



COUNTY OF LAKE

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

April 20, 2020

CALIFORNIA ENVIRONMENTAL QUALITY ACT ENVIRONMENTAL CHECKLIST FORM INITIAL STUDY IS 18-40

1. **Project Title:** Center Grow; Jason Jones
2. **Permit Number:** Major Use Permit, UP 18-32
Initial Study, IS 18-40
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):** 26066 and 27084 Jerusalem Grade Road, Middletown,
CA 95461
APN: 013-017-62 & 013-017-66
6. **Project Sponsor's Name/Address:** Jason Jones
3452 Baldwin Way, Santa Rosa, CA 95403
7. **General Plan Designation:** Rural Lands
8. **Zoning:** RL”; Rural Lands, “WW”; Waterway.
9. **Supervisor District:** District One (1)
10. **Flood Zone:** D
11. **Slope:** The parcels slope varies greatly across both parcels. The access and cultivation areas are found on slopes between 0-20%
12. **Fire Hazard Severity Zone:** FHSZ: Very High and Moderate across both parcels
13. **Earthquake Fault Zone:** None
14. **Watershed:** The property is within the Hunting Creek Watershed (HUC10).
15. **Dam Failure Inundation Area:** Not located within Dam Failure Inundation Area

Parcel Size: 79.6 Acres combined

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).

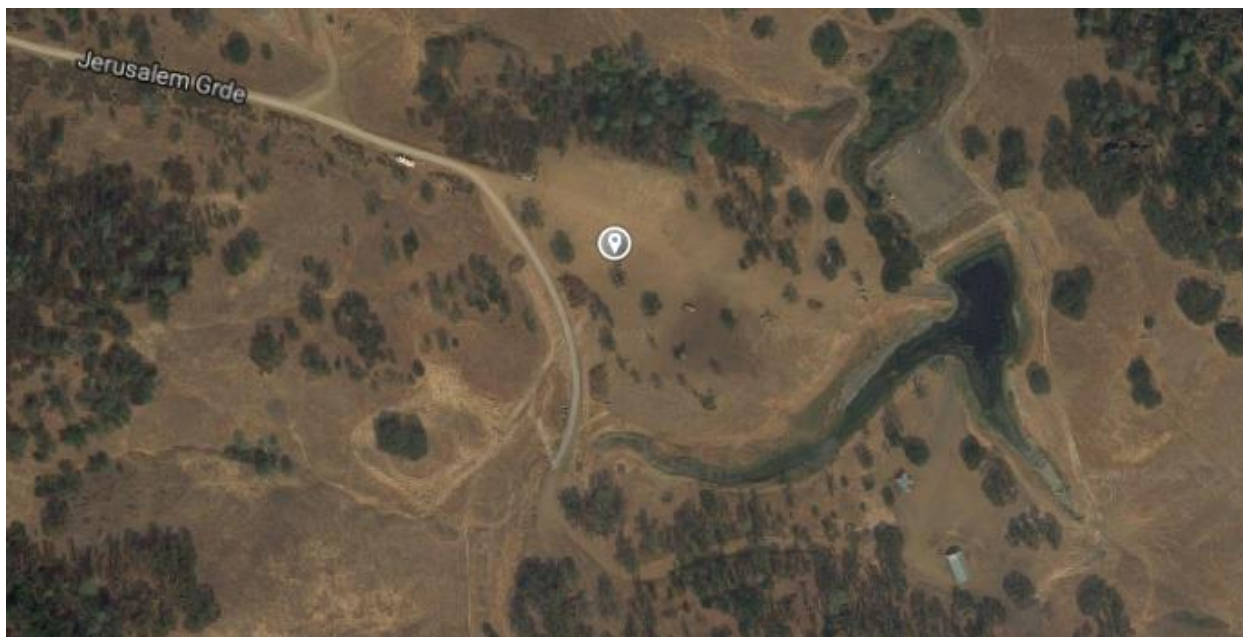
The applicant is request a major use permit for the cultivation of commercial cannabis. According to the Property Management Plan dated July 16, 2018, the proposal is accessible through an existing dirt access way located off of Jerusalem Road and will include the following:

- **A – Type 3 “Outdoor”** cultivation area. Center Grow seeks to obtain a Major Use Permit for Commercial Cannabis Cultivation for **total cannabis canopy of 43,560 square feet**. The **total cultivation area is 52,190 square feet**. All cannabis will be grown in above ground 50-gallon planters.
- The proposed cultivation area will be surrounded by a 6-foot tall wire fence, with privacy mesh to screen the cultivation areas from any view
- Four (4) 2, 500 gallon water storage tanks,
- Three (3) 15’ x 7.5’ prefabricated storage structures.
- Pesticides, Fertilizers, and hazardous materials including gasoline, diesel, and oil will be stored in the proposed Agricultural storage shed. Pesticides and fertilizers will be held within their manufacturer’s original containers, which are within secondary containment structures. The flammable/petroleum products will be in state of California approved containers and within secondary containment that is separate from the pesticides and fertilizers. The storage sheds will be located within the fenced in cultivation area.
- Excess vegetated waste will be composted on site in a designated composting area in compliance with Title 14. It is estimated approximately 500 pounds of organics vegetative waste will be produced annually. The growing medium (soil) will be reused from the composted areas.
- Hours of operation are Monday through Saturday, 7:00 AM to 8:00 PM, for authorized staff, deliveries and pickups. The facility will be closed to public visitors.

