



COUNTY OF HUMBOLDT
PLANNING AND BUILDING DEPARTMENT
CURRENT PLANNING DIVISION

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

Hearing Date: September 15, 2022

To: Humboldt County Planning Commission

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

Subject: **Lost Coast Collective, Inc., Conditional Use Permit**
Record Number: PLN-11292-CUP
Assessor's Parcel Number (APN): 221-240-015
Ettersburg area

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Please contact Abbie Strickland, Planner, at 707-441-2630 or by email at astrickland@co.humboldt.ca.us, if you have any questions about the scheduled public hearing item.

AGENDA ITEM TRANSMITTAL

Hearing Date September 15, 2022	Subject Conditional Use Permit and Special Permit	Contact Abbie Strickland
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Project Description: The applicant is seeking a Conditional Use Permit for 22,000 square feet of existing commercial cannabis cultivation of which 18,500 square feet is mixed light cultivation and 3,500 square feet is outdoor cultivation. The mixed light cultivation area achieves three harvests annually and the outdoor cultivation area achieves one harvest annually. The project is supported by 2,180 square feet of propagation space. Water for irrigation is sourced from an existing well and two registered spring diversions from unnamed springs, tributary to Seely Creek. The applicant is also proposing to construct a 500,000-gallon rainwater catchment pond. Projected annual water usage totals 156,980 gallons (7.13 gal/SF) and water storage onsite totals 87,850 gallons. All processing will occur onsite. Energy is sourced from a 20kW solar array, hydropower, and a 45kW and 25kW generator. The applicant is also seeking a Special Permit for the ongoing use and maintenance of two points of diversion located within the Streamside Management Area.

Project Location: The project is located in Humboldt County, in the Ettersburg area, on the North and South side of Elk Ridge Road, approximately .5 miles North from the intersection of Briceland Ridge and Elk Ridge Road, on the property known to be in Section 1 of Township 04 South, Range 02 East, Section 6 of Township 04 South, Range 03 East Humboldt Base & Meridian.

Present Plan Land Use Designations: Residential Agriculture (RA40); 2017 General Plan; Density: 40 acres per unit; Slope Stability: Moderate Instability (2).

Present Zoning: Agricultural Exclusive (AE)

Record Number: PLN-11292-CUP

Assessor's Parcel Number: 221-240-015

Applicant

Lost Coast Collective, Inc.
Enoch Tatton
1271 Evergreen Road #218
Redway, CA 95560

Owner

3 T LLC
1271 Evergreen Road #218
Redway, CA 95560

Agents

N/A

Environmental Review: An Addendum to a previously adopted Mitigated Negative Declaration 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: None.

Recommended Commission Action:

1. Describe the application as a public hearing;
2. Request that staff present the project;
3. Open the public hearing and receive testimony; and
4. Close the hearing and take the following action:

Adopt the resolution finding that the Commission has considered the Addendum to the adopted Mitigated Negative Declaration for the Commercial Medical Marijuana Land Use Ordinance (CMMLUO) pursuant to Section §15164 of the State CEQA Guidelines, making all of the required findings for approval of the Conditional Use Permit and adopt the Resolution approving the Lost Coast Collective, Inc., project subject to the recommended conditions.

Executive Summary: The applicant is seeking a Conditional Use Permit for 22,000 square feet of existing commercial cannabis cultivation of which 18,500 square feet is mixed light cultivation and 3,500 square feet is outdoor cultivation. The mixed light cultivation area achieves three harvests annually and the outdoor cultivation area achieves one harvest annually. The project is supported by 2,180 square feet of propagation space. Historically cultivation has occurred in four locations, however, the applicant will be authorized to relocate all 22,000 square feet of cultivation and associated infrastructure to the conversion area on the property. The applicant submitted a *Remediation Plan*, prepared by Timberland Resource Consultants, which outlines the remediation recommendations for each historic cultivation site. A condition of approval will require the applicant to complete all remediation activities outlined in the *Remediation Plan* and provide a Completion Report to the Planning Department for review (**General Condition A.12**). Compliance with the remedial actions will also be assessed at the applicants annual inspection.

Processing

All processing occurs onsite in the applicants barn. The barn, in its' current configuration, cannot be used for trimming and/or packaging. These types of activities must take place in a F1 Occupancy Type commercial structure with an accessible restroom and accessible parking. The owner must secure permits and complete any building of such structure within the 2-year provisional period. Alternatively, the operator may discontinue this use and process at an off-site licensed third-party facility. This requirement has been included as a condition of approval (**General Condition A.7**). The applicant is proposing to construct a 1,600 square foot commercial processing structure.

Energy Resources

Energy for the project is supplied by a solar array, hydropower system, and three generators. The applicant maintains a 20-kW solar system located on the barn which is utilized for drying and harvest storage. The solar array also provides energy for two of the mixed light greenhouses and the applicants residence. The barn is also equipped with a 4-kW hydroelectric power wheel which supplements the solar array in the winter months. There are three generators onsite consisting of two 45-kW generators and one 25-kW generator. One generator is utilized as a back-up energy source for the barn, and the other two generators are located near the mixed light greenhouses and the western-most drying shed.

The applicant has proposed to install a 65-kW solar array at the western most cultivation area to power the existing mixed light greenhouses, drying shed, and the proposed commercial processing facility within the next five years. A condition of approval for the project will require the applicant to obtain the proposed solar system, or an alternative renewable energy source, by January 1, 2026 (**General Condition A.8**).

Water Resources

Irrigation water is sourced from an existing permitted well and two registered points of diversions from unnamed springs tributary to Seely Creek and Redwood Creek. The projected annual water usage totals 156,980 gallons (7.13 gal/SF) and water storage onsite totals 87,850 gallons. An ongoing requirement for the project requires the applicant to forebear from the use of the spring diversions from April 1st to October 31st (**Ongoing Requirement B.8**). The applicant is also proposing to construct a 500,000-gallon rainwater catchment pond.

The applicant submitted a *Well Completion Report* which states that the well is drilled at a depth of 140 feet and the depth of the static water level was measured at 25 feet. A one-hour pump test was conducted on April 19, 2016, which recorded an estimated yield of 15 gallons per minute. The applicant also submitted a *Hydrological Isolation of Existing Well from Surface Waters* completed by David N. Lindberg, a Certified Engineering Geologist (CEG). The report concludes that based on the distances from the nearest perennial surface waters, the depth of the producing zone of the well, its slope position relative to adjacent water courses, the subsurface stratigraphy, and geologic structure, it is the professional opinion of the CEG that the well is not hydrologically connected to surface waters, wetlands, or nearby domestic wells.

The Division of Environmental Health requested that permittee be required to provide portable toilet(s) to cultivation areas or provide an approved means of sewage disposal to serve the needs of the project. This recommendation has been included as a condition of approval (**General Conditions A.9**).

Wetlands

A review of the National Wetlands Inventory shows wetlands as being mapped along the Class II watercourses on the subject parcel. The project was referred to the U.S. Army Corp of Engineers in December of 2017 which recommended that the applicant submit a Wetland Delineation prepared by a qualified professional. The applicant submitted a *Aquatic Resource Delineation* prepared by Jack Henry of Timberland Resource Consultants which sampled two of the three cultivation areas. The report concluded that although water was pooling at the bottom of the hillslope and hydrophytic vegetation was present, the two sampling locations lack hydric soil or other wetland indicators. The sampling locations do not meet the three wetland parameters and therefore do not meet the wetland definition. The project as proposed is not anticipated to impact Waters of the United States and will not result in the net loss of wetlands.

Included in this application is a Special Permit for restoration efforts within the Streamside Management Area. Upon approval of this permit application, the applicant will be authorized to relocate the northern most cultivation area, as this cultivation area is located in the Streamside Management Area of a Class II watercourse. A condition of approval will require the applicant to remediate and restore this cultivation area as described in the *Mitigation Report of the Site Management Plan* (**General Condition A.10**).

Biological Resources

A review of the California Natural Diversity Database (CNDDDB) found that no species of special concern have been mapped on the subject parcel. However, there is a mapped Northern Spotted Owl activity center within one mile southeast of subject parcel. The project was referred to the California Department of Fish and Wildlife (CDFW) who recommended the applicant assume presence and implement noise and light attenuation measures. An ongoing requirement for the project will require the applicant to maintain cultivation related noise at or below 50 decibels as measured from the edge of the clearing or 100 feet, whichever distance is closer (**Ongoing Requirement B.1**). The applicant will also be required to adhere to international dark sky standards (**Ongoing Requirement B.2**).

The applicant submitted a *Site Management Plan* which includes provisions to prevent sediment

discharge to surface waters. The *Site Management Plan* identified 24 water courses consisting of both Class II and Class III watercourses tributary to Seely Creek, Redwood Creek, and the South Fork Eel River. The referral response provided by CDFW stated their concern that the project may impact fish, reptile, and amphibious species of special concern. All project components will adhere to the required Streamside Management Area setback of 100 feet from Class II watercourses and 50 feet from Class III watercourse. The applicant has entered into a *Lake and Streambed Alteration Agreement* with CDFW which will require the applicant to improve 11 stream crossings. The applicant will be required to adhere to the provisions within the LSAA (**Ongoing Requirement B.17**).

The project is located in the South Fork Eel Planning Watershed which under Resolution 18-43 is limited to 730 permits or 251 acres, whichever occurs first. With the approval of this project the total approved permits in this Planning Watershed would be 296 permits and the total approved acres would be approximately 80.56 acres of cultivation.

Timber Conversion

The subject parcel maintains a less than three-acre conversion exemption which was accepted by CAL FIRE prior to December 31, 2015. The conversion was not completed to facilitate cultivation activities; therefore, the applicant is not required to submit a restocking plan for the use of this area. However, full remediation of the historic cultivation areas has been included as a condition of approval.

Tribal Cultural Resource Coordination

The subject parcel is located in aboriginal territory of the Bear River Band of Rohnerville Rancheria and the Intertribal Sinkiyone Wilderness Council. The project was referred to both tribes and the Northwest Information Center. The Bear River Band requested additional information be submitted regarding the less than 3-acre conversion that was approved for the subject parcel and any cultural resource survey efforts. The applicant submitted a *Cultural Resource Investigation Report* prepared by Mark Arsenault of Arsenault & Associates, dated August 27, 2019. The report concluded that the project will not adversely impact cultural, Tribal, or historic resources with the existing footprint. This report was submitted to the tribe for review. The survey did not encompass the location of the less than 3-acre conversion, however, the conversion area is not within the purview of this project as it will not be used for cultivation purposes or host any ancillary infrastructure related to the project. The applicant is required to adhere to the inadvertent discovery protocol (**Ongoing Requirement B.37**).

Access

Access to the site is provided by Road Z, a private access road which takes access from two private access roads, Elk Ridge Road and Perry Meadow Lane. The applicant submitted a *Road Evaluation Report* for the three private access roads which were self-certified by the applicant as being developed to the equivalent of a Category 4 road standard. The applicant is an active member of the "Share the Road" Road Maintenance Association. Provisions have been made within the applicants *Site Management Plan* to improve the access road to prevent discharge of sediment to nearby watercourses. A condition of approval will require the applicant to implement the work required for the 90 Unique Points identified within the *Site Management Plan* (**General Conditions A.10**).

The project was referred to the Department of Public Works Land Use Division which requested two conditions of approval be added to the project which would require the applicant to improve and maintain visibility where Perry Meadow Lane intersects with the county-maintained road, Briceland Thorne Road and that the applicant be required to improve the location where Perry Meadow Lane intersects with Briceland-Thorne Road. These recommendations have been included as conditions of approval for the project (**General Conditions A.11**).

Fire Safety

The subject parcel is located Briceland Fire Protection District (BFPD) and the State Fire Responsibility Area. The project site is located in an area designated as having high fire hazard severity. The project was referred to the BFPD, no response was received. CAL FIRE provided their standard comment requesting the applicant implement the minimum Fire Safe standards. The *Site Plan* shows the required SRA turnaround, 2,500-gallon water tank dedicated to fire suppression, and all project components adhere to the setback of 30 feet from all property lines.

Environmental review for this project was conducted and based on the results of that analysis, staff finds that all aspects of the project have been considered in a previously adopted Mitigated Negative Declaration that was adopted for the Commercial Medical Marijuana Land Use Ordinance and has prepared an addendum to this document for consideration by the Planning Commission.

RECOMMENDATION: Based on a review of Planning Division reference sources and comments from all involved referral agencies, Planning staff believes that the applicant has submitted evidence in support of making all of the required findings for approval of the Conditional Use Permit.

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

The Planning Commission could also decide the project may have environmental impacts that would require further environmental review pursuant to CEQA. Staff did not identify any potential impacts. As the lead agency, the Department has determined that the project is consistent with the MND for the CMMLUO as stated above. However, the Commission may reach a different conclusion. In that case, the Commission should continue the item to a future date at least two months later to give staff the time to complete further environmental review.

Ordinance (CMMLUO) adopted by the Humboldt County Board of Supervisors on January 26, 2016.

- EVIDENCE:**
- a) Addendum Prepared for the proposed project.
 - b) A review of the California Natural Diversity Database (CNDDDB) found that no species of special concern have been mapped on the subject parcel. However, there is a mapped Northern Spotted Owl activity center within one mile southeast of subject parcel. The applicant is required to maintain cultivation related noise at or below 50 decibels as measured at a distance of 100 feet from the noise source or the edge of habitat, whichever distance is closer. All generators will be held in secondary containment units to attenuate noise. The existing project is not anticipated to impact any special status plant or animal species.
 - c) The applicant will be required to adhere to International Dark Sky standards. The supplemental lighting used in the mixed light greenhouses and propagation greenhouse shall not escape at a level that is visible from neighboring properties between sunset and sunrise.
 - d) The cultivation of cannabis will not result in the net loss of timberland as the applicant will not be utilizing the location of the less than 3-acre conversion for cultivation purposes or to host any ancillary infrastructure for the project.
 - e) The applicant submitted a *Cultural Resource Investigation Report* prepared by Mark Arsenault of Arsenault & Associates, dated August 27, 2019. The report concluded that the project will not adversely impact cultural, Tribal, or historic resources with the existing footprint.
 - f) The applicant submitted a *Road Evaluation Report* for the three private access roads which were self-certified by the applicant as being developed to the equivalent of a Category 4 road standard. The applicant is an active member of the "Share the Road" Road Maintenance Association. Provisions have been made within the applicants *Site Management Plan* to improve the access road to prevent discharge of sediment to nearby watercourses.

FINDINGS FOR CONDITIONAL USE PERMIT

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

- EVIDENCE**
- a) General agriculture is a use type allowed in the Residential Agriculture land use designation. The existing cannabis cultivation, an agricultural product, is consistent with and complimentary to the Open Space Plan and its Open Space Action Program.

4. FINDING The existing development is consistent with the purposes of the Agricultural Exclusive (AE) Zone in which the site is located.

- EVIDENCE**
- a) Agriculture is a principally permitted use in the Agriculture Exclusive (AE) Zone.
 - b) The location of all project elements meets the setback requirements for the Agriculture Exclusive Zone.
 - c) Humboldt County Code section 314-55.4.8.2.2 allows up to 43,560 square feet of existing outdoor cultivation or 22,000 square feet of existing mixed light cultivation in zoning districts AE subject to approval of a Conditional

Use Permit and a determination that the cultivation was in existence prior to January 1, 2016. This application is for 22,000 square feet of pre-existing cultivation which has been verified by the Planning Department.

5. FINDING

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

EVIDENCE

- a) The CMMLUO allows existing cannabis cultivation to be permitted in areas zoned AE only when possible to eliminate existing violations and bring the project into compliance (HCC 314-55.4.8.2.2).
- b) The parcel was created in compliance with all applicable state and local subdivision regulations as shown on Parcel Map 1813 Book 16 Page 5.
- c) The applicant submitted a *Road Evaluation Report* for the three private access roads which were self-certified by the applicant as being developed to the equivalent of a Category 4 road standard. The applicant is an active member of the "Share the Road" Road Maintenance Association. Provisions have been made within the applicants *Site Management Plan* to improve the access road to prevent discharge of sediment to nearby watercourses.
- d) The cultivation of cannabis will not result in the net conversion of timberland as no trees are proposed to be removed as a result of the project.
- e) The location of the cultivation complies with all setbacks required in Section 314-55.4.11 (d). It is more than 30 feet from any property line, more than 300 feet from any off-site residence, more than 600 feet from any school, school bus stop, church, or other place of worship, public park, or Tribal Cultural Resource.
- f) All fertilizers, fuel, amendments, or otherwise hazardous materials will be properly stored in a secondary containment unit.
- g) Irrigation water is locally sourced through a registered spring diversion and a permitted well. The applicant is required to forbear from the use of the registered spring diversions from April 1st to October 31st.
- h) Energy for the project is sourced from solar power, hydropower, and generators are onsite to provide supplemental energy, if needed. The applicant is required to transition to entirely renewable energy within the next 5 years.
- i) All project components will adhere to the required Streamside Management Area setback requirements upon the relocation and remediation of the northern-most cultivation area located in the streamside management area of a Class II watercourse.

6. FINDING

The continued cultivation of 22,000 square feet of cannabis and the conditions under which it may be operated or maintained will not be detrimental to the public health, safety, or welfare or materially injurious to properties or improvements in the vicinity

EVIDENCE

- a) The site is in a rural part of the County where the typical parcel size is over 40 acres and many of the land holdings are very large. 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.
- b) The location of the cultivation complies with all setbacks required in Section 314-55.4.11 (d). It is more than 30 feet from any property line, more than 300 feet from any off-site residence, more than 600 feet from any school, school

bus stop, church, or other place of worship, public park, or Tribal Cultural Resource.

- c) The applicant submitted a *Cultural Resource Investigation Report* prepared by Mark Arsenault of Arsenault & Associates, dated August 27, 2019. The report concluded that the project will not adversely impact cultural, Tribal, or historic resources with the existing footprint.
- d) The applicant is an active member of the "Share the Road" Road Maintenance Association. Provisions have been made within the applicants *Site Management Plan* to improve the access road to prevent discharge of sediment to nearby watercourses.
- e) The applicant will be required to adhere to International Dark Sky standards. The supplemental lighting used in the mixed light greenhouses and propagation greenhouse shall not escape at a level that is visible from neighboring properties between sunset and sunrise.
- f) The applicant is required to maintain cultivation related noise at or below 50 decibels as measured at a distance of 100 feet from the noise source or the edge of habitat, whichever distance is closer. All generators will be held in secondary containment units to attenuate noise. The existing project is not anticipated to impact any special status plant or animal species.

7. 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

- a) The project is located in the South Fork Eel Planning Watershed which under Resolution 18-43 is limited to 730 permits or 251 acres, whichever occurs first. With the approval of this project the total approved permits in this Planning Watershed would be 299 permits and the total approved acres would be approximately 82.65 acres of cultivation.

8. FINDING

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

EVIDENCE

- a) The parcel was not included in the housing inventory of Humboldt County's 2019 Housing Element but does have the potential to support one housing unit. The approval of cannabis cultivation on this parcel will not conflict with the ability for a residence to be constructed on this parcel.

