



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

June 02, 2023

## CALIFORNIA ENVIRONMENTAL QUALITY ACT ENVIRONMENTAL CHECKLIST FORM INITIAL STUDY IS 20-94 (UP 20-79)

1. Project Title: Dustin's Farm - 22698
2. Permit Numbers: Major Use Permit UP 20-79  
Initial Study IS 20-94
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: Mary Claybon, Assistant Planner II  
(707) 263-2221
5. Project Location(s): 22698 Elk Mountain Road, Potter Valley, CA  
APN: 001-037-25
6. Project Sponsor's Name & Address: Dustin Perbetsky  
5115 Scotts Valley Road, Lakeport, CA 95453
7. General Plan Designation: RL – Rural Lands and RC – Resource Conservation
8. Zoning: TPZ-SC-WW – Timberland Preservation Zone; Scenic  
Combining District; Waterway Combining District
9. Supervisor District: District 3
10. Flood Zone: "D": Areas of undetermined, but possible, flood hazard  
risk
11. Slope: Property is mountainous, but the proposed cultivation  
site is relatively flat (0 to 20 percent slopes).
12. Fire Hazard Severity Zone: California State Responsibility Area (CALFIRE)  
Very High Fire Hazard Severity Zone
13. Earthquake Fault Zone: None
14. Dam Failure Inundation Area: Not located within Dam Failure Inundation Area
15. Parcel Size: 80.57 Acres

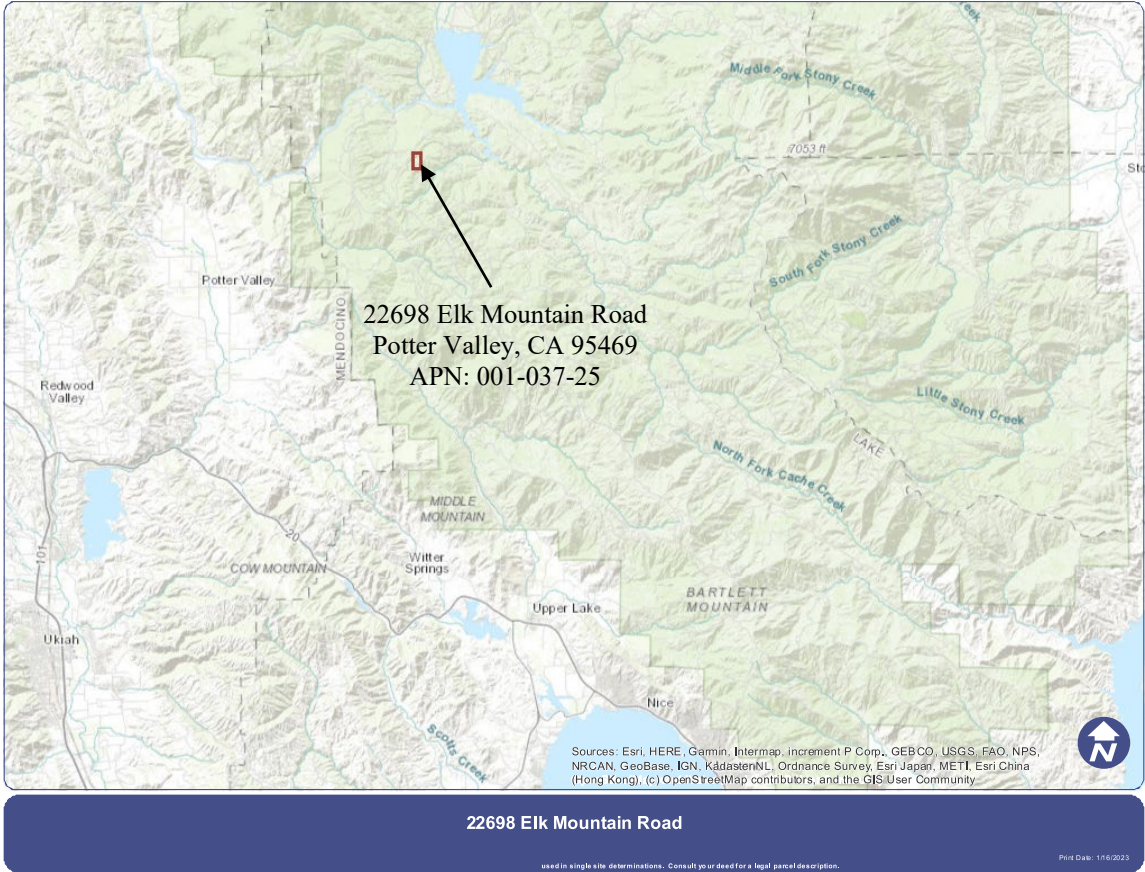
16. Description of Project:

The Applicant is requesting discretionary approval from the County of Lake for Major Use Permit UP 20-79, for a commercial cannabis cultivation operation at 22698 Elk Mountain Road, Potter Valley, CA (Lake County APN: 001-037-25), as described below:

*One (1) A-Type 3 "Medium Outdoor" license and one (1) A-Type 2 "Small Outdoor" license:* The applicant proposes a 43,560 square-foot (sq. ft.) [1 acre] outdoor commercial cannabis cultivation/canopy area and a 7,160 sq. ft. outdoor commercial cannabis cultivation/canopy area.

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

Figure 1. Vicinity Map

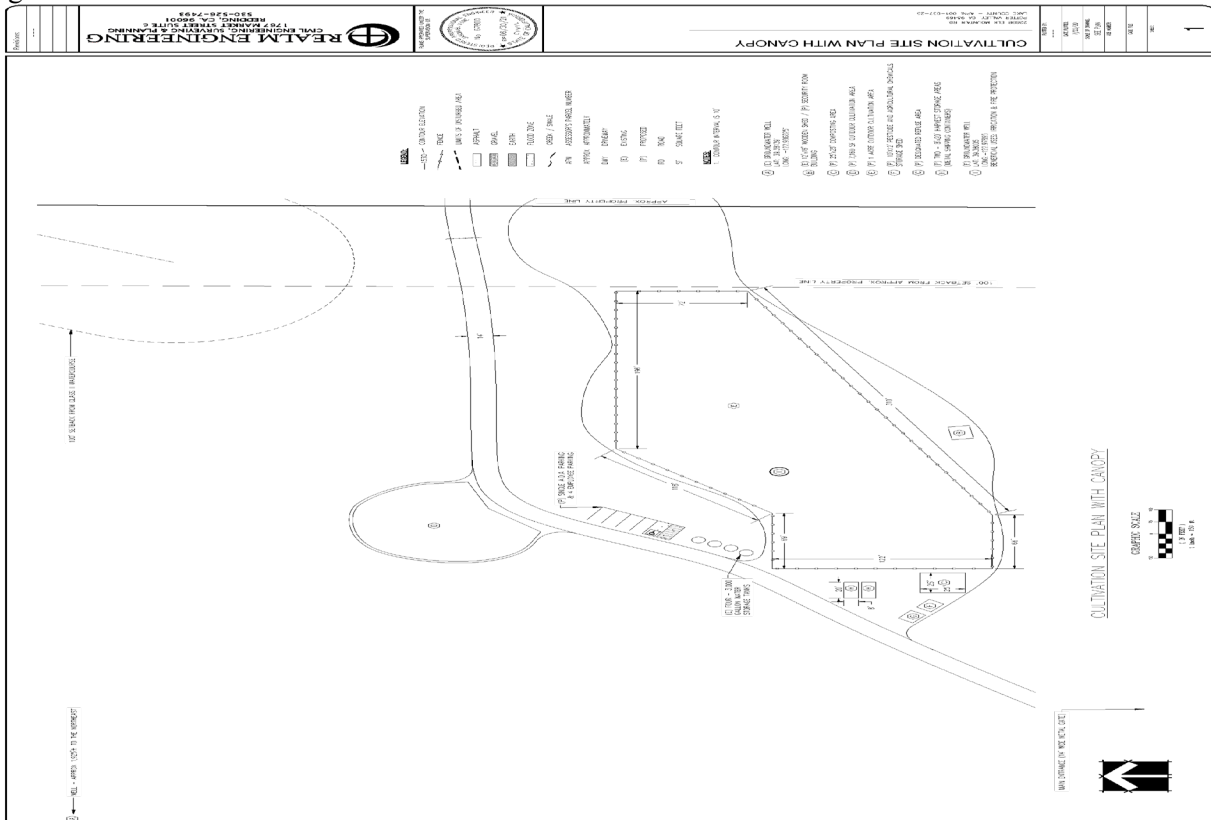


The proposed outdoor canopy areas would be located within two fenced-in cultivation areas, as shown in Figure 2 (below). Mature plants will be grown outdoors in aboveground fabric pots and/or wood-framed garden beds with an imported organic soil mixture and drip irrigation systems within the two fenced-in cultivation areas. No grading or vegetation removal will be required to develop/establish the proposed cannabis cultivation operation.

The Project proposes the following:

- A 7,160 sq. ft. outdoor cultivation/canopy area
- A 43,560 sq. ft. outdoor cultivation/canopy area
- An existing 192 sq. ft. stormproof shed for office and security use (12'x16')
- A proposed 120 sq. ft. stormproof shed for pesticides and agricultural chemicals storage (10'x12')
- An existing 220' deep permitted groundwater well with a maximum yield of over 15 gallons per minute
- An irrigation system using a water pump(s), polyvinyl chloride (PVC) piping, black poly tubing and drip tape
- Four (4) proposed 3,000-gallon water storage tanks for irrigation and fire protection
- An employee parking area with 4 spaces and one ADA compliant space
- Two 160 sq. ft. harvest storage areas (8' x 20')
- A 625 sq. ft. fenced composting area (25' x 25')

Figure 2. Cultivation Site Plan



Source: Materials Submitted by the Applicant

According to the applicant's Property Management Plan, fertilizers and pesticides will be stored within a 120 sq. ft. stormproof storage shed. All solid waste will be kept in a secured area and regularly removed to be disposed of at waste disposal facility. All plant waste will be chipped/mulched and composted on site within a 625 sq. ft. composting area, then reused as soil amendment.

Water for cultivation activities will be supplied from an existing onsite groundwater well (Well I on Site Plans) that was drilled in 2020 to a depth of approximately 220 feet below ground surface (bgs). A 4-hour pump test was conducted on September 22, 2020 of the onsite groundwater well. During the 4-hour pump test, the well was pumped at 15 gallons per minute. The static water level was 114.2-feet bgs with a drawdown of 2.5-feet (116.7 bgs) during the test.

