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

February 19, 2026

CALIFORNIA ENVIRONMENTAL QUALITY ACT
INITIAL STUDY PL-25-354
ENVIRONMENTAL CHECKLIST FORM

1. Project Title:	Osprey Farm
2. Permits:	Initial Study for Major Use Permit PL-25-354
3. Lead Agency Name and Address:	County of Lake Community Development Department Courthouse – 255 North Forbes Street Lakeport, California 95453
4. Supervisor District:	District Five (5)
5. Contact Person:	Mary Claybon, Senior Planner
6. Project Location:	7255 Boggs Lane & 7314 Adobe Creek Road, Kelseyville, California 95451 APN(s): 007-021-21 (cultivation) 007-021-16 (clustering) 46.5 total acres
7. Project Sponsor's Name/Address:	Osprey Vineyards, LLC Attn: Alred Fontana IV 7255 Boggs Lane Kelseyville, CA 95451
8. General Plan Designation:	Agricultural "A"
9. Zoning:	Agricultural "A" (cultivation parcel)
10. Flood Zone:	Not in a flood zone
11. Slope:	Majority of property is relatively flat to gentle slopes. Minor areas contain moderate slope to steep slopes. Cultivation sites are less than 15%.
12. Natural Hazards:	State Responsibility Area (SRA) - High Fire Hazard Severity Zone
13. Waterways:	No channels or wetlands
14. Fire District:	Kelseyville Fire Protection District
15. Area Plan:	Kelseyville Area Plan

16. Property Description, Existing Conditions, and Location/Access

The proposed Osprey Farm Project is located at 7255 Boggs Lane & 7314 Adobe Creek Road, Kelseyville, California 95451 on APNs 007-021-21 and 007-021-16. The site is 46.5 acres and is approximately 4.8 miles southwest of the center of Kelseyville (Figure 1). The Project is located within the Kelseyville Planning Area.

The property is located within the Inner North Coast Range geographic subregion, which has a Mediterranean-type climate of hot, dry summers and wetter winters. The elevations in the Project area range from approximately 1,276 feet to 1,476 feet above mean sea level. The undulating topography is relatively flat with minor areas consisting of slopes ranging from 10% to 30% and the area surrounding the agricultural pond (not for cannabis cultivation) is greater than 30%.

The Project property is accessed by a private driveway off Boggs Lane a County-maintained Road, comprised of gravel and natural material. The driveway measures approximately 28 feet wide with an existing 24-foot-wide gate. The onsite ranch road network is comprised of natural material and gravel on relatively flat slopes.

The property is an existing vineyard with access roads, a 2,010 square foot (SF) residence, a 20'x87' greenhouse for residential purposes, three carports, two storage structures, one storage building, one 1,040 SF metal Quonset hut, one 624 SF barn/storage, one 480 SF garage, one water tank for domestic use, and one building to be decommissioned. An existing woody vegetation and tree screening runs along the west, north, and part of the east side of the cultivation property. The property historically was a walnut orchard, a 12-acre wine grape vineyard in 1999/2000, and 21.6-acre grape vineyard in 2016/2017. The applicant is proposing diversification of agricultural uses on agricultural land for this project. The proposed cultivation area has already been cleared and graded for the current vineyard use and would only require removal of existing vineyard cultivation for new cultivation; also known as "crop swap."

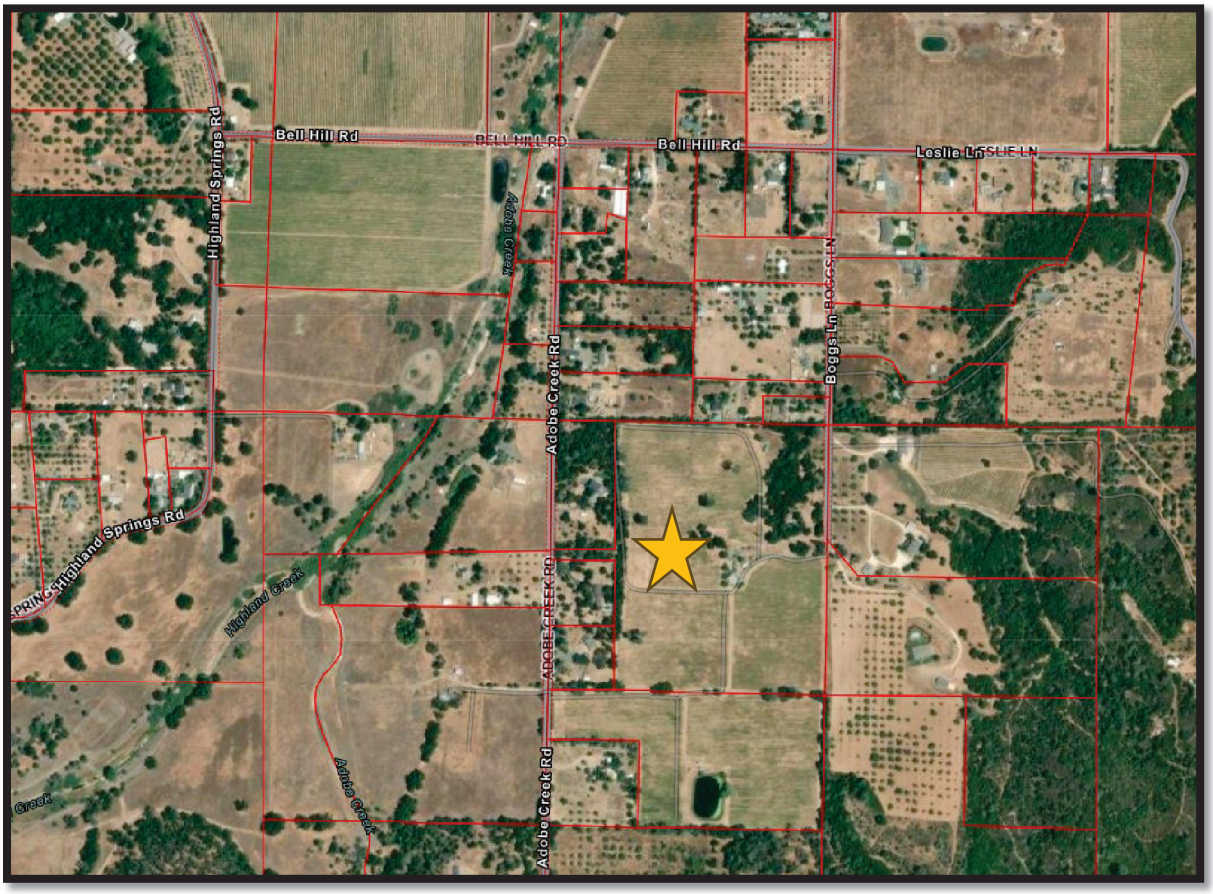
Onsite vegetation communities, per the Biological Resources Assessment and Botanical Survey Report (Biological Assessment, 2022) are comprised of ruderal/disturbed, vineyard, and mixed oak woodland. The Project Area generally drains west toward Adobe Creek HUC12-180201160304, a tributary to Clear Lake (Biological Assessment).

The Biological Assessment determined that the proposed Project area contained no wetland or watercourses. All cultivation areas and disturbed areas are located outside of stream and wetland buffers, per State Water Resources Control Board (SWRCB) regulations and per Lake County Zoning Ordinance, the minimum watercourse buffer is 100 feet. The entire property is designated as "X" Flood Zone, defined as an area with minimal flood hazard and determined to be outside the 0.2% annual chance flood (Lake County Parcel Viewer, 2024).

The Project site is located within the California Department of Forestry and Fire Protection (CAL FIRE) State Responsibility Area (SRA). Within the SRA, the Project property is designated as Moderate Fire Hazard Severity Zone.

The proposed cultivation area (APN 007-021-21) is zoned Agriculture "A" and the non-cultivation area (APN 007-021-16) is zoned Agricultural, Scenic Combining District "A-SC". The project parcels have a General Plan land use designation of Agriculture "A". Land uses surrounding the Project site include rural lands, rural residential, and agricultural.

Figure 1: Vicinity Map of Proposed Project



Source: Lake County GIS portal

17. Description of Project:

The applicant is seeking discretionary approval for a Major Use Permit, PL-25-354 (UP 24-06), for two Type 3 Outdoor licenses, and one (1) Type 1C outdoor license for commercial cannabis cultivation for a total of up to 2.06 acres (89,620 SF) of canopy and a Type 13 Self-Distribution, Transport Only license located at 7255 Boggs Lane, Kelseyville (APN 007-021-21). The applicant is proposing the development of facilities appurtenant to outdoor cultivation, including ancillary immature plant propagation in greenhouses, facilities for drying and curing of harvested cannabis, storage sheds, the appropriate irrigation infrastructure, and ancillary processing.

The applicant proposes the following improvements:

- Up to 89,620 SF of outdoor canopy area (2.06 acres) in above-ground raised garden beds or containers.
- Three 20’x87’ greenhouses for immature plant propagation
- Up to 3,840 SF of ancillary drying in
  - one existing 2,040 SF garage and
  - one proposed 1,800 SF drying building;
- Up to 2,244 SF of ancillary drying in
  - Existing 624 SF barn/storage building
  - Existing 480 SF garage building
  - Proposed 1,140 SF processing building
- Interior roadway improvements

- Security fencing around the cultivation area, 6-8 ft. high wire fences, constructed of heavy gauge wire fence (or similar), with steel gates and padlocks, and a security system
- Irrigation water sourced from an existing groundwater well
- Two additional existing irrigation wells would be used only as backup wells, not as the main irrigation well
- Three 6,000-gallon water storage tanks and one 2,500-mixing storage tank (total of 20,500 gallons of water storage) or similar
- A minimum of one 10,000-gallon steel, fiberglass, or concrete tank designated to fire suppression
- Drip irrigation system, consisting of a water storage tank, valves and filters, PVC pipe, black polyvinyl flexible tubes, and drip emitters
- Two waterproof storage sheds or Conex container or similar for storage of fertilizers, agricultural chemicals, and hand tools
- Nine parking spaces, including required ADA-space
- One portable chemical ADA toilet and handwashing station adjacent to the cultivation area
- Trash enclosures, compost piles, and soil piles located within the fenced cultivation area
- An existing backup diesel generator for power outages and emergencies.

Construction

The majority of the proposed Project is a pre-disturbed area currently used as a vineyard and for rural residential uses. The site is already developed with building structures, water infrastructure, and water tanks for residential purposes. To prepare the site for cultivation, only minor grading and tilling would be required.

According to the applicant, the proposed Project includes the following site preparation and construction activities:

- Construction activities would be weather-dependent and would occur over a one to two month period
- Materials and equipment would be staged on previously disturbed areas adjacent to the proposed cultivation sites. No new areas would be disturbed.
- Construction would occur during daylight hours, typically between 7:00 a.m. to 7:00 p.m. on Monday to Friday and 12:00 p.m. to 5:00 p.m. on Saturday.
- Disturbed areas would be stabilized with temporary erosion control or with permanent erosion control as soon as possible after site preparation is complete.

According to the Property Management Plan (PMP) (Attachment 1C), the following dust control measures shall be followed during any construction operations, road grading, or land clearing:

- Onsite roads shall be armored with gravel, road base, or asphalt, as appropriate.
- All visibly dry, disturbed soil and road surfaces shall be watered to minimize fugitive dust emissions if necessary.
- All unpaved areas shall have a speed limit of 15 mph.
- Dust-generating activities shall be limited during periods of high winds (over 15 mph).

Operation

The Project proposes full-sun outdoor cultivation in cultivation beds or above-ground containers on existing agricultural fields. No mixed-light cultivation is proposed. Temporary hoop structures could be utilized and would be permitted under the requirements of Ordinance No. 3132. Temporary processing containers could be utilized and would be permitted under the requirements of Ordinance No. 3135. All cultivation areas would be located away from sensitive areas.

According to the PMP, all pesticides, fertilizers, and hazardous materials would be stored in the proposed waterproof storage shed/Conex container or similar. Pesticides and fertilizers would be held within their manufacturer's original containers, which would be within secondary containment structures. The shipping containers/storage sheds would be located within fenced cultivation areas. The cultivation area would be fully secured with 6 to 8-foot-tall wire deer fencing and a minimum of a 14-foot-wide locked gate with a Knox Box for emergency vehicle access.

Hours of Operation and Employees

Operations would occur up to seven days per week from approximately March to November every year, depending on weather conditions. The hours of operation for the proposed activities would typically be 6:00 a.m. to 8:00 p.m. from Monday through Sunday. The Lake County Zoning Ordinance restricts deliveries and pickups from 9:00 a.m. to 7:000 p.m. Monday through Saturday and 12:00 p.m. to 5:00 p.m. on Sunday.

Between one to three full-time staff would be required to run the operation on average, with an additional one to six seasonal cultivation staff for peak events (e.g., planting, harvesting). A maximum of nine employees would be required to operate the proposed Project.

Employees would initially have access to a chemical toilet restroom and handwashing station located next to the ancillary immature plant propagation greenhouses (Attachment 1A) and would have access to the future onsite wastewater treatment system constructed as part of the proposed permanent processing facility. An ADA accessible portable toilet and handwashing station would be served regularly by a licensed cleaning facility. Drinking water would be brought onsite and available to employees.

Access, Parking, and Traffic

The Project property is accessed by a private driveway off Boggs Lane. The private driveway would be used to access the cultivation area. A total of nine parking spaces are proposed, including at least one ADA-accessible parking space, if required.

Construction traffic would occur over approximately one to two months. Larger equipment would be mobilized once at the beginning of the construction season, and demobilized at the end of the construction season. During construction, it is expected that there would be approximately one to two construction employees taking up to approximately two round trips per day, totaling up to four round trips per day. An average of one delivery per month during construction would be equivalent to approximately 0.01 construction delivery trips per day. Combining construction employees and delivery trips, there would be an estimated four to five trips per day during the one to two-month construction period.

During operations, there would be between one to nine employees depending on the time of year, or between two to eighteen trips per day from employees. Assuming that the maximum number of three full-time employees work the entire 150-day cultivation season, and that the maximum of six part-time employees operate half of the cultivation season (75 days), the proposed Project would generate an average of eleven daily trips from employees during operation. Delivery vehicles would be expected to occur about once per month, on average, or a conservative estimate for calculation purposes of one per day. Total operation trips would be approximately twelve per day. Note that the proposed Project would only operate during approximately eight (8) months out of the year.

Water Source and Use

Water for cultivation activities would be sourced from the existing onsite well within the Project parcel referenced as Well #4 (lat/long: 38.949600, -122.890418). Well #4 was drilled and

permitted in April 2018 to a depth of 120 feet below ground surface (ft bgs). Well #4 also has an estimated yield of 50 gallons per minute (gpm). Well #2 and Well #3 would be used as a backup water supply in case of emergency. The Well Completion Report is included as an appendix in the Hydrology Report and Drought Management Plan (Attachment 5) prepared for the Project by NorthPoint Consulting Group, Inc.

Water would be pumped from the wells and conveyed through PVC piping to three 6,000-gallon water tanks and one 2,500-gallon tank (20,500 gallons of cannabis irrigation water storage total) adjacent to the cultivation area. The 2,500-gallon tank would be used for fertigation (fertilizer mixing and irrigation) purposes. From the tanks, the water would either be gravity-fed or pumped through new, above ground irrigation lines to each of the three ancillary immature plant propagation greenhouses and proposed cultivation area. The drip lines would be sized to irrigate the cultivation areas at a rate slow enough to maximize absorption and prevent runoff.

Projected water demand for the 2.06 acres (89,620 SF) of proposed cannabis canopy within the proposed Project Area would be approximately 2.7 acre-feet per year (AFY), or approximately 880,017 gallons per year. This was based off a 120-day outdoor cultivation season, assuming 65% of the season involves irrigation of vegetative plants and 35% of the season involves irrigation of flowering plants. The projected average water demand during the cultivation season is 7,333 gallons per day (gpd), and the maximum water demand during the flowering season is approximately 10,071 gpd. See Table 1 for a monthly breakdown of water use.