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 Conditional Use Permit and Special Permit for Lost Coast Collective, Inc., based upon the Findings and Evidence and subject to the conditions of approval attached hereto as Attachment 1 and incorporated herein by reference; and

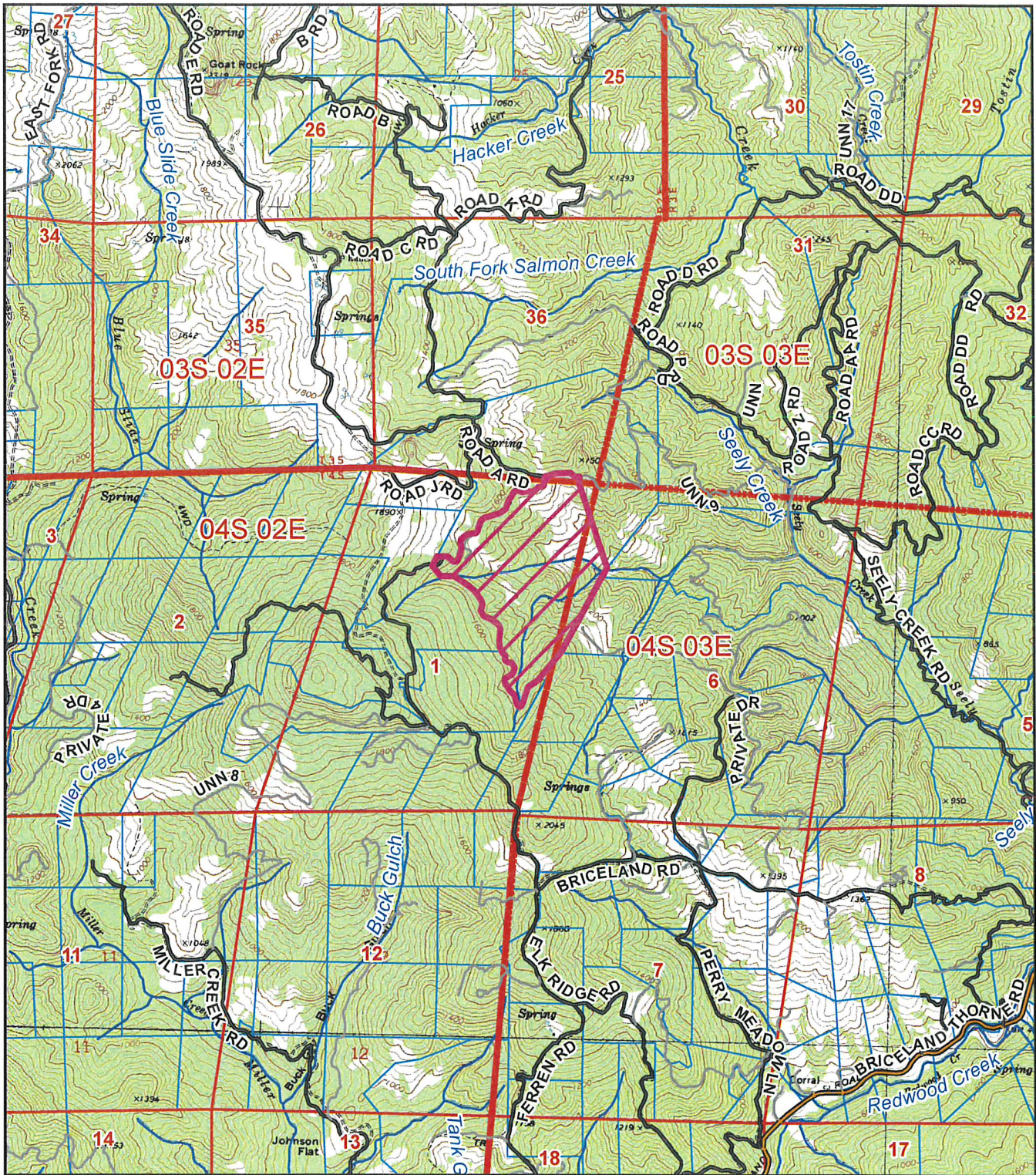
Adopted after review and consideration of all the evidence on **September 15, 2022**.

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

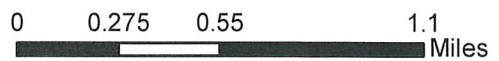


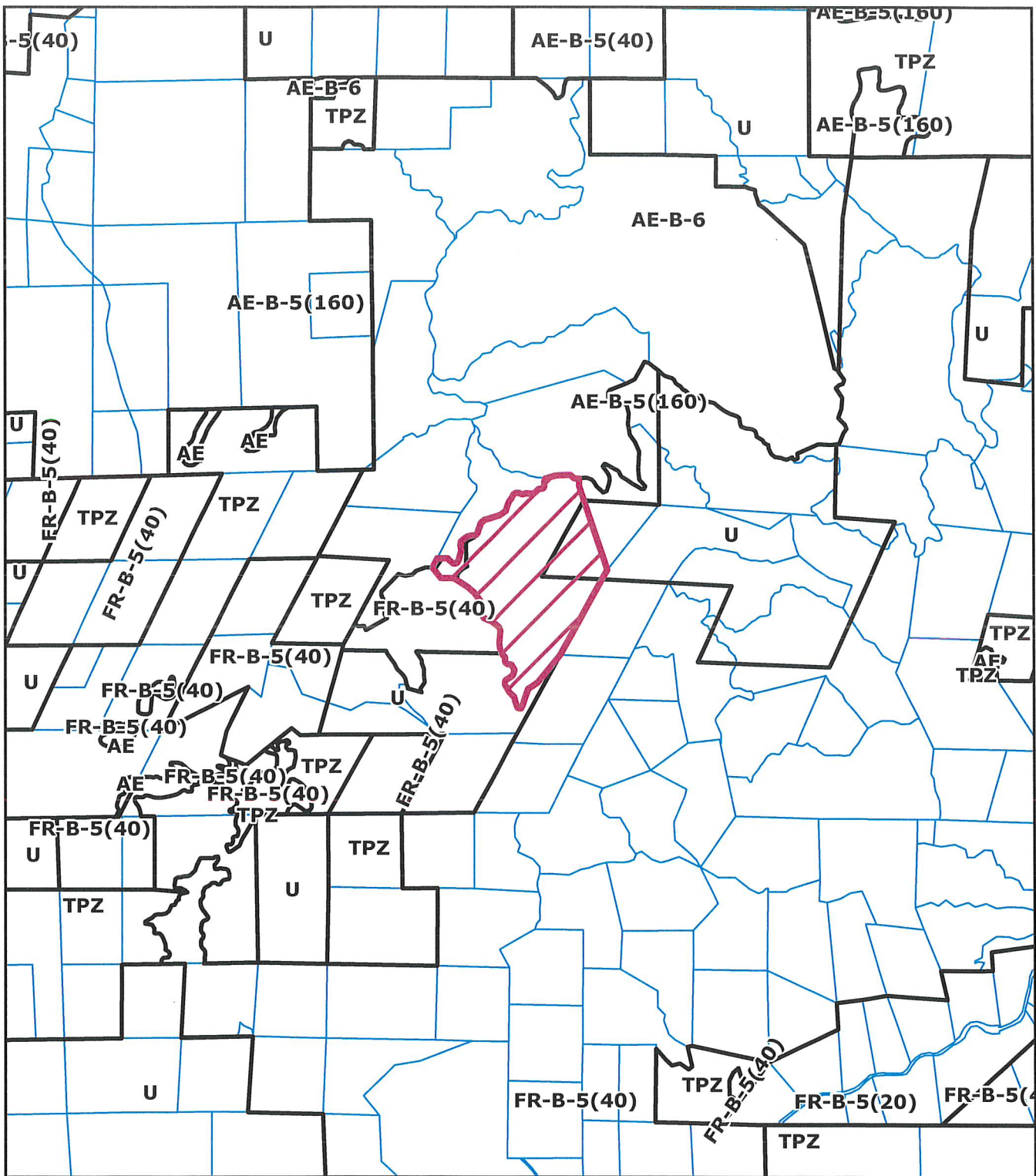
TOPO MAP
PROPOSED LOST COAST COLLECTIVE, INC.
ETTERSBURG AREA
CUP-16-217
APN: 221-240-015

Project Area = 

T03S R02E S36; T04S R02E S1; T04S R03E S6 HB&M (ETTERSBURG)

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.





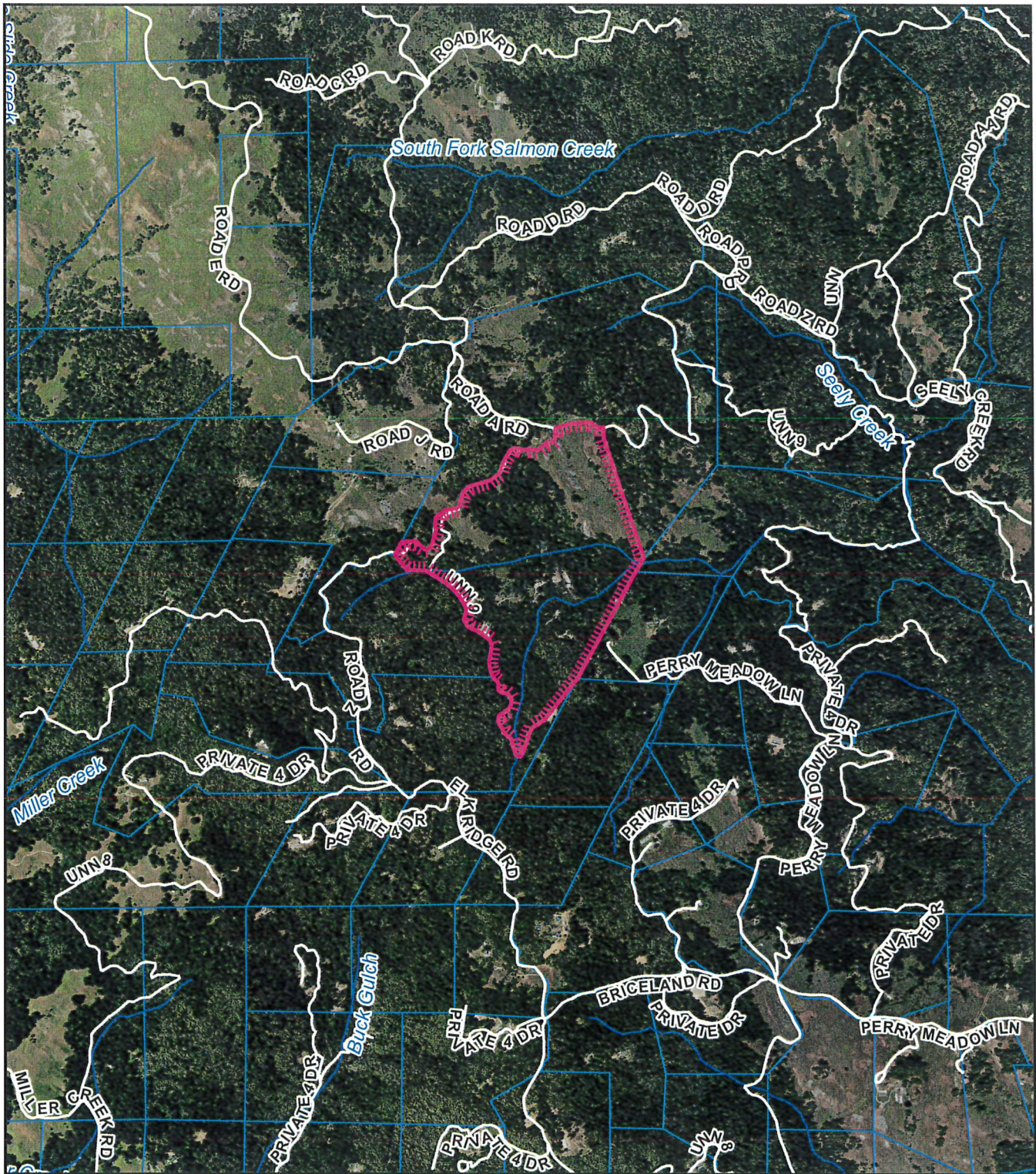
**ZONING MAP
 PROPOSED LOST COAST COLLECTIVE, INC.
 ETTERSBURG AREA
 CUP-16-217**

Project Area = 

**APN: 221-240-015
 T03S R02E S36; T04S R02E S1; T04S R03E S6 HB&M (ETTERSBURG)**

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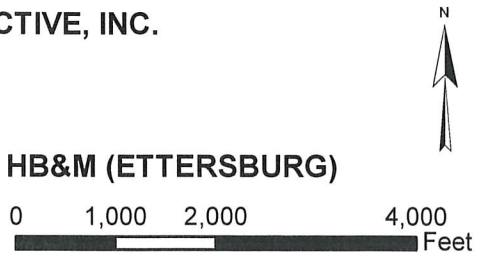


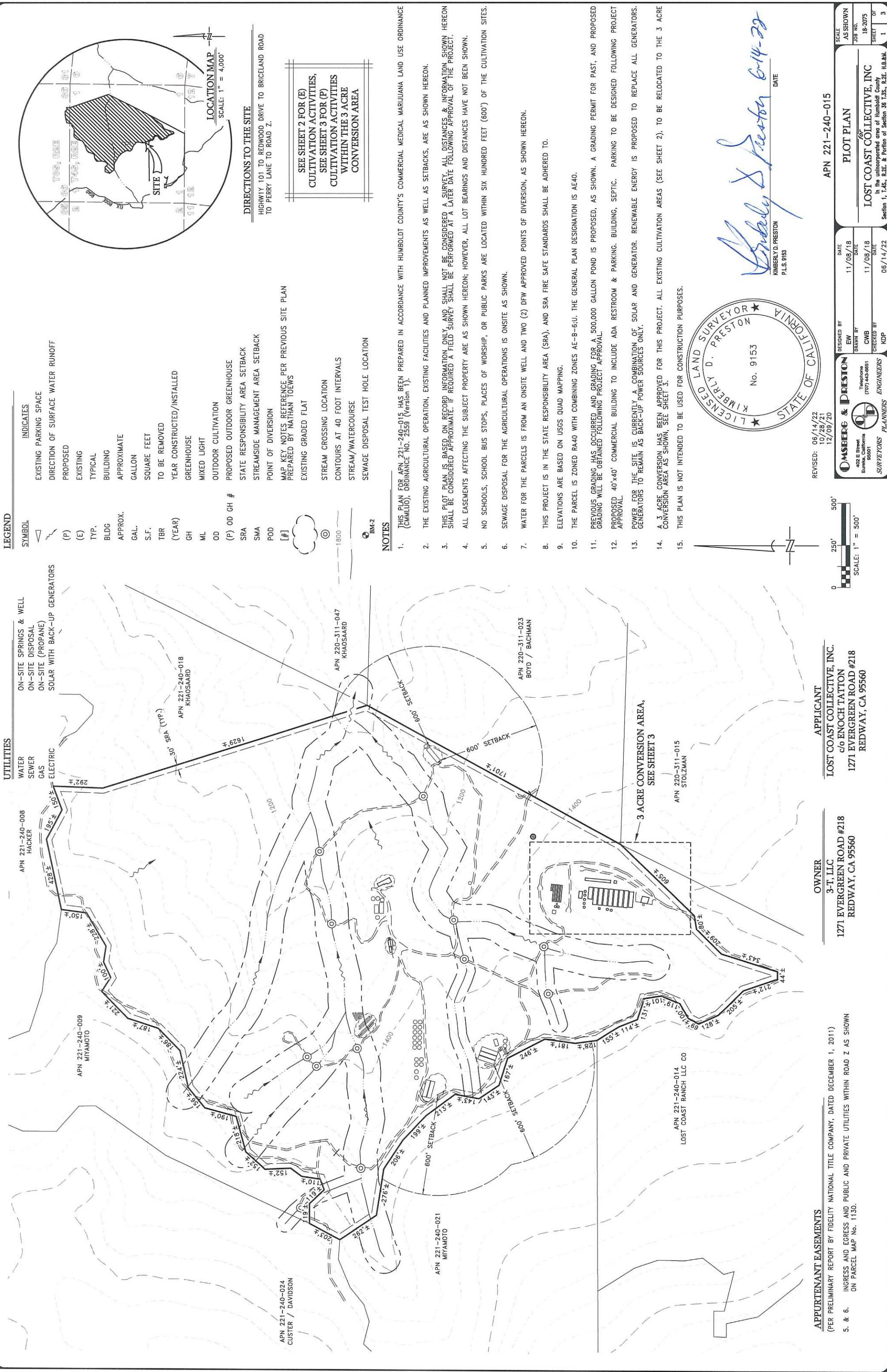
**AERIAL MAP
 PROPOSED LOST COAST COLLECTIVE, INC.
 ETTERSBURG AREA
 CUP-16-217
 APN: 221-240-015**

Project Area = 

T03S R02E S36; T04S R02E S1; T04S R03E S6 HB&M (ETTERSBURG)

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.





LEGEND

SYMBOL	INDICATES
	EXISTING PARKING SPACE
	DIRECTION OF SURFACE WATER RUNOFF
(P)	PROPOSED
(E)	EXISTING
TYP.	TYPICAL
BLDG	BUILDING
APPROX.	APPROXIMATE
GAL.	GALLON
S.F.	SQUARE FEET
TBR	TO BE REMOVED
(YEAR)	YEAR CONSTRUCTED/INSTALLED
GH	GREENHOUSE
ML	MIXED LIGHT
OD	OUTDOOR CULTIVATION
(P) OD GH #	PROPOSED OUTDOOR GREENHOUSE
SRA	STATE RESPONSIBILITY AREA SETBACK
SMA	STREAMSIDE MANAGEMENT AREA SETBACK
POD	POINT OF DIVERSION
[#]	MAP KEY NOTES REFERENCE PER PREVIOUS SITE PLAN PREPARED BY NATHAN TOEWS
	EXISTING GRADED FLAT
	STREAM CROSSING LOCATION
	CONTOURS AT 40 FOOT INTERVALS
	STREAM/WATERCOURSE
	SEWAGE DISPOSAL TEST HOLE LOCATION

DIRECTIONS TO THE SITE
 HIGHWAY 101 TO REDWOOD DRIVE TO BRICELAND ROAD
 TO PERRY LANE TO ROAD Z.

SEE SHEET 2 FOR (E)
 CULTIVATION ACTIVITIES,
 SEE SHEET 3 FOR (P)
 CULTIVATION ACTIVITIES
 WITHIN THE 3 ACRE
 CONVERSION AREA



NOTES

1. THIS PLAN FOR APN 221-240-015 HAS BEEN PREPARED IN ACCORDANCE WITH HUMBOLDT COUNTY'S COMMERCIAL MARIJUANA LAND USE ORDINANCE (COMMILUO), ORDINANCE NO. 2559 (Version 1).
2. THE EXISTING AGRICULTURAL OPERATION, EXISTING FACILITIES AND PLANNED IMPROVEMENTS AS WELL AS SETBACKS, ARE AS SHOWN HEREON.
3. THIS PLAN IS BASED ON RECORD INFORMATION ONLY AND SHALL NOT BE CONSIDERED A SURVEY. ALL DISTANCES & INFORMATION SHOWN HEREON SHALL BE CONSIDERED APPROXIMATE. IF REQUIRED A FIELD SURVEY SHALL BE PERFORMED AT A LATER DATE FOLLOWING APPROVAL OF THE PROJECT.
4. ALL EASEMENTS AFFECTING THE SUBJECT PROPERTY ARE AS SHOWN HEREON; HOWEVER, ALL LOT BEARINGS AND DISTANCES HAVE NOT BEEN SHOWN.
5. NO SCHOOLS, SCHOOL BUS STOPS, PLACES OF WORSHIP, OR PUBLIC PARKS ARE LOCATED WITHIN SIX HUNDRED FEET (600') OF THE CULTIVATION SITES.
6. SEWAGE DISPOSAL FOR THE AGRICULTURAL OPERATIONS IS ONSITE AS SHOWN.
7. WATER FOR THE PARCELS IS FROM AN ONSITE WELL AND TWO (2) DFV APPROVED POINTS OF DIVERSION, AS SHOWN HEREON.
8. THIS PROJECT IS IN THE STATE RESPONSIBILITY AREA (SRA), AND SRA FIRE SAFE STANDARDS SHALL BE ADHERED TO.
9. ELEVATIONS ARE BASED ON USGS QUAD MAPPING.
10. THE PARCEL IS ZONED RA40 WITH COMBINING ZONES AE-B-6.U. THE GENERAL PLAN DESIGNATION IS AE40.
11. PREVIOUS GRADING HAS OCCURRED AND GRADING FOR A 500,000 GALLON POND IS PROPOSED, AS SHOWN. A GRADING PERMIT FOR PAST, AND PROPOSED GRADING WILL BE OBTAINED FOLLOWING PROJECT APPROVAL.
12. PROPOSED 40'x40' COMMERCIAL BUILDING TO INCLUDE ADA RESTROOM & PARKING. BUILDING, SEPTIC. PARKING TO BE DESIGNED FOLLOWING PROJECT APPROVAL.
13. POWER FOR THE SITE IS CURRENTLY A COMBINATION OF SOLAR AND GENERATOR. RENEWABLE ENERGY IS PROPOSED TO REPLACE ALL GENERATORS. GENERATORS TO REMAIN AS BACK-UP POWER SOURCES ONLY.
14. A 3 ACRE CONVERSION HAS BEEN APPROVED FOR THIS PROJECT. ALL EXISTING CULTIVATION AREAS (SEE SHEET 2), TO BE RELOCATED TO THE 3 ACRE CONVERSION AREA AS SHOWN, SEE SHEET 3.
15. THIS PLAN IS NOT INTENDED TO BE USED FOR CONSTRUCTION PURPOSES.