Irrigation water will be pumped into four (4) proposed 3,000-gallon water storage tanks using aboveground polyvinyl chloride (PVC) piping. The irrigation water will be delivered to the proposed cultivation/canopy areas using black poly tubing with drip and micro-spray emitters. According to the Water Use section of the applicant's Property Management Plan, the proposed cultivation operation has an estimated annual water use requirement of 790,000 gallons, with a peak anticipated daily demand of 6,534 gallons and a average daily demand of 5,267 gallons (assuming a 150-day growing period between June and November).

Electricity for the Project will be produced via individual photovoltaic solar panels with battery storage/backup systems, which will power the security cameras, security lights, and water/well pump(s). Operations will occur up to seven days per week from June through November, with growing periods occurring between June 15th and November 15th. The operation hours will be Monday through Sunday during daylight hours from approximately 8:00 a.m. to 8:00 p.m. The Lake County Zoning Ordinance restricts deliveries and pickups to 9:00 a.m. to 7 p.m., Monday through Saturday, and Sunday from 12 noon to 5:00 p.m. Once operational, the proposed Project would staff approximately one (1) to two (2) full-time employees throughout the cultivation season, and two (2) to three (3) seasonal employees for planting and harvesting periods.

The cultivation site is accessed from Elk Mountain Road via Log Ridge Road. Onsite gravel roads averaging 14 feet in width provide access to the cultivation site from Log Ridge Road. Daily traffic commutes during regular operations would be approximately two (2) to four (4) trips during regular operations and up to ten (10) commutes during the peak harvest period. Weekly truck deliveries of various project-related materials would occur throughout the cultivation season.

The outdoor cultivation/canopy areas will be surrounded with 6-foot galvanized woven wire fencing, with access using 14-foot wide gates at each cultivation area, secured by padlocks. Security cameras will be installed around the perimeters of the cultivation areas and at other points of access in compliance with the Lake County Zoning Ordinance.

The Project Parcel is enrolled in the State Water Resources Control Board's Cannabis General Order (Order No. WQ 2019-001-DWQ) as a Tier 2 Low Risk site (WDID: 1\_17CC423448). As required in the Cannabis Order's Policy for coming into compliance with Best Practicable Treatment or Control (BPTC) measures, the applicant had to prepare a Site Management Plan (SMP) and a Nitrogen Management Plan (NMP) within 90 days of enrollment. "The purpose of the Cannabis Policy is to ensure that the diversion of water and discharge of waste associated with cannabis cultivation does not have a negative impact on water quality, aquatic habitat,



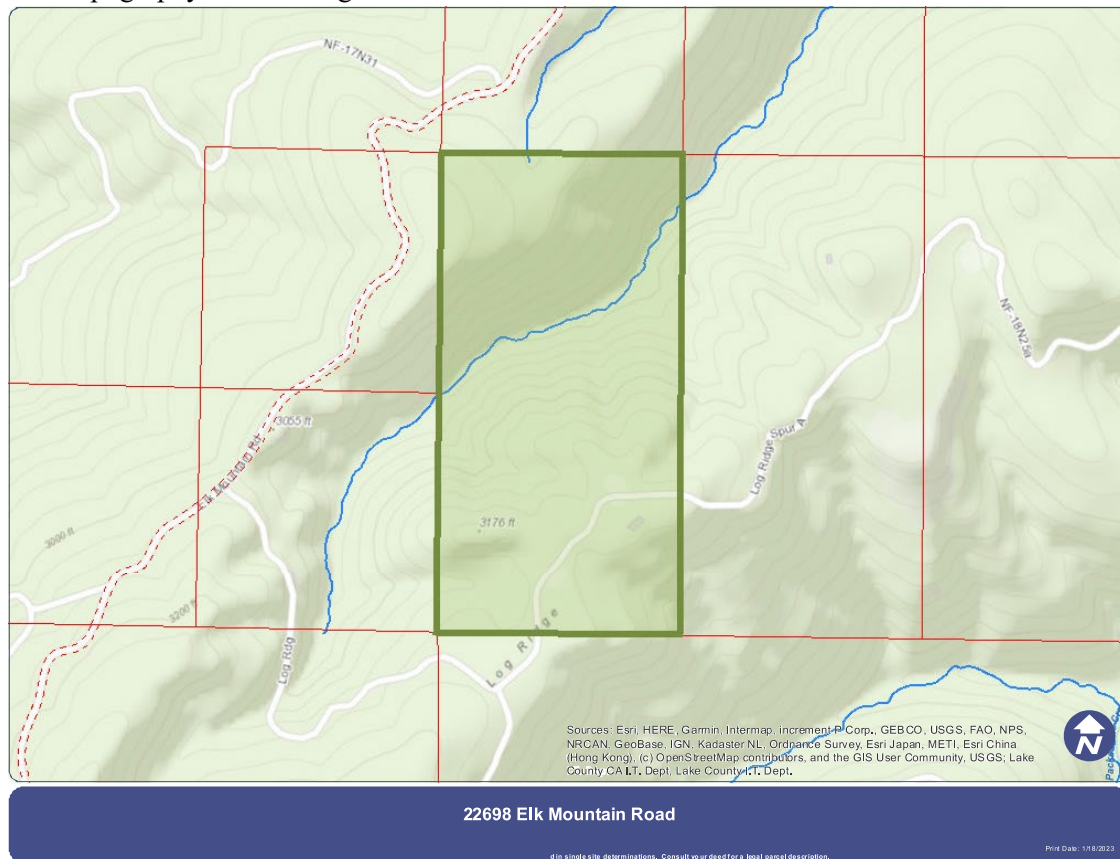
## 17. Environmental Setting and Existing Conditions:

The proposed cannabis cultivation Project is located at 22698 Elk Mountain Road (APN 001-037-25), approximately 15 miles north of Upper Lake (Section 27, Township 18N, Range 10W, Mount Diablo Base and Meridian, in the Lake Pillsbury USGS 7.5-minute quadrangle). The proposed Project is located in the Upper Lake/Nice Planning Area.

The Project Parcel is a private inholding that is situated on Log Ridge within the Mendocino National Forest. Topography of the Project Parcel is mountainous, consisting of a ridge and sloping hills with elevations ranging from 2,750 feet to 3,176 feet above sea level. The Project Parcel supports a mixed coniferous forest, but the proposed Project would be located in the treeless areas of the Project Parcel.

The area of the proposed Project sits on a northeast/southwest-trending ridge in the southern half of the Project Parcel. Several ephemeral Class III watercourses begin on the northwestern and southeastern slopes of that ridge, and flow into the unnamed tributaries of Packsaddle Creek. All cultivation areas and associated facilities of the proposed cultivation operation will be located more than 100 feet from all surface water bodies. There are no existing or proposed watercourse crossings on the Project Parcel. Packsaddle Creek flows into Lake Pillsbury approximately two (2) miles east of the Project Parcel. The climate of the site is characterized by a Mediterranean-type climate, with distinct seasons consisting of hot, dry summers and wet, moderately cold winters.

Figure 4. Topography and Drainage



Source: Lake County Parcel Viewer, Topographic Basemap with Parcels and Water Features Layers



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

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

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

20. Have California Native American tribes traditionally and culturally affiliated with the Project area requested consultation pursuant to Public Resources Code section 21080.3.1? If so, is there a plan for consultation that includes, for example, the determination of significance of impacts to tribal cultural resources, procedures regarding confidentiality, etc.?

Conducting consultation early in the CEQA process allows tribal governments, lead agencies, and Project proponents to discuss the level of environmental review, identify and address potential adverse impacts to tribal cultural resources, and reduce the potential for delay and conflict in the environmental review process, per Public Resources Code §21080.3.2. Information may also be available from the California Native American Heritage Commission's Sacred Lands File per Public Resources Code section 5097.96 and the California Historical Resources Information System administered by the California Office of Historic Preservation. Please also note that Public Resources Code section 21082.3 (c) contains provisions specific to confidentiality.

Notification of the Project was sent to local tribes on May 28, 2021. The Tribal Historic Preservation Officer for the Habematolel Pomo of Upper Lake reviewed the Project and concluded that it is located within their aboriginal territories, and requested Tribal Consultation for this Project on June 3, 2021. On April 19, 2023, a Tribal Monitoring Agreement was entered agreed upon by Habematolel Pomo of Upper Lake Tribe and applicant, Dustin Perbetsky. On May 10, 2023, the Tribal Historic Preservation Officer visited the site and determined there



were known Tribal Cultural Resources nearby, however there were no known resources within the project's footprint.

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

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

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

DETERMINATION: (To be completed by the lead Agency)

On the basis of this initial evaluation:

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

Initial Study Prepared By: Roy Sherrell, Environmental and Regulatory Compliance Consultant  
Reviewed By:

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

Mary Claybon, Assistant Planner II  
Lake County Community Development Department

## SECTION 1

### EVALUATION OF ENVIRONMENTAL IMPACTS:

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

- 8) This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies should normally address the questions from this checklist that are relevant to a Project's environmental effects in whatever format is selected.
- 9) The explanation of each issue should identify:
  - a) The significance criteria or threshold, if any, used to evaluate each question; and
  - b) The mitigation measure identified, if any, to reduce the impact to less than significance

## I. AESTHETICS

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

### Discussion:

- a) The Project Parcel's General Plan Land Use designation is Rural Land (RL) and Resource Conservation (RC), and its Zoning District designation is Timberland Production Zone (TPZ) – Scenic Combining (SC) – Waterway (WW). The Lake County Zoning Ordinance allows for commercial outdoor cannabis cultivation in the TPZ land use zone with a major use permit.

The "SC" Zoning District, as described in the Lake County Zoning Ordinance Article 34.1, sets forth to "protect and enhance views of scenic areas from the County's scenic highways and roadways for the benefit of local residential and resort development, the motoring public, and the recreation based economy of the County." According to Article 34.2, scenic criteria that applies to the Project Parcel include 1) varied topographic features including dominant hills and mountains; 2) vegetative features including significant stands of trees and plants; and 3) pastoral features such as pastures and vineyards, all visible from Elk Mountain Road in the area of the Project site.

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

The proposed outdoor canopy/cultivation areas would be located over 1,500 feet from Elk Mountain Road, and would not be visible from the Road due to topography and an existing stand of trees. Additionally, the proposed Project would not obstruct views of topographic features, vegetative features, or pastoral features from a highway, county roadway, bikeway or trail.

#### **Less than Significant Impact**

- b) The Project site is located at 22698 Elk Mountain Road, which is not identified as “Officially Designated” or an “Eligible State Scenic Highway-Not Officially Designated”, however the Upper Lake/Nice Area Plan has designated Elk Mountain Road as a “Scenic Route” between Upper Lake and the Mendocino National Forest. Despite this, the Project site is not visible from Elk Mountain Road due to topographic and vegetative features that provide natural screening. Therefore, there will be no significant impact.

There are no highways within 10 miles of the Project site. Furthermore, the County of Lake has not applied to the California Department of Transportation for official Scenic Highway status nor does the County’s General Plan (or other policies or directives) require the County to do so.

