



COUNTY OF HUMBOLDT
PLANNING AND BUILDING DEPARTMENT
CURRENT PLANNING DIVISION

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

Hearing Date: September 5, 2019

To: Humboldt County Planning Commission

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

Subject: **Paradise Flowers, Conditional Use Permit, Special Permit and Notice of Merger**
Record No.: PLN-11183-CUP & PLN-2019-15550
Assessor's Parcel Number (APN): 217-255-005
28180 Alderpoint Road, Blocksburg area

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Please contact Keenan Hilton, Planner, at 707-268-3722 or by email at khilton@co.humboldt.ca.us if you have any questions about the scheduled public hearing item.

AGENDA ITEM TRANSMITTAL

Hearing Date	Subject	Contact
September 5, 2019	Conditional Use Permit, Special Permit & Notice of Merger	Keenan Hilton

Project Description A Conditional Use Permit for 30,840 sf of existing outdoor cultivation and 17,000 sf of existing mixed light cultivation, a Special Permit for after-the-fact permitting of agricultural diversion infrastructure within the Streamside Management Area and a notice of merger of two legal parcels that comprise the APN 217-255-005. The source of irrigation water is a permitted well, a non-diversionary pond and a diversionary pond. Storage capacity currently totals 469,400 gallons in one pond, 5 bladders and 77 hard plastic tanks. The applicant anticipates using approximately 500,000 gallons of water per year. The applicant anticipates needing a maximum of 3 employees for cultivation and a maximum of 10 contracted workers for harvest and processing activities. Harvested cannabis is dried, cured and processed on-site in an existing 2,400 sf facility. Power is provided by four generators.

Project Location: The project is located in Humboldt County, in the Blocksburg area, approximately 0.5 miles north of the intersection of the unnamed private road and Alderpoint Rd at the property known as 28180 Alderpoint Rd.

Present Plan Land Use Designations: Agriculture General (AG), Timber Production (T), Density: 160 to 20 acres per dwelling unit, Slope Stability: High Instability (3).

Present Zoning: Agriculture Exclusive (AE-B-5 [160]), Timber Production Zone (TPZ).

Record No: PLN-11183-CUP & PLN-2019-15550

Assessor Parcel Numbers: 217-255-005

Applicant

Paradise Flowers
Tiffany Charbonneau
PO Box 2607
Redway, CA 95560

Owner

Living Green Farm, LLC
1271 Evergreen Rd Ste 303
Redway, CA 95560

Agent

Green Road Consulting
c/o Dante Hamm
1650 Central Ave, Suite C
McKinleyville, CA 95519

Environmental Review: An Addendum to a previously adopted Mitigated Negative Declaration has been prepared for consideration per §15164 of CEQA Guidelines.

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

Major Issues: None

PARADISE FLOWERS

Record No. PLN-11183-CUP & PLN-2019-15550

Assessor's Parcel Number 217-255-005

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 Commission has considered the Addendum to the Mitigated Negative Declaration adopted for the Commercial Medical Marijuana Land Use Ordinance pursuant to Section 15164 of the State CEQA Guidelines, make all of the required findings for approval of the Conditional Use Permit, Special Permit and a notice of merger based on evidence in the staff report, and adopt the Resolution approving the proposed Paradise Flowers Conditional Use Permit, Special Permit and Notice of Merger subject to the recommended conditions.

Executive Summary: Paradise Flowers seeks approval of a Conditional Use Permit in compliance with the County Commercial Medical Marijuana Land Use Ordinance (CMMLUO) to operate an existing outdoor and mixed light commercial cannabis cultivation and ancillary activities located on Assessor's Parcel Number (APN) 217-255-005, which is currently comprised of two patent parcels totaling approximately 342 acres.

In the current configuration, the boundary between the two parcels runs through areas with significant development. Through the merger of the parcels, the applicant avoids having to meet zoning and firesafe setbacks from that boundary line. Both parcels are zoned AE with a minimum parcel size of 160 acres and TPZ. Both parcels have the General Plan designation of General Agriculture, though the southern parcel has a strip of designated Timberland. The zones and general plan designation of both parcels allow for the continued operation of a cannabis cultivation site. There is no evidence that the merger will create any health or safety problems. Because the merger is part of the project, the discussion below will refer to the two parcels as the one parcel that is proposed.

The Special Permit would allow for activity within the Streamside Management Area (SMA) consisting of the use of the continued use of surface water diversion infrastructure from a stream-fed pond on-site. This diversion is not the primary source of water for the project but may be used. Ongoing conditions of approval require that the applicant forbear from May 15 – Oct. 31, or during the period deemed appropriate by the California Department of Fish and Wildlife (CDFW). A biological assessment was performed on the parcel finding that the project, as it exists, would have no significant effect on sensitive plants and wildlife on the parcel. Ongoing conditions of approval require that all living trees, snags and other components of the overstory within the SMA be retained for the life of the project. Additionally, the ongoing conditions of approval require that erosion control measures consistent with General Plan §BR-S9 be implemented as needed.

The cultivation would consist of 30,840 square feet (sf) of existing outdoor cultivating and 17,000 sf of mixed light cultivation totaling. The mixed light cultivation will occur in five greenhouses between two discrete areas, one at the center of the parcel, one in the south of the parcel; the outdoor cultivation would continue in one area near the southern boundary of the parcel. A 4,000-sf ancillary nursery would be at the cultivation site at the center of the parcel. A 2,400-sf cultivation facility labeled "Ag Barn" would be used for drying, curing, and trimming, and occurs near the center of the parcel. The project would require a maximum of 3 employees to carry out cultivation activities. A maximum of 10 additional contracted employees would come to the site for harvest and processing activities.

Processing, drying and some storage would occur in an existing 2,400 sf facility labeled "Ag Barn" on the site plan. Conditions of approval require that the facility is improved to a commercial standard including a permitted septic system, or that processing activities move off-site to a licensed processing facility. In 2018,

a 1,620-sf residence was constructed on-site. Several employees would reside in the residence for part of the year. Other structures on-site include a domestic building proposed for use as a drying shed, a shipping container used to store tools and fuel, and 77 hard plastic tanks. Conditions of approval include the permitting of the unpermitted structures involved in the cannabis operation excluding water tanks with a capacity under 5,000 gallons which do not require permitting.

A biological assessment was performed for the site to analyze the potential impacts of the proposal on the wildlife and plant communities on the parcel and in the vicinity. The assessment identified sensitive aquatic habitat; this habitat would be protected by design as all cannabis activities are proposed to occur outside of the SMA buffers. The assessment describes no likely habitat for Marbled Murrelet (Murrelet) or for Northern Spotted Owl (NSO) on the parcel. However, because there are recorded NSO sightings within one mile of the project site, the biologist recommends that all significant construction and maintenance associated with the project occur outside of the critical nesting period for NSO from Feb. 1 – July 9, or that the applicant conduct surveys be conducted to definitively deny the presence of NSO on the site. The recommendations of the biological assessment have been included as ongoing conditions of approval.

Four generators would provide the power for the site. All generators have secondary containment to avoid potential impacts from leaking and spills. The applicant proposes to construct noise containment structures to reduce the noise. Given the site proximity to mapped sightings of NSO, conditions of approval require that all generators and other noise-producing elements of the proposal (e.g. fans and dehumidifiers) be contained to keep the level of noise created by the project at or below 50 dB when measured at 100 feet or at the edge of habitat, whichever is closer.

Approximately 16 class III and 5 class II streams exist on the property. All drain to the Eel River. All cannabis activities meet setbacks. The applicant contracted Timberland Resource Consultants (TRC) to prepare a Water Resource Protection Plan (WRPP) in accordance with enrollment as a Tier II discharger with the California Regional Water Quality Control Board Order 2015-0023. Evidence of successful enrollment in the discharger program is included as a condition of approval. The applicant has a signed Lake or Streambed Alteration Agreement (LSAA) with the CDFW and has submitted a request for an amendment thereto. The LSAA includes forbearance from stream diversions from May 15 to October 15. Compliance with the regulations of other agencies is a requirement of the CMMLUO.

According to the WRPP, there are four ponds on the subject property, all historic cattle stock ponds, referenced as A, B, C, & D on the site plan. Ponds A and B are proposed for use in this project. Pond A is an on-stream pond that is estimated to hold approximately 300,000 gallons. This pond is pumped to a 5,000-gallon tank upslope and used to water Cultivation Area A. Pond B is not fed by surface water, and thus considered non-diversionary and not subject to forbearance; it has a capacity of approximately 30,000 gallons. An onsite well has recently been installed approximately 400 feet from the first two greenhouses, which can produce seven gallons per minute and is powered by a solar pump. Pond C is a failed on-stream pond not used for irrigation or domestic uses. Well-established vegetation consisting of grasses and coyote brush on the banks of the failed section of the pond indicates that the pond failed many years ago. Side slopes of the failed portion of the pond have reached the angle of repose and are stable. No erosion or sediment delivery are occurring at the past point of failure. Pond D is a pond that is half on the southern section of the property. The applicant is seeking the necessary permissions to use water from this diversionary pond, but it is not part of the proposal; this pond is estimated to hold approximately 400,000 gallons.

Storage capacity currently totals 469,400 gallons in one pond, 5 bladders and 77 hard plastic tanks. The applicant anticipates using approximately 500,000 gallons of water per year. Conditions of approval require that the applicant discontinue the use of the water bladders. The growing season is March through November. Water meters will be installed and water usage will be recorded on a monthly basis as a condition of approval.

The applicant completed a Road Evaluation Report for the private road connecting the subject parcel with Alderpoint Road—the nearest county-maintained roadway. The report demonstrates that the roadway is safe for the anticipated level of traffic and can capacitate emergency response vehicles. Per

the recommendation of the Department of Public Works, the access road encroachment shall be improved to meet the County visibility ordinance and encroachment permit ordinance standards.

CALFIRE provided standard comments regarding Fire Safe, Resource Management, and Cannabis Cultivation. Their only other comment is that any artificial light being used shall not escape at a level that is visible from neighboring properties. These have been made a condition of approval. A less-than-3-acre timberland conversion was prepared by TRC and filed with CALFIRE in 2016 by the previous owner.

The applicant contracted with William Rich & Associates for the preparation of a cultural resource survey of an approximately 87-acre study area within the 342-acre subject parcel. This report found no historical or archaeological resources to be recorded as finds in the study area. The Bear River Band provided comment recommending that Standard Inadvertent Discovery Protocols be included as an ongoing condition of approval.

The Building Inspection Division visited the site for other permits. While the division did not provide a formal comment for the cannabis process, their staff did visit the site to inspect conformity with county regulations. The Chief Building Official determined that additional visits prior to land use permitting would not be required. Additionally, the compliance agreement requires the permitting of several structures onsite at which time Building Division staff will perform additional site inspections.

Environmental review for the proposed project was conducted, and based on the results of that analysis, staff believes the existing cultivation and processing aspects of the project are consistent with the Mitigated Negative Declaration that was adopted for the Commercial Medical Marijuana Land Use Ordinance due to the fact that this is existing cultivation that is being brought into conformance with county and state requirements. No additional development other than that which was contemplated under the previously adopted MND is proposed. An addendum to the MND has been prepared for this project.

Based on a review of Planning Division reference sources and comments from all involved referral agencies, planning staff believes that the applicant has submitted evidence in support of making all the required findings for approving the conditional use permit.

ALTERNATIVES: The Planning Commission could elect not to approve the project, or to require the applicant to submit further evidence, or modify the project. If modifications may cause potentially significant impacts, additional CEQA analysis and findings may be required. These alternatives could be implemented if the Commission is unable to make all of the required findings. Planning Division staff has stated that the required findings in support of the proposal have been made. Consequently, Planning staff does not recommend further consideration of any alternative.

The Commission could also decide the project may have environmental impacts that would require further environmental review pursuant to CEQA. Staff did not identify any potential impacts. As Lead Agency, the Department has determined that the project is Categorically Exempt under the three Exemption Classes stated above. However, the Commission may reach a different conclusion. In that case, the Commission should continue the item to a future date at least two months later to give staff the time to complete further environmental review.

**RESOLUTION OF THE PLANNING COMMISSION
OF THE COUNTY OF HUMBOLDT
Resolution Number 19-**

**Record No. PLN-11183-CUP & PLN-2019-15550
Assessor Parcel Number: 217-255-005**

Makes the required findings for certifying compliance with the California Environmental Quality Act and conditionally approves the Paradise Flowers Conditional Use Permit request.

WHEREAS, Paradise Flowers submitted an application and evidence in support of approving a Conditional Use Permit for an existing 30,840 square feet of outdoor cultivation, 17,000 square feet of mixed light cultivation and 4,000 sf appurtenant nursery and processing activities to be performed by approximately 10 employees on APN 217-255-005; and

WHEREAS, Paradise Flowers submitted an application in support of approving a Special Permit for the after-the-fact permitting of an agricultural diversion of surface water to support cannabis cultivation on the subject parcel; and

WHEREAS, Paradise Flowers submitted an application in support of approving a Notice of Merger; and

WHEREAS, County Planning Division has reviewed the submitted applications and evidence and has referred the application and evidence to involved reviewing agencies for site inspections, comments and recommendations; and

WHEREAS, the County Planning Division, the lead agency, prepared an Addendum to the Final Mitigated Negative Declaration prepared for the Commercial Medical Land Use Ordinance (CMMLUO) adopted by the Humboldt County Board of Supervisors on January 26, 2016. The proposed project does not present substantial changes that would require major revisions to the previous mitigated negative declaration. No new information of substantial importance that was not known and could not be known at the time was presented as described by §15162(c) of CEQA Guidelines; and

WHEREAS, Attachment 2 in the Planning Division staff report includes evidence in support of making all of the required findings for approving the proposed Conditional Use Permit, Special Permit & Notice of Merger (Record No. PLN-11183-CUP & PLN-2019-15550); and

WHEREAS, a public hearing was held on the matter before the Humboldt County Planning Commission on September 5, 2019.

NOW, THEREFORE, be it resolved, determined, and ordered by the Humboldt County Planning Commission that:

1. The project is consistent with a previously adopted Mitigated Negative Declaration as described by §15164 of CEQA Guidelines; and
2. The Planning Commission makes all the required findings in Attachment 2 for Record No. PLN-11183-CUP & PLN-2019-15550 support approval of the project based on the submitted substantial evidence; and
3. The Planning Commission approves the Conditional Use Permit, Special Permit and Notice of Merger PLN-11183-CUP & PLN-2019-15550 as recommended and conditioned in Attachment 1.

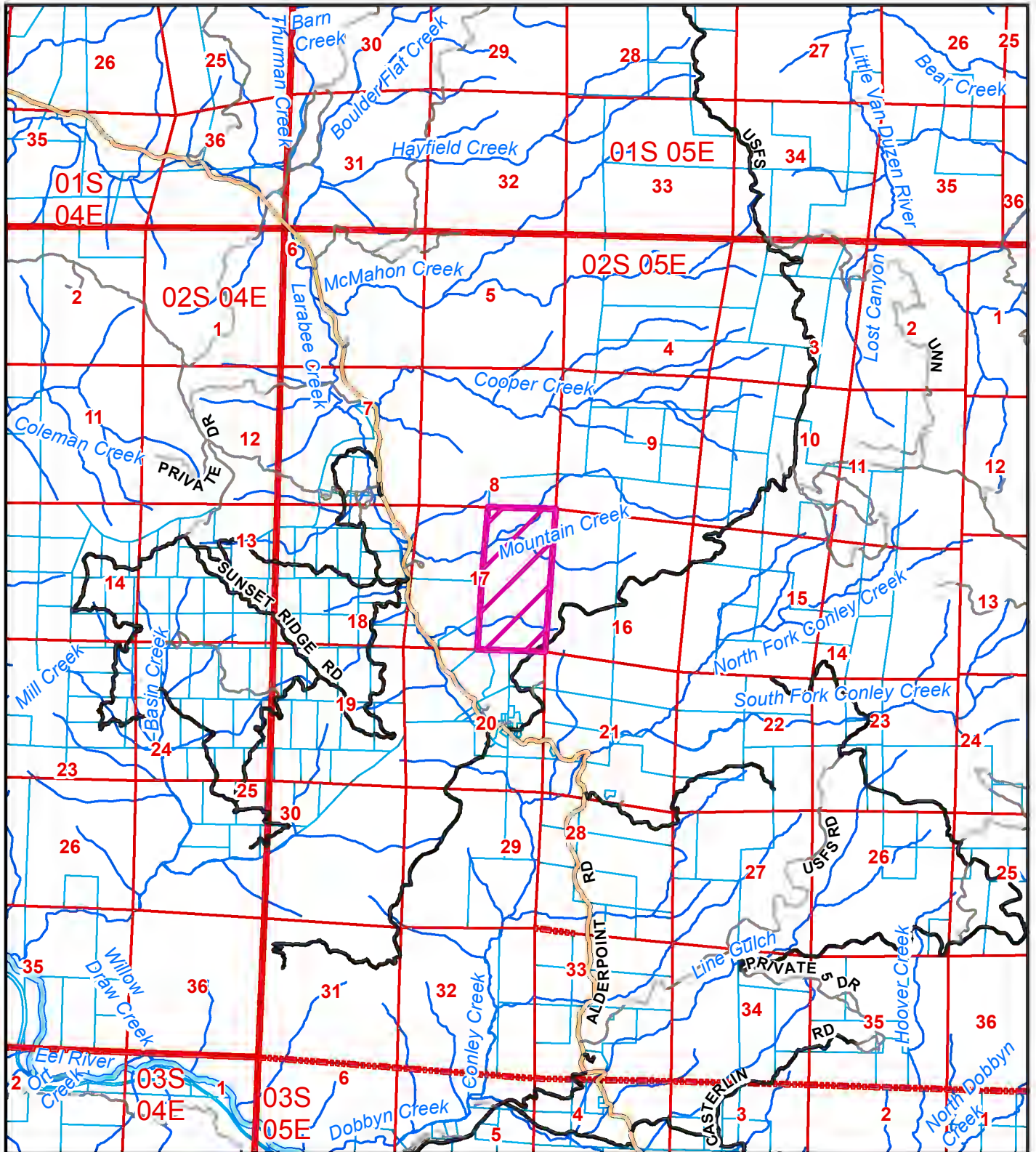
Adopted after review and consideration of all the evidence on September 5, 2019.

The motion was made by Commissioner ____ and seconded by Commissioner ____.

AYES: Commissioners:
NOES: Commissioners:
ABSTAIN: Commissioners:
ABSENT: Commissioners:
DECISION:

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

John Ford, Director
Planning and Building Department



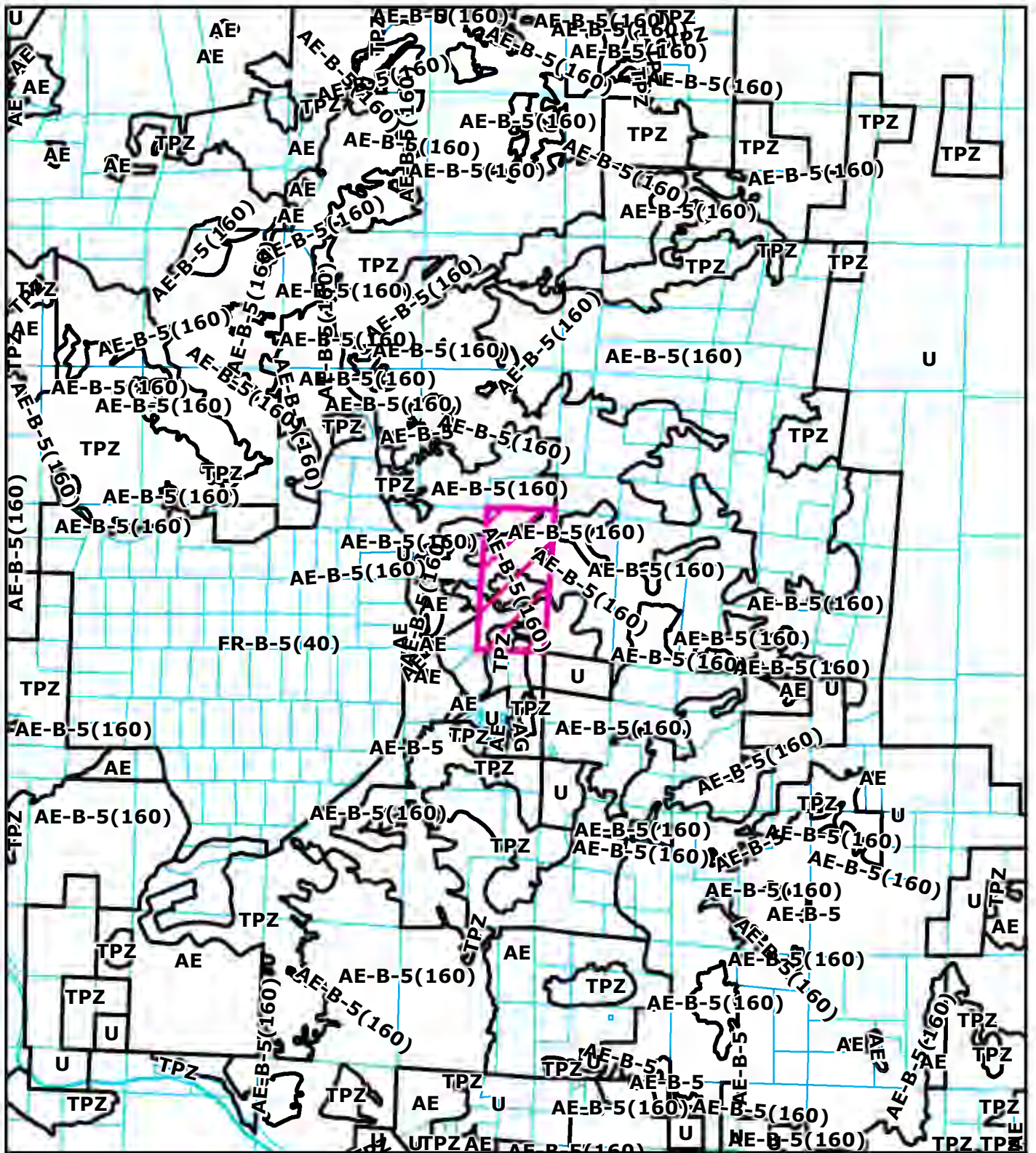
TOPO MAP
PROPOSED PARADISE 36
BLOCKSBURG AREA
CUP-16-174
APN: 217-255-005
T02S R05E S17 HB&M (BLOCKSBURG)

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.



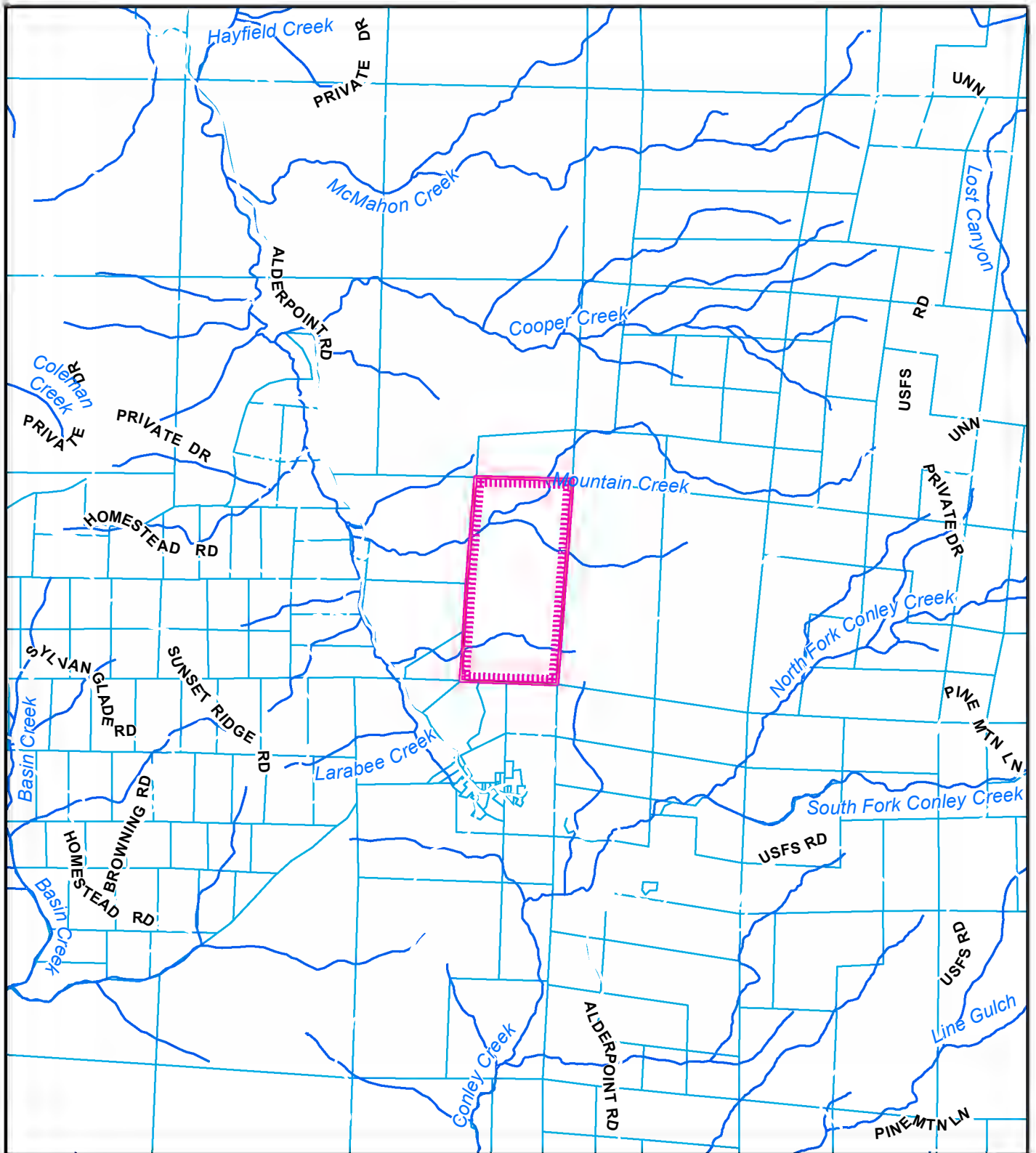


ZONING MAP
PROPOSED PARADISE 36
BLOCKSBURG AREA
CUP-16-174
APN: 217-255-005
T02S R05E S17 HB&M (BLOCKSBURG)

Project Area = 



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

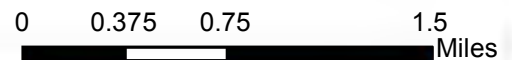


AERIAL MAP
PROPOSED PARADISE 36
BLOCKSBURG AREA
CUP-16-174
APN: 217-255-005
T02S R05E S17 HB&M (BLOCKSBURG)

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.



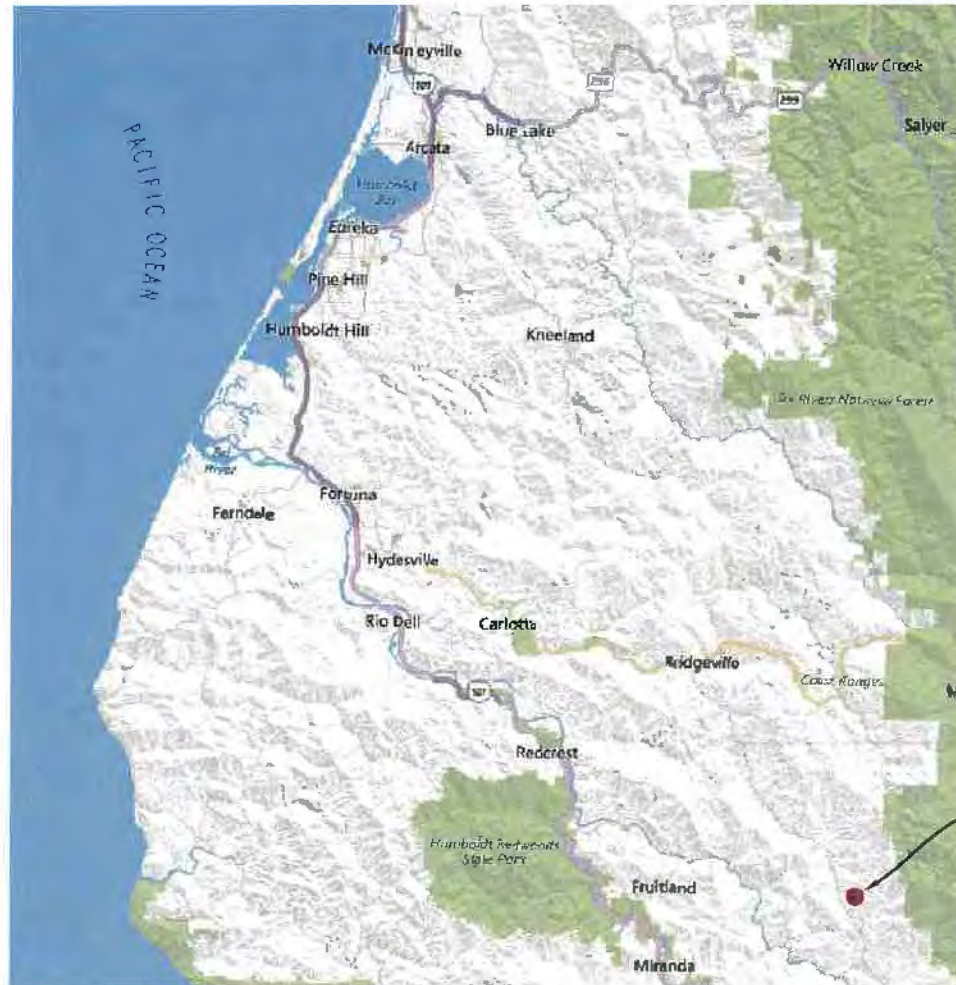
LIVING GREEN FARMS, LLC

APN: 217-255-005

AERIAL MAP

VICINITY MAP

NOT TO SCALE



SITE LOCATION

IMAGE SOURCE: BING 2018

PROJECT DIRECTIONS

FROM: EUREKA, CA

- HEAD SOUTH ON US-101 S (16.8 MI)
- TAKE EXIT 685 FOR CA-36 E (0.3 MI)
- TURN LEFT ONTO CA-36 E (23.9 MI)
- TURN RIGHT ONTO ALDERPOINT RD (18.4)

TRAVEL TIME

APPROXIMATELY: 59.4 MI (1 HR 21 MIN)

SHEET INDEX

CP-COVER PAGE
PO-PARCEL OVERVIEW

PROPERTY LINES, DISTANCES, AND BUILDING LOCATIONS ARE APPROXIMATE AND BASED ON AERIAL MAPS AND GPS DATA TAKEN IN THE FIELD.

PROJECT INFORMATION

LAT/LONG: 40.2923, -123.6352
 APN: 217-255-005
 APPLICANT: LIVING GREEN FARMS, LLC
 PARCEL SIZE: ± 323 ACRES
 ZONING: AE-B-5(160)TPZ
 APPLICATION TYPE:

COASTAL ZONE: N
 100 YEAR FLOOD: N

AGENT:

KAYLIE SAXON
 GREEN ROAD CONSULTING INC
 1650 CENTRAL AVE. SUITE C
 MCKINLEYVILLE, CA 95519
 707-630-5041

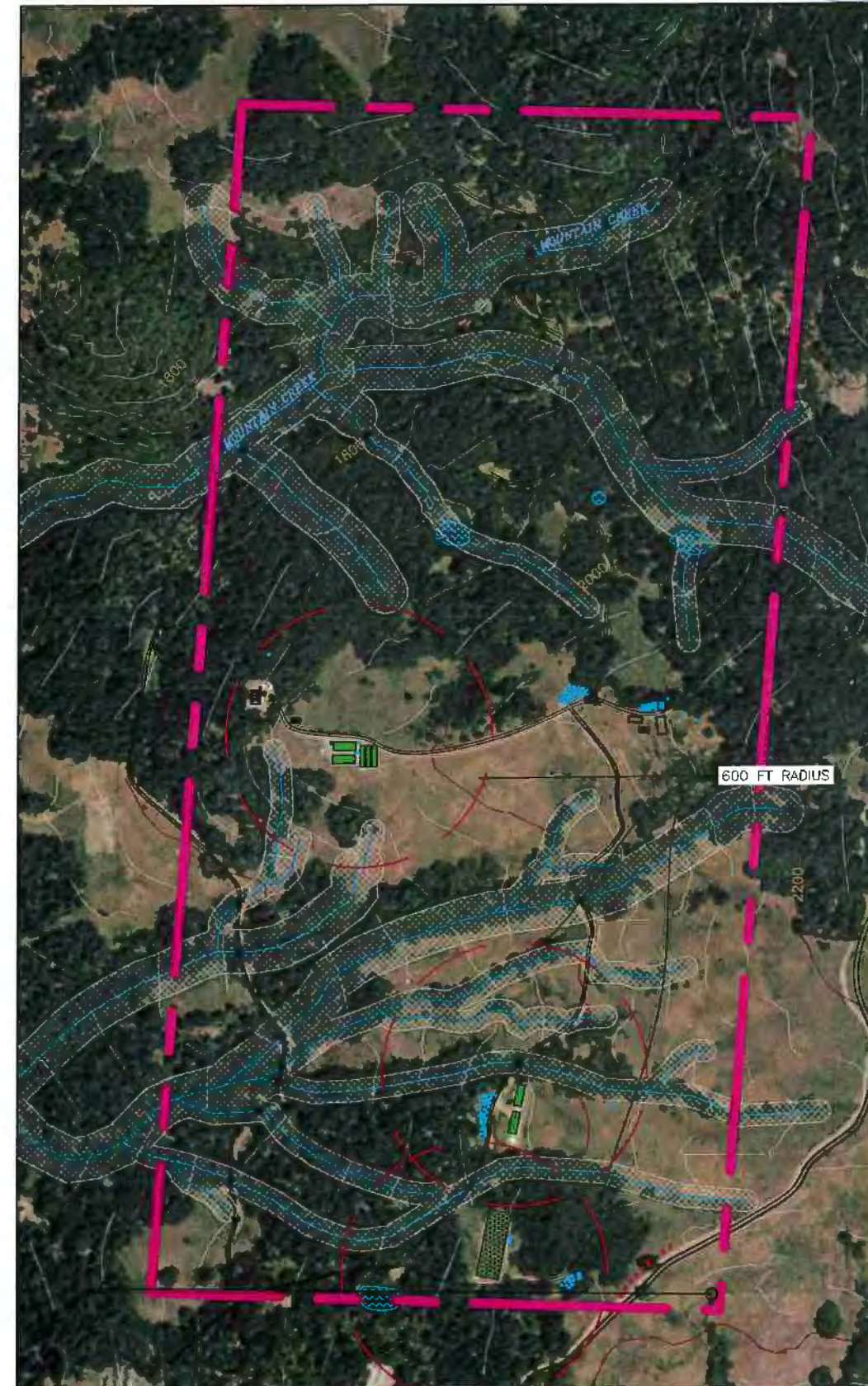
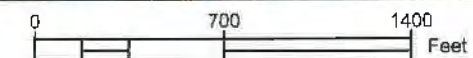


IMAGE SOURCE: BING 2018



RECEIVED
 JUL 12 2019
 Humboldt County
 Planning Division

GREEN
 ROAD
 CONSULTING



PROJECT INFORMATION

LIVING GREEN FARM, LLC
 APN: 217-255-005
 COVER PAGE

PROPERTY OWNER
 ADDRESS
 SHEET INFO

REVISIONS		
NO.	NOTES	DATE

DATE: 7/10/19
 DRAFTER: DDV
 SCALE: AS SHOWN

SHEET
CP

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PARCEL OVERVIEW

APN: 217-255-005

SHEET INFORMATION

MIXED CULTIVATION AREA				
GH	WIDTH		LENGTH	SQ FT
1	40	X	100	4,000
2	40	X	100	4,000
3	20	X	100	2,000
4	35	X	100	3,500
5	35	X	100	3,500
TOTAL MIXED LIGHT CULTIVATION AREA = 17,000 SQ. FT				

OUTDOOR CULTIVATION AREA				
CA	WIDTH		LENGTH	SQ FT
1	308	X	100	30,800
TOTAL OUTDOOR CULTIVATION AREA = 30,800				

BUILDINGS	USE	SIZE	YEAR
AG BARN	GENERATOR/FUEL STORAGE/DRYING/PROCESSING/HARVEST STORAGE/AGRICULTURAL CHEMICAL STORAGE	40'x60'	2014
NURSERY #1 (PROPOSED)	IMMATURE PLANT AREA	20'x100'	2019
NURSERY #2 (PROPOSED)	IMMATURE PLANT AREA	20'x100'	2019

BUILDINGS	USE	SIZE	YEAR	PLEASE NOTE
RESIDENCE	DOMESTIC DWELLING	27'x61'	2018	DOMESTIC BUILDING WILL BE CONVERTED TO A CANNABIS DRY SHED WHEN CUP IS APPROVED
DOMESTIC BUILDING	DOMESTIC STORAGE	40'x80'	2018	
SHIPPING CONTAINER	DOMESTIC STORAGE	8'x20'	2018	

WATER STORAGE AND USE				
TYPE	LAT/LONG	QUANTITY	GALLONS	TOTAL GALLONS
HDPE TANK	40.2906, -123.6371	2	1,500	3,000
HDPE TANK	40.2861, -123.6343	2	1,500	3,000
HDPE TANK	40.2839, -123.6335	2	3,000	6,000
HDPE TANK	40.2839, -123.6335	2	1,200	2,400
HDPE TANK	40.2839, -123.6335	10	5,000	50,000
HDPE TANK	40.2916, -123.6324	77	5,000	135,000
HDPE TANK	40.2859, -123.6355	30	5,000	150,000
HDPE TANK (HOLDING)	40.2861, -123.6329	1	5,000	5,000
HDPE TANK (DOMESTIC)	40.2906, -123.6731	1	2,500	2,500
HDPE TANK (DOMESTIC)	40.2918, -123.6385	1	5,000	5,000
HDPE TANK	40.2906, -123.6731	1	10,000	10,000
HDPE TANK (DOMESTIC)	40.2839, -123.6335	1	2,500	2,500
MOUNTAIN CREEK SPRING (DOMESTIC)	40.2911, -123.6318	1	10,000	10,000
BLADDER	40.2912, -123.6323	2	20,000	40,000
BLADDER	40.2912, -123.6323	2	10,000	20,000
BLADDER	40.2839, -123.6335	1	10,000	10,000
POND B	40.2839, -123.6335	1	35,000	35,000
TOTAL AMOUNT OF WATER STORAGE = 489,400 GALLONS				

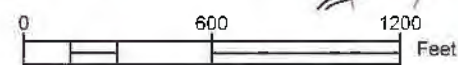
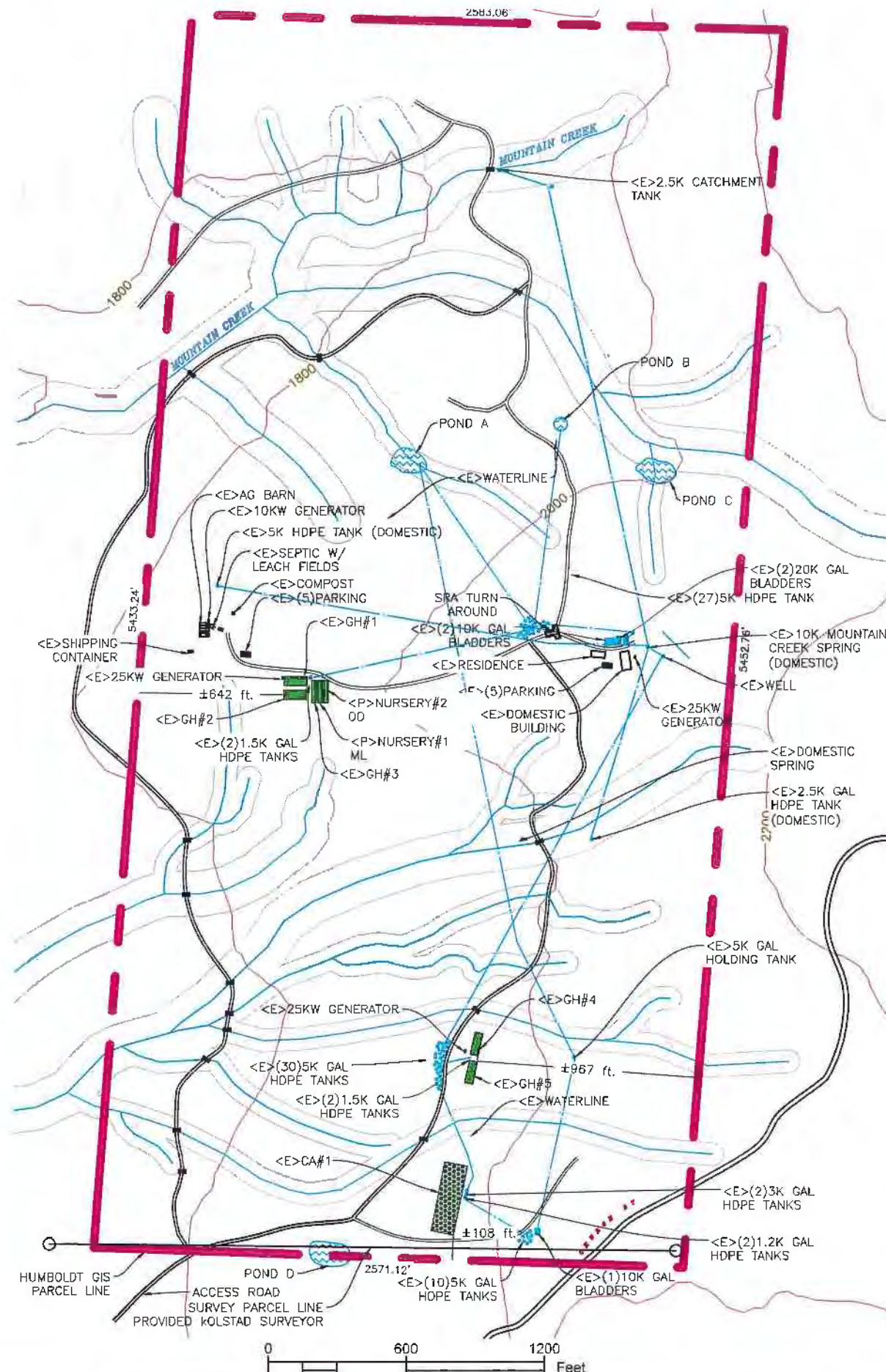
WATER SOURCE		
TYPE	LAT/LONG	SURFACE AREA(SQ FT)
POND A	40.2933, -123.6356	2,655
POND B	40.2932, -123.6318	12,555
POND D	40.2834, -123.6355	16,167
Well - 40.2909, 123.6312		
UNNAMED CLASS II STREAM WITH REQUIRED 100 FT BUFFER		
UNNAMED CLASS III STREAM WITH REQUIRED 50 FT BUFFER		

SURROUNDING BUILDINGS
 THERE ARE NO SCHOOLS, BUS STOPS, PLACES OF WORSHIP, PUBLIC PARKS OR TRIBAL CULTURAL RESOURCES WITHIN 500 FEET OF THE CULTIVATION SITE.
 THERE ARE NO OFF SITE RESIDENCES WITHIN 300 FEET OF THE CULTIVATION SITE.

