



COUNTY OF HUMBOLDT
PLANNING AND BUILDING DEPARTMENT

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

NOTICE OF APPEAL

PROJECT NAME: Mana Farms, LLC PLN-12280-CUP Suspension Notice

PROJECT APPLICATION NUMBER: PLN-12280-CUP, APN 208-111-028

APPELLANT INFORMATION:

Name of Person or Organization: Ms. Kathy Ann Hall, Mana Farms, LLC

Mailing Address: 540 2nd Avenue Rio Dell, CA 95562

Phone Number: (707) 923-1180

Email Address: manafarmsllc@gmail.com, etahumboldt@gmail.com

GROUND'S FOR APPEAL

The appellant shall state specifically why the decision of the Hearing Officer is not in accord with the standards and regulations of the zoning ordinances, or why it is believed that there was an error or an abuse of discretion by the Hearing Officer (HCC Sec. 312-13.2)

Please refer to *Statement Regarding Grounds for Appeal (Attachment A)* prepared by ETA Management Group.

Please refer to *Notice of Cannabis Permit Suspension (Attachment B)* prepared by County of Humboldt, 31 Oct 2024.

Please refer to *Transfer of Lake and Streambed Alteration Agreement (Attachment C)*, prepared by CDFW, 15 Nov 2023.

Please refer to *Annual Compliance Inspection Report (Attachment D)* prepared by County of Humboldt, 9 Aug 2024.

Please refer to *Water Meter & Usage Records (Attachment E)*, prepared by Mana Farms, LLC.

Please refer to *Manufacturer Product Data Sheet (Attachment F)* for Badger Meter Model 120 Recordall.

Please refer to *Professional Land Survey (Attachment G)* performed by D. Kolstad, dated 30 Jul 2024.

(Attach additional page(s) if necessary)

Note: The Board of Supervisors will not hear appeals of the Planning Commission's or Zoning Administrator's decision if said appellant has not given written or oral testimony at the Planning Commission or the Zoning Administrator's hearing level. (HCC Section 312-8.4.8)

(Space Below for Staff Use Only)

Date Filed with Department: _____

Receipt Number: _____

Received by: _____

***BEGIN: Attachment A - Statement Regarding
Grounds for Appeal***

ETA Management Group LLC

77 Avenue of Giants, Unit #4
Phillipsville, CA 95559
info@etahumboldt.com | (707) 923-1180



DBE: 51189 | DIR: PW-LR-1000988827 | SB-Micro/PW: 2027799 | CUPC WBE | WOSB

12 November 2024

TO: County of Humboldt – Planning & Building Department

c/o Cliff Johnson, Michael Kein
3015 H Street
Eureka CA 95501

RE: Statement of Grounds for Appeal

Notice of Cannabis Permit Suspension, dated 31 October 2024
Kathy Ann Hall, Mana Farms, LLC (“Permittee,” “Appellant”)
APN 208-111-028, PLN-12280-CUP

Greetings Mr. Johnson, Mr. Kein, and Humboldt County Board of Supervisors:

The following submittal serves as a written statement regarding *Grounds for Appeal* for a cannabis permit suspension hearing brought forth by County of Humboldt Planning and Building Department against Permittee Kathy Ann Hall on 31 October 2024. Ms. Hall operates Mana Farms, LLC under Humboldt County *Conditional Use Permit* PLN-12280-CUP.

The *Notice of Cannabis Permit Suspension*, dated 31 October 2024 and attached to this submittal, references “several issues regarding compliance with the approved County Cannabis permit” documented by County Inspector Michael Kein on 24 October 2024. This *Statement Regarding Grounds for Appeal* categorically refutes the issues brought forth by County of Humboldt on the grounds of erroneous data collection (e.g. water meter readings), misrepresentation of compliance deadlines (e.g. “Conditions of Approval”), false assumptions regarding transfer of compliance Agreements (e.g. *Lake and Streambed Alteration Agreement*), and documented efforts toward full compliance made by the Appellant in the past two (2) weeks.

This written *Statement of Grounds for Appeal* addresses each of the alleged compliance issues presented in the 31 October *Notice of Suspension*. It should be noted that these issues and other compliance complaints prepared by Inspector Michael Kein have previously been addressed in a response letter prepared by ETA Management Group LLC on behalf of the Appellant and submitted to County of Humboldt Planning and Building Department on 4 November 2024.

Before addressing the *Summary of Issues*, the Board of Supervisors should be informed that County of Humboldt Planning and Building Department has previously stated in writing (9 August 2024) that the Appellant is not required to demonstrate full compliance with County Permit *Conditions of Approval* until October 2025 (Attachment D).

Summary of Issues and Responses (Notice of Cannabis Permit Suspension)

1. **Water Source:** *Approved Water source (well) not in use. Required meter shows only 381 gallons utilized from well. Unauthorized pressure pump, gasoline tank, and piping found in Little Larabee Creek on property and connected to storage tanks for cultivation. This is a direct violation of F&G Code 5650(a) and F&G 1602 (Conditions of Approval Item #11b).*

This section describes data collection errors made by County of Humboldt Planning and Building department during the 24 October Annual Compliance Inspection, especially regarding compliance with the following Performance Standards: “Water meter(s) installed and records available” and “Water source(s) and use.”

According to the *Annual Compliance Inspection Report* (“ACIR”) prepared by Inspector Michael Kein subsequent the 24 October site inspection at APN 208-111-028, the Permittee was found to be non-compliant with *Condition of Approval* No. 5, which reads: “The Applicant shall install and utilize a water meter to keep track of irrigation use. Records from the meter shall be made available to the County upon request.” Water meter readings and cultivation usage records are attached to the *Notice of Appeal* filed by Ms. Hall on 15 November 2024 (Attachment E).

Notes associated with this violation indicate that a water meter was properly installed as required on the inspection date. The inspector incorrectly assumes that the Permittee is not using the approved well for cultivation/irrigation based on a gross misreading of the functioning water meter. The water meter installed at the cultivation site is a lead-free bronze alloy Model 120 Recordall, manufactured by Badger Meter, with the following serial number: 63961-011.

