



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 17, 2023

CALIFORNIA ENVIRONMENTAL QUALITY ACT ENVIRONMENTAL CHECKLIST FORM INITIAL STUDY (UP 20-91, IS 20-114)

1. Project Title: Nomad Farms
2. Permit Numbers: Major Use Permit UP 20-91
Initial Study IS 20-114
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): 2951 Hendricks Road, Lakeport, CA 95453
APN: 005-014-28
6. Project Name & Address: Nomad Farms
2951 Hendricks Road, Lakeport, CA 95453
7. General Plan Designation: Rural Lands
8. Zoning: RL – Rural Lands
9. Supervisor District: District 3
10. Flood Zone: "D": Areas of undetermined, but possible, flood hazard risk
11. Slope: The proposed cultivation site is relatively flat with some moderately sloped areas, overall ranging from 0 to 40 percent.
12. Fire Hazard Severity Zone: California State Responsibility Area (CALFIRE):
Very High Risk
13. Earthquake Fault Zone: None
14. Dam Failure Inundation Area: Not located within Dam Failure Inundation Area
15. Parcel Size: 44.85 Total Acres

16. Description of Project:

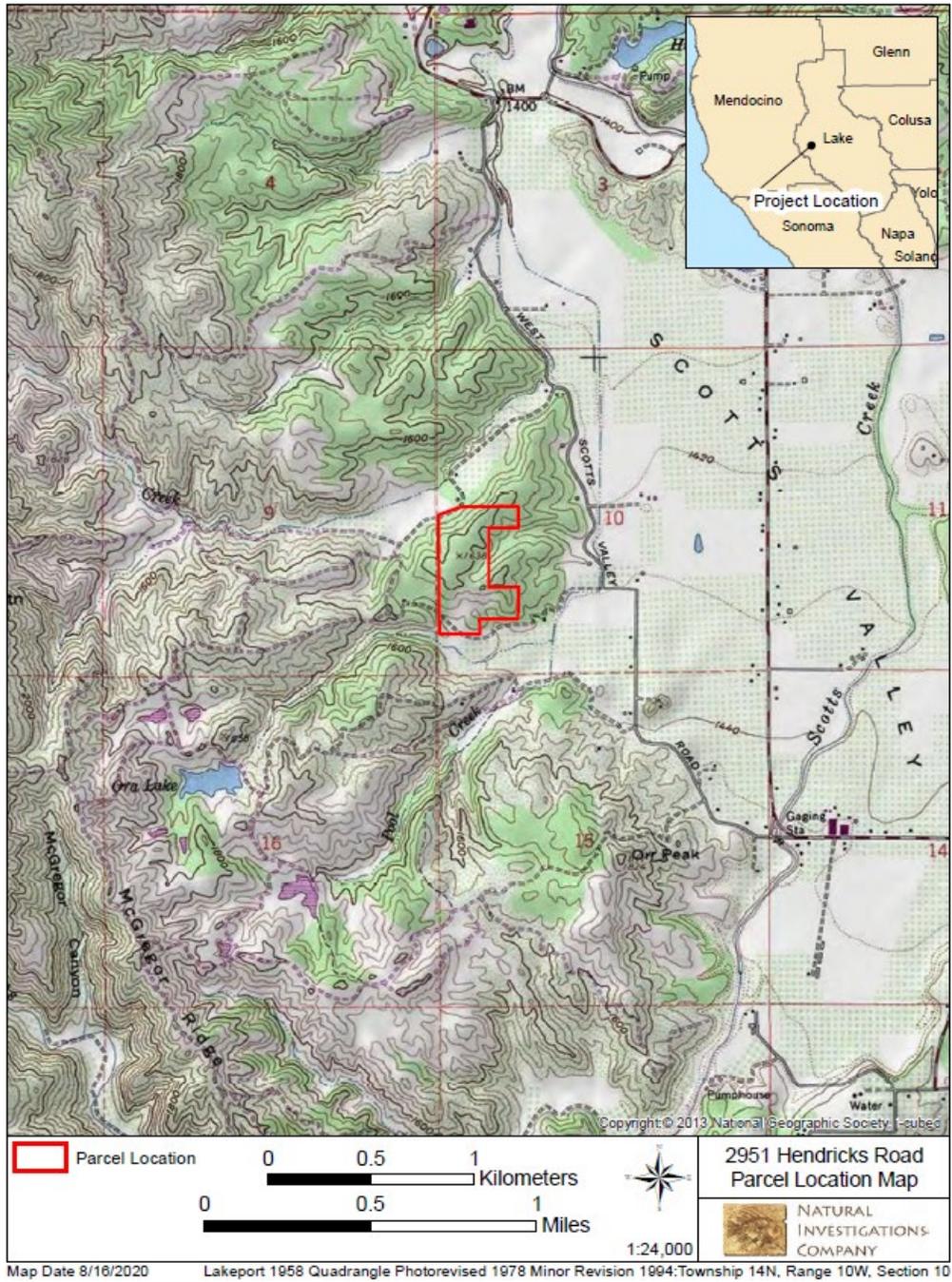
The applicant, Nomad Farms, is requesting discretionary approval from the County of Lake for a Major Use Permit, UP 20-91, for commercial cannabis cultivation at 2951 Hendricks Road, Lakeport, CA 95453 (APN: 005-014-28), as described below:

Two (2) A-Type 3B Licenses: "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 between 10,001 and 22,000 square feet, inclusive, of total canopy size on one premises. The total proposed mixed light canopy area is 43,200 square feet.

One (1) A-Type 13 Cannabis Distributor Transport Only, Self-distribution License: In the "RL" zoning district, the Type 13 Distributor Only, Self-distribution 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 (az) of the Lake County Code, 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 2, as described in §15315, must be followed.

The project site is located at 2951 Hendricks Road, Lakeport, Lake County, CA (APN 005-014-28). The size of the project parcel is 45 acres. The project site is located approximately 3.3 miles northwest of the City of Lakeport. The total cultivation area of the proposed cannabis cultivation operation (as defined in Chapter 21, Article 27 of the Lake County Code), is 87,120 square feet (sf) with a canopy area of 43,200 sf.

Figure 1. Vicinity Map



The project proposes the following:

- Eighteen (18) 3,000 sf mature canopy greenhouses (30'x100'x16.3') and three (3) propagation greenhouses
 - Sixty-three (63) 800 sf raised planter beds (8'x100')
- Four (4) 2,500-gallons water storage tanks
- A 420 sf compost area (12'x35')
- A 320 sf ISO container (8'x40')
- A 100 sf fertilizer storage (10'x10')
- A 100 sf waste storage area (10'x10')
- A 600 sf loading area (20'x30')
- An ADA-compliant parking area
- A 600 sf loading area
- A 6' foot tall fencing

Figure 2. Nomad Farms Site Plan



The entrance to the site will be secured by an approximately 20' wide metal gate which will remain locked by a commercial lock and contain a Knox Box to allow 24/7 access to emergency service vehicles in the event of an emergency. Any site where a cannabis related activity is permitted shall have access to a public road or a recorded easement that allows for, but not limited to, delivery trucks, emergency vehicles, sheriff and other law enforcement officers, and government employees who are responsible for inspection or enforcement actions. The project site is accessed from a private driveway off of Hendricks Road, a public road. Hours of Operation would be 6:00am to 5:00pm daily (Monday through Saturday). There will be 4-6 employees per shift (will vary depending on season/time of year). The facility will be closed to public visitors.

The proposed project will utilize the existing permitted groundwater well located southeast of the cultivation area for cannabis irrigation. According to the Well Test completed by Pollack Pump and Filtration, dated October 13, 2020, the well is approximately 118 feet deep. The well has an estimated yield of 7 gallons per minute (GMP) per the Water Analysis Report. According to the Hydrology Technical Memorandum, prepared by North Bay Civil Consulting, dated October 29, 2021, the proposed project intends to use 6,000 gallons per day, and 3.3 acre-feet (AF) per year (1,075,308.3 gallons) or 2.2 AF (716,872 gallons) per year during periods of declared drought. The project proposes to utilize drip irrigation, PVC piping, and four (4) 2,500-gallon water storage tanks, totaling 10,000 gallons of water storage. The drip lines will be sized to irrigate the cultivation areas at a rate slow enough to maximize absorption and prevent runoff.

According to the Biological Assessment, prepared by Natural Investigations Company, Inc., dated August 27, 2020, there are six (6) Class III watercourses on the project parcel, however, there are no water resources within the proposed cultivation area. The project site is located 100 feet away from all watercourses. The project parcel does not contain any channels, wetlands, or vernal pools. The project parcel contains Mixed oak/conifer woodland, Blue Oak woodland/annual grassland, and chaparral habitats. According to the Department of Toxic Substance Control's (DTSC) Envirostor database, there are no known historic sources of contamination at the site or within 1,000 feet of the project site.

