



## COUNTY OF LAKE

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

August 30, 2023

### CALIFORNIA ENVIRONMENTAL QUALITY ACT ENVIRONMENTAL CHECKLIST FORM INITIAL STUDY (MUP 18-58, IS 18-73)

1. Project Title: Emerald Aloha Farms
2. Permit Numbers: Minor Use Permit MUP 18-58  
Initial Study IS 18-73
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: Eric Porter, Associate Planner, 707-263-2221
5. Project Location(s): 14800 White Rock Canyon, Upper Lake, CA  
APN: 002-023-30
6. Project Name & Address: Margaret Dickison  
14800 White Rock Canyon Road  
Upper Lake, CA 95485
7. General Plan Designation: Rural Lands, Resource Conservation
8. Zoning: "RL-SC-WW-FF" Rural Lands-Scenic Combining-  
Waterway-Floodway Fringe
9. Supervisor District: District 3
10. Flood Zone: Cultivation site is not located in a flood zone; the  
western portion of the parcel is located in an AE flood  
hazard area
11. Slope: Varied; cultivation sites are less than 10%
12. Fire Hazard Severity Zone: SRA; Very High to Moderate Fire Risk
13. Earthquake Fault Zone: None
14. Dam Failure Inundation Area: Not located within Dam Failure Inundation Area
15. Parcel Size: ±26.45 Acres

#### 16. Description of Project:

The proposed project requests two cannabis licenses; one A-Type 2 small outdoor license and one A-Type 1C "Specialty Cottage" (outdoor) license for 12,400 square feet (sf) of canopy area inside a 20,500 sf cultivation area, and one A-Type 13 Cannabis Distributor Transport Only, Self-distribution License. The applicant is also proposing 25 outdoor plants in 300 gallon fabric pots.

The applicant will use an existing permitted on-site well and will install four 3,000 gallon water tanks for irrigation, which shall occur through a drip irrigation system. The applicant is proposing the use of one 3,000 gallon water tank for fire suppression; this will be required to be steel or fiberglass with connectors that can be used by local emergency service providers for connecting fire hoses to the tank.

The site including all structures were burned in the 2018 Mendocino Complex Fire. The site is fully enrolled with the North Coast Regional Water Quality Control Board.

##### *Construction*

Construction is expected to take between 1 and 2 months, and will involve the construction of pads for two 8' x 20' conex containers, installation of the water tanks, installation of fencing and the security system.

##### *Construction Equipment*

The following equipment is expected to be used to construct the project facilities:

- Excavator
- Backhoe or skid loader
- Pickup trucks
- Water truck
- Augur (post holes for fences)

##### *Vehicle Trips During Construction*

The County estimates that 4 daily trips (two arriving, two departing) will result during construction and operations. If the project takes one month of construction time, a total of about 96 daily employee trips is probable in addition to an estimated 12 delivery trips during construction. The County estimates that 2 employees will work during construction.

##### *Operational Details*

The proposed project will operate from 7 am to 6 pm, Monday through Saturday. Estimated number of employees - 2 during non-harvest season, and 2 during peak harvest season. Estimated vehicle trips per day would be 4 to 8 daily trips. The County anticipates that up to 2 deliveries per week on average will occur during construction and operations. The applicant is proposing 5 parking spaces including one (1) ADA parking space.

FIGURE 1 – PARTIAL SITE PLAN SHOWING NEW CULTIVATION LOCATION



Source: Materials Submitted by Applicant

### Water Analysis

A Hydrogeologic Assessment Report was prepared for this project by Hurvitz Environmental Services Inc., and is dated June 9, 2023. The Plan evaluates annual water demand for the project and provides well data on the on-site well.

### Well Test

There is one existing permitted on-site well that will be used for irrigation. A well test was performed on December 3, 2019 by Tri Valley Pump Service. The well yielded 15.5 gallons per minute (GPM) over a four-hour testing period. The water level recovered 90% during the 15 minute shut-down period following the four hour well test. Underground water will be exclusively used for irrigation; no surface water diversion is being proposed.

### Projected Water Demand

The assumption is for each plant to require 5 gallons per day with a 225 day growing season. Projected water demand is 221,750 gallons per year including domestic water usage for the site.

### On-Site Water Storage

The materials submitted by the applicant state that four 3,000 gallon water tanks will be placed on site, plus an additional 3,000 gallon water tank that is reserved for fire protection.

### Aquifer Data

The Hydrology Study estimated the aquifer storage capacity and recharge rate. The Study theorizes that overdrafting the aquifer is unlikely given the site of the property and the lack of other nearby wells, and estimates the aquifer capacity to be 27.31 acre-feet, or about 8,898,000 gallons of usable water. The recharge rate of the aquifer

is based on part on the 27 acre property size, and estimates an average annual recharge of 12,66 acre-feet per year that would infiltrate the aquifer from the subject property. This is significantly more recharge than the projected water usage from this project would demand.

#### *Conclusion*

The Hydrology Study demonstrates that the well had minimal draw-down over the four hour test conducted in 2019, and had a very rapid recovery rate. There are no wells located in close proximity to the cultivation site, and the competition for water at this location is minimal. It is probable that this project would not adversely affect neighboring wells given the well test data.

#### *Energy Usage*

According to the application material submitted, the applicant will on-grid power. The power demand for this project is minimal since no greenhouse cultivation will occur; power will be needed for the security system and the well pump. A 100 or 200 amp service would be adequate for providing power to this project.

#### *Solid Waste Management*

Annual non-hazardous solid waste generated by project operations is estimated to be about 200 pounds per year. All non-hazardous waste will be hauled to the nearest waste disposal facility located in Clear Lake.

#### *Wastewater Management*

The site will use portable restrooms until the permanent restroom is built. The site would need to have verification of adequate clean-up following the Mendocino Complex Fire of 2018; this is obtained through the Lake County Environmental Health Department.