According to the ACIR filed by Inspector Kein, the installed water meter “shows only 381 gallons from well” – an error that demonstrates a lack of familiarity with commonly employed regulatory compliance equipment. The error is likely the result of an incorrect assumption that the fixed zeroes (00) on the meter itself represent a decimal fraction of one (1) gallon, despite the apparent lack of decimal point or other written indications to this conclusion.

The Badger Meter Model 120 Recordall is properly read as a whole number for which the rolling “odometer-style” digits indicate accuracy to the nearest 100 gallons. Increased accuracy is determined by adding the figure displayed on the rolling meter to the number indicated by the red needle on a circular face with digits ranging from 0 to 100. This water meter features a 100,000,000 gallon register capacity (Attachment F). From the manufacturer Product Data Sheet:

The standard register is a straight-reading, permanently sealed magnetic drive register. Dirt, moisture, tampering and lens fogging problems are eliminated. The register has a six-odometer

wheel totalization display, 360° test circle with center sweep hand, and flow finder to detect leaks. Register gearing is made of self-lubricating engineered polymer, which minimizes friction and provides long life. The multi-position register simplifies meter installation and reading. The register capacity is 100,000,000 gallons (10,000,000 ft³, 1,000,000 m³).

Following this reading method, the meter with serial number 63961-011 clearly indicates that the well has produced 38,146 gallons of permitted irrigation water since installation. This figure is exactly 100 times the reading made by County of Humboldt during the 24 October Compliance Inspection and indicates a reasonable amount of water collection from the permitted well to demonstrate compliant use. Please refer to the attached *Water Meter & Usage Records* prepared by the Appellant and attached to this *Notice of Appeal* (Attachment E).

Furthermore, the Permittee's standard practice for collecting water from the permitted well requires her physical presence onsite to monitor the process. Because Ms. Hall was not present at the site during the 24 October 2024 Annual Compliance Inspection, it is reasonable to conclude that the well was not in use during the inspection. However, it is not reasonable to apply erroneous data collection and related assumptions to the conclusion that Permittee does not operate the approved well for cannabis irrigation.

All diversion infrastructure in and/or near Little Larabee Creek was removed and confiscated by resource protection agents during the 24 October 2024 compliance inspection.

2. Unapproved Development or Structures: *Drying structures and locations of greenhouses not represented on Site Plan.*

When Kathy Ann Hall purchased APN 208-111-008 in August 2022, the cultivation area included one (1) large greenhouse on the upper flat. The Permittee adjusted the site to three (3) smaller greenhouses with an aggregate canopy square footage totaling less than the original large structure. Permittee has stated that the purpose of this adjustment was to remedy significant structural damage sustained during inclement weather during the previous year with smaller, cheaper, and easier to maintain greenhouse structures.

Permittee agrees to submit a rudimentary site map to County of Humboldt Planning and Building Department no later than Tuesday 5 November 2024. ETA Management Group agrees to expedite a new official site map that meets all County requirements. Estimated completion/submittal of an updated site plan which clearly identifies all spaces and co-uses is 21 November 2024.

3. Building Permits: *Required permits have not been secured from Building Department as per Conditions of Approval (1a).*

According to a separate *Annual Compliance Inspection Report* ("ACIR") prepared by Inspector Collin Slavey on 9 August 2024, Permittee's deadline for completing Conditions of Approval is listed as October 2025 (Attachment D). Permittee submitted permit applications and payment for ag-

exempt building structures on 14 November 2024, well ahead of Conditions of Approval deadlines stated by County of Humboldt on 9 August 2024 (Attachment D).

To reiterate, Ms. Hall maintains written confirmation from County of Humboldt Planning and Building Department that the deadline for completing Conditions of Approval is October 2025. Furthermore, the 9 August 2024 ACIR prepared by Mr. Slavey indicates that the Permittee was COMPLIANT with all performance standards.

4. Conditions of Approval: Items #1, 2, 5, 6, 12, and 15 have not been completed.

As of the date of this letter, Permittee has completed Conditions 1, 2, 5, 11, 12, 15b, and 23a. Condition 6 is currently in progress.

5. Streambed Alteration Agreement (1602): Under former permit holder and needs to be updated per Ongoing Condition 11b.

LSAA Notification No. EPIMS-HUM-04338-R1C was officially transferred by original applicant Brandon Rivas to current Permittee Kathy Ann Hall on 15 November 2023 (Attachment C).

6. Refuse, Waste, Oil, and Trellis Net: All cannabis related waste and unpermitted items to be disposed of properly at approved facilities. (Ongoing Conditions 23b).

All cannabis-related waste, including monofilament netting, has been removed from the cultivation site and disposed of properly. Photographic evidence (before-and-after) of the Permittee's cleanup efforts was presented to County of Humboldt Planning and Building Department on 5 November 2024 and can be forwarded to the Board of Supervisors upon request.

7. See attached inspection report for all non-compliant issues:

To reiterate, Appellant is not required to demonstrate full compliance with *Conditions of Approval* until October 2025. The following paragraphs address noncompliance issues brought forth by County of Humboldt on 31 October 2024 despite apparent inconsistencies with a separate compliance audit prepared by the same department less than ninety (90) days prior.

Other Non-Compliance Issues (County of Humboldt Performance Standards)

Please note that responses to duplicate violation/non-compliance points filed by County of Humboldt have been consolidated to avoid unnecessary redundancy.

1. No handwashing stations or restrooms (portable toilets) on site. Unless no employees are utilized and the operator has a function, approved septic system available on an adjustment parcel, these items are necessary.

Mana Farms, LLC does not employ any workers outside of Permittee Kathy Ann Hall. Ms. Hall maintains a nearby residence (less than five (5) minute drive from the cultivation site) with adequate plumbing for her personal needs. Despite the fact that Mana Farms, LLC utilizes no employees, the

site does include adequate handwashing and domestic facilities. For this reason, ETA Management Group filed a *Statement of Use* application with SWRCB as well as a LSAA amendment with CDFW for domestic use rights to Little Larabee Creek on 1 November 2024, on the Appellant's behalf.