Kimberly D. Preston
 KIMBERLY D. PRESTON
 P.L.S. 9153
 DATE 06/14/22

REVISED: 06/14/22
 07/28/21
 12/09/20

DESIGNED BY EW
 DRAWN BY CMB
 CHECKED BY KDP

SCALE AS SHOWN
 JOB NO. 18-2075
 SHEET OF 3

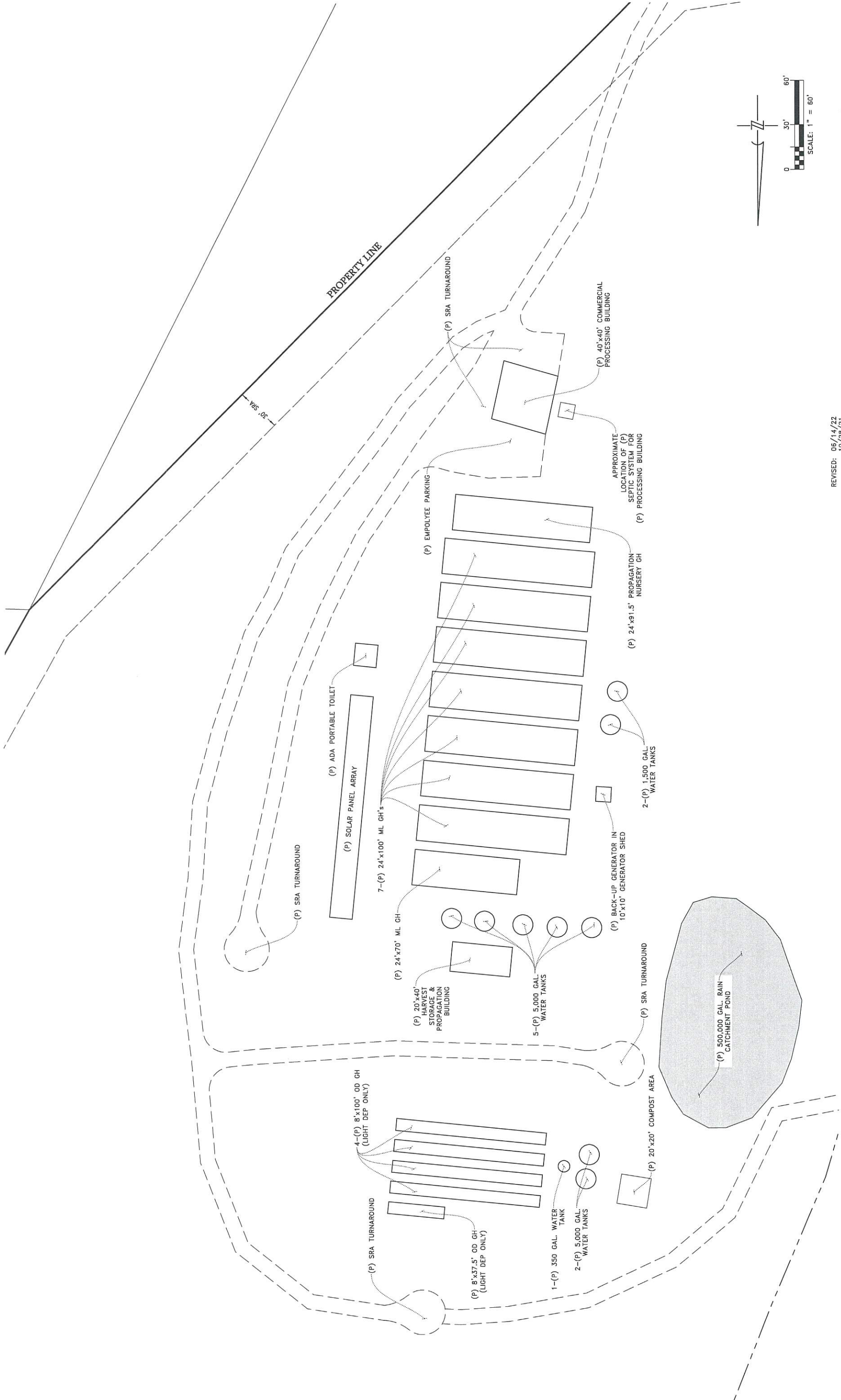
APN 221-240-015
PLOT PLAN
 LOST COAST COLLECTIVE, INC
 In the unincorporated area of Humboldt County
 Section 1, T.4S., R.2E. & Portion of Section 36 T.5S., R.2E., H.B.&M.

OWNER
 3-T, LLC
 1271 EVERGREEN ROAD #218
 REDWAY, CA 95560

APPLICANT
 LOST COAST COLLECTIVE, INC.
 c/o ENOCH TAITTON
 1271 EVERGREEN ROAD #218
 REDWAY, CA 95560

APPURTENANT EASEMENTS
 (PER PRELIMINARY REPORT BY FIDELITY NATIONAL TITLE COMPANY, DATED DECEMBER 1, 2011)

5. & 6. INGRESS AND EGRESS AND PUBLIC AND PRIVATE UTILITIES WITHIN ROAD Z AS SHOWN ON PARCEL MAP NO. 1130.



REVISED: 06/14/22
 10/28/21
 12/09/20

DMSEBERG & PRESTON
 Telephone
 402 E Street
 Eureka, California
 95501
SURVEYORS
ENGINEERS
PLANNERS

DESIGNED BY: KINGBERY D. PRESTON
 CHECKED BY: KINGBERY D. PRESTON
 DATE: 11/08/18
 DATE: 11/08/18
 OWNER OF WORK: LOST COAST COLLECTIVE, INC.
 REF: 6-14-22
 PLS 6/22

SCALE AS SHOWN
 JOB NO. 18-2075
 SHEET OF 3
3 ACRE CONVERSION AREA
LOST COAST COLLECTIVE, INC
 In the unincorporated area of Humboldt County
 Section 1, T.4S., R.2E. & Portion of Section 36 T.3S., R.2E. H.B.M.

APN 221-240-015

ATTACHMENT 1

RECOMMENDED CONDITIONS OF APPROVAL

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

A. General Conditions

1. The applicant is responsible for obtaining all necessary County and State permits and licenses, and for meeting all requirements set forth by other regulatory agencies.
2. The applicant is required to pay for permit processing on a time and material basis as set forth in the schedule of fees and charges as adopted by ordinance of the Humboldt County Board of Supervisors. The Planning and Building Department will provide a bill to the applicant after the decision. Any and all outstanding planning fees to cover the processing of the application to decision by the Hearing Officer shall be paid to the Humboldt County Planning Division, 3015 "H" Street, Eureka.
3. 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.
4. A Notice of Determination (NOD) will be prepared and filed with the County Clerk for this project in accordance with the State CEQA Guidelines. The Department will file the NOD and will charge this filing cost to the project.
5. Within 60 days of the effective date of permit approval, the applicant shall execute a Compliance Agreement with the Humboldt County Planning and Building Department detailing all necessary permits and infrastructure improvements described under Conditions of Approval #6 through #12. The agreement shall provide a timeline for completing all outstanding items. All activities detailed under the agreement must be completed to the satisfaction of the Planning and Building Department before the permit may be finalized and no longer considered provisional.
6. The applicant shall secure permits for all structures related to the cannabis cultivation and other commercial cannabis activity, including but not limited to, existing greenhouses, water tanks over 5,000 gallons existing and proposed structures associated with drying and storage or any activity with a nexus to cannabis, and any noise containment structures as necessary. The plans submitted for building permit approval shall be consistent with the project description and the approved project site plan. A letter or similar communication from the Building Division verifying that all structures related to the cannabis cultivation are permitted will satisfy this condition.
7. The barn, in its' current configuration, cannot be used for trimming and/or packaging. These types of activities must take place in a F1 Occupancy Type commercial structure with an accessible restroom and accessible parking. The owner must secure permits and complete any building of such structure within the 2-year provisional period. Alternatively, the operator may discontinue this use and process at an off-site licensed third-party facility.
8. The use of generators as a primary energy source will cease on January 1, 2026. The generators will

be replaced by a renewable energy source. The applicant will submit a revised *Cultivation and Operations Plan* which documents the replacement of the generators with a renewable energy source and provides specifications on the source. A sign-off from the Planning Department shall satisfy this condition.

9. The applicant shall adhere to the recommendations provided by DEH which recommended the applicant provide portable toilets for cultivation areas. The receipts for portable toilet services shall be submitted to the Division of Environmental Health on an annual basis and a copy of these records shall be kept onsite for review during the applicant's annual inspection.
10. The applicant shall implement all corrective actions detailed for Unique Points 1-80 identified in the *Mitigation Report* of the *Site Management Plan* developed for the parcel. The applicant shall document the completion of each item. The work may be reviewed during the applicant's annual inspection.
11. The applicant shall adhere to the following recommendations made by the Department of Public Works Land Use Division:
 - a) The applicant shall improve and maintain visibility where Perry Meadow Lane intersects with Briceland Thorne Road in accordance with the County's Sight Visibility Ordinance. Photo documentation will satisfy this requirement. Visibility will be assessed at the applicant's annual inspection.
 - b) If Briceland Thorne Road has a paved surface at the location of the intersection with Perry Meadow Lane, the applicant shall obtain an encroachment permit and pave Perry Meadow Lane for a minimum width of 20 feet and a length of 50 feet.

A letter or similar communication from the Department of Public Works stating the work has been completed to their satisfaction will satisfy this condition.

12. The applicant will implement the Remediation Plan, prepared by Timberland Resource Consultants, which outlines the remediation activities for each historic cultivation site. A condition of approval will require the applicant to complete all remediation activities outlined in the Remediation Plan and provide a Completion Report to the Planning Department for review. Compliance with the remedial actions will also be assessed at the applicant's annual inspection.
13. The applicant shall be compliant with the County of Humboldt's Certified Unified Program Agency (CUPA) requirements regarding hazardous materials. A written verification of compliance shall be required before any provisional permits may be finalized. Ongoing proof of compliance with this condition shall be required at each annual inspection in order to keep the permit valid.
14. The applicant shall execute and file with the Planning Division the statement titled, "Notice and Acknowledgment regarding Agricultural Activities in Humboldt County," ("Right to Farm" ordinance) as required by the HCC and available at the Planning Division.

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

1. The combination of background, generator and greenhouse fan or other operational equipment created noise must not result in the harassment of Northern Spotted Owl species as required to meet the performance standards for noise set by Department Policy Statement No. 16-005 clarifying CMMLUO Section 55.4.11 (o) requirements. The combined noise levels measured at 100 feet or the edge of habitat, whichever is closer, shall be at or below 50 decibels. Conformance will be evaluated using current auditory disturbance guidance prepared by the United States Fish and Wildlife Service, and further consultation where necessary. A building permit shall be obtained should any structures be necessary for noise attenuation.

2. All artificial lighting shall be fully contained within structures such that no light escapes (e.g., through blackout curtains). Structures shall be enclosed between 30 minutes prior to sunset and 30 minutes after sunrise to prevent disruption to crepuscular wildlife. Security lighting shall be motion activated and comply with the International Dark-Sky Association standards and Fixture Seal of Approval Program; see: <https://www.darksky.org/our-work/lighting/lighting-for-citizens/lighting-basics/>.
3. Should the Humboldt County Planning Division receive complaints that the lighting or noise is not complying with the standards listed above in items B.1 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.
4. Prohibition on use of synthetic netting. To minimize the risk of wildlife entrapment, Permittee shall not use any erosion control and/or cultivation materials that contain synthetic (e.g., plastic or nylon) netting, including photo- or biodegradable plastic netting. Geotextiles, fiber rolls, and other erosion control measures shall be made of loose-weave mesh, such as jute, hemp, coconut (coir) fiber, or other products without welded weaves.
5. All refuse shall be contained in wildlife proof storage containers, at all times, and disposed of at an authorized waste management facility.
6. Should any wildlife be encountered during work activities, the wildlife shall not be disturbed and be allowed to leave the work site unharmed.
7. The use of anticoagulant rodenticide is prohibited.
8. The applicant shall forebear from the use of the spring diversions from April 1st to October 31st of each year.
9. The applicant shall forebear from utilizing the well from April 1st through October 31st of each year unless a licensed geologist has submitted documentation to the Planning Director sufficiently demonstrating that the well is hydrologically disconnected from surface waters.
10. 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.
11. Cannabis cultivation and other commercial cannabis activity shall be conducted in compliance with all laws and regulations as set forth in the CMMLUO and MAUCRSA, as applicable to the permit type.
12. 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.
13. Possession of a current, valid required license, or licenses, issued by any agency of the State of

California in accordance with the MAUCRSA, and regulations promulgated thereunder, as soon as such licenses become available.

14. 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.
15. 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).
16. Maintain enrollment in Tier 1, 2, or 3, certification with North Coast Regional Water Quality Control Board (RWQCB) Order No. R1-2015-0023, if applicable, or any substantially equivalent rule that may be subsequently adopted by the County of Humboldt or other responsible agency.
17. 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).
18. 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.
19. 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).
20. Refrain from the improper storage or use of any fuels, fertilizer, pesticide, fungicide, rodenticide, or herbicide.
21. Pay all applicable application, review for conformance with conditions and annual inspection fees.
22. Fuel shall be stored and handled in compliance with applicable state and local laws and regulations, including the County of Humboldt's Certified Unified Program Agency (CUPA) program, and in such a way that no spillage occurs.
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 the MCRSA, Health and Safety Code Section 19322(a)(9), an applicant seeking a cultivation license shall "provide a statement declaring the applicant is an 'agricultural employer,' as defined in the Alatorre-Zenovich-Dunlap-Berman Agricultural Labor Relations Act of 1975 (Part 3.5 commencing with Section 1140) of Division 2 of the Labor Code), to the extent not prohibited by law."
26. Cultivators shall comply with all applicable federal, state, and local laws and regulations governing California Agricultural Employers, which may include federal and state wage and hour laws, Cal/OSHA, OSHA, 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 Special Permit. Any Commercial Cannabis Cultivation SP issued pursuant to the CMMLUO shall expire one (1) year after date of issuance, and on the anniversary date of such issuance each year thereafter, unless an annual compliance inspection has been conducted and the permittees and the permitted site have been found to comply with all conditions of approval.

31. 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 Special Permit, immediately upon the expiration of any appeal period, or final determination of the appeal if an appeal has been timely filed pursuant to Section 55.4.13.

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.
36. 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.

Informational Notes:

1. Pursuant to Section 314-55.4.11(a) of the CMMLUO, if upon inspection for the initial application, violations of any building or other health, safety, or other state or county statute, ordinance, or regulation are discovered, the Planning and Building Department may issue a provisional clearance or permit with a written approved Compliance Agreement. By signing the agreement, the permittee agrees to abate or cure the violations at the earliest opportunity but in no event more than two (2) years after the date of issuance of the provisional clearance or permit. Plans for curing the violations shall be submitted to the Planning and Building Department by the permittee within one (1) year of the issuance of the provisional certificate or permit. The terms of the compliance agreement may be appealed pursuant to Section 314-55.4.13 of the CMMLUO.
2. This provisional permit approval shall expire and become null and void at the expiration of one (1) year after all appeal periods have lapsed (see "Effective Date"), except where the Compliance Agreement has been executed and the corrective actions pursuant to the agreement are being undertaken. Once building permits have been secured and/or the use initiated pursuant to the terms of the agreement, the use is subject to the Permit Duration and Renewal provisions set forth in the Ongoing Requirements/Development Restrictions, above.

ATTACHMENT 2

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

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

**APN 221-240-015; Road Z, Ettersburg Area
County of Humboldt**

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

August 2022

Background

Modified Project Description and Project History –

The Commercial Medical Marijuana Land Use Ordinance (CMMLUO) established specific regulations for commercial cannabis operations in Humboldt County. These regulations were developed in concert with the Mitigated Negative Declaration (MND) that was adopted for the ordinance in order to implement the mitigation measures of the MND. The MND addressed the broad environmental impacts that could be expected to occur from the adoption and implementation of the ordinance. The MND specified that the regulations established in the CMMLUO would mitigate the impacts of existing cannabis operations by establishing regulations for an existing unregulated land use to help prevent and reduce environmental impacts that are known to result from unpermitted baseline cultivation operations. Commercial cannabis cultivation in existence as of December 31, 2015 was included in the environmental baseline for the MND and the MND states that “Bringing existing operations into compliance will help to attenuate potential environmental effects from existing cultivation activities, including aesthetic impacts resulting from improper operation or poor siting.” The current project was contemplated by the MND and compliance with the provisions of the CMMLUO will fully mitigate all environmental impacts of the project to a less than significant level.

The applicant is seeking a Conditional Use Permit for 22,000 square feet of existing commercial cannabis cultivation of which 18,500 square feet is mixed light cultivation and 3,500 square feet is outdoor cultivation. The mixed light cultivation area achieves three harvests annually and the outdoor cultivation area achieves one harvest annually. The project is supported by 2,180 square feet of propagation space. Water for irrigation is sourced from an existing well and two registered spring diversions from unnamed springs, tributary to Seely Creek. Projected annual water usage totals 156,980 gallons (7.13 gal/SF) and water storage onsite totals 87,850 gallons. All processing will occur onsite. Energy is sourced from solar, hydropower, and generators. The applicant is also seeking a Special Permit for the ongoing use and maintenance of two points of diversion located within the Streamside Management Area.

A review of the California Natural Diversity Database (CNDDDB) found that no species of special concern have been mapped on the subject parcel. However, there is a mapped Northern Spotted Owl activity center within one mile southeast of subject parcel. The project was referred to the California Department of Fish and Wildlife (CDFW) who recommended the applicant assume presence and implement noise and light attenuation measures. The applicant submitted a *Cultural Resource Investigation Report* prepared by Mark Arsenault of Arsenault & Associates, dated August 27, 2019. The report concluded that the project will not adversely impact cultural, Tribal, or historic resources with the existing footprint.

The modified project is consistent with the adopted MND for the CMMLUO because it complies with all standards of the CMMLUO which were intended to mitigate impacts of existing cultivation.

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

1. Substantial changes are proposed in the project which require major revisions of the previous MND due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;
2. Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous MND due to the involvement of new significant

environmental effects or a substantial increase in the severity of previously identified significant effects; or

3. New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous MND was certified as complete, shows any of the following: A) the project will have one or more significant effects not discussed in the previous MND; B) significant effect previously examined will be substantially more severe than shown in the previous MND; C) mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or D) mitigation measures or alternatives which are considerably different from those analyzed in the previous MND would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.

Summary of Significant Project Effects and Mitigation Recommended

No changes are proposed for the original MND recommended mitigations. The proposal to authorize the continued operation of an existing cannabis cultivation site consisting of 22,000 square feet of cultivation is fully consistent with the impacts identified and adequately mitigated in the original MND. The project as conditioned to implement responsible agency recommendations, results in no significantly adverse environmental effects beyond those identified in the MND. Compliance with the CMMLUO ensures consistency with the adopted MND and provides for mitigation of all project related impacts to a less than significant level.

In reviewing the application for consistency with the adopted MND, the County considered the following information and studies, among other documents (see Attachment 3 for a complete listing):

- *Site Plan* prepared by Omsberg and Preston received 12/15/2020.
- *Cultivation and Operations Plan* prepared by the applicant received 12/15/2020
- *Site Management Plan* prepared by Timberland Resource Consultants for the North Coast Regional Water Quality Control Board Order No. 2015-0023.
- *Road Evaluation Report* prepared by the applicant dated 12/14/2017.
- Division of Environmental Health Attachment for Commercial Medical Marijuana (CMM) Clearances/ Permits.
- *Cultural Resources Investigation* prepared by Arsenault and Associates received 12/15/2020.

Other CEQA Considerations

Staff suggests no changes for the revised project.

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

See **Purpose** statement above.

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

FINDINGS

1. The proposed project will permit an existing cannabis operation and bring the operation into compliance with county and state requirements intended to adequately mitigate environmental impacts.

