



**COUNTY OF HUMBOLDT**  
**PLANNING AND BUILDING DEPARTMENT**  
**CURRENT PLANNING DIVISION**

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Phone: (707)445-7541 Fax: (707) 268-3792

Hearing Date: June 3, 2021

To: Humboldt County Zoning Administrator

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

Subject: **Honey Country Compassionate Use Project LLC, Special Permit**  
Record Number: PLN-2020-16594  
Assessor's Parcel Number: 107-241-017  
39811 Mattole Road, Honeydew

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Please contact Desmond Johnston, Senior Planner, at 707-441-2622 or by email at [djohnston@co.humboldt.ca.us](mailto:djohnston@co.humboldt.ca.us), if you have any questions about the scheduled public hearing item.

## AGENDA ITEM TRANSMITTAL

Hearing Date	Subject	Contact
June 3, 2021	Special Permit	Desmond Johnston

**Project Description:** A Special Permit for 32,000 s.f. of new mixed-light cannabis cultivation, and 10,000 s.f. of existing mixed light cultivation, for a total of 42,000 s.f. Water source to be existing pump in-stream for the existing 10,000 s.f. canopy; this and the new cultivation to be sourced off of rain catchment after two years. There is a total of 137,500 gallons of existing water storage onsite. There are two (2) 50,000-gallon bladders and fifteen (15) 2,500-gallon water tanks. The bladders are proposed to be replaced with twenty (20) 5,000-gallon water tanks, and proposing to add an additional sixty (60) 5,000-gallon water tanks to bring total water storage to 437,500 gallons onsite. An accessory drying facility is part of onsite activities for this project. Power lines run through the property and a power drop from PG&E is proposed for future power source with a backup generator.

**Project Location:** This project is located in the Honeydew area, on the north side of Mattole Road, approximately 1.02 miles northwest from the intersection of Mattole Road and Lindley Road, on the property known as 39811 Mattole Road.

**Present Plan Land Use Designations:** Agricultural Exclusive (AE), Density: Range is 20 to 60 acres per unit, 2017 General Plan, Slope Stability: Low Instability (1)

**Present Zoning:** Agricultural Exclusive (AE)

**Record Number:** PLN-2020-16594

**Assessor's Parcel Number:** 107-241-017

### Applicant

Honey Country Compassionate Use  
Project, LLC  
P.O. Box 435  
Whitethorn, CA 95589

### Owners

Gracen Fales-Messina  
P.O. Box 206  
Honeydew, CA 95545

### Agent

SL Consulting Services  
Steve Luu  
973 Dowler Drive  
Eureka, CA 95501

**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 located outside the Coastal Zone and is therefore NOT appealable to the California Coastal Commission

**Major Issues:** None

## Honey Country Compassionate Use Project, LLC

Record Number: PLN-2020-16594

Assessor's Parcel Number: 107-241-017

### Recommended 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 Zoning Administrator has considered the Addendum to the Environmental Impact Report for the Commercial Cannabis Land Use Ordinance (CCLUO) pursuant to Section 15164 of the State CEQA Guidelines, make all of the required findings for approval of the Special Permit based on evidence in the staff report, and adopt the Resolution approving the proposed Honey Country Compassionate Use Project, LLC project subject to the recommended conditions.*

**Executive Summary:** A Special Permit for 32,000 s.f. of new mixed-light cannabis cultivation and 10,000 s.f. of existing mixed light, for a total of 42,000 s.f. Water source to be existing pump in-stream for the existing 10,000 s.f. canopy, and after two years this and the new cultivation to be sourced off of rain catchment from greenhouses and buildings. There is a total of 137,500 gallons of existing water storage onsite. There are two (2) 50,000-gallon bladders and fifteen (15) 2,500-gallon water tanks. The bladders are proposed to be replaced with twenty (20) 5,000-gallon water tanks, and proposing to add an additional sixty (60) 5,000-gallon water tanks to bring total water storage to 437,500 gallons onsite. An accessory drying facility is part of onsite activities for this project. Power lines run through the property and a power drop from PG&E is proposed for future power source with a backup generator.

The site plan shows the following existing and proposed uses related to the application:

#### Proposed New

- Sixteen (16) 20'x100' greenhouses – 32,000 s.f. of new, mixed light cannabis
- One 3,000 s.f. multi-use propagation and drying building with back-up generator inside
- One 400 s.f. composting area
- Ten (10) parking spaces
- Eighty (80) 5,000-gallon water tanks – 400,000 gallons
- 2 or 3 trees to be removed, subject to restocking

#### Existing

- Five (5) 20'x100' greenhouses – 10,000 s.f. of mixed light cannabis (2016)
- Two (2) 50,000-gallon water bladders (2016) to be removed
- Fifteen (15) 2,500-gallon water tanks (2016)
- Two stream points of diversion; one for irrigation, and the other serving the existing residence and the proposed drying building
- A new, one-lane bridge across Saunders Creek (approved under separate permit but not yet constructed)

#### Features shown on plot plan but were destroyed by fire in 2020

- One 3,000-gallon water catchment tank, from roof
- A 940 s.f. shop building – was slated for demolition anyway

**Background:** In 2016 the applicant applied under Ord. 1.0 for approval of 10,000 s.f. of existing mixed light cannabis in five greenhouses with irrigation from an existing point of diversion off of nearby Saunders Creek, and received an Interim Permit. The applicant holds a Right to Divert and Use Water certification from the CA Division of Water Rights for up to 42,000 gpd. Before approval of the original application, the applicant submitted a new application for approval of the original cultivation and expansion of an additional 32,000 s.f. of mixed light under Ord. 2.0, for a total of 42,000 s.f. plus ancillary facilities. In September 2020 the permittee received approval of Emergency Special Permit 16568 to install a one-

lane, railroad flat car bridge over Saunders Creek. Although the bridge crossing had intended to be in conjunction with this cultivation proposal, the associated Lake and Streambed Alteration Agreement (LSAA) that was needed for the cannabis project triggered the CDFW requirement to install the bridge immediately to alleviate concerns over existing ford crossings. Due to this, the bridge component proceeded as a separate, stand-alone project for the owner's site access independent of a cannabis proposal and is not assessed further here.

**Access:** The site is accessed from the existing paved county road, Mattole Road, and then approximately 770 feet of gravel-topped private road to the subject property. A road evaluation report was prepared by the applicant's agent, Steven Luu, stating that the private road/driveway is developed to the equivalent of road category 4 standard, with an accompanying road assessment by Stephen Hohman, RPF, with recommendations for minor repairs (8/12/2020). This was accepted by County Public Works with conditions of approval that are included with the proposed resolution attached to this staff report.

**Proposed Cultivation:** Propagation will take place in the proposed 3,000 s.f. building. The present mixed light cultivation occurs in five 20' x 100' greenhouses ("A" through "E" on the site plan) for a total of 10,000 s.f. The non-commercial nursery is located in a 1,440 s.f. greenhouse that will be demolished, and sixteen 2,000 s.f. greenhouses will be built for a total of 42,000 s.f. of canopy. The greenhouses will utilize a combination of artificial light, natural light, and light deprivation to produce up to two flowering cycles per year. Blackout tarps are and will continue to be utilized in the nursery and greenhouses when light is used; the operation will meet International Dark Sky Standards. Product will be dried, bucked, trimmed, labeled, sealed and stored on-site. Waste product will be sold to manufacturers. There will be four full-time staff residing in the existing residence, and up to six seasonal laborers at peak production who will commute daily.

**Water Source, Storage, and Irrigation:** Domestic water is provided via a cistern intercepting surface water. Irrigation water is presently sourced from a separate point of diversion, a pump in Saunder's Creek. Forbearance is observed April 1<sup>st</sup> through October 31<sup>st</sup> during which time stored water is used. Irrigation is and will continue to be by hand watering and drip emitters. Estimated annual water use is 424,725 gallons for the entire 52,000 s.f. of existing and new, or 8.16 gallons per square foot. Proposed storage – with existing and proposed new tanks – will be 437,500 gallons.

The applicant's agent requests that the existing 10,000 s.f. cultivation be allowed to continue drawing diversionary water for two years, after which point the greenhouses will be constructed with gutter systems for rainwater catchment, and the entire 52,000 s.f. farm will be required to rely on catchment only. If due to increased materials costs construction is delayed beyond two years, then the applicant would rely on outdoor, non-irrigated cultivation for the interim. This is permissible under Ord. 2.0 and is included in the list of conditions.

**Energy:** PG&E power lines run across the property. A service drop application has been processed by PG&E. Generators will be used for emergency back-up only.

**Wildlife Biology:** A Biological Assessment Report was prepared by Biologist Mason London in March 2019 which found that there would be no impacts due to the existing disturbed state of the site. Potential noise and night-lighting impacts are addressed by the project design, which includes use of the emergency generator within a building, and blackout tarps. The nearest Northern Spotted Owl activity center is 0.7 mile or further away. As a further precaution, conditions of approval included in the attached resolution require all light from the cultivation operation be shielded, and noise will be less than 50 decibels as measured 100 feet from the source. With these standards in place, the report concludes that project activities would have no significant impact on special status species because the proposed cultivation activity would not disturb suitable habitat. The biologist states that the survey was not conducted during the botanical flowering season, but that presence of special status plants is unlikely due to previous use and the condition of existing habitat.



**Cultural Resources:** The application was referred to the Bear River Band, which responded that the parcel has been previously surveyed, and that the inclusion of the inadvertent discovery protocol is sufficient. This is included in the proposed conditions of approval.

**Environmental Review:** Environmental review for the proposed project was conducted, and based on the results of that analysis, staff determined the existing cultivation and other aspects of the project were previously analyzed in 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 will result in modifications to the existing operation that will reduce or eliminate environmental impacts. Permitting the new cultivation areas in compliance with County and State regulations would not present substantial changes that would require major revisions to the previous Environmental Impact Report. An addendum to the Final EIR has been prepared for consideration per § 15164 of the State CEQA Guidelines.

**Recommendation:** Staff recommends that the Zoning Administrator 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 Zoning Administrator could elect not to hear this item and put the decision making in front of the Planning Commission. Any decision to place this matter before the Planning Commission must be done before opening the public hearing on this project; 2) The Zoning Administrator could elect to add or delete conditions of approval; 3) The Zoning Administrator 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 ZONING ADMINISTRATOR  
OF THE COUNTY OF HUMBOLDT**

**Resolution Number 21-**

**Record Number** PLN-2020-16594

**Assessor's Parcel Numbers:** 107-241-017

Resolution by the Zoning Administrator of the County of Humboldt certifying compliance with the California Environmental Quality Act and approves Honey Country Compassionate Use Project Special Permit.

**WHEREAS**, Honey Country Compassionate Use Project, submitted an application and evidence in support of approving a Special Permit to allow and expand cultivation up to 42,000 square feet of mixed light cultivation (0.96 acre). Propagation will take place in the proposed 3,000 s.f. building. The existing mixed light cultivation occurs in five 20' x 100' greenhouses ("A" through "E" on the site plan) for a total of 10,000 s.f. Sixteen new 2,000 s.f. greenhouses will be built to accommodate 32,000 s.f. of canopy. The greenhouses will utilize a combination of artificial light, natural light, and light deprivation to produce up to two flowering cycles per year. Blackout tarps are and will continue to be utilized in the nursery and greenhouses when light is used; the operation will meet International Dark Sky Standards. Product will be dried, bucked, trimmed, labeled, sealed and stored on-site. Waste product will be sold to manufacturers. There will be four full-time staff residing in the existing residence, and up to six seasonal laborers at peak production who will commute daily.

**WHEREAS**, The County Planning Division, the lead agency, prepared an Addendum to the Final Environmental Impact Report 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 previous Environmental Impact Report. 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

**Now, THEREFORE BE IT RESOLVED**, that the Zoning Administrator makes all the following findings:

- 1. FINDING:**                      **Project Description:** to allow and expand cultivation up to 42,000 square feet of mixed light cultivation (0.96 acre). Propagation will take place in the proposed 3,000 s.f. building. The existing mixed light cultivation occurs in five 20' x 100' greenhouses ("A" through "E" on the site plan) for a total of 10,000 s.f. Sixteen new 2,000 s.f. greenhouses will be built to accommodate 32,000 s.f. of canopy. The greenhouses will utilize a combination of artificial light, natural light, and light deprivation to produce up to two flowering cycles per year. Blackout tarps are and will continue to be utilized in the nursery and greenhouses when light is used; the operation will meet International Dark Sky Standards. Product will be dried, bucked, trimmed, labeled, sealed and stored on-site. Waste product will be sold to manufacturers. There will be four full-time staff residing in the existing residence, and up to six seasonal laborers at peak production who will commute daily.

**EVIDENCE:**                      a) Project File: PLN-2020-16594

- 2. FINDING:**                      **CEQA.** The project complies with the California Environmental Quality Act (CEQA).

**EVIDENCE:**                      a) Addendum to the Environmental Impact Report adopted for the Commercial Cannabis Land Use Ordinance.

## FINDINGS FOR SPECIAL PERMIT

- 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 an allowable use in the Agricultural Exclusive (AE) land use designation. The proposed cannabis cultivation, an agricultural product, is within land planned and zoned for agricultural purposes, 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 complimentary 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 Exclusive (AE) Zone in which the site is located.
- EVIDENCE**
- a) The AE Zone is intended to be applied to areas of the County in which agriculture uses are the desirable predominant uses.
  - b) All exclusive agricultural uses, including agricultural uses and structures, are principally permitted in the AE zone.
- 5. FINDING** The proposed development is consistent with the requirements of the CCLUO Provisions of the Zoning Ordinance.
- EVIDENCE**
- a) Section 55.4.6.1 authorizes new cultivation up to an acre.
  - b) The proposed cultivation site is flat with less than 15% slope.
  - c) The project will continue to draw from diversionary water for the existing 10,000 s.f only, for a maximum of two years only, and thereafter obtain non-diversionary irrigation water from rainwater catchment collected off the greenhouses for the entire 42,000 s.f of cultivation.
  - d) The parcel was created in compliance with all applicable state and local subdivision regulations and was legitimized by issuance of Building Permits 94-05840 and 16-63.
  - e) The site is accessed by Mattole Road, a paved County-maintained road that turns into a privately maintained road. The applicant has provided a Road Evaluation certifying the road meets Category 4 functional equivalent. An Engineer's Road Assessment prepared by SL Consulting and Hohman & Associates identifies 6 points for improvement of water quality. The project is conditioned on implementing these improvements. As conditioned, the project meets the Road Performance standards.
  - f) The location of the cultivation complies with all setbacks and performance standards of the CCLUO. The cultivation is setback 150 feet from the top-of-bank of the Mattole River and from Saunders Creek.
  - g) The energy source will be P.G.&E. service, and a backup propane generator.

**6. FINDING** The operation of commercial cannabis 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 seeks to expand a commercial agricultural operation which has been issued an Interim Permit. The operation has been operating in compliance with the permit conditions.
- b) All commenting referral agencies recommended approval, or their recommended conditions have been satisfied.

**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 was not included in the housing inventory of Humboldt County's 2019 Housing Element. The site is developed with a single-family residence. The approval of cannabis cultivation on this parcel does not conflict with residential density goals.

### **DECISION**

**NOW, THEREFORE,** based on the above findings and evidence, the Humboldt County Zoning Administrator does hereby:

- Adopt the findings set forth in this resolution; and
- Conditionally approves the Honey Country Compassionate Use Project, LLC project based upon the Findings and Evidence and subject to the conditions of approval attached hereto as Attachment 1 and incorporated herein by reference; and

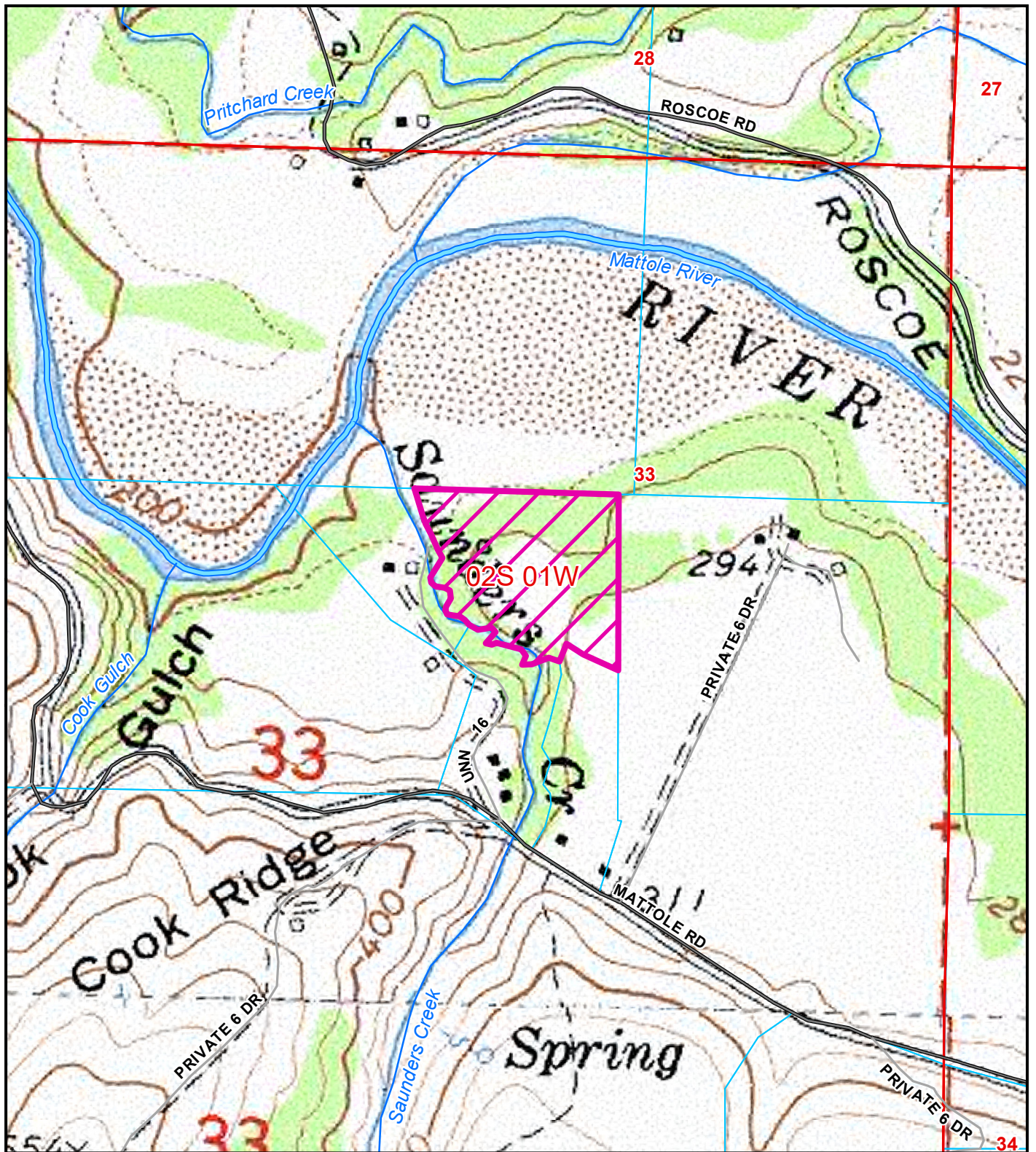
Adopted after review and consideration of all the evidence on June 3, 2021.

