



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

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

Hearing Date: February 03, 2022

To: Humboldt County Planning Commission

From: Cliff Johnson, Supervising Planner

Subject: **Conklin Creek Farms LLC Special Permit and Zoning Clearance Certificates**  
Record Number PLN-2021-17034  
Assessor's Parcel Numbers 105-111-001; 105-042-002; 105-101-006; 105-071-004  
Petrolia Area

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Please contact Steven A. Santos, Senior Planner, at 707-268-3749 or by email at [sasanots@co.humboldt.ca.us](mailto:sasanots@co.humboldt.ca.us), if you have any questions about the scheduled public hearing item.

## AGENDA ITEM TRANSMITTAL

<b>Hearing Date</b> February 03, 2022	<b>Subject</b> Special Permit and Four Zoning Clearance Certificates	<b>Contact</b> Steven A. Santos
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**Project Description:** A Special Permit for 43,560 square feet (one acre) of new mixed light cannabis cultivation. Four Zoning Clearance Certificates for: 5,000 square feet of indoor cannabis cultivation; 23,500 square feet of enclosed wholesale nursery; offsite processing; and distribution. Power is provided by PGE and solar. Irrigation water will be provided by a proposed 2.6-million-gallon rainwater catchment pond. Annual water usage is estimated at 655,000 gallons. The mixed light cultivation is associated with a 4,360 square foot ancillary nursery. A maximum of 24 employees will be present during peak operations.

**Project Location:** This project is in Humboldt County, in the Petrolia area, on the north side of Conklin Creek Road, approximately 2,200 feet east from the intersection of Conklin Creek Road and Mattole Road, on the property known as 795 Conklin Creek Road and on the property known to be in the northwest and southwest quarters of the northwest quarter of Section 11 of Township 02 South, Range 02 West, Humboldt Base & Meridian.

**Present Plan Land Use Designations:** Agricultural Grazing (AG), Density: Range is 20 to 160 acres per unit, 2017 General Plan, Slope Stability: Low Instability (1) and Moderate Instability (2)

**Present Zoning:** Unclassified (U)

**Record Number:** PLN-2020-17034

**Assessor's Parcel Numbers:** 105-111-001; 105-042-002; 105-101-006; and 105-071-004

**Applicant**

Conklin Creek Farms, LLC  
Karl Benemann  
PO Box 1083  
Trinidad, CA 95570

**Owner**

Conklin Creek LLC  
PO Box 1083  
Trinidad, CA 95570

**Agents**

Northpoint Consulting  
1117 Samoa Blvd  
Arcata, CA 95521

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

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

**Major Issues:** Streamside Management Areas and existing nonconforming buildings.

**Conklin Creek Farms, LLC**

Record Number: PLN-2021-17034

Assessor's Parcel Numbers: 105-111-001; 105-042-002; 105-101-006; and 105-071-004

**Recommended Planning Commission Action**

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

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

**Executive Summary**

A Special Permit for 43,560 square feet (one acre) of new mixed light cannabis cultivation. Four Zoning Clearance Certificates for: 5,000 square feet of indoor cannabis cultivation; 23,500 square feet of enclosed wholesale nursery; offsite processing; and distribution. Power is provided by PGE and solar. Irrigation water will be provided by a proposed 2.6-million-gallon rainwater catchment pond. Annual water usage is estimated at 655,000 gallons. The mixed light cultivation is associated with a 4,360 square foot ancillary nursery. A maximum of 24 employees will be present during peak operations. The proposed cannabis activities will occur in the following square feet (SF) and locations:

	Mixed Light Cultivation	Indoor Cultivation	Commercial Nursery	Distribution	Off-Site Processing
<E> Building A (6,175 SF)		1,000	500	750	3,700
<E> Building B (4,750 SF)		4,000	500		
<P> Building C (4,800 SF)			500	1,200	1,200
<P> Greenhouse 1 (56,448 SF)	43,560 SF				
<P> Greenhouse 2 (22,848 SF)			22,000		
<b>TOTALS</b>	<b>43,560 SF</b>	<b>5,000 SF</b>	<b>23,500 SF</b>	<b>1,950 SF</b>	<b>4,900 SF</b>

The legal parcel consists of four APNs: 105-111-001; 105-042-002; 105-101-006; and 105-071-004 totaling approximately 210.5 acres. The cannabis operations will occur on parcels ending with -001 and -002. The legal parcel contains approximately 205.85 acres of prime soils. The proposed cultivation sites will cover approximately 0.6% of the prime soils. Existing buildings 'A' and 'B' are within a streamside management area but are considered legal nonconforming. A biological and botanical report concluded that impacts to sensitive species or sensitive habitats will not occur from the proposed cannabis project. A generator is present for emergency backup only. A cultural resource survey encountered two "isolates" and tribal consultation requested cultural monitoring during ground disturbance and inadvertent discovery protocol.

**Water Source**

The 655,000-gallon total annual water budget will be sourced from rainwater catchment. The water budget is further described by the following table:

Activity	Gallons Annually
One Acre Mixed Light Cultivation	442,000
5,000 SF Indoor Cultivation	60,000
23,500 SF Commercial Nursery	138,000
4,360 SF Ancillary Nursery	11,400
Processing / Other	3,600
<b>TOTAL</b>	<b>655,000</b>

The water budget, for all activities, translates to approximately 8.3 gallons per square foot per year. Water storage will occur in a proposed 2.6-million-gallon rainwater catchment pond. The applicant is also proposing to temporarily install 500,000 gallons of rain catchment water tanks while the engineering, grading, and construction of the pond takes place. This will allow the applicant to capture rainwater in the tanks during the 2021-2022 rainfall season. If for any reason construction of the pond does not occur, the water tanks will remain on an ongoing basis. Long-term water storage for the cannabis operation will occur in either the pond or tanks, but not both (Condition of Approval A2).

Per the project operations plan, drip emitters and hand watering are used for young plants. The mixed light cultivation will utilize humidity-sensing drip irrigation. The indoor cultivation will utilize drip irrigation and top-feed hand watering methods. Irrigation overall will be conducted using a combination of automated and manual systems.

The project was referred to the Division of Environmental Health which recommended approval with conditions. Applicant must obtain a permit for and install an approved onsite wastewater treatment system associated with the offsite processing activities. Seasonal cultivation sites may be supported by portable toilets. (Conditions of Approval A3 and A4).

### **Natural Resources**

The applicant provided an Initial Biological Reconnaissance and Project Feasibility Assessment Report (Assessment) dated July 28, 2020, prepared by Naiad Biological Consulting. The applicant also provided a Botanical Report of Special Status Native Plant Populations and Natural Communities (Botanical Report) dated August 24, 2021, prepared by Naiad Biological Consulting. The Botanical Report concludes that impacts to sensitive species or sensitive habitats will not occur from the proposed cannabis project. The Botanical Report notes the presence of invasive species. The Assessment also concludes there will likely be no negative impacts to sensitive habitats if the project avoids and is sufficiently setback from wetlands and streamside management areas. The Assessment notes there is pre-existing disturbance to proposed project areas from historic cattle grazing and cultivation of grapes. The Assessment contains recommendations such as performing pre-construction surveys if construction occurs at certain times of the year. These recommendations have been incorporated into the project (Condition of Approval A5). The assessment notes that a Northern Spotted Owl activity center (HUM0010) was observed in 1974 approximately one mile away. However, the Assessment concludes that the project sites will not remove or modify any nesting, roosting, or foraging habitat. The project Operations Plan includes a light pollution control plan, and the project is subject to standard conditions regarding noise and light pollution. The Assessment recommends implementation of an invasive species control plan. The project Operations Plan includes an invasive vegetative species control plan which has been incorporated into the conditions of approval (Condition of Approval C3).

Humboldt County's WebGIS and the project plot plan show several streamside management areas (SMA) as well as seasonal wetlands in the vicinity of project areas. The streamside management areas include the areas designated as riparian buffer on the plot plan. Review by staff indicates that with exception to two existing buildings, all cannabis related activities are outside the designated SMA setbacks. The Assessment recommends that surveys may be required in specific locations to accurately establish the project sites required setbacks. Because of proximity to perennial or intermittent streams as well as a Class III watercourse to some project areas, the project includes a condition requiring the flagging onsite of the SMA or Class III buffer by a qualified professional to ensure disturbance occurs outside the SMA or buffer. The specific project areas near water resources include the parking area, Building 'C', the proposed access driveway, and Greenhouses 1 and 2. (Condition of Approval A7).

Additionally, both Buildings 'A' and 'B' are currently located within a SMA using current standards described in Chapter 10 (Conservation and Open Space) of the General Plan. Review of the building permit history for these buildings (24047-06-1436B4 and 13689-00-861A4 respectively) indicate both Buildings 'A' and 'B' are legal non-conforming regarding the SMA. These two buildings already contain agricultural uses related to a winery and the cannabis project does not propose to expand the footprint of the structures. Therefore, the substitution of the cannabis uses for the winery uses within these two

structures will not increase their nonconformity so a Special Permit under HCC 314-132 or the Streamside Management Area Ordinance is not required.

The project has a pending Lake or Streambed Alteration Agreement (LSAA) (EPIMS-HUM-15289-R1) for three culverts. The project includes conditions requiring conformance with the LSAA as well as State Water Resources Control Board Order WQ 2019-0001-DWQ (Conditions of Approval A11 and C17).

The legal parcel contains approximately 205.85 acres of prime soils. The proposed cultivation sites will cover approximately 0.6% of the prime soils.

### **Energy**

Electricity is provided by PGE and an existing and proposed solar system. Additional solar panels may be added to a location east of proposed Building 'C'. All power sourced from PGE shall be sourced from renewable energy, such as the RCEA PowerPlus plan. A generator is present for emergency purposes only (Condition of Approval C6).

### **Noise**

The applicant provided a noise assessment dated October 2020 conducted by Northpoint Consulting Group. The noise assessment establishes the following average baselines: 33dB for the northern legal parcel property line, 43.7dB for the eastern, and 36dB for both the western and southern legal parcel property line. These baselines have been incorporated into the noise standards described in the conditions of approval (Condition of Approval C1).

### **Access**

Access to the site is taken directly from Conklin Creek Road, which is county-maintained. The applicant provided a Road System Assessment Report dated November 2020 conducted by Northpoint Consulting Group. The Road Assessment recommends that road facilities on site be maintained regarding width and sight distance. Additionally, the Road Assessment recommends that the inboard ditch identified as Road Point #4 be maintained. The recommendation is incorporated in the project conditions (Condition of Approval B2).

There will be 24 employees maximum during peak operations. The plot plan depicts 24 regular parking spaces, 20 in the main area and another four near Building B. An ADA parking space is also shown in the main parking area. It is estimated that there be 28 vehicle trips on average with a maximum of 56 during peak season. The project was referred to the Department of Public Works which recommended approval with conditions which have been incorporated into the project (Condition of Approval A10). The project was also referred to the Petrolia Fire District which recommended approval with the condition that a 2.5" NH (National Hose) or equivalent water supply be provided which has also been incorporated into the project (Condition of Approval A9). The project is located within the State Responsibility Area and the Operations Plan includes a 2,500-gallon tank for fire suppression. The plot plan also depicts emergency vehicle turnarounds compliant with the Fire Safe Regulations.

### **Tribal Consultation**

The project is in the Bear River Band of Rohnerville Rancheria and Intertribal Sinkyone Wilderness Council aboriginal territory. The project was referred to the tribes and the Northwest Information Center. A March 2018 Cultural Resources Investigation Report prepared by Roscoe and Associates was provided by the applicant. A July 14, 2021, Cultural Resources Survey Letter prepared by William Rich and Associates was also provided. The Report and Letter note that two biface thinning flakes were identified at two separate locations. The Report and Letter were reviewed by the Bear River Tribal Historic Preservation Officer who recommended an inadvertent discovery protocol as well as cultural monitoring for the ground disturbing activities. Both recommendations are included as conditions of approval (Conditions of Approval A6 and C2).

### **Resolution 18-43 Consistency**

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

County's Planning Watersheds. The project site is in the Cape Mendocino Planning Watershed, which under Resolution 18-43 is limited to 650 permits and 223 acres of cultivation. With the approval of this project the total approved permits in this Planning Watershed would be 195 permits and the total approved acres would be 40.8 acres of cultivation.

### **Environmental Review and Staff Recommendation**

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

Staff recommends that the Planning Commission make all the required findings based on the evidence in the record and approve the application subject to the recommend conditions.

**Alternatives:** Several alternatives may be considered: 1) The Planning Commission could elect not to hear this item and put the decision making in front of the Planning Commission. Any decision to place this matter before the Planning Commission must be done before opening the public hearing on this project; 2) The Planning Commission could elect to add or delete conditions of approval; 3) The Planning Commission could deny approval of the requested permits if it is unable to make all the required findings. Planning Division staff is confident that the required findings can be made based on the submitted evidence and subject to the recommended conditions of approval. Consequently, staff does not recommend further consideration of these alternatives.

**RESOLUTION OF THE PLANNING COMMISSION  
OF THE COUNTY OF HUMBOLDT**

**Resolution Number 21-**

**Record Number PLN-2021-17034**

**Assessor's Parcel Numbers: 105-111-001; 105-042-002; 105-101-006; and 105-071-004**

**Resolution by the Planning Commission of the County of Humboldt certifying compliance with the California Environmental Quality Act and conditionally approving the Conklin Creek Farms, LLC, Special Permit and Zoning Clearance Certificates.**

**WHEREAS, Conklin Creek Farms, LLC,** provided an application and evidence in support of approving a Special Permit for 43,560 square feet (one acre) of new mixed light cannabis cultivation including a 4,360 square foot ancillary nursery. Four Zoning Clearance Certificates for: 5,000 square feet of indoor cannabis cultivation; 23,500 square feet of enclosed wholesale nursery; offsite processing; and distribution.

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

**WHEREAS,** the Humboldt County Planning Commission held a duly noticed public hearing on February 03, 2022, and reviewed, considered, and discussed the application for a Special Permit and four Zoning Clearance Certificates and reviewed and considered all evidence and testimony presented at the hearing.

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

- 1. FINDING:**                    **Project Description:** A Special Permit for 43,560 square feet (one acre) of new mixed light cannabis cultivation. Four Zoning Clearance Certificates for: 5,000 square feet of indoor cannabis cultivation; 23,500 square feet of enclosed wholesale nursery; offsite processing; and distribution. Power is provided by PGE and solar. Irrigation water will be provided by a proposed 2.6-million-gallon rainwater catchment pond. Annual water usage is estimated at 655,000 gallons. The mixed light cultivation is associated with a 4,360 square foot ancillary nursery. A maximum of 24 employees will be present during peak operations.

**EVIDENCE:**            a) Project File: PLN-2021-7034

**CEQA**

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

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

- c) The applicant provided an Initial Biological Reconnaissance and Project Feasibility Assessment Report (Assessment) dated July 28, 2020, prepared by Naiad Biological Consulting. The applicant also provided a Botanical Report of Special Status Native Plant Populations and Natural Communities (Botanical Report) dated August 24, 2021, prepared by Naiad Biological Consulting. The Botanical Report concludes that impacts to sensitive species or sensitive habitats will not occur from the proposed cannabis project. The Assessment also concludes there will likely be no negative impacts to sensitive habitats if the project avoids and is sufficiently setback from wetlands and streamside management areas. The recommendations of the Assessment and Botanical Report are incorporated into the conditions of approval.
- d) A March 2018 Cultural Resources Investigation Report prepared by Roscoe and Associates was provided by the applicant. A July 14, 2021, Cultural Resources Survey Letter prepared by William Rich and Associates was also provided. The Report and Letter note that two bifacial thinning flakes were identified at two separate locations. The Report and Letter were reviewed by the Bear River Tribal Historic Preservation Officer who recommended an inadvertent discovery protocol as well as cultural monitoring for the ground disturbing activities. The recommendations are incorporated into the conditions of approval.
- e) The applicant provided a Road System Assessment Report dated November 2020 conducted by Northpoint Consulting Group. The Road Assessment recommends that road facilities on site be maintained regarding width and sight distance. Additionally, the Road Assessment recommends that the inboard ditch identified as Road Point #4 be maintained. The recommendations are incorporated into the conditions of approval.
- f) The applicant provided a Noise Assessment conducted in October of 2020. The project is conditioned so noise sources associated with the cannabis operation do not exceed three decibels of continuous noise above existing ambient noise levels at the legal parcel boundary.

**FINDINGS FOR SPECIAL PERMIT AND ZONING CLEARANCE CERTIFICATES**

**3. FINDING**

The proposed development is in conformance with the County General Plan, Open Space Plan, and the Open Space Action Program.

**EVIDENCE**

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

**4. FINDING**

The proposed development is consistent with the purposes of the existing Unclassified (U) zone in which the site is located.

**EVIDENCE**

- a) All general agricultural uses are principally permitted in the U zone.
- b) The location of all project elements meets the setback requirements for the U Zone.

**5. FINDING**

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

**EVIDENCE**

- a) The CCLUO (HCC 314-55.4.6) allows new cannabis cultivation up to one acre to be permitted in areas zoned Unclassified (U) with a Special Permit when the parcel is over 10 acres. HCC 314-55.4.7 allows Off-Site Processing, Distribution, and Enclosed Nurseries to be permitted with a Zoning Clearance Certificate. HCC 314-55.4.8 allows up to 5,000 square feet of indoor cultivation to be permitted with a Zoning Clearance Certificate if conducted within a non-residential structure which was in existence prior to January 1, 2016.
- b) The parcel was created in compliance with all applicable state and local subdivision regulations because it qualifies for a Certificate of Compliance pursuant to section 66499.35 of the Subdivision Map Act through the approval of building permit 00-853 B4
- c) The project will obtain irrigation water from rainwater catchment, a non-diversionary water source.
- d) A road evaluation provided evidence that the road segments evaluated were found to be functionally appropriate for the expected traffic. A road assessment provided recommendations to improve drainage of the road which are included in the project conditions of approval.
- e) The slope of the land where cannabis will be cultivated is less than 15%
- f) The cultivation of cannabis will not result in the net conversion of timberland.
- g) The location of the cultivation complies with all setbacks required in Section 314-55.4.6.4.4. (a.-f.). It is more than 30 from any property line, more than 300 feet from any off-site residence, more than 270 feet from any adjacent undeveloped separately owned parcel, and more than 600 feet from any school, church, public park, or Tribal Cultural Resource.
- h) The project will not emit light pollution through the implementation of measures described in the operations plan.
- i) Power will be provided by renewable energy from solar panels and the RCEA PowerPlus plan.

**6. FINDING**

The cultivation and appurtenant uses 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 properties or improvements in the vicinity.

**EVIDENCE**

- a) The site is located on road that has been evaluated to safely accommodate the amount of traffic generated by the proposed cannabis cultivation.
- b) The site is in a rural part of the County where the typical parcel size varies. The proposed cannabis will not be in a location where there is an established neighborhood or other sensitive receptor such as a school, church, park, or other use which may be sensitive to cannabis cultivation. Approving cultivation on this site and the other sites which have been approved or are in the application process will not change the character of the area due to the large parcel sized in the area.
- c) The location of the proposed cannabis cultivation sites are more than 300 feet from the nearest off-site residence and 270 feet from any adjacent

undeveloped separately owned parcel.

- d) Irrigation water will come from rain catchment in accordance with necessary permits and standards.
- e) Provisions have been made in the applicant's proposal to protect water quality and thus runoff to adjacent property and infiltration of water to groundwater resources will not be affected.
- f) Buildings A and B are considered legal non-conforming regarding the streamside management area. Project implementation will not result in intensification of the nonconformity.

**7. FINDING**

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

**EVIDENCE**

The parcel was not included in the housing inventory of Humboldt County's 2019 Housing Element and does not currently have an existing residence. The approval of cannabis cultivation on this parcel will not conflict with the ability to construct a residence if one is proposed in the future.