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

CONCLUSION

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

ATTACHMENT 3

Applicant's Evidence in Support of the Required Findings

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

1. The name, contact address, and phone number(s) of the applicant. (Application form on file)
2. If the applicant is not the record title owner of parcel, written consent of the owner for the application with original signature and notary acknowledgement. (On file)
3. Site plan showing the entire parcel, including easements, streams, springs, ponds and other surface water features, and the location and area for cultivation on the parcel with dimensions of the area for cultivation and setbacks from property lines. The site plan shall also include all areas of ground disturbance or surface water disturbance associated with cultivation activities, including access roads, water diversions, culverts, ponds, dams, graded flats, and other related features. If the area for cultivation is within one-quarter mile (1,320 feet) of a school, school bus stop, church or other place of religious worship, public park, or tribal cultural resource, the site plan shall include dimensions showing that the distance from the location of such features to the nearest point of the cultivation area is at least 600 feet. (*Site Plan* prepared by Omsberg and Preston received 12/15/2020 – **Attached** with project Maps)
4. A cultivation and operations plan that meets or exceeds minimum legal standards for water storage, conservation and use; drainage, runoff and erosion control; watershed and habitat protection; proper storage of fertilizers, pesticides, and other regulated products to be used on the parcel; and a description of cultivation activities (outdoor, indoor, mixed light), the approximate date(s) cannabis cultivation activities have been conducted on the parcel prior to the effective date of this ordinance, if applicable, and schedule of activities during each month of the growing and harvesting season. (*Cultivation and Operations Plan* prepared by the applicant received 12/15/20 and *Addendum to the Cultivation and Operations Plan* received 10/1/21 – **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. (*Right to Divert and Use Water* – **Attached**)
6. Description of water source, storage, irrigation plan, and projected water usage. (Included in item 4. above).
7. Copy of Notice of Intent and Monitoring Self-Certification and other documents filed with the North Coast Regional Water Quality Control Board demonstrating enrollment in Tier 1, 2 or 3, North Coast Regional Water Quality Control Board Order No. 2015-0023, or any substantially equivalent rule that may be subsequently adopted by the County of Humboldt or other responsible agency. (**Attached-Site Management Plan** received 12/15/20 (WDID: 1_12CC405506)).
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. (Notification No. 1600-2017-0296-R1- **Attached**)
9. 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)

10. 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)
11. For indoor cultivation facilities, identify the source of electrical power and how it will meet with the energy requirements in Section 55.4.8.2.3, and plan for compliance with applicable building codes. (Not applicable)
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. *Road Evaluation Reports* prepared by the applicant, dated 12/14/17. **(Attached)**
15. Division of Environmental Health Attachment for Commercial Medical Marijuana (CMM) Clearances/ Permits (DEH Form). (On-file)
16. *Cultural Resources Investigation* prepared by Arsenault and Associates dated December 15, 2021. (On file- confidential)
17. *Well Completion Report* submitted by the applicant. **(Attached)**
18. Hydrologic Isolation of Existing Well from Surface Waters prepared by Lindberg Geological Consulting, dated December 15, 2021. **(Attached)**
19. *Aquatic Resource Delineation* prepared by Timberland Resource Consultants, dated July 1, 2021. (On file)
20. Less than three-acre conversion exemption prepared by CAL FIRE, dated July 27, 2016. (On file)

**LOST COAST COLLECTIVE, INC.
CULTIVATION, OPERATIONS, AND SECURITY PLAN**

OPERATIONS PLAN

PROJECT DESCRIPTION

This cultivation and operations plan for Lost Coast Collective, Inc. addresses two planning projects: Application #11292. Application #11292 is for a conditional use permit for existing mixed light and outdoor cultivation with cultivation area of 22,000 sq. ft. Applicant is also proposing an accessory propagation area consisting of 2,220 sq. ft.

1 Description of Water Source, Storage, Irrigation Plan, and Projected Water Usage

WATER SOURCE AND STORAGE: The sources of irrigation water are as follows:

SURFACE WATER: Applicant has two permitted surface water diversions per a Lake and Streambed Alteration Agreement (LSAA) with CDFW (Agreement No. 1600-2016-0020-R1). Point of Diversion 1 (“POD”) is located at -123.905656, 40.148090, POD 2 is located at -123.902325, 40.144825. The maximum instantaneous diversion rate for all two PODs will not exceed 6 gallons per minute for consumptive use and will not exceed 20% of the total flow at any time. The diversions will pass sufficient flow to keep all aquatic species such as fish and other aquatic life in good condition below diversion points. Per the LSAA, Applicant will forbear diverting stream flow for irrigation from May 15 to October 15. The water diversion structures will not constitute a barrier to upstream or downstream movement of aquatic life. No polluting materials will be used to construct or screen or cover the diversion intake structures. Applicant has filed its initial statement of water diversion with the State Water Resources Control Board for the PODs listed above. The above listed surface diversions will be used primarily for irrigation for the existing cultivation areas only but may also supplement domestic water needs as necessary.

In addition, to consumptive use, POD 1 produces electricity for a micro-hydro power generation system, which is discussed below.

PERMITTED WELL: Applicant has a permitted well on 221-240-015 (Permit No. 15-16-0642). The well has a depth of 150 feet. The well’s output is approximately 15 gallons per minute. Ground water will be used primarily for irrigation but may supplement domestic water needs on the property. Applicant intends to direct divert from the well to cannabis plants pursuant to Application No. 11292 only.

WATER STORAGE: Applicant has the following storage capacity broken down by use, type, number and storage capacity.

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Use	Type	Number	Storage Capacity
Irrigation			
	Tank	25	87,850 gallons
Domestic			
	Tank	1	10,000 gallons
Fire Suppression			
	Tank	1	2,500 gallons

Total storage capacity for irrigation is 87,850

Total storage capacity for domestic use is 10,000 gallons

Total storage capacity for dedicated fire suppression is 2,500 gallons

The tanks will be fed from the well and diversions and plumbed to each cultivation site. Storage tanks have float valves to shut off diversion when tanks are full to prevent overflow from being diverted when not needed. Applicant will consult with TRC to implement other measures necessary to prevent overflow of tanks resulting in more water being diverted than necessary.

Applicant has proposed a 500,000-gallon rain catchment pond for future cultivation and fire suppression uses within the 3-acre conversion area as detailed on the site plan.

IRRIGATION PLAN: Crops are irrigated at agronomic rates to minimize over watering cannabis plants and reduce the risk of irrigation runoff. A conventional drip system is used and plants are planted in raised planter beds. Irrigation runs on automatic timers and irrigation will be checked at time of installation for leaks and breaks and then weekly thereafter. Applicant intends to water outdoor plants 1.4 gallons per 10 sq ft, every third day, and apply plant feed every other watering using a spray stick. Mixed light plants will be watered approximately 1.1 gallons of water per 10 sq ft, every third day, with a plant feed application every other watering. Feeding will occur during the spring and summer months. Ground cover and top mulch is used to minimize weed growth, which reduces water loss during watering. Applicant uses natural soil amendments to aid in soil moisture retention as part of its irrigation plan. Water meters will be applied at critical points to measure water usage. Safety valves are used in case of leaks.

PROJECTED WATER USAGE: Applicant plans to cultivate approximately 3500 sq. ft. of outdoor cannabis and 18,500 sq. ft. of mixed light cannabis. Applicant is applying for a conditional use permit for the above referenced activities. Applicant will also be cultivating using approximately 2,200 sq. ft. of accessory nursery space. Applicant's mixed light cultivation consists of two (2) cycles spanning a 183-day growing period, beginning in February and going through October.

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Applicant anticipates the flowering period for outdoor cultivation to be approximately 63 days. Applicant will be growing one run of outdoor cultivation beginning lasting approximately 126 days from May to October.

Per the LSAA, Applicant has a forbearance period of 153 days. Based on CDFW estimates for cannabis irrigation needs, and Applicant's irrigation practice of watering every third day during the cultivation season, Applicant anticipates its irrigation needs for outdoor cultivation during forbearance to be 20,580 gallons (3500 sq. ft. x 1.4 gallons per 10 sq. ft. x 42 irrigation days). The above figure includes irrigation for nursery activities, which begins in April.

Applicant anticipates its irrigation needs for mixed light cultivation to be 112,850 gallons (18,500 sq. ft. x 1.0 gallons per 10 sq. ft. x 61 irrigation days). Applicant anticipates an additional 23,550 gallons of water for nursery activities to support its mixed light flowering operation.

Applicant anticipates its yearly irrigation needs to be approximately 156,980 gallons.

Applicant also anticipates domestic water needs to be approximately 170 gallons of water per day (62,050 gallons per year).

Therefore, Applicant's total yearly water needs on the property are approximately 219,030 gallons.

The following table breaks down approximate average water usage by month (in thousands of gallons):

Cult Type	Jan	Feb	Mar	Apr	May	June	July	Aug	Sept	Oct.	Nov	Dec
Outdoor	0	0	0	3.0	3.0	3.0	3.0	3.0	3.0	3.0	0	0
Mix light	0	15.2	15.2	15.2	15.2	15.2	15.2	15.2	15.2	15.2	0	0

The above figures are weather dependent and are only estimated water usage totals. Applicant will install flow meters at all critical points to measure actual yearly water usage upon implementation of the project.

1 Description of Site Drainage, Including Run off and Erosion Control Measures

SITE DRAINAGE: There are two (2) class II streams and one (1) class III stream located on the property. There are 22 watercourse crossings located on the property. Thirteen are located along active, permanent rock roads that provide access to the property. Culverts are placed at each of the road crossings at the class II streams. The proposed cultivation areas are located at least 100- feet from any class II water course on the property. All cultivation areas are located outside of stream side management areas

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Developed areas and cultivation areas on the property are hydrologically disconnected from watercourses. The terraced cultivation areas and the developed areas on the property are maintained to promote drainage, infiltration, and dispersal of flows and to have no apparent sediment transport into receiving water. The Applicant installed jute netting and straw wattles on and around the terrace fill surfaces. The existing ditch relief drains on the property do not cause erosion. Existing rolling dips will be improved in conjunction with road rocking. Locations of proposed cross drains were chosen with dispersal and proximity from watercourses in mind. Vegetated buffers (grassland/pastureland) are maintained at natural slopes to minimize concentrated run-off to natural waters

Roads and terraces on the property comply with the standard conditions for site drainage pursuant to the North Coast Regional Water Quality Control Board's Order No. R1-2015-0023. For continued compliance the above referenced order, cultivation areas served by roads that do not meet the standard conditions will be decommissioned and moved to more environmentally superior areas as shown on the site map.

The remaining roads on the property are rocked and maintained to disperse flows. Roads are also graded for proper runoff into ditch drainage. Applicant also installed water bars and rolling dips at road surface discharge points to improve drainage on the property by dispersing road drainage to slopes way from watercourses. In addition, Applicant plans to replace failing culverts as outlined by the Water Resource Protection Plan.

EROSION CONTROL MEASURES: Road surfaces on the permanent rocked roads on the property are not eroding. Legacy Roads on the property have surfaces that are not eroding. Surfaces are mostly vegetated with grass or covered with leaf litter and in some cases light brush. Their surfaces are suitable for occasional ATV use during winter or possibly four-wheel drive pickup use during dry summer months. Active surface erosion along segments of the Legacy Roads was not identified. However, due to heavy rains and traffic use, the surface of the road along the southwest property line has softened and tire ruts are beginning to develop. Therefore, the Applicant will treat soft road segments of permanent roads with compacted rock that is adequate to avoid tire rutting.

ATV trails will be treated with the installation of water breaks to break up and prevent surface ruts and disperse drainage prior to it reaching a watercourse. Applicant installed silt fencing above watercourses to prevent sediment from entering the watercourse. Some material has built up against the silt fencing. The Applicant shall remove the perched material to a stable location and seed and straw the bare areas between the outside edge of ATV trails and watercourses.

Applicant maintains vegetation on exposed soils and runoff, if any, is directed away from any unstable slopes where erosion may occur. Applicant maintains natural vegetation around cultivation areas to reinforce slopes and prevent erosion. Applicant waters at agronomic rates

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which produces no runoff or sediment transportation to receiving waters. Currently there are no visible signs of erosion on Applicant's parcel. As stated above, Applicant is undertaking culvert replacement work to prevent bed erosion from the streams located on the property.

RUNOFF CONTROL MEASURES: The cultivation areas are hydrologically disconnected from the watercourses located on the property. Applicant uses drip lines, garden mulch and raised garden beds to minimize runoff from cultivation areas. Applicant also waters at agronomic rates to further prevent runoff. Cultivation areas that are located near water courses are being proposed to be decommissioned and removed from areas where there is potential runoff to watercourses.

Straw waddles and silt fences will be implemented in exposed areas where runoff and sediment delivery may occur. All cultivation areas are setback at least 100-feet from all watercourses and buffers are maintained with natural slopes and native vegetation to minimize sediment delivery to streams and filter out nutrient rich runoff, if any.

Applicant will work with Timberland Resource Consultants to implement further runoff control measures as needed during project development.

1 Details of Measures Taken to Ensure Protection of Watershed and Nearby Habitat

PROTECTION OF WATERSHED AND HABITAT: In addition to Applicant's culvert work intended to improve streamflow and habitat area of the class II streams, Applicant intends to maintain at least 100-foot buffers between the cultivation sites and any riparian and habitat zones. Applicant will consult with Timberland Resource Consultants prior to any work to comply with required watercourse setbacks, maintenance of vegetative buffers, and other protocols to protect watershed and habitat. Two legacy ponds exist on the property. These two ponds fit in with the natural setting and are used by wildlife in the area. The ponds are Class II habitat on a narrow, gently sloping ridge between two larger class II watercourses. The pond edges are completely vegetated with grass, shrubs, and willows. The pond embankments are not eroding and overflow culverts are functioning. The ponds do not currently appear to be a threat to water quality. Applicant will continue to monitor the ponds and provide basic maintenance to protect habitat in these areas. Applicant is further proposing to relocate cultivation further from watercourses to avoid impacts to existing watercourses.

CULTIVATION RELATED WASTE PROTOCOLS: Applicant will be cultivating in raised garden beds utilizing mostly native soils, therefore there will be no grow bag waste. Pesticide and fertilizer containers will be recycled per the California Department of Pesticide Regulation. Soil bags used in nursery activities will be placed in refuse containers described below. Pots for nursery starts will be reused for multiple runs and will be recycled at the end of their useful life. Soil will be reused in multiple cultivation cycles or will be piled and spread and then seeded to prevent transport to receiving waters. Applicant will implement best management practices for soil piles pursuant to direction from Timberland Resource Consultants.

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Plant waste will be placed in an area outside the cultivation area to be composted or burned far from any watercourses, pursuant to burn permit. Cultivation related wastes that contain residues or pollutants shall be stored in a manner that ensures that those materials do not leach into surface water or groundwaters. All other cultivation related wastes, will be placed in garbage cans that have a lid and placed on impermeable surfaces to prevent leaching.

REFUSE DISPOSAL: Applicant maintains wildlife proof garbage cans in and around the cultivation areas under roof and side cover to avoid precipitation transporting foreign materials to surface water. Garbage is also stored in the storage sheds near the cultivation areas. Applicant will dispose of refuse twice per month to prevent vermin infestation and nuisance. Applicant self- hauls to Fortuna transfer station on a dump trailer. Recycling will also be conducted twice per month.

HUMAN WASTE: An ADA compliant portable toilet that is regularly serviced by Six Rivers Portable toilets is centrally located in between 2 main areas of greenhouses, away from any water sources, and is available for use by all employees and visitors.

2. Protocols for Proper Storage and Use of Fertilizers, Pesticides and Other Regulated Products

PESTICIDES: Applicant does not use traditional pesticides, but rather uses an integrated pest management system that uses organic neem oils, predator mites, microbial pesticides attractant plants and other beneficial insects to control pests. If needed in the future, pesticides or herbicides will be stored in on-site sheds and kept in original containers with labels affixed. They will also be stored in secondary containment totes to further minimize spills from being transported to groundwater or receiving surface waters. The shed has cement flooring to prevent seepage. Pesticides will be stored on shelves off the ground. Approved spill proof containers with appropriate warning and information labels will be used to transport pesticides to and from site.

Applicant will maintain and keep personal protective equipment required by the pesticide label in good working order. Coveralls will be washed after all use when required.

All required warning signs will be posted and material safety data sheets (MSDS) will be kept in the area where pesticides are stored. Emergency contact information in the event of pesticide poisoning shall also be posted at the work site including the name, address and telephone number of emergency medical care facilities. Change areas and decontamination rooms will be available in the residence.

Before making a pesticide application, operators will evaluate equipment, weather conditions, and the property to be treated and surrounding areas to determine the likelihood of substantial drift or harm to non-target crops, contamination, or the creation of a health hazard.

FERTILIZERS: Fertilizers will be stored in the sheds located near the cultivation areas.

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Fertilizers will be stored pursuant to the pesticide protocols stated above. Fertilizers will be stored in their original containers on shelving. Applicant will seek out and use fertilizer, soil amendment, and nutrient products that are OMRI certified and advertised as naturally based. Reactive materials will be stored in separate facilities from any petroleum products.

Applicant will use all fertilizers according to the label and use personal protective equipment as required by labels. Applicant will train employees to follow appropriate application rates of fertilizers, amendments, and nutrients.

Before making a fertilizer application, operators will evaluate equipment, weather conditions, and the property to be treated and surrounding areas to determine the likelihood of substantial drift or harm to non-target crops, contamination, or the creation of a health hazard.

SOIL AMENDMENTS: Soil amendments will be stored in the sheds shown on the site map and stored according to the protocols for pesticides. Bulk amendments will be used on an as needed basis. Applicant intends to amend soil using a rotational system, with cover crops used to aerate and add nitrogen back to the soil. This should reduce the need for heavy soil amendment use. Likewise, Applicant intends to import initial soil used in the cultivation, implement a soil amendment program using natural soils, thereby eliminating the need to import further soil. Spent soils will remain on the immediate cultivation areas in the greenhouse grow beds and will be amended for reuse at the beginning of the growing season. Applicant will use storage containers for the disposal of concentrated nutrients.

Before making a soil amendment application, operators will evaluate equipment, weather conditions, and the property to be treated as well as surrounding areas to determine the likelihood of substantial drift or harm to non-target crops, contamination, or the creation of a health hazard.

PETROLEUM PRODUCTS AND STORAGE: Electricity at the house and at the cultivation areas on the property are supplied by trailer mounted diesel generators. The generators are constructed and contained for all-weather, outdoor use. The Applicant takes great care to prevent spillage or leakage during refueling of generators. One generator is located next to the house and supplies power to it. Another is stored under an open-sided generator shed that has secondary containment. Containers are approved for petroleum storage and are equipped with spill prevention dispensers. Between five (5) and twenty (20) gallons of propane is stored in the barn structure and used for drying activities. Household cleaners are stored in original containers on shelving in the shed, which has wood or concrete floors. Applicant agrees to transition from generator use to renewable sources of energy within a prescribed time period.

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CULTIVATION PLAN

CULTIVATION ACTIVITIES: Applicant's cultivation activity consists of 3,500 sq. ft. of outdoor cultivation, 18,500 sq. ft. of mixed light cultivation and 2,220 sq. ft. of accessory propagation room for nursery activities. All cultivation areas are greater than 600 feet from the nearest public land. Applicant anticipates having three (2) cultivation cycles.

Applicant's Mixed light operations include 4, level areas with greenhouses. Area 1 has 2 greenhouses (24x50 and 24x85), Area 2 has 1 greenhouse (24x100), Area 3 has 2 greenhouses (all 24x100) and Area 4 has 3 greenhouses (all 24x100). Applicant will completely shield greenhouses so that artificial light being used shall not escape at a level that is visible from neighboring properties per CAL FIRE email dated December 9, 2017 and per the International Dark Sky Association standards as outlined in Humboldt County's Medical Cannabis Land Use Ordinance ("CMMLUO").

Applicant has proposed to relocate preexisting mixed light and outdoor cultivation to the 3-acre conversion area as detailed on the site plan. After relocation, applicant intends to remediate historic cultivation sites as detailed by a Registered Forestry Professional.

Applicant has proposed harvest storage areas on its site plan in compliance with California Department of Food and Agriculture regulations and those locations on the site plan are merely illustrative for purposes of county permitting.

