



City of Clearlake
Notice of Intent to Adopt a Mitigated Negative Declaration

Notice is hereby given that the City of Clearlake has tentatively determined that the project described below will not result in a significant adverse impact on the environment and that, in accordance with the California Environmental Quality Act (CEQA), the City is prepared to issue a “Mitigated Negative Declaration” in accordance with the California Environmental Quality Act:

Project Description: Conditional Use Permits (*CUP 2021-05 Cannabis, CUP 2021-06 Processing, UP 2021-07 Distribution, CUP 2021-08 Manufacturing, CUP 2021-09 Retail Delivery, Cannabis Business/Regulatory Permit, and Initial Study, IS 2021-02*) to allow a Commercial Cannabis Operation on a 21.25-acre vacant parcel. The project involves two 5,000 square feet (*10,000 SQFT total*) prefabricated metal buildings for manufacturing/processing; a 3,000 square foot building for distribution, retail delivery only and office building; ten greenhouse structures (*1,875 SQFT Each*) for a total square footage of 18,750 and approximately five water storage tanks. The operation also includes +/- 22 parking Spaces, including four ADA spaces, and a 15’X15” (30 SQFT) trash enclosure. (Please note: The operation is not open to the general public).

Project Location: 2185 Ogulin Canyon Road, Clearlake, CA 95422, further described as Assessor Parcel Number (APN): 010-044-017.

This tentative determination is based on an environmental analysis (*Initial Study, IS 2021-02*) that assesses the project’s potential environmental impacts. Based on the environmental evaluations and agency comments, mitigations measures have been incorporated to reduce all potential impacts to less than significant. Anyone can review this study at Clearlake City Hall, 14050 Olympic Drive, Clearlake, CA 95901, during normal business hours Monday through Thursday from 8:00AM to 5:00PM or by downloading the document(s) from the following:

State Clearinghouse at:

- <https://ceqanet.opr.ca.gov/>

Final environmental determinations are made by the decision-making body, which, in this case would be the City of Clearlake, Planning Commission. **The public review period for the respective proposed Mitigated Negative Declaration (MND) based on Initial Study IS 2021-02 will remain open for a period of at least thirty (30) days and will begin on June 30, 2021, and end on August 6, 2021.** For more information, contact Senior Planner Mark Roberts at (707) 994-8201 or via email at mroberts@clearlake.ca.us. During this period written comments on the project and the mitigated proposed negative declaration may be submitted addressed to:

City of Clearlake – Planning Department
Attn: Mark Roberts – Senior Planner
14050 Olympic Drive
Clearlake, CA 95422

Publish: June 30, 2021



CITY OF CLEARLAKE

DRAFT MITIGATED NEGATIVE DECLARATION

ENVIRONMENTAL ANALYSIS (CEQA)

INITIAL STUDY (IS 2021-02)

COMMERCIAL CANNABIS OPERATION

**LOCATED AT:
2185 Ogulin Canyon Road, Clearlake, CA**

June 28, 2021

CALIFORNIA ENVIRONMENTAL QUALITY ACT

ENVIRONMENTAL CHECKLIST FORM

INITIAL STUDY (IS 2021-02)

1. **Project Title:** Ogulin Hills Holdings, LLC (Conditional Use Permits to allow a Commercial Cannabis Operation)
2. **Permit Numbers:** UP 2021-05 (Cannabis); UP 2021-06 (Processing); UP 2021-07 (Distribution), UP 2021-08 (Manufacturing); UP 2021-09 Retail Delivery, Cannabis Regulatory/Business Permit, and Initial Study, IS 2021-02
3. **Lead Agency Name/Address:** City of Clearlake 14050 Olympic Drive
Clearlake, CA 95422
4. **Contact Person:** Mark Roberts – Senior Planner
Phone: (707) 994-8201
Email: mroberts@clearlake.ca.us
5. **Project Location(s):** 2185 Ogulin Canyon Road, Clearlake, CA 95422 .
6. **Assessor Parcel Number (APN):** 010-044-17-000
7. **Project Sponsor's Name/Address:** Brian Pensack, Garret Burdick, Kim Gardner 37 Lindaro Street, Suite 201, San Rafael, CA 94901
8. **Property Owner(s) Name/Address:** Same as Sponsor (See Response to # 6)
9. **Zoning Designations:** "I" Industrial, and "CB" Commercial Zoning District
10. **General Plan Designation:** Industrial
11. **Supervisor District:** District Two (2)
12. **Average Cross Slope:** Approximately 20-30%
13. **Earthquake Fault Zone:** Not within a fault zone
14. **Dam Failure Inundation Area:** Not within a Dam Failure Inundation Zone
15. **Flood Zone:** Not located within a known flood zone.
16. **Waste Management:** Onsite Waste Management System
17. **Water Access:** Onsite Well(s)
18. **Fire Department:** Lake County Fire Protection District

19. Description of Project: The project involves the development of a Commercial Cannabis Operation located at 2185 Ogulin Canyon Road (APN 010-044-17). The land was previously owned by the City of Clearlake and was proposed to be the location of a new Public Works Corporation yard and animal shelter facility until June 2020. Plans and studies conducted by the City of Clearlake determined the land to not be a suitable location for these uses.

The proposed project involves initial development of cannabis related facilities including approximately 10,000 ft. of proposed manufacturing, processing, distribution buildings, and an approximately 3,000 ft. office and retail delivery building. Several cultivation greenhouses are also proposed. (Please note: The operation will not be open to the public).

- **Cannabis Cultivation** is any activity involving the germinating, cloning, seed production, planting, growing, and harvesting of cannabis plants and the on-site drying, curing, grading, or trimming of cannabis plants.
- **Processing** of raw cannabis for the purpose of manufacturing, distribution and retail delivery.
- **Retail Delivery** of cannabis products on an on-call basis (no on-site retail)
- **Distribution** includes procuring Cannabis from permitted Cannabis Cultivation Sites or Cannabis Manufacturers for sale to permitted Cannabis Dispensaries, and the inspection, quality assurance, batch testing by a Type 8 licensee, storage, labeling, packaging, and other processes prior to transport to permitted Medical Cannabis Dispensaries.
- **Manufacturing** is to compound, blend, extract, infuse, or otherwise make or prepare a cannabis product. The term “cannabis manufacture” includes the following: (a) Extraction processes (b) Infusion processes (c) Packaging or repackaging of cannabis products (d) Labeling or relabeling the packages of cannabis products.

According to the proposed site plans, the initial development of cannabis operation includes but is not limited to: (Please Note: The operation would not be open to the General Public)

- Two (2) – 5,000 Square feet (10,000 SQFT total) for manufacturing, and processing,
- A 3,000 square foot building for distribution, retail delivery only and office building
- Ten (10) Greenhouses (1,875 SQFT Each) for a total square footage of 18,750.
- Approximately five (5) water storage tank (size to be determined)
- 15’X15” (30 SQFT) Trash Enclosure
- The project is anticipated to have up to up to ten (10) employees during typical operations and up to twenty-five (25) employees during harvest season.

Access: The project site accessible from an existing gated accessway (located on the north side of Ogulin Canyon Road). The existing driveway extends north onto the property and then extends off to the west, east, and northeast up the hill and terminates at the top of the hill at the north end of the parcel to the parking area where the three new buildings will be constructed. A secondary access road connects into the driveway near the center of the parcel and extends east to west. The greenhouse structures will be constructed off this secondary access road below the main buildings.

Safety Security Plan: This Safety and Security Plan addresses risks and risk mitigation related to the physical buildings and site improvements, surrounding property, employee safety, information security, and how to avoid risks throughout the daily operations.

As State and local laws continue to change, this plan and security specifications will evolve and will be updated. The project operator will continue to be in contact with the City of Clearlake staff and the City of Clearlake Police Department to ensure community relations an adherence to rules and regulations.

- 20. Environmental Setting:** The project site is approximately +/- 21.25-acres (currently undeveloped) on the north side of Ogulin Canyon Road, approximately 0.46 mi east of State Route 53. The elevation ranges between approximately 1,410 to 1,535 feet above sea level. There is an existing dirt road/driveway that runs roughly north-south near the center of the parcel. The site was impacted by wildfire in 2016, which burned the southeast portion of the site and approximately 150-foot section located to the north.

Burns Valley Creek is an intermittent drainage, that flows east to west along Ogulin Canyon Road. The waterway occurs on the south side of Ogulin Canyon Road from the location of the proposed buildings and then crosses to the north side of the road just west of the driveway.

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

- The parcels to the **North** have a land use designation of "Industrial" and are either developed commercial uses or are undeveloped.
- The parcels to the **South and West** have a land use designation of "Industrial" and/or "Rural Residential" and are developed with commercial/industrial or residential uses.
- The parcels to the **East** of the project site are located within the County of Lake jurisdiction.

- 21. Other Public Agencies Whose Approval is Required: Local Agencies:** City of Clearlake - Community Development (Planning, Building, Public Works); Clearlake Police Department, Lake County Fire Protection, Lake County Department of Environmental Health, Lake County Air Quality Management District, Lake County Special Districts, Local Tribal Organizations.

- 22. Federal and State Agencies:** Central Valley Regional Water Quality Control Board, CA Department of Fish and Wildlife, Cal-cannabis, Department of Public Health, California Department of Transportation (Caltrans); California Department of Food and Agriculture (CDFA); California Department of Pesticides Regulations, California Bureau of Cannabis Control and California Department of Consumer Affairs

- 23. 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 local tribes on March 1, 2021, for “AB 52” Notification, which allows interested Tribes to request tribal consultation within 30 days of receipt of notice. The Community Development Department did not receive an AB 52 Tribal Consultation for this project, nor did we receive controversial comments.

24. Impact Categories defined by CEQA: The following documents are referenced information sources and are incorporated by reference into this document and are available for review upon request of the Community Development Department if they have not already been incorporated by reference into this report:

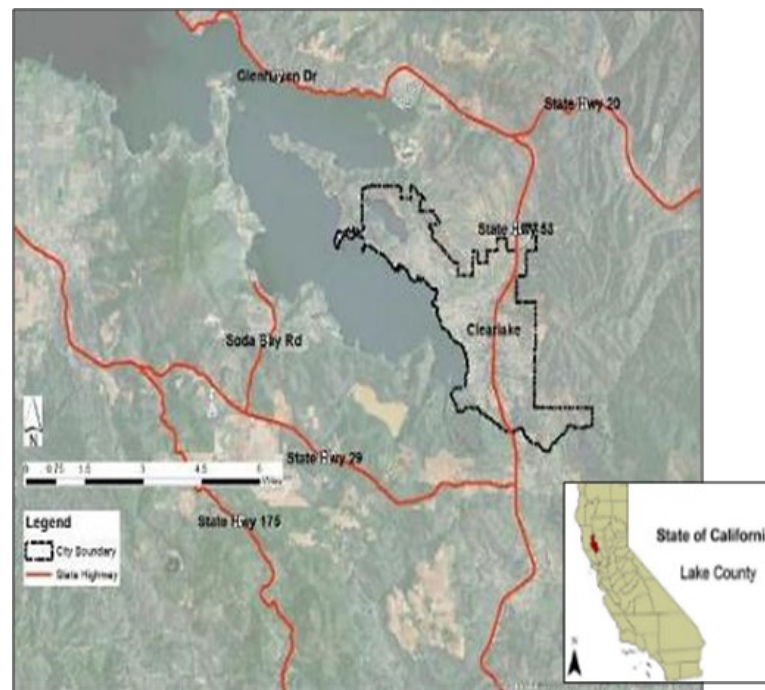
- City of Clearlake General Plan
- City of Clearlake Zoning Code/Municipal Code(s)
- City of Clearlake Housing Element
- City of Clearlake Police Department
- Conditional Use Permit Application Packet and Supplemental Materials
- Existing & Proposed Site Plans/Architectural Plans
- California Department of Transportation:
http://www.dot.ca.gov/hq/LandArch/16_livability/scenic_highways/index.htm
- U.S.D.A. Lake County Soil Survey
- Important Farmland Map <https://maps.conservation.ca.gov/agriculture/>
- Lake County Serpentine Soil Mapping
- California Natural Diversity Database (<https://www.wildlife.ca.gov/Data/CNDDDB>)
- U.S. Fish and Wildlife Service National Wetlands Inventory
- U.S.G.S. Geologic Map and Structure Sections of the Clear Lake Volcanic, Northern California, Miscellaneous Investigation Series, 1995
- Official Alquist-Priolo Earthquake Fault Zone maps for Lake County
- 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
- Lake County Watershed Protection District Lake County Groundwater Management Plan - March 31, 2006
- Lake County Health Services Department
- Lake County Assessor/Recorders Office
- Lake County Special District Department
- Lake County Water Resource Department
- Clearlake Waste Solutions
- Clearlake Oaks County Water and Sanitation District
- Local Water District (i.e Golden State Water; Highland Water; Konocti Water)
- Lake County Air Quality Management District (LAQMD)
- Hazardous Waste and Substances Sites List: www.envirostor.dtsc.ca.gov/public
- California Department of Forestry and Fire Protection - Fire Hazard Mapping
- Lake County Fire Protection District
- National Pollution Discharge Elimination System (NPDES)
- Central Valley Regional Water Quality Control Board
- State Water Resources Control Board

- FEMA Flood Hazard Maps
- 2010 Lake County Regional Transportation Plan, Dow & Associates, October 2010
- Cal Recycle Solid Waste Information System
<http://www.calrecycle.ca.gov/SWFacilities/Directory/Search.aspx>
- Cal Cannabis (via Dept. of Food and Agriculture)
- California Water Resources Control Board California Department of Fish & Wildlife (CDFW)
- California Department of Pesticides Regulations
- California Department of Public Health
- California Bureau of Cannabis Control.
- California Department of Consumer Affairs
- Written comments received from public agencies.
- PG&E
- Site visit

The following two reports were prepared for a previous project proposed for this site. The information contained in the reports is still valid and appropriate in reference to this current project.

- Natural Resources Due Diligence Letter for the Public Works Corporation Yard and Animal Control facility Project in Clearlake, CA by Sycamore Environmental Consulting, Inc. (dated October 20, 2016).
- Cultural resource Investigation for the Public Works Corporation Yard and Animal Control facility Project in Clearlake, CA by Sub Terra Consulting located in Chico, CA (dated January 3, 2017).
- Water Availability Analysis, June 2021.

25. Figure 1 – Regional Map



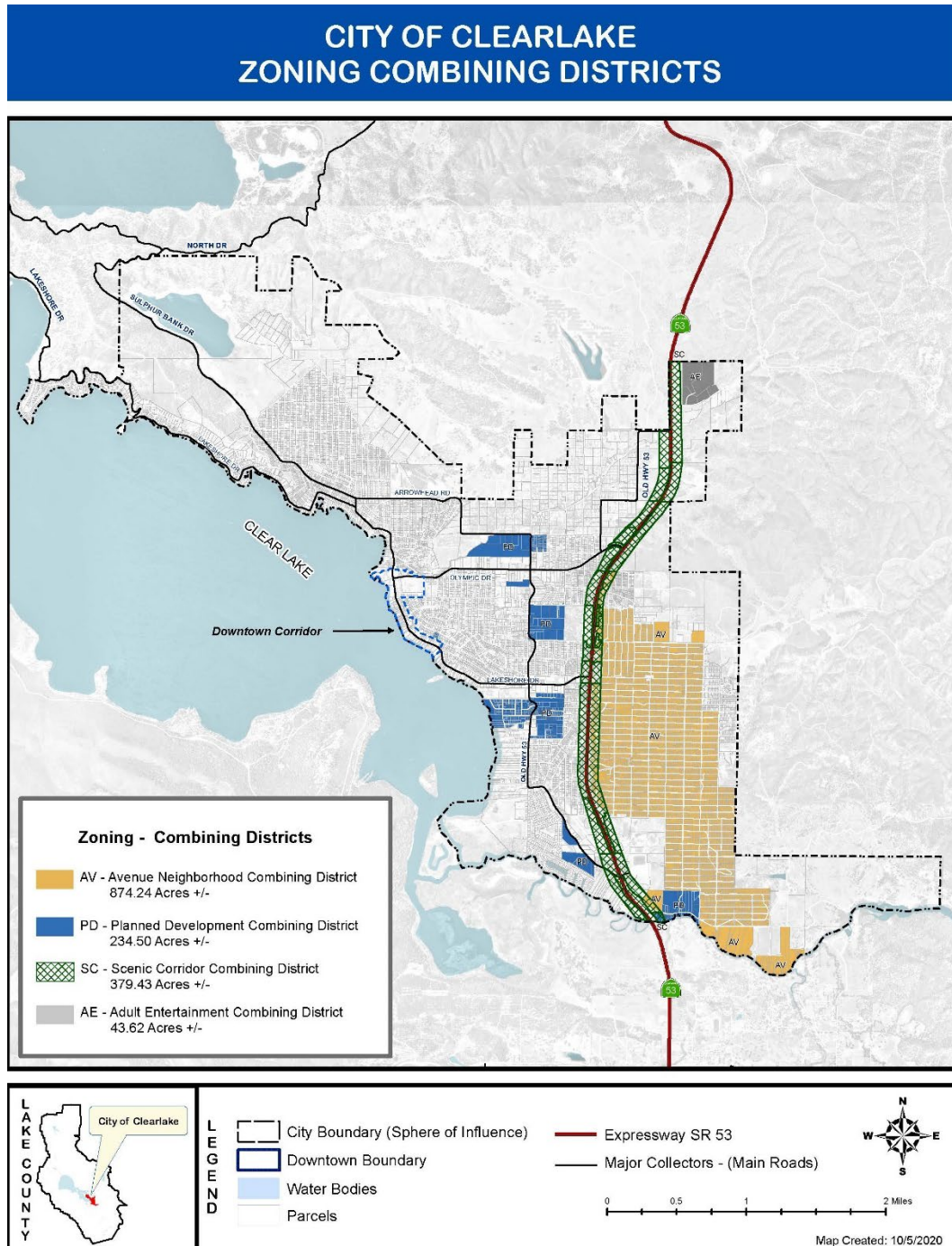
25. Figure 2 - USGS Map



26. Figure 3 – Aerial/Location Map



27. Figure 4 – Overlay Districts



28. Site Photos







29. Initial Study Attachment

- Attachment A – Application Packet/Operational Plan
- Attachment B – Proposed and Existing Site Plans
- Attachment C - Mitigation Monitoring Reporting Program (MMRP)
- Attachment D – Biological Assessment/Report
- Attachment E – Agency Comments
- Attachment F – Water Availability Analysis dated June 2021

Environmental Factors Effected: The environmental sections checked below would be potentially affected by this project in an adverse manner, including at least one environmental issue/significance criteria that is “potentially significant impacts” as indicated by the analysis in the following evaluation of environmental impacts.

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

DETERMINATION: (To be completed by the lead Agency)

On the basis of this initial evaluation:

- ☐ I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- ☒ **I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.**
- ☐ I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- ☐ I find that the proposed project MAY have a “potentially significant impact” or “potentially significant unless mitigated” impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
- ☐ I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

Prepared By: Mark Roberts

Title: Senior Planner

Signature:



Date: June 28, 2021

**Alan Flora – City Manager
City of Clearlake, California**

SECTION 1 - EVALUATION OF ENVIRONMENTAL IMPACTS:

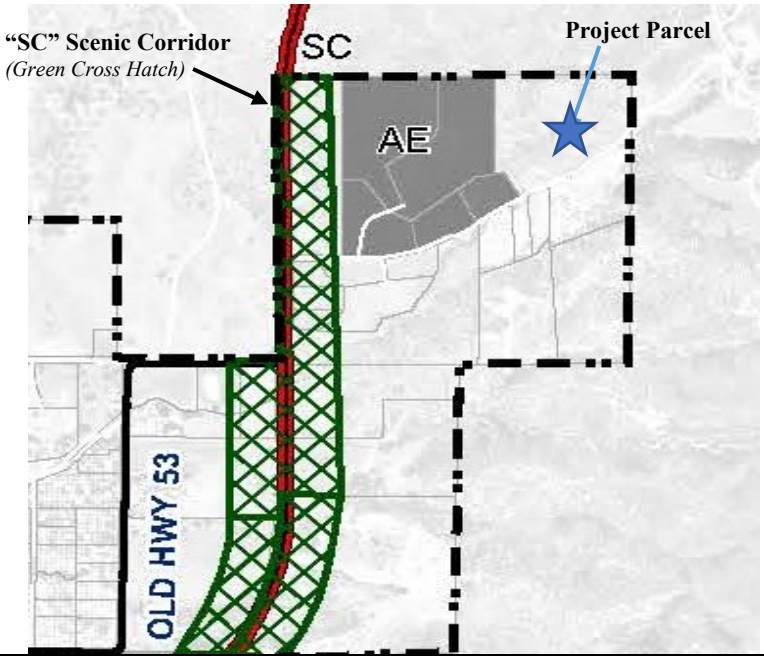
- 1) A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).

- 2) All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
- 3) Once the lead agency has determined that a particular physical impact may occur, and then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect may be significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.
- 4) "Negative Declaration: Less Than Significant with Mitigation Incorporated" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less Than Significant Impact." The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from Section XVII, "Earlier Analyses," may be cross-referenced).
- 5) Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063(c)(3)(D). In this case, a brief discussion should identify the following:
 - a) Earlier Analysis Used. Identify and state where they are available for review.
 - b) Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
 - c) Mitigation Measures. For effects that are "Less than Significant with Mitigation Measures Incorporated," describe the mitigation measures, which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.
- 6) Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.
- 7) Supporting Information Sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.
- 8) This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies should normally address the questions from this checklist that are relevant to a project's environmental effects in whatever format is selected.
- 9) The explanation of each issue should identify:
 - a) the significance criteria or threshold, if any, used to evaluate each question; and
 - b) the mitigation measure identified, if any, to reduce the impact to less than significance

IMACT CATEGORIES KEY:

- **1 = Potentially Significant Impact**
- **2 = Less Than Significant with Mitigation Incorporation**
- **3 = Analyzed in Prior EIR**

- 4 = Substantially Mitigated by Uniformly Applicable Development Policies/Standards
- 5 = Less Than Significant Impact
- 6 = No Impact

IMPACT CATEGORIES*	1	2	3	4	5	6	All determinations need explanation. Reference to documentation, sources, notes and correspondence.
SECTION I. AESTHETICS <i>Except as provided in Public Resources Code Section 21099, would the project:</i>							
a) Have a substantial adverse effect on a scenic vista that is visible from a City scenic corridor?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p>The project site is in the outskirts of the City of Clearlake (City), in Lake County (County), CA and is not located within a known scenic vista/corridor. The nearest scenic vista/corridor is along Highway 53, which is greater than 1,800 feet away from the project site. All development would occur greater than 50 feet from the front property line (along Ogulin Canyon Road). Therefore, then project will not have a substantial adverse effect on a scenic vista that is visible from a city scenic corridor. Less than significant Impact.</p> 
b) Substantially damage scenic resources that is visible from a City Corridor, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p>The project is not located within a known scenic vista/corridor and will not substantially damage scenic resources that is visible from a City Corridor, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway. All development will occur greater than 50 feet from the property line (along Olguin Canyon Road) will not require the removal of trees and/or rock outcroppings or historic structures. Less than significant Impact.</p>
c) Conflict with applicable General Plan policies or zoning regulations governing scenic quality.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p>The project will not conflict with applicable any General Plan policies or zoning regulations governing scenic quality. The project is not located within a scenic vista/corridor. Additionally, a cannabis operation is an allowable use upon securing a conditional use permit pursuant to the City of Clearlake Municipal Code. Less than significant impact.</p>
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>The commercial cannabis operation will occur within enclosed structures with minimal lighting used during evening/nighttime hours. All lighting will be directed downwards and shielded and adhere to all Federal, State and local agency requirements. However, passing motorist and/or nearby parcels may have limited visibility of the development, including minimal lighting during evening/night operations. All lighting will be directed downwards, shielded and adhere to all Federal, State and local agency requirements, including all dark-sky requirements. Therefore, to ensure that impacts related to the Aesthetics are minimized, following mitigation measures have been implemented.</p>

IMPACT CATEGORIES*	1	2	3	4	5	6	All determinations need explanation. Reference to documentation, sources, notes and correspondence.
							Mitigation Measure: AES-1 All outdoor lighting shall be directed downwards and shielded onto the project site and not onto adjacent properties. All lighting shall comply and adhere to all federal, state and local agency requirements, including all requirements in darksky.org. (Refer to the City's Design Standards).
<p align="center">SECTION II. AGRICULTURE AND FORESTRY RESOURCES</p> <p align="center"><i>In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment Project; and forest carbon measurement methodology provided in Forest protocols adopted by the California Air Resources Board.</i></p> <p align="center"><i>Would the project:</i></p>							
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	The project parcel is categorized as " <u>Grazing Land</u> ". Grazing lands is a collective term used by the USDA-Natural Resources Conservation Service (NRCS) for rangeland, pastureland, grazed forestland, native and naturalized pasture, hay land, and grazed cropland. Although grazing is generally a predominant use on grazing lands, the term is also applied independently of any actual use for grazing. Grazing land is also described as land used primarily for production of forage plants maintained or manipulated primarily through grazing management. However, the commercial cannabis operation is an allowable use upon securing a Conditional Use Permit pursuant to the City of Clearlake Municipal Code. Therefore, the commercial cannabis operation will not convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring. No Impact.
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	The project parcels have a land use zoning designation of "I" Industrial, and "CB" Cannabis Commercial Zoning. A commercial cannabis operation will not conflict with the existing zoning destinations for agricultural use(s) and/or a Williamson Act Contract. Additionally, a commercial cannabis operation is an allowable use within the above Zoning Designations upon securing a Conditional Use Permit Pursuant to the City of Clearlake's Municipal Code(s). No Impact.
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))?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	The project will not conflict with existing zoning for, or cause the 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)). Additionally, a commercial cannabis operation is an allowable use with the I" Industrial, and "CB" Commercial Zoning upon securing a Conditional Use Permit Pursuant to the City of Clearlake's Municipal Code(s). No Impact
d) 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	The project will not involve other changes in the existing environment which, due to their location or nature, could result in conversion of farmland, to non-agricultural uses or the conversion of forest land to non-forest uses. a commercial cannabis operation is an allowable use with the I" Industrial, and "CB" Commercial Zoning upon securing a Conditional Use Permit Pursuant to the City of Clearlake's Municipal Code(s). No Impact

IMPACT CATEGORIES*	1	2	3	4	5	6	All determinations need explanation. Reference to documentation, sources, notes and correspondence.
SECTION III. AIR QUALITY							
<i>Where available, the significance criteria established by the applicable air quality management district 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?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>The project has some potential to result in short- and long-term air quality impacts and other particulate matter, as well as exhaust emissions generated by earthmoving activities from site preparation, construction and during routine operations. Construction emissions are caused by onsite or offsite activities. Onsite emissions principally consist of exhaust emissions from construction equipment, motor vehicle operations, and fugitive dust from disturbed soil. The proposed Air Quality Plan indicates how the applicant Intends to minimize these Impacts.</p> <p>All fugitive dust (including vehicular) will be controlled by wetting soils with a mobile water tank and hoses, or by delaying ground disturbing activities until site conditions are not windy, and by eliminating soil stockpiles. Construction of the site will be minimal and some minor site improvements will be necessary but the amount of earth that needs to be moved is not significant enough to trigger a grading permit.</p> <p>Cannabis cultivation may generate objectionable odors, particularly when the plants are mature/flowering in the cultivation area(s) or when being processed (drying, curing, trimming, and grading) after harvest. No significant odor impacts are anticipated from the proposed cultivation operation, due to the proposed odor control equipment and practices, and the generous setbacks provided from public roads, property lines, and neighboring residences/outdoor activity areas.</p> <p>According to the Air Quality Section of the "Project Plan"- prior to operation, a member of the staff will be assigned to handle all odor complaints. These individual(s) are responsible for responding to odor complaints 24 hours per day/seven (7) days a week, including holidays. All property owners and residents within a 1,000-foot radius of the cannabis facility shall be provided with the contact information of the individual(s) responsible for responding to the odor complaints. The operation will also develop internal policies and procedures describing the actions to be taken when an odor complaint is received.</p> <p>When an odor complaint is received, it will be forwarded to the manager responsible for odor control. The complaint will be logged, including the time and type of complaint, the location of the odor reception, and the contact information of the person submitting the complaint. The incident will be investigated, and the concern identified. The manager will visit the site or facility in question and determine any deficiencies in the odor control system (where applicable) and identify remedies. The manager will prepare a written response and send it by certified mail to the person who made the complaint. The correspondence should acknowledge the complaint, describe the incident, and identify what remedial actions were taken.</p> <p>Section 18-43,060 of the Zoning Code indicates that all commercial cannabis operations to provide and maintain an odor control plan that requires that odors of cannabis cannot be readily detected from outside of the structure in which the permitted premises are located. The proposed odor control plan seems to acknowledge that odors could be detected outside the structure without significant enhancements, such as carbon filtering.</p> <p>As part of the conditional use permit, project shall comply with all applicable Federal, State and local agency requirements, including the City of Clearlake Municipal Code(s).</p> <p>Therefore, to ensure impacts related to the Air Quality are minimized, the following mitigation measures have been implemented.</p> <p><u>Mitigation measures:</u> AIR 1: Construction activities shall be conducted with adequate dust suppression methods, including watering during grading and construction activities to limit the generation of fugitive dust or other methods approved by the Lake County Air Quality Management District. Prior to initiating soil removing activities for</p>

IMPACT CATEGORIES*	1	2	3	4	5	6	<p style="text-align: center;">All determinations need explanation. Reference to documentation, sources, notes and correspondence.</p>
							<p>construction purposes, the applicant shall pre-wet affected areas with at least 0.5 gallons of water per square yard of ground area to control dust.</p> <p>AIR 2: Driveways, access roads and parking areas shall be surfaced in a manner so as to minimize dust. The applicant shall obtain all necessary encroachment permits for any work within the right-of-way. All improvement shall adhere to all applicable federal, State and local agency requirements.</p> <p>AIR 3: Any disposal of vegetation removed as a result of lot clearing shall be lawfully disposed of, preferably by chipping and composting, or as authorized by the Lake County Air Quality Management District and the Lake County Fire Protection District.</p> <p>AIR-4. During construction activities, the applicant shall remove daily accumulation of mud and dirt from any roads adjacent to the site.</p> <p>AIR-5. Grading permits shall be secured for any applicable activity from the Community Development Department, Building Division. Applicable activities shall adhere to all grading permit conditions, including Best Management Practices. All areas disturbed by grading shall be either surfaced in manner to minimize dust, landscaped or hydro seeded. All BMPs shall be routinely inspected and maintained for life of the project.</p> <p>AIR-6 All refuse generated by the facility shall be stored in approved disposal/storage containers, and appropriately covered. Removal of waste shall be on a weekly basis so as to avoid excess waste. All trash receptacles/containers shall remain covered at all times to prevent fugitive odors and rodent infestation. An odor control plan shall be submitted for review and approval by the City in accordance with the Zoning Code. Odor control shall be maintained to an acceptable level at all times.</p> <p>AIR-7 An odor control plan shall be submitted for review and approval by the City that complies with the City's Zoning Code. Odor control shall be maintained at all times so that odor from cannabis operations on the site will not be detected outside structures. This plan shall include enhanced carbon filtering to ensure compliance with the Code.</p> <p>AIR-8 Any demolition or renovation is subject to the Federal National Emissions Standard for Hazardous Air Pollutants (NESHAP) for asbestos in buildings requires asbestos inspections by a Certified Asbestos Consultant for all major renovations and all demolition. An Asbestos Notification Form with the Asbestos inspection report must be submitted to the district at least 14 days prior to beginning any demolition work. The applicant must contact the district for more details and proper approvals. Regardless of asbestos content or reporting requirements all demolition and renovation activities should use adequate water/ amended water to prevent dust generation and nuisance conditions.</p> <p>AIR-9 Construction activities that involve pavement, masonry, sand, gravel, grading, and other activities that could produce airborne particulate should be conducted with adequate dust controls to minimize airborne emissions. A dust mitigation plan may be required should the applicant fail to maintain adequate dust controls.</p> <p>AIR-10 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. Contact LCAQMD for more details.</p> <p>AIR-11. All engines must notify LCAQMD prior to beginning construction activities and prior to engine Use. Mobile diesel equipment used for construction and/or maintenance must be in compliance with State registration requirements. All equipment units must meet Federal, State and local requirements. All</p>

IMPACT CATEGORIES*	1	2	3	4	5	6	All determinations need explanation. Reference to documentation, sources, notes and correspondence.
							<p>equipment units must meet RICE NESHA/ NSPS requirements including proper maintenance to minimize airborne emissions and proper record-keeping of all activities, all units must meet the State Air Toxic Control Measures for CI engines and must meet local regulations.</p> <p>AIR-12. Site development, vegetation disposal, and site operation shall not create nuisance odors or dust. During the site preparation phase, the District recommends that any removed vegetation be chipped and spread for ground cover and erosion control. Burning of debris/construction material is not allowed on commercial property, materials generated from the commercial operation, and waste material from construction debris, must not be burned as a means of disposal.</p> <p>AIR-13. Significant dust may be generated from increase vehicle traffic if driveways and parking areas are not adequately surfaced. Surfacing standards should be included as a requirement in the use permit to minimize dust impacts to the public, visitors, and road traffic. At a minimum, the district recommends chip seal as a temporary measure for primary access roads and parking. Paving with asphaltic concrete is preferred and should be required for long term occupancy. All areas subject to semi-truck / trailer traffic should require asphaltic concrete paving or equivalent to prevent fugitive dust generation. Gravel surfacing may be adequate for low use driveways and overflow parking areas; however, gravel surfaces require more maintenance to achieve dust control, and permit conditions should require regular palliative treatment if gravel is utilized. White rock is not suitable for surfacing (and should be prohibited in the permit) because of its tendency to break down and create excessive dust. Grading and re-graveling roads should utilizing water trucks if necessary, reduce travel times through efficient time management and consolidating solid waste removal/supply deliveries, and speed limits.</p>
b) Result in a cumulatively considerable net increase of ROC and/or NOx emissions??	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	See Response to Section III(a). Therefore, all potential impacts have been reduced to less than Significant Impacts with the incorporated Mitigation Measures AIR-1 through AIR-13.
c) Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	See Response to Section III(a). Therefore, all potential impacts have been reduced to less than Significant Impacts with the incorporated Mitigation Measures AIR-1 through AIR-13.
d) Result in other emissions that create objectionable odors adversely affecting a substantial number of people?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	See Response to Section III(a). Therefore, all potential impacts have been reduced to less than Significant Impacts with the incorporated Mitigation Measures AIR-1 through AIR-13.
<div>SECTION IV. BIOLOGICAL RESOURCES</div> <div>Would the project:</div>							
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?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>A Natural Resources Due Diligence Letter for the Public Works Corporation Yard and Animal Control Facility Project in Clearlake, CA, was prepared by Sycamore Environmental Consulting, Inc (dated October 20, 2016,). This report was completed as a preliminary measure to investigate the potential impacts of cannabis cultivation within the established Study Area. The Study Area defined in this Report is located approximately 1.50 miles northeast of Clearlake, California in Lake County. No sensitive or special-status vegetation was observed during the site visit nor will be removed within the project area.</p> <p>According to the report "A biological assessment, as defined by the United States Fish and Wildlife Service's (USFWS), is "information prepared by a qualified biologist to determine whether a proposed action is likely to: (1) adversely affect listed species or designated critical habitat; (2) jeopardize the continued existence of a species that are proposed for listing; or (3) adversely modify proposed critical habitat. A biological assessment is a specific document required under Section 7 of the Federal Endangered</p>

IMPACT CATEGORIES*	1	2	3	4	5	6	All determinations need explanation. Reference to documentation, sources, notes and correspondence.
							<p>Species Act (FESA) when project actions have the potential to result in “may affect” determination,” (USFWS: Endangered Species Glossary, 2020)”</p> <p><u>Report Summary:</u> The Sycamore survey indicated that no wetlands were observed in the area of proposed development. Drainages and Burns Valley Creek occur on the parcel outside the proposed area of construction. During construction, water quality should be protected by implementation of BMPs to minimize the potential for siltation in Burns Valley Creek or the ephemeral drainage in the BSA. Impacts to wetlands and waters would require a Section 404 and Section 401 Clean Water Act Permit: and a CDFW Streambed Alteration Agreement.</p> <p>The project site provides potential nesting habitat for MBTA-protected birds and birds of prey. The site provides marginal habitat for pallid bat. The site does not provide habitat for any federal or state listed plant species.</p> <p>The project site provides potential habitat for 15 CNPS special-status plant species. No special status plants were observed in the BSA during the biological survey on 11 August 2016. Special status plants are not anticipated in existing cleared areas, such as the roads and other graded areas without vegetation. Botanical surveys are recommended in areas where vegetation would be removed for construction activities.</p> <p>Botanical surveys need to be seasonally timed to coincide with evident and identifiable periods for particular plants. The special-status species with potential to occur were not evident and identifiable during the general biological survey conducted in August. Two botanical surveys, conducted in March and June, are recommended to cover the blooming period of special status plants.</p> <p><u>Special Status Animals Species:</u> According to the Report there were no special status habitats observed within the study area.</p> <p>Western Bumblebee (<i>Bombus occidentalis</i>): Due to the project areas habitat quality, and due to the abundant suitable habitat within the study area, it is unlikely that there would be a significant loss of nesting habitat as a result of project development. Therefore, it is unlikely that project development would result in a significant decrease in forage material, and it is not anticipated that the project will negatively impact the Western Bumblebee.</p> <p>Burrowing Owl (<i>Athene cunicularia</i>): This species occupies grasslands, shrub steppes, and savannas. They also occur in other open areas such as agricultural lands, old fields, extensive forest clearings, airports, golf courses, and spacious residential zones. They live underground in burrows they have dug themselves or taken over from a prairie dog, ground squirrel, or tortoise. According to the report, no burrows were observed during the site visit. However according to the report, the species may. The surrounding suitable habitat will not be disturbed in anyway related to proposed project activities and therefore this species is still capable of existing within the Study Area without a negative impact.</p> <p>Northern Spotted Owl (<i>Strix occidentalis caurina</i>): According to the report the habitat of the study area is not dominated by this forest, therefore it is not suitable for the Northern Spotted Owl.</p> <p><u>Wetland Determination:</u> According to the biological assessment no potential wetland features were identified during the site inspection.</p> <p>Upon reviewing the Biological Resource Report all substantial adverse impacts, 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 have been reduced.</p>