**8. FINDING**

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

**EVIDENCE**

The project site is in the Cape Mendocino Planning Watershed, which under Resolution 18-43 is limited to 650 permits and 223 acres of cultivation. With the approval of this project the total approved permits in this Planning Watershed would be 195 permits and the total approved acres would be 40.8 acres of cultivation.

**DECISION**

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

- Adopt the findings set forth in this resolution; and
- Conditionally approves the Myrtle Avenue Veterinary Hospital Coastal Development Permit and Conditional Use Permit, based upon the Findings and Evidence and subject to the conditions of approval attached hereto as Attachment 1 and incorporated herein by reference; and

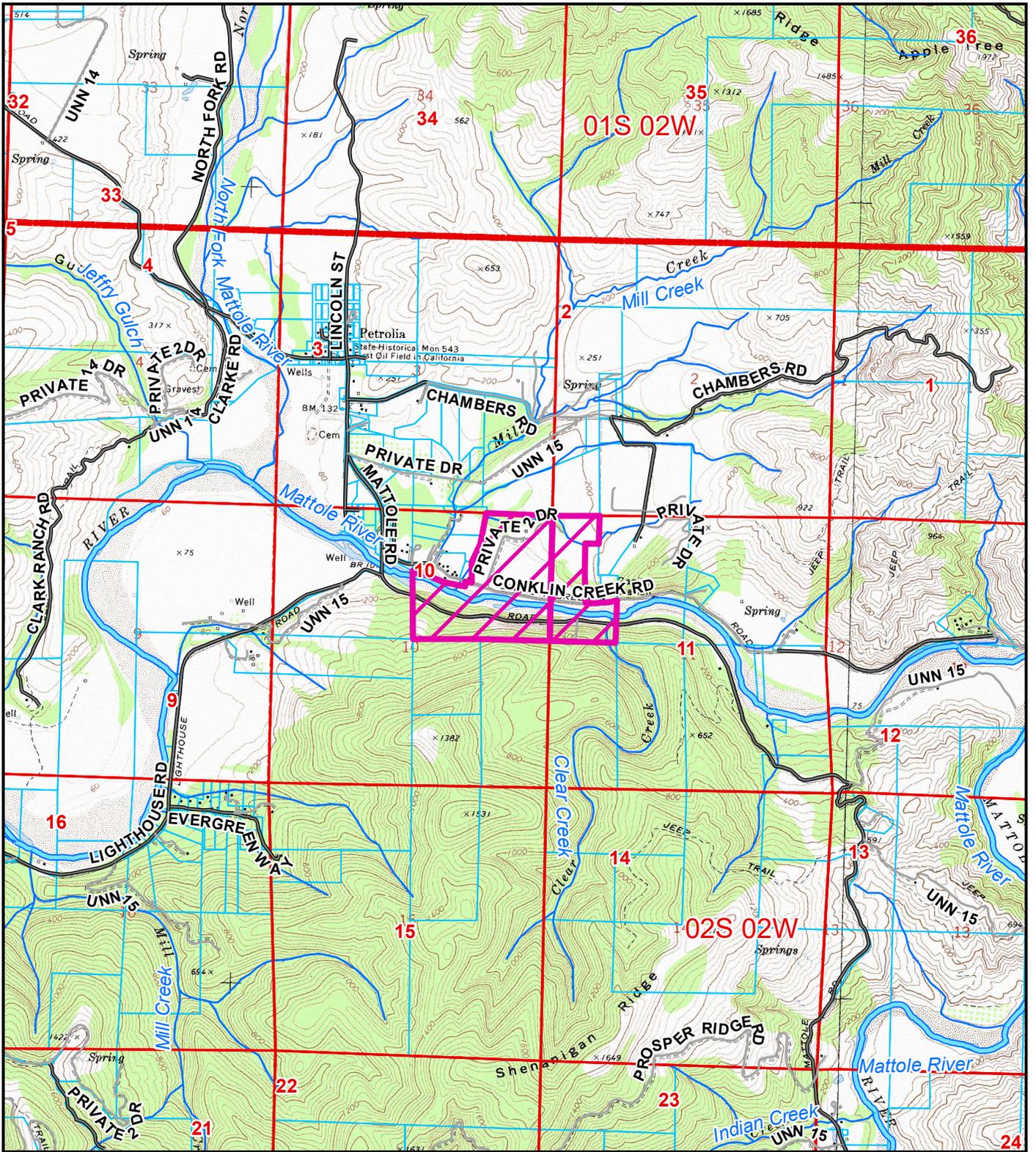
Adopted after review and consideration of all the evidence on January 6, 2022.

The motion was made by COMMISSIONER \_\_\_\_\_ and second by COMMISSIONER \_\_\_\_\_ and the following ROLL CALL vote:

AYES:            COMMISSIONERS:  
 NOES:           COMMISSIONERS:  
 ABSENT:        COMMISSIONERS:  
 ABSTAIN:       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

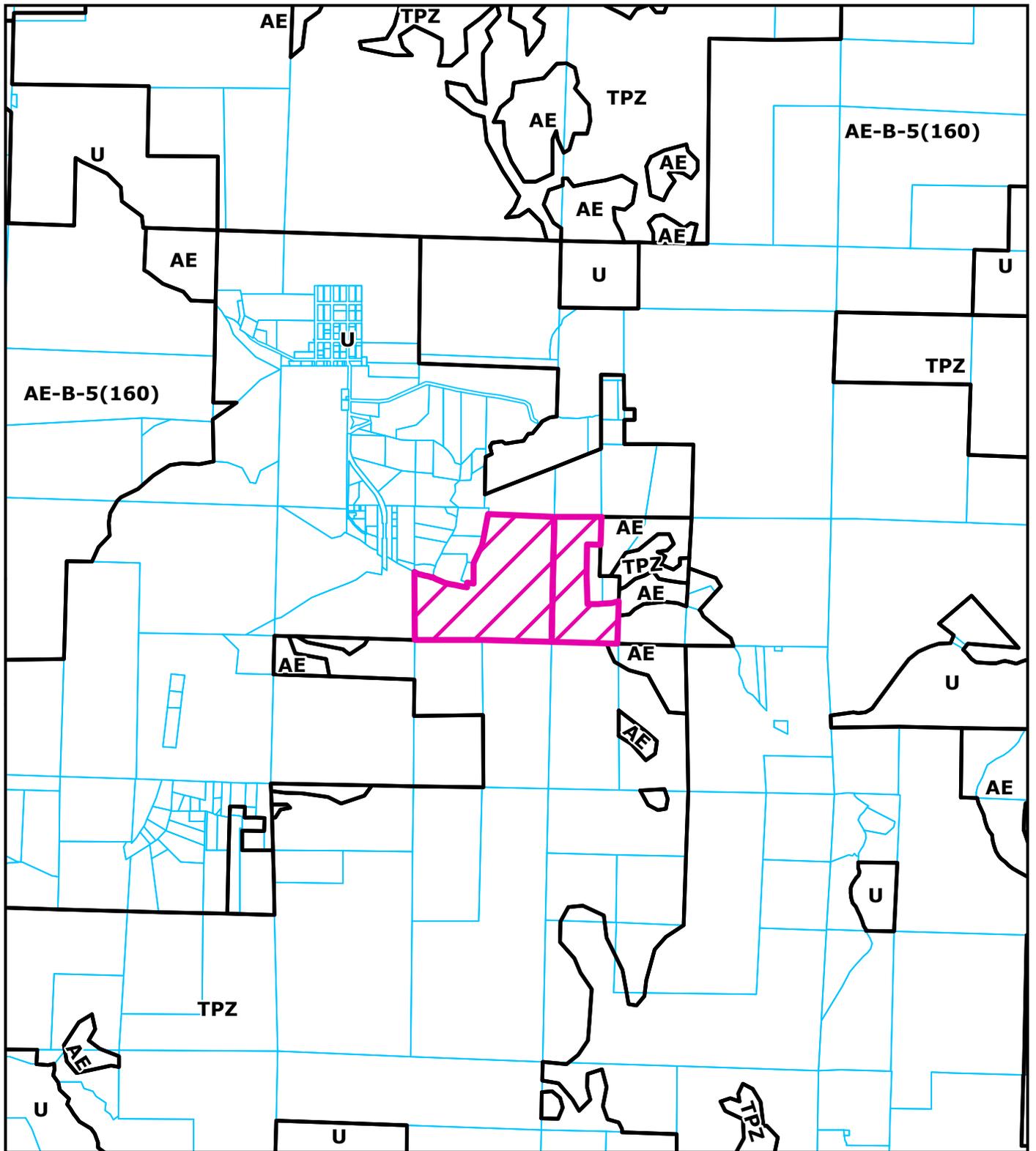


**TOPO MAP**  
**PROPOSED CONKLIN CREEK FARMS, INC**  
**PETROLIA AREA**  
**PLN-2021-17034**  
**APN: 105-042-002; ET AL.**  
**T02S R02W S10; S11 HB&M (PETROLIA)**

Project Area = 

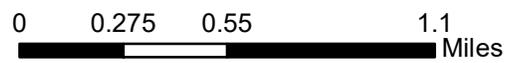


This map is intended for display purposes and should not be used for precise measurement or navigation. Data has not been completely checked for accuracy.

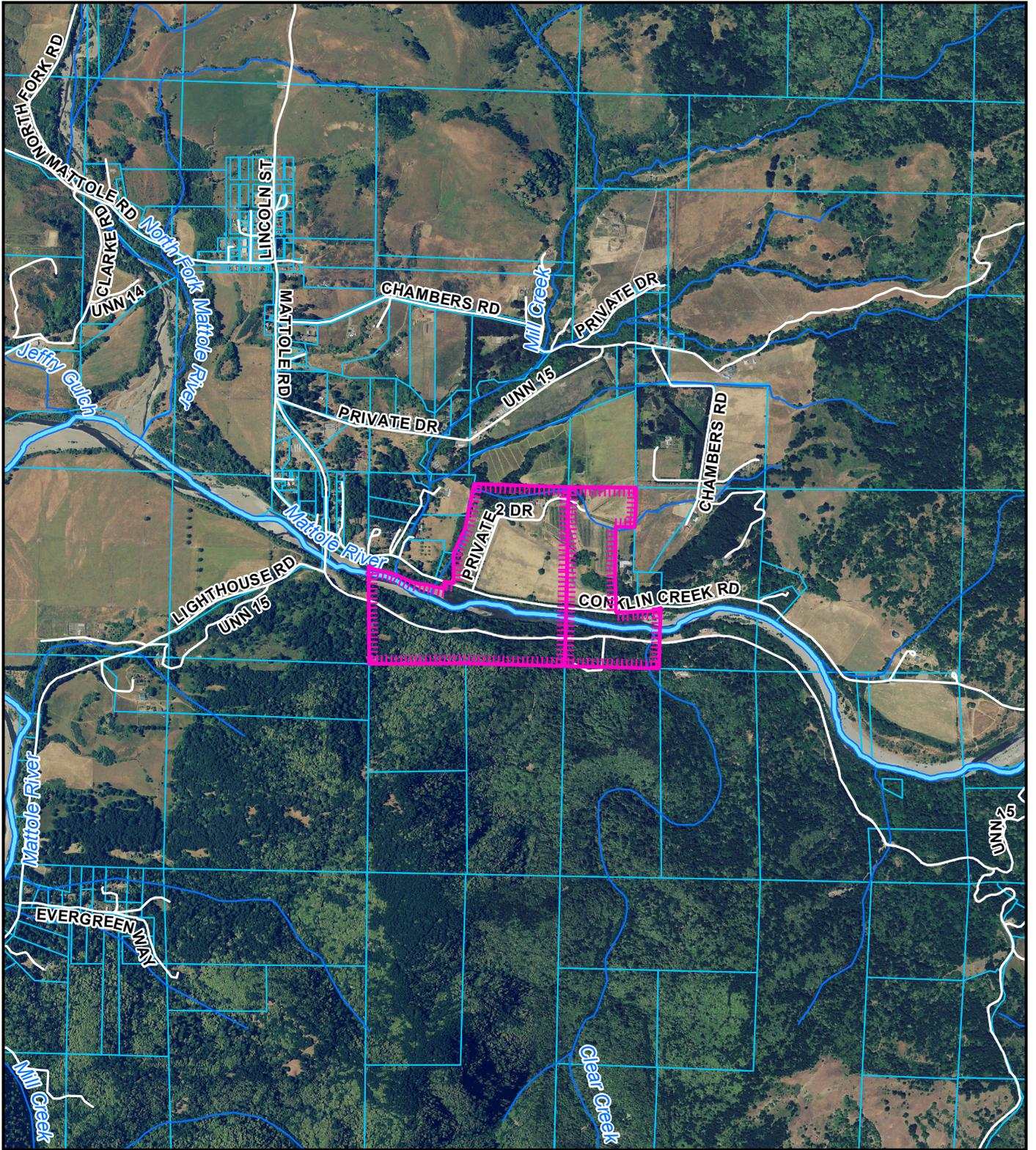


**ZONING MAP**  
**PROPOSED CONKLIN CREEK FARMS, INC**  
**PETROLIA AREA**  
**PLN-2021-17034**  
**APN: 105-042-002; ET AL.**  
**T02S R02W S10; S11 HB&M (PETROLIA)**

Project Area = 

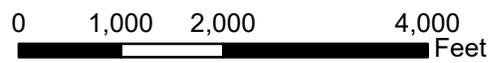


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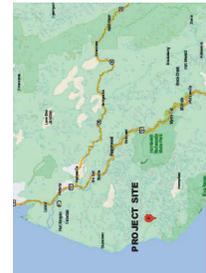


**AERIAL MAP**  
**PROPOSED CONKLIN CREEK FARMS, INC**  
**PETROLIA AREA**  
**PLN-2021-17034**  
**APN: 105-042-002; ET AL.**  
**T02S R02W S10; S11 HB&M (PETROLIA)**

Project Area = 



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**VICINITY MAP**  
NOT TO SCALE

**DIRECTIONS TO SITE:**  
FROM EUREKA, CA  
1. TAKE HIGHWAY 101 S. AND MATTOLE RD. TO  
CONKLIN CREEK RD. IN PETROLA  
(APPROX. 49.4 MI.)  
2. TURN RIGHT ON CONKLIN CREEK RD.  
(APPROX. 0.7 MI.)  
-DESTINATION WILL BE ON THE LEFT

**PROJECT DESCRIPTION:**

CONKLIN CREEK FARMS, INC. IS PROPOSING TO PERMIT NEW CANNABIS CULTIVATION AND PROCESSING FACILITIES ON THE PROPERTY OF HUMBOLDT COUNTY COMMERCIAL CANNABIS LAND USE ORDINANCE (CCLOU). THE PROPOSED PROJECT INCLUDES A SPECIAL PERMIT FOR ONE (1) NEW INDOOR CANNABIS CULTIVATION AND PROCESSING FACILITY FOR ONE CLEARANCE CERTIFICATE FOR UP TO 5,000 SF. OF NEW INDOOR CANNABIS CULTIVATION AND PROCESSING FACILITY. THE PROJECT ALSO INCLUDES A ZONING CLEARANCE CERTIFICATE FOR COMMERCIAL PROCESSING, COMMERCIAL CANNABIS CULTIVATION AND PROCESSING FACILITIES. THE PROJECT IS TO BE SITED ON A 2.6-MILLION GALLON RAINWATER CATCHMENT POND AND SUPPLEMENTED BY AN EXISTING 2.6-MILLION GALLON RAINWATER CATCHMENT POND. THE PROJECT ALSO INCLUDES WATER SERVICE AND SOLAR POWER. CONKLIN CREEK FARMS, INC. AIMS TO BE IN COMPLIANCE WITH ALL STATE AND LOCAL REGULATIONS.

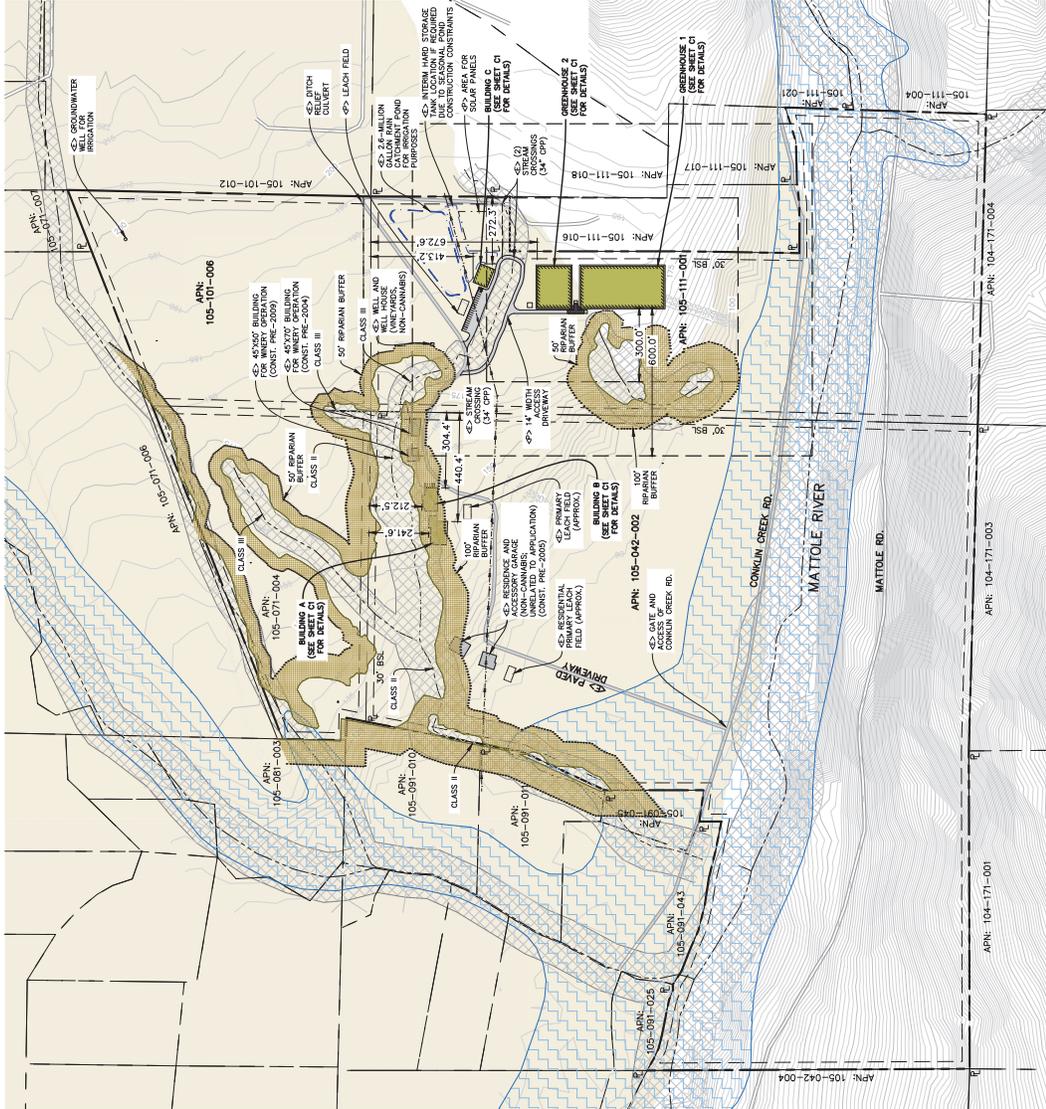
**GENERAL NOTES:**

- DRAWING SCALE AS NOTED. WRITTEN DIMENSIONS SHALL TAKE PRECEDENCE OVER SCALED DIMENSIONS.
- THIS IS NOT A BOUNDARY SURVEY. BOUNDARY INFORMATION IS BASED ON THE 2015 BOUNDARY SURVEY BY G.S. DATA. NORFONTE CONSULTING GROUP, INC. HAS NOT VERIFIED THIS PROPERTY BOUNDARY.
- THERE ARE NO NEARBY SCHOOLS, SCHOOL BUS STOPS, PLACES OF WORSHIP, PUBLIC PARKS OR TRIBAL RESOURCES WITHIN 600 FEET OF THE EXISTING CULTIVATION AREA.
- THERE ARE NO RESIDENCES ON ADJOINING PARCELS WITHIN 300 FEET OF THE PROPOSED CULTIVATION AREAS.
- ALL AREAS OUTSIDE OF THE CANNABIS ACTIVITIES ARE USED IN ACCORDANCE WITH THE HUMBOLDT COUNTY LAND USE DESIGNATION.

