



**COUNTY OF HUMBOLDT**  
**PLANNING AND BUILDING DEPARTMENT**  
**CANNABIS SERVICES DIVISION**

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

October 11, 2018

Solimar, LLC & Canigou Inc.  
 Attn: Tristan Strauss  
 PO Box 38  
 Samoa, CA 95564

|                                   |                    |                   |
|-----------------------------------|--------------------|-------------------|
| RE: Permit Application Nos. 12847 | 108-301-001 et al. | SP16-673 et al.   |
| 12852                             | " "                | ZCC-16-605        |
| 12860                             | " "                | CUP-16-879 et al. |
| 13310                             | " "                | ZCC-16-774        |

Dear Tristan Strauss:

Thank you for your submittal of additional information for the above referenced commercial cannabis permit applications. Please notify the Planning Department if you have designated a new agent of record to replace Manhard Consulting. Unfortunately, after review the application submittal was found not to contain all of the required information and we are unable to move the permits forward at this time.

The results of the recent Determination of Status (DS-17-009) showed that many of the assessor parcel numbers associated with your cannabis projects make up a single legal parcel – **Parcel G**. The Commercial Medical Marijuana Land Use Ordinance (CMMLUO) allows for multiple permits on a single legal parcel, “pursuant to section 55.4.8.2.1 or 55.4.8.2.2.1, multiple permits or combinations of permit types combined in a single application shall be considered a single permit, but a separate permit shall be issued for each independent operator that filed a combined application under this section” (CMMLUO, 2016). Based on the new legal parcel determination and in order to consolidate permits pursuant to the aforementioned section, staff recommends the following change:

**Existing**

| Application No. and Business Entity | Case No(s).  | Application  |
|-------------------------------------|--|--|
| 12860 (Solimar)                     | CUP-16-879<br>CUP-16-880<br>CUP-16-881<br>CUP-16-882 | 1 acre new outdoor<br>1 acre new outdoor<br>1 acre new outdoor<br>1 acre new outdoor |
| 12847 (Canigou)                     | SP-16-673<br>ZCC16-603                               | Wholesale Nursery<br>10,000 sf new outdoor   |
| 12852 (Canigou)                     | ZCC-16-605   | 10,000 sf new outdoor  |
| 13310 (Canigou)                     | ZCC-16-774   | 10,000 sf new outdoor  |

**Proposed**

| Application No. | Case No(s).  | Application  |
|-----------------|--|--|
| 12860 (Solimar) | CUP-16-879<br>CUP-16-880<br>CUP-16-881<br>CUP-16-882 | 1 acre new outdoor<br>1 acre new outdoor<br>1 acre new outdoor<br>1 acre new outdoor |
| 13310 (Canigou) | SP-18-TBD<br>CUP-18-TBD                              | Wholesale Nursery<br>30,000 sf new outdoor   |

In order to comply with County ordinances, the as well as the California Environmental Quality Act (CEQA), the following actions are required:

1. Submit an Initial Study prepared by a qualified professional that analyzes all proposed development on the parcel. The Initial Study should address cumulative impacts of nearby proposed projects, including those proposed as part of Application 12841.
2. Submit a Biological Resource Assessment drafted by a qualified professional biologist, describing the presence or potential presence of rare or endangered species and demonstrating that the site would not impact any sensitive habitat areas. The study should include the proposed point(s) of diversion that will be evaluated as a part of the project, because a Special Permit is required for development within a Streamside Management Area (SMA). This assessment may be included as part of the Initial Study.
3. Submit a Site Plan that shows the entire legal parcel G per DS-17-009 (as well as separate sheets showing "zoomed in" areas of interest) that includes but is not limited to:
  - a. Property owners' names and latest assessor parcel boundaries and numbers assigned to the entire legal parcel (see Attachment 1 of this letter).
  - b. The discrete curtilage areas proposed as part of these applications.
  - c. The portion of the "Headwaters Mattole River" HUC-12 watershed boundary that overlaps with the subject parcel (please note that per a retroactively applicable section of the Commercial Cannabis Land Use Ordinance (2017), no new cultivation is permitted within the boundary of this and other refuge watersheds).
  - d. Zoning boundaries (i.e. AG, TPZ, and FR-B-5(40)). Please note that new cultivation could only be permitted on the portions of the parcel zoned AG.
  - e. FEMA 100 year flood zone(s).
  - f. NWI mapped wetlands including buffers (see Chapter 10, section BR-S10 of the Humboldt County General Plan (2017) for setback distances).
  - g. Existing legal parcel boundary as well as added/deleted parcel boundaries proposed as part of the Lot Line Adjustment (LLA18-011) if still proposed.
  - h. Location and extent of prime agriculture soils;
  - i. Easements.
  - j. Natural waterways including streams, springs, ponds, culvers, and any other water features. Also the buffers/setbacks distances for each.
  - k. Setbacks of cultivation area from property lines.
  - l. Internal Access roads.
  - m. Graded flats.
  - n. Buildings labeled as to type and date of construction including whether they will be used for any cultivation or processing activity.
  - o. Water storage structures labeled as to type, capacity, and date of construction.
    - i. Show any proposed pond expansion and setback distances from the proposed pond.
  - p. Water diversions including culverts, ponds, dams, and other ground disturbance from water diversion.
  - q. Septic/Sewer System Location.
  - r. Well Location(s).
  - s. Compost/solid waste/recycling locations; and
  - t. Parking and loading spaces as required by the Humboldt County Code.
  - u. Dimensions showing 600 feet around the cultivation site, including notations describing distance from nearby schools, school bus stops, places of worship, public parks, Tribal Cultural Resources, and off-site residences within 300 ft.
  - v. Date of construction for other buildings and water storage structures.
4. Submit a consolidated Operations Plan that accounts for the operations of all cannabis projects on the parcel consistent with the requirements of Section 55.4.10 "d" of the CMMLUO, including but not limited to:

- a. Water sources (Ensure the water source complies with section 55.4.8.2.1 of the CMMLUO, which requires a "...documented current water right or other non-diversionary source of irrigation water..." The Operations Plan currently describes "diversion to storage from the confluence of French and Bear Creek tributaries to the Mattole River" as a portion of the irrigation water. You must submit documentation from the State Water Resources Control Board (SWRCB) demonstrating appropriate water rights for all water storage on the subject parcel or amend this section).
  - b. Type, quantity, and capacity of water storage structures (Please note: water bladders are not an acceptable form of water storage).
  - c. Irrigation methods.
  - d. Estimated water usage on a weekly or monthly basis, and an annual basis, both cumulatively and for each curtilage area.
  - e. Description of site drainage, including runoff and erosion control measures.
  - f. Detail of measures taken to ensure protection of watershed and nearby habitat.
  - g. Protocols for proper storage and use of fertilizers, pesticides, etc.
  - h. Processing Plan that meets minimum standard in §55.4.11 (q) through (u), including:
    - i. Summary of Processing Practices.
    - ii. Description of location where processing will occur.
    - iii. Estimated number of employees, if any.
    - iv. Summary of Employee Safety Practices.
    - v. Description of toilet and handwashing facilities.
    - vi. Description of plumbing and/or septic system and whether or not the system is capable of handling increased usage.
    - vii. Description of source of drinking water for employees.
    - viii. Description of increased road use resulting from processing and a plan to minimize that impact.
    - ix. Description of on-site housing, if any.
  - i. Number of individuals required for operations both full time and seasonally.
  - j. Permanent on-site sanitation facilities provided or proposed.
  - k. Schedule of activities during each month of the growing and harvesting season, including projected generator use.
  - l. Electricity Source.
  - m. Security Plan.
  - n. If phases are proposed as part of these applications, it may make sense to evaluate Phase 1 and Phase 2 separately, while in other sections Phase 1 and Phase 2 may have the same descriptions.
5. Provide a grading and erosion control plan for the proposed pond and pond expansion. Additionally, include a soils report that describes the soil type and stability of the slopes.
  6. Submit documentation that the proposed cultivation would occur on slopes less than 15%.
  7. Submit a partial boundary survey completed by a licensed surveyor for those areas of the parcel that have proposed cultivation within 600 feet of adjacent parcels that are owned by public agencies (i.e. Bureau of Land Management).
  8. Submit a copy of any well logs, or well applications if available.
  9. Submit a copy of the current deed.
  10. Submit a route map showing which roads (existing and proposed) would be used to access the operations areas.
  11. Submit a completed Road Evaluation Report (enclosed).
  12. Submit replacement \$30 checks or money orders for each application made payable to the Bear River Tribal Historic Preservation Office (THPO). The ones previously on file have expired due to 180 days elapsing.

County staff will conduct a review of previous land use actions that have been approved on the subject parcel(s) to ensure that, "The proposed development complies with the terms and conditions of any

applicable permit and/or subdivision map that was previously approved for such development" (HCC §312-2.4.1.2). If a relevant project is found and additional information is needed, our office will contact you.

Please keep in mind, additional information may be requested once the project is reviewed by State and local agencies during the referral stage of the process. The Department cannot make the required findings specified in Humboldt County Code Sections 312-1.1.2 and 312-17 et seq., and the CEQA based on the information submitted to date. In order for the Department to further evaluate this project for compliance, the additional requested information must be submitted.

Unless it is withdrawn, the Department must act on your application. For this reason, if you do not submit the requested materials or a request for hearing within 180 days (6 months) of the date of this letter, we will begin scheduling your project for a hearing. This could result in the denial of your application and the inability to secure a State license under the Medical and Adult Use Cannabis Regulation and Safety Act (MAUCRSA).

Please accumulate all requested material and submit as a complete package at the front counter to the attention of the contact listed below during regular business hours. When submitting these items please include the Application Number and APN found at the top of this letter. For most efficient processing, please include a copy of this letter with your submittals.

**Please remember that the filing of a permit application does not authorize the applicant to engage in any new commercial marijuana cultivation, processing, manufacture or distribution activity.** No such activity shall commence until the application has been processed to decision and all requisite clearances, permits and/or licenses have been secured. If you have questions about this letter, please contact Isaac Hansen at 707-445-7541.

Sincerely,



Isaac Hansen  
Cannabis Services Division  
vendorlaco@co.humboldt.ca.us

Attachments

1. Reference maps from DS-17-009 showing historic and current APNs
2. Staff Report for Determination of Status DS-17-009  
Expired Checks (to applicant)  
Road Evaluation Report



