



## COUNTY OF LAKE

### COMMUNITY DEVELOPMENT DEPARTMENT

Planning Division

Courthouse - 255 N. Forbes Street

Lakeport, California 95453

Telephone 707/263-2221 FAX 707/263-2225

Dated: March 5, 2020

## CALIFORNIA ENVIRONMENTAL QUALITY ACT ENVIRONMENTAL CHECKLIST FORM INITIAL STUDY IS 19-12

1. **Project Title:** Spencer Clark
2. **Permit Number:** Use Permit, UP 18-48  
Initial Study, IS 18-71
3. **Lead Agency Name and Address:** County of Lake  
Community Development Department  
Courthouse – 255 North Forbes Street  
Lakeport CA 95453
4. **Contact Person:** Victor Fernandez, Assistant Planner (707) 263-2221
5. **Project Location(s):** 21242 Morgan Valley Road, Lower Lake, CA 94574  
APN: 012-069-08
6. **Project Sponsor's Name/Address:** Spencer Clark  
1099 Greenfield Road  
St. Helena, CA 95474
7. **General Plan Designation:** Rural Lands
8. **Zoning:** "APZ"; Agricultural Preserve District
9. **Supervisor District:** District One (1)
10. **Flood Zone:** None
11. **Slope:** Steep; over 30% for most of the site
12. **Fire Hazard Severity Zone:** SRA (entire site); Non-Wildland/Non-Urban to Very High
13. **Earthquake Fault Zone:** None
14. **Dam Failure Inundation Area:** Not located within Dam Failure Inundation Area
15. **Parcel Size:** ±104.793 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).**

General. Spencer Clark proposes to develop a commercial cannabis cultivation operation at 21242 Morgan Valley Road, Lower Lake, California on Lake County APN 012-069-08 (Project Property). The Cultivation area consists of one (1) **A – Type 3 “Outdoor”** commercial cannabis cultivation area, which allow up to one acre, inclusive, of total canopy size on the premises. The cultivation area is a circular area 230 feet in diameter that will contain 397 (100 gallon) pots on eleven (11) concentric circles. Radii of the circles are multiples of ten (10) feet. The canopy area will consist of 41,550 square feet and the cultivation area of 41,940 square feet. The applicant proposes the cultivation will be above-ground in planter beds.

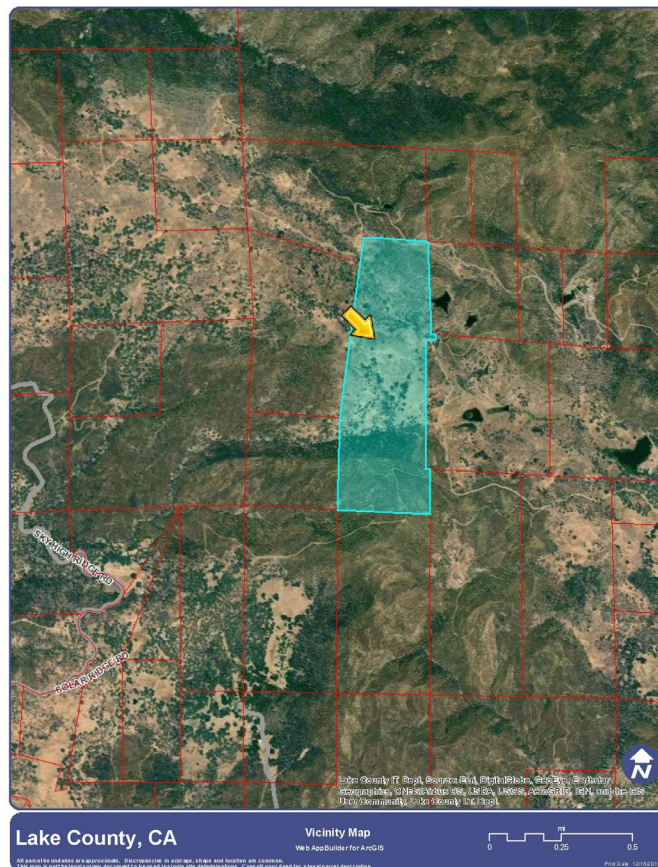


The applicant is proposing to install a 12'X16' fertilizer and chemical storage shed and a 12'X16' harvest storage shed. Fencing around the cultivation area will be 6 feet high, comprised of a wildlife exclusionary wire grid attached to steel tubing, timber, or concrete posts driven in ground or set in concrete and spaced less than 100 feet apart with the wire grid also attached to a top horizontal rail joining all posts.

The water source for the cannabis cultivation operation is a permitted on-site well. The applicant proposes a drip irrigation system for the operation.

