



## COUNTY OF LAKE

### COMMUNITY DEVELOPMENT DEPARTMENT

Planning Division

Courthouse - 255 N. Forbes Street

Lakeport, California 95453

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

**January 11, 2021**

## **CALIFORNIA ENVIRONMENTAL QUALITY ACT ENVIRONMENTAL CHECKLIST FORM INITIAL STUDY IS 19-22**

- 1. Project Title:** Jinchun Ag LLC
- 2. Permit Number:** Major Use Permit, UP 19-11  
Initial Study, IS 19-22  
Early Activation, EA 19-14
- 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):** 16740 Daly Place, Middletown, CA 95461  
APN: 013-013-51 (formerly 35 and 36, recently merged)
- 6. Project Sponsor's Name/Address:** Jinchun Agriculture LLC  
2692 Redwood Court  
West Sacramento, CA 95691
- 7. General Plan Designation:** Rural Lands – Resource Conservation
- 8. Zoning:** “RL-WW” – Rural Lands - Waterway
- 9. Supervisor District:** District One (1)
- 10. Flood Zone:** None
- 11. Slope:** Gentle slope, mostly less than 10%
- 12. Fire Hazard Severity Zone:** SRA – High Fire Risk
- 13. Earthquake Fault Zone:** None
- 14. Dam Failure Inundation Area:** Not located within Dam Failure Inundation Area
- 15. Parcel Sizes:** 50.8 and 48.2 acres recently merged

**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).**

**(4) A-Type 3: "medium outdoor" licenses:** Outdoor cultivation for adult-use cannabis without the use of artificial lighting in the canopy area at any point in time with up to 65,000 square feet of cultivation area per license on one premises. Proposed are four 10' x 20' drying buildings and four 8' x 20' shipping containers. The four cultivation areas will be adjacent to one another and each will be enclosed in a 6' tall metal fence.

**(1) A-Type 13 "self distribution" license** to enable the legal transportation of cannabis to and from the site.

The site was approved for Early Activation for 260,000 sq. ft. of cultivation area on August 6, 2020. The area is enclosed with a six-foot tall screening fence. The cultivation site is served by a drip irrigation system. On November 6, 2019, a well test was performed to determine the drawdown and recharge of the well. The well generated 25 gallons per minute consistently over two 6-hour tests on concurrent days, and recharged to over 100% following an 18 hour shut-down period of time. The application material provided shows twelve 2,500 gallon water storage tanks; three in each of the four cultivation areas.

The site is served by an existing on-site driveway that is 20' wide, and surfaced with gravel. There is a parking area on site, however actual parking spaces are not shown on the material submitted and will need to be added to the site plan. Likewise, the interior driveway is not clearly shown on the site, however a site visit by staff on June 21, 2020 confirmed that the driveway exists and is compliant with Public Resource Code (PRC) 4290 and 4291.

**Construction**

*According to the applicant, the following is in regards to the site preparation and construction:*

- Ground disturbance and structure construction activities will take place over a 1 month period.
- There will be four side-by-side cultivation areas with each having one 8' x 20' shipping container and one 10' x 20' drying building.
- Materials and equipment will only be staged on previously disturbed areas (the site had been previously used for crop production). No areas will be disturbed for the purpose of staging materials or equipment.
- Construction will occur Monday through Friday from the hours of 8:00 AM to 6:00 PM
- Water from the existing onsite well will be used to mitigate the generation of dust during construction.
- All construction activities, including engine warm-up, will be limited to Monday through Friday, between the hours of 7:00 AM to 7:00 PM.

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

**Post - Construction**

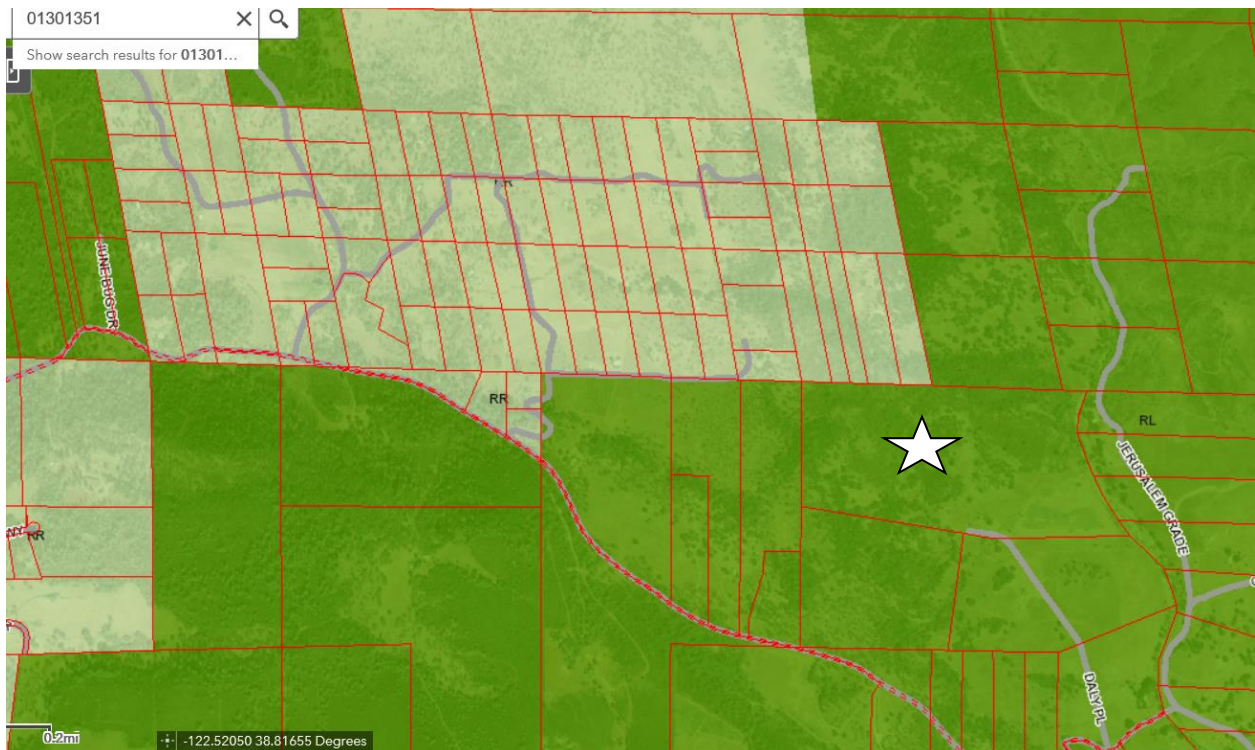
- Between 4 and 10 employees per day would occupy the site depending on the season
- Trips per day estimated at 8 to 16 Average Daily Trips (ADT)