Power for the mixed light facilities will come from the generators, and both existing and proposed renewable energy sources. Each generator will be equipped with a housing that will muffle sound to less than 50 decibels to minimize any potential habitat disturbance. The generator will have secondary containment and will be filled using spill proof cans to prevent accidental spillage. Generators are stored in generator sheds when not in use. Applicant agrees to transition from generator use to renewable use within a period of five years of project approval.

Irrigation water will be supplied via well water and two (2) Points of Diversion as described above.

The cultivation operation will be primarily owner operated. Applicant anticipates hiring (1) employees for cultivation activities. Applicant does not anticipate increased road activity from cultivation activities. Anticipated vehicle trips generated per day is one round trip per day, 5 days a week, as employees car pool to and from the site. Applicant's parcel is located off of Road Z located outside of Redway, California. Peak road usage will be between 8:00 AM and 9:00 AM and 5:00 PM to 6:00 PM. Parking will be located near the residence. There will be no on-site housing of employees. Bathroom facilities will meet local, state and federal requirements (i.e., ADA requirements) pursuant to the CMMLUO. A parking space has been provided on the site plan for a single vehicle.

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Applicant will execute a statement declaring it is an agricultural employer as defined in the California Labor Code. Applicant posts all safety standard and operations procedures in the cultivation areas. Cultivation activity is charted, calendared and posted in all cultivation areas.

Applicant will follow all performance standards outlined in the CMMLUO with respect to cultivation activities, including developing employee safety protocols which include: 1) an emergency action response plan and spill prevention protocols; 2) employee accident reporting and investigation policies; 3) fire prevention policies; 4) maintenance of Material Safety Data Sheets (MSDS); 5) materials handling policies; 6) job hazard analyses; and 7) personal protective equipment policies. Applicant will ensure that all safety equipment is in good and operable condition and provide employees with training on the proper use of safety equipment.

Applicant will post and maintain an emergency contact list which includes: 1) operation manager contacts; 2) emergency responder contacts; and 3) poison control contacts. All cultivation activities will be charted and calendared and visibly posted in the cultivation facilities.

3. Schedule of Activities During Each Month of the Growing and Harvesting Season

January

Mixed Light/Outdoor

- Clean greenhouses and make any necessary repair
- Prepare beds and greenhouses for planting
- Lay out irrigation at the end of the month

February

Mixed Light

- Amend soils using Essential Earth, oyster shells, Uprising Grow, and Dr. Earth All Purpose
- Begin vegetative cycle of starts and clones for first run mixed light
- Irrigating every other day
- Feeding Applicant every other watering
- Generator use: 12 hours per day

Outdoor

- No activities

March

Mixed Light

- Irrigating plants every third day
- Feeding application every other watering
- Manicure and de-leaf
- Generator use: 12 hours per day

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Outdoor

- No activities
- Amend outdoor beds for planting

April

Mixed Light

- Irrigating plants every third day
- Feeding application every other watering
- Plant first run of mixed light plants at end of month
- Apply top dressing
- Trellis Plants
- Generator use: 6 hours per day

Outdoor

- Begin vegetating outdoor plants
- Prepare outdoor beds for planting
- Install irrigation lines for irrigation

May

Mixed Light

- Irrigating plants every third day
- Feeding application every other watering
- Generator use: 4 hours per day

Outdoor

- Rotate in vegetated plants to garden beds
- Apply top dressing
- Irrigating every third day
- Feeding application every other watering
- Generator use: 0 hours

June

Mixed Light

- Irrigating plants every third day
- Feeding application every other watering
- Manicure and de-leaf
- Begin vegetating starts and clones for second run of mixed light
- Generator use: 0 hours per day

Outdoor

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- Irrigating plants every third day
- Feeding application every other watering
- Trellis plants
- Generator use: 0 hours

July

Mixed Light

- Irrigating plants every third day
- Apply nutrient feed every other watering
- Harvest first run of mixed light plants
- Rotate in second run of mixed light plants into beds at the end of the month
- Apply top dressing for third run of mixed light plants
- Generator use: 0 hours per day

Outdoor

- Irrigate plants every third day
- Apply nutrient feed every other watering
- Generator use: 0 hours per day

August

Mixed Light

- Irrigate plants every third day
- Apply nutrient feed every other watering
- Generator use: 0 hours per day

Outdoor

- Irrigate plants every third day
- Apply nutrient feed every other watering
- Generator use: 0 hours

September

Mixed light

- Irrigate plants every third day
- Apply nutrient feed every other watering
- Manicure and de-leaf plants
- Generator use: 0 hours per day

Outdoor

- Irrigate plants every third day
- Apply nutrient feed every other watering

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- Generator use: 0 hours per day

October

Mixed Light

- Irrigate plants every third day
- Apply nutrient feed every other watering
- Harvest second run of mixed light plants
- Generator use: 6 hours per day

Outdoor

- Irrigate plants every third day
- Apply nutrient feed every other watering
- Begin harvesting plants
- Generator use: 0 hours per day

November

Mixed Light

- No activities
- Generator use: 0 hours

Outdoor

- No activities
- Generator use: 0 hours

December

Mixed Light/Outdoor

- End of year reporting
- Clean and landscape areas used in cultivation
- Plant cover crops
- Generator use: 0 hours

PROCESSING PLAN

PROCESSING PLAN: Applicant will be processing in a 1600 sq. ft. proposed commercial facility within the 3-acre conversion area as shown on the site plan. The processing facility will meet commercial building standards. It will be equipped with ADA compliant restrooms and handwashing facilities to support a maximum of five (5) persons, as well as supplies for cleanliness and sanitation. Hand sanitizing liquid, gloves, potable water, and face masks shall be provided to employees. Potable water will be supplied from the point of diversion water source located on the property and stored in a 5,000-gallon water tank.

The dry rooms and processing facilities will be sanitized after every use using organic cleaning products to prevent mold growth and other contaminants. A daily cleaning routine for all work

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rooms and surface areas will be prepared and carried out by employees. Employees will be required to wash their hands prior to handling the product and after using the restroom. Sanitary equipment and products such as hand sanitizing liquids, paper towels, gloves, water and face masks will be provided and kept in good and operable condition. Emergency contact numbers will be posted in working areas, including the local poison control center.

Applicant will implement the following safety practices as a part of the processing plan: 1) functioning safety equipment, including masks, gloves, and respiratory equipment will be provided to employees in good and operable condition; 2) sanitized protective overcoats will be provided to prevent cross contamination and skin irritation; 3) poison control and emergency services contacts will be posted in processing areas; 4) safety signage will be posted and spillage prevention policies will be developed; 5) safety training on proper use of trimming equipment; and 6) development and implementation of a workplace health and safety survey

PROCESSING ACTIVITIES: During harvest months, the climate is warm and dry. Therefore, harvested plants can be air-dried. Humidity and temperature will be monitored to ensure proper conditions for curing. Cut flowers will be de-leafed and inspected for mold and then brought to the dry room. Flowers will remain on stalk and hung on screen racks for approximately 4-7 days. The dry room is thermostatically controlled to regulate temperature and humidity levels.

The Applicant will use a moisture meter to determine dryness. If the moisture content is below 15%, mold development is prevented. Upon reaching sufficiently safe moisture content, flowers will be bucked, placed into sealed plastic bins, and moved into the curing room. The cure room is also thermostatically controlled to regulate temperature and humidity and to ensure an even, slow cure. Bins will be regularly opened and closed to enhance flavor and aroma and to ensure a fully dried product for packaging and storage in the cultivation facility.

Flowers will then be bagged, barreled, and moved to storage rooms where they will remain until ready to be trimmed. Flowers will be machine trimmed and finished. They will be separated and packaged in one-pound increments, bagged, sealed, and moved back into storage for transport. Trim will be gathered for secondary manufacturing markets.

SECURITY PLAN

SECURITY FEATURES: Applicant has many security measures to safeguard the product and prevent nuisance from occurring on the property. There will be lockable gates on all access roads to the property with “No Trespassing, Hunting, or Fishing,” signs posted.

The main gate/entrance to the property will have a security camera and a gate code which is changed frequently. Exterior locking/deadbolts will be installed on all doors and windows entering the sheds/drying facilities.

To ensure non-diversion of product, Applicant will enroll in track and trace program upon those

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programs being implemented at the state and local level. Product is distributed through licensed distributors. Applicant will comply with SB 420 and the Attorney General Guidelines for the Security and Non-Diversion of Medical Cannabis (2007) until the provisions of the Medical Cannabis and Adult Use Regulation and Safety Act go into effect.

PESTICIDES, FERTILIZERS, SOIL AMENDMENTS

PRODUCT	AMOUNT STORED
ESSENTIAL EARTH	420 lbs.
OYSTER SHELL	420 lbs.
UPRISING GROW	420 lbs.
DR. EARTH ALL PURPOSE	600 lbs.
NEEM OIL	5 gallons

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LOST COAST COLLECTIVE, INC.
ADDENDUM TO CULTIVATION, OPERATIONS AND SECURITY PLAN

APPLICATION 11292

POWER SOURCES AND CAPACITIES: The sources of power are as follows:

EXISTING SOLAR POWER: Applicant uses and maintains an 18 KW solar system with a 20 KW panel which provides power to the barn where harvest storage and drying occurs, the residence and two (2) greenhouses in between the barn and the residence.

EXISTING HYRDO POWER: Applicant uses and maintains a 4 KW hydroelectric power wheel during winter months to supplement the power use in the barn where harvest storage and drying occurs, the residence and two (2) greenhouses in between the barn and the residence.

EXISTING GENERATORS: Applicant has one (1) 45 KW backup generator with secondary containment located next to the barn as a supplemental power source to the existing solar and hydro power detailed above. Applicant has one (1) 45 KW generator with secondary containment that may be used in short periods occasionally throughout the year to supply power to five (5) greenhouses and one (1) drying shed as required during certain growth or drying cycles. Applicant also has a spot for one (1) 25 KW generator with secondary containment staged next to a single (1) greenhouse that may be used in short periods occasionally throughout the year as required during certain growth cycles.

PROPOSED SOLAR POWER: Applicant proposes to install a 65 KW solar system to power the existing five (5) greenhouses, one (1) drying shed and the proposed building for processing within the next 5 years.



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

DIVISION OF WATER RIGHTS

RIGHT TO DIVERT AND USE WATER

REGISTRATION H500765

CERTIFICATE H100220

Right Holder: **ENOCH TATTON**
 1271 EVERGREEN Road #218
 REDWAY, CA 95560

The State Water Resources Control Board (State Water Board) authorizes the diversion and use of water by the right holder in accordance with the limitations and conditions herein SUBJECT TO PRIOR RIGHTS. The priority of this right dates from 07/19/2018. This right is issued in accordance with the State Water Board delegation of authority to the Deputy Director for Water Rights (Resolution 2012-0029) and the Deputy Director for Water Rights redelegation of authority dated October 19, 2017.

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

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

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

Name of Diversion	Source	Tributary To:	Thence	Latitude	Longitude	County	Assessor's Parcel Numbers (APN)
POD 1	Unnamed Spring	Seely Creek	Redwood Creek	40.1482	-123.9058	Humboldt	221240015
POD 2	Unnamed Spring	Seely Creek	Redwood Creek	40.1450	-123.9025	Humboldt	221240015

2. Purpose of Use and 3. Place of Use

2. Purpose of Use	3. Place of Use		
	County	Assessor's Parcel Numbers (APN)	Acres
Irrigation, Fire Protection, Recreational	Humboldt	221-240-015	0.51

Note: Assessor's Parcel Numbers provided are based on the user's entries in this portal on 08/17/2018.

The place of use is shown on the map filed on 08/17/2018 with the State Water Board.

4. Quantity and Season:

The water appropriated shall be limited to the quantity which can be beneficially used and shall not exceed **1.61 acre-feet per year** to be collected from 01/01 to 12/31 and as permitted in the diversion season specified in the current version of the State Water Board's Cannabis Policy, whichever is more restrictive. The total storage capacity shall not exceed 1.625 acre-feet. The rate of diversion to storage shall not exceed **42,000 gallons per day (gpd)** or the diversion rate specified in the current version of the State Water Board's Cannabis Policy, whichever is more restrictive.

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

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

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

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

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

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

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

STATE WATER RESOURCES CONTROL BOARD
DIVISION OF WATER RIGHTS

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

Dated: 08/17/2018 12:18:07

© 2018 - State Water Resources Control Board

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

RECEIVED

NOV 21 2017

CDFW - EUREKA

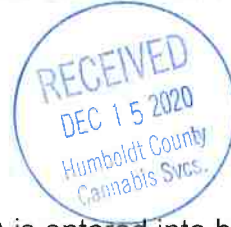


STREAMBED ALTERATION AGREEMENT

NOTIFICATION No. 1600-2017-0296-R1

Unnamed Tributaries to Seeley Creek, Tributary to Redwood Creek,
Tributary to the South Fork Eel River, Tributary to the Eel River and the
Pacific Ocean

Mr. Enoch Tatton
Tatton Stream Crossings Project
11 Encroachments



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

RECITALS

WHEREAS, pursuant to Fish and Game Code (FGC) section 1602, the Permittee initially notified CDFW on May 24, 2017, with revisions received on June 16, 2017, that the Permittee intends to complete the project described herein.

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

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

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

PROJECT LOCATION

The project to be completed is located within the Seeley Creek and Redwood Creek watersheds, approximately 4.5 miles northwest of the town of Redway, County of Humboldt, State of California. The project is located in Section 1, T4S, R2E, Humboldt Base and Meridian; in the Ettersburg U.S. Geological Survey 7.5-minute quadrangle; Assessor's Parcel Number 221-240-15; latitude 40.145 N and longitude 123.901 W.

PROJECT DESCRIPTION

The project includes eleven encroachments to improve road/stream crossings (Table 1). The eleven proposed encroachments are to upgrade or decommission failing and undersized culverts. Work for these encroachments will include excavation, removal of

the failing culverts, replacement with a new properly sized culvert, backfilling and compaction of fill, and rock armoring as necessary to minimize erosion.

Table 1. Project encroachments with description

ID	Latitude/Longitude	Description
Crossing-1 (Map Pt. 11)	40.1424, -123.9018	Replace existing 8" diameter culvert with a minimum 24" diameter culvert
Crossing-2 (Map Pt. 13)	40.1467, -123.9006	Replace 24"diameter existing culvert with a minimum 54" diameter culvert
Crossing-3 (Map Pt. 16)	40.1483, -123.9028	Decommission road/stream crossing on a Class II
Crossing-4 (Map Pt. 16.1)	40.1487, -123.9030	Realign stream from diversion to an inside ditch back into the natural channel
Crossing-5 (Map Pt. 16.2)	40.1489, -123.9030	Realign Class III stream from inside ditch to the natural channel and decommission crossing
Crossing-7 (Map Pt. 18)	40.1487, -123.9002	Replace existing 36" diameter culvert and replace with a minimum 72" diameter culvert
Crossing-8 (Map Pt. 21)	40.1466, -123.9009	Replace existing 24" diameter culvert with a minimum 54" diameter culvert
Crossing-9 (Map Pt. 22)	40.1454, -123.9007	Decommission road/stream crossing on Class II
Crossing-10 (Map Pt. 23)	40.1453, -123.9016	Decommission road/stream crossing on Class II
Crossing-11 Map Pt. 24)	40.1466, -123.8970	Replace existing 12" diameter culvert with a minimum 18" diameter culvert

PROJECT IMPACTS

Existing fish or wildlife resources the project could substantially adversely affect include: Southern Torrent Salamander (*Rhyacotriton variegatus*), Coastal Tailed Frog (*Ascaphus Truei*), Chinook Salmon (*Oncorhynchus tshawytscha*), Coho Salmon (*O. kisutch*), Steelhead Trout (*O. mykiss*), amphibians, reptiles, aquatic invertebrates, mammals, birds, and other aquatic and riparian species.

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

Impacts to water quality:

- increased water temperature;
- reduced instream flow;
- temporary increase in fine sediment transport;

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

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

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

cumulative effect when other diversions on the same stream are considered;
diversion of flow from activity site;
direct and/or incidental take;
indirect impacts;
impediment of up- or down-stream migration;
water quality degradation; and
damage to aquatic habitat and function.

MEASURES TO PROTECT FISH AND WILDLIFE RESOURCES

1. Administrative Measures

The Permittee shall meet each administrative requirement described below.

- 1.1 Documentation at Project Site. The Permittee shall make the Agreement, any extensions and amendments to the Agreement, and all related notification materials and California Environmental Quality Act (CEQA) documents, readily available at the project site at all times and shall be presented to CDFW personnel, or personnel from another state, federal, or local agency upon request.
- 1.2 Providing Agreement to Persons at Project Site. The Permittee shall provide copies of the Agreement and any extensions and amendments to the Agreement to all persons who will be working on the project at the project site on behalf of the Permittee, including but not limited to contractors, subcontractors, inspectors, and monitors.
- 1.3 Adherence to Existing Authorizations. All water diversion facilities that the Permittee owns, operates, or controls shall be operated and maintained in accordance with current law and applicable water rights.
- 1.4 Change of Conditions and Need to Cease Operations. If conditions arise, or change, in such a manner as to be considered deleterious by CDFW to the stream or wildlife, operations shall cease until corrective measures approved by CDFW are taken.
- 1.5 Notification of Conflicting Provisions. The Permittee shall notify CDFW if the Permittee determines or learns that a provision in the Agreement might conflict with a provision imposed on the project by another local, state, or federal agency. In that event, CDFW shall contact the Permittee to resolve any conflict.
- 1.6 Project Site Entry. The Permittee agrees to allow CDFW employees access to any property it owns and/or manages for the purpose of inspecting and/or monitoring the activities covered by this Agreement, provided CDFW: a) provides 24 hours advance notice; and b) allows the Permittee or representatives to participate in the

inspection and/or monitoring. This condition does not apply to CDFW enforcement personnel.

- 1.7 CDFW Notification of Work Initiation and Completion. The Permittee shall contact CDFW within the 7-day period preceding the beginning of work permitted by this Agreement. Information to be disclosed shall include Agreement number, and the anticipated start date. Subsequently, the Permittee shall notify CDFW no later than 7 days after the project is fully completed.

2. Avoidance and Minimization Measures

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

- 2.1 Permitted Project Activities. Except where otherwise stipulated in this Agreement, all work shall be in accordance with the Permittee Notification received on May 24, 2017, with revisions received June 16, 2017, together with all maps, BMP's, photographs, drawings, and other supporting documents submitted with the
- 2.2 Stream Protection. No debris, soil, silt, sand, bark, slash, sawdust, rubbish, cement or concrete washings, oil or petroleum products, or other deleterious material from project activities shall be allowed to enter into or be placed where it may be washed by rainfall or runoff into the stream. All project materials and debris shall be removed from the project site and properly disposed of off-site upon project completion.
- 2.3 Equipment Maintenance. Refueling of machinery or heavy equipment, or adding or draining oil, lubricants, coolants or hydraulic fluids shall not take place within stream bed, channel and bank. All such fluids and containers shall be disposed of properly off-site. Heavy equipment used or stored within stream bed, channel and bank shall use drip pans or other devices (e.g., absorbent blankets, sheet barriers or other materials) as needed to prevent soil and water contamination.
- 2.4 Hazardous Spills. Any material, which could be hazardous or toxic to aquatic life and enters a stream (i.e. a piece of equipment tipping-over in a stream and dumping oil, fuel or hydraulic fluid), the Permittee shall immediately notify the California Emergency Management Agency State Warning Center at 1-800-852-7550, and immediately initiate clean-up activities. CDFW shall be notified by the Permittee within 24 hours at 707-445-6493 and consulted regarding clean-up procedures.
- 2.5 Work Period. All work, not including water diversion, shall be confined to the period June 15 through October 1 of each year. Work within the active channel of a stream shall be restricted to periods of **dry weather**. Precipitation forecasts and potential increases in stream flow shall be considered when planning construction

activities. Construction activities shall cease and all necessary erosion control measures shall be implemented prior to the onset of precipitation.