# CONKLIN CREEK FARMS, INC.

## SPECIAL PERMIT

APNS: 105-111-001, 105-042-002, & 105-101-006



**PROJECT INFORMATION:**

**APPLICANT:**  
CONKLIN CREEK FARMS, INC.  
795 CONKLIN CREEK RD.  
PETROLA, CA 95555

**ENGINEER:**  
NORTHPOINT CONSULTING GROUP, INC.  
P.O. BOX 10833  
TRINIDAD, CA 95570

**APPLICANTS AGENT:**  
NORTHPOINT CONSULTING GROUP, INC.  
117 SAMOA BLVD.  
ARCATA, CA 95521  
(707) 798-6438

**SITE ADDRESS:**  
795 CONKLIN CREEK RD.  
PETROLA, CA 95558

TREES TO BE REMOVED = NONE  
WATER = PRIVATE  
SEWER = PRIVATE

ZONING = U  
GENERAL PLAN DESIGNATION = UG  
COMMUNITY PLAN = UG

**PROPERTY SIZE:**  
APN: 105-111-001 = 1,926.55 ACRES  
APN: 105-111-002 = 2,422.00 ACRES  
APN: 105-111-003 = 2,493.23 ACRES  
APN: 105-101-006 = 2,228.83 ACRES

**BUILDING SETBACKS**

AG	U	SRA
FRONT	20'	20'
REAR	20'	30'
SIDE	6'	5'
REAR	20'	10'
REAR	20'	30'

SRA AREA:  
IN COASTAL ZONE: = YES  
IN 100 YR FLOOD ZONE: = YES

**LEGEND:**

- PROPERTY LINE
- BUILDING SETBACK LINE
- STREAMSIDE MANAGEMENT AREA
- FLOOD ZONE
- PRIME AGRICULTURAL SOILS
- RIPARIAN BUFFER
- DESIGNATED EDGE OF RIPARIAN PER MAAD CONSULTING BIOLOGICAL ASSESSMENT, 2020

**SHEET INDEX:**

03 - PLOT PLAN, VICINITY MAP, & PROJECT NOTES  
01 - PROPOSED SITE PLAN



**PLOT PLAN**

22x34 SHEET: 1"=250'  
11x17 SHEET: 1"=500'

0 125 250 500

PETROLA VALLEY  
APNS: 105-111-001, 105-042-002, & 105-101-006  
PLOT PLAN, VICINITY MAP, & PROJECT NOTES

DATE: \_\_\_\_\_  
REVISIONS: \_\_\_\_\_  
DRAWN BY: \_\_\_\_\_

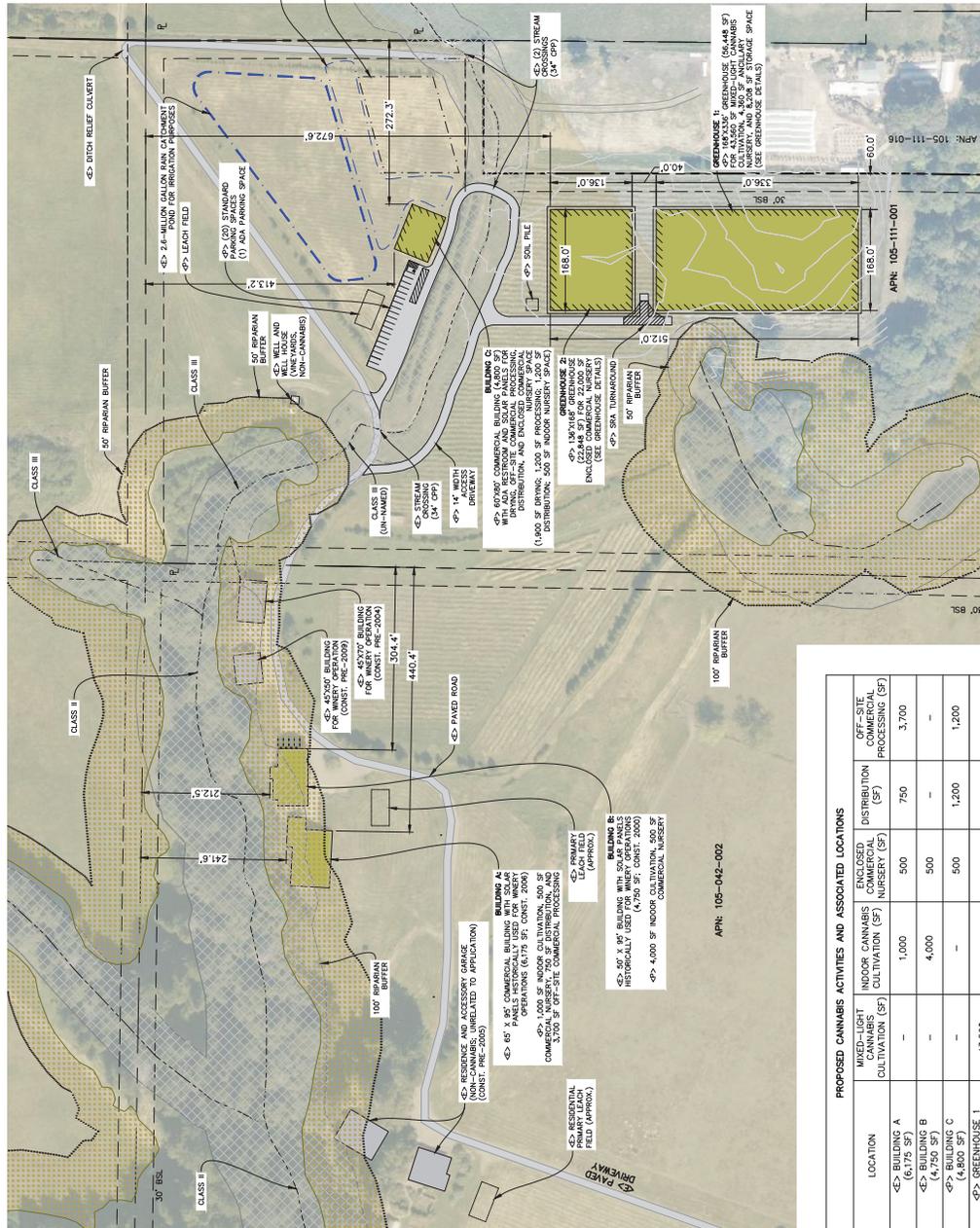
PROJECT: \_\_\_\_\_  
SHEET: \_\_\_\_\_  
SCALE: \_\_\_\_\_

APNS: 105-111-001, 105-042-002, & 105-101-006  
PLOT PLAN, VICINITY MAP, & PROJECT NOTES

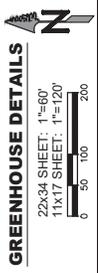
117 SAMOA BLVD., ARCATA, CA 95521  
**NORTHPOINT**  
CONSULTING GROUP, INC.

# CONKLIN CREEK FARMS, INC. SPECIAL PERMIT

APNS: 105-111-001, 105-042-002, & 105-101-006



LOCATION	MIXED-LIGHT CANNABIS CULTIVATION (SF)	INDOOR CANNABIS CULTIVATION (SF)	ENCLOSED COMMERCIAL NURSERY (SF)	DISTRIBUTION (SF)	OFF-SITE COMMERCIAL PROCESSING (SF)
<-> BUILDING A (6,400 SF)	-	1,000	500	750	3,700
<-> BUILDING B (4,750 SF)	-	4,000	500	-	-
<-> BUILDING C (4,800 SF)	-	-	500	1,200	1,200
<-> GREENHOUSE 1 (50,448 SF)	43,580	-	-	-	-
<-> GREENHOUSE 2 (22,848 SF)	-	-	22,000	-	-
TOTALS	43,580	5,000	23,500	1,950	4,900



- LEGEND:**
- - - PROPERTY LINE
  - - - BUILDING SETBACK LINE
  - - - STREAMSIDE MANAGEMENT AREA
  - - - FLOOD ZONE
  - - - PRIME AGRICULTURAL SOILS
  - - - RIPARIAN BUFFER
  - - - 50' RIPARIAN PER APNS 105-111-001, 105-042-002, & 105-101-006 (NAD CONSULTING BIOLOGICAL ASSESSMENT, 2020)

**NORTHPOINT**  
CONSULTING GROUP, INC.  
1177 Samoa Blvd., Arcata, CA 95521

PETROLIA VALLEY  
APNS: 105-111-001, 105-042-002, & 105-101-006  
PROPOSED SITE PLAN

DATE: 02/22/24  
DRAWN BY: JLS/SB/SL  
SHEET: C1  
22-042

## ATTACHMENT 1

### RECOMMENDED CONDITIONS OF APPROVAL

#### APPROVAL OF THE SPECIAL PERMIT AND ZONING CLEARANCE CERTIFICATES ARE CONDITIONED ON THE FOLLOWING TERMS AND REQUIREMENTS:

##### **A. Conditions which must be satisfied before the cannabis operations may be initiated (unless otherwise indicated).**

1. Prior to initiating the uses in Buildings A and B, applicant must inform the Building Inspection Division of the change of use and obtain the necessary building permits, if applicable, for any interior improvements.
2. The applicant may install rain catchment tanks up to 500,000 gallons in the area designated on the plot plan to collect rainwater until the pond is completed. If construction of the pond does not occur, applicant may use the rain catchment tanks for cannabis irrigation storage on an ongoing basis. Once the pond is implemented, applicant may no longer use the tanks. Long-term water storage for the cannabis operation will occur in either the pond or tanks, but not both.
3. Prior to initiating cultivation or nursery operations, applicant must install an approved septic system or provide portable toilets to cultivation areas.
4. Prior to initiating Off-Site Processing or Distribution operations, applicant must install an approved septic system.
5. If construction occurs between February 1 and August 31, a qualified professional must conduct a migratory bird nesting survey and if found, applicant must ensure there are no impacts to nesting birds.
6. Prior to any ground disturbing activities, the applicant must contact the Bear River Tribal Historic Preservation Officer and arrange for a cultural monitor to be present during all ground disturbing activities.
7. Prior to ground disturbance and construction of Building C, the proposed access driveway, and Greenhouses 1 and 2, a qualified professional will delineate on site the boundary location of the Class III buffer and streamside management areas to ensure no disturbance occurs within sensitive areas.
8. Prior to initiating operations in Building C or Greenhouses 1 and 2, emergency vehicle turnarounds compliant with the Fire Safe Regulations must be provided.
9. Prior to initiating any cannabis operation (e.g. mixed light cultivation, indoor cultivation, off-site processing, distribution, or commercial nursery), the applicant must provide an adequate dedicated fire suppression water supply. This includes a minimum of 2,500 gallons of storage with a 2.5" NH (National Hose) water supply.
10. Per Exhibit A of the recommendations from Public Works these conditions 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:
  - a. Applicant must apply for and obtain an encroachment permit from 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 minimum width of 18 feet and a length of 50 feet (or to break in slope) where it intersects the County road.

- b. 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.
  - c. All driveways and private road intersections onto the County Road shall be maintained in accordance with County Code Section 341-1 (Sight Visibility Ordinance).
11. Prior to initiating operations, applicant shall provide a copy of the completed Lake or Streambed Alteration Agreement (LSAA) (EPIMS-HUM-15289-R1) for three culverts. Once in place, applicant shall comply with the terms of the LSAA.

## **B. General Conditions**

1. The use or alteration of Building A and B may not intensify the existing non-conformity of these structures with regard to the streamside management area.
2. The applicant shall implement the recommendations described in the November 2020 Road System Assessment Report including maintaining onsite road width and site distance as well as maintaining the inboard ditch identified as Road Point #4.
3. Upon request, the applicant shall provide documentation verifying that energy obtained from PGE is sourced from a renewable source such as the RCEA PowerPlus plan.
4. Applicant is responsible for obtaining all necessary County and State permits and licenses and for meeting all requirements set forth by other regulatory agencies.
5. The applicant is responsible for costs for post-approval review for determining project conformance with conditions. A deposit is collected to cover this staff review. Permit conformance with conditions must be demonstrated prior to release of building permit or initiation of use and at time of annual inspection. A conformance review deposit as set forth in the schedule of fees and charges as adopted by ordinance of the Humboldt County Board of Supervisors (currently \$750) shall be paid within sixty (60) days of the effective date of the permit or upon filing of the Compliance Agreement (where applicable), whichever occurs first. Payment shall be made to the Humboldt County Planning Division, 3015 "H" Street, Eureka.
6. A Notice of Determination 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, the Department will file the Notice of Determination and will charge this cost to the project.
7. The applicant shall install monitoring device(s) on each water source. Applicant shall maintain water usage logs from each source for the life of the project and make logs available for inspection upon request.
8. The applicant shall be compliant with the County of Humboldt's Certified Unified Program Agency (CUPA) requirements regarding hazardous materials. Ongoing proof of compliance with this condition shall be required at each annual inspection to keep the permit valid.
9. The 8,208 square foot storage and staging space in Greenhouse 1 may not be used for any aspect of the cultivation lifecycle such as propagation, vegetative growth, or flowing.

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

1. The combination of background or other operational equipment created noise must not exceed more than three decibels above ambient noise as measured in the October 2020 noise assessment. Specifically, noise may not exceed 36dB for the northern legal parcel property line, 46.7dB for the eastern, and 39dB for both the western and southern legal parcel property line.

2. If cultural resources are encountered during construction activities, the contractor on site shall cease all work in the immediate area and within a 50-foot buffer of the discovery location. A qualified archaeologist and the appropriate Tribal Historic Preservation Officer(s) are to be contacted to evaluate the discovery and, in consultation with the applicant and the lead agency, develop a treatment plan in any instance where significant impacts cannot be avoided.

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

3. The applicant shall adhere to the Invasive Species and Soils Management Plan for the life of the project. The invasive species control plan can be found in section 3.4 on page 9 of the Operations Plan which includes conducting an invasive species survey at least twice a year and using hand tools for removal.
4. All artificial lighting shall be fully contained within structures such that no light escapes (i.e., through the use of 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 (refer to <https://www.darksky.org/our-work/lighting/lighting-for-citizens/lighting-basics/>). Standards include but are not limited to: Light shall 1) be shielded and downward facing, 2) 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.
5. Should the Humboldt County Planning Division receive complaints that the lighting or noise is not complying with the standards listed above within ten (10) working days of receiving written notification that a complaint has been filed, the applicant shall submit written verification that the lights' shielding and alignment, and noise levels have been repaired, inspected, and corrected as necessary.
6. The generator will only be used for emergency purposes.
7. The use of monofilament netting for all uses, including but not limited for erosion control, shall be prohibited. Geotextiles, fiber rolls, and other erosion control measure materials shall be made of loose-weave mesh, such as jute, hemp, coconut (coir) fiber, or other products without welded weaves to minimize the risk of ensnaring and strangling wildlife.
8. All refuse shall be contained in wildlife proof storage containers, at all times, and disposed of at an authorized waste management facility.
9. Should any wildlife be encountered during work activities, the wildlife shall not be disturbed and be allowed to leave the work site unharmed.
10. The use of anticoagulant rodenticide is prohibited. Per the recommendation in the biological assessment, only manual traps may be used.
11. 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.

12. 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. If offsite processing is chosen to be the preferred method of processing, this permit shall be modified to identify the offsite licensed facility.
13. Cannabis cultivation and other commercial cannabis activity shall be conducted in compliance with all laws and regulations as set forth in the CCLUO as applicable to the permit type.
14. If operating pursuant to a written approved compliance agreement, permittee shall abate or cure violations at the earliest feasible date, but in no event no more than two (2) years from the date of issuance of a provisional clearance or permit. Permittee shall provide plans for curing such violations to the Planning and Building Department within one (1) year of issuance of the provisional clearance or permit. If good faith effort toward compliance can be shown within the two years following the issuance of the provisional clearance or permit, the Department may, at the discretion of the Director, provide for extensions of the provisional permit to allow additional time to meet the outstanding requirements.
15. 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.
16. 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).
17. Maintain enrollment in Tier 1 or 2 certification with State Water Resources Control Board Order WQ 2019-0001-DWQ, if applicable, or any substantially equivalent rule that may be subsequently adopted by the County of Humboldt or other responsible agency.
18. Comply with the terms of any applicable Lake and Stream Alteration (1600 or 1602) Permit obtained from the California Department of Fish and Wildlife (CDFW).
19. Comply with the terms of a less-than-3-acre conversion exemption or timberland conversion permit, approved by the California Department of Forestry and Fire Protection (Cal Fire), if applicable.
20. Consent to an annual on-site compliance inspection, with at least 24 hours prior notice, to be conducted by appropriate County officials during regular business hours (Monday through Friday, 9:00 a.m. to 5:00 p.m., excluding holidays).
21. Refrain from the improper storage or use of any fuels, fertilizer, pesticide, fungicide, rodenticide, or herbicide.
22. Pay all applicable application, review for conformance with conditions and annual inspection fees.
23. The master logbooks maintained by the applicant to track production and sales shall be maintained for inspection by the County.
24. Pay all applicable taxes as required by the Humboldt County Commercial Marijuana Cultivation Tax Ordinance (Humboldt County Code Section 719-1 et seq.).

