



COUNTY OF LAKE

COMMUNITY DEVELOPMENT DEPARTMENT

Courthouse - 255 N. Forbes Street

Lakeport, California 95453

Planning Department · Building Department · Code Enforcement

707/263-2221 · FAX 707/263-2225

Dated: July 19, 2022

CALIFORNIA ENVIRONMENTAL QUALITY ACT ENVIRONMENTAL CHECKLIST FORM UPDATED INITIAL STUDY IS 20-16

1. **Project Title:** Nina Star Farms, Nina Star LLC
2. **Permit Number:** Major Use Permit, UP 20-14
Initial Study, IS 20-16
3. **Lead Agency Name and Address:** County of Lake
Community Development Department
Courthouse – 255 North Forbes Street
Lakeport CA 95453
4. **Contact Person:** Andrew Amelung, Assistant
Planner (707) 263-2221
5. **Project Location(s):** 23180 Shady Grove Rd.
Middletown, CA 95461
APNs: 014-006-16
6. **Project Sponsor's Name/Address:** Nina Star LLC
23180 Shady Grove Rd.
Middletown, CA 95461
7. **General Plan Designation:** Rural Lands - Agriculture - Resource Conservation
(RL-A-RC)
8. **Zoning:** "RL/A-FF-FW-SC-WW"; Rural Lands – Agriculture -
Floodway Fringe Combining- Floodway Combining –
Scenic Combining - Waterway Combining
9. **Supervisor District:** District One (1)
10. **Flood Zone:** AE Floodway along the creek, X for rest of property

- 11. Slope:** Varied; cultivation sites are less than 2%
- 12. Fire Hazard Severity Zone:** SRA – Moderate
- 13. Earthquake Fault Zone:** No
- 14. Dam Failure Inundation Area:** Not located within Dam Failure Inundation Area
- 15. Parcel Sizes:** 47.36 acres

16. Environmental Setting and Existing Conditions

The proposed cannabis project is located at 23180 Shady Grove Road, Middletown, CA, approximately 3 miles southeast of the intersection of Highway 29 and Highway 175 in Middletown. The proposed project area is within the Saint Helena Creek Watershed (HUC-12180201620301), which is located in the Upper Putah Creek Watershed. The property has a perennial watercourse, Saint Helena Creek, a Class I, and two Class II watercourses. Saint Helena Creek and the Class II both flow north through the center of the property, while the Class III watercourses flow west from the center of the property. All watercourses are over 100 feet from the proposed cultivation areas. There were also two agricultural ponds identified as surface water bodies on the Project property, and there is an existing stream crossing on site. The property is developed with a permitted residence and septic system, residential accessory structures, and an existing well. There is also a bridge crossing on the property to the other side of the parcel, however, the project will be located in front of the residential dwelling closest to Shady Grove Road.

The property is accessed from an existing driveway off of Shady Grove Road immediately next to Highway 29.

17. Description of Project: (Describe the whole action involved, including but not limited to later phases of the project, and any secondary, support, or off-site features necessary for its implementation. Attach additional sheets if necessary).

As shown in Figure 1, Nina Star is seeking discretionary approval from Lake County for a Major Use Permit to commercially cultivate cannabis for a total of 37,446 square feet (square feet) of the canopy area and a total of 48,529 square feet of cultivation area located at 23180 Shady Grove Rd., Middletown (APN 014-006-16), as follows:

- (2) *A-Type 3B: "mixed-light" license*: Greenhouse cultivation for adult-use cannabis with the use of artificial lighting in the canopy area from 10,001 square feet to 22,000 square feet. The applicant proposes 37,446 square feet of mixed-light canopy area within seven (7) total greenhouses - five (5) that are 90 feet x 60 feet, one (1) that is 90 feet x 104 feet, and one that is 30 feet x 104 feet.
- *A-Type 13 Self Distribution license*

The project also proposes:

- (1) 5,400 square feet processing facility with ADA-compliant restroom
- (1) 104 feet x 30 feet immature plant, greenhouse
- (1) existing on-site well for water use

- (1) 120 square feet storage shed
- 20'-wide access driveway from Shady Grove Road
- (4) employee parking spaces, including one (1) ADA-compliant parking space
- Perimeter fence and security cameras

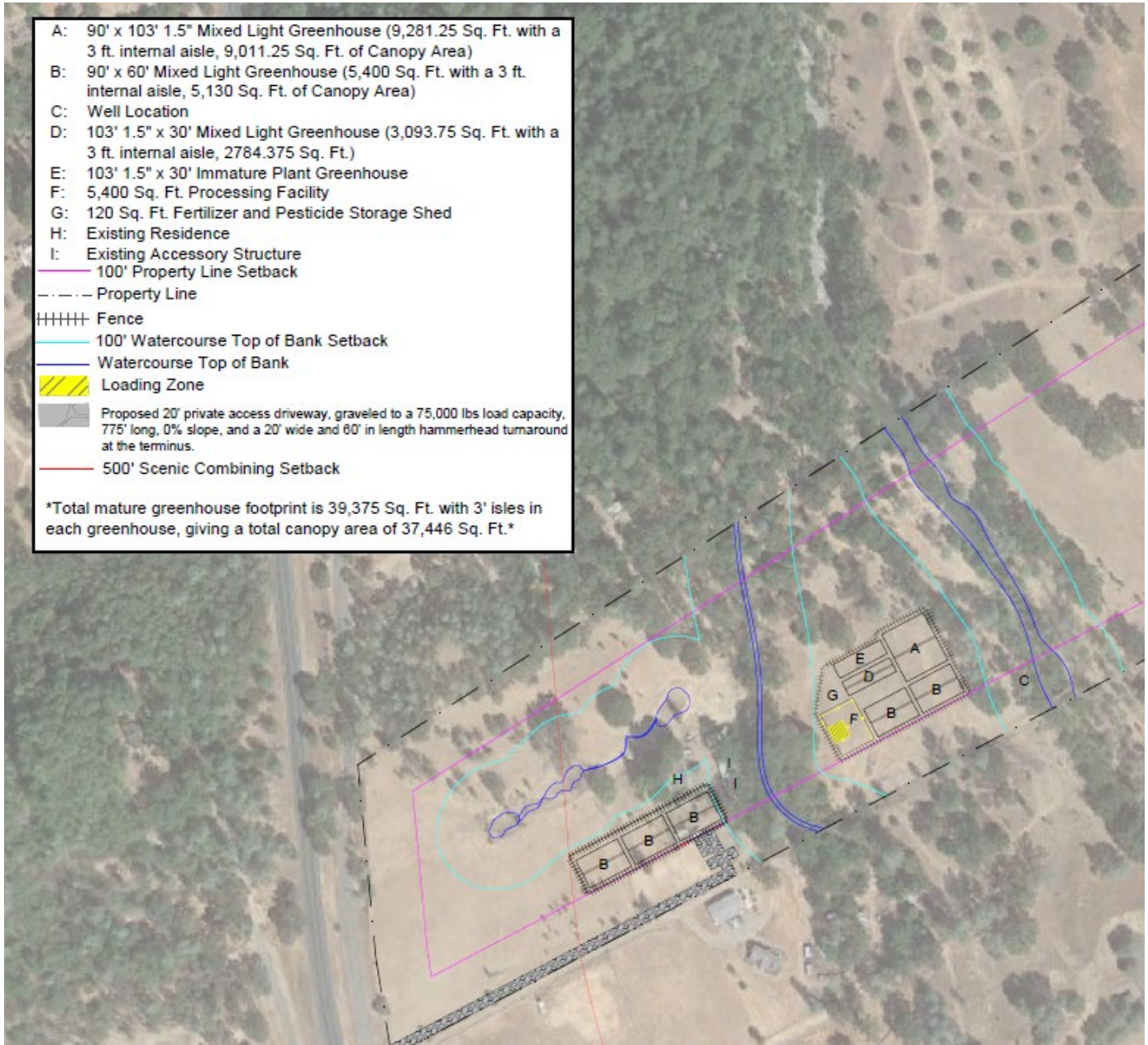


Figure 1: Proposed Project Site Plan (Source: Nina Star Site Plans)

The proposed cultivation activities would occur in an open flat area of unused land on APN 014-006-16. The 39,915 square feet of mixed-light cultivation would occur in seven (7) total greenhouses - five (5) that are 90 feet x 60 feet, one (1) that is 90 feet x 104, and one (1) that is 30' x 104 feet, which will be constructed from galvanized steel frames with 6-millimeter polyethylene film coverings for black-out purposes. Artificial lighting for the mixed-light cultivation would occur at a rate of up to 25 watts per square foot and would occur year-round.

Immature plants would be either sourced from an off-site, permitted nursery or cultivated onsite in the immature mixed-light greenhouses. Processing activities, such as drying, trimming, curing, and packaging, would occur in the proposed 5,400 square foot processing building. Self- transport distribution activities would also operate out of these processing buildings and would include up to 1 delivery/pickup per day.

Water for the proposed project would be sourced from the existing onsite well (lat/long 38.718582, -122.6131146) located near the eastern property boundary. The well is approximately 43 feet in depth. Jak Drilling and Pump filed a Well Completion Report on March 12th, 2020, and found that the well is rated at 16 gallons per minute.

Water would be pumped from the well and gravity-fed to the cultivation area through underground water lines and delivered to the plants utilizing drip irrigation techniques to conserve water usage. According to the Water Use Management section of the Property Management Plan, the projected water use for the proposed 37,446 square feet of canopy area was estimated to be 746,740 gallons annually. Table 1 details projected monthly water use estimates for a typical year.

| Monthly Water Use Estimates | | | | | | | | | | | |
|-----------------------------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|
| Jan | Feb | Mar | April | May | June | July | Aug | Sept | Oct | Nov | Dec |
| 62,228 | 62,228 | 62,228 | 62,228 | 62,228 | 62,228 | 62,228 | 62,228 | 62,228 | 62,228 | 62,228 | 62,228 |
| .19 | .19 | .19 | .19 | .19 | .19 | .19 | .19 | .19 | .19 | .19 | .19 |

Table 1: Proposed Monthly Water Use (Source: Nina Star Property Management Plan)

Power for the proposed cultivation activities would come from a proposed Pacific Gas and Electric (P.G.&E.) service through the future building permit for the processing facility, greenhouses, and security system. A gasoline-powered generator would be kept onsite for use during emergencies only.

Approximately four (4) employees are proposed to run the activities during peak seasonal activities. Four (4) parking spots, including one (1) ADA-compliant space, would be made available to employees. One (1) delivery/pickup per day is estimated. Hours of operation for the proposed activities would typically be between 8:00 a.m. and 6:00 p.m. daily, with deliveries and pickups restricted to 9:00 a.m. to 7:00 p.m. Monday through Saturday and Sunday from 12:00 p.m. to 5:00 p.m. Employees would have access to the ADA-compliant restroom proposed in the 5,400 s.f. processing facility.

Nina Star plans to supplement their cultivation with both dry and liquid fertilizers. All fertilizers and pesticides used with this project will be from the approved list through CDFA before use. All the fertilizers, nutrients, and pesticides will only be purchased and delivered to the property as needed. They will be stored separately in the processing facility, in their original containers, and used as directed by the manufacturer. All pesticides/fertilizers will be mixed/prepared on an impermeable surface with secondary containment, at least 100 feet from

surface water bodies. Empty containers will be disposed of by placing them in a separate seal-tight bin with a fitted lid and disposed of at the local solid waste facility within the county. At no time will fertilizers/nutrients be applied at a rate greater than 319 pounds of nitrogen per acre per year (requirement of the State Water Resource Control Board's Cannabis General Order). Water-soluble fertilizers/nutrients will be delivered via the drip and micro-spray irrigation system(s) of the proposed cultivation operation to promote optimal plant growth and flower formation while using as little product as necessary. Petroleum products will be stored year-round in State of California-approved containers with secondary containment and separate from pesticides and fertilizers, within the storage shed.

No hazardous waste would be produced from this project. Organic waste, including stems, root balls, and leaves from the cannabis plants, would be placed in a designated composting area within the cultivation area (outside of stream buffers), to be composted and reused in the cultivation process. All non-organic solid waste would be stored in bins with securely fitted lids in the cultivation area until proper disposal at a Lake County Integrated Waste Management facility, likely Eastlake Landfill.

Security for the site would include an access gate, which would remain locked outside of business hours. The gate would be secured with a heavy-duty chain, commercial-grade padlock, and a Knox Box to allow 24/7 access to emergency service vehicles in the event of an emergency. Additionally, a 7 foot-tall chain-link perimeter fence and privacy mesh screen would be constructed around the entire cultivation area and would be mounted with four (4) security cameras, per the Security Plan (Sheet 3 of Site Plans). An additional camera and security infrastructure would be located inside the proposed 5,400 square feet processing facility for compliance with the Bureau of Cannabis Control regulations for distribution activities.

Construction

According to the applicant, the following is regarding the site preparation and construction of the proposed project:

- Ground disturbance and structure construction activities would take place over a 3-to-5-week period.
- The proposed cultivation areas are relatively flat and require minimal grading in the form of topsoil smoothing for greenhouses, according to the applicant. The amount of grading would be allowed under the building permit to build the greenhouses.
- The proposed project requires the addition of a short gravel roadway to 20 feet in width and parking spaces to be constructed for the project which would not require any building permit.
- Approximately 130 to 160 truck vehicle trips would be necessary for construction.
- No trees are proposed to be removed. Landscaping will be added to the front of the property in the form of trees/native vegetation.
- Water from the existing onsite well would be used to mitigate the generation of dust when needed during construction.
- Materials and equipment will only be staged on previously disturbed areas (the site had been previously used for crop production). No areas will be disturbed for staging materials or equipment.

- All construction activities, including engine warm-up, would be limited to Monday through Saturday, between the hours of 9:00 a.m to 7:00 p.m, and Sunday from 12:00 p.m. to 5:00 p.m.