To reiterate, Mana Farms LLC utilizes NO employees and is therefore exempt from this County Performance Standard.

2. Several Conditions of Approval Outstanding and/or Not on File

To reiterate, the Permittee possesses written confirmation from County of Humboldt that the completion deadline for Conditions of Approval is October 2025. However, each of the cited Conditions of Approval are addressed in this section.

Condition 1: The Applicant shall secure permits for all structures related to the cannabis cultivation and other commercial cannabis activity. A letter or similar communication from the Building Division verifying that all structures related to the cannabis cultivation are permitted will satisfy this condition.

Permittee submitted ag-exempt building permit applications and payments for greenhouses and two (2) buildings on 14 November 2024, nearly one (1) year ahead of confirmed deadline for meeting Conditions of Approval. **CONDITION COMPLETE.**

Condition 2: The Applicant shall provide a survey of the property by a California licensed surveyor to verify that the requisite 30-foot cannabis cultivation setback and all zoning setbacks are Satisfied.

This Condition of Approval is based on a large greenhouse structure that no longer exists. As stated above, the Permittee removed this structure and replaced it with three (3) smaller structures. All new greenhouse structures are over 100 feet from the property line. A professional survey of the site which demonstrates compliance with this Condition of Approval was performed in July 2020 by Dylan Kolstad and is attached to this *Notice of Appeal* (Attachment G). **CONDITION COMPLETE.**

Condition 5: The Applicant shall install and utilize a water meter to keep track of irrigation use. Records from the meter shall be made available to the County upon request.

Permittee has installed and currently utilizes an approved lead-free water meter to keep track of irrigation use. Please refer to p. 2 of this *Statement Regarding Grounds for Appeal* for more information. Records from the meter into storage and from storage for use at cultivation site have been provided to County of Humboldt Planning and Building Department by Appellant. Water meter and usage records are attached to this *Notice of Appeal* (Attachment E). **CONDITION COMPLETE.**

Condition 6: The Applicant shall have the solar arrays inspected for proper installation by a qualified professional. The inspection report shall be submitted to the Planning Department for review and approval.

A professional inspection of the solar panels installed at APN 208-111-028 has been scheduled with local solar expert Greenwired. Permittee expects to have inspection report ready for submittal to Planning Department by 31 December 2024, although the completion deadline for this and all Conditions of Approval remains October 2025.

Condition 11: Comply with the terms of any applicable Streambed Alteration (1600) Permit obtained from the California Department of Fish & Wildlife. NOTE - LSAA 1602 is under former permit holder. Current permit holder / owner must renew LSAA in their name and complete all Requirements.

LSAA Notification No. EPIMS-HUM-04338-R1C was officially transferred by original applicant Brandon Rivas to current Permittee Kathy Ann Hall on 15 November 2023 (Attachment C).

CONDITION COMPLETE.

Condition 12: The applicant shall secure permits for all existing and proposed grading (including, but not limited to flats and pond) and structures (including, but not limited to the cabin, shop and 5 cargo containers) related to the cannabis cultivation and other commercial cannabis activity. A letter or similar communication from the Building Division verifying that all structures and grading related to cannabis cultivation is permitted will satisfy this condition. No impervious floor shall be allowed for greenhouses.

As previously stated, County of Humboldt has specified (in writing) an October 2025 deadline for the Permittee's Conditions of Approval. Moreover, the structures listed in the non-compliance notes prepared by Inspector Kein do not exist at APN 208-111-028. The following structures currently located at the cultivation site are typically considered ag-exempt: plastic (PVC) framed greenhouses, drying shed, one (1) small pesticide/nutrient storage shed, and one (1) additional agricultural storage shed. No impervious floors are known to be used in any of the Permittee's greenhouses.

Ag-exempt permit applications and payments for these structures have been filed by the Permittee, despite the fact that the Permittee possesses written confirmation from the County of Humboldt of an October 2025 Conditions of Approval deadline. **CONDITION COMPLETE.**

Condition 15b: The groundwater well shall be inspected annually to evaluate drawdown, and the potential for the well to go dry. This evaluation should include a standard pump test to be conducted during the dry season. Evaluation of the pump test results should be conducted by a licensed professional with expertise. Should the results of the drawdown testing indicate the potential for the well to go dry or any other confounding factors regarding proximal wells, the County may require the Applicant to install additional water storage to mitigate excessive drawdown.

Appellant has secured a well drawdown evaluation as of the date of this *Statement*. Well inspection was performed by Watson Well Drilling of Eureka, CA. Well inspection report is currently in progress and initial observations from the professional evaluation indicate that the well is functioning properly with minimal risk of running dry.

Permittee possesses written documentation of a County-approved Conditions of Approval deadline of October 2025. Permittee fully intends to comply with this and all other Conditions of Approval, but is not obligated to demonstrate full compliance with Condition 15b (or any other Condition of Approval) until the stated deadline. **CONDITION COMPLETE.**

Condition 23a: All refuse shall be contained in wildlife proof containers, at all times, and relocated to an authorized waste management facility, in compliance with State and local laws, on a regular and on-going basis.

Permittee agrees to construct a containment fence by 15 November 2024 and to make all reasonable efforts to clean up cultivation waste before October 2025 Conditions of Approval deadline.

Photographs which document the containment fence installation shall be submitted to County of Humboldt Planning and Building Department no later than 15 November 2024. **CONDITION COMPLETE.**

3. **Power source(s): Solar to be main power source for cultivation. Several generators found on site. One of which was running at time of inspection for drying area in Cultivation Area #1. Generators to be used as backup only.**

Generators on site are used as backup only. Permittee maintains several backup generators onsite for ease and safety of operation (large site operated by one woman, to avoid moving heavy generators over rough terrain) in the event backup electricity is needed.