IMPACT CATEGORIES*	1	2	3	4	5	6	All determinations need explanation. Reference to documentation, sources, notes and correspondence.
							<p>In reviewing the Natural Resources Due Diligence Letter for the Public Works Corporation Yard and Animal Control Facility Project in Clearlake, CA, October 20, 2016, by Sycamore Environmental Consulting, Inc., Sacramento, CA. (See Appendix A) in relation to this proposed project, it is the conclusion of the authors of this study that the project will not have a substantial adverse effect on state or federally protected wetlands (including, not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means.</p> <p>The California Department of Fish & Wildlife filing fee shall be submitted as required by California Environmental Quality Act (CEQA) statute, Section 21089(b) and Fish and Game Code Section 711.4. The fee should be paid within five (5) days of approval of the mitigated negative declaration at the Lake County Clerk's Office. Once fees have been paid, the applicant shall submit a copy of all documentation to the City of Clearlake, verifying the fees have been paid. Said permit shall not become valid, vested or operative until the fee has been paid.</p> <p>Upon reviewing the Biological Resource Assessment all substantial adverse impacts, 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 have been reduced. Therefore, to ensure impacts related to the Biological Resources are minimized, the following mitigation measures have been implemented.</p> <p><u>Mitigation Measures:</u></p> <p>BIO -1. Prior to development, a protocol-level botanical survey shall be completed within the location defined as being feasible for project activities to occur within this Report. The survey shall follow procedures recommended by CDFW and in accordance with the guidelines established by CNPS, from the document "<i>Protocols for Surveying and Evaluating Impacts to Specie Status Native Plant Opulations and Sensitive Natural Communities</i>".</p> <p>BIO-2. If project development results in a sufficient amount of noise from the use of machinery, construction shall occur between September 1 and January 31 to avoid disturbance to migratory nesting birds, or a buffer shall be established by a qualified biologist if nesting birds are present.</p> <p>BIO-3. If construction occurs within the migratory bird nesting season (February 1 and August 31), a qualified biologist shall conduct a nesting birds survey fourteen (14) days prior to project development, including vegetation removal.</p> <p>BIO-4. Prior to any ground disturbance, the applicant shall conduct a site inspection for Burrowing Owls Presence within the project area. If Burrow Owls are observed, a pre-construction surveys shall be completed by a qualified biologist fourteen (14) days prior to site development. The survey shall be conducted to determine if the project area has active dens and determine if avoidance of these active dens can occur. If active dens are determined to be present, owl relocation shall occur to other onsite suitable habitat prior to development</p> <p>BIO-5. If additional activities are proposed that may result in take of a listed species, agency personnel from CDFW and SFWS shall further analyze the potential impacts and provide technical assistance for any listed species. If required, guidelines for these reconnaissance surveys should be followed in accordance to the CDFW Survey and Monitoring Protocols and Guidelines, which can be located here: https://www.wildlife.ca.gov/conservation/survey-protocols.</p>
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans,	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	According to the Natural Resources Due Diligence Letter for the Public Works Corporation Yard and Animal Control Facility Project in Clearlake, CA, prepared by Sycamore Environmental Consulting, Inc (dated October 20, 2016,), the project will not have a substantial adverse effect on any riparian habitat and/or other sensitive natural community identified in local or regional plans, policies, and regulations or by the

IMPACT CATEGORIES*	1	2	3	4	5	6	All determinations need explanation. Reference to documentation, sources, notes and correspondence.
policies, and regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?							California Department of Fish and Game or U.S. Fish and Wildlife Service. Less than significant impact.
c) Have a substantial adverse effect on state or federally protected wetlands (including, not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	According to the Natural Resources Due Diligence Letter for the Public Works Corporation Yard and Animal Control Facility Project in Clearlake, CA, prepared by Sycamore Environmental Consulting, Inc (dated October 20, 2016,), there are no known wetlands onsite. Therefore, the project will not have a substantial adverse effect on state or federally protected wetlands (including, not limited to, marsh, vernal pool, coastal, etc.)
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	According to the Natural Resources Due Diligence Letter for the Public Works Corporation Yard and Animal Control Facility Project in Clearlake, CA, prepared by Sycamore Environmental Consulting, Inc (dated October 20, 2016) the project will not 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. Less than significant impact.
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	The project will have minimal to no conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance. However, the project may require the removal of a small cluster of grasses and/or vegetation/trees. Prior to tree removal, the applicant shall obtain a Tree Removal Permit from the City of Clearlake and if Oak Trees are to be removed, they shall be replaced in accordance with Section 18-40.050 of the City of Clearlake Municipal Code. Less than Significant Impact.
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	The project will not conflict with any adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan. However, the project may require the removal of Oak Trees. Less Than Significant Impact
SECTION 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?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>An evaluation of the potential for historical, cultural, tribal, or paleontological resources on the project site and in the vicinity of the project a cultural resource investigation was conducted by Greg White, Sub Terra Archaeology and Paleontology, on December 30, 2016. This investigation included records searches, consultation with Native American tribes, and a site reconnaissance.</p> <p>According to the Cultural Resources Investigation, the likelihood that historic cultural/tribal materials, such as structural remains, trash pits, isolated artifacts, etc., could be present at the proposed project site is low and accidental discovery is unlikely to occur. The project site has undergone some disturbance during previous development, such as grading, excavation and some construction. According to the investigation, while several project improvements are planned for the project site, based on archival research that did not indicate the existence of any cultural resources in the proposed project area, combined with the previous disturbance to the location, the likelihood that the improvements would reveal historic-era materials is low. However, the possibility still exists that historic, cultural, paleontology, or tribal resources, could be discovered during project construction, resulting in a significant impact related to causing a substantial adverse change in the significance of a historical resource.</p>

IMPACT CATEGORIES*	1	2	3	4	5	6	All determinations need explanation. Reference to documentation, sources, notes and correspondence.
							<p>It is unlikely that undiscovered cultural sites will be encountered during project development. However, it is recommended that work in the immediate vicinity of a find be suspended, and a Registered Professional Archaeologist called to evaluate the find according to California Environmental Quality Act (CEQA) Guidelines.</p> <p>Therefore, to ensure impacts related to the Cultural Resources are minimized, the following mitigation measures have been implemented.</p> <p><u>Mitigation Measures:</u></p> <p>CUL-1 During construction activities, if any subsurface archaeological remains are uncovered, all work shall be halted within 100 feet of the find and the applicant shall retain a qualified cultural resources consultant from the City's approved list of consultants to identify and investigate any subsurface historic remains and define their physical extent and the nature of any built features or artifact-bearing deposits. Significant historic cultural materials may include finds from the late 19th and early 20th centuries including structural remains, trash pits, isolated artifacts, etc.</p> <p>CUL-2 The cultural resource consultant's investigation shall proceed into formal evaluation to determine their eligibility for the California Register of Historical Resources. This shall include, at a minimum, additional exposure of the feature(s), photo-documentation and recordation, and analysis of the artifact assemblage(s). If the evaluation determines that the features and artifacts do not have sufficient data potential to be eligible for the California Register, additional work shall not be required. However, if data potential exists – e.g., there is an intact feature with a large and varied artifact assemblage – it will be necessary to mitigate any Project impacts. Mitigation of impacts might include avoidance of further disturbance to the resources through Project redesign. If avoidance is determined to be infeasible, pursuant to CEQA Guidelines Section 15126.4(b)(3)(C), a data recovery plan, which makes provisions for adequately recovering the scientifically consequential information from and about the historical resource, shall be prepared and adopted prior to any excavation being undertaken. Such studies shall be deposited with the California Historical Resources Regional Information Center. Archeological sites known to contain human remains shall be treated in accordance with the provisions of Section 7050.5 Health and Safety Code. If an artifact must be removed during Project excavation or testing, curation may be an appropriate mitigation. This language of this mitigation measure shall be included on any future grading plans and utility plans approved by the City for the Project.</p> <p>CUL-3 If human remains are encountered, no further disturbance shall occur within 100 feet of the vicinity of the find(s) until the Lake County Coroner has made the necessary findings as to origin (California Health and Safety Code Section 7050.5). Further, pursuant to California Public Resources Code Section 5097.98(b) remains shall be left in place and free from disturbance until a final decision as to the treatment and disposition has been made. If the Lake County Coroner determines the remains to be Native American, the Native American Heritage Commission must be contacted within 24 hours. The Native American Heritage Commission must then identify the "most likely descendant(s)", which parties agree will likely be the Koi Nation based upon the Tribe's ancestral ties to the area and previous designation as MLD on projects in the geographic vicinity. The landowner shall engage in consultations with the most likely descendant (MLD). The MLD will make recommendations concerning the treatment of the remains within 48 hours as provided in Public Resources Code 5097.98.</p>
b) Cause a substantial adverse change in the significance of an archeological resource pursuant to §15064.5?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	See Response to Section V(a): Less than Significant Impact with the incorporated mitigation measure CUL-1 through CUL-3.
c) Disturb any human remains, including those interred outside of formal cemeteries?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	See Response to Section V(a): Less than Significant Impact with the incorporated mitigation measure CUL-1 through CUL-3.

IMPACT CATEGORIES*	1	2	3	4	5	6	All determinations need explanation. Reference to documentation, sources, notes and correspondence.
SECTION VI. ENERGY							
<i>Would the project:</i>							
a) Consume energy resources in a wasteful, inefficient, or unnecessary amount during project construction and/or operation?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	The proposed energy usage for this operation is minimal; energy use may include but is not limited to the security system; well pump(s); septic pumps (if necessary); lighting for structures, lighting fixtures and/or power as needed. The proposed use would not result in potentially significant environmental impacts due to wasteful, inefficient or unnecessary consumption of energy resources during project development or operations. An "Energy Usage Plan" is included in the Business Operation Plan which indicates that the project will use a mixture of full sun/outdoor cultivation, mixed light, and indoor cultivation. The property will likely be provided by solar power energy source; however, PG&E is likely proposed depending on feasibility. Use of electricity provided by PG&E for indoor cannabis cultivation may require a commercial/agricultural account. When indoor cultivation operations are initiated, this Energy Use subplan should be updated, and energy calculations performed. Approximately (16) 1,000-watt fixtures will be installed across the two greenhouses (approximately under 25 watts per square foot). For the outdoor cultivation operation, a small solar-powered electrical system may be installed to power low voltage items such as security cameras, and water pumps for drawing groundwater and mixing liquid fertilizers into the irrigation systems. All energy usage will adhere to all Federal, State and local agency requirements regarding energy use. Additionally, the applicant will obtain and maintained all necessary permits. Less than Significant Impact
b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	The proposed commercial cultivation operations would not conflict with or obstruct an energy plan. The proposed use would adhere to all Federal, State and local agency requirements. No Impact
SECTION 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p>i) Earthquake Faults There are no mapped earthquake faults on or adjacent to the subject site.</p> <p>ii-iii) Seismic Ground Shaking and Seismic-Related Ground Failure, including liquefaction. The mapping of the site's soil indicates that the soil is stable and not prone to liquefaction.</p> <p>iv) Landslides According to the Landslide Hazard Identification Map prepared by the California Department of Conservation, Division of Mines and Geology, the project parcel soil is considered "generally stable" and not located within and/or adjacent to an existing known "landslide area".</p> <p>Project design shall incorporate Best Management Practices (BMPs) to the maximum extent practicable to prevent or reduce discharge of all construction or post construction pollutants into the County storm drainage system. BMPs include scheduling of activities, erosion and sediment control, operation and maintenance procedures and other measures in accordance City of Clearlake Municipal Code(s). Less Than Significant Impact</p>

IMPACT CATEGORIES*	1	2	3	4	5	6	All determinations need explanation. Reference to documentation, sources, notes and correspondence.
b) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>The project is not anticipated to result in substantial soil erosion or the loss of topsoil. However, it may be necessary to grade approximately +/- 3,000 cubic yards of soil for project development. All disturbance will occur onsite, and no soil will be exported and/or imported. The applicant shall incorporate Best Management Practices (BMPs) consistent with the City Code and the State Storm Water Drainage Regulations to the maximum extent practicable to prevent and/or reduce discharge of all construction or post-construction pollutants into the local storm drainage system. All grading measure shall adhere to all Federal, State and local agency requirements. The project shall adhere to all Federal, State, and local agencies requirements.</p> <ul style="list-style-type: none"> <i>Phipps Complex, 30-50% slopes (soil unit 197): This map unit is on uplifted, dissected hills. These soils are susceptible to slumping and gullyng. This soils classification is very deep, well drained and has a slow permeability. The average water capacity is 6.0 to 12 inches, with rapid runoff and the hazard for erosion is severe. The shrink well potential is high.</i> <i>Wolf-creek, Gravelly Loam, 0-2% slopes (soil unit 246): This map unit is very deep, well drained soils which are generally located within flood plains. This soils classification has a slow permeability with an average water capacity of 7.5 to 10 inches. This soils classification is subject to rare period of flooding during prolong high intensity storms. Surface runoff is very slow, and the hazard of erosion is slight.</i> <p>Therefore, to ensure impacts related to the Geology and Soils are minimized, the following mitigation measures have been implemented.</p> <p><u>Mitigation Measures:</u></p> <p>GEO-1: Prior to any ground disturbance and/or operation, the applicant shall submit <u>Erosion Control and Sediment Plans</u> to the Community Development Department for review and approval. The project shall incorporate Best Management Practices (BMPs) consistent with the City Code and the State Storm Water Drainage Regulations to the maximum extent practicable to prevent and/or reduce discharge of all construction or post-construction pollutants into the local storm drainage system.</p> <p>GEO-2: Prior to any ground disturbance, (if applicable), the applicant shall submit and obtain a Grading Permit from the Community Development in accordance with the City of Clearlake Municipal code(s).</p> <p>GEO-3: The applicant shall monitor the site during the rainy season including post-installation, application of BMPs, erosion control maintenance, and other improvements as needed. Said measures shall be maintained for life of the project and replace/repared when necessary.</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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p>According to the soil survey of Lake County, prepared by the U.S.D.A., the soil at the site is considered “generally stable” and there is little to no potential for landslide, subsidence, debris flows, liquefaction, or collapse. The project shall incorporate Best Management Practices (BMPs) consistent with the City Code and the State Storm Water Drainage Regulations to the maximum extent practicable to prevent and/or reduce discharge of all construction or post-construction pollutants into the local storm drainage system.</p> <p>Less Than Significant Impact</p>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p>According to the soil survey of Lake County, California prepared by the U.S.D.A, the soils discussed above in Section has a shrink-swell potential of “low to high”. Therefore, the commercial cannabis operation will have minimal to no substantial direct or indirect risks to life or property. The applicant will adhere to all Federal, State and local agency requirements, including all requirements in the City of Clearlake’s Municipal Code(s).</p> <p>Less Than Significant Impact</p>
e) Have soils incapable of adequately supporting	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p>The project parcel is currently vacant, when development occurs, the cannabis operation shall adhere to all applicable Federal, State and local agency requirements regarding</p>

IMPACT CATEGORIES*	1	2	3	4	5	6	All determinations need explanation. Reference to documentation, sources, notes and correspondence.
the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?							wastewater disposal systems, (i.e., connecting to public/private sewer facilities and/or onsite waste management systems (septic). Less Than Significant Impact
f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Disturbance of paleontological resources or unique geologic features is not anticipated, but mitigation measures are in place to assure that in the event any artifacts are found. All potential impacts have been reduced to less than significant with the incorporated mitigation measures CUL-1 and CUL-5.

SECTION 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p>In general, greenhouse gas emissions can come from construction activities (operation of equipment) and from post-construction activities (routine construction/maintenance, vehicle trips, etc.). The operation would not generate a significant number of vehicle trips. The project parcels are located greater than five (5) miles away from Route 53 and are in a rural area where it is not uncommon for individual to drive greater than +/- 20 mile per trip.</p> <p>As noted in the Trip Generation Summary prepared by W-Trans, it is during harvest time that the project is expected to generate the most trips. Please notes, according to a Memorandum dated May 18, 2021, from W-Trans, the project is anticipated to have up to up to ten (10) employees during typical operations and up to twenty-five (25) employees during harvest season.</p> <table><tr><th colspan="10">Table 2 – Trip Generation Summary During Harvest</th></tr><tr><th rowspan="2">Land Use</th><th rowspan="2">Units</th><th colspan="2">Daily</th><th colspan="3">AM Peak</th><th colspan="3">PM Peak</th></tr><tr><th>Rate</th><th>Trips</th><th>Trips</th><th>In</th><th>Out</th><th>Trips</th><th>In</th><th>Out</th></tr><tr><td>Near-Term</td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td></tr><tr><td>General Light Industrial</td><td>25 emp</td><td>3.05</td><td>76</td><td>13</td><td>11</td><td>2</td><td>12</td><td>3</td><td>9</td></tr><tr><td>Future</td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td></tr><tr><td>General Light Industrial</td><td>10 emp</td><td>3.05</td><td>31</td><td>5</td><td>4</td><td>1</td><td>5</td><td>1</td><td>4</td></tr><tr><td>Buildout</td><td></td><td></td><td>107</td><td>18</td><td>15</td><td>3</td><td>17</td><td>4</td><td>13</td></tr><tr><td colspan="10">Note: emp = employees</td></tr></table> <p>At full buildout, the project can expect to generate 107 trips per day with an AM peak of 18 and a PM peak of 16 trips. This number is not considered significant. Therefore, based on the anticipated trips for the proposed use the levels of greenhouse gasses emitted are not anticipated to be excessive and would not require intensive use of heavy equipment, and as such, would not degrade air quality or produce significant amounts of greenhouse gasses. Less Than Significant Impact</p>	Table 2 – Trip Generation Summary During Harvest										Land Use	Units	Daily		AM Peak			PM Peak			Rate	Trips	Trips	In	Out	Trips	In	Out	Near-Term										General Light Industrial	25 emp	3.05	76	13	11	2	12	3	9	Future										General Light Industrial	10 emp	3.05	31	5	4	1	5	1	4	Buildout			107	18	15	3	17	4	13	Note: emp = employees									
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Buildout			107	18	15	3	17	4	13																																																																																						
Note: emp = employees																																																																																															
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p>This project will not conflict with any adopted plans or policies for the reduction of greenhouse gas emissions. The City of Clearlake is within an ‘air attainment’ basin. In accordance with the requirements of the Lake County Air Quality Management District, an air permit will be required as a condition of the use permit, prior to issuance of a building permit for the project. Refer to response in Section VIII(a). Less Than Significant Impact</p>																																																																																								

SECTION 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?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>Materials associated with the operation, such as gasoline, diesel, carbon monoxide, pesticides, fertilizers and the equipment emissions may be considered hazardous if released into the environment. All hazards and hazardous materials will be stored in accordance to all Federal, State and local agency requirements. All routine construction materials and all materials associated with the proposed cultivation of commercial</p>
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IMPACT CATEGORIES*	1	2	3	4	5	6	<p align="center">All determinations need explanation.</p> <p align="center">Reference to documentation, sources, notes and correspondence.</p>
							<p>cannabis shall be transported and disposed of properly in accordance with all applicable Federal, State and local regulations.</p> <p><u>Chemicals Storage and Effluent:</u> All chemicals stored and used at/by authorized personnel include but are not limited to fertilizers/nutrients, pesticides, and petroleum products (Agricultural Chemicals) and chemical sanitation products necessary to maintain a sterile and healthy work environment.</p> <p>All fertilizers/nutrients and pesticides, when not in use, will be stored in their manufacturer's original containers/packaging, undercover, and at least 100 feet from surface water bodies and will be stored in their designated storage area.</p> <p>Petroleum products will be stored under cover, in the State of California-approved containers with secondary containment and separate from pesticides and fertilizers within the existing on-site wooden garage.</p> <p>Sanitation products will be stored in their manufacturer's original containers/packaging within a secure cabinet inside the proposed Processing Facility. Spill containment and cleanup equipment will be maintained within the proposed Pesticides and Agricultural Chemicals Storage Area and the Processing Facility. No effluent is expected to be produced by the proposed cultivation operation. All required warning signs will be posted, and material safety data sheets (MSDS) will be kept in the area where pesticides are stored. Emergency contact information in the event of pesticide poisoning shall also be posted at the work site including the name, address, and telephone number of emergency medical care facilities. Change areas and decontamination rooms will be available off-site. Before making a pesticide application, operators will evaluate equipment, weather conditions, and the property to be treated and surrounding areas to determine the likelihood of substantial drift or harm to non-target crops, contamination, or the creation of a health hazard. In an event of a spill or leak, the contaminated soil will be stored, transported, and disposed of consistent with applicable local, state, and federal regulations. Therefore, to ensure impacts related to the Hazards and Hazardous Materials are minimized, the following mitigation measures that have been implemented.</p> <p><u>Mitigation Measures:</u> HAZ-1: All hazardous waste shall not be disposed of on-site without review or permits from Environmental Health Department, the California Regional Water Control Board, and/or the Air Quality Board. Collected hazardous or toxic waste materials shall be recycled or disposed of through a registered waste hauler to an approved site legally authorized to accept such material.</p> <p>HAZ-2: The storage of potentially hazardous materials shall be located at least 100 feet from any existing water well. These materials shall not be allowed to leak into the ground or contaminate surface waters. Collected hazardous or toxic materials shall be recycled or disposed of through a registered waste hauler to an approved site legally authorized to accept such materials.</p> <p>HAZ-3: Any spills of oils, fluids, fuel, concrete, or other hazardous construction material shall be immediately cleaned up. All equipment and materials shall be stored in the staging areas away from all known waterways.</p> <p>HAZ- 4: The storage of hazardous materials equals to or greater than fifty-five (55) gallons of a liquid, 500 pounds of a solid, or 200 cubic feet of compressed gas, then a Hazardous Materials Inventory Disclosure Statement/Business Plan shall be submitted and maintained in compliance with requirements of Lake County Environmental Health Division. Industrial waste shall not be disposed of on site without review or permit from Lake County Environmental Health Division or the California Regional Water Quality Control Board. The permit holder shall comply with petroleum fuel storage tank regulations if fuel is to be stored on site.</p>

IMPACT CATEGORIES*	1	2	3	4	5	6	All determinations need explanation. Reference to documentation, sources, notes and correspondence.
							HAZ - 5: All equipment shall be maintained and operated in a manner that minimizes any spill or leak of hazardous materials. Hazardous materials and contaminated soil shall be stored, transported, and disposed of consistent with applicable local, state, and federal regulations.
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The project will not create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment. All chemicals, pesticides, fertilizer, and other materials associated with the operation shall adhere to all Federal, State, and local agency requirements. See Response to Section IX(a): Less than Significant Impact with the incorporated mitigation measure HAZ -1 through HAZ-5.
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	The proposed project is not located within one-quarter mile of an existing or proposed school. No Impact
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	The project site is not listed as a site containing hazardous materials in the databases maintained by the Environmental Protection Agency (EPA), California Department of Toxic Substance, and Control State Resources Water Control Board. No Impact
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	The project is not located within two (2) miles of an airport and/or within an Airport Land Use Plan. No Impact
f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	The project would not impair or interfere with an adopted emergency response or evacuation plan. The project has been reviewed by the Lake County Department of Environmental Health, Lake County Special Districts, City of Clearlake Police Department, City of Clearlake's Community Development Department (Building, Public Works, Planning), and the Local Fire Protection District/CalFire for consistency with access and safety standards. The City of Clearlake did not receive any adverse comments. Less Than Significant Impact
g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	The project will not expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires as it is located in a "Low to Moderate" Fire Hazard Severity Zone and within the Lake County Fire Protection District. The project was circulated for review to various agencies, include but not limited to City Engineer, City of Clearlake Police Department, City of Clearlake Building Official/Inspection, Lake County Fire Protection District and the California Department of Transportation (Caltrans). During the project review, no adverse comments were received. The application shall adhere to all current Federal, State and local agency requirements, including all mitigation measures and conditions of approval imposed on such use. Less Than Significant Impact

IMPACT CATEGORIES*	1	2	3	4	5	6	All determinations need explanation. Reference to documentation, sources, notes and correspondence.
SECTION 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p>According to the Project Application material submitted by the applicant; the cannabis will be grown in above ground pots/boxes within the greenhouses. The operation will be provided water through the existing onsite well located in the northern portion of the project parcel. The water then will be pumped from a well and stored in one (1) 25,000-gallon water storage tank. The applicant will also install one (1) 5,000- or 10,000-gallon water storage tank for fire suppression. The water will then be pumped for the water storage tanks to the operations infrastructure.</p> <p>The entire site is in the watershed of the creek. Burns Valley Creek occurs on the south side of Ogulin Canyon Road and not in the vicinity of the proposed buildings, and then crosses to the north side of the road just west of the driveway. All cultivation areas are located at least 100 feet from the top of bank of any known perennial and/or season waterway. Burns Valley Creek is an intermittent drainage that flows east to west along Ogulin Canyon Road.</p> <p>All access roads and parking areas are/will be graveled to prevent the generation of fugitive dust, and vegetative ground cover will be preserved and/or re-established as soon as possible throughout the entire site to filter and infiltrate stormwater runoff from the access roads, parking areas, and the proposed cultivation operation. To control runoff, the operation will incorporate appropriate Best Management Practices (BMPs) consistent with City code and State Storm Water Drainage Regulations to the maximum extent practicable to prevent or reduce discharge of all construction or post-construction pollutants into the local storm drainage system. All grading measure shall adhere to all Federal, State, and local agency requirements.</p> <p>The proposed operation would not violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality. Additionally, the applicant shall adhere, obtain, and maintain all necessary federal, state and local agency permits.</p> <p>Therefore, the operation will not violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality. Less Than Significant Impact</p>
b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p>According to the Water Availability Analysis dated June 2021, the water for both proposed domestic and irrigation uses will be delivered from an existing permitted water well. This system will use ground water pumped from the well directly into five (5) - 10,000-gallon water tanks for distribution to the building(s) plumbing system and to the greenhouses for irrigation. The well is approximately 375 feet deep and has a capacity of 80 gallons per minute (see attached well report).</p> <p>Based on the applicant's water management plan, the estimated total water demand for the project is 582,000 gallons per year (450,000 gallons+132,000 gallons).</p> <p>The yield of the well on the property is 80 gallons per minute, with a capacity in excess of 9.9 million gallons per year (40 hours/week x 52 weeks/year x 80 gallons/minute). A water meter will be installed in the water system and consumption will be logged daily. Water use efficiency will be analyzed for the previous year and a water budget will be generated for each upcoming grow cycle. To minimize the impact on groundwater supplies, the project will implement water conservation practices, including:</p> <ul style="list-style-type: none"> • Selection of plant varieties that are suitable for mixed light cultivation. • The use of driplines and drip emitters (instead of spray irrigation). • Mulch to reduce evaporation. • Water application rates modified from data from soil moisture meters and weather monitoring. • Rooftop rainwater collection (where feasible and permitted). • Shutoff valves on hoses and water pipes. • Daily visual inspections of irrigation systems. • Immediate repair of leaking or malfunctioning equipment.

IMPACT CATEGORIES*	1	2	3	4	5	6	All determinations need explanation. Reference to documentation, sources, notes and correspondence.
							<ul style="list-style-type: none"> • Water metering and budgeting. • Practices to prevent discharges from water supply equipment. • Water application rates minimized as necessary to prevent runoff and water equipment leaks repaired immediately. • Water filtration systems to be installed. • Tanks will supply gravitational head to the irrigation system. PVC pipes will deliver the water to the plants. • Mixing tanks will be used to mix liquid fertilizers, which will then be injected into the irrigation system supply lines. • At each planting station, black polyvinyl flexible tubes and drip emitters will be used to irrigate the plants. <p>The following information is from: Lake County Watershed Protection District (administered by Lake County Water Resources Department), Lake County Groundwater Management Plan - March 31, 2006 - page 2-24 to 2-27. The project site is in the Burns Valley Groundwater Basin.</p> <p>Burns Valley Basin is in the Shoreline Inventory Unit. The Franciscan Formation borders the Burns Valley Basin on the north, Clear Lake borders the basin on the west, and the Cache Formation borders the basin on the south and east.</p> <p>The district monitors one well in the Burns Valley Basin. The monitoring well indicates that groundwater levels fluctuate from 2 feet below ground surface in the spring to 10 feet below ground surface in the fall. The data indicates that water levels rose in the Burns Valley Basin in 1981-1983. No information on groundwater movement is available. DWR estimates the useable storage capacity to be 1,400-acre feet (DWR 1960). Average-year agricultural groundwater demand in the Burns Valley basin is approximately 14 acre-feet per year.</p> <p>There are 86 domestic wells and 13 irrigation wells in the Burns Valley Basin. Approximately 50 percent of domestic wells are shallower than 75 feet deep, and approximately 50 percent of irrigation wells are shallower than 250 feet deep.</p> <p>The proposed project would not substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin. The conclusion is that there is adequate water availability for the Cannabis Processing and Cultivation project. Less Than Significant Impact</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 that would: <ul style="list-style-type: none"> i) result in substantial erosion or siltation on-site 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 runoff water which would exceed the capacity of existing or planned stormwater 	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p>The commercial cannabis operations will not alter the existing drainage pattern of the site or the area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner that would in substantial erosion issues, increase the amount of runoff or create or contribute runoff which exceeds the capacity of the existing or planned storm water drainage system. The applicant will implement Best Management Practices (BMPs) in accordance with all applicable federal, State and local agency requirements, including the City of Clearlake's Municipal Code which may include the placement of straw, mulch, seeding, straw wattles, and silt fencing and planting of native vegetation on all disturbed areas to prevent erosion. These measures shall be maintained for life of the project. Less Than Significant Impact</p>

IMPACT CATEGORIES*	1	2	3	4	5	6	All determinations need explanation. Reference to documentation, sources, notes and correspondence.
drainage systems or provide substantial additional sources of polluted run-off; or iv) impede or redirect flood flows?							
d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	The project site is not located in an area of potential inundation by seiche or tsunami. The parcel is not located within a flood zone. In addition, the soils at the project site are generally stable; therefore, is minimal potential to induce mudflows. No Impact
e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	The project would not conflict with or obstruct any water quality or management plans. Additionally, to control runoff, the operation will incorporate appropriate Best Management Practices (BMPs) consistent with City code and State Storm Water Drainage Regulations to the maximum extent practicable to prevent or reduce discharge of all construction or post-construction pollutants into the local storm drainage system. All grading measure shall adhere to all Federal, State and local agency requirements. Less than Significant.
SECTION XI. LAND USE AND PLANNING <i>Would the project:</i>							
a) Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	The project is in the outskirts of the city limits, and in close proximity to the County of Lake's Jurisdiction. The surrounding development includes but is not limited to commercial/industrial development and rural residential development. Therefore, the project will not physically divide an established community. Therefore, the project will not physically divide an established community. No Impact
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	The proposed project is consistent with the site's General Plan designation (Industrial) and zoning ("I" Industrial District); therefore, it would not require any amendments to the City's General Plan or zoning ordinance. The project is, however, be subject to a Use Permit, approved by the Planning Commission in accordance with the City of Clearlake Municipal Code. Upon issuance of the Conditional Use Permit and with the incorporated mitigation measures and conditions of approval (<i>including obtaining and maintaining all necessary Federal, State and local agency permits</i>), the project will not conflict with any land use plan or policy intended for avoiding or mitigating an environmental effect(s). Additionally, the California Department of Food & Agriculture (CDFA) is responsible for licensing and regulating cannabis cultivation and enforcements as defined in the Medicinal and Adult Use Cannabis Regulation and Safety Act (MAUCRSA), including regulations related to the cultivation of cannabis. The applicant is required to obtain a license(s) from the CDFA prior to legal cultivation occurring, including all additional Federal, State and local agency permits/license. Less Than Significant Impact.
SECTION 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	The operation would not result is the loss of availability of a known mineral resource that would be of value to the region and the residents of the state. No Impact
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	The operations would not 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. No Impact

IMPACT CATEGORIES*	1	2	3	4	5	6	All determinations need explanation. Reference to documentation, sources, notes and correspondence.
SECTION XIII. NOISE & VIBRATIONS							
<i>Would the project:</i>							
a) Generate construction noise levels that exceed the Noise Ordinance exterior or interior noise standards at residential properties during the hours that are specified in the City's General Plan Noise Element?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>Short-term increases in ambient noise levels to uncomfortable levels may be expected during project development, and routine maintenance of the project parcels. There will be vehicles entering and exiting the project premises, however these noise levels are minimal as along Ogulin Canyon Road. The applicant shall adhere to all Federal, State and local agency requirements regarding noise standards. Therefore, to ensure impacts related to the Noise are minimized, the following mitigation measures have been implemented.</p> <p><u>Mitigation Measures:</u></p> <p>NOI-1: All construction activities including engine warm-up shall be limited to weekdays and Saturday, between the hours of 7:00am and 7:00pm to minimize noise impacts on nearby residents.</p> <p>NOI-2: Permanent potential noise sources such as, generators used for power shall be designed and located to minimize noise impacts to surrounding properties.</p> <p>NOI-3: During construction noise levels shall not exceed 65 decibels within fifty (50) feet of any dwellings or transient accommodations between the hours of 7:00 AM and 6:00 PM. This threshold can be increased by the Building Inspector or City Engineer have approved an exception in accordance with Section 5-4.4(b)(1) of the City Code. An exception of up to 80 decibels may be approved within one hundred (100) feet from the source during daylight hours. Project is expected to result in less than significant impacts with regard to noise and vibration.</p>
b) Generate a substantial temporary (non- construction) or permanent increase in noise levels at existing sensitive receptors in the vicinity of the project site?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<p>The project is not expected to create unusual groundborne vibration due to site development or operation. The low-level truck traffic would create a minimal amount of groundborne vibration. No Impact</p>
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 and generate excessive ground borne vibration?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<p>The project is not located within an airport land use plan or within two (2) miles of a public airport. No Impact</p>
SECTION XIV. POPULATION AND HOUSING							
<i>Would the project:</i>							
a) Induce substantial unplanned population growth in an area, either directly or indirectly?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<p>The project would increase employment in the area that might Induce some increased population growth, however, this growth would be negligible and not induce substantial 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. No Impact</p>

IMPACT CATEGORIES*	1	2	3	4	5	6	All determinations need explanation. Reference to documentation, sources, notes and correspondence.
b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	The operation will not displace a substantial number(s) of existing people or housing, necessitating the construction of replacement housing elsewhere. No Impact
SECTION XV. PUBLIC SERVICES <i>Would the project:</i>							
a) Result in substantial adverse physical impacts associated with the provision of new or physically altered government facilities, need for new or physically altered government 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 following public services?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	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. Less Than Significant Impact
SECTION XVI. RECREATION <i>Would the project:</i>							
a) Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	The project site is located in the outskirts of the City of Clearlake (City), in Lake County (County), CA and 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. Therefore, the project will not 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. No Impact.

IMPACT CATEGORIES*	1	2	3	4	5	6	All determinations need explanation. Reference to documentation, sources, notes and correspondence.
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? <ul style="list-style-type: none"> • Fire Protection • Police Protection • Schools • Parks • Other Public Services 	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p>This project will not necessitate the construction or expansion of any recreational facilities. The project parcel has adequate fire and police protection services through the Lake County Fire Protection District and the City of Clearlake Police Department. In their letter of December 12, 2020, the Lake County Fire Protection District, who services this property, indicated that the project would require compliance to several public safety code, including Installation and maintenance of water storage tanks. As a condition of the project and the building permit, all requirements of the district shall be complied with. In addition, the project shall pa all fees to the Fire District, including development Impact fees to address cumulative impacts on the district.</p> <ul style="list-style-type: none"> • <u>Fire Protection</u>: The project parcel has adequate fire protection through the Lake County Fire Protection District and CA Department of Forestry and Fire Protection. • <u>Police Protection</u>: The [project parcel has adequate police protection through the City of Clearlake Police Department, including the Lake County Sheriff's Office. • <u>Schools</u>: The project will not result in substantial adverse impact(s) on the local school district. • <u>Parks</u>: The project will not result in substantial adverse impact(s) on the local parks. • <u>Other Public Facilities</u>: The project is will not result in substantial adverse impacts on other public facilities. <p>Less Than Significant Impact</p>

IMPACT CATEGORIES*	1	2	3	4	5	6	All determinations need explanation. Reference to documentation, sources, notes and correspondence.																																																																																
SECTION XVII. TRANSPORTATION																																																																																							
<i>Would the project:</i>																																																																																							
a) Conflict with a program plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p>The subject property is located on the northerly side of Ogulin Canyon Road approximately 2,000 feet east of its intersection with State Route 53. Access to the project site would be by private drive(s) off of Ogulin Canyon Road. The project is estimated to generate some traffic to this area but would not be subject to any known federal plans, policies, regulations, or laws related to transportation and circulation. Caltrans is responsible for planning, designing, constructing, operating, and maintaining all State-owned roadways in Lake County. Federal highway standards are implemented in California by Caltrans. Any improvements or modifications to the State highway system within the City of Clearlake need to be approved by Caltrans, such as improvements to the intersection of Ogulin Canyon Road and State Route 53. The City of Clearlake is responsible for maintaining all other roadways in the City. The City's 2040 General Plan identifies State Route 53 as an Expressway and Ogulin Canyon Road as a Local Street. Other than planned improvements to State Route 53 by Caltrans, there are no immediate plans to improve Ogulin Canyon Road.</p> <p>As noted in the Trip Generation Summary prepared by W-Trans, it is during harvest time that the project is expected to generate the most trips.</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th colspan="10">Table 2 – Trip Generation Summary During Harvest</th> </tr> <tr> <th>Land Use</th> <th>Units</th> <th colspan="2">Daily</th> <th colspan="3">AM Peak</th> <th colspan="3">PM Peak</th> </tr> <tr> <th></th> <th></th> <th>Rate</th> <th>Trips</th> <th>Trips</th> <th>In</th> <th>Out</th> <th>Trips</th> <th>In</th> <th>Out</th> </tr> </thead> <tbody> <tr> <td>Near-Term</td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td>General Light Industrial</td> <td>25 emp</td> <td>3.05</td> <td>76</td> <td>13</td> <td>11</td> <td>2</td> <td>12</td> <td>3</td> <td>9</td> </tr> <tr> <td>Future</td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td>General Light Industrial</td> <td>10 emp</td> <td>3.05</td> <td>31</td> <td>5</td> <td>4</td> <td>1</td> <td>5</td> <td>1</td> <td>4</td> </tr> <tr> <td>Buildout</td> <td></td> <td></td> <td>107</td> <td>18</td> <td>15</td> <td>3</td> <td>17</td> <td>4</td> <td>13</td> </tr> </tbody> </table> <p>Note: emp = employees</p> <p>At full buildout, the project can expect to generate 107 trips per day with an AM peak of 18 and a PM peak of 16 trips. This number is not considered significant.</p> <p>Pursuant to Ordinance Number 247-2020, the City of Clearlake added Article 3-8 to chapter III of the Municipal Code allowing the collection of traffic impacts fees. The development impact fee revenue will be collected and used to cover the cost of capital facilities and infrastructure required to serve new development and growth in the city. However, impact fee revenue cannot be used to cover the operation and maintenance costs of these or any other facilities and infrastructure. A Condition of Approval will be incorporated detailing the amount due per 1,000 square feet. Less Than Significant Impact</p>	Table 2 – Trip Generation Summary During Harvest										Land Use	Units	Daily		AM Peak			PM Peak					Rate	Trips	Trips	In	Out	Trips	In	Out	Near-Term										General Light Industrial	25 emp	3.05	76	13	11	2	12	3	9	Future										General Light Industrial	10 emp	3.05	31	5	4	1	5	1	4	Buildout			107	18	15	3	17	4	13
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b) Would the project conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p>The project is expected to generate an average of +/- 1 distribution and/or commercial trips per week (depending on the season). The type of vehicles to be used will be approximately two (2) - Ford Transit Van (4400 lbs.) and two (2) 2014 Isuzu reefer truck (12000 lbs.) The operation will have up to six (6) employees off season and up to 30 during peak harvest season. The average trips per week for the employees is expected to be +/- 2 per day (+/- 84 per week). The facility will be open for delivery and pick-ups Monday through Sunday, 8:00 AM to 5:00 PM. Additionally, due to the rural nature of the site and Lake County in general, it is not common for one to travel 20+ miles to complete routine business. Therefore, the project would not be conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision. Additionally, the City of Clearlake/Lake County is located in a rural area, and it is not uncommon for one to travel 20 + plus for each trip. Less Than Significant Impact</p>																																																																																

IMPACT CATEGORIES*	1	2	3	4	5	6	All determinations need explanation. Reference to documentation, sources, notes and correspondence.
c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	The commercial cannabis operation will not substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment). Refer Response in Section XVII(a). Less Than Significant Impact.
d) Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	As proposed, the project is not expected to result in any impact to providing adequate emergency access. Additionally, the project was circulated for review to City of Clearlake Police Department, Lake County Fire Protection District, California Department of Transportation, Lake County Fire Protection Districts and the City of Clearlake Community Development Department (Public Works, Building and Planning) for consistency with all applicable safety regulations and policies. No adverse comments were received. The applicant will obtain all the necessary Federal, State, and local agency permits for any works that occurs with the right-of-way and will be subject to the City's traffic impact fee program. Participation in this program will mitigate any cumulative impacts on the City's transportation system. Less than Significant impact.
SECTION 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	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	See Response to Section V(a): Less than Significant Impact with the incorporated mitigation measure CUL-1 through CUL-3.
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.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	See Response to Section V(a): Less than Significant Impact with the incorporated mitigation measure CUL-1 through CUL-3.
SECTION XIX. UTILITIES AND SERVICE SYSTEMS <i>Would the project:</i>							
a) Require the relocation or construction of new or expanded water, wastewater treatment, or storm water drainage, electric power, or natural gas, or telecommunications facilities, the construction or	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	The project will not impact existing and/or proposed utility/service infrastructure systems, including but not limited to water/wastewater treatment systems, storm water drainage systems, electric power, natural gas, or telecommunications facilities. The project parcels will be served on an onsite waste management system (septic) and onsite well(s) and have power through PG&E. The applicant will adhere to all necessary federal, state and local agency requirements. Less Than Significant Impact

IMPACT CATEGORIES*	1	2	3	4	5	6	All determinations need explanation. Reference to documentation, sources, notes and correspondence.
relocation of which could cause significant environmental effects?							
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?							The commercial cannabis operation will not expose occupants to potential pollutants concentrations from a wildfire(s) or the uncontrolled spread of a wildfire. The applicant will adhere to all applicable Federal, State and local agency requirements. Less Than Significant Impact
c) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has inadequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	The project site is situated in a rural rea of the County within the City Limits of Clearlake and requires an on-site Waste Management System (Septic). The applicant shall adhere to all Federal, State, and local regulations regarding wastewater treatment and water usage requirements. No Impact
d) Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	The Local Lake County landfill(s) has sufficient capacity to accommodate the project's solid waste disposal needs. The operation has been developed to help minimize the generation of waste and for the proper disposal of waste produced during the cultivation and processing of cannabis at the project site. The goal is to prevent the release of hazardous waste into the environment, minimize the generation of cannabis vegetative waste and dispose of cannabis vegetative waste properly, and manage growing medium and dispose of growing medium properly. All employees are required to follow the procedures outlined in this plan. Any deviations from this plan must be immediately brought to the attention of the operations manager(s). Less Than Significant Impact
e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	The project parcels will be served by an onsite waste management system (septic) and onsite well(s). All septic systems and/or wells shall be installed and adhere to all applicable Federal, State, and local agency requirements. All vegetative waste will be composted onsite, including all soil from any ground disturbance (if necessary). All other waste will be handled in accordance with all Federal, State, and local agency requirements and brought to a proper facility that is able to process such waste. Less Than Significant Impact
SECTION XX. WILDFIRE							
<i>If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:</i>							
a) Substantially impair an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	The property is located within the State Responsibility Area (SRA) and is in a 'Moderate to High' Fire Hazard Severity Zone. The site has an average cross slope greater than 20-30% and has a moderate fuel load but the cultivation area has been previously disturbed and is clear of vegetation. The SRA regulations (if applicable) will ensure adequate fire access to and on the property. SRA regulations will also ensure that measures are in place to help prevent fire and the spread of fire should one occur. The property shall maintain fire breaks around all structures, shall adhere to all necessary Federal, State, and local agency requirements. Less Than Significant Impact
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	The project will not exacerbate wildfire risks and/or expose persons to pollutant concentrations in the event of a wildfire in the area. Additionally, the applicant will adhere to all Federal, State, and local fire requirements/regulations, including all mitigation measure and/or conditions of approval imposed on such use. Less than Significant Impact

IMPACT CATEGORIES*	1	2	3	4	5	6	All determinations need explanation. Reference to documentation, sources, notes and correspondence.
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	All infrastructure will be routinely maintained to ensure all Federal, State, and local agency requirements are being satisfied, including all necessary City Codes and/or regulations. Additionally, prior to operation the applicant(s) will make all necessary improvements to the project site, such as access/roadways, fuels breaks, and emergency water source/water tanks. Less than Significant Impact
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	The project area to be developed is not located within the vicinity of known waterways nor is it located within a designated flood zone. Therefore, the risk of flooding/runoff, landslides, slope instability, or drainage changes would not be increased due to this project. Less Than Significant Impact

IMPACT CATEGORIES*	1	2	3	4	5	6	All determinations need explanation. Reference to documentation, sources, notes and correspondence.
SECTION XXI. MANDATORY FINDINGS OF SIGNIFICANCE							
a) Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	This project is not anticipated to significantly impact habitat of fish and/or wildlife species or cultural/tribal resources with the incorporated mitigation measures described above. Therefore, there is minimal risk of degradation, and mitigation measures are proposed that would alleviate most or all of the project-related impacts. With incorporation of Mitigation Measures, the project is not anticipated to significantly impact habitat of fish and/or wildlife species or cultural resources, nor will the project contribute to factors that would harm the environment or add to any wildfire risk.
b) 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.)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	All potentially significant impacts have been identified related to, Aesthetics, Air Quality, Biological Resources; Cultural/Tribal Resources; Geology & Soil; Noise & Vibration; and Hazards & Hazardous Materials. These impacts in combination with the impacts of other past, present, and reasonably foreseeable future projects in the vicinity could cumulatively contribute to significant effects on the environment if proper mitigation measures are not put in place. The implementation of and compliance with all mitigation measures identified in each section as project conditions of approval would avoid or reduce all potential impacts to less than significant levels and would not result in cumulatively considerable environmental impacts.
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The proposed project has potential to result in adverse indirect or direct effects on human beings. In particular, risks associated with, Aesthetics, Air Quality, Biological Resources; Cultural/Tribal Resources; Geology & Soil; Noise & Vibration; Hazards & Hazardous Materials and have the potential to impact human beings. Implementation of and compliance with mitigation measures identified in each section would reduce adverse indirect or direct effects on human beings and impacts to less than significant impact levels.