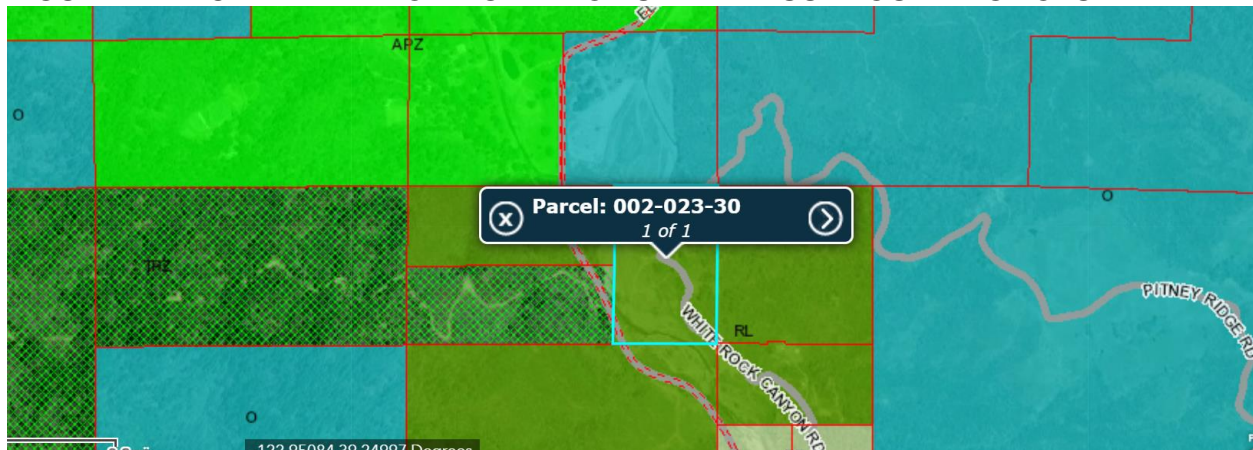
#### *Stormwater Management*

A Stormwater Management Plan has been prepared by Realm Engineering. The Plan identifies the method of stormwater containment in the cultivation area (straw wattles), which are typical for this type of cultivation activity. The cultivation area is set back more than 100 feet from all water courses on site. Setbacks from any surface water channel or above-ground water storage facility is 100 feet or more as is required by Article 27.13(at) of the Lake County Code.

### 17. Surrounding Land Uses and Setting:

- Parcels to the north and east are zoned “RL” Rural Lands and “O” Open Space. Parcels to the south and west are primarily “RL” Rural lands, “RR” Rural Residential, and “TPZ” Timber Preserve. Surrounding parcels range in size, between approximately 20 and 400+ acres. Some surrounding parcels contain a residence, however, the nearest residence in any direction is over 1,000 feet from the cultivation area.

FIGURE 2 – VICINITY AND ZONING MAP OF SITE AND SURROUNDING LOTS



Source: Lake County GIS Mapping, 2023

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 Lakeport Area Plan, the Lake County Zoning Ordinance, and the Lake County Municipal Code. Other organizations in the review process for permitting purposes, financial approval, or participation agreement can include but are not limited to:

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

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 administered by the California Office of Historic Preservation. Please also note that Public Resources Code section 21082.3 (c) contains provisions specific to confidentiality.

The applicant provided a Cultural Resource Evaluation prepared by Wolf Creek Archaeology and dated December 5, 2018. This Assessment yielded one isolated artifact on the site, and stated that there are seven mapped sensitive sites within one mile of the subject site. The isolate was found outside of the cultivation areas and is not regarded as having historical significance.

Lake County sent AB 52 notices to all 11 area tribes on October 1, 2019. At that time no tribes responded to the notice. Staff then sent an email to the Upper Lake Habematolel Tribe on July 19, 2023 after the project was determined to be complete, informing the tribe of the proposed project and offering consultation under AB-52. The Upper Lake Habematolel Tribe typically has ancestral interest in this area. Consultation was held on August 17, 2023 following a site visit by the Upper Lake Habematolel Tribe. As of August 21, 2023, consultation officially concluded.

#### 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 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 type="checkbox"/> Air Quality                      | <input type="checkbox"/> Hydrology / Water Quality     | <input type="checkbox"/> Transportation                       |
| <input checked="" type="checkbox"/> Biological Resources  | <input type="checkbox"/> Land Use / Planning           | <input checked="" type="checkbox"/> Tribal Cultural Resources |
| <input checked="" type="checkbox"/> Cultural Resources    | <input type="checkbox"/> Mineral Resources             | <input type="checkbox"/> Utilities / Service Systems          |
| <input type="checkbox"/> Energy                           | <input checked="" type="checkbox"/> Noise              | <input checked="" type="checkbox"/> Wildfire                  |
| <input checked="" type="checkbox"/> Geology / Soils       | <input type="checkbox"/> Population / Housing          | <input type="checkbox"/> Mandatory Findings of Significance   |

#### DETERMINATION: (To be completed by the lead Agency)

On the basis of this initial evaluation:

- ☐ I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- ☒ I find that although the proposed Project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the Project have been made by or agreed to by the Project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
- ☐ I find that the proposed Project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.

- ☐ I find that the proposed Project MAY have a “potentially significant impact” or “potentially significant unless mitigated” impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
- ☐ I find that although the proposed Project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed Project, nothing further is required.

Initial Study Prepared By:  
Eric Porter, Associate Planner



Date: 8-21-2023

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

	Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less Than Significant Impact	No Impact	Source Number
Except as provided in Public Resource Code Section 21099, would the project:					
a) Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 checked="" type="checkbox"/>	<input 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? ☐ ☐ ☒ ☐ 1, 2, 3, 4, 5, 6, 9

#### Discussion:

- a) The project site is located in a natural valley that has heavy tree coverage on the east and west sides of the property. The cultivation areas are on a relatively flat portion of the site. The cultivation sites will be somewhat visible from Elk Mountain Road, a lightly traveled shared access easement at this location, however the applicant will place a 6' tall wire screening fence around the new cultivation area. The method of screening is not clear based on the plans submitted, and screening the new outdoor cultivation areas is required. Because fabric screening tends to deteriorate quickly; the project will need to have screening fencing around the perimeter of the cultivation area because of its visibility from Elk Mountain Road and for security reasons, and the screening materials used must be durable and effective. This will be added to the conditions of approval for this application. White Rock Canyon Road provides access to the site, however this road terminates on the applicant's lot and is a private driveway on the site.

Less than Significant Impact

- b) The proposed project will be somewhat visible from Elk Mountain Road, which is located about 400 feet from the cultivation area. The terrain is relatively flat in this location having a gentle uphill slope, and the requirement for a 6' tall screening fence will help to screen the cultivation site from view from Elk Mountain Road and from neighboring lots, although most of the adjacent lots are undeveloped.

Less Than Significant Impact

- c) The site is located in an area that contains large lots that are sparsely populated. The cultivation sites will be somewhat visible from Elk Mountain Road, however the applicant is required to screen the cultivation areas, and no structures other than two 120 sf sheds and two 8' x 40' shipping containers are proposed.

Less Than Significant Impact

- d) The project has little potential to create additional light or glare. The outdoor cultivation areas will have some security lighting, however the light fixtures to be used are downcast and comply with the outdoor lighting recommendations found in darksky.org materials.

