



COUNTY OF HUMBOLDT
PLANNING AND BUILDING DEPARTMENT
CURRENT PLANNING DIVISION

3015 H Street, Eureka CA 95501
Phone: (707) 445-7541 Fax: (707) 268-3792

Hearing Date: June 2, 2022

To: Humboldt County Planning Commission

From: John H. Ford, Director of Planning and Building

Subject: **Mezzrow Farms, LLC (formerly God's Country, LLC) Special Permit**
Application Number PLN-2020-16621
Assessor's Parcel Numbers (APNs) 104-121-020, 104-281-004, and 104-311-020
36328 Mattole Road, Petrolia, CA

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Please contact David J. R. Mack, AICP, Planner (Harris & Associates) at 831-320-0413 or by email at david.mack@weareharris.com, if you have any questions about the scheduled public hearing item.

AGENDA ITEM TRANSMITTAL

Hearing Date June 2, 2022	Subject Special Permit - Cultivation	Contact David Mack, AICP
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Project Description: Mezzrow Farms, LLC (formerly God's Country, LLC) seeks a Special Permit for 43,560 square feet (SF) of new outdoor cannabis cultivation, within twenty-two (22) 2,000-SF greenhouses. Greenhouse (GH) 1 through 21 consist of 2,000 SF of cannabis cultivation; GH 22 will consist of 1,560 SF of cannabis cultivation and 44 SF of agricultural storage. Propagation occurs in two (2) 3,500 SF Nursery structures (7,000 SF total).

Irrigation water is provided from a proposed 1.2-million-gallon rain catchment pond. Total estimated annual water use is 720,000 gallons (16.53 gallons/SF) as shown in the table below. Water storage would be provided in eight (8) 5,000-gallon hard plastic tanks (40,000 gallons). The Project will utilize focused drip irrigation systems and/or top feed hand watering to provide direct to-root irrigation with minimal or no water waste.

Estimated Annual Irrigation Water Usage (gallons)												
Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total
5,000	20,000	20,000	30,000	50,000	100,000	150,000	150,000	100,000	80,000	10,000	5,000	720,000

Drying and further processing occur onsite in two (2) 2,400-SF barns (4,800 SF total). The project requires up to ten (10) employees, both full-time and part-time, overseeing the cultivation and drying operations. Employees will not require on-site housing. PG&E or Redwood Coast Energy Authority (RCEA) will provide electrical power. A generator will only be used in emergencies.

Project Location: The project area includes adjoining parcels on the north side of the Mattole River, between the unincorporated areas of Petrolia and Honeydew in southwest Humboldt County. The overall property is one legal lot comprised of 141.5 acres, identified by three APNs: 104-121-020, 104-281-004, and 104-311-020. All cultivation activities occur on APN: 104-281-004 (70 acres). The address of the single legal lot is 36328 Mattole Road. The elevation of the project area is approximately 300 feet above sea level.

Present Plan Land Use Designations Agricultural Grazing (AG) and Residential Agricultural (RA); Density: 20 acres per unit; Slope Stability: Low Instability (1) and Moderate Instability (2).

Present Zoning: Unclassified (U)

Record Number: PLN-2020-16621

Assessor's Parcel Numbers: 104-281-004, 104-121-020, and 104-311-020 (One Legal Parcel). Cultivation will only occur on APN 104-281-004.

Applicant

Mezzrow Farms, LLC (God's Country LLC)
3 Lido Blvd
Point Lookout, NY 11569

Owner

Mezzrow Farms, LLC (God's Country LLC)
3 Lido Blvd
Point Lookout, NY 11569

Agents

SL Consulting Services Inc
973 Dowler Drive
Eureka, CA 95501
(707) 440-9033

Environmental Review: An Addendum to a previously adopted Environmental Impact Report has been prepared for consideration per §15164 of the State CEQA Guidelines.

State Appeal Status: Project is NOT appealable to the California Coastal Commission.

Major Issues: No major issues/concerns were identified for this project.

Mezzrow Farms, LLC (formerly God's County, LLC)

Record Number: PLN-2020-16621

Assessor's Parcel Number: 104-281-004, 104-121-020, and 104-311-020 (One Legal Parcel)

Recommended Planning Commission Action:

1. Describe the application as part of the Consent Agenda.
2. Survey the audience for any person who would like to discuss the application.
3. If no one requests discussion, make the following motion to approve the application as a part of the consent agenda:

Find that the Planning Commission has considered the Addendum to the adopted Environmental Impact Report for the Commercial Cannabis Land Use Ordinance (CCLUO) as described by Section §15164 of the State CEQA Guidelines, make all of the required findings for approval of the Special Permits and adopt the Resolution approving the Mezzrow Farms, LLC project as recommended by staff subject to the recommended conditions.

Executive Summary Mezzrow Farms, LLC (formerly God's Country, LLC) seeks a Special Permit for 43,560 square feet (SF) of new outdoor cannabis cultivation, which occurs within twenty-two (22) 2,000-SF greenhouses. Greenhouse (GH) 1 through 21 consist of 2,000 SF of cannabis cultivation; GH 22 consists of 1,560 SF of cannabis cultivation and 44 SF of agricultural storage. Propagation occurs in two (2) 3,500-SF nursery structures (7,000 SF total). The application shall be conditioned to revise the nursery area to comply with the Humboldt County standard of 10% of the cultivation area; therefore, no more than 4,356 SF of nursery area is allowed (**Condition 20**).

The project area is generally level and disturbed from past agricultural activities (grazing). Slopes in the area of the proposed project are less than five percent (5%), and moderate hill slopes surround the project area. Saunders Creek flows through the property, and Mattole River is located at the far northeastern corner of the property. Furthermore, the project area is in an area of rural residential and agricultural uses, including grazing. Extensive cannabis cultivation activities have been present within the area since 1996. The project area is currently used for production of apples and seasonal cattle grazing.

The present land use designation is Agricultural Grazing (AG) and Residential Agricultural (RA), as defined in the Humboldt County 2017 General Plan Update; and the parcel is zoned as Unclassified (U). Drying and further processing occur onsite in two (2) 2,400-SF barns (4,800 SF total). The project requires up to ten (10) employees, both full-time and part-time, overseeing the cultivation and drying operations. Employees will be local residents and do not require on-site housing.

PG&E or Redwood Coast Energy Authority (RCEA) will provide electrical power. A generator would be used only in emergencies. The Commercial Cannabis Land Use Ordinance (CCLUO 2.0) requires the applicant to source electricity exclusively from a renewable source. This can be accomplished in one of three ways: (1) Using grid power supplied from 100% renewable source; (2) Using an onsite renewable energy system with 20% net non-renewable energy use; or (3) Using grid power supplied by partial or wholly non-renewable source with purchase of carbon offset credits. Within six (6) months of project approval, the applicant shall demonstrate compliance with this condition by submitting documentation of energy source to Humboldt County Department of Planning and Building (**Condition 9**).

Water Resources

All Irrigation water will be provided from a proposed 1.2-million gallon rainwater catchment pond. Total estimated annual water use is 720,000 gallons (16.53 gallons/SF). Water storage would be provided in eight (8) 5,000-gallon hard plastic tanks (40,000 gallons). An existing well (Permit No. 16/17-0643) is proposed only for domestic use. The applicant is required to install water-monitoring devices on the well to ensure no water is drawn for irrigation purposes (**Condition 19**).

A Site Management Plan (SMP) was created in order to protect the water resources within the project area through annual site inspection, monitoring, and reporting of Tier 1 discharges to the North Coast Regional Water Quality Control Board (NCRWQCB) pursuant to Order No WQ-2019-0001-DWQ. Onsite monitoring shall occur during the following activities: 1) Prior to the start of the water season on October 15, in order to evaluate site winterization and preparedness for storm water runoff; and 2) Following any rainfall event with an intensity of 3 inches of precipitation within 24 hours. The applicant is conditioned to meet the monitoring requirements and recommendations outlined in the SMP (**Condition 10**).

A Lake and Streambed Alteration Agreement (LSAA) notification has been approved by the California Department of Fish and Wildlife (CDFW) (Permit No. EPIMS-HUM-13578-R1C), which authorizes the applicant to upgrade three (3) undersized stream crossings. The LSAA does not allow for water diversion or use of water wells. Corrective actions shall be completed by the deadlines identified in the LSAA (**Condition 11**).

Consistency with Humboldt County Board of Supervisors Resolution No. 18-43

Planning staff determined approval of this project is consistent with Humboldt County Board of Supervisors Resolution No. 18-43, which established a limit on the number of permits and acres which may be approved in each of the County's Planning Watersheds. The project site is located in the Cape Mendocino Planning Watershed, which under Resolution 18-43 is limited to 650 permits and 223 acres of cultivation. With the approval of this project the total approved permits in this Planning Watershed would be 218 permits and the total approved acres would be 78.04 acres of cultivation.

Environmental review for this project was conducted and based on the results of that analysis, staff finds that all aspects of the project have been considered in a previously adopted Environmental Impact Report that was adopted for the Commercial Medical Marijuana Land Use Ordinance and has prepared an addendum to this document for consideration by the Planning Commission (See Attachment 2 for more information).

Biological Resources

A "Biological Evaluation of Threatened and Endangered Species" report was prepared by Native Ecosystems, Inc., in January 2020. The project area was surveyed for special status plant and animal species, and none were observed. The project area is in a grassland that is seasonally grazed and does not contain ground-nesting bird habitat. The trees surrounding the cultivation site are not Northern-Spotted Owl (NSO) or marbled murrelet habitat. Surrounding areas consist of moderate hill slopes of mixed stands of Douglas fir, tanoak, California bay, and black cottonwood, red alder, and various willow species along the Mattole River. The Mattole River provides suitable habitat for anadromous salmonids, lamprey, foothill yellow-legged frogs, and western pond turtle. Table 1 of the biological assessment provides a detailed analysis of special status species, which could be present. Attachment A of the biological assessment includes a complete botanical survey of the project area.

Wildlife species research was conducted in consult with Dennis Halligan, Senior Fisheries Biologist of Stillwater Sciences in Arcata, California. Research included CDFW's BIOS database to verify information and search for other potential species and closest habitat for NSO. Research also included USFW's ECOS-IPac system to verify the search results of Mr. Halligan and confirm that "No Critical Habitats" were listed in the survey area(s).

The Assessment concludes, "*no impacts on the river, creek, wetland, riparian areas, or biological resources therein are to be expected. No impacts on surrounding mixed conifer-oak woodlands or grassy meadow areas are to be expected*". The Assessment also did not recommend any required conditions of approval to be implemented as part of the project. However, provisions have been made in the LSAA (described above) to ensure that no special status species are impacted as a result of construction activities required to upgrade the three (3) undersized stream crossings. The LSAA permit conditions include: conducting work during the dry season (June 1 through October 31); notification to CDFW of work 7 days prior to commencement; prohibition of live stream work; maintaining up and down stream fish passing(s); storage and clean-up requirements; implementation of escape ramps in trenches;

and prohibition of plastic netting; and other conditions for vegetation removal and staging/storage of equipment. The full list of conditions can be found in the LSAA, which is on file with Humboldt County.

Tribal Cultural Resource Coordination

A Cultural Resources Investigation Report was prepared by James Roscoe, M.A., of Roscoe and Associates in March 2019. The report included assessment of resources within the project area and outreach to the Bear River Band of the Rohnerville Rancheria. The Tribal Historic Preservation Officer (THPO) for the Bear River Band requested a copy of the draft report be submitted to the tribe.

The project area was surveyed in March 2019. No significant artifacts, features, archaeological deposits or other historical resources, as defined in CEQA, Article 4, Section 15064.5(a), were identified within or adjacent to the project area. The report concluded that no substantial adverse changes to historical resources would occur because of the proposed project, as none were found in the project area.

Due to the possibility of inadvertent discovery of buried archaeological resources during ground disturbing activities associated with project implementation, the report recommended use of the Inadvertent Discovery Protocol (**Condition 12**).

Access

The project area includes adjoining parcels on the north side of the Mattole River, between the unincorporated areas of Petrolia and Honeydew in southwest Humboldt County. The overall property is one legal lot comprising 141.5 acres, identified by three APNS: 104-121-020, 104-281-004, and 104-311-020. The address of the single lot is 36328 Mattole Road. Cultivation will only occur on APN 104-281-004 (70 acres). The project area is accessed via a private driveway directly from Mattole Road.

The Humboldt County Department of Public Works (DPW) recommended standard conditions of approval pertaining to proximity of farms (**Condition 13**), fences & encroachments (**Condition 14**), driveways (**Condition 15**), and driveway and private road intersection visibility (**Condition 16**).

Environmental Review and Recommendations

Environmental review for this project was conducted in March 2022. Based on the results of that analysis, staff finds that all aspects of the project have been considered in a previously adopted Environmental Impact Report that was adopted for the Commercial Cannabis Land Use Ordinance and has prepared an addendum to this document for consideration by the Planning Commission (See Attachment 2 for more information). Staff recommends that the Planning Commission describe the application as a part of the consent agenda, survey the audience to see if any person would like to discuss the application and, if no one requests discussion, make all the required findings based on the evidence in the record, and approve the application subject to the recommended conditions.

Alternatives: Several alternatives may be considered: 1) The Planning Commission could elect to add or delete conditions of approval; 3) The Planning Commission could deny approval of the requested permits if you are unable to make all of the required findings. Planning Division staff is confident that the required findings can be made based on the submitted evidence and subject to the recommended conditions of approval. Consequently, planning staff does not recommend further consideration of these alternatives.

**RESOLUTION OF THE PLANNING COMMISSION
OF THE COUNTY OF HUMBOLDT
Resolution Number 22-
Record Number PLN-2020-16621
Assessor's Parcel Number: 216-152-060**

Resolution by the Planning Commission of the County of Humboldt certifying compliance with the California Environmental Quality Act and conditionally approving the Mezzrow Farms LLC (formerly God's Country LLC), Special Permit.

WHEREAS, Mezzrow Farms LLC (formerly God's Country LLC) applied for a Special Permit for 43,560 square feet (SF) of new outdoor cannabis cultivation, with appurtenant propagation and drying activities.

WHEREAS, the County Planning Division, the lead agency, prepared an Addendum to the Final Environmental Impact Report (EIR) prepared for the Commercial Cannabis Land Use Ordinance (CCLUO) adopted by the Humboldt County Board of Supervisors on May 8, 2018. The proposed project does not present substantial changes that would require major revisions to the EIR. No new information of substantial importance that was not known and could not be known at the time was presented as described by §15162(c) of CEQA Guidelines; and

WHEREAS, the Humboldt County Planning Commission held a duly-noticed public hearing on **June 2, 2022**, and reviewed, considered, and discussed the application for the requested Special Permits and reviewed and considered all evidence and testimony presented at the hearing.

Now, THEREFORE BE IT RESOLVED, that the Planning Commission makes all the following findings:

- 1. FINDING:** **Project Description:** The application is a Special Permit for 43,560 square feet (SF) of new outdoor cannabis cultivation, which occurs within twenty-two (22) 2,000-SF greenhouses. Greenhouse (GH) 1 through 21 consist of 2,000 SF of cannabis cultivation; GH 22 consists of 1,560 SF of cannabis cultivation and 44 SF of agricultural storage. Propagation occurs in two (2) 3,500-SF nursery structures (7,000 SF total). Irrigation water is provided from a proposed 1.2-million gallon rain catchment pond. Drying and further processing occurs onsite in two (2) 2,400-SF barns (4,800 SF total). PG&E or Redwood Coast Energy Authority (RCEA) provides electrical power.

EVIDENCE: a) Project File: PLN-2020-16621

- 2. FINDING:** **CEQA.** The requirements of the California Environmental Quality Act have been met. The Humboldt County Planning Commission has considered the Addendum to the EIR prepared for the Commercial Cannabis Land Use Ordinance (CCLUO) adopted by the Humboldt County Board of Supervisors on May 8, 2018.

EVIDENCE: a) Addendum prepared for the proposed project.
b) The proposed project does not present substantial changes that would require major revisions to the previous EIR. No new information of substantial importance that was not known and could not be known at the time was presented as described by §15162(c) of CEQA Guidelines.

- c) A "Biological Evaluation of Threatened and Endangered Species" report was prepared by Native Ecosystems, Inc., in January 2020. The project area was surveyed for special status plant and animal species, and none were observed. The project area is in a grassland that is seasonally grazed and does not contain ground-nesting bird habitat. The trees surrounding the cultivation site are not Northern-Spotted Owl (NSO) or marbled Murrelet habitat. Surrounding areas consist of moderate hill slopes of mixed stands of Douglas fir, tanoak, California bay, and black cottonwood, red alder, and various willow species along the Mattole River. The Mattole River provides suitable habitat for anadromous salmonids, lamprey, foothill yellow-legged frogs, and western pond turtle. Table 1 of the biological assessment provides a detailed analysis of special status species, which could be present. Attachment A of the biological assessment includes a complete botanical survey of the project area. Wildlife species research was conducted in consult with Dennis Halligan, Senior Fisheries Biologist of Stillwater Sciences in Arcata, California. Research included CDFW's BIOS database to verify information and search for other potential species and closest habitat for NSO. Research also included USFW's ECOS-IPac system to verify the search results of Mr. Halligan and confirm that "No Critical Habitats" were listed in the survey area(s). The Assessment concludes, "no impacts on the river, creek, wetland, riparian areas, or biological resources therein are to be expected. No impacts on surrounding mixed conifer-oak woodlands or grassy meadow areas are to be expected". The Assessment also did not recommend any required conditions of approval implementation of the project. However, provisions have been made in the LSAA (described above) to ensure that no special status species are impacted as a result of construction activities required to upgrade the three (3) undersized stream crossings. The LSAA permit conditions include: conducting work during the dry season (June 1 through October 31); notification to CDFW of work 7 days prior to commencement; prohibition of live stream work; maintaining up and down stream fish passing(s); storage and clean-up requirements; implementation of escape ramps in trenches; and prohibition of plastic netting. Other conditions requiring vegetation removal and staging/storage of equipment are required as well (**Condition 11**).
- d) A Cultural Resources Investigation Report was prepared by James Roscoe, M.A., of Roscoe and Associates in March 2019. The report included assessment of resources within the project area and outreach to the Bear River Band of the Rohnerville Rancheria. The Tribal Historic Preservation Officer (THPO) for the Bear River Band requested a copy of the draft report be submitted to the tribe. The project area was surveyed in March 2019. No significant artifacts, features, archaeological deposits or other historical resources, as defined in CEQA, Article 4, Section 15064.5(a), were identified within or adjacent to the project area. The report concluded that no substantial adverse changes to historical resources would occur because of the proposed project, as none were found in the project area. Due to the possibility of inadvertent discovery of buried archaeological resources during ground disturbing activities associated with project implementation, the report recommended use of the Inadvertent Discovery Protocol (**Condition 12**).

FINDINGS FOR SPECIAL USE PERMITS

3. FINDING

The proposed development is in conformance with the County General Plan,

Open Space Plan, and the Open Space Action Program.

EVIDENCE

- a) General agriculture is a use type permitted in the Unclassified (U) zoning designation. The proposed cannabis cultivation, an agricultural product, is within land planned and zoned for agricultural purposes and is consistent with the use of Open Space land for managed production of resources. The use of an agricultural parcel for commercial agriculture is consistent with the Open Space Plan and Open Space Action Program. Therefore, the project is consistent with and complementary to the Open Space Plan and its Open Space Action Program.

4. FINDING

The proposed development is consistent with the purposes of the existing Agricultural Grazing (AG) and Residential Agricultural (RA) land use zone in which the site is located.

EVIDENCE

- a) Agricultural Grazing (AG) is intended for dry-land grazing areas in relatively small land holdings that support cattle ranching or other grazing supplemented by timber harvest activities that are part of the ranching operation, and other non-prime agricultural lands. Residential uses must support agricultural operation. All general agricultural uses, including cannabis cultivation, are principally permitted in this zoning district.
- b) Residential Agriculture (RA) is intended for large lot lands that could incorporate residential and agricultural uses. All general agricultural uses, including cannabis cultivation, are principally permitted in this zoning district.
- c) Humboldt County Code (HCC) section 314-55.4.6.1.2.3.2 allows up to 43,560 SF of cultivation with a Special Permit on a parcel ten (10) acres or larger in size. The application for 43,560 SF of outdoor cultivation on a 141.5-acre parcel is consistent with this section.

5. FINDING

The proposed development is consistent with the requirements of the CCLUO Provisions of the Zoning Ordinance.

EVIDENCE

- a) The CCLUO allows cannabis cultivation, up to 43,560 SF on parcels over 10 acres, to be permitted in areas zoned Unclassified (U) [HCC 314-55.4.6.1.2(b)],
- b) The parcel was created in compliance with all applicable state and local subdivision regulations, as it was created in its current configuration by grant deeds recorded with the County of Humboldt on December 23, 2011 (2011-26459-2 and 2011-26460-2).
- c) Irrigation water is provided from a proposed 1.2-million gallon rain catchment pond. Total water usage is estimated to be 720,000-gallons/yr (16.53 gallons/SF). Water storage would be provided in eight (8) 5,000-gallon hard plastic tanks (40,000 gallons). The applicant is required to install water-monitoring devices on the well to ensure no water is drawn for irrigation purposes (**Condition 19**).
- e) The cultivation of cannabis will not result in additional conversion of timberland. The proposed cultivation area is located in grasslands.

- f) The location of the cultivation complies with all setbacks required in Section 314-55.4.11.d. It is more than 30 feet from any property line, more than 300 feet from any offsite residence, and more than 600 feet from any school, church, public park, or Tribal Cultural Resource.

6. FINDING

The cultivation of 43,560 SF of cannabis cultivation and the conditions under which it may be operated or maintained will not be detrimental to the public health, safety, or welfare or materially injurious to properties or improvements in the vicinity.

EVIDENCE

- a) The project area is in a rural part of the County where the typical parcel size is over 20 acres, and many of the land holdings are very large. The proposed cannabis will not be in a location where there is an established neighborhood or other sensitive receptor such as a school, church, park or other use which may be sensitive to cannabis cultivation. Approving cultivation on this site and the other sites which have been approved or are in the application process will not change the character of the area due to the large parcel sized in the area.
- b) The location of the proposed cannabis cultivation is more than 300 feet from the nearest off-site residence.
- c) Irrigation water would be provided from a proposed 1.2-million-gallon rain catchment pond.
- d) A Site Management Plan (SMP) was created in order to protect the water resources within the project area through annual site inspection, monitoring, and reporting of Tier 1 discharges to the North Coast Regional Water Quality Control Board (NCRWQCB) pursuant to Order No WQ-2019-0001-DWQ. Onsite monitoring shall occur during the following activities: 1) Prior to the start of the water season on October 15, in order to evaluate site winterization and preparedness for storm water runoff; and 2) Following any rainfall event with an intensity of 3 inches of precipitation within 24 hours. The applicant is conditioned to meet the monitoring requirements and recommendations outlined in the SMP (**Condition 10**).

7. FINDING

The proposed development does not reduce the residential density for any parcel below that utilized by the Department of Housing and Community Development in determining compliance with housing element law.

EVIDENCE

- a) The parcel contains no residential units.

8. FINDING

Approval of this project is consistent with Humboldt County Board of Supervisors Resolution No. 18-43 which established a limit on the number of permits and acres which may be approved in each of the County's Planning Watersheds.

EVIDENCE

- a) The project site is located in the Cape Mendocino Planning Watershed, which under Resolution 18-43 is limited to 650 permits and 223 acres of cultivation. With the approval of this project the total approved permits in this Planning Watershed would be 218 permits and the total approved acres would be 78.04 acres of cultivation.

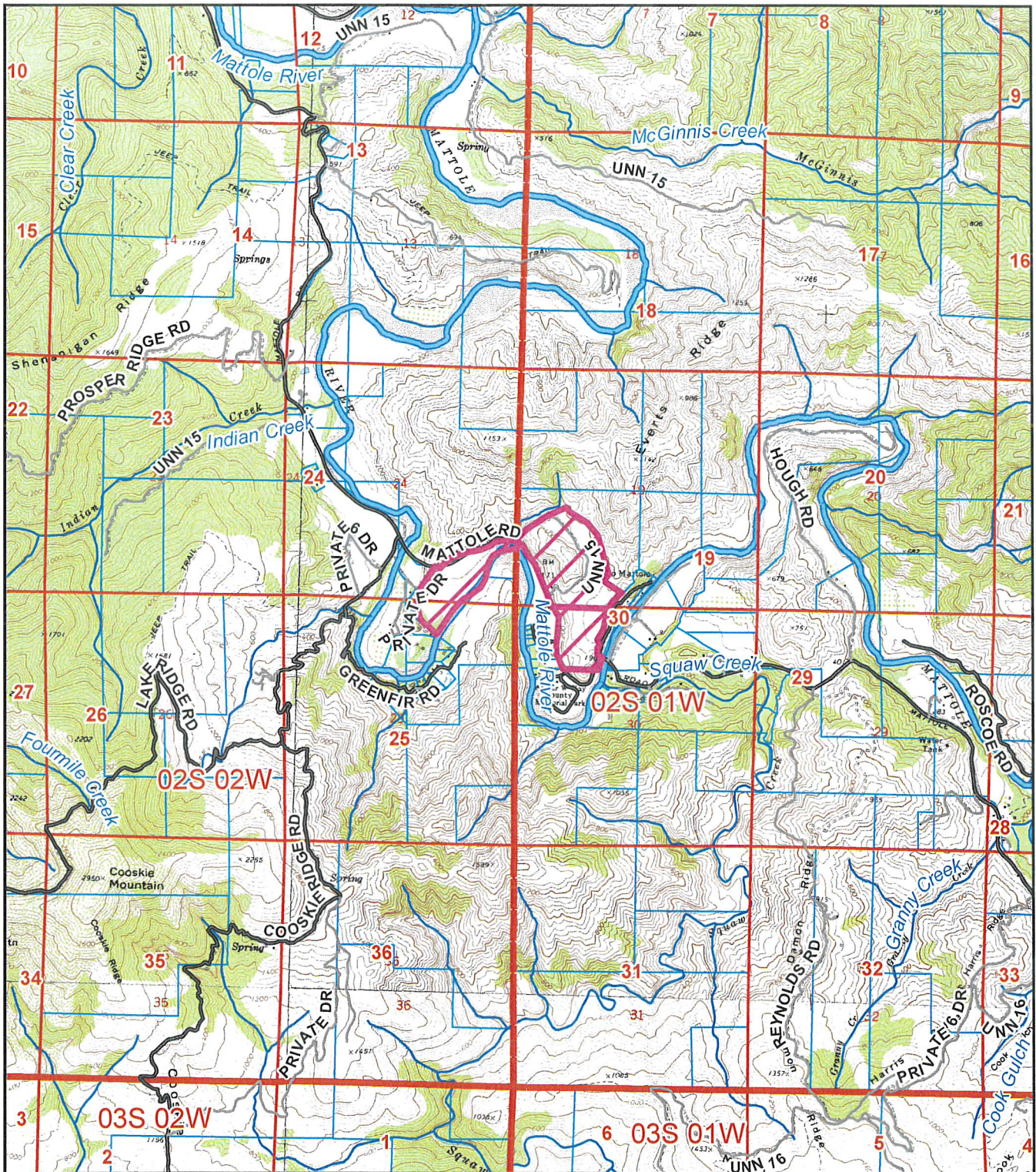
DECISION

NOW, THEREFORE, based on the above findings and evidence, the Humboldt County Planning Commission does hereby:

- Adopt the findings set forth in this resolution; and
- Conditionally approve the Special Permits for Mezzrow Farms LLC, based upon the Findings and Evidence and subject to the conditions of approval attached hereto as Attachment 1 and incorporated herein by reference; and
- Adopted after review and consideration of all the evidence on **June 2, 2022**.

I, John Ford, Secretary to the Planning Commission of the County of Humboldt, do hereby certify the foregoing to be a true and correct record of the action taken on the above entitled matter by said Commission at a meeting held on the date noted above.