INITIAL STUDY SUMMARY: Based on the review of the proposed project site and surrounding area, appropriate mitigation measures were identified to mitigate potentially significant impacts to a level below adversity for Aesthetics, Air Quality, Cultural Resources/Tribal Resources, Hazards & Hazardous Materials, Hydrology/ Water Quality, and Traffic Circulation. Assuming implementation of the identified measures and standard conditions of project approval of the City of Clearlake and other pertinent agencies, no adverse impacts are anticipated.

Attachment A - Application Packet/Operation Plan



City of Clearlake

Application# CB- [REDACTED]

4050 Olympic Dr.

Clearlake, CA 95422

707-994-8201

www.clearlake.ca.us

CANNABIS BUSINESS APPLICATION For Use Permit and Regulatory Permit

(Please print clearly and fill in/provide all that apply)

Type of Commercial Cannabis Use:

- ☐ Commercial Cannabis Cultivation
- ☐ Cannabis Manufacture
- ☐ Cannabis Distributor
- ☐ Cannabis Testing Laboratory
- ☐ Cannabis Nursery
- ☐ Cannabis Processor

REQUIRED FOR A COMPLETE APPLICATION

- ☐ Completed and signed Application Forms
- ☐ Additional Documentation
- ☐ Initial Application Fee Paid: (\$TBD)

Applicants Full Name: Ogulin Hills Holdings, LLC c/o Brian Pensack

Applicants Mailing Address: 637 Lindaro Street
Suite 201
San Rafael, CA 94901

Applicants Phone Number: 415-317-2345

Applicants Email: Brian@VanguardMarin.com

Applicants Physical Home Address: 405 Clearview Pl., Petaluma, CA 94952

Applicants Tax ID Number:

Management/Community Relations Contacts: Brian Pensack, Garrett Burdick, Kim Gardner, Richard Knoll Consulting

Applicants Height: 5'11",

Applicants Weight: 165 pounds,

Applicants Hair Color: black,

Applicants Eye color: Blue.

Address of Proposed Business: 2185 Ogulin Canyon Rd., Clearlake, CA

Square Footage of the Proposed Buildings: 3 (three) buildings totaling 13,500 ft.², two 50' x 100' processing/storage buildings and one 50 x 60' office building.

Describe the Site Plan and Floor Plan: The project proposes development of cannabis related facilities initially involving 10,000 ft.² of proposed manufacturing, processing, distribution buildings (2 - 5,000 ft.² each), and an 3,000 ft.² office building. Following the driveway up the hill leads to a relatively large level to gently sloping open area that has been cleared of trees. This upper open area is the location for most of the proposed site improvements described above.

An improved Jeep trail type driveway extends from the proposed primary site development area, south west to a fairly level area which is the construction site for the proposed greenhouses. Preliminary floor plans indicate that the 50' x 100' manufacturing and processing floor plan will include an intake area, a processing manufacturing and packaging areas, restrooms and offices, an employee break room area, and then several small rooms for shipping and receiving, storage, intake, and outtake, and related activities. The 50' x 100' drying and storage building will contain large open spaces for drying and storage racks. This building will include rollup doors that lead into an internal sally port for security parking and eventual loading and unloading. The 50' x 60' office building will have a basic floor plan including a reception area, restrooms, a conference room, and four offices.

Number of

Managers/Supervisors:

4 Number of Employees: up to 10.

Names and Addresses of

Anyone Who Will act as an

Owner, Manager, or

Supervisor of the Facility:

See above, Brian Pensack, Garrett Burdick, Kim Gardner.

Describe Proposed Business

and Operations:

See business plan and Project description. The proposed business and operations plan will include a proposed cannabis drying and storage operation for both on-site and off-site cultivation product. Also included in the business and operations plan will be a processing/manufacturing/distribution component which will include various activities related to extraction of cannabis essential oils, processing and storage of cannabis extracts and plant materials including packaging of cannabis for sale, extraction and storage of cannabis oils, packaging and labeling of cannabis products, storage and distribution of cannabis products, and related activities

Anticipated Gross Annual

Revenues:

To be determined

Documents to Submit

Please provide additional information as required in section 18 – 12.050, 18 – 12.060, and section 5 – 25 including but not limited to the following:

1. Two passport quality, current photographs of the applicant._____
2. Passport, or valid California drivers license (not to include an AB 60 federally restricted license)._____
3. Sign off by the Lake County fire protection District permitting the use._____
4. The applicant must complete a criminal history check for the state of California and FBI which is approved by the chief of police or his designee._____

5. A sketch or diagram depicting the interior configuration of the premises, including the total floor area drawn to scale. _____
6. A site plan drawing depicting the facility and all properties within 600 feet. _____
7. A lighting plan showing existing and proposed exterior and interior lighting placement and levels. _____
8. A detailed security plan. _____
9. An odor control plan. _____
10. A detailed business plan. _____
11. Previous addresses for the past five years. _____
12. Property ownership and lease details _____

Agreement

Applicant signature (attach notarized documents)

I hereby certify that I will abide by the city of Clearlake's commercial cannabis ordinance number 200 – 2017 and this agreement and that the information provided in this application is, to my knowledge, true and correct. I hereby authorize city staff, including the police department, authority to conduct a criminal background check pursuant to California Penal Code section 11105 subsection be subsection 11 and 13300 subsection be subsection 11 which authorizes city authorities to access state and local summary criminal information for employment, licensing, or certification purposes; and authorizes access to federal level criminal history information by transmitting fingerprint images and related information to the Department of Justice to be transmitted to the FBI every person listed as an owner manager or supervisor of the marijuana business must submit fingerprints and other information deemed necessary by the city manager or his designee for a background check by the Clearlake Police Department. I understand that any material misrepresentation may result in either denial or revocation of the dispensary permit.

Applicant Signature: _____



Date: _____ 12/28/2020 _____

For Office Use Only

Approved by _____ Date _____

Credit Card

Debit Card

Money order

Cash

Check Number

All-purpose Acknowledgment California only

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California

County of

Sonoma

On

1/5/21

before me,

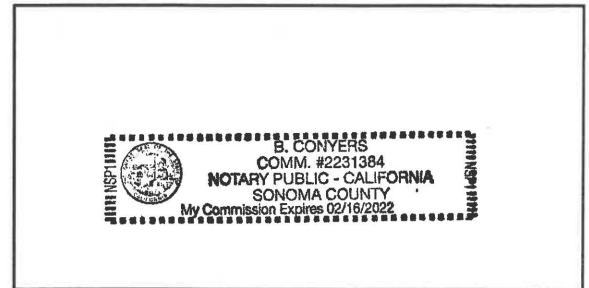
B. Conyers Notary Public

(here insert name and title of the officer),

personally appeared

Ben Pensack

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.



Notary Seal

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand
and official seal.

Signature

[Signature]

For Bank Purposes Only

Description of Attached Document

Type or Title of Document

Cannabis Bus. App.

Document Date

Number of Pages

Signer(s) Other Than Named Above



FO01-000DSG5350CA-01

Ogulin Hills Holdings, LLC
637 Lindaro St., Suite 201
San Rafael, CA 94901

RE: Cannabis Business application
2185 Ogulin Canyon Rd.

Good Morning,

As per our consultant's direction, Richard Knoll, please find the signed and notarized Cannabis business application.

Thank you,

A handwritten signature in blue ink, appearing to read 'BP', with a long horizontal flourish extending to the right.

Brian Pensack, Mgr., Ogulin Hills Holdings, LLC

Ogulin Hills Holdings, LLC

December 30, 2020

Mr. Alan Flora
Clearlake City Manager
Clearlake City hall
14050 Olympic Drive
Clearlake, CA 95422

Mr. Andrew White
Chief of Police
Clearlake Police Station
14050 Olympic Drive
Clearlake, CA 95422

Re: Cannabis Business Use Permit Application and Development Agreement

Dear Mr. Flora and Chief White:

Enclosed are the Cannabis Business Use Permit application forms, documents, plans, project description, safety and security plans, and related documentation for the proposed cannabis processing, manufacturing, distribution and indoor cultivation project planned for the 21.25-acre property located at 2185 Ogulin Canyon Road in Clearlake (APN 010-044-17).

The owner of the property – Ogulin Hills Holdings, LLC is proposing a project involving construction of cannabis related facilities including (Phase 1) 10,000 ft.² of proposed manufacturing, processing, distribution buildings (2 buildings at 5000 ft.² each), a 3000 ft.² office building, and several cultivation greenhouses. The proposed processing, manufacturing, and retail/office buildings are proposed metal structures and the proposed greenhouses will be required to comply with city architectural design standards.

Included with this application package is:

- City of Clearlake Use Permit Application Form and \$2,000 fee deposit.
- Project Description and Findings
- Project Site Plan, Lighting Plan, Security Plan, Grading Plan
- Project Floor Plans
- Project Building Elevations
- Biological Tech report
- Employee health and Safety Plan
- Business Plan
- Site Photos and Mapping
- Cultural Resources Site Survey and Report (Underway)

Ogulin Hills Holdings, LLC

We believe that this package of application documents and materials is sufficient for the City to initiate the project review and input phase. Please advise us if there is a need for additional documentation or clarification.

We look forward to working with the City Staff, the Planning Commission, and the City Council in moving this project forward.

Thank you.

Brian Pensack

Brian Pensack – Principle
Ogulin Hills Holdings, LLC
637 Lindero Street
Suite 201
San Rafael, CA 94901
415-317-2345
Brian@VanguardMarin.com

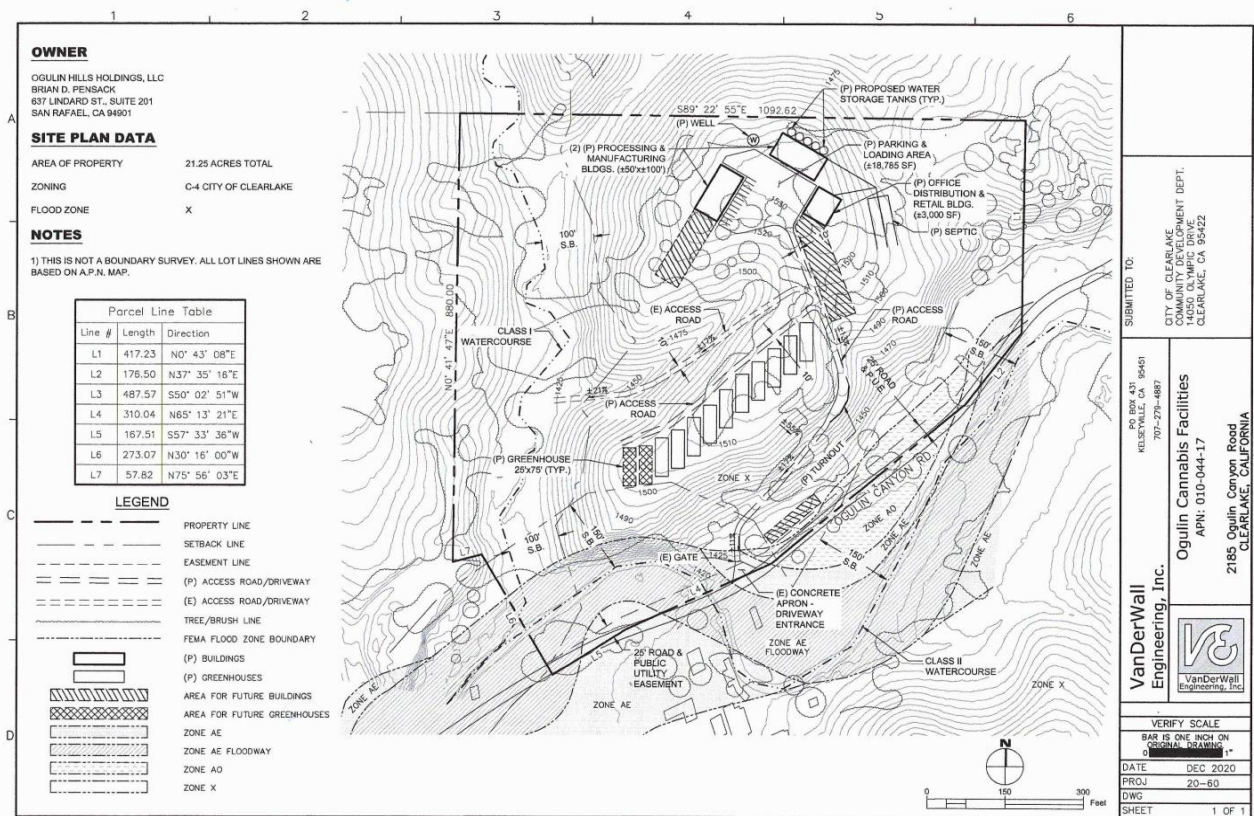
Project Description and Information
City of Clearlake - Use Permit Application for Cannabis Facilities
2185 Ogulin Canyon Road – APN 010-044-17
Clearlake, California
December 2020
Updated June 4, 2021

Project Information

The subject property is a 21.25-acre parcel located at 2185 Ogulin Canyon Road in Clearlake, California (APN 010-044-17). The land was previously owned by the City of Clearlake and was proposed to be the location of a new Public Works Corporation yard and animal shelter facility until June 2020. Plans and studies conducted by the City of Clearlake determined the land to not be a suitable location for these uses.

The City offered the property for sale and the applicant - Ogulin Hills Holdings, LLC, has acquired the land from the City of Clearlake.

The proposed site plan involves initial development of cannabis related facilities including approximately 10,000 ft.² of proposed manufacturing, processing, distribution buildings (2 - 5,000 ft.² each), and an approximately 3,000 ft.² office and retail delivery building. Several cultivation greenhouses are also proposed.



The proposed processing, manufacturing, and office/retail delivery buildings are proposed metal structures and the proposed greenhouses will be required to comply with City architectural design standards.

The subject property is currently vacant except for the storage of several pieces of equipment including a travel trailer, several poly water storage tanks, smaller poly/cage water storage tanks, several shopping carts, and two shipping containers, all located in the upper reaches of the property.

Access to the site is through a glass/metal gate located on the north side of Ogulin Canyon Road. An existing driveway extends north onto the property and then extends off to the west, east, and northeast up the hill. The driveway extending northeast up the site is approximately 12 to 15 feet wide and has been previously graded with a sloped hillside on the north, there is some minor gullying occurring within the road base surface. This existing driveway is in moderate condition.

The vegetation of the site is described in the attached Biological Technical Memo prepared by Natural Investigations Company, Inc. Following the driveway up the hill leads to a relatively large level to gently sloping open area that has been cleared of trees. This upper open area is the location for most of the proposed site improvements described above.

An improved Jeep trail type driveway extends from the proposed primary site development area, south west to a fairly level area which is the site for the construction of the proposed greenhouses.

The subject parcel at 2185 Ogulin Canyon Road is located within the Clearlake City Limits (NW corner) on the north side of Ogulin Canyon Road. The property is zoned I District Industrial. The City of Clearlake Zoning Ordinance provides detailed zoning requirements and standards. The City of Clearlake Zoning Ordinance also has specific standards regarding minimum parking requirements, street improvements, parking design standards, driveway approach standards, landscaping development standards, environmental review procedures, storm drainage provisions, and a number of other sections dealing with trash receptacles slopes and soils, outdoor lighting, addressing, protected trees, tree protection regulations, and other requirements.

The Clearlake Municipal Code also provides standards and criteria addressing commercial cannabis permits and requires among other things issuance of permits for cultivation, processing, extraction, manufacturing, testing, and distribution activities with and approved use permit and regulatory permit within areas of the City zoned Cannabis Business District.

The City requires use permits for the proposed development and operation of commercial cannabis businesses and requires operators to enter into a Development Agreement.

Until 2020, the City of Clearlake limited the number of commercial cannabis licenses that could be approved/obtained. However, the City Council recently made a decision to eliminate the cap on commercial cannabis permits and revised its zoning regulations to allow the issuance of cannabis permits pursuant to zoning and development agreement approvals.

The City of Clearlake produces a guide to commercial cannabis permits and indicates that there are several steps required to obtain a cannabis permit including:

Step 1 – Attend mandatory pre-application meeting

Step 2 – Identify property zoned location suitable for commercial cannabis activity.

Step 3 – Submit regulatory permit application packet requirements

The City of Clearlake cannabis requirements indicate that a Use Permit shall be applied for as part of the permitting procedure.

City of Clearlake MC Section 18-1.4.445 Use Permits.

a. Purpose. These provisions establish the procedures for accommodating uses with special site or design requirements, operating characteristics, or which may have the potential to cause adverse effects on surrounding properties. The procedures in this section shall apply to all proposals for which a conditional use permit is required.

b. Criteria for Granting. A use permit shall be approved or approved with conditions by the Planning Commission, if, based upon information provided by the applicant, all of the following findings are made:

1. That the proposed use at the size and intensity contemplated, and at the proposed location, will provide a development that is necessary or desirable for, and compatible with, the neighborhood or the community.

Applicants Response and Suggested Findings:

- The uses at the 2185 Ogulin Canyon Road site are proposed at a size and intensity that is small for a 21.25-acre parcel and as such fit easily onto the available buildable area.
- The City of Clearlake has recently updated its Zoning Ordinance with respect to the permit requirements and locations for cannabis businesses and as such has confirmed and verified public policy in support of cannabis processing, manufacturing, distribution, retail delivery, and indoor cultivation within the Clearlake City Limits.
- In keeping with this adopted public policy, the proposed project will provide a development that is necessary, desirable, and compatible with the community wide sentiments.
- The proposed project will provide a development that is compatible with the neighborhood, as there are existing cannabis operations and/or businesses in the near vicinity, including at the La Rosa Plaza site just to the west, and several existing and proposed cannabis cultivation projects to the east and north.
- The proposed project is planned to respond to the need for cannabis processing and storage facilities in a well-planned and secure location, which in and of itself, creates a compatible land use situation.

2. That such use as proposed will not be detrimental to the health, safety, convenience, or general welfare of persons residing or working in the vicinity, or injurious to the property, improvements or potential development in the vicinity with respect to aspects including, but not limited to, the following:
- (a) The nature of the proposed site, including its size and shape, and the proposed size, shape, and arrangement of structures,
 - (b) The accessibility and traffic patterns for persons and vehicles, the type and volume of such traffic, and the adequacy of proposed off-street parking and loading,
 - (c) The safeguards afforded to prevent noxious or offensive emissions such as noise, glare, dust and odor,
 - (d) Treatment given, as appropriate, to such aspects as landscaping, screening, open spaces, parking areas, loading areas, service areas, lighting, and signs.

Applicants Response and Suggested Findings:

- The proposed uses at the 2185 Ogulin Canyon Road site will not be detrimental to the health, safety, convenience, or general welfare of persons residing or working in the vicinity, or injurious to the property, improvements or potential development in the vicinity. The proposed site improvements have been well planned to minimize detrimental impacts and conflicts with people residing and working in the area, property and improvements in the neighborhood or the general welfare of the County.
- The project will be built to California Building Code standards and will provide for a high level of security and safety consistent with the City regulations.
- The initial improvements will be situated in the center of the site and will maximize property line setbacks from adjoining properties and structures in order to minimize perceived detrimental health, safety, morals, comfort, and general welfare impacts to people in the neighborhood and the region.
- The cannabis cultivation laws of the State of California and the City of Clearlake have been approved by the voters and thus reflects the current attitudes of residents. The intent with regard to development of the cannabis project is to be sensitive to the comfort and general welfare of the Ogulin Canyon Road area by installing and operating state-of-the-art cannabis facilities and equipment in order to minimize detrimental impacts.
- The subject property is an existing open area and involves a small footprint which is proportionately smaller in size and impact than other land use activities on other properties in the vicinity.
- The nature of the proposed site, including the 21.25-acre size and its rectangular shape are conducive with the proposed size, shape, and arrangement of structures. The proposed site improvements are designed in areas that are level and situated in the generalized center of the site. There are also level areas down near the Road (on the south side) that may work for future building and site development activities.
- The accessibility of the property is good, with an existing concrete driveway approach on the paved part of Ogulin Canyon Road.
- Traffic patterns for persons and vehicles that will using the site are good. The type and volume of traffic on Ogulin Canyon Road is relatively low when compared to other streets and roads in Clearlake. The pattern of land development to the east, north and

south is rural in nature and as such the areas generate a small amount of traffic that passes by the 2185 site.

- The proposed off-street parking and loading areas have been incorporated into the project design with 28 standard spaces shown on the updated site plan.
- There are many options for implementing safeguards to prevent noxious or offensive emissions such as noise, glare, dust and odor. The placement of processing buildings in the center of the site, with long setback distances from property lines and nearby structures is a key safeguard for reducing noise, odor, dust, and lighting concerns. There are many other conditions or mitigation measures that can be implemented including: the use of shielded and downlit lighting; paving, chip sealing, or compacting of the parking lot and driveways; installation of building mounted air filtration exhaust systems; and installation of landscaping or fencing to minimize noise.
- The project will provide landscaping as mandated by the City of Clearlake. Screening of site improvements or facilities such as the trash enclosures will be done to City standard.
- There will be open space preservation particularly around the west, east, and north sides, and because the site is heavily wooded, the preservation of as many trees as possible will help minimize visibility of the improvements,
- Proposed parking, loading, and service areas are depicted on the site plan and are adequate to serve the intended uses. Proposed lighting and signage will be commensurate with other heavy commercial – light industrial projects in the City of Clearlake.

3. That such use or feature as proposed will comply with the applicable provisions of this Chapter and will be consistent with the policies and standards of the Clearlake General Plan. (Ord. #2010-146, S2).

Applicants Response and Suggested Findings:

- The proposed uses at the 2185 Ogulin Canyon Road site are consistent with the applicable provisions of the City of Clearlake Zoning Ordinance and will be consistent with the policies and standards of the Clearlake General Plan.
- East of Hwy 53, the initial portion of Ogulin Canyon Road (2/3 mile) is within the City of Clearlake. The City of Clearlake General Plan Circulation Element Figure 4.1. Circulation Map identifies Ogulin Canyon Road as a basic street. The Clearlake General Plan Circulation Element contains a number of Goals and Policies regarding the City street system, however, there does not appear to be any policy applying specifically to Ogulin Canyon Road.
- The Ogulin Canyon Road surface is in moderate to somewhat poor condition, it is paved for about 2/3 miles east of Hwy 53 and transitions to gravel.

In summary, the proposed project at 2185 Ogulin Canyon Road does comply with the provisions of the City of Clearlake Municipal Code Section 18-1.4.445 dealing with Use Permits. There are additional standards and criteria for cannabis projects established by the City that are addressed below and in the attached documentation.

Safety and Security Plan

**2185 Ogulin Canyon Road – APN 010-044-17
Clearlake, California**

The Safety and Security Plan addresses the safety and security issues associated with the manufacturing, processing, distribution, and cultivation business operations at the 2185 Ogulin Canyon Road site.

This Safety and Security Plan addresses risks and risk mitigation related to the physical buildings and site improvements, surrounding property, employee safety, information security, and how to avoid risks throughout the daily operations. As State and local laws continue to change, this plan and security specifications will evolve and will be updated. The project operator will continue to be in contact with the City of Clearlake staff and the City of Clearlake Police Department to ensure community relations and adherence to rules and regulations.

Operations

This Plan includes actions that could occur during the day-to-day operations, but do not include all potential activities and operations. As an adjunct to this Plan, Employee Health and Safety Plans have also been developed.

We will continue to assess risks and add to this plan as operations commence and new risks are identified.

Our business and physical site improvements will include manufacturing, processing, distribution operations. Our company will process cannabis from the region on a year-round basis. Our clients and inventory will depend on capacity within the building and timing of harvest.

Summary of Processing Operations

1. Flower/cannabis material comes in from the cultivation sites – driven by our employees.
2. Flower is dried, trimmed and cured on the processing side of the building.
3. Dried flower is packaged.
4. Packaged cannabis product is transferred to:
 - a. The distribution side of the building for storage and testing sampling
 - b. An off-site distribution center – commercial transaction (i.e. the customer needed us to process the flower but has another distributor they want to use).

Possible Risks:

Dry, trim and cure flower odors could attract outside attention.

Employee theft.

External theft of product.

Mitigation:

Use surveillance cameras internally and externally.

Use keypad entrances on internal doors between processing and distribution facilities.

Move processed flower to another distribution facility, for testing and holding it passes and moves to a dispensary or manufacturer or fails and needs to be destroyed.

Only managers will have access to create sales invoice/bill of goods. Driver will only transport cannabis goods listed on the sales invoice or receipt.

Obtain flower only from licensed cultivator.

Generate a shipping manifest through Track and Trace software that specifies quantities and directions.

Vehicle radio or cell phone confirmation of site location.

Receive cultivation tax from licensed cultivation - Payment through a bank transfer, check or mobile cannabis money transfer application.

Vehicle security plan

Drive & deliver flower to the processing site.

On site employee meet the driver at the warehouse.

Create Sally Ports at the warehouse.

Take odor control measures within vehicles.

Enable surveillance camera to show client video footage of their product being handled correctly.

Adhere to standard safety and operating procedures (SOP).

Discuss with police and fire chief best ways to destroy product.

Video all procedure and ensure track and trace protocols.

Have a designated visitor parking spaces.

Confirm any visitors via phone prior to arriving at site.

Door buzzer entry system into the office.

Keep all other external and internal doors locked with only employee access via keypad or badge entry.

Maintain a log-in system. Do not allow any external customers to enter into the working facility of the building. Any product coming into the facility will be transported only by company drivers and employees.

Employee structure within Processing, Manufacturing, and Distribution Operations:

- On-site manager/Owner
 - a. Runs the office and is onsite day to day
 - b. Manages employees in the industry

c. Manages finances and business operations

- Off-site manager/Owner

a. Maintains relationships with clients

b. Drives distribution vehicle when needed. If business scales, we will hire a full-time

- Assistant Manager

a. Help on-site and off-site managers

b. Maintain inventory

- Drying technicians – 2

- Trim machine operators – 4

- Curing specialist - 2 Distribution:

- Drivers - 2

Mitigations:

Surveillance & lighting - Ensure entry is clear of visual obstacles.

Use Keypad entry.

Use badge system entry if keypad is too slow or has other issues

Standard working hours for the Processing Center.

Have at least two employees working at the same time.

One manager on duty at all times in the main office while people are in the warehouse

Door to Distribution area to be kept locked and accessible to only managers.

Processing employees will have limited access to computers and alarm system and will have limited knowledge of where cash is held.

Conduct business during daylight hours if possible.

Potential actions, risks and risk mitigation for the manager/owners.

Day to day operations

Theft

Assault

Cyber Security breaches

Disgruntled employees

Monetary transactions

Mitigations:

Keep all employee information confidential

Create standard operating procedures

Train managers and employees on all standard operating procedures

Only managers have access to sensitive documents and cash.

Hire a third-party cyber security/IT company to handle system log-in and accounts.

Have third party cyber security/IT company disable accounts of ex-employees as soon as employee term is over.

Conduct monetary transactions with internet applications or checks.

Security Plans

1. Exterior Safety Measures

- a. Fencing
- b. Parking
- c. Visual obstacles
- d. Odor

2. Surveillance & Alarm System

3. Lighting Plan

4. Interior Site Construction

5. Vehicles

6. Employee Security Measures

7. Cyber Security

8. Cash & Product

Safety starts from the outside in. Ensure employees and visitors feel safe coming to the office and that all measures are taken to dissuade potential issues.

There will be no outside storage and any waste management will be agreed upon by the Ogulin Hills management, the City of Clearlake and the waste management company.

Fencing: fencing to be erected around the entire facility with a coded entry.

Parking: create assigned parking spaces for our employees and visitors.

Delivery vehicles to remain locked in the warehouse when not in use.

Visual Obstacles: Entrances and exits will have a four-foot perimeter that is clear of natural and material debris or vegetation.

All obstacles in the line of site of a proposed security camera will be removed.

Odor:

One of the largest concerns is the odor that a cannabis business might produce. It is also a security risk if it brings additional attention to the facilities.

Odor will be mitigated as described in the Odor Control Plan in this plan.

The vehicle security plan also addresses potential odor risks from transporting cannabis.

Ogulin Hills Holdings, LLC will be working with a local security alarm company to install a sensor alarm system at all the exterior doors and window and a video surveillance system.

Exterior Doors and Windows

- Keypad entry each door.
- Controlled automatic entry of roll-top door entrance.
- Alarm system for any window or door break or breach.
- Adherence will all city, county, and state regulations and guidelines for security, lighting, parking, and storage. Intrusion Detection System
- Standard Operating Procedures (SOPs) will be in place and all employees will undergo training through Ogulin Hills Holdings, LLC to follow protocol if an intrusion occurs.
- Ogulin Hills Holdings, LLC will be in communication with the City of Clearlake Police Department to keep the Department informed of current floor plans and SOPs.

Video Management System See floor plan diagram for video camera placement internally and externally. Ogulin Hills Holdings, LLC will adhere to the requirements of the CalCannabis which include the following specifications for cameras and video surveillance:

- Video management will be performed by a third-party vendor
- Minimum camera resolution of 1280 x 720 (720p) pixels and no less than 15 frames per second.
- Cameras and storage must be Internet Protocol (IP) compatible.
- Cameras to be placed at all entrances and exits, and record from both indoor and outdoor vantage points 24 hours a day with no interruptions regardless of lighting or conditions.
- Perimeter fencing and gates surrounding growing operations must be monitored at least 20 feet beyond the perimeter.
- The California mandate required cameras generate approximately 13 GB of data per day.
- Regulations governing the cannabis industry in the State of California require video footage to be kept for a minimum of 90 days.

- Insurance and legal coverage may require your operation to meet industry standard 1 year retention requirements for all video surveillance.
- Ogulin Hills Holdings, LLC is working with a local security company to install a sensor lighting and ensure the building is up to code for all interior and exterior lighting.
- See plans for proposed lighting.
- Obtain clearance from the City of Clearlake Planning Department, Police Department and Lake County Fire before construction or alteration of existing buildings.
- Ensure Processing activities are secure.
 - ✓ Create a locked and secure drying room
 - ✓ Store cannabis in locked building while curing, monitored via security camera internally and externally.
- Ensure Distribution activities are secure
 - ✓ All product is labeled, packaged, and stored in locked building.
- Create a Sally Port for secure delivery of product.
 - ✓ To ensure vehicle safety, Ogulin Hills Holdings, LLC will adhere to all the requirements from the Bureau of Cannabis Control.
 - ✓ All vehicles used in transportation will be owned by the company.
 - ✓ Depending on feasibility, Ogulin Hills Holdings, LLC will implement body cameras on drivers to ensure safety and product quality.
 - ✓ Ogulin Hills Holdings, LLC will consult with a security company to implement difficult requirements and risk mitigations such as vehicle odor control and cash handling protocols.

Employee Safety Elements

- All employees will have a Live Scan security clearance
- All employees will have name badges with the cannabis license clearly displayed
- Only certain employees will have access to the Limited Access Area, which will be accessible by keypad entry .
- All employees will receive training on all security and alarm systems
- All employees will risk mitigation training including the possibility of robbery, physical aggression, or vehicle break-ins.

Cyber Security - Ogulin Hills Holdings, LLC will hire an independent cyber security and information technology company to manage internet applications and systems technology log-ins and maintenance.

Only necessary employees will have access to the computers and inventory systems. SOPs will be in place to ensure accountability.

Cash & Product Handling

- When possible, all monetary transactions will be done digitally through a secure internet application focused on cannabis industry transactions.
- If the use of cash is needed, we will keep a safe onsite and secured to the property. All cash deposits will be deposited at the end of the day.
- Adhere to State of California Track and Trace METRC program for all product. Have video in vehicles and on product storage.

Odor Control Plan

Odor Response Program.

Managers responsible for responding to odor complaints are:

- _____
- _____

When an odor complaint is received, it will be forwarded to the manager responsible for odor control. The incident will be logged, including time and type of complaint, the location of the odor reception, and contact info of the person making the complaint. The incident will be investigated and the problem identified. The manager will visit the facility in question and determine any deficiencies in the odor control system and identify remedies. These remedies should be implemented immediately. The manager will prepare a written response and send it by certified mail to the complainant.

The correspondence should acknowledge the complaint, describe the incident, and identify what remedial actions were taken.

Ogulin Hills, LLC Odor Complaint Protocol

1. Each odor complaint will be logged in a master odor complaint log book indicating:

A. Time and date of complaint.

B. Name of employee who has received complaint.

C. Weather conditions at time of complaint, including wind directions.

D. Specific nature of the complaint i.e. what does the complaint involve, strong odor, weak odor, intermittent odor, continuous odor, and other details.

E. Name, address, phone number, of complainant location and distance from KDA facilities.

F. Action taken at the time of complaint including indicating who the complaint has been referred to and any the results of any initial investigation that may have been conducted.

G. Investigation of complaint – manager will investigate the complaint and determine the validity of it, including a determination as to equipment or mechanical failures or issues, operational issues, and or any other causes for the odor complaint.

H. Report on odor complaint – KDA manager will issue a report on the complaint, file it in the complaint logbook, and call the complainant within five working days to report findings.

Odor Mitigation - Cannabis odors are considered by some people to be objectional. The 2185 Ogulin site cultivation operation will use state-of-the-art charcoal air filtration systems, which is the most effective odor neutralizer for indoor and mixed light cultivation operations. Charcoal filters will be installed in the sidewall area of the processing/manufacturing/greenhouse structures.

Air from the cultivation areas will be mechanically vented through the structure through the charcoal filters and expelled fr, preventing nuisance odors from escaping the structure.

No significant odor impacts are anticipated from this cultivation operation, due to the state-of-the-art filtration system, limited population in the area, the size of the cultivation operation, and the extensive setbacks from roads, property lines, and nearby parcels.

The project may be provided with a back-up odor mitigation system – an ozone generator – which may be installed on the outside of the exhaust fans.

Should additional odor mitigation be necessary, a high-pressure atomizing system could be installed on the perimeter. This system generates an aerosol water vapor that binds with the Cannabis terpene compounds to reduce odors.

Revised 6-4-21 RKC.