There are no scenic resources, rock outcroppings, or historic buildings on or in the immediate vicinity of the Project site. The Project Parcel has a Scenic Corridor (SC) combining zone designation, with scenic resources described as “vegetative features including significant stands of trees” which provide screening from the proposed Project site. The proposed Project does not include any tree removal and would not impact the significant stand(s) of trees which provide screening of the Project site.

#### **Less than Significant Impact**

- c) The Project site is not visible from a publicly accessible vantage point. Additionally, the proposed use will not substantially degrade the existing visual character of the site or the quality of public views of the surrounding area as there are no additional major structures being proposed.

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

#### **Less than Significant Impact**

- d) The Project has some potential to create additional light and/or glare through exterior security lighting. The proposed use is an outdoor cultivation operation. The Project does not involve cultivation using greenhouses incorporating artificial lighting. The following mitigation measures will be implemented which would reduce the impacts to less than significant:

**AES-1: All outdoor lighting shall be directed downward onto the Project site and not onto adjacent properties. All lighting equipment shall comply with the recommendations of [www.darksky.org](http://www.darksky.org).**

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

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

**Less than Significant Impact with Mitigation Measures AES-1 through AES-3 incorporated.**

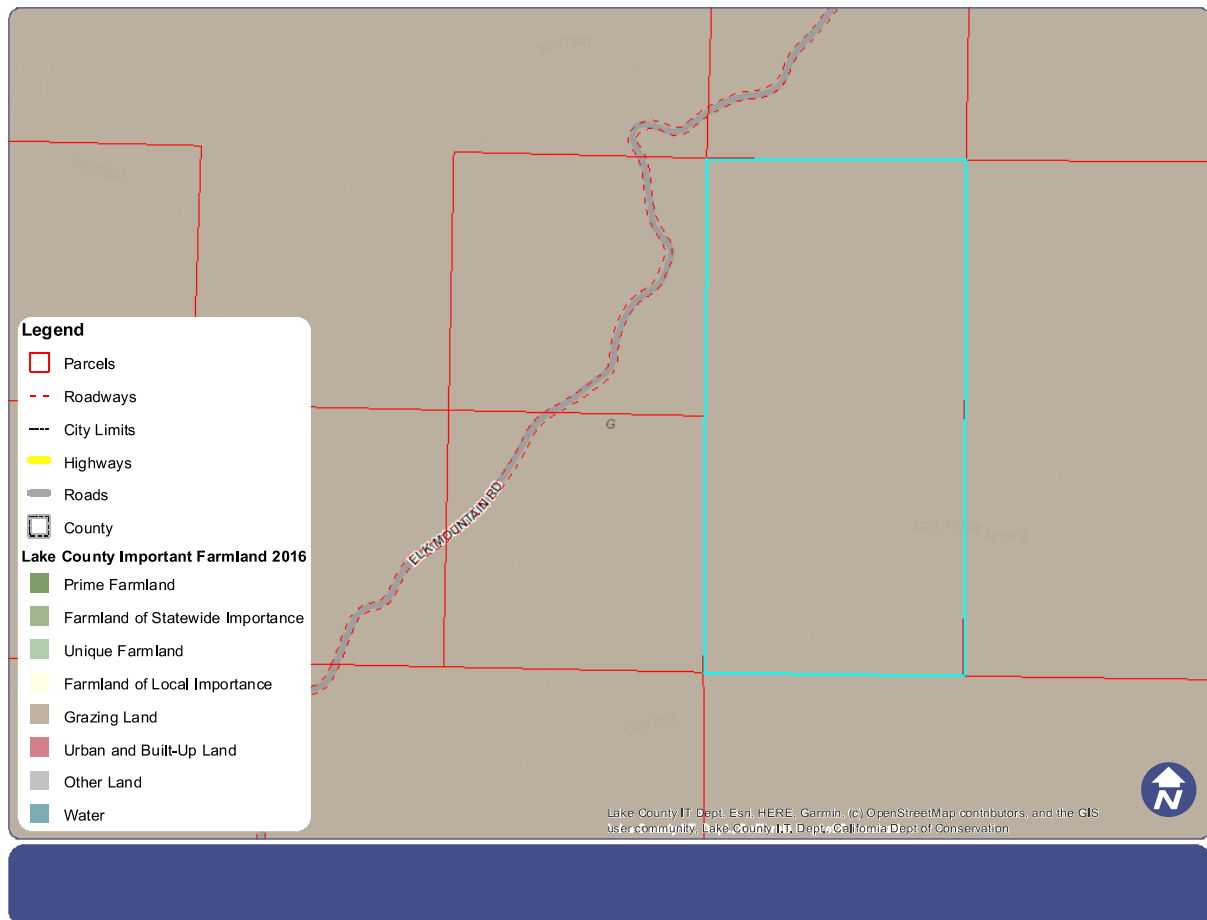
II. AGRICULTURE AND FORESTRY RESOURCES	Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less Than Significant Impact	No Impact	Source Number
Would the project:					
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1, 2, 3, 4, 7, 8, 11, 13, 39
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1, 2, 3, 4, 5, 7, 8, 11, 13
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1, 2, 3, 4, 5, 7, 8, 11, 13
d) Result in the loss of forest land or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1, 2, 3, 4, 5, 6, 9
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1, 2, 3, 4, 5, 7, 8, 11, 13

Discussion:

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

- a) According to the California Department of Conversation Farmland Mapping and Monitoring Program the Project site is not mapped as Prime Farmland, Unique Farmland, or Farmland of Statewide Importance, and falls within the classification of Grazing Land, an agricultural use that can be considered farmland per California Government Code §51201(c) described as “(3) Land which supports livestock used for the production of food and fiber”.

Figure 6: Farmland Mapping and Monitoring Program Designation for Project Parcel



Source: Lake County, CA GIS Portal, California FMMP Data for Lake County

As the proposed Project would not be converting Prime Farmland, Unique Farmland, or Farmland of Statewide Importance to a non-agricultural use.

### **Less Than Significant Impact**

- b) The Project parcel consists of 80.5 acres and has a Timberland Preserve (TPZ) base district designation. Under Article 27.11 of the Lake County Zoning Ordinance, Outdoor Cannabis Cultivation is permitted on parcels with a Base Zoning District of “TPZ” with a minimum of 20 acres.

No portion of the Project Property is under a Williamson Act contract and the Project would not interfere with the ability of the owner or neighbors to use the remaining land for more traditional crop production and/or grazing land.

### **Less Than Significant Impact**

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

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

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

The Project parcel has a Timberland Preserve (TPZ) base district designation. The proposed Project would use previously disturbed areas of the Project Parcel, including a site that was previously used as a landing for logging operations, and no tree removal would be needed to establish the proposed Project.

The Project does not propose a zone change that would rezone forest land, timberland, or timberland zoned for Timberland Production, however, a Less Than 3 Acre Conversion Exemption from the California Department of Forestry and Fire Protection would be required for the Project site.

### **Less Than Significant Impact**

- d) The Project parcel has a Timberland Preserve (TPZ) base district designation. The proposed Project would use previously disturbed areas of the Project Parcel, including a site that was previously used as a landing for logging operations, and no tree removal would be needed to establish the proposed Project.

The proposed Project would convert approximately 2 acres of the 80.5-acre Project Parcel to a non-forest use. A Less Than 3 Acre Conversion Exemption from the California Department of Forestry and Fire Protection would be required for the Project site.

### **Less Than Significant Impact**



- e) Lands surrounding the Project Parcel include privately-owned, undeveloped, RL and TPZ-zoned land to the immediate north, east, and southwest, and US Forest Service-owned undeveloped land to the south, west, and northeast.

The proposed Project would convert approximately 2 acres of the 80.5-acre Project Parcel to a non-forest use. A Less Than 3 Acre Conversion Exemption from the California Department of Forestry and Fire Protection would be required for the Project site. The remainder of the Project Parcel would continue to be used for Timber Production and forest land.

The proposed Project would not result in the conversion of Farmland to a non-agricultural use.

**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 type="checkbox"/>	<input checked="" 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 checked="" type="checkbox"/>	<input 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 type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1, 2, 3, 4, 5, 21, 24, 31, 36

**Discussion:**

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

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

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

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

**Less than Significant Impact**

- 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. Construction and operational emissions are summarized in the following tables:

**Comparison of Daily Construction Emissions Impacts with Thresholds of Significance**

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

## Comparison of Daily Operational Emissions Impacts with Thresholds of Significance

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

## Comparison of Annual Operational Emissions Impacts with Thresholds of Significance

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

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 proposed Project has the potential to result in short- and long-term air quality impacts from construction and operation of the proposed Project.

Construction impacts, which include the preparing of soils for planting, would be temporary in nature and would occur over about a two (2) to three (3) week period. Ongoing field management is considered an operational, not construction, activity.

Operational impacts would include dust and fumes from site preparation of the cultivation area and vehicular traffic, including small delivery vehicles that would be contributors during and after site preparation and construction.

Implementation of mitigation measures would reduce air quality impacts to less than significant. Dust during site preparation would be limited during periods of high winds (over 15 mph). All visibly dry, disturbed soil and road surfaces would be watered to minimize fugitive dust emissions.

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

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

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

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

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

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

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

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

There are no schools, parks, childcare centers, convalescent homes, or retirement homes located in proximity to the Project site. The nearest off-site residences are over 1,000 feet from the Project site, well over the 200-foot setback for offsite residences from commercial cannabis cultivation as described in Article 27.11 of the Lake County Zoning.

**Less than Significant Impact**

- d) The proposed Project includes 50,720 sq. ft. of outdoor cannabis cultivation/canopy area, which has the potential to cause objectionable odors, particularly during the harvest season. However, due to the fact that the closest neighboring residence is over 1,000 feet away, a substantial number of people will not be adversely affected.

The proposed cultivation operation would generate minimal amounts of carbon dioxide from the operation of small gasoline engines (tillers, weed eaters, lawn mowers, etc.) and from vehicular traffic associated with staff commuting, deliveries and pickups. These activities would occur in a rural area of the County and would not adversely affect a substantial number of people.

**Less than Significant Impact**

**IV. BIOLOGICAL RESOURCES**

	Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less Than Significant Impact	No Impact	Source Number
Would the project:					
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	2, 5, 11, 12, 13, 16, 24, 29, 30, 31, 32, 33, 34
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	1, 2, 3, 4, 5, 11, 12, 13, 16, 17, 29, 30, 31, 32, 33, 34
c) Have a substantial adverse effect on state or federally protected wetlands (including, not limited to, marsh, vernal pool, coastal wetlands, etc.) through direct removal, filling, hydrological interruption, or other means?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1, 2, 3, 4, 5, 11, 12, 13, 16, 17, 21, 24, 29, 30, 31, 32, 33, 34
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	13
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1, 2, 3, 4, 5, 11, 12, 13
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1, 2, 3, 5, 6

Discussion:

- a) Biological Resource Assessment (BRA) was prepared by Jacobszoon & Associates, Inc., and dated August 24, 2021. The field surveys for the BRA were conducted on March 16, 2020, May 20, 2021, and July 9, 2021. The purpose of the BRA was to identify and map areas of the Project Parcel that are potential sensitive natural communities and to locate special-status plants and special-status animal habitats to determine if they would be directly or potentially impacted by the Project.

