



COUNTY OF LAKE

COMMUNITY DEVELOPMENT DEPARTMENT

Planning Division

Courthouse - 255 N. Forbes Street

Lakeport, California 95453

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

February 5, 2021

CALIFORNIA ENVIRONMENTAL QUALITY ACT INITIAL STUDY (IS 20-02) ENVIRONMENTAL CHECKLIST FORM

1. **Project Title:** Alvarez Farms
2. **Permit(s):** Use Permit, UP 20-03
Initial Study, IS 20-02
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. **Project Location** 12990 Spruce Grove Road, Lower Lake, CA
6. **Parcel Number and size:** 012-067-40 (65.08 acres)
7. **Project Sponsor's Name/Address:** Freddie Alvarez
760 Sebastopol Road
Santa Rosa, CA 95407
8. **General Plan Designation:** "RL" Rural Lands
9. **Zoning:** "RL" Rural Lands
10. **Flood Zone:** Areas of undetermined, but possible, flood hazard
11. **Slope:** The parcel average cross slope is 30.78%.
12. **Natural Hazards:** Project area is within the State Responsibility Area
"moderate" to "very high" severity fire zone
13. **Fire District:** Lake County FPD/CalFire

14. 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).

Alvarez Farms, LLC. is applying for a Major Use Permit for the cultivation of commercial cannabis at 12990 Spruce Grove Road, Lower Lake, CA, also known as assessor's parcel number (APN) 012-067-40. The 65.08 acres parcel property is zoned Rural Lands used for single-family residences and agricultural uses such as crop farming and livestock grazing. The proposed cultivation area will take place in four site locations totaling up to 3.6 acres with 131,000 square feet of the canopy area and include indoor cultivation within a 600 square feet metal building with a total canopy area of 500 square feet. This project proposes several site improvements to ensure that the cultivation site meets all local and state regulations and guidelines. The proposed improvements consist of a security fence, security system, employee parking, trash bins, storage sheds, portable toilets, etc. Plants are to be planted in planter beds upon use permit approval. Each cultivation site was chosen in currently disturbed areas such as existing gardens, pig enclosure, and within existing structures (Attachment D). The limits and location of the canopy and cultivation area are shown in Attachment B.

Table 1. The applicant proposes three cultivation sites of various sizes in two locations. Each cultivation site (as shown in the table) includes various canopy area for outdoor (O) and indoor (I), and proposed structures. This table can be seen in site maps (Attachment B).

Cultivation Site	Cultivation area	Canopy Area	Structures
Site 1-Outdoor	51,000 square feet	42,000 square feet	Drying container, storage sheds, compost area
Site 2-Outdoor	19,000 square feet	18,000 square feet	*Adjacent to Cultivation Site 1
Site 3-Outdoor and indoor	34,000 square feet	25,000 square feet (O); 500 square feet (I)	Drying container and storage sheds
Site 4- Outdoor	51,000 square feet	46,000 square feet	Drying container and storage sheds

Property Description

The existing conditions of the project site include the main residence and use permitted within the Lake County Zoning Ordinance for structures and features such as barns, residential second unit, greenhouses, water tanks, well house, and pond. Per the EnviroStor website, there are no known historic sources of contamination at the site or within 1,000 feet of the project site. The aforementioned project's proposed cannabis cultivation water source will be an existing well running at approximately 20 gallons per minute.

The project site's sheet flow currently flows in a South-Easterly direction towards an unnamed watercourse and eventually ends up in Asbill Creek. Stormwater is conveyed through surface runoff and flows across natural vegetation creating a vegetative buffer between discharge area and watercourses. Stormwater discharge at all locations on the site is not considered direct discharges into the creek, as defined by the State Water Board. The project parcel ranges in elevation from

1510 feet to 1780 feet above mean sea level (information derived from Google Earth). The location where cannabis cultivation will occur slopes roughly at 0% to 11%. Existing site vegetation, topography, drainage patterns, stormwater conveyance systems, and watercourses are shown on the site plans in Attachment B.

The site is underlain by topsoil of clay loam. The subsoil horizons consist of clay loam. The area that will be utilized for the proposed Cannabis operation consists of clay loam. The Soil Analysis reference for the proposed cultivation area can be found in Attachment A.

Construction

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

1. Grading larger than 500 cubic yards is not anticipated during the site preparation of the project, however, some routine tilling will occur on the cultivation site for planting. Some brush and grass clearing will be removed for maintenance and site preparation. The cultivation will occur on slightly sloping existing grades.
2. Maintenance is required for existing improvements consisting of an auger, weed whacker, trucker, leaf blower, and et cetera within the project area.
3. 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. Vehicle equipment can include pickup trucks, dump trucks, and trailers. The project anticipates 5 trips per week.
4. Water (from the existing onsite well) or mobile water tank will be used to wet disturbed soils to mitigate the generation of dust during construction.
5. All construction activities, including engine warm-up, will be limited to Monday through Saturday between the hours of 8:00 a.m. and 6:00 p.m. Back-up beepers will be adjusted to the lowest allowable levels.
6. 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 project site using Google Earth. Cultivation area is difficult to find with address alone, coordinates are needed to provide the exact location (38°52'5.96"N, 122°33'29.17"W)

