on area residents in the event of a wildfire. The Project would improve fire access and the ability to fight fires at or from the project site and other sites accessed from the same roads through the upkeep of the property area and the installation of the proposed water tanks.

Less than Significant Impact

- c) The proposed project, as described in the application documents and confirmed through site visits to the property, would not exacerbate fire risk through the installation of maintenance of associated infrastructure. The proposed project will require maintenance to meet and/or maintain roadway and driveway standards. A steel or fiberglass fire suppression water tank will be located at the cultivation site.

Less than Significant Impact with Mitigation Measure WDF-1:

WDF-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.

- d) The project would have a neutral effect on wildfire risks, and would slightly reduce the risk of wildfire by using five water tanks (four 5,000 gallon tanks and one 2,500-gallon tank). The 5,000-gallon tanks can be used by the fire district overseeing this area. The applicant will need to improve the interior driveway to meet PRC 4290 and 4291 (CalFire) driveway standards as shown on the site plans submitted. Also, the applicant will be required to provide defensible space around the buildings.

Less than Significant Impact

XXI. MANDATORY FINDINGS OF SIGNIFICANCE	Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less Than Significant Impact	No Impact	Source Number
a) Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	ALL
b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	ALL
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	ALL

Discussion:

- a) The Brush Ridge P1 cannabis cultivation project does not have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory when mitigation measures are implemented.

All setbacks for watercourses will significantly exceed local, state, and federal regulations to prevent significant impacts on water quality. With the implementation of mitigation measures described in the biological assessment and the Best Management Practices and other mitigation measures described throughout this initial study, the potential impact on important biological resources will be reduced to less than significant.

Less than significant with AQ-1 through AQ-6; BIO-1 through BIO-4; CUL-1 through CUL-2; GEO-1 through GEO-6; HAZ-1 through HAZ-2; HYD-1 through HYD-2; NOI-1 through NOI-2; and WDF-1

- b) Potentially significant impacts have been identified related to Air Quality, Biological Resources, Cultural and Tribal Resources, Geology and Soils, Hazardous Material, Hydrology, Noise, 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. Of particular concern would be the cumulative effects on hydrology and water resources.

To address this issue, the Lake County Board of Supervisors adopted Ordinance 3106 on July 27, 2021, requiring the applicant to submit a Hydrological Study and Drought Management Plan. Upon review of the Hydrological Study and Drought Management Plan, along with the implementation of hydrological mitigation measures, the Project is expected to have a less than significant cumulative impact.

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 any cumulatively considerable environmental impacts.

Less than significant with AQ-1 through AQ-6; BIO-1 through BIO-4; CUL-1 through CUL-2; GEO-1 through GEO-6; HAZ-1 through HAZ-2; HYD-1 through HYD-2; NOI-1 through NOI-2; and WDF-1

- c) The proposed project has the potential to result in adverse indirect or direct effects on human beings. In particular, Air Quality, Biological Resources, Cultural and Tribal Resources, Geology and Soils, Hazardous Material, Hydrology, Noise, and Wildfire have the potential to impact human beings. Implementation of and compliance with mitigation measures identified in each section as conditions of approval would not result in substantial adverse indirect or direct effects on human beings and impacts would be considered less than significant.

Less than significant with AQ-1 through AQ-6; BIO-1 through BIO-4; CUL-1 through CUL-2; GEO-1 through GEO-6; HAZ-1 through HAZ-2; HYD-1 through HYD-2; NOI-1 through NOI-2; and WDF-1

Source List

1. Lake County General Plan
2. Lake County GIS Database
3. Lake County Zoning Ordinance
4. Lower Lake Area Plan
5. Brush Ridge P1 Cannabis Cultivation Application – Major Use Permit.
6. U.S.G.S. Topographic Maps
7. U.S.D.A. Lake County Soil Survey
8. Lake County Important Farmland Map, California Department of Conservation Farmland Mapping and Monitoring Program
9. Department of Transportation’s Scenic Highway Mapping Program, (<https://dot.ca.gov/programs/design/lap-landscape-architecture-and-community-livability/lap-liv-i-scenic-highways>)
10. Lake County Serpentine Soil Mapping
11. California Natural Diversity Database (<https://wildlife.ca.gov/Data/CNDDDB>)
12. U.S. Fish and Wildlife Service National Wetlands Inventory
13. Biological Resources Assessment for the Cannabis Cultivation Operation at 21242 Morgan Valley Road, Lake County CA, prepared by Pinecrest Environmental Consulting Inc., dated September 13, 2021
14. Cultural Resources Evaluation for the Cannabis Cultivation Operation at 21242 Morgan Valley Road, Lower Lake, CA, prepared by Dr. John Parker, Ph.D., RPA, September 2021.
15. California Historical Resource Information Systems (CHRIS); Northwest Information Center, Sonoma State University; Rohnert Park, CA.
16. Water Resources Division, Lake County Department of Public Works Wetlands Mapping.
17. U.S.G.S. Geologic Map and Structure Sections of the Clear Lake Volcanic, Northern California, Miscellaneous Investigation Series, 1995
18. Official Alquist-Priolo Earthquake Fault Zone maps for Lake County
19. Landslide Hazards in the Lower 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
20. Lake County Emergency Management Plan
21. Lake County Hazardous Waste Management Plan, adopted 1989
22. Lake County Airport Land Use Compatibility Plan, adopted 1992
23. California Department of Forestry and Fire Protection - Fire Hazard Mapping
24. National Pollution Discharge Elimination System (NPDES)
25. FEMA Flood Hazard Maps
26. Lake County Aggregate Resource Management Plan
27. Lake County Bicycle Plan
28. Lake County Transit for Bus Routes
29. Lake County Environmental Health Division
30. Lake County Grading Ordinance
31. Lake County Natural Hazard database
32. Lake County Countywide Integrated Waste Management Plan and Siting Element, 1996
33. Lake County Water Resources
34. Lake County Waste Management Department
35. California Department of Transportation (Caltrans)
36. Lake County Air Quality Management District website
37. Northshore Fire Protection District

38. Site Visit
39. United States Department of Agriculture – Natural Resources Conservation Service
Web Soil Survey
40. Hazardous Waste and Substances Sites List,
41. State Water Resources Control Board (SWRCB) Cannabis Policy and General Order
42. Lake County Groundwater Management Plan, March 31st, 2006.
43. Lake County Rules and Regulations (LCF) for On-Site Sewage Disposal
44. Lake County Municipal Code: Sanitary Disposal of Sewage (Chapter 9: Health and
Sanitation, Article III)