The information below is based on the BRA prepared for the proposed Project. The Study Area referred to within the BRA and below comprises an approximately 3.38-acre area within and around the Project site:

Natural Communities

According to USDA Forest Service CALVEG mapping delineation, two (2) vegetation types dominant the Project Parcel, including Mixed Conifer – Pine Alliance and the Douglas-fir Ponderosa Pine Alliance (Appendix D: Map 3, CALVEG Classification). One biological community was observed on the Project Parcel, per the Manual of California Vegetation Online Edition: Ponderosa Pine – Douglas Fir Forest and Woodland.

There are no sensitive terrestrial communities present within the Study Area.

Wetlands and Watercourses

The Study Area is approximately 750 feet away from the closest mapped wetland, according to the USFWS National Wetland Inventory. The Study Area is adjacent to two (2) ephemeral Class III watercourses, but the proposed Project has been designed to adhere to the 100-foot setback from watercourses and wetlands, required by Article 27 of the Lake County Zoning Ordinance (which regulates commercial cannabis cultivation).

Aquatic resources, communities and habitats are considered sensitive biological communities and are afforded special protections under CEQA and other Federal, State, and local laws, regulations, and ordinances. The BRA included recommendations to avoid or mitigate potential impacts to aquatic resources, which have been incorporated into the mitigation measures below.

Special-status Species

Six (6) special-status plant species and ten (10) wildlife species have a moderate or high potential to occur within the Study Area based on habitat present.

No special-status plant species were observed within the Study Area during the field surveys performed for the BRA, and there were no recommendations for plant species protection in the BRA.

No special-status wildlife species were observed within the Study Area during the field surveys performed for the BRA, however the BRA includes recommendations for the protection of special-status amphibian, avian, and mammalian species, which have been incorporated into the mitigation measures below.

#### Wildlife Corridors and Critical Habitat

No change to foraging or wintering habitat for migratory birds is expected as a result of the Project, nor significant impacts to migratory corridors for amphibian, aquatic, avian mammalian, or reptilian species .

The Study Area is within approximately 513 feet from northern spotted owl (NSO) Critical Habitat, with an NSO Activity Center approximately 2,360 feet from the Study Area. The last positive observation at this Activity Center was in 1995. The BRA recommended that noise and light pollution be avoided or reduced within 0.25 miles of known NSO Activity Centers. The Project site is located over 500 feet from NSO Critical Habitat and over 0.4 miles from the nearest known NSO Activity Center. Additionally, no tree removal is proposed for the Project, and none of the proposed activities would occur within 500 feet of NSO Critical Habitat or within 0.25 miles of the known NSO Activity Center.

**BIO-1: All work should incorporate erosion control measures consistent with the engineered Erosion and Sediment Control Plans submitted, Lake County Grading Regulations, and the State Water Resources Control Board's Cannabis General Order (Order No. WQ 2019-001-DWQ).**

**BIO-2: Pesticides and fertilizer storage facilities shall be located outside of riparian setbacks and not located within 100 feet of a well head and all watercourses.**

**BIO-3: The applicant shall maintain a minimum of a one-hundred-foot setback/buffer from the top of bank of any watercourse, wetland, and/or vernal pool.**

**BIO-4: Prior to commencement of activities within the bed or bank of a creek, a Streambed Alteration Agreement shall be obtained from the California Department of Fish and Wildlife. All the conditions of such permit shall be adhered to throughout the course of the project to reduce the impacts to a less than significant level.**

**BIO-5: Prior to any ground disturbance and/or vegetation removal, the applicant shall have a pre-construction survey conducted by a qualified biologist for special-status plant and animal species to ensure that special-status species are not present. If any listed species are detected, construction shall be delayed, and the appropriate resource agency (CDFW and/or USFWS) shall be consulted with and project impacts and mitigation reassessed.**

**BIO-6: If construction activities occur during the nesting season (usually March through September), a pre-construction survey for the presence of special-status bird species or any nesting bird species should be conducted by a qualified biologist within 500 feet of proposed construction areas, within seven days prior to the commencement of ground disturbing activities. If active nests are identified in these areas, CDFW and/or USFWS should be consulted to develop measures to avoid "take" of active nests prior to the initiation of any construction activities. Avoidance measures may include establishment of a buffer zone using construction fencing or the postponement of vegetation removal until after the nesting season, or until after a qualified biologist has determined the young have fledged and are independent of the nest site.**

- b) The Biological Resource Assessment (BRA) identified several ephemeral Class III watercourses on the Project Parcel, as well as an unnamed perennial Class II watercourse. No wetlands or vernal pools were identified on the Project Parcel.

No development is proposed within 100-feet of the identified watercourses, which is consistent with Article 27 of the Lake County Zoning Ordinance that regulates commercial cannabis cultivation. The applicant has provided a Property Management Plan with engineered erosion and sediment control plans, which addresses controlled water runoff in a manner that reduces impacts to surface water bodies. No development would occur within the drainage buffers and setbacks and there are no sensitive natural communities within the Project area.

The Project is enrolled with the SWRCB for Tier 2, Low Risk coverage under Order No. WQ 2019-001-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.

Aquatic resources, communities and habitats are considered sensitive biological communities and are afforded special protections under CEQA and other Federal, State, and local laws, regulations, and ordinances. The BRA included recommendations to avoid or mitigate potential impacts to aquatic resources, which have been incorporated into the mitigation measures below.

**Less Than Significant Impacts with Mitigation Measure BIO-1 through BIO-4 incorporated.**

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

**No Impact**

- d) No specific wildlife corridors were identified on the Project Parcel within the Biological Resources Assessment (BRA) prepared for the Project. No change to foraging or wintering habitat for migratory birds is expected as a result of the Project, nor significant impacts to migratory corridors for amphibian, aquatic, avian mammalian, or reptilian species .



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 stream corridors in the Study Area facilitate animal movement and migrations. The Study Area may be used by wildlife for movement or migration, but 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 Project Parcel will still be available for corridor and migration routes. More than 77 acres of the 80.5-acre Project Parcel would remain available for natural habitat and wildlife corridors.

Implementation of the Project will not interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites.

**Less than Significant Impact**

- e) In Article 27 of the County of Lake, CA Zoning Ordinance, under §27.13 on Conditions for Commercial Cannabis Cultivation, Tree Removal is listed under Prohibited Activities, whereas “(the) removal of any commercial tree species as defined by the California Code of Regulations section 895.1, Commercial Species for the Coast Forest District and Northern Forest District, and the removal of any true oak species (Quercus species) or Tan Oak (Notholithocarpus species) for the purpose of developing a cannabis cultivation site should be avoided and minimized.”

Furthermore, the County of Lake General Plan Policy OSC-1.13 states the County shall support the conservation and management of oak woodland communities and their habitats, and Resolution Number 95-211 was adopted as a Management Policy for Oak Woodlands in Lake County, whereas the County of Lake aims to monitor oak woodland resources, pursue education of the public, federal, state and local agencies on the importance of oak woodlands, promote incentive programs that foster the maintenance and improvement of oak woodlands, and, through federal, state, and local agency land management programs, foster oak woodlands on their respective lands within the county.

Tree removal is not proposed for this Project, and implementation of the Project does not conflict with any county or municipal policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance.

**Less than Significant Impact**

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

**No Impact**

**V. CULTURAL RESOURCES**

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

- |  |                          |                                     |                          |                          |                               |
|--|--------------------------|-------------------------------------|--------------------------|--------------------------|-------------------------------|
| a) Cause a substantial adverse change in the significance of a historical resource pursuant to §15064.5?     | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | 1, 3, 4, 5,<br>11, 14c,<br>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,<br>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,<br>11, 14, 15     |

Discussion:

- a) During the Summer of 2018, the Ranch Fire of the Mendocino Complex burned through the Project Parcel. On November 26<sup>th</sup>, 2018, Registered Professional Forester Pete Sundahl (License No. 2861) submitted a Notice of Emergency Timber Operations for salvage logging activities on the Project Parcel and a parcel north of the Project Parcel (Lake County APN 001-035-43). Prior to preparing the Notice of Emergency Timber Operations, Mr. Sundahl surveyed the Project Parcel and prepared a Confidential Archaeological Letter report, which was submitted to the Northern Region Archaeology Office for review. Associate State Archaeologist Ben Harris reviewed the Confidential Archaeological Letter report and had “no objection to CAL FIRE accepting 1-18EM-00181 LAK Perbetsky Emergency Notice for filing as it relates to archaeology”. An original copy of the Confidential Archaeological Letter report is maintained in a confidential file at CAL FIRE’s Northern Region Headquarters located at 135 Ridgway Avenue, Santa Rosa, CA 95401.

The proposed outdoor cultivation operation will utilize aboveground fabric pots, wood-framed garden beds, and small structures, place on or at ground surface in a treeless area of the Project Parcel. No ground disturbing activities, such as grading or vegetation removal, will be needed to establish the Project.

It is possible, but unlikely due to the lack of new site disturbance that is needed, 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 shall 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.

**CUL-1: Should any archaeological, paleontological, or cultural materials be discovered during site development, all activity shall be halted in the vicinity of the find(s), the applicant shall notify the culturally affiliated Tribe, and a qualified archaeologist to evaluate the find(s) and recommend mitigation procedures, if necessary, subject to the approval of the Community Development Director. Should any human remains be encountered, the applicant shall notify the Sheriff’s Department, the culturally affiliated Tribe, and a qualified archaeologist for proper internment and Tribal rituals per Public Resources Code Section 5097.98 and Health and Safety Code 7050.5.**

**CUL-2: All employees shall be trained in recognizing potentially significant artifacts that may be discovered during ground disturbance. If any artifacts or remains are found, the culturally affiliated Tribe shall immediately be notified; a licensed archaeologist shall be notified, and the Lake County Community Development Director shall be notified of such findings.**

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

- b) During the Summer of 2018, the Ranch Fire of the Mendocino Complex burned through the Project Parcel. On November 26<sup>th</sup>, 2018, Registered Professional Forester Pete Sundahl (License No. 2861) submitted a Notice of Emergency Timber Operations for salvage logging activities on the Project Parcel and a parcel north of the Project Parcel (Lake County APN 001-035-43). Prior to preparing the Notice of Emergency Timber Operations, Mr. Sundahl surveyed the Project Parcel and prepared a Confidential Archaeological Letter report, which was submitted to the Northern Region Archaeology Office for review. Associate State Archaeologist Ben Harris reviewed the Confidential Archaeological Letter report and had “no objection to CAL FIRE accepting 1-18EM-00181 LAK Perbetsky Emergency Notice for filing as it relates to archaeology”. An original copy of the Confidential Archaeological Letter report is maintained in a confidential file at CAL FIRE’s Northern Region Headquarters located at 135 Ridgway Avenue, Santa Rosa, CA 95401.