I, John Ford, Zoning Administrator 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 me at a meeting held on the date noted above.

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John Ford, Director  
Planning and Building Department



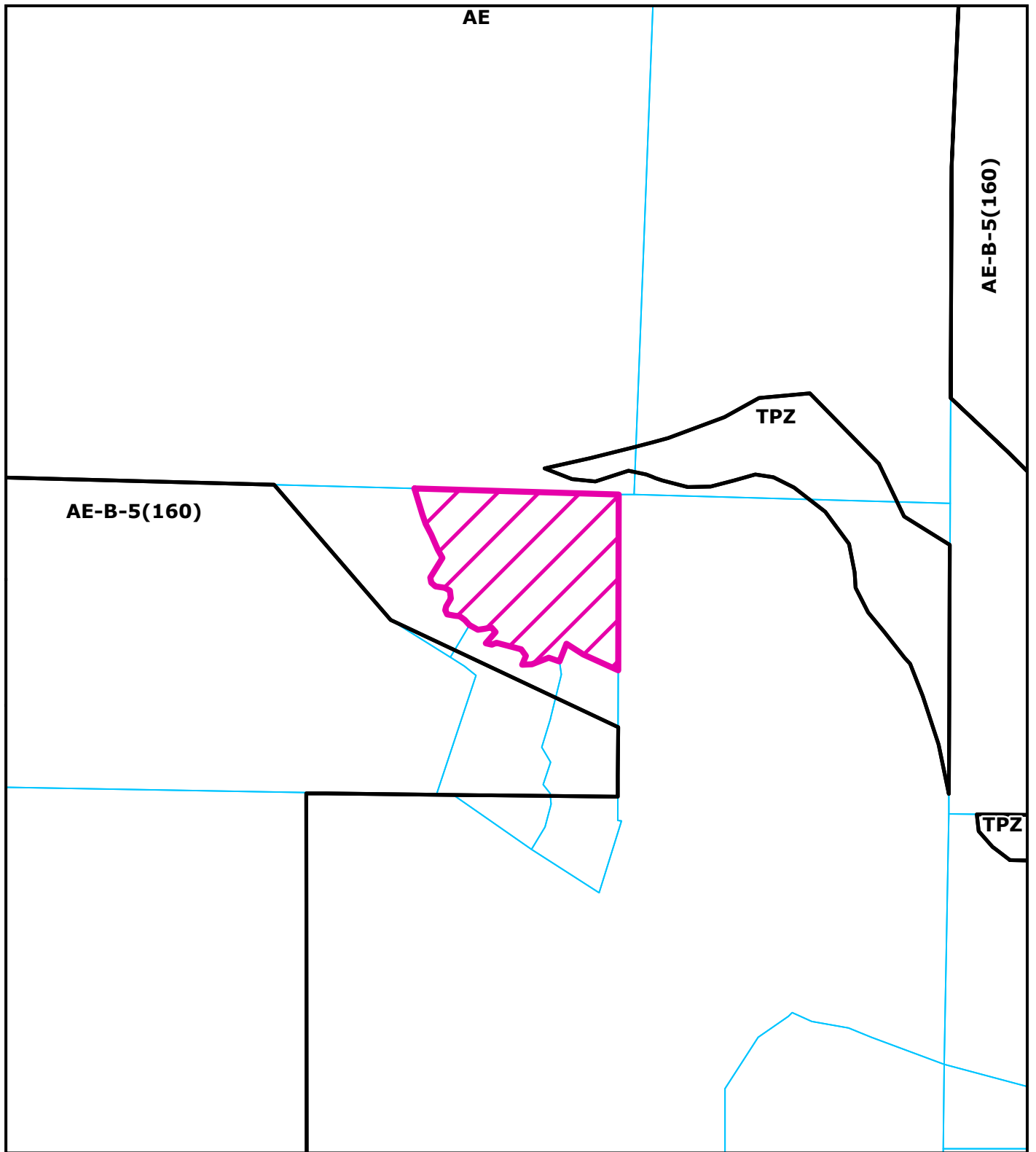


**TOPO MAP**  
**PROPOSED HONEY COUNTRY COMPASSIONATE USE PROJECT**  
**HONEYDEW AREA**  
**PLN-2020-16594**  
**APN: 107-241-017**  
**T02S R01W S33 HB&M (BUCKEYE MTN)**

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.

0 700 1,400  
 Feet



**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.

**ZONING MAP**

**PROPOSED HONEY COUNTRY COMPASSIONATE USE PROJECT**

**HONEYDEW AREA**

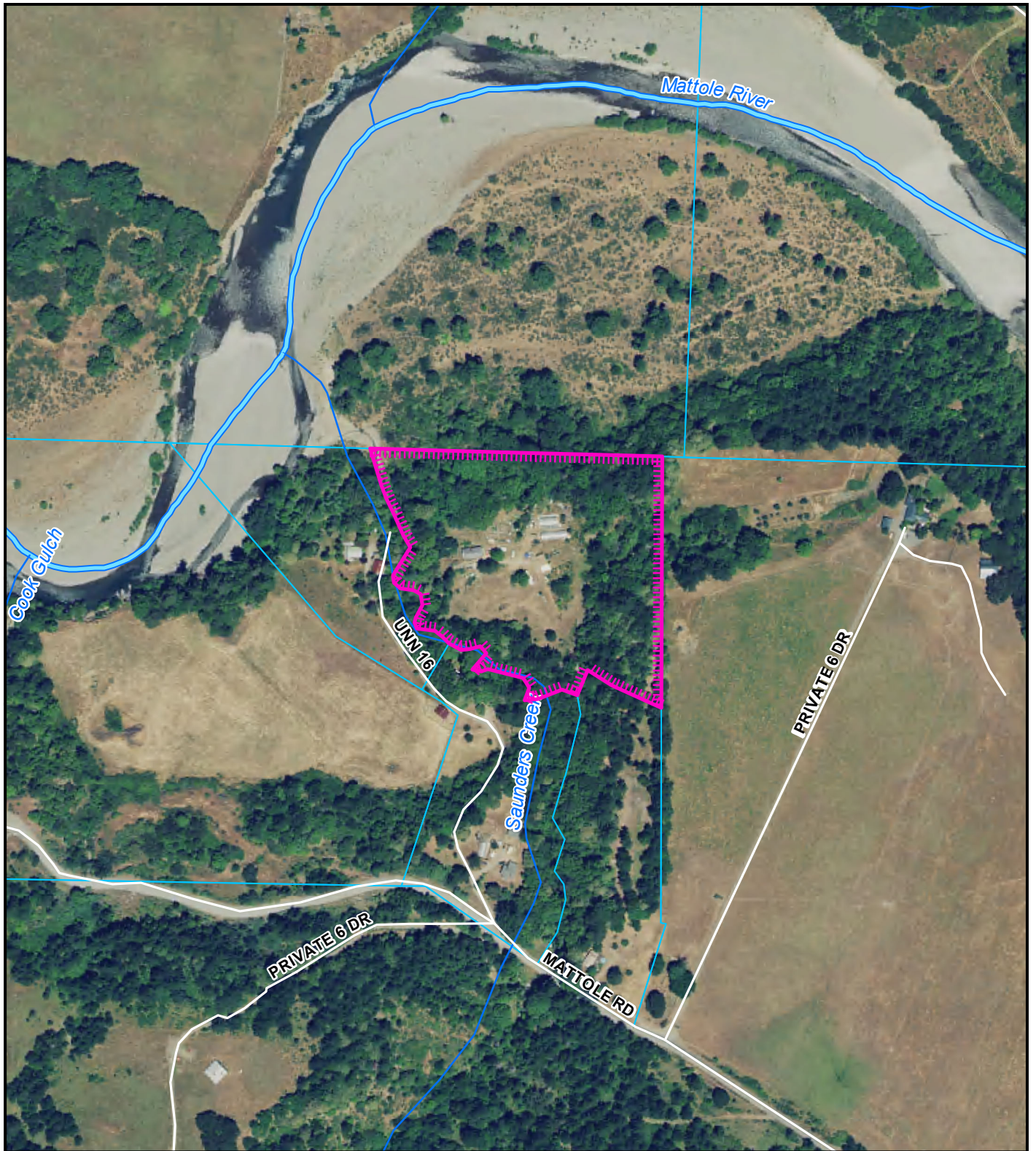
**PLN-2020-16594**

**APN: 107-241-017**

**T02S R01W S33 HB&M (BUCKEYE MTN)**

0 700 1,400 Feet





**AERIAL MAP**  
**PROPOSED HONEY COUNTRY COMPASSIONATE USE PROJECT**  
**HONEYDEW AREA**  
**PLN-2020-16594**  
**APN: 107-241-017**  
**T02S R01W S33 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.

0 500 1,000 Feet









## **ATTACHMENT 1**

### **RECOMMENDED CONDITIONS OF APPROVAL**

Approval of the Special Permit is conditioned on the following terms and requirements which must be satisfied before release of the building permit or initiation of operations, whichever occurs first.

#### **Section 1: Development Restrictions**

1. The applicant shall pave the private road for a minimum width of 20 feet and a length of 50 feet where it intersects the end of the County maintained Lindley Road. The applicant shall apply for and obtain an encroachment permit prior to commencement of any work in the County maintained right of way. Confirmation from the Department of Public Works that the work has been completed shall satisfy this requirement.
2. 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 prior to commencing operations, final sign-off for a building permit, or Public Works approval for a business license.
3. Applicant is advised that County maintained roads may generate dust and other impacts to farm(s). Applicant shall locate their farm(s) in areas not subject to these impacts. Applicant shall be responsible for protecting their farm(s) 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 locate 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.
4. Any existing or proposed non-county-maintained access roads 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.
  - If the County road has a paved surface at the location of the access road, the access road shall be paved for a minimum width of 20 feet and a length of 50 feet where it intersects the County road.
  - If the County road has a gravel surface at the location of the access road, the access road shall be rocked for a minimum width of 20 feet and a length of 50 feet where it intersects the County road. 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.
5. The applicant shall implement the road improvement recommendations of the 2.0 Road Assessment document, including installation of all rolling dips, application of crushed rock, and maintenance of inboard/outboard ditches. A final effectiveness report demonstrating the improvements have been implemented shall satisfy this condition.
6. The applicant shall cause to be recorded an "ACKNOWLEDGMENT OF NO AVAILABLE EMERGENCY RESPONSE AND FIRE SUPPRESSION SERVICES" for the parcel(s) on a form provided by the Humboldt County Planning Division. Document review fees as set forth in the schedule of fees and charges as adopted by ordinance of the Humboldt County Board of Supervisors will be required.
7. Power for the operation shall be supplied by P.G.&E. grid power. The generator is for emergency backup power only.

8. The existing 10,000 s.f. cultivation is allowed to continue drawing diversionary water for two years, after which point the greenhouses will be constructed with gutter systems for rainwater catchment, and the entire 42,000 s.f. farm will be required to rely on catchment only. If due to increased materials costs construction is delayed beyond two years, then the applicant would rely on outdoor, non-irrigated cultivation for the interim.

#### **A. General Conditions**

1. The applicant shall comply with all terms of the initial approval of Record PLN-16594-SP.
2. The applicant is responsible for maintaining compliance with all applicable local and State agency rules and regulations.
3. The applicant to submit copies of all documents filed and/or obtained from the State Water Resources Control Board, including, but not limited to, a Notice of Applicability and Site Management Plan. The applicant is required to adhere to and implement the requirements contained in the SWRCB's Cannabis Cultivation Policy, the General Order and the Notice of Applicability. A copy of the reporting form portion of the Mitigation and Reporting Program (MRP) shall be submitted annually to the Planning and Building Department concurrent with the submittal to the SWRCB.
4. All components of 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. Changes shall require modification of this permit except where consistent with Humboldt County Code Section 312-11.1, Minor Deviations to Approved Plot Plan.
5. Noise generated from the operation, including fans and dehumidifiers, shall not exceed 50db at 100 feet from the generator or at the edge of the nearest forest habitat, whichever is closer, as required by Section 314-55.4.12.6 Humboldt County Code.
6. The applicant shall meter irrigation water usage and maintain monthly water use records on-site that will be available at the time of annual inspection. Should the amount of water storage be insufficient for irrigation, the applicant shall modify the project to add additional water storage, or to change cultivation practices to require less water.
7. 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.
8. The Applicant is responsible for costs for post-approval review for determining project conformance with conditions. A deposit is collected to cover this staff review. Permit conformance with conditions must be demonstrated prior to release of building permit or initiation of use and at 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.
9. A Notice of Determination (NOD) will be prepared and filed with the County Clerk for this project in accordance with the State CEQA Guidelines. The Department will file the NOD and will charge this filing cost to the project.

10. 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 – Friday, 9:00 am – 5:00 pm, excluding holidays).
11. 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.
12. Term of Commercial Cannabis Activity Special Permit. Any Commercial Cannabis Cultivation Special Permit issued pursuant to the CCLUO shall expire after 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.

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 Special Permit or permit holder with a written statement identifying the items not in compliance, and the action that the permit holder may take to cure the non-compliance, 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 reinspection to determine whether or not the permit holder has cured all issues of non-compliance. Failure to request reinspection or to cure any items of non-compliance shall terminate the Special Permits, 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 of the CCLUO.

13. Permit Renewals to comply with Updated Laws and Regulations. Permit renewal per Ongoing Condition of Approval #12, above, 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.

#### **Informational Notes:**

1. 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 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 Humboldt County Code.
2. If cultural resources are encountered during construction activities, the contractor on-site 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.

3. 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 Environmental 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.

**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 107-241-017, 39811 Mattole Road, Honeydew, County of Humboldt***

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

**May 2021**

## Background

**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 the 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 mitigation measures of the EIR. Commercial cannabis cultivation in existence as of December 31, 2015, was included in the environmental baseline for the EIR. The current project for new cultivation 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 is to allow and expand cultivation up to 42,000 square feet of mixed light cultivation (0.96 acre). Propagation will take place in the proposed 3,000 s.f. building. The existing mixed light cultivation occurs in five 20' x 100' greenhouses ("A" through "E" on the site plan) for a total of 10,000 s.f. Sixteen new 2,000 s.f. greenhouses will be built to accommodate 32,000 s.f. of canopy. The greenhouses will utilize a combination of artificial light, natural light, and light deprivation to produce up to two flowering cycles per year. Blackout tarps are and will continue to be utilized in the nursery and greenhouses when light is used; the operation will meet International Dark Sky Standards. Product will be dried, bucked, trimmed, labeled, sealed and stored on-site. Waste product will be sold to manufacturers. There will be four full-time staff residing in the existing residence, and up to six seasonal laborers at peak production who will commute daily.

A Biological Assessment Report was prepared by Biologist Mason London in March 2019 which found that there would be no impacts due to the existing disturbed state of the site. Potential noise and night-lighting impacts are addressed by the project design, which includes use of the emergency generator within a building, and blackout tarps. The nearest Northern Spotted Owl activity center is 0.7 mile or further away. As a further precaution, conditions of approval included in the attached resolution require all light from the cultivation operation be shielded, and noise will be less than 50 decibels as measured 100 feet from the source. With these standards in place, the report concludes that project activities would have no significant impact on special status species because the proposed cultivation activity would not disturb suitable habitat. The biologist states that the survey was not conducted during the botanical flowering season, but that presence of special status plants is unlikely due to previous use and the condition of existing habitat.

The modified project is consistent with the adopted EIR for the CCLUO because it complies with all standards of the CCLUO which were intended to mitigate for impacts of new and existing cannabis operations. These include complying with County Fire Safe regulations, noise and light attenuation measures to limit disturbance to wildlife, limiting activities to daylight hours (8 am to 5 pm), supplying irrigation water from rainwater catchment.

**Purpose** - Section 15164 of the California Environmental Quality Act (CEQA) provides that the lead agency shall prepare an addendum to a previously certified Final Environmental Impact Report (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 effect 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 Mitigation Recommended**

No changes are proposed for the Final EIR recommended mitigations. The proposal to authorize the project 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:

- Cultivation and Operation Plan;
- Site Plan prepared by SL Consulting
- Biological Assessment Report was prepared by Biologist Mason London in March 2019

### **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 expansion of an existing cannabis operation in 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.



### ATTACHMENT 3

#### Applicant's Evidence in Support of the Required 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. (Application form 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. (N/A)
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 SL Consulting on 8/14/2020– **Attached** with project Maps)
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 SL Consulting 8/14/2020 - **Attached Separately**)
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. (on file)
6. Description of water source, storage, irrigation plan, and projected water usage. (Included in Cultivation Operations Plan (item 4. above)
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 on-site or off-site 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. (Not applicable)
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. For indoor cultivation facilities, identify the source of electrical power and how it will meet with the energy requirements in Section 55.4.12.5 (Cultivation Plan, **attached**)
13. Acknowledge 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)
14. Acknowledge 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)
15. Division of Environmental Health Attachment for Commercial Medical Marijuana (CMM) Clearances/ Permits (DEH Form). (On-file)
16. Biological Assessment Report prepared by Mason London, Biologist, March 19, 2019 (on file).
17. Road Evaluation. (**Attached**)
18. Invasive Species Plan. (On-file)
19. Power Sources Narrative. (On-file)

**HUMBOLDT COUNTY DEPARTMENT OF PUBLIC WORKS  
ROAD EVALUATION REPORT**

**PART A:** *Part A may be completed by the applicant*

Applicant Name: Honey Country Compassionate Use Project

APN: 107-241-017

Planning & Building Department Case/File No.: APPS#11493

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

From Road (Cross street): Mattole Road

To Road (Cross street): Property Line

Length of road segment: 0.20 miles Date Inspected: 6/26/20

Road is maintained by: ☐ County ☒ Other Private

(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. A map showing the location and limits of the road being evaluated in PART A is attached.