John Ford, Director
Planning and Building Department

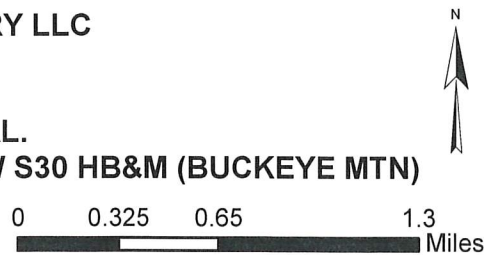


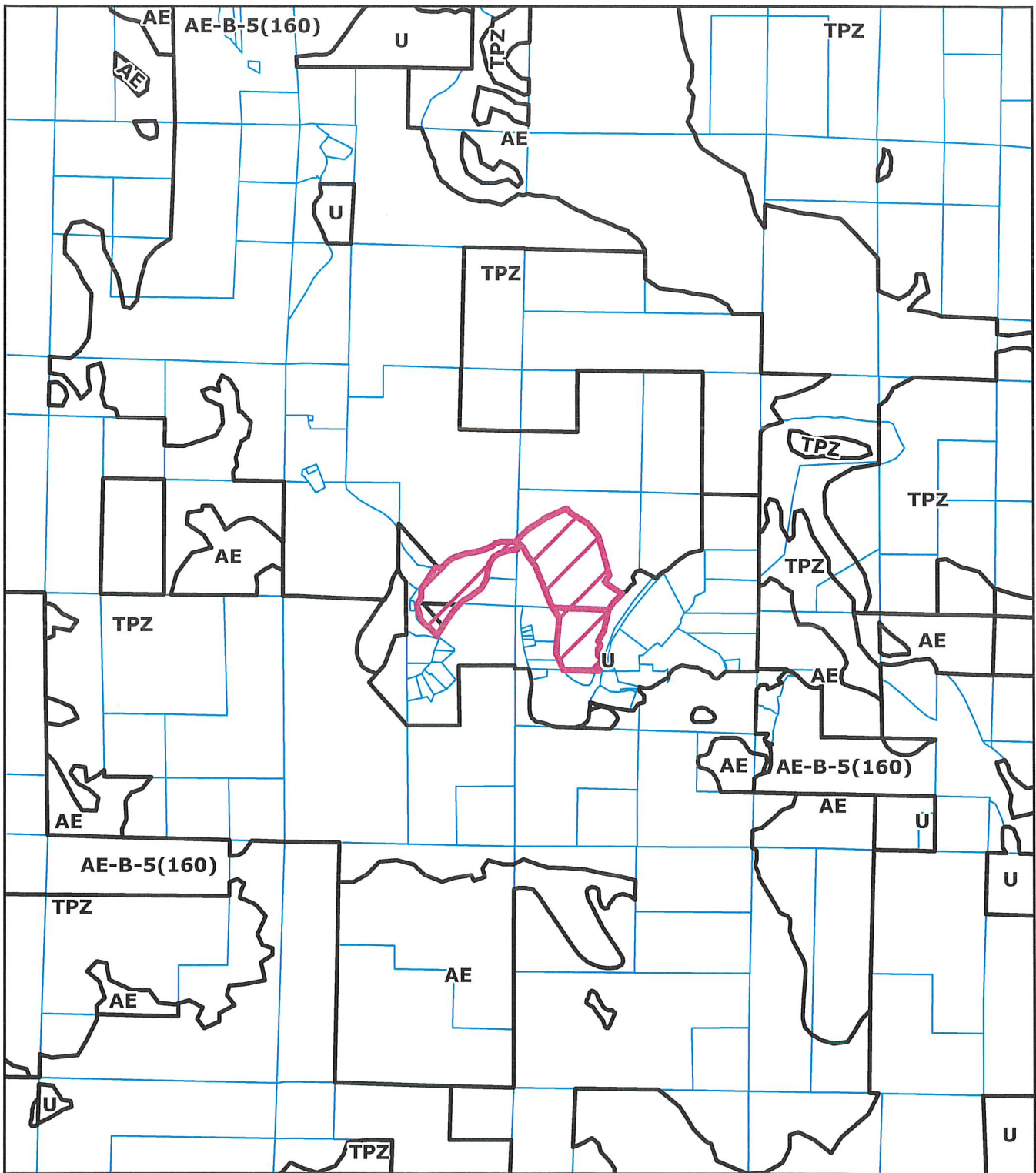
**TOPO MAP
 PROPOSED GODS COUNTRY LLC
 PETROLIA AREA
 PLN-2020-16621
 APN: 104-121-020; ET AL.**

Project Area =

T02S R02W S24; T02S R01W S19; S25; T02S R01W S30 HB&M (BUCKEYE MTN)

This map is intended for display purposes and should not be used for precise measurement or navigation. Data has not been completely checked for accuracy.





**ZONING MAP
 PROPOSED GODS COUNTRY LLC
 PETROLIA AREA
 PLN-2020-16621**

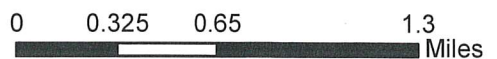
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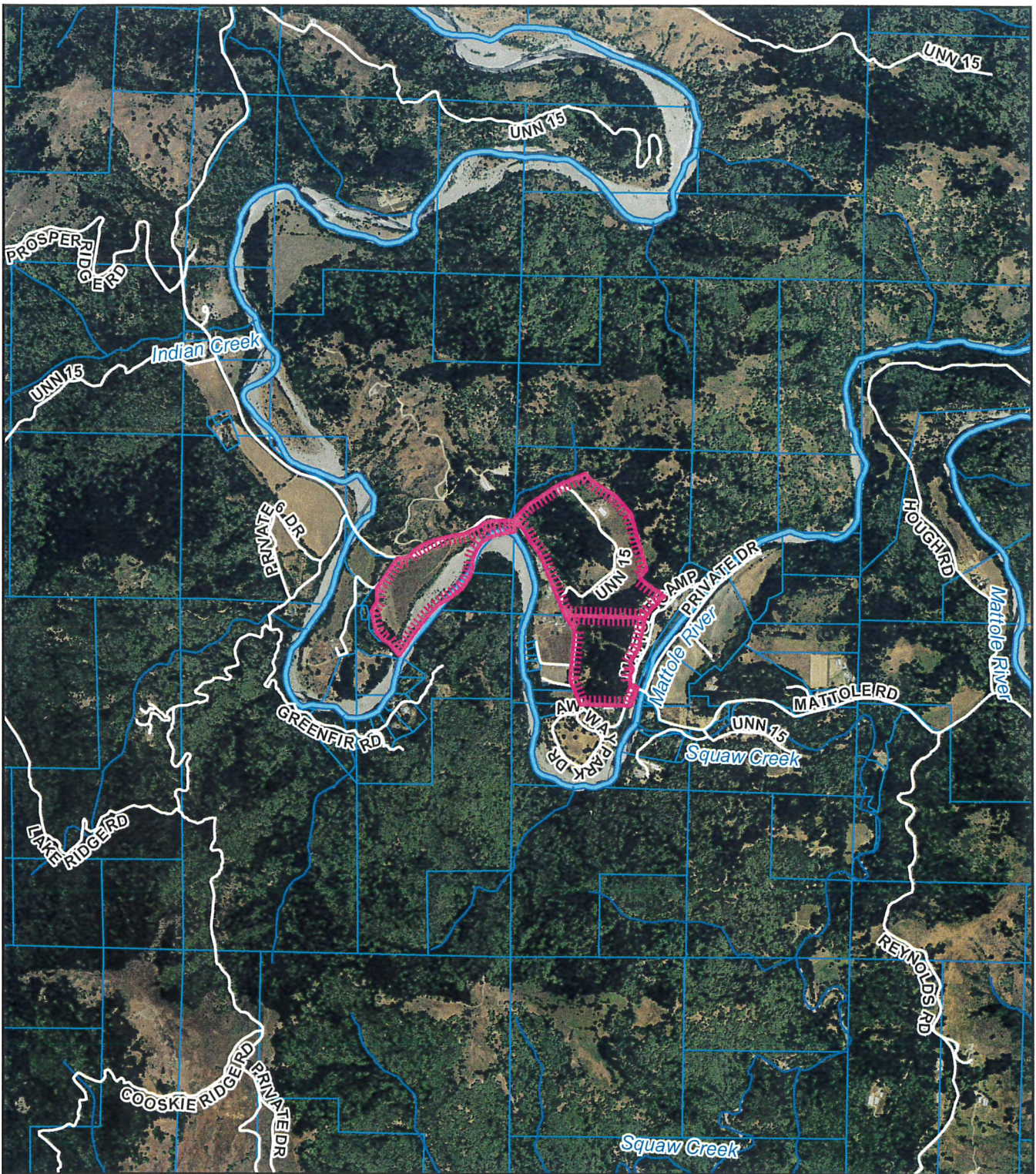
T02S R02W S24; T02S R01W S19; S25; T02S R01W S30 HB&M (BUCKEYE MTN)

Project Area = 



This map is intended for display purposes and should not be used for precise measurement or navigation. Data has not been completely checked for accuracy.





**AERIAL MAP
 PROPOSED GODS COUNTRY LLC
 PETROLIA AREA
 PLN-2020-16621**

Project Area = 

APN: 104-121-020; ET AL.

T02S R02W S24; T02S R01W S19; S25; T02S R01W S30 HB&M (BUCKEYE MTN)

This map is intended for display purposes and should not be used for precise measurement or navigation. Data has not been completely checked for accuracy.



GODS COUNTRY, LLC

SPECIAL PERMIT

**104-281-004-000, 104-121-020-000,
104-311-020-000**

PROJECT INFORMATION:

APPLICANT:
GODS COUNTRY, LLC
3 LIDO BLVD
POINT LOOKOUT NY, 11569

PROPERTY OWNER:
GODS COUNTRY, LLC
3 LIDO BLVD
POINT LOOKOUT NY, 11569

DIRECTIONS TO SITE:

FROM EUREKA, CA
-SOUTHBOUND ON US-101
-TAKE EXIT 692 TOWARDS FERNDALE/FERNBRIDGE AND
TURN RIGHT ON SINGLEY ROAD
-TURN RIGHT ONTO CA-211 SOUTH (4.8 MILES)
-TURN RIGHT ONTO BLUFF STREET/OCEAN AVENUE
-TURN LEFT ONTO WILDCAT AVE / MATTOLE ROAD (~28.1 MI)
-CONTINUE ONTO FRONT STREET IN PETROLIA (0.6 MI)
-TURN RIGHT ONTO MATTOLE ROAD (5.9 MI), DRIVEWAY ON
LEFT

SITE ADDRESS:

APN 104-281-004, 104-121-020, 104-311-020
THESE APNS COMPRISE ONE LEGAL PARCEL

TREES TO BE REMOVED = NONE

PROPOSED CULTIVATION AREA = 43,000 SQ. FT.

EARTHWORK QUANTITIES = ~4,830 CY CUT/FILL (POND)
2,580 CY CUT/FILL (GREENHOUSE FLATS)

WATER = PRIVATE
SEWER = PRIVATE

PARCEL SIZE APN 104-281-004 = ±70 ACRES
PARCEL SIZE APN 104-121-020 = ±41.5 ACRES
PARCEL SIZE APN 104-311-020 = ±30 ACRES

ZONING: = U/AE/TPZ
GENERAL PLAN DESIGNATION = AG/RA20

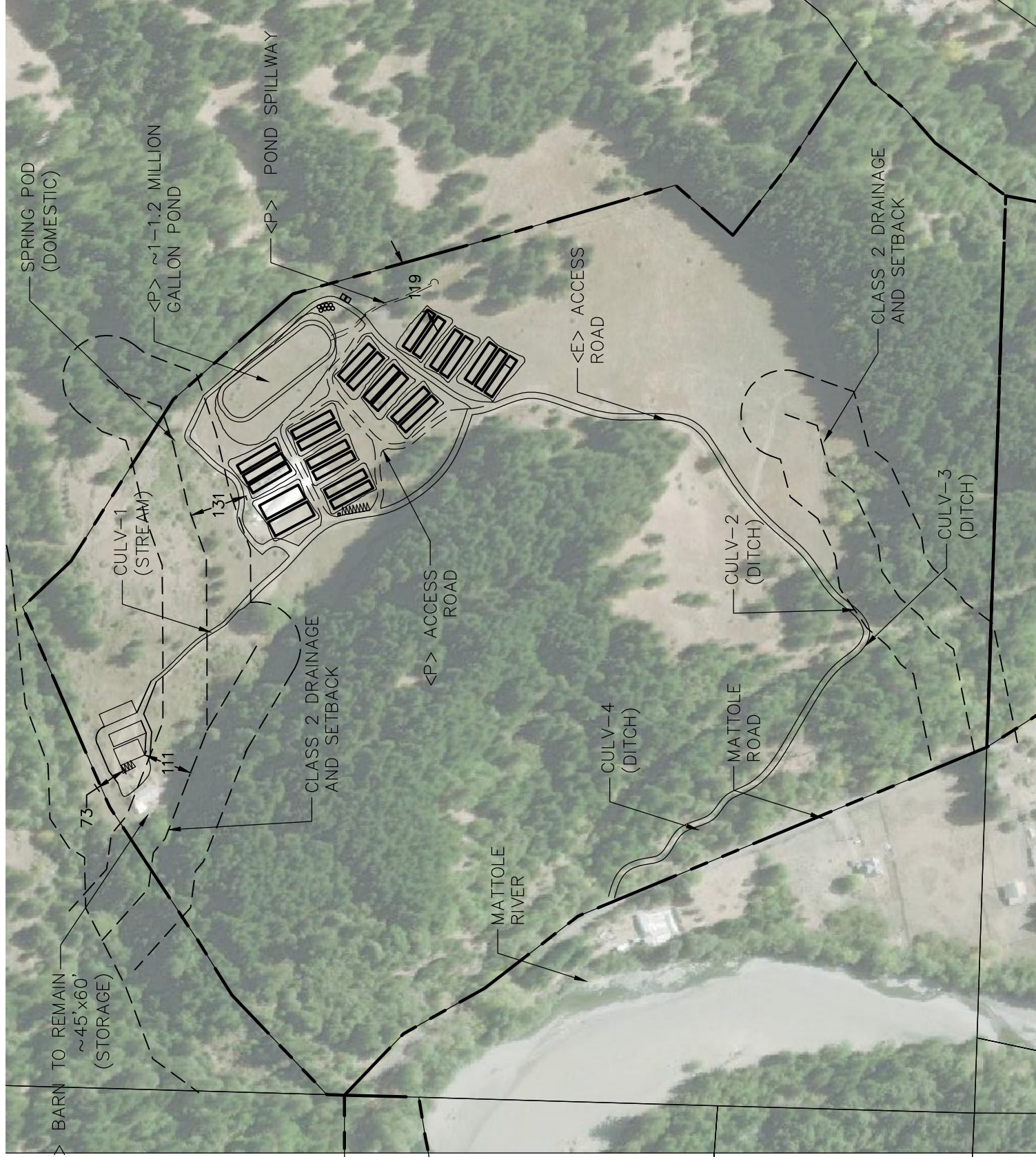
SRA AREA: = YES
IN COASTAL ZONE: = NO
IN 100-YR FLOOD ZONE: = NO

GENERAL NOTES:

- DRAWING SCALE AS NOTED. WRITTEN DIMENSIONS SHALL TAKE PRECEDENCE OVER SCALED DIMENSIONS.
- THIS IS NOT A BOUNDARY SURVEY. BOUNDARY INFORMATION DEPICTED HAS BEEN OBTAINED FROM HUMBOLDT COUNTY 2015 GIS DATA AND ADJUSTED BASED ON PROPERTY OWNER COMMENTS. SL CONSULTING SERVICES INC. HAS NOT VERIFIED THIS PROPERTY BOUNDARY.
- THERE ARE NO NEARBY SCHOOLS, SCHOOL BUS STOPS, PLACES OF WORSHIP, PUBLIC PARKS OR TRIBAL RESOURCES WITHIN 600 FEET OF THE PROPOSED CULTIVATION AREA.
- THERE ARE NO RESIDENCES ON ADJOINING PARCELS WITHIN 300 FEET OF THE PROPOSED CULTIVATION AREAS.
- ANY EXISTING DEVELOPMENT CONSTRUCTED WITHOUT THE BENEFIT OF COUNTY REVIEW WILL BE SUBJECT TO THE HUMBOLDT COUNTY BUILDING DEPARTMENT UPON APPROVAL OF THE ZONING CLEARANCE CERTIFICATE.

PLOT PLAN

22x34 SHEET: 1"=150'
11x17 SHEET: 1"=300'



APN: 104-281-004-000, 104-121-020-000, 104-311-020-000
PETROLIA CA
PLOT PLAN, VICINITY MAP AND PROJECT NOTES

PROJECT NO: SL
PROJECT ASSOC: SL
DRAWN BY: JL
DATE: 7-8-2022
SCALE: AS SHOWN

SHEET
C0

NO.	REVISIONS	DATE
1-25-22	REVISED EARTHWORK QUANTITIES AND LAYOUT	
7-12-21	EX BARN TO REMAIN	

DATE	
REVISIONS	
1-25-22	REVISED GREENHOUSE LAYOUT AND GRADING
7-12-21	TANK FARM AND STORAGE SHEDS

APN 104-281-004-000, 104-121-020-000, 104-311-020-000

PETROLIA CA

PLOT PLAN INSET

PROJ. NO. SL
 PROJ. ASSOC. SL
 DRAWN BY: JLS
 DATE: 7-8-2022
 SCALE: AS SHOWN

SHEET **C1**



STRUCTURE NOTES:
 BARN-1 40'X60' - STORAGE, BREAK AREA, REST ROOM
 BARN-2 30'X80' - DRYING
 BARN-3 30'X80' - DRYING
 <E> BARN ~45'x60' - STORAGE
 SHED A AND SHED B - 10'X12' - AG CHEMICAL STORAGE
 NUR-1 35'X100' - NURSERY
 NUR-2 35'X100' - NURSERY
 GH 1-21 - 20'X100' - 42,000 SF OUTDOOR
 GH 22 - 20'X100' - 1,560 SF OUTDOOR, 440 SF AG STORAGE

PLOT PLAN

22x34 SHEET: 1"=50'
 11x17 SHEET: 1"=100'

NORTH

ATTACHMENT 1

RECOMMENDED CONDITIONS OF APPROVAL

APPROVAL OF THE SPECIAL PERMIT IS CONDITIONED ON THE FOLLOWING TERMS AND REQUIREMENTS, WHICH MUST BE SATISFIED BEFORE THE PROVISIONAL CANNABIS CULTIVATION PERMIT CAN BE FINALIZED.

A. General Conditions:

1. The applicant is responsible for obtaining all necessary County and State permits and licenses, and for meeting all requirements set forth by other regulatory agencies.
2. The applicant is required to pay for permit processing on a time and material basis, as set forth in the schedule of fees and charges as adopted by ordinance of the Humboldt County Board of Supervisors. The Planning and Building Department will provide a bill to the applicant after the decision. Any and all outstanding planning fees to cover the processing of the application to decision by the Hearing Officer shall be paid to the Humboldt County Planning Division, 3015 "H" Street, Eureka.
3. The applicant is responsible for costs for post-approval review for determining project conformance with conditions. A deposit is collected to cover the staff review. Permit conformance with conditions must be demonstrated prior to release of building permit or initiation of use, and at the time of annual inspection. A conformance review deposit, as set forth in the schedule of fees and charges as adopted by ordinance of the Humboldt County Board of Supervisors (currently \$750), shall be paid within sixty (60) days of the effective date of the permit or upon filing of the Compliance Agreement (where applicable), whichever occurs first. Payment shall be made to the Humboldt County Planning Division, 3015 "H" Street, Eureka.
4. A Notice of Determination (NOD) will be prepared and filed with the County Clerk for this project in accordance with the State CEQA Guidelines. **Within three days of the effective date of permit approval**, it is requested that the applicant submit a check or money order for the required filing fee in the amount of \$50 payable to the Humboldt County Clerk/Recorder. If this payment is not received within this time period, the Department will file the NOD and will charge this cost to the project.
5. Within 60 days of the effective date of permit approval, the applicant shall execute a Compliance Agreement with the Humboldt County Planning and Building Department detailing all necessary permits and infrastructure improvements described under Conditions of Approval #6 through #26. The agreement shall provide a timeline for completing all outstanding items. All activities detailed under the agreement must be completed to the satisfaction of the Planning and Building Department before the permit may be finalized and no longer considered provisional.
6. The applicant shall secure permits for all structures related to the cannabis cultivation and other commercial cannabis activity including, but not limited to, existing and proposed greenhouses, water tanks over 5,000 gallons, existing and proposed structures associated with drying and storage or any activity with a nexus to cannabis, and any noise containment structures as necessary. The plans submitted for building permit approval shall be consistent with the project description and the approved project site plan.
7. The approved building plans shall meet all applicable fire codes, including fire suppression infrastructure requirements deemed necessary for the project by the Building Inspection Division. Sign-off on the Occupancy Permit by the Building Division shall satisfy this requirement.
8. Processing activities shall be supported by an approved onsite wastewater treatment system from the Humboldt County Department of Environmental Health (DEH). Applicant must obtain a permit

for, and install, an approved onsite wastewater treatment system to support the processing location and either install approved septic systems or provide portable toilets to cultivation areas.

9. The applicant shall source electricity exclusively from a renewable source. This can be accomplished by either (a) Using grid power supplied from 100% renewable source; (b) Using an onsite renewable energy system with 20% net non-renewable energy use; or (c) Using grid power supplied by partial or wholly non-renewable source with purchase of carbon offset credits. Within six (6) months of project approval, the applicant shall demonstrate compliance with this condition by submitting documentation of energy source to Humboldt Department of Planning and Building.
10. The applicant shall meet the monitoring requirements of the Site Management Plan (SMP) prepared by Stillwater Science, dated October 2020. Onsite monitoring shall occur by Stillwater Science during the following activities: 1) Prior to the start of the water season on October 15, in order to evaluate site winterization and preparedness for storm water runoff; and 2) Following any rainfall event with an intensity of 3 inches of precipitation within 24 hours.
11. The applicant shall comply with the completed Lake and Streambed Alternation Agreement (LSAA) that has been reviewed and issued by the California Department of Fish and Wildlife (CDFW) (Permit Notification No. EPIMS-HUM-13578-R1C). The owner/applicant/operator shall implement all required conditions and/or preventative actions for project encroachments identified within the LSAA. All conditions and/or preventative actions shall be completed by the deadlines identified in the LSAA. The LSAA permit conditions include: conducting work during the dry season (June 1 through October 31); notification to CDFW of work 7 days prior to commencement; prohibition of live stream work; maintaining up and down stream fish passing(s); storage and clean-up requirements; implementation of escape ramps in trenches; and prohibition of plastic netting. Other conditions requiring vegetation removal and staging/storage of equipment are required as well
12. The applicant shall implement the Inadvertent Discovery Protocol In the event that historical artifacts or human remains are encountered during any activities within the project area. A qualified professional archaeologist shall be contacted immediately and work stopped, in order to inspect and clear the project area for all further activities.
13. COUNTY ROADS – PROXIMITY TO FARMS: Applicant is advised that County maintained roads may generate dust and other impacts to farm(s). Applicant shall located their farm(s) in areas not subject to these impacts. Applicant shall be responsible for protecting their farms against these impacts. Applicant shall hold the County harmless from these impacts. Applicant is advised that a paved road may not always remain paved and Applicant shall located their farms appropriately. Applicant is advised that the amount of traffic on a road will vary over time which may increase or decrease the impacts.
14. COUNTY ROADS – FENCES & ENCROACHMENTS: All fences and gates shall be relocated out of the County right of way. All gates shall be setback sufficiently from the County road so that vehicle will not block traffic when staging to open/close the gate. In addition, no materials shall be stored or placed in the County right of way. This condition shall be completed to the satisfaction of the Department of Public Works prior to commencing operations, final sign-off for a building permit, or Public Works approval for a business license.
15. COUNTY ROADS – DRIVEWAY (PART 2): Any existing or proposed driveways that will serve as access for the proposed project that connect to a county maintained road shall be improved to current standards for a commercial driveway. An encroachment permit shall be issued by the Department of Public Works prior to commencement of any work in the County maintained right of way. This also includes installing or replacing driveway culverts; minimum size is typically 18 inches. If the County road has a paved surface at the location of the driveway, the driveway apron shall be paved for a minimum width of 18 feet and a length of 50 feet.

16. COUNTY ROADS – DRIVEWAY & PRIVATE ROAD INTERSECTION VISIBILITY: All driveways and private road intersections onto the County road shall be maintained in accordance with County Code Section 341-1 (Sight Visibility Ordinance). This condition shall be completed to the satisfaction of the Department of Public Works (DPW) prior to commencing operations, final sign-off for a building permit, or DPW approval for a business license.
17. The applicant shall be compliant with the County of Humboldt's Certified Unified Program Agency (CUPA) requirements regarding hazardous materials. A written verification of compliance shall be required before any provisional permits may be finalized. Ongoing proof of compliance with this condition shall be required at each annual inspection in order to keep the permit valid.
18. The applicant shall execute and file with the Planning Division the statement titled, "Notice and Acknowledgment regarding Agricultural Activities in Humboldt County," ("Right to Farm" ordinance) as required by the HCC and available at the Planning Division.
19. Within thirty (30) days of project approval, the owner/applicant/operator shall install water-monitoring devices on the permitted wells (Permit No. 16/17-0643 and 16/17-0645) to track water usage and ensure no water is drawn for irrigation purposes. Because there are no residences onsite, no domestic use of the well is required. Unless and until the owner/applicant/operator acquires permits for employee housing onsite, no water shall be drawn from the well. All diversions for irrigation purposes shall cease immediately upon project approval.
20. Within 30 days of project approval, the Owner/Applicant/Operator shall submit a revised site plan, showing that the nursery area complies with the Humboldt County standard of 10% of the cultivation area; therefore, no more than 4,356 SF of nursery area is allowed. The revised site plan shall be submitted to the Director of Humboldt County Planning and Building for review and approval.

B. Ongoing Requirements/Development Restrictions Which Must be Satisfied for the Life of the Project:

1. The combination of background, and greenhouse fan or other operational equipment created noise must not result in the harassment of Foraging Bat species or Northern Spotted Owl, and is required to meet the performance standards for noise set by Department Policy Statement No. 16-005 clarifying CCLUO Section 55.4.11 (o) requirements. The combined noise levels measured at 100 feet or the edge of habitat, whichever is closer, shall be at or below 50 decibels. Conformance will be evaluated using current auditory disturbance guidance prepared by the United State Fish and Wildlife Service, and further consultation where necessary. A building permit shall be obtained should any structures be necessary for noise attenuation. The applicant is to limit the use of heavy equipment during nesting season February 1st through August 15th.
2. Should the Humboldt County Planning Division receive complaints that the lighting or noise is not complying with the standards listed above in items B.1. and B.2., within ten (10) working days of receiving written notification that a complaint has been filed, the applicant shall submit written verification that the lights' shielding and alignment and noise levels have been repaired, inspected, and corrected as necessary.
3. The use of synthetic netting for purposes of erosion control is prohibited. To minimize the risk of wildlife entrapment, the applicant shall not use any erosion control materials that contain synthetic (e.g., plastic or nylon) netting, including photo- or biodegradable plastic netting. Geotextiles, fiber rolls, and other erosion control measures shall be made of loose-weave mesh, such as jute, hemp, coconut (coir) fiber, or other products without welded weaves.
4. All refuse shall be contained in wildlife proof storage containers at all times, and disposed at an authorized waste management facility.