Table 1: Estimated Monthly Water Demand for Proposed Project (Source: Projected Monthly and Annual Water Use Memo, 2026)

	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total
Irrigation (1,000 gal)	0	0	0	0	0	88	182	182	298	131	0	0	880

Lake County Important Farmland

In accordance with Lake County Ordinance No. 3101 and 3103, the proposed Project outdoor cultivation area is outside of the 1000-foot buffer from the Farmland Protection Zone (FPZ) and an existing vegetation screening would be between the proposed cultivation area and FPZ. The soil designation is farmland of unique importance, not to be determined within the FPZ or the required 1000' buffer from FPZ.

Power

According to the Property Management Plan, the Project would use full outdoor sun and existing on-grid PG&E to operate cultivation-related activities. Cultivation is proposed to be outdoor, with no lights or fans for flowering cultivation, and thus minimal power needs. Onsite power would be required for the immature propagation plant area (with low-wattage lights and fans), drying activities (requiring lights and climate control systems), security systems/lighting, and well pumps. No generators are proposed for regular use; a backup generator would be utilized during power outages or during an emergency.

Cultivation Waste Management

A trash enclosure, soil pile, and compost pile would be located onsite. At least one solid waste bin would be located onsite. Waste bins would be secured from wildlife entry and would be hauled off-site to be disposed of at a licensed waste disposal authority, as needed. Plant waste would be chipped and mulched and composted onsite. Soil piles would be properly

winterized, and soil would be re-amended and re-used as feasible. Any spent soil would be hauled offsite to a licensed waste management authority.

Safety and Security

Security for the site would include locked gates, fenced cultivation areas, and video surveillance/lighting systems. A locked gate is currently located at the approximately 19 feet wide entrance road from Boggs Lane and from the private access road on the Project parcel just south of the proposed Project Area. A Knox Box is proposed to be installed at the Boggs Lane entrance for emergency service access. The Project site would not be open to the public. A 6-8 ft. wire perimeter fence would surround the cultivation area with two locked gates at each private access road entry/exit. A surveillance system would be mounted to the proposed fence and also on the private access road off of Boggs Lane. See Sheet C2 of the submitted Site Plans for security system details.

Watercourse Setbacks and Erosion Control Plan

According to the Biological Resources Assessment (Attachment 2) and Botanical Survey Report (Attachment 3), the property, including the proposed Project Area, does not contain any channels or wetlands.

The property is enrolled with the State Water Resources Control Board (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 site was assigned WDID No. 5S17CC429428.

The Cannabis Cultivation General Order requires the preparation of a Site Management Plan (SMP), a Nitrogen Management Plan (NMP), and the submittal of annual technical and monitoring reports demonstrating compliance. The purpose of the SMP is to identify Best Practicable Treatment or Control (BPTC) measures that the site intends to follow for erosion control purposes and to prevent stormwater pollution. The purpose of the NMP is to identify how nitrogen is stored, used, and applied to crops in a way that is protective to water quality. The SMP and NMP are required to be submitted to the SWRCB prior to commencing cultivation activities.

In addition, the Property Management Plan describes BMPs that would be implemented during onsite operations, as follows:

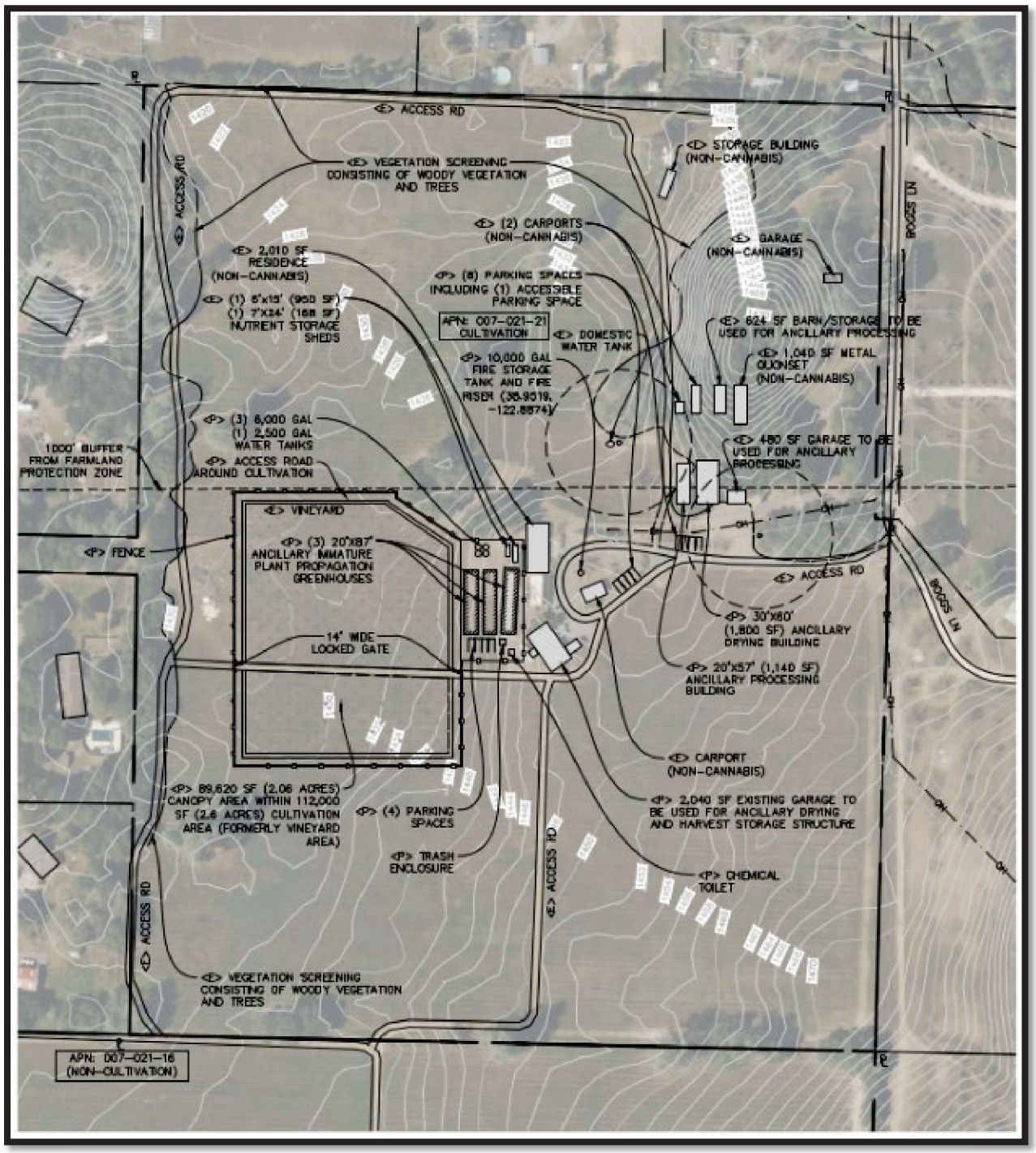
- Vegetated drainage swales;
- Armoring of driveways and roads with gravel, roadbase, or asphalt
- Stabilize disturbed areas with temporary erosion control prior to rain events;
- Stabilize complete disturbed areas with permanent erosion control (e.g., seeding, vegetation) methods, prior to rain events;
- Maintain onsite rolling dips/water bars on the existing road network;
- Preserve existing vegetation, as feasible;

Technical Studies Submitted

A Biological Resources Assessment and Botanical Survey Report (Biological Assessment) was completed for the Project by Natural Investigations Co. dated April 6th, 2022. A Botanical Survey Report (Botanical Report) was completed for the Project by Graening and Associates, LLC dated June 19, 2024. An engineered Hydrology Report (titled “Ordinance 3106 Hydrology Report and Drought Management Plan”), stamped and dated April 26th, 2023 and revised January 26, 2026, was completed by NorthPoint Consulting Group, Inc. Detailed Site Plans was submitted with the Project by NorthPoint Consulting Group. A Cultural Resources

Assessment dated March 3, 2021, Konocti Cultural Resource Management (KCRM)) was also prepared for the Project.

Figure 2: Site Plan



Source: Northpoint Consulting Group, Inc, 2025

18. Surrounding Land Uses and Setting:

Surrounding land uses include rural residential, agriculture, and undeveloped properties. The proposed Project site is surrounded by parcels zoned Agriculture “A”, Rural Lands “RL”, and Rural

Residential “RR”. Rural Residential “RR” zoned properties border the subject parcels to the west and north. Agriculture “A” zoned properties border the subject parcel to the west and south. Rural Lands “RL) zoned properties border the subject parcel to the east.

Figure 3: Zoning Map

Source: Lake County Parcel Viewer, 2024

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

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

20. 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. (See Public Resources Code section 21080.3.2.) Information may also be available from the California Native American Heritage Commission's Sacred Lands File per Public Resources Code section 5097.96 and the California Historical Resources Information System administered by the California Office of Historic Preservation. Please also note that Public Resources Code section 21082.3 (c) contains provisions specific to confidentiality.

The proposed Project was sent to the Native American Heritage Commission (NAHC) and all Native American groups in Lake County on January 16, 2021. The NAHC Sacred Lands File search results were negative according to a letter from the NAHC on January 21, 2021. As of the date of the Archaeological Report, March 3, 2021, no response had been received from other tribal representatives. The proposed Project was sent out for review on February 3rd, 2025. To date, no comment has been received from tribal governments.

Attachments:

1A- Site Plans

1B- Project Description

1C – Project Description

2 – Biological Assessment

3 – Botanical Survey

4 – Hydrology Report and Drought Management Plan

5 – Projected Monthly Water Use

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.

☒ **Aesthetics**	☐ Greenhouse Gas Emissions	☐ Population / Housing
☐ Agriculture & Forestry	☒ **Hazards & Hazardous Materials**	☐ Public Services
☒ **Air Quality**	☒ **Hydrology / Water Quality**	☐ Recreation
☒ **Biological Resources**	☐ Land Use / Planning	☐ Transportation
☒ **Cultural Resources**	☐ Mineral Resources	☒ **Tribal Cultural Resources**
☒ **Geology / Soils**	☒ **Noise**	☒ **Utilities / Service Systems**
☐ Wildfire	☐ Energy	☒ **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 Reviewed By:

Mary Claybon Date: February 18, 2026

SIGNATURE

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
Except as provided in Public Resource Code Section 21099, would the Project:				
a) Have a substantial adverse effect on a scenic vista?	☐	☐	☒	☐
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	☐	☐	☒	☐
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?	☐	☐	☒	☐
d) Would the Project create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	☐	☒	☐	☐

Discussion:

a) The Project property is located between Boggs Lane and Adobe Creek Road. The proposed Project area is zoned Agricultural “A” and is not located within a scenic corridor and has not been designated within the Scenic Combining District. The project parcel does not contain identified scenic vistas. The site is in an existing vineyard. The project proposes a crop conversion that aligns with agricultural uses on the subject property and surrounding areas.

The parcel is mostly surrounded by an existing natural vegetation screening consisting of woody vegetation and trees. The proposed cultivation area would be obscured from views off Boggs Lane due to the existing vegetation screening and relatively flat topography of the site. Because the 'scenic vista' in this area is defined by a working agricultural landscape, the transition does not result in a loss of scenic quality or a change in the area's rural character. Additionally, the existing residential properties on Adobe Creek Road and the existing vegetation screening along the east side of the proposed Project area would block the view of the Project cultivation area.

Figure 4: View of property entrance/exit off of Boggs Lane

Source: Google Earth, 2024

Figure 5: Northbound view of Project Site off of Boggs Lane

Source: Google Earth, 2024

Figure 6 Northeast view of the non-cultivation parcel from Adobe Creek Road

Source: Google Earth, 2024

The non-cultivation parcel is visible from Adobe Creek Road, however, the SC Combining Zone regulations specifically allow agriculture as a permitted use. In addition, the proposed activities are agriculture in nature and are consistent with the primary zoning designation and allowed uses of the property, as well as surrounding existing uses. Therefore, the impacts would be less than significant.

Less than Significant Impact

b) The site is not located along a designated state scenic highway. State Highway 29, located approximately 2.85 miles northeast of the proposed Project, is eligible to be designated at a state level. The Project is not clearly visible from this State Highway, nor is this state highway clearly visible from the Project site. Furthermore, the County of Lake has not applied to the California Department of Transportation for official Scenic Highway status nor does the County's General Plan (or other policies or directives) require the County to do so. There are no scenic resources, rock outcroppings, or historic buildings on or in the vicinity of this property, and the Project is not visible from or located along a state scenic highway. Therefore, the impacts would be less than significant.

Less than Significant Impact

c) See response to Section I (a). The site is located in a rural, unincorporated area of Lake County, and is not within an urbanized area. The project is proposing a crop conversion that while shielded from public view, does fit in with the scenic resources surrounding the area because it is the same character in nature, agriculture. The proposed use would not degrade

the existing visual character of the site or the quality of public views of the site. Existing vegetation mostly obscures the Project areas from Boggs Lane, a county-maintained road. The site is not clearly visible from any public location and is consistent with the property zoning and allowable uses of the site. Therefore, the proposed Project would not substantially degrade the existing visual character and/or quality of public views.

Less than Significant Impact

d) The Project has some potential to create additional light and/or glare through exterior security lighting. The proposed use is an outdoor commercial cannabis cultivation operation. No mixed-light cultivation with supplemental lighting is proposed. Any lighting, for example, immature plant propagation greenhouse lighting, associated with the proposed Project would need to comply with the recommendations of the International Dark Sky Standards and local ordinances. Mitigation Measure AES-1 has been incorporated to ensure that light or glare does not create a new source of substantial light or glare which could adversely impact day or nighttime views in the area.

Less than Significant Impact with Mitigation Measure AES-1 Incorporated

Mitigation Measures:

AES-1: All outdoor lighting shall be shielded and downcast or otherwise positioned in a manner that would not broadcast light or glare beyond the boundaries of the subject property. All lighting equipment shall comply with the recommendations of the International Dark-Sky Association (www.darksky.org) and provisions of Section 21-41.8 of the Zoning Ordinance. Security lighting shall be shaded, facing downward, and motion activated.

II. AGRICULTURE AND FORESTRY RESOURCES	Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less Than Significant Impact	No Impact
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?	☐	☐	☒	☐
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	☐	☐	☒	☐
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))?	☐	☐	☐	☒
d) Result in the loss of forest land or conversion of forest land to non-forest use?	☐	☐	☐	☒

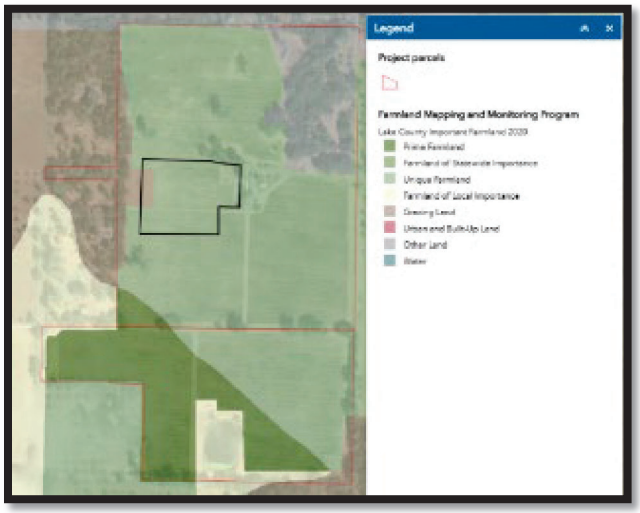
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?	☐	☐	☐	☒

Discussion:

a) A majority of the proposed 2.6 acres of cultivation area would be located on Unique Farmland and a minor amount located on Grazing Land. The Unique Farmland category is "farmland of lesser quality soils used for the production of the state's leading agricultural crops" according to the CA Department of Conservation. The proposed Project Area is currently an existing vineyard. Since the proposed cannabis cultivation is an agricultural use, the proposed Project would not be converting unique farmland to a non-agricultural use. Therefore, the proposed Project would not convert Farmland of Local Importance, or other state-designated farmland, to a non-agricultural use and a less than significant impact would occur.