POWER SOURCE
 (3) 25KW GENERATOR/(1) 10KW GENERATOR

LEGEND

- CLASS II WATERCOURSE
- CLASS III WATERCOURSE
- CULVERT



PROJECT INFORMATION
 LIVING GREEN FARM, LLC
 APN: 217-255-005
 PARCEL OVERVIEW

PROPERTY OWNER
 LIVING GREEN FARM, LLC

ADDRESS
 APN: 217-255-005

SHEET INFO
 PARCEL OVERVIEW

REVISIONS		
NO.	NOTES	DATE

DATE: 7/10/19
 DRAFTER: DDV
 SCALE: AS SHOWN

SHEET PO

ATTACHMENT 1

RECOMMENDED CONDITIONS OF APPROVAL

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

1. Within 60 days of the effective date of the permit, the applicant shall execute a Compliance Agreement with the Humboldt County Planning Department detailing all necessary permits and infrastructure improvements described under Conditions of Approval #8–17. The agreement shall provide a timeline for completing all outstanding items. All activities detailed under the agreement must be completed to the satisfaction of the Planning and Building Department before the permit may be finalized and no longer considered provisional.
2. Within 60 days of the effective date of the permit, the applicant shall execute and file with the Planning Division the statement titled, "Notice and Acknowledgment regarding Agricultural Activities in Humboldt County," ("Right to Farm" ordinance) as required by the HCC and available at the Planning Division.
3. Within 60 days of the effective date of the permit, the applicant shall provide a review fee for Conformance with Conditions as set forth in the schedule of fees and charges as adopted by ordinance of the Humboldt County Board of Supervisors (currently \$750.00), to be paid to the Humboldt County Planning Division, 3015 "H" Street, Eureka. This fee is a deposit, and if actual review costs exceed this amount, additional fees will be billed at the County's current burdened hourly rate.
4. Prior to the operation of mixed light cultivation on the site, the applicant shall provide substantial evidence that generator and fan noise is at or below 50 decibels at the edge of the clearing or 100 feet, whichever distance is closer. This will satisfy the auditory disturbance guidance prepared by the U.S. Fish and Wildlife (USFS), California Fish and Wildlife (CDFW) and Department Policy Statement No. 16-005 to minimize impacts to the Northern Spotted Owl and Marbled Murrelet. It must be demonstrated that all generators are located on stable surfaces with a minimum 200-foot buffer from Class I and Class II streams, per the requirements of CDFW.
5. Prior to the operation of mixed light cultivation on the site, the applicant shall provide a lighting plan consistent with the International Dark Sky Association Standard Lighting Zone 0.
6. The applicant shall provide documentation from the County of Humboldt Tax Collector that all property taxes for the parcels involved in the Merger have been paid in full if payable, or secured if not yet payable, to the satisfaction of the County Tax Collector's Office. Please contact the Tax Collector's Office approximately three to four weeks prior to filing the Notice of Merger to satisfy this condition.

Note: The purpose of this condition is to avoid possible title consequences in the event of a tax default and sale affecting the owner's real property interest. If property has delinquent taxes, the property cannot be combined for tax purposes. This means that the owner will receive two or more tax bills, and penalties and interest will continue to accrue against the land which has delinquent taxes. If five or more years have elapsed since the taxes on the subject property were declared in default, such property will be sold by the County Tax Collector for non-payment of delinquent taxes unless the amount required to redeem the property is paid before sale. Property combined by merger but "divided" by tax sale will require separate demonstration of subdivision compliance of all resultant parcels prior to the County's issuance of a building permit or other grant of authority to develop the subject properties.

7. The applicant shall submit a completed Notice of Merger and Certificate of Subdivision Compliance document along with legal review fees, notary fees and recording fees, as applicable.

8. The Applicant shall agree to use a water meter to demonstrate that there is sufficient water supply to meet the demands of the project without having to rely on surface water diversion during the forbearance period. The water use for cultivation is limited to the amount of water available in storage tanks and shall be provided annually prior to or during the annual inspection. The applicant shall provide substantial evidence that a water meter has been installed on the site, such as photographs.
9. The applicant shall prepare and implement all corrective actions detailed within the Water Resource Protection Plan developed for the parcel, prepared pursuant to Tier 2 enrollment under the North Coast Regional Water Quality Control Board Cannabis Waste Discharge Regulatory Program, including those measures later determined necessary during annual and periodic site inspections in accordance with the monitoring element. 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 RWQCB. A letter or similar communication from the RWQCB verifying that all their requirements have been met by the listed dates or the applicant has proven to the satisfaction of RWQCB or the Third-Party Consultant verifying that all the requirements in the MRP have been met will satisfy this condition. [After July 31, 2019, plans and reporting shall conform to the Cannabis Cultivation Policy and Cannabis General Order adopted October 17, 2017, by the State Water Board.]
10. The applicant shall provide substantial evidence of either the installation of a standpipe on one of the ponds or designation of a tank with a minimum of 2,500-gallon capacity for fire response.

The applicant shall provide substantial evidence that they have constructed noise containment structures for all generators used on the parcel.

11. The applicant shall secure permits from the Building Division for the Ag Barn, for seven greenhouses, for the 10,000-gallon water tank, for the domestic building to be used for drying cannabis, for the shipping container, for the noise containment structures if over 120-sf, and for the two ponds proposed to be used as part of the operation. A copy of the finalized inspection record card(s) or equivalent shall satisfy this condition.
12. The applicant shall provide substantial evidence that they have stopped all use of the water bladders on the site for cannabis irrigation.
13. The applicant shall submit substantial evidence that the Ag Barn meets the building division standards for a commercial facility OR provide a receipt or contract or comparable document to prove that processing occurs at a licensed 3rd party facility.
14. The applicant shall secure the approval of the Division of Environmental Health and the Regional Water Quality Control Board for the on-site waste water disposal system (OWTS) on the southern adjacent parcel with capacity for the maximum number of employees anticipated for the operations on the subject parcel as well as operations on 108-012-010, or the applicant shall document the continued use of portable toilets with hand washing stations on the subject parcel. A copy of the issued permit or a copy of receipts of continued use of portable toilets will satisfy this condition.
15. The applicant shall improve the intersection of the unnamed access road and Alderpoint Road, paving the access road to a minimum of twenty feet in width and fifty feet in length, and bringing the intersection into conformity with the Sight Visibility Ordinance. A copy of the approved encroachment permit and photos of the improvements would satisfy this condition.
16. The applicant shall provide a copy of the final signed LSAA Amendment
17. The applicant shall contact the local fire service provider [Alderpoint Fire Protection District] and furnish written documentation from that agency of the available emergency response and fire suppression services and any recommended project mitigation measures. If emergency response and fire suppression services are not provided, 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.

18. The applicant shall submit a completed Notice of Merger and Certificate of Subdivision Compliance document along with legal document review fees, notary fees and recording fees, as applicable.
19. Applicant shall provide documentation from the County of Humboldt Tax Collector that all property taxes for the parcels involved in the Merger have been paid in full if payable, or secured if not yet payable, to the satisfaction of the County Tax Collector's Office. Please contact the Tax Collector's Office approximately three to four weeks prior to filing the Notice of Merger to satisfy this condition.

Note: The purpose of this condition is to avoid possible title consequences in the event of a tax default and sale affecting the owner's real property interest. If property has delinquent taxes, the property cannot be combined for tax purposes. This means that the owner will receive two or more tax bills, and penalties and interest will continue to accrue against the land which has delinquent taxes. If five or more years have elapsed since the taxes on the subject property were declared in default, such property will be sold by the County Tax Collector for non-payment of delinquent taxes unless the amount required to redeem the property is paid before sale. Property combined by merger but "divided" by tax sale will require separate demonstration of subdivision compliance of all resultant parcels prior to the County's issuance of a building permit or other grant of authority to develop the subject properties.

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

1. All components of the project shall be developed, operated, and maintained in conformance with the Project Description, the approved Site Plan, the Plan of Operations, and these conditions of approval. Changes shall require modification of this permit except where consistent with Humboldt County Code Section 312-11.1, Minor Deviations to Approved Plot Plan.
2. Cannabis cultivation and other commercial cannabis activity shall be conducted in compliance with all laws and regulations as set forth in the CMMLUO and MAUCRSA, as applicable to the permit type.
3. The applicant shall maintain compliance with all Certified Unified Program Agency (CUPA) requirements administered through the Division of Environmental Health.
4. All activity within the SMA shall result in the retention of living trees, snags and other elements of the overstory, and implement appropriate erosion control measures pursuant to General Plan BR-S9, as needed.
5. The applicant shall conduct operations consistent with the recommendations in the Biological Assessment prepared for the site.

The applicant shall maintain generator and fan noise at or below 50 decibels at the edge of the clearing or 100 feet, whichever distance is closer. This will satisfy the auditory disturbance guidance prepared by the U.S. Fish and Wildlife (USFS), California Fish and Wildlife (CDFW) and Department Policy Statement No. 16-005 to minimize impacts to the Northern Spotted Owl and Marbled Murrelet. All generators must be located on stable surfaces with a minimum 200-foot buffer from Class I and Class II streams, per the requirements of CDFW. No mixed-light is authorized by this permit until the applicant can be demonstrated to compliance with this standard.

6. The applicant shall forbear from surface water diversion between May 15 and October 31, or for the period agreed to in a finalized LSAA with CDFW.
7. The applicant shall comply with the CDFW Bullfrog Management Plan.
8. The applicant shall not use synthetic (e.g., plastic or nylon) monofilament netting, including photo- or biodegradable plastic netting.
9. The applicant shall leave wildlife that is encountered during the authorized activity unharmed.

10. The applicant shall store all refuse in a wildlife proof storage contained until it is transported to an authorized waste management facility.
11. If operating pursuant to a written approved compliance agreement, permittee shall abate or cure violations at the earliest feasible date, but in no event no more than two (2) years from the date of issuance of a provisional clearance or permit. Permittee shall provide plans for curing such violations to the Planning & Building Department within one (1) year of issuance of the provisional clearance or permit. If good faith effort towards compliance can be shown within the two years following the issuance of the provisional clearance or permit, The Planning Department may, at the discretion of the Director, provide for extensions of the provisional permit to allow for additional time to meet the outstanding requirements.
12. Possession of a current, valid required license, or licenses, issued by any agency of the State of California in accordance with the MAUCRSA, and regulations promulgated thereunder, as soon as such licenses become available.
13. Confinement of the area of cannabis cultivation, processing, manufacture or distribution to the locations depicted on the approved site plan. The commercial cannabis activity shall be set back at least 30 feet from any property line, and 600 feet from any School, School Bus Stop, Church or other Place of Religious Worship, or Tribal Cultural Resources, except where a reduction to this setback has been approved pursuant to Section 55.4.11 (d).
14. Maintain enrollment in Tier 1, 2 or 3, certification with the North Coast Regional Water Quality Control Board (NCRWQCB) Order No. R1-2015-0023, if applicable, or any substantially equivalent rule that may be subsequently adopted by the County of Humboldt or other responsible agency.
15. Comply with the terms of any applicable Streambed Alteration (1600) Permit obtained from the Department of Fish & Wildlife, if applicable.
16. Comply with the terms of a less-than-3-acre conversion exemption or timberland conversion permit, approved by the California Department of Forestry and Fire Protection (CAL-FIRE).
17. Consent to an annual onsite 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).
18. Refrain from the improper storage or use of any fuels, fertilizer, pesticide, fungicide, rodenticide, or herbicide.
19. Pay all applicable application and annual inspection fees.
20. The noise produced by a generator for cannabis drying, curing, and processing shall not be audible by humans from neighboring residences. The decibel level for generators measured at the property line shall be no more than 60 decibels. Where applicable, sound levels must also show that they will not result in the harassment of Murrelet or NSO. Conformance will be evaluated using current auditory disturbance guidance prepared by the United State Fish and Wildlife Service, and further consultation where necessary. Under these guidelines, generator noise may not exceed 50 decibels as measured at 100 feet from the generator or at the edge of the nearest Murrelet or NSO forest habitat, whichever is closer, as required by Section 314-55.4.11 (o) of the Humboldt County Code. Prior to issuance of a building permit or the initiation of cultivation activities, whichever occurs first, the applicant shall provide documentation from a qualified professional demonstrating that the generators conform to the specified standard. Should the applicant propose to achieve noise attenuation by placing the generators inside a building(s), the applicant shall secure a building permit prior to construction.

21. Storage of Fuel - Fuel shall be stored and handled in compliance with applicable state and local laws and regulations, including the County of Humboldt's CUPA program, and in such a way that no spillage occurs.
22. The Master Log Books maintained by the applicant to track production and sales shall be maintained for inspection by the County.
23. Pay all applicable taxes as required by the Humboldt County Commercial Marijuana Cultivation Tax Ordinance (Humboldt County Code Section 719-1 et seq.).
24. The operation shall participate in the Medical Cannabis Track and Trace Program administered by the Humboldt County Agricultural Commissioner, when available.

Performance Standards for Cultivation and Processing Operations

25. Pursuant to the MCRSA, Health and Safety Code section 19322(a)(9), an applicant seeking a cultivation license shall "provide a statement declaring the applicant is an 'agricultural employer,' as defined in the Alatorre-Zenovich-Dunlap-Berman Agricultural Labor Relations Act of 1975 (Part 3.5 commencing with Section 1140) of Division 2 of the Labor Code), to the extent not prohibited by law."
26. Cultivators shall comply with all applicable federal, state, and local laws and regulations governing California Agricultural Employers, which may include: federal and state wage and hour laws, CAL/OSHA, OSHA, California Agricultural Labor Relations Act, and the Humboldt County Code (including the Building Code).
27. Cultivators engaged in processing shall comply with the following Processing Practices:
 - i. Processing operations must be maintained in a clean and sanitary condition including all work surfaces and equipment.
 - ii. Processing operations must implement protocols which prevent processing contamination and mold and mildew growth on cannabis.
 - iii. Employees handling cannabis in processing operations must have access to facemasks and gloves in good operable condition as applicable to their job function.
 - iv. Employees must wash hands sufficiently when handling cannabis or use gloves.
28. All persons hiring employees to engage in commercial cannabis cultivation and processing shall comply with the following Employee Safety Practices:
 - I. Cultivation operations and processing operations must implement safety protocols and provide all employees with adequate safety training relevant to their specific job functions, which may include:
 - (a) Emergency action response planning as necessary;
 - (b) Employee accident reporting and investigation policies;
 - (c) Fire prevention;
 - (d) Hazard communication policies, including maintenance of material safety data sheets (MSDS);
 - (e) Materials handling policies;
 - (f) Job hazard analyses; and
 - (g) Personal protective equipment policies, including respiratory protection.
 - II. Cultivation operations and processing operations must visibly post and maintain an emergency contact list which includes at a minimum:
 - (a) Operation manager contacts;
 - (b) Emergency responder contacts;
 - (c) Poison control contacts.
 - III. At all times, employees shall have access to safe drinking water and toilets and handwashing facilities that comply with applicable federal, state, and local laws and

regulations. Plumbing facilities and water source must be capable of handling increased usage without adverse consequences to neighboring properties or the environment.

- IV. On site-housing provided to employees shall comply with all applicable federal, state, and local laws and regulations.

29. All cultivators shall comply with the approved Processing Plan as to the following:

- I. Processing Practices.
- II. Location where processing will occur.
- III. Number of employees, if any.
- IV. Employee Safety Practices.
- V. Toilet and handwashing facilities.
- VI. Plumbing and/or septic system and whether or not the system is capable of handling increased usage.
- VII. Drinking water for employees.
- VIII. Plan to minimize impact from increased road use resulting from processing.
- IX. Onsite housing, if any.

30. Permit Renewals to comply with Updated Laws and Regulations. Permit renewal per Ongoing Conditions of Approval 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.

31. Acknowledgements to Remain in Full Force and Effect. Permittee Acknowledges that the County reserves the right to reduce the size of the area allowed for cultivation under any clearance or permit issued in accordance with this Section in the event that environmental conditions, such as a sustained drought or low flows in the watershed in which the cultivation area is located will not support diversions for irrigation.

32. Permittee further acknowledges and declares that:

- I. All commercial cannabis activity that I, my agents, or employees conduct pursuant to a permit from the County of Humboldt shall be solely for medical purposes and all commercial cannabis products produced by me, my agents, or employees are intended to be consumed solely by qualified patients entitled to the protections of the Compassionate Use Act of 1996 (codified at Health and Safety Code section 11362.5); and
- II. All cannabis or cannabis products under my control, or the control of my agents or employees, and cultivated or manufactured pursuant to local Ordinance and the California Medical Marijuana Regulation and Safety Act will be distributed within the State of California; and
- III. All commercial cannabis activity conducted by me, or my agents or employees pursuant to a permit from the County of Humboldt will be conducted in compliance with the California Medical Marijuana Regulation and Safety Act.

33. Transfers. Transfer of any leases or permits approved by this project is subject to the review and approval of the Planning Director for conformance with CMMLUO eligibility requirements, and agreement to permit terms and acknowledgments. The fee for required permit transfer review shall accompany the request. The request shall include the following information:

- a. Identifying information for the new Owner(s) and management as required in an initial permit application;
- b. A written acknowledgment by the new Owner in accordance as required for the initial Permit application;

- c. The specific date on which the transfer is to occur; and
- d. Acknowledgement of full responsibility for complying with the existing Permit; and
- e. Execution of an Affidavit of Non-diversion of Medical Cannabis.

34. Inspections. The permit holder and subject property owner are to permit the County or representative(s) or designee(s) to make inspections at any reasonable time deemed necessary to assure that the activities being performed under the authority of this permit are in accordance with the terms and conditions prescribed herein.

Informational Notes:

1. Pursuant to section 314-55.4.11(a) of the CMMLUO, if upon inspection for the initial application, violations of any building or other health, safety, or other state or county statute, ordinance, or regulation are discovered, the Planning and Building Department may issue a provisional clearance or permit with a written approved Compliance Agreement. By signing the agreement, the permittee agrees to abate or cure the violations at the earliest opportunity but in no event more than two (2) years of the date of issuance of the provisional clearance or permit. Plans for curing the violations shall be submitted to the Planning and Building Department by the Permittee within one (1) year of the issuance of the provisional certificate or permit. The terms of the compliance agreement may be appealed pursuant to section 314-55.4.13 of the CMMLUO.
2. This provisional permit approval shall expire and become null and void at the expiration of one (1) year after all appeal periods have lapsed (see "Effective Date"); except where the Compliance Agreement per COA #1 has been executed and the corrective actions pursuant to the agreement are being undertaken. Once building permits have been secured and/or the use initiated pursuant to the terms of the agreement, the use is subject to the Permit Duration and Renewal provisions set forth in Condition of Approval #25 and 26 of the On-Going Requirements /Development Restrictions, above.
3. 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 as well as the appropriate Tribal Historic Preservation Officer(s) are to be contacted to evaluate the discovery and, in consultation with the applicant and 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 NAHC will then be contacted by the Coroner to determine appropriate treatment of the remains pursuant to PRC 5097.98. Violators shall be prosecuted in accordance with PRC Section 5097.99.

4. 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 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.
5. This merger does not guarantee that developable lots will result. Issuance of a building permit will require demonstration of all applicable development standards at the time a permit is requested.
6. The applicant shall comply with the provisions of Section 321-14 of the Humboldt County Code concerning reapportionment or payment of special assessments, if applicable.

7. The term of this approval shall be thirty-six (36) months from the date of the Planning Commission's action on this request.

**ATTACHMENT 2
REQUIRED FINDINGS FOR APPROVAL**

Required Findings: To approve this project, the Hearing Officer must determine that the applicant has submitted evidence in support of making **all** of the following required findings.

The County Zoning Ordinance, Sections 312-1.1.2 and 312-17.1 of the Humboldt County Code (Required Findings for All Discretionary Permits) specify the findings that are required to grant a Conditional Use Permit, Special Permit and Notice of Merger:

1. The proposed development is in conformance with the County General Plan, Open Space Plan, and Open Space Action Program;
2. The proposed development is consistent with the purposes of the existing zone in which the site is located;
3. The proposed development conforms with all applicable standards and requirements of these regulations;
4. The proposed development and conditions under which it may be operated or maintained will not be detrimental to the public health, safety, or welfare; or materially injurious to property or improvements in the vicinity;
5. 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 (the midpoint of the density range specified in the plan designation) unless the following written findings are made supported by substantial evidence: 1) the reduction is consistent with the adopted general plan including the housing element; and 2) the remaining sites identified in the housing element are adequate to accommodate the County share of the regional housing need; and 3) the property contains insurmountable physical or environmental limitations and clustering of residential units on the developable portions of the site has been maximized; and
6. In addition, the California Environmental Quality Act (CEQA) states that one of the following findings must be made prior to approval of any development which is subject to the regulations of CEQA. The project either:
 - a. Is categorically or statutorily exempt; or
 - b. Has no substantial evidence that the project will have a significant effect on the environment and a negative declaration has been prepared; or
 - c. Has had an environmental impact report (EIR) prepared and all significant environmental effects have been eliminated or substantially lessened, or the required findings in Section 15091 of the CEQA Guidelines have been made.

To approve this project, the Hearing Officer must determine that the applicant has submitted evidence in support of making **all** of the following required findings.

1. The proposed development must be consistent with the General Plan, Open Space Plan, and Open Space Action Program. The following table identifies the substantial evidence which supports finding that the proposed development is in conformance with all applicable policies and standards of the Humboldt County General Plan.

Plan Section	Summary of Applicable Goal, Policy or Standard	Evidence Which Supports Making the General Plan Conformance Finding
<p>Land Use Chapter 4</p> <p>Land Use Designations Section 4.8</p>	<p>Goals and policies contained in this Chapter provide for the distribution, location and extent of uses of land for housing, business, industry, natural resources, open space, recreation, and other uses.</p> <p>Agriculture General (AG): is intended to be applied in areas in which agriculture is the desirable predominant use and rural residential uses are secondary.</p> <p>Timberland (T): is utilized to classify land that is primarily suitable for the growing, harvesting and production of timber.</p> <p>Density range is 40 -1 60 acres/unit.</p>	<p>The project includes a CUP for 30,840 sf of existing outdoor cultivation, 17,000 sf of mixed light cultivation, and ancillary nursery and processing activities. The project includes an SP for activity within the SMA. The Project includes a voluntary merger of two patent parcels resulting in a 342-acre parcel. The parcel is primarily in the AG General Plan land use designation, with approximately 12 acres of the parcel designated T. All cannabis activities would occur on lands designated AG.</p> <p>The proposal to continue existing specialty agricultural operation is consistent with the designation</p>

Plan Section	Summary of Applicable Goal, Policy or Standard	Evidence Which Supports Making the General Plan Conformance Finding
Circulation Chapter 7	<p>Goals and policies contained in this Chapter relate to a balanced, safe, efficient, accessible and convenient circulation system that is appropriate for each type of unincorporated community (C-G1, C-G2); coordinated planning design, development, operations, and maintenance between the County and other transportation system service providers (C-G3); and access for all transportation mode types with improved opportunities to move goods within, into and out of Humboldt County (C-G5).</p> <p>Related policies: C-P3. Consideration of Transportation Impacts in Land Use Decision Making.</p>	<p>Access to the parcel is along approximately 0.5 miles of an unnamed private road off of Alderpoint Road. Alderpoint Road is a category 4 road. The applicant has submitted a road evaluation report stating that the private access road has the functional capacity of category 4; this means the road capacitates safe 2-way travel and provides access for emergency response vehicles.</p> <p>Conditions of approval require the applicant to improve the intersection of the unnamed access road and the County road, Alderpoint Road, to meet county standards. The access road encroachment shall be improved to meet the County visibility ordinance and encroachment permit ordinance standards.</p>
Housing Chapter 8	<p>Goals and policies contained in this Element seek to identify existing and projected housing needs and establish goals, policies, standards and measures for the preservation, improvement, and development of housing.</p> <p>Related policies: H-P3, Development of Parcels in the Residential Land Inventory.</p>	<p>The project does not involve residential development. However, the project will not preclude any future residential development. The project will 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.</p>

Plan Section	Summary of Applicable Goal, Policy or Standard	Evidence Which Supports Making the General Plan Conformance Finding
<p>Conservation and Open Space Chapter 10</p> <p>Open Space Section 10.2</p>	<p>Goals and policies contained in this Chapter relate to an Open Space and Conservation Program that is complimentary to other agencies' plans and that preserves the county's unique open spaces (CO-G1, CO-G3).</p> <p>Related policies: CO-P1, Conservation and Open Space Program; CO-P12, Development Review; CO-S1. Identification of Local Open Space Plan; and CO-S2. Identification of the Open Space Action Program.</p>	<p>The proposed project is located within the AG land use designation which is compatible with adjacent resource production and open space uses as described above. The project can be found consistent with the policies of the Open Space Element and the Open Space Action Program because the proposed project is consistent with the allowable uses of the land use designation and the proposed cannabis cultivation - an agricultural product - is within land planned for agricultural purposes, consistent with the use of Open Space land for management production of resources.</p>

<p>Conservation and Open Space Chapter 10</p> <p>Biological Resources Section 10.3</p>	<p>Goals and policies contained in this Chapter relate to mapped sensitive habitat areas where policies are applied to protect fish and wildlife and facilitate the recovery of endangered species (BR-G1, Threatened and Endangered Species, BR-G2, Sensitive and Critical Habitat, BR-G3, Benefits of Biological Resources).</p> <p>Related policies: BR-P1, Compatible Land Uses; BR-P4, Development within Stream Channels; BR-P6, Development within Streamside Management Areas; BR-P7, Wetlands Identification; BR-P10, Invasive Plant Species.</p>	<p>The applicant submitted a Biological Assessment to support the proposed project. Terrestrial habitat on the property is early to mid-age forest of the Douglas Fir series. The parcel contains aquatic habitats in both perennial and intermittent streams that are tributary to Larabee Creek and, ultimately, the main-stem Eel River.</p> <p>According to the Biological Assessment, the parcel generally does not have the appropriate habitat to support NSO nor murrelet. However, there have been NSO observations approximately 0.5 miles from the northern cultivation area. The biologist completed a noise sampling test, confirming that the decibel level of the generator at site B did not exceed 50dB at 100 feet. Conditions of approval require that, for the life of the project, decibel levels remain at or below 50dB at 100 feet from noise sources including fans, dehumidifiers and the four generators that provide power to the site.</p> <p>The recommendations of the biologist on measures to appropriately store materials, manage waste and prevent erosion are included as conditions of approval.</p> <p>Conditions of approval require that all work performed in the SMA in association with the after-the-fact permitting of the agricultural diversion occur in accordance with the Streamside Management Area Ordinance. The applicant would retain all living trees and other elements of overstory, retain snags and implement appropriate erosion control measures, as needed.</p> <p>Conditions of approval also require the project complies with International Dark Sky Association standards for Lighting Zone 0 and Lighting Zone 1, and be designed to regulate light spillage onto neighboring properties resulting from backlight, up light, or glare (BUG). International Dark Sky Association standards exceed the requirements of Scenic Resources Standard SR-S4, Light and Glare, that lighting be fully shielded, and designed and installed to minimize off-site lighting and direct light within the property boundaries. No mixed-light is authorized by this permit until the structures and greenhouses can be demonstrated to comply with these standards. Project conditions regarding mitigation of generator noise and light are designed to prevent direct or indirect impacts to spotted owl or marbled murrelet species into the future. There is an additional condition of approval (per recommendation by CDFW) that the applicant not use any erosion control materials that contain synthetic (e.g., plastic or nylon) monofilament netting, including photo- or biodegradable plastic netting. This will minimize the risk of ensnaring and strangling wildlife.</p>
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Plan Section	Summary of Applicable Goal, Policy or Standard	Evidence Which Supports Making the General Plan Conformance Finding
		<p>There are three sources of water on the subject parcel: a permitted well, one rainwater catchment and surface water diversion from a stream-fed pond. The applicant estimates 500,000 gallons of water is required to meet the annual water demand. Total water storage on the subject parcel is 469,400 gallons in one pond, 5 bladders and 77 hard plastic tanks. Conditions of approval require that the use of bladders be discontinued within two years. The applicant obtained a Right to Divert Water (Certificate Number H100166) from the SWRCB that allows for diversion and storage of water from the point of diversion on Pond A. The applicant obtained a Final Streambed Alteration Agreement from CDFW (1600-2015-0117-R1). The applicant has submitted a request to amend the Streambed Alteration Agreement with CDFW. Ongoing conditions of approval require the applicant to adhere to and implement all recommendations and requirements of Rights to Divert and Use Water from the SWRCB and the Final Streambed Alteration Agreement issued by CDFW. Several conditions of approval requested by CDFW for wildlife and watershed protection, such as preparation and implementation of a bullfrog management plan and a prohibition on use of synthetic netting, are incorporated into the project.</p>
<p>Conservation and Open Space Chapter 10</p> <p>Cultural Resources Section 10.6</p>	<p>Goals and policies contained in this Chapter relate to the protection and enhancement of significant cultural resources, providing heritage, historic, scientific, educational, social and economic values to benefit present and future generations (CU-G1, Protection and Enhancement of Significant Cultural Resources).</p> <p>Related policies: CU-P1, Identification and Protection; CU-P2, Native American Tribal Consultation.</p>	<p>There are no known cultural resources on the project site. The applicant retained William Rich & Associates for the preparation of a cultural resources investigation of areas effected by cultivation activities. The survey included ethnographic and historic background research, field methods applied, summary of findings, associated site records, maps, photographs, and documentation of consultation with Bear River Band of the Rohnerville Rancheria (written letter and email) and the Native American Heritage Commission. One isolated chert flake and the remnants of a small orchard were discovered, both outside of the project areas</p> <p>Per the recommendations of the archaeologist and the Tribal Historic Preservation Officer of the Bear River Band, conditions of approval require that the applicant follow standard inadvertent discovery protocols.</p>

Plan Section	Summary of Applicable Goal, Policy or Standard	Evidence Which Supports Making the General Plan Conformance Finding
<p>Conservation and Open Space Chapter 10</p> <p>Scenic Resources Section 10.7</p>	<p>Goals and policies contained in this Chapter relate to the protection of scenic areas that contribute to the enjoyment of Humboldt County's beauty and abundant natural resources (SR-G1); and a system of scenic highways that increase the enjoyment of, and opportunities for, recreational and cultural pursuits and tourism in the County (SR-G2).</p> <p>Related policies: SR-S4, Light and Glare.</p>	<p>The project involves outdoor and mixed light cultivation in three separate locations on the subject parcel. Artificial lighting will be used for the mixed light cultivation area. The CMMLUO requires that mixed light cultivation comply with International Dark Sky Association standards for Lighting Zone 0 and Lighting Zone 1 and be designed to regulate light spillage onto neighboring properties resulting from backlight, uplight, or glare (BUG). International Dark Sky Association Standards exceed the requirements of Scenic Resources Standard SR-S4, Light and Glare, that lighting be fully shielded, and designed and installed to minimize off-site lighting and direct light within the property boundaries.</p> <p>Conditions of approval require the submittal of a lighting plan to show conformance with the standard.</p>
<p>Water Resources Chapter 11</p> <p>Stormwater Drainage</p>	<p>Goals and policies contained in this Chapter relate to coordinated watershed planning and land use decision making to advance management priorities (WR-G3, WR-G4, WR-G5); watershed conservation and restoration efforts aimed at de-listing water bodies and watersheds which are restored to meet all beneficial uses, including water use, salmon and steelhead recovery plans, recreational activities, and the economy (WR-G1, WR-G7, WR-G7, WR-G8, WR-G9); and</p> <p>Related policies: WR-P10, Erosion and Sediment Discharge; WR-P42, Erosion and Sediment Control Measures.</p>	<p>The project site falls within Tier 2 of the North Coast Regional Water Quality Control Board's (NCRWQCB) Order No. 2015-0023 (Order), which requires preparation of a Water Resources Protection Plan (WRPP) to protect water quality from cannabis cultivation and related activities. The applicant retained Timberland Resource Consultants for the preparation of a WRPP. The WRPP has been prepared to describe and address the required elements and compliance with the 12 Standard Conditions established by the Order (11 of which are applicable to the project). The WRPP identified areas where the project site does not meet all 11 Standard Conditions and set a preliminary schedule prioritizing corrective actions to reach full compliance with the Order. Corrective actions include site maintenance, erosion control, and drainage features, stream crossing maintenance, petroleum products and other chemicals, and cultivation-related wastes. These actions, consistent with the goals of protecting water resources of Humboldt County, are required to be performed as part of the approval of this project. Ongoing conditions of approval required the Applicant to successfully maintain Tier 2 enrollment in the NCRWQCB order. The applicant shall enroll in the State Cannabis Discharge program by July 2019.</p>

Plan Section	Summary of Applicable Goal, Policy or Standard	Evidence Which Supports Making the General Plan Conformance Finding
<p>Water Resources Chapter 11</p> <p>Onsite Wastewater Systems</p>	<p>Goals and policies contained in this Chapter relate to adequate public water supply as well as onsite wastewater systems and natural and developed storm drainage systems that minimize interference with surface and groundwater flows and storm water pollution (WR-G6, WR-G9, WR G10).</p> <p>Related policies: WR-IM7, Basin Plan Septic Requirements; and IS-P17, Onsite Sewage Disposal Requirements.</p>	<p>The Ag Barn, where processing is to occur, has an existing septic system. The Division of Environmental Health provided comments on the project which have been incorporated into the conditions of approval. The applicant must submit evidence of final approval of the onsite wastewater treatment system, with appropriate capacity to serve the maximum number of employees and contract workers anticipated to work on the site.</p>
<p>Noise Chapter 13</p>	<p>Goals and policies contained in this Chapter discourage incompatible uses within communities and reduce excessive noise through the application of standards (N-G1, N-G2).</p> <p>Related policies: N-P1, Minimize Noise from Stationary and Mobile Sources; N-P4, Protection from Excessive Noise.</p>	<p>Power for the project is provided by four generators. There are no lands being managed for murrelet habitat in the project vicinity. NSO has been observed within approximately 0.5 miles of the project site. No NSO or high-quality habitat were observed onsite per the Biological Report prepared for the site. Conditions of approval require the construction of noise containment structures for all generators. Ongoing conditions of approval require that all generators, fans and other routine project related noise not exceed 50dB when measured at 100 feet or the edge of habitat, whichever is closer.</p>
<p>Safety Element Chapter 14</p> <p>Geologic & Seismic</p>	<p>Goals and policies contained in this Chapter relate to communities that are designed and built to minimize the potential for loss of life and property resulting from natural and manmade hazards; and to prevent unnecessary exposure to areas of geologic instability, floodplains, tsunami run-up areas, high risk wildland fire areas, and airport areas planned and conditioned to prevent unnecessary exposure of people and property to risks of damage or injury (S-G1, S-G2).</p> <p>Related policies: S-P11, Site Suitability; S-P7, Structural Hazards.</p>	<p>The project site is not located in a mapped Alquist-Priolo fault zone nor is it subject to liquefaction or historic landslides. The cultivation areas with greenhouses occur on graded flat areas. Adjacent slopes are between 0 and 30%. Given the relatively flat areas where cultivation areas are located, the proposed project is not expected to be affected by geologic instability or seismic events. The project also does not pose a threat to public safety related from exposure to natural or manmade hazards.</p>

Plan Section	Summary of Applicable Goal, Policy or Standard	Evidence Which Supports Making the General Plan Conformance Finding
<p>Safety Element Chapter 14</p> <p>Flooding</p>	<p>Goals and policies contained in this Chapter relate to the use of natural drainage channels and watersheds that are managed to minimize peak flows in order to reduce the severity and frequency of flooding (S-G3).</p> <p>Related policies include: S-P12, Federal Flood Insurance Program; S-P13, Flood Plains; S-P15, Construction Within Special Flood Hazard Areas.</p>	<p>The subject parcel is outside any mapped flood hazard areas. The project site is not within a mapped dam or levee inundation area and, at approximately 28 miles distance from the coast and approximately 1,900 feet above mean sea level, is outside the areas subject to tsunami run-up.</p>
<p>Safety Element Chapter 14</p> <p>Fire Hazards</p>	<p>Goals and policies of this Chapter encourage development designed to reduce the risk of structural and wildland fires supported by fire protection services that minimize the potential (S-G4).</p> <p>Related policies: S-P19, Conformance with State Responsibility Areas (SRA) Fire Safe Regulations.</p>	<p>The subject property is located within the State Fire Responsibility Area where the State of California has the primary financial responsibility for the prevention and suppression of wildland fires. CAL FIRE's only site-specific comments were that any artificial light shall not escape at a level that is visible from neighboring properties. The also included their standard fire safe, resource management and cannabis comments. The Humboldt County Fire Safe Ordinance (Section 3111-1 <i>et seq.</i>) establishes development standards for minimizing wildfire danger in state responsibility designated areas.</p> <p>The applicant has included a road evaluation report (see attachment 4) with photos demonstrating that the private access road offers access to emergency response vehicles. The applicant has included emergency vehicle turnarounds on the site plan.</p> <p>Conditions of approval require that the applicant provide substantial evidence that they have either installed a standpipe on one of their ponds or designate a minimum of a 2,500-gallon tank designated for fire response.</p>

Plan Section	Summary of Applicable Goal, Policy or Standard	Evidence Which Supports Making the General Plan Conformance Finding
Air Quality Chapter 15	<p>Goals and policies contained in this Chapter relate to improved air quality to meet current and future state and federal standards, including attainment of particulate matter requirements (AQ-G1, AQ-G2), other criteria pollutants (AQ-G3), and the successful reduction of greenhouse gas emissions to levels consistent with state and federal requirements (AQ-G4).</p> <p>Related policies and standards: AQ-P4, Construction and Grading Dust Control; AQ-S1, Construction and Grading Dust Control; AQ-P7, Interagency Coordination.</p>	Through the building permit process, applications for grading and or building permits would be referred to the North Coast Air Quality Management District (NCAQMD) for review and consultation. Dust control practices during construction and grading pursuant to Building Permit requirements shall achieve compliance with NCAQMD fugitive dust emission standards.

2. Zoning Compliance and 3. Conforms with applicable standards and requirements of these regulations:

The following table identifies the evidence which supports finding that the proposed development is in conformance with all applicable policies and standards in the Humboldt County Zoning Regulations.

Zoning Section and Summary of Applicable Requirement	Evidence That Supports the Zoning Finding
<p>§312-1.1.2 Legal Lot Requirement: development permits shall be issued only for a lot that was created in compliance with all applicable state and local subdivision regulations.</p>	<p>According to the County, the parcel of land known as APN 217-255-005 currently consists of two legal patent parcels being described as APN 217-255-005. There is no evidence indicating there have been any previous acts to merge or divide these parcels. Therefore, the subject parcels were lawfully created in their current configuration.</p> <p>The project includes a voluntary merger of the two parcels to form a single 342-acre parcel. The proposed parcel meets the requirements of the General Plan AG & T designations as well as the requirements of the AE-B-5(160) & TPZ zones.</p>
<p>§314-7.1 Agriculture Exclusive, 160-acre minimum parcel size (AE-B-5[160]): is intended to be applied in fertile areas in which agriculture is and should be the desirable predominant use and in which the protection of this use from encroachment from incompatible uses is essential to the general welfare.</p>	<p>All general agricultural uses, nurseries and greenhouses are enumerated as a principally permitted use in the AE zoning district. The project is for the cultivation of commercial cannabis employing outdoor and mixed light cultivation methods. The CMMLUO identifies AE zone as appropriate for cultivation. Given the parcel size and amount of cultivation, the requisite CUP has been applied for.</p> <p>The parcel also contains several acres zoned TPZ, but none of the proposed activities occur on that portion; all activities occur on AE.</p>

Zoning Section		Summary of Applicable Requirement	Evidence That Supports the Zoning Finding
Minimum Lot Area		20 acres	The subject parcel, APN 217-255-055, is 342 acres in size.
Maximum Ground Coverage		35%	<35%
Minimum Lot Width	Lot	100 feet	2,600 feet wide
Maximum Lot Depth	Lot	None specified	N/A
Setbacks			Given the merger considered in this staff report, the setbacks from the central parcel line dividing the two patent parcels will not be considered.
Front: 30 feet			Front: >30 feet
Rear: 20 feet			Rear: >30 feet
Side: Ten percent (10%) of the lot width on each side but not more than twenty feet (20') shall be required.			Side: >30 feet
Superseded by 30-foot setbacks in SRA area due to FireSafe regulations.			
Max. Building Height	Building	None specified	N/A
§314-61.1 Streamside Management Area (SMA)		Purpose: to provide minimum standards pertaining to the use and development of land located within Streamside Management Areas (SMAs) and other wet areas (OWA) to implement the County's Open Space Element of the General Plan.	Water for cultivation will be provided primarily by an onsite well to be supplemented by a diversion from an on-stream pond outside of the forbearance period. The diversion commenced in 2014. Part of the project is the after-the-fact permitting of the installation and operation of the diversion infrastructure. A biological assessment was performed for the site. The assessment did not identify any adverse effects of the infrastructure in the SMA. Conditions of approval require that for the life of the project the permitted activity in the SMA would not result in the removal of snags, living trees or other elements of the overstory, and the applicant would implement erosion control measures as needed. The parcel has a signed LSAA (1600-2015-0117-R1). The applicant has submitted a request to amend the LSAA. Conditions of approval require that copy of the final agreement be submitted.

