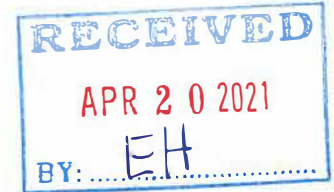




City of Clearlake
 14050 Olympic Drive, Clearlake, California 95422
 (707) 994-8201 Fax (707) 995-2653



DISTRIBUTION DATE: April 20, 2020

REQUEST FOR REVIEW (RFR)

	CITY DEPARTMENTS		LOCAL AGENCIES		STATE/FEDERAL AGENCIES
@	<i>Building Dept</i>	@	<i>Air Quality Management</i>	@	<i>CalTrans</i>
@	<i>Code Enforcement</i>	@	<i>Assessor's/Recorders Office</i>		<i>BLM</i>
@	<i>Police Department</i>	@	<i>Environmental Health Dept.</i>		<i>CA Dept. of Fish & Wildlife</i>
@	<i>Public Works/Engineering.</i>		<i>Lakebed Management</i>		<i>Army Core of Eng.</i>
		@	<i>Lake County Special Districts</i>		<i>U.S Fish & Wildlife Serv.</i>
			<i>Lake County Water Resources</i>	@	<i>Sonoma State (NWIC)</i>
			<i>Lake County Tax Collector</i>		<i>CHP</i>
@	<i>PG&E</i>		<i>Lake Transit</i>	@	<i>CA Dept. of Drinking Water</i>
			<i>Lake Area Planning Council</i>		<i>Cal Fire</i>
					<i>ABC</i>
			WATER DISTRICT		
			<i>Golden State Water</i>		CANNABIS PROJECTS
		@	<i>Konocti Water Co,</i>	@	<i>Cal Cannabis</i>
			<i>Highlands Water Co.</i>	@	<i>CA Dept. Public Health (Manufacturing)</i>
				@	<i>Bureau of Cannabis Control (retailers, distributors, 3rd party testing laboratories and microbusinesses)</i>

REQUEST: REQUEST: Please review and comment on the enclosed application packet material for the proposed project below. Please return all comments by May 7, 2020. Please email your comments to mroberts@clearlake.ca.us or mail them to the address listed in the letterhead above.

APPLICATIONS:

- UP 2021-23 – Cultivation
- UP 2021-24 – Manufacturing
- UP 2021-25 – Distribution
- UP 2021-26 – Processing
- UP 2021-27 – Retail Delivery
- UP 2021-28 – Nursery

LOCATION(S): 2160 Ogulin Canyon Road; Clearlake, CA 95422

APPLICANT: Ogulin Hills Holdings, LLC c/o Brian Pensack

APN(s): 010-044-210-000

LAND USE DESIGNATION(S): Commercial

GENERAL PLAN DESIGNATION(S): Commercial

PROPOSAL: The applicant is requesting approval of the above use permits to allow the development of a commercial cannabis operation. According to the application packet, the project includes but is not limited to the following: **Please refer to attached packet, site plans and architectural plans for further details.**

- Hours of Operation:
 - Monday Through Saturday: 8:00AM to 5:00PM.
 - Up to 35 employees
 - Up to +/- 4 managers

- Proposed Structures:
 - 33,600 SQFT cannabis processing, manufacturing, and distribution building
 - 5,000 SQFT office building that will also serve as the administrative center and the cannabis delivery and storage space.
 - Five (5) Greenhouse – Each greenhouse will be 75' X 25' (1,875 SQFT Each)

- Proposed Parking:
 - +/- 46 Parking Spaces

COMMENTS:

See attached memorandum

NAME: *Tina Rubin*

DATE: *5/28/21*



COUNTY OF LAKE
Health Services Department
Environmental Health Division
922 Bevins Court
Lakeport, California 95453-9739
Telephone 707/263-1164
FAX 707/263-1681

Denise Pomeroy
Health Services Director

Gary Pace, MD, MPH
Health Officer

Craig Wetherbee
Environmental Health Director

MEMORANDUM

DATE: May 28, 2021
TO: Mark Roberts, Planner
FROM: Tina Dawn-Rubin, Environmental Health Aide
RE: Multiple Use Permits
Commercial Cannabis
APN: 010-044-21 2160 Ogulin Canyon Rd, Clearlake

Lake County Division of Environmental Health (EH) has on file for the subject parcel:

APN: 010-044-21 – a 1974 septic permit 3402-S designed to service a 3 bedroom residence. The permit also indicates there is a well on the property.

The applicant must meet the EH requirements regarding Onsite Wastewater Treatment System (OWTS) and potable water.

For any proposed building permits or projects where the parcel is serviced by an OWTS or well, the applicant may need to demonstrate the location of any proposed or existing structures including residential or commercial dwellings, garages, driveways, shed, barns, green houses, non-perimeter fences, well houses, etc., *and* the location of the proposed project on a to-scale site plan prior to building permit issuance and/or project approval.

Due to the limited documentation on file for this parcel, a field clearance will be required to validate septic or well locations prior to site plan approval.

If the applicant is proposing a commercial cannabis operation and the operation will be constructing or utilizing an existing structure (i.e., processing facility) that will have plumbing for a restroom, sink, etc, that structure will be required to have its own OWTS, separate from any existing or new OWTS designed to service a residential structure.

If the applicant is proposing an OWTS, then applicant must apply for a site evaluation and, if the site is acceptable to support an OWTS, apply for a permit.

EH requires all applicants to provide a written declaration of the chemical names and quantities of any hazardous material to be used on site. As a general rule, if a material has a Safety Data Sheet, that material may be considered as part of the facilities hazardous materials declaration.

Promoting an Optimal State of Wellness in Lake County

CALIFORNIA
HISTORICAL
RESOURCES
INFORMATION
SYSTEM



ALAMEDA
COLUSA
CONTRA COSTA
DEL NORTE

HUMBOLDT
LAKE
MARIN
MENDOCINO
MONTEREY
NAPA
SAN BENITO

SAN FRANCISCO
SAN MATEO
SANTA CLATA
SANTA CRUZ
SOLANO
SONOMA
YOLO

Northwest Information Center
Sonoma State University
150 Professional Center Drive, Suite E
Rohnert Park, California 94928-3609
Tel: 707.588.8455
nwic@sonoma.edu
<http://www.sonoma.edu/nwic>

May 6, 2021

File No.: 20-2099

Mark Roberts, Senior Planner
City of Clearlake
14050 Olympic Drive
Clearlake, California 95422

re: UP 2021-23, UP 2021-24, UP 2021-25, UP 2021-26, UP 2021-27, UP 2021-28 / APN 010-044-210, 2160 Ogulin Canyon Road / Ogulin Hills Holdings, LLC c/o Brian Pensack

Dear Mark Roberts,

Records at this office were reviewed to determine if this project could adversely affect cultural resources. **Please note that use of the term cultural resources includes both archaeological sites and historical buildings and/or structures. The review for possible historic-era building/structures, however, was limited to references currently in our office and should not be considered comprehensive.**

Project Description: The applicant is requesting approval of the above use permits to allow the development of a commercial cannabis operation. Hours of Operation: Monday Through Saturday: 8:00AM to 5:00PM. Up to 35 employees. Up to +/- 4 managers. Proposed Structures: 33,600 SQFT cannabis processing, manufacturing, and distribution building. 5,000 SQFT office building that will also serve as the administrative center and the cannabis delivery and storage space. Five (5) Greenhouse – Each greenhouse will be 75' X 25' (1,875 SQFT Each) Proposed Parking: +/- 46 Parking Spaces.

Previous Studies:

XX This office has no record of any previous cultural resource field survey for the proposed project area conducted by a professional archaeologist or architectural historian (*see recommendation below*).

Archaeological and Native American Resources Recommendations:

XX The proposed project area has the possibility of containing unrecorded archaeological site(s). A study by a qualified professional archaeologist is recommended prior to commencement of project activities.