Less than Significant Impact

Figure 7 Mapped Unique Farmland and Grazing Land on the Subject Parcels (red outline) and approximate cultivation area (black outline)



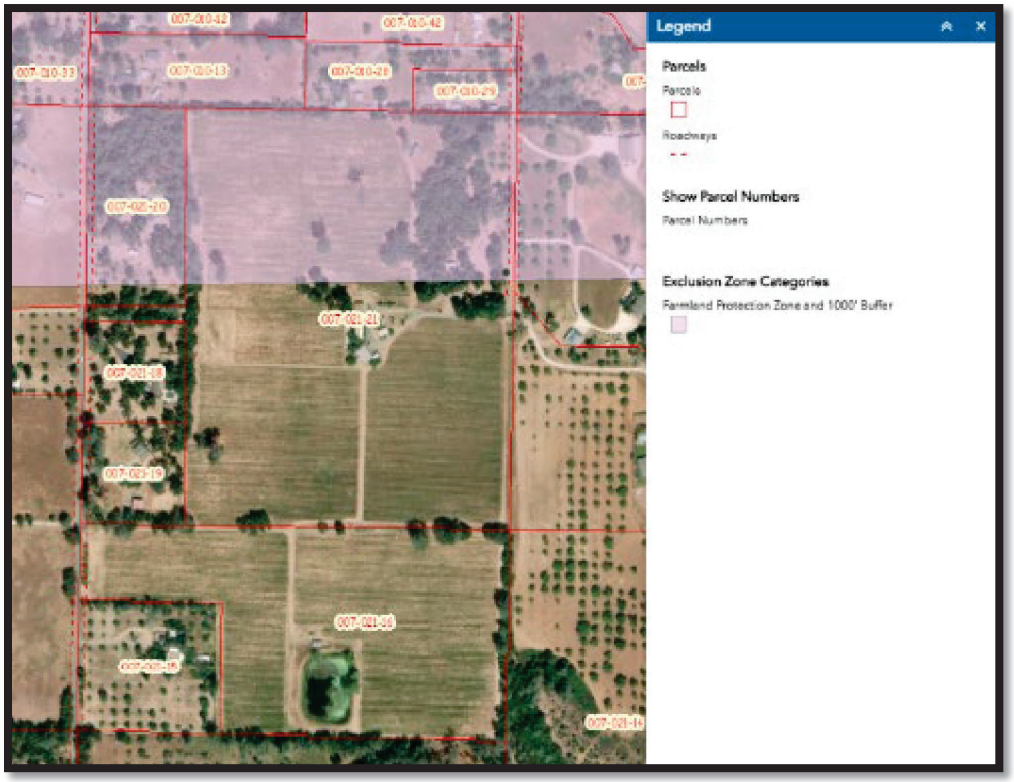
Source: Lake County FMMP Mapping, 2024

b) The site is not under a Williamson Act contract. The proposed Project area is zoned Agricultural (A), which is a designated zone for agriculture, including cultivation of commercial cannabis A portion of the property is located within the 1000-foot buffer from the Lake County Farmland Protection Zone (FPZ). During the Agency Review, the Lake County Agricultural Commissioner provided comments regarding the proposed placement of the cannabis canopy in relation to the FPZ, indicating that the current location of the canopy complies with applicable design standards.

The proposed Project area currently operates as an existing vineyard. The proposed 2.6-acre cultivation area would be outside of the 1000' FPZ buffer. There is existing vegetation screening consisting of woody vegetation and trees that would grow to no less than 20 feet tall is between the FPZ and proposed cannabis canopy and cultivation area. The cultivation portion of the site would not interfere with the ability of the owner or neighbors to use the non-cannabis land for more traditional crop production. The remainder of the property would continue to operate as cultivated vineyards. The applicant is proposing diversification of agricultural uses on agricultural land for this project.

The proposed Project cultivation area would be outside of the 1000' buffer of the Lake County FPZ and would not conflict with an existing zoning for agricultural use or a Williamson Act contract. Therefore, the impacts would be less than significant.

Figure 8: 1000-foot buffer from the Lake County Farmland Protection Zone (pink)



Source: Lake County Commercial Cannabis Cultivation Exclusion Zones, 2024

Less than Significant Impact

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

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

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

The property is zoned Agricultural (A) and does not contain forest land, nor is it adjacent to forest lands or lands zoned Timberland Production. Therefore, the proposed Project would not conflict with existing zoning and/or cause the rezoning of forest land as defined by Public

Resource Code section 4526, or of timberland as defined by Government Code section 51104(g). Furthermore, the Project does not propose a zone change that would rezone forest land or timberland. Therefore, no impact would occur.

No Impact

d) See response to Section II(c). The Project would not result in the loss or conversion of forest land to a non-forest use.

No Impact

e) See responses to II (a) – (d). As proposed, this Project would not induce changes to existing farmland that would result in its conversion to non-agricultural use.

No Impact

III. AIR QUALITY	Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less Than Significant Impact	No Impact
Would the Project:				
a) Conflict with or obstruct implementation of the applicable air quality plan?	☐	☒	☐	☐
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?	☐	☒	☐	☐
c) Expose sensitive receptors to substantial pollutant concentrations?	☐	☒	☐	☐
d) Result in other emissions (such as those leading to odors or dust) adversely affecting a substantial number of people?	☐	☒	☐	☐

Discussion:

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 within the Project area or Project vicinity and would pose no threat of asbestos exposure during either the

construction phase or the operational phase. Additionally, per the Lake County Parcel Viewer (2024), the parcel does not contain Serpentine Soils.

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.

The proposed Project was sent out for review to the LCAQMD on February 3rd, 2025. No adverse comments or comments in opposition to the Project were received from the LCAQMD.

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 contaminates 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 applicant has addressed Air Quality in the Property Management Plan. Additionally, the applicant has developed an Odor Response Program response process in the event that an odor complaint is received. Per the Property Management Plan, the contact information of the applicant would be provided to all property owners and residents within a 1,000-foot radius of the facility. See the Property Management Plan for further details.

The proposed cultivation area would be on a pre-disturbed, existing vineyard. Construction impacts to air quality would be limited to minor grading and tilling. These would occur over a 1-to-2-month period and would be temporary in nature. Operational impacts to air quality would include dust and fumes from site preparation of the cultivation area and vehicular traffic, including delivery vehicles and employee traffic. Mitigation Measures AQ-1 through AQ-5 have been incorporated to ensure that impacts to air quality from temporary construction activities and ongoing operational activities remain less than significant.

Less than Significant Impact with Mitigation Measures AQ-1 through AQ-5 Incorporated

<u>Mitigation Measures:</u>

AQ-1: The applicant shall contact the Lake County Air Quality Management District and obtain an Authority to Construct (A/C) Permit, as applicable, prior to commencing construction operations, or demonstrate that a permit is not needed.

AQ-2: All mobile diesel equipment used must be in compliance with State registration requirements. Portable and stationary diesel-powered equipment must meet all Federal, State, and local requirements, including the requirements of the State Air Toxic Control Measures for CI engines.

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

AQ-4: Any vegetation removed during site development shall be chipped and spread for ground cover and/or erosion control. The burning of vegetation, construction debris, including waste material is prohibited.

AQ-5: All driveways and parking areas shall be surfaced with non-white rock gravel, chip seal, asphalt, or other all-weather surfacing to reduce fugitive dust generation. The applicant shall regularly maintain any graveled areas to reduce fugitive dust generations. The use of white rock as a road base or surface material is prohibited.

b) The County of Lake is in attainment of state and federal ambient air quality standards. Burning cannabis waste is prohibited within the commercial cannabis ordinance for Lake County, and use of generators are only allowed during a power outage. On-site construction is likely to occur over a relatively short period of time (estimated one to two months) with minor grading, discing, and tilling. Potential particulate matter could be generated during construction activities and build-out of the site, however, in general, construction activities that last for less than one year, and use standard quantities and types of construction equipment, are not required to be quantified and are assumed to have a less than significant impact. It is unlikely that this use would generate enough particulates during and after construction to violate any air quality standards.

Less than Significant Impact with AQ-4 and AQ-5 Incorporated

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, hospitals, convalescent homes, or retirement homes located near the Project. The nearest off-site residence appears to be located 200 feet west of the westernmost edge of the proposed cultivation area. Article 27 of the Lake County Zoning Ordinance requires that the minimum setback requirement for commercial cannabis cultivation be 200 feet from off-site residences. Measures AQ-1 through AQ-5 require the proposed Project to implement dust control measures that would reduce impacts of dust generation from on-site roads and parking areas.

Pesticide application would be used during the growing season and, as described in the Property Management Plan, would be applied carefully to individual plants. The existing woody vegetation and trees screening between the proposed Project parcel and adjacent residences and the proposed fence around the cultivation area would prevent off-site drift of pesticides. Additionally, no demolition or renovation would be performed which would cause asbestos exposure, and no serpentine soils have been detected and are not mapped onsite. Impacts would be less than significant with Mitigation Measures AQ-1 through AQ-5 incorporated.

Less than Significant Impact with Mitigation Measures AQ-1 through AQ-5 Incorporated.

d) See response III(c). Odors generated by the plants, particularly during harvest season, would be mitigated through passive means (separation distance) and fencing. Implementation of mitigation measures would reduce air quality impacts to less than significant.

Pesticide application would be used during the growing season and as described in the Property Management Plan, would be applied carefully to individual plants. The existing woody vegetation and trees screening between the proposed Project parcel and adjacent residences and the proposed fence around the cultivation area would prevent off-site drift of pesticides. Additionally, no demolition or renovation would be performed which would cause asbestos exposure, and no serpentine soils have been detected and are not mapped onsite.

Additionally, 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 and delivery / pickups. Mitigation Measures AQ-1 through AQ-5 would reduce impacts of dust generation from on-site roads and parking areas.

Less than Significant Impact with Mitigation Measures AQ-1 through AQ-5 Incorporated.

IV. BIOLOGICAL RESOURCES	Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less Than Significant Impact	No Impact
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?	☐	☐	☒	☐
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?	☐	☒	☐	☐
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?	☐	☐	☒	☐
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?	☐	☐	☒	☐
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	☐	☐	☒	☐

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?	☐	☐	☐	☒

Discussion:

a) The Project property is located within the Adobe Creek Watershed (HUC12-180201160304). The property drains westerly towards Adobe Creek, a tributary to Clear Lake. The proposed cultivation area would transition from a pre-disturbed, existing vineyard. The rest of the proposed Project area outside of the cultivation area, which would not be disturbed by Project activities, are comprised of ruderal/disturbed, vineyard, and mixed oak woodland.

A Biological Resources Assessment and Botanical Survey Report (Attachment 2) dated April 6, 2022, was conducted for the proposed Project by Natural Investigations Co., and an additional Botanical Survey Report (Attachment 3) dated June 19, 2024, was completed by Graening and Associates, LLC. The purpose of the Biological Assessment was to provide information as to whether the proposed cultivation area contains or potentially contains special-status species or habitat for special-status species requiring mitigation under CEQA. The Biological Assessment and the Botanical Report refers to the cultivation areas as the Project Area, and the 31-acre property as the Study Area. The Botanical Report included an in-season botanical survey for potential direct and indirect effects from the Project.

Wildlife Species

The Study Area is currently used as a vineyard and the proposed cultivation area has been previously disturbed. The Biological Assessment included a query of all available databases for special-status wildlife species that could be potentially impacted by the proposed Project. All available databases were reviewed for potential sensitive species to occur within a 10-mile radius of the site. Databases included the USFWS National Wetland Inventory, USDA Natural Resources Conservation Service soil survey maps, California Natural Diversity Database (CNDDB), and the USFWS species list. The database search resulted in a list of special-status species with the potential to be located onsite. This list included 26 animal species (11 birds, 5 insects, 4 bats, 2 amphibians, 2 reptiles, 1 crustacean, and 1 mollusk) and eight plant species. The Botanical Report stated the CNDDB reported various special-status plant species occurrences within a 10-mile buffer of the Property boundary, but did not provide a list. In addition to the CNDDB database, the Biological Assessment included a list from the USFWS' IPaC Trust Resource Report System, which included seven additional species (one bird, one reptile, one amphibian, one fish, one insect, one crustacean, and one flowering plant) that should be considered for the impact assessment Migratory birds protected under the Migratory Bird Treaty Act were also noted by the Biological Assessment as having the potential to be impacted by the proposed Project.

In addition to the database queries, onsite wildlife and botanical field survey were conducted on March 29, 2022, and an additional botanical field survey on June 15, 2024. No special-status species animal species and plant taxa were detected within the Project Area or the surrounding Study Area during the field surveys.

The Biological Assessment found that no impacts to special-status plant or animal species would be expected from implementation of the proposed Project. The Biological Assessment concluded that the proposed cultivation area "contains only vineyard and ruderal/developed habitats, which have a very low potential for harboring special-status plant species". Some special-status animals have moderate potential to occur in the oak

woodland habitat in the surrounding Study Area, but this habitat would not be disturbed by Project implementation.

No nests or nesting activity was observed in the Project Area during the wildlife field survey and the vineyard would be unlikely to contain nesting birds. Although no special-status species were identified onsite, the Biological Assessment noted that the Project Area contains suitable nesting habitat for various bird species due to existing trees and poles. If active nests were present in the Project area during construction, CDFW would be consulted to develop measures to avoid “take” of active nests prior to the initiation of any construction activities. Avoidance measures could include establishment of a buffer zone using construction fencing or the postponement of vegetation removal until after the nesting season, or until after a qualified biologist has determined the young have fledged and are independent of the nest site.

Plant Species and Vegetative Communities

According to the Botanical Report, the Study Area contains terrestrial vegetation communities: ruderal/disturbed; vineyard; and mixed oak woodland.

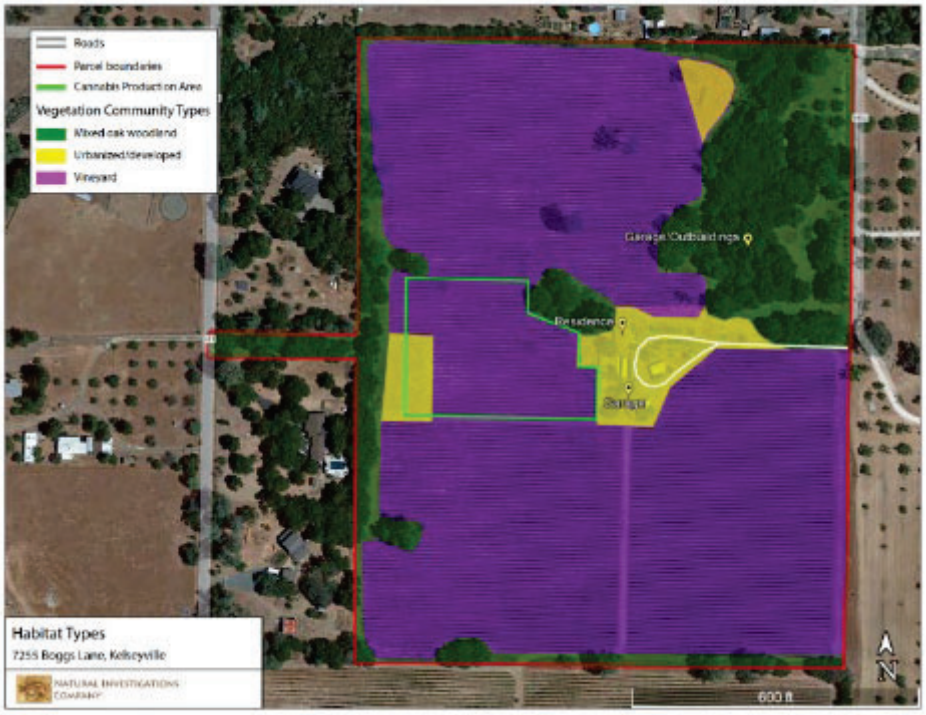
Ruderal/Disturbed areas consist of disturbed or converted natural habitat. Nonnative weedy or invasive species or ornamental plants are primarily found in this habitat type, which results in the disturbed and altered condition of these lands and reduces their habitat value and ability to sustain rare plants.

