



COUNTY OF LAKE

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

2019059047

Dated: April 17, 2019

CALIFORNIA ENVIRONMENTAL QUALITY ACT ENVIRONMENTAL CHECKLIST FORM INITIAL STUDY IS 18-66

1. **Project Title:** Nesta Farms; Matsuki and Tony Perkins
2. **Permit Number:** Minor Use Permit, MUP 18-56
Initial Study, IS 18-66
3. **Lead Agency Name and Address:** County of Lake
Community Development Department
Courthouse – 255 North Forbes Street
Lakeport CA 95453
4. **Contact Person:** Eric Porter, Associate Planner (707) 263-2221
5. **Project Location(s):** 14256 Western Mine Road, Middletown, CA 95461
APN: 013-030-07
6. **Project Sponsor's Name/Address:** Matsuki Kuraguchi
PO Box 1389
Middletown, CA 95461
7. **General Plan Designation:** Rural Lands
8. **Zoning:** "RL"; Rural Lands
9. **Supervisor District:** District One (1)
10. **Flood Zone:** X (eastern 2/3); western 1/3 not in a flood plain
11. **Slope:** Very steep; over 30% for most of the site
12. **Fire Hazard Severity Zone:** SRA (entire site); Extremely High
13. **Earthquake Fault Zone:** None
14. **Dam Failure Inundation Area:** Not located within Dam Failure Inundation Area
15. **Parcel Size:** 52.29 Acres

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

Nesta Farms, LLC proposes to develop a commercial cannabis cultivation operation at 14256 Western Mine Road, Middletown, California on Lake County APN 013-030-07 (Project Property), composed of an A – **Type 2 “Small Outdoor”** cultivation area and an **A -Type 2B Tier 1 “Small Mixed-Light”** cultivation area. Nesta Farms seeks to obtain two Minor Use Permits for Commercial Cannabis Cultivation for a **total combined cultivation area of 20,765 square feet (s.f.) with a total combined cannabis canopy of 18,365 s.f.** The total proposed mixed-light cultivation area is 12,000 s.f. within seven greenhouse structures (**five 1,440 s.f. greenhouses and two 2,400 s.f. greenhouses**), with one of the 2,400 s.f. greenhouses dedicated to the cultivation of immature plants only (total mixed-light canopy area of 9,600 s.f.). The total proposed outdoor cultivation/canopy area is 8,765 s.f.

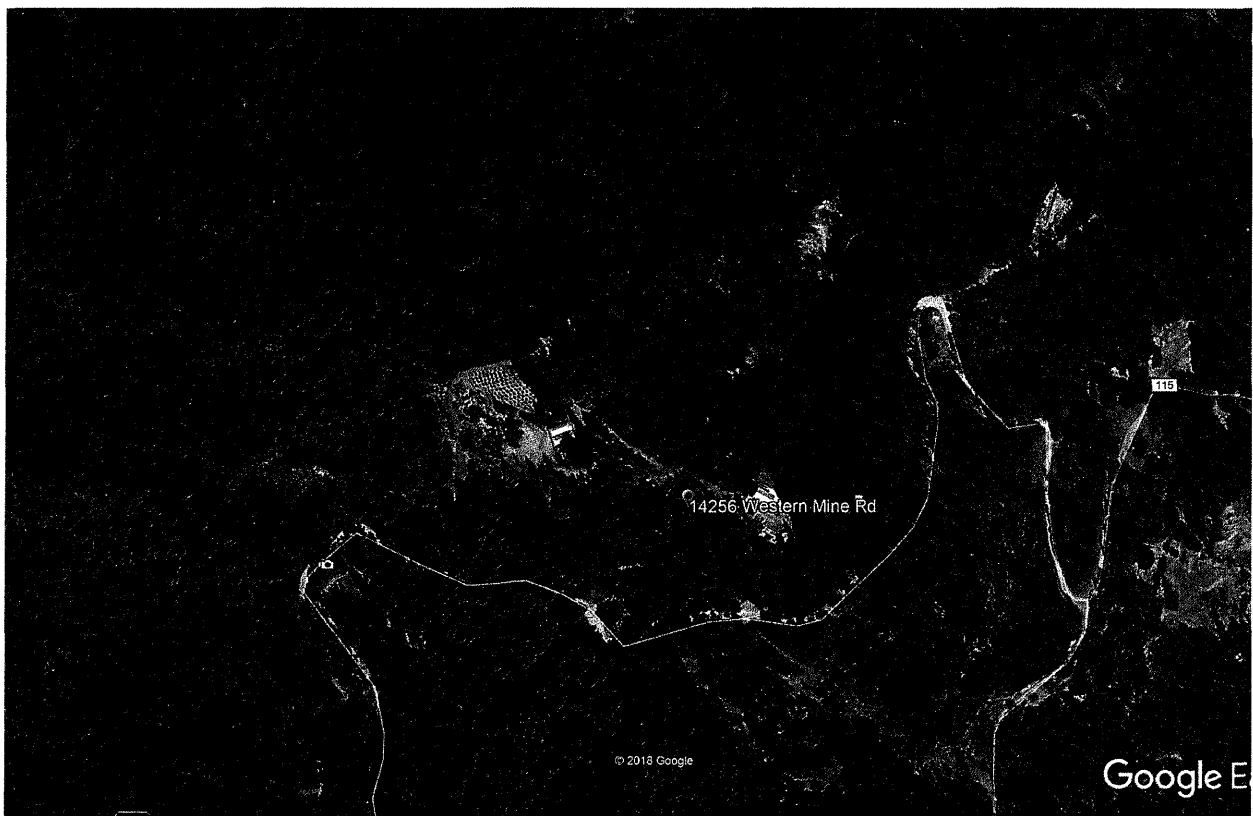
Matsuki Kuraguchi Perkins is the owner of the property, and Nesta Farms, LLC is owned and operated by Anthony “Tony” Perkins and Matsuki Kuraguchi Perkins (husband and wife). The site currently contains a medicinal cannabis cultivation area that was certified compliant with Lake County Zoning Ordinance Article 72 by the Lake County Community Development Department in February of 2018 (Conditional Certificate of Recognition of Compliance attached). The existing cultivation area/the Project Property has been enrolled for coverage under and maintained compliance with the Central Valley Regional Water Quality Control Board’s General Order for Cannabis Cultivation Activities since April 11th, 2017 (WDID 5A17MJ00022).

The **52.3-acre** Rural Lands zoned Project Property is located approximately three miles southwest of Middletown, CA, within the Upper Putah Creek watershed (HUC8) and the Dry Creek-Putah Creek sub-watershed (HUC12), on the northeastern slopes of the Mayacmas Mountains along the Lundquist/Lindquist Ridge. Current and past land uses for the area of the proposed commercial cannabis cultivation operation are/were rural residential, timber production, and resource extraction (mining). The proposed commercial cannabis cultivation operation will be located in an area that was cleared and excavated in the early 1900s as a result of mining activities associated with the Black Bart Mine.