XX We recommend that the lead agency contact the local Native American tribe(s) regarding traditional, cultural, and religious heritage values. For a complete listing of tribes in the vicinity of the project, please contact the Native American Heritage Commission at (916) 373-3710.

 The proposed project area has a low possibility of containing unrecorded archaeological site(s). Therefore, no further study for archaeological resources is recommended.

Built Environment Recommendations:

XX Since the Office of Historic Preservation has determined that any building or structure 45 years or older may be of historical value, if the project area contains such properties, it is recommended that prior to commencement of project activities, a qualified professional familiar with the architecture and history of Lake County conduct a formal CEQA evaluation.

Due to processing delays and other factors, not all of the historical resource reports and resource records that have been submitted to the Office of Historic Preservation are available via this records search. Additional information may be available through the federal, state, and local agencies that produced or paid for historical resource management work in the search area. Additionally, Native American tribes have historical resource information not in the California Historical Resources Information System (CHRIS) Inventory, and you should contact the California Native American Heritage Commission for information on local/regional tribal contacts.

The California Office of Historic Preservation (OHP) contracts with the California Historical Resources Information System's (CHRIS) regional Information Centers (ICs) to maintain information in the CHRIS inventory and make it available to local, state, and federal agencies, cultural resource professionals, Native American tribes, researchers, and the public. Recommendations made by IC coordinators or their staff regarding the interpretation and application of this information are advisory only. Such recommendations do not necessarily represent the evaluation or opinion of the State Historic Preservation Officer in carrying out the OHP's regulatory authority under federal and state law.

For your reference, a list of qualified professionals in California that meet the Secretary of the Interior's Standards can be found at <http://www.chrisinfo.org>. If archaeological resources are encountered during the project, work in the immediate vicinity of the finds should be halted until a qualified archaeologist has evaluated the situation. If you have any questions please give us a call (707) 588-8455.

Sincerely,

Bryan Much
Coordinator

From: [Fahmy Attar](#)
To: [Mark Roberts](#)
Cc: [Doug Gearhart](#)
Subject: Re: RFR - 2160 Ogulin Canyon road Cannabis Project
Date: Monday, June 7, 2021 11:42:19 AM
Importance: High

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hello Mark,

For a Cannabis operation site, here is a list of Air Quality requirements that may be applicable to the site:

1. Off-site odor impacts should be mitigated to minimize nuisance to nearby residences, property, and public roads.
2. Any manufacturing or delivery Cannabis operations must comply with LCAQMD rules and regulations. An application must be submitted. Contact LCAQMD for more details.
3. Any demolition or renovation is subject to the Federal National Emissions Standard for Hazardous Air Pollutants (NESHAP) for asbestos in buildings requires asbestos inspections by a Certified Asbestos Consultant for all major renovations and all demolition. An Asbestos Notification Form with the Asbestos inspection report must be submitted to the District at least 14 days prior to beginning any demolition work. The applicant must contact the District for more details and proper approvals. Regardless of asbestos content or reporting requirements all demolition and renovation activities should use adequate water/ amended water to prevent dust generation and nuisance conditions.
4. Construction activities that involve pavement, masonry, sand, gravel, grading, and other activities that could produce airborne particulate should be conducted with adequate dust controls to minimize airborne emissions. A dust mitigation plan may be required should the applicant fail to maintain adequate dust controls.
5. If construction or site activities are conducted within Serpentine soils, a Serpentine Control Plan may be required. Any parcel with Serpentine soils must obtain proper approvals from LCAQMD prior to beginning any construction activities. Contact LCAQMD for more details.
6. All engines must notify LCAQMD prior to beginning construction activities and prior to engine Use. Mobile diesel equipment used for construction and/or maintenance must be in compliance with State registration requirements. All equipment units must meet Federal, State and local requirements. All equipment units must meet RICE NESHAP/NSPS requirements including proper maintenance to minimize airborne emissions and proper record-keeping of all activities, all units must meet the State Air Toxic Control Measures for CI engines, and must meet local regulations. Contact LCAQMD for more details.
7. Site development, vegetation disposal, and site operation shall not create nuisance odors or dust. During the site preparation phase, the District recommends that any removed vegetation

be chipped and spread for ground cover and erosion control. Burning is not allowed on commercial property, materials generated from the commercial operation, and waste material from construction debris, must not be burned as a means of disposal.

8. Significant dust may be generated from increase vehicle traffic if driveways and parking areas are not adequately surfaced. Surfacing standards should be included as a requirement in the use permit to minimize dust impacts to the public, visitors, and road traffic. At a minimum, the District recommends chip seal as a temporary measure for primary access roads and parking. Paving with asphaltic concrete is preferred and should be required for long term occupancy. All areas subject to semi truck / trailer traffic should require asphaltic concrete paving or equivalent to prevent fugitive dust generation. Gravel surfacing may be adequate for low use driveways and overflow parking areas, however, gravel surfaces require more maintenance to achieve dust control, and permit conditions should require regular palliative treatment if gravel is utilized. White rock is not suitable for surfacing (and should be prohibited in the permit) because of its tendency to break down and create excessive dust. Grading and re-graveling roads should utilize water trucks if necessary, reduce travel times through efficient time management and consolidating solid waste removal/supply deliveries, and speed limits.

Best Regards,

Fahmy Attar

Air Quality Engineer

Lake County Air Quality Management District

2617 S. Main Street, Lakeport, CA, 95453

fahmya@lcaqmd.net

On Apr 20, 2021, at 10:44 AM, Mark Roberts <mroberts@clearlake.ca.us> wrote:

Good Morning,

I hope you are well. This email is in regards to the proposed project/development located at 2160 Ogulin Canyon Road; Clearlake, CA 95422. The applicant is requesting approval of multiple use permits to allow the development of a commercial cannabis operation. According to the application packet, the project includes but is not limited to the following: **Please refer to attached packet, site plans and architectural plans for further details.** If you have any concerns and/or comments on the project, please submit them **no later than May 7th, 2021.** –

- Hours of Operation:
 - Monday Through Saturday: 8:00AM to 5:00PM.
 - Up to 35 employees
 - Up to +/- 4 managers

From: [Andrew White](#)
To: [Mark Roberts](#)
Subject: RE: RFR - 2160 Ogulin Canyon road Cannabis Project
Date: Wednesday, April 28, 2021 10:05:04 AM
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)

Good Morning,

The Police Department opposes the application as presented for failing to demonstrate compliance with City Ordinances related to the proposed operation. Additionally, although the application seems to represent that a criminal history check has been completed and approved by me. I have not reviewed or approved any criminal history check with regards to this applicant.

The security plan, consisting of one sentence, is wholly inadequate and requires further review in the interest of public safety, health and welfare.

We look forward to the applicant submitting a complete application that sufficiently demonstrates compliance with the City Code. We are also open to meeting with the applicant to address any questions or concerns as they revise their submittal.

Thank you



Andrew White | *Chief of Police*
Clearlake Police Department
14050 Olympic Dr | Clearlake, CA 95422
(O) 707 994-8251 x301 | (C) 707 681-5688 | Dispatch: 707 994-8251



From: Mark Roberts <mroberts@clearlake.ca.us>
Sent: Tuesday, April 20, 2021 10:45 AM
Subject: RFR - 2160 Ogulin Canyon road Cannabis Project
Importance: High

Good Morning,

I hope you are well. This email is in regards to the proposed project/development located at 2160 Ogulin Canyon Road; Clearlake, CA 95422. The applicant is requesting approval of multiple use permits to allow the development of a commercial cannabis operation. According to the application packet, the project includes but is not limited to the following:

Please refer to attached packet, site plans and architectural plans for further details. If you have any concerns and/or comments on the project, please submit them **no later than May 7th, 2021. –**

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 - 5,000 SQFT office building that will also serve as the administrative center and the cannabis delivery and storage space.
 - Five (5) Greenhouse – Each greenhouse will be 75' X 25' (1,875 SQFT Each)

- Proposed Parking:
 - +/- 46 Parking Spaces

If you have any questions and/or need additional information, please let me know.

