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

June 11, 2021

File No.: 20-2435

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

re: CUP 2021-28 and IS 2021-05 / APN 010-044-19 at 2250 Ogulin Canyon Road, Clearlake / Clearlake
Harvest Company, LLC (Kris Gretsinger)

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 a Conditional Use Permit (CUP 2021-28) to allow a commercial cannabis operation located at the above noted address. According to the application packet the operation will include but is not limited to the following: Refer to attached Operational Packet for details. All cultivation will occur with "Hybrid Greenhouses". Site 1 will be office space (24' X 60' foot trailer). Site 2 will be 1,600 SQFT of Indoor Nursey. Site 3 will be 3,000 SQFT of Indoor Nursey. Site 4 will be 10,000 SQFT of Indoor Cultivation. Site 5 will be 2,500 SQFT Indoor Cultivation/Processing. Site 6 will be 2,400 SQFT Indoor Processing. Site 7 will be 5,000 SQFT of Indoor Cultivation Area with Equity Partners. Total Indoor Canopy Area will be 17,500 SQFT. Total Square footage will be 27,500 SQFT. Newly Disturbed Footage will be 25,900 SQFT.

Previous Studies:

XX This office has no record of any previous cultural resource studies for the proposed project area (*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 is recommended prior to commencement of any project activities.

XX We recommend 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.

Built Environment Recommendations:

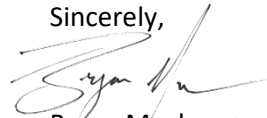
XX Since the Office of Historic Preservation has determined that any building or structure 45 years or older may be of historical value, if the project area contains such properties, it is recommended that prior to commencement of project activities, a qualified professional familiar with the architecture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

A handwritten signature in black ink, appearing to read "Bryan Much", with a stylized flourish extending from the end.

Bryan Much
Coordinator

Central Valley Regional Water Quality Control Board

29 November 2021

Mark Roberts
City of Clearlake
14050 Olympic Drive
Clearlake, CA 95422-8801
mroberts@clearlake.ca.us

COMMENTS TO REQUEST FOR REVIEW FOR THE MITIGATED NEGATIVE DECLARATION, CLEARLAKE HARVEST COMPANY, LLC PROJECT, SCH#2021100409, LAKE COUNTY

Pursuant to the State Clearinghouse's 21 October 2021 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 Clearlake Harvest Company, LLC 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

KARL E. LONGLEY SCD, P.E., CHAIR | PATRICK PULUPA, ESQ., EXECUTIVE OFFICER

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:

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

Industrial Storm Water General Permit

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.

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/>

Clearlake Harvest Company, LLC Project - 6 -
Lake County

29 November 2021

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

A handwritten signature in black ink, appearing to read "Peter G. Minkel". The signature is fluid and cursive, with the first name "Peter" being more prominent.

Peter G. Minkel
Engineering Geologist

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

From: Rightnar, Jacob@DOT
To: [Mark Roberts](#)
Subject: Clearlake harvesting Company NOI Review- Caltrans D1
Date: Tuesday, October 26, 2021 10:14:20 AM
Attachments: [RFR Ogulin Hills Holding LLC Packet.pdf](#)
[NOC Form - Clearlake Harvest Company.pdf](#)

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,

Caltrans District 1 is currently reviewing the CEQA documents for the Clearlake Harvesting Company cannabis cultivation project. We would just like to clarify a few aspects of the project. The documents uploaded to CEQAnet list two addresses and it is unclear which site(s) are being developed, these being 2250 Ogulin Canyon Road (010-044-19) and 2185 Ogulin Canyon Road (010-044-17).

The documents list APN:010-044-19 as the project site however the description states that development will take place on APN:010-044-17. Additionally, this is the site of a preexisting cannabis referral filed by Ogulin Hills Holding, LLC (see attached), whereas the current project is owned by Clearlake Harvesting Co., LLC (see second attachment). We want to confirm what the relationship is between the project owned by Clearlake Harvesting Co and the proposal by Ogulin Hills Holding?

Sincerely,
Jacob Rightnar
Caltrans District 1
Transportation Planning
Cell: (707)684-6895



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: CUP 2021-28 Conditional Use Permit, IS 2021-05
Commercial Cannabis
APN: 010-044-19 2250 Ogulin Canyon Rd, Clearlake

Lake County Division of Environmental Health (EH) has on file for the subject parcel:
APN: 010-044-19 – a 1980 septic permit 5271-S designed to service a 2 bedroom residence; a 2006 well permit WE 2440 for a domestic well.

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.

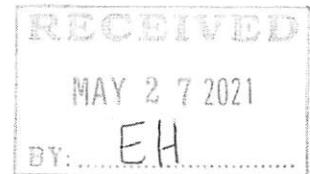
If the applicant is proposing an OWTS, then applicant must apply for a site evaluation and, if the site is acceptable to support an OWTS, apply for a permit.

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



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



DISTRIBUTION DATE: May 26, 2021

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 Surveyor		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
			Highlan 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 **June 11th, 2021**. Please email your comments to mroberts@clearlake.ca.us or mail them to the address listed in the letterhead above.

APPLICATION: Conditional Use Permit, CUP 2021-28 and Initial Study, IS 2021-05

FROM: Mark Roberts – Senior Planner

APPLICANT: Clearlake Harvest Company, LLC (Kris Gretsinger)

APN(s): 010-044-19

LOCATION(S): 2250 Ogulin Canyon Road, Clearlake, CA.

LAND USE DESIGNATION(S): "I" Industrial with the "CB" Commercial Cannabis

GENERAL PLAN DESIGNATION(S): "I" Industrial with the "CB" Commercial Cannabis

PROJECT: The applicant is requesting approval of a Conditional Use Permit (CUP 2021-28) to allow a commercial cannabis operation located at the above noted address. According to the application packet the

operation will include but is not limited to the following: Refer to attached Operational Packet for details. *All cultivation will occur with "Hybrid Greenhouses".*

- Site 1 will be office space (24' X 60' foot trailer).
- Site 2 will be 1,600 SQFT of Indoor Nursey.
- Site 3 will be 3,000 SQFT of Indoor Nursey.
- Site 4 will be 10,000 SQFT of Indoor Cultivation
- Site 5 will be 2,500 SQFT Indoor Cultivation/Processing
- Site 6 will be 2,400 SQFT Indoor Processing.
- Site 7 will be 5,000 SQFT of Indoor Cultivation Area with Equity Partners.

Total Indoor Canopy Area will be 17, 500 SQFT.

Total Square footage will be 27,500 SQFT.

Newly Disturbed Footage will be 25,900 SQFT.

COMMENTS:

See attached memorandum

NAME:

Eina Rubin

DATE:

5/28/21



November 9, 2021

Mark Roberts, Senior Planner
City of Clearlake
14050 Olympic Drive
Clearlake, CA 95422
(707) 994-8201
mroberts@clearlake.ca.us

Re: Initial Study/Mitigated Negative Declaration (IS/MND) for Clearlake Harvest Company,
LLC Project (SCH No. 2021100409)

Dear Mr. Roberts:

Thank you for providing the California Department of Cannabis Control (DCC) the opportunity to comment on the Initial Study/Mitigated Negative Declaration (IS/MND) prepared by the City of Clearlake for the proposed Clearlake Harvest Company, LLC Project (Proposed Project).

DCC has jurisdiction over the issuance of licenses to cultivate, propagate and process commercial cannabis in California. DCC issues licenses to outdoor, indoor, and mixed-light cannabis cultivators, cannabis nurseries and cannabis processor facilities, where the local jurisdiction authorizes these activities. (Bus. & Prof. Code, § 26012(a).) All commercial cannabis businesses within the California require a license from DCC. For more information pertaining to commercial cannabis business license requirements, including DCC regulations, please visit: <https://cannabis.ca.gov/resources/rulemaking/>.

DCC expects to be a Responsible Agency for this project under the California Environmental Quality Act (CEQA) because the project will need to obtain an annual cultivation license from DCC. In order to ensure that the IS/MND is sufficient for DCC's needs at that time, DCC requests that a copy of the IS/MND, revised to respond to the comments provided in this letter, and a signed Notice of Determination be provided to the applicant, so the applicant can include them with the application package it submits to DCC. This should apply not only to this Proposed Project, but to all future CEQA documents related to cannabis cultivation applications in the City of Clearlake.