No hazardous waste would be produced from this project. Organic waste, including stems, root balls, and leaves from the cannabis plants, would be placed in the 420-sf designated composting area within the cultivation area (outside of stream buffers), to be composted and reused in the cultivation process. All non-organic solid waste would be stored in bins with securely fitted lids in the cultivation area until proper disposal at a Lake County Integrated Waste Management facility.

Operations will occur up to six days per week, with growing periods occurring between May or June through October (depending on drought conditions). The operation hours will be Monday through Saturday during daylight hours from approximately 6:00 a.m. to 5:00 p.m. The Lake County Zoning Ordinance restricts deliveries and pickups to 9:00 a.m. to 7 p.m., Monday through Saturday, and Sunday from 12 noon to 5:00 p.m. Once operational, the proposed project would staff approximately one (1) full-time employee and three (3) employees for planting and harvesting.

The project estimates having one (1) commuter vehicle and two (2) trucks for the employees, making a round trip to the site daily. The project also anticipates one (1) truck to be driven by Kyle Geitner (cultivator) making bi-weekly trips.

The cultivation site will be surrounded with a proposed 6-foot deer fencing, with access using a 22-foot-wide gate to the cultivation area, secured by padlocks. Security cameras will be installed around the perimeters of the cultivation areas and at other points of access in compliance with the Lake County Zoning Ordinance.

According to the applicant's Property Management Plan, the following erosion control measures will be followed:

- Ensure fertilizers are properly labeled and stored to avoid contamination;
- Locate cultivation site and covered storage areas more than 100 feet from any spring or top bank;
- Limit clearing and grading of native vegetation at the site to the minimum area needed to build the project, allow access and provide fire protection; and
- Minimize grading and soil disturbance during grow site development.

17. Environmental Setting and Existing Conditions:

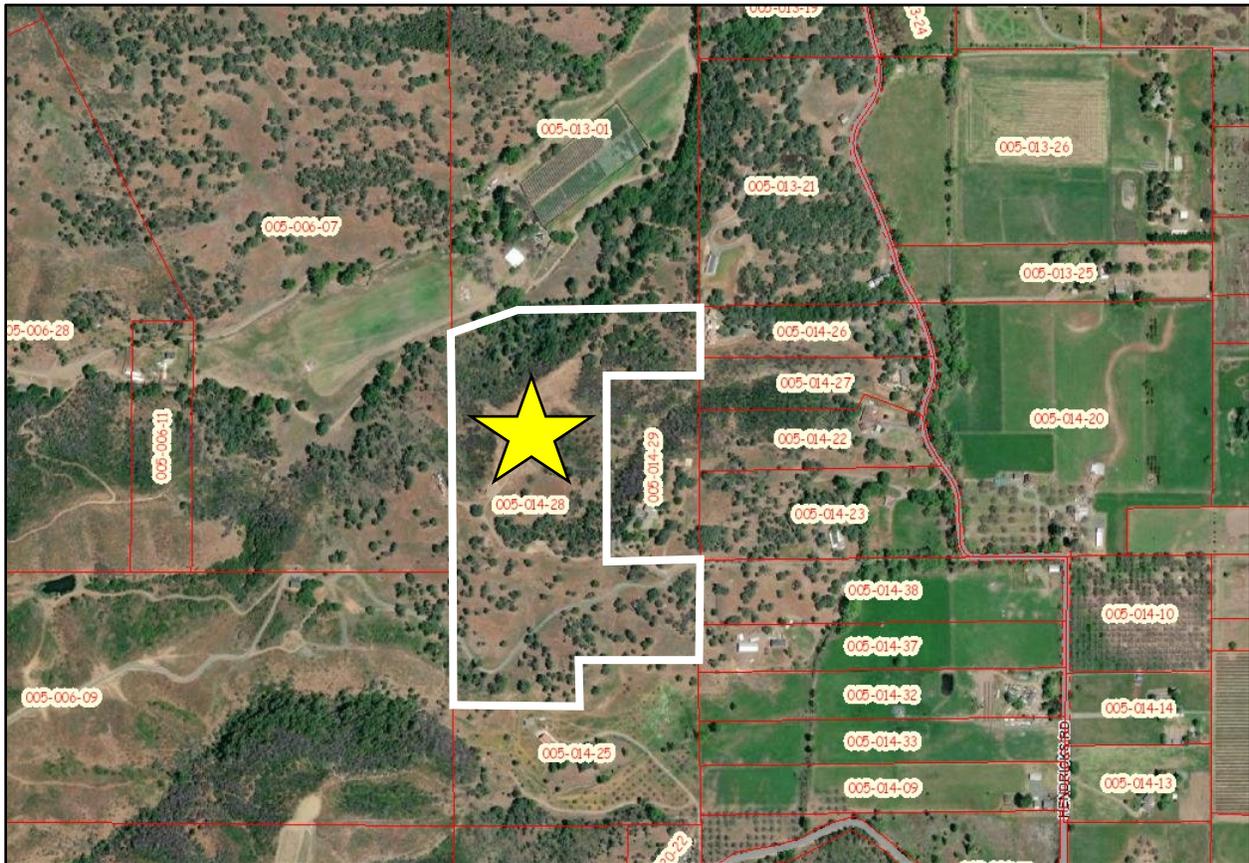
The proposed Nomad Farms cannabis project is located at 2954 Hendricks Road (APN 005-014-23). The proposed project is located in the Lakeport Communities Planning Area.

The elevation on the project parcel ranges from 1,440 to 1,620 feet above mean sea level. It is located within the Inner North Coast Range geographic subregion, which is contained within the Northwestern California geographic subdivision of the larger California Floristic Province. This region has a Mediterranean-type climate, characterized by distinct seasons of hot, dry summers and wet, moderately cold winters. The project parcel and vicinity is in Climate Zone 14, "Northern California's Inland Areas with Some Ocean Influence", with maritime air moderating temperatures that would otherwise be hotter in summer and colder in the winter. The project area is located within chaparral habitat that is recovering from the 2018 wildfire. The project parcel contains six (6) unnamed ephemeral channels (Class III watercourses). There are no vernal pools or other wetlands on the project parcel.

The surrounding land uses are largely agricultural and rural residential land. Topography surrounding the property consists of rugged, mountainous topography to the west, and a flat valley to the east of the property. The subject site and surrounding area contains rural residential land and agriculture that consist of vineyards, orchards, ranches, grazing land, and cannabis cultivation farm operations. The vegetation generally consists of mixed oak/conifer forest, oak woodland/annual grassland, and chaparral.

The site is accessed from a gravel interior driveway which is accessed from Hendricks Road, a paved County-maintained road. The project parcel includes an existing 1,750 sf structure, 600 sf existing structure, an existing permitted septic tank with leach field, internal compacted dirt access roads, and one (1) well.

Figure 4. Lake County Aerial Imagery



18. Surrounding Land Uses and Setting:

North: Agricultural Preserve District – Waterway Combining District “APZ-WW”, 74.141 Acres, One main residence for single family residential