The applicant proposes the hours of operation to be Monday through Sunday, 8:00 AM – 5:00 PM. The max employees on site would be 2-3.

Existing development consists of a residence, a water tank, a metal barn, water well, and gasoline and fuel tanks.



Aerial Photo of Site and Immediate Vicinity

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

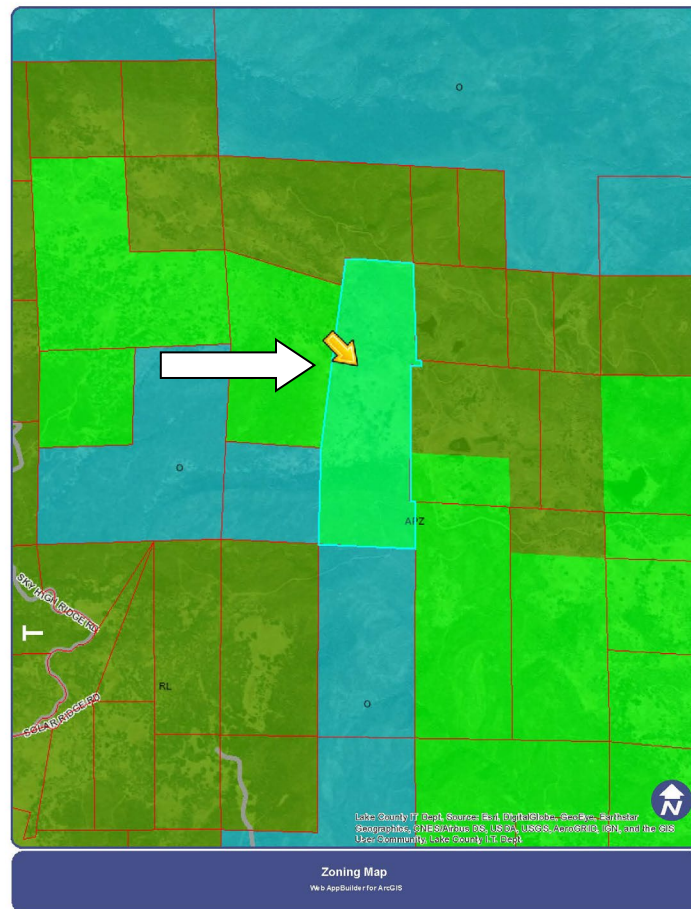
North: "RL" Rural Lands and "O" Open Space zoned properties. Parcel size ranges from  $\pm 20$  acre to  $\pm 630$  acre parcels.

South: "RL" Rural Lands, "O" Open Space, and "APZ" Agricultural Preserve District zoned properties. Parcel size ranges from  $\pm 56$  to  $\pm 395$  acre parcels.



East: “RL” Rural Lands, “APZ” Agricultural Preserve District, and “A” Agriculture zoned properties. Parcel size ranges from  $\pm 20$  to  $\pm 192$  acre parcels.

West: “RL” Rural Lands, “APZ” Agricultural Preserve District, and “O” Open Space zoned properties. Parcel size ranges from  $\pm 20$  to  $\pm 118$  acre parcels.



Zoning Map of Site and Vicinity (Dark Green is ‘Rural Lands’ Zoning)

**18. 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

- 19. 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.?** Note: 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. (See Public Resources Code section 21080.3.2.) Information may also be available from the California Native American Heritage Commission's Sacred Lands File per Public Resources Code section 5097.96 and the California Historical Resources Information System administered by the California Office of Historic Preservation. Please also note that Public Resources Code section 21082.3 (c) contains provisions specific to confidentiality.

Notification of the project was sent to Habematolel Pomo of Upper Lake, Yocha Dehe Wintun Nation, Elem Colony, Middletown Rancheria, Koi Nation, Robinson Rancheria, Big Valley, Mishewal-Wappo, Scotts Valley Pomo, Redwood Valley, and Cortina Rancheria. The following comments were received:

- Redwood Valley Comments Dated April 26, 2019. *Redwood Valley deferred their comments or concerns to all other Lake County Tribes.*
- Middletown Rancheria Comments dated May 3, 2019. Middletown Rancheria has requested that the *applicant shall engage with the Middletown Rancheria in a Cultural Resource monitoring Agreement for the preservation and protection of all cultural resources during all ground disturbance activities as identified by the Middletown Rancheria.*

According to the applicant, they have entered into a Cultural Resources Monitoring and Treatment Agreement with the local tribal agency.