DCC offers the following comments concerning the IS/MND.

General Comments (GCs)

GC 1: Acknowledgement of DCC Regulations

The IS/MND does not acknowledge that the Proposed Project would require one or more cultivation licenses from DCC. The IS/MND could be improved if it acknowledged that DCC is responsible for licensing, regulation, and enforcement of commercial cultivation activities, as defined in the Medicinal and Adult Use Cannabis Regulation and Safety Act (MAUCRSA) and DCC regulations related to cannabis cultivation (Bus. & Prof. Code, § 26012(a)). Additionally, the IS/MND's analysis could benefit from discussion of the protections for environmental resources provided by DCC's cultivation regulations. In particular, the impact analysis for each of the following resource topics could be further supported by a discussion of the effects of state regulations on reducing the severity of impacts for each applicable topic:

- Aesthetics (See 3 California Code of Regulations §§ 16304(c); 16304(g).)
- Air Quality and Greenhouse Gas Emissions (See §§ 15020(f); 16304(e); 16305; 16306.)
- Biological Resources (See §§ 15006(i); 15011(a)(11); 16304(a-c); 16304(g).)
- Cultural Resources (See § 16304(d).)
- Energy (See §§ 15006(i)(6); 15011(a)(5); 15020(f); 16305; 16306.)
- Hazards and Hazardous Materials (See §§ 15006(i)(5)(c); 15011(a)(4); 15011(a)(12); 16304(f); 16307; 16310.)
- Hydrology and Water Quality (See §§ 15006(i); 15011(a)(3); 15011(a)(7); 15011(a)(11); 16216; 16304(a); 16304(b); 16307; 16310.)
- Noise (See §§ 16304(e); 16306.)
- Public Services (See §§ 15011(a)(10); 15036; 15042.)
- Utilities and Service Systems (See §§ 16309; 17223.)
- Wildfire (See § 15011(a)(10).)
- Cumulative Impacts (related to the above topics)

GC 2: Impact Analysis

Several comments provided in the comment table below relate to the absence of information or support for impact statements in the document. CEQA requires that Lead Agencies evaluate the environmental impacts of proposed projects and support factual conclusions with “substantial evidence.” Substantial evidence includes facts, reasonable assumptions predicated upon facts, and expert opinion supported by facts. In general, the IS/MND would be improved if additional evidence (e.g., regulatory setting, environmental setting, impact analysis and methodology, impact assessment, etc.) was provided to support the impact statements in the checklist, including the sources of information relied upon to make conclusions.

GC 3: Identification of Federal, State, and Local Regulations

In multiple instances throughout the document, the IS/MND states that “the applicant will adhere to all Federal, State, and local requirements/regulations.” Without more information about the

requirements and regulations being referred to, it is difficult to determine whether potential impacts would be avoided. The IS/MND would be strengthened if applicable requirements and regulations were described in the context of each environmental resource.

GC 4: Evaluation of Cumulative Impacts

It is important for CEQA analysis to consider the cumulative impacts of cannabis cultivation in the City of Clearlake. Of particular importance are topics for which the impacts of individual projects may be less than significant, but where individual projects may make a considerable contribution to a significant cumulative impact. These topics include, but are not limited to:

- cumulative impacts from groundwater diversions on the health of the underlying aquifer, including impacts on other users and impacts on stream-related resources connected to the aquifer;
- cumulative impacts related to transportation; and
- cumulative impacts related to air quality and objectionable odors.

The IS/MND would be improved by acknowledging and analyzing the potential for cumulative impacts resulting from the Proposed Project coupled with other cannabis cultivation projects being processed by the City, and any other reasonably foreseeable projects in Clearlake that could contribute to cumulative impacts similar to those of the Proposed Project.

Specific Comments and Recommendations

In addition to the general comments provide above, DCC provides the following specific comments regarding the analysis in the IS/MND.

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Comment No.	Section Nos.	Page No(s).	Resource Topic(s)	IS/MND Text	DCC Comments and Recommendations
1	Ques. 21	11	Other public agencies whose approval may be required	N/A (General Comment)	The document would be strengthened if it listed DCC as an agency whose approval would be required to operate the Proposed Project. Also, the IS/MND could be more informative if it identified the permit(s) or approval(s) required from each of the agencies listed. This would include the appropriate commercial cannabis business licenses from DCC, and a Lake and Streambed Alteration Agreement from California Department of Fish and Wildlife, or a statement that one is not required.
2	Ques. 23	11	Impact Categories defined by CEQA	N/A (general comment)	The list of sources would be improved if it provided additional information regarding some of the references. For referenced documents, the author, title, and date of each document could be provided. For personal communications, the agency or organization, person contacted, date of contact, and method of contact should be provided. For websites, the URL and date visited should be provided. In addition, sources that are project-related studies could be made available via weblink or as attachments.
3	I(d)	21	Aesthetics	Mitigation Measure AES-1: All outdoor lighting shall be directed downwards and shielded onto the project site and	The IS/MND would be strengthened if the impact analysis and description of Mitigation Measure AES-1 identified the federal, state, and local agency requirements, as well as the City

Comment No.	Section Nos.	Page No(s).	Resource Topic(s)	IS/MND Text	DCC Comments and Recommendations
				not onto adjacent properties. All lighting shall comply and adhere to all federal, state and local agency requirements, including all requirements in darksky.org. (Refer to the City's Design and Construction Standards).	design and construction standards, that would contribute to reduction in light and glare at the project site. Furthermore, the IS/MND would be strengthened if it referenced DCC's requirements that lights used in mixed-light cultivation activities must be fully shielded from sunset to sunrise to avoid nighttime glare. The document could also cite DCC's requirements that all outdoor lighting for security purposes must be shielded and downward facing. (Cal. Code Regs., tit. 3 §§ 16304(c), 16304(g)).
4	I(d)	21	Aesthetics	N/A (general comment)	None of the check boxes for the impact criterion have been checked. The IS/MND would be improved by checking the applicable impact determination in the table.
5	III	22	Air Quality	N/A (general comment)	The IS/MND would be improved by providing a description of the operations equipment, and durations of use, that would contribute to air emissions, including, but not limited to, generators, ventilation equipment, carbon scrubbers, heavy machinery, and vehicles. The tables provided in Attachment G do not clearly specify equipment assumptions (e.g., the types and number of equipment and vehicles and/or durations of use) that were

Comment No.	Section Nos.	Page No(s).	Resource Topic(s)	IS/MND Text	DCC Comments and Recommendations
					considered in the environmental analysis.
6	IV(a)	26	Biological Resources	N/A (general comment)	This section provides a summary of the results of the field surveys conducted as part of the Biological Resource Assessment. In many instances the analysis specifies that, “No special-status species were observed within the Study Area during the biological site assessment.” These descriptions would be improved by summarizing the potential for presence of special status species, including providing a brief description of existing habitat and species ranges.
7	IV(b) through (d)	28	Biological Resources	N/A (general comment)	The IS/MND would be improved by providing a summary of the analysis provided in the Biological Assessment, such as environmental setting, potential for impacts, and how and whether impacts would be considered less than significant.
8	IV(e), (f)	28	Biological Resources	<p>However, the project may require the removal of a small cluster of grasses and/or vegetation/trees. ...</p> <p>However, the project may require the removal of Oak Trees.</p>	The IS/MND would be strengthened if it contained supporting information about proposed removal of vegetation, including oak trees, at the project site. Without supporting information, it is difficult to assess whether impacts would be potentially significant.