<p>§314-109.1 Off-Street Parking</p>	<p>Off Street Parking for Agricultural use*: Parking space per employee at peak shift. A minimum of three parking spaces are required.</p> <p><i>*Use for this activity is not specified. Per Section 314-109.1.2.9, the Director may fix the required number of parking spaces based on standards for most comparable use.</i></p>	<p>There will be a maximum of 3 employees during the cultivation activities with a maximum of 10 workers on the site for harvest and processing. The site plan shows 10 parking spaces. Review of aerial imagery shows ample space for additional parking, if required.</p>
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314-55.4 et seq. HCC: Commercial Cultivation, Processing, Manufacturing and Distribution of Cannabis for Medical Use Inland Land Use Regulation (CMMLUO)		
<p>§314-55.4.8.2 Timber Conversion</p>	<p>In all zones where cultivation is allowed consisting of timberland, the commercial cultivation of cannabis for medical use shall only be permitted within a 3-acre conversion exemption area, or non-timberland open area, subject to the conditions and limitations set forth in this Section.</p>	<p>The parcel is a patchwork of open fields and forestlands. Aerial imagery of the site shows that a conversion of timberland occurred onsite in 2014. CAL FIRE has issued a Less Than 3 Acre Conversion Exemption for the subject parcel in April 2016, which is on file with Planning. The Ag Bard, some of the onsite parking and the septic system occur in the cleared area.</p>
<p>§ 314-55.4.8.2.2 Existing Outdoor and Mixed Light Cultivation</p>	<p>On AE parcels there is no parcel size limitation for existing outdoor and mixed-light cultivation. The total cultivation area allowed on a single parcel shall not exceed one acre for outdoor cultivation or 22,000 square feet for mixed-light cultivation.</p>	<p>The proposed action is a Conditional Use Permit for 30,640sf of existing outdoor cultivation and 17,000 sf of existing mixed light cultivation on APN 217-255-005, which is zoned AE.-B-5(160) and TPZ. The cultivation area, type, status, and zoning of the parcel are consistent with the requirements for a Conditional Use Permit. The applicant will comply with all conditions of the CMMLUO, as specified in the recommended conditions of approval.</p>
<p>§314-55.4.8.10 Permit Limit</p>	<p>No more than four commercial cannabis activity permits may be issued to a single person, as defined in the referenced section.</p>	<p>According to records maintained by the Department, the applicant, Paradise Flowers, hold no other cannabis activity permits under the CMMLUO, and is entitled to four. This application is for one permit.</p>
<p>§314-55.4.9.1 Accessory Processing</p>	<p>Processing for cultivation requiring a Special Permit or Use Permit will be considered in the Use Permit application.</p>	<p>All commercial cannabis cultivated will be processed in the Ag Barn building as shown on the site plan. Conditions of approval require that the structure be improved to commercial standard or that processing be moved off-site.</p>
<p>§314-55.4.10 Application Requirements</p>	<p>Identifies the Information Required for All Applications</p>	<p>Attachment 3 identifies the information submitted with the application, and shows all the required information was received.</p>

§314-55.4.11 Performance Standards	Identifies the Performance Standards for Cannabis Cultivation Activities	All the applicable performance standards are included as Conditions of project approval. They are required to be met throughout the timeframe of the permit.
§314-55.4.11.c Performance Standards-Water	Compliance with all statutes, regulations and requirements of the California State Water Resources Control Board, Division of Water Rights, at a minimum to include a statement of diversion of surface water from a stream, river, underground stream, or other watercourse required by Water Code Section 5101, or other applicable permit, license, or registration.	The applicant estimates 500,000 gallons of water would be required for the project. The principal water source for the project is an onsite well. However, the applicant proposes to use water from one non-diversionary pond and on diversionary pond. The applicant has secured the right to divert and use water from the diversionary Pond A from the SWRCB. Currently, the site is equipped with 469,400 gallons of water storage in the off-stream pond, 5 bladders and 77 hard plastic tanks. There is an LSAA issued on the parcel (1600-2015-0117-R1) and the applicant has submitted a request to amend the final LSAA to CDFW. The applicant has completed a WRPP pursuant to the general order of the NCRWQCB. Conditions of approval require that the applicant divert outside of the forbearance period from May 15 to Oct. 31 or that period deemed appropriate by CDFW in the applicable LSAA.
§314-55.4.11.d Performance Standards-Setbacks	The area of cannabis cultivation and onsite processing shall be setback at least 30 feet from any property line, and 600 feet from any school, school bus stop, church or other place of religious worship, public park, or tribal cultural resources (TCRs).	The applicant's site plan shows that the cultivation area is not within 600 feet of any school, school bus stop, church or other place of religious worship, public park, or TCRs. The site plan shows that the project complies with property line setbacks.

<p>§314-55.4.11.o Performance Standards- Generator Noise</p>	<p>The noise produced by a generator used for cannabis cultivation shall not be audible by humans from neighboring residences. The combined decibel level for all noise sources, including generators, at the property line shall be no more than 60 decibels. Where applicable, sound levels must also show that they will not result in the harassment of Marbled Murrelet or Spotted Owl species, when generator use is to occur in the vicinity of potential habitat. Conformance will be evaluated using current auditory disturbance guidance prepared by the United State Fish and Wildlife Service.</p>	<p>In the Biological Assessment prepared for the site, the biologist found that the site does not contain likely habitat for NSO nor for murrelet. He included a measurement of sound levels at 100 feet from the generator finding that levels do not exceed 50dB.</p>
<p>§314-55.4.17 Sunset Date</p>	<p>No application for any Use Permit pursuant to the CMMLUO shall be processed for issuance or approval that is received after December 31, 2016.</p>	<p>The applicant filed the application on August 20, 2016.</p>

4. Public Health, Safety and Welfare: The following table identifies the evidence which supports finding that the proposed development will not be detrimental to the public health, safety and welfare.

Code Section	Summary of Applicable Requirements	Evidence that Supports the Required Finding
§312-17.1.4	The proposed development will not be detrimental to the public health, safety and welfare, and will not be materially injurious to properties or improvements in the vicinity.	The Department finds that the proposed project will not be detrimental to the public health, safety and welfare since all reviewing referral agencies have reviewed the proposed project and none have any comments that the project would be detrimental to the public health, safety and welfare, or injurious to other properties. The project as proposed and conditioned is consistent with the general plan and zoning ordinance; and the proposed project is not expected to cause significant environmental damage.

5. Residential Density Target: The following table identifies the evidence which supports finding that the proposed project will 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.

Code Section	Summary of Applicable Requirement	Evidence that Supports the Required Finding
§312-17.1.5 Housing Element Densities	The proposed development shall 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 (the midpoint of the density range specified in the plan designation), except where: 1) the reduction is consistent with the adopted general plan including the housing element; and 2) the remaining sites identified in the housing element are adequate to accommodate the County share of the regional housing need; and 3) the property contains insurmountable physical or environmental limitations and clustering of residential units on the developable portions of the site has been maximized.	As discussed above, the project does not involve residential development, nor is the project site part of the Housing element Residential Land Inventory. However, the project will not preclude any future residential development. The project will 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. The project is in conformance with the standards in the Housing Element.

6. Environmental Impact:

The following paragraph identifies the evidence which supports finding that the proposed development will not adversely impact the environment.

As lead agency, the Department prepared an Addendum to the previously adopted Mitigated Negative Declaration (MND) (State Clearinghouse # 2015102005) prepared for the Commercial Medical Marijuana Land Use Ordinance (CMMLUO) and adopted by the County Board of Supervisors January 26, 2016. The MND prepared for the CMMLUO established that the environmental effects of existing cultivation operations would be reduced from the baseline impacts through the regulations applied by the CMMLUO.

The proposed project is consistent with all regulations within the CMMLUO and all mitigation measures of the MND. The project is for the approval of an existing cultivation and on-site processing. The environmental document on file include detailed discussions of all the relevant environmental issues.

Notice of Merger

Title III, Division 2, Section 327.5-18 of the Humboldt County Code (HCC) specifies the findings that must be made to approve the merger of contiguous parcels upon proper application by the legal owner(s) of such parcels. Basically, the advisory agency (i.e., the Planning Director) may approve the merger, if on the basis of the application, investigation, and submitted evidence, the following findings are made:

1. The parcel resulting from the merger meets applicable health, building and zoning requirements, and
2. Approving the merger would not create health or safety problems.

Findings for Voluntary Mergers: The following table identifies the evidence which supports finding that the proposed development is in conformance with all applicable policies and standards in the Humboldt County Subdivision Regulations.

Code Section	Summary of Applicable Requirement	Evidence that Supports the Required Finding
§327.5-18	Legal, Contiguous Parcels	The parcel of land known as APN 217-255-005 currently consists of two legal patent parcels being described as APN 217-255-005. There is no evidence indicating there have been any previous acts to merge or divide these parcels. Therefore, the subject parcels were lawfully created in their current configuration.
§327.5-18	Parcels meet health, building, and zoning requirements.	The project includes a voluntary merger of the two parcels to form a single 342-acre parcel. The proposed parcel meets the requirements of the General Plan AG & T designations as well as the requirements of the AE-B-5(160) & TPZ zones.
§327.5-18	Merged parcel will not create health or safety problems.	There is no evidence that the merger will create any health or safety problems. Any construction will be required to meet all prescribed development standards and all applicable requirements of the County Building Regulations. This merger enables an existing cannabis operation to come into compliance and is therefore consistent with the Mitigated Negative Declaration adopted for the Commercial Marijuana Land Use Ordinance.

ATTACHMENT 3

CEQA Addendum

CEQA ADDENDUM TO THE
MITIGATED NEGATIVE DECLARATION FOR THE COMMERCIAL MEDICINAL MARIJUANA LAND USE ORDINANCE

*Commercial Medical Marijuana Land Use Ordinance Mitigated Negative Declaration (MND)
(State Clearinghouse # 2015102005), January 2016*

APN 217-255-005, 28180 Alderpoint Rd Blocksburg, CA County of Humboldt

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

August 2019

Background

Modified Project Description and Project History - The original project reviewed under the Mitigated Negative Declaration (MND) for the Commercial Medical Marijuana Land Use Ordinance (CMMLUO) addressed the broad environmental impacts that could be expected to occur from the adoption and implementation of the ordinance. The MND specified that the regulations established in the CMMLUO 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 MND states that "Bringing existing operations into compliance will help to attenuate potential environmental effects from existing cultivation activities, including aesthetic impacts resulting from improper operation or poor siting."

The modified project involves a Conditional Use Permit for an existing 30,840 square feet (sf) of outdoor cannabis cultivation and 17,000 sf of mixed light cannabis cultivation, a Special Permit for activity within the Streamside Management Area (SMA), and a notice of merger of two patent parcels. Cultivation activities extend from March to November with one outdoor harvest and two mixed light harvests. The cultivation would be supported by onsite nursery and processing activities. The applicant estimates 500,000 gallons of water is required to meet operational needs. Water for irrigation is sourced from an onsite well, one non-diversionary pond and one diversionary pond. Total water storage capacity is 469,000 gallons between one pond, 5 bladders and 77 hard plastic tanks. Processing would occur onsite in the structure labeled Ag barn. There would a maximum of 3 employees required to support cultivation activities, and a maximum of 10 contracted workers for processing activities. The average number of trips per day would be 5-10. Electricity to the site is provided by four generators.

A biological assessment was performed on the site. The project site contains riparian habitat for several sensitive aquatic species was observed. By carrying out all cannabis activities outside of the county Streamside Management Area, the project would avoid significant impacts on these species. No sensitive plant species were observed onsite, though there is potential habitat on the parcel. There is neither likely habitat for Northern Spotted Owl, nor for Marbled Murrelet on the parcel. The report concludes that cannabis cultivation on the parcel has a low likelihood of having significant impacts to sensitive wildlife or plant species. The site has been analyzed for cultural and archaeological resources; the report concludes that the project would not have a significant impact on these resources.

The modified project is consistent with the adopted MND for the CMMLUO because it complies with all standards of the CMMLUO which were intended to mitigate for impacts of existing cultivation. These include compliance with noise and light standards to limit disturbance to wildlife, increased water storage to allow for complete forbearance from water diversion during the dry season, and proper storage of fertilizers and soil amendments.

Purpose - Section 15164 of the California Environmental Quality Act (CEQA) provides that the lead agency shall prepare an addendum to a previously certified Mitigated Negative Declaration (MND) 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 MND due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;
or
2. Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous MND 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 previous MND was certified as complete, shows any of the following: A) the project will have one or more significant effects not discussed in the previous MND; B) significant effect previously examined will be substantially more severe than shown in the previous MND; 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 previous MND 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 original MND recommended mitigations. The proposal to authorize an existing 30,840 sf outdoor and 17,000 sf mixed light cannabis cultivation commercial cannabis operation, to authorize a surface water diversion to support the cultivation, to authorize the notice of merger of two legal parcels, and to authorize minor improvements necessary to bring the operation into compliance with the CMMLUO is fully consistent with the impacts identified and adequately mitigated in the original MND. The project as conditioned to implement responsible agency recommendations, results in no significantly adverse environmental effects beyond those identified in the MND. Compliance with the CMMLUO ensures consistency with the adopted MND and provides for mitigation of all project related impacts to a less than significant level.

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

- Final Streambed Alteration Agreement (1600-2015-0117-R1) prepared by the California Department of Fish and Wildlife, March 11, 2016.
- Water Resource Protection Plan for APN 217-255-005 prepared by Timberland Resource Consultants, September 29, 2017
- Boundary Exhibit prepared by Kolstad Land Surveyors, April 12, 2019
- Right to Divert and Use Water prepared by the CA State Water Resource Control Board, July 20, 2018
- Cultural Resource Investigation for Commercial Medical Cannabis Cultivation prepared by William Rich and Associates, April 2018
- Preliminary Title Report prepared by Humboldt Land Title, August 2019
- Less Than 3 Acre Conversion Exemption prepared by Registered Professional Forester Chris Carroll, June 10, 2016
- Site Plan Overview and Cultivation and Operations Plan prepared by Green Road Consulting, July 12, 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 MND was adopted. Based upon this review, the following findings are supported:

FINDINGS

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

CONCLUSION

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

ATTACHMENT 4

Applicant's Evidence In Support of the Required Findings

Attachment 4 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. (On file)
3. Site plan showing the entire parcel, including easements, streams, springs, ponds and other surface water features, and the location and area for cultivation on the parcel with dimensions of the area for cultivation and setbacks from property lines. The site plan shall also include all areas of ground disturbance or surface water disturbance associated with cultivation activities, including: access roads, water diversions, culverts, ponds, dams, graded flats, and other related features. If the area for cultivation is within ¼ mile (1,320 ft.) 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. (Attached)
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; and 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. (Attached)
5. Copy of the statement of water diversion, or other permit, license or registration filed with the State Water Resources Control Board, Division of Water Rights, if applicable. (On file)
6. Description of water source, storage, irrigation plan, and projected water usage. (Attached)
7. Copy of Notice of Intent and Monitoring Self-Certification and other documents filed with the North Coast Regional Water Quality Control Board demonstrating enrollment in Tier 1, 2 or 3, North Coast Regional Water Quality Control Board Order No. 2015-0023, or any substantially equivalent rule that may be subsequently adopted by the County of Humboldt or other responsible agency. (On file)
8. If any onsite or 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 Department of Fish & Wildlife. (Attached)
9. If the source of water is a well, a copy of the County well permit, if available. (Attached)
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. (Attached)

11. Consent for onsite 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 55.4.8.2.3, and plan for compliance with applicable Building Codes. (Not applicable)
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. Cultural Resources Investigation, prepared by William Rich & Associated, April 2018 (on file and confidential)
16. Water Resource Protection Plan, WDID – 1B16456CHUM, APN 217-255-005, prepared by Timberland Resource Consultants September 22, 2016, Revised April 29, 2017 (attached)
17. DEH Worksheet (on file)
18. Humboldt County Department of Public Works Road Evaluation Report, prepared by the applicant July 26, 2019 (attached)
19. Right to Divert and Use Water (attached)
20. Biological Assessment for Commercial Cannabis Cultivation, prepared by O'Brien Biological Consultants June 2019 (attached)
21. Boundary Exhibit, prepared by Kolstad Land Surveyors April 12, 2019 (Attached)
22. Septic suitability report, prepared by Manhard Consulting April 11, 2014(on-file)
23. Site Assessment & Clean-up Plan, prepared by Freshwater Environmental Services September 30, 2015 (on-file)
24. Site Development Plans, prepared by Manhard Consulting May 19. 2015 (on-file)
25. Well Log, prepared by Vics Well Drilling Inc. May 12, 2019



Site Plan Overview and Cultivation and Operations Plan

Applicant: Paradise Flowers, Corporation

Address: 28180 Alderpoint Rd.

Blocksburg CA 95514

APN: 217-255-005

Agent

Dante Hamm

Green Road Consulting

1650 Central Avenue, Suite C

McKinleyville, CA 95519

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I. Site Plan Overview

1.0 Project Information

Paradise Flowers, Corporation ("Applicant") is submitting this application for a Type 3A/3B for 30,800-square feet of existing Open Air commercial cannabis cultivation and 17,000 cultivation square feet of Mixed light cultivation on a 323.38-acre parcel, located near Blocksburg, CA ("Parcel"), Assessor's Parcel Number 217-255-005.

The Applicant sources water from two (2) ponds (referenced pond A and Pond B in site plan) and one permitted well located on the Parcel. Initial Statements of Water Diversion and Use have been filed with the State Water Resources Control Board, Division of Water Rights. The Applicant has filed a 1602 Stream and Lakebed Alteration Notification with the California Department of Fish and Wildlife for their instream diversions. The Applicant is also in the process of applying for an additional SIUR for an additional pond (referenced as pond D in site plan).

The off-stream ponds hold an estimated 35,000 gallons of water storage. The Applicant has a total of 374,400 gallons in hard tank storage and 70,000 gallons of water bladder storage. The total water storage onsite is approximately 489,400-gallons. The Applicant estimates their annual water use to be approximately 500,000-gallons.

There are a total of four (4) buildings on site. The Residence is a 27'x61' place of living that was constructed in 2018. The Domestic Building is a 40'x80' structure used for domestic storage. It was constructed in 2018. The AG Barn is a 40'x60' structure that includes an ADA compliant bathroom with showers and sinks. It is used for harvest storage, drying cannabis, processing cannabis, and fertilizer storage. It was constructed in 2014. There is one shipping container onsite. The shipping container is 8'X20' and is used for fuel and tool storage.

The Parcel uses three (3) 25kw generator for power and one (1) 10kw generator. Fuel is stored in the AG Barn. There is one compost pile on site. The trash and recycling is stored in the domestic building.

There are five (5) greenhouses and one (1) full-term cultivation area. The Applicant is anticipating two (2) harvests from the greenhouses, July and October, and one (1) harvest from the full-term cultivation areas, in October. The Applicant is anticipating needing 2-3 seasonal employees for cultivation activities.

The Applicant is proposing and additional 4,000 square feet of immature plant area.

This application is submitted through their agent, Dante Hamm of Green Road Consulting, Inc., and has been prepared in accordance with Humboldt County's ("County") Commercial Medical Marijuana Land Use Ordinance ("CMMLUO").

The 3A/3B would achieve the following results for the Applicant:

- a. Permit 30,800 square feet of outdoor commercial cannabis cultivation and 17,000 square feet of commercial cannabis cultivation activities that were in existence prior to January 1, 2016, in compliance with the County CMMLUO.

- b. Comply with applicable standards for water quality maintenance and watershed protection through the Waiver of Waste Discharge requirements of the North Coast Regional Water Quality Control Board ("Water Board") and California Department of Fish and Wildlife ("Fish and Wildlife").

2.0 Project Location

The Applicant's Parcel is located in the inland zone of Humboldt County near Blocksburg, CA. The Parcel is comprised of 323-acres and is identified by Assessor's Parcel Number ("APN") 217-255-005. The street address for the Parcel is 40.2923/-123.6352.

2.1 Zoning Classification

The County's Zoning Classification of the Parcel is AE-B-5(160) TPZ with a Current General Plan Framework of AG,T. The CMMLUO permits existing commercial cannabis cultivation on land zoned as AE-B-5(160) TPZ with open air and mixed light cultivation sites between 10,001 square feet and 43,560 square feet and with a Use Permit.

2.2 Site Topography

A map of the Parcel's topography is included as Attachment "A."

3.0 Easements

The following information is taken from Exhibit "A" of the Grant Deed, a copy of which is included in Evidence of Ownership and Authorization section of this application.

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE UNINCORPORATED AREA IN COUNTY OF HUMBOLDT, STATE OF CALIFORNIA AND IS DESCRIBED AS FOLLOWS:

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE UNINCORPORATED AREA IN COUNTY OF HUMBOLDT, STATE OF CALIFORNIA AND IS DESCRIBED AS FOLLOWS:

PARCEL ONE

The East Half of Section 17, Township 2 South, Range 5 East, Humboldt Meridian.

PARCEL TWO

A non-exclusive easement, 60.00 feet in width, for ingress and egress that will provide access to the Southeast one-quarter of Section 17 and a portion of the Northeast one-quarter of Section 20, Township 2 South, Range 5 East, Humboldt Base and Meridian.

This Right of Way is designated to furnish present and future access to the former "Hope Ranch" in said sections formerly owned by Rich D. and Lynn A. McKinnie.

The centerline of said right of way is described as follows:

PARCEL A

BEGINNING at the end of the county road in Blocksburg, California, known as Church Street which point is South 80 degrees 12 minutes 59 seconds West 744.86 feet from the one-quarter corner common to Sections 20 and 21 of said township; and running thence North 76 degrees 37 minutes 25 seconds East, 168.57 feet;

North 27 degrees 05 minutes 30 seconds East, 340.34 feet;
 North 40 degrees 00 minutes 20 seconds East, 73.11 feet;
 North 57 degrees 44 minutes 05 seconds East, 256.63 feet;
 North 70 degrees 10 minutes 40 seconds East, 91.42 feet;
 North 39 degrees 03 minutes 10 seconds East, 68.25 feet;
 North 07 degrees 07 minutes 30 seconds East, 88.69 feet;
 North 12 degrees 56 minutes 45 seconds West, 89.27 feet;
 North 38 degrees 37 minutes 50 seconds West, 312.35 feet;
 North 55 degrees 50 minutes 25 seconds West, 135.35 feet;
 North 34 degrees 29 minutes 15 seconds West, 279.04 feet;
 North 72 degrees 03 minutes 05 seconds West, 74.63 feet;
 South 77 degrees 20 minutes 15 seconds West, 323.88 feet;
 North 35 degrees 57 minutes 40 seconds West, 189.02 feet;
 North 24 degrees 25 minutes 15 seconds West, 203.18 feet;
 North 53 degrees 58 minutes 20 seconds West, 149.62 feet;
 North 26 degrees 11 minutes 15 seconds West, 67.98 feet;
 North 09 degrees 18 minutes 35 seconds East, 61.81 feet;
 North 39 degrees 18 minutes 05 seconds East, 334.70 feet;
 North 37 degrees 28 minutes 25 seconds East, 37.80 feet;
 North 21 degrees 37 minutes 35 seconds East, 181.80 feet;
 North 67 degrees 28 minutes 00 seconds East, 101.77 feet;
 North 38 degrees 59 minutes 25 seconds East 189.13 feet;
 North 39 degrees 20 minutes 00 seconds East, 271.22 feet;
 North 60 degrees 58 minutes 10 seconds East, 171.02 feet;

Grant Deed WI PCOR

4.0 Natural Waterways

The Applicant has a total of thirteen (13) stream crossings

5.0 Location and Area of Existing Cultivation

The Applicant has a total of 17,000 square feet of mixed light cultivation and 30,800 square feet of outdoor cultivation. The cultivation occurs in two general areas on the property. The specifics are as follows:

Mixed light Cultivation

GH#1

Greenhouse #1 measures approximately 4,000 square feet and is located in the mid-section of the parcel.

GH#2

Greenhouse #2 measures approximately 4,000 square feet and is located in the mid-section of the parcel.

GH#3

Greenhouse #3 measures approximately 2,000 square feet and is located in the mid-section of the parcel.

GH#4

GH#4 measures approximately 3,500 square feet and is located in the southern section of the parcel.

GH#5

GH#5 measures approximately 3,500 square feet and is located in the southern section of the parcel.

Outdoor Cultivation (Full-Term)

CA#1

CA#1 is located at the southernmost end of the property it consists of 30,800 square feet of full-sun outdoor cultivation.

6.0 Setbacks of Cultivation Area

- GH#1-3 are set back approximately 642 feet from the western parcel line.
- GH#4/5 are set back approximately 967 feet from the western
- CA#1 is set back approximately 108 feet from the southern parcel line

7.0 Access Roads

The point of access is an unnamed road that enters the parcel through the southern border of the parcel.

8.0 Graded Flats

There are graded flats on the Parcel that have been identified and will require permitting.

9.0 Existing Buildings

Domestic Buildings

Residence

The Residence is a 1,647 square foot place of living (seasonal) that was constructed in 2018.

Domestic Building

The Domestic building measures approximately 80'X40' and is used for domestic storage. Once CUP is approved the Applicant will convert the Domestic Building into a dry shed.

Shipping Container

The Shipping container measures approximately 160 square feet. It is used for fuel and tool storage.

Cultivation Related Buildings

AG Barn

The AG barn measures approximately 40'X60'. It includes an ADA compliant bathroom. The Ag Barn is used for processing, drying, and agricultural amendments (fertilizers).

10.0 Water Source, Storage, Irrigation Plan and Projected Water Use

10.1 Water Source

The Applicant sources water from two (2) ponds and one permitted well.

10.2 Water Storage

The Applicant has a total of 489,400-gallons of water storage as outlined below.

- Pond #B – 35,000-gallons;
- Two (2) Bladders – 20,000-gallon;
- Three (3) Bladders – 10,000-gallon;
- Sixty-eight (68) 5,000-gallon HDPE water tanks;
- One (1) 5,000-gallon HDPE water tank (domestic);
- One (1) 10,000-gallon HDPE water tanks;
- One (1) 10,000-gallon HDPE water tank (domestic);
- Two (2) 3,000-gallon HDPE water tanks;
- Two (2) 2,500-gallon HDPE water tanks (domestic);
- Four (4) 1,500-gallon HDPE water tanks and;
- Two (2) 1,200-gallon HDPE water tanks;

The Applicant will replace their water bladder storage with HDPE tanks or pond storage (based on the waterboards determination of instream ponds) by the 2020 cultivation season.

10.3 Irrigation Plan

The Applicant irrigates using a timed, metered drip irrigation system, preventing over watering or run-off. The Applicant will supplement water by hand as well.

10.4 Projected Water Use

INPUT TO STORAGE													
	Jan	Feb	Mar	April	May	June	July	Aug	Sept	Oct	Nov	Dec	
POND A	62500	62500	62500	62500	0	0	0	0	0	0	0	0	250000
POND D	62500	62500	62500	62500	0	0	0	0	0	0	0	0	250000

WATER USAGE													
	Jan	Feb	Mar	April	May	June	July	Aug	Sept	Oct	Nov	Dec	
Tanks	0	0	0	0	50000	100000	100000	150000	50000	50000	0	0	500000

The amount of water used for the cultivation of cannabis will vary throughout the year, with peak periods of water use occurring during the summer months. The Applicant's cultivation and water use is outlined in the Cultivation and Water Usage Chart, attached as Attachment "B."

The Applicant estimates their annual water use to be approximately 500,000-gallons.

10.5 On-Site Water Conservation Measures

Including but not limited to; rainwater catchment systems, drip irrigation, timers, mulching, irrigation water recycling, and methods for insuring irrigation occurs at agronomic rates.

10.6 Water Use Record Keeping Practices

Per Sections 55.4.12.7.5 through 55.4.12.7.7, the applicant will adhere to the following metering and record keeping practices.

- A metering device shall be installed and maintained on all discrete points of diversion or other locations of water withdrawal (including wells). The meter shall be located at or near the point of diversion or withdrawal.
- A metering device shall be installed and maintained at or near the outlet of all water storage facilities utilized for Irrigation.
- Operators shall maintain a weekly record of water collected from Diversionary sources, as well as a record of all water used in Irrigation of permitted Cultivation Areas. A copy of these records shall be stored and maintained at the cultivation site and kept separately of differentiated from any record of water use for domestic, fire protection, or separately or differentiated from any record of water use for domestic, fire protection, or other irrigation purposes. Irrigation records shall be reported to the County on an annual basis, at least thirty (30) days prior to the date of each annual permit inspection. Records shall also be made available for review during site inspections by local and state officials.

11.0 Site Drainage, Runoff, Erosion Control Measures and Watershed Protection

The following is taken from the Applicant's Monitoring and Reporting from for the North Coast Regional Water Quality Control Board. Once the Applicant's Water Resource Protection Plan is completed, further detail will be outlined.

Site Drainage and Irrigation Runoff

The site is mostly flat with surface flow in the wet season generally draining from the east to the west. Drainage in the north is directed into Mountain Creek (WRPP map —Appendix E). To the south, water drains into Larabee Creek. The gravel access roads have been rocked and drainage from the road has been disconnected from the stream system. There are thirteen (13) stream crossings on the site. The existing and proposed greenhouses are located away from riparian zones. Fertilizers and pesticides are currently stored in a storage shed with secondary containment to prevent contamination with runoff.

Site investigation for the development of the Water Resources Protection Plan (WRPP) showed no evidence of surface runoff with associated with the cultivation. Moreover, the cultivation structures are located approximately 150 feet from the nearest water course, providing a sufficient buffer to prevent sediment and nutrient delivery. To further prevent runoff to riparian

areas, water conservation and containment measures will be implemented including the use of hand irrigation to prevent excessive water use, and the maintenance of a stable, vegetated buffer between the cultivation area and riparian zone.

Watershed Protection

Adherence to the Water Resource Protection Plan. (WRPP) ensures that the watershed and surrounding habitat are protected. The cultivation activities and associated structures are >150 feet from the nearest watercourse, providing a suitable buffer between the cultivation operation and habitat. Additionally, site development and maintenance activities utilize BMP's in accordance with the NCRWQCB's recommendations. Any grading and earthwork activities will be conducted by a licensed contractor in accordance with approved grading permits and the WRPP. Refer to the WRPP in Appendix E for detailed descriptions of watershed and habitat protection measures.

Erosion Control Measures

The Water Resource Protection Plan (WRPP) includes erosion and sediment control BMP's designed to prevent, contain, and reduce sources of sediment. The WRPP also includes corrective actions to reduce sediment delivery, including: stream crossing culvert maintenance and replacement and access road maintenance. Additionally, the WRPP requires mulch piles and spoils from any grading to be stored in a designated location away from watercourse. See the WRPP section titled Best Management Practices for Discharges of Waste Resulting from Cannabis Cultivation and Associated Activities in Appendix E for complete BMP recommendations and specifications.

Watershed Protection

Adherence to the Water Resource Protection Plan. (WRPP) ensures that the watershed and surrounding habitat are protected. The cultivation activities and associated structures are >150 feet from the nearest watercourse, providing a suitable buffer between the cultivation operation and habitat. Additionally, site development and maintenance activities utilize BMP's in accordance with the NCRWQCB's recommendations. Any grading and earthwork activities will be conducted by a licensed contractor in accordance with approved grading permits and the WRPP. Refer to the WRPP in Appendix E for detailed descriptions of watershed and habitat protection measures.

12.0 Distances from Significant Landmarks

There are no schools, school bus stops, places of worship, or state parks within 600 feet of the cultivation site. There are also no Tribal Lands, areas of Traditional Tribal Cultural Affiliation within 1,000 feet of the cultivation site.

II. Cultivation and Operations Plan

1.0 Materials Storage

All fertilizers and amendments are located in the 40'X60' AG Barn on the Parcel. Fertilizers and amendments are placed on the shelves and floor where any spill will be contained. All labels are kept and directions are followed when nutrients are applied. The storage area is in need of posted instructions for storing fertilizers and amendments, instructions for cleaning up spills and a spill kit that contains a container, gloves, towels, absorbent socks and an absorbent material (kitty litter).

Currently, there are no pesticides or herbicides registered specifically for use directly on cannabis. The Applicant will be using items that were accepted under Legal Pest Management Practices for Marijuana Growers in California.

Power for the Parcel is supplied by three (3) 25 kw generators and one 10kw generator. All generators have a secondary form containment. The Applicant intends them place them in noise reducing structures when they are able to.

Trash and recycling is stored in water tight containers in the domestic buildings. Trash is removed weekly to the disposal center in Redway and recycling is removed bi-monthly.

There are two compost piles on site. The Applicant brings soil to the parcel to place in pots and beds. The Applicant reamends their soil prior to each cultivation cycle. Should the soil no longer be viable for cultivation, it will be removed and disposed of at Wes Green in Arcata, CA.

2.0 Cultivation Activities

*Please note the cultivation schedule may vary due to the weather, strain, and the Applicant personal schedule.

The Applicant expects two (2) annual harvest via light deprivation the cultivation schedule is as follows:

1st Run

March-April (veg)

April-July (flower)

July-(harvest)

2nd Run

July-August (veg)

August-November (flower)

November (harvest)

The Applicant anticipates one annual cultivation for their full-term.

- Structures used for Mixed Light Cultivation and Nurseries shall be shielded to that no light escapes between sunset and sunrise.

- Where located on a Parcel abutting to a residential Zoning District or proposed within Resource Production or Rural Residential Areas, any Security Lighting for Commercial Cannabis Activities shall be shielded and angled in such a way as to prevent light from spilling outside of the boundaries of the Parcel(s) or Premises or directly focusing on any surrounding uses.

Performance Standards

- Maintain compliance with all applicable state laws and County ordinances
- Maintain valid licenses issued by the appropriate state licensing authority or authorities for the type of activity being conducted, as soon as such licenses become available.
- Where subject to state licensures, participate in local and state programs for “Track and Trace” once available.
- Maintain a current, valid business license at all times.
- 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).
- Pay all applicable application and annual inspection fees.
- Comply with any special conditions applicable to the permit or Premises which may be imposed.

3.0 Processing Practices

Plants will be harvested one at a time using hand shears and taken into the AG Barn where they will be dried and cured. After the drying period, the plants will be processed onsite.

All work surfaces and equipment are maintained in a clean, sanitary condition. Protocols to prevent the spread of mold are strictly followed. The final cannabis product is stored in a secure location.

The Applicant will be utilizing any Track and Trace program the County seeks to implement, abiding by all appropriate record keeping practices.

The Applicant Anticipates using 2-3 employees during the cultivation season. The Applicant will hire licensed contractors if need be. The Applicant will also be involved in the seasonal cultivation work.

- Applicant shall comply with all applicable federal, state, and local laws and regulations governing California Agricultural Employers, which may include: federal and state wage and hour laws, CAL/OSHA, OSHA, California Agricultural Labor Relations Act, and the Humboldt County Code (including the Building Code.)
- Cultivation operations and processing operations must implement safety protocols and provide all employees with adequate safety training relevant to their specific job functions which may include:
 - Emergency action response planning as necessary;
 - Employee accident reporting and investigation policies;

- Fire prevention;
- Hazard communication policies, including maintenance of material safety data sheets (MSDS);
- Materials handling policies;
- Job hazard analyses; and
- Personal protective equipment policies, including respiratory protection.
- Applicant will visibly post and maintain an emergency contact list which includes at a minimum:
 - Operation manager contacts;
 - Emergency responder contacts;
 - Poison control contacts.
- At all times, employees shall have access to safe drinking water and toilets and handwashing facilities that comply with applicable federal, state, and local laws and regulations. Plumbing facilities and water source must be capable of handling increased usage without adverse consequences to neighboring properties or the environment.
- On site-housing provided to employees shall comply with all applicable federal, state, and local laws and regulations.
- Cultivators engaged in processing shall comply with the following Processing Practices:
 - Processing operations must be maintained in a clean and sanitary condition including all work surfaces and equipment.
 - Processing operations must implement protocols which prevent processing contamination and mold and mildew growth on cannabis
 - Employees handling cannabis in processing operations must have access to facemasks and gloves in good operable condition as applicable to their job function.
 - Employees must wash hands sufficiently when handling cannabis or use gloves.

4.0 Security Measures

The access to the parcel is gated and locked. The parcel is fenced. There are game cameras placed over the gate, buildings and cultivation areas.



4. AMENDMENT DESCRIPTION

A. Describe the amendment in detail

- Include any structures (e.g., rip-rap, culverts, or channel clearing) that will be placed, built, or completed in or near the stream, river, or lake.
- Specify the type and volume of materials that will be used.
- If water will be diverted or drafted, specify the purpose or use.

Enclose diagrams, drawings, plans, and/or maps that provide all of the following: site specific construction details; the dimensions of each structure and/or extent of each activity in the bed, channel, bank or floodplain; an overview of the entire project area (i.e., "bird's-eye view") showing the location of each structure and/or activity, significant area features, and where the equipment/machinery will enter and exit the project area.

This amendment is to Transfer this agreement to the following new land owner:

Living Green Farms LLC
 c/o Tiffany Charbonneau
 PO Box 2067
 Redway CA 9556
 707-223-7779

Continued on additional page(s)

B. Explain the reason(s) for the amendment request

Property Ownership has changed. (See attached)

Continued on additional page(s)

5. SIGNATURE

I hereby certify that to the best of my knowledge the information in this amendment request ("request") is true and correct and that I am authorized to sign this request as, or on behalf of, the applicant. I understand that if any information in this request is found to be untrue or incorrect, the Department may suspend processing this request or suspend or revoke any draft or final Lake or Streambed Alteration Agreement issued pursuant to this request. I understand also that if any information in this request is found to be untrue or incorrect and the changes described in this request has already begun, I and/or the applicant may be subject to civil or criminal prosecution. I understand that this notification applies only to the project(s) described herein and that I and/or the applicant may be subject to civil or criminal prosecution for undertaking any project not described herein, unless the Department has been separately notified of that project in accordance with Fish and Game Code section 1602 or 1611.

Signature of Applicant or Applicant's Authorized Representative

Date

Print Name

[Handwritten Signature]
 Nick Robinson (Authorized Rep)

[Handwritten Date]
 10/1/2018

Note: If approved, a copy of this form must be available at the work site with the original agreement.



State of California – Natural Resources Agency
DEPARTMENT OF FISH AND WILDLIFE
REGION 1 – NORTHERN REGION
619 Second Street
Eureka, CA 95501
707-441-2075
www.wildlife.ca.gov

EDMUND G. BROWN, Jr., Governor
CHARLTON H. BONHAM, Director



October 12, 2018

Charles Lengel
P.O. Box 1807
Redway, CA 95560

Dear Mr. Lengel:

Transfer of Lake or Streambed Alteration Agreement, Notification No. 1600-2015-0117-R1

On October 3, 2018, the California Department of Fish and Wildlife (CDFW) received your request to amend Lake or Streambed Alteration Agreement 1600-2015-117-R1 (Agreement) and the required fee in the amount of \$433.25 for a minor amendment. Your request to amend the Agreement included a transfer of the Agreement from Charles Lengel (Transferor), the current Permittee under the Agreement, to Tiffany Charbonneau (Transferee).

CDFW, Transferor, and Transferee hereby agree to the following:

1. The Agreement is hereby transferred from Transferor to Transferee, thereby making Transferee the new Permittee under the Agreement.
2. Transferee shall be solely responsible for complying with all terms and conditions in the Agreement; including, but not limited to, any terms and conditions for which Transferor was previously responsible as the former Permittee under the Agreement.
3. This Agreement shall take effect on the last date of signature.

Please return the original signed copy of this letter with both Transferor and Transferee signatures to acknowledge the amendment. Copies of the Agreement and this amendment must be readily available at project worksites and must be presented when requested by a CDFW representative or agency with inspection authority.

If you have any questions regarding this letter, please contact David Manthorne, Senior Environmental Scientist Specialist at by email at david.manthorne@wildlife.ca.gov or (707) 441-5900.

Conserving California's Wildlife Since 1870



FOR DEPARTMENT USE ONLY					
Date Received	Amount Received	Approved?		Date Approved	Expiration Date
	\$	<input type="checkbox"/> Yes	<input type="checkbox"/> No		3/11/2021
Assigned to:					

REQUEST TO AMEND LAKE OR STREAMBED ALTERATION AGREEMENT

Complete EACH field and include all required enclosures. Attach additional pages, if necessary.

1. APPLICANT REQUESTING AMENDMENT

If the applicant is a business, agency, or utility, please include the name of the applicant's representative, who should be an employee of the applicant.

Name	Charles Lengel		
Business/Agency			
Mailing Address	PO BOX 1807		
City, State, Zip	Redway, CA 95560		
Telephone		Fax	
Email			

2. PROJECT INFORMATION

Project Name (as identified in the Final Agreement)	Lengel Stream Crossing Upgrades, Erosion Mitigation and Spring Diversion Project
Agreement Number	1600-2015-0117-R1
Expiration Date	3/11/2021

3. AMENDMENT REQUEST AND FEE

Check the applicable box below and refer to the current fee schedule to determine the appropriate amendment fee.

- A minor amendment is one that would not significantly modify the scope or nature of any project covered by the agreement or any measure included in the agreement to protect fish and wildlife resources, as determined by the Department, or an amendment to transfer the agreement to another entity by changing the name of the entity to the name of the transferee (see Cal. Code Regs., tit. 14, § 699.5, subd. (a)(10)).
- A major amendment is one that would significantly modify the scope or nature of any project covered by the agreement or any measure included in the agreement to protect fish and wildlife resources, or require additional environmental review, as determined by the Department (see Cal. Code Regs., tit. 14, § 699.5, subd. (a)(7)).

Minor Amendment

Major Amendment

Note: The Department is not required to determine whether an amendment is complete or otherwise process the amendment until the Department has received the correct fee.



STATE OF CALIFORNIA
DEPARTMENT OF FISH AND WILDLIFE
LAKE OR STREAMBED ALTERATION PROGRAM



**Information Regarding Amendments of
Lake or Streambed Alteration Agreements**

The holder of an agreement ("holder") may request the Department of Fish and Wildlife (Department) to amend a Lake or Streambed Alteration Agreement ("agreement"), provided the request is submitted to the Department in writing prior to the agreement's expiration. If the request is not submitted prior to the agreement's expiration, the Department will be unable to accept the request. In that case, the holder will need to notify the Department in accordance with Fish and Game Code section 1602 or section 1611 and obtain a new agreement in order to begin or continue the work covered by the expired agreement.

In order to request an amendment, the holder should complete and submit the attached Amendment Request form and the information on the form to the Department regional office that serves the county where the project is located.

For more information on Lake and Streambed Alteration Agreements, see Fish and Game Code section 1600.

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



STREAMBED ALTERATION AGREEMENT
NOTIFICATION NO. 1600-2015-0117-R1
Mountain Creek and Unnamed Tributaries, Tributaries to Larabee
Creek, Tributary to the Eel River and the Pacific Ocean

Mr. Charles Lengel
Lengel Stream Crossing Upgrades, Erosion Mitigation and Spring
Diversion Project
17 Encroachments

This Streambed Alteration Agreement (Agreement) is entered into between the California Department of Fish and Wildlife (CDFW) and Mr. Charles Lengel (Permittee).

RECITALS

WHEREAS, pursuant to Fish and Game Code (FGC) section 1602, the Permittee initially notified CDFW on April 6, 2015, and then submitted a complete Notification on February 3, 2016, that the Permittee intends to complete the project described herein.

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

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

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

PROJECT LOCATION

The project to be completed is located within the Larabee Creek watershed, a tributary to the Eel River, approximately 1.0 mile north of the town of Blocksburg, County of Humboldt, State of California. The project is located in Section 17, T2S, R5E, Humboldt Base and Meridian; in the Blocksburg U.S. Geological Survey 7.5-minute quadrangle; Assessor's Parcel Number 217-255-05; latitude 40.291 N and longitude 123.636 W. Specific encroachment locations are described in Table 1.

Table 1. Project encroachment locations and descriptions.

ID	Latitude/Longitude	Description
Crossing 2	40.2859, -123.6384	Stream Crossing: Replace 18" CMP with 48" HDPE
Crossing 3	40.2863, -123.6381	Stream Crossing: Replace 24" CMP with 48" HDPE
Crossing 5	40.2869, -123.6381	Stream Crossing: Replace 24" CMP with 48" HDPE
Crossing 6	40.2872, -123.6383	Stream Crossing: Replace 42" HDPE/CMP with 48" HDPE
Crossing 7	40.2882, -123.6388	Stream Crossing: Replace 18" CMP with 48" HDPE
Crossing 8	40.2888, -123.6388	Stream Crossing: Replace 18" CMP with 24" HDPE
Crossing 9	40.2933, -123.6389	Stream Crossing: Replace 24" CMP with 30" HDPE
Crossing 11	40.2869, -123.6343	Stream Crossing: Replace 24" CMP with 36" HDPE
Crossing 12	40.2889, -123.6335	Stream Crossing: Replace 24" CMP with 30" HDPE
Crossing 13	40.2896, -123.6328	Stream Crossing: No crossing, create armored fill crossing
Crossing 14	40.2903, -123.6328	Stream Crossing: No crossing, create armored fill crossing
Crossing 15	40.2933, -123.6351	Stream Crossing: Replace 18" CMP with 30" HDPE
Crossing 16	40.2936, -123.6359	Stream Crossing: Replace 30" HDPE with 30" HDPE that is longer
Crossing 18	40.2955, -123.6338	Stream Crossing: Replace 48" CMP with 72" HDPE
Crossing 19	40.2971, -123.6342	Stream Crossing: Replace Old Diesel Tank with a Railcar Bridge
Spring POD	40.2935, -123.6355	Water Diversion from an existing pond
Pond POD	40.2893, -123.6312	Water Diversion from a spring

PROJECT DESCRIPTION

The project has a total of seventeen (17) encroachments, fifteen of which are proposed to repair and improve existing road stream crossings. The road system has been evaluated by Manhard Consulting Engineers who have determined these road improvements will mitigate and minimize sediment delivery at the above listed crossing locations. A combination of culvert replacements, construction of armored fill crossings, and placement of a bridge are proposed and described above.