*Note: CalCannabis is the overseeing agency responsible for monitoring commercial cannabis cultivation throughout the State of California. The applicant must get approval from CalCannabis before on-site (permanent) cultivation can legally occur.*

*The environmental factors checked on the next page 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"/> Public Services                                      |
| <input type="checkbox"/> Agriculture & Forestry Resources       | <input type="checkbox"/> Hazards & Hazardous Materials | <input type="checkbox"/> Recreation   |
| <input checked="" type="checkbox"/> <b>Air Quality</b>          | <input type="checkbox"/> Hydrology / Water Quality     | <input type="checkbox"/> Transportation                                       |
| <input checked="" type="checkbox"/> <b>Biological Resources</b> | <input type="checkbox"/> Land Use / Planning           | <input checked="" type="checkbox"/> <b>Tribal Cultural Resources</b>          |
| <input checked="" type="checkbox"/> <b>Cultural Resources</b>   | <input type="checkbox"/> Mineral Resources             | <input type="checkbox"/> Utilities / Service Systems                          |
| <input type="checkbox"/> Energy                                 | <input checked="" type="checkbox"/> <b>Noise</b>       | <input checked="" type="checkbox"/> <b>Wildfire</b>                           |
| <input checked="" type="checkbox"/> <b>Geology / Soils</b>      | <input type="checkbox"/> Population / Housing          | <input checked="" type="checkbox"/> <b>Mandatory Findings of Significance</b> |

**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:  
Victor Fernandez, Assistant Planner



Date: 03/05/2020

SIGNATURE

Scott Deleon – Interim 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.

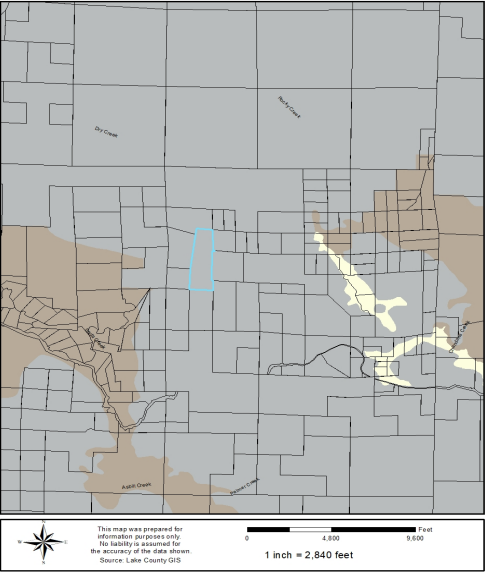
- 4) "Negative Declaration: Less Than Significant With Mitigation Incorporated" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less Than Significant Impact." The lead agency must describe the mitigation measures, and briefly explain 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		The project site is located on a property that is surrounded by dense vegetation; the topography and natural vegetation would act as a natural screen. Therefore, this project would not have a substantial adverse effect on a scenic vista.  <b>Impacts to scenic vistas would be Less than Significant</b>	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**
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?			X		There are no scenic resources on or adjacent to the subject site.  <b>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		The proposed use would occupy approximately 1% of the site, a comparatively small amount given the size of the 104 acre parcel. No physical changes to the site are proposed or needed by this action. The site is not located within an urbanized area, and the site is not visible from the access road (Morgan Valley Road).  <b>Less Than Significant Impact.</b>	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		The project is not anticipated to create additional light or glare as it is exclusively an outdoor cultivation site. Lighting will be directed downward and consistent with the Lake County Zoning regulations for lighting.  <b>Less Than Significant Impact.</b>	1, 2, 3, 4, 5, 6, 9