4. **Soil management, compost, plant waste, refuse: Spent soil found spread outside cultivation areas. Refuse found on property in untied soil bags and not disposed of properly. This included used nutrient and oil containers, as well as used oil filters. Also remove all inoperable fans, lights, etc. and dispose at the proper approved facilities.**

Areas have been cleaned up, including refuse disposal. Photographic evidence has been provided to County of Humboldt Planning and Building Department and can be produced for future review by Humboldt County Board of Supervisors upon request.

5. **Water source(s): Well not in use. Meter shows only 381 gallons utilized from well.**

Please refer to the response to *Summary of Issues* on p. 3 of this *Statement of Grounds for Appeal*. Erroneous data collection and incorrect assumptions based on equipment misreading. Water collection records have been provided by Appellant to County of Humboldt Planning and Building Department and can be provided for review by Humboldt County Board of Supervisors upon request.

6. **Water source(s):** Pressure pump and piping found in Little Larabee Creek on property and connected to storage tanks for cultivation. Little Larabee Creek is not an approved water source for cannabis cultivation. Remedy: Pump to be removed for [sic]creek immediately. Waterlogs required to be presented to NCWQCB and Humboldt County Planning on a yearly basis as per Conditions of Approval Items #4 and #8.

All diversion infrastructure at Little Larabee Creek was removed within ten (10) days of the 24 October 2024 Compliance Inspection. All Conditions of Approval items shall be satisfied by October 2025. Statement of Use and LSAA Amendment filed by ETA Management Group on behalf of Permittee (1 November 2024).

Thank you for considering this *Statement of Grounds for Appeal* related to *Notice of Cannabis Permit Suspension* and subsequent hearings before Humboldt County Board of Supervisors. **Appellant Kathy Ann Hall categorically asserts that the suspension of Humboldt County Cannabis Permit PLN-12280-CUP has been made erroneously and should be revoked immediately on the grounds described in this *Statement*.** Should the County require further information or clarification of any statements made by ETA Management Group or the Appellant, please contact me directly at the contact information listed below.

Most sincerely,

Vanessa H. Valare

Vanessa H. Valare, on behalf of Appellant Kathy Ann Hall

Owner/Manager, ETA Management Group LLC

etahumboldt@gmail.com | (707) 923-1180

ATTACHMENTS:

Attachment A: Statement of Grounds for Appeal

Attachment B: Notification of Cannabis Permit Suspension, dated 31 October 2024

Attachment C: Transfer of Lake and Streambed Alteration Agreement, dated 15 November 2023

Attachment D: Annual Compliance Inspection Report, dated 9 August 2024

Attachment E: Water Meter & Usage Records, Mana Farms, LLC

Attachment F: Manufacturer Product Data Sheet, Badger Meter Model 120 Recordall

Attachment G: Professional Land Survey performed by Dylan Kolstad, dated 30 July 2020.

***END: Attachment A - Statement Regarding
Grounds for Appeal***

***Begin: Attachment B - Notice of Suspension,
dated 31 October 2024***



**COUNTY OF HUMBOLDT
PLANNING AND BUILDING DEPARTMENT**

3015 H Street, Eureka CA 95501

Phone: (707) 445-7541

<https://humboldt.gov.org/2546/Planning-Building>

10/31/2024

Kathy Ann Hall
Mana Farms, LLC
540 2nd Avenue
Rio Dell, CA 95562

Notification of Cannabis Permit Suspension

This letter is to inform you that your Humboldt County Cannabis permit **PLN-12280-CUP** on **APN 208-111-028** for cultivation has been suspended due to an inspection dated 10/24/2024.

Due to these violations of the conditions of the permit, your permit **HAS BEEN SUSPENDED** and will be referred to the Humboldt County Board of Supervisors for a **REVOCATION HEARING**.

On October 24th, 2024, a member of the Humboldt County Planning and Building Post Approval Monitoring Team completed an inspection of PLN-12280 along with officers from the California Department of Fish and Wildlife, the Humboldt County Sheriff's Department, the California Department of Cannabis Control, as well as environmental scientists from the California State Water Board, and the California Department of Fish and Wildlife. During the inspection, Humboldt County Planning staff discovered several issues regarding compliance with the approved County Cannabis permit. Please see attached inspection report.

This means **NO CANNABIS CULTIVATION OR OTHER ACTIVITIES** are allowed until the Board of Supervisors Revocation Hearing on December 10, 2024. All cannabis operations must cease immediately.

Summary of issues -

1. Water Source – Approved Water source (well) not in use. Required meter shows only 381 gallons utilized from well. Unauthorized pressure pump, gasoline tank, and piping found in Little Larabee Creek on property and connected to storage tanks for cultivation. This is a direct violation of F&G Code 5650(a) and F&G 1602 (Conditions of Approval Item #11b).
2. Unapproved Development or Structures – Drying structures and locations of greenhouses not represented on Site Plan
3. Building Permits – Required permits have not been secured from Building Department as per Conditions of Approval (1a)
4. Conditions of Approval – Items #1, 2, 5, 6, 12, and 15 have not been completed.
5. Streambed Alteration Agreement (1602) – Under former permit holder and needs to be updated per Ongoing Condition 11b.
6. Refuse, Waste, Oil, and Trellis Net - All cannabis related waste and unpermitted items to be disposed of properly at approved facilities. (Ongoing Conditions 23b)
7. See attached inspection report for all non-compliant issues.

In order to resolve the violations and reactivate the permit, you will need to attend the Board of Supervisors hearing. If the permit is revoked, all the cannabis infrastructure will need to be removed from the property.

This action of the Planning Department to suspend your permit may be appealed to the Board of Supervisors pursuant to Section 312-13 of the Humboldt County Code. The appeal must be filed within ten (10) working days of the date of this letter and include payment of the appeal fee as set by resolution of the Board of Supervisors. The first hearing before the Board of Supervisors to consider the appeal shall begin within thirty (30) working days of the appeal filing date.

If you have any questions or concerns, please contact Michael Kein at 707-268-3739.