Steven Luu

Signature

6/26/20

Date

Steven Luu - SL Consulting Services Inc

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.**





PHOTO 1



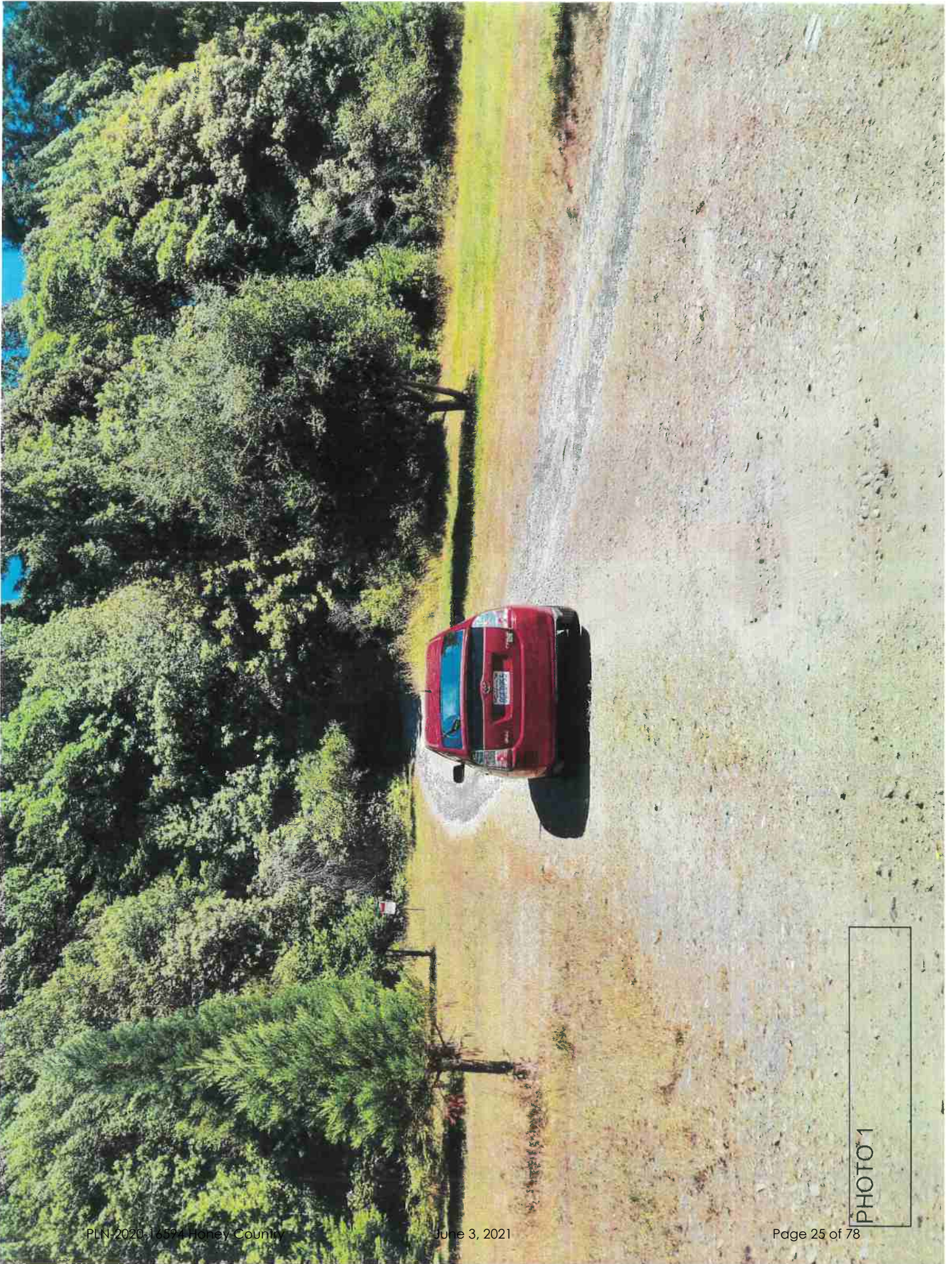


PHOTO 1







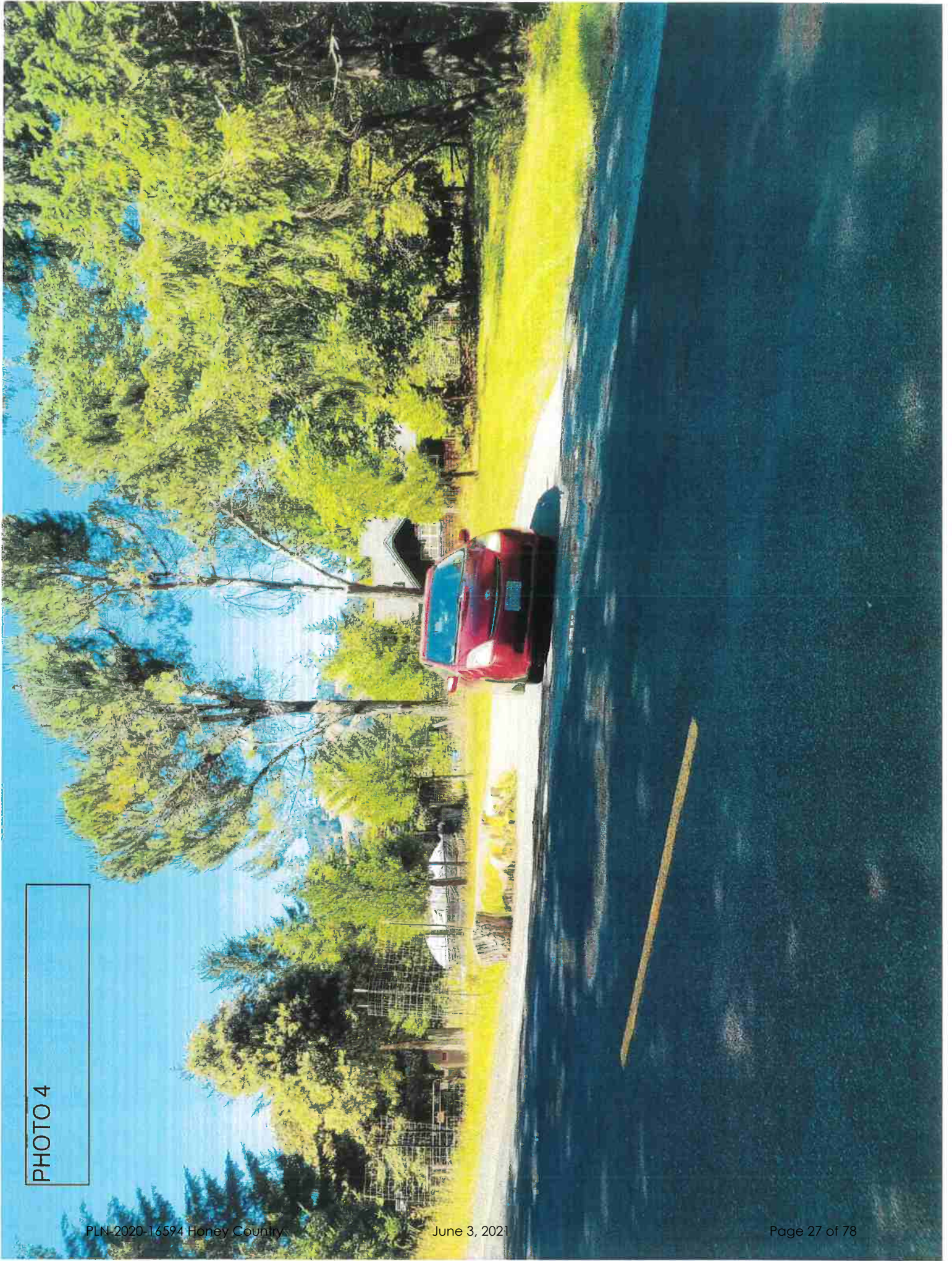


PHOTO 4





## 2.0 Road Assessment

### **Honeydew Country Compassionate Use Project, Inc.**

The following road points are appurtenant to the **Honeydew Country Compassionate Use Project, Inc.** located on the Humboldt County Assessor parcel 107-241-017. Assessed roads are existing; classified as permanent and seasonal with paved, rocked and native surfaces. Access to the parcel is gained from the paved county road, Mattole Road approximately 4.5 road miles west of the Honeydew Country Store.

#### Per 14 CCR 895.1. **Definitions**

**Permanent Road** means a Logging Road that is part of the Permanent Road Network and is designed for year-round use. These roads have a surface that is suitable for maintaining a stable operating surface throughout the year.

**Seasonal Road** means a Logging Road that is part of the Permanent Road Network that is not designed for year-round use. These roads have a surface that is suitable for maintaining a stable operating surface during the period of use.

**RP-1:** Encroachment onto Mattole Road (county) is a paved apron with locked gate. Small diameter rounded aggregate (river run) between the gate and RP-5 is migrating off the road running surface due to traffic and sheetflow, tire ruts are developing and road material/sediment fans are accumulating.

**Recommendation:** Apply #3 stone to a minimum depth of 6" to those portions of thinning road surface between the gate and RP-5. Crushed #3 stone includes stone between 1/2 and 2 inches.



RP-2: View beyond gate is rocked road. The distant road horizon is RP-2.

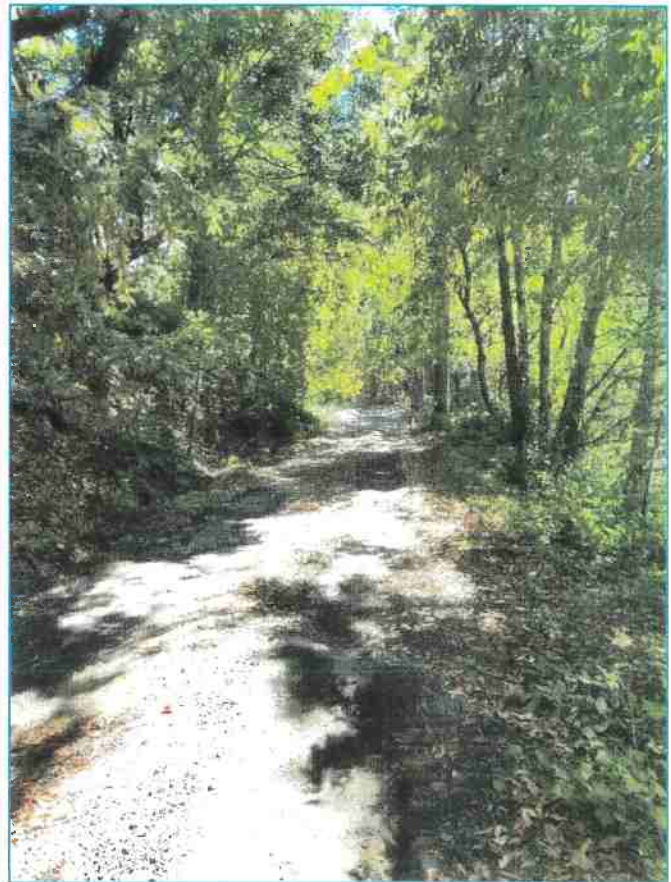


**RP-2:** Top of an 18% road grade for approximately 260 feet. Road prism is insloped with inside ditch.

**Recommendation:** Install a rocked rolling dip to direct surface drainage. The dip axis shall be an outsloped condition. The dip shall be lined with 4" to 6" angular rock and shall continue through the spillway or discharge onto an undisturbed vegetated filter strip.



RP-2: Top of grade viewing downslope.



From RP-3 (rolling dip) viewing upslope.

**RP-3:** Cutbank sloughing along portions of inside ditch with likely potential to plug and divert uncontrolled surface flow onto road. Discharge of inside ditch sediment fans are accumulating at RP-4.

**Recommendation:** Reduce conveyance of inside ditch flow by installing a rocked rolling dip. Installation shall be from the road cutbank capturing inside ditch flow and run the entire width of the road surface prism to the dip outlet. The dip axis shall be an outsloped condition. The dip shall be lined with 4" to 6" angular rock and shall continue through the spillway or discharge onto an undisturbed vegetated filter strip.

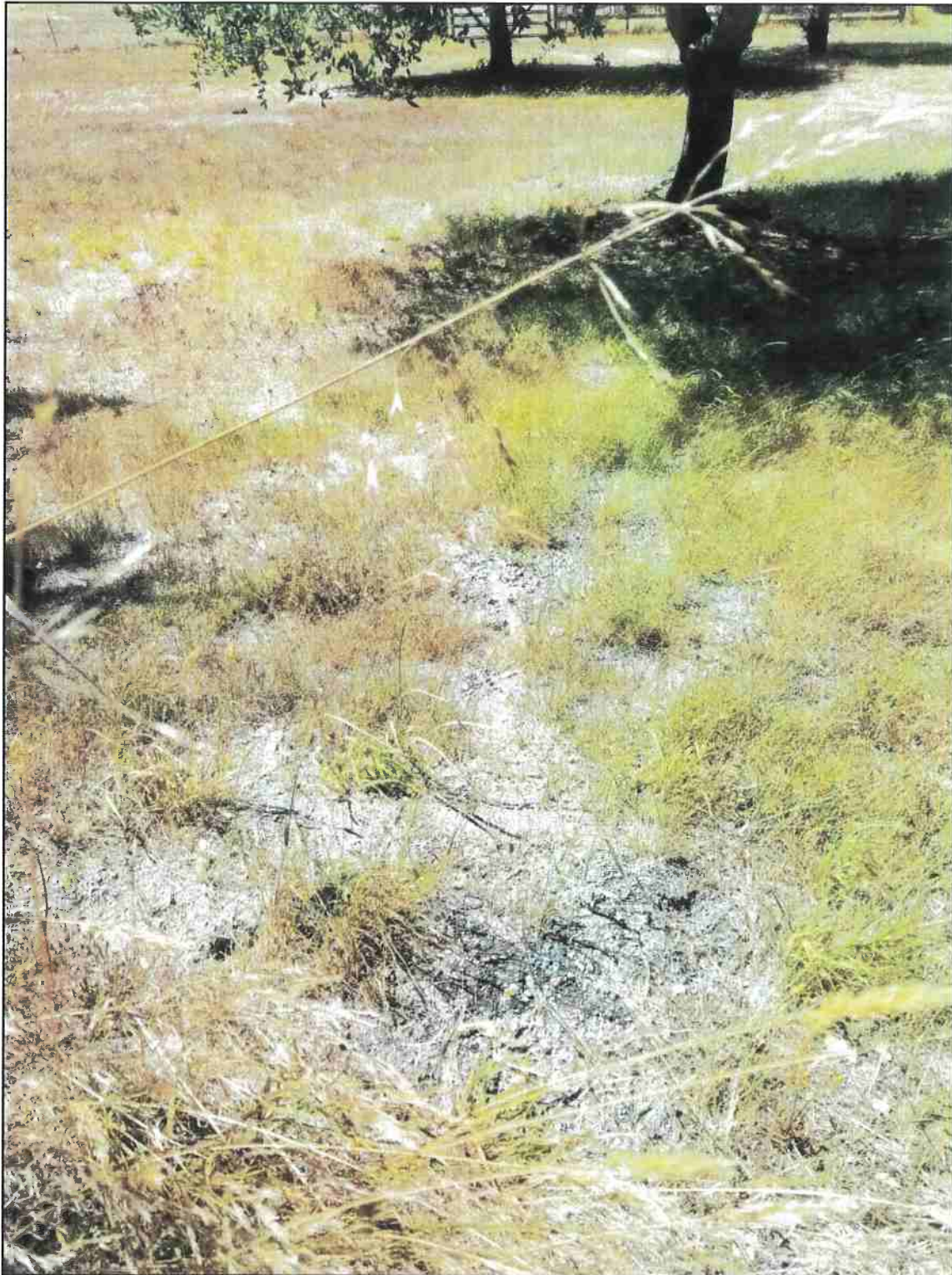


RP-3: From dip axis viewing downslope to RP-4.



**RP-4:** Discharge of inside ditch resulting in road material/sediment fans. While this material is currently not in a position to enter a watercourse it is within 150 feet of Saunders Creek. This area is seasonally saturated and inundated.

**Recommendation:** The general road rocking addressed in RP-1 and disconnecting ditch flow from RP-2 and RP-3 will effectively eliminate this condition.



RP-4: Mobilized and deposited road material illustrating larger angular rock is need for road surfacing.

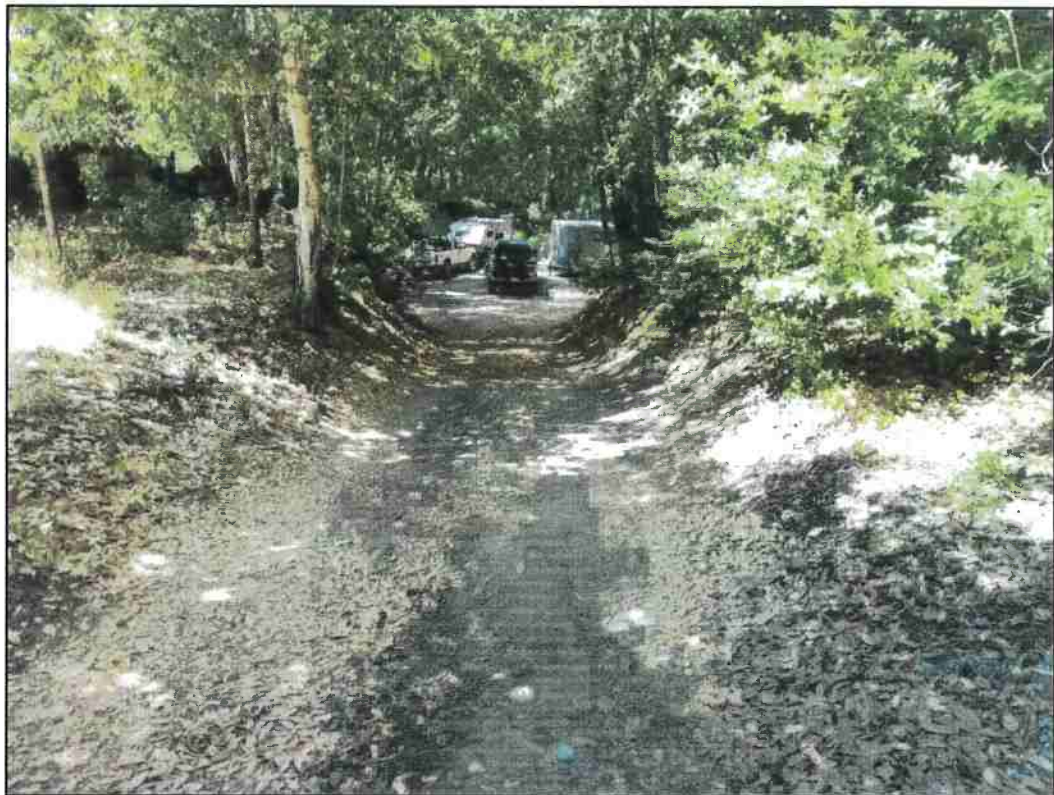


**RP-5:** Top of through-cut, leads to RP-6 and bridge encroachment. From this point to the cultivation site the road surface is native material.