IMPACT CATEGORIES*	1	2	3	4	All determinations need explanation. Reference to documentation, sources, notes and correspondence.	Source Number**
<p align="center"><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 align="center"><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 entire site is mapped as 'other land' regarding the quality of the soil. There are no mapped soils categorized as 'prime farmland', 'farmland of statewide importance' or any other high value soils on site. The site surrounding lots are not involved in any agricultural activities.</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><b>Less than Significant Impact.</b></p> <p>None of the adjacent properties contain agricultural uses.</p>	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))?				X	<p>The project site is zoned "APZ" Agricultural Preserve and is not zoned for forestland or timberland, nor has it been used historically for timber production.</p> <p><b>No Impact</b></p>	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	<p>The project would not result in the loss or conversion of forest land to a non-forest use.</p> <p><b>No 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**
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	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 potential to result in short- and long-term air quality impacts. Lake County is designated as an 'Air Attainment Area', and there are no thresholds for adverse air quality levels that result from a project. It is likely that some dust and fumes may be released as a result of site preparation / construction of the building pads and the cultivation area. Some vehicular traffic, including small delivery vehicles would be contributors during and after site preparation / construction; trips generated by the use will be minimal, estimated at 1 to 2 average daily trips. Odors generated by the plants, particularly during harvest season, will need to be mitigated either through passive means (separation distance), or active means (Odor Control Plan), which is required prior to cultivation occurring.</p> <p><b>Less Than Significant with Mitigation Measures added:</b></p> <p><b><u>AQ-1:</u></b> Prior to cultivation, the applicant shall submit an <b><u>Odor Control Plan</u></b> to the Community Development Department for review and approval, or review and revision.</p> <p><b><u>AQ-2:</u></b> All Mobile diesel equipment used for construction and/or maintenance shall be 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 as well as Lake County Noise Emission Standards.</p> <p><b><u>AQ-3:</u></b> 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.</p> <p><b><u>AQ-4:</u></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 to the Lake County Air Quality Management District.</p> <p><b><u>AQ-5:</u></b> All vegetation during site development shall be chipped and spread for ground cover and/or erosion control. The burning of vegetation, construction debris, including waste material is prohibited.</p> <p><b><u>AQ-6:</u></b> The applicant shall have the primary access and parking areas surfaced with chip seal, asphalt or an equivalent all weather surfacing to reduce fugitive dust generation. The use of white rock as a road base or surface material for travel routes and/or parking areas is prohibited.</p>	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**
					<b>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.</b>	
b) Violate any air quality standard or result in a cumulatively considerable net increase in an existing or projected air quality violation?			X		The cultivation activity will occur in an outdoor area. The outdoor cultivation area is not anticipated to generate dust or other substances that will violate air quality in this vicinity. Lake County is an Air Attainment County.  <b>Less than Significant Impact.</b>	1, 3, 4, 5, 10, 21, 24, 31, 36
c) Expose sensitive receptors to substantial pollutant concentrations?			X		See response to III (a) and (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			The project is located in a rural area where the surrounding parcels are vacant and/or contain rural residences. Surrounding parcels range in size from approximately forty (40) acres to greater than 500 acres in size. The nearest residence is greater than 1,500 feet from the cultivation site. The nearest school is approximately five (5) miles north-west from the project area. As described in Section III (a) above, with <b>implementation of mitigation measures AQ-1 through AQ-7 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			The applicant provided a Biological Assessment with Botanical Survey and Delineation of Water of the US, prepared by Northwest Biosurvey, dated August 8, 2008. The Biological Assessment with Botanical Survey and Delineation of Water of the US, was initially created for a proposed vineyard development. According to the applicant's application packet, the proposed cultivation area will be within the surveyed area done in the Biological Assessment (2008).  The survey identified Northern California Black Walnut to be a sensitive plant species to be present on the property. The survey also identified the pallid bat, northwestern pond turtle, white-tailed kite, purple martin, Wilbur Springs shorebug, Clear Lake hitch, foothill yellow-legged frog, and golden eagle to be present on the property.  The subject site was disturbed in the Valley Fire in October 2015. The applicant provided a letter from Dr. Christopher T. DiVittorio, Pinecrest Environmental Consulting, dated September 30, 2018, summarizing the findings of the field visit of the the subject site. Dr. Divittorio determined the Valley Fire burned with both great intensity and severity onsite and thus the species diversity is much more depauperate than was documented by the original 2008 survey. There was an increased abundance of fire-dependent species such as Yerba Santa, chamise, and poison oak. Most of the black oak and manzanita plants were burned, especially those on south-facing slopes. However, there were many areas where regrowth is occurring and the pre-fire community composition is anticipated to recover fairly rapidly from this point forward. The following measures were recommended per the Biological Study dated August 8, 2008:  <b>BIO-1: Any grading or construction proposed within the possible waters of the U.S. will require approval of a Nationwide permit from the U.S Army Corps of Engineers,</b>	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>and a 401 Water Quality Certification from the Regional Water Quality Control Board.</p> <p><b>BIO-2:</b> To preserve Northern California black walnut and California valley oak woodland, no-project related activity should occur within the driplines of the valley oak woodland as mapped in the biological assessment.</p> <p><b>BIO-3:</b> Any grading or vegetation clearing within 300 feet of the mixed oak woodland adjacent to the two ponds, proposed between April 1 and August 15 shall be preceded by a survey for white-tailed kite and purple martin. In the event that nesting individuals of these species are found, all project-related activity within 300 feet of the nest shall be postponed until after August 15, or until fledging is complete as determined by a qualified biologist.</p> <p><b>BIO-4:</b> Wildlife access to the upland summer water available in the existing nearby ponds should not be disrupted by fencing or other barriers.</p> <p><b>Less than Significant Impact with mitigation measures BIO-1 and BIO-4 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			<p>Removal of riparian or any other vegetation is not proposed as part of this project.</p> <p><b>Less than Significant Impact with mitigation measures BIO-1 and BIO-4 added.</b></p>	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			<p>See Response IV (a).</p> <p><b>Less than Significant Impact with mitigation measures BIO-1 and BIO-4 added.</b></p>	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			<p>See Response IV (a).</p> <p><b>Less than Significant Impact with mitigation measures BIO-1 and BIO-4 added.</b></p>	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		<p>There are no Tree Conservation designations on the subject site.</p> <p><b>Less than Significant Impact</b></p>	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		<p>There are no adopted Habitat Conservation Plans or Natural Community Conservation Plans, or other local, regional or state habitat conservation plans associated with this site.</p> <p><b>Less than Significant Impact.</b></p>	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		X			A Cultural Resource Survey was prepared by Jay M. Flaherty, dated August 24, 2008. This Cultural Survey was initially prepared for the proposed development of a vineyard. According	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**
historical resource pursuant to §15064.5?					<p>to California Historical Resources Information System (CHRIS) comments (dated May 3, 2019), the Cultural Study conducted by Jay M. Flaherty covered approximately 100% of the proposed project area (proposed commercial cannabis area) which identified no cultural resources. CHRIS also concluded that due to the low possibility of the site containing unrecorded archaeological sites, no further study for archaeological resources is recommended.</p> <p>According to the Cultural Survey conducted by Jay M. Flaherty, no cultural resources were discovered as a result of the survey; however, the possibility of buried or obscured cultural resources does exist. The following mitigations shall apply:</p> <p><b><u>CUL-1:</u> Should any archaeological, paleontological, or cultural materials be discovered during site development, all activity shall be halted in the vicinity of the find(s), 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.</b></p> <p><b><u>CUL-2:</u> 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 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.</b></p> <p><b>Less than Significant Impact with mitigation measures CUL-1 to CUL-2 added.</b></p>	
b) Cause a substantial adverse change in the significance of an archeological resource pursuant to §15064.5?		X			<p>See response to Section V (a). There are no known or mapped significant archeological resources on this site.</p> <p><b>Less than Significant Impact with mitigation measures CUL-1 to CUL-2 added.</b></p>	1, 3, 4, 5, 11, 14, 15
c) Disturb any human remains, including those interred outside of formal cemeteries?		X			<p>See response to V (a).</p> <p><b>Less than Significant Impact with mitigation measures CUL-1 to CUL-2 added.</b></p>	1, 3, 4, 5, 11, 14, 15
<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		<p>According to the applicant's application packet, the proposed use would consist of outdoor cultivation only. The proposed energy usage for this facility is minimal. The primary source of energy would be solar, and electrical generators would be used for emergencies only. Energy usage would be limited to the security system, well, lighting for storage sheds, and some outdoor lighting.</p> <p><b>Less than Significant Impact</b></p>	1, 3, 4, 5, 11, 14, 15