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

Minimal grading is proposed as part of the project on an existing flat area, as described above. According to the Property Management Plan, the following erosion control measures would be followed:

- Installation of straw wattles made from a non-plastic material around the cultivation area;
- Addition of gravel/crushed rock on the access road ;
- Application of native grass seed mixture to exposed or bare areas;
- Frequent visual monitoring inspections during the wet season; and
- Application of erosion control measures as needed to minimize concentrated flow paths.

Post - Construction

- Hours of operation will be 8:00 a.m. to 6:00 p.m.
- Estimated around 4 employees would occupy the cultivation site
- Two-way trips per day (including deliveries) estimated at 5 Average Daily Trips
- On-grid power with P.G.&E. is proposed with an emergency backup generator
- The existing well would be used for irrigation
- Vegetative waste to be composted on site

Nina Star (Dischargers) of Nina Star, LLC is enrolled with the State Water Resources Control Board (SWRCB) for Tier 2, Low-Risk coverage under Order No. WQ 2019-001-DWQ (General Order). The site was assigned WDID No. 5S17CC422952. The General Order requires the preparation of a Site Management Plan (SMP) and a Nitrogen Management Plan (NMP). The purpose of the SMP is to identify Best Practicable Treatment or Control (BPTC) measures that the site intends to follow for erosion control purposes and to prevent stormwater pollution. The purpose of the NMP is to identify how nitrogen is stored, used, and applied to crops in a way that is protective of water quality.

A Biological Resource Assessment & Plant Survey was conducted for the project area by Pinecrest Environmental Consulting on February 3rd, 2020. A Cultural Resource Evaluation was conducted for the project area by Dr. John Parker on December 16, 2019.

18. Surrounding Land Uses and Setting (Figure 2 and Figure 3):

North: Agriculture (A) and Rural Lands (RL) zoned properties

South: Agriculture (A) and Rural Lands (RL) zoned properties

East: Rural Lands (RL) zoned properties

West: Rural Residential (RR), Rural Lands (RL), and Commercial Resort (CR) zoned properties

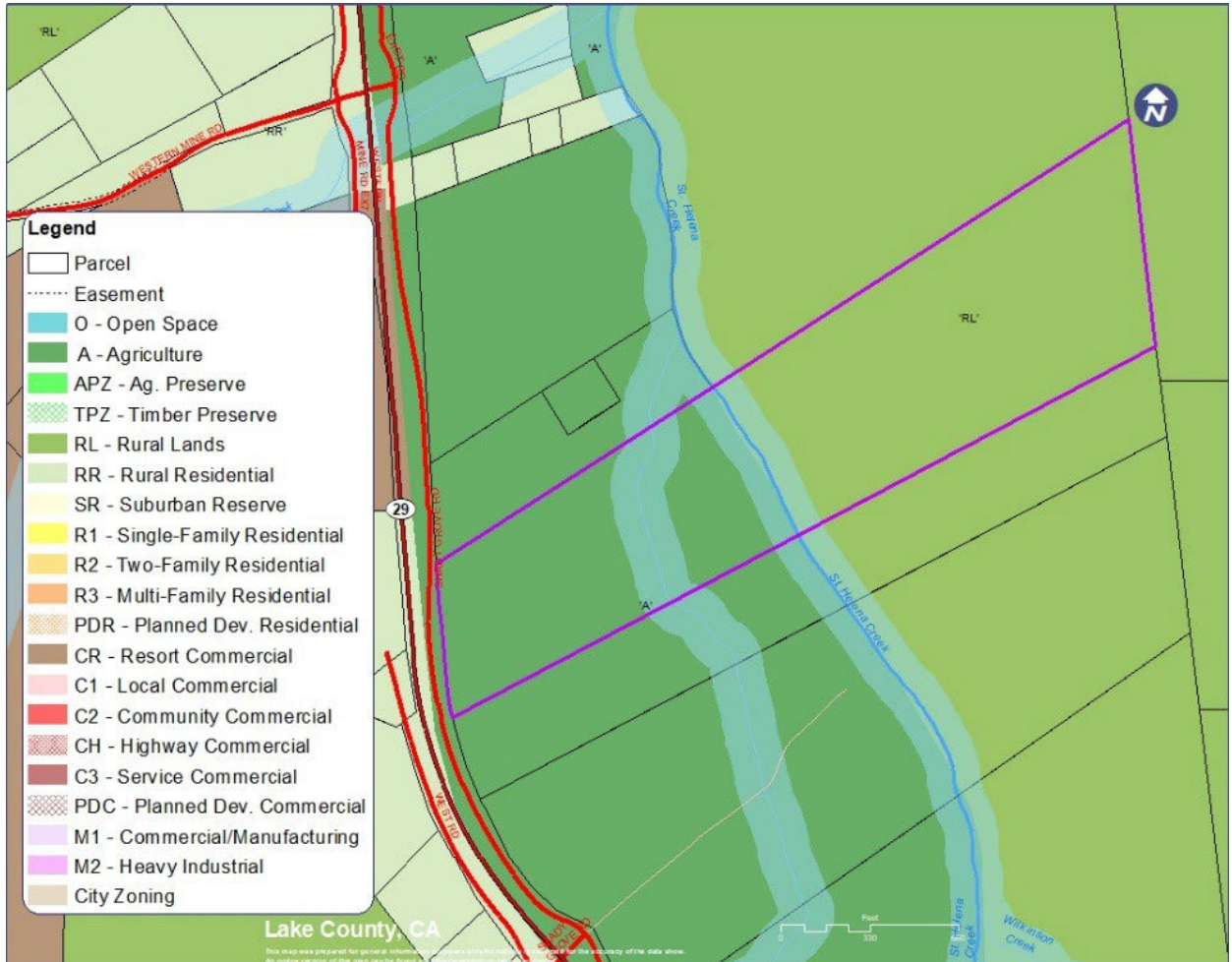


Figure 2. Zoning of Project Parcel (APN 014-006-16) and Surrounding Properties (Source: Lake County Parcel Viewer, 2021)

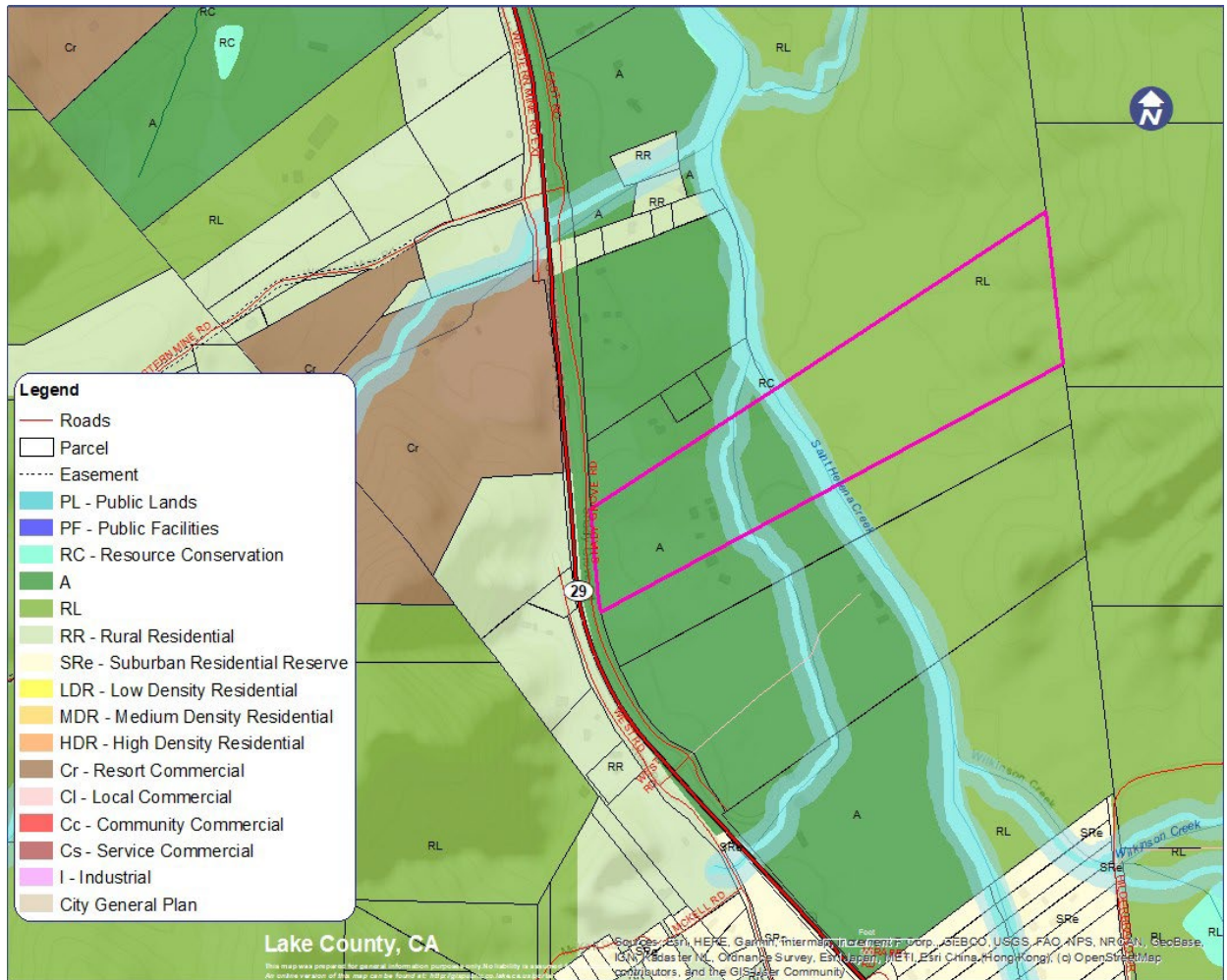


Figure 3: General Plan Designations of Project Parcel (APN 014-006-16) and Surrounding Properties (Source: Lake County Parcel Viewer, 2021)

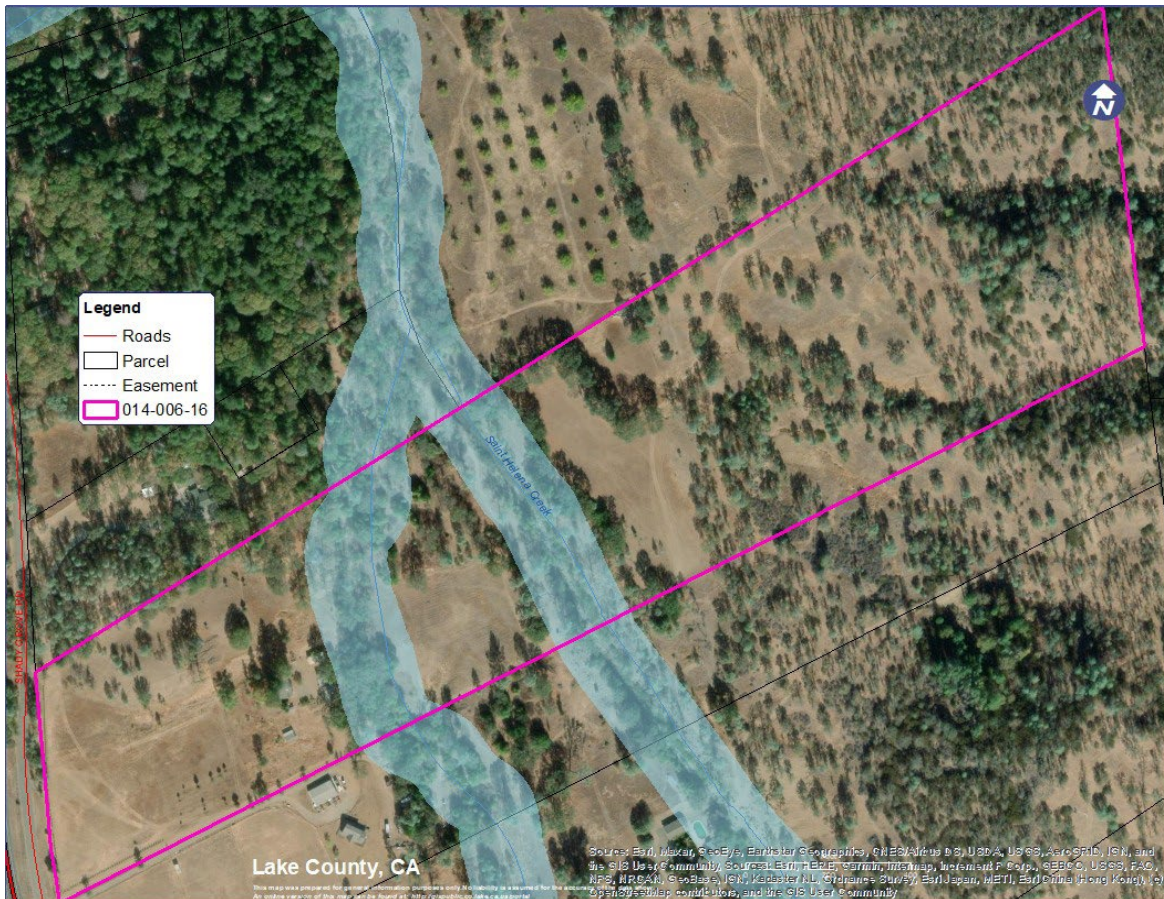


Figure 4. Aerial Photo of Project Parcel (APN 014-006-16) (Source: Lake County Parcel Viewer, 2021)

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

Lake County Department of Environmental Health
 Lake County Air Quality Management District
 Lake County Department of Public Works
 Lake County Department of Public Services
 Lake County Agricultural Commissioner
 Lake County Sheriff Department
 Kelseyville Fire Protection District
 Central Valley Regional Water Quality Control Board
 CalCannabis (via Dept. of Food and Agriculture)
 California Water Resources Control Board
 California Department of Forestry & Fire Protection (Calfire)
 California Department of Fish & Wildlife (CDFW)
 California Department of Food and Agriculture
 California Department of Pesticides Regulations
 California Department of Public Health
 California Bureau of Cannabis Control

- 19. Have California Native American tribes traditionally and culturally affiliated with the project area requested consultation pursuant to Public Resources Code section 21080.3.1? If so, is there a plan for consultation that includes, for example, the determination of the significance of impacts to tribal cultural resources, procedures regarding confidentiality, etc.?** Note: Conducting consultation early in the CEQA process allows tribal governments, lead agencies, and project proponents to discuss the level of environmental review, identify and address potential adverse impacts to tribal cultural resources, and reduce the potential for delay and conflict in the environmental review process. (See Public Resources Code section 21080.3.2.) Information may also be available from the California Native American Heritage Commission's Sacred Lands File per Public Resources Code section 5097.96 and the California Historical Resources Information System administered by the California Office of Historic Preservation. Please also note that Public Resources Code section 21082.3 (c) contains provisions specific to confidentiality.