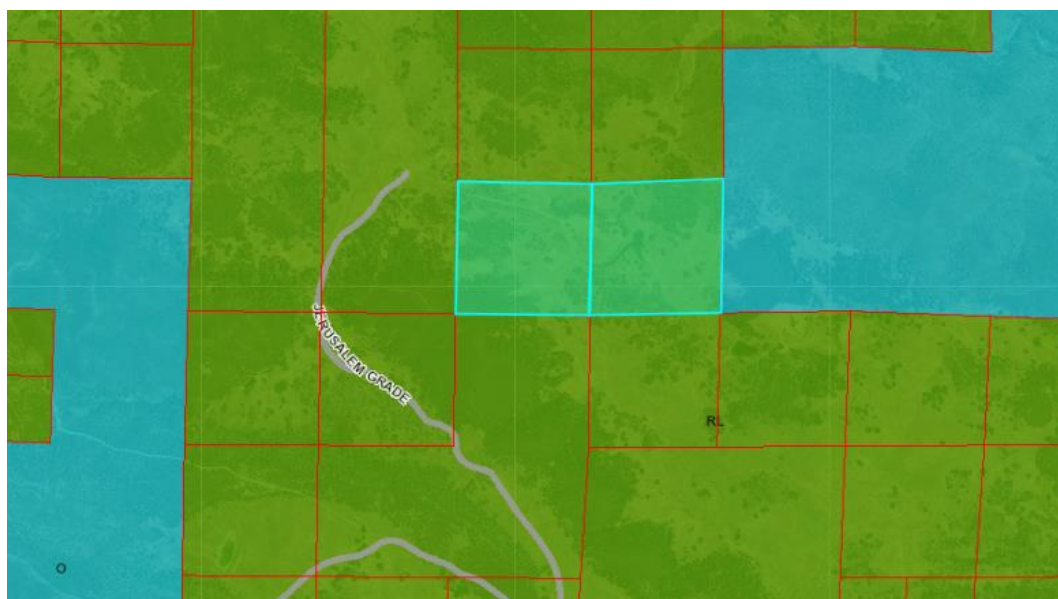
Construction Duration. *The applicant has stated the following regarding site preparation and construction:*

- Ground disturbing activities will take place over a 2-3-week period.
- Materials and equipment will only be staged on previously disturbed areas (Area previously burned in the 2015 fires). No areas will be disturbed for the purpose of staging materials or equipment.
- Construction will occur Monday through Friday from the hours of 8am to 6pm.
- All construction activities, including engine warm-up, will be limited to Monday through Friday, between the hours of 7:00am and 7:00pm. Back-up beepers will be adjusted to the lowest allowable levels.

- All equipment will be maintained and operated in a manner that minimizes any spill or leak of hazardous materials. All equipment will only be refueled in locations more than 100 feet from surface water bodies, and any servicing of equipment will occur on an impermeable surface. In the event of a spill or leak, the contaminated soil will be stored, transported, and disposed of consistent with applicable local, state and federal regulations.



Aerial of Site and Immediate Vicinity



Zoning of Site and Vicinity

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

North: "RL" zoned properties. East: "O" Open land. South: "RL" land. West: "RL" land. Parcel sizes range from roughly 30 acres to over 200 acres. Most of the surrounding parcels are large vacant parcels, however there are a couple of homes/structures within the surrounding parcels.

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 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

- 18. 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.

Notice of this action was sent out on July 18, 2018 and again on November 29, 2019, and was sent to eleven tribes that are native to Lake County. Tribal comments were received from the Middletown Rancheria tribe and from the Redwood Valley Pomo tribe. The Middletown Rancheria tribe expressed interest in the project, indicating that the vicinity was the location of historic activity; the tribe also stated that due to the lack of ground disturbance, they were not overly concerned about the impacts associated with the project.

