



COUNTY OF LAKE

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

August 8, 2023
 June 24, 2024

CALIFORNIA ENVIRONMENTAL QUALITY ACT ENVIRONMENTAL CHECKLIST FORM INITIAL STUDY (UP 21-07, IS 21-07) MITIGATED NEGATIVE DECLARATION

1. Project Title: Little High Valley
2. Permit Numbers: Major Use Permit UP 21-07
Initial Study IS 21-07
3. Lead Agency Name and Address: County of Lake
Community Development Department
Courthouse, 3rd Floor, 255 North Forbes Street
Lakeport, CA 95453
4. Contact Person: Mary Claybon, Associate Planner
(707) 263-2221
5. Project Location(s): 17870 Little High Valley Road
Lower Lake, CA 95457
APN: 012-061-03
6. Project Sponsor's Name & Address: 17870 Little High Valley, LLC / Mark McDonald
3350 Fulton Road / P.O. Box 44
Fulton, CA 95439
7. General Plan Designation: RL – Rural Lands
8. Zoning: RL – Rural Lands
9. Supervisor District: District 1
10. Flood Zone: "D" Areas of undetermined flood hazard
11. Slope: Varied; Project site is on less than 20 percent slopes
12. Fire Hazard Severity Zone: California State Responsibility Area (CALFIRE):
Moderate Risk; Very High Risk
13. Earthquake Fault Zone: None

14. Dam Failure Inundation Area: Not located within Dam Failure Inundation Area

15. Parcel Sizes: 78.38 acres

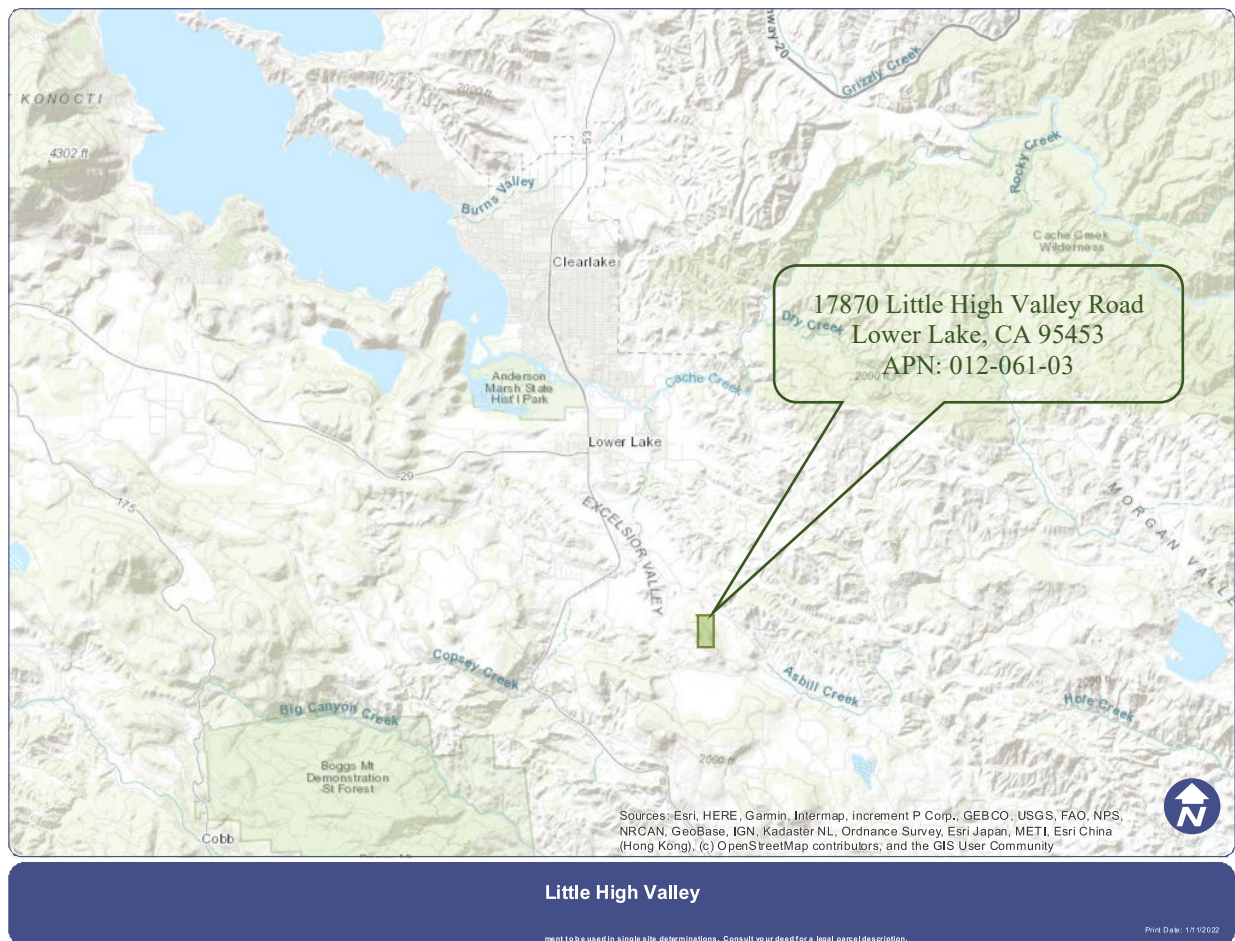
16. Description of Project:

The applicant is requesting discretionary approval from the County of Lake for a Major Use Permit, UP 21-07, for commercial cannabis cultivation at 17870 Little High Valley Road, Lower Lake, CA (Lake County APN 012-061-03), as described below:

Two (2) A-Type 3 “Medium Outdoor” licenses; outdoor cultivation for adult-use cannabis under direct sunlight. The applicant proposes up to 87,120 sq. ft. of outdoor canopy area.

One (1) A-Type 13 Self-distribution License: In the “RL” zoning district the Type 13 Distributor Only, Self-distribution State licenses are an accessory use to an active cannabis cultivation or cannabis manufacturing license site with a valid minor or major use permit. Per Article 27 Section 11 (ay), the parcel where the distributor transport only, self-distribution license is issued shall front and have direct access to a State or County maintained road or an access easement to such a road, the permittee shall not transport any cannabis product that was not cultivated by the permittee, and all non-transport related distribution activities shall occur within a locked structure. Furthermore, all guidelines for Distributor Transport Only License from the California Department of Cannabis Control’s Title 4, Division 19, Chapter, as described in §15315, must be followed.

Figure 1. Vicinity Map



Source: Lake County Parcel Viewer, Topographic Basemap

The proposed cannabis cultivation operation includes a 3,500 sq. ft. Processing Building, a 5,000-gallon metal fire water storage tank, and eight (8) 2,500-gallon water storage tanks. The proposed outdoor cultivation area would be enclosed with 6-foot tall chain link fences, covered with privacy screen/mesh where necessary to screen the cultivation area from public view. The growing medium of the proposed outdoor cultivation area will be an imported organic soilless growing medium (composed mostly of composted forest material) in above ground beds. All water for the proposed cultivation operation would come from an existing onsite groundwater well, and drip irrigation systems will be used to deliver irrigation water and to conserve water resources.

The Project proposes to use the following:

- One existing onsite groundwater well capable of producing +55 gallons per minute
- Up to 87,120 sq. ft. (2 Acres) of outdoor canopy area (proposed)
- A proposed 50'x70' (3,500 sq. ft.) metal building for Processing Facility
- Eight 2,500-gallon water storage tanks for irrigation (proposed)
- A 5,000-gallon metal water storage tank for fire suppression (proposed)
- An employee parking area with eight (8) spaces, including one ADA compliant space

Construction

Proposed construction activities would include vegetation removal to prepare the proposed parking area, building pad, and preparing the cultivation area. Minor grading (less than 500 cubic yards) would be needed to create a level pad on which to construct the proposed Processing Facility. Six inches of gravel will be applied to the access road and parking areas of the Project Parcel. Construction of the proposed Processing Facility would involve the delivering of construction materials to the project site, the pouring of a concrete foundation, and the erecting of the metal building. All construction activities, including engine warm-up, will occur between 9:00 am and 6:00 pm Monday through Friday, and are expected to take four to six weeks. Construction/development of the project is anticipated to generate 60 to 80 vehicle trips.

Operations

Operations will occur up to seven days per week from April through November. Normal operating hours will be Monday through Saturday during daylight hours from approximately 8:00 a.m. to 8:00 p.m. The Lake County Zoning Ordinance restricts deliveries and pickups to 9:00 a.m. to 7 p.m., Monday through Saturday, and Sunday from 12 noon to 5:00 p.m. Once operational, the proposed Project would staff approximately two (2) full-time employees and up to four (4) seasonal employees for planting and harvesting periods.

Chemical Storage

According to the applicant's Property Management Plan, fertilizers and pesticides will be stored within the proposed Processing Facility. All solid waste will be kept in a secured area and regularly removed to be disposed of at waste disposal facility. All plant waste will be chipped/mulched and composted on site, then reused as soil amendment.

Power

A new PG&E electrical utility service connection would be needed to provide power to the well pump and lights, fans, security cameras, and equipment used in and around the proposed Processing Facility. Electricity for the security cameras and security lights in and around the

proposed outdoor cultivation area will be produced via individual photovoltaic solar panels with battery storage/backup systems.

Trip Generation

The Project Parcel is located in a rural area of southwestern Lake County approximately 2.5 miles southeast of the community of Lower Lake, and is accessed via a private gravel and native soil surfaced access road off of Little High Valley Road. Daily traffic commutes during regular operations would be approximately four (4) trips during regular operations, and up to twelve (12) daily commutes during the peak planting and harvest periods. Weekly truck deliveries of various project-related materials would occur throughout the cultivation season.

Water Usage

All water for the proposed cultivation operation would come from the existing onsite groundwater well located at Latitude: 38.86856° and Longitude: -122.57838°, near the center of the Project Parcel and directly adjacent to the proposed cultivation operation. This groundwater well was drilled to a depth of 320 feet below ground surface (bgs) in August of 2020, through red clay with basalt boulders (0-50 feet bgs), volcanic ash (50-75 feet bgs), and red and black volcanics (75-320 feet bgs). This well had an estimated yield of +400 gallons per minute (gpm) at the time it was drilled. Irrigation water from the existing onsite groundwater well would be stored within eight (8) 2,500-gallon heavy-duty plastic water storage tanks. Water from the tanks will be gravity-fed to the cultivation area via polyvinyl chloride (PVC) piping, and then distributed throughout the cultivation areas using black poly tubing and drip tape. According to the Applicant's Hydrology Report, the proposed Project is expected to have an annual water use requirement between 1,369,000 and 1,890,000 gallons (4.2 to 5.8 acre-feet).

