



## MEMORANDUM

**TO:** Administrative Record / Project File — SCH # 2023060804  
**FROM:** Community Development Department  
**DATE:** August 7, 2026  
**SUBJECT:** Procedural History, CEQA Consistency Determination, & Final IS/MND Revisions — Seigler Springs North (PL-26-115/ UP 21-17)

### 1. Purpose & Administrative Context

This memorandum establishes the complete CEQA review history for **Seigler Springs North, Major Use Permit PL-26-115 for UP 21-17 (SCH # 2023060804)**, located at 11615 and 11625 Seigler Springs North Road, Kelseyville. It documents the final project modifications approved concurrently with the Major Use Permit and confirms that the final refinements made to the 2026 Adopted Initial Study / Mitigated Negative Declaration (IS/MND) do not trigger further recirculation under State CEQA Guidelines § 15073.5.

### 2. Environmental Review History & Document Evolution

The environmental review for PL-26-115/ UP 21-17 progressed through the following milestones:

- **2023 Initial Draft IS/MND (SCH # 2023060804):** Initial Study / Mitigated Negative Declaration prepared and circulated for public and agency review.
- **2024 Recirculated IS/MND (Tree Removal Scope):** Recirculated pursuant to CEQA Guidelines § 15073.5 to evaluate tree removal parameters and associated environmental factors.
- **Early 2026 Revised IS/MND (Tribal Cultural Resources):** Environmental document updated prior to hearing to strengthen Mitigation Measures for Tribal Cultural Resources based on tribal consultation.
- **2026 Adopted IS/MND & Major Use Permit Approval:** The decision-making body formally adopted the 2026 IS/MND and approved Major Use Permit PL-26-115/ UP 21-17, incorporating final operational conditions that further refine and restrict tree removal.

### 3. Final Major Use Permit Revisions & Conditions

In conjunction with the Major Use Permit approval, the project scope was finalized to restrict general tree removal (which was evaluated in the 2024 recirculation). The final approved project incorporates the following specific Conditions of Approval for the approved project.

- **Tree Removal Parameters:** Tree removal shall be limited to dead, dying, and diseased as identified by a certified arborist or Certified Forester. Tree trimming and vegetation clearance in accordance with CAL FIRE regulations and the County's Grading Ordinance is permitted. Prior to any ground disturbing activities, the applicant shall submit revised site plans to the Community Development Department identifying the dead, diseased, and dying trees for removal.
- **CAL FIRE Permitting Verification:** Prior to ground disturbing activities the permittee shall contact CAL FIRE to confirm if a Timber Conversion Permit and/or Harvest Document is required. If required, the document shall be submitted to the Community Development Department.

#### **4. CEQA Guidelines § 15073.5 Finding (No Recirculation Required)**

Pursuant to State CEQA Guidelines § 15073.5(c)(2), recirculation is **not** required when project revisions merely clarify or make minor modifications that reduce environmental impacts:

- **Impact Avoidance & Reduction:** Restricting tree removal exclusively to dead, dying, or diseased timber significantly reduces potential biological, visual, and carbon/canopy impacts below what was analyzed in the 2024 recirculated IS/MND.
- **Enhanced Protection:** The early 2026 strengthening of Tribal Cultural Resource mitigation measures and the UP tree preservation conditions heighten environmental protections without introducing new or more severe significant effects.

#### **5. Record Disposition & Uploads**

- **State Clearinghouse (CEQA Submit):** The clean, finalized 2026 IS/MND reflecting all adopted revisions and conditions is uploaded to SCH # 2023060804 alongside the Notice of Determination (NOD).
- **Administrative Record:** The official project file retains all prior draft iterations (2023 draft, 2024 recirculated version, 2026 TCR revisions), redlined versions showing intermediate changes and this memorandum.



## COUNTY OF LAKE

COMMUNITY DEVELOPMENT DEPARTMENT  
Planning Division  
Courthouse - 255 N. Forbes Street  
Lakeport, California 95453  
Telephone: (707) 263-2221 FAX: (707) 263-2225

June 30, 2023  
Recirculation January 26, 2024  
Revised April 13, 2026

### CALIFORNIA ENVIRONMENTAL QUALITY ACT ENVIRONMENTAL CHECKLIST FORM INITIAL STUDY (UP 21-17, IS 21-18)

1. Project Title: Seigler Springs North Cultivation Project
2. Permit Numbers:

|                  |          |
|------------------|----------|
| Major Use Permit | UP 21-17 |
| Initial Study    | IS 21-18 |
| Early Activation | EA 21-17 |
3. Lead Agency Name and Address: County of Lake  
Community Development Department  
Courthouse, 3<sup>rd</sup> Floor, 255 North Forbes Street  
Lakeport, CA 95453
4. Contact Person & Phone Number: Trish Turner, Assistant Planner II  
(707) 263-2221
5. Project Location(s): 11615 and 11625 Seigler Springs North Road  
Kelseyville, CA 95451
6. Property Owner Name & Address: Seigler Springs Holdings, LLC  
637 Lindaro Street  
San Rafael, CA 94901
7. General Plan Designation: Rural Lands, Resource Conservation
8. Zoning: "TPZ-B3", Timber Preserve; Minimum Lot Size
9. Supervisor District: District 1
10. Flood Zone: "D" – Undetermined risk of flooding
11. Slope: Under 10% at cultivation sites
12. Fire Hazard Severity Zone: California State Responsibility Area (CAL FIRE)  
Very High Risk
13. Earthquake Fault Zone: Mapped Fault
14. Dam Failure Inundation Area: Not located within Dam Failure Inundation Area

15. Assessor's Parcel Number(s) (APN)/Acres:      APN 115-007-03/ +42.47  
APN 115-007-06/ +42.08

16. Description of Project:

The proposed project details are based on meetings with the applicant and materials that were submitted with the use permit for this project. The proposed project would require the following Lake County permits:

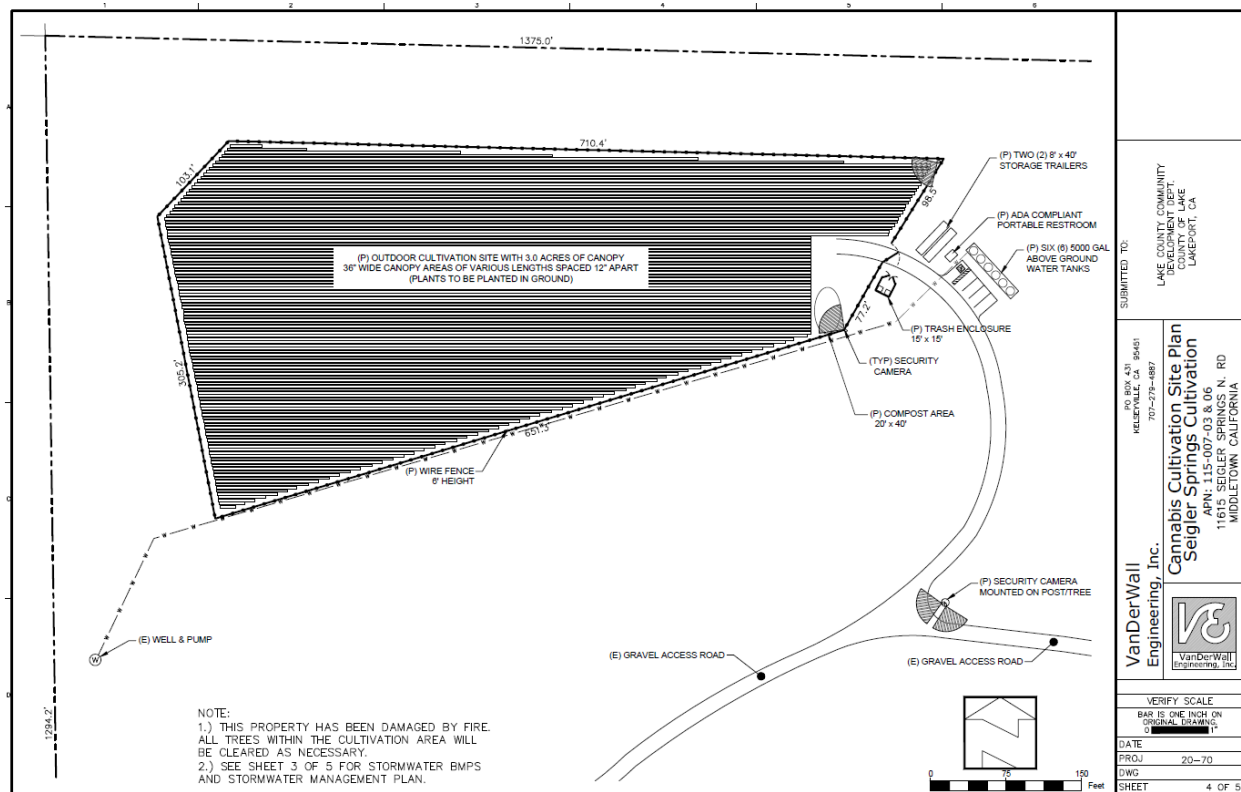
- Three A- Type 3 “outdoor cultivation” licenses
  - Total cannabis cultivation canopy: 130,680 sq. ft.
  - Total cultivation area: 196,020 sq. ft.
- One Type 13 Distributor Transport Only, Self-distribution
- Complex Grading Permit

The facility layout will be as follows:

- Twenty-two 40' x 100' temporary light deprivation hoophouses secured with a six-foot fence
- One Americans with Disabilities Act (ADA)-compliant portable restroom
- One 15' x 15' trash enclosure
- Two 8' x 40' shipping containers
- One 40' x 20' compost area located within the secured six-foot fenced cultivation area
- Six 5,000-gallon water tanks
- 5,000-gallon fire suppression tank and system

As proposed the project will include three employees during peak season and five parking spaces with one dedicated to ADA parking. Additionally, the applicant proposes clearance for vegetation and brush removal. The property has been impacted by the Valley Fire, however there is an existing tree cover along with a number of downed and dead trees that will need to be bucked and cleared. About 128,000 sq. ft. of vegetation clearing, including the removal of approximately 76 mature and healthy Black Oak trees and some trimming of existing trees will be required in order to establish the cultivation areas. The importation of any soil for leveling out the cultivation area is not anticipated. Removal of dead and existing trees and vegetation clearing will all be done in compliance with the Lake County Municipal Code Chapters 13 and 30. Figure 1, next page, includes the proposed project's site plan.

Figure 1 – Site Plans



Source: VanDerWall Engineering Site Plan, Updated 2026

## Fertilizer and Pesticide Storage & Solid Waste and Plant Disposal

Noncombustible fertilizers and pesticides will be stored within the shipping containers. All solid waste will be kept in a secured area and removed weekly to be disposed of at waste disposal facility. Any plant waste will be chipped/mulched and spread around the cultivation area or composted on site within an on-site compost area and reused as soil amendment.

## Water Analysis

A Technical Memorandum was prepared by Northpoint Consulting Group, Inc., on July 29, 2022, for the proposed project and was revised on May 19, 2023, revised November 26, 2025. Within this memorandum are a Hydrology Report and a Drought Management Report, both required by Lake County Ordinance No. 3106.

## Water Usage

Projected water usage is 6- gallons per plant per day. The project as proposed for three acres of canopy will average daily 10,700 gallons per day, maximum during flowering season in September/October is 13,500 gallons per day. With the annual total of 4.9- acre feet of 1,602,000 gallons per year. *Water Source*

The water source for this project is an existing permitted groundwater well located on APN 115-007-03, drilled on January 20, 2021, by Will Peterson Well Drilling. The well was drilled to a depth

of 440 feet; the depth to static water was 360 feet. Output measured during the 2-hour well test averaged 40 gallons per minute. Water will be stored on site in six 5,000 - gallon water storage tanks.

### *Aquifer Data*

The Memorandum states that the project site is located within the headwaters of the Seigler Springs Creek watershed and describes the aquifer as geologic unit 'asf', described as "flows of ilmenite-bearing andesite...with a maximum thickness of 250 m". The Memo estimates the total storage capacity of this geologic unit to be 5,250 acre-feet, or about 1,710,717,750 gallons of water. The Memo also states that this site is not located within a delineated California Bulletin 118 groundwater basin; the nearest mapped basins are the Lower Lake Basin and the Big Valley Basin, which are located about 3.7 northeast and 5.4 miles northwest of the subject site respectively.

### *Groundwater Recharge*

The assumed area of recharge is the 84.56-acre combined parcel size. Recharge from a larger area consisting of 129.7 acres was also evaluated, which is the area that drains into the project location. Recharge rates in general evaluate the types of soil found on the site; whether the recharge occurs during a drought or non-drought year, percentage of percolation versus runoff and trans-evaporation amounts; these factors lead to a 'CN' designation, which shows the percentage of water captured for underground water storage. The soils on the site have a moderately high runoff potential. Given all of the variables involved, the range of annual recharge amounts varies from 22.3 acre-feet (7,266,476 gallons) during drought years, and 30.1 acre-feet (9,808,113 gallons) during non-drought years.

### *Cumulative Impact to Surrounding Area*

Annual project water demand is projected to be 4.9 acre-feet/year. Recharge rates are projected to be between 22.3 and 30.1 acre-feet per year. Well data was collected for other 'vicinity' wells; the nearest well is located about 320 feet northwest of the project site. The other wells are located 1,200 feet or more from the project site.

### *Conclusion*

Since there is sufficient groundwater supply and annual recharge to meet the project's demand during average and dry years, there is sufficient groundwater storage in the Clear Lake Volcanics, the project is situated in an area of low population and well densities, and with the implementation of water monitoring, reporting, conservation measures, and drought management the proposed project water use would not have a cumulative impact on the surrounding area.

### *Power*

Electricity for the Project will be from existing on-grid power, and potentially from small photo-voltaic solar system(s) on site. According to the Property Management Plan, the proposed project will be full sun/outdoor cultivation operations. For each cultivation operation, a small solar-powered electrical system may be installed to power low voltage items such as security cameras, and water pumps for mixing liquid fertilizers into the irrigation systems.

### *Construction*

Construction is estimated to last approximately 3 to 4 weeks and tentatively scheduled to begin in 2026 depending on the timing of the land use review for the Use Permit. Construction would consist of grading, utility installation, construction of the buildings, fence installation, and security installation. Equipment that will likely be used includes a backhoe (tires), a dozer (tracks), scissor lift (tires), trencher (track), dump truck (tires), pickup trucks (tires) and a water truck (tires).

Employees used during construction would be up to 5 per day. The applicant estimates that the total average daily trips to and from the site during construction would be 1 trip per day; staff however puts this estimate at between 10 and 20 trips per day, assuming one vehicle per employee and one daily delivery. Equipment would be staged and stored on previously disturbed area on site.

#### Grading, Drainage and Erosion Control

The applicant states that a total of 25,000 cubic yards of earth would be moved, and a total of 15,000 cubic yards of the cut will be used as fill. Approximately, 4,600 cubic yards of aggregate base will be imported to the site. This requires a Complex Grading Permit (movement of earth in excess of 3,000 cubic yards), which the applicant has applied for. The applicant has submitted two preliminary grading plans, both prepared by a licensed civil engineer with Northpoint Consultants. The grading plan set includes sheets 1 through 6 that provide plan views, profiles of graded areas, and detailed descriptions of:

- Erosion Control Measures, including
  - Hydro Mulch
  - Project Scheduling
  - Preservation of Existing Vegetation
  - Sediment Control Measures
- Silt Fencing (if needed)
- Gravel / Sandbag Barriers (if needed)
- Storm Drain Inlet Protection
- Dust Control Measures
- Construction Site Entrance / Exit

Grading is further discussed in the Geology and Soils and Hydrology and Water Quality sections of this report.

The grading permit will be issued following approval of the proposed project and require the applicant to sign conditions of approval required for a Complex Grading Permit. In addition, the applicant may be required to submit a geotechnical report, and the State Water Board may require a Construction General Permit with a Stormwater Pollution Prevention Plan (SWPPP) required when disturbing over one acre or more of soils. If the applicant is required to apply for a Construction General Permit, the SWPPP will need be submitted to the County before the issuance the grading permit can occur.