Sincerely,



Mark Roberts | Senior Planner

City of Clearlake

14050 Olympic Drive | Clearlake, CA 95422

707-994-8201

From: [Lori Baca](#)
To: [Mark Roberts](#)
Subject: RE: RFR - 2160 Ogulin Canyon road Cannabis Project
Date: Wednesday, April 28, 2021 9:49:25 AM
Attachments: [image003.png](#)
[image001.png](#)

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Mark,

Parcel 010-044-210 is outside of any Special Districts service area, no impact.

Have a wonderful day!

Lori A. Baca

Customer Service Coordinator

Lori.Baca@lakecountyca.gov

Office Number (707) 263-0119

Fax (707) 263-3836



From: Mark Roberts [mailto:mroberts@clearlake.ca.us]
Sent: Tuesday, April 20, 2021 10:45 AM
Subject: [SUSPICIOUS MESSAGE] RFR - 2160 Ogulin Canyon road Cannabis Project
Importance: High

This Message contains suspicious characteristics and has originated outside your organization. This message appears to be from an individual who works for the County, but does not come from a County address.

Good Morning,

I hope you are well. This email is in regards to the proposed project/development located at 2160 Ogulin Canyon Road; Clearlake, CA 95422. The applicant is requesting approval of multiple use permits to allow the development of a commercial cannabis operation. According to the application packet, the project includes but is not limited to the following: **Please refer to attached packet, site plans and architectural plans for**

From: kcwd@mchsi.com
To: [Mark Roberts](#)
Subject: Re: RFR - 2160 Ogulin Canyon road Cannabis Project
Date: Friday, April 23, 2021 9:48:03 AM

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Konocti County Water District has no comments. This area is not in our district. Thank you, Frank.

----- Original Message -----

From: "Mark Roberts" <mroberts@clearlake.ca.us>
Sent: Tuesday, April 20, 2021 10:44:30 AM
Subject: RFR - 2160 Ogulin Canyon road Cannabis Project

Good Morning,

I hope you are well. This email is in regards to the proposed project/development located at 2160 Ogulin Canyon Road; Clearlake, CA 95422. The applicant is requesting approval of multiple use permits to allow the development of a commercial cannabis operation. According to the application packet, the project includes but is not limited to the following: Please refer to attached packet, site plans and architectural plans for further details. If you have any concerns and/or comments on the project, please submit them no later than May 7th, 2021.

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- o Five (5) Greenhouse - Each greenhouse will be 75' X 25' (1,875 SQFT Each)

· Proposed Parking:

- o +/- 46 Parking Spaces

If you have any questions and/or need additional information, please let me know.

From: [Mark Roberts](#)
To: [Gary Price](#)
Subject: FW: RFR - 2160 Ogulin Canyon road Cannabis Project
Date: Tuesday, April 12, 2022 9:24:00 AM
Attachments: [image003.png](#)
[image004.png](#)
[image006.png](#)

Bureau of Cannabis Control Comments for 2160 Ogulin Canyon RD

From: BCCLocalGov@DCA <BCCLocalGov@dca.ca.gov>
Sent: Tuesday, April 20, 2021 11:45 AM
To: Mark Roberts <mroberts@clearlake.ca.us>
Subject: RE: RFR - 2160 Ogulin Canyon road Cannabis Project

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Good morning,

This appears to be information related to an internal local process. The Bureau has no information to add to this.

Thank you,



Janet Zimmer
Local Liaison/Equity Manager
(916) 465-9057
www.bcc.ca.gov
<https://cannabis.ca.gov>



From: Mark Roberts <mroberts@clearlake.ca.us>
Sent: Tuesday, April 20, 2021 10:45 AM
Subject: RFR - 2160 Ogulin Canyon road Cannabis Project
Importance: High

[EXTERNAL]: mroberts@clearlake.ca.us

CAUTION: THIS EMAIL ORIGINATED OUTSIDE THE DEPARTMENT OF CONSUMER AFFAIRS!

DO NOT: click links or open attachments unless you know the content is safe.

NEVER: provide credentials on websites via a clicked link in an Email.

Good Morning,

I hope you are well. This email is in regards to the proposed project/development located at 2160 Ogulin Canyon Road; Clearlake, CA 95422. The applicant is requesting approval of multiple use permits to allow the development of a commercial cannabis operation. According to the application packet, the project includes but is not limited to the following: **Please refer to attached packet, site plans and architectural plans for further details.** If you have any concerns and/or comments on the project, please submit them **no later than May 7th, 2021.** –

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 - Five (5) Greenhouse – Each greenhouse will be 75' X 25' (1,875 SQFT Each)

- Proposed Parking:
 - +/- 46 Parking Spaces

If you have any questions and/or need additional information, please let me know.

Sincerely,



Mark Roberts | *Senior Planner*

City of Clearlake

14050 Olympic Drive | Clearlake, CA 95422

707-994-8201

Central Valley Regional Water Quality Control Board

13 May 2022

Mark Roberts
City of Clearlake
14050 Olympic Drive
Clearlake, CA 95422
mroberts@clearlake.ca.us

COMMENTS TO REQUEST FOR REVIEW FOR THE MITIGATED NEGATIVE DECLARATION, OGULIN HILLS HOLDINGS, LLC - COMMERCIAL CANNABIS OPERATION PROJECT, SCH#2022040072, LAKE COUNTY

Pursuant to the State Clearinghouse's 4 April 2022 request, the Central Valley Regional Water Quality Control Board (Central Valley Water Board) has reviewed the *Request for Review for the Mitigated Negative Declaration* for the Ogulin Hills Holdings, LLC - Commercial Cannabis Operation Project, located in Lake County.

Our agency is delegated with the responsibility of protecting the quality of surface and groundwaters of the state; therefore, our comments will address concerns surrounding those issues.

I. Regulatory Setting

Basin Plan

The Central Valley Water Board is required to formulate and adopt Basin Plans for all areas within the Central Valley region under Section 13240 of the Porter-Cologne Water Quality Control Act. Each Basin Plan must contain water quality objectives to ensure the reasonable protection of beneficial uses, as well as a program of implementation for achieving water quality objectives with the Basin Plans. Federal regulations require each state to adopt water quality standards to protect the public health or welfare, enhance the quality of water and serve the purposes of the Clean Water Act. In California, the beneficial uses, water quality objectives, and the Antidegradation Policy are the State's water quality standards. Water quality standards are also contained in the National Toxics Rule, 40 CFR Section 131.36, and the California Toxics Rule, 40 CFR Section 131.38.

The Basin Plan is subject to modification as necessary, considering applicable laws, policies, technologies, water quality conditions and priorities. The original Basin Plans were adopted in 1975, and have been updated and revised periodically as required, using Basin Plan amendments. Once the Central Valley Water Board has adopted a Basin Plan amendment in noticed public hearings, it must be approved by the State Water Resources Control Board (State Water Board), Office of

Administrative Law (OAL) and in some cases, the United States Environmental Protection Agency (USEPA). Basin Plan amendments only become effective after they have been approved by the OAL and in some cases, the USEPA. Every three (3) years, a review of the Basin Plan is completed that assesses the appropriateness of existing standards and evaluates and prioritizes Basin Planning issues. For more information on the *Water Quality Control Plan for the Sacramento and San Joaquin River Basins*, please visit our website:

http://www.waterboards.ca.gov/centralvalley/water_issues/basin_plans/

Antidegradation Considerations

All wastewater discharges must comply with the Antidegradation Policy (State Water Board Resolution 68-16) and the Antidegradation Implementation Policy contained in the Basin Plan. The Antidegradation Implementation Policy is available on page 74 at:

https://www.waterboards.ca.gov/centralvalley/water_issues/basin_plans/sacsjr_2018_05.pdf

In part it states:

Any discharge of waste to high quality waters must apply best practicable treatment or control not only to prevent a condition of pollution or nuisance from occurring, but also to maintain the highest water quality possible consistent with the maximum benefit to the people of the State.