Grading and Erosion Control

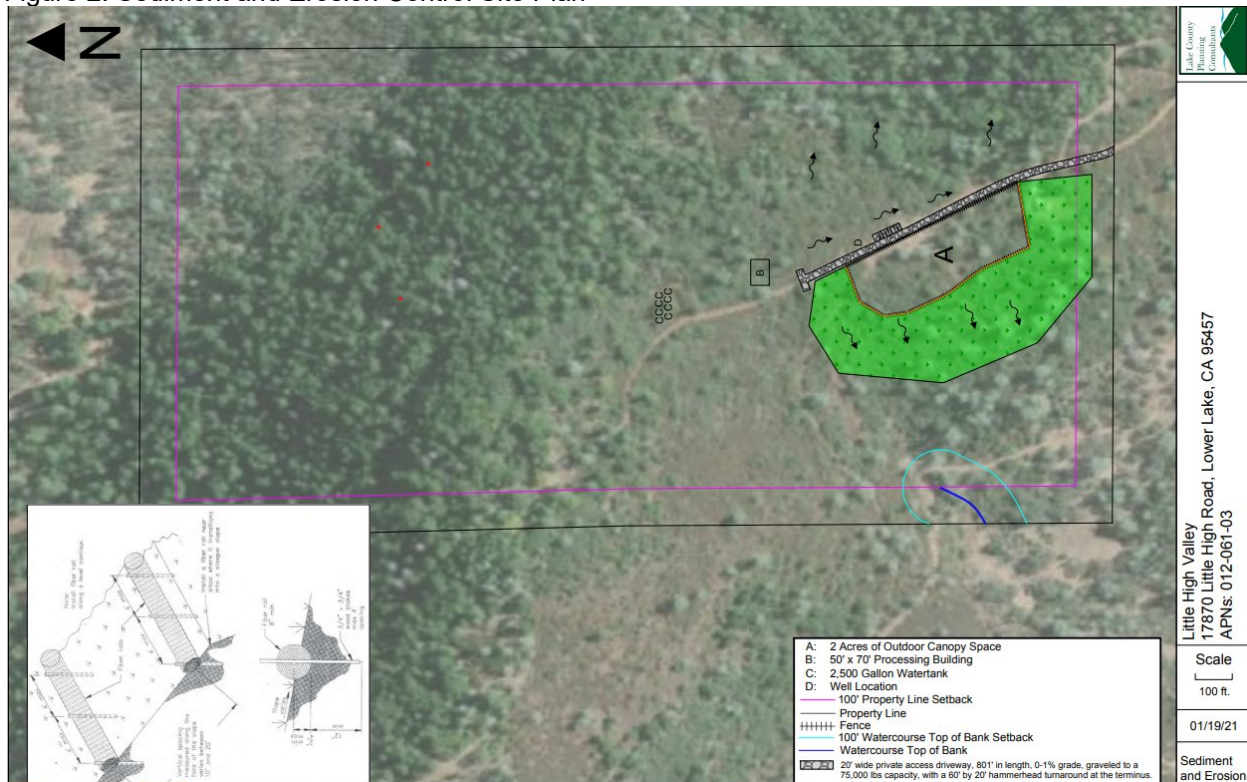
The proposed Project would increase the impervious surface area of the Project Property by approximately 5,000 sq. ft., through the construction/installation of a 3,500 sq. ft. metal building (proposed Processing Facility), eight 2,500-gallon water storage tanks, and a 5,000-gallon metal water storage tank for fire suppression. The proposed outdoor cultivation area would not increase the impervious surface area of the Project Property and should not increase the volume of runoff from the Project Site. The proposed parking lots will have a permeable gravel surface, and the proposed ADA parking spaces will be constructed of permeable pavers.

The Project Property is enrolled in the State Water Resources Control Board's Cannabis General Order (Order No. WQ 2019-001-DWQ) as a Tier 2, Low Risk site. As required in the Cannabis Order's Policy for coming into compliance with Best Practicable Treatment or Control (BPTC) measures, the applicant had to prepare a Site Management Plan (SMP) and a Nitrogen Management Plan (NMP) within 90 days of enrollment. "The purpose of the Cannabis Policy is to ensure 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, and springs" (State Water Board, 2019). BPTC measures have been implemented at the site for erosion control and 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 applicant is required to complete online Annual Monitoring and Reporting to assess compliance with the Cannabis General Order and Notice of Applicability. This includes BPTC measures for winterization.

According to the applicant's Property Management Plan, the following erosion control measures will be followed:

- Established and re-established vegetation within and around the proposed cultivation operation will be maintained/protected as a permanent erosion and sediment control measure.
- A native grass seed mixture and certified weed-free straw mulch will be applied to all areas of exposed soil prior to November 15th of each year, until permanent stabilization has been achieved.
- Gravel will be applied to the surfaces of access roads, pathways, and the aisles between the garden beds/pots of the proposed cultivation areas, to allow for infiltration while mitigating the generation of sediment laden stormwater runoff.
- Straw rolls/wattles will be installed before November 15th of each year throughout the proposed cultivation operation per the Project's engineered Erosion and Sediment Control Site Plan, to filter pollutants and promote stormwater retention and infiltration.
- If areas of concentrated stormwater runoff begin to develop, additional erosion and sediment control measures will be implemented to protect those areas and their outfalls

Figure 2. Sediment and Erosion Control Site Plan



Source: Materials Submitted by the Applicant

17. Environmental Setting and Existing Conditions:

The Project Parcel is located in a rural area of southwestern Lake County approximately 2.5 miles southeast of the community of Lower Lake, and is accessed via a private gravel and native soil surfaced access road off of Little High Valley Road. The Project Parcel is located on a volcanic ridge with elevations ranging between 1,840 and 2,210 feet above sea level. Vegetation of the Project Parcel is characterized as Mixed Chamise – Gray Pine Chaparral, with ruderal vegetation in the area of the Project Site. Due to the porous volcanic soils of the Project Parcel, there are no watercourses or wetlands on or near the Project Site. The climate

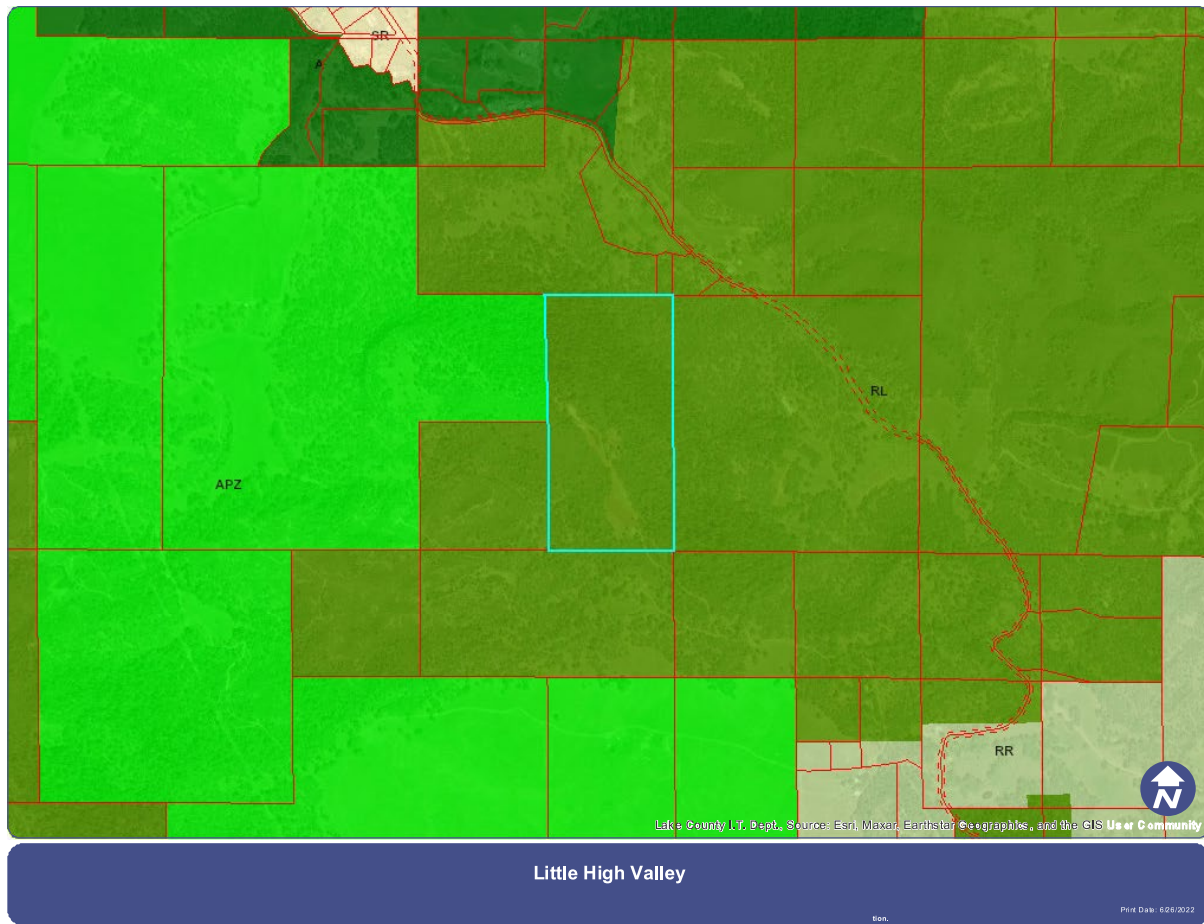
of the site is characterized by a Mediterranean-type climate, with distinct seasons consisting of hot, dry summers and wet, moderately cold winters. Surrounding properties contain rural residential estates, open space, ranches, grazing land, vineyards, and cannabis cultivation operations.

18. Surrounding Land Uses and Setting:

Since the Project Parcels are over five (5) acres in size, neighboring parcels that fall within a 725-foot buffer will be notified of the Project. These parcels include:

- North: 12199, 12343, 12495, & 12589 Spruce Grove Road; Parcel Numbers 012-060-05, 12, & 13; Zoned Rural Lands; Mostly vacant land with some rural residential estates
- East: 12589, 12671 & 12999 Spruce Grove Road; Parcel Number 012-067-32, 35, & 42; Zoned Rural Lands; Vacant Land
- West: 12053 Old Spruce Grove Road and 17760 Little High Valley Road; Parcel Numbers 012-061-01 & 02; Zoned Rural Lands and Agricultural Preserve, Vacant Land
- South: 17750 & 17910 Little High Valley Road; Parcel Numbers 012-046-01 & 012-056-12; Zoned Rural Lands, Vacant Land

Figure 5. Lake County Base Zoning Districts



Source: Lake County Parcel Viewer, World Imagery Basemap and Zoning Layer

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

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

- Lake County Department of Environmental Health
- Lake County Air Quality Management District
- Lake County Department of Public Works
- Lake County Department of Public Services
- Lake County Agricultural Commissioner
- Lake County Sheriff Department
- Northshore Fire Protection District
- Department of Motor Vehicles
- Central Valley Regional Water Quality Control Board
- California Water Resources Control Board
- California Department of Food and Agricultural

California Department of Pesticides Regulations
California Department of Public Health
California Bureau of Cannabis Control
California Department of Consumer Affairs
California Department of Fish & Wildlife (CDFW)
California Department of Forestry & Fire Protection (CALFIRE)
California Department of Transportation (CALTRANS)

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

A Cultural Resources Assessment was prepared for the proposed Project in December of 2020, with an intensive pedestrian survey of the Project site occurring in November of 2020 (discussed in the Tribal/Cultural Resources Sections of this Initial Study). A record search of the Native American Heritage Commission (NAHC) Sacred Lands File (SLF) was completed on November 24th, 2020 for the Project Property. Results of the SLF search were negative, but the NAHC recommended the lead agency contact local Native American tribes who may have knowledge of cultural resources in the Project area. Notification of the Project was sent to local tribes on May 7th, 2021. The Community Development Department received a request from Mr. Rivera Jr. of the Tribal Historic Preservation Department of the Middletown Rancheria for further consultation with the County and the Applicant that same day. The Project Site was surveyed by Mr. Rivera Jr. on July 6th, 2023 with coordination from the Applicant. Upon completing the survey, Mr. Rivera indicated that he no longer had any concerns regarding the proposed Project.

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 | ☐ Public Services |
| ☐ Agriculture & Forestry Resources | ☒ Hazards & Hazardous Materials | ☐ Recreation |
| ☒ Air Quality | ☒ Hydrology / Water Quality | ☐ Transportation |
| ☒ Biological Resources | ☐ Land Use / Planning | ☒ Tribal Cultural Resources |
| ☒ Cultural Resources | ☐ Mineral Resources | ☐ Utilities / Service Systems |
| ☐ Energy | ☒ Noise | ☐ Wildfire |
| ☒ Geology / Soils | ☐ Population / Housing | ☒ Mandatory Findings of Significance |

DETERMINATION: (To be completed by the lead Agency)

On the basis of this initial evaluation:

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

Initial Study Prepared By: Roy Sherrell, Environmental and Regulatory Compliance Consultant
Reviewed By: Andrew Amelung, Cannabis Program Manager, County of Lake

Signature: Mary Claybon

Date: 6/24/2024

Mary Claybon, Associate Planner
Lake County Community Development Department

SECTION 1

EVALUATION OF ENVIRONMENTAL IMPACTS:

- 1) A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to Projects like the one involved (e.g., the Project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on Project-specific factors as well as general standards (e.g., the Project will not expose sensitive receptors to pollutants, based on a Project-specific screening analysis).
- 2) All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as Project-level, indirect as well as direct, and construction as well as operational impacts.
- 3) Once the lead agency has determined that a particular physical impact may occur, and then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect may be significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.
- 4) "Negative Declaration: Less Than Significant With Mitigation Incorporated" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less Than Significant Impact." The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from Section XVII, "Earlier Analyses," may be cross-referenced).
- 5) Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063(c) (3) (D). In this case, a brief discussion should identify the following:
 - a) Earlier Analysis Used. Identify and state where they are available for review.
 - b) Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
 - c) Mitigation Measures. For effects that are "Less than Significant with Mitigation Measures Incorporated," describe the mitigation measures, which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the Project.
- 6) Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.
- 7) Supporting Information Sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.
- 8) This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies should normally address the questions from this checklist that are relevant to a Project's environmental effects in whatever format is selected.