Respectfully,

A handwritten signature in blue ink, appearing to read "M. Kein", with a stylized flourish at the end.

Michael Kein
Associate Planner, Humboldt County Planning and Building Department

Planning Applicant email: ManaFarmsLLC@gmail.com

CC: Department of Cannabis Control

***END: Attachment B - Notice of Suspension,
dated 31 October 2024***

***BEGIN: Attachment C - Transfer of Lake and
Streambed Alteration Agreement, dated
15 November 2023***



State of California – Natural Resources Agency
DEPARTMENT OF FISH AND WILDLIFE
Habitat Conservation and Planning
619 Second Street
Eureka, CA 95501
R1LSAEureka@wildlife.ca.gov
(707) 441-2075
www.wildlife.ca.gov

GAVIN NEWSOM, Governor
CHARLTON H. BONHAM, Director



November 15, 2023

Brandon Rivas
Rockaway Investments LLC
P.O. Box 130
Rio Dell, CA 95562
etahumboldtrivas@gmail.com

**TRANSFER OF LAKE OR STREAMBED ALTERATION AGREEMENT
NOTIFICATION NO., EPIMS-HUM-04338-R1C; APN: 208-111-028**

Dear Brandon Rivas:

On October 11, 2023, the California Department of Fish and Wildlife (CDFW) received your request to amend the above referenced Lake or Streambed Alteration Agreement (Agreement) and the required fee in the amount of \$525 for a minor amendment. Your request to amend the Agreement included a transfer of the Agreement from Brandon Rivas (Transferor), the current permittee under the Agreement, to Kathy Hall (Transferee).

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

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

Copies of the Agreement and this amendment must be readily available at project work sites and must be presented when requested by a CDFW representative or agency with inspection authority.

If you have any questions regarding this letter, please contact Ryan Aberg, Environmental Scientist by email at Ryan.Aberg@wildlife.ca.gov.

Brandon Rivas
EPIMS-HUM-04338-R1C
11/13/2023

Sincerely,

DocuSigned by:
David Manthorne
1B5E42F730224D2...

David Manthorne, Senior Environmental Scientist Supervisor

ec: California Department of Fish and Wildlife
Ryan Aberg, Environmental Scientist
Region 1- Coastal
Ryan.Aberg@wildlife.ca.gov

***END: Attachment C - Transfer of Lake and
Streambed Alteration Agreement, dated
15 November 2023***

***BEGIN: Attachment D - Annual Compliance
Inspection Report, dated 9 August 2024***



HUMBOLDT COUNTY
PLANNING AND BUILDING DEPARTMENT
 3015 H STREET, EUREKA, CA 95501 - PHONE (707) 445-7245

PLANNING PROJECT

ANNUAL COMPLIANCE INSPECTION REPORT

APPLICANT AND AGENT INFORMATION

Applicant:
Applicant Address: KATHY HALL, 540 2ND AVENUE
 RIO DELL, CA 95562
Agent:
Agent Address: PHILLIPSVILLE, CA 95559

PROJECT INFORMATION

Project Number: PLN-12280-CUP
Primary Parcel Number: 208-111-028-000
Inspection Date: 08/09/2024
Inspection Type: Annual Compliance Inspection
Inspector Name: Collin Slavey
Inspector Email: cslavey@co.humboldt.ca.us
Cannabis: Y

PERFORMANCE STANDARDS

Performance Standard	Compliance	Notes	Deadline
DCC Grant Recipient	No		
Billing Fee Status	COMPLIANT		
Completed necessary conditions prior to operating	COMPLIANT		
Cultivation amount	COMPLIANT		
Cultivation in approved location(s)	COMPLIANT	Need to apply for building permits.	
Cultivation type and schedule	COMPLIANT		
Development/structures in approved locations	COMPLIANT		
Drainage, runoff, and erosion control	COMPLIANT		
Employees, housing, bathrooms, handwashing stations	COMPLIANT		
Light pollution prevention	COMPLIANT		
Monofilament netting	COMPLIANT	Be sure to clean up waste netting.	
Noise (dB)	COMPLIANT		
Operation is achieving compliance schedule	COMPLIANT	Deadline October 2025. Please review all items on the Compliance Agreement. Let me know if you want a copy of the document. Email me at cslavey@co.humboldt.ca.us.	
Operation is meeting ongoing conditions	COMPLIANT		
Potentially hazardous materials storage (e.g. fuel and fertilizers)	COMPLIANT		
Power source(s)	COMPLIANT		
Processing in approved location(s)	COMPLIANT		
Security plan implementation	COMPLIANT		

Visit the Accela Citizen Access portal to view record data online:

<https://aca-prod.accela.com/HUMBOLDT/Cap/CapDetail.aspx?Module=Planning&TabName=Planning&capID1=16HUM&capID2=00000&capID3=011KY&agencyCode=HUMBOLDT>



HUMBOLDT COUNTY
PLANNING AND BUILDING DEPARTMENT
3015 H STREET, EUREKA, CA 95501 - PHONE (707) 445-7245

PLANNING PROJECT
ANNUAL COMPLIANCE INSPECTION REPORT

PERFORMANCE STANDARDS

Performance Standard	Compliance	Notes	Deadline
Soil management, compost, plant waste, refuse	COMPLIANT		
State license(s)	COMPLIANT		
Uses consistent with site plan and operations plan	COMPLIANT		
Water meter(s) installed and records available	COMPLIANT	Please be sure to record water use per month.	
Water source(s) and use	COMPLIANT		
Water storage	COMPLIANT		

Visit the Accela Citizen Access portal to view record data online:

<https://aca-prod.accela.com/HUMBOLDT/Cap/CapDetail.aspx?Module=Planning&TabName=Planning&capID1=16HUM&capID2=00000&capID3=011KY&agencyCode=HUMBOLDT>