Less Than Significant Impact

## II. AGRICULTURE AND FORESTRY RESOURCES

Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less Than Significant Impact	No Impact	Source Number
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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 checked="" type="checkbox"/> | <input 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 type="checkbox"/>            | <input checked="" 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 type="checkbox"/>            | <input checked="" type="checkbox"/> | 1, 2, 3, 4, 5, 7, 8, 11, 13  |
| d) Result in the loss of forest land or conversion of forest land to non-forest use?   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | 1, 2, 3, 4, 5, 6, 9          |
| 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?   | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | 1, 2, 3, 4, 5, 7, 8, 11, 13  |

#### Discussion:

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

- a) The proposed cultivation site is on soil mapped as 'other land' and does not contain high value farmland. The surrounding lots are similarly mapped.

Less Than Significant Impact

- b) The site is not under a Williamson Act contract, nor are any of the neighboring properties. This project will have no effect on any Williamson Act properties.

No Impact

- c) The project site is zoned "RL" Rural Lands, and is not zoned for forestland or timberland, nor has it been used historically for timber production.

No Impact

- d) The project site does not contain land designated as forest lands and has not been used historically for timber production, and no tree removal is needed for this project, which will occupy a cleared area on site. Because no timber harvesting is proposed or needed, the proposed project has no potential to result in the loss of forest land or the conversion of forest land to non-forest use.

No Impact

- e) The project would not adversely affect neighboring lots or the subject parcel in a manner that would inhibit or prevent agricultural uses on site or on surrounding lots.

Less Than Significant Impact

III. AIR QUALITY	Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less Than Significant Impact	No Impact	Source Number
Would the project:					
a) Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input checked="" 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 not been found on the project property.

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 Property Management Plan. 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 has minimal potential to result in short- and long-term air quality impacts from construction and operation of the proposed project. The low projected vehicle trip rate will limit CO<sub>2</sub> emissions. There are up to four (4) daily trips projected by employees during construction and operation. The nearest population base is Upper Lake, located about 6 miles south of the site, which is the likely place of residence for employees. A vehicle generates an average of 404 grams of CO<sub>2</sub> for each mile traveled. Assuming four trips x 24 miles (12 miles coming in and 12 miles returning to Upper Lake), a total of 92 daily vehicle miles would likely be traveled. With each mile generating 404 grams of CO<sub>2</sub>, the daily amount of CO<sub>2</sub> emissions would be about 37,100 grams of CO<sub>2</sub>. Assuming a 270 day growing season, the annual amount of CO<sub>2</sub> emissions would be about 10,035,000 grams of CO<sub>2</sub>, or about 10.03 tons of CO<sub>2</sub> per year.

Construction CO<sub>2</sub> emissions, which are expected to last up to two weeks, will have similar daily CO<sub>2</sub> emission characteristics. Less than 50 cubic yards of earth will be moved with this proposal based on flat terrain, above-ground pots, and no building pad preparation being needed.

Lake County does not have thresholds for CO<sub>2</sub> emissions, and defers to Bay Area Air Quality Management District (BAAQMD) standards. The BAAQMD standards for acceptable levels of CO<sub>2</sub> emissions is 1,100 tons per project. *At a rate of 10 tons of emissions per year, it would take this project 110 years to reach the BAAQMD ‘per project’ threshold for CO<sub>2</sub> emissions.*

Operational impacts would include dust and fumes from some vehicular traffic, including small delivery vehicles that would be contributors during operations.

Odors from the outdoor cultivation activity may be released, particularly during flowering season. The main mitigation measure for the outdoor area is the distance that this area is from the nearest dwellings, which are located about ¼ mile from the cultivation site.

#### Less than Significant Impact

- 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 by the Project's 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. As stated in "a" above, Lake County has adopted Bay Area Air Quality Management District (BAAQMD) thresholds of significance as a basis for determining the significance of air quality and greenhouse gas impacts. Using the California Emissions Estimator Model, air emissions modeling performed for this project during the construction stage and the operational stage, will not generate significant quantities of ozone or particulate matter and does not exceed the recommended maximum project-level thresholds. Construction and operational emissions are summarized in the following tables:

### Comparison of Daily Construction Emissions Impacts with Thresholds of Significance

Criteria Pollutants	Project Emissions unmitigated (pounds/day)	BAAQMD Threshold (pounds/day)	Significance
ROG (VOC)	1 to 10	54	Less than significant
NO <sub>x</sub>	10 to 20	54	Less than significant
CO	10 to 30	548	Less than significant
SO <sub>x</sub>	< 1	219	Less than significant
Exhaust PM <sub>10</sub>	1 to 10	82	Less than significant
Exhaust PM <sub>2.5</sub>	1 to 10	54	Less than significant
Greenhouse Gasses (CO <sub>2e</sub> )	2,000 to 3,500	No threshold established	Less than significant

### Comparison of Daily Operational Emissions Impacts with Thresholds of Significance

Criteria Pollutants	Project Emissions unmitigated (pounds/day)	BAAQMD Threshold (pounds/day)	Significance
ROG (VOC)	1 to 10	54	Less than significant
NO <sub>x</sub>	1 to 5	54	Less than significant
CO	1 to 10	548	Less than significant
SO <sub>x</sub>	< 1	219	Less than significant
PM <sub>10</sub> (total)	1 to 5	82	Less than significant
PM <sub>2.5</sub> (total)	1 to 5	54	Less than significant
Greenhouse Gasses (CO <sub>2e</sub> )	1 to 20	No threshold established	Less than significant

### Comparison of Annual Operational Emissions Impacts with Thresholds of Significance

Criteria Pollutants	Project Emissions (tons/year)	BAAQMD Threshold (tons/year)	Significance
ROG (VOC)	0 to 1	10	Less than significant
NO <sub>x</sub>	0 to 1	10	Less than significant
CO	0 to 1	100	Less than significant
SO <sub>x</sub>	0 to 1	40	Less than significant
PM <sub>10</sub>	0 to 1	15	Less than significant
PM <sub>2.5</sub>	0 to 1	10	Less than significant
Greenhouse gasses (as CO <sub>2</sub> or methane)	1 to 100	10,000	Less than significant

#### 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 within one mile of the project site. The nearest off-site residence is located about 1,500 feet to the east of the cultivation area. This is well over the 200-foot setback for offsite residences from commercial cannabis cultivation as described in Article 27.13 of the Lake County Zoning.

Pesticide application will be used during the growing season and, as described in the Property Management Plan, will be applied carefully to individual plants. The outdoor cultivation area will be surrounded by a fence, which will help reduce the risk of off-site drift of pesticides. Additionally, no demolition or renovation will be performed which would cause asbestos exposure, and no serpentine soils have not been detected and are not mapped onsite.