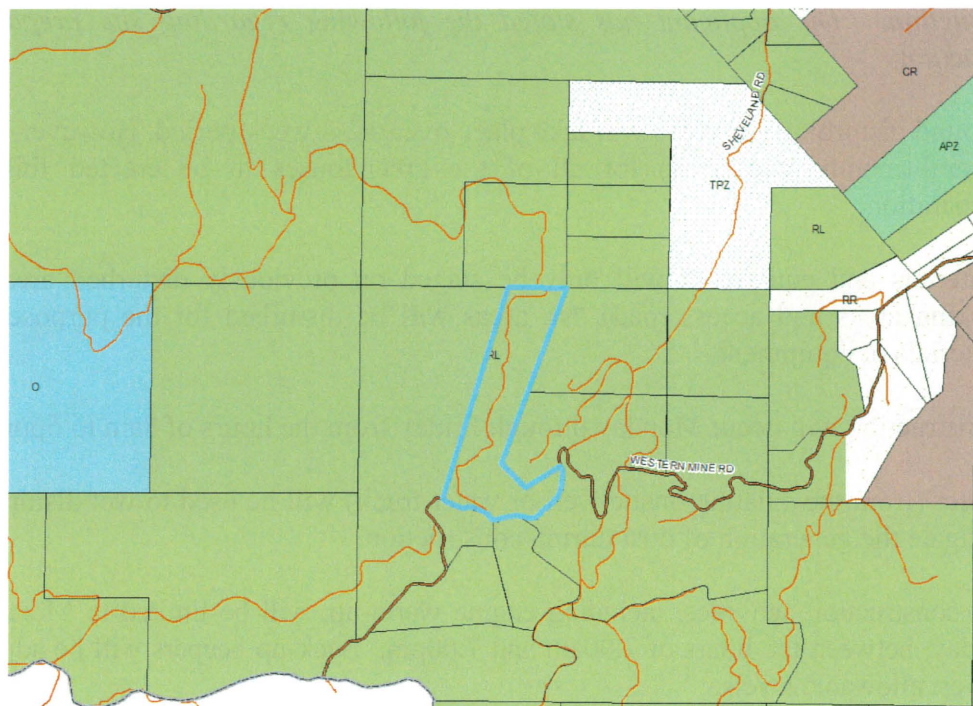
The proposed cannabis cultivation area and associated facilities are accessed via existing private gravel access road off of Western Mine Road. The proposed outdoor cultivation method is via an above grade organic soil mixture in 300-gallon fabric pots (“smart pots”) with drip irrigation systems in full sun. The proposed mixed-light cultivation method is via an above grade organic soil mixture in 15-gallon black plastic nursery pots with drip irrigation systems, within greenhouse structures composed of steel frames with a 6-mil polyethylene glaze. The proposed cultivation areas will be surrounded by a 6-foot tall wire fence with privacy mesh where necessary to screen the cultivation areas from public view. Existing ancillary facilities include a groundwater well, five 2,500-gallon water storage tanks, and a 1040 s.f. wooden propagation and processing building/facility. Proposed ancillary facilities include a 120 s.f. wooden hazardous materials storage shed and an 80 s.f. proposed secure composting area. There are also two residences (a 2,600 s.f. main residence and a 640 s.f. guest house) and a garage on the site; these structures are not directly associated with the proposed cultivation operation.

Construction. *The applicant has stated the following regarding site preparation and construction:*

1. Ground disturbing activities will take place over a 2-3 week period. However, it may take several months (up to 4) for all of the greenhouses to be erected following site preparation.
2. Materials and equipment will only be staged on previously disturbed areas (existing parking areas and access road). No areas will be disturbed for the purpose of staging materials or equipment.
3. Construction will occur Monday through Friday from the hours of 8am to 6pm.
4. Water (from the existing onsite well or water truck) will be used to wet disturbed soils to mitigate the generation of dust during construction.
5. All construction activities, including engine warm-up, will be limited to Monday through Friday, between the hours of 7:00am and 7:00pm. Back-up beepers will be adjusted to the lowest allowable levels.
6. All equipment will be maintained and operated in a manner that minimizes any spill or leak of hazardous materials. All equipment will only be refueled in locations more than 100 feet from surface water bodies, and any servicing of equipment will occur on an impermeable surface. In the event of a spill or leak, the contaminated soil will be stored, transported, and disposed of consistent with applicable local, state and federal regulations.



Aerial of Site and Immediate Vicinity



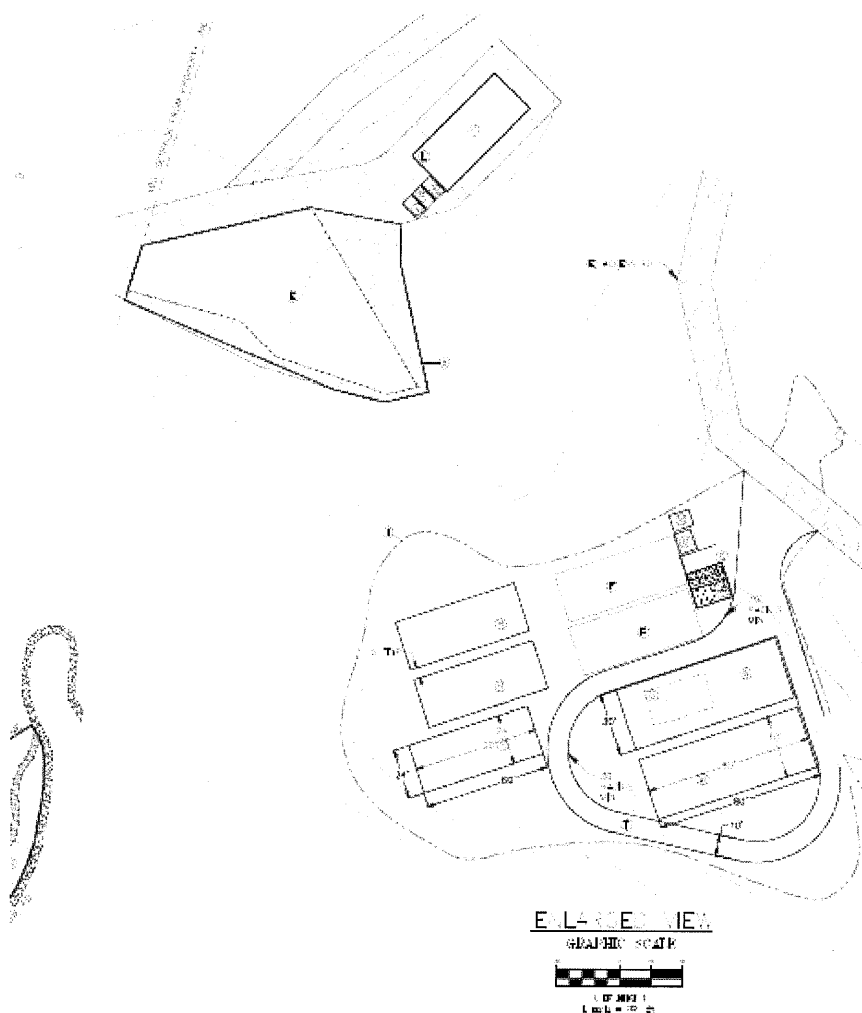
Zoning of Site and Vicinity

17. Surrounding Land Uses and Setting: Briefly describe the project's surroundings:

North, South, East and West: "RL" Rural Lands zoned property. Parcel sizes range 8.5 acres to 123 acres. About half of the nearby properties contain dwellings.

