



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 20, 2021

CALIFORNIA ENVIRONMENTAL QUALITY ACT
INITIAL STUDY (IS 19-65)
ENVIRONMENTAL CHECKLIST FORM

- 1. Project Title:** Frosty Oaks, LLC.
- 2. Permit(s):** Use Permit, UP 19-46
Initial Study, IS 19-65
- 3. Lead Agency Name and Address:** County of Lake
Community Development Department
Courthouse – 255 North Forbes Street
Lakeport CA 95453
- 4. Contact Person:** Sateur Ham, Assistant Planner (707) 263-2221
- 5. Supervisor District:** District three
- 6. Project Location** 1027 Watertrough Road; 21822 Meriann Drive;
21496 Meriann Drive
Clearlake Oaks, CA 95423
- 7. Parcel Number and size:** 628-100-10; 628-080-04; 628-090-03
(68 acres total)
- 8. Project Sponsor's Name/Address:** Stuart Spivack
6430 North Regal Manor Drive
Tucson, AZ 85750
- 9. General Plan Designation:** "RL" Rural Land
- 10. Zoning:** "RL-WW" Rural Lands-Waterway
- 11. Flood Zone:** X-Areas of undetermined, but possible, flood hazard
- 12. Slope:** The parcel average cross slope is between 22-36%.
- 13. Natural Hazards:** Project area is within the State Responsibility Area
"Very High" severity fire zone

14. Fire District:

Northshore Fire Authority FPD/CalFire

15. 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).

Frosty Oaks, LLC. is seeking a use permit to allow strictly outdoor commercial cannabis cultivation operation to cultivate 28,012 square feet canopy area, with a total of 28,252 square feet of cultivation area located at 1027 Watertrough Road, Clearlake Oaks, California in Lake County with an Assessor Parcel Number (APN): 628-100-10. The proposed project will only take place on APN 628-100-10, however, the project is being proposed with two contiguous properties (APNs: 628-080-04 and 628-090-03) to allow collocation/cluster of permits.

The proposed cultivation method is via an above grade organic soil mixture in hardware cloth planting beds with drip irrigation systems in full direct sunlight with no light deprivation. A total of 28,012 square feet of mature cannabis cultivation will take place within 5 designated areas inside of the fenced enclosure (see site plans). The proposed ancillary facilities include a 120 square feet storage shed, a 120 square feet security shed, four 5,000-gallon water storage tanks, and two 2,500-gallon water storage tanks (one of which will be steel or fiberglass). Agricultural chemicals associated with cannabis cultivation (fertilizers, pesticides, and petroleum products) will be stored within the secured 120 square feet storage area.

Frosty Oaks plans to be fully organic with their supplements for both dry and liquid fertilizers. The proposed dry fertilizers include dry worm castings as well as chicken and bat guano. As for liquid fertilizers, most of them will be coming from MaxSea and organic compost. The pesticides that will be used for this cultivation project include citric acid oil and sulfur, both in limited quantities during the growing months and only used when necessary. All of the fertilizers, nutrients, and pesticides will only be purchased and delivered to the property as needed. They will be stored separately in the secure storage shed, in their original containers, and used as directed by the manufacturer. All pesticides/fertilizers will be mixed/prepared on an impermeable surface with secondary containment, at least 100 feet from surface water bodies. Empty containers will be disposed of by placing them in a separate seal tight bin with a fitted lid and disposed of at the local solid waste facility within the county. At no time will fertilizers/nutrients be applied at a rate greater than 319 pounds of nitrogen per acre per year (requirement of the State Water Resource Control Board's Cannabis General Order). Water-soluble fertilizers/nutrients will be delivered via the drip and micro-spray irrigation system(s) of the proposed cultivation operation to promote optimal plant growth and flower formation while using as little product as necessary. Petroleum products will be stored year-round in State of California-approved containers with secondary containment and separate from pesticides and fertilizers, within the 200 square feet storage area.

The total acreage of all three parcels combined is 68 acres. The project parcel is zoned RL-WW; Rural Land- Waterway. The parcel lies within the 8-digit HU (Subbasin): North Fork Cache Creek, and Grizzly Creek-North Fork Cache Creek Watershed (HUC10). There are a few unnamed intermittent Class III watercourses indicated on the NHD map layer utilized by California resource agencies via CNDDDB and the Federal NWI map layer, which flow from the north end of the project

parcel to the south end of the parcel into Indian Creek. A portion of Indian Creek flows from the East end of the project parcel, towards the southwest end just along the edge of the southern property boundary (see site plans). The cannabis cultivation area will be set back a minimum of 100 feet from the top of the bank of any bodies of water. There will be no surface water diversions with this project.

The proposed cultivation operation will utilize drip irrigation systems, to conserve water resources. The well near the northeast parcel boundary will be pumped underground to the water storage tanks proposed near the cultivation site in the eastern portion of the property. Frosty Oaks will utilize underground water lines from the well to the storage tanks, which are a combination of PVC piping and black poly tubing. Water use is projected to be approximately 600,247 gallons per year (please see attachment A). The property has a large ridge on the north end of the property, which tapers down to almost 0% slope on the southern end of the property. Due to the slope of the land and the clear direction of water flow into Indian Creek, straw wattles are proposed around the entire southern portion of the cultivation area to filter sediment from stormwater as it flows off the property. The natural existing vegetated buffer will be maintained as needed between all project areas and waterways on the property.

Minimal electricity will be required as the project proposes only outdoor cultivation. The proposed project is proposing a backup generator to be used in emergencies when electricity cannot be serviced by PG&E. The project does not propose the storage or use of any hazardous materials. All organic waste will be placed in the designated composting area within the cultivation area. All solid waste will be stored in bins with secure-fitting lids until being disposed of at a Lake County Integrated Waste Management facility, at least once a week during the cultivation season. The closest Lake County Integrated Waste Management facility to the proposed cultivation operation is the Eastlake Landfill.

All of Frosty Oaks future employees, will undergo a background check by the Lake County Sheriff's Department before starting employment and be a United States citizen or eligible for employment within the US. The project's core business hours of operation will take place between 8 am-6 pm with deliveries and pickups restricted to 9 am-7 pm Monday through Saturday and Sunday from 12 pm-5 pm.