#### Less than Significant Impact

- d) The proposed project has the potential to cause objectionable odors, particularly during the harvest season. The applicant is required to install carbon filtration systems inside the barn and in any other building that will contain cannabis plants. With the closest neighboring residence being more than 1/4 mile away, and given the sparse population of the area, a substantial number of people will not be adversely affected.

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. This was discussed in greater detail under "a" above.

#### Less than Significant Impact

#### IV. BIOLOGICAL RESOURCES

	Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less Than Significant Impact	No Impact	Source 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 type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input checked="" 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) Biological Resources Report (Report) was prepared by the Pinecrest Environmental Consulting and is dated November 10, 2018. The Report states that the site field survey occurred on October 18, 2018, which is typically late in the season. The Report concluded that there were no listed plant or animal species on the affected portion of the site.

The surveying biologist noted that the site primarily contained severely burned chaparral and pine woodland; some 100-year floodplain habitat that is mostly rock but interspersed with shrubs and willows. The biologist noted that the plant species suffered approximately 90% mortality from the Mendocino Complex Fire. About half of the site is located within a flood plain due to the presence of a Class II watercourse that transects the lot in a north-south direction. The cultivation areas however are not within the mapped flood plain,

The Report concluded that listed plant species, while possible to be on site, were not observed during the field survey, and none were seen in the areas that contain the cultivation activities.

The Report concluded that although no impacts to listed or threatened flora or fauna would occur as the result of cannabis activities on site, that certain avoidance mitigation measures should be added to prevent inadvertent damage to potential species. The following mitigation measures were recommended by the biologist, and are required as mitigation measures for this project:

- BIO-1: All new ground disturbance including grading shall be performed in the presence of a biological monitor.
- BIO-2: Preconstruction survey to be performed by the biological monitor prior to any grading or new ground disturbance or vegetation clearing.
- BIO-3: No work in or near the channel or floodplain of Middle Creek including vehicle traffic from Elk Mountain Road unless previously cleared by the biological monitor.

Less than Significant Impact with mitigation measures added

- 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 Report did not identify any riparian habitats within the cultivation areas. The Property Management Plan submitted indicates that no removal of riparian or any other vegetation is proposed as part of this project, which is limited to discing and ground preparation for the outdoor cultivation activity.

Erosion control measures to control erosion and sedimentation during construction and operation have been identified in the Property Management Plan and in the grading plan submitted for this project (reference Sheet 3 submitted by applicant). Erosion control measures include straw wattles, vegetated swales, and buffer strips.

Less Than Significant Impact

- c) According to the Report, there are no wetlands and vernal pools or other isolated wetlands within 100 feet of the project area.

Less Than Significant Impact



- d) The Report states that no specific wildlife corridors exist within or near the project area. Although no mapped wildlife corridors (such as the California Essential Habitat Connectivity Area layer in the CNDDDB) exist within or near the cultivation area, the open space and the stream corridors in the cultivation area facilitate animal movement and migrations, primarily those of the black-tailed deer. 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 106 acres on the parcel, about 105 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, CA 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.”

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 Property Management Plan 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. Most of the trees are severely burned, and the project does not propose to remove any trees greater than 5-inches DBH, and there are no mapped sensitive species on the site.

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.

#### Less than Significant Impact

- f) No special conservation plans have been adopted for this site and no impacts are anticipated.

#### No Impact

## V. CULTURAL RESOURCES

	Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less Than Significant Impact	No Impact	Source 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, 14c, 15
b) Cause a substantial adverse change in the significance of an archeological resource pursuant to §15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1, 3, 4, 5, 11, 14, 15

### Discussion:

- a) A Cultural Resources Assessment (CRA) for the proposed cultivation project was completed by Wolf Creek Archaeology dated December 5, 2018. The intent of the CRA was to identify potentially significant cultural resources. The CRA stated that there were seven mapped historic sites within one mile of the subject property. The surveying archaeologist found one chert rock that may have been used for making tools, but this chert rock was not considered to be potentially historic. No other potentially historic items or relics were encountered during the site survey.

A California Historical Resources Information System (CHRIS) records search was completed by the Northwest Information Center (NWIC) in 2019. The County sent an AB52 notice to all eleven area tribes on October 1, 2019. No tribes responded to the 2019 notice. On July 18, 2023 and following a determination that the application was complete following the submittal of a Hydrological Study, staff notified the Upper Lake Habematolel Tribe of the project; the tribe indicated that they had no record of a notice being sent to them in 2019. Staff offered to hold consultation at the Tribe's request. To date, no consultation has occurred.

CHRIS comments indicated that there are no known tribal activities on the site.

Based on the findings of the CHRIS search, field survey, and outreach efforts with the eleven local area 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.

Lake County is rich in tribal culture. Because of this, the County routinely requires specific mitigation measures be put in place whenever a discretionary land use project involves any earth movement.

The following mitigation measures are therefore added as a precautionary measure:

- CUL-1: Should any archaeological, paleontological, or cultural materials be discovered during site development, all activity shall be halted in the vicinity of the find(s), the applicant shall notify the culturally affiliated Tribe(s), and a qualified archaeologist to evaluate the find(s) and recommend mitigation procedures, if necessary, subject to the approval of the Community Development Director. Should any human remains be encountered, the applicant shall notify the Sheriff's Department, the 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.
- CUL-2: All employees shall be trained in recognizing potentially significant artifacts that may be discovered during ground disturbance. If any artifacts or remains are found, the culturally affiliated Tribe(s) shall immediately be notified; a licensed archaeologist shall be notified, and the Lake County Community Development Director shall be notified of such finds.

Less than Significant Impact with mitigation measures added

- b) A California Historical Resources Information System (CHRIS) records search was completed by the Northwest Information Center (NWIC) to determine if the Project would affect archaeological resources. The record search found that there are no mapped historically significant sites on the property.

Less than Significant Impact

- c) The project site does not contain a cemetery and there are no known cemeteries 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.

Less than Significant Impact

## VI. ENERGY

	Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less Than Significant Impact	No Impact	Source 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 checked="" type="checkbox"/>	<input type="checkbox"/>	1, 3, 4, 5

### Discussion:

- a) On-site electricity will be supplied by on-grid power. The County estimates that a total of 100 to 200 amps are needed to power the well pump, as well as any other lighting that may be needed. There are no known grid capacity issues at this location, and the probable increase with a new 100 or 200 new amp service is realistic given the relatively small scale of the project.