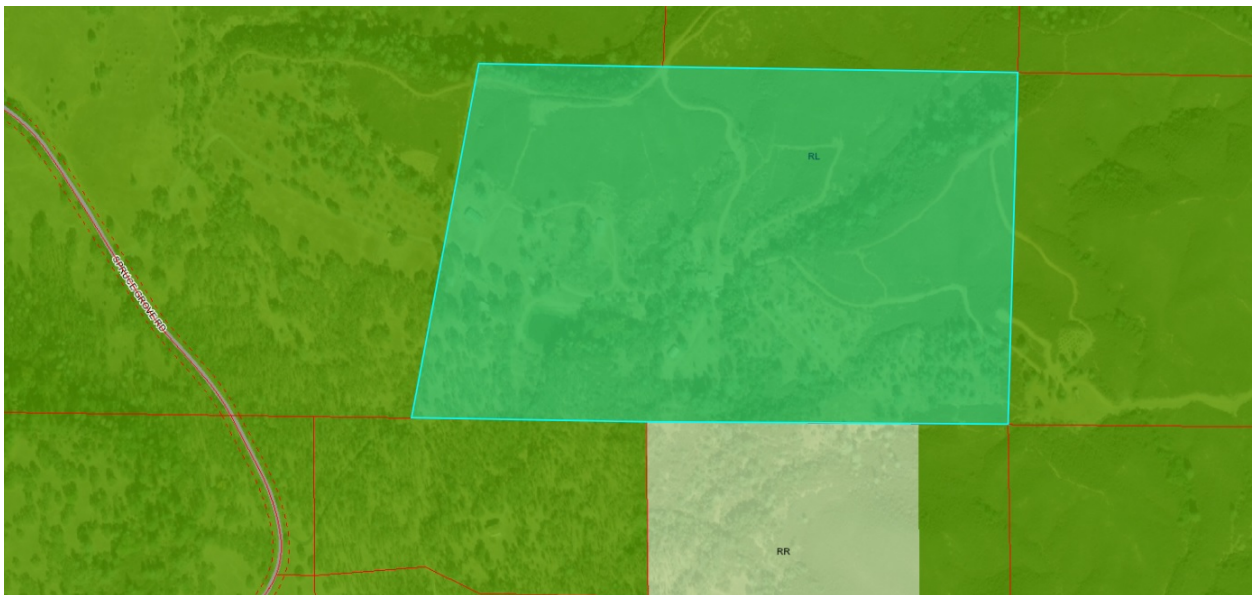


Figure 2. Zoning of site and vicinity

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

- North: Rural Lands; Parcel ranges from 40 to 237 acres in size.
- East: Rural Lands; Parcels are approximately 40 acres in sizes

- South: Rural Residential and Rural Lands; Parcels are approximately 17 to 472 acres in sizes
- West: Rural Lands; Parcels are approximately 237 acres in size.

17. Attachments:

Attachment A: Project Management Plan
 Attachment B: Site Plans
 Attachment C: Biological Resources Assessment
 Attachment D: Site Visit Photographs
 Attachment E: Site Septic Plans
 Attachment F: 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
 California Department of Forestry & Fire Protection (Calfire)
 California Department of Fish & Wildlife (CDFW)
 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 (CalTrans)

- 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 the 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 local tribes. Redwood Valley defers commenting. Middletown Rancheria requested an AB52 tribal consultation and resulted in a mutual agreement between the parties regarding any inadvertent discoveries. The California Historical Resources Information System (CHRIS) stated that there is a cultural resource study (Study #S-53813) for the proposed project covering 100% of the area, which identified no archaeological resources. No further study for archaeological resources is recommended at this time.

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"/> 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 |

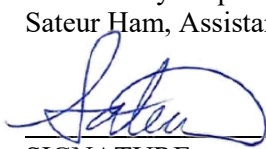
DETERMINATION: (To be completed by the Lead Agency)

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


SIGNATURE

Date: 02-05-2021

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," maybe cross-referenced).
- 5) Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA processes, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063(c)(3)(D). In this case, a brief discussion should identify the following:
 - a) Earlier Analysis Used. Identify and state where they are available for review.
 - b) Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable

- legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
- c) Mitigation Measures. For effects that are "Less than Significant with Mitigation Measures Incorporated," describe the mitigation measures, which were incorporated or refined from the earlier document, and the extent to which they address site-specific conditions for the project.
- 6) Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.
 - 7) Supporting Information Sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.
 - 8) This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies should normally address the questions from this checklist that are relevant to a project's environmental effects in whatever format is selected.
 - 9) The explanation of each issue should identify:
 - a) The significance criteria or threshold, if any, used to evaluate each question; and
 - b) The mitigation measure identified, if any, to reduce the impact to less than the 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**
I. AESTHETICS <i>Would the project:</i>						
a) Have a substantial adverse effect on a scenic vista?			X		The project site is not located within a scenic vista, therefore, the project will not result in a substantial adverse effect. No 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	The proposed project is not expected to substantially damage scenic resources including historic buildings, rock outcroppings, or trees located within a state scenic highway. There is no proposed tree removal. 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 project will take in the existing disturbed area primarily used for residential and agricultural use. Less than significant 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 and proposed structures with lighting. A lighting plan showing fixture types and location is required and shall meet the County's recommended darkskies.org lighting. Less than significant with a mitigation measure added as follows: AES-1: An Outdoor Lighting Plan that meets the darkskies.org lighting recommendations shall be submitted for review and acceptance, or review and revision before cultivation. AES-2: All greenhouses/structures incorporating artificial lighting shall be equipped with blackout film/material to be used at night for the maximum light blockage to lessen the impact on the surrounding parcels and the dark skies. The applicant shall submit a Blackout Film/Materials Plan to the Community Development Department for review and approval before the issuance of any permits. Less than significant with mitigation measures AES-1 through AES-2 added.	1, 2, 3, 4, 5, 6, 9
II. AGRICULTURE AND FORESTRY RESOURCES <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> <i>Would the project:</i>						