- 9) The explanation of each issue should identify:
- The significance criteria or threshold, if any, used to evaluate each question; and
 - The mitigation measure identified, if any, to reduce the impact to less than significance

I. AESTHETICS	Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less Than Significant Impact	No Impact	Source Number
Except as provided in Public Resource Code Section 21099, would the project:					
a) Have a substantial adverse effect on a scenic vista?	☐	☐	☒	☐	1, 2, 3, 4, 5, 6, 9
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	☐	☐	☒	☐	2, 3, 4, 9
c) Substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point). If the project is in an urbanized area would the project conflict with applicable zoning and other regulations governing scenic quality?	☐	☐	☒	☐	1, 2, 3, 4, 5, 6, 9
d) Would the project create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	☐	☒	☐	☐	1, 2, 3, 4, 5, 6, 9

Discussion:

- a) The Project Parcel is located in a rural unincorporated area of Lake County approximately 1.75 miles east of Highway 29, the nearest scenic corridor. The proposed Project is agricultural in nature, and therefore compatible with the ranching and agricultural uses (including commercial cannabis cultivation) of surrounding properties.

There are no scenic vistas on or adjacent to the subject site, and the project site is hidden from public views and adjacent properties due to vegetation and topography. Therefore, this project is not anticipated to impact views of mountains, open views of undeveloped land or other scenic vistas.

- b) The Project Parcel is located in a rural unincorporated area of Lake County approximately 1.75 miles east of Highway 29, the nearest scenic corridor. There are no scenic resources, rock outcroppings, or historic buildings on or in the immediate vicinity of the Project site. The proposed project will not substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway. The Project site is not visible from the highway due to vegetation and topography.

Less than Significant Impact

- c) The Project Parcel is located in a rural unincorporated area of Lake County approximately 1.75 miles east of Highway 29, the nearest scenic corridor. The proposed Project is

agricultural in nature, and therefore compatible with the ranching and agricultural uses (including commercial cannabis cultivation) of surrounding properties.

The Project will not impact an urbanized area, substantially degrade the existing visual character or quality of public views, and the Project site is not highly visible from any public property.

Less than Significant Impact

- d) The proposed use is an outdoor cannabis cultivation operation. The Project has some potential to create additional light and/or glare through exterior security lighting. The following mitigation measure shall be implemented to reduce the impacts to less than significant:

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 www.darksky.org and provisions of Section 21.48 of the Zoning Ordinance.

Less than Significant Impact with Mitigation Measure AES-1 incorporated.

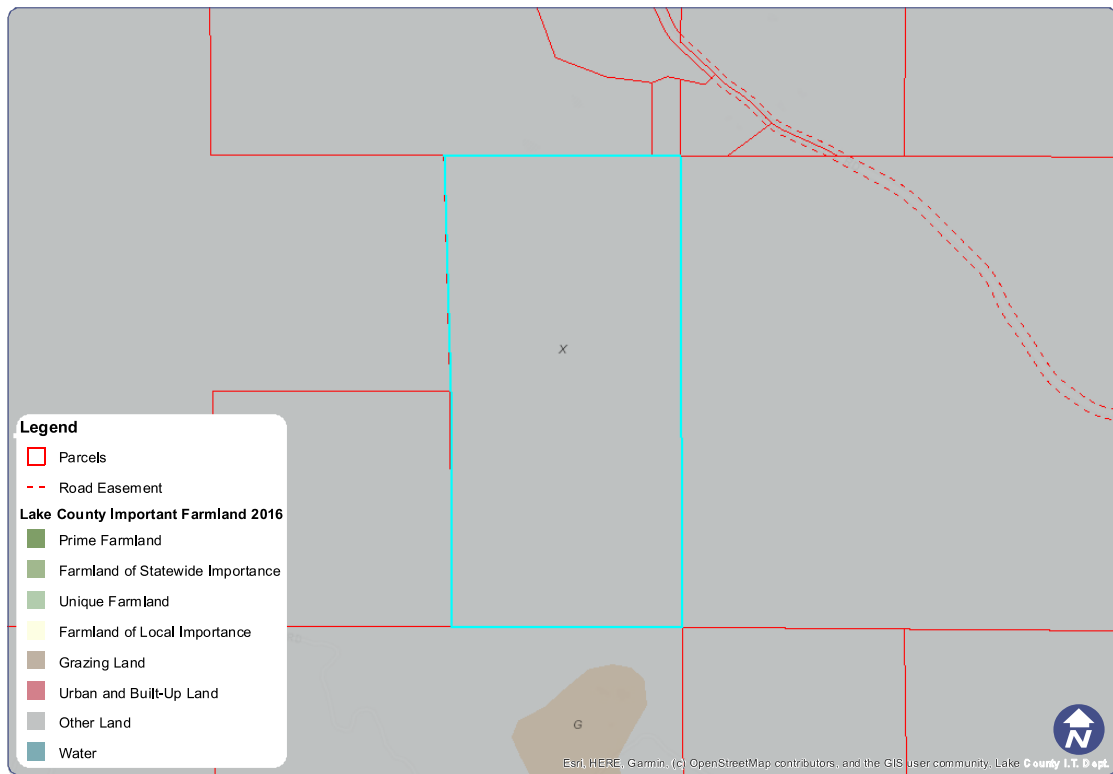
II. AGRICULTURE AND FORESTRY RESOURCES	Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less Than Significant Impact	No Impact	Source Number
Would the project:					
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	☐	☐	☐	☒	1, 2, 3, 4, 7, 8, 11, 13, 39
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	☐	☐	☐	☒	1, 2, 3, 4, 5, 7, 8, 11, 13
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?	☐	☐	☐	☒	1, 2, 3, 4, 5, 7, 8, 11, 13,
d) Result in the loss of forest land or conversion of forest land to non-forest use?	☐	☐	☐	☒	1, 2, 3, 4, 5, 6, 9,
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?	☐	☐	☒	☐	1, 2, 3, 4, 5, 7, 8, 11, 13,

Discussion:

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

- a) According to the California Department of Conversation Farmland Mapping and Monitoring Program no portion of the Project Parcel is mapped as Prime Farmland, Unique Farmland, or Farmland of Statewide Importance. All of the Project Parcel is identified as "X" – Other Land by the Farmland Mapping and Monitoring Program.

Figure 6. Farmland Mapping and Monitoring Program Designation of Project Parcel



The Project would not be converting farmland that is of high quality or significant farmland to a non-agricultural use.

No Impact

- b) Under Article 27.11 of the Lake County Zoning Ordinance, Outdoor Cannabis Cultivation is permitted on parcels with a Base Zoning District of “RL” Rural Lands with a minimum of 78 acres. The Project Property consists of 78 acres.

Agricultural uses as described in California Government Code §51201(c) are generally allowed on Rural Lands, and no portion of the Project Parcel is under a Williamson Act contract. The Project would not interfere with the ability of the owner or neighbors to use the remaining land for more traditional crop production and/or grazing land.

No Impact

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

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

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

The Project Parcel is zoned “RL” Rural Lands. The Project Parcel does not contain any timberland, or timberland zoned Timberland Production lands, nor are any timberlands located on or nearby the Project site. The Project does not propose a zone change that would rezone forest land, timberland, or timberland zoned for Timberland Production.

No Impact

- d) The Project Parcel is zoned “RL” Rural Lands. The Project Parcel does not contain any timberland, or timberland zoned Timberland Production lands, nor are any timberlands located on or nearby the Project site. The Project would not result in the loss or conversion of forest land to a non-forest use.

No Impact

- e) The project would not involve other changes in the existing environment which, due to their location or nature, could result in conversion of farmland, to non-agricultural uses or the conversion of forest land to non-forest uses. The cultivation of cannabis is an allowable use with the “RL” Rural Lands Land Use Zoning Designations upon securing a Minor/Major Use Permit pursuant to Article 27 (Table B) of the Lake County Zoning Ordinance.

Less than Significant Impact

III. AIR QUALITY

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

Discussion:

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

- a) The Project site is located within the Lake County Air Basin, which is under the jurisdiction of the Lake County Air Quality Management District (LCAQMD). The LCAQMD applies air pollution regulations to all major stationary pollution sources and monitors air quality. The Lake County Air Basin is in attainment with both state and federal air quality standards.

According to the USDA Soil Survey and the ultramafic, ultrabasic, serpentine rock and soils map of Lake County, serpentine soils have not been found on the Project Parcel, and would pose no threat of asbestos exposure during either the construction phase or the operational phase.

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

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

Construction impacts, including pad preparation and trenching to provide utilities to the for the proposed structures, would be temporary in nature and would occur over an estimated four (4) to six (6) week period.

Operational impacts would include dust and fumes from site preparation and vehicular traffic, including small delivery vehicles that would be contributors during and after site preparation and construction. Dust and fumes may be released as a result of vehicular traffic, including small delivery vehicles. Carbon air filtration systems will be installed inside of the proposed Processing Facility, which will help to minimize odors during processing activities.

Implementation of conditions of approval would reduce air quality impacts to less than significant. Dust during site preparation would be limited during periods of high winds (over 15 mph). All visibly dry, disturbed soil and road surfaces would be watered to minimize fugitive dust emissions.

AQ-1: Prior to obtaining the necessary permits and/or approvals for any phase, applicant shall contact the Lake County Air Quality Management District (LCAQMD) and obtain an Authority to Construct (A/C) permit for all operations and for any diesel-powered equipment and/or other equipment with potential for air emissions.

AQ-2: All mobile diesel equipment used must be in compliance with state registration requirements. Portable and stationary diesel-powered equipment must meet all federal, state, and local requirements, including the requirements of the State Air Toxic Control Measures for compression ignition engines. Additionally, all engines must notify LCAQMD prior to beginning construction activities and prior to diesel engine use.

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

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

AQ-5: The applicant shall have the primary access and parking areas surfaced with chip seal, asphalt, or an equivalent all weather surfacing to reduce fugitive dust generation. The use of white rock as a road base or surface material for travel routes and/or parking areas is prohibited.

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

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

- b) The Project area is in the Lake County Air Basin, which is designated as in attainment for state and federal air quality standards for criteria pollutants (CO, SO₂, NO_x, O₃, PM₁₀, PM_{2.5}, VOC, ROG, Pb). Any Project with daily emissions that exceed any of the thresholds of significance for these criteria pollutants should be considered as having an individually and cumulatively significant impact on both a direct and cumulative basis.

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

Comparison of Daily Construction Emissions Impacts with Thresholds of Significance

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

Comparison of Daily Operational Emissions Impacts with Thresholds of Significance

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

Comparison of Annual Operational Emissions Impacts with Thresholds of Significance

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

Less than Significant Impact

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

There are no schools, parks, childcare centers, convalescent homes, or retirement homes located in proximity to the Project site. The nearest off-site residences are over 500 feet from the Project site, well over the 200-foot setback for offsite residences from commercial cannabis cultivation as described in Article 27.11 of the Lake County Zoning.

Pesticide application will be used during the growing season and only within the cultivation areas. The cultivation areas will be surrounded by a fences, which will help to prevent off-site drift of pesticides. Additionally, no demolition or renovation will be performed which would cause asbestos exposure, and no serpentine soils have not been detected and are not mapped onsite.

Less than Significant Impact

- d) The Project Property is located in a rural area of the County of Lake, where the majority of development is agricultural uses and limited single family residential dwellings. The operation will not result in other emissions (such as those leading to odors or dust) adversely affecting a substantial number of people.

Less than Significant Impact

IV. BIOLOGICAL RESOURCES

	Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less Than Significant Impact	No Impact	Source Number
Would the project:					
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	☐	☒	☐	☐	2, 5, 11, 12, 13, 16, 24, 29, 30, 31, 32, 33, 34, 38
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?	☐	☒	☐	☐	1, 2, 3, 4, 5, 11, 12, 13, 16, 17, 29, 30, 31, 32, 33, 34, 38
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?	☐	☐	☒	☐	1, 2, 3, 4, 5, 11, 12, 13, 16, 17, 21, 24, 29, 30, 31, 32, 33, 34, 38
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?	☐	☐	☒	☐	13
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	☐	☐	☒	☐	1, 2, 3, 4, 5, 11, 12, 13,
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	☐	☐	☐	☒	1, 2, 3, 5, 6, 13

Discussion:

- a) A Biological Assessment (BA) was prepared by Pinecrest Environmental Consulting, Inc. dated December 27, 2020. The BA was prepared to assist in compliance with the California Environmental Quality Act and the Federal and State Endangered Species Acts. This assessment provides information about the biological resources within the study area, the regulatory environment affecting such resources, any potential project-related impacts upon these resources, and finally, to identify mitigation measures and other recommendations to reduce the significance of these impacts. **The field survey was completed on September 1, 2020. The BA notes that no rain fell the preceding month, and most annual and perennial species were past flowering, although most species still had flowering parts intact and these were used for identification of annual plants. Many perennial species were still flowering.**

According to the report, the purpose of this reconnaissance-level Biological Assessment is to evaluate the existence of special-status species (SSS) and/or habitats, as well as assess the potential for SSS listed in Appendix A (refer to attached report for full details) to occur on or near the site of commercial cultivation activities, pursuant to applicable regulations from County of Lake and the State of California.