- No greenhouses are proposed
- Chemicals, fuel and fertilizer to be stored in an on-site lockable buildings
- On-grid power is proposed
- Manufactured home on site to house caretaker.
- Site is on an existing well and septic system
- Vegetative waste to be chipped and spread on site

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

North: Rural Lands-zoned lot, roughly 40 acres in size; undeveloped. Rural Residential lots, 5 and 10 acres in size (five total abutting the subject site); three are developed with houses.

South, East and West: "RL" Rural Lands-zoned properties. Parcel sizes range from approximately 20 to over 40 acres in size. About half of the neighboring properties contain dwellings.



**Zoning of Site and Surrounding Properties**



**Aerial Photo of Site and Surrounding Properties**

**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.

All 11 Tribes located in Lake County were notified of this proposal on July 26, 2019. One tribal comment was received from the Middletown Rancheria Tribe as the result of the AB 52 notice that was sent out to the tribes; Middletown Rancheria expressed interest in this project and provided proposed mitigation measures that will be incorporated into this document. Staff discussed the Tribe's concerns with the applicant, who then contacted the Tribe to discuss the project and possible agreement between Tribe and applicant.

On July 13, 2019, the County received the following emailed message from the Tribe: "After review the Tribe is comfortable with the project moving forward under the condition the applicant participate in a cultural sensitivity training." This will be added as a mitigation measure in this Initial Study document.

#### 19. Attachments:

- a. Site Plans
- b. Property Management Plan
- c. Biological Assessment
- d. Mitigation Monitoring Reporting Program, NOC, NOI Summary

#### ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

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

- |                                                                 |                                                                   |                                                                               |
|-----------------------------------------------------------------|-------------------------------------------------------------------|-------------------------------------------------------------------------------|
| <input checked="" type="checkbox"/> <u>Aesthetics</u>           | <input type="checkbox"/> <u>Greenhouse Gas Emissions</u>          | <input type="checkbox"/> <u>Population / Housing</u>                          |
| <input type="checkbox"/> <u>Agriculture &amp; Forestry</u>      | <input type="checkbox"/> <u>Hazards &amp; 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 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 type="checkbox"/> <u>Geology / Soils</u>                 | <input checked="" type="checkbox"/> <u>Noise</u>                  | <input type="checkbox"/> <u>Utilities / Service Systems</u>                   |
| <input type="checkbox"/> <u>Wildfire</u>                        | <input type="checkbox"/> <u>Energy</u>                            | <input checked="" type="checkbox"/> <u>Mandatory Findings of Significance</u> |

#### DETERMINATION: (To be completed by the lead Agency)

On the basis of this initial evaluation:

- ☐ I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- ☒ I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
- ☐ I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.



- ☐ I find that the proposed project MAY have a “potentially significant impact” or “potentially significant unless mitigated” impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
- ☐ I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