## Performance Standards for Cultivation and Processing Operations

25. Pursuant to Business and Professions Code section 26051.5(a)(8), 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, the 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:
  - a. Processing operations must be maintained in a clean and sanitary condition including all work surfaces and equipment.
  - b. Processing operations must implement protocols which prevent processing contamination and mold and mildew growth on cannabis.
  - c. Employees handling cannabis in processing operations must have access to facemasks and gloves in good operable condition as applicable to their job function.
  - d. Employees must wash hands sufficiently when handling cannabis or use gloves.
28. All persons hiring employees to engage in commercial cannabis cultivation and processing shall comply with the following Employee Safety Practices:
  - a. Cultivation operations and processing operations must implement safety protocols and provide all employees with adequate safety training relevant to their specific job functions, which may include:
    - (1) Emergency action response planning as necessary;
    - (2) Employee accident reporting and investigation policies;
    - (3) Fire prevention;
    - (4) Hazard communication policies, including maintenance of material safety data sheets (MSDS);
    - (5) Materials handling policies;
    - (6) Job hazard analyses; and
    - (7) Personal protective equipment policies, including respiratory protection.
  - b. Cultivation operations and processing operations must visibly post and maintain an emergency contact list which includes at a minimum:
    - (1) Operation manager contacts;
    - (2) Emergency responder contacts; and
    - (3) Poison control contacts.
  - c. At all times, employees shall have access to safe drinking water and toilets and handwashing facilities that comply with applicable federal, state, and local laws and regulations. Plumbing facilities and water source must be capable of handling increased usage without adverse consequences to neighboring properties or the environment.
  - d. On site-housing provided to employees shall comply with all applicable federal, state, and local laws and regulations.
29. All cultivators shall comply with the approved processing plan as to the following:
  - a. Processing practices
  - b. Location where processing will occur
  - c. Number of employees, if any
  - d. Employee Safety Practices
  - e. Toilet and handwashing facilities

- f. Plumbing and/or septic system and whether or not the system is capable of handling increased usage
  - g. Drinking water for employees
  - h. Plan to minimize impact from increased road use resulting from processing
  - i. On-site housing, if any
30. Term of Commercial Cannabis Activity Permit. Any Commercial Cannabis Cultivation permit issued pursuant to the CMMLUO or CCLUO shall expire one (1) year after date of issuance, and on the anniversary date of such issuance each year thereafter, unless an annual compliance inspection has been conducted and the permittees and the permitted site have been found to comply with all conditions of approval.
31. Inspections. If the inspector or other County official determines that the permittees or site do not comply with the conditions of approval, the inspector shall serve the permit holder with a written statement identifying the items not in compliance, and the action that the permit holder may take to cure the noncompliance or file an appeal within ten (10) days of the date that the written statement is delivered to the permit holder. Personal delivery or mailing the written statement to the mailing address listed on the application by regular mail, plus three (3) days after date of mailing, shall constitute delivery. The permit holder may request a reinspection to determine whether or not the permit holder has cured all issues of noncompliance. Failure to request reinspection or to cure any items of noncompliance shall terminate the Permit, immediately upon the expiration of any appeal period, or final determination of the appeal if an appeal has been timely filed.
32. Permit Renewals to Comply with Updated Laws and Regulations. Permit renewal is subject to the laws and regulations effective at the time of renewal, which may be substantially different than the regulations currently in place and may require the submittal of additional information to ensure that new standards are met.
33. 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.
34. 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;
  - d. Acknowledgement of full responsibility for complying with the existing permit; and
  - e. Execution of an Affidavit of Non-diversion of Medical Cannabis.
35. 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. Applicant is advised that County maintained roads may generate dust and other impacts to farm(s). Applicant shall locate their farm(s) in areas not subject to these impacts. Applicant shall be responsible for protecting their farm(s) against these impacts. Applicant shall hold the County harmless from these impacts. Applicant is advised that a paved road may not always remain paved and Applicant shall locate their farms appropriately. Applicant is advised that the amount of traffic on a road will vary over time which may increase or decrease the impacts.

**ATTACHMENT 2**

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

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

**APNs 105-111-001; 105-042-002; 105-101-006; and 105-071-004; Petrolia area, County of Humboldt**

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

**December 2021**

## Background

### **Modified Project Description and Project History –**

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

A Special Permit for 43,560 square feet (one acre) of new mixed light cannabis cultivation. Four Zoning Clearance Certificates for: 5,000 square feet of indoor cannabis cultivation; 23,500 square feet of enclosed wholesale nursery; offsite processing; and distribution. Power is provided by PGE and solar. Irrigation water will be provided by a proposed 2.6-million-gallon rainwater catchment pond. Annual water usage is estimated at 655,000 gallons. The mixed light cultivation is associated with a 4,360 square foot ancillary nursery. A maximum of 24 employees will be present during peak operations.

The applicant provided an Initial Biological Reconnaissance and Project Feasibility Assessment Report (Assessment) dated July 28, 2020, prepared by Naiad Biological Consulting. The applicant also provided a Botanical Report of Special Status Native Plant Populations and Natural Communities (Botanical Report) dated August 24, 2021, prepared by Naiad Biological Consulting. The Botanical Report concludes that impacts to sensitive species or sensitive habitats will not occur from the proposed cannabis project. A March 2018 Cultural Resources Investigation Report prepared by Roscoe and Associates was provided by the applicant. A July 14, 2021, Cultural Resources Survey Letter prepared by William Rich and Associates was also provided. The Report and Letter were reviewed by the Bear River Tribal Historic Preservation Officer who recommended an inadvertent discovery protocol as well as cultural monitoring for the ground disturbing activities.

The modified project will comply with provision of the CCLUO intended to eliminate impacts to sensitive species from noise and from light. Compliance with these and other measures of the CCLUO ensure consistency with the EIR.

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

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

### **Summary of Significant Project Effects and Mitigation Recommended**

No changes are proposed for the Final EIR recommended mitigations. The proposal to authorize the proposed project is fully consistent with the impacts identified and adequately mitigated in the Final EIR. The project as conditioned to implement responsible agency recommendations, results in no significantly adverse environmental effects beyond those identified in the Final EIR.

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

- Operations Plan and Plot Plan for Conklin Creek Farms, LLC
- County GIS
- Noise Assessment dated October 2020, prepared by Northpoint Consulting Group.
- Initial Biological Reconnaissance and Project Feasibility Assessment Report dated July 28, 2020, prepared by Naiad Biological Consulting.
- A Botanical Report of Special Status Native Plant Populations and Natural Communities dated August 24, 2021, prepared by Naiad Biological Consulting.
- A March 2018 Cultural Resources Investigation Report prepared by Roscoe and Associates and a July 14, 2021, Cultural Resources Survey Letter prepared by William Rich and Associates
- A Road System Assessment Report dated November 2020 conducted by Northpoint Consulting Group

### **Other CEQA Considerations**

Staff suggests no changes for the revised project.

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

See **Purpose** statement above.

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

### **FINDINGS**

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

## **CONCLUSION**

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

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

## ATTACHMENT 3

### Applicant's Evidence in Support of the Required Findings

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

1. The name, contact address, and phone number(s) of the applicant. (On File – Application Form)
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. Plot plan showing the entire parcel, including easements, streams, springs, ponds and other surface water features, and the location and area for cultivation on the parcel with dimensions of the area for cultivation and setbacks from property lines. The site plan shall also include all areas of ground disturbance or surface water disturbance associated with cultivation activities, including access roads, water diversions, culverts, ponds, dams, graded flats, and other related features. If the area for cultivation is within one-quarter mile (1,320 feet) of a school, school bus stop, church or other place of religious worship, public park, or tribal cultural resource, the plot 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** with project Maps)
4. A cultivation and operations plan that meets or exceeds minimum legal standards for water storage, conservation and use; drainage, runoff and erosion control; watershed and habitat protection; proper storage of fertilizers, pesticides, and other regulated products to be used on the parcel; and a description of cultivation activities (outdoor, indoor, mixed light), the approximate date(s) cannabis cultivation activities have been conducted on the parcel prior to the effective date of this ordinance, if applicable, and schedule of activities during each month of the growing and harvesting season. (**Attached**)
5. Copy of the statement of water diversion, or other permit, license or registration filed with the State Water Resources Control Board, Division of Water Rights, if applicable. (Not Applicable)
6. Description of water source, storage, irrigation plan, and projected water usage. (**Attached** in Cultivation Operations Plan)
7. Copy of Notice of Applicability and Site Management Plan and other documents filed with the State Water Resources Control Board demonstrating enrollment in Tier 1 or 2 in accordance with State Water Resources Control Board Order WQ 2019-0001-DWQ, or any substantially equivalent rule that may be subsequently adopted by the County of Humboldt or other responsible agency. (Not Applicable, New Cultivation. Condition of Approval)
8. If any on-site or off-site component of the cultivation facility, including access roads, water supply, grading or terracing, impacts the bed or bank of any stream or other watercourse, a copy of the Streambed Alteration Permit obtained from the California Department of Fish and Wildlife. (On File, Pending Completion. Condition of Approval)
9. If the source of water is a well, a copy of the County well permit, if available. (Not Applicable)
10. If the parcel is zoned FR, U or TPZ, or involves the conversion of timberland as defined under Section 4526 of the Public Resources Code, a copy of a less-than-3-acre conversion exemption or timberland conversion permit, approved by the California Department of Forestry and Fire Protection (Cal Fire). Alternately, for existing operations occupying sites created through prior unauthorized conversion of timberland, evidence may be provided showing that the landowner has completed a civil or criminal process and/or entered into a negotiated settlement with Cal Fire. (Not Applicable)

11. Consent for on-site inspection of the parcel by County officials at prearranged date and time in consultation with the applicant prior to issuance of any clearance or permit, and once annually thereafter. (On File)
12. 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)
13. 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)
14. A March 2018 Cultural Resources Investigation Report prepared by Roscoe and Associates and a July 14, 2021, Cultural Resources Survey Letter prepared by William Rich and Associates. (On File and Confidential)
15. A Road System Assessment Report dated November 2020 conducted by Northpoint Consulting Group. (**Attached**)
16. Division of Environmental Health Attachment for Commercial Medical Marijuana Clearances/ Permits (DEH Form). (On File)
17. Initial Biological Reconnaissance and Project Feasibility Assessment Report (Assessment) dated July 28, 2020, prepared by Naiad Biological Consulting. And a Botanical Report of Special Status Native Plant Populations and Natural Communities (Botanical Report) dated August 24, 2021, prepared by Naiad Biological Consulting. (**Attached**)
18. Noise Assessment dated October 2020, prepared by Northpoint Consulting. (**Attached**)

**CONKLIN CREEK FARMS, INC.  
APNs: 105-111-001 & 105-042-002  
CULTIVATION AND OPERATIONS MANUAL  
HUMBOLDT COUNTY, CA**

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**COMMERCIAL CANNABIS  
CULTIVATION FACILITIES**

**PREPARED FOR:**



**January 2021  
September 2021  
Revised November 2021**

**Commercial Cannabis Cultivation Facilities**  
APNs: 105-111-001 & 105-042-002

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**January 2021**  
**September 2021**  
**Revised November 2021**

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## 1. PROJECT SUMMARY

### 1.1. PROJECT OBJECTIVE

Conklin Creek Farms, Inc. is proposing to permit commercial cannabis activities in accordance with the County of Humboldt’s (County) *Commercial Cannabis Land Use Ordinance* (CCLUO), aka “Ordinance 2.0” on one legal parcel comprised of APNs 105-111-001, 105-042-002, 105-101-006, and 105-071-004 in Petrolia, California.

The project requires a Special Permit for 43,560-sf (square feet) of new mixed-light cannabis cultivation located on an existing vineyard and Zoning Clearance Certificates for new Cannabis Support Facilities including 5,000 sf of indoor cultivation in an existing pre-2016 building, 23,500 sf of enclosed commercial nursery, 1,950 sf of distribution, and 4,900 sf of off-site commercial processing (Table 1).

The project proposal includes permitting of proposed facilities appurtenant to the cultivation activities, including greenhouses and structures, specifically a 168’ x 336’ cultivation greenhouse (Greenhouse 1), a 136’ x 168’ nursery greenhouse (Greenhouse 2), and a proposed 60’ x 80’ commercial building for drying, storage, processing, distribution and nursery space (Building C). See Table 1 for details.

<i>Table 1. Proposed Cannabis Activities and Associated Locations</i>					
	Mixed-Light Cannabis Cultivation (sf)	Indoor Cannabis Cultivation (sf)	Enclosed Commercial Nursery (sf)	Distribution (sf)	Off-site Commercial Processing (sf)
<e> Building A (6,175 sf)	-	1,000	500	750	3,700
<e> Building B (4,750 sf)	-	4,000	500	-	-
<p> Building C (4,800 sf)	-	-	500	1,200	1,200
<p> Greenhouse 1 (56,448 sf)	43,560 sf	-	-	-	-
<p> Greenhouse 2 (22,848 sf)	-	-	22,000	-	-
<b>Totals</b>	<b>43,560 sf</b>	<b>5,000 sf</b>	<b>23,500 sf</b>	<b>1,950 sf</b>	<b>4,900 sf</b>

In addition to the above activities, the proposal includes development appurtenant to the cultivation activities, including 1,900 sf of ancillary drying in Building C, 4,360 sf ancillary nursery space (Greenhouse 1) and 8,208 sf storage space for soil, fertilizers, pots, tools, staging area, and other equipment (Greenhouse 1).

Water will be sourced from a rainwater stored in a proposed 2.6-million gallon rainwater catchment pond. Power will come from existing PG&E service and solar panels. The applicants aim to become fully compliant with State and Local cultivation regulations.

### 1.2. SITE DESCRIPTION

The project site is located on one legal parcel comprised of two APNs (105-111-001, 105-042-002) located near the community of Petrolia (lat/long 40.3128, -124.2699) in the Lower Mattole River watershed (HUC-12 #180101070209). The parcel is currently used for domestic and agricultural purposes, including livestock grazing and viticulture. APN 105-111-001 is approximately 49 acres and

APN 105-042-002 is approximately 120 acres for a combined total of approximately 169 acres. The property is located outside of the Coastal Zone and within the State Responsibility Area (SRA) for fire protection. An unnamed Class III drainage runs westerly through the property before becoming a Class II watercourse and draining to the Mattole River. Other historic ephemeral and intermittent watercourses run through the property before draining to the Mattole River. There are three (3) existing stream crossings onsite. Two existing wells are located on the property and are used for domestic and agricultural purposes.

The subject property spans the Mattole River, with approximately 117 acres of total prime agricultural soils located across the parcel. The mixed-light cannabis cultivation is designed to be located on the portion of the property without prime agricultural soils. All other cannabis-related activities occur on less than an acre of cumulative area on prime agricultural soils, comprising about 1 % of total prime agricultural soils onsite. The property contains fields, sparse oak stands, and vineyard. No trees are proposed to be removed as a part of this project.

### **1.3. LAND USE**

Currently, the property is used for residential and agricultural purposes, including an existing 8-acre (approx.) vineyard, existing accessory structures for viticulture, and livestock grazing. It is anticipated that these agricultural activities will continue in addition to the proposed cannabis-related operations.

The property is zoned for Unclassified (U) and has combined general plan land use designation of Agricultural Grazing (AG). Land uses surrounding the parcel are comprised of Agriculture, and Timber designations.

### **1.4. STATE AND LOCAL COMPLIANCE**

#### **1.4.1. CALIFORNIA DEPARTMENT OF FOOD AND AGRICULTURE – CALCANNABIS**

Conklin Creek Farms, Inc. will obtain a Commercial Cannabis Activity license from the State of California once the local approval has been received, including commercial cannabis cultivation, nursery, and processor licenses from the California Department of Food and Agriculture and a distributor license from the Bureau of Cannabis Control.

#### **1.4.2. STATE WATER RESOURCES CONTROL BOARD – WATER RIGHTS**

The water source for the project will be rainwater catchment. Rainwater will be collected and stored in a proposed 2.6-million gallon pond. No water rights are required for rainwater catchment at this time.

#### **1.4.3. STATE WATER RESOURCES CONTROL BOARD AND NORTH COAST REGIONAL WATER QUALITY CONTROL BOARD – WATER QUALITY**

Prior to the commencement of cultivation activities onsite, the applicants will enroll for coverage the State Water Resources Control Board (SWRCB) General Order WQ 2019-0001-DWQ *General Waste Discharge Requirements and Waiver of Waste Discharge Requirements for Dischargers of Waste Associated with Cannabis Cultivation Activities* “Order”). The purpose of the SWRCB Order is to implement the requirements for waste discharges associated with cannabis cultivation as described in SWRCB’s *Cannabis Cultivation Policy – Principles and Guidelines for Cannabis Cultivation* (“Policy”). A Site Management Plan will be developed for the property to describe how the discharger is complying with the applicable Best Practicable Treatment or Control (BPTC) Measures listed in Attachment A of the Order/Policy.

The applicants will likely enroll as a Tier 2, Low Risk discharger to reflect proposed operations “disturb” one acre or greater.

#### **1.4.4. HUMBOLDT COUNTY BUILDING DEPARTMENT**

Upon project approval, all necessary building permits will be obtained from the Humboldt County Building Department for all applicable existing/proposed structures and supporting infrastructure. The existing buildings related to the winery are permitted.

#### **1.4.5. CAL FIRE**

The subject property is located within a State Responsibility Area (SRA) for fire protection. Several improvements are proposed in order to meet SRA requirements, including management of trees and vegetation around existing structures to maintain the required 100-foot defensible space. All structures on the property will meet the 30-foot SRA setback requirement from property lines. Currently, there are two (2) existing designated fire turn-around and pull-out area for emergency vehicles. There is one (1) 2,500-gallon water tank proposed to be dedicated to SRA emergency response (see location in Appendix A). Risers to SRA specifications are proposed to be installed for firefighting purposes.

#### **1.4.6. CALIFORNIA DEPARTMENT OF FISH AND WILDLIFE**

A Lake or Streambed Alteration Notification was submitted for the three (3) existing stream crossings on the project site (CDFW Environmental Permit Information Management System (EPIMS) Number 15289). All existing culverts are 24” Corrugated Plastic Pipes (CPPs) and are proposed to be maintained. A Final Agreement is expected to be issued soon.

#### **1.4.7. CULTURAL RESOURCES**

A Cultural Resources Survey has been completed for the property and no Cultural Resources were discovered. If buried archaeological or historical resources are encountered during construction or cultivation activities, the applicant or contractor shall call all work in the immediate area to halt temporarily, and a qualified archaeologist is to be contacted to evaluate the materials. Prehistoric materials may include obsidian or chert flakes, tools, locally darkened midden soils, groundstone artifacts, dietary bone, and human burials. If human burial is found during construction, state law requires that the County Coroner be contacted immediately. If the remains are found to be those of a Native American, the California Native American Heritage Commission will then be contacted by the Coroner to determine appropriate treatment of the remains. The applicant is ultimately responsible for ensuring compliance with this condition.

## **2. NURSERY, CULTIVATION, PROCESSING, AND DISTRIBUTION ACTIVITIES**

### **2.1. ENCLOSED COMMERCIAL (WHOLESALE) NURSERY OPERATION**

Conklin Creek Farms, Inc. is proposing to permit approximately 23,500 sq. ft. of enclosed commercial nursery space to serve as a Cannabis Support Facility to Petrolia and surrounding communities. The commercial nursery will propagate juvenile plants on-site from seeds and mother plants. Approximately 22,000 sq. ft. of nursery propagation space would be located in a proposed 136’ x 168’ nursery greenhouse (Greenhouse 2), 1,000 sq. ft. would be located in existing Building A, and 500 sq. ft. would be located in proposed Building C (See Table 1 and Site Map for details).

The commercial nursery would function as a wholesale nursery, providing clone and juvenile plant deliveries. The commercial nursery would not typically be open to the general public for a storefront-type commercial nursery. Once built-out, 2-3 delivery vehicle trips associated with the nursery would be anticipated per day.

## **2.2. CANNABIS CULTIVATION (MIXED-LIGHT AND INDOOR) OPERATION**

### **2.2.1. PROPAGATION AND INITIAL TRANSPORT**

The applicants propose to propagate juvenile plants used in flowering cultivation onsite in approximately 4,360 sq. ft. of nursery space ancillary to the mixed-light cultivation. The ancillary nursery space will be located in the 168' x 336' mixed-light cannabis cultivation greenhouse (Greenhouse 1 – See Table 1 and Site Map).

Mother plants will remain in the vegetative state solely for propagation. Cuttings will be sampled from the mother plants and rooted into a growing medium (e.g. oasis cubes) to produce clones. The clones will then be transferred to the vegetative nursery area, and after 2-3 weeks will be transplanted into one-gallon pots or similar. The juvenile plants will be irrigated using drip irrigation methods, and after approximately three weeks they will be transplanted into their final location in the indoor cultivation area or mixed-light greenhouse where they will continue their vegetative cycle and eventually flower.

The applicants may also elect to transfer clones from their onsite commercial nursery or purchase clones from off-site in any given year based on market fluctuations and available resources.

### **2.2.2. MIXED-LIGHT CULTIVATION**

The 43,560 sq. ft. of mixed-light cultivation will occur in the proposed 168' x 336' greenhouse (Greenhouse 1), along with ancillary nursery and storage space. The area proposed for Greenhouse 1 is an existing vineyard that would be converted to cannabis cultivation. The greenhouse is proposed to be fully-automated, with automated black-out tarps, humidity-sensing drip irrigation systems, and automated nutrient feeding infrastructure. Mixed-light cultivation will use a combination of natural and supplemental lighting up to 25 watts/sq. ft. to produce up to four (4) cycles year-round. The Cultivation Schedule in Appendix B details the cultivation activities associated with the operation for a typical year. The cannabis cultivation is not located on prime agricultural soils, and will be planted in beds or pots within the greenhouse.