b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?			X		<p>There are presently no mandatory energy reduction requirements for outdoor cultivation 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.</p> <p><b>Less than Significant Impact.</b></p>	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>VII. GEOLOGY AND SOILS</b> <i>Would the project:</i>						
<p>a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:</p> <p>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 Public. 42.</p> <p>ii) Strong seismic ground shaking?</p> <p>iii) Seismic-related ground failure, including liquefaction?</p> <p>iv) Landslides?</p>			X		<p><u>Earthquake Faults</u> There are no mapped earthquake faults on or adjacent to the subject site.</p> <p><u>Seismic Ground Shaking and Seismic-Related Ground Failure, including liquefaction.</u> The mapping of the site's soil indicates that the soil is generally stable.</p> <p><u>Landslides</u> There is some minor risk of landslides based on slope of the site, however the soil is generally stable and not prone to slides historically.</p> <p><b>Less Than Significant Impact</b></p>	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			<p>According to the soil survey of Lake County, prepared by the U.S.D.A, the soil within the project is as follows:</p> <ul style="list-style-type: none"> <li>• Maymen-Etsel-Snook (Type 169): This map unit is on hills and mountains. The vegetation is mainly brush with some hardwoods and annual grasses. The soil is shallow and somewhat excessively drained. Permeability of the soil is moderate with the water capacity of 1 inch to 3 inches. Surface runoff is very rapid, and the hazard of erosion is severe.</li> <li>• Skyhigh-Millsholm (Type 209): 15% to 50% percent slopes. This map unit is on hills. The soil is moderately deep and well drained. Permeability of the soil is slow with water capacity of 3 to 7 inches. Surface runoff is rapid, and the hazard of erosion is severe. The shrink-swell potential is high in the subsoil.</li> <li>• Skyhigh-Sleeper-Millsholm (Type 212): 30% to 50% percent slopes. This map unit is on hills. The soil is moderately deep and well drained. Permeability of the soil is slow with water capacity of 3 to 7 inches. Surface runoff is rapid, and the hazard of erosion is severe. The shrink-swell potential is high.</li> </ul> <p>According to the applicant the access road will be improved with turnouts at every 400 feet. The Private shared easement is accessed off of Morgan Valley Road (County Maintained road) and is approximately 2.28 miles long. According to the applicant approximately 250 cubic yards of soil is expected to be disturbed/excavated. The depth of the cut will be approximately 1-3 feet, and 0.05 acres of grass and vegetation is expected to be cleared. These improvements are proposed to satisfy the Public Resources Code 4290/4291 for access.</p>	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>If greater than 500 cubic yards of soils are moved, a Grading Permit shall be required as part of this project. The 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 typically include scheduling of activities, erosion and sediment control, operation and maintenance procedures and other measures in accordance with Chapters 29 and 30 of the Lake County Code.</p> <p><b>Less Than Significant with incorporated mitigation measures.</b></p> <p><b>GEO-1:</b> Prior to any ground disturbance, the permitted shall submit Erosion Control and Sediment Plans to the Water Resource Department and the Community Development Department for review and approval. Said Erosion Control and Sediment Plans shall protect the local watershed from runoff pollution through the implementation of appropriate Best Management Practices (BMPs) in accordance with the Grading Ordinance. Typical BMPs include the placement of straw, mulch, seeding, straw wattles, silt fencing and the planting of native vegetation on all disturbed areas. No silt, sediment or other materials exceeding natural background levels shall be allowed to flow from the project area. The natural background level is the level of erosion that currently occurs from the area in a natural, undisturbed state. Vegetative cover and water bars shall be used as permanent erosion control after project installation.</p> <p><b>GEO-2:</b> Excavation, filling, vegetation clearing or other disturbance of the soil shall not occur between October 15 and April 15 unless authorized by the Community Development Director. The actual dates of this defined grading period may be adjusted according to weather and soil conditions at the discretion of the Community Development Director.</p> <p><b>GEO-3:</b> The permit holder shall monitor the site during the rainy season (October 15 – May 15), including post-installation, application of BMPs, erosion control maintenance, and other improvements as needed.</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>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 “<u>Generally Stable</u>” and there is a less than significant chance of landslide, subsidence, liquefaction or collapse as a result of the project.</p> <p><b>Implementation of Mitigation Measures GEO-1 through GEO-3 would reduce potential impacts to Less than Significant.</b></p>	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**
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		According to the soil survey of Lake County, prepared by the U.S.D.A., the soils ( <b>Skyhigh-Millsholm</b> and <b>Skyhigh-Sleeper-Millsholm</b> ) have a high shrink-swell potential. However, construction of the proposed project would not increase risks to life or property and impacts would be less than significant. Construction would be limited to two (2) 192 square foot storage sheds.  <b>Less Than Significant</b>	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		The applicant shall adhere to all Federal, State, and Local regulations regarding onsite waste disposal systems. The project site will be served by the existing septic tank that currently serves the existing residence.  <b>Less Than Significant Impact.</b>	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		There are no identified unique paleontological resources or unique geologic features mapped or known on the site. Therefore, disturbance of paleontological resources or unique geologic features is not anticipated.  <b>Less than Significant Impact</b>	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		The cannabis cultivation is strictly outdoor only. Greenhouse gas emissions can come from construction activities and post-construction vehicle trips. According to the applicant's application packet, the applicant has indicated that construction will take place for approximately three (3) days for the storage sheds and planter beds.  <b>Less than Significant Impact</b>	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		This project will not conflict with any adopted plans or policies for the reduction of greenhouse gas emissions. The County of Lake is an 'air attainment' County, and does not have established thresholds for greenhouse gases.  <b>Less than Significant Impact</b>	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		Materials associated with the proposed Cultivation of Commercial Cannabis, such as pesticides, fertilizers, gasoline, and cleaning materials. The applicant has stated that all potentially harmful chemicals will be stored in a locked, secured storage shed on site.  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.  All equipment shall be maintained and operated in a manner	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**
					that minimizes any spill or leak of hazardous materials. Hazardous materials and adequate firefighting and fire suppression equipment.  <b>Less than Significant.</b>	
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		The applicant has stated the chemicals that will be used on site will be stored in a secure and lockable building. The site is not within a flood inundation area, nor is it within an area mapped as unstable soil according to County GIS data.  <b>Less than Significant.</b>	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), California Department of Toxic Substance, and Control State Resource Water Control Board.  <b>Less Than Significant Impact.</b>	1, 3, 4, 5, 10, 13, 17, 21, 24, 32, 33, 34, 36, 39
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. The applicant shall adhere to all applicable local and state emergency access requirements.  <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 project parcel's fire hazard severity zone is 'moderate' to 'very high' and it is within the State Responsibility Area. The applicant shall adhere to all Federal, State, and Local fire requirements/regulations.  <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 will not violate any water quality standards or waste discharge requirements. 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. Minimal site preparation, construction and/or grading are proposed.  <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			X		According to the applicant's <i>Property Management Plan – Water Resources</i> the applicant details the monthly water use. According to the applicant, the water use varies during different	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**																																	
may impede sustainable groundwater management of the basin?					seasons (Months). The proposed water use includes the following: <table><tr><th>MONTH</th><th>IRRIGATION (gallons)</th><th>HOUSEHOLD (gallons)</th></tr><tr><td>January-April</td><td>0</td><td>2,000</td></tr><tr><td>May</td><td>9,000</td><td>1,000</td></tr><tr><td>June</td><td>12,000</td><td>1,500</td></tr><tr><td>July</td><td>15,000</td><td>2,000</td></tr><tr><td>August</td><td>15,000</td><td>2,000</td></tr><tr><td>September</td><td>12,000</td><td>2,000</td></tr><tr><td>October</td><td>9,000</td><td>1,500</td></tr><tr><td>November</td><td>0</td><td>1,000</td></tr><tr><td>December</td><td>0</td><td>500</td></tr><tr><td>TOTAL</td><td>72,000 gallons</td><td>13,500 gallons</td></tr></table> <b>Less than Significant</b>	MONTH	IRRIGATION (gallons)	HOUSEHOLD (gallons)	January-April	0	2,000	May	9,000	1,000	June	12,000	1,500	July	15,000	2,000	August	15,000	2,000	September	12,000	2,000	October	9,000	1,500	November	0	1,000	December	0	500	TOTAL	72,000 gallons	13,500 gallons	
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TOTAL	72,000 gallons	13,500 gallons																																					
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 existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; iv) Impede or redirect flood flows?			X	According to County GIS data, there is a seasonal creek that traverses through the southern end of the parcel. The cultivation site is located on the northern section of the parcel.    Per the Lake County Zoning Ordinance, the minimum setback requirement is 100 feet from the top of bank. The applicant's cultivation site is approximately 900 feet from the top of bank.  The applicant has provided a Stormwater Management Plan with his application submittal. This Plan will be provided to CDFA in conjunction with this Initial Study for their consideration.  <b>Less than Significant.</b>	1, 3, 4, 5, 13, 21, 23, 24, 25, 29, 31, 32, 33, 34																																		
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																																		