Initial Study Prepared By:  
Eric Porter, Associate Planner

*Eric Porter*

Date: 1/11/2021

SIGNATURE

Scott DeLeon –Community Development 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:
- 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**
<b>I. AESTHETICS</b> <i>Would the project:</i>						
a) Have a substantial adverse effect on a scenic vista?		X			<p>Although there are no scenic vistas on or adjacent to the subject site, the cultivation area on the site is located on a portion of the property that is relatively flat and can easily be seen from Daly Place and several neighboring lots. There are four shipping containers proposed and four drying buildings (one in each of the four proposed cultivation areas).</p> <p>Lake County Zoning Ordinance requires all shipping containers to be screened from view from public roads and neighboring properties; the method of screening has not been provided, but must either be faux siding and roofing, or screening fencing for all shipping containers. Daly Place is not a scenic road, and the outdoor nature of the cultivation will not otherwise cause adverse visual impacts to a scenic vista as long as screening measures for the shipping containers are incorporated as follows:</p> <p><b>AES-1: Prior to this use permit becoming effective, the applicant shall screen the sides and roofs of each shipping container using false siding and a false roof on each container. Alternatively, the applicant can use screening fencing at a height of at least 6' around each of the containers. The perimeter fencing shown on the site plan is satisfactory for this purpose provided it incorporates screening around all four sides of each fence.</b></p>	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>Less Than Significant Impact with mitigation measures added</b>	
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 the site, such as trees, rock outcroppings or historic buildings.  <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			Daly Place is accessible from Jerusalem Grade Road, a County maintained road. This cultivation area will be located toward the front of the property and is visible from Daly Place and from several neighboring properties. The cultivation sites are not visible from Jerusalem Grade Road which is located about ½ mile from the site due to existing vegetation (trees and shrubs).  Visual impacts associated with the shipping containers can be mitigated through mitigation measure AES-1.  The site is not located within an urbanized area.  <b>Less Than Significant Impact with mitigation measure added</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 has very little potential to have substantial light or glare impacts on persons enjoying a day or nighttime view in this area since the cultivation areas are outdoors. Any security lighting contemplated would have to be downcast and shielded; this is a standard condition of approval for all cannabis cultivation licenses issued by the County.  <b>Less than Significant Impact</b>	1, 2, 3, 4, 5, 6, 9
<p align="center"><b>II. AGRICULTURE AND FORESTRY RESOURCES</b></p> <p align="center"><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		The soil on the site is mapped as 'grazing land' (low quality soil). The County had issued 'early activation' for an outdoor cultivation use on the applicant's site in 2020. The County regards commercial cannabis cultivation to be a crop, and as such this proposed project would not convert farmland that is lower quality farmland to a non-agricultural use.  <b>Less than Significant Impact</b>	1, 2, 3, 4, 5, 7, 8, 11, 13
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?			X		The site will not conflict with existing zoning which allows agricultural uses, and is not under Williamson Act contract.  <b>Less than Significant Impact</b>	1, 2, 3, 4, 5, 7, 8, 11, 13