***END: Attachment D- Annual Compliance
Inspection Report, dated 9 August 2024***

***BEGIN: Attachment E - Water Meter &
Usage Records, Mana Farms, LLC***

Water Meter Records for Mana Farms, LLC**County Permit:** PLN-12280-CUP**County APN:** 228-111-028**Permittee:** Kathy Ann Hall**Water Meter:** Badger Meter Model 120 Recordall, SN: 63961-011**Meter Installed:** 18 July 2023***Table 2: Water Meter Records***

Date	Meter Reading (gal)	Total Gathered (gal)	Water in Storage (gal)	Cultivation Use (gal)
7/18/2023	-	-	30,000	-
9/1/2023	523	523	20,023	10,500
10/1/2023	2,204	1,681	13,204	8,500
5/1/2024	2,204	-	13,204	-
6/1/2024	6,116	3,912	15,916	1,200
7/1/2024	14,198	8,082	19,198	4,800
8/1/2024	25,000	10,802	20,100	9,900
9/1/2024	31,493	6,493	15,593	11,000
10/1/2024	38,146	6,653	11,646	10,600
10/24/2024	38,146	-	2,500	9,146

***Figure 1: Water meter reading captured by Inspector Kein on 24 October 2024.***

***END: Attachment E - Water Meter & Usage
Records, Mana Farms, LLC***

***BEGIN: Attachment F - Manufacturer Data
Sheet for Model 120 Recordall (Water Meter)***



Recordall® Disc Meters

Lead-Free Bronze Alloy 120 & 170, Sizes 1-1/2 in. (40 mm) & 2 in. (50 mm), NSF/ANSI/CAN Standards 61 and 372 Certified

DESCRIPTION

Recordall Models 120 and 170 Disc Series meters meet or exceed the most recent revision of AWWA Standard C700 and are available in a lead-free bronze alloy. Both meters comply with the lead-free provisions of the Safe Drinking Water Act, are certified to NSF/ANSI/CAN Standards 61 and 372 (Trade Designations: M120-LL and M170LL) and carry the NSF-61 mark on the housing. All components of the lead-free bronze alloy meter (housing, measuring element, seals, and so on) comprise the certified system.

Applications: For use in measurement of potable cold water in residential, commercial and industrial services where flow is in one direction only.

Operation: Water flows through the meter's strainer and into the measuring chamber where it causes the disc to nutate. The disc, which moves freely, nutates on its own ball, guided by a thrust roller. A drive magnet transmits the motion of the disc to a follower magnet located within the permanently sealed register. The follower magnet is connected to the register gear train. The gear train reduces the disc nutations into volume totalization units displayed on the register or encoder face.

Operating Performance: The Recordall Disc Series meters meet or exceed registration accuracy for the low flow rates (95%), normal operating flow rates ($100 \pm 1.5\%$), and maximum continuous operation flow rates as specifically stated in AWWA Standard C700.

Construction: Recordall Disc meter construction, which complies with ANSI/AWWA standard C700, consists of three basic components: meter housing, measuring chamber, and permanently sealed register or encoder. The water meter is available in a lead-free bronze alloy. A corrosion-resistant engineered polymer material is used for the measuring chamber.

Magnetic Drive: Direct magnetic drive, through the use of high-strength magnets, provides positive, reliable and dependable register coupling for straight-reading or AMR/AMI meter reading options.

Tamper-Proof Features: Unauthorized removal of the register or encoder is inhibited by the option of a tamper detection seal wire screw, TORX® tamper-resistant seal screw or the proprietary tamper-resistant keyed seal screw. Each can be installed at the meter site or at the factory.

Maintenance: Badger Meter Recordall Disc Series meters are designed and manufactured to provide long-term service with minimal maintenance. When maintenance is required, it can be performed easily either at the meter installation or at any other convenient location.

To simplify maintenance, the register, measuring chamber, and strainer can be replaced without removing the meter housing from the installation. No change gears are required for accuracy calibration. Interchangeability of parts among like-sized meters minimizes spare parts inventory investment. The built-in strainer has an effective straining area of twice the inlet size.

Connections: Companion flanges in cast iron or NL bronze are available as options. Straight connection sets are available in NL bronze.



M120

M170

SPECIFICATIONS

Meter Model	M120	M170
Typical Operating Range (100% \pm 1.5%)	2.5...120 gpm (0.57...27 m ³ /hr)	2.5...170 gpm (0.57...39 m ³ /hr)
Low Flow (Min. 95%)	1.25 gpm (0.28 m ³ /hr)	1.5 gpm (0.34 m ³ /hr)
Maximum Continuous Operation	80 gpm (18 m ³ /hr)	100 gpm (23 m ³ /hr)
Pressure Loss at Maximum Continuous Operation	4.8 psi at 80 gpm (0.33 bar at 18 m ³ /hr)	3.3 psi at 100 gpm (0.23 bar at 23 m ³ /hr)
Maximum Operating Temperature	80° F (26° C)	80° F (26° C)
Maximum Operating Pressure	150 psi (10 bar)	150 psi (10 bar)
Measuring Element	Nutating disc, positive displacement	Nutating disc, positive displacement
Meter Connections	1-1/2 in. AWWA two-bolt elliptical flange, drilled or 1-1/2...11-1/2 NPT internal pipe threads	2 in. AWWA two-bolt elliptical flange, drilled or 2...11-1/2 NPT internal pipe threads
Test Plugs	Optional 1 in. NPT test plug (TP)	Optional 1 in. NPT test plug (TP)

Materials

Meter Housing	Lead-free bronze alloy
Housing Top Plates	Lead-free bronze alloy
Measuring Chamber	Engineered polymer
Disc	Engineered polymer
Trim	Stainless steel
Strainer	Engineered polymer
Disc Spindle	Stainless steel
Magnet	Ceramic
Magnet Spindle	Stainless steel
Register Lid and Shroud	Engineered polymer, bronze