Vineyard communities are areas of converted natural habitat in agricultural production. The understory in vineyards usually consists of bare soil or a cover crop of herbaceous plants. Similar to the ruderal/disturbed habitat type, vineyards greatly reduce their habitat value and ability to sustain rare plants.

Mixed Oak Woodland dominant tree species are blue oak (*Quercus douglasii*) and interior live oak (*Quercus wislizeni*) and gray (*Pinus sabiniana*). The understory within the oak woodland is vegetated with annual grasses and native and non-native herbs as well as chaparral species such poison-oak (*Toxicodendron diversilobum*), *Baccharis pilularis*, and *Ceanothus cuneatus*. dominant in the understory. Holland Type “Oak Forest” or as “Quercus (*agrifolia, douglasii, garryana, kelloggii, lobata, wislizeni*) Mixed Oak Forest” (CDFW 2021e). This vegetation can be classified as the Holland Type “Interior Live Oak Woodland” or as “71.080.08 Quercus wislizeni (Interior Live Oak Woodland)” (CDFW 2021e).

No sensitive vegetation communities were detected within the Project Area during the botanical field surveys on March 29, 2022, and June 15, 2024. Rare plants reported by CNDDB to occur in the region use oak woodland habitat, especially on volcanic soils. Similar oak woodland habitat occurs in the surrounding Study Area, but not the Project Area. The proposed Project would not remove any oak woodland.

Figure 9: Vegetation Communities on the Proposed Project Area



Source: Biological Resources Assessment, 2022

The more current Botanical Report reviewed the CNDDB and California Native Plant Society (CNPS) database, which reported no special-status species occurrences within the Project Area or the surrounding Study. The field surveys on the dates listed above included botanical site surveys. Within a 10-mile buffer of the Project property boundary, the CNDDB reported various special-status plant species occurrences.

The botanical surveys on March 29, 2022, and June 15, 2024, detected no special-status plant species. The results of the Botanical Report found that the Project Area has very low potential for harboring special-status plants due to the dominance of monocultures or aggressive non-native grasses and forbs and disturbances associated with agriculture and other human uses. The Project cultivation area would occur on only 10% of the Property (3 of 31 acres) and leaves a majority of the property in the existing state.

Potentially Jurisdictional Waters
The USFWS National Wetland Inventory reported no water features within the Project Area or the surrounding Study Area, according to the Biological Assessment. Furthermore, the field survey on March 29, 2022, observed that the Project Area and surrounding Study Area do not contain any channels or wetlands.

Wildlife Corridors
There are no specifically mapped wildlife corridors on the property. No fishery resources exist in or near the Study Area and the nearest fishery resource is downstream of Adobe Creek.

The Biological Assessment and Botanical Report concluded that no mitigation measures were necessary.

Less than Significant Impact

b) Refer to Section IV (a). According to the Biological Assessment, the Project Area and the

surrounding Study Area are not within any designated listed species' critical habitat. The Project Area also does not contain special-status habitats. The nearest aquatic habitats are over 800 feet away. The existing rainwater catchment agricultural pond in the non-cultivation parcel within the proposed Project would not be for cannabis cultivation use. No wetlands, wet areas, springs, vernal pools, ponds, or other water bodies are present onsite. Therefore, Project implementation would not directly impact any channels.

Minimal grading is proposed for the pad preparation for the proposed appurtenant drying / processing ancillary structures. The cultivation area is a pre-disturbed, existing vineyard proposed to transition to a 2.6-acre cannabis cultivation area. The applicant has provided a Property Management Plan (PMP) which includes the Best Management Practices (BMP) that would be used in a sequence to follow the progress of site preparation, discing, tilling, or cultivation. There are no water channels or sensitive natural communities within the Project Area. Soil disturbance from Project implementation could increase erosion and sedimentation. Regulations at both the County and State levels require creation and implementation of an erosion control plan / stormwater management plan. As detailed in the PMP, erosion and sediment control measures during construction include swales, stockpile management, road and parking lot management. Refer to the Project Description above for specific BMP measures.

Furthermore, the Project is enrolled with the SWRCB for Tier 2, Low Risk coverage under Order No. WQ 2019-001-DWQ (General Order). The site was assigned WDID No. 5S17CC429428. Tier 2 dischargers reflect cultivation sites that disturb over one acre and are located on flat slopes outside of riparian setbacks. The General Order requires the preparation of a Site Management Plan (SMP) and a Nitrogen Management Plan (NMP). The purpose of the SMP is to identify Best Practicable Treatment or Control (BPTC) measures that the site intends to follow for erosion control purposes and to prevent stormwater pollution. The purpose of the NMP is to identify how nitrogen is stored, used, and applied to crops in a way that is protective to water quality. The SMP and NMP are required prior to commencing cultivation activities.

Continued compliance with the General Order would ensure that cultivation operations would not significantly impact water resources by using a combination of Best Practicable Treatment and Control (BPTC) measures, Best Management Practices (BMPs), buffer zones, sediment and erosion controls, inspections and reporting, and regulatory oversight. Implementation of these plans, BPTCs, BMPs, compliance with Water Board, and Mitigation Measure BIO-1 would ensure that the impacts are less than significant. Refer also to Section IV(a) and (b).

Less than Significant Impact with Mitigation Measure BIO-1 Incorporated.

<u>Mitigation Measures:</u>

BIO-1: All work should incorporate erosion control measures consistent with the State Water Resources Control Board Order No. WQ 2019-001-DWQ.

c) Refer to Section IV (a) and (b). The proposed Project site is an existing vineyard that has been previously disturbed. No wetlands or channels are present onsite, per the Biological Assessment. The USFWS National Wetland Inventory reported no water features within the proposed Project Area. Therefore, Project implementation would not directly impact any channels or wetlands.

Minimal grading is proposed for the pad preparation for the proposed appurtenant drying / processing ancillary structures. The 2.06 canopy area within the 2.6 acres of cultivation area would transition from the existing vineyard as a crop swap. Potential adverse impacts to water resources could occur during operation of cultivation activities resources by discharge of sediment or other pollutants (fertilizers, pesticides, human waste, etc.) into receiving waterbodies.

The applicant is enrolled with the SWRCB for Tier 2, Low Risk coverage under Order No. WQ 2019-001-DWQ (Cannabis Cultivation General Order) and would continue to comply with this Order. Ongoing compliance with SWRCB regulations would ensure that cultivation operations would not significantly impact water resources by using a combination of Best Practicable Treatment and Control (BPTC) Measures, Best Management Practices (BMPs), buffer zones, sediment and erosion controls, inspections and reporting, and regulatory oversight. The Biological Assessment did not propose mitigation measures. Therefore, a less than significant impact would occur.

Less than Significant Impact

d) Refer to Section IV (a). The proposed Project site does not contain mapped wildlife corridors or critical habitat for federal or state-listed species. The Biological Assessment stated that no fishery resources exist in or near the Project Area. The nearest fishery resource is downstream of Adobe Creek and the nearest wildlife is Adobe Creek and its tributary channels.

Although no mapped wildlife corridors (such as the California Essential Habitat Connectivity Area in the CNDDB) exist within or near the proposed Project site, the open space in the proposed Project site could facilitate animal movement and migrations. The vineyards represent an existing barrier to large animal movement. While the Project site may be used by smaller wildlife for movement, the Project would not have a significant impact on this movement because the majority of the open space in the Project site would still be available.

The security fences around the cultivation area for the proposed Project may act as a local barrier to wildlife movement, however, the fenced cultivation area would be surrounded by open space to allow wildlife to move around these fenced areas. Implementation of the Project would 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. The Biological Assessment did not recommend further mitigation measures.

Less than Significant Impact

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

Furthermore, the County of Lake General Plan Policy Open Space, Conservation, and Recreation (OSC)-1.13 states the County shall support the conservation and management of oak woodland communities and their habitats. In addition, County of Lake Resolution Number 95-211 was adopted as a Management Policy for Oak Woodlands in Lake County.

Resolution Number 95-211 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.

The Property Management Plan states that the applicant does not intend to remove any trees, only grapevines. Therefore, implementation of the Project does not conflict with any county municipal policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance.

Less than Significant Impact

f) The Project does not conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or another approved governmental habitat conservation plan. The proposed Project site is not within the coverage of any adopted Habitat Conservation Plan or Natural Community Conservation Plan.

No Impact

V. CULTURAL RESOURCES	Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less Than Significant Impact	No Impact
Would the Project:				
a) Cause a substantial adverse change in the significance of a historical resource pursuant to §15064.5?	☐	☐	☒	☐
b) Cause a substantial adverse change in the significance of an archeological resource pursuant to §15064.5?	☐	☒	☐	☐
c) Disturb any human remains, including those interred outside of formal cemeteries?	☐	☒	☐	☐

Discussion:

a) An Archaeological Resource Management Report was prepared by Konocti Cultural Resource Management (KCRM) dated March 3, 2021. No prehistoric or historic archaeological sites were noted within the Project area. The obsidian fragments uncovered in the existing vineyard were determined to be not culturally relevant. Therefore, impacts to a historic resource would be less than significant.

Less than Significant Impact

b) The Archaeological Resource Management Report (Archaeological Report) included a literature review conducted on January 12, 2021, a field survey on January 14, 2021, and requests for information sent to the Native American Heritage Information and all Native American groups in Lake County on January 16, 2021. The Sacred Lands File search did not result in a detection of a cultural resource within the Project Vicinity according to a letter dated January 21, 2021, submitted to KCRM by a cultural analyst with the Native American Heritage Commission.

A record search was conducted at the Sonoma State University office of California Historical Resource Information System (CHRIS), which indicated that there were no cultural sites previously recorded within the Project Area. The Native American Heritage Commission identified nine (9) tribes to be contacted regarding the proposed Project, none of which responded to the requests for information sent out by KCRM on January 16, 2021, as of the date of the Archaeological Report.

The field survey conducted on January 14, 2021, reported that no prehistoric or historic archaeological sites were noted within the Project area. Notification of the project and offering consultation under AB-52 was sent to Big Valley Rancheria, Cortina Rancheria, Elem Colony, Hopland Band of Pomo Indians, Koi Nation, Mishewal-Wappo, Middletown Rancheria, Redwood Valley Rancheria, Robinson Rancheria, Scotts Valley Band of Pomo Indians, Habematolel Pomo of Upper Lake Tribe, and Yocha Dehe Wintun Nation on February 3, 2025. No Tribal comments were received

Although no archaeological or cultural resources were identified in the Archaeological Report, there is a possibility for the discovery of buried archaeological materials within the Proposed Project Area during site preparation activities such as tilling. Therefore, Mitigation Measures CUL-1, CUL-2, and CUL-3 have been incorporated to reduce potential impacts to cultural resources to less than significant.

Less than Significant with Mitigation Measures CUL-1 through CUL-3 Incorporated

<u>Mitigation Measures:</u>

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

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

CUL-3: Should any human remains be encountered, the applicant shall halt all work within 100 feet, notify the Sheriff's Department, the culturally affiliated Tribe(s), and a qualified

archaeologist for proper internment and Tribal rituals per Public Resources Code Section 5097.98 and Health and Safety Code 7050.5.

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

It is possible, but unlikely that human remains could be discovered during Project construction. State of California Health and Safety Code Section 7050.5 states that no further disturbance may occur until the County Coroner has made a determination of origin and disposition of the remains pursuant to PRC Section 5097.98. The County Coroner must be notified of the find immediately upon discovery. If the human remains are determined to be of Native American origin, the Coroner would notify the NAHC, which would determine and notify a Most Likely Descendent (MLD). The MLD must complete the inspection of the site within 48 hours of notification and may recommend scientific removal and nondestructive analysis of human remains and items associated with Native American burials. As discussed above in Section V(a), the Project, with the proposed mitigation measures, would not likely disturb any human remains.

Less than Significant with Mitigation Measures CUL-1 through CUL-3 Incorporated

VI. ENERGY	Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less Than Significant Impact	No Impact
Would the Project:				
a) Result in potentially significant environmental impacts due to wasteful, inefficient, or unnecessary consumption of energy resource, during construction or operation?	☐	☐	☒	☐
b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?	☐	☐	☒	☐

Discussion:

a) Onsite power will be supplied through existing PG&E grid services. The outdoor cultivation area is expected to have minimal power requirements. The project's energy demand will encompass lighting and climate control systems for the propagation greenhouses, security systems and lighting, and well pump. Energy consumption is planned to be optimized for efficiency.

Less than Significant Impact

b) The mandatory energy reductions for cultivation activities within Article 27 of the Lake County Zoning Ordinance applies to “indoor cultivation.” The Project is proposed as outdoor, full sun cultivation and has minimal power demand requirements. The Project would not conflict with or obstruct relevant energy-related components of the Lake County Zoning Ordinance or Lake County General Plan. Therefore, impacts would be less than significant.

Less than Significant Impact

Mitigation Measures:

None

VII. GEOLOGY AND SOILS

	Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less Than Significant Impact	No Impact
Would the Project:				
a) Directly or indirectly cause potentially substantial adverse effects, including the risk of loss, injury, or death involving: i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special. Publication 42. 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?	☐	☒	☐	☐
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?	☐	☐	☒	☐
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?	☐	☒	☐	☐
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?	☐	☐	☒	☐

f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	☐	☒	☐	☐

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.

i) Earthquake Faults

Lake County contains numerous known active faults. Per the California Earthquake Hazards Zone Application (EQ Zapp, 2024), the Project property is not within an Earthquake Fault Zone and the nearest Earthquake Fault Zone is the Kelseyville Fault Zone located approximately 3.83 miles east from the Proposed Project Area. Per the USGS U.S. Quaternary Faults online map, Adobe Creek fault is a late Quaternary fault that enters through the eastern part of the property, runs southwest, and exists the southern part of the property. The sense of movement and slip-rate category is unspecified as of 2017.

The Project site is not located within an Alquist-Priolo Fault Zone; the nearest mapped Alquist-Priolo Earthquake Fault Zone is located approximately 3.8 miles east of the Project area. The proposed Project is outdoor cultivation, ancillary facilities for cultivation purposes, and storage for plant nutrients, none of which are constructed to house employees or residents long-term. The existing residence would not be used for cultivation purposes and is not part of the Proposed Project. All proposed construction would be required to be built consistently with current California Building Code construction standards.

ii, iii) Strong Seismic Ground Shaking and Seismic-Related Ground Failure, including liquefaction
Per the NRCS Web Soil Survey Database, there are three (3) different soil types on the Project property. These soil types include: Talmage very gravelly sandy loam (Map Unit 237; 78.5% of the property), Still loam, stratified substratum (Map Unit 233; 21.5% of the property), and Asbill clay loam, 8 to 15 percent slopes (Map Unit 104; 0.1% of the property). The proposed cultivation area is on Talmage very gravelly sandy loam. The 2.6-acre proposed cultivation area would be on Talmage very gravelly sandy loam, which has low potential for liquefaction.

Future seismic events in the Northern California region can be expected to produce seismic ground shaking at the site. No significant construction is proposed that would cause any significant danger from ground shaking. Factors determining liquefaction potential are soil type, the level and duration of seismic ground motions, the type and consistency of soils, and the depth to groundwater. According to the soil survey of Lake County, prepared by the U.S. Department of Agriculture, the cultivation site is mapped as being generally stable. In addition, per the California Geological Survey Map from the Department of Conservation, the Project property is not listed as a liquefaction zone. The soil is not in danger of subsidence, liquefaction, or collapse as a result of the proposed Project as there is no grading proposed and no proposed ground disturbance on any unstable soils. Lastly, the area is not identified as a high-risk of earthquake-triggered liquefaction per the USGS Earthquake-triggered Ground-failure Inventory.

