



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

April 25, 2023

## CALIFORNIA ENVIRONMENTAL QUALITY ACT ENVIRONMENTAL CHECKLIST FORM INITIAL STUDY (UP 21-13, IS 21-14)

1. Project Title: Delux California LLC Cannabis Project
2. Permit Numbers: Major Use Permit UP 21-13  
Initial Study IS 21-14
3. Lead Agency Name and Address: County of Lake  
Community Development Department  
Courthouse, 3<sup>rd</sup> Floor, 255 North Forbes Street  
Lakeport, CA 95453
4. Contact Person & Phone Number: Andrew Amelung, Program Manager  
(707) 263-2221  
  
Project Location(s): 1209 Vernal Drive  
Lakeport, CA 95453  
APN: 007-055-02
5. Project Name & Address: Delux California LLC  
24551 Reynolds Highway  
Willits, CA 95490
6. General Plan Designation: Rural Lands
7. Zoning: "RL-B5-WW", Rural Lands – Special Lot Size and  
Density Combining District - Waterway
8. Flood Zone: "D" – Undetermined risk of flooding
9. Slope: Varied; cultivation site ranges from 4% to 25%
10. Fire Hazard Severity Zone: California State Responsibility Area (CAL FIRE)  
Very High and Moderate Risk
11. Earthquake Fault Zone: None
12. Dam Failure Inundation Area: Not located within Dam Failure Inundation Area
13. Parcel Size: 41.97 acres

14. Description of Project:

The applicant - Delux California, LLC is requesting discretionary approval from Lake County for a Major Use Permit, UP 21-13, for commercial cannabis cultivation at 1209 Vernal Drive, Lakeport (APN: 007-055-02), as described below:

License/Permit Type(s):

A-Type 3B: "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 applicant proposes just over one (1) acre (44,000 sq. feet) of mixed-light commercial cannabis canopy area, in the form of two A-Type 3B "mixed-light" cultivation licenses that allow for a maximum of 22,000 square feet of cannabis each.

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

The project consists of:

- Six - 10' x 60' hoop houses
- Forty - 10' x 100' hoop houses
- Two - 30' x 100' greenhouses for immature plants
- One - 48' x 100' processing and storage building
- Ten parking spaces including two ADA spaces
- Two - 8' x 20' Conex shipping containers and two - 8' x 40' Conex shipping containers
- Twelve - 5,000-gallon water tanks
- One well and pump house
- Recycling and trash storage
- Two - 1,000-gallon propane tanks
- Guard shack and security facilities
- Grading and site preparation
- Storm water drainage facilities and retention basin
- Site utilities
- Fencing
- Lighting

As proposed the project will include three employees during peak season and five parking spaces with one dedicated to ADA parking. Additionally, the applicant proposes clearance for vegetation and brush removal. The property has been impacted by the Valley Fire, however there is an existing tree cover along with a number of downed and dead trees that will need to be bucked and cleared. About 128,000 sq. ft. of vegetation clearing, including the removal of approximately 40 small trees and some trimming of existing trees will be required in order to establish the

cultivation areas. The importation of any soil for leveling out the cultivation area is not anticipated. Removal of dead and existing trees and vegetation clearing will all be done in compliance with the Lake County Municipal Code Chapters 13, 29, and 30. Figure 1, next page, includes the proposed project's site plan.

All watercourse and property line setbacks are noted and the required State and County setbacks to watercourses will be met and maintained.

Highland Springs Road, Ridge Road, and Vernal Drive are improved to County standards to accommodate the proposed cultivation facilities and the anticipated traffic that may be generated. There is an existing gravel driveway approach providing site access. Parking spaces for standard and handicapped accessible parking are to be provided. Roadway signing and speed limit signs have been posted on Highland Springs Road which is considered under the General Plan as a local road. Ridge Road and Vernal Drive are in sufficient condition to carry the light traffic generated by the project employees including occasional deliveries, as well as by surrounding land properties who use this road system. The roads have good visibility and sight distance. One driveway culvert near the entrance to the site will be upgraded in accordance with the California Department of Fish and Wildlife regulations and the Clean Water Act. The access road and driveway will be designed to meet PRC Cal Fire 4290 road standards, including a 20' width and two hammerhead turnarounds.

There are both public and private services available in the area, including fire protection provided by the Lakeport County Fire District and CALFIRE. Water supply will come from an existing permitted groundwater well on the subject site. Sewage disposal to be provided by septic tank and leach field located on site. Power bill be provided by PG&E and a solar system. Land line telephone service is provided by Pacific Bell, and police protection provided by the Lake County Sheriff's Department. These public and private services will continue to be available and are adequate to serve the proposed cannabis cultivation facilities.

Heating for the processing building will be via a Title 24 compliant propane system. Two 1000-gallon propane tanks will be provided and serviced by AmeriGas Propane.

The cultivation facility will not be open to the public. Two ADA compliant parking stalls (one will be paved) are planned to be adjacent and connected to the processing building by a paved, ADA compliant driveway. Loading will occur at a ground level bay in the processing building.

Grading is required for the development of the project. A complex grading plan completed by Munselle Civil Engineering in Ukiah Ca, and a Geotechnical Report completed by Trans Tech Consultants in Windsor Ca, have been submitted with the Major Use Permit application.

The proposed graded areas are 4.2 acres in size with a cut and fill volume of 12,500 cubic yards of soil. In accordance with the engineered grading plan, the removed soil will be relocated (fill) on the same parcel, compacted, and secured in place with erosion control treatments. The project will consist of two level pads, with a 20' wide fire safe access road, and storm water infiltration area. The project will employ organic farming practices utilizing non-chemical fertilizers, amendments, and pesticides.

#### *Fertilizer and Pesticide Storage*

Noncombustible fertilizers and pesticides will be stored within the shipping containers. All solid waste will be kept in a secured area and removed weekly to be disposed of at waste disposal facility.

Any plant waste will be chipped/mulched and spread around the cultivation area or composted on site within an on-site compost area and reused as soil amendment.

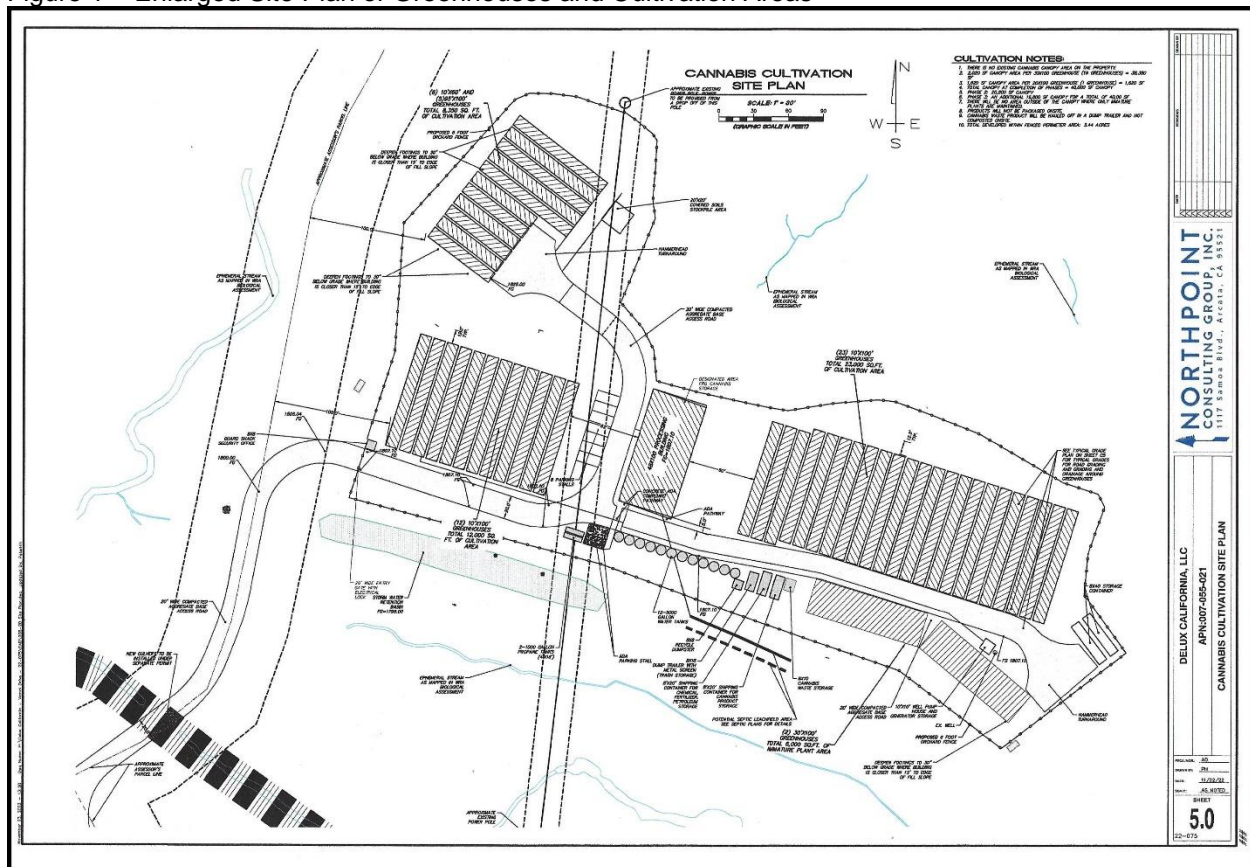
### Water Analysis

A Technical Memorandum (Study) was prepared by Northpoint Consulting Group, Inc., on July 29, 2022, for the proposed project. Within this memorandum are a Hydrology Report and a Drought Management Report, both required by Lake County Ordinance No. 3106.

### Water Usage

Projected water usage makes several assumptions; (1) that each plant requires 6 gallons of water per plant per day, an accepted industry amount; (2) a total canopy area of 88,000 sq. ft. is assumed; (3) average daily use is 6,060 gallons, and (4) annual use is 1,090,800 gallons, or about 3.35 acre-feet per year.