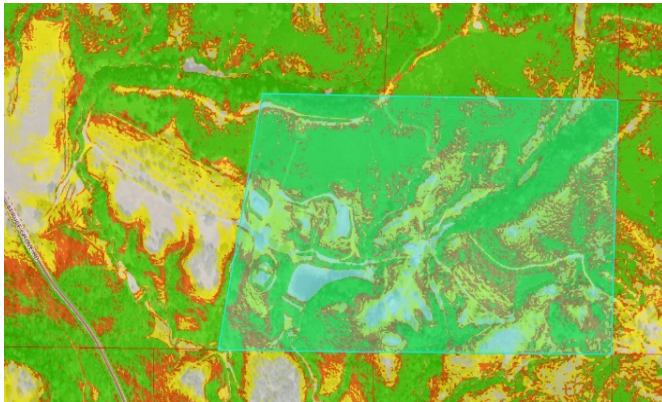
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?			X	<p>The proposed cultivation site is in an area designated as ‘Other Lands’ by the Farmland Mapping and Monitoring program. The proposed project will not convert farmland to non-agricultural use nor impact important farmland.</p> <p>Less than significant impact.</p>	1, 2, 3, 4, 5, 7, 8
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>No impact</p>	1, 2, 3, 4, 5, 7, 8
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
d) Involve other changes in the existing environment which, due to their location or nature, could result in the conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?			X	<p>See response to Section II (c). The project would not result in the loss or conversion of forest land to non-forest use. The site location is not within an area designated as agriculture or timberland preserve. Also, the project scope does not include any tree removal.</p> <p>No impact.</p>	1, 2, 3, 4, 5, 7, 8
<p align="center">III. AIR QUALITY</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 site preparation/construction preparation through tillage and agricultural practices. The proposed project will result in new vehicular traffic, including delivery vehicles are contributors during and after site preparation/construction. Odors generated by cannabis plants, particularly during harvest season, will need to be mitigated either through passive means (separation distance), or active means (Odor Control Plan). The applicant will mitigate any potential odor that will persist during the duration of the project accordingly to the approved odor control plan.</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: 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 to complete an updated Air Toxic emission Inventory.</p> <p>AQ-3: Construction and/or work practices that involve masonry, gravel, grading activities, vehicular and fugitive dust shall be managed by the use of water or other acceptable dust palliatives</p>	1, 2, 3, 4, 5, 10, 21, 24, 31, 36

				<p>to mitigate dust generation during and after site development.</p> <p>AQ-4: All areas subject to infrequent use of driveways, overflow parking, etc., shall be surfaced with gravel. The applicant shall regularly use and/or maintain the graveled area to reduce fugitive dust generations.</p> <p>Less than significant with mitigation measures AQ-1 through AQ-4 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 majority of the cultivation activity will take place outdoor. All proposed structures will use air filtration systems to mitigate odor and other potential pollutants. The outdoor cultivation area is not anticipated to generate dust or other substances that will violate air quality in this vicinity. The County of Lake is in the attainment of state and federal ambient air quality standards.</p> <p>Less than significant impact.</p>	1, 2, 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 a significant amount of pollutants.</p> <p>Less than significant impact with mitigation measures AQ-1 through AQ-4 incorporated.</p>	1, 2, 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>Odor control measures will be necessary for the cultivation areas, including the outdoor portion of the site used for cannabis cultivation. The cultivation areas 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 for the outdoor cultivation area. 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.</p> <p>Less than significant impact with mitigation measures AQ-1 through AQ-4 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 Resources Assessment, prepared by Ms. Lucy Macmillan, M.S. dated October 2019. The author conducted a reconnaissance level survey on August 7, 2019, and concluded that there eight special-status wildlife species have been documented within 5 miles of the project site. Based on the biological communities present on the project site, the site and the surrounding grasslands have the potential to provide potential habitat for nesting birds and raptors. Western pond turtle (<i>Emys marmorata</i>) may also be present in the pond located east of the site and could use adjacent grasslands for nesting. Trees on the site provide potential habitat for special-status bats but according to the project applicant, no trees will be removed with project activities. Special-status animal species with potential to occur on or in the vicinity of project site include Western pond turtle (<i>Emys marmorata marmorata</i>), Sharp-shinned hawk (<i>Accipiter striatus</i>), Tricolored blackbird (<i>Agelaius tricolor</i>), Golden eagle (<i>Aquila chrysaetos</i>), Bald eagle (<i>Haliaeetus leucocephalus</i>), Northern harrier (<i>Circus cyaneus</i>), Prairie falcon (<i>Falco mexicanus</i>), Purple martin (<i>Progne subis</i>), Pallid bat (<i>Antrozous pallidus</i>), Townsend's big-eared bat (<i>Corynorhinus townsendii</i>), Silver-haired bat (<i>Lasionycteris noctivagans</i>), Hoary bat (<i>Lasiurus cinereus</i>), Fringed myotis (<i>Myotis thysanodes</i>), Long-eared myotis (<i>Myotis evotis</i>), Fisher-West Coast DPS (<i>Pekania pennanti</i>), American porcupine (<i>Erethizon dorsatum</i>), American badger (<i>Taxidea taxus</i>), Obscure bumblebee (<i>Bombus coliginosus</i>), and Rickseckers water scavenger beetle (<i>Hydrochara rickseckeri</i>). The applicant shall</p>	1, 2, 3, 4, 5, 11, 12, 13, 16, 24, 29, 31, 32, 33