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

Lake County Community Development Department
 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
 South Lake County Fire Protection District (CalFire)
 Central Valley Water Resource Control
 California Department of Forestry & Fire Protection (CalFire)
 California Department of Food and Agriculture (CalCannabis)
 California Department of Pesticides Regulations
 California Department of Public Health
 California Department of Consumers Affairs



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

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

DETERMINATION: (To be completed by the lead Agency)

On the basis of this initial evaluation:

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

Initial Study Prepared By:
Eric Porter, Associate Planner


SIGNATURE

Date: 5.6.19

Michalyn DelValle - Director
Community Development Department

SECTION 1 - EVALUATION OF ENVIRONMENTAL IMPACTS:

- 1) A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).
- 2) All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.

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

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

IMPACT CATEGORIES*	1	2	3	4	All determinations need explanation. Reference to documentation, sources, notes and correspondence.	Source Number**
I. AESTHETICS <i>Would the project:</i>						
a) Have a substantial adverse effect on a scenic vista?			X		There are no scenic vistas on or adjacent to the subject site. The project site is located on a property that is surrounded by dense vegetation; the topography and natural vegetation would act as a natural screen. The cultivation area is not visible from any adjacent lots or any public roads. The fencing will need to be screened; this will be a condition of approval. No further mitigation measures are necessary to comply with this impact category. Impacts to scenic vistas would be less than significant	1, 2, 3, 4, 6, 9
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?			X		See Section I(a) above. Less Than Significant Impact	1, 2, 3, 4, 6, 9
c) Substantially degrade the existing visual character or quality of public views the site and its surroundings? If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?			X		The proposed use would occur on a portion of the site that had historically been used for cultivating medicinal cannabis. No physical changes to the site are proposed or needed by this action. The site is not located within an urbanized area, and the site is not visible from any public property, including roads. Less Than Significant.	1, 2, 3, 4, 6, 9
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?			X		The project has a slight potential to create additional light through exterior security lighting. A lighting plan showing fixture types and locations is required and shall meet the County's recommended darkskies.org lighting. Less Than Significant.	1, 2, 3, 4, 5, 6, 9
II. AGRICULTURE AND FORESTRY RESOURCES <i>In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment Project; and forest carbon measurement methodology provided in Forest protocols adopted by the California Air Resources Board.</i> <i>Would the project:</i>						
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?			X		The proposed site does not contain farmland. The project site contains soil that is mapped as "Other Land". There are no adjacent properties that are actively growing crops. The subject site is not within a Williamson Act contract. Less than Significant Impact.	1, 2, 3, 4, 5, 7, 8, 11, 13
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?			X		See prior response. Less than Significant Impact.	1, 2, 3, 4, 5, 7, 8, 11, 13

IMPACT CATEGORIES*	1	2	3	4	All determinations need explanation. Reference to documentation, sources, notes and correspondence.	Source Number**
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?				X	The project site is zoned "RL" Rural Lands and is not zoned for forestland or timberland. . No Impact.	1, 2, 3, 4, 5, 7, 8, 11, 13
d) Result in the loss of forest land or conversion of forest land to non-forest use?				X	See response to Section II (c). The project would not result in the loss or conversion of forest land to a non-forest use. No Impact.	1, 2, 3, 4, 5, 7, 8, 11, 13
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?				X	As proposed, this project would not induce changes to existing farmland that would result in its conversion to non-agricultural use. No Impact.	1, 2, 3, 4, 5, 7, 8, 11, 13
<p align="center">III. AIR QUALITY</p> <p align="center"><i>Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations.</i></p> <p align="center"><i>Would the project:</i></p>						
a) Conflict with or obstruct implementation of the applicable air quality plan?		X			<p>The project has some potential to result in short- and long-term air quality impacts. Dust and fumes may be released as a result of site preparation / construction of the greenhouses and cultivation area; and vehicular traffic, including small delivery vehicles would be contributors during and after site preparation / construction. Odors generated by the plants, particularly during harvest season, will need to be mitigated either through passive means (separation distance), or active means (Odor Control Plan). Additionally, implementation of mitigation measures below would further reduce air quality impacts to less than significant. Less Than Significant with Mitigation Measures added:</p> <p>AQ-1: Prior to obtaining the necessary permits and/or approvals for any phase, applicant shall contact the Lake County Air Quality Management District 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. To be included within the Authority to Construct permit is a requirement for an Odor Control Plan.</p> <p>AQ-2: All mobile diesel equipment used must be in compliance with State registration requirements. Portable and stationary diesel powered equipment must meet the requirements of the State Air Toxic Control Measures for CI engines.</p> <p>AQ-3: The applicant shall maintain records of all hazardous or toxic materials used, including a Material Safety Data Sheet (MSDS) for all volatile organic compounds utilized, including cleaning materials. Said information shall be made available upon request and/or the ability to provide the Lake County Air Quality Management District such information in order to complete an updated Air Toxic emission Inventory.</p>	1, 3, 4, 5, 10, 21, 24, 31, 36