This information must be presented as an analysis of the impacts and potential impacts of the discharge on water quality, as measured by background concentrations and applicable water quality objectives.

The antidegradation analysis is a mandatory element in the National Pollutant Discharge Elimination System and land discharge Waste Discharge Requirements (WDRs) permitting processes. The environmental review document should evaluate potential impacts to both surface and groundwater quality.

II. Permitting Requirements

Cannabis General Order

Cannabis cultivation operations are required to obtain coverage under the State Water Resources Control Board's *General Waste Discharge Requirements and Waiver of Waste Discharge Requirements for Discharges of Waste Associated with Cannabis Cultivation Activities Order No. WQ 2017-0023-DWQ* (the Cannabis General Order). Cultivators that divert and store surface water (stream, lake, subterranean stream, etc.) to irrigate cannabis also need a valid water right.

The Water Boards Cannabis Cultivation Programs offer an easy-to-use online Portal for cultivators to apply for both Cannabis General Order coverage and a Cannabis Small Irrigation Use Registration (SIUR) water right, if needed. Visit the Water Boards Cannabis Cultivation Programs Portal at:

<https://public2.waterboards.ca.gov/CGO>

Additional information about the Cannabis General Order, Cannabis SIUR Program, and Portal can be found at: www.waterboards.ca.gov/cannabis

For questions about the Cannabis General Order, please contact the Central Valley Water Board's Cannabis Permitting and Compliance Unit at: centralvalleysacramento@waterboards.ca.gov or (916) 464-3291. For questions about Water Rights (Cannabis SIUR), please contact the State Water Board's Division of Water Rights at: CannabisReg@waterboards.ca.gov or (916) 319-9427.

Construction Storm Water General Permit

Dischargers whose project disturb one or more acres of soil or where projects disturb less than one acre but are part of a larger common plan of development that in total disturbs one or more acres, are required to obtain coverage under the General Permit for Storm Water Discharges Associated with Construction and Land Disturbance Activities (Construction General Permit), Construction General Permit Order No. 2009-0009-DWQ. Construction activity subject to this permit includes clearing, grading, grubbing, disturbances to the ground, such as stockpiling, or excavation, but does not include regular maintenance activities performed to restore the original line, grade, or capacity of the facility. The Construction General Permit requires the development and implementation of a Storm Water Pollution Prevention Plan (SWPPP). For more information on the Construction General Permit, visit the State Water Resources Control Board website at:

http://www.waterboards.ca.gov/water_issues/programs/stormwater/constpermits.shtml

Phase I and II Municipal Separate Storm Sewer System (MS4) Permits¹

The Phase I and II MS4 permits require the Permittees reduce pollutants and runoff flows from new development and redevelopment using Best Management Practices (BMPs) to the maximum extent practicable (MEP). MS4 Permittees have their own development standards, also known as Low Impact Development (LID)/post-construction standards that include a hydromodification component. The MS4 permits also require specific design concepts for LID/post-construction BMPs in the early stages of a project during the entitlement and CEQA process and the development plan review process.

For more information on which Phase I MS4 Permit this project applies to, visit the Central Valley Water Board website at:

http://www.waterboards.ca.gov/centralvalley/water_issues/storm_water/municipal_permits/

For more information on the Phase II MS4 permit and who it applies to, visit the State Water Resources Control Board at:

¹ Municipal Permits = The Phase I Municipal Separate Storm Water System (MS4) Permit covers medium sized Municipalities (serving between 100,000 and 250,000 people) and large sized municipalities (serving over 250,000 people). The Phase II MS4 provides coverage for small municipalities, including non-traditional Small MS4s, which include military bases, public campuses, prisons and hospitals.

http://www.waterboards.ca.gov/water_issues/programs/stormwater/phase_ii_municipal.shtml

Industrial Storm Water General Permit

Storm water discharges associated with industrial sites must comply with the regulations contained in the Industrial Storm Water General Permit Order No. 2014-0057-DWQ. For more information on the Industrial Storm Water General Permit, visit the Central Valley Water Board website at:

http://www.waterboards.ca.gov/centralvalley/water_issues/storm_water/industrial_general_permits/index.shtml

Clean Water Act Section 404 Permit

If the project will involve the discharge of dredged or fill material in navigable waters or wetlands, a permit pursuant to Section 404 of the Clean Water Act may be needed from the United States Army Corps of Engineers (USACE). If a Section 404 permit is required by the USACE, the Central Valley Water Board will review the permit application to ensure that discharge will not violate water quality standards. If the project requires surface water drainage realignment, the applicant is advised to contact the Department of Fish and Game for information on Streambed Alteration Permit requirements. If you have any questions regarding the Clean Water Act Section 404 permits, please contact the Regulatory Division of the Sacramento District of USACE at (916) 557-5250.

Clean Water Act Section 401 Permit – Water Quality Certification

If an USACE permit (e.g., Non-Reporting Nationwide Permit, Nationwide Permit, Letter of Permission, Individual Permit, Regional General Permit, Programmatic General Permit), or any other federal permit (e.g., Section 10 of the Rivers and Harbors Act or Section 9 from the United States Coast Guard), is required for this project due to the disturbance of waters of the United States (such as streams and wetlands), then a Water Quality Certification must be obtained from the Central Valley Water Board prior to initiation of project activities. There are no waivers for 401 Water Quality Certifications. For more information on the Water Quality Certification, visit the Central Valley Water Board website at:

https://www.waterboards.ca.gov/centralvalley/water_issues/water_quality_certification/

Waste Discharge Requirements – Discharges to Waters of the State

If USACE determines that only non-jurisdictional waters of the State (i.e., “non-federal” waters of the State) are present in the proposed project area, the proposed project may require a Waste Discharge Requirement (WDR) permit to be issued by Central Valley Water Board. Under the California Porter-Cologne Water Quality Control Act, discharges to all waters of the State, including all wetlands and other waters of the State including, but not limited to, isolated wetlands, are subject to State regulation. For more information on the Waste Discharges to Surface Water NPDES Program and WDR processes, visit the Central Valley Water Board website at: https://www.waterboards.ca.gov/centralvalley/water_issues/waste_to_surface_water/

Projects involving excavation or fill activities impacting less than 0.2 acre or 400 linear feet of non-jurisdictional waters of the state and projects involving dredging activities impacting less than 50 cubic yards of non-jurisdictional waters of the state may be eligible for coverage under the State Water Resources Control Board Water Quality Order No. 2004-0004-DWQ (General Order 2004-0004). For more information on the General Order 2004-0004, visit the State Water Resources Control Board website at:

https://www.waterboards.ca.gov/board_decisions/adopted_orders/water_quality/2004/wqo/wqo2004-0004.pdf

Dewatering Permit

If the proposed project includes construction or groundwater dewatering to be discharged to land, the proponent may apply for coverage under State Water Board General Water Quality Order (Low Threat General Order) 2003-0003 or the Central Valley Water Board's Waiver of Report of Waste Discharge and Waste Discharge Requirements (Low Threat Waiver) R5-2018-0085. Small temporary construction dewatering projects are projects that discharge groundwater to land from excavation activities or dewatering of underground utility vaults. Dischargers seeking coverage under the General Order or Waiver must file a Notice of Intent with the Central Valley Water Board prior to beginning discharge.