				<p>incorporate the following mitigation measures including best management practices stated in the biological resources assessment.</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: If project activities occur during the breeding season (February 1 through August 31), a qualified biologist shall conduct a breeding bird survey no more than 14 days before project activities to determine if any birds are nesting in trees on or adjacent to the study area. This will include areas where water wells and security fence will be installed.</p> <p>BIO-3: If active nests are found close enough to the study area to affect breeding success, the biologist will establish an appropriate exclusion zone around the nest. This exclusion zone may be modified depending upon the species, nest location, and existing visual buffers. Once all young have become independent of the nest, vegetation removal and grading may take place in the former exclusion zone.</p> <p>BIO-4: If initial work is delayed or there is a break in project activities of greater than 14 days within the bird-nesting season, then a follow-up nesting bird survey shall be performed to ensure no nests have been established in the interim.</p> <p>BIO-5: Western pond turtle if present in the pond south and west of the proposed grow areas may use the adjacent lands to nest.</p> <ul style="list-style-type: none"> • Work within 100 meters of the pond should be initiated outside the nesting season for pond turtles, which is from May to October 1. If work cannot be initiated outside the nesting season, then a pre-construction survey in all work areas within 100 meters of the lower pond is recommended. Alternatively, an exclusion fence may be placed between the pond and proposed activities if the fencing is installed prior to May 1. <p>Also, before construction, all workers on the crew should be trained by a qualified biologist as to the sensitivity of the turtle potentially occurring in the project area.</p> <p>Less than significant impact with mitigation measures BIO-1 through BIO-5 incorporated.</p>	
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?		X		<p>According to Biological Resources Assessment (BRA), the study area is not within any designated listed species' critical habitat. The study area contains one type of special-status habitat: watercourses. There is no evidence that project implementation would impact special-status habitats; the project area was designed to avoid all watercourses and establish adequate buffers. A large pond is identified to the west and south of the proposed growing area but there is no proposed use of the pond and a setback of at least 150 feet will be maintained. This feature will not be impacted by the project activities. An ephemeral drainage ditch measuring approximately 2 feet wide was observed on the southern portion of the property north of the pond and west of cultivation area 3.</p> <p>BIO-6: Pesticides and fertilizer storage facilities shall be located outside of the Riparian Corridor setbacks for structures.</p> <p>BIO-7: Pesticide and fertilizer storage facilities shall not be located within 100 feet of a wellhead or 50 feet of identified</p>	1, 2, 3, 4, 5, 11, 12, 13, 16, 17, 29, 31, 32, 33, 34

				<p>wetlands.</p> <p>BIO-8: 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 any unlawful or unpermitted drawing of surface water.</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>Less than significant with mitigation measures BIO-6 through BIO-9 incorporated.</p>	
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>According to the Biological Resources Assessment and the proposed project scope, the applicant does not propose any direct removal, filling, a hydrological interruption that would adversely affect state or federally protected wetlands. If one is proposed, the applicant will require U.S. Army Corps of Engineers (Corps) authorization under Section 404 of the Clean Water Act (33 U.S.C. 1344) and Clean Water Act Section 401 authorization from the Regional Water Quality Control Board (RWQCB)</p> <p>No impact.</p>	1, 2, 3, 4, 5, 11, 12, 13, 16, 17, 21, 24, 29, 31, 32, 33, 34
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with an established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?			X	<p>The proposed project does not propose any tree removal that would impede the use of native wildlife nursery sites for any birds or raptors. The project is located in a rural part of Lake County and abutting large open spaces, the project site, and environs provide habitat for a variety of terrestrial wildlife including mountain lion, coyote, fox, rabbits, squirrels and skunks, and a variety of avian species including downy woodpecker, Steller's jay, red-tailed hawk, and turkey vulture. It is not predicted that this project will interfere with the movement of any native resident or migratory fish or wildlife species or with an established native resident or migratory wildlife corridors.</p> <p>Less than significant impact.</p>	1, 2, 3, 4, 5, 11, 12, 13, 16, 17, 21, 24, 29, 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>Some local policies and ordinances protect biological resources. However, it does not explicitly exercise any regulatory restrictions surrounding biological resources or conservation. Some of these include discouraging the removal of any true oak species (<i>Quercus species</i>) or Tan Oak (<i>Notholithocarpus species</i>) and 100 feet setbacks required in the ordinance from all watercourse, wells, and waterways. The project site is located in the region with the least impact on wildlife within the parcel area. The project also does not consist of any tree removal.</p> <p>Less than significant impact.</p>	1, 2, 3, 4, 5, 11, 12, 13, 16, 17, 21, 24, 29, 31, 32, 33, 34
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or another approved local, regional, or state habitat conservation plan?			X	<p>There are no adopted Habitat Conservation Plans or Natural Community Conservation Plans, or other local, regional, or state habitat conservation plans associated with this site.</p> <p>No impact.</p>	1, 2, 3, 4, 5, 11, 12, 13, 16, 24, 29, 31, 32
<p>V. CULTURAL RESOURCES <i>Would the project:</i></p>					

a) Cause a substantial adverse change in the significance of a historical resource pursuant to §15064.5?			X	<p>According to the California Historical Resources Information System (CHRIS), the 1945 and 1958 USGS Lower Lake 15' quads depict a building within the project parcel. If present, this unrecorded building or structures meets the Office of Historic Preservation's (OHP) minimum wage standard that buildings, structures, and objects that are 45 years of age or older may be of historical value. However, the project does not propose any substantial adverse change to any historical resources on the property parcel.</p> <p>No impact.</p>	1, 3, 4, 14, 15, 38
b) Cause a substantial adverse change in the significance of an archeological resource pursuant to §15064.5?		X		<p>A Cultural Resources Reconnaissance was conducted for the project parcel and the adjoining parcels by Jay M. Flaherty, MA, on September 25, 2019. According to CHRIS, the study (Flaherty 2019) covered approximately 100% of the proposed project area and identified no cultural resources within the project area. Though there are no cultural resources sites discovered from the survey, the possibility of buried or obscured cultural resources do exist. The following mitigation measures shall be implemented throughout the life of the project.</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 the ground disturbance. If any artifacts or remains are found, the Middletown Rancheria Tribe shall immediately be notified; a licensed archaeologist shall be notified, and the Lake County Community Development Director shall be notified of such finds.</p> <p>CUL-3: In the event of an unanticipated discovery of cultural resources during the implementation of the project, all work must be halted within 100 feet (30 meters) of the find and a qualified archaeologist (36 CFR Part 61) notified so that its potential significance can be assessed.</p> <p>Less than significant impact with mitigation measures CUL-1 through CUL-3 added.</p>	1, 3, 4, 14, 15, 38
c) Disturb any human remains, including those interred outside of formal cemeteries?		X		<p>See response section V (b).</p> <p>Less than significant impact with mitigation measures CUL-1 through CUL-3 added.</p>	1, 3, 4, 14, 15, 38
<p>VI. ENERGY <i>Would the project:</i></p>					
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 proposed project will consist of mainly outdoor cultivation area, however, 500 square feet of the canopy will take place within a 600 square feet indoor grow building. The grow building will have a total of 60 metal halide fixtures for cultivation and will be 1 lamp GC-315 series ceramic metal halide fixtures from Grower's Choice Horticultural Lighting. The applicant plans to install a solar array at its grow site to reduce energy consumption and intends to operate at 50% alternative energy use by January 1, 2023.</p>	1, 3, 4, 5