Less than Significant Impact

- b) According to the California Department of Cannabis Control's Title 4 Division 19 §15010 on compliance with the CEQA, all cannabis applications must describe their project's anticipated operational energy needs, identify the source of energy supplied for the project and the anticipated amount of energy per day, and explain whether the project will require an increase in energy demand and the need for additional energy resources.

Less than Significant Impact

## VII. GEOLOGY AND SOILS

	Potentially Significant Impact	Less Than Significant With Mitigation Measures	Less Than Significant Impact	No Impact	Source 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	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1, 2, 3, 4, 5, 18, 19

	a known fault? Refer to Division of Mines and Geology Special. Publication 42.					
	ii) Strong seismic ground shaking?					
	iii) Seismic-related ground failure, including liquefaction?					
	iv) Landslides?					
b)	Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1, 3, 4, 5, 19, 21, 24, 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	1, 2, 3, 5, 6, 9, 18, 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 waste water?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	2, 4, 5, 7, 13, 39
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, 5, 14, 15

#### Discussion:

- a) The Project site is located in a seismically active area of California and is expected to experience moderate to severe ground shaking during the lifetime of the project. That risk is not considered substantially different than that of other similar properties and projects in California.

#### Earthquake Faults (i)

According to the USGS Earthquake Faults map available on the Lake County GIS Portal, there are no earthquake faults in the vicinity of the subject site. Because there are no known faults located on the project site, there is little potential for the project site to rupture during a seismic event. Thus, no rupture of a known earthquake fault is anticipated and the proposed project would not expose people or structures to an adverse effects related rupture of a known earthquake fault as no structures for human occupancy are being proposed.

#### Seismic Ground Shaking (ii) and Seismic-Related Ground Failure, including liquefaction (iii)

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. No new structures are proposed on this project site.

#### Landslides (iv)

The project cultivation sites are generally level without significant slopes. There are some risks of landslides on the parcel well beyond the cultivation areas, however the proposed project's cultivation site is located on a flat area. 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 moderately susceptible to landslides and will not likely expose people or structures to substantial adverse effects involving landslides, including losses, injuries or death.

#### Less Than Significant Impact

- b) Minimal grading is needed to prepare the project site for cultivation. The project involves some leveling for the sheds and shipping containers' pad preparation; tilling the soil to prepare for cultivation and also includes the import of soil for other cultivation activities, and according to the Property Management Plan this would not involve any adverse effects on the potential for erosion or the loss of topsoil.

The project is enrolled with the SWRCB for Tier 2, Low Risk coverage under Order No. WQ 2019-001-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 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 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. As part of the Applicant's enrollment, they are required to complete Annual Monitoring and Reporting to the State Water Board, which requires that winterization BPTC measures for erosion and sediment control are in place prior to the winter period.

#### Less Than Significant Impact

- c) The primary geologic unit on the project site is Type 173 – Maymen-Hopland-Mayacama complex, 30 to 50% slopes. This map unit is characterized by rapid surface runoff and significant erosion.

The applicant has submitted an Erosion Control plan in anticipation of the incorporation of Best Management Practices as being a requirement. The Erosion Control Plan has mitigation measures that will decrease the likelihood of the loss of topsoil due to erosion, which is particularly important due to the presence of Middle Creek on the site.

The following mitigation measure is therefore added:

- GEO-1: During all site disturbance, the applicant shall adhere to the erosion control plans prepared by Realm Engineering and dated 6-22-2019.

#### Less Than Significant Impact

- d) The Uniform Building Code is a set of rules that specify standards for structures. The project proposes several 120 sf sheds and two 8' x 20' conex shipping containers; the containers may require building permits at the discretion of the Building Official depending on the use.

Less Than Significant Impact

- e) The proposed project will be served by an Americans with Disability Act compliant portable restroom.

Less Than Significant Impact

- f) The project site does not contain any known unique geologic feature or paleontological resources, and the Cultural Resources Assessment performed by Wolf Creek Archaeology which yielded negative results of finds of significance. Disturbance of sensitive prehistoric resources is not anticipated.

Less than Significant Impact

## 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 Project consists of slightly less than 1/4 acre of outdoor cannabis canopy area (about 12,400 sf). 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 countywide air quality.

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 Gas (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).

As stated under findings for Air Quality, the project is projected to generate about 10 tons of CO<sub>2</sub> per year. The recommended maximum threshold used by Lake County is 1,100 tons per project. This project would take about 110 years to meet the significance threshold for CO<sub>2</sub> emissions.

#### 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 Lake County Air Quality Management District
- 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 Property Management Plan, the Project will have two (2) individuals working on site (owners/operators) during normal operational hours, and with an expected 10 metric tons of overall operational CO<sub>2</sub> per year.

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 reasonable 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, 22, 35, 37
g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	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 revised Property Management Plan (PMP) for the proposed project, only organic fertilizers and pesticides will be used. The PMP indicates that 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 Property Management Plan, 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 Property 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 on a protective surface, covered with tarps, and secured with ropes and weights, or stored within the two 120 sf sheds or the two 8' x 40' conex shipping containers proposed for the site. Dry and liquid fertilizers will be stored in a stormproof shed inside each cultivation compound.

All other pesticides and fertilizers will be stored within one of the conex shipping containers, 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 buildings will have impermeable floors. The storage building will be located over 100 feet from any watercourses. There are two watercourses that are in vicinity of the cultivation area; Middle Creek (Class II stream), and one unnamed seasonal drainage channel. Both are mapped and located beyond 100 feet of the cultivation area.

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 organic 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 is very high; the applicant has indicated that four 3,000 gallon water tanks to be used for plant irrigation, and the County is requiring one 5,000 gallon water tank for fire suppression if needed.

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 five to seven 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 following databases compiled pursuant to Government Code §65962.5 were checked for known hazardous materials contamination within ¼-mile of the project site:

- The SWRCB GeoTracker database
- The Department of Toxic Substances Control EnviroStor database
- The SWRCB list of solid waste disposal sites with waste constituents above hazardous waste levels outside the waste management unit.

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 located approximately 7 miles from the nearest airport, Lampson Field, which has not adopted an Airport Land Use Compatibility Plan. In accordance with regional Airport Land Use Compatibility Plans, the site would not be located within an area of influence for the airport. Therefore, there will be no hazard for people working in the project area from Lampson Field.

No Impact

- f) Access to the project site is from White Rock Canyon Road, a gravel access road that terminates on the site, and which connects to Elk Mountain Road. White Rock Canyon Road would be used as an emergency evacuation route if necessary. The road will be required to be maintained by the applicant to a width of 20 feet and surfaced in a manner that will enable the road to be capable of supporting a 75,000 pound emergency response vehicle.