This BA also analyzes the potential for jurisdictional wetlands and other waters of the State to exist onsite, and classifies landforms that may potentially convey sediment to waters of the State including dry creeks, washes, swales, gullies, and other erosional features. Also included is a set of Best Management Practices (BMPs) that are adapted from a variety of sources including State Water Resources Control Board (SWRCB) Cannabis General Order No. WQ 2019-0001-DWQ and other state and local ordinances.

The information below is based on the survey results documented in the BA prepared for the Project Parcel:

Natural Communities of the Project Parcel

The onsite communities are almost entirely chamise chaparral (Figure 9), transitioning into gray pine and black oak woodland at higher elevations. There are no special soil types such as serpentine or hardpan visible at the time of the survey and no rock outcrops in the vicinity of the proposed cultivation area.

Summary and Findings of the Biological Assessment and Botanical Survey

No special-status plant species were observed during the surveys performed of the Project Parcel. No impacts are predicted for any of the special-status plant species considered based on lack of actual sightings, and lack of suitable habitat in the proposed project areas. The proposed cultivation area is previously cleared and although there is vegetation regrowing in the area it is almost entirely chamise and Yerba Santa. Although the site is in Critical Habitat for Slender Orcutt Grass, there is no suitable habitat on site for this species. No special-status animal species were observed during the surveys performed of the Project Parcel. There are no jurisdictional watercourses on site, and no ponds or wetlands that would be suitable habitat for breeding.

The Project Parcel contains some suitable habitat in the northern high elevation portions for special-status species, however there are no plans to develop in the steep northern portions of the Parcel.

BIO-1: All work shall incorporate erosion control measures consistent with the Erosion and Sediment Control Plans submitted, Lake County Grading Regulations, and the State Water Resources Control Board's Cannabis General Order (Order No. WQ 2019-001-DWQ) and Appendix F of Biological Assessment conducted by Pinecrest Environmental Consulting, dated December 2020.

BIO-2: The applicant shall maintain a minimum of a 100-foot setback/buffer from the top of bank of any watercourse, wetland, and/or vernal pool. Pesticides and fertilizer storage facilities shall be located outside of riparian setbacks and not within 100 feet of a well head.

BIO-3: The applicant shall ensure to use only previously disturbed areas for staging/storage of materials and/or equipment that is used to maintain the ongoing use. No areas shall be newly developed for the purpose of staging.

BIO-4: BIO-4: Prior to any ground disturbance and/or vegetation removal, the applicant shall have a pre-construction survey conducted by a qualified biologist for special-status plant and animal species to ensure that special-status species are not present. If any listed species are detected, construction shall be halted, and the appropriate resource agency (CDFW and/or USFWS) shall be consulted with to identify appropriate avoidance measures.

BIO-5: If construction activities occur during the nesting season (February 15 through September 30), a pre-construction survey for the presence of special-status bird species or any nesting bird species should be conducted by a qualified biologist within 500 feet of proposed construction areas, within seven days prior to the commencement of ground disturbing activities. If active nests are identified in these areas, CDFW and/or USFWS shall be consulted to develop measures to avoid “take” of active nests prior to the initiation of any construction activities. Avoidance measures may include establishment of a buffer zone using construction fencing or the postponement of vegetation removal until after the nesting season, or until after a qualified biologist has determined the young have fledged and are independent of the nest site.

Less Than Significant Impact with Mitigation Measures BIO-1 through BIO-5 incorporated.

- b) The Biological Assessment (BSA) identified only one ephemeral Class III watercourse on the Project Parcel. No vernal pools or other isolated wetlands were observed on the Project Property.

No cultivation activities are proposed within 100-feet of the identified watercourse, which is consistent with Article 27 of the Lake County Zoning Ordinance that regulates commercial cannabis cultivation.

The Project is enrolled with the SWRCB for Tier 2, Low Risk coverage under Order No. WQ 2019-001-DWQ (Cannabis Cultivation General Order). The Cannabis Cultivation General Order implements Cannabis Policy requirements with the purpose of ensuring that the diversion of water and discharge of waste associated with cannabis cultivation does not have a negative impact on water quality, aquatic habitat, riparian habitat, wetlands, or springs. The 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 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.

Less Than Significant Impact with Mitigation Measures BIO-1 through BIO-5 incorporated.

- c) The Biological Assessment (BSA) identified only one ephemeral Class III watercourse on the Project Parcel. No vernal pools or other isolated wetlands were observed on the Project Property.

No cultivation activities are proposed within 100-feet of the identified watercourse, which is consistent with Article 27 of the Lake County Zoning Ordinance that regulates commercial cannabis cultivation.

Less Than Significant Impact

- d) According to the BA prepared for the proposed Project, no wildlife corridors or fishery resources were identified on the Project Parcel, and the Project Property is not located within any adopted Habitat Conservation Plan or Natural Community Conservation Plan.

Wildlife movement corridors link remaining areas of functional wildlife habitat that are separated primarily by human disturbance, but natural barriers such as rugged terrain and abrupt changes in vegetation cover are also possible. Wilderness and open lands have been fragmented by urbanization, which can disrupt migratory species and separate interbreeding populations. Corridors allow migratory movements and act as links between these separated populations. Although no mapped wildlife corridors (such as the California Essential Habitat Connectivity Area layer in CNDDDB) exist on the Project Property, the open space and the stream corridor of the Project Property facilitate animal movement and migrations.

Although the Project area may be used by wildlife for movement or migration, the proposed Project would not have a significant impact on this movement because it would not create any unpassable barriers and the majority of the Project Property will still be available for corridor and migration routes. Therefore, implementation of the Project will not interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites.

Less than Significant Impact

- e) The proposed operation does not conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance. No vegetation will be removed as the Project will be developed within a previously disturbed area. All vegetation will be routinely maintained in accordance with all Federal, State and local agency requirements, including Chapter 13 of the Lake County Code.

Less than Significant Impact

- f) No Habitat Conservation Plans, Natural Community Conservation Plans, or other local, regional, or state habitat conservation plans have been adopted for the Project area and no impacts are anticipated.

No Impact

V. CULTURAL RESOURCES

	Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less Than Significant Impact	No Impact	Source Number
Would the project:					
a) Cause a substantial adverse change in the significance of a historical resource pursuant to §15064.5?	☐	☒	☐	☐	1, 3, 4, 5, 11, 14, 15
b) Cause a substantial adverse change in the significance of an archeological resource pursuant to §15064.5?	☐	☒	☐	☐	1, 3, 4, 5, 11, 14, 15
c) Disturb any human remains, including those interred outside of formal cemeteries?	☐	☒	☐	☐	1, 3, 4, 5, 11, 14, 15

Discussion:

- a) A Cultural Resource Evaluation was prepared by Registered Professional Archaeologist Dr. John Parker, and dated December 3, 2020.

According to the Cultural Resource Assessment, a pedestrian survey within the project area was conducted on November 28th, 2020. All portions of the project area that will be subject to direct and indirect impacts from cultivation-related development were surveyed intensively using transects spaced 5 to 8 meters apart. During the survey, all visible ground surfaces were carefully examined for cultural material, soil discoloration that might indicate the presence of a cultural midden, soil depressions, and features indicative of the former presence of structures or buildings, and historic-era debris.

Prior to the field inspection, a record search was conducted at the Sonoma State University office of the California Historical Resource Information System. This record search indicated that the project area had not been previously inspected for cultural resources. Additionally, on November 15th, 2020, a request for information was sent to the California Native American Heritage Commission (NAHC) for their review of the Sacred lands file for the project area, and an email requesting information concerning cultural resources in the area was sent to the Tribal Historic Preservation Officer (THPO) for the Middletown Wappo Tribe. The NAHC review failed to turn up any evidence of previously recorded sacred sites, and no responses were received from the THPO.

The field inspection and background research turned up no evidence of historic or prehistoric use in the area. Due to leaf litter in some areas, it is likely that isolated historic or prehistoric artifacts may have been missed. However, all significant cultural resources would have been discovered and recorded. As no "significant" historic resources were discovered, it was recommended that the proposed project be approved as planned.

Lake County is rich in tribal history. Because of this, standard practice of the County is to require several specific mitigation measures in the event that potential artifacts, relics or human remains are discovered during any site disturbance. Although the likelihood of such items being found is small due to the lack of new site disturbance that is needed, the following mitigation measures will further ensure a measure of protection of tribal resources:

~~CUL-1: Should any archaeological, paleontological, or cultural materials be discovered during site development, all activity shall be halted in the vicinity of the find(s), the applicant shall notify the culturally affiliated Tribe, and a qualified archaeologist to evaluate the find(s) and recommend mitigation procedures, if necessary, subject to the approval of the Community Development Director. Should any human remains be encountered, the applicant shall notify the Sheriff's Department, the culturally affiliated Tribe, and a qualified archaeologist for proper internment and Tribal rituals per Public Resources Code Section 5097.98 and Health and Safety Code 7050.5.~~

~~CUL-2: All employees shall be trained in recognizing potentially significant artifacts that may be discovered during ground disturbance. If any artifacts or remains are found, the culturally affiliated Tribe shall immediately be notified; a licensed archaeologist shall be notified, and the Lake County Community Development Director shall be notified of such finds.~~

~~CUL-1: Should any archaeological, paleontological, or cultural materials be discovered during site development, all activity shall be halted within 100' of the find(s). A professional Archaeologist certified by the Registry of Professional Archaeologists (RPA) shall be notified to evaluate the find(s) and recommend mitigation procedures, if necessary, subject to the approval of the Community Development Director.~~

~~Should any human remains be encountered, the applicant shall notify the Sheriff's Department, the culturally affiliated Tribe(s), and a qualified Archaeologist for proper internment and Tribal rituals per Public Resources Code Section 5097.98 and Health and Safety Code 7050.5.~~

~~CUL-2: 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.~~

Less than Significant Impacts with Mitigation Measures CUL-1 and CUL-2 incorporated.

- b) A Cultural Resources Assessment was prepared for the proposed Project in December of 2020, with an intensive pedestrian survey of the Project site occurring in November of 2020. Prior to the field inspection, a record search was conducted at the Sonoma State University office of the California Historical Resource Information System. This record search indicated that the project area had not been previously inspected for cultural resources. A record search of the Native American Heritage Commission (NAHC) Sacred Lands File (SLF) was completed on November 24th, 2020 for the Project Property. Results of the SLF record search were negative.

There is no indication that the Project will impact any archeological resources pursuant to Section 15064.5.

Less than Significant Impact with Mitigation Measures CUL-1 and CUL-2 incorporated.

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

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

Less than Significant Impact with Mitigation Measures CUL-1 and CUL-2 incorporated.

VI. ENERGY

	Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less Than Significant Impact	No Impact	Source Number
Would the project:					
a) Result in potentially significant environmental impacts due to wasteful, inefficient, or unnecessary consumption of energy resource, during construction or operation?	☐	☐	☒	☐	5
b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?	☐	☐	☒	☐	1, 3, 4, 5

Discussion:

- a) The proposed project consists of outdoor cannabis cultivation. As such, energy usage for this operation would be minimal. The cultivation site will require power for security systems, water pumps, minor outdoor lighting, and cannabis drying and processing equipment. According to the applicant's Property Management Plan, an electrical upgrade will be applied for with building permits for the proposed structures. All electricity needed for the proposed Processing Facility will be supplied from a new PG&E grid-power connection. Electricity for the security cameras and security lights in and around the proposed outdoor cultivation area will be produced via individual photovoltaic solar panels with battery storage/backup systems.

The proposed use would not result in potentially significant environmental impacts due to wasteful, inefficient or unnecessary consumption of energy resources during Project development or operation. All energy usage shall adhere to all Federal, State and local agency requirements regarding energy use.