The project property is currently accessed by the easement road Meriann Drive which enters the property from the southern property boundary. The project proposes to install an access driveway off of the easement road, roughly 100 feet in length further onto the property. This cultivation access driveway will be approximately 100 feet in length to the entrance of the cultivation site near the processing facility, with an approximate slope of 0%. At a minimum, the driveway will be 12 feet wide with 14 feet of unobstructed horizontal clearance and 15 feet of unobstructed vertical clearance, but if commercial standards must be enforced on this project the access driveway can be widened to 20 feet. The access driveway will have 6-inch gravel added to the entire length of it and have 4 parking stalls (one ADA) as well as hammerhead turnaround at the cultivation site 20 feet wide and 60 feet in length if needed, however under a length of 300 feet driveways are not generally required to provide this. Turnouts are not proposed due to the access driveway being 100 feet in length, however, if needed, turnouts will be at minimum 12 feet wide and 30 feet long, with a minimum 25 feet taper on each end, roughly every 400 feet (see Site plan for a visual). A gate

will be installed with an entrance of at least 2 feet wider than the width of the traffic lane with a minimum of 14 feet unobstructed horizontal clearance and 15 feet on unobstructed vertical clearance. The access gate will be located at least 30 feet from the main shared access road and the property line. The gate will be locked outside of core operating/business hours (8 am to 6 pm) and whenever Frosty Oaks personnel are not present. The gate will be secured with a heavy-duty chain, commercial-grade padlock, and a Knox Box to allow 24/7 access for emergency services. Only approved managerial staff and emergency service providers can unlock the gates on the project property. The fencing for this project will include a perimeter fence around the cultivation area. The cultivation area fence will be a 6 feet tall chain link fence with a privacy mesh screen and mounted with security cameras.

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

1. Ground disturbing activities will take place over a 5-7 week period and take approximately 160 to 190 vehicle trips. Any grading for buildings will be under 500 cubic yards, which is the allowance for a building permit. The project proposes approximately 400 feet of minor grading (mostly scraping the mostly flat surface). Some minor trenching, approximately 625 to 650 feet will be required to place irrigation lines in-ground, but the trench will be refilled and restored to prior condition.
2. Materials and equipment will only be staged on previously disturbed areas (existing parking areas and access road). No areas will be disturbed for staging materials or equipment. Equipment will not be left idle when not in use.
3. Water (from the existing onsite well) will be used to wet disturbed soils to mitigate the generation of dust during construction.
4. All construction activities, including engine warm-up, will be limited to Monday through Friday between the hours of 7:00 am and 7:00 pm. Back-up beepers will be adjusted to the lowest allowable levels.
5. 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.



Figure 1. Aerial of Site and Immediate Vicinity

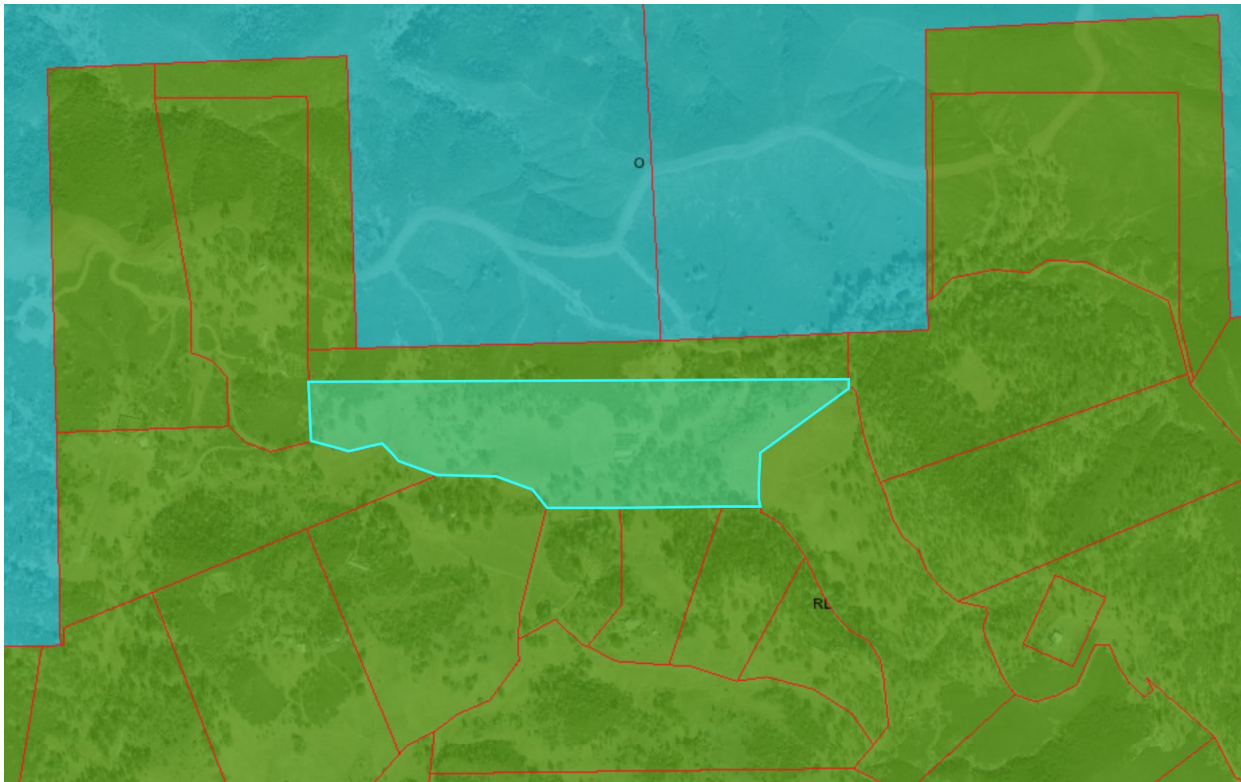


Figure 2. Zoning of Site and Vicinity

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

- North: Open Space. Public Facility. Parcels range from 340 to 520 acres in size
- East: Rural Lands. Parcels are approximately 20 acres individually.
- South: Rural Lands. Range from approximately 6 and 20 acres in sizes.
- West: Open Space and Rural Land; Range from approximately 20-520 acres in size.

The property is surrounded by “RL” Rural Lands zoned properties, with some “O” Open Space nearby across the north. The sizes of the parcels vary greatly, from just about 5 acres to over 500 acres. About 30% of the nearby properties appear to contain dwellings, while most seem to be currently vacant of use.

17. Attachments:

Attachment A: Project Description and Management Plan
 Attachment B: Site Plans
 Attachment C: Biological Assessment Report
 Attachment D: Site Visit Photographs
 Attachment E: Mitigation Monitoring and Reporting Program

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

Lake County Community Development Department
 Lake County Department of Environmental Health
 Lake County Air Quality Management District
 Lake County Department of Public Works
 Lake County Department of Public Services
 Lake County Agricultural Commissioner
 Lake County Sheriff Department
 Northshore Fire Protection District
 Central Valley Regional Water Quality Control Board
 CalCannabis (via Dept. of Food and Agriculture)
 California Water Resources Control Board –Region 5
 California Department of Forestry & Fire Protection
 California Department of Fish & Wildlife (CDFW) –Region 2
 California Department of Food and Agriculture
 California Department of Pesticides Regulations
 California Department of Public Health
 California Bureau of Cannabis Control
 California Department of Consumer Affairs
 California Department of Transportation

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

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

Notification of the project was sent to all local tribes on January 22, 2020. Redwood Valley defers commenting. Middletown decline any comments on the project on January 22, 2020. No additional comments were submitted. The California Historical Resources Information System (CHRIS) reported that a previous study (Parker 2019) covered 100% of the proposed project parcel and identified one or more cultural resources, however, it is not located within the proposed project area. The recommendation for the prehistoric site area should be avoided by both construction and equipment. It is also recommended that the site be added to the permit indicating that no ground disturbance activity takes place within the recorded site. A cultural survey was conducted on this project parcel on April 23, 2019, by Dr. John Parker and will be discussed in the Tribal/Cultural Resources Section.