### **2.2.3. INDOOR CULTIVATION**

Approximately 5,000 sq. ft. of indoor cultivation will occur in an existing 65' x 90' commercial building (Building A). The non-residential, permitted building was constructed prior to 2005 and has historically been used for winery-related purposes. Irrigation and fertigation of plants will occur using drip irrigation and top-feed hand watering methods. While most irrigation needs will be on automatic drip, some irrigation and fertigation may be more efficiently managed via hand watering, which allows for daily inspection of each plant by the cultivator. Daily inspection of each plant allows the cultivator to tailor irrigation and nutrient application based on the needs of each individual plant. Indoor cultivation will use artificial light to produce up to five (5) flowering cycles per year. The Cultivation Schedule in Appendix B details the cultivation activities associated with the operation for a typical year.

## **2.3. HARVEST AND COMMERCIAL PROCESSING OPERATION (OFF-SITE PROCESSING)**

The applicants are proposing to permit off-site commercial processing activities (Cannabis Support Facility) to dry, buck, trim, and/or package plants that are grown onsite or brought in from offsite from other farms. Approximately 1,200 sq. ft. of commercial processing space is proposed in the existing 50' x 95' building (Building B) and approximately 1,200 sq. ft. is proposed in the proposed 60' x 80' building (Building C).

For the processing of plants cultivated onsite, plants that are ready for harvest will have their flowering branches removed and placed in Building B or proposed Building C where they will be

suspended and left to dry for approximately one week. The dried flowers will be bucked into manageable buds and trimmed in the proposed commercial processing areas discussed above. Trimming will either be done by hand or a trimming machine. Packaging may occur onsite, or product may be taken offsite for further processing.

No manufacturing is proposed onsite.

#### **2.4. COMMERCIAL DISTRIBUTION OPERATION**

Conklin Creek Farms, Inc. is proposing to permit distribution activities onsite as a Cannabis Support Facility. Approximately 750 sq. ft. of distribution space is proposed in existing Building B, and approximately 1,200 sq. ft. of distribution space is proposed in proposed Building C. Onsite distribution activities will include procurement of cannabis from licensed cultivators, packaging of cannabis products, and/or transportation of product to and from other licenses in the legal cannabis market. Testing and quality assurance are not proposed as a part of this application.

#### **2.5. EMPLOYEE PLAN**

The applicant is an “agricultural employer” as defined in the Alatorre-Zenovich-Dunlap-Berman Agricultural Labor Relations Act of 1975 (Part 3.5 of Division 2 of the Labor Code), and complies with all applicable federal, state and local laws and regulations governing California Agricultural Employers.

##### **2.5.1. JOB DESCRIPTIONS AND EMPLOYEE SUMMARY**

- *Agent in Charge*: Responsible for business oversight and management. Responsibilities include but are not limited to inventory and tracking, personnel management, record keeping, budget, and liaison with State and County inspectors as needed. This is a part-time to full-time, seasonal position.
- *Lead Cultivator*: Oversight and management of the day to day cultivation of commercial cannabis. Responsibilities include but are not limited to plant propagation and transplant, soil management, irrigation, fertilization, pesticide management, and harvest activities. This is a full-time, year-round position.
- *Assistant Cultivator / Processing Manager*: Provides support to the *Lead Cultivator* in their day to day duties and takes the lead role during times when the *Lead Cultivator* may be off site. Once processing activities commence, the *Assistant Cultivator* duties switch to oversight and management of processing the dried commercial cannabis. This is a full-time, seasonal position.
- *Seasonal Laborer*: Provides cultivation, harvesting, processing, nursery, and distribution support. This is a part-time to full-time, seasonal position.

##### **2.5.2. STAFFING REQUIREMENTS**

In addition to the *Agent in Charge*, *Lead Cultivator*, and *Assistant Cultivator positions*, up to 12 full-time seasonal labor position may be employed. The number of seasonal laborers varies based on the needs of the farm during the cultivation and harvest. Up to 12 seasonal laborers may be utilized. During peak operational periods when all activities are occurring onsite, the operation may require up to 24 employees.

##### **2.5.3. EMPLOYEE TRAINING AND SAFETY**

On-site cultivation, harvesting and drying will be performed by employees trained on each aspect of the procedure. Training will include but is not limited to cultivation/harvesting techniques, use of pruning tools, proper application/storage of pesticides and fertilizers. All cultivation staff will be

provided with proper hand, eye, body and respiratory Personal Protective Equipment (PPE). Access to the on-site cultivation and drying facilities will be limited to authorized and trained staff. All employees will be trained on proper safety procedures including fire safety, use of PPE, proper hand washing guidelines, and emergency protocol. Contact information for the local fire department, Cal Fire, Humboldt County Sheriff and Poison Control as well as the Agent in Charge will be posted at the employee restroom. Each employee is provided with a written copy of emergency procedures and contact information. The material safety data sheets are kept on site and accessible to employees.

#### **2.5.4. TOILET AND HANDWASHING FACILITIES**

Cultivation employees will have access to a ADA Bathroom in the proposed 60' by 80' commercial building (Building C). Existing restrooms are available in the onsite 65' x 95' commercial structure used for winery purposes. Anti-bacterial Liquid Soap and paper hand towels will be made available. Restroom and handwashing units will be serviced at regular intervals by a licensed contractor. Work will occur at a distance no greater than 900 feet from the restroom facility.

#### **2.5.5. ON-SITE HOUSING**

One residence exists on the property, which the Lead Cultivator or Agent in Charge may reside. All other employees will commute to the work site from off-site locations. Carpooling will be encouraged when possible.

#### **2.5.6. PARKING PLAN**

Twenty-four parking spots in two locations on the property. Nineteen (19) 8' by 20' and one (1) ADA parking spots are proposed adjacent to Building C. Four (4) 8' by 20' by the existing winery operation buildings (Building B - See Site Map). A loading zone is also proposed near Building C.

### **2.6. SECURITY PLAN AND HOURS OF OPERATION**

#### **2.6.1. FACILITY SECURITY**

The property is accessed through an entry gate that remains locked at all times. Cultivation facilities (greenhouses, storage sheds, drying facility, and existing and proposed facilities) will only be accessible through the locked gate. Access to the area is limited to employees and approved personnel including agency staff, consultants, and distributors.

#### **2.6.2. HOURS OF OPERATION**

Activities associated with cultivation in the greenhouses (watering, transplanting, and harvesting) generally occur during daylight hours. All other activities such as harvesting and drying typically occur no earlier than 8 AM and extend no later than 8 PM. Commercial nursery and distribution activities typically occur 7 AM to 6 PM.

#### **2.6.3. LIGHT POLLUTION CONTROL PLAN**

Indoor cultivation will be located inside a structure, allowing for no light to escape. The nursery mixed-light cultivation areas, which will use supplemental lighting, will be enclosed in automated greenhouses to achieve Dark Sky standards and protect surrounding habitat. If the automated greenhouse fails, an opaque covering will manually be pulled across all light-emitting sources. Zero light shall escape all structures between sunset and sunrise. Any proposed security lighting will be downcast and not visible from neighboring properties.

### 3. ENVIRONMENT

#### 3.1. WATER SOURCE, STORAGE, AND USE COMPLIANCE PLAN

The site currently supports agriculture (viticulture) and domestic uses (onsite residence). Water for both current uses is supplied by two existing onsite wells. The following sections detail water sources, storage, and use for the cannabis activities proposed onsite.

##### 3.1.1. WATER SOURCE

Water for proposed cannabis activities will be sourced from rainwater catchment (See Section 3.1.4). No diversionary water sources are proposed for this project.

##### 3.1.2. PROJECTED WATER USE

Water for the proposed cannabis activities, including mixed-light cultivation, indoor cultivation, commercial nursery, ancillary nursery, and other activities, is projected to be approximately 655,000 gallons annually (Table 2). Table 2 below outlines the estimated commercial cannabis activity water usage for cultivation during a typical year. Variables such as weather conditions and specific cannabis strains will have a slight impact on water use.

Table 2: Estimated Annual Irrigation Water Usage (Gallons)													
	Jan	Feb	Mar	April	May	June	July	Aug	Sept	Oct	Nov	Dec	Total
<u>1 acre Mixed-Light Cultivation</u>	20,000	20,000	35,000	35,000	50,000	60,000	60,000	50,000	40,000	35,000	17,000	20,000	<b>442,000</b>
<u>5,000 sq. ft. Indoor Cultivation</u>	5,000	5,000	5,000	5,000	5,000	5,000	5,000	5,000	5,000	5,000	5,000	5,000	<b>60,000</b>
<u>23,500 sq. ft. Commercial Nursery</u>	10,000	12,000	12,000	12,000	12,000	12,000	12,000	12,000	12,000	12,000	10,000	10,000	<b>138,000</b>
<u>4,360 sq. ft. Ancillary Nursery</u>	800	1,000	1,000	1,000	1,000	1,000	1,000	1,000	1,000	1,000	800	800	<b>11,400</b>
<u>Processing/ Other</u>	300	300	300	300	300	300	300	300	300	300	300	300	<b>3,600</b>
<b>Total</b>	<b>36,100</b>	<b>38,300</b>	<b>53,300</b>	<b>53,300</b>	<b>68,300</b>	<b>78,300</b>	<b>78,300</b>	<b>68,300</b>	<b>58,300</b>	<b>53,300</b>	<b>33,100</b>	<b>36,100</b>	<b>655,000</b>

##### 3.1.3. WATER STORAGE

Water storage is proposed in the form of a 2.6-million gallon rainwater catchment pond. Depending on project approval and subsequent pond construction timelines, the applicant may also elect to store captured rainwater in water tanks (either hard plastic water tanks or an engineered, permitted steel-bolted tank). It is anticipated 500,000 gallons of storage would be enough to supply project needs through the dry season (typically April – November, when approximately 458,000 gallons of water are expected to be used for proposed cannabis operations).

### 3.1.4. RAINWATER CATCHMENT ANALYSIS

As discussed above, the water source for the proposed project is rainwater catchment. This section details how much rainwater can be captured and stored on the project site for the proposed project build-out.

Table 3 provides a summary of the potential rainwater harvest volume for the year. Precipitation depth data for the Petrolia area was obtained from PRISM and used to calculate an average annual rainfall depth of 56 inches and a drought rainfall depth of 29 inches. To obtain the volume of the water that reaches the catchment area, the average rainfall depth was multiplied by the catchment surface area.

Table 3: Rainwater Catchment Pond Harvest Volume Potential in Average and Drought Rain Years			
Rainfall Year (in.)	Catchment Surface	Catchment Area (ft <sup>2</sup> )	Approximate Rainfall Capture Potential (gal)
High: 120 inches	Rainwater Catchment Pond	40,500	3,027,780
Average: 56 inches	Rainwater Catchment Pond	40,500	1,412,964
Drought: 29 inches	Rainwater Catchment Pond	40,500	731,714

As shown in Table 3, the rainwater catchment pond could supply greater than the anticipated water demand for the whole project in an average rainfall year. The applicant could also plumb additional catchment surfaces to the pond to help fill the pond during low-rainfall years. Table 4 displays additional surfaces to illustrate rainwater harvest potential onsite during a drought year (using 2013 values of 29 inches for reference). The capture efficiency of the catchment surfaces is estimated to be approximately 95% due to potential breaks in the guttering or other unforeseen complications.

Table 4: Secondary Rainwater Catchment Surfaces and Harvest Volumes for Drought Preparation				
Catchment Surface	Catchment Area (ft <sup>2</sup> )	Drought Annual Rainfall (in.)	Rainfall Capture Potential (gal)	Adjusted Rainfall Capture Potential (gal)
Mixed-Light Greenhouse	56,448	29	1,019,846	968,857
Commercial Nursery Greenhouse	22,848	29	412,795	392,155
Proposed Commercial Processing Facility	4,800	29	86,722	82,386
<b>Total</b>				<b>1,443,398</b>

### 3.2. SITE DRAINAGE, RUNOFF, AND EROSION CONTROL

The applicant will enroll with the State Water Resources Control Board (SWRCB) for coverage under the General Order. A Site Management Plan (SMP) for existing site conditions is in the process of being developed; the SMP will detail erosion control and sediment capture measures, as well as road maintenance and runoff activities.

### **3.2.1. STORMWATER MANAGEMENT**

The proposed cultivation activities will take place on an vineyard flat with slopes less than 15%. Mixed-light cultivation and nursery cultivation are proposed within greenhouses, and a new building is proposed. In total, approximately 85,000 sq. ft. of new development and impervious surface area is proposed. Rainwater is proposed to be collected from the new development surfaces and plumbed to water storage tanks located on APN 105-111-001. Capturing and storing rainwater for cultivation use will significantly reduce the amount of stormwater runoff caused by the implementation of this project. Proposed activities will also occur in existing structures, which is not anticipated to increase impervious surfaces.

In addition, 85,000 sq. ft. of new impervious surfaces is approximately 1% of the total parcel area. It is not anticipated that this increase in development will cause significant increases in storm water. Stormwater management may also be addressed in a Construction General Permit, if required by the North Coast Regional Water Quality Control Board.

Stormwater management for the remainder of the property will be addressed in the Site Management Plan, which will also include recommendations for road network maintenance. Existing and proposed structures are located outside of streamside management areas, providing a sufficient buffer to prevent potential sediment or nutrient delivery.

### **3.2.2. EROSION CONTROL**

The SMP will include erosion and sediment control best practicable treatment controls (BPTCs) designed to prevent, contain, and reduce sources of sediment. Additionally, the SMP will include site-specific corrective actions to reduce sediment delivery from the roads on the property. BPTC prescriptions may include rocking roads, maintaining rolling dips/water bars, and unplugging ditch relief culverts. However, a site investigation by NorthPoint Consulting in Fall of 2020 revealed that onsite road networks were in excellent condition, with minimal signs of erosion or sedimentation.

### **3.3. WATERSHED AND HABITAT PROTECTION**

A Biological Assessment was prepared for the proposed project by Mad River Properties, Inc. The proposed project will follow all recommendations outlined in the Biological Assessment. All proposed cultivation activities will be set back at least 50-ft from any ephemeral drainages and 100-ft from intermittent watercourses on site. These setbacks should provide a suitable buffer between the cultivation operation and habitat. All light shall be attenuated so that it does not create a new source of light or glare that could adversely impact local wildlife. Adherence to the Site Management Plan will ensure that erosion control and sediment capture BPTC measures are in place to prohibit water quality degradation of the nearby river. Any grading and earthwork activities will be conducted by a licensed contractor in accordance with approved grading permits.

### **3.4. INVASIVE VEGETATIVE SPECIES CONTROL PLAN**

Once proposed cultivation activities commence, the cultivation area will be monitored for invasive species. If invasive species are located, hand tools (shovels, weed wrenches, trowels, or hand saws) may be used to remove them. The exact rate and method of invasive species removal will be determined based on the species identified. The areas of disturbance shall be surveyed and maintained twice each year, at a minimum, as part of the invasive species control plan.

The following is a partial list of websites to be used for proper identification and treatment:

1. <https://calflora.org/>
2. <https://plants.usda.gov/java/>

3. <https://www.cal-ipc.org/>
4. <https://www.cal-ipc.org/solutions/>
5. <http://www.rareplants.cnps.org/>
6. <https://www.wildlife.ca.gov/Conservation/Plants#22064102-california-native-plant-information>
7. <http://ucjeps.berkeley.edu/>
8. [http://wetland-plants.usace.army.mil/nwpl\\_static/v33/home/home.html](http://wetland-plants.usace.army.mil/nwpl_static/v33/home/home.html)
9. <https://www.fws.gov/invasives/partnerships.html>

### **3.5. MATERIALS MANAGEMENT PLAN**

Cultivation, harvesting, and drying shall be performed by employees trained on each aspect of the procedure, including cultivation and harvesting techniques, the use of pruning tools, and proper application/storage of pesticides/ and fertilizers. All cultivation and processing staff are provided with proper hand, eye, body and respiratory Personal Protective Equipment (PPE). Access to the onsite cultivation, drying and processing facilities are limited to authorized and trained staff. Mixing of fertilizers in small storage tanks is solely conducted in a designated area where the mix will not enter surface waters. For young plants, the mix is applied via watering wand and mature plants are fertigated at agronomic rates by drip emitters or hand watering methods. Spent soil is amended and reused as needed. The application of any agricultural chemical products will be conducted according to the manufacturer's recommendation.

Employees are trained on usage and handling procedures of associated equipment and cleaning procedures. Chemicals and hazardous materials are only used with equipment as recommended by manufacturers. Cleaning will occur regularly with instructions based on the manufacturer's recommendations. All cleaning materials will be put away and stored properly within secondary containment when not in use and hazardous containers will be properly disposed of. Additionally, if there are any spills on site, there will be a spill kit with sorbent pads will be accessible.

On-site inventory is kept for all chemical. Chemicals are used and stored based on manufacturer's recommendations and requirements. Any materials required for use of chemicals will be provided to employees. The material safety data sheets (MSDS) are kept on site and accessible to employees.

All hazardous waste will be stored within secondary containment. Additionally, a log will be kept in order to keep the volume of hazardous waste accounted for. Fertilizers and pesticides are being stored in a separate location from petroleum products. The aforementioned products will be located within secondary containment in a storage shed. No rodenticides will be used on site. At the end of the season, any unused liquid products are stored in secondary containment and will be applied the following year. Before unused products are stored at the end of the season, an employee will take inventory on the volumes and products. Additionally, all waste will be properly disposed of off-site and the correct facility. All trash, empty product containers, and recycling are hauled off-site bi-weekly to nearest licensed waste management facility.

Appropriate BPTC measures are being utilized when storing, handling, mixing, applying, and disposing of all fertilizers, pesticides, herbicides, rodenticides, or any other hazardous materials. Each year an inventory is conducted prior to the beginning of the grow season and necessary products are delivered to the site as needed.

### **3.6. SOILS MANAGEMENT PLAN**

The applicant is proposing to plant all cultivation enclosed in fully-automated greenhouse and indoor building. The applicants will account for and keep records of annual and seasonal volumes of

soil imported and exported on and off site. Any purchased soils will be reamended for use the following year. During the wet season, any soil piles will be located in a flat area outside of riparian setbacks and winterized, likely with a tarp underneath the pile and straw wattles located around the pile to prevent leachate from entering surface waters. Potential spent soils will be properly disposed of off-site at an appropriate facility.

### **3.7. HAZARDOUS WASTE STATEMENT**

There are no hazardous materials mapped onsite. The site has been historically utilized for a residential property. No industrial activities have occurred on site. A search of the EnviroSTOR database shows no GeoTracker Cleanup Programs on-site.

### **3.8. ENERGY PLAN**

The Applicants currently have an existing PG&E service: 400 amp commercial service and 200 amp residential service. A future PG&E upgrade may be applied for to provide additional power to the project, or the applicant may install solar array in the future to provide energy needs. Existing solar panels are located on the roofs of Building A and Building B, and a half acre area for future solar panels has been identified in the east of the property near Building C. All power used from PG&E for cultivation activities shall be sourced from renewable energy, such as the RCEA PowerPlus Plan or similar. A generator is kept onsite for back-up purposes only.

### **3.9. WASTE MANAGEMENT**

#### **3.9.1. CULTIVATION**

Solid waste will be stored in garbage cans adjacent to the proposed Drying Building; waste will be transported to an appropriate facility weekly or as needed. Organic cultivation-related waste, including branches and leaves, will be composted and chipped or hauled off-site to a green waste management facility as needed. Trash and recycling from cannabis operations, including empty soil or fertilizer bags, liquid fertilizer bottles, cultivation supplies, etc., will be taken to the nearest waste management facility as needed.