Less than Significant Impact

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

Additionally, the California Department of Cannabis Control cultivation and microbusiness licensees authorized to engage in indoor, tier 2 mixed-light cultivation, or nursery using indoor or tier 2 mixed-light techniques, are required to report total electricity for each power source used to the DCC upon license renewal and comply with the renewable energy requirements. Specifically, such licensees must have an average weighted greenhouse gas emission intensity (AWGGEI) that is less than or equal to the AWGGEI of their local utility provider. Such licensees are required to obtain carbon offset credits if the AWGGEI is greater than their utility provider's.

The proposed project consists of outdoor cannabis cultivation. The proposed use will not conflict or obstruct a State or local plan for renewable energy or energy efficiency.

Less than Significant Impact

VII. GEOLOGY AND SOILS

Potentially Significant Impact	Less Than Significant With Mitigation Measures	Less Than Significant Impact	No Impact	Source Number
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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

☐
☐
☒
☐

1, 2, 3, 4, 5, 18, 19

	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?	☐	☒	☐	☐	1, 3, 4, 5, 19, 21, 24, 25, 30
c)	Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on-site or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	☐	☐	☒	☐	1, 2, 3, 5, 6, 9, 18, 21
d)	Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?	☐	☐	☒	☐	5, 7, 39
e)	Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of waste water?	☐	☐	☒	☐	2, 4, 5, 7, 13, 39
f)	Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	☐	☐	☒	☐	1, 2, 3, 4, 5, 14, 15

Discussion:

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

Earthquake Faults (i)

According to the USGS Earthquake Faults map available on the Lake County GIS Portal, there are no mapped earthquake faults within five miles of the Project Parcel. Thus, no rupture of a known earthquake fault is anticipated and the proposed Project would not expose people or structures to an adverse effects related rupture of a known earthquake fault as no structures for human occupancy are being proposed.

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

Lake County contains numerous known active faults. Future seismic events in the Northern California region can be expected to produce seismic ground shaking at the site. All proposed construction is required to be built under Current Seismic Safety Construction Standards.

Landslides (iv)

The Project Parcel is hilly, with slopes that are greater than 30%, but the project site is minimally sloped (less than 10% slopes). According to the Landslide Hazard Identification Map prepared by the California Department of Conservation's Division of Mines and Geology, the area is considered generally stable. As such, the Project site is considered

moderately susceptible to landslides and will not likely expose people or structures to substantial adverse effects involving landslides, including losses, injuries or death.

Less Than Significant Impact

- b) Soils of the Project site are identified as the Konocti-Hambright complex by the soil survey of Lake County, prepared by the U.S.D.A., and characterized as very gravelly loams derived from residuum weathered from basalt. Development of the Project would include vegetation removal to prepare the proposed parking area, building pad, and preparing the cultivation area(s). Minor grading (less than 500 cubic yards) would be needed to create a level pad on which to construct the proposed Processing Facility. Six inches of gravel will be applied to the access road and parking areas of the Project Parcel. Outdoor cultivation would occur within above ground beds installed on contour within the proposed cultivation areas. Straw wattles are proposed around the cultivation areas and a natural existing vegetated buffer will be maintained around the proposed project.

The applicant shall comply with the State Water Resources Control Board's Cannabis General Order (Order No. WQ-2019-001-DWQ) and Chapters 29 and 30 of the Lake County Code, to protect water quality through the implementation of Best Management Practices (BMPs) / Best Practicable Treatment or Control (BPTC) measures, which include erosion and sediment control BMPs/BPTC measures. The applicant has provided Erosion & Sediment Control Plans that address potential erosion through the application of gravel/rock to access roads, weed-free straw mulch to disturbed areas, and the installation of straw wattles around the proposed cultivation areas and structures.

Less Than Significant Impacts with Mitigation Measures BIO-1 incorporated.

- c) The Project Property contains mixed topography, with some slopes that are greater than 30%, but the Project site is minimally sloped (less than 10% slopes). According to the Landslide Hazard Identification Map, prepared by the California Department of Conservation, Division of Mines and Geology, the project parcel is not located within and/or adjacent to an existing known "landslide area".

Soils of the Project site are identified as the Konocti-Hambright complex (Soil Type 153) by the soil survey of Lake County, prepared by the U.S.D.A., and characterized as gravelly and clay loams derived from alluvium. Soils of the Konocti-Hambright complex are considered generally stable and not in danger of lateral spreading, subsidence, liquefaction or collapse.

Less Than Significant Impact

- d) The Uniform Building Code is a set of rules that specify standards for structures. No structures are proposed that would require a building permit.

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.

Soils of the Project site are identified as the Konocti-Hambright complex (Soil Type 153) by the soil survey of Lake County, prepared by the U.S.D.A., and characterized as well-drained gravelly loams. These soils have minimal shrink-swell. Any new construction requiring a building permit would be subject to the Uniform Building Code and California Building Code for foundation design to meet the requirements associated with expansive soils, if they are found to exist within a site specific study.

Less Than Significant Impact

- e) The Project would be served by an ADA-compliant restroom within the proposed Processing Facility. The restroom would rely on a new onsite wastewater treatment septic system, which would require a permit from the Lake County Department of Environmental Health. Prior to applying for a permit, the Lake County Department of Environmental Health requires a Site Evaluation to determine the suitability of the site for a septic system. A percolation test would be conducted to determine the water absorption rate of the soil, and the septic system would be located, designed, and installed appropriately, following all applicable State and County guidelines and requirements. A proposed septic system would be located in an area of Type 153 soils. According to the USDA Soil Survey, this soil type could support a septic system.

Therefore, the proposed Project would not have soils incapable of adequately supporting the use of septic tanks for the disposal of wastewater. In additional, the system would be reviewed and approved by the Department of Environmental Health.

Less than Significant Impact

- f) The project site does not contain any known unique geologic feature or paleontological resources. Disturbance of these resources is not anticipated.

Less than Significant Impact

VIII. GREENHOUSE GAS EMISSIONS

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

Discussion:

- a) The Project Parcel is located within the Lake County Air Basin, which is under the

jurisdiction of the Lake County Air Quality Management District (LCAQMD). The LCAQMD applies air pollution regulations to all major stationary pollution sources and monitors countywide air quality. 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 Lake County Air Basin is in attainment for all air pollutants and has therefore not adopted thresholds of significance for GHG emissions.

The proposed Project consists of outdoor cannabis cultivation. In general, greenhouse gas emissions associated with outdoor cannabis cultivation come from construction activities and vehicle trips. The outdoor cultivation areas will not have specific greenhouse gas-producing elements, and the cannabis plants will capture some carbon dioxide. Construction activities would be temporary in nature and would occur over an estimated four (4) to six (6) week period, generating up to twenty (20) vehicle trips per day.

Six (6) to ten (10) daily traffic commutes are expected during regular operations, and up to twenty (20) daily commutes during the peak planting and harvest periods. Weekly truck deliveries of various project-related materials would occur throughout the cultivation season.

Lake County uses the Bay Area Air Quality Management District (BAAQMD) thresholds of significance as a basis for determining the significance of air quality and GHG impacts. The BAAQMD threshold of significance for a project is 1,100 metric tons of CO₂ emissions per project.

CO₂ emissions are quantifiable. According to the EPA, a vehicle produces on average 404 grams of CO₂ emissions per vehicle mile traveled. The cultivation site is located about 5 miles from the City of Clearlake, the nearest population base and the likely residency of employees. Up to ten (10) employees are likely during construction and peak harvest times, and up to five (5) employees during regular operations. Assuming each employee drives 5 miles to and from work, a total of 50 vehicle miles per day would result during normal operations, and a total of 100 miles would result during the month of peak harvest season. A total of two weekly deliveries would result from non-employees, adding an additional 20 miles per week.

Non peak harvest time total miles traveled is assumed to be 6 months (26 weeks) times 300 vehicle miles per week = 7,800 non-harvest time vehicle miles per year. With each car generating 404 grams of CO₂ emissions per mile, a total of 3,151,200 grams of CO₂ emissions per year during non peak harvest season, or 3.2 tons of CO₂ emissions per year for non peak harvest times. Staff estimates that an additional ton of peak harvest time emissions would result from this project per year.

Using the BAAQMD 'significance thresholds' of 1,100 metric tons of CO₂ emissions per project, this project would take over 250 years to meet the significance threshold levels established by the BAAQMD.

Construction emissions and operational emissions were calculated using the California Emissions Estimator Model (CalEEMod®), Version 2016.3.2. Construction and operational

CO₂ emissions are summarized above and in the tables of the Air Quality Section of this Initial Study. The results are expressed as a range of potential emissions. To magnify any air quality impacts, the model was run using the worst-case scenarios, and emissions estimates are reported here using the unmitigated emissions values. Air emissions modeling performed for this project demonstrates that the project, in both the construction phase and the operational phase, would not generate significant quantities of greenhouse gases and does not exceed the project-level thresholds established by BAAQMD.

Less than Significant Impact

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

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

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

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

The 2017 AB Climate Change Scoping Plan recognizes that local government efforts to reduce emissions within their jurisdiction are critical to achieving the State’s long term GHG goals, which includes a primary target of no more than six (6) metric tons CO₂e per capita by 2030 and no more than two (2) metric tons CO₂e per capita by 2050. The Project will have up to three (3) individuals working on site (owners/operators) during normal operational hours, and with an expected 6.875 metric tons of overall operational CO₂e per year, the per capita figure of 2.29 metric tons of operational CO₂e per year meets the 2017 Climate Change Scoping Plan’s 2030 target, and nearly meets the 2050 target.

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

off-road equipment operations, and the applicant should be aware of and expected to make a transition away from SOREs by the required future date.

Less than Significant Impact

IX. HAZARDS AND HAZARDOUS MATERIALS	Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less Than Significant Impact	No Impact	Source Number
Would the project:					
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	☐	☒	☐	☐	1, 3, 5, 13, 21, 24, 29, 31, 32, 33, 34
b) Create a significant hazard to the public or the environment through reasonable foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	☐	☒	☐	☐	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
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
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) Chemicals Storage and Effluent

According to the applicant, chemicals stored and used at/by the proposed cultivation operation include fertilizers/nutrients, pesticides, and petroleum products (Agricultural Chemicals). All fertilizers/nutrients and pesticides, when not in use, will be stored in their manufacturer's original containers/packaging, undercover, and at least 100 feet from surface water bodies, inside the secure Pesticides & Agricultural Chemicals Storage Area. Petroleum products will be stored under cover, in State of California-approved containers with secondary containment, and separate from pesticides and fertilizers within the

proposed Pesticides & Agricultural Chemicals Storage Area. Spill containment and cleanup equipment will be maintained within the proposed Pesticides and Agricultural Chemicals Storage Area, as well as Materials Safety Data Sheets (MSDS/SDS) for all potentially hazardous materials used onsite. No effluent is expected to be produced by the proposed cultivation operation.

Solid Waste Management

According to the applicant, the types of solid waste that will be generated from the proposed cultivation operation include gardening materials and wastes (such as plastic mulch and plastic/fertilizer/pesticide bags and bottles) and general litter from staff/personnel. All solid waste will be stored in bins with secure fitting lids, located directly adjacent to the proposed cultivation areas. At no time will the bins be filled to a point that their lids cannot fit securely. Solid waste from the bins will be deposited into a dump trailer and hauled to a Lake County Integrated Waste Management facility, at least every seven (7) days/weekly. The Eastlake Landfill is the closest Lake County Integrated Waste Management facility to the project site.

Site Maintenance

According to the applicant, all equipment will be stored in its proper designated area upon completion of the task for which the equipment was needed. Any refuse created during the work day will be placed in the proper waste disposal receptacle at the end of each shift, or at a minimum upon completion of the task assigned. Any refuse which poses a risk for contamination or personal injury will be disposed of immediately. 100 feet of defensible space will be established and maintained around the proposed cultivation operation for fire protection and to ensure safe and sanitary working conditions. Areas of defensible space will be mowed and trimmed regularly around the cultivation operation to provide for visibility and security monitoring. Access roads and parking areas will be graveled to prevent the generation of fugitive dust, and vegetative ground cover will be preserved throughout the entire site to filter and infiltrate storm water runoff from access roads, parking areas, and the proposed cultivation operation. Staff will have access to the restroom of the proposed and processing building and portable restroom facilities whenever they are onsite. The restroom of the proposed processing building will discharge to a permitted septic system, and the portable restroom facilities will be serviced regularly to ensure a safe and sanitary working environment.