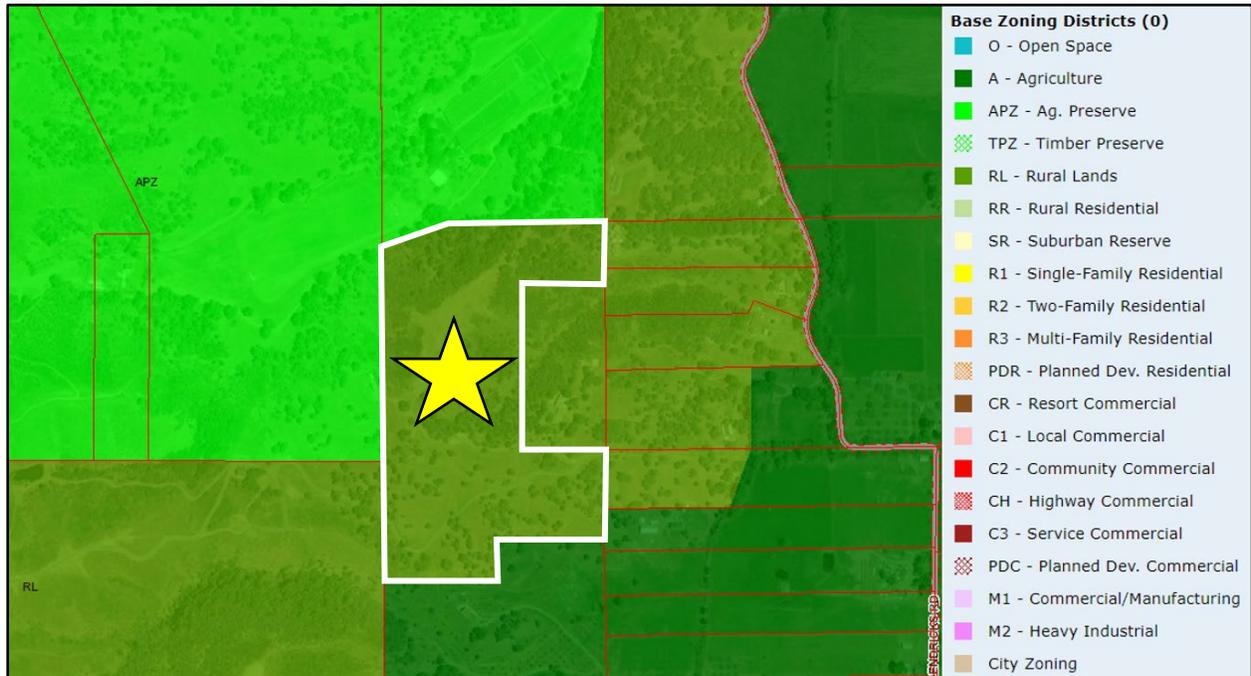
East: Rural Lands “RL”, 10.206 Acres, One main residence for single family residential

South: Agricultural “A”, 20.821 Acres, One main residence for single family residential

West: Rural Land – Waterway Combining District “RL-WW”, 117.563 Acres, One main residence for single family residential

Agricultural Preserve District – Waterway Combining District “APZ-WW”, 154.630 Acres, One main residence for single family residential.

Figure 5. Lake County Base Zoning District



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.

Notification of the project was sent to local tribes on December 18, 2021 and May 12, 2021 via 'AB 52' notification, which allows interested Tribes to request consultation. The Scotts Valley Band of Pomo Indians requested a consultation for the project on January 1, 2021. The Tribal Historic Preservation Officer for the Habematolel Pomo of Upper Lake responded with a letter dated May 21, 2021 and concluded the project is not within their territories. A Cultural Resource Reconnaissance Report was conducted by Flaherty Cultural Resource Services on October 12, 2020. Please refer to Sections V, Cultural Sources, and XVIII, Tribal Cultural Resources, for additional information.

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

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

- | | | |
|---|---|--|
| <input checked="" type="checkbox"/> Aesthetics | <input checked="" type="checkbox"/> Greenhouse Gas Emissions | <input type="checkbox"/> Public Services |
| <input type="checkbox"/> Agriculture & Forestry Resources | <input checked="" 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 checked="" 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 checked="" 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 adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
- I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

Initial Study Prepared By: Kyle Geitner, Consultant
 Reviewed By: LACO Associates

 SIGNATURE  AWA Date: 03/17/2023

 Community Development Department

SECTION 1

EVALUATION OF ENVIRONMENTAL IMPACTS:

- 1) A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).
- 2) All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
- 3) Once the lead agency has determined that a particular physical impact may occur, and then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect may be significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.
- 4) "Negative Declaration: Less Than Significant With Mitigation Incorporated" applies where the incorporation of mitigation measures has reduced an effect from "Potentially

Significant Impact" to a "Less Than Significant Impact." The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from Section XVII, "Earlier Analyses," may be cross-referenced).

- 5) Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063(c) (3) (D). In this case, a brief discussion should identify the following:
 - a) Earlier Analysis Used. Identify and state where they are available for review.
 - b) Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
 - c) Mitigation Measures. For effects that are "Less than Significant with Mitigation Measures Incorporated," describe the mitigation measures, which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.
- 6) Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.
- 7) Supporting Information Sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.
- 8) This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies should normally address the questions from this checklist that are relevant to a project's environmental effects in whatever format is selected.
- 9) The explanation of each issue should identify:
 - a) The significance criteria or threshold, if any, used to evaluate each question; and
 - b) The mitigation measure identified, if any, to reduce the impact to less than significance

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 project site is located on a ridge just west of Hendricks Road. The site is shielded from public roads and neighboring lots by a dense canopy of trees surrounding the waterway that runs through the property. The site is not near a Scenic Combining Area and is not a mapped scenic vista. Additionally, the cultivation area would be surrounded by fencing with privacy screening and all proposed uses and structures would comply with the County's regulations. Therefore, the project is not anticipated to impact views of the surrounding area.

Less than Significant Impact

- b) No rock outcroppings or historic buildings were observed. The site is not located on a state scenic highway. The cultivation areas cannot be seen from any public road or scenic highway based on property location and vegetation.

Less than Significant Impact

- c) The site is located approximately three miles from Lakeport. The cultivation areas are not visible from any public roads in the vicinity. The proposed six-foot fence is intended to reduce visual impacts to surrounding properties.

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 has potential for additional light or glare impacts from the proposed security lighting and proposed greenhouses, however reduced to less than significant with mitigations incorporated. The proposed lighting is required to be fully shielded from neighboring parcels and directed downward. The 44-acre site is large enough that any security lighting and supplemental grow lights used would not impact nearby properties due to terrain and distance of separation.

The project has some potential to create additional light and/or glare through exterior security lighting. The proposed use is a mixed light cultivation operation. The project will involve cultivation using proposed greenhouses incorporating artificial lighting. The following mitigation measures will be implemented which would reduce the impacts to less than significant:

Less than Significant Impact with Mitigation Measures AES-1 through AES-4 incorporated:

AES-1: All outdoor lighting shall be directed downward onto the project site and not onto adjacent properties. All lighting equipment shall comply with the recommendations of www.darksky.org.

AES-2: All indoor lighting shall be fully contained within structures or otherwise shielded to fully contain any light or glare. Artificial light shall be completely shielded between sunset and sunrise.

AES-3: Security lighting shall be motion activated and all outdoor lighting shall be shielded and downcast or otherwise positioned in a manner that will not shine light or allow light glare to exceed the boundaries of the lot of record upon which they are placed.

AES-4: The cultivation area shall be screened from public view. Methods of screening may include, but are not limited to, topographic barriers, vegetation, or 6' tall solid (opaque) fences.

II. AGRICULTURE AND FORESTRY RESOURCES	Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less Than Significant Impact	No Impact	Source Number
Would the project:					
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1, 2, 3, 4, 7, 8, 11, 13, 39
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input checked="" 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 Department 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 (CAL FIRE) 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) The site is categorized as Rural Land (RL) for land use and zoning, a category designated to provide for resource related and residential uses of the County's undeveloped lands that are remote and often characterized by steep topography, fire hazards, and limited access. There is no applicable setback from farmland of local importance on the project site.

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

No Impact

- b) 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. Although the lots to the immediate north and east of the subject site are zoned Agricultural Preserve (APZ), the project will not impact agricultural uses or Williamson Act contracts given that there are no productive agricultural properties in the immediate vicinity; none of the neighboring lots would be adversely impacted by this use.

According to the County of Lake, Rural Lands "(allow) agricultural uses and single family dwellings. Allowable density of one dwelling per 20-65 acres. Steep slopes, fire hazard and remoteness often restrict development." Under Article 27.11 of the Lake County Zoning Ordinance, Mixed-Light Cannabis Cultivation is permitted on parcels with a Base Zoning District of "RL" with a minimum of 20 acres. The project parcel consists of 44.85 acres.

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

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.

No 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 is currently zoned Residential Lands (RL). 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. 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 U.S. Department of Agriculture (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 some potential to result in short- and long-term air quality impacts. Dust and fumes may be released as a result of site preparation, construction of fencing, preparation of the cultivation area, and vehicular traffic including small delivery vehicles would be contributors during and after site preparation and construction. Odors generated by the plants, particularly during harvest season, will be mitigated through passive means (separation distance), and active means such as planting native flowering vegetation surrounding the entire cultivation area (Odor Control Plan). Filtration devices will be added to the greenhouses to reduce odor.

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.