Comment No.	Section Nos.	Page No(s).	Resource Topic(s)	IS/MND Text	DCC Comments and Recommendations
9	IV(e)	28	Biological Resources	Prior to tree removal, the applicant shall obtain a Tree Removal Permit from the City of Clearlake and if Oak Trees are to be removed, they shall be replaced in accordance with Section 18-40.050 of the City of Clearlake Municipal Code. Less than Significant Impact.	This excerpt, included in the analysis, appears to be mitigation that would reduce the potential for significant adverse impacts. If so, these provisions should be identified as mitigation measures, the impact category determination should be revised from “2” to “1”, and the applicable mitigation measure(s) should be included in the Mitigation Monitoring and Reporting Plan.
10	VI(a) and (b)	29	Energy	<p>The property will likely be provided by solar power energy source; however, PG&E is likely proposed depending on feasibility.</p> <p>All energy usage will adhere to all Federal, State and local agency requirements regarding energy use.</p>	The IS/MND would be strengthened if it described how the Proposed Project will comply with federal, State, and local requirements regarding energy use, specifically how the Proposed Project would comply with DCC regulations relating to the use of renewable energy in cultivation projects. (Cal. Code Regs., tit. 4 §§ 16203(g), 16305).
11	VII(b)	31	Geology and Soils	GEO-3: The applicant shall monitor the site during the rainy season including post installation, application of BMPs, erosion control maintenance, and other improvements as needed. Said measures	The IS/MND would be improved by incorporating revisions into the mitigation measure that are sufficiently specific, such as specific BMPs that would be implemented, thresholds, that when exceeded, would trigger implementation of additional improvements, standards (e.g., performance criteria) by which the

Comment No.	Section Nos.	Page No(s).	Resource Topic(s)	IS/MND Text	DCC Comments and Recommendations
				shall be maintained for life of the project and replace/repared when necessary.	effectiveness of the mitigation will be evaluated, and actions that will be taken should the mitigation fail to meet those standards.
12	VII(c) and (d)	31	Geology and Soils	The project shall incorporate Best Management Practices (BMPs) consistent with the City Code and the State Storm Water Drainage Regulations to the maximum extent practicable to prevent and/or reduce discharge of all construction or post-construction pollutants into the local storm drainage system.	This excerpt, included in the analysis, appears to be mitigation that would reduce the potential for significant adverse impacts. If so, these provisions should be identified as mitigation measures, the impact category determination should be revised from “2” to “1”, and the applicable mitigation measure(s) should be included in the Mitigation Monitoring and Reporting Plan. The IS/MND would be improved by incorporating revisions into the mitigation measure that are sufficiently specific, such as specific BMPs that would be implemented to reduce the potential for adverse impacts related to storm drainage.
13	VII(d)	31	Geology and Soils	The applicant will adhere to all Federal, State and local agency requirements, including all requirements in the City of Clearlake’s Municipal Code(s).	The IS/MND would be strengthened if it described how the Proposed Project will comply with federal, State, and local requirements regarding expansive soils.
14	VII(e)	31	Geology and Soils	The project parcel is currently vacant, when development occurs, the cannabis operation shall adhere to all applicable	The IS/MND would be improved if it provided substantial evidence regarding the project’s impacts relative to wastewater disposal.

Comment No.	Section Nos.	Page No(s).	Resource Topic(s)	IS/MND Text	DCC Comments and Recommendations
				Federal, State and local agency requirements regarding wastewater disposal systems, (i.e., connecting to public/private sewer facilities and/or onsite waste management systems (septic). Less Than Significant Impact	
15	VII(f)	31	Geology and Soils	Disturbance of paleontological resources or unique geologic features is not anticipated. However, to ensure the protection of cultural resources including unique paleontological resource or site(s) or unique geologic features with the incorporated mitigation measures in Section V (cultural resources) all potential impacts have been reduce to less than significant levels with the incorporated mitigation measures CUL-1 and CUL-5.	The IS/MND would be improved if it clearly described how the identified mitigation measures would reduce impacts on paleontological resources to a less-than-significant level. In addition, the discussion refers to Mitigation Measure CUL-4 and CUL-5, which are not described in Section V, Cultural Resources. The IS/MND would be strengthened if the impact analysis correctly identified the relevant mitigation measures.

Comment No.	Section Nos.	Page No(s).	Resource Topic(s)	IS/MND Text	DCC Comments and Recommendations
16	IX(b)	32	Hazards and Hazardous Materials	The project will not create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment. ... See Response to Section IX(a): Less than Significant Impact with the incorporated mitigation measure HAZ -1 through HAZ-5.	The impact analysis states that the project will not create a significant hazard; however, the impact analysis also refers to Mitigation Measures HAZ-1 through HAZ-5. The IS/MND would be improved if the impact analysis described what impact requires mitigation and how the mitigation measures would reduce impacts.
17	X(a)	33	Hydrology and Water Quality	Additionally, the to control runoff, the operation will incorporate appropriate Best Management Practices (BMPs) consistent with City code and State Storm Water Drainage Regulations to the maximum extent practicable to prevent or reduce discharge of all construction or post-construction pollutants into the local storm drainage system. All grading measure shall	This excerpt, included in the analysis, appears to be mitigation that would reduce the potential for significant adverse impacts. If so, these provisions should be identified as mitigation measures, the impact category determination should be revised from “2” to “1”, and the applicable mitigation measure(s) should be included in the Mitigation Monitoring and Reporting Plan. The IS/MND would be improved by incorporating revisions into the mitigation measure that are sufficiently specific, such as specific BMPs that would be implemented, and/or a description of the federal, State, and local agency requirements that would

Comment No.	Section Nos.	Page No(s).	Resource Topic(s)	IS/MND Text	DCC Comments and Recommendations
				adhere to all Federal, State, and local agency requirements.	be incorporated into the Proposed Project.
18	X(d)	35	Hydrology and Water Quality	The parcel is not located within a flood zone.	The IS/MND would be improved if it provided substantial evidence, such as reference to FEMA Flood Insurance Rate Maps, regarding the project's impacts relative to flooding.
19	XIII(a)	36	Noise	N/A (General Comment)	The document would be improved if it described the sources of noise (e.g., cultivation equipment, operation and maintenance activities) expected to occur during project operations and the levels of noise those sources are likely to generate. The discussion should describe how Mitigation Measures NOI-1 through NOI-3 would reduce impacts to a less-than-significant level.
20	XVII(a)	38	Transportation	All road improvements shall adhere to all current Federal, State and local agency requirements. The applicant shall obtain and maintain an Encroachment Permit from the City of Clearlake – Public Works Department for any work done within the right-of-way.	The IS/MND would be improved by clarifying whether the Proposed Project would include any road improvements. If so, these elements should be included in the project description, including road improvement designs and proposed construction methods that would be implemented.

Comment No.	Section Nos.	Page No(s).	Resource Topic(s)	IS/MND Text	DCC Comments and Recommendations
21	XIX(b)	40	Utilities and Service Systems	The commercial cannabis operation will not expose occupants to potential pollutants concentrations from a wildfire(s) or the uncontrolled spread of a wildfire. The applicant will adhere to all applicable Federal, State and local agency requirements. Less Than Significant Impact	The checklist and the response in Section XIX(b) appear to have been transposed from Section XX, Wildfire. The document should contain an analysis of whether the Proposed Project would have sufficient water supplies available to serve the project and reasonably foreseeable development during normal, dry, and multiple dry years.
22	XIX(e)	40	Utilities and Service Systems	All septic systems and/or wells shall be installed and adhere to all applicable Federal, State, and local agency requirements.	The IS/MND would be strengthened if it described how the Proposed Project would comply with federal, State, and local management and reduction statutes and regulations related to solid waste.
23	XX(a)	40	Wildfire	The SRA regulations (if applicable) will ensure adequate fire access to and on the property. SRA regulations will also ensure that measures are in place to help prevent fire and the spread of fire should one occur. The property shall maintain fire breaks around all structures, shall adhere to all necessary Federal,	The IS/MND would be improved by describing applicable SRA regulations and providing an analysis as to how and whether implementation of these measures would prevent impairments with existing emergency response and/or evacuation plans. In addition, if adherence with SRA regulations and/or fire break maintenance is mitigation intended for the reduction of potentially significant adverse impacts, then it should be stated as such. If so, the impact category determination should be revised from “2” to “1”, and the applicable mitigation measure(s) should