(iv) Landslides

The Project property is located in the upper end of Big Valley and is a relatively flat agricultural field. The proposed Project cultivation area is located on a pre-disturbed, existing vineyard on slopes less than 15 percent. There is a low risk of landslides on the proposed Project area, however, the proposed cultivation area is located on a pre-disturbed, existing vineyard not located near steep slopes. Most of the Project property is at negligible risk of landslides according to the U.S. Landslide Inventory and Susceptibility Model map. There are no recorded historic landslides according to the California Department of Conservation's California Geological Survey. As such, the Project's cultivation site is not considered highly susceptible to landslides and would not likely expose people or structures to substantial adverse effects involving landslides, including losses, injuries or death.

Less than Significant Impact

b) The proposed Project area is an existing vineyard and no grading is proposed. Site preparation includes tilling.

In addition, the Project is enrolled with the State Water Resources Control Board (SWRCB) for Tier 2, Low Risk coverage under Order No. WQ 2019-001-DWQ (General Order). The General Order requires the preparation of a Site Management Plan (SMP) and a Nitrogen Management Plan (NMP). The purpose of the SMP is to identify Best Practicable Treatment or Control (BPTC) measures that the site intends to follow for erosion control purposes and to prevent stormwater pollution. 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. To ensure impacts remain less than significant, Mitigation Measures BIO-1 and GEO-1 through GEO-3 have been incorporated.

Less than Significant Impact with Mitigation Measures BIO-1, GEO-1, GEO-2, and GEO-3 Incorporated

Mitigation Measures:

GEO-1: Vegetation clearing or other disturbance of the soil shall not occur between October 15 and April 15 unless authorized by the Community Development Department Director. The actual dates of this defined grading period may be adjusted according to weather and soil conditions at the discretion of the Community Development Director.

GEO-2: The permit holder shall monitor the site during the rainy season (October 15 – April 15), including post-installation, application of BMPs, erosion control maintenance, and other improvements as needed.

GEO-3: If greater than fifty (50) cubic yards of soil are moved, a Grading Permit shall be required as part of this Project. The Project design shall incorporate Best Management Practices (BMPs) to the maximum extent practicable to prevent or reduce the discharge of all construction or post-construction pollutants into the County storm drainage system. BMPs typically include scheduling of activities, erosion and sediment control, operation and maintenance procedures, and other measures in accordance with Chapters 29 and 30 of the Lake County Code.

c) The site is an existing agricultural vineyard. As mentioned above, onsite soils are not typically considered to be subject to liquefaction. The cultivation site is mapped as being generally stable. Talmage very gravelly sandy loam (Map Unit 237) and Still loam, stratified substratum, which make up a majority of soil types on the property, fall under the "slight"

Erosion Hazard Rating according to the Lake County Soil Survey. No commercial buildings are proposed that would pose a risk to occupants. Therefore, the soil is not in danger of subsidence, liquefaction, or collapse as a result of the Proposed Project.

Less than Significant Impact

d) See discussion of VII(a) (ii) and (iii), above. The Project site is not identified as containing landslides or other unstable geologic conditions. Expansive soils possess a “shrink-swell” characteristic. Shrink-swell is the cyclic change in volume (expansion and contraction) that occurs in fine-grained clay sediments from the process of wetting and drying. Structural damage may occur over a long period of time due to expansive soils, usually the result of inadequate soil and foundation engineering or the placement of structures directly on expansive soils. According to the USDA Soil Survey, the shrink-swell potential for the Proposed Project soil types are low to moderate, and therefore not considered to be expansive. There is a less than significant chance of landslide, subsidence, liquefaction or collapse as a result of the Proposed Project.

Less than Significant Impact with Mitigation Measure GEO-3 Incorporated

e) The Project site would initially be served by one portable/chemical toilet and eventually by a proposed onsite wastewater treatment system (OWTS). If any of the processing facilities or buildings generate wastewater flow, the applicant must apply for site evaluation(s) and a field clearance for septic permits #2061-S (issued in 1967) and #3756-S (issued in 1973).

The applicant would apply for a site evaluation through the Lake County Environmental Health Division to ensure that the proposed type and size of the septic system, which has not yet been designed, would be appropriate and suitable for the property topography, soils, size, and vegetation. This would include a septic suitability investigation, complete with test pits to understand soil profiles, slope gradient and direction, etc. If the site is acceptable to support an OWTS, the applicant would apply for a Septic Permit through the Lake County Environmental Health Division.

The proposed processes facility would include an ADA-compliant restroom for employee use. Construction of this facility would warrant plumbing and the installation of a septic system. The OWTS would be designed to meet Lake County Standards during the design process. If the applicant does not pursue the processing building and does not install the proposed septic system, or if the Site Evaluation demonstrates that no suitable septic system can be designed, then the proposed Project would continue to operate on portable restrooms.

The proposed Project would not have soils incapable of supporting an onsite wastewater treatment system because the proposed Project would obtain a septic permit and Site Evaluation through the Environmental Health Division, which would require onsite testing and determination of soil suitability, otherwise, the proposed Project would continue operating on portable restrooms. Therefore, a less than significant impact would occur.

Less than Significant Impact

f) The Project site does not contain any known unique geologic features or paleontological resources. Obsidian fragments uncovered in the existing vineyard were determined to be not culturally relevant. Disturbance of these resources is not anticipated, however, in the event that paleontological resources are discovered, Mitigation Measure GEO-4 has been implemented to reduce impacts to less than significant.

Less than Significant with Mitigation Measure CUL-2 and GEO-4 Incorporated

GEO-4: If paleontological resources are encountered during implementation of the Project, ground disturbing activities would be temporarily redirected from the vicinity of the find. A qualified paleontologist shall be retained by the developer to make an evaluation of the finding. If a significant paleontological resource(s) is discovered on the property, the qualified paleontologist / archaeologist shall develop a plan of mitigation which shall include salvage excavation and removal of the find, removal of sediment from around the specimen (in the laboratory), research to identify and categorize the find, curation in the find a local qualified repository, and preparation of a report summarizing the find.

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?	☐	☐	☒	☐	1, 3, 4, 5, 36, 45
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	☐	☐	☒	☐	1, 3, 4, 5, 36, 45

Discussion:

a) The proposed project consists of 2.06 acres of cannabis cultivation. The site is located within the Lake County Air Basin, which is under the jurisdiction of the LCAQMD. The Lake County Air Basin is in attainment for all air pollutants and has therefore not adopted thresholds of significance for GHG emissions. The LCAQMD applies air pollution regulations to all major stationary pollution sources and monitors air quality. Climate change is caused by greenhouse gases (GHGs) emitted into the atmosphere around the world from a variety of sources, including the combustion of fuel for energy and transportation, cement manufacturing, and refrigerant emissions. GHGs are those gases that have the ability to trap heat in the atmosphere, a process that is analogous to the way a greenhouse traps heat. GHGs may be emitted as a result of human activities, as well as through natural processes. Increasing GHG concentrations in the atmosphere are leading to global climate change.

The primary GHGs that are of concern for development projects include carbon dioxide (CO_2), methane (CH_4), and nitrous oxide (N_2O). CO_2, CH_4, and N_2O occur naturally, and through human activity. Emissions of CO_2 are largely by-products of fossil fuel combustion and CH_4 results from off-gassing associated with agricultural practices and landfills. CO_2 is the most common GHG emitted by human activities.

The proposed Project would be powered by existing on-grid PG&E services and would have minimal power needs. All cannabis canopy cultivation would be full-sun outdoor. No mixed-light or artificial light cultivation is proposed. The cultivation areas would not have specific greenhouse gas-producing elements and the cannabis plants would, to a small degree, help capture CO_2. In addition, burning plant material is prohibited in Lake County; no plant material would be burned as a result of the proposed Project.

In general, greenhouse gas emissions from the proposed Project would come from construction activities (vehicles) and from post-construction activities (vehicles primarily). Construction activities on the Project site would be minimal (i.e., approximately one to two months), and would require between one to two employees, or up to four round trips per day on average during the construction period. In addition, up to one delivery trip per month on average is assumed. Therefore, projected trips generated during construction would be approximately five trips per day. Larger equipment would be mobilized once at the beginning of the construction period, and out at the end of the Project. Construction impacts would be short-term.

Operation of the proposed Project would require between one to nine employees, which would generate up to two to 18 trips per day depending on the time of year. Assuming that three full-time staff work the entire 150-day cultivation season, up to six seasonal staff work for 75 days during peak operations and using an estimate of an average of one trip per month from deliveries, the proposed Project would generate an average of 12 daily trips per day during operation. Note that these trips would occur during a seven month period of the year; the rest of the year the Project would be dormant and would not generate these trips.

The site is located approximately 4.8 miles from the center of the unincorporated community of Kelseyville, the nearest jurisdiction. Kelseyville has a population of approximately 6,102 (US Census, 2020). Clearlake is the nearest highly populated area, with a population of approximately 16,700 (US Census, 2022). Clearlake is approximately 24 miles from the Project site. From this information, in order to calculate potential greenhouse gas emissions from employee vehicular travel, it is assumed that approximately 30% of employees travel approximately 9.6 miles daily to and from the Project site from Kelseyville, approximately 60% of employees travel approximately 48 miles daily from Clearlake, and another 10% travel approximately 40 miles to and from the Project site daily from unspecified locations around the rural county. Therefore, on average, employees may cumulatively travel approximately 321 miles per day to and from work. This number reflects the mileage traveled from an average number of employees and delivery trips over the course of a 5-month cultivation season. Therefore, the proposed Project would generate approximately 48,168 miles per year.

A vehicle generates an average of 404 grams of CO_2 per mile traveled. The Project would result in an estimated 48,168 miles of travel per year (excluding on-site idling construction equipment, which would be limited in duration to the construction period). This would result in 19,459,872 grams of CO_2 per year, or approximately 19.46 metric tons of CO_2 per year.

As described above, Lake County has not developed thresholds for significant CO_2 emission levels. However, the Bay Area Air Quality Management District (BAAQMD) has established GHG thresholds that can be used in for significance determination. These thresholds are used by other counties in California without adopted thresholds of significance. Thus, for the analysis of GHG emissions, BAAQMD's GHG thresholds are used to evaluate the significance of the proposed Project's operational GHG emissions. For land use development projects, the BAAQMD GHG threshold is "annual emissions less than 1,100 metric tons per year (MT/yr.) of CO_2e" (BAAQMD, 2022). As described above, the proposed Project would generate approximately 19.46 MT CO_2 per year. Given this projected CO_2 output of this Project, it would take about 57 years for this Project to meet 'life of project' thresholds for CO_2 emissions. Therefore, impacts would be less than significant.

Less than Significant Impact

b) To date, Lake County has not adopted any specific GHG reduction strategies or climate action plans. 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 & 2022 Update
   - 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 2022 AB 32 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 being carbon-neutral by 2045.

   On October 9, 2021, AB 1346 Air Pollution: Small Off-Road Equipment (SORE) was passed, which would 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.

   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 BAAQMD's rules and regulations for the purpose of determining 'levels of significance' and for 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. As described above in Section VIII (a), the proposed Project would generate greenhouse gas emissions at approximately 1.77% of the BAAQMD's maximum threshold of significance for GHG emissions.

   The Project, as proposed, does not conflict with these local, regional, or state-wide policies. The Project is for outdoor cannabis cultivation, without the use of energy-intensive lighting or fans. No wasteful use of energy is proposed. Therefore, impacts would be less than significant.

   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?	☐	☒	☐	☐	1, 3, 5, 13, 21, 24, 29, 31, 32, 33, 34, 56
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?	☐	☐	☒	☐	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?	☐	☐	☐	☒	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?	☐	☐	☐	☒	2, 40, 60
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?	☐	☐	☐	☒	1, 3, 4, 5, 20, 22
f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	☐	☐	☒	☐	1, 3, 4, 5, 20, 22, 35, 37, 38, 57, 61
g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?	☐	☐	☒	☐	1, 3, 4, 5, 20, 35, 37

Discussion:

a) The proposed Project is an agricultural project on an existing vineyard. Materials associated with agriculture, including agricultural chemicals (e.g., fertilizers, pesticides, herbicides), petroleum products (e.g., diesel and gasoline), and standard cleaning products (e.g., hydrogen peroxide, alcohol, and bleach) already exist onsite and could be used for the proposed Project. These materials may be considered hazardous if released into the environment. Per application materials, all potentially harmful chemicals would be stored within airtight containers and stored within secondary containment in shipping containers or sheds located adjacent to each cultivation area.

The Project would comply with Section 21-41.7 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. The Project would also implement adequate firefighting and fire suppression equipment, including the installation of a minimum of 10,000 gallons of water storage tanks specifically designated for fire suppression.

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 would 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 number of wastes generated by the facility.

If the Project stores applicable quantities of hazardous materials (i.e., 55 gallons of a liquid, 500 pounds of a solid, or 200 cubic feet of compressed gas), the applicant would be required to develop a Hazardous Materials Business Plan per CUPA regulations. This has been incorporated as Mitigation Measure HAZ-1. If the amount of hazardous materials is less than the above quantities, but the site generates hazardous waste in any quantity, the applicant would need to complete and submit a Hazardous Materials/Waste Declaration stating the name of the material and quantity to be stored on site.

The Property Management Plan also addresses the following:

- Fertilizers and pesticides would be stored within secondary containment within sheds located near the cultivation area. The pesticide, fertilizer, chemical, and petroleum product storage buildings would have impermeable floors. The storage building would be located over 100 feet from any watercourses.

- Fertilizers and pesticides would be stored separately and would be properly labeled. Employees would be properly trained on fertilizer and pesticide use and would follow manufacturer's suggested application rates.

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

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

- A spill containment and cleanup kit would be kept on site in the unlikely event of a spill. All employees would be trained to properly use all cultivation equipment, including pesticides. Proposed site activities would not generate 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. No hazardous waste would be generated onsite.

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

Less than Significant Impact with Mitigation Measures HAZ-1 Incorporated

Mitigation Measures:

HAZ-1: If the storage of hazardous materials is equal to or greater than fifty-five (55) gallons of a liquid, 500 pounds of a solid, or 200 cubic feet of compressed gas, then a Hazardous Materials Inventory Disclosure Statement/Business Plan shall be submitted via the California Electronic Reporting System (CERS) and maintained in compliance with requirements of Lake County Environmental Health Division. Industrial waste shall not be disposed of on site without review or permit from Lake County Environmental Health Division or the California Regional Water Quality Control Board. The permit holder shall comply with petroleum fuel storage tank regulations if fuel is to be stored on site.

b) According to the Lake County GIS Portal data, flood risk at the Project site is minimal. The entire property is designated as "X" Flood Zone, defined as an area with minimal flood hazard and determined to be outside the 0.2% annual chance flood. The site is not located within or adjacent to an identified earthquake fault zone.

See also response to IX (a). The Proposed Project involves the use of fertilizers and pesticides, which would be properly stored in a secure, stormproof structure within secondary containment. The Project site does not contain any identified areas of serpentine soils or ultramafic rock, and the risk of asbestos exposure during construction is minimal. The site preparation for the proposed processing building would require some construction equipment and would last for about 1 to 2 months. All equipment staging shall occur on previously disturbed areas on the site.

The project minimizes the risk of accidental release by requiring all hazardous materials to be stored in secondary containment within a locked, weather-proof structure. Consistent with the PMP, a spill response kit will be maintained on-site, and employees will be trained in emergency cleanup procedures. These physical and procedural controls ensure that any spill or leak is contained on site. 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) The proposed Project is not located within one-quarter mile of an existing or proposed school. The nearest school is Kelseyville High School approximately 5.3 miles from the Proposed Project.