Figure 1 – Enlarged Site Plan of Greenhouses and Cultivation Areas



Source: Material Submitted by Applicant

### Water Source

The water source for this project is an existing well located on APN 115-007-03, drilled on January 20, 2021 by Will Peterson Well Drilling. The well was drilled to a depth of 440 feet; the depth to static water was 360 feet. Output measured during the 2-hour well test averaged 40 gallons per minute. Water will be stored on site in five 2,500-gallon water storage tanks.

### *Aquifer Analysis.*

The applicant has provided a Hydrology Study prepared by EBA Engineering and dated December 7, 2021. The site is located between the McDowell Valley Groundwater Basin and the Big Valley Groundwater Basin. The Study estimated the total storage volume of the aquifer to be about 310 acre-feet of water, or about 100,750,000 gallons of water. The total area subject to rainfall infiltration (aquifer recharge) is about 440 acres, however some of the land is basalt, which is not a water absorbing type of soil. The adjusted size of the infiltration area was reduced to 210 acres taking basalt areas into consideration.

### *Aquifer Recharge.*

The average annual rainfall at this site is 28.36 inches / year. The 35 acre project site has a total annual rainfall amount of 82 acre-feet during a non-drought year, and 49.6 acre-feet of rainfall during a drought year.

### *Water Demand.*

The Study estimated that this project will have a water demand that ranges between 2,800 gallons per day, and 14,500 gallons per day depending on the time of year. The Study added a 20% increase in demand to account for irrigation inefficiencies. The total annual demand was then projected to be 8.52 acre-feet per year, or about 2,777,904 gallons per year.

### *Cumulative Impacts.*

According to the Study, there are twelve residential properties sharing the aquifer. Each residence has a demand of 0.25 acre-feet per year, or 2.5 acre feet (about 812,500 gallons per year). The Study then estimated the total demand, including irrigation occurring at other sites using the aquifer, to be about 11 acre-feet per year. The project's demand is about 8.89 acre-feet per year; the total demand on the aquifer was then determined to be about 19.89 acre-feet per year (about 6,464,250 gallons per year).

### *Conclusion.*

The Study concludes that this project can be supported by the aquifer without harming other area well productivity, and that based on water availability, can proceed as planned.

### *Power*

Electricity for the Project will be on-grid power provided by PG&E and by solar arrays. As this project involves mixed light cultivation in hoop houses with processing in indoor facilities, the operational plan includes goals to conserve and reduce energy use. Currently there are inactive power lines that reach to the property with an existing power pole. Full operational power needs will be from the public electricity grid provided by PG&E and by a solar array on the roof of the processing building to harness clean solar power and reduce the demand on the grid.

### *Construction*

Construction is estimated to last approximately 2 to 4 months and tentatively scheduled to begin in 2023 depending on the timing of the land use review for the Use Permit. Construction would consist of grading, utility installation, construction of the buildings, fence installation, and security

installation. Equipment that will likely be used includes a backhoe (tires), a dozer (tracks), scissor lift (tires), trencher (track), dump truck (tires), pickup trucks (tires) and a water truck (tires).

Employees used during construction would be up to 5 per day. The applicant estimates that the total average daily trips to and from the site during construction would be 1 trip per day; staff however puts this estimate at between 10 and 20 trips per day, assuming one vehicle per employee and one daily delivery. Equipment would be staged and stored on previously disturbed area on site.

### *Grading, Drainage and Erosion Control*

The applicant states that a total of 25,000 cubic yards of earth would be moved, and a total of 15,000 cubic yards of the cut will be used as fill. Approximately, 4,600 cubic yards of aggregate base will be imported to the site. This requires a Complex Grading Permit (movement of earth in excess of 3,000 cubic yards), which the applicant has applied for. The applicant has submitted two preliminary grading plans, both prepared by a licensed civil engineer with Northpoint Consultants. The grading plan set includes sheets 1 through 6 that provide plan views, profiles of graded areas, and detailed descriptions of:

- Erosion Control Measures, including
  - Hydro Mulch
  - Project Scheduling
  - Preservation of Existing Vegetation
  - Sediment Control Measures
- Silt Fencing (if needed)
- Gravel / Sand Bag Barriers (if needed)
- Storm Drain Inlet Protection
- Dust Control Measures
- Construction Site Entrance / Exit

Grading is further discussed in the Geology and Soils and Hydrology and Water Quality sections of this report.

The grading permit will be issued following approval of the proposed project and require the applicant to sign conditions of approved required for a Complex Grading Permit. In addition, the applicant will be required to submit a geotechnical report and Construction General Permit including a Stormwater Prevention Plan (SWPPP) required when disturbing over one acre or more of soils.

### *Tree and Shrub Removal*

Figure 2 shows the cultivation area and trees to be removed, which an examination of aerial photos appears to include approximately 15 trees. Lake County has no threshold for tree removal and replacement, however, based on County Code and state regulations, the appropriate requirements would be applied to the project. Further discussion is provided in section IV Biological Resources of this study.

### *Operations*

Projected operations will involve two harvest seasons; Harvest 1 (May 1 to July 15) and Harvest 2 (July 20 to October 15) of each year. Workdays may be up to seven days per week, however normal operational hours will be Monday through Saturday during daylight hours from

approximately 6:00 a.m. to 10:00 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 three full time employees for 7 months a year, from May to November, and four part time employees for 7 months a year, also from May to November, and 13 part time employees for the cultivation harvest crew for 60 days a year (July 15<sup>th</sup>-Aug 15<sup>th</sup> and October 15<sup>th</sup> to November 15<sup>th</sup>).

The cultivation project area will be surrounded with 6-foot orchard style fencing, with access at a main gate with a small guard shack.

Security cameras will be installed around the perimeter of the cultivation areas and at other points of access in compliance with the Lake County Zoning Ordinance.

#### 15. Environmental Setting and Existing Conditions

The subject property is located about 8 miles southwest of the City of Lakeport in a remote location accessible by Highland Springs Road and Ridge Road. Vernal Drive is accessible from Ridge Road.

The subject property is located in western Lake County, approximately 5.5 aerial miles west southwest of central Kelseyville and 6.25 aerial miles south of downtown Lakeport. It is situated on the eastern flank of the northern Mayacama Mountains of Lake County, leading into the Clear Lake Basin.

The overall topography of the Study Area is moderate to steeply sloped, ranging from approximately 1,775 feet to 1,900 feet above sea level. According to the *Soil Survey of Lake County* (USDA 1989), the Study Area is underlain by several soil mapping units: Henneke-Montara-Rock outcrop complex; Maymen-Etsel Snook complex; Maymen-Hopland-Etsel association; Macho variant loam; Talmage very gravelly sandy loam; and Xerofluvents-Riverwash complex.

The subject site is situated within the Highland Creek watershed, which constitutes a portion of the Adobe Creek watershed (HUC 12: 180201160304), while the regional watershed is Kelsey Creek-Clear Lake (HUC 8: 18020116). There are two unnamed dashed blue line streams on the Highland Springs 7.5-minute quadrangle (USGS 2015). Likewise, these streams are mapped in the National Wetlands Inventory (NWI; USFWS 2021a) and the California Aquatic Resources Inventory (CARI; SFEI 2021), while a wetland is mapped in the NWI, but not included in the CARI. The primary hydrologic sources are direct precipitation and consequent surface sheet flow and subsurface flow into channels (streams). Precipitation in the much of the Study Area infiltrates quickly due to rocky loam soils.

The property is composed of grassland, chaparral, and oak woodland, with development limited to a gravel road (Vernal Drive). The Study Area is a smaller portion of a larger property of two contiguous parcels. Detailed plant community descriptions are included in the Biological Report. Regional land uses include open space, watershed protection, rural residential, cannabis farming, livestock grazing, and vineyards and orchards (Google Earth 2021). Historically, land uses in the region were open rangeland of larger ranches,

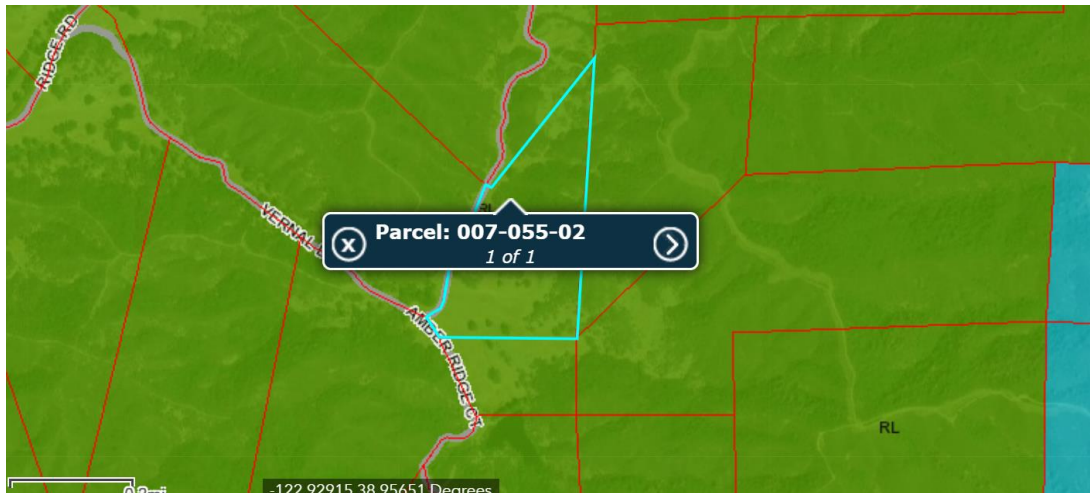
rural residential, and orchards. There is no history of timbering, intensive agriculture, quarrying, or mining, in the Study Area (Historic Aerials 2021).

#### 16. Surrounding Land Uses and Setting:

The parcel involved with this project is ±41 acres in size. The neighboring lots are sparsely populated and are mostly near or over 10 acres in size with a low population base due to the lot sizes and zoning. The following list provides surrounding zoning designations and uses of APN(s) 007-055-02. Figure 2 below includes a zoning map.