IMPACT CATEGORIES*	1	2	3	4	All determinations need explanation. Reference to documentation, sources, notes and correspondence.	Source Number**
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?				X	The proposed project will not conflict with existing zoning and/or cause the rezoning of forest land as defined by Public Resource Code section 4526, or of timberland as defined by Government Code section 51104(g).  <b>No Impact</b>	1, 2, 3, 4, 5, 7, 8, 11, 13
d) Result in the loss of forest land or conversion of forest land to non-forest use?				X	The project would not result in the loss or conversion of forest land to a non-forest use.  <b>No Impact</b>	1, 2, 3, 4, 5, 7, 8, 11, 13
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?				X	As proposed, this project would not induce changes to existing farmland or forest land that would result in its conversion to non-agricultural use.  <b>No Impact</b>	1, 2, 3, 4, 5, 7, 8, 11, 13
<p align="center"><b>III. AIR QUALITY</b></p> <p align="center"><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 align="center"><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 vehicular traffic, including small delivery vehicles. 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). Additionally, implementation of mitigation measures below would further reduce air quality impacts to less than significant. <b>Less Than Significant with Mitigation Measures incorporated.</b></p> <p><b>Mitigation measures:</b></p> <p><b><u>AQ-1:</u></b> Prior to obtaining the necessary permits and/or approvals for any phase, applicant shall contact the Lake County Air Quality Management District and obtain an Authority to Construct (A/C) Permit for all operations and for any diesel powered equipment and/or other equipment with potential for air emissions.</p> <p><b><u>AQ-2:</u></b> All mobile diesel equipment used must be in compliance with State registration requirements. Portable and stationary diesel powered equipment must meet the requirements of the State Air Toxic Control Measures for CI engines.</p> <p><b><u>AQ-3:</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. Said information shall be made available upon request and/or the ability to provide the Lake County Air Quality Management District such information in order to complete an updated Air Toxic emission Inventory.</p> <p><b><u>AQ-4:</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>	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**
					<p><b>AQ-5:</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> <p><b>AQ-6:</b> 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> <p><b>AQ-7:</b> A Dust Mitigation Plan shall be submitted to Community Development and to Lake County Air Quality Department due to the presence of serpentine soil on a portion of the cultivation site. This plan shall show how fugitive dust will be mitigated during and after site disturbance, and is subject to review and ultimately approval by both Departments prior to site disturbance.</p>	
b) Violate any air quality standard or result in a cumulatively considerable net increase in an existing or projected air quality violation?		X			<p>The County of Lake is in attainment of state and federal ambient air quality standards. A portion of the site contains serpentine soil, which is naturally occurring asbestos; therefore mitigation measure AQ-7 is added to protect the site and surroundings from airborne asbestos particulates.</p> <p>Burning cannabis waste is prohibited within the commercial cannabis ordinance for Lake County, and use of generators is only allowed during a power outage. On-site construction is likely to occur over a relatively short period of time (estimated between 1 and 2 months), and minimal construction would be required to build four processing buildings and to import four shipping containers. The fencing is already in place. There are no ADA compliant restrooms on the site, but the Planning Commission typically requires at least one as a condition of land use approval. It is unlikely that this use would generate enough particulates during and after construction to violate any air quality standards.</p> <p><b>Less than Significant Impact with mitigation measures incorporated</b></p>	1, 3, 4, 5, 10, 21, 24, 31, 36
c) Expose sensitive receptors to substantial pollutant concentrations?		X			<p>The nearest residence appears to be located approximately 1200 feet from the cultivation sites according to Google Earth map measurement. This neighboring house is generally located upwind of the normal prevailing wind direction in this area; prevailing winds typically originate from the north / northwest and blow to the south / southeast.</p> <p><b>Less than Significant Impact with mitigation measures incorporated</b></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**
d) Result in substantial emissions (such as odors or dust) adversely affecting a substantial number of people?		X			<p>The cultivation area on the site was previously disturbed by prior crop cultivation (non cannabis) and by subsequent disking that was determined to be inconsequential. Minimal site disturbance is needed to implement the project as proposed. The applicant will be required to submit an Odor Control Plan as a condition of approval, and will need to mitigate the outdoor cultivation areas through the use of filtration system(s) and/or odor-masking means such as fragrant plants around the perimeter of the outdoor growing area.</p> <p><b>Less than Significant Impact with mitigation measures incorporated</b></p>	1, 2, 3, 4, 5, 10, 21, 24, 31, 36
<b>IV. BIOLOGICAL RESOURCES</b> <i>Would the project:</i>						
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?		X			<p>The applicant provided a Biological Assessment prepared by Natural Investigations Company. The Biological Assessment made several recommendations to protect sensitive species that may be present near the cultivation site. These recommendations are translated into mitigation measures as follows:</p> <p><b>BIO-1: If project activities occur during the breeding season (February 1 through August 31), a qualified biologist shall conduct a breeding survey no more than 14 days prior to project activities to determine if any birds are nesting in trees on or adjacent to the study area. This shall include areas where water wells and security fencing will be installed.</b></p> <p><b>If active nests are found close enough to affect breeding success, the qualified biologist shall establish an appropriate exclusion zone around the nest. This exclusion zone may be modified depending upon the species, nest location, and existing visual buffers.</b></p> <p><b>BIO-2: If initial ground disturbance occurs during the bat maternity roosting season (April 1 through September 1), a qualified biologist shall conduct a bat roost assessment of trees within 100 feet of the proposed construction. If bat maternity roosts are present, the biologist shall establish an appropriate exclusion zone around the maternity roost.</b></p> <p><b>BIO-3: Prior to any development, the project area shall be surveyed by a qualified biologist to determine if there are any active fisher dens within 250 feet of the project footprint. If an active den is found, California Department of Fish and Wildlife shall be consulted to determine appropriate mitigation measures, which may include relocation of the den or establishing a suitable buffer zone.</b></p> <p><b>Less Than Significant Impact with mitigation measures BIO-1 through BIO-3 incorporated</b></p>	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**
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?			X		The site contains a mapped riparian habitat along Daly Place. This area may contain unspecified habitats, however the mapped corridor is located more than 100 feet from the nearest cultivation site.  <b>Less Than Significant Impact</b>	1, 2, 3, 4, 5, 11, 12, 13, 16, 17, 29, 30, 31, 32, 33, 34
c) Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?			X		The County's CNDDB GIS layer shows no sensitive mapped species on the subject site, which is consistent with the data provided in the Biological Study regarding wetlands.  <b>Less Than Significant Impact</b>	1, 2, 3, 4, 5, 11, 12, 13, 16, 17, 21, 24, 29, 30, 31, 32, 33, 34
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?			X		The Biological Study submitted stated that there were no observed native resident or migratory fish or wildlife species within the study area.  <b>Less Than Significant Impact</b>	1, 2, 3, 4, 5, 11, 12, 13, 16, 17, 21, 24, 29, 30, 31, 32, 33, 34
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?			X		This project does not conflict with any local policies or ordinances protecting biological resources. The trees on site are primarily introduced / non-native. There are no mapped sensitive species on the site.  <b>Less Than Significant Impact</b>	1, 2, 3, 4, 5, 11, 12, 13, 16, 17, 21, 24, 29, 30, 31, 32, 33, 34
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?				X	No special conservation plans have been adopted for this site and no impacts are anticipated.  <b>No Impact</b>	1, 2, 3, 4, 5, 11, 12, 13, 16, 17, 21, 24, 29, 30, 31, 32, 33, 34
<b>V. CULTURAL RESOURCES</b> <i>Would the project:</i>						
a) Cause a substantial adverse change in the significance of a historical resource pursuant to §15064.5?		X			A Cultural Resources Evaluation was conducted for the subject parcel involved with this proposal by Natural Investigations Company, Sacramento CA, dated March 12, 2019. The Cultural Resources Evaluation stated that no significant historic or prehistoric cultural materials were encountered during the field inspection, and the study determined that no significant cultural sites exist on the parcel.  The applicant is not further disturbing any soil on the site with the exception of the pad for the shipping containers and drying buildings. Above ground pots using imported soil will be used for the outdoor cannabis plants.  The County received two letters from the Middletown Rancheria Tribe in August 2019 asking for a Tribal Consultation and for mitigation measures to be added to protect potential Tribal assets and sacred area(s) that might be present on the site. The applicant was informed of this and met with the Tribe. Following this meeting, the Tribe indicated that they were satisfied with the project provided cultural sensitivity training took place.  The following mitigation measures are added that are intended to address the tribal concerns raised.  <b>CUL-1: Should any archaeological, paleontological, or</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**
					<p>cultural materials be discovered during site development, all activity shall be halted in the vicinity of the find(s), the applicant shall notify the local overseeing Tribe, and a qualified archaeologist to evaluate the find(s) and recommend mitigation procedures, if necessary, subject to the approval of the Community Development Director. Should any human remains be encountered, the applicant shall notify the Sheriff's Department, the local overseeing Tribe, and a qualified archaeologist for proper internment and Tribal rituals per Public Resources Code Section 5097.98 and Health and Safety Code 7050.5.</p> <p><b>CUL-2:</b> All employees shall be trained in recognizing potentially significant artifacts that may be discovered during ground disturbance. If any artifacts or remains are found, the 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><b>CUL-3:</b> Prior to cultivation under this use permit, the applicant and his employees shall participate in a cultural sensitivity training sponsored or led by the Middletown Rancheria Tribe. Confirmation of the completion of this training shall be provided to the Community Development Department within 90 days of Use Permit issuance.</p> <p><b>Less than Significant Impact with mitigation measures incorporated</b></p>	
b) Cause a substantial adverse change in the significance of an archeological resource pursuant to §15064.5?		X			<p>The applicant is proposing minimal site disturbance. The Cultural Study undertaken for this site determined that it was highly unlikely that the site represented a significant archeological resource site.</p> <p>The Middletown Rancheria however submitted letters indicating that the site may well be a Tribally significant site. Therefore mitigation measures CUL-1, CUL-2 and CUL-3 are added.</p> <p><b>Less than Significant Impact with mitigation measures incorporated</b></p>	1, 3, 4, 5, 11, 14, 15
c) Disturb any human remains, including those interred outside of formal cemeteries?			X		<p>The Cultural Study stated that it was unlikely that any significant findings, including human remains, appear likely on this site. The amount of new site disturbance that would occur is minimal.</p> <p><b>Less than Significant Impact</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>The applicant states that she will use an on-grid power system as the primary energy source. The outdoor cultivation areas will have minimal need for power. The likely power sources include the security system, the well pump, and any outdoor security lighting that might be needed in the future.</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 no mandatory energy reductions for cultivation activities within Article 27 of the Lake County Zoning Ordinance unless the applicant proposes 'indoor cultivation'</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**
					(not proposed with this application).  <b>Less than Significant Impact</b>	
<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 Publication 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 stable and not prone to liquefaction.</p> <p><u>Landslides</u> According to the Landslide Hazard Identification Map prepared by the California Department of Conservation, Division of Mines and Geology, the area is considered generally stable.</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>Minimal grading and/or earth movement will result with this project. The applicant will need to import soil for the pots, however this will not have any effect on the potential for erosion or the loss of topsoil.</p> <p><b>Less Than Significant Impact</b></p>	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		<p>The stability of the Type 142 and 156 project soil types is not identified in the soil survey for Lake County prepared by the NRCS. The area is not mapped as having unstable soil on the County's GIS data base, however much of the cultivation site is mapped as having serpentine soil, which is consistent with the description of Type 142 soil. The applicant will use existing cultivation areas and above-ground pots. The soil on the site is mapped as 'stable' on the County GIS data base. Additionally, minimal construction will occur for the proposed infrastructure.</p> <p><b>Less Than Significant Impact</b></p>	1, 3, 4, 5, 6, 7, 10, 16, 17, 18, 19, 21, 24, 25, 30
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?			X		<p>The mapped soil types on the cultivation portion of the site (Types 142 and 156) have unidentified shrink-swell potential. Surface runoff is slow, and the hazard of erosion is slight. This soil is subject to rare periods of flooding or ponding during prolonged, high-intensity storms.</p> <p><b>Less Than Significant Impact</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**
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 project site will be served through an existing on-site septic system. The +90 acre site is large enough to support the existing in-ground septic system.  <b>No 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 will be minimal ground disturbances occurring with this project to prepare the site for the complete cultivation area, which indicated that there are no unique paleontological or geologic features on the site.  <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		In general, greenhouse gas emissions come from construction activities (vehicles) and from post-construction activities (vehicles primarily). Construction activities on this site will be minimal, limited to some site disturbance and the construction of four relatively small drying buildings, and pad preparation for four shipping containers. Burning plant material is prohibited in Lake County, and projected trips generated will be between 4 and 16 per day during and after construction. An average single family dwelling generates 9.55 average daily trips according to the International Transportation of Engineer's manual; this cultivation proposal will similar daily trips to a typical dwelling both during and after construction takes place.  <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.  <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		This proposal will use organic pest control and fertilizers that will be kept in locked storage units when not in use. This will significantly limit potential environmental hazards that would otherwise result. Cannabis waste is required to be chipped and spread on site; burning cannabis waste is prohibited in Lake County.  <b>Less Than Significant Impact</b>	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		The pesticides and fertilizers proposed are organic, and will be stored in a locked and secure building. The site preparation will require some light construction equipment; all equipment staging shall occur on previously disturbed areas on the site.  <b>Less Than Significant Impact</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