**Recommendation:** Install a rocked rolling dip to prevent surface drainage from entering the through-cut. The dip axis shall be an outsloped condition. The dip shall be lined with 4" to 6" angular rock and shall continue through the spillway or discharge onto an undisturbed vegetated filter strip. To accommodate year round access, minimize sheetflow and fortify road integrity, apply #3 stone to a minimum depth of 6" from this point north beyond RP-6 to the cultivation site.



RP-5: Subtle rise in road at shadow line is the location of RP-5. RP-4 is in the distance.



From RP-5 viewing through-cut condition to encroachment of RP-6.



**RP-6:** The crossing of Saunders Creek is currently limited to foot traffic. A permit for a bridge is in the process with the Humboldt County Planning and Building Department.

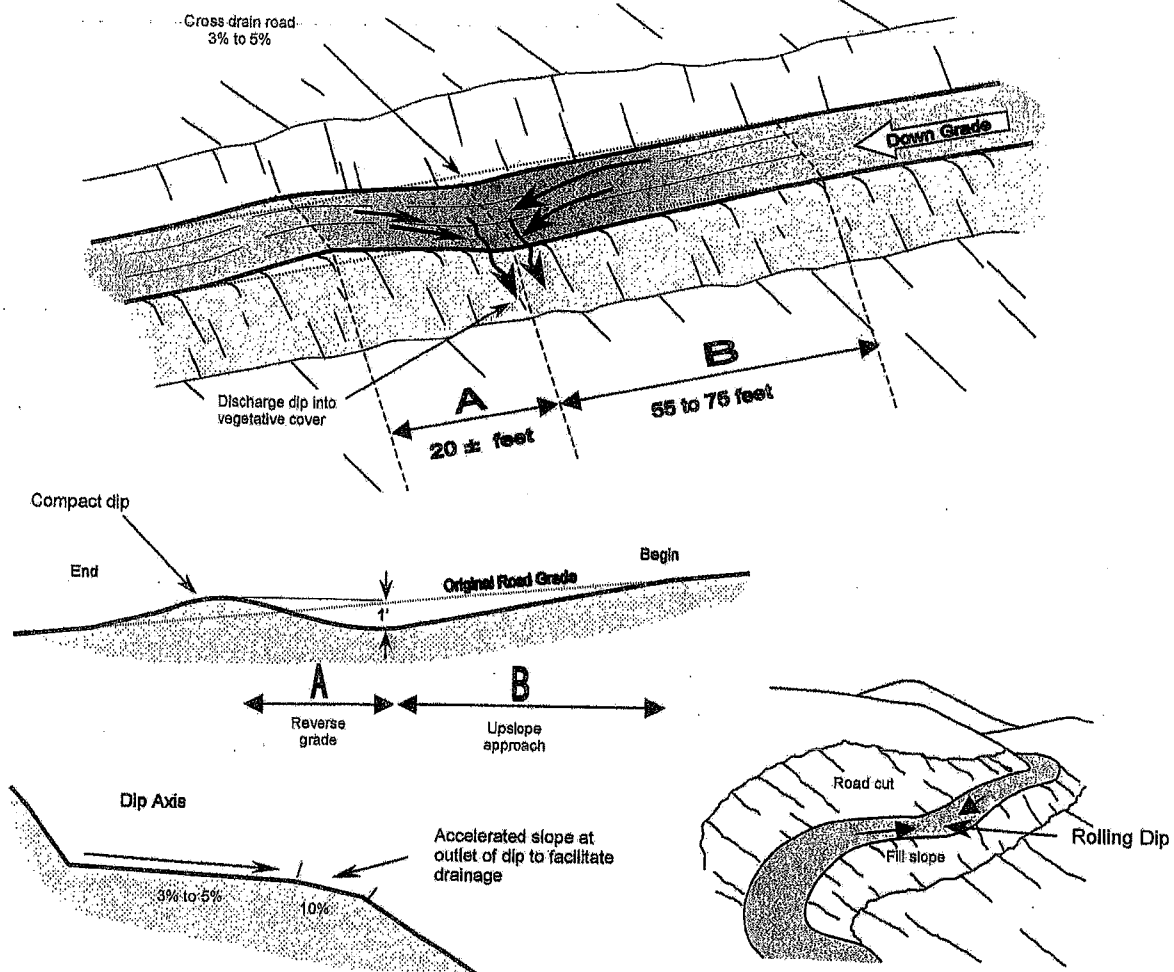
**Recommendation:** The road prism shall be shaped to direct surface flow away from bridge encroachments.



RP-6: Foot bridge on Saunders Creek.



RP-6: Note wetted channel, photo date 08/05/2020.



**ROLLING DIP DIMENSIONS**

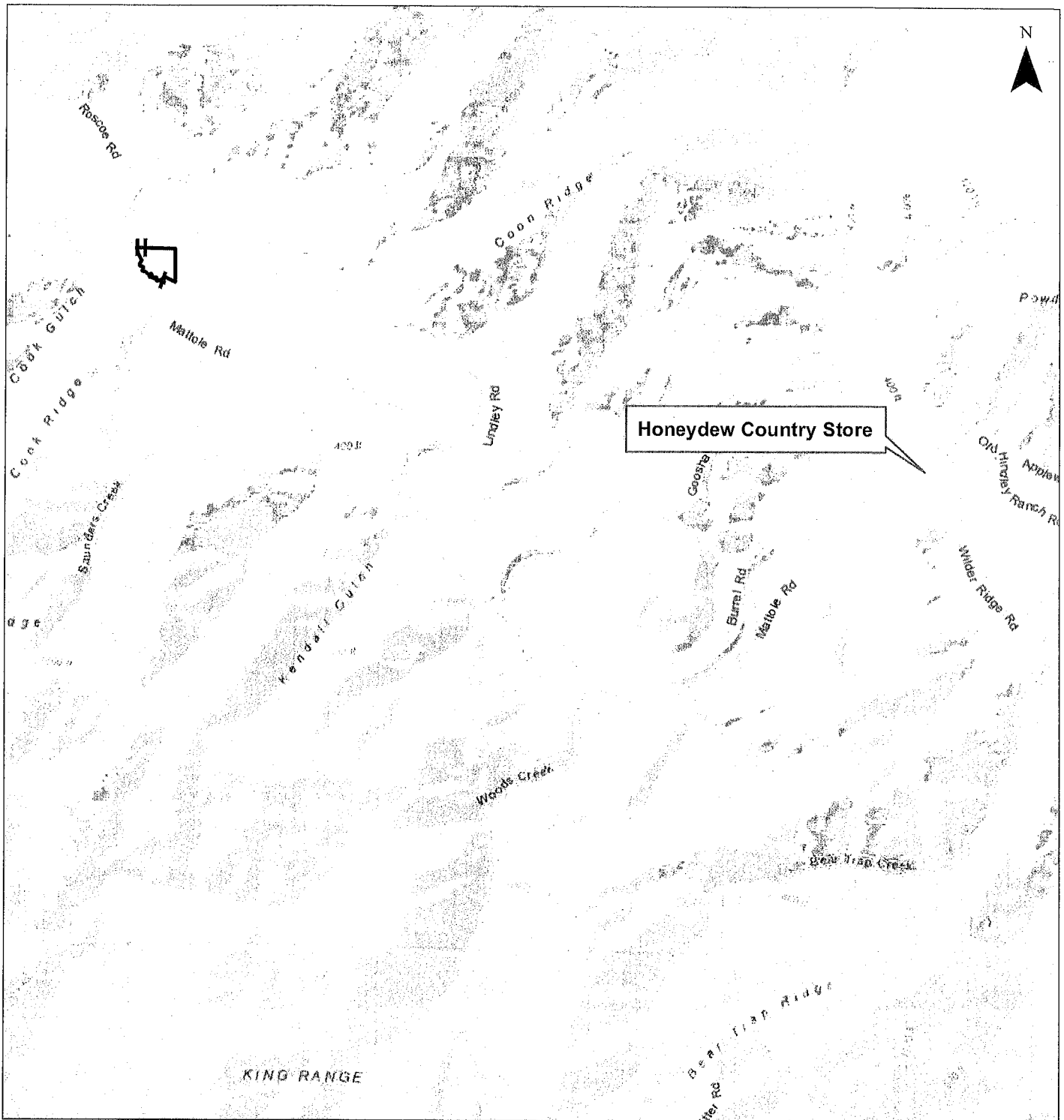
		MAIN LINE ROAD		SECONDARY ROAD	
Road Grade (%)	Depth of trough Depth below downslope crest (ft)	A: Reverse grade (Distance from trough to downroad crest (ft))	B: Upslope Approach Distance from up-road start of rolling dip to trough (ft)	A: Reverse grade (Distance from trough to downroad crest (ft))	B: Upslope Approach Distance from up-road start of rolling dip to trough (ft)
<6	1.0	20	65	15	55
6 - 8	1.0	20	75	15	65

**NOTES:**

- A rolling dip is a broad long permanent dip constructed into native soils. It is intended to drain the road while not significantly impeding traffic.
- The cross drain road (outslope) at 3% to 5%
- Dip outlets should be located to drain into areas with adequate sediment filter quality and non-erodible material such as rock, slash, brush, etc. Where specified, the bottom of the outfall of the dip will be surface rocked.
- Where natural slopes exceed 50%, fill shall not be pushed over the dip outlet. A backhoe or excavator may be required to pull back fill at outlet of existing dips.

**ROLLING DIP  
STANDARD PLAN**

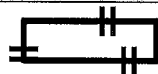
Standard Detail



# LOCATION MAP

Honeydew Country  
Compassionate Use Project  
APN: 107-241-017

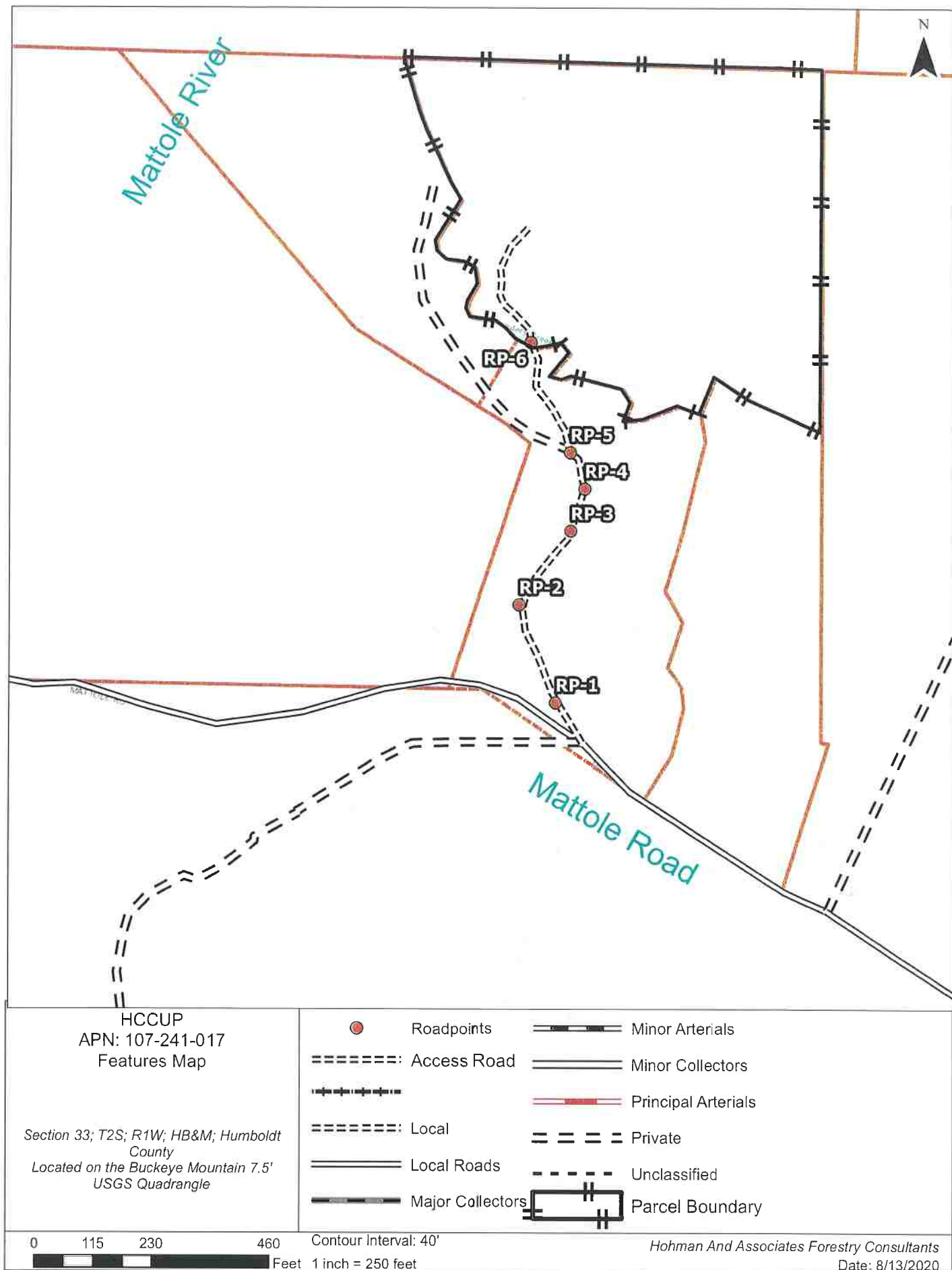
Section 33; T2S; R1W; HB&M; Humboldt  
County  
Located on the Buckeye Mountain 7.5'  
USGS Quadrangle



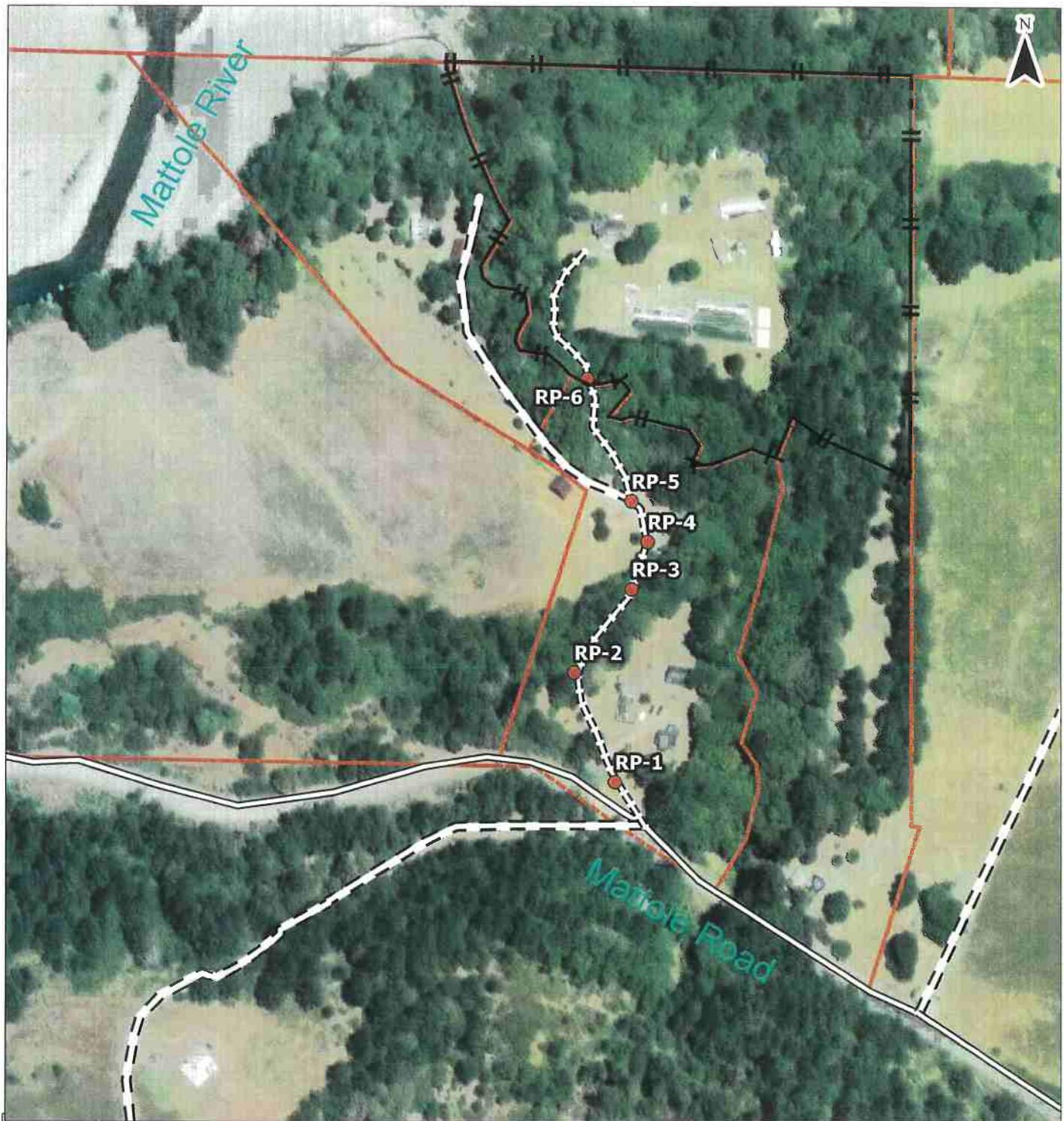
Parcel Boundary

0 1,375 2,750 5,500 Contour Interval: 40'  
Feet 1 inch = 3,000 feet

Hohman And Associates Forestry Consultants  
Date: 8/12/2020

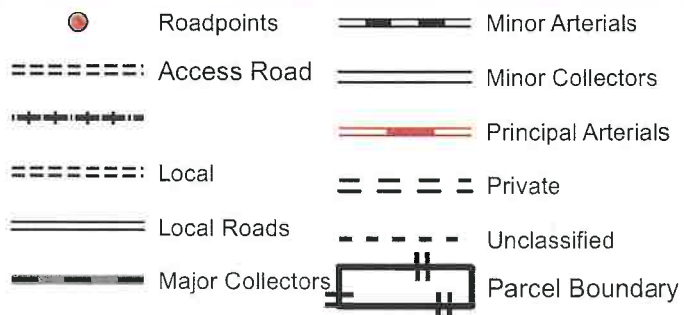






HCCUP  
APN: 107-241-017  
Features Map

Section 33; T2S; R1W; HB&M; Humboldt  
County  
Located on the Buckeye Mountain 7.5'  
USGS Quadrangle