PROJECT IMPACTS

Existing fish or wildlife resources the project could substantially adversely affect include: Chinook salmon (*Oncorhynchus tshawytscha*), coho salmon (*O. kisutch*), steelhead trout (*O. mykiss*), foothill yellow legged frog (*Rana boylei*), amphibians, reptiles, aquatic invertebrates, mammals, birds, and other aquatic and riparian species.

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

Impacts to water quality:

increased water temperature;

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

loss or decline of riparian and/or habitat;
 direct impacts on benthic organisms;

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

cumulative effect when other diversions on the same stream are considered;

diversion of flow from activity site;
direct and/or incidental take;
indirect impacts;
impediment of up- or down-stream migration;
water quality degradation; and
damage to aquatic habitat and function.

MEASURES TO PROTECT FISH AND WILDLIFE RESOURCES

1. Administrative Measures

The Permittee shall meet each administrative requirement described below.

- 1.1 Documentation at Project Site. The Permittee shall make the Agreement, any extensions and amendments to the Agreement, and all related notification materials and California Environmental Quality Act (CEQA) documents, readily available at the project site at all times and shall be presented to CDFW personnel, or personnel from another state, federal, or local agency upon request.
- 1.2 Providing Agreement to Persons at Project Site. The Permittee shall provide copies of the Agreement and any extensions and amendments to the Agreement to all persons who will be working on the project at the project site on behalf of the Permittee, including but not limited to contractors, subcontractors, inspectors, and monitors.
- 1.3 Limitations of Authorization for Water Use. This agreement does not authorize any storage of water unless already permitted by law.
- 1.4 Adherence to Existing Authorizations. All water diversion facilities that the Permittee owns, operates, or controls shall be operated and maintained in accordance with current law and applicable water rights.
- 1.5 State Water Code. This Agreement does not constitute a valid water right. The Permittee shall comply with State Water Code sections 5100 and 1200 et seq. as appropriate for the water diversion and water storage. The application for this registration is found at:
http://www.swrcb.ca.gov/waterrights/publications_forms/forms/docs/sdu_registration.pdf.
- 1.6 Change of Conditions and Need to Cease Operations. If conditions arise, or change, in such a manner as to be considered deleterious by CDFW to the stream or wildlife, operations shall cease until corrective measures approved by the CDFW are taken. This includes new information becoming available that indicates that the bypass flows and diversion rates provided in this agreement are not providing adequate protection to keep aquatic life downstream in good condition or to avoid "take" or "incidental take" of federal or State listed species.

- 1.7 Notification of Conflicting Provisions. The Permittee shall notify CDFW if the Permittee determines or learns that a provision in the Agreement might conflict with a provision imposed on the project by another local, state, or federal agency. In that event, CDFW shall contact the Permittee to resolve any conflict.
- 1.8 Project Site Entry. The Permittee agrees to allow CDFW employees access to any property it owns and/or manages for the purpose of inspecting and/or monitoring the activities covered by this Agreement, provided CDFW: a) provides 24 hours advance notice; and b) allows the Permittee or representatives to participate in the inspection and/or monitoring. This condition does not apply to CDFW enforcement personnel.
- 1.9 CDFW Notification of Work Initiation and Completion. The Permittee shall contact CDFW within the **1-day period preceding the beginning of work** permitted by this Agreement. Information to be disclosed shall include Agreement number, and the anticipated start date. Subsequently, the **Permittee shall notify CDFW no later than 7 days after the project is fully completed.**

2. Avoidance and Minimization Measures

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

- 2.1 Permitted Project Activities. Except where otherwise stipulated in this Agreement, all work shall be in accordance with the Permittee Notification received with fees paid in full on February 10, 2016, together with all maps, BMP's, photographs, drawings, and other supporting documents submitted with the Notification.
- 2.2 Work Period. All work shall be confined to the period June 1 through October 1 of each year. Work within the active channel of a stream shall be restricted to periods of **no stream flow and dry weather**. Precipitation forecasts and potential increases in stream flow shall be considered when planning construction activities. Construction activities shall cease and all necessary erosion control measures shall be implemented prior to the onset of precipitation.
- 2.3 Vegetation Disturbance. Vegetation disturbance shall not exceed the minimum necessary to perform the work.
- 2.4 Bank Stabilization. The Permittee shall construct bank stabilization with suitable non-erodible materials that will withstand wash out. The bank stabilization material shall extend above the normal high-water mark. No debris or deleterious material shall be used as bank stabilization.
- 2.5 Disturbed Soils. The Permittee shall stabilize all disturbed soils within the Project site to reduce erosion potential, both during and following construction. Planting, seeding with native species, sterile seed mix, and mulching is acceptable. Where

suitable vegetation cannot reasonably be expected to become established, non-erodible materials, such as coconut fiber matting, shall be used for such stabilization.

2.6 Excavated Fill. Excavated fill material shall be placed in locations where it cannot deliver to a watercourse. To minimize the potential for material to enter the watercourse during the winter period, all excavated and relocated fill material shall be tractor contoured (to drain water) and tractor compacted to effectively incorporate and stabilize loose material into existing road and/or landing features.

2.7 Rock Slope Protection. Un-grouted rock slope protection (RSP) and energy dissipater materials shall consist of clean rock, competent for the application, sized and properly installed to resist washout. RSP slopes shall be supported with competent boulders keyed into a footing trench with a depth sufficient to properly seat the footing course boulders and prevent instability (typically at least 1/3 diameter of footing course boulders). Voids between rocks shall be planted with riparian species native to the area.

2.8 Rock Armor Placement.

2.8.1 No heavy equipment shall enter the wetted stream channel.

2.8.2 No fill material, other than clean rock and river-run gravel backfill, shall be placed in the stream channel.

2.8.3 Rock shall be sized to withstand washout from high stream flows, and extend above the ordinary high water level.

2.8.4 Rock placed in the wetted stream channel shall be carefully placed to minimize disturbance, and to allow aquatic species to move out of the placement area

2.8.5 Rock armoring shall not constrict the natural stream channel width and shall be keyed into a footing trench with a depth sufficient to prevent instability.

2.9 Culvert Installation.

2.9.1 Permanent culverts shall be sized to accommodate the estimated 100-year flood flow [i.e., ≥ 1.5 times the width of the active (bankfull) channel width or the 100-year flood size, whichever is greater], including debris, culvert embedding, and sediment loads.

2.9.2 Existing fill material in the crossing shall be excavated down vertically to the approximate original channel and outwards horizontally to the approximate crossing hinge points (transition between naturally occurring soil and remnant temporary crossing fill material) to remove any potential unstable debris and voids in the older fill prism.

- 2.9.3 Culvert shall be installed to grade, aligned with the natural stream channel, and extend lengthwise completely beyond the toe of fill. If culvert cannot be set to grade, it shall be oriented in the lower third of the fill face, and a downspout or energy dissipator (such as boulders, rip-rap, or rocks) shall be installed above or below the outfall as needed to effectively control stream bed, channel, or bank erosion (scouring, headcutting, or downcutting). If downspouts are used, they shall be securely attached to the culvert and staked or otherwise anchored to the fill slope.
- 2.9.4 Culvert bed shall be composed of either compacted rock-free soil or gravel. Bedding beneath the culvert shall provide for even distribution of the load over the length of the pipe, and allow for natural settling and compaction to help the pipe settle into a straight profile. The crossing backfill materials shall be free of rocks, limbs, or other debris that could allow water to seep around the pipe, and shall be compacted.
- 2.9.5 Culvert inlet, outlet (including the outfall area), and fill faces shall be armored where stream flow, road runoff, or rainfall energy is likely to erode fill material and the outfall area.
- 2.10 Runoff from Steep Areas. The Permittee shall make preparations so that runoff from steep, erodible surfaces will be diverted into stable areas with little erosion potential or contained behind erosion control structures. Erosion control structures such as straw bales and/or siltation control fencing shall be placed and maintained until the threat of erosion ceases. Frequent water checks shall be placed on dirt roads, cat tracks, or other work trails to control erosion.
- 2.11 Stream Protection. No debris, soil, silt, sand, bark, slash, sawdust, rubbish, cement or concrete washings, oil or petroleum products, or other deleterious material from project activities shall be allowed to enter into or be placed where it may be washed by rainfall or runoff into the stream. All project materials and debris shall be removed from the project site and properly disposed of off-site upon project completion.
- 2.12 Equipment Maintenance. Refueling of machinery or heavy equipment, or adding or draining oil, lubricants, coolants or hydraulic fluids shall not take place within stream bed, channel and bank. All such fluids and containers shall be disposed of properly off-site. Heavy equipment used or stored within stream bed, channel and bank shall use drip pans or other devices (e.g., absorbent blankets, sheet barriers or other materials) as needed to prevent soil and water contamination.
- 2.13 Hazardous Spills. Any material, which could be hazardous or toxic to aquatic life and enters a stream (i.e. a piece of equipment tipping-over in a stream and dumping oil, fuel or hydraulic fluid), the Permittee shall immediately notify the

California Emergency Management Agency State Warning Center at 1-800-852-7550, and immediately initiate clean-up activities. CDFW shall be notified by the Permittee within 24 hours at 707-445-6493 and consulted regarding clean-up procedures.

- 2.14 Project Inspection. The Project shall be inspected by a Registered Professional Engineer to certify that the stream crossing installations were constructed as designed and meet the conditions of this Agreement. A copy of the inspection report shall be submitted to CDFW within 30 days of completion of this project.

Water Diversion - Spring

- 2.15 Maximum Diversion Rate. The maximum instantaneous diversion rate for consumptive use from the water intake shall not exceed 5 gallons per minute. The instantaneous diversion rate for consumptive use shall not exceed 10% of the total flow at any time. This condition is subject to modification should further analysis warranting such action become available at a later date.
- 2.16 Bypass Flow. The Permittee shall pass sufficient flow at all times to keep all aquatic species including fish and other aquatic life in good condition below the point of diversion.
- 2.17 Forbearance Period – Irrigation. The Permittee shall add sufficient water storage and/or water conservation measures by May 15, 2016, and the Permittee shall forbear diverting stream flow from May 15 to October 15 of each year beginning in 2016, except for emergencies.
- 2.18 Domestic Use. The Permittee shall divert no more than 200 gallons of water per day during the period from May 15 to October 15 of each year beginning in 2016.
- 2.19 Measurement of Diverted Flow. The Permittee shall install a device acceptable to CDFW for measuring the quantity of water diverted to and from the storage system. This measurement shall begin as soon as this Agreement is signed by the Permittee. The Permittee shall record the quantity of water pumped to and from the system on a weekly basis. Alternatively, the Permittee can record the frequency of pumping and the time to fill storage. Copies of the water diversion records shall be provided to CDFW at the 619 Second Street, Eureka, CA 95501 office no later than December 31 of each year beginning in 2016.
- 2.20 Intake Structure. No polluting materials (e.g., particle board, plastic sheeting, bentonite) shall be used to construct or screen, or cover the diversion intake structure.
- 2.21 Intake Shall Not Impede Aquatic Species Passage. The water diversion structures shall be designed, constructed, and maintained such that they do not constitute a barrier to upstream or downstream movement of aquatic life.

2.22 Water Conservation. The Permittee shall make best efforts to minimize water use, and to follow best practices for water conservation and management.

2.23 Water Storage Maintenance. Storage tanks shall have a float valve to shut off the diversion when tanks are full to prevent overflow from being diverted when not needed. The Permittee shall install any other measures necessary to prevent overflow of tanks resulting in more water being diverted than is used.

3. Reporting Measures

3.1 The Permittee shall, concurrently, submit to CDFW all compliance reports submitted to the State Water Resources Control Board.

3.2 The Permittee shall provide copies of the water diversion records to CDFW at the 619 Second Street, Eureka, CA 95501 office no later than December 31 of each year beginning in 2016.

CONTACT INFORMATION

Written communication that Permittee or CDFW submits to the other shall be delivered to the address below unless Permittee or CDFW specifies otherwise:

To Permittee:

Mr. Charles Lengel
P.O. Box 1807
Redway, California 95560

To CDFW:

Department of Fish and Wildlife
Northern Region
619 Second Street
Eureka, California 95501
Attn: Lake and Streambed Alteration Program
Notification #1600-2015-0117-R1

LIABILITY

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

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

SUSPENSION AND REVOCATION

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

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

ENFORCEMENT

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

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

OTHER LEGAL OBLIGATIONS

This Agreement does not relieve the Permittee or any person acting on behalf of the Permittee, including its officers, employees, representatives, agents, or contractors and subcontractors, from obtaining any other permits or authorizations that might be required under other federal, state, or local laws or regulations before beginning the project or an activity related to it.

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

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

AMENDMENT

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

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

TRANSFER AND ASSIGNMENT

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

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

EXTENSIONS

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

If the Permittee fails to submit a request to extend the Agreement prior to its expiration, the Permittee must submit a new notification and notification fee before beginning or continuing the project the Agreement covers (FGC section 1605(f)).

EFFECTIVE DATE

The Agreement becomes effective on the date of CDFW's signature, which shall be: 1) after the Permittee signature; 2) after CDFW complies with all applicable requirements under the California Environmental Quality Act (CEQA); and 3) after payment of the applicable FGC section 711.4 filing fee listed at http://www.wildlife.ca.gov/habcon/ceqa/ceqa_changes.html.

TERM

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

AUTHORITY

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

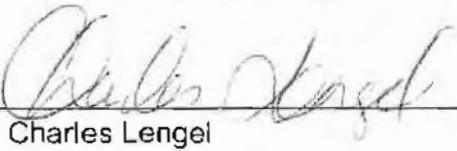
AUTHORIZATION

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

CONCURRENCE

The undersigned accepts and agrees to comply with all provisions contained herein.


FOR Mr. Charles Lengel



Charles Lengel

2-25-16
Date

FOR DEPARTMENT OF FISH AND WILDLIFE



Gordon Leppig
Senior Environmental Scientist Supervisor

3/11/16
Date

Prepared by: David Manthorne, Environmental Scientist, February 11, 2016



FOR DEPARTMENT USE ONLY					
Date Received	Amount Received	Approved?		Date Approved	Expiration Date
	\$	<input type="checkbox"/> Yes	<input type="checkbox"/> No		3/11/2021
Assigned to:					

REQUEST TO AMEND LAKE OR STREAMBED ALTERATION AGREEMENT

Complete EACH field and include all required enclosures. Attach additional pages, if necessary.

1. APPLICANT REQUESTING AMENDMENT

If the applicant is a business, agency, or utility, please include the name of the applicant's representative, who should be an employee of the applicant.

Name	Tiffany Charbonneau		
Business/Agency	Living Green Farms LLC		
Mailing Address	PO BOX 2067		
City, State, Zip	Redway, CA 95560		
Telephone	707-223-7779	Fax	
Email			

2. PROJECT INFORMATION

Project Name (as identified in the Final Agreement)	Lengel Stream Crossing Upgrades, Erosion Mitigation and Spring Diversion Project
Agreement Number	1600-2015-0117-R1
Expiration Date	3/11/2021

3. AMENDMENT REQUEST AND FEE

Check the applicable box below and refer to the current fee schedule to determine the appropriate amendment fee.

- A minor amendment is one that would not significantly modify the scope or nature of any project covered by the agreement or any measure included in the agreement to protect fish and wildlife resources, as determined by the Department, or an amendment to transfer the agreement to another entity by changing the name of the entity to the name of the transferee (see Cal. Code Regs., tit. 14, § 699.5, subd. (a)(10)).
- A major amendment is one that would significantly modify the scope or nature of any project covered by the agreement or any measure included in the agreement to protect fish and wildlife resources, or require additional environmental review, as determined by the Department (see Cal. Code Regs., tit. 14, § 699.5, subd. (a)(7)).

Minor Amendment Major Amendment

Note: The Department is not required to determine whether an amendment is complete or otherwise process the amendment until the Department has received the correct fee.



4. AMENDMENT DESCRIPTION

A. Describe the amendment in detail

- Include any structures (e.g., rip-rap, culverts, or channel clearing) that will be placed, built, or completed in or near the stream, river, or lake.
- Specify the type and volume of materials that will be used.
- If water will be diverted or drafted, specify the purpose or use.

Enclose diagrams, drawings, plans, and/or maps that provide all of the following: site specific construction details; the dimensions of each structure and/or extent of each activity in the bed, channel, bank or floodplain; an overview of the entire project area (i.e., "bird's-eye view") showing the location of each structure and/or activity, significant area features, and where the equipment/machinery will enter and exit the project area.

This amendment serves to update the existing agreement with various mapping updates, current site conditions, a revised set of proposed actions and implementation schedule. These changes were developed in part through field inspections with CDFW and the field assessments conducted by TRC during the development of the Water Resource Protection Plan for the associated commercial cannabis operation. This amendment includes a revised Site Map, Implementation Schedule and Mitigation Report. The new information reflects the conditions observed in 2019. A well was installed in 2019 and is the planned water source for irrigation, however the ponds (POD 2 and 3) are included in the notification as back-up sources. (Well log included).

Continued on additional page(s)

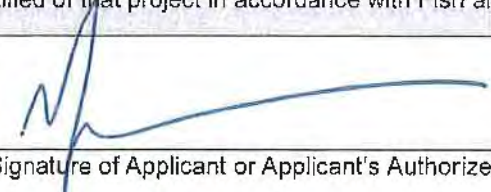
B. Explain the reason(s) for the amendment request

To revise mapping, updating current conditions, proposed actions and implementation schedule.

Continued on additional page(s)

5. SIGNATURE

I hereby certify that to the best of my knowledge the information in this amendment request ("request") is true and correct and that I am authorized to sign this request as, or on behalf of, the applicant. I understand that if any information in this request is found to be untrue or incorrect, the Department may suspend processing this request or suspend or revoke any draft or final Lake or Streambed Alteration Agreement issued pursuant to this request. I understand also that if any information in this request is found to be untrue or incorrect and the changes described in this request has already begun, I and/or the applicant may be subject to civil or criminal prosecution. I understand that this notification applies only to the project(s) described herein and that I and/or the applicant may be subject to civil or criminal prosecution for undertaking any project not described herein, unless the Department has been separately notified of that project in accordance with Fish and Game Code section 1602 or 1611.



 Signature of Applicant or Applicant's Authorized Representative

6/20/19

 Date

NICK ROBINSON

 Print Name

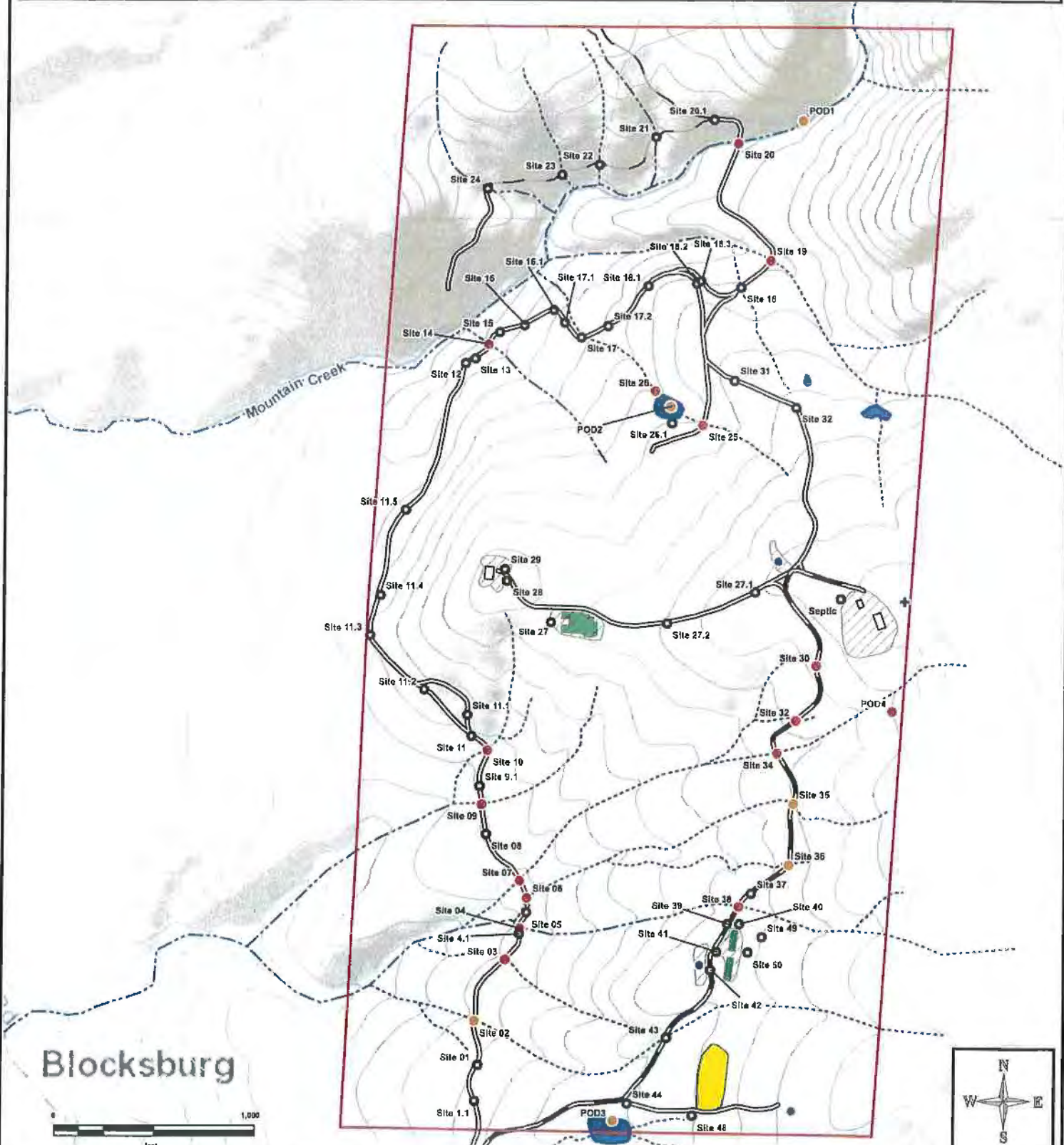
Note: If approved, a copy of this form must be available at the work site with the original agreement.

LSA - 1600

Site Map [1600-2015-0117-R1]



- | | | | |
|--------------------------|------------------|---------------------|------------------------------------|
| Property Boundary | Past Cultivation | Roads | New Amended 1600 Notification Site |
| Disturbed Area | Structure | Seasonal Access | Original 1600 Notification Site |
| General Cultivation Area | Pond | Legacy | SMP Site |
| | | Watercourses | Tank |
| | | Class II | Well |
| | | Class III | |





Treatment Implementation Schedule

Unique Point	Proposed Work Completion Date
Immediately	
Site 26.1	Immediately
Site 27	Immediately
Site 40	Immediately
Site 44	Immediately
2019	
Site 03	Prior to 10/15/19 pending the approval of any required permits
Site 05	Prior to 10/15/19
Site 06	Prior to 10/15/19 pending the approval of any required permits
Site 07	Prior to 10/15/19 pending the approval of any required permits
Site 10	As soon as feasible, but no later than 10/15
Site 18	As soon as feasible, but no later than 10/15
Site 21	As soon as feasible, but no later than 10/15
Site 23	As soon as feasible, but no later than 10/15
Site 26	As soon as feasible, but no later than 10/15
Site 35	Prior to 10/15/19
Site 41	As soon as feasible, but no later than 10/15
Site 49	As soon as feasible, but no later than 10/15
2020	
Site 01	Prior to 10/15/20
Site 1.1	Prior to 10/15/20
Site 02	Prior to 10/15/20 pending the approval of any required permits
Site 04	Prior to 10/15/20 pending the approval of any required permits
Site 4.1	To be completed in conjunction with Site 04
Site 09	Prior to 10/15/20 pending the approval of any required permits
Site 9.1	Prior to 10/15/20
Site 11	Prior to 10/15/20
Site 11.1	Prior to 10/15/20
Site 11.2	Prior to 10/15/20
Site 11.3	Prior to 10/15/20
Site 11.4	Prior to 10/15/20
Site 11.5	Prior to 10/15/20
Site 12	Prior to 10/15/20
Site 14	Prior to 10/15/20 pending the approval of any required permits
Site 16.1	Prior to 10/15/20
Site 17	Prior to 10/15/20 pending the approval of any required permits
Site 18.2	Prior to 10/15/20
Site 18.3	Prior to 10/15/20
Site 22	Prior to 10/15/20
Site 24	Prior to 10/15/20

Site 25	Prior to 10/15/20 pending the approval of any required permits
Site 27.1	Prior to 10/15/20
Site 27.2	Prior to 10/15/20
Site 30	Prior to 10/15/20
Site 31	Prior to 10/15/20
Site 33	Prior to 10/15/20
Site 34	Prior to 10/15/20
Site 37	Prior to 10/15/20
Site 39	Prior to 10/15/20
Site 42	Prior to 10/15/20
Site 48	Prior to 10/15/20
2021	
Site 17.2	Prior to 10/15/21
Site 18.1	Prior to 10/15/21
Site 19	Prior to 10/15/21 pending the approval of any required permits
Site 20	Prior to 10/15/21 pending the approval of any required permits
Site 38	Prior to 10/15/21 pending the approval of any required permits
As Needed	
Site 20.1	As required
Site 43	As required
Site 50	As required
No Treatment Required At This Time	
Site 08	-
Site 13	-
Site 15	-
Site 16	-
Site 28	-
Site 29	-
Site 32	-
Site 36	-
Septic	-
Well	-



SMP - Mitigation Report

WDID# - 1B16456CHUM

Unique Point	Lat-Long NAD 83	Road Type	Mitigation Planned	Monitor	1600	Treatment Priority	Date Completed
Site 01	40.284555 - 123.638853	Seasonal	X	X	-	Prior to 10/16/20	
<p>Current Condition: Road and inboard ditch lack appropriate drainage break spacing and the adjacent watercourse crossing at Site 01 lacks hydrologic disconnection from road surface runoff.</p>						<p>Prescribed Action: A new 18" DRC and type-1 rolling dip shall be installed per the attached BMP's to disconnect the adjacent crossing. The DRC will be directed to drain into a well vegetated swale and the rolling dip will be installed 20' north of the DRC.</p>	
Unique Point	Lat-Long NAD 83	Road Type	Mitigation Planned	Monitor	1600	Treatment Priority	Date Completed
Site 1.1	40.2841 - 123.638923	Seasonal	X	X	-	Prior to 10/15/20	
<p>Current Condition: Road lacks adequate surface drainage features to prevent road surface erosion.</p>						<p>Prescribed Action: To drain road surface runoff at this location, a new type-1 rolling dip shall be installed at this location and constructed to the specifications in the attached BMP's.</p>	
Unique Point	Lat-Long NAD 83	Road Type	Mitigation Planned	Monitor	1600	Treatment Priority	Date Completed
Site 02	40.285167 - 123.638904	Seasonal	X	X	X	Prior to 10/15/20 pending the approval of any required permits	
<p>Current Condition: Existing Class III watercourse crossing with 36" concrete pipe not to grade as well as undersized and the crossing lacks a critical dip feature.</p>						<p>Prescribed Action: A new 42" culvert crossing shall be installed and constructed to the specifications in the attached BMP's. The new culvert shall be minimum 40' in length and the fill prism shall not be reconstructed in any portion of the channel not previously containing fill materials.</p>	
Unique Point	Lat-Long NAD 83	Road Type	Mitigation Planned	Monitor	1600	Treatment Priority	Date Completed
Site 03	40.286006 - 123.638405	Seasonal	X	X	X	Prior to 10/15/19 pending the approval of any required permits	
<p>Current Condition: Original Notification Site "Culvert 2" which was notified to be replaced with a 48". However, culvert sizing/watershed calculations were incorrect. Existing Class III watercourse crossing with 18" CMP. Culvert is undersized and the inlet is buried due to a high sediment load and a sediment wedge has filled the channel 20' above the inlet.</p>						<p>Prescribed Action: A new 30" culvert crossing shall be installed and constructed to the specifications in the attached BMP's. The new culvert shall be minimum 40' in length and the fill prism shall not be reconstructed in any portion of the channel not previously containing fill material. Additionally, sediment that has accumulated and filled in the channel above the inlet shall be excavated back to the natural channel and grade 20' feet above up from the existing inlet.</p>	



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Unique Point	Lat-Long NAD 83	Road Type	Mitigation Planned	Monitor	1600	Treatment Priority	Date Completed
Site 04	40.286428 - 123.638158	Seasonal	X	X	X	Prior to 10/15/20 pending the approval of any required permits	
<p>Current Condition: Original Notification Site "Culvert 3." Newly installed, 42" culvert crossing on a Class II watercourse. Crossing was installed under LSA No. 1600-2015-0117-R1. The crossing was installed near grade with energy dissipater rock below the outlet. The crossing fill includes a critical dip feature but lacks hydrologic disconnection from the right road approach. Due to the presence of steep, erosive banks below the crossing, CDFW requests additional armoring of previously eroded, left banks below the crossing. Access to this area is addressed as Site 4.1.</p>						<p>Prescribed Action: As per CDFW recommendations, within the flagged locations of steep, left channel banks (approximately 30' in length), the banks will be laid back to a more stable angle capable of holding keyed and stacked, minimum 1/4-ton, riprap armoring no less than 6' vertically above the channel. Prior to the installation of riprap, laid back slopes shall have jute netting installed from the top of the laid back bank into the upper extent of area where riprap will be installed. Following placement of riprap armoring, all bare mineral soils exposed by construction activities shall be seeded and straw mulched. Jute netting installation, seeding, and straw mulching shall be done to the specifications in the attached erosion control BMP's. See attached construction designs. A new hydrologic disconnect rolling dip shall be installed at Site 05.</p>	
Unique Point	Lat-Long NAD 83	Road Type	Mitigation Planned	Monitor	1600	Treatment Priority	Date Completed
Site 4.1	40.286354 - 123.638167	Seasonal	X	X	-	To be completed in conjunction with Site 04	
<p>Current Condition: Diversion gully from past diversion of the watercourse at Site 04. There is no physical indication present that the diversion gully carries any flows at any point within the gully feature. The right wall of the gully nearly eroded into the left channel wall below Site 04 leaving a narrow wall of sediment separating the gully from the channel. The presence of the gully makes equipment access infeasible to install additional bank armoring below the crossing at Site 04.</p>						<p>Prescribed Action: Spoils generated from other project construction sites shall be used to infill the upper 30' of the diversion gully allowing the remaining, steep channel banks below Site 04 to be laid back to a more stable angle. Fill placed within the gully shall be compacted and wetted in 12" lifts. The final surface of the fill material shall be consistent with adjacent topography and not alter surface flow direction differently than the adjacent topography. The lower extent of the fill (fill face) within the gully feature shall be constructed to a stable angle of 2:1 or less. Following construction the construction of fill material within the gully feature, all exposed soils from fill material as well as soils exposed as a result of construction activities shall be seeded and straw mulched to the specifications in the attached erosion control BMP's. Additionally, the fill area and all other area impacted by equipment access, shall be planted with native, mixed conifer trees at 8' spacing.</p>	
Unique Point	Lat-Long NAD 83	Road Type	Mitigation Planned	Monitor	1600	Treatment Priority	Date Completed
Site 05	40.286643 - 123.638039	Seasonal	X	X	-	Prior to 10/15/19	
<p>Current Condition: Existing 18" DRC is currently capturing flows from a diversion at Site 06. The DRC is functioning adequately and shall be disconnected from the diversion.</p>						<p>Prescribed Action: The existing DRC shall be maintained. However, in addition to the DRC, a new type-1 rolling dip shall be installed approximately 20' south of the existing DRC to hydrologically disconnect the crossing at Site 04 from road surface runoff.</p>	



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Unique Point	Lat-Long NAD 83	Road Type	Mitigation Planned	Monitor	1600	Treatment Priority	Date Completed
Site 06	40.286839 - 123.638032	Seasonal	X	X	X	Prior to 10/15/19 pending the approval of any required permits	
<p>Current Condition: Original Notification Site "Culvert 5" which was notified to be replaced with a 48". However, culvert sizing/watershed calculations were incorrect. Existing Class III watercourse crossing with an 18" CMP. The inlet of the culvert is partially filled with sediment, the culvert bottom is rusted through, there is evidence of water flowing under the culvert and past diversions from plugging. The culvert is undersized for a 100-year storm event. A sediment wedge has filled the channel 12' above the inlet.</p>						<p>Prescribed Action: A new 36" culvert crossing shall be installed and constructed to the specifications in the attached BMP's. The new culvert shall be minimum 30' in length and the fill prism shall not be reconstructed in any portion of the channel not previously containing fill material. Additionally, sediment that has accumulated and filled in the channel above the inlet shall be excavated back to the natural channel and grade 12' feet above up from the existing inlet.</p>	
Unique Point	Lat-Long NAD 83	Road Type	Mitigation Planned	Monitor	1600	Treatment Priority	Date Completed
Site 07	40.287068 - 123.638164	Seasonal	X	X	X	Prior to 10/15/19 pending the approval of any required permits	
<p>Current Condition: Original Notification Site "Culvert 6" which was notified to be replaced with a 48". However, culvert sizing/watershed calculations were incorrect. Existing Class III watercourse crossing with double barrel culverts consisting of a 24" plastic culvert and an 18" CMP that is rusted through. The culvert inlets are buried and both culverts are undersized for a 100-year storm event and one is rusted through. A sediment wedge has filled the channel 6' above the inlet.</p>						<p>Prescribed Action: A new 54" culvert crossing shall be installed and constructed to the specifications in the attached BMP's. The new culvert shall be minimum 30' in length and the fill prism shall not be reconstructed in any portion of the channel not previously containing fill material. Additionally, sediment that has accumulated and filled in the channel above the inlet shall be excavated back to the natural channel and grade 6' feet above up from the existing inlet.</p>	
Unique Point	Lat-Long NAD 83	Road Type	Mitigation Planned	Monitor	1600	Treatment Priority	Date Completed
Site 08	40.287695 - 123.638764	Seasonal	-	-	-	-	
<p>Current Condition: Previous location of fuel storage.</p>						<p>Prescribed Action: Fuel storage has been removed from this location.</p>	



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Unique Point	Lat-Long NAD 83	Road Type	Mitigation Planned	Monitor	1600	Treatment Priority	Date Completed
Site 09	40.288097 - 123.638838	Seasonal	X	X	X	Prior to 10/15/20 pending the approval of any required permits	
<p>Current Condition: Original Notification Site "Culvert 7" which was notified to be replaced with a 48". However, culvert sizing/watershed calculations were incorrect. Existing Class III watercourse crossing with an 18" CMP. The culvert bottom is rusted through and the culvert is not adequately sized for a 100-year storm event.</p>						<p>Prescribed Action: A new 36" culvert crossing shall be installed and constructed to the specifications in the attached BMP's. The new culvert shall be minimum 40' in length and the fill prism shall not be reconstructed in any portion of the channel not previously containing fill materials.</p>	
Unique Point	Lat-Long NAD 83	Road Type	Mitigation Planned	Monitor	1600	Treatment Priority	Date Completed
Site 9.1	40.288343 - 123.638883	Seasonal	X	X	-	Prior to 10/15/20	
<p>Current Condition: The adjacent watercourse crossing lacks adequate hydrologic disconnection from potentially sediment laden road surface runoff.</p>						<p>Prescribed Action: To disconnect the watercourse from the road surface runoff, a new type-1 rolling dip shall be installed at this location and constructed to the specifications in the attached BMP's.</p>	
Unique Point	Lat-Long NAD 83	Road Type	Mitigation Planned	Monitor	1600	Treatment Priority	Date Completed
Site 10	40.288828 - 123.638746	Seasonal	X	X	-	As soon as feasible, but no later than 10/15	
<p>Current Condition: Original Notification Site "Culvert 8" which was notified to be replaced with a 24". However, culvert sizing/watershed calculations were incorrect. Existing Class III watercourse crossing with an 18" CMP. Inlet appears to be obstructed and the crossing lacks a critical dip. Culvert is adequately sized for 100-year storm event.</p>						<p>Prescribed Action: The inlet shall be cleared of any obstruction within 24" of the inlet. A critical dip shall be constructed in the crossing fill to the specifications in the attached BMP's.</p>	
Unique Point	Lat-Long NAD 83	Road Type	Mitigation Planned	Monitor	1600	Treatment Priority	Date Completed
Site 11	40.289018 - 123.639033	Seasonal	X	X	-	Prior to 10/15/20	
<p>Current Condition: The adjacent watercourse crossing lacks adequate hydrologic disconnection from potentially sediment laden road surface runoff.</p>						<p>Prescribed Action: To disconnect the watercourse from the road surface runoff, a new type-1 rolling dip shall be installed at this location and constructed to the specifications in the attached BMP's.</p>	
Unique Point	Lat-Long NAD 83	Road Type	Mitigation Planned	Monitor	1600	Treatment Priority	Date Completed
Site 11.1	40.289302 - 123.639112	Seasonal	X	X	-	Prior to 10/15/20	
<p>Current Condition: Road lacks adequate surface drainage features to prevent road surface erosion.</p>						<p>Prescribed Action: To drain road surface runoff at this location, a new waterbar shall be installed at this location and constructed to the specifications in the attached BMP's.</p>	



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Unique Point	Lat-Long NAD 83	Road Type	Mitigation Planned	Monitor	1600	Treatment Priority	Date Completed
Site 11.2	40.289645 - 123.639873	Seasonal	X	X	-	Prior to 10/15/20	
Current Condition: Road lacks adequate surface drainage features to prevent road surface erosion.						Prescribed Action: To drain road surface runoff at this location, a new type-1 rolling dip shall be installed at this location and constructed to the specifications in the attached BMP's.	
Unique Point	Lat-Long NAD 83	Road Type	Mitigation Planned	Monitor	1600	Treatment Priority	Date Completed
Site 11.3	40.290377 - 123.640847	Seasonal	X	X	-	Prior to 10/15/20	
Current Condition: Road lacks adequate surface drainage features to prevent road surface erosion.						Prescribed Action: To drain road surface runoff at this location, a new type-1 rolling dip shall be installed at this location and constructed to the specifications in the attached BMP's.	
Unique Point	Lat-Long NAD 83	Road Type	Mitigation Planned	Monitor	1600	Treatment Priority	Date Completed
Site 11.4	40.290918 - 123.640669	Seasonal	X	X	-	Prior to 10/15/20	
Current Condition: Road lacks adequate surface drainage features to prevent road surface erosion.						Prescribed Action: To drain road surface runoff at this location, a new type-1 rolling dip shall be installed at this location and constructed to the specifications in the attached BMP's.	
Unique Point	Lat-Long NAD 83	Road Type	Mitigation Planned	Monitor	1600	Treatment Priority	Date Completed
Site 11.5	40.292074 - 123.640233	Seasonal	X	X	-	Prior to 10/15/20	
Current Condition: Road lacks adequate surface drainage features to prevent road surface erosion.						Prescribed Action: To drain road surface runoff at this location, a new type-1 rolling dip shall be installed at this location and constructed to the specifications in the attached BMP's.	
Unique Point	Lat-Long NAD 83	Road Type	Mitigation Planned	Monitor	1600	Treatment Priority	Date Completed
Site 12	40.294065 - 123.639185	Seasonal	X	X	-	Prior to 10/15/20	
Current Condition: Road lacks adequate surface drainage features to prevent road surface erosion.						Prescribed Action: To drain road surface runoff at this location, a new type-1 rolling dip shall be installed at this location and constructed to the specifications in the attached BMP's.	
Unique Point	Lat-Long NAD 83	Road Type	Mitigation Planned	Monitor	1600	Treatment Priority	Date Completed
Site 13	40.294128 - 123.639025	Seasonal	-	X	-	-	
Current Condition: Existing, well vegetated inboard ditch drains hill slope and skid trail runoff to adjacent crossing. Existing vegetation reduced potential for sediment delivery.						Prescribed Action: The ditch is not to be disturbed.	



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Unique Point	Lat-Long NAD 83	Road Type	Mitigation Planned	Monitor	1600	Treatment Priority	Date Completed
Site 14	40.294316 - 123.638787	Seasonal	X	X	X	Prior to 10/15/20 pending the approval of any required permits	
<p>Current Condition: Original Notification Site "Culvert 9" which was notified to be replaced with a 30". However, culvert sizing/watershed calculations were incorrect. Existing Class III watercourse crossing with an 18" CMP. The culvert is undersized, rusted through, and not functioning adequately.</p>						<p>Prescribed Action: A new 42" culvert crossing shall be installed and constructed to the specifications in the attached BMP's. The new culvert shall be minimum 40' in length and the fill prism shall not be reconstructed in any portion of the channel not previously containing fill materials.</p>	
Unique Point	Lat-Long NAD 83	Road Type	Mitigation Planned	Monitor	1600	Treatment Priority	Date Completed
Site 15	40.294487 - 123.638592	Seasonal	-	X	-	-	
<p>Current Condition: Legacy road fill failure. The road prism was reconstructed and rock buttressed along the outboard road fill. The road appears to be stable. All road surface drainage is drained away from the area to maintain stability of the road fill. As a result, approximately 300' of road reach is hydrologically connected to the watercourse crossing at Site 14. Due to the proximity of adjacent watercourses, there is no feasible way to disconnect this road reach without discharging water onto the area associated with the past road fill failure.</p>						<p>Prescribed Action: None</p>	
Unique Point	Lat-Long NAD 83	Road Type	Mitigation Planned	Monitor	1600	Treatment Priority	Date Completed
Site 16	40.294578 - 123.638161	Seasonal	-	X	-	-	
<p>Current Condition: Bank seep and an old cut bank failure associated with the legacy road fill failure discussed in Site 15. Seep from this location are drained via the inside ditch to the crossing at Site 14.</p>						<p>Prescribed Action: None</p>	
Unique Point	Lat-Long NAD 83	Road Type	Mitigation Planned	Monitor	1600	Treatment Priority	Date Completed
Site 16.1	40.294786 - 123.637639	Seasonal	X	X	-	Prior to 10/15/20	
<p>Current Condition: Road lacks adequate surface drainage features to prevent road surface erosion.</p>						<p>Prescribed Action: To drain road surface runoff at this location, a new type-1 rolling dip shall be installed at this location and constructed to the specifications in the attached BMP's.</p>	
Unique Point	Lat-Long NAD 83	Road Type	Mitigation Planned	Monitor	1600	Treatment Priority	Date Completed
Site 17	40.294418 - 123.637136	Seasonal	X	X	-	Prior to 10/15/20 pending the approval of any required permits	
<p>Current Condition: Class III watercourse crossing with a 36" concrete culvert. The culvert is adequately sized for a 100-year storm event. Installation is misaligned and the crossing lacks a critical dip. Channel banks below the outlet are overly steep.</p>						<p>Prescribed Action: As per CDFW recommendations, steep banks below the outlet (each approximately 6' in length and 3' tall) are to be laid back to a more stable angle as feasible and rock armoring with minimum 12" rock.</p>	



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Unique Point	Lat-Long NAD 83	Road Type	Mitigation Planned	Monitor	1600	Treatment Priority	Date Completed
Site 17.2	40.294571 - 123.636663	Seasonal	X	X	-	Prior to 10/15/21	
Current Condition: The adjacent watercourse crossing lacks adequate hydrologic disconnection from potentially sediment laden road surface runoff.						Prescribed Action: To disconnect the watercourse from the road surface runoff, a new type-1 rolling dip shall be installed at this location and constructed to the specifications in the attached BMP's.	
Unique Point	Lat-Long NAD 83	Road Type	Mitigation Planned	Monitor	1600	Treatment Priority	Date Completed
Site 18	40.295056 - 123.634279	Legacy	X	X	-	As soon as feasible, but no later than 10/15	
Current Condition: Class III watercourse crossing with an 18" CMP. Culvert is adequately sized for a 100-year storm event. Currently, the inlet is obstructed by sediment.						Prescribed Action: The inlet shall be cleared of any obstruction within 24" of the inlet.	
Unique Point	Lat-Long NAD 83	Road Type	Mitigation Planned	Monitor	1600	Treatment Priority	Date Completed
Site 18.1	40.295117 - 123.63595	Seasonal	X	X	-	Prior to 10/15/21	
Current Condition: Road lacks adequate surface drainage features to prevent road surface erosion.						Prescribed Action: To drain road surface runoff at this location, a new type-1 rolling dip shall be installed at this location and constructed to the specifications in the attached BMP's.	
Unique Point	Lat-Long NAD 83	Road Type	Mitigation Planned	Monitor	1600	Treatment Priority	Date Completed
Site 18.2	40.295147 - 123.635094	Seasonal	X	X	-	Prior to 10/15/20	
Current Condition: Road lacks adequate surface drainage features to prevent road surface erosion.						Prescribed Action: To drain road surface runoff at this location, a new type-1 rolling dip shall be installed at this location and constructed to the specifications in the attached BMP's.	
Unique Point	Lat-Long NAD 83	Road Type	Mitigation Planned	Monitor	1600	Treatment Priority	Date Completed
Site 18.3	40.295184 - 123.635012	Seasonal	X	X	-	Prior to 10/15/20	
Current Condition: Road lacks adequate surface drainage features to prevent road surface erosion.						Prescribed Action: To drain road surface runoff at this location, a new type-1 rolling dip shall be installed at this location and constructed to the specifications in the attached BMP's. The new rolling dip shall be placed where it will capture any drainage from the new rolling dip on the road above.	