IMPACT CATEGORIES*	1	2	3	4	All determinations need explanation. Reference to documentation, sources, notes and correspondence.	Source Number**
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?				X	The project site is not listed as a site containing hazardous materials in the databases maintained by the Environmental Protection Agency (EPA).  <b>No Impact</b>	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	The project is not located within two (2) miles of an airport and/or within an Airport Land Use Plan.  <b>No Impact</b>	1, 3, 4, 5, 20, 22
f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?			X		The project would not impair or interfere with an adopted emergency response or evacuation plan.  <b>Less Than Significant Impact</b>	1, 3, 4, 5, 20, 22, 35, 37
g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?			X		The site is mapped as being a high fire risk, however the project will not further heighten fire risks on the site, and will provide a 6 acre fire break where the cultivation activity will occur. The applicant will adhere to all Federal, State and local fire requirements/regulations for setbacks and defensible space; these setbacks are applied at the time of building permit review.  <b>Less Than Significant Impact</b>	1, 3, 4, 5, 20, 35, 37
<b>X. HYDROLOGY AND WATER QUALITY</b> <i>Would the project:</i>						
a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?			X		The project parcel is current served by an existing onsite septic system and well. The use of organic pesticides and fertilizers will help to minimize potential stormwater-related runoff that might otherwise contain toxic substances, and the use of above-ground pots will further limit soil migration and subsequent migration of chemicals into the ground water basin. The applicant shall adhere to all Federal, State and Local regulations regarding wastewater treatment and water usage requirements.  <b>Less Than Significant Impact</b>	1, 3, 4, 5, 13, 21, 23, 24, 25, 29, 31, 32, 33, 34
b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?			X		The site contains an on-site well that is a significant water producing well. An aquifer recharge test was conducted by JAK Drilling and Pump on November 14, 2019. This test had the well run for two 6-hour intervals with an 18 hour 'cool down' period. The well started at a depth of 28 feet. After each test, the aquifer dropped four feet. After the 18 hour 'cool down' period, the well was back to 27 feet depth, more than 100% recharge.  The project would not alter a stream or river, nor would it substantially increase the amount of runoff that would result in flooding. There are no above-ground water sources near the cultivation area. There is a seasonal waterway along Daly Place, however the top of bank is more than 100 feet from the edge of the cultivation area closest to this seasonal stream.	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**
					<b>Less Than Significant Impact</b>	
<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> <ul style="list-style-type: none"> <li>i) Result in substantial erosion or siltation on- or off-site;</li> <li>ii) Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site;</li> <li>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;</li> <li>iv) Impede or redirect flood flows?</li> </ul>			X		<p>The applicant has stated that the total cultivation area is about 6 acres in size. The outdoor cultivation area will remain permeable, since above-ground pots can act as water absorption, since water can pass through the above-ground pots and be absorbed into the soil. New non-permeable area consists of four shipping containers of undetermined size (although they each appear to be approximately 8' x 20' based on the site plans submitted), and four drying buildings, also of undetermined size (each appears to be 10' x 20' based on the site plan submitted) are proposed in the four cultivation areas shown on the plans submitted.</p> <p><b>Less Than Significant Impact</b></p>	1, 3, 4, 5, 13, 21, 23, 24, 25, 29, 31, 32, 33, 34
<p>d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?</p>			X		<p>The project site is not located in a flood plain, tsunami or seiche zone.</p> <p><b>Less Than Significant Impact</b></p>	1, 3, 4, 5, 13, 21, 23, 24, 25, 29, 31, 32, 33, 34
<p>e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?</p>			X		<p>The proposed use will not conflict with or obstruct the implementation of water quality control plan or ground water management plan as all hazardous materials including pesticides and fertilizers will be stored in a locked / secured shed, and will meet all Federal, State and Local agency requirements for hazardous material storage and handling.</p> <p><b>Less Than Significant Impact</b></p>	1, 3, 4, 5, 10, 13, 21, 23, 24, 25, 29, 31, 32, 33, 34
<p align="center"><b>XI. LAND USE AND PLANNING</b> <i>Would the project:</i></p>						
<p>a) Physically divide an established community?</p>			X		<p>The proposed project site would not physically divide an established community. Daly Place terminates on the subject property, and no access through the subject site would be possible given the terrain and the other roads serving adjacent lots.</p> <p><b>Less Than Significant Impact</b></p>	1, 3, 4, 5, 6, 35
<p>b) Cause a significant environmental impact due to a conflict with any land use plan,</p>			X		<p>This project is consistent with the Lake County General Plan, the Middletown Area Plan and the Lake County Zoning Ordinance.</p>	1, 3, 4, 5, 20, 21, 22, 27, 28