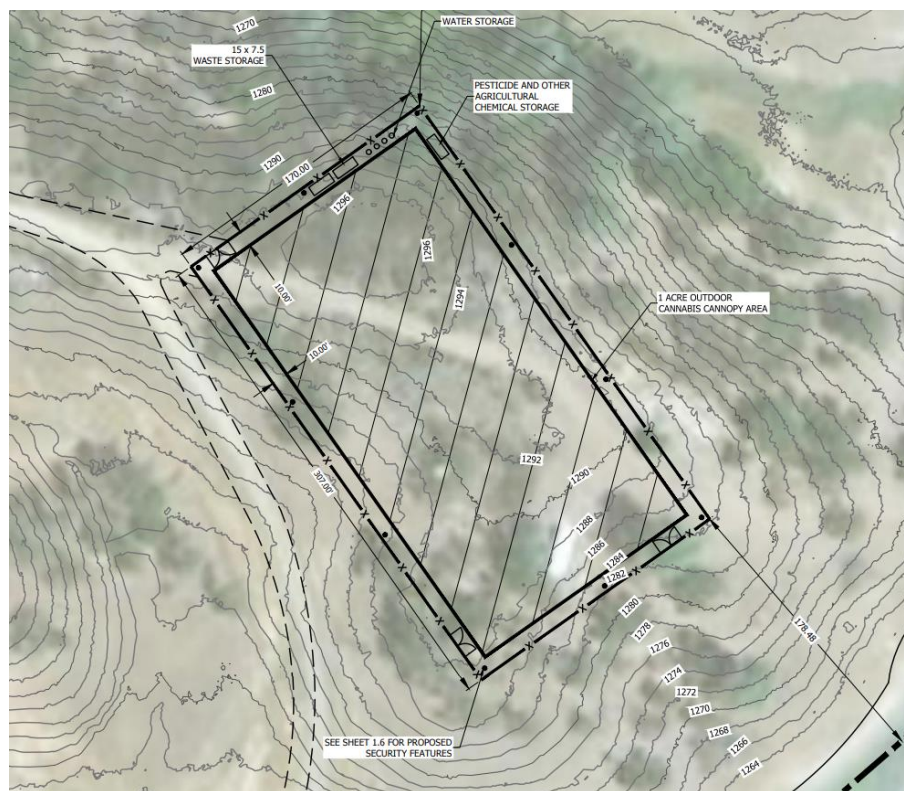
Staff contacted the applicant Jones, who then contacted the Middletown tribe to work directly with them to coordinate an on-site monitor during any upcoming site disturbances.

19. Attachments

- Attachment 1 – Property Management Plan
- Attachment 2 – Biological Study
- Attachment 3 – Site Plans

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

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



Proposed Site Plan – Enlargement of Cultivation Areas

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 J. Porter, Associate Planner

SIGNATURE

Date: _____

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 city in 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:
- the significance criteria or threshold, if any, used to evaluate each question; and
 - 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** |
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| I. AESTHETICS <i>Would the project:</i> | | | | | | |
| a) Have a substantial adverse effect on a scenic vista? | | | X | | The project site is located in a rural area of the County and is protected by the surrounding topography and dense vegetation which acts as a natural screen. The cultivation area is not visible from any public roads. Therefore, the proposed use would not have a substantial adverse effect on a scenic vista. Less than Significant Impact | 1, 2, 3, 4, 6, 9 |
| b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway? | | | X | | See Section I(a). Less Than Significant Impact | 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 occur on a portion of the project parcel that was impacted by the Valley Fire of 2015. No physical changes to the site are proposed or needed and the site is not located within an urbanized area, and the site is not visible from any public roads. Therefore, the proposed use will not substantially degrade the existing visual character or quality of public vies from the site or its surrounding, Less Than Significant Impact | 1, 2, 3, 4, 6, 9 |

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| 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 and/or glare through exterior security lighting.</p> <p>Mitigation measure:</p> <p>AES-1: All greenhouses incorporating artificial lighting shall be equipped with blackout film/material to be used at night for maximum light blockage to lessen the impact on the surrounding parcels and the dark skies. Applicant shall submit a <u>Blackout Film/Materials Plan</u> to the Community Development Department for review and approval prior to issuance of any permits.</p> | 1, 2, 3, 4, 5, 6, 9 |
| <p>II. AGRICULTURE AND FORESTRY RESOURCES</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 project parcel is mapped as "Grazing Land" and "Other Land" There is approximately 60 acres of Grazing Land and approximately 20 acres of "Other Land". According to the Property Management Plan, there would be no impact on lands designated for Agricultural use/farming.</p> <p>No Impact</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>See Response to Section II(a).</p> <p>No Impact</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 proposed use will not conflict with existing zoning, or cause rezoning of forest land, timberland, or timber production as defined by the Government Code.</p> <p>No Impact</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>See response to Section II (c). The project would not result in the loss or conversion of forest land to a non-forest use.</p> <p>No Impact</p> | 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 | <p>As proposed, this project would not induce changes to existing farmland that would result in its conversion to non-agricultural use.</p> <p>No Impact</p> | 1, 2, 3, 4, 5, 7, 8, 11, 13 |
| <p>III. AIR QUALITY</p> <p><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></p> <p><i>Would the project:</i></p> | | | | | |
| a) Conflict with or obstruct implementation of the applicable air quality plan? | | X | | <p>The project has some potential to result in short- and long-term air quality impacts. Dust and fumes may be released as a result of site preparation / construction of fencing, preparation of the cultivation area; and vehicular traffic, including small delivery vehicles would be contributors during and after site preparation / construction. Odors generated by the plants, particularly</p> | 1, 3, 4, 5, 10, 21, 24, 31, 36 |