#### **3.9.2. SEWAGE DISPOSAL PLAN**

Cultivation employees will have access to an ADA bathroom in the proposed 60' by 80' commercial building; the ADA bathroom will be supplied with antibacterial soap and paper towels. The ADA bathroom will be maintained and will be sized and maintained to meet the expected needs of the operation. Prior to construction of the 60' x 80' building, employees will utilize the existing onsite restrooms in the winery buildings or will utilize temporary toilets.

## **4. PRODUCT MANAGEMENT**

### **4.1. PRODUCT TESTING AND LABELING**

Samples will be selected from individual harvested cannabis strains and tested by a licensed third-party lab in accordance with State and local standards. The finished product is labeled and will include tracking ID's provided by the California Cannabis Track-and-Trace (CCTT) METRC system.

### **4.2. PRODUCT INVENTORY AND TRACKING**

The applicants will follow all regulations and requirements set by the CCTT-METRC system. After approval of state licenses related to the proposed cultivation, the applicants will request credentials and order unique identifiers (UIDs) which will be assigned to each immature lot, flowering plant, and distinct cannabis product.

### **4.3. TRANSPORTATION AND DISTRIBUTION**

Transportation will be handled by a licensed transporter/distributor in accordance with State and Local regulations. All merchantable product will be distributed through licensed commercial cannabis dispensaries. The CCTT-METRC system will be used for all transactions with distributors or transporters.

**APPENDIX B: CULTIVATION ACTIVITIES SCHEDULE**

Item	Description	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
Drainage, Runoff, and Erosion Control	Winterization (storage of pots/greenhouse covers)												
	Temporary Erosion Control BMP's (straw, seeding, fiber rolls, etc.)												
	Road maintenance												
Commercial Nursery	Culvert and inboard ditch maintenance/inspection												
	Maintenance of Mother Plants												
Distribution	Propagation, cutting, and delivery of juvenile plants and clones												
	Interact with other legal cannabis licenses, transportation, packaging												
Mixed Cultivation and Harvest Schedule	Mixed Light Cultivation Cycle												
	Harvest activities												
	Drying Activities												
Indoor Cultivation and Harvest Schedule	Indoor Cultivation Cycle												
	Harvest activities												
	Drying Activities												
Staffing Presence	Agent in Charge												
	Lead Cultivator												
	Assistant Cultivator												
	Seasonal Laborers												

## APPENDIX C: REFERENCES

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California Code of Regulations. Health and Safety Code Section 11357-11362.9.  
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California NORML. SB 420 Establishes Prop. 215 Guidelines, Voluntary Patient Identification Card System.  
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County of Humboldt. *Medical Marijuana Land Use Ordinance (MMLUO) – Phase IV, Commercial Cultivation, Processing, Manufacturing and Distribution of Cannabis for Medical Use* (Staff Report to the Board of Supervisors). January 26, 2016. <<https://humboldt.legistar.com/Calendar.aspx>> Date accessed: March 28, 2016.

North Coast Regional Water Quality Control Board. 2016. *Cannabis Cultivation Waste Discharge Regulatory Program*. [http://www.waterboards.ca.gov/northcoast/water\\_issues/programs/cannabis/](http://www.waterboards.ca.gov/northcoast/water_issues/programs/cannabis/). Date accessed: March 28, 2016.

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<[http://www.ag.ca.gov/cms\\_attachments/press/pdfs/n1601\\_medicalmarijuanaguidelines.pdf](http://www.ag.ca.gov/cms_attachments/press/pdfs/n1601_medicalmarijuanaguidelines.pdf)>



**Conklin Creek Farms, Inc.**  
**Road System Assessment Report**  
APN: 105-111-001 & 105-041-002  
Humboldt County, CA

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November 2020

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## **Attachments**

**Appendix A:** Road System Map

**Appendix B:** Road System Photographs

## Introduction

This Road Assessment contains a detailed overview of the road system that is used to access the subject parcel, APN: 105-111-001 & 105-071-004 and premises on which commercial cannabis activities occur on. The assessment describes how the road system meets the Performance Standard set forth in Section 55.4.12.1.8 – Road Systems in Humboldt County Ordinance No. 2599, Commercial Cannabis Land Use Ordinance. The road system leading to the subject parcel is comprised of Mattole Road (County Maintained), Conklin Creek Road (County Maintained) and Gated Private Drive. The road in review is the Private Drive at the intersection of Conklin Creek Road and Private Drive to the gate of the cultivation area, approximately 0.42 miles in total length. The attached Road System Map depicts each of the roads that comprise the route.

This report includes a separate section for each of the Performance Standards in section 55.4.12.1.8. Each section describes how the road system meets each Performance Standard.

## Road Points

Road Points (RPs) were located along the route leading to the subject parcel. RPs are defined as interest points along the subject roads; locations of pinch points, locations of sight distance restrictions, intersections, gates, turnouts, typical road sections, stream crossings or drainage features (inboard ditches, culverts, etc.). RPs can contain multiple features, such as a pinch point along with a stream crossing. The road widths were measured, photos were taken, and recommendations were prescribed at each RP. The recommendations are based on whether the RPs pose a site-specific problem or pose a threat to water quality or biological resources.

Table 1 below contains a description of the Road Points, Latitude and Longitude, and the measure road width of each RP. The table also describe if there is a turnout present within appropriate distance to the RPs, and the recommended prescription for each RP. See the attached Road System Map for more details of the location of each road segment. See the attached Road System Photographs for photos of each RP.

Table 1: All Road Points along entire Road System.

RP#	Figure(s)	Measured Roadway Width (ft)	Lat., Long.	Description	Recommendation
1	1-2	25+	40.31251°, -124.27616°	Intersection of Conklin Creek Road and Private Drive. No sight distance restriction.	Maintain existing width and sight distance
2	3-4	16	40.31284°, -124.27602°	Gate 14' in width. No sight distance restrictions.	Maintain existing width and sight distance
3	5-7	12	40.31440°, -124.27534°	Typical section of roadway	Maintain existing width and sight distance
5	10-12	14	40.31549°, -124.27285°	Typical section of roadway	Maintain existing width and sight distance
6	13-15	14	40.31551°, -124.27101°	End of road assessment. Open area prior to gate for turnaround. No sight distance restriction.	Maintain existing width and sight distance

## Standard 1 – Dead End Road Length

*Project shall not be located more than 2-mile (driving distance) from the nearest intersection with a Category 4 road or secondary access for emergency vehicles and personnel, including wildland fire equipment.*

The project site is located approximately 0.42 miles from the intersection of Conklin Creek Road (County Road No:2D010) and Gated Private Drive. Conklin Creek Rd is a paved, two-lane road with a painted center-line stripe. Table 2 below describes each road segment that is included in the road system that is used to access the subject parcel. The table details the road name, length and the Road Points associated with each road segment. See the attached Road System Map for more details of the location of each road segment.

*Table 2: Roads included in the Road System.*

Road Name	Length (mi.)	Start Road Point	End Road Point
Gated Private Drive	0.42	1	6

## Standard 2 – Functional Capacity

*Roads providing access to the parcel or premises must meet or exceed the Category 4 road standard (or same practical effect).*

The entire road system that is associated with the parcel and premises has been determined to be functionally equivalent to a Category 4 Road standard. The entire road system is, on average 12-16 feet in width, with adequate shoulders on each side of the traveled roadway and no designated parking on the traveled roadway. The Gated Private Road is mostly paved with the exception of the last 350 feet of road to the gate of the cultivation area is graveled and relatively flat.

The road system serves four (4) parcels, ranging from 20-acre to 120-acres. The average daily traffic (ADT) for the entire road system is 20. This is calculated by multiplying the number of parcels served by the road system by 5 (Humboldt County Code - Design Standards for Roadway Category).

## Standard 3 – Private Road Systems – Protection for Water Quality and Biological Resources

*Private road systems and driveways providing access to parcel shall be designed, maintained, or retrofitted in accordance with the "Five Counties Salmonid Conservation Roads Maintenance Manual." This includes measures to protect water quality using best management practices so that:*

- *Impacts from point source and non-point source pollutants are prevented or minimized.*
- *Design and construction of culverts, stream crossings, and related drainage features shall remove barriers to passage and use by adult and juvenile fish, amphibians, reptiles and aquatic invertebrates.*

The road system is located in the Mattole Creek water shed, which is located in the Lower Mattole River watershed. There is one (1) Road Points (RPs) that are associated with water quality and biological resources located along the entire road system. There are no surface water crossings along the access road system, although other surface water crossings are listed on the property. See the Road System Map for more details of the location of the RP. See the attached Road System Assessment Photographs for photos of each RP.

Table 3 below describes all road points associated with water quality and biological resources. The table lists the location (Lat./Long.) of each RP, describes the relation to water quality, describes any issues related to water quality or biological resources and describes any recommendations associated for each RP.

Table 3: Road Points associated with Water Quality and Biological Resources.

RP #	Figure(s)	Lat., Long.	Description	Recommendation
4	5-7	40.31522°, -124.27480°	Inboard ditch and location of lead-out ditch. Lead-out discharges onto a vegetated, stable hillside	Maintain inboard ditch

Overall, the subject road system is designed and constructed in accordance with the “*Five Counties Salmonid Conservation Roads Maintenance Manual*.” The road system is adequately sloped to allow water to runoff the road surface, minimizing riling and sediment mobilization.

Recommendations for these RPs include maintaining inboard ditches and a drainage relive culvert to allow the conveyance of stormwater and to minimize sediment transport. These recommendations are further described in Table 3. There are no road related landslides, slope failures or major erosion issues within the road system.

## Conclusion

In conclusion, the Road System used to access the subject parcel has been determined to be within conformance of Humboldt County Code Section 55.4.12.1.8 – Road Systems in Humboldt County Ordinance No. 2599, with the recommended improvements. Recommended improvements include maintaining existing road widths, sight distance and drainage features. These recommendations are further described in Table 1, above.

This Road System Assessment Report is solely a guiding document for information of the location, attributes and condition of all the road features (Road Points). All recommendations set forth in this report shall be reviewed by all involved parties/agencies, prior to any construction. All construction to the road system shall be done in accordance with the “*Five Counties Salmonid Conservation Roads Maintenance Manual*.” Furthermore, prior to any construction activities, a pre-construction meeting shall be held between the Applicant, Contractors, and any members of a potential future Road Maintenance Association.

## References

1. Commercial Cannabis Land Use Ordinance (CCLUO). Adopted by the Board of Supervisors on May 8, 2018
2. Humboldt County WebGIS. Humboldt County Planning and Building Department. Retrieved from <http://webgis.co.humboldt.ca.us/HCEGIS2.0/>
3. Humboldt County Code - A Codification of the General Ordinances of Humboldt County, California - Passed May 5, 2020.
4. A Water Quality and Stream Habitat Protection Manual For County Road Maintenance in Northwestern California Watersheds - “*Five Counties Salmonid Conservation Roads Maintenance Manual*”

## **Appendix A: Road System Map**

## Appendix B: Road System Photographs



*Figure 1: RP 2. Gate 14' in width. Image taken at gate facing north.*



*Figure 2: RP 2. Gate 14' in width. Image taken at gate facing south.*



Figure 3: RP 3. Paved Road Width 14'. Image shown facing north.



Figure 4: RP 3. 14' Paved Road Width. Image shown facing south.



Figure 5: RP4. 14' Paved road width; Inboard ditch and location of lead-out ditch (Left in Image). Image shown facing East.



Figure 6: RP4. 14' Paved road width; lead-out ditch (Left in Image). Image shown facing west.



*Figure 7: RP4. Outlet of 12' ditch relief culvert.*



*Figure 8: RP4. Inlet of ditch relief culvert.*



Figure 9: RP 5. 14' paved road width. Image shown facing north.



Figure 10: RP 5. 14' paved road width. Image shown facing south.



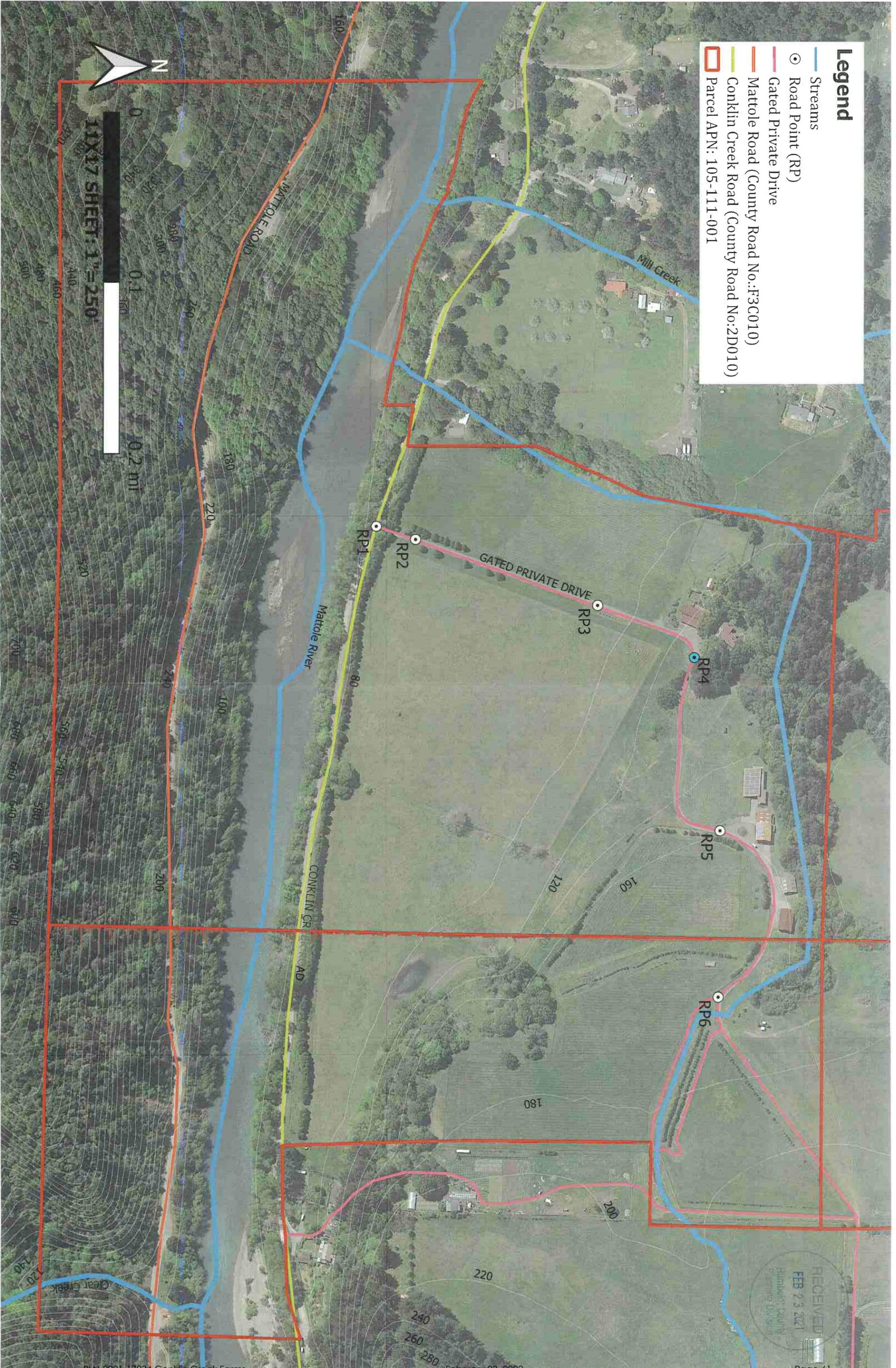
Figure 11: RP 6. 14' gate width; unpaved road. Image shown facing southeast.



Figure 12: RP 6. 14' gate width; unpaved road. Image shown facing northwest.

**Legend**

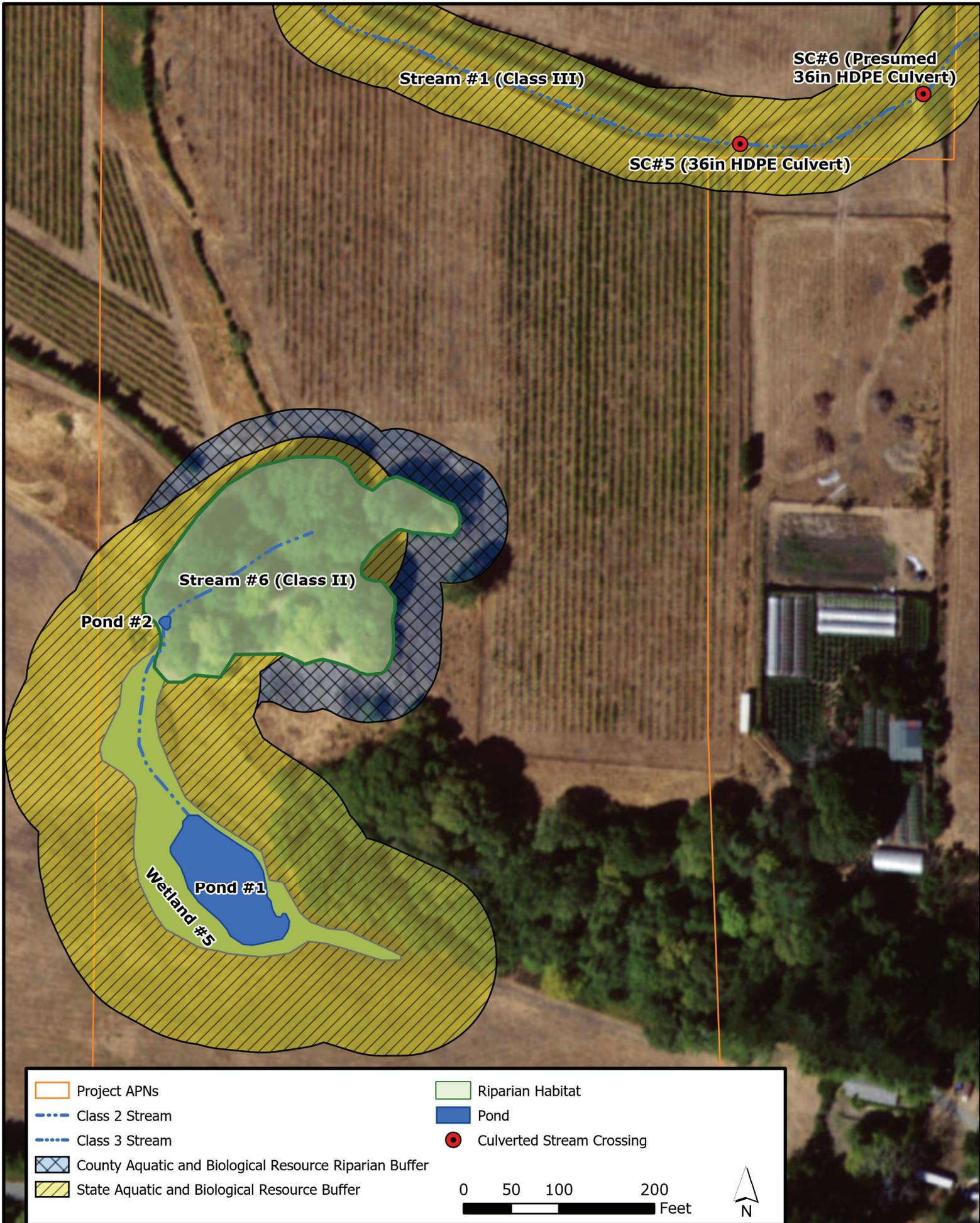
- Streams
- Road Point (RP)
- Gated Private Drive
- Mattole Road (County Road No.:F3C010)
- Conklin Creek Road (County Road No:2D010)
- Parcel APN: 105-111-001



11X17 SHEET: 1"=250'

0.1 0.2 mi

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Humboldt County  
Planning Division



Stream #1 (Class III)

SC#6 (Presumed 36in HDPE Culvert)

SC#5 (36in HDPE Culvert)

Stream #6 (Class II)

Pond #2

Pond #1

Wetland #5

Project APNs	Riparian Habitat
Class 2 Stream	Pond
Class 3 Stream	Culverted Stream Crossing
County Aquatic and Biological Resource Riparian Buffer	
State Aquatic and Biological Resource Buffer	

0    50    100    200  
 Feet

N

**Map 4c. Preliminary Aquatic and Biological Resource Site Map of APN 105-111-001**

# BOTANICAL REPORT OF SPECIAL STATUS NATIVE PLANT POPULATIONS AND NATURAL COMMUNITIES

APN: 105-111-001

Petrolia, Humboldt County, CA

***Prepared For:***

Conklin Creek Farms, LLC  
795 Conklin Creek Rd  
Petrolia, CA 95558

***Prepared by:***



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***In Conjunction with:***

Mad River Properties, Inc.  
Michael A. Atkins, Owner  
Registered Professional Forester #2613

***Date Prepared:***

August 24<sup>th</sup>, 2021

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## Summary Information

Legal description:	Portion of section 11 of 2S-2W, H.B.&M.
APN:	105-111-001
USGS 7.5' Quad:	Petrolia (4012433)
Project size:	51 Acres
Dates of survey:	April 1 2021, June 7 2021 and August 6 2021
Surveyed by:	Sarah Mason
Field survey effort:	7 hours
Results:	<b><u>No CRPR 1 or 2 plants were observed</u></b>

## Introduction, Background, and Project Understanding

### Purpose and Need

This botanical survey report was prepared to assess potential impacts to botanical resources and summarizes the results of a survey conducted near Petrolia, California (APN: 105-111-001). The survey was performed to identify special status plants and sensitive plant communities that could be impacted by operations associated with the subdivision of the parcels in accordance with the California Environmental Quality Act (CEQA) using the California Department of Fish and Wildlife's *Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Natural Communities* (CDFW 2018).