2185 Ogulin Business Plan

Business Overview:

As the cannabis industry continues to grow — with North America taking a leading role — We are eager to find ways to improve productivity and stand out from the pack. Our mission is the creation of a business model which covers the production, processing, marketing, and sales of cannabis

By bringing together production, processing and distribution, we can cut costs, improve efficiency and ensure quality control. It's a strategy that has worked well in other parts of the economy, and we think it will work for cannabis

Vertical Integration:

WHY WE THINK VERTICAL INTEGRATION WORKS FOR CANNABIS

The idea behind vertical integration is to gain greater control over the supply chain. Seed-to-sale chains in cannabis may incorporate interests in cultivation, processing, extraction, manufacturing, distribution, and retail, or some combination of the above. Vertically integrated businesses may operate in the same state, but increasingly cannabis companies are using vertical integration to spread their reach to multiple states or regions.

The advantages of the vertically integrated approach are many. They include:

- **Greater economies of scale**
- **Guaranteed access to consumers and cannabis products**
- **Carefully coordinated supply and production plans**
- **In-house control over prices**
- **An ideal structure for creating, promoting, and selling branded products**

With Vertical integration:

- The consumer typically gets a higher-quality, fresher and cheaper product.
- You own all parts of the supply chain, and therefore control costs along the way, dictate the final price of products, and capture all of the value created from beginning to end.
- Specialization will lead to providing a service more efficiently and typically at a lower cost than competitors.

Manufacturing:

Our manufacturing goal is to create food products and/or cannabis concentrates. We will start by bringing in testing and tracking raw materials such as:

- Food and ingredients (flour, sugar, etc.)
- Cannabis extract
- Cannabis trim that we convert in to extract

Combine food ingredients with cannabis extract to manufacture items like chocolate bars, beverages and mints. During this stage we:

- Ensure dosing accuracy
- Maintain audit-able records
- Like a manufacturer in any other industry, we will strive to create a consumable product within the target potency range batch after batch.
- We will test all of our products for safety, cannabis content and contaminants utilizing in-house testing equipment as well as third party labs, with thresholds modeled after FDA standards

This current model promotes innovation, entrepreneurialism and job creation. Trust is key for our success.

"We as manufacturers and distributors provide more jobs p/sq. ft. then any other license type within the industry".

Cannabis growing: Hybrid greenhouses

Greenhouse technology is getting better and more competitive with indoor. At some point indoor will lose the battle with greenhouses as greenhouses become more high tech, offering unprecedented levels of control over the grow environment, without the costs associated with indoor lighting and climate control.

Modern climate controlled hybrid greenhouses have all the environmental controls of an indoor environment, but with the added benefit of natural sunlight and lower cooling costs.

Cannabis Processing:

Not only is this an integral part of our vertical integration, but there is also a great need and demand for a processing facility in Lake County. Most growers have to take their product to Santa Rosa or Ukiah for processing. Having a reputable facility in Lake County will not only save time and effort, but will create to the overall success of

our facility. In addition, the contacts made with other like-minded business people in the area will be invaluable.

Cannabis Dispensary

We are using the Cannabis Facility Construction Dispensary model. They have been designing and building dispensaries since 2105. Taken from their website, here are some highlights that we want to integrate into this section of our business:

Differentiate the customer experience. Buying cannabis in a regulated dispensary should feel easy, welcoming and natural. Designing for the customer experience, creating welcoming sales environments, while remaining compliant with regulations, is where dispensaries differentiate themselves from the competition

Prioritize compliance or suffer the consequences. To maintain product supply and operational retail sales, stick to strict protocols and carefully follow building codes related to the handling, storage and distribution of cannabis throughout the supply chain

Use a design-build approach. Design-build integrates your design and construction teams from the beginning, reducing surprises and streamlining your budget throughout the process of envisioning and construction of our dispensary

Security

Installation of perimeter fencing, multiple security cameras, locking front gate, possible use of Security Company for onsite guard.

Fire prevention

Total compliance by both state and County ordinances and regulations.

Parking

There will be ample employee parking on the building level. The proposed dispensary will be located on the street level and parking for the dispensary will be located there.

Well Water

Water for manufacturing, growing and fire prevention will be accessible through a proposed well system. There is an abundant water supply in the neighboring farms on Ogulin Canyon Rd., which should easily translate to this parcel

Employee's

We will begin with as lean as a business as possible, this includes only hiring the essential work force, particularly at the inception of the business. As the business grows, so will the need for employees, however we aim to be as lean and profitable as possible before adding excess employees and expenses.

Ogulin Hills Holdings, LLC

Worker Safety and Health Plan

II.1 Hazard Communication Plan

Hazard Communication standard requires employers to inform employees of hazards and identities of chemicals they are exposed to in the workplace, as well as protective measures that are available. All workplaces where employees are exposed to hazardous chemicals must have a written plan that describes how the hazard communication standard will be implemented in that facility. The steps for implementing an effective hazard communication program are:

1. Learn the standard and identify responsible staff

Obtain a copy of the standard from OSHA, and designate an individual responsible for implementing this standard.

2. Prepare and implement a written hazard communication program

Address the requirements of the standard, and include a list of all hazardous chemicals in the workplace.

3. Ensure containers are labeled

Manufacturers of hazardous chemicals are required to label, tag or mark the chemical with the identity of the material and appropriate hazard warnings. If materials are transferred in too the containers, employers may create their own workplace labels. They either can include all the required information on the label from the chemical manufacturer, or the product identifier and words, pictures and symbols, or a combination thereof, which in combination with other information immediately available to employees, provides specific information regarding the hazards of the chemicals.

4. Maintain safety data sheets (SDS)

Safety data sheets include information about hazardous chemicals, including identification, hazards, first-aid measures, and handling and storage precautions. These sheets must be maintained by employers for all hazardous chemicals in the workplace and be readily available to employees.

5. Inform and train employees

Employees must be trained on hazardous chemicals in their work areas before their initial assignment, and whenever new hazards are introduced. They must also be aware that labeling and SDS provide information about chemicals hazards.

6. Evaluate and reassess your program

Hazard communication programs must remain current. The best way to do this is to periodically reassess the program to make sure it is meeting its objectives and includes all hazardous

chemicals in the workplace.

II.2 Hearing conservation plan

To protect workers from noise induced hearing loss OSHA has set an action level of 85 decibels (dBA) as a time-weighted average (TWA). OSHA requires employers to institute a hearing conservation program when workers are exposed to noise levels at or above the action level of 85 dBA or equivalent, TWA exposures exceeding the OSHA permissible exposure limit of 90 dBA require feasible engineering or administrative controls to be implemented. An industrial hygienist can perform noise monitoring to determine noise levels in a facility. If there are job processes or areas of an operation where employees must raise their voices for the person next to them to hear, these areas may be above the action level of 85 dBA and warrant further investigation. In the cultivation of marijuana, loud noises can be generated by hand tools, wood chippers, if any landscaping equipment is being used by employees, or compressors to name a few.

A hearing conservation program includes the following elements:

1. Monitoring program

A hearing conservation program requires employers to monitor noise exposure levels in a way that accurately identifies employees exposed to noise at or above 85 decibels (dB) averaged over eight working hours, or an eight-hour, time-weighted average (TWA). Employers must repeat monitoring whenever changes in production, process, or controls increase noise exposure. These changes may mean more employees need to be included in the program or their hearing protectors may no longer provide adequate protection.

2. Hearing protection devices

Employers must provide hearing protection devices to all employees at or above the action level. Employers must provide hearing protectors to all workers exposed to eight-hour TWA noise levels of 85 dBA or above. This requirement ensures employees have access to protectors before they experience any hearing loss.

Employees must wear hearing protectors:

- For any period exceeding six months from the time they are first exposed to eight-hour TWA noise levels of 85 dB or above, until they receive their baseline audiograms if these tests are delayed due to mobile test van scheduling.
- If they have incurred standard threshold shifts that demonstrate they are susceptible to noise.
- If they are exposed to noise over the permissible exposure limit of 90 dB over an eight hour TWA.

Employers must provide employees with a selection of at least one variety of hearing plug and one variety of hearing muff. Employees should decide, with the help of a person trained to fit hearing protectors, which size and type protector is most suitable for the working environment. The protector selected should be comfortable to wear and offer sufficient protection to prevent hearing loss.

3. Employee training and education

All employees at or above the action level must be given training on the effects of noise on hearing and how and why to use various types of hearing protection devices. Employers must train employees exposed to TWAs of 85 dB and above at least annually in the effects of noise, the purpose, advantages, and disadvantages of various types of hearing protectors, the selection, fit, and care of protectors, and the purpose and procedures of audiometric testing. The training program may be structured in any format, with different portions conducted by different individuals and at different times, as long as the required topics are covered.

4. Audiometric evaluations

Employees that are a part of a hearing conservation program should be tested both at their hire and annually to determine if they have experienced any hearing loss. Audiometric tests must be performed by a licensed professional. Within six months of an employee's first exposure at or above the action level, the employer shall establish a valid baseline audiogram against which subsequent audiograms can be compared. Audiograms should continue at least annually after obtaining the baseline audiogram for each employee exposed at or above an eight-hour, timeweighted average of 85 decibels.

5. Recordkeeping

Employers must retain data on exposure measurements and audiometric test results. Employers must keep noise exposure measurement records for two years and maintain records of audiometric test results for the duration of the affected employee's employment. Audiometric test records must include the employee's name and job classification, date, examiner's name, date of the last acoustic or exhaustive calibration, measurements of the background sound pressure levels in audiometric test rooms, and the employee's most recent noise exposure measurement.

II.3 Personal protective equipment assessment

The hazard assessment prescribed in the PPE standard is critical in identifying the potential physical hazards (e.g., noise, ultraviolet light), chemical hazards (e.g., pesticides, extraction chemicals), biological hazards (e.g., mold), and safety hazards (e.g., electrical/energized equipment, sharp objects such as trim scissors) that may be present in marijuana cultivation, processing or retail facilities. If a process or work practice changes, the employer should re-evaluate PPE needs to determine if the existing PPE program remains suitable and protective for the employees. The PPE assessment involves the following steps:

1. Assess the workplace for hazards.

Determine if hazards are present that necessitate the use of PPE. When the hazard assessment is complete, a written certification is required that documents information such as the workplace evaluated, individual who conducted the assessment, and date of assessment.

2. Implement engineering controls and administrative controls (work practices) to control or eliminate these hazards to the extent feasible.

Engineering controls involve changing the machine or work environment to prevent employee exposure to a hazard. Administrative controls remove employees from the exposure by changing how they do their jobs.

3. Select appropriate PPE to protect employees from hazards that cannot be eliminated or controlled through engineering controls and work practices.

Employers should use the information gained from the assessment to determine the appropriate PPE that may reduce or eliminate the potential for injury or illness.

4. Inform your employees why the PPE is necessary and when it must be worn.

Train employees how to use and care for the selected PPE and how to recognize PPE deterioration and failure. Require your employees to wear the selected PPE in the workplace.

II.3.1 Personal protective equipment standard

According to the PPE standard, employers are required to train each employee whom they provide PPE to conduct their work activities. The following information must be included in this training:

- What PPE is required.
- When to use PPE.
- How to properly use the assigned PPE, including how to put on, take off, and adjust it.
- The PPE's limitations.
- How to properly care for, maintain, clean, and dispose of the PPE.

All employees must demonstrate an understanding of the above factors. If an employee appears unsure of one or more of these aspects, the employee should be re-trained. Documentation of the training provided to the workers is required.

II.3.2 Eye protection

Activities related to growing and processing marijuana may present a number of hazards that require the use of eye protection. Safety glasses or goggles should be used as PPE to protect against the possibility of eye injuries due to liquid chemical splashes, aerosolized nuisance dust or flying debris, or ultraviolet light exposures. Specific work processes and practices that should be evaluated in the industry and may necessitate the use of safety glasses or goggles for eye protection include:

- Pesticide mixing and application.
- Solvent use for extraction processes.
- Automated bud and leaf trimming that may generate aerosols and dust.
- Use of ultraviolet lamps in indoor cultivation operations.
- Trim machinery may throw items out at extreme speed.

Eye protection selected must meet the requirements of ANSI Z87.1-1989 if purchased after July 5, 1994. If an individual wears prescription glasses, side shields and protective lenses must meet these requirements as well. Goggles can be worn over glasses if they fit comfortably and do not disturb the alignment of the glasses.

II.3.3 Hand and skin protection

Because of the manual nature of many of the activities associated with growing and processing marijuana, protection of the hands is a requirement. A variety of gloves exist that can protect against dermal contact from compounds that could irritate, sensitize, puncture or cut the skin. Specific work processes and practices that may necessitate the use of gloves include:

- Pesticide mixing and application
- Solvent use for extraction processes
- Manual trimming of marijuana leaves and buds for protection against nicks or cuts from the hand shears
- Automated trimming of marijuana leaves and buds for protection against nicks or cuts from rotating metal equipment blades
- Cleaning processes

The material of choice for the glove depends on the nature of the hazard. Nitrile gloves can be a good selection for preventing irritation and dermatitis caused by contact with chemicals, solvents, and oils typically found and used in marijuana cultivation and processing facilities. The material also resists puncturing, abrasion, and snagging. Natural latex rubber gloves are not recommended because they can cause allergies to develop. In larger-scale industrial facilities, long-sleeved laboratory-style coats, coveralls, or aprons may be warranted. Cut-resistant gloves can prevent injuries to the hands and fingers.

II.3.4 Hearing protection

Workers in the industry may be exposed to high levels of noise for periods of time that could damage their hearing. Noise exposures may be particularly pertinent for larger scale marijuana processing operations in which industrial machinery is running. Automated equipment running conveyor belts, fans for freezers and ventilation exhaust systems, and machinery motors are all sources of noise that may necessitate hearing protection and require evaluation. Common types of hearing protection include earplugs and earmuffs. It is very important these properly fit the worker. Training is required to workers know the effects of noise and how to properly select, fit and use the hearing protection devices (see Section II.2).

II.4 Respiratory protection plan

Workers in the marijuana industry have been observed to wear single-strap dust masks during certain dust-generating activities such as automated processing of marijuana. These may be useful in providing comfort from non-toxic nuisance dust, pollen, etc. However, they do not provide a level of respiratory protection compared to disposable filtering facepiece respirators approved by the National Institute for Occupational Safety and Health (NIOSH). If an exposure assessment determines a hazard exists for which respiratory protection is needed against airborne particles, a NIOSH-certified respirator (e.g., N95) used in the context of a written respiratory protection program is recommended. OSHA requires that in any workplace where respirators are necessary to protect the health of the employee or whenever respirators are required by the employer, the employer shall establish and

implement a written respiratory protection program with worksite-specific procedures. The program must be updated as necessary to reflect those changes in workplace conditions that affect respirator use. The written respiratory protection program should include several important details, but first and foremost it must detail worksite-specific tasks and hazards for which respirator use is required. There must also be a designated program administrator who is suitably trained to administer the respiratory protection program. Examples of qualified program administrators include safety professionals, industrial hygienists, and occupational health nurses. OSHA notes the following components may be necessary for a written program:

- Procedures for selecting respirators.
- Medical evaluations of employees required to use a respirator.
- Fit testing procedures.
- Procedures for proper use of respirators in emergency situations.
- Procedures and schedules for cleaning, disinfecting, storing, inspecting, repairing, discarding and/or maintaining respirators.
- Special requirements for atmosphere-supplying respirators.
- Training of employees in the respiratory hazards to which they are potentially exposed.
- Procedures for evaluating the effectiveness of the respiratory protection program.

The written program should be updated as necessary to reflect changes in the workplace that affect respirator use (e.g., new chemicals, different tasks or processes, etc.)

II.4.1 Respirator selection

- Identify and evaluate the hazard.

The first step in determining the type of respirator to be used in a workplace is to identify and evaluate respiratory hazards present. This process should include an exposure estimate of the hazards, as well as identifying the contaminants chemical state and physical form. The exposure estimate is a critical first step in selecting a respirator because each type of respirator has an assigned protection factor (APF). The APF is a unitless number that indicates the factor by which the respirator will reduce exposure. For example, a half face respirator has an APF of 10 which means it will reduce an exposure of 1.0 mg/m³ down to 0.1 mg/m³ assuming the person wearing the respirator was fit to that make and model respirator and is wearing it properly. The OSHA APF document includes a table with APF for various respirators and can be used to determine what type of respirator is necessary for a given hazard.

- Select a respirator certified by the National Institute for Occupational Safety and Health

(NIOSH). NIOSH tests respirators and determines how effective they are. Using a respirator that is not NIOSH-certified may result in respiratory protection that is not sufficient for the hazard to which the worker is exposed. Additionally, one must consider the situation the employer will be working in and if there are other hazards present in addition to respiratory hazards. For example, if employees are mixing liquid chemicals, they may also want eye protection which some respirators offer. It is also important to be aware that for half-face and full-face air purifying-respirators the cartridges or filters an employee

attaches to the mask are dependent on the exposure. The filter or cartridge that can be used with a respirator typically must be the same brand as the manufacturer of the respirator itself and can filter for particulates, gases, and other specific chemicals. As such, it is again crucial the employer and employee understand the nature of the hazard so the appropriate filter or cartridge is selected for the respirator.

II.4.2 Medical clearance

- Provide a medical evaluation to determine the employee's ability to use a respirator.

Before an employee wears a respirator, he or she must undergo a medical evaluation to determine his or her ability to wear a respirator. Medical clearance or evaluation is necessary because using a respirator may place a physiologic burden on employees. A medical evaluation can be completed using a medical questionnaire and/or an initial medical examination that obtains the same information as the medical questionnaire.

- Identify a physician or other licensed healthcare professional (PLHCP) to perform a medical evaluation.
- Obtain a written recommendation regarding the employee's ability to use the respirator from the PLHCP.

II.4.3 Fit testing

- All employees using a negative or positive pressure tight-fitting facepiece respirator must pass an appropriate qualitative fit test (QLFT) or quantitative fit test (QNFT). The fit test must be performed with the same make, model, style, and size of respirator the employee will use at work. It is important to note that fit tests should be performed for all respirators that require a seal, which includes N95 respirators that are often referred to as "dust masks." Another important factor in fit testing is that tight-fitting facepiece respirators may not be used by employees who have facial hair that comes between the sealing surface of the facepiece and the face, or that interferes with valve function.
- Fit testing is required prior to initial use, whenever a different respirator facepiece is used and at least annually thereafter. An additional fit test is required whenever the employee reports, or the employer or PLHCP makes visual observations of, changes in the employee's physical condition that could affect respirator fit (e.g. facial scarring, dental changes, cosmetic surgery, or an obvious change in body weight).

II.4.4 Respirator proper use and storage

- Employees should be aware that tight fitting respirators should not be worn by employees who have facial hair or any condition that interferes with the face-to-face seal or valve function of a respirator.
- Employees should be aware of how to properly wear a respirator and its limitations. If an employer is unsure of the proper procedures for putting on or taking off a respirator, there are many resources available, including the respirator manufacturer, which will often provide training and guidance for properly wearing the respirator. Once a respirator is on, it is

also important to understand respirators have limitations in terms of the environments in which they can be worn, and how long they can be worn. One such limitation of respirators there is not a proper

seal between the respirator and the wearer's face, the mask will not provide the protection necessary. This is why it is crucial that each time an employee wears a respirator, they perform the user seal checks for the respirator to ensure a good fit. User seal check procedures should be part of the training and fit testing process. Another limitation is that the duration of time an employee can wear a disposable N95 respirator is different than the duration of time one can wear a half-face air filtering respirator with cartridges.

- Employees should understand the duration of respirator use For all types of filtering respirators, the duration one can wear the respirator ultimately depends on the concentration to which the employee is exposed. Although some respirator cartridges have an end of service life indicator, which lets the wearer know when the cartridge is no longer working, most respirators and cartridges do not. This is why it is crucial that an exposure estimate has been done, so the employer can identify how long a particular respirator can be worn in a given situation, per the respirator manufacturer's recommendations.

II.4.5 Voluntary respirator use

Voluntary respirator use falls under Appendix D of the standard (1910.134). Employees can choose to wear a respirator even when exposures are below the exposure limit, to provide additional comfort or protection if allowed by their employer. However, the respirator must be selected properly and also worn properly, or it can become a hazard to the worker. An employee who is wearing a respirator voluntarily must read and follow instructions provided by the respirator manufacturer and should wear the respirator in environments for which the respirator is designated (e.g., a particulate respirator cannot be worn to protect against vapors). The employer must establish and implement those elements of a written respiratory protection program to ensure any employee using a respirator is medically able to use the respirator, although those requirements do not apply to the voluntary use of filtering dust masks.

II.5 Lockout/tagout

"Lockout/tagout" refers to specific practices and procedures to safeguard employees unexpected energization or startup of machinery and equipment or the release of hazardous energy during service or maintenance activities. This requires, in part, that a designated individual turns off and disconnects the machinery or equipment from its energy source(s) before performing service or maintenance and the authorized employee(s) either lock or tag the energy-isolating device(s) to prevent the release of hazardous energy. Authorized employee(s) also should take steps to verify the energy has been isolated effectively. Lockout devices hold energy-isolation devices in a safe or "off" position. They provide protection by preventing machines or equipment from becoming energized they cannot be removed without a key or other unlocking mechanism. Tagout devices, by contrast, are prominent warning signs that fasten to energy-isolating devices to warn employees not to reenergize the machine while it is being serviced or repaired. Lockout/tagout is required to be formally implemented in the workplace in the form of an energy control program. As part of an energy-control program, employers must:

II.5.1 Energy control procedures

Establish energy-control procedures for removing the energy supply from machines and for putting appropriate lockout or tagout devices on the energy-isolating devices to prevent unexpected reenergization. The energy-control procedures must outline the techniques employees will use to control hazardous energy sources, as well as the means that will be used to enforce compliance. These procedures must provide employees at least the following information:

- A statement on how to use the procedures.
- Specific procedural steps to shut down, isolate, block, and secure machines.
- Specific steps designating the safe placement, removal, and transfer of lockout/tagout devices and identifying who has responsibility for the lockout/tagout devices.
- Specific requirements for testing machines to determine and verify the effectiveness of lockout devices, tagout devices, and other energy-control measures.

II.5.2 Reviewing of procedures

Inspect these procedures periodically (at least annually) to ensure they are being followed and remain effective in preventing employee exposure to hazardous energy. The periodic inspection is intended to ensure employees are familiar with their responsibilities under the procedure and continue to implement energy-control procedures properly. The inspector, who must be an authorized person not involved in using the particular control procedure being inspected, must be able to determine the following:

- Employees are following steps in the energy-control procedure.
- Employees involved know their responsibilities under the procedure.
- The procedure is adequate to provide the necessary protection, and what changes, if any, are needed.

II.5.3 Training

Train employees on the energy-control program, including the safe application, use and removal of energy controls. The employer must provide initial training before starting service and maintenance activities and must provide retraining as necessary. In addition, the employer must certify the training has been given to all employees covered by the standard.

II.6 Fire protection plan

A fire prevention plan is intended to prevent the occurrence of fires in the workplace by targeting fuel sources and ensuring adequate building fire suppression systems. Along with local fire codes, a fire protection plan should include the operating, testing, and maintaining fixed extinguishing systems. Fixed extinguishing systems are covered under 29 CFR 1910.160 automatic sprinkler systems are covered under 29 CFR 1910.159. In addition to fixed extinguishing systems an area may include portable extinguishers. As with other fire suppression systems, portable fire extinguishers must be approved by a nationally recognized testing laboratory to verify compliance with applicable standards. A fire prevention plan must be in writing, be kept in the workplace and be made available to employees for review. However, an employer with 10 or fewer employees may communicate the plan orally to employees. [29 CFR 1910.39(b)] Local municipalities may have different guidelines for marijuana facilities. These should be referenced and followed as appropriate. At a minimum, a fire prevention plan must include:

- A list of all major fire hazards, proper handling and storage procedures for hazardous/flammable materials, potential ignition sources (such as welding, sparks, hot surfaces, open flames, or smoking) and their control, and the type of fire protection equipment necessary to control each major hazard.
- Procedures to control the amount of flammable and combustible waste materials that are collected and stored at the facility.
- Procedures for regular maintenance of safeguards installed on potential ignition sources to ensure fires cannot be started (e.g. insulating hot surfaces, ensuring proper grounding and bonding, using guards and exhaust systems on grinding and cutting equipment).
- The name or job title of employees responsible for maintaining equipment to prevent or control sources of ignition or fires.
- The name or job title of employees responsible for the control of potential fire sources. An employer must inform employees upon initial assignment to a job of the fire hazards to which they are exposed. An employer must also review with each employee those parts of the fire prevention plan necessary for self-protection.

II.7 Emergency action plan

An Emergency Action Plan (EAP) is a written document to organize action during a work place emergency. It is specific to a particular workplace and lists processes and procedures employees carryout.

Per OSHA (1910.38), the minimum elements of a written emergency action plan include:

- Procedures for reporting a fire or other emergency.
- Procedures and exit routes for emergency evacuation.
- Procedures to be followed by employees who remain to operate critical plant operations before they evacuate.
- Procedures to account for all employees after evacuation.
- A contact name for employees to obtain more information about the plan.
- Explanation on how the company will notify employees in case of an emergency.

OGULIN HILLS HOLDINGS, LLC

Worker Safety and Health

Hazards

I.1.1 Mold

Marijuana production requires increased levels of humidity, which have been found to be as high as 70 percent. This increased humidity in the presence of organic material promotes the growth of mold. Previous studies of illegal indoor growing operations have reported elevated levels of airborne mold spores, especially during activities such as plant removal by law enforcement personnel¹

Best practices:

- Implement water intrusion and mold mitigation practices in areas within the facility that might be prone to floods or have conditions that include standing water. Moisture control is the key to mold control on surfaces and within building structures.
- Implement engineering controls and work practices to control or eliminate exposure to mold (for example, vacuuming rather than sweeping and ventilation).
- Conduct a PPE assessment to determine the need for respiratory protection, skin and eye protection, or protective clothing.
- In the absence of mold sampling data, consider respiratory protection for any dusty operations and for employees reporting even mild respiratory symptoms.
- Consider gloves for employees whose jobs require direct handling of plants.
- Ensure employees are trained in the proper use of PPE.
- If an employee develops moderate to severe respiratory symptoms, they should be medically evaluated and removed from the agent that caused the reaction.

I.1.2 Sensitizers/Allergens

Case reports in the medical literature have described episodes of allergic reactions, hypersensitivity and anaphylaxis to marijuana. Skin contact through personal handling of plant material or occupational exposure has been associated with hives, itchy skin, and swollen or puffy eyes. As with most sensitizers, initial exposure results in a normal response, but over time, repeated exposures can lead to progressively strong and abnormal responses. All of the hierarchy of controls can be used to help eliminate or reduce the effects of sensitizers or allergens.

Job roles affected: Employees who have direct contact with the marijuana plants.

Best practices:

- The most effective exposure controls is to eliminate the exposure but this approach may not work in all situations.
- Engineering controls such as local ventilation can assist in controlling airborne exposures to dusts or chemical mists or vapors.
- Exposure controls at the worker level include work scheduling, job rotation, and worker training.
- Determine if direct contact with plants can be controlled first by the above mentioned

elimination, engineering, or administrative controls.

1.2 Chemical Hazards

Chemical hazards pose a wide range of safety and health hazards. As discussed below, in order to ensure chemical safety in any workplace, information about the identities and hazards of the chemicals must be available and understandable to workers.

1.2.1 Carbon dioxide (CO₂)

Carbon dioxide (CO₂) is used in the marijuana industry to increase plant growth and to produce concentrates. In addition to the liquid gas form, solid carbon dioxide or dry ice can be used for extraction processes. Dry ice converts directly to carbon dioxide gas and can be hazardous to workers if not handled properly. In addition, CO₂ might be used in compressed gas form for enrichment. Compressed gases can present a physical hazard that is described in this guideline under “Compressed gas” and has additional safety regulations that must be adhered to.

In normal concentrations, CO₂ does not pose a health hazard. However, at high concentrations, CO₂ acts as a simple asphyxiant. A simple asphyxiant is a gas or vapor that displaces oxygen. Most commercial CO₂ systems are equipped with monitoring devices that will sound an alarm if an unsafe level of CO₂ is detected in an area. These systems must be properly maintained and calibrated. Additionally, it is beneficial to train employees on the health effects associated with carbon dioxide so they are able to recognize symptoms in themselves or co-workers. Symptoms include headache, dizziness, rapid breathing, increased heart rate that can lead to unconsciousness, and death. Job roles affected: Employees within the cultivation facility.

Best practices:

- Install CO₂ monitoring devices in areas where concentrations of CO₂ might be elevated.
- Implement engineering controls to maintain environmental concentrations below permissible exposure levels.
- Ensure CO₂ safety data sheet (SDS) is accessible to employees and part of a hazard communication plan.
- Use gloves (and safety glasses) when handling dry ice to avoid contact with skin or eyes.
- Do not use or store dry ice in confined areas, walk-in refrigerators, environmental chambers or rooms without ventilation. A leak in such an area could cause an oxygen-deficient atmosphere.

State/ federal standards:

- Carbon dioxide has an OSHA PEL of 5,000 ppm (9,000 mg/m³) TWA.

1.2.2 Carbon monoxide (CO)

Carbon monoxide (CO) is a colorless, odorless, toxic gas which interferes with the oxygen-carrying capacity of blood. At elevated concentrations, CO can overcome persons without warning. Many people die from CO poisoning, usually while using gasoline powered tools and generators in buildings or semienclosed spaces without adequate ventilation. Severe carbon monoxide poisoning can cause neurological damage, illness, coma and death. Sources of carbon monoxide exposure include furnaces,

hot water heaters, portable generators/ generators in buildings; concrete cutting saws, compressors; fork lifts, power trowels, floor buffers, space heaters, welding, and gasoline powered pumps.

Jobs affected: Employees within the cultivation facility, employees in areas where generators may be running or indoor equipment is being used.

Hazard assessment: The facility should determine if the hazard is present and if ventilation or PPE is needed for employees. Potential sources of CO should be evaluated. Hazard assessments are contained within the Personal Protection Equipment Standard (See Section II).

Best practices:

- Consider using tools (including power washers) powered by electricity or compressed air, if available.
- Implement engineering controls to reduce environmental concentrations to permissible exposure levels. Install an effective ventilation system that will remove CO from work areas.
- Do not use generators or gasoline powered engines indoors.
- Make sure space heaters or stoves are in good working order to reduce CO buildup and are not used in enclosed spaces.
- Install CO monitors with audible alarms.
- Establish a preventative maintenance program for all natural gas, propane, and gasoline powered equipment.
- Educate workers about the sources and conditions that may result in CO poisoning as well as the symptoms and control of CO exposure.

1.2.3 Indoor air quality (IAQ)

Workers may encounter ozone as a product of the chemical reaction of nitrogen oxides and volatile organic compounds (e.g., terpenes emitted from the marijuana plant) present inside a cultivation facility. Nitrogen oxides may enter the facility, depending on the location of air intake and proximity to major highways. Terpenes and nitric oxides are associated with eye, skin and mucous irritation. Ozone generators may also be found in facilities for odor control. Ozone can cause decreased lung function and/or exacerbate pre-existing health effects, especially in workers with asthma or other respiratory complications. More research is needed to characterize potential exposures to ozone, nitrogen oxides, and volatile organic compounds in marijuana cultivation operations.

Job roles affected: Employees working in indoor environments may be subject to IAQ issues at any time.

Hazard assessment: Ensure HVAC systems are adequate for the facility where they are located. Many IAQ problems result from poor ventilation (lack of outside air), problems controlling temperature, high or low humidity, recent remodeling, and other activities in or near a building that can affect the fresh air coming into the building. Sometimes, specific contaminants like dust from construction or renovation, mold, cleaning supplies, pesticides, or other chemicals may cause poor IAQ.

Best practices:

- Ensure HVAC systems are appropriately sized and working effectively.
- Provide appropriate ventilation where chemicals are used indoors.
- Respiratory protection should be used as appropriate (See Section II).
- Establish a process for IAQ complaints and how they will be addressed.

1.2.4 Pesticides

Marijuana cultivation facilities may have insecticides and fungicides used within the facility. Some pesticides, including pyrethrins and neem oil are non-persistent and have low volatility. However, these pesticides have been associated with dermal and respiratory toxicity for the workers who apply them. Workers applying pesticides without proper personal protective equipment may be placing themselves at risk. Applicators need to know the product, use the product according to the label and understand the product's toxicity.

In addition to reading and following labels for correct pesticide use, labels should also be followed for the proper disposal of pesticide containers.

Job roles affected: Employees within the cultivation facilities. If WPS is referenced on the pesticide label, the WPS standard covers pesticide handlers: those who mix, load, or apply agricultural pesticides; clean or repair pesticide application equipment; or assist with the application of pesticides. The WPS standard also covers agricultural workers: those who perform tasks related to growing and harvesting plants in greenhouses or nurseries.

Hazard assessment: Hazard assessment for pesticide use should involve the following:

- Reading the product label and determining the hazard class of the pesticide from the human hazard signal word that is found on the label (caution, warning, or danger);
- Confirming what precautions must be considered when using the products to protect workers, the public, and the environment. This includes a PPE assessment for workers and handlers;
- Determining whether the WPS provisions apply and any associated re-entry intervals, storage and disposal requirements.

Best practices:

- Service containers should be labeled with the name of the product, active ingredient, EPA registration number, and each and every human hazard signal word.
- Pesticides must be used pesticides in a manner consistent with their label.
- All pesticide containers should be dedicated to a single product type or intended pest use if the products are compatible (e.g. insecticides, fungicides, herbicides).
- Maintain safety data sheets (SDS) for each product in a hazard communication plan (Section II).
- Ensure on a routine basis that only pesticides permitted by the Colorado Department of Agriculture are used.
- Ensure waste management procedures are consistent with the pesticide label requirements, EPA requirements for pesticide disposal and Colorado's Agricultural Chemicals and Groundwater Protection Program.
- Ensure programs are in compliance with EPA's Agricultural Worker Protection Standard guidelines.
- Evaluate the use of administrative or engineering controls. If administrative or engineering controls cannot be effectively implemented, PPE needs should be assessed.

1.2.5 Disinfectants/ cleaning chemicals

Employers must provide safe working conditions for employees using cleaning chemicals. Even if store bought household disinfectants and cleaners are used employees should be warned of their potential

hazards. EPA- registered antimicrobials fall under pesticide registration and must be used in a manner consistent with the product labeling. These chemicals should be a part of the facility hazard communication plan (Section II). When chemicals such as bleach are used routinely, they can be corrosive to surfaces and could affect employees using the products by causing respiratory and skin irritation. In addition, injuries with spills and splashes can occur when cleaning. There are a variety of cleaning and disinfectant chemicals on the market. The least hazardous cleaning chemical that best suits the purpose for which it will be used should be chosen. If sanitizing or disinfecting is necessary, the product purchased should be effective against the microorganisms being targeted. These products are primarily intended for use as hard surface disinfectants, they are not intended to be applied directly to crops to control pest problems. Use in a manner inconsistent with the labeling would be a violation of the Colorado Pesticide Applicators' Act.

Job roles affected: Employees who are responsible for housekeeping and anyone using disinfectants or cleaning chemicals.

Hazard assessment: Hazard assessment for disinfectants and cleaners should involve selection of the least hazardous chemical, ensuring safe working conditions exist, such as adequate ventilation, for employees using cleaning chemicals, and PPE compatibility and accessibility is assessed. Hazard assessments are contained within the Personal Protection Equipment Standard (See Section II).

Best practices:

- Choose safer cleaning chemicals that meet the cleaning/disinfecting needs.
- Ensure Safety Data Sheets (SDS) are provided and cleaning chemicals are labeled to identify their contents and hazards per hazard communication standards.
- Warn employees not to mix cleaning products that contain bleach and ammonia.
- Ensure workers know which chemicals must be diluted and how to correctly dilute the cleaners they are using.
- Provide training on the use, storage, and emergency spill procedures for cleaning chemicals.
- Operate ventilation systems as needed during cleaning tasks to allow sufficient airflow and prevent buildup to hazardous vapors.
- Review PPE needed such as gloves and goggles.
- Provide areas where employees can wash up after using cleaning chemicals.
- Provide eyewash stations if corrosive cleaning chemicals are being handled.

1.2.6 Nutrients and corrosive chemicals

Cultivation facilities may encounter corrosive chemicals in the mixing of nutrients used for plant growth. Corrosives are materials that can attack and chemically destroy exposed body tissues. Corrosives can also damage or even destroy metal. The stronger or more concentrated, the corrosive material is and the longer it touches the body, the worse injuries can be. Corrosive materials can severely irritate, or in some cases, burn the eyes. Skin can become badly burned or even blister on contact with corrosive chemicals. Respiratory hazards can also occur from breathing in corrosive vapors or particles that irritate or burn the inner lining of the nose, throat and lungs.

Most corrosives are either acids or bases. Common acids include hydrochloric acid, phosphoric acid, sulfuric acid, nitric acid, chromic acid, acetic acid and hydrofluoric acid. Common bases are ammonium hydroxide, potassium hydroxide, and sodium hydroxide. Chemicals used in both liquid and

solid forms should be a part of a hazard communication plan (Section II) and should be stored away from incompatible materials.

Job roles affected: Employees in cultivation areas. Employees who mix plant nutrients.

Hazard Assessment: Hazard assessment for nutrients and chemicals used should involve selection of the least hazardous chemical. Ensure safe working conditions, such as adequate ventilation, for employees using corrosive chemicals, and assess PPE compatibility and accessibility. Hazard assessments are contained within the Personal Protection Equipment Standard (See Section II).

Best practices:

- Substitute with a less hazardous material where possible.
- Ensure safety data sheets (SDS) are provided, and nutrients and corrosive chemicals are labeled to identify their contents and hazards per hazard communication standards.
- Provide training on the use, storage, and emergency spill procedures for corrosives.
- Operate ventilation systems to assist in the removal of corrosive vapors, fumes, mists or airborne dusts from the workplace. Use corrosion-resistant construction in ventilation systems for corrosive materials.
- Inspect all incoming containers of corrosives to ensure they are undamaged and properly labeled before storing them.
- Store corrosives in the type of containers recommended by the manufacturer or supplier. Corrosives can destroy containers made of improper materials.
- Segregate acids from bases when storing corrosives. Segregate inorganic oxidizing acids (e.g. nitric acid) from organic acids (e.g. acetic acid), flammables, and combustibles.
- Segregate acids from water reactive metals such as sodium, potassium, and magnesium.
- Store corrosives on lower shelves at least below eye level and in compatible secondary containers.
- Do not store corrosives on metal shelves.
- Review PPE needed such as gloves and goggles. Ensure PPE is compatible with the chemical(s) being handled.
- Ensure employees are trained on how to appropriately use PPE.
- Provide areas where employees can wash up after using chemicals.
- Provide eyewash stations in areas where corrosive chemicals are being handled.

1.3 Physical Hazards

Physical hazards include hazards that might exist within the workplace that can cause physical harm or injury. Many of the hazards listed below have different regulations and work practices that should be followed to ensure a safe work environment. A summary of the potential physical hazards that may be encountered in the marijuana industry is presented in Table I.3.

1.3.1 Flammable/ Combustible Liquids

Flammable and combustible liquids are liquids that can burn. Flammable and combustible liquids are present in almost every workplace, including the marijuana industry. Fuels and products such as solvents, thinners, cleaners, adhesives, paints, waxes and polishes may be flammable or combustible

liquids. They are classified, or grouped, as either flammable or combustible based on their flashpoints. In general, flammable liquids will ignite and burn easily at normal working temperatures (below 37.8°C (100°F)). Combustible liquids have the ability to burn at temperatures that are usually above working temperatures (above 37.8 °C (100 °F) and below 93.3°C (200°F). Containers of Category 1 or 2 flammable liquids or Category 3 flammable liquids with a flashpoint below 100°F (37.8°C) are required to be bonded and grounded. Bonding and grounding should always be used when dispensing flammable liquids as well.

Job roles affected: Processors and anyone who might handle or be around flammable or combustible liquids within a facility.