Comment No.	Section Nos.	Page No(s).	Resource Topic(s)	IS/MND Text	DCC Comments and Recommendations
				State, and local agency requirements.	be included in the Mitigation Monitoring and Reporting Plan.
24	XX(b) and (c)	41	Wildfire	N/A (general comment)	The IS/MND would be strengthened by including an analysis of operations and maintenance activities, including use of equipment known to generate sparks or extreme heat, and provide an analysis as to whether or not Proposed Project activities could exacerbate fire risk. If the Proposed Project would have the potential to result in significant adverse impacts, then the analysis should provide substantial evidence to support how and whether adherence with federal, State, and local agency requirements would reduce the potential to a less than significant level.
25	XXI	41	Mandatory Findings of Significance	N/A (General Comment)	The IS/MND could be more informative if it listed the mitigation measures it refers to in this section. The measures need not be repeated in full, but at a minimum they should be listed by number.
26	XXI(b)	41	Mandatory Findings of Significance (Cumulative Impacts)	N/A (General Comment)	The IS/MND should identify whether any other cannabis growing operations exist or have been proposed in the vicinity of the Proposed Project (particularly relevant is the Ogulin Hills Holdings, LLC Project Facility, located at 2185 Ogulin Canyon Road), and provide an analysis as to whether the Proposed Project would make a considerable contribution to any

Comment No.	Section Nos.	Page No(s).	Resource Topic(s)	IS/MND Text	DCC Comments and Recommendations
					cumulative impacts from these other projects.

Conclusion

DCC appreciates the opportunity to provide comments on the IS/MND for the Proposed Project. If you have any questions about our comments or wish to discuss them, please contact Kevin Ponce, Senior Environmental Scientist, at (916) 247-1659 or via e-mail at Kevin.Ponce@cannabis.ca.gov.

Sincerely,

Lindsay Rains
Licensing Program Manager



January 19, 2022

Mark Roberts, Senior Planner
City of Clearlake
14050 Olympic Drive
Clearlake, CA 95422
(707) 994-8201
mroberts@clearlake.ca.us

Re: Amended Initial Study/Mitigated Negative Declaration (IS/MND) for Clearlake Harvest Company, LLC Project (SCH No. 2021100409)

Dear Mr. Roberts:

Thank you for providing the California Department of Cannabis Control (DCC) the opportunity to comment on the amended Initial Study/Mitigated Negative Declaration (IS/MND; SCH No. 2021100409) prepared by the City of Clearlake for the proposed Clearlake Harvest Company, LLC Project (Proposed Project).

DCC is a Responsible Agency with respect to the Proposed Project, with jurisdiction over the issuance of licenses to operate commercial cannabis businesses in California. DCC issues licenses to cannabis cultivators, cannabis nurseries and cannabis processor facilities, cannabis manufacturing, testing, distribution, and retail facilities, and cannabis microbusinesses, where the local jurisdiction authorizes these activities. (Bus. & Prof. Code, § 26012(a).) All commercial cannabis businesses within the California require a license from DCC. For more information pertaining to commercial cannabis business license requirements, including DCC regulations, please visit: <https://cannabis.ca.gov/resources/rulemaking/>.

Background

The City issued an IS/MND for the Proposed Project on October 21, 2021. After reviewing the IS/MND, DCC submitted comments to the City on November 9, 2021. Following the close of the public review period, the City amended the IS/MND and issued the amended IS/MND on December 23, 2021 and requested that any comments be received by January 21, 2022.

As asserted by the City of Clearlake in the Amended Notice of Intent, the only amendment made to the initial draft IS/MND was the assigned project numbers, for the purposes of clarification. The DCC understands that the Proposed Project itself has not changed, and the impact analysis provided (i.e., 'Clearlake Harvest Company CEQA Complete Packet') has not been otherwise revised.

DCC Comments and Recommendations

Upon review of the amended IS/MND and associated documentation (e.g., amended Notice of Intent, Summary Form, and Notice of Completion Form), it appears that the City of Clearlake has not responded to comments provided to the City included in DCC's letter submitted on November 9, 2021. Therefore, this comment letter serves to resubmit the attached comment letter and request that the comments included therein be reviewed and responded to by the City of Clearlake. DCC requests that the amended IS/MND be further revised to address DCC's comments regarding the Proposed Project. DCC requests that a copy of the amended IS/MND, further revised to respond to DCC's comments, and a signed Notice of Determination be provided to the applicant, so the applicant can include them with the application package it submits to DCC. DCC does not have any additional comments concerning the IS/MND.

DCC appreciates the opportunity to provide comments on the amended IS/MND for the Proposed Project. If you have any questions about our comments or wish to discuss them, please contact Kevin Ponce, Senior Environmental Scientist Supervisor, at (916) 247-1659 or via e-mail at Kevin.Ponce@cannabis.ca.gov.

Sincerely,

Lindsay Rains,
Licensing Program Manager

Enclosure



January 19, 2022

Mark Roberts, Senior Planner
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14050 Olympic Drive
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DCC Comments and Recommendations

Upon review of the amended IS/MND and associated documentation (e.g., amended Notice of Intent, Summary Form, and Notice of Completion Form), it appears that the City of Clearlake has not responded to comments provided to the City included in DCC's letter submitted on November 9, 2021. Therefore, this comment letter serves to resubmit the attached comment letter and request that the comments included therein be reviewed and responded to by the City of Clearlake. DCC requests that the amended IS/MND be further revised to address DCC's comments regarding the Proposed Project. DCC requests that a copy of the amended IS/MND, further revised to respond to DCC's comments, and a signed Notice of Determination be provided to the applicant, so the applicant can include them with the application package it submits to DCC. DCC does not have any additional comments concerning the IS/MND.

DCC appreciates the opportunity to provide comments on the amended IS/MND for the Proposed Project. If you have any questions about our comments or wish to discuss them, please contact Kevin Ponce, Senior Environmental Scientist Supervisor, at (916) 247-1659 or via e-mail at Kevin.Ponce@cannabis.ca.gov.

Sincerely,

Lindsay Rains,
Licensing Program Manager

Enclosure

City of Clearlake Response to DCC November 9, 2021, Comments on 2250 Ogulin Canyon Road Cannabis Project.

Commenting Agency	Comment	Response
Department of Cannabis Control (DCC)	GC 1: The document would be strengthened if it listed DCC as an agency whose approval would be required to operate the Proposed Project. Also, the IS/MND could be more informative if it identified the permit(s) or approval(s) required from each of the agencies listed. This would include the appropriate commercial cannabis business licenses from DCC, and a Lake and Streambed Alteration Agreement from California Department of Fish and Wildlife, or a statement that one is not required	The City incorporates a general condition of approval that the applicant needs to obtain and maintain all required permits from any Federal, State and local agency prior to operation. The project is sent out for RFR (Request for review) to various Federal, State and local agencies for review and comment prior to preparation of the CEQA documents. If an agency provides comments, their comments are incorporated not conditions of approval (if necessary) and/or general conditions are created to cover a broad range of requirements.
Department of Cannabis Control (DCC)	GC 2: The list of sources would be improved if it provided additional information regarding some of the references	The city does not see the need to list each individual person who was contacted for each agencies. The project is sent out to multiple agencies to a general email/contact and/or a specific person. All comments received are incorporated into the CQA document and/or Conditions of Approval. No revisions are necessary
Department of Cannabis Control (DCC)	GC 3: The IS/MND would be strengthened if the impact analysis and description of Mitigation Measure AES-1 identified the federal, state, and local agency requirements, as well as the City design and construction standards, that would contribute to reduction in light and glare at the project site. Furthermore, the IS/MND would be strengthened if it referenced DCC's requirements that lights used in mixed-light cultivation activities must be fully shielded from sunset to sunrise to avoid nighttime glare. The document could also cite DCC's requirements that all outdoor lighting for security purposes must be shielded and downward facing. (Cal. Code Regs., tit. 3 §§ 16304(c), 16304(9)).	Comment Noted: The city has incorporated the Mitigation Measure AES 1 as cited in the IS/MND. All lighting shall adhere to all Federal, State and local agency requirements, including dark skies. The applicant will be required prior to operation to submit a lighting plan for review and approval. When the project was sent out for review, DCC did not provide any comments until the IS/MND was circulated. No revisions are necessary.
Department of Cannabis Control (DCC)	GC 4: None of the check boxes for the impact criterion have been checked. The IS/MND would be improved by checking the applicable impact determination in the table.	Each box was appropriately checked indicating the impact. No revisions are necessary. No revision are necessary.
Department of Cannabis Control (DCC)	GC 5: The IS/MND would be improved by providing a description of the operations equipment, and durations of	Comment noted. Section III, Air Quality, Section VIII, Greenhouse Gas Emissions, and Section IX,