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

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

DETERMINATION: (To be completed by the Lead Agency)

Based on 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:
Sateur Ham, Assistant Planner

Date:_____

SIGNATURE

Scott DeLeon, 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:
- Earlier Analysis Used. Identify and state where they are available for review.
 - 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.
 - 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 incorporated
3 = Less than significant impact
4 = No impact

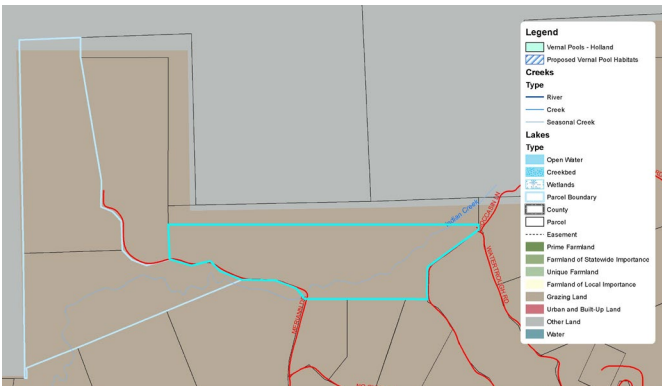
IMPACT CATEGORIES*	1	2	3	4	All determinations need explanation. Reference to documentation, sources, notes, and correspondence.	Source Number**
I. AESTHETICS <i>Would the project:</i>						
a) Have a substantial adverse effect on a scenic vista?			X		There are no scenic vistas on or adjacent to the subject site. The cultivation site can be seen from the private easement road and potentially two adjacent properties, however, the general area is well screened from the public due to topography, vegetation, and the significant distance from the public highway. The cultivation area will be surrounded by fencing with privacy screening as part of the conditions of approval. 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	There are no scenic resources, historic buildings, or damage to rock outcroppings. The project does not propose the removal of trees. No impact.	1, 2, 3, 4, 6, 9

c) In non-urbanized areas, 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 majority of the proposed use would occur on what is currently an open, flat grassy area a significant distance from public roadways as the property is accessed through a private easement road. No trees are proposed to be removed. The cultivation site will be concealed by fencing and privacy screening. The use will be compatible with the zoning of this property. No impact.	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 a slight potential to create additional light through exterior security lighting. A lighting plan showing fixture types and locations is required and shall meet the County's recommended darkskies.org lighting. Less than significant impact.	1, 2, 3, 4, 5, 6, 9

II. AGRICULTURE AND FORESTRY RESOURCES

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

Would the project:

a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?			X	<p>The proposed cultivation site is in an area designated as 'Grazing Land' by the Farmland Mapping and Monitoring program. The proposed project will not convert farmland to non-agricultural use nor impact farmland. The subject site is not within a Williamson Act contract.</p>  <p><i>Figure 3. The project site is located within designation grazing land (brown) suitable for the grazing of livestock.</i></p> <p>Less than significant 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 Section II (a). The project does not conflict with zoning and the project property is not in a Williamson Act Contract.</p> <p>Less than significant 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 project site is zoned "RL" Rural Lands and is not zoned for forestland or timberland.</p> <p>No impact.</p>	1, 2, 3, 4, 5, 7, 8, 11, 13
d) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-			X	<p>See response to Section II (c). The project would not result in the loss or conversion of forest land to non-forest use.</p>	1, 2, 3, 4, 5, 7, 8, 11, 13

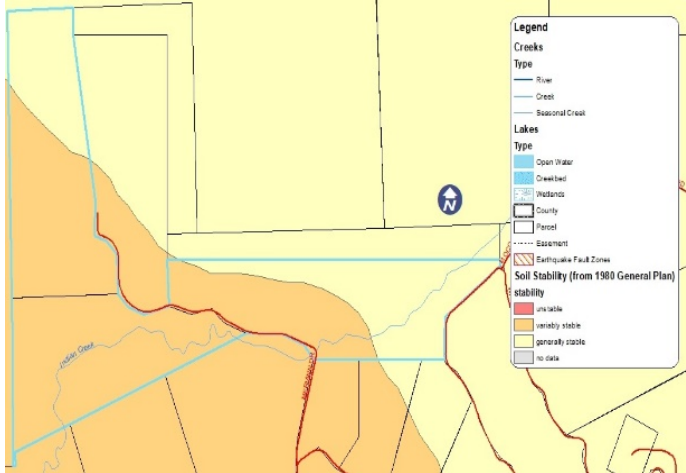
agricultural use or conversion of forest land to non-forest use?				No impact.	
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?			X	As proposed, this project would not induce changes to existing farmland that would result in its conversion to non-agricultural use. No impact.	1, 2, 3, 4, 5, 7, 8, 11, 13
III. AIR QUALITY <i>Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations.</i> <i>Would the project:</i>					
a) Conflict with or obstruct implementation of the applicable air quality plan?		X		<p>The project has 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 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 during harvest season, will need to be mitigated either through passive means (separation distance), or active means (Odor Control Plan). Serpentine soil is found on the parcel and the applicant will consult and comply with the Lake County Air Quality Management Department prior to ground disturbances. If construction or site activities are conducted within Serpentine soils, a Serpentine Control Plan may be required. Any parcel with Serpentine soils must obtain proper approvals from LCAQMD prior to beginning any construction activities. An emergency back-up generator is proposed when energy cannot be serviced by PG&E and will be regulated through the Air Quality Management Department.</p> <p>AQ-1: Before cultivation, the applicant shall submit an Odor Control Plan to the Community Development Department for review and approval, or review and revision.</p> <p>AQ-2: All mobile diesel equipment used must comply 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>AQ-3: 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>AQ-4: Prior to obtaining the necessary permits and/or approvals for any phase, the 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>AQ-5: 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>AQ-6: All areas subject infrequent use of driveways, over flow parking, etc., shall be surfaced with gravel. Applicant shall</p>	1, 3, 4, 5, 10, 21, 24, 31, 36