Less than Significant Impact

- g) The project site is on an area of high fire risk, and the entire site had burned during the 2018 Mendocino Complex Fire. CalFire's requirement for defensible space in high fire risk areas requires the removal of brush and vegetation that would reduce fire risk around the existing buildings on site. The interior driveway (White Rock Canyon Road) will be required to meet Public Resource Code (PRC) 4290 and 4291 standards. Additionally, the proposed project will be required to install one 5,000 gallon tank to be exclusively used as a water source for fire suppression if needed.

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 greenhouses, 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, 32 |
| ii)   | Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site;   | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |                                  |
| 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 | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |                                  |
| iv)   | Impede or redirect flood flows?   | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |                                  |
| d) In any flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?   |   |                          |                          |                                     |                          | 1, 2, 3, 5, 6, 7, 9, 23, 32      |
| 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                |

#### Discussion:

- a) The Project parcel has no stream crossings in proximity to the cultivation area, although there is one off-site stream crossing that would be required due to the presence of Middle Creek on and near the cultivation site. There are no above-ground water sources within 100 feet of either cultivation 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 Property Management Plan, and is the plan used to evaluate the grading permit that is concurrent with this CEQA evaluation.

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.

The County's Cannabis Ordinance 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).

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).

As described above, the current project site has been placed as far away as possible from waterbodies and in the flattest practical areas to reduce the potential for water pollution and erosion.

#### 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 use to surrounding areas due to the project

#### Water Analysis

A Hydrogeologic Assessment Report (Hydro Study) was prepared for this project by Hurvitz Environmental Services Inc., and is dated June 9, 2023. The Plan evaluates annual water demand for the project and provides well data on the on-site well.

#### *Well Test*

There is one existing permitted on-site well that will be used for irrigation. A well test was performed on December 3, 2019 by Tri Valley Pump Service. The well yielded 15.5 gallons per minute (GPM) over a four-hour testing period. The water level recovered 90% during the 15 minute shut-down period following the four hour well test. Underground water will be exclusively used for irrigation; no surface water diversion is being proposed.

#### *Projected Water Demand*

The assumption is for each plant to require 5 gallons per day with a 225 day growing season. Projected water demand is 221,750 gallons per year including domestic water usage for the site.

#### *On-Site Water Storage*

The materials submitted by the applicant state that four 3,000 gallon water tanks will be placed on site, plus an additional 3,000 gallon water tank that is reserved for fire protection.

#### *Aquifer Data*

The Hydrology Study estimated the aquifer storage capacity and recharge rate. The Study theorizes that overdrafting the aquifer is unlikely given the site of the property and the lack of other nearby wells, and estimates the aquifer capacity to be 27.31

acre-feet, or about 8,898,000 gallons of usable water. The recharge rate of the aquifer is based on part on the ±26 acre property size, and estimates an average annual recharge of 12,66 acre-feet per year that would infiltrate the aquifer from the subject property. This is significantly more recharge than the projected water usage from this project would demand.

### *Conclusion*

The Hydrology Study demonstrates that the well had minimal draw-down over the four hour test conducted in 2019, and had a very rapid recovery rate. There are no wells located in close proximity to the cultivation site, and the competition for water at this location is minimal. It is probable that this project would not adversely affect neighboring wells given the well test data.

### Less Than Significant Impact

- c) According to Lake County Ordinance Section 27.13 (at) 3, the Property Management Plan 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 Best Management Practices, 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 Site Management Plan.

According to the Storm Water Management Plan, the cultivation operations are not expected to alter the hydrology of the parcels significantly, and an engineered Erosion Control Plan has been submitted (sheet 3 of the plan set). Establishment of the cultivation operations will require some grading, but they have been located in areas partially cleared for past, non-Cannabis land uses. Establishment of the cultivation operations does not require the construction of new buildings, paved roads, or other significantly permanent and impermeable surfaces that would otherwise alter runoff significantly.

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.

BPTC 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. BPTCs to be implemented include monitoring

weather to track conditions and alert crews to the onset of rainfall events, 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 natural conditions of the Project site and with these erosion mitigation measures, the project will not result in substantial erosion or siltation on-site or off-site; will not substantially increase the rate or amount of surface runoff in a manner which would result in flooding on or offsite; will not 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; and 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 located in Flood Zone D (undetermined) – not in a special flood hazard area. The type 247 soil on the cultivation site portion of the parcels is not overly susceptible to erosion, and soils at the project site are relatively flat and stable.

The Grading Plan submitted by the applicant shows mitigation measures associated with the Grading Plan that must be followed during site disturbance.

Less than Significant Impact

- e) The Project has included a Drought Management Plan (DMP) as part of the requirement 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 selection of plant varieties that are suitable for the climate of the region
- 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 27.13 (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.

Less Than Significant Impact

## XI. LAND USE PLANNING

Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less Than Significant Impact	No Impact	Source 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, 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 checked="" type="checkbox"/> | <input type="checkbox"/>            | 1, 3, 4, 5, 20, 21, 22, 27 |

Discussion:

- a) The project site consists of ±26 acres of minimally developed land in the Upper Lake - Nice Planning Area. The closest community growth boundary accessible by road is Upper Lake, which is approximately 4 miles south of the subject site.

The area is characterized by large parcels, mostly over 25 acres each and are marginally developed and undeveloped lots.

The proposed project site is not proposing any new roads and 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 Rural Land ("RL"). The Lake County Zoning Ordinance allows for commercial outdoor cannabis cultivation in the "RL" land use zone with a major use permit.

Less than Significant Impact

## XII. MINERAL RESOURCES

Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less Than Significant Impact	No Impact	Source 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.

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 Upper Lake - Nice 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 Significant Impact	Less Than Significant with Mitigation Measures	Less Than Significant Impact	No Impact	Source 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) Result in the generation of excessive ground-borne vibration or ground-borne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1, 3, 4, 5, 11, 14, 15

#### Discussion:

- a) Noise related to outdoor cannabis cultivation typically occurs either during construction, or as the result of machinery related to preparing building pads from construction equipment such as well pumps or emergency backup generators during power outages. Emergency generators are not proposed as part of this project.

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

In regards to the Lake County General Plan Chapter 8 - Noise, there are no sensitive noise receptors within one (1) mile of the project site, and Community Noise Equivalent Levels (CNEL) are not expected to exceed the 55 dBA during daytime hours (7 a.m. – 10 p.m.) or 45 dBA during night hours (10 p.m. – 7 a.m.) when measured at the property line.