City of Clearlake Response to DCC November 9, 2021, Comments on 2250 Ogulin Canyon Road Cannabis Project.

	use, that would contribute to air emissions, including, but not limited to, generators, ventilation equipment, carbon scrubbers, heavy machinery, and vehicles. The tables provided in Attachment G do not clearly specify equipment assumptions (e.g., the types and number of equipment and vehicles and/or durations of use) that were considered in the environmental analysis	Hazards and Hazardous Materials, provides an adequate description and analysis for project impacts on these categories. Additional details will be provided to DCC upon license application submittal. No revisions are necessary all potential impacts in Section IV of the CEQA/MND.
Department of Cannabis Control (DCC)	GC 6: This section provides a summary of the results of the field surveys conducted as part of the Biological Resource Assessment. In many instances the analysis specifies that, "No special-status species were observed within the Study Area during the biological site assessment. These descriptions would be improved by summarizing the potential for presence of special status species, including providing a brief description of existing habitat and species ranges	The applicant had a Biological Assessment/Report prepared by a qualified Biologist for all areas to be developed and/or impacted. The city incorporated and summarized the report in the MND/CEQA and included it as an attachment within the CEQA Documents. No revisions are necessary.
Department of Cannabis Control (DCC)	GC 7: The IS/MND would be improved by providing a summary of the analysis provided in the Biological Assessment, such as environmental setting, potential for impacts, and how and whether impacts would be considered less than significant.	The applicant had a Biological Assessment/Report prepared by a qualified Biologist for all areas to be developed and/or impacted. The city incorporated and summarized the report in the MND/CEQA and included it as an attachment within the CEQA Documents. No revisions are necessary
Department of Cannabis Control (DCC)	GC 8: The IS/MND would be strengthened if it contained supporting information about proposed removal of vegetation, including oak trees, at the project site. Without supporting information, it is difficult to assess whether impacts would be potentially significant.	At this time, it is uncertain if developed will require the removal of Oak Tree's. If the operation requires Oak Trees to be removed, they will have to obtain a Oak Tree removal Permit and adhere to all requirements in the Clearlake Municipal Code. Additionally, the applicant has Biological Assessment/Report prepared by a qualified Biologist. No revisions are necessary
Department of Cannabis Control (DCC)	GC 9: Prior to tree removal, the applicant shall obtain a Tree Removal Permit from the City of Clearlake and if Oak Trees are to be removed, they shall be replaced in accordance with Section 18-40.050 of the City of Clearlake Municipal Code. Less than Significant Impact	The Tree Removal Permit is reviewed on a case-by-case basis in accordance with Section 18-40.050. Not all Oak Trees are required to be replaced at a ratio of 2:1.
Department of Cannabis Control (DCC)	GC 10: The IS/MND would be strengthened if it described how the Proposed Project will comply with federal, State, and local requirements regarding energy use, specifically how	All structures to be built will have to adhere to the current CA Building Code. The city does not feel the need to require a complete set Building Plans submitted to process the Conditional Use Permit.

City of Clearlake Response to DCC November 9, 2021, Comments on 2250 Ogulin Canyon Road Cannabis Project.

	the Proposed Project would comply with DCC regulations relating to the use of renewable energy in cultivation projects. (Cal. Code Regs., tit. 4 §§ 16203(9), 16305).	Once the Conditional Use Permit has been processed, the applicant will be required to apply for and obtain a Building Permit for all structures. Once the complete Building Permit Application Packet has been submitted, the city will review the plans in accordance to all applicable requirements, including the CA Building Code.
Department of Cannabis Control (DCC)	GC 11: The IS/MND would be improved by incorporating revisions into the mitigation measure that are sufficiently specific, such as specific BMPs that would be implemented, thresholds, that when exceeded, would trigger implementation of additional improvements, standards (e.g., performance criteria	When the Grading Permit Application, including Erosion and Control Plans are submitted for review, our City Engineer will review and/or provide ample comments to the applicant to ensure the plans adhere to all Federal, State and local agency requirements prior to issuance. Once the City feels the Grading Permit Application has met all applicable requirements, the permit will be issued. BMPs is discussed in detail and in general terms in the Geology and Soils Section. Additionally, when the Grading Permit, including Erosion and Control Plans are submitted for review, our City Engineer will review and approved and/or provide ample comments to the applicant to ensure the plans adhere to all Federal, State and local agency requirements prior to issuance. The measure also depends on the scope of work when being review.
Department of Cannabis Control (DCC)	GC 12: The IS/MND would be improved by incorporating revisions into the mitigation measure that are sufficiently specific, such as specific BMPs that would be implemented to reduce the potential for adverse impacts related to storm drainage	When the Grading Permit Application, including Erosion and Control Plans are submitted for review, our City Engineer will review and/or provide ample comments to the applicant to ensure the plans adhere to all Federal, State and local agency requirements prior to issuance. Once the City feels the Grading Permit Application has met all applicable requirements, the permit will be issued. BMPs is discussed in detail and in general terms in the Geology and Soils Section. Additionally, when the Grading Permit, including Erosion and Control Plans are submitted for review, our City Engineer will review and approved and/or provide ample comments to the applicant to ensure the plans adhere to all Federal, State and local agency requirements prior to issuance. The measure also depends on the scope of work when being review.
Department of Cannabis Control (DCC)	GC 13: The IS/MND would be strengthened if it described how the Proposed Project will comply with	This section was discussed to cover a broad range of potential requirements. A condition of approval has been

City of Clearlake Response to DCC November 9, 2021, Comments on 2250 Ogulin Canyon Road Cannabis Project.

	federal, State, and local requirements regarding expansive soils.	incorporated that the applicant must apply and obtain all necessary Federal, State and local agency permits prior to operation. No revisions are necessary.
Department of Cannabis Control (DCC)	GC 14: The IS/MND would be improved if it provided substantial evidence regarding the project's impacts relative to wastewater disposal.	Cumulative impacts of all categories have been adequately considered in this document. Wastewater is controlled by the Lake County Environmental Health Department. A condition of approval has been incorporated with the applicant must apply, maintain and adhere to all applicable federal, State and local agency requirements.
Department of Cannabis Control (DCC)	GC 15: The IS/MND would be improved if it clearly described how the identified mitigations measures would reduce impacts on paleontological resource to less than significant	The project was circulated in accordance to AB 52 to Elem Indian Colony, KOI Nation and the Native American Heritage Commission. The City did not receive any comments from the above Tribal organizations. The City incorporates general mitigation measures to reduce any potential impacts. No revisions are necessary.
Department of Cannabis Control (DCC)	GC 16: The impact analysis states that the project will not create a significant hazard; however, the impact analysis also refers to Mitigation Measures HAZ-1 through HAZ-5. The IS/MND would be improved if the impact analysis described what impact requires mitigation and how the mitigation measures would reduce impacts.	All mitigation measured are intended to cover a broad range of hazards. More specific evaluation of hazards will be conducted during the building permit clearance review. No new environmental issues are raised by this comment, and no further environmental analysis is required
Department of Cannabis Control (DCC)	DC 17: The IS/MND would be improved by incorporating revisions into the mitigation measure that are sufficiently specific, such as specific BMPs that would be implemented, and/or a description of the federal, State, and local agency requirements that would be incorporated into the Proposed Project.	BMPs is discussed in detail and in general terms in the Geology and Soils Section. Additionally, when the Grading Permit, including Erosion and Control Plans are submitted for review, our City Engineer will review and approved and/or provide ample comments to the applicant to ensure the plans adhere to all Federal, State and local agency requirements prior to issuance. The measure also depends on the scope of work when being review.
Department of Cannabis Control (DCC)	DC 18: The IS/MND would be improved if it provided substantial evidence, such as reference to FEMA Flood Insurance Rate Maps, regarding the project's impacts relative to flooding.	The project is not located within a known flood zone. No revisions necessary.
Department of Cannabis Control (DCC)	DC 19: The document would be improved if it described the sources of noise (e.g., cultivation equipment, operation and maintenance activities) expected to occur during project operations and the levels of noise those sources are likely to generate. The discussion should describe how Mitigation	All mitigation measures are intended to cover a broad range of potential noise issues. The noise section intentions where to cover a broad range of potential noise sources as the applicant does not know which equipment will be used until development begins.