- North/Northwest: “RL-B5-WW” – The vacant property to the northwest of the project site (APN 007-053-02) is zoned Rural Lands District and is approximately 112 acres. The property is designated Rural Lands in the General Plan.
- North: “RL-B5-WW” – The vacant property to the north of the project site (APN 007-053-01) is zoned Rural Lands District and is approximately 105 acres. The property is designated Rural Lands in the General Plan.
- East: “RL-B5” – The vacant property to the east of the project site (APN 007-055-01) is approximately 60 acres and is zoned Rural Lands District. The property is designated Rural Lands in the General Plan.
- South: “RL-B5-WW” – The vacant property to the south of the project site (APN 007-055-03) is approximately 15 acres and is zoned Rural Lands District. The property is designated Rural Lands in the General Plan.
- West: “RL-B5-WW” – The vacant property to the west of the project site (APN 07-054-01) is approximately 122 acres and is zoned Rural Lands District. The property is designated Rural Lands in the General Plan.

Figure 2 - Zoning of Site and Surrounding Area



Source: Lake County GIS Mapping 2023.

#### 17. 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 Cobb Mountain Area Plan, and the Lake County Municipal Code. Other agencies 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 (LCAQMD)
- Lake County Department of Public Works
- Lake County Department of Public Services
- Lake County Agricultural Commissioner
- Lake County Sheriff Department
- 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 Department of Consumer Affairs
- California Department of Fish & Wildlife (CDFW)
- California Department of Forestry & Fire Protection (CAL FIRE)
- California Department of Transportation (Caltrans)

18. *Tribal Notification.* 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 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 (CHRIS) 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 May 28, 2021. The Upper Lake Habematolel Tribe, the Yocha Dehe and Redwood Valley Tribes each responded by deferring to the Big Valley and Scotts Valley Tribes. The Big Valley Tribe sent an email to the County dated June 4, 2021, indicating that there were no cultural studies for the property on the County's website (Cultural Studies are confidential and are not made available to the public; only to Tribes).

Sonoma State's Cultural Historic Resource Information System (CHRIS) was notified of this action but failed to provide comment.

#### 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 type="checkbox"/> Greenhouse Gas Emissions             | <input type="checkbox"/> Public Services                               |
| <input type="checkbox"/> Agriculture & Forestry Resources | <input type="checkbox"/> Hazards & Hazardous Materials        | <input type="checkbox"/> Recreation                                    |
| <input checked="" type="checkbox"/> Air Quality           | <input checked="" type="checkbox"/> Hydrology / Water Quality | <input type="checkbox"/> Transportation                                |
| <input checked="" type="checkbox"/> Biological Resources  | <input type="checkbox"/> Land Use / Planning                  | <input 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 type="checkbox"/> Wildfire                                      |
| <input type="checkbox"/> Geology / Soils                  | <input type="checkbox"/> Population / Housing                 | <input checked="" type="checkbox"/> Mandatory Findings of Significance |

DETERMINATION: (To be completed by the lead Agency)

On the basis of this initial evaluation:

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

Initial Study Prepared By: Trey Sherrill, Consultant  
 Reviewed and Edited By: Eric Porter, Associate Planner



Date: 4-26-2023

SIGNATURE

Mireya G. Turner, Director  
 Community Development Department

## SECTION 1

### EVALUATION OF ENVIRONMENTAL IMPACTS:

- 1) A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to Projects like the one involved (e.g., the Project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on Project-specific factors as well as general standards (e.g., the Project will not expose sensitive receptors to pollutants, based on a Project-specific screening analysis).
- 2) All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as Project-level, indirect as well as direct, and construction as well as operational impacts.
- 3) Once the lead agency has determined that a particular physical impact may occur, and then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect may be significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.
- 4) "Negative Declaration: Less Than Significant With Mitigation Incorporated" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less Than Significant Impact." The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from Section XVII, "Earlier Analyses," may be cross-referenced).
- 5) Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063(c) (3) (D). In this case, a brief discussion should identify the following:
  - a) Earlier Analysis Used. Identify and state where they are available for review.
  - b) Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
  - c) Mitigation Measures. For effects that are "Less than Significant with Mitigation Measures Incorporated," describe the mitigation measures, which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the Project.
- 6) Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.
- 7) Supporting Information Sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.
- 8) This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies should normally address the questions from this checklist that are relevant to a Project's environmental effects in whatever format is selected.

- 9) The explanation of each issue should identify:
- The significance criteria or threshold, if any, used to evaluate each question; and
  - 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 checked="" type="checkbox"/>	<input 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 type="checkbox"/>	<input checked="" 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?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	1, 2, 3, 4, 5, 6, 9

Discussion:

- a) The project site is located approximately 3.8 miles southwest of the nearest scenically eligible highway, Highway 175. The property is approximately 42 acres, and the cultivation areas would be shielded by the existing topography and will not be visible from Highway 175. The cultivation area will be enclosed by a 6' tall screening fence, further reducing the potential for visibility from neighboring sites. The greenhouses will be translucent and internally lit; therefore blackout screening is required inside each of the greenhouses, and screening fencing is required around the cultivation site (mitigation measures AES-1 and AES-2).

AES-1: The cultivation area shall be screened from public view by a new 6' tall fence. Fencing material shall be of either chain link with screening slats, or solid wood or metal. Fabric-covered fencing is erodible and not durable, and therefore is not permitted. Regular yearly inspection and maintenance of fencing shall be required.

Less than Significant Impact with Mitigation Measure

- b) The Project site is not located in an area identified as "Officially Designated" or an "Eligible State Scenic Highway - Not Officially Designated". Therefore, there will be no significant impact. The project site contains several mature oak trees and rock outcrops. Three mature oak trees will be removed with the project and will be replaced at a 3:1 ratio, therefore not reducing the total number of trees on-site. Impacts would be less than significant with mitigation incorporated.

Less Than Significant Impact

- c) The project site is located to the north of Highland Springs Road and almost entirely out of view from the public. Screening fencing will be used to enclose the cultivation area, and no significant impacts are expected that would degrade the scenic quality of this vicinity.

The project site is undeveloped and is surrounded by undeveloped lots. The site would not be visible from publicly accessible vantage points along Highway 175 and therefore would not degrade the existing visual character of public views. In addition, the site is located on a hillside and the cultivation site would be shielded by the existing hilly topography.

Less Than Significant Impact

- d) 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 incorporating artificial lighting, however black out coverings will block any night lighting. The project, a mixed-light cultivation is proposed which would require that all lights used for the project are fully contained within the hoop houses or otherwise are shielded to fully contain any light or glare involved in the cultivation process as required by the Lake County Municipal Code. Security lighting would be motion activated and all outdoor lighting would be shielded and downcast.

The following mitigation measures AES-1 through AES-4 will be implemented which would reduce the impacts to less than significant:

AES-2: 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](http://www.darksky.org).

AES-3: All hoop house lighting shall be fully blacked out and contained within structures or otherwise shielded to fully contain any light or glare. Artificial light shall be completely shielded between sunset and sunrise.

AES-4: 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.

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 checked="" type="checkbox"/> | <input type="checkbox"/> | 1, 2, 3, 4,<br>5, 7, 8, 11,<br>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 checked="" type="checkbox"/> | <input type="checkbox"/> | 1, 2, 3, 4,<br>5, 7, 8, 11,<br>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 checked="" type="checkbox"/> | <input type="checkbox"/> | 1, 2, 3, 4,<br>5, 6, 9            |
| e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?   | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | 1, 2, 3, 4,<br>5, 7, 8, 11,<br>13 |

Discussion:

In determining whether impacts to agricultural and/or timber resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment Project; and forest carbon measurement methodology provided in Forest protocols adopted by the California Air Resources Board.

- a) According to the California Department of Conversation Farmland Mapping and Monitoring Program, the Project site and immediate area is mapped as 'Other Lands'. Other Lands are defined as: Land not included in any other mapping category. Common examples include low density rural developments; brush, timber, wetland, and riparian areas not suitable for livestock grazing; confined livestock, poultry or aquaculture facilities; strip mines, borrow pits; and water bodies smaller than forty acres. Vacant and nonagricultural land surrounded on all sides by urban development and greater than 40 acres is mapped as Other Land.

The Project site does not contain high value soils for agricultural use based on the Natural Resources Conservation Service Web Soil Survey (refer to VII. GEOLOGY AND SOILS).

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

No Impact

- b) The site and neighboring properties are not under a Williamson Act contract. Under Article 27.11 of the Lake County Zoning Ordinance, Outdoor Cannabis Cultivation is permitted on parcels with a Base Zoning District of “TPZ”, Timber Preserve, with a minimum required lot size of 20 acres.

Less Than Significant Impact

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

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

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

The Project site is currently zoned “TPZ”, Timber Preserve and contains forest lands and timberland. Pursuant to the State Water Resources Control Board’s Order No. WQ 2019-0001-DWQ the following will be required:

- A California Licensed Timber Operator shall be used if any commercial tree species are to be removed from the cannabis cultivation site. All timberland conversions shall be permitted and compliant with the Forest Practice Rules and CAL FIRE permitting requirements
- In timberland areas, unless authorized by CAL FIRE or the Regional Water Board Executive Director, Cannabis cultivators shall not remove trees within 150 feet of fish bearing water bodies or 100 feet of aquatic habitat for non-fish aquatic species (e.g., aquatic insects) Public Resources Code section 4526.

Less Than Significant Impact

- d) The Project site and adjacent property to the south are zoned “TPZ” and contain forest lands. Both properties are identified as containing forest resources by the General Plan. Because forest land is present on the Project site and immediately south of the Project site, the proposed Project has some potential to result in the loss of forest land or the conversion of forest land to non-forest use. However, none of the “TPZ”-zoned lots have any history of timber production, and it is not likely that the applicant will pursue timber production on the subject lots. It is unknown whether the southern neighboring lot will pursue timber production in the future, however allowing commercial cannabis on the subject lots will not interfere with the neighbor’s timber production should that occur in the future. Additionally, the proposed project would be required to comply with the State Water Resources Control Board’s Order No. WQ 2019-0001-DWQ requirements listed in c) above.

Less Than Significant Impact

- e) Lands surrounding the Project site include privately-owned, marginally or undeveloped land on all sides. The adjacent lots are zoned “RL”, Rural Lands. The County allows commercial cannabis to be grown in the “RL”, and the applicant would have to comply with the State Water Resources Control Board’s Order No. WQ 2019-0001-DWQ requirements listed in c) above.