						Less than significant impact.	
b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?				X		<p>The local ordinance requires indoor cultivation and mixed-light cultivation light to not exceed 1,200 watts and shall conform to all applicable electrical codes. The proposed project will consist mostly of outdoor growth with a small cultivation area within a 600 square feet metal building for indoor growth. The proposal will not conflict with or obstruct, a state or local plan for renewable energy or energy efficiency. See response VI (b).</p> <p>No impact.</p>	1, 3, 4, 5
VII. GEOLOGY AND SOILS <i>Would the project:</i>							
a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving: i) Rupture of a known earthquake fault, as delineated on the most recent Alquist- Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42. ii) Strong seismic ground shaking? iii) Seismic-related ground failure, including liquefaction? iv) Landslides?			X			<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 fairly sloped surrounding the project area. However, the project is not expected to elevate the risk of landslides on the property as there is no extensive grading proposed.</p>  <p><i>Figure 3. The percentage slope of the parcel showing various slope: 0-10% (shown in gray), 10-20% (shown in yellow), 20-30% (shown in orange), and greater than 30% (shown in green)</i></p> <p>Less than significant impact.</p>	1, 2, 3, 4, 5, 6, 7, 10, 17, 18, 19, 20, 21, 24, 25, 30
b) Result in substantial soil erosion or the loss of topsoil?		X				<p>Maymen-Etsel-Snook complex (169), with varying slopes ranging from 30 to 75 percent slope. This unit is about 35 percent Maymen gravelly loam, 20 percent Etsel gravelly loam, and 20 percent Snook loam. Areas of the Snook soil at elevations above 3,500 feet are on south-facing slopes. The Maymen soil is shallow and somewhat excessively drained. Permeability of the Maymen soil is moderate. Surface runoff is very rapid, and the hazard of erosion is severe. The Etsel soil is shallow and somewhat excessively drained. The permeability of the Etsel soil is moderate. Surface runoff is very rapid and the hazard of erosion is severe. The Snook soil is shallow and somewhat excessively drained. The permeability of the Snook soil is moderate. Surface runoff is very rapid, and the hazard of erosion is</p>	1, 2, 3, 4, 5, 6, 7, 10, 17, 18, 19, 20, 21, 24, 25, 30

severe.

Skyhigh-Millsholm loams (209), with a varying slope ranging 15 to 50 percent slope. This unit is about 45 percent Skyhigh loam and 25 percent Millsholm loam. The Skyhigh soil is moderately deep and well-drained. It formed in material weathered from sandstone or shale. Permeability of the Skyhigh soil is slow. Surface runoff is rapid, and the hazard of erosion is severe. The shrink-swell potential is high in the subsoil. The Millsholm soil is shallow and well-drained. The permeability of the Millsholm soil is moderate. Surface runoff is rapid, and the hazard of erosion is severe.

Sobrante-Guenoc-Hambright complex (219), with a varying slope ranging 15 to 30 percent slope. This unit is about 35 percent Sobrante loam, 25 percent Guenoc clay loam, and 20 percent Hambright very gravelly loam. The Sobrante soil is moderately deep and well-drained. It formed in material weathered from basalt. The permeability of the Sobrante soil is moderate. Surface runoff is rapid, and the hazard of erosion is severe. The Guenoc soil is moderately deep and well-drained. Permeability of the Guenoc soil is moderately slow. Surface runoff is rapid, and the hazard of erosion is moderate. The Hambright soil is shallow and well-drained. The permeability of the Hambright soil is moderate. Surface runoff is rapid, and the hazard of erosion is moderate.

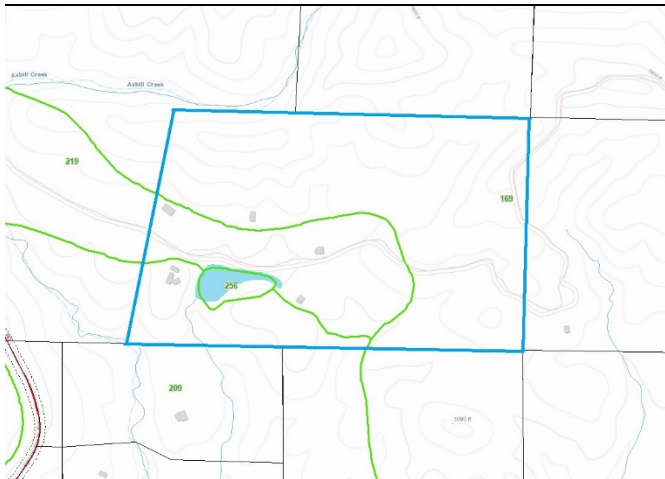


Figure 4. The project parcel site consists of three soil types: 169 (most of the parcel in the north and east, 219 (center of the parcel), and 209 (southwest of the parcel)

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.