0 115 230 460  
Feet  
Contour Interval: 40'  
1 inch = 250 feet

Hohman And Associates Forestry Consultants  
Date: 8/13/2020

STATEMENT OF CONTINGENT AND LIMITING CONDITIONS CONCERNING THE PREPARATION AND USE OF  
THE ROAD ASSESSMENT

Prepared by Hohman & Associates

1. This information has been prepared for the sole use of the **Landowner of Record**, for the express purpose of submitting the document to CAL Fire and the local county planning department.
2. Hohman and Associates does not assume any liability for use of this information by any party other than the owner or their agent.
3. The assessment presented in this report should be viewed and considered in light of the time spent observing the property and the methodologies used. The assessment may differ from those made by others or from the results of interpretation and assessment protocols.
4. Hohman and Associates did not conduct an investigation on a legal survey of the property.
5. The information is based upon conditions apparent to Hohman and Associates at the time the work was done. This report is time sensitive and provides current conditions as per the date of this document. No further clearing of trees, grading or construction of structures shall occur on site until the approval of this document by the local county planning department.
6. All future work on site shall be through **approved permits** with local state or county agencies.
7. Hohman and Associates shall not be responsible for the supervision of mitigation operations following approval of the conversion plan.
8. Signature page

Registered Professional Forester: Stephen Hohman RPF #2652

Signature: 

Date: 8/12/2020

# SITE MANAGEMENT PLAN

For APN : 107-241-017



## Honeydew Compassionate Use Project

Prepared by:

SL Consulting Services Inc  
973 Dowler Dr  
Eureka, CA 95501

August 16, 2020



**PROJECT SUMMARY**

**Table 1:** Site Information

Land Owner	Site Address	Assessor's Parcel Number (APN)	County	Zoning
Gracen Messina	N/A	107-241-017	Humboldt	AE-

**Table 2:** Field Visit Data

Date	Time	Weather Conditions
March 12, 2020	14:00 Hours	Cloudy, some rain

This Site Management Plan has been prepared for Gracen Messina for the Assessor’s Parcel Number 107-241-017. The parcel is owned by Gracen Messina and cannabis operations are conducted by Gracen Messina. The methods to develop this Site Management Plan includes both field and office components. The office component includes reviewing soil maps and geological maps, which accurately could be impacted by cultivation activities. A field survey conducted by SL Consulting Services Inc staff includes our evaluation and determination of compliance with the standard conditions per Order 2017-0023. All aspects of the standard conditioning were physically inspected and evaluated. Findings of these evaluations are included below as it relates to the specific parcel.

The proposed cannabis cultivation will consist of 42,000 sf of mixed light cannabis. The methodology of cultivation will be raised beds over native soil amended with imported products (compost, worm castings, guano, beneficial fungus and bacteria, etc), cover cropping with nitrogen fixing plant.

There are no unstable areas within the property. Physical reconnaissance of the property revealed no unstable areas per 14CCR 895.1. The cultivation area is on an alluvial plain. Runoff from the cultivation area remains hydrologically disconnected. The cultivation area is surrounded by a buffer of grass meadow which is in turn surrounded by natural riparian trees. There is virtually no runoff from the cultivation site. During the winter period, the cultivation area will be planted with cover crops to maintain soil vitality.



# **1. Sediment Discharge BPTC Measures**

## **1.1 Site Characteristics**

### **1.1.1 Maps**

See attached plot plan.

### **1.1.2 Access Road/Land Development and Drainage**

Access road is paved up to the gate dirt and gravel armored up through the property. See Off-site road evaluation for recommended improvements

The on-site road is gravel armored and ranges from zero to ten percent. It is outsloped and in good condition with no rutting but no vehicular access has been used across the road for the past several years. Recommend armoring with 3 to 6" of 2" minus gravel prior to winter of first year of operation once bridge is built and traffic is expected.. Estimated vehicle traffic is 2-3 vehicles per day and up to 5 to 10 vehicles during peak season..

### **1.1.3 Vehicle Stream Crossings**

The parcel has a single stream crossing over Saunders Creek. It consists of a pedestrian bridge crossing which is proposed to be upgraded to a bridge crossing pending CDFW, County of Humboldt Planning and Bulding approval. All are in progress.

## **1.2 Sediment Erosion Prevention and Sediment Capture**

### **1.2.1 Erosion Prevention BPTC**

Disturbed areas are stabilized with weed-free straw mulch applied at two tons per acre of exposed soil within 7 days of grading and land disturbance activities.

No noxious weeds are planted or seeded.

Erosion control features are inspected after each rainfall of 0.5 inches/day or greater or 1 inch per 7 days and repaired or replaced as necessary.

### **1.2.2 Sediment Control**

Geotextiles, fiber rolls, jute/coco fiber mesh are utilized for erosion control as necessary. No synthetic (plastic/nylon) monofilament netting materials shall be used for erosion control or cannabis cultivation activities.

No cultivation site area located on slopes in excess of 30%.

## **2. Fertilizer, Pesticide, Herbicide, and Rodenticide**

### **2.1 Table of Product Information**

<b>PRODUCTS USED</b>	<b>DELIVERY TIMES</b>	<b>STORAGE</b>	<b>USE</b>
Fish Emulsion	N/A	Storage Barn	Fertilizer
Liquid Bone Meal	N/A	Storage Barn	Fertilizer
Soluable Seaweed Powder	N/A	Storage Barn	Fertilizer
<b>PESTICIDES &amp; FUNGICIDES</b>			
PLANT THERAPY	Picked up by Cultivator and brought to farm as needed	Drying and Storage Barn	Pesticide
Aza-pro	Picked up by Cultivator and brought to farm as needed	Drying and Storage Barn	Pesticide
Dr Zymes	Picked up by Cultivator and brought to farm as needed	Drying and Storage Barn	Pesticide

### **2.2 See Map for Storage Locations**

### **2.3 Fertilizers and Soils**

See table 2.1 for products used.

#### **Pesticides and Herbicides**

Pesticide and herbicide use shall meet the general requirements and are stored in the proposed drying and storage barn.

### **2.4 Spill Prevention**

All products are kept in their original container, once opened they are put in a secondary container and stored in an area with floors that are impermeable.

### **3. Petroleum Product BPTC Measures**

#### **3.1 Table of Product Information**

<b>PRODUCTS USED</b>	<b>DELIVERY TIMES</b>	<b>STORAGE</b>	<b>USE</b>
Alcohol	Picked up by Cultivator and brought to farm as needed	Drying and Storage Barn	CLEANING
Gasoline	Picked up by Cultivator and brought to farm as needed	Drying and Storage Barn	Fuel

#### **3.2 See Map for Storage Locations**

#### **3.3 Petroleum Products and Other Chemicals**

Petroleum products and other chemical use and storage meet the general requirements.

#### **3.4 Spill Prevention**

All products are kept in their original container, once opened they are put in a secondary container and stored in an area with floors that are impermeable.

### **4. Trash / Refuse, and Domestic Wastewater BPTC Measures**

#### **4.1 Types of Trash / Refuse**

Cultivation related Trash will consist o

Cannabis waste is stored as follows (depending on type of waste i.e. Leaf versus stalk and rootball:

Within the compost pile that is surrounded by fencing and straw wattles and is covered in weed-free straw or tarp prior to November 1<sup>st</sup>.

##### **4.1.1 See Map for Storage Locations**

#### **4.2 Employees, Visitors or Residents on Site**

There will be 4 full time employees and up to 10 employees at peak harvest season. The amount of visitors will be minimal and likely restricted to local and state licensing / government agencies. There are two residences onsite with an occupancy of 1-2 each.

#### 4.2.1 Domestic Wastewater Generation

Domestic Sewage

#### 4.2.1 Domestic Wastewater Disposal

Portable Toilet

### **5. Winterization BPTC Measures**

Winterization general requirements will be met.

Exposed slopes are not present nor are they proposed as part of the cultivation operation. There are legacy roads up steeper hill slopes and any exposed slopes identified prior to winterization shall be stabilized with wattles along the toe of slope, grade breaks and face of slope as identified on the site plan to comply with the sheet flow lengths below:

Slope (percent)	Sheet Flow Length Not to Exceed (feet)
0 – 25	20
25 – 50	15
>50	10

#### **Limitations on Earthmoving**

All earthmoving activities will conform with the general requirements

#### **Construction Equipment Use and Limitations**

All construction equipment use will confirm with the general requirements

#### **Clean-up, Restoration and Mitigation**

See Table Below



## **Identified Sites Requiring Remediation**

Unique Map Point(s)	Associated Standard Condition	Permanent BMP	Priority for Action	Time Schedule for Completion of Permanent BMP
Saunders Creek Crossing At Property Line	Section 2, #31	Construct bridge across Saunders Creek for ingress/egress. To be Completed in 2020 if permit timelines are met, otherwise to be completed in 2021 dry season	1	10/15/2020
Water Tanks	Section 2, #83	Permanent Water Storage facility for cannabis cultivation, complete with separate water meters.	1	April 1, 2020
Armor On-site Access Road		Armor on-site access road prior to wet-season once bridge is developed and road is used during winter months	3	10/15/2021
Spill Kits	Section 2, #104	Provide a spill kit at the drying and storage barn	3	10/15/2021

### **Treatment Priority:**

The time frame for treatment of the site. (1) would indicate a very high priority with treatment being planned to occur immediately. (2) would indicate a high priority site with

treatment to occur prior to the start of the winter period (Nov. 15). (3) would indicate a moderate priority with treatment being planned to occur within a year 1, or prior to the winter period (Nov. 15) of the 2nd season of operations. (4) would indicate a low priority with treatment being planned to occur in the shortest time possible.

Monitoring of the site includes visual inspection and photographic documentation of each feature of interest listed on the site map, with new photographic documentation recorded with any notable changes to the feature of interest. At a minimum, all site features must be monitored annually, to provide the basis for completion of the annual recertification process. Additionally, sites shall be monitored at the following times to ensure timely identification of changed site conditions and to determine whether implementation of additional management measures is necessary to prevent, minimize and mitigate discharges of waste to surface water: 1) just prior to October 15 to evaluate site preparedness for storm events and storm water runoff, 2) following the accumulation of 3" total precipitation or by December 15, whichever is sooner and 3) following any rainfall event with an intensity of 3" precipitation in 24 hours. Precipitation data can be obtained from the National Weather Service Forecast Office (e.g. by entering the zip code of the parcel location at <http://www.srh.noaa.gov/forecast>).

### **Temporary Water Diversion and Dewatering**

No temporary water diversion and dewatering is proposed

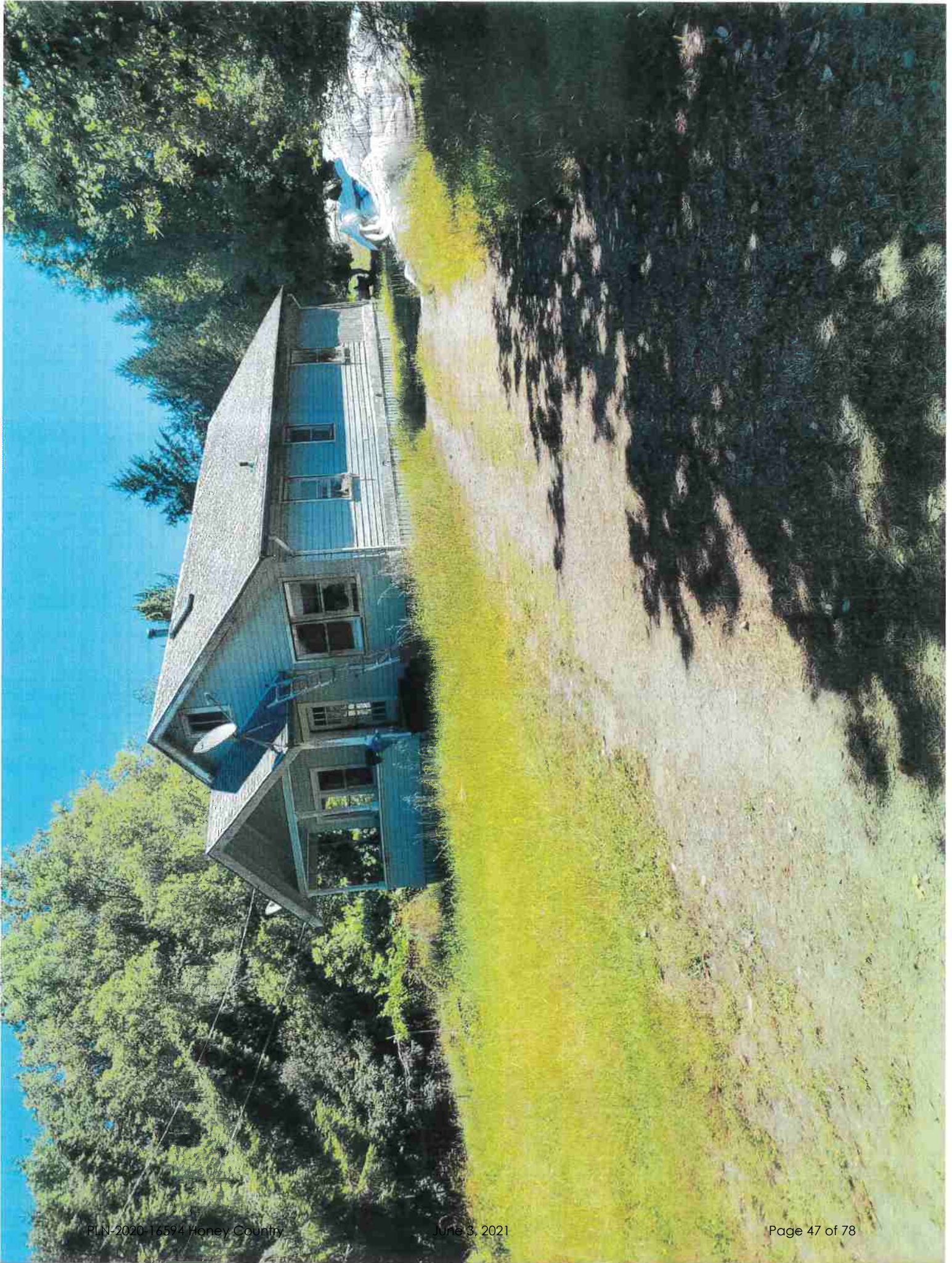
### **Soil Disposal and Soil Management**

No soil stockpiles are proposed. Soil is amended in-ground within the native prime agriculture soil.

### **Riparian and Wetlands Management**

See plot plan for riparian and wetland setbacks. All setbacks will be met.









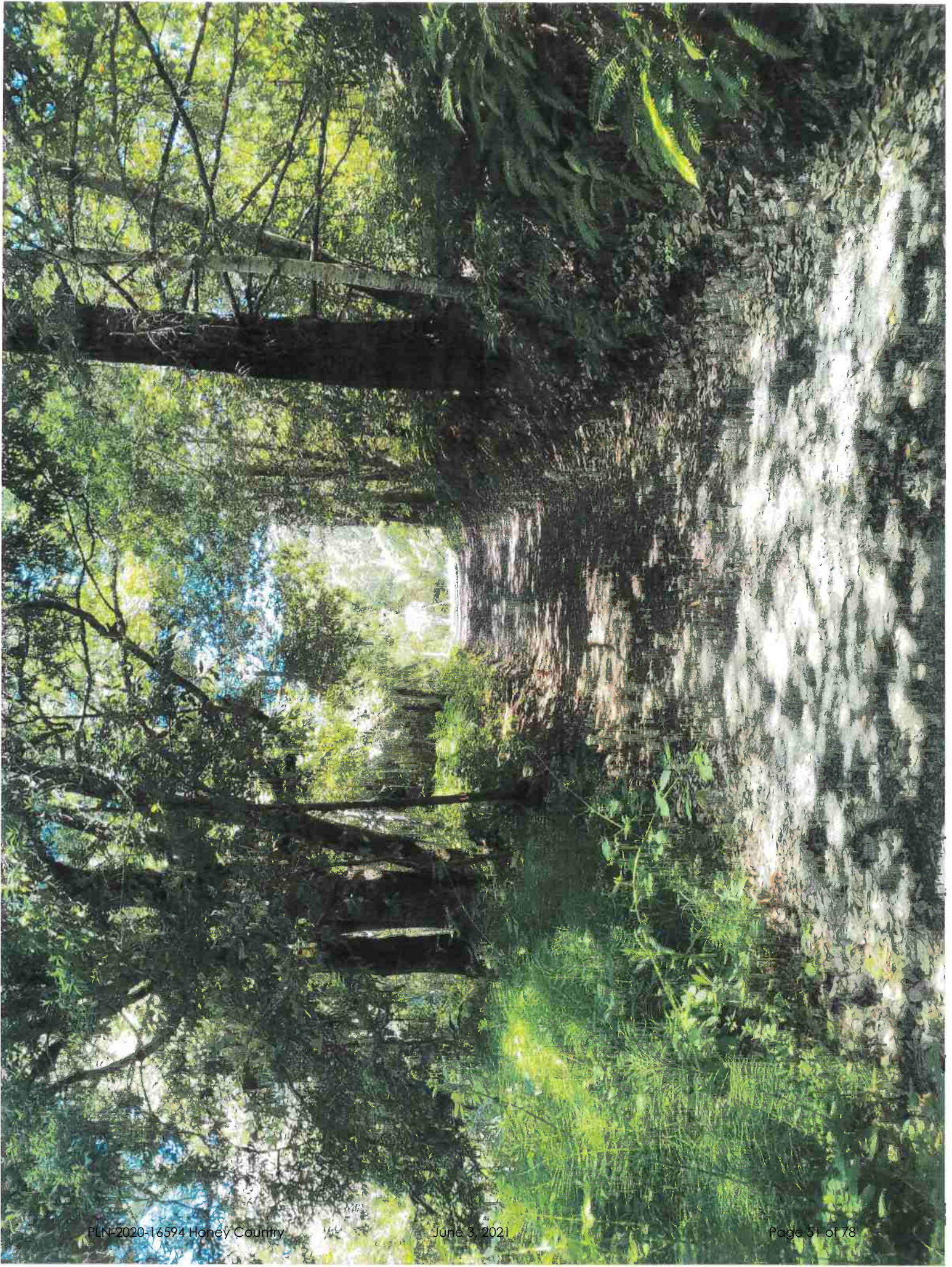














**HUMBOLDT COUNTY DEPARTMENT OF PUBLIC WORKS  
ROAD EVALUATION REPORT**

**PART A:** *Part A may be completed by the applicant*

Applicant Name: Honey Country Compassionate Use Project

APN: 107-241-017

Planning & Building Department Case/File No.: APPS#11493

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

From Road (Cross street): Mattole Road

To Road (Cross street): Property Line

Length of road segment: 0.20 miles Date Inspected: 6/26/20

Road is maintained by: ☐ County ☒ Other Private

(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. A map showing the location and limits of the road being evaluated in PART A is attached.