Notification of the project was sent to local tribes on February 18, 2020, through the Assembly Bill 52 consultation process. AB52 Tribal Consultation Notification was sent to Big Valley Rancheria, Cortina Rancheria, Elem Colony, Hopland Band of Pomo, Koi Nation, Mishewal-Wappo, Middletown Rancheria, Redwood Valley, Robinson Rancheria, Scotts Valley Band of Pomo, Upper Lake Habematolel, and Yocha Dehe. The Representative from Middletown Tribe requested the Cultural Resource Survey and conclude with an e-mail correspondence dated February 19, 2020, that "although it is within the aboriginal territories of the Middletown Rancheria, our department is okay with the project moving forward, under the mutual understanding that the Tribe is contacted should there be any significant inadvertent discoveries. Should any new information or evidence of human habitation be found as this project progresses, or an expansion of ground-disturbing activities, we respectfully ask that all work cease and that you [county] contact the Tribe immediately. We do have a process to protect such important and sacred resources." An update to the project was made to define the project scope and an additional review was sent out on August 12, 2020. Middletown Rancheria representative requested tribal consultation, however, in a form of a site visit. A site visit was conducted on June 8, 2021, at the location and resulted in concluding additional mitigation measures.

20. Attachments:

- Attachment A-Property Management Plan
- Attachment B-Site Plans
- Attachment C-Greenhouse Renders
- Attachment D-Biological Assessment
- Attachment E-Hydrology Report & Drought Management Plan
- Attachment F-Site Visit Photos
- Attachment G-Mitigation Monitoring and Reporting Program

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

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

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

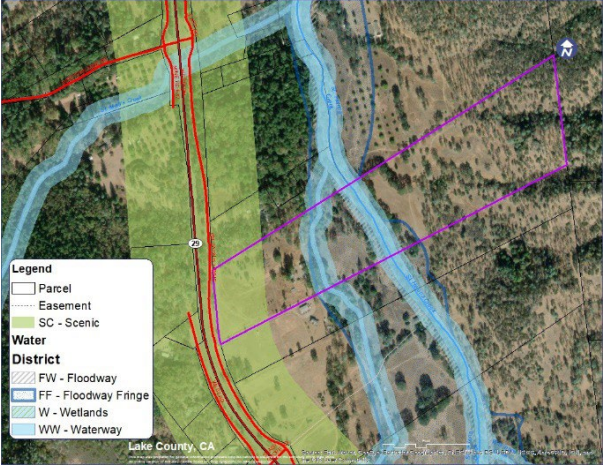
| | |
|---|---|
| Initial Study Prepared by: | Initial Study Amended by: |
| Sateur Ham, Assistant Planner, County of Lake | Sufyan Hamouda, Lake County Planning Consultants Katherine Schaefer, Assistant Planner, County of Lake |
| SIGNATURE: _____ Date: _____ | SIGNATURE: _____ Date: _____ |


SECTION 1 - EVALUATION OF ENVIRONMENTAL IMPACTS:

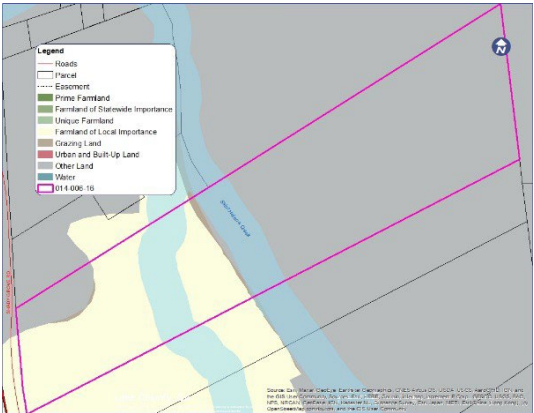
- 1) A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A "No Impact" answer is adequately supported if the referenced information sources show that the impact 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 processes, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063(c)(3)(D). In this case, a brief discussion should identify the following:
 - a) Earlier Analysis Used. Identify and state where they are available for review.
 - b) Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
 - c) Mitigation Measures. For effects that are "Less than Significant with Mitigation Measures Incorporated," describe the mitigation measures, which were incorporated or refined from the earlier document, and the extent to which they address site-specific conditions for the project.
- 6) Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.
- 7) Supporting Information Sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.

- 8) This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies should normally address the questions from this checklist that are relevant to a project's environmental effects in whatever format is selected.
- 9) The explanation of each issue should identify:
- the significance criteria or threshold, if any, used to evaluate each question; and
 - the mitigation measure identified, if any, to reduce the impact to less than the significance

KEY: 1 = Potentially Significant Impact
2 = Less Than Significant with Mitigation Incorporation
3 = Less Than Significant Impact
4 = No Impact

| IMPACT CATEGORIES* | 1 | 2 | 3 | 4 | All determinations need explanation. Reference to documentation, sources, notes, and correspondence. | Source Number** |
|---|---|---|---|---|--|---------------------|
| I. AESTHETICS <i>Would the project:</i> | | | | | | |
| a) Have a substantial adverse effect on a scenic vista? | | X | | | <p>The project site is accessed by a private driveway off of Shady Grove Road, which is immediately parallel to Highway 29. There is a scenic vista on or adjacent to the subject site designated by Highway 29. The proposed project location is outside of the designated Scenic Combining District, however, the project proposes mitigation to landscape a vegetative buffer of native trees, plants, shrubs, etc. to visually protect the scenic vista near the subject property and maintain the rural character by matching the natural topography and surrounding vegetation. The proposed activities are agricultural and are consistent with the past use of the property as well as the surrounding existing uses. In addition, the applicant is proposing to enclose the cultivation area with a perimeter fence and mesh screening, per the Property management Plan.</p>  <p>AES-1: The applicant shall be subjected to complying with the greenhouse renderings provided to protect scenic qualities, and promote community character on the scenic highway.</p> | 1, 2, 3, 4, 5, 6, 9 |

| | | | | | |
|---|--|--|---|--|------------------|
| | | | | AES-2: Prior to construction, the applicant shall provide a vegetation screening plan to protect the views from Hwy 29. | |
| | | | | Less than significant impact with mitigation measures AES-1 through AES-2 incorporated. | |
| b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway? | | | X | <p>See response I (a). The project parcel has a Scenic Corridor (SC) combining zone designation. Limited agricultural activities are permitted within the SC zone. The site is located near Highway 29, however, it is not within a state scenic highway. Per Google Earth Street View and analysis of site topography, the project would not likely be visible from State Highway 29 with the vegetative buffer added (Figure 5). Therefore, a less than significant impact would occur.</p>  <p><i>Figure 5: Street View of Project Parcel (proposed development located on an open field approximately 140 ft from the cross street in photo) (Source: Google Earth, 2021)</i></p> <p>No impact.</p> | 2, 3, 4, 9 |
| c) Substantially degrade the existing visual character or quality of public views of the site and its surroundings? If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality? | | | X | <p>See response I (a). The project has the potential to degrade the existing visual character and quality of public views of the site as the project property is located adjacent to the signage “Welcome to Lake County” and is also located within the County zoning designation for Scenic Corridor which does not allow some agricultural uses including greenhouses and with a major use, greenhouse are limited to the use area of 5,000 square feet at the discretion of the decision-makers. The proposed project’s entire footprint will take place outside of the Scenic Combining District, which is the 500’ setback from Highway 29. The applicant proposed several measures to further lessen the impact on the aesthetics features of the proposed project including masking the 3 greenhouses on the front half of the property to look more aesthetically pleasing a. The rest of the project is located behind already existing natural vegetation which cannot be seen from any public access roadways.</p> <p>Less than significant impact with mitigation measures AES-1 incorporated.</p> | 1, 2, 3, 4, 6, 9 |

| | | | | | |
|--|--|---|--|--|------------------------------|
| d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area? | | X | | <p>The project has some potential to create additional light and/or glare through the mixed-light cultivation and the exterior security lighting. The proposed use is a mixed-light cultivation operation, however, all cultivation lighting would be concealed within the greenhouses. The following mitigation measures have been implemented that would reduce the impacts to less than significant:</p> <p>AES-3: All greenhouses/structures incorporating artificial lighting shall be equipped with blackout film/material to be used at night for the maximum light blockage to lessen the impact on the surrounding parcels and the dark skies. The applicant shall submit a Blackout Film/Materials Plan</p> | 1, 2, 3, 4, 5, 6, 9 |
| | | | | <p>to the Community Development Department for review and approval before the issuance of any permits.</p> <p>AES-4: Security lighting shall be motion-activated and all outdoor lighting shall be shielded and downcast or otherwise positioned in a manner that will not shine a light or allow light glare to exceed the boundaries of a lot of records upon which they are placed.</p> <p>Less than significant impact with mitigation measures AES-1 through AES-4 incorporated.</p> | |
| <p align="center">II. AGRICULTURE AND FORESTRY RESOURCES</p> <p><i>In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment Project; and forest carbon measurement methodology provided in Forest protocols adopted by the California Air Resources Board.</i></p> <p align="center"><i>Would the project:</i></p> | | | | | |
| a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use? | | X | | <p>The property contains farmland classified as "Farmland of Local Importance" per the Lake County 2016 Farmland Mapping and Monitoring Program (FMMP) (Figure 6). The Unique Farmland is located in the southern portion of the property. The proposed cultivation area would be located on part of the land classified as "Farmland of Local Importance" by the FMMP. As the area proposed for cultivation activities is vacant and the cannabis cultivation is a proposed agricultural use, the site is not proposing to convert existing farmland to non-agricultural use. Therefore, this proposed project would not convert Farmland of Local Importance to non-agricultural use.</p>  <p align="center"><i>Figure 6. Farmland Mapping and Monitoring Program designations on the project site</i></p> <p>Less than significant impact.</p> | 1, 2, 3, 4, 7, 8, 11, 13, 38 |

| | | | | | |
|---|--|--|---|--|-----------------------------|
| b) Conflict with existing zoning for agricultural use, or a Williamson Act contract? | | | X | <p>The site is not under a Williamson Act Contract. The project site is not located within the Lake County Farmland Protection Zone (FPZ) (Figure 8). Section 27.13 (at) 1 (vi)1 of the Lake County Zoning Ordinance, approved December 15, 2020, limits cannabis cultivation in the FPZ to indoor, mixed-light, and greenhouses that are equipped with filtration systems that prevent the movement of odors, pesticides, and other air borne contaminants out of or into the structure. Projects that meet specific standards identified in the Ordinance shall be allowed a specific time to come into compliance with the requirements</p> | 1, 2, 3, 4, 5, 7, 8, 11, 13 |
| | | | | <p>of the FPZ. These standards and requirements have been included as conditions of approval for the proposed project. In addition, Mitigation Measure AQ-7 requires that greenhouses be equipped with air and odor filtration systems.</p> <p>Additionally, the cultivation portion of the site would not interfere with the ability of the owner or neighbors to use the non-cannabis land for more traditional crop production. The site is zoned Rural Land (RL), which is a designated zone for agriculture, including cannabis cultivation.</p> <p>Less than significant impact.</p> | |
| c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))? | | | X | <p>The property is zoned Rural Land (RL) and does not contain forest land. Therefore, the proposed project would not conflict with existing zoning and/or cause the rezoning of forest land as defined by Public Resource Code section 4526, or of timberland as defined by Government Code section 51104(g).</p> <p>No impact.</p> | 1, 2, 3, 4, 5, 7, 8, 11, 13 |
| d) Result in the loss of forest land or conversion of forest land to non-forest use? | | | X | <p>Please see the response to Section II (c). The project would not result in the loss or conversion of forest land to a non-forest use.</p> <p>No impact.</p> | 1, 2, 3, 4, 5, 7, 8, 11, 13 |
| e) Involve other changes in the existing environment which, due to their location or nature, could result in the conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use? | | | X | <p>The project is proposed on open rural land that is not existing farmland. As proposed, this project would not induce changes to existing farmland that would result in its conversion to non-agricultural use.</p> <p>No impact.</p> | 1, 2, 3, 4, 5, 7, 8, 11, 13 |
| <p align="center">III. AIR QUALITY</p> <p align="center"><i>Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations.</i></p> <p align="center"><i>Would the project:</i></p> | | | | | |