GEO-2: Excavation, filling, vegetation clearing, or other disturbance of the soil shall not occur between October 15 and

				<p>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: If greater than fifty (50) cubic yards of soils are moved, a Grading Permit shall be required as part of this project. The project design shall incorporate Best Management Practices (BMPs) to the maximum extent practicable to prevent or reduce the 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>Less than significant impact with mitigation measures GEO-1 through GEO-4 incorporated.</p>	
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on-site or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse?			X	<p>The cultivation site is mapped as “generally stable” soil.</p> <p>No impact.</p>	1, 2, 3, 4, 5, 6, 7, 10, 17, 18, 19, 20, 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>Skyhigh-Millsholm loams (209) main limitations are steepness of the slope, depth to bedrock, and the hazard of erosion on the Millsholm and Skyhigh soils and by slow permeability, low load-bearing capacity, and high shrink-swell potential of the Skyhigh soil. The effects of shrinking and swelling can be reduced by maintaining a constant moisture content around the foundation area or by backfilling with material that has low shrink-swell potential. Sobrante-Guenoc-Hambright complex (219) main limitations for development are depth to bedrock, the hazard of erosion, steepness of the slope, low load-bearing capacity, and moderately slow permeability of the Guenoc soils. Though there is some portion of the parcel within expansive soil (209), the proposed project will not consist of constructing new structures or substantial grading at the project area.</p> <p>Less than significant impact.</p>	1, 2, 3, 4, 5, 6, 7, 10, 17, 18, 19, 20, 21, 24, 25, 30
e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?			X	<p>The 65.08-acre property does adequately support a permitted existing septic system through Environmental Health. Two soil types (209) and (219) may have some limitations such as shallow depth to bedrock is a major limitation for septic tank absorption fields. The limitations of moderate depth and slow permeability of some soil can be minimized by increasing the size of the septic tank absorption fields or by using a specially designed sewage disposal system. Ultimately, no additional septic tanks or wastewater disposal system is proposed at this time.</p> <p>No impact.</p>	1, 2, 3, 4, 5, 6, 7, 10, 17, 18, 19, 20, 21, 24, 25, 30
f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?			X	<p>No identified unique paleontological resources or unique geologic features were discovered, and none are currently mapped or known on the site.</p> <p>Less than significant impact.</p>	1, 2, 3, 4, 5, 6, 7, 10, 17, 18, 19, 24, 30

VIII. GREENHOUSE GAS EMISSIONS

Would the project:

a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?			X	<p>The metal building will be equipped with airborne particulate carbon filters. The cultivation areas will not have specific greenhouse gas-producing elements; no ozone will result, and the cannabis plants will help capture carbon dioxide from the chemical process through photosynthesis. 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. Also, the applicant will move into a more sustainable alternative energy source for the indoor grow site.</p> <p>Less than significant impact.</p>	1, 3, 4, 5, 24, 29, 30, 31, 32, 34, 36
b) Conflict with an applicable plan, policy, or regulation adopted to reduce the emissions of greenhouse gases?			X	<p>This project will not conflict with any adopted plans or policies for the reduction of greenhouse gas emissions. The County of Lake is an 'air attainment' county and does not have established thresholds of significance for greenhouse gases.</p> <p>No impact.</p>	1, 3, 4, 5, 21, 24, 29, 30, 31, 32, 34, 36

IX. HAZARDS AND HAZARDOUS MATERIALS

Would the project:

a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?			X	<p>Materials associated with the cultivation of commercial cannabis could be considered hazardous if released into the environment. The proposed project will use organic pest control and fertilizers, which will significantly limit potential environmental hazards that could otherwise result in a significant hazard. 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 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.</p> <p>Less than significant impact.</p>	1, 3, 4, 5, 10, 13, 21, 24, 25, 29, 31, 32, 33, 34, 36, 40
b) Create a significant hazard to the public or the environment through reasonable foreseeable upset and accident conditions involving the release of hazardous materials into the environment?			X	<p>The cultivation activity may require the use of biologically active fertilizers. The application of these products will follow all rules for safe pesticides and fertilizer storage and application. The applicant proposes to be organically certified and will only amend the organic bulk soil. Amendments will be added to adjust the mineral balance for the growing season. To limit infiltration and water quality degradation, the farm will irrigate and apply fertilizer consistent with the proper agronomic rate. All applications will be at rates that are reasonable for the crop, soil, climate, special location situations, management system, and type of fertilizers. The project will use an integrated ecosystem focused strategy that focuses on long-term prevention of pests and damage through a combination of techniques such as biological control, habitat manipulation, modification of cultural practices, and use of resistant varieties using reference from the Department of Pesticide Regulation legal pest management practices.</p> <p>While the farm utilizes organic farming and prioritizes the use of non-hazardous products and materials, there may be a potential for chemical hazards with the use of cleaning products, fuels, and various construction materials. When products are in use, all</p>	1, 3, 4, 5, 10, 13, 21, 24, 25, 29, 31, 32, 33, 34, 36, 40

				<p>employees will be trained in safe handling and application procedures. All potentially hazardous materials will be stored in a manner to minimize the risk of spillage and contamination, in a secure and marked area. In case of physical hazards, the site will be kept free of rubbish and debris, and employees will wear appropriate protective clothing while working on site. The project will use a strategy to reduce the potential for illness and injury from hazardous wastes to reduce their use and presence onsite. In the case that hazardous material is stored and used, the following best management practices will be implemented and can be found in Attachment A.</p> <p>Less than significant impact.</p>	
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?			X	<p>The proposed project is not located within one-quarter mile of an existing or proposed school. See response to section IX (a)(b).</p> <p>No impact.</p>	1, 3, 4, 5, 10, 13, 21, 24, 25, 29, 31, 40
d) Be located on a site that is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?			X	<p>The project site is not listed as a site containing hazardous materials in the databases maintained by the Environmental Protection Agency (EPA), the California Department of Toxic Substance, and the State Water Resources Control Board on the EnviroStor Database. There are no hazardous material sites over 10,000 feet radius from the project site.</p> <p>No impact.</p>	1, 3, 4, 5, 10, 13, 21, 24, 25, 29, 31, 32, 33, 34, 36, 40
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?			X	<p>The project is not located within two (2) miles of an airport and/or within an Airport Land Use Plan.</p> <p>No impact.</p>	1, 3, 4, 5, 20, 22, 40
f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?			X	<p>The project would not impair or interfere with adopted emergency response or evacuation plan.</p> <p>No impact.</p>	1, 3, 4, 5, 20, 22, 40
g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury, or death involving wildland fires?			X	<p>The site is mapped as having a moderate to very high fire hazard. The applicant will adhere to all Federal, State, and local fire requirements/regulations for setbacks and defensible space; these setbacks are applied at the time of building permit review.</p> <p>Less than significant impact.</p>	1, 3, 4, 5, 20, 22, 40
<p align="center">X. HYDROLOGY AND WATER QUALITY <i>Would the project:</i></p>					
a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality?		X		<p>The proposed project will utilize an existing permitted conventional septic system and portable restrooms. If additional wastewater or sewage is needed, the applicant will meet and comply with the following mitigation measures. The applicant's project will not violate the waste discharge requirement and will adhere to all regulations in obtaining a private septic system.</p> <p>HYD-1: The applicant shall adhere to all Federal, State, and Local regulations regarding wastewater treatment and water usage requirements.</p> <p>HYD-2: Before this permit having any force or effect, the permittee(s) shall adhere to the Lake County Division of Environmental Health requirements regarding on-site</p>	1, 3, 4, 5, 13, 21, 24, 25, 29, 31, 32, 33, 34