5. Should any wildlife be encountered during work activities, the wildlife shall not be disturbed and shall be allowed to leave the work site unharmed.
6. The use of anticoagulant rodenticide is prohibited.
7. Invasive plant species shall be eradicated and managed at existing and proposed cultivation areas for the duration of the project lifespan.
8. The operator shall provide information to all employees about the potential health impacts of cannabis use on children. Information shall be provided by posting the brochures from the Department of Health and Human Services titled "Cannabis Palm Card" and "Cannabis Rack Card." This information shall also be provided to all employees as part of the employee orientation.
9. All components of the project shall be developed, operated, and maintained in conformance with the Project Description, the approved Site Plan, the Plan of Operations, and these conditions of approval. Any changes shall require modification of this permit except where consistent with Humboldt County Code Section 312-11.1, Minor Deviations to Approved Plot Plan. When offsite processing is chosen to be the preferred method of processing, this permit shall be modified to identify the offsite licensed facility.
10. Cannabis cultivation and other commercial cannabis activity shall be conducted in compliance with all laws and regulations as set forth in the CCLUO and MAUCRSA, as applicable to the permit type.
11. If operating pursuant to a written approved compliance agreement, permittee shall abate or cure violations at the earliest feasible date, but in no event no more than two (2) years from the date of issuance of a provisional clearance or permit. Permittee shall provide plans for curing such violations to the Planning and Building Department within one (1) year of issuance of the provisional clearance or permit. If good faith effort toward compliance can be shown within the two years following the issuance of the provisional clearance or permit, the Department may, at the discretion of the Director, provide for extensions of the provisional permit to allow additional time to meet the outstanding requirements.
12. The permittee shall have possession of a current, valid required license, or licenses, issued by any agency of the State of California in accordance with the MAUCRSA, and regulations promulgated thereunder, as soon as such licenses become available.
13. The permittee shall be in compliance with all statutes, regulations, and requirements of the California State Water Resources Control Board and the Division of Water Rights, at a minimum to include a statement of diversion of surface water from a stream, river, underground stream, or other watercourse required by Water Code Section 5101, or other applicable permit, license, or registration, as applicable.
14. The permittee shall ensure confinement of the area of cannabis cultivation, processing, manufacture, or distribution to the locations depicted on the approved site plan. The commercial cannabis activity shall be set back at least 30 feet from any property line and 600 feet from any school, school bus stop, church or other place of religious worship, or tribal cultural resources, except where a reduction to this setback has been approved pursuant to Section 55.4.11(d).
15. The permittee shall maintain enrollment in Tier 1, 2, or 3, certification with North Coast Regional Water Quality Control Board (NCRWQCB) Order No. R1-2015-0023, if applicable, or any substantially equivalent rule that may be subsequently adopted by the County of Humboldt or other responsible agency.

16. The permittee shall comply with the terms of any applicable Lake and Stream Alteration (1600 or 1602) Permit obtained from the California Department of Fish and Wildlife (CDFW).
17. The permittee shall comply with the terms of a less-than-3-acre conversion exemption or timberland conversion permit, approved by the California Department of Forestry and Fire Protection (Cal Fire), if applicable.
18. The permittee shall consent to an annual on-site compliance inspection, with at least 24 hours prior notice, to be conducted by appropriate County officials during regular business hours (Monday through Friday, 9:00 a.m. to 5:00 p.m., excluding holidays).
19. The permittee shall refrain from the improper storage or use of any fuels, fertilizer, pesticide, fungicide, rodenticide, or herbicide.
20. The permittee shall pay all applicable fees for application review to ensure conformance with conditions and annual inspection fees.
21. Fuel shall be stored and handled in compliance with applicable state and local laws and regulations, including the County of Humboldt's Certified Unified Program Agency (CUPA) program, and in such a way that no spillage occurs.
22. The master log books maintained by the applicant to track production and sales shall be maintained for inspection by the County.
23. The permittee shall pay all applicable taxes as required by the Humboldt County Commercial Marijuana Cultivation Tax Ordinance (Humboldt County Code Section 719-1 et seq.).

Performance Standards for Cultivation and Processing Operations

24. Pursuant to the MCRSA, Health and Safety Code Section 19322(a)(9), an applicant seeking a cultivation license shall "provide a statement declaring the applicant is an 'agricultural employer,' as defined in the Alatorre-Zenovich-Dunlap-Berman Agricultural Labor Relations Act of 1975 (Part 3.5 commencing with Section 1140) of Division 2 of the Labor Code), to the extent not prohibited by law."
25. Cultivators shall comply with all applicable federal, state, and local laws and regulations governing California Agricultural Employers, which may include federal and state wage and hour laws, Cal/OSHA, OSHA, the California Agricultural Labor Relations Act, and the Humboldt County Code (including the Building Code).
26. Cultivators engaged in processing shall comply with the following Processing Practices:
 - a. Processing operations must be maintained in a clean and sanitary condition including all work surfaces and equipment.
 - b. Processing operations must implement protocols which prevent processing contamination and mold and mildew growth on cannabis.
 - c. Employees handling cannabis in processing operations must have access to facemasks and gloves in good operable condition as applicable to their job function.
 - d. Employees must wash hands sufficiently when handling cannabis or use gloves.
27. All persons hiring employees to engage in commercial cannabis cultivation and processing shall comply with the following Employee Safety Practices:

- a. Cultivation operations and processing operations must implement safety protocols and provide all employees with adequate safety training relevant to their specific job functions, which may include:
 - (1) Emergency action response planning as necessary;
 - (2) Employee accident reporting and investigation policies;
 - (3) Fire prevention;
 - (4) Hazard communication policies, including maintenance of material safety data sheets (MSDS);
 - (5) Materials handling policies;
 - (6) Job hazard analyses; and
 - (7) Personal protective equipment policies, including respiratory protection.
 - b. Cultivation operations and processing operations must visibly post and maintain an emergency contact list which includes at a minimum:
 - (1) Operation manager contacts;
 - (2) Emergency responder contacts; and
 - (3) Poison control contacts.
 - c. At all times, employees shall have access to safe drinking water and toilets and handwashing facilities that comply with applicable federal, state, and local laws and regulations. Plumbing facilities and water source must be capable of handling increased usage without adverse consequences to neighboring properties or the environment.
 - d. On site-housing provided to employees shall comply with all applicable federal, state, and local laws and regulations.
28. All cultivators shall comply with the approved processing plan as to the following:
- a. Processing practices
 - b. Location where processing will occur
 - c. Number of employees, if any
 - d. Employee Safety Practices
 - e. Toilet and handwashing facilities
 - f. Plumbing and/or septic system and whether or not the system is capable of handling increased usage
 - g. Drinking water for employees
 - h. Plan to minimize impact from increased road use resulting from processing
 - i. On-site housing, if any
29. Term of Commercial Cannabis Activity Special Permit. Any Commercial Cannabis Cultivation SP issued pursuant to the CCLUO shall expire one (1) year after date of issuance, and on the anniversary date of such issuance each year thereafter, unless an annual compliance inspection has been conducted and the permittees and the permitted site have been found to comply with all conditions of approval.
30. If the inspector or other County official determines that the permittees or site do not comply with the conditions of approval, the inspector shall serve the permit holder with a written statement identifying the items not in compliance, and the action that the permit holder may take to cure the noncompliance, or file an appeal within ten (10) days of the date that the written statement is delivered to the permit holder. Personal delivery or mailing the written statement to the mailing address listed on the application by regular mail, plus three (3) days after date of mailing, shall constitute delivery. The permit holder may request a re-inspection to determine whether or not the permit holder has cured all issues of noncompliance. Failure to request re-inspection or to cure any items of noncompliance shall terminate the Special Permit, immediately upon the expiration of any appeal period, or final determination of the appeal if an appeal has been timely filed pursuant to Section 55.4.13.

31. Permit Renewals to Comply with Updated Laws and Regulations. Permit renewal is subject to the laws and regulations effective at the time of renewal, which may be substantially different than the regulations currently in place and may require the submittal of additional information to ensure that new standards are met.
32. Acknowledgements to Remain in Full Force and Effect. Permittee acknowledges that the County reserves the right to reduce the size of the area allowed for cultivation under any clearance or permit issued in accordance with this section in the event that environmental conditions, such as a sustained drought or low flows in the watershed in which the cultivation area is located, will not support diversions for irrigation.
33. Transfers. Transfer of any leases or permits approved by this project is subject to the review and approval of the Planning Director for conformance with CCLUO eligibility requirements and agreement to permit terms and acknowledgments. The fee for required permit transfer review shall accompany the request. The request shall include the following information:
 - a. Identifying information for the new owner(s) and management as required in an initial permit application;
 - b. A written acknowledgment by the new owner in accordance as required for the initial permit application;
 - c. The specific date on which the transfer is to occur;
 - d. Acknowledgement of full responsibility for complying with the existing permit; and
 - e. Execution of an Affidavit of Non-diversion of Cannabis.
34. Inspections. The permit holder and subject property owner are to permit the County or representative(s) or designee(s) to make inspections at any reasonable time deemed necessary to assure that the activities being performed under the authority of this permit are in accordance with the terms and conditions prescribed herein.

Informational Notes:

1. Pursuant to Section 314-55.4.11(a) of the CCLUO, if upon inspection for the initial application, violations of any building or other health, safety, or other state or county statute, ordinance, or regulation are discovered, the Planning and Building Department may issue a provisional clearance or permit with a written approved Compliance Agreement. By signing the agreement, the permittee agrees to abate or cure the violations at the earliest opportunity but in no event more than two (2) years after the date of issuance of the provisional clearance or permit. Plans for curing the violations shall be submitted to the Planning and Building Department by the permittee within one (1) year of the issuance of the provisional certificate or permit. The terms of the compliance agreement may be appealed pursuant to Section 314-55.4.13 of the CCLUO.
2. This provisional permit approval shall expire and become null and void at the expiration of one (1) year after all appeal periods have lapsed (see "Effective Date"), except where the Compliance Agreement per Condition of Approval #B.11 has been executed and the corrective actions pursuant to the agreement are being undertaken. Once building permits have been secured and/or the use initiated pursuant to the terms of the agreement, the use is subject to the Permit Duration and Renewal provisions set forth in Conditions of Approval #B.29 and B.30 of the Ongoing Requirements/Development Restrictions, above.
3. If cultural resources are encountered during construction activities, the contractor onsite shall cease all work in the immediate area and within a 50-foot buffer of the discovery location. A qualified archaeologist and the appropriate Tribal Historic Preservation Officer(s) are to be contacted to evaluate the discovery and, in consultation with the applicant and the lead agency, develop a treatment plan in any instance where significant impacts cannot be avoided.

Prehistoric materials may include obsidian or chert flakes, tools, locally darkened midden soils, groundstone artifacts, shellfish or faunal remains, and human burials. If human remains are found, California Health and Safety Code 7050.5 requires that the County Coroner be contacted immediately at 707-445-7242. If the Coroner determines the remains to be Native American, the Native American Heritage Commission will then be contacted by the Coroner to determine appropriate treatment of the remains pursuant to Public Resources Code (PRC) Section 5097.98. Violators shall be prosecuted in accordance with PRC Section 5097.99.

4. The applicant shall be aware that the Federal Government considers the cultivation of cannabis to be an illegal activity. This project is accessed by using roads that pass-through lands owned by the Federal Government. The Federal Government may not allow the applicant to use these roads to transport cannabis. In such case, Humboldt County will not provide relief to the applicant. Approval of this permit does not authorize transportation of cannabis across Federal lands.

ATTACHMENT 2

**CEQA ADDENDUM TO THE
FINAL ENVIRONMENTAL IMPACT REPORT FOR THE COMMERCIAL CANNABIS LAND USE ORDINANCE**

**Commercial Cannabis Land Use Ordinance Final Environmental Impact Report (EIR)
(State Clearinghouse # 2017042022), January 2018**

**APN 104-121-020, 104-281-004, and 104-311-020
36328 Mattole Road, Petrolia, CA
County of Humboldt**

**Prepared By
Humboldt County Planning and Building Department
3015 H Street, Eureka, CA 95501**

March 2022

BACKGROUND

Modified Project Description and Project History

The Commercial Cannabis Land Use Ordinance (CCLUO) updated the County's existing Commercial Medical Marijuana Land Use Ordinance (Section 313-55.4 and 314-55.4 of Chapter 3 of Division 1 of Title III of the County Code), as well as repeal of the Medical Cannabis Testing and Research Laboratories provisions and on-site consumption prohibition found in Sections 313-55.3.15, 314-55.3.15, 313-55.3.11.7, and 314-55.3.11.7 of Division 1 of Title III of the County Code, respectively. These regulations establish land use regulations for the commercial cultivation, processing, manufacturing, distribution, testing, and sale of cannabis within Humboldt County. These regulations were developed in concert with the Final Environmental Impact Report (EIR) that was adopted for the ordinance in order to implement the mitigation measures of the EIR. The EIR addressed the broad environmental impacts that could be expected to occur from the adoption and implementation of the ordinance. The EIR specified that the regulations established in the CCLUO would mitigate the impacts of existing cannabis operations by establishing regulations for an existing unregulated land use to help prevent and reduce environmental impacts that are known to result from unpermitted baseline cultivation operations. The EIR prepared for the CCLUO also established local land use regulations to allow for continued commercial cannabis operations in the unincorporated area of the County that ensure the health and safety of residents, employees, County visitors, neighboring property owners, and end users of cannabis. The proposed project is consistent with all regulations within the CCLUO and all the mitigation measures identified in the EIR. Commercial cannabis cultivation in existence as of December 31, 2015, was included in the environmental baseline for the EIR. The current project was contemplated by the EIR and compliance with the provisions of the CCLUO will fully mitigate all environmental impacts of the project to a less than significant level.

The project area includes adjoining parcels on the north side of the Mattole River, between the unincorporated areas of Petrolia and Honeydew in southwest Humboldt County. The overall property is one legal lot comprising 141.5 acres, identified by three APNS: 104-121-020, 104-281-004, and 104-311-020. The address of the single lot is 36328 Mattole Road. The elevation of the project area is approximately 300 feet above sea level. All cultivation activities are located on APN: 104-281-004.

A Special Permit is sought for 43,560 square feet (SF) of new outdoor cannabis cultivation, which occurs within twenty-two (22) 2,000-SF greenhouses. Greenhouse (GH) 1 through 21 consist of 2,000 SF of cannabis cultivation; GH 22 consists of 1,560 SF of cannabis cultivation and 44 SF of agricultural storage. Propagation occurs in two (2) 3,500-SF nursery structures (7,000 SF total). Drying and further processing occur onsite in two (2) 2,400-SF barns (4,800 SF total). Irrigation water is provided from a proposed 1.2-million-gallon rain catchment pond. Total estimated annual water use is 720,000 gallons (16.53 gallons/SF). Water storage would occur in eight (8) 5,000-gallon hard plastic tanks (40,000-gallons). The project requires up to ten (10) employees, both full-time and part-time, overseeing the cultivation and drying operations. Employees will be local residents and do not require on-site housing. PG&E or Redwood Coast Energy Authority (RCEA) provides electrical power. A generator would be used only in emergencies.

The project will comply with provisions of the CCLUO intended to avoid and minimize potential impacts to sensitive wildlife species from light and noise. Compliance with these and other measures of the CCLUO ensure consistency with the EIR.

Purpose - Section 15164 of the California Environmental Quality Act (CEQA) provides that the lead agency shall prepare an addendum to a previously certified Final EIR if some changes or additions are necessary, but none of the conditions described in Section 15162 calling for a subsequent EIR or Negative Declaration have occurred. Section 15162 states that when an EIR has been certified for a project, no subsequent EIR shall be prepared for that project unless the lead agency determines, on the basis of substantial evidence in the light of the whole record, one or more of the following:

1. Substantial changes are proposed in the project which require major revisions of the previous EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;
2. Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or
3. New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the Final EIR was certified as complete, shows any of the following: A) the project will have one or more significant effects not discussed in the previous Final EIR; B) significant effects previously examined will be substantially more severe than shown in the Final EIR; C) mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or D) mitigation measures or alternatives which are considerably different from those analyzed in the Final EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.

Summary of Significant Project Effects and Required Mitigation

No changes are proposed for the mitigation measures identified in the original EIR. The proposal to authorize 43,560 SF of existing outdoor cannabis cultivation, with an appurtenant 7,000-SF immature plant/propagation area, is fully consistent with the impacts identified and adequately mitigated in the Final EIR. The project, as conditioned to implement responsible agency recommendations, results in no significantly adverse environmental effects beyond those identified in the Final EIR.

In reviewing the application for consistency with the adopted EIR, the County considered the following information and studies, among other documents:

- Site Plan prepared by Stillwater Sciences, dated October 2020.
- Cultivation and Operations Plan prepared by Native Ecosystems, Inc., dated April 2020.
- Biological Evaluation of Threatened and Endangered Species – God's County LLC, prepared by Native Ecosystems, Inc., dated January 2020.
- Cultural Resources Investigation prepared by Roscoe and Associates, dated May 2019.
- Department of Public Works Road Evaluation Report, prepared by Stillwater Sciences, dated November 2, 2020.

Other CEQA Considerations

Staff suggests no changes for the revised project.

EXPLANATION OF DECISION NOT TO PREPARE A SUPPLEMENTAL MITIGATED NEGATIVE DECLARATION OR ENVIRONMENTAL IMPACT REPORT

See **Purpose** statement above.

In every impact category analyzed in this review, the projected consequences of the current project proposal are either the same or less than significantly increased than the initial project for which the EIR was adopted. Based upon this review, the following findings are supported:

FINDINGS

1. The proposed project will permit an existing cannabis operation and bring the operation into compliance with county and state requirements intended to adequately mitigate environmental impacts.
2. The circumstances under which the project was approved have not changed substantially. There are no new significant environmental effects and no substantial increases in the severity of previously identified effects.
3. For the current proposed project, there has been no new information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was adopted as complete.

CONCLUSION

Based on these findings, it is concluded that an Addendum to the previous Final EIR is appropriate to address the requirements under CEQA for the current project proposal. All of the findings, mitigation requirements, and mitigation and monitoring program of the EIR, remain in full force and effect on the original project.

There are no new significant environmental effects and no substantial increases in the severity of previously identified effects. For the current proposed project, there has been no new information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was adopted as complete.

Attachment 3
Application Report of Findings

Attachment 3 includes a listing of all written evidence which has been submitted by the applicant in support of making the required findings. The following materials are on file with the Planning Division:

1. The name, contact address, and phone number(s) of the applicant. **(On file)**
2. If the applicant is not the record title owner of parcel, written consent of the owner for the application with original signature and notary acknowledgement. **(On file)**
3. Site plan showing the entire parcel, including easements, streams, springs, ponds and other surface water features, and the location and area for cultivation on the parcel with dimensions of the area for cultivation and setbacks from property lines. The site plan shall also include all areas of ground disturbance or surface water disturbance associated with cultivation activities, including access roads, water diversions, culverts, ponds, dams, graded flats, and other related features. If the area for cultivation is within one-quarter mile (1,320 feet) of a school, school bus stop, church or other place of religious worship, public park, or tribal cultural resource, the site plan shall include dimensions showing that the distance from the location of such features to the nearest point of the cultivation area is at least 600 feet. (Site Plan prepared by Applicant, dated 07/08/2020, **Map 4**)
4. A cultivation and operations plan that meets or exceeds minimum legal standards for water storage, conservation and use; drainage, runoff and erosion control; watershed and habitat protection; proper storage of fertilizers, pesticides, and other regulated products to be used on the parcel; and a description of cultivation activities (outdoor, indoor, mixed light), the approximate date(s) cannabis cultivation activities have been conducted on the parcel prior to the effective date of this ordinance, if applicable, and schedule of activities during each month of the growing and harvesting season. (Cultivation and Operations Plan prepared by Native Ecosystems, Inc., dated April 2020– **Attached**)
5. Copy of the statement of water diversion, or other permit, license or registration filed with the State Water Resources Control Board, Division of Water Rights, if applicable. **(Not applicable)**
6. Description of water source, storage, irrigation plan, and projected water usage. (Included in Cultivation Operations Plan, item 4 above - **Attached**)
7. Copy of Notice of Intent and Monitoring Self-Certification and other documents filed with the North Coast Regional Water Quality Control Board demonstrating enrollment in Tier 1, 2 or 3, North Coast Regional Water Quality Control Board Order No. 2015-0023, or any substantially equivalent rule that may be subsequently adopted by the County of Humboldt or other responsible agency. **(On file)**
8. If any onsite or offsite component of the cultivation facility (including access roads, water supply, grading or terracing) impacts the bed or bank of any stream or other watercourse, a copy of the Streambed Alteration Permit obtained from the California Department of Fish and Wildlife (Notification Permit No. EPIMS-HUM-13578-R1C). **(On file)**
9. If the source of water is a well, a copy of the County well permit, if available. **(Not applicable)**
10. If the parcel is zoned FR, U or TPZ, or involves the conversion of timberland as defined under Section 4526 of the Public Resources Code, a copy of a less-than-3-acre conversion exemption or timberland conversion permit, approved by the California Department of Forestry and Fire Protection (Cal Fire). Alternately, for existing operations occupying sites created through prior unauthorized conversion of timberland, evidence may be provided showing that the landowner has completed a civil or criminal process and/or entered into a negotiated settlement with Cal Fire. **(Not applicable)**

11. Consent for on-site inspection of the parcel by County officials at prearranged date and time in consultation with the applicant prior to issuance of any clearance or permit, and once annually thereafter. **(On file)**
12. Acknowledgment that the County reserves the right to reduce the size of the area allowed for cultivation under any clearance or permit issued in accordance with this Section, in the event that environmental conditions, such as a sustained drought or low flows in the watershed, will not support diversions for irrigation. **(On file)**
13. Acknowledgment that the County reserves the right to engage with local tribes before consenting to the issuance of any clearance or permit, if cultivation operations occur within an Area of Traditional Tribal Cultural Affiliation, as defined herein. This process will follow current departmental referral protocol, including engagement with the tribe(s) through coordination with their Tribal Historic Preservation Officer (THPO) or other tribal representatives. This procedure shall be conducted similar to the protocols outlined under SB 18 (Burton) and AB 52 (Gatto), which describe "government to government" consultation, through tribal and local government officials and their designees. During this process, the tribe may request that operations associated with the clearance or permit be designed to avoid, minimize, or mitigate impacts to tribal cultural resources, as defined herein. Examples include, but are not limited to, conducting a site visit with the THPO or their designee to the existing or proposed cultivation site, requiring that a professional cultural resources survey be performed, or requiring that a tribal cultural monitor be retained during project-related ground disturbance within areas of sensitivity or concern. The County shall request that a records search be performed through the California Historical Resources Information System (CHRIS). **(On file)**
14. Division of Environmental Health Attachment for Commercial Medical Marijuana (CMM) Clearances/ Permits (DEH Form). **(On file)**

4. Operations Plan

4.1 Introduction

This Operations Plan is intended for APN 104-121-020. It is structured to address Performance Standards set forth in CCLUO 2.0 §55.4.12, as well as other requirements set for the by the Department. The specific Performance Standard that is addressed by each section is listed in the section title.

4.1.2 Background

In November of 2011, God's Country, LLC (the "Applicant") acquired the parcels identified as APNs 104-121-020, 104-281-004, 104-121-013, and 104-311-020.

4.1.3 Summary of Activities

All cultivation will be full-sun ^{light deprivation} and/or mixed light, with the use of hoop-houses. A total of 43,000 ⁵⁶⁰ ft² of cultivation will occur at this site (CDFA "Mixed-light Tier 2" classification). ^{NO SUPPLEMENTAL LIGHTING IN FLOWERING GREENHOUSES}

4.1.4 Compliance & inspections (§55.4.12.1.1-7, §55.4.12.2.1-4,7)

The Applicant will comply with all environmental protections and standards, performance standards, and associated reporting, payment of fees, inspections, licenses in conjunction with the following regulations and/or agencies, as applicable:

- Humboldt County CCLUO 2.0
- California Department of Food and Agriculture (CCR Title 3, Div.8, Cpt.1 §8000-8607)
- SWRCB Order No. 2017-0023-DWQ
- CCR Title 14 § 722 (CDFW General LSAA for Cannabis Cultivation)
- C DPR
- Humboldt County Treasurer-Tax Collector
- Humboldt County Agricultural Commissioner
- California DIR, USDOL, Cal-OSHA, any other employment regulations and agencies

The Applicant has registered as an "agricultural employer" with the California EDD.

The Applicant consents to inspections and terms thereof outlined in CCLUO 2.0 as well as other inspections as described in various documents put forth by the agencies listed above.

4.2 Cultivation Plan

4.2.1 Propagation activities

All plants will be obtained in clone or seedling (juvenile) form from a permitted and licenses nursery facility. Plants will be obtained twice per year: once in April and once in July.

4.2.2 Cultivation activities

The Project proposes to cultivate cannabis in the 43,000 ⁵⁶⁰ ft² open-air cultivation area. ^{IN GREENHOUSES} Please see the *Schedule of activities* below for more details regarding timing.

All activities will be entered in the California State Track & Trace systems as required.

4.3 Water Source, Storage, Irrigation, and Use

4.3.1 Water Source (§55.4.11, §55.4.12.7)

All irrigation and other agricultural water shall be sourced from a ~~750,000~~ ^{1,000 - 1,200,000} gallon rainwater catchment pond and twelve, 5000 gallon, plastic water tanks. Please see Site Plan for catchment pond, spring. And tank locations. Domestic water shall be sourced from a spring located on APN 104-281-004.

Rainwater will be collected in the pond via passive collection methods during rain events in the winter months.

The Mattole basin receives 80 – 120 inches of rainfall each year, on average.³

If less than the required amount of precipitation to fill the pond is received, then the pond may be filled with water from the spring during the winter and spring seasons. Irrigation from well-sourced water may also occur during the cultivation season. Well withdrawals will follow guidelines set forth by the SWCQB Order No. WQ 2019-0001-DWQ.

Trucked water may only be used for emergency situations, as defined by CCLUO §55.4.12.2.5.

4.3.2 Water Storage (§55.4.12.7.1.c, §55.4.12.8)

Irrigation water will be stored in an off-channel ~~750,000~~ gallon pond that is not filled from nor outlets to any nearby stream or wetland. The pond will be designed with a capacity to collect adequate rainfall to meet irrigation demand (see below), as well as amount lost to evaporation. The pond will be constructed upon approval by the county during dry conditions, in accordance with SWRCB Order No. WQ 2019-0001 DWQ. The pond has been designed by a licensed engineer. The pond will allow for overflow into a bio-swale and will also include a ladder or other features so as to allow escapement by wildlife. The pond will also be designed so that it may be drained in the event of occupation by non-native species.

~~In addition, 60,000 gallons of water will be store at the cultivation area in twelve, 5000 gallon tanks.~~

The water storage amounts proposed herein accommodate this measure of water usage for the size of the gardens, as shown on associated site plans. If garden size/s increase in the future or the number of plants increase, the water storage amount will increase accordingly and proportionately, unless other farming practices (i.e. dry farming) or cultivation of specific drought-tolerant strains are pursued.

~~A designated amount of water shall be kept onsite for fire suppression purposes. This amount is 5000 gallons and is reserved in a 5000-gallon plastic tank labeled as "FIRE". Please see the Site Plan for exact location.~~

4.3.3 Irrigation Plan (§55.4.12.7.1.a,b,c)

Cultivation activities occur year-round, with the most intense season being from May – September (please see section 4 below for a more detailed account of cultivation activities).

³ Source: https://www.wrh.noaa.gov/eka/climate/annual_rain.gif

All irrigation water will be sourced from the pond. The Project will utilize focused drip irrigation systems and/or top feed hand watering to provide direct to-root irrigation with minimal or no water waste. Water shall be applied at agronomic rates.

4.3.4 Water use (§55.4.12.7)

a. Cultivation

Water will be used onsite for crop irrigation and ancillary uses. Throughout their life-cycle, individual plants will be watered only by focused drip irrigation system or top-feed hand watering methods. Both methods will ensure that maximal water use efficiency and that no runoff is created. The Project will have two irrigation water sources.

A total of 720,000 gallons of water will be used for irrigation. The table below (Table 1) outlines the estimated water usage for the proposed outdoor cultivation activity by month:

Table 1. Water Usage by Month in Gallons for Cultivation on APN 104-121-020

Estimated Annual Irrigation Water Usage (gallons)												
Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total
5,000	20,000	20,000	30,000	50,000	100,000	150,000	150,000	100,000	80,000	10,000	5,000	720,000

Additional volume in the pond is for evaporative loss and fire protection

b. Fire suppression

A designated amount of water shall be kept onsite for fire suppression purposes. This amount shall be 2,500 gallons. The water tank containing the designated "FIRE" water supply shall be outfitted with a standpipe that has a 2.5-inch outlet with male American National Fire Hose screw threads (FH). This standpipe meets CCR Title 14, Division 1.5, Chapter 7 requirements (CalFIRE SRA Fire Safe Regulations) and Humboldt County Code § 3114-4 (SRA Fire Safe Regulations).

4.3.5 Water conservation measures (§55.4.12.7.1.d)

On-site water management and conservation activities include:

- The reuse onsite water to achieve net zero discharge (i.e. irrigation water recycling)
- Timed drip irrigation applied at agronomic rates
- Any exposed soils are mulched
- Water primarily sourced from rainwater catchment
- Regularly check for leaks at designated intervals

4.3.6 Measurement & recordkeeping (§55.4.12.7.5,6,7)

Water meters will be installed at the well and at all exit points from storage facilities (i.e. the pond), to account for and report actual water used, which will be recorded weekly and reported in accordance to local and state guidelines. The water level in all storage facilities will be monitored once per week during the forbearance period and at least 2 times per month during other times; it shall be recorded at least once per month. Safety valves (volume or time oriented) shall exist at pond exit points so that in the event of a leak, only a limited amount of water can be lost.