				<p>regularly use and/or maintain graveled area to reduce fugitive dust generations.</p> <p>Less than significant with mitigation measures AQ-1 through AQ-6 added.</p>	
b) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under and applicable federal or state ambient air quality standard?		X		<p>The project would not likely result in a cumulatively considerable net increase of any criteria pollutant. The County of Lake is in attainment of state and federal ambient air quality standards.</p> <p>Less than significant impact.</p>	1, 3, 4, 5, 10, 21, 24, 31, 36
c) Expose sensitive receptors to substantial pollutant concentrations?		X		<p>The operation as proposed is not expected to release any significant amounts of pollutants. It appears to be two off-site residences is approximately 400 feet away from the cultivation site.</p> <p>Less than significant impact with mitigation measures AQ-1 through AQ-6 incorporated.</p>	1, 3, 4, 5, 10, 21, 24, 31, 36
d) Result in other emissions (such as those leading to odors or dust) adversely affecting a substantial number of people?		X		<p>Sensitive receptors in the area include adjacent and near proximity residents. The nearest off-premises house is over 400 feet away from the edge of the cultivation area. These cultivation area are set back a significant distance from the nearest off-site dwellings, so passive odor control (separation distance) and the project's proposed mitigations may be adequate. Additionally due to the potential for serpentine soil on the property, the applicant must submit a dust mitigation plan to the Air Quality Management District. The applicant has an emergency contact name and number that will be distributed to neighbors within 1000 feet of the property as is required by Air Quality. As described in Section III (a) above, with implementation of mitigation measures AQ-1 through AQ-6 will reduce impacts to less than significant.</p> <p>Less than significant impact with mitigation measures AQ-1 through AQ-6 incorporated.</p>	1, 2, 3, 4, 5, 10, 21, 24, 31, 36
<p>IV. BIOLOGICAL RESOURCES</p> <p><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?		X		<p>The applicant provided a Biological Assessment covering the project parcel and the two adjoining parcels. This assessment was prepared by NCRM Inc. dated August 26, 2019. A general biological site survey was conducted by NCRM on July 19, 2019. A botanical survey was conducted on April 24th, June 19th, and July 18th of 2019. The biologist concluded that the proposed project will not have a substantial adverse effect, however, some general mitigation measures set by the local ordinance will alleviate the potential adverse effect on biological resources.</p> <p>Plants</p> <p>The results of the study concluded that 89 special status plant species within the vicinity of the project area. 75 of the 89 species on the scoping listed were identified as having potential habitat within the project area primarily due to elevation ranges, however, <i>no listed species were observed during the survey.</i></p> <p>Terrestrial Wildlife</p> <p>The database queries reported a total of fifteen sensitive wildlife species that may have some potential to occur within or near the project area. <i>No listed species were observed during the surveys,</i> and few are actually expected to occur in the habitat types present on the project area. However, no signs of amphibian or reptile use of the ponds was observed. No basking sites exist for pond turtles and the remoteness and ridgetop location of the property surrounded mostly</p>	1, 2, 3, 4, 5, 11, 12, 13, 16, 17, 21, 24, 29, 30, 31, 32, 33, 34

				<p>by chaparral may exclude the likely species from such unique wetland habitat.</p> <p>BIO-1: All waste and by-products shall be kept in plastic drums with tight fitting lids so that water is not able to make contact with the contents and potentially leach into the environment.</p> <p>BIO-2: Erosion control and sediment detention devices and materials shall be incorporated into the cleanup/restoration work design and installed prior to the end of project work and before the beginning of the rainy season or any predicted rain events.</p> <p>BIO-3: Native species appropriate to the local habitat shall be used for all revegetation purposes. Non-invasive, non-persistent grass species (e.g., barley grass) may be used for their temporary erosion control benefits to stabilize disturbed slopes and prevent exposure of disturbed soils to rainfall.</p> <p>BIO-4: When heavy equipment is used, any woody debris and stream bank or streambed vegetation disturbed shall be replaced to a pre-project density with native species appropriate to the site.</p> <p>Less than significant impact with mitigation measures BIO-1 through BIO-4 incorporated.</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 by the California Department of Fish and Game or U.S. Fish and Wildlife Service?</p>		X		<p>Indian Creek is a perennial stream that runs through the property. Some streams are present, however, there are no fish streams within the ownership. There are several wetland features identified and mapped within Attachment C. There are two small reservoirs exist on tributaries to Indian Creek and one reservoir is on Indian Creek. These ponds have been in place for numerous years based on the extent of riparian vegetation growing within and adjacent to them and while the reservoirs may have engineering issues, they provide beneficial summer wildlife habitat at the hot, dry site. The reservoir lack State Water Board permits for storage. Registering and maintaining these ponds is encouraged as they provide a benefit to wildlife in the area. The removal or failure of existing on-stream reservoirs would eliminate these valuable assets to wildlife.</p> <p>BIO-5: Pesticides and fertilizer storage facilities shall be located outside of the Riparian Corridor setbacks for structures.</p> <p>BIO-6: Pesticide and fertilizer storage facilities shall not be located within 100 feet of a wellhead, or within 50 feet of identified wetlands.</p> <p>BIO-7: The use of water provided by a public water supply, unlawful water diversions, transported by a water hauler, bottled water, a water-vending machine, or a retail water facility is prohibited. The utilization of water that has been or is illegally diverted from any lake, springs, wetland, stream, creek, vernal pool and/or river is prohibited. The applicant shall not engage in unlawful or unpermitted drawing of surface water.</p> <p>BIO-8: Seek a domestic use registration for ponds from California Water Board, Division of Water Rights for wildlife.</p> <p>BIO-9: The applicant shall maintain all necessary permits from the Central Valley Regional Water Quality Control Board and submit written verification to the Community Development Department. A copy of all permits shall be included in the Annual Performance Report.</p>	<p>1, 2, 3, 4, 5, 11, 12, 13, 16, 17, 29, 30, 31, 32, 33, 34</p>

