



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

November 30, 2023

## CALIFORNIA ENVIRONMENTAL QUALITY ACT ENVIRONMENTAL CHECKLIST FORM INITIAL STUDY (UP 21-03, IS 21-03)

- |                                  |  |
|----------------------------------|--|
| 1. Project Title:                | Sweet Cloud Cultivation  |
| 2. Permit Numbers:               | Major Use Permit      UP 21-03<br>Initial Study              IS 21-03  |
| 3. Lead Agency Name and Address: | County of Lake<br>Community Development Department<br>Courthouse, 3 <sup>rd</sup> Floor, 255 North Forbes Street<br>Lakeport, CA 95453 |
| 4. Contact Person:               | Eric Porter, Associate Planner<br>(707) 263-2221   |
| 5. Project Location(s):          | 5343 and 5340 Jamie Lane, Kelseyville, CA<br>APNs: 008-041-15 and 16   |
| 6. Project Name & Address:       | Sweet Cloud Cultivation / Tony Lai<br>5340 Jamie Lane<br>Kelseyville, California 95451   |
| 7. General Plan Designation:     | Rural Residential  |
| 8. Zoning:                       | "RR-B5-FF-WW"; Rural Residential – Special Lot<br>Density - Floodway Fringe - Waterway   |
| 9. Supervisor District:          | District 5   |
| 10. Flood Zone:                  | AO (APN: 008-041-15), Risk of Flooding<br>X (APN: 008-041-16), Low Risk of Flooding  |
| 11. Slope:                       | Flat (APN: 008-041-15)<br>Mostly over 30% (APN: 008-041-16)  |
| 12. Fire Hazard Severity Zone:   | California State Responsibility Area (CALFIRE):<br>SRA, High Fire Risk   |
| 13. Earthquake Fault Zone:       | None   |
| 14. Dam Failure Inundation Area: | Not located within Dam Failure Inundation Area   |
| 15. Parcel Sizes:                | ±8.81 and ±14.78 Acres (23.59 total acres)   |
| 16. Description of project:      |  |

Major Use Permit for a three-phased commercial cannabis cultivation project.

- Phase I: Five 20' x 50' greenhouses for mature plant cultivation
- Phase II: Ten 20' x 50' greenhouses (total) for mature plant cultivation and two 50' x 100' greenhouses for immature plants
- Phase III: 32 20' x 50' greenhouses for mature plant cultivation, and four 20' x 50' greenhouses for immature plant cultivation; 10' x 20' drying / packaging building

Total mature plant canopy is 21,390 square feet (sf) at the end of Phase III of the project. The ±23 acre properties can support up to 22,000 sf of mature plant canopy. The cultivation will occur on APN: 008-041-15, the smaller of the two lots.

Figure 1 – Phase III Site Plan



Source: Material Submitted by Applicant

17. Existing Conditions: The two lots each contain a single family dwelling. Jamie Lane, a private shared access road, provides access to both lots and to the land to the south.

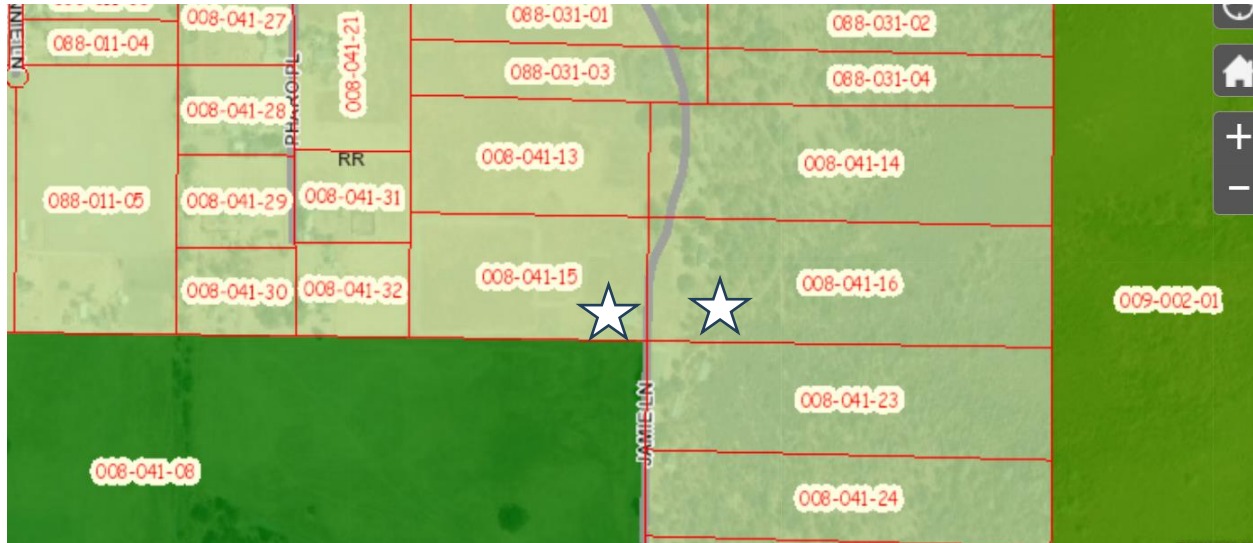
18. Surrounding Land Uses and Setting:

As the parcel for the proposed project is over five (5) acres in size, neighboring parcels that fall within a 725-foot buffer will be notified of the project. These parcels include:

- South: "A-WW-FF" Agriculture – Waterway – Floodway Fringe; ±102 acres in size; contains a house and several sheds.

- North: “RR-B5-WW-FF” Rural Residential – Special Lot Density – Waterway – Floodway Fringe zoning; ±8 and ±14 acres in size (2 lots); both lots contain a dwelling.
- West: “RR-B5-FF” Rural Residential – Special Lot Density –Floodway Fringe zoning. Two lots, each ±3 acres in size and contain dwellings.
- East: “RL” Rural Lands; ±183 acres in size; undeveloped.