During the forbearance period, leaks will be monitored for at least once per week in all lines and fittings or more frequently after wind events. During other times of the year, leaks will be checked for through regular visual inspection of storage facilities and irrigation lines conducted at least 2 times per month, or after large storm events.

4.4 SWRCB Order Compliance Summary

The Applicant shall enroll in the SWRCB Order No. 2019-0001_DWQ as a Tier 1 Discharger. The Applicant is developing a Site Management Plan (SMP) in accordance with the Order and SWRCB Cannabis Cultivation Policy. Adherence to the SMP will ensure that the watershed and surrounding habitat are protected. All areas of cannabis activities, including cultivation, shall occur on slopes less than 30 % and outside of the listed riparian setbacks (max. 150 ft) in the Order. Below is a summary of how the proposed activities will meet BPTCs for each relevant category listed in the Cannabis Cultivation Policy of the Order:

4.4.1 Land development and maintenance, erosion control, and drainage features

Site development and maintenance activities will utilize Best Practical Treatment or Controls (BPTCs) in accordance with the SWRCB recommendations. Grading and earthwork activities, if any, will be conducted by a licensed contractor in accordance with approved grading permits and the SMP. All bare soils from grading activities will be immediately re-vegetated using native plants and mulched.

4.4.2 Stream crossing installation and maintenance

No stream crossings exist on the Property.

4.4.3 Soil disposal and spoils management

No soil will be taken offsite. All unused soil and soil piles shall be tarped and baffled when not in use. Any spoils from construction activities shall be distributed according to the BPTCs outlined in the SWRCB Order, Attachment A.

4.4.4 Riparian wetland protection and management

The Applicant will observe all necessary and required setbacks from wetland and riparian areas. Noise will be measured at the nearest riparian drip edge throughout the year, in association with any cannabis activities. The Project will result in no discharge of agricultural water to any of the water features on or near the Project site. No non-invasive trees or other vegetation shall be removed from riparian and wetland areas. Any invasive plants found within such areas will be removed by hand with minimal ground disturbance.

4.4.5 Water storage and use

All irrigation water and water for other cannabis activities will be primarily sourced from rainwater, with a spring serving as a secondary source. No diversion from nearby streams or wetlands shall occur. Water will be stored in an agricultural storage pond and used as needed throughout the year. Careful irrigation practices (drip irrigation and hand watering applied at agronomic rates) prevent any runoff of water. Effluent from hand washing and toilet facilities will be disposed of in the on-site septic or portable systems. Exposed soils will be mulched or cover-cropped to reduce evaporative loss. Leaks will be monitored for at regular intervals (weekly during the forbearance period) throughout the year.

4.4.6 Fertilizers, pesticides, and petroleum products

All fertilizers, pesticides, and soil amendments (collectively "agricultural chemicals") will be applied at the manufacturer's suggested rate or less. When not in use, all agricultural chemicals

will be stored indoors in their original labeled container within secondary containment. Petroleum products will be stored separately in lawful containers. All equipment maintenance involving petroleum products will be done off-site.

4.4.7 Wastes

All cultivation wastes shall be composted onsite. All other wastes shall be temporarily stored in covered containers and sorted for recycling or trash. Wastes shall be hauled to appropriate facilities twice per month or as needed. Human waste shall be disposed of in the on-site septic.

4.4.8 Winterization

The Applicant will complete all necessary winterization activities listed in the Order by November 15 of each year. The cultivation area shall also be cover-cropped by this date each year.

4.5 Stormwater Management Plan (§55.4.12.1.12)

4.5.1 Site drainage & runoff

The Project site consists of vegetated areas and flat agricultural areas predominated by deep rooted natural grasses and access road. The Mattole River facilitates overall parcel drainage during the wet season. The Project will not divert water from the Mattole River, and will not require significant grading work. All cannabis cultivation will occur in the proposed outdoor cultivation area in level (unsloped) areas within raised or defined beds with a drip irrigation system. The cultivation area is located approximately 300 feet from the Mattole River Streamside Management Area (SMA).

As the slope of the garden site is 5% or less, surface water is naturally absorbed and recharged back into the existing landscape without channelization. The Project will not result in discharges or that could affect surface water or groundwater quality. Irrigation water will be applied at agronomic rates via timed drip irrigation (i.e. there will be no runoff from irrigation) so as to minimize runoff. Any detected leaks in the irrigation system/s shall be fixed immediately so as to reduce runoff from such incidents.

Pond overflow shall be consistent with engineering professional standards and relevant local and state guidelines. The pond shall be constructed so that overflow recharges an engineered bio-swale constructed for this specific purpose. The pond will be engineered and constructed by an appropriate licensed geologist and contractor, respectively, in accordance with Humboldt County Planning & Building codes and regulations. Please see accompanying engineered designs.

All runoff from soil and garden wastes shall be minimized by storing such wastes on low-gradient slopes in distinct compost bins and/or areas. Straw and/or myco-remediated straw baffles shall surround compost bins, areas, and piles, as may be deemed necessary. Drainage and potential runoff associated with fertilizer, amendment, and fuel storage shall be minimized through proper covered, off-the ground storage and secondary containment systems, if applicable.

Drainage from the driveway will be facilitated by those improvements outlined in the *Road System Assessment*. All drainage features shall be inspected on a weekly basis during the wet season and after all significant storm events.

The Applicant shall enroll in the State Water Resources Control Board Order No. 2019-0001-DWQ and a Site Management Plan (SMP) is being developed accordance with the General Order. The SMP includes erosion and sediment control BMPs designed to prevent, contain, and reduce sources of sediment.

4.5.2 Erosion control measures

Topsoil preservation measures include planting cover crop (clover and other species) during the fallow season, minimal tilling on calm days during planting, and mulching or utilizing weed mats where appropriate.

For minimizing erosion relating to roads and driveways, road conditions shall be inspected on a weekly basis during the year, and after major storm events during the wet season. All culvert road improvements in the future shall utilize angular rock, out sloping, rolling dips, and water bars, as appropriate.

Any site grading or ground disturbance that may take place (e.g. during pond construction) will be mulched with native grass straw/hay, which shall not only reduce erosion, but also provide a mechanism for reseeding during the following wet season.

4.6 Invasive Species Control Plan (§55.4.12.16)

The Applicant shall work to limit and control any invasive species on the parcel via methods appropriate and effective to the species. A Bullfrog Management Plan, developed by CDFW, shall be implemented for the pond feature. Scotch broom will be removed annually.

4.7 Materials Management Plan

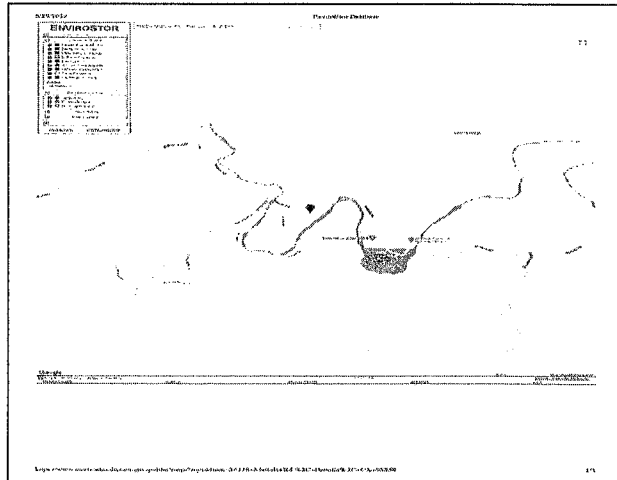
BMPs will be employed when storing, handling, mixing, applying and disposing of all fertilizers, pesticides and fungicides. All nutrients, fertilizers and amendments will be located in an existing locked storage shed, and contained within water tight, labeled containers in accordance with manufacturer instructions. Pesticides will be stored in a separate locked shed compartment from the fertilizers and amendments. All pesticides will be stored in their original labeled containers in secondary containment. Application rates and times for all pesticides will be tracked and reported on the as required by CDPH and the County Agricultural Commissioner. Application rates for fertilizer will be tracked monthly in accordance with SWRCB requirements. Designated employees will be trained to handle, mix, apply and dispose of pesticides/fungicides with proper hand, eye body and respiratory protection in accordance with the manufacturer recommendations and CDPH requirements. Employees will also be trained in spill prevention, countermeasures, and cleanup protocols should emergency arise. Spill kits will be available in the storage shed. All chemical will have a Materials Safety Data Sheet available for reference in their associated storage location.

The Applicant anticipates using the following fertilizers/nutrients for the proposed cultivation operation:

- Liquid fertilizer, such as BioBizz Blood and/or BioBizz Grow
- Organic pesticide/fungicide
- Chicken manure
- Dolomite
- Azomite

4.8 Hazardous Materials Assessment

A site record search of the Envirostar database was conducted for the proposed premises. This was done to satisfy requirements of CCR Title 3, Div. 8, Chpt. 1, §8102 and CCLUO §55.4.12.1.11. No hazardous materials have been documented at the site. Although their production is not anticipated, any hazardous wastes, such as fuels or solvents, shall be taken to a county-approved hazardous materials collection facility, as appropriate.



4.9 Sewage and other Waste Management Plan (§55.4.12.1.13)

4.9.1 Wastewater /Sewage Disposal Plan

Since irrigation shall be applied at agronomic rates, no effluent (cultivation wastewater) is anticipated at the site. A septic system and associated toilet facilities are located onsite for employee use. The Applicant will work with the County to ensure all necessary permits are on-file for these facilities. If necessary, the septic system will be serviced by a licensed septic pumping professional. Please see the Site Plan for leach field location.

4.9.2 Cultivation waste

Cultivation vegetative matter such as root balls, branches, and leaves will be composted on-site in the designated compost area (see Site Plan). No materials associated with the cultivation and processing of cannabis will be burned (CCLUO §55.4.12.1.9).

4.9.3 Solid waste

All other wastes, including cultivation-related (non-plant material) and household refuse & recycling, plastics, packaging, irrigation, pots, lighting, pond liners, electrical fixtures, wiring, and fencing shall be collected in designated trash and recycling containers which will be located onsite on a concrete pad and covered to prevent storm water contamination and leachate from entering or percolating to receiving waters. The containers will also be restricted from animal access. Solid waste and recycling will be hauled off-site by a commercial waste hauler at least once per week, or as necessary. Please see the attached Site Plan for container location.

4.9.4 Hazardous waste

Although their production is not anticipated, any hazardous wastes, such as fuels or solvents, shall be taken to a county-approved hazardous materials collection facility, as appropriate.

4.10 Soils Management Plan

Existing site soil is classified as prime agricultural soils. Cultivation of mature plants will occur in native soil only. A relatively small input of manufactured soil amounting may occur each year through the planting of immature plants reared in the ancillary nursery or purchased from a permitted and licensed nursery. No soil disposal or removal from the site is anticipated.

4.11 Processing Plan

Upon maturation, trained employees will remove and place plant material in bins, which will then be weighed in compliance with Track & Trace requirements. Bins are taken to the drying buildings on the Property where the cannabis is hung to dry and cure. The buildings will be equipped with air conditioning and dehumidification for proper curing and elimination of conditions that promote mold. Barns will also be locked when immediate access is not required.

After drying, all other processing activities will occur off-site at a permitted and licensed facility. All work surfaces and equipment used for drying are maintained in a clean and sanitary condition. Temporary storage (i.e. "harvest storage") of dried cannabis material will also occur in the drying barns; this is for material that is dry but not yet sent out to the off-site processing facility.

Schedule of Activities for Outdoor Cultivation Areas												
Task	1st Round						2nd Round					
	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
Propagate plants at on-site nursery		■	■		■	■						
Transplant juvenile plants to greenhouses				■			■					
Apply soil amendments			■	■	■	■	■	■	■	■		
Plant health activities; IPM		■	■	■	■	■	■	■	■	■		
Vegetative growth				■	■	■						
Flowering					■	■		■	■			
Harvest and Drying						■	■			■	■	
Sanitation of cultivation space	■					■					■	
Send dried material to processing facility							■				■	

4.12 Parking Plan

The parking and turn-around location will be located adjacent to the farm. (Please see the Site Plan for location) . The parking area shall be large enough to accommodate two (2) vehicles and a turn-a-round area. The area of each parking space shall be 10 ft x 20 ft without cover to meet both CCR and HCC requirements. The parking area shall be maintained so as to minimize dust during the season of use, in accordance with SWRCB Order WQ 2019-0001-DWQ.

4.13 Energy Plan (§55.4.12.5)

Energy shall be provided via grid power, either from PG&E or Redwood Coast Energy Authority (RCEA). Please see the Energy Budget in Table 2, below, for a breakdown of energy use by month for each activity:

- PG&E: Currently (January 2019) nearly 80% of PG&E's grid power is supplied by "renewable and greenhouse gas-free resources".⁴ If necessary to mitigate the 20% of grid power not supplied from renewable resources, the Applicant will purchase carbon offset credits from a reputable source recognized by relevant state regulatory agencies.
- RCEA: Through the "RePower+" service, RCEA is able to provide up to 100% renewable energy for its customers. This would mean the Applicant would not need to purchase carbon offset credits.

Generator use shall be limited to "emergency" use only, as defined in CCR Title 17, Division 3, Chapter 1, Subchapter 7.5, §93116.2(a)(12), or the "emergency use" definition for stationary engines in Title 17, Division 3, Chapter 1, Subchapter 7.5, § 93115.4(a)(30).

4.14 Security Plan

Access to the cultivation and processing facilities will be secured and restricted. The cultivation premises and any associated facilities shall be locked when not staffed. Only employees or contractors of the Applicant and designated county and state officials shall be allowed to enter the garden sites, or any other associated cultivation facilities. All employees and contractors of the Applicant shall be at least 21 years of age.

No high-density residential, commercial, school, or other uses are located near the Project site. The cultivation area shall be enclosed with 8-foot tall fencing and a locked gate.

To ensure against diversion to illegal marketplaces, the Applicant will be a participant in a "Track & Trace Program" under guidelines and regulations set forth by Humboldt County and the State of California. The Applicant will also delineate specified areas for materials holding and/or destruction, as may be deemed necessary according to state regulations. The Applicant shall also comply with any safety and security regulations that may be specified by the county or state. All appropriate and pertinent paperwork permits, and licenses shall be on-hand at the garden site, pursuant to Humboldt County and state regulations.

4.15 Noise Mitigation Plan (§55.4.12.6)

All cultivation-related activities shall not increase ambient noise levels by more than 3 decibels as measured at each property line. Current ambient noise levels range from 30 dBA to 58 dBA

⁴ https://www.pge.com/en_US/about-pge/environment/what-we-are-doing/clean-energy-solutions/clean-energy-solutions.page

(wind speed 8 m/s). As the cultivation site open field is bordered to the south by mature Douglas fir and other mature hardwood species, any noise generated from cultivation activities will be naturally buffered by this vegetation, prior to reaching the property lines. Noise levels shall be measured periodically throughout the cultivation season. Please see the accompanying Site Plan identifying the location of all noise sources, property lines where noise is measured and forested areas. No sensitive receptors are located within 1,000 ft of the project site.

Any construction activities associated with Project implementation shall be limited to daylight hours as specified in CCLUO 2.0 §55.4.12.2.8.

4.16 Light Pollution Control Plan(§55.4.12.4)

All lighting associated with mixed-light activities shall be shielded by use of tarps or other covers so that no light escapes from sunset to sunrise.

4.17 Public Accommodations Plan

Restroom facilities and parking will be provided for any visitors to the farm. There will not be any food or lodging accommodations at the farm.

4.18 Adaptive Site Re-use Plan

In the event that cannabis cultivation activities are ceased on the property, the following tasks will be completed to prepare for site re-use as agricultural grazing lands:

- Removal and disposal of greenhouses, soil, irrigation and all items associated with cannabis cultivation
- Grading of cultivation areas as needed
- Installation of native grass seed at a rate of 50 lbs./acre

4.19 Employee Plan

The Project, as noted, proposes to cultivate commercial cannabis in an open-air cultivation area. Up to two (10) employees, both full-time and part-time, will oversee the cultivation and drying operations. Employees will be local residents and do not require on-site housing.

4.19.1 Employee Safety Practices

Cultivation, harvesting, and processing will be performed by employees trained in each activity, including techniques and use of pruning tools and proper application and storage of pesticides and fertilizers. All employees will be provided with proper hand, eye, body and respiratory Personal Protective Equipment (PPE). All PPE will be stored in a separate location from the locked agricultural chemical storage shed.

All employees are trained in proper safety procedures including fire safety, use of rubber gloves and respirators, proper hand washing guidelines, and emergency protocols. Contact information for the local fire department, CAL FIRE, Humboldt County Sheriff and Poison Control will be posted at the employee restroom. Each employee will be provided with a written copy of emergency procedures and contact information. The material safety data sheets (MSDS) will be kept on site and accessible to employees. All work performed will be in compliance with Cal-OSHA standard practices.

4.19.2 Employee Sanitation and Hydration

Restroom and hand washing facilities will be provided by a permitted permanent bathroom. It is estimated that an extra 20 gallons per day will be generated from these uses during the cultivation season. Drinking water is provided from a water cooler using filtered bulk water.

4.19.3 On-Site Housing

The Project does not include any on-site housing. All employees will live off-site and commute daily to the Project site. No new residential structures are proposed as part of this Project.

God's Country LLC – Year 1 Schedule of Cultivation
 APN: 104-281-004, 104-121-020
 By: SL Consulting Service Inc

During the first year of operations, the applicant proposes to utilize dry farm techniques and existing wells as the water source until the pond is developed.

Plants will be row-cropped within the footprint of the proposed greenhouses. Plants will be planted in 200' long 5' wide rows spaced 10' apart to reduce water competition. Approximately 43 rows will be planted totaling 43,000 square feet.

Plants would be planted sometime between May 15th to June 1st depending on weather and condition of the soil (wet enough to plant but dry enough for tractor access) and availability of starts from a licensed nursery.

Drip line will be installed to water in the plants for the first 2-6 weeks until they are established with minimal water usage as outline below utilized for integrated pest management (use of preventative foliar sprays to and root drenches of beneficial bacteria). Approximately 100,000 gallons to be utilized.

If the drying barn and associated power service is not in place, plants will be sold as “fresh frozen” to a distributor without the need to dry on-site.

Applicant is evaluating the use of “auto-flower” seed plugs planted in May/June with approximately 90 days to flower without the use of light deprivation techniques to guarantee a harvest by mid-August/early September to reduce the risk of loss due to rains in October and reduce the growing season.

ESTIMATED ANNUAL IRRIGATION WATER USAGE FULL SUN OUTDOOR (GAL/ACRE)											
JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC
---	---	---	---	5,000	20,000	20,000	20,000	20,000	15,000	---	---

24 Hour Noise Assessment
 APN: 104-281-004, 104-121-020
 By: SL Consulting Service Inc

Field Date: 5/24/2020 to 5/25/2020 (Noise Logs #1-#2), 7/22/20-7/23/20 (Noise Log #3)

Ambient noise data loggers were set along the north and southwest property lines of APN 104-281-004 and south property line of APN 104-121-020 for 24 hours. SLM-25 data logger recorded ambient noise every 3 seconds.

See table below for a relative comparison of ambient noise decibel readings:

Noise Sources and Their Effects

Noise Source	Decibel Level	comment
Jet take-off (at 25 meters)	150	Eardrum rupture
Aircraft carrier deck	140	
Military jet aircraft take-off from aircraft carrier with afterburner at 50 ft (130 dB).	130	
Thunderclap, chain saw. Oxygen torch (121 dB).	120	Painful. 32 times as loud as 70 dB.
Steel mill, auto horn at 1 meter. Turbo-fan aircraft at takeoff power at 200 ft (118 dB). Riveting machine (110 dB); live rock music (108 - 114 dB).	110	Average human pain threshold. 16 times as loud as 70 dB.
Jet take-off (at 305 meters), use of outboard motor, power lawn mower, motorcycle, farm tractor, jackhammer, garbage truck. Boeing 707 or DC-8 aircraft at one nautical mile (6080 ft) before landing (106 dB); jet flyover at 1000 feet (103 dB); Bell J-2A helicopter at 100 ft (100 dB).	100	8 times as loud as 70 dB. Serious damage possible in 8 hr exposure
Boeing 737 or DC-9 aircraft at one nautical mile (6080 ft) before landing (97 dB); power mower (96 dB); motorcycle at 25 ft (90 dB). Newspaper press (97 dB).	90	4 times as loud as 70 dB. Likely damage 8 hr exp
Garbage disposal, dishwasher, average factory, freight train (at 15 meters). Car wash at 20 ft (89 dB); propeller plane flyover at 1000 ft (88 dB); diesel truck 40	80	2 times as loud as 70 dB. Possible damage in 8 h exposure.

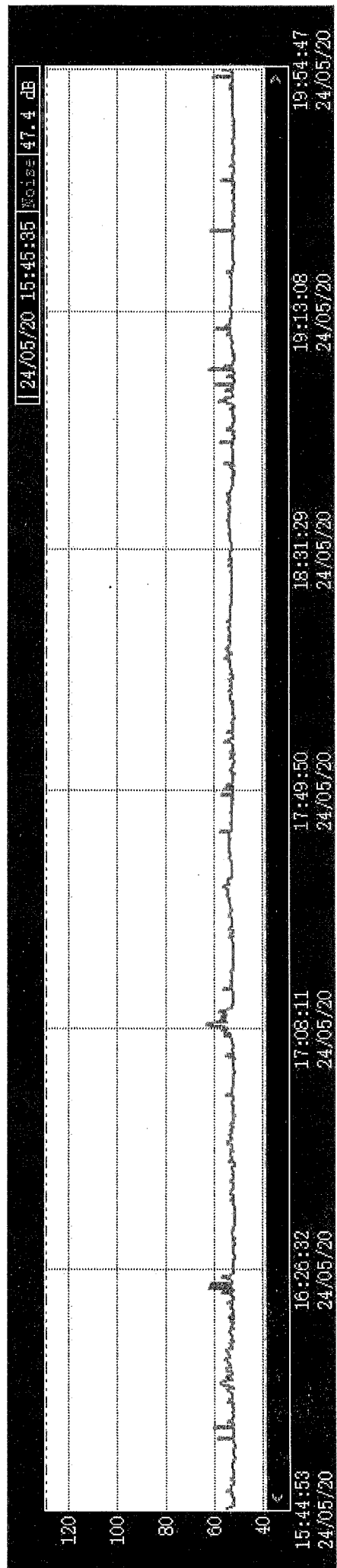
mph at 50 ft (84 dB); diesel train at 45 mph at 100 ft (83 dB). Food blender (88 dB); milling machine (85 dB); garbage disposal (80 dB).		
Passenger car at 65 mph at 25 ft (77 dB); freeway at 50 ft from pavement edge 10 a.m. (76 dB). Living room music (76 dB); radio or TV-audio, vacuum cleaner (70 dB).	70	Arbitrary base of comparison. Upper 70s are annoyingly loud to some people.
Conversation in restaurant, office, background music, Air conditioning unit at 100 ft	60	Half as loud as 70 dB. Fairly quiet
Quiet suburb, conversation at home. Large electrical transformers at 100 ft	50	One-fourth as loud as 70 dB.
Library, bird calls (44 dB); lowest limit of urban ambient sound	40	One-eighth as loud as 70 dB.
Quiet rural area	30	One-sixteenth as loud as 70 dB. Very Quiet
Whisper, rustling leaves	20	
Breathing	10	Barely audible

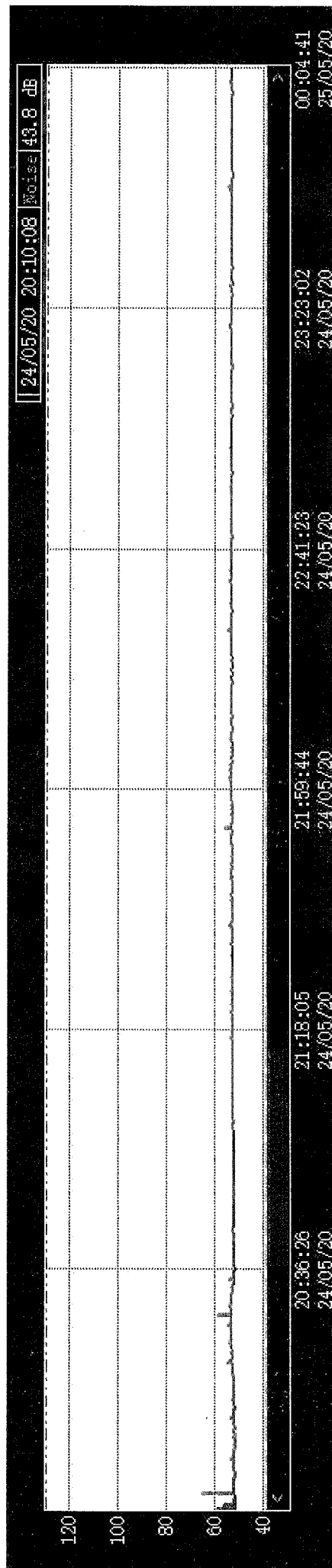
[modified from <http://www.wenet.net/~hpb/dblevels.html>] on 2/2000. SOURCES: Temple University Department of Civil/Environmental Engineering (www.temple.edu/departments/CETP/environ10.html), and *Federal Agency Review of Selected Airport Noise Analysis Issues*, Federal Interagency Committee on Noise (August 1992). Source of the information is attributed to *Outdoor Noise and the Metropolitan Environment*, M.C. Branch et al., Department of City Planning, City of Los Angeles, 1970.

Log 1 – North Property Line APN 104-281-004

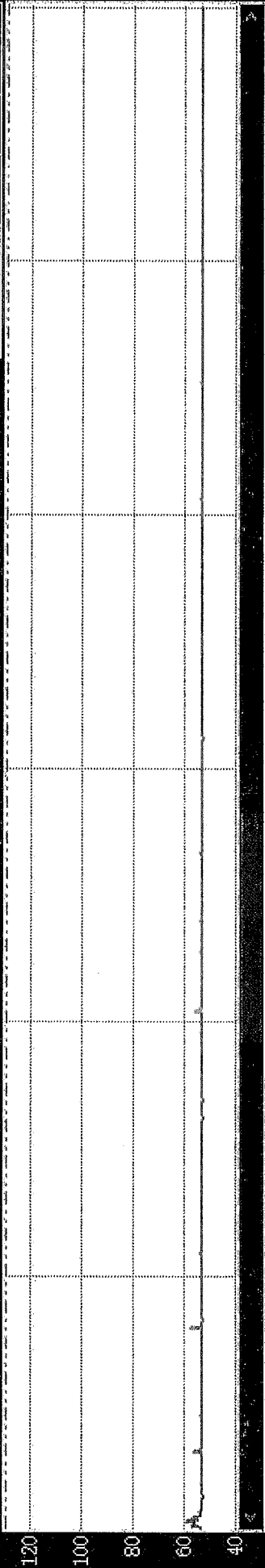
Observed ambient noise: Distant vehicular traffic, rustling branches, bird calls, rustling grass.