IMPACT CATEGORIES*	1	2	3	4	All determinations need explanation. Reference to documentation, sources, notes and correspondence.	Source Number**
b) Violate any air quality standard or result in a cumulatively considerable net increase in an existing or projected air quality violation?			X		The County of Lake is in attainment of state and federal ambient air quality standards. Less than Significant Impact.	1, 3, 4, 5, 10, 21, 24, 31, 36
c) Expose sensitive receptors to substantial pollutant concentrations?			X		See response to III.b. Less than Significant Impact	1, 3, 4, 5, 10, 21, 24, 31, 36
d) Result in substantial emissions (such as odors or dust) adversely affecting a substantial number of people?		X			Sensitive receptors in the area include adjacent and near proximity residents. The nearest off-premises house is about 650 feet away from the edge of the cultivation area. Odor control measures will be necessary for the cultivation areas, including the outdoor portion of the site used for cannabis cultivation. The cultivation areas are site back a significant distance from the nearest off-site dwellings, so passive odor control (separation distance) may be adequate for the outdoor cultivation area. The applicant has an emergency contact name and number that will be distributed to neighbors within 1000 feet of the property as is required by Air Quality. As described in Section III (a) above, with implementation of mitigation measures AQ-1 through AQ-3 will reduce impacts to less than significant.	1, 2, 3, 4, 5, 10, 21, 24, 31, 36
IV. BIOLOGICAL RESOURCES <i>Would the project:</i>						
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?		X			<p>The applicant provided a Biological Assessment, prepared by Eastside Environmental, Inc. (Environmental Consultants, Chico, CA) dated November 2018.</p> <p>Additionally, a Northern Spotted Owl study was undertaken by Jacobzoon and Associates; Alicia Ringstadt, Senior Biologist, who made the following conclusions:</p> <p>The proposed removal of approximately six conifer trees (Douglas-fir and pine) and eight hardwoods (madrone and tan oak) within potential Low-quality foraging habitat will not significantly impact the (Northern Spotted Owl).</p> <p>The Eastside Environmental Assessment provided the following conclusion regarding adverse impacts on habitat.</p> <p>“Mitigation measures that may be necessary for the NSO cannot be determined without further investigation by a qualified biologist. For all other special status species with potential to occur on the Project site, there are no required mitigation measures, provided the Project proponent implements the Avoidance and Protection Measures listed as follows:</p> <p>AVOIDANCE AND PROTECTION MEASURES</p> <p>General</p> <p>BIO-1: Worker training: The Project proponent should retain a professional biologist to conduct mandatory contractor/worker awareness training for construction personnel. The awareness training will be provided to all construction personnel to brief them on the identified location(s) of sensitive biological resources, including how to identify species with the potential to occur in the construction area and the need to avoid impacts to biological resources</p>	1, 2, 3, 4, 5, 11, 12, 13, 16, 17, 21, 24, 29, 30, 31, 32, 33, 34

IMPACT CATEGORIES*	1	2	3	4	All determinations need explanation. Reference to documentation, sources, notes and correspondence.	Source Number**
					<p>(e.g., plants, wildlife, and jurisdictional waters), and to brief them on the penalties for not complying with biological mitigation requirements. Brochures, books, and briefings may be used in the training session, provided that a qualified person is on hand to answer and questions. If new construction personnel are added to the project, the contractor will ensure that they receive the mandatory training before starting work.</p> <p>BIO-2: Pre-construction special-status species and migratory bird survey should be performed by a qualified biologist at the proposed Project site and appropriate buffer zone around the Project prior to commencement of ground disturbing activities.</p> <p>BIO-3: A biological monitor should be present during the initial construction access in all unpaved areas to identify and mark sensitive resources for avoidance. The biological monitor should also be present during all grading and vegetation clearing (e.g., mowing, trimming, and removal) within 50 feet of sensitive habitats or resources. The biological monitor should have full authority to halt construction once safe to do so if a resource has or may be impacted.</p> <p>BIO-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 on a weekly basis to avoid attracting animals.</p> <p>BIO-5: Vehicles and equipment should be parked on pavement, existing roads or paved road shoulders developed areas, or approved work areas. Vehicles should be confined to public roadways and pre-approved access routes (e.g., private paved and unpaved roads, and overland routes), previously disturbed and unvegetated roadsides, and work areas. Access routes and construction work areas should be limited to the minimum necessary to achieve the project goals.</p> <p>BIO-6: Use of noxious weed washdown stations during construction for all construction equipment/vehicles; erosion control materials and planting seed mixes should not introduce invasive weed species;</p> <p>BIO-7: Only certified weed-free straw and mulch should be used on the Project site;</p> <p>BIO-8: Avoid impacting areas with large gopher activity or ground squirrel dens.</p> <p>BIO-9: After a rain event (greater than 0.1 inch of rainfall), workers should check underneath vehicles (i.e., tires, tracks, etc.) for the presence of wildlife. Any discovered wildlife should be reported to an approved biologist for relocation assistance.</p> <p>BIO-10: Avoid removing trees between March 1 and August 31 each year without the completion of a bird nest survey.</p> <p><i>Special Status and Migratory Birds</i></p> <p>BIO-11: Standard Nest Buffers: If active nests are found, the biologist will establish a species-specific standard nest buffer around each active nest. Construction activities would be restricted within the buffers depending on the nature and location of the activities Nest buffers should not restrict construction-related traffic using existing roads. Nesting pair</p>	

IMPACT CATEGORIES*	1	2	3	4	All determinations need explanation. Reference to documentation, sources, notes and correspondence.	Source Number**
					<p>acclimation to disturbance in areas with regularly occurring human activities will be considered when establishing reduced nest buffers. Nest buffers should be implemented until the approved avian biologist determines that the nest is no longer active.</p> <p>BIO-12: Nesting in Active Work Areas: If birds are found building nests within the standard buffer distance after specific project activities begin and the activities are not expected to increase in duration, intensity, or distance from the nest, it should be assumed that the birds are tolerant of those specific project activities.</p> <p>BIO-13: Nest Monitoring: Active nests will be periodically monitored at a frequency and length of time necessary to ensure that nesting pairs continue to tend the nest, and until the monitoring biologist has determined that the young have fledged, or once construction ends. At minimum, nest monitoring will occur weekly.</p> <p>BIO-14: Nesting Deterrents: As appropriate, nest deterrent strategies may be used to prevent birds from nesting in construction equipment or staged materials. Nest deterrent strategies may include exclusion netting, covering equipment with tarps, or covering small holes. The monitoring biologist or qualified representative should review bird netting use daily due to risk of entanglement.</p> <p><i>Special Status Bats</i></p> <p>BIO-15: Prior to construction, a qualified biologist with expertise in bats should conduct a pre-construction assessment for suitable special-status or otherwise protected bat roosting habitat that may be impacted within approximately 50 feet of project work areas and access routes where grading and vegetation removal may occur. The qualified biologist should identify all suitable bat roosts that may be impacted, including man-made structures, snags, rotten stumps, mature trees with broken limbs, trees with exfoliating bark, bole cavities or hollows, and dense foliage.</p> <p>BIO-16: If pupping bats are identified in the Project area during the pre-construction survey, either a species-appropriate buffer zone or biological monitor must be utilized to insure construction activities are not affecting rearing activities.</p> <p><i>Special Status Plants</i></p> <p>BIO-17: Maintain road erosion control measures at the junction of the ephemeral drainage containing the St. Helena Fawn Lily population and upper access road intersection, and avoid parking vehicles along upper access road in proximity to the St. Helena Fawn Lily population;</p> <p>BIO-18: Monitor St. Helena Fawn Lily population for invasive species colonization that may occur as a result of Project activities in the outdoor cultivation area;</p> <p>BIO-19: If necessary, hand-weeding of any invasive weeds is recommended provided that the treatment does not disturb the special status plant population;</p> <p>BIO-20: No herbicides should be used in proximity of the Fawn Lily population.</p> <p><i>Project Operation APMs</i></p> <p>The following activities or preventative measures should be</p>	