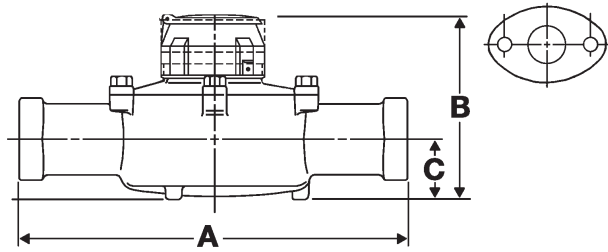


RDM-DS-00465-EN-10 (April 2024)

Product Data Sheet

Recordall® Disc Meters Lead-Free Bronze Alloy 120 & 170, Sizes 1-1/2 in. (40 mm) & 2 in. (50 mm), NSF/ANSI/CAN Standards 61 and 372 Certified

DIMENSIONS



Meter Size	Meter Model	A Laying Length	B Height Reg./RTR	C Centerline Base	Width	Approx. Shipping Weight
1-1/2 in. (40 mm)	120 EL, Hex	12-5/8 in. (321 mm)	7 in. (178 mm)	2-3/8 in. (60 mm)	8-3/4 in. (222 mm)	19 lb (8.6 kg)
1-1/2 in. (40 mm)	120 ELL	13 in. (330 mm)	7 in. (178 mm)	2-3/8 in. (60 mm)	8-3/4 in. (222 mm)	19 lb (8.6 kg)
2 in. (50 mm)	170 EL, Hex	15-1/4 in. (387 mm)	8 in. (203 mm)	2-7/8 in. (73 mm)	9-1/2 in. (241 mm)	30 lb (13.6 kg)
2 in. (50 mm)	170 ELL	17 in. (432 mm)	8 in. (203 mm)	2-7/8 in. (73 mm)	9-1/2 in. (241 mm)	30 lb (13.6 kg)

EL = Elliptical

ELL = Elliptical Long

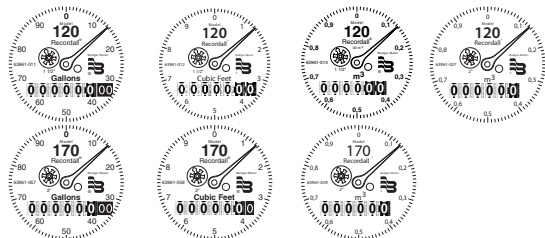
Hex = Hexagon, 1-1/2...11-1/2 in. NPT Thread

TP=Test Plug 1 in.

REGISTERS / ENCODERS

Standard—Sweep-Hand Registration

The standard register is a straight-reading, permanently sealed magnetic drive register. Dirt, moisture, tampering and lens fogging problems are eliminated. The register has a six-odometer wheel totalization display, 360° test circle with center sweep hand, and flow finder to detect leaks. Register gearing is made of self-lubricating engineered polymer, which minimizes friction and provides long life. The multi-position register simplifies meter installation and reading. The register capacity is 100,000,000 gallons (10,000,000 ft³, 1,000,000 m³).



Meter Model	Gallon	Cubic Feet	Cubic Meter
120	100	10	1/0.1
170	100	10	1

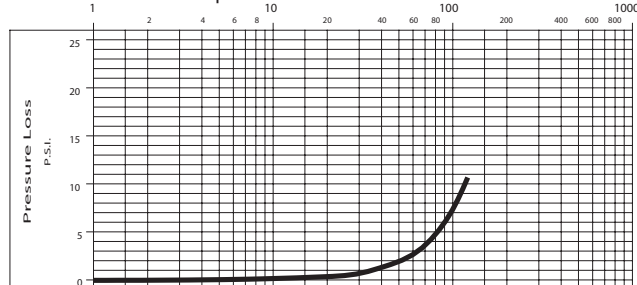
Optional—Encoders for AMR/AMI Reading Solutions

AMR/AMI solutions are available for all Recordall Disc Series meters. All reading options can be removed from the meter without disrupting water service. Badger Meter encoders provide years of reliable, accurate readings for a variety of applications and are also available pre-wired to Badger Meter approved AMR/AMI solutions. See details at badgermeter.com.