The Project shall comply with Section 41.7 of the Lake County Zoning Ordinance that specifies that all uses involving the use or storage of combustible, explosive, caustic, or otherwise hazardous materials shall comply with all applicable local, state, and federal safety standards and shall be provided with adequate safety devices against the hazard of fire and explosion, and adequate firefighting and fire suppression equipment.

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

HAZ-1: All equipment will be maintained and operated to minimize spillage or leakage of hazardous materials. All equipment will be refueled in locations more than 100 feet from surface water bodies. Servicing of equipment will occur on an impermeable surface. In an event of a spill or leak, the contaminated soil will be stored, transported, and disposed of consistent with applicable local, state, and federal regulations.

HAZ-2: With the storage of hazardous materials equal to or greater than fifty-five (55) gallons of a liquid, 500 pounds of a solid, or 200 cubic feet of compressed gas, a Hazardous Materials Inventory Disclosure Statement and Business Plan shall be submitted and maintained in compliance with requirements of Lake County Environmental Health Division. Industrial waste shall not be disposed of on site without review or permit from Lake County Environmental Health Division or the California Regional Water Quality Control Board. The permit holder shall comply with petroleum fuel storage tank regulations if fuel is to be stored on site.

HAZ-3: Any spills of oils, fluids, fuel, concrete, or other hazardous construction material shall be immediately cleaned up. All equipment and materials shall be stored in the staging areas away from all known waterways.

HAZ-4: All food scraps, wrappers, food containers, cans, bottles, and other trash from the project area should be deposited in trash containers with an adequate lid or cover to contain trash. All food waste should be placed in a securely covered bin and removed from the site weekly to avoid attracting animals.

HAZ-5: The applicant shall maintain records of all hazardous or toxic materials used, including a Material Safety Data Sheet (MSDS) for all volatile organic compounds utilized, including cleaning materials. Said information shall be made available upon request and/or the ability to provide the Lake County Air Quality Management District such information to complete an updated Air Toxic Emission Inventory.

HAZ-6: Prior to operation, all employees shall have access to restrooms and hand-wash stations. The restrooms and hand wash stations shall meet all accessibility requirements.

HAZ-7: The proper storage of equipment, removal of litter and waste, and cutting of weeds or grass shall not constitute an attractant, breeding place, or harborage for pests.

HAZ-8: The applicant shall obtain an Operator Identification Number from the California Department of Pesticide Regulation prior to using pesticides onsite for cannabis cultivation.

Less Than Significant Impact with Mitigation Measures HAZ-1 through HAZ-8 incorporated.

- b) The Project involves the use of fertilizers and pesticides which will be stored in secure stormproof structures.

Flood risk at the Project site is minimal and according to Lake County GIS Portal data and the Project is not located in or near an identified earthquake fault zone.

The Project site is with a very high fire hazard severity zone.

The Project Property does not contain any identified areas of serpentine soils or ultramafic rock, and risk of asbestos exposure during construction is minimal.

Less than Significant Impact with Mitigation Measures HAZ-1 through HAZ-8 incorporated.

- c) There are no schools located within one-quarter mile of the proposed Project site. The nearest schools are located over two (2) miles from the Project Property, in the City of Clearlake and community of Lower Lake.

No Impact

- d) The California Environmental Protection Agency (CALEPA) has the responsibility for compiling information about sites that may contain hazardous materials, such as hazardous waste facilities, solid waste facilities where hazardous materials have been reported, leaking underground storage tanks and other sites where hazardous materials have been detected. Hazardous materials include all flammable, reactive, corrosive, or toxic substances that pose potential harm to the public or environment.

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

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

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

No Impact

- e) The Project site is located over 15 miles from the nearest public airport or public use airport (Lampson Field). Lampson Field is administered by the Lake County Airport Land Use Commission, which has not adopted an Airport Land Use Compatibility Plan. There will be no hazard for people working in the Project area from a public airport or public use airport.

No Impact

- f) The Project would not impair or interfere with an adopted emergency response or evacuation plan. Little High Valley Road, Spruce Grove Road, and Highway 29 would be used to evacuate the area of the Project site. During evacuations, all persons at the Project site would be required to follow emergency responses instructions for evacuations. Because the Project would not interfere with an adopted emergency response or evacuation plan, impacts are less than significant and no mitigation measures are required.

Less than Significant Impact

- g) The Project site is with a very high fire hazard severity zone. The applicant shall adhere to all federal, state, and local fire requirements and regulations for setbacks and defensible space. Please refer to Section XX. Wildfire for additional information pertaining to risks associated with wildland fire.

Less than Significant Impact

X. HYDROLOGY AND WATER QUALITY

	Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less Than Significant Impact	No Impact	Source Number
Would the project:					
a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?	☐	☒	☐	☐	1, 2, 3, 5, 6, 29, 30
b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?	☐	☒	☐	☐	1, 2, 3, 5, 6, 29, 30, 45
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;	☐	☒	☐	☐	1, 2, 3, 5, 6, 7, 15, 18, 29, 32
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?	☐	☐	☐	☒	1, 2, 3, 5, 6, 7, 9, 23, 32
e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	☐	☒	☐	☐	1, 2, 3, 5, 6, 29

Discussion:

- a) The project property is located within the Copsey Creek Watershed (HUC12). An unnamed ephemeral Class III watercourse forms in the southwest corner of the Project Parcel, and flows from northeast to southwest into an unnamed tributary of Copsey Creek.

The County's Cannabis Ordinance requires that all cultivation operations be located at least 100-feet away from all waterbodies (i.e. spring, top of bank of any creek or seasonal stream, edge of lake, wetland or vernal pool). Additionally, cultivators who enroll in the State Water Board's Waste Discharge Requirements for Cannabis Cultivation Order WQ 2019-001-DWQ must comply with the Minimum Riparian Setbacks. Cannabis cultivators must comply with these setbacks for all land disturbances, cannabis cultivation activities, and facilities (e.g., material or vehicle storage, diesel powered pump locations, water storage areas, and chemical toilet placement).

The proposed Project has been designed to meet the required riparian setbacks, in the flattest practical area of the Project Property, to reduce the potential for water pollution and erosion. No cannabis cultivation activities nor agricultural chemicals storage would occur within 100 feet of any surface waterbody, including the unnamed ephemeral Class III watercourse of the Project Parcel. Additionally, all cultivation activities will not be located within a flood zone.

The Property Management Plan submitted with the application materials included Storm Water and Water Use Management Plans, with sediment and erosion control site plans and water resource protection measures to reduce and/or eliminate impacts to water quality during site development and operation. Additionally, all equipment shall be maintained and operated in a manner that minimizes any spill or leak of pollutants.

According to the Property Management Plan, access roads and parking areas are/will be graveled to prevent the generation of fugitive dust, and vegetative ground cover will be preserved and/or re-established as soon as possible throughout the entire site to filter and infiltrate stormwater runoff from the access roads, parking areas, and the proposed cultivation operation. Straw wattles will be installed around the perimeter of the proposed cultivation operation to control/prevent erosion. Personnel will have access to the restroom/washroom facilities of the proposed Processing Facility, at all times when onsite.

The project property has been enrolled for coverage under the State Water Resources Control Board's Cannabis General Order (Order No. WQ-2019-0001-DWQ). The applicant shall maintain compliance with the Cannabis General Order for the protection of water resources for as long as the proposed cultivation operation is operating.

Less Than Significant Impact with Mitigation Measures BIO-1 through BIO-3 and HAZ-1 through HAZ-8 incorporated.

- b) Due to exceptional drought conditions, the Lake County Board of Supervisors passed an Urgency Ordinance (Ordinance 3106) on July 27, 2021, requiring land use applicants to provide enhanced water analysis during a declared drought emergency. Ordinance 3106 requires that all project that require a CEQA analysis of water use include the following items in a Hydrology Report prepared by a licensed professional experienced in water resources:

- Approximate amount of water available for the project's identified water source,
- Approximate recharge rate for the project's identified water source, and
- Cumulative impact of water use to surrounding areas due to the project

All water for the proposed cultivation operation would come from the existing onsite groundwater well located near the center of the Project Parcel, and directly adjacent to the proposed cultivation operation. This groundwater well was drilled to a depth of 320 feet below ground surface (bgs) in August of 2020, through red clay with basalt boulders (0-50 feet bgs), volcanic ash (50-75 feet bgs), and red and black volcanics (75-320 feet bgs). This well had an estimated yield of +400 gallons per minute (gpm) at the time it was drilled.

According to the Hydrology Report prepared for the proposed cultivation operation, the Project would have an estimated annual water use requirement between 4.2 and 5.8 acre-feet. The peak anticipated demand for water of the proposed cultivation operation is approximately 12,333 gallons per day, with an average water demand 5,040 and 7,040

gallons per day during the cultivation season (April through November). The Hydrology Report concluded that based on the well performance test data and the estimated water use requirements of the proposed cultivation operation, it appears that the aquifer storage and recharge area are sufficient to provide for sustainable annual water use at the site and within the area, and that pumping for the proposed project is unlikely to result in significant declines in groundwater elevations or depletion of groundwater resources over time. The estimated amount of water available to recharge the aquifer of the Project Parcel during a severe drought year (~6.3 acre-feet) is greater than the estimated annual water usage of the proposed cultivation operation (4.2 to 5.8 acre-feet).

Water level monitoring is required by the Lake County Zoning Ordinance. Ordinance Article 27 Section 27.11(at) requires the production well to have a water meter and water level monitor. With this required measure in place, the impact is expected to be less than significant.

HYD-1: The production well shall have a meter to measure the amount of water pumped. The production wells shall have continuous water level monitors. The methodology of the monitoring program shall be described. A monitoring well of equal depth within the cone of influence of the production well may be substituted for the water level monitoring of the production well. The monitoring wells shall be constructed and monitoring begin at least three months before the use of the supply well. An applicant shall maintain a record of all data collected and shall provide a report of the data collected to the County annually and/or upon made upon request.

HYD-2: The applicant shall adhere to the measures described in the Drought Management Plan during periods of a declared drought emergency.

Less Than Significant Impact with Mitigation Measures HYD-1 and HYD-2 incorporated.

- c) Development of the proposed Project would increase the impervious surface area of the Project Parcel by approximately 5,000 ft², or less than 0.2 percent of the Project Parcel. The proposed Project would not alter the existing drainage patterns of the site or the area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner that would result in substantial erosion issues, a significant increase in the amount of runoff, or create or contribute runoff which exceeds the capacity of an existing or planned storm water drainage system.

The cultivation operation is enrolled in the State Water Resources Control Board's Order *WQ 2019-0001-DWQ General Waste Discharge Requirements for Discharges of Waste Associated with Cannabis Cultivation Activities* (General Order). Compliance with this Order will ensure that cultivation operations will not significantly impact water resources by using a combination of Best Management Practices, buffer zones, sediment and erosion controls, inspections and reporting, and regulatory oversight. Additionally, an engineered erosion and sediment control site plan was submitted by the applicant as part of the Property Management Plan.

The porous soils of the Project Parcel should allow for most, if not all, stormwater runoff from the Project Site to infiltrate prior to reaching a surface water body. Straw wattles are proposed around the cultivation areas and a natural existing vegetated buffer will be maintained around the proposed project. Additionally, the applicant shall comply with the

State Water Resources Control Board's Cannabis General Order (Order No. WQ-2019-001-DWQ) and Chapters 29 and 30 of the Lake County Code, to protect water quality through the implementation of Best Management Practices (BMPs) / Best Practicable Treatment or Control (BPTC) measures, which include erosion and sediment control BMPs/BPTC measures.

Due to the natural conditions of the Project site, as well as the proposed erosion and sediment control measures, the Project i) will not result in substantial erosion or siltation on-site or off-site; ii) will not substantially increase the rate or amount of surface runoff in a manner which would result in flooding on or offsite; iii) will not create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; and iv) will not impede or redirect flood flows.

Less Than Significant Impact with Mitigation Measures BIO-1 through BIO-3.

- d) The Project site is not located in an area of potential inundation by seiche or tsunami. The Project site is designated to be in Flood Zone D – areas of undetermined, but possible flood hazard risk – not in a special flood hazard area.

No Impact

- e) The Project Property is located within the Sacramento River Basin. The Water Quality Control Plan for the California Regional Water Quality Control Board Central Valley Region (Basin Plan) is applicable to the Sacramento River Basin, as well as the San Joaquin River Basin. The State Water Resource Control Board's Cannabis General Order (2019-001-DWQ) adheres to water quality and management standards identified and outlined within the Basin Plan. Compliance with the Cannabis General Order will ensure that the project does not conflict with or obstruct implementation of a water quality control plan.