Steven Luu

Signature

6/26/20

Date

Steven Luu - SL Consulting Services Inc

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.**





PHOTO 1



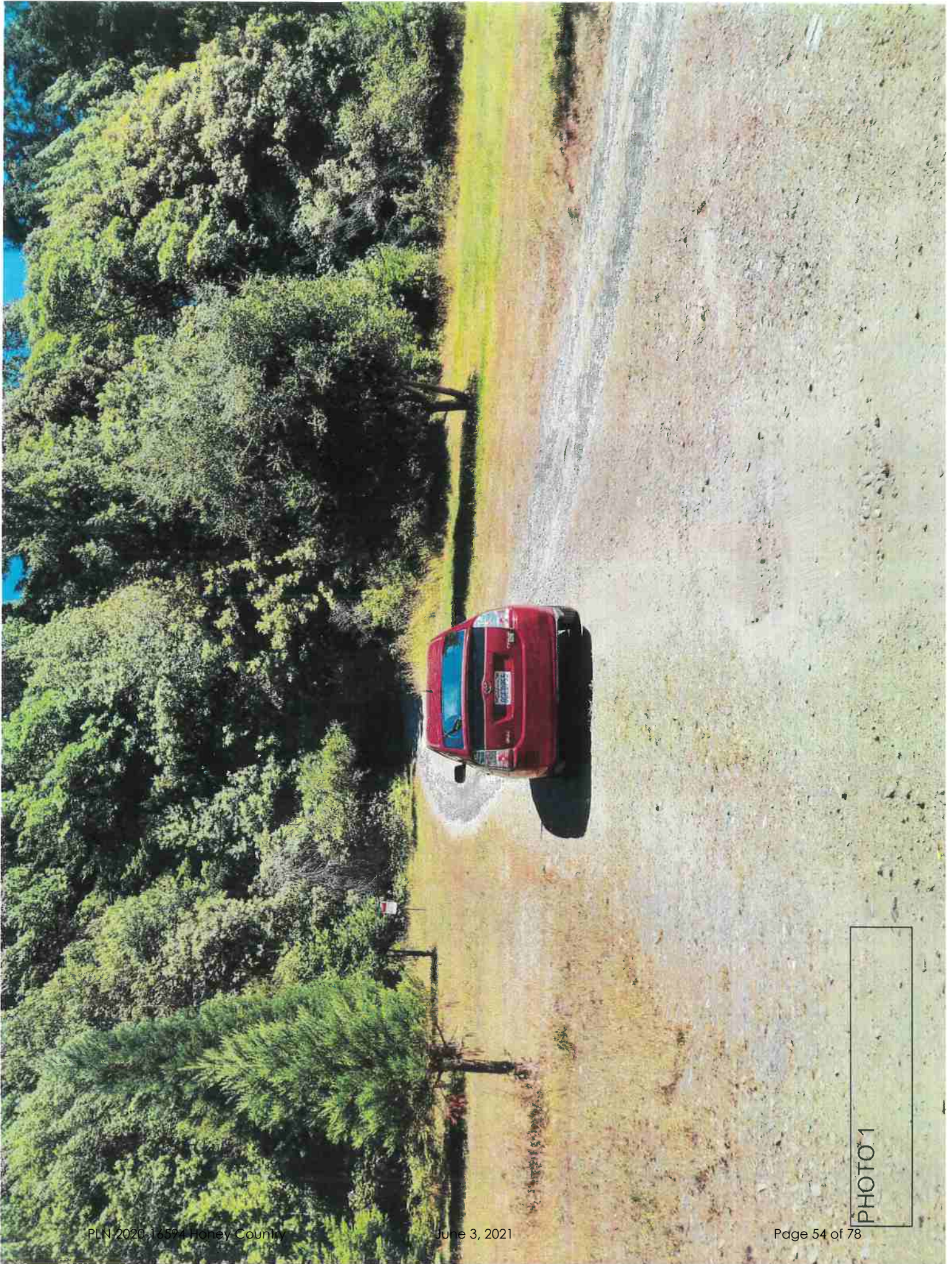
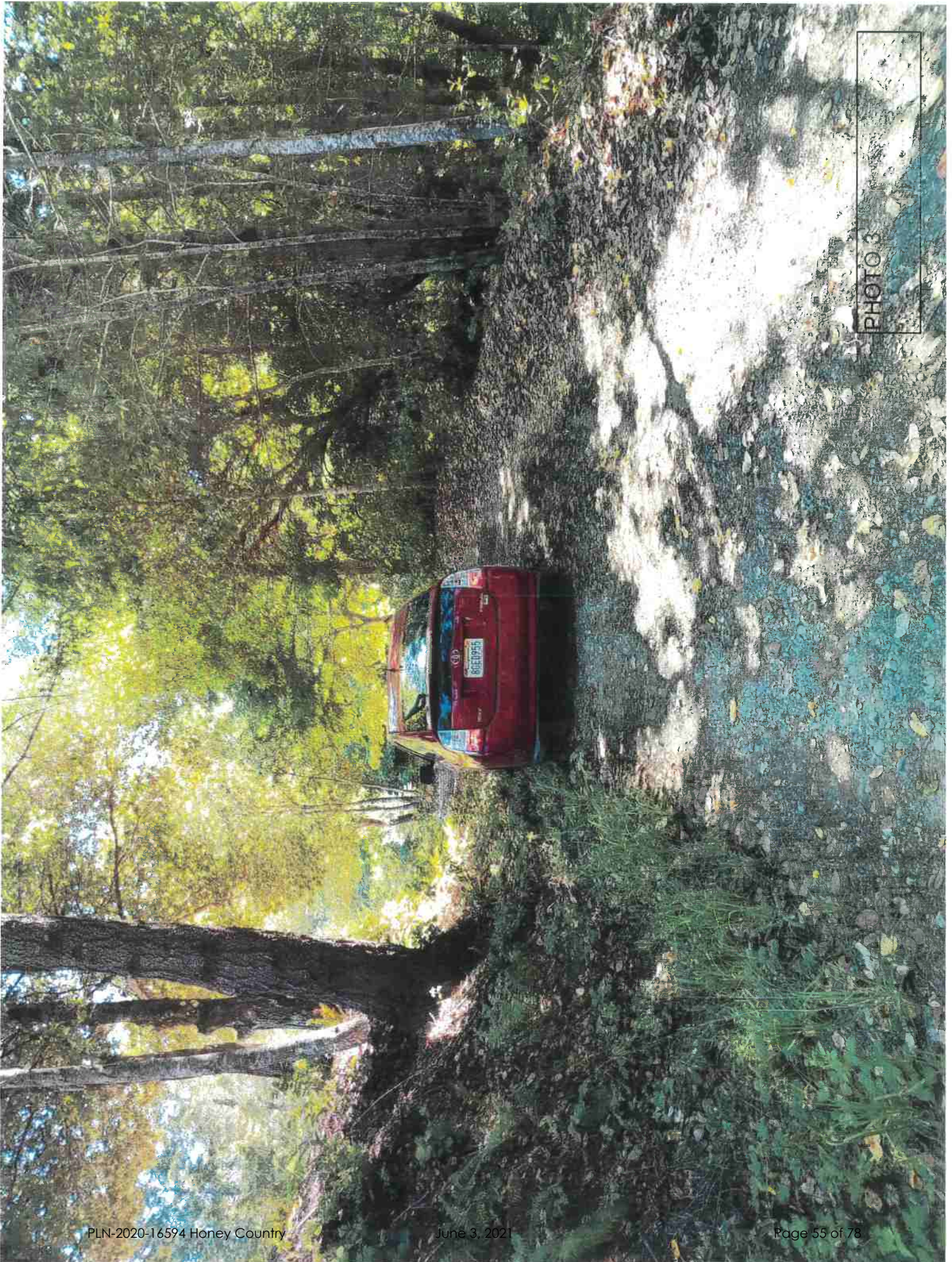


PHOTO 1







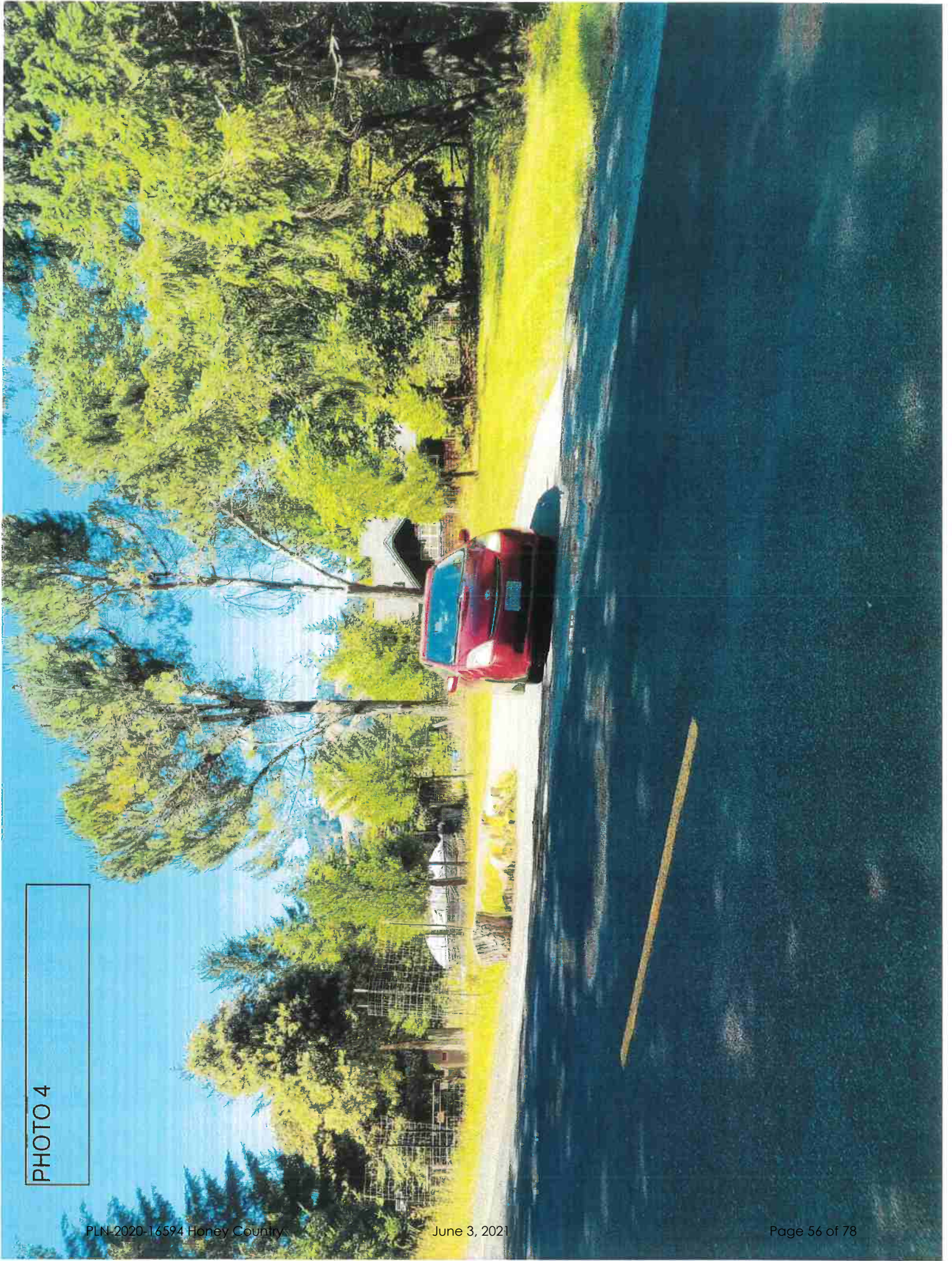


PHOTO 4





## 2.0 Road Assessment

### **Honeydew Country Compassionate Use Project, Inc.**

The following road points are appurtenant to the **Honeydew Country Compassionate Use Project, Inc.** located on the Humboldt County Assessor parcel 107-241-017. Assessed roads are existing; classified as permanent and seasonal with paved, rocked and native surfaces. Access to the parcel is gained from the paved county road, Mattole Road approximately 4.5 road miles west of the Honeydew Country Store.

#### Per 14 CCR 895.1. **Definitions**

**Permanent Road** means a Logging Road that is part of the Permanent Road Network and is designed for year-round use. These roads have a surface that is suitable for maintaining a stable operating surface throughout the year.

**Seasonal Road** means a Logging Road that is part of the Permanent Road Network that is not designed for year-round use. These roads have a surface that is suitable for maintaining a stable operating surface during the period of use.

**RP-1:** Encroachment onto Mattole Road (county) is a paved apron with locked gate. Small diameter rounded aggregate (river run) between the gate and RP-5 is migrating off the road running surface due to traffic and sheetflow, tire ruts are developing and road material/sediment fans are accumulating.

**Recommendation:** Apply #3 stone to a minimum depth of 6" to those portions of thinning road surface between the gate and RP-5. Crushed #3 stone includes stone between 1/2 and 2 inches.



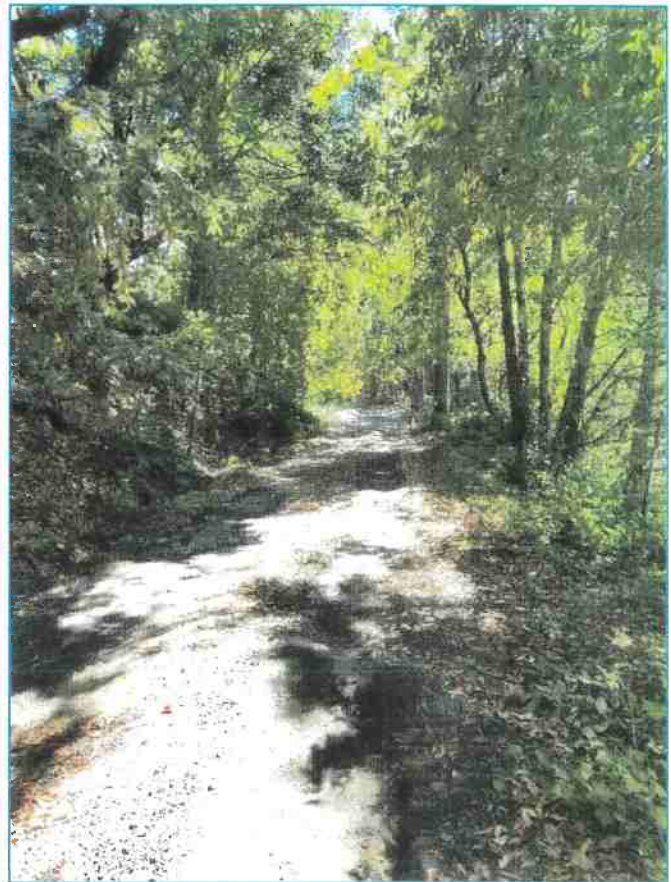
RP-2: View beyond gate is rocked road. The distant road horizon is RP-2.

**RP-2:** Top of an 18% road grade for approximately 260 feet. Road prism is insloped with inside ditch.

**Recommendation:** Install a rocked rolling dip to direct surface drainage. The dip axis shall be an outsloped condition. The dip shall be lined with 4" to 6" angular rock and shall continue through the spillway or discharge onto an undisturbed vegetated filter strip.



RP-2: Top of grade viewing downslope.



From RP-3 (rolling dip) viewing upslope.



**RP-3:** Cutbank sloughing along portions of inside ditch with likely potential to plug and divert uncontrolled surface flow onto road. Discharge of inside ditch sediment fans are accumulating at RP-4.

**Recommendation:** Reduce conveyance of inside ditch flow by installing a rocked rolling dip. Installation shall be from the road cutbank capturing inside ditch flow and run the entire width of the road surface prism to the dip outlet. The dip axis shall be an outsloped condition. The dip shall be lined with 4" to 6" angular rock and shall continue through the spillway or discharge onto an undisturbed vegetated filter strip.



RP-3: From dip axis viewing downslope to RP-4.



**RP-4:** Discharge of inside ditch resulting in road material/sediment fans. While this material is currently not in a position to enter a watercourse it is within 150 feet of Saunders Creek. This area is seasonally saturated and inundated.

**Recommendation:** The general road rocking addressed in RP-1 and disconnecting ditch flow from RP-2 and RP-3 will effectively eliminate this condition.



RP-4: Mobilized and deposited road material illustrating larger angular rock is need for road surfacing.