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| | | | | <p>during harvest season, will be mitigated through passive means (separation distance), and active means such as planting native flowering vegetation surrounding the entire cultivation area (Odor Control Plan). Additionally, implementation of mitigation measures below would further reduce air quality impacts to less than significant. Less Than Significant with the incorporated Mitigation Measures.</p> <p>Mitigation measures:</p> <p><u>AQ-1:</u> Prior to cultivation, the applicant shall submit an <u>Odor Control Plan</u> to the Community Development Department for review and approval</p> <p><u>AQ-2:</u> 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><u>AQ-3:</u> 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><u>AQ-4:</u> The applicant shall maintain records of all hazardous or toxic materials used, including a Material Safety Data Sheet (MSDS) for all volatile organic compounds utilized, including cleaning materials to the Lake County Air Quality Management District.</p> <p><u>AQ-5:</u> All vegetation during site development shall be chipped and spread for ground cover and/or erosion control. The burning of vegetation, construction debris, including waste material is prohibited.</p> <p><u>AQ-6:</u> The applicant shall have the primary access and parking areas surfaced with chip seal, asphalt or an equivalent all weather surfacing to reduce fugitive dust generation. The use of white rock as a road base or surface material for travel routes and/or parking areas is prohibited.</p> <p><u>AQ-7:</u> All areas subject infrequent use of driveways, over flow parking, etc., shall be surfaced with gravel. Applicant shall regularly use and/or maintain graveled area to reduce fugitive dust generations.</p> | |
| b) Violate any air quality standard or result in a cumulatively considerable net increase in an existing or projected air quality violation? | | X | | The County of Lake is in attainment of state and federal ambient air quality standards. Less than Significant Impact | 1, 3, 4, 5, 10, 21, 24, 31, 36 |
| c) Expose sensitive receptors to substantial pollutant concentrations? | | X | | See response to III.(a). Less than Significant Impact | 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 nearby residents. The nearest off-premises house is roughly 1,500 feet away from the edge of the cultivation area. Odor control measures will be necessary for the cultivation areas. The cultivation areas are setback a significant distance from the nearest off-site dwellings, so passive odor control (separation distance) may be adequate for the outdoor cultivation area. The applicant has an emergency contact name and number that will | 1, 2, 3, 4, 5, 10, 21, 24, 31, 36 |

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| | | | <p>be distributed to neighbors within 1000 feet of the property as is required by Air Quality.</p> <p>Vehicle generated dust is a potential concern during day to day operations. The following mitigation measure is added to help traffic-related on-site dust:</p> <p>Less Than Significant with the incorporated Mitigation Measures</p> <p>Mitigation measure:</p> <p>AQ-8: No more than a maximum speed limit of 15 mph will be permitted.</p> <p>As described in Section III (a) above, with implementation of mitigation measures AQ-1 through AQ-7 will reduce impacts to less than significant.</p> | |
| IV. BIOLOGICAL RESOURCES <i>Would the project:</i> | | | | |
| <p>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?</p> | | X | <p>According to the application material submitted, Center Grow conducted a biological site survey with the assistance of the North Coast Resource Center in June, 2018. The project has the potential to affect nesting birds in areas of high tree density, and the oak trees in the surrounding area provide a potential nesting habitat. The applicant, in consultation with a registered biologist, will protect any active nests with a 50 to 100-foot buffer. The project will maintain all existing and naturally occurring vegetative cover and does not propose the removal of any vegetation. Additionally, implementation of mitigation measures below would further reduce impacts to less than significant.</p> <p>Less Than Significant with incorporated Mitigation Measures:</p> <p>Mitigation Measures:</p> <p>BIO-1: A qualified biologist will conduct a breeding bird survey no more than 14 days prior to any project activities, including any ground disturbance that occurs within the breeding season (February 1 through August 31). If active nests are found close enough to the study to affect breeding success, the biologist will create an appropriate exclusion zone around the nest based upon species requirements.</p> <p>BIO-2: Prior to construction all workers on the crew shall be trained by a qualified biologist as to the sensitivity of the turtle potentially occurring in the project area.</p> <p>BIO-3: Hazardous materials such as fuels, oils, solvents, etc., will be stored in sealable containers in a designated location at least 200 feet from all aquatic habitats. All fueling and staging of equipment will occur at least 200 feet from any aquatic habitat. All equipment will be maintained such that there will be no leaks of automotive fluids such as gasoline, oils or solvents.</p> <p>Less than Significant Impact with mitigation measures BIO-1 through BIO-3.</p> | <p>1, 2, 3, 4, 5, 11, 12, 13, 16, 17, 21, 24, 29, 30, 31, 32, 33, 34</p> |
| <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</p> | | X | <p>The Biological Study identified three (3) distinct habitats on the subject site; (1) Woodland / Madrone Forest; (2) Chaparral, and (3) Mixed Riparian Forest. The Study identified mitigation measures which are incorporated into this document as Mitigation Measures BIO-1 through BIO-3.</p> | <p>1, 2, 3, 4, 5, 11, 12, 13, 16, 17, 29, 30, 31, 32, 33, 34</p> |