IMPACT CATEGORIES*	1	2	3	4	All determinations need explanation. Reference to documentation, sources, notes and correspondence.	Source Number**
e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?				X	The project would not conflict with or obstruct any water quality or management plans.  <b>No Impact.</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 Lower Lake Area Plan and the Lake County Zoning Ordinance, Article 27, subsection (at).  The property is zoned "APZ" Agricultural Preserve District. Cannabis cultivation is permitted by the Lake county Zoning Ordinance with a use permit. The applicant shall adhere to all incorporated mitigation measures and conditions of approval.  <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 site contains no mapped mineral resources. <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		Neither the County of Lake's General Plan, the Lower Lake Area Plan nor the Lake County Aggregate Resource Management Plan designates the project site as being a locally important mineral resource recovery site. <b>Less than Significant 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 can be expected during project construction, although the amount of site preparation for this proposal is minimal at best. Mitigation measures can decrease these noise levels to an acceptable level. Additionally, A small amount of infrequent noise could be anticipated if a properly-permitted backup power generator is activated during any power outage or during generator testing, but these impacts would not be significant or long lasting.  <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 10:00pm 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>  <b><u>NOI -2:</u> Maximum non-construction related sounds levels shall not exceed levels of 55 dBA between the hours of</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>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: 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.</b></p>	
b) Generation of excessive groundborne vibration or groundborne noise levels?			X		<p>The project is not expected to create unusual ground borne vibration due to facility operation. The low level truck traffic during the minimal construction needed, and occasional deliveries would create a minimal amount of ground borne vibration.</p> <p><b>Less Than Significant Impact</b></p>	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	<p>The project will not induce population growth.</p> <p><b>No Impact</b></p>	1, 3, 4, 5
b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?				X	<p>No housing will be displaced as a result of the project.</p> <p><b>No Impact</b></p>	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	<p>The project does not propose housing or other uses that would necessitate the need for new or additional governmental or quasi-public services. 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.</p> <p><b>No Impact.</b></p>	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>						
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	<p>The project will not have any impacts on existing parks or other recreational facilities.</p> <p><b>No Impact</b></p>	1, 3, 4, 5