IMPACT CATEGORIES*	1	2	3	4	All determinations need explanation. Reference to documentation, sources, notes and correspondence.	Source Number**
policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?					<b>Less Than Significant Impact</b>	
<b>XII. MINERAL RESOURCES</b> <i>Would the project:</i>						
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?				X	The Aggregate Resource Management Plan (ARMP) does not identify this project as having an important source of aggregate.  <b>No Impact</b>	1, 3, 4, 5, 26
b) Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan?				X	The County of Lake's General Plan, the Middletown Area Plan nor the Lake County Aggregate Resource Management Plan designates the project site as being a locally important mineral resource recovery site.  <b>No Impact</b>	1, 3, 4, 5, 26
<b>XIII. NOISE</b> <i>Would the project result in:</i>						
a) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?		X			Noise related to cannabis cultivation typically occurs either during construction, or as the result of machinery related to post construction equipment such as well pumps or emergency backup generators during power outages.  This project will have some minimal site preparation (hours of construction are limited through standard conditions of approval). There may be a need for an emergency backup generator, however generator usage would be limited to power outages.  <b>Less Than Significant Impact with the following mitigation measures incorporated:</b>  <b><u>NOI-1:</u></b> All construction activities including engine warm-up shall be limited Monday Through Friday, between the hours of 7:00am and 7:00pm to minimize noise impacts on nearby residents. Back-up beepers shall be adjusted to the lowest allowable levels. This mitigation does not apply to night work.  <b><u>NOI -2:</u></b> Maximum non-construction related sounds levels shall not exceed levels of 55 dBA between the hours of 7:00AM to 7:00PM 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.  <b><u>NOI-3:</u></b> The operation of the Air Filtration System shall not exceed levels of 57 dBA between the hours of 7:00AM to 10:00PM and 50 dBA from 10:00PM to 7:00AM within residential areas as specified within Zoning Ordinance Section 21-41.11 (Table 11.2) measured at the property lines	1, 3, 4, 5, 13