The proposed outdoor cultivation operation will utilize aboveground fabric pots, wood-framed garden beds, and small structures, place on or at ground surface in a treeless area of the Project Parcel. No ground disturbing activities, such as grading or vegetation removal, will be needed to establish the Project.

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

- c) The Project site does not contain a cemetery and no known formal cemeteries are located within the immediate site vicinity. In the event that human remains are discovered on the Project site, the Project would be required to comply with the applicable provisions of Health and Safety Code §7050.5, Public Resources Code §5097 et. seq. and CEQA Guidelines §15064.5(e). California Health and Safety Code §7050.5 states that no further disturbance shall occur until the County Coroner has made the necessary findings as to origin. Pursuant to California Public Resources Code §5097.98(b), remains shall be left in place and free from disturbance until a final decision as to the treatment and disposition has been made by the Coroner.

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

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

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

**Discussion:**

- a) The Project consists of outdoor cultivation with no supplemental lighting. The overall power usage of this operation would be minimal. The cultivation site will require power for security systems, water pumps, minor outdoor lighting and cannabis processing equipment. According to the applicant’s Property Management Plan, electricity will be provided by individual photovoltaic solar panels with battery storage/backup systems. A gasoline-powered generator will be onsite for emergency backup energy.

**Less than Significant Impact**

- b) According to the California Department of Cannabis Control’s Title 4 Division 19 §15010 on compliance with the CEQA, all cannabis applications must describe their project’s anticipated operational energy needs, identify the source of energy supplied for the project and the anticipated amount of energy per day, and explain whether the project will require an increase in energy demand and the need for additional energy resources. The propose Project consists of outdoor cultivation with no supplemental lighting. The cultivation site will require power for security systems, water pumps, minor outdoor lighting and cannabis processing equipment. Electricity will be provided by individual photovoltaic solar panels with battery storage/backup systems. The project would meet the standards of Title 4 Division 19 §16305 Renewable Energy Requirements.

**No 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:					

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
ii) Strong seismic ground shaking?					
iii) Seismic-related ground failure, including liquefaction?					
iv) Landslides?					
b) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	1, 3, 4, 5, 19, 21, 24, 25, 30
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on-site or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	1, 2, 3, 5, 6, 9, 18, 21
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?	<input type="checkbox"/>	<input 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 type="checkbox"/>	<input checked="" type="checkbox"/>	2, 4, 5, 7, 13, 39
f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1, 2, 3, 4, 5, 14, 15

Discussion:

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

Earthquake Faults (i)

According to the USGS Earthquake Faults map available on the Lake County GIS Portal, there is a linear earthquake fault approximately 2.5 miles northeast of the Project site. There are no known faults located on the Project Parcel. Thus, no rupture of a known earthquake fault is anticipated and the proposed Project would not expose people or structures to an adverse effects related rupture of a known earthquake fault as no structures for human occupancy are being proposed.

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

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

Landslides (iv)

The Project cultivation site is minimally sloped (less than 20% slopes). There are some risks of landslides on the Project Parcel, however the Project site is located on a flat area along the top of a ridgeline. According to the Landslide Hazard Identification Map prepared by the California Department of Conservation's Division of Mines and Geology, the area is considered generally stable. As such, the Project site is considered moderately susceptible to landslides and will not likely expose people or structures to substantial adverse effects involving landslides, including losses, injuries or death.

**Less Than Significant Impact**

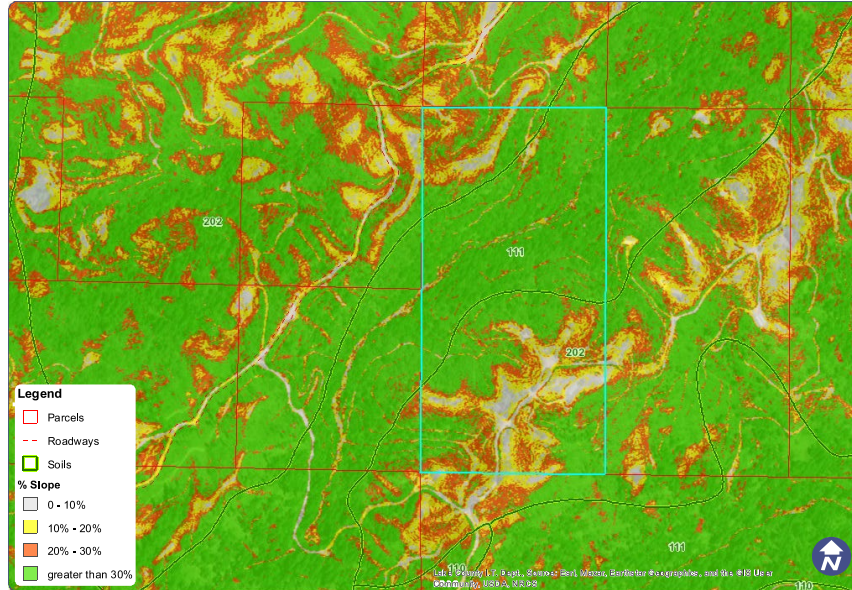
- b) No major grading is proposed to prepare the Project site for cultivation. The Project involves the cultivation of cannabis plants in above ground planters with an imported organic soil mixture.

The applicant has provided an engineered Erosion and Sediment Control Plan that addresses potential erosion through the application of gravel/rock to access roads, weed-free straw mulch to disturbed areas, and the installation of straw wattles around the proposed outdoor cultivation areas and structures. Additionally, the applicant shall comply with the State Water Resources Control Board's Cannabis General Order (Order No. WQ-2019-001-DWQ) and Chapters 29 and 30 of the Lake County Code, to protect water quality through the implementation of Best Management Practices (BMPs) / Best Practicable Treatment or Control (BPTC) measures, which include erosion and sediment control BMPs/BPTC measures.

**Less Than Significant Impacts with Mitigation Measures BIO-1 incorporated.**

- c) The Project Parcel is mountainous, with many slopes that are greater than 30%, but the Project site is minimally sloped (less than 20% slopes). According to the Landslide Hazard Identification Map, prepared by the California Department of Conservation, Division of Mines and Geology, the project parcel is not located within and/or adjacent to an existing known "landslide area".

Figure 7: Slopes and Soils of Project Parcel



Source: Lake County Parcel Viewer, Percent Slope and Soils Layers

Soils of the Project site are identified as the Sanhedrin-Kekawaka-Speaker complex (Soil Type 202) by the Soil Survey of Lake County, prepared by the U.S.D.A., composed of gravelly clay loams derived from weathered sedimentary rock (residuum). Permeability of the Sanhedrin-Kekawaka-Speaker complex is moderately slow, and surface runoff is rapid, with a severe erosion hazard risk. However, the erosion hazard risk normally associated with the Sanhedrin-Kekawaka-Speaker complex, this unit is typically found at a slope between 30 and 50 percent. This typically steep slope plays a major factor in its rapid runoff and severe erosion hazard. The Project site is not located on an area with a 30 to 50 percent slope, but rather it has a slope that is primarily between 0 to 20 percent along the top of a northeast/southwest-trending ridgeline in the southern half of the Project Parcel. Furthermore, it is unlikely that any subsidence will occur as no large structures are proposed for the Project. Due to this, the impacts would be less than significant with mitigation measures described in the Section XII(b).

**Less Than Significant Impacts with Mitigation Measure BIO-1 incorporated.**

- d) The Uniform Building Code is a set of rules that specify standards for structures. Expansive soils possess a “shrink-swell” characteristic. Shrink-swell is the cyclic change in volume (expansion and contraction) that occurs in fine-grained clay sediments from the process of wetting and drying. Structural damage may occur over a long period of time due to expansive soils, usually the result of inadequate soil and foundation engineering or the placement of structures directly on expansive soils.

Soils of the Project site are identified as the Sanhedrin-Kekawaka-Speaker complex (Soil Type 202) by the Soil Survey of Lake County, prepared by the U.S.D.A., composed of gravelly clay loams derived from weathered sedimentary rock (residuum). Gravelly clay loams have a moderate shrink-swell potential due to the gravel in the composition.

Any new construction requiring a building permit would be subject to the Uniform Building Code and California Building Code for foundation design to meet the requirements associated with expansive soils, if they are found to exist within a site specific study.

**Less Than Significant Impact**

- e) The Project would be served by portable toilets and restroom facilities. No new septic/wastewater disposal systems are proposed or needed.

**No Impact**

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

**Less than Significant Impact**

**VIII. GREENHOUSE GAS EMISSIONS**

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

**Discussion:**

- a) The Project Property is located within the Lake County Air Basin, which is under the jurisdiction of the Lake County Air Quality Management District (LCAQMD). The LCAQMD applies air pollution regulations to all major stationary pollution sources and monitors countywide air quality. Climate change is caused by greenhouse gases (GHGs) emitted into the atmosphere around the world from a variety of sources, including the combustion of fuel for energy and transportation, cement manufacturing, and refrigerant emissions. GHGs are those gases that have the ability to trap heat in the atmosphere, a process that is analogous to the way a greenhouse traps heat. GHGs may be emitted as a result of human activities, as well as through natural processes. Increasing GHG concentrations in the atmosphere are leading to global climate change. The Lake County Air Basin is in attainment for all air pollutants and has therefore not adopted thresholds of significance for GHG emissions.

The propose Project consists of outdoor cultivation with no supplemental lighting. In general, greenhouse gas emissions associated with outdoor cannabis cultivation come from construction activities and vehicle trips. The outdoor cultivation areas will not have specific greenhouse gas-producing elements, and the cannabis plants will capture some carbon dioxide. Construction activities include the installation of a 120 ft<sup>2</sup> wooden shed and two 160 ft<sup>2</sup> metal shipping/storage containers. Construction activities are expected to occur over one to three weeks, generating 2 to 6 vehicle trips per day. The operation is expected



to generate 2 to 4 vehicle trips per day during the cultivation season (May through October), and up to 8 vehicle trips per day during the peak harvest season (October and November).

Lake County uses the Bay Area Air Quality Management District (BAAQMD) thresholds of significance as a basis for determining the significance of air quality and GHG impacts. The BAAQMD threshold of significance for a project is 1,100 metric tons of CO<sub>2</sub> emissions per project.