### Project Description and Setting

The proposed project is to occur within two adjacent sites, approximately 1 acre and 0.5 acre in size, within a 51-acre parcel. The land was previously utilized for the cultivation of wine, and still contains several rows of standing grape vines. The project site and surrounding area is dominated by several invasive and non-native species.

The project area is located within the Petrolia USGS 7.5-minute quadrangle (Quad code: 4012433), section 11 of 2S-2W, H.B.&M. The center location of the parcel is 40°18'54.18"N 124°16'11.06"W at an elevation of 182 feet (55 meters) above sea level (Google Earth Pro, 2021).

### Soil, Topography, and Hydrology

Data from *Web Soil Survey* for the project area do not indicate any unique soil types that would provide habitat for rare plants such as serpentinite or peat.

The project area is situated within the flood plain of the Mattole River, approximately 0.12 miles from the river channel, on the north bank, and approximately 1.2 miles southeast from the center of Petrolia and 14 miles west of Honeydew. The project area lies within the Mill Creek watershed which drains into the Pacific Ocean via the Mattole River. Refer to Figure 1 (Appendix C) for locator map.

The project area is on a flat with a very slight south facing slope ranging from ~160 to ~195 feet in elevation.

## Definitions

### Special Status Plants and Plant Communities

Special status plants include taxa that are listed under the Endangered Species Act (ESA) and/or the California Endangered Species Act (CESA) in addition to plants which meet the definition of rare or endangered under the California Environmental Quality Act (CEQA). CDFW recommends that plants on California Rare Plant Ranks (CRPR) Lists 1A (presumed extinct or extirpated), 1B (rare, threatened, or endangered in California and elsewhere), 2A (presumed extirpated) and 2B (rare, threatened, or endangered in California but more common elsewhere), or other species that warrant consideration based on local or biological significance, be addressed during California Environmental Quality Act (CEQA) review of proposed projects. Plants of rank 3 and 4, which are under review and watch lists respectively, are addressed by Naiad Biological Consulting, and may warrant consideration under CEQA if potential or cumulative impacts to the plant exist.

CDFW's natural community rarity rankings follow NatureServe's 2012 *NatureServe Conservation Status Assessment: Methodology for Assigning Ranks*, in which all alliances are listed with a global (G) and (S) rank. NCSC are those natural communities that are ranked S1 to S3 (CDFW, 2020), where 1 is critically imperiled, 2 is imperiled, and 3 is vulnerable. However, they may not warrant protection under CEQA unless they are considered high quality. Human disturbance, invasive species, logging, and grazing are common factors considered when judging whether the stand is high quality and warrants protection.

## Methods

### Pre-Site Visit Data Compilation and Preparation

Prior to conducting the field surveys, the following database information was reviewed to determine the location and types of botanical resources that possibly exist in the survey area. This pre-field investigation included searches of the California Natural Diversity Database (CNDDDB, 2021) and the California Native Plant Society's *Inventory of Rare and Endangered Plants* (CNPS, 2021). This list includes CRPR (California Rare Plant Rank) 1 and 2 plants that have been observed within a 9-quad search centered on the Petrolia quadrangle. Because this quadrangle is coastal, only 6 quadrangles lie within the 9-quad search. USGS quadrangles within the search area include: Buckeye Mtn. (4012432), Cape Mendocino (4012444), Capetown (4012443), Cooskie Creek (4012423), Shubrick Peak (4012422), and Taylor Peak (4012442). The results of the project scoping are presented below in Table 1 (Appendix 1).

## Botanical Field Survey and Habitat Investigation

The botanical field survey for this project was completed by Sarah Mason. Sarah holds a BS in Botany from Humboldt State University. Sarah has worked as an assistant botanist and biologist with Caltrans, as a Botanical Technician for the Klamath and Bitterroot National Forests, and is currently working towards receiving her MSc in Biology with a concentration in bumblebee ecology. Sarah has experience in rare plant identification, protection and monitoring of rare plants, and teaching plant taxonomy at the university level.

Surveys were floristic in nature and conducted in a manner consistent with the *Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Natural Communities* (CDFW 2018). Plants were identified to the lowest taxonomic level necessary to ensure that they were not a species of concern. Plants not identifiable in the field were identified off site with the use of *The Jepson Manual, Vascular Plants of California*. Other resources used to identify plants can be found in the reference section towards the end of this report.

Botanical surveys were conducted throughout the areas proposed for cultivation operations and the associated road system. Surveys were conducted in an intuitive meander focused on areas likely to provide habitat for rare plant species and/or potentially affected (directly or indirectly) by cultivation operations. These areas include but are not limited to: existing permanent and seasonal roads, new road construction, road points and crossings, forest openings (i.e., meadows, landings, and cut banks), springs and watercourses. Refer to Figure 2 (Appendix C) for the survey routes.

## Results

### Habitats Observed

No special-status vegetation communities or habitats were observed during the botanical survey of the project area. The project area habitat is typical of coastal prairie (CoPrr). There is no canopy or shrub layer within the project area. The project area primarily consists of several rows of cultivated grape vines and several invasive and non-native species, consistent with historical grazing and previous land use practices. See figures 3, 4, and 5 (Appendix D) for example photos of project area and habitats present.

Potential wetland habitats do occur within the parcel surveyed; however, no potential wetland features were identified to occur within a 150 ft buffer of proposed project improvements. Due to the proximity of the proposed project improvement, a protocol-level wetland delineation is not recommended for this project, since proposed project improvements will occur outside of the conservative buffer of this sensitive habitat. For more detail regarding the location of potential wetland feature in proximity to the proposed project improvements, see the associated Biological Reconnaissance and Project Feasibility Assessment developed for this project.

### Species Observed

No CRPR 1 or 2 plants were encountered in the project area. Refer to Table 2 (Appendix B) for a list of species observed in the project area. A total of 75 plant taxa were observed in the project area, of which approximately 73% are non-native, and of the 55 non-native species 60% are invasive.

## Conclusion and Discussion

### Conclusion

Results of the botanical field survey indicate that negative impacts to sensitive species or sensitive habitats will not occur as a result of the development of cannabis cultivation at the particular site investigated and surveyed.

Although no listed species were observed during the field survey, it is possible that previous ground disturbances, existing drought conditions, which may alter the bloom times and durations, as well as herbivory by deer could have affected the survey results.

### Recommendations

Due to the low quality of habitat, from prior land use practices and high numbers of invasive species present, no sensitive plant species, communities or habitats were encountered during the botanical field survey. Native grasses exist within the project area, but native grass alliances could not be established due to the large amount of invasive grasses present. No further botanical surveys are recommended before cultivation activities commence.

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## Appendix A. Results from database search

Table 1. Target special-status plants of the project area

Petrolia and surrounding 7.5 min quadrangles: Special Status Plant Species							
Scientific Name	Common Name	CRPR	Bloom Period	Lifeform	Habitat	Micro Habitat	Elevation (m)
<i>Erigeron biolettii</i>	streamside daisy	3	Jun-Oct	perennial herb	Broadleaved upland forest; Cismontane woodland; North Coast coniferous forest	Rocky, mesic	30 - 1100 meters
<i>Hesperevax sparsiflora</i> var. <i>brevifolia</i>	short-leaved evax	1B.2	Mar-Jun	annual herb	Coastal Strand, Northern Coastal Scrub	dunes, coastal	0 - 215 meters
<i>Layia carnosa</i>	beach layia	1B.1	Mar-Jul	annual herb	Coastal Strand, Northern Coastal Scrub (sandy)	dunes, coastal	0 - 60 meters
<i>Packera bolanderi</i> var. <i>bolanderi</i>	seacoast ragwort	2B.2	May-Jul	perennial rhizomatous herb	Coastal scrub; North Coast coniferous forest	Sometimes roadsides.	30 - 650 meters
<i>Erysimum concinnum</i>	bluff wallflower	1B.2	Feb-Jul	annual / perennial herb	Coastal bluff scrub, coastal dunes, coastal prairie	dunes, coastal	0 - 185 meters
<i>Astragalus pycnostachyus</i> var. <i>pycnostachyus</i>	coastal marsh milk-vetch	1B.2	(Apr)Jun-Oct	perennial herb	Coastal dunes (mesic), Coastal scrub, Marshes and swamps (coastal salt, streamsides)	dunes, coastal	0 - 30 meters
<i>Romanzoffia tracyi</i>	Tracy's romanzoffia	2B.3	Mar-May	perennial herb	Coastal bluff scrub. Coastal scrub	rocky	15 -30 meters
<i>Sisyrinchium hitchcockii</i>	Hitchcock's blue-eyed grass	1B.1	Jun	perennial rhizomatous herb	Cismontane woodland (openings), Valley and foothill grassland	Known in CA from only one occurrence near Cape Ridge.	NA
<i>Erythronium oregonum</i>	giant fawn lily	2B.2	Mar-Jun	perennial bulbiferous herb	Cismontane woodland	sometimes serpentinite, rocky, openings; Meadows and seeps	100 - 1150 meters
<i>Erythronium revolutum</i>	coast fawn lily	2B.2	Mar-Jul	perennial bulbiferous herb	Broadleaved upland forest; North Coast coniferous forest	Mesic, streambanks; Bogs and fens	0 - 1600 meters

<i>Sidalcea malviflora</i> ssp. <i>patula</i>	Siskiyou checkerbloom	1B.2	May-Aug	perennial rhizomatous herb	Coastal bluff scrub; Coastal prairie; North Coast coniferous forest	often roadcuts.	15 - 880 meters
<i>Montia howellii</i>	Howell's montia	2B.2	Mar-May	annual herb	North Coast coniferous forest	Vernally mesic, sometimes roadsides; Meadows and seeps; Vernal pools	0 - 835 meters
<i>Oenothera wolfii</i>	Wolf's evening-primrose	1B.1	May-Oct	perennial herb	Coastal bluff scrub, Coastal dunes, Coastal prairie, Lower montane coniferous forest	sandy, usually mesic.	3 - 800 meters
<i>Piperia candida</i>	white-flowered rein orchid	1B.2	May-Sep	perennial herb	Broadleafed upland forest; Lower montane coniferous forest; North Coast coniferous forest	sometimes serpentinite	30 - 1310 meters
<i>Castilleja litoralis</i>	Oregon coast paintbrush	2B.2	Jun-Jul	perennial herb (hemiparasitic)	Coastal bluff scrub, Coastal dunes, Coastal scrub	Sandy	15 - 100 meters
<i>Gilia capitata</i> ssp. <i>pacifica</i>	Pacific gilia	1B.2	Apr-Aug	annual herb	Coastal bluff scrub; Chaparral (openings); Coastal prairie; Valley and foothill grassland	NA	5 - 1665 meters
<i>Gilia millefoliata</i>	dark-eyed gilia	1B.2	Apr - Jul	annual herb	Coastal Dunes	Sandy	0 - 30 meters
<i>Polemonium carneum</i>	Oregon polemonium	2B.2	Apr-Sep	perennial herb	Coastal prairie, Coastal scrub, Lower montane coniferous forest	NA	0 - 1830 meters

## Appendix B. Plant Species Observed

Table 2. List of plant species encountered during surveys

Botanical Name	Common Name	Origin
<b>Trees</b>		
<i>Acer macrophyllum</i>	bigleaf maple	Native
<i>Pseudotsuga menziesii</i>	Douglas-fir	Native
<i>Sequoia sempervirens</i>	coast redwood	Native
<i>Thuja plicata</i>	Western red cedar	Native
<i>Umbellularia californica</i>	California Bay	Native
<b>Shrubs</b>		
<i>Baccharis pilularis</i>	coyote brush	Native
<i>Cotoneaster pannosus</i>	silverleaf cotoneaster	Cal-IPC: Moderate
<i>Cytisus scoparius</i>	Scotch broom	Cal-IPC: High
<i>Rosa</i> sp.	rose	-
<i>Rubus armeniacus</i>	Himalayan blackberry	Cal-IPC: High
<i>Toxicodendron diversilobum</i>	poison oak	Native
<i>Vitis vinifera</i>	cultivated grape	Non-native
<b>Grasses &amp; Graminoids</b>		
<i>Agrostis stolonifera</i>	creeping bent grass	Cal-IPC: Limited
<i>Anthoxanthum odoratum</i>	sweet vernal grass	Cal-IPC: Limited
<i>Avena barbata</i>	slender wild oats	Cal-IPC: Moderate
<i>Briza maxima</i>	rattlesnake grass	Cal-IPC: Limited
<i>Bromus diandrus</i>	ripgut brome	Cal-IPC: Moderate
<i>Bromus hordeaceus</i>	soft chess	Cal-IPC: Limited
<i>Bromus sitchensis</i> var. <i>marginatus</i>	mountain brome	Native
<i>Carex harfordii</i>	Harford's carex	Native
<i>Cynodon dactylon</i>	bermuda grass	Cal-IPC: Moderate
<i>Cynosurus echinatus</i>	hedgehog dogtail	Cal-IPC: Moderate
<i>Cyperus eragrostis</i>	flatsedge	Native
<i>Dactylis glomerata</i>	orchard grass	Cal-IPC: Limited
<i>Festuca arundinacea</i>	tall fescue	Cal-IPC: High
<i>Festuca myuros</i>	rattail sixweeks grass	Cal-IPC: Moderate
<i>Holcus lanatus</i>	velvet grass	Cal-IPC: Moderate
<i>Hordeum murinum</i>	wall barley	Cal-IPC: Moderate
<i>Juncus patens</i>	spreading rush	Native
<i>Phalaris aquatica</i>	harding grass	Cal-IPC: Moderate
<i>Poa annua</i>	annual blue grass	Non-native
<i>Poa pratensis</i>	Kentucky blue grass	Cal-IPC: Moderate
<b>Forbs</b>		
<i>Bellis perennis</i>	English daisy	Non-native
<i>Brassica nigra</i>	black mustard	Cal-IPC: Moderate

<i>Calandrinia menziesii</i>	red maids	Native
<i>Capsella bursapastoris</i>	shepherd's purse	Non-native
<i>Carduus pycnocephalus</i>	Italian thistle	Cal-IPC: Moderate
<i>Cerastium glomeratum</i>	sticky mouseear chickweed	Non-native
<i>Cirsium vulgare</i>	bull thistle	Cal-IPC: Moderate
<i>Conium maculatum</i>	poison hemlock	Cal-IPC: Moderate
<i>Convolvulus arvensis</i>	bindweed	Non-native
<i>Crepis capillaris</i>	hawksbeard	Non-native
<i>Daucus carota</i>	Queen anne's lace	Non-native
<i>Erodium cicutarium</i>	redstem filaree	Cal-IPC: Limited
<i>Erodium moschatum</i>	whitestem filaree	Non-native
<i>Erythranthe guttata</i>	common monkey flower	Native
<i>Galium parisiense</i>	wall bedstraw	Non-native
<i>Geranium carolinianum</i>	Carolina geranium	Native
<i>Geranium dissectum</i>	cutleaf geranium	Cal-IPC: Limited
<i>Hypochaeris glabra</i>	smooth cats ear	Cal-IPC: Limited
<i>Hypochaeris radicata</i>	rough cat's ear	Cal-IPC: Moderate
<i>Linum bienne</i>	flax	Non-native
<i>Lotus corniculatus</i>	bird's foot trefoil	Non-native
<i>Lysimachia arvensis</i>	scarlet pimpernel	Non-native
<i>Medicago arabica</i>	spotted burclover	Non-native
<i>Medicago polymorpha</i>	California burclover	Cal-IPC: Limited
<i>Plantago lanceolata</i>	English plantain	Cal-IPC: Limited
<i>Polygonum aviculare</i>	knotweed	Non-native
<i>Ranunculus californicus</i>	common buttercup	Native
<i>Raphanus sativus</i>	wild radish	Cal-IPC: Limited
<i>Rumex acetosella</i>	sheep sorrel	Cal-IPC: Moderate
<i>Rumex crispus</i>	curly dock	Cal-IPC: Limited
<i>Senecio glomeratus</i>	cutleaf burnweed	Cal-IPC: Moderate
<i>Senecio vulgaris</i>	common groundsel	Non-native
<i>Sonchus asper</i>	prickly sow thistle	Non-native
<i>Spergula arvensis</i>	corn spury	Non-native
<i>Stachys ajugoides</i>	hedge nettle	Native
<i>Trifolium repens</i>	white clover	Non-native
<i>Trifolium subterraneum</i>	subterranean clover	Non-native
<i>Urtica urens</i>	annual stinging nettle	Non-native
<i>Vicia sativa</i>	spring vetch	Non-native
<i>Zantedeschia aethiopica</i>	calla lily	Cal-IPC: Limited
<b>Ferns</b>		
<i>Equisetum arvense</i>	common horsetail	Native
<i>Polystichum munitum</i>	Western swordfern	Native
<i>Pteridium aquilinum</i>	Western brackenfern	Native

# Appendix C. Maps



Figure 1. Locator Map of Project Area (blue star) and the nearest town Petrolia, CA (red star)

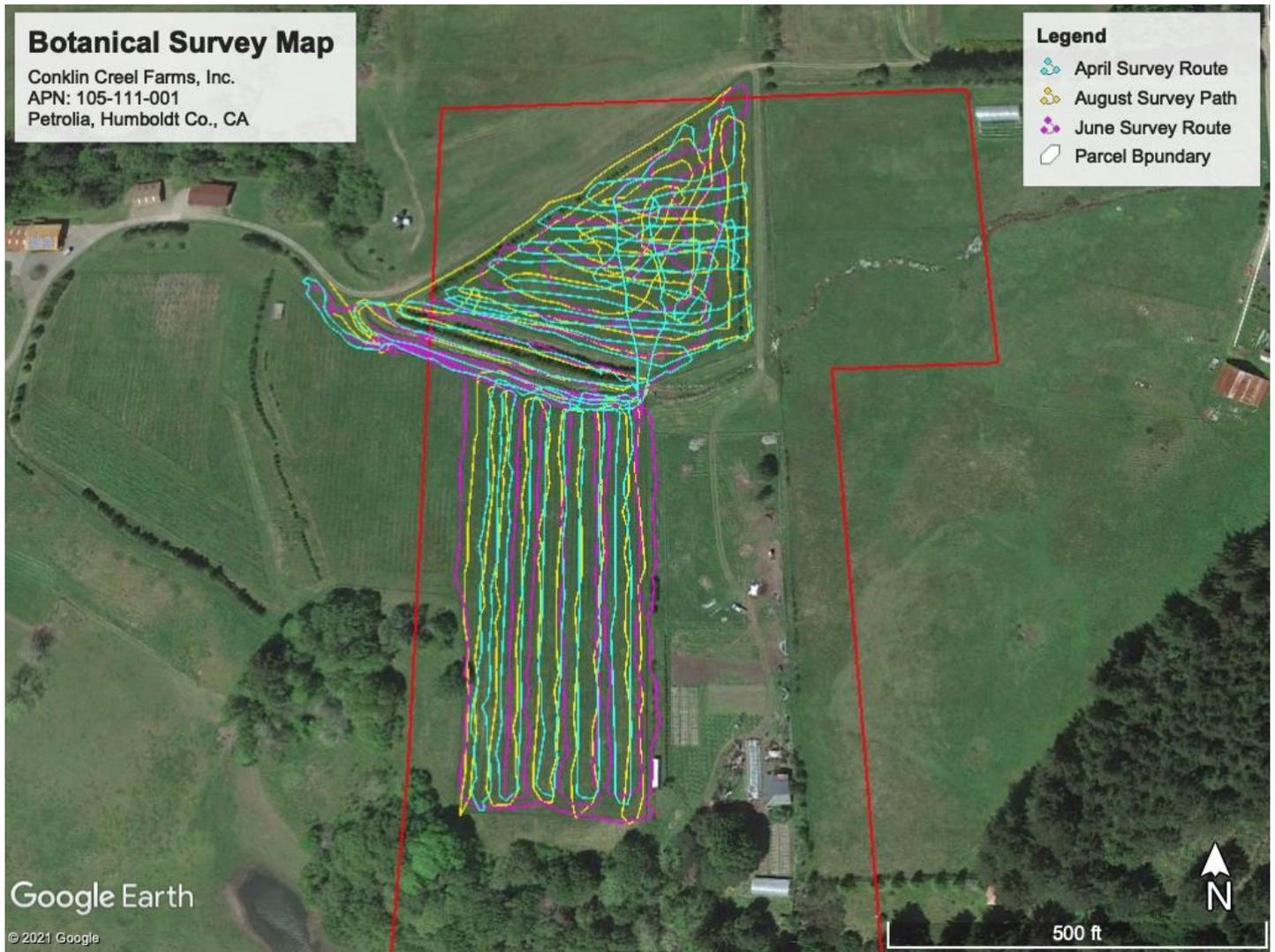


Figure 2. Map of project area and survey routes.