IMPACT CATEGORIES*	1	2	3	4	All determinations need explanation. Reference to documentation, sources, notes and correspondence.	Source Number**
b) Generation of excessive groundborne vibration or groundborne noise levels?			X		The project is not expected to create unusual groundborne vibration due to construction or to post-construction facility operation. The low level truck traffic during construction and for deliveries would create a minimal amount of groundborne vibration.  <b>Less Than Significant Impact</b>	1, 3, 4, 5, 13
<b>XIV. POPULATION AND HOUSING</b> <i>Would the project:</i>						
a) Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?				X	The project will not induce population growth. Employees working on the site will commute to the site. A caretaker will live in the existing dwelling that is already on site, and no new dwellings are proposed.  <b>No Impact</b>	1, 3, 4, 5
b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?				X	No housing will be displaced as a result of the project.  <b>No Impact</b>	1, 3, 4, 5
<b>XV. PUBLIC SERVICES</b> <i>Would the project:</i>						
a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services: - Fire Protection? - Police Protection? - Schools? - Parks? - Other Public Facilities?				X	The project does not propose housing or other uses that would necessitate the need for new or altered government facilities. There will not be a need to increase fire or police protection, schools, parks or other public facilities as a result of the project's implementation.  <b>No Impact</b>	1, 3, 4, 5, 13, 17, 20, 21, 22, 23, 24, 27, 28, 29, 30, 31, 32, 33, 34, 36, 37
<b>XVI. RECREATION</b> <i>Would the project:</i>						
a) Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?				X	The project will not have any impacts on existing parks or other recreational facilities.  <b>No Impact</b>	1, 3, 4, 5
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?				X	This project will not necessitate the construction or expansion of any recreational facilities.  <b>No Impact</b>	1, 3, 4, 5