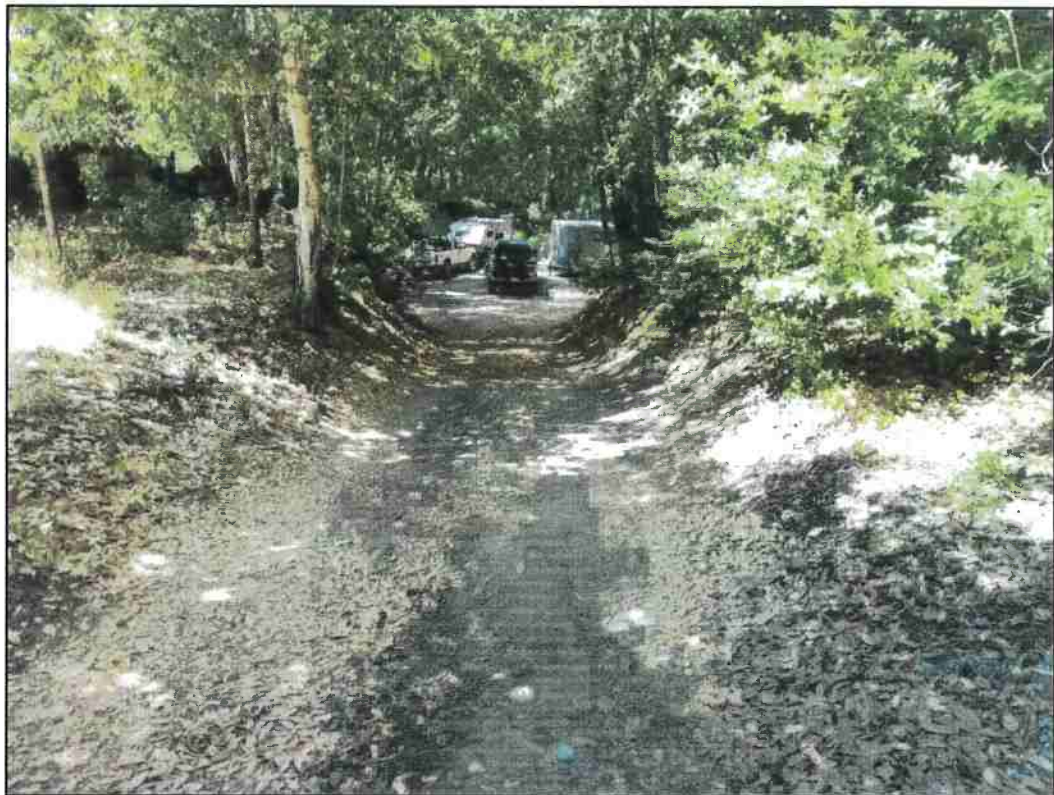


**RP-5:** Top of through-cut, leads to RP-6 and bridge encroachment. From this point to the cultivation site the road surface is native material.

**Recommendation:** Install a rocked rolling dip to prevent surface drainage from entering the through-cut. The dip axis shall be an outsloped condition. The dip shall be lined with 4" to 6" angular rock and shall continue through the spillway or discharge onto an undisturbed vegetated filter strip. To accommodate year round access, minimize sheetflow and fortify road integrity, apply #3 stone to a minimum depth of 6" from this point north beyond RP-6 to the cultivation site.



RP-5: Subtle rise in road at shadow line is the location of RP-5. RP-4 is in the distance.



From RP-5 viewing through-cut condition to encroachment of RP-6.



**RP-6:** The crossing of Saunders Creek is currently limited to foot traffic. A permit for a bridge is in the process with the Humboldt County Planning and Building Department.

**Recommendation:** The road prism shall be shaped to direct surface flow away from bridge encroachments.

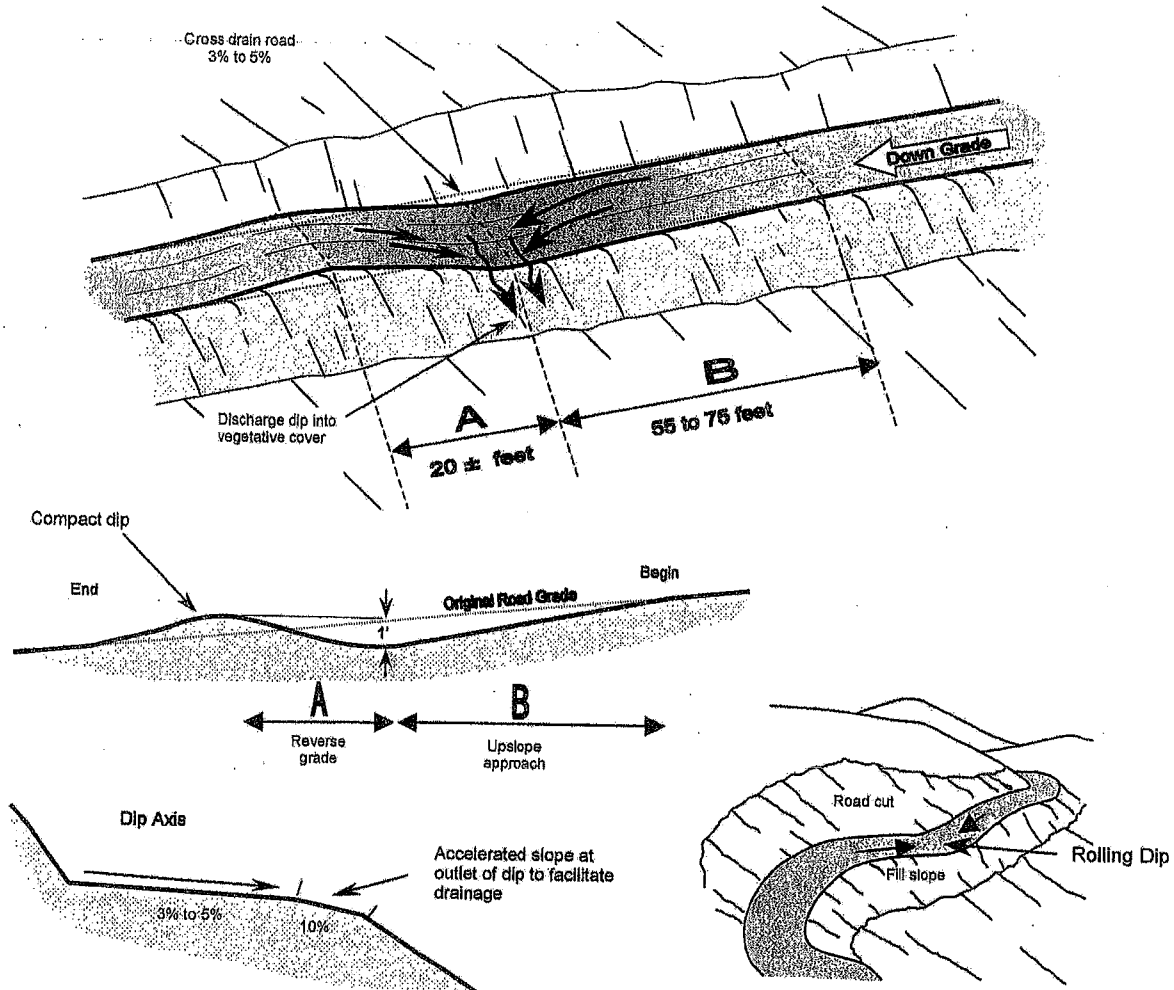


RP-6: Foot bridge on Saunders Creek.



RP-6: Note wetted channel, photo date 08/05/2020.





**ROLLING DIP DIMENSIONS**

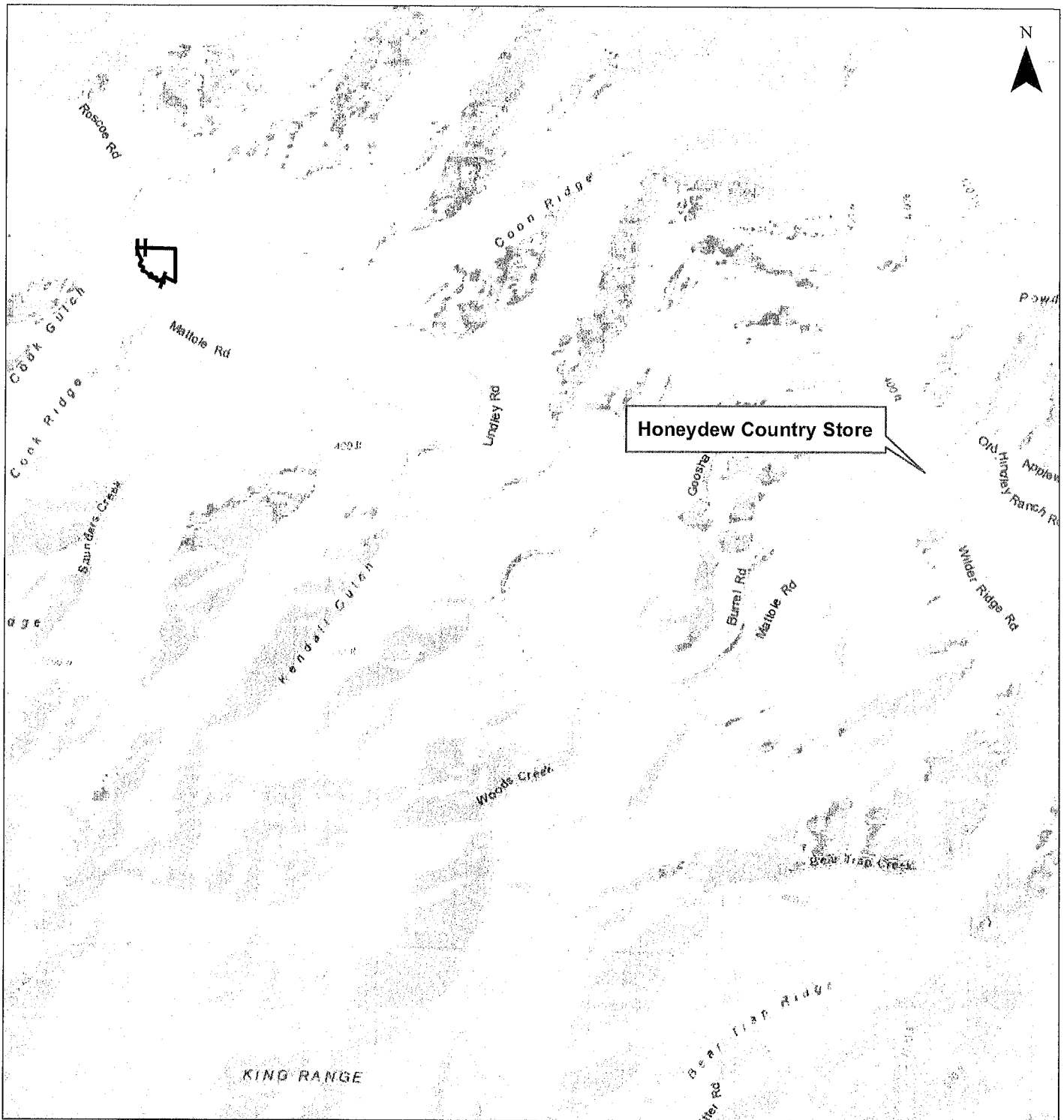
		MAIN LINE ROAD		SECONDARY ROAD	
Road Grade (%)	Depth of trough Depth below downslope crest (ft)	A: Reverse grade (Distance from trough to downroad crest (ft))	B: Upslope Approach Distance from up-road start of rolling dip to trough (ft)	A: Reverse grade (Distance from trough to downroad crest (ft))	B: Upslope Approach Distance from up-road start of rolling dip to trough (ft)
<6	1.0	20	65	15	55
6 - 8	1.0	20	75	15	65

**NOTES:**

- A rolling dip is a broad long permanent dip constructed into native soils. It is intended to drain the road while not significantly impeding traffic.
- The cross drain road (outslope) at 3% to 5%
- Dip outlets should be located to drain into areas with adequate sediment filter quality and non-erodible material such as rock, slash, brush, etc. Where specified, the bottom of the outfall of the dip will be surface rock.
- Where natural slopes exceed 50%, fill shall not be pushed over the dip outlet. A backhoe or excavator may be required to pull back fill at outlet of existing dips.

**ROLLING DIP  
STANDARD PLAN**

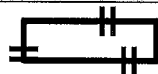
Standard Detail



# LOCATION MAP

Honeydew Country  
Compassionate Use Project  
APN: 107-241-017

Section 33; T2S; R1W; HB&M; Humboldt  
County  
Located on the Buckeye Mountain 7.5'  
USGS Quadrangle

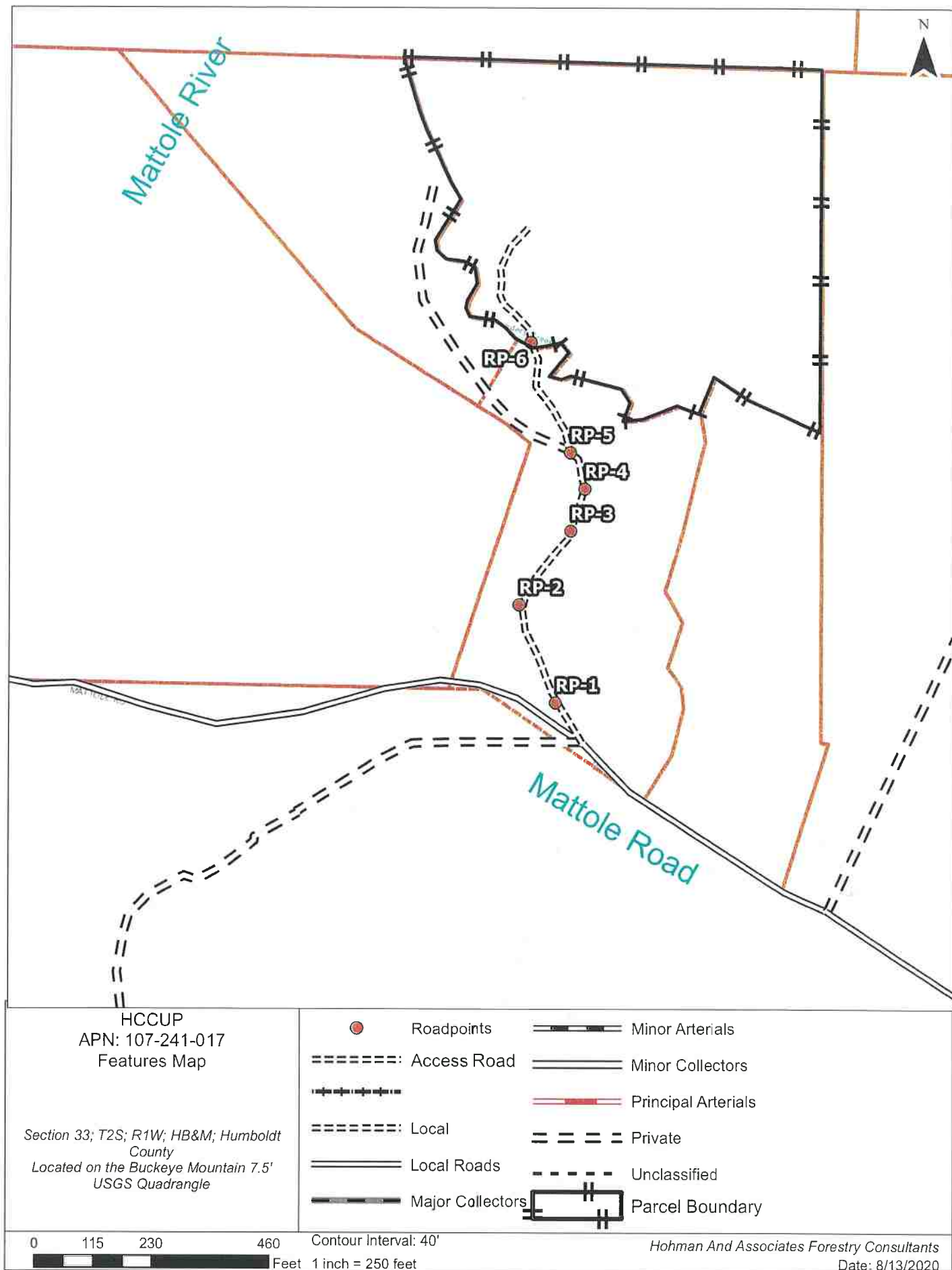


Parcel Boundary

0 1,375 2,750 5,500 Feet  
Contour Interval: 40'  
1 inch = 3,000 feet

Hohman And Associates Forestry Consultants  
Date: 8/12/2020

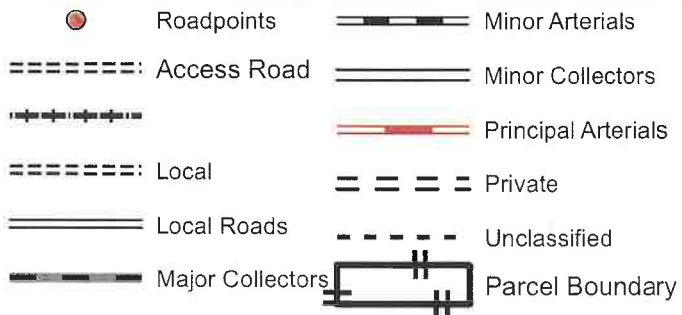






HCCUP  
APN: 107-241-017  
Features Map

Section 33; T2S; R1W; HB&M; Humboldt  
County  
Located on the Buckeye Mountain 7.5'  
USGS Quadrangle



0 115 230 460  
Feet  
Contour Interval: 40'  
1 inch = 250 feet

Hohman And Associates Forestry Consultants  
Date: 8/13/2020



STATEMENT OF CONTINGENT AND LIMITING CONDITIONS CONCERNING THE PREPARATION AND USE OF  
THE ROAD ASSESSMENT

Prepared by Hohman & Associates

1. This information has been prepared for the sole use of the **Landowner of Record**, for the express purpose of submitting the document to CAL Fire and the local county planning department.
2. Hohman and Associates does not assume any liability for use of this information by any party other than the owner or their agent.
3. The assessment presented in this report should be viewed and considered in light of the time spent observing the property and the methodologies used. The assessment may differ from those made by others or from the results of interpretation and assessment protocols.
4. Hohman and Associates did not conduct an investigation on a legal survey of the property.
5. The information is based upon conditions apparent to Hohman and Associates at the time the work was done. This report is time sensitive and provides current conditions as per the date of this document. No further clearing of trees, grading or construction of structures shall occur on site until the approval of this document by the local county planning department.
6. All future work on site shall be through **approved permits** with local state or county agencies.
7. Hohman and Associates shall not be responsible for the supervision of mitigation operations following approval of the conversion plan.
8. Signature page

Registered Professional Forester: Stephen Hohman RPF #2652

Signature: 

Date: 8/12/2020



STATE OF CALIFORNIA  
CALIFORNIA ENVIRONMENTAL PROTECTION AGENCY  
STATE WATER RESOURCES CONTROL BOARD

DIVISION OF WATER RIGHTS

RIGHT TO DIVERT AND USE WATER

REGISTRATION H503624

CERTIFICATE H100303

Right Holder: Trevor Berger  
PO Box 4  
Honeydew, CA 95545

The State Water Resources Control Board (State Water Board) authorizes the diversion and use of water by the right holder in accordance with the limitations and conditions herein SUBJECT TO PRIOR RIGHTS. The priority of this right dates from 10/10/2018. This right is issued in accordance with the State Water Board delegation of authority to the Deputy Director for Water Rights (Resolution 2012-0029) and the Deputy Director for Water Rights redelegation of authority dated October 19, 2017.