<b>IMPACT CATEGORIES*</b>	<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>	<b>All determinations need explanation. Reference to documentation, sources, notes and correspondence.</b>	<b>Source Number**</b>
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 accessible off of Morgan Valley road, a paved county maintained road. The private shared easement is approximately 2.28 miles long to the Project Parcel. Conditions of Approval have been in place in order for the access road to meet the Public Resources Code 4290. A minimal increase in traffic is anticipated due to construction, and incoming and outgoing employees (2-3 employees).  <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		This project will result in minimal increases in construction-related and use-related daily trips. Significant impacts are not anticipated. This project would not conflict with CEQA guidelines section 15064.3, subdivision (b)(1).  <b>Less than significant impact.</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	The proposed project would not increase hazards at the project site.  <b>No 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			See Response to V(a).  <b>Less than Significant Impact with mitigation measures CUL-1 to CUL-2 added.</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 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		X			See Response to V(a).  <b>Less than Significant Impact with mitigation measures CUL-1 to CUL-2 added.</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**
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. 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 subject parcel is served by an existing well. Cannabis cultivation will minimize water use by using a low-pressure drip irrigation system.  <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 project parcel is served by an existing septic system.  <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		South Lake Refuse & Recycling is an existing landfill that would support the waste disposal capacity for the proposed project.  According to the applicant's Property Management Plan – Waste Management Plan, the plan has been developed to minimize the generation of waste and dispose of such waste properly to prevent the release of hazardous waste into the environment, also to minimize the generation of cannabis vegetative waste and dispose of cannabis vegetative waste properly, and manage and dispose the growing medium. All employees will be required to follow procedures outlined in this plan.  <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. The applicant states the cannabis waste will be tracked and traced to its final resting place.  <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 federal, state and local requirements related to solid waste will apply to this project, but are not anticipated to create issues that require specific mitigation measures.  <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 subject site is accessed by a private shared easement off of Morgan Valley Road (County Maintained Road). The project parcel is located within the State Responsibility Area and has a 'Moderate' to 'Very High' fire hazard severity zone. A site visit on 08/15/2019 confirmed that the private shared easement off of Morgan Valley Road is 20' in width but shall be gravel surface. The driveway shall be improved with turnouts at every 400' feet.</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>As previously stated, the fire rating on the site is 'Moderate' to 'Very High', and the slope on the site averages over 30%. While there are trees and vegetation on the parcel, the cultivation site is well maintained.</p> <p><b>Less than Significant Impact.</b></p>	1, 2, 4, 5, 6, 20, 23, 31, 35, 37, 38