FIGURE 2 – ZONING OF SITES AND VICINITY



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

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

- Lake County Department of Environmental Health
- Lake County Air Quality Management District
- Lake County Department of Public Works
- Lake County Agricultural Commissioner
- Lake County Sheriff Department
- Kelseyville Fire Protection District
- Central Valley Regional Water Quality Control Board
- California Water Resources Control Board
- California Department of Food and Agriculture
- 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 (CAL FIRE)
- California Department of Transportation (CalTrans)

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

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

Lake County sent an Assembly Bill (AB) 52 notice to 11 tribes on January 22, 2021, informing tribes of the proposed project and offering consultation under AB-52. Of the 11 notified Tribes, the Upper Lake Habematolel Tribe and the Redwood Valley Band of Pomo responded to the notice and deferred to the Big Valley Tribe, who never responded to the notice.

**ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:**

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

- |   |  |  |
|---|--|--|
| <input checked="" type="checkbox"/> Aesthetics            | <input type="checkbox"/> Greenhouse Gas Emissions      | <input type="checkbox"/> Public Services                               |
| <input type="checkbox"/> Agriculture & Forestry Resources | <input type="checkbox"/> Hazards & Hazardous Materials | <input type="checkbox"/> Recreation                                    |
| <input checked="" type="checkbox"/> Air Quality           | <input type="checkbox"/> Hydrology / Water Quality     | <input type="checkbox"/> Transportation                                |
| <input 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 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:  
Eric Porter, Associate Planner



Date: Nov. 30, 2023

SIGNATURE  
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) In nonurbanized areas, 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) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	1, 2, 3, 4, 5, 6, 9

Discussion:

- a) The project site is located on a flat property that is flat and partially visible from Jamie Lane, a private shared road at this location. The cultivation area will be partially screened by a 6' tall screening fence that will be installed around the cultivation area. There are two dwellings beyond the cultivation lots that are served by Jamie Lane, so the traffic volume is relatively minimal in this vicinity, and few people will be impacted by visual impacts from the cultivation activity.

Lighting from greenhouses and the proposed building is addressed later in this section.

Less than Significant Impact

- b) The proposed project will be screened from Jamie Lane with a 6' tall screening fence. The project would not result in the removal of any trees and does not contain any rock outcroppings or historic buildings.

Less Than Significant Impact

- c) The site is located within a rural area containing lots that vary in size from 3 to over 100 acres in size. About half of the area lots are developed with dwellings. The cultivation area will be screened by a 6' tall screening fence, which is required for most commercial cannabis cultivation operations.

- d) The project has the potential to create additional light or glare because of the 36 proposed greenhouses associated with the project as well as the 10' x 20' drying and packaging building. The following mitigation measures are required to lessen the impact associated with on-site lighting:

- AES-1: During construction, all lighting, including security lighting, will be directed downward and consistent with the Lake County regulations for lighting as found within darksky.org. This shall be maintained for the life of the project.
- AES-2: All greenhouses and transparent or translucent buildings containing interior lighting shall be equipped with blackout screening. No light shall be visible from outside any building that contains interior lighting.
- AES-3: A 6' tall screening fence shall be installed around the perimeter of the cultivation area. Solid wood or metal fencing is permitted; fabric screening is prohibited due to poor durability. Chain link fencing with slats is permitted.

Less Than Significant Impact with mitigation measures added

## II. AGRICULTURE AND FORESTRY RESOURCES

Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less Than Significant Impact	No Impact	Source Number
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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. 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 checked="" type="checkbox"/> | <input type="checkbox"/>            | 1, 2, 3, 4, 7, 8, 11, 13, 39 |
| b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?   | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | 1, 2, 3, 4, 5, 7, 8, 11, 13  |
| c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | 1, 2, 3, 4, 5, 7, 8, 11, 13  |
| d) Result in the loss of forest land or conversion of forest land to non-forest use?   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | 1, 2, 3, 4, 5, 6, 9          |
| e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?   | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | 1, 2, 3, 4, 5, 7, 8, 11, 13  |

#### Discussion:

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

- a) According to the California Department of Conversation Farmland Mapping and Monitoring Program the project site is mapped as Prime Farmland and Farmland of Local Importance. The cultivation lot is not located within a mapped Farmland Protection Area, and there are no immediate traditional crop-producing lots adjacent to the cultivation lot.



Less Than Significant Impact

- b) The site and surrounding lots are not under a Williamson Act contract. The properties in the vicinity are not crop-producing, and the cannabis project will not impact any property that is under a Williamson Act contract.

Less Than Significant Impact

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

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

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

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

No Impact

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

No Impact

- e) As proposed, this project would not induce changes to existing farmland that would result in its conversion to 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 an applicable federal or state ambient air quality standard?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1, 2, 3, 4, 5, 21, 24, 31, 36
c) Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input 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.

According to the Lake County Zoning Ordinance section on Commercial Cannabis Cultivation (§27.13), 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 will include tilling the ground to prepare the building pads including some earth movement, drilling post holes for fencing, and some trenching for utilities. Site construction would occur over an estimated two (2) to four (4) month period for each of the three phases of development. Ongoing field management is considered an operational, not construction, activity.

Operational impacts would include dust, odor and fumes from site preparation of the cultivation areas, odors from the cannabis plants during flowering season, 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.

**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

### Less than Significant Impact

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

There are no schools, parks, childcare centers, convalescent homes, or retirement homes located within 1000 feet of the cultivation site. The nearest off-site residence is located about 500 feet to the southeast of the cultivation site. A 200-foot setback (minimum) is required for offsite residences from commercial cannabis cultivation as described in Article 27.13 of the Lake County Zoning.

Pesticide application will be used during the growing season and, as described in the Property Management Plan, will be applied carefully to individual plants. The cultivation area will be surrounded by a fence in order to prevent off-site drift of pesticides. Additionally, no demolition or renovation will be performed which would cause asbestos exposure, and no serpentine soils have not been detected and are not mapped onsite.

The following mitigation measures will reduce potential impacts to less than significant levels:

- AQ-1: Prior to obtaining the necessary permits and/or approvals for any phase, applicant shall contact the Lake County Community Development Department, and is required to submit an Odor Control Plan for review and approval or revision prior to the public hearing.
- AQ-2: All mobile diesel equipment used must be in compliance with State registration requirements. Portable and stationary diesel powered equipment must meet the requirements of the State Air Toxic Control Measures for CI engines.
- AQ-3: Construction and/or work practices that involve masonry, gravel, grading activities, vehicular and fugitive dust shall be managed by use of water or other acceptable dust palliatives to mitigate dust generation during and after site development.
- AQ-4: The applicant shall maintain records of all hazardous or toxic materials used, including a Material Safety Data Sheet (MSDS) for all volatile organic compounds utilized, including cleaning materials. Said information shall be made available upon request and/or the ability to provide the Lake County Air Quality Management District such information in order to complete an updated Air Toxic emission Inventory.
- AQ-5: 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-6: 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-7: All areas subject infrequent use of driveways, over flow parking, etc., shall be surfaced with gravel. Applicant shall regularly use and/or maintain graveled area to reduce fugitive dust generations.
- AQ-8: All buildings containing mature cannabis plants shall be equipped with carbon or similar air filtration systems prior to operation. This includes the two metal buildings and 24 of the greenhouses that will contain mature plants.

Impacts would be Less than Significant with Mitigation Measures incorporated:

- d) During project operations, odors found to be unpleasant by some are emitted from cannabis plants. The cannabis plants would be grown in greenhouses that will contain carbon air filtration systems, which will abate much of the odors emitted by the cannabis plants.

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 Wildlife or U.S. Fish and Wildlife Service? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | 2, 5, 11, 12, 13, 16, 24, 29, 30, 31, 32, 33, 34                  |
| b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?   | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | 1, 2, 3, 4, 5, 11, 12, 13, 16, 17, 29, 30, 31, 32, 33, 34         |
| c) Have a substantial adverse effect on state or federally protected wetlands (including, not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?   | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | 1, 2, 3, 4, 5, 11, 12, 13, 16, 17, 21, 24, 29, 30, 31, 32, 33, 34 |
| d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?   | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | 13  |
| e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?  | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | 1, 2, 3, 4, 5, 11, 12, 13   |
| f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?   | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | 1, 2, 3, 5, 6   |

Discussion:

- a) The applicant provided a Biological Assessment (“Assessment”), prepared by Pinecrest Environmental Consulting Inc., and dated September 23, 2020. The Assessment concluded that the proposed project should not have any adverse impacts on sensitive environments and no sensitive flora or fauna species were observed by the surveying biologist during the site survey.

Less than Significant Impact

- b) No removal of riparian or any other vegetation is proposed as part of this project.

Less Than Significant Impact

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

Less Than Significant Impact

- d) The Assessment stated that no specific wildlife corridors exist within or near the Study Area. No mapped wildlife corridors (such as the California Essential Habitat Connectivity Area layer in the CNDDDB) exist within or near the Study Area. Of the ±23 acres on the parcel, about 21 acres 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.” The applicant has stated that no trees will be removed by this project.

Less than Significant Impact

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

Less Than Significant Impact

V. CULTURAL RESOURCES

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



- c) Disturb any human remains, including those interred outside of dedicated cemeteries?     1, 3, 4, 5, 11, 14, 15

Discussion:

- a) A Cultural Resources Report (CRR) for the proposed cultivation project was completed by Wolf Creek Archaeological Services and dated September 30, 2020. The purpose of the Report was to identify potentially significant cultural resources. A California Historical Resources Information System (CHRIS) records search was completed by the Northwest Information Center (NWIC) in September 2020, and the Native American Heritage Commission (NAHC) returned the results of the Sacred Lands File (SLF) search, also in September 2020. The CRR indicated that there are three mapped sensitive sites within 1 mile of the project site. The study yielded 2 isolated artifacts that the surveying archaeologist regarded as not being significant from a historic standpoint.

Due to the significant presence of tribes and historic tribal activity in Lake County, the County routinely puts conditions of approval and mitigation measures in place to protect sensitive artifacts, items, relics or remains that might be inadvertently discovered during site preparation.

The following mitigation measures are therefore added:

- 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 interment 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 finds.

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

- b) A California Historical Resources Information System (CHRIS) records search was completed by the Northwest Information Center (NWIC) to determine if the project would affect archaeological resources. The record search found that there are three known or mapped significant archaeological resources within 1 mile of this site. The surveying archaeologist indicated that the site yielded no significant historic artifacts and recommended that the project proceed. The County however is adding two mitigation measures to help protect any sensitive items that might be inadvertently discovered during site disturbance.

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

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

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

Less than Significant Impacts with Mitigation Measure CUL-2 added

VI. ENERGY

	Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less Than Significant Impact	No Impact	Source Number
Would the project:					
a) Result in potentially significant environmental impacts due to wasteful, inefficient, or unnecessary consumption of energy resources, during construction or operation?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	5
b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1, 3, 4, 5

Discussion:

- a) According to the applicant’s application material, the proposed use would consist of 36 20’ x 50’ greenhouses and one 200 sf drying building.. The greenhouses and drying building would require between 400 and 600 additional amps. The Property Management Plan states that on-grid power will be used.

There are no grid capacity issues at this location. PG&E was notified of this project but did not respond to the request for comments. There was no indication that they could not serve this project with power.

Less than Significant Impact

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

Less than Significant Impact

## VII. GEOLOGY AND SOILS

	Potentially Significant Impact	Less Than Significant With Mitigation Measures	Less Than Significant Impact	No Impact	Source Number
Would the project:					
a) Directly or indirectly cause potentially substantial adverse effects, including the risk of loss, injury, or death involving:					
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	<input type="checkbox"/>	<input 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 type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1, 3, 4, 5, 19, 21, 24, 25, 30
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on-site or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1, 2, 3, 5, 6, 9, 18, 21
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	5, 7, 39
e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of waste water?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	2, 4, 5, 7, 13, 39
f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1, 2, 3, 4, 5, 14, 15

Discussion:

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

Earthquake Faults (i)

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

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

The project site is located within an AO flood plain. While there are no mapped faults on the project site, 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.

Landslides (iv)

The project properties are flat with little risk of landslides on the parcel. According to the Landslide Hazard Identification Map prepared by the California Department of Conservation's Division of Mines and Geology, the area is considered generally stable. As such, the project's cultivation site is considered minimally 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) The applicant will prepare pads for 36 greenhouses and a 200 sf drying building. The project involves moving an unknown amount of earth for the building pads, as well as drilling fence post holes and trenching for utilities (although the Property Management Plan states that no trenching will occur). The entire cultivation area is within a mapped flood plain, and the footings for all buildings must be engineered. The applicant will be required to obtain a grading permit from the Lake County Community Development Department as well as building permits prior to any construction.

Furthermore, 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. As part of the Applicant's enrollment, they are required to complete Annual Monitoring and Reporting to the State Water Board, which requires that winterization BPTC measures for erosion and sediment control are in place prior to the winter period.

Less Than Significant Impact

- c) According to Lake County GIS data and the soil survey of Lake County, prepared by the U.S.D.A., the soil at the site is mapped as "Generally Stable" and there is a less than significant chance of landslide, subsidence, liquefaction or collapse as a result of the project due primarily to the lack of slope on the cultivation lot.

Less Than Significant Impact

- d) The Uniform Building Code is a set of rules that specify standards for structures. A total of 32 structures are proposed that would require a building permit, and all of the structures will be built within a mapped AO flood plain which requires engineered footings.

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. Expansive soils possess a "shrink-swell" characteristic. Structural damage may occur over a long period of time due to expansive soils, usually the result of inadequate soil and foundation engineering or the placement of structures directly on expansive soils.

The soils mapped on the site is identified as Type 194, "Oxaxis variant silt loam".

Type 194 Soils are very deep and poorly drained. Permeability of this soil type is slow, and the hazard of erosion is slight. This soil type has a high shrink-swell potential. The soil is typically used as grazing land and is not regarded as a high value soil type.

Less Than Significant Impact

- e) The proposed project will be served by a new American Disability Act compliant restroom. The Property Management Plan does not state where the ADA-compliant restroom will be located. Comments from the Lake County Environmental Health Division state that any new septic system(s) will need to meet Onsite Wastewater Treatment requirements, which will occur prior to a building and septic permit being issued if any new septic systems are contemplated in the future.

Less Than Significant Impact

- f) The project site does not appear to contain any significant paleontological resources, however inadvertent discovery of any potentially historic items, artifacts, relics or remains are addressed under mitigation measure CUL-1 and CUL-2 in the Cultural Resources section of this report.

Less than Significant Impact

## VIII. GREENHOUSE GAS EMISSIONS

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

### Discussion:

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

The webpage for the California Air Quality Resource (URL <https://ww2.arb.ca.gov/>) lists a chart showing 18 air emissions and gasses that have global warming potential. Each type of gas has identified thresholds of 'significance' that range from 1 (CO<sub>2</sub>) to 23,900 (Tetrafluoromethane). Gasses also have impact durations. CO<sub>2</sub> has no measurable life-span of impacts; other gasses such as Tetrafluoromethane (PFC-14) can impact the environment for as long as 50,000 years.

A typical car generates 404 grams of CO<sub>2</sub> gas for each mile traveled. Source: EPA website. It is anticipated that vehicles used during construction would be roughly the equivalent of 5 miles of emissions per car per day, or about 1616 grams of CO<sub>2</sub> per vehicle per day. Truck and site preparation equipment would generate more emissions than a car, so the assumption for construction vehicles is double the amount projected for cars, or 3232 grams of CO<sub>2</sub> per vehicle per day. The applicant has stated that construction will last about two to four months for each of the three proposed phases, which will occur over a three-year period with each year having an average of three months of construction. The County anticipates two construction vehicles per day being used for a three month period during each of the three years that construction would take place, amounting to 6464 grams of CO<sub>2</sub> per vehicle per day for a period of 90 days per year. A total of 581,760 grams of CO<sub>2</sub> per year would result; this amounts to about 1282 pounds of carbon dioxide per year for three years during construction. Operations would generate an estimated 25% of the total daily construction CO<sub>2</sub> emissions based on an estimated 4 to 8 trips per day during normal operations and during peak harvest season.

Although the County of Lake has no thresholds for 'significant levels' of greenhouse gas emissions, the Bay Area Air Quality Management District has adopted standards for air emissions which are used informally by the County of Lake. This threshold of significance is 1100 metric tons of emissions per year per project. The estimated amount of CO<sub>2</sub> being generated over a 90 day construction period is 581,760 grams of CO<sub>2</sub> (per year), or about

1282 pounds of carbon dioxide per construction year. This is well under the threshold of significance of 1100 metric tons of emissions established by the Bay Area Air Quality Board.

Operational emissions would be considerably lower. The greenhouses and processing buildings are equipped with carbon filtration systems, and a total of up to 8 daily vehicle trips to and from the site is projected during peak harvest season.

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 three (3) individuals working on site (owners/operators) 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 type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1, 3, 5, 13, 21, 24, 29, 31, 32, 33, 34
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1, 3, 5, 13, 21, 24, 29, 31, 32, 33, 34
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1, 2, 5
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	2, 40
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input 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) Materials associated with the proposed cultivation of commercial cannabis include pesticides, fertilizers, gasoline, and cleaning materials. The applicant has stated that all potentially harmful chemicals will be stored in a locked, secured 200 sf drying building on

site. All pesticides and fertilizers to be used are organic, which will reduce the potential for damaging chemical infiltration into the atmosphere or soil.

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

The project shall comply with Section 41.7 of the Lake County Zoning Ordinance that specifies that all uses involving the use or storage of combustible, explosive, caustic or otherwise hazardous materials shall comply with all applicable local, state and federal safety standards and shall be provided with adequate safety devices against the hazard of fire and explosion, and adequate firefighting and fire suppression equipment. The applicant has not stated whether they will place water tank(s) on site for fire suppression if needed, however the site is located in a high fire area, and certain fire protection measures are added within section XX, Wildfire in this report.

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

Less Than Significant Impact

- b) The applicant has stated the chemicals that will be used on site will be organic and will be stored in a secure and lockable building. The site is located within a flood inundation area, so the foundation footings for every building will need to be engineered. The site is not located within an area mapped as unstable soil according to County GIS data and the USDS Soil Survey for Lake County.

Less Than Significant Impact

- c) There are no schools located within one-quarter mile of the proposed project site. The nearest school is Kelseyville High School, which is located approximately one and a half miles west of the project site. Impacts would be less than significant and no mitigation measures related to schools are required.

No Impact

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

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

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

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

No Impact

- e) The project site is located approximately 5 miles from Lampson Field, the nearest airport that is administered by the Lake County Airport Land Use Commission, which has not adopted an Airport Land Use Compatibility Plan. In accordance with regional Airport Land Use Compatibility Plans, the project would not have buildings whose heights might jeopardize air travel. There will be very little potential for any hazard for people working in the project area from Lampson Field or to air travel in this vicinity.

Less Than Significant Impact

- f) Access to the project site is from Jamie Lane, a private but well maintained dirt and gravel shared access road. Jamie Lane is in compliance with California Public Resources Code §4290. The project site does not contain any emergency facilities but Jamie Lane, which travels through the subject site, does serve as an emergency evacuation route. Furthermore, the project would not result in a substantial alteration to the design or capacity of any public road that would impair or interfere with the implementation of evacuation procedures. Because the project would not interfere with an adopted emergency response or evacuation plan, impacts are less than significant.

Less than Significant Impact

- g) The project site is located in a semi-rural area that has a high fire risk. Jamie Lane is an interior shared access private roadway that appears to meet California Public Resources Code §4290-compliance regulations that will allow emergency service providers onto the site if needed due to an emergency. Compliance with PRC 4290 will be verified during building permit inspections for the new proposed buildings.

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

Less than Significant Impact

**X. HYDROLOGY AND WATER QUALITY**

Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less Than Significant Impact	No Impact	Source Number
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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 type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | 1, 2, 3, 5, 6, 29, 30 |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|-----------------------|

- |   |                          |                          |                                     |                                     |  |
|---|--------------------------|--------------------------|-------------------------------------|-------------------------------------|--|
| b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?                                 | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | 1, 2, 3, 5,<br>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,<br>6, 7, 15,<br>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,<br>6, 7, 9, 23,<br>32      |
| e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | 1, 2, 3, 5,<br>6, 29                   |

Discussion:

- a) The project will not violate any water quality standards or waste discharge requirements. One new septic system is needed to serve the restrooms proposed inside the 200 sf drying building. Lake County Environmental Health a) Department regulates septic systems and wells inside the County (excluding the cities of Lakeport and Clear Lake). The Department submitted comments that did not indicate that a new septic system would be problematic at this location. The project will employ Best Management Practices (BMP's) related to erosion and water quality to reduce impacts related to storm water and water quality and adhere to all federal, state, and local requirements, as applicable; this is evidenced by the Drainage and Erosion Control Plan submitted.

Less Than Significant Impact

- b) Due to the existing exceptional drought conditions, on July 27, 2021, the Lake County Board of Supervisors passed an Urgency Ordinance (Ordinance 3106) requiring land use applicants to provide enhanced water analysis during a declared drought emergency. Ordinance 3106 requires that all projects 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. The Report evaluates annual water demand for the project; aquifer capacity and recharge rate during drought and non-drought years; evaluates drought management actions needed and provides well data on the on-site well.

The applicant has provided a Hydrology Study (Study) prepared by Vanderwall Engineering and dated November 23, 2021. The Study states that there is an existing permitted on-site well that produced about 6.6 gallons of water per minute during a four

hour well test. The Study states that there are five other wells in proximity to the project well.

The Study states that a total of 21,990 sf of canopy will be using the well water, and estimates a total of three employees will also use water for personal use (staff estimates the actual number of employees to be 1 or 2 given the relatively small size of the operation). The Study projects an annual water demand of 636,926 gallons per year, or about 1.9 acre-feet per year.

The Study then states the annual recharge rate for the aquifer; the total recharge area is shown to be 701,554 sf in size (about 16 acres). The Study states an annual rate of 26 inches per year of rainfall during a non-drought year, and 20% of this amount during a drought year. The projected annual recharge rate during a drought year is projected to be a total of 1,141,400 gallons per year, or about twice of what the cannabis demand would require.

The Study does not state which aquifer the project would rely on for water, and it is unclear whether the property is sited over the robust Big Valley Groundwater Basin, which contains a total of 105,000 acre-feet of water with 60,000 acre-feet that is usable, and an existing demand of about 41,000 acre-feet, primarily by traditional crop producers in the Kelseyville vicinity.

#### *Drought Management*

Ordinance 3106, adopted in July 2021, requires a Drought Management Plan for all land use applications that require water. The applicants have provided this Plan, which includes the following:

- Regularly inspect the entire water delivery system for leaks and immediately repair any leaky faucets, pipes, connectors, or other leaks;
- Apply weed-free mulch in cultivation areas that do not have ground cover to conserve soil moisture and minimize evaporative loss;
- Implement water conserving irrigation methods (drip or trickle and micro-spray irrigation);
- Maintain daily records of all water used for irrigation of cannabis. Daily records will be calculated by using a measuring device (inline water meter) installed on the main irrigation supply line between the water storage area and cultivation area(s);
- Install float valves on all water storage tanks to keep them from overflowing onto the ground.

With the Water Conservation and Use requirements outlined above, the proposed cultivation operation would efficiently use water resources at all times. Additionally, Article 27 Section 27.13 of the Lake County Zoning Ordinance requires commercial cannabis cultivators using water from a groundwater well to install a water level monitor on their water supply well, and to regularly record readings from the continuous water level monitor.

Less than Significant Impact

- c) The applicant has provided a Drainage and Erosion Control plan that shows Best Management Practices by containing stormwater within the cultivation area boundary through the use of rolled straw wattles.

Less Than Significant Impact

- d) The project parcels are located in a mapped flood plain. The footings for all buildings must be engineered to withstand potential flooding. This is required for any building located within an AO flood plain and will be added as a condition of approval for this project.

Less Than Significant Impact

- e) The County of Lake does not have any water quality management plans, so there would be no impact to any adopted water quality plan.

No Impact

## XI. LAND USE PLANNING

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

### Discussion:

- a) The project site consists of ±23 acres of partially developed land in the Kelseyville Planning Area. The closest community growth boundary accessible by road is the township of Kelseyville, which is approximately 1-1/2 miles away from the project site.

The area is characterized by medium-sized parcels of land that range in size from 3 to over 100 acres in size and are mostly developed with dwellings. The proposed project site would not physically divide any established community.

Less Than Significant Impact

- b) The General Plan Land Use designation currently assigned to the project site is Rural Residential. The zoning designations for both lots is “RR-B5-FF-WW” (Rural Residential – Special Lot Density – Floodway Fringe – Waterway). The Lake County Zoning Ordinance allows for commercial cannabis cultivation in the “RR” Rural Residentially-zoned land with a major use permit.

Less than Significant Impact

## XII. MINERAL RESOURCES

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

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 Kelseyville 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 result in:					
a) 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) Generation of excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1, 3, 4, 5, 13



- c) For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?     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. Emergency generators are not proposed as part of this project. Energy will be supplied by on-grid power.

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

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

In regards to the Lake County General Plan Chapter 8 - Noise, there are several sensitive noise receptors within 500 feet of the project site, and noise generated during construction and operations cannot exceed 55 dBA during daytime hours (7am – 10pm) or 45 dBA during night hours (10pm – 7am) when measured at the property line.

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

- o 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.
  - o 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 41.11 (Table 11.1) measured at the property lines.
- b) Under existing conditions, there are no known sources of ground-borne vibration or noise that affect the project site such as railroad lines or truck routes. Therefore, the project would not create any exposure to substantial ground-borne vibration or noise.

The project would not generate ground-borne vibration or noise, except potentially during the construction phase from the use of heavy construction equipment. There will be some grading required for the container pads and greenhouses, however earth movement is not expected to generate ground-borne vibration or noise levels. According to California Department of Transportation's Transportation and Construction-Induced Vibration Guidance Manual, ground-borne vibration from heavy construction equipment does not create vibration amplitudes that could cause structural damage, when measured at a distance of 10 feet. The nearest existing off-site structures are located over one (1) mile from the nearest point of construction activities and would not be exposed to substantial ground-borne vibration due to the operation of heavy construction equipment on the project site.

Furthermore, the project is not expected to employ any pile driving, rock blasting, or rock crushing equipment during construction activities, which are the primary sources of ground-borne noise and vibration during construction. As such, impacts from ground-borne vibration and noise during near-term construction would be less than significant.

Less Than Significant Impact

- c) The project site is located approximately 5 miles from Lampson Field, administered by the Lake County Airport Land Use Commission, which has not adopted an Airport Land Use Compatibility Plan. Therefore, no impact is anticipated.

No Impact

**XIV. POPULATION AND HOUSING**

	Potentially Significant Impact	Less Than Significant With Mitigation Measures	Less Than Significant Impact	No Impact	Source Number
Would the project:					
a) Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1, 3, 4, 5
b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1, 3, 4, 5

**Discussion:**

- a) The project is not anticipated to induce significant population growth to the area. No housing is being proposed, nor does any appear to be needed for this project.  
No Impact
- b) The project will not displace any existing people or housing, and is limited to commercial cannabis cultivation and processing.  
No Impact

## XV. PUBLIC SERVICES

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

- a) Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:





1, 2, 3, 4,  
5, 20, 21,  
22, 23, 27,  
28, 29, 32,  
33, 34, 36,  
37

- 1) Fire Protection?
- 2) Police Protection?
- 3) Schools?
- 4) Parks?
- 5) Other Public Facilities?

Discussion:

1) Fire Protection

The Lakeport Fire Protection District provides fire protection services to the proposed project area. The proposed project would be served by the Kelseyville Fire District. Development of the proposed project would impact fire protection services by increasing the demand on existing County Fire District resources. The project site is located in a mapped High Fire Area. The interior road will be required to be brought to PRC 4290 compliant as a condition of approval, however the road (Jamie Lane) is a well-maintained private shared access road at this location and may already be PRC 4290 compliant. The applicant will be required to maintain 100' of defensible space around all cannabis-related buildings. The site will be required to have one 5,000 gallon water tank which would be reserved for fire protection if needed for a fire event in the future.

2) Police Protection

The project site falls under the jurisdiction of the Lake County Sheriff's Department and is in a location that can be easily reached by law enforcement in the event of an emergency. Impact on law enforcement is expected to be less than significant.

3) Schools

The proposed project will have no impact on the population in the local public school system by generating additional students.

4) Parks

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

5) Other Public Facilities

As the owners and operators currently reside in Lake County, and the small staff will be hired locally, and no impacts are expected.

Less than Significant Impact

XVI. RECREATION

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

Discussion:

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

No Impact

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

No Impact

XVII. TRANSPORTATION

	Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less Than Significant Impact	No Impact	Source Number
Would the project:					
a) Conflict with a program plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1, 3, 4, 5, 9, 20, 22, 27, 28, 35
b) For a land use project, would the project conflict with or be inconsistent with CEQA guidelines section 15064.3, subdivision (b)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1, 3, 4, 5, 9, 20, 22, 27, 28, 35

- |   |                          |                          |                                     |                                     |                                   |
|---|--------------------------|--------------------------|-------------------------------------|-------------------------------------|-----------------------------------|
| c) For a transportation project, would the project conflict with or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)(2)?                   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | 1, 3, 4, 5, 9, 20, 22, 27, 28, 35 |
| d) Substantially increase hazards due to geometric design features (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | 1, 3, 4, 5, 9, 20, 22, 27, 28, 35 |
| e) Result in inadequate emergency access?   | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | 1, 3, 4, 5, 9, 20, 22, 27, 28, 35 |

Discussion:

a) Roadway Analysis

The project site is located approximately one and one-half miles east of the township of Kelseyville, and is accessible by Jamie Lane, a private but well-maintained shared access road. The project will not require any changes to the existing road network other than some minor improvements to the portion of Jamie Lane on site to make it PRC 4290 compliant if the road is not PRC 4290 compliant on site.

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 5 to 12 during construction and operation.

The applicants will be operating under an A-Type 13 Cannabis Distributor Transport Only, Self-distribution License. In the “RR” zoning district the Type 13 Distributor Only, Self-distribution State licenses are an accessory use to an active cannabis cultivation or cannabis manufacturing license site with a valid minor or major use permit.

The 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.

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.

No Impact

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

Less than Significant Impact

**XVIII. TRIBAL CULTURAL RESOURCES**

	Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less Than Significant Impact	No Impact	Source Number
a) Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code § 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:					
i) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k)?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	1, 3, 4, 5, 11, 14, 15
ii) 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	1, 3, 4, 5, 11, 14, 15

**Discussion:**

- a) The project site may have tribally sensitive areas on it according to the Cultural Resources Report (CRR) for the proposed cultivation project that was completed by Wolf Creek Archaeological Services and dated September 30, 2020. The purpose of the Report was to identify potentially significant cultural and tribal resources.

The CHRIS records search indicates that there are three mapped sensitive sites within 1 mile of the project site. The study also yielded 3 isolated artifacts that are not regarded as having historic significance according to the surveying archaeologist.

The County is requiring two mitigation measures to protect any historically significant assets that might be uncovered during site preparation as follows:

- **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) In response to the Cultural Resources Report and the California Historical Resources Information System records search, both of which indicate no presence of tribal cultural resources on the project site, the lead agency has determined that, in its discretion and supported by substantial evidence, no resources pursuant to criteria set forth in subdivision (c) of Public Resources Code section 5024.1 will be affected by the proposed project. With mitigation measures CUL-1 and CUL-2.

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

## XIX. UTILITIES

	Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less Than Significant Impact	No Impact	Source Number
Would the project:					
a) Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1, 3, 4, 5, 29, 32, 33, 34, 37
b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1, 2, 3, 5, 6, 22, 31
c) Result in a determination by the wastewater treatment provider, which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1, 2, 3, 5, 6, 22
d) Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1, 2, 3, 5, 6, 35, 36
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 on-grid power. There are currently no ADA compliant restrooms or handwashing stations on the project site, although one is proposed and would be built inside the 200 sf drying building.

The project will not require or result in the relocation or construction of new or expanded water or storm water drainage, electric power, natural gas, or telecommunications facilities.

Less than Significant Impact

- b) The subject parcel is served by an existing well as described in the Hydrology Study and Drought Management Plan submitted with the Use Permit application, and the cultivation operation is enrolled as a Tier II / Low Risk cultivation operation in the State Water Resources Control Board's *Order WQ 2017-0023-DWQ General Waste Discharge Requirements for Discharges of Waste Associated with Cannabis Cultivation Activities* (General Order). Compliance with this Order will ensure that cultivation operations will not significantly impact water resources by using a combination of BPTC measures for water conservation, including shut-off valves on water tanks, drip irrigation, continued maintenance of equipment, in addition to buffer zones, sediment and erosion controls, inspections and reporting, and regulatory oversight.

Less than Significant Impact

- c) Both lots contain dwellings. The applicant intends on building a new ADA compliant restroom and handwash station within the 200 sf drying building, which is required for a commercial use. This will be added as a condition of approval, and full compliance with Onsite Wastewater Treatment services through Environmental Health is required.