Less Than Significant Impact

III. AIR QUALITY

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

Discussion:

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

- a) The project site is located within the Lake County Air Basin, which is under the jurisdiction of the Lake County Air Quality Management District (LCAQMD). The LCAQMD applies air pollution regulations to all major stationary pollution sources and monitors air quality. The Lake County Air Basin is in attainment with both state and federal air quality standards.

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

Due to the fact that the Lake County Air Basin is in attainment of both state and federal air quality standards, LCAQMD has not adopted an Air Quality Management Plan, and instead 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 would construct cannabis related facilities on undeveloped land. Thus, the project may result in some short-term and long-term construction and operational impacts from emissions of fugitive dust, toxic air contaminants (TACs), and volatile organic compounds (VOCs) (see Impact question b, c, and d for additional information). With the implementation of Mitigation Measures AQ-1 through AQ-6 (described further below), the project would not conflict with or obstruct any air quality plan.

The following mitigation measures will reduce air quality impacts to ‘less than significant’ levels:

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 required. Carbon filtration systems required in all buildings containing cannabis.

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 applicants must notify LCAQMD prior to beginning construction activities and prior to engine use.

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

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

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

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

Less Than Significant Impact with Mitigation Measures AQ-1 through AQ-6.

- 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, SO<sub>2</sub>, NO<sub>x</sub>, O<sub>3</sub>, PM<sub>10</sub>, PM<sub>2.5</sub>, VOC, ROG, Pb). Any Project with daily emissions that exceed any of the thresholds of significance for these criteria pollutants should be considered as having an individually and cumulatively significant impact on both a direct and cumulative basis.

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

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.

The project would develop the vacant property with a mixed-light cannabis cultivation facility. Construction and operation may result in short-term and some long-term air quality impacts. Fugitive dust and TACs may be released as a result of construction and operational vehicular traffic, operational soil mixing and rotation, and other construction activities. VOCs could be released from cleaning materials used in the maintenance of equipment onsite during operation of the facility. The applicant would be required to obtain an "Authority to Construct" permit from Lake County Air Quality Management District (LCAQM) for all operations and for any diesel-powered equipment and/or other equipment with potential for air emissions. An Authority to Construct permit would be maintained for the life of the cultivation operation. In addition, in order to reduce and eliminate the short- and long-term effects of air quality emissions, best management practices and mitigation measures outline in the Property Management plan would be implemented:

The property is surrounded by vacant lots with the exception of one lot to the southwest that operates an outdoor cultivation cannabis facility. Therefore, odor complaints would not be likely due to the project's remote location. However, the project could generate some odors from plants during the flowering stage and from compost and soil piles during operation of the facility. The applicant would be required to implement the Odor Response Program as a condition of approval and would mitigate the outdoor cultivation areas through the use of distance (passive) and/or odor-masking means (active). The applicant has also provided a contact in the event of odor complaints and has indicated that odor issues would be resolved if they arise.

Less than Significant Impact

- d) The project would develop the vacant property with a mixed-light cannabis cultivation facility. Construction and operation may result in short-term and some long-term air quality impacts.

Fugitive dust and TACs may be released as a result of construction and operational vehicular traffic, operational soil mixing and rotation, and other construction activities. VOCs could be released from cleaning materials used in the maintenance of equipment onsite during operation of the facility. The applicant would be required to obtain an “Authority to Construct” permit from Lake County Air Quality Management District (LCAQM) for all operations and for any diesel-powered equipment and/or other equipment with potential for air emissions. An Authority to Construct permit would be maintained for the life of the cultivation operation. In addition, in order to reduce and eliminate the short- and long-term effects of air quality emissions, best management practices and mitigation measures outline in the Property Management plan would be implemented:

The property is surrounded by vacant lots with the exception of one lot to the southwest that operates an outdoor cultivation cannabis facility. Therefore, odor complaints would not be likely due to the project’s remote location. However, the project could generate some odors from plants during the flowering stage and from compost and soil piles during operation of the facility. The applicant would be required to implement the Odor Response Program as a condition of approval and would mitigate the outdoor cultivation areas through the use of distance (passive) and/or odor-masking means (active). The applicant has also provided a contact in the event of odors and has indicated that odor issues would be resolved if they arise.

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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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,<br>5, 11, 12,<br>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,<br>6                |

Discussion:

- a) The applicant provided the County with an updated Biological Resources Assessment prepared by WRA Environmental Consultants dated January 2021 with the following summary - "The Project Area intentionally avoids seasonal wetlands, ephemeral streams, and intermittent streams by 100 feet or greater. These setbacks will provide sufficient buffering capacity to prevent impacts to these aquatic features. All terrestrial land cover types that will be impacted are not considered sensitive by the CDFW. It is recommended to revegetate the graded slope with a seed mixture composed of either localized native species, sterile non-invasive species, or a combination of both. Likewise, it is recommended that mature oak trees are replaced at a 1:1 ratio, to be planted on the graded slope north of the proposed development. (Note: The County requires a 3:1 tree replacement ratio for any native oak trees with diameters exceeding 5" measured at 4.5' DBH).

Thirty-nine special-status plants were initially determined to have the potential to occur, with three of these plants located in the Study Area, and only one of which situated in the Project Area. Approximately ten percent of the Study Area's glandular western flax (*Hesperolinon adenophyllum*) population is situated in the Project Area, with the population continuing beyond the Study Area in the Subject Property. Therefore, less than ten percent of the population will be impacted by the project, which constitutes a less than significant impact to this species.

Two special-status bats, American badger, and four special-status birds, as well as non-status birds with baseline legal protections, have the potential to occur in the Project Area. American badger, and the two bats were determined to be absent based on the lack of characteristic indicators. Mitigation measures and best management practices have been developed and provided herein to avoid impacts to nesting birds."

Bio - 1: Revegetate the graded slope uphill of the development. This revegetation should be composed of hydroseeding, of which the seeds should be either native herbaceous known from the property and sourced from Lake County, or of sterile non-invasive herbs with no possibility of becoming naturalized. Likewise, an abbreviated arborist scope should be conducted concurrent with the botanical survey (see Section 6.2.1, Recommendation 3) and bat habitat assessment (see Section 6.2.2, Recommendation 4) to document the species, size, and number of native tree slated for removal. From this scope it is recommended that in-kind species be planted as part of the erosion control measures. Such trees should be planted uphill (to the north) of the development to maximize their rooting effect and not provide a source of shade to the development.

Bio – 2: Setbacks of 100' from all on-site aquatic resources to increase the buffering capacity to protect these features. Grading shall occur during the dry season (April 15 through October 15) and should be suspended during unseasonable rainfalls of greater than one-half inch over a 24-hour period. If rainfall is in the forecast, standard erosion control measures (e.g., straw wattles, bales) should be deployed on the grading edge paralleling the aquatic features. Construction personnel shall be informed of the location of the site's aquatic resources with high-visibility flagging or staking prior to construction. No materials or equipment shall be laid down in or near the aquatic resources, and spill prevention materials shall be deployed for all construction equipment.

Bio – 3: The project area footprint, as presented here, should not be expanded. If future expansion is proposed, impacts analysis to this species should be conducted again. Minimal to no clearing of vegetation outside of the Project Area shall occur. Herbicides shall not be used in or around the Project Area. Any erosion control measures deploying vegetative materials (e.g., hay bales, coir rolls) shall be certified weed-free.

Bio – 4: Tree/vegetation removal and initial ground disturbance shall occur from August 16 to January 31, outside of the general bird nesting season. If tree/vegetation removal during this time is not feasible, a pre-construction nesting bird survey should be performed by a qualified biologist no more than 14 days prior to the initiation of tree removal or ground disturbance is recommended. The survey should cover the Project Area (including tree removal areas) and surrounding areas within 500 feet. If active bird nests are found during the survey, an appropriate no-disturbance buffer should be established by the qualified biologist. Once it is determined that the young have fledged (left the nest) or the nest otherwise becomes inactive (e.g., due to predation), the buffer may be lifted and work may be initiated within the buffer.

Bio – 5: Limit wildlife exclusion fencing to the perimeter of the development; do not fence the access road. Fencing elsewhere in the property should consider wildlife movement across and through the property (e.g., six or fewer strands, barless top and bottom strand).

Less Than Significant with Mitigation Measures added

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

The site contains no mapped riparian habitats or other mapped sensitive natural communities identified on local or state plans or mapping programs available to Lake County.

The Project is enrolled with the SWRCB for Tier 2, Low Risk coverage under Order No. WQ 2019-0001-DWQ (Cannabis Cultivation General Order). The Cannabis Cultivation General Order implements Cannabis Policy requirements with the purpose of ensuring that the diversion of water and discharge of waste associated with cannabis cultivation does not have a negative impact on water quality, aquatic habitat, riparian habitat, wetlands, or springs. The Cannabis Cultivation General Order requires the preparation of a Site Management Plan (SMP), a Nitrogen Management Plan (NMP), and the submittal of annual technical and monitoring reports demonstrating compliance. The purpose of the SMP is to identify BPTC measures that the site intends to follow for erosion control purposes and to prevent stormwater pollution. The purpose of the NMP is to identify how nitrogen is stored, used, and applied to crops in a way that is protective to water quality. The SMP and NMP are required prior to commencing cultivation activities and were submitted with the application materials.

In addition, the BA concludes the Study Area is not inside any federally-designated critical habitat. The Project Area contains no special-status habitats or natural communities, but special-status habitats are directly adjacent to some Project areas.

#### Less Than Significant Impact

- c) The WRA Biological Resources Assessment stated that no specific wildlife corridors exist within or near the Study Area. Although no mapped wildlife corridors (such as the California Essential Habitat Connectivity Area layer in the CNDDDB) exist within or near the Study Area, the open space and the stream corridors in the Study Area facilitate animal movement and migrations, primarily those of the black-tailed deer. 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

- d) The Biological Resources Assessment shows that there are no aquatic resources/wetlands within the Project footprint or within 100 feet of the Project footprint.