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| a) Conflict with or obstruct implementation of the applicable air quality plan? | | X | | <p>The project site is located within the Lake County Air Basin, which is under the jurisdiction of the Lake County Air Quality Management District (LCAQMD). The LCAQMD applies air pollution regulations to all major stationary pollution sources and monitors air quality. The Lake County Air Basin is in attainment with both state and federal air quality standards. According to the USDA Soil Survey and the Ultramafic, ultrabasic, serpentine rock, and soil map of Lake County, serpentine soils have not been found within the project area or project vicinity.</p> <p>Since the Lake County Air Basin is in attainment for all air pollutants, air quality plans are not required in Lake County. Although the Lake County Air Basin is not required to have an air quality plan, the proposed project has the potential to result in short- and long-term air quality impacts from the construction and operation of the proposed project.</p> <p>The applicant developed an Air Quality Management Plan to manage cannabis-related emissions and odors during the construction and operation of the proposed project. Construction impacts, which are limited to road</p> | 1, 3, 4, 5, 21, 24, 31, 36 |
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| | | | | <p>improvements, building the processing building, preparing soils for planting, and running gasoline and diesel-powered equipment, would be temporary and would occur over about a 3-to-5-week period. Ongoing field management is considered an operational, not construction, activity.</p> <p>According to the Air Quality Management Plan from Nina Star, operational impacts would include emissions from the gasoline-powered generator, which is proposed to be used only for emergencies, and from dust and fumes from site preparation of the cultivation area and vehicular traffic, including small delivery vehicles that would be contributors during and after site preparation/construction. Odors generated by the plants, particularly during harvest season, would be mitigated through passive means (separation distance), maintenance of native vegetation, and through the ventilation system (carbon filters/air scrubbers) in the processing facility. Implementation of mitigation measures would reduce air quality impacts to less than significant. Dust during site preparation would be limited during periods of high winds (over 15 mph). All visibly dry, disturbed soil and road surfaces would be watered to minimize fugitive dust emissions. Dust and fumes may be released as a result of vehicular traffic, including small delivery vehicles. Minor grading is proposed.</p> <p><u>AQ-1:</u> Prior to obtaining the necessary permits and/or approvals for any phase, the applicant shall contact the Lake County Air Quality Management District and obtain an Authority to Construct (A/C) Permit for all operations and any diesel-powered equipment and/or other equipment with the potential for air emissions. Or provide proof that a permit is not needed.</p> <p><u>AQ-2:</u> All mobile diesel equipment used must comply with State registration requirements. Portable and stationary diesel-powered equipment must meet all Federal, State, and local requirements, including the requirements of the State Air Toxic Control Measures for CI engines. Additionally, all engines must notify LCAQMD prior to beginning construction activities and prior to engine use.</p> <p><u>AQ-3:</u> The applicant shall maintain records of all hazardous or toxic materials used, including a Material Safety Data Sheet (MSDS) for all volatile organic compounds utilized, including cleaning materials. Said information shall be made available upon request and/or the ability to provide the Lake County Air Quality Management District such information in order to complete an updated Air Toxic emission Inventory.</p> <p><u>AQ-4:</u> All vegetation during site development shall be chipped and spread for ground cover and/or erosion control. The burning of vegetation, construction debris, including waste material is prohibited.</p> <p><u>AQ-5:</u> The applicant shall have the primary access and parking areas surfaced with chip seal, asphalt, or an equivalent all-weather surfacing to reduce fugitive dust generation. The use of white rock as a road base or surface material for travel routes and/or parking areas is prohibited.</p> | |
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| | | | | <p>AQ-6: All areas subject to infrequent use of driveways, overflow parking, etc., shall be surfaced with gravel. The applicant shall regularly use and/or maintain the graveled area to reduce fugitive dust generations.</p> <p>Less than significant impact with mitigation measures AQ-1 through AQ-6 incorporated.</p> | |
| b) Violate any air quality standard or result in a cumulatively considerable net increase in an existing or projected air quality violation? | | | X | <p>The County of Lake is in the attainment of state and federal ambient air quality standards. Burning cannabis waste is prohibited within the commercial cannabis ordinance for Lake County, and the use of generators is only allowed during a power outage. On-site construction is likely to occur over a relatively short period (estimated 3 to 5 weeks) with minimal grading. The potential particulate matter could be generated during construction activities and build-out of the site, however, in general, construction activities that last for less than one year, and use standard quantities and types of construction equipment, are not required to be quantified and are assumed to have a less than significant impact. It is unlikely that this use would generate enough particulates during and after construction to violate any air quality standards.</p> <p>Less than significant impact.</p> | 1, 2, 3, 4, 5, 21, 24, 31, 36 |
| c) Expose sensitive receptors to substantial pollutant concentrations? | | | X | <p>Land uses that are considered sensitive receptors typically include residences, schools, parks, childcare centers, hospitals, convalescent homes, and retirement homes. There are no schools, parks, childcare centers, convalescent homes, or retirement homes located near the project. The nearest off-site residence appears to be located over 200 feet from the proposed cultivation area to the southeast. Article 27 of the Lake County Zoning Ordinance requires that the minimum setback requirement for commercial cannabis cultivation be 200 feet from off-site residences. Pesticide application would be only organic, according to the Property Management Plan, and would only be applied during the growing months and applied carefully to individual plants. The cultivation area would be surrounded by a fence and mesh which would help prevent off-site drift of pesticides. As such, sensitive receptors would not likely be exposed to substantial pollutant concentrations from pesticides. Additionally, no demolition or renovation is proposed that could expose sensitive receptors to asbestos and no serpentine soils are mapped onsite.</p> <p>Less than significant impact.</p> | 1, 2, 3, 4, 5, 10, 21, 24, 31, 36 |
| d) Result in substantial emissions (such as odors or dust) adversely affecting a substantial number of people? | | X | | <p>See response III(c). Odors generated by the plants, particularly during harvest season, would be mitigated. The processing building would be outfitted with carbon filters/air scrubbers installed to prevent odors from leaving the premises during all processing phases (see Mitigation Measure AQ-7). Additionally, odors would be mitigated through passive means (separation distance) and maintenance of native vegetation surrounding the site (outside of the defensible space buffer). Implementation of mitigation measures would reduce air quality impacts to less than significant.</p> <p>Lake County has adopted the Bay Area Air Quality Management District (BAAQMD) thresholds of significance as a basis for determining the significance of air quality and GHG impacts. Air emissions modeling performed for this project demonstrates that the project, in both the construction phase and the operational phase, would not generate significant quantities of ozone or particulate matter and does</p> | 1, 2, 3, 4, 5, 21, 24, 31, 36 |

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| | | | | <p>not exceed the project-level thresholds established by BAAQMD.</p> <p>The proposed cultivation would generate minimal amounts of emissions from the operation of small gasoline engines (tillers, weed eaters, lawnmowers, etc.) and vehicular traffic associated with staff communicating and delivery/pickups.</p> <p>AQ-7: Each greenhouse shall contain an air and odor filtration system. Method of filtration shall be provided to the Lake County Planning Department for review prior to any construction occurring on site.</p> <p>AQ-8: The applicant shall apply water to the ground during any site preparation work that is required for the greenhouses and drying building, as well as during any interior driveway improvements to mitigate dust migration.</p> <p>Less than significant impact with mitigation measures AQ-1 through AQ-8 incorporated.</p> | |
| IV. BIOLOGICAL RESOURCES <i>Would the project:</i> | | | | | |
| <p>a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?</p> | | X | | <p>A Biological Resource Assessment with Botanical Survey and Delineation of Waters of the U.S. (discussed further as “BA”) was prepared by environmental scientist Pinecrest Environmental Consulting on February 3rd, 2020.</p> <p>Onsite Waters/Wetlands: The proposed project area is within the Saint Helena Creek Watershed. The BA included a wetland delineation per the Army Corps of Engineers protocol to determine the extent of possible onsite Waters of the US. The delineation resulted in no wetlands being identified, however, there are two existing agricultural ponds. The BA does show that four creeks were identified, however, no development is proposed within the required state and county setbacks from them.</p> <p>Wildlife: The BA reviewed relevant databases for special-status wildlife species, however, no special status species were observed on site. A survey was conducted to observe potential habitat, which found that potential habitat only existed for nesting birds and raptors, and small potential for Foothill Yellow-legged Frog. A list of BMPs to follow was recommended, however no mitigation measures.</p> <p>Plants: The BA reviewed relevant databases for special-status plant species, however after an infield survey it was determined that none occurred on site. It was recommended that no trees over 24” be removed.</p> <p>BIO-1: All minimization measures in Appendix H of the Biological Report on APN 014-006-16 on February 3rd, 2020, shall be followed in order to protect the Foothill Yellow-Legged Frog in case of migration to potential habitat on the property.</p> <p>BIO-2: If there are the presence of special-status bird species, the establishment of a buffer zone using construction fence, postponement of vegetation removal until after the nesting season, postponement until after a</p> | <p>2, 5, 11, 12, 13, 16, 24, 29, 30, 31, 32, 33, 34</p> |

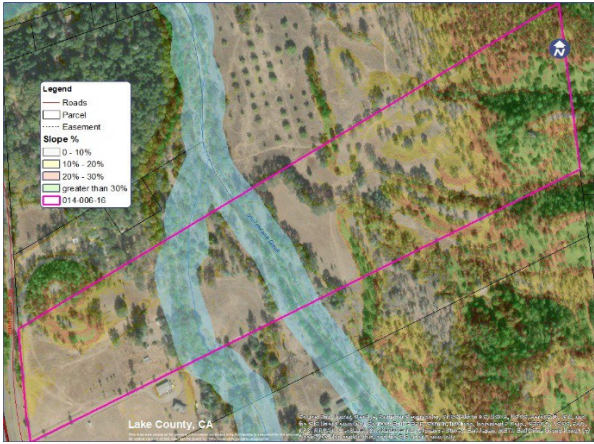
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| | | | | <p>qualified biologist has determined that the young have fledged and are independent of the nest site, or a combination thereof may be implemented.</p> <p>Less than significant impact with mitigation measure BIO-1 through BIO-2 incorporated.</p> | |
| <p>b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?</p> | | X | | <p>Refer to Section IV (a). None of the vegetative communities in the BA were identified as being sensitive natural communities and no jurisdictional wetlands were identified onsite. All project activities would be set back from watercourses by at least 100-feet. This setback is consistent with Article 27 of the Lake County Zoning Ordinance that regulates commercial cannabis cultivation. The applicant has provided a Property Management Plan, which addresses controlled water runoff in a manner that reduces impacts to this stream. No development would occur within the drainage buffers and setbacks and there are no sensitive natural communities within the project area.</p> <p>Erosion control measures to control erosion and sedimentation during construction and operation have been identified in the Property Management Plan. Measures include straw wattles and vegetative buffers.</p> <p>The project is enrolled with the State Water Resources Control Board (SWRCB) for Tier 2, Low-Risk coverage under Order No. WQ 2019-001-DWQ (General Order). Tier 2 dischargers reflect cultivation sites that disturb over one acre and are located on flat slopes outside of riparian setbacks. The General Order requires the preparation of a Site Management Plan (SMP) and a Nitrogen Management Plan (NMP). The purpose of the SMP is to identify Best Practicable Treatment or Control (BPTC) measures that the site intends to follow for erosion control purposes and to prevent stormwater pollution. The purpose of the NMP is to identify how nitrogen is stored, used, and applied to crops in a way that is protective of water quality. The SMP and NMP are required prior to commencing cultivation activities and were submitted with the application materials.</p> <p>BIO-3: All work should incorporate erosion control measures consistent with Lake County Grading Regulations and the State Water Resources Control Board Order No. WQ 2019-001-DWQ.</p> <p>Less than significant impact with mitigation measure BIO-3 incorporated.</p> | <p>1, 2, 3, 4, 5, 11, 12, 13, 16, 17, 29, 30, 31, 32, 33, 34</p> |
| <p>c) Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?</p> | | X | | <p>Refer to Section IV (a) and (b). According to the BA, there are no wetlands and vernal pools in the Study Area. Therefore, project implementation would not directly impact any wetlands.</p> <p>BIO-4: Pesticides and fertilizer storage facilities shall be located outside of the Riparian Corridor setbacks for structures. Pesticide and fertilizer storage facilities shall not be located within 100 feet of a wellhead or 50 feet of identified wetlands.</p> <p>BIO-5: The use of water provided by a public water supply, unlawful water diversions, transported by a water hauler, bottled water, a water vending machine, or a retail water facility is prohibited. The utilization of water that has been or is illegally diverted from any lake, springs, wetland,</p> | <p>1, 2, 3, 4, 5, 11, 12, 13, 16, 17, 21, 24, 29, 30, 31, 32, 33, 34</p> |


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| | | | | <p>stream, creek, vernal pool, and/or river is prohibited. The applicant shall not engage in any unlawful or unpermitted drawing of surface water.</p> <p>BIO-6: The applicant shall maintain all necessary permits from the Central Valley Regional Water Quality Control Board and submit written verification to the Community Development Department. A copy of all permits shall be included in the Annual Performance Report.</p> <p>Less than the significant impact from BIO-4 through BIO-6.</p> | |
| d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with an established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites? | | | X | <p>Refer to Section IV (a). No special status wildlife was observed. Implementation of the project would not interfere substantially with the movement of any native resident or migratory fish or wildlife species or with an established native resident or migratory wildlife corridors or impede the use of native wildlife nursery sites. Implementation of the project does not conflict with any county or municipal policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance.</p> <p>Less than significant impact.</p> | 13 |
| e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance? | | | X | <p>Refer to Section IV (a-d). This project does not conflict with any local policies or ordinances protecting biological resources. The project does not propose to remove trees, additionally, there is no tree removal ordinance in Lake County and the applicant will be planting trees and native vegetation along the front of the property. Implementation of the project does not conflict with any county or municipal policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance.</p> <p>Less than significant impact.</p> | 1, 2, 3, 4, 5, 11, 12, 13 |
| f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan? | | | X | <p>No special conservation plans have been adopted for this site and no impacts are anticipated.</p> <p>No impact.</p> | 1, 2, 3, 4, 5, 13 |
| <p>V. CULTURAL RESOURCES <i>Would the project:</i></p> | | | | | |
| a) Cause a substantial adverse change in the significance of a historical resource pursuant to §15064.5? | | | X | <p>A Cultural Resources Assessment was conducted by Dr. John W. Parker, Registered Professional Archaeologist, dated December 16, 2019, prior to the development of the existing vineyard. A record search was conducted at the Sonoma State University office of the California Historical Resource Information System, which indicated that no previous archaeological studies had occurred on the project site. Dr. Parker and his associate Cheyenne Parker conducted a pedestrian survey of the proposed project area, all areas were examined on foot using a transect sweep method with transects spaced 3 to 5 meters apart.</p> <p>One isolated piece of obsidian and a group of old bricks were discovered. None of the artifacts or features found were considered to be “significant” cultural resources as defined in the Public Resources Code for the purposes of the California Environmental Quality Act. No prehistoric or historic-era archaeological sites or ethnographic sites were identified</p> | 1, 3, 4, 5, 11, 14, 15 |