[illegible]

IMPACT CATEGORIES*	1	2	3	4	All determinations need explanation. Reference to documentation, sources, notes and correspondence.	Source Number**
a) Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?		X			The project proposes a relatively small cultivation of commercial cannabis in a previously disturbed area. There is minimal risk of degradation, and mitigation measures are proposed that would alleviate most or all of the project – related impacts. As proposed, this project is not anticipated to significantly impact habitat of fish and/or wildlife species or cultural resources, nor will the project contribute to factors that would harm the environment, or add to any wildfire risk.  <b>Less than Significant with Incorporated Mitigation Measures.</b>	All
b) Does the project have impacts that are individually limited, but cumulatively considerable? (“Cumulatively considerable” means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?		X			Potentially significant impacts have been identified related to Air Quality, Biological Resources, Cultural/Tribal Resources, Geology and Soils, Noise, Wildfire. These impacts in combination with the impacts of other past, present and reasonably foreseeable future projects in the vicinity could cumulatively contribute to significant effects on the environment if proper mitigation measures are not put in place. The scope of the project is relatively small, about less than 1 percent of the total ±104 acre parcel. Also, 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.  <b>Less than Significant with Incorporated Mitigation Measures.</b>	All
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?		X			There is some potential for risk regarding Air Quality, Biological Resources, Geology, Noise, and Wildfire however mitigation measures proposed appear to be adequate to mitigate any proposed risks in these categories. <b>Less than Significant with Incorporated Mitigation Measures.</b>	All

\* Impact Categories defined by CEQA

**\*\*Source List**

1. Lake County General Plan
2. Lake County GIS Database
3. Lake County Zoning Ordinance
4. Middletown Area Plan
5. Spencer Clark 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 Spencer Clark’s property; prepared by Northwest Biosurvey, dated August 08, 2008.
14. Cultural Site Assessment Survey – Prepared by Jay M. Flaherty – Dated August 24, 2008.

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. Lake Shore Protection District
38. Site Visit – August 15, 2019 – Done By Victor Fernandez
39. Hazardous Waste and Substances Sites List: [www.envirostor.dtsc.ca.gov/public](http://www.envirostor.dtsc.ca.gov/public)