- 2.6 Stream Diversion. When work in a flowing stream is unavoidable, Permittee shall divert the stream flow around or through the work area during construction operations.
- 2.7 Coffer Dams. Prior to the start of construction, Permittee shall divert the stream around or through the work area and the work area shall be isolated from the flowing stream. To isolate the work area, water tight coffer dams shall be constructed upstream and downstream of the work area and water diverted, through a suitably sized pipe, from upstream of the upstream coffer dam and discharge downstream of the downstream coffer dam. Cofferdams shall be constructed of a non-erodible material which does not contain soil or fine sediment. Cofferdams and the stream diversion system shall remain in place and functional throughout the construction period. Cofferdams or stream diversions that fail for any reason shall be repaired immediately.
- 2.8 Work Completion. The proposed work shall be completed by no later than **October 1, 2018**. A notice of completed work shall be submitted to CDFW within 7 days of project completion.
- 2.9 Excavated Fill. Excavated fill material shall be placed in upland locations where it cannot deliver to a watercourse. To minimize the potential for material to enter the watercourse during the winter period, all excavated and relocated fill material shall be tractor contoured (to drain water) and tractor compacted to effectively incorporate and stabilize loose material into existing road and/or landing features.
- 2.10 Runoff from Steep Areas. The Permittee shall make preparations so that runoff from steep, erodible surfaces will be diverted into stable areas with little erosion potential or contained behind erosion control structures. Erosion control structures such as straw bales and/or siltation control fencing shall be placed and maintained until the threat of erosion ceases. Frequent water checks shall be placed on dirt roads, cat tracks, or other work trails to control erosion.
- 2.11 Culvert Installation.
- 2.11.1 Existing fill material in the crossing shall be excavated down vertically to the approximate original channel and outwards horizontally to the approximate crossing hinge points (transition between naturally occurring soil and remnant temporary crossing fill material) to remove any potential unstable debris and voids in the older fill prism.
- 2.11.2 Culvert shall be installed to grade, aligned with the natural stream channel, and extend lengthwise completely beyond the toe of fill. If culvert cannot be set to grade, it shall be oriented in the lower third of the fill face, and a

downspout or energy dissipator (such as boulders, rip-rap, or rocks) shall be installed above or below the outfall as needed to effectively control stream bed, channel, or bank erosion (scouring, headcutting, or downcutting).

2.11.3 Culvert bed shall be composed of either compacted rock-free soil or crushed gravel. Bedding beneath the culvert shall provide for even distribution of the load over the length of the pipe, and allow for natural settling and compaction to help the pipe settle into a straight profile. The crossing backfill materials shall be free of rocks, limbs, or other debris that could allow water to seep around the pipe, and shall be compacted.

2.11.4 Culvert inlet, outlet (including the outfall area), and fill faces shall be armored where stream flow, road runoff, or rainfall energy is likely to erode fill material and the outfall area.

2.11.5 Permanent culverts shall be sized to accommodate the estimated 100-year flood flow [slightly larger than the bankfull channel width] including debris, culvert embedding, and sediment loads.

2.12 Rock Armor Placement.

2.12.1 No heavy equipment shall enter the wetted stream channel.

2.12.2 No fill material, other than clean rock, shall be placed in the stream channel.

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

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

2.13 Project Inspection. The Project shall be inspected by Timberland Resource Consulting or a licensed engineer to ensure that the stream crossings were installed as designed. A copy of the inspection report, including photographs of each site, shall be submitted to CDFW within 90 days of completion of this project.

3. **Reporting Measures**

3.1 Work Completion. A notice of Work Completion shall be submitted to CDFW within 7 days of project completion (condition 2.8).

3.2 Project Inspection. The Permittee shall submit the **Project Inspection Report** (condition 2.13) to CDFW, LSA Program at 619 Second Street, Eureka, CA 95501.

CONTACT INFORMATION

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

To Permittee:

Mr. Enoch Tatton
1271 Evergreen Road, #218
Redway, California 95560
707-599-3737

To CDFW:

Department of Fish and Wildlife
Northern Region
619 Second Street
Eureka, California 95501
Attn: Lake and Streambed Alteration Program
Notification #1600-2017-0296-R1

LIABILITY

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

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

SUSPENSION AND REVOCATION

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

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

ENFORCEMENT

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

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

OTHER LEGAL OBLIGATIONS

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

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

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

AMENDMENT

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

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

TRANSFER AND ASSIGNMENT

This Agreement may not be transferred or assigned to another entity, and any purported transfer or assignment of the Agreement to another entity shall not be valid or effective,

unless the transfer or assignment is requested by the Permittee in writing, as specified below, and thereafter CDFW approves the transfer or assignment in writing.

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

EXTENSIONS

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

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

EFFECTIVE DATE

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

TERM

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

AUTHORITY

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

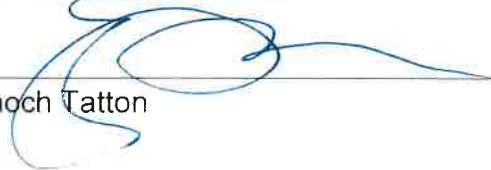
AUTHORIZATION

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

CONCURRENCE

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

FOR Mr. Enoch Tatton

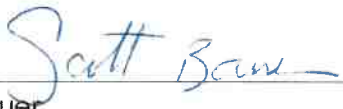


Enoch Tatton

11/18/17

Date

FOR DEPARTMENT OF FISH AND WILDLIFE



Scott Bauer
Senior Environmental Scientist Supervisor

11/27/17

Date

Prepared by: David Manthorne, Senior Environmental Scientist Specialist, October 28, 2017

HUMBOLDT COUNTY DEPARTMENT OF PUBLIC WORKS
ROAD EVALUATION REPORT



PART A: Part A may be completed by the applicant

Applicant Name: Lost Coast Collective Inc. - Enoch APN: 221-240-015

Planning & Building Department Case/File No.: Tatton Apps # 11292

Road Name: Perry Meadow Rd. (complete a separate form for each road)

From Road (Cross street): Briceband Road

To Road (Cross street): Elk Ridge Road

Length of road segment: 1.3 miles Date Inspected: 12/12/17

Road is maintained by: County Other Share the Road - road association
(State, Forest Service, National Park, State Park, BLM, Private, Tribal, etc)

Check one of the following:

Box 1 The entire road segment is developed to Category 4 road standards (20 feet wide) or better. If checked, then the road is adequate for the proposed use without further review by the applicant.

Box 2 The entire road segment is developed to the equivalent of a road category 4 standard. If checked, then the road is adequate for the proposed use without further review by the applicant.

An equivalent road category 4 standard is defined as a roadway that is generally 20 feet in width, but has pinch points which narrow the road. Pinch points include, but are not limited to, one-lane bridges, trees, large rock outcroppings, culverts, etc. Pinch points must provide visibility where a driver can see oncoming vehicles through the pinch point which allows the oncoming vehicle to stop and wait in a 20 foot wide section of the road for the other vehicle to pass.

Box 3 The entire road segment is not developed to the equivalent of road category 4 or better. The road may or may not be able to accommodate the proposed use and further evaluation is necessary. Part B is to be completed by a Civil Engineer licensed by the State of California.

The statements in PART A are true and correct and have been made by me after personally inspecting and measuring the road.

[Signature]
Signature

12/12/17
Date

Enoch Tatton
Name Printed

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

HUMBOLDT COUNTY DEPARTMENT OF PUBLIC WORKS
ROAD EVALUATION REPORT



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

Applicant Name: Lost Coast Collective Inc. - Enoch APN: 221-240-015

Planning & Building Department Case/File No.: Apps # 11292
Tatton

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

From Road (Cross street): Perry Meadows Road

To Road (Cross street): Road 2

Length of road segment: 1.4 miles Date Inspected: 12/12/17

Road is maintained by: County Other Share the Road - Road association
(State, Forest Service, National Park, State Park, BLM, Private, Tribal, etc)

Check one of the following:

Box 1 The entire road segment is developed to Category 4 road standards (20 feet wide) or better. If checked, then the road is adequate for the proposed use without further review by the applicant.

Box 2 The entire road segment is developed to the equivalent of a road category 4 standard. If checked, then the road is adequate for the proposed use without further review by the applicant.

An equivalent road category 4 standard is defined as a roadway that is generally 20 feet in width, but has pinch points which narrow the road. Pinch points include, but are not limited to, one-lane bridges, trees, large rock outcroppings, culverts, etc. Pinch points must provide visibility where a driver can see oncoming vehicles through the pinch point which allows the oncoming vehicle to stop and wait in a 20 foot wide section of the road for the other vehicle to pass.

Box 3 The entire road segment is not developed to the equivalent of road category 4 or better. The road may or may not be able to accommodate the proposed use and further evaluation is necessary. Part B is to be completed by a Civil Engineer licensed by the State of California.

The statements in PART A are true and correct and have been made by me after personally inspecting and measuring the road.

Enoch Tatton
Signature

12/12/17
Date

Enoch Tatton
Name Printed

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

s:\public works\road evaluation report form (02-24-2017).docx

HUMBOLDT COUNTY DEPARTMENT OF PUBLIC WORKS
ROAD EVALUATION REPORT



PART A: Part A may be completed by the applicant

Applicant Name: Lost Coast Collective Inc. - Enoch Tatten APN: 221-240-015

Planning & Building Department Case/File No.: Apps # 11292

Road Name: Road 2 (complete a separate form for each road)

From Road (Cross street): Elk Ridge Road

To Road (Cross street): Private Driveway at 3885 Road 2

Length of road segment: 1.2 miles Date Inspected: 12/12/17

Road is maintained by: County Other Share the Rock Road - road association
(State, Forest Service, National Park, State Park, BLM, Private, Tribal, etc)

Check one of the following:

Box 1 The entire road segment is developed to Category 4 road standards (20 feet wide) or better. If checked, then the road is adequate for the proposed use without further review by the applicant.

Box 2 The entire road segment is developed to the equivalent of a road category 4 standard. If checked, then the road is adequate for the proposed use without further review by the applicant.

An equivalent road category 4 standard is defined as a roadway that is generally 20 feet in width, but has pinch points which narrow the road. Pinch points include, but are not limited to, one-lane bridges, trees, large rock outcroppings, culverts, etc. Pinch points must provide visibility where a driver can see oncoming vehicles through the pinch point which allows the oncoming vehicle to stop and wait in a 20 foot wide section of the road for the other vehicle to pass.

Box 3 The entire road segment is not developed to the equivalent of road category 4 or better. The road may or may not be able to accommodate the proposed use and further evaluation is necessary. Part B is to be completed by a Civil Engineer licensed by the State of California.

The statements in PART A are true and correct and have been made by me after personally inspecting and measuring the road.

Enoch Tatten
Signature

12/12/17
Date

Enoch Tatten
Name Printed

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

TRIPLICATE
Owner's Copy

Page ___ of ___

Owner's Well No. _____

Date Work Began 4-17-16, Ended _____

Local Permit Agency Hamilton

Permit No. 15-16-0642 Permit Date Apr 15, 16

STATE OF CALIFORNIA
WELL COMPLETION REPORT
Refer to Instruction Pamphlet

No. **1087908**

DWR USE ONLY -- DO NOT FILL IN

STATE WELL NO./STATION NO.									
LATITUDE					LONGITUDE				
APN/TRS/OTHER									

ORIENTATION (✓)			DRILLING METHOD		FLUID		DESCRIPTION Describe material, grain size, color, etc.
VERTICAL _____ HORIZONTAL _____ ANGLE _____ (SPECIFY)			Rotary				
DEPTH FROM SURFACE							
Fl.	to	Fl.					
0	20'						Brn Soil
20	40						tan sandstone
40	60						Blu clay
60	140						Transitioned shale

WELL OWNER

Name Lost Coast Rural LLC
Mailing Address 1271 Evergreen RD #409
Redwood CA 95562
CITY STATE ZIP

WELL LOCATION

Address 2885 RD 7
City Redwood CA 95560
County Humboldt 531-240-015
APN Book _____ Page _____ Parcel _____
Township _____ Range _____ Section _____
Lat _____ DEG. _____ MIN. _____ SEC. N Long _____ DEG. _____ MIN. _____ SEC. W

LOCATION SKETCH

WEST _____ EAST _____

Illustrate or Describe Distance of Well from Roads, Buildings, Fences, Rivers, etc. and attach a map. Use additional paper if necessary. **PLEASE BE ACCURATE & COMPLETE.**

ACTIVITY (✓)

NEW WELL
 MODIFICATION/REPAIR
 Deepen
 Other (Specify) _____

DESTROY (Describe Procedures and Materials Under "GEOLOGIC LOG")

USES (✓)

WATER SUPPLY
 Domestic _____ Public _____
 Irrigation _____ Industrial _____

MONITORING _____
 TEST WELL _____
 CATHODIC PROTECTION _____
 HEAT EXCHANGE _____
 DIRECT PUSH _____
 INJECTION _____
 VAPOR EXTRACTION _____
 SPARGING _____
 REMEDIATION _____
 OTHER (SPECIFY) _____

WATER LEVEL & YIELD OF COMPLETED WELL

DEPTH TO FIRST WATER 30' (Ft.) BELOW SURFACE
DEPTH OF STATIC WATER LEVEL 251 (Ft.) & DATE MEASURED 4-19-16
ESTIMATED YIELD * 15 (GPM) & TEST TYPE 10 min
TEST LENGTH 1 (Hrs.) TOTAL DRAWDOWN _____ (Ft.)
* May not be representative of a well's long-term yield.

DEPTH FROM SURFACE Fl. to Ft.	BORE-HOLE DIA. (Inches)	CASING (S)							
		TYPE (✓)				MATERIAL / GRADE	INTERNAL DIAMETER (Inches)	GAUGE OR WALL THICKNESS	SLOT SIZE IF ANY (Inches)
Blank	Screen	Conductor	Fill Pipe						
0-20	9"	✓				F 480	4"	100	
20-40		✓	✓			7	7	7	.030
40-60		✓							.030
60-140				✓					

DEPTH FROM SURFACE Fl. to Ft.	ANNULAR MATERIAL			
	TYPE			
	CE- MENT (✓)	BEN- TONITE (✓)	FILL (✓)	FILTER PACK (TYPE/SIZE)
0-20		✓		
20-140			✓	3/8" mesh

ATTACHMENTS (✓)

Geologic Log
 Well Construction Diagram
 Geophysical Log(s)
 Soil/Water Chemical Analyses
 Other _____

ATTACH ADDITIONAL INFORMATION, IF IT EXISTS.

CERTIFICATION STATEMENT

I, the undersigned, certify that this report is complete and accurate to the best of my knowledge and belief.

NAME Bushnell Inc
(PERSON, FIRM, OR CORPORATION) (TYPED OR PRINTED)

149 Pearl Street CITY Redwood STATE CA ZIP 95560

Signed [Signature]
C-57 LICENSED WATER WELL CONTRACTOR DATE SIGNED _____ C-57 LICENSE NUMBER _____

LINDBERG GEOLOGIC CONSULTING
David N. Lindberg, CEG
Post Office Box 306
Cutten California 95534
(707) 442-6000

December 15, 2021

Project No: 0432.00

Mr. Enoch Tatton
1271 Evergreen Road #218
Redway, California 95560

Subject: Hydrologic Isolation of Existing Well from Surface Waters
3885 Road Z, Redway (Briceland), APN: 221-240-015

To Whom It May Concern:

As requested, Lindberg Geologic Consulting assessed your existing permitted well on the above-referenced parcel to estimate its potential for hydrologic connectivity with adjacent surface waters, and if pumping this well could affect surface waters in Seely Creek. Seely Creek is a tributary of Redwood Creek and the South Fork Eel River (Figure 1). In our opinion the subject well is unlikely to be hydrologically connected to nearby surface waters in any manner that could affect the adjacent wetlands and or surface waters in Seely Creek. Bushnell Enterprises of Garberville drilled this well under county permit (#15/16-0642) in April 2016. Bushnell Enterprises is a licensed (C-57 #403708) well-drilling contractor. Bushnell Enterprises submitted the well completion report (DWR 188) on May 9, 2016 (attached). Bushnell estimated the yield of the well at 15 gallons per minute on April 19, 2016, based on a one-hour air lift pump test. The well location is shown on Figures 1 and 3.

Borehole diameter is 9 inches, and drilled depth is 140 feet. A bentonite surface seal was installed from grade to 20 feet below the ground surface (bgs). From the surface to the total depth, the well was constructed of 5-inch internal diameter, PVC pipe, and from 20 feet bgs to the total completed total depth of 140 feet bgs, the annulus was backfilled with 3/8-inch pea gravel. The well is cased through the potential shallow subsurface aquifer and is screened (0.030" slots) from 20 to 40 feet, and from 120 to 140 feet. Depth to first water was reported as 30 feet and depth to static water in the completed and developed well was reported as 25 feet bgs on April 19, 2016.

Parcel 221-240-015 (Figure 2) encompasses approximately 156 acres. The subject well is located at latitude 40.14564° north, and longitude 123.89853° west. This well is in the northeast ¼ of Section 1, T4S, R2E, HB&M (Figure 2). Based on the Humboldt County WebGIS mapping, this well is more than 1,000 feet northwest of the nearest mapped perennial stream, a spring fed unnamed tributary of Seely Creek. This well is also more than 500 feet southeast of an unnamed ephemeral tributary to the previously mentioned tributary of Seely Creek (Figure 1). Based on interpolation from the USGS Ettersburg topographic quadrangle map (Figure 1), and the Humboldt County WebGIS, well elevation is approximately 1,370 feet above sea level. Elevation of the perennial branch of Seely Creek at the nearest point to the well is approximately 1,150 feet. The elevation of the nearby ephemeral tributary is estimated to be less than 1,160 feet.

LINDBERG GEOLOGIC CONSULTING
(707) 442-6000

December 15, 2021

Project No: 0432.00

Page 2

On the geologic map (Figure 4) the area is underlain by Mélange (cm1) of the Central Belt of the Franciscan Complex. Mélange (cm1) of the Central Belt is described by McLaughlin (2000) as consisting “Dominantly of highly folded argillite and abundant clayey, penetratively sheared rock that exhibits rounded, lumpy, and irregular, poorly incised topography”

On this parcel, McLaughlin (2000) mapped the Mélange (cm1) of the Central Belt as underlain to the southwest by the Coastal Belt Thrust and the Eocene to Paleocene (?) Yager Terrane. Yager Terrane (y1) is described as “Sheared and highly folded mudstone-Includes minor rhythmically interbedded sandstone, locally with lenses of conglomerate. Exhibits irregular topography lacking a well-incised system of sidehill drainages”. Overlying the cm1 Mélange, across another fault contact, McLaughlin (2000) mapped a serpentinite unit (sp) which is found “interleaved locally along faults”.

Materials reported on the geologic log of the well completion report include 20 feet of “brown soil” at the surface. From a depth of 20 to 40 feet, the driller logged “fractured brown sandstone” which was underlain by 40 feet of “blu clay” and 60 feet of “Franciscan shale” to the 140-foot total depth of the well. The “brown soil” at the surface is likely argillitic mélange (cm1) a material that can be expected to have a relatively low hydraulic conductivity. We interpret the underlying “fractured brown sandstone” to be analogous to the graywacke sandstone outcropping northwest and upslope of this well. Fractured sandstone is a material with high hydraulic conductivity. Below the “fractured sandstone”, the “blu clay” is probably low hydraulic conductivity, argillitic mélange. We interpret the “Franciscan shale” noted on the driller’s log to be the Yager terrace, stratigraphically below the Coastal Belt thrust. Shale, or folded mudstone and sandstone can have a broad range of hydraulic conductivity.

Geologic cross sections show the Coastal Belt thrust and the associated geologic units (cm1, sp, and y1) dipping to the northeast. On-site, the sp unit appeared to be dipping steeply, placing the headwaters of Seely Creek much higher in the stratigraphic section. In our professional opinion, based on our experience, site observations, and review of pertinent information available, this well has a negligible likelihood of having any direct connection to surface waters. Our conclusion is supported by the fact that the well is cased through any potential near surface aquifers that could communicate hydraulically. When considered with the distances from the nearest perennial surface waters, the depth of the producing zone of this well, its slope position relative to adjacent watercourses, the subsurface stratigraphy, and geologic structure, effectively preclude the potential for hydraulic connectivity with surface waters. The water source at 221-240-015 appears to be a subsurface aquifer isolated from any near-surface aquifers and not hydraulically connected to nearby domestic wells, surface waters, or wetlands.