City of Clearlake Response to DCC November 9, 2021, Comments on 2250 Ogulin Canyon Road Cannabis Project.

	Measures NOI- 1 through NOI-3 would reduce impacts to a less-than-significant level.	
Department of Cannabis Control (DCC)	DC 20: The IS/MND would be improved by clarifying whether the Proposed Project would include any road improvements. If so, these elements should be included in the project description, including road improvement designs and proposed construction methods that would be implemented.	Road improvements are meant to be discussed on general. Prior to any road development, the applicant will have to have Engineered Plan prepared by a licensed CA Engineer and submit them for considerations. No revisions are necessary
Department of Cannabis Control (DCC)	DC 21: The checklist and the response in Section XIX(b) appear to have been transposed from Section XX, Wildfire. The document should contain an analysis of whether the Proposed Project would have sufficient water supplies available to serve the project and reasonably foreseeable development during normal, dry, and multiple dry years.	This was discussed in Section X – hydrology and Water Quality. Additionally, the applicant had a Hydrology Report Prepared and it was included as an attachment within the CEQA/MND document
Department of Cannabis Control (DCC)	DC 22: The IS/MND would be strengthened if it described how the Proposed Project would comply with federal, State, and local management and reduction statutes and regulations related to solid	Solid waste is controlled by the Lake County Environmental Health Dept. A condition of Approval has been incorporated that prior to operation they adhere to all necessary requirements. No revisions needed.
Department of Cannabis Control (DCC)	DC 23: The IS/MND would be improved by describing applicable SRA regulations and providing an analysis as to how and whether implementation of these measures would prevent impairments with existing emergency response and/or evacuation plans. In addition, if adherence with SRA regulations and/or fire break maintenance is mitigation intended for the reduction of potentially significant adverse impacts, then it should be stated as such. If so, the impact category determination should be revised from "2" to "1", and the applicable mitigation measure(s) should be included in the Mitigation Monitoring and Reporting Plan	If applicable, the SRA is the responsibility of the CA Dept. of Forestry and Fire Protection. The applicant will have to coordinate with Calfire (if applicable) and/or the local fire protection district prior to operation. This section of the MND/CEQA is discussed at a general level to cover a broad range of area. No revisions are necessary.
Department of Cannabis Control (DCC)	DC 24: The IS/MND would be strengthened by including an analysis of operations and maintenance activities, including use of equipment known to generate sparks or extreme heat, and provide an analysis as to whether or not Proposed Project activities could exacerbate fire risk	This section provided an overview all of areas with potential environmental impacts. Each area was listed and indicated with the incorporated mitigation measures; all impacts have been reduced to less than significant levels. There is no need to repeat all mitigation measure. No revision needed.
Department of Cannabis Control (DCC)	DC 25: The IS/MND could be more informative if it listed the mitigation	This section provided an overview all of areas with potential environmental

City of Clearlake Response to DCC November 9, 2021, Comments on 2250 Ogulin Canyon Road Cannabis Project.

	measures it refers to in this section. The measures need not be repeated in full, but at a minimum they should be listed by number	impacts. Each area was listed and indicated with the incorporated mitigation measures; all impacts have been reduced to less than significant levels. There is no need to repeat all mitigation measure. No revision needed.
Department of Cannabis Control (DCC)	DC 26: The IS/MND should identify whether any other cannabis growing operation exist and/or have been proposed in the vicinity of the Proposed Project (particularly relevant is the Ogulin Hills Holdings, LLC Project Facility, located at 2185 Ogulin Canyon Road), and provide an analysis as to whether the Proposed Project would make a considerable contribution to any cumulative impacts from these other projects.	Comment noted. The CEQA/MND analysis this project location and all foreseeable this project may have on the subject parcel and surrounding area. No revision needed.

City of Clearlake Response to DCC November 9, 2021, Comments on 2250 Ogulin Canyon Road Cannabis Project.

Commenting Agency	Comment	Response
Department of Cannabis Control (DCC)	GC 1: The document would be strengthened if it listed DCC as an agency whose approval would be required to operate the Proposed Project. Also, the IS/MND could be more informative if it identified the permit(s) or approval(s) required from each of the agencies listed. This would include the appropriate commercial cannabis business licenses from DCC, and a Lake and Streambed Alteration Agreement from California Department of Fish and Wildlife, or a statement that one is not required	The City incorporates a general condition of approval that the applicant needs to obtain and maintain all required permits from any Federal, State and local agency prior to operation. The project is sent out for RFR (Request for review) to various Federal, State and local agencies for review and comment prior to preparation of the CEQA documents. If an agency provides comments, their comments are incorporated not conditions of approval (if necessary) and/or general conditions are created to cover a broad range of requirements.
Department of Cannabis Control (DCC)	GC 2: The list of sources would be improved if it provided additional information regarding some of the references	The city does not see the need to list each individual person who was contacted for each agencies. The project is sent out to multiple agencies to a general email/contact and/or a specific person. All comments received are incorporated into the CQA document and/or Conditions of Approval. No revisions are necessary
Department of Cannabis Control (DCC)	GC 3: The IS/MND would be strengthened if the impact analysis and description of Mitigation Measure AES-1 identified the federal, state, and local agency requirements, as well as the City design and construction standards, that would contribute to reduction in light and glare at the project site. Furthermore, the IS/MND would be strengthened if it referenced DCC's requirements that lights used in mixed-light cultivation activities must be fully shielded from sunset to sunrise to avoid nighttime glare. The document could also cite DCC's requirements that all outdoor lighting for security purposes must be shielded and downward facing. (Cal. Code Regs., tit. 3 §§ 16304(c), 16304(9)).	Comment Noted: The city has incorporated the Mitigation Measure AES 1 as cited in the IS/MND. All lighting shall adhere to all Federal, State and local agency requirements, including dark skies. The applicant will be required prior to operation to submit a lighting plan for review and approval. When the project was sent out for review, DCC did not provide any comments until the IS/MND was circulated. No revisions are necessary.
Department of Cannabis Control (DCC)	GC 4: None of the check boxes for the impact criterion have been checked. The IS/MND would be improved by checking the applicable impact determination in the table.	Each box was appropriately checked indicating the impact. No revisions are necessary. No revision are necessary.
Department of Cannabis Control (DCC)	GC 5: The IS/MND would be improved by providing a description of the operations equipment, and durations of	Comment noted. Section III, Air Quality, Section VIII, Greenhouse Gas Emissions, and Section IX,

City of Clearlake Response to DCC November 9, 2021, Comments on 2250 Ogulin Canyon Road Cannabis Project.