#### Tree and Shrub Removal

Lake County has no threshold for tree removal and replacement, however, based on County Code and state regulations, the appropriate requirements would be applied to the project. The project proposes the removal of 76 mature black oak trees, as well as the removal of several dead and

downed trees that will need to be removed for safety. The applicant proposes the establishment of a +20-acre No Development Zone to mitigate for the ponderosa pine and black oak habitat disturbed as a result of developing the proposed project. Additionally, more than three hundred and twenty-seven (327) black oak saplings will be planted, cared for, and protected for seven years, in areas surrounding the proposed cultivation operation, to mitigate for the black oak trees lost as a result of project/site development. Further discussion is provided in section IV Biological Resources of this study. There are several dead and downed trees that will need to be removed for safety.

## Operations

Operations will occur from Monday to Saturday, 8:00 a.m. to 5:00 p.m. according to the most updated PMP. The growing season is anticipated to be about 150 days per year for outdoor cultivation. Post-construction numbers of employees would be up to 3 per day year around.

## 17. Surrounding Land Uses and Setting:

The two parcels involved with this project are over 84 acres in size combined. The neighboring lots are sparsely populated and are mostly near or over 10 acres in size with a low population base due to the lot sizes and zoning.

The following list provides surrounding zoning designations and uses of APN(s) 115-007-03 and 06. Figure2 includes a zoning map with APN(s) of the project site and surrounding sites.

- North: "RL-B5" Rural Land, Frozen (no further division below 5 acres permitted). 7.41 acres and undeveloped. APN: 115-007-02
- North: "RL-B5", Rural Lands, Frozen (no further division below 5 acres permitted). Undeveloped; about 33.28 acres in size. APN: 115-007-01
- North: "RL-B5", Rural Lands, Frozen (no further division below 5 acres permitted). Developed with a dwelling; about 33.69 acres in size. APN: 115-007-05
- East: "RL-B5", Rural Lands, Frozen (no further division below 5 acres permitted). Developed with a dwelling. APN: 115-007-07
- Southeast: "RL-WW", Rural Lands, Frozen (no further division below 5 acres permitted). 197.61 acres; developed with a dwelling. APN: 115-015-03
- Southwest: "TPZ-B3", Timber Preserve, Frozen (no further land division below 3 acres allowed). 76.97 acres; developed with a dwelling. APN: 115-015-01
- West: "RL-B5", Rural Lands, Frozen (no further division below 5 acres permitted). 37.97 acres; developed with a dwelling. APN: 115-005-02

Figure 2 - Zoning of Site and Surrounding Area



Source: Lake County GIS Mapping 2026.

18. Other public agencies whose approval is required (e.g., permits, financing approval, or participation agreement).

The extent of this environmental review falls within the scope of the Lead Agency, the Lake County Community Development Department, and its review for compliance with the Lake County General Plan, the Cobb Mountain Area Plan, and the Lake County Municipal Code. Other agencies in the review process for permitting purposes, financial approval, or participation agreement can include but are not limited to:

- Lake County Agricultural Commissioner
- Lake County Air Quality Management District (LCAQMD)
- Lake County Department of Environmental Health
- Lake County Department of Public Works
- Lake County Department of Public Services
- Lake County Sheriff Department
- California Department of Consumer Affairs
- California Department of Fish & Wildlife (CDFW)
- California Department of Food and Agricultural
- California Department of Forestry & Fire Protection (CAL FIRE)
- California Department of Pesticides Regulations
- California Department of Public Health
- California Department of Transportation (Caltrans)
- Central Valley Regional Water Quality Control Board
- California Water Resources Control Board

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 significance of impacts to tribal cultural resources, procedures regarding confidentiality, etc.?

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, per Public Resources Code §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 (CHRIS) 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 November 8, 2022. The Yocha Dehe Wintun Nation and the Upper Lake Habematolel Tribe responded indicating that the Project is not within their ancestral territories. AB 52 Tribal Consultation occurred with the Middletown Rancheria – Tribal Historic Preservation Department and concluded with the addition of six Tribal Cultural Resources Mitigation Measures, detailed in the Tribal Cultural Resources section of this Initial Study.

#### 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.

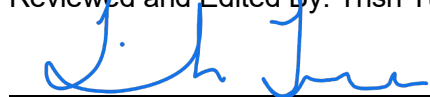
- |                                                           |                                                               |                                                                        |
|-----------------------------------------------------------|---------------------------------------------------------------|--------------------------------------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

#### DETERMINATION:

- ☐ 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.

Reviewed and Edited By: Trish Turner, Associate Planner



Date: 08/06/2026

SIGNATURE

Mireya G. Turner, Director  
Community Development Department

## SECTION 1

### EVALUATION OF ENVIRONMENTAL IMPACTS:

- 1) A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to Projects like the one involved (e.g., the Project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on Project-specific factors as well as general standards (e.g., the Project will not expose sensitive receptors to pollutants, based on a Project-specific screening analysis).
- 2) All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as Project-level, indirect as well as direct, and construction as well as operational impacts.
- 3) Once the lead agency has determined that a particular physical impact may occur, and then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect may be significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.
- 4) "Negative Declaration: Less Than Significant with Mitigation Incorporated" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less Than Significant Impact." The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from Section XVII, "Earlier Analyses," may be cross-referenced).

- 5) Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063(c) (3) (D). In this case, a brief discussion should identify the following:
  - a) Earlier Analysis Used. Identify and state where they are available for review.
  - b) Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
  - c) Mitigation Measures. For effects that are "Less than Significant with Mitigation Measures Incorporated," describe the mitigation measures, which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the Project.
- 6) Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.
- 7) Supporting Information Sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.
- 8) This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies should normally address the questions from this checklist that are relevant to a Project's environmental effects in whatever format is selected.
- 9) The explanation of each issue should identify:
  - a) The significance criteria or threshold, if any, used to evaluate each question; and
  - b) The mitigation measure identified, if any, to reduce the impact to less than significance

## I. AESTHETICS

Except as provided in Public Resource Code Section 21099, would the project:

|                                                                                                                                                                                                                                                                                                                                                    | Potentially<br>Significant<br>Impact | Less Than<br>Significant<br>with<br>Mitigation<br>Measures | Less Than<br>Significant<br>Impact  | No<br>Impact                        | Source<br>Number    |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------|------------------------------------------------------------|-------------------------------------|-------------------------------------|---------------------|
| a) Have a substantial adverse effect on a scenic vista?                                                                                                                                                                                                                                                                                            | <input type="checkbox"/>             | <input checked="" type="checkbox"/>                        | <input type="checkbox"/>            | <input type="checkbox"/>            | 1, 2, 3, 4, 5, 6, 9 |
| b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?                                                                                                                                                                                           | <input type="checkbox"/>             | <input type="checkbox"/>                                   | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | 2, 3, 4, 9          |
| c) Substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point). If the project is in an urbanized area would the project conflict with applicable zoning and other regulations governing scenic quality? | <input type="checkbox"/>             | <input type="checkbox"/>                                   | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | 1, 2, 3, 4, 5, 6, 9 |
| d) Would the project create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?                                                                                                                                                                                                            | <input type="checkbox"/>             | <input checked="" type="checkbox"/>                        | <input type="checkbox"/>            | <input type="checkbox"/>            | 1, 2, 3, 4, 5, 6, 9 |

Discussion:

The general area is very scenic; however, the site is not visible from Seigler Springs North Road due to significant vegetation between the road and the property and the slope of the terrain. The canopy and cultivation area are located west of Seigler Springs North Road, a paved county road at this location. The cultivation areas will be screened from neighboring lots by a 6' tall fence, as well as by the hill that separates view of the site from Seigler Springs North Road, along with significant tree coverage along the road (Figure 3). Figure 6 includes the hoophouse elevations and the height.

- a) As mentioned, due to the terrain and other physical factors, the site is not visible from Seigler Springs Road. Additionally, Lake County Municipal Code Article 27 requires that the cultivation site to be screened with fencing. Fencing shall be of either chain link with screening slats, or solid wood or metal. Fabric-covered fencing is not durable and is not permitted. This will be added within Mitigation Measure AES-1.

AES-1: The cultivation area shall be screened from public view by a new 6' tall fence. Fencing material shall be of either chain link with screening slats, or solid wood or metal. Fabric-covered fencing is erodible and not durable, and therefore is not permitted. Regular yearly inspection and maintenance of fencing shall be required.

Less than Significant Impact with Mitigation Measure

Figure 3 – View looking toward the Site from Seigler Springs North Road



Source: Google Earth Pro, 2023.

- b) Seigler Springs North Road is not on Caltrans's List of Officially Designated County Scenic Highways, nor is it on the List of Eligible and Officially Designated State Scenic Highways.

No Impact

- c) There are no known vista points, roads, or other viewpoints from above or across the project site making it visible due to the surrounding vegetation. The general plan and zoning designations currently assigned to the Project site are Timberland Preserve (TPZ) and Resource Conservation (RC). The Lake County Zoning Ordinance allows for outdoor commercial cannabis cultivation in the TPZ land use zone with a major use permit.

Less Than Significant impact

- d) The Project site will have a significant number of hoopouses. Hoopouses must use 'light deprivation', which is the use of hoopouses without electricity. In addition, the project will need security lighting. Mitigation measure AES-2 through AES-3 will mitigate potential light invasion to 'less than significant' as follows:

AES-2: All outdoor lighting shall be directed downward onto the Project site and not onto adjacent properties. All lighting equipment shall comply with the recommendations of [www.darksky.org](http://www.darksky.org).

AES-3: 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 light or allow light glare to exceed the boundaries of the lot of record upon which they are placed.

Less Than Significant with Mitigation Measures AES-1 through AES-3

| II. AGRICULTURE AND FORESTRY RESOURCES                                                                                                                                                                                                                                                     | Potentially Significant Impact | Less Than Significant with Mitigation Measures | Less Than Significant Impact        | No Impact                           | Source Number                |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------|------------------------------------------------|-------------------------------------|-------------------------------------|------------------------------|
| Would the project:                                                                                                                                                                                                                                                                         |                                |                                                |                                     |                                     |                              |
| a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?                                             | <input type="checkbox"/>       | <input type="checkbox"/>                       | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | 1, 2, 3, 4, 7, 8, 11, 13, 39 |
| b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?                                                                                                                                                                                                       | <input type="checkbox"/>       | <input type="checkbox"/>                       | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | 1, 2, 3, 4, 5, 7, 8, 11, 13  |
| c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))? | <input type="checkbox"/>       | <input type="checkbox"/>                       | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | 1, 2, 3, 4, 5, 8, 11, 13     |
| d) Result in the loss of forest land or conversion of forest land to non-forest use?                                                                                                                                                                                                       | <input type="checkbox"/>       | <input type="checkbox"/>                       | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | 1, 2, 3, 4, 5, 6, 8          |

- e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?

☐
☐
☒
☐

1, 2, 3, 4,  
5, 7, 8, 11,  
13

#### Discussion:

In determining whether impacts to agricultural and/or timber 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.

- a) According to the California Department of Conversation Farmland Mapping and Monitoring Program, the Project site and immediate area is mapped as 'Other Lands'. Other Lands are defined as: Land not included in any other mapping category. Common examples include low density rural developments; brush, timber, wetland, and riparian areas not suitable for livestock grazing; confined livestock, poultry or aquaculture facilities; strip mines, borrow pits; and water bodies smaller than forty acres. Vacant and nonagricultural land surrounded on all sides by urban development and greater than 40 acres is mapped as Other Land.

The Project site does not contain high value soils for agricultural use based on the Natural Resources Conservation Service Web Soil Survey (refer to VII. GEOLOGY AND SOILS).

As the proposed Project is classified as Other Land, a non-agriculturally productive category, the Project would not be converting farmland that is high quality or significant farmland to a non-agricultural use.

No Impact

- b) The site and neighboring properties are not under a Williamson Act contract. Under Article 27.11 of the Lake County Zoning Ordinance, Outdoor Cannabis Cultivation is permitted on parcels with a Base Zoning District of "TPZ", Timber Preserve, with a minimum required lot size of 20 acres. The Project parcels consist of 84.56 acres.

Less Than Significant Impact

- c) Public Resources Code §12220(g) defines "forest land" as land that can support 10% native tree cover of any species, including hardwoods, under natural conditions, and that allows for management of one or more forest resources, including timber, aesthetics, fish and wildlife, biodiversity, water quality, recreation, and other public benefits.

Public Resources Code §4526 defines “timberland” as land, other than land owned by the federal government and land designated by the State Board of Forestry and Fire Protection as experimental forest land, which is available for, and capable of, growing a crop of trees of a commercial species used to produce lumber and other forest products, including Christmas trees.

Government Code §51104(g) defines “timberland production zone” as an area that has been zoned pursuant to Government Code Section 51112 or 51113 and is devoted to and used for growing and harvesting timber, or for growing and harvesting timber and compatible uses.

The Project site is currently zoned “TPZ”, Timber Preserve and contains forest lands and timberland. Pursuant to the State Water Resources Control Board’s Order No. WQ 2019-0001-DWQ the following will be required:

- A California Licensed Timber Operator shall be used if any commercial tree species are to be removed from the cannabis cultivation site. All timberland conversions shall be permitted and compliant with the Forest Practice Rules and CAL FIRE permitting requirements
- In timberland areas, unless authorized by CAL FIRE or the Regional Water Board Executive Director, Cannabis cultivators shall not remove trees within 150 feet of fish bearing water bodies or 100 feet of aquatic habitat for non-fish aquatic species (e.g., aquatic insects) (Public Resources Code section 4526).

Less Than Significant Impact

- d) The Project site and adjacent property to the south are zoned “TPZ” and contain forest lands. Both properties are identified as containing forest resources by the General Plan. Because forest land is present on the Project site and immediately south of the Project site, the proposed Project has some potential to result in the loss of forest land or the conversion of forest land to non-forest use. However, none of the “TPZ”-zoned lots have any history of timber production, and it is not likely that the applicant will pursue timber production on the subject lots. It is unknown whether the southern neighboring lot will pursue timber production in the future, however allowing commercial cannabis on the subject lots will not interfere with the neighbor’s timber production should that occur in the future. Additionally, the proposed project would be required to comply with the State Water Resources Control Board’s Order No. WQ 2019-0001-DWQ requirements listed in c) above.

Less Than Significant Impact

- e) Lands surrounding the Project site include privately-owned, marginally, or undeveloped land on all sides. Most of the adjacent lots are zoned Rural Lands with the exception of the southern neighboring lot, which is zoned “TPZ”, Timber Preserve. Again, the County allows commercial cannabis to be grown in the “TPZ”, and the applicant would have to comply with the State Water Resources Control Board’s Order No. WQ 2019-0001-DWQ requirements listed in c) above.

Less Than Significant Impact

### III. AIR QUALITY

|                                                                                                                                                                                                    | Potentially<br>Significant<br>Impact | Less Than<br>Significant<br>with<br>Mitigation<br>Measures | Less Than<br>Significant<br>Impact  | No<br>Impact             | Source<br>Number                  |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------|------------------------------------------------------------|-------------------------------------|--------------------------|-----------------------------------|
| Would the project:                                                                                                                                                                                 |                                      |                                                            |                                     |                          |                                   |
| a) Conflict with or obstruct implementation of the applicable air quality plan?                                                                                                                    | <input type="checkbox"/>             | <input checked="" type="checkbox"/>                        | <input type="checkbox"/>            | <input type="checkbox"/> | 1, 3, 4, 5, 21, 24, 31, 36        |
| b) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under and applicable federal or state ambient air quality standard? | <input type="checkbox"/>             | <input type="checkbox"/>                                   | <input checked="" type="checkbox"/> | <input type="checkbox"/> | 1, 2, 3, 4, 5, 21, 24, 31, 36     |
| c) Expose sensitive receptors to substantial pollutant concentrations?                                                                                                                             | <input type="checkbox"/>             | <input type="checkbox"/>                                   | <input checked="" type="checkbox"/> | <input type="checkbox"/> | 1, 2, 3, 4, 5, 10, 21, 24, 31, 36 |
| d) Result in other emissions (such as those leading to odors or dust) adversely affecting a substantial number of people?                                                                          | <input type="checkbox"/>             | <input checked="" type="checkbox"/>                        | <input type="checkbox"/>            | <input type="checkbox"/> | 1, 2, 3, 4, 5, 21, 24, 31, 36     |

#### Discussion:

Where available, the significance criteria established by the applicable air quality management district or air pollution control district may be relied upon to make the following determinations.