				Less than significant with mitigation measures BIO-5 through BIO-9 incorporated.	
c) Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?		X		<p>There are several small wetland features on the project parcel as determined by the Biological Assessment. Protection of aquatic resources is needed. Meeting local, state and federal compliance will ensure that cultivation operations will not significantly impact water resources by using a combination of Best Management Practices (BMPs), buffer zones, sediment and erosion controls, inspections and reporting, and regulatory oversight. If the proposed project change and work is performed near any wetlands or channel, a formal delineation of jurisdiction shall be performed prior to construction or ground disturbances.</p> <p>Less than significant with mitigation measures BIO-1 through BIO-9 incorporated.</p>	1, 2, 3, 4, 5, 11, 12, 13, 16, 17, 21, 24, 29, 30, 31, 32, 33, 34
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?		X		<p>The biologist concluded that no listed species in Attachment C were observed during the survey, and few are actually expected to occur based on the habitat types present at the project area. No signs of amphibian or reptile use of the ponds was observed. No basking sites exist for pond turtles due to the remoteness and ridgetop location. Numerous other species were discounted from having the potential to occur or be impacted by the project due to the lack of habitat on or near the project or due to the rarity of the species. Although wildlife species were observed during field surveys, there are not likely to be any that have direct long-term impacts. Impacts to wildlife use, including migration routes, foraging areas, and breeding or nesting sites are not expected. Removal of native vegetation can have direct impact on nesting birds or listed species, however, with mitigation measures incorporated, the project will be less than significant.</p> <p>BIO-10: If brush or tree removal work is to be conducted within the breeding season (February 15th-August 15th) a nesting bird survey should take place by a qualified biologist no more than 3 days prior to impact or removal of vegetation. Any active nests should be protected with a 50-100 foot buffer (species dependent) until the nest is found to be no longer active.</p> <p>BIO-11: If additional project expansion is planned, the new project area should be evaluated for species impacts prior to site grading or vegetation removal.</p> <p>Less than significant impact with mitigation measures BIO-10 through BIO-11 incorporated.</p>	1, 2, 3, 4, 5, 11, 12, 13, 16, 17, 21, 24, 29, 30, 31, 32, 33, 34
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?			X	<p>There are no tree conservation designations on the subject site. No trees are proposed to be removed for this project.</p> <p>No impact.</p>	1, 2, 3, 4, 5, 11, 12, 13, 16, 17
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?			X	<p>There are no known plans for oak tree removal at this time. However, due to the presence of oak woodlands within the project area it should be noted that any removal of an oak tree greater than five inches in diameter will require a County permit and an additional biological review.</p> <p>No impact.</p>	1, 2, 3, 4, 5, 11, 12, 13, 16, 17, 21, 24, 29, 30
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 prepared by Dr. John W. Parker, Ph.D., RPA on April 23, 2019. The fieldwork took place April 20, 2019 and concluded that some isolated historical resources were	1, 3, 4, 5, 11, 14, 15

				<p>found, however, they are not considered “significant” cultural resources as defined in the Public Resources Code.</p> <p>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 local overseeing Tribe(s) shall be notified, and a qualified archaeologist retained to evaluate the find(s) and recommend mitigation procedures, if necessary, subject to the approval of the Community Development Director. Should any human remains be encountered, they shall be treated in accordance with Public Resources Code Section 5097.98 and with California Health and Safety Code section 7050.5.</p> <p>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 local overseeing Tribe(s) 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>Less than significant impact with mitigation measures CUL-1 through CUL-3 added.</p>	
b) Cause a substantial adverse change in the significance of an archeological resource pursuant to §15064.5?		X		<p>A Cultural Resources Evaluation was prepared by Dr. John W. Parker, Ph.D., RPA on April 23, 2019. The fieldwork took place April 20, 2019 and concluded that some isolated artifacts were discovered, however, none were determined to be significant. A prehistoric site was discovered on the project parcel and as a result it was recommended no ground disturbance to take place here. It is recommended that the proposed project be approved as planned and with the mitigation measure in place to protect the prehistoric site. In the unlikely event that undiscovered cultural sites are encountered during the ground disturbance process, it is recommended that work in the immediate vicinity of the find be suspended and a Registered Professional Archaeologist called in to evaluate the find as required by CEQA.</p> <p>CUL-3: No ground disturbance activity shall take place in the recorded prehistoric area, however if ground disturbance is ever planned, a mitigation plan must be developed to protect or recover the information contained in this resource in accordance with California Environmental Quality Act (CEQA).</p> <p>CUL-4: The recorded prehistoric site shall be avoided by both construction and equipment staging activities.</p> <p>Less than significant impact with mitigation measures CUL-3 through CUL-4 added.</p>	1, 3, 4, 5, 11, 14, 15
c) Disturb any human remains, including those interred outside of formal cemeteries?		X		<p>Minimal ground disturbing activities are proposed overall since the proposed buildings are in generally flat areas and only needs 450 cubic yards or less of minor topsoil scraping and smoothing of a few bumps on the land. This amount is consistent with a building permit and less than the max of 500 cubic yards. Most of this minor ground disturbance is occurring in areas already previously disturbed by cultivation and other human disturbance. The county requires the applicant to notify the Lake County Sheriff’s Department, the local overseeing tribe(s), and the Community Development Department if any human remains (or significant artifacts) are unearthed during site preparation.</p>	1, 3, 4, 5, 11, 14, 15

				Less than significant impact with mitigation measures CUL-1 through CUL-2 added.	
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>The applicant states that they will use on-grid power as the primary energy source. The overall power usage of this facility is low. The cultivation site will require small amounts of power for the well and security system. Additionally, the proposed cultivation methods will take place outdoors using natural sunlight.</p> <p>No 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 no mandatory energy reductions for cultivation activities under the local ordinance. The proposal will not conflict with, or obstruct, a state or local plan for renewable energy or energy efficiency. The proposed project consist of low energy use to sustain the application operations required by the local ordinance.</p> <p>No 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- 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 project property does not contain any mapped unstable soils. It appears unlikely that ground shaking, ground failure or liquefaction will occur on this property in the future.</p> <p><u>Landslides</u> There is little to no risk of landslides based on the parcel's slope, which is almost completely flat. Therefore, the project is not expected to elevate the risk of landslides on the property.</p>  <p><i>Figure 4. The project site is located with a fairly flat location consisting of generally stable (yellow) and variably stable (orange) within the light blue boundary.</i></p> <p>No impact.</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>Henneke-Montara-Rock (142) outcrop complex, 15 to 50 percent slopes is the soil type occurring where the cultivation site is located.</p>	1, 3, 4, 5, 6, 7, 10,

