

MITIGATION MONITORING AND REPORTING PROGRAM

Initial Study (IS 21-14)

Use Permit (UP 21-13); Delux California LLC Commercial Cannabis Cultivation

Potential Impact	Mitigation Measure	Implementation Responsibility	Monitoring & Reporting Responsibility	Timing	Date Implemented
AESTHETICS					
The proposed project has the potential to impact aesthetics and to generate a new source of light and glare from exterior and interior lighting.	<u>AES-1</u> : 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.	Applicant/ Contractor(s)	Applicant	Prior to cultivation, life of project	
	<u>AES-2</u> : 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 .	Applicant/ Contractor(s)	Applicant	Prior to cultivation; life of project	
	<u>AES-3</u> : 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.	Applicant/ Contractor(s)	Applicant	Prior to cultivation, life of project	
	<u>AES-4</u> : 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.	Applicant / contractor	Applicant	Prior to cultivation, life of project	
AIR QUALITY					
Potential to impact air quality temporarily during construction activities	<u>AQ-1</u> : Prior to obtaining the necessary permits and/or approvals for any phase, applicant shall contact the Lake County Air Quality Management District and obtain an Authority to Construct (A/C) Permit for all operations and	Applicant	Applicant	Prior to cultivation	

<p>and permanently throughout operation.</p>	<p>for any diesel-powered equipment and/or other equipment with potential for air emissions. Or provide proof that a permit is not required. Air filtration systems required in all buildings containing cannabis.</p>				
	<p><u>AQ-2:</u> All mobile diesel equipment used must be in compliance with State registration requirements. Portable and stationary diesel-powered equipment must meet the requirements of the State Air Toxic Control Measure for C1 Engines</p>	<p>Applicant/ Contractor(s)</p>	<p>Applicant/ Contractor(s)</p>	<p>During construction and cultivation</p>	
	<p><u>AQ-3:</u> The applicant shall maintain records of all hazardous or toxic materials used, including a Material Safety Data Sheet (MSDS) for all volatile organic compounds utilized, including cleaning materials. Said information shall be made available upon request and/or the ability to provide the Lake County Air Quality Management District such information in order to complete an updated Air Toxic emission Inventory.</p>	<p>Applicant/ Contractor(s)</p>	<p>Applicant/ Contractor(s)</p>	<p>During construction and cultivation</p>	
	<p><u>AQ-4:</u> All vegetation during site development shall be chipped and spread for ground cover and/or erosion control. The burning of vegetation, construction debris, including waste material is prohibited</p>	<p>Applicant/ Contractor(s)</p>	<p>Applicant/ Contractor(s)</p>	<p>During construction and cultivation</p>	
	<p><u>AQ-5:</u> The applicant shall have the primary access and parking areas surfaced with chip seal, asphalt or an equivalent all weather surfacing to reduce fugitive dust generation. The use of white rock as a road base or surface material for travel routes and/or parking areas is prohibited.</p>	<p>Applicant/ Contractor(s)</p>	<p>Applicant/ Contractor(s)</p>	<p>During construction and cultivation</p>	
	<p><u>AQ-6:</u> All areas subject infrequent use of driveways, over flow parking, etc., shall be surfaced with gravel. Applicant shall regularly use and/or maintain graveled area to reduce fugitive dust generations.</p>	<p>Applicant/ Contractor(s)</p>	<p>Applicant/ Contractor(s)</p>	<p>During construction and cultivation</p>	
<p>BIOLOGICAL RESOURCES</p>					
<p>The project has some potential to impact species identified as a</p>	<p><u>BIO-1:</u> Revegetate the graded slope uphill of the development. This revegetation should be composed of hydroseeding, of which the seeds should be either native</p>	<p>Applicant/ Contractor(s)</p>	<p>Applicant/ Contractor(s)</p>	<p>Prior to and during site development</p>	

<p>candidate, sensitive, or special status species.</p>	<p>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.</p>			<p>and construction; life of project</p>	
	<p><u>BIO-2:</u> 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 waddles, 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.</p>	<p>Applicant/ Contractor(s)</p>	<p>Applicant/ Contractor(s)</p>	<p>Prior to and during site development and construction; life of project</p>	
	<p><u>BIO-3:</u> 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.</p>				
	<p><u>BIO-4:</u> Tree/vegetation removal and initial ground disturbance shall occur from August 16 to January 31,</p>				

	<p>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.</p>				
	<p><u>BIO-5</u>: 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, barbless top and bottom strand).</p>				
CULTURAL / TRIBAL RESOURCES					
<p>The project has some potential to impact cultural / tribal resources. The following mitigation measures are added to limit the potential impacts on cultural and tribal resources. .</p>	<p>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.</p>	Applicant/ Contractor(s)	Applicant/ Contractor(s)	Prior to and during site development and construction; life of project	
	<p>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</p>	Applicant/ Contractor(s)	Applicant/ Contractor(s)	Prior to and during site development and construction; life of project	

	<p>them from Project development activities. Work may continue on other areas of project site while evaluation and/or mitigation takes place.</p>				
	<p><u>CUL- 3:</u> 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.</p>	<p>Applicant / Contractor</p>	<p>Applicant / Contractor</p>	<p>Prior to and during site development and construction; life of project</p>	
<p>NOISE</p>					
<p>The proposed project will not have any adverse effect on the noise. However, the future project may create short-term increases in ambient noise levels to</p>	<p><u>NOI-1:</u> 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.</p>	<p>Applicant/ Contractor(s)</p>	<p>Applicant/ Contractor(s)</p>	<p>During site development and operation</p>	

<p>uncomfortable levels during project preparation, construction, and operations.</p>	<p><u>NOI-2:</u> All construction activities including engine warm-up shall be limited Monday through Friday, between the hours of 7:00am and 7:00pm to minimize noise impacts on nearby residents. Back-up beepers shall be adjusted to the lowest allowable levels.</p>				
<p>WILDFIRE</p>					
<p>The proposed project has some potential to exacerbate wildfire impacts</p>	<p><u>WDF-1:</u> 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.</p>	<p>Applicant/ Contractor(s)</p>	<p>Applicant</p>	<p>During site development and life of project</p>	
	<p><u>WDF-2:</u> Construction activities will not take place during a red flag warning (per the local fire department and/or national weather service) and wind, temperature and relative humidity will be monitored in order to minimize the risk of wildfire. Grading will not occur on windy days that could increase the risk of wildfire spread should the equipment create a spark.</p>	<p>Applicant / Contractor</p>	<p>Applicant</p>	<p>During construction</p>	
	<p><u>WDF-3:</u> 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.</p>	<p>Applicant / Contractor</p>	<p>Applicant</p>	<p>Prior to cultivation; life of project</p>	
	<p><u>WDF-4:</u> A Water tender will be present on site during earth work to reduce the risk of wildfire and dust.</p>	<p>Applicant / Contractor</p>	<p>Applicant</p>	<p>During construction</p>	
	<p><u>WDF-5:</u> 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.</p>	<p>Applicant / Contractor</p>	<p>Applicant</p>	<p>During construction, life of project</p>	