Dust and fumes may be released as a result of vehicular traffic, including small delivery vehicles. Minor grading is proposed. 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 for the project, 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 Air Quality Plan in the Property 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 the Bay Area Air Quality Management District's (BAAQMD) thresholds of significance as a basis for determining the significance of air quality and greenhouse gas impacts. The cultivation project anticipates generating a minimal amount of air pollution or particulates. Nomad Farms does not anticipate causing odor pollution nor receiving odor complaints and if for some reason Nomad Farms does receive complaints, then appropriate measures will be taken to reduce odor pollution such as stopping operations for one hour until the odor is sufficiently dissipated, or if a second complaint occurs in a period of eight hours, operations will halt for the remainder of the workday. In the case that the odor is the result of the receiving or storage of compost, Nomad Farms will blanketing the compost with non-odiferous material, expedite the receiving process, and check filters and air quality BMP's.

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 no schools, parks, childcare centers, convalescent homes, or retirement homes located in proximity to the project site. The nearest off-site residence is approximately 300 feet away from the project site, over the 200-foot setback for offsite residences from commercial cannabis cultivation as described in Article 27.11 of the Lake County Zoning.

Pesticide application will not be used and as described in the Property Management Plan, will instead integrate a strategy that focuses on long-term prevention of pests and damage through a combination of techniques such as biological control, habitat manipulation, and use of resistant varieties. Additionally, no demolition or renovation will be performed which would cause asbestos exposure, and no serpentine soils have not been detected and are not mapped onsite.

Less than Significant Impact

- d) Sensitive receptors in the area include adjacent and near proximity residents. The nearest off-premises house is roughly 300 feet away from the edge of the cultivation area. Odor control measures will be necessary for the cultivation areas. The applicant will implement active odor control measures to prevent the movement of odor, pesticides, and other air borne contaminates. The applicant has an emergency contact name and number that will be distributed to neighbors within 1000 feet of the property.

Less than Significant Impact with Mitigation Measures AQ-1 and AQ-6

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 checked="" type="checkbox"/>	<input 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 type="checkbox"/>	<input checked="" 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 and Wetlands Resources Assessment (Biological Assessment), prepared by Natural Investigations Company, Inc., dated August 2020. The purpose of the Biological Assessment was to provide information as to whether the proposed cultivation area contains sensitive plants or potentially contains sensitive wildlife requiring mitigation under CEQA. The Biological Assessment refers to the project parcel as the Study Area.

The information below is based on the survey results documented in the Biological Resources Assessment prepared for the project.

Plant Species

Chaparral is a terrestrial vegetation community found in the Study Area. Much of the Study Area was burned during the 2018 River Fire. The shrub-covered slopes and ridges in the northern half of the Study Area were particularly impacted. However, this vegetation community species are adapted to fire and are able to recolonize areas that have been burned. Chaparral within the Study Area are dominated by common manzanita (*Arctostaphylos manzanita* ssp. *manzanita*), white leaf manzanita (*Arctostaphylos viscida* ssp. *viscida*), birth leaf mountain mahogany (*Cercocarpus betuloides*), yerba santa (*Eriodictyon californicum*), poison oak (*Toxicodendron diversilobum*), and lemonade berry (*Rhus aromatica*). Also observed within the Study Area were numerous annual grasses such as slender wild oat (*Avena barbata*), bromes (*Bromus* spp.), dogtail grass (*Cynosurus echinoides*), clarkia (*Clarkia* sp.), western everlasting (*Anaphalis margaritacea*) and navarretia (*Navarretia* sp.).

Mixed Oak Forest is a terrestrial vegetation community found in the Study Area. Dominant canopy species include California black oak (*Quercus kelloggii*), interior live oak (*Quercus wislizeni*), and blue oak (*Quercus douglasii*). Additionally, typical shrubs observed under the forest canopy include birch leaf mountain mahogany and poison oak. Openings within the forest canopy allow for a diverse understory of herbaceous species including slender wild oat, California fescue (*Festuca californica*), dogtail grass, bromes, tall sock destroyer (*Torilis arvensis*), and nit grass (*Gastridium phleoides*).

Blue Oak Woodland is found on the southern half of the Study Area. The blue oak woodland consists of blue oak as the sole species in the canopy, and an herbaceous understory consisting of wild oats, bromes, hayfield tarplant (*Hemizonia congesta* ssp. *luzulifolia*), rattlesnake grass (*Briza maxima*), purple needlegrass (*Stipa pulchra*), squirreltail (*Elymus elymoides*), blue wildrye (*Elymus glaucus*), soft chess (*Bromus hordeaceus*), and Italian thistle (*Carduus pycnocephalus*).

Animal Species

The Biological Assessment states that no critical habitat for any federally-listed species occurs within the project area or the surrounding Study Area. During the field survey, no special-status species were detected within the project area or the surrounding Study Area. Additionally, no special-status habitats were detected within the project area or surrounding Study Area during the field survey other than the one (1) ephemeral watercourse. However, the ephemeral watercourse does not contain sufficient water resources to sustain aquatic special-status species.

The A Botanical Survey Report conducted on August 31, 2020, and prepared by Natural Investigations Company, Inc., resulted in the finding that there were no special-status plant taxa were detected within the project area or the surrounding study area. Indirect impacts to special-status species could occur from destruction of occupied or suitable habitat. The project footprint is within post-fire regenerating chaparral and blue oak woodland habitats which may provide suitable habitat for several special status plants and animals. The Report recommends that a pre-construction botanical survey be performed by a qualified biologist to ensure that special-status species are not present.

Less than Significant Impact with Mitigation Measures BIO-1 and BIO-2 incorporated:

BIO-1: Ninety (90) days prior to construction, a pre-construction survey for special-status species should be performed by a qualified biologist to ensure that special-status species are not present. If any listed species or special-status species are detected, construction should be delayed, and the appropriate wildlife agency, either the California Department of Fish and Wildlife or the US Fish and Wildlife Service, should be consulted, and project impacts and mitigation should be reassessed.

BIO-2: If construction activities require the removal of trees or shrubs, or disturbance to riparian habitat, and if these activities occur during the nesting season (usually March to September), a pre-construction survey for the presence of special-status bird species or any nesting bird species should be conducted by a qualified biologist within 500 feet of proposed construction areas. If active nests are identified in these areas, the California Department of Fish and Wildlife or the US Fish and Wildlife Service should be consulted to develop measures to avoid a “take” of active nests prior to the initiation of any construction activities. Avoidance measures may include establishment of a buffer zone using construction fencing or the postponement of vegetation removal until after the nesting season, or until after a qualified biologist has determined the young have fledged and are independent of the nest site.

- 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 Assessment prepared for the project by Natural Investigations Company, Inc. in August 2020, it was determined that no substantial adverse effect will result from the project.

The Biological Assessment identified six (6) Class III watercourses on the proposed project parcel, but not within the cultivation area. No riparian vegetation occurs along these ephemeral watercourses. There are no wetlands or vernal pools on the subject parcel.

No development is proposed within 100-feet of the identified watercourse, 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.

In addition, the Biological Assessment concludes the Study Area is not inside any federally designated critical habitat. The project Area contains no special-status habitats or natural communities.

Less Than Significant Impacts with Mitigation Measure BIO-3 incorporated:

BIO-3: 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 Assessment, 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).

No Impact

- d) The Biological Assessment stated that no specific wildlife corridors exist within or near the Study Area. Although the Study Area may be used by wildlife for movement or migration, the proposed project would not have a significant impact on this movement because it would not create any unpassable barriers and the majority of the Study Area will still be available for corridor and migration routes.

Implementation of the project will not 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.

Less than Significant Impact

- e) Implementation of the project does not conflict with any County or municipal policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance. Dominant canopy species include California black (*Quercus kelloggii*), interior live oak (*Quercus wislizeni*) and blue oak (*Quercus doiglasii*). The United States Fish and Wildlife Service (USFWS) and National Marine Fisheries Service implement the Federal Endangered Species Act of 1973 (FESA)(16 USC §1531 et seq.). It will likely not conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance. The project is consistent with article 27 and the portions related to setbacks and other standards/thresholds for cannabis cultivation.

Less than Significant Impact

- f) No special conservation plans have been adopted for this site and no impacts are anticipated.

No Impact

V. 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:

- | | | | | | |
|--|--------------------------|-------------------------------------|--------------------------|--------------------------|-------------------------------|
| 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 Resources Evaluation was conducted for the subject parcel involved with this proposal by Flaherty Cultural Resource Services (FCRS) on October 12, 2020. No cultural resources sites were discovered during the survey; however, the possibility of buried or obscured cultural resources does exist. Should archaeological materials be discovered during future development, FCRS recommends that all activity be temporarily halted in the vicinity of the find(s), and that a qualified archaeologist be retained to evaluate the find(s) and to recommend mitigation procedures, if necessary. Prehistoric archaeological materials include, but are not limited to, obsidian, chert, and basalt flakes and artifacts, ground stone (such as mortars and pestles) and human graves. Historic archaeological materials include, but are not limited to, glass bottles, privy's, and ceramics.

