

**SUPPLEMENTAL INFORMATION  
No. 1**

For Planning Commission Agenda of:  
January 23, 2020  
Item No. E-2

Re:      Applicant:                      Higher Ground Agriculture, LLC  
         Case Number:                    CUPI 6-127  
         Assessor Parcel Number:        223-075-016

The following items are included in this supplemental:

1. Revised Resolution.
2. Revised Conditions of Approval.
3. Email from David Manthorne, California Department of Fish and Wildlife, dated Monday, December 2, 2019, regarding site access.

**RESOLUTION OF THE PLANNING COMMISSION**

**OF THE COUNTY OF HUMBOLDT  
Resolution Number 20-**

**Case Number: CUP16-127  
Assessor Parcel Number: 223-075-016**

**Makes the required findings for certifying compliance with the California Environmental Quality Act and conditionally approves the Higher Ground Agriculture, LLC, Conditional Use Permit request.**

**WHEREAS**, Higher Ground Agriculture, LLC, submitted an application and evidence in support of approving a Conditional Use Permit to permit an existing 27,000 square foot cannabis cultivation operation, consisting of 22,900 SF of outdoor cultivation and 4,100 SF of mixed-light cultivation, on a 200-acre parcel (APN 223-075-016). **Cultivation activities extend from April to December. There will be two harvests annually, one in August and one in October.** There is 280,000 gallons of water required for irrigation. Water is provided by a well located on APN 223-075-010. There is 70,000 gallons of water storage in a hard-sided tank. Drying of cannabis occurs onsite. **This permit authorizes no more than two (2) employees on site prior to seasonal bridge installation to plant the first cultivation cycle. The first harvest can be processed on-site, which includes trimming, when the seasonal bridge is installed. The applicant is not authorized to process (trim) the second cultivation cycle on-site unless the seasonal bridge is still in place. The applicant may choose to dry and store cannabis cultivated in the second cycle on-site for processing the following year or may choose to take the cannabis cultivated in the second cycle off-site to a licensed processing facility. ~~while other processing activities will occur at an off-site, licensed processing facility.~~** There will be a maximum of five people on-site during peak operations **when the seasonal bridge is installed.** Power is provided by P. G. & E.; and

**WHEREAS**, the County Planning Division has reviewed the submitted application 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**, The Planning Commission considered the Addendum to the MND adopted for the Commercial Medical Marijuana Land Use Ordinance; and

**WHEREAS**, a public hearing was held on the matter before the Humboldt County Planning Commission on January 23, 2020.

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

1. The Planning Commission considered the Addendum to the MND adopted for the Commercial Medical Marijuana Land Use Ordinance; and

2. The Planning Commission makes all of the required findings in Attachment 2 of the Planning Commission staff report for Case Number CUP16-127 support approval of the project based on the submitted substantial evidence; and
3. The Conditional Use Permit CUP16-127 is approved as recommended and conditioned in Attachment 1 for Case Number CUP16-127.

Adopted after review and consideration of all the evidence on January 23, 2020.

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.

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John Ford, Director  
Planning and Building Department

## ATTACHMENT 1

### **\*REVISED 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 project approval, 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 #~~4-16~~ **7-9, 15-17 and 20**. 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. The applicant shall be responsible for obtaining all necessary County and State permits or licenses and for meeting all the requirements as set forth by other regulatory agencies.~~
3. **Cultivation activities extend from April to December. There will be two harvests annually, one in August and one in October. This permit authorizes no more than two (2) employees on site prior to seasonal bridge installation to plant the first cultivation cycle. The first harvest can be processed on-site, which includes trimming, when the seasonal bridge is installed. The applicant is not authorized to process (trim) the second cultivation cycle on-site unless the seasonal bridge is still in place. The applicant may choose to dry and store cannabis cultivated in the second cycle on-site for processing the following year or may choose to take the cannabis cultivated in the second cycle off-site to a licensed processing facility.**
4. This permit does not authorize the use of East Branch Road for commercial cannabis activities unless the seasonal bridge is installed. All traffic related to cannabis cultivation operation must use the Tooby Road access when the seasonal bridge is not installed.
5. The applicant shall annually provide evidence, such as photographs, that the bridge crossing the East Branch South Fork Eel River is installed annually pursuant to CDFW and Army Corps permitting requirements. The applicant shall also annually notify the Planning Department of when the bridge will be taken out. **Cultivation operations may not occur after the bridge is removed without prior authorization from the Planning Director.**
6. **Failure to comply with Condition #3 and Condition #4 above, is grounds for permit revocation subject to Humboldt County Code Section 312-14.**
7. The applicant shall secure permits for all unpermitted grading and structures related to the cannabis cultivation and other commercial cannabis activity. The plans submitted for building permit approval shall be consistent with the project description and approved project site plan. A letter or similar communication from the Building Division verifying that all structures related to the cannabis cultivation are permitted will satisfy this condition.
8. The applicant shall secure the approval of the Division of Environmental Health and the Regional Water Quality Control Board for the on-site sewage disposal system showing it can accommodate the proposed use. A letter from those agencies indicating approval has been issued will satisfy this condition.