#### Less than Significant Impact

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

#### No Impact

- f) The WRA Biological Resources Assessment shows that there are no aquatic resources/wetlands within the Project footprint or within 100 feet of the Project footprint. Additionally, the assessment determined that a 100-foot buffer from aquatic resources in the vicinity is sufficient to protect these features. Therefore, no direct impacts are anticipated. To reduce potential indirect impacts to aquatic resources to less than significant, the mitigation measures below shall be implemented.

The development is a singular, contiguous unit that wildlife would be able to move around without encumbrance. The size and location of the development are such that no waterways or terrestrial migration corridors would be blocked during construction or upon completion of the Project. Furthermore, the mitigation measure below would be required to avoid impacts from wildlife exclusion fencing.

This Project does not conflict with any local policies or ordinances protecting biological resources. Trees to be removed are not protected by any local tree preservation policy or ordinance. All vegetation removal and revegetation for erosion control shall occur in accordance with Lake County Code (Sections 30-14 and 30-15) and the County-issued Grading Plan. No special conservation plans have been adopted for this site and no impacts are anticipated.

Less Than Significant Impact

## V. CULTURAL RESOURCES

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

### Discussion:

a) A California Historical Resources Information System (CHRIS) records search was completed by the Northwest Information Center (NWIC) 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. According to the Inventory of Cultural Resources report completed by Wolf Creek Archaeology and dated October 18, 2020, no prehistoric sites have been recorded within 1 mile of the Project site, no sacred sites have been recorded in the area, and no 'significant' historic or prehistoric cultural features or sites were encountered during the site assessment. In the event that any cultural resources are discovered in the course of Project work, a Cultural Resources Plan shall be implemented and include the following mitigation measures:

- CUL-1: Education Program - Implement an education program to train all employees

and contractors in recognizing potentially significant artifacts that may be discovered during ground disturbance.

- CUL-2: Cultural Resource Discoveries - If cultural resources are discovered, ground disturbing and construction activities near the newly found cultural resource shall temporarily cease. A qualified archaeologist shall be contacted to evaluate the find(s) and recommend any mitigating procedures, if necessary. The local overseeing Tribe, Big Valley Band of Pomo Indians, shall be notified. If the cultural resource is determined to be significant, the Applicant shall follow guidelines provided by a qualified archaeologist, which may include marking, excluding and establishing a buffer around areas containing cultural resources to protect them from Project development activities. Work may continue on other areas of project site while evaluation and/or mitigation takes place.

- b) According to the Inventory of Cultural Resources report, no significant archaeological sites have been recorded or observed on the Project site.

With the implementation of CUL-1 and CUL-2, impacts to archaeological resources would be less than significant.

- c) If human remains are uncovered during construction activities, the following measure shall be implemented. The Project site does not contain a cemetery and there are no known formal cemeteries 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

- CUL- 3. If human remains are discovered at any project construction site during any phase of construction, all ground disturbing activity within 100 feet of the resources shall be halted and the County Planning Director and the Lake County coroner shall be notified immediately, according to Section 5097.98 of the State Public Resources Code and Section 7050.5 of California's Health and Safety Code. If the remains are determined by the County coroner to be Native American, the Native American Heritage Commission (NAHC) shall be notified within 24 hours, and the guidelines of the NAHC shall be adhered to in the treatment and disposition of the remains. The project sponsor shall also retain a professional archaeologist with Native American burial experience to conduct a field investigation of the specific site and consult with the Most Likely Descendant, if any, identified by the NAHC. As necessary, the archaeologist may provide professional assistance to the Most Likely Descendant, including the excavation and removal of the human remains. Lake County shall be responsible for approval of recommended mitigation as it deems appropriate, taking account of the provisions of State law, as set forth in CEQA Guidelines section 15064.5(e) and Public Resources Code section 5097.98. The project sponsor shall implement approved mitigation, to be verified by Lake County, before the resumption of ground-disturbing activities within 100 feet of where the remains were discovered.

Less than Significant Impacts with Mitigation Measures added



## 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) Onsite electricity is proposed to be supplied by on-grid power with backup generators in case of a power outage. According to the PMP, there are inactive power lines that serve the project site. The Property Management Plan submitted, 'Energy Usage', states that generators will be used as a temporary power source until the power lines are activated, however generators are not allowed as a primary power source for commercial cannabis projects, and will not be allowed for this project other than as emergency back-up power source.

Staff notified the applicant on April 24, 2023 to inform them that power may come from 'on grid', solar, wind power sources only. The applicant submitted an email on April 24, 2023 stating that generators would only be used as a backup power source.

The Property Management Plan states that solar panels will be installed for this project, either as a primary or secondary power source, although no time-frame is provided for solar installation. Staff assumes that the initial power would be from 'on grid' power. The estimated daily power demand is 25,028 watts; the total estimated monthly power demand is 750,858 watts. It appears that three 200 amp services will be needed to serve this project.

Regarding inefficient use of power, the applicant has provided an Energy Conservation Plan that shows how efficient use of power will occur on site. Methods of conservation proposed are energy audits (annually); comparing actual energy use to industry benchmarks, logging energy and natural gas use for five years and comparing it to previous usage, and using energy efficient fixtures.

### Less Than Significant Impact

- b) The California Code Title 4, Division 19, Chapter 1, Section 15000 defines "Mixed-light Tier 2," as "the use of artificial light at a rate above six and below or equal to twenty-five watts per square foot". For the A-Type 3B "mixed-light" Lake County allows an energy use of less than twenty-five watts per sq. ft. Based on the state's lighting diagram and greenhouse sq. ft., approximately 6 to 12 watts of lighting would be required per sq. ft.

Pursuant to California Code Title 4, Division 19, Chapter 7, Article 2, Section 16305:

Beginning January 1, 2023, all holders of indoor, tier 2 mixed-light license types of any size, and all holders of nursery licenses using indoor or tier 2 mixed-light techniques shall ensure

that electrical power used for commercial cannabis activity meets the average electricity greenhouse gas emissions intensity required by their local utility provider pursuant to the California Renewables Portfolio Standard Program in division 1, part 1, chapter 2.3, article 16 (commencing with section 399.11) of the Public Utilities Code.

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 type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1, 2, 3, 4, 5, 18, 19, 45, 46
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 area is not located in or near an Earthquake Fault Zone mapped by the

California Geological Survey. The field assessment of soil conditions conducted by Trans Tech Consultants, submitted as part of the Use Permit application, indicated that soil liquefaction potential during earthquake events is considered negligible in the upland hills and in the lowland portions of the proposed development. The project area is not located within a landslide zone or area mapped as required zones for landslide investigation by the California Geological Society.

As is most of Northern California, the site is subject to strong ground motion from seismic sources. Mitigation measures are presented below to construct a foundation designed to meet current building code earthquake design criteria as a minimum.

#### Earthquake Faults (i)

The Earthquake Fault Zones, Special Publication 42, Revised 2018 states that:

The purpose of the Alquist-Priolo Earthquake Fault Zoning Act is to regulate development near active faults so as to mitigate the hazard of surface fault rupture. The stated intent of the Act is to "...provide policies and criteria to assist cities, counties, and state agencies in the exercise of their responsibility to prohibit the location of developments and structures for human occupancy across the trace of active faults." (Department of Conservation, California Geological Survey, 2018).

According to the United States Geological Survey (USGS) Earthquake Faults map available on the Lake County GIS Portal, there are no mapped earthquake faults on the project site.

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

According to the Earthquake Shaking Potential for California, 2016 map, which shows the relative intensity of ground shaking in California from anticipated future earthquakes, the project site will on average experience stronger earthquake shaking more frequently (California Geological Survey and United States Geological Survey, 2016). 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, including the greenhouses and processing building.

#### Landslides (iv)

The Project cultivation site is generally level without significant slopes (Figure 8). The soil classification are Type 142 (Henneke-Montara-Rock outcrop complex, 15 to 50 percent slopes), and Type 237 (Talmage Very Gravelly Sandy Loam). Both soil types are prone to erosion, but neither type has a high shrink-swell potential or are overly prone to slides.

The applicant anticipates grading about 12,500 cubic yards of earth, which would be used as compacted fill beneath the greenhouses and processing building. The applicant has submitted an engineered Grading and Erosion Control Plan that identifies mitigation measures used during earth disturbance, as well as cut and fill areas and methods of protecting the earth during and after site disturbance.

The risk of landslides occurring on this site as the result of this project are minimal.

Less Than Significant Impact

- b) The applicant has provided grading plans, prepared by Northpoint Consultants, Inc., Annje Dodd, P.E. The grading plans show areas of future disturbed earth; profiles of grading, and mitigation measures during and after the grading occurs that will reduce grading-related impacts. This includes stormwater management tools including wattles, trenching and dust mitigation during on-site grading. Grading can only occur between April 15 and October 15 of each year, which is described in the grading plans submitted for this project.

Grading requirements are included in the Lake County Municipal Code Chapter 30. The applicant is proposing grading of 12,500 cubic yards of dirt to prepare the Project site for the greenhouse structures. Therefore, a Complex Grading Permit will be required. Erosion and potential sediment runoff would be addressed by applying BMPs. Although the applicant has already applied for a grading permit, issuance will not occur until the proposed project has been approved, and the Lake County Resource Planner has prepared the conditions of approval.

In addition, the project site is enrolled under Order No. WQ 2019-001-DWQ, which requires all commercial cannabis dischargers to submit a Site Management Plan (SMP). The SMP implements Best Practicable Treatment Control (BPTC) measures which addresses both current and future erosion and sediment control at a site. Due to the "TPZ" zoning at the project site, all grading and earthwork will require a state-licensed C-12 Earthwork and Paving contractor, as applicable.

Less Than Significant Impact

- c) The primary geologic units where the proposed Project site is situated are Type 142 (Henneke-Montara-Rock outcrop complex, 15 to 50 percent slopes), and Type 237 (Talmage Very Gravelly Sandy Loam).

Runoff potential of these soil type is moderate, and 'cut and fill' slopes can susceptible to excessive erosion if best management practices are not incorporated. These soil types are not overly prone to instability, and the flat terrain of the cultivation portion of the site will limit the potential for landslide damage. 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 to have a low risk of landslides and will not likely expose people or structures to substantial adverse effects involving landslides, including losses, injuries or death.