It is unlikely that human remains will be discovered during project construction. If, however, human remains of any type are encountered it is recommended that the project sponsor contact a qualified archaeologist to assess the situation. FCRS suggests that Section 15064.5 of the CEQA Guidelines be reviewed, as it details the legal procedure to follow in case of the accidental discovery of human remains during excavation or construction.

As a matter of practice, the County requires any relics, artifacts or remains to be reported immediately to the culturally affiliated Tribe, and an archeologist be retained to oversee any site disturbance. Consequently, the following mitigation measures are required in the event of inadvertent discovery of any cultural resources or remains on the property:

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) A California Historical Resources Information System (CHRIS) records search was completed by the Northwest Information Center (NWIC) in January 2021 to determine if the project would affect archaeological resources. The record search found that there are no known or mapped significant archaeological resources on this site. Due to the possibility of buried or obscured cultural resources, mitigation measures CUL-1 and CUL-2 are applied. While the record shows no resources, in the event of human of any type are encountered it is recommended that the project sponsor contact a qualified archaeologist to assess the situation.

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

- c) The project site does not contain a cemetery and no known formal cemeteries are located within the immediate site vicinity. 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
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 checked="" type="checkbox"/>	<input type="checkbox"/>	1, 3, 4, 5

Discussion:

- a) The applicant states that they will use solar and grid power as the primary energy source. The mixed-light cultivation area will have minimal need for power. The cultivation techniques will focus on light deprivation and use LED lights for any supplemental lighting required. The project plans on using a 200-amp system from the grid, which is already on-site and was previously used for a residence that was burnt down in wildfires. The energy system will mainly consist of solar panels for the supplemental lighting. Other likely items requiring power on the subject property include the security system and any outdoor lighting that might be needed for the project.

Less than Significant Impact

- b) There are presently no mandatory energy reduction requirements for mixed-light 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.

Less than Significant Impact

VII. GEOLOGY AND SOILS

	Potentially Significant Impact	Less Than Significant With Mitigation Measures	Less Than Significant Impact	No Impact	Source Number
Would the project:					
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 checked="" type="checkbox"/>	<input 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 type="checkbox"/> | <input checked="" 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 type="checkbox"/> | <input checked="" 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 type="checkbox"/> | <input checked="" 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. There are no known faults located on the project site; therefore, 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 proposed 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 along the top of the ridgeline. 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 with Mitigation Measure BIO-3

- b) No major grading is proposed to prepare the project site for cultivation. The project involves tilling the soil to prepare for cultivation and also includes the import of soil for other cultivation activities, and, according to the Property Management Plan, this would not involve any adverse effects on the potential for erosion or the loss of topsoil. The soil on this site has the potential for erosion and/or the loss of topsoil. However, the location of the cultivation area has little slope and will not require any grading. In addition, mitigation measure GEO -1 through GEO-4 and BIO-3 are included to address the potential for erosion if it is later determined that any grading is required than the following mitigation measures are propose to mitigation any impact to less than significant:

Less Than Significant Impacts with Mitigation Measures GIO-1 through GEO-4, and BIO-3, 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.

BIO-3: 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) The geologic unit or soil type where the proposed project site is situated is:

175 – Maymen, Millsholm, Bressa complex, 30 to 50 percent slopes

This map unit is on hills. Rock outcrop and stones 10 inches to 2 feet in diameter are on the upper part of south-facing slopes and on ridgetops. This unit is about 30 percent Maymen gravelly loam, 20 percent Millsholm loam, and 15 percent Bressa loam. The components of this unit are so intricately intermingled that it was not practical to map separately at the scale used.

The Maymen soil is shallow and somewhat excessively drained. Permeability of the Maymen soil is moderate. Available water capacity is 1 inch to 3 inches. Effective rooting depth is 12 to 20 inches. Surface runoff is rapid, and the hazard of erosion is severe. The Millsholm soil is shallow and well drained. Permeability of the Millsholm soil is moderate. Available water capacity is 1.5 to 3.5 inches. Effective rooting depth is 10 to 20 inches. Surface runoff is rapid, and the hazard of erosion is severe. The Bressa soil is moderately deep and well drained. Permeability of the Bressa soil is moderately slow. Available water capacity is 3.0 to 7.5 inches. Effective rooting depth is 20 to 40 inches. Surface runoff is rapid, and the hazard of erosion is severe. This unit is used mainly as wildlife habitat and watershed. It is also used for livestock grazing and firewood production. The natural vegetation on the Maymen soil is mainly brush. The species in most areas are mainly charmise, manzanita, and buckbrush. Properly planned and applied prescribed burning or chemical or mechanical treatment can be used in small areas to improve habitat for wildlife, increase access, and reduce the risk of fire. The soil is not unstable nor will it result in landslide from the project.

Less Than Significant Impacts

- 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.

The soil on the cultivation area is type 175 Maymen-Millsholm-Bressa complex which does have slight erosion potential and shrink-swell potential. The applicant has stated all cultivation will take place above ground which will reduce the potential of expansive soils due to the ground not being directly wetted. The cultivation site is also located within an area of little to no slope greatly reducing the erosion potential.

Although no new buildings are proposed, any new construction requiring a building permit would be subject to the Uniform Building Code and California Building Code for foundation design to meet the requirements associated with expansive soils, if they are found to exist within a site-specific study.

Less Than Significant Impact

- e) The proposed project will be served by an existing permitted septic system. The soil is relatively well-drained and does not appear to be problematic to the existing septic system or if a new one is needed to be added to the cultivation site in the future.

Therefore, the proposed project will not have soils incapable of adequately supporting the use of septic tanks for the disposal of wastewater. In addition, the system will be inspected and approved by the County Division of Environmental Health prior to obtaining a use permit.

Less Than Significant Impact

- f) The project site does not contain any known unique geologic feature or paleontological resources. Disturbance of these resources is not anticipated.

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 type="checkbox"/>	<input checked="" type="checkbox"/>	1, 3, 4, 5, 36

Discussion:

- a) The project consists of 87,120 square feet (sf) cultivation area with a canopy area of 43,200 sf . 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 countywide air quality.

The Lake County Air Basin is in attainment for all air pollutants with a high air quality level, and therefore the LCAQMD has not adopted thresholds of significance for greenhouse gas (GHG) emissions. In the interim, emissions estimates have been calculated using the California Emissions Estimator Model (CalEEMod) and compared with thresholds defined

by the Bay Area Air Quality Management District (BAAQMD).

In general, greenhouse gas emissions can come from construction activities and from post-construction activities such as vehicle trips (employees, deliveries, et cetera). Lake County does not require a commercial cannabis applicant to provide GHG estimates during or after site preparation. In this case the site disturbance ('construction') will be very minimal because the cultivation area has already been disturbed. Minimal new construction will occur on the site, and there are minimal gasses that would be emitted from the mixed-light cultivation activities due to filtration devices.

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

Policy HS-3.6 of the Lake County General Plan on Regional Agency Review of Development Proposals states that the “County shall solicit and consider comments from local and regional agencies on proposed projects that may affect regional air quality. The County shall continue to submit development proposals to the Lake County Air Quality Management District for review and comment, in compliance with the California Environmental Quality Act (CEQA) prior to consideration by the County.” The proposed project was referred to the LCAQMD for review and comment, and the only concern from LCAQMD was restricting the use of an onsite generator to emergency situations only.

The Lake County Air Basin is in attainment for all air pollutants with a high air quality level, and, therefore, the LCAQMD has not adopted an Air Quality Management Plan, but rather uses its rules and regulations for the purpose of reducing the emissions of greenhouse gases. The proposed project does not conflict with any existing LCAQMD rules or regulations and would therefore have no impact at this time.

No Impact

IX. HAZARDS AND HAZARDOUS MATERIALS

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) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" 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 gasoline, pesticides, fertilizers, alcohol, hydrogen peroxide, and the equipment emissions may be considered hazardous if unintentionally released and could create a significant hazard to the public or the environment if done so without intent and mitigation. According to the Property Management Plan for the proposed project, all potentially harmful chemicals would be stored and locked in a secured building on-site and measures will be taken to avoid any accidental release and environmental exposure to hazardous materials. Storage areas containing hazardous waste will be inspected weekly by Nomad Farms staff to ensure accurate record keeping and safe storage conditions.

The project will 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.