For more information regarding the Low Threat General Order and the application process, visit the Central Valley Water Board website at:

http://www.waterboards.ca.gov/board_decisions/adopted_orders/water_quality/2003/wqo/wqo2003-0003.pdf

For more information regarding the Low Threat Waiver and the application process, visit the Central Valley Water Board website at:

https://www.waterboards.ca.gov/centralvalley/board_decisions/adopted_orders/waivers/r5-2018-0085.pdf

Limited Threat General NPDES Permit

If the proposed project includes construction dewatering and it is necessary to discharge the groundwater to waters of the United States, the proposed project will require coverage under a National Pollutant Discharge Elimination System (NPDES) permit. Dewatering discharges are typically considered a low or limited threat to water quality and may be covered under the General Order for *Limited Threat Discharges to Surface Water* (Limited Threat General Order). A complete Notice of Intent must be submitted to the Central Valley Water Board to obtain coverage under the Limited Threat General Order. For more information regarding the Limited Threat General Order and the application process, visit the Central Valley Water Board website at:

https://www.waterboards.ca.gov/centralvalley/board_decisions/adopted_orders/general_orders/r5-2016-0076-01.pdf

NPDES Permit

If the proposed project discharges waste that could affect the quality of surface waters of the State, other than into a community sewer system, the proposed project

will require coverage under a National Pollutant Discharge Elimination System (NPDES) permit. A complete Report of Waste Discharge must be submitted with the Central Valley Water Board to obtain a NPDES Permit. For more information regarding the NPDES Permit and the application process, visit the Central Valley Water Board website at: <https://www.waterboards.ca.gov/centralvalley/help/permit/>

If you have questions regarding these comments, please contact me at (916) 464-4684 or Peter.Minkel2@waterboards.ca.gov.

Peter Minkel

Peter Minkel
Engineering Geologist

cc: State Clearinghouse unit, Governor's Office of Planning and Research,
Sacramento

May 12, 2022

Clearlake, City of
Attn: Mark Roberts
14050 Olympic Drive
Clearlake, CA 95422

CITY OF CLEARLAKE (CITY), MITIGATED NEGATIVE DECLARATION (MND) FOR THE OGULIN HILLS HOLDINGS, LLC- COMMERCIAL CANNABIS OPERATION PROJECT (PROJECT); SCH # 2022040072

Dear Mr. Mark Roberts:

Thank you for the opportunity to review the Mitigated Negative Declaration for the proposed Project. The State Water Resources Control Board, Division of Drinking Water (State Water Board, DDW) is responsible for issuing water supply permits pursuant to the Safe Drinking Water Act. A project requires a permit if it includes water system consolidation or changes to a water supply source, storage, or treatment or a waiver or alternative from Waterworks Standards (California Code of Regulations (CCR) title 22, chapter 16 et. seq). The above referenced Project will require a new water supply permit.

The State Water Board, DDW, as a responsible agency under CEQA, has the following comments on the City's draft MND:

- The State Water Board regulates public water systems in Lake County. The Project will create a new public water system. On PDF page 5 under "23. Federal and State Agencies:" please list "State Water Resources Control Board, Division of Drinking Water".
- The Project will use an existing well that was drilled in late September/early October 2021 for domestic and irrigation water (PDF page 28). The water will be pumped from a 400+ gallon per minute well into a new 50,000-gallon elevated water tank for distribution (PDF page 28 & Appendix E). Will the water require treatment? Further describe any new water system infrastructure that will be installed as part of the Project.
- The document states on PDF page 38, that, "The project area to be developed is not located within the vicinity of known waterways nor is it located within a designated flood zone. Therefore, the risk of flooding/runoff, landslides, slope instability, or drainage changes would not be increased due to this project" (PDF page 38). However, there are several contradictory statements in the document:
 - "The report notes that a small riparian area is present on the subject parcel. Since Burns Valley Creek travels through the site and the creek will be impacted by the project, such as erosion, sedimentation, changes in drainage patterns." (PDF page 20)
 - "However, since improvements are being constructed within the creek wetlands located down-stream will be impacted." (PDF page 21)
 - "There will be modifications to the drainage pattern of Burns Valley Creek due to grading and introduction of parking improvements withing the Burns Valley

E. JOAQUIN ESQUIVEL, CHAIR | EILEEN SOBECK, EXECUTIVE DIRECTOR

Creek. These proposed improvements within the Burns Valley Creek area could impact and alter the existing drainage pattern of the site or the area, including the alteration of the course of a stream.” (PDF page 30)

- Project designs also show Burns Valley Creek runs through the Project site and the proposed driveway and parking area occur within Zone AE, a flood zone. (PDF page 4)

Please resolve the discrepancies in the document relating to potential impacts to waters of the state and discuss possible flooding impacts related to domestic water quality. Include best management practices and/or mitigation measures to reduce impacts to waters of the state as needed.

- The Project appears to have other water quality concerns that should be addressed. Please coordinate with the following contacts to address waste discharge water quality issues and the Project permitting requirements, before going to construction:

Division / Unit	Project Issues/ Concerns	Permit	Contact	Phone Number	Email
State Water Board, Division of Water Quality (DWQ), NPDES Industrial and Construction Stormwater Unit	Stormwater Construction Impacts for construction that disturbs greater than one acre of soil	General Stormwater NPDES permit	Brandon Roosenboom	(916) 341-5566	Brandon.Roosenboom@waterboards.ca.gov & stormwater@waterboards.ca.gov
Central Valley Regional Water Quality Control Board (Central Valley Water Board, Redding), Cannabis Regulation and State Water Board, DWQ	Discharge impacts for cannabis operations	Cannabis Cultivation Waste Discharge Permit	Janae Fried	(530) 224-3291	Janae.Fried@waterboards.ca.gov & CannabisWR@waterboards.ca.gov
Central Valley Water Board, Sacramento, Non-15 Permitting	Small domestic wastewater treatment systems over 10,000 gallons per day	General Waste Discharge Requirements for Small Domestic Wastewater Treatment Systems, WQO 2014-0153-DWQ	Lani Andam	(916) 464-4723	Lani.Andam@waterboards.ca.gov

Once the MND is adopted, please forward the following items in support of the new water system's permit application to the State Water Board, DDW Mendocino District Office at DWPDIST03@waterboards.ca.gov:

- Copy of the draft and final MND and Mitigation Monitoring and Reporting Plan (MMRP);
- Copy of any comment letters received and the lead agency responses as appropriate;
- Copy of the Resolution or Board Minutes adopting the MND and MMRP; and
- Copy of the stamped Notice of Determination filed at the Lake County Clerk's Office and the Governor's Office of Planning and Research, State Clearinghouse.

Please contact Lori Schmitz of the State Water Board at (916) 449-5285 or Lori.Schmitz@waterboards.ca.gov, if you have any questions regarding State Water Board CEQA comments.

Sincerely,

Lori Schmitz

Lori Schmitz
Environmental Scientist
Division of Financial Assistance
Special Project Review Unit
1001 I Street, 16th floor
Sacramento, CA 95814

Cc:

Office of Planning and Research, State Clearinghouse

Zachary Rounds
State Water Board, DDW
Mendocino District
District Engineer

Brandon Roosenboom
State Water Board, DWQ
NPDES Industrial and Construction Stormwater Unit
Water Resources Control Engineer

Landi Andam
Central Valley Regional Board, Sacramento
Non 15 Permitting
Water Resources Control Engineer

Janae Fried
Central Valley Regional Board, Redding
Cannabis Regulation
Engineering Geologist



COUNTY OF LAKE
Health Services Department
Environmental Health Division
922 Bevins Court
Lakeport, California 95453-9739
Telephone 707/263-1164
FAX 707/263-1681

Jonathan Portney
Health Services Director

Jennifer Baker
Deputy Health Services Director

Erik McLaughlin, MD, MPH
Public Health Officer

Craig Wetherbee
Environmental Health Director

MEMORANDUM

DATE: April 12, 2022
TO: Mark Roberts, Planner
FROM: Tina Dawn-Rubin, Environmental Health Aide
RE: Multiple Use Permits
Commercial Cannabis
APN: 010-044-21 2160 Ogulin Canyon Rd, Clearlake

Since the initial review completed on May 28, 2021 (see below) a field clearance was performed on September 9, 2021 and it was determined that a minor repair would be required to ensure the existing septic tank is water and vapor proof; septic abandonment permits (19157 D and 19158 D) was issued and final via photos completed on September 22, 2021 for buildings being removed and to abandon gray water system; a well permit (WE 5718 AG) for an AG well was issued September 28, 2021.