IMPACT CATEGORIES*	1	2	3	4	All determinations need explanation. Reference to documentation, sources, notes and correspondence.	Source Number**
					<p>adopted during operations and site management to protect wildlife resources, aquatic organisms, and water quality:</p> <p>BIO-21: Implement a noxious weed management program;</p> <p>BIO-22: Closely monitor the cannabis production facility and adjacent areas for wildlife presence, especially during rain events. Do not attempt to move or otherwise relocate any wildlife species should they appear on site. Allow all wildlife to return to their habitat without assistance.</p> <p>BIO-23: Avoid impacting areas with large gopher activity or ground squirrel dens.</p> <p>Less than Significant Impact with mitigation measures BIO-1 through BIO-23 added.</p>	
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?		X			<p>The Biological Assessment provided states that all Biological impacts can be mitigated using Avoidance and Protection measures as stated within IX.a above.</p> <p>Less than Significant Impact with mitigation measures BIO-1 through BIO-23 added.</p>	1, 2, 3, 4, 5, 11, 12, 13, 16, 17, 29, 30, 31, 32, 33, 34
c) Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?				X	<p>The site contains no state or federally protected wetlands.</p> <p>No Impact.</p>	1, 2, 3, 4, 5, 11, 12, 13, 16, 17, 21, 24, 29, 30, 31, 32, 33, 34
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?		X			<p>The Biological Assessment provided states that all Biological impacts can be mitigated using Avoidance and Protection measures as stated within IX.a above.</p> <p>Less than Significant Impact with mitigation measures BIO-1 through BIO-23 added.</p>	1, 2, 3, 4, 5, 11, 12, 13, 16, 17, 21, 24, 29, 30, 31, 32, 33, 34
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?			X		<p>There are no Tree Conservation designations on the subject site. It appears that tree removal will be minimal unless the applicant by choice or County directive cuts a fire break through living trees on the property. This is not required as a condition of approval or as a mitigation measure.</p> <p>Less than Significant Impact</p>	1, 2, 3, 4, 5, 11, 12, 13, 16, 17, 21, 24, 29, 30, 31, 32, 33, 34
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?			X		<p>See previous comment.</p> <p>Less than Significant Impact.</p>	1, 2, 3, 4, 5, 11, 12, 13, 16, 17, 21, 24, 29, 30, 31, 32, 33, 34
<p align="center">V. CULTURAL RESOURCES <i>Would the project:</i></p>						
a) Cause a substantial adverse change in the significance of a historical resource pursuant to §15064.5?		X			<p>A Cultural Resources Evaluation was conducted for the subject parcel involved with this proposal by Dr. John. Parker of Archaeological Research on March 17, 2018. Dr. Parker's recommendations are below:</p> <p>Black Bart Mine</p> <p>It is recommended that the proposed project be approved as planned with the stipulation that the Black Bart Mine retort and condenser as well as the mine adit be preserved in place as examples of the 1918 and 1940's operations at the mine.</p>	1, 3, 4, 5, 11, 14, 15

IMPACT CATEGORIES*	1	2	3	4	All determinations need explanation. Reference to documentation, sources, notes and correspondence.	Source Number**
					<p><i>Great Western Mine Features</i> The two brick features appear to be associated with part of the Great Western Mine operation. If they are associated with the Great Western, they would be considered historically "significant". It is recommended that the proposed project be approved as planned with the stipulation that these brick features and their surroundings be protected and left undisturbed. If it becomes necessary to alter these features or conduct ground disturbance in their area, then a subsurface evaluation should be conducted to determine their nature, integrity, and whether they are associated with the Great Western Mine.</p> <p>On September 17, 2018, Dr. Parker provided an addendum to his mine-related findings after having a discussion with Mr. Morse, who was property owner during the early 1970s when portions of the mine hopper and retort were built. Dr. Parker's addendum states:</p> <p>Since the original evaluation conducted in March, new information has come to light concerning the history of particular features recorded during the field inspection of the parcel listed above. Interviews with Gary Morse (property owner from 1964-1990), has clarified the age of the retort and ore hopper recorded in the original report. According to Mr. Morse, Herb Westfall leased the mine area from him in 1970 and built the retort and ore hopper for a short mining operation (Morse 2018).</p> <p>In addition, Mr. Morse confirmed that the open adit (southeast of the retort) was the ore access point for the 1942 reworking of the mine for the WWII war effort. This new information indicates that the retort and ore hopper are too recent to be considered "significant" historical resources as defined in the California Environmental Quality Act¹.</p> <p>¹ CEQA Sec. 15064.5 a and 21074 a</p> <p>As a matter of practice, the County requires any relics, artifacts or remains to be reported immediately to the overseeing Tribe, and an archeologist be retained to oversee any site disturbance. Consequently the following Cultural mitigation measures are required:</p> <p>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 Middletown Rancheria or other local overseeing Tribe shall be notified, and a qualified archaeologist retained 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, they shall be treated in accordance with Public Resources Code Section 5097.98 and with California Health and Safety Code section 7050.5.</p> <p>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 Middletown Rancheria or other local overseeing Tribe shall immediately be notified; a licensed</p>	

IMPACT CATEGORIES*	1	2	3	4	All determinations need explanation. Reference to documentation, sources, notes and correspondence.	Source Number**
					<p>archaeologist shall be notified, and the Lake County Community Development Director shall be notified of such finds.</p> <p>CUL-3: The Black Bart Mine retort and condenser as well as the mine adit shall be preserved in place as examples of the 1918 and 1940's operations at the mine.</p> <p>CUL-4: The two brick features appear to be associated with part of the Great Western Mine operation. These brick features and their surroundings shall be protected and left undisturbed. If it becomes necessary to alter these features or conduct ground disturbance in their area, then a subsurface evaluation should be conducted to determine their nature, integrity, and whether they are associated with the Great Western Mine.</p> <p>Less than Significant Impact with mitigation measures CUL-1 through CUL-4 added.</p>	
b) Cause a substantial adverse change in the significance of an archeological resource pursuant to §15064.5?		X			See Response to Section V (a). Less than Significant Impact with mitigation measures CUL-1 through CUL-4 added.	1, 3, 4, 5, 11, 14, 15
c) Disturb any human remains, including those interred outside of formal cemeteries?		X			See Response to Section V (a). Less than Significant Impact with mitigation measures CUL-1 through CUL-4 added.	1, 3, 4, 5, 11, 14, 15
<p align="center">VI. ENERGY <i>Would the project:</i></p>						
a) Result in a potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy, or wasteful use of energy resources, during project construction or operation?			X		<p>The applicant states that she will use on-grid power as the primary energy source. The outdoor cultivation area will have minimal need for power. The greenhouse cultivation areas will require some power for lighting and exhaust fans. Other likely power users include the security system, the well pump, and although none is proposed, any outdoor lighting that might be needed in the future.</p> <p>Less than Significant Impact</p>	1, 3, 4, 5, 11, 14, 15
b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?			X		<p>There are no mandatory energy reductions for outdoor cultivation activities within Article 27 of the Lake County Zoning Ordinance.</p> <p>Less than Significant Impact.</p>	1, 3, 4, 5, 11, 14, 15
<p align="center">VII. GEOLOGY AND SOILS <i>Would the project:</i></p>						
<p>a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:</p> <p>i) Rupture of a known earthquake fault, as delineated on the most recent Alquist- Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication</p>		X			<p><u>Earthquake Faults</u> There are no mapped earthquake faults on or adjacent to the subject site.</p> <p><u>Seismic Ground Shaking and Seismic-Related Ground Failure, including liquefaction.</u> The mapping of the site's soil indicates that the soil is either variably stable or unstable on most of the site, however the cultivation area proposed is not in the unstable portion of the site. See graphic below.</p>	1, 3, 4, 5, 6, 7, 10, 17, 18, 19, 21, 24, 25