				<p>wastewater treatment and/or potable water requirements. The permittee shall contact the Lake County Division of Environmental Health for details.</p> <p>Less than significant impact with mitigation measures HYD-1 and HYD-2 incorporated.</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>The applicant will be using an existing well from the 1920s. The well is drilled 125 feet deep and has detectable groundwater 35 feet below the surface with a discharge rate of 20 gallons per minute. The well is located at the bottom valley of two mountainsides. The well will provide for eight 5,000 gallon storage tanks approximately 650 feet on a hill above the westerly cultivation site of the subject parcel. The applicant has indicated that the estimated water use monthly will be 180,000 gallons per year for the whole cannabis grow. This is consistent with other/similar sized cannabis cultivation water use projections in the water consumption study (see attachment A). The method for water use in cultivation will be a drip irrigation system.</p> <p>HYD-3: The applicant shall prepare a groundwater management plan to ensure that the groundwater resources of the County are protected used and managed sustainably. 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-4: 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 began at least three months before 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-3 through HYD-4 incorporated.</p>	1, 3, 4, 5, 13, 21, 24, 25, 29, 31, 32, 33, 34
<p>c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:</p> <p>i) Result in substantial erosion or siltation on- or off-site;</p> <p>ii) Substantially increase the rate or amount of surface runoff in a manner that would result in flooding on- or off-site;</p> <p>iii) Create or contribute to runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional</p>		X		<p>The applicant proposed cultivation area will take place in four site locations totaling up to 3.6 acres with 131,000 square feet of the canopy area and include indoor cultivation within a 600 square feet metal building with a total canopy area of 500 square feet after the complete built-out. The total impervious footprint of this 65.07-acre property will increase by roughly 0.06%, due to the additional 1,830 square feet of cultivation area. The applicant proposes the following ancillary facilities:</p> <ul style="list-style-type: none"> • (4) 8' x 40' conex for storage • (2) 10' x 10' fertilizer, pesticides, and chemical storage • (3) proposed water tanks • 35' x 10' break area • 6' x 3' dumpster • 5.5' x 7' portable restroom <p>The whole cultivation site will be outfitted with straw wattles or other best management practices for sediment control. Most of the cultivation areas are permeable as the outdoor canopy will still allow water to reach the ground. However, there will be some runoff resulting from the proposed building, though it is not anticipated to be significant with the project's implementation of straw wattles and</p>	1, 3, 4, 5, 13, 21, 24, 25, 29, 31, 32, 33, 34

sources of polluted runoff; iv) Impede or redirect flood flows?				Best Management Practices. HYD-5: 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 regulations and conform to all building codes. Less than significant impact with mitigation measure HYD-5 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, 34
e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?			X	The applicant will install straw wattles for sediment control, however, no specific water quality control plan was provided by the applicant (none are required by the county), and there is no threshold in Lake County for groundwater depletion or baseline for sustainable groundwater. The burden of 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, 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-4 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 Lower Lake Area Plan, and the Lake County Zoning Ordinance. The property is zoned "RL" Rural Lands, which is a land-use zone that Article 27 of the Lake County Zoning Ordinance allows commercial cannabis cultivation in. 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 Lower Lake Area Plan nor the Lake County Aggregate Resource Management Plan designates the project site as being a locally important mineral resource recovery site. 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		X		Short-term increases in ambient noise levels to uncomfortable levels could be expected during project construction. Increased traffic flow can result in permanent noise levels, however, the increase should not	1, 3, 4, 5, 13

of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?				<p>be substantial that it will create a nuisance to the surrounding areas. Mitigation measures will restrict and/or decrease these noise levels to an acceptable level.</p> <p>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 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>The 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 the 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,			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,

need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, 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?					No impact.	28, 29, 30, 31, 32, 33, 34, 36, 37
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 impact 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 that 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 an easement road connecting to Spruce Grove Road, a county maintained road connecting to State Highway 29. A minimal increase in traffic is anticipated due to construction, maintenance, and weekly and/or monthly incoming and outgoing deliveries through the use of small vehicles only. The project will consist of two daily employee commuter trips round trip. That is less than the equivalent of a new single-family dwelling (which averages 9.55 average daily trips according to International Transportation Engineer's manual, 9th edition). Less than significant impact.	1, 3, 4, 5, 9, 20, 22, 27, 28, 35
b) For a land-use project, would the project conflict with or be inconsistent with CEQA guidelines section 15064.3, subdivision (b)?				X	The project may employ four employees during the growing season annually. Vehicle trips generated by potential employees will unlikely cause any substantial adverse impact on transportation. It is undetermined the distance of travel attributable to the project. However, this project is not primarily used as a transportation-related service. Significant impacts are not anticipated and the project is consistent with 15064.3 (b). See Response to Section XVII (a). 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	Prior to construction, the applicant will meet all State Responsibility Area road standards (PRC 4290/4291). The applicant will not substantially increase hazards but will improve the road by graveling the road as part of the condition to cultivate commercial cannabis when new structures are involved. The graveling of the road within the driveway will also mitigate dust through use. Less than significant impact.	1, 3, 4, 5, 9, 20, 22, 27, 28, 35