Hazard assessment: Hazard assessment for work involving flammable liquids should thoroughly address the issues of proper use and handling, fire safety, chemical toxicity, storage and spill response. This can be completed by conducting a chemical inventory and reviewing the SDS for each chemical that can help to determine the proper handling, use of the chemical and procedures to follow in the event of a spill or chemical release.

Best practices:

- Eliminate, substitute less flammable chemicals or reduce the quantities of flammable liquids being used if possible.
- Ensure safety data sheets (SDS) for flammable liquids are included in a hazard communication plan (Section II).
- Conduct a PPE assessment and ensure PPE is worn as indicated on the SDS (Section II).
- Understand that storage requirements for flammable liquids have quantity and compatibility requirements.
- Understand bonding and grounding requirements for transfer of flammable liquids.
- Work with flammable liquids in a chemical fume hood.
- Keep flammable liquid containers closed when not in use.
- Use only closed-loop type LPG extraction equipment.
- Limit quantities of flammable liquids to the amount necessary for the work in progress.
- Implement flammable gas monitoring through the use of a hand-held combustible gas meter/leak detector (for facilities engaged in extraction processes).
- Develop an emergency action plan (Section II) and fire protection plan (Section II) and know the locations of fire alarms, pull stations, fire extinguishers, safety showers, and other emergency equipment.

1.3.2 Compressed gas

Compressed gas in the marijuana industry can consist of gases used such as CO₂ for enrichment purposes or gasses used for extraction processes. Large quantities of compressed gas in facilities with improper training and inadequate procedures can pose a serious threat to employee safety. All compressed gases are hazardous because of the high pressures inside the cylinders. Most cylinders have safety-relief devices. These devices can prevent rupture of the cylinder if internal pressure builds up to levels exceeding design limits. However, gas can be released deliberately by opening the cylinder valve, or accidentally from a broken or leaking valve or from a safety device. There have been many cases in which cylinders have become uncontrolled rockets or pinwheels and have caused severe injury

and damage. In addition, pressure can become dangerously high if a cylinder is exposed to fire or heat, including high storage temperatures.

As stated in the extraction equipment Section I.3.14, the Denver Fire Department has issued a Marijuana Extraction Guideline for Commercial/ Licensed Facilities that provides further guidance on the applicable codes for extraction equipment and associated chemical materials including compressed gases. This Denver code requires that extraction equipment approval is required from the Denver Fire Department for use in the City and County of Denver. Marijuana cultivators outside of the City and County of Denver should consult their local jurisdiction regulations.

Job roles affected: Extraction technicians and anyone using or handling compressed gases.

Hazard assessment: A hazard assessment for work involving compressed gasses should thoroughly address the issues of proper use and handling, fire safety, chemical toxicity, storage and spill response

Best practices:

- Substitute or find a less hazardous substitute if possible.
- Know and understand the properties, uses, and safety precautions of gases or gas mixtures being used.
- Ensure safety data sheets (SDS) are available for the gases at the facility.
- Ensure cylinders have one or more safety-relief devices.
- Ensure compressed gases are stored upright and immobilized by chains or other means to prevent them from being knocked over. When not in use, ensure cylinder caps are in place.

State/ federal standards:

I.3.3 Occupational injuries

Employees in any industry are susceptible to potential injury (work-related or not), which could be anything from slips, trips, or falls, to an auto accident or heart attack. Many minor injuries or healthrelated incidents that occur in the workplace can be treated immediately using first aid. In more severe cases, first aid, CPR, or the use of an Automated External Defibrillator (AED) can help reduce the long-term severity of an injury or incident by providing temporary treatment until professional help can be obtained. Some locations may be too far from immediate emergency services and need to have employees with first aid training.

To handle potential workplace injuries, employers must ensure medical personnel and adequate first aid supplies are available to workers. Procedures should be developed to ensure medical personnel are ready and available for advice and consultation on the overall employee safety and health condition in the workplace. In addition, suitable facilities for immediate emergency use should be provided if exposure to injurious or corrosive materials is possible. Facilities should also use a “universal precautions” approach to infection control to treat all human blood and certain body fluids as if they were known to be infectious for HIV, HBV and other bloodborne pathogens. This involves avoiding contact with bodily fluids by wearing non-porous articles such as gloves, goggles and face shields.

Job roles affected: Common exposures for cuts include job roles that involve the use of trimmers and scissors, opening packages, and using knives for cutting tape and labels as well as other tasks. Burns can occur in operations involving food production, kitchens or when using cleaning chemicals. There is also the possibility of burns while changing tubing on compressed gases or from improper use of canned air.

Hazard assessment: Employers should make an effort to obtain estimates of emergency medical system (EMS) response times for all permanent and temporary locations and for all times of the day and night at which they have workers on duty, and they should use that information when planning their first-aid program. When developing a workplace first-aid program, it may help to consult the local fire and rescue service or emergency medical professionals for response-time information and other program issues.

Best practices:

- Develop a written first-aid plan.
- Ensure the ready availability of medical personnel for advice and consultation on matters of occupational health.
- Ensure employees have been provided with clear instructions on how to report their injuries and how and where to seek emergency medical attention.
- Have a person or persons within the facility who are adequately trained to render first aid as needed.
- Employees should be aware of universal precautions should an event occur where they may be exposed to blood or bodily fluids in the workplace.
- Provide workplace first-aid kits that meet ANSI/ISEA Z308.1-2015 standards.
- Supply an automated external defibrillator (AED) at the workplace and provide training to employees on how to properly use the AED.
- If any workers are designated to perform first aid as a part of their job, they should be aware of the bloodborne pathogen risks and a bloodborne pathogen program should be developed.

State/federal standards:

1.3.4 Ergonomics

Ergonomics is the study of how humans interact with manmade objects. The goal of ergonomics is to create an environment that is well-suited to a user's physical needs. It is an applied science concerned with designing and arranging things people use so the people and things interact most efficiently and safely. Employers are responsible for providing a safe and healthful workplace for their workers. In the workplace, the number and severity of musculoskeletal disorders resulting from physical overexertion and their associated costs can be substantially reduced by applying ergonomic principles.

Job roles affected: Job roles such as trimming marijuana leaves or manual cultivation activities have tasks that might present awkward postures, high hand forces, highly repetitive motions, repeated impacts, heavy, frequent or awkward lifting; or moderate-to-high hand-arm vibration may be at risk for cumulative trauma disorders (CTDs), repetitive stress injuries (RSIs) or musculoskeletal disorders (MSDs).

Hazard assessment: Employers are encouraged to conduct a worksite analysis to identify ergonomic hazards and conditions by tracking injury and illness records to identify patterns of trauma or strains associated with particular job tasks that may indicate the development of MSDs or CTDs. Once these job tasks are identified, a risk assessment can be performed to evaluate the risk for an MSD. Major risk factors that may lead to cumulative trauma disorders of the upper extremities (hands and arms) include:

- Forceful exertions.

- Repetitive and/or prolonged activities.
- Prolonged static postures.
- Awkward postures of the body, including twisting the wrists and other joints to perform tasks.
- Continued physical contact with hard work surfaces, for example, table surfaces or edges; and
- Inappropriate or inadequate hand tools.

Best practices:

- Define clear goals and objectives for the ergonomic process, discuss them with their workers, assign responsibilities to designated staff members, and communicate clearly with the workforce.
- Involve workers to encourage a participatory ergonomic approach, where workers are directly involved in worksite assessments, solution development and implementation.
- Rotate employees to other jobs that use different muscle-tendon groups.
- Hire adequate numbers of employees to compensate for staff absences.
- Encourage by example and schedule stretch, rest and movement breaks throughout the workday.
- Train line staff, supervisors and managers in proper ergonomic postures and techniques to ensure employees are aware of potential ergonomic problems.
- Provide workstations that encourage proper ergonomic postures.
- Provide tools designed for the task, in a variety of sizes to fit the various sizes of employees.
- Encourage early reporting of musculoskeletal disorders (MSDs).
- Ensure anti-fatigue mats are in a place where employees stand for extended periods of time.
- Ensure adjustable tables and chairs to accommodate a variety of body types.

State/ federal standards:

1.3.5 Workplace violence

There may be a false sense of security or general lack of awareness regarding workplace violence in the marijuana industry. The most obvious opportunity for violence is in growing operations and retail stores, due to the presence of large quantities of cash and product, the possibility of disgruntled employees, angry terminated employees, and a high-stress environment. Other routine activities such as moving large quantities of product between stores, transporting product in personal vehicles and making trackable movements (times and routes) create opportunities for a violent offender to attempt robbery. Workplace violence can take many forms including verbal threats, threatening behaviors or physical assaults. Violence can be committed by strangers, customers or clients, co-workers, or by personal relations.

Job roles affected: According to OSHA, research has identified factors that may increase the risk of violence for some workers at certain worksites. Such job roles in the marijuana industry at increased risk of violence include retail roles, employees working alone or in isolated areas, employees transporting marijuana products and cash to retail facilities, and employees working late at night or in areas with high crime rates. However, security should be assessed for all roles within the industry.

Hazard assessment: Employers are encouraged to conduct an assessment of the workplace to find existing or potential hazard for workplace violence. By assessing worksites, employers can identify methods for reducing the likelihood of incidents occurring. This assessment can include analyzing and

tracking records of violence at work, examining specific violence incidents carefully, surveying employees to gather their ideas and input, and periodic inspections of the worksite to identify risk factors that could contribute to injuries related to violence.

Best practices:

- Establish security minimum requirements
- Implement a sign-in procedure for visitors.
- Post applicable laws, such as those prohibiting assaults and stalking, in visible locations.
- Establish a zero-tolerance policy toward workplace violence. This policy should cover all workers, patients, clients, visitors, contractors, and anyone else who may come into contact with company personnel.
- Establish a clear policy for workplace violence, verbal and nonverbal threats and related actions. All personnel employed in the retail establishment should know the policy.
- Ensure no worker who reports or experiences workplace violence faces reprisals.
- Encourage workers to promptly report incidents and suggest ways to reduce or eliminate risks.

State/ federal standards:

1.3.6 Walking and working surfaces

Regardless of the industry someone works in, workers and visitors to facilities can all be prone to slip, trip, and fall hazards both indoors and outdoors. Some of the causes of slip, trip, and fall injuries include:

- Distracted walking (listening, playing, or talking on devices).
- Uneven floors.
- Poor housekeeping (spills, slippery floors).
- Wet floors due to watering practices, nutrient mixing, and cold water wash production.
- Weather (wet/icy conditions).
- Clutter or loose cords.
- Unsecured rugs and mats.

Job roles affected: All employees are prone to slip, trip and fall hazards. A facility hazard assessment should be conducted to identify potential slip, trip, and fall hazards in the workplace and these should be eliminated or modified to reduce the fall potential.

Hazard assessment: Both slips and trips result from some kind of unintended or unexpected change in the contact between the feet and the ground or walking surface. Good housekeeping, quality of walking surfaces (flooring), selection of proper footwear, and appropriate pace of walking are critical for preventing fall accidents.

Best practices:

- Ensure passageways, storerooms, and service rooms are kept clean and orderly in a sanitary condition.
- Maintain clean, dry floors as much as possible. Where wet processes are used, maintain drainage, and provide false floors, platforms, mats or other dry standing places.
- Keep floors and passageways free from protruding nails, splinters, holes or loose boards.
- Clearly mark permanent aisles and passageways.
- Mark floor elevation change, noticeably to indicate the possible trip hazard.

- Develop a snow and ice removal program to reduce falls outdoors in winter weather.
- If electrical cords are used on a regular basis, install outlets so cords do not cross walkways.
- Provide proper lighting in all areas indoors and outdoors to reduce shadows, dark areas, and glare so trip hazards or surface irregularities are clearly visible. Replace non-working light bulbs promptly.
- Encourage employees to wear slip-resistant footwear.
- Guard floor openings with a cover, a guardrail, or equivalent on all sides.
- Make sure skylight screens can withstand a load of at least 200 pounds.
- All elevated working platforms over 4 feet from the ground must be protected on all sides with a guardrail.

1.3.7 Working at heights

Falls from portable ladders (step, straight, combination and extension) are one of the leading causes of occupational fatalities and injuries. There are a number of ways employers can protect workers from falls, including using conventional means such as guardrail systems, safety net systems and personal fall protection systems, adopting safe work practices and providing appropriate training. Whether conducting a hazard assessment or developing a comprehensive fall protection plan, thinking about fall hazards before the work begins will help the employer manage fall hazards and focus attention on prevention efforts. If personal fall protection systems are used, particular attention should be paid to identifying attachment points and ensuring employees know how to properly use and inspect the equipment.

Job roles affected: Employees who use ladders and scaffolds, including step stools/ step ladders.

Hazard assessment: Determine which specific jobs, activities or areas expose employees to fall hazards. Determine if employees will be exposed to any of the following: unprotected sides and edges, leading edges, floor holes, portable ladders and stairways, working above dangerous equipment, working overhead, roof work, aerial lifts, and scaffolds.

Best practices:

- A standard railing or guard must be placed on every open-sided floor or platform that is four feet or more above adjacent floors or ground level. All open sides except where there is an entrance to a ramp, stairway, or fixed ladder must be guarded.
- When there is a break in elevation of 19 inches or more, and no ramp, runway, embankment or personnel hoist is available, provide a stairway or ladder at all worker points of access.
- When there is only one point of access between levels, keep it clear of obstacles to permit free passage by workers.
- Develop a ladder safety, maintenance, and inspection program to ensure ladders are inspected prior to use and employees are trained on proper ladder safety.
- Ensure employee read and follow all labels/markings on the ladder and only use them for their designed purpose.
- Keep ladders free of oil, grease or other slipping hazards.
- Avoid electrical hazards. Make sure employees know to look for overhead power lines before handling a ladder. Avoid using metal ladders near power lines or exposed energized electrical equipment.

- Make sure employees using ladders always maintain a three-point (two hands and a foot, or two feet and a hand) contact on the ladder when climbing.
- Use ladders only on stable and level surfaces unless they are secured to prevent accidental movement.
- Make sure aerial lifts and manlifts have inspection and maintenance programs that ensure their safe operation.
- Provide fall protection for accessing or working on rooftops and some overhead storage areas. Include fall protection for work conditions six feet or more above lower level This includes unprotected side edges, leading edges and walking/working surfaces.

State/ federal standards:

- o 1910.25, Portable wood ladders
- o 1910.26, Portable metal ladders
- o 1910.27, Fixed ladders
- o 1910.28, Safety requirements for scaffolding
- o 1910.29, Manually propelled mobile ladder stands and scaffolds (towers)
- o 1910 Subpart F, Powered platforms, manlifts, and vehicle-mounted work platforms
- o 1910.66, Powered platforms for building maintenance

I.3.8 Electrical

The cultivation of marijuana is a very energy intensive process. Common electrical hazards include the use of temporary wiring (e.g., extension cords), missing breakers, blocked electrical panels, improperly wired units, electricity use in high humidity and watering areas, improper repairs, unguarded fans, overloaded circuits, inadequate wiring, lack of training and general electrical safety. National electric codes as well as local building and fire codes should be applied to assist to eliminate the need for temporary wiring in a cultivation facility. Ensuring that electrical equipment and their power cords are in good working condition will reduce the potential of electrical shock and injury.

The OSHA lockout/tagout standard establishes the employer's responsibility to protect employees from hazardous energy sources on machines and equipment during service and maintenance. Information on developing a lockout/ tagout program is located in Section II of this document.

Job roles affected: Employees who may be working with our around electrical sources.

Hazard assessment: A hazard assessment of the workplace should be completed to develop a current listing of potential hazard areas, activities, or processes associated with electrical systems. This analysis will provide a basis for defining work-specific hazards associated with electricity and create a plan for hazard mitigation and employee training.

Best practices:

- Develop an electrical safety program based on the needs of the facility. Consider the following elements:
 - o Bonding and grounding.
 - o Overcurrent protection.
 - o Installation in wet locations.
 - o Flexible cords and cables.
 - o Distribution panels and rooms.

- o Electrical guarding.
- o Working on or near live parts.
 - Use only equipment that is approved by a nationally recognized testing laboratory.
 - Do not modify extension cords or use them incorrectly.
 - Use factory-assembled extension cord sets and only extension cords that are the three-wire type.
 - Use only extension cords, connection devices, and fittings equipped with strain relief.
 - Do not use extension cords as a substitute for permanent wiring.
 - Use ground-fault circuit interrupters (GFCIs) on all 120-volt, single-phase, 15- and 20- ampere receptacles, or have an assured equipment grounding conductor program (AEGCP) where electrical outlets are located in damp or potentially wet.
 - Use double insulated tools and equipment, distinctively marked.
 - Visually inspect all electrical equipment before use.
 - Remove from service any defective equipment.

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- Remove from service any equipment with frayed cords, missing ground prongs, cracked tool casings and other deficiencies.
- Avoid standing in wet areas when using portable electrical power tools.
- Develop a written lockout/tagout program and ensure training is provided and an annual review is completed.

I.3.9 Noise

OSHA estimates nearly 30 million workers every year are exposed to hazardous levels of noise. Exposure to hazardous levels of occupational noise can cause noise-induced hearing loss. Noise-induced hearing loss (NIHL) is a reduction in a person's ability to hear sound due to exposure to hazardous levels of noise. This damage can be irreversible. Noise levels can be variable within the different areas of cultivation facilities. Specific tools or machines that are being used can contribute to high noise levels in the facility.

To protect workers from NIHL OSHA has set an action level of 85 decibels (dBA). OSHA requires employers to institute a hearing conservation program when workers are exposed to noise levels at or above the action level of 85 dBA. An industrial hygienist or safety specialist can perform noise monitoring to determine noise levels within the work environment. Generally, if a job process or operation is occurring in an area where voices need to be raised from a normal conversations sound level, these areas may be above the action level of 85 dBA and warrant further investigation.

Job roles affected: Employees working with or around loud machinery such as around power tools, compressors, or wood chippers.

Hazard assessment: Monitor and document sound levels in areas where noises cause a worker to raise his or her voice above normal conversation levels to be heard. Personal monitoring with dosimeters can also assess noise levels encountered by employees.

Best practices:

- Eliminate the noise source if possible. Substitution of the loud equipment for quieter equipment if elimination cannot be achieved. Noise controls should minimize or eliminate sources of noise; prevent the propagation, amplification, and reverberation of noise.
- Maintain tools and equipment routinely (such as lubricate gears)
- Reduce vibration where possible.
- Isolate the noise source in an insulated room or enclosure.
- Place a barrier between the noise source and the employee.
- Control exposure by changing work schedules to reduce the amount of time any one worker spends in the high noise area
- Use hearing protectors such as earplugs or earmuffs.
- Implement a hearing conservation program as required by OSHA

1.3.10 Emergencies

Emergencies such as fires and natural disasters can be a hazard in any industry. The most important aspect of preparation is ensuring prevention programs are put in place. Facilities need to have an Emergency Action Plan (EAP) as required by OSHA. Emergency Action Plans (EAPs) should clearly establish employee roles and responsibilities, evacuation routes, and meeting locations during an emergency. Routine fire department inspections will help ensure compliance with fire extinguishing and sprinkling facility code requirements. It is essential to know where fire suppression systems are located and how to use fire extinguishers. Natural disasters such as tornados and potential workplace violence situations such as active shooter situations should also can be covered in an emergency action plan.

Job roles affected: All workers should participate and be aware of emergency action plans.

Hazard assessment: In most circumstances for fires, immediate evacuation is the best policy, especially if professional firefighting services are available to respond quickly. There may be situations in which employee firefighting is warranted to give other workers time to escape or to prevent danger to others by the spread of a fire. Shelter-in-place might be warranted in the case of a tornado. Consider including active shooter scenarios in the EAP. See Section II for additional fire protection policy and Emergency Action Plan guidance.

Best practices:

- Determine the facility's emergency hazards, including the building, geographic area, population, and potential natural or manmade emergency situations
- Determine which emergency conditions may require shelter-in-place.
- Establish a clear chain of command, and designate a person who is authorized to order an evacuation or shutdown.
- Establish specific evacuation procedures, including routes and exits. Maps of evacuation routes should include locations of exits, assembly points, and equipment (such as fire extinguishers, first aid kits, spill kits, eyewash stations) that may be needed in an emergency.
- Exit routes should be:
 - o Clearly marked and well lit.
 - o Wide enough to accommodate the number of evacuating personnel.

- o Unobstructed and clear of debris at all times.
- o Unlikely to expose evacuating personnel to additional hazards.
 - Emergency exit signs must be lit and clearly visible.
 - Establish procedures for assisting visitors and employees to evacuate, consider those with disabilities or who do not speak English.
 - Ensure emergency alarms are in place and are tested on a routine basis
 - Determine which, if any employees will remain after the evacuation alarm to shut down critical operations or perform other duties before evacuating.
 - Establish a means to account for employees.
 - Inspect and maintain fire suppression systems such as portable extinguishers and sprinklers per fire code regulations.

1.3.12 Lighting hazards

Metal halide lights, which are often used in veg rooms, contain an inner arc tube that is similar to a welder's arc. This arc emits intense UV radiation along with visible light. Normally the outer glass bulb reduces the ultraviolet (UV) radiation to nominal levels, but, if the outer bulb is broken, UV levels can be significant enough to cause photokeratitis. Photokeratitis is a painful eye condition that occurs when your eye is exposed to invisible rays of energy called ultraviolet (UV) rays, either from the sun or from a man-made source. Symptoms, which include tearing, blurry vision, and the feeling of a foreign body in the eye, normally peak six to 12 hours after exposure. To prevent photokeratitis, broken metal halide bulbs should be immediately removed from service.

UV lamps can be useful germicidal tools. As with metal halide lights, exposure to UV radiation from these lamps can cause extreme discomfort and serious injury. The effect of UV radiation overexposure depends on UV intensity, wavelength, portion of the body exposed, and the sensitivity of the individual. Overexposure of the eyes may produce painful inflammation, a gritty sensation, and/or tears within three to 12 hours. Overexposure of the skin may produce reddening (sunburn) within one to eight hours. Certain medications can cause an individual to be more sensitive to UV light.

Fluorescent lamps may also be used in marijuana cultivation facilities. Health hazards with fluorescent bulbs are present when a fluorescent bulb breaks. The hazard is from metals such as lead, cadmium and, most importantly, mercury. Broken bulbs can release mercury vapors causing exposure to employees in the area of the broken lamp.

Job roles affected: Employees who are working in areas where metal halide and/or other high intensity lights are being used.

Hazard assessment: Operators of UV-generating equipment for which the radiation is not totally enclosed and exposure is possible should wear PPE to protect them from the long-term effects of UV radiation. These areas should be isolated from the general public entrance.

Best practices:

- Consider substituting metal halide lights with safer alternative lighting.
- Always operate metal halide and high-pressure sodium discharge lamps with the compatible ballast, rated fixture (open/closed, wattage), and socket.
- Provide and require the use of the appropriate PPE (glasses or goggles) for employees who work in intense lighting areas. Ensure that eye protection is rated for the UV wavelength that is

being used.

- Ensure that safe electrical practices are used when changing out light bulbs. Electrical system work should only be performed by a qualified or certified person. Proper lockout-tagout procedures should be used when work is done on any system that may contain electrical energy.
- Appropriate fall protection measures should be taken when bulbs are changed while working at heights.
- Immediately remove broken lamps from service; develop a program to ensure used and broken bulbs are disposed of as hazardous waste.
- A protocol should be followed for the proper cleanup of broken bulbs. If a bulb is broken the room should be ventilated and central forced air heating/ air conditioning should be shut off.
- Do not vacuum broken bulbs. Broken glass should be swept on to stiff paper or cardboard. Sticky tape, such as duct tape, can be used to pick up any remaining small glass fragments and powder. Used tape should be placed in a glass jar or plastic bag. All clean-up materials should be placed in a sealable container.
- Used and broken bulbs must be labeled as either “Waste Lamp”, “Used Lamp” or “Universal Waste Lamp”. If the waste is placed into an accumulation container, only the accumulation container needs to be labeled, not the individual lamps within it. The date when accumulation started should also be placed on the container. Broken lamps must be individually packed in a closed packing container that is properly labeled and capable of preventing any releases of mercury vapor. Accumulated wastes on site should not be accumulated for more than one year. Universal wastes must be sent to a facility that is permitted to accept it.
- Depending on the amounts of universal waste that is generated, this will determine how the facility disposes of the waste. Please refer to the Colorado Universal Waste Rule for more information.

State/ federal standards:

- None specific for lighting hazards. Refer to OSHA General Duty Clause - Section 5 (a)(1) of the Occupational Safety and Health Act (OSHA) 1970 - Employers are required to provide their employees with a place of employment free from recognizable hazards that are causing or likely to cause death or serious harm to employees.

I.3.13 Machines and hand tools

In addition to high-pressure machinery for extractions, grinders, trimming machines or wood chippers might be used at marijuana cultivation facilities. For all machinery, it is key that preventative maintenance programs are put into place to ensure safe operation. In addition, a lockout/tagout program may be needed to ensure hazardous energy is isolated prior to machine maintenance (Section II). Employees who use hand and power tools and are exposed to the hazards of falling, flying, abrasive and splashing objects, or to harmful dusts, fumes, mists, vapors, or gases must be provided with the appropriate PPE.

Job roles affected: Employees who operate machines.

Hazard assessment: Assess machines for motion hazards such as pinch points or exposed rotating parts and actions such as cutting, punching, shearing or bending. Assess machine safeguards to ensure they

meet the minimum OSHA requirements. Safeguards should prevent workers' hands, arms and other body parts from making contact with dangerous moving parts or areas of high heat. A machine-guarding checklist can be used to assist with assessment.

Best practices:

- Assess machine hazards and ensure engineering controls are in place to protect against employee injuries.
- Consider a lockout/ tagout procedure if a machine needs additional de-energization steps.
- Machines such as grinders or others designed for a fixed location should be securely anchored to prevent the machine from "walking" or moving.
- Ensure employees using any type of machine are trained in their use.
- Ensure employees are trained in the proper use of all tools. Workers should be able to recognize the hazards associated with the different types of tools and the safety precautions necessary.

1.3.14 Extraction equipment

Performing extractions is probably one of the most well known physical hazard in the marijuana industry. With the processes that are commonly used there is a large explosion and fire hazard when extracting oils from the marijuana plant. In response to this known hazard, Amendments) Chapter 39. Local municipalities fire codes should also be consulted if the marijuana facility is outside the Denver Metro Area. However, the Denver Fire Codes to provide a framework for extraction safety and provide detailed construction and equipment standards that can assist in developing a safe extraction practice.

High heat and pressure may be combined to make products like rosin. High-pressure machinery poses a hazard both from the pressing and high pressure build-up to extract oils and from explosion hazards and burns. CO₂ is commonly used for extractions and is covered under its own section in this document. Extraction using butane is the most cost effective yet the most dangerous method of extraction used.

Open releases of butane to the atmosphere during extractions is prohibited by Denver Fire Code.

Extraction equipment that use hazardous materials (i.e. flammable/ combustible liquids, Carbon Dioxide (CO₂), liquefied petroleum gases (i.e. butane)) are required to be listed or approved per the Denver Fire Code. Only closed-loop type liquefied petroleum gas extraction equipment is permitted.

This equipment must further be approved by the Denver Fire Department before use.

Distillation or evaporative extraction/ refinement processes may also be used in the extraction process. As with other electrified equipment, equipment used in these processes should be listed by a Nationally Recognized Testing Laboratory (NRTL) for their intended use and are required to be operated within the manufacturer's guidelines.

Job roles affected : Employees involved in extraction processes.

Best Practices:

- Ensure extraction equipment meets the regulations put forth in the Denver Fire Department's Marijuana Extraction Guideline (see full regulation link below):

- o Extraction equipment must be listed or approved per Denver Fire Code Section 2703.2.3

- o If extraction equipment uses electrical components, a National Recognized Testing

Laboratory (NRTL) listing is required in addition to an engineering report certifying the electrical components are compliant with appropriate electrical standards.

- o Vacuum Ovens should not be used to process volatile gasses unless the vacuum oven is rated to process these vapors. Vacuum ovens should be listed by an NRTL.

- o Refrigerated storage or processing of flammable liquids, including oil-laden with flammable liquids must only use refrigerators/ freezers rated to store flammable liquids.

- o Extraction rooms should be located in a room dedicated to the extraction process and meet stated fire code regulations including required suppression, gas detection, and ventilation systems.

- Establish a fire protection policy plan (Section II).

- Ensure that only trained employees are performing extraction processes and that they are trained on electrical safety, compressed gas, and fire protection standards.

- Assess the need for PPE that might be needed during the extraction process (Section II).

State/federal standards:

1.3.15 Confined spaces

Confined spaces are work areas that are large enough for an employee to enter, have limited means of entry or exit, and are not designed for continuous occupancy. These spaces can present physical and atmospheric hazards that can be prevented if addressed prior to entering the space to perform work. By this definition, water storage tanks used in many grow operations are confined spaces. People working in confined spaces can face life-threatening hazards including toxic substances, electrocutions, explosions, and asphyxiation. In the marijuana industry, examples of confined spaces are water tanks, cold storage areas, and manholes.

OSHA uses the term "permit-required confined space" (permit space) to describe a confined space that has one or more of the following characteristics:

- Contains or has the potential to contain a hazardous atmosphere.

- Contains material that has the potential to engulf an entrant.

- Has walls that converge inward or floors that slope downward and taper into a smaller area which could trap or asphyxiate an entrant.

- Contains any other recognized safety or health hazard, such as unguarded machinery, exposed live wires, or heat stress.

One example of a permit-required confined space is a water storage tank that is entered in order to perform cleaning tasks using chemical cleaners.

Job roles affected: All employees must be aware of confined and permit required spaces. Special training is required for employees who are entering permit-required confined spaces.

Hazard assessment: Employers should inspect the workplace to determine if any confined spaces exist. If confined spaces exist within the facility, employees must be notified of the existence and location of and the danger posed by the permit spaces.

Best practices:

- Inspect the workplace to determine if any confined spaces exist.

- Post signs in accordance with the OSHA Confined Space Standard on all confined spaces within

the workplace.

- Consider altering cleaning procedures to eliminate the need for employees to enter confined spaces, such as water storage tanks.
- Develop and implement a comprehensive confined permit spaces program if employees will be required to enter confined spaces.

State/federal standards:



Memorandum

Date: May 18, 2021
To: Mr. Mark Roberts
Senior Planner
City of Clearlake
Project: CLE025
From: Dalene J. Whitlock
dwhitlock@w-trans.com
Cameron Nye
cnye@w-trans.com
Jade Kim
jkim@w-trans.com
Subject: Traffic Impact Study Assumptions for the Ogulin Canyon Road Cannabis Cultivation Facilities

W-Trans has entered a contract to evaluate transportation impacts associated with four cultivation projects to be located on Ogulin Canyon Road. To ensure that the resulting analysis will provide adequate information and reflect your policies accurately, it would be appreciated if you or other staff at the City would review the following assumptions that we anticipate applying for our analysis, along with our proposed scope of services, and provide comments regarding their adequacy at your earliest convenience. The final product will be a single traffic impact study (TIS) that will be adequate to entitle each of the four cultivation projects individually, but will also include a scenario that considers the cumulative effects of project traffic on operation of the surrounding roadway network.

Project Description

The four proposed cannabis cultivation projects would be located at 2185, 2160, 2050, and 1756 Ogulin Canyon Road; the 2185 and 2160 addresses are in the City of Clearlake, while the properties at 2050 and 1756 are in unincorporated Lake County.

- **2185 Ogulin Canyon Road** – The first phase of the project includes 10,000 square feet of cannabis manufacturing, processing, and distribution uses, 3,000 square feet for office and retail delivery space, and ten greenhouses for mixed light cultivation totaling 18,750 square feet. During typical operation, an average of ten full-time employees are anticipated, which would increase to a total of 25 employees during harvest season.
- **2160 Ogulin Canyon Road** – The proposed project includes the development of 5,000 square feet of delivery and office space and 33,600 square feet of cannabis processing, manufacturing, and distribution uses. Five greenhouses are also proposed for indoor cannabis cultivation totaling 9,375 square feet. During the harvest season, a maximum of 35 employees are anticipated.
- **2050 Ogulin Canyon Road** – The proposed Lake Vista Farms project includes 15 acres of outdoor cultivation canopy across five sites. There would be eight full-time employees during typical operation and up to a maximum of 20 employees during the planting and harvesting seasons.
- **1756 Ogulin Canyon Road** – The proposed Blue Oaks Farm project consists of approximately two acres of cannabis canopy and associated storage facilities. During typical operation, there would be two employees on-site and an additional three crew members would be hired during the harvest season.

Trip Generation

To be consistent with the traffic studies that we have prepared for similar cannabis cultivation projects in Humboldt County and Sonoma County, it is suggested that the trip generation for the proposed uses be estimated using standard rates for "General Light Industrial" (Land Use #110) published by the Institute of Transportation Engineers (ITE) in the *Trip Generation Manual*, 10th Edition, 2017. Experience indicates that application of rates using employees as the independent variable, rather than floor area, is better suited for cultivation projects since the cultivation, processing, manufacturing, and distribution of cannabis generally requires a substantially lower number of employees for a given floor area compared to other industrial uses. The proposed projects would be expected to generate more trips during harvest than non-harvest operation so as is typical for uses that have a "high season" the trip generation for the project was estimated using harvest employment projections considering both full-time and seasonal employees so that the resulting analysis would reflect worst-case impacts.

Based on a total of 85 employees across all four project sites, collectively the proposed projects would be expected to result in 259 trips per day during the peak season, including 44 trips during the weekday a.m. peak hour and 41 trips during the weekday p.m. peak hour. As is the case with all standard trip generation rates, although employees are the independent variable, trips generated by all aspects of the uses are included, so trips associated with deliveries, visitors, shipments, and other activities are reflected in the rate and resulting trip estimates. The trip generation estimates for each project, as well as the sum for all four projects, are summarized in Table 1.

Table 1 – Trip Generation Summary – Harvest Conditions

Land Use	Units	Daily		AM Peak			PM Peak		
		Rate	Trips	Trips	In	Out	Trips	In	Out
2185 Ogulin Canyon Rd									
General Light Industrial	25 empl	3.05	76	13	11	2	12	3	9
2160 Ogulin Canyon Rd									
General Light Industrial	35 empl	3.05	107	18	15	3	17	4	13
2050 Ogulin Canyon Rd (Lake Vista Farms)									
General Light Industrial	20 empl	3.05	61	10	9	1	10	2	8
1756 Ogulin Canyon Rd (Blue Oaks Farm)									
General Light Industrial	5 empl	3.05	15	3	2	1	2	1	1
Total Trips			259	44	37	7	41	10	31

Note: empl = employees

Trip Distribution

The pattern suggested to allocate new project trips to the street network was based on a review of the intersection turning movement volumes at SR 53/Ogulin Canyon Road and our knowledge of the area and surrounding region as well as the anticipated travel patterns for project employees and deliveries. It is suggested that 35 percent of the project trips be assigned to SR 53 north of Ogulin Canyon Road and 65 percent be assigned to the south.

Study Area and Periods

The operational analysis study area will consist of the intersection of SR 53/Ogulin Canyon Road. Operating conditions during the weekday a.m. and p.m. peak periods will be documented using the Vistro software and the

HCM 6th Edition methodology. Additionally, Ogulin Canyon Road will be accessed in terms of roadway geometrics and adequacy of access.

Scope of Work

1. A field visit to the study area and each project site will be conducted. Specific attention will be paid to sight distance for both exiting and entering movements at each site's driveways. Appropriate field notes and photos will be taken.
2. Traffic counts for Ogulin Canyon Road will be obtained for a period of 24 hours at two locations, one near the intersection with SR 53 and one to the east of the mini storage facility. Turning movement counts will be collected at the study intersection for both peak periods.
3. Existing Conditions will be documented based on the counts obtained and observations during the site visit. These results will be presented in text, a level of service table, figures showing existing lane geometries, controls and volumes, and calculation output.
4. Collision records for the study intersection and Ogulin Canyon Road will be reviewed for any trends or patterns, and the intersection and segment collision rates calculated.
5. Trips associated with all four projects will be added to the Existing volumes in order analyze short-term Baseline Conditions that would be expected when all four projects are operational. The results of the analysis of this scenario will be presented in the same detail as indicated for Existing Conditions.
6. Future volumes at the study intersection, as developed using Caltrans growth factors, will be used to project Future operating conditions for a 20-year horizon assuming planned future infrastructure improvements.
7. Trips associated with each individual project will be distributed to the roadway network and operating conditions at the study intersection evaluated under Existing plus Project and Future plus Project Conditions. Note that a Baseline plus Project scenario is not necessary since the Baseline volumes will include trips associated with all four projects.
8. If necessary, each project's proportional share of costs for planned or recommended improvements will be determined.
9. Each project's impact with respect to Vehicle Miles Traveled (VMT) will be determined based on available data and adopted standards or guidance recommended by the State's Office of Planning and Research (OPR) if the City and County have not yet adopted standards of significance for VMT impacts.
10. Adequacy of facilities for pedestrians, bicyclists, and transit riders will be evaluated with respect to the rural location and type of project's proposed.
11. Each project's proposed parking supply will be evaluated to determine if it meets applicable requirements. If appropriate, a comparison will be made to industry standard parking demand rates.
12. Trips from each project will be used to evaluate potential need for improvements or widening to Ogulin Canyon Road considering design criteria that would be applicable for the roadway volumes. The need for turn lanes at each project driveway will be evaluated in terms of volume, adequacy of sight distance, and safety considerations.

13. A draft report that provides details of the analysis and findings, together with tables and figures, will be prepared and submitted for your review. It is assumed that this version of the report will also be referred to Caltrans for review and comment.
14. Comments from City and Caltrans staff will be addressed, and a final report submitted. Note that if Caltrans comments are received after the report is ready to be finalized, then these comments will be addressed in a separate response-to-comments letter.