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| | | | | <p>during the field survey. The Cultural Resource Evaluation recommended that the proposed project be approved as planned.</p> <p>It is possible, but unlikely, that significant artifacts or human remains could be discovered during project construction. If, however, significant artifacts or human remains of any type are encountered it is recommended that the project sponsor contact the culturally affiliated tribe and a qualified archaeologist to assess the situation. The Sheriff's Department must also be contacted if any human remains are encountered.</p> <p><u>CUL-1:</u> Should any archaeological, paleontological, or cultural materials be discovered during site development, all activity shall be halted in the vicinity of the find(s), the applicant shall notify the culturally the Middletown Rancheria Tribe, and a qualified archaeologist to evaluate the find(s) and recommend mitigation procedures, if necessary, subject to the approval of the Community Development Director. Should any human remains be encountered, the applicant shall notify the Sheriff's Department, the Middletown Rancheria Tribe, and a qualified archaeologist for proper internment and Tribal rituals per Public Resources Code Section 5097.98 and Health and Safety Code 7050.5.</p> <p><u>CUL-2:</u> All employees shall be trained in recognizing potentially significant artifacts that may be discovered during ground disturbance. If any artifacts or remains are found, the Middletown Rancheria Tribe shall immediately be notified; a licensed archaeologist shall be notified, and the Lake County Community Development Director shall be notified of such finds.</p> <p><u>CUL-3:</u> In the event of an unanticipated discovery of cultural resources during the implementation of the project, all work must be halted within 100 feet (30 meters) of the find and a qualified archaeologist (36 CFR Part 61) notified so that its potential significance can be assessed.</p> <p><u>CUL-4:</u> The County Coroner shall be notified of the find immediately upon discovery of any human remains. If the human remains are determined to be of Native American origin, the Coroner will notify the NAHC, which will determine and notify a Most Likely Descendant (MLD). The MLD must complete an inspection of the site within 48 hours of notification and may recommend scientific removal and nondestructive analysis of human remains and items associated with Native American burials.</p> <p><u>CUL-5:</u> Prior to initial ground disturbance, the applicant and the overseeing Tribe shall coordinate and jointly select a Tribal Cultural Advisor designated by the Tribe to facilitate mitigation measures related to tribal cultural resources of the Project in coordination with the applicant.</p> <p>Less than significant impact with mitigation measure CUL-1 through CUL-5 incorporated.</p> | |
| b) Cause a substantial adverse change in the significance of an | | X | | Please see the response to Section V (a). | 1, 3, 4, 5, 11, 14, 15 |

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| archeological resource pursuant to §15064.5? | | | | Less than significant impact with mitigation measure CUL-1 through CUL-5 incorporated. | |
| c) Disturb any human remains, including those interred outside of formal cemeteries? | | X | | Please see the response to Section V (a). The Cultural Study stated that it was unlikely that any significant findings, including human remains, appear likely on this site. Less than significant impact with mitigation measure CUL-1 through CUL-5 incorporated. | 1, 3, 4, 5, 11, 14, 15 |
| VI. ENERGY <i>Would the project:</i> | | | | | |
| a) Result in a potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy, or wasteful use of energy resources, during project construction or operation? | | X | | On-grid power, supplied by PG&E, is the proposed primary energy source for this project. The mixed light cultivation areas would include artificial lighting of up to 25 watts per square foot of canopy area. Other power sources include the interior lighting and ventilation systems of the processing facility, security system, the well pump, and any outdoor security lighting that might be needed in the future. ENERGY-1: The applicant shall provide energy calculations for the proposed project prior to the hearing. Total amperage needs shall be provided within the energy calculations provided. A description of energy use per building may be necessary, as well as engineered energy calculations at the discretion of the Building Official. Less than significant impact with mitigation measure ENERGY-1 incorporated. | 5 |
| b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency? | | | X | There are no mandatory energy reductions for cultivation activities within Article 27 of the Lake County Zoning Ordinance unless the applicant proposes 'indoor cultivation' (not proposed with this application). Less than significant impact. | 1, 3, 4, 5 |
| VII. GEOLOGY AND SOILS <i>Would the project:</i> | | | | | |
| a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving: i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42. ii) Strong seismic ground shaking? iii) Seismic-related ground failure, including liquefaction? iv) Landslides? | | X | | <u>Earthquake Faults.</u> There are no mapped earthquake faults on or adjacent to the subject site. <u>Seismic Ground Shaking and Seismic-Related Ground Failure, including liquefaction.</u> The mapping of the site's soil indicates that the soil is stable and not prone to liquefaction. <u>Landslides.</u> According to the Landslide Hazard Identification Map prepared by the California Department of Conservation, Division of Mines and Geology, there are no historic landslides in the project footprint the area is considered generally stable. GEO-1: Prior to operation, all buildings, accessible compliant parking areas, routes of travel, building access, and/or bathrooms shall meet all California Building Code Requirements. Less than significant impact with mitigation measure GEO-1 incorporated. | 1, 2, 3, 4, 5, 18, 19 |

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| b) Result in substantial soil erosion or the loss of topsoil? | | X | | <p>Major grading is not proposed to prepare the site for cultivation as the land is relatively flat, however, some minor grading is proposed to smooth the surface where greenhouses are proposed. This amount of grading is allowed through the building permit. The applicant would need to import soil for the cultivation activity; however, this would not have any effect on the potential for erosion or the loss of topsoil. The proposed processing building would require grading and the applicant would need to obtain a grading and building permit from the Lake County Community Development Department before construction.</p> <p>In addition, the project is enrolled with the State Water Resources Control Board (SWRCB) for Tier 2, Low-Risk coverage under Order No. WQ 2019-001-DWQ (General Order). The General Order requires the preparation of a Site Management Plan (SMP) and a Nitrogen Management Plan (NMP). The purpose of the SMP is to identify Best Practicable Treatment or Control (BPTC) measures that the site intends to follow for erosion control purposes and to prevent stormwater pollution. The purpose of the NMP is to identify how nitrogen is stored, used, and applied to crops in a way that is protective of water quality. The SMP and NMP are required prior to commencing cultivation activities and were submitted with the application materials.</p> <p><u>GEO-2:</u> Prior to any ground disturbance for building construction, the permittee shall submit erosion control and sediment plans to the Water Resource Department and the Community Development Department for review and approval. Said erosion control and sediment plans shall protect the local watershed from runoff pollution through the implementation of appropriate Best Management Practices (BMPs) in accordance with the Grading Ordinance. Typical BMPs include the placement of straw, mulch, seeding, straw wattles, silt fencing, and the planting of native vegetation on all disturbed areas. No silt, sediment, or other materials exceeding natural background levels shall be allowed to flow from the project area. The natural background level is the level of erosion that currently occurs from the area in a natural, undisturbed state. Vegetative cover and water bars shall be used as permanent erosion control after project installation.</p> <p><u>GEO-3:</u> Excavation, filling, vegetation clearing, or other disturbance of the soil shall not occur between October 15 and April 15 unless authorized by the Community Development Department Director. The actual dates of this defined grading period may be adjusted according to weather and soil conditions at the discretion of the Community Development Director.</p> <p><u>GEO-4:</u> The permit holder shall monitor the site during the rainy season (October 15 – May 15), including post-installation, application of BMPs, erosion control maintenance, and other improvements as needed.</p> <p><u>GEO-5:</u> If greater than fifty (50) cubic yards of soils are moved, a Grading Permit shall be required as part of this project. The project design shall incorporate Best Management Practices (BMPs) to the maximum extent practicable to prevent or reduce the discharge of all</p> | 1, 3, 4, 5, 19, 21, 24, 25, 30 |
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| | | | | <p>construction or post-construction pollutants into the County storm drainage system. BMPs typically include scheduling of activities, erosion and sediment control, operation and maintenance procedures, and other measures in accordance with Chapters 29 and 30 of the Lake County Code.</p> <p>Less than significant impact with mitigation measures BIO-4; and GEO-2 through GEO-5 incorporated.</p> | |
| c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on-site or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse? | | X | <p>The project site is not identified as containing landslides or other unstable geologic conditions. The proposed cultivation sites are located within a cleared area and in areas with less than 10 percent slopes (Figure 7). There is a less than significant chance of landslide, subsidence, liquefaction, or collapse as a result of the proposed project.</p>  <p><i>Figure 7. Percent Slope Across the Project Parcels (Lake County Parcel Viewer, 2021)</i></p> <p>Less than significant impact.</p> | 1, 3, 4, 5, 6, 7, 10, 16, 17, 18, 19 | |
| d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property? | | X | <p>The Uniform Building Code is a set of rules that specify standards for structures. The structures proposed are greenhouses, storage shed, and a processing facility with an ADA bathroom.</p> <p>Expansive soils possess a “shrink-swell” characteristic. Shrink-swell is the cyclic change in volume (expansion and contraction) that occurs in fine-grained clay sediments from the process of wetting and drying. Structural damage may occur over a long period due to expansive soils, usually the result of inadequate soil and foundation engineering or the placement of structures directly on expansive soils. Cultivation activities proposed in the application would occur on one type of soil: Jafa Loam - 2 to 5 percent slopes, (Map Unit Symbol 144), according to the Soil Survey of Lake County and the USDA Web Soil Survey website (Figure 8).</p> <p>This soil type is deep, well-drained soil with slight erosion potential, and is not said to be expansive, having a low to moderate shrink-swell potential.</p> <p>Any new construction requiring a building permit, such as the proposed processing building, would be subject to the Uniform Building Code and California Building Code for foundation design to meet the requirements associated with expansive soils if they are found to exist with a site-specific study.</p> | 5, 7, 38 | |

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| | | | | <p><i>Figure 8. Soil Types (Lake County Parcel Viewer, 2021)</i></p> <p>GEO-6: Prior to operation, all structure(s) used for commercial cultivation shall meet accessibility and Calfire standards. Please contact the Lake County Community Development Department's Building Division for more information.</p> <p>Less than significant impact with mitigation measures GEO-1 through GEO-6 incorporated.</p> | |
| e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater? | | X | | <p>The proposed project would be served by a proposed ADA-compliant restroom within the proposed processing facility. The restroom would likely rely on an existing onsite wastewater treatment septic system.</p> <p>Should new septic be needed, state law requires permits for onsite systems to ensure that they are constructed and sited in a manner that protects human health and the environment. Prior to applying for a permit, the Lake County Division of Environmental Health requires a Site Evaluation to determine the suitability of the site for a septic system. A percolation test would be conducted to determine the water absorption rate of the soil, and the septic system would be located, designed, and installed appropriately, following all applicable State and County guidelines and requirements.</p> <p>The proposed system would be located in an area of Type 144 soils. According to the USDA Soil Survey, this soil has a moderately slow permeability, which could support a septic system, but might require a larger absorption field area.</p> <p>Therefore, the proposed project would not have soils incapable of adequately supporting the use of septic tanks for the disposal of wastewater. In addition, the system would be reviewed and approved by the County Division of Environmental Health.</p> <p>Less than significant impact.</p> | 2, 4, 5, 7, 13, 38 |
| f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature? | | X | | <p>The project site does not contain any known unique geologic feature or paleontological resources. Disturbance of these resources is not anticipated.</p> <p>Less than significant impact with mitigation measures CUL-1 and CUL-2 incorporated.</p> | 1, 2, 3, 4, 5, 14, 15 |

VIII. GREENHOUSE GAS EMISSIONS

Would the project:

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| <p>a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?</p> | | <p style="text-align: center;">X</p> | <p>The project site is located within the Lake County Air Basin, which is under the jurisdiction of the LCAQMD. The LCAQMD applies air pollution regulations to all major stationary pollution sources and monitors air quality. Climate change is caused by greenhouse gases (GHGs) emitted into the atmosphere around the world from a variety of sources, including the combustion of fuel for energy and transportation, cement manufacturing, and refrigerant emissions. GHGs are those gases that can trap heat in the atmosphere, a process that is analogous to the way a greenhouse traps heat. GHGs may be emitted as a result of human activities, as well as through natural processes. Increasing GHG concentrations in the atmosphere are leading to global climate change. The Lake County Air Basin is in attainment for all air pollutants and has therefore not adopted thresholds of significance for GHG emissions.</p> <p>The primary GHGs that are of concern for development projects include Carbon dioxide (CO₂), methane (CH₄), and nitrous oxide (N₂O). CO₂, CH₄, and N₂O occur naturally, and through human activity. Emissions of CO₂ are largely by-products of fossil fuel combustion and CH₄ results from off-gassing associated with agricultural practices and landfills. CO₂ is the most common GHG emitted by human activities.</p> <p>In general, greenhouse gas emissions come from construction activities (vehicles) and from post-construction activities (energy to run mixed-light cultivation and the processing building and employee/delivery vehicles). Construction activities on this site would be minimal, due to the existing flat condition of the proposed site area, which is currently a vineyard. Construction would occur over a 3 to 5 week period and approximately 130 to 160 trips would be needed to complete construction activities over that period. Post-construction, average daily employee trips are anticipated to be 4, including one (1) delivery/pickup trip per day, which is approximately the equivalent of two new single-family dwellings, according to the Property Management Plan, which averages 9.55 average daily trips.</p> <p>Energy would be required to power the 242,000 square feet of mixed-light cultivation of up to 25 watts per square foot as well as the processing facility (with ventilation/odor control system) and security system. The proposed power for this project is P.G. & E., which would be brought to the cultivation area through the building permit process with Lake County.</p> <p>The California Department of Food and Agriculture regulations for commercial cannabis operations include renewable energy requirements beginning January 1, 2023, which require all indoor and mixed-light cultivators cultivating at greater than 6 watts per square feet of canopy area to ensure that electrical power related to commercial cannabis activities meets the average greenhouse gas emissions intensity required by their local utility provider. As such, Nina Star would be required to ensure that the electrical power used to power the 48,529 square feet of mixed-light cultivation meets the average greenhouse gas emissions intensity as required by P.G. & E.</p> <p>Less than significant impact.</p> | <p>1, 3, 4, 5, 36</p> |
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| b) Conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases? | | | X | <p>Lake County has not adopted any specific GHG reduction strategies or climate action plans. Therefore, this project would not conflict with any adopted plans or policies for the reduction of greenhouse gas emissions.</p> <p>As mentioned above, the applicant would be required to meet the CDFA requirement to ensure that electrical power used to power the mixed-light cultivation meets average greenhouse gas emissions intensities as required by P.G. & E.</p> <p>Less than significant impact.</p> | 1, 3, 4, 5, 36 |
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IX. HAZARDS AND HAZARDOUS MATERIALS

Would the project:

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| a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials? | | | X | <p>Materials associated with the proposed Cultivation of Commercial Cannabis, such as gasoline, pesticides, fertilizers, alcohol, hydrogen peroxide, and equipment emissions may be considered hazardous if released into the environment. The applicant has stated that all potentially harmful chemicals would be stored and locked in a secured building on site.</p> <p>Nina Star plans to be fully organic with their supplements of both dry and liquid fertilizers. The proposed dry fertilizers include dry worm castings as well as Chicken and Bat Guano. As for liquid fertilizers, most of them will be coming from MaxSea and organic compost. The pesticides that will be used for this cultivation project include neem oil and citric acid oil, both in limited quantities during the growing months and only used when necessary. All the fertilizers, nutrients, and pesticides will only be purchased and delivered to the property as needed. They will be stored separately in the secure processing facility, in their original containers, and used as directed by the manufacturer. All pesticides/fertilizers will be mixed/prepared on an impermeable surface with secondary containment, at least 100 feet from surface water bodies. Empty containers will be disposed of by placing them in a separate seal-tight bin with a fitted lid and disposed of at the local solid waste facility within the county. At no time will fertilizers/nutrients be applied at a rate greater than 319 pounds of nitrogen per acre per year (requirement of the State Water Resource Control Board's Cannabis General Order). Water-soluble fertilizers/nutrients will be delivered via the drip and micro-spray irrigation system(s) of the proposed cultivation operation to promote optimal plant growth and flower formation while using as little product as necessary. Petroleum products will be stored year-round in State of California-approved containers with secondary containment and separate from pesticides and fertilizers, within the storage shed.</p> <p>The project would comply with Section 41.7 of the Lake County Zoning Ordinance that specifies that all uses involving the use or storage of combustible, explosive, caustic, or otherwise hazardous materials shall comply with all applicable local, state, and federal safety standards and shall be provided with adequate safety devices against the hazard of fire and explosion, and adequate firefighting and fire suppression equipment.</p> <p>Additionally, to utilize pesticides for agricultural purposes, the applicant would be required to obtain an Operator Identification Number (OIN) from the California Department of Pesticide Regulation (Mitigation Measure HAZ-8).</p> | 1, 3, 5, 13, 21, 24, 29, 31, 32, 33, 34, 40 |
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| | | | | <p>Any petroleum products brought to the site, such as gasoline or diesel to fuel construction equipment, would be stored under cover and in State of California-approved containers. All pesticides, fertilizers, or petroleum products would be stored a minimum of 100 feet from all potential sensitive areas and watercourses.</p> <p>Cannabis waste, as appropriate, would be chipped and spread on-site; burning cannabis waste is prohibited in Lake County.</p> <p>Spill containment and the cleanup kit would be kept on-site in the unlikely event of a spill. All employees would be trained to properly use all cultivation equipment, including pesticides. Proposed site activities would not generate hazardous waste.</p> <p>All equipment shall be maintained and operated in a manner that minimizes any spill or leak of hazardous materials. Hazardous materials and contaminated soil shall be stored, transported, and disposed of consistent with applicable local, state, and federal regulations.</p> <p>HAZ-1: All equipment shall be maintained and operated to minimize spillage or leakage of hazardous materials. All equipment will be refueled in locations more than 100 feet from surface water bodies. Servicing of equipment will occur on an impermeable surface. In an event of a spill or leak, the contaminated soil will be stored, transported, and disposed of consistent with applicable local, state, and federal regulations.</p> <p>HAZ-2: The storage of hazardous materials equal 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> <p>Less than significant impact with mitigation measures HAZ-1 through HAZ-2 incorporated.</p> | |
| b) Create a significant hazard to the public or the environment through reasonable foreseeable upset and accident conditions involving the release of hazardous materials into the environment? | | X | | <p>Refer to Section IX (a). The pesticides and fertilizers proposed would be stored in a secure processing facility. The site preparation would require some construction equipment and would last for about 7 to 10 weeks. All equipment staging would occur on previously disturbed areas on the site. As stated above, a spill kit would be kept on-site in the unlikely event of a spill. All equipment would be maintained and operated in a manner that minimizes any spill or leak of hazardous materials. Hazardous materials and contaminated soil shall be stored, transported, and disposed of consistent with applicable local, state, and Federal regulations.</p> <p>HAZ-3: Prior to operation, the applicant shall schedule an inspection with the Lake County Code Enforcement Division within the Community Development Department</p> | 1, 3, 5, 13, 21, 24, 29, 31, 32, 33, 34, 40 |

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| | | | | <p>to verify adherence to all requirements of Chapter 13 of the Lake County Code, including but not limited to adherence with the Hazardous Vegetation requirements.</p> <p>HAZ-4: Prior to operation, all employees shall have access to restrooms and hand-wash stations. The restrooms and hand wash stations shall meet all accessibility requirements.</p> <p>HAZ-5: The proper storage of equipment, removal of litter and waste, and cutting of weeds or grass shall not constitute an attractant, breeding place, or harborage for pests.</p> <p>HAZ-6: All food scraps, wrappers, food containers, cans, bottles, and other trash from the project area should be deposited in trash containers with an adequate lid or cover to contain trash. All food waste should be placed in a securely covered bin and removed from the site weekly to avoid attracting animals.</p> <p>HAZ-7: The applicant shall maintain records of all hazardous or toxic materials used, including a Material Safety Data Sheet (MSDS) for all volatile organic compounds utilized, including cleaning materials. Said information shall be made available upon request and/or the ability to provide the Lake County Air Quality Management District such information to complete an updated Air Toxic Emission Inventory.</p> <p>HAZ-8: The applicant shall obtain an Operator Identification Number from the California Department of Pesticide Regulation prior to using pesticides onsite for cannabis cultivation.</p> <p>Less than significant impact with mitigation measures HAZ-1 through HAZ-8 incorporated.</p> | |
| c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school? | | | X | <p>The proposed project is not located within one-quarter mile of an existing or proposed school.</p> <p>No impact.</p> | 1, 2, 5 |
| d) Be located on a site that is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment? | | | X | <p>The California Environmental Protection Agency (CalEPA) has the responsibility for compiling information about sites that may contain hazardous materials, such as hazardous waste facilities, solid waste facilities where hazardous materials have been reported, leaking underground storage tanks, and other sites where hazardous materials have been detected. Hazardous materials include all flammable, reactive, corrosive, or toxic substances that pose potential harm to the public or environment. The following databases compiled pursuant to Government Code §65962.5 were checked for known hazardous materials contamination within ¼-mile of the project site:</p> <ul style="list-style-type: none"> • State Water Resources Control Board (SWRCB) GeoTracker database • Department of Toxic Substances Control EnviroStor database • SWRCB list of solid waste disposal sites with waste constituents above hazardous waste levels outside the waste management unit. | 2, 39 |

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| | | | | <p>The project site is not listed in any of these databases as a site containing hazardous materials as described above. The nearest mapped site is Joyce Mine, located approximately .5 miles east of the project site.</p> <p>No impact.</p> | |
| e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area? | | | X | <p>The project is not located within two (2) miles of an airport and/or within an Airport Land Use Plan.</p> <p>No impact.</p> | 1, 3, 4, 5, 20, 22 |
| f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan? | | | X | <p>The project would not impair or interfere with an adopted emergency response or evacuation plan.</p> <p>No impact.</p> | 1, 3, 4, 5, 20, 22, 35, 37 |
| g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury, or death involving wildland fires? | | | X | <p>The site is mapped as being a moderate fire risk, however, the project is not expected to further heighten fire risks on the site. The area proposed for cultivation is in an open field adjacent to the residential use. The project would utilize vegetation management to maintain defensible space around the cultivation area.</p> <p>The applicant would adhere to all Federal, State, and local fire requirements/regulations for setbacks and defensible space required for any new buildings that require a building permit. All proposed construction is required to be built consistent with current county and State of California Building Code construction standards. To construct the proposed processing building, the applicant would be required to obtain a building permit with Lake County to demonstrate conformance with local and state building codes and fire safety requirements. Refer to Section XX, Wildfire, for additional details.</p> <p>Less than significant impact.</p> | 1, 3, 4, 5, 20, 35, 37 |
| <p align="center">X. HYDROLOGY AND WATER QUALITY</p> <p align="center"><i>Would the project:</i></p> | | | | | |
| a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality? | | X | | <p>The proposed project is located in the Middletown Planning Area. The proposed project area is within the Saint Helena Creek watershed (HUC-12180201620301). Saint Helena Creek and an unnamed Class III watercourse flow southeast through the center of the property, over 100 feet from the proposed cultivation areas. No development is proposed within 100-feet of this waterbody, and there are no other identified surface water bodies on the property.</p> <p>The Property Management Plan submitted with the application materials address runoff, and certain BMPs during and after construction to reduce impacts associated with water quality.</p> <p>All equipment shall be maintained and operated in a manner that minimizes any spill or leak of pollutants.</p> <p>In addition, the project is enrolled with the State Water Resources Control Board (SWRCB) for Tier 2, Low-Risk coverage under Order No. WQ 2019-001-DWQ (General Order). Tier 2 dischargers reflect cultivation sites that disturb</p> | 1, 2, 3, 4, 5, 13, 21, 23, 24, 33, 34, 41, 42 |

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| | | | | <p>over one acre and are located on flat slopes outside of riparian setbacks. The General Order requires the preparation of a Site Management Plan (SMP) and a Nitrogen Management Plan (NMP). The purpose of the SMP is to identify Best Practicable Treatment or Control (BPTC) measures that the site intends to follow for erosion control purposes and to prevent stormwater pollution. The purpose of the NMP is to identify how nitrogen is stored, used, and applied to crops in a way that is protective of water quality. The SMP and NMP are required prior to commencing cultivation activities and were submitted with the application materials.</p> <p>The proposed project has been designed to maintain riparian buffers and grading setbacks of 100 feet. No development would occur within the drainage buffers and setbacks. Additionally, straw wattles would be staked around the cultivation area to provide an additional buffer between the cultivation area and surface waters.</p> <p>The proposed project would be served by a new onsite wastewater treatment septic system. The new septic system must adhere to all federal, state, and local regulations regarding wastewater treatment and water usage requirements.</p> <p>State law requires permits for onsite systems to ensure that they are constructed and sited in a manner that protects human health and the environment. A permit from Lake County is required to install a new septic system. Prior to applying for a permit, the Lake County Division of Environmental Health requires a Site Evaluation to determine the suitability of the site for a septic system. A percolation test would be conducted to determine the water absorption rate of the soil, and the septic system would be located, designed, and installed appropriately, following all applicable State and County guidelines and requirements.</p> <p><u>HYD-1: Before this permit having any force or effect, the permittee(s) shall adhere to the Lake County Division of Environmental Health requirements regarding on-site wastewater treatment and/or potable water requirements. The permittee shall contact the Lake County Division of Environmental Health for details.</u></p> <p>Less than significant impact with mitigation measures HYD-1 incorporated.</p> | |
| b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin? | | | X | <p>A Hydrology Report to Determine Area of Influence for Cultivation Irrigation Wells was prepared by a Registered Professional Engineer, William Vanderwall, and dated September 6, 2021.</p> <p>The project site does not have a municipal water supply service and would rely on well water. The proposed project would use water from an existing, onsite, permitted, metered well. The meter measures the total gallons pumped and can be used to determine the discharge rate.</p> <p>The project appears to be located adjacent to the Collayomi Valley Groundwater Management Plan Area in the Lake County Groundwater Management Plan (GMP). The Collayomi Valley Basin is the source of water supply for Kelseyville and is the largest agricultural area in Lake County. The agricultural demand on groundwater in the Basin is</p> | 1, 2, 3, 4, 5, 13, 21, 23, 24, 33, 34, 41, 42 |