Less Than Significant Impact

- 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.

The two soil classifications on site do not possess a "shrink-swell" characteristic, a cyclic change in volume (expansion and contraction) that occurs in fine-grained clay sediments from the process of wetting and drying. Cultivation activities proposed in the project would occur on a flat portion of the site, and the Type 142 and 237 soils do not have expansive soil characteristics according to the USCS Soil Survey for Lake County.

Less Than Significant Impact

- e) The proposed project will be served by an American Disability Act compliant portable toilet.

Less Than Significant Impact

- f) The Cultural Resource Assessment prepared for this project had negative findings regarding the likelihood of the site having significant historic or prehistoric significance. 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 checked="" type="checkbox"/>	<input type="checkbox"/>	1, 3, 4, 5, 36

**Discussion:**

- a) The Project consists of 44,000 sq. ft. of greenhouse canopy to be planted inside greenhouses containing artificial lighting. Each greenhouse, as well as the processing building, will have a carbon air filtration system installed, which will help to reduce odors and other airborne particulates. The project site is located within the Lake County Air Basin, which is under the jurisdiction of the LCAQMD. The LCAQMD applies air pollution regulations to all major stationary pollution sources and monitors 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 Gase (GHG) emissions. In the interim, emissions estimates have been calculated using the California Emissions Estimator Model (CalEEMod) and uses thresholds adopted by the Bay Area Air Quality Management District (BAAQMD).

The BAAQMD threshold for GHG threshold for projects other than stationary sources (power generating plants, mining sites, petroleum facilities, chemical plants, etc.) that are not under a GHG Reduction Plan is 1,100 metric tons of CO<sub>2</sub> per project.

The nearest population base is Lakeport, which is about 10 road miles from the cultivation site. A car generates an average of 404 grams per vehicle mile traveled. The applicant indicates that up to 3 employees will be working on site during the grow season, which is presumed to be 270 days long given the greenhouse cultivation. There are potentially 6 vehicle trips per day that will travel at least 20 miles each day (10 arriving, 10 departing). Daily CO<sub>2</sub> emissions will be about 24,240 grams of CO<sub>2</sub> per day, and 6,544,800 grams of

CO<sub>2</sub> per year. This converts to 6.5 tons of CO<sub>2</sub> per year. This is well below the BAAQMD threshold of 1,100 tons of CO<sub>2</sub> per project that is the for CO<sub>2</sub> output; the project would take about 169 years to meet the threshold of significance for CO<sub>2</sub>.

#### 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 LCAQMD
- 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 sent out for review from the LCAQMD and the only concern 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.

The 2017 AB Climate Change Scoping Plan recognizes that local government efforts to reduce emissions within their jurisdiction are critical to achieving the State’s long term GHG goals, which includes a primary target of no more than six (6) metric tons CO<sub>2</sub> per capita by 2030 and no more than two (2) metric tons CO<sub>2</sub> per capita by 2050. As described in the materials submitted, the Project will have up to three (3) individuals working on site (owners/operators) during peak harvest times, and with an expected 4.6 metric tons of overall operational CO<sub>2</sub> per year, the per capita figure of 1.53 metric tons of operational CO<sub>2</sub> per year meets the Climate Change Scoping Plan’s 2030 target and the 2050 target.

On October 9, 2021, AB 1346 Air Pollution: Small Off-Road Equipment (SORE) was passed, which will require the state board, by July 1, 2022, consistent with federal law, to adopt cost-effective and technologically feasible regulations to prohibit engine exhaust and evaporative emissions from new small off-road engines, as defined by the state board. The bill would require the state board to identify and, to the extent feasible, make available funding for commercial rebates or similar incentive funding as part of any updates to existing applicable funding program guidelines to local air pollution control districts and air quality management districts to implement to support the transition to zero-emission small off-road equipment operations, and the applicant should be aware of and expected to make a transition away from SOREs by the required future date.

#### Less than Significant Impact

**IX. HAZARDS AND HAZARDOUS MATERIALS**

Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less Than Significant Impact	No Impact	Source Number
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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 PMP 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. Petroleum products and fertilizers cannot be stored together per State law.

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 PMP 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 Site Management Plan also addresses bulk fertilizers will be incorporated into the soil shortly after delivery and will not typically be stockpiled or stored on site. Bulk fertilizers will be stored in a dry, secured building. Dry and liquid fertilizers will be stored in a stormproof shipping container.

All other pesticides and fertilizers will be stored within one of the stormproof storage buildings, in their original containers with labels intact, and in accordance with the product labeling. Agricultural chemicals and petroleum products will be stored in secondary containment, within separate storage structures alongside compatible chemicals. The pesticide, fertilizer, chemical, and petroleum product storage containers will have impermeable floors. The storage buildings consist of three conex containers and the 48' x 100' processing building, all of which are located over 100 feet from any watercourse.

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.

A spill containment and cleanup kit will be kept on site in the unlikely event of a spill. All employees would be trained to properly use all cultivation equipment, including pesticides. Proposed site activities would not generate any additional hazardous waste.

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

- b) The Project involves the use of non-combustible fertilizers and pesticides which will be stored in a secure, stormproof structure. Flood risk is at the Project site is minimal and according to Lake County GIS Portal data and the Project is not located in or near an identified earthquake fault zone.



The project site does not contain any identified areas of serpentine soils or ultramafic rock, and risk of asbestos exposure during construction is minimal. The site preparation would require some construction equipment; 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

- c) There are no schools located within one-quarter mile of the proposed Project site.

No Impact

- d) The California Environmental Protection Agency (CALEPA) has the responsibility for compiling information about sites that may contain hazardous materials, such as hazardous waste facilities, solid waste facilities where hazardous materials have been reported, leaking underground storage tanks and other sites where hazardous materials have been detected. Hazardous materials include all flammable, reactive, corrosive, or toxic substances that pose potential harm to the public or environment.

The 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 not located within two miles of an airport.

No Impact

- f) Access to the Project site is from Vernal Road, which is a well-maintained private road that 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 can occur via Ridge Road to Vernal Road. Knox-boxes are required since Vernal and Ridge Road are gated with a locked gate. Furthermore, the Project would not result in any alterations to the design or capacity of any public road that could otherwise 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 is mapped as being a moderate to very high fire risk. The project proposes twelve (12) 5,000 gallon tanks for water storage. One of the tanks will be available in case of wildfire, as well as the addition of a California Public Resources Code (PRC) §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 type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1, 2, 3, 5, 6, 29

Discussion:

- a) The Project parcel has no stream crossings and the nearest major watercourse, with only one ephemeral watercourse in proximity to the cultivation area, located approximately 200 feet south of the Project site

According to the proposed Project's Property Management Plan – Waste Management Plan, the cultivation operation is enrolled in the State Water Resources Control Board's

Order WQ 2019-0001-DWQ General Waste Discharge Requirements for Discharges of Waste Associated with Cannabis Cultivation Activities (General Order). Compliance with this Order will ensure that cultivation operations will not significantly impact water resources by using a combination of BPTC measures, buffer zones, sediment and erosion controls, inspections and reporting, and regulatory oversight. Note also that a sediment and erosion control plan is being implemented as part of the greater Site management Plan:

Potential adverse impacts to water resources could occur during construction due to soil disturbance. Project implementation will not directly impact any channels or wetlands. Soil disturbance from project implementation could increase erosion and sedimentation, however the engineered Drainage and Erosion Control (Grading) Plans submitted show methods of mitigation that will minimize potential soil erosion.

Regulations at both the County and State levels require the creation and implementation of an erosion control and stormwater management plan. Furthermore, as the total area of ground disturbance from project implementation is greater than one (1) acre, the Project proponent will need to enroll for coverage under the General Permit for Discharges of Storm Water Associated with Construction Activity (Construction General Permit, 2009-0009-DWQ).

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), while the State-required setbacks from any year-round creek or stream is 150 feet. The cultivation area is located over 150 feet from the nearest mapped water course.

Additionally, cultivators who enroll in the State Water Board's Waste Discharge Requirements for Cannabis Cultivation Order WQ 2019-001-DWQ must comply with the Minimum Riparian Setbacks. Cannabis cultivators must comply with these setbacks for all land disturbances, cannabis cultivation activities, and facilities (e.g., material or vehicle storage, diesel powered pump locations, water storage areas, and chemical toilet placement).

#### 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 Analysis*

A Technical Memorandum (Study) was prepared by Northpoint Consulting Group, Inc., on July 29, 2022, for the proposed project. Within this memorandum are a Hydrology Report and a Drought Management Report, both required by Lake County Ordinance No. 3106.

### *Water Usage*

Projected water usage makes several assumptions; (1) that each plant requires 6 gallons of water per plant per day, an accepted industry amount; (2) a total canopy area of 88,000 sq. ft. is assumed; (3) average daily use is 6,060 gallons, and (4) annual use is 1,090,800 gallons, or about 3.35 acre-feet per year.

### *Water Source*

The water source for this project is an existing well located on APN 115-007-03, drilled on January 20, 2021 by Will Peterson Well Drilling. The well was drilled to a depth of 440 feet; the depth to static water was 360 feet. Output measured during the 2-hour well test averaged 40 gallons per minute. Water will be stored on site in five 2,500-gallon water storage tanks.

### *Aquifer Analysis.*

The applicant has provided a Hydrology Study prepared by EBA Engineering and dated December 7, 2021. The site is located between the McDowell Valley Groundwater Basin and the Big Valley Groundwater Basin. The Study estimated the total storage volume of the aquifer to be about 310 acre-feet of water, or about 100,750,000 gallons of water. The total area subject to rainfall infiltration (aquifer recharge) is about 440 acres, however some of the land is basalt, which is not a water absorbing type of soil. The adjusted size of the infiltration area was reduced to 210 acres taking basalt areas into consideration.

### *Aquifer Recharge.*

The average annual rainfall at this site is 28.36 inches / year. The 35 acre project site has a total annual rainfall amount of 82 acre-feet during a non-drought year, and 49.6 acre-feet of rainfall during a drought year.