- 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.

Less than Significant Impact with mitigation measures added

- b) Under existing conditions, there are no known sources of ground-borne vibration or noise that affect the project site such as railroad lines or truck routes. Therefore, the Project would not create any exposure to substantial ground-borne vibration or noise.

The project would not generate ground-borne vibration or noise, except potentially during the construction Stage from the use of heavy construction equipment. There will be moderate grading required for the greenhouse pads, 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 one quarter 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 located approximately 3 miles from Lampson Field, administered by the Lake County Airport Land Use Commission, which has not adopted an Airport Land Use Compatibility Plan. Therefore, no impact is anticipated.

No Impact

#### XIV. POPULATION AND HOUSING

Potentially Significant Impact	Less Than Significant With Mitigation Measures	Less Than Significant Impact	No Impact	Source 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. The increased employment will be up to 2 fulltime employees to be hired locally.

No Impact

- b) The project will not displace any existing housing, thus no impact is expected.

No Impact

## XV. PUBLIC SERVICES

Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less Than Significant Impact	No Impact	Source 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, 5, 20, 21, 22, 23, 27, 28, 29, 32, 33, 34, 36, 37 |
| 1) Fire Protection?   |                          |                          |                                     |                          |   |
| 2) Police Protection?   |                          |                          |                                     |                          |   |
| 3) Schools?   |                          |                          |                                     |                          |   |
| 4) Parks?   |                          |                          |                                     |                          |   |
| 5) Other Public Facilities?   |                          |                          |                                     |                          |   |

Discussion:

### 1) Fire Protection

The Northshore Fire Protection District provides fire protection services to the proposed project site and area. Development of the proposed project would impact fire protection services by increasing the demand on existing County Fire District resources. To offset the increased demand for fire protection services, the proposed project is conditioned by the City 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 minimum private water supply reserves for emergency fire use and defensible space around structures.

With these measures in place, the project would have a less than significant impact on fire protection.

2) Police Protection

The Project site falls under the jurisdiction of the Lake County Sheriff's Department. 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, and with these measures the impact is expected to be less than significant.

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. No impacts are expected.

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. No impacts are expected.

5) Other Public Facilities

As the staff will be hired locally, no increase in impacts are expected.

Less than Significant Impact

## XVI. RECREATION

	Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less Than Significant Impact	No Impact	Source 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) The staff will be hired locally, there will be no increase in the use of existing neighborhood and regional parks or other recreational facilities that would be the direct result of this project, and no impacts are expected.

No Impact

- b) The proposed project does not include any recreational facilities and will not require the construction or expansion of existing recreational facilities, and no impacts are expected.

No Impact

## XVII. TRANSPORTATION

	Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less Than Significant Impact	No Impact	Source 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, 9, 20, 22, 27, 28, 35
b) For a land use project, would the project conflict with or be inconsistent with CEQA guidelines section 15064.3, subdivision (b)(1)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1, 3, 4, 5, 9, 20, 22, 27, 28, 35
c) For a transportation project, would the project conflict with or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)(2)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1, 3, 4, 5, 9, 20, 22, 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, 9, 20, 22, 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, 9, 20, 22, 27, 28, 35

### Discussion:

#### a) Roadway Analysis

The project is located at the terminus of White Rock Canyon Road, a private gravel driveway. Vehicles traveling to the site will use Elk Mountain Road to White Rock Canyon Road to access the project site. There is a locked gate leading to the site that will need to have knock-boxes installed to enable emergency vehicles to enter the site.

The interior driveway will need to have 6" of gravel base to support a 75,000 pound emergency vehicle, typically a semi truck hauling a bulldozer. As proposed, the interior driveway will meet California PRC 4290 and 4291 road standards for fire equipment access.

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, and a less than significant impact on road maintenance is expected.

#### *Transit Analysis*

The Lake County Transit Authority Route 1 – North Shore, Clearlake to Lakeport, runs along California State Highway 29, with several transit stops in Upper Lake, approximately 4 miles from the cultivation site. This distance would make the use of public transit unlikely.

#### *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. White Rock Canyon Road and Elk Mountain Road are not intended for pedestrian or bicycle use due to width and lack of surfacing on most of the roadways.

#### 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), as follows:

*“Vehicle miles traveled exceeding an applicable threshold of significance may indicate a significant impact. Generally, projects within one-half mile of either an existing major transit stop or a stop along an existing high quality transit corridor should be presumed to cause a less than significant transportation impact. Projects that decrease vehicle miles traveled in the project area compared to existing conditions should be presumed to have a less than significant transportation impact.”*

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 2 and 4 daily trips during construction and operation (2 employees). The applicant estimates up to two weekly delivery trips in addition to the 2 to 4 daily employee trips that would result.



The applicants will be operating under an A-Type 13 Cannabis Distributor Transport Only, Self-distribution License. In the “RL” 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 use permit. The parcel where the Type 13 license will be located, as required by Article 27.13, 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, and all non-transport related distribution activities shall occur within a locked structure.

The proposed Project would not generate or attract more than the threshold of 110 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.

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 roadways will meet CALFIRE requirements for vehicle access according to PRC 4290 and 4291, including adequate width requirements, overhead clearances, on-site turn-arounds, sufficient base materials use. 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
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- |  |                          |                          |                                     |                          |                           |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|---------------------------|
| a) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k)?  | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | 1, 3, 4, 5,<br>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 type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | 1, 3, 4, 5,<br>11, 14, 15 |

#### Discussion:

- a) A Cultural Resources Assessment (Assessment) for the original cultivation Project was completed by Wolf Creek Archaeology dated December 5, 2018, and was submitted to the County for this project. The Assessment did identify one relic on site which was not regarded as sensitive or significant. CHRIS records from Sonoma State indicate that there are seven areas within one mile of the property that contain sensitive archaeological sites, however none are mapped on the subject site.

On October 1, 2019, all eleven area tribes were notified of this action however no Tribes responded to the notice. On July 18, 2023, County Planning sent an email to the Upper Lake Habematolel Tribe, who requested a certified letter be sent to them for tracking purposes. Consultation was held on August 17, 2023 following a site visit by the Tribe. Consultation concluded on August 21, 2023.

A California Historical Resources Information System (CHRIS) records search was completed by the Northwest Information Center (NWIC) in October 2019, and the Native American Heritage Commission (NAHC) returned the results of the Sacred Lands File (SLF) search in October 2019.

Based on the findings of the CHRIS search, field survey, and outreach efforts with the eleven local area 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 significant artifacts or human remains of any type are encountered, the project sponsor must 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.