IMPACT CATEGORIES*	1	2	3	4	All determinations need explanation. Reference to documentation, sources, notes and correspondence.	Source Number**
<p>42.</p> <p>ii) Strong seismic ground shaking?</p> <p>iii) Seismic-related ground failure, including liquefaction?</p> <p>iv) Landslides?</p>					<div data-bbox="716 233 1300 554"> <p>Soil Stability Map</p> </div> <p><u>Landslides</u></p> <p>There is some risk of landslides based on slope of the site coupled with unstable soil, primarily on the northern and eastern 'toe' of the boot. The cultivation area however is located near what would be the heel of the boot and within the 'variable stable' mapped area. See graphic below.</p> <div data-bbox="716 806 1300 1213"> <p>Slope Map of Subject Site</p> </div> <div data-bbox="716 1268 1138 1814"> </div> <p>GEO-1: A Grading Plan is needed to show the footprints of the structures and how the earth will be graded in a manner that will limit or eliminate the potential for landslides and/or storm-related earth movement.</p>	


IMPACT CATEGORIES*	1	2	3	4	All determinations need explanation. Reference to documentation, sources, notes and correspondence.	Source Number**
					Less Than Significant with mitigation measure GEO-1 added.	
b) Result in substantial soil erosion or the loss of topsoil?		X			The soil on this site has the potential for erosion and/or the loss of topsoil. The soil is variably stable at the location of the cultivation site, and the entire site is steep, having a slope greater than 30%. As previously stated, an engineered grading plan is needed that shows the building footprints and terraced or otherwise prepped building pads that will be positioned in a manner that will not increase the potential for landslides or topsoil migration. Less Than Significant with mitigation measure GEO-1 added.	1, 3, 4, 5, 6, 7, 10, 16, 17, 18, 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?		X			The cultivation site is mapped as being 'variably stable'. The majority of the property (beyond the cultivation site limits) is mapped as unstable. The mitigation measure GEO-1 is intended to reduce or eliminate the potential for on-site or off-site landslides and lateral spreading from occurring. The soil isn't in danger of subsidence, liquefaction or collapse. Less Than Significant with mitigation measure GEO-1 added.	1, 3, 4, 5, 6, 7, 10, 16, 17, 18, 19, 21, 24, 25, 30
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?			X		The soil on the site is type 127 and 128; neither type is overly expansive. Less Than Significant	1, 3, 4, 5, 6, 7, 10, 16, 17, 18, 19, 21, 24, 25, 30
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?				X	The 53 acre site is large enough to support the existing in-ground septic system. No Impact	1, 3, 4, 5, 6, 7, 10, 16, 17, 18, 19, 21, 24, 25, 29, 30
f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?		X			As stated in the Cultural Resources section of this environmental evaluation, Dr. John Parker (Archeologist) made findings that there indeed are significant resources on the site that are associated with 1917 and 1940's mining activities that occurred on the site. Mitigation measures CUL-3 and CUL-4 are specific to protecting the remnants of the mining operation. The mining locations will not be disturbed by this proposed cultivation project. Less than Significant Impact with mitigation measures CUL-3 and CUL-4 added.	1, 3, 4, 5, 11, 14, 15
VIII. GREENHOUSE GAS EMISSIONS <i>Would the project:</i>						
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?			X		In general, greenhouse gas emissions can come from construction activities and from post-construction activities. Some new construction will occur on the site (greenhouses and the new drying building), and there are minimal gasses that could result from outdoor and indoor cultivation activities. The greenhouses will be equipped airborne particulate carbon filters. The outdoor cultivation areas will not have specific greenhouse gas-producing elements; no ozone will result, and the cannabis plants will to a small degree help capture carbon dioxide.	1, 3, 4, 5, 21, 24, 29, 30, 31, 32, 34, 36

IMPACT CATEGORIES*	1	2	3	4	All determinations need explanation. Reference to documentation, sources, notes and correspondence.	Source Number**
					Less than Significant.	
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?				X	This project will not conflict with any adopted plans or policies for the reduction of greenhouse gas emissions. No Impact	1, 3, 4, 5, 21, 24, 29, 30, 31, 32, 34, 36
IX. HAZARDS AND HAZARDOUS MATERIALS <i>Would the project:</i>						
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?			X		This proposal will use organic pest control and fertilizers. This will significantly limit potential environmental hazards that would otherwise result. Cannabis waste is required to be chipped and disbursed on site; burning cannabis waste is prohibited. Less than Significant	1, 3, 4, 5, 10, 13, 17, 21, 24, 25, 29, 30, 31, 32, 33, 34, 36
b) Create a significant hazard to the public or the environment through reasonable foreseeable upset and accident conditions involving the release of hazardous materials into the environment?			X		See Response to Section IX (a). Less than Significant	1, 3, 4, 5, 10, 13, 17, 20, 21, 24, 25, 29, 30, 31, 32, 33, 34, 36
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?				X	The proposed project is not located within one-quarter mile of an existing or proposed school. No Impact	1, 3, 4, 5, 10, 13, 17, 21, 24, 25, 29, 30, 31, 32, 33, 34, 36
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?			X		The project site is not listed as a site containing hazardous materials in the databases maintained by the Environmental Protection Agency (EPA). Less Than Significant Impact.	1, 3, 4, 5, 10, 13, 17, 21, 24, 25, 29, 30, 31, 32, 33, 34, 36
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?				X	The project is not located within two (2) miles of an airport and/or within an Airport Land Use Plan. No Impact	1, 3, 4, 5, 20, 22
f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?			X		The project would not impair or interfere with an adopted emergency response or evacuation plan. Less Than Significant Impact.	1, 3, 4, 5, 20, 22, 35, 37
g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?			X		The site is mapped as having an Extremely High Fire Risk. The applicant will adhere to all Federal, State and local fire requirements/regulations for setbacks and defensible space; these setbacks are applied at the time of building permit review. Less than Significant Impact	1, 3, 4, 5, 20, 35, 37
X. HYDROLOGY AND WATER QUALITY <i>Would the project:</i>						
a) Violate any water quality standards or waste discharge requirements or otherwise			X		The project parcel is current served by an existing onsite septic and well. The applicant shall adhere to all Federal, State and Local regulations regarding wastewater treatment and water	1, 3, 4, 5, 13, 21, 23, 24, 25, 29,