DJW/cn-jk/CLE025.MOA

Attachment B – Proposed and Existing Site Plans

[illegible]

OWNER

OGULIN HILLS HOLDINGS, LLC
BRIAN D. PENSACK
637 LINDARD ST., SUITE 201
SAN RAFAEL, CA 94901

SITE PLAN DATA

AREA OF PROPERTY 21.25 ACRES TOTAL
ZONING C-4 CITY OF CLEARLAKE
FLOOD ZONE X

NOTES

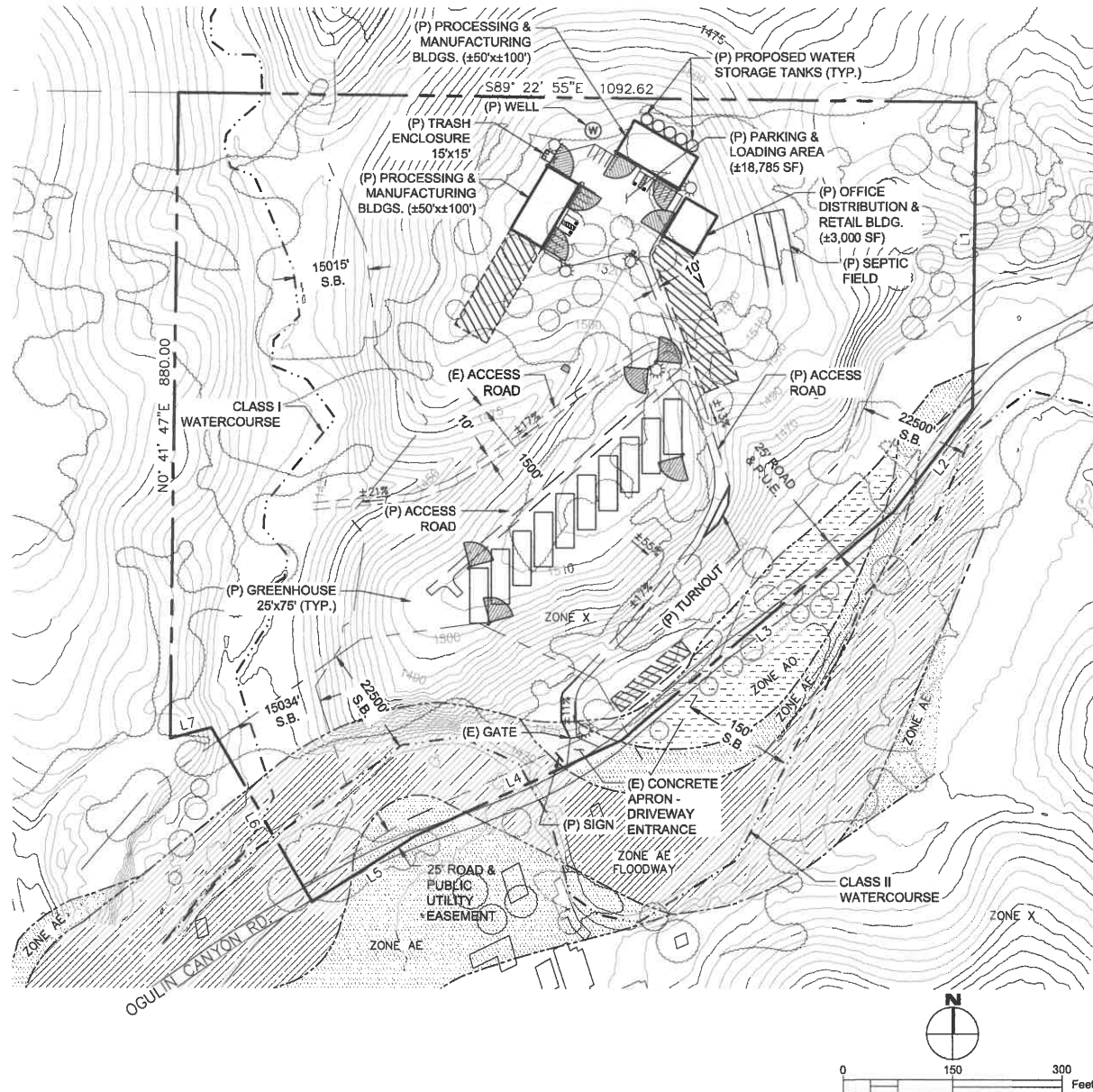
1) THIS IS NOT A BOUNDARY SURVEY. ALL LOT LINES SHOWN ARE BASED ON A.P.N. MAP.

Parcel Line Table

Line #	Length	Direction
L1	417.23	N0° 43' 08"E
L2	176.50	N37° 35' 16"E
L3	487.57	S50° 02' 51"W
L4	310.04	N65° 13' 21"E
L5	167.51	S57° 33' 36"W
L6	273.07	N30° 16' 00"W
L7	57.82	N75° 56' 03"E

LEGEND

	PROPERTY LINE
	SETBACK LINE
	EASEMENT LINE
	(P) ACCESS ROAD/DRIVEWAY
	(E) ACCESS ROAD/DRIVEWAY
	(E) TREE/BRUSH LINE
	FEMA FLOOD ZONE BOUNDARY
	(P) THERMAL CAMERA
	(P) LIGHT POLE
	(P) BUILDINGS
	(P) GREENHOUSES
	AREA FOR FUTURE BUILDINGS
	ZONE AE
	ZONE AE FLOODWAY
	ZONE AO
	ZONE X



SUBMITTED TO:

CITY OF CLEARLAKE
COMMUNITY DEVELOPMENT DEPT.
14050 OLYMPIC DRIVE
CLEARLAKE, CA 95422

PO BOX 431
KELSEYVILLE, CA 95451
707-279-4887

VanDerWall
Engineering, Inc.

Ogulin Cannabis Facilities

SITE PLAN

APN: 010-044-17

2185 Ogulin Canyon Road
CLEARLAKE, CALIFORNIA



VERIFY SCALE

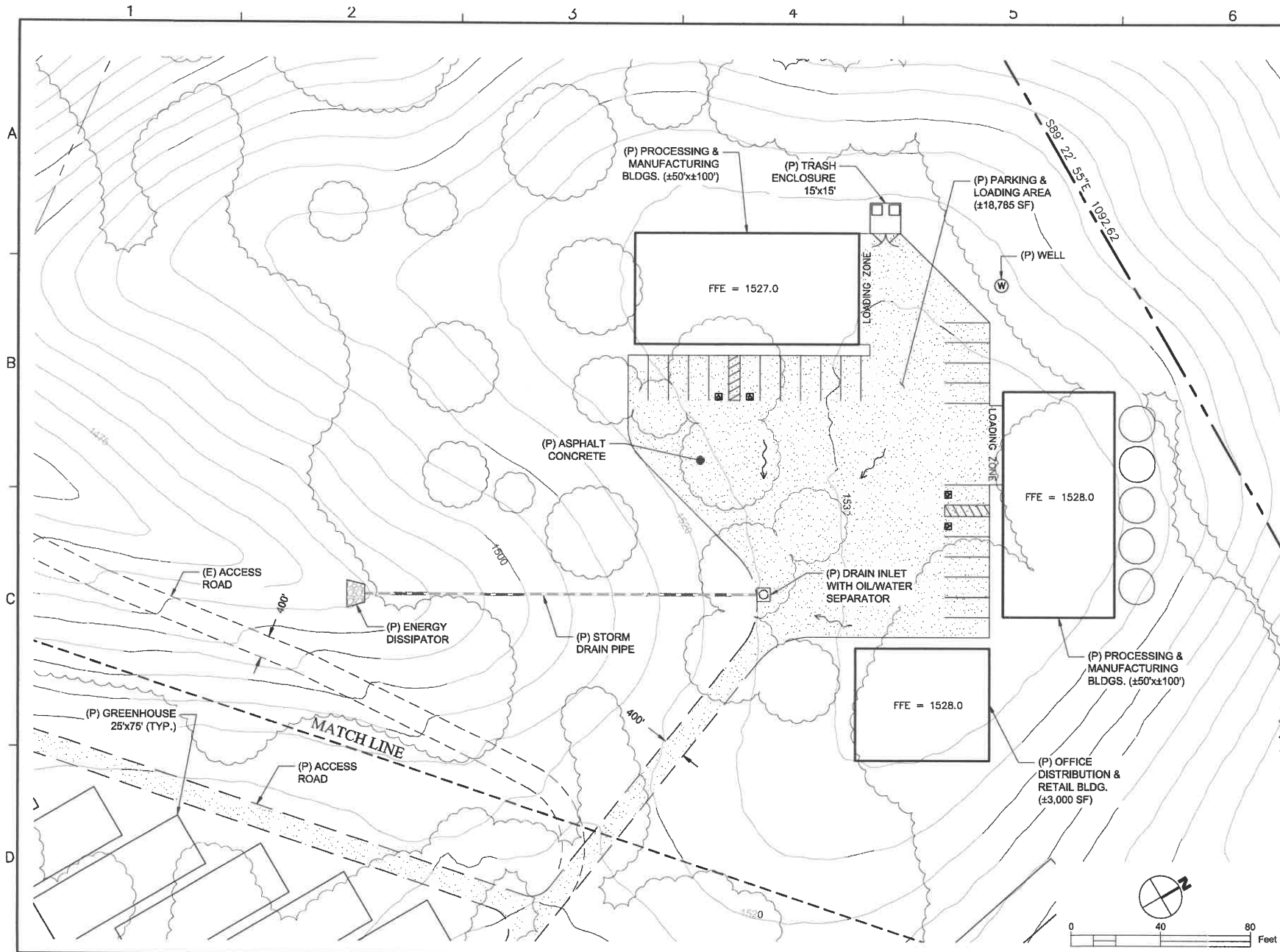
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ORIGINAL DRAWING 1"

DATE DEC 2020

PROJ 20-60

DWG

SHEET 1 OF 2



SUBMITTED TO:

CITY OF CLEARLAKE
COMMUNITY DEVELOPMENT DEPT.
14050 OLYMPIC DRIVE
CLEARLAKE, CA 95422

PO BOX 431
KELSEYVILLE, CA 95451
707-279-4887

VanDerWall
Engineering, Inc.

Ogulin Cannabis Facilities
PRELIMINARY GRADING PLAN
APN: 010-044-17
2185 Ogulin Canyon Road
CLEARLAKE, CALIFORNIA



VERIFY SCALE

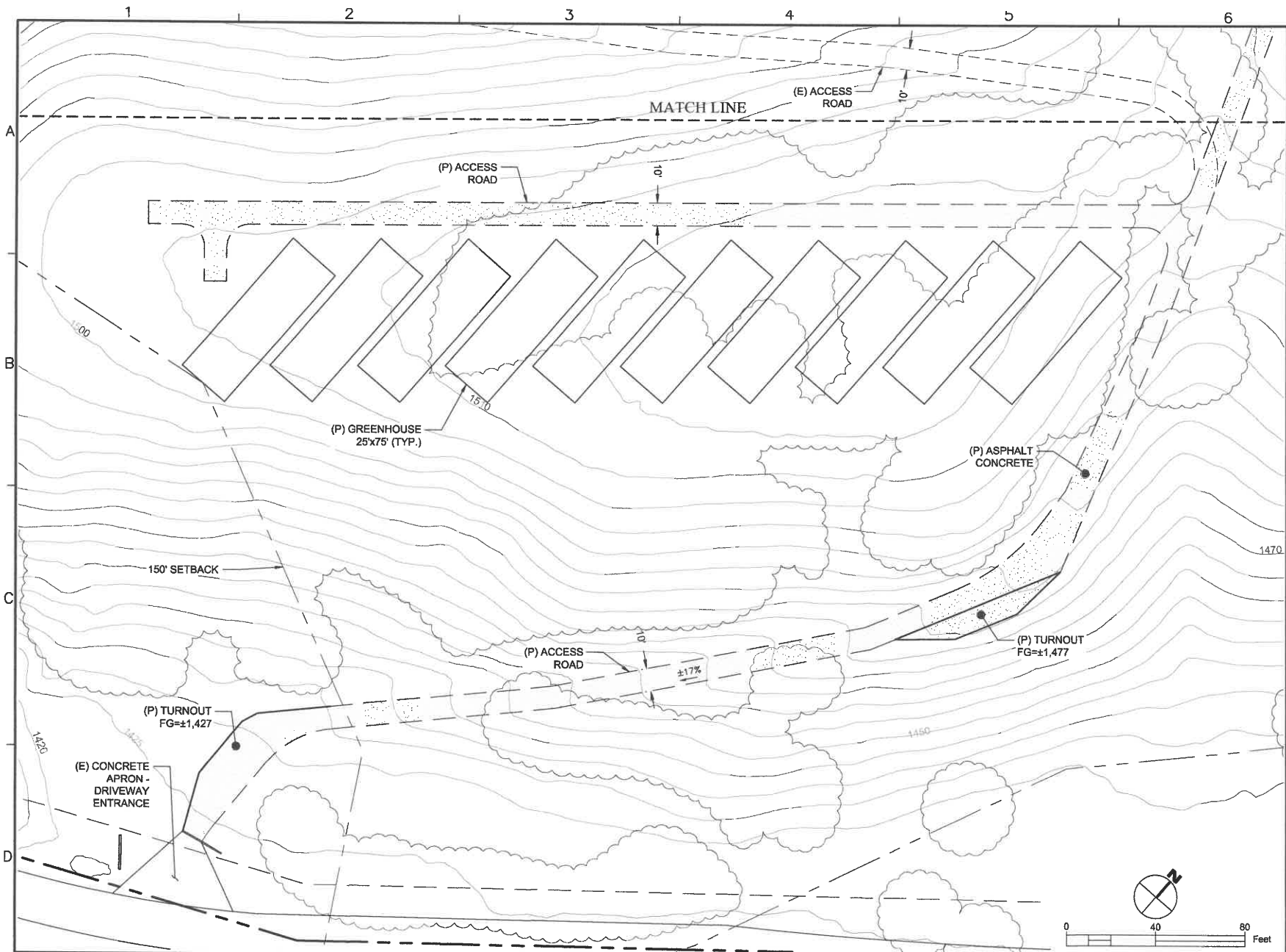
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DATE DEC 2020

PROJ 20-60

DWG

SHEET 2 OF 4



SUBMITTED TO:

CITY OF CLEARLAKE
COMMUNITY DEVELOPMENT DEPT.
14050 OLYMPIC DRIVE
CLEARLAKE, CA 95422

PO BOX 431
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Engineering, Inc.

Ogulin Cannabis Facilities
PRELIMINARY GRADING PLAN
APN: 010-044-17
2185 Ogulin Canyon Road
CLEARLAKE, CALIFORNIA



VERIFY SCALE

BAR IS ONE INCH ON
ORIGINAL DRAWING 1"









DATE DEC 2020

PROJ 20-60

DWG

SHEET 3 OF 4

STORMWATER BMPS LEGEND*

- FR — FR — FIBER ROLLS (SE-5)
-  SURFACE STABILIZATION (EC-2,6,7,8,15,16)
- SF — SF — SILT FENCE (SE-1)
-  ROAD/PAVING LOT MGT (SC-40,43,44)
-  STOCK PILE MGT (WE-1, WM-1,3)
-  CHEMICAL HANDLING BMP (WM-1,2,3,4,5,6)
-  SWALE MGT (EC-9, SE-6,8,9)
-  WASTE MANAGEMENT (WM-5,6,7, SC-3,4)
-  SEDIMENT TRAP/BASEIN (SE-2,3)
-  WATER QUALITY MONITORING LOCATION

* ALL STORMWATER BMPS SHALL BE INSTALLED AND MAINTAINED AS PER CALIFORNIA STORMWATER BMP HANDBOOK.



SUBMITTED TO:

CITY OF CLEARLAKE
COMMUNITY DEVELOPMENT DEPT.
14050 OLYMPIC DRIVE
CLEARLAKE, CA 95422

PO BOX 431
KELSEYVILLE, CA 95451
707-279-4887

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Engineering, Inc.

Ogulin Cannabis Facilities
STORM WATER QUALITY PLAN
APN: 010-044-17
2185 Ogulin Canyon Road
CLEARLAKE, CALIFORNIA



VERIFY SCALE

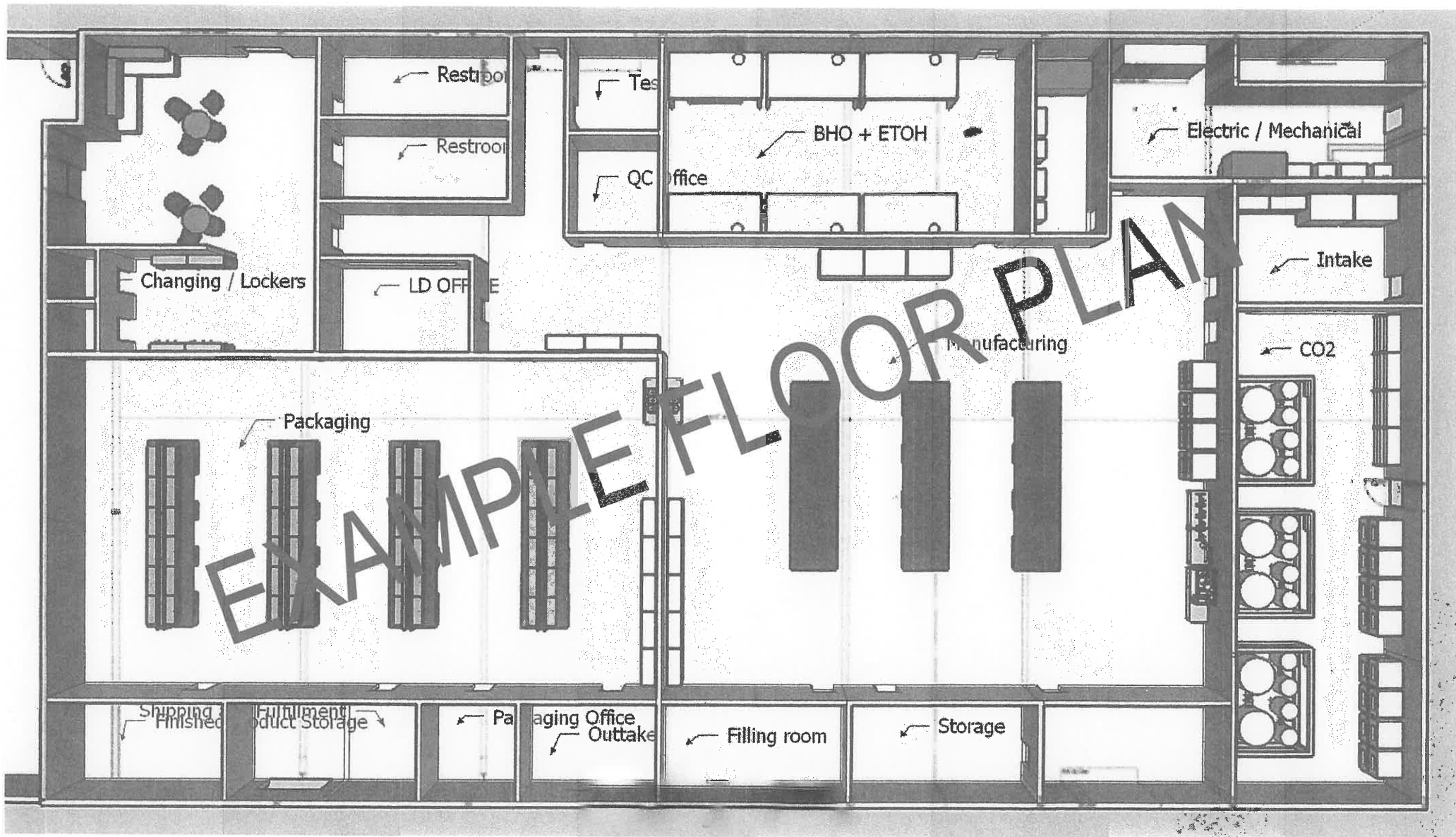
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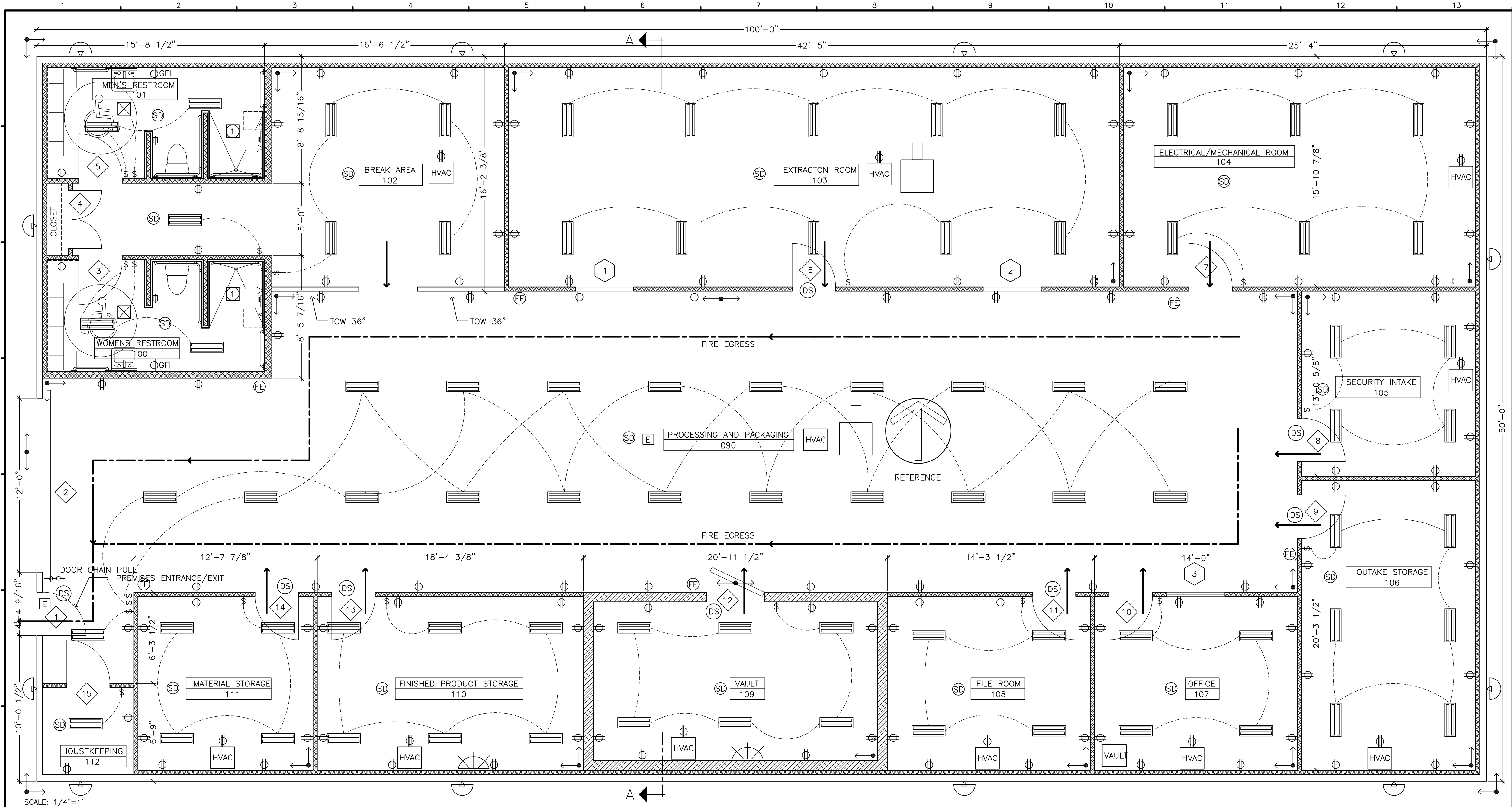
DATE DEC 2020

PROJ 20-60

DWG

SHEET 4 OF 4





- GENERAL NOTES**
- WOOD FRAMED WALLS #2 2X4 D.F. AT 16" O.C.
 - INSULATE ALL WALLS.
 - METAL BUILDING SPECIFICATIONS BY MFG.
 - ALARM SYSTEMS TO BE MONITORED BY A STATE LICENSE MONITORING SERVICE.
 - VAULT TO BE 8" CMU

- DOOR SCHEDULE**
- ALL DOORS TO BE PAINT GRADE UNLESS NOTED.
 - ALL EXTERIOR DOORS TO BE METAL
 - LOCK STYLES/GRADE TO BE COMMERCIAL GRADE ONLY
 - ALL DOORS TO BE KEYPED ALIKE.
 - ALL INTERIOR DOORS TO BE SOLID CORE 1-3/4" UNLESS NOTED.

NO.	SIZE	LOCKSETS	REMARKS
1	3068	ELECTRIC W/KEYPAD	TIMELY - METAL
2	12'X9'		ROLL-UP W/ CHAIN
3	3068	ADA COMPLIANT	TIMELY - METAL W/ CLOSURE
4	4068	KEYED	TIMELY - METAL W/ CLOSURE
5	3068	ADA COMPLIANT	TIMELY - METAL
6	3068	ELECTRIC W/KEYPAD	TIMELY - METAL W/ CLOSURE
7	3068	ELECTRIC W/KEYPAD	TIMELY - METAL W/ CLOSURE
8	VAULT PER MANUFACTURE		
9	3068	ELECTRIC W/KEYPAD	TIMELY - METAL W/ CLOSURE
10			TIMELY - METAL W/ CLOSURE
11			TIMELY - METAL W/ CLOSURE
12			TIMELY - METAL
13			TIMELY - METAL W/ CLOSURE
14			TIMELY - METAL W/ CLOSURE
15		KEYED	TIMELY - METAL W/ CLOSURE

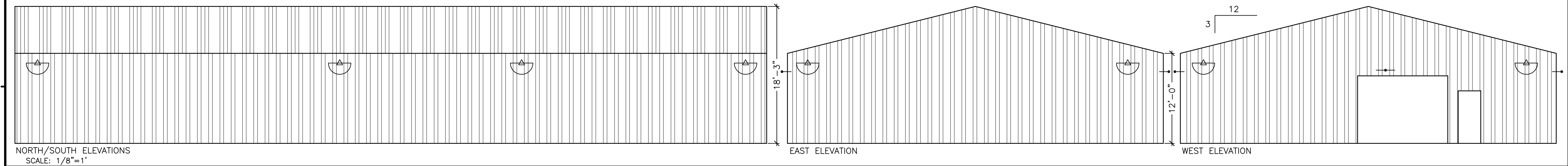
WINDOW SCHEDULE

NO.	SIZE	REMARKS
1	4030 FIXED	WIRED SAFETY GLASS
2	4030 FIXED	WIRED SAFETY GLASS
3	4030 FIXED	WIRED SAFETY GLASS

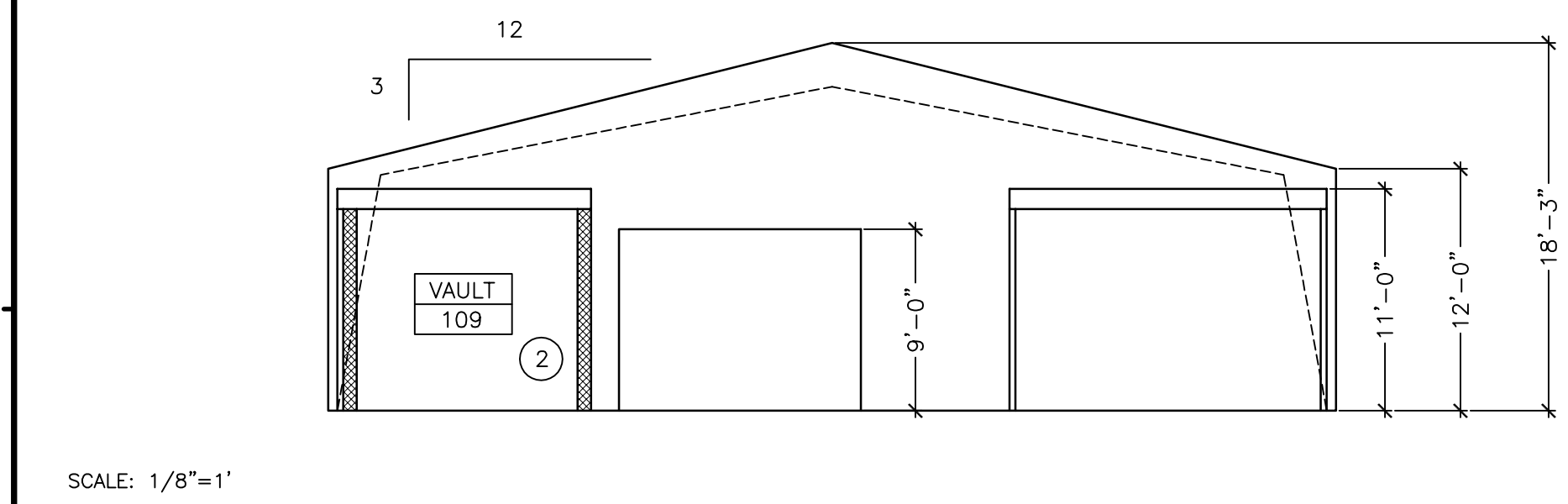
ROOM SCHEDULE

NO.	DESCRIPTION	INTERIOR SQ. FOOTAGE
090	PROCESSING/PACKAGING	1740
100	WOMEN'S RESTROOM	115
101	MEN'S RESTROOM	115
102	BREAK AREA	243
103	EXTRACTION ROOM	638
104	MECHANICAL ROOM	368
105	SECURITY INTAKE	153
106	OUTAKE STORAGE	240
107	OFFICE	168
108	FILE ROOM	168
109	VAULT	215
110	FINISHED PRODUCT STORAGE	229
111	MATERIAL STORAGE	144
112	HOUSEKEEPING	37

1 FLOOR PLAN



2 ELEVATIONS



3 SECTION A-A

SYMBOLS

- WALL MOUNTED FAN
- GENERAL NOTES
- EMERGENCY EXIT SIGN/LIGHT
- 4 TUBE LED CEILING MOUNTED
- EXHAUST FAN
- DISCONNECT
- SINGLE PULL
- 110V OUTLET
- 110V OUTLET
- 220V OUTLET
- SURFACE MOUNTED CEILING FIXTURE
- DEFIANT MOTION SECURITY LIGHT (DOWN CASTING)
MODEL OFI-5985-WH
LED 28 WATTS
2350 LUMENS
- FIRE EXTINGUISHER
- DOORS - SEE SCHEDULE
- WINDOWS
- CCTV CAMERAS
CAMERA ID
- ROOM ID
ROOM USAGE
- DOOR SENSOR
- NVR LOCATION
- HEATING/COOLING
- SMOKE-FIRE DETECTOR
CONNECTED TO CENTRAL PANEL
AND MONITORED
- CHARCOAL AIR FILTER
EXHAUST TO OUTSIDE

BUILDING 1

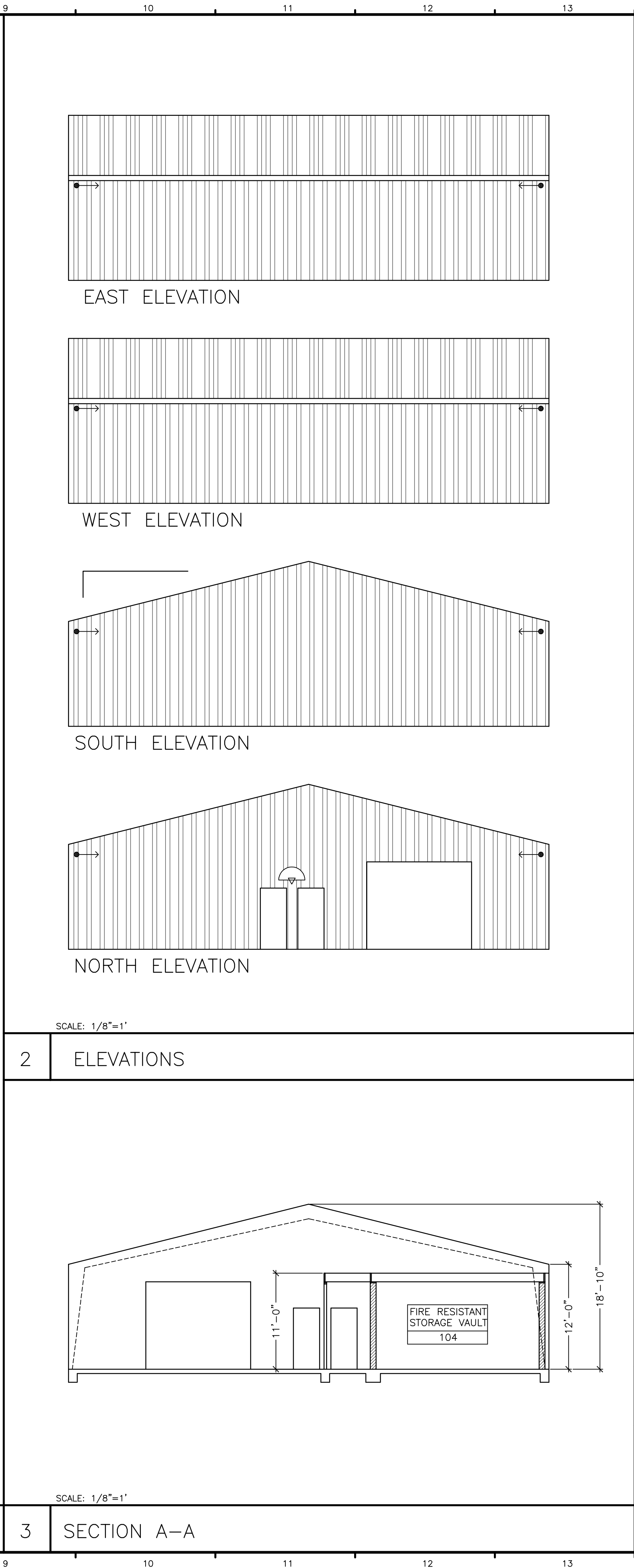
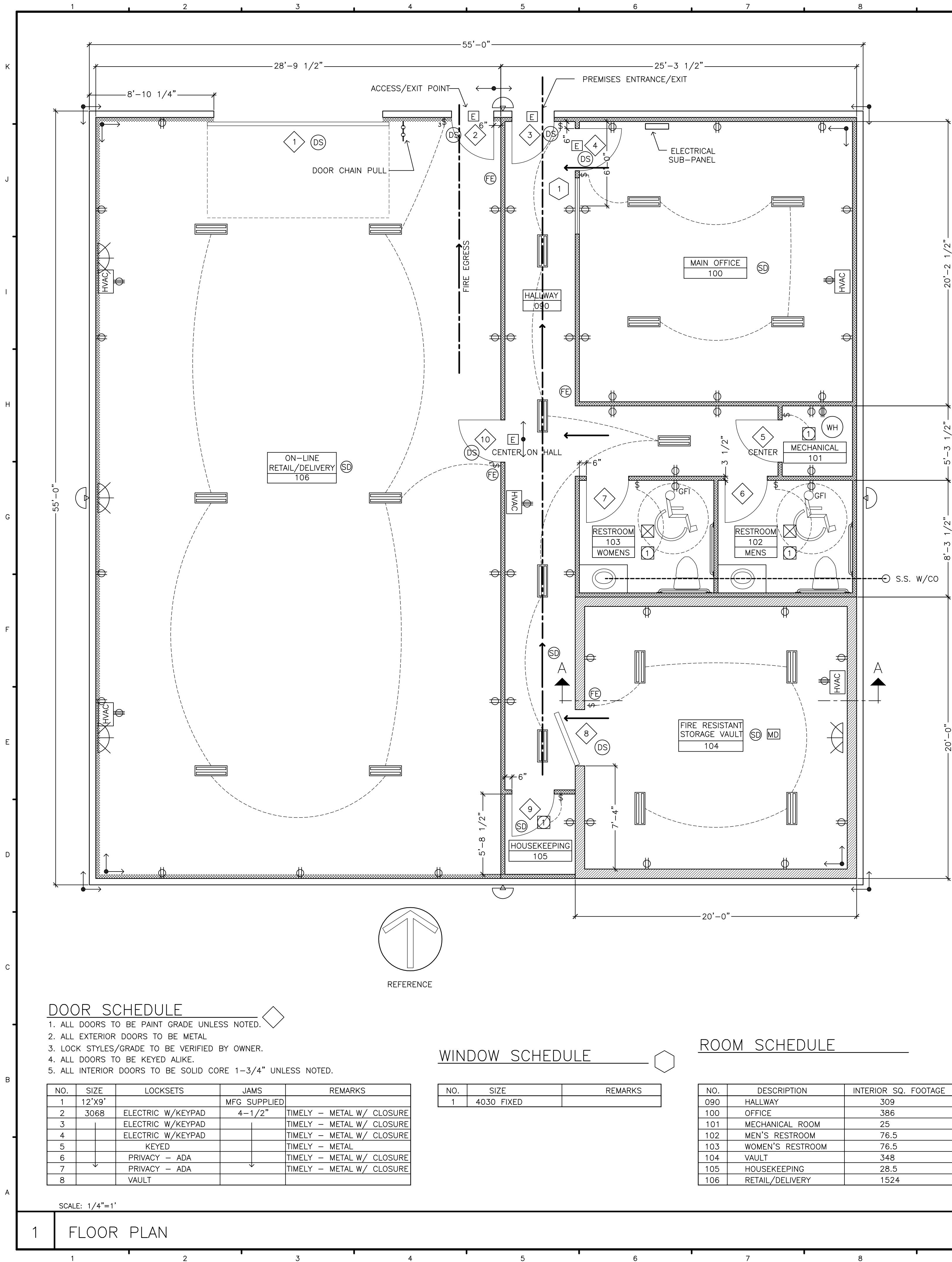
OGULIN HILLS HOLDINGS, LLC

VINCENT PRICE DESIGN GROUP

BUILDING DESIGN - CONSULTING - PLANNING
3720B MAIN STREET - KELSEYVILLE - CA 95451
PHONE (707) 279-2525 - VPDC@PACIFIC.NET - WWW.VPDC@INFO.COM

REVIEW	INITIAL	DATE	DATE: FEB 2021
PRELIMINARY			
PLANNING			
BLDG PERMIT			
GENERAL BID			SCALE: NOTED
PERMIT REV'S			JOB: 02012021
CONSTRUCTION			SHEET 2 OF 7

A1



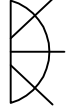











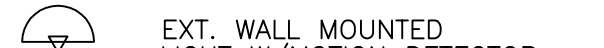









GENERAL NOTES

1. WOOD FRAMED WALLS #2 2X4 D.F. AT 16" O.C.
2. INSULATE ALL WALLS.
3. METAL BUILDING SPECIFICATIONS BY MFG.
4. ALARM SYSTEMS TO BE MONITORED BY A STATE LICENSE MONITORING SERVICE.
5. VAULT TO BE 8" CMU

EXTERIOR LIGHTING

DEFIANT MOTION SECURITY LIGHT (DOWN CASTING)
MODEL DFI-5985-WH
LED 28 WATTS
2350 LUMENS

SYMBOLS

	WALL MOUNTED FAN		HEATING/COOLING
	GENERAL NOTES		DISCONNECT
	EMERGENCY EXIT SIGN/LIGHT		3 WAY SINGLE PULL
	4 TUBE LED CEILING MOUNTED		SINGLE PULL
	EXHAUST FAN		110V OUTLET
	SURFACE MOUNTED CEILING FIXTURE		110V OUTLET
	EXT. WALL MOUNTED LIGHT W/MOTION DETECTOR		220V OUTLET
	SMOKE-FIRE DETECTOR CONNECTED TO CENTRAL PANEL AND MONITORED		WINDOWS
	FIRE EXTINGUISHER		CCTV CAMERAS CAMERA ID
	DOORS - SEE SCHEDULE		ROOM ID
			DOOR SENSOR
			NVR LOCATION

BUILDING 3

OGULIN HILLS HOLDINGS, LLC

VINCENT PRICE DESIGN GROUP

BUILDING DESIGN - CONSULTING - PLANNING
3720B MAIN STREET - KELSEYVILLE CA 95451
PHONE (707) 279-2525 - VPDC@PACIFIC.NET - WWW.VPDC@INFO.COM

REVIEW INITIAL DATE DATE: FEB 2021

PRELIMINARY PLANNING

BLDG PERMIT

GENERAL BID

PERMIT REV'S

CONSTRUCTION

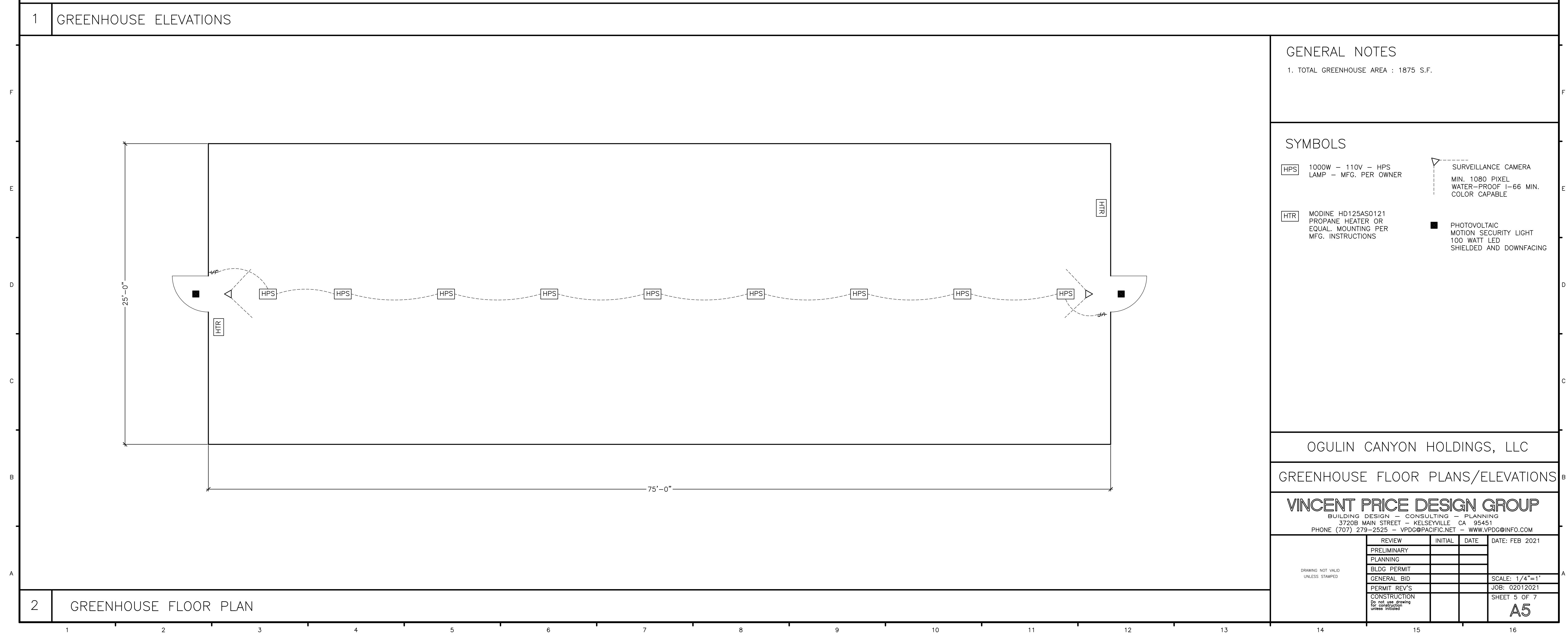
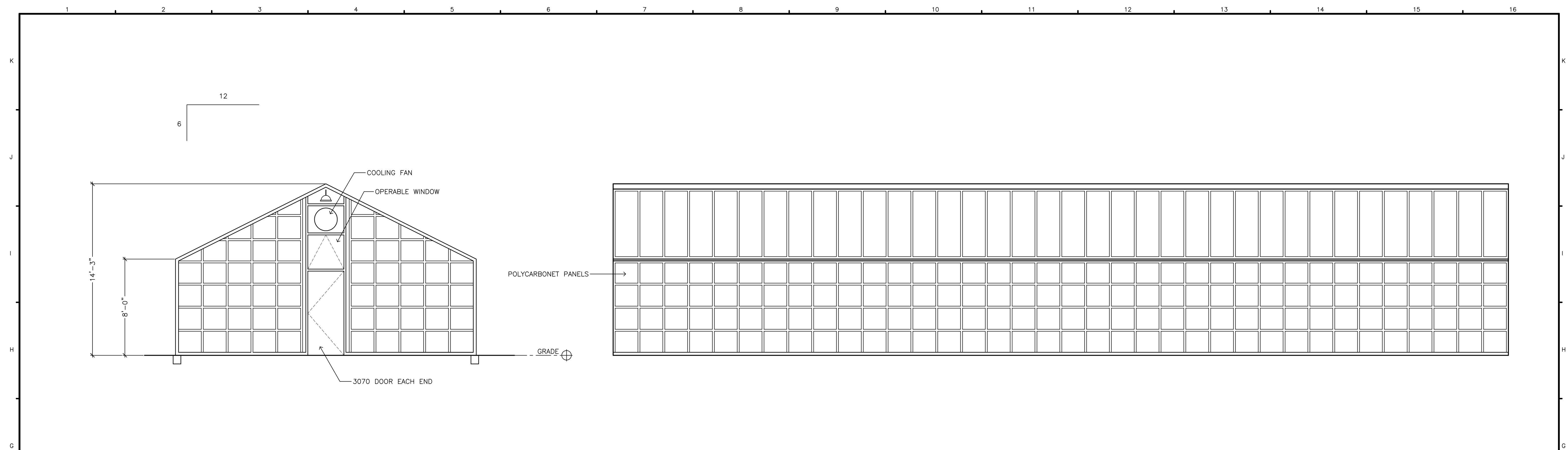
DRAWING NOT VALID UNLESS STAMPED

SCALE: NOTED

JOB: 02012021

SHEET 4 OF 7

A3



Attachment C - Mitigation Monitoring Reporting Program (MMRP)



City of Clearlake – Mitigation Monitoring Checklist

Project Name: 2185 Ogulin Canyon Road Cannabis Cultivation, Processing and Distribution Use Permits

File Numbers: Use Permit UP2021-05 Cannabis, UP2021-06 Processing, UP2021-07 Distribution, UP2021-08 Manufacturing, UP2021-09 Retail Delivery, Cannabis Business/Regulatory Permit and Initial Study, IS 2021-02

Approval Date: EIR or Neg. Dec.: **Mitigated Negative Declaration**

The mitigation measures outlined below were incorporated into the approval for this project in order to reduce potentially significant environmental impacts to a level of insignificance. A completed and signed checklist for each mitigation measure indicates that this mitigation measure has been complied with and implemented and fulfills the City's monitoring pursuant to Section 15097 of the CEQA Guidelines.