IMPACT CATEGORIES*	1	2	3	4	All determinations need explanation. Reference to documentation, sources, notes and correspondence.	Source Number**
<b>XVII. TRANSPORTATION</b> <i>Would the project:</i>						
a) Conflict with a plan, ordinance or policy addressing the circulation system, including transit, roadways, bicycle lanes and pedestrian paths?			X		The proposed project site is accessed from Jerusalem Grade Road, a mostly paved County maintained road. A minimal increase in traffic is anticipated due to construction, maintenance and weekly and/or monthly incoming and outgoing deliveries through the use of van-type delivery vehicles. Daily employee trips are anticipated to be between 4 and 16 average daily trips. There are no known capacity issues with Jerusalem Grade Road, and Daly Place serves three properties, one of which is undeveloped.  <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		CEQA chapter 15064.3, subdivision (b)(1) requires analysis for thresholds of significance for a land use project. Projects in Lake County that produce more than 50 average daily trips (ADT) are looked at more carefully than smaller land use projects such as this one, and projects that generate 200 or more ADT require a traffic impact study.  <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 will not conflict with or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)(2).  <b>No Impact</b>	1, 3, 4, 5, 9, 20, 22, 27, 28, 35
d) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?			X		No further changes to Jerusalem Grade Road or Daly Place are proposed, nor do any appear to be needed. The applicant has improved Daly Place with gravel, and Daly Place is relatively flat and open leading to the cultivation site. Daly Place was evaluated for compliance with Public Resource Codes 4290 and 4291 and was determined to be compliant by the Lake County Fire Marshal.  <b>Less Than Significant Impact</b>	1, 3, 4, 5, 9, 20, 22, 27, 28, 35
e) Result in inadequate emergency access?				X	As proposed, this project will not impact existing emergency access.  <b>No Impact</b>	1, 3, 4, 5, 9, 20, 22, 27, 28, 35
<b>XVIII. TRIBAL CULTURAL RESOURCES</b> <i>Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:</i>						
a) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or		X			The Middletown Rancheria Tribe has indicated that this particular area contains significant tribal resources and historically significant sites. The Cultural Study undertaken for this project yielded no finds, however because of the potential for significant historical items, artifacts or other sacred relics being discovered, mitigation measures have been added to protect potential tribal resources that might otherwise make the site eligible as a site of California Registry of Historic Resources, and cultural sensitivity training is required by the mitigation measures within 'Cultural Resources' section of this Initial Study.  <b>Less Than Significant Impact with mitigation measures incorporated</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**
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			<p>The Cultural Study undertaken for this project indicated that no significant artifacts or relics were discovered. The Middletown Rancheria Tribe has provided two letters that state that this area is rich in Tribal heritage.</p> <p>Staff has reached out to the applicant to have the applicant talk directly with the Tribe for any future site disturbance, and has put three mitigation measures in place to make sure that the Tribe is notified if any potentially Tribally-significant artifacts, relics or remains are found, and that cultural sensitivity training is taken by the applicants' employees.</p> <p><b>Less Than Significant Impact with mitigation measures incorporated</b></p>	1, 3, 4, 5, 11, 14, 15
<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		<p>The subject parcel is served by an existing well and septic system. The applicant shall adhere to all Federal, State and Local regulations regarding wastewater treatment and water usage requirements.</p> <p><b>Less Than Significant Impact</b></p>	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		<p>The site contains an on-site well that is a significant water producing well. An aquifer recharge test was conducted by JAK Drilling and Pump on November 14, 2019. This test had the well run for two 6-hour intervals with an 18 hour 'cool down' period. The well started at a depth of 28 feet. After each test, the aquifer dropped four feet. After the 18 hour 'cool down' period, the well was back to 27 feet depth, more than 100% recharge.</p> <p><b>Less Than Significant Impact</b></p>	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		<p>The site is served by an existing septic system with no known issues regarding adequacy.</p> <p><b>Less Than Significant Impact</b></p>	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		<p>The existing landfill has sufficient capacity to accommodate the project's solid waste disposal needs for the next 5 years according to the Manager of Public Services in Lake County.</p> <p><b>Less Than Significant Impact</b></p>	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		<p>The applicant will chip and spread the cannabis waste on site, and the estimated total amount of solid waste from this project is about 400 to 800 pounds annually.</p> <p><b>Less Than Significant Impact</b></p>	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**
f) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?			X		The County uses a standard condition of approval regarding compliance with all federal, state and local management for solid waste. The cultivator must chip and spread any vegetative waste on-site, and the estimated total amount of solid waste from this project is 400 to 800 pounds annually.  <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 in an area that has historically been used for crop production, and is largely devoid of natural landscape (and naturally growing fire fuel). The mapped fire risk on the site is high (SRA), and the area was burned during the 2015 Valley Fire. Daly Place is a short private drive that meets 4290 and 4291 CalFire Standards; this street provides direct access between the cultivation site and Jerusalem Grade Road. The 6 acre cultivation site proposed also provides a significant fire break on the property if needed.</p> <p>Should this site need to evacuate, Jerusalem Grade Road is a County maintained road with several outlets located near the subject site.</p> <p><b>Less Than Significant Impact</b></p>	1, 2, 4, 5, 6, 20, 23, 31, 35, 37, 38
b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?			X		<p>The site and surrounding lots are flat and generally devoid of vegetation other than some introduced trees. Approval of this project will not increase the fire risk in this area. This particular area has a history of wildfires, however the 6 acre cultivation site will help to act as a fire break, particularly given the lack of existing vegetation on this site.</p> <p><b>Less Than Significant Impact</b></p>	1, 2, 4, 5, 6, 20, 23, 31, 35, 37, 38
c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?			X		<p>The site is served by Jerusalem Grade Road, a well maintained County road. No other infrastructural improvements appear to be necessary for this project.</p> <p><b>Less Than Significant Impact</b></p>	1, 2, 4, 5, 6, 20, 23, 31, 35, 37, 38
d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?			X		<p>The site is flat; 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><b>Less Than Significant Impact</b></p>	1, 2, 4, 5, 6, 20, 23, 31, 35, 37, 38
<b>XXI. MANDATORY FINDINGS OF SIGNIFICANCE</b>						
a) Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?		X			<p>The project proposes a Cultivation of Commercial cannabis in previously disturbed area. As proposed, this project is not anticipated to significantly impact habitat of fish and/or wildlife species or cultural resources with the incorporated mitigation measures described above.</p>	All

IMPACT CATEGORIES*	1	2	3	4	All determinations need explanation. Reference to documentation, sources, notes and correspondence.	Source Number**
b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?		X			Potentially significant impacts have been identified related to Air Quality, Cultural / Tribal, Noise and Biological Resources. These impacts in combination with the impacts of other past, present and reasonably foreseeable future projects could cumulatively contribute to significant effects on the environment. Implementation of and compliance with mitigation measures identified in each section as project conditions of approval would avoid or reduce potential impacts to less than significant levels and would not result in cumulatively considerable environmental impacts.	All
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?		X			The proposed project has potential to result in adverse indirect or direct effects on human beings. In particular, to Air Quality, Cultural / Tribal, Noise and Biological Resources have the potential to impact human beings. Implementation of and compliance with mitigation measures identified in each section as conditions of approval would not result in substantial adverse indirect or direct effects on human beings and impacts would be considered less than significant.	All

\* Impact Categories defined by CEQA

**\*\*Source List**

1. Lake County General Plan
2. Lake County GIS Database
3. Lake County Zoning Ordinance
4. Middletown Area Plan
5. Jinchun Farms Cannabis Cultivation Application – Major Use Permit.
6. U.S.G.S. Topographic Maps
7. U.S.D.A. Lake County Soil Survey
8. Lake County Important Farmland Map, California Department of Conservation Farmland Mapping and Monitoring Program
9. Department of Transportation's Scenic Highway Mapping Program, ([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 Jinchun Farms, prepared by Natural Investigations Company and dated March 12, 2019.
14. Cultural Site Assessment Survey, prepared for Jinchun Farms by the Natural Investigations Company and dated March 12, 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 19, 2019