XI. LAND USE AND PLANNING
Would the project:

IMPACT CATEGORIES*	1	2	3	4	All determinations need explanation. Reference to documentation, sources, notes and correspondence.	Source Number**
a) Physically divide an established community?				X	The proposed project site would not physically divide an established community. No Impact.	1, 3, 4, 5, 6, 35
b) Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?			X		This project is consistent with the Lake County General Plan, the Middletown Area Plan and the Lake County Zoning Ordinance. Less than Significant.	1, 3, 4, 5, 20, 21, 22, 27, 28
XII. MINERAL RESOURCES <i>Would the project:</i>						
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?			X		The Black Bart chromite mine is on the subject site. The mine was last active in 1942 during WWII, and over the course of time generated 153 tons of chromite. The mine was originally named as a site of significance by Dr. John Parker in the initial Archeological Survey, however Dr. Parker provided an addendum that essentially changed his finding of significance to a finding of insignificance based on new information provided about the age of the retort and ore hopper, which is newer than what Dr. Parker had originally been led to believe. The site is not listed on any Mineral Resource map or within the Middletown Area Plan, which names several other mines in the vicinity as being of significance. The cannabis cultivation area is not in the immediate vicinity of any mine-related structures or the adit (opening); therefore the impact of this project has Less than Significant Impact	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?			X		Neither the County of Lake's General Plan, the Middletown Area Plan nor the Lake County Aggregate Resource Management Plan designates the project site as being a locally important mineral resource recovery site. The historic use of the site as a mine has been documented herein. Less than Significant Impact	1, 3, 4, 5, 26
XIII. NOISE <i>Would the project result in:</i>						
a) 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?		X			Short-term increases in ambient noise levels to uncomfortable levels could be expected during project grading and/or construction. Mitigation measures will decrease these noise levels to an acceptable level. Less Than Significant with the following mitigation measures incorporated: <u>NOI-1:</u> All construction activities including engine warm-up shall be limited Monday Through Friday, between the hours of 7:00am and 7:00pm 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. <u>NOI-2:</u> 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. <u>NOI-3:</u> The operation of the Air Filtration System shall not exceed levels of 57 dBA between the hours of 7:00AM to 10:00PM and 50 dBA from 10:00PM to 7:00AM within	1, 3, 4, 5, 13

IMPACT CATEGORIES*	1	2	3	4	All determinations need explanation. Reference to documentation, sources, notes and correspondence.	Source Number**
					residential areas as specified within Zoning Ordinance Section 21-41.11 (Table 11.2) measured at the property lines.	
b) Generation of excessive groundborne vibration or groundborne noise levels?			X		The project is not expected to create unusual groundborne vibration due to facility operation. The low level truck traffic during construction and deliveries would create a minimal amount of groundborne vibration. Less Than Significant Impact	1, 3, 4, 5, 13
XIV. POPULATION AND HOUSING <i>Would the project:</i>						
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)?				X	The project is not anticipated to induce population growth. No Impact	1, 3, 4, 5
b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?				X	No housing will be displaced as a result of the project. No Impact	1, 3, 4, 5
XV. PUBLIC SERVICES <i>Would the project:</i>						
a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services: - Fire Protection? - Police Protection? - Schools? - Parks? - Other Public Facilities?				X	The project does not propose housing or other uses that would necessitate the need for new or altered government facilities. 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. No Impact.	1, 3, 4, 5, 13, 17, 20, 21, 22, 23, 24, 27, 28, 29, 30, 31, 32, 33, 34, 36, 37
XVI. RECREATION <i>Would the project:</i>						
a) Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?				X	The project will not have any impacts on existing parks or other recreational facilities. No Impact	1, 3, 4, 5
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?				X	This project will not necessitate the construction or expansion of any recreational facilities. No Impact	1, 3, 4, 5

IMPACT CATEGORIES*	1	2	3	4	All determinations need explanation. Reference to documentation, sources, notes and correspondence.	Source Number**
XVII. TRANSPORTATION <i>Would the project:</i>						
a) Conflict with a plan, ordinance or policy addressing the circulation system, including transit, roadways, bicycle lanes and pedestrian paths?			X		<p>The proposed project site is accessed from Western Mine Road, an unpaved County road. 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. Daily employee trips are anticipated to be between 4 and 16 trips, about the equivalent of a new single family dwelling (which averages 9.55 average daily trips according to International Transportation Engineer's manual, 9th edition).</p>  <p>Western Mine Road near the Site</p> <p>Less than Significant Impact.</p>	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)?			X		See Response to Section XVII (a).	1, 3, 4, 5, 9, 20, 22, 27, 28, 35
c) For a transportation project, would the project conflict with or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)(2)?				X	The project is not a Transportation project. No Impact	1, 3, 4, 5, 9, 20, 22, 27, 28, 35
d) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?			X		No changes to Western Mine Road are proposed, nor do any appear to be needed. Less than Significant Impact	1, 3, 4, 5, 9, 20, 22, 27, 28, 35
e) Result in inadequate emergency access?				X	As proposed, this project will not impact existing emergency access. No Impact	1, 3, 4, 5, 9, 20, 22, 27, 28, 35
XVIII. TRIBAL CULTURAL RESOURCES <i>Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:</i>						
a) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or		X			<p>Although the Cultural Survey undertaken by Dr. John Parker yielded no significant finds, two conditions are added (also as mitigation measures) that specify the path of action required if any items of significance or of potential significance are discovered during site disturbance.</p> <p>Less than Significant with mitigation measures CUL-1 and CUL-2 added.</p>	1, 3, 4, 5, 11, 14, 15

IMPACT CATEGORIES*	1	2	3	4	All determinations need explanation. Reference to documentation, sources, notes and correspondence.	Source Number**
b) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resources Code 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.		X			Although the Cultural Survey undertaken by Dr. John Parker yielded no significant finds, two conditions are added (also as mitigation measures) that specify the path of action required if any items of significance or of potential significance are discovered during site disturbance. Less than Significant with mitigation measures CUL-1 and CUL-2 added.	1, 3, 4, 5, 11, 14, 15
XIX. UTILITIES AND SERVICE SYSTEMS <i>Would the project:</i>						
a) Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?			X		The subject parcel is served by an existing well and septic system. The applicant shall adhere to all Federal, State and Local regulations regarding wastewater treatment and water usage requirements. Less than significant	1, 3, 4, 5, 29, 32, 33, 34, 37
b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?			X		The applicant is required to confirm the adequacy of the water source productivity as a condition of approval via well test; however there are no minimum thresholds for aquifer recharge in Lake County, so there is no way to verify if the water usage will be detrimental to the surrounding area. Less Than Significant	1, 3, 4, 5, 29, 32, 33, 34, 36, 37
c) Result in a determination by the wastewater treatment provider, which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?			X		The site is served by an existing septic system with no known issues regarding adequacy. Less Than Significant	1, 3, 4, 5, 29, 32, 33, 34
d) Generate solid waste in excess of State or local standards or in excess of the capacity of local infrastructure?			X		The existing landfill has sufficient capacity to accommodate the project's solid waste disposal needs. Less than Significant Impact.	1, 3, 4, 5, 28, 29, 32, 33, 34, 36
e) Negatively impact the provision of solid waste services or impair the attainment of solid waste reduction goals?			X		The applicant will chip and spread the cannabis waste on site. Less than Significant Impact.	1, 3, 4, 5, 29, 32, 33, 34, 36
f) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?			X		All requirements related to solid waste will apply to this project. Less than Significant Impact.	1, 3, 4, 5, 29, 32, 33, 34, 36