- a) 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 soils map of Lake County, serpentine soils have been found within APN: 115-007-07, however these soils are well beyond the border of the areas to be disturbed by the cultivation activities and will not present any airborne adverse impacts to the area.

Due to the fact that the Lake County Air Basin is in attainment of both state and federal air quality standards, LCAQMD has not adopted an Air Quality Management Plan, but rather uses its Rules and Regulations to address air quality standards.

According to the Lake County Zoning Ordinance section on Commercial Cannabis Cultivation (§27.11), air quality must be addressed in the PMP. The intent of addressing this is to ensure that “all cannabis permittees shall not degrade the County’s air quality as determined by the Lake County Air Quality Management District” and that “permittees shall identify any equipment or activity that may cause, or potentially cause the issuance of air contaminants including odor and shall identify measures to be taken to reduce, control or eliminate the issuance of air contaminants, including odors”. This includes obtaining an Authority to Construct permit pursuant to LCAQMD Rules and Regulations.

The proposed Project is evaluated for potential to result in short- and long-term air quality impacts from construction and operation of the proposed Project.

The applicant has submitted an Air Quality and Odor Control Plan, as well as grading plans for the estimated 25,000 cubic yards of cut, 15,000 cubic yards of fill, and 4,600 cubic yards of aggregate base to be imported to the site. These Plans show several mitigation measures that will assist in reducing airborne dust that would result during site disturbance.

Construction impacts, which include grading, importing fill, tilling the ground, would be temporary in nature and would occur over about a two-to-four-month period; all grading would occur during the grading season. Ongoing field management is considered an operational.

Operational impacts would include 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 and construction.

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 during construction and site disturbance.

Dust and fumes may be released as a result of vehicular traffic, including small delivery vehicles. Minor grading is proposed. Additionally, implementation of mitigation measures below would further reduce air quality impacts to less than significant. To mitigate these potential impacts, the following mitigation measures are added:

AQ-1: Prior to any site disturbance, the applicant shall adhere to the Grading Plan and Dust Mitigation Measures shown on the submitted plans for this project.

AQ-2: All mobile diesel equipment used must be in compliance 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 compression ignition engines. Additionally, the applicant must notify LCAQMD prior to beginning construction activities and prior to any diesel engine use.

AQ-3: The applicant shall maintain records of all hazardous or toxic materials used, including a Material Safety Data Sheet (MSDS) for all volatile organic compounds utilized, including cleaning materials. Said information shall be made available upon request and/or the ability to provide the LCAQMD such information in order to complete an updated Air Toxic emission Inventory.

AQ-4: 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.

AQ-5: 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.

AQ-6: All areas subject to infrequent use of driveways, overflow parking, etc., shall be surfaced with gravel, chip seal, asphalt, or an equivalent all weather surfacing. Applicant shall regularly use and/or maintain graveled area to reduce fugitive dust generations.

Less Than Significant Impact with Mitigation Measures AQ-1 through AQ-6.

- b) The Project area is in the Lake County Air Basin, which is designated as in attainment for state and federal air quality standards for criteria pollutants (CO, SO<sub>2</sub>, NO<sub>x</sub>, O<sub>3</sub>, PM<sub>10</sub>, PM<sub>2.5</sub>, VOC, ROG, Pb). Any Project with daily emissions that exceed any of the thresholds of significance for these criteria pollutants should be considered as having an individually and cumulatively significant impact on both a direct and cumulative basis.

As indicated in the Project's Property Management Plan, section 4.0, Air Quality Management Plan, near-term construction activities and long-term operational activities would not exceed any of the thresholds of significance for criteria pollutants. Lake County has implemented the Bay Area Air Quality Management District (BAAQMD) thresholds of significance as an evaluation method for determining the significance of air quality and greenhouse gas impacts. Using the California Emissions Estimator Model, air emissions modeling performed for this Project, in both the construction phase and the operational phase, will not generate significant quantities of ozone or particulate matter and does not exceed the Project-level thresholds.

Less than Significant Impact

- c) Sensitive receptors (i.e., children, senior citizens, and acutely or chronically ill people) are more susceptible to the effects of air pollution than the general population. Land uses that are considered sensitive receptors typically include residences, schools, playgrounds, childcare centers, hospitals, convalescent homes, and retirement homes.

There are no schools, parks, childcare centers, convalescent homes, or retirement homes located in proximity to the Project site. The nearest off-site residence is located about 400 feet from the Project site and is upwind from the prevailing wind direction, which typically blows from the northwest to the southeast. The nearest dwelling is farther than the 200-foot setback for offsite residences from commercial cannabis cultivation as described in Article 27.11 of the Lake County Zoning.

Pesticide application will be used during the growing season and as described in the PMP, will be applied carefully to individual plants. The cultivation area will be surrounded by a fence which will help to reduce off-site drift of pesticides, and only organic pesticides and fertilizers are proposed. Additionally, no demolition or renovation will be performed which would cause asbestos exposure, and no serpentine soils have not been mapped on either subject lot.

Less than Significant Impact

- d) The proposed Project includes two parcels of outdoor canopy area (124,240 sq. ft.) which has the potential to cause objectionable odors, particularly during the harvest season. The Property Management Plan includes an Odor Control Program (section 5.0) as required by County Ordinance.

The proposed cultivation would generate minimal amounts of carbon dioxide from operation of small gasoline engines (tillers, weed eaters, lawn mowers, etc.) and from vehicular traffic associated with staff commuting, deliveries and pickups. Additionally, Mitigation Measures AQ-1 and AQ-6 would reduce impacts of dust generation from on-site roads and parking areas, and the odor mitigation measures proposed by the applicant will reduce plant odors to 'less than significant' levels.

Less than Significant Impact with Mitigation Measures AQ-1 and AQ-6

#### IV. BIOLOGICAL RESOURCES

|                                                                                                                                                                                                                                                                                                                  | Potentially<br>Significant<br>Impact | Less Than<br>Significant<br>with<br>Mitigation<br>Measures | Less Than<br>Significant<br>Impact  | No<br>Impact                        | Source<br>Number                                                  |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------|------------------------------------------------------------|-------------------------------------|-------------------------------------|-------------------------------------------------------------------|
| Would the project:                                                                                                                                                                                                                                                                                               |                                      |                                                            |                                     |                                     |                                                                   |
| a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service? | <input type="checkbox"/>             | <input checked="" type="checkbox"/>                        | <input type="checkbox"/>            | <input type="checkbox"/>            | 2, 5, 11, 12, 13, 16, 24, 29, 30, 31, 32, 33, 34                  |
| 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?                                                           | <input type="checkbox"/>             | <input checked="" type="checkbox"/>                        | <input type="checkbox"/>            | <input type="checkbox"/>            | 1, 2, 3, 4, 5, 11, 12, 13, 16, 17, 29, 30, 31, 32, 33, 34         |
| c) Have a substantial adverse effect on state or federally protected wetlands (including, not limited to, marsh, vernal pool, coastal wetlands, etc.) through direct removal, filling, hydrological interruption, or other means?                                                                                | <input type="checkbox"/>             | <input type="checkbox"/>                                   | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | 1, 2, 3, 4, 5, 11, 12, 13, 16, 17, 21, 24, 29, 30, 31, 32, 33, 34 |
| d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?                                                                               | <input type="checkbox"/>             | <input type="checkbox"/>                                   | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | 13                                                                |
| e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?                                                                                                                                                                              | <input type="checkbox"/>             | <input checked="" type="checkbox"/>                        | <input type="checkbox"/>            | <input type="checkbox"/>            | 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?                                                                                                                             | <input type="checkbox"/>             | <input type="checkbox"/>                                   | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | 1, 2, 3, 5, 6                                                     |

Discussion:

- a) Two Biological Resource Assessments (BAs) were prepared for this project. The first, prepared by Natural Investigations and dated November 9, 2020, was done out of season. The second, prepared by Lawrence Ray, biologist, was based on a site study that occurred in season on May 11 and 17, 2021, and on June 10 and 11, 2021. The field survey specifically evaluated 56 native plant species and 15 native sensitive animal species for presence on the site.

The survey did not specify whether any sensitive species were observed during the four site visits made, but did provide mitigation measure recommendations for this project, as follows:

#### Habitat Fragmentation

BIO-1: The use of deer fencing should be restricted to the perimeters of the proposed gardens. No deer fencing or other obstacles to wildlife passage should be installed that will restrict wildlife movement.

BIO-2: Outdoor lighting, if used, should be restricted to the processing facility, and should be directed downward so as not to illuminate adjacent areas. (Note: This mitigation measure was also included in Section I, "Aesthetics")

#### Wildlife Protection

BIO-3: To mitigate potential impacts to obscure bumble bee, foothill yellow-legged frog, and western pond turtle, State and Federal regulations on pesticide selection and use should be strictly followed. Pesticide use should not occur during periods when winds may transport spray to adjacent areas. As an alternative, the operator may wish to use organic growing methods. It should be noted that State of California regulations for cannabis cultivation include strict standards for purity which may pre-empt use of pesticides.

BIO-4: All work in or near waterways and wetlands should incorporate extensive erosion control measures consistent with Lake County Grading Regulations in order to avoid erosion and the potential for transport of sediments to Seigler Canyon Creek. Coverage under the National Pollutant Discharge Elimination System (NPDES), General Permit for Storm Water Discharges associated with a Construction Activity (General Permit) and a Storm Water Pollution Prevention Plan (SWPPP) may be required.

BIO-5: Prior to any work that involves disturbing the ground or removing trees or brush, the applicant must follow the tree removal and replacement plan that they submitted to the County. This plan shows that 76 mature and healthy oak trees that are greater than 5 inches in diameter at 4.5 DBH will be removed. Each of these oak trees will be replaced by indigenous species that are no less than 5 feet tall at the time of planting. For each oak tree that is removed, three indigenous species will be planted. These trees must be maintained for up to seven years.

BIO-6: Prior to any tree or brush removal, the applicant shall provide a nesting survey, performed by a professional biologist, that surveys all trees and shrubbery that will be removed for potential nests. If any nests are discovered, the tree / shrub removal shall be postponed until the birds are fledged.

BIO-7: Prior to any ground disturbance California Department of Fish and Wildlife recommends Western Bumble Bee specific surveys are conducted prior to starting any construction activities to determine if the species is present within the project footprint. If the species is present the Biological Resource Assessment should propose additional avoidance, minimizations, and/ or mitigation measures to reduce significant impacts.

Less than Significant with Mitigation Measures BIO-1 through BIO-7

- b) According to the Lake County General Plan Chapter 9.1 Biological Resources, “the County should ensure the protection of environmentally sensitive wildlife and plant life, including those species designated as rare, threatened, and/or endangered by State and/or Federal government,” and upon review of the biological report on the parcel, it was determined that no substantial adverse effect will result from the project.

The Biological Resources Assessment (BA) identified several drainage courses on the proposed Project parcel including Seigler Springs Creek, which is located on the property but is not located within the cultivation areas. There was no mention in the Assessment of whether the drainages were flowing at the time of the BA field visits, however given the 100-foot setbacks from all tops of bank for watercourses, the project meets the required setbacks regardless of whether the watercourses contain water. There are no wetlands or vernal pools either mapped or observed on the subject parcel.

No development is proposed within 100-feet of the identified watercourses, which is consistent with Article 27 of the Lake County Zoning Ordinance that regulates commercial cannabis cultivation. The applicant has provided a Stormwater Management Plan, which addresses controlled water runoff in a manner that reduces impacts to these watercourses. No development would occur within the drainage buffers and setbacks and there are no sensitive natural communities within the Project area that were identified in the Lay Assessment.

Cultivation operations are not expected to alter the hydrology of the parcels significantly, and proposed mitigation measures serve to moderate stormflows and regulate stream volumes so that stormwater can be maintained on site. These buffers and swales aim to allow stormwater that is discharged from operation areas to be slowed, filtered, and percolate into the soils.

Erosion control measures to control erosion and sedimentation during construction and operation have been identified in the Drainage and Erosion Control Plan submitted. Measures include straw wattles, vegetated swales, and buffer strips.

The Project is enrolled with the SWRCB for Tier 2, Low Risk coverage under Order No. WQ 2019-0001-DWQ (Cannabis Cultivation General Order). The Cannabis Cultivation General Order implements Cannabis Policy requirements with the purpose of ensuring that the diversion of water and discharge of waste associated with cannabis cultivation does not have a negative impact on water quality, aquatic habitat, riparian habitat, wetlands, or springs. The Cannabis Cultivation General Order requires the preparation of a Site Management Plan (SMP), a Nitrogen Management Plan (NMP), and the submittal of annual technical and monitoring reports demonstrating compliance. 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 to water quality. The SMP and NMP are required prior to commencing cultivation activities and were submitted with the application materials.

In addition, the BA concludes the Study Area is not inside any federally designated critical habitat. The Project Area contains no special-status habitats or natural communities, but special-status habitats are directly adjacent to some Project areas.

Less Than Significant with Mitigation Measures BIO-1 through BIO-6

- c) According to the Biological Resources Assessment (BA), there are no wetlands and vernal pools or other isolated wetlands in the Study Area. Therefore, Project implementation would not directly impact any wetlands.

Less Than Significant Impact

- d) The Biological Resources Assessment (BA) stated that no specific wildlife corridors exist within or near the Study Area. Although no mapped wildlife corridors (such as the California Essential Habitat Connectivity Area layer in the California Natural Diversity Database (CNDDB) exist within or near the Study Area, the open space and the stream corridors in the Study Area facilitate animal movement and migrations, primarily those of the black-tailed deer. Although the Study Area may be used by wildlife for movement or migration, the proposed Project would not have a significant impact on this movement because it would not create any unpassable barriers and the majority of the Study Area will still be available for corridor and migration routes. Of the 84.56 acres on the parcels, 81 acres would remain available for natural habitat and wildlife corridors.

Implementation of the Project will not interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors or impede the use of native wildlife nursery sites.

Less than Significant Impact

- e) In Article 27 of the County of Lake Zoning Ordinance, under §27.13 on Conditions for Commercial Cannabis Cultivation, Tree Removal is listed under Prohibited Activities, whereas “(the) removal of any commercial tree species as defined by the California Code of Regulations section 895.1, Commercial Species for the Coast Forest District and Northern Forest District, and the removal of any true oak species (*Quercus* species) or Tan Oak (*Notholithocarpus* species) for the purpose of developing a cannabis cultivation site should be avoided and minimized.”

Furthermore, the County of Lake General Plan Policy OSC-1.13 states the County shall support the conservation and management of oak woodland communities and their habitats, and Resolution Number 95-211 was adopted as a Management Policy for Oak Woodlands in Lake County, whereas the County of Lake aims to monitor oak woodland resources, pursue education of the public, federal, state and local agencies on the importance of oak woodlands, promote incentive programs that foster the maintenance and improvement of oak woodlands, and, through federal, state, and local agency land management programs, foster oak woodlands on their respective lands within the county.

As such, the PMP for the Project has incorporated conservation and mitigation measures similar to those that have been included in other county oak woodlands conservation plans used in the State of California, which follow Assembly Bill 242, referred to as the Oak Woodlands Conservation Act. Any trees planned for removal must be inspected for the presence of active bird nests before tree felling or ground clearing can occur. If active nests are present in the Project area during construction of the Project, the California Department of Fish and Wildlife will be consulted to develop measures to avoid "take" of active nests prior to the initiation of any construction activities.

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. BIO-5 through BIO-6 will be incorporated into the project.

Less than Significant with Mitigation Measures BIO-5 and BIO-6

- f) Lake County has no adopted Habitat Conservation Plan or Natural Community Conservation Plan, or other approved local plans. The proposed project would not interfere with any regional, or state habitat conservation plan.