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| by the California Department of Fish and Game or U.S. Fish and Wildlife Service? | | | | Less than Significant Impact with mitigation measures BIO-1 through BIO-3. | |
| 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 | The site contains no state or federally protected wetlands. Less than Significant Impact | 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 | | According to the Biological Study submitted, there are no mapped or otherwise identified wildlife corridors on the subject site. Less than Significant Impact with mitigation measures BIO-1 through BIO-3. | 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 | There are conflicts with any local policies or ordinances protecting biological resources such as tree preservation policy as the project does not propose any removal of vegetation. No Impact | 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 | See previous comment. No Impact | 1, 2, 3, 4, 5, 11, 12, 13, 16, 17, 21, 24, 29, 30, 31, 32, 33, 34 |
| V. CULTURAL RESOURCES | | | | | |
| <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 Jay Flaherty of Flaherty Cultural Resource Services (FCRS) on August 9, 2019. According to the Cultural Resource Evaluation there was a previous archaeological survey conducted in 1990 and one prehistoric site was discovered at that time. In 2019 the area was once more surveyed and the same 1990 site was discovered. The current area that is fenced off for the proposed commercial cannabis grow has already impacted a portion of the historic site. FCRS was told that there will be no further ground disturbance as the growing method will be strictly above ground. It is recommended to avoid any additional ground disturbing activities. It is also recommended that any project development activity be monitored by a native American and archaeologist to assure that no future disturbance occurs on the archaeological site. As a matter of practice, the County requires any relics, artifacts or remains to be reported immediately to the overseeing Tribe, and an archeologist be retained to oversee any site disturbance. Less than Significant Impact with the incorporated mitigation measures Mitigation measures: CUL-1: Should any archaeological, paleontological, or cultural materials be discovered during site development, all activity shall be halted in the vicinity of the find(s), the 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 | 1, 3, 4, 5, 11, 14, 15 |

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| | | | | <p>treated in accordance with Public Resources Code Section 5097.98 and with California Health and Safety Code section 7050.5.</p> <p>CUL-2: All employees shall be trained in recognizing potentially significant artifacts that may be discovered during ground disturbance. If any artifacts or remains are found, the 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>CUL-3: No further ground disturbance can occur within the identified archaeological site(s).</p> <p>CUL-4: Any ground disturbing activities shall be monitored by the local overseeing Tribe and a licensed Archaeologist to assure that any significant artifacts or remains discovered are respectfully relocated and/or interred.</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). Less than Significant Impact with mitigation measures CUL-1 through CUL-4. | 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). Less than Significant Impact with mitigation measures CUL-1 through CUL-4. | 1, 3, 4, 5, 11, 14, 15 |
| VI. ENERGY <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 application, the proposed use will use solar power as the primary energy source. The outdoor cultivation area will have minimal need for power. Other likely power users include the security system, and any outdoor lighting that might be needed. All energy use shall adhere to all Federal, State and local agency requirements.</p> <p>Less than Significant Impact</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>Less than Significant Impact</p> | 1, 3, 4, 5, 11, 14, 15 |
| VII. GEOLOGY AND SOILS <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-Priola 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.</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> Lake County contains numerous known active faults. Future seismic events in the Northern California region can be expected to produce seismic ground shaking at the site. All proposed construction is required to be built consistent with Current Seismic Safety construction standards.</p> <p><u>Landslides</u> There is some risk of landslides based on the slope of the parcel, primarily along the southern half of the project parcels.</p> | 1, 3, 4, 5, 6, 7, 10, 17, 18, 19, 21, 24, 25 |