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| | | | | <p>approximately 266 acre-feet for an average year. Basin Management Objectives outlined in the GMP for Big Valley primarily focus on increased monitoring and information gathering, in addition to maintaining groundwater levels to assure adequate irrigation and domestic water supply in the area.</p> <p>The well to be used for cultivation activities is approximately 43'-deep with a 10"-diameter casing. The applicant provided a well drawdown test demonstrating a well yield of 16 gallons per minute (GPM) and well drawdown over a 2-hour time frame, with little to no drawdown recorded (see Well Test Report performed by Jak Drilling and Pump on March 12, 2020).</p> <p>According to the Hydrology report, the estimated demand for the proposed project would be approximately 638,330 gallons annually. Calculation of Aquifer Recharge is based on the tributary area to the radius of influence of the well. Because of the location of the wells near St. Helena Creek, the aquifer recharge is in two areas. Per map in the Hydrology Report, the total recharge area is 277,989 where based on the calculation, the volume of water for recharge is 960,663 gallons per year.</p> <p>Per the calculations and assumptions from the Hydrology report, the project does have an adequate water supply for the proposed irrigation use. However, the project must be limited to 1-acre of the canopy and irrigated with dripline only. Exceeding 1-acre will require the development of a new well.</p> <p>HYD-2: The production well shall have a meter to measure the amount of water pumped. The production wells shall have continuous water level monitors. The methodology of the monitoring program shall be described. A monitoring well of equal depth within the cone of influence of the production well may be substituted for the water level monitoring of the production well. The monitoring wells shall be constructed and monitoring began at least three months before the use of the supply well. An applicant shall maintain a record of all data collected and shall provide a report of the data collected to the County annually and/or upon made upon request.</p> <p>Less than significant impact with mitigation measures HYD-1 through HYD-2 incorporated.</p> | |
| <p>c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:</p> <p>i) Result in substantial erosion or siltation on- or off-site;</p> <p>ii) Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site;</p> | | | X | <p>The proposed cultivation would be located in an existing flat area currently vacant. The cultivation would require minimal grading and would maintain riparian buffers and grading setbacks of 100 feet. Construction of the proposed processing building would require grading outside of riparian buffers and grading setbacks of 100 feet. No development would occur within the drainage buffers and setbacks. The proposed project has been designed to maintain existing flow paths.</p> <p>(i) As discussed in Section (a) above, construction activities and operation of the proposed project would not result in substantial erosion or siltation, with compliance with the erosion control plan and SWRCB Cannabis General Order.</p> <p>(ii)&(iii) Of the total 248,400 square feet of cultivation area, all would be impermeable surface, including (23) 10,800 square feet of mixed-light cultivation in greenhouses and 30,000 square feet of the processing facility. The proposed</p> | 1, 3, 4, 5, 13, 21, 23, 24, 25, 29, 31, 32, 33, 34 |

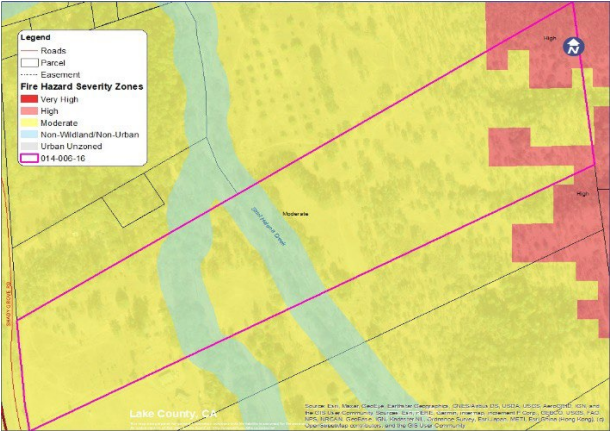
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| iii) Create or contribute to runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; iv) Impede or redirect flood flows? | | | | <p>impermeable area of 6.4 acres would represent 12.5% of the 50.96-acre cultivation parcel. Thus, the proposed project is likely to increase the rate or amount of surface runoff. Project BMPs and Buffer Zones proposed by the project in addition to proximity from any development or waterways would have plenty of lands to infiltrate into the groundwater basin.</p> <p>(iv) The proposed cultivation area is within a FEMA Zone D, areas of possible but undetermined flood hazards. The project is located on a flat ridge that would not impede or redirect flood flows.</p> <p>HYD-3: Prior to construction, the applicant shall provide a new site plan by a design professional for the property to show all dimensions and setbacks to meet all federal, state, and local regulations and conform to all building codes. The site plans shall be in full conformance to the approved site plans.</p> <p>Less than significant impact with mitigation measures HYD-3 incorporated.</p> | |
| d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation? | | | X | <p>The proposed cultivation areas are not located in a floodplain, tsunami, or seiche zone.</p> <p>Less than significant impact.</p> | 1 |
| e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan? | | | X | <p>Refer to Sections X (a) and X (b). The proposed use would not conflict with or obstruct the implementation of water quality control plan or groundwater management plan as all hazardous materials including pesticides and fertilizers would be stored in a locked/secured shed, and would meet all Federal, State, and Local agency requirements for hazardous material storage and handling.</p> <p>Less than significant impact.</p> | 1, 3, 4, 5, 10, 13, 21, 23, 24, 25, 29, 31, 32, 33, 34 |
| XI. LAND USE AND PLANNING <i>Would the project:</i> | | | | | |
| a) Physically divide an established community? | | | X | <p>The proposed project site would not physically divide an established community.</p> <p>No impact.</p> | 1, 3, 4, 5, 6 |
| b) Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect? | | | X | <p>This project is consistent with the Lake County General Plan, the Middletown Area Plan, and the Lake County Zoning Ordinance.</p> <p>Less than significant impact.</p> | 1, 3, 4, 5, 20, 21, 22, 27 |
| XII. MINERAL RESOURCES <i>Would the project:</i> | | | | | |
| a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state? | | | X | <p>The Aggregate Resource Management Plan (ARMP) does not identify the project area as a Quarry Resource Area. The proposed project has no impact on any quarry and is not identified in a location of having an important source of aggregate.</p> <p>No impact.</p> | 1, 3, 4, 5, 26 |
| b) Result in the loss of availability of a locally important mineral resource recovery site delineated on a | | | X | <p>The County of Lake's General Plan, the Middletown Area Plan nor the Lake County Aggregate Resource Management Plan designates the project site as being a locally important mineral resource recovery site.</p> | 1, 3, 4, 5, 26 |

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| local general plan, specific plan, or other land-use plan? | | | | | No impact. | |
| <p align="center">XIII. NOISE</p> <p align="center"><i>Would the project result in:</i></p> | | | | | | |
| a) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project above standards established in the local general plan or noise ordinance, or applicable standards of other agencies? | | X | | | <p>Noise related to outdoor cannabis cultivation typically occurs either during construction or as the result of machinery related to post-construction equipment such as well pumps or emergency backup generators during power outages.</p> <p>This project would have some noise related to site preparation (hours of construction are limited through standard conditions of approval). There may be a need for an emergency backup generator, however, generator usage would be limited to power outages.</p> <p>Although the property size would help to muffle noises heard by neighboring properties, mitigation measures are needed to further limit the potential sources of noise.</p> <p>NOI-1: All construction activities including engine warm-up shall be limited Monday Through Friday, between the hours of 7:00 AM and 7:00 PM, and Saturdays from 12:00 noon to 5:00 PM to minimize noise impacts on nearby residents. Back-up beepers shall be adjusted to the lowest allowable levels. This mitigation does not apply to night work.</p> <p>NOI-2: Maximum non-construction related sounds levels shall not exceed levels of 55 dBA between the hours of 7:00 AM to 10:00 PM and 45 dBA between the hours of 10:00 PM to 7:00 AM within residential areas as specified within Zoning Ordinance Section 21-41.11 (Table 11.1) at the property lines.</p> <p>NOI-3: The operation of the air filtration system shall not exceed levels of 57 dBA between the hours of 7:00 a.m. to 10:00 p.m. and 50 dBA from 10:00 p.m. to 7:00 a.m. within residential areas as specified within Zoning Ordinance Section 21-41.11 (Table 11.2) measured at the property lines.</p> <p>NOI-4: Generators shall only be used as Emergency Power Backup supply and shall not be used for regular power provision to this facility.</p> <p>Less than significant with mitigation measures NOI-1 and NOI-4 incorporated.</p> | 1, 3, 4, 5, 13 |
| b) Generation of excessive ground-borne vibration or ground-borne noise levels? | | | X | | <p>The project is not expected to create significant ground-borne vibration due to construction or to post-construction facility operation. There would be some grading required for the greenhouses, however earth movement is not expected to generate ground-borne vibration or noise levels. The low-level truck traffic during construction and for deliveries would create a minimal amount of ground-borne vibration.</p> <p>Less than significant impact.</p> | 1, 3, 4, 5, 13 |
| <p align="center">XIV. POPULATION AND HOUSING</p> <p align="center"><i>Would the project:</i></p> | | | | | | |

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| a) Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through the extension of roads or other infrastructure)? | | | X | <p>The project is anticipated to induce population growth to the area through employment, however, it is not expected to be substantial the increased employment will be approximately four (4) employees hired locally.</p> <p>No impact.</p> | 1, 3, 4, 5 |
| b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere? | | | X | <p>No housing would be displaced as a result of the project.</p> <p>No impact.</p> | 1, 3, 4, 5 |
| XV. PUBLIC SERVICES <i>Would the project:</i> | | | | | |
| a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, to maintain acceptable service ratios, response times or other performance objectives for any of the public services: - Fire Protection? - Police Protection? - Schools? - Parks? - Other Public Facilities? | | | X | <p>The project does not propose housing or other uses that would necessitate the need for new or altered government facilities. No new roads are proposed.</p> <p>The project would be required to comply with all applicable local and state fire code requirements related to design and emergency access.</p> <p>Construction and operation of the proposed project may result in accidents or crime emergency incidents that would require police services. Construction activities would be temporary and limited in scope. Accidents or crime emergency incidents during operation are expected to be infrequent and minor. The Lake County Sheriff's Department, Lakeport Police Department, and other law enforcement agencies were notified of the proposed project.</p> <p>There would not be a need to increase fire or police protection, schools, parks, or other public facilities as a result of the project's implementation.</p> <p>Less than significant impact.</p> | 1, 2, 3, 4, 5, 20, 21, 22, 23, 27, 28, 29, 32, 33, 34, 36, 37 |
| 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? | | | X | <p>The project would generate business income, increase local employment opportunities, and increase public fees and tax revenue which may result in slight increases in population growth, which could lead to increased use of park and recreation facilities. However, the increased use of parks and recreation, would occur over a large area and in multiple sites and therefore be diminished and would not substantially deteriorate existing parks or other recreational facilities. The project would not have any impact on existing parks or other recreational facilities.</p> <p>No impact.</p> | 1, 2, 3, 4, 5 |
| b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment? | | | X | <p>This project would not necessitate the construction or expansion of any recreational facilities.</p> <p>No impact.</p> | 1, 3, 4, 5 |
| XVII. TRANSPORTATION <i>Would the project:</i> | | | | | |
| a) Conflict with a plan, ordinance, or policy addressing the circulation system, including | | | X | <p>According to the application submitted, the project site is accessed by one (1) private driveway directly off Shady Grove Rd. and adjacent to Highway 29. The driveway is proposed to</p> | 1, 3, 4, 5, 9, 20, 22, 27, 28, 35 |

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| transit, roadways, bicycle lanes, and pedestrian paths? | | | | <p>be widened to 20-ft where it is not already and graveled to meet CalFire Standards.</p> <p>There are no known pedestrian or bicycle facilities on Highway 29, or Shady Grove Road in the vicinity of the project.</p> <p>Less than significant impact.</p> | |
| b) For a land-use project, would the project conflict with or be inconsistent with CEQA guidelines section 15064.3, subdivision (b)(1)? | | | X | <p>State CEQA Guidelines Section 15064.3, Subdivision (b) states that for land-use projects, transportation impacts are to be measured by evaluating the proposed project's vehicle miles traveled (VMT), as follows:</p> <p><i>"Vehicle miles traveled exceeding an applicable threshold of significance may indicate a significant impact. Generally, projects within one-half mile of either an existing major transit stop or a stop along an existing high-quality transit corridor should be presumed to cause a less than significant transportation impact. Projects that decrease vehicle miles traveled in the project area compared to existing conditions should be presumed to have a less than significant transportation impact."</i></p> <p>The estimated trips per day are 5 during operation and less than 5 during construction (130 to 160 total during the 3-to-5-week construction period).</p> <p>To date, the County has not yet formally adopted its transportation significance thresholds or its transportation impact analysis procedures. The proposed project would not generate or attract more than 100 trips per day; therefore, it is not expected for the project to have a potentially significant level of VMT, therefore, impacts related to CEQA Guidelines section 15064.3. subdivision (b) would be less than significant.</p> <p>Less than significant impact.</p> | 1, 3, 4, 5, 9, 20, 22, 27, 28, 35 |
| c) For a transportation project, would the project conflict with or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)(2)? | | | X | <p>The project is not a transportation project. The proposed use would not conflict with and/or be inconsistent with CEQA Guidelines Section 15064.3, subdivision (b) (2).</p> <p>No impact.</p> | 1, 3, 4, 5, 9, 20, 22, 27, 28, 35 |
| d) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)? | | | X | <p>As the project itself does not propose any changes to road alignment or other features, the project does not result in the introduction of any obstacles, nor does it involve incompatible uses that could increase traffic hazards.</p> <p>Less than significant impact.</p> | 1, 3, 4, 5, 9, 20, 22, 27, 28, 35 |
| e) Result in inadequate emergency access? | | | X | <p>The proposed project would not alter the physical configuration of the existing roadway network serving the area and would have no effect on access to local streets or adjacent uses (including access for emergency vehicles). Internal roadways would meet CalFire requirements for vehicle access. Furthermore, as noted above under impact discussion (a), increased project-related operational traffic would be minimal. The proposed project would not inhibit the ability of local roadways to continue to accommodate emergency response and evacuation activities. The proposed project would not interfere with the City's adopted emergency response plan.</p> <p>Less than significant impact.</p> | 1, 3, 4, 5, 9, 20, 22, 27, 28, 35 |