d) Result in inadequate emergency access?			X	See response in section XVII (c). 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		<p>The CHRIS records search indicated, a study #S053813 (Flaherty 2019), covering approximately 100% of the proposed project area, identified no archaeological resources. Further study for cultural resources is not recommended at this time. Based on an evaluation of the environmental setting and features associated with known sites, Native American resources in this part of Lake County have been found near oak woodland as well as near a variety of plant and animal resources. Sites are also found on lakeshores and near watercourses. The proposed project area encompasses a small, partially wooded ridge and is in proximity to multiple watercourses and also a large pond. Given the similarity of these environmental factors, the project area and its general vicinity should be considered sensitive for Native American archaeological resources.</p> <p>Less than significant impact with mitigation measures CUL-1 and CUL-3 added.</p>	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		<p>There are no mapped significant resources that are on or adjacent to the site. See response for section V (a).</p> <p>Less than significant impact with mitigation measures CUL-1 and CUL-2 added.</p>	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 stormwater drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?			X	<p>The project 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. 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.</p> <p>Less than significant impact.</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 applicant is required to confirm the adequacy of the water source productivity as a condition of approval via well test and water calculations. Also, the applicant proposes three additional water tank storage which will be used for the project. The applicant proposes minimizing water use through drip irrigation and mitigations in place to prevent potential leaks.</p> <p>Less than significant impact with mitigation measures HYD-2 through HYD-3 incorporated.</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 project parcel is currently served by a permitted on-site septic system, however, there are portable toilets and 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.</p> <p>Less than significant impact.</p>	1, 3, 4, 5, 29, 32, 33, 34
d) Generate solid waste in excess of State or local standards or excess of the capacity of local infrastructure?			X	<p>The existing landfill has sufficient capacity to accommodate the project's solid waste disposal needs. The county does require a waste management plan for cannabis cultivation projects. The project is not proposed to generate solid waste in excess. Vegetative waste is expected to produce approximately 760 lbs of cannabis vegetative waste which will consist of stems, branches, trunks, roots, and other organic materials from the plant rendered useless in the harvesting process. The waste will be recycled to feed the pigs and transport any solid wastes to the compost area.</p> <p>Less than significant impact.</p>	1, 3, 4, 5, 28, 29, 32, 33, 34, 36
e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?			X	<p>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.</p> <p>Less than significant impact.</p>	1, 3, 4, 5, 29, 32, 33, 34, 36
<p align="center">XX. WILDFIRE</p> <p align="center"><i>If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:</i></p>					
a) Substantially impair an adopted emergency response plan or emergency evacuation plan?		X		<p>The project will not further impair an adopted emergency response plan or evacuation plan. This site is no more prone to excessive fire risk than other sites in Lake County. The applicant will adhere to all regulations of California Code Regulations Title 14, Division 1.5, Chapter 7, Subchapter 2, and Article 1 through 5 shall apply to this project; and all regulations of California Building Code, Chapter 7A, Section 701A, 701A.3.2.A</p> <p>Less than significant impact with mitigation measures TRANS-1 through TRANS-2 and GEO-1 through GEO-3.</p>	1, 2, 4, 5, 6, 20, 23, 31, 35, 37, 38
b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?		X		<p>The fire risk on the site is moderate to very high fire and there is a little slope on the site overall. The cultivation area does not further exacerbate the risk of wildfire, or the overall effect of pollutant concentrations to area residents in the event of a wildfire. The project would improve fire access and the ability to fight fires at or from the subject site and other sites accessed from the same roads. See response to section XX (a).</p> <p>Less than significant impact with mitigation measures TRANS-1 through TRANS-2 and GEO-1 through GEO-3.</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 proposed project will require maintenance to meet roadway and driveway standards. A steel or fiberglass fire suppression water tank will be located at the cultivation site. The project does not consist of any installation or maintenance of associated infrastructures that may exacerbate fire risks.</p> <p>No impact.</p>	1, 2, 4, 5, 6, 20, 23, 31, 35, 37, 38
d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?			X	<p>There is little chance of risks associated with post-fire slope runoff, instability, or drainage changes based on the lack of site changes that would occur by the project parcel, which already contains residential use. Risks are not expected to significantly increase from this project being added to the parcel.</p> <p>Less than significant impact.</p>	1, 2, 4, 5, 6, 20, 23, 31, 35, 37, 38

XXI. MANDATORY FINDINGS OF SIGNIFICANCE					
<i>Would the project:</i>					
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 the 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 the habitat of fish and/or wildlife species or natural resources with the incorporated mitigation measures described below.</p> <p>Less than significant with AES-1 through AES-2; AQ-1 through AQ-4; BIO-1 through BIO-9; GEO-1 through GEO-4; HYD-1 through HYD-5; 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, Geology/Soils, Cultural and Tribal Resources, 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 AES-1 through AES-2; AQ-1 through AQ-4; BIO-1 through BIO-9; CUL-1 through CUL-3; GEO-1 through 4; HYD-1 through HYD-5; 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, Aesthetics, Air Quality, 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 AES-1 through AES-2; AQ-1 through AQ-4; BIO-1 through BIO-9; CUL-1 through CUL-3; GEO-1 through 4; HYD-1 through HYD-5; 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. Lower Lake Area Plan
5. Alvarez Farms 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 Resources Assessment; prepared by Ms. Lucy Macmillan, M.S., dated October 2019.
14. Flaherty Cultural Resources Reconnaissance of 5.5 +/- Acres Near Lower Lake, Lake County, CA – By Jay M Flaherty, MA, RPA, September 25, 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. Mitigation Letter Agreement from Middletown Tribe
39. Site Visit – March 6, 2020
40. EnviroStor Data. <https://www.envirostor.dtsc.ca.gov/public/>. 2021