There are no groundwater management plans for the affected groundwater basin(s) at this time. Groundwater use and monitoring data collected and reported to comply with the Lake County Zoning Ordinance could be used in the development of a sustainable groundwater management plan at some point in the future.

Less than Significant Impact with Mitigation Measures BIO-1 through BIO-3, HAZ-1 through HAZ-8, and HYD-1 through HYD-2 incorporated.

XI. LAND USE PLANNING

	Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less Than Significant Impact	No Impact	Source Number
Would the project:					
a) Physically divide an established community?	☐	☐	☐	☒	1, 2, 3, 5, 6

- | | | | | | |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|----------------------------------|
| b) Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect? | ☐ | ☐ | ☒ | ☐ | 1, 3, 4, 5,
20, 21, 22,
27 |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|----------------------------------|

Discussion:

- a) The Project Property is located in a rural area of Lake County, characterized by large parcels of mostly undeveloped land within some agricultural and residential uses. The proposed Project would not physically divide any established community.

No Impact

- b) The proposed Project is consistent with the Lake County General Plan and Shoreline Communities Area Plan, and would create diversity within the local economy and future employment opportunities for local residents.

The General Plan Land Use and Base Zoning District designation currently assigned to the Project Parcels is Rural Lands (RL). The Lake County Zoning Ordinance allows for commercial outdoor cannabis cultivation in the RL land use zone with a major use permit. The project is consistent with all other development standards within the zoning code for commercial cannabis cultivation.

Less than Significant Impact

XII. MINERAL RESOURCES

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

Discussion:

- a) The Lake County Aggregate Resource Management Plan does not identify the portion of the Project parcel planned for cultivation as having an important source of aggregate resources. The California Department of Conservation describes the generalized rock type for the Project Property as Clear Lake Volcanics, composed of dacite, andesite, basalt, rhyolite, tuff and other pyroclastic rocks. Additionally, according to the California Department of Conservation, Mineral Land Classification, there are no known mineral resources on the project site.

No Impact

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

No Impact

XIII. NOISE

	Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less Than Significant Impact	No Impact	Source Number
Would the project:					
a) Result in the generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	☐	☒	☐	☐	1, 3, 4, 5, 13
b) Result in the generation of excessive ground-borne vibration or ground-borne noise levels?	☐	☐	☒	☐	1, 3, 4, 5, 13
c) For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	☐	☐	☐	☒	1, 3, 4, 5, 11, 14, 15

Discussion:

- a) Noise related to cannabis cultivation typically occurs either during construction, or as the result of machinery related to post construction equipment such as well pumps or emergency backup generators during power outages.

This project will have some noise related to site preparation, and hours of construction are limited through standards described in the conditions of approval. Although the property size and location will help to reduce any noise detectable on at the property line, mitigation measures will still be implemented to further limit the potential sources of noise.

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

NOI-1: All construction activities including engine warm-up shall be limited Monday Through Friday, between the hours of 7:00am and 7:00pm, and Saturdays from 12:00 noon to 5:00 pm to minimize noise impacts on nearby residents. Back-up beepers shall be adjusted to the lowest allowable levels. This mitigation does not apply to night work.

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

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

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

The Project would not generate ground-borne vibration or noise, except potentially during the construction phase from the use of heavy construction equipment. The Project is not expected to employ any pile driving, rock blasting, or rock crushing equipment during construction activities, which are the primary sources of ground-borne noise and vibration during construction. As such, the Project is not expected to create unusual groundborne vibration due to site development or facility operation.

Less Than Significant Impact

- c) The Project site is located over 15 miles from the nearest airport or airstrip. Therefore, the Project would not expose people residing or working in the Project area to excessive noise levels from air travel.

No Impact

XIV. POPULATION AND HOUSING

	Potentially Significant Impact	Less Than Significant With Mitigation Measures	Less Than Significant Impact	No Impact	Source Number
Would the project:					
a) Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	☐	☐	☒	☐	1, 3, 4, 5
b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?	☐	☐	☐	☒	1, 3, 4, 5

Discussion:

- a) The Project is not anticipated to induce significant population growth to the area. The increased employment will be approximately three (3) fulltime and up to eight (8) seasonal employees to be hired locally.

No Impact

- b) The Project will not displace any existing housing.

No Impact

XV. PUBLIC SERVICES

	Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less Than Significant Impact	No Impact	Source Number
Would the project:					
a) Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:	☐	☐	☒	☐	1, 2, 3, 4, 5, 20, 21, 22, 23, 27, 28, 29, 32, 33, 34, 36, 37
1) Fire Protection?					
2) Police Protection?					
3) Schools?					
4) Parks?					
5) Other Public Facilities?					

Discussion:

- a) The Project site is serviced by the Lake County Fire Protection District, the Lake County Sheriff's Department, and the Lake County Public Works Department, and it is located within the Konocti Unified School District.

The Project does not propose any new housing or other uses that would necessitate new or altered government facilities. No new roads are proposed. The Project would be required to comply with all applicable local and state fire code requirements related to design and emergency access. 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.

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

Less than Significant Impact

XVI. RECREATION

	Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less Than Significant Impact	No Impact	Source Number
Would the project:					
a) Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	☐	☐	☐	☒	1, 2, 3, 4, 5
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	☐	☐	☐	☒	1, 3, 4, 5

Discussion:

- a) As the small staff for the proposed Project will be hired locally, there will be no increase in the use of existing neighborhood and regional parks or other recreational facilities and no impacts are expected.

No Impact

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

No Impact

XVII. TRANSPORTATION

	Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less Than Significant Impact	No Impact	Source Number
Would the project:					
a) Conflict with a program plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?	☐	☐	☒	☐	1, 3, 4, 5, 9, 20, 22, 27, 28, 35
b) For a land use project, would the project conflict with or be inconsistent with CEQA guidelines section 15064.3, subdivision (b)(1)?	☐	☐	☒	☐	1, 3, 4, 5, 9, 20, 22, 27, 28, 35
c) For a transportation project, would the project conflict with or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)(2)?	☐	☐	☐	☒	1, 3, 4, 5, 9, 20, 22, 27, 28, 35
d) Substantially increase hazards due to geometric design features (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	☐	☐	☐	☒	1, 3, 4, 5, 9, 20, 22, 27, 28, 35
e) Result in inadequate emergency access?	☐	☐	☒	☐	1, 3, 4, 5, 9, 20, 22, 27, 28, 35

Discussion:

- a) The Project Parcel is accessed via a private road, that is accessible from Little High Valley Road located off of Spruce Grove Road which is a County maintained roadway. A minimal increase in traffic is anticipated due to construction, maintenance and weekly and/or monthly incoming and outgoing deliveries through the use of small vehicles only.

There are no known pedestrian or bicycle facilities on Little High Valley or Spruce Grove Roads in the vicinity of the proposed Project. Little High Valley or Spruce Grove Roads are narrow two-lane roads with narrow shoulders not suitable for safe pedestrian or bicycle traffic.

The applicant will be required to obtain and maintain all the necessary Federal, State and local agency permits for any works that occurs with the right-of-way. The proposed Project does not conflict with any existing program plan, ordinance or policy addressing roadway circulation, including the Lake County General Plan Chapter 6 – Transportation and Circulation, and a less than significant impact on road maintenance is expected.

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.”

The cultivation site is located approximately five (5) miles south of the City of Clearlake, the nearest population base and the likely residency of employees. Up to 10 employees are likely during peak harvest times and construction, two to three full-time employees during normal operations. Assuming each employee drives 10 miles to and from work, up to 30 vehicle miles per day would result during normal operations, and up to 100 miles would result daily during the month of peak harvest season. A total of two weekly deliveries would result from non employees, adding an additional 20 miles per week.

To date, the County has not yet formally adopted its transportation significance thresholds or its transportation impact analysis procedures. As a result, the project-related VMT impacts were assessed based on guidelines described by the California Office of Planning and Research (OPR) in the publication *Transportation Impacts (SB 743) CEQA Guidelines Update and Technical Advisory*, 2018. The OPR Technical Advisory identifies several criteria that may be used to identify certain types of projects that are unlikely to have a significant VMT impact and can be “screened” from further analysis. One of these screening criteria pertains to small projects, which OPR defines as those generating fewer than 110 new vehicle trips per day on average. OPR specifies that VMT should be based on a typical weekday and averaged over the course of the year to take into consideration seasonal fluctuations. The estimated trips per day for the proposed Project are between 4 and 6

during normal operation, and up to 20 trips per day during construction, which is expected to occur over a four to six week period.

The proposed Project would not generate or attract more than 110 trips per day, and therefore it is not expected for the Project to have a potentially significant level of VMT. Impacts related to CEQA Guidelines section 15064.3. subdivision (b) would be less than significant.

Less than Significant Impact

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

No Impact

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

No Impact

- e) The proposed Project would not alter the physical configuration of the existing roadway network serving the area, and will have no effect on access to local streets or adjacent uses (including access for emergency vehicles). Internal gates and roadways shall meet CALFIRE requirements for vehicle access according to PRC §4290, including adequate width requirements. Furthermore, as noted above under impact discussion (a), increased project-related operational traffic would be minimal. The proposed Project would not inhibit the ability of local roadways to continue to accommodate emergency response and evacuation activities. The proposed Project would not interfere with the County's adopted emergency response plan.

Less than Significant Impact

XVIII. TRIBAL CULTURAL RESOURCES

Would the project Cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:

- 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)?

Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less Than Significant Impact	No Impact	Source Number
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☐
☒
☐
☐

1, 3, 4, 5, 14, 15

- b) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe? ☐ ☒ ☐ ☐ 1, 3, 4, 5, 14, 15

Discussion:

- a) A Cultural Resource Evaluation was prepared by Registered Professional Archaeologist Dr. John Parker, and dated December 3, 2020. According to the Cultural Resource Assessment, a pedestrian survey within the project area was conducted on November 28th, 2020. All portions of the project area that will be subject to direct and indirect impacts from cultivation-related development were surveyed intensively using transects spaced 5 to 8 meters apart. During the survey, all visible ground surfaces were carefully examined for cultural material, soil discoloration that might indicate the presence of a cultural midden, soil depressions, and features indicative of the former presence of structures or buildings, and historic-era debris.

Prior to the field inspection, a record search was conducted at the Sonoma State University office of the California Historical Resource Information System. This record search indicated that the project area had not been previously inspected for cultural resources. Additionally, on November 15th, 2020, a request for information was sent to the California Native American Heritage Commission (NAHC) for their review of the Sacred lands file for the project area, and an email requesting information concerning cultural resources in the area was sent to the Tribal Historic Preservation Officer (THPO) for the Middletown Wappo Tribe. The NAHC review failed to turn up any evidence of previously recorded sacred sites, and no responses were received from the THPO.

The field inspection and background research turned up no evidence of historic or prehistoric use in the area. Due to leaf litter in some areas, it is likely that isolated historic or prehistoric artifacts may have been missed. However, all significant cultural resources would have been discovered and recorded. As no "significant" historic resources were discovered, it was recommended that the proposed project be approved as planned.

Notification of the Project was sent to local tribes on May 7th, 2021. The Community Development Department received a request from Mr. Rivera Jr. of the Tribal Historic Preservation Department of the Middletown Rancheria for further consultation with the County and the Applicant that same day. The Project Site was surveyed by Mr. Rivera Jr. on July 6th, 2023 with coordination from the Applicant. Upon completing the survey, Mr. Rivera indicated that he no longer had any concerns regarding the proposed Project.

For these reasons, it is not anticipated that the proposed Project will cause a substantial adverse change in the significance of a tribal cultural resource that is 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).

It is possible, but unlikely due to the lack of new site disturbance that is needed, that significant artifacts or human remains could be discovered during Project construction. If, however, significant artifacts or human remains of any type are encountered it is recommended that the Project sponsor shall contact the culturally affiliated tribe and a qualified archaeologist to assess the situation. The Sheriff's Department must also be contacted if any human remains are encountered.

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 will address the potential for exposing subsurface resources and procedures if a potential resource is identified. The training will 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. Tribal monitors will be required to participate in any necessary environmental and/or safety awareness training prior to engaging in any tribal monitoring activities for the project.

TCR-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.

Less than Significant Impact with Mitigation Measures TCR-1 and TCR-2 incorporated.