In our professional opinion, it appears that the aquifer tapped by the subject well is recharged by water infiltrating from a distant source area upland of the well site, probably to the west and northwest. The “Water Level and Yield of Completed Well” section of the Well Completion Report estimated the yield of this well at 15 gallons per minute (gpm) on April 19, 2016, after a one-hour pump test. This capacity may not be representative of this well’s long-term yield.

LINDBERG GEOLOGIC CONSULTING
(707) 442-6000

December 15, 2021

Project No: 0432.00

Page 3

As discussed, in our opinion, the subject well is not hydrologically connected to, or influencing surface water flows or nearby wells, Seely Creek tributaries, or ephemeral wetlands. Given the horizontal distances involved, and the elevation differences between the water-producing zone in the subject well, and the surface waters of the nearby tributaries of Seely Creek, the potential for hydrologic connectivity between surface waters and groundwater in the fractured sandstone aquifer is negligible. Further, given the apparently limiting condition of 20 feet of low-transmissivity "Brown soil" or mélange, the fractured sandstone aquifer is hydrologically distinct from the overlying near-surface aquifer in the surrounding, slope mantling colluvial soil deposits.

Please contact us if you have questions or concerns regarding our findings and conclusions.

Sincerely,

David N. Lindberg
David N. Lindberg, CEG
Lindberg Geologic Consulting



DNL:sl

Attachments:

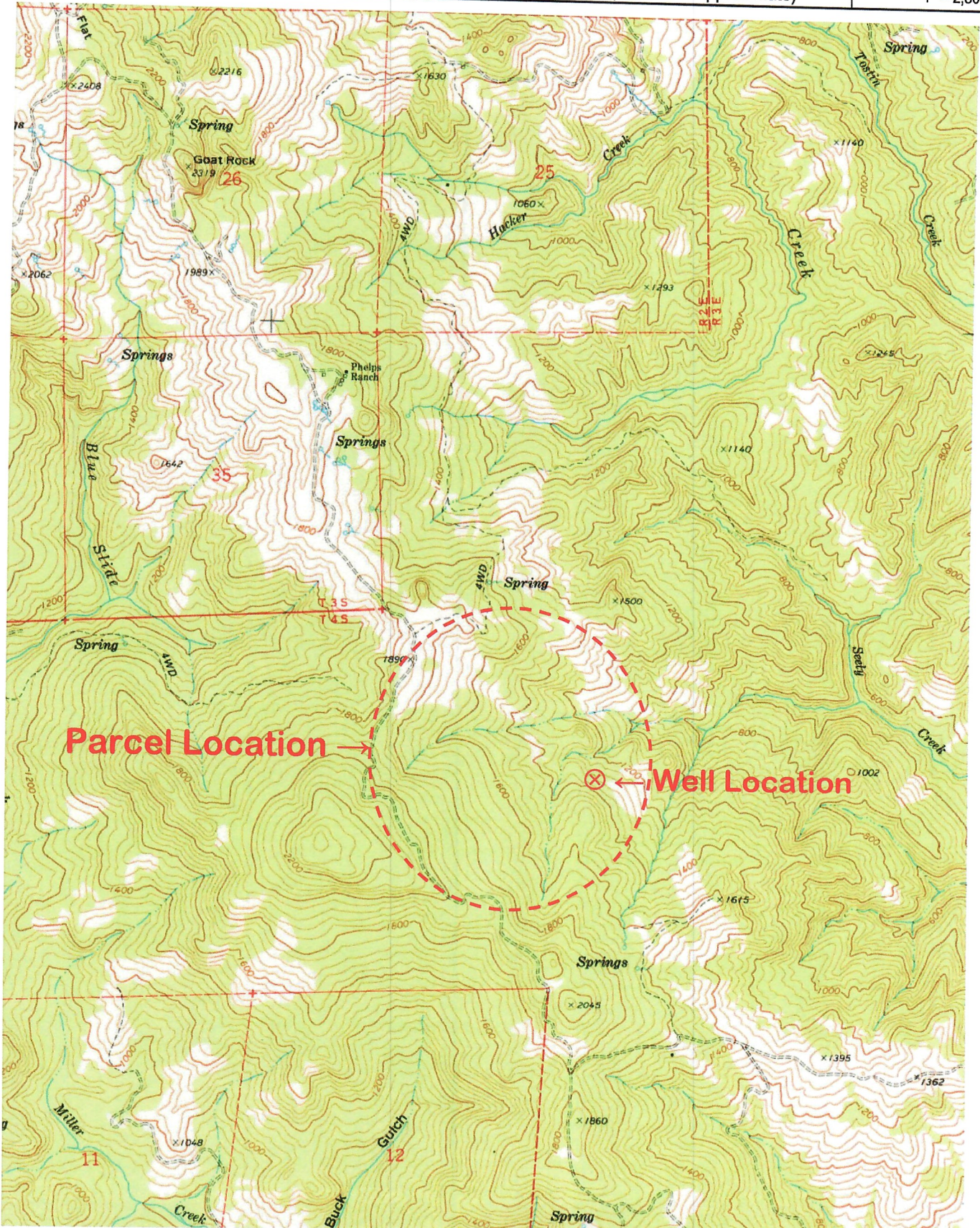
- Figure 1: Topographic Map of Well Location
- Figure 2: Assessor's Parcel Map of 221-240-015
- Figure 3: Satellite Image of Wellsite and Vicinity
- Figure 4: Geologic Map
- Figure 4a: Geologic Map Explanation

State of California Well Completion Report No. 1087908 (DWR 188 REV. 05-03)

Lindberg Geologic Consulting
Post Office Box 306
Cutten, CA 95534
(707) 442-6000

Engineering-Geologic Hydrogeologic Well Isolation Report
3885 Road Z, Briceland/Redway, Humboldt County
APN: 221-240-015, Mr. Enoch Tatton, Client
Topographic Map of Well Location (Locations Approximate)

Figure 1
December 15, 2021
0432.00
1" ≈ 2,300'



Modified from: USGS "Etersburg, Calif.," 7.5' Quadrangle Map, 1969. N

Lindberg Geologic Consulting
 Post Office Box 306
 Cutten, CA 95534
 (707) 442-6000

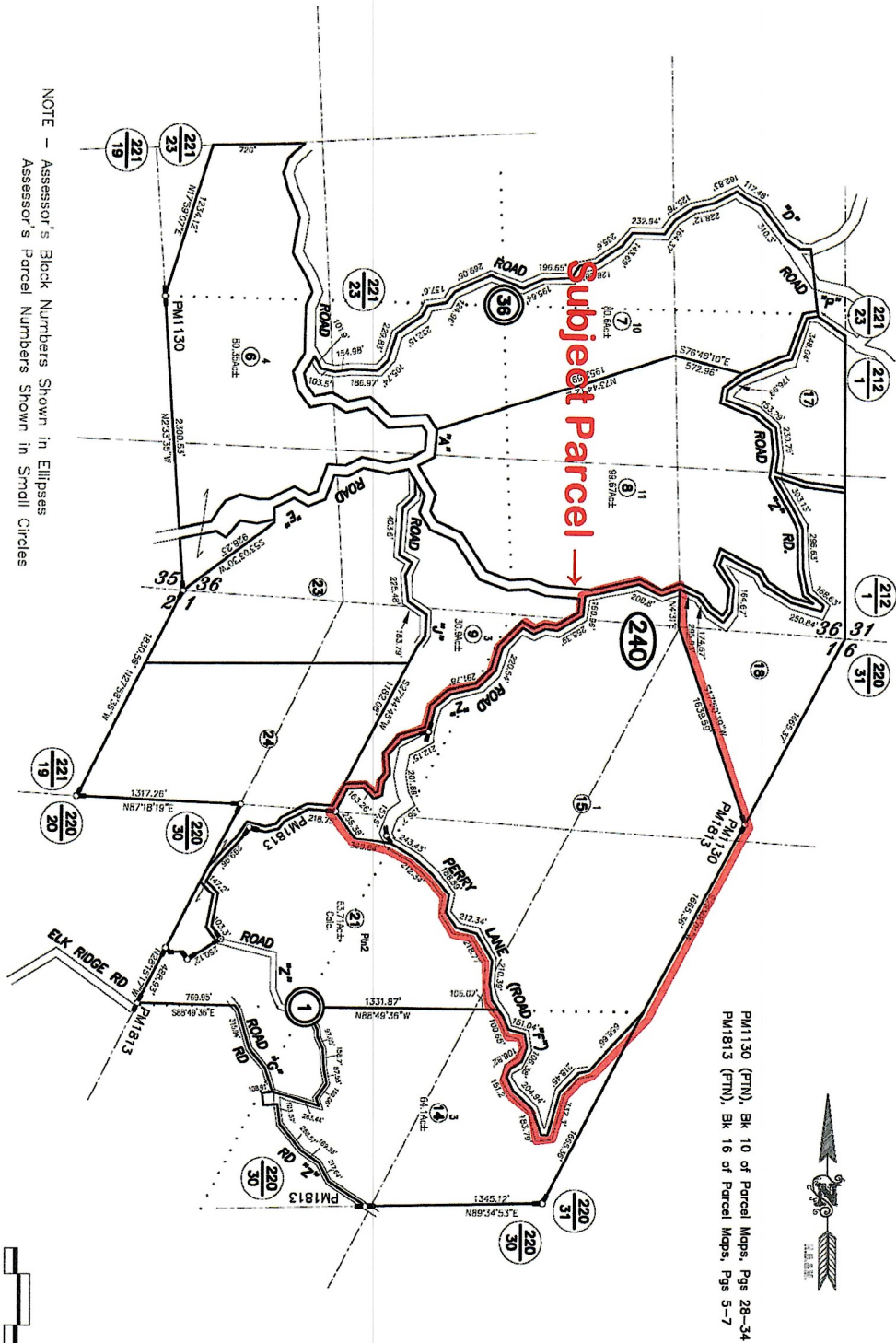
Engineering-Geologic Hydrogeologic Well Isolation Report
 3885 Road Z, Briceland/Redway, Humboldt County
 APN: 221-240-015, Mr. Enoch Tatton, Client
 Humboldt County Assessor's Parcel Map

Figure 2
 December 15, 2021
 0432.00
 Scale as Shown

Assessor's Map Bk. 221, Pg. 24
 County of Humboldt, CA.

PTN SEC 36, T3S R2E & SEC 1, T4S R2E, HB&M

221-24



NOTE - Assessor's Block Numbers Shown in Ellipses
 Assessor's Parcel Numbers Shown in Small Circles



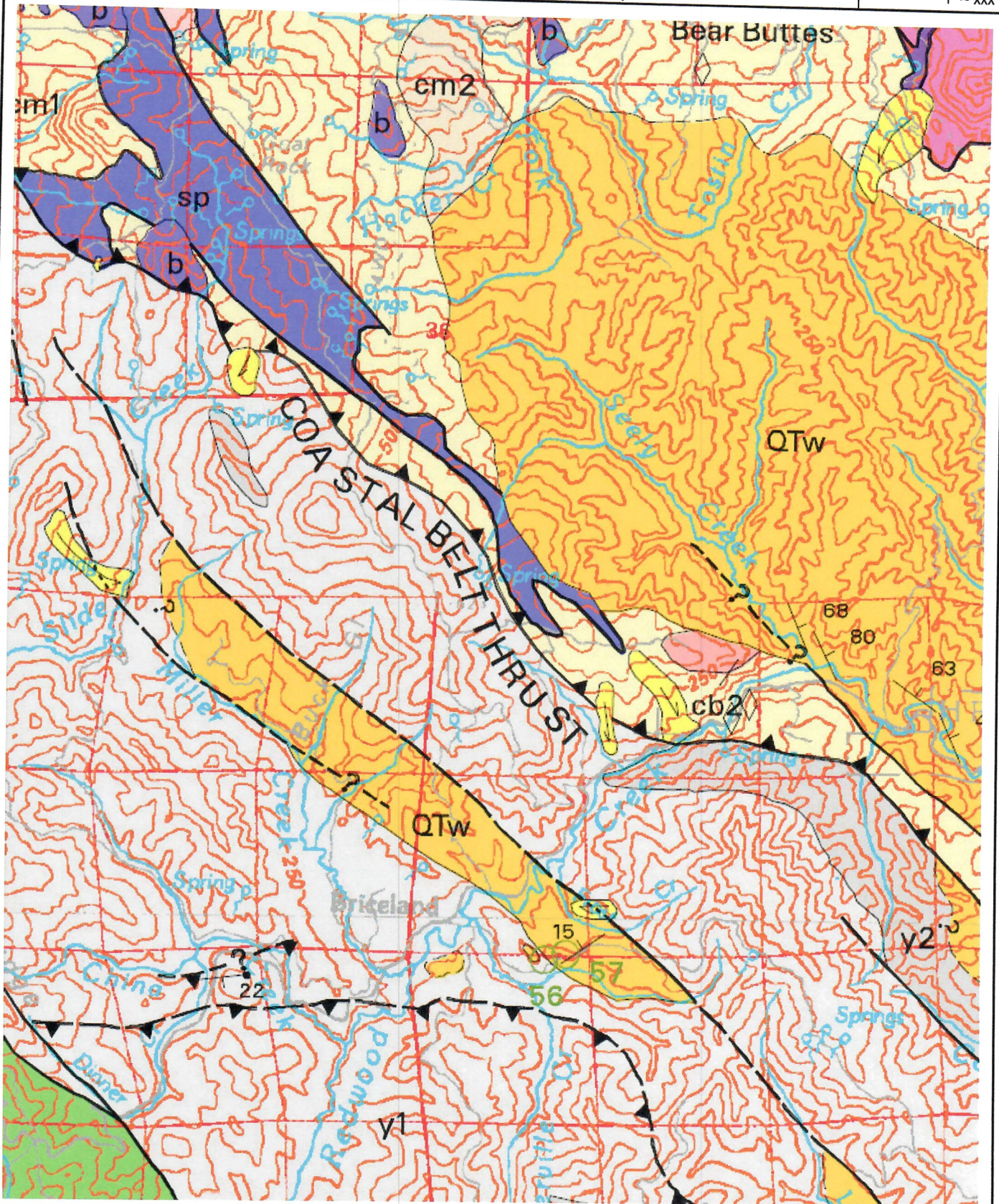
PM1130 (PTN), Bk. 10 of Parcel Maps, Pgs 28-34
 PM1813 (PTN), Bk. 16 of Parcel Maps, Pgs 5-7



Lindberg Geologic Consulting	Engineering-Geologic Hydrogeologic Well Isolation Report	Figure 3
Post Office Box 306	3885 Road Z, Briceland/Redway, Humboldt County	December 15, 2021
Cutten, CA 95534	APN: 221-240-015, Mr. Enoch Tatton, Client	0432.00
(707) 442-6000	Satellite Image of Wellsite and Vicinity (Locations Approximate)	1" ≈ 580'



Modified from: Google Earth Imagery of April 21, 2019. N



DESCRIPTION OF MAP UNITS

QUATERNARY AND TERTIARY OVERLAP DEPOSITS

Qal	Alluvial deposits (Holocene and late Pleistocene?)
Qm	Undeformed marine shoreline and aolian deposits (Holocene and late Pleistocene)
Qt	Undifferentiated nonmarine terrace deposits (Holocene and Pleistocene)
Qls	Landslide deposits (Holocene and Pleistocene)
QTog	Older alluvium (Pleistocene and [or] Pliocene)
QTw	Marine and nonmarine overlap deposits (late Pleistocene to middle Miocene)
Ti	Volcanic rocks of Fickle Hill (Oligocene)

COAST RANGES PROVINCE FRANCISCAN COMPLEX

-- Coastal Belt --

Coastal terrane (Pliocene to Late Cretaceous)

Sedimentary, igneous, and metamorphic rocks of the Coastal terrane (Pliocene to Late Cretaceous):

co1	Melange
co2	Melange
co3	Broken sandstone and argillite
co4	Intact sandstone and argillite
cob	Basaltic Rocks (Late Cretaceous)
cols	Limestone (Late Cretaceous)
m	Undivided blueschist (Jurassic?)

King Range terrane (Miocene to Late Cretaceous)

Krp	Igneous and sedimentary rocks of Point Delgada (Late Cretaceous)
m	Undivided blueschist blocks (Jurassic?)
Sandstone and argillite of King Peak (middle Miocene to Paleocene?):	
krk1	Melange and (or) folded argillite
krk2	Highly folded broken formation
krk3	Highly folded, largely unbroken rocks
krl	Limestone
krc	Chert
krb	Basalt

False Cape terrane (Miocene? to Oligocene?)

fc	Sedimentary rocks of the False Cape terrane (Miocene? to Oligocene?)
----	--

Yager terrane (Eocene to Paleocene?)

Sedimentary rocks of the Yager terrane (Eocene to Paleocene?):

y1	Sheared and highly folded mudstone
y2	Highly folded broken mudstone, sandstone, and conglomeratic sandstone
y3	Highly folded, little-broken sandstone, conglomerate, and mudstone
Ycgl	Conglomerate

-- Central belt --

Melange of the Central belt (early Tertiary to Late Cretaceous):

Unnamed Metasandstone and meta-argillite (Late Cretaceous to Late Jurassic):

cm1	Melange
cm2	Melange
cb1	Broken formation
cb2	Broken formation
cwr	White Rock metasandstone of Jayko and others (1989) (Paleogene and [or] Late Cretaceous)
chr	Haman Ridge graywacke of Jayko and others (1989) (Cretaceous?)
cfs	Fort Seward metasandstone (age unknown)
cls	Limestone (Late to Early Cretaceous)

cc	Chert (Late Cretaceous to Early Jurassic)
bs	Basaltic rocks (Cretaceous and Jurassic)
m	Undivided blueschist blocks (Jurassic?)
gs	Greenstone
c	Metachert
yb	Metasandstone of Yolla Bolly terrane, undivided
b	Melange block, lithology unknown

-- Eastern Belt --

Pickett Peak terrane (Early Cretaceous or older)

Metasedimentary and metavolcanic rocks of the Pickett Peak terrane (Early Cretaceous or older):

ppsm	South Fork Mountain Schist
mb	Chinquapin Metabasalt Member (Irwin and others, 1974)
ppv	Valentine Springs Formation
mv	Metabasalt and minor metachert

Yolla Bolly terrane (Early Cretaceous to Middle Jurassic?)

Metasedimentary and metaigneous rocks of the Yolla Bolly terrane (Early Cretaceous to Middle Jurassic?):

ybt	Tallaferro Metamorphic Complex of Suppe and Armstrong (1972) (Early Cretaceous to Middle Jurassic?)
ybc	Chicago Rock melange of Blake and Jayko (1983) (Early Cretaceous to Middle Jurassic)
gs	Greenstone
c	Metachert
ybh	Metagraywacke of Hammerhorn Ridge (Late Jurassic to Middle Jurassic)
c	Metachert
gs	Greenstone
sp	Serpentinite
ybd	Devils Hole Ridge broken formation of Blake and Jayko (1983) (Early Cretaceous to Middle Jurassic)
c	Radiolarian chert
ybi	Little Indian Valley argillite of McLaughlin and Ohlin (1984) (Early Cretaceous to Late Jurassic)
yb	Rocks of the Yolla Bolly terrane, undivided

Yolla Bolly terrane

GREAT VALLEY SEQUENCE AND COAST RANGE OPHIOLITE

Elder Creek(?) terrane

ecms	Mudstone (Early Cretaceous)
Coast Range ophiolite (Middle and Late Jurassic):	
ecg	Layered gabbro
ecsp	Serpentinite melange

Del Puerto(?) terrane

Rocks of the Del Puerto(?) terrane:

dpms	Mudstone (Late Jurassic)
Coast Range ophiolite (Middle and Late Jurassic):	
dpt	Tuffaceous chert (Late Jurassic)
dpb	Basaltic flows and keratophytic tuff (Jurassic?)
dpd	Diabase (Jurassic?)
dpsp	Serpentinite melange (Jurassic?)
sp	Undivided Serpentinized peridotite (Jurassic?)