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Unique Point	Lat-Long NAD 83	Road Type	Mitigation Planned	Monitor	1600	Treatment Priority	Date Completed
Site 19	40.295442 - 123.633731	Seasonal	X	X	X	Prior to 10/15/21 pending the approval of any required permits	
<p>Current Condition: Original Notification Site "Culvert 18" which was notified to be replaced with a bridge. However, culvert sizing/watershed calculations were incorrect. Existing Class III watercourse crossing with a 48" CMP. This culvert is rusted through, and calculated to be undersized for a 100-year storm event yet functioning well.</p>						<p>Prescribed Action: As per CDFW recommendations, a new 84" culvert crossing shall be installed and constructed to the specifications in the attached BMP's. The new culvert shall be minimum 50' in length and the fill prism shall not be reconstructed in any portion of the channel not previously containing fill materials. The new fill prism shall be constructed using the minimum amount of fill needed to maintain sufficient road width and have a minimum of 24" of fill depth above the new culvert.</p>	
Unique Point	Lat-Long NAD 83	Road Type	Mitigation Planned	Monitor	1600	Treatment Priority	Date Completed
Site 20	40.297039 - 123.634351	Seasonal	X	X	X	Prior to 10/15/21 pending the approval of any required permits	
<p>Current Condition: Original Notification Site "Culvert 19" which was notified to be replaced with a bridge. However, culvert sizing/watershed calculations were incorrect. Existing Class II watercourse crossing appears to be an old tank currently used as a culvert. The tank is 1/4 inch thick steel and has been deformed by the fill material during installation. This culvert is currently functioning adequately yet has a high potential for plugging due to steel support braces on the inside of the culvert and only half the tank being open at the inlet. Additionally, some erosion of the left fill face has occurred over time and road approaches lack adequate rock surfacing.</p>						<p>Prescribed Action: As per CDFW recommendations, the steel cross-braces and remaining inlet steel are to be removed to reduce plugging/blockage potential. The area of eroded fill face on the left side of the culvert inlet shall have minimum 1/4-ton riprap rock armor installed no less than 6' up from the base of the fill approximately 10' in length. The crossing will continue to be monitored after all significant storm events. If at any point, the crossing shows signs of not functioning adequately, it will be re-evaluated for additional treatments or replacement.</p>	
Unique Point	Lat-Long NAD 83	Road Type	Mitigation Planned	Monitor	1600	Treatment Priority	Date Completed
Site 20.1	40.29735 - 123.634895	Seasonal	-	X	-	As required	
<p>Current Condition: Existing hydrologic disconnect waterbar functioning adequately.</p>						<p>Prescribed Action: None</p>	
Unique Point	Lat-Long NAD 83	Road Type	Mitigation Planned	Monitor	1600	Treatment Priority	Date Completed
Site 21	40.297128 - 123.636834	Seasonal	X	X	-	As soon as feasible, but no later than 10/15	
<p>Current Condition: Existing Class III watercourse crossing with an 18" plastic culvert. The inlet is obstructed by sediment and debris.</p>						<p>Prescribed Action: The inlet shall be cleared of any obstruction within 24" of the inlet.</p>	
Unique Point	Lat-Long NAD 83	Road Type	Mitigation Planned	Monitor	1600	Treatment Priority	Date Completed
Site 22	40.296756 - 123.636838	Legacy	X	X	-	Prior to 10/15/20	
<p>Current Condition: Existing Class III watercourse crossing with an 18" plastic culvert. Culvert has a shotgun outlet with an 8' plunge which is eroding the fill prism.</p>						<p>Prescribed Action: Energy dissipater rock below the outlet of the culvert.</p>	



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Unique Point	Lat-Long NAD 83	Road Type	Mitigation Planned	Monitor	1600	Treatment Priority	Date Completed
Site 23	40.296617 - 123.63751	Legacy	X	X	-	As soon as feasible, but no later than 10/15	
<p>Current Condition: Existing Class III watercourse with an 18" culvert. The inlet of this culvert is obstructed by sediment and debris. The culvert has a shotgun outlet with a 7' plunge which is eroding the fill prism. The culvert is adequately sized and in good condition.</p>						<p>Prescribed Action: The inlet shall be cleared of any obstruction within 24" of the inlet and install energy dissipater rock below the outlet of the culvert.</p>	
Unique Point	Lat-Long NAD 83	Road Type	Mitigation Planned	Monitor	1600	Treatment Priority	Date Completed
Site 24	40.296427 - 123.63884	Legacy	X	X	-	Prior to 10/15/20	
<p>Current Condition: Existing Class III watercourse crossing with an 18" culvert. Culvert is high in fill with a shotgun outlet which is eroding the fill prism.</p>						<p>Prescribed Action: Energy dissipater rock below the outlet of the culvert.</p>	
Unique Point	Lat-Long NAD 83	Road Type	Mitigation Planned	Monitor	1600	Treatment Priority	Date Completed
Site 25	40.293228 - 123.634961	Seasonal	X	X	X	Prior to 10/15/20 pending the approval of any required permits	
<p>Current Condition: Original Notification Site "Culvert 15." Existing Class III watercourse crossing with a 12" CMP, appears to be functioning adequately. Culvert is undersized for a 100-year storm event. This road is used seasonally only to access the pond.</p>						<p>Prescribed Action: As per CDFW recommendations, the existing culvert shall be removed and a rocked ford crossing shall be constructed to the specifications in the attached BMP's. This crossing shall not be used when water is flowing through the crossing.</p>	
Unique Point	Lat-Long NAD 83	Road Type	Mitigation Planned	Monitor	1600	Treatment Priority	Date Completed
Site 26	40.29369 - 123.635804	-	X	X	-	As soon as feasible, but no later than 10/15	
<p>Current Condition: Original Notification Site "Culvert 16." Pond overflow consists of a 24" plastic culvert. Outlet appears to be eroding due to a 2-3 foot plunge.</p>						<p>Prescribed Action: As per CDFW recommendations, energy dissipater shall be gathered locally and hand placed below the outlet of the culvert to prevent further erosion of the channel and prevent associated sediment delivery.</p>	
Unique Point	Lat-Long NAD 83	Road Type	Mitigation Planned	Monitor	1600	Treatment Priority	Date Completed
Site 26.1	40.293257 - 123.635513	-	X	X	X	Immediately	
<p>Current Condition: Location of water pump and fuel and fuel associated with pond POD. Fuel and gas powered pump are both kept in secondary containment vessels. These items containing petroleum products are currently located within the setbacks of the pond. Additionally, the screening portion of the diversion intake does not have an adequate amount of surface area to protect wildlife.</p>						<p>Prescribed Action: Petroleum products and infrastructure containing petroleum products shall be relocated to a location no less than 100' from the edge of the pond and 50' from the Class III watercourse entering and exiting the pond. The POD intake screen shall be replaced with a screen with a minimum of 36 square inches of surface area of screening with openings of 3/32" or less.</p>	



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Unique Point	Lat-Long NAD 83	Road Type	Mitigation Planned	Monitor	1600	Treatment Priority	Date Completed
Site 27	40.290506 - 123.637628	Permanent	X	X	-	Immediately	
<p>Current Condition: Location of diesel generator and fuel storage tank on a concrete slab with a roof structure for cover. The fuel tank has appropriate secondary containment, however lacks adequate side-wind protection to prevent rainwater from being blown into containment vessel. The generator lacks secondary containment and oil-leak staining was found on the concrete slab.</p>						<p>Prescribed Action: The generator (and all equipment) shall be repaired/maintained properly to prevent oil leaks. The generator shall have secondary containment installed that is large enough to capture and contain the entire volume of all petroleum products it contains. Adequate side-wind protection shall be installed to prevent rainwater from being blown into the secondary containment vessels.</p>	
Site 27.1	40.290958 - 123.633993	Permanent	X	X	-	Prior to 10/15/20	
<p>Current Condition: Location of an existing kick-out drainage feature. This feature is not functioning. Road lacks adequate surface drainage features to prevent road surface erosion.</p>						<p>Prescribed Action: To drain road surface runoff at this location, a new type-1 rolling dip shall be installed at this location and constructed to the specifications in the attached BMP's.</p>	
Site 27.2	40.290537 - 123.635578	Permanent	X	X	-	Prior to 10/15/20	
<p>Current Condition: Road lacks adequate surface drainage features to prevent road surface erosion.</p>						<p>Prescribed Action: To drain road surface runoff at this location, a new type-1 rolling dip shall be installed at this location and constructed to the specifications in the attached BMP's.</p>	
Site 28	40.291116 - 123.638428	Permanent	-	-	-	-	
<p>Current Condition: Previous location of cultivation waste.</p>						<p>Prescribed Action: Removed</p>	
Site 29	40.291272 - 123.638487	Permanent	-	-	-	-	
<p>Current Condition: Previous location of a portable toilet.</p>						<p>Prescribed Action: Removed</p>	
Site 30	40.289966 - 123.632879	Permanent	X	X	-	Prior to 10/15/20	
<p>Current Condition: Original Notification Site "Crossing 14." Site was determined to not be a classified watercourse. Road lacks adequate surface drainage features to prevent road surface erosion.</p>						<p>Prescribed Action: To drain road surface runoff at this location, a new type-1 rolling dip shall be installed at this location and constructed to the specifications in the attached BMP's.</p>	



**Timberland
Resource
Consultants**

SMP - Mitigation Report

WDID# - 1B16456CHUM

Unique Point	Lat-Long NAD 83	Road Type	Mitigation Planned	Monitor	1600	Treatment Priority	Date Completed
Site 31	40.293833 - 123.634398	Permanent	X	X	-	Prior to 10/15/20	
Current Condition: Road lacks adequate surface drainage features to prevent road surface erosion.						Prescribed Action: To drain road surface runoff at this location, a new type-1 rolling dip shall be installed at this location and constructed to the specifications in the attached BMP's.	
Site 32	40.289228 - 123.633238	Permanent	-	X	X	-	
Current Condition: Newly installed, 18" culvert crossing on a Class III watercourse. Crossing was installed under LSA No. 1600-2015-0117-R1. Original Notification Site "Crossing 13." The crossing is properly installed and functioning well.						Prescribed Action: None	
Site 33	40.293467 - 123.633294	Permanent	X	X	-	Prior to 10/15/20	
Current Condition: Road lacks adequate surface drainage features to prevent road surface erosion.						Prescribed Action: To drain road surface runoff at this location, a new type-1 rolling dip shall be installed at this location and constructed to the specifications in the attached BMP's.	
Site 34	40.288797 - 123.633556	Permanent	X	X	X	Prior to 10/15/20	
Current Condition: Newly installed, 24" culvert crossing on a Class III watercourse. Crossing was installed under LSA No. 1600-2015-0117-R1. The crossing is properly installed and functioning well. Road approaches are not adequately rock surfaced.						Prescribed Action: Road approach surfaces draining toward the crossing shall be rock surfaced 30' in both directions.	
Site 35	40.288092 - 123.633271	Permanent	-	X	X	Prior to 10/15/19	
Current Condition: Newly installed, 18" culvert crossing on a Class III watercourse. Crossing was installed under LSA No. 1600-2015-0117-R1. The crossing is properly installed and functioning well.						Prescribed Action: None	
Site 36	40.287283 - 123.633377	Permanent	-	X	X	-	
Current Condition: Newly installed, 18" culvert crossing on a Class III watercourse. Crossing was installed under LSA No. 1600-2015-0117-R1. The crossing is properly installed and functioning well.						Prescribed Action: None	



SMP - Mitigation Report

WDID# - 1B16456CHUM

Unique Point	Lat-Long NAD 83	Road Type	Mitigation Planned	Monitor	1600	Treatment Priority	Date Completed
Site 37	40.286901 - 123.634049	Permanent	X	X	-	Prior to 10/15/20	
<p>Current Condition: Road lacks adequate surface drainage features to prevent road surface erosion.</p>						<p>Prescribed Action: To drain road surface runoff at this location, a new type-1 rolling dip shall be installed at this location and constructed to the specifications in the attached BMP's.</p>	
Unique Point	Lat-Long NAD 83	Road Type	Mitigation Planned	Monitor	1600	Treatment Priority	Date Completed
Site 38	40.286722 - 123.634263	Permanent	X	X	X	Prior to 10/15/21 pending the approval of any required permits	
<p>Current Condition: Water is used for the irrigation of cannabis, which was notified to be replaced with a 36". However, culvert sizing/watershed calculations were incorrect. Existing Class II watercourse crossing with a 30" double walled plastic culvert. Culvert is functioning adequately but is undersized for a 100-year storm event.</p>						<p>Prescribed Action: A new 48" culvert crossing shall be installed and constructed to the specifications in the attached BMP's. The new culvert shall be minimum 40' in length and the fill prism shall not be reconstructed in any portion of the channel not previously containing fill materials. Additionally, road approach surfaces draining toward the crossing shall be rock surfaced 50' in both directions.</p>	
Unique Point	Lat-Long NAD 83	Road Type	Mitigation Planned	Monitor	1600	Treatment Priority	Date Completed
Site 39	40.286483 - 123.634438	Permanent	X	X	-	Prior to 10/15/20	
<p>Current Condition: Road lacks adequate surface drainage features to prevent road surface erosion.</p>						<p>Prescribed Action: To drain road surface runoff at this location, a new type-1 rolling dip shall be installed at this location and constructed to the specifications in the attached BMP's.</p>	
Unique Point	Lat-Long NAD 83	Road Type	Mitigation Planned	Monitor	1600	Treatment Priority	Date Completed
Site 40	40.286494 - 123.63425	Permanent	X	X	-	Immediately	
<p>Current Condition: Cultivation related waste, including spent soils and stems, is currently stored within the riparian setback of the adjacent Class III watercourse.</p>						<p>Prescribed Action: Cultivation related wastes at this site shall be removed and relocated to an appropriate location that is no less than 50' from a Class III watercourse or 100' from a Class II watercourse.</p>	
Unique Point	Lat-Long NAD 83	Road Type	Mitigation Planned	Monitor	1600	Treatment Priority	Date Completed
Site 41	40.286117 - 123.634667	-	X	X	-	As soon as feasible, but no later than 10/15	
<p>Current Condition: A 500-gallon fuel tank has secondary containment and cover. However, at the time of inspection there was water in the secondary containment tray indicating that current cover is inadequate. An adjacent diesel generator lacks secondary containment.</p>						<p>Prescribed Action: The generator shall have secondary containment installed that is large enough to capture and contain the entire volume of all petroleum products it contains. Adequate side-wind protection shall be installed to prevent rainwater from being blown into the secondary containment vessels.</p>	



SMP - Mitigation Report

WDID# - 1B16456CHUM

Unique Point	Lat-Long NAD 83	Road Type	Mitigation Planned	Monitor	1600	Treatment Priority	Date Completed
Site 42	40.285873 - 123.634796	Permanent	X	X	-	Prior to 10/15/20	
Current Condition: The road from this location to the adjacent crossing is through cut with no locations to drain the road or inboard ditch.						Prescribed Action: The road and inboard ditch shall be rocked from this location to the watercourse at Site 43.	
Unique Point	Lat-Long NAD 83	Road Type	Mitigation Planned	Monitor	1600	Treatment Priority	Date Completed
Site 43	40.284953 - 123.635501	Seasonal	-	X	-	As required	
Current Condition: Class III watercourse crossing with a concrete 32" culvert. The crossing fill prism lacks a critical dip. Culvert is functioning adequately.						Prescribed Action: A critical dip shall be constructed within the crossing fill to the specifications in the attached BMP's.	
Unique Point	Lat-Long NAD 83	Road Type	Mitigation Planned	Monitor	1600	Treatment Priority	Date Completed
Site 44	40.28394 - 123.635377	Seasonal	X	X	-	Immediately	
Current Condition: Spent potting soil and root-balls have been disposed of at this location within the riparian setback of the adjacent Class III watercourse.						Prescribed Action: All cultivation related wastes at this site shall be removed and relocated to an appropriate location that is no less than 50' from a Class III watercourse or 100' from a Class II watercourse.	
Unique Point	Lat-Long NAD 83	Road Type	Mitigation Planned	Monitor	1600	Treatment Priority	Date Completed
Site 48	40.283933 - 123.635091	Seasonal	X	X	-	Prior to 10/15/20	
Current Condition: This segment of road from this intersection to the tanks at the upper end of the road lacks adequate surface drainage features to prevent road surface erosion.						Prescribed Action: To drain road surface runoff at this location, three new waterbars shall be installed and constructed to the specifications in the attached BMP's.	
Unique Point	Lat-Long NAD 83	Road Type	Mitigation Planned	Monitor	1600	Treatment Priority	Date Completed
Site 49	40.286315 - 123.633854	-	X	X	-	As soon as feasible, but no later than 10/15	
Current Condition: An old, man-made ditch transverses the hillslope capturing and transporting hillslope runoff onto the cultivation area below and eroding the cutbank.						Prescribed Action: Two ditches shall be constructed with hand work to intercept the drainage ditch and direct flows northwest, away from the cultivation area. These ditches shall begin at the existing ditch, be approximately 40' apart, largely parallel one another, and extend far enough to ensure water will not flow onto the cultivation area below.	



SMP - Mitigation Report

WDID# - 1B16456CHUM

Unique Point	Lat-Long NAD 83	Road Type	Mitigation Planned	Monitor	1600	Treatment Priority	Date Completed
Site 50	40.286106 - 123.634105	-	X	X	-	As required	
Current Condition: Hillslope runoff and cutbank seeps are captured and drained by a drainage ditch.						Prescribed Action: The ditch shall be maintained as needed so that it is unobstructed and free flowing at all times.	
Unique Point	Lat-Long NAD 83	Road Type	Mitigation Planned	Monitor	1600	Treatment Priority	Date Completed
Septic	40.290873 - 123.63248	-	-	-	-	-	
Current Condition: Location of a permitted septic tank associated with the adjacent, new house.						Prescribed Action: None	
Unique Point	Lat-Long NAD 83	Road Type	Mitigation Planned	Monitor	1600	Treatment Priority	Date Completed
POD1	40.297348 - 123.633197	-	X	X	X	-	
Current Condition: Location of a surface water diversion from a Class II watercourse used for domestic drinking water only.						Prescribed Action: None.	
Unique Point	Lat-Long NAD 83	Road Type	Mitigation Planned	Monitor	1600	Treatment Priority	Date Completed
POD2	40.293481 - 123.635533	Seasonal	-	X	X	As required	
Current Condition: Surface water diversion from on-stream pond (Class III in Class III out). Water is pumped from intake line with not permanent diversion structures. Intake screen lacks adequate surface area and the screen mesh has too large of holes. Water is used for the irrigation of cannabis.						Prescribed Action: The intake screen shall be replaced with a proper feature.	
Unique Point	Lat-Long NAD 83	Road Type	Mitigation Planned	Monitor	1600	Treatment Priority	Date Completed
POD3	40.283839 - 123.636476	Seasonal	-	X	X	As required	
Current Condition: Surface water diversion from on-stream pond (Class III in Class III out). Water is pumped from intake line with not permanent diversion structures. Intake screen lacks adequate surface area and the screen mesh has too large of holes. Water is used for the irrigation of cannabis.						Prescribed Action: The intake screen shall be replaced with a proper feature.	
Unique Point	Lat-Long NAD 83	Road Type	Mitigation Planned	Monitor	1600	Treatment Priority	Date Completed
POD4	40.289361 - 123.631552	Seasonal	-	X	X	As required	
Current Condition: Originally notified as "Spring Box." POD from spring is used for domestic drinking water only.						Prescribed Action: None.	



Timberland
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WDID# - 1B16456CHUM

Unique Point	Lat-Long NAD 83	Road Type	Mitigation Planned	Monitor	1600	Treatment Priority	Date Completed
Well	40.290847 - 123.631338	Seasonal	-	X	-	As required	
Current Condition: Location of a newly installed, permitted well that will be used for the irrigation of cannabis.						Prescribed Action: A metering device shall be installed to meter and record daily water used for the irrigation of cannabis.	

State of California
Well Completion Report
 Form DWR 188 Submitted 5/12/2019
 WCR2019-006521



Owner's Well Number 1 Date Work Began 05/07/2019 Date Work Ended 05/09/2019
 Local Permit Agency Humboldt County Department of Health & Human Services - Land Use Program
 Secondary Permit Agency _____ Permit Number 18/19-0291 Permit Date 10/03/2019

Well Owner (must remain confidential pursuant to Water Code 13752)	Planned Use and Activity
Name <u>LIVING GREENS FARMS LLC., TIFFANY CHARBONNEAU</u>	Activity <u>New Well</u>
Mailing Address <u>P.O BOX 2067</u>	Planned Use <u>Water Supply Irrigation - Agriculture</u>
City <u>REDWAY</u> State <u>CA</u> Zip <u>95560</u>	

Well Location	
Address <u>28180 ALDERPOINT RD</u>	APN <u>217-255-005</u>
City <u>BLOCKSBURG</u> Zip <u>95514</u> County <u>Humboldt</u>	Township <u>02 S</u>
Latitude <u>40 17 27.2957 N</u> Longitude <u>-123 37 52.6587 W</u>	Range <u>05 E</u>
Deg. Min. Sec. Deg. Min. Sec.	Section <u>17</u>
Dec. Lat. <u>40.2909155</u> Dec. Long. <u>-123.6312941</u>	Baseline Meridian <u>Humboldt</u>
Vertical Datum _____ Horizontal Datum <u>WGS84</u>	Ground Surface Elevation <u>2152</u>
Location Accuracy _____ Location Determination Method _____	Elevation Accuracy <u>10 Ft</u>
	Elevation Determination Method <u>GPS</u>

Borehole Information	
Orientation <u>Vertical</u> Specify _____	
Drilling Method <u>Downhole Rotary Hammer</u> Drilling Fluid <u>Air</u>	
Total Depth of Boring <u>230</u> Feet	
Total Depth of Completed Well <u>230</u> Feet	

Water Level and Yield of Completed Well	
Depth to first water <u>170</u> (Feet below surface)	
Depth to Static _____	
Water Level <u>165</u> (Feet) Date Measured <u>05/09/2019</u>	
Estimated Yield* <u>15</u> (GPM) Test Type <u>Air Lift</u>	
Test Length <u>4</u> (Hours) Total Drawdown _____ (feet)	
*May not be representative of a well's long term yield.	

Geologic Log - Free Form		
Depth from Surface	Feet to Feet	Description
0	2	TOP SOIL LIGHT BROWN
2	30	ROCK HARD GRAY IN COLOR
30	65	ROCK HARD MULTI COLOR GRAY AND BLACK
65	125	ROCK VERY HARD LIGHT GRAY
125	170	ROCK DARK GRAY
170	230	MULTI COLOR ROCK WATER BEARING

Casings										
Casing #	Depth from Surface Feet to Feet		Casing Type	Material	Casings Specifications	Wall Thickness (Inches)	Outside Diameter (Inches)	Screen Type	Slot Size If any (Inches)	Description
1	0	150	Blank	PVC	OD: 4.500 In. Thickness: 0.337 In.	0.337	4.5			
1	150	210	Screen	PVC	OD: 4.500 In. Thickness: 0.337 In.	0.337	4.5	Milled Slots	32	.032 SLOT
1	210	230	Blank	PVC	OD: 4.500 In. Thickness: 0.337 In.	0.337	4.5			W/ 4.5" CAP

Annular Material					
Depth from Surface Feet to Feet		Fill	Fill Type Details	Filter Pack Size	Description
0	25	Bentonite	Non Hydrated Bentonite	3/8 BENTONITE CHIPS	ADDED WATER WHILE DUMPING CHIPS
25	230	Filter Pack	Other Gravel Pack	#6 SILICA GRAVEL	2 YRDS #6 SILICA GRAVEL

Other Observations:

Borehole Specifications		
Depth from Surface Feet to Feet		Borehole Diameter (Inches)
0	230	10

Certification Statement			
I, the undersigned, certify that this report is complete and accurate to the best of my knowledge and belief			
Name <u>VICS WELL DRILLING INC</u>			
Person, Firm or Corporation			
<u>3807 SIERRA HWY UNIT #6</u>	<u>ACTON</u>	<u>CA</u>	<u>93510</u>
Address		City	State Zip
Signed <u>electronic signature received</u>	<u>05/12/2019</u>	<u>886439</u>	
C-57 Licensed Water Well Contractor		Date Signed	C-57 License Number

Attachments
PAGE 1 PERMIT.jpeg - Permit
PAGE 1 DRILLERS REPORT.jpeg - Other
PAGE 2 PLOT PLAN.jpeg - Location Map
PAGE 2 PERMIT.jpeg - Permit
PAGE 1 PLOT PLAN.jpeg - Location Map
PAGE 2 DRILLERS REPORT.jpeg - Other

DWR Use Only			
CSG #	State Well Number	Site Code	Local Well Number
		N	W
Latitude Deg/Min/Sec		Longitude Deg/Min/Sec	
TRS:			
APN:			



LESS THAN 3 ACRE CONVERSION EXEMPTION

REVISED 6-10-16 FOR ADMIN. USE ONLY

STATE OF CALIFORNIA DEPARTMENT OF FORESTRY AND FIRE PROTECTION NOTICE OF TIMBER OPERATIONS THAT ARE EXEMPT FROM CONVERSION AND TIMBER HARVESTING PLAN REQUIREMENTS RM-73 (1104.1a) (11/12)

Ex. # _____ Date of Receipt _____ Date Accepted _____ Date Expires _____

VALID FOR ONE YEAR FROM DATE OF RECEIPT BY CAL FIRE TIMBER OPERATIONS CANNOT START UNTIL VALID COPY OF A NOTICE OF ACCEPTANCE IS RECEIVED FROM CAL FIRE

The Director of the Department of Forestry and Fire Protection (CAL FIRE) is hereby notified of timber operations under the requirements of 14 CCR § 1104.1(a): Harvesting of trees that is a single conversion to a non-timber growing use of timberland of less than three acres. (See 14 CCR § 1104.1(a) for a description of the conditions on the conduct of this type of timber operation and additional information that is required to be submitted.) Complete items 1 through 8 on both pages of this notice.

1. TIMBER OWNER(S) OF RECORD: Charles Lengel Address: PO BOX 2067 City: Redway State CA Zip 95560 Phone 707-223-7779

TIMBER TAX EXEMPTION: Timber owners owe timber yield tax when they harvest trees unless the harvest is exempt (Revenue and Taxation Code sec. 38116). Some small or low value harvests may be exempt from timber yield tax: Timber removed from an operation whose value does not exceed \$3,000 within a quarter, according to BOE Harvest Value Schedules, Rule 1024. If you believe your harvest may qualify for this exemption, please complete items A and B below. For timber yield tax information or for further assistance with these questions call the State Board of Equalization, 1-800-400-7116, or write: Timber Tax Section, MIC: 60, State Board of Equalization, P.O. Box 942879, Sacramento, California 94279-0060; or contact the BOE Web Page on the Internet at http://www.boe.ca.gov.

- A. Circle the option that most closely estimates the total volume for this harvest, in thousands of board feet (mbf - Net Scribner short log): Under 8 mbf, 8-15 mbf, 16-25 mbf, Over 25 mbf
B. Estimate the species composition of the timber that will be removed during this harvest (numbers should sum to 100%): Redwood, Ponderosa/Sugar pine, Douglas-fir, Fir, Port-Orford Cedar, Cedar (IC, WRC), Other Conifer, Other hardwood

2. TIMBERLAND OWNER(S) OF RECORD: Charles Lengel Address: PO BOX 2067 City: Redway State CA Zip 95560 Phone 707-223-7779

I certify, under penalty of perjury, that this is a one-time conversion to a non-timberland use and that there is a "bona fide intent" [14 CCR § 1100(b)] to convert to Home Site, Barn and Shop. We also certify that as the timberland owners, we have not obtained an exemption pursuant to this section in the last five years.

Signature: Charles Lengel

Date: 4/25/16

3. LICENSED TIMBER OPERATOR(S): Name Graham Westfall Logging Lic. No. A-10435 Address P.O. Box 1221 City: Ferndale State CA Zip 95536 Phone 707-498-2499

SIGNATURE: [Signature] Date: 4/18/16

4. Designate the legal land description of the location of timberland conversion. A map showing the location of the timberland conversion MUST be attached. The map must show the ownership boundaries, the location of the timber operation, boundaries of the conversion, location and classification of all watercourses, and landing locations.

Table with 7 columns: Section, Township, Range, Base & Meridian, County, Acreage to be Converted, Assessors' Parcel Number. Row 1: 17, 2S, 3E, HB&M, HUM, 2.9 [max], 217-255-005

Page 1 NOTE: This form has two pages. Continue on and complete page 2. Read the Instructions before attempting to complete.

- 6. The following are limitations or requirements for timber operations conducted under a Less Than Three Acre Conversion Exemption (Notice, Notice of Conversion Exemption, Conversion Exemption):
 - A. Timber operations shall comply with all other applicable provisions of the Forest Practice Act and regulations, county general plans, zoning ordinances, and any implementing ordinances; copies of the state rules and regulations may be found on CAL FIRE's Web Page on the Internet at <http://www.fire.ca.gov>.
 - B. All timber operations shall be complete within one year from the date of acceptance by CAL FIRE.
 - C. All conversion activities shall be complete within two years from the date of acceptance by CAL FIRE unless under permit by local jurisdiction. Failure to complete the conversion requires compliance with stocking standards and stocking report requirements of the Forest Practice Act and Board of Forestry and Fire Protection regulations.
 - D. The timber operator shall remove or dispose of all slash or woody debris in accordance with 14 CCR § 1104.1(a)(2)(D)(1)-(9). The timberland owner may assume responsibility for the slash treatment, provided the landowner acknowledges in writing to CAL FIRE such responsibility at the time of submission of this notice. The specific requirements shall be included with the acknowledgement.
 - E. Timber operations may be conducted during the winter period. Tractor operations in the winter period are allowed under any of the conditions described in 14 CCR § 1104.1(a)(2)(E)1.-3.
 - F. No timber operations are allowed within a watercourse and lake protection zone unless specifically approved by local permit (e.g., county, city).
 - G. No timber operations shall be conducted until CAL FIRE's notice of acceptance is received and a valid copy of this notice and CAL FIRE's acceptance shall be kept on site during timber operations.
 - H. No sites of rare, threatened or endangered plants or animals or species of special concern shall be disturbed, threatened, or damaged.
 - I. No timber operations are allowed on significant historical or archeological sites.
 - J. Within one month of the completion of timber operations, including slash disposal, the timberland owner shall submit a work completion report to CAL FIRE.
 - K. A violation of the conversion exemption, including a conversion applied for in the name of someone other than the person or entity implementing the conversion in bona fide good faith, are violations of the Forest Practice Act and penalties may accrue up to ten thousand dollars (\$10,000) for each violation pursuant to Article 8 (commencing with Section 4601).

6. I, Karen Meynell, declare as the authorized designee of the County Board of Supervisors that this conversion exemption is in conformance with all county regulatory requirements, including public notice. (If the county has authorized a designee this item **MUST** be completed. If it has not, see item 7.)

SIGNATURE Karen Meynell Date 5/26/16

7. Registered Professional Forester preparing Notice: Name Chris Carroll Number 2628

Address 165 S. Fortuna Blvd.

City Fortuna State CA Zip 95540 Phone 707-725-1897

I have, or my supervised designee has, (1) prepared this Notice of Conversion Exemption Timber Operations; (2) visited the site and flagged the boundaries of the conversion exemption, applicable WLPZs and equipment limitation zones; (3) prepared a Neighborhood Notice of Conversion Exemption according to 14 CCR § 1104.1(a)(3) to be mailed by the landowner to adjacent landowners; and (4) posted and dated a copy of the Neighborhood Notice of Conversion Exemption on the ownership, visible to the public, at least 5 days prior to the postmark date of submission of the Notice of Conversion Exemption. I certify that if the County Board of Supervisors has not designated a representative authorized to sign in Item 6 that I, or my supervised designee, contacted the county and the Notice is in conformance with county regulations.

SIGNATURE of RPF Chris Carroll Date 5-31-16

8. NOTICE SUBMITTER(S): Charles Leigel

Address: PO BOX 2067

City: Redway State CA Zip 95560 Phone 707-223-7779

SIGNATURE Charles Leigel Date 4-25-16

FILE THIS NOTICE WITH THE CAL FIRE OFFICE BELOW FOR THE COUNTY IN WHICH THE OPERATION WILL OCCUR:

Forest Practice, CAL FIRE 135 Ridgway Avenue Santa Rosa, CA 95401	Forest Practice, CAL FIRE 6105 Airport Road Redding, CA 96002	Forest Practice, CAL FIRE 1234 East Shaw Avenue Fresno, CA 93710
Alameda, Colusa, Contra Costa, Del Norte, Humboldt, Lake, Marin, Mendocino, Napa, San Mateo, Santa Clara, Santa Cruz, Solano, Sonoma, western Trinity and Yolo Counties	Butte, Glenn, Lassen, Modoc, Nevada, Placer, Plumas, Shasta, Sierra, Siskiyou, Sutter, Tehama, eastern Trinity and Yuba Counties	Alpine, Amador, Calaveras, El Dorado, Fresno, Imperial, Inyo, Kern, Los Angeles, Madera, Mariposa, Merced, Mono, Monterey, Orange, Riverside, San Benito, San Bernardino, San Diego, San Luis Obispo, Santa Barbara, Stanislaus, Tuolumne, Tulare, and Ventura Counties

Project Description

Per the Humboldt County General Plan, the conversion exemption area is zoned Timber Production (TPZ) and Agriculture Exclusive (AE-B-5[160]). The County has reviewed the conversion exemption as required and Item 6 is signed by the County's designee.

Addendum 14CCR 1104.1(a)(1)(E)(1-4)

The timberland owner has certified via his signature, under penalty of perjury, that this is a one-time conversion to Home Site, Shop, and Barn. The timberland owner understands that a "Bona Fide Intention or bona fide intent" is a present, sincere intention of the applicant to conform with and successfully execute the conversion plan, as determined by the Director in accordance with provisions of Sec. 1106.2 (Ref.: Sec. 4623, PRC). In addition, the timberland owner also certifies that he has not obtained an exemption pursuant to this section in the last five years.

Addendum 14CCR 1104.1(a)(2)(F)

The conversion area does not include any watercourses and is not located within a WLPZ or Class III ELZ.

Addendum 14CCR 1104.1(a)(6)

The extent of the vegetation removal and site preparation required for the conversion;

The conversion area consists of second and third growth hardwood. The conversion area will require timber harvesting, site preparation, and treatment of logging slash and woody debris (see requirements proceeding page). Excavation, grading, cutting and filling will be required to successfully convert the sites to their stated uses.

The suitability of soils, slope, aspect, and microclimate for the stated non-timber use;

The conversion exemption areas are located on a parcel which is presently being used for agricultural. The timbered areas, which are proposed to be converted, contain suitable soils, slopes, aspect, and microclimate for the non-timber use stated above.

Addendum 14CCR 1104.1(a)(2)(D) - Treatment of Logging Slash and Woody Debris.

1. Unless otherwise required, slash greater than one inch in diameter and greater than two feet long, and woody debris, except pine, shall receive full treatment no later than April 1 of the year following its creation, or within one year from the date of acceptance of the conversion exemption by the Director, whichever comes first.
2. All pine slash three inches and greater in diameter and longer than four feet must receive initial treatment if it is still on the parcel, within 7 days of its creation.
3. All pine woody debris longer than four feet must receive an initial treatment prior to full treatment.
4. Initial treatment shall include limbing woody debris and cutting slash and woody debris into lengths of less than four feet, and leaving the pieces exposed to solar radiation to aid in rapid drying.
5. Full treatment of all pine slash and woody debris must be completed by March 1 of the year following its creation, or within one year from the date of acceptance of the conversion exemption by the Director, whichever comes first.
6. Full slash and woody debris treatment may include any of the following:
 - a. Burying;
 - b. Chipping and spreading;
 - c. Piling and burning; or
 - d. Removing slash and woody debris from the site for treatment in compliance with (a)-(b). Slash and woody debris may not be burned by open outdoor fires except under permit from the appropriate fire protection agency, if required, the local air pollution control district or air quality management district. The burning must occur on the property where the slash and woody debris originated.
7. Slash and woody debris, except for pine, which is cut up for firewood shall be cut to lengths 24 inches or less and set aside for drying by April 1 of the year following its creation. Pine slash and woody debris which is cut up for firewood shall be cut to lengths 24 inches or less and set aside for drying within seven days of its creation.
8. Any treatment which involves burning of slash or woody debris shall comply with all state and local fire and air quality rules.

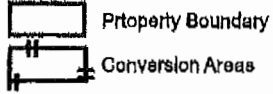
WINTER OPERATING PLAN

1. The erosion hazard rating for the conversion exemption area is moderate.
2. Mechanical site preparation is proposed.
3. The yarding system for the conversion exemption is ground based.
4. This Winter Operating Plan is for all timber operations occurring from October 15 to May 1.
5. No watercourses occur in the conversion exemption area. Class II and III Watercourses are located downstream however.
6. Use of logging roads, tractor roads, or landings shall not take place at any location where "Saturated Soil Conditions" exist, where a "Stable Operating Surface" does not exist, or when visibly turbid water from the road, landing, or skid trail surface or inside ditch may reach a watercourse or lake.
7. No unstable areas occur within or nearby the conversion exemption area.
8. Winter Operations Restrictions:
 - a. Logging roads, landings or tractor roads shall not be used when visibly turbid water from the road, landing or tractor road (skid trail) or an inside ditch associated with the logging road, landing or tractor road may reach a watercourse or lake in amounts sufficient to cause a turbidity increase in Class I, II, III or IV waters.
 - b. Log hauling on logging roads and landings shall be limited to those which are hydrologically disconnected from watercourses to the extent feasible, and exhibit a stable operating surface.
 - c. Concurrent with use for log hauling, approaches to logging road watercourse crossings shall be treated for erosion control as needed to minimize soil erosion and sediment transport and to prevent the discharge of sediment into watercourses and lakes in quantities deleterious to the beneficial uses of water.
 - d. Concurrent with use for log hauling, all traveled surfaces of logging roads in a WLPZ or within any ELZ or EEZ designated for watercourse or lake protection shall be treated for erosion control as needed to minimize soil erosion and sediment transport and to prevent the discharge of sediment into watercourses and lakes in quantities deleterious to the beneficial uses of water.
 - e. Grading to obtain a drier running surface more than one time before reincorporation of any resulting berms back into the road surface is prohibited.
 - f. Unless the winter period operating plan proposes operations during an extended wet weather period with low antecedent soil wetness, no tractor roads shall be constructed, reconstructed, or used on slopes that are over 40 percent and within 200 feet of a Class I, II, or III watercourse, as measured from the watercourse or lake transition line during the extended wet weather period.
 - g. Logging roads, landings and tractor roads shall not be used when sediment from the logging road, landing or tractor road surface is transported to a watercourse or a drainage facility that discharges into a watercourse in amounts sufficient to cause a visible increase in turbidity in Class I, II, III, or IV waters.
 - h. Logging roads and landings shall not be used for log hauling when saturated soil conditions result in the visible increase in turbidity specified in Class I, II, III, or IV waters.

WINTER OPERATING PLAN (CONT.)

- i. **SATURATED SOIL CONDITIONS:** means that soil and/or surface material pore spaces are filled with water to such an extent that runoff is likely to occur. Indicators of saturated soil conditions may include, but are not limited to: (1) areas of ponded water, (2) pumping of fines from the soil or road surfacing material during timber operations, (3) loss of bearing strength resulting in the deflection of soil or road surfaces under a load, such as the creation of wheel ruts, (4) spinning or churning of wheels or tracks that produces a wet slurry, or (5) inadequate traction without blading wet soil or surfacing materials.
- j. **STABLE OPERATING SURFACE:** means a road or landing surface that can support vehicular traffic and has a structurally sound road base appropriate for the type, intensity and timing of intended use.