Non peak harvest time total miles traveled is assumed to be 8 months (32 weeks) times 154 vehicle miles per week = 4,928 non-harvest time vehicle miles per year. With each car generating 404 grams of CO<sub>2</sub> emissions per mile, a total of 1,990,912 grams of CO<sub>2</sub> emissions per year during non peak harvest season, or 1.9 tons of CO<sub>2</sub> emissions per year for non peak harvest times. Staff estimates that an additional 0.5 tons of peak harvest time emissions would result from this project per year.

Using the BAAQMD 'significance thresholds' of 1,100 metric tons of CO<sub>2</sub> emissions per project, this project would take about 458 years to meet the significance threshold levels established by the BAAQMD.

Construction emissions and operational emissions were calculated using the California Emissions Estimator Model (CalEEMod®), Version 2016.3.2. Construction and operational CO<sub>2</sub> emissions are summarized above and in the tables of the Air Quality Section of this Initial Study. The results are expressed as a range of potential emissions. To magnify any air quality impacts, the model was run using the worst-case scenarios, and emissions estimates are reported here using the unmitigated emissions values. Air emissions modeling performed for this project demonstrates that the project, in both the construction phase and the operational phase, would not generate significant quantities of greenhouse gases and does not exceed the project-level thresholds established by BAAQMD.

### **Less than Significant Impact**

- b) For purposes of this analysis, the Project was evaluated against the following applicable plans, policies, and regulations:
- The Lake County General Plan
  - The Lake County Air Quality Management District
  - AB 32 Climate Change Scoping Plan
  - AB 1346 Air Pollution: Small Off-Road Equipment

Policy HS-3.6 of the Lake County General Plan on Regional Agency Review of Development Proposals states that the "County shall solicit and consider comments from local and regional agencies on proposed projects that may affect regional air quality. The County shall continue to submit development proposals to the Lake County Air Quality Management District for review and comment, in compliance with the California Environmental Quality Act (CEQA) prior to consideration by the County." The proposed Project was 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>e per capita by 2030 and no more than two (2) metric tons CO<sub>2</sub>e per capita by 2050. As described in the Property Management Plan, the Project will have up to two (2) individuals working on site during normal operational hours, and with an expected 6.875 metric tons of overall operational CO<sub>2</sub>e per year, the per capita figure of 2.29 metric tons of operational CO<sub>2</sub>e per year meets the 2017 Climate Change Scoping Plan's 2030 target, and nearly meets 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
Would the project:					
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	1, 3, 5, 13, 21, 24, 29, 31, 32, 33, 34
b) Create a significant hazard to the public or the environment through reasonable foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input 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     |

Discussion:

a) Chemicals Storage and Effluent

According to the applicant, chemicals stored and used at/by the proposed cultivation operation include fertilizers/nutrients, pesticides, and petroleum products (Agricultural Chemicals). All fertilizers/nutrients and pesticides, when not in use, will be stored in their manufacturer's original containers/packaging, undercover, and at least 100 feet from surface water bodies, inside the secure Pesticides & Agricultural Chemicals Storage Area (proposed wooden stormproof shed). Petroleum products will be stored under cover, in State of California-approved containers with secondary containment, and separate from pesticides and fertilizers within the proposed Pesticides & Agricultural Chemicals Storage Area. Spill containment and cleanup equipment will be maintained within the proposed Pesticides and Agricultural Chemicals Storage Area, as well as Materials Safety Data Sheets (MSDS/SDS) for all potentially hazardous materials used onsite. No effluent is expected to be produced by the proposed cultivation operation.

Solid Waste Management

According to the applicant, the types of solid waste that will be generated from the proposed cultivation operation include gardening materials and wastes (such as plastic mulch and plastic/fertilizer/pesticide bags and bottles) and general litter from staff/personnel. All solid waste will be stored in bins with secure fitting lids, located directly adjacent to the proposed cultivation areas. At no time will the bins be filled to a point that their lids cannot fit securely. Solid waste from the bins will be deposited into a dump trailer and hauled to a Lake County Integrated Waste Management facility, at least every seven (7) days/weekly.

Site Maintenance

According to the applicant, all equipment will be stored in its proper designated area upon completion of the task for which the equipment was needed. Any refuse created during the work day will be placed in the proper waste disposal receptacle at the end of each shift, or at a minimum upon completion of the task assigned. Any refuse which poses a risk for contamination or personal injury will be disposed of immediately. 100 feet of defensible space will be established and maintained around the proposed cultivation operation for fire protection and to ensure safe and sanitary working conditions. Areas of defensible space will be mowed and trimmed regularly around the cultivation operation to provide for visibility and security monitoring. Access roads and parking areas will be graveled to prevent the generation of fugitive dust, and vegetative ground cover will be preserved throughout the entire site to filter and infiltrate storm water runoff from access roads, parking areas, and the proposed cultivation operation. Portable restroom facilities will be made available for use whenever staff are onsite and regularly serviced to ensure a safe and sanitary working environment.

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

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

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

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

**Less Than Significant Impact with Mitigation Measures HAZ-1 and HAZ-2 incorporated.**

- b) The Project involves the use of fertilizers and pesticides which will be stored in a secure, stormproof structure. Flood risk 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. Fire hazard risks on the Project Parcel is very high.

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

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

**HAZ-3: Any spills of oils, fluids, fuel, concrete, or other hazardous construction material shall be immediately cleaned up. All equipment and materials shall be stored in the staging areas away from all known waterways.**

**HAZ-4: Prior to operation, all employees shall have access to restrooms and hand-wash stations. The restrooms and hand wash stations shall meet all accessibility requirements.**

**HAZ-5: The proper storage of equipment, removal of litter and waste, and cutting of weeds or grass shall not constitute an attractant, breeding place, or harborage for pests.**

**HAZ-6: All food scraps, wrappers, food containers, cans, bottles, and other trash from the project area should be deposited in trash containers with an adequate lid or cover to contain trash. All food waste should be placed in a securely covered bin and removed from the site weekly to avoid attracting animals.**

**HAZ-7: The applicant shall maintain records of all hazardous or toxic materials used, including a Material Safety Data Sheet (MSDS) for all volatile organic compounds utilized, including cleaning materials. Said information shall be made available upon request and/or the ability to provide the Lake County Air Quality Management District such information to complete an updated Air Toxic Emission Inventory.**

**HAZ-8: The applicant shall obtain an Operator Identification Number from the California Department of Pesticide Regulation prior to using pesticides onsite for cannabis cultivation.**

**Less Than Significant Impact with Mitigation Measures HAZ-1 through HAZ-8 incorporated.**

- c) There are no schools located within miles of the Project Parcel.

**No Impact**

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

The following databases compiled pursuant to Government Code §65962.5 were checked for known hazardous materials contamination within ¼-mile of the project site:

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

The Project site 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 an airport land use plan and there are no public or public use airports located within two miles of the Project Parcel. Therefore, there will be no hazard for people working in the Project area from an airport.

**No Impact**

- f) The Project would not impair or interfere with an adopted emergency response or evacuation plan. Log Ridge and Elk Mountain Roads would be used to evacuate the area of the Project site. During evacuations, all persons at the Project site would be required to follow emergency responses instructions for evacuations. 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 with a very high fire hazard severity zone. The applicant shall adhere to all federal, state, and local fire requirements and regulations for setbacks and defensible space. Please refer to Section XX. Wildfire for additional information pertaining to risks associated with wildland fire.

**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
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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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	1, 2, 3, 5, 6, 29, 30
b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	1, 2, 3, 5, 6, 29, 30
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner that would:					
i) Result in substantial erosion or siltation on-site or off-site;					
ii) Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site;	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1, 2, 3, 5, 6, 7, 15, 18, 29, 32
iii) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or					
iv) Impede or redirect flood flows?					
d) In any flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1, 2, 3, 5, 6, 7, 9, 23, 32
e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	1, 2, 3, 5, 6, 29

Discussion:

- a) The Project Parcel is enrolled in the State Water Resources Control Board’s Cannabis General Order (Order No. WQ 2019-001-DWQ) as a Tier 2, Low Risk site (WDID: 5S17CC428007). As required in the Cannabis Order’s Policy for coming into compliance with Best Practicable Treatment or Control (BPTC) measures, the applicant had to prepare a Site Management Plan (SMP) and a Nitrogen Management Plan (NMP) within 90 days of enrollment. “The purpose of the Cannabis Policy is to ensure 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, and springs” (State Water Board, 2019). BPTC measures have been implemented at the site for erosion control and 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 applicant is required to complete online Annual Monitoring and Reporting to assess compliance with the Cannabis General Order and Notice of Applicability. This includes BPTC measures for winterization.

The applicant provided a Hydrology Report and an engineered Erosion and Sediment Control Site Plan for the proposed Project. According to the applicant’s Property Management Plan, the following erosion control measures will be followed:

- Established and re-established vegetation within and around the proposed cultivation operation will be maintained/protected as a permanent erosion and sediment control measure.
- A native grass seed mixture and certified weed-free straw mulch will be applied to all areas of exposed soil prior to November 15<sup>th</sup> of each year, until permanent stabilization has been achieved.

- Gravel will be applied to the surfaces of access roads, pathways, and the aisles between the garden beds/pots of the proposed cultivation areas, to allow for infiltration while mitigating the generation of sediment laden stormwater runoff.
- Straw rolls/wattles will be installed before November 15<sup>th</sup> of each year throughout the proposed cultivation operation per the Project's engineered Erosion and Sediment Control Site Plan, to filter pollutants and promote stormwater retention and infiltration.
- If areas of concentrated stormwater runoff begin to develop, additional erosion and sediment control measures will be implemented to protect those areas and their outfalls

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). 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).

The proposed Project has been designed to meet the required riparian setbacks, in the flattest practical area of the Project Property, to reduce the potential for water pollution and erosion.

**Less Than Significant Impact with Mitigation Measures BIO-1 through BIO-4 and HAZ-1 through HAZ-8 incorporated.**

- b) Due to the existing exceptional drought conditions, on July 27, 2021, the Lake County Board of Supervisors passed an Urgency Ordinance (Ordinance 3106) requiring land use applicants to provide enhanced water analysis during a declared drought emergency. Ordinance 3106 requires that all project that require a CEQA analysis of water use include the following items in a Hydrology Report prepared by a licensed professional experienced in water resources:
- Approximate amount of water available for the project's identified water source,
  - Approximate recharge rate for the project's identified water source, and
  - Cumulative impact of water use to surrounding areas due to the project

Water Demand

According to the Project's *Hydrology Report – Water Usage* section, the propose outdoor cultivation operation has an estimated annual water use requirement of between 790,000 gallons and 1,107,000 gallons (2.4 to 3.4 acre-feet), with a maximum daily water demand of approximately 9,130 gallons.