No Impact

## V. CULTURAL RESOURCES

|                                                                                                              | Potentially<br>Significant<br>Impact | Less Than<br>Significant<br>with<br>Mitigation<br>Measures | Less Than<br>Significant<br>Impact | No<br>Impact             | Source<br>Number       |
|--------------------------------------------------------------------------------------------------------------|--------------------------------------|------------------------------------------------------------|------------------------------------|--------------------------|------------------------|
| Would the project:                                                                                           |                                      |                                                            |                                    |                          |                        |
| a) Cause a substantial adverse change in the significance of a historical resource pursuant to §15064.5?     | <input type="checkbox"/>             | <input checked="" type="checkbox"/>                        | <input type="checkbox"/>           | <input type="checkbox"/> | 1, 3, 4, 5, 11, 14, 15 |
| b) Cause a substantial adverse change in the significance of an archeological resource pursuant to §15064.5? | <input type="checkbox"/>             | <input checked="" type="checkbox"/>                        | <input type="checkbox"/>           | <input type="checkbox"/> | 1, 3, 4, 5, 11, 14, 15 |
| c) Disturb any human remains, including those interred outside of formal cemeteries?                         | <input type="checkbox"/>             | <input checked="" type="checkbox"/>                        | <input type="checkbox"/>           | <input type="checkbox"/> | 1, 3, 4, 5, 11, 14, 15 |

## Discussion:

- a) A Cultural Resources Assessment for the proposed Project was completed by Natural Investigations, Inc. dated November 2020 to identify potentially significant cultural resources. A CHRIS records search was completed by the Northwest Information Center (NWIC) on December 7, 2022. Natural Investigations then conducted a pedestrian survey within the Project site on October 19, 2020. All portions of the property that will be subject to direct or indirect impacts from cultivation-related development were surveyed intensively using transects spaced no greater than 15 meters apart.

An AB52 notice was sent to eleven area tribes offering consultation on November 08, 2022. Of the Tribes notified, only the Upper Lake Habematolel and Yocha Dehe tribes responded, and both indicated that the site was outside of their tribal area of interest and deferred to the Big Valley tribe, who never responded to the AB 52 notice. After the Planning Commission hearing held on October 26, 2023, there were some concerns voiced regarding Tribal artifacts on site. A second AB 52 notice was sent out on January 26, 2024, to allow local Tribes the opportunity to provide feedback. The notice went out to the following Tribes: Big Valley Rancheria, Cortina Rancheria, Elem Colony, Hopland Band of Pomo Indians, Koi Nation, Mishewal-Wappo, Middletown Rancheria, Redwood Valley, Robinson Rancheria, Scotts Valley Band of Pomo, Upper Lake Habematolel, and Yocha Dehe. Of these tribes, Middletown Rancheria responded. The Tribal Historic Preservation Officer for Middletown Rancheria conducted a Site Visit on February 28, 2024. At that time there was evidence of Tribal Cultural Resources within the vicinity. To ensure the protection of these resources, the Community Development Department has implemented Mitigation Measures to protect these resources.

The CHRIS records search indicates that four prior studies, including the Natural Investigations study of 2020, had been conducted within portions of the 84.56-acre site. The prior studies indicated that no mapped sensitive sites exist on the parent property.

Based on the negative findings of the CHRIS search, field survey, and outreach efforts with local tribes, there is no indication that the Project will impact any historical or archaeological resources as defined under CEQA Section 15064.5 or tribal cultural resources as defined under Public Resources Code Section 21074. It is possible that significant artifacts or resources could be discovered during Project construction. If human remains of any type are encountered during site disturbance, the Project sponsor shall immediately 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. To reduce impacts CUL-1 and CUL-2 shall be incorporated into the project.

CUL-1: All employees shall be trained in recognizing potentially significant archaeological, paleontological, or cultural materials that may be discovered during ground disturbance. Prior to ground disturbing activities, the Permittee shall submit a Cultural Resources Plan, identifying methods of sensitivity training for site workers, procedures in the event of an accidental discovery, and documentation and reporting procedures. Prior to ground disturbing activities, the Permittee shall submit verification that all site workers have reviewed the Cultural Resources Plan and received sensitivity training

CUL-2: Should any archaeological, paleontological, or cultural materials be discovered during site development, all activity shall be halted within 100 feet of the find(s). A professional archaeologist certified by the Registry of Professional Archeologists (RPA) shall be notified and shall evaluate the find(s) and recommend mitigation procedures, if necessary. The findings and mitigation measures shall be reviewed and approved by the Lake County Community Development Director prior to commencing work

CUL-3: Should any human remains be encountered, the applicant shall halt all work within 100 feet, notify the Sheriff's Department, the culturally affiliated Tribe(s), and a qualified archaeologist for proper internment and Tribal rituals per Public Resources Code Section 5097.98 and Health and Safety Code 7050.5.

#### Less than Significant Impacts with Mitigation Measures

- b) A CHRIS records search was completed by the NWIC to determine if the Project would affect archaeological resources. The record search found that there are no known or mapped significant archaeological resources on the cultivation portion of the site, however, CUL-1 and CUL-3 will be applied.

#### Less than Significant Impact with Mitigation Measures

- c) The Project site does not contain a cemetery and no known formal cemeteries are located within the immediate site vicinity. In the event that human remains are discovered on the Project site, the Project would be required to comply with the applicable provisions of Health and Safety Code §7050.5, Public Resources Code §5097 et. seq. and CEQA Guidelines §15064.5(e). California Health and Safety Code §7050.5 states that no further disturbance shall occur until the County Coroner has made the necessary findings as to origin. Pursuant to California Public Resources Code §5097.98(b), remains shall be left in place and free from disturbance until a final decision as to the treatment and disposition has been made by the Coroner.

If the Coroner determines the remains to be Native American, the California Native American Heritage Commission must be contacted and the Native American Heritage Commission must then immediately notify the "most likely descendant(s)" of receiving notification of the discovery. The most likely descendant(s) shall then make recommendations within 48 hours and engage in consultations concerning the treatment of the remains as provided in Public Resources Code §5097.98. Mandatory compliance with these requirements would ensure that potential impacts associated with the accidental discovery of human remains would be less than significant with CUL-3 implemented.

#### Less than Significant Impacts with Mitigation Measure

## VI. ENERGY

|                                      |                                                            |                                    |              |                  |
|--------------------------------------|------------------------------------------------------------|------------------------------------|--------------|------------------|
| Potentially<br>Significant<br>Impact | Less Than<br>Significant<br>with<br>Mitigation<br>Measures | Less Than<br>Significant<br>Impact | No<br>Impact | Source<br>Number |
|--------------------------------------|------------------------------------------------------------|------------------------------------|--------------|------------------|

Would the project:

- |                                                                                                                                                                           |                          |                          |                                     |                                     |            |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------|--------------------------|-------------------------------------|-------------------------------------|------------|
| a) Result in potentially significant environmental impacts due to wasteful, inefficient, or unnecessary consumption of energy resource, during construction or operation? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | 5          |
| b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?                                                                             | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | 1, 3, 4, 5 |

#### Discussion:

Onsite electricity will be supplied by on-grid power with backup generators in case of a power outage. According to the PMP, the proposed energy usage will be minimal because the cannabis cultivation area will be full sun/outdoor cultivation operation. The applicant proposes on-grid power and installation of a small solar-powered electrical system may be installed to power low voltage items such as security cameras, and water pumps for mixing liquid fertilizers into the irrigation systems.

#### No Impact

- a) The proposed project consists of outdoor cultivation. The overall power usage of this facility would be minimal. The cultivation site will require power for security systems, water pumps, minor outdoor lighting, and cannabis processing equipment. According to the applicant's Property Management Plan, electricity will be provided by on-grid electricity and solar arrays and a gas- powered generator back-up.

#### Less Than Significant Impact

- b) The proposed energy use will not conflict or obstruct a state or local plan for renewable energy or energy efficiency.

#### No Impact

## VII. GEOLOGY AND SOILS

|                                      |                                                            |                                    |              |                  |
|--------------------------------------|------------------------------------------------------------|------------------------------------|--------------|------------------|
| Potentially<br>Significant<br>Impact | Less Than<br>Significant<br>With<br>Mitigation<br>Measures | Less Than<br>Significant<br>Impact | No<br>Impact | Source<br>Number |
|--------------------------------------|------------------------------------------------------------|------------------------------------|--------------|------------------|

Would the project:

- |                                                                                                                                                                                                                                                                                         |                          |                          |                                     |                          |                               |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------|--------------------------|-------------------------------------|--------------------------|-------------------------------|
| a) Directly or indirectly cause potentially 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. | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | 1, 2, 3, 4, 5, 18, 19, 45, 46 |
| ii) Strong seismic ground shaking?                                                                                                                                                                                                                                                      |                          |                          |                                     |                          |                               |
| iii) Seismic-related ground failure, including liquefaction?                                                                                                                                                                                                                            |                          |                          |                                     |                          |                               |

iv) Landslides?

|                                                                                                                                                                                                                                        |                          |                                     |                                     |                          |                                      |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------|-------------------------------------|-------------------------------------|--------------------------|--------------------------------------|
| b) Result in substantial soil erosion or the loss of topsoil?                                                                                                                                                                          | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/> | 1, 3, 4, 5,<br>19, 21, 24,<br>25, 30 |
| c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on-site or off-site landslide, lateral spreading, subsidence, liquefaction or collapse? | <input type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | <input type="checkbox"/> | 1, 2, 3, 5,<br>6, 9, 18,<br>21       |
| d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?                                                                    | <input type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | <input type="checkbox"/> | 5, 7, 39                             |
| 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?                                                     | <input type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | <input type="checkbox"/> | 2, 4, 5, 7,<br>13, 29                |
| f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?                                                                                                                                | <input type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | <input type="checkbox"/> | 1, 2, 3, 4,<br>5, 14, 15             |

Discussion:

- a) The Project site is located in a seismically active area of California, as is most of Lake County. Assessor's parcel number 115-007-06 has a mapped fault on the property which is adjacent to where the cannabis cultivation will occur on APN 115-007-03. Due to the overall seismic activity that occurs in Lake County, the project expected to experience moderate to severe ground shaking during the lifetime of the Project.

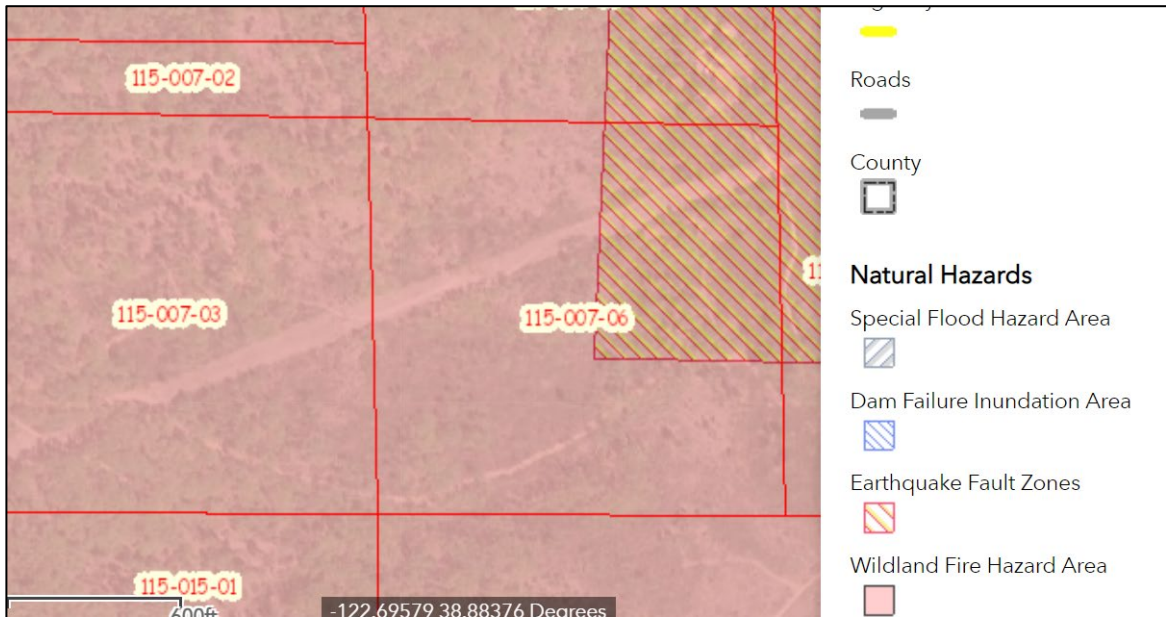
Earthquake Faults (i)

The Earthquake Fault Zones, Special Publication 42, Revised 2018 states that:

The purpose of the Alquist-Priolo Earthquake Fault Zoning Act is to regulate development near active faults so as to mitigate the hazard of surface fault rupture. The stated intent of the Act is to "...provide policies and criteria to assist cities, counties, and state agencies in the exercise of their responsibility to prohibit the location of developments and structures for human occupancy across the trace of active faults." (Department of Conservation, California Geological Survey, 2018).

According to the United States Geological Survey (USGS) Earthquake Faults map available on the Lake County GIS Portal, there is an earthquake fault on APN 115-007-03 (Figure 7), which is next to the project site. In addition, according to the USGS interactive fault map online, the fault is identified as the Konocti Bay Fault Zone (Class A) No. 169. The fault is identified as a Latest Quaternary (<15,000 years), well constrained location. Although this fault is seismically active, the proposed development does not include structures for human occupancy.

Figure 7 – Earthquake Fault Map



Source: Lake County GIS Mapping, 2023

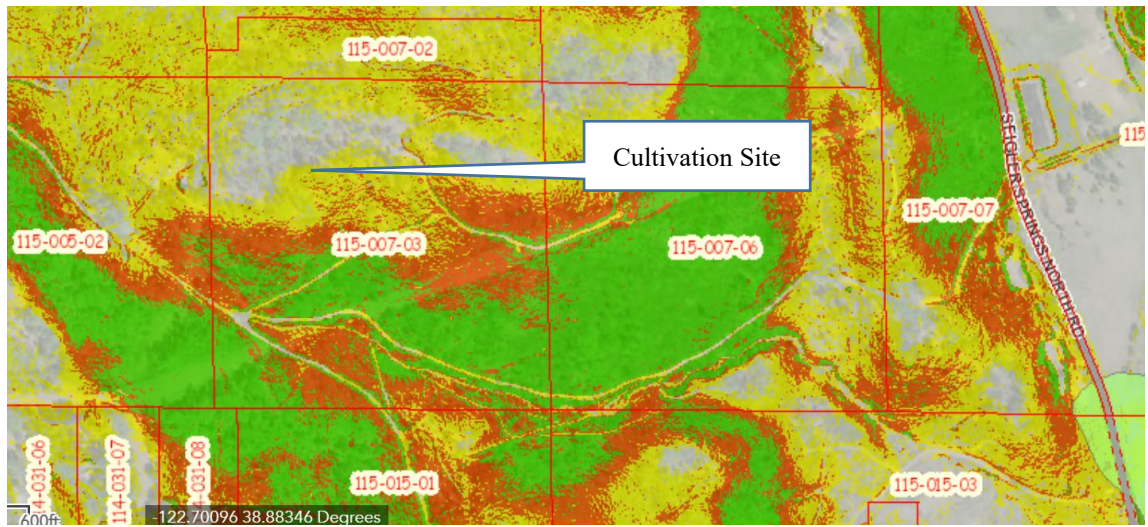
Seismic Ground Shaking (ii) and Seismic-Related Ground Failure, including liquefaction (iii)  
According to the Earthquake Shaking Potential for California, 2016 map, which shows the relative intensity of ground shaking in California from anticipated future earthquakes, the project site will on average experience stronger earthquake shaking more frequently (California Geological Survey and United States Geological Survey, 2016). Lake County contains numerous known active faults. Future seismic events in the Northern California region can be expected to produce seismic ground shaking at the site. All proposed construction is required to be built under Current Seismic Safety Construction Standards, including the 22 hoopouses.

#### Landslides (iv)

The Project cultivation site is generally level without significant slopes (Figure 8). The soil classification is Type 127, Callayomi-Aiken Whispering Complex, 5 to 30 percent slopes. Runoff potential of this soil type is moderate, and 'cut and fill' slopes are susceptible to excessive erosion. The soil is not overly prone to instability, and the flat terrain of the cultivation portion of the site will limit potential landslide damage further. According to the Landslide Hazard Identification Map prepared by the California Department of Conservation's Division of Mines and Geology, the area is considered generally stable. As such, the Project's cultivation site is considered to have a low risk of landslides and will not likely expose people or structures to substantial adverse effects involving landslides, including losses, injuries or death.

Less Than Significant Impact

Figure 8 - Slope Map of Site and Vicinity



Source: Lake County GIS Mapping 2023

- b) The applicant has provided grading plans, prepared by VanDerWall Engineering Inc. The grading plans show areas of future disturbed earth; profiles of grading, and mitigation measures during and after the grading occurs that will reduce grading-related impacts. This includes stormwater management tools including wattles, trenching and dust mitigation during on-site grading. Grading can only occur between April 15 and October 15 of each year, which is described in the grading plans submitted for this project.