9. The applicant shall utilize portable toilet and handwashing facilities for cultivation employees only. Processing must occur off-site until permanent Onsite Wastewater Treatment System (OWTS) is installed to the satisfaction of DEH. The applicant shall furnish receipts or other documentation to the DEH for the continual use of portable toilets for employees until a permanent septic system is installed to their satisfaction. A letter or similar communication from DEH verifying that all their requirements have been met will satisfy this condition.
10. The applicant shall be compliant with the County of Humboldt's Certified Unified Program Agency requirements regarding hazardous materials. A written verification of compliance shall be required before any provisional permits may be finalized. Ongoing proof of compliance with this condition shall be required at each annual inspection in order to keep the permit valid.
11. The approved building plans shall meet all applicable fire codes, including fire suppression infrastructure requirements deemed necessary for the project by the Building Inspection Division. Sign off on the Occupancy Permit by the Building Division shall satisfy this requirement.
12. The applicant shall demonstrate the driveway and emergency vehicle turn around conform with the Humboldt County Code Section 3112-12, the Fire Safe Regulations. The applicant shall be responsible for implementing any necessary improvements to bring the driveway and emergency vehicle turn around into compliance. A letter from a qualified engineer shall satisfy this requirement.
13. The proposed relocated greenhouses shall not be constructed with improved floors pursuant to Humboldt County Code Section 314-43.1.3.2.
14. All mixed light cultivation shall 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, 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.
15. The applicant shall submit one copy of the final Water Resource Protection Plan (WRPP) to the Planning and Building Department. The applicant shall implement all corrective actions detailed within the Water Resource Protection Plan (WRPP) developed for the parcel, prepared pursuant to Tier 2 enrollment under the North Coast Regional Water Quality Control Board Cannabis Cultivation Waste Discharge Regulatory Program, including those measure determined necessary during annual and periodic site inspections in accordance with the monitoring element. A copy of the report 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 NCRWQCB.
16. The applicant shall provide a copy of the Notice of Applicability from the SWRCB.
17. The applicant shall provide the Planning Department of copy of the Site Management Plan developed for the parcel prepared pursuant to Tier 1 enrollment under the State Water Resources Control Board (SWRCB) Cannabis Cultivation Policy, General Order. The

applicant shall provide substantial evidence that all corrective actions detailed within the Site Management Plan have been completed.

18. Within two weeks prior to ground disturbing activities, project contractors shall be trained by a qualified biologist in the identification of the Foothill yellow-legged frog. Construction crews shall begin each day with a visual search around all stacked or stored materials, as well as along any silt fences, to detect the presence of frogs. If a Foothill yellow-legged frog is detected, construction activities shall be halted. Construction crews shall contact the U.S. Fish and Wildlife Service (USFWS) or a qualified biologist, and gain clearance prior to re-initiating work.
19. If a rain event occurs during the construction period, all construction-related activities shall cease for a period of 48-hours after the rain stops. Prior to resuming construction activities, trained construction crew member(s) shall examine the site for the presence of frogs. If no special-status frogs are found, construction activities may resume.
20. The applicant shall obtain a non-exclusive easement for access and use of the well located on APN 223-075-010 within one year of the effective date of this permit. If the applicant is unable to secure the non-exclusive easement with one year of the effective date of the permit, the applicant shall modify this permit to allow for another water source to support cultivation.
21. The applicant shall contact the local fire service provider [Garberville 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. Mitigation measures shall be incorporated into the project, if applicable. 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. Document review fees as set forth in the schedule of fees and charges as adopted by ordinance of the Humboldt County Board of Supervisors will be required.
22. The applicant to adhere to the Restocking Plan prepared by Timberland Consultants. Monitoring will consist of 5 years at an 80% success rate for the restocking to be considered successful. Annual reports, including the status of the restocking and photographs, shall be submitted to the Planning Department by December 31 annually.
23. The applicant shall agree to use a water meter to demonstrate that there is sufficient water supply to meet the demands of the project. As part of the annual inspection, the applicant shall present water use records showing water use for the year broken down by month. If the well doesn't produce sufficient water to support annual operations, additional water storage will need to be added to the subject parcel. Alternatively, the Planning Department may reduce the cultivation area.
24. The property owner 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.
25. 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.