### *Water Demand.*

The Study estimated that this project will have a water demand that ranges between 2,800 gallons per day, and 14,500 gallons per day depending on the time of year. The Study added a 20% increase in demand to account for irrigation inefficiencies. The total annual demand was then projected to be 8.52 acre-feet per year, or about 2,777,904 gallons per year.

### *Cumulative Impacts.*

According to the Study, there are twelve residential properties sharing the aquifer. Each residence has a demand of 0.25 acre-feet per year, or 2.5 acre feet (about 812,500 gallons per year). The Study then estimated the total demand, including irrigation occurring at other sites using the aquifer, to be about 11 acre-feet per year. The project's demand is about 8.89 acre-feet per year; the total demand on the aquifer was then determined to be about 19.89 acre-feet per year (about 6,464,250 gallons per year).

### *Conclusion.*

The Study concludes that this project can be supported by the aquifer without harming other area well productivity, and that based on water availability, can proceed as planned.

## Less Than Significant Impact

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

The cultivation operation is enrolled in the State Water Resources Control Board's Order WQ 2019-0001-DWQ General Waste Discharge Requirements for Discharges of Waste Associated with Cannabis Cultivation Activities (General Order). Compliance with this Order will ensure that cultivation operations will not significantly impact water resources by using a combination of BMPs, buffer zones, sediment and erosion controls, inspections and reporting, and regulatory oversight. A sediment and erosion control plan is also being implemented as part of the larger Site Management Plan.

According to the grading plans and support materials provided, including the Stormwater Management Plan, the cultivation operations are not expected to alter the hydrology of the parcels significantly, provided the mitigation measures set forth in the grading plan are strictly followed. The applicant estimates a total of 12,500 cubic yards of earth will be moved to prepare for the building pads. Grading will require a Complex Grading Permit, and the application will be required to sign conditions of approval.

The grading plans shows the BMPs that will be used during and after the grading occurs. The greenhouses will be on pads that consist of compacted soil that will be moved from one part of the site onto the cultivation area. The purpose of the imported aggregate base is not identified, but it is highly probable that this soil will be used as the planting medium for the plants cultivated inside of greenhouses. One acre of canopy is assumed to contain 500 plants; this is an industry standard that is used to predict the total product output and water usage demands.

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

Best Management Practices measures will be deployed in a sequence to follow the progress of site preparation, tilling, and cultivation. As the locations of soil disturbance change, erosion and sedimentation controls should be adjusted accordingly to control stormwater runoff at the downgrade perimeter and drain inlets. BMPs to be implemented include stabilizing disturbed soils with temporary erosion control or with permanent erosion control as soon as possible after grading or construction is completed, and establishing temporary or permanent erosion control measures prior to rain events. Typical BMPs include the placement of straw, mulch, seeding, straw wattles, silt fencing, and planting of native vegetation on all disturbed areas to prevent erosion.

Due to the proposed erosion control mitigation measures, the Project can be mitigated in a manner that it 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 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 – very low risk – but is not within a mapped special flood hazard area. The cultivation site is located on a hilltop, and the likelihood of flooding is very minimal. While the Type 142 and 237 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
- 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 wells 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 wells is causing significant drawdown and/or impacts to the surrounding area and what measures can be taken to reduce their impacts. If there are impacts, a revised Water Management Plan will be prepared and submitted to the County for review and approval, which demonstrates how the project will mitigate the impacts in the future.

### 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:

- 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

Less Than Significant Impact

**XI. LAND USE PLANNING**

	Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less Than Significant Impact	No Impact	Source Number
Would the project:					
a) Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1, 2, 3, 5, 6
b) Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1, 3, 4, 5, 20, 21, 22, 27

**Discussion:**

- a) Projects normally associated with physically dividing a community would include development such as roads, bridges, reservoirs/dams, large wineries, etc. The project site consists of over 41 acres of minimally developed land in the Lakeport Planning Area. The closest community growth boundary accessible by road is Lakeport, which is approximately 10 road miles away.

The area is characterized by large parcels of rural, marginally or undeveloped land. 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 Lands (“RL”). The Lake County Zoning Ordinance allows for commercial cannabis cultivation in the “RL” land use zone with a major use permit.

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. According to the California Department of Conservation, Mineral Land Classification, there are no known mineral resources on the project site, and thus no impact.

No Impact

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

No Impact

### XIII. NOISE

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

- |   |                          |                                     |                                     |                                     |                        |
|---|--------------------------|-------------------------------------|-------------------------------------|-------------------------------------|------------------------|
| a) Result in the generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/>            | 1, 3, 4, 5, 13         |
| b) Result in the generation of excessive ground-borne vibration or ground-borne noise levels?   | <input type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | 1, 3, 4, 5, 13         |
| c) Result in the generation of excessive ground-borne vibration or ground-borne noise levels?   | <input type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | 1, 3, 4, 5, 11, 14, 15 |

Discussion:

- a) Noise related to outdoor cannabis cultivation typically occurs either during construction, or as the result of machinery related to post construction equipment such as air filtration systems, well pumps or emergency backup generators used during power outages. Energy will be supplied by on-grid power. Other noise generated during operations normally includes farm equipment.

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

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

In regards to the Lake County General Plan Chapter 8 - Noise, there are several sensitive noise receptors within one (1) mile of the project site. However, 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 with Mitigation Measures NOI-1 and NOI-2

NOI-1: All construction activities including engine warm-up shall be limited Monday Through Friday, between the hours of 7:00 a.m. and 7:00 p.m., and Saturdays from 12:00 noon to 5:00 p.m. to minimize noise impacts on nearby residents. Back-up beepers shall be adjusted to the lowest allowable levels. This mitigation does not apply to night work.

NOI-2: Maximum non-construction related sounds levels shall not exceed levels of 55 dBA between the hours of 7:00 a.m. to 10:00 p.m. and 45 dBA between the hours of 10:00 p.m. to 7:00 a.m. within residential areas as specified within Zoning Ordinance Section 21-41.11 (Table 11.1) at the property lines.

- b) The Project would not generate ground-borne vibration or noise, except potentially during the construction phase from the use of heavy construction equipment. There will be some grading required for the container pads and greenhouses, however earth movement is not expected to generate ground-borne vibration or noise levels. According to California Department of Transportation's 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. The nearest existing off-site structures are located about 1/4 mile from the nearest point of construction activities and would not be exposed to substantial ground-borne vibration due to the operation of heavy construction equipment on the Project site.

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 not located near an airport.

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; no proposed dwellings are associated with this project. Although employees would be required for the business, all would be local.

No Impact

b) No proposed dwellings are associated with this project. Workers would be hired locally and would be most likely to live in Lakeport, the closest population area in the vicinity.

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:

1) Fire Protection

CAL FIRE and the Lakeport Fire Protection District provides fire protection services to the proposed Project area. Development of the proposed Project may impact fire protection services somewhat 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 private water supply reserves for emergency fire use.

2) Police Protection

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

3) Schools

The proposed Project is not expected to significantly increase the population in the local area and would not place greater demand on the existing public school system by generating additional students.

4) Parks

The proposed Project will not increase the use of existing public park facilities and would not require the modification of existing parks or modification of new park facilities offsite as the project would not result in an increase of population.

5) Other Public Facilities

The owners and operators currently reside in Lake County, and the small staff will be hired locally.

Less than Significant Impact

XVI. RECREATION

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

- |  |                          |                          |                          |                                     |               |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|---------------|
| a) Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | 1, 2, 3, 4, 5 |
| b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?      | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | 1, 3, 4, 5    |

Discussion:

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

No Impact

- b) The proposed Project does not include any recreational facilities and will not require the construction or expansion of existing recreational facilities.

No Impact

## XVII. TRANSPORTATION

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

- |   |                          |                          |                                     |                                     |                                       |
|---|--------------------------|--------------------------|-------------------------------------|-------------------------------------|---------------------------------------|
| a) Conflict with a program plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?          | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | 1, 3, 4, 5, 9, 20, 22, 27, 28, 35, 47 |
| 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 project is located approximately ten roadway miles west of Lakeport. Vehicles traveling to the site will use Highland Springs Road to access Ridge Road, which connects with Vernal Drive. Highland Springs Road is a paved county owned and maintenance road. The interior driveway will be upgraded to meet PRC 4290 and 4291 commercial driveway road standards; this is a typical condition of approval for cannabis cultivation projects.

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.

Transit Analysis

There is no public transit available to the site.

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).

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 6 trips during regular operations and during peak harvest season.

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 State licenses are an accessory use to an active cannabis cultivation or cannabis manufacturing license site with a valid minor or major use permit. The parcel where the Type 13 license is 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.

The proposed Project would not generate or attract more than 6 trips per day on average excluding occasional deliveries, 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.

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 driveways 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	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	1, 3, 4, 5, 11, 14, 15

significance of the resource to a California Native American tribe?

#### Discussion:

- a) A Cultural Resource Evaluation (CRE) for the proposed cultivation Project was completed by Wolf Creek Archaeology and dated October 18, 2020 to identify potentially significant cultural resources. A CHRIS records search was completed by the NWIC, and the Native American Heritage Commission (NAHC) returned the results of the Sacred Lands File (SLF) search. Natural Investigations sent Project information letters to the tribes affiliated with the Project Area. No cultural resources of any significance were identified during the field survey, although several loose pieces of chert and obsidian were observed, leading the surveying Archaeologist to determine that the site was probably used for resource gathering, but the lack of significant finds led to the Archaeologist recommending that the project proceed.

Notification of the project was sent to local tribes on May 28, 2021. The Upper Lake Habematolel Tribe, The Redwood Valley Tribe and the Yocha Dehe Tribe responded with letters that concluded the project is not within their territories. Big Valley Tribal Historic Officer Ron Montez sent an email to staff on February 28, 2023 inquiring about the project, but no request for consultation or further comments were received from Big Valley or any other local tribes regarding this project.

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 CRR and the CHRIS 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.

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

- b) In response to the CRR and the CHRIS 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 mitigation measures CUL-1 and CUL-2, the impact will be less than significant.