IMPACT CATEGORIES*	1	2	3	4	All determinations need explanation. Reference to documentation, sources, notes and correspondence.	Source Number**
XX. WILDFIRE <i>If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:</i>						
a) Impair an adopted emergency response plan or emergency evacuation plan?			X		<p>The subject site is accessed by Western Mine Road, a narrow, unpaved County road. The property is located within an SRA (high fire) area.</p> <p>The fire risk on the site is Very High; the site is steep (over 30% slope on average), and has a very dense fuel load.</p> <p>Although the site and surrounding area are steep and heavily treed, the cannabis cultivation use will not further exacerbate the risk of injury or death due to a wildfire. This site is no more prone to excessive fire risk than most other sites in Lake County. Further, the trips generated by this use will be roughly the equivalent of a single family dwelling (around 10 average daily trips) based on the number of employees proposed.</p> <p>Less than Significant Impact.</p>	1, 2, 4, 5, 6, 20, 23, 31, 35, 37, 38
b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?			X		<p>The fire risk on the site is Very High, and the slope on the site averages over 30%. Prevailing wind direction is from the north/northwest, but the prevailing wind direction in the event of a wildfire in this area would be of little consequence given the dense tree coverage and significant slopes on and near the site. The new cultivation area does not further exacerbate the risk of wildfire, or the overall effect of pollutant concentrations to area residents in the event of a wildfire.</p> <p>Less than Significant Impact.</p>	1, 2, 4, 5, 6, 20, 23, 31, 35, 37, 38
c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?			X		<p>The site improvements proposed are minimal, and don't rise to the level of warranting additional roads. The site has heavy vegetation, however the responsible Fire Districts, who were notified of this action, have not indicated that additional fire breaks are necessary.</p> <p>Less than Significant Impacts.</p>	1, 2, 4, 5, 6, 20, 23, 31, 35, 37, 38
d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?			X		<p>There is little chance of risks associated with post-fire slope runoff, instability or drainage changes based on the lack of site changes that would occur by this project.</p> <p>Less than Significant Impact</p>	1, 2, 4, 5, 6, 20, 23, 31, 35, 37, 38
XXI. MANDATORY FINDINGS OF SIGNIFICANCE						
a) Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, 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		X			<p>The project proposes a Cultivation of Commercial cannabis in previously disturbed area. As proposed, this project is not anticipated to significantly impact habitat of fish and/or wildlife species or cultural resources with the incorporated mitigation measures described above.</p>	All

IMPACT CATEGORIES*	1	2	3	4	All determinations need explanation. Reference to documentation, sources, notes and correspondence.	Source Number**
periods of California history or prehistory?						
b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?		X			Potentially significant impacts have been identified related to Aesthetics, Air Quality, Cultural and Tribal Resources, Hazards & Hazardous Materials and Noise. These impacts in combination with the impacts of other past, present and reasonably foreseeable future projects could cumulatively contribute to significant effects on the environment. Implementation of and compliance with mitigation measures identified in each section as project conditions of approval would avoid or reduce potential impacts to less than significant levels and would not result in cumulatively considerable environmental impacts.	All
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?		X			The proposed project has potential to result in adverse indirect or direct effects on human beings. In particular, to Aesthetics, Air Quality, Cultural and Tribal Resources, Hazards & Hazardous Materials and Noise have the potential to impact human beings. Implementation of and compliance with mitigation measures identified in each section as conditions of approval would not result in substantial adverse indirect or direct effects on human beings and impacts would be considered less than significant.	All

* Impact Categories defined by CEQA

****Source List**

1. Lake County General Plan
2. Lake County GIS Database
3. Lake County Zoning Ordinance
4. Middletown Area Plan
5. Nesta Cannabis Cultivation Applications – Minor Use Permit.
6. U.S.G.S. Topographic Maps
7. U.S.D.A. Lake County Soil Survey
8. Lake County Important Farmland Map, California Department of Conservation Farmland Mapping and Monitoring Program
9. Department of Transportation's Scenic Highway Mapping Program, (http://www.dot.ca.gov/hq/LandArch/16_livability/scenic_highways/index.htm)
10. Lake County Serpentine Soil Mapping
11. California Natural Diversity Database (<https://www.wildlife.ca.gov/Data/CNDDDB>)
12. U.S. Fish and Wildlife Service National Wetlands Inventory
13. Biological Assessment for Nesta property; prepared by Eastside Environmental Inc., and dated November 2018.
14. Cultural Site Assessment Survey – Dr. John Parker, March 17, 2019.
15. California Historical Resource Information Systems (CHRIS); Northwest Information Center, Sonoma State University; Rohnert Park, CA.
16. Water Resources Division, Lake County Department of Public Works Wetlands Mapping.
17. U.S.G.S. Geologic Map and Structure Sections of the Clear Lake Volcanic, Northern California, Miscellaneous Investigation Series, 1995
18. Official Alquist-Priolo Earthquake Fault Zone maps for Lake County
19. Landslide Hazards in the Eastern Clear Lake Area, Lake County, California, Landslide Hazard Identification Map No. 16, California Department of Conservation, Division of Mines and Geology, DMG Open –File Report 89-27, 1990
20. Lake County Emergency Management Plan
21. Lake County Hazardous Waste Management Plan, adopted 1989
22. Lake County Airport Land Use Compatibility Plan, adopted 1992

23. California Department of Forestry and Fire Protection - Fire Hazard Mapping
24. National Pollution Discharge Elimination System (NPDES)
25. FEMA Flood Hazard Maps
26. Lake County Aggregate Resource Management Plan
27. Lake County Bicycle Plan
28. Lake County Transit for Bus Routes
29. Lake County Environmental Health Division
30. Lake County Grading Ordinance
31. Lake County Natural Hazard database
32. Lake County Countywide Integrated Waste Management Plan and Siting Element, 1996
33. Lake County Water Resources
34. Lake County Waste Management Department
35. California Department of Transportation (CALTRANS)
36. Lake County Air Quality Management District website
37. South Lake County Fire Protection District
38. Site Visit – April 10, 2019