**Charles Lengel
General Location Map**








Located in Section 17, T2S, R6E, HB&M;
Humboldt County, from the Blocksburg 7.5'
USGS Quad. Scale: 1" = 2,000'



**Charles Lengel
Conversion Map**

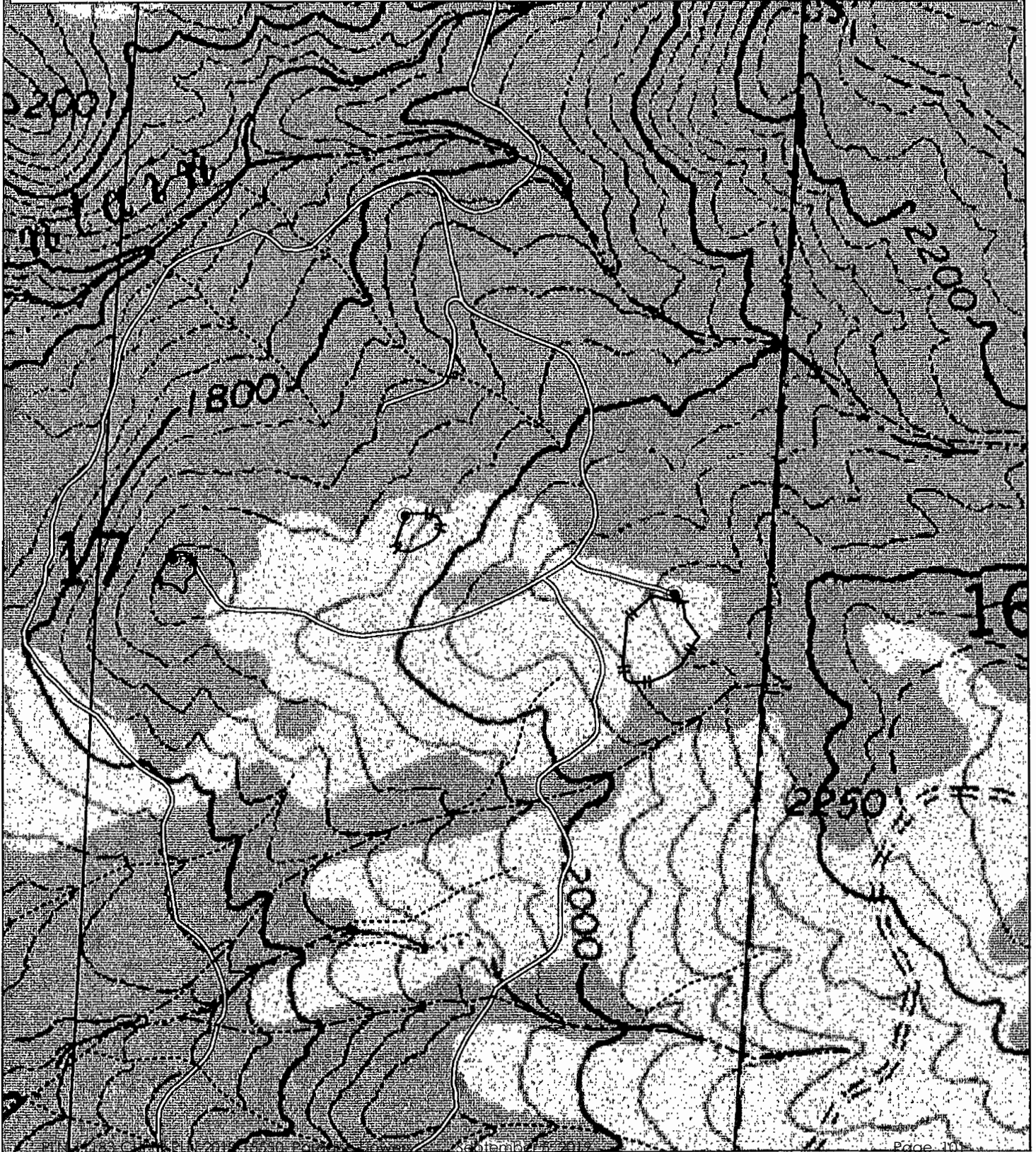
-  Property Boundary
-  Conversion Areas

- Roads**
-  Proposed
 -  Seasonal
 -  Landing

- Watercourses**
-  Class II
 -  Class III

REVISED
6-10-16

Located in Section 17, T2S, R5E, HB&M;
Humboldt County, from the Blocksburg 7.5'
USGS Quad. Scale: 1" = 2,000'



((

Additional Information

Less Than 3-acre Conversion Exemption NOTICE OF TIMBER OPERATIONS

Date of Posting of this Notice: April 15, 2016

A Conversion exemption that may be of interest to you will be submitted to the California Department of Forestry & Fire Protection. The California Department of Forestry & Fire Protection will be reviewing the proposed timber operation for compliance with various laws and rules. The following briefly describes the proposed conversion exemption and where and how to get more information. Questions about the proposed conversion exemption or laws and rules governing timber operations should be directed to:

California Department of Forestry and Fire Protection
Forest Practice Program
135 Ridgeway Avenue
Santa Rosa, CA 95402
(707) 576-2959

Information about the Conversion Exemption is as follows:

1. TIMBER OWNER OF RECORD: Charles Lengel
Address: PO BOX 2067
City: Redway State CA Zip 95560 Phone 707-223-7779
2. TIMBERLAND OWNER OF RECORD: Charles Lengel
Address: PO BOX 2067
City: Redway State CA Zip 95560 Phone 707-223-7779
3. LICENSED TIMBER OPERATOR(S): Graham Westfall Logging Lic. No. A-10435
Address P.O. Box 1221
City: Ferndale State CA Zip 95536 Phone 707-498-2489
4. REGISTERED PROFESSIONAL FORESTER PREPARING NOTICE: Name Chris Carroll RPF Number 2628
Address Timberland Resource Consultants, 165 South Fortuna Blvd, Suite 4
City Fortuna State CA Zip 95540 Phone (707) 725-1897
5. AGENCY OF HUMBOLDT COUNTY RESPONSIBLE FOR LAND USE CHANGES: Humboldt County Planning Department
6. PROJECT LOCATION: Located approximately 1 mile north of Blocksburg in the E ½ of Section 17, Township 2 South, Range 5 East, Humboldt County, HB&M, APN 217-255-005.
7. TYPE OF CONVERSION: This is a conversion from timberland to homesite, shop and barn, and the maximum size of this conversion exemption is less than three acres.



165 South Fortuna Boulevard, Fortuna, CA 95540
707-725-1897 • fax 707-725-0972
tro@timberlandresource.com

April 18, 2016

Katrina Sutherland
P.O. Box 225
Alderpoint, CA 95511

As the Registered Professional Forester preparing a Conversion Exemption per 14CCR 1104.1 for Charles Lengel, I am required by the California Forest Practice Rules to notify all adjacent landowners of this proposed operation with the following information:

1. TIMBER OWNER OF RECORD: Charles Lengel
Address: PO BOX 2067
City: Redway State CA Zip 95560 Phone 707-223-7779
2. TIMBERLAND OWNER OF RECORD: Charles Lengel
Address: PO BOX 2067
City: Redway State CA Zip 95560 Phone 707-223-7779
3. LICENSED TIMBER OPERATOR(S): Graham Westfall Logging Lic. No. A-10435
Address P.O. Box 1221
City: Ferndale State CA Zip 95536 Phone 707-498-2489
4. REGISTERED PROFESSIONAL FORESTER PREPARING NOTICE: Name Chris Carroll RPF Number 2628
Address Timberland Resource Consultants, 165 South Fortuna Blvd, Suite 4
City Fortuna State CA Zip 95540 Phone (707) 725-1897
5. AGENCY OF HUMBOLDT COUNTY RESPONSIBLE FOR LAND USE CHANGES: Humboldt County Planning Department
6. PROJECT LOCATION: Located approximately 1 mile north of Blocksburg in the E 1/4 of Section 17, Township 2 South, Range 5 East, Humboldt County, HB&M APN 217-255-005.
7. TYPE OF CONVERSION: This is a conversion from timberland to homesite, shop and barn, and the maximum size of this conversion exemption is less than three acres.

Sincerely,



Chris Carroll, RPF #2628
Timberland Resource Consultants



165 South Fortuna Boulevard, Fortuna, CA 95540
707-725-1897 • fax 707-725-0972
tro@timberlandresource.com

April 18, 2016

Rode Vogel Hout LLC
721 Virginia Street
Vallejo, CA 94590

As the Registered Professional Forester preparing a Conversion Exemption per 14CCR 1104.1 for Charles Lengel, I am required by the California Forest Practice Rules to notify all adjacent landowners of this proposed operation with the following information:

1. TIMBER OWNER OF RECORD: Charles Lengel
Address: PO BOX 2067
City: Redway State CA Zip 95560 Phone 707-223-7779
2. TIMBERLAND OWNER OF RECORD: Charles Lengel
Address: PO BOX 2067
City: Redway State CA Zip 95560 Phone 707-223-7779
3. LICENSED TIMBER OPERATOR(S): Graham Westfall Logging Lic. No. A-10435
Address P.O. Box 1221
City: Ferndale State CA Zip 95536 Phone 707-498-2469
4. REGISTERED PROFESSIONAL FORESTER PREPARING NOTICE: Name Chris Carroll RPF Number 2628
Address Timberland Resource Consultants, 165 South Fortuna Blvd, Suite 4
City Fortuna State CA Zip 95540 Phone (707) 725-1897
5. AGENCY OF HUMBOLDT COUNTY RESPONSIBLE FOR LAND USE CHANGES: Humboldt County Planning Department
6. PROJECT LOCATION: Located approximately 1 mile north of Blocksburg in the E ¼ of Section 17, Township 2 South, Range 5 East, Humboldt County, HB&M, APN 217-255-006.
7. TYPE OF CONVERSION: This is a conversion from timberland to homesite, shop and barn, and the maximum size of this conversion exemption is less than three acres.

Sincerely,



Chris Carroll, RPF #2628
Timberland Resource Consultants



165 South Fortuna Boulevard, Fortuna, CA 95540
707-725-1897 • fax 707-725-0972
trc@timberlandresource.com

April 18, 2016

Patton Kelly & Mark & Nicholson Charles SUC-CA-TR
826 8th Street
Fortuna, CA 95540

As the Registered Professional Forester preparing a Conversion Exemption per 14CCR 1104.1 for Charles Lengel, I am required by the California Forest Practice Rules to notify all adjacent landowners of this proposed operation with the following information:

1. TIMBER OWNER OF RECORD: Charles Lengel
Address: PO BOX 2067
City: Redway State CA Zip 95560 Phone 707-223-7779
2. TIMBERLAND OWNER OF RECORD: Charles Lengel
Address: PO BOX 2067
City: Redway State CA Zip 95560 Phone 707-223-7779
3. LICENSED TIMBER OPERATOR(S): Graham Westfall Logging Lic. No. A-10435
Address P.O. Box 1221
City: Ferndale State CA Zip 95536 Phone 707-496-2489
4. REGISTERED PROFESSIONAL FORESTER PREPARING NOTICE: Name Chris Carroll RPF Number 2628
Address Timberland Resource Consultants, 165 South Fortuna Blvd, Suite 4
City Fortuna State CA Zip 95540 Phone (707) 725-1897
5. AGENCY OF HUMBOLDT COUNTY RESPONSIBLE FOR LAND USE CHANGES: Humboldt County Planning Department
6. PROJECT LOCATION: Located approximately 1 mile north of Blocksburg in the E 1/4 of Section 17, Township 2 South, Range 5 East, Humboldt County, HB&M, APN 217-255-005.
7. TYPE OF CONVERSION: This is a conversion from timberland to home site, shop and barn, and the maximum size of this conversion exemption is less than three acres.

Sincerely,



Chris Carroll, RPF #2628
Timberland Resource Consultants



165 South Fortuna Boulevard, Fortuna, CA 95540
707-725-1897 • fax 707-725-0972
tro@timberlandresource.com

April 18, 2016

Ronald Glass
1540 Xavier Ct
Fortuna, CA 95540

As the Registered Professional Forester preparing a Conversion Exemption per 14CCR 1104.1 for Charles Lengel, I am required by the California Forest Practice Rules to notify all adjacent landowners of this proposed operation with the following information:

1. TIMBER OWNER OF RECORD: Charles Lengel
Address: PO BOX 2067
City: Redway State CA Zip 95560 Phone 707-223-7779
2. TIMBERLAND OWNER OF RECORD: Charles Lengel
Address: PO BOX 2067
City: Redway State CA Zip 95560 Phone 707-223-7779
3. LICENSED TIMBER OPERATOR(S): Graham Westfall Logging Lic. No. A-10435
Address P.O. Box 1221
City: Ferndale State CA Zip 95538 Phone 707-498-2489
4. REGISTERED PROFESSIONAL FORESTER PREPARING NOTICE: Name Chris Carroll RPF Number 2628
Address Timberland Resource Consultants, 165 South Fortuna Blvd, Suite 4
City Fortuna State CA Zip 95540 Phone (707) 725-1897
5. AGENCY OF HUMBOLDT COUNTY RESPONSIBLE FOR LAND USE CHANGES: Humboldt County Planning Department
6. PROJECT LOCATION: Located approximately 1 mile north of Blockeburg in the E 1/4 of Section 17, Township 2 South, Range 5 East, Humboldt County, HB&M, APN 217-255-005.
7. TYPE OF CONVERSION: This is a conversion from timberland to homesite, shop and barn, and the maximum size of this conversion exemption is less than three acres.

Sincerely,



Chris Carroll, RPF #2628
Timberland Resource Consultants



165 South Fortuna Boulevard, Fortuna, CA 95540
707-725-1897 • fax 707-725-0972
trc@timberlandresource.com

April 18, 2016

Twinkle Acres LLC
3651 Lindell Rd #D1051
Las Vegas, NV 89103

As the Registered Professional Forester preparing a Conversion Exemption per 14CCR 1104.1 for Charles Lengel, I am required by the California Forest Practice Rules to notify all adjacent landowners of this proposed operation with the following information:

1. TIMBER OWNER OF RECORD: Charles Lengel
Address: PO BOX 2067
City: Redway State CA Zip 95660 Phone 707-223-7779
2. TIMBERLAND OWNER OF RECORD: Charles Lengel
Address: PO BOX 2067
City: Redway State CA Zip 95660 Phone 707-223-7779
3. LICENSED TIMBER OPERATOR(S): Graham Westfall Logging Lic. No. A-10435
Address P.O. Box 1221
City: Ferndale State CA Zip 95536 Phone 707-498-2489
4. REGISTERED PROFESSIONAL FORESTER PREPARING NOTICE: Name Chris Carroll RPF Number 2628
Address Timberland Resource Consultants, 165 South Fortuna Blvd, Suite 4
City Fortuna State CA Zip 95540 Phone (707) 725-1897
5. AGENCY OF HUMBOLDT COUNTY RESPONSIBLE FOR LAND USE CHANGES: Humboldt County Planning Department
6. PROJECT LOCATION: Located approximately 1 mile north of Blocksburg in the E 1/4 of Section 17, Township 2 South, Range 5 East, Humboldt County, HB&M, APN 217-255-005.
7. TYPE OF CONVERSION: This is a conversion from timberland to homesite, shop and barn, and the maximum size of this conversion exemption is less than three acres.

Sincerely,



Chris Carroll, RPF #2628
Timberland Resource Consultants



165 South Fortuna Boulevard, Fortuna, CA 95540
707-725-1897 • fax 707-725-0972
trc@timberlandresource.com

April 18, 2016

Nedra & Kenneth Gardner
P.O. Box 138
Blocksburg, CA 95514

As the Registered Professional Forester preparing a Conversion Exemption per 14CCR 1104.1 for Charles Lengel, I am required by the California Forest Practice Rules to notify all adjacent landowners of this proposed operation with the following information:

1. TIMBER OWNER OF RECORD: Charles Lengel
Address: PO BOX 2067
City: Redway State CA Zip 95560 Phone 707-223-7779
2. TIMBERLAND OWNER OF RECORD: Charles Lengel
Address: PO BOX 2067
City: Redway State CA Zip 95560 Phone 707-223-7779
3. LICENSED TIMBER OPERATOR(S): Graham Westfall Logging Lic. No. A-10435
Address P.O. Box 1221
City: Ferndale State CA Zip 95536 Phone 707-498-2489
4. REGISTERED PROFESSIONAL FORESTER PREPARING NOTICE: Name Chris Carroll RPF Number 2628
Address Timberland Resource Consultants, 165 South Fortuna Blvd, Suite 4
City Fortuna State CA Zip 95540 Phone (707) 725-1897
5. AGENCY OF HUMBOLDT COUNTY RESPONSIBLE FOR LAND USE CHANGES: Humboldt County Planning Department
6. PROJECT LOCATION: Located approximately 1 mile north of Blocksburg in the E 1/4 of Section 17, Township 2 South, Range 6 East, Humboldt County, HB&M, APN 217-255-005.
7. TYPE OF CONVERSION: This is a conversion from timberland to homesite, shop and barn, and the maximum size of this conversion exemption is less than three acres.

Sincerely,



Chris Carroll, RPF #2628
Timberland Resource Consultants



165 South Fortuna Boulevard, Fortuna, CA 95540
707-725-1897 • fax 707-725-0972
trc@timberlandresource.com

April 18, 2016

William Rice
3352 Via Tivoli
Costa Mesa, CA 92626

As the Registered Professional Forester preparing a Conversion Exemption per 14CCR 1104.1 for Charles Lengel, I am required by the California Forest Practice Rules to notify all adjacent landowners of this proposed operation with the following information:

1. TIMBER OWNER OF RECORD: Charles Lengel
Address: PO BOX 2067
City: Redway State CA Zip 95560 Phone 707-223-7779
2. TIMBERLAND OWNER OF RECORD: Charles Lengel
Address: PO BOX 2067
City: Redway State CA Zip 95560 Phone 707-223-7779
3. LICENSED TIMBER OPERATOR(S): Graham Westfall Logging Lic. No. A-10435
Address P.O. Box 1221
City: Ferndale State CA Zip 95536 Phone 707-496-2489
4. REGISTERED PROFESSIONAL FORESTER PREPARING NOTICE: Name Chris Carroll RPF Number 2628
Address Timberland Resource Consultants, 165 South Fortuna Blvd, Suite 4
City Fortuna State CA Zip 95540 Phone (707) 725-1897
5. AGENCY OF HUMBOLDT COUNTY RESPONSIBLE FOR LAND USE CHANGES: Humboldt County Planning Department
6. PROJECT LOCATION: Located approximately 1 mile north of Blocksburg in the E 1/4 of Section 17, Township 2 South, Range 5 East, Humboldt County, HB&M, APN 217-255-005.
7. TYPE OF CONVERSION: This is a conversion from timberland to homesite, shop and barn, and the maximum size of this conversion exemption is less than three acres.

Sincerely,



Chris Carroll, RPF #2628
Timberland Resource Consultants



165 South Fortuna Boulevard, Fortuna, CA 95540
707-725-1897 • fax 707-725-0972
trc@timberlandresource.com

April 18, 2016

Catherine & James Burgess
P.O. Box 134
Blocksburg, CA 95514

As the Registered Professional Forester preparing a Conversion Exemption per 14CCR 1104.1 for Charles Lengel, I am required by the California Forest Practice Rules to notify all adjacent landowners of this proposed operation with the following information:

1. TIMBER OWNER OF RECORD: Charles Lengel
Address: PO BOX 2067
City: Redway State CA Zip 95560 Phone 707-223-7779
2. TIMBERLAND OWNER OF RECORD: Charles Lengel
Address: PO BOX 2067
City: Redway State CA Zip 95560 Phone 707-223-7779
3. LICENSED TIMBER OPERATOR(S): Graham Westfall Logging Lic. No. A-10435
Address P.O. Box 1221
City: Ferndale State CA Zip 95536 Phone 707-498-2489
4. REGISTERED PROFESSIONAL FORESTER PREPARING NOTICE: Name Chris Carroll RPF Number 2628
Address Timberland Resource Consultants, 165 South Fortuna Blvd, Suite 4
City Fortuna State CA Zip 95540 Phone (707) 725-1897
5. AGENCY OF HUMBOLDT COUNTY RESPONSIBLE FOR LAND USE CHANGES: Humboldt County Planning Department
6. PROJECT LOCATION: Located approximately 1 mile north of Blocksburg in the E 1/4 of Section 17, Township 2 South, Range 5 East, Humboldt County, HB&M, APN 217-255-005.
7. TYPE OF CONVERSION: This is a conversion from timberland to homesite, shop and barn, and the maximum size of this conversion exemption is less than three acres.

Sincerely,



Chris Carroll, RPF #2628
Timberland Resource Consultants



165 South Fortuna Boulevard, Fortuna, CA 95540
707-725-1897 • fax 707-725-0972
tro@timberlandresource.com

April 18, 2016

Plrin LLC
728 CEDAR AVE 24
Long Beach, CA 90813

As the Registered Professional Forester preparing a Conversion Exemption per 14CCR 1104.1 for Charles Lengel, I am required by the California Forest Practice Rules to notify all adjacent landowners of this proposed operation with the following information:

1. TIMBER OWNER OF RECORD: Charles Lengel
Address: PO BOX 2067
City: Redway State CA Zip 95560 Phone 707-223-7779
2. TIMBERLAND OWNER OF RECORD: Charles Lengel
Address: PO BOX 2067
City: Redway State CA Zip 95560 Phone 707-223-7779
3. LICENSED TIMBER OPERATOR(S): Graham Westfall Logging Lic. No. A-10435
Address P.O. Box 1221
City: Ferndale State CA Zip 95536 Phone 707-498-2489
4. REGISTERED PROFESSIONAL FORESTER PREPARING NOTICE: Name Chris Carroll RPF Number 2628
Address Timberland Resource Consultants, 165 South Fortuna Blvd, Suite 4
City Fortuna State CA Zip 95540 Phone (707) 725-1897
5. AGENCY OF HUMBOLDT COUNTY RESPONSIBLE FOR LAND USE CHANGES: Humboldt County Planning Department
6. PROJECT LOCATION: Located approximately 1 mile north of Blocksburg in the E 1/4 of Section 17, Township 2 South, Range 5 East, Humboldt County, HB&M, APN 217-255-005.
7. TYPE OF CONVERSION: This is a conversion from timberland to homesite, shop and barn, and the maximum size of this conversion exemption is less than three acres.

Sincerely,



Chris Carroll, RPF #2628
Timberland Resource Consultants



165 South Fortuna Boulevard, Fortuna, CA 95540
707-725-1897 • fax 707-725-0972
trc@timberlandresource.com

April 18, 2016

Native American Heritage Commission
1550 Harbor Blvd., Room 100
West Sacramento, CA 95691

Dear Native American Heritage Commission:

As the Registered Professional Forester preparing a Conversion Exemption per 14CCR 1104.1 for Charles Lengel, I am required by the California Forest Practice Rules to notify all Native Americans of this proposed operation with the following information:

1. TIMBER OWNER OF RECORD: Charles Lengel
Address: PO BOX 2067
City: Redway State CA Zip 95560 Phone 707-223-7779
2. TIMBERLAND OWNER OF RECORD: Charles Lengel
Address: PO BOX 2067
City: Redway State CA Zip 95560 Phone 707-223-7779
3. LICENSED TIMBER OPERATOR(S): Graham Westfall Logging Lic. No. A-10435
Address P.O. Box 1221
City: Ferndale State CA Zip 95538 Phone 707-498-2489
4. REGISTERED PROFESSIONAL FORESTER PREPARING NOTICE: Name Chris Carroll RPF Number 2628
Address Timberland Resource Consultants, 165 South Fortuna Blvd, Suite 4
City Fortuna State CA Zip 95540 Phone (707) 725-1897
5. AGENCY OF HUMBOLDT COUNTY RESPONSIBLE FOR LAND USE CHANGES: Humboldt County Planning Department
6. PROJECT LOCATION: Located approximately 1 mile north of Blocksburg in the E 1/2 of Section 17, Township 2 South, Range 5 East, Humboldt County, HB&M, APN 217-255-005.
7. TYPE OF CONVERSION: This is a conversion from timberland to homesite, shop and barn, and the maximum size of this conversion exemption is less than three acres.

Sincerely,



Chris Carroll, RPF #2628
Timberland Resource Consultants



165 South Fortuna Boulevard, Fortuna, CA 95540
707-725-1897 • fax 707-725-0972
tro@timberlandresource.com

April 18, 2016

Bear River Band of Rohnerville Rancheria
268 Klesner Road
Loleta, CA 95551

Dear Erica Cooper, Tribal Historic Preservation Officer:

As the Registered Professional Forester preparing a Conversion Exemption per 14CCR 1104.1 for Charles Lengel, I am required by the California Forest Practice Rules to notify all Native Americans of this proposed operation with the following information:

1. TIMBER OWNER OF RECORD: Charles Lengel
Address: PO BOX 2067
City: Redway State CA Zip 95560 Phone 707-223-7779
2. TIMBERLAND OWNER OF RECORD: Charles Lengel
Address: PO BOX 2067
City: Redway State CA Zip 95560 Phone 707-223-7779
3. LICENSED TIMBER OPERATOR(S): Graham Westfall Logging Lic. No. A-10435
Address P.O. Box 1221
City: Ferndale State CA Zip 95536 Phone 707-498-2489
4. REGISTERED PROFESSIONAL FORESTER PREPARING NOTICE: Name Chris Carroll RPF Number 2628
Address Timberland Resource Consultants, 165 South Fortuna Blvd, Suite 4
City Fortuna State CA Zip 95540 Phone (707) 725-1897
5. AGENCY OF HUMBOLDT COUNTY RESPONSIBLE FOR LAND USE CHANGES: Humboldt County Planning Department
6. PROJECT LOCATION: Located approximately 1 mile north of Blocksburg in the E 1/2 of Section 17, Township 2 South, Range 5 East, Humboldt County, HB&M, APN 217-255-005.
7. TYPE OF CONVERSION: This is a conversion from timberland to homesite, shop and barn, and the maximum size of this conversion exemption is less than three acres.

Sincerely,



Chris Carroll, RPF #2628
Timberland Resource Consultants



165 South Fortuna Boulevard, Fortuna, CA 95540
707-725-1897 • fax 707-725-0972
trc@timberlandresource.com

April 18, 2016

InterTribal Sinkyone Wilderness Council
P. O. Box 1523
Ukiah, CA 95482

Dear Hawk Rosales, Executive Director:

As the Registered Professional Forester preparing a Conversion Exemption per 14CCR 1104.1 for Charles Lengel, I am required by the California Forest Practice Rules to notify all Native Americans of this proposed operation with the following information:

1. TIMBER OWNER OF RECORD: Charles Lengel
Address: PO BOX 2067
City: Redway State CA Zip 95560 Phone 707-223-7779
2. TIMBERLAND OWNER OF RECORD: Charles Lengel
Address: PO BOX 2067
City: Redway State CA Zip 95560 Phone 707-223-7779
3. LICENSED TIMBER OPERATOR(S): Graham Westfall Logging Lic. No. A-10435
Address P.O. Box 1221
City: Ferndale State CA Zip 95536 Phone 707-498-2489
4. REGISTERED PROFESSIONAL FORESTER PREPARING NOTICE: Name Chris Carroll RPF Number 2628
Address Timberland Resource Consultants, 165 South Fortuna Blvd, Suite 4
City Fortuna State CA Zip 95540 Phone (707) 725-1897
5. AGENCY OF HUMBOLDT COUNTY RESPONSIBLE FOR LAND USE CHANGES: Humboldt County Planning Department
6. PROJECT LOCATION: Located approximately 1 mile north of Blocksburg in the E 1/4 of Section 17, Township 2 South, Range 5 East, Humboldt County, HB&M, APN 217-255-005.
7. TYPE OF CONVERSION: This is a conversion from timberland to homesite, shop and barn, and the maximum size of this conversion exemption is less than three acres.

Sincerely,



Chris Carroll, RPF #2628
Timberland Resource Consultants



165 South Fortuna Boulevard, Fortuna, CA 95540
707-725-1897 • fax 707-725-0972
trc@timberlandresource.com

April 18, 2016

Round Valley Indian Tribes of the Round Valley Reservation
77826 Covelo Road
Covelo, CA 95428

Dear Stephanie Britton, Natural Resources:

As the Registered Professional Forester preparing a Conversion Exemption per 14CCR 1104.1 for Charles Lengel, I am required by the California Forest Practice Rules to notify all Native Americans of this proposed operation with the following information:

1. TIMBER OWNER OF RECORD: Charles Lengel
Address: PO BOX 2067
City: Redway State CA Zip 95560 Phone 707-223-7779
2. TIMBERLAND OWNER OF RECORD: Charles Lengel
Address: PO BOX 2067
City: Redway State CA Zip 95560 Phone 707-223-7779
3. LICENSED TIMBER OPERATOR(S): Graham Westfall Logging Lic. No. A-10435
Address P.O. Box 1221
City: Ferndale State CA Zip 95536 Phone 707-498-2489
4. REGISTERED PROFESSIONAL FORESTER PREPARING NOTICE: Name Chris Carroll RPF Number 2628
Address Timberland Resource Consultants, 165 South Fortuna Blvd, Suite 4
City Fortuna State CA Zip 95540 Phone (707) 725-1897
5. AGENCY OF HUMBOLDT COUNTY RESPONSIBLE FOR LAND USE CHANGES: Humboldt County Planning Department
6. PROJECT LOCATION: Located approximately 1 mile north of Blocksburg in the E 1/4 of Section 17, Township 2 South, Range 5 East, Humboldt County, HB&M, APN 217-255-005.
7. TYPE OF CONVERSION: This is a conversion from timberland to homesite, shop and barn, and the maximum size of this conversion exemption is less than three acres.

Sincerely,



Chris Carroll, RPF #2628
Timberland Resource Consultants



165 South Fortuna Boulevard, Fortuna, CA 95540
707-725-1897 • fax 707-725-0972
tro@timberlandresource.com

April 18, 2016

Wailaki Tribe
PO BOX 1284
Redway, CA 95560

Dear Louls Hoaglin Sr., Chairman,

As the Registered Professional Forester preparing a Conversion Exemption per 14CCR 1104.1 for Charles Lengel, I am required by the California Forest Practice Rules to notify all Native Americans of this proposed operation with the following information:

1. TIMBER OWNER OF RECORD: Charles Lengel
Address: PO BOX 2067
City: Redway State CA Zip 95560 Phone 707-223-7779
2. TIMBERLAND OWNER OF RECORD: Charles Lengel
Address: PO BOX 2067
City: Redway State CA Zip 95560 Phone 707-223-7779
3. LICENSED TIMBER OPERATOR(S): Graham Westfall Logging Lic. No. A-10435
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4. REGISTERED PROFESSIONAL FORESTER PREPARING NOTICE: Name Chris Carroll RPF Number 2628
Address Timberland Resource Consultants, 165 South Fortuna Blvd, Suite 4
City Fortuna State CA Zip 95540 Phone (707) 725-1897
5. AGENCY OF HUMBOLDT COUNTY RESPONSIBLE FOR LAND USE CHANGES: Humboldt County Planning Department
6. PROJECT LOCATION: Located approximately 1 mile north of Blockaburg in the E 1/4 of Section 17, Township 2 South, Range 5 East, Humboldt County, HB&M, APN 217-265-005.
7. TYPE OF CONVERSION: This is a conversion from timberland to homesite, shop and barn, and the maximum size of this conversion exemption is less than three acres.

Sincerely,



Chris Carroll, RPF #2628
Timberland Resource Consultants



165 South Fortuna Boulevard, Fortuna, CA 95540
707-725-1897 • fax 707-725-0972
trc@timberlandresource.com

April 18, 2016

Wiyot Tribe
1000 Wiyot Drive
Loleta, CA 95551

Dear Thomas Torma, Cultural Director/Tribal Historic Preservation Officer:

As the Registered Professional Forester preparing a Conversion Exemption per 14CCR 1104.1 for Charles Lengel, I am required by the California Forest Practice Rules to notify all Native Americans of this proposed operation with the following information:

1. TIMBER OWNER OF RECORD: Charles Lengel
Address: PO BOX 2067
City: Redway State CA Zip 95560 Phone 707-223-7779
2. TIMBERLAND OWNER OF RECORD: Charles Lengel
Address: PO BOX 2067
City: Redway State CA Zip 95560 Phone 707-223-7779
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Address P.O. Box 1221
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4. REGISTERED PROFESSIONAL FORESTER PREPARING NOTICE: Name Chris Carroll RPF Number 2628
Address Timberland Resource Consultants, 165 South Fortuna Blvd, Suite 4
City Fortuna State CA Zip 95540 Phone (707) 725-1897
5. AGENCY OF HUMBOLDT COUNTY RESPONSIBLE FOR LAND USE CHANGES: Humboldt County Planning Department
6. PROJECT LOCATION: Located approximately 1 mile north of Blocksburg in the E 1/2 of Section 17, Township 2 South, Range 5 East, Humboldt County, HB&M, APN 217-255-005.
7. TYPE OF CONVERSION: This is a conversion from timberland to homesite, shop and barn, and the maximum size of this conversion exemption is less than three acres.

Sincerely,



Chris Carroll, RPF #2628
Timberland Resource Consultants

Water Resource Protection Plan

WDID# - 1B16456CHUM

APN 217-255-005

Prepared by:

Timberland Resource Consultants

165 South Fortuna Blvd

Fortuna, California 95540

09-22-2016

Revised 04-29-2017

Purpose

This Water Resource Protection Plan (WRPP) has been prepared on behalf of the property owner, for the Humboldt County property identified as parcel number 217-255-005 by agreement and in response to the California Water Code Section 13260(a), which requires that any person discharging waste or proposing to discharge waste within any region that could affect the quality of the waters of the state, other than into a community sewer system, shall file with the appropriate regional water board a Report of Waste Discharge (ROWD) containing such information and data as may be required by the Regional Water Board. The Regional Water Board may waive the requirements of Water Code section 13260 for specific types of discharges if the waiver is consistent with the Basin Plan and in the public interest. Any waiver is conditional and may be terminated at any time. A waiver should include monitoring requirements to verify the adequacy and effectiveness of the waiver's conditions. California Regional Water Quality Control Board, North Coast Region, Order R1-2015-0023, conditionally waives the requirement for the property owner to file an ROWD for discharges and associated activities described in Finding-4.

Scope of Report

Order No. R1-2015-0023 states that "Tier 2 Dischargers and Tier 3 Dischargers who intend to cultivate cannabis before, during, or following site cleanup activities shall develop and implement a water resource protection plan that contains the elements listed and addressed below. Dischargers must keep this plan on site, and produce it upon request by Regional Water Board staff. Management practices shall be properly designed, installed, and assessed periodically for effectiveness. If a management measure is found to be ineffective, the plan must be adapted and implemented to incorporate new or additional management practices to meet standard conditions. Dischargers shall certify annually to the Regional Water Board individually or through an approved third party program that the plan is being implemented and is effectively protecting water quality, and report on progress in implementing site improvements intended to bring the site into compliance with all conditions of this Order."

Methods

The methods used to develop this WRPP include both field and office components. The office component consisted of aerial photography review and interpretation, existing USGS quad map review, GIS mapping of field data, review of on-site photography points, streamflow calculations, and general planning. The field component included identifying and accurately mapping all watercourses, wet areas, and wetlands located downstream of the cultivation areas, associated facilities, and all appurtenant roads accessing such areas. An accurate location of the Waters of the State is necessary to make an assessment of whether potential and existing erosion sites/pollution sites have the potential to discharge waste to an area that could affect Waters of the State (including groundwater). All cultivation areas, associated facilities, and all appurtenant roads accessing such areas were assessed for discharges and related controllable water quality factors from the activities listed in Order R1-2015-0023, Finding 4a-j. The field assessment also included an evaluation and determination of compliance with the Standard Conditions per Provision I.B of Order No. R1-2015-0023. The water resource protection plans required under Tier 2 are meant to describe the specific measures a discharger implements to achieve compliance with standard conditions. Therefore, all required components of the water resource protection plan per Provision I.B of Order No. R1-2015-0023 were physically inspected and evaluated. A comprehensive summary of each Standard Condition as it relates to the subject property is appended.

Property Description

The property assessed consists of one 342 acre parcel with vegetation consisting of both Douglas-fir forest types and oak woodland and grasslands. Slopes on the ownership range from 10-50%. The property is located in Section 17, T2S, R5E, HB&M, Humboldt County, of the Blocksburg 7.5' USGS Quad Map. This property is one-half mile north of Blocksburg accessed via Alderpoint Road. Portions of Mountain View Creek, a Class II watercourse drain through the property, as well as un-named Class II and III watercourses. All watercourses on the property, including Mountain Creek, are tributary to Larabee Creek which flows approximately 22 miles before converging with the Eel River. Access to the property is from US Hwy 36 to Alderpoint Road to a private drive.

Project Description

Cultivation on the property consists of two distinct areas, Cultivation Areas A & B. Cultivation Area A consists of two 30' x 100' greenhouses located on a graded area in the saddle of ridge. Slopes are approximately 0-7% in this area. Cultivation Area B consists of two 30' x 100' greenhouses located on a graded area. Slopes are approximately 5-10% in this area. There is a total of 12,000ft² of greenhouse area within approximately 60,000ft² of total cultivation area. All areas are accessed by a well-established road network that has historically been used for logging and ranching.

Monitoring Plan

Tier 2 Dischargers shall include a monitoring element in the Water Resource Protection Plan that at a minimum provides for periodic inspection of the site, checklist to confirm placement and efficacy of management measures and document progress on any plan elements subject to a time schedule. Tier 2 Dischargers shall submit an annual report (Appendix C) by March 31 of each year that documents implementation and effectiveness of management measures during the previous year. Tier 2 annual reporting is a function that may be provided through an approved third party program.

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 re-certification 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 are 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 November 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>). Sites requiring monitoring are indicated as such within the WRPP Mitigation report in the follow pages.

Monitoring Plan Reporting Requirements

Order No. R1-2015-0023, Appendix C must be submitted to the Regional Water Board or approved third party program upon initial enrollment in the Order (NOI) and annually thereafter by March 31. Forms submitted to the Regional Water Board shall be submitted electronically to northcoast@waterboards.ca.gov. If electronic submission is infeasible, hard copies can be submitted to North Coast Regional Water Quality Control Board, 5550 Skylane Boulevard, Suite A, Santa Rosa, CA 95403.

Assessment of the Standard Conditions

Assessment of Standard Conditions consisted of field examinations in the fall of 2016. The examination evaluated areas near, and areas with the potential to directly impact, watercourses for sensitive conditions including, but not limited to, existing and proposed roads, skid trails and landings, unstable and erodible watercourse banks, unstable upslope areas, debris, jam potential, inadequate flow capacity, changeable channels, overflow channels, flood-prone areas, and riparian zones. Field examinations also evaluated all roads and trails on the property, developed areas, cultivation sites, and any structures and facilities appurtenant to cultivation on the property. Anywhere the Standard Conditions are not met on the property, descriptions of the assessments and the prescribed treatments are outlined in the Mitigation Report to follow.

Summary of Standard Conditions Compliance

1. Site maintenance, erosion control, and drainage features Y/N
2. Stream crossing maintenance Y/N
3. Riparian and wetland protection and management Y/N
4. Spoils management Y/N
5. Water storage and use Y/N
6. Irrigation runoff Y/N
7. Fertilizers and soil amendments Y/N
8. Pesticides and herbicides Y/N
9. Petroleum products and other chemicals Y/N
10. Cultivation-related wastes Y/N
11. Refuse and human waste Y/N

1. Site maintenance, erosion control, and drainage features

A well established road network exists on the property consisting of permanent roads, seasonal roads, and trails used historically for logging and ranching. The property has an approved Non-Industrial Timber Management Plan (NTMP) from 1998 and is periodically harvested under this permit. While the overall layout of the roads on the property are satisfactory, the condition of the associated drainage structures are in need of maintenance and in some cases additional structures to improve drainage. Minor riling was observed on many of the road surfaces, though this was attributed to the poor condition of drainage features. Fourteen sites were identified during field surveys as requiring maintenance or reconstruction in order to adequately drain road surfaces to prevent the concentration of runoff. These sites are detailed in the Mitigation Report following this section. In the first phase of treatment to the roads for this project, it is expected that the proper installation and maintenance of these features will eliminate the surface erosion currently occurring on the road system. The roads will be continuously monitored following initial treatments and if surface erosion is still occurring anywhere on the road system, additional drainage facilities or surface rocking may be required.

Four cultivation areas were identified on the property. However, only two of these areas (Cultivation Area A & B) are currently in use. Two abandoned cultivation sites are identified as Sites 44 & 46. These areas do not

Assessment of the Standard Conditions (Cont.)

appear to have been used for several years, are well vegetated, and no erosion or sediment/nutrient delivery was occurring as a result of these previous cultivation areas.

Cultivation Area A is located in the flat area of a ridgetop saddle. The area is well drained and the areas surrounding the cultivation area is densely vegetated with grasses. No erosion was noted as a result of the cultivation area.

Cultivation Area B is located between two Class III watercourses, yet is outside the associated riparian areas. The cultivation area is located on a graded flat of less than 5% slope in an area of transitioning slopes with adjacent natural slopes above being approximately 20% and adjacent natural slopes below being approximately 10%. During a winter inspection, surface runoff and cutbank seeps were observed flowing across the extent of the cultivation area and ultimately reaching the inboard ditch associated with the road below. An inboard ditch will be constructed (Site 49) along the entire extent of the cutbank to capture hillslope runoff and cutbank seeps, that currently flow across the cultivation area, and drain them north, away from the cultivation area. Though this drainage ditch should not capture runoff from the cultivation area itself, a bio-swale is to be constructed at the outlet of the ditch as a precaution to prevent potential nutrients from reaching the adjacent watercourse.

Further upslope from Cultivation Area B, a drainage ditch (Site 50) was created some time in the past that runs northeast-southwest. The ditch is approximately 70' long and cuts across the hillslope capturing and redirecting natural hillslope runoff. The ditch is well vegetated and no erosion is occurring within the ditch itself, however, these flows are directed onto the cultivation area and are creating substantial erosion to the cutbank and increasing flows across the cultivation area. We are proposing two ditches be installed to intercept the drainage ditch and direct flows northwest, away from the cultivation area.

2. Stream crossing maintenance

A total of twenty-four watercourse crossings exist on the property. Of these, ten require replacement due primarily to poor installation and being undersized for a 100-year storm event. Seven crossings will require maintenance to regain proper function. All crossings are addressed in further detail in the Mitigation Report and are intended to meet full compliance with the Order in 3 years.

3. Riparian and wetland protection and management

All cultivation related areas are at distance beyond those defined as appropriate buffers in the Order as greater than 50' from the nearest edge of a Class III watercourse and greater than 100' from the nearest edge of a Class I/II watercourse.

Cultivation Area A is located on a ridge top saddle. The nearest watercourse is approximately 165' west to a Class III watercourse. The intermediate area between the cultivation area and the adjacent watercourse is well vegetated with dense grasses.

Cultivation Area B is approximately 150' from the nearest watercourse (Class III). Cultivation Area B is approximately 100' from the adjacent Class III watercourse to the north. The actual greenhouse structure is

Assessment of the Standard Conditions (Cont.)

approximately 130' from the adjacent watercourses. The intermediate area between the cultivation area is approximately 10% slope and densely vegetated with grasses. The southern margin of Cultivation Area B is approximately 125' from the adjacent Class III watercourse. The intermediate area between the cultivation area and the adjacent Class III watercourse to the south is well vegetated with grasses, oak trees, and riparian shrubs and trees.

A pile of cultivation related waste was found to be within the riparian buffer norther of Cultivation Area B. This pile is to be completely removed and either disposed of or stored in an appropriate location greater than 200' from any watercourse where in cannot be transported via wind or rain.

4. Spoils management

No construction related spoils were noted on the property during our assessments. Future spoils generated as a result of any future construction projects stored on the property shall be done so in accordance with the BMP's.

5. Water storage and use

There are four ponds on this property all historic cattle stock ponds, referenced as A, B, C, & D on the site map. Water is pumped directly from these ponds, without a facility, and into storage.

Pond A is an on-stream pond that is estimated to hold approximately 300,000 gallons. This pond is pumped to a 5000-gallon tank upslope and used to water Cultivation Area A. This pond was still holding water at the time of inspection (9/28/2016).