				<p>This unit is about 40 percent Henneke gravelly loam, 30 percent Montara clay loam, and 15 percent Rock outcrop. Henneke-Montara Rock is somewhat excessively drained soil with moderately slow permeability and a rapid runoff classification. However, the project location is almost entirely flat with a very minimal/gradual slope and therefore no erosion or loss of topsoil is anticipated.</p> <p>GEO-1: Prior to any ground disturbance, the permittee shall submit erosion control and sediment plans to the Water Resource Department and the Community Development Department for review and approval. Said erosion control and sediment plans shall protect the local watershed from runoff pollution through the implementation of appropriate Best Management Practices (BMPs) in accordance with the Grading Ordinance. Typical BMPs include the placement of straw, mulch, seeding, straw wattles, silt fencing and the planting of native vegetation on all disturbed areas. No silt, sediment or other materials exceeding natural background levels shall be allowed to flow from the project area. The natural background level is the level of erosion that currently occurs from the area in a natural, undisturbed state. Vegetative cover and water bars shall be used as permanent erosion control after project installation. The applicant shall include a detailed description of the relocation or proper disposal of excess soil of said excavation.</p> <p>GEO-2: Excavation, filling, vegetation clearing or other disturbance of the soil shall not occur between October 15 and April 15 unless authorized by the Community Development Department Director. The actual dates of this defined grading period may be adjusted according to weather and soil conditions at the discretion of the Community Development Director.</p> <p>GEO-3: The permit holder shall monitor the site during the rainy season (October 15 – May 15), including post-installation, application of BMPs, erosion control maintenance, and other improvements as needed.</p> <p>GEO-4: The project design shall incorporate Best Management Practices (BMPs) to the maximum extent practicable to prevent or reduce discharge of all construction or post-construction pollutants into the County storm drainage system. BMPs typically include scheduling of activities, erosion and sediment control, operation and maintenance procedures and other measures in accordance with Chapters 29 and 30 of the Lake County Code.</p> <p>GEO-5: Divert runoff away from unprotected slopes or loose soils using a combination of mats, geotextiles, silt fencing, straw wattles, check dams, sediment basins, vegetated buffers, or rock armor.</p> <p>GEO-6: All temporary exposed piles or soil or surface disturbances shall have tarping and sand bags or other stabilization materials deployed in order to prevent discharge of sediments in the event of a rain or wind event.</p> <p>GEO-7: Avoidance of earthwork on steep slopes and minimization of cut/fill volumes, combined with proper compaction, shall occur to ensure the area is resilient to issues associated with seismic events and mass wasting. If cracks are observed or new construction is anticipated, consultation with a qualified profession is recommended.</p>	16, 17, 18, 19, 21, 24, 25, 30
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				Less than significant impact with mitigation measures GEO-1 through GEO-7 incorporated.	
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 “generally stable”. Less than significant impact with mitigation measures GEO-1 through GEO-7 incorporated.	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 site is Henneke-Montara-Rock (type 142), is not expected to be expansive as it is not indicated to have high shrink-swell potential. The site has been used for cultivation and other general human disturbance previously with no issues. 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 waste water?			X	The 68-acres of contiguous property does currently adequately support a permitted septic system through Environmental Health. Portable ADA toilets are proposed for the project. No additional wastewater disposal systems are proposed. Less than significant 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	A pre-historic site was discovered, however, there were no identified unique paleontological resources or unique geologic features discovered, and none are currently mapped or known on the site. The project will not directly or indirectly destroy these features and will be avoided. Less than significant impact.	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 post-construction activities from vehicle emissions. Some new construction will occur on the site, and there are minimal gasses that could result from outdoor cultivation activities. The cultivation areas 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. However, the lighting will contribute small amounts of carbon dioxide through electricity usage. The cultivation operation as a whole is also likely to generate small amounts of carbon dioxide from vehicle trips for employees. Since Lake County is an air attainment county, the small levels of greenhouse gasses emitted are not anticipated to be significant. 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 for the purpose of reducing the emissions of greenhouse gases?			X	This project will not conflict with any adopted plans or policies for the reduction of greenhouse gas emissions. The County of Lake is an ‘air attainment’ county, and does not have established thresholds of significance for greenhouse gases. No impact.	1, 3, 4, 5, 21, 24, 29, 30, 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	Materials associated with the cultivation of commercial cannabis could be considered hazardous if released into the environment. This proposed project will use organic pest control and fertilizers, which will significantly limit potential environmental hazards. All fertilizers, pesticides, and other hazardous materials are proposed to be properly stored in their manufacturer’s original containers and placed within secondary containment structures. Cannabis waste is required to be chipped and disbursed on site; burning cannabis waste	1, 3, 4, 5, 10, 13, 17, 21, 24, 25, 29, 30, 31, 32, 33, 34, 36

				is prohibited. The project shall comply with Section 41.7 of the Lake County Zoning Ordinance, which 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. Less than significant.	
b) Create a significant hazard to the public or the environment through reasonable foreseeable upset and accident conditions involving the release of hazardous materials into the environment?			X	See Response to Section IX (a). All fertilizers, pesticides, and other hazardous materials are proposed to be properly stored in their manufacturer's original containers and placed within secondary containment structures. The site is not within a flood zone or inundation area, nor is it in area mapped as unstable soil according to County GIS Data Less than significant.	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. No impact.	1, 3, 4, 5, 10, 17, 21, 24, 25, 29, 30, 31, 32, 33, 34, 36
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?			X	The project site is not listed as a site containing hazardous materials in the databases maintained by the Environmental Protection Agency (EPA), the California Department of Toxic Substance, and State Water Resources Control Board. No impact.	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. No impact.	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. No impact.	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 having a very high fire risk. The applicant will adhere to all Federal, State, and local fire requirements/regulations for setbacks and defensible space; these setbacks are applied at the time of building permit review. Less than significant impact.	1, 3, 4, 5, 20, 35, 37
X. HYDROLOGY AND WATER QUALITY <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 currently served by an existing onsite well and one of the contiguous parcels has a permitted septic system. The project will employ Best Management Practices related to erosion and water quality to reduce impacts related to stormwater and water quality. The applicant shall adhere to all Federal, State and Local regulations regarding wastewater treatment and water usage requirements.	1, 3, 4, 5, 13, 21, 23, 24, 25, 29, 31, 32, 33, 34

				<p>HYD-1: The applicant shall adhere to all Federal, State and Local regulations regarding wastewater treatment and water usage requirements.</p> <p>Less than significant impact with mitigation measure HYD-1.</p>	
<p>b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?</p>		X		<p>There is no groundwater 'depletion threshold' established for water usage in Lake County. According to the Well Completion Report, the estimated yield is 10 gallon per minute, water level at 35, and the total drawdown 219 feet. The applicant has indicated that the estimated water use for an entire year will be 600,247 gallons. This is consistent with other / similarly sized cannabis cultivation water use projections in Lake County.</p> <p>HYD-2: The applicant shall prepare a groundwater management plan to ensure that the groundwater resources of the County are protected used and managed in a sustainable manner. The plan would support the Integrated Regional Water Management Plan and include an inventory of groundwater resources in the County and a management strategy to maintain the resource for the reasonable and beneficial use of the people and agencies of the County.</p> <p>HYD-3: The production well shall have a meter to measure the amount of water pumped. The production wells shall have continuous water level monitors. The methodology of the monitoring program shall be described. A monitoring well of equal depth within the cone of influence of the production well may be substituted for the water level monitoring of the production well. The monitoring wells shall be constructed and monitoring begun at least three months prior to the use of the supply well. An applicant shall maintain a record of all data collected and shall provide a report of the data collected to the County annually and/or upon made upon request.</p> <p>Less than significant impact with mitigation measures HYD-2 through HYD-3 incorporated.</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> <ul style="list-style-type: none"> i) Result in substantial erosion or siltation on- or off-site; ii) Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site; iii) Create or contribute to runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; iv) Impede or redirect flood flows? 		X		<p>The applicant has stated that the total cultivation area is about 28,252 square feet in size, and the canopy area is about 28,012 square feet. The total impervious footprint of this property will increase by roughly 0.014% from the existing structures on the 68 acres of contiguous parcels. The whole cultivation site with the exception of the north boundary will be outfitted with straw wattles for sediment control. While all the cultivation areas are impermeable, the runoff resulting from those buildings is not anticipated to be significant, in particular with the projects implementation of straw wattles and Best Management Practices.</p> <ul style="list-style-type: none"> • 120 square feet wooden pesticides and agricultural chemicals storage area • 120 square feet wooden security building <p>All structures will be located more than 100 feet from surface water bodies, and stormwater runoff from the structures will be discharged to the well-vegetated buffers surrounding the proposed cultivation operation to filter pollutants and to promote stormwater retention and infiltration. The proposed outdoor canopy area will not increase the impervious surface area of the project parcel and should not increase the volume of runoff from the project site. Well-vegetated buffers (minimum 100 feet) will be maintained around the proposed cultivation areas to filter and/or remove any sediment, nutrients, and/or pesticides mobilized by stormwater runoff, and prevent those pollutants from reaching nearby surface water bodies.</p>	1, 3, 4, 5, 13, 21, 23, 24, 25, 29, 31, 32, 33, 34