Average non-peak ambient noise in the range of 43-45 decibels



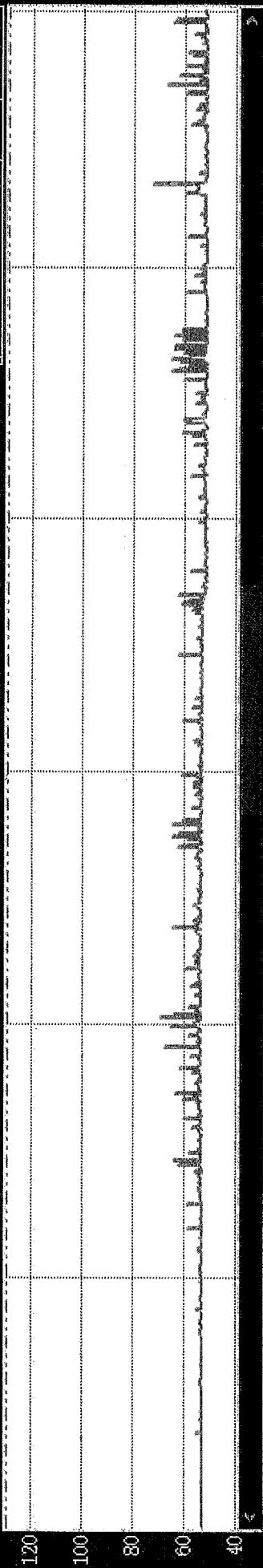


25/05/20 00:15:56 Noise 45.1 dB



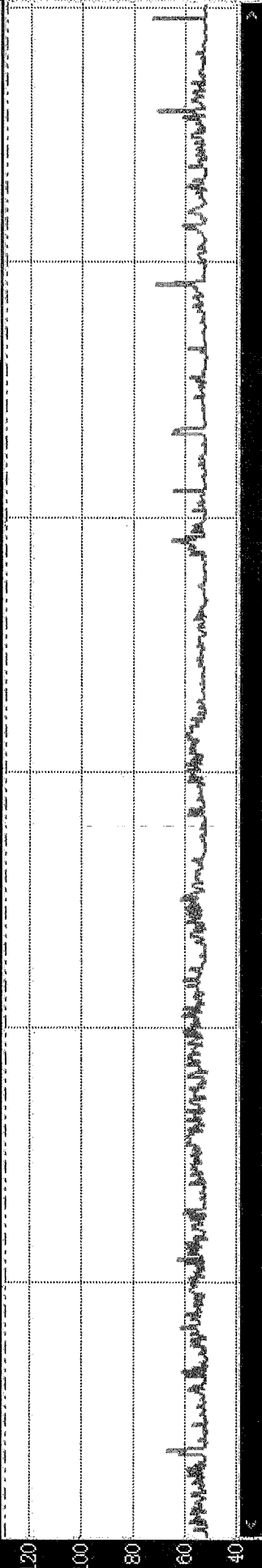
00:46:20	01:27:59	02:09:38	02:51:17	03:32:56	04:14:35
25/05/20	25/05/20	25/05/20	25/05/20	25/05/20	25/05/20

25/05/20 04:14:58 Noise 45.5 dB



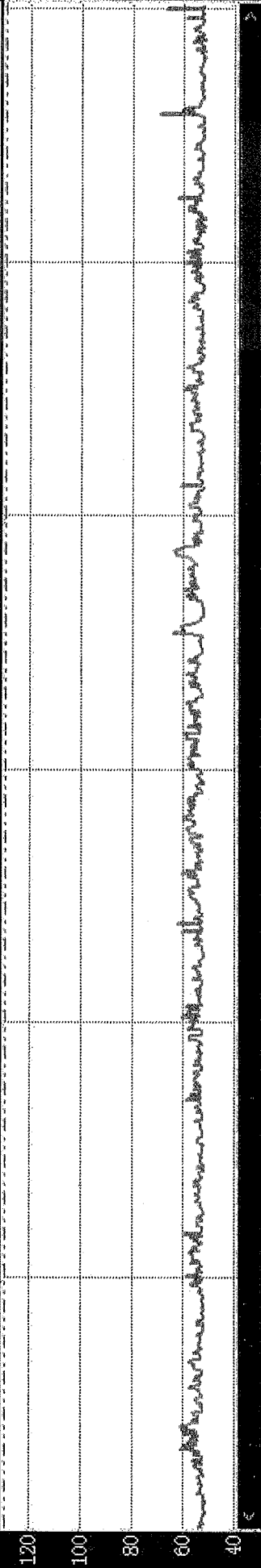
04:56:14 25/05/20 05:37:53 25/05/20 06:19:32 25/05/20 07:01:11 25/05/20 07:42:50 25/05/20 08:24:29 25/05/20

25/05/20 08:49:29 Noise 49.1 dB



09:06:08 25/05/20 09:47:47 25/05/20 10:29:26 25/05/20 11:11:05 25/05/20 11:52:44 25/05/20 12:34:23 25/05/20

25/05/20 14:18:17 Noise 49.0 dB



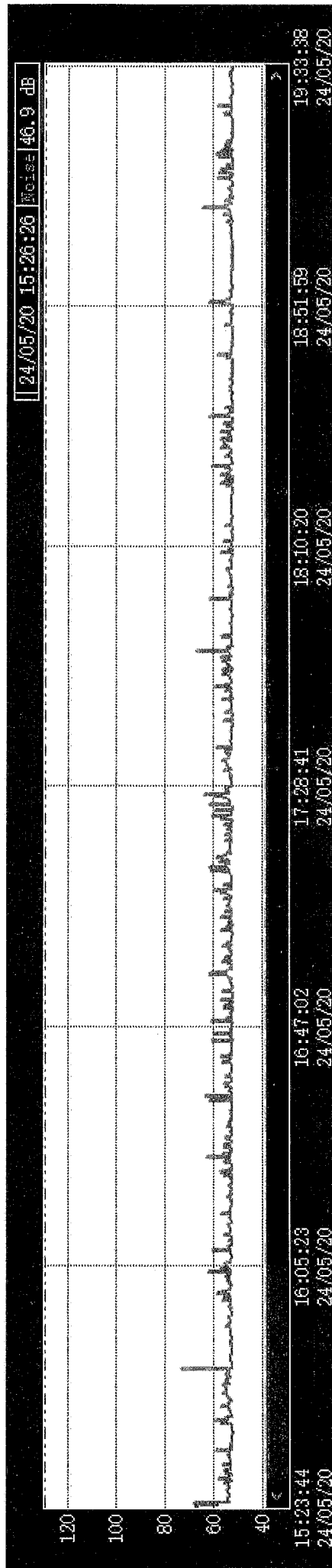
13:16:02	13:57:41	14:39:20	15:20:59	16:02:38	16:44:17
25/05/20	25/05/20	25/05/20	25/05/20	25/05/20	25/05/20

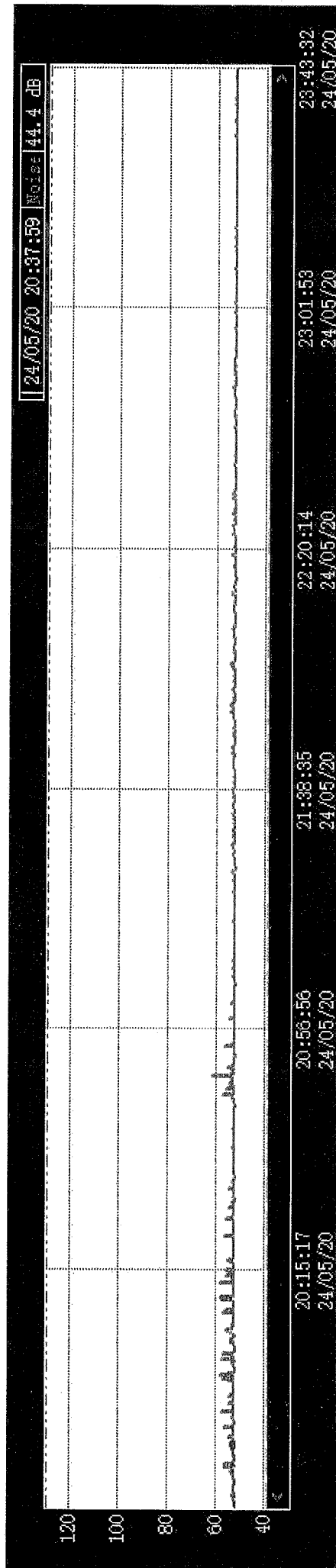
Log 2 – West Property Line APN 104-281-004

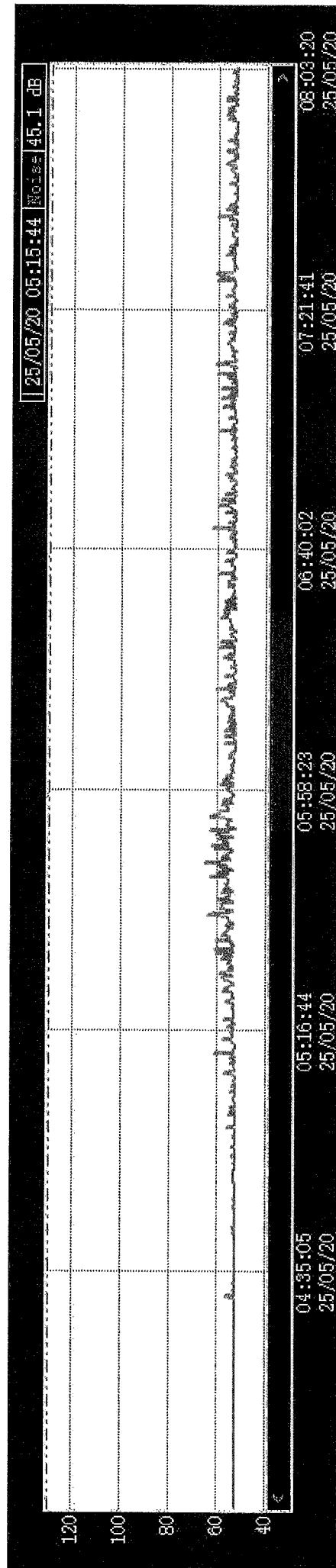
Notes: Spikes in noise over 60 decibels measured at several intervals from passing vehicular traffic

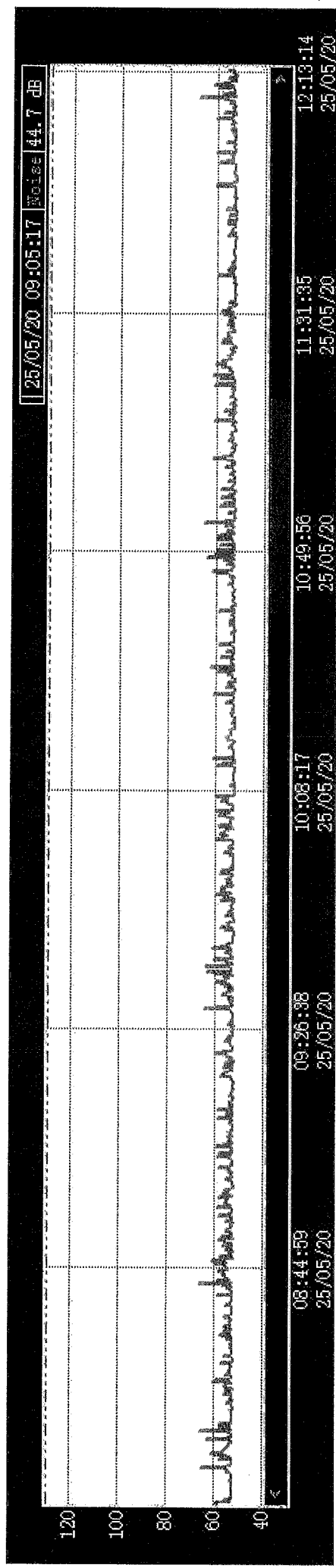
Observed ambient noise: Distant vehicular traffic, rustling branches, bird calls, chainsaw in operation on adjoining property

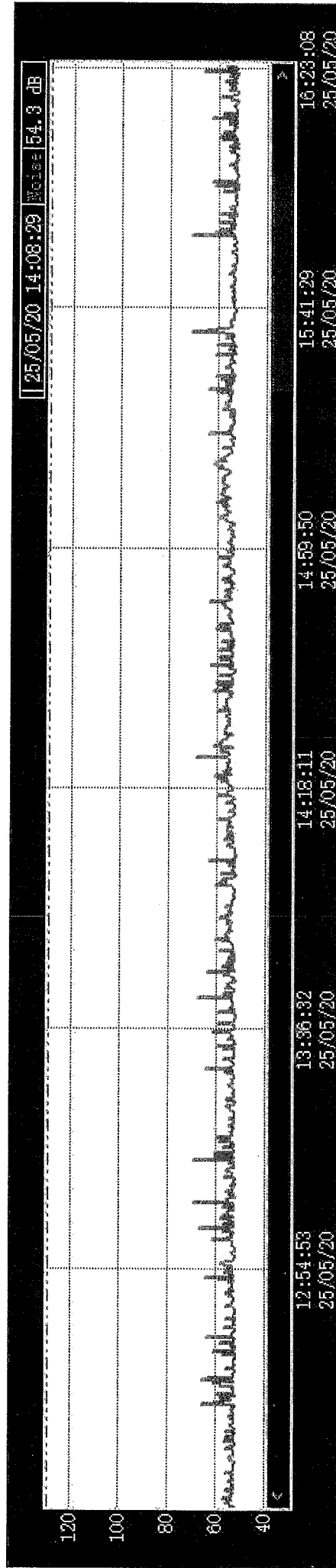
Notes: Average decibel reading of **44-45 decibels**







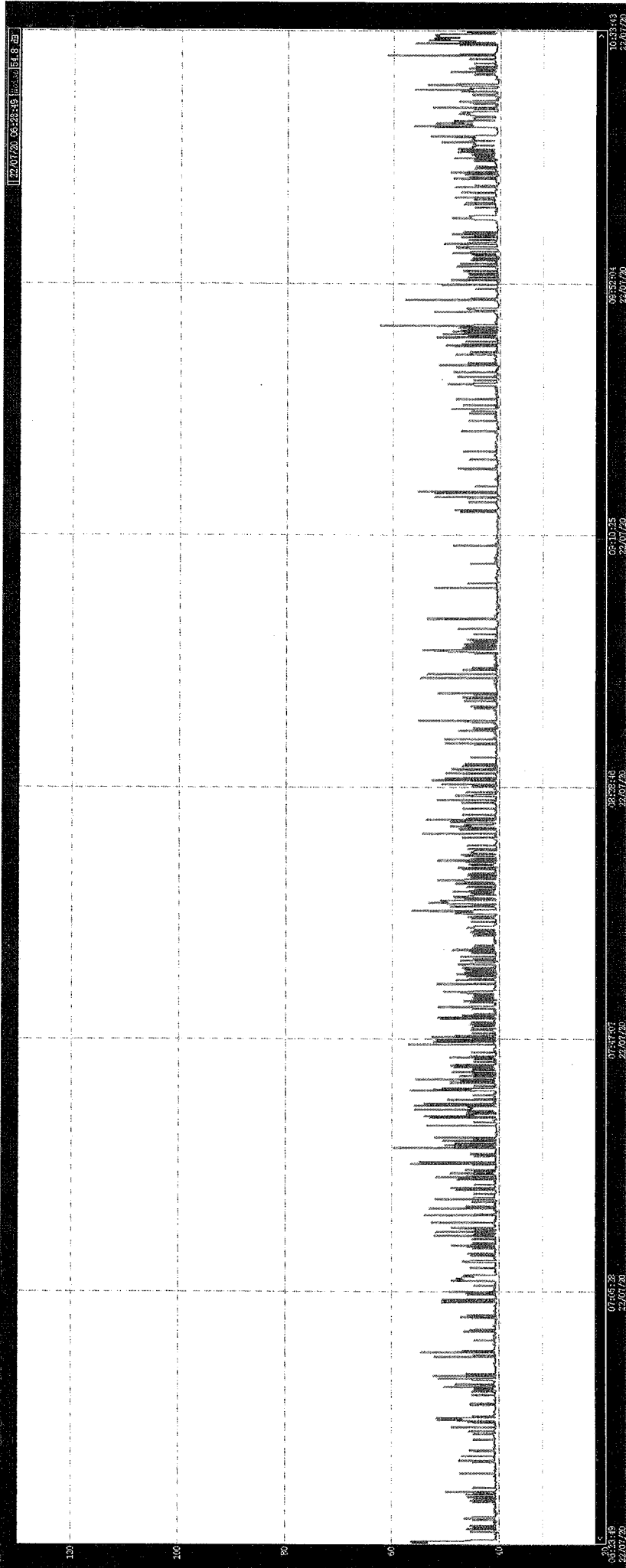




Log 3 – South Property Line APN 104-121-020

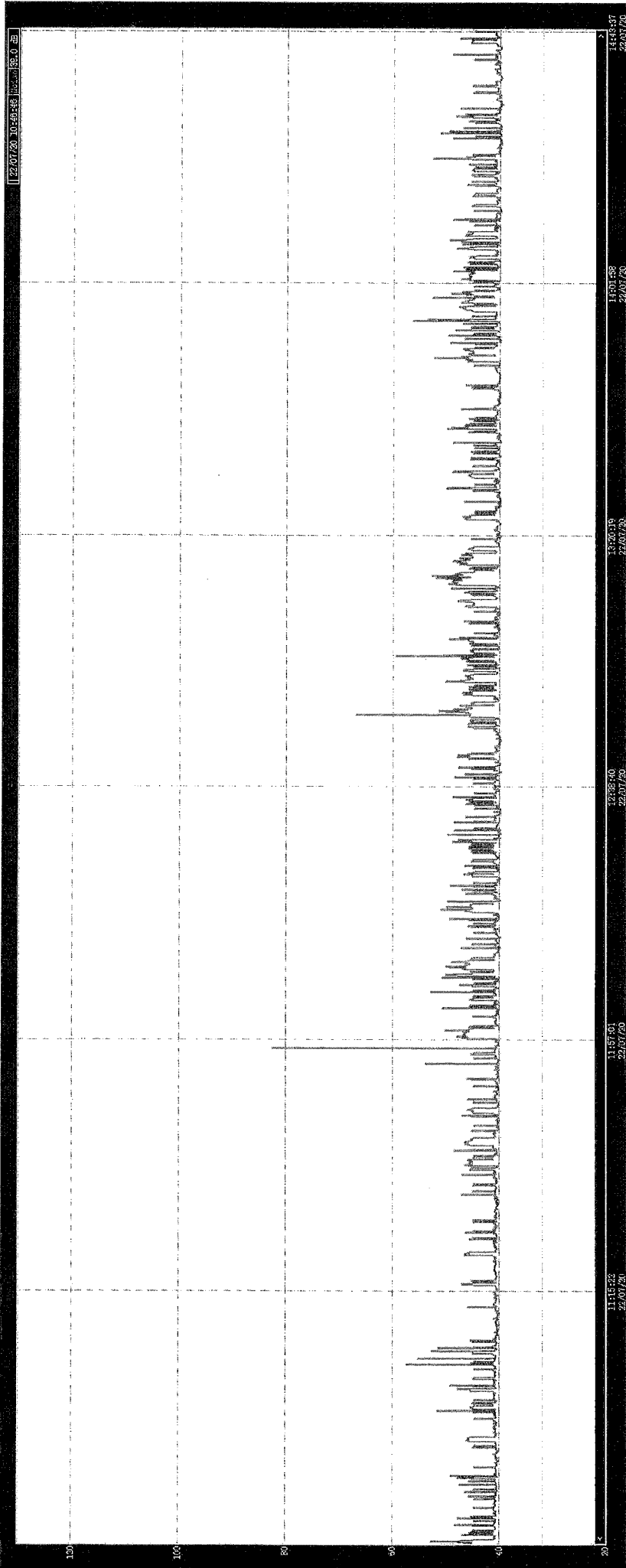
Observed ambient noise: Wind, rustling branches and grass, birds, on-site ranch vehicle traffic,

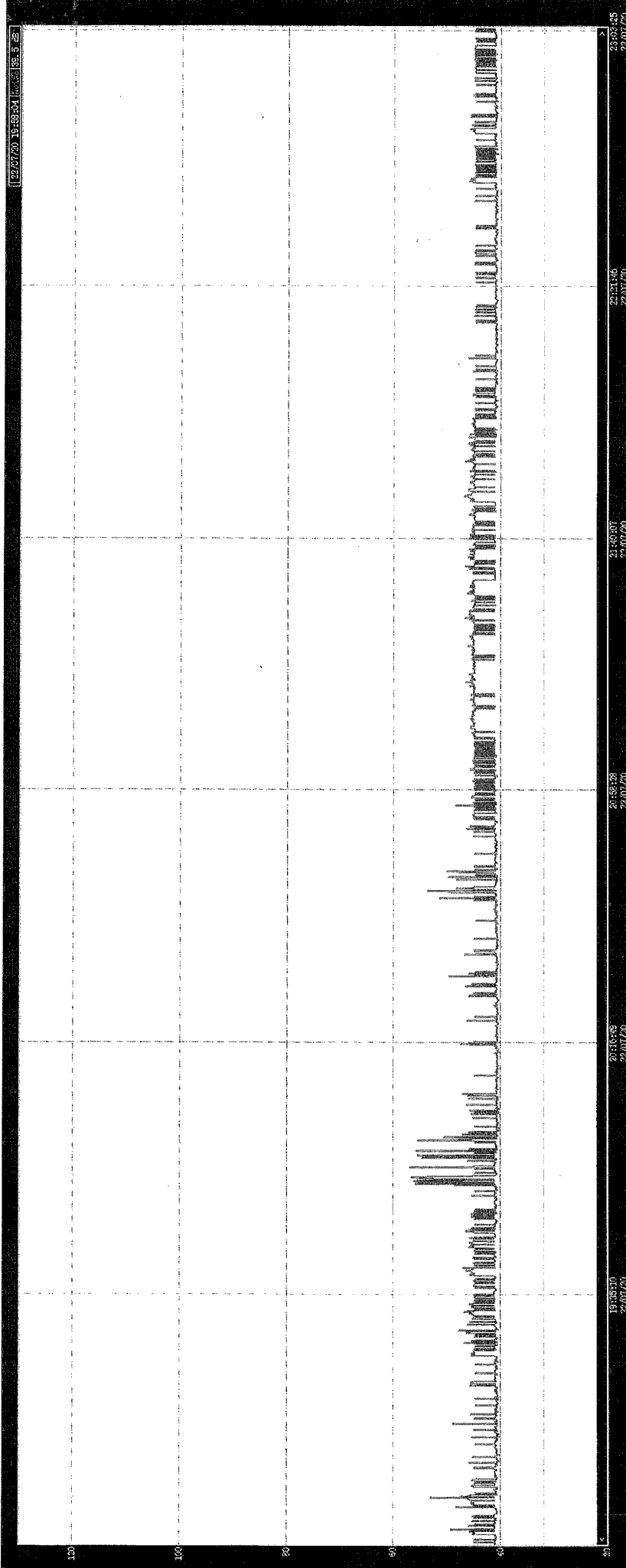
Non-peak baseline of 41-42 decibels during daytime and evening time. Wind spikes in noise up to ~45 decibels. On-site traffic noise spikes up to 60 decibels.

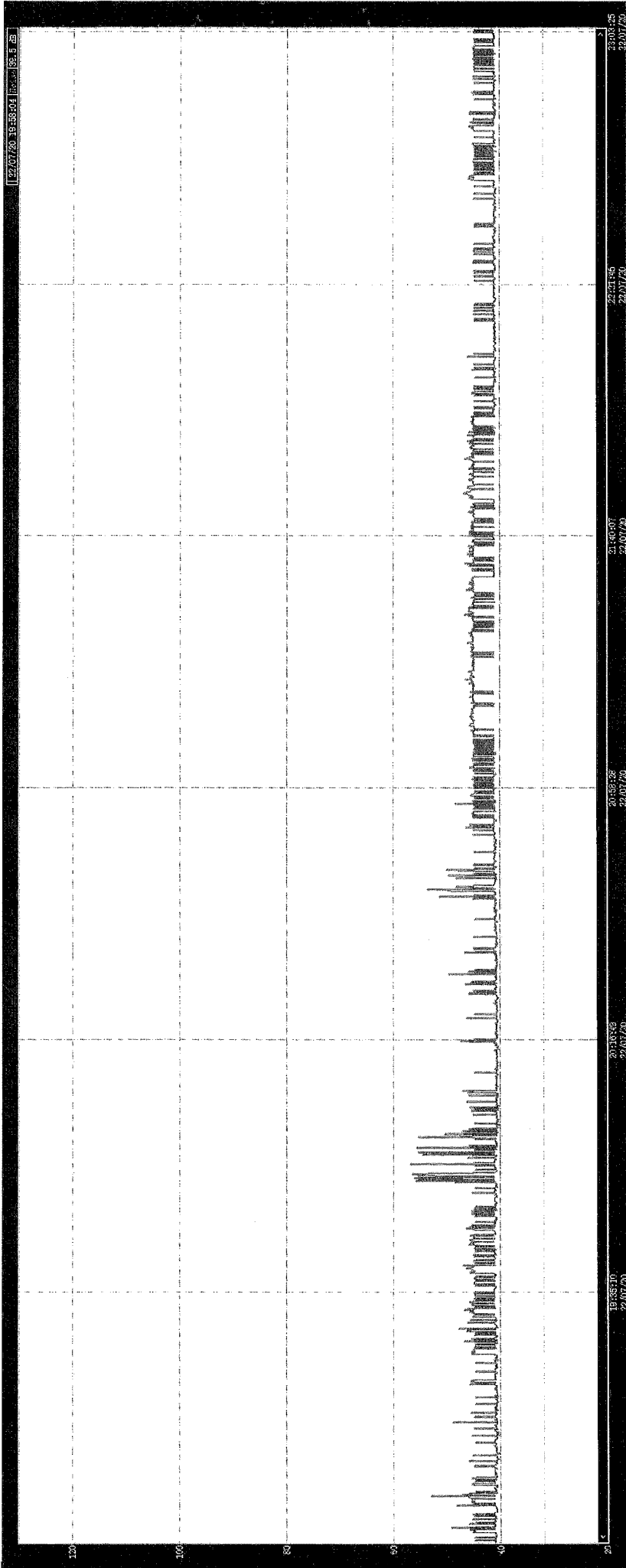


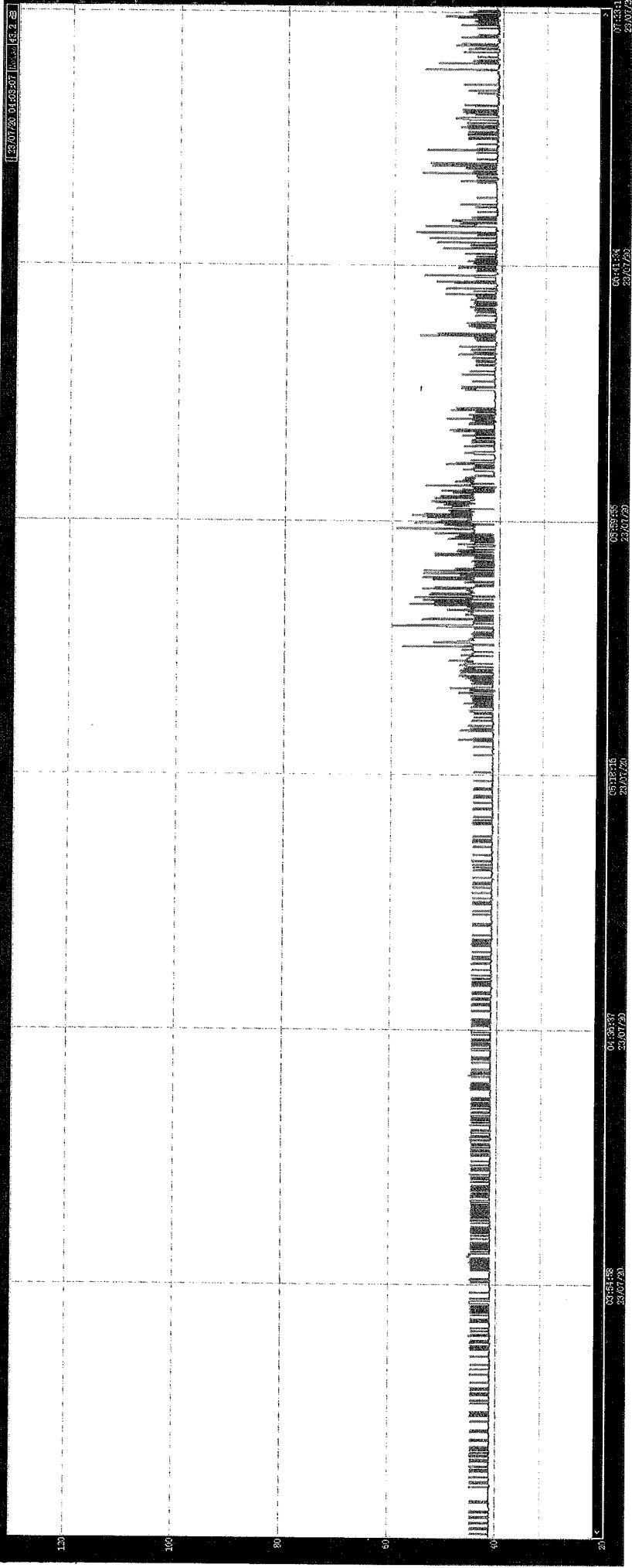
22/07/20 06:28:45

07:05:28 22/07/20
03:23:48 22/07/20
07:47:07 22/07/20
06:28:46 22/07/20
05:15:25 22/07/20
09:52:04 22/07/20
16:33:43 22/07/20









13.07.20 04:58:27 H.5.14.2

04:41:34 07:43:18 23.07.20

05:59:55 23.07.20

05:12:15 23.07.20

04:29:37 23.07.20

03:54:58 23.07.20

OCTOBER 2020

Site Management Plan for APNs 104-121-020, 104-281-004, 104-311-020

P R E P A R E D F O R

State Water Resources Control Board
1001 I Street, Sacramento CA 95814 &
God's Country LLC
PO Box 833
Point Lookout, NY 11569

P R E P A R E D B Y

Stillwater Sciences
850 G Street, Suite K
Arcata, CA 95521

Suggested citation:

Stillwater Sciences. 2020. Site Management Plan for APNs 104-121-020, 104-281-004, 104-311-020. Prepared by Stillwater Sciences, Arcata, California for the State Water Resources Control Board, Sacramento, California and God's Country LLC, Point Lookout, New York.