## Appendix D. Project Area and Habitat



Figure 3. Project area previously used for wine cultivation and dominated by invasive grasses. Coastal prairie (CoPrr) habitat surrounded by valley and foothill grasslands (VFGs) in the distance.



Figure 4. Project area to be used for rainwater catchment tanks and parking area. Example of coastal prairie (CoPrr) habitat within survey area.



Figure 5. Class 3 water course and pre-existing driveway just north of proposed cultivation site.



**Conklin Creek Farms, Inc.**  
**Noise Source Assessment and Mitigation Plan**  
APN: 105-111-001 & 105-042-002  
Humboldt County, CA

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October 2020

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### **Appendices:**

**A: Site Map**

## Objective

The purpose of this Noise Source Assessment and Mitigation Plan is to evaluate the potential impacts from the proposed project and describe how the project will conform with the Performance Standard set forth in Section 55.4.12.6 – Performance Standard for Noise at Cultivation Sites in the Humboldt County Ordinance No. 2599, Commercial Cannabis Land Use Ordinance (CCLUO). Evaluation of potential noise impacts included the establishment of onsite ambient and maximum noise levels, identification of proposed project noise sources, and modeling of proposed project noise sources in relation to current onsite noise.

## Proposed Project Overview

Harvest Pacific – Petrolia Winery is proposing to permit commercial cannabis cultivation activities in accordance with the County of Humboldt’s (County) *Commercial Cannabis Land Use Ordinance* (CCLUO), aka “Ordinance 2.0”.

The project requires a Special Permit for 43,560-sf (square feet) of mixed-light cannabis cultivation located on an existing vineyard and a Zoning Clearance Certificate for up to 5,000 sf of indoor cultivation in an existing pre-2016 building. The project proposal also includes Cannabis Support Facilities, including wholesale enclosed nursery, distribution, and off-site commercial processing. The project proposal includes permitting of proposed facilities appurtenant to the cultivation which include greenhouses, a drying/processing building, and ancillary nursery space. Water will be sourced from proposed rainwater catchment, potentially supplemented by a proposed groundwater well, and power will come from existing PG&E service and solar panels. The applicants aim to become fully compliant with State and Local cultivation regulations.

## Site Description and Sensitive Receptors

The project site is located on one legal parcel comprised of four APNs (105-111-001, 105-042-002) located near the community of Petrolia (lat/long 40.3128, -124.2699) in the Lower Mattole River watershed (HUC-12 #180101070209). The parcel is currently used for domestic and agricultural purposes, including livestock grazing and viticulture. APN 105-111-001 and 105-042-002 has a combined total of 169 acres. The property is located outside of the Coastal Zone and within the State Responsibility Area (SRA) for fire protection. An unnamed Class III drainage runs west through the property before draining to the Mattole River.

The subject property spans the Mattole River, with approximately 117 acres of total prime agricultural soils located across the parcel. The mixed-light cannabis cultivation is designed to be located on the portion of the property without prime agricultural soils. All other cannabis-related activities occur on less than an acre of cumulative area on prime agricultural soils, comprising about 0.8% of total prime agricultural soils onsite. The property contains fields, sparse oak stands, and vineyard. No trees are proposed to be removed as a part of this project.

Existing project-related onsite infrastructure includes two commercial buildings: one (1) 65’ x 95’ for 5,000 SF of indoor cannabis cultivation and one (1) 50’ x 95’ for distribution and commercial processing. Proposed onsite infrastructure included two (2) greenhouses; one (1) 168’ x 336’ for 43,560 SF mixed-light cultivation, ancillary nursery, and storage space, and a 60’ x 80’ commercial building for drying, processing,

distribution and commercial nursery. All electricity demand will be met by existing PG&E service and solar power. A backup generator is kept on site for use during an emergency. See the attached site map for locations of existing and proposed infrastructure, adjacent residences, watercourses and associated setbacks.

The property has relatively flat terrain, with slopes ranging from 2-15%. The property is zoned for Unclassified (U) and has combined general plan land use designation of Agricultural Grazing (AG). Land uses surrounding the parcel are comprised of Agriculture, and Timber designations.

There are several neighboring residences surrounding the project site. The closest neighboring residence is located approximately 397 feet from the nearest proposed cultivation activity. The surrounding neighboring residences are shown on the attached site map Appendix A.

### Analysis of Existing Ambient Noise Levels

This section summarizes the data collection procedures that were taken in order to analyze the existing ambient noise levels within the project site. The *existing ambient noise level* is defined as the baseline of sound pressure experienced in an area prior to the proposed cannabis cultivation activities. Existing ambient noise levels included natural and human-induced noise.

Four (4) Monitoring Locations were established throughout the parcel to establish noise levels at property lines (closest to sensitive receptors such as neighboring houses) and habitat areas (closest to sensitive receptors such as wildlife). Table 1 below describes the Monitoring Locations in more detail and the locations can be seen on the site map attached in Appendix A.

Table 1: Monitoring Location Details

Monitoring Location	Lat., Long.	Description & Notes	Impact Potential
#1	40.31685°, -124.26864°	Adjacent to north property boundary and neighboring residence	Adjacent parcel and Habitat
#2	40.31416°, -124.26928°	Adjacent to cultivation area and west property boundary	Adjacent parcel, Neighboring residence, and Habitat
#3	40.31549°, -124.27101°	Adjacent to west property boundary and neighboring residence	Neighboring residence and Habitat
#4	40.31297°, -124.27599°	Adjacent to neighboring residence and Creek road	Neighboring residence and Habitat

The sound pressure level was measured in decibels using a type 2 digital sound meter which utilizes an A-weighted filter network (dB(A)). The digital sound meter was mounted to a tripod, allowing it to be positioned approximately 2 feet above the ground to minimize ground noise and maximize unobstructed sound readings. Measurements were taken on October 9<sup>th</sup>, 2020, which was a warm, sunny day with a mild intermittent breeze.

Measurement readings of 15 minutes were taken at all Monitoring Locations. During the readings, data was collected on the noise levels and detailed notes were taken whenever the noise level increased from outside activity. Examples of outside activity included a car driving by animals making noises and any noise not associated with the proposed project. During the measurements, extreme care was taken to minimize noise disturbance from the operator. Recordings of noise levels began once all rustling from the operator was not interfering the meter.

After the measurements were taken, a log was created detailing what outside activity was associated with the increased noise level. The data was then analyzed to determine the existing ambient noise levels. The results from this analysis are presented in Table 2. Table 2 displays the Monitoring Location, the average decibel reading throughout the measurement, the maximum decibel reading, and the outside noise associated with the maximum decibel reading.

*Table 2: Onsite Noise Analysis Results*

Location	Average Decibel Reading (dBA)	Max Noise Level Measured (dBA)	Max Noise Level Association Description
#1	33.0	58.0	Truck driving by on Creek Road
#2	43.7	61.7	Music playing from neighboring parcel
#3	37.8	61.8	Motorcycle on Mattole Road
#4	36.0	63.5	Truck driving by on Creek Road

In general, the existing average noise levels range from approximately 33 dBA to 44 dBA. Vehicles driving on Mattole road and music playing from neighboring parcel were determined to be the loudest outside noise source.

## Noise Sources Associated with Proposed Project

The Applicant has proposed to cultivate a total of 43,560 SF mixed light cultivation area in a proposed fully automated greenhouse and a 5,000 SF indoor cultivation in the existing 65' by 95' commercial building. 4,360-sf of ancillary nursery space will be located in 168' X 336' greenhouse. 22,848-sf of commercial nursery space will be located in the 136' x 168' greenhouse. Mixed-Light cultivation will use artificial light to produce up to four (4) flowering cycles per year, year-round. Indoor cultivation will use artificial light to produce up to five (5) flowering cycles. Fans will be used in each of the greenhouses.

Each of the proposed two fully automated greenhouses will utilize several "J&D 50-inch Typhoon Exhaust Slant Wall Belt Drive with Cone" fans or similar fans. See sheet NS1 in Appendix A for a typical greenhouse layout depicting circulation.

J&D fans do not currently have noise data from the manufacturer. As such, each J&D fan will be equipped with a variable speed controller to allow for adjustment of fan speed. The fan speed is directly related to the noise of the fan. The applicant will use the variable speed controllers to ensure noise levels do not increase three decibels above ambient.

Drying, processing, and curing of harvested cannabis will occur in a proposed 60' x 80' commercial building. Small indoor fans and dehumidifiers will be utilized in the drying building. It is anticipated that

noise from the fans and dehumidifiers will not be audibly heard from outside the commercial processing building.

Energy requirements for all proposed cultivation activities is proposed to be met energy provided by the existing P.G.&E. service and solar power. The location of the existing and proposed buildings and facilities can be seen on the site map in Appendix A.

### **Anticipated Noise Levels**

Noise from the proposed cultivation activities are not anticipated to result in an increase of more than three (3) decibels of continuous noise above existing ambient noise levels. Furthermore, the noise levels at all Monitoring Locations are anticipated to be less than 50 dBA.

### **Proposed Noise Attenuation Measures**

All greenhouses will be fully automated and constructed from aluminum. Each greenhouse will be equipped with approximately two to eight “J&D 50-inch Typhoon Exhaust Slant Wall Belt Drive With Cone” or similar fans. The J&D fans will be located on either end of the greenhouse to allow fresh air to enter and escape.

Each of the J&D fans will be equipped with a variable speed controller, allowing for precise adjustment of the fan speed. Measuring of noise levels will continue on a regular basis following the proposed activities. If the noise levels are measured to be higher than the anticipated levels, the fans will be adjusted, reducing the noise output from the fans, and reducing the noise impact at the subject monitoring location.

The components of the proposed buildings/facilities that will be used for cultivation and related activities, including walls, doors, foundation, roof and ventilation components will be constructed of materials that have appropriate Sound Transmission Class (STC) Ratings to allow the reduction of generated noise to 50 decibels (dBA) maximum at the tree line.

### **Monitoring**

Measuring of noise levels will continue on a regular basis following the proposed activities. If the noise levels are measured to be higher than the anticipated levels, further measures will be implemented to reduce the noise output from the project’s activity.

Off-site noise includes, but is not limited to, neighboring or adjacent resident activity, nearby vehicle traffic and all other activities not related to the proposed project or parcel. If the increase from off-site noise sources occurs, it would not be anticipated to be significant.



## Conclusion

Conklin Creek Farms, Inc aims to meet the noise levels and mitigations set forth in this report. Following the recommendations set forth in this report, the proposed noise sources from the project are not expected to increase onsite ambient noise levels and compliance with Performance Standard 55.4.12.6 will be met. Noise from the proposed cultivation activities are not anticipated to result in an increase of more than three (3) decibels of continuous noise above existing ambient noise levels. Furthermore, the noise levels at all Monitoring Locations are anticipated to be less than 50 dBA.

In order to ensure that cultivation activities comply with the Performance Standards, future noise measurements will be taken at the same monitoring locations to ensure no disturbance is occurring to habitat or to neighboring residences.







## ATTACHMENT 4

### REFERRAL AGENCY COMMENTS AND RECOMMENDATIONS

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

Referral Agency	Response	Recommendation	Location
Ag Commissioner		No Response	
Building Inspection Division	✓	Conditional Approval	On File
County Counsel		No Response	
Humboldt County District Attorney		No Response	
Division Environmental Health	✓	Conditional Approval	On File
Humboldt County Sheriff	✓	Rejected	On File
Public Works, Land Use Division	✓	Conditional Approval	<b>Attached</b>
Fire Protection District	✓	Conditional Approval	On File
Regional Water Quality Control Board		No Response	
School District		No Response	
California Department of Fish & Wildlife		No Response	
CalFIRE	✓	No Comment	On File
Bear River Band	✓	Conditional Approval	On File (Confidential)
Intertribal Sinkyone Wilderness Council		No Response	
Northwest Information Center		No Response	



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

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

PUBLIC WORKS BUILDING  
SECOND & L ST., EUREKA  
FAX 445-7409

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

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

ADMINISTRATION	445-7491	NATURAL RESOURCES	445-7741
BUSINESS	445-7652	NATURAL RESOURCES PLANNING	267-9540
ENGINEERING	445-7377	PARKS	445-7651
FACILITY MANAGEMENT	445-7493	ROADS	445-7421

LAND USE 445-7205

**LAND USE DIVISION INTEROFFICE MEMORANDUM**

TO: Steven Santos, Planner, Planning & Building Department

FROM: Kenneth M. Freed, Assistant Engineer 

DATE: 05/10/2021

<b>RE:</b>	<b>Applicant Name</b>	<b>CONKLIN CREEK FARMS INC</b>
	<b>APN</b>	<b>105-042-002</b>
	<b>APPS#</b>	<b>PLN-2021-17034 SP</b>

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

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

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

**No re-refer is required.**

\*Note: Exhibits are attached as necessary.

Additional comments/notes:

Although applicant has an existing paved access, commercial cannabis project require the first fifty feet to be eighteen feet in width. Applicant shall widened the existing access to 18' in width for a distance of fifty feet (50')..

// END //

**Exhibit "A"**

**Public Works Recommended Conditions of Approval**

(All checked boxes apply)

APPS # 17034

**COUNTY ROADS- PROXIMITY OF FARMS:**

Applicant is advised that County maintained roads may generate dust and other impacts to farm(s). Applicant shall locate their farm(s) in areas not subject to these impacts. Applicant shall be responsible for protecting their farm(s) against these impacts. Applicant shall hold the County harmless from these impacts. Applicant is advised that a paved road may not always remain paved and Applicant shall locate their farms appropriately. Applicant is advised that the amount of traffic on a road will vary over time which may increase or decrease the impacts.

**COUNTY ROADS- FENCES & ENCROACHMENTS:**

All fences and gates shall be relocated out of the County right of way. All gates shall be setback sufficiently from the County road so that vehicles will not block traffic when staging to open/close the gate. In addition, no materials shall be stored or placed in the County right of way.

This condition shall be completed to the satisfaction of the Department of Public Works prior to commencing operations, final sign-off for a building permit, or Public Works approval for a business license.

**COUNTY ROADS- DRIVEWAY (PART 1):**

The submitted site plan is unclear and/or shows improvements that are inconsistent with County Code and/or Department of Public Works policies. The applicant is advised that these discrepancies will be addressed at the time that the applicant applies to the Department of Public Works for an Encroachment Permit. If the applicant wishes to resolve these issues prior to approval of the Planning & Building permit for this project, the applicant should contact the Department to discuss how to modify the site plan for conformance with County Code and or Department of Public Works policies. Notes:

**COUNTY ROADS- DRIVEWAY (PART 2):**

Any existing or proposed driveways that will serve as access for the proposed project that connect to a county maintained road shall be improved to current standards for a commercial driveway. An encroachment permit shall be issued by the Department of Public Works prior to commencement of any work in the County maintained right of way. This also includes installing or replacing driveway culverts; minimum size is typically 18 inches.

- If the County road has a paved surface at the location of the driveway, the driveway apron shall be paved for a minimum width of 18 feet and a length of 50 feet (or to break in slope) where it intersects the County road.
- 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 where it intersects the County road.
- If the County road is an urban road, frontage improvements (curb, gutter, and sidewalk) shall also be constructed to the satisfaction of the Department. Any existing curb, gutter or sidewalk that is damaged shall be replaced.

The exact location and quantity of driveways shall be approved by the Department at the time the applicant applies to the Department of Public Works for an Encroachment Permit.

This condition shall be completed to the satisfaction of the Department of Public Works prior to commencing operations, final sign-off for a building permit, or Public Works approval for a business license.

**COUNTY ROADS- DRIVEWAY (PART 3):**

The existing driveway will require substantial modification in order to comply with County Code. The applicant may wish to consider relocating the driveway apron if a more suitable location is available.

**COUNTY ROADS-PARKING LOT- STORM WATER RUNOFF:**

Surfaced parking lots shall have an oil-water filtration system prior to discharge into any County maintained facility.

This condition shall be completed to the satisfaction of the Department of Public Works prior to commencing operations, final sign-off for a building permit, or Public Works approval for a business license.

**COUNTY ROADS- DRIVEWAY & PRIVATE ROAD INTERSECTION VISIBILITY:**

All driveways and private road intersections onto the County Road shall be maintained in accordance with County Code Section 341-1 (Sight Visibility Ordinance).

This condition shall be completed to the satisfaction of the Department of Public Works prior to commencing operations, final sign-off for a building permit, or Public Works approval for a business license.

**COUNTY ROADS- PRIVATE ROAD INTERSECTION: (AT COUNTY MAINTAINED RD)**

Any existing or proposed non-county maintained access roads that will serve as access for the proposed project that connect to a county maintained road shall be improved to current standards for a commercial driveway. An encroachment permit shall be issued by the Department of Public Works prior to commencement of any work in the County maintained right of way.

- If the County road has a paved surface at the location of the access road, the access road shall be paved for a minimum width of 20 feet and a length of 50 feet (or break in slope) 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 //