				<p>Established vegetation within and around the proposed cultivation operation will be maintained/protected to the extent possible, as a permanent erosion and sediment control measures. A native grass seed mixture and certified weed-free straw mulch will be applied to all areas of the exposed soil prior to November 15th of each year at a rate of two tons per acre, until permanent stabilization has been achieved. Straw wattles will be installed and maintained throughout the proposed cultivation operation per the attached Erosion and Sediment Control Plan, until permanent stabilization has been achieved. If areas of concentrated stormwater runoff begin to develop, additional erosion and sediment control measures will be implemented to protect those areas and their outfalls.</p> <p>There are several small wetland features on the project parcel as determined by the Biological Assessment. Protection of aquatic resources is needed. Grading and unmaintained roads could potentially lead to sediment discharge into nearby watercourses that has a potential to create an adverse effect on hydrology. See table 1.</p> <p><i>Table 1. Biologist observations of potential erosion sites can be seen mapped in Attachment C.</i></p> <table><tr><td>1</td><td>Road not hydrologically disconnected on both sides of Indian Creek culvert</td></tr><tr><td>2</td><td>Failed culvert of a small Class III watercourse is running in the road to neighbor's bridge over Indian Creek</td></tr><tr><td>3</td><td>Road not hydrologically disconnected on both sides of watercourse crossing</td></tr><tr><td>4</td><td>Minor bank seep behind green house is ditched and causing slight erosion at the old runway fill slope</td></tr><tr><td>5</td><td>Road at the top of a Class III watercourse with fill erosion</td></tr><tr><td>6</td><td>Grading spoils disposed at the top of Class III watercourse</td></tr></table> <p>Meeting local, state and federal compliance will ensure that cultivation operations will not significantly impact water resources by using a combination of Best Management Practices (BMPs), buffer zones, sediment and erosion controls, inspections and reporting, and regulatory oversight. If the proposed project change and work is performed near any wetlands or channel, a formal delineation of jurisdiction shall be performed prior to construction or ground disturbances.</p> <p>HYD-4: No additional grading should occur without county permits.</p> <p>HYD-5: A road assessment is recommended for all roads within the Project Area to further identify areas for improvement.</p> <p>HYD-6: To remediate sediment impacts within and adjacent to project area watercourses, a Lake and Streambed Alteration Agreement is being recommended for submission to the California Department of Fish and Wildlife.</p> <p>HYD-7: A water quality permit or Cannabis Cultivation General Order Waste Discharge Requirement from the California Water Board is recommended to ensure waste waters discharged from the project area do not adversely affect waters of the State and to ensure appropriate water resource buffer zones are established.</p> <p>HYD-8: Prior to construction, the applicant shall provide a new site plan for the property to show all dimensions and setbacks to meet all federal, state, and local regulation and conform to all building codes.</p>	1	Road not hydrologically disconnected on both sides of Indian Creek culvert	2	Failed culvert of a small Class III watercourse is running in the road to neighbor's bridge over Indian Creek	3	Road not hydrologically disconnected on both sides of watercourse crossing	4	Minor bank seep behind green house is ditched and causing slight erosion at the old runway fill slope	5	Road at the top of a Class III watercourse with fill erosion	6	Grading spoils disposed at the top of Class III watercourse	
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6	Grading spoils disposed at the top of Class III watercourse																

				Less than significant impact with mitigation measures HYD-4 through HYD-8 incorporated.	
d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?			X	There are no flood zones on the project parcel. The project parcel is not in any tsunami or seiche zone. Further, all chemicals including pesticides, fertilizers and other potentially toxic chemicals shall be stored in a manner that the chemicals will not be adversely affected in the event of a flood. Less than significant impact.	1, 3, 4, 5, 13, 21, 23, 24, 25, 29, 31, 32, 33
e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?			X	There are no specific water quality control plan was provided by the applicant, and there is no threshold in Lake County for groundwater depletion or baseline for sustainable groundwater. The applicant is to be able to provide adequate water for their cannabis cultivation sites; they are prohibited to import water other than 1 time in an emergency situation, and only with Community Development Department Director's written permission. See response to section X (a)(b). Less than significant impact with mitigation measures HYD-1 through HYD-8 incorporated.	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 is consistent with the Lake County General Plan, the Shorelines Community Area Plan and the Lake County Zoning Ordinance. The property is zoned "RL" Rural Land, which is a land-use zone that Article 21 of the Lake County Zoning Ordinance allows commercial cannabis cultivation in. The proposal aligns with the land use plan, policy, and regulations. In cases, it does not align, it will comply to all. No 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	This site contains no mapped mineral resources. 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 Shoreline Community Area Plan nor the Lake County Aggregate Resource Management Plan designates the project site as being a locally important mineral resource recovery site. No 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. NOI-1: All construction activities including engine warm-up shall be limited Monday through Friday, between the hours of 7:00 a.m. and 7:00 p.m. to minimize noise impacts on nearby	1, 3, 4, 5, 13

				<p>residents. Back-up beepers shall be adjusted to the lowest allowable levels.</p> <p>NOI -2: Maximum non-construction related sounds levels shall not exceed levels of 55 dBA between the hours of 7:00 a.m. to 10:00 p.m. and 45 dBA between the hours of 10:00 p.m. to 7:00 a.m. within residential areas as specified within Zoning Ordinance Section 21-41.11 (Table 11.1) at the property lines.</p> <p>NOI-3: The operation of the air filtration system shall not exceed levels of 57 dBA between the hours of 7:00 a.m. to 10:00 p.m. and 50 dBA from 10:00 p.m. to 7:00 a.m. within residential areas as specified within Zoning Ordinance Section 21-41.11 (Table 11.2) measured at the property lines.</p> <p>Less than significant impact with mitigation measures NOI-1 through NOI-3 incorporated.</p>	
b) Generation of excessive ground-borne vibration or ground-borne noise levels?			X	<p>The project is not expected to create unusual ground-borne vibration due to facility operation. The low level truck traffic during construction and deliveries would create a minimal amount of ground-borne vibration.</p> <p>No impact.</p>	1, 3, 4, 5, 13
c) For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?			X	<p>Project is not located within an airport land use plan or within 2 miles of a public airport.</p> <p>No impact.</p>	1, 2, 3, 4, 5, 6, 24
XIV. POPULATION AND HOUSING <i>Would the project:</i>					
a) Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?			X	<p>The project 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
XV. PUBLIC SERVICES <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?			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>	1, 3, 4, 5, 13, 17, 20, 21, 22, 23, 24, 27, 28, 29, 30, 31, 32, 33, 34, 36, 37