Mitigation Measure	Type	Monitoring Shown on Department Plans	Verified Implementation	Remarks
AES-1		AES-1 All outdoor lighting shall be directed downwards and shielded onto the project site and not onto adjacent properties. All lighting shall comply and adhere to all federal, state and local agency requirements, including all requirements in darksky.org. (Refer to the City's Design Standards)		
AIR-1	Air Quality	Construction activities shall be conducted with adequate dust suppression methods, including watering during grading and construction activities to limit the generation of fugitive dust or other methods approved by the Lake County Air Quality Management District. Prior to initiating soil removing activities for construction purposes, the applicant shall pre-wet affected areas with at least 0.5 gallons of		

Mitigation Measure	Type	Monitoring Shown on Department Plans	Verified Implementation	Remarks
		water per square yard of ground area to control dust.		
AIR-2	Air Quality	Driveways, access roads and parking areas shall be surfaced in a manner so as to minimize dust. The applicant shall obtain all necessary encroachment permits for any work within the right-of-way. All improvement shall adhere to all applicable federal, State and local agency requirements.		
AIR-3.	Air Quality	Any disposal of vegetation removed as a result of lot clearing shall be lawfully disposed of, preferably by chipping and composting, or as authorized by the Lake County Air Quality Management District and the Lake County Fire Protection District.		
AIR 4.	Air Quality	During construction activities, the applicant shall remove daily accumulation of mud and dirt from any roads adjacent to the site.		
AIR 5.	Air Quality	Grading permits shall be secured for any applicable activity from the Community Development Department, Building Division. Applicable activities shall adhere to all grading permit conditions, including Best Management Practices (BMPs). All areas disturbed by grading shall be either surfaced in manner to minimize dust, landscaped or hydro seeded. All BMPs shall be routinely inspected and maintained for life of the project.		
AIR-6.	Air Quality	All refuse generated by the facility shall be stored in approved disposal/storage containers, and appropriately covered. Removal of waste shall be on a weekly basis so as to avoid excess waste. All trash receptacles/containers shall remain covered at all times to prevent fugitive odors and rodent odor control plan shall be submitted for review and approval by the City In accordance with the Zoning Code. Odor control shall be maintained to an acceptable level at all times.		

Mitigation Measure	Type	Monitoring Shown on Department Plans	Verified Implementation	Remarks
AIR-7.	Air Quality	An odor control plan shall be submitted for review and approval by the City that complies with the City's Zoning Code. Odor control shall be maintained at all times so that odor from cannabis operations on the site will not be detected outside structures. This plan shall include enhanced carbon filtering to ensure compliance with the Code.		
AIR-8	Air Quality	An odor control plan shall be submitted for review and approval by the City that complies with the City's Zoning Code. Odor control shall be maintained at all times so that odor from cannabis operations on the site will not be detected outside structures. This plan shall include enhanced carbon filtering to ensure compliance with the Code.		
AIR-9	Air Quality	Any demolition or renovation is subject to the Federal National Emissions Standard for Hazardous Air Pollutants (NESHAP) for asbestos in buildings requires asbestos inspections by a Certified Asbestos Consultant for all major renovations and all demolition. An Asbestos Notification Form with the Asbestos inspection report must be submitted to the District at least 14 days prior to beginning any demolition work. The applicant must contact the District for more details and proper approvals. Regardless of asbestos content or reporting requirements all demolition and renovation activities should use adequate water/ amended water to prevent dust generation and nuisance conditions.		

Mitigation Measure	Type	Monitoring Shown on Department Plans	Verified Implementation	Remarks
AIR-10	Air Quality	Construction activities that involve pavement, masonry, sand, gravel, grading, and other activities that could produce airborne particulate should be conducted with adequate dust controls to minimize airborne emissions. A dust mitigation plan may be required should the applicant fail to maintain adequate dust controls.		
AIR-11	Air Quality	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. Contact LCAQMD for more details.		
AIR-12	Air Quality	All engines must notify LCAQMD prior to beginning construction activities and prior to engine Use. Mobile diesel equipment used for construction and/or maintenance must be in compliance with State registration requirements. All equipment units must meet Federal, State and local requirements. All equipment units must meet RICE NESHAP/NSPS requirements including proper maintenance to minimize airborne emissions and proper record-keeping of all activities, all units must meet the State Air Toxic Control Measures for CI engines and must meet local regulations.		
AIR-13	Air Quality	Site development, vegetation disposal, and site operation shall not create nuisance odors or dust. During the site preparation phase, the District recommends that any removed vegetation be chipped and spread for ground cover and erosion control. Burning of debris/construction material is not allowed on commercial property, materials generated		

Mitigation Measure	Type	Monitoring Shown on Department Plans	Verified Implementation	Remarks
		from the commercial operation, and waste material from construction debris, must not be burned as a means of disposal.		
AIR-14	Air Quality	Significant dust may be generated from increase vehicle traffic if driveways and parking areas are not adequately surfaced. Surfacing standards should be included as a requirement in the use permit to minimize dust impacts to the public, visitors, and road traffic. At a minimum, the District recommends chip seal as a temporary measure for primary access roads and parking. Paving with asphaltic concrete is preferred and should be required for long term occupancy. All areas subject to semi-truck / trailer traffic should require asphaltic concrete paving or equivalent to prevent fugitive dust generation. Gravel surfacing may be adequate for low use driveways and overflow parking areas; however, gravel surfaces require more maintenance to achieve dust control, and permit conditions should require regular palliative treatment if gravel is utilized. White rock is not suitable for surfacing (and should be prohibited in the permit) because of its tendency to break down and create excessive dust. Grading and re-graveling roads should utilize water trucks if necessary, reduce travel times through efficient time management and consolidating solid waste removal/supply deliveries, and speed limits.		
BIO-1.	Biological Resources	Prior to development, a protocol-level botanical survey shall be completed within the location defined as being feasible for project activities to occur within this Report. The survey shall follow procedures recommended by CDFW and in accordance with the guidelines established by CNPS, from the document <i>"Protocols for Surveying and Evaluating</i>		

Mitigation Measure	Type	Monitoring Shown on Department Plans	Verified Implementation	Remarks
		<i>Impacts to Species Status Native Plant Populations and Sensitive Natural Communities</i> ".		
BIO-2.	Biological Resources	If project development results in a sufficient amount of noise from the use of machinery, construction shall occur between September 1 and January 31 to avoid disturbance to migratory nesting birds or a buffer shall be established by a qualified biologist if nesting birds are present.		
BIO-3.	Biological Resources	If construction occurs within the migratory bird nesting season (February 1 and August 31), a qualified biologist shall conduct a nesting birds survey fourteen (14) days prior to project development, including vegetation removal.		
BIO-4.	Biological Resources	Prior to any ground disturbance, the applicant shall conduct a site inspection for Burrowing Owls Presence within the project area. If Burrow Owls are observed, a pre-construction surveys shall be completed by a qualified biologist fourteen (14) days prior to site development. The survey shall be conducted to determine if the project area has active dens and determine if avoidance of these active dens can occur. If active dens are determined to be present, owl relocation shall occur to other onsite suitable habitat prior to development.		
BIO-5.	Biological Resources	If additional activities are proposed that may result in take of a listed species, agency personnel from CDFW and SFWS shall further analyze the potential impacts and provide technical assistance for any listed species. If required, guidelines for these reconnaissance surveys should be followed in accordance to the CDFW Survey and Monitoring Protocols and Guidelines, which can be located here: https://www.wildlife.ca.gov/conservation/survey-protocols		

Mitigation Measure	Type	Monitoring Shown on Department Plans	Verified Implementation	Remarks
CUL-1.	Cultural and Tribal	During construction activities, if any subsurface archaeological remains are uncovered, all work shall be halted within 100 feet of the find and the applicant shall retain a qualified cultural resources consultant from the City's approved list of consultants to identify and investigate any subsurface historic remains, and define their physical extent and the nature of any built features or artifact-bearing deposits. Significant historic cultural materials may include finds from the late 19th and early 20th centuries including structural remains, trash pits, isolated artifacts, etc.		
CUL-2.	Cultural and Tribal	The cultural resource consultant's investigation shall proceed into formal evaluation to determine their eligibility for the California Register of Historical Resources. This shall include, at a minimum, additional exposure of the feature(s), photo-documentation and recordation, and analysis of the artifact assemblage(s). If the evaluation determines that the features and artifacts do not have sufficient data potential to be eligible for the California Register, additional work shall not be required. However, if data potential exists – e.g., there is an intact feature with a large and varied artifact assemblage – it will be necessary to mitigate any Project impacts. Mitigation of impacts might include avoidance of further disturbance to the resources through Project redesign. If avoidance is determined to be infeasible, pursuant to CEQA Guidelines Section 15126.4(b)(3)(C), a data recovery plan, which makes provisions for adequately recovering the scientifically consequential information from and about the historical resource, shall be prepared and adopted prior to any excavation being undertaken. Such studies shall be deposited with the California Historical		

Mitigation Measure	Type	Monitoring Shown on Department Plans	Verified Implementation	Remarks
		Resources Regional Information Center. Archeological sites known to contain human remains shall be treated in accordance with the provisions of Section 7050.5 Health and Safety Code. If an artifact must be removed during Project excavation or testing, curation may be an appropriate mitigation. This language of this mitigation measure shall be included on any future grading plans and utility plans approved by the City for the Project.		
CUL-3.	Cultural and Tribal	If human remains are encountered, no further disturbance shall occur within 100 feet of the vicinity of the find(s) until the Lake County Coroner has made the necessary findings as to origin (California Health and Safety Code Section 7050.5). Further, pursuant to California Public Resources Code Section 5097.98(b) remains shall be left in place and free from disturbance until a final decision as to the treatment and disposition has been made. If the Lake County Coroner determines the remains to be Native American, the Native American Heritage Commission must be contacted within 24 hours. The Native American Heritage Commission must then identify the "most likely descendant(s)", which parties agree will likely be the Koi Nation based upon the Tribe's ancestral ties to the area and previous designation as MLD on projects in the geographic vicinity. The landowner shall engage in consultations with the most likely descendant (MLD). The MLD will make recommendations concerning the treatment of the remains within 48 hours as provided in Public Resources Code 5097.98.		

Mitigation Measure	Type	Monitoring Shown on Department Plans	Verified Implementation	Remarks
GEO-1	Geology and Soils	<p>GEO-1: Prior to any ground disturbance and/or operation, the applicant shall submit <u>Erosion Control and Sediment Plans</u> to the Community Development Department for review and approval.</p> <ul style="list-style-type: none"> <i>The project shall incorporate Best Management Practices (BMPs) consistent with the City Code and the State Storm Water Drainage Regulations to the maximum extent practicable to prevent and/or reduce discharge of all construction or post-construction pollutants into the local storm drainage system.</i> 		
GEO-2	Geology and Soils	Prior to any ground disturbance, (if applicable), the applicant shall submit and obtain a Grading Permit from the Community Development in accordance with the City of Clearlake Municipal code(s).		
GEO-3	Geology and Soils	The applicant shall monitor the site during the rainy season including post-installation, application of BMPs, erosion control maintenance, and other improvements as needed. Said measures shall be maintained for life of the project and replace/repared when necessary.		
HAZ-1.	Hazards and Hazardous Materials	All hazardous waste shall not be disposed of on-site without review or permits from Environmental Health Department, the California Regional Water Control Board, and/or the Air Quality Board. Collected hazardous or toxic waste materials shall be recycled or disposed of through a registered waste hauler to an approved site legally authorized to accept such material.		

Mitigation Measure	Type	Monitoring Shown on Department Plans	Verified Implementation	Remarks
HAZ-2.	Hazards and Hazardous Materials	The storage of potentially hazardous materials shall be located at least 100 feet from any existing water well. These materials shall not be allowed to leak into the ground or contaminate surface waters. Collected hazardous or toxic materials shall be recycled or disposed of through a registered waste hauler to an approved site legally authorized to accept such materials.		
HAZ-3.	Hazards and Hazardous Materials	Any spills of oils, fluids, fuel, concrete, or other hazardous construction material shall be immediately cleaned up. All equipment and materials shall be stored in the staging areas away from all known waterways.		
HAZ-4.	Hazards and Hazardous Materials	The storage of hazardous materials equals to or greater than fifty-five (55) gallons of a liquid, 500 pounds of a solid, or 200 cubic feet of compressed gas, then a Hazardous Materials Inventory Disclosure Statement/Business Plan shall be submitted and maintained in compliance with requirements of Lake County Environmental Health Division. Industrial waste shall not be disposed of on site without review or permit from Lake County Environmental Health Division or the California Regional Water Quality Control Board. The permit holder shall comply with petroleum fuel storage tank regulations if fuel is to be stored on site.		
HAZ-5.	Hazards and Hazardous Materials	All equipment shall be maintained and operated in a manner that minimizes any spill or leak of hazardous materials. Hazardous materials and contaminated soil shall be stored, transported, and disposed of consistent with applicable local, state, and federal regulations.		
NOS-1.	Noise	All construction activities including engine warm-up shall be limited to weekdays and Saturday, between the hours of 7:00am and 7:00pm to minimize noise impacts on nearby residents.		
NOS-2.	Noise	Permanent potential noise sources such as, generators used for power shall be designed and located to minimize noise impacts to surrounding properties.		

Mitigation Measure	Type	Monitoring Shown on Department Plans	Verified Implementation	Remarks
NOS-3.	Noise	During construction noise levels shall not exceed 65 decibels within fifty (50) feet of any dwellings or transient accommodations between the hours of 7:00 AM and 6:00 PM. This threshold can be increased by the Building Inspector or City Engineer have approved an exception in accordance with Section 5-4.4(b)(1) of the City Code. An exception of up to 80 decibels may be approved within one hundred (100) feet from the source during daylight hours. Project is expected to result in less than significant impacts with regards to noise and vibration.		

Explanation of Headings

Type = Project (mitigation for this specific project), ongoing, and/or cumulative.

Monitoring Department = Department or agency responsible for monitoring a particular mitigation measure.

Shown on Plans = When a mitigation measure is shown on the construction plans, this column must be initialed and dated.

Verified Implementation = When mitigation measure has been implemented, this column must be initialed and dated.

Remarks = Area for describing status of ongoing mitigation measure, or other information.

Attachment D – Biological Assessment/Report



NATURAL INVESTIGATIONS CO.
WWW.NATURALINVESTIGATIONS.COM

JULY 15, 2020

TO:
Ms. Kim Gardner

SUBJECT:

Biological Resources Regulatory Constraints Analysis for Potential Cannabis Cultivation at 2185 Ogulin Canyon Road, Clearlake, California

TEXT:

Purpose and Scope of Work

The purpose of this analysis was to inventory biological resources at a reconnaissance-level effort and identify potential biological resources regulatory constraints to development of the 21-acre property at 2185 Ogulin Canyon Road, Clearlake. The proposed project is the establishment of Cannabis cultivation compound(s) up to 1 acre in size. Two areas were identified, approximately .25 acres and .75 acres in size.

The scope of work was:

- Perform a reconnaissance-level field survey and look for special-status species and sensitive habitats
- Using GIS software, map all general habitat types occurring on the property
- Informally map any and all potential waters of the U.S. on the property (i.e., wetlands and channels)
- Summarize the potential for special-status species or habitats to occur on the Property and identify any potential biological resource regulatory issues that may constrain development

Note that other potential environmental regulatory constraints to development were not analyzed, such as flooding or drainage, cultural resources, geologic hazards, or hazardous materials. A full biological resources assessment was not conducted as part of this analysis.

Methods

Prior to conducting the field survey, the following information sources were reviewed:

- Client's engineering or design drawings (none were available);
- United States Geologic Survey (USGS) 7.5-degree minute topographic quadrangle maps and aerial photography;
- United States Department of Agriculture Natural Resources Conservation Service (NRCS) soil survey maps;
- Spatial query of the latest version of the California Natural Diversity Database (CNDDB)
- United States Fish and Wildlife Service (USFWS) species list (IPaC Trust Resources Report).
- USFWS National Wetland Inventory Maps; and
- Any readily-available studies performed previously (none found).

Tim Nosal, M.S., conducted a field assessment on July 7, 2020. A variable-intensity pedestrian survey was performed of the Property, modified to account for differences in terrain, vegetation density, and visibility. The locations of any special-status species sighted were marked on aerial photographs and/or georeferenced with a geographic positioning system (GPS) receiver. Habitat types occurring in the Property were mapped on aerial photographs, and information on habitat conditions and the suitability of

the habitats to support special-status species was also recorded. The Property was also informally assessed for the presence of potentially-jurisdictional water features, including riparian zones, isolated wetlands and vernal pools, and other biologically-sensitive aquatic habitats. The CNDDDB was queried and any reported occurrences of special-status habitats or species were plotted in relation to the Property boundary using GIS software (see Exhibits).

Results

Special-status Habitats

The CNDDDB reported no special-status habitat occurrences on the Property. No special-status habitats were detected on the Property during the field survey, other than ephemeral channels. Two natural habitats occur on the Property: annual grassland and oak-pine woodland. Portions of the eastern edge of the parcel burned in the North Branch Fire in 2016.

Special-status Animals

No special-status animal species were detected on the Property during the field survey. The CNDDDB reported 1 special-status animal occurrence on the Property: Eel-grass pondweed (*Potamogeton zosteriformis*). Eel-grass pondweed is mapped by the CNDDDB as occurring on the Property. However, this is an artifact of the mapping process. The exact location of the occurrence is not known, although the collection is reported to have been made in Clear Lake. Suitable habitat for this species (perennial water such as a pond or lake) is not present on the Property. Special-status animals are considered to be moderately likely to occur near or in watercourses, and less likely in disturbed areas or annual grassland habitat.

Special-Status Plants

The CNDDDB reported no special-status plant occurrences on the Property, although rare plants are present in the region. No special-status plant species were detected on the Property during the field survey. Soils found on the Property are derived from alluvium. No soils derived from volcanic or serpentine parent materials are mapped in or adjacent to the Property. Special-status plants are not considered to be likely to occur on the Property.

Protected Water Resources

The informal aquatic resources assessment conducted during the field survey detected 2 water features: two ephemeral channels (Class III watercourses). No wetlands were detected.

Nesting Birds

No active nests were detected during the field survey. The property contains suitable nesting habitat for various bird species because of the presence of trees, poles, and dense brush. Special-status bird species, including endangered species, have been reported to occur in the region by CNDDDB.

Potential Biological Resource Development Constraints, Regulatory Requirements, And Recommendations

Special-Status Habitats

Channels are protected under County, State, and federal regulations. A Streambed Alteration Agreement would need to be finalized before work in channels could occur. A buffer of at least 100 feet from channels is strongly recommended.

Lake County does not have a specific ordinance protecting native trees. However, under the Cannabis Ordinance 3084, Section 4, Subsection iii) Prohibited Activities (a) Tree Removal, Lake County restricts tree removal as follows:

"The removal of any commercial tree species as defined by the California Code of Regulations section 895.1, Commercial Species for the Coast Forest District and Northern Forest District, and the removal of any true oak species (Quercus species) or Tan Oak (Notholithocarpus species) for the purpose of developing a cannabis cultivation site should be avoided and minimized. This shall not include the pruning of any such tree species for the health of the tree or the removal of such trees if necessary for safety or disease concerns."

During the permitting process, Lake County requires mitigation for the removal of protected trees; typical mitigation is tree replacement at a ratio of 2:1 or 3:1.

Forest resources may occur on the property. If construction requires the removal of commercial tree species, a Cal Fire Permit will be necessary, such as a Less than 3 Acre Conversion Exemption, a Public Agency, Public and Private Utility Right of Way Exemption, a Notice of Exemption from Timberland Conversion Permit for Subdivision, or an Application for Timberland Conversion Permit.

Special-Status Animal Species

Special-status animals could occur in or near channels. The aquatic buffers required by the Water Board's Cannabis General Order should be sufficient to avoid special-status animal species.

Special-Status Plant Species

Performance of a botanical survey is not deemed necessary.

Nesting Birds

The property contains suitable nesting habitat for various bird species because of the presence of trees, poles, and dense brush. California Fish and Game Code protects all nesting birds and their nests, and migratory birds are also protected under the Migratory Bird Treaty Act of 1918. If ground clearing and tree felling is performed in the future during the bird nesting season (February 15 through August 31), a pre-construction nesting bird survey is recommended. If active nests are present in the project area during construction of the project, CDFW should be consulted to develop measures to avoid "take" of active nests prior to the initiation of any construction activities. Avoidance measures may include establishment of a buffer zone using construction fencing or the postponement of vegetation removal until after the nesting season, or until after a qualified biologist has determined the young have fledged and are independent of the nest site.

Protected Water Resources

The State Water Resources Control Board's Order WQ 2019-0007-DWQ General Waste Discharge Requirements for Discharges of Waste Associated with Cannabis Cultivation Activities (General Order) has various development restrictions, including but not limited to Minimum Riparian Setbacks, as summarized in the following table.

Minimum Riparian Setbacks

Common Name	Watercourse Class	Distance
Perennial watercourses, waterbodies (e.g. lakes, ponds), or springs	I	150 ft.
Intermittent watercourses or wetlands	II	100 ft.
Ephemeral watercourses	III	50 ft.
Man-made irrigation canals, water supply reservoirs, or hydroelectric canals that support native aquatic species	IV	Established riparian zone vegetation

Other Concerns

If construction activities disturb more than 1 acre of soil, the project proponent will need to enroll in the Construction General Stormwater Permit, State Water Board Order No. 2009-0009-DWQ.

If development of the cultivation operation will result in the grading of more than 50 cubic yards of earthen material, a County Grading Permit and Erosion Control Plan will be required.

If natural habitats other than annual grassland (such as oak woodlands) need to be cleared for the cultivation operation, the County or wildlife regulatory agencies may require a Biological Resources Assessment and a Cultural Resources Inventory Report to be performed before ground disturbance occurs.

AUTHORED BY:



G. O. Graening, PhD, MSE

Exhibits



Parcel Location

0
0.5
1

Kilometers

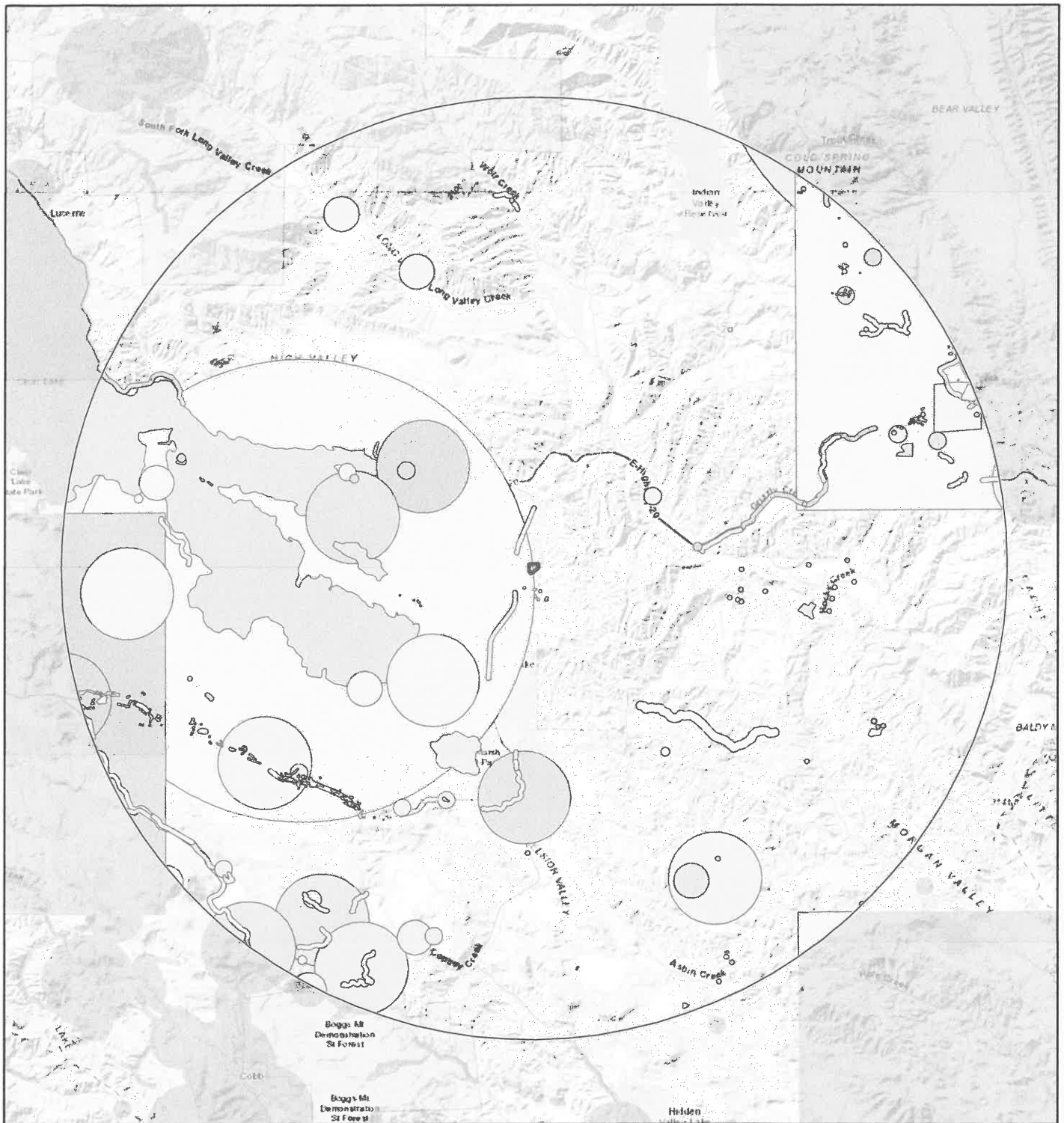
0
0.5
1

Miles

2185 Ogulin Canyon Road
Parcel Location Map

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INVESTIGATIONS
COMPANY

1:24,000



 Parcel Location  10 Mile Buffer

1:190,000 1 inch = 3 miles
0 3 6 Miles



Notes:

1. The locations of all features shown are approximate.
2. This drawing is for information purposes. It is intended to assist in showing features discussed in an attached document. Natural Investigations Company can not guarantee the accuracy and content of electronic files. The master file is stored by Natural Investigations Company and will serve as the official record of this communication.
3. It is unlawful to copy or reproduce all or any part thereof, whether for personal use or resale, without permission. Data Sources: California Department of Fish and Wildlife. 2020. RareFind 5.x, California Natural Diversity Data Base. Biogeographic Data Branch, Sacramento, California. (updated monthly by subscription service)

Special-Status Species Occurrences Map

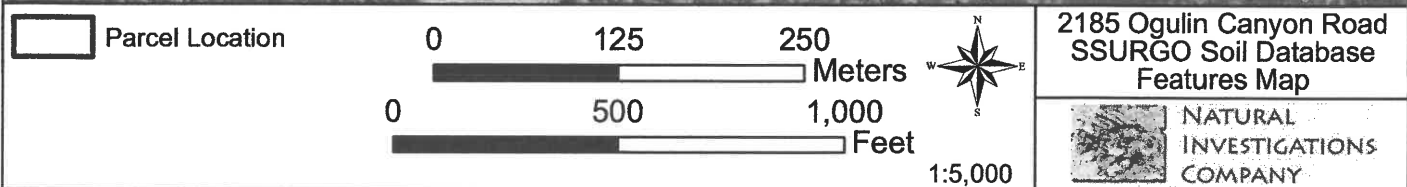
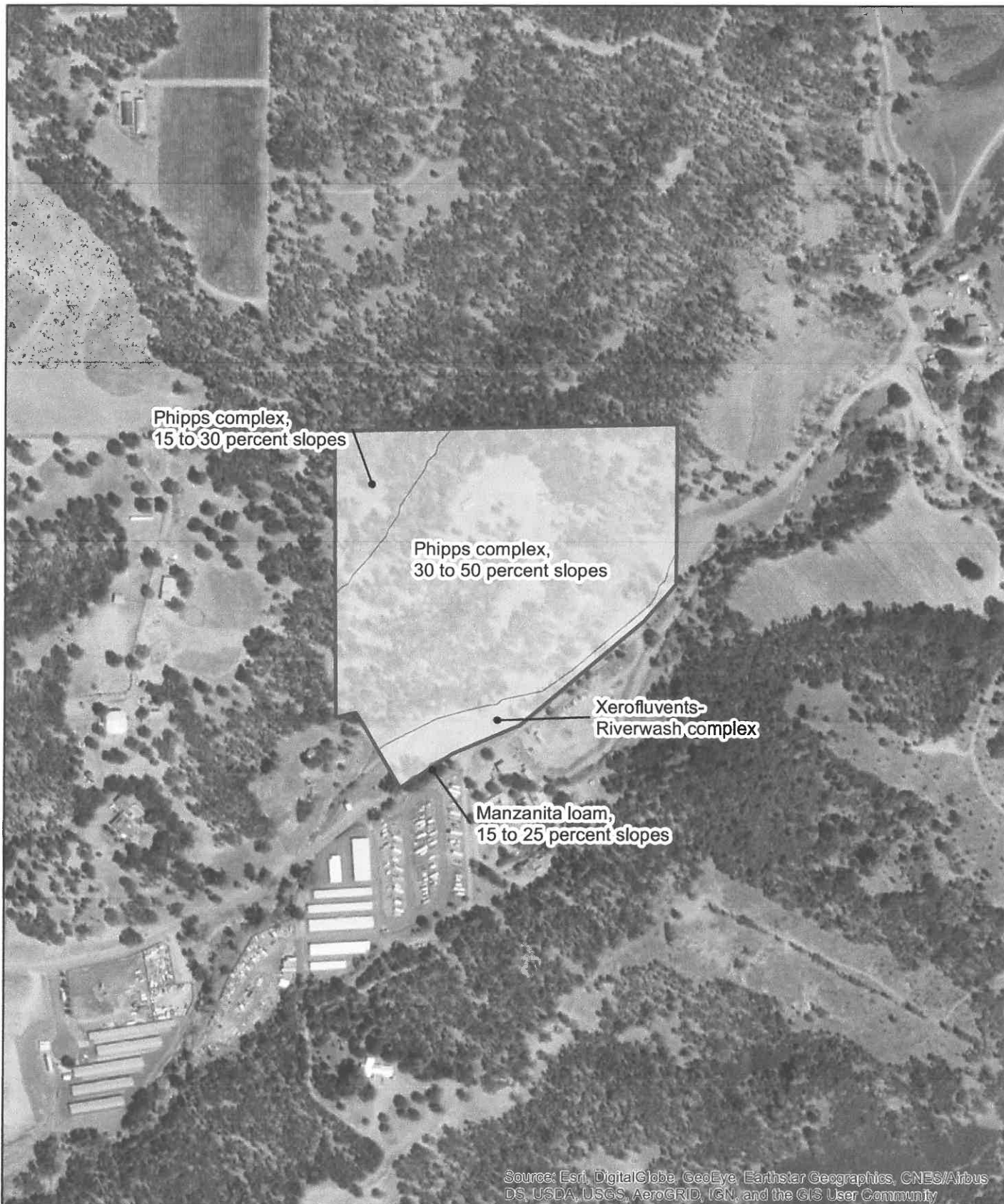
2185 Ogulin Canyon Road

Lower Lake 1993 Quadrangle: Township 13N, Range 7W, Section 14



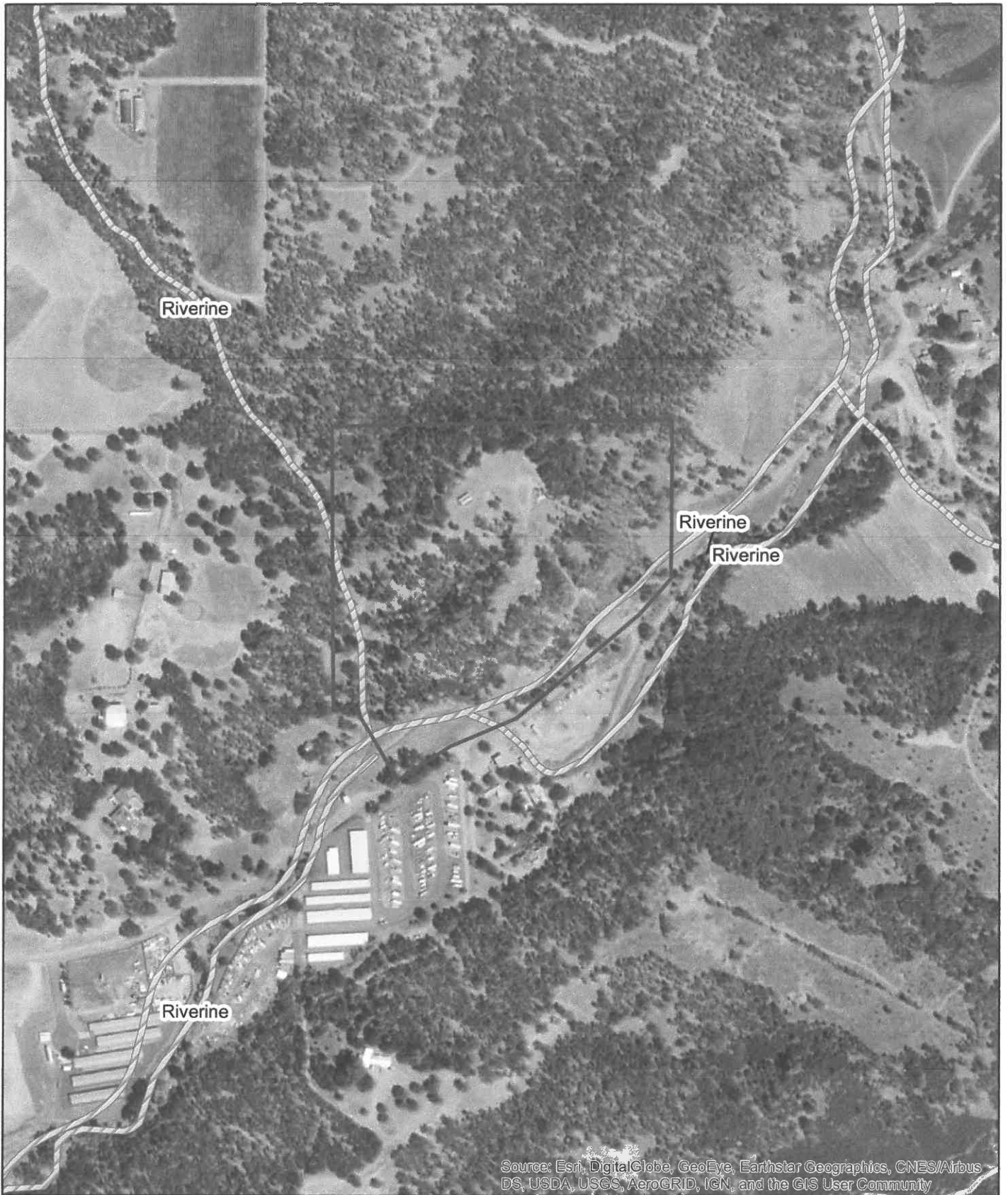
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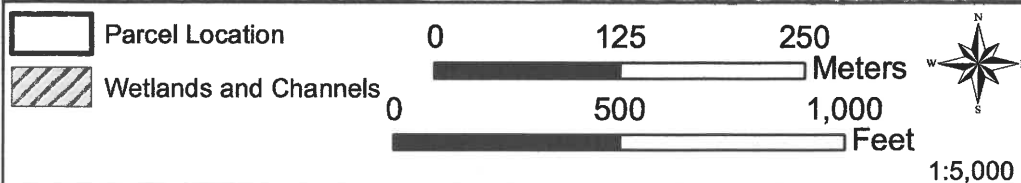