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Purpose:

This document serves as the Site Management Plan (SMP) prepared on behalf of the discharger, God's Country LLC, pursuant to the State Water Resources Control Board (SWRCB) Order No. WQ 2019-0001-DWQ, General Waste Discharge Requirements and Waiver of Waste Discharge Requirements for discharges of Waste Associated with Cannabis Cultivation Activities (General Order). The Site Management Plan provides an overview of existing site infrastructure and environmental conditions, assesses threats to water quality, and outlines remedial actions necessary to bring the site into compliance with the best practicable treatment or control (BPTC) measures enumerated in Attachment A of the Cannabis Cultivation Policy.

Tier Designation

This property has been classified as a Tier 1, Low Risk site as per the definitions of the General Order.

Designation of the site's tier and risk level is supported by the following determinations:

1. Disturbed area totals to less than one acre: Disturbed area on the parcel will comprise the cultivation areas when permitting is complete. No areas observed during the site visit have been accounted as disturbed.
2. No disturbed area is located within slopes that natively exceed 30%.
3. No disturbed area is located within a minimum riparian setback.

1 SEDIMENT DISCHARGE BEST PRACTICAL TREATMENT OR CONTROL

1.1 Site Characteristics

The site is located in the unincorporated community of Petrolia in southern Humboldt County, CA. The site comprises three contiguous parcels, APNs 104-121-020, 104-281-004, and 104-311-020. These parcels are 41 acres, 70 acres, and 30 acres in area, respectively. There are currently no cultivation activities onsite and will not be until permits are granted by Humboldt County.

The parcel with APN 104-121-020 is riparian to the Mattole River and primarily comprises a river terrace of less than 5% slope at an elevation of 170' above sea level (ASL). The terrace is mostly open pasture with trees around the perimeter and is crossed by one Class II tributary to the Mattole River close to its northeastern property boundary. Existing infrastructure on the parcel includes a residence, garage, storage shed, barn, and permitted groundwater well.

The parcels of APN 104-281-004 and APN 104-311-020 are accessed by the same gravel road which branches off Mattole Rd. The parcels lie on a generally north-south trending ridgeline that rises steeply from the river valley to a maximum elevation of 510' ASL. Much of the land on the parcels, and nearly all of APN 104-311-020, are densely forested and exhibit steep hillslopes. However, APN 104-281-004 additionally contains a large meadow approximately 25 acres in size between the elevations of 330' ASL and 415' ASL. The meadow exhibits low slopes in the vicinity of 5%.

Existing infrastructure on APN 104-281-004 includes the gravel access road, along which are three stream crossings, a permitted groundwater well in the southeast corner, and a legacy agricultural barn near the parcel's northwest boundary. A 1.2 million gallon rainwater catchment pond is proposed in the upper meadow of APN 104-281-004 to provide irrigation water for future cultivation. The groundwater well will likely be used as the primary water source for one season while the pond is being permitted and constructed.

The project site and much of the surrounding area is underlain by the "co2" unit of Pliocene to Late Cretaceous coastal belt mélange bedrock. This mélange comprises "subequal amounts of shattered sandstone and argillite with much clayey, penetratively sheared rock that exhibits generally irregular topography lacking well incised sidehill drainage," (Mcloughlin et. al., 2000). Much of the meadow on the property is additionally mapped as containing "Qal" quaternary overlap deposits. These are likely to be alluvial in origin in the river valley and colluvial at the upper site.

Stillwater Sciences' staff performed a field assessment of the parcels in September of 2020 and found the site to be in generally good condition with a few remedial actions required to attain compliance with the Cannabis Policy and General Order. Site maps depicting infrastructure observed during the visit are shown in Figure 1.

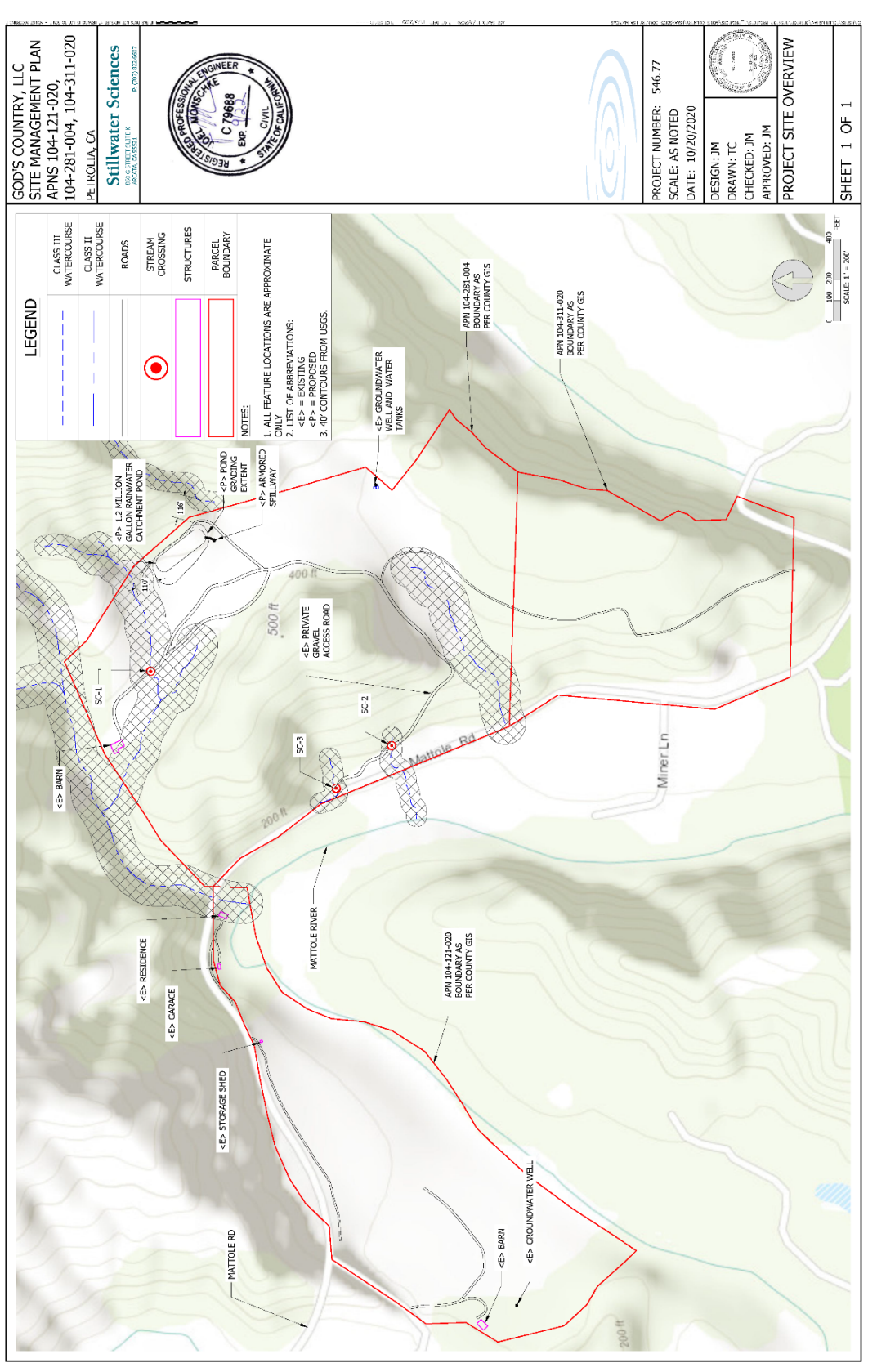


Figure 1. Site overview map

1.2 Access road conditions

The lower parcel, APN 104-121-020, has three access points, two from Mattole Rd and the other from Green Fir Rd, both of which are county maintained paved roads. The western two access points provide entrance to private roads leading to the barn or storage shed. These roads are gravel surfaced, or grass where rarely used, low gradient, and are largely constructed on grade without substantial cut or fill. The eastern access point is an approximately 500' driveway to the residence and garage on the property. The driveway is gravel surfaced, low gradient, and appears to be in good shape. As the 0.5 miles of private roads on this parcel are generally up to the standards of the Roads Handbook (Weaver, Weppner, and Hagans, 2015) they have not been accounted as disturbed area.

APN 104-281-004 contains the greatest length of private road onsite at 1.1 miles. From Mattole Rd, the single access road climbs steeply to the southeast at an average grade of 16% for approximately 800' until it enters the upper meadow and turns to the northeast. Once in the meadow, road grade generally remains lower than 6%. Three shorter road sections branch off from the primary access road in the upper meadow. These additional sections are all of low angle, appear to be seldom used, and are a mix of gravel and grass surface.

Along its length from Mattole rd to the barn in the northwest of the property, the primary access road is drained by an out-sloped surface and rolling dips. Despite the steepness of the lower road, which approaches 25% grade along several short sections, the existing application of rock armor, along with frequent rolling dips, appears to prevent substantial erosion of the road surface or nearby slopes. Careful monitoring of this road section, coupled with maintenance of rolling dips and periodic application of rock armor, should allow it to remain up to the standards of the Roads Handbook.

One 0.3 mile road section crosses through APN 104-311-020. This road begins in the meadow on APN 104-281-004 and ends on a neighboring property to the south. The road appears to be largely disused, low to moderate in grade, and stable. It has not been accounted as disturbed area.

1.2.1 Vehicle stream crossings

There are three stream crossings on the property, all along the primary access road of 104-281-004.

SC (stream crossing) 1 is the crossing of an unnamed class II watercourse by the gravel access road approximately 350' from its terminus in the north end of the parcel. The watercourse is currently conveyed by a 24" corrugated metal pipe (CMP) culvert, 20' in length. The existing culvert is roughly 30% infilled with sediment and exhibits a rust line along about 50% of its height.

SC-2 is the crossing of an unnamed class III drainage by the lower portion of the parcel's gravel access road. The watercourse begins approximately 40' above the road at a broad gravelly springhead. Between the springhead and road, water appears to flow primarily subsurface through a swale with no well-defined bed or banks. An 18" diameter, 20' long corrugated plastic culvert (CPP) conveys water under the access road. The culvert outlet is perched approximately 1.5'

above the downstream channel. The channel below the road appears to be well defined and exhibits characteristics of a class III watercourse.

SC-3 is located approximately 50' from the meeting of the gravel access road and the county-maintained Mattole rd. A class III watercourse is conveyed under the access road by a 12" CPP. The channel immediately downstream of the culvert outlet contains approximately 0.5 cubic yards of unconsolidated gravel. About 20' downstream of the culvert outlet, the watercourse is diverted into the inboard ditch of Mattole Rd. The inboard ditch directs flow to the northwest, through another culvert under the parcel's driveway entrance, and subsequently to a nearby low point in Mattole Rd where all flow appears to percolate under the road prism.

1.3 Legacy waste discharge issues

No legacy waste discharges were identified onsite. The legacy barn in the north of APN 104-281-004 is partly within the minimum riparian setback of a class II watercourse. However, the barn appears on a USGS map from 1970, making it at least 40 years old and predating the current property owners. Due to its proximity to the watercourse, it will not be used to store fertilizers, pesticides, petroleum products, or any other chemicals which may be harmful to water quality.

1.4 Erosion Prevention and Sediment Control

The site in its current state has low to moderate erosion potential. Some remedial actions are required to ensure long term erosion prevention.

1.4.1 Roads

Recommended road maintenance necessary to prevent erosion is generally limited to continued application of surface rock and monitoring and maintenance of drainage features like rolling dips and ditch relief culverts. A Lake or Streambed Alteration Agreement (LSAA) Notification has been filed with the California Department of Fish and Wildlife (CDFW) which proposes upgrades to all three stream crossings on the property. 401 Water Quality Certification must also be sought with the SWRCB. The inlet and outlet of the culvert at SC-1 should be cleared of sediment and debris, and the culverts at SC-2 and SC-3 inspected before onset of the winter season to minimize the risk of erosion or failure before the upgrades can be completed.

One area requiring small road drainage alterations exists immediately upslope of SC-2. Currently, a remnant section of inboard ditch is present along approximately 20' of the east side of the road leading to the crossing. While flow to this ditch has been largely cut off by a rolling dip above, the inboard berm present from ditch excavation should be used to re-fill the ditch, making sure that the material is compacted and rock armored. This will allow a continuous out-slope from cut bank to fill slope and reduce potential for concentrated flows to be directed at the watercourse. For this modification to be effective, a small outboard berm on the west (downslope) side of the road must also be removed through this same area.

1.4.2 Cultivation Areas

No cultivation or cultivation related infrastructure was present at the time of the site visit. If and when cultivation activities begin onsite, it will be the responsibility of the landowner that they be operated and maintained as per the BPTC measures laid out in the Cannabis Policy and discussed in the annual reports.

1.4.3 Other Areas

No additional areas requiring erosion prevention or sediment control were identified onsite.

1.5 Maintenance

Following every growing season, all cultivation sites will be winterized either by planting cover crops and spreading straw mulch, or by covering growing areas with plastic. If covered with plastic, runoff concentration caused by the impervious surfaces will be monitored to ensure that they are not causing erosion.

Other best management practices (BMPs) include:

- Erosion and sediment control shall be installed prior to the wet season (October 1 through April 30).
- Sensitive areas and areas where existing vegetation is being preserved shall be protected with construction fencing; fencing shall be maintained throughout construction activities.
- All areas disturbed during grading activities shall be seeded with native grass seed and mulched with rice straw.
- Prior to seeding and straw, disturbed areas should be roughened by track walking with a dozer.
- Straw shall be applied at a uniform rate of approximately 4,000 lbs per acre by hand.
- At the completion of the project, straw wattles shall be placed as directed by the engineer or geologist.
- All sediment control features shall be maintained throughout the wet season until new vegetation has become established on all graded areas.

2 FERTILIZER, PESTICIDE, HERBICIDE, AND RODENTICIDE BPTC MEASURES

2.1 Fertilizer

When fertilizers, potting soils, and soil amendments are brought to the site, they will be stored in locations and in a manner by which they cannot enter or be transported into surface waters or leach into groundwater. Nutrients and soil amendments will be stored with secondary containment in a secure storage facility. Products will be applied per label instructions and at proper agronomic rates. Cultivation areas will be maintained to prevent nutrients from leaving the site during the growing season and post-harvest. A list of fertilizers and soil amendments that will likely be used for cultivation are provided in Table 1.

Table 1. Fertilizers and amendments to be used onsite

Product
Advanced Nutrients Big Bud
Advanced Nutrients Overdrive
Cutting Edge Micro
Cutting Edge Grow
Cutting Edge Bloom
Cutting Edge Sugaree
Cutting Edge Bulletproof Si
Cutting Edge Calmag Amplified
Humboldt Nutrients Verde

2.2 Pesticide, Herbicide, and Rodenticide

It is anticipated that no herbicides or rodenticides will be used. All pesticides will be applied per labelling instructions, kept in original containers, and provided secondary containment in secure storage facilities outside of riparian setbacks. The cultivator will ensure that the type and application method of pesticide products used onsite are in compliance with regulations of the California Department of Pesticide Regulation and California Department of Food and Agriculture. A list of pesticides that may be used onsite is provided below in Table 2.

Table 2. Pesticides to be used onsite if necessary

Product
Cosavet-DF Edge
Des-x
Plant Therapy (Lost Coast)
Azaguard
Suffoil-X

2.3 Procedures for Spill Prevention and Cleanup

Spill prevention and clean-up materials will be made available in the immediate vicinity of the chemical storage areas. Major spills should be addressed per actions described in Section 3.2 below.

3 PETROLEUM BPTC MEASURES

3.1 Summary of Products Used on Site

No petroleum products are currently stored onsite. The site has grid power and so it is likely that only small quantities of petroleum for the fueling and maintenance of tools will be kept onsite. All petroleum products are to be stored in a secure location, protected from the elements, and afforded secondary containment.

3.2 Procedures for Spill Prevention and Cleanup

If a petroleum product, fertilizer, pesticide or any other hazardous material is spilled, immediate attention should be paid to contain and clean up the chemical(s). Additionally, the cultivator shall promptly notify the California Office of Emergency Services in the event of major spills. Spill containment and cleanup kits are kept close by to all chemical storage locations.

In general, the following clean-up steps will be performed in the event of a spill:

1. Any affected material will be immediately disposed of in a covered waste bin.
2. The contaminated area will be marked off with caution tape or string.
3. Signs in appropriate languages will be posted at the perimeter prohibiting entry to the contaminated area.
4. People and animals will be kept out until the area is sufficiently decontaminated.
5. Any solid waste still resting on the surface will be collected, shoveled up, and removed to the waste bin.

8. The spillage event and corrective actions will be written down in a Field Sanitation Unit Service Log.

4 TRASH/REFUSE AND DOMESTIC WASTEWATER BPTC MEASURES

4.1 Trash/Refuse at Site

Trash and recycling containers will be located onsite on a concrete pad and covered. Solid waste and recycling will be hauled off-site by a commercial waste hauler at least once per week.

4.2 Human Waste

Restroom facilities will be provided by portable toilets until an onsite wastewater treatment system is permitted and installed.

4.3 Cultivation Waste

Cultivation vegetative matter such as root balls, branches, and leaves will be hauled off-site by a commercial waste hauler at intervals determined by harvest cycles. Spent potting soil will be re-amended and reused.

5 WINTERIZATION BPTC MEASURES & REMEDIATION SCHEDULE

The cultivator will conduct the following activities prior to the onset of measurable rainfall each year:

- 1) Make sure that all supplies and equipment are in a secure, covered location per sections 2-4 above.
- 2) Perform yearly maintenance on drainage features as applicable to reduce runoff concentration (i.e. handwork or small equipment work to maintain water bars, ditches, sediment catchment areas, etc.)
- 3) Spread all disturbed soils with straw and seed to promote re-vegetation. Install linear erosion and sediment control features where necessary.

Table 3. Site remediation summary and schedule

Map Point	Description	Permanent BPTC	Proposed Date of Completion
SC 1-3	Undersized stream crossings	Upgrade crossings as specified in LSAA	Dependent on agency permitting

6 REFERENCES

McLaughlin, R. J., S. D. Ellen, M. C. Blake, Jr., A. S. Jayko, W. P. Irwin, K. P. Aalto, G. A. Carver, and S. H. Clarke, Jr. 2000. Geology of the Cape Mendocino, Eureka, Garberville, and southwestern part of the Hayfork 30x60 minute quadrangles and adjacent offshore area, northern California: U.S. Geological Survey Miscellaneous Field Studies Map MF-2336, scale 1:100,000

Weaver, W.E., Weppner, E.M. and Hagens, D.K., 2015, Handbook for Forest, Ranch and Rural Roads: A Guide for Planning, Designing, Constructing, Reconstructing, Upgrading, Maintaining and Closing Wildland Roads (Rev. 1st ed.), Mendocino County Resource Conservation District, Ukiah, California.

7 CERTIFICATION

I certify under penalty of law that I have personally examined and am familiar with the information submitted in this document and all attachments and that, based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the information is true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment.

Property Owner or Authorized Representative

Date

CALIFORNIA DEPARTMENT OF FISH AND WILDLIFE
REGION 1 – NORTHERN REGION, COASTAL
619 Second Street
Eureka, CA 95501



STREAMBED ALTERATION AGREEMENT
NOTIFICATION NO. EPIMS-HUM-13578-R1C
Unnamed Tributaries to the Mattole River and the Pacific Ocean

James Greenfield
Greenfield Stream Crossings Project
3 Encroachments

This Lake or Streambed Alteration Agreement (Agreement) is entered into between the California Department of Fish and Wildlife (CDFW) and James Greenfield (Permittee).

RECITALS

WHEREAS, pursuant to Fish and Game Code (FGC) section 1602, the Permittee initially notified CDFW on November 9, 2020, that the Permittee intends to complete the project described herein.

WHEREAS, pursuant to FGC section 1603, CDFW has determined that the project could substantially adversely affect existing fish or wildlife resources and has included measures in the Agreement necessary to protect those resources.

WHEREAS, the Permittee has reviewed the Agreement and accepts its terms and conditions, including the measures to protect fish and wildlife resources.

NOW THEREFORE, the Permittee agrees to complete the project in accordance with the Agreement.

PROJECT LOCATION

The project is located within the Mattole River watershed, approximately 4.7 miles southeast of the town of Petrolia, County of Humboldt, State of California; Section 19, T2S, R1W, Humboldt Base and Meridian, in the Buckeye Mountain U.S. Geological Survey 7.5-minute quadrangle; Assessor's Parcel Numbers 104-281-004, 104-121-020 & 104-311-020; latitude 40.2782 N and longitude 124.2301 W at the first stream crossing.

PROJECT DESCRIPTION

This Agreement relies on the Notification materials and a desk review without a CDFW site inspection. The project is limited to 3 encroachments (Table 1) to upgrade undersized stream crossings. Work for these encroachments will include excavation,

removal of the failing crossings, replacement with new properly sized crossings, backfilling and compaction of fill, and rock armoring as necessary to minimize erosion.

Table 1. Project Encroachments Covered by this Agreement with Description

ID	Latitude/Longitude	Description
Crossing-1	40.2782, -124.2301	Replace existing culvert with a minimum 30-inch diameter culvert, set at stream grade
Crossing-2	40.2750, -124.2313	Replace existing culvert with a minimum 18-inch diameter culvert, set at stream grade
Crossing-3	40.2757, -124.2321	Replace existing culvert with a minimum 18-inch diameter culvert, set at stream grade

The Notification disclosed an appropriative water right (SWRCB # A021859) but did not notify for a surface water diversion. No surface water diversion is authorized by this Agreement.

The Notification discloses the use of two wells located at Lat/Long 40.2759, -124.2272 (Well-1) & 40.2731, -124.2411 (Well-2). These wells are presented as the sole source of water for all needs on the property. CDFW did not fully evaluate hydraulic connection of the wells to surface water, nor was a hydrogeologic evaluation prepared by a licensed geologist provided for CDFW review. The wells are shallow and one well appears to be located in the floodplain of the Mattole River. Based on the available resources, the wells are likely to be hydraulically connected to streams and/or springs and shall be evaluated for potential impacts from commercial cannabis irrigation use through Humboldt County's cannabis cultivation permit (PLN-12694-CUP, PLN-2020-16621).

No other projects that may be subject to FGC section 1602 were disclosed. This Agreement does not retroactively permit any constructed reservoirs (including "ponds"), stream crossings, water diversions, modifications to riparian buffers, or other encroachments not described in Table 1.

PROJECT IMPACTS

Existing fish or wildlife resources the project could substantially adversely affect include **Chinook Salmon** (*Oncorhynchus tshawytscha*), **Coho Salmon** (*O. kisutch*), **Steelhead Trout** (*O. mykiss*), **Western Brook Lamprey** (*Lampetra richardsoni*), **Pacific Lamprey** (*Entosphenus tridentatus*), **Southern Torrent Salamander** (*Rhyacotriton variegatus*), **Pacific Giant Salamander** (*Dicamptodon tenebrosus*), **Foothill Yellow-legged Frog** (*Rana boylei*), **Coastal Tailed Frog** (*Ascaphus truei*), **Western Pond Turtle** (*Actinemys marmorata marmorata*), amphibians, reptiles, aquatic invertebrates, mammals, birds, and other aquatic and riparian species.

The adverse effects the project could have on the fish or wildlife resources identified above include:

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Impacts to water quality:

increased water temperature;
increased turbidity;
increased sedimentation (chronic or episodic);

Impacts to bed, channel, or bank and direct effects on fish, wildlife, and their habitat:

loss or decline of riparian habitat;
loss or decline of instream channel habitat;
direct impacts on benthic organisms;
direct and/or incidental take of aquatic and/or terrestrial organisms;

Impacts to natural flow and effects on habitat structure and process:

impediment of up- or down-stream movement;
water quality degradation; and
damage to aquatic habitat and function.

MEASURES TO PROTECT FISH AND WILDLIFE RESOURCES

1. Administrative Measures

Permittee shall meet each administrative requirement described below.

- 1.1 Documentation at Project Site. Permittee shall make the Agreement, any extensions and amendments to the Agreement, and all related notification materials and California Environmental Quality Act (CEQA) documents, readily available at the project site at all times and shall be presented to CDFW personnel, or personnel from another state, federal, or local agency upon request.
- 1.2 Providing Agreement to Persons at Project Site. Permittee shall provide copies of the Agreement and any extensions and amendments to the Agreement to all persons who will be working on the project at the project site on behalf of Permittee, including but not limited to contractors, subcontractors, inspectors, and monitors.
- 1.3 Notification of Conflicting Provisions. Permittee shall notify CDFW if Permittee determines or learns that a provision in the Agreement might conflict with a provision imposed on the project by another local, state, or federal agency. In that event, CDFW shall contact Permittee to resolve any conflict.
- 1.4 Project Site Entry. Permittee agrees to allow CDFW employees access to the Project site for the purpose of inspecting and/or monitoring, provided CDFW: a) provides 24 hours advance notice; and b) allows Permittee or representatives to participate in the inspection and/or monitoring. This condition does not apply to CDFW law enforcement personnel.

- 1.5 Water Rights. This Agreement does not constitute a valid water right. All water diversion facilities that Permittee owns, operates, or controls shall be operated and maintained in accordance with current law and applicable water rights. Water rights are administered by the State Water Resources Control Board as described here: https://www.waterboards.ca.gov/waterrights/water_issues/programs/registrations/.
- 1.6 Change of Conditions and Need to Cease Operations. If conditions arise, or change, in such a manner as to be considered deleterious by CDFW to the stream or fish and wildlife, operations shall cease until corrective measures approved by CDFW are taken. This includes new information that indicates any conditions provided in this Agreement are not providing adequate protection to keep aquatic life downstream in good condition or to avoid “take” or “incidental take” of federal or State listed species.
- 1.7 Notification Materials. Permittee's Notification of Lake or Streambed Alteration, together with all maps, plans, photographs, drawings, and all other supporting documents submitted with the Notification and received on November 9, 2020, is hereby incorporated by reference into this Agreement. Permittee shall conduct project activities within the work areas, and using the protective measures, described in the Notification and supporting documents, unless such project activities, work areas or protective measures are modified by the provisions of this Agreement, in which case the activities shall be conducted as described in this Agreement.

2. Avoidance and Minimization Measures

To avoid or minimize adverse impacts to fish and wildlife resources identified above, Permittee shall implement each measure listed below.

Work Periods and Pre-Project Notice

- 2.1 Work Period. All work shall be confined to the period **June 1 through October 31** of each year. Work within the active channel of a stream shall be restricted to periods of **dry weather**. Permittee shall monitor precipitation forecasts and potential increases in stream flow when planning construction activities. Construction activities shall cease, and all necessary erosion control measures shall be implemented prior to the onset of precipitation. A notice of completed work, including dates of activities and photographs of each site, shall be submitted to CDFW within seven (7) days of project completion.
- 2.2 CDFW Notification of Work Initiation and Completion. Permittee shall contact CDFW in writing within the 7-day period preceding the beginning of work permitted by this Agreement. Information provided shall include Agreement number, and the anticipated start date. Subsequently, Permittee shall notify CDFW in writing no

later than seven (7) days after the project is fully completed. **Notification of completion will include photographs of the completed work, erosion control measures, waste containment and disposal, and a summary of any CNDDDB submissions as required below.**

- 2.3 Work Period Extension Requests. If Permittee needs more time to complete the project, CDFW may grant a work period extension on a day-to-day basis. Extension requests shall be made in writing before **October 5** of each year and shall: 1) describe the extent of work already completed; 2) detail the uncompleted activities; 3) detail the time required to complete each remaining activity; and 4) provide photographs of the completed work site(s) and remaining work. Requests shall describe the effects of increased stream flows, rain delays, increased erosion control measures, access constraints caused by saturated soils, and anticipated effects of climatic conditions on growth of erosion control grasses. Work period extensions are issued at the discretion of CDFW. CDFW will review the written request and may require additional measures to protect fish and wildlife resources.