Pond B is an off-stream pond that is estimated to hold 30,000 gallons.

Pond C is a failed on-stream pond. Well established vegetation consisting of grasses and coyote brush on the banks of the failed section of the pond indicates that the pond failed many years ago. Side slopes of the failed portion of the pond have reached the angle of repose and are stable. No erosion or sediment delivery are occurring at the past point of failure. Pond C is not used for irrigation or domestic uses. The overflow culvert, no longer in use, for this pond is an 18" plastic pipe.

Pond D is a pond that is half on the southern section of the property. Water from this pond is utilized by this property and the neighboring property. This pond is estimated to be approximately 400,000 gallons.

In addition to the ponds is a collection of hard plastic storage tanks and multiple soft storage bladders kept in various locations throughout the property. There are 43,000 gallons, total, of water storage in hard plastic storage tanks. There are four 20,000-gallon bladders located in stable and appropriate areas on the property, totaling 80,000 gallons of storage. This property has a total of 753,000 gallons of water storage including the tanks, bladders, and ponds B. The discharger estimates average water usage at approximately 312,000 gallons per year. The growing season is April through October, or 28 weeks. Water meters shall be installed prior to cultivation in 2017 and water usage shall be recorded on a monthly basis.

Assessment of the Standard Conditions (Cont.)

Cultivation areas are watered by hand with no apparent water conservation techniques currently utilized. A general recommendation has been made to implement water conservation techniques at the discretion of the discharger. Water conservation technique options include drip systems, mulching base of plant, watering early in the morning (before 10a.m) or later in the evening (after 6 p.m.), repairing leaky pipes and fittings, and utilizing water conserving soil amendments such as bio-char. These options are not required and it is up to the discharger to research and implement water conservation techniques that are suitable to their property. This standard condition is being met.

6. Irrigation runoff

During the field assessments, no evidence of irrigation runoff was observed, nor was there evidence that it had occurred in the past. Recommendations were made to the property owner about proper winterization of the gardens including storing greenhouse plastics and covering of exposed soils.

7. Fertilizers and soil amendments

All fertilizers and soil amendments are stored in an appropriate structure. Products used are applied at rates based on the manufacturer's specifications.

8. Pesticides and herbicides

A majority of the pesticides are stored in a large metal storage structure located west. During the inspection, multiple containers were identified that were not stored in an appropriate location. In the future, all pesticides and pest prevention products shall be stored in an enclosed, covered structure.

9. Petroleum products and other chemicals

Fuel tanks were identified in three locations, Sites 08, 27, & 41, during the assessment of property. All three fuel storage tanks had adequate secondary containment. Site 08 was a 1000 gallon tank that did not contain any fuel at the time of inspection. This tank had a tarp for cover; however the tarp had holes which could allow the secondary containment to fill with rainwater. It is recommended that if this tank is used in the future, a more adequate structure be constructed to provide cover and side-wind protection as per Appendix B, BMP 131 of the Order. Sites 27 & 41 are 500-gallon fuel tanks with existing cover and secondary containment, however, rainwater was collecting in the secondary containment boxes at both of these sites. Because rainwater collected in the secondary containment reduces the available volume of the containment in the event of a fuel leak, it is recommended that sidewall protection shall be installed on both of these structures. Two permanent generators were found, both were on concrete slabs and had roofs, sidewall protection is recommended, as per Appendix B, BMP 131 of the Order.

10. Cultivation-related wastes

Four cultivation related waste disposal/storage sites were identified during the inspection of the property (Sites 28, 40, 44, & 48). Site 28 consisted of greenhouse materials, irrigation piping, and empty nutrients, pesticide, and herbicide containers stored outside of any riparian areas. This material is to be disposed of

Assessment of the Standard Conditions (Cont.)

properly or better contained so it may not be transported away from the site by wind or rain. Site 40 consisted of cultivation related soils, stems, and plastic netting in the riparian area north of Cultivation Area B. This pile is to be removed from this location and disposed of properly at a landfill transfer station or stored in an appropriate location greater than 200' from a watercourse where it cannot be transported by wind or rain. Site 44 consists of an abandoned cultivation area with plastic netting, metal caging, and both soil filled and empty pots. It is recommended that all plastic netting not in use shall be gathered and contained in such a way that it is not accessible to wildlife. Site 48 consists of remaining cultivation equipment and supplies such as plastic sheeting, small pots, and poly pipe that were left behind when the site was abandoned. This waste is currently located within the riparian area of the adjacent Class III watercourse and is capable of being transported to said watercourse. All wastes and cultivation related materials are to be removed from this location and disposed of properly at a landfill transfer station or stored in an appropriate location greater than 200' from a watercourse where it cannot be transported by wind or rain.

11. Refuse and human waste

This property has a commercial building with a septic system that was designed by an engineer. It was still under construction and going through the county permitting process and not in use at the time of assessment. Temporarily, a portable toilet is located on-site that is serviced by Six Rivers Portable Toilets. It is the responsibility of the landowner to comply with the requirements set forth under *Humboldt County Health and Human Services, Department of Public Health: Sewage Disposal Regulations, Appendix VII, 1984*.

12. Remediation/Cleanup/Restoration

Currently, five of the Standard Conditions are not being met; Site maintenance, erosion control, and drainage features, Stream crossing maintenance, Pesticides and herbicides, Petroleum products and other chemicals, and Cultivation-related wastes. These sites will be treated in accordance with regulations, following approval of any and/or all necessary permits, and done in accordance with the BMP's listed in Appendix B of the Order. Additionally, several other general recommendations have been made as follows:

General Recommendations

- Collect and contain trash in a central location. Dispose of trash in a timely manner.
- In-organic cultivation related wastes should be removed and disposed of properly at a landfill transfer station or stored in an appropriate location greater than 200' from a watercourse where it cannot be transported by wind or rain, see BMP 137. Organic cultivation related waste can either be composted or burned in the winter.
- Frequent use of un-surfaced seasonal roads should be avoided, particularly when road surfaces are soft/saturated.
- Dispose of nutrients, fertilizers, pesticides, herbicides, and insecticides that are not currently being used at a licensed hazardous waste disposal facility.
- It has been recommended to install a water meters at each point of diversion/use to track water usage. This shall be completed by the start of 2017 cultivation season.
- Implement water conservation techniques listed in Appendix B of the Order.
- All culverts should be inspected regularly during the winter months to check for plugging, blockage, or other issues.

**STATEMENT OF CONTINGENT AND LIMITING CONDITIONS CONCERNING THE PREPARATION AND
USE OF WATER RESOURCE PROTECTION PLAN**

Prepared by Timberland Resource Consultants

1. This Water Resource Protection Plan has been prepared for the property within APN 217-255-005 in Humboldt at the request of the Client.
2. Timberland Resource Consultants does not assume any liability for the use or misuse of the information in this Water Resource Protection Plan.
3. The information is based upon conditions apparent to Timberland Resource Consultants at the time the inspection was conducted. Changes due to land use activities or environmental factors occurring after this inspection have not been considered in this Water Resource Protection Plan.
4. Maps, photos, and any other graphical information presented in this report are for illustrative purposes. Their scales are approximate, and they are not to be used for locating and establishing boundary lines.
5. The conditions presented in this Water Resource Protection Plan may differ from those made by others or from changes on the property occurring after the inspection was conducted. Timberland Resource Consultants does not guarantee this work against such differences.
6. Timberland Resource Consultants did not conduct an investigation on a legal survey of the property.
7. Persons using this Water Resource Protection Plan are advised to contact Timberland Resource Consultants prior to such use.
8. Timberland Resource Consultants will not discuss this report or reproduce it for anyone other than the Client named in this report without authorization from the Client.



Nick Robinson
Timberland Resource Consultants

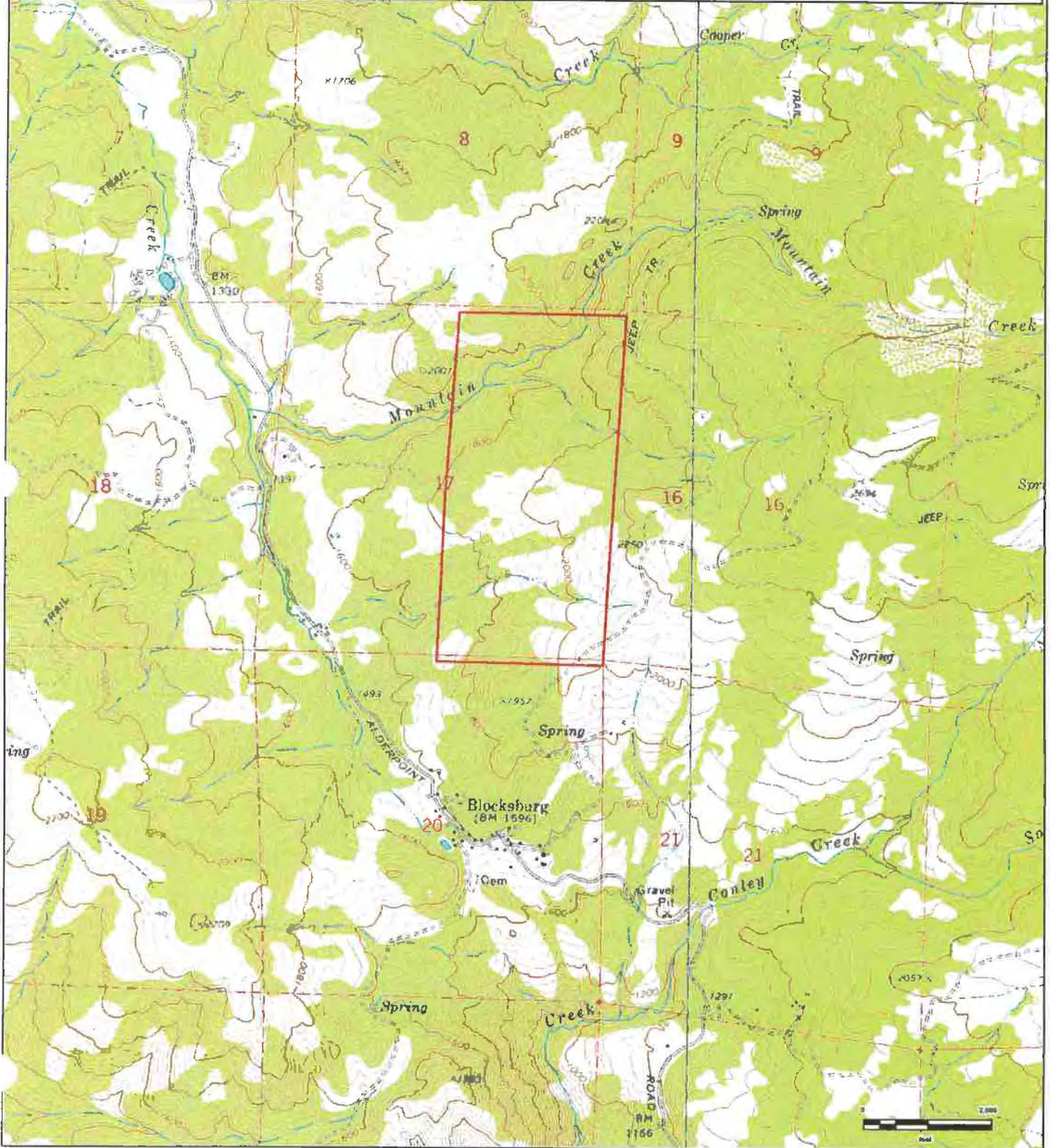
Water Resource Protection Plan General Location Map [WDID# - 1B16456CHUM]



 Property Boundary



Located in Section 17, T2S, R5E, HB&M, Humboldt County, of the Blocksburg 7.5' USGS Quad Map

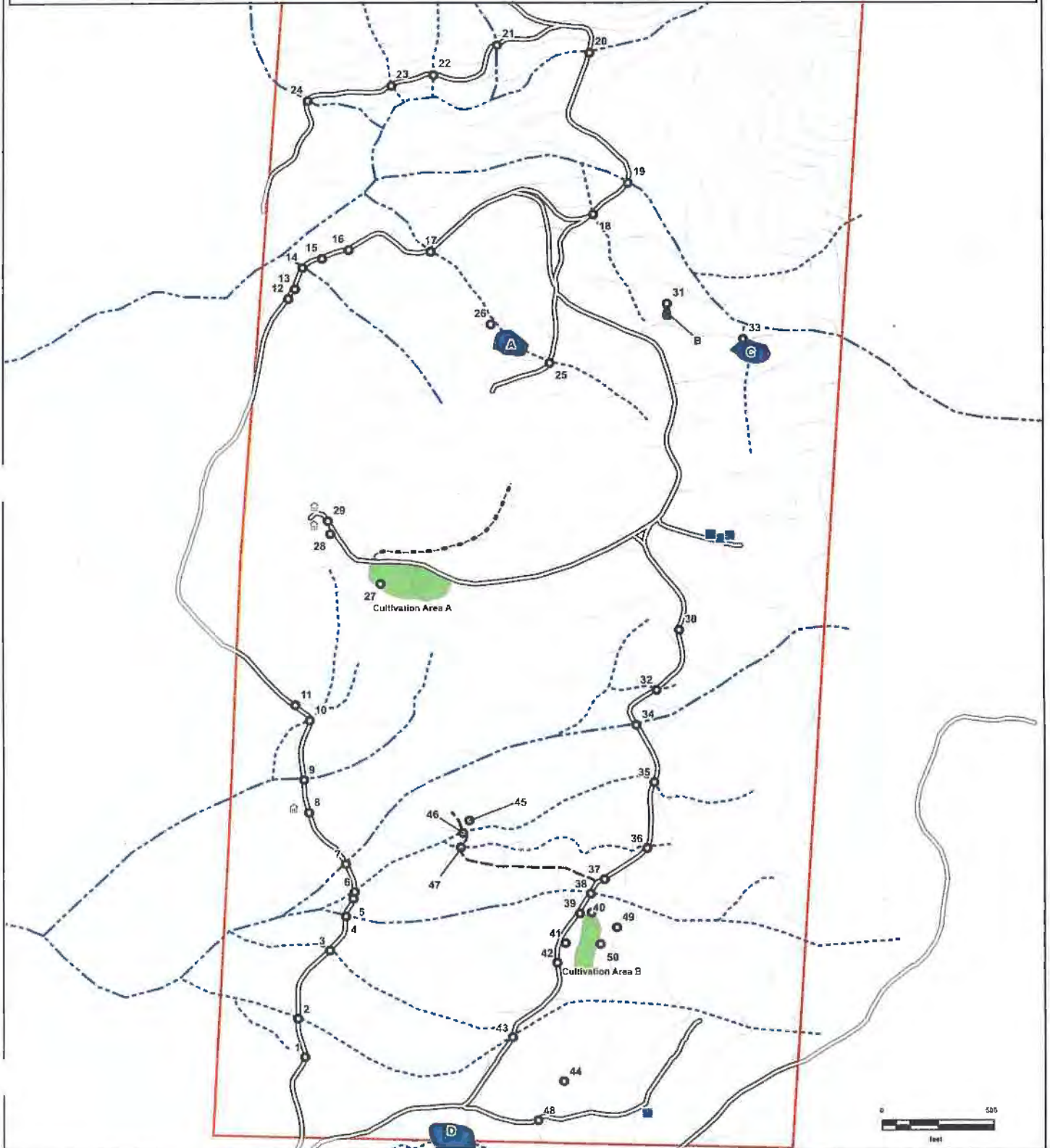


Water Resource Protection Plan

Site Map [WDID# - 1B16456CHUM]



- | | | | |
|---|--|---|---|
|  Property Boundary |  Roads |  Watercourse |  Site |
|  Cultivation Area |  Seasonal |  Class II |  Tank |
|  Pond |  Trail |  Class II |  Bladder |
| |  Proposed | |  Structure |

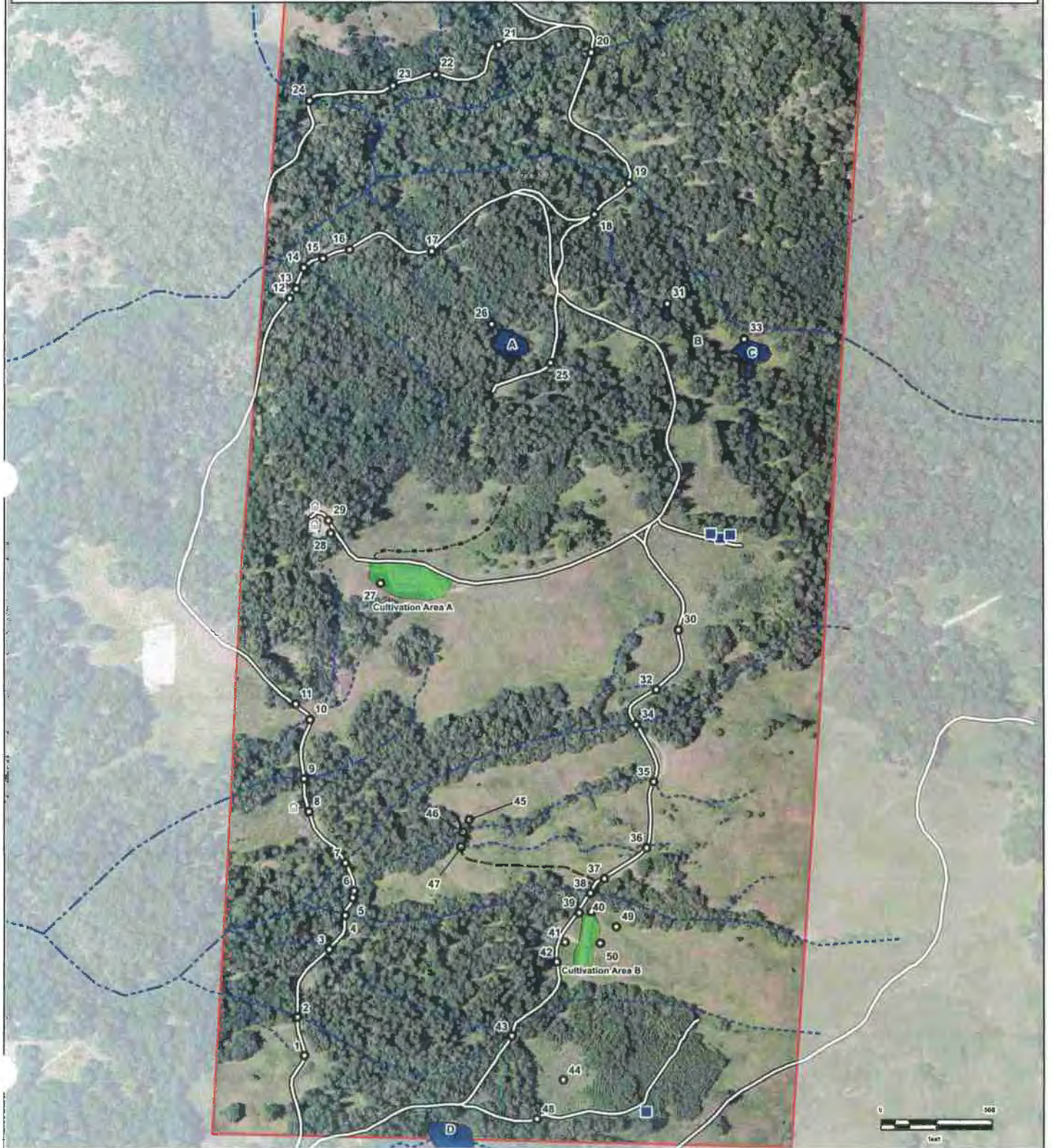


Water Resource Protection Plan

Site Map [WDID# - 1B16456CHUM]



- | | | | |
|---|--|---|---|
|  Property Boundary | Roads | Watercourse |  Site |
|  Cultivation Area |  Seasonal |  Class II |  Tank |
|  Pond |  Trail |  Class III |  Bladder |
| |  Proposed | |  Structure |





LEGEND

- ← Drainage direction
- + Approximate flow-path downgradient of Site

Base Image Data Source:
 Google Earth Pro
 May 28, 2014
 ALL LOCATIONS APPROXIMATE

Lengel Property
 Near Blocksburg, CA

Figure 4
 Approximate Drainage
 at Diesel-Impact Location





Freshwater Environmental Services


Date: 2-18-16

By: SJT

Water Resource Protection Plan Preliminary Site Map [180101050601TRC68]

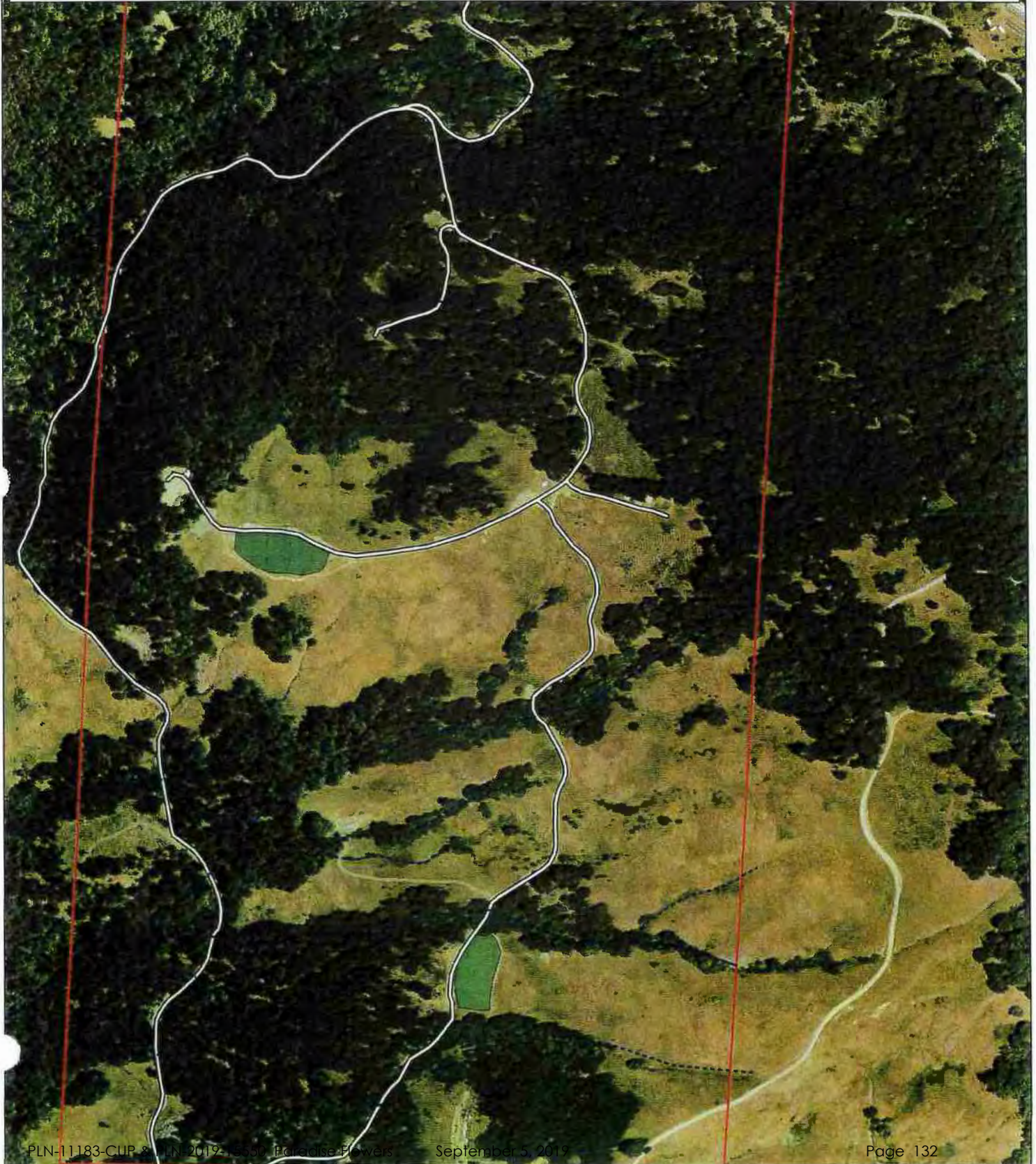
-  Property Boundary
-  Cultivation Area

- ### Watercourses
-  Class II
 -  Class III

- ### Roads
-  Permanent



Scale: 1" = 500'





WRPP - Mitigation Report

WDID# - 1B16456CHUM

Unique Point	Lat-Long NAD 83	Road Type	Mitigation Planned	Monitor	1600	Standard Conditions	Treatment Priority	Date Completed
1	-123.63879 40.284692	Seasonal	X	X		A.1.	Prior to 10/15/17 pending approval of applicable permits	
Current Condition: The adjacent Class III watercourse crossing lacks a hydrologic disconnect.						Proposed Action: A type-2 rolling dip will be installed at this location to hydrologically disconnect the adjacent watercourse crossing.		
2	-123.638871 40.285159	Seasonal		X	X	A.2.		
Current Condition: This point references an existing Class III watercourse crossing with 36" concrete pipe. Current installation is not to grade and the crossing lacks a critical dip. The pipe is not adequately sized for a 100-year storm event.						Proposed Action: An new 42" culvert crossing shall be installed per the BMP's.		
3	-123.638342 40.285984	Seasonal	X	X	X	A.2.	Prior to 10/15/17 pending approval of applicable permits	
Current Condition: This point references an existing Class III watercourse crossing with an 18" CMP. Culvert is set high in the fill, becoming blocked with sediment, and not functioning adequately. This watercourse has a high sediment load.						Proposed Action: Due to the high sediment load associated with this channel, the new culvert will be one size oversized. A 30" culvert crossing shall be installed per BMP's.		
4	-123.638085 40.286413	Seasonal	X	X	X	A.2.	Prior to 10/15/18 pending approval of applicable permits	
Current Condition: An existing Class III watercourse crossing with a 24" CMP. This culvert has a crushed inlet, a shotgun outlet, is rusted through and is not to grade. The culvert is undersized for a 100-year storm event and the crossing lacks a critical dip.						Proposed Action: A new 54" culvert crossing shall be installed per the BMP's.		
5	-123.637989 40.286638	Seasonal		X				
Current Condition: Existing 18" DRC. Currently functioning ok. Ditch is showing signs of down cutting from past diversions at the adjacent watercourse crossing (Site 6).						Proposed Action: None		



WRPP - Mitigation Report

WDID# - 1B16456CHUM

Unique Point	Lat-Long NAD 83	Road Type	Mitigation Planned	Monitor	1600	Standard Conditions	Treatment Priority	Date Completed
6	-123.837984 40.286743	Seasonal	X	X	X	A.2.	Prior to 10/15/18 pending approval of applicable permits	
Current Condition: Existing Class III watercourse crossing with an 18" CMP. The inlet of the culvert is partially filled with sediment, the culvert bottom is rusted through, and there is evidence of water flowing under the culvert and past diversions from plugging. The culvert is not adequately sized for a 100-year storm event.						Proposed Action: A new 36" culvert crossing shall be installed per the BMP's.		
7	-123.638141 40.287086	Seasonal	X	X	X	A.2.	Prior to 10/15/18 pending approval of applicable permits	
Current Condition: Existing Class III watercourse crossing with double barrel culverts consisting of a 24" plastic culvert and an 18" CMP. The culverts are undersized for a 100-year storm event and one is rusted through.						Proposed Action: A 54" culvert crossing shall be installed per the BMP's.		
8	-123.638678 40.287707		X	X		A.9.	Prior to 10/15/17 pending approval of applicable permits	
Current Condition: Fuel storage has secondary containment, but needs better top and side cover to prevent secondary containment from filling with water.						Proposed Action: Fuel tank is not in use. Tank shall be completely drained and decommissioned or adequate cover shall be installed to prevent rain from filling the containment.		
9	-123.638805 40.288094	Seasonal	X	X	X	A.2.	Prior to 10/15/18 pending approval of applicable permits	
Current Condition: Existing Class III watercourse crossing with an 18" CMP. The culvert bottom is rusted through and the culvert is not adequately sized for a 100-year storm event.						Proposed Action: A new 36" culvert crossing shall be installed per the BMP's.		
10	-123.638783 40.288895	Seasonal	X	X		A.2.	Prior to 10/15/17 pending approval of applicable permits	
Current Condition: Class III watercourse crossing with an 18" CMP. Inlet appears to be obstructed and the crossing lacks a critical dip.						Proposed Action: Culvert inlet shall be cleaned of obstructing material and a critical dip shall be installed on the crossing as per the BMP's.		
11	-123.638975 40.289016	Seasonal	X	X		A.1.	Prior to 10/15/17 pending approval of applicable permits	
Current Condition: Rilling of the road surface which appears to hydrologically connect to a Class III watercourse.						Proposed Action: A type-2 rolling dip shall be installed to drain the road surface per the BMP's.		



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WDID# - 1B16456CHUM

Unique Point	Lat-Long NAD 83	Road Type	Mitigation Planned	Monitor	1600	Standard Conditions	Treatment Priority	Date Completed
12	-123.639121 40.293989	Seasonal	X	X		A.1.	Prior to 10/15/17 pending approval of applicable permits	
Current Condition: Section of road that is currently hydrologically connected to a nearby Class III watercourse.						Proposed Action: A type-2 rolling dip shall be installed to drain the road surface per the BMP's.		
Unique Point	Lat-Long NAD 83	Road Type	Mitigation Planned	Monitor	1600	Standard Conditions	Treatment Priority	Date Completed
13	-123.639018 40.29411	Seasonal		X				
Current Condition: Legacy skid trail is concentrating water to an inside ditch. No erosion or sediment delivery is occurring as a result of this site.						Proposed Action: None		
Unique Point	Lat-Long NAD 83	Road Type	Mitigation Planned	Monitor	1600	Standard Conditions	Treatment Priority	Date Completed
14	-123.63885 40.294349	Seasonal	X	X	X	A.2.	Prior to 10/15/18 pending approval of applicable permits	
Current Condition: Class III watercourse crossing with an 18" CMP. The culvert is undersized, rusted through, and not functioning adequately.						Proposed Action: Install a 42-inch culvert crossing per BMP's.		
Unique Point	Lat-Long NAD 83	Road Type	Mitigation Planned	Monitor	1600	Standard Conditions	Treatment Priority	Date Completed
15	-123.63866 40.294523	Seasonal		X		A.1.		
Current Condition: Legacy road fill failure. The road prism was reconstructed and rock buttressed along the outboard road fill. The road appears to be stable. All road surface drainage is drained away from the area to maintain stability of the road fill. As a result, approximately 300' of road reach is hydrologically connected to the watercourse crossing at Site 14. Due to the proximity of adjacent watercourses, there is no feasible way to disconnect this road reach without discharging water onto the area associated with the past road fill failure.						Proposed Action: None		
Unique Point	Lat-Long NAD 83	Road Type	Mitigation Planned	Monitor	1600	Standard Conditions	Treatment Priority	Date Completed
16	-123.638168 40.294552	Seasonal		X		A.1.		
Current Condition: Bank seep and an old cut bank failure associated with the legacy road fill failure discussed in Site 15. Seep from this location are drained via the inside ditch to the crossing at Site 14.						Proposed Action: None		



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Unique Point	Lat-Long NAD 83	Road Type	Mitigation Planned	Monitor	1600	Standard Conditions	Treatment Priority	Date Completed
17	-123.636867 40.294581	Seasonal	X	X		A.2.	Prior to 10/15/17 pending approval of applicable permits	
Current Condition: Class III watercourse crossing with a 36" concrete culvert. The culvert is adequately sized for a 100-year storm event. Installation is misaligned and the crossing lacks a critical dip.						Proposed Action: A critical dip shall be installed on the crossing as per the BMP's.		
Unique Point	Lat-Long NAD 83	Road Type	Mitigation Planned	Monitor	1600	Standard Conditions	Treatment Priority	Date Completed
18	-123.634292 40.294987	Seasonal	X	X		A.1.	Prior to 10/15/17 pending approval of applicable permits	
Current Condition: Class III watercourse crossing with an 18" CMP. Culvert is adequately sized for a 100-year storm event. Currently, the inlet is obstructed.						Proposed Action: Culvert inlet shall be cleaned of obstructing material.		
Unique Point	Lat-Long NAD 83	Road Type	Mitigation Planned	Monitor	1600	Standard Conditions	Treatment Priority	Date Completed
19	-123.633731 40.295442	Seasonal	X	X	X	A.2.	Prior to 10/15/19 pending approval of applicable permits	
Current Condition: Class III watercourse crossing with a 48" CMP. This culvert is rusted through, undersized for a 100-year storm event and not functioning adequately.						Proposed Action: A new 96" culvert crossing shall be installed per the BMP's.		
Unique Point	Lat-Long NAD 83	Road Type	Mitigation Planned	Monitor	1600	Standard Conditions	Treatment Priority	Date Completed
20	-123.634351 40.297039	Seasonal	X	X	X	A.2.	Prior to 10/15/19 pending approval of applicable permits	
Current Condition: Class II watercourse crossing appears to be an old tank currently used as a culvert. The tank is 1/4 inch thick steel and has been deformed by the fill material. This culvert is currently not functioning adequately and has a high potential for plugging due to support braces on the inside of the culvert. Installation is misaligned.						Proposed Action: A new 96" culvert crossing shall be installed per the BMP's.		
Unique Point	Lat-Long NAD 83	Road Type	Mitigation Planned	Monitor	1600	Standard Conditions	Treatment Priority	Date Completed
21	-123.635832 40.297117	Seasonal	X	X		A.2.	Prior to 10/15/17 pending approval of applicable permits	
Current Condition: Class III watercourse crossing with an 18" plastic culvert. The inlet is obstructed by sediment and debris.						Proposed Action: Culvert inlet shall be cleaned of obstructing material.		



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Unique Point	Lat-Long NAD 83	Road Type	Mitigation Planned	Monitor	1600	Standard Conditions	Treatment Priority	Date Completed
22	-123.636837 40.296728	Seasonal	X	X		A.2.	Prior to 10/15/17 pending approval of applicable permits	
Current Condition: Class III watercourse crossing with an 18" plastic culvert. Culvert has a shotgun outlet with an 8' plunge which is eroding the fill prism.						Proposed Action: Energy dissipater shall be installed below the outlet of the culvert as per the BMP's to prevent further erosion of the road fill prism and prevent associated sediment delivery.		
Unique Point	Lat-Long NAD 83	Road Type	Mitigation Planned	Monitor	1600	Standard Conditions	Treatment Priority	Date Completed
23	-123.63751 40.296617	Seasonal	X	X		A.2.	Prior to 10/15/17 pending approval of applicable permits	
Current Condition: Class III watercourse with an 18" culvert. The inlet of this culvert is obstructed by sediment and debris. The culvert has a shotgun outlet with a 7' plunge which is eroding the fill prism. The culvert is adequately sized and in good condition.						Proposed Action: Culvert inlet shall be cleaned of obstructing material. Energy dissipater shall be installed below the outlet of the culvert as per the BMP's to prevent further erosion of the road fill prism and prevent associated sediment delivery.		
Unique Point	Lat-Long NAD 83	Road Type	Mitigation Planned	Monitor	1600	Standard Conditions	Treatment Priority	Date Completed
24	-123.638772 40.296423	Seasonal	X	X		A.2.	Prior to 10/15/17 pending approval of applicable permits	
Current Condition: Class III watercourse crossing with an 18" culvert. Culvert is high in fill with a shotgun outlet which is eroding the fill prism.						Proposed Action: Energy dissipater shall be installed below the outlet of the culvert as per the BMP's to prevent further erosion of the road fill prism and prevent associated sediment delivery.		
Unique Point	Lat-Long NAD 83	Road Type	Mitigation Planned	Monitor	1600	Standard Conditions	Treatment Priority	Date Completed
25	-123.634803 40.29327	Seasonal	X	X	X	A.2.	Prior to 10/15/18 pending approval of applicable permits	
Current Condition: Class III watercourse crossing with a 12" CMP, appears to be functioning adequately. Culvert is undersized for a 100-year storm event.						Proposed Action: A new 30" culvert crossing shall be installed per the BMP's.		
Unique Point	Lat-Long NAD 83	Road Type	Mitigation Planned	Monitor	1600	Standard Conditions	Treatment Priority	Date Completed
26	-123.635902 40.293695	Seasonal	X	X		A.2.	Prior to 10/15/17 pending approval of applicable permits	
Current Condition: Pond overflow consists of a 24" plastic culvert. Outlet appears to be eroding due to a 2-3 foot plunge.						Proposed Action: Energy dissipater shall be installed below the outlet of the culvert as per the BMP's to prevent further erosion of the channel and prevent associated sediment delivery.		
Unique Point	Lat-Long NAD 83	Road Type	Mitigation Planned	Monitor	1600	Standard Conditions	Treatment Priority	Date Completed
27	-123.637628 40.290506	Seasonal	X	X		A.9.	Prior to 10/15/17 pending approval of applicable permits	
Current Condition: Generator on concrete pad with roof. Fuel Tank has secondary containment, but rain water appears to be accumulating in the secondary containment.						Proposed Action: Adequate cover and side wind protection shall be installed to prevent water from collecting in secondary containment.		



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Unique Point	Lat-Long NAD 83	Road Type	Mitigation Planned	Monitor	1600	Standard Conditions	Treatment Priority	Date Completed
28	-123.638428 40.291116	Seasonal	X	X		A.10.	Prior to 10/15/17 pending approval of applicable permits	
Current Condition: Cultivation related waste consisting of construction materials, plastics, pipe, empty fertilizer containers, and pesticide containers. These materials are uncontained and pose a risk to wildlife, and water quality.						Proposed Action: All fertilizers and chemicals shall be stored appropriately and in a protected building or enclosure.		
29	-123.638467 40.291272					A.11.		
Current Condition: Spatial reference to a serviced portable toilet.						Proposed Action: None		
30	-123.633005 40.293837	Seasonal	X	X		A.1.	Prior to 10/15/17 pending approval of applicable permits	
Current Condition: Existing rolling dip not functioning adequately.						Proposed Action: Rolling dip shall be repaired to functional status per the BMP's.		
31	-123.63326 40.289182							
Current Condition: Spatial reference. Pond overflow culvert functioning okay.						Proposed Action: None		
32	-123.632873 40.290002	Seasonal	X	X	X	A.2.	Prior to 10/15/18 pending approval of applicable permits	
Current Condition: Existing dirt ford crossing on a Class III watercourse. Road surface is eroding from season flows.						Proposed Action: Install rock ford crossing per the BMP's.		
33	-123.631863 40.293538							
Current Condition: Spatial reference. Pond overflow culvert functioning okay.						Proposed Action: None		



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Unique Point	Lat-Long NAD 83	Road Type	Mitigation Planned	Monitor	1600	Standard Conditions	Treatment Priority	Date Completed
50	-123.634 40.2881		X	X		A.1.	Prior to 10/15/18 pending approval of applicable permits	
<p>Current Condition: Hillslope runoff and cutbank seeps are flowing onto and across the cultivation area and ultimately concentrating in the inboard ditch associated with the road below.</p>						<p>Proposed Action: An inboard ditch shall be constructed along the entire extent of the cutbank to capture hillslope runoff and cutbank seeps and drain them north/south, away from the cultivation area. Additionally, a bio-swale is to be constructed at the outlet of the ditch as a precaution to prevent potential nutrients from reaching the adjacent watercourse.</p>		



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WDID# - 1B16456CHUM

Unique Point	Lat-Long NAD 83	Road Type	Mitigation Planned	Monitor	1600	Standard Conditions	Treatment Priority	Date Completed
45	-123.636 40.2876		X	X		A.10.	Prior to 10/15/17 pending approval of applicable permits	
Current Condition: Abandoned cultivation area with remaining cultivation related wastes currently located within a riparian area.						Proposed Action: All wastes and cultivation related materials are to be removed from this location and disposed of properly at a landfill transfer station or stored in an appropriate location greater than 200' from a watercourse where it cannot be transported by wind or rain.		
Unique Point	Lat-Long NAD 83	Road Type	Mitigation Planned	Monitor	1600	Standard Conditions	Treatment Priority	Date Completed
46	-123.636 40.2875	Trall	X	X		A.2.		
Current Condition: Existing Class III watercourse crossing on cultivation access trail. The crossing has a 24" plastic culvert installed. The culvert is adequately sized and functioning okay.						Proposed Action: None		
Unique Point	Lat-Long NAD 83	Road Type	Mitigation Planned	Monitor	1600	Standard Conditions	Treatment Priority	Date Completed
47	-123.636 40.2873	Trall	X	X	X	A.2.	Prior to 10/15/18 pending approval of applicable permits	
Current Condition: Existing Class III watercourse crossing on cultivation access trail. The crossing utilized a 6" flex-pipe, 8-10' long, shallowly buried (6-10" deep) to transmit water. It appears the pipe was simply laid in the channel and covered with fill.						Proposed Action: The pipe and any fill covering the pipe shall be removed with hand tools. The disturbance of equipment access at this site is not warranted as less than one cubic yard of sediment is to be removed.		
Unique Point	Lat-Long NAD 83	Road Type	Mitigation Planned	Monitor	1600	Standard Conditions	Treatment Priority	Date Completed
48	-123.635 40.2839	Seasonal	X	X		A.1.	Prior to 10/15/18 pending approval of applicable permits	
Current Condition: Seasonal road accessing a cultivation area lacks adequate surface drainage.						Proposed Action: A new rolling dip shall be installed per the BMP's.		
Unique Point	Lat-Long NAD 83	Road Type	Mitigation Planned	Monitor	1600	Standard Conditions	Treatment Priority	Date Completed
49	-123.634 40.2863	Seasonal	X	X		A.1.	Prior to 10/15/18 pending approval of applicable permits	
Current Condition: An old, man-made ditch transverses the hillslope capturing and transporting hillslope runoff onto a cultivation site and eroding the cutbank.						Proposed Action: Two ditches shall be installed to intercept the drainage ditch and direct flows northwest, away from the cultivation area. These ditches shall begin at the existing ditch, be approximately 40' apart, largely parallel one another, and extend far enough to ensure water will not flow onto the cultivation area below.		