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



## XIX. UTILITIES

	Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less Than Significant Impact	No Impact	Source Number
Would the project:					
a) Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1, 3, 4, 5, 29, 32, 33, 34, 37
b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1, 2, 3, 5, 6, 22, 31
c) Result in a determination by the wastewater treatment provider, which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input 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, 48
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 applicant initially stated that the proposed Project will be served by 'temporary generators', however generators are not a permitted primary power source for cannabis cultivation. Staff notified the applicant of this on April 24, 2023, and received an email on April 24, 2023 stating that generators would not be used as the primary power source.

The site is served by inactive power lines that are located near the cultivation site. The applicant will connect to 'on grid' power, and will install solar panels once the use permit is approved as a secondary power source.

The project energy demand is projected to be about 400 to 600 amps; this is a reasonable amount of power usage for this type of greenhouse operation. There are no grid capacity issues at this location, and PG&E was notified of this project and had no comment.

Less than Significant Impact

- b) The subject parcel is served by an existing well as described in the Hydrology Study and Drought Management Plan submitted with the use permit application, and the cultivation operation is enrolled as a Tier II / Low Risk cultivation site under the General Order. Compliance with this Order will ensure that cultivation operations will not significantly impact water resources by using a combination of BPTC measures for water conservation, including shut-off valves on water tanks, drip irrigation, continued maintenance of equipment, in addition to buffer zones, sediment and erosion controls, inspections and reporting, and regulatory oversight.

Less than Significant Impact

- c) According to the Lake County Division of Environmental Health, there are no septic records for this property on file. The project will support 3 employees during regular and peak harvest season. The site plans for the project show a portable ADA-compliant restroom. No other restrooms are shown on the plans submitted. No septic permits have been applied for according to comments received from Environmental Health Department, although it is likely that a new septic system will be installed when the 48' x 100' processing building is built.

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, the project will generate about 5 tons of solid waste per year. Vegetative waste can be chipped and spread on site; burning cannabis waste is prohibited in Lake County. The South Lake Refuse & Recycling Services materials goes directly to the East Lake Landfill. An increase in the landfill capacity was permitted in 2021, and increased from 31 acres to 56.5 acres with a 7,930,000 cubic yard capacity. The new estimated close date is 2043 (CalRecycle 2021).

The project would generate about 400 to 500 pounds of annual solid waste. This is not in excess of 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
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If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:

- a) Substantially impair an adopted emergency response plan or emergency evacuation plan?     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 checked="" type="checkbox"/> | <input 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 applicant is taking measures to ensure the Project site meets PRC §4290 and 4291 compliance by making improvements to the interior driveway serving the site. The applicant is required to maintain defensible space around all buildings, and improve the interior driveway to meet PRC 4290 road standards. The applicant is already proposing to use one 5000 gallon water tank for fire suppression if needed.

Less than Significant Impact

- b) The Project site is located on a site that has a moderate to very high risk for wildfire. Much of the parcel is considerably sloped, despite the Project site and access to the project site being relatively flat. The cultivation areas do not further exacerbate the risk of wildfire, or the overall effect of pollutant concentrations on area residents in the event of a wildfire. The Project would improve fire access and the ability to fight fires at or from the Project site and other sites accessed from the same roads through the upkeep of the property area and the installation of a PRC §4290-compliant water tank as is being proposed.

Less than Significant Impact

- c) The proposed Project, as described in the application documents and confirmed through site visits to the property, would not exacerbate fire risk through the installation of maintenance of associated infrastructure. The proposed Project will require maintenance to meet and/or maintain roadway and driveway standards. A 5000 gallon steel or fiberglass fire suppression water tank will be located at the cultivation site.

Required with building permits are the installation of approved address numbers to be placed on all buildings and/or driveways in such a position as to be plainly visible and legible from the street or road fronting the property with numbers that shall contrast with their background will be required, and the installation of a rapid entry lock box, approved by the fire district if any gate is installed will also be required.

WDF-1: Prior to cultivation, the applicant shall improve the interior driveway to meet PRC 4290 and 4291 standards for width, slope and surface material that will enable a 75,000 pound emergency service vehicle to serve the site.

WDF-2: Construction activities will not take place during a red flag warning (per the local fire department and/or national weather service) and wind, temperature and relative humidity will be monitored in order to minimize the risk of wildfire. Grading will not occur on windy days that could increase the risk of wildfire spread should the equipment create a spark.

Less than Significant with Mitigation Measure WDF-1 and WDF-2 added

- 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 2016 in the Valley 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, and with no neighboring people or structures within range of downstream flooding or landslides, the impact will be less than significant impact with mitigation measures WDF-3 through WDF-5 implemented.

WDF-3: The applicant shall provide at least one 5,000 gallon water tank for emergency fire suppression. Tank shall be metal or fiberglass with connectors that will enable the emergency responders to easily connect fire hoses to the tank.

WDF-4: A Water tender will be present on site during earth work to reduce the risk of wildfire and dust.

WDF-5: Prior to cultivation, all gates shall be 2' wider than the interior driveway and shall be equipped with Knox Boxes to allow entry to emergency service providers.

Less than Significant with Mitigation Measures WDF-3 through WDF-5 added

XXI. MANDATORY FINDINGS OF SIGNIFICANCE	Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less Than Significant Impact	No Impact	Source Number
a) Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	ALL

- b) Does the project have impacts that are individually limited, but cumulatively considerable? (“Cumulatively considerable” means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?     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 Project does have some potential to impact the quality of the environment. The project does not have the potential to 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. Potential biological impacts can be mitigated through specific mitigation measures established in the Biological Resources section of this report.

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 BMPs and other mitigation measures described throughout this initial study, the potential impact on important biological resources will be reduced to less than significant.

- b) Potentially significant impacts have been identified related to Aesthetics, Air Quality, Biological Resources, Cultural and Tribal Resources, Noise, and Wildfire. These impacts in combination with the impacts of other past, present, and reasonably foreseeable future projects could cumulatively contribute to significant effects on the environment. Of particular concern would be the cumulative effects on hydrology and water resources.

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

Implementation of and compliance with mitigation measures identified in each section as project conditions of approval would avoid or reduce potential impacts to less than significant levels and would not result in any cumulatively considerable environmental impacts.

- c) The proposed project has the potential to result in adverse indirect or direct effects on human beings. In particular, Aesthetics, Air Quality, Cultural and Tribal Resources, Wildfire, and Noise 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.

Impact Categories defined by CEQA

#### Source List

1. Lake County General Plan
2. Lake County GIS Database
3. Lake County Zoning Ordinance
4. Lakeport Area Plan
5. Delux Cannabis Cultivation Application – Major Use Permit.
6. U.S.G.S. Topographic Maps
7. U.S.D.A. Lake County Soil Survey
8. Lake County Important Farmland Map, California Department of Conservation Farmland Mapping and Monitoring Program
9. Department of Transportation’s Scenic Highway Mapping Program, (<https://dot.ca.gov/programs/design/lap-landscape-architecture-and-community-livability/lap-liv-i-scenic-highways>)
10. Lake County Serpentine Soil Mapping
11. California Natural Diversity Database (<https://wildlife.ca.gov/Data/CNDDDB>)
12. U.S. Fish and Wildlife Service National Wetlands Inventory
13. Biological Resources Assessment, prepared by WRA Inc., dated January 2021.
14. Cultural Resources Assessment for the Cannabis Cultivation project, prepared by Wolf Creek Archaeology and dated October 18, 2020.
15. California Historical Resource Information Systems (CHRIS); Northwest Information Center, Sonoma State University; Rohnert Park, CA.
16. Water Resources Division, Lake County Department of Public Works Wetlands Mapping.
17. U.S.G.S. Geologic Map and Structure Sections of the Clear Lake Volcanic, Northern California, Miscellaneous Investigation Series, 1995
18. Official Alquist-Priolo Earthquake Fault Zone maps for Lake County
19. Landslide Hazards in the Eastern Clear Lake Area, Lake County, California, Landslide Hazard Identification Map No. 16, California Department of Conservation, Division of Mines and Geology, DMG Open – File Report 89-27, 1990
20. Lake County Emergency Management Plan
21. Lake County Hazardous Waste Management Plan, adopted 1989
22. Lake County Airport Land Use Compatibility Plan, adopted 1992
23. California Department of Forestry and Fire Protection - Fire Hazard Mapping
24. National Pollution Discharge Elimination System (NPDES)
25. FEMA Flood Hazard Maps
26. Lake County Aggregate Resource Management Plan
27. Lake County Bicycle Plan
28. Lake County Transit for Bus Routes
29. Lake County Environmental Health Division
30. Lake County Grading Ordinance
31. Lake County Natural Hazard database

32. Lake County Countywide Integrated Waste Management Plan and Siting Element, 1996
33. Lake County Water Resources
34. Lake County Waste Management Department
35. California Department of Transportation (Caltrans)
36. Lake County Air Quality Management District website
37. CALFIRE Fire Protection District
38. Site Visit – May 18, 2020
39. United States Department of Agriculture – Natural Resources Conservation Service Web Soil Survey
40. Hazardous Waste and Substances Sites List,
41. State Water Resources Control Board (SWRCB) Cannabis Policy and General Order
42. Lake County Groundwater Management Plan, March 31<sup>st</sup>, 2006.
43. Lake County Rules and Regulations (LCF) for On-Site Sewage Disposal
44. Lake County Municipal Code: Sanitary Disposal of Sewage (Chapter 9: Health and Sanitation, Article III)
45. Department of Conservation, California Geological Survey. 2018. *Earthquake Fault Zones, A Guide for Government Agencies, Property Owners/Developers, and Geoscience Practitioners for Assessing Fault Rupture Hazards in California*. Special Publication 42, Revised 2018.
46. California Geological Survey and United States Geological Survey. 2016. *Earthquake Shaking Potential for California*.
47. Lake County/City Area Planning Council. 2011. *2011 Lake County Regional Transportation Bikeway Plan*.
48. CalRecycle. 2021. *Public Notice: Eastlake Sanitary Landfill-Lake County*. Accessed 27 March 2023 at: < <https://www2.calrecycle.ca.gov/PublicNotices/Details/4538>>.