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

1. All components of project shall be developed, operated, and maintained in conformance with the Project Description, the approved Site Plan, the Plan of Operations, and these conditions of approval. Changes shall require modification of this permit except where consistent with Humboldt County Code Section 312-11.1, Minor Deviations to Approved Plot Plan.
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 MCRSA, as applicable to the permit type.
3. 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.
4. Possession of a current, valid required license, or licenses, issued by any agency of the State of California in accordance with the MCRSA, and regulations promulgated thereunder, as soon as such licenses become available.
5. Compliance with all statutes, regulations and requirements of the California State Water Resources Control Board and the Division of Water Rights, at a minimum to include a statement of diversion of surface water from a stream, river, underground stream, or other watercourse required by Water Code Section 5101, or other applicable permit, license, or registration, as applicable.
6. 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).
7. 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.
8. Comply with the terms of any applicable Streambed Alteration (1600) Permit obtained from the California Department of Fish & Wildlife.
9. 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).

10. Refrain from the improper storage or use of any fuels, fertilizer, pesticide, fungicide, rodenticide, or herbicide.
11. Pay all applicable application and annual inspection fees.
12. The noise produced by a generator used on an emergency-only basis for cannabis drying, curing, and processing shall not be audible by humans from neighboring **parcels**. 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 Marbled Murrelet or Spotted Owl species. 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 50dB as measured at 100 feet from the generator or at the edge of the nearest Marbled Murrelet or Spotted Owl habitat, whichever is closer.
13. 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.
14. The Master Log Books maintained by the applicant to track production and sales shall be maintained for inspection by the County.
15. Pay all applicable taxes as required by the Humboldt County Commercial Marijuana Cultivation Tax Ordinance (Humboldt County Code Section 719-1 et seq.).
16. 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

17. Pursuant to the MAUCRSA, 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."
18. 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).
19. 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.

20. 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.

21. 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. On-site housing, if any.

22. Term of Commercial Cannabis Activity Conditional Use Permit. Any Commercial Cannabis Cultivation CUP issued pursuant to the CMMLUO shall expire one (1) year after date of issuance, and on the anniversary date of such issuance each year thereafter, unless an annual compliance inspection has been conducted and the permittees and the permitted site have been found to comply with all conditions of approval.

23. If the inspector or other County official determines that the permittees or site do not comply with the conditions of approval, the inspector shall serve the CUP or permit holder with a written statement identifying the items not in compliance, and the action that the permit holder may take to cure the non-compliance, or file an appeal within ten (10) days of the date that the written statement is delivered to the permit holder. Personal delivery or mailing

the written statement to the mailing address listed on the application by regular mail, plus three (3) days after date of mailing, shall constitute delivery. The permit holder may request a reinspection to determine whether or not the permit holder has cured all issues of non-compliance. Failure to request reinspection or to cure any items of non-compliance shall terminate the Special Permit, immediately upon the expiration of any appeal period, or final determination of the appeal if an appeal has been timely filed pursuant to section 55.4.13.

24. Permit Renewals to comply with Updated Laws and Regulations. Permit renewal per Ongoing Condition of Approval #22 above is subject to the laws and regulations effective at the time of renewal, which may be substantially different than the regulations currently in place and may require the submittal of additional information to ensure that new standards are met.
25. 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.

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 for commercial cultivation, processing, manufacturing, and distribution of cannabis for adult use or medicinal use within the inland area of the County of Humboldt, shall at all times be conducted consistent with the provisions of the approved County permit; 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 State of California Medicinal and Adult Use Cannabis Regulation and Safety Act ("MAUCRSA") (SB 94), 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 State of California MAUCRSA.
26. 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.
27. 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 of 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 Condition of Approval #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 Conditions of Approval #23 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 Section 7050.5 requires that the County Coroner be contacted immediately at 707-445-7242. If the Coroner determines the remains to be Native American, the Native American Heritage Commission will then be contacted by the Coroner to determine appropriate treatment of the remains pursuant to Public Resources Code Section 5097.98. Violators shall be prosecuted in accordance with Public Resources Code 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. The Applicant is responsible for costs for post-approval review for determining project conformance with conditions 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 send a bill to the Applicant for all staff costs incurred for review of the project for conformance with the conditions of approval. All Planning fees for this service shall be paid to the Humboldt County Planning Division, 3015 "H" Street, Eureka.