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| ii) Strong seismic ground shaking? | | | | The cultivation area however is located within an area with little to no slope away from the high ridges. 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 | |
| iii) Seismic-related ground failure, including liquefaction? | | | | | |
| iv) Landslides? | | | | Less Than Significant Impact | |
| b) Result in substantial soil erosion or the loss of topsoil? | | | X | The soil on this site has the potential for erosion and/or the loss of topsoil. However, the location of the cultivation area has little to no slope and will not require any grading. Less Than Significant Impact | 1, 3, 4, 5, 6, 7, 10, 16, 17, 18, 19, 21, 24, 25, 30 |
| c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on-site or off-site landslide, lateral spreading, subsidence, liquefaction or collapse? | | | X | The cultivation site is mapped as being 'stable'. The soil is not in danger of subsidence, liquefaction or collapse as a result of the proposed project as there is no grading or proposed ground disturbance on any unstable soils. Less Than Significant Impact | 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 | The soil on the cultivation area is type 208 Skyhigh-Asbill Complex which does have high erosion potential and shrink-swell potential. According to the applicant proposal, all cultivation will take place above ground which will reduce the potential of expansive soils due to the ground not being directly wetted. The cultivation site is also located within an area of little to no slope greatly reducing the erosion potential. Less Than Significant Impact | 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 wastewater? | | | X | The 79.6-acre site currently has an existing septic system. The soil is relatively well-drained and does not appear to be problematic if a new septic system is needed to be added to the cultivation site in the future. No Impact | 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 | | See Response to Section V(a) – Less than Significant Impact with mitigation measures CUL-1 to CUL-4. | 1, 3, 4, 5, 11, 14, 15 |
| VIII. GREENHOUSE GAS EMISSIONS <i>Would the project:</i> | | | | | |
| a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment? | | | X | In general, greenhouse gas emissions can come from construction activities and from post-construction activities such as vehicle trips (employees, deliveries, et cetera). Lake County does not require a commercial cannabis applicant to provide GHG estimates during or after site preparation. In this case the site disturbance ('construction') will be very minimal because the cultivation area has already been disturbed. Minimal new construction will occur on the site, and there are minimal gasses that would be emitted from outdoor cultivation activities. The outdoor cultivation area will not have specific greenhouse gas-producing elements; no ozone will result, and the cannabis plants will to a small degree help capture carbon dioxide. Less than Significant Impact | 1, 3, 4, 5, 21, 24, 29, 30, 31, 32, 34, 36 |
| b) Conflict with an applicable plan, policy or regulation adopted | | | X | This project will not conflict with any adopted plans or policies for the reduction of greenhouse gas emissions. | 1, 3, 4, 5, 21, 24, 29, 30, |

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| for the purpose of reducing the emissions of greenhouse gases? | | | | | No Impact | 31, 32, 34, 36 |
| IX. HAZARDS AND HAZARDOUS MATERIALS <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>This proposal will use organic pest control and fertilizers. This will significantly limit potential environmental hazards that would otherwise result. Cannabis waste is required to be chipped and disbursed on site; burning cannabis waste is prohibited.</p> <p>Materials associated with the proposed Cultivation of Commercial Cannabis, such as gasoline, pesticides, fertilizers, alcohol, hydrogen peroxide and the equipment emissions may be considered hazardous if released into the environment. The applicant has stated that all potentially harmful chemicals will be stored and locked in a secured building on site.</p> <p>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.</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> | 1, 3, 4, 5, 10, 13, 17, 21, 24, 25, 29, 30, 31, 32, 33, 34, 36 |
| 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 | | <p>See Response to Section IX(a).</p> <p>Less than Significant Impact</p> | 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 | <p>The proposed project is not located within one-quarter mile of an existing or proposed school. No Impact</p> | 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 | | <p>The project site is not listed as a site containing hazardous materials in the databases maintained by the Environmental Protection Agency (EPA).</p> <p>Less Than Significant Impact</p> | 1, 3, 4, 5, 10, 13, 17, 21, 24, 25, 29, 30, 31, 32, 33, 34, 36 |
| 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 | <p>The project is not located within two (2) miles of an airport and/or within an Airport Land Use Plan. No Impact</p> | 1, 3, 4, 5, 20, 22 |
| f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan? | | | X | | <p>The project would not impair or interfere with an adopted emergency response or evacuation plan. Of note is that Jerusalem Grade Road is a narrow unpaved road that serves more properties to the east. This is the only evacuation route; however, this is not unusual for commercial cannabis</p> | 1, 3, 4, 5, 20, 22, 35, 37 |

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| | | | | <p>cultivation sites, which by their nature tend to be established in outlying and sparsely populated areas.</p> <p>Less Than Significant Impact</p> | |
| g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires? | | | X | <p>The site is mapped as having an Extremely 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.</p> <p>Less than Significant Impact</p> | 1, 3, 4, 5, 20, 35, 37 |
| <p>X. HYDROLOGY AND WATER QUALITY <i>Would the project:</i></p> | | | | | |
| a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality? | | | X | <p>The project parcel is currently served by an existing onsite septic. The applicant shall adhere to all Federal, State and Local regulations regarding wastewater treatment and water usage requirements.</p> <p>Less Than Significant Impact</p> | 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 | <p>There is no groundwater 'depletion threshold' established for water usage in Lake County. While the water table appears to be robust at this location, it is unknown whether the groundwater available is sustainable over a long period of time.</p> <p>The applicant has not indicated the anticipated monthly usage. Similarly-sized outdoor cultivation areas typically use between 8,000 and 20,000 gallons per month; this is the amount anticipated for this project. The applicant will be required to track monthly water usage and is required to provide an annual report that includes monthly water usage. There is no 'upper threshold' for water usage for commercial cannabis in Lake County.</p> <p>The applicant is required as a condition of approval to provide a 'Groundwater Adequacy Test'. This is to occur prior to cultivation and is a standard condition of approval for all new cannabis cultivation activities in Lake County.</p> <p>Less than Significant Impact</p> | 1, 3, 4, 5, 13, 21, 23, 24, 25, 29, 31, 32, 33, 34 |
| <p>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:</p> <p>i) Result in substantial erosion or siltation on- or off-site;</p> <p>ii) Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site;</p> <p>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;</p> | | | X | <p>The applicant has stated that the total cultivation area is about 52,190 s.f. in size, and the canopy area is about 43,560 s.f. in area. This represents about 1.3% of the entire 79.6-acre site. Furthermore 52,190 s.f. is outdoor cultivation area which will remain permeable. The footprint of the buildings are incredibly small comparative to the property and the runoff resulting from those buildings is not significant.</p> <p>If development activities will occur on over one (1) acre of new disturbance, the project will require coverage under a <u>Construction General Permit for Storm Water Management</u>, including a <u>Storm water Pollution Prevention Plan (SWPPP)</u>.</p> <p>Less than Significant Impact</p> | 1, 3, 4, 5, 13, 21, 23, 24, 25, 29, 31, 32, 33, 34 |