The Lake County Division of Environmental Health, which acts as the Certified Unified Program Agency (CUPA) for Hazardous Materials Management, has been consulted about the project and the project is required to address Hazardous Material Management in the Property Management Plan, which has been reviewed by the Lead Agency to ensure the contents are current and adequate. In addition, the project will require measures for employee training to determine if they meet the requirements outlined in the Plan and measures for the review of hazardous waste disposal records to ensure proper disposal methods and the amount of wastes generated by the facility.

The Property Management Plan also addresses the following:

- Storage areas containing hazardous waste will be inspected weekly by Nomad Farms staff to ensure accurate record keeping and safe storage conditions. All fertilizers will be stored in their original package and may only be used in strict accordance with the product label requirements including, but not limited to, directions pertaining to application, storage, and disposal of the fertilizer product.
- Cannabis waste will be chipped and spread on-site or composted as needed. The burning of cannabis waste is prohibited in Lake County and will be not take place as part of project operations.
- All equipment shall be maintained and operated in a manner that minimizes any spill or leak of hazardous materials. Hazardous materials and contaminated soil shall be stored, transported, and disposed of in accordance with applicable local, state, and federal regulations.

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: Prior to operation, the applicant shall schedule an inspection with the Lake County Code Enforcement Division within the Community Development Department to verify adherence to all requirements of Chapter 13 of the Lake County Code, including but not limited to adherence with the Hazardous Vegetation requirements.

- b) Flood risk at the project site is minimal. According to Lake County GIS Portal data, the project site is not located in or near an identified earthquake fault zone. Fire hazard risks on the project site is Very High.

The project site does not contain any identified areas of serpentine soils or ultramafic rock. The site preparation would require some construction equipment and would last for four weeks. All equipment staging shall occur on previously disturbed areas on the site.

A spill kit would be kept on site in the unlikely event of a spill of hazardous materials. All equipment shall be maintained and operated in a manner that minimizes any spill or leak of hazardous materials. Hazardous materials and contaminated soil shall be stored, transported, and disposed of consistent with applicable local, state, and federal regulations.

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

HAZ-3: Prior to operation, all employees shall have access to restrooms and hand-wash stations. The restrooms and hand wash stations shall meet all accessibility requirements.

HAZ-4: The proper storage of equipment, removal of litter and waste, and cutting of weeds or grass shall not constitute an attractant, breeding place, or harborage for pests.

HAZ-5: All food scraps, wrappers, food containers, cans, bottles, and other trash from the project area should be deposited in trash containers with an adequate lid or cover to contain trash. All food waste should be placed in a securely covered bin and removed from the site weekly to avoid attracting animals.

HAZ-6: The applicant shall maintain records of all hazardous or toxic materials used, including a Material Safety Data Sheet (MSDS) for all volatile organic compounds utilized, including cleaning materials. Said information shall be made available upon request and/or the ability to provide the Lake County Air Quality Management District such information to complete an updated Air Toxic Emission Inventory.

- c) There are no schools located within one-quarter mile of the proposed project site. The nearest school is Clearlake High School, which is located approximately two and a half (2.5) miles southeast of the project site. 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, and 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:

- State Water Resources Control Board (SWRCB) GeoTracker database;
- Department of Toxic Substances Control (DTSC) EnviroStor database; and
- SWRCB list of solid waste disposal sites with waste constituents above hazardous waste levels outside the waste management unit.

The project site is not listed in any of these databases as a site containing hazardous materials as described above.

No Impact

- e) The project site is located approximately 6.4 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 Hendricks 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 Hendricks 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 on an area of very high fire risk. In addition to the removal of brush and vegetation that would reduce fire risk, much of the parcel burned in the 2018 Mendocino Complex Fire, reducing much of the fuel that would place the cultivation area at a greater risk of wildfire. Additionally, the proposed project proposes four (4) 2,500-gallon tanks for water storage that will be available in case of wildfire, as well as the addition of a California Public Resources Code §4290-compliant water tank dedicated to wildfire protection.

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? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | 1, 2, 3, 5,
6, 29 |

Discussion:

- a) The project parcel has six (6) Class III watercourses. 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. 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 applicant shall adhere to all federal, state, and local regulations regarding wastewater treatment and water usage requirements.

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. In addition, as described in the applicant's Property Management Plan, the following erosion control measures will be implemented under the project:

- Ensure fertilizers are properly labeled and stored to avoid contamination;
- Locate cultivation site and covered storage areas more than 100 feet from any spring or top bank;
- Limit clearing and grading of native vegetation at the site to the minimum area needed to build the project, allow access and provide fire protection; and
- Minimize grading and soil disturbance during grow site development.

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

Water Demand

According to the project's Technical Memorandum (*Hydrology Report*), prepared by North Bay Civil Consulting, dated October 29, 2021, the CalCannabis Environmental Impact Report (CDFA, 2017) states that cannabis cultivation uses six (6.0) gallons of water per day (gpd) per plant, which is one (1.0) gallon gdp per plant more than reported by Bauer et. al. (2015), who recorded up to five (5.0) gdp per plant (18.9 Liters/day/plant). Using the more conservative estimate of 6.0 gpd, and assuming there are approximately 500 planters per acre of canopy (CDFA, 2017), the demand is 3,000 gdp (2.1 gallons per minute (gpm)) per acre of canopy. The total water demand for a 2-acre canopy is approximately as follows:

- Daily – 6,000 gpd (4.2 gpm)
- Yearly:
 - 120-day cultivation season – 2.2 acre-feet (AF)
 - 180-day cultivation season – 3.3 AF

There is one (1) existing, permitted groundwater well that will be used for cultivation (Latitude: 39.0729906611°, -122.968037296°). The well is approximately 118 feet deep and has existed on the property since the last two owners. Using USGS topography, the elevation of the bottom of the well is at approximately 1,560 feet. The well was estimated to have a yield of 7 gpm (11.3 acre-feet per year). The potential daily demand of 4.2 gpm represents 60% of the well yield and between 19%-29% of the annual well production in acre-feet.

Irrigation

Irrigation for the cultivation operation will use water supplied by the existing well. The irrigation water will be pumped from the well, via PVC piping, to four (4) 2,500-gallon water storage tanks, totaling 10,000 gallons of water storage, and then delivered to a drip irrigation system. The drip lines will be sized to irrigate the cultivation areas at a rate slow enough to maximize absorption and prevent runoff. Drip irrigation systems, when done properly, can conserve more water compared to other irrigation techniques.

Groundwater Basin Information and Hydrogeology

The well is located on western edge of the Scotts Valley groundwater basin (Basin #5-014). The well is approximately 2,500-feet east of the Scotts Valley groundwater basin. Thus, it is likely that the well is located in the Scotts Valley Groundwater basin. The Scotts Valley Basin includes Scotts Valley, the foothills between Scotts Valley and Clear Lake,

and the foothills immediately to the south of Lakeport. According to the California Department of Water Resources (DWR), almost all groundwater in the Scotts Valley Basin is derived from rain that falls within the 11-square-mile Scotts Valley Watershed drainage area. The Scotts Valley Basin consists of three water bearing formations; Quaternary Alluvium, Quaternary Lake and Floodplain Deposits, and Quaternary Terrace Deposits.

Cumulative Impact to Surrounding Areas

Annual water demand of the proposed project could be up to 3.3 AF per year, depending on the length of the cultivation season, which is approximately 7 percent and 8 percent of the annual recharge during an average and dry year, respectively. Overall, the project would need 1.35 inches of rainfall to infiltrate into the recharge area to meet the project's demand. Thus, there is enough recharge on an annual basis to meet the project's demand.

The Lake County Groundwater Management Plan (Table 2-3) states that there are 235 domestic wells, 87 irrigation wells, and 31 others wells in the Scotts Valley Basin. The groundwater demand from agriculture in an average year is 2,369 AF (Table 2-4). The demand from additional proposed cannabis cultivation projects in the Scotts Valley Groundwater Basin is not included in the 2004 Groundwater Management Plan, so the total additional proposed cannabis cultivation is unknown. It will be assumed that new cannabis cultivation could add an additional 30 to 50 acres to the Scotts Valley Groundwater Basin. This additional agricultural demand of the groundwater could increase by 82.5 AF. With the addition of these new cultivations and the proposed Nomad Farm project, the annual groundwater demand could increase up to 4.0% or 85.8 AF of the leftover usable storage capacity of the Scotts Valley Basin. Therefore, the proposed project water use would have little to no cumulative impact on the agricultural groundwater demand.

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 Measures HYD-1 and HYD-2.

Less Than Significant Impact with Mitigation Measures HYD-1 and HYD-2 incorporated:

HYD-1: The applicant shall prepare a groundwater management plan to ensure that the groundwater resources of the County are protected used and managed sustainably. The plan would support the Integrated Regional Water Management Plan and include an inventory of groundwater resources in the County and a management strategy to maintain the resource for the reasonable and beneficial use of the people and agencies of the County.