The Deputy Director for Water Rights finds that this registration meets the requirements for registration of small irrigation use appropriation. (Wat. Code, § 1228 et seq.)

Right holder is hereby granted a right to divert and use water as follows:

1. Location of point(s) of diversion (Coordinates in WGS 84)

Name of Diversion	Source	Tributary To:	Thence	Latitude	Longitude	County	Assessor's Parcel Numbers (APN)
Primary POD	Saunders Creek	Mattole River	Pacific Ocean	40.253854	-124.183159	Humboldt	107-241-017-000
Domestic Diversion	Saunders Creek	Mattole River	Pacific Ocean	40.254831	-124.184228	Humboldt	107-241-017-000

2. Purpose of Use and 3. Place of Use

2. Purpose of Use	3. Place of Use		
	County	Assessor's Parcel Numbers (APN)	Acres
Irrigation	Humboldt	107-241-017-000	0.69

Note: Assessor's Parcel Numbers provided are based on the user's entries in this portal on 11/01/2018.

The place of use is shown on the map filed on 11/01/2018 with the State Water Board.

4. Quantity and Season:

The water appropriated shall be limited to the quantity which can be beneficially used and shall not exceed 1.08 **acre-feet per year** to be collected from 01/01 to 12/31 and as permitted in the diversion season specified in the current version of the State Water Board's Cannabis Policy, whichever is more restrictive. The total storage capacity shall not exceed 1.09 acre-feet. The rate of diversion to storage shall not exceed **42,000 gallons per day (gpd)** or the diversion rate specified in the current version of the State Water Board's Cannabis Policy, whichever is more restrictive.

5. No water shall be diverted or used under this right unless the water right holder is in compliance with all applicable



conditions, including the numeric and narrative instream flow requirements, of the current version of the State Water Board's Cannabis Policy, except as follows:

Right holders enrolled under Regional Water Quality Control Board Order R1-2015-0023 or Order R5-2015-0113 shall comply at all times with requirements related to flow, diversion, storage, and similar requirements of Attachment A of the Cannabis Policy identified by the Division of Water Rights below in this condition. This condition remains in effect until July 1, 2019, or when the right holder enrolls under the statewide Cannabis General Order, whichever comes first, at which time right holders shall comply with all applicable conditions and requirements of Attachment A of the Cannabis Policy.

- Section 1 – Term Numbers 4, 15, 17, 24, 26, and 36.
- Section 2 – Term Numbers 23, 63, 64, 66, 69 – 78, 82 – 94, 96, and 98 – 103.
- Section 3 – All Instream Flow Requirements for Surface Water Diversions (Requirements 1 – 7) and the Gage Installation, Maintenance, and Operation Requirements.
- Section 4 – All requirements and conditions.

The current version of the State Water Board's *Cannabis Policy* is available online at:  
[https://www.waterboards.ca.gov/water\\_issues/programs/cannabis/docs/policy.pdf](https://www.waterboards.ca.gov/water_issues/programs/cannabis/docs/policy.pdf).

6. No water shall be diverted or used under this right, and no construction related to such diversion shall commence, unless right holder has obtained and is in compliance with all necessary permits or other approvals required by other agencies.
7. Diversion works shall be constructed and water applied to beneficial use with due diligence.
8. No water shall be diverted under this right unless right holder complies with all lawful conditions required by the California Department of Fish and Wildlife. (Wat. Code, § 1228.6, subd. (a)(2).)
9. No water shall be diverted under this right unless it is diverted in accordance with the information set forth in the completed registration form as to source, location of point of diversion, purpose of use, place of use, quantity, and season of diversion. This information is reproduced as conditions 1 through 4 of this certificate.
10. No water shall be diverted under this right unless right holder complies with all applicable state, city, county, and local laws, regulations, ordinances, permits, and license requirements including, but not limited to those for cannabis cultivation, grading, construction, and building.
11. Pursuant to Water Code sections 100 and 275 and the common law public trust doctrine, all rights and privileges under this right, including method of diversion, method of use, and quantity of water diverted, are subject to the continuing authority of the State Water Board in accordance with law and in the interest of the public welfare to protect public trust uses and to prevent waste, unreasonable use, unreasonable method of use, or unreasonable method of diversion of said water.
12. The State Water Board reserves jurisdiction over this registration to change the season of diversion and rate of diversion based on later findings of the State Water Board concerning availability of water and the protection of beneficial uses. Any action to change the authorized season of diversion and rate of diversion will be taken only after notice to interested parties and opportunity for hearing.
13. Right holder shall grant, or secure authorization through right holder's right of access to property owned by another party, the staff of the State Water Board, and any other authorized representatives of the State Water Board the following:
  - a. Entry upon property where water is being diverted, stored, or used under a right issued by the State Water Board or where monitoring, samples and/or records must be collected under the conditions of this right;
  - b. Access to copy any records at reasonable times that are kept under the terms and conditions of a right or other order issued by the State Water Board;
  - c. Access to inspect at reasonable times any project covered by a right issued by the State Water Board, equipment (including monitoring and control equipment), practices, or operations regulated by or required under this right; and,
  - d. Access to photograph, sample, measure, and monitor at reasonable times for the purpose of ensuring compliance with a right or other order issued by the State Water Board, or as otherwise authorized by the Water Code.
14. Diversion of water under this right is subject to prior rights. Right holder may be required to curtail diversion or release water stored during the most recent collection season should diversion under this right result in injury to holders of legal downstream senior rights. If a reservoir is involved, right holder may be required to bypass or release water through, over, or around the dam. If release of stored water would not effectively satisfy downstream prior storage rights, right holder may be required to otherwise compensate the holders of such rights for injury caused.

15. This right shall not be construed as conferring right of access to any lands or facilities not owned by right holder.
16. All rights are issued subject to available flows. Inasmuch as the source contains treated wastewater, imported water from another stream system, or return flow from other projects, there is no guarantee that such supply will continue.
17. If storage or diversion of water under this right is by means of a dam, right holder shall allow sufficient water at all times to pass through a fishway or, in the absence of a fishway, allow sufficient water to pass over, around, or through the dam to keep in good condition any fish that may be planted or exist below the dam; provided that, during a period of low flow in the stream, upon approval of the California Department of Fish and Wildlife, this requirement will be satisfied if sufficient water is passed through a culvert, waste gate, or over or around the dam to keep in good condition any fish that may be planted or exist below the dam if it is impracticable or detrimental to pass the water through a fishway. In the case of a reservoir, this provision shall not require the passage or release of water at a greater rate than the unimpaired natural inflow into the reservoir. (Fish & G. Code, § 5937.)
18. The facilities for diversion under this right shall include satisfactory means of measuring and bypassing sufficient water to satisfy downstream prior rights and any requirements of the California Department of Fish and Wildlife and the State Water Board's Cannabis Policy.
19. This right does not authorize any act which results in the taking of a threatened, endangered, or candidate species or any act which is now prohibited, or becomes prohibited in the future, under either the California Endangered Species Act (Fish and Game Code section 2050 et seq.) or the federal Endangered Species Act (16 U.S.C.A. section 1531 et seq.). If a "take" will result from any act authorized under this water right, the right holder shall obtain authorization for an incidental take prior to construction or operation of the project. Right holder shall be responsible for meeting all requirements of the state and Federal Endangered Species Acts for the project authorized under this right.
20. This right is subject to the submittal of an annual report of water use and satisfactory renewal, on forms to be furnished by the State Water Board, including payment of the then-current annual renewal fees. (Wat. Code, § 1228.5.)
21. This right shall be totally or partially forfeited for nonuse if the diversion is abandoned or if all or any part of the diversion is not beneficially used for a continuous period of five years.
22. This right is subject to enforcement, including but not limited to revocation, by the State Water Board if 1) the State Water Board finds that the right holder knowingly made any false statement, or knowingly concealed any material fact, in the right; 2) the right is not renewed as required by the conditions of this certificate; or 3) the State Water Board finds that the right holder is in violation of the conditions of this right. (Wat. Code, § 1228.4 et seq.)
23. The State Water Board intends to develop and implement a basin-wide program for real-time electronic monitoring and reporting of diversions, withdrawals, releases, and streamflow in a standardized format if and when resources become available. Such real-time reporting will be required upon a showing by the State Water Board that the program and the infrastructure are in place to accept real-time electronic reports. Implementation of the reporting requirements shall not necessitate amendment to this right.

STATE WATER RESOURCES CONTROL BOARD  
DIVISION OF WATER RIGHTS

This certificate was issued automatically as a result of the registrant self-certifying submittal of a water right registration filing in substantial compliance with Water Code §1228.3.

Dated: 11/01/2018 07:38:18

© 2018 - State Water Resources Control Board



**HUMBOLDT COUNTY DEPARTMENT OF PUBLIC WORKS  
ROAD EVALUATION REPORT**

**PART A:** *Part A may be completed by the applicant*

Applicant Name: Honey Country Compassionate Use Project

APN: 107-241-017

Planning & Building Department Case/File No.: APPS#11493

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

From Road (Cross street): Mattole Road

To Road (Cross street): Property Line

Length of road segment: 0.20 miles Date Inspected: 6/26/20

Road is maintained by: ☐ County ☒ Other Private

(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.

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**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. A map showing the location and limits of the road being evaluated in PART A is attached.



Signature

6/26/20

Date

Steven Luu - SL Consulting Services Inc

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.**

## 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
Building Inspection Division	✓	Approved w Condition	Attached
Division Environmental Health		No response	
Public Works, Land Use Division	✓	Conditional approval	Attached
CalFIRE	✓	No comment	Attached
California Department of Fish & Wildlife		No response	
Northwest Information Center	✓	Further study	On file
Bear River Band	✓	Site already studied, no additional study, Conditional approval	On file
Intertribal Sinkyone Wilderness Council		No response	
Mattole Union School District		No response	
California Division of Water Rights	✓	Approved	On file
Humboldt County Agricultural Commissioner		No response	
Honeydew Volunteer Fire Dept		No response	
North Coast AQMD		No response	
PG&E		No response	
Regional Water Quality Control Bd		No response	



**From:** [Beck, Dean](#)  
**To:** [Moredo, John](#); [Paul, Gayle](#)  
**Subject:** PLN-2020-16594 Honey Country Compassionate Use P  
**Date:** Wednesday, September 9, 2020 4:35:07 PM

---

Denied

Planning Referral

8-9-2020

db

-Revise and resubmit plot plan showing the SMA in its entirety over the parcel and proposed areas of

development

- revise and resubmit plot plan show wetlands located in stream beds and in the north/west corner of

subject parcel

Dean Beck  
County of Humboldt  
Senior Building Inspector  
Office 707-268-3715  
Cell 707-683-5044



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**From:** Walker, Heather <HWalker@co.humboldt.ca.us>

**Sent:** Thursday, August 27, 2020 8:24 AM

**To:** Beck, Dean <dbeck1@co.humboldt.ca.us>; Marengi, Rudy <rmarengi1@co.humboldt.ca.us>; Mathieson, Micah <mmathieson1@co.humboldt.ca.us>; Edwards, Robert <redwards@co.humboldt.ca.us>; Eskra, Ross <reskra@co.humboldt.ca.us>; Doberstein, Thomas <tdoberstein@co.humboldt.ca.us>; Phippen, Marc <MPhippen@co.humboldt.ca.us>; Dumler, Gustin <GDumler@co.humboldt.ca.us>; Ingersoll, Keith <KIngersoll@co.humboldt.ca.us>

**Cc:** Moredo, John <jmored2@co.humboldt.ca.us>; Paul, Gayle <gpaul1@co.humboldt.ca.us>; Moxon, Delilah <DMoxon@co.humboldt.ca.us>; Schatz, Elizabeth <eschatz1@co.humboldt.ca.us>

**Subject:** Planning referrals

Referrals are now being processed by John M and Gayle (admin staff located in the office by the break room). Please put all referral paperwork in John's inbox in the hallway. His is one of the wooden ones, on the right side.

*Heather Walker*

Permit Specialist II  
County of Humboldt – Planning & Building Dept  
Ph: 707-445-7245  
Fax: 707-445-7446

**Redway Office Hours**

Monday and Wednesday, 9:30 am to 3:30 pm  
3156 Redwood Dr, Redway (707) 383-4100  
Mondays – Building, Current Planning and Code Enforcement  
Wednesdays – Building, Cannabis Planning and Long Range Planning



**We have reviewed the above application and recommend the following (please check one):**

The Department has no comment at this time.

Suggested conditions attached.

Applicant needs to submit additional information. List of Items attached.

Recommend denial.

Other comments.

Date:

Name:

**Forester Comments:**

Date:

Name:

**Battalion Chief Comments:**

**Summary:**



DEPARTMENT OF PUBLIC WORKS  
**C O U N T Y   O F   H U M B O L D T**

MAILING ADDRESS: 1106 SECOND STREET, EUREKA, CA 95501-0579  
AREA CODE 707

ON-LINE  
WEB: CO.HUMBOLDT.CA.US

PUBLIC WORKS BUILDING  
SECOND & L ST., EUREKA  
FAX 445-7409  
ADMINISTRATION 445-7491  
BUSINESS 445-7652  
ENGINEERING 445-7377  
FACILITY MANAGEMENT 445-7493  
NATURAL RESOURCES 445-7741  
NATURAL RESOURCES PLANNING 267-9540  
PARKS 445-7651  
ROADS 445-7421

CLARK COMPLEX  
HARRIS & H ST., EUREKA  
FAX 445-7388  
LAND USE 445-7205

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**LAND USE DIVISION INTEROFFICE MEMORANDUM**

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TO: Cade McNamara, Planner, Planning & Building Department

FROM: Kenneth M. Freed, Assistant Engineer

DATE: 09/10/2020

RE:

<b>Applicant Name</b>	<b>HONEY COUNTRY COMPASSIONATE USE PROJECT</b>
<b>APN</b>	<b>107-241-017</b>
<b>APPS#</b>	<b>PLN-2020-16594</b>

The Department has reviewed the above project and has the following comments:

- ☒ The Department's recommended conditions of approval are attached as **Exhibit "A"**.
- ☐ Additional information identified on **Exhibit "B"** is required before the Department can review the project. **Please re-refer the project to the Department when all of the requested information has been provided.**
- ☐ Additional review is required by Planning & Building staff for the items on **Exhibit "C"**. **No re-refer is required.**
- ☐ *Road Evaluation Reports(s)* are required; See **Exhibit "D"**

**Note:** Prior to requesting an applicant to submit a road evaluation report, verify if the project is exempt from meeting road system performance standards under CCLUO v2.0 sections 313-55.4.6.5.1 and 314-55.4.6.5.1, even if this box is checked.

**No re-refer is required.**

\*Note: Exhibits are attached as necessary.

Additional comments/notes:

Applicant has submitted road evaluation reports, dated 06/26/20, with Part A –Box 2 checked, certifying that the roads are equivalent to a road Category 4 standard.

// END //



Public Works Recommended Conditions of Approval

(All checked boxes apply)

APPS #16594

- ☒ **COUNTY ROADS- PROXIMITY OF FARMS:**  
Applicant is advised that County maintained roads may generate dust and other impacts to farm(s). Applicant shall locate their farm(s) in areas not subject to these impacts. Applicant shall be responsible for protecting their farm(s) 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 locate 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.
- ☐ **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 vehicles 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.
- ☐ **COUNTY ROADS- DRIVEWAY (PART 1):**  
The submitted site plan is unclear and/or shows improvements that are inconsistent with County Code and/or Department of Public Works policies. The applicant is advised that these discrepancies will be addressed at the time that the applicant applies to the Department of Public Works for an Encroachment Permit. If the applicant wishes to resolve these issues prior to approval of the Planning & Building permit for this project, the applicant should contact the Department to discuss how to modify the site plan for conformance with County Code and or Department of Public Works policies. Notes:
- ☐ **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.
  - If the County road has a gravel surface at the location of the driveway, the driveway apron shall be rocked for a minimum width of 18 feet and a length of 50 feet.
  - If the County road is an urban road, frontage improvements (curb, gutter, and sidewalk) shall also be constructed to the satisfaction of the Department. Any existing curb, gutter or sidewalk that is damaged shall be replaced.  
The exact location and quantity of driveways shall be approved by the Department at the time the applicant applies to the Department of Public Works for an Encroachment Permit.  
  
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.
- ☐ **COUNTY ROADS- DRIVEWAY (PART 3):**  
The existing driveway will require substantial modification in order to comply with County Code. The applicant may wish to consider relocating the driveway apron if a more suitable location is available.
- ☐ **COUNTY ROADS-PARKING LOT- STORM WATER RUNOFF:**  
Surfaced parking lots shall have an oil-water filtration system prior to discharge into any County maintained facility.  
  
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.
- ☒ **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 prior to commencing operations, final sign-off for a building permit, or Public Works approval for a business license.
- ☒ **COUNTY ROADS- PRIVATE ROAD INTERSECTION: (AT COUNTY MAINTAINED RD)**  
Any existing or proposed non-county maintained access roads 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.
  - If the County road has a paved surface at the location of the access road, the access road shall be paved for a minimum width of 20 feet and a length of 50 feet where it intersects the County road.
  - If the County road has a gravel surface at the location of the access road, the access road shall be rocked for a minimum width of 20 feet and a length of 50 feet where it intersects the County road.  
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.
- ☐ **COUNTY ROADS- ROAD EVALUATION REPORT(S):**  
All recommendations in the *Road Evaluation Report(s)* for County maintained road(s) shall be constructed/implemented to the satisfaction of the Public Works Department prior to commencing operations, final sign-off for a building permit, or approval for a business license. 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.

// END //

## **ATTACHMENT 5**

### **PUBLIC COMMENT**

Neighboring property owner: “Our concern is the output of the grow lights, the illumination of the night skies, this is currently a problem with other existing cannabis grows already invading the night skies with their lights.