Grading requirements are included in the Lake County Municipal Code Chapter 30. The applicant is proposing grading of 25,000 cubic yards of dirt to prepare the Project site for the hoophouse structures. Therefore, a Complex Grading Permit will be required. Erosion and potential sediment runoff would be addressed by applying BMPs. Although the applicant has already applied for a grading permit, issuance will not occur until the proposed project has been approved, and the Lake County Resource Planner has prepared the conditions of approval.

In addition, the project site is enrolled under Order No. WQ 2019-001-DWQ, which requires all commercial cannabis dischargers to submit a Site Management Plan (SMP). The SMP implements Best Practicable Treatment Control (BPTC) measures which addresses both current and future erosion and sediment control at a site. Due to the "TPZ" zoning at the project site, all grading and earthwork will require a state-licensed C-12 Earthwork and Paving contractor, as applicable.

Less Than Significant with Mitigation Measures BIO-5 and BIO-6

- c) The primary geologic unit or soil type where the proposed Project site is situated is:

Type 127- Callayomi-Aiken Whispering Complex, 5 to 30 percent slopes. Runoff potential of this soil type is moderate, and 'cut and fill' slopes are susceptible to excessive erosion. The soil is not overly prone to instability, and the flat terrain of the cultivation portion of the site will limit potential landslide damage further. According to the Landslide Hazard Identification Map prepared by the California Department of Conservation's Division of Mines and Geology, the area is considered generally stable. As such, the Project's cultivation site is considered to have a low risk of landslides and will not likely expose

people or structures to substantial adverse effects involving landslides, including losses, injuries or death.

Less Than Significant Impact

- d) The California Building Code is a set of rules that specify standards for structures. All proposed hoophouses are required to have an approved ag-exempt building permit.

Expansive soils possess a “shrink-swell” characteristic, cyclic change in volume (expansion and contraction) that occurs in fine-grained clay sediments from the process of wetting and drying. Cultivation activities proposed in the project would occur on one type of soil: Type 127 - Callayomi-Aiken Whispering Complex, 5 to 30 percent slopes. The Type 127 soil does not have expansive soil characteristics according to the USCS Soil Survey for Lake County.

Less Than Significant Impact

- e) The proposed project will be served by an American Disability Act compliant portable toilet.

Less Than Significant Impact

- f) The Cultural Resource Assessment prepared for this project had negative findings regarding the likelihood of the site having significant historic or prehistoric significance. The project site does not contain any known unique geologic feature or paleontological resources. Disturbance of these resources is not anticipated, however given that the applicant is proposing the moving of 25,000 cubic yards of earth, the potential for inadvertent discovery exists. Mitigation measure CUL-2 requires training employees to be able to identify potentially significant artifacts, relics and items that might be unearthed during site disturbance activities.

Less than Significant with Mitigation Measure CUL-2

## VIII. GREENHOUSE GAS EMISSIONS

|                                                                                                                                  | Potentially Significant Impact | Less Than Significant with Mitigation Measures | Less Than Significant Impact        | No Impact                | Source Number  |
|----------------------------------------------------------------------------------------------------------------------------------|--------------------------------|------------------------------------------------|-------------------------------------|--------------------------|----------------|
| Would the project:                                                                                                               |                                |                                                |                                     |                          |                |
| a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?      | <input type="checkbox"/>       | <input type="checkbox"/>                       | <input checked="" type="checkbox"/> | <input type="checkbox"/> | 1, 3, 4, 5, 36 |
| b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases? | <input type="checkbox"/>       | <input type="checkbox"/>                       | <input checked="" type="checkbox"/> | <input type="checkbox"/> | 1, 3, 4, 5, 36 |

### Discussion:

- a) The Lake County Air Basin is in attainment for all air pollutants with a high air quality level,

and therefore the LCAQMD has not adopted thresholds of significance for Greenhouse Gases (GHG) emissions. In the interim, emissions estimates have been calculated using the California Emissions Estimator Model (CalEEMod) and compared with thresholds defined by the Bay Area Air Quality Management District (BAAQMD).

The BAAQMD threshold for GHGe (including CO<sub>2</sub>, CH<sub>4</sub>, N<sub>2</sub>O, HFCs, PFCs, SF<sub>6</sub>) for projects other than stationary sources (power generating plants, mining sites, petroleum facilities, chemical plants, etc.) that are not under a GHG Reduction Plan is 1,100 metric tons of CO<sub>2</sub> per year.

The nearest population base is Lower Lake, which is about 6 miles from the cultivation site. A car generates an average of 404 grams per vehicle mile traveled. The applicant indicates that up to 3 employees will be working on site during the grow season, which is presumed to be 270 days long given the hoophouse cultivation. There are potentially 6 vehicle trips per day that will travel at least 12 miles each day (6 arriving, 6 departing). Daily CO<sub>2</sub> emissions will be about 14,550 grams of CO<sub>2</sub> per day, and 3,926,880 grams of CO<sub>2</sub> per year. This converts to about 8657 pounds of CO<sub>2</sub> per year, or about 4.6 tons per year. This is well below the BAAQMD threshold of 1,100 tons of CO<sub>2</sub> per project that is the for CO<sub>2</sub> output.

Less than Significant Impact

b) For purposes of this analysis, the Project was evaluated against the following applicable plans, policies, and regulations:

- The Lake County General Plan
- The LCAQMD
- AB 32 Climate Change Scoping Plan
- AB 1346 Air Pollution: Small Off-Road Equipment

Policy HS-3.6 of the Lake County General Plan on Regional Agency Review of Development Proposals states that the “County shall solicit and consider comments from local and regional agencies on proposed projects that may affect regional air quality. The County shall continue to submit development proposals to the Lake County Air Quality Management District for review and comment, in compliance with the California Environmental Quality Act (CEQA) prior to consideration by the County.” The proposed Project was sent out for review from the LCAQMD, and the only concern was restricting the use of an onsite generator to emergency situations only.

The Lake County Air Basin is in attainment for all air pollutants with a high air quality level, and therefore the LCAQMD has not adopted an Air Quality Management Plan, but rather uses its rules and regulations for the purpose of reducing the emissions of greenhouse gases. The proposed Project does not conflict with any existing LCAQMD rules or regulations and would therefore have no impact at this time.

The 2017 AB Climate Change Scoping Plan recognizes that local government efforts to reduce emissions within their jurisdiction are critical to achieving the State’s long term GHG goals, which includes a primary target of no more than six (6) metric tons CO<sub>2</sub> per capita by 2030 and no more than two (2) metric tons CO<sub>2</sub> per capita by 2050. As described in the materials submitted, the Project will have up to three (3) individuals working on site (owners/operators) during peak harvest times, and with an expected 4.6 metric tons of

overall operational CO<sub>2</sub> per year, the per capita figure of 1.53 metric tons of operational CO<sub>2</sub> per year meets the Climate Change Scoping Plan's 2030 target and the 2050 target.

On October 9, 2021, AB 1346 Air Pollution: Small Off-Road Equipment (SORE) was passed, which will require the state board, by July 1, 2022, consistent with federal law, to adopt cost-effective and technologically feasible regulations to prohibit engine exhaust and evaporative emissions from new small off-road engines, as defined by the state board. The bill would require the state board to identify and, to the extent feasible, make available funding for commercial rebates or similar incentive funding as part of any updates to existing applicable funding program guidelines to local air pollution control districts and air quality management districts to implement to support the transition to zero-emission small off-road equipment operations, and the applicant should be aware of and expected to make a transition away from SOREs by the required future date.

### Less than Significant Impact

#### IX. HAZARDS AND HAZARDOUS MATERIALS

|                                                                                                                                                                                                                                                                                     | Potentially Significant Impact | Less Than Significant with Mitigation Measures | Less Than Significant Impact        | No Impact                           | Source Number                           |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------|------------------------------------------------|-------------------------------------|-------------------------------------|-----------------------------------------|
| Would the project:                                                                                                                                                                                                                                                                  |                                |                                                |                                     |                                     |                                         |
| a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?                                                                                                                                             | <input type="checkbox"/>       | <input type="checkbox"/>                       | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | 1, 3, 5, 13, 21, 24, 29, 31, 32, 33, 34 |
| b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?                                                                                     | <input type="checkbox"/>       | <input type="checkbox"/>                       | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | 1, 3, 5, 13, 21, 24, 29, 31, 32, 33, 34 |
| c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?                                                                                                                     | <input type="checkbox"/>       | <input type="checkbox"/>                       | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | 1, 2, 5                                 |
| d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?                                                      | <input type="checkbox"/>       | <input type="checkbox"/>                       | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | 2, 40                                   |
| e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area? | <input type="checkbox"/>       | <input type="checkbox"/>                       | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | 1, 3, 4, 5, 20, 22                      |
| f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?                                                                                                                                                           | <input type="checkbox"/>       | <input type="checkbox"/>                       | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | 1, 3, 4, 5, 20,, 35, 37                 |

- g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires? ☐ ☐ ☒ ☐ 1, 3, 4, 5, 20, 35, 37

- a) Materials associated with the proposed cultivation of commercial cannabis, such as gasoline, pesticides, fertilizers, alcohol, hydrogen peroxide and the equipment emissions may be considered hazardous if unintentionally released and could create a significant hazard to the public or the environment if done so without intent and mitigation. According to the PMP for the proposed Project, all potentially harmful chemicals would be stored and locked in a secured building on site and measures will be taken to avoid any accidental release and environmental exposure to hazardous materials.

The Project will 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.

The Lake County Division of Environmental Health, which acts as the Certified Unified Program Agency (CUPA) for Hazardous Materials Management, has been consulted about the project and the project is required to address Hazardous Material Management in the PMP which has been reviewed by the Lead Agency to ensure the contents are current and adequate. In addition, the Project will require measures for employee training to determine if they meet the requirements outlined in the Plan and measures for the review of hazardous waste disposal records to ensure proper disposal methods and the amount of wastes generated by the facility.

The Site Management Plan also addresses the following:

Bulk fertilizers will be incorporated into the soil shortly after delivery and will not typically be stockpiled or stored on site. Should bulk fertilizers need to be stockpiled, they will be placed in a dry, secured building. Dry and liquid fertilizers will be stored in a stormproof shipping container.

All other pesticides and fertilizers will be stored within one of the stormproof storage buildings, in their original containers with labels intact, and in accordance with the product labeling. Agricultural chemicals and petroleum products will be stored in secondary containment, within separate storage structures alongside compatible chemicals. The pesticide, fertilizer, chemical, and petroleum product storage containers will have impermeable floors. The storage building will be located over 100 feet from any watercourses.

Any petroleum products brought to the site, such as gasoline or diesel to fuel construction equipment, will be stored and covered in containers deemed appropriate by the Certified Unified Program Agency. All pesticides and fertilizers products will be stored a minimum of 100 feet from all potentially sensitive areas and watercourses.

Cannabis waste will be chipped and spread on site or composted as needed. The burning of cannabis waste is prohibited in Lake County and will be not take place as part of Project operations.

A spill containment and cleanup kit will 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 any additional hazardous waste.

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 in accordance with applicable local, state, and federal regulations.

As long as the Project is in operation, the Certified Uniform Program Agency and Lead Agency will conduct regular and/or annual inspections and monitor activities to ensure that the routine transport, use, and disposal of hazardous materials will not pose a significant impact.

#### Less Than Significant Impact

- b) The Project involves the use of non-combustible fertilizers and pesticides which will be stored in a secure, stormproof structure. Flood risk at the Project site is minimal and according to Lake County GIS Portal data and the Project is not located in or near an identified earthquake fault zone. Fire hazard risks on the Project site are high.

The project site does not contain any identified areas of serpentine soils or ultramafic rock, and risk of asbestos exposure during construction is minimal. The site preparation would require some construction equipment and would last for about two to four weeks. All equipment staging shall occur on previously disturbed areas on the site.

A spill kit would be kept on site in the unlikely event of a spill of hazardous materials. All equipment shall be maintained and operated in a manner that minimizes any spill or leak of hazardous materials. Hazardous materials and contaminated soil shall be stored, transported, and disposed of consistent with applicable local, state, and federal regulations.

#### Less than Significant Impact

- c) There are no schools located within one-quarter mile of the proposed Project site.

#### No Impact

- d) 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 Project site is not listed in any of these databases as a site containing hazardous materials as described above.

#### No Impact

- e) The Project site is not located within two miles of an airport.

## No Impact

- f) Access to the Project site is from Seigler Springs North Road, which is in compliance with California Public Resources Code §4290. The Project site does not contain any emergency facilities, nor does it serve as an emergency evacuation route or is located adjacent to an emergency evacuation route. During long-term operation, adequate access for emergency vehicles via Walnut Road and connecting roadways will be available. Furthermore, the Project would not result in a substantial alteration to the design or capacity of any public road that would impair or interfere with the implementation of evacuation procedures. Because the Project would not interfere with an adopted emergency response or evacuation plan, impacts are less than significant, and no mitigation measures are required.

## Less than Significant Impact

- g) The Project site is an area mapped as being a high fire risk. The project proposes five (5) 2,500-gallon tanks for water storage. The applicant shall provide a total of 5,000 gallons fire suppression tank and system made out of steel or fiberglass and will be available in case of wildfire, in compliance with the California Public Resources Code §4290-compliant water tank dedicated to wildfire protection.

The applicant would adhere to all federal, state, and local fire requirements and regulations for setbacks and defensible space required for any new buildings that require a building permit. All proposed construction will comply with current State of California Building Code construction standards. To construct the proposed processing structure, the applicant will be required to obtain a building permit with Lake County to demonstrate conformance with local and state building codes and fire safety requirements.

## Less than Significant Impact

| X. HYDROLOGY AND WATER QUALITY                                                                                                                                                                                        | Potentially Significant Impact | Less Than Significant with Mitigation Measures | Less Than Significant Impact        | No Impact                | Source Number                    |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------|------------------------------------------------|-------------------------------------|--------------------------|----------------------------------|
| Would the project:                                                                                                                                                                                                    |                                |                                                |                                     |                          |                                  |
| a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?                                                                            | <input type="checkbox"/>       | <input type="checkbox"/>                       | <input checked="" type="checkbox"/> | <input type="checkbox"/> | 1, 2, 3, 5, 6, 29, 30            |
| b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?                                 | <input type="checkbox"/>       | <input type="checkbox"/>                       | <input checked="" type="checkbox"/> | <input type="checkbox"/> | 1, 2, 3, 5, 6, 29, 30            |
| c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner that would: |                                |                                                |                                     |                          |                                  |
| i) Result in substantial erosion or siltation on-site or off-site;                                                                                                                                                    | <input type="checkbox"/>       | <input type="checkbox"/>                       | <input checked="" type="checkbox"/> | <input type="checkbox"/> | 1, 2, 3, 5, 6, 7, 15, 18, 29, 30 |
| ii) Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site;                                                                                           |                                |                                                |                                     |                          |                                  |

- |                                                                                                                                                                                            |                          |                          |                                     |                          |                             |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------|--------------------------|-------------------------------------|--------------------------|-----------------------------|
| iii) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or |                          |                          |                                     |                          |                             |
| iv) Impede or redirect flood flows?                                                                                                                                                        |                          |                          |                                     |                          |                             |
| d) In any flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?                                                                                    | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | 1, 2, 3, 5, 6, 7, 9, 23, 30 |
| e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?                                                                    | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | 1, 2, 3, 5, 6, 29,30        |

#### Discussion:

- a) The Project parcel has no stream crossings and the nearest major watercourse, with only one ephemeral watercourse in proximity to the cultivation area, located approximately 200 feet south of the Project site

According to the proposed Project's Property Management Plan – Waste Management Plan, the cultivation operation is enrolled in the State Water Resources Control Board's Order WQ 2019-0001-DWQ General Waste Discharge Requirements for Discharges of Waste Associated with Cannabis Cultivation Activities (General Order). Compliance with this Order will ensure that cultivation operations will not significantly impact water resources by using a combination of BPTC measures, buffer zones, sediment and erosion controls, inspections and reporting, and regulatory oversight. Note also that a sediment and erosion control plan is being implemented as part of the greater Site management Plan:

Potential adverse impacts to water resources could occur during construction by modification or destruction of stream banks or riparian vegetation, the filling of wetlands, or by increased erosion and sedimentation in receiving water bodies due to soil disturbance. Project implementation will not directly impact any channels or wetlands. Soil disturbance from project implementation could increase erosion and sedimentation. Regulations at both the County and State levels require the creation and implementation of an erosion control and stormwater management plan. Furthermore, as the total area of ground disturbance from project implementation is greater than one (1) acre, the Project proponent will need to enroll for coverage under the General Permit for Discharges of Storm Water Associated with Construction Activity (Construction General Permit, 2009-0009-DWQ).