HYD-2: 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.

According to the project's Storm Water Management Plan, the cultivation operations are not expected to alter the hydrology of the parcel significantly. Establishment of the cultivation operations will not require grading, but as it is located in an area cleared for past, non-cannabis land uses. Establishment of the cultivation operations does not require the construction of new buildings, paved roads, or other significantly permanent and impermeable surfaces that would alter runoff significantly.

In addition to significantly exceeding all setback requirements, generous vegetative buffers exist between the cultivation area and the Class III watercourses. These vegetated areas will be preserved as much as possible, with the exception of any fire breaks needed for wildfire protection.

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 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;
- Using compost and mulch to all cannabis plant soil;
- Planting cover crops; and
- Water-use metering and budgeting.

A water budget will be created every year and water use efficiency from the previous year will be analyzed.

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. Well water level monitoring and reporting will be performed as follows:

Seasonal Static Water Level Monitoring

The purpose of seasonal monitoring of the water level in a well is to provide information regarding long-term groundwater elevation trends. The water level in each well will be measured and recorded once in the Spring (March or April), before cultivation activities begin, and once in the fall (October) after cultivation is complete, as the California Statewide Groundwater Monitoring Program (CASGEM) monitors semi-annually, around April 15 and October 15 of each year. Records shall be kept, and elevations reported to the County as part of the project's annual reporting requirements. Reporting shall include a hydrograph plot of all seasonal water level measurements, for all project wells, beginning with the initial measurements. Seasonal water level trends will aid in the evaluation of the recharge rate of the well. If the water level in a well measured during the Spring remains relatively constant from year to year, then the water source is likely recharging each year.

Water Level Monitoring During Extraction

The purpose of monitoring the water level in a well during extraction is to evaluate the performance of the well and determine the effect of the pumping rate on the water source during each cultivation season. This information will be used to determine the capacity and yield of the project's well and to aid the cultivators in determining pump rates and the need for water storage. The frequency of water level monitoring will depend on the source, the source's capacity, and the pumping rate. It is recommended that initially the water level be monitored twice per week or more, and that the frequency be adjusted as needed depending on the impact that the pumping rate has on the well water level. Records will be kept and elevations reported to the County as part of the project's annual reporting

requirements. Reporting will include a hydrograph plot of the water level measurements for all project wells during the cultivation season and compared to prior seasons.

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 well 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.

Drought Emergency Water Conservation Measures

In addition to the above on-going water monitoring and conservation measures, during times of drought emergencies or water scarcity the project may implement the following additional measures as needed or appropriate to the site in order to reduce water use and ensure both the success and decreased impacts to surrounding areas:

- Install moisture meters to monitor how much water is in the soil at the root level and reduce watering to only what is needed to avoid excess;
- Cover the soil and drip-lines with removable plastic covers or similar to reduce evaporation;
- Irrigate only in the early morning hours or before sunset;
- Cover plants with shaded meshes during peak summer heat to reduce plant water needs;
- Use a growing medium that retains water in a way to conserve water and aid plant growth. Organic soil ingredients like peat moss, coco coir, compost and other substances like perlite and vermiculite retain water and provide a good environment for cannabis to grow; and
- Install additional water storage.

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; and
- 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-3 incorporated:

HYD-3: 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 checked="" type="checkbox"/> | <input type="checkbox"/> | 1, 3, 4, 5, 20, 21, 22, 27 |

Discussion:

- a) The project site consists of 44 acres of undeveloped land in the Lakeport Planning Area. The closest community growth boundary is approximately 1.75 miles away, and separated by rugged, hilly terrain.

The area is characterized by large parcels of rural, and agricultural land such as vineyards, orchards, and small horse ranches. 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) The General Plan Land Use Zone and Zoning District designation currently assigned to the project site is Rural Land (RL). The Lake County Zoning Ordinance allows for commercial mixed-light cannabis cultivation in the RL land use zone with a major use permit.

The restricted uses described in Article 34.3 do not apply to the proposed project, and the requirement of a major use permit as described in Article 34.4 is satisfied through the current use permit application. The proposed project meets the performance standards as described in Article 34.11.

Less than Significant 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? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | 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. There are no known mineral resources on the project site, and thus no impact.

No Impact

- b) Neither the County of Lake's General Plan nor the Lake County Aggregate Resource Management Plan designates the project site as being a locally important 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
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) For a project located within the vicinity of private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1, 3, 4, 5, 11, 14, 15

Discussion:

- a) Noise related to outdoor cannabis cultivation typically occurs either during construction, or as the result of machinery related to post construction equipment such as well pumps or emergency backup generators during power outages. Short-term increases in ambient noise levels to uncomfortable levels could be expected during project construction. Permanent increase in ambient noise levels are to be expect due to the use of the Air Filtration System; however, they will be used during the allowed hours. Additionally, generation of permanent noise will occur from daily activities throughout the year and during the cultivation season. Mitigation measures will decrease these noise levels to an acceptable level.

In regard to the Lake County General Plan Chapter 8 - Noise, there are no sensitive noise receptors within one (1) mile 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 to 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.

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) Under existing conditions, there are no known sources of ground-borne vibration or noise that affect the project site such as railroad lines or truck routes. Therefore, the project would not create any exposure to substantial ground-borne vibration or noise.

The project would not generate ground-borne vibration or noise, except potentially during the construction phase from the use of construction equipment. According to California Department of Transportation's (Caltrans) Transportation and Construction-Induced Vibration Guidance Manual, ground-borne vibration from heavy construction equipment does not create vibration amplitudes that could cause structural damage, when measured at a distance of 10 feet. Furthermore, the project is not expected to employ any pile driving, rock blasting, or rock crushing equipment during construction activities, which are the primary sources of ground-borne noise and vibration during construction. As such, impacts from ground-borne vibration and noise during near-term construction would be less than significant.

Less Than Significant Impact

- c) The project site is located approximately 6.4 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
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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. The increased employment will be approximately one (1) full-time and up to three (3) seasonal employees to be hired locally.

No Impact

- b) No people or housing will be displaced as a result of the project.

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

Discussion:

a) Fire Protection

The Lakeport Fire Protection District provides fire protection services to the proposed project area. The proposed project would be served by the Lakeport Fire Protection Station in Lakeport, with the nearest existing station located approximately 3.7 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.

Police Protection

The project site falls under the jurisdiction of the Lake County Sheriff's Department, and is in an area 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.

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.

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.

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.

Less than Significant Impact

XVI. RECREATION

	Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less Than Significant Impact	No Impact	Source Number
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
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) Roadway Analysis

The proposed project site is accessed from Hendricks Road, a paved County road. A minimal increase in traffic is anticipated due to construction (projected between 4 and 6 ADT), and incoming and outgoing deliveries, through the use of small vehicles only, which are anticipated to be infrequent. Estimated daily employee trips are between 4 and 6 trips, which is slightly less than a single-family dwelling, which averages 9.55 average daily trips according to International Transportation Engineer's manual, 9th edition.

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.

Transit Analysis

The proposed project does not conflict with any existing program plan, ordinance or policy addressing transit issues, including Chapter 6 of the General Plan.

Bicycle Lane and Pedestrian Path Analysis

The proposed project does not conflict with any existing program plan, ordinance or policy addressing bicycle and/or pedestrian issues, including Chapter 6 of the General Plan.

Less than Significant Impact

- b) State CEQA Guidelines Section 15064.3, Subdivision (b) states that for land use projects, transportation impacts are to be measured by evaluating the proposed project's vehicle miles traveled (VMT), as follows:

“Vehicle miles traveled exceeding an applicable threshold of significance may indicate a significant impact. Generally, projects within one-half mile of either an existing major transit stop or a stop along an existing high quality transit corridor should be presumed to cause a less than significant transportation impact. projects that decrease vehicle miles traveled in the project area compared to existing conditions should be presumed to have a less than significant transportation impact.”

To date, the County has not yet formally adopted its transportation significance thresholds or its transportation impact analysis procedures. As a result, the project-related VMT impacts were assessed based on guidelines described by the California Office of Planning and Research (OPR) in the publication *Transportation Impacts (SB 743) CEQA Guidelines Update and Technical Advisory*, 2018. The OPR Technical Advisory identifies several criteria that may be used to identify certain types of projects that are unlikely to have a significant VMT impact and can be “screened” from further analysis. One of these screening criteria pertains to small projects, which OPR defines as those generating fewer than 110 new vehicle trips per day on average. OPR specifies that VMT should be based on a typical weekday and averaged over the course of the year to take into consideration seasonal fluctuations. The estimated trips per day for the proposed project are between 5 to 12 during construction and operation.