| XVIII. TRIBAL CULTURAL RESOURCES <i>Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:</i> | | | | | | |
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| a) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or | | | X | | <p>Please see the response to Section V (a) (Cultural Resources).</p> <p>Less than significant impact.</p> | 1, 3, 4, 5, 11, 14, 15 |
| b) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resources Code 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe. | | X | | | <p>Please see the response to Section V (a). (Cultural Resources). Notification of the project was sent to local tribes on February 18, 2020. Two responses were received from Middletown Rancheria asking for the cultural report and saying while it was in the Tribe's territory, the project could proceed as currently planned.</p> <p>TRIB-1: In the unlikely event that undiscovered cultural material is encountered elsewhere on the project, work near the find should stop and these should be evaluated for significance by a qualified archaeologist and either preserved or mitigated as outlined in CEQA (sec.21083.2 [b] or 15126.4c).</p> <p>Impacts would be less than significant impact with mitigation measures CUL-1 and CUL-5; TRIB-1 incorporated.</p> | 1, 3, 4, 5, 11, 14, 15 |
| XIX. UTILITIES AND SERVICE SYSTEMS <i>Would the project:</i> | | | | | | |
| a) Require or result in the relocation or construction of new or expanded water, wastewater treatment or stormwater drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects? | | X | | | <p>The proposed project would be served by existing onsite irrigation well-rated at 16 gallons per minute. A new wastewater treatment system is not currently proposed. However, if one is needed, state law requires permits for onsite systems to ensure that they are constructed and sited in a manner that protects human health and the environment. A permit from Lake County is required to install a new septic system. Prior to applying for a permit, the Lake County Division of Environmental Health requires a Site Evaluation to determine the suitability of the site for a septic system. A percolation test would be conducted to determine the water absorption rate of the soil, and the septic system would be located, designed, and installed appropriately, following all applicable State and County guidelines and requirements. This has been included as Mitigation Measure HYD-1. The applicant shall adhere to all Federal, State, and Local regulations regarding wastewater treatment and water usage requirements.</p> <p>Less than significant impact with mitigation measure HYD-1 incorporated.</p> | 1, 3, 4, 5, 29, 32, 33, 34, 37 |
| b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry, and multiple dry years? | | | X | | <p>Refer to section X (b). According to the Water Use / Water Availability Study, the existing well can sustainably produce the water required to meet the proposed project's water demand. The applicant is prohibited from trucking in water other than a one-time emergency delivery and only with written permission from the Community Development Department Director or designee.</p> <p>Less than significant impact.</p> | 1, 3, 4, 5, 29, 32, 33, 34, 36, 37 |

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| c) Result in a determination by the wastewater treatment provider, which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments? | | | X | <p>The site is not connected to a wastewater treatment provider. Staff would use a private ADA restroom in the proposed processing facility. The processing facility would be constructed through a building permit with Lake County. Therefore, a less than significant impact would occur.</p> <p>Less than significant impact.</p> | 1, 3, 4, 5, 29, 32, 33, 34, 37 |
| d) Generate solid waste in excess of State or local standards or excess of the capacity of local infrastructure? | | | X | <p>According to the Property Management Plan, the site would generate organic waste to be composted. The site would also generate solid waste. All recyclable waste would be collected separately from non-recyclable waste. All waste and recycling would be hauled to the Lake County Transfer and Recycling Facility where it would be sorted and deposited at the Eastlake Sanitary Landfill (Landfill). The Landfill is well below its current capacity of 6,050,000 cubic yards, with 2,859,962 cubic yards (47%) remaining capacity. In addition, the Lake County Public Services Department is proposing an expansion of the Landfill to extend the landfill's life to about the year 2046; increasing the landfill footprint from 35 acres to 56.6 acres. Therefore, the Landfill would have sufficient capacity to accommodate the solid waste generated by the project.</p> <p>Less than significant impact.</p> | 1, 2, 3, 34, 36 |
| e) Negatively impact the provision of solid waste services or impair the attainment of solid waste reduction goals? | | | X | <p>The applicant would chip and spread the cannabis waste on-site.</p> <p>Less than significant impact.</p> | 1, 3, 4, 5, 29, 32, 33, 34, 36 |
| f) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste? | | | X | <p>The County uses a standard condition of approval regarding compliance with all Federal, State, and Local management for solid waste. The cultivator would be required to chip and spread any vegetative waste on-site.</p> <p>Less than significant impact.</p> | 1, 3, 4, 5, 29, 32, 33, 34, 36 |
| <p align="center">XX. WILDFIRE</p> <p align="center"><i>If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:</i></p> | | | | | |
| a) Impair an adopted emergency response plan or emergency evacuation plan? | | | X | <p>The project site is located in the CalFire State Responsibility Area (SRA) within the South Lake County Fire Protection District and is subject to all state fire-safe-related codes. The parcel is classified as having Moderate (Figure 17).</p>  <p align="center"><i>Figure 17: Fire Hazard Severity Zones on APN 014-006-14 (Source: Lake County WebGIS)</i></p> | 1, 2, 4, 5, 6, 20, 23, 31, 37, |

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| | | | | <p>Per Lake County's Fire History mapper, no fire has occurred on the site since 1920, when fires started to be tracked.</p> <p>Access to the property is a private driveway off of Shady Grove Rd. Adjacent to Highway 29. Improvements to the private driveway are proposed to meet PRC 4290 and 4291 CalFire Standards, including widening the road to 20' (See Site Plans). The road would be graveled with a surface engineered for 75,000 lb. capacity. Should this site need to evacuate, Highway 29 would be the evacuation route.</p> <p>Like much of Lake County, this area is prone to wildfire. This site is no more prone to excessive fire risk than other sites in Lake County. The applicant will adhere to all regulations of California Code Regulations Title 14, Division 1.5, Chapter 7, Subchapter 2, and Article 1 through 5 shall apply to this project; and all regulations of California Building Code, Chapter 7A, Section 701A, 701A.3.2.A.</p> <p>Per the Applicant's Property Management Plan, wildfire prevention techniques would include maintaining the vegetation surrounding the cultivation area, ensuring that gas and diesel-powered equipment is stored indoors and turned off when not in use, and ensuring that two personnel are onsite at all times during the use of equipment which has the potential to cause a fire. Approval of this permit would not further exacerbate the risk of wildfire, nor would it interfere with emergency evacuation should this be necessary.</p> <p>Less than significant impact with GEO-5 and GEO-6 incorporated.</p> | |
| b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire? | | | X | <p>Refer to Section XX (a). Additionally, the cultivation area is on an existing flat vineyard. The project proposes to clear maintain defensible space around the cultivation area to help reduce fire risk. The site driveway allows for fire access. Approval of this project would not increase the fire risk in this area.</p> <p>Less than significant impact.</p> | 1, 2, 4, 5, 6, 20, 23, 31, 35, 37, 38 |
| c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines, or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment? | | | X | <p>The site is served by Shady Grove Rd. a paved County maintained road. Access is from Shady Grove Rd. to the site from an existing private driveway. The driveway is proposed to be upgraded to a 20-foot width and 6-in compacted gravel. A turnaround at the cultivation area is proposed for emergency vehicle access. No other infrastructural improvements appear to be necessary for this project.</p> <p>Less than significant impact.</p> | 1, 2, 4, 5, 6, 20, 23, 31, 35, 37, 38 |
| d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes? | | | X | <p>The site is generally flat near the cultivation area; there is little chance of risks associated with post-fire slope runoff, instability, or drainage changes based on the lack of site changes that would occur by this project.</p> <p>Less than significant impact.</p> | 1, 2, 4, 5, 6, 20, 23, 31, 35, 37, 38 |
| XXI. MANDATORY FINDINGS OF SIGNIFICANCE | | | | | |
| a) Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, | | X | | <p>Per the impact discussions above, the potential of the proposed project to substantially degrade the environment is less than significant with incorporated mitigation measures. As described in this Initial Study, the proposed project has the potential for impacts related to Aesthetics, Air Quality,</p> | All |

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| cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory? | | | | <p>Biological Resources, Cultural Resources, Energy, Geology and Soils, Hazards & Hazardous Materials, Hydrology and Water Quality, Noise, Tribal Cultural Resources, Utilities and Service Systems, and Wildfire. However, these impacts would be avoided or reduced to a less-than-significant level with the incorporation of avoidance and mitigation measures discussed in each impact section.</p> <p>Less than significant with AES-1 through AES-4; AQ-1 through AQ-8; BIO-1 through BIO-6; CUL-1 through CUL-5; ENERGY-1; GEO-1 through GEO-6; HAZ-1 through HAZ-8; HYD-1 through HYD-4; NOI-1 through NOI-4; TRIB-1.</p> | |
| b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)? | | X | | <p>Potentially significant impacts have been identified related to Aesthetics, Air Quality, Biological Resources, Cultural Resources, Energy, Geology and Soils, Hazards & Hazardous Materials, Hydrology and Water Quality, Noise, Tribal Cultural Resources, Utilities and Service Systems, and Wildfire. These impacts in combination with the impacts of other past, present, and reasonably foreseeable future projects could cumulatively contribute to significant effects on the environment. However, implementation of and compliance with mitigation measures identified in each section as project conditions of approval would avoid or reduce potential impacts to less than significant levels and would not result in cumulatively considerable environmental impacts.</p> <p>Less than significant with AES-1 through AES-4; AQ-1 through AQ-8; BIO-1 through BIO-6; CUL-1 through CUL-5; ENERGY-1; GEO-1 through GEO-6; HAZ-1 through HAZ-8; HYD-1 through HYD-4; NOI-1 through NOI-4; TRIB-1.</p> | All |
| c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly? | | X | | <p>The proposed project has the potential to result in adverse indirect or direct effects on human beings in the areas of Aesthetics, Air Quality, Biological Resources, Cultural Resources, Energy, Geology and Soils, Hazards & Hazardous Materials, Hydrology and Water Quality, Noise, Tribal Cultural Resources, Utilities and Service Systems, and Wildfire. Implementation of and compliance with mitigation measures identified in each section as conditions of approval would not result in substantial adverse indirect or direct effects on human beings and impacts would be considered less than significant.</p> <p>Less than significant with AES-1 through AES-4; AQ-1 through AQ-8; BIO-1 through BIO-6; CUL-1 through CUL-5; ENERGY-1; GEO-1 through GEO-6; HAZ-1 through HAZ-8; HYD-1 through HYD-4; NOI-1 through NOI-4; TRIB-1.</p> | All |

* Impact Categories defined by CEQA

****Source List**

1. Lake County General Plan
2. Lake County GIS Database
3. Lake County Zoning Ordinance
4. Middletown Area Plan
5. Nina Star Cannabis Cultivation Application – Major Use Permit.
6. U.S.G.S. Topographic Maps
7. U.S.D.A. Lake County Soil Survey
8. Lake County Important Farmland Map, California Department of Conservation Farmland Mapping and Monitoring Program
9. Department of Transportation's Scenic Highway Mapping Program, (http://www.dot.ca.gov/hq/LandArch/16_livability/scenic_highways/index.htm)
10. Lake County Serpentine Soil Mapping
11. California Natural Diversity Database (<https://www.wildlife.ca.gov/Data/CNDDDB>)
12. U.S. Fish and Wildlife Service National Wetlands Inventory
13. Biological Resource Assessment prepared by Pinecrest Environmental Consulting on February 3rd, 2020.
14. Cultural Resource Evaluation of 23180 Shady Grove Rd., Middletown, CA, prepared by Dr. John Parker, December 16, 2019.
15. California Historical Resource Information Systems (CHRIS); Northwest Information Center, Sonoma State University; Rohnert Park, CA.
16. Water Resources Division, Lake County Department of Public Works Wetlands Mapping.
17. U.S.G.S. Geologic Map and Structure Sections of the Clear Lake Volcanic, Northern California, Miscellaneous Investigation Series, 1995
18. Official Alquist-Priolo Earthquake Fault Zone maps for Lake County
19. Landslide Hazards in the Eastern Clear Lake Area, Lake County, California, Landslide Hazard Identification Map No. 16, California Department of Conservation, Division of Mines and Geology, DMG Open-File Report 89-27, 1990
20. Lake County Emergency Management Plan
21. Lake County Hazardous Waste Management Plan adopted 1989
22. Lake County Airport Land Use Compatibility Plan adopted 1992
23. California Department of Forestry and Fire Protection - Fire Hazard Mapping
24. National Pollution Discharge Elimination System (NPDES)
25. FEMA Flood Hazard Maps
26. Lake County Aggregate Resource Management Plan, Adopted 1992
27. Lake County Bicycle Plan
28. Lake County Transit for Bus Routes
29. Lake County Environmental Health Division
30. Lake County Grading Ordinance
31. Lake County Natural Hazard database
32. Lake County Countywide Integrated Waste Management Plan and Siting Element, 1996
33. Lake County Water Resources
34. Lake County Waste Management Department
35. California Department of Transportation (CALTRANS)
36. Lake County Air Quality Management District website
37. South Lake County Fire Protection District
38. United States Department of Agriculture – Natural Resources Conservation Service Web Soil Survey
39. Hazardous Waste and Substances Sites List, www.envirostor.dtsc.ca.gov/public
40. Department of Pesticide Regulation Operator Identification Number Requirements

41. State Water Resources Control Board (SWRCB) Cannabis Policy and General Order (https://www.waterboards.ca.gov/board_decisions/adopted_orders/water_quality/2019/wqo2019_0001_dwq.pdf)
42. Lake County Groundwater Management Plan, March 31st, 2006. <http://www.lakecountyca.gov/Assets/Departments/WaterResources/IRWMP/Lake+County+Groundwater+Managment+Plan.pdf>