Water Availability

According to the Project's *Hydrology Report – Water Availability* section, All water for the proposed cultivation operation will come from an existing onsite groundwater well located at Latitude 39.38005° and Longitude -122.97895°. This groundwater well was drilled to a depth of 220 feet below ground surface (bgs) in May of 2020, through soil and gravel (0-70 feet bgs) and sandstone with ribbons of shale (70-220 feet bgs). This well had an estimated yield of 50 gallons per minute (gpm) at the time it was drilled.



On September 22nd, 2020 Willits Pump Service (License No. 538999) conducted a 4-hour pump test of the onsite groundwater well. During the pump test, the water level in the onsite groundwater well was monitored while it was pumped at 15 gpm for four hours. The static water level in the onsite groundwater well was 114.2 feet bgs prior to the start of the well performance test. The water level in the onsite groundwater well dropped to 116.7 feet bgs over the course of the 4-hour pump test. The water level within the well recovered to 114.6 feet bgs within five hours and thirty minutes after the pumping ceased.

According to the Hydrology Report, the pump test data suggests that the onsite groundwater well can produce approximately 6 gpm for every foot of drawdown in the well. The peak anticipated daily demand for water of the proposed cultivation operation is ~9,130 gallons per day, which equates to a need for the onsite groundwater well to produce at least 12.7 gpm over a 12-hour period. Additionally, the proposed Project includes at least 12,000 gallons of water storage capacity. The well recovery observations of the pump test indicate that the onsite groundwater well would be able to produce sufficient water for the proposed cultivation operation without causing overdraft conditions.

#### Aquifer/Groundwater Recharge

According to the Project's *Hydrology Report – Aquifer/Groundwater Recharge* section, the estimated average annual groundwater recharge of the Project Property is 10.1 acre-feet. The estimated groundwater recharge of the Project Property during severe drought years is approximately 5 acre-feet. Both the estimated average annual groundwater recharge (10.1 acre-feet) and estimated recharge during severe drought years (5 acre-feet) exceed the proposed Project's estimated annual water use requirement (2.4 to 3.4 acre-feet).

#### Potential Impacts to Neighboring Groundwater Wells

According to the Project's *Hydrology Report*, the calculated zone of pumping influence for the proposed cultivation operation extends approximately 600 feet from the onsite groundwater well. There are no neighboring wells within 600 feet of the onsite groundwater well. Therefore, impacts to neighboring groundwater wells as a result of pumping of the onsite groundwater well for the proposed cultivation operation are not anticipated.

#### Groundwater Basin

The Project Parcel is located within the Rice Creek – Rice Fork Watershed (HUC12). The Project Parcel is not located within any of the 13 groundwater basins/source areas identified in the 2006 Lake County Groundwater Management Plan. No basin in this area has been identified by the California Department of Water Resources (DWR) as a critically over-drafted basin.

Water level monitoring is required by the Lake County Zoning Ordinance. Ordinance Article 27 Section 27.11(at) requires the production well to have a water meter and water level monitor. With this required measure in place, the impact is expected to be less than significant.

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

**provide a report of the data collected to the County annually and/or upon made upon request.**

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

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

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

The 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 Best Management Practices, buffer zones, sediment and erosion controls, inspections and reporting, and regulatory oversight. Additionally, an engineered erosion and sediment control site plan was submitted by the applicant as part of the Property Management Plan.

Establishment of the proposed cultivation operation will not require grading or vegetation clearing. The proposed cultivation operation will increase the impervious surface area of the Project Parcel by approximately 600 ft<sup>2</sup> (less than 0.1% of the Project Parcel) through the installation of a 120 ft<sup>2</sup> wooden shed, four water storage tanks, and two 160 ft<sup>2</sup> metal shipping/storage containers. The proposed outdoor cultivation/canopy area will not increase the impervious surface area of the Project Parcel and should not increase the volume of runoff from the Project Site. The proposed parking lot will have a permeable gravel surface, and the proposed ADA parking space will be constructed of permeable pavers.

Due to the fact that the proposed Project does not include grading, as well as the proposed erosion and sediment control measures, the Project i) will not result in substantial erosion or siltation on-site or off-site; ii) will not substantially increase the rate or amount of surface runoff in a manner which would result in flooding on or offsite; iii) will not create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; and iv) will not impede or redirect flood flows.

#### **Less than Significant Impact**

- d) The Project site is not located in an area of potential inundation by seiche or tsunami. The Project Parcel is designated to be in Flood Zone D – areas of undetermined flood hazard risk. The Project site is located on a ridgeline, with little to no risk of inundation.

**Less than Significant Impact**

- e) The Project Parcel is located within the Sacramento River Basin. The Water Quality Control Plan for the California Regional Water Quality Control Board Central Valley Region (Basin Plan) is applicable to the Sacramento River Basin, as well as the San Joaquin River Basin. The State Water Resource Control Board’s Cannabis General Order (2019-001-DWQ) adheres to water quality and management standards identified and outlined within the Basin Plan. Compliance with the Cannabis General Order will ensure that the project does not conflict with or obstruct implementation of a water quality control plan.

There are no groundwater management plans for the affected groundwater basin(s) at this time. Groundwater use and monitoring data collected and reported to comply with the Lake County Zoning Ordinance could be used in the development of a sustainable groundwater management plan at some point in the future.

**Less than Significant Impact with Mitigation Measures BIO-1 through BIO-4, HAZ-1 through HAZ-8, and HYD-1 through HYD-2 incorporated.**

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

**Discussion:**

- a) The Project Parcel is located in a rural area of Lake County, characterized by large parcels of mostly undeveloped land. The proposed Project would not physically divide any established community.

**No Impact**

- b) The proposed Project is consistent with the Lake County General Plan and Lower Lake Area Plan, and would create diversity within the local economy and future employment opportunities for local residents.

The Project Parcel consists of 80.5 acres and has a Timberland Preserve (TPZ) base district designation. The Lake County Zoning Ordinance allows for commercial outdoor cannabis cultivation in the TPZ land use zone with a major use permit. The project is consistent with all other development standards within the zoning code for commercial cannabis cultivation.

**Less than Significant Impact**

**XII. MINERAL RESOURCES**

	Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less Than Significant Impact	No Impact	Source Number
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. The California Department of Conservation describes the generalized rock type in the area of the Project Parcel as the Franciscan Complex (KJf). 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 Shoreline Communities Area Plan nor the Lake County Aggregate Resource Management Plan as a mineral resource site. Therefore, the project has no potential to result in the loss of availability of a local mineral resource recovery site.

**No Impact**

**XIII. NOISE**

	Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less Than Significant Impact	No Impact	Source Number
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 well pumps or emergency backup generators during power outages.

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 no sensitive noise receptors within one (1) mile of the project site, and Community Noise Equivalent Levels (CNEL) are not expected to exceed the 55 dBA during daytime hours (7am – 10pm) or 45 dBA during night hours (10pm – 7am) when measured at the property line.

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

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

**Less than Significant Impact with Mitigation Measures NOI-1 and NOI-2 incorporated.**

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

The Project would not generate ground-borne vibration or noise, except potentially during the construction phase from the use of heavy construction equipment. 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, the Project is not expected to create unusual groundborne vibration due to site development or facility operation..

**Less Than Significant Impact**

- c) The Project site is located over 10 miles from the nearest airport or airstrip. Therefore, the Project would not expose people residing or working in the Project area to excessive noise levels from air travel.

**No Impact**

**XIV. POPULATION AND HOUSING**

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

Would the project:

- |   |                          |                          |                          |                                     |            |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|------------|
| a) Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | 1, 3, 4, 5 |
| b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | 1, 3, 4, 5 |

Discussion:

- a) The Project is not anticipated to induce significant population growth to the area. The increased employment will be approximately two (2) fulltime and up to two (2) seasonal employees to be hired locally.

**No Impact**

- b) The Project will not displace any existing housing, thus no impact is expected.

**No Impact**

**XV. PUBLIC SERVICES**

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

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:<br>1) Fire Protection?<br>2) Police Protection?<br>3) Schools?<br>4) Parks?<br>5) Other Public Facilities? | <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 |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|---|

Discussion:

- a) The Project does not propose any new housing or other uses that would necessitate new or altered government facilities. No new roads are proposed. The Project would be required to comply with all applicable local and state fire code requirements related to design and emergency access. Construction and operation of the proposed project may result in accidents or crime emergency incidents that would require police services. Construction activities would be temporary and limited in scope. Accidents or crime emergency incidents during operation are expected to be infrequent and minor in nature.

There will not be a need to increase fire or police protection, schools, parks or other public facilities as a result of the project's implementation.

**Less than Significant Impact**

**XVI. RECREATION**

	Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less Than Significant Impact	No Impact	Source Number
Would the project:					
a) Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1, 2, 3, 4, 5
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1, 3, 4, 5

Discussion:

- a) As the small staff for the proposed Project will be hired locally, there will be no increase in the use of existing neighborhood and regional parks or other recreational facilities and no impacts are expected.

**No Impact**

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

**No Impact**

**XVII. TRANSPORTATION**

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

Would the project:

- |   |                          |                          |                                     |                                     |                                   |
|---|--------------------------|--------------------------|-------------------------------------|-------------------------------------|-----------------------------------|
| a) Conflict with a program plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?          | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | 1, 3, 4, 5, 9, 20, 22, 27, 28, 35 |
| b) For a land use project, would the project conflict with or be inconsistent with CEQA guidelines section 15064.3, subdivision (b)(1)?                         | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | 1, 3, 4, 5, 9, 20, 22, 27, 28, 35 |
| c) For a transportation project, would the project conflict with or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)(2)?                   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | 1, 3, 4, 5, 9, 20, 22, 27, 28, 35 |
| d) Substantially increase hazards due to geometric design features (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | 1, 3, 4, 5, 9, 20, 22, 27, 28, 35 |
| e) Result in inadequate emergency access?   | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | 1, 3, 4, 5, 9, 20, 22, 27, 28, 35 |

**Discussion:**

- a) The Project Parcel is accessed via Log Ridge Road off of Elk Mountain Road. A minimal increase in traffic is anticipated due to construction, maintenance and weekly and/or monthly incoming and outgoing deliveries through the use of small vehicles only.

There are no known pedestrian or bicycle facilities on Log Ridge or Elk Mountain Roads in the vicinity of the Project Parcel. Log Ridge Road is a narrow gravel road, and Elk Mountain Road is a two-lane gravel road with narrow shoulders unsuitable for pedestrian or bicycle traffic.

The applicant will be required to obtain and maintain all the necessary Federal, State and local agency permits for any works that occurs with the right-of-way. The proposed Project does not conflict with any existing program plan, ordinance or policy addressing roadway circulation, including the Lake County General Plan Chapter 6 – Transportation and Circulation, and a less than significant impact on road maintenance is expected.