Initial Review dated May 28, 2021

Lake County Division of Environmental Health (EH) has on file for the subject parcel:
APN: 010-044-21 – a 1974 septic permit 3402-S designed to service a 3 bedroom residence. The permit also indicates there is a well on the property.

The applicant must meet the EH requirements regarding Onsite Wastewater Treatment System (OWTS) and potable water.

For any proposed building permits or projects where the parcel is serviced by an OWTS or well, the applicant may need to demonstrate the location of any proposed or existing structures including residential or commercial dwellings, garages, driveways, shed, barns, green houses, non-perimeter fences, well houses, etc., *and* the location of the proposed project on a to-scale site plan prior to building permit issuance and/or project approval.

Due to the limited documentation on file for this parcel, a field clearance will be required to validate septic or well locations prior to site plan approval.

If the applicant is proposing a commercial cannabis operation and the operation will be constructing or utilizing an existing structure (i.e., processing facility) that will have plumbing for a restroom, sink, etc, that structure will be required to have its own OWTS, separate from any existing or new OWTS designed to service a residential structure.

Promoting an Optimal State of Wellness in Lake County

If the applicant is proposing an OWTS, then applicant must apply for a site evaluation and, if the site is acceptable to support an OWTS, apply for a permit.

EH requires all applicants to provide a written declaration of the chemical names and quantities of any hazardous material to be used on site. As a general rule, if a material has a Safety Data Sheet, that material may be considered as part of the facilities hazardous materials declaration.

Tina Rubin

From: Mark Roberts <mroberts@clearlake.ca.us>
Sent: Monday, April 4, 2022 2:14 PM
Subject: [SUSPICIOUS MESSAGE] Notice of Intent - 2160 Ogulin Canyon Rd (Cannabis Operation)
Attachments: image001_png was removed from this message; Final Draft CEQA for 2160 Ogulin Canyon -NOI Circulation_pdf was removed from this message; Attachment A - Project Description_pdf was removed from this message; Attachment B - Proposed Grading and Site Plans_pdf was removed from this message; Attachment C – Biological AssessmentReport_pdf was removed from this message; Attachment D - Agency Comments_pdf was removed from this message; Attachment E - Water Availability Report_pdf was removed from this message; Attachment F - Traffic Impact Report_pdf was removed from this message; Attachment G - Technical Memorandum – Ground Water Hydrology_pdf was removed from this message

Importance: High

Received
APR 04 2022
Environmental Health

This Message contains suspicious characteristics and has originated outside your organization. This message appears to be from an individual who works for the County, but does not come from a County address.

Good Afternoon,

Notice is hereby given that the City of Clearlake has tentatively determined that the project described below will not result in a significant adverse impact on the environment and that, in accordance with the California Environmental Quality Act, the City is prepared to issue a “mitigated negative declaration” in accordance with the California Environmental Quality Act (CEQA).

Project Summary: The proposed project includes development of industrial style structures to be used for cannabis related facilities including a 33,600 ft.² single story building and a 5,000 ft.² office building that will also serve as the administrative center/cannabis delivery and storage space. Five - 75’ x 25’ greenhouses for indoor cannabis cultivation will be developed. The amount of paved surface area will include 22,660 square feet of parking lot. Specific project uses are to include: 1. Cannabis cultivation/processing; 2. Cannabis manufacturing; 3. Cannabis distribution; 4. Cannabis nursery. For a detailed description of the project, please refer to the link below.

Project Location: 2160 Ogulin Canyon Road, Clearlake, CA 95422, Assessor Parcel Number (APN): 010-044-21.

This tentative determination is based on an environmental study that assesses the project’s potential environmental impacts and those potential impacts have been reduced to less than significant levels with the incorporated mitigation measures. Anyone can review this study at Clearlake City Hall, 14050 Olympic Drive, Clearlake, CA 95901, during normal business hours or by downloading from the State Clearinghouse Website at: (I have also attached a Complete Initial Packet above for your convenience.

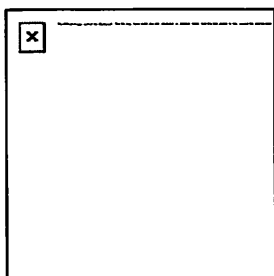
- <https://ceqanet.opr.ca.gov/>

Final environmental determinations are made by the decision-making body, which, in this case would be the City of Clearlake, Planning Commission. The public review period for this notice will remain open for a period of at least 30 days from the publication of this **Notice (04/07/2022), until (05/13/2022)**. For more information, please call (707) 994-8201 during normal business hours of City Hall (Monday through Thursday – 8am to 5pm). During

this period written comments on the project and the proposed mitigated negative declaration may be addressed. You may also submit comments via email at mroberts@clearlake.ca.us (**Please Note: All comments must be received no later than May 13, 2022 by 5pm**).

City of Clearlake
Planning Department
Attn: Mark Roberts
14050 Olympic Drive
Clearlake, CA 95422

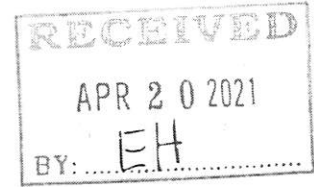
Published Date: April 4, 2022



Mark Roberts | *Senior Planner*
City of Clearlake
14050 Olympic Drive | Clearlake, CA 95422
707-994-8201



City of Clearlake
14050 Olympic Drive, Clearlake, California 95422
(707) 994-8201 Fax (707) 995-2653



DISTRIBUTION DATE: April 20, 2020

REQUEST FOR REVIEW (RFR)

CITY DEPARTMENTS		LOCAL AGENCIES		STATE/FEDERAL AGENCIES	
@	Building Dept	@	Air Quality Management	@	CalTrans
@	Code Enforcement	@	Assessor's/Recorders Office		BLM
@	Police Department	@	Environmental Health Dept.		CA Dept. of Fish & Wildlife
@	Public Works/Engineering.		Lakebed Management		Army Core of Eng.
		@	Lake County Special Districts		U.S Fish & Wildlife Serv.
			Lake County Water Resources	@	Sonoma State (NWIC)
	OTHER AGENCIES		Lake County Tax Collector		CHP
@	PG&E		Lake Transit	@	CA Dept. of Drinking Water
			Lake Area Planning Council		Cal Fire
					ABC
			WATER DISTRICT		
			Golden State Water		CANNABIS PROJECTS
		@	Konocti Water Co.	@	Cal Cannabis
			Highlands Water Co.	@	CA Dept. Public Health (Manufacturing)
				@	Bureau of Cannabis Control (retailers, distributors, 3 rd party testing laboratories and microbusinesses)

REQUEST: REQUEST: Please review and comment on the enclosed application packet material for the proposed project below. Please return all comments by May 7, 2020. Please email your comments to mroberts@clearlake.ca.us or mail them to the address listed in the letterhead above.

APPLICATIONS:

- UP 2021-23 – Cultivation
- UP 2021-24 – Manufacturing
- UP 2021-25 – Distribution
- UP 2021-26 – Processing
- UP 2021-27 – Retail Delivery
- UP 2021-28 – Nursery

LOCATION(S): 2160 Ogulin Canyon Road; Clearlake, CA 95422

APPLICANT: Ogulin Hills Holdings, LLC c/o Brian Pensack

APN(s): 010-044-210-000

LAND USE DESIGNATION(S): Commercial

GENERAL PLAN DESIGNATION(S): Commercial

PROPOSAL: The applicant is requesting approval of the above use permits to allow the development of a commercial cannabis operation. According to the application packet, the project includes but is not limited to the following: **Please refer to attached packet, site plans and architectural plans for further details.**

- Hours of Operation:
 - Monday Through Saturday: 8:00AM to 5:00PM.
 - Up to 35 employees
 - Up to +/- 4 managers

- Proposed Structures:
 - 33,600 SQFT cannabis processing, manufacturing, and distribution building
 - 5,000 SQFT office building that will also serve as the administrative center and the cannabis delivery and storage space.
 - Five (5) Greenhouse – Each greenhouse will be 75' X 25' (1,875 SQFT Each)

- Proposed Parking:
 - +/- 46 Parking Spaces

COMMENTS:

See attached memorandum

NAME: Tina Rubin

DATE: 5/28/21



COUNTY OF LAKE
Health Services Department
Environmental Health Division
922 Bevins Court
Lakeport, California 95453-9739
Telephone 707/263-1164
FAX 707/263-1681

Denise Pomeroy
Health Services Director

Gary Pace, MD, MPH
Health Officer

Craig Wetherbee
Environmental Health Director

MEMORANDUM

DATE: May 28, 2021
TO: Mark Roberts, Planner
FROM: Tina Dawn-Rubin, Environmental Health Aide
RE: Multiple Use Permits
Commercial Cannabis
APN: 010-044-21 2160 Ogulin Canyon Rd, Clearlake

Lake County Division of Environmental Health (EH) has on file for the subject parcel:
APN: 010-044-21 – a 1974 septic permit 3402-S designed to service a 3 bedroom residence. The permit also indicates there is a well on the property.