	use, that would contribute to air emissions, including, but not limited to, generators, ventilation equipment, carbon scrubbers, heavy machinery, and vehicles. The tables provided in Attachment G do not clearly specify equipment assumptions (e.g., the types and number of equipment and vehicles and/or durations of use) that were considered in the environmental analysis	Hazards and Hazardous Materials, provides an adequate description and analysis for project impacts on these categories. Additional details will be provided to DCC upon license application submittal. No revisions are necessary all potential impacts in Section IV of the CEQA/MND.
Department of Cannabis Control (DCC)	GC 6: This section provides a summary of the results of the field surveys conducted as part of the Biological Resource Assessment. In many instances the analysis specifies that, "No special-status species were observed within the Study Area during the biological site assessment. These descriptions would be improved by summarizing the potential for presence of special status species, including providing a brief description of existing habitat and species ranges	The applicant had a Biological Assessment/Report prepared by a qualified Biologist for all areas to be developed and/or impacted. The city incorporated and summarized the report in the MND/CEQA and included it as an attachment within the CEQA Documents. No revisions are necessary.
Department of Cannabis Control (DCC)	GC 7: The IS/MND would be improved by providing a summary of the analysis provided in the Biological Assessment, such as environmental setting, potential for impacts, and how and whether impacts would be considered less than significant.	The applicant had a Biological Assessment/Report prepared by a qualified Biologist for all areas to be developed and/or impacted. The city incorporated and summarized the report in the MND/CEQA and included it as an attachment within the CEQA Documents. No revisions are necessary
Department of Cannabis Control (DCC)	GC 8: The IS/MND would be strengthened if it contained supporting information about proposed removal of vegetation, including oak trees, at the project site. Without supporting information, it is difficult to assess whether impacts would be potentially significant.	At this time, it is uncertain if developed will require the removal of Oak Tree's. If the operation requires Oak Trees to be removed, they will have to obtain a Oak Tree removal Permit and adhere to all requirements in the Clearlake Municipal Code. Additionally, the applicant has Biological Assessment/Report prepared by a qualified Biologist. No revisions are necessary
Department of Cannabis Control (DCC)	GC 9: Prior to tree removal, the applicant shall obtain a Tree Removal Permit from the City of Clearlake and if Oak Trees are to be removed, they shall be replaced in accordance with Section 18-40.050 of the City of Clearlake Municipal Code. Less than Significant Impact	The Tree Removal Permit is reviewed on a case-by-case basis in accordance with Section 18-40.050. Not all Oak Trees are required to be replaced at a ratio of 2:1.
Department of Cannabis Control (DCC)	GC 10: The IS/MND would be strengthened if it described how the Proposed Project will comply with federal, State, and local requirements regarding energy use, specifically how	All structures to be built will have to adhere to the current CA Building Code. The city does not feel the need to require a complete set Building Plans submitted to process the Conditional Use Permit.

City of Clearlake Response to DCC November 9, 2021, Comments on 2250 Ogulin Canyon Road Cannabis Project.

	the Proposed Project would comply with DCC regulations relating to the use of renewable energy in cultivation projects. (Cal. Code Regs., tit. 4 §§ 16203(9), 16305).	Once the Conditional Use Permit has been processed, the applicant will be required to apply for and obtain a Building Permit for all structures. Once the complete Building Permit Application Packet has been submitted, the city will review the plans in accordance to all applicable requirements, including the CA Building Code.
Department of Cannabis Control (DCC)	GC 11: The IS/MND would be improved by incorporating revisions into the mitigation measure that are sufficiently specific, such as specific BMPs that would be implemented, thresholds, that when exceeded, would trigger implementation of additional improvements, standards (e.g., performance criteria	When the Grading Permit Application, including Erosion and Control Plans are submitted for review, our City Engineer will review and/or provide ample comments to the applicant to ensure the plans adhere to all Federal, State and local agency requirements prior to issuance. Once the City feels the Grading Permit Application has met all applicable requirements, the permit will be issued. BMPs is discussed in detail and in general terms in the Geology and Soils Section. Additionally, when the Grading Permit, including Erosion and Control Plans are submitted for review, our City Engineer will review and approved and/or provide ample comments to the applicant to ensure the plans adhere to all Federal, State and local agency requirements prior to issuance. The measure also depends on the scope of work when being review.
Department of Cannabis Control (DCC)	GC 12: The IS/MND would be improved by incorporating revisions into the mitigation measure that are sufficiently specific, such as specific BMPs that would be implemented to reduce the potential for adverse impacts related to storm drainage	When the Grading Permit Application, including Erosion and Control Plans are submitted for review, our City Engineer will review and/or provide ample comments to the applicant to ensure the plans adhere to all Federal, State and local agency requirements prior to issuance. Once the City feels the Grading Permit Application has met all applicable requirements, the permit will be issued. BMPs is discussed in detail and in general terms in the Geology and Soils Section. Additionally, when the Grading Permit, including Erosion and Control Plans are submitted for review, our City Engineer will review and approved and/or provide ample comments to the applicant to ensure the plans adhere to all Federal, State and local agency requirements prior to issuance. The measure also depends on the scope of work when being review.
Department of Cannabis Control (DCC)	GC 13: The IS/MND would be strengthened if it described how the Proposed Project will comply with	This section was discussed to cover a broad range of potential requirements. A condition of approval has been

City of Clearlake Response to DCC November 9, 2021, Comments on 2250 Ogulin Canyon Road Cannabis Project.

	federal, State, and local requirements regarding expansive soils.	incorporated that the applicant must apply and obtain all necessary Federal, State and local agency permits prior to operation. No revisions are necessary.
Department of Cannabis Control (DCC)	GC 14: The IS/MND would be improved if it provided substantial evidence regarding the project's impacts relative to wastewater disposal.	Cumulative impacts of all categories have been adequately considered in this document. Wastewater is controlled by the Lake County Environmental Health Department. A condition of approval has been incorporated with the applicant must apply, maintain and adhere to all applicable federal, State and local agency requirements.
Department of Cannabis Control (DCC)	GC 15: The IS/MND would be improved if it clearly described how the identified mitigations measures would reduce impacts on paleontological resource to less than significant	The project was circulated in accordance to AB 52 to Elem Indian Colony, KOI Nation and the Native American Heritage Commission. The City did not receive any comments from the above Tribal organizations. The City incorporates general mitigation measures to reduce any potential impacts. No revisions are necessary.
Department of Cannabis Control (DCC)	GC 16: The impact analysis states that the project will not create a significant hazard; however, the impact analysis also refers to Mitigation Measures HAZ-1 through HAZ-5. The IS/MND would be improved if the impact analysis described what impact requires mitigation and how the mitigation measures would reduce impacts.	All mitigation measured are intended to cover a broad range of hazards. More specific evaluation of hazards will be conducted during the building permit clearance review. No new environmental issues are raised by this comment, and no further environmental analysis is required
Department of Cannabis Control (DCC)	DC 17: The IS/MND would be improved by incorporating revisions into the mitigation measure that are sufficiently specific, such as specific BMPs that would be implemented, and/or a description of the federal, State, and local agency requirements that would be incorporated into the Proposed Project.	BMPs is discussed in detail and in general terms in the Geology and Soils Section. Additionally, when the Grading Permit, including Erosion and Control Plans are submitted for review, our City Engineer will review and approved and/or provide ample comments to the applicant to ensure the plans adhere to all Federal, State and local agency requirements prior to issuance. The measure also depends on the scope of work when being review.
Department of Cannabis Control (DCC)	DC 18: The IS/MND would be improved if it provided substantial evidence, such as reference to FEMA Flood Insurance Rate Maps, regarding the project's impacts relative to flooding.	The project is not located within a known flood zone. No revisions necessary.
Department of Cannabis Control (DCC)	DC 19: The document would be improved if it described the sources of noise (e.g., cultivation equipment, operation and maintenance activities) expected to occur during project operations and the levels of noise those sources are likely to generate. The discussion should describe how Mitigation	All mitigation measures are intended to cover a broad range of potential noise issues. The noise section intentions where to cover a broad range of potential noise sources as the applicant does not know which equipment will be used until development begins.

City of Clearlake Response to DCC November 9, 2021, Comments on 2250 Ogulin Canyon Road Cannabis Project.