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| 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, a tsunami or seiche zone, and the risk of stormwater-related pollutants migrating is minimal. 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. Less than Significant Impact | 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 X (d) above. Less than Significant Impact | 1, 3, 4, 5, 10, 13, 21, 23, 24, 25, 29, 31, 32, 33, 34 |
| XI. LAND USE AND PLANNING <i>Would the project:</i> | | | | | | |
| a) Physically divide an established community? | | | | X | The proposed project site would not physically divide an established community. No Impact | 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 appears to be consistent with the Lake County General Plan, the Middletown Area Plan and the Lake County Zoning Ordinance, Article 27, subsection (at) upon issuance of a Major use Permit pursuant to Article 27 of the Lake County Zoning Ordinance. Less than Significant Impact | 1, 3, 4, 5, 20, 21, 22, 27, 28 |
| XII. MINERAL RESOURCES <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 | According to the California Department of Conservation: Mineral Land Classification, there are no known mineral resources on the project site. No Impact | 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 Middletown Area Plan nor the Lake County Aggregate Resource Management Plan designates the project site as being a locally important mineral resource recovery site. Less than Significant Impact | 1, 3, 4, 5, 26 |
| XIII. NOISE <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 construction. Mitigation measures will decrease these noise levels to an acceptable level. Less Than Significant Impact with mitigation measures incorporated. Mitigation measures: <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. <u>NOI -2:</u> 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 | 1, 3, 4, 5, 13 |

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| | | | | | <p>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><u>NOI-3:</u> 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 | | <p>The project is not expected to create unusual groundborne vibration due to facility operation. The low-level truck traffic during construction and deliveries would create a minimal amount of groundborne vibration.</p> <p>Less Than Significant Impact</p> | 1, 3, 4, 5, 13 |
| <p>XIV. POPULATION AND HOUSING <i>Would the project:</i></p> | | | | | | |
| 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 is not anticipated to induce population growth.</p> <p>No Impact</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>No Impact</p> | 1, 3, 4, 5 |
| <p>XV. PUBLIC SERVICES <i>Would the project:</i></p> | | | | | | |
| 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 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.</p> <p>No Impact</p> | 1, 3, 4, 5, 13, 17, 20, 21, 22, 23, 24, 27, 28, 29, 30, 31, 32, 33, 34, 36, 37 |
| <p>XVI. RECREATION <i>Would the project:</i></p> | | | | | | |
| 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 impact on existing parks or other recreational facilities.</p> <p>No Impact</p> | 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 | | <p>This project will not necessitate the construction or expansion of any recreational facilities.</p> <p>No Impact</p> | 1, 3, 4, 5 |

| XVII. TRANSPORTATION | | | | | |
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| <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 Jerusalem Grade Road, an unpaved gravel County road. A minimal increase in traffic is anticipated due to construction (projected between 4 and 6 ADT), and incoming and outgoing deliveries through the use of small vehicles only are anticipated to be infrequent. Estimated daily employee trips are between 4 and 6 trips is slightly less than a single-family dwelling, which averages 9.55 average daily trips according to International Transportation Engineer's manual, 9th edition. Less than Significant Impact | 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. This project would not conflict with CEQA guidelines section 15064.3, subdivision 28,35 guidelines section 15064.3, (b)(1). Less than significant impact. | 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. No Impact | 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 Jerusalem Grade Road are proposed, nor do any appear to be needed. Less than Significant Impact | 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. No Impact | 1, 3, 4, 5, 9, 20, 22, 27, 28, 35 |
| XVIII. TRIBAL CULTURAL RESOURCES | | | | | |
| <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 | | The Cultural Survey undertaken by Jay Flaherty yielded a significant find that was previously found in study conducted in 1990 which described the same site. Four conditions are added (also as mitigation measures) that specify the path of action required to reduce any impacts to the existing site and if any additional potential significant sites are discovered. Less than Significant with mitigation measures CUL-1 and CUL-4. | 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 significance of the resource to a California Native American tribe. | | | X | All local Tribes were notified of this action in July, 2019 and again on March 3, 2020 via AB 52 notice. No adverse comments were received from Tribes on this proposal. Less than Significant Impact | 1, 3, 4, 5, 11, 14, 15 |