The applicant must meet the EH requirements regarding Onsite Wastewater Treatment System (OWTS) and potable water.

For any proposed building permits or projects where the parcel is serviced by an OWTS or well, the applicant may need to demonstrate the location of any proposed or existing structures including residential or commercial dwellings, garages, driveways, shed, barns, green houses, non-perimeter fences, well houses, etc., *and* the location of the proposed project on a to-scale site plan prior to building permit issuance and/or project approval.

Due to the limited documentation on file for this parcel, a field clearance will be required to validate septic or well locations prior to site plan approval.

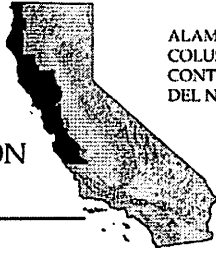
If the applicant is proposing a commercial cannabis operation and the operation will be constructing or utilizing an existing structure (i.e., processing facility) that will have plumbing for a restroom, sink, etc, that structure will be required to have its own OWTS, separate from any existing or new OWTS designed to service a residential structure.

If the applicant is proposing an OWTS, then applicant must apply for a site evaluation and, if the site is acceptable to support an OWTS, apply for a permit.

EH requires all applicants to provide a written declaration of the chemical names and quantities of any hazardous material to be used on site. As a general rule, if a material has a Safety Data Sheet, that material may be considered as part of the facilities hazardous materials declaration.

Promoting an Optimal State of Wellness in Lake County

CALIFORNIA
HISTORICAL
RESOURCES
INFORMATION
SYSTEM



ALAMEDA
COLUSA
CONTRA COSTA
DEL NORTE

HUMBOLDT
LAKE
MARIN
MENDOCINO
MONTEREY
NAPA
SAN BENITO

SAN FRANCISCO
SAN MATEO
SANTA CLARA
SANTA CRUZ
SOLANO
SONOMA
YOLO

Northwest Information Center
Sonoma State University
150 Professional Center Drive, Suite E
Rohnert Park, California 94928-3609
Tel: 707.568.8455
nwic@sonoma.edu
<http://www.sonoma.edu/nwic>

May 6, 2021

File No.: 20-2099

Mark Roberts, Senior Planner
City of Clearlake
14050 Olympic Drive
Clearlake, California 95422

re: UP 2021-23, UP 2021-24, UP 2021-25, UP 2021-26, UP 2021-27, UP 2021-28 / APN 010-044-210, 2160 Ogulin Canyon Road / Ogulin Hills Holdings, LLC c/o Brian Pensack

Dear Mark Roberts,

Records at this office were reviewed to determine if this project could adversely affect cultural resources. **Please note that use of the term cultural resources includes both archaeological sites and historical buildings and/or structures. The review for possible historic-era building/structures, however, was limited to references currently in our office and should not be considered comprehensive.**

Project Description: The applicant is requesting approval of the above use permits to allow the development of a commercial cannabis operation. Hours of Operation: Monday Through Saturday: 8:00AM to 5:00PM. Up to 35 employees. Up to +/- 4 managers. Proposed Structures: 33,600 SQFT cannabis processing, manufacturing, and distribution building. 5,000 SQFT office building that will also serve as the administrative center and the cannabis delivery and storage space. Five (5) Greenhouse – Each greenhouse will be 75' X 25' (1,875 SQFT Each) Proposed Parking: +/- 46 Parking Spaces.

Previous Studies:

XX This office has no record of any previous cultural resource field survey for the proposed project area conducted by a professional archaeologist or architectural historian (*see recommendation below*).

Archaeological and Native American Resources Recommendations:

XX The proposed project area has the possibility of containing unrecorded archaeological site(s). A study by a qualified professional archaeologist is recommended prior to commencement of project activities.

XX We recommend that the lead agency contact the local Native American tribe(s) regarding traditional, cultural, and religious heritage values. For a complete listing of tribes in the vicinity of the project, please contact the Native American Heritage Commission at (916) 373-3710.

 The proposed project area has a low possibility of containing unrecorded archaeological site(s). Therefore, no further study for archaeological resources is recommended.

Built Environment Recommendations:

XX Since the Office of Historic Preservation has determined that any building or structure 45 years or older may be of historical value, if the project area contains such properties, it is recommended that prior to commencement of project activities, a qualified professional familiar with the architecture and history of Lake County conduct a formal CEQA evaluation.

Due to processing delays and other factors, not all of the historical resource reports and resource records that have been submitted to the Office of Historic Preservation are available via this records search. Additional information may be available through the federal, state, and local agencies that produced or paid for historical resource management work in the search area. Additionally, Native American tribes have historical resource information not in the California Historical Resources Information System (CHRIS) Inventory, and you should contact the California Native American Heritage Commission for information on local/regional tribal contacts.

The California Office of Historic Preservation (OHP) contracts with the California Historical Resources Information System's (CHRIS) regional Information Centers (ICs) to maintain information in the CHRIS inventory and make it available to local, state, and federal agencies, cultural resource professionals, Native American tribes, researchers, and the public. Recommendations made by IC coordinators or their staff regarding the interpretation and application of this information are advisory only. Such recommendations do not necessarily represent the evaluation or opinion of the State Historic Preservation Officer in carrying out the OHP's regulatory authority under federal and state law.

For your reference, a list of qualified professionals in California that meet the Secretary of the Interior's Standards can be found at <http://www.chrisinfo.org>. If archaeological resources are encountered during the project, work in the immediate vicinity of the finds should be halted until a qualified archaeologist has evaluated the situation. If you have any questions please give us a call (707) 588-8455.

Sincerely,

Bryan Much
Coordinator

From: [Fahmy Attar](#)
To: [Mark Roberts](#)
Cc: [Doug Gearhart](#)
Subject: Re: RFR - 2160 Ogulin Canyon road Cannabis Project
Date: Monday, June 7, 2021 11:42:19 AM
Importance: High

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hello Mark,

For a Cannabis operation site, here is a list of Air Quality requirements that may be applicable to the site:

1. Off-site odor impacts should be mitigated to minimize nuisance to nearby residences, property, and public roads.
2. Any manufacturing or delivery Cannabis operations must comply with LCAQMD rules and regulations. An application must be submitted. Contact LCAQMD for more details.
3. Any demolition or renovation is subject to the Federal National Emissions Standard for Hazardous Air Pollutants (NESHAP) for asbestos in buildings requires asbestos inspections by a Certified Asbestos Consultant for all major renovations and all demolition. An Asbestos Notification Form with the Asbestos inspection report must be submitted to the District at least 14 days prior to beginning any demolition work. The applicant must contact the District for more details and proper approvals. Regardless of asbestos content or reporting requirements all demolition and renovation activities should use adequate water/ amended water to prevent dust generation and nuisance conditions.
4. Construction activities that involve pavement, masonry, sand, gravel, grading, and other activities that could produce airborne particulate should be conducted with adequate dust controls to minimize airborne emissions. A dust mitigation plan may be required should the applicant fail to maintain adequate dust controls.
5. If construction or site activities are conducted within Serpentine soils, a Serpentine Control Plan may be required. Any parcel with Serpentine soils must obtain proper approvals from LCAQMD prior to beginning any construction activities. Contact LCAQMD for more details.
6. All engines must notify LCAQMD prior to beginning construction activities and prior to engine Use. Mobile diesel equipment used for construction and/or maintenance must be in compliance with State registration requirements. All equipment units must meet Federal, State and local requirements. All equipment units must meet RICE NESHAP/NSPS requirements including proper maintenance to minimize airborne emissions and proper record-keeping of all activities, all units must meet the State Air Toxic Control Measures for CI engines, and must meet local regulations. Contact LCAQMD for more details.
7. Site development, vegetation disposal, and site operation shall not create nuisance odors or dust. During the site preparation phase, the District recommends that any removed vegetation

be chipped and spread for ground cover and erosion control. Burning is not allowed on commercial property, materials generated from the commercial operation, and waste material from construction debris, must not be burned as a means of disposal.