- b) A Cultural Resources Assessment was prepared for the proposed Project in December of 2020, with an intensive pedestrian survey of the Project site occurring in November of 2020 (discussed in the Tribal/Cultural Resources Sections of this Initial Study). A record search of the Native American Heritage Commission (NAHC) Sacred Lands File (SLF) was completed on November 24th, 2020 for the Project Property. Results of the SLF search were negative, but the NAHC recommended the lead agency contact local Native American tribes who may have knowledge of cultural resources in the Project area. Notification of the Project was sent to local tribes on May 7th, 2021. The Community Development Department received a request from Mr. Rivera Jr. of the Tribal Historic Preservation Department of the Middletown Rancheria for further consultation with the County and the Applicant that same day. The Project Site was surveyed by Mr. Rivera Jr. on July 6th, 2023 with coordination from the Applicant. Upon completing the survey, Mr. Rivera indicated that he no longer had any concerns regarding the proposed Project.

After reviewing the information presented in the Cultural Resources Assessment, the lead agency has determined that, in its discretion and supported by substantial evidence, no resources pursuant to criteria set forth in subdivision (c) of Public Resources Code section 5024.1 will be affected by the proposed Project. It is possible, but unlikely due to the lack of new site disturbance that is needed, that significant artifacts or human remains could be discovered during Project construction. If, however, significant artifacts or human remains of any type are encountered it is recommended that the Project sponsor shall contact the culturally affiliated tribe and a qualified archaeologist to assess the situation. The Sheriff's Department must also be contacted if any human remains are encountered.

Less than Significant Impact with Mitigation Measures ~~CUL-1 and CUL-2~~ TCR-1 and TCR-2 incorporated.

XIX. UTILITIES	Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less Than Significant Impact	No Impact	Source Number
Would the project:					
a) Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?	☐	☐	☒	☐	1, 3, 4, 5, 29, 32, 33, 34, 37, 45
b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?	☐	☒	☐	☐	1, 2, 3, 5, 6, 22, 31, 45
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?	☐	☐	☐	☒	1, 2, 3, 5, 6, 22
d) Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?	☐	☐	☒	☐	1, 2, 3, 5, 6, 35, 36
e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?	☐	☐	☒	☐	1, 2, 3, 5, 6, 35, 36

Discussion:

- a) According to the Applicant's *Property Management Plan*, all water for the proposed cultivation operation will come from an existing onsite groundwater well. The Hydrology Report prepared for the Project concluded, that based on well yield test data collected at the site, it appears that the aquifer storage and recharge area are sufficient to provide for sustainable annual water use at the site and within the area.

A new PG&E electrical utility service connection would be needed to provide power to lights, fans, security cameras, and equipment used in and around proposed Processing Facility. Electricity for the security cameras and security lights in and around the proposed outdoor cultivation area will be produced via individual photovoltaic solar panels with battery storage/backup systems.

The Project would be served by an ADA-compliant restroom within the proposed Processing Facility and onsite portable restroom and handwashing facilities. The restroom would rely on a new onsite wastewater treatment septic system, which would require a permit from the Lake County Department of Environmental Health.

The Project will not require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects.

Less than Significant Impact

- b) According to the Hydrology Study prepared for the proposed Project, the onsite groundwater well is a sufficient water source for the proposed cultivation operation, and the aquifer storage and recharge area are sufficient to provide for sustainable annual water use on the Project Parcel during normal, dry, and multiple dry years

Water level monitoring is required by the Lake County Zoning Ordinance. Ordinance Article 27 Section 27.11(at) requires the production well to have a water meter and water level monitor.

Less than Significant Impact with Mitigation Measures HYD-1 and HYD-2 incorporated.

- c) A wastewater treatment provider does not serve, nor is likely to serve, the Project Parcel. The Project will be serviced by onsite portable restroom and handwashing facilities.

No Impact

- d) It is estimated that approximately 500 pounds of waste from the proposed Project will be taken to the Eastlake Landfill each year. The Eastlake Landfill, South Lake Refuse Center, and Quackenbush Mountain Resource Recovery and Compost Facility are located within reasonable proximity of the Project site. As of 2019, the Eastlake Landfill had 659,200 cubic yards available for solid waste, with an additional 481,000 cubic yards approved in 2020.

There is adequate solid waste capacity to accommodate the proposed Project, and the project would not generate solid waste in excess of state or local standards, or in excess of the capacity of local infrastructure.

Less than Significant Impact

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

Less than Significant Impact

XX. WILDFIRE	Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less Than Significant Impact	No Impact	Source Number
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?	☐	☐	☒	☐	1, 2, 3, 5, 6, 23, 25, 28, 29
b) Would the project, due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?	☐	☐	☒	☐	1, 2, 3, 5, 6, 23, 25, 28, 29
c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?	☐	☒	☐	☐	1, 2, 3, 5, 6
d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?	☐	☒	☐	☐	1, 2, 3, 5, 6, 21, 23, 32

Discussion:

- a) The Project will not impair an adopted emergency response plan or evacuation plan. The applicant shall adhere to all regulation of California Code Regulations Title 14, Division 1.5, Chapter 7, Subchapter 2, and Article 1 through 5 shall apply to this project; and all regulations of California Building Code, Chapter 7A, Section 701A, 701A.3.2.A.

Less than Significant

- b) The Project site is situated in a very high fire hazard severity zone. The Project site is relatively flat (0 to 10 percent slopes) and the cultivation area and associated facilities do not further exacerbate the risk of wildfire, or the overall effect of pollutant concentrations on area residents in the event of a wildfire. The Project would improve fire access and the ability to fight fires at or from the Project site and other sites accessed from the same roads through the upkeep of the property area and the installation of the proposed water tanks.

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

WDF-2: Prior to cultivation, the applicant shall provide 100' of defensible space around all buildings. This does not require tree removal, but it does require removal of grasses and brush, and limbing trees up to a height of 8'.

WDF-3: Prior to cultivation, the applicant shall schedule a site visit with the Building Official or designee to verify that the roads, gates and site are PRC 4290 and 4291 compliant.

WDF-4: The applicant shall place at least 5,000 gallons of water on site that is designated specifically as for use of fire suppression. Water tanks shall have connectors that are able to be used by Fire Protection Districts.

Less than Significant Impact with Mitigation Measures WDF-1 through WDF-4 incorporated.

- c) The proposed site improvements are minimal, and do not rise to the level of warranting additional roads, fuel breaks, powerlines or other utilities.

Less than Significant Impact

- d) The proposed cultivation areas are relatively flat (0 to 10 percent slopes), but the surrounding areas are relatively steep. The erosion and sediment control measures identified in the applicants' Property Management Plan and Erosion and Sediment Control Plan would likely be destroyed in the event of a wildfire on the Project Property. Therefore, the erosion and sediment control measures would need to be re-installed post wildfire to reduce risks of downslope/downstream flooding or landslides as a result of runoff and post-fire slope instability.

WDF-5: The applicant shall re-install the erosion and sediment control measures identified in the engineered Erosion and Sediment Control Plan for the project, as soon as possible if a wildfire emergency affects the Project Parcel.

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

XXI. MANDATORY FINDINGS OF SIGNIFICANCE	Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less Than Significant Impact	No Impact	Source Number
a) Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory?	☐	☒	☐	☐	ALL
b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past	☐	☒	☐	☐	ALL

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? ☐ ☒ ☐ ☐ ALL

Discussion:

- a) The project proposes the cultivation of commercial cannabis in a rural area of the County on an "RL" Rural Lands-zoned property.

According to the biological and cultural studies conducted/prepared, the proposed Project does not have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory when mitigation measures are implemented.

Mitigation measures are listed herein to reduce impacts related to Aesthetics, Agriculture & Forest Resources, Air Quality, Biological Resources, Cultural/Tribal Resources, Geology and Soils, Hazards & Hazardous Materials, Hydrology/Water Quality, Noise, and Wildfire.

Less than significant with AES-1; AQ-1 through AQ-6; BIO-1 through BIO-5; CUL-1 and CUL-2; HAZ-1 through HAZ-8; HYD-1 and HYD-2; NOI-1 and NOI-2; and WDF-1 through WDF-5 incorporated.

- b) Potentially significant impacts have been identified related to Aesthetics, Air Quality, Biological Resources, Cultural/Tribal Resources, Geology and Soils, Hazardous Materials, Hydrology, Noise, and Wildfire. These impacts in combination with the impacts of other past, present, and reasonably foreseeable future projects could cumulatively contribute to significant effects on the environment. Of particular concern would be the cumulative effects on hydrology and water resources.

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

Implementation of and compliance with the 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 AES-1; AQ-1 through AQ-6; BIO-1 through BIO-5; CUL-1 and CUL-2; HAZ-1 through HAZ-8; HYD-1 and HYD-2; NOI-1 and NOI-2; and WDF-1 through WDF-5 incorporated.

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

Less than significant with AES-1; AQ-1 through AQ-6; BIO-1 through BIO-5; CUL-1 and CUL-2; HAZ-1 through HAZ-8; HYD-1 and HYD-2; NOI-1 and NOI-2; and WDF-1 through WDF-5 incorporated.

Impact Categories defined by CEQA

Source List

1. Lake County General Plan
2. Lake County GIS Database
3. Lake County Zoning Ordinance
4. Lower Lake Area Plan
5. Little High Valley Cannabis Cultivation Application – Major Use Permit.
6. U.S.G.S. Topographic Maps
7. U.S.D.A. Lake County Soil Survey
8. Lake County Important Farmland Map, California Department of Conservation Farmland Mapping and Monitoring Program
9. Department of Transportation's Scenic Highway Mapping Program, (<https://dot.ca.gov/programs/design/lap-landscape-architecture-and-community-livability/lap-liv-i-scenic-highways>)
10. Lake County Serpentine Soil Mapping
11. California Natural Diversity Database (<https://wildlife.ca.gov/Data/CNDDDB>)
12. U.S. Fish and Wildlife Service National Wetlands Inventory
13. Biological Assessment 17870 Little High Valley Road (APN 012-061-03), Lake County, California, prepared by Pinecrest Environmental Consulting, Inc., December 27, 2020.
14. Cultural Resource Evaluation of a portion of 17870 Little High Valley Road, APN 012-063-03, prepared by John W. Parker, Ph.D. RPA, December 3, 2020.
15. California Historical Resource Information Systems (CHRIS); Northwest Information Center, Sonoma State University; Rohnert Park, CA.
16. Water Resources Division, Lake County Department of Public Works Wetlands Mapping.
17. U.S.G.S. Geologic Map and Structure Sections of the Clear Lake Volcanic, Northern California, Miscellaneous Investigation Series, 1995
18. Official Alquist-Priolo Earthquake Fault Zone maps for Lake County
19. Landslide Hazards in the Eastern Clear Lake Area, Lake County, California, Landslide Hazard Identification Map No. 16, California Department of Conservation, Division of Mines and Geology, DMG Open –File Report 89-27, 1990
20. Lake County Emergency Management Plan
21. Lake County Hazardous Waste Management Plan, adopted 1989
22. Lake County Airport Land Use Compatibility Plan, adopted 1992
23. California Department of Forestry and Fire Protection - Fire Hazard Mapping
24. National Pollution Discharge Elimination System (NPDES)
25. FEMA Flood Hazard Maps
26. Lake County Aggregate Resource Management Plan
27. Lake County Bicycle Plan
28. Lake County Transit for Bus Routes
29. Lake County Environmental Health Division
30. Lake County Grading Ordinance
31. Lake County Natural Hazard database
32. Lake County Countywide Integrated Waste Management Plan and Siting Element, 1996
33. Lake County Water Resources
34. Lake County Waste Management Department
35. California Department of Transportation (Caltrans)
36. Lake County Air Quality Management District website
37. Lake County Fire Protection District

38. Memorandum, Results of early/mid season special-status plant survey at 17870 Little High Valley Rd. (Lake Co.), prepared by Dr. Christopher T. DiVittorio, Pincrest Research Corporation, Inc.
39. United States Department of Agriculture – Natural Resources Conservation Service Web Soil Survey
40. Hazardous Waste and Substances Sites List,
41. State Water Resources Control Board (SWRCB) Cannabis Policy and General Order
42. Lake County Groundwater Management Plan, March 31st, 2006.
43. Lake County Rules and Regulations (LCF) for On-Site Sewage Disposal
44. Lake County Municipal Code: Sanitary Disposal of Sewage (Chapter 9: Health and Sanitation, Article III)
45. Hydrology Report 17870 Little High Valley Road, Lower Lake, CA, prepared by Realm Engineering, February 4, 2022.