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 0.25 miles of the Project site:
   - State Water Resources Control Board (SWRCB) GeoTracker database
   - Department of Toxic Substances Control EnviroStor database
   - SWRCB list of solid waste disposal sites with waste constituents above hazardous

waste levels outside the waste management unit.

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

No Impact

e) The Proposed Project is not located within two (2) miles of an airport and/or within an Airport Land Use Plan.

No Impact

f) Access to the proposed Project area is from Boggs Lane, a County-maintained road. The Project site does not contain any emergency facilities. The Project site does not serve as an emergency evacuation route and is not located adjacent to an emergency evacuation route according to the Lake County Fire Safe Council Evacuation Map. An existing turnaround for vehicles is displayed in the plans, located east of the proposed cultivation area (Attachment 1A).

At maximum, the Project would employ up to nine persons onsite during peak seasonal activities, which would not represent a significant impact on the safe evacuation of the area. Adequate access for emergency vehicles via Boggs Lane would remain available. Furthermore, the Project would not result in a substantial alteration to the design or capacity of any public road that would impair or interfere with the implementation of evacuation procedures. Therefore, the Project would not impair or interfere with an adopted emergency response or evacuation plan.

Less than Significant Impact

g) The site is mapped by CAL FIRE as having a Fire Hazard Severity rating of High and Very High. The Project would involve outdoor cultivation, which is a low fuel load based on the lack of shrubs and trees. At least 10,000 gallons of fire suppression water storage would be dedicated onsite in a National Fire Protection Association (NFPA) 1142 standard water tank. The Proposed Project was sent out for review to Kelseyville Fire Protection District on February 3rd, 2025, and no comment was received.

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 would comply with the current State of California Building Code Construction Standards. The interior driveway shall demonstrate compliance with or be brought to PRC §4290 and §4291 commercial driveway standards, per County 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

Would the Project:

a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?	☐	☐	☒	☐
b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the Project may impede sustainable groundwater management of the basin?	☐	☒	☐	☐
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; ii) Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site; iii) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or iv) Impede or redirect flood flows?	☐	☐	☒	☐
d) In any flood hazard, tsunami, or seiche zones, risk release of pollutants due to Project inundation?	☐	☐	☒	☐
e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	☐	☒	☐	☐

Discussion:

a) The proposed Project area is located in the western Big Valley Groundwater Basin (BVGB) (California Bulletin 118 Basin #5-015). The property drains to the west toward Adobe Creek (HUC12-180201160304), a tributary to Clear Lake. The proposed Project area does not contain any channels or wetlands according to the field survey described in the Biological Assessment. Cultivation activities are set back 100 feet from all watercourses, per County design standards and in excess of SWRCB watercourse buffers of 50 feet from ephemeral drainages.

Potential adverse impacts to water resources could occur during construction by increased erosion and sedimentation in receiving water bodies due to soil disturbance. Project implementation would not directly impact any channels or wetlands, as no channels or wetlands were identified on site according to the Biological Assessment.

The applicant is enrolled with the State Water Resources Control Board (SWRCB) for Tier 2, Low Risk coverage under Order No. WQ 2019-001-DWQ (General Order). Tier 2 dischargers reflect cultivation sites that disturb over one acre and are located on flat slopes outside of riparian setbacks. Compliance with this Order would ensure that cultivation operations would not significantly impact water resources by using a combination of BPTC measures, buffer zones, sediment and erosion controls, inspections and reporting, and regulatory oversight. In addition, a sediment and erosion control plan would be implemented as part of the greater Site Management Plan.

The Project property drains to the west toward Adobe Creek, which eventually drains to Clear Lake. Clear Lake is listed on the 303(d) List for Mercury and Nutrients. Inputs of mercury to Clear Lake include past and present discharges from Mercury mines, geothermal sources, erosion of soils with naturally occurring mercury, and atmospheric deposition. The proposed Project is not a source of mercury.

Clear Lake is also on the list for over pollution of nutrients. Clear Lake Nutrients result in nuisance algae blooms as a result of phosphorous loading. Sources of phosphorus include point sources from permitted stormwater dischargers and nonpoint sources. Nonpoint sources include irrigated agriculture from about 13,000 acres throughout the County. The total cultivation area proposed is 2.6 acres, which represents only a minor percentage, 0.02%, of the County's irrigated agricultural area. In addition, as described above, the applicant is enrolled with the SWRCB General Order, which requires development of a Nitrogen Management Plan and a Site Management Plan to address discharges of waste associated with cannabis cultivation from irrigation runoff, fertilization, road construction, grading activities, etc. Enrollees are required to submit technical and monitoring reports to demonstrate compliance with the Cannabis Cultivation General Order. Because the proposed Project represents a minor amount of the County's total irrigated area, and because the proposed Project must comply with the Cannabis Cultivation General Order, the impacts to Clear Lake Nutrients would be less than significant.

The proposed cultivation area is a pre-disturbed, existing vineyard that would partially transition to 2.06 acres (89,620 SF) of cannabis canopy. No channels or wetlands were identified onsite. The proposed Project would be required to follow all local, regional, and state plans regulating water quality. The proposed Project would not violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface water quality.

Less than Significant Impact

b) The proposed 2.06 acres (89,620 SF) of cannabis canopy would utilize groundwater as the water source for irrigation. Water would be sourced from one existing, permitted groundwater well (Well #4) located on the Project property on the non-cultivation parcel (Lat/Long: 38.949600, -122.890418). No surface water diversion is proposed for this Project.

Due to the exceptional drought conditions in 2021, 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 Projects 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

In addition, a Drought Management Plan is required to describe how the applicant would reduce water during a declared drought emergency.

Although Lake County is no longer under drought conditions, the County still requires the requirements of Ordinance 3106. A Hydrology Report and Drought Management Plan, compliant with Ordinance 3106, was prepared for the proposed Project by NorthPoint Consulting Group, Inc.

Well Information and Yield

Water for the cultivation would be sourced from the existing onsite permitted well (Well #4). Well #4 was drilled in April 2018, to a depth of 120 feet below ground surface (bgs). Depth to water was detected at 58 ft bgs. At the time of drilling, a two hour well production test yielded 50 gallons per minute (gpm), per the Well Completion Report.

Water Demand, Storage, and Irrigation

According to the Property Management Plan, water for the entirety of the proposed Project would be 2.7 acre-feet per year (AFY). The projected average water demand during the cultivation season is 7,333 gallons per day, and the maximum water demand during the flowering season is approximately 10,071 gallons per day. Thus, assuming a 120-day cultivation season, with 65% of the cultivation reflecting a vegetative irrigation state (average) and 35% of the season reflecting a flowering irrigation state (maximum), the total demand for the Project would be 2.7 AFY (approximately 0.880 million gallons per year). See Table 1 in the Project Description above for a monthly breakdown of water use.

The Hydrology Report notes that the estimated 2.7 AFY cannabis irrigation demand is based on an average daily rate over the course of the growing season; however, seasonal water demand likely varies in response to temporal and environmental variables (e.g., temperature, relative humidity, wind, plant age and size, etc.).

Total water storage for irrigation is proposed to be 20,500 gallons, or two to four days' of water storage for the cannabis operation. Water would be pumped from Well #4 via PVC piping to three 6,000-gallon capacity plastic water storage tanks and one 2,500-gallon plastic water storage tank adjacent to the proposed cultivation area. The 2,500-gallon storage mixing tank would be used for fertigation. From the storage tanks, the water would either be gravity-fed or be pumped through new, above ground irrigation lines to the individual garden beds or outdoor containers.

Groundwater Basin Information and Hydrogeology

The proposed Project is located in the Big Valley Groundwater Basin (BVGB) (California Bulletin 118 Basin #5-015). The Project well is located within the Adobe Creek watershed, which drains the western sector of the Big Valley Groundwater Basin. The BVGB includes the watersheds of Manning Creek, Adobe Creek, Hill Creek, Kelsey Creek, Cole Creek, and Highland Creek. As the Project site drains to the Big Valley Groundwater Basin, the basin was the primary source of analysis in the Hydrology Report. The BVGB is approximately 24,210 acres (38 square miles).

According to the Lake County Groundwater Management Plan (2006), the average-year agricultural groundwater demand in the Big Valley Basin is approximately 11,363 acre-feet per year. Total water use for Big Valley Basin is an estimated 12,944 AFY with most of the water used for agricultural purposes (11,928 AFY) and the remainder used by municipal and domestic water uses, as reported in the Groundwater Sustainability Plan for Big Valley Basin (2022).

Groundwater Recharge and Storage:

The estimated annual recharge over the recharge area of the Project's property wells was approximately 119.0 acre-feet during an average rainfall year and 87.2 acre-feet during a drought year. These results were further analyzed using another method of recharge from available USGS data, in which the estimated recharge values above fall into the range.

Based on the USGS estimates for groundwater recharge between 10 to 66% of precipitation, the 356-acre recharge area would apply to approximately 22.2 – 146.3 AFY during a drought year, and 93.3 AFY – 615.7 AFY during an average precipitation year.

Recharge in the Big Valley Groundwater Basin in the area of the Project's water source is primarily infiltration into alluvial geologic units from precipitation, which is estimated to exceed annual Project water demand; thus, the hydrological report concurs there is sufficient recharge to meet the Project's demand during both average and drought years. The report concluded that, using the most conservative estimates of long term groundwater recharge, the long term recharge over the 356-acre recharge area would exceed the cumulative Project water demand of 31.5 AFY. The report summarizes there is sufficient groundwater supply, both in recharge and storage, to meet the Project demand.

Cumulative Impact to Surrounding Areas:
The usable capacity of the Big Valley Groundwater Basin is 60,000 AF. The projected increase in water use due to the proposed Project demand represents less than 0.01% of the storage capacity. Total water use reported in the Big Valley Groundwater Sustainability Plan was reported as 12,944 AFY. Over the GSP historical water budget period, the GSP reported an average annual groundwater pumping volume of 13,700 AFY. The proposed Project demand represents a maximum of 0.02% of the average annual pumping volume. In addition, the sustainable yield in the basin in a dry climate representing a conservation scenario is 29,000 AFY per the Big Valley GSP. The estimated increase in proposed Project water demand represents only 0.01% of the sustained yield and according to the Big Valley GSP, the basin is being operated within the sustainable yield.

Since there is sufficient recharge and supply to meet the Project's additional water demand during average and dry years; the reports suggests the Project's demand is insignificant, 0.02% or less of the Big Valley Groundwater Basin usable storage capacity (60,000 AF) and average annual pumping volume (13,700 AFY). The basin is being operated within its sustainable yield.

The proposed 2.06 acre cannabis canopy is replacing an existing vineyard (decreases from 34 to 31.4 acres). With implementation of water conservation measures in the Hydrology Report and Drought Management Plan, the proposed Project water use would not have a cumulative impact on the surrounding area. The applicant proposes 20,500 gallons of water storage onsite represents two to four days' worth of the daily water demand, providing sufficient recovery time for the well dedicated to cannabis irrigation and even further reducing the potential for the project's groundwater usage to impact neighboring wells.

Conclusions:
The Hydrology Report concluded that there would be sufficient groundwater recharge and supply to meet the Project's demand. Although there would be sufficient groundwater recharge to meet the Project's demand, the Hydrology Report recommended water use metering and water level monitoring in the irrigation well used for the Project. This is also required by the Lake County Zoning Ordinance Article 27 Section(a) 3.v.e. The purpose of the monitoring is to evaluate the functionality of the well to meet the long-term water demand of the proposed Project and validate the annual recharge of the water-bearing formation.

These have been incorporated as Mitigation Measures HYD-1 and HYD-2. See the description under e), below, for further details.

In addition, the applicant would be required to follow the Drought Management Plan prepared for this project. On-going water conservation measures, water metering, and reporting, during times of drought emergencies or water scarcity, the project would implement additional measures, as needed or appropriate to the site, to reduce water use. In the event the wells are showing signs of slowing production or if a well is unable to meet the needs, the applicant would develop an alternative solution (e.g., reducing cultivation area, reducing cultivation season, installing additional water storage, developing a rain catchment system, etc.). This has been incorporated as Mitigation Measure HYD-3 to ensure that impacts remain less than significant.

The Hydrology Report concluded that, since there is sufficient groundwater supply and annual recharge to meet the Project's demand (during both average and dry precipitation years), and since the Project proposes to store at least two to four days of onsite water storage, there is little impact from the proposed project to surrounding wells, especially with the implementation water monitoring, reporting, conservation measures, and drought management practices (Mitigation Measures HYD-1, HYD-2, and HYD-3). With implementation of these mitigation measures, the proposed Project would not have a direct nor a cumulative impact on groundwater supply in the Big Valley Groundwater Basin and the surrounding area.

Less than Significant Impact with Mitigation Measures HYD-1 through HYD-3 Incorporated

Mitigation Measures:

HYD-1: The permitee shall conduct seasonal static water level monitoring. The water level in the cannabis irrigation well shall be measured and recorded once in the Spring, prior to commencing cultivation activities, and once in the Fall, after cultivation is complete for the season. Records shall be kept and reported to the County as part of the Project's annual reporting requirements.

HYD-2: The permittee shall conduct water level monitoring each cultivation season. During extraction, the water level shall be monitored at least twice per week and that the frequency be adjusted as needed depending on the impact the pumping rate has on well water levels. The permittee shall work with a well expert to determine the appropriate methodology and equipment to measure the water level in their well(s).

Records of water levels in each cannabis irrigation well(s) shall be kept, levels shall be reported, and the methodology of the well monitoring program shall be described and provided to the County as part of the Project's annual reporting requirements.

If water levels are dropping significantly, a revised Water Management Plan, including a revised water budget and water mitigation strategies, shall be prepared and submitted to the County for review and approval prior to continuing operation.

HYD-3: The permitee shall adhere to the measures described in the Drought Management Plan during periods of a declared drought emergency. In addition, in the event that a well is unable to supply required water for the Project, the applicant shall either

- Reduce the amount of cultivation and/or length of cultivation season, as appropriate,
- Install additional water storage,
- Implement a rainwater catchment system, or
- Develop an alternative, legal water source in coordination with Lake County and Water Resource agencies.

c) The proposed cultivation area has already been cleared and graded for the current vineyard use and would only require removal of existing vineyard cultivation for new cultivation; also known as “crop swap.” There are no channels or wetlands according to the Biological Assessment. The property drains to the west, towards Adobe Creek, tributary to Clear Lake. The cultivation operations would not alter the hydrology of the parcels. The proposed Project has been designed to maintain existing flow paths. The proposed Project includes approximately 8,492 SF of new impervious surfaces from ancillary structures, water tanks, access roads, and parking lots.

(i) As discussed in Section X(a) above, construction activities and operation of the Proposed Project would not result in substantial erosion or siltation, in compliance with the erosion control plan and SWRCB General Order.

(ii), (iii) The proposed Project area includes approximately 8,492 SF of new impervious surface area. The proposed 8,492 SF of new impervious surface area represents approximately 0.4% of the 46.5-acre proposed Project parcel, a minimal increase that would be absorbed by natural site soils and would not require significant additional stormwater treatment systems.

In addition, the Project would be required to comply with the SWRCB General Order and implement BMPs.

See the Project Description for a list of BMPs to be implemented onsite, including installation of straw wattles, preserving existing vegetation, rocking access roads, and implementing sediment control measures on disturbed areas. Therefore, the Project would not increase the rate or amount of surface runoff or create or contribute to runoff water which would exceed the capacity of an existing drainage system.

(iv) The proposed cultivation area and greater property is located in Zone X, defined as an Area of Minimal Flood Hazard, according to Lake County GIS and FEMA Flood Map. The Project would not impede or redirect flood flows.

Less than Significant Impact

d) The proposed cultivation area and property is located in Zone X, defined as an area with minimal flood hazard and determined to be outside the 0.2% annual chance flood. The proposed cultivation area is not located in a tsunami or seiche zone.