General Stream Protection Measures

- 2.4 Prohibition of Live Stream Work. No work is authorized in a live flowing stream. All work shall be conducted when the stream is dry. Permittee shall notify CDFW if it determines that work in a live flowing stream is required to complete a project and will submit a diversion plan.
- 2.5 Maintain Passing of Fish Up and Down Stream. It is unlawful to construct or maintain in any stream any device or contrivance that prevents, impedes, or tends to prevent or impede, the passing of fish (as defined in FGC Section 45 "fish" means a wild fish, mollusk, crustacean, invertebrate, amphibian, or part, spawn, or ovum of any of those animals) up and down stream pursuant to FGC section 5901.
- 2.6 Decontamination. Permittee shall ensure all project personnel adhere to the Northern Region California Department of Fish and Wildlife Aquatic Invasive Species Decontamination Protocol for all field gear and equipment that will be in contact with water. Heavy equipment and other motorized or mechanized equipment that contacts water shall adapt watercraft decontamination protocols found in the AIS Decontamination Protocol.
<https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=92821&inline>
- 2.7 Staging and Storage. Staging and storage areas for equipment, materials, fuels, lubricants and solvents shall be located outside of the stream channel and banks, and away from riparian vegetation. Structures and associated materials not designed to withstand high seasonal flows shall be removed to areas above the ordinary high-water mark before such flows occur or at the end of the yearly work period, whichever occurs first.

- 2.8 Equipment and Vehicle Leaks. Equipment or vehicles operated in or near the stream shall be checked and maintained daily to prevent leaks. Stationary equipment (e.g. motors, pumps, generators, welders, etc.) in or near the stream shall be positioned over drip pans. Stationary heavy equipment shall have sufficient containment to manage catastrophic spills or leaks.
- 2.9 Hazardous Substances. Debris, soil, silt, bark, slash, sawdust, rubbish, creosote-treated wood, raw cement/concrete or washings thereof, asphalt, paint or other coating material, oil or other petroleum products, or any substance or material deleterious to fish, plant life, mammals, or bird life, or their habitat, shall be prevented from contaminating the soil and/or entering the waters of the State, pursuant to FGC Sections 5650 and 5652. Permittee shall ensure hazardous or toxic materials are stored in watertight containers and promptly removed from the worksite.
- 2.10 Spill Containment and Cleanup. All authorized activities performed in or near a stream shall have on-site cleanup equipment (e.g. boom, skimmers, etc.) and absorbent materials for spill containment and cleanup prior to the start of work and for the duration of the project. In the event of a spill, Permittee shall immediately notify the California Office of Emergency Services State Warning Center at 1-800-852-7550 and initiate clean-up. Permittee shall immediately notify CDFW of any spills and shall follow CDFW cleanup procedures and guidance.
- 2.11 Stockpiled Materials. Materials shall not be stockpiled where they may wash into the stream or cover aquatic or riparian vegetation. Permittee shall monitor the National Weather Service (NWS) 72-hour forecast for the project area and cover stockpiles if NWS predicts precipitation.
- 2.12 Erosion Control. Permittee shall implement erosion control measures throughout all phases of operation where sediment delivery could occur. Silt fences, straw bales, gravel or rock lined ditches, water check bars, broadcasted weed-free straw, or other approved erosion control measures shall be used wherever sediment has the potential to leave the work site and enter the stream.
- 2.13 Silt Laden Runoff. At no time shall silt laden runoff enter the stream or be directed to where it may enter the stream. Silt control structures shall be monitored for effectiveness and shall be repaired or replaced as needed.
- 2.14 Disposal and Removal of Material. Permittee shall remove from the work area, and relocate outside of the stream and riparian area, all spoils and construction debris prior to inundation. All removed material and debris shall be disposed of according to State and local laws and ordinances.
- 2.15 Waste Containment and Disposal. Permittee shall contain all refuse in enclosed, wildlife proof, storage containers, at all times, and relocate refuse to an authorized waste management facility, in compliance with State and local laws, on a regular

and ongoing basis. All refuse shall be removed from the site and properly disposed of at the close of the cultivation season and/or when the parcel is no longer in use..

- 2.16 Wash Water. Water containing mud, silt, or other pollutants from equipment washing or other activities, shall not be allowed to enter a lake or flowing stream or placed in locations that may be subjected to high storm flows.
- 2.17 Allow Wildlife to Leave Unharmed. Permittee shall allow any wildlife encountered to leave the project area unharmed. This Agreement does not allow for the trapping, capture, or relocation of any state or federally listed species.
- 2.18 Escape Ramp in Trench. At the end of each work day, Permittee shall place an escape ramp at each end of any open trench deeper than six inches with walls greater than 30 degrees to allow entrapped animals to escape. The ramp may be constructed of either dirt fill, non-treated wood, or other suitable material placed at an angle no greater than 30 degrees.
- 2.19 Prohibition Against Use of Plastic Netting in Erosion Control Measures. Permittee shall not use erosion control devices containing plastic, including photo- or bio-degradable plastic netting. Erosion control mats, blankets, and straw or fiber wattles shall consist entirely of natural fiber.
- 2.20 Remove Temporary Flagging, Fencing, and Barriers. Permittee shall remove all temporary flagging, fencing, and/or barriers from the project site and vicinity of the stream upon completion of project activities.

Special Status Species Avoidance and Minimization

- 2.21 Prohibition on Take of Listed Species. This agreement does not authorize the take or incidental take of any State or Federal listed threatened or endangered listed species. State Listed or Fully Protected Species include any native plant species listed as rare under the Native Plant Protection Act (FGC, § 1900 et seq.; Cal. Code Regs., tit. 14, § 670.2), any species that is listed or is a candidate for listing under the California Endangered Species Act (FGC Code, § 2080 et seq.; Cal. Code Regs., tit. 14, §§ 670.2, 670.5), or any fully protected species (FGC, §§ 3511, 4700, 5050, 5515). Permittee shall consult with the appropriate agency prior to commencing the project.
- 2.22 Avoidance of Nesting Birds. Permittee shall avoid nests occurring within and near the project site pursuant to the Migratory Bird Treaty Act of 1918 and FGC section 3503. Vegetation maintenance/removal shall be confined to the period **September 1 to January 31** of any year in which this Agreement is valid, provided the work area is outside the stream. Vegetation maintenance/removal may continue during precipitation events provided stream flows have not risen into work areas and sediment delivery will not result.

Vegetation Management

- 2.23 Riparian Buffers. Riparian buffers shall not be modified, unless authorized by CDFW in writing.
- 2.24 Minimum Vegetation Removal. No native riparian vegetation shall be removed, except where authorized by CDFW. Permittee shall limit the disturbance or removal of native vegetation to the minimum necessary to achieve design guidelines and standards for the authorized activity. Permittee shall take precautions to avoid damage to vegetation outside the work area.
- 2.25 Vegetation Maintenance. Permittee shall limit vegetation management (e.g., trimming, pruning, or limbing) and removal for the purpose of the authorized activity to the use of hand tools. Vegetation management shall not include treatment with herbicides.
- 2.26 Invasive Plant Species. Permittee shall not plant, seed or otherwise introduce invasive plant species within the Project area. Invasive plant species include those identified in the California Invasive Plant Council's inventory database, which is accessible at: <https://www.cal-ipc.org/plants/inventory/>.

Stream Crossings

- 2.27 Road Approaches. Permittee shall treat road approaches to new or re-constructed crossings to minimize erosion and sediment delivery to the stream. Permittee shall ensure road approaches are hydrologically disconnected to the maximum extent feasible to prevent sediment from entering the crossing site, including during the construction or reconstruction of a stream crossing. Road approaches shall be armored from the crossing for a minimum of 50 feet in both directions, or to the nearest effective water bar or point where road drainage does not drain to the crossing, with durable, clean, screened, angular rock.
- 2.28 Excavated Fill. Excavated fill material shall be placed in upland locations where it cannot deliver to a watercourse. To minimize the potential for material to enter the stream, all excavated and relocated fill material shall be tractor contoured (to drain water) and tractor compacted to effectively incorporate and stabilize loose material into existing road and/or landing features.
- 2.29 Runoff from Steep Areas. Permittee shall make preparations so that runoff from steep, erodible surfaces will be diverted into stable areas with little erosion potential, or contained behind erosion control structures. Erosion control structures such as straw bales and/or siltation control fencing shall be placed and maintained until the threat of erosion ceases. Frequent water checks shall be placed on dirt roads, cat tracks, or other work trails to control erosion.

- 2.30 No Equipment in Wetted Areas. No heavy equipment shall enter the wetted stream channel.
- 2.31 Fill Materials. No fill material, other than clean rock, shall be placed in the stream channel.
- 2.32 Material Sizing. Rock shall be sized to withstand washout from high stream flows and extend above the ordinary high-water level.
- 2.33 Crossing Maintenance. Permittee shall provide site maintenance for the life of the structures, including, but not limited to, re-applying erosion control to minimize surface erosion and ensuring drainage structures, streambeds and banks remain sufficiently armored and/or stable. Permanent culverts shall be maintained and kept open year-round. Permittee is responsible for such maintenance as long as the culvert remains in the stream.
- 2.34 Armoring. The placement of armoring shall be confined to the work period when the stream is dry or at its lowest flow.
- 2.35 Armor Placement. Rock armoring shall not constrict the natural stream channel width and shall be keyed into a footing trench with a depth sufficient to prevent instability.
- 2.36 Crossing Decommissioning. When stream crossings and fills are removed, all fill shall be excavated down to the original stream channel and outwards, horizontally, as wide as or wider than the natural channel to form a channel as close as feasible to the natural stream grade and alignment. The restored stream bank slopes shall be no steeper than a 2:1 slope (horizontal: vertical) or natural slope. Restored slopes shall be stabilized to prevent slumping and to minimize soil erosion that could lead to sediment deposition into Waters of the State.

Culvert Installation

- 2.37 Permanent Culvert Sizing. Permanent culverts shall be sized to accommodate the estimated 100-year flood flow [i.e. ≥ 1.0 times the width of the bankfull channel width or the 100-year flood size, whichever is greater], including debris, culvert embedding, and sediment loads (Cafferata et al. 2017, Designing Watercourse Crossings for Passage of 100-Year Flood Flows, Wood, and Sediment).
<http://timbertraining.resources.ca.gov/mod/resource/view.php?id=378>
- 2.38 Critical Dips. Where diversion potential exists, a critical dip shall be installed to direct flood flow over the crossing fill and back into the channel. Critical dips shall be constructed to accommodate the entire estimated 100-year flood flow and may be installed by lowering the existing fill over the crossing or by constructing a deep, broad rolling dip over the crossing surface to prevent flood flow from diverting down the road.

- 2.39 Culvert Materials in High Fire Zones. If the project is located in a high to very high Fire Hazard Severity Zone as designated by CAL FIRE, CDFW recommends culvert materials consist of corrugated metal pipe. Use of High-Density Polyethylene pipe is discouraged. <https://osfm.fire.ca.gov/divisions/wildfire-prevention-planning-engineering/wildland-hazards-building-codes/fire-hazard-severity-zones-maps/>
- 2.40 Fill Material. Existing fill material in the crossing shall be excavated down vertically to the approximate original channel and outwards horizontally to the approximate crossing hinge points (transition between naturally occurring soil and remnant temporary crossing fill material) to remove any potential unstable debris and voids in the older fill prism.
- 2.41 Culvert Grade. Culvert shall be installed to grade (not perched or suspended), aligned with the natural stream channel, and extend lengthwise completely beyond the toe of fill. If culvert cannot be set to grade, it shall be placed in the lower third of the fill face, and a downspout or energy dissipator (such as boulders, rip-rap, or rocks) shall be installed above or below the outfall as needed to effectively control stream bed, channel, or bank erosion (scouring, headcutting, or downcutting). Permittee shall ensure basins are not constructed and channels are not widened at culvert inlets.
- 2.42 Culvert Bed. Culvert bed shall be composed of either compacted rock-free soil or crushed gravel. Bedding beneath the culvert shall provide for even distribution of the load over the length of the pipe, and allow for natural settling and compaction to help the pipe settle into a straight profile. The crossing backfill materials shall be free of rocks, limbs, or other debris that could allow water to seep around the pipe, and shall be compacted. No geotextile fabric shall be placed in the culvert bed, streambed, bank or channel.
- 2.43 Culvert Armoring. Culvert inlet, outlet (including the outfall area), and fill faces shall be armored where stream flow, road runoff, or rainfall energy is likely to erode fill material and the outfall area.

3. Reporting Measures

Permittee shall meet each reporting requirement described below.

- 3.1 CDFW Notification of Work Initiation. Permittee shall contact CDFW within the seven-day period **preceding the beginning of work** permitted by this Agreement. Information to be disclosed shall include Agreement number, and the anticipated start date.
- 3.2 Work Completion. The proposed work shall be completed by no later than October 15, 2025. Notification of completion will include dates work occurred, photographs of work stages and the completed work, erosion control measures, waste

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containment and disposal, and a summary of any CNDDDB submissions and shall be submitted to CDFW in the Environmental Permit Information Management System (EPIMS) at <https://wildlife.ca.gov/Conservation/Environmental-Review/EPIMS> seven (7) days of project completion.

- 3.3 **Project Inspection.** The Project shall be inspected by a qualified professional to ensure that the stream crossings were installed and function as designed and in accordance with this Agreement. A copy of the inspection report, including photographs of each site, shall be submitted to CDFW within 90 days of completion of each separate project. Permittee shall submit the **Project Inspection Report** to CDFW in EPIMS.

CONTACT INFORMATION

Any communication that Permittee or CDFW submits to the other shall be submitted through EPIMS as instructed by CDFW.

To Permittee:

James Greenfield
EPIMS-HUM-13578-R1
Greenfield Stream Crossings Project
jamesgreenfield1@gmail.com

To CDFW:

Department of Fish and Wildlife
Northern Region, Coastal
EPIMS-HUM-13578-R1
Greenfield Stream Crossings Project
EPIMS.R1C@wildlife.ca.gov

LIABILITY

Permittee shall be solely liable for any violation of the Agreement, whether committed by the Permittee or any person acting on behalf of the Permittee, including its officers, employees, representatives, agents or contractors and subcontractors, to complete the project or any activity related to it that the Agreement authorizes.

This Agreement does not constitute CDFW's endorsement of, or require the Permittee to proceed with the project. The decision to proceed with the project is the Permittee's alone.

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SUSPENSION AND REVOCATION

CDFW may suspend or revoke in its entirety this Agreement if it determines that the Permittee or any person acting on behalf of the Permittee, including its officers, employees, representatives, agents, or contractors and subcontractors, is not in compliance with the Agreement.

Before CDFW suspends or revokes the Agreement, it shall provide the Permittee written notice by certified or registered mail that it intends to suspend or revoke. The notice shall state the reason(s) for the proposed suspension or revocation, provide the Permittee an opportunity to correct any deficiency before CDFW suspends or revokes the Agreement, and include instructions to the Permittee, if necessary, including but not limited to a directive to immediately cease the specific activity or activities that caused CDFW to issue the notice.

ENFORCEMENT

Nothing in the Agreement precludes CDFW from pursuing an enforcement action against the Permittee instead of, or in addition to, suspending or revoking the Agreement.

Nothing in the Agreement limits or otherwise affects CDFW's enforcement authority or that of its enforcement personnel.

OTHER LEGAL OBLIGATIONS

This Agreement does not relieve Permittee or any person acting on behalf of Permittee, including its officers, employees, representatives, agents, or contractors and subcontractors, from complying with, or obtaining any other permits or authorizations that might be required under, other federal, state, or local laws or regulations before beginning the project or an activity related to it. For example, if the project causes take of a species listed as threatened or endangered under the Endangered Species Act (ESA), such take will be unlawful under the ESA absent a permit or other form of authorization from the U.S. Fish and Wildlife Service or National Marine Fisheries Service.

This Agreement does not relieve Permittee or any person acting on behalf of Permittee, including its officers, employees, representatives, agents, or contractors and subcontractors, from complying with other applicable statutes in FGC including, but not limited to, FGC sections 2050 *et seq.* (threatened and endangered species), section 3503 (bird nests and eggs), section 3503.5 (birds of prey), section 5650 (water pollution), section 5652 (refuse disposal into water), section 5901 (fish passage), section 5937 (sufficient water for fish), and section 5948 (obstruction of stream).

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Nothing in the Agreement authorizes the Permittee or any person acting on behalf of the Permittee, including its officers, employees, representatives, agents, or contractors and subcontractors, to trespass.

AMENDMENT

CDFW may amend the Agreement at any time during its term if CDFW determines the amendment is necessary to protect an existing fish or wildlife resource.

The Permittee may amend the Agreement at any time during its term, provided the amendment is mutually agreed to in writing by CDFW and the Permittee. To request an amendment, the Permittee shall submit to CDFW a completed CDFW "Request to Amend Lake or Streambed Alteration" form and include with the completed form payment of the corresponding amendment fee identified in CDFW's current fee schedule (see Cal. Code Regs., tit. 14, § 699.5).

TRANSFER AND ASSIGNMENT

This Agreement may not be transferred or assigned to another entity, and any purported transfer or assignment of the Agreement to another entity shall not be valid or effective, unless the transfer or assignment is requested by the Permittee in writing, as specified below, and thereafter CDFW approves the transfer or assignment in writing.

The transfer or assignment of the Agreement to another entity shall constitute a minor amendment, and therefore to request a transfer or assignment, the Permittee shall submit to CDFW a completed CDFW "Request to Amend Lake or Streambed Alteration" form and include with the completed form payment of the minor amendment fee identified in CDFW's current fee schedule (see Cal. Code Regs., tit. 14, § 699.5).

EXTENSIONS

In accordance with FGC section 1605, subdivision (b), Permittee may request one extension of the Agreement, provided the request is made prior to the expiration of the Agreement's term. To request an extension, Permittee shall submit to CDFW a completed CDFW "Request to Extend Lake or Streambed Alteration" form and include with the completed form payment of the extension fee identified in CDFW's current fee schedule (see Cal. Code Regs., tit. 14, § 699.5). CDFW shall process the extension request in accordance with FGC section 1605, subdivisions (b) through (e).

If Permittee fails to submit a request to extend the Agreement prior to its expiration, Permittee must submit a new notification and notification fee before beginning or continuing the project the Agreement covers (Fish & G. Code § 1605, subd. (f)).

EFFECTIVE DATE

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The Agreement becomes effective on the date of CDFW's signature, which shall be: 1) after the Permittee signature; 2) after CDFW complies with all applicable requirements under CEQA; and 3) after payment of the applicable FGC section 711.4 filing fee listed at <https://www.wildlife.ca.gov/Conservation/CEQA/Fees>.

TERM

This Agreement shall **expire five (5) years** from date of execution, unless it is terminated or extended before then. All provisions in the Agreement shall remain in force throughout its term. The Permittee shall remain responsible for implementing any provisions specified herein to protect fish and wildlife resources after the Agreement expires or is terminated, as FGC section 1605, subdivision (a)(2) requires.

AUTHORITY

If the person signing the Agreement (signatory) is doing so as a representative of Permittee, the signatory hereby acknowledges that he or she is doing so on Permittee's behalf and represents and warrants that he or she has the authority to legally bind Permittee to the provisions herein.

AUTHORIZATION

This Agreement authorizes only the project described herein. If Permittee begins or completes a project different from the project the Agreement authorizes, Permittee may be subject to civil or criminal prosecution for failing to notify CDFW in accordance with FGC section 1602.

CONCURRENCE

Through the electronic signature by the permittee or permittee's representative as evidenced by the attached concurrence from CDFW's Environmental Permit Information Management System (EPIMS), the permittee accepts and agrees to comply with all provisions contained herein.

The EPIMS concurrence page containing electronic signatures must be attached to this agreement to be valid.



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Permit Tracking

Permit: EPIMS-HUM-13578-R1C - God's Country LSAA - 2021

Status: Underway

Region: Region 1 (Coastal)

Permittee Organization:

CDFW Contact: Andrew Orahoske

Instructions

Review the entire Standard Agreement and Exhibits (if applicable). If you identify an issue(s) with the document(s), please contact the CDFW Regional Office identified within the Standard Agreement document.

Final Draft Standard Agreement:

- Once you have completed your review of the Final Draft Standard Agreement and Exhibits (if applicable), add your name, electronic signature, and date in the 'Concurrence' section.
- Click "Save" and "Submit."
- Once you have submitted your signed Final Draft Standard Agreement you will receive an email confirming your submittal.
- After submittal of your signed Final Draft Standard Agreement, if you have any questions about the status of your Final Standard Agreement, contact the CDFW Regional Office identified within the Standard Agreement document.
- NOTICE: After CDFW receives the signed Final Draft Standard Agreement, it will make it final by signing it. However, CDFW will not sign the Final Standard Agreement until it has: 1) Complied with the California Environmental Quality Act (CEQA) as lead or responsible agency; and 2) Received written proof that the CEQA Environmental Filing Fee specified in Fish and Game Code section 711.4 has been paid, if a filing fee is required.

Final Standard Agreement:

- Once you have completed your review of the Final Standard Agreement and Exhibits (if applicable), open the pdf document(s) and print.
- A printout of the Concurrence page containing the permittee and CDFW electronic signatures must be attached to the Final Standard Agreement to be valid. Click print at top of page to print Concurrence page.
- Once the Final Standard Agreement and Concurrence pages are printed, you may begin the project the Final Standard Agreement authorizes, provided you have obtained all necessary local, State, and federal permits or authorizations.

Need EPIMS Help? Call 1 (833) 303-7167	
EPIMS Questions?	EPIMSHelp@wildlife.ca.gov
Project Specific Questions?	CDFW Regional Offices

Standard Agreement

[Correcting Version](#) | [Return to Components](#)

Signature Page

This Standard Agreement is being issued to:

James Greenfield

Final Standard Agreement: * [EPIMS-HUM-13578-R1C_Final_Standard_Agreement.pdf](#)

Open and print the attached PDF file.

Exhibits

If applicable, the documents below are exhibits to the Standard Agreement and are incorporated by reference. Open and print attached file.

Document Description:	Document:
-----------------------	-----------

Concurrence

I am the applicant, or I have the authority to sign for the applicant. By my signature, I accept and agree to comply with all provisions contained herein.

Final Agreement Effective Date: 02/07/2022

Permittee Electronic Signature: Tanner Cunningham for James Greenfield
First and Last Name

Date Signed: 02/04/2022

Department of Fish and Wildlife

CDFW Electronic Signature: Angela Liebenberg

CDFW Representative Title: Senior Environmental Scientist (Supervisor)

Date Signed: 02/07/2022

Acting for: Yes

Acting for the listed CDFW Representative: Rebecca Garwood
First and Last Name

Last Edited By: Dana Mason, 02/07/2022

Environmental Permit Information Management System
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HUMBOLDT COUNTY DEPARTMENT OF PUBLIC WORKS
ROAD EVALUATION REPORT

PART A: Part A may be completed by the applicant

Applicant Name: _____ APN: _____

Planning & Building Department Case/File No.: _____

Road Name: _____ (complete a separate form for each road)

From Road (Cross street): _____

To Road (Cross street): _____

Length of road segment: _____ miles Date Inspected: _____

Road is maintained by: County Other _____
(State, Forest Service, National Park, State Park, BLM, Private, Tribal, etc)

Check one of the following:

Box 1 The entire road segment is developed to Category 4 road standards (20 feet wide) or better. If checked, then the road is adequate for the proposed use without further review by the applicant.

Box 2 The entire road segment is developed to the equivalent of a road category 4 standard. If checked, then the road is adequate for the proposed use without further review by the applicant.

An equivalent road category 4 standard is defined as a roadway that is generally 20 feet in width, but has pinch points which narrow the road. Pinch points include, but are not limited to, one-lane bridges, trees, large rock outcroppings, culverts, etc. Pinch points must provide visibility where a driver can see oncoming vehicles through the pinch point which allows the oncoming vehicle to stop and wait in a 20 foot wide section of the road for the other vehicle to pass.

Box 3 The entire road segment is not developed to the equivalent of road category 4 or better. The road may or may not be able to accommodate the proposed use and further evaluation is necessary. Part B is to be completed by a Civil Engineer licensed by the State of California.

The statements in PART A are true and correct and have been made by me after personally inspecting and measuring the road.



Signature _____

Date _____

Name Printed _____

Important: Read the instructions before using this form. If you have questions, please call the Dept. of Public Works Land Use Division at 707.445.7205.

PART B: Only complete Part B if Box 3 is checked in Part A. Part B is to be completed by a Civil Engineer licensed by the State of California. Complete a separate form for each road.

Road Name: _____ Date Inspected: _____ APN: _____
 From Road: _____ (Post Mile _____) Planning & Building
 To Road: _____ (Post Mile _____) Department Case/File No.: _____

1. What is the Average Daily Traffic (ADT) of the road (including other known cannabis projects)?

Number of other known cannabis projects included in ADT calculations:
 (Contact the Planning & Building Department for information on other nearby projects.) _____

ADT: _____ Date(s) measured: _____

Method used to measure ADT: Counters Estimated using ITE Trip Generation Book

Is the ADT of the road less than 400? Yes No

If YES, then the road is considered very low volume and shall comply with the design standards outlined in the American Association of State Highway and Transportation Officials (AASHTO) Guidelines for Geometric Design of Very Low-Volume Local Roads (ADT ≤400). Complete sections 2 and 3 below.

If NO, then the road shall be reviewed per the applicable policies for the design of local roads and streets presented in AASHTO A Policy on Geometric Design of Highways and Streets, commonly known as the "Green Book". Complete section 3 below.

2. Identify site specific safety problems with the road that include, but are not limited to: (Refer to Chapter 3 in AASHTO Guidelines for Geometric Design of Very Low-Volume Local Roads (ADT ≤400) for guidance.)

A. Pattern of curve related crashes.

Check one: No. Yes, see attached sheet for Post Mile (PM) locations.

B. Physical evidence of curve problems such as skid marks, scarred trees, or scarred utility poles

Check one: No. Yes, see attached sheet for PM locations.

C. Substantial edge rutting or encroachment.

Check one: No. Yes, see attached sheet for PM locations.

D. History of complaints from residents or law enforcement.

Check one: No. Yes (check if written documentation is attached)

E. Measured or known speed substantially higher than the design speed of the road (20+ MPH higher)

Check one: No. Yes.

F. Need for turn-outs.

Check one: No. Yes, see attached sheet for PM locations.

3. Conclusions/Recommendations per AASHTO. Check one:

The roadway can accommodate the cumulative increased traffic from this project and all known cannabis projects identified above.

The roadway can accommodate the cumulative increased traffic from this project and all known cannabis projects identified above, if the recommendations on the attached report are done. (check if a Neighborhood Traffic Management Plan is also required and is attached.)

The roadway cannot accommodate increased traffic from the proposed use. It is not possible to address increased traffic.

A map showing the location and limits of the road being evaluated in PART B is attached. The statements in PART B are true and correct and have been made by me after personally evaluating the road.

John Morlock
 Signature of Civil Engineer

 Date

(SEAL)

Important: Read the instructions before using this form. If you have questions, please call the Dept. of Public Works Land Use Division at 707.445.7205.

TECHNICAL MEMORANDUM

DATE: October 30, 2020
TO: Humboldt County Planning and Building Dept.
FROM: Joel Monschke, Stillwater Sciences
SUBJECT: Road Evaluation for God's Country LLC, APN 104-281-004

I hereby state that all work described in the attached Technical Memorandum follows accepted engineering practice and was completed under my direction. This Technical Memorandum summarizes results from an evaluation conducted on an unnamed access road located on APN 104-281-004 in Petrolia, CA, per guidance from the Humboldt County Department of Public Works.



A handwritten signature in blue ink that reads "Joel Monschke".

Joel Monschke, P.E.
Civil Engineer
Stillwater Sciences

1 INTRODUCTION

Stillwater Sciences has been contracted to conduct a road evaluation for the proposed cannabis cultivation project on APN 104-281-004 in in Petrolia, CA. In September of 2020, a field evaluation was conducted by Stillwater Sciences staff. Information in this Technical Memorandum pertains to the 0.6 mile-long unnamed road, accessed from Mattole Road, which provides the only entrance to the project site.