6. A Notice of Determination (NOD) will be prepared and filed with the County Clerk for this project in accordance with the State CEQA Guidelines. **Within three days of the effective date of permit approval**, it is requested that the applicant submit a check or money order for the required filing fee in the amount of \$50 payable to the Humboldt County Clerk/Recorder. If this payment is not received within this time period, the Department will file the NOE and will charge this cost to the project.
7. The Applicant is responsible for costs for post-approval review for determining project conformance with conditions prior to release of building permit or initiation of use and at time of annual inspection. In order to demonstrate that all conditions have been satisfied, applicant is required to pay the conformance review deposit as set forth in the schedule of fees and charges as adopted by ordinance of the Humboldt County Board of Supervisors (currently \$750) within sixty (60) days of the effective date of the permit or upon filing of the Compliance Agreement (where applicable), whichever occurs first. Payment shall be made to the Humboldt County Planning Division, 3015 "H" Street, Eureka.
8. The operator shall provide information to all employees about the potential health impacts of cannabis use on children. Information shall be provided by posting the brochures from the Department of Health and Human Services titled *Cannabis Palm Card* and *Cannabis Rack Card*. This information shall also be provided to all employees as part of the employee orientation.
9. **The applicant shall be responsible for obtaining all necessary County and State permits or licenses and for meeting all the requirements as set forth by other regulatory agencies.**

## Ryan, Meghan

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**From:** Manthorne, David@Wildlife <David.Manthorne@wildlife.ca.gov>  
**Sent:** Monday, December 02, 2019 11:17 AM  
**To:** Ryan, Meghan  
**Cc:** Johnson, Cliff; Bauer, Scott@Wildlife  
**Subject:** RE: Project Review Requests and Hearing Update

Hi Meghan,

As a follow up to the Higher Ground site status: CDFW has not received a revised LSA submittal, and the Notification is still incomplete. I received a phone call last week from the applicants neighbor again suggesting that the applicant will continue to ford the EBSF Eel River when the bridge is not in place. The neighbor was also concerned that heavy truck loads cannot pass the bridge, and must ford the river or drive around. The estimated time to drive around is at least 45 minutes according to the neighbor. There is continued concern that non-compliance will be an issue, and it is recommended to minimize project activities when the bridge is not in place. If non-compliance does occur, what are the steps to mitigate such activities?

Thank you

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**From:** Ryan, Meghan <mryan2@co.humboldt.ca.us>  
**Sent:** Monday, November 18, 2019 11:11 AM  
**To:** Bocast, Kalyn@Wildlife <Kalyn.Bocast@Wildlife.ca.gov>; Manthorne, David@Wildlife <David.Manthorne@wildlife.ca.gov>  
**Cc:** Johnson, Cliff <CJohnson@co.humboldt.ca.us>  
**Subject:** Project Review Requests and Hearing Update

Good morning, Kalyn and David – I hope you both had a great weekend. To this email I attached the updated CDFW project review requests for the south and north teams. Elizabeth Schatz (north team lead) has accepted a position as Permit Supervisor with the Building Department. Until the position is filled, I will try to keep up on both lists in the interim.

For the 12/05/2019 hearings, the following projects will be heard:

PC:

Applicant	Case No.	Key APN	Apps No.	Notes
Higher Ground Agriculture, LLC	CUP16-127	223-075-016	11018	Continued from N
Today's Humboldt	PLN-2019-15526	507-381-006	15526	
Natural Wellness	CUP16-188	210-191-058	11222	
Emerald Triangle Group, LLC	PLN-12733-SP, PLN-12747-SP	032-051-032	12733, 12747	Continued from Zo
Jason Miller	CUP	210-144-008	11484	Will be continued a

ZA:

Applicant	Case No.	Key APN	Apps No.	Notes
Amaranth Farms	PLN-11268-SP	108-033-004.	11268	Project to be continue
Amaranth Farms	PLN-10897-SP	108-033-014	10897	Project to be continue

Please let me know if you have any questions or need any additional information.

Best,  
Meghan



**MEGHAN RYAN**

Senior Planner  
[Planning and Building Department](#)  
County of Humboldt  
3015 H Street  
Eureka, CA 95501  
707.445.7541