Less than Significant Impact

e) Refer to Section X(b) above. The Hydrology Report concluded that were was sufficient groundwater supply, storage, and recharge for the 2.7 AFY Proposed Project irrigation demand.

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

A water budget would be created every year and water use efficiency from the previous year would be analyzed. In addition to water use metering, water level monitoring is also required by Lake County Zoning Ordinance Article 27 Section 27.11 (at) 3.v.e., 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 would 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 would 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. Seasonal water level trends would 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. This has been incorporated in Mitigation Measure HYD-1.

Water Level Monitoring During Extraction

The purpose of monitoring the water level in a well during extraction is to evaluate the performance of the project well and determine the effect of the pumping rate on the water source during each cultivation season. This information would be used to determine the capacity and yield of the project well and to aid the farmer in determining pump rates and the need for water storage. The frequency of water level monitoring would depend on the source, the source's capacity, and the pumping rate. It is conditioned 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 would be kept, and elevations reported to the County as part of the Project's annual reporting requirements. This has been incorporated in Mitigation Measure HYD-2.

Measuring a water level in a well can be difficult and the level of difficulty would depend on site-specific conditions. As part of the well monitoring program, the well owner or operator would work with a well expert to determine the appropriate methodology and equipment to measure the water level, as well as who would conduct the recording and

monitoring of the well level data. The methodology of the well monitoring program would be described and provided in the Project's annual report.

In addition to monitoring and reporting, an analysis of the water level monitoring data would be provided and included in the Project's annual report, demonstrating whether or not use of the Project well 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 would be prepared and submitted to the County for review and approval, which demonstrates how the Project would mitigate the impacts in the future.

Drought Emergency Water Conservation Measures

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

- Install additional water storage and/or implement a rainwater catchment system;
- Install moisture meters to monitor how much water is in the soil at the root level and reduce watering to only what is needed to avoid excess;
- Cover the soil and drip lines with removable plastic covers or similar to reduce evaporation;
- Irrigate only in the early morning hours or before sunset;
- Cover plants with shaded meshes during peak summer heat to reduce plant water needs; and/or
- Use a growing medium that retains water in a way to conserve water and aid plant growth. Organic soil ingredients like peat moss, coco coir, compost and other substances like perlite and vermiculite retain water and provide a good environment for cannabis to grow.

In the event that the well cannot supply the water needed for the Project, the following measures may be taken:

- Reduce the amount of cultivation and/or length of cultivation season
- Install additional water storage and/or implement a rainwater catchment system; and/or
- If possible, develop an alternative, legal, water source that meets the requirements of Lake County Codes and Ordinances.

The requirement to follow the Drought Emergency Water Conservation Measures has been included as Mitigation Measure HYD-3.

Less than Significant Impact with Mitigation Measures HYD-1 through HYD-3 Incorporated

XI. LAND USE PLANNING

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

Would the Project:

a) Physically divide an established community?	☐	☐	☐	☒
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?	☐	☐	☒	☐

Discussion:

a) The proposed Project is located on an existing vineyard agricultural property and no land divisions or residential development are proposed. This Project does not have the potential to physically divide an established community, which typically includes new freeways and highways, major arterial streets, and railroad lines or development that would make traveling more difficult in the area. No new roads or homes are proposed, and the Project is consistent with existing Agriculture and Agriculture Scenic Combining zoning requirements. Therefore, the Proposed Project would not physically divide an established community and no impact would occur.

No Impact

b) The proposed project property is designated as Agricultural "A" land use. The proposed project area where outdoor cultivation would occur is Agriculture "A" zoning and the non-cultivation parcel is Agricultural Scenic Combining "A-SC" zoning. The proposed project is consistent with the existing General Plan and Zoning designation, including Article 27 of the County of Lake Zoning Ordinance, which allows cannabis cultivation in lands zoned as Agriculture. The Project is consistent with the Lake County Zoning Ordinance for commercial cannabis cultivation. The project is consistent with the Kelseyville Area Plan.

Furthermore, although part of the northern portion of the Project property is within the Commercial Cannabis Cultivation Exclusion Zone, the Project cultivation area is located outside of this and the 1000-foot buffer from the Farmland Protection Zone, as defined by the County. As such, the Proposed Project is not in conflict with any land use plan, policy, or regulation and a less than significant impact would occur.

Less than Significant Impact

XII. MINERAL RESOURCES

	Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less Than Significant Impact	No Impact
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?	☐	☐	☐	☒

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?	☐	☐	☐	☒

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. There are no known mineral resources on the Project site, according to the California Department of Conservation's Mineral Land Classification. The proposed Project does not propose structures or uses that would permanently prevent future access to any mineral resources on site.

No Impact

b) According to the California Geological Survey's Mineral Resources Data Portal, the Project site is not within the vicinity of a site being used for aggregate production. In addition, the site is not delineated on the County of Lake's General Plan, the Kelseyville 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
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?	☐	☒	☐	☐
b) Result in the exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	☐	☐	☒	☐
c) For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels	☐	☐	☒	☐

Discussion:

a) Noise related to outdoor cannabis cultivation could occur either during construction, or as

the result of machinery related to operations, such as a well pump. Power would be supplied by existing, on-grid PG&E. An existing backup generator is proposed for PG&E-caused power outages or emergencies out of the applicant's control.

The proposed Project area surrounding zoning is Rural Residential to the west and north, Rural Lands to the east, and Agriculture to the south. The Project has the potential to generate noise related to site preparation, and during the life of the Project. According to the Lake County General Plan Chapter 8 - Noise, sensitive receptors are defined as residential areas, hospitals, convalescent homes, schools, health care facilities, and libraries. Although there are existing residential dwellings within one (1) mile of the Project site, the Community Noise Equivalent Levels (CNEL) from proposed cultivation operation activities would not be expected to exceed the 55 dBA during daytime hours (7:00 a.m. – 10:00 p.m.) or 45 dBA during night hours (10:00 p.m. – 7:00 a.m.) when measured at the property line. Chapter 8 – Noise states that noise-reducing mitigation measures during construction when residential uses or other sensitive receptors are located within 500 feet shall be implemented. The nearest dwellings to the Project cultivation area are 200 feet west, 272 feet southwest, and 314 feet northwest from west of the cultivation area. The existing vegetation screening between the Project area and adjacent residential parcels consists of woody vegetation and trees that could reduce noise levels.

In addition to the existing vegetation screening and CNEL not expected to exceed 45 to 55 dBA, Mitigation Measures NOI-1 and NOI-2 have been incorporated to fully limit the potential sources of noise.

Less than Significant Impact with Mitigation Measures NOI-1 and NOI-2 Incorporated.

Mitigation Measures:

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.

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

b) The Project is not expected to create significant groundborne vibration due to major construction or to post-construction operation. The proposed 1,800 SF ancillary drying building and 1,140 SF ancillary processing building would be constructed, however, it is proposed on an existing pre-disturbed area and would not require major construction to build. There would be vegetation clearing activities for preparation of the proposed cultivation areas, however, these activities are consistent with existing past agricultural uses of the site and are not expected to generate groundborne vibration or noise levels detectable to any neighboring properties.

Less than Significant Impact

c) The Project site is located approximately 3.6 miles from the closest airport or airstrip. Therefore, the Project would not expose people residing or working in the Project area to excessive noise.

Less than Significant Impact

XIV. POPULATION AND HOUSING	Potentially Significant Impact	Less Than Significant With Mitigation Measures	Less Than Significant Impact	No Impact
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)?	☐	☐	☐	☒
b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?	☐	☐	☐	☒

Discussion:

a) The proposed Project does not involve the construction of homes or facilities (e.g., new roads) that would directly or indirectly induce population growth. Up to nine employees would be required for the operation, six of which would be seasonal employees. Employees would likely live in the area already and commute to the site daily. Therefore, the proposed project would not directly or indirectly induce substantial population growth.

No Impact

b) No residences are proposed to be constructed or impacted. Therefore, no people or housing would be displaced as a result of the proposed Project and no impact would occur.

No Impact

XV. PUBLIC SERVICES	Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less Than Significant Impact	No Impact
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: 1) Fire Protection? 2) Police Protection? 3) Schools?	☐	☐	☒	☐

4) Parks?
5) Other Public Facilities?

Discussion:

a) The Proposed Project is not anticipated to substantially increase the demands for fire protection services such that new or expanded facilities would be warranted (e.g., no new housing is proposed that would warrant substantial expansion of public services). No roads, housing, or extension of public facilities (e.g., public water/sewer, telecommunications, etc.) is proposed.

Fire Protection. The Project is served by the Kelseyville Fire Protection District. The Kelseyville Fire Protection District Headquarters Station is located approximately four miles northeast of the site via Bell Hill Road. To offset the increased demand for fire protection services, the proposed project would be conditioned by the County to provide a minimum of fire safety and support fire suppression activities and installations, including compliance with State and local fire codes, as well as minimum private water supply reserves for emergency fire use. The project would be required to comply with all applicable local and state fire code requirements related to design and emergency access. The project includes on-site improvements related to public services, including water storage tanks for fire protection, improved road widths for emergency access, and site address posting. The project includes the installation and maintenance of a minimum of 10,000 gallons of fire protection tanks. With these measures in place, and with the proposed improvements, the project would have a less than significant impact on fire protection. In addition, the district received notice of this Project and no comment was received.

Police Protection. The Project is served by the Lake County Sheriff's Department. The proposed Project is located approximately 17 miles from the Lake County Sheriff's Office.

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.

Construction and operation of the proposed Project may result in accidents or crime emergency incidents that would require police services. Construction activities would be temporary and limited in scope. Accidents or crime emergency incidents during operation are expected to be infrequent and minor in nature, and with these measures the impact is expected to be less than significant. The Sheriff's Department was notified of this Project during Agency Review. No comment was received.

Schools and Parks. The Project site is located within the Konocti Unified School District. There are no schools or public parks within 1000 feet of the subject site, and since no population increase would occur with this Project (other than workers commuting to the site and leaving at the end of each shift), no increased demand on parks or schools would result.

Other Public Facilities. The Project would use existing on-grid PG&E services. Water for irrigation would be sourced from the well on the Project property, and the proposed onsite septic system and/or an ADA accessible portable toilet and handwashing station would be used. The Project would be required to comply with all applicable local and state fire code requirements related to design and emergency access.

There would not be a need to increase fire or police protection, schools, parks, or other public facilities as a result of the Project's implementation.

Less than Significant Impact

XVI. RECREATION	Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less Than Significant Impact	No Impact
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?	☐	☐	☐	☒
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?	☐	☐	☐	☒

Discussion:

a) The project would generate business income, an increase in local employment opportunities, and increase public fee and tax revenue which may result in slight increases in population growth, which could lead to increased use of park and recreation facilities. However, the potential increased use of park and recreation facilities from the maximum nine employees would occur over a large area and in multiple sites and therefore be diminished and would not substantially deteriorate existing parks or other recreational facilities. The applicant intends to hire locally. The Project would not have any impact on existing parks or other recreational facilities.

No Impact

b) This Project does not include recreational facilities and would not necessitate the construction or expansion of any recreational facilities.

No Impact

XVII. TRANSPORTATION	Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less Than Significant Impact	No Impact
Would the Project:				

a) Conflict with a program plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?	☐	☐	☒	☐
b) For a land use Project, would the Project conflict with or be inconsistent with CEQA guidelines section 15064.3, subdivision (b)(1)?	☐	☐	☒	☐
c) For a transportation Project, would the Project conflict with or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)(2)?	☐	☐	☐	☒
d) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	☐	☐	☐	☒
e) Result in inadequate emergency access?	☐	☐	☒	☐

Discussion:

a) The proposed Project area is accessed by a private driveway directly off Boggs Lane, a County-maintained gravel road that is at least 11 feet wide with turnouts. Boggs Lane is defined as a "Local Roads and Streets" in the County General Plan, Chapter 6 – Transportation and Circulation. The driveway would be required to demonstrate PRC 4290/4291 compliance prior to commencement of cultivation operations, per County Requirements. There is a proposed access road that would surround the cultivation area in addition to the existing access road that runs through the cultivation area.

There are no bicycle or pedestrian facilities on Boggs Lane. There are no transit stops within 0.25 miles of the Project site.

Therefore, 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.

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 Governor's Office of Land Use & Climate Innovation (LCI) the publication Transportation Impacts (SB 743) CEQA Guidelines Update and Technical Advisory, 2018. The LCI 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 LCI defines as those generating fewer than 110 new vehicle trips per day on average. LCI 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 site would not be open to public visitation; only trips in and out would be from employees or deliveries. The estimated trips per day during construction are four to five. These construction trips are temporary in nature, approximately one to two months. An estimated twelve (12) trips per day during cultivation operations is less than 110 trips per day threshold. It is not expected for the Project to have a potentially significant level of VMT, therefore, impacts related to CEQA Guidelines section 15064.3. subdivision (b) would be less than significant.

Less than Significant Impact

c) The proposed Project is not a transportation project and does not propose any changes to public 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.

No Impact

d) The proposed Project does not propose any changes to public road alignment or other features, does not result in the introduction of any obstacles, nor does it involve incompatible uses that could increase traffic hazards. Equipment used in cultivation would be transported to the Project site as needed and would not need to be operated on Boggs Lane or other county or state roadways.

No Impact

e) The Project does not propose any changes to public 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. The Project site does not contain any emergency facilities. The Project area entry and exit is located at the dead end of Boggs Lane and the entrance gate to the private driveway from Boggs Lane is at least 14 feet wide. Internal gates and roadways would meet CAL FIRE requirements for vehicle access according to PRC §4290 and 4291, including adequate width requirements, overhead clearances, on-site turnarounds, sufficient base materials use.

The proposed Project would employ up to nine persons onsite during peak seasonal events (approximately 75 days per year) and a maximum of three employees during the rest of the season (approximately 75 days per year), which would not have a significant impact to the safe evacuation of the area. During long-term operation, adequate access for emergency vehicles via Boggs Lane would remain available. The project would not result in a substantial alteration to the design or capacity of any public road that would impair or interfere with the implementation of evacuation procedures.

Less than Significant Impact

XVIII. TRIBAL CULTURAL RESOURCES	Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less Than Significant Impact	No Impact
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:				
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)?	☐	☐	☒	☐
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?	☐	☒	☐	☐

Discussion:

a) The Archaeological Report submitted with the application documents concluded that no major findings resulted from the archaeological survey. Prior to the field inspection, a California Historical Resource Information System search indicated that no cultural sites had been previously recorded within the project area however, there are records within a 0.25-mile radius from the project area. Due to this information, the Archaeological Report identified a no build buffer.

There are no known resources, property uses or signs of historic activities onsite that would cause the project, as proposed, to be eligible for inclusion on a historic registry at a local, state, or federal level. Therefore, impacts would be less than significant.

Less than Significant Impact

b) On January 16, 2021, requests for information were sent to the Native American Heritage Commission (NAHC) and to a contact list of Native American tribes in Lake County provided by NAHC. A record search of the NAHC Sacred Lands File results were negative according to a letter dated January 21, 2021. The proposed project was sent to Tribal Governments with aboriginal territory located in and around Lake County on February 3rd, 2025. No adverse comments were received, and no formal requests for consultation had

c) been received to date.

The Archaeological Report concluded that no prehistoric or historic archaeological sites were noted within the Project boundary. Therefore, impacts would be less than significant with Mitigation Measures CUL-1, CUL-2, TCR-1 and TCR-2.

Impacts would be Less than Significant with Mitigation Measures CUL-1, CUL-2, TCR-1

and TCR-2 Incorporated.

Mitigation Measures:

TCR-1: All on-site personnel of the project shall receive Tribal Cultural Resource Sensitivity Training prior to initiation of ground disturbance activities on the project. The training must be according to the standards of the NAHC or the culturally affiliated Tribe(s). Training shall address the potential for exposing subsurface resources and procedures if a potential resource is identified. The training shall also provide a process for notification of discoveries to culturally affiliated Tribes, protection, treatment, care and handling of tribal cultural resources discovered or disturbed during ground disturbance activities of the Project. Confirmation of training shall be sent to the Community Development Department prior to commencement of cultivation activities.