Map Date 7/6/2020

Lower Lake 1993 Quadrangle: Township 13N, Range 7W, Section 14



Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community



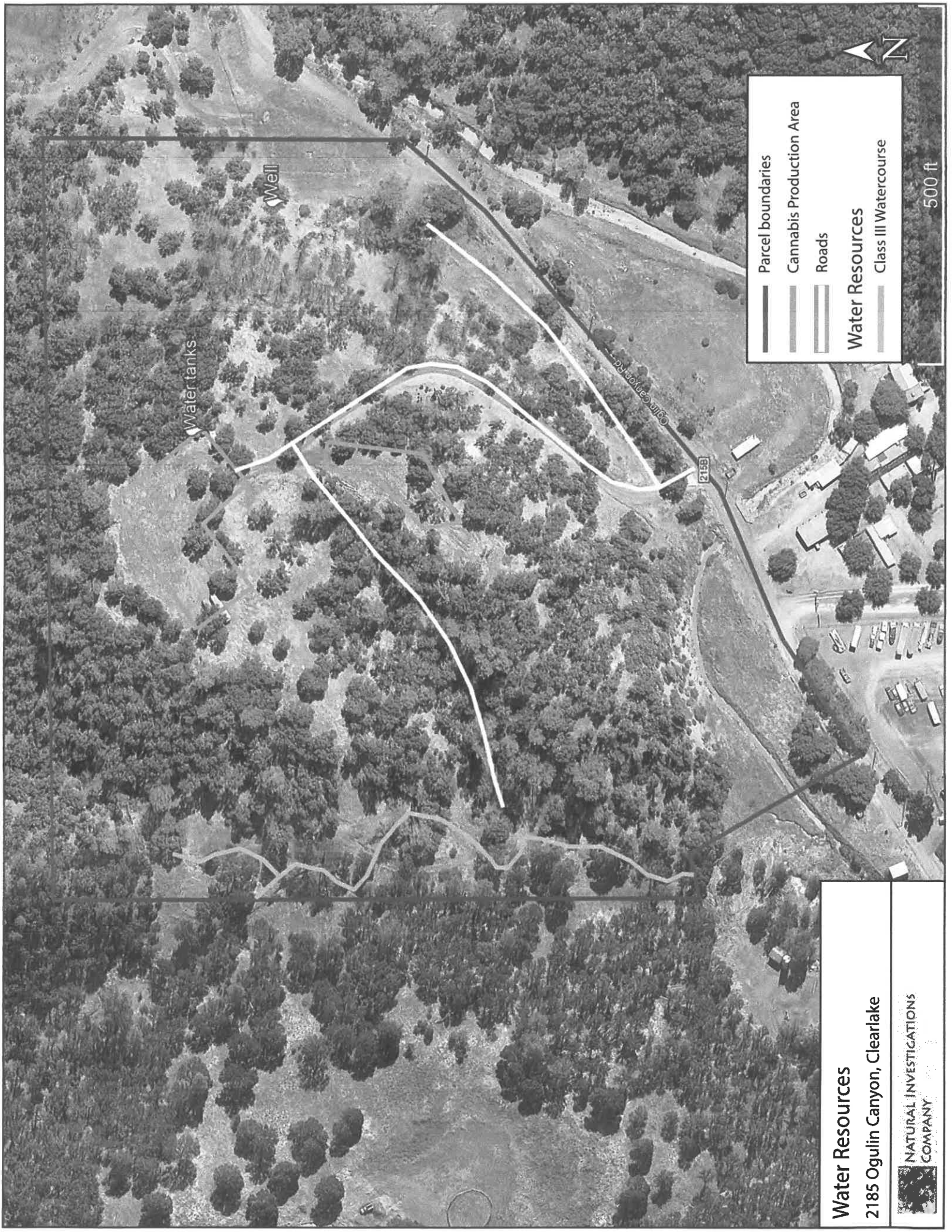
2185 Ogulin Canyon Road
National Wetlands Inventory
Features Map



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INVESTIGATIONS
COMPANY

Map Date 7/6/2020

Lower Lake 1993 Quadrangle: Township 13N, Range 7W, Section 14




- Parcel boundaries
- Cannabis Production Area
- Roads
- Water Resources
- Class III Watercourse

500 ft

Water Resources

2185 Ogulin Canyon, Clearlake



NATURAL INVESTIGATIONS
COMPANY

Attachment E – Agency Comments



City of Clearlake
14050 Olympic Drive, Clearlake, California 95422
(707) 994-8201 Fax (707) 995-2653



DISTRIBUTION DATE: March 1, 2021

DEVELOPMENT COORDINATION REVIEW (DCR)

CITY DEPARTMENTS		LOCAL AGENCIES		STATE/FEDERAL AGENCIES	
@	Building Dept	@	Air Quality Management	@	CalTrans
@	Code Enforcement	@	Assessor's/Recorders Office		BLM
@	Police Department	@	Environmental Health Dept.		CA Dept. of Fish & Wildlife
@	Public Works/Engineering.		Lake County Surveyor		Army Core of Eng.
	Animal Control		Lake County Water Resources		U.S Fish & Wildlife Serv.
			Lake County Tax Collector		Sonoma State (NWIC)
	WATER DISTRICT		Lake Transit		CHP
	Golden State Water		Lake Area Planning Council		CA Dept. of Drinking Water
	Konocti Water Co.		Lake County Fire Protection Dist.		CA State Water Resource Control Board
	Highlan Water Co.		Konocti Unified School District		CALfire
			Clearlake Chamber of Commerce		ABC
					CANNABIS PROJECTS
				@	Cal Cannabis
				@	CA Dept. Public Health (Manufacturing)
					Bureau of Cannabis Control (retailers, distributors, 3 rd party testing laboratories and microbusinesses)

REQUEST: REQUEST: Please review and comment on the enclosed application packet material for the proposed project below. Please return all comments by **March 19, 2021**. Please email your comments to mroberts@clearlake.ca.us or mail them to the address listed in the letterhead above.

APPLICATION(S): UP 21-05 (Manufacturing), UP 21-06 (Processing), UP 21-07 (Distribution), UP 21-08 (Cultivation) and Initial Study, IS 21-02

ACCESS/LOCATION: 2185 Ogulin Canyon Road, Clearlake, CA.

FROM: Mark Roberts – Senior Planner

APPLICANT: Brain Pensack, Garret Burdick, Kim Gardner

OWNER: Ogulin Hills Holding, LLC.

APN(s): 010-044-17-000 (Approximately 21.25 acres)

LAND USE DESIGNATION(S): Industrial – Commercial (Cultivation, Distribution, Manufacturing, Nurseries, Processing, Test Labs) and CB Delivery Only.

GENERAL PLAN DESIGNATION(S): Industrial

SR0004180

PROJECT PROPOSAL: The applicant is requesting approval of the above use permits for the development of a Commercial Cannabis Operation. According to the application packet, the operation includes but is not limited to the following: (Refer to attachments for details).

- Two (2) – 50' X 100' Processing Manufacturing Buildings.
- One (1) - 50 x 60' (3,000 SQFT) Office Building.
- Up to ten (10) Employees.
- Ten (10) - Green Houses for Cannabis Cultivation. Each greenhouse is 25' X 75'.
- A 15' X 15' Trash Enclosure
- 12 Parking Spaces and Four (4) ADA Compliant Parking Spaces
- Five (5) Water Storage Tanks

Preliminary floor plans indicate that the 50' x 100' manufacturing and processing floor plan will include an intake area, a processing manufacturing and packaging areas, restrooms and offices, an employee break room area, and then several small rooms for shipping and receiving, storage, intake, and outtake, and related activities.

The 50' x 100' drying and storage building will contain large open spaces for drying and storage racks. This building will include rollup doors that lead into an internal sally port for security parking and eventual loading and unloading.

The 50' x 60' office building will have a basic floor plan including a reception area, restrooms, a conference room, and four offices

Project Access:

Access to the site is through a glass/metal gate located on the north side of Ogulin Canyon Road. An existing driveway extends north onto the property and then extends off to the west, east, and northeast up the hill. The driveway extending northeast up the site is approximately 12 to 15 feet wide and has been previously graded with a sloped hillside on the north.

COMMENTS:

See attached memorandum

NAME: Pina Rubin

DATE: 3/11/21



COUNTY OF LAKE
Health Services Department
Environmental Health Division
922 Bevins Court
Lakeport, California 95453-9739
Telephone 707/263-1164
FAX 707/263-1681

Denise Pomeroy
Health Services Director

Gary Pace, MD, MPH
Health Officer

Craig Wetherbee
Environmental Health Director

MEMORANDUM

DATE: March 11, 2021

TO: Mark Roberts, Senior Planner – City of Clearlake

FROM: Tina Dawn-Rubin, Environmental Health Aide

RE: Use Permits UP 21-05; 21-06; UP 21-07; UP 21-08; IS 21-02
Commercial Cannabis

APN: 010-044-17 2185 Ogulin Canyon Rd, Clearlake

Lake County Division of Environmental Health (EH) has on file for the subject parcel:

APN: 010-044-17 – a 2021 well permit (WE 5569 AG) for an AG well; a 2016 site evaluation report for an on-site waste water treatment system; a 2008 septic permit (20594) designed to service a commercial facility was issued and appears not installed (no final inspection on file); a 2008 site evaluation report; a 2007 well permit (WE 2564) for a domestic well; a 1979 septic permit (4798-S) designed to service a 2 bedroom dwelling.

The applicant must meet the EH requirements regarding Onsite Wastewater Treatment System (OWTS) and potable water.

For any proposed building permits or projects where the parcel is serviced by an OWTS or well, the applicant may need to demonstrate the location of any proposed or existing structures including residential or commercial dwellings, garages, driveways, shed, barns, green houses, non-perimeter fences, well houses, etc., *and* the location of the proposed project on a to-scale site plan prior to building permit issuance and/or project approval.

EH may require a field clearance to validate septic or well locations prior to site plan approval.

If the applicant is proposing a commercial cannabis operation and the operation will be constructing or utilizing an existing structure (i.e., processing facility) that will have plumbing for a restroom, sink, etc, that structure will be required to have its own OWTS, separate from any existing or new OWTS designed to service a residential structure.

If the applicant is proposing an OWTS, then applicant must apply for a site evaluation and, if the site is acceptable to support an OWTS, apply for a permit.

EH requires all applicants to provide a written declaration of the chemical names and quantities of any hazardous material to be used on site. As a general rule, if a material has a Safety Data Sheet, that material may be considered as part of the facilities hazardous materials declaration.

Promoting an Optimal State of Wellness in Lake County

From: [Fahmy Attar](#)
To: [Mark Roberts](#)
Subject: Re: Request for Review for UP 21-05 (Manufacturing), UP 21-06 (Processing), UP 21-07 (Distribution), UP 21-08 (Cultivation) and Initial Study, IS 21-02
Date: Saturday, March 20, 2021 6:02:51 PM
Importance: High

Hello,

For a Cannabis operation site, here is a list of Air Quality requirements that may be applicable to the site:

1. Off-site odor impacts should be mitigated to minimize nuisance to nearby residences, property, and public roads.
2. Any manufacturing or delivery Cannabis operations must comply with LCAQMD rules and regulations. An application must be submitted. Contact LCAQMD for more details.
3. Any demolition or renovation is subject to the Federal National Emissions Standard for Hazardous Air Pollutants (NESHAP) for asbestos in buildings requires asbestos inspections by a Certified Asbestos Consultant for all major renovations and all demolition. An Asbestos Notification Form with the Asbestos inspection report must be submitted to the District at least 14 days prior to beginning any demolition work. The applicant must contact the District for more details and proper approvals. Regardless of asbestos content or reporting requirements all demolition and renovation activities should use adequate water/ amended water to prevent dust generation and nuisance conditions.
4. Construction activities that involve pavement, masonry, sand, gravel, grading, and other activities that could produce airborne particulate should be conducted with adequate dust controls to minimize airborne emissions. A dust mitigation plan may be required should the applicant fail to maintain adequate dust controls.
5. 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. Contact LCAQMD for more details.
6. All engines must notify LCAQMD prior to beginning construction activities and prior to engine Use. Mobile diesel equipment used for construction and/or maintenance must be in compliance with State registration requirements. All equipment units must meet Federal, State and local requirements. All equipment units must meet RICE NESHAP/NSPS requirements including proper maintenance to minimize airborne emissions and proper record-keeping of all activities, all units must meet the State Air Toxic Control Measures for CI engines, and must meet local regulations. Contact LCAQMD for more details.
7. Site development, vegetation disposal, and site operation shall not create nuisance odors or dust. During the site preparation phase, the District recommends that any removed vegetation be chipped and spread for ground cover and erosion control. Burning is not allowed on commercial property, materials generated from the commercial operation, and waste material from construction debris, must not be burned as a means of disposal.
8. Significant dust may be generated from increase vehicle traffic if driveways and parking

areas are not adequately surfaced. Surfacing standards should be included as a requirement in the use permit to minimize dust impacts to the public, visitors, and road traffic. At a minimum, the District recommends chip seal as a temporary measure for primary access roads and parking. Paving with asphaltic concrete is preferred and should be required for long term occupancy. All areas subject to semi truck / trailer traffic should require asphaltic concrete paving or equivalent to prevent fugitive dust generation. Gravel surfacing may be adequate for low use driveways and overflow parking areas, however, gravel surfaces require more maintenance to achieve dust control, and permit conditions should require regular palliative treatment if gravel is utilized. White rock is not suitable for surfacing (and should be prohibited in the permit) because of its tendency to break down and create excessive dust. Grading and re-graveling roads should utilizing water trucks if necessary, reduce travel times through efficient time management and consolidating solid waste removal/supply deliveries, and speed limits.

Best Regards,

Fahmy Attar

Air Quality Engineer

Lake County Air Quality Management District

2617 S. Main Street, Lakeport, CA, 95453

(707) 533-3469 | fahmya@lcaqmd.net

On Mar 1, 2021, at 11:16 AM, Mark Roberts <mroberts@clearlake.ca.us> wrote:

Hello Fellow Agencies,

This email is in regards to the above Request for Review located at 2185 Ogulin Canyon Road, Clearlake, CA. Please review the above RFR Packet and if you have any comments please respond no later than Friday, March 19, 2021. If you need additional information or have clarifications questions, please let me know. We look forward to hearing from you.

Sincerely,

<image002.png>

Mark Roberts | Senior Planner
City of Clearlake

14050 Olympic Drive | Clearlake, CA 95422
707-994-8201

<RFR Ogulin Hills Holding LLC Packet.pdf>

From: [Cory Smith](#)
To: [Mark Roberts](#)
Subject: RE: Request for Review for UP 21-05 (Manufacturing), UP 21-06 (Processing), UP 21-07 (Distribution), UP 21-08 (Cultivation) and Initial Study, IS 21-02
Date: Monday, March 29, 2021 3:24:13 PM
Attachments: [image001.png](#)

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Lake County Fire Protection District will be requiring the following but not be limited to:

1. New occupant will need to secure an application on file that can be located within our front office.
2. Submit 3 sets of plans for review and approval prior to building. An occupancy inspection will be required prior to occupancy.
3. Fees will be applied and can be found on our website.
4. Provide knox box for fire department access.
5. Ensure proper fire extinguishers are used.
6. Ensure emergency lighting is current.
7. Manufacturing requires a full fire sprinkler system with fire alarm to notify occupants to exit. Fire suppression plans needs to be submitted and approved prior to installation.
8. Provide all data on extraction equipment, cultivation CO2?, etc....
9. Submit operational business plan.

Our FAQ sheet is located as well on our website that will be able to provide additional information on types of licenses. Also, our website gives direction to business owners on current building codes that is enforceable.

Thanks and have a great day

Cory Smith
Fire Marshal

Lake County Fire Protection District

CSmith@lakecountyfire.com

14815 Olympic Drive
Clearlake, Ca. 95422

707-994-2170 office

707-350-4140 cell
707-9944861 fax

From: Mark Roberts <mroberts@clearlake.ca.us>
Sent: Monday, March 1, 2021 11:16 AM
Subject: Request for Review for UP 21-05 (Manufacturing), UP 21-06 (Processing), UP 21-07 (Distribution), UP 21-08 (Cultivation) and Initial Study, IS 21-02
Importance: High

Hello Fellow Agencies,

This email is in regards to the above Request for Review located at 2185 Ogulin Canyon Road, Clearlake, CA. Please review the above RFR Packet and if you have any comments please respond no later than Friday, March 19, 2021. If you need additional information or have clarifications questions, please let me know. We look forward to hearing from you.

Sincerely,



Mark Roberts | Senior Planner
City of Clearlake
14050 Olympic Drive | Clearlake, CA 95422
707-994-8201

ATTACHMENT F

**WATER AVAILABILITY
ANALYSIS**

2185 Ogulin Canyon Road

Water Availability Analysis

June 2021

The subject property is a 21.25-acre parcel located at 2185 Ogulin Canyon Road in Clearlake, California (APN 010-044-17).

The proposed project is a cannabis processing and cultivation facility with 10,000 ft.² of manufacturing, processing, distribution buildings (2 buildings - 5,000 ft.² each), a 3,000 ft.² office and retail delivery building, and ten (10) - 25' x 75' mixed light cultivation greenhouses.

- A. Water for both domestic and irrigation uses will be delivered from an existing permitted water well. The well is approximately 375 feet deep and has a capacity of 80 gallons per minute (see attached well report).
- B. The water system will use ground water pumped from the well directly into five (5) - 10,000-gallon water tanks for distribution to the building(s) plumbing system and to the greenhouses for irrigation. Additional water tanks may be installed in the area of the greenhouses if necessary.
- C. A water meter will be installed in the water system and consumption will be logged daily. Water use efficiency will be analyzed for the previous year and a water budget will be generated for each upcoming grow cycle.
- D. The California Department of Food and Agriculture (CDFA) in 2017 reported the following regarding the water use for cannabis. "According to Hammon et al. (2015), water use requirements for outdoor (mixed light) cannabis production (25-35 inches per year) are generally in line with water use for other agricultural crops, such as corn (20-25 inches per year), alfalfa (30-40 inches per year), tomatoes (15-25 inches per year), peaches (30-40 inches per year), and hops (20-30 inches per year).
- E. The following water use estimate is from the CDFA - CalCannabis Environmental Impact Report (CDFA 2017) = 3,000 gallons per day for 1 acre of cannabis canopy. The combined land area associated with the 10 proposed greenhouses is less than .5 acre. The daily requirement is about 1 gallon of water per minute for .5 acres of cannabis canopy. Using 1,500 gallons per day for .5 acre of cannabis canopy, 300 grow days annually, the annual irrigation water demand for the project is estimated to be 450,000 gallons per year.
- F. Water demand for the light industrial - warehouse and distribution uses is estimated using the Florida Department of Revenue (FDOR) database of property-based information for every parcel of land in the state. This database is publicly available free of charge from the FDOR website. This data indicates that a 13,000 square foot light industrial use will use slightly over 11,000 gallons of water per month or 132,000 gallons/year.
- G. The estimated total water demand for the project is 582,000 gallons per year (450,000 gallons+132,000 gallons). The yield of the well on the property is 80 gallons per minute,

2185 Ogulin Canyon Road
Water Availability Analysis
June 2021

with a capacity in excess of 9.9 million gallons per year (40 hours/week x 52 weeks/year x 80 gallons/minute).

H. The facility will implement water conservation practices, including:

- Selection of plant varieties that are suitable for mixed light cultivation.
- The use of driplines and drip emitters (instead of spray irrigation).
- Mulch to reduce evaporation.
- Water application rates modified from data from soil moisture meters and weather monitoring.
- Rooftop rainwater collection (where feasible and permitted).
- Shutoff valves on hoses and water pipes.
- Daily visual inspections of irrigation systems.
- Immediate repair of leaking or malfunctioning equipment.
- Water metering and budgeting.
- Practices to prevent discharges from water supply equipment.
- Water application rates minimized as necessary to prevent runoff and water equipment leaks repaired immediately.
- Water filtration systems to be installed.
- Tanks will supply gravitational head to the irrigation system. PVC pipes will deliver the water to the plants.
- Mixing tanks will be used to mix liquid fertilizers, which will then be injected into the irrigation system supply lines.
- At each planting station, black polyvinyl flexible tubes and drip emitters will be used to irrigate the plants.

I. Groundwater – The following information is from: **Lake County Watershed Protection District Lake County Groundwater Management Plan - March 31, 2006 - page 2-24 to 27.** The project site is in the Burns Valley Groundwater Basin.

Burns Valley Basin is in the Shoreline Inventory Unit. The Franciscan Formation borders the Burns Valley Basin on the north, Clear Lake borders the basin on the west, and the Cache Formation borders the basin on the south and east.

2185 Ogulin Canyon Road
Water Availability Analysis
June 2021

Water-Bearing Formations:

Quaternary Alluvium

The valley lowlands contain stream channel gravel and adjacent floodplain deposits. These lowland deposits are Quaternary Alluvium and are composed of silt, sand, and gravel. The southern end of the valley has a maximum thickness of approximately 50 feet (DWR 2003). Groundwater in this formation is unconfined and typically provides water for domestic use.

Quaternary Terrace Deposits

Quaternary Terrace Deposits have been deposited on the sides of the alluvial plain in the Burns Valley Basin. The terrace deposits are approximately 15 feet above the valley floor and slope up the valley to a similar elevation as the foothill exposures of the Cache Formation. Groundwater in this formation is not well understood.

Lower Lake Formation

The Lower Lake Formation, consisting of lake deposits, underlies the alluvial and terrace deposits in the Burns Valley Basin. The formation consists of fine sands, silts, and thick interbeds of marl and limestone (Rymer 1981) and has a maximum thickness of 200 feet (DWR 2003). The formation has low permeability and provides water to wells at up to a few hundred gallons per minute (DWR 2003).

Groundwater Hydrogeology

The Watershed Protection District monitors one well in the Burns Valley Basin. The monitoring well indicates that groundwater levels fluctuate from 2 feet below ground surface in the spring to 10 feet below ground surface in the fall. The well also indicates that water levels rose in the Burns Valley Basin in 1981-1983. No information on groundwater movement is available. DWR estimates the useable storage capacity to be 1,400-acre feet (DWR 1960). Average-year agricultural groundwater demand in the Burns Valley basin is approximately 14 acre-feet per year.

Groundwater Quality/Inelastic Land Surface Subsidence

DWR monitors a number of wells for water quality in the Burns Valley Basin. Monitoring is not extensive enough to determine trends in groundwater quality nor the overall character of groundwater in the basin. Information was not available from DHS for the High Valley Groundwater Basin. Current information regarding inelastic land surface subsidence is unavailable.

2185 Ogulin Canyon Road Water Availability Analysis June 2021

Groundwater Wells

There are 86 domestic wells and 13 irrigation wells in the Burns Valley Basin. Approximately 50 percent of domestic wells are shallower than 75 feet deep, and approximately 50 percent of irrigation wells are shallower than 250 feet deep.

Conclusion - Water Availability

There is adequate water availability for the 2185 Ogulin Canyon Road Cannabis Processing and Cultivation Project.

June 15, 2021

Richard Knoll Consulting
825 South Main Street
Lakeport, California 95453
707-349-0639
richardk2255@hotmail.com



COUNTY OF LAKE
HEALTH SERVICES DEPARTMENT
Division of Environmental Health
922 Bevins Court, Lakeport, CA 95453-9739
Telephone 707/ 263-1164 FAX: 263-1681

Denise Pomeroy
Health Services Director

Erin Gustafson
Public Health Officer

Jasjit Kang
Environmental Health Director

SEAL WITHOUT WITNESS

Permit Number: WE 5569AG
Site Address: 2185 Ogulin Canyon Rd. Clearlake CA
Assessor's Parcel No: 010 - 044 - 17
Owner Name: Ogulin Hills Holdings
Date: 4-1-21

REASON FOR SEAL WITHOUT WITNESS:

- ☐ Emergency Seal - Explain: _____
- ☒ Inspector unable to witness
- ☐ Other: _____

IMPERMEABLE LAYER in which annular space terminates:

2' at a depth of 23' feet.

SEALANT USED: Bentonite clay with concrete cap
METHOD OF PLACEMENT: pour down hole Mix concrete cap

I hereby certify that I have installed the annular seal in accordance with the provisions of the Lake County Well Ordinance and unless otherwise specified in the Lake County Well Ordinance, with the California Department of Water Resources Bulletin 74-81 or as modified by subsequent revisions or supplements.

DRILLING CONTRACTOR SIGNATURE: _____

COMPANY: Will Peterson Well Drilling LICENSE NO: 1009053

Our mission is to promote and protect the health of the people of Lake County through education and the enforcement of public health laws.

State of California Well Completion Report

Refer to Instruction Pamphlet

No. XXXXXX

Page 1 of 1

Owner's Well Number 312412021

Date Work Began 3/24/2021 Date Work Ended 3/25/2021

Local Permit Agency Environmental Health

Permit Number WE 5569 AG Permit Date 3/22/2021

DWR Use Only - Do Not Fill In

State Well Number	Size Number
Latitude	Longitude
APN/TRS/Other	

Geologic Log		
Orientation	Drilling Method	Drilling Fluid
<input checked="" type="radio"/> Vertical <input type="radio"/> Horizontal <input type="radio"/> Angle Specify	Air Rotary	na
Depth from Surface	Feet	Description
0	40	Brown clay, some gravel
40	380	cemented Franciscan gravels

Well Owner

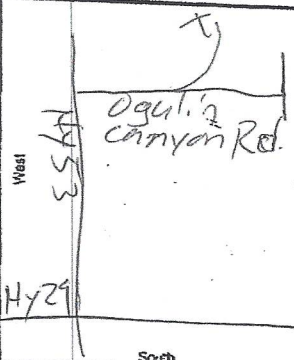
Name Ogulin Hills Holdings
Mailing Address 637 Lindero St. Ste 201
City San Rafael State CA Zip 94901

Well Location

Address 2185 Ogulin Canyon Rd.
City Clearlake County Lake
Latitude Dec. Min. Sec. N Longitude Dec. Min. Sec. W
Datum Dec. Lat. Dec. Long.
APN Book 010 Page 044 Parcel 17
Township Range Section

Location Sketch

(Sketch must be drawn by hand after form is printed)



Activity

- ☒ New Well
- ☐ Modification/Repair
- ☐ Deepen
- ☐ Other
- ☐ Destroy

Describe procedures and materials used: C-57 C-57 C-57

Planned Uses

- ☒ Water Supply
- ☐ Domestic ☐ Public
- ☐ Irrigation ☐ Industrial
- ☐ Cathodic Protection
- ☐ Dewatering
- ☐ Heat Exchange
- ☐ Injection
- ☐ Monitoring
- ☐ Remediation
- ☐ Sparging
- ☐ Test Well
- ☐ Vapor Extraction
- ☐ Other

Total Depth of Boring 380 Feet

Total Depth of Completed Well 375 Feet

Water Level and Yield of Completed Well

Depth to first water 280 (Feet below surface)
Depth to Static Water Level 280 (Feet) Data Measured 3/25/21
Estimated Yield 80 (GPM) Test Type Air Lift
Test Length 2 (Hours) Total Drawdown (Feet)
*May not be representative of a well's long term yield.

Casings								Annular Material			
Depth from Surface	Borehole Diameter	Type	Material	Wall Thickness	Outside Diameter	Screen Type	Slot Size if Any	Depth from Surface	Fill	Description	
Feet to Feet	(Inches)			(Inches)	(Inches)		(Inches)	Feet to Feet			
0	280	9	F480	PVC	1/4"	4 1/2"	na	0	1	concrete seal	
280	375	9	F480	PVC	1/4"	4 1/2"	PERF	1	23	bentonite seal	
							.035"	23	375	5/16" AG gravel pack	

Attachments

- ☐ Geologic Log
- ☐ Well Construction Diagram
- ☐ Geophysical Log(s)
- ☐ Soil/Water Chemical Analyses
- ☐ Other

Certification Statement

I, the undersigned, certify that this report is complete and accurate to the best of my knowledge and belief.

Name Will Peterson Well Drilling
Person, Firm or Corporation
PO Box 1095 Kelseyville CA 95451
Signed [Signature] Date 4-1-21 State 1009053
C-57 Licensed Water Well Constructor Date Signed C-57 License Number

OWNER

OGULIN HILLS HOLDINGS, LLC
BRYAN D. PENSACK
637 LINDARD ST., SUITE 201
SAN RAFAEL, CA 94901

SITE PLAN DATA

AREA OF PROPERTY 21.25 ACRES TOTAL

ZONING C-4 CITY OF CLEARLAKE

FLOOD ZONE X

NOTES

1) THIS IS NOT A BOUNDARY SURVEY. ALL LOT LINES SHOWN ARE BASED ON A.P.N. MAP.

Line #	Length	Direction
L1	417.23	N0° 43' 08"E
L2	176.50	N37° 35' 16"E
L3	487.57	S50° 02' 51"W
L4	310.04	N65° 13' 21"E
L5	167.51	S57° 33' 36"W
L6	273.07	N30° 16' 00"W
L7	57.82	N75° 56' 03"E

LEGEND

- PROPERTY LINE
- SETBACK LINE
- EASEMENT LINE
- (P) ACCESS ROAD/DRIVEWAY
- (E) ACCESS ROAD/DRIVEWAY
- (E) TREE/BRUSH LINE
- FEMA FLOOD ZONE BOUNDARY
- (P) THERMAL CAMERA
- (P) LIGHT POLE
- (P) BUILDINGS
- (P) GREENHOUSES
- AREA FOR FUTURE BUILDINGS
- ZONE AE
- ZONE AE FLOODWAY
- ZONE AO
- ZONE X



VanDerWall
Engineering, Inc.



Ogulin Cannabis Facilities

SITE PLAN

APN: 010-044-17

2185 Ogulin Canyon Road
CLEARLAKE, CALIFORNIA

PO BOX 431
KELSEYVILLE, CA 95451
707-279-4887

SUBMITTED TO:

CITY OF CLEARLAKE
COMMUNITY DEVELOPMENT DEPT.
14050 OLYMPIC DRIVE
CLEARLAKE, CA 95422

VERIFY SCALE

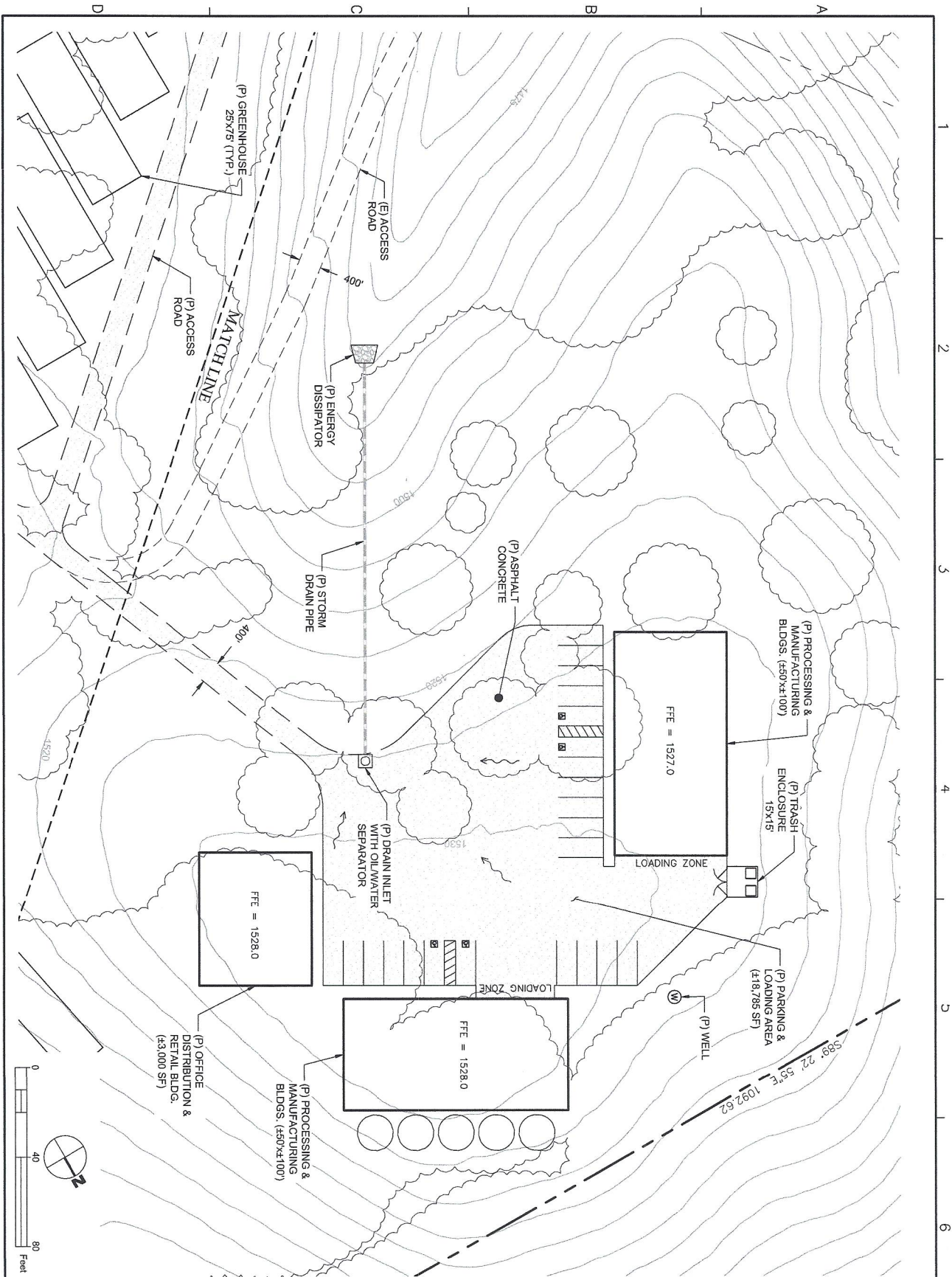
BAR IS ONE INCH ON
0 KANSAS DRAINING 1"

DATE DEC 2020

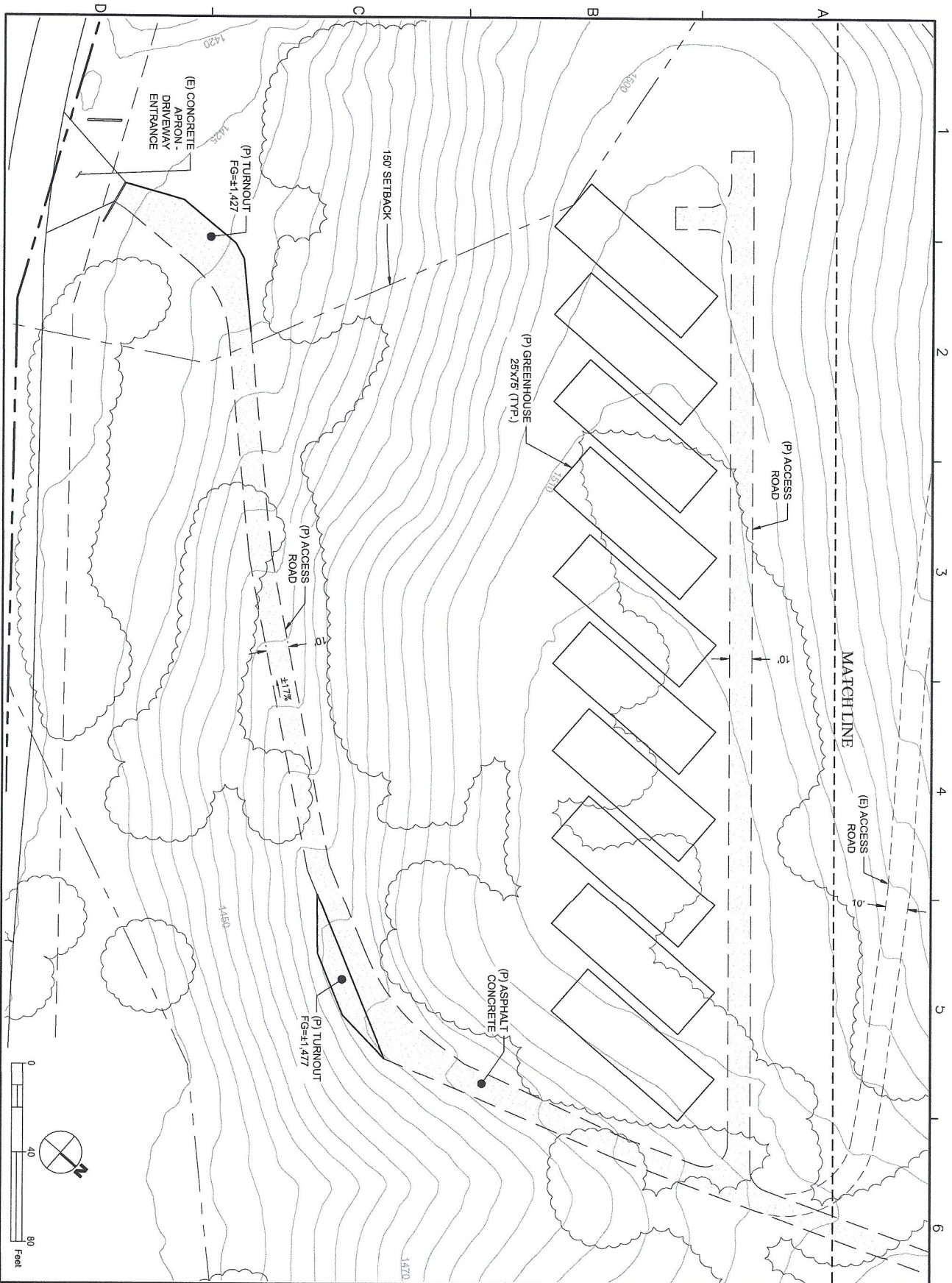
PROJ 20-60

DWG

SHEET 1 OF 2



VanDerWall Engineering, Inc. PO BOX 431 KELSEYVILLE, CA 95451 707-279-4887		SUBMITTED TO: CITY OF CLEARLAKE COMMUNITY DEVELOPMENT DEPT. 14050 OLYMPIC DRIVE CLEARLAKE, CA 95422	
Ogulin Cannabis Facilities PRELIMINARY GRADING PLAN APN: 010-044-17 2185 Ogulin Canyon Road CLEARLAKE, CALIFORNIA		VERIFY SCALE BAR IS ONE INCH ON ORIGINAL DRAWING 1"	
DATE: DEC 2020 PROJ: 20-60 DWG: 2 OF 4		SHEET: 2 OF 4	



VanDerWall Engineering, Inc.		PO BOX 431 KELSEYVILLE, CA 95451 707-279-4887		SUBMITTED TO: CITY OF CLEARLAKE COMMUNITY DEVELOPMENT DEPT. 14050 OLYMPIC DRIVE CLEARLAKE, CA 95422	
Ogulin Cannabis Facilities PRELIMINARY GRADING PLAN APN: 010-044-17 2185 Ogulin Canyon Road CLEARLAKE, CALIFORNIA		VERIFY SCALE BAR IS ONE INCH ON ORIGINAL DRAWING DATE DEC 2020 PROJ 20-60 DWG SHEET 3 OF 4			