8. Significant dust may be generated from increase vehicle traffic if driveways and parking areas are not adequately surfaced. Surfacing standards should be included as a requirement in the use permit to minimize dust impacts to the public, visitors, and road traffic. At a minimum, the District recommends chip seal as a temporary measure for primary access roads and parking. Paving with asphaltic concrete is preferred and should be required for long term occupancy. All areas subject to semi truck / trailer traffic should require asphaltic concrete paving or equivalent to prevent fugitive dust generation. Gravel surfacing may be adequate for low use driveways and overflow parking areas, however, gravel surfaces require more maintenance to achieve dust control, and permit conditions should require regular palliative treatment if gravel is utilized. White rock is not suitable for surfacing (and should be prohibited in the permit) because of its tendency to break down and create excessive dust. Grading and re-graveling roads should utilizing water trucks if necessary, reduce travel times through efficient time management and consolidating solid waste removal/supply deliveries, and speed limits.

Best Regards,

Fahmy Attar
Air Quality Engineer
Lake County Air Quality Management District
2617 S. Main Street, Lakeport, CA, 95453
fahmya@lcaqmd.net

On Apr 20, 2021, at 10:44 AM, Mark Roberts <mroberts@clearlake.ca.us> wrote:

Good Morning,

I hope you are well. This email is in regards to the proposed project/development located at 2160 Ogulin Canyon Road; Clearlake, CA 95422. The applicant is requesting approval of multiple use permits to allow the development of a commercial cannabis operation. According to the application packet, the project includes but is not limited to the following: **Please refer to attached packet, site plans and architectural plans for further details.** If you have any concerns and/or comments on the project, please submit them **no later than May 7th, 2021.** –

- Hours of Operation:
 - Monday Through Saturday: 8:00AM to 5:00PM.
 - Up to 35 employees
 - Up to +/- 4 managers

- Proposed Structures:
 - 33,600 SQFT cannabis processing, manufacturing, and distribution building
 - 5,000 SQFT office building that will also serve as the administrative center and the cannabis delivery and storage space.
 - Five (5) Greenhouse – Each greenhouse will be 75' X 25' (1,875 SQFT Each)

- Proposed Parking:
 - +/- 46 Parking Spaces

If you have any questions and/or need additional information, please let me know.

Sincerely,

<image001.png>

Mark Roberts | *Senior Planner*

City of Clearlake

14050 Olympic Drive | Clearlake, CA 95422

707-994-8201

<RFR - All Agencies 2160 Ogulin Canyon RD.pdf>

From: [Andrew White](#)
To: [Mark Roberts](#)
Subject: RE: RFR - 2160 Ogulin Canyon road Cannabis Project
Date: Wednesday, April 28, 2021 10:05:04 AM
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)

Good Morning,

The Police Department opposes the application as presented for failing to demonstrate compliance with City Ordinances related to the proposed operation. Additionally, although the application seems to represent that a criminal history check has been completed and approved by me. I have not reviewed or approved any criminal history check with regards to this applicant.

The security plan, consisting of one sentence, is wholly inadequate and requires further review in the interest of public safety, health and welfare.

We look forward to the applicant submitting a complete application that sufficiently demonstrates compliance with the City Code. We are also open to meeting with the applicant to address any questions or concerns as they revise their submittal.

Thank you



Andrew White | *Chief of Police*
Clearlake Police Department
14050 Olympic Dr | Clearlake, CA 95422
(O) 707 994-8251 x301 | (C) 707 681-5688 | Dispatch: 707 994-8251



From: Mark Roberts <mroberts@clearlake.ca.us>
Sent: Tuesday, April 20, 2021 10:45 AM
Subject: RFR - 2160 Ogulin Canyon road Cannabis Project
Importance: High

Good Morning,

I hope you are well. This email is in regards to the proposed project/development located at 2160 Ogulin Canyon Road; Clearlake, CA 95422. The applicant is requesting approval of multiple use permits to allow the development of a commercial cannabis operation. According to the application packet, the project includes but is not limited to the following:

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-

- Proposed Parking:
 - +/- 46 Parking Spaces

If you have any questions and/or need additional information, please let me know.

Sincerely,



Mark Roberts | Senior Planner
City of Clearlake
14050 Olympic Drive | Clearlake, CA 95422
707-994-8201

From: [Lori Baca](#)
To: [Mark Roberts](#)
Subject: RE: RFR - 2160 Ogulin Canyon road Cannabis Project
Date: Wednesday, April 28, 2021 9:49:25 AM
Attachments: [image003.png](#)
[image001.png](#)

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Mark,

Parcel 010-044-210 is outside of any Special Districts service area, no impact.

Have a wonderful day!

Lori A. Baca

Customer Service Coordinator

Lori.Baca@lakecountyca.gov

Office Number (707) 263-0119

Fax (707) 263-3836



From: Mark Roberts [mailto:mroberts@clearlake.ca.us]
Sent: Tuesday, April 20, 2021 10:45 AM
Subject: [SUSPICIOUS MESSAGE] RFR - 2160 Ogulin Canyon road Cannabis Project
Importance: High

This Message contains suspicious characteristics and has originated outside your organization. This message appears to be from an individual who works for the County, but does not come from a County address.

Good Morning,

I hope you are well. This email is in regards to the proposed project/development located at 2160 Ogulin Canyon Road; Clearlake, CA 95422. The applicant is requesting approval of multiple use permits to allow the development of a commercial cannabis operation. According to the application packet, the project includes but is not limited to the following:
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 - +/- 46 Parking Spaces

If you have any questions and/or need additional information, please let me know.

Sincerely,



Mark Roberts | *Senior Planner*
City of Clearlake
14050 Olympic Drive | Clearlake, CA 95422
707-994-8201

From: kcwd@mchsi.com
To: [Mark Roberts](#)
Subject: Re: RFR - 2160 Ogulin Canyon road Cannabis Project
Date: Friday, April 23, 2021 9:48:03 AM

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Konocti County Water District has no comments. This area is not in our district. Thank you, Frank.

----- Original Message -----

From: "Mark Roberts" <mroberts@clearlake.ca.us>
Sent: Tuesday, April 20, 2021 10:44:30 AM
Subject: RFR - 2160 Ogulin Canyon road Cannabis Project

Good Morning,

I hope you are well. This email is in regards to the proposed project/development located at 2160 Ogulin Canyon Road; Clearlake, CA 95422. The applicant is requesting approval of multiple use permits to allow the development of a commercial cannabis operation. According to the application packet, the project includes but is not limited to the following: Please refer to attached packet, site plans and architectural plans for further details. If you have any concerns and/or comments on the project, please submit them no later than May 7th, 2021.

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· Proposed Parking:

- o +/- 46 Parking Spaces

If you have any questions and/or need additional information, please let me know.

Sincerely,

[cid:image001.png@01D735CE.BED42BF0]
Mark Roberts | Senior Planner
City of Clearlake
14050 Olympic Drive | Clearlake, CA 95422
707-994-8201