Lake County Zoning Ordinance, Article 27, requires that all cultivation operations be located at least 100-feet away from all waterbodies (i.e., spring, top of bank of any creek or seasonal stream, edge of lake, wetland or vernal pool). As stated above, the cultivation area is located over 200 feet from the nearest mapped water course.

Additionally, cultivators who enroll in the State Water Board's Waste Discharge Requirements for Cannabis Cultivation Order WQ 2019-001-DWQ must comply with the Minimum Riparian Setbacks. Cannabis cultivators must comply with these setbacks for all land disturbances, cannabis cultivation activities, and facilities (e.g., material or vehicle storage, diesel powered pump locations, water storage areas, and chemical toilet placement).

## Less Than Significant Impact

- b) Due to the existing exceptional drought conditions, on July 27, 2021, the Lake County Board of Supervisors passed an Urgency Ordinance (Ordinance 3106) requiring land use applicants to provide enhanced water analysis during a declared drought emergency. Ordinance 3106 requires that all project that require a CEQA analysis of water use include the following items in a Hydrology Report prepared by a licensed professional experienced in water resources:
- Approximate amount of water available for the project's identified water source,
  - Approximate recharge rate for the project's identified water source, and
  - Cumulative impact of water uses to surrounding areas due to the project

## Water Analysis

A Technical Memorandum was prepared by Northpoint Consulting Group, Inc., on July 29, 2022, for the proposed project and was revised on May 19, 2023. Within this memorandum are a Hydrology Report and a Drought Management Report, both required by Lake County Ordinance No. 3106.

## Water Usage

Projected water usage makes several assumptions; (1) that each plant requires 6 gallons of water per plant per day, an accepted industry amount; (2) a total canopy area of 130,680 sq. ft. is assumed; (3) average daily use is 12,000 gallons, and (4) annual use is 2,160,000 to 2,563,200 gallons, or about 6.6 to 7.8 acre-feet per year.

## Water Source

The water source for this project is an existing permitted groundwater well located on APN 115-007-03, drilled on January 20, 2021, by Will Peterson Well Drilling. The well was drilled to a depth of 440 feet; the depth to static water was 360 feet. Output measured during the 2-hour well test averaged 40 gallons per minute. Water will be stored on site in five (5) 2,500-gallon water storage tanks.

## Aquifer Data

The Memorandum states that the project site is located within the headwaters of the Seigler Springs Creek watershed and describes the aquifer as geologic unit 'asf', described as "flows of ilmenite-bearing andesite...with a maximum thickness of 250 m". The Memo estimates the total storage capacity of this geologic unit to be 5,250 acre-feet, or about 1,710,717,750 gallons of water. The Memo also states that this site is not located within a delineated California Bulletin 118 groundwater basin; the nearest mapped basins are the Lower Lake Basin and the Big Valley Basin, which are located about 3.7 northeast and 5.4 miles northwest of the subject site respectively.

## Groundwater Recharge

The assumed area of recharge is the 84.56-acre combined parcel size. Recharge from a larger area consisting of 129.7 acres was also evaluated, which is the area that drains into

the project location. Recharge rates in general evaluate the types of soil found on the site; whether the recharge occurs during a drought or non-drought year, percentage of percolation versus runoff and trans-evaporation amounts; these factors lead to a 'CN' designation, which shows the percentage of water captured for underground water storage. The soils on the site have a moderately high runoff potential. Given all of the variables involved, the range of annual recharge amounts varies from 22.3 acre-feet (7,266,476 gallons) during drought years, and 30.1 acre-feet (9,808,113 gallons) during non-drought years.

#### Cumulative Impact to Surrounding Area

Annual project water demand is projected to be 4.9 acre-feet/year. Recharge rates are projected to be between 22.3 and 30.1 acre-feet per year. Well data was collected for other 'vicinity' wells; the nearest well is located about 320 feet northwest of the project site. The other wells are located 1,200 feet or more from the project site.

#### Conclusion

Since there is sufficient groundwater supply and annual recharge to meet the project's demand during average and dry years, there is sufficient groundwater storage in the Clear Lake Volcanics, the project is situated in an area of low population and well densities, and with the implementation of water monitoring, reporting, conservation measures, and drought management the proposed project water use would not have a cumulative impact on the surrounding area.

#### Less Than Significant Impact

- c) According to Lake County Ordinance Section 27.13 (at) 3, the PMP must have a section on Storm Water Management based on the requirements of the California Regional Water Quality Control Board Central Valley Region or the California Regional Water Quality Control Board North Coast Region, with the intent to protect the water quality of the surface water and the stormwater management systems managed by Lake County and to evaluate the impact on downstream property owners. All cultivation activities shall comply with the California State Water Board, the Central Valley Regional Water Quality Control Board, and the North Coast Region Water Quality Control Board orders, regulations, and procedures as appropriate.

The cultivation operation is enrolled in the State Water Resources Control Board's Order WQ 2019-0001-DWQ General Waste Discharge Requirements for Discharges of Waste Associated with Cannabis Cultivation Activities (General Order). Compliance with this Order will ensure that cultivation operations will not significantly impact water resources by using a combination of BMPs, buffer zones, sediment and erosion controls, inspections and reporting, and regulatory oversight. A sediment and erosion control plan is also being implemented as part of the larger Site Management Plan.

According to the grading plans and support materials provided, including Property Management Plan Section 13.0 Erosion and Sediment Control Plan/ Storm water Management Plan, the cultivation operations are not expected to alter the hydrology of the parcels significantly, provided the mitigation measures set forth in the grading plan are

strictly followed. The applicant estimates a total of 3,300 cubic yards of earth will be moved to prepare for the cultivation area and 3,594 cubic yards of that soil will be used for fill. Grading will require a Complex Grading Permit, and the application will be required to sign conditions of approval.

In addition to significantly exceeding all setback requirements, generous vegetative buffers exist between the cultivation area and the nearest water resource. These vegetated areas will be preserved as much as possible, with the exception of any fire breaks needed for wildfire protection.

Best Management Practices measures will be deployed in a sequence to follow the progress of site preparation, tilling, and cultivation. As the locations of soil disturbance change, erosion and sedimentation controls should be adjusted accordingly to control stormwater runoff at the downgrade perimeter and drain inlets. BMPs to be implemented include stabilizing disturbed soils with temporary erosion control or with permanent erosion control as soon as possible after grading or construction is completed and establishing temporary or permanent erosion control measures prior to rain events. Typical BMPs include the placement of straw, mulch, seeding, straw wattles, silt fencing, and planting of native vegetation on all disturbed areas to prevent erosion.

Due to the proposed erosion control mitigation measures, the Project can be mitigated in a manner that it (1) will not result in substantial erosion or siltation on-site or off-site; (2) will not substantially increase the rate or amount of surface runoff in a manner which would result in flooding on or offsite; (3) will not create or contribute runoff water which would exceed the capacity of existing stormwater drainage systems or provide substantial additional sources of polluted runoff; and (4) will not impede or redirect flood flows.

#### Less than Significant Impact

- d) The Project site is not located in an area of potential inundation by seiche or tsunami. The Project site is designated to be in Flood Zone D – undetermined risk – but is not within a mapped special flood hazard area. The cultivation site is located on a hilltop, and the likelihood of flooding is very minimal. While the Type 127 soils on the parcel are susceptible to erosion, soils at the project site are relatively stable, with a minimal potential to induce mudflows.

#### Less than Significant Impact

- e) The Project has adopted a Drought Management Plan (DMP) as part of the requirements of Lake County Ordinance 3106, passed by the Board of Supervisors on July 27, 2021, which depicts how the applicant proposes to reduce water use during a declared drought emergency and ensures both the success and decreased impacts to surrounding areas. The project also proposes water metering and conservation measures as part of the standard operating procedures, and these measures will be followed whether or not the region is in a drought emergency.

As part of the project's standard operational procedures, the project proposes to implement ongoing water monitoring and conservation measures that would reduce the overall use of water. These measures are included in the Water Use Management Plan (Section 15.2) as required by Article 27, Section 27.13 (at) 3 of the Lake County Zoning Ordinance. On-going water conservation measures include:

- No surface water diversion
- The use of driplines and drip emitters rather than spray irrigation
- Covering drip lines with straw mulch or similar materials to reduce evaporation
- Using water application rates modified from data obtained from soil moisture meters and weather monitoring
- Utilizing shutoff valves on hoses and water pipes
- Daily visual inspections of irrigation systems
- Immediate repair of leaking or malfunctioning equipment
- Water-use metering and budgeting

A water budget will be created every year and water use efficiency from the previous year will be analyzed. In addition to water use metering, water level monitoring is also required by Lake County Zoning Ordinance Article 27 Section 27.11 (at) 3, specifically that wells must have a meter to measure the amount of water pumped as well as a water level monitor. Well water level monitoring and reporting will be performed as follows:

#### Seasonal Static Water Level Monitoring

The purpose of seasonal monitoring of the water level in a well is to provide information regarding long-term groundwater elevation trends. The water level in each well will be measured and recorded once in the Spring (March or April), before cultivation activities begin, and once in the fall (October) after cultivation is complete, as the California Statewide Groundwater Monitoring Program (CASGEM) monitors semi-annually, around April 15 and October 15 of each year. Records shall be kept, and elevations reported to the County as part of the project's annual reporting requirements. Reporting shall include a hydrograph plot of all seasonal water level measurements, for all project wells, beginning with the initial measurements. Seasonal water level trends will aid in the evaluation of the recharge rate of the well. If the water level in a well measured during the Spring remains relatively constant from year to year, then the water source is likely recharging each year.

#### Water Level Monitoring During Extraction

The purpose of monitoring the water level in a well during extraction is to evaluate the performance of the well and determine the effect of the pumping rate on the water source during each cultivation season. This information will be used to determine the capacity and yield of the Project's wells and to aid the cultivators in determining pump rates and the need for water storage. The frequency of water level monitoring will depend on the source, the source's capacity, and the pumping rate. It is recommended that initially the water level be monitored twice per week or more, and that the frequency be adjusted as needed depending on the impact that the pumping rate has on the well water level. Records will be kept, and elevations reported to the County as part of the project's annual reporting requirements. Reporting will include a hydrograph plot of the water level measurements for all project wells during the cultivation season and compared to prior seasons.

Measuring a water level in a well can be difficult and the level of difficulty will depend on site-specific conditions. As part of the well monitoring program, the well owner or operator will work with a well expert to determine the appropriate methodology and equipment to measure the water level, as well as who will conduct the recording and monitoring of the well level data. The methodology of the well monitoring program will be described and provided in the project's annual report.

In addition to monitoring and reporting, an analysis of the water level monitoring data will be provided and included in the project's annual report, demonstrating whether or not use of the project wells is causing significant drawdown and/or impacts to the surrounding area and what measures can be taken to reduce their impacts. If there are impacts, a revised Water Management Plan will be prepared and submitted to the County for review and approval, which demonstrates how the project will mitigate the impacts in the future.

#### Drought Emergency Water Conservation Measures

In addition to the above on-going water monitoring and conservation measures, during times of drought emergencies or water scarcity the project may implement the following additional measures as needed or appropriate to the site in order to reduce water use and ensure both the success and decreased impacts to surrounding areas:

- Cover the soil and driplines with removable plastic covers or similar to reduce evaporation
- Irrigate only in the early morning hours or before sunset
- Cover plants with shaded meshes during peak summer heat to reduce plant water needs
- Use a growing medium that retains water in a way to conserve water and aid plant growth. Organic soil ingredients like peat moss, coco coir, compost and other substances like perlite and vermiculite retain water and provide a good environment for cannabis to grow

Less Than Significant Impact

## XI. LAND USE PLANNING

|                                                                                                                                                                                        | Potentially<br>Significant<br>Impact | Less Than<br>Significant<br>with<br>Mitigation<br>Measures | Less Than<br>Significant<br>Impact | No<br>Impact                        | Source<br>Number                 |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------|------------------------------------------------------------|------------------------------------|-------------------------------------|----------------------------------|
| Would the project:                                                                                                                                                                     |                                      |                                                            |                                    |                                     |                                  |
| a) Physically divide an established community?                                                                                                                                         | <input type="checkbox"/>             | <input type="checkbox"/>                                   | <input type="checkbox"/>           | <input checked="" type="checkbox"/> | 1, 2, 3, 5,<br>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? | <input type="checkbox"/>             | <input type="checkbox"/>                                   | <input type="checkbox"/>           | <input checked="" type="checkbox"/> | 1, 3, 4, 5,<br>20, 21, 22,<br>27 |

#### Discussion:

- a) Projects normally associated with physically dividing a community would include development such as roads, bridges, reservoirs/dams, large wineries, etc. The project site consists of over 84 acres of minimally developed land in the Cobb Mountain Planning Area. The closest community growth boundary accessible by road is Lower Lake, which is approximately 6 miles away.

The area is characterized by large parcels of rural, marginally, or undeveloped land. There are no established networks of horse or pedestrian trails on or around the project site.

The proposed project site would not physically divide any established community.

No Impact

- b) The General Plan Land Use Zone and Zoning District designation currently assigned to the Project site is Timber Preserve ("TPZ"). The Lake County Zoning Ordinance allows for commercial cannabis cultivation in the "TPZ" land use zone with a major use permit.

No Impact

## XII. MINERAL RESOURCES

|                                                                                                                                                                        | Potentially<br>Significant<br>Impact | Less Than<br>Significant<br>with<br>Mitigation<br>Measures | Less Than<br>Significant<br>Impact | No<br>Impact                        | Source<br>Number |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------|------------------------------------------------------------|------------------------------------|-------------------------------------|------------------|
| Would the project:                                                                                                                                                     |                                      |                                                            |                                    |                                     |                  |
| a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?                                 | <input type="checkbox"/>             | <input type="checkbox"/>                                   | <input type="checkbox"/>           | <input checked="" type="checkbox"/> | 1, 3, 4, 5, 26   |
| b) Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan? | <input type="checkbox"/>             | <input type="checkbox"/>                                   | <input type="checkbox"/>           | <input checked="" type="checkbox"/> | 1, 3, 4, 5, 26   |

### Discussion:

- a) The Lake County Aggregate Resource Management Plan does not identify the portion of the Project parcel planned for cultivation as having an important source of aggregate resources. According to the California Department of Conservation, Mineral Land Classification, there are no known mineral resources on the project site, and thus no impact.

No Impact

- b) According to the California Geological Survey's Aggregate Availability Map, the Project site is not within the vicinity of a site being used for aggregate production. In addition, the site not delineated on the County of Lake's General Plan, the Cobb Mountain Area Plan nor the Lake County Aggregate Resource Management Plan as a mineral resource site. Therefore, the project has no potential to result in the loss of availability of a local mineral resource recovery site.

No Impact

## XIII. NOISE

|  | Potentially<br>Significant<br>Impact | Less<br>Than<br>Significant<br>with<br>Mitigation<br>Measures | Less<br>Than<br>Significant<br>Impact | No<br>Impact | Source<br>Number |
|--|--------------------------------------|---------------------------------------------------------------|---------------------------------------|--------------|------------------|
|--|--------------------------------------|---------------------------------------------------------------|---------------------------------------|--------------|------------------|

Would the project:

- |                                                                                                                                                                                                                                                                                                            |                          |                                     |                                     |                                     |                |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------|-------------------------------------|-------------------------------------|-------------------------------------|----------------|
| a) Result in the generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?                                            | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/>            | 1, 3, 4, 5, 13 |
| b) Result in the generation of excessive ground-borne vibration or ground-borne noise levels?                                                                                                                                                                                                              | <input type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | 1, 3, 4, 5, 13 |
| c) For a project located within the vicinity of a private airstrip or an airport land use plan, or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels? | <input type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | 1, 3, 4, 5, 13 |

#### Discussion:

- a) Noise related to outdoor cannabis cultivation typically occurs either during construction, or as the result of machinery related to post construction equipment such as air filtration systems, well pumps or emergency backup generators used during power outages. Energy will be supplied by on-grid power. Other noise generated during operations normally includes farm equipment.

