



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: October 4, 2018

To: Humboldt County Planning Commission

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

Subject: **Sensi Valley, Inc., General Plan Amendment, Zone Reclassification, Special Permit, and Conditional Use Permit**
Application Number: 12782
Case Numbers: GPA18-003, ZR18-006, CUP16-834, CUP18-043, SP17-170, SP17-171, SP17-172, and SP18-83
Assessor's Parcel Number (APN): 208-071-032
46068 State Highway 36, Dinsmore area

Table of Contents

	Page
Agenda Item Transmittal	2
Recommended Action and Executive Summary	3
Draft Resolution #1	9
Draft Resolution #2	11
Maps	
Topo Map	13
Aerial Map	14
Zoning Map	15
Site Plans	16
Attachments	
Attachment 1: Recommended Conditions of Approval	19
Attachment 2: Mitigated Negative Declaration	30
Attachment 3: Mitigation Monitoring and Reporting Program	112
Attachment 4: Staff Analysis of the Evidence Supporting Required Findings	126
Attachment 5: Applicant's Evidence in Support of the Required Findings	152
Attachment 6: Referral Agency Comments and Recommendations	258
Attachment 7: Draft Ordinance for Board of Supervisors	269
Attachment 8: Public Comments Received	272

Please contact Meghan Ryan, Planner, at 707-445-7541 or by email at vendorlaco3@co.humboldt.ca.us if you have any questions about the scheduled public hearing item.

AGENDA ITEM TRANSMITTAL

Hearing Date October 4, 2018	Subject General Plan Amendment, Zoning Reclassification, Conditional Use Permits and Special Permits	Contact Meghan Ryan
--	---	-------------------------------

Project Description: A General Plan Amendment and Zone Reclassification (ZR) to change the general plan and zoning of APN 208-071-032 from a General Plan designation of Residential Agriculture (RA20) and Zoning of Unclassified (U) to a General plan designation of Industrial General (IG) and Zoning of Heavy Industrial with a qualified combining zone (MH-Q). The proposed zoning change will better reflect the historic use of the property as a mill site and solid waste disposal operation. The project would also include two Conditional Use Permits and four Special Permits for a nursery, processing, manufacturing, distribution, caretaker housing for security, and a setback reduction from federal lands in accordance with Humboldt County Code Section 314-55.4.8.7 of Chapter 4 of Division I of Title III, Commercial Medical Marijuana Land Use Ordinance (CMMLUO). A separate but related project action is a Zoning Clearance Certificate for a 1,000 square foot testing facility. The total size of the proposed project area is 67,644 sf (1.55 acres), which would comprise approximately 11 percent of the 13.78-acre project site.

Project Location: The project site is located in Humboldt County, in the Dinsmore area, on the south side of State Highway 36 approximately 100 feet south of the intersection of Cobb Road and State Highway 36, on the property known as 46068 State Highway 36.

Present Plan Land Use Designations: Residential Agriculture (RA20); Density: 20 acres per Dwelling Unit; Slope Stability: High Instability (3) and Low Instability (1).

Present Zoning: Unclassified (U).

Application Number: 12782

Case Numbers: ZR-18-006, GPA18-003, CUP16-834, CUP18-043, SP-17-170, SP17-171, SP17-172, and SP18-083

Assessor Parcel Numbers: 208-071-032

Applicant

Sensi Valley, Inc.
PO Box 1366
Eureka, CA 95502

Owner

Travis and Cydnee Bowen
PO Box 354
Cave Junction, OR 97523

Agent

Sensi Valley, Inc.
Attn.: Sean Trainor
PO Box 1366
Eureka, CA 95502

Environmental Review: A Mitigated Negative Declaration has been prepared.

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

Major Issues: Setbacks to federal lands.