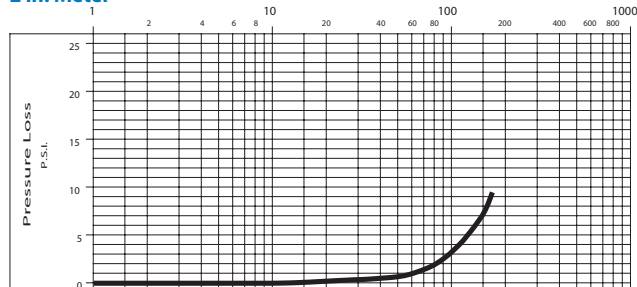
PRESSURE LOSS CHARTS

1-1/2 in. Meter

Rate of Flow in Gallons per Minute



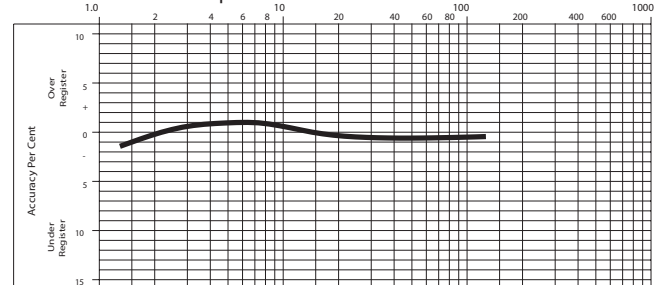
2 in. Meter



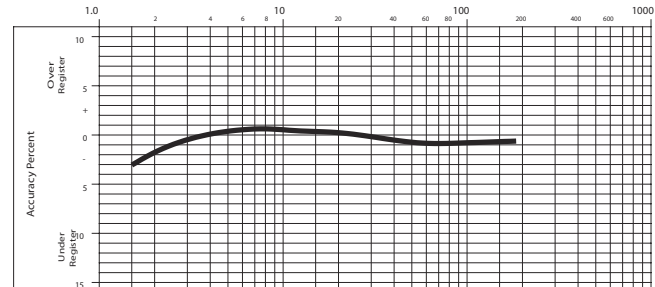
ACCURACY CHARTS

1-1/2 in. Meter

Rate of Flow in Gallons per Minute



2 in. Meter



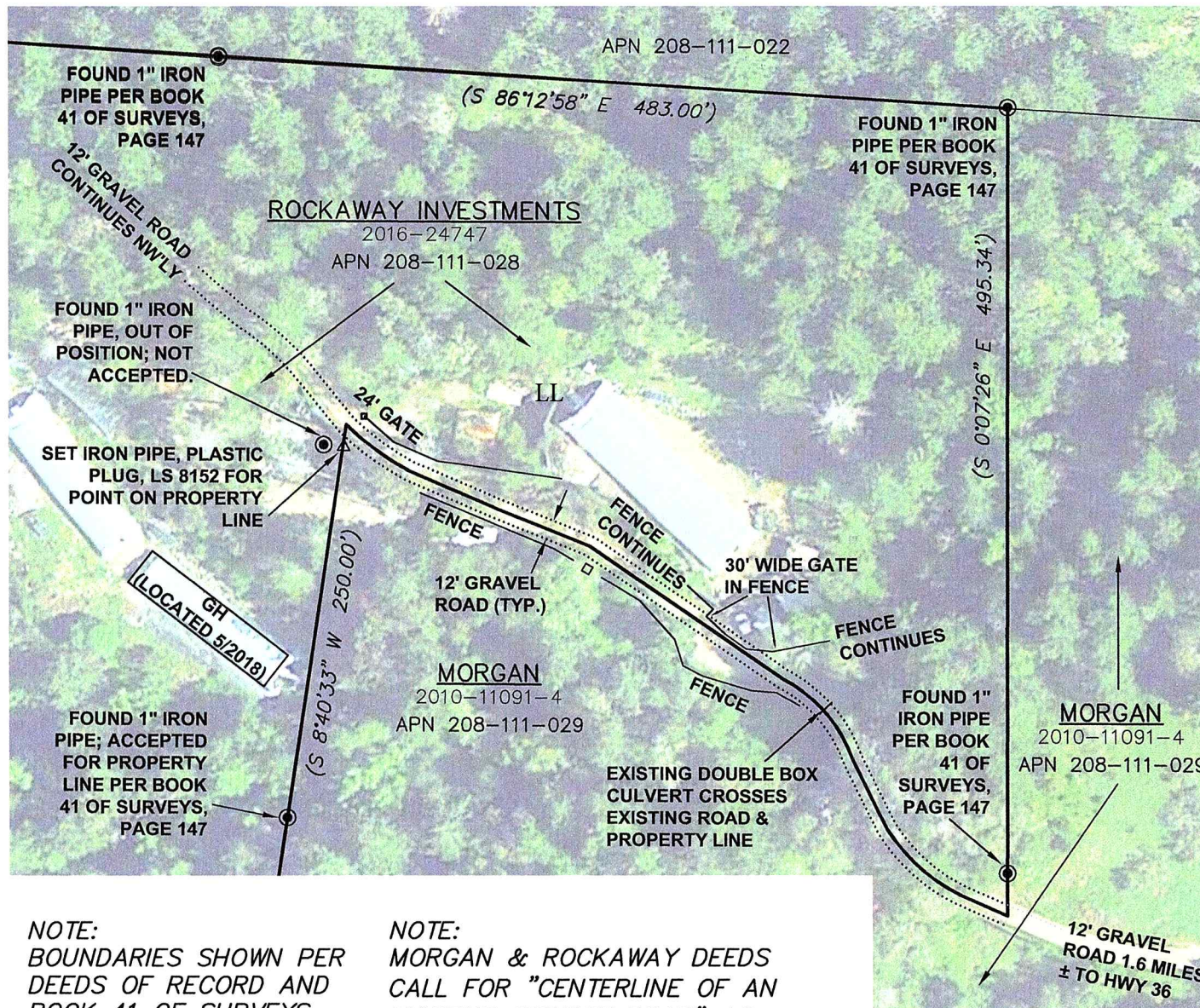
SMART WATER IS BADGER METER

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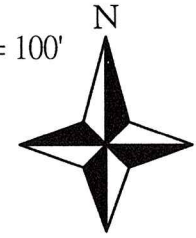
www.badgermeter.com

***END: Attachment F - Manufacturer Data
Sheet for Model 120 Recordall (Water Meter)***

***BEGIN: Attachment G - Professional Land
Survey performed by Dylan Kolstad, dated
30 July 2020***



SCALE: 1" = 100'



NOTE:
THIS MAP PREPARED BY DYLAN KOLSTAD, LS 8152, JULY 30, 2020, BASED ON FIELD SURVEY APRIL 25, 2018 AND JULY 3, 2020 AND IS A REVISION AND UPDATE TO A PREVIOUS EXHIBIT PREPARED MAY 9, 2018. BACKGROUND AERIAL IMAGERY (IF APPLICABLE) IS FROM GOOGLE EARTH, DATED APRIL 30, 2019, ALIGNED APPROXIMATELY TO FIELD SURVEY. VARIOUS IMPROVEMENTS EXIST NEAR BOUNDARY LINES AND WERE NOT ALL LOCATED THIS SURVEY. SEE NOTES AT BOTTOM LEFT.



NOTE:
BOUNDARIES SHOWN PER DEEDS OF RECORD AND BOOK 41 OF SURVEYS, PAGE 147. VARIANCES EXIST BETWEEN SAID SURVEY AND DEED DESCRIPTIONS. SEE NOTES HEREON.

NOTE:
MORGAN & ROCKAWAY DEEDS CALL FOR "CENTERLINE OF AN EXISTING PRIVATE ROAD" AS PROPERTY LINE. COURSES SHOWN ON BOOK 41 OF SURVEYS, PAGE 147 MEANDER AND ARE A ROUGH APPROXIMATION OF CENTER LINE.

BOUNDARY EXHIBIT

SHEET 1 OF 1

KOLSTAD LAND SURVEYORS

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END: No further attachments.