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Unique Point	Lat-Long NAD 83	Road Type	Mitigation Planned	Monitor	1600	Standard Conditions	Treatment Priority	Date Completed
39	-123.634438 40.286483	Seasonal	X	X		A.1.	Prior to 10/15/17 pending approval of applicable permits	
Current Condition: Existing rolling dip that is not functioning adequately and allowing flows to bypass the rolling dip and erode wheel tracks.						Proposed Action: Rolling dip shall be repaired to functional status per the BMP's.		
Unique Point	Lat-Long NAD 83	Road Type	Mitigation Planned	Monitor	1600	Standard Conditions	Treatment Priority	Date Completed
40	-123.634288 40.286442		X	X		A.10.	Prior to 10/15/17 pending approval of applicable permits	
Current Condition: Cultivation related waste, including spent soils and stems, is currently stored in the riparian area of the adjacent Class III watercourse.						Proposed Action: Cultivation related wastes at this site shall be removed and relocated to an appropriate location that is no less than 50' from a Class III watercourse or 100' from a Class II watercourse.		
Unique Point	Lat-Long NAD 83	Road Type	Mitigation Planned	Monitor	1600	Standard Conditions	Treatment Priority	Date Completed
41	-123.634667 40.286117		X	X		A.9.	Prior to 10/15/17 pending approval of applicable permits	
Current Condition: 500-gallon fuel tank has secondary containment and cover. However, at the time of inspection there was at least an inch of water in the secondary containment tray indicating that current cover is inadequate.						Proposed Action: Adequate cover and side wind protection shall be installed to prevent water from collecting in secondary containment.		
Unique Point	Lat-Long NAD 83	Road Type	Mitigation Planned	Monitor	1600	Standard Conditions	Treatment Priority	Date Completed
42	-123.634827 40.285885	Seasonal	X	X		A.1.	Prior to 10/15/17 pending approval of applicable permits	
Current Condition: This is the last point a drainage structure can feasibly be installed to drain surface runoff prior to it entering a section of through cut road.						Proposed Action: A type-1 rolling dip shall be installed per the BMP's to drain the road surface.		
Unique Point	Lat-Long NAD 83	Road Type	Mitigation Planned	Monitor	1600	Standard Conditions	Treatment Priority	Date Completed
43	-123.635368 40.28505	Seasonal	X	X		A.2.	Prior to 10/15/18 pending approval of applicable permits	
Current Condition: Class III watercourse crossing with a concrete 32" culvert. Installation lacks a critical dip. Culvert is functioning adequately.						Proposed Action: A critical dip shall be installed on the crossing as per the BMP's.		
Unique Point	Lat-Long NAD 83	Road Type	Mitigation Planned	Monitor	1600	Standard Conditions	Treatment Priority	Date Completed
44	-123.634677 40.284413		X	X		A.10.	Prior to 10/15/17 pending approval of applicable permits	
Current Condition: This point references a decommissioned cultivation area. This site had a collection of cultivation related waste including old pots, plastic netting, and metal caging. This site is not located in a riparian area.						Proposed Action: Plastic netting shall be gather and disposed of by removal and transfer to a land fill transfer station.		



WRPP - Mitigation Report

WDID# - 1B16456CHUM

Unique Point	Lat-Long NAD 83	Road Type	Mitigation Planned	Monitor	1600	Standard Conditions	Treatment Priority	Date Completed
34	-123.633608 40.288787	Seasonal	X	X	X	A.2.	Prior to 10/15/18 pending approval of applicable permits	
<p>Current Condition: Class II watercourse crossing with a 24" CMP. The culvert is in good condition but is not adequately sized for a 100-year storm event. Additionally, the segment of road between this crossing and Site 35 becomes saturated from seeps and hillslope runoff during the winter. The road is heavily rutted and flows drain to the adjacent crossing. An alternate route has been established upslope, bypassing the damaged segment.</p>						<p>Proposed Action: Install a 42" culvert crossing per the BMP's. The bypass road is to be properly graded and shaped. Along the entire extent of the segment between crossings, an inboard ditch is to be constructed to capture seeps and runoff.</p>		
35	-123.633275 40.288097	Seasonal	X	X	X	A.1.	Prior to 10/15/17 pending approval of applicable permits	
<p>Current Condition: Existing ford crossing on a Class III watercourse. Additionally, the segment of road between this crossing and Site 34 becomes saturated from seeps and hillslope runoff during the winter. The road is heavily rutted and flows drain to the adjacent crossing. An alternate route has been established upslope, bypassing the damaged segment.</p>						<p>Proposed Action: Install a rock ford crossing per the BMP's. The bypass road is to be properly graded and shaped. Along the entire extent of the segment between crossings, an inboard ditch is to be constructed to capture seeps and runoff.</p>		
36	-123.633303 40.287297	Seasonal	X	X		A.1.	Prior to 10/15/18 pending approval of applicable permits	
<p>Current Condition: A steep and undrained section of road is concentrating road surface runoff and is hydrologically connected the adjacent Class II watercourse.</p>						<p>Proposed Action: Install a type-2 rolling dip at this location per the BMP's.</p>		
37	-123.634057 40.286913	Seasonal	X	X		A.1.	Prior to 10/15/18 pending approval of applicable permits	
<p>Current Condition: A steep and undrained section of road is concentrating road surface runoff and is hydrologically connected the adjacent Class II watercourse.</p>						<p>Proposed Action: Install a type-2 rolling dip as per the BMP's to hydrologically disconnect the adjacent crossing.</p>		
38	-123.634263 40.286722	Seasonal	X	X		A.2.		
<p>Current Condition: Class II watercourse crossing with a 30" double walled plastic culvert. Culvert is functioning adequately but is undersized for a 100-year storm event.</p>						<p>Proposed Action: A new 48" culvert crossing shall be installed per the BMP's.</p>		



HUMBOLDT COUNTY DEPARTMENT OF PUBLIC WORKS
ROAD EVALUATION REPORT

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

Applicant Name: Paradise Flowers LLC APN: 217-255-005

Planning & Building Department Case/File No.: Apps No.11183

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

From Road (Cross street): Alder Point Rd.

To Road (Cross street): Private Driveway

Length of road segment: .25 miles Date Inspected: 4/15/19

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.

Signature _____

Date _____

Name Printed _____

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



Access road map



Road Photo#1



Road Photo#2



Road Photo#3



Road Photo#4



Road Photo#5



Road Photo#6



Road Photo#7



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

DIVISION OF WATER RIGHTS

RIGHT TO DIVERT AND USE WATER

REGISTRATION *H501204*

CERTIFICATE *H100166*

Right Holder: *Tiffany Charbonneau*
1271 Evergreen Road 303
Redway, CA 95560

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 *05/29/2018*. 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)
POND A	Unnamed Stream	Mountain Creek	Larabee Creek	40.2934	-123.6355	Humboldt	217-255-005

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	217-255-005	1.3314968

Note: Assessor's Parcel Numbers provided are based on the user's entries in this portal on *07/20/2018*.

The place of use is shown on the map filed on *07/20/2018* 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 **0.54 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 *0.590760911* 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.

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.

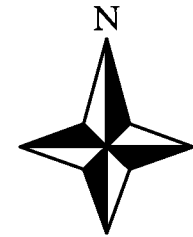
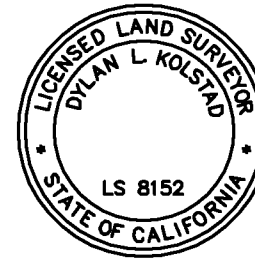
16. All rights are issued subject to available flows. Inasmuch as the source contains treated wastewater, imported water from another stream system, or return flow from other projects, there is no guarantee that such supply will continue.
17. If storage or diversion of water under this right is by means 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: 07/20/2018 08:22:57

© 2018 - State Water Resources Control Board



SCALE: 1" = 500'

NOTES:

THIS MAP PREPARED BY DYLAN KOLSTAD, LS 8152, MAY 9, 2019, BASED ON FIELD SURVEY BY THIS OFFICE ON APRIL 12, 2019. SEE SHEET 2 OF 2 FOR DETAILS.

THE PURPOSE OF THIS MAP IS TO ILLUSTRATE THE RELATIONSHIP OF THOSE IMPROVEMENTS ON THE LANDS OF LIVING GREEN FARM, LLC, CLOSEST TO THE SOUTH BOUNDARY THEREOF. OTHER BOUNDARIES OF THIS PROPERTY HAVE NOT BEEN SURVEYED. THIS MAP IS NOT MEANT TO BE A COMPLETE SURVEY OF ALL IMPROVEMENTS ON THE PROPERTY.

RELATIONSHIPS OF AERIAL IMAGERY (HUM. CO. GIS, OCT, 2018), IF APPLICABLE, TO BOUNDARY LINES ARE APPROXIMATE.

LEGEND

- FOUND SURVEY MONUMENT
 - ⊠ WOOD LATH SET ON PROPERTY BOUNDARY
 - SUBJECT PROPERTY BOUNDARY LINES
 - ADJACENT PROPERTY BOUNDARY LINES
 - RECORD DIMENSION PER BOOK 11 OF SURVEYS, PAGE 81, H.C.R.
- (S 89°19' E 2735.14')

BOUNDARY EXHIBIT

SHEET 1 OF 2

KOLSTAD LAND SURVEYORS

PO BOX 594
BAYSIDE, CA 95524

VOICE (707) 822-2718
FAX (707) 822-5636

APN 217-255-002

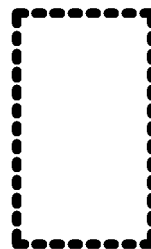
APN 217-255-004

APN 217-256-008

LIVING GREEN FARM

2017-6636
APN 217-255-005

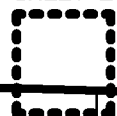
SEE DETAIL 1
SHEET 2



SEE DETAIL 2
SHEET 2



SEE DETAIL 3
SHEET 2



FOUND 1/2" REBAR MARKING SOUTHEAST CORNER OF PROPERTY, PER BOOK 49 OF SURVEYS, PAGE 53

FOUND 1" IRON PIPE MARKING SOUTHWEST CORNER OF PROPERTY, PER BOOK 49 OF SURVEYS, PAGE 118

(S 89°19' E 2735.14')

APN 217-271-003

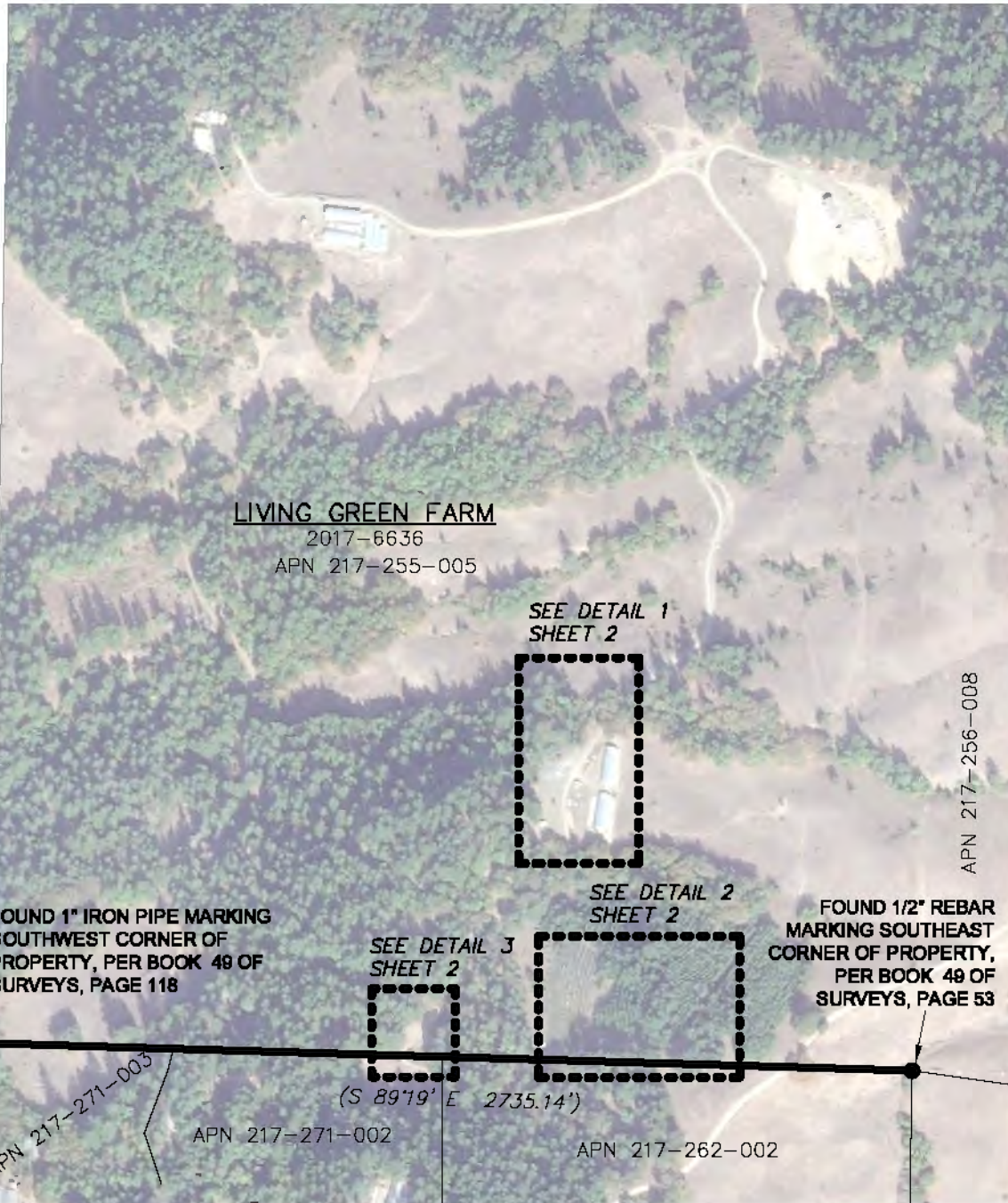
APN 217-271-002

APN 217-262-002

APN 217-255-002

APN 217-255-004

APN 217-256-008



LIVING GREEN FARM

2017-6636
APN 217-255-005

SEE DETAIL 1
SHEET 2



SEE DETAIL 2
SHEET 2

SEE DETAIL 3
SHEET 2



FOUND 1/2" REBAR
MARKING SOUTHEAST
CORNER OF PROPERTY,
PER BOOK 49 OF
SURVEYS, PAGE 53

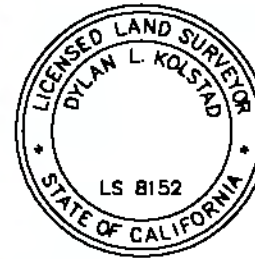
FOUND 1" IRON PIPE MARKING
SOUTHWEST CORNER OF
PROPERTY, PER BOOK 49 OF
SURVEYS, PAGE 118

(S 89°19' E 2735.14')

APN 217-271-002

APN 217-262-002

APN 217-271-003



SCALE: 1" = 500'

NOTES:

THIS MAP PREPARED BY DYLAN KOLSTAD, LS 8152, MAY 9, 2019, BASED ON FIELD SURVEY BY THIS OFFICE ON APRIL 12, 2019. SEE SHEET 2 OF 2 FOR DETAILS.

THE PURPOSE OF THIS MAP IS TO ILLUSTRATE THE RELATIONSHIP OF THOSE IMPROVEMENTS ON THE LANDS OF LIVING GREEN FARM, LLC, CLOSEST TO THE SOUTH BOUNDARY THEREOF. OTHER BOUNDARIES OF THIS PROPERTY HAVE NOT BEEN SURVEYED. THIS MAP IS NOT MEANT TO BE A COMPLETE SURVEY OF ALL IMPROVEMENTS ON THE PROPERTY.

RELATIONSHIPS OF AERIAL IMAGERY (HUM. CO. GIS, OCT, 2018), IF APPLICABLE, TO BOUNDARY LINES ARE APPROXIMATE.

LEGEND

- FOUND SURVEY MONUMENT
- ⊠ WOOD LATH SET ON PROPERTY BOUNDARY
- SUBJECT PROPERTY BOUNDARY LINES
- ADJACENT PROPERTY BOUNDARY LINES
- (S 89°19' E 2735.14') RECORD DIMENSION PER BOOK 11 OF SURVEYS, PAGE 81, H.C.R.

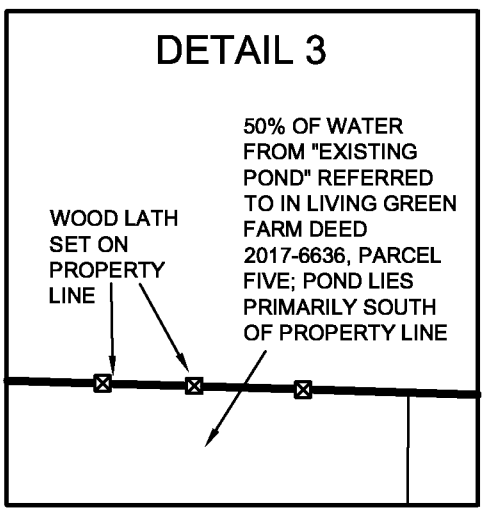
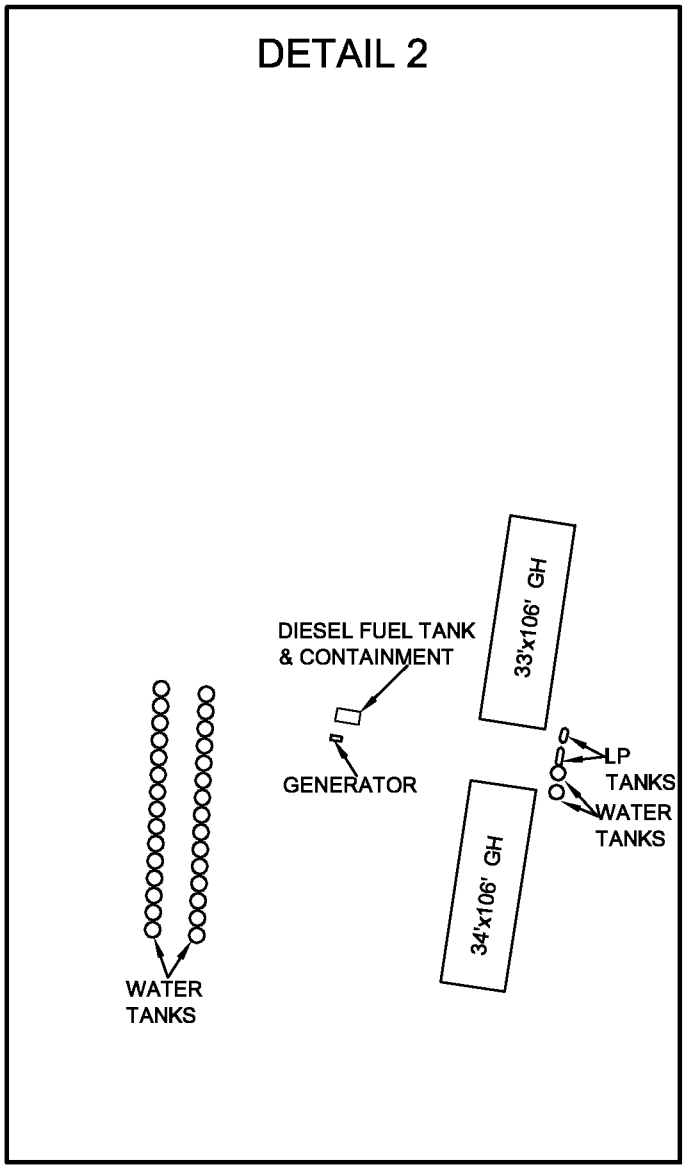
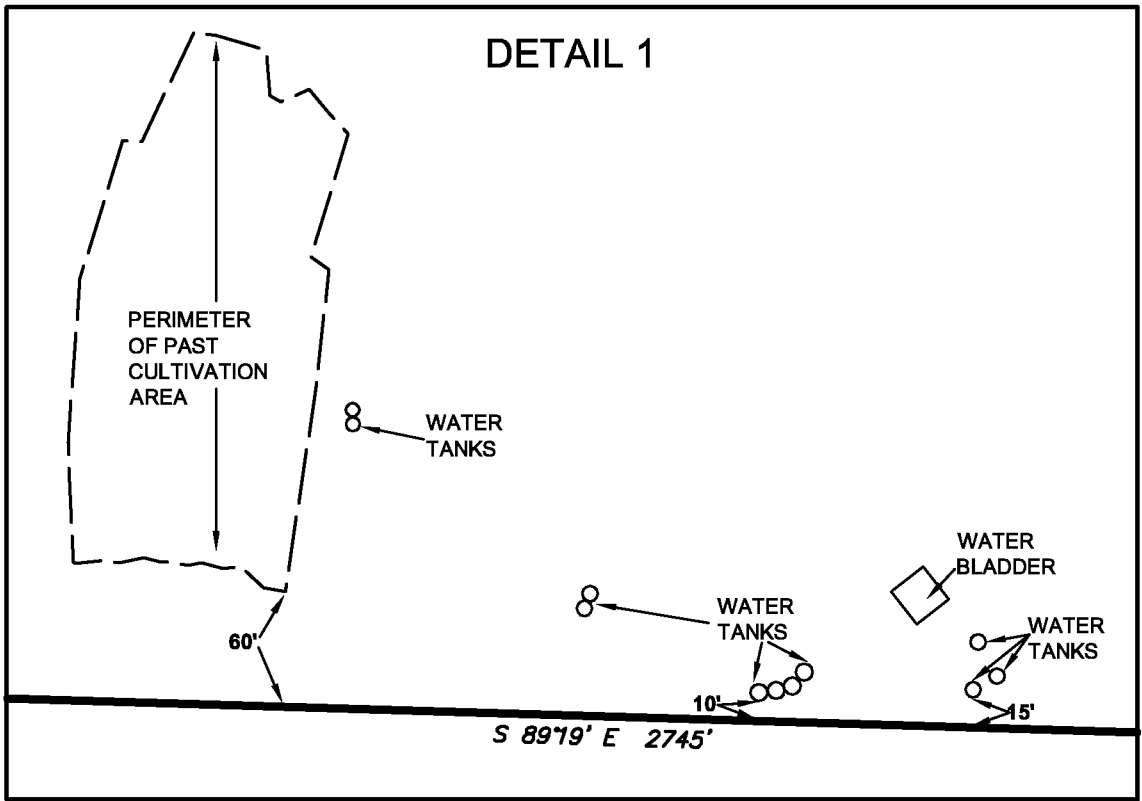
BOUNDARY EXHIBIT

SHEET 1 OF 2

KOLSTAD LAND SURVEYORS

PO BOX 594
BAYSIDE, CA 95524

VOICE (707) 822-2718
FAX (707) 822-5636



SCALE: 1" = 100'
ALL DETAILS

SEE SHEET 1 FOR LARGER PROPERTY VIEW

LEGEND

- FOUND SURVEY MONUMENT
- ⊠ WOOD LATH SET ON PROPERTY BOUNDARY
- SUBJECT PROPERTY BOUNDARY LINES
- ADJACENT PROPERTY BOUNDARY LINES

RECORD DIMENSIONS PER BOOK 52 OF SURVEYS, PAGE 47, H.C.R.

BOUNDARY EXHIBIT

SHEET 2 OF 2

KOLSTAD LAND SURVEYORS

PO BOX 594
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VOICE (707) 822-2718
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ATTACHMENT 5

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		No Response	
CAL FIRE	✓	Standard Comment	Attached
Public Works Land Use Division	✓	Conditions of approval and Road Evaluation Report	Attached
Department of Fish & Wildlife	✓	Conditional Approval	Attached
Division Environmental Health	✓	Conditional Approval	Attached
Humboldt County Agricultural Commissioner		No response	
North Coast Unified Air Quality Management District		No response	
Humboldt County District Attorney		No response	
RWQCB		No response	
SWRCB – Division of Water Rights		No response	
Southern Humboldt Joint Unified School District		No response	
Alderpoint Fire Protection		No response	
Humboldt County Sheriff		No response	
NWIC	✓	Further Study	On file
Bear River Band Rohnerville Rancheria	✓	Inadvertent Discovery	On file



DEPARTMENT OF FORESTRY AND FIRE PROTECTION

Humboldt – Del Norte Unit
 118 Fortuna Blvd.
 Fortuna, CA 95540
 Website: www.fire.ca.gov
 (707) 726-1272



Ref: 7100 Planning
 Date: November 2, 2017

John Ford, Director
 Humboldt County Planning and Building Department – Planning Division
 3015 H Street
 Eureka, CA 95501

Attention: Cannabis Planner (CPOD)
Applicant: Paradise 36/Karagio, Marchello
APN: 217-255-005-000
Area: Blocksburg
Case Numbers: CUP16-174

Humboldt County Application #: 11183
Type of Application: Conditional Use Permit
Date Received: 11/1/2017
Due Date: 11/15/2017

Project Description: A Conditional Use Permit for an existing outdoor and mixed light cultivation operation totaling 45,960 SF in size. The outdoor cultivation area totals 30,840 SF and the mixed light cultivation area totals 15,120 SF. Water for domestic and cultivation uses are provided by Mountain and Larabee Creek, and unnamed stream, and a pond at the south end of the property. Water storage is provided in the form of water storage tanks and two ponds, totaling 1,000,000 gallons of water storage. Harvested cannabis is dried, cured and processed on-site in the proposed 2,400 SF processing facility. On-grid electricity is provided by PG&E for domestic uses. Use of the on-site generator is limited to power outage events.

Mr. Ford,

The California Department of Forestry and Fire Protection (CALFIRE) provides these standard project review comments on the above noted project for the following subject matter:

- Fire Safe
- Resource Management
- Cannabis

The following pages address these concerns directly.

If CALFIRE staff develops additional comment on this project, it will be forwarded in an additional response letter.

By: Planning Battalion
 CALFIRE Humboldt – Del Norte Unit

For **Hugh Scanlon**, Unit Chief

FIRE SAFE

General:

CALFIRE has responsibility for enforcement of Fire Safe Standards as required by Public Resources Code (PRC) 4290 and 4291. However CALFIRE is not the lead agency in planning development and project permitting. CALFIRE provides input as a contributing agency, generally limited to plan review, and is not the approving agency for these projects.

Local Responsibility Areas:

Should this project include Local Responsibility Area (LRA) lands, CALFIRE has no direct fire safe input on those parcels. However, in those areas with LRA parcels adjacent to State Responsibility Area (SRA) land, CALFIRE recommends that local standards be applied that are consistent with those CALFIRE makes for SRA lands.

State Responsibility Areas:

Should this project include State Responsibility Area (SRA) lands, the following are CALFIRE's Fire Safe minimum input and recommendation for any and all development.

1. In Humboldt County, developments must meet minimum fire safe standards by constructing the project in conformance with County Fire Safe Ordinance 1952, which the California Board of Forestry and Fire Protection has accepted as functionally equivalent to PRC 4290. The County Fire Safe Ordinance provides specific standards for roads providing ingress and egress, signing of streets and buildings, minimum water supply requirements, and setback distances for maintaining defensible space.
2. New buildings located in any Fire Hazard Severity Zone within State Responsibility Areas shall comply with the 2007 California Building Code (CBC) Section 701A.3.2. This requires roofing assemblies, attic and eave ventilation, exterior siding, decking and deck enclosure, windows and exterior doors, and exposed under floor areas that are approved "ignition resistive" in design.
3. All development, especially commercial or industrial development, should be designed to comply with the most current versions of the following standards:
 - a) California Fire Code (CFC) — for overall design standards
 - b) Public Utilities Commission (PUC) General Order 103 — for design of water systems
 - c) National Fire Protection Association Standards (NFPA) for fire flow minimums and other design questions not specifically covered by CFC and PUC
 - d) Housing and Community Development Codes and Standards —for mobile home parks and recreational camps
4. For Department of Real Estate reporting purposes, fire protection coverage in SRA is generally described as follows:

During the declared fire season (usually June through October) CALFIRE responds to all types of fires and emergencies in SRA.

During the remainder of the year (winter period), CALFIRE responds to emergency requests with the closest available fire engine, if a response can reasonably be expected to arrive in time to be effective. A fire engine is usually available somewhere in the Unit, but may have an extended response time.

There are many hazards confronting fire protection agencies in most subdivisions on SRA lands. Steep terrain and heavy wildland fuels contribute to fire intensity and spread. The distances from fire stations and road grades encountered usually create an excessive response time for effective structure fire suppression purposes.

Subdivisions increase fire risks from additional people and increase probable dollar losses in the event of fire due to added structures and improvements.
5. If the project expects to produce densities consistent with a major subdivision, the impacts on all infrastructures should be mitigated. Local government more appropriately provides the responsibility for high-density area protection and services. Annexation or inclusion into Local Responsibility Area should be studied as well.

6. CALFIRE does not support development in areas where there is no local agency fire service for structure fires and emergency medical response. Fire services should be extended into service gap areas as a condition of development. New development can adversely impact existing fire services. Careful consideration must be given where development may overload the local fire service's ability to respond.

RESOURCE MANAGEMENT

CALFIRE has enforcement responsibility for requirements of the Z'berg—Nejedly Forest Practice Act of 1973. CALFIRE is also the lead agency for those parts of projects involving the scope of the Forest Practice Act. The following basic input will cover the majority of projects. Each project will be reviewed with additional input sent at a later date, if needed.

The following comments reflect the basic Resource Management policies of the Board of Forestry and Fire Protection and CALFIRE on CEQA review requests. These policies apply to both Local and State Responsibility Areas.

1. If this project reduces the amount of timberland, by policy, the Board of Forestry and CALFIRE cannot support any project that will reduce the timberland base of California. "Timberland" means land which is available for, and capable of, growing a crop of trees of any commercial species used to produce lumber and other forest products, including Christmas trees regardless of current zoning (PRC 4526). However, if the zoning and intended use are consistent with the county's general plan; and if no land other than timberland can be identified to site the project; then CALFIRE may choose not to oppose the project.
2. If **any** commercial timber operations are involved with a project, the timber operations cannot be conducted without a CAL FIRE permit. Commercial timber operations include the cutting or removal of trees offered for sale, barter, exchange, or trade or the conversion of timberlands to land uses other than the growing of timber (PRC 4527). Contact your nearest CAL FIRE Resource Management office for guidance on obtaining the necessary permits.
3. If **any** timberlands are being converted to a non-timber growing use by this project, the conversion operations cannot be conducted without a CAL FIRE permit (PRC 4621). Conversion of timberland takes place when trees are removed and the land use changes, even without the sale, barter, exchange, or trade of the trees. Contact your nearest CAL FIRE Resource Management office for guidance on obtaining the necessary permits.
4. If timberland is in the viewshed of a project, the current and future owners should be overtly notified that changes will occur to their views due to timber management activities. Further, no project should be allowed to negatively affect access to timberland for timber management purposes; neither on the project parcel(s) nor any other timberland parcels.
5. If timber harvesting has occurred and post-harvest restocking and prescribed erosion control maintenance obligations have not been met on a parcel, future owners should be overtly notified (14 CCR 1042). The current owner of a parcel is responsible for restocking requirements and maintenance of roads whether or not they were involved in the actual harvest plan.
6. If the project involves the development of parcels zoned as Timber Production Zone (TPZ), CALFIRE cannot support the project. Dividing TPZ land into parcels of less than 160 acres requires a Joint Timber Management plan prepared by a Registered Professional Forester (RPF), recorded as a deed restriction for a minimum of 10-years on all affected parcels, and approved by a four – fifths vote of the full board (Govt. Code 51119.5). TPZ may be rezoned using a "Ten Year Phase Out," which precludes the need for a Timberland Conversion Permit. CALFIRE opposes immediate rezoning of TPZ land.

CANNABIS PROJECTS

Local Responsibility Areas:

CAL FIRE is the primary command and control dispatch center for many local agency fire districts and departments. Potential life hazard threats associated with a project must be identified and documented for the protection of the public and first responders. Projects which include timber harvesting or conversion of timberland are subject to the Forest Practices Act and Rules, regardless of wildland fire responsibility area.

State Responsibility Areas:

Should this project include State Responsibility Area (SRA) lands, the following are CAL FIRE's minimum input.

Conversion of timberland to a non-timber producing use is subject to permit from CAL FIRE. Commercial timber harvesting operations to facilitate cannabis cultivation and processing are subject to permitting and regulation under the Forest Practice Act and Rules. Please refer to the RESOURCE MANAGEMENT comments.

General Recommendations:

The following recommendations are made by CAL FIRE with the understanding that most areas of Humboldt County do not have a paid fire department providing fire prevention services.

1. Cannabis growing operations shall have easily accessible safety data sheets (SDS) for all chemicals and hazardous materials on site. Commercial operations must have a current Hazardous Materials Business Plan on file with Humboldt County Environmental Health, where applicable.
2. California Health and Safety Code (HSC 11362.769.) Requires that indoor and outdoor medical marijuana cultivation shall be conducted in accordance with state and local laws related to land conversion, grading, electricity usage, water usage, water quality, woodland and riparian habitat protection, agricultural discharges, and similar matters.
3. Cannabis growing and extraction shall be in accordance with Chapter N101.1 of the International Fire Code, the International Building Code, and the International Mechanical Code. Hazardous materials shall comply with Chapter 50. Compressed gases shall comply with Chapter 53. Cryogenic fluids shall comply with Chapter 55. Flammable and combustible liquids shall comply with Chapter 57. LP-gas shall comply with Chapter 61 and the International Fuel Gas Code. All applicable California State Fire Marshal standards and regulations for the designated occupancy must be met.
4. Growing and processing of cannabis is generally an agricultural operation. However, manufacture of marijuana extracts and concentrates are commercial or industrial activities, and may be subject to the county's SRA Fire Safe Ordinance. Any new residential units associated with cannabis cultivation and processing may also be subject to the SRA Fire Safe Ordinance. All materials hazardous and non-hazardous associated with the extraction process shall be utilized in conformance of the law and fire safe codes.



From: [Titus, Lucas@CALFIRE](mailto:Titus_Lucas@CALFIRE)
To: [Planning Clerk; HUU CEQA@CALFIRE](mailto:Planning_Clerk; HUU_CEQA@CALFIRE)
Subject: APN# 217-255-005 Paradise 36/ Karagio APPS#11183
Date: Thursday, November 02, 2017 1:11:39 PM

Resource Management has no comments regarding this project at this time.

Lucas Titus
Forester I, Bridgeville Resource Management
Department of Forestry and Fire Protection
CAL FIRE
Humboldt-Del Norte Unit
Office (707)777-1720
Cellular (707)599-6893

Every Californian should conserve water. Find out how at:

[SaveOurWater_Logo](#)



[SaveOurWater.com](#) · [Drought.CA.gov](#)



From: Lake, M. Isaac@CALFIRE
To: Planning Clerk; HUU CEQA@CALFIRE
Subject: APN: 217-255-005-000 Paradise 36/ Karagio APPS# 11183
Date: Saturday, November 18, 2017 2:56:31 PM

No additional comments from B-1211 other than: any artificial light being used shall not escape at a level that is visible from neighboring properties.

M. Isaac Lake

Battalion Chief

CAL FIRE

HUMBOLDT-DEL NORTE UNIT

Battalion 1

Alderpoint~Garberville~Thorn

Cell (707) 499-2249

Office (707) 923-3446

Schedule Thrs, Fri, Sat

MLake@fire.ca.gov



DEPARTMENT OF PUBLIC WORKS
COUNTY OF HUMBOLDT
 MAILING ADDRESS: 1106 SECOND STREET, EUREKA, CA 95501-0579
 AREA CODE 707

ARCATA-EUREKA AIRPORT TERMINAL
 MCINLEYVILLE
 FAX 839-3596

PUBLIC WORKS BUILDING
 SECOND & L ST., EUREKA
 FAX 445-7408

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

AVIATION	839-5401	ADMINISTRATION	445-7491	NATURAL RESOURCES	445-7741	LAND USE	445-7205
		BUSINESS	445-7652	NATURAL RESOURCES PLANNING	287-9540		
		ENGINEERING	445-7377	PARKS	445-7651		
		FACILITY MAINTENANCE	445-7493	ROADS & EQUIPMENT MAINTENANCE	445-7421		

LAND USE DIVISION INTEROFFICE MEMORANDUM

TO: Michelle Nielsen, Senior Planner, Planning & Building Department

FROM: Kenneth M. Freed, Assistant Engineer *KMF*

DATE: 04-04-2019

RE:	Applicant Name	Paradise 36 Marchello Karagio
	APN	217-255-005
	APPS#	11183 CUP16-174

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"**. No re-refer is required.*

*Note: Exhibits are attached as necessary.

Additional comments/notes:

Applicant has submitted a road evaluation report for the non-county maintained road which takes access off Alderpoint Rd. Applicant has checked box 1, which states the road is developed to Cat 4 road standards. Evaluation dated 2-8-2018.

// END //

Exhibit "A"

Public Works Recommended Conditions of Approval

APPS # 11183

(All checked boxes apply)

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:

Surface 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 ALDERPOINT 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 //



Applicant: Paradise Flower		Date: 3-5-19	
APPS No.: 11183	APN: 217-255-005	DFW CEQA No.: 2017-0955	Case No.: CUP16-174
<input type="checkbox"/> New	<input checked="" type="checkbox"/> Existing	Proposed: <input checked="" type="checkbox"/> Mixed-light (SF): 15,120 <input checked="" type="checkbox"/> Outdoor (SF): 30,840	

Thank you for referring this application to the California Department of Fish and Wildlife (CDFW) for review and comment.

CDFW offers the following comments on the Project in our role as a Trustee and Responsible Agency pursuant to the California Environmental Quality Act (CEQA; California Public Resource Code Section 21000 *et seq.*). These comments are intended to assist the Lead Agency in making informed decisions early in the planning process.

- Recommend Approval. The Department has no comment at this time.
- Recommend Conditional Approval. Suggested conditions below.
- Applicant needs to submit additional information. Please see the list of items below.
- Recommend Denial. See comments below.

The project proposes to conduct mixed-light (artificial light) cultivation in Northern Spotted Owl (*Strix occidentalis caurina*) habitat. If the County permits this activity, CDFW requests that a light and noise attenuation plan be submitted and approved by CDFW prior to usage of lights, generators, and other noise generating equipment.

Please provide the following information prior to Project Approval: (*All supplemental information requested shall be provided to the Department concurrently*)

- If the project proposes ground disturbing activities, include protocol level surveys, conducted by a qualified botanist, for any California Rare Plant Ranked Species that may be present within 200 feet of the proposed project site. See: <https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=18959&inline=1>
- The Project may have a potentially significant adverse effect on biological resources. The Project is located within Northern Spotted Owl (*Strix occidentalis caurina*), a State- and Federally-Threatened species) potential habitat. CDFW requests that project scoping be conducted by an experienced qualified professional for the potential for presence/absence of NSO nesting/roosting habitat, prior to consideration of Project approval. Prior to scoping completion, CDFW requests that the applicant assume presence and avoid impacts as determined by a qualified biologist, in consultation with CDFW. Avoidance measures include but are not limited to the prohibition of generators, project lighting and fans. Additional avoidance measures include noise attenuation wherein generators are covered such that noise released is no greater than 50dB measured at 100ft.

Please note the following information and/or requested standard conditions of Project approval:

- A Final Lake or Streambed Alteration Agreement (1600-2017-0117-R1) has been issued to the applicant.
- All artificial light used for cannabis cultivation, including indoor and mixed-light cultivation, shall be fully contained within structures such that no light escapes (e.g., through blackout curtains). Structures shall be enclosed between 30 minutes prior to sunset and 30 minutes after sunrise to prevent disruption to crepuscular wildlife. Security lighting shall be motion activated and comply with the International Dark-

Sky Association standards and Fixture Seal of Approval Program; see: <https://www.darksky.org/our-work/lighting/lighting-for-citizens/lighting-basics/>. Standards include but are not limited to the following, 1) light shall be shielded and downward facing, 2) shall consist of Low Pressure Sodium (LPS) light or low spectrum Light Emitting Diodes (LED) with a color temperature of 3000 kelvins or less and 3) only placed where needed.

- ☒ The referral materials state that there is an existing pond(s) designated as water sources for this project. CDFW requests:
 - That the applicant comply with the attached CDFW Bullfrog Management Plan (**Exhibit A**). Reporting requirements shall be submitted to CDFW at 619 Second Street, Eureka, CA 95501, no later than December 31 of each year.
 - That fish stocking be prohibited without written permission from the Department pursuant to Section 6400 of the Fish and Game Code.
- ☒ Prohibition on use of synthetic netting. To minimize the risk of wildlife entrapment, Permittee shall not use any erosion control and/or cultivation materials that contain synthetic (e.g., plastic or nylon) netting, including photo- or biodegradable plastic netting. Geotextiles, fiber rolls, and other erosion control measures shall be made of loose-weave mesh, such as jute, hemp, coconut (coir) fiber, or other products without welded weaves.
- ☒ Leave wildlife unharmed. If any wildlife is encountered during the Authorized Activity, Permittee shall not disturb the wildlife and shall allow wildlife to leave the work site unharmed.
- ☒ The environmental impacts of improper waste disposal are significant and well documented. CDFW requests, as a condition of Project approval, that all refuse be contained in wildlife proof storage containers, at all times, and disposed of at an authorized waste management facility.
- ☒ Human induced noise pollution may adversely affect wildlife species in several ways including abandonment of territory, loss of reproduction, auditory masking (inability to hear important cues and signals in the environment), hindrance to navigation, and physiological impacts such as stress, increased blood pressure, and respiration. To avoid disturbance, CDFW requests, as a condition of project approval, the construction of noise containment structures for all generators parcel; noise released shall be no more than 50 decibels measured from 100ft.
- ☒ This project has the potential to affect sensitive fish and wildlife resources such as Northern Spotted Owl (*Strix occidentalis caurina*), Townsend Big-eared Bat (*Corynorhinus townsendi*), Steelhead Trout (*O. mykiss*), Foothill Yellow-legged Frog (*Rana boylei*), Pacific Giant Salamander (*Dicamptodon tenebrosus*), Southern Torrent Salamander (*Rhyacotriton variegatus*), Northern Red-legged Frog (*Rana aurora*), Tailed Frog (*Ascaphus truei*), Boreal Toad (*Anaxyrus boreas boreas*), Western Pond Turtle (*Actinemys marmorata marmorata*), and amphibians, reptiles, aquatic invertebrates, mammals, birds, and other aquatic and riparian species.

Thank you for the opportunity to comment on this Project. Please send all inquiries regarding these comments to david.manthorne@wildlife.ca.gov .

Sincerely,

California Department of Fish and Wildlife
619 2nd Street
Eureka, CA 95503



HUMBOLDT COUNTY
PLANNING AND BUILDING DEPARTMENT
CURRENT PLANNING DIVISION
3015 H STREET, EUREKA, CA 95501 ~ PHONE (707) 445-7541

PROJECT REFERRAL TO: Health and Human Services Environmental
Health Division

Project Referred To The Following Agencies:

Building Inspection Division, Public Works Land Use Division, Health and Human Services Environmental Health Division, County Counsel, CalFire, California Department of Fish And Wildlife, Northwest Information Center, Bear River Band Rohnerville Rancheria, Regional Water Quality Control Board, North Coast Unified Air Quality Management District, Humboldt County District Attorney, Humboldt County Agriculture Commissioner, California Division of Water Resources, Sheriff's Department, Alderpoint Fire Protection District, Southern Humboldt Joint Unified School District

Applicant Name Paradise 36 Key Parcel Number 217-255-005-000

Application (APPS#) 11183 Assigned Planner Ricardo Bressanutti (707) 268-3739 Case Number(s) CUP16-174

Please review the above project and provide comments with any recommended conditions of approval. To help us log your response accurately, please include a copy of this form with your correspondence.

Questions concerning this project may be directed to the assigned planner for this project between 8:30am and 5:30pm Monday through Friday.

County Zoning Ordinance allows up to 15 calendar days for a response. If no response or extension request is received by the response date, processing will proceed as proposed.

If this box is checked, please return large format maps with your response.

Return Response No Later Than Planning Commission Clerk
County of Humboldt Planning and Building Department
3015 H Street
Eureka, CA 95501
E-mail: PlanningClerk@co.humboldt.ca.us Fax: (707) 268-3792

We have reviewed the above application and recommend the following:

Conditional Approval

Comments:

DEH recommends conditional approval pending the following:

Obtain final approval for the sewage disposal system permit for the OWTS serving the Cultivation/Processing facility by demonstrating that the system was installed in accordance with the approved system design.

*This review and recommendation is for the Land Use aspects of the planning project and does not include or imply compliance with all DEH programs. Although DEH recommends the approval of the Planning project, Solid Waste and HazMat Program requirements need to be addressed directly with staff from those programs