- Police Protection? - Schools? - Parks? - Other Public Facilities?					No impact.	
XVI. RECREATION <i>Would the project:</i>						
a) Would the project 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. No impact.	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. No impact.	1, 3, 4, 5
XVII. TRANSPORTATION <i>Would the project:</i>						
a) Conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadways, bicycle lanes and pedestrian paths?				X	The proposed project site is accessed from a series of private easement roads connecting to Highway CA-20, a state 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 small vehicles only. Daily employee trips are anticipated to be between 4 and 8 trips, about the equivalent of a new single family dwelling (which averages 9.55 average daily trips according to International Transportation Engineer's manual, 9 th edition). Prior to this use permit having any force or effect, the applicant will be required to submit and have approved a timeline to make all necessary road improvements to comply with Public Resource Code (PRC) section 4290 and 4291. The building official will inspect this road following completion of the road to assure PRC compliance. 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)?				X	See Response to Section XVII (a). The 1-2 week construction period could generate a maximum of 10-20 vehicle trips, in addition to the 4-8 vehicle trips generated by potential employees. Significant impacts are not anticipated and the project is consistent with 15064.3 (b). Less than significant impact.	1, 3, 4, 5, 9, 20, 22, 27, 28, 35
c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?				X	The proposed project will not increase hazards; no changes to CA-20 are proposed or would be needed due to project implementation. The private easement roads may need to be widened to meet CalFire SRA Standards. Less than significant impact.	1, 3, 4, 5, 9, 20, 22, 27, 28, 35
d) Result in inadequate emergency access?				X	As proposed, this project will not impact existing emergency access. Property and cultivation site access is proposed to meet SRA fire regulations. The applicant must widen the internal access road to the cultivation site to 20' wide and gravel it to a 75,000lbs load capacity. It is possible upon inspection that the private easement road also will need to be widened to 20' and graveled to a 75,000 load capacity. The emergency access can only improve with implementation of this project. Less than significant 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 applicant has undertaken a Cultural Resource Study. The findings yielded a prehistoric site, but no other significant historical, cultural, or tribal resources. California Register of Historic Resources also did not have any significant findings for the parcel. The prehistoric site will be avoided by all ground disturbance. Less than significant impact with mitigation measures CUL-1 and CUL-3 added.		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		There are no mapped significant resources other than the newly discovered prehistoric site found through the Cultural Assessment. All ground disturbance will be outside this mapped area. Adjacent parcels have no mapped resources. Less than significant impact with mitigation measures CUL-1 and CUL-3 added.		1, 3, 4, 5, 11, 14, 15
XIX. UTILITIES AND SERVICE SYSTEMS						
<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 contiguous parcels are 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. Further, a Stormwater Management Plan was submitted that addresses on-site run-off. 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. The applicant proposes minimizing water use through drip irrigation and mitigations in place to prevent potential leaks. Less than significant impact with mitigation measures HYD-2 through HYD-3 incorporated.		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 contiguous parcels are currently served by a permitted on-site septic system, however it is not currently proposed to be used for the project. There are ADA portable toilets proposed for the project. However, the septic system may be used for bathrooms should the approving body for this permit ask to provide permanent bathrooms to employees. 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. The county does not require such a waste management plan for cannabis cultivation projects. However, waste generation from site will be minimal and all vegetative waste will be composted. Less than significant impact.		1, 3, 4, 5, 28, 29, 32, 33, 34, 36
e) Comply with federal, state, and local management and reduction			X	All federal, state, and local requirements related to solid waste will apply to this project, but are not anticipated to create issues that require additional mitigation measures.		1, 3, 4, 5, 29, 32, 33, 34, 36

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 an open somewhat previously disturbed area with minimal to no vegetation. 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> <p>Less than significant with mitigation measures AQ-1 through AQ-6, BIO-1 through BIO-11, GEO-1 through GEO-7, HYD-1 through HYD-8, and NOI-1 through NOI-3.</p>	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		<p>Potentially significant impacts have been identified related to Aesthetics, Air Quality, Biological Resources, Geology/Soils, Cultural and Tribal Resources, Transportation, Wildfire, and Noise. These impacts in combination with the impacts of other past, present and reasonably foreseeable future projects could cumulatively contribute to significant effects on the environment. Implementation of and compliance with mitigation measures identified in each section as project conditions of approval would avoid or reduce potential impacts to less than significant levels and would not result in any cumulatively considerable environmental impacts.</p> <p>Less than significant with mitigation measures AQ-1 through AQ-6, BIO-1 through BIO-11, CUL-1 through CUL-4, GEO-1 through GEO-7, HYD-1 through HYD-8, and NOI-1 through NOI-3.</p>	All
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?		X		<p>The proposed project has the potential to result in adverse indirect or direct effects on human beings. In particular, to Aesthetics, Air Quality, Biological Resources, Geology/Soils, Cultural and Tribal Resources, Transportation, Wildfire, and Noise have the potential to impact human beings. Implementation of and compliance with mitigation measures identified in each section as conditions of approval would not result in substantial adverse indirect or direct effects on human beings and impacts would be considered less than significant.</p> <p>Less than significant with mitigation measures AQ-1 through AQ-6, BIO-1 through BIO-11, CUL-1 through CUL-4, GEO-1 through GEO-7, HYD-1 through HYD-8, and NOI-1 through NOI-3.</p>	All

* Impact Categories defined by CEQA

****Source List**

1. Lake County General Plan
2. Lake County GIS Database
3. Lake County Zoning Ordinance
4. Shoreline Communities Area Plan
5. Frosty Oaks Cannabis Cultivation Applications – Major Use Permit.
6. U.S.G.S. Topographic Maps
7. U.S.D.A. Lake County Soil Survey
8. Lake County Important Farmland Map, California Department of Conservation Farmland Mapping and Monitoring Program
9. Department of Transportation's Scenic Highway Mapping Program, (http://www.dot.ca.gov/hq/LandArch/16_livability/scenic_highways/index.htm)
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 Frosty Oaks' contiguous properties; prepared by NCRM Inc, dated August 26, 2019.
14. Cultural Site Assessment Survey – Dr. John Parker, April 23, 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. Lake County Fire Protection District
38. Site Visit, January 15, 2020