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Department of Cannabis Control (DCC)	DC 20: The IS/MND would be improved by clarifying whether the Proposed Project would include any road improvements. If so, these elements should be included in the project description, including road improvement designs and proposed construction methods that would be implemented.	Road improvements are meant to be discussed on general. Prior to any road development, the applicant will have to have Engineered Plan prepared by a licensed CA Engineer and submit them for considerations. No revisions are necessary
Department of Cannabis Control (DCC)	DC 21: The checklist and the response in Section XIX(b) appear to have been transposed from Section XX, Wildfire. The document should contain an analysis of whether the Proposed Project would have sufficient water supplies available to serve the project and reasonably foreseeable development during normal, dry, and multiple dry years.	This was discussed in Section X – hydrology and Water Quality. Additionally, the applicant had a Hydrology Report Prepared and it was included as an attachment within the CEQA/MND document
Department of Cannabis Control (DCC)	DC 22: The IS/MND would be strengthened if it described how the Proposed Project would comply with federal, State, and local management and reduction statutes and regulations related to solid	Solid waste is controlled by the Lake County Environmental Health Dept. A condition of Approval has been incorporated that prior to operation they adhere to all necessary requirements. No revisions needed.
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Department of Cannabis Control (DCC)	DC 24: The IS/MND would be strengthened by including an analysis of operations and maintenance activities, including use of equipment known to generate sparks or extreme heat, and provide an analysis as to whether or not Proposed Project activities could exacerbate fire risk	This section provided an overview all of areas with potential environmental impacts. Each area was listed and indicated with the incorporated mitigation measures; all impacts have been reduced to less than significant levels. There is no need to repeat all mitigation measure. No revision needed.
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City of Clearlake Response to DCC November 9, 2021, Comments on 2250 Ogulin Canyon Road Cannabis Project.

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Department of Cannabis Control (DCC)	DC 26: The IS/MND should identify whether any other cannabis growing operation exist and/or have been proposed in the vicinity of the Proposed Project (particularly relevant is the Ogulin Hills Holdings, LLC Project Facility, located at 2185 Ogulin Canyon Road), and provide an analysis as to whether the Proposed Project would make a considerable contribution to any cumulative impacts from these other projects.	Comment noted. The CEQA/MND analysis this project location and all foreseeable this project may have on the subject parcel and surrounding area. No revision needed.

From: Fried, Janae@Waterboards
To: [Mark Roberts](#)
Subject: RE: Notice of Intent (NOI) for Draft CEQA Document - Clearlake Harvest Company
Date: Friday, October 22, 2021 4:24:12 PM
Attachments: [image001.png](#)
[image002.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.

Hello Mark,

This site is in compliance with their enrollment with us.

I have not received too many of these from Clearlake. I know that Clearlake is permitting cannabis sites separately from the rest of the county. Does the City of Clearlake also have that moratorium on applicant's that don't have a waterboard NOA dated prior to 10/31/2020? Are there any other major differences between the two agencies that I should be aware of?

ATTENTION: The Central Valley Regional Water Quality Control Boards' staff will be hosting a virtual outreach event, "Prepare for Winter" on **October 28, 2021**, from **4pm- 6pm**. Please click the below links and enter the access code to learn more about winterization practices. (The winter period starts November 15th). The majority of this time will be set aside to answer any questions you may have regarding the [Cannabis General Order](#) . I will be the presenter this month.

Join Zoom Meeting

<https://waterboards.zoom.us/j/98019448452?pwd=NC9pOXZtSzlnZlp6Wjh5cCtYajd1UT09>

Meeting ID: 980 1944 8452

Passcode: 489181

Dial by your location

+1 669 900 9128 US (San Jose)

We are currently undergoing a reduced in-office presence from implications due to COVID19. But all efforts are made to reply as quickly as possible.

Janae Fried
Engineering Geologist

Central Valley Regional Water Quality Control Board, Region 5R
Cannabis Regulation and Enforcement Unit (CREU)
364 Knollcrest Drive, Suite 205
Redding, CA 96002

Janae.Fried@Waterboards.ca.gov

Office Line: 530-224-3291 - (Working remotely, will call back from a restricted number)

From: Mark Roberts <mroberts@clearlake.ca.us>

Sent: Thursday, October 21, 2021 3:24 PM

Subject: Notice of Intent (NOI) for Draft CEQA Document - Clearlake Harvest Company

Importance: High

EXTERNAL:

Good Afternoon,

This email is in regards to the Notice of Intent to adopted a Mitigated Negative Declaration for the proposed cannabis Operation located at 2250 Ogulin canyon Road. Below is a copy of the Notice of Intent for your records. I have attached the Notice of Intent above and due to the size of the environmental document, you may access it at the link below. Once the link opens, you can either click on “search function” or recent postings. **The public review period for this notice will remain open for a period of at least 30 days from the first publication of this Notice (10/22/2021), until (11/26/2021). For more information, please call (707) 994-8201 during normal business hours of City Hall.**

City of Clearlake – Notice of Intent to Adopt a Mitigated Negative Declaration

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:

Project Description Summary: The applicant, Clearlake Harvest Company, LLC, is proposing a Commercial Cannabis operation on a 12.95-acre parcel. The project site accessible from an existing accessway (located on the south side of Ogulin Canyon Road). For a detailed description of the project, please refer to the link below.

Project Location: 2250 Ogulin Canyon Road, Clearlake, CA 95422, Assessor Parcel Number (APN): 010-044-19.

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 first publication of this Notice (10/22/2021), until (11/26/2021).** For more information, please call (707) 994-8201 during normal business hours of City Hall. During this period written comments on the project and the proposed mitigated negative declaration may be addressed to: You may also submit comments via email at mroberts@clearlake.ca.us **(Please Note: All comments must be received no later than November 26, 2021).**

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

Published Date: October 21, 2021

If you have any questions, please let me know.

Sincerely,

Mark Roberts | *Senior Planner*

City of Clearlake

14050 Olympic Drive | Clearlake, CA 95422

707-994-8201



SR000 4316

Receiver

OCT 21 2021

Environmental Health

City of Clearlake – Notice of Intent to Adopt a Mitigated Negative Declaration

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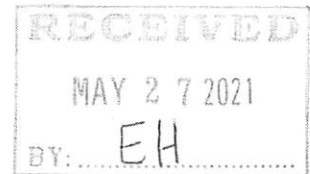
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City of Clearlake
Planning Department
Attn: Mark Roberts
14050 Olympic Drive
Clearlake, CA 95422

Published Date: October 21, 2021



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



DISTRIBUTION DATE: May 26, 2021

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 Surveyor		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
			Highlan 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 **June 11th, 2021**. Please email your comments to mroberts@clearlake.ca.us or mail them to the address listed in the letterhead above.

APPLICATION: Conditional Use Permit, CUP 2021-28 and Initial Study, IS 2021-05

FROM: Mark Roberts – Senior Planner

APPLICANT: Clearlake Harvest Company, LLC (Kris Gretsinger)

APN(s): 010-044-19

LOCATION(S): 2250 Ogulin Canyon Road, Clearlake, CA.

LAND USE DESIGNATION(S): "I" Industrial with the "CB" Commercial Cannabis

GENERAL PLAN DESIGNATION(S): "I" Industrial with the "CB" Commercial Cannabis

PROJECT: The applicant is requesting approval of a Conditional Use Permit (CUP 2021-28) to allow a commercial cannabis operation located at the above noted address. According to the application packet the

operation will include but is not limited to the following: Refer to attached Operational Packet for details. *All cultivation will occur with "Hybrid Greenhouses".*

- Site 1 will be office space (24' X 60' foot trailer).
- Site 2 will be 1,600 SQFT of Indoor Nursey.
- Site 3 will be 3,000 SQFT of Indoor Nursey.
- Site 4 will be 10,000 SQFT of Indoor Cultivation
- Site 5 will be 2,500 SQFT Indoor Cultivation/Processing
- Site 6 will be 2,400 SQFT Indoor Processing.
- Site 7 will be 5,000 SQFT of Indoor Cultivation Area with Equity Partners.

Total Indoor Canopy Area will be 17, 500 SQFT.

Total Square footage will be 27,500 SQFT.

Newly Disturbed Footage will be 25,900 SQFT.

COMMENTS:

See attached memorandum

NAME:

Eina 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: CUP 2021-28 Conditional Use Permit, IS 2021-05
Commercial Cannabis
APN: 010-044-19 2250 Ogulin Canyon Rd, Clearlake

Lake County Division of Environmental Health (EH) has on file for the subject parcel:
APN: 010-044-19 – a 1980 septic permit 5271-S designed to service a 2 bedroom residence; a 2006 well permit WE 2440 for a domestic well.

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