| XIX. UTILITIES AND SERVICE SYSTEMS | | | | | |
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| <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 septic system. The applicant shall adhere to all Federal, State and Local regulations regarding wastewater treatment and water usage requirements. Further, a Stormwater Management Plan was submitted that address onsite drainage on this relatively small cultivation area. There is no obvious change proposed that might adversely affect these named categories. Less than Significant Impact | 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. Less Than Significant Impact | 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. Less Than Significant Impact | 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. Less than Significant Impact | 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. Small cannabis cultivation sites such as this one generate little non-cannabis related waste, and the plant waste material must be chipped and spread on site. Less than Significant Impact | 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. Less than Significant Impact | 1, 3, 4, 5, 29, 32, 33, 34, 36 |

| XX. WILDFIRE | | | | | |
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| <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 Jerusalem Grade Road, a narrow, unpaved County road. The property is located within an SRA (high fire) area.</p> <p>The fire risk on the site is mapped as being Moderate to Very High; the site has varied slopes across the parcel and has a relatively dense fuel load. The site was burned in 2015, so there is a burn scar on the entire property. Some vegetation has repopulated the lot since the fire occurred.</p> <p>The cannabis cultivation use 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>Less than Significant Impact</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 Very High, and the slope on the site averages over 30%. The new 1 acre cultivation area does not further exacerbate the risk of wildfire, or the overall effect of pollutant concentrations to area residents in the event of a wildfire.</p> <p>Less than Significant Impact</p> | 1, 2, 4, 5, 6, 20, 23, 31, 35, 37, 38 |

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| <p>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?</p> | <p>X</p> | | <p>The site improvements proposed are minimal and don't rise to the level of warranting additional roads. The responsible Fire Districts, who were notified of this action, have not indicated that additional fire breaks are necessary.</p> <p>CalFire has provided comments that are incorporated as Mitigation Measures.</p> <p>Less than significant with the incorporated Mitigation Measures</p> <p>Mitigation measures:</p> <p><u>WILD-1:</u> All regulations on the State of California's Public Resource Code, Division 4, and all Sections in 4290 and 4291 (4001-4958) shall apply to this application/construction.</p> <p><u>WILD-2:</u> All regulations in the California Code of Regulations Title 14, Division 1.5, Chapter 7, Subchapter 2, and Article 1 through 5 shall apply to this application/construction.</p> <p><u>WILD-3:</u> All regulations in the California Building Code, Chapter 7 A, Section 701 A, 701 A.3 .2.A</p> <p><u>WILD-4:</u> All regulations in the California Government Code, TITLE 5. LOCAL AGENCIES [50001 - 57550], DIVISION 1. CITIES AND COUNTIES [50001 - 52203], PART 1. POWERS AND DUTIES COMMON TO CITIES AND COUNTIES [50001 - 51298.5], CHAPTER 6.8. Very High Fire Hazard Severity Zones [51175 - 51189], Section 51182</p> <p><u>WILD -5:</u> This shall include, but not be limited to property line setbacks for structures that are a minimum of 30 feet, addressing, on site water storage for fire protection, driveway/roadway types and specifications based on designated usage, all weather driveway/roadway surfaces engineered for 75,000lb vehicles, maximum slope of 16%, turnouts, gates (14 foot wide minimum), gate setbacks (minimum of 30 feet from road), parking, fuels reduction including a minimum of 100 feet of defensible space. If this property will meet the criteria to be or will be a CUPA reporting facility/entity to Lake County Environmental Health (see hyperlink below), it shall also comply specifically with PRC4291 .3 requiring 300 feet of defensible space and fuels reduction around said structure.</p> <p>http://www.fire.ca.gov/fire_prevention/fire_prevention_wildland_codes</p> | <p>1, 2, 4, 5, 6, 20, 23, 31, 35, 37, 38</p> |
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| 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 based on the lack of site changes that would occur by this project.</p> <p>Less than Significant Impact</p> | 1, 2, 4, 5, 6, 20, 23, 31, 35, 37, 38 |
| XXI. MANDATORY FINDINGS OF SIGNIFICANCE | | | | | |
| 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 Cultivation of Commercial cannabis in a 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. | 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 Aesthetics, Air Quality, Cultural and Tribal Resources, Biological Resources, Geology and Soils, Noise and Wildfire. These impacts in combination with the impacts of other past, present and reasonably foreseeable future projects could cumulatively contribute to significant effects on the environment. 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 a cumulatively considerable environmental impact. | 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 risk regarding Aesthetics, Air Quality, Cultural and Tribal Resources, Biological Resources, Geology and Soils, Noise and Wildfire, however the 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. Middletown Area Plan
5. Center Grow – 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)
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 Center Grow; prepared by Ms. Lucy Macmillan, M.S. Environmental Scientist, Mill Valley, California and dated April 2019.
14. Cultural Site Assessment Survey – Jay Flaherty, August 9, 2019.
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 – November 4, 2019
39. Lake County Hazard Mitigation Plan