TCR-2: If previously unidentified Tribal Cultural Resources are encountered during the project altering the materials and their stratigraphic context shall be avoided, and work shall halt immediately. Project personnel shall not collect, move, or disturb cultural resources. A representative from a locally affiliated Tribe(s) shall be contacted to evaluate the resource and prepare a Tribal Cultural Resources plan to allow for identification and further evaluation in determining the Tribal Cultural Resource significance and appropriate treatment or disposition.

XIX. UTILITIES AND SERVICES	Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less Than Significant Impact	No Impact
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?	☐	☐	☒	☐
b) Have sufficient water supplies available to serve the Project and reasonably foreseeable future development during normal, dry and multiple dry years?	☐	☒	☐	☐
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?	☐	☐	☐	☒
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?	☐	☐	☒	☐
e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?	☐	☐	☒	☐

Discussion:

a) The proposed Project would be served by an existing onsite well. No new wells or water systems are proposed. Existing PG&E services would provide power to the Project. The power demands anticipated by this Project would be similar to a single-family dwelling and are limited to immature plant propagation area (low-wattage lights and fans), drying activities (requiring lights and climate control systems), security systems/lighting, and well pumps. The project proposes ADA accessible portable toilets and a handwashing station brought to the site and serviced regularly or an on-site waste treatment septic system within the processing facility. No new storm water drainage system, electric power, natural gas, or telecommunication systems are proposed. Therefore, impacts would be less than significant.

Less than Significant Impact

b) See response to X(b) and XIX(a). One existing, permitted well would be used for cannabis irrigation. The subject parcel is served by an existing well as described in the Hydrology Report and Drought Management Plan submitted with the Use Permit application. The cultivation operation is enrolled as a Tier II / Low Risk cultivation operation 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 would ensure that cultivation operations would 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. Therefore, impacts would be less than significant with Mitigation Measures HYD-1 through HYD-3 incorporated.

Less than Significant Impact with Mitigation Measures HYD-1 through HYD-3 incorporated

c) The project would include installation of a regularly serviced, ADA accessible portable restroom and handwashing station onsite. This unit would be regularly serviced by a licensed business. The project could also use a proposed onsite wastewater treatment system, if permitted and installed. The project site is not connected to a municipal wastewater treatment system that could be determined to have inadequate capacity. Therefore, no impact would occur.

No Impact

d) According to the Property Management Plan – Waste Management section, waste management bins would be located within the fenced areas inside of the cultivation areas. Recyclables would be separated from solid waste and stored in bins. At regular intervals, staff would take waste and recyclables to a licensed facility. Green waste and organic waste would be composted onsite. Waste would be hauled to an appropriate licensed facility by a private waste-hauling contractor, or by cultivation operation staff. See the Property Management Plan for further details.

Projected waste for the proposed Project would be approximately 100-300 lbs. of solid waste and approximately 10-50 cubic yards of green waste per acre per year.

Lake County Transfer and Recycling, Eastlake Landfill, and Quackenbush Mountain Resource Recovery and Compost Facility are located within reasonable proximity of the

Project site. Lake County Transfer and Recycling is closest to the Project site located approximately 5.4 miles north of the subject parcel.

As of 2021, the Eastlake Landfill increased their total permitted disposal capacity from 6,050,000 cubic yards to 7,930,000 cubic yards and a permitted disposal area from 31 acres to 56.5 acres. The Project would not generate solid waste in excess of state or local standards, or in excess of the capacity of local infrastructure, and accordingly, impacts would be less than significant.

Less than Significant Impact

e) The County imposes a standard condition of approval regarding compliance with all federal, state and local management for solid waste. The Project would be in compliance with federal, state, and local management and reduction statutes.

Less than Significant Impact

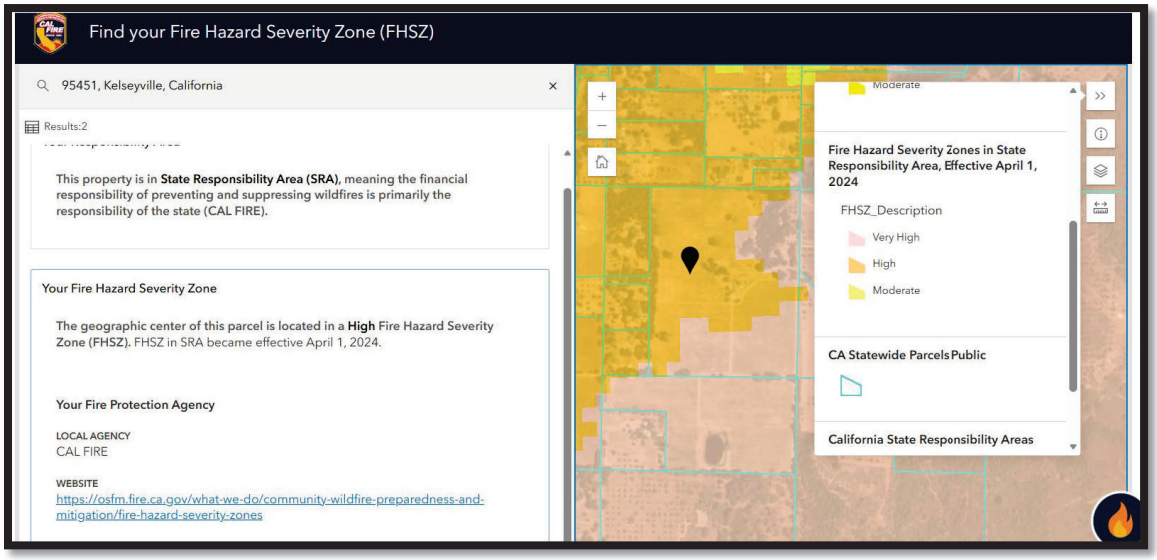
XX. WILDFIRE	Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less Than Significant Impact	No Impact
If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the Project:				
a) Substantially impair an adopted emergency response plan or emergency evacuation plan?	☐	☐	☒	☐
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?	☐	☐	☒	☐
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?	☐	☐	☒	☐
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?	☐	☐	☒	☐

Discussion:

a) The mapped fire risk on the site is High and Very High Fire Hazard Severity Zone within a State Responsibility Area (SRA) per CAL FIRE's Fire Hazard Severity Zones | OSFM map (as seen in Figure 10 below). The proposed Project would involve onsite construction that would not impede traffic on the public Boggs Lane, a local road. During the 150-day cultivation season, a maximum of nine (9) employees would be onsite during peak seasonal

events (approximately 75 days per year) and a maximum of three (3) employees during the rest of the season (approximately 75 days per year). In either case, a maximum of six or nine persons evacuating the site would not pose a significant impact to Boggs Lane, which is designated as a local road per the Lake County General Plan. Local roads serve as land access facilities providing direct access to adjacent development (General Plan, Chapter 6).

Figure 10 - CAL FIRE SRA, High Fire Severity Zone



Source: CAL FIRE, 2026

As described above in XVII(e), the Project would not impede or conflict with an existing emergency access or evacuation plan. The applicant would adhere to 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.

Therefore, construction and operation of the proposed Project would not impede emergency access or impair an adopted emergency response plan. A less than significant impact would occur.

Less than Significant Impact

b) The mapped fire risk on the Project site is High and Very High Fire Hazard Severity Zone in an SRA according to CAL FIRE. The proposed cultivation area and access to the site is relatively flat (0 to 10% slopes). The Project property contains minor areas consisting of slopes ranging from 10 to 20% and 20 to 30% slopes as seen in Figure 11 below.

Figure 11- Slope of Project Parcels

Source: Lake County Parcel Viewer 2026

The proposed cultivation area is an existing agricultural use as a vineyard, and development of the crop swap 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 proposed project would improve fire access and the ability to suppress wildland fire at the project site and other parcels accessed from the same roads through the upkeep of the property and installation of a minimum of one 10,000-gallon NFPA 1142 compliant water tank. The site driveway would be required to demonstrate compliance with PRC §4290 and 4291 for width, surface material (gravel), overhead clearance, slope and turn-arounds, which would be verified by County staff prior to cultivation occurring.

Due to the relatively flat proposed cultivation area and access to the site and requirement to conform with PRC §4290 and §4291 standards, the Project would not exacerbate wildfire risks and would not expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire.

Less than Significant Impact

c) The proposed project, as described in the application documents, would not exacerbate fire risk through the installation of maintenance of associated infrastructure. During Agency Review, a comment was received from the Department of Public Works. The applicant is required to obtain an encroachment permit and improve the driveway access onto Boggs Lane to Commercial Encroachment Standards following project approval. The proposed project would require maintenance to meet and/or maintain roadway and driveway standards. A minimum of 10,000 gallons of water fire storage would be kept onsite for fire suppression.

The Project was referred to the Kelseyville Fire Protection District on February 3rd, 2025. No response was received from the Kelseyville Fire Protection District.

Less than Significant Impact

d) The Project property is located on undulating topography and the proposed cultivation area is generally flat. There would be low risk from flooding, landslides, or mudslides as a result

of post-fire slope instability. Therefore, a less than significant impact would occur.

Less than Significant Impact

XXI. MANDATORY FINDINGS OF SIGNIFICANCE	Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less Than Significant Impact	No Impact
a) Does the Project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory?	☐	☒	☐	☐
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)?	☐	☒	☐	☐
c) Does the Project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	☐	☒	☐	☐

Discussion:

a) Per the impact discussions above, the potential of the proposed Project to substantially degrade the environment is less than significant with incorporated mitigation measures. As described in this Initial Study, the proposed Project has the potential for impacts related to Aesthetics, Air Quality, Biological Resources, Cultural Resources, Geology and Soils, Hazards and Hazardous Materials, Hydrology and Water Quality, Noise, Tribal Cultural Resources, and Utilities and Services. However, these impacts would be avoided or reduced to a less-than-significant level with the incorporation of mitigation measures discussed in each impact section.

According to the technical studies conducted and the Project materials, and with incorporation of all Mitigation Measures, the Proposed Project would not 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 major periods in California History or prehistory.

Less than Significant with Mitigation Measures Incorporated

b) Potentially significant impacts have been identified related to Aesthetics, Air Quality, Biological Resources, Cultural Resources, Geology and Soils, Hazards and Hazardous Materials, Hydrology and Water Quality, Noise, Tribal Cultural Resources, and Utilities and Service Systems. These impacts could cumulatively contribute to significant effects on the environment.

One particular concern would be the cumulative effects on hydrology and water resources. To address this issue, the Lake County Board of Supervisors adopted Ordinance 3106 on July 27, 2021, requiring the applicant to submit a Hydrological Study and Drought Management Plan. Upon reviewing the Hydrological Study and Drought Management Plan and implementation of hydrological mitigation measures, the Project is expected to have a less than significant cumulative impact.

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

Less than Significant with Mitigation Measures Incorporated

c) The Proposed Project has potential to result in adverse indirect or direct effects on human beings in the areas Aesthetics, Air Quality, Biological Resources, Cultural Resources, Geology and Soils, Hazards and Hazardous Materials, Hydrology and Water Quality, Noise, Tribal Cultural Resources, and Utilities and Service Systems. Implementation of and compliance with mitigation measures identified in each section would reduce impacts to 'less than significant' levels.

Less than Significant with Mitigation Measures Incorporated

* Impact Categories defined by CEQA

****Source List**

1. Lake County General Plan
2. Lake County GIS Database
3. Lake County Zoning Ordinance
4. Kelseyville Communities Area Plan
5. Osprey Farm Cannabis Cultivation Application – Major Use Permit
6. U.S.G.S. Topographic Maps
7. U.S.D.A. Lake County Soil Survey
8. Lake County Important Farmland Map, California Department of Conservation Farmland Mapping and Monitoring Program
9. Department of Transportation's Scenic Highway Mapping Program, *(https://dot.ca.gov/programs/design/lap-landscape-architecture-and-community-livability/lap-liv-i-scenic-highways)*
10. Lake County Serpentine Soil Mapping
11. California Natural Diversity Database (https://www.wildlife.ca.gov/Data/CNDDB)
12. U.S. Fish and Wildlife Service National Wetlands Inventory
13. Biological Resources Assessment and Botanical Survey Report, Natural Investigations Co. (April 6, 2022)
14. Archaeological Resource Management Report (Archaeological Report) for the Proposed Project was prepared by Konocti Cultural Resource Management (March 3, 2021)

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. U.S. Landslide Inventory and Susceptibility Map (2024) https://www.usgs.gov/tools/us-landslide-inventory-and-susceptibility-map
20. Lake County Emergency Operations 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 Bikeway 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. Lakeport Fire Protection District
38. Lake County Evacuation Mapping
39. United States Department of Agriculture – Natural Resources Conservation Service Web Soil Survey
40. Hazardous Waste and Substances Sites List, www.envirostor.dtsc.ca.gov/public
41. State Water Resources Control Board (SWRCB) Cannabis Policy and General Order https://www.waterboards.ca.gov/board_decisions/adopted_orders/water_quality/2019/wqo2019_0001_dwq.pdf
42. Lake County Groundwater Management Plan (March 31st, 2006) https://www.lakecountyca.gov/1241/Groundwater-Management
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. Bay Area Quality Management District. https://www.baaqmd.gov/plans-and-climate/california-environmental-quality-act-ceqa/updated-ceqa-guidelines.
46. Ordinance 3106 Hydrology Report and Drought Management Plan, NorthPoint Consulting, April 2023, Revised January 2026.
47. Well Completion Reports for Onsite Wells
48. Clear Lake Basin History https://www.lakecountyca.gov/1113/Algae-Information
49. The Causes and Control of Algal Blooms in Clear Lake https://www.lakecountyca.gov/DocumentCenter/View/4189/Clean-Lakes-Report-1994-PDF.
50. Clean Water Act 303(d) List https://www.waterboards.ca.gov/rwqcb5/water_issues/tmdl/impaired_waters_list/#:~:text=Section%20303(d)%20of%20the,the%20303(d)%20List.
51. Sustainable Groundwater Management Act Basin Prioritization. https://gis.water.ca.gov/app/bp-dashboard/final/.

52. Department of Conservation. EQ Zapp: California Earthquake Hazards Zone Application. https://maps.conservation.ca.gov/cgs/informationwarehouse/eqzapp/
53. CA Dept. of Water Resources. Big Valley Groundwater Basin Description. https://water.ca.gov/-/media/DWR-Website/Web-Pages/Programs/Groundwater-Management/Bulletin-118/Files/2003-Basin-Descriptions/5_015_BigValley.pdf
54. Lake County. Groundwater Sustainability Plan for Big Valley Basin (January 2022). https://www.lakecountyca.gov/1174/Big-Valley-Groundwater-Sustainability-Pl
55. USGS. U.S. Quaternary Faults (2002) https://www.usgs.gov/tools/interactive-us-fault-map
56. Osprey Farm Property Management Plan, NorthPoint Consulting Group, Inc. April 2023. Revised January 2025.
57. Osprey Farm Site Plan, NorthPoint Consulting Group, Inc. March 2024. Revised January 2025.
58. Science in Your Watershed, USGS (2024) https://water.usgs.gov/wsc/cat/18010105.html
59. California Geological Survey. California Mineral Resources Data Portal https://maps.conservation.ca.gov/cgs/minerals/
60. State Water Resources Control Board. GeoTracker. 2025. https://geotracker.waterboards.ca.gov/
61. Lake County Fire Safe Council. 2025. https://firesafelake.org/cwpp/
62. CalRecycle. 2021. https://www2.calrecycle.ca.gov/PublicNotices/Details/4538
63. CAL FIRE. Fire Hazard Severity Zone. https://osfm.fire.ca.gov/what-we-do/community-wildfire-preparedness-and-mitigation/fire-hazard-severity-zones