This project will have some noise related to site preparation, and hours of construction are limited through standards described in the conditions of approval.

Although the property size and location will help to reduce any noise detectable on at the property line, mitigation measures will still be implemented to further limit the potential sources of noise.

In regard to the Lake County General Plan Chapter 8 - Noise, there are several sensitive noise receptors within one (1) mile of the project site. However, Community Noise Equivalent Levels (CNEL) are not expected to exceed the 55 dBA during daytime hours (7am – 10pm) or 45 dBA during night hours (10pm – 7am) when measured at the property line.

Less than Significant with Mitigation Measures NOI-1 and NOI-2

NOI-1: All construction activities including engine warm-up shall be limited Monday Through Friday, between the hours of 7:00 a.m. and 7:00 p.m., and Saturdays from 12:00 noon to 5:00 p.m. 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.

NOI-2: Maximum non-construction related sounds levels shall not exceed levels of 55 dBA between the hours of 7:00 a.m. to 10:00 p.m. and 45 dBA between the hours of 10:00 p.m. to 7:00 a.m. within residential areas as specified within Zoning Ordinance Section 21-41.11 (Table 11.1) at the property lines.

- b) The Project would not generate ground-borne vibration or noise, except potentially during the construction phase from the use of heavy construction equipment. There will be some grading required for the container pads and hoopouses, however earth movement is not expected to generate ground-borne vibration or noise levels. According to California Department of Transportation's Transportation and Construction-Induced Vibration Guidance Manual, ground-borne vibration from heavy construction equipment does not create vibration amplitudes that could cause structural damage, when measured at a distance of 10 feet. The nearest existing off-site structures are located over one (1) mile from the nearest point of construction activities and would not be exposed to substantial ground-borne vibration due to the operation of heavy construction equipment on the Project site.

Furthermore, the Project is not expected to employ any pile driving, rock blasting, or rock crushing equipment during construction activities, which are the primary sources of ground-borne noise and vibration during construction. As such, impacts from ground-borne vibration and noise during near-term construction would be less than significant.

Less Than Significant Impact

- c) The Project site is not located near an airport.

No Impact

| XIV. POPULATION AND HOUSING | Potentially<br>Significant<br>Impact | Less Than<br>Significant<br>With<br>Mitigation<br>Measures | Less Than<br>Significant<br>Impact | No<br>Impact | Source<br>Number |
|-----------------------------|--------------------------------------|------------------------------------------------------------|------------------------------------|--------------|------------------|
|-----------------------------|--------------------------------------|------------------------------------------------------------|------------------------------------|--------------|------------------|

Would the project:

- |                                                                                                                                                                                                                     |                          |                          |                          |                                     |            |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------|--------------------------|--------------------------|-------------------------------------|------------|
| a) Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | 1, 3, 4, 5 |
| b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?                                                                                     | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | 1, 3, 4, 5 |

Discussion:

- a) The Project is not anticipated to induce significant population growth to the area; no proposed dwellings are associated with this project. Although employees would be required for the business, all would be local.

No Impact

- b) No proposed dwellings are associated with this project.

No Impact

## XV. PUBLIC SERVICES

|                                                                                                                                                                                                                                                                                                                                                                                                           | Potentially<br>Significant<br>Impact | Less Than<br>Significant<br>with<br>Mitigation<br>Measures | Less Than<br>Significant<br>Impact  | No<br>Impact             | Source<br>Number                                                  |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------|------------------------------------------------------------|-------------------------------------|--------------------------|-------------------------------------------------------------------|
| Would the project:                                                                                                                                                                                                                                                                                                                                                                                        |                                      |                                                            |                                     |                          |                                                                   |
| a) Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services: | <input type="checkbox"/>             | <input type="checkbox"/>                                   | <input checked="" type="checkbox"/> | <input type="checkbox"/> | 1, 2, 3, 4,<br>5, 20, 21,<br>23, 28, 29,<br>32, 33, 34,<br>36, 37 |
| 1) Fire Protection?                                                                                                                                                                                                                                                                                                                                                                                       |                                      |                                                            |                                     |                          |                                                                   |
| 2) Police Protection?                                                                                                                                                                                                                                                                                                                                                                                     |                                      |                                                            |                                     |                          |                                                                   |
| 3) Schools?                                                                                                                                                                                                                                                                                                                                                                                               |                                      |                                                            |                                     |                          |                                                                   |
| 4) Parks?                                                                                                                                                                                                                                                                                                                                                                                                 |                                      |                                                            |                                     |                          |                                                                   |
| 5) Other Public Facilities?                                                                                                                                                                                                                                                                                                                                                                               |                                      |                                                            |                                     |                          |                                                                   |

### Discussion:

#### 1) Fire Protection

CAL FIRE provides fire protection services to the proposed Project area. Development of the proposed Project may impact fire protection services somewhat by increasing the demand on existing County Fire District resources. To offset the increased demand for fire protection services, the proposed Project would be conditioned by the County to provide a minimum of fire safety and support fire suppression activities and installations, including compliance with State and local fire codes, as well as private water supply reserves for emergency fire use.

#### 2) Police Protection

The Project site falls under the jurisdiction of the Lake County Sheriff's Department and is in a remote area not easily reached by law enforcement the event of an emergency. Article 27 of the Lake County Zoning Ordinance lays out specific guidelines for security measures for commercial cannabis cultivation to prevent access of the site by unauthorized personnel and protect the physical safety of employees. This includes 1) establishing a physical barrier to secure the perimeter access and all points of entry; 2) installing a security alarm system to notify and record incident(s) where physical barriers have been breached; 3) establishing an identification and sign-in/sign-out procedure for authorized personnel, suppliers, and/or visitors; 4) maintaining the premises such that visibility and security monitoring of the premises is possible; and 5) establishing procedures for the investigation of suspicious

activities. Accidents or crime emergency incidents during operation are expected to be infrequent and minor in nature.

3) Schools

The proposed Project is not expected to significantly increase the population in the local area and would not place greater demand on the existing public school system by generating additional students.

4) Parks

The proposed Project will not increase the use of existing public park facilities and would not require the modification of existing parks or modification of new park facilities offsite as the project would not result in an increase of population.

5) Other Public Facilities

The owners and operators currently reside in Lake County, and the small staff will be hired locally.

Less than Significant Impact

## XVI. RECREATION

|                                                                                                                                                                                              | Potentially<br>Significant<br>Impact | Less Than<br>Significant<br>with<br>Mitigation<br>Measures | Less Than<br>Significant<br>Impact | No<br>Impact                        | Source<br>Number |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------|------------------------------------------------------------|------------------------------------|-------------------------------------|------------------|
| Would the project:                                                                                                                                                                           |                                      |                                                            |                                    |                                     |                  |
| a) Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated? | <input type="checkbox"/>             | <input type="checkbox"/>                                   | <input type="checkbox"/>           | <input checked="" type="checkbox"/> | 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?      | <input type="checkbox"/>             | <input type="checkbox"/>                                   | <input type="checkbox"/>           | <input checked="" type="checkbox"/> | 1, 3, 4, 5       |

### Discussion:

- a) As the owners and operators currently reside in Lake County, and the small staff will be hired locally, there will be no increase in the use of existing neighborhood and regional parks or other recreational facilities.

No Impact

- b) The proposed Project does not include any recreational facilities and will not require the construction or expansion of existing recreational facilities.

No Impact

## XVII. TRANSPORTATION

|                                                                                                                                                                 | Potentially<br>Significant<br>Impact | Less Than<br>Significant<br>with<br>Mitigation<br>Measures | Less Than<br>Significant<br>Impact  | No<br>Impact                        | Source<br>Number                               |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------|------------------------------------------------------------|-------------------------------------|-------------------------------------|------------------------------------------------|
| Would the project:                                                                                                                                              |                                      |                                                            |                                     |                                     |                                                |
| a) Conflict with a program plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?          | <input type="checkbox"/>             | <input type="checkbox"/>                                   | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | 1, 3, 4, 5,<br>9, 20, 22,<br>27, 28, 35,<br>47 |
| b) For a land use project, would the project conflict with or be inconsistent with CEQA guidelines section 15064.3, subdivision (b)(1)?                         | <input type="checkbox"/>             | <input type="checkbox"/>                                   | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | 1, 3, 4, 5,<br>9, 20, 22,<br>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)?                   | <input type="checkbox"/>             | <input type="checkbox"/>                                   | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | 1, 3, 4, 5,<br>9, 20, 22,<br>27, 28, 35        |
| d) Substantially increase hazards due to geometric design features (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)? | <input type="checkbox"/>             | <input type="checkbox"/>                                   | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | 1, 3, 4, 5,<br>9, 20, 22,<br>27, 28, 35        |
| e) Result in inadequate emergency access?                                                                                                                       | <input type="checkbox"/>             | <input type="checkbox"/>                                   | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | 1, 3, 4, 5,<br>9, 20, 22,<br>27, 28, 35        |

### Discussion:

#### a) Roadway Analysis

The project is located approximately six roadway miles west of Lower Lake. Vehicles traveling to the site will use Seigler Springs North Road to access the driveway. Seigler Springs North Road is a paved county owned and maintenance road. According to the 2011 Lake County Regional Transportation Bikeway Plan and the Active Transportation Plan for Lake County, there is a Class III planned bikeway route from State Highway 175 to Seigler Springs North Road (Lake County/City Area Planning Council, 2011 and 2016). Seigler Springs North Road meets Public Resource Code (PRC) requirements for slope and turnouts.

The proposed Project does not conflict with any existing program plan, ordinance or policy addressing roadway circulation, including the Lake County General Plan Chapter 6 – Transportation and Circulation.

#### Transit Analysis

There is no public transit available to the site.

#### Bicycle Lane and Pedestrian Path Analysis

The proposed Project does not conflict with any existing program plan, ordinance or policy addressing bicycle and/or pedestrian issues, including Chapter 6 of the General Plan.

Less than Significant Impact

- b) 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).

To date, the County has not yet formally adopted its transportation significance thresholds or its transportation impact analysis procedures. As a result, the project related VMT impacts were assessed based on guidelines described by the California Office of Planning and Research (OPR) in the publication *Transportation Impacts (SB 743) CEQA Guidelines Update and Technical Advisory*, 2018. The OPR Technical Advisory identifies several criteria that may be used to identify certain types of projects that are unlikely to have a significant VMT impact and can be "screened" from further analysis. One of these screening criteria pertains to small projects, which OPR defines as those generating fewer than 110 new vehicle trips per day on average. OPR specifies that VMT should be based on a typical weekday and averaged over the course of the year to take into consideration seasonal fluctuations. The estimated trips per day for the proposed Project are between 6 and 23 during peak harvest season.

The applicants will be operating under an A-Type 13 Cannabis Distributor Transport Only, Self-distribution License. In the "TPZ" zoning district the Type 13 Distributor Only, Self-distribution State licenses are an accessory use to an active cannabis cultivation or cannabis manufacturing license site with a valid minor or major use permit. The parcel where the Type 13 license is located, as required by Article 27.11, shall front and have direct access to a State or County maintained road or an access easement to such a road, the permittee shall not transport any cannabis product that was not cultivated by the permittee.

The proposed Project would not generate or attract more than 6 trips per day, and therefore it is not expected for the Project to have a potentially significant level of VMT. Impacts related to CEQA Guidelines section 15064.3, subdivision (b) would be less than significant.

Less than Significant Impact

- c) The Project is not a transportation project. The proposed use will not conflict with and/or be inconsistent with CEQA Guidelines Section 15064.3, subdivision (b)(2).

No Impact

- d) The Project does not propose any changes to road alignment or other features, does not result in the introduction of any obstacles, nor does it involve incompatible uses that could increase traffic hazards. Equipment used in cultivation will be transported to the Project site as needed.

Less Than Significant Impact

- e) The proposed Project would not alter the physical configuration of the existing roadway network serving the area and will have no effect on access to local streets or adjacent uses (including access for emergency vehicles). Internal gates and driveways will meet CAL FIRE requirements for vehicle access according to PRC §4290, including adequate width requirements. 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.

Less than Significant Impact

## XVIII. TRIBAL CULTURAL RESOURCES

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:

|                                                                                                                                                                                                                                                                                                                           | Potentially Significant Impact | Less Than Significant with Mitigation Measures | Less Than Significant Impact | No Impact                | Source Number          |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------|------------------------------------------------|------------------------------|--------------------------|------------------------|
| 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)?                                                                                                                               | <input type="checkbox"/>       | <input checked="" type="checkbox"/>            | <input type="checkbox"/>     | <input type="checkbox"/> | 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, the lead agency shall consider the significance of the resource to a California Native American tribe? | <input type="checkbox"/>       | <input checked="" type="checkbox"/>            | <input type="checkbox"/>     | <input type="checkbox"/> | 1, 3, 4, 5, 11, 14, 15 |

### Discussion:

- a) A Cultural Resources Report (CRR) for the proposed cultivation Project was completed by Peak & Associates to identify potentially significant cultural resources. A CHRIS records search was completed by the NWIC, and the Native American Heritage Commission (NAHC) returned the results of the Sacred Lands File (SLF) search. Natural Investigations sent Project information letters to the tribes affiliated with the Project Area. No cultural resources of any kind were identified during the field survey.

The CHRIS records search indicates that two prior studies had been conducted within the Project Area. No cultural resources have been previously recorded within the Project Area. The SLF search returned positive results for Native American cultural resources within the Project vicinity. The NAHC provided a list of five tribes to be contacted for more information on these resources. No responses to our requests for information were received from the tribes listed by the NAHC.

Notification of the project was sent to local tribes on November 7, 2022. The Director of Cultural Resources for the Yocha Dehe Wintun Nation and the Upper Lake Habematolel Tribe responded with letters that concluded the project is not within their territories. No further comments were received from local tribes regarding this project. A second AB 52 notice was sent out on January 26, 2024, to allow local Tribes the opportunity to provide feedback. The notice went out to the following Tribes: Big Valley Rancheria, Cortina Rancheria, Elem Colony, Hopland Band of Pomo Indians, Koi Nation, Mishewal-Wappo, Middletown Rancheria, Redwood Valley, Robinson Rancheria, Scotts Valley Band of Pomo, Upper Lake Habematolel, and Yocha Dehe. Of these tribes, Middletown Rancheria responded. The Tribal Historic Preservation Officer for Middletown Rancheria conducted a Site Visit on February 28, 2024. At that time there was evidence of Tribal Cultural Resources within the vicinity. To ensure the protection of these resources, the Community Development Department has implemented Mitigation Measures to protect these resources.

Based on the negative findings of the CHRIS search, field survey, and outreach efforts with local tribes, there is no indication that the Project will impact any historical or archaeological resources as defined under CEQA Section 15064.5 or tribal cultural resources as defined under Public Resources Code Section 21074. 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.

In response to the CRR and the CHRIS records search, both of which indicate no presence of tribal cultural resources on the Project site, the lead agency has determined that, in its discretion and supported by substantial evidence, no resources pursuant to criteria set forth in subdivision (c) of Public Resources Code section 5024.1 will be affected by the proposed Project.

Less than Significant with Mitigation Measures TCR-1 through TCR-6

TCR-1: All ground disturbing activities shall be monitored by qualified tribal monitor(s). Ground disturbing activities occurring in conjunction with the Project include, but are not limited to, surveys, testing, concrete pilings, debris removal, rescrapes, punch lists, erosion control (mulching, waddles, hydroseeding, etc.), pot-holing or auguring, boring, grading, trenching, foundation work, excavations, and ground disturbance involving the moving of dirt or rocks with heavy equipment or hand tools within the Project area. Qualified tribal monitor(s) are defined as qualified individual(s) who have experience with identification, collection, and treatment of tribal cultural resources of value to the Tribes. Such individuals will include those who:

- a. Possess the desired knowledge, skills, abilities, and experience established by the Native American Heritage Commission (NAHC) through the NAHC's Guidelines for Native American Monitors/Consultants (2005) (Last visited 3/4/2024. Available at <chrome-extension://efaidnbmnnnibpcajpcglclefindmkaj/https://nahc.ca.gov/wp-content/uploads/2019/04/SB-18-Tribal-Consultation-Guidelines.pdf>); OR
- b. Members of culturally affiliated tribe(s) who:
  - i. Are culturally affiliated with the project area, as determined by the NAHC; and
  - ii. Have been vetted by tribal officials of the Culturally Affiliated Tribes as having the desired knowledge, skills, abilities, and experience established by the Culturally Affiliated Tribes. *Mitigation Measures TCR-1*

TCR-2: The duration and timing of TCR monitoring shall begin at the start of ground disturbing activities and end when ground disturbing activities are completed and final, including the treatment and disposition of any discoveries as outlined in TCR-6 below.