The applicants will be operating under an A-Type 13 Cannabis Distributor Transport Only, Self-distribution License. In the “RL” zoning district the Type 13 Distributor Only, Self-distribution 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 A-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 Hendricks 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
<p>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:</p>					
a) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k)?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input 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 Reconnaissance (CRR) for the proposed cultivation project was completed by Natural Investigations Company, Inc., dated October 12, 2020, to survey the site for potentially significant cultural resources. Prior survey reports on file at the Historical Resources Information System Northwest Information Center were reviewed, and the Native American Heritage Commission (NAHC) returned the results of the Sacred Lands File (SLF) search on August 2020. Finally, Natural Investigations conducted an intensive pedestrian survey within the project area. No cultural resources of any kind were identified during the field survey.

Notification of the project was sent to local tribes on December 18, 2020 and May 12, 2021. The Scotts Valley Band of Pomo Indians requested consultation on January 5, 2021. The Tribal Historic Preservation Officer for the Habematolel Pomo of Upper Lake responded with a letter dated May 21, 2021 and concluded the project is not within their territories.

Based on the negative findings of the CHRIS search, field survey, and outreach efforts with local tribes, there is no indication that the project will impact any historical or archaeological resources as defined under CEQA Section 15064.5 or tribal cultural resources as defined under Public Resources Code Section 21074. It is possible, but unlikely, that significant artifacts or human remains could be discovered during project construction. If, however, significant artifacts or human remains of any type are encountered it is recommended that the project sponsor contact the culturally affiliated tribe and a qualified archaeologist to assess the situation. The Sheriff's Department must also be contacted if any human remains are encountered.

In response to the Cultural Resources Reconnaissance and the California Historical Resources Information System records search, both of which indicate no presence of tribal cultural resources on the project site, the lead agency has determined that, in its discretion and supported by substantial evidence, no resources pursuant to criteria set forth in subdivision (c) of Public Resources Code section 5024.1 will be affected by the proposed project, with implementation of mitigation measures CUL-1 through CUL-3 in the event of inadvertent discovery of tribal cultural resources on the subject site. With mitigation measures CUL-1 and CUL-3, along with a continued dialogue with the Habematolel Pomo of Upper Lake and other tribes in Lake County, the impact will be less than significant.

Less than Significant Impact with Mitigation Measures CUL-1 and CUL-3

- b) In response to the Cultural Resources Reconnaissance and the California Historical Resources Information System records search, both of which indicate no presence of tribal cultural resources on the project site, the lead agency has determined that, in its discretion and supported by substantial evidence, no resources pursuant to criteria set forth in subdivision (c) of Public Resources Code section 5024.1 will be affected by the proposed project, with implementation of mitigation measures CUL-1 through CUL-3 in the event of inadvertent discovery of tribal cultural resources on the subject site. With mitigation measures CUL-1 and CUL-3, along with a continued dialogue with the Scotts Valley Band of Pomo Indians and other tribes in Lake County, the impact will be less than significant.

Less than Significant Impact with Mitigation Measures CUL-1 and CUL-3

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 checked="" type="checkbox"/>	<input 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 on-site irrigation well for all project-related water demands. There is currently an existing septic system on the project site. 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 not 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 Stormwater Management Plan submitted with the Use Permit application and implements measures to prevent potential of contamination from fertilizers and chemicals, implements best management practices, and train personnel about best management practices and emergency waste discharge response. The project site is located 100 feet away from any watercourse and will have an appropriately sized vegetated buffer in place. There will also be straw wattles in place to help slow storm water flow and minimized erosion.

Less than Significant Impact with Mitigation Measures HYD-1 through HYD-3 implemented.

- c) The site is served by an existing septic system with no known issues regarding adequacy.

Less than Significant Impact

- d) The existing landfill has sufficient capacity to accommodate the project's solid waste disposal needs.

According to the *Property Management Plan – Waste Management*, at least one (1) waste bin will be located within the fenced-in area of the cultivation site and one (1) adjacent to the garage. Waste bins will consist of trash cans with lids or roll-off dumpsters with lids. Recyclables will be separated from solid waste and stored in bins. At weekly intervals, staff will transfer them by truck in trash cans, with tight lids or plastic garbage bags and tarped loads and deposit them in an appropriate recycling facility. Yard waste, green waste, and other compostable materials will be separated from solid waste and deposited at an appropriate transfer facility. Waste will be hauled to an appropriate licensed facility by a private waste-hauling contractor, or by cultivation operation staff.

The project would not generate solid waste more than state or local standards, or in excess of the capacity of local infrastructure.

Less than Significant Impact

- 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 Impact

XX. WILDFIRE	Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less Than Significant Impact	No Impact	Source Number
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 project will not further impair an adopted emergency response plan or evacuation plan. The applicant will adhere to all regulation of California Code Regulations Title 14, Division 1.5, Chapter 7, Subchapter 2, and Article 1 through 5 shall apply to this project; and all regulations of California Building Code, Chapter 7A, Section 701A, 701A.3.2.A.

The subject site is accessed by Hendricks Road, a paved County Road. The property is located within an SRA area. The fire risk on the site is mapped as being Very High; the site has slight slopes across the parcel and has a relatively low fuel load. The cannabis cultivation use will not further exacerbate the risk of injury or death due to a wildfire.

Less than Significant Impact

- b) The project site is situated between a Very High fire hazard zone and the overall parcel is considerably sloped, however the project site and access to the project site is 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 addition to the proposed water tanks.

Less than Significant Impact

- c) The proposed project, as described in the application documents, would not exacerbate fire risk through the installation and maintenance of associated infrastructure. While the area is prone to wildfires, mitigation measure WDF-1 is proposed in order to minimize the potential for fire danger during the preparation of the site.

Less than Significant Impact with Mitigation Measure WDF-1:

WDF-1: Construction activities shall 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 shall not occur on windy days that could increase the risk of wildfire spread should the equipment create a spark.

- d) There is little chance of increased risks associated with post-fire slope runoff, instability, or drainage changes based on the lack of site changes that would occur by the project parcel.

The project site, along with much of the parcel, burned in 2018 in the Mendocino Complex fire, and the stability of the soil on the relatively flat sections where the project parcel is located. Steeper sections of the parcel are heavily vegetated and remain stable. The erosion mitigation measures and BMPs to be implemented will provide further stability on and around the project site therefore the impact will be less than significant impact with mitigation measures WDF-2 and WDF-3 implemented.

Less than Significant Impact with Mitigation Measure WDF-2:

WDF-2: Any vegetation removal or manipulation shall take place in the early morning hours before relative humidity drops below 30 percent.

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-	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	ALL

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?

- 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)? ALL
- c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly? ALL

Discussion:

- a) According to the biological and cultural studies conducted, the Nomad Farms 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 (BMPs) 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 Mitigation Measures AES-1 through AES-4; AQ-1 through AQ-6; BIO-1 through BIO-3; CUL-1 through CUL-2; GEO-1 through GEO-4; HAZ-1 through HAZ-6; HYD-1 through HYD-3; NOI-1 through NOI-2; and WDF-1 through WDF-2.

- b) Potentially significant impacts have been identified related to Aesthetics, Air Quality, Biological Resources, Cultural Resources, Geology/Soils, Hydrology, Noise, Tribal Resources 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 Mitigation Measures AES-1 through AES-4; AQ-1 through AQ-6; BIO-1 through BIO-3; CUL-1 through CUL-2; GEO-1 through GEO-4; HAZ-1 through HAZ-6; HYD-1 through HYD-3; NOI-1 through NOI-2; WDF-1 through WDF-2.

- c) The proposed project has the potential to result in adverse indirect or direct effects on human beings. Aesthetics, Air Quality, Biological Resources, Cultural Resources, Geology/Soils, Hydrology, Noise, Tribal Resources 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 Mitigation Measures AES-1 through AES-4; AQ-1 through AQ-6; BIO-1 through BIO-3; CUL-1 through CUL-2; GEO-1 through GEO-4; HAZ-1 through HAZ-6; HYD-1 through HYD-3; NOI-1 through NOI-2; WDF-1 through WDF-2.

Source List

1. Lake County General Plan
2. Lake County GIS Database
3. Lake County Zoning Ordinance
4. Shoreline Communities Area Plan
5. High Valley Oaks Cannabis Cultivation Application – Major Use Permit.
6. U.S.G.S. Topographic Maps
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