SENSI VALLEY, INC.
Case Numbers: GPA18-003, ZR18-006, CUP16-834, CUP18-043,
SP17-170, SP17-171, SP-17-172, and SP18-83
Assessor's Parcel Number: 208-071-032

Recommended Commission Action:

1. Describe the application at a Public Hearing;
2. Request staff to present the project;
2. Open the public hearing and receive public testimony; and
3. Close the public hearing and take the following action:

Move to adopt the Mitigated Negative Declaration (MND), and to make all of the required findings for approval of the General Plan Amendment, Zone Reclassification, Conditional Use Permits, and Special Permits based on evidence in the staff report and any public testimony, and adopt the Resolution approving the proposed Sensi Valley, Inc., project subject to the recommended conditions and recommend the Board of Supervisors approve the Sensi Valley, Inc., General Plan Amendment and Zone Reclassification by adopting the attached Resolution of Approval #2.

Executive Summary: Sensi Valley, Inc., is applying for a General Plan Amendment, Zone Reclassification, Conditional Use Permits, and Special Permits. The project proposes to alter the zoning and general plan of APN 208-071-032 from a general plan designation of Residential Agriculture (RA20) and zoning of Unclassified (U) to a general plan designation of Industrial General (IG) and zoning of Heavy Industrial with a qualified combining zone (MH-Q). Additionally, the project proposes to construct a 5,000 sf-indoor retail nursery, 21,200 sf-processing facility, an 11,760 sf-manufacturing facility, an 896 sf-distribution facility, caretaker housing, and parking totaling 78 spaces with 4 ADA-compliant accessible spaces on a 13.78-acre project site in compliance with the County Commercial Medical Marijuana Land Use Ordinance (CMMLUO). Highway 36 parallels the parcel's northern property line and provides access to the property. The Van Duzen River runs roughly parallel to the southern property boundary, and the site is partially situated on the river's 100-year floodplain. The project area features a variety of land uses consisting of agricultural land, rural residential and light industry. The property to the east is an auto salvage yard. The properties to the north are utilized for cannabis cultivation and the properties to the south and east are vacant and publicly owned. Other land uses in the vicinity of the site include the Dinsmore Airport 1.3± miles to the northwest of the site, the Riverbend Mobile home park 0.35± mile northwest of the site, and the Dinsmore sand and gravel plant 2± miles southeast of the site.

The project would be developed in three phases. Phase One would develop all manufacturing operations, all nursery operations, security, utilities, parking and utilize an existing building for processing. Phase Two would develop all remaining processing facilities, the commercial distribution facility and the testing laboratory (separate project). Phase Three would focus on the development of administrative buildings and final improvements on site. **Table 1** displays a detailed project phasing layout.

Table 1: Project Phasing

Phase 1		Phase 2	
Description of Work	Size (Square Feet)	Description of Work	Size (Square Feet)
Entry Security Facility	432	Employee Services Facility	1,680
Site office/Secure Entry Personnel	800	Processing Building	13,920
Sales Office	400	Commercial Distribution Area	896
Existing Commercial Processing Building	4,000	Certified Lab Testing Facility (Separate related project)	1,000
Extraction Lab 1	1,440	Final Processing	4(480) Total 1,920
Extraction Lab 2	1,600	Post Processing Storage	800
Extraction Lab 3	1,440	Post Processing Auditing & Logistics	560
Infusion Lab	360	Phase 3	
Cold Water Lab	360	Agricultural Building	5,000
Post Extraction Lab 1	1,152	Administrative Offices	5,760
Post Extraction Lab 2	1,152	--	--
Post Extraction Lab 3	1,152	--	--
Nursery Operation	5,000	--	--
Caretaker Housing	2,400	--	--
Bathroom	320	--	--
Parking	78 spaces, 4 ADA	--	--
Energy Distillation Support	5,000	--	--
Waste Management Area	2,500	--	--
Utilities (All Phase 1)			
Primary Electrical Drop	--	-Automatic Transfer Switch/Main distribution Panel-	-100-
Fuel Tank for Backup Generator	800	CO2 Tank	800
400,000 Gal Water Tank (Phases 1 and 2)	--	Water Treatment, Waste Water, Recycled Water Facility	2,116
Septic System Blackwater not recycled	2,824	--	--

The entry security facility, site office/secure entry personal, sales office, employee services building, water treatment and disbursement, energy and distillation support, and caