



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

2019049117

Dated: April 10, 2019

**CALIFORNIA ENVIRONMENTAL QUALITY ACT  
ENVIRONMENTAL CHECKLIST FORM  
INITIAL STUDY IS 18-55**

1. **Project Title:** Paul Bernacchio
2. **Permit Number:** Minor Use Permit, MUP 18-45  
Initial Study, IS 18-55
3. **Lead Agency Name and Address:** County of Lake  
Community Development Department  
Courthouse – 255 North Forbes Street  
Lakeport CA 95453
4. **Contact Person:** Eric Porter, Associate Planner (707) 263-2221
5. **Project Location(s):** 9959 Deiner Drive, Kelseyville, CA 95451  
APN: 115-003-39
6. **Project Sponsor's Name/Address:** Paul Bernacchio  
9959 Deiner Drive  
Kelseyville, CA 95451
7. **General Plan Designation:** Rural Lands
8. **Zoning:** "RL-B5"; Rural Lands – Frozen
9. **Supervisor District:** District Five (5)
10. **Flood Zone:** None
11. **Slope:** Varied; mostly between 10% and 20%
12. **Fire Hazard Severity Zone:** SRA (entire site); Moderate (eastern 2/3) to High (western 1/3)
13. **Earthquake Fault Zone:** None
14. **Dam Failure Inundation Area:** Not located within Dam Failure Inundation Area
15. **Parcel Size:** 10.97 Acres

**16. Description of Project: (Describe the whole action involved, including but not limited to later phases of the project, and any secondary, support, or off-site features necessary for its implementation. Attach additional sheets if necessary).**

The applicant is proposing one **A - Type 1B**: "specialty mixed-light": Cultivation for adult use cannabis in a greenhouse, glasshouse, conservatory, hothouse, or other similar structure using light deprivation and/or artificial lighting below a rate of 25 watts per square foot of between 2,501 and 5,000 square feet of total canopy size on one premises, and one **M - Type 1B**: "specialty mixed-light": Cultivation for medicinal cannabis in a greenhouse, glasshouse, conservatory, hothouse, or other similar structure using light deprivation and/or artificial lighting below a rate of 25 watts per square foot of between 2,501 and 5,000 square feet of total canopy size on one premises.

Type 1 commercial cannabis cultivation applications require a minimum of five (5) acres of gross lot area per license. The applicant's lot is 10.97 acres in gross area.

The site is presently developed with a 1,710 square feet (s.f.) dwelling served by a septic system and a private well; the dwelling is not associated with the cannabis cultivation. There is an approximate 500 s.f. shed that will not be used for this cannabis cultivation process, and a 100 s.f. well pump house. The site is within the Kelseyville Fire District and the Lake County Sheriff's Department's jurisdiction. Water will be provided via existing on-site well. Sewage disposal will occur via existing on-site septic system. The Project Site is not within a community growth boundary or an exclusion area. There is an existing above-ground septic system that is used in conjunction with the existing nursery (non-cannabis) use that was approved in 2016 through Minor Use Permit MUP 16-29. There is an ground-mounted power transformer that is used for the existing non-cannabis nursery use, and will be used for the cannabis power-needs once the cannabis aspect becomes an approved project.

The applicant is proposing to construct a new 4,800 s.f. 2-story building (2,400 s.f. per floor) that will be used as a drying room, general storage and for security data housing. There will be sinks in the building that would connect with the existing above-ground septic system, but no restrooms are proposed within the new building. The applicant is proposing two new greenhouses, each being 56' x 77' in size, and will use odor neutralizing liquid for odor mitigation and control.

Access to the site is from Deiner Drive, an unpaved County road. There is a private paved road that crosses through the applicant's property and is for the use of southern neighboring properties. There is a recorded access easement serving the site of indeterminate location; the applicant must pass through approximately 100 feet of private property via easement to access his lot. The applicant has provided the County with proof of legal right to access his property via the recorded easement.

The estimated construction timing will be as follows:

Spring / Summer 2019: Construction of greenhouses and 2 story drying building. Estimated time-frame for construction is 6 months to complete. The applicant will be using small bulldozers and excavators to prepare the site for the buildings. The site already has flat surfaces where the buildings would be built, and it is unlikely that the grading needed would be such that a Grading Permit requirement would be triggered.

Staging areas will occur on already-disturbed soils in the vicinity of the new greenhouses. The area adjacent to the greenhouse site has already been tilled and trees were taken down to accommodate the greenhouses. The applicant already has a requirement through MUP 16-29 to do a 3:1 tree replacement;

The applicant will schedule an inspection with the Planning and Building Departments prior to final occupancy to assure that the terms of the land use actions have been met.

Lastly, the applicant was approved for a Minor Use Permit in 2017 for a nursery; the Initial Study associated with that approval was file number IS 17-23 and MUP 16-29.

**17. Surrounding Land Uses and Setting: Briefly describe the project’s surroundings:**

North: “RL” Rural Land; “RR” Rural Residential and “A” Agricultural. Parcel sizes range from approximately 1 to 140 acres in size.

South: “RL” Rural Land, “RR” Rural Residential. Parcel sizes range from approximately 6 to 190 acres in size.

East: “RL” Rural Land, “A” Agricultural and “TPZ” Timber Preserve Zone. Parcel sizes range from approximately 75 to 300 acres in size.

West: “RL” Rural Land and “TPZ” Timber Preserve Zone. Parcel sizes range from approximately .20 to 195 acres in size.

**Other public agencies whose approval may be required (e.g., Permits, financing approval, or participation agreement.)**

- Lake County Community Development Department
- Lake County Department of Environmental Health
- Lake County Air Quality Management District
- Lake County Department of Public Works
- Lake County Department of Public Services
- Lake County Agricultural Commissioner
- Lake County Sheriff Department
- South Lake County Fire Protection District (CalFire)
- Central Valley Water Resource Control
- California Department of Forestry & Fire Protection (CalFire)
- California Department of Food and Agriculture (CalCannabis)
- California Department of Pesticides Regulations
- California Department of Public Health
- California Department of Consumers Affairs

*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 type="checkbox"/> Aesthetics             | <input type="checkbox"/> Greenhouse Gas Emissions                 | <input type="checkbox"/> Population / Housing |
| <input type="checkbox"/> Agriculture & Forestry | <input checked="" type="checkbox"/> Hazards & Hazardous Materials | <input type="checkbox"/> Public Services      |

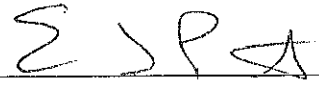
- Air Quality                       Hydrology / Water Quality                       Recreation
- Biological Resources                       Land Use / Planning                       Transportation
- Cultural Resources                       Mineral Resources                       Tribal Cultural Resources
- Geology / Soils                       Noise                       Utilities / Service Systems
- Wildfire                       Energy                       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

  
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 SIGNATURE

Date: 4.16.19

Michalyn DelValle - Director  
Community Development Department

**SECTION 1 - EVALUATION OF ENVIRONMENTAL IMPACTS:**

- 1) A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources a lead agency cites in the parentheses following each

question. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).

- 2) All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
- 3) Once the lead agency has determined that a particular physical impact may occur, and then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect may be significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.
- 4) "Negative Declaration: Less Than Significant With Mitigation Incorporated" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less Than Significant Impact." The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from Section XVII, "Earlier Analyses," may be cross-referenced).
- 5) Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063(c)(3)(D). In this case, a brief discussion should identify the following:
  - a) Earlier Analysis Used. Identify and state where they are available for review.
  - b) Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
  - c) Mitigation Measures. For effects that are "Less than Significant with Mitigation Measures Incorporated," describe the mitigation measures, which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.
- 6) Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.
- 7) Supporting Information Sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.
- 8) This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies should normally address the questions from this checklist that are relevant to a project's environmental effects in whatever format is selected.
- 9) The explanation of each issue should identify:
  - 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

**KEY: 1 = Potentially Significant Impact**  
**2 = Less Than Significant with Mitigation Incorporation**  
**3 = Less Than Significant Impact**

4 = No Impact

IMPACT CATEGORIES*	1	2	3	4	All determinations need explanation. Reference to documentation, sources, notes and correspondence.	Source Number**
<b>I. AESTHETICS</b> <i>Would the project:</i>						
a) Have a substantial adverse effect on a scenic vista?			X		<p>The project site is located on a parcel with slopes from approximately 5% to greater than 20%. The project parcel is located approximately one quarter (0.25) miles to the east of the intersection of Deiner Drive and Salmina Road and is located in Kelseyville, CA.</p> <p>Scenic vistas within the vicinity of the project site include ridgelines, rolling hills, agricultural/pastoral lands, open countryside, riparian/natural resource areas, and Boggs and Cobb Mountain area as identified the County of Lake General Plan (2008) and the Cobb Mountain Area Plan (1989).</p> <p>In addition, State Highway 175 is identified as scenic in the County of Lake General Plan and identified as an Eligible State Scenic Highway per the Department of Transportation's Scenic Highway Mapping Program, (but is not officially designated as Scenic). The project site is approximately 0.30 miles to the north east of Highway 175; the project site cannot be seen from Highway 175.</p> <p><b><u>Lake County General Plan</u></b></p> <ul style="list-style-type: none"> <li>• <b><u>Goal OSC – 2: “To preserve and protect view sheds and visual quality found in the County”</u></b></li> <li>• <b><u>General Plan Policy OSC 2.1 Design Guidelines for Structures in Rural Areas.</u></b> <i>“In the rural areas of the County (located outside of Community Growth Boundaries) structures built within immediate foreground view of a scenic roadway should reflect the following guideline:”</i>:                         <ul style="list-style-type: none"> <li>○ Structures should be situated back, to the extent feasible from the roadway edge a sufficient distance to minimize intrusion upon the natural features and backdrops as viewed from the roadway or adjacent residences.</li> <li>○ Structures should be sited to minimize obstructions of views of significant natural features, such as Clear Lake and Mt. Konocti. Increased height should only be allowed when building orientation provides for increased side-setbacks that provide view corridors.</li> </ul> </li> </ul> <p><b><u>Cobb Mountain Area Plan (Scenic Resources):</u></b></p> <ul style="list-style-type: none"> <li>• <b><u>Objective:</u></b> “To protect important scenic resources, including scenic highways and view sheds. This objective is intended to assist in the promotion of the regions tourist industry as well as to ensure a high level scenic quality for Cobb Mountain Area and other County residents.</li> <li>• <b><u>Policy 3.8(a):</u></b> “Scenic corridor zoning regulations will be adopted on qualifying parcels along reaches of roads identified in the discussion of scenic resources found in Section 3.8 of this plan.</li> </ul>	1, 2, 3, 4, 6, 9

IMPACT CATEGORIES*	1	2	3	4	All determinations need explanation. Reference to documentation, sources, notes and correspondence.	Source Number**
					<p>The use would be designed and sited in a manner that would not obstruct views of the natural features and scenic resources in the area, consistent with County policies for preserving scenic resources. Also, the topography and natural vegetation would act as a natural screen.</p> <p>The applicant shall adhere to all requirements and regulations in the Lake County General Plan, the Cobb Mountain Area Plan and the Lake County Zoning Ordinance.</p> <p><b>Impacts to scenic vistas would be less than significant</b></p>	
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?			X		<b>See Section I(a) above. Less Than Significant Impact</b>	1, 2, 3, 4, 6, 9
c) Substantially degrade the existing visual character or quality of public views the site and its surroundings? If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?			X		<p>The proposed use would be constructed on a mostly developed site within a rural area. The surrounding parcels are undeveloped and developed with single family and agricultural uses. Also the project parcel is shielded from view from existing vegetation along Diener Drive. Therefore, the proposed use would not substantially degrade the existing visual character or quality of the site and surrounding area.</p> <p><b>Less Than Significant.</b></p>	1, 2, 3, 4, 6, 9
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?			X		<p>The project has some potential to create additional light or glare through exterior lighting. The applicant must adhere to the Lake County dark skies policy regarding outdoor and indoor lighting. A lighting plan showing fixture types and locations is required for any and all outdoor light fixtures that accompany a land use action.</p> <p><b>Less Than Significant.</b></p>	1, 2, 3, 4, 5, 6, 9
<p><b>II. AGRICULTURE AND FORESTRY RESOURCES</b></p> <p><i>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.</i></p> <p><i>Would the project:</i></p>						
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?			X		<p>The proposed site does not contain farmland. The project has been uses for agricultural uses in the past but currently does not contain an agricultural use. According to the Farmland Mapping and Monitoring Program. The project site is designated as "Other Land". Uses immediately surrounding the site include single family residences and agricultural uses. No impacts to farmland would occur with construction of the proposed project. <b>Less than Significant Impact.</b></p>	1, 2, 3, 4, 5, 7, 8, 11, 13
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?			X		<p>As proposed, the project will not impact agricultural uses or Williamson Act contracts. The project site is zoned "RL" Rural Lands and does not contain Williamson Act contracts. Uses surrounding the project site consist of undeveloped and developed parcel with residential dwelling units and agricultural uses located in the "RR" - Rural Residential, "RL" Rural Lands and "R1" Single-family Residential zoning districts. <b>Less than Significant Impact.</b></p>	1, 2, 3, 4, 5, 7, 8, 11, 13

IMPACT CATEGORIES*	1	2	3	4	All determinations need explanation. Reference to documentation, sources, notes and correspondence.	Source Number**
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))?				X	The project site is zoned "RL-B5" Rural Lands - Bfroz and is not zoned for forestland or timberland. . <b>No Impact.</b>	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?				X	See response to Section II (c). The project would not result in the loss or conversion of forest land to a non-forest use. <b>No Impact.</b>	1, 2, 3, 4, 5, 7, 8, 11, 13
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?				X	<b>See Section II (a) and (c) above.</b> As proposed, this project would not induce changes to existing farmland that would result in its conversion to non-agricultural use. <b>No Impact.</b>	1, 2, 3, 4, 5, 7, 8, 11, 13
<b>III. AIR QUALITY</b> <i>Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations.</i> <i>Would the project:</i>						
a) Conflict with or obstruct implementation of the applicable air quality plan?		X			<p>The project has the potential to result in short- and long-term air quality impacts. Dust and fumes may be released as a result of vegetation removal, grading, vehicular traffic, including small delivery vehicles and use of construction equipment. Construction of the project would take place over a short period of time and would be temporary, which would not result in significant air quality impacts. Additionally, implementation of mitigation measures below would further reduce air quality impacts to less than significant. <b>Less Than Significant with Mitigation Measures added:</b></p> <p><b>AQ-1:</b> Prior to obtaining the necessary permits and/or approvals for any phase, applicant shall contact the Lake County Air Quality Management District and obtain an Authority to Construct (A/C) Permit for all operations and for any diesel powered equipment and/or other equipment with potential for air emissions.</p> <p><b>AQ-2:</b> 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.</p> <p><b>AQ-3:</b> The applicant shall maintain records of all hazardous or toxic materials used, including a Material Safety Data Sheet (MSDS) for all volatile organic compounds utilized, including cleaning materials. Said information shall be made available upon request and/or the ability to provide the Lake County Air Quality Management District such information in order to complete an updated Air Toxic emission Inventory.</p>	1, 3, 4, 5, 10, 21, 24, 31, 36
b) Violate any air quality standard or result in a cumulatively considerable net increase in an existing or			X		The County of Lake is in attainment of state and federal ambient air quality standards. <b>Less than Significant Impact.</b>	1, 3, 4, 5, 10, 21, 24, 31, 36



IMPACT CATEGORIES*	1	2	3	4	All determinations need explanation. Reference to documentation, sources, notes and correspondence.	Source Number**
projected air quality violation?						
c) Expose sensitive receptors to substantial pollutant concentrations?			X		See response to III.b. <b>Less than Significant Impact</b>	1, 3, 4, 5, 10, 21, 24, 31, 36
d) Result in substantial emissions (such as odors or dust) adversely affecting a substantial number of people?		X			Sensitive receptors in the area include adjacent and near proximity residents. The nearest off-premises house is about 450 feet away from the cultivation area. As described in Section III (a) above, with <b>implementation of mitigation measures AQ-1 through AQ-3 impacts which will reduce impacts to less than significant.</b>	1, 2, 3, 4, 5, 10, 21, 24, 31, 36
<b>IV. BIOLOGICAL RESOURCES</b> <i>Would the project:</i>						
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?		X			<p>The applicant provided a Biological Assessment, prepared by NCRM Inc., and dated August 14, 2018. The Assessment identified one (1) special status flora community containing California Black Oaks, and provided the following observation and suggestions for a mitigation measure as follows;</p> <p><b>IMPACT AND MITIGATION 1 (a or b)</b> – An unknown number of black oak (<i>Quercus kelloggii</i>) will be removed in potentially two phases of the Project. Two options are proposed to mitigation oak woodland and individual tree removal. If the applicant chooses to replace and plant oak trees, Mitigation 1a is recommended. An alternative mitigation would be to place a conservation easement on one acre of the parcel (Mitigation 1b).</p> <p><b>Mitigation 1a:</b> If the applicant chooses to use replacement planting as a mitigation for removal of oaks, a Restoration Plan shall be developed by a qualified biologist or landscape contractor and shall be submitted to the County of Lake for approval and oversight, prior to the initiation of the Project. The Restoration Plan will include the need for a two-phase assessment, the location of disturbance in each phase, and the number of oak trees <math>\geq 5</math> inches dbh. Other elements of the Restoration Plan shall be the:</p> <ul style="list-style-type: none"> <li>• Responsible parties – applicant, preparer of report, attainment of restoration plan, and for long-term maintenance;</li> <li>• Replacement ratio of 3:1 for each oak removed;</li> <li>• Map of the restoration site where trees will be planted;</li> <li>• Success criterion - 60% survival;</li> <li>• Implementation plan – planted oaks shall be fertilized, irrigated, protected, etc. Tree seedlings should be planted no closer than 10 feet apart from other tree seedlings and no closer than 20 feet apart from the trunk of any mature trees. Compacted ground shall be broken to an area three times the diameter of the root ball prior to planting to allow root growth. Trees shall be watered weekly by the property owner in weeks with no natural precipitation (typically April 15 - October 15 of each year) and shall be watered three times per week when temperatures exceed 100 degrees Fahrenheit for the first three years after planting;</li> <li>• Monitoring plan – once a year for five years;</li> <li>• Species used - same species as the tree removed;</li> <li>• Planting schedule – December through January;</li> <li>• Monitoring period - maintained until they are 5 years old;</li> </ul>	1, 2, 3, 4, 5, 11, 12, 13, 16, 17, 21, 24, 29, 30, 31, 32, 33, 34

IMPACT CATEGORIES*	1	2	3	4	All determinations need explanation. Reference to documentation, sources, notes and correspondence.	Source Number**
					<p>• Monitoring reports – to be annually submitted to the County;</p> <p>• Success criteria - restoration under any phase will be complete if the success criteria are met after the monitoring period. If not, then monitoring shall continue with the same methods until the success criteria are met; and</p> <p>• Contingency measures - could include additional plantings, different species, different methods, invasive species control, or other measures designed towards the goal of meeting the success criteria.</p> <p><b>Or,</b></p> <p><b>Mitigation 1b:</b>            Preserve one acre of land as a means of mitigating the loss for both phases of the Project. A conservation easement shall be placed on one acre of true oak woodland in the BSA. The one acre oak woodland to be conserved should be chosen by a qualified biologist.</p> <p>A review of the CNDDDB, the California Natural Diversity Database the project site does not identify any threatened species in the project area. As such, it can be expected that the project will not affect any species.</p> <p>However, due to the project causing a physical disturbance to habitat, the project will be subject this CEQA review and the subsequent the Fish and Wildlife filing fee. This fee is used to defray the costs of managing and protecting California Fish and Wildlife resources.</p> <p>This use permit approval shall not become effective, operative, vested or final until the California Department of Fish and Wildlife filing fee required or authorized by Section 711.4 of the Fish and Wildlife Code is submitted by the property owner to the Community Development Department.</p> <p><b>IMPACT 2</b> – Nesting birds and bats may utilize the BSA for breeding and nesting. Vegetation removal and ground clearing associated with the Project could disturb or harm nesting birds.</p> <p><b>MITIGATION 2</b> – If ground clearing activities occur during the non-breeding season (August 16 through February 14), no mitigation is required. If ground clearing activities occur from February 15 through August 15, there will be a potential significant impact to special status birds and bats. The following measures shall be implemented to avoid impacts:</p> <ul style="list-style-type: none"> <li>• A qualified wildlife biologist shall conduct preconstruction surveys within 300 feet of the disturbance area, where ownership allows.</li> <li>• If active nests of raptors or other special status birds are found during surveys, a no-disturbance buffer acceptable in size to CDFW shall be created around the birds during the breeding season or until it is determined that all young have fledged. Buffers include 300 feet for raptors and 75 feet for other birds.</li> </ul> <p><b>IMPACT 3</b> – Spotted owls have the potential to utilize the habitat within the Project Area for foraging or roosting. Vegetation clearing activities associated with the Project could temporarily disturb breeding individuals.</p> <p><b>MITIGATION 3</b> – If vegetation clearing occurs during the</p>	

IMPACT CATEGORIES*	1	2	3	4	All determinations need explanation. Reference to documentation, sources, notes and correspondence.	Source Number**
					breeding season for spotted owls (February 1 – August 31), there is a potential to impact this state and federally listed species. The following measures shall be implemented to avoid impacts: <ul style="list-style-type: none"> <li>• A qualified wildlife biologist shall conduct preconstruction surveys within 1,000 feet of the disturbance area, where ownership allows. NCRM, Inc. 15 Bernacchio Biological Resource Assessment</li> <li>• If contiguous habitat is found to be present, protocol-level (USFWS 2012) spotted owl surveys should take place to ensure no spotted owls are using the habitat in and adjacent to the Project before habitat is removed.</li> </ul> <p><b>Less Than Significant Impact with Mitigation Measure 1a or 1b, 2 and 3 added</b></p>	
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?				X	The Commercial Cannabis cultivation use would not have an adverse effect on any riparian habitat or other sensitive natural community. <b>No Impact.</b>	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, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?				X	There are no federally protected wetlands on the subject site. <b>No Impact.</b>	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?			X		The limited size of the project area along with the existing site improvements negates any impacts on fish or wildlife. Additionally, there are no recorded wildlife corridors or native wildlife nursery sites on the project property. <b>Less than Significant.</b>	1, 2, 3, 4, 5, 11, 12, 13, 16, 17, 21, 24, 29, 30, 31, 32, 33, 34
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?		X			This site already has a 3:1 Oak Tree replacement requirement associated with MUP 16-29. Mitigation measure 1a takes the oak tree preservation one step further by recommending specific mitigation measures to occur for each Black Oak tree that is over a certain diameter as measured at 4.5' DBH. It appears that given mitigation measures 1a or 1b, 2 and 3 in place, no additional requirements are necessary. <b>Less than Significant Impact with mitigation measures added</b>	1, 2, 3, 4, 5, 11, 12, 13, 16, 17, 21, 24, 29, 30, 31, 32, 33, 34
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?				X	No special conservation plans have been adopted for this site and no impacts are expected. <b>No Impact.</b>	1, 2, 3, 4, 5, 11, 12, 13, 16, 17, 21, 24, 29, 30, 31, 32, 33, 34
<b>V. CULTURAL RESOURCES</b> <i>Would the project:</i>						
a) Cause a substantial adverse change in the significance of a historical resource pursuant to §15064.5?		X			A Cultural Resources Evaluation was conducted for the subject parcel involved with this proposal by John. W. Parker of Archaeological Research on April 22, 2017.  The purpose of the evaluation was to locate, describe, and evaluate any archaeological or historical resources that may be present within the project area.	1, 3, 4, 5, 11, 14, 15

IMPACT CATEGORIES*	1	2	3	4	All determinations need explanation. Reference to documentation, sources, notes and correspondence.	Source Number**
					<p>The background research indicated that no prehistoric sites had been recorded within one (1) mile of the parcel.</p> <p>During the field inspection, two (2) isolated prehistoric artifacts were discovered. Although isolated artifacts do provide information about historic and prehistoric activities in an area, and can often give a time period for when those activities took place, these materials are not considered "significant" cultural resources as defined in the California Public Resource Code. According to the report, no significant historic or prehistoric cultural materials were observed.</p> <p>In keeping with CEQA Guidelines, if archaeological resources are uncovered during construction, work at the place of discovery should be halted immediately until a qualified archaeologist can evaluate the finds [§15064.5(f)]. Further, upon discovery of any 'significant' artifacts, the overseeing Tribe shall be contacted, and if the Tribe determines that it is relevant to their cultural heritage, they shall choose the method of involvement in overseeing the construction of the site for the duration of ground disturbance.</p> <p><b>Mitigation Measure:</b>  <b>CUL-1:</b> 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 Middletown Rancheria or other local overseeing Tribe shall be notified, and a qualified archaeologist retained 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, they shall be treated in accordance with Public Resources Code Section 5097.98 and with California Health and Safety Code section 7050.5.</p> <p><b>CUL-2:</b> 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 Middletown Rancheria or other local overseeing Tribe shall immediately be notified; a licensed archaeologist shall be notified, and the Lake County Community Development Director shall be notified of such finds.</p> <p>Potential impacts can be mitigated to 'Less than Significant' with CUL-1 and CUL-2.</p>	
b) Cause a substantial adverse change in the significance of an archeological resource pursuant to §15064.5?		X			See Response to Section V (a). Can be mitigated to 'Less than Significant' with CUL-1 and CUL-2.	1, 3, 4, 5, 11, 14, 15
c) Disturb any human remains, including those interred outside of formal cemeteries?		X			See Response to Section V (a). Can be mitigated to 'Less than Significant' with CUL-1 and CUL-2.	1, 3, 4, 5, 11, 14, 15

IMPACT CATEGORIES*	1	2	3	4	All determinations need explanation. Reference to documentation, sources, notes and correspondence.	Source Number**
<b>VI. ENERGY</b> <i>Would the project:</i>						
a) Result in a potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy, or wasteful use of energy resources, during project construction or operation?			X		The applicant states that he will use on-grid power as the primary energy source. The Property Management Plan states: The Project Property is serviced by Pacific Gas and Electric's electrical grid, which will serve as the primary source of energy for the proposed cultivation operation. Electricity will be used to power equipment used in the proposed cultivation area (such as lights, fans, and security cameras), and the proposed 'drying building' (such as lights, security system, climate control system, and dehumidifiers).  The applicant's proposed cultivation operation is considered to be Type 1 (specialty mixed light) which is not subject to the 42-percent renewable energy source requirement found in Article 27 of the Lake County Zoning Ordinance.  <b>Less than Significant Impact</b>	1, 3, 4, 5, 11, 14, 15
b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?			X		There are no mandatory energy reductions for 'mixed light' cultivation activities within Article 27 of the Lake County Zoning Ordinance.  <b>Less than Significant Impact.</b>	1, 3, 4, 5, 11, 14, 15
<b>VII. GEOLOGY AND SOILS</b> <i>Would the project:</i>						
a) Directly or indirectly cause potential 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.  ii) Strong seismic ground shaking?  iii) Seismic-related ground failure, including liquefaction?  iv) Landslides?			X		<u>Earthquake Faults</u> There are no mapped earthquake faults on or adjacent to the subject site.  <u>Seismic Ground Shaking and Seismic-Related Ground Failure, including liquefaction.</u> The mapping of the site's soil indicates that the soil is stable and not prone to liquefaction.  <u>Landslides</u> According to the Landslide Hazard Identification Map prepared by the California Department of Conservation, Division of Mines and Geology, the area is considered generally stable.  <b>Less Than Significant</b>	1, 3, 4, 5, 6, 7, 10, 17, 18, 19, 21, 24, 25
b) Result in substantial soil erosion or the loss of topsoil?			X		Grading activities associated with project development have the potential to result in substantial erosion and loss of topsoil. According to the soil survey of Lake County, prepared by the U.S.D.A, the soil within the project is as follows:  • <u>Collayomi-Aiken-Whispering Complex (127/128):</u> 5% to 50% Slope. This unit is about 35% Collayomi very gravelly loam; 35% Aiken Loam and 15% Whispering loam. The soil is moderately deep to very deep and well drained with a moderate to	1, 3, 4, 5, 6, 7, 10, 16, 17, 18, 19, 21, 24, 25, 30

IMPACT CATEGORIES*	1	2	3	4	All determinations need explanation. Reference to documentation, sources, notes and correspondence.	Source Number**
					<p>moderately slow permeability and a water capacity of 2.5 to 10.5 inches with a hazard of erosion from moderate to severe.</p> <p>Project design shall incorporate Best Management Practices (BMPs) to the maximum extent practicable to prevent or reduce discharge of all construction or post construction pollutants into the County storm drainage system. BMPs include scheduling of activities, erosion and sediment control, operation and maintenance procedures and other measures in accordance with Chapter 29 of the Lake County Code.</p> <p><b>Less Than Significant</b></p>	
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?			X		<p>The shrink-swell potential for the project soil type is low to moderate. However, construction of the proposed project would not increase risks to life or property and impacts would be less than significant.</p> <p><b>Less Than Significant</b></p>	1, 3, 4, 5, 6, 7, 10, 16, 17, 18, 19, 21, 24, 25, 30
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?			X		<p>See prior response.</p> <p><b>Less Than Significant</b></p>	1, 3, 4, 5, 6, 7, 10, 16, 17, 18, 19, 21, 24, 25, 30
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?			X		<p>The project site will be served through an existing on-site septic system. The 10 acre site is large enough to support in-ground septic system.</p> <p><b>Less Than Significant</b></p>	1, 3, 4, 5, 6, 7, 10, 16, 17, 18, 19, 21, 24, 25, 29, 30
f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?			X		<p>There are no unique paleontological or geologic features on the site.</p> <p><b>Less than Significant Impact</b></p>	1, 3, 4, 5, 11, 14, 15
<b>VIII. GREENHOUSE GAS EMISSIONS</b> <i>Would the project:</i>						
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?			X		<p>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). Greenhouse gas emissions resulting from temporary construction would be negligible and would not result in a significant impact to the environment. Further, the use of generators is prohibited except during emergency situations such as power outages.</p> <p><b>Less than Significant.</b></p>	1, 3, 4, 5, 21, 24, 29, 30, 31, 32, 34, 36
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?				X	<p>This project will not conflict with any adopted plans or policies for the reduction of greenhouse gas emissions. <b>No Impact</b></p>	1, 3, 4, 5, 21, 24, 29, 30, 31, 32, 34, 36
<b>IX. HAZARDS AND HAZARDOUS MATERIALS</b> <i>Would the project:</i>						
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?		X			<p>Materials associated with proposed Commercial Whole Sale Nursery [Diener Properties, LLC;], such as gasoline, diesel, carbon monoxide, pesticides, fertilizers and the equipment emissions may be considered hazardous if released into the environment.</p>	1, 3, 4, 5, 10, 13, 17, 21, 24, 25, 29, 30, 31, 32, 33, 34, 36

IMPACT CATEGORIES*	1	2	3	4	All determinations need explanation. Reference to documentation, sources, notes and correspondence.	Source Number**
					<p>According to the applicant, while working in the facility, staff may be exposed to a variety of hazards, such as:</p> <ul style="list-style-type: none"> <li>• Carbon Dioxide Exposure:</li> <li>• Biological and/or Chemical Exposure</li> <li>• Dust Inhalation</li> <li>• Cuts and Lacerations</li> <li>• Eye Damage</li> </ul> <p>However, according to the applicant all staff members and working conditions will adhere to the Federal State and local regulations</p> <p>Routine construction materials and all materials associated with the proposed Commercial Whole Sale Nursery will be transported and disposed of properly in accordance with all applicable Federal, State and local regulations</p> <p>According to the <i>Property Management Plan</i>, all pesticides and fertilizers would be stored in their original package in a secured storage shed, and would only be used in strict accordance with the product label requirements including, but not limited to directions pertaining to application, storage and disposal of the fertilizer product. No fertilizers or pesticides will be used within 100 feet of any spring, stream, lake, vernal pool or wetland.</p> <p>All equipment shall be maintained and operated in a manner that minimizes any spill or leak of hazardous materials. Hazardous materials and contaminated soil shall be stored, transported, and disposed of consistent with applicable local, state and federal regulations.</p> <p><b>HHM-1: Storage of potentially hazardous materials shall be in its original package, and shall be clearly labeled to display the volume and type of material stored. These packages will be kept inside a secured storm-proof shed or building, a locked storage area that will only be accessible to authorized staff. Storage areas containing hazardous waste will be inspected weekly by staff/employees to ensure accurate record keeping and safe storage conditions.</b></p>	
b) Create a significant hazard to the public or the environment through reasonable foreseeable upset and accident conditions involving the release of hazardous materials into the environment?		X			See Response to Section IX (a). Less than Significant Impact with mitigation measure HHM-1.	1, 3, 4, 5, 10, 13, 17, 20, 21, 24, 25, 29, 30, 31, 32, 33, 34, 36
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?				X	The proposed project is not located within one-quarter mile of an existing or proposed school. <b>No Impact</b>	1, 3, 4, 5, 10, 13, 17, 21, 24, 25, 29, 30, 31, 32, 33, 34, 36
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?			X		The project site is not listed as a site containing hazardous materials in the databases maintained by the Environmental Protection Agency (EPA).  <b>Less Than Significant Impact.</b>	1, 3, 4, 5, 10, 13, 17, 21, 24, 25, 29, 30, 31, 32, 33, 34, 36

IMPACT CATEGORIES*	1	2	3	4	All determinations need explanation. Reference to documentation, sources, notes and correspondence.	Source Number**
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?				X	The project is not located within two (2) miles of an airport and/or within an Airport Land Use Plan. <b>No Impact</b>	1, 3, 4, 5, 20, 22
f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?			X		The project would not impair or interfere with an adopted emergency response or evacuation plan. <b>Less Than Significant Impact.</b>	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?			X		The eastern portion of the site is located in a Severe Fire Hazard Area (State Responsibility Area) and is mapped as Moderate to Very High Fire Risk. The applicant will adhere to all Federal, State and local fire requirements/regulations for setbacks and defensible space; these setbacks are applied at the time of building permit review. <b>Less Than Significant Impact</b>	1, 3, 4, 5, 20, 35, 37
<b>X. HYDROLOGY AND WATER QUALITY</b> <i>Would the project:</i>						
a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?			X		The project parcel is current served by an existing onsite septic and well, including an 'above ground' septic system that processes graywater. All recycled water would be collected from air conditioners and dehumidifiers units and storage in a 330 gallon water tank. According to the applicant, the irrigation water would be treated through a " <i>Hydrologic - Big Boy Filter</i> " which is designed to de-chlorinate, sterilize and remove any particulates from the water before it is recycled and reused. The applicant shall adhere to all Federal, State and Local regulations regarding wastewater treatment and water usage requirements. <b>Less Than Significant.</b>	1, 3, 4, 5, 13, 21, 23, 24, 25, 29, 31, 32, 33, 34
b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?			X		The project site is previously disturbed. The project would not alter a stream or river, nor would it substantially increase the amount of runoff that would result in flooding. <b>Less than Significant</b>	1, 3, 4, 5, 13, 21, 23, 24, 25, 29, 31, 32, 33, 34
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 which would:  i) Result in substantial erosion or siltation on- 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; iii) Create or contribute to runoff water which would exceed the capacity of			X		The soils on site have a moderate to severe potential of erosion.  However, the project site is largely developed with an existing single family residence with attached garage, an existing granny unit that was converted to storage and/or a supporting structure of the proposed use and other accessory structures. The proposed uses are not anticipated to result in the alteration of any drainage pattern.  The permit holder shall protect all disturbed areas by applying BMPs, which may include the placement of straw, mulch, seeding, straw wattles, and silt fencing and planting of native vegetation on all disturbed areas to prevent erosion. Therefore, proposed use would not substantially alter the existing drainage pattern of the site or area.  <b>Less than Significant.</b>	1, 3, 4, 5, 13, 21, 23, 24, 25, 29, 31, 32, 33, 34



IMPACT CATEGORIES*	1	2	3	4	All determinations need explanation. Reference to documentation, sources, notes and correspondence.	Source Number**
existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; iv) Impede or redirect flood flows?						
d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?			X		The project site is not located in a flood plain, tsunami or seiche zone. Further, all chemicals including pesticides, fertilizers and other potentially toxic chemicals shall be stored in a manner that the chemicals will not be adversely affected in the event of a flood.  <b>Less than Significant</b>	1, 3, 4, 5, 13, 21, 23, 24, 25, 29, 31, 32, 33, 34
e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?			X		See response to Xd above. <b>Less than Significant.</b>	1, 3, 4, 5, 10, 13, 21, 23, 24, 25, 29, 31, 32, 33, 34
<b>XI. LAND USE AND PLANNING</b> <i>Would the project:</i>						
a) Physically divide an established community?				X	The proposed project site would not physically divide an established community.  <b>No Impact.</b>	1, 3, 4, 5, 6, 35
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?			X		This project is consistent with the Lake County General Plan, the Cobb Mountain Area Plan and the Lake County Zoning Ordinance.  <b>Less than Significant.</b>	1, 3, 4, 5, 20, 21, 22, 27, 28
<b>XII. MINERAL RESOURCES</b> <i>Would the project:</i>						
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?				X	The Aggregate Resource Management Plan (ARMP) does not identify this project as having an important source of aggregate. <b>No Impact</b>	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?				X	The County of Lake's General Plan, the Kelseyville Area Plan nor the Lake County Aggregate Resource Management Plan designates the project site as being a locally important mineral resource recovery site. <b>No Impact</b>	1, 3, 4, 5, 26
<b>XIII. NOISE</b> <i>Would the project result in:</i>						
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?		X			Short-term increases in ambient noise levels to uncomfortable levels could be expected during project grading and/or construction. Mitigation measures will decrease these noise levels to an acceptable level. <b>Less Than Significant with the following mitigation measures incorporated:</b>  <b><u>NOI-1:</u> All construction activities including engine warm-up shall be limited Monday Through Friday, between the hours of 7:00am and 7:00pm to minimize noise impacts on nearby residents. Back-up beepers shall be adjusted to the lowest allowable levels. This mitigation does not apply to night work.</b>	1, 3, 4, 5, 13

IMPACT CATEGORIES*	1	2	3	4	All determinations need explanation. Reference to documentation, sources, notes and correspondence.	Source Number**
					<p><b>NOI-2:</b> Maximum non-construction related sounds levels shall not exceed levels of 55 dBA between the hours of 7:00AM to 10:00PM and 45 dBA between the hours of 10:00PM to 7:00AM within residential areas as specified within Zoning Ordinance Section 21-41.11 (Table 11.1) at the property lines.</p> <p><b>NOI-3:</b> The operation of the Air Filtration System shall not exceed levels of 57 dBA between the hours of 7:00AM to 10:00PM and 50 dBA from 10:00PM to 7:00AM within residential areas as specified within Zoning Ordinance Section 21-41.11 (Table 11.2) measured at the property lines.</p>	
b) Generation of excessive groundborne vibration or groundborne noise levels?			X		The project is not expected to create unusual groundborne vibration due to site development or facility operation. The low level truck traffic during construction and for deliveries would create a minimal amount of groundborne vibration. <b>Less Than Significant Impact</b>	1, 3, 4, 5, 13
<b>XIV. POPULATION AND HOUSING</b> <i>Would the project:</i>						
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)?				X	The project is not anticipated to induce population growth.  <b>No Impact</b>	1, 3, 4, 5
b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?				X	No housing will be displaced as a result of the project.  <b>No Impact</b>	1, 3, 4, 5
<b>XV. PUBLIC SERVICES</b> <i>Would the project:</i>						
a) Would the project 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: - Fire Protection? - Police Protection? - Schools? - Parks? - Other Public Facilities?			X		The project does not propose housing or other uses that would necessitate the need for new or altered government facilities. There will not be a need to increase fire or police protection, schools, parks or other public facilities as a result of the project's implementation.  <b>Less than Significant Impact.</b>	1, 3, 4, 5, 13, 17, 20, 21, 22, 23, 24, 27, 28, 29, 30, 31, 32, 33, 34, 36, 37
<b>XVI. RECREATION</b> <i>Would the project:</i>						

IMPACT CATEGORIES*	1	2	3	4	All determinations need explanation. Reference to documentation, sources, notes and correspondence.	Source Number**
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?				X	The project will not have any impacts on existing parks or other recreational facilities. <b>No Impact</b>	1, 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?				X	This project will not necessitate the construction or expansion of any recreational facilities. <b>No Impact</b>	1, 3, 4, 5
<b>XVII. TRANSPORTATION</b> <i>Would the project:</i>						
a) Conflict with a plan, ordinance or policy addressing the circulation system, including transit, roadways, bicycle lanes and pedestrian paths?			X		The proposed project site is accessed from Deiner Drive in Kelseyville, and a minimal increase in traffic is anticipated due to construction, maintenance and weekly and/or monthly incoming and outgoing deliveries through the use of small vehicles only. The applicant has indicated that large delivery vehicles and/or freighters are prohibited no matter what the circumstance might be. If a large delivery is needed the delivery company and the applicant would make offsite arrangements. If road improvements are required, the applicant shall meet all local and state standards and the increase in traffic is not substantial.  <b>Less than Significant Impact.</b>	1, 3, 4, 5, 9, 20, 22, 27, 28, 35
b) For a land use project, would the project conflict with or be inconsistent with CEQA guidelines section 15064.3, subdivision (b)(1)?			X		<b>See Response to Section XVII (a).</b>	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)?				X	The project is not a Transportation project. <b>No Impact</b>	1, 3, 4, 5, 9, 20, 22, 27, 28, 35
d) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?			X		No changes to Deiner Drive are proposed, nor do any appear to be needed. <b>Less than Significant Impact</b>	1, 3, 4, 5, 9, 20, 22, 27, 28, 35
e) Result in inadequate emergency access?				X	As proposed, this project will not impact existing emergency access. <b>No Impact</b>	1, 3, 4, 5, 9, 20, 22, 27, 28, 35
<b>XVIII. TRIBAL CULTURAL RESOURCES</b> <i>Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:</i>						
a) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or		X			<b>See Response to Section V(a).</b>  <b>Implementation of CUL-1 and CUL-2 would reduce impacts to Less than Significant.</b>	1, 3, 4, 5, 11, 14, 15
b) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public		X			<b>See Response to Section V(a).</b>  <b>Implementation of CUL-1 and CUL-2 would reduce impacts to Less than Significant.</b>	1, 3, 4, 5, 11, 14, 15

IMPACT CATEGORIES*	1	2	3	4	All determinations need explanation. Reference to documentation, sources, notes and correspondence.	Source Number**
Resources Code section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resources Code 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.						
<b>XIX. UTILITIES AND SERVICE SYSTEMS</b> <i>Would the project:</i>						
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?			X		The subject parcel is served by an existing well and septic system. The applicant shall adhere to all Federal, State and Local regulations regarding wastewater treatment and water usage requirements.  <b>Less than significant</b>	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?			X		The applicant is required to confirm the adequacy of the water source productivity as a condition of approval via well test; however there are no minimum thresholds for aquifer recharge in Lake County, so there is no way to verify if the water usage will be detrimental to the surrounding area.  <b>Less Than Significant</b>	1, 3, 4, 5, 29, 32, 33, 34, 36, 37
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?			X		The site is served by an existing septic system with no known issues regarding adequacy. <b>Less Than Significant</b>	1, 3, 4, 5, 29, 32, 33, 34
d) Generate solid waste in excess of State or local standards or in excess of the capacity of local infrastructure?			X		The existing landfill has sufficient capacity to accommodate the project's solid waste disposal needs.  <b>Less than Significant Impact.</b>	1, 3, 4, 5, 28, 29, 32, 33, 34, 36
e) Negatively impact the provision of solid waste services or impair the attainment of solid waste reduction goals?			X		The applicant will chip and spread the cannabis waste on site.  <b>Less than Significant Impact.</b>	1, 3, 4, 5, 29, 32, 33, 34, 36
f) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?			X		All requirements related to solid waste will apply to this project. <b>Less than Significant Impact.</b>	1, 3, 4, 5, 29, 32, 33, 34, 36

IMPACT CATEGORIES*	1	2	3	4	All determinations need explanation. Reference to documentation, sources, notes and correspondence.	Source Number**
<b>XX. WILDFIRE</b>						
<i>If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:</i>						
a) Impair an adopted emergency response plan or emergency evacuation plan?			X		<p>The site is accessed by Deiner Road, a narrow, paved County road. The property is located within an SRA (high fire) area.</p> <p>The fire risk on the site is Moderate (eastern 2/3) to High (western 1/3).</p> <p>The cannabis cultivation use will not generate a significant number of daily trips, and will not further exacerbate the risk of injury or death due to a wildfire. This site is no more prone to excessive fire risk than most other sites in Lake County. Further, the trips generated by this use will be roughly the equivalent of a single family dwelling (around 10 average daily trips) based on the number of employees proposed.</p> <p><b>Less than Significant Impact.</b></p>	1, 2, 4, 5, 6, 20, 23, 31, 35, 37, 38
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?			X		<p>The fire risk on the site is Moderate (eastern 2/3) to High (western 1/3). The site is not overly steep, having an average slope of 10 to 20%. This will minimize the risk of pollutant exposure in the event of wildfire occurring on site.</p> <p><b>Less than Significant Impact.</b></p>	1, 2, 4, 5, 6, 20, 23, 31, 35, 37, 38
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?			X		<p>The site improvements proposed are minimal, and don't rise to the level of warranting additional roads. The site is already clear of heavy vegetation on the flat portion that contains the future cultivation area, so no purpose would be served by requiring additional fuel breaks.</p> <p><b>Less than Significant Impacts.</b></p>	1, 2, 4, 5, 6, 20, 23, 31, 35, 37, 38
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?			X		<p>There is little chance of risks associated with post-fire slope runoff, instability or drainage changes given the topography of the site.</p> <p><b>Less than Significant Impact</b></p>	1, 2, 4, 5, 6, 20, 23, 31, 35, 37, 38
<b>XXI. MANDATORY FINDINGS OF SIGNIFICANCE</b>						
a) Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?		X			<p>The project proposes a Cultivation of Commercial cannabis in previously disturbed area. As proposed, this project is not anticipated to significantly impact habitat of fish and/or wildlife species or cultural resources with the incorporated mitigation measures described above.</p>	All

IMPACT CATEGORIES*	1	2	3	4	All determinations need explanation. Reference to documentation, sources, notes and correspondence.	Source Number**
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)?		X			Potentially significant impacts have been identified related to Aesthetics, Air Quality, Cultural and Tribal Resources, Hazards & Hazardous Materials and Noise. 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. 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 cumulatively considerable environmental impacts.	All
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?		X			The proposed project has potential to result in adverse indirect or direct effects on human beings. In particular, to Aesthetics, Air Quality, Cultural and Tribal Resources, Hazards & Hazardous Materials and Noise have the potential to impact human beings. Implementation of and compliance with mitigation measures identified in each section as conditions of approval would not result in substantial adverse indirect or direct effects on human beings and impacts would be considered less than significant.	All

\* Impact Categories defined by CEQA

**\*\*Source List**

1. Lake County General Plan
2. Lake County GIS Database
3. Lake County Zoning Ordinance
4. Cobb Mountain Area Plan
5. Green Bear Farms, Cali LLC Cannabis Cultivation Applications – 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, ([http://www.dot.ca.gov/hq/LandArch/16\\_livability/scenic\\_highways/index.htm](http://www.dot.ca.gov/hq/LandArch/16_livability/scenic_highways/index.htm))
10. Lake County Serpentine Soil Mapping
11. California Natural Diversity Database (<https://www.wildlife.ca.gov/Data/CNDDDB>)
12. U.S. Fish and Wildlife Service National Wetlands Inventory
13. Biological Assessment for Green Bear Farms, Cali LLC, prepared by Pinecrest Environmental Consulting, Berkeley, CA, and dated April 23, 2018.
14. Cultural Site Assessment Survey – Dr. John Parker, February 12, 2016.
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. South Lake County Fire Protection District
38. Site Visit – April 10, 2019