KLAMATH MOUNTAINS PROVINCE

Undivided Great Valley Sequence:

Ks	Sedimentary rocks (Lower Cretaceous)
----	--------------------------------------

GREAT VALLEY SEQUENCE OVERLAP ASSEMBLAGE

Hayfork terrane

Eastern Hayfork subterrane:

eh	Melange and broken formation (early? Middle Jurassic)
ehls	Limestone
ehsp	Serpentinite

Western Hayfork subterrane:

whu	Hayfork Bally Meta-andesite of Irwin (1985), undivided (Middle Jurassic)
whwg	Wildwood (Chancelulla Peak of Wright and Fahan, 1988) pluton (Middle Jurassic)
whwp	Clinopyroxenite
whji	Diorite and gabbro plutons (Middle? Jurassic)

Battlesnake Creek terrane

rcm	Melange (Jurassic and older)
rcfs	Limestone
rcc	Radiolarian chert
rcis	Volcanic Rocks (Jurassic or Triassic)
rcic	Intrusive complex (Early Jurassic or Late Triassic)
rcp	Plutonic rocks (Early Jurassic or Late Triassic)
rcum	Ultramafic rocks (age uncertain)
rcpd	Blocky peridotite

Western Klamath terrane

Smith River subterrane:

srs	Galice? formation (Late Jurassic)
srv	Pyroclastic andesite
srgb	Glen Creek gabbro-ultramafic complex of Irwin and others (1974)
srpd	Serpentinized peridotite

MAP SYMBOLS

---	Contact
---	Fault
▼▼▼▼	Thrust fault
-----	Trace of the San Andreas fault associated with 1906 earthquake rupture
/ /	Strike and dip of bedding:
10 / 20	Inclined
/ /	Vertical
⊕	Horizontal
10 / 20	Overturned
/ /	Approximate
10 /	Joint
10 /	Strike and dip of cleavage
Shear foliation:	
10 /	Inclined
/ /	Vertical
Folds:	
← +	Synclinal or synformal axis
← -	Anticlinal or antiformal axis
U	Overturned syncline
⊖	Landslide
Melange Blocks:	
△	Serpentinite
□	Chert
◇	Blueschist
○	Greenstone
○ ¹⁰	Fossil locality and number

GEOLOGY OF THE CAPE MENDOCINO, EUREKA, GARBERVILLE, AND SOUTHWESTERN PART OF THE HAYFORK 30 X 60 MINUTE QUADRANGLES AND ADJACENT OFFSHORE AREA, NORTHERN CALIFORNIA (McLaughlin et al., 2000)

STATE OF CALIFORNIA
WELL COMPLETION REPORT

Refer to Instruction Pamphlet

No. **1087908**

DWR USE ONLY — DO NOT FILL IN

STATE WELL NO./STATION NO.

LATITUDE LONGITUDE

APN/TRS/OTHER

Page of
Owner's Well No.
Date Work Began 4-19-16, Ended

Local Permit Agency Humboldt
Permit No. 15-16-0642 Permit Date Apr 15, 16

GEOLOGIC LOG

WELL OWNER

ORIENTATION (✓) VERTICAL HORIZONTAL ANGLE (SPECIFY)

DRILLING METHOD Rotary FLUID

Name Last Best Road LLC
Mailing Address 1271 Evergreen RD # 409 Redway CA 95562
CITY Redway STATE CA ZIP 95562

DEPTH FROM SURFACE		DESCRIPTION
Ft.	to Ft.	
0	20'	Brn Soil
20	40	TRAC Red sandstone
40	50	Blu Clay
80	140	Franciscan shale

Address 3825 RD 7
City Redway CA 95560
County Humboldt 531-240-015
APN Book Page Parcel
Township Range Section
Lat DEG. MIN. SEC. N Long DEG. MIN. SEC. W

LOCATION SKETCH

ACTIVITY (✓)

NEW WELL

MODIFICATION/REPAIR
 Deepen
 Other (Specify)

DESTROY (Describe Procedures and Materials Under "GEOLOGIC LOG")

USES (✓)

WATER SUPPLY
 Domestic Public
 Irrigation Industrial

MONITORING
TEST WELL
CATHODIC PROTECTION
HEAT EXCHANGE
DIRECT PUSH
INJECTION
VAPOR EXTRACTION
SPARGING
REMIEDIATION
OTHER (SPECIFY)

WEST EAST

Illustrate or Describe Distance of Well from Roads, Buildings, Fences, Rivers, etc. and attach a map. Use additional paper if necessary. **PLEASE BE ACCURATE & COMPLETE.**

WATER LEVEL & YIELD OF COMPLETED WELL

DEPTH TO FIRST WATER 30' (Ft.) BELOW SURFACE
DEPTH OF STATIC WATER LEVEL 251 (Ft.) & DATE MEASURED 4-19-16
ESTIMATED YIELD * 15 (GPM) & TEST TYPE 1.5
TEST LENGTH 1 (Hrs.) TOTAL DRAWDOWN (Ft.)
* May not be representative of a well's long-term yield.

TOTAL DEPTH OF BORING (Feet)

TOTAL DEPTH OF COMPLETED WELL (Feet)

DEPTH FROM SURFACE Ft. to Ft.	BORE-HOLE DIA. (Inches)	CASING (S)						DEPTH FROM SURFACE Ft. to Ft.	ANNULAR MATERIAL			
		TYPE (✓)				MATERIAL / GRADE	INTERNAL DIAMETER (Inches)		GAUGE OR WALL THICKNESS	SLOT SIZE IF ANY (Inches)	TYPE	
BLANK	SCREEN	CON-DUCTOR	FILL PIPE	CE-MENT (✓)	BEN-TONITE (✓)			FILL (✓)			FILTER PACK (TYPE/SIZE)	
0-20	9"	✓				F480	5"	160		✓		
20-40			✓			7	7	7			✓	3/8 Pvc
40-120			✓			7	7	7				
120-140			✓									

ATTACHMENTS (✓)

- Geologic Log
- Well Construction Diagram
- Geophysical Log(s)
- Soil/Water Chemical Analyses
- Other

ATTACH ADDITIONAL INFORMATION, IF IT EXISTS.

CERTIFICATION STATEMENT

I, the undersigned, certify that this report is complete and accurate to the best of my knowledge and belief.

NAME Rushnell Ent
(PERSON, FIRM, OR CORPORATION) (TYPED OR PRINTED)
ADDRESS 649 Bear Creek rd Garb CA 95562 CITY Garb STATE CA ZIP 95562
Signed M. Rushnell DATE SIGNED 5-9-16 C-57 LICENSE NUMBER 403708

ATTACHMENT 4

REFERRAL AGENCY COMMENTS AND RECOMMENDATIONS

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

Referral Agency	Response	Recommendation	Location
Building Inspection Division	✓	Approval	Attached
Division Environmental Health	✓	Conditional Approval	Attached
Public Works, Land Use Division	✓	Conditional Approval	Attached
CalFIRE	✓	Conditional Approval	Attached
California Department of Fish & Wildlife	✓	Other Comments	Attached
Northwest Information Center	✓	Further Study	On file- confidential
Bear River Band of Rohnerville Rancheria	✓	Additional Information Requested	On file- Confidential
Intertribal Sinkyone Wilderness Council		No response	
Humboldt County Sheriff	✓	Other comments	On file
Humboldt County Agricultural Commissioner		No response	
Humboldt County District Attorney		No response	
North Coast Unified Air Quality Management District		No response	
North Coast Regional Water Quality Control Board		No response	
State Water Resources Control Board – Division of Water Rights		No response	



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



221-240-015

11/17/2017

PROJECT REFERRAL TO: Building Inspection Division

Project Referred To The Following Agencies:

Building Inspection Division, Public Works Land Use Division, Health and Human Services Environmental Health Division, County Counsel, CalFire, California Department of Fish And Wildlife, Northwest Information Center, Bear River Band Rohnerville Rancheria, Regional Water Quality Control Board, North Coast Unified Air Quality Management District, United States Army Corps of Engineers, Humboldt County District Attorney, Humboldt County Agriculture Commissioner, Intertribal Sinkyone Wilderness Council, SWRCB - Division of Water Rights, Sheriff, Southern Humboldt Joint Unified School District, Briceland Fire Protection District

Applicant Name Lost Coast Collective, Inc. **Key Parcel Number** 221-240-015-000

Application (APPS#) 11292 **Assigned Planner** Cannabis Planner (CPOD) (707) 445-7541 **Case Number(s)** CUP16-217

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

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

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

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

Return Response No Later Than 12/2/2017 Planning Commission Clerk
County of Humboldt Planning and Building Department
3015 H Street
Eureka, CA 95501
E-mail: PlanningClerk@co.humboldt.ca.us **Fax:** (707) 268-3792

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

- Recommend Approval. The Department has no comment at this time.
- Recommend Conditional Approval. Suggested Conditions Attached.
- Applicant needs to submit additional information. List of items attached.
- Recommend Denial. Attach reasons for recommended denial.
- Other Comments: _____

DATE: 2/2/18

PRINT NAME: Rudy Marenghi



COUNTY OF HUMBOLDT
PLANNING AND BUILDING DEPARTMENT
BUILDING DIVISION

3015 H STREET EUREKA CA 95501
PHONE: (707) 445-7245 FAX: (707) 445-7446

Building Division's Referral Comments for Cannabis Operations:

Application No.: 45409/11292 (APPS #)
Parcel No.: 221-240-015
Case No.: CUP16-217

The following comments apply to the proposed project, (check all that apply).

- Site/plot plan appears to be accurate.
- Submit revised site/plot plan showing all of the following items: all grading including ponds and roads, location of any water course including springs, all structure including size and use and all setbacks from the above stated to each other and property lines.
- Existing operation appears to have expanded, see comments: _____

- Existing structures used in the cannabis operation shall not to be used/occupied until all required permits have been obtained.
- Proposed new operation has already started.
- Recommend approval based on the condition that all required grading, building, plumbing electrical and mechanical permits and or Agricultural Exemption are obtained.
- Other Comments: Revise plot plan to show 7.4 as existing, 9.4 as proposed, 2000g water tank next to 7.4, proposed generator shed in 11.4, proposed 300g tank next to 7.4 with a spring box, proposed generator shed near 8.6, small water tanks behind 8.7. Require soils report, ~~and~~ grading erosion, sediment control plan by engineer, and submit DFW diversion approvals.

Name: Rudy Marenghi

Date: 2/2/18

Note: Remember to take photographs and then save them to the Planning's case number. File location J, Current Planning, Projects, (CUP, SP, ZCC) Case number.



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

PROJECT REFERRAL TO: Health and Human Services Environmental
Health Division

Project Referred To The Following Agencies:

Building Inspection Division, Public Works Land Use Division, Health and Human Services Environmental Health Division, County Counsel, CalFire, California Department of Fish And Wildlife, Northwest Information Center, Bear River Band Rohnerville Rancheria, Regional Water Quality Control Board, North Coast Unified Air Quality Management District, United States Army Corps of Engineers, Humboldt County District Attorney, Humboldt County Agriculture Commissioner, Intertribal Sinkyone Wilderness Council, SWRCB - Division of Water Rights, Sheriff, Southern Humboldt Joint Unified School District, Briceland Fire Protection District

Applicant Name Lost Coast Collective, Inc. Key Parcel Number 221-240-015-000

Application (APPS#) 11292 Assigned Planner Ricardo Bressanutti (707) 268-3739 Case Number(s) CUP16-217

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

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

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

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

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

We have reviewed the above application and recommend the following:

Conditional Approval

Comments:

DEH recommends approval with the following conditions:

Prior to reissuance of annual permit **provide an invoice, or equivalent documentation to DEH** to confirm the continual use of portable toilets or provide an approved means of sewage disposal to serve the needs of the cultivation staff.

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

Response Date: 7/30/2018 Recommendation By: Joey Whittlesey



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

ARCATA-EUREKA AIRPORT TERMINAL
McKINLEYVILLE
FAX 839-3596

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

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

AVIATION 839-5401

ADMINISTRATION 445-7491
BUSINESS 445-7652
ENGINEERING 445-7377
FACILITY MAINTENANCE 445-7493

NATURAL RESOURCES 445-7741
NATURAL RESOURCES PLANNING 267-9540
PARKS 445-7651
ROADS & EQUIPMENT MAINTENANCE 445-7421

LAND USE 445-7205

LAND USE DIVISION INTEROFFICE MEMORANDUM

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

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

DATE: 7-9-2018

RE:

Applicant Name	LOST COAST COLLECTIVE, INC.
APN	221-240-015
APPS#	11292
CASE#	CUP16-217

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

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

*Note: Exhibits are attached as necessary.

Additional comments/notes:

Applicant has submitted a road evaluation report, dated 12 / 12 /2017, with Part A –Box 2 checked, certifying that the road is equivalent to a road Category 4 standard.

// END //

Exhibit "A"

Public Works Recommended Conditions of Approval

(All checked boxes apply)

APPS # 11292

COUNTY ROADS- FENCES & ENCROACHMENTS:

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

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

COUNTY ROADS- DRIVEWAY (PART 1):

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

COUNTY ROADS- DRIVEWAY (PART 2):

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

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

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

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

COUNTY ROADS- DRIVEWAY (PART 3):

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

COUNTY ROADS-PARKING LOT- STORM WATER RUNOFF:

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

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

COUNTY ROADS- DRIVEWAY & PRIVATE ROAD INTERSECTION VISIBILITY:

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

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

COUNTY ROADS- PRIVATE ROAD INTERSECTION:

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

- If the County road has a paved surface at the location of the access road, the access road shall be paved for a minimum width of 20 feet and a length of 50 feet where it intersects the County road.
If the County road has a gravel surface at the location of the access road, the access road shall be rocked for a minimum width of 20 feet and a length of 50 feet where it intersects the County road.

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

COUNTY ROADS- ROAD EVALUATION REPORT(S):

All recommendations in the Road Evaluation Report(s) for County maintained road(s) shall be constructed/implemented to the satisfaction of the Public Works Department prior to commencing operations, final sign-off for a building permit, or approval for a business license. An encroachment permit shall be issued by the Department of Public Works prior to commencement of any work in the County maintained right of way.

// END //



From: Meyers_Tim@CALFIRE
To: HUU.CEOA@CALFIRE; [Planning Clerk](#)
Subject: APN 221-240-015 AP#11292
Date: Friday, December 01, 2017 2:41:52 PM

It may be necessary for a CALFIRE harvest permit to be obtained prior to expanding this cultivation and new development sites. A Registered Professional Forester may be required to advise the landowner of necessary permits from CALFIRE. Previous land use activities may have resulted in harvest without an permit and harvesting without a plan or a license. More information is required for a proper evaluation.

[Tim Meyers](#)
[Forester I, RPF #2813](#)
Department of Forestry and Fire Protection
CAL FIRE
Weott Resource Management
Humboldt-Del Norte Unit
Office (707) 946-2204
Cellular (707) 599-6433
tim.meyers@fire.ca.gov

Every Californian should conserve water. Find out how at:

SaveOurWater.com - Drought.CA.gov



**California Department of Fish and Wildlife
CEQA: Project Referral Comments**

Applicant: Lost Coast Collective		Date: 6/6/2019	
APPS No.: 11292	APN: 221-240-015-000	DFW CEQA No.: 2017-1064	Case No.: CUP16-217
<input type="checkbox"/> New	<input checked="" type="checkbox"/> Existing	<input checked="" type="checkbox"/> Existing Mixed-light (SF): 22,000	

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

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

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

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

- Aerial imagery suggests that the cultivation area, prior to January 1, 2016, was less than 18,000 square feet. CDFW requests, prior to Project approval, a copy of the County Cannabis Area Assessment (CAV) and that the applicant provide substantial evidence, of existing cannabis on the parcel, prior to the cutoff date, or that the application be reconsidered for Project approval.
- Aerial imagery and referral materials suggest that significant grading has taken place on the parcel. Please provide evidence of one or more of the following: a valid grading permit or a less-than-3-acre conversion exemption or timberland conversion permit, approved by CAL-FIRE. If grading was conducted without proper permits, CDFW may recommend remediation of impacted area, in whole or part.
- The Project may have a potentially significant adverse effect on biological resources. The Project is located within Northern Spotted Owl (*Strix occidentalis caurina*, a State- and Federally-Threatened species) potential habitat. CDFW requests that the applicant assume presence and avoid impacts as determined by a qualified biologist, in consultation with CDFW (ex. Noise and Light Attenuation Plan). Avoidance measures include noise attenuation wherein generators are covered such that noise released is no greater than 50dB measured at 100ft.

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

- A Final Lake or Streambed Alteration Agreement (1600-2017-0296-R1) has been issued to the applicant. As of June 6, 2019, the applicant is not in compliance with their LSA. Specifically, the applicant is out of compliance with the required forbearance conditions. Further, the required road/stream crossing work has not yet been completed to achieve compliance.
- All artificial light used for cannabis cultivation, including indoor and mixed-light cultivation, shall be fully contained within structures such that no light escapes (e.g., through blackout curtains). Structures shall be enclosed between 30 minutes prior to sunset and 30 minutes after sunrise to prevent disruption to crepuscular wildlife. Security lighting shall be motion activated and comply with the International Dark-

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

- ☒ The referral materials state that there is a plan to construct a rainwater catchment pond(s) onsite. CDFW requests:
 - That the pond be designed to hold no more than the necessary volume of water needed for the project, with consideration to evaporative loss and designed in such a way to accommodate annual pond dewatering. The volume of water contained within the pond should be based on the square footage and method of cultivation in use prior to January 1, 2016.
 - That the applicant install an overflow spillway that will withstand a 100-year flood event, designed with a dispersal mechanism, or low-impact design, that discourages channelization and promotes dispersal and infiltration of flows to prevent surface overflow from reaching waters of the State. CDFW recommends the spillway be designed and placed to allow for a minimum of two-feet of freeboard.
 - That the applicant install several exit ramps to prevent wildlife entrapment. Exit ramps shall meet the following requirements: installed at no greater than 2:1 slope, securely fixed, and made of solid material (e.g. wood).
 - That the applicant comply with the attached CDFW Bullfrog Management Plan (**Exhibit A**). Reporting requirements shall be submitted to CDFW at 619 Second Street, Eureka, CA 95501, no later than December 31 of each year.
 - That fish stocking be prohibited without written permission from the Department pursuant to Section 6400 of the Fish and Game Code.

Standard Conditions

- ☒ Prohibition on use of synthetic netting. To minimize the risk of wildlife entrapment, Permittee shall not use any erosion control and/or cultivation materials that contain synthetic (e.g., plastic or nylon) netting, including photo- or biodegradable plastic netting. Geotextiles, fiber rolls, and other erosion control measures shall be made of loose-weave mesh, such as jute, hemp, coconut (coir) fiber, or other products without welded weaves.
- ☒ Leave wildlife unharmed. If any wildlife is encountered during the Authorized Activity, Permittee shall not disturb the wildlife and shall allow wildlife to leave the work site unharmed.
- ☒ The environmental impacts of improper waste disposal are significant and well documented. CDFW requests, as a condition of Project approval, that all refuse be contained in wildlife proof storage containers, at all times, and disposed of at an authorized waste management facility.
- ☒ Human induced noise pollution may adversely affect wildlife species in several ways including abandonment of territory, loss of reproduction, auditory masking (inability to hear important cues and signals in the environment), hindrance to navigation, and physiological impacts such as stress, increased blood pressure, and respiration. To avoid disturbance, CDFW requests, as a condition of project approval, the construction of noise containment structures for all generators parcel; noise released shall be no more than 50 decibels measured from 100ft.
- ☒ This project has the potential to affect sensitive fish and wildlife resources such as Northern Spotted Owl (*Strix occidentalis caurina*), Townsend Big-eared Bat (*Corynorhinus townsendi*), Coho

Salmon (*O. kisutch*), Steelhead Trout (*O. mykiss*), Coastal Rainbow Trout (*O. mykiss irideus*), Coastal Cutthroat Trout (*O. clarki clarki*), Foothill Yellow-legged Frog (*Rana boylei*), Pacific Giant Salamander (*Dicamptodon tenebrosus*), Southern Torrent Salamander (*Rhyacotriton variegatus*), Northern Red-legged Frog (*Rana aurora*), Tailed Frog (*Ascaphus truei*), Boreal Toad (*Anaxyrus boreas boreas*), Western Pond Turtle (*Actinemys marmorata marmorata*), and amphibians, reptiles, aquatic invertebrates, mammals, birds, and other aquatic and riparian species.

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

Sincerely,

California Department of Fish and Wildlife
619 2nd Street
Eureka, CA 95501