TCR-3: All ground disturbing activities shall halt within 100 feet of any cultural resource discovery. All Culturally Affiliated Tribes will be notified of discovery of cultural resources and be provided access to the cultural resource site to allow for identification and further evaluation in determining the cultural resource significance and appropriate treatment or disposition.

TCR-4: There must be at least one tribal monitor present for every separate area containing a TCR discovery that is at least 100 feet apart, unless otherwise agreed upon in writing between the Tribes and Permit Holder.

TCR-5: All on-site personnel of the Project shall receive cultural resource sensitivity training prior to initiation of ground disturbance activities of the Project. The training must be according to the standards of the NAHC and/or the Culturally Affiliated Tribes (as described in MM TCR-1 above). Training will cover potential exposure of subsurface resources, procedures upon identifying a potential resource, notification of Culturally Affiliated Tribes, protection of discoveries, relevant laws and regulations, protocols for avoidance, consequences of regulatory violations, procedures for pause in construction, procedures for construction setbacks, and confidentiality of discoveries. Tribal monitors will be required to participate in any necessary environmental and/or safety awareness training prior to engaging in any tribal monitoring activities for the project.

TCR-6: The Project applicant must notify all Culturally Affiliated Tribes at least 45 days prior to commencement of any and all ground disturbance activities on the Project Site. All cultural resources unearthed by Project activities shall be evaluated by the Archeologist and monitor(s). The culturally affiliated tribe(s) must be notified and given an opportunity to inspect, determine the nature of the TCR, and determine the best course of action for avoidance, protection, and/or treatment of the resource to the extent permitted by law. If the resource is determined to be a TCR of value to a tribe, that Tribe will coordinate with the Permit Holder to establish measures by which the Tribe may appropriately protect, treat, and dispose of TCR with dignity, which may include preservation and protection in situ or removal from the Project Site. The Permit Holder will allow the Tribes to facilitate treatment and disposition of the TCR to the extent permitted by law. No destructive or intrusive analysis of nor any photographing, video recording, or similar recording of TCRs shall be permitted by the Permit Holder, except as required by law.

- b) In response to the CRR and the CHRIS records search, both of which indicate no presence of tribal cultural resources on the Project site, the lead agency has determined that, in its discretion and supported by substantial evidence, no resources pursuant to criteria set forth in subdivision (c) of Public Resources Code section 5024.1 will be affected by the proposed Project. With mitigation measures TCR-1 through TCR-6 the impact will be less than significant.

Less than Significant with Mitigation Measures TCR-1 through TCR-6

## XIX. UTILITIES

|                                                                                                                                                                                                                                                                                      | Potentially<br>Significant<br>Impact | Less Than<br>Significant<br>with<br>Mitigation<br>Measures | Less Than<br>Significant<br>Impact  | No<br>Impact                        | Source<br>Number               |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------|------------------------------------------------------------|-------------------------------------|-------------------------------------|--------------------------------|
| Would the project:                                                                                                                                                                                                                                                                   |                                      |                                                            |                                     |                                     |                                |
| a) Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects? | <input type="checkbox"/>             | <input type="checkbox"/>                                   | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | 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?                                                                                                                           | <input type="checkbox"/>             | <input type="checkbox"/>                                   | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | 1, 2, 3, 5, 6, 23, 31          |
| 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?                                                   | <input type="checkbox"/>             | <input type="checkbox"/>                                   | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | 1, 2, 3, 5, 6, 29              |
| d) Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?                                                                                              | <input type="checkbox"/>             | <input type="checkbox"/>                                   | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | 1, 2, 3, 5, 6, 32, 34, 35, 48  |
| e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?                                                                                                                                                                   | <input type="checkbox"/>             | <input type="checkbox"/>                                   | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | 1, 2, 3, 5, 6, 32, 34          |

### Discussion:

- a) The applicant has stated that the proposed Project will be served by an on-grid power source. The project energy demand is projected to be about 200 to 400 amps; this is a reasonable increase in power usage for this type of operation. There are no grid capacity issues at this location, and PG&E was notified of this project and had no comment.

Less than Significant Impact

- b) The subject parcel is served by an existing well as described in the Hydrology Study and DMP submitted with the use permit application, and the cultivation operation is enrolled as a Tier II / Low Risk cultivation site under the General Order. Compliance with this Order will ensure that cultivation operations will not significantly impact water resources by using a combination of BPTC measures for water conservation, including shut-off valves on water tanks, drip irrigation, continued maintenance of equipment, in addition to buffer zones, sediment and erosion controls, inspections and reporting, and regulatory oversight.

Less than Significant Impact

- c) According to the Lake County Division of Environmental Health, there are no septic records for this property on file. The project will support 3 employees during peak harvest season. The site plans for the project show a portable ADA-compliant restroom. No other restrooms are shown on the plans submitted. No septic permits have been applied for according to comments received from Environmental Health Department.

Less than Significant Impact

- d) The existing landfill has sufficient capacity to accommodate the project's solid waste disposal needs.

According to the Property Management Plan – Waste Management, the project will generate about 5 tons of solid waste per year. Vegetative waste can be chipped and spread on site; burning cannabis waste is prohibited in Lake County. The South Lake Refuse & Recycling Services materials goes directly to the East Lake Landfill. An increase in the landfill capacity was permitted in 2021 and increased from 31 acres to 56.5 acres with a 7,930,000 cubic yard capacity. The new estimated close date is 2043 (CalRecycle 2021).

The project would generate about 400 to 500 pounds of annual solid waste. This is not in excess of state or local standards, or in excess of the capacity of local infrastructure.

Less than Significant Impact

- e) The project will be in compliance with federal, state, and local management and reduction statutes and regulations related to solid waste.

Less than Significant Impact

## XX. WILDFIRE

|                                                                                                                                                                                                                                                                    | Potentially<br>Significant<br>Impact | Less Than<br>Significant<br>with<br>Mitigation<br>Measures | Less Than<br>Significant<br>Impact  | No<br>Impact             | Source<br>Number              |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------|------------------------------------------------------------|-------------------------------------|--------------------------|-------------------------------|
| If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:                                                                                                                                   |                                      |                                                            |                                     |                          |                               |
| a) Substantially impair an adopted emergency response plan or emergency evacuation plan?                                                                                                                                                                           | <input type="checkbox"/>             | <input type="checkbox"/>                                   | <input checked="" type="checkbox"/> | <input type="checkbox"/> | 1, 2, 3, 5, 6, 23, 28, 29, 37 |
| b) Would the project, due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?                                     | <input type="checkbox"/>             | <input type="checkbox"/>                                   | <input checked="" type="checkbox"/> | <input type="checkbox"/> | 1, 2, 3, 5, 6, 23, 28, 29, 37 |
| c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment? | <input type="checkbox"/>             | <input checked="" type="checkbox"/>                        | <input type="checkbox"/>            | <input type="checkbox"/> | 1, 2, 3, 5, 6, 23, 37         |
| d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?                                                                            | <input type="checkbox"/>             | <input checked="" type="checkbox"/>                        | <input type="checkbox"/>            | <input type="checkbox"/> | 1, 2, 3, 5, 6, 21, 23, 25, 32 |

Discussion:

- a) The project will not further impair an adopted emergency response plan or evacuation plan. The applicant will adhere to all regulation 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.

The applicant is taking measures to ensure the Project site meets PRC §4290 and 4291 compliances. The applicant is required to maintain defensible space around all buildings and improve the interior driveway to meet PRC 4290 road standards. The applicant is already proposing to use a total of 5,000-gallon water tank for fire suppression if needed. In addition, any required evacuation would occur on Siegler Springs North Road.

Less than Significant Impact

- b) The Project site is located on a site that has a high risk for wildfire. Much of the parcel is considerably sloped, despite the Project site and access to the project site being relatively flat. The cultivation areas do not further exacerbate the risk of wildfire, or the overall effect of pollutant concentrations on area residents in the event of a wildfire. The Project would improve fire access and the ability to fight fires at or from the Project site and other sites accessed from the same roads through the upkeep of the property area and the installation of a PRC §4290-compliant water tank as is being proposed.

Less than Significant Impact

- c) The proposed Project, as described in the application documents and confirmed through site visits to the property, would not exacerbate fire risk through the installation of maintenance of associated infrastructure. The proposed Project will require maintenance to meet and/or maintain roadway and driveway standards. A total of 5,000-gallon steel or fiberglass fire suppression water tank will be located at the cultivation site.

Required with building permits are the installation of approved address numbers to be placed on all buildings and/or driveways in such a position as to be plainly visible and legible from the street or road fronting the property with numbers that shall contrast with their background will be required, and the installation of a rapid entry lock box, approved by the fire district if any gate is installed will also be required.

WDF-1: Construction activities will not take place during a red flag warning (per the local fire department and/or national weather service) and wind, temperature and relative humidity will be monitored in order to minimize the risk of wildfire. Grading will not occur on windy days that could increase the risk of wildfire spread should the equipment create a spark.

Less than Significant with Mitigation Measure WDF-1

- d) The Project site, along with much of the parcel, burned in 2015 in the Valley fire, and the stability of the soil on the relatively flat sections where the Project parcel is located. Steeper sections of the parcel are heavily vegetated and remain stable. The erosion mitigation measures and BMPs to be implemented will provide further stability on and around the Project site, and with no neighboring people or structures within range of downstream flooding or landslides, the impact will be less than significant impact with mitigation measures WDF-2 and WDF-3 implemented.

WDF-2: Any vegetation removal or manipulation will take place in the early morning hours before relative humidity drops below 30 percent.

WDF-3: A Water tender will be present on-site during earth work to reduce the risk of wildfire and dust.

Less than Significant with Mitigation Measures WDF-2 and WDF-3

| XXI. MANDATORY FINDINGS OF SIGNIFICANCE                                                                                                                                                                                                                                                                                                                                                                                                                                               | Potentially Significant Impact | Less Than Significant with Mitigation Measures | Less Than Significant Impact | No Impact                | Source Number |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------|------------------------------------------------|------------------------------|--------------------------|---------------|
| a) Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory? | <input type="checkbox"/>       | <input checked="" type="checkbox"/>            | <input type="checkbox"/>     | <input type="checkbox"/> | ALL           |
| b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?                                                                                                                                        | <input type="checkbox"/>       | <input checked="" type="checkbox"/>            | <input type="checkbox"/>     | <input type="checkbox"/> | ALL           |
| c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?                                                                                                                                                                                                                                                                                                                                           | <input type="checkbox"/>       | <input checked="" type="checkbox"/>            | <input type="checkbox"/>     | <input type="checkbox"/> | ALL           |

Discussion:

- a) According to the biological and cultural studies conducted, the Project does have some potential to impact the quality of the environment. The project does not have the potential to substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number, or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory when mitigation measures are implemented. Potential biological impacts can be mitigated through specific mitigation measures established in the Biological Resources section of this report.

All setbacks for watercourses will significantly exceed local, state, and federal regulations to prevent significant impacts on water quality. With the implementation of mitigation measures described in the biological assessment and the BMPs and other mitigation measures described throughout this initial study, the potential impact on important biological resources will be reduced to less than significant.

- b) Potentially significant impacts have been identified related to Aesthetics, Air Quality, Biological Resources, Cultural and Tribal Resources, Geologic Resources, Hydrology, Noise, 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. Of particular concern would be the cumulative effects on hydrology and water resources.

To address this issue, the Lake County Board of Supervisors adopted Ordinance 3106 on July 27, 2021, requiring the applicant to submit a Hydrological Study and Drought Management Plan. Upon review of the Hydrological Study and Drought Management Plan, along with the implementation of hydrological mitigation measures, the Project is expected to have a less than significant cumulative impact.

Implementation of and compliance with mitigation measures identified in each section as project conditions of approval would avoid or reduce potential impacts to less than significant levels and would not result in any cumulatively considerable environmental impacts.

- c) The proposed project has the potential to result in adverse indirect or direct effects on human beings. In particular, Aesthetics, Air Quality, Cultural and Tribal Resources, Energy Resources, Transportation, Wildfire, and Noise have the potential to impact human beings. Implementation of and compliance with mitigation measures identified in each section as conditions of approval would not result in substantial adverse indirect or direct effects on human beings and impacts would be considered less than significant.

Impact Categories defined by CEQA

#### Source List

1. Lake County General Plan
2. Lake County GIS Database
3. Lake County Zoning Ordinance
4. Cobb Mountain Area Plan
5. Seigler Springs North 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, (<https://dot.ca.gov/programs/design/lap-landscape-architecture-and-community-livability/lap-liv-i-scenic-highways>)
10. Lake County Serpentine Soil Mapping
11. California Natural Diversity Database (<https://wildlife.ca.gov/Data/CNDDDB>)
12. U.S. Fish and Wildlife Service National Wetlands Inventory
13. Biological Resources Assessments (two total) for the Cannabis Cultivation project, prepared by Natural Investigations (undated and not used for this report), and by Lawrence Ray, Biologist (also undated but received July 20, 2021).
14. Cultural Resources Assessment for the Cannabis Cultivation project, prepared by Natural Investigations and dated November 2020.
15. California Historical Resource Information Systems (CHRIS); Northwest Information Center, Sonoma State University; Rohnert Park, CA.
16. Water Resources Division, Lake County Department of Public Works Wetlands Mapping.
17. U.S.G.S. Geologic Map and Structure Sections of the Clear Lake Volcanic, Northern California, Miscellaneous Investigation Series, 1995
18. Official Alquist-Priolo Earthquake Fault Zone maps for Lake County
19. Landslide Hazards in the Eastern Clear Lake Area, Lake County, California, Landslide Hazard Identification Map No. 16, California Department of Conservation, Division of Mines and Geology, DMG Open – File Report 89-27, 1990
20. Lake County Emergency Management Plan
21. Lake County Hazardous Waste Management Plan, adopted 1989
22. Lake County Airport Land Use Compatibility Plan, adopted 1992
23. California Department of Forestry and Fire Protection - Fire Hazard Mapping
24. National Pollution Discharge Elimination System (NPDES)
25. FEMA Flood Hazard Maps
26. Lake County Aggregate Resource Management Plan
27. Lake County Bicycle Plan
28. Lake County Transit for Bus Routes
29. Lake County Environmental Health Division
30. Lake County Grading Ordinance
31. Lake County Natural Hazard database
32. Lake County Countywide Integrated Waste Management Plan and Siting Element, 1996
33. Lake County Water Resources
34. Lake County Waste Management Department
35. California Department of Transportation (Caltrans)
36. Lake County Air Quality Management District website
37. CALFIRE Fire Protection District
38. Site Visit – May 18, 2020
39. United States Department of Agriculture – Natural Resources Conservation Service Web Soil Survey
40. Hazardous Waste and Substances Sites List,
41. State Water Resources Control Board (SWRCB) Cannabis Policy and General Order
42. Lake County Groundwater Management Plan, March 31<sup>st</sup>, 2006.
43. Lake County Rules and Regulations (LCF) for On-Site Sewage Disposal
44. Lake County Municipal Code: Sanitary Disposal of Sewage (Chapter 9: Health and Sanitation, Article III)

45. Department of Conservation, California Geological Survey. 2018. *Earthquake Fault Zones, A Guide for Government Agencies, Property Owners/Developers, and Geoscience Practitioners for Assessing Fault Rupture Hazards in California*. Special Publication 42, Revised 2018.
46. California Geological Survey and United States Geological Survey. 2016. *Earthquake Shaking Potential for California*.
47. Lake County/City Area Planning Council. 2011. *2011 Lake County Regional Transportation Bikeway Plan*.
48. CalRecycle. 2021. *Public Notice: Eastlake Sanitary Landfill-Lake County*. Accessed 27 March 2023 at: < <https://www2.calrecycle.ca.gov/PublicNotices/Details/4538>>.