Less than Significant Impact

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

According to the *Property Management Plan – Waste Management* at least one waste bin will be located within the fenced-in area of the cultivation site and one adjacent to the garage. Waste bins will consist of trash cans (20 or 35 gallon) with lids or roll-off dumpsters with lids. Recyclables will be separated from solid waste and stored in bins. At weekly intervals, staff will transfer them by truck in trash cans, with tight lids or plastic garbage bags and tarped loads and deposit them in an appropriate recycling facility. Yard waste, green waste, and other compostable materials will be separated from solid waste and deposited at an appropriate transfer facility. Waste will be hauled to an appropriate licensed facility by a private waste-hauling contractor, or by cultivation operation staff.

Eastlake Landfill, South Lake Refuse Center, and Quackenbush Mountain Resource Recovery and Compost Facility are located within reasonable proximity of the project site. Lake County Waste Solutions Transfer Station and Recycling Center is located approximately 25 miles northwest of the subject parcel. 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.

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) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1, 2, 3, 5, 6, 23, 25, 28, 29
c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	1, 2, 3, 5, 6
d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1, 2, 3, 5, 6, 21, 23, 32

Discussion:

- a) The project will not further impair an adopted emergency response plan or evacuation plan. The applicant will adhere to all regulation of California Code Regulations Title 14, Division 1.5, Chapter 7, Subchapter 2, and Article 1 through 5 shall apply to this project; and all regulations of California Building Code, Chapter 7A, Section 701A, 701A.3.2.A.

The project site is located in an area that has a high risk of wildfire. The cultivation site is flat and is easily accessible from Jamie Lane in the event of an evacuation. Although Jamie Lane is narrow, it is well-maintained in this location and connects with paved public roads to the northwest. The applicant will be required to ensure the project site meets PRC §4290 commercial driveway standards compliance; will reserve a 5,000 gallon water tank for emergency services use, and will maintain 100' of defensible space around all cannabis-related buildings where feasible to do so; these are added as mitigation measures under 'c' below.

Less than Significant Impact

- b) The project site is located in a low fire risk area and the overall parcel 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 a PRC §4290-compliant water tank, in addition to the proposed water tanks.

Less than Significant Impact

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

The following mitigation measures are added to assist with fire protection and prevention:

WILD-1: Prior to operation, the applicant shall clear a 100' area around the cultivation site as defensible space. This does not require tree removal, but trees within 100' of the cultivation site need to be limbed up to a height of 8' above the ground. This defensible space shall be maintained for the life of the project.

WILD-2: Prior to operation, the applicant shall place a 5,000 gallon steel or fiberglass water storage tank on a portion of the lot that is visible from Jamie Lane. The tank shall be equipped with connectors that can be used by the local fire response providers if needed.

WILD-3: The applicant shall improve Jamie Lane on the project property in a manner that enables it to meet Public Resource Code 4290 requirements for width, surface material, overhead clearance and turn-arounds. This shall occur prior to cannabis cultivation, and an inspection by the Lake County Building Department shall be required before any cannabis plants are planted.

Less than Significant Impact with mitigation measures added

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

Less than Significant Impact

XXI. MANDATORY FINDINGS OF SIGNIFICANCE	Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less Than Significant Impact	No Impact	Source Number
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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	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	ALL
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animal, or eliminate important examples of the major periods of California history or prehistory?

- b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?     ALL
- c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?     ALL

Discussion:

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

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

Less than significant impact

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

Of particular concern would be the cumulative effects on cultural / tribal resources, and hydrology and water resources.

To address the potential impacts to cultural and tribally-sensitive issues, the County is requiring specific mitigation measures that will require an archaeologist to map the sensitive areas on the site, and to place a 20' buffer around them so that potentially or actually sensitive areas can be avoided. The applicant shall also bring a tribal monitor on site to observe the ground disturbance activities as they occur.

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

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

Less than significant with mitigation measures added.

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

Less than significant with mitigation measures added.

#### Impact Categories defined by CEQA

##### Source List

1. Lake County General Plan
2. Lake County GIS Database
3. Lake County Zoning Ordinance
4. Kelseyville Area Plan
5. Sweet Cloud 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 Assessment, prepared by Pinecrest Environmental Consulting Inc., and dated September 23, 2020.
14. Cultural Resource Evaluation, prepared by Wolf Creek Archaeology, dated September 30, 2020.
15. California Historical Resource Information Systems (CHRIS); Northwest Information Center, Sonoma State University; Rohnert Park, CA.
16. Water Resources Division, Lake County Department of Public Works Wetlands Mapping.
17. U.S.G.S. Geologic Map and Structure Sections of the Clear Lake Volcanic, Northern California, Miscellaneous Investigation Series, 1995
18. Official Alquist-Priolo Earthquake Fault Zone maps for Lake County

19. Landslide Hazards in the Eastern Clear Lake Area, Lake County, California, Landslide Hazard Identification Map No. 16, California Department of Conservation, Division of Mines and Geology, DMG Open –File Report 89-27, 1990
20. Lake County Emergency Management Plan
21. Lake County Hazardous Waste Management Plan, adopted 1989
22. Lake County Airport Land Use Compatibility Plan, adopted 1992
23. California Department of Forestry and Fire Protection - Fire Hazard Mapping
24. National Pollution Discharge Elimination System (NPDES)
25. FEMA Flood Hazard Maps
26. Lake County Aggregate Resource Management Plan
27. Lake County Bicycle Plan
28. Lake County Transit for Bus Routes
29. Lake County Environmental Health Division
30. Lake County Grading Ordinance
31. Lake County Natural Hazard database
32. Lake County Countywide Integrated Waste Management Plan and Siting Element, 1996
33. Lake County Water Resources
34. Lake County Waste Management Department
35. California Department of Transportation (Caltrans)
36. Lake County Air Quality Management District website
37. Kelseyville Fire Protection District
38. Site Visit – October 29, 2023
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)