**Less than Significant Impact**

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

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



To date, the County has not yet formally adopted its transportation significance thresholds or its transportation impact analysis procedures. As a result, the project-related VMT impacts were assessed based on guidelines described by the California Office of Planning and Research (OPR) in the publication *Transportation Impacts (SB 743) CEQA Guidelines Update and Technical Advisory*, 2018. The OPR Technical Advisory identifies several criteria that may be used to identify certain types of projects that are unlikely to have a significant VMT impact and can be “screened” from further analysis. One of these screening criteria pertains to small projects, which OPR defines as those generating fewer than 110 new vehicle trips per day on average. OPR specifies that VMT should be based on a typical weekday and averaged over the course of the year to take into consideration seasonal fluctuations. The estimated trips per day for the proposed Project are between 2 to 10 during construction and operation.

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

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

#### **Less than Significant Impact**

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

#### **No Impact**

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

#### **No Impact**

- e) The proposed Project would not alter the physical configuration of the existing roadway network serving the area, and will have no effect on access to local streets or adjacent uses (including access for emergency vehicles). Internal gates and roadways will meet CALFIRE requirements for vehicle access according to PRC §4290, including adequate width requirements. Furthermore, as noted above under impact discussion (a), increased project-related operational traffic would be minimal. The proposed Project would not inhibit the ability of local roadways to continue to accommodate emergency response and evacuation activities. The proposed project would not interfere with a 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
Would the project Cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:					
a) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1, 3, 4, 5, 11, 14, 15
b) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1, 3, 4, 5, 11, 14, 15

**Discussion:**

- a) During the Summer of 2018, the Ranch Fire of the Mendocino Complex burned through the Project Parcel. On November 26<sup>th</sup>, 2018, Registered Professional Forester Pete Sundahl (License No. 2861) submitted a Notice of Emergency Timber Operations for salvage logging activities on the Project Parcel and a parcel north of the Project Parcel (Lake County APN 001-035-43). Prior to preparing the Notice of Emergency Timber Operations, Mr. Sundahl surveyed the Project Parcel and prepared a Confidential Archaeological Letter report, which was submitted to the Northern Region Archaeology Office for review. Associate State Archaeologist Ben Harris reviewed the Confidential Archaeological Letter report and had “no objection to CAL FIRE accepting 1-18EM-00181 LAK Perbetsky Emergency Notice for filing as it relates to archaeology”. An original copy of the Confidential Archaeological Letter report is maintained in a confidential file at CAL FIRE’s Northern Region Headquarters located at 135 Ridgway Avenue, Santa Rosa, CA 95401.

No sites eligible for listing in the California Register of Historic Resources and/or a local register of historical resources have been identified on or near the Project site.

The proposed outdoor cultivation operation will utilize aboveground fabric pots, wood-framed garden beds, and small structures, place on or at ground surface in a treeless area of the Project Parcel. No ground disturbing activities, such as grading or vegetation removal, will be needed to establish the proposed Project.

It is possible, but unlikely due to the lack of new site disturbance that is needed, 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 shall 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.

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

- b) On November 26<sup>th</sup>, 2018, Registered Professional Forester Pete Sundahl (License No. 2861) submitted a Notice of Emergency Timber Operations for salvage logging activities on the Project Parcel and a parcel north of the Project Parcel (Lake County APN 001-035-43). Prior to preparing the Notice of Emergency Timber Operations, Mr. Sundahl surveyed the Project Parcel and prepared a Confidential Archaeological Letter report, which was submitted to the Northern Region Archaeology Office for review. Associate State Archaeologist Ben Harris reviewed the Confidential Archaeological Letter report and had "no objection to CAL FIRE accepting 1-18EM-00181 LAK Perbetsky Emergency Notice for filing as it relates to archaeology". An original copy of the Confidential Archaeological Letter report is maintained in a confidential file at CAL FIRE's Northern Region Headquarters located at 135 Ridgway Avenue, Santa Rosa, CA 95401.

No cultural or tribal resources have been identified on or near 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.

It is possible, but unlikely due to the lack of new site disturbance that is needed, 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 shall 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.

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

XIX. UTILITIES	Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less Than Significant Impact	No Impact	Source Number
<p>Would the project:</p> <p>a) Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1, 3, 4, 5, 29, 32, 33, 34, 37

b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	1, 2, 3, 5, 6, 22, 31
c) Result in a determination by the wastewater treatment provider, which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1, 2, 3, 5, 6, 22
d) Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1, 2, 3, 5, 6, 35, 36
e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1, 2, 3, 5, 6, 35, 36

Discussion:

- a) The proposed Project will be served by an existing onsite irrigation well and an onsite solar energy systems for all project-related energy and water demands. The Project will be serviced by onsite portable restroom and handwashing facilities.

The Project will not require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects.

**Less than Significant Impact**

- b) All water for the proposed cultivation operation will come from an existing onsite groundwater well located at Latitude 39.38005° and Longitude -122.97895°. The propose outdoor cultivation operation has an estimated annual water use requirement of between 790,000 and 1,107,000 gallons (2.4 to 3.4 acre-feet), with a maximum daily water demand of approximately 9,130 gallons.

The applicant provided a Hydrology Report for the proposed Project. The Hydrology Report concluded that the aquifer storage and recharge area of the Project Parcel are sufficient to provide for sustainable annual water use for the proposed cultivation operation, and that pumping of groundwater for the proposed Project is unlikely to result in significant declines in groundwater elevations or depletion of groundwater resources.

Water level monitoring is required by the Lake County Zoning Ordinance. Ordinance Article 27 Section 27.11(at) requires the production well to have a water meter and water level monitor.

**Less than Significant Impact with Mitigation Measures HYD-1 and HYD-2 incorporated.**

- c) A wastewater treatment provider does not serve, nor is likely to serve, the Project Property. The Project will be serviced by onsite portable restroom and handwashing facilities.

**No Impact**

- d) It is estimated that approximately 200 pounds of waste will be generated from the proposed Project each year. The Eastlake Landfill, South Lake Refuse Center, and Quackenbush Mountain Resource Recovery and Compost Facility are located within reasonable proximity of the Project site. As of 2019, the Eastlake Landfill had 659,200 cubic yards available for solid waste, with an additional 481,000 cubic yards approved in 2020.

There is adequate solid waste capacity to accommodate the proposed Project, and the project would not generate solid waste 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
If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:					
a) Substantially impair an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1, 2, 3, 5, 6, 23, 25, 28, 29
b) Would the project, due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input 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 type="checkbox"/>	<input checked="" 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 shall adhere to all regulations of California Code Regulations Title 14, Division 1.5, Chapter 7, Subchapter 2, and Article 1 through 5; and all regulations of California Building Code, Chapter 7A, Section 701A, 701A.3.2.A.

**Less than Significant**

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

**WDF-1: Construction activities shall not take place during a red flag warning (per the local fire department and/or national weather service) and wind, temperature and relative humidity will be monitored in order to minimize the risk of wildfire. Grading will not occur on windy days that could increase the risk of wildfire spread should the equipment create a spark.**

**WDF-2: Any vegetation removal or manipulation shall take place in the early morning hours before relative humidity drops below 30 percent, and a Water Tender shall be present on site during earth work to reduce the risk of wildfire and dust.**

**WDF-3: Prior to cultivation, the applicant shall schedule a site visit with the Building Official or designee to verify that the roads, gates and site are PRC 4290 and 4291 compliant.**

**WDF-4: The applicant shall place at least 5,000 gallons of water on site that is designated specifically as for use of fire suppression. Water tanks shall have connectors that are able to be used by Fire Protection Districts.**

**Less than Significant Impact with Mitigation Measures WDF-1 through WDF-4 incorporated.**

- c) The proposed site improvements are minimal, and do not rise to the level of warranting additional roads, fuel breaks, powerlines or other utilities.

**Less than Significant Impact**

- d) The Project site relatively flat (0 to 20 percent slopes), but the surrounding areas are relatively steep. The erosion and sediment control measures identified in the applicants' Property Management Plan and Erosion and Sediment Control Plan would likely be destroyed in the event of a wildfire on the Project Parcel. Therefore, the erosion and sediment control measures would need to be re-installed post wildfire to reduce risks of downslope/downstream flooding or landslides as a result of runoff and post-fire slope instability.

**WDF-5: The applicant shall re-install the erosion and sediment control measures identified in the engineered Erosion and Sediment Control Plan for the project, as soon as possible following a wildfire emergency affecting the Project Parcel.**

**Less than Significant Impact with Mitigation Measure WDF-5 incorporated.**

XXI. MANDATORY FINDINGS OF SIGNIFICANCE

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

Discussion:

- a) The Project proposes the cultivation of commercial cannabis in a rural and remote area of the County on a parcel that is zoned “TPZ” Timberland Preservation Zone. As proposed and evaluated in this IS/MND, the Project would not 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; reduce the number or restrict the range of an endangered, rare, or threatened species; or eliminate important examples of the major periods of California history or prehistory, with implementation of the required mitigation measures.

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

**Less than significant with AES-1 through AES-3; AQ-1 through AQ-6; BIO-1 through BIO-6; CUL-1 and CUL-2; HAZ-1 through HAZ-8; HYD-1 and HYD-2; NOI-1 and NOI-2; and WDF-1 through WDF-5 incorporated.**

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

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

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

**Less than significant with AES-1 through AES-3; AQ-1 through AQ-6; BIO-1 through BIO-6; CUL-1 and CUL-2; HAZ-1 through HAZ-8; HYD-1 and HYD-2; NOI-1 and NOI-2; and WDF-1 through WDF-5 incorporated.**

- c) The proposed project has the potential to result in adverse indirect or direct effects on human beings. In particular, Aesthetics, Air Quality, Geology/Soils, Cultural and Tribal Resources, Hydrology, Noise, and Wildfire have the potential to impact human beings. Implementation of and compliance with the 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.
- d) **Less than significant with AES-1 through AES-3; AQ-1 through AQ-6; BIO-1 through BIO-6; CUL-1 and CUL-2; HAZ-1 through HAZ-8; HYD-1 and HYD-2; NOI-1 and NOI-2; and WDF-1 through WDF-5 incorporated.**

Impact Categories defined by CEQA

#### Source List

1. Lake County General Plan
2. Lake County GIS Database
3. Lake County Zoning Ordinance
4. Upper Lake / Nice Area Plan
5. Dustin's Farm - 22698 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 Resource Assessment – 22698 Elk Mountain Road, Upper Lake, CA, prepared by Jacobszoon & Associates, Inc., August 24, 2021
14. Notice of Emergency Timber Operations – Perbetsky Emergency Notice 1-18EM-00181 LAK, prepared by Peter Sundahl RPF, December 4, 2018
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. Northshore Fire Protection District
38. Site Visits – February 11, 2021 and May 10, 2021
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)