Less than Significant Impact with mitigation measures CUL-1 and CUL-2 added

- b) The California Historical Resources Information System records search showed the presence of one tribal cultural resource on the project site. The Assessment however generally resulted in negative findings following an on-site survey in and around the cultivation area portions of the 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, which has no known sensitive sites on the property.

Less than Significant Impact with mitigation measures CUL-1 and CUL-2 added

XIX. UTILITIES	Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less Than Significant Impact	No Impact	Source 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, 22, 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 checked="" type="checkbox"/>	<input type="checkbox"/>	1, 2, 3, 5, 6, 22
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, 35, 36
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, 35, 36

#### Discussion:

- a) The proposed project will be served by an existing onsite irrigation well and is proposing on-grid power, potentially up to 200 amps. The site had a house on it, however the house and accessory structures were destroyed in the 2018 Mendocino Complex fire. There is a proposed ADA compliant portable toilet and handwashing station that will be used on the project site.

The Project will not 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

Less than Significant Impact

- b) The subject parcel is served by an existing well as described in the Hydrology Study and as described in the Hydrology and Water Quality section of this document, and the cultivation operation is enrolled as a Tier II / Low Risk cultivation operation in the State Water Resources Control Board's *Order WQ 2017-0023-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 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) The project will rely on the use of portable toilets and hand washing station. There is an existing septic system on site that was installed for the dwelling that was destroyed by the 2018 Mendocino Complex fire; this septic system must be cleared by Lake County Environmental Health prior to any future use, or it must be capped and abandoned.

Less than Significant Impact

- d) The existing landfill has sufficient capacity to accommodate the project's solid waste disposal needs. Estimated annual solid waste will be 200 pounds.

Eastlake Landfill, South Lake Refuse Center, and Quackenbush Mountain Resource Recovery and Compost Facility are located within reasonable proximity of the Project site.

The project would not generate solid waste 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 Significant Impact	Less Than Significant with Mitigation Measures	Less Than Significant Impact	No Impact	Source Number
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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, 25, 28, 29
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, 25, 28, 29
c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1, 2, 3, 5, 6
d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1, 2, 3, 5, 6, 21, 23, 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.

In October 2019 Lake County Planning and Building Division staff conducted a PRC 4290 and 4291 site inspection and determined that the site could be accessed by emergency vehicles, and that the on-site driveway needed minimal improvements to be able to meet PRC 4290 and 4291 standards.

#### Less than Significant Impact

- b) The Project site is within a high risk fire hazard zone, and the overall parcel boundary is considerably sloped, despite the project site being relatively flat. The cultivation area does 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 be required to improve fire access and the ability to fight fires from the project site and other sites accessed from the same roads through the upkeep of the property area. The applicant is proposing the installation of a PRC 4290-compliant 5,000 gallon water tank for use as a fire suppression tank, in addition to the other four 3,000 gallon water tanks to be used for irrigation purposes.

Due to the presence of the potential for wildfire, the following mitigation measures are added:

- 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.

- WDF-2: Prior to cultivation, the applicant shall provide 100' of defensible space around all buildings. This does not require tree removal, but it does require removal of grasses and brush, and limbing trees up to a height of 8'.
- WDF-3: Prior to cultivation, the applicant shall schedule a site visit with the Building Official or designee to verify that the roads, gates and site are PRC 4290 and 4291 compliant.
- WDF-4: The applicant shall place at least 5,000 gallons of water on site that is designated specifically as for use of fire suppression. Water tanks shall have connectors that are able to be used by Fire Protection Districts and shall be constructed of steel or fiberglass per CAL FIRE specifications.
- WDF-5: The applicant shall install Knox-Boxes on all locked gates to enable emergency service providers to access the site. The property address shall be clearly posted on the driveway entrance to the site.

Less than Significant Impact with Mitigation Measures WDF-1 through WDF-5 incorporated.

- 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 steel or fiberglass 5,000 gallon fire suppression water tank will be located at the cultivation site.

CalFire comments deferred regulating this site to the Lake County Building Official, who acts as Fire Marshal for the Lake County planning areas.

Less than Significant Impact

- d) There is little chance of increased risks associated with post-fire slope runoff, instability, or drainage changes based on the lack of site changes that would occur by the Project parcel.

The Project site, along with much of the parcel, burned in 2018 in the Mendocino Complex fire, and the stability of the soil on the relatively flat sections where the Project parcel is located. 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.

Less than Significant Impact

## 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	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	ALL

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?

- 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)?
- ☐ ☒ ☐ ☐ ALL
- c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?
- ☐ ☒ ☐ ☐ ALL

#### Discussion:

- a) According to the biological and cultural studies conducted, the Wellness Ranch cannabis cultivation project does not 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 when mitigation measures are implemented.

All setbacks for watercourses will 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 Best Management Practices and other mitigation measures described throughout this initial study, the potential impact on important biological resources will be reduced to less than significant.

Less than significant impact

- b) Potentially significant impacts have not been identified in relation to this project. These impacts in combination with the impacts of other past, present, and reasonably foreseeable future projects could cumulatively contribute to significant effects on the environment.

Implementation of and compliance with the original mitigation measures as project conditions of approval would avoid or reduce potential impacts to Biological Resources, Cultural / Tribal Resources, Geology and Soil Resources, Noise and Wildfire to less than significant levels and would not result in any cumulatively considerable environmental impacts.

Less than significant impact with mitigation measures added

- c) The proposed project has little potential to result in adverse indirect or direct effects on human beings. Implementation of and compliance with mitigation measures identified in the original Initial Study remain in effect; the impacts associated with Biological Resources, Cultural / Tribal Resources, Geology and Soil Resources, Noise and Wildfire and would not result in substantial adverse indirect or direct effects on human beings.

Less than significant impact with mitigation measures added

#### Source List

1. Lake County General Plan
2. Lake County GIS Database
3. Lake County Zoning Ordinance
4. Lakeport Area Plan
5. Emerald Aloha Cannabis Cultivation Application – Minor 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 GIS Serpentine Soil Mapping
11. California Natural Diversity Database (<https://wildlife.ca.gov/Data/CNDDB>)
12. U.S. Fish and Wildlife Service National Wetlands Inventory
13. Biological Resources Assessment for Emerald Aloha Farms, prepared by Pinecrest Environmental Consulting and dated November 10, 2018.
14. Cultural Resources Assessment, prepared by Wolf Creek Archaeology and dated December 5, 2018.
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. South Lake Fire Protection District
38. Site Visit – August 2019
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. Hydrogeologic Assessment for Emerald Aloha Farms, prepared by Hurvitz Environmental Services and dated June 9, 2023.