2 EXPECTED INCREASE IN USE DUE TO THE PROJECT

2.1 Cannabis Project on APN 104-281-004

The cannabis project proposed on APN 104-281-004 will cause an unavoidable increase in traffic along the access road. Th parcel currently has very limited infrastructure and no residence. The road provides access to only one other parcel (APN 104-311-020) which is undeveloped and also owned by the applicant. The applicant will strive to minimize project related traffic on the road by encouraging employees to carpool. Additionally, efforts will be made to consolidate deliveries to and from the site as much as possible.

2.2 Other Cannabis Projects in the Vicinity

There are no other cannabis projects served by the Road.

2.3 Average Daily Traffic (ADT) Estimate

Stillwater Sciences' engineer estimated average daily trips based on the number of properties utilizing the access road, the number of employees working at the Project site, discussions with the applicant regarding daily project operations, and engineering judgement.

Existing pre-project average daily traffic (ADT) is functionally 0, with the exception of occasional trips by the applicant or employees to perform maintenance at the property. The proposed project will employ approximately 2-4 full time employees and will likely have only occasional materials deliveries. If each employee drives their own car, it is estimated that the project will generate an ADT of 12. This equates to 1.5 trips per hour during a typical 8-hour day (9 am to 5 pm). While there are likely busier times of day, and busier periods of the year, we believe that this is a reasonably accurate estimate for this road evaluation.

3 FIELD OBSERVATIONS

3.1 General Observations

The first 800 ft of the access Road (from the intersection with Mattole Rd) is gravel surfaced, generally between 14' and 15' in width, and rises steeply from the river valley to the open meadow where the cultivation site and related infrastructure is proposed. The average grade along this section is 16%, though several shorter stretches exceed 20%, with a maximum of 25%. Due to the steep nature of the terrain, well defined shoulders are not always present.

The approximately 2,500' of remaining road is located within the meadow and is of substantially lower slope with road grades generally less than 6%. While the traveled road width is generally 10', the roadbed lies nearly even with the natural grade allowing vehicles ample shoulder room, albeit grass surfaced.

The full length of the access road's structural section comprises well compacted native soils surfaced with 2"minus rock that has been quarried onsite.

3.2 Description of Specific Road Segments

The following measurements were taken along the road at 0.1 mile increments, with mile 0 representing the intersection of the access road and Mattole Rd.

- Mile 0.0: gravel roadway 15' in width with minimal shoulder.
- Mile 0.1: 14 ft wide with 3' shoulder along western road edge and 1' along eastern.
- Mile 0.2: 10' wide with 2' minimum shoulders.
- Mile 0.3: 10.5' road width with 2' minimum shoulders.
- Mile 0.4: 10' road width with 2' minimum shoulders.
- Mile 0.5: 10' road width with 2' minimum shoulders.
- Mile 0.6: 10' road width, road transitions to a grass surfaced turnaround near a barn. End of road.

4 RECOMMENDATIONS

4.1 Protections for water quality and biological resources

Observations made during the site visit confirm that the existing road poses a low threat to water quality and biological resources and little additional work is needed to satisfy those criteria. Despite being steep along its lower portion, the access road appears to be well drained by an out sloped road surface with periodic rolling dips. Surface rock is currently present on all sections of the road and should help to minimize fine sediment transport from its surface. The road includes three culverted stream crossings and while the culverts are currently functioning, will all be upgraded to ensure long term stability. These upgrades are pending approval of an LSA Agreement with CDFW.

4.2 General Recommendations for the Road

The project's access road is in relatively good condition despite its location in mountainous terrain. While the road is generally too narrow to meet category 4 standards, it is our opinion that it will provide suitable access to the cannabis cultivation facilities provided that ADT remains at the very low numbers predicted here. Careful monitoring and maintenance of rolling dips and periodic re-applications of rock armor will ensure the long-term stability of the road and protections of nearby water quality.

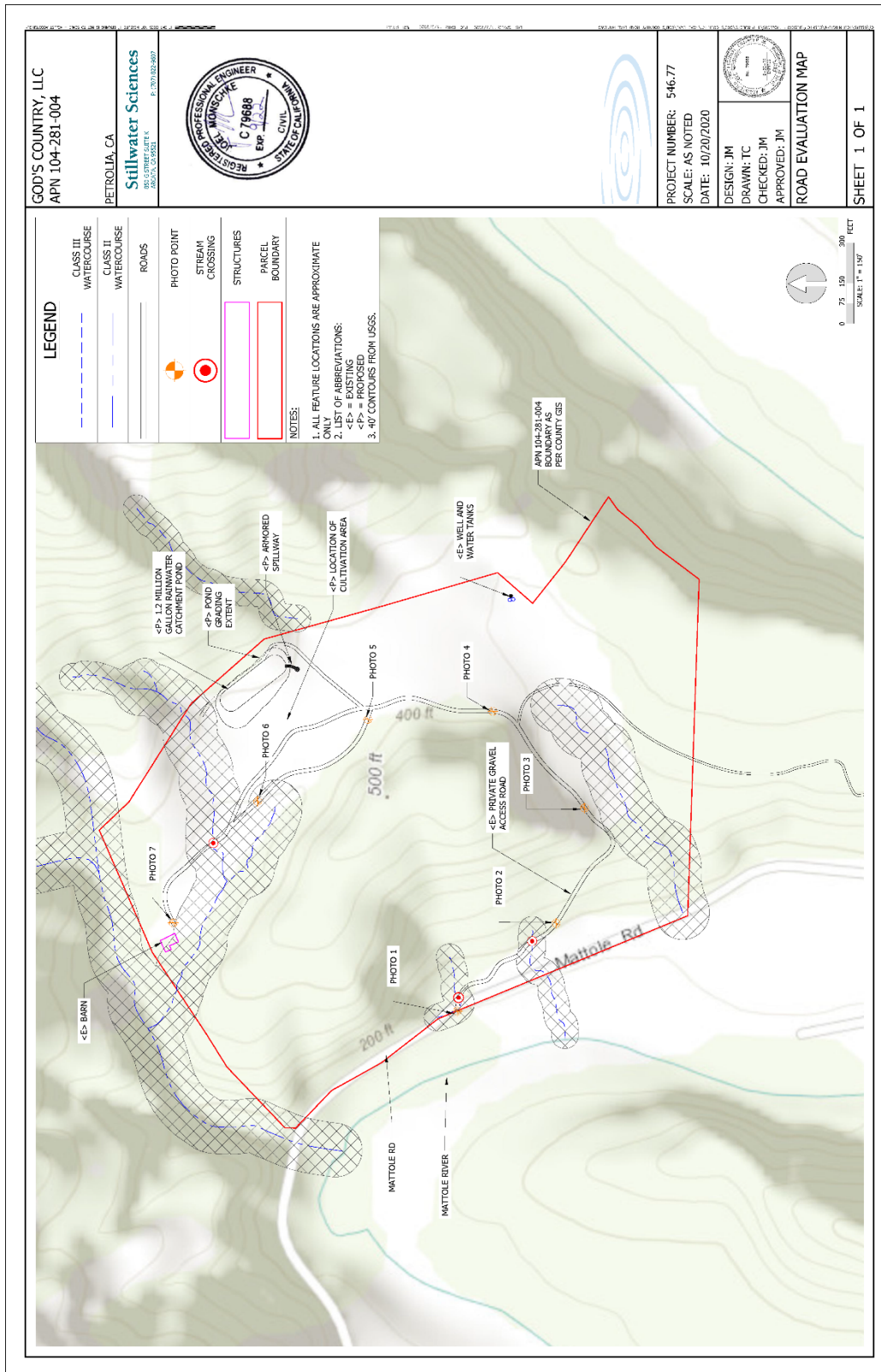


Figure 1: Overview map of the project site including the access road.

Appendix A
Road Photographs



Photo 1. Mile 0.0, looking upslope: intersection with Mattole Rd, 15' width.



Photo 2. Mile 0.1, looking downslope: 14' wide with 3' shoulder along western road edge and 1' along eastern.



Photo 3. Mile 0.2, looking downslope: 10' wide with 2' shoulders.



Photo 4. Mile 0.3, looking downslope: 10.5' road width with 2' shoulders.



Photo 5. Mile 0.4, looking downslope: 10' road width with 2' shoulders



Photo 6. Mile 0.5, looking downslope: 10' road width with 2' shoulders



Photo 7. Mile 0.6, looking north to turnaround at road end: 10' road width.

ATTACHMENT 4

REFERRAL AGENCY COMMENTS AND RECOMMENDATIONS

The project was referred to the following referral agencies for review and comment. Those agencies that provided written comments are checked off.

Referral Agency	Response	Recommendation	Location
Humboldt County Division of Environmental Health	✓	No response	
Humboldt County Building Inspection Division		No response	
Humboldt County Public Works, Land Use Division	✓	Conditional approval	On file
CAL FIRE	✓	Approval – No comments	On file
Northwest Information Center (NWIC)	✓	Comments	On file and confidential
Bear River Band of the Rohnerville Rancheria	✓	Comments	On file and confidential
California Department of Fish and Wildlife (CDFW)		No response	
Petrolia Fire Department		Approval – No comments	On file

ATTACHMENT 5
PUBLIC COMMENTS

From: [David Mack](#)
To: [Lee Dedini](#)
Cc: [Planning Clerk](#); [David Mack](#)
Subject: RE: [External]Specific questions to project,
Date: Monday, May 02, 2022 12:53:31 PM
Attachments: [image001.png](#)
Importance: High

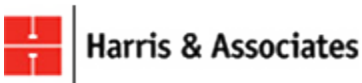
Caution: This email was sent from an EXTERNAL source. Please take care when clicking links or opening attachments.

Lee:

Thank you for your comment letter. Please see below for answers to the questions.

David J. R. Mack, AICP

Project Manager/Senior Planner



450 Lincoln Avenue, Suite 103

Salinas, CA 93901

p: 831.320.0413

www.WeAreHarris.com

From: Lee Dedini <dedinilee@gmail.com>
Sent: Monday, May 2, 2022 7:59 AM
To: David Mack <david.mack@weareharris.com>
Cc: planningclerk@co.humboldt.ca.us
Subject: [External]Specific questions to project,

Specific questions to project,
Mezzrow Farms, LLC; Record Number PLN-2020-16621; Hearing May 5, 2022 @ 10am.

From,
Lee Dedini, Vice Chairman of the Mattole Council for the Mattole Camp and Retreat Center, a 501(c)(3) non-profit, owned by Presbytery of Redwoods Churches and Managed by Mattole Council. Assessor's Parcel Number 104-301-001.

To David Mack, contract Planner

In regards to Staff Report, the following statements need explanation and/or correcting. Please send reply prior to the May 5 zoning administration meeting or have answers available at the May 5 meeting.

Page 4, Water Resources

Total estimate annual water use 720,000 gal. (16.53 gal/SF) needs correction to (7.5 gal/SF). Could this mean that the pond size is incorrect?

The project involves an estimated 720,000 gallons of irrigation/year and has 43,560 SF of cultivation, therefore, the gallons/SF do equate to 16.53 gallons/SF ($720,000 / 43,560 = 16.5289$). I am not clear as to why the numbers are proposed to be revised to 7.5 gal/SF, unless you have other data/numbers not provided to me.

Page 8, 5. Findings

Evidence (c) (16.53 gal/SF) needs correction to (7.5 gal/SF).

Same comment as above.

Page 9, 6. Finding

Evidence (a) “The proposed cannabis will not be in a location where there is an established neighborhood or other sensitive receptor such as a school, church, park or other use that may be sensitive to cannabis cultivation.”

To reiterate, Mattole Camp & Retreat Center shares parcel boundaries (NNE) with Mezzrow parcels 104-311-020 and 104-281-004. Please give explanation as to why the estimated 1600 Mattole Camp guest nights, would not be susceptible to being sensitive to the cannabis cultivation.

The Ordinance requires a setback of no less than 600' from “Sensitive receptors”. This project complies with the setback requirement, and therefore can be assumed to not present impacts. That is the ordinance threshold used for analysis. However, that being said, your concerns should be addressed to the decision maker (Zoning Administrator) for consideration.

Page 17, Item 9

What is estimated electricity yearly usage?

I do not have this information. I will ask the applicant/agent to comment on this during the hearing.

Page 31, 4.3 Water Sources

The statement “ The Mattole basin receives 80-120” rain on average “ is referenced to by a NOAA annual California rain map, which uses data from 1960-1990. This is relative old data for assuming current averages in years after 2020. Current references have rain on average of 60” per year.

Could this reduced annual rain change the calculated amount of captured water in pond?

The statement “ If less than required amount precipitation, then pond may be filled from the spring during winter and spring”.

Where is the spring? What would be estimated flow?

This could conflict with the water source which feeds the spring for the Mattole Camp and Retreat Center water supply from same aquifer.

The project is conditioned and proposed to only use irrigation water from the rain catchment pond. The LSAA (Lake and Streambed Alteration Agreement) issued does not allow a point of diversion

water source or use of a well. The statement you reference is obsolete and was included in a document dated prior to project revisions. It should have been stricken for clarity. No irrigation water is authorized or allowed to be pulled from the well or stream. Only from the catchment basin.

Page 38 4.13 Energy Plan

There is no Energy Budget Table 2 as described in report.

“ The PG&E (Jan 2019) nearly 80% power grid supplied by renewable and greenhouse gas-free resources.”

This statement needs clarification. Going to the referenced link below, PG&E describes this power delivered to bundled-service customers and includes greenhouse gas free power from nuclear generation, large scale hydroelectric, and renewables such as wind, solar, and geothermal. None of this 80% power is actually generated locally but rather somewhere in California.

Pacific Gas and Electric Company. “Exploring clean energy solutions.” Accessed February 15, 2019. https://www.pge.com/en_US/about-pge/environment/what-we-are-doing/clean-energy-solutions/clean-energy-solutions.page

Again, I do not have information regarding this. The Ordinance requires the use of renewable energy provided by a power supplier. I do not believe it specifies that the power needed to be locally generated.

In encourage you to log into and/or attend the Zoning Administrator meeting to personally voice your concerns. That is an important part of the public hearing process.

From: [Lee Dedini](#)
To: david.mack@weareharris.com
Cc: [Planning Clerk](#)
Subject: Specific questions to project,
Date: Monday, May 02, 2022 7:58:40 AM

Caution: This email was sent from an EXTERNAL source. Please take care when clicking links or opening attachments.

Specific questions to project,
Mezzrow Farms, LLC; Record Number PLN-2020-16621; Hearing May 5, 2022 @ 10am.

From,
Lee Dedini, Vice Chairman of the Mattole Council for the Mattole Camp and Retreat Center, a 501(c)(3) non-profit, owned by Presbytery of Redwoods Churches and Managed by Mattole Council. Assessor's Parcel Number 104-301-001.

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Pacific Gas and Electric Company. “Exploring clean energy solutions.” Accessed February 15, 2019. https://www.pge.com/en_US/about-pge/environment/what-we-are-doing/clean-energy-solutions/clean-energy-solutions.page

From: [John Williams](#)
To: [Planning Clerk](#)
Subject: Mezzrow Farms, Record Number PLN 2020-16621. May 5 hearing
Date: Tuesday, May 03, 2022 5:02:28 PM

Caution: This email was sent from an EXTERNAL source. Please take care when clicking links or opening attachments.

Dear Friends,

I am writing to oppose the proposed Mezzrow Farms application for a permit for even more cannabis greenhouses on several grounds: housing for the workforce; demand for electricity, and most importantly, the cumulative impact of cannabis cultivation on the community.

Housing: Proper housing is very scarce in the Mattole Valley, and many workers at existing cannabis operations are living in trailers without proper septic systems. Making this public health menace worse by adding ten new employees is unwise. The county should instead crack down on existing substandard housing.

Electricity: Our understanding is that existing operations are unable to get as much service from PG&E as they require, and are using polluting diesel generators on that account.

Cumulative impact: The bigger they are, the harder they fall. It is no secret that the cannabis industry in the Mattole Valle and other remote areas is in crisis; growers have asked for tax relief on that account, in effect asking the rest of us to pick up the increased costs to the county from wear and tear on the roads, etc. In the past, when cannabis was quasi-legal, growing in remote areas was advantageous, despite the increased costs from trucking in 'dirt,' etc. Now, prices are down, presumably from overproduction, but some growers are responding to lower profit margins by increasing production. This will not end well, and areas like the Mattole Valley will end up holding the bag.

Sincerely,

John Williams

--

John G Williams
29665 Mattole Rd
(mail to PO Box 214)
Petrovia, CA 95558-0214
707 629 3265
jgwill@frontiernet.net

From: [Lynn McCulloch](#)
To: [Planning Clerk](#)
Subject: Public comment on Record Number PLN-2020-16621 - May 5, 2022 hearing
Date: Tuesday, May 03, 2022 8:51:33 AM

Caution: This email was sent from an EXTERNAL source. Please take care when clicking links or opening attachments.

To whom this may concern...Zoning Administrator, Humboldt County Supervisors, & anyone interested in quality of life in our precious county of Humboldt,

I am whole heartedly opposed to any cannabis grows of the size proposed in this “Mega grow”.

I commented on a previous proposal in the Mattole Valley that was approved, & felt as if all the opposition was unheard. This does not have to be the only way we gather \$\$ revenue for our county. The beauty of the Mattole Valley is rapidly being destroyed by grows of this size. There was a comment by the owner of this property on our local Google Group. See a quote from this below:

We have been operating a Platinum LEED certified hospitality property that is 100% off-grid the last 14 years in Mexico <https://www.olastulum.com/sustainability>. We are fighting the true destruction and exploitation of this world currently <https://www.olastulum.com/darksideofparadise>

This person is proud of what he has accomplished in his development in Mexico. If you take the time to watch “Dark Side of Paradise”- the link is in quote above - you will see what can happen when too many developers go overboard in a fragile environment. I visited that area many years before it became known as the "Maya Riviera" & it was not over developed. It was pristine. Just the plastic waste alone is enough to cause concern.

Our Mattole Valley cannot sustain the kind of cannabis mega-grow development that these people are proposing. I am so sad to think that this proposal could actually be approved. Please DO NOT approve this!!!!

Thank you.
Respectfully,
Lynn McCulloch

From: [Roxy Kennedy](#)
To: 4alanbongio@gmail.com; hrh707@outlook.com; noah@landwaterconsulting.com; hpcnewman@yahoo.com; sregon@aol.com; mrbrian707@gmail.com; [Planning Clerk](#); hpcmccavour@gmail.com
Cc: [Bohn, Rex](#); [Bushnell, Michelle](#); [Wilson, Mike](#); [Bass, Virginia](#); [Madrone, Steve](#); [COB](#)
Subject: Please do not approve Nava Ranch Expansion
Date: Tuesday, May 03, 2022 9:00:03 PM

Caution: This email was sent from an EXTERNAL source. Please take care when clicking links or opening attachments.

Nava Ranch, LLC: Special Permit Record Number PLN-2021-17162 (filed 4/15/2021)
Assessor's Parcel Number (APN) 107-106-006 Honeydew area A Special Permit for the expansion of an approved cultivation site (PLN-12657-SP).

Dear Planning Commissioners and Board Members,
We have heard about the expansion proposed at the Nava Ranch down by the Mattole Grange, to an acre of greenhouses. Much like a number of other operations in the Mattole that are trying to expand, this is one that imposes on its nearby rural neighbors, which is our objection. Please do not approve this expansion.
Thank you for your consideration of this serious matter.
Roxy Kennedy & Jim Bowdoin

From: [Roxy Kennedy](#)
To: 4alanbongio@gmail.com; hrh707@outlook.com; noah@landwaterconsulting.com; hpcnewman@yahoo.com; sregon@aol.com; mrbrrian707@gmail.com; [Planning Clerk](#); hpcmcavour@gmail.com
Subject: Re: Please do not approve Nava Ranch nor Mezzrow Farms Expansions
Date: Tuesday, May 03, 2022 9:18:07 PM

Caution: This email was sent from an EXTERNAL source. Please take care when clicking links or opening attachments.

Oh heck, I just goofed that. I meant to say **Mezzrow Farms, by the grange** (not Nava) We are opposed to both expansions, for the same reasons. Imposition on nearby rural neighbors. Nava in Honeydew, and Mezzrow in Petrolia.

Forgive me, I am dizzy with the efforts to fill our rural valley with these oversized operations. We do not oppose all large farms. Just ones that abuse the environment and/or the neighbors. Thank you kindly.

Re: MEZZROW Farms, LLC; 36328 Mattole Road, Petrolia, CA; Special Permit, Record Number PLN 2020-16621; Assessor's Parcel Numbers 104-121-020, 104-281-004, and 104-311-020. Special Permit for 43, 560 square foot cannabis within 22 new greenhouses.

On Tue, May 3, 2022 at 8:59 PM Roxy Kennedy <hnydew@gmail.com> wrote:

Re: NAVA Ranch, LLC: Special Permit Record Number PLN-2021-17162 (filed 4/15/2021) Assessor's Parcel Number (APN) 107-106-006 Honeydew area A Special Permit for the expansion of an approved cultivation site (PLN-12657-SP).

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Thank you for your consideration of this serious matter.

Roxy Kennedy & Jim Bowdoin

From: [Roxy Kennedy](#)
To: 4alanbongio@gmail.com; hrh707@outlook.com; noah@landwaterconsulting.com; hpcnewman@yahoo.com; sregon@aol.com; mrbrrian707@gmail.com; Planning Clerk; hpcmcavour@gmail.com
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Oh heck, I just goofed that. I meant to say **Mezzrow Farms, by the grange** (not Nava) We are opposed to both expansions, for the same reasons. Imposition on nearby rural neighbors. Nava in Honeydew, and Mezzrow in Petrolia.

Forgive me, I am dizzy with the efforts to fill our rural valley with these oversized operations. We do not oppose all large farms. Just ones that abuse the environment and/or the neighbors. Thank you kindly.

Re: MEZZROW Farms, LLC; 36328 Mattole Road, Petrolia, CA; Special Permit, Record Number PLN 2020-16621; Assessor's Parcel Numbers 104-121-020, 104-281-004, and 104-311-020. Special Permit for 43, 560 square foot cannabis within 22 new greenhouses.

On Tue, May 3, 2022 at 8:59 PM Roxy Kennedy <hnydew@gmail.com> wrote:

Re: NAVA Ranch, LLC: Special Permit Record Number PLN-2021-17162 (filed 4/15/2021) Assessor's Parcel Number (APN) 107-106-006 Honeydew area A Special Permit for the expansion of an approved cultivation site (PLN-12657-SP).

Dear Planning Commissioners and Board Members,

We have heard about the expansion proposed at the Nava Ranch down by the Mattole Grange, to an acre of greenhouses. Much like a number of other operations in the Mattole that are trying to expand, this is one that imposes on its nearby rural neighbors, which is our objection. Please do not approve this expansion.

Thank you for your consideration of this serious matter.

Roxy Kennedy & Jim Bowdoin

From: [David Buxbaum](#)
To: [Planning Clerk](#)
Subject: Comments for Record Number PLN-2020-16621 hearing on May 5, 2022
Date: Wednesday, May 04, 2022 8:29:30 AM

Caution: This email was sent from an EXTERNAL source. Please take care when clicking links or opening attachments.

Hello,

As a ranch owner in the Mattole valley, I'd like to express my opposition to the proposed cannabis grow permit described by Record Number PLN-2020-16621

I feel this project is very much out of scale with the Mattole valley and will contribute to the continued degradation of the rural nature of the area - it's going to be a substantial impact of our limited water resources and a huge impact on the local community. This kind of development belongs much closer to in-town resources .

Thank you,
David Buxbaum
3030 Conklin creek road
Petrolia, Ca.

From: [Lee Dedini](#)
To: [Planning Clerk](#)
Subject: Public comment on Mezzrow Farms, LLC; Record Number PLN-2020-16621
Date: Wednesday, May 04, 2022 12:18:45 PM

Caution: This email was sent from an EXTERNAL source. Please take care when clicking links or opening attachments.

Public comment on,
Mezzrow Farms, LLC; Record Number PLN-2020-16621; Hearing May 5, 2022 @ 10am, will now not be considered to the Zoning Administrator, and instead be referred to the Planning Commission.

Public notice on zoning-
Lee Dedini, Vice Chairman of the Mattole Council for the Mattole Camp and Retreat Center, owned by Presbytery of Redwoods and Managed by Mattole Council. Our parcel is #104-301-001, 9 beautiful acres along the river.

The Mattole Council is strongly opposed to the approval of the Special Permit, based on its negative environmental and economic impact to Mattole Camp and Retreat Center.

We understand and appreciate that the Special Permit request will be removed from the Zoning Administrator consent agenda and brought before the Planning Commission.

The continued economic viability of our Mattole Camp and Retreat Center depends upon our ability to attract reservations from groups who wish to visit our site for its peaceful, serene nature. The continued expansion of industrial-scale cannabis agriculture threatens our equally valid, and arguably more socially and environmentally responsible, industry. We are strongly against the proposed industrial cannabis farm, which could negatively impact our ability to continue to attract visitors to a beautiful and peaceful place, and therefore affecting our economic viability.

We have groups attending our Mattole Camp and Retreat Center this year from mid-May through September. Taking the number of people in these group and the number of camper nights, brings a total of 1600 camper nights for this coming summer season. We suffered economic losses and were effectively shut down for the past two years due to covid and are now just beginning to get back financially.

While reliant upon guest reservations from out of the immediate area, the Mattole Camp and Retreat Center is also a cherished part of local Mattole Valley culture. We have hosted local weddings, celebrations, family reunions, and local organization retreats over the years. However, if our site becomes hemmed in by large-scale cannabis farms – including the heavy truck traffic, noise from fans and generators when the power is out, and pervasive smell of cannabis, which some of our guests are sensitive to - it rapidly becomes less desirable as a natural location to “get away from it all.” The expected decrease in reservations directly affects our ability to remain open, and to continue to serve the needs for gathering space in the local community.

Our economic bottom line is on the line. Please do not approve this Special Permit that will

imperil our existence.

Approximately 2/3 of our Camp is directly below the questioned parcel numbers: 104-281-004 & 104-311-020. Our spring, which feeds our entire facility, is at the top of our property and about 1200 feet from the proposed greenhouses for growing. A good, clean, dependable water supply is a critical part of the Camp. We can reasonably expect that the productivity of our spring, located below parcel 104-281-004, will be negatively affected by their use of water. While we understand that this permit stipulates the use of no pesticides or fungicides, we've heard of a number of other cannabis farms using fungicides and we are concerned about the possibility for inadequate follow-up monitoring of the permit conditions. Thus we are concerned about impacts to our water quality.

We also have concerns relating to the natural erosion of the land from heavy rains. In the year 2019 we experienced a severe rockslide that buried our driveway. This occurred on our property adjacent to parcel 104-311-020. The more activity on that parcel, the more likely there is for land movement and as we are directly below, we are at risk and concerned. That same day, there was an erosion event that took out our spring box and water pipes connecting the camp's supply to the main spring. This is about 450 feet down from parcel # 104-281-004 and parcel number 104-311-020. That mud slide started at the top of the hill and traveled down through our water system to the river. We understand that living in a mountainous area has its "downsides" and we also know that the more activity occurring above us, could have a negative affect on the camp.

The Mattole Camp and Retreat Center will be significantly affected by the decision on the Special Permit. The Mattole Council asks the Humboldt County Planning Commission for your consideration of our request in this important matter.

From the Mattole Council for the Mattole Camp and Retreat

Attention:
Zoning Administrator
May 5, 2022 meeting

Re:
Consent Agenda item:
Mezzrow Farms, LLC (formerly God's County, LLC)
Record Number: PLN-2020-16621
Assessor's Parcel Number: 104-281-004, 104-121-020, and 104-311-020

Dear Director Ford,

Please pull this item from the Consent Agenda and refer/forward it for review to the Planning Commission.

There are many issues involved with this particular project that need to be considered.

At this point Humboldt County Planning and Building staff is unable to maintain the needed inspections necessary to assure the public and protect the environment that approved projects are conforming to the applied conditions.

All water catchment should be in place before granting approval of this application. Relying on the applicant to report the nonuse of groundwater for cultivation is unreliable.

A report and will serve letter from PG&E expressly confirming their service at the rate needed for this level of production should be required.

Also there are no Maps associated with any of the staff reports.

Please refer this project to the Planning Commission.

Thank you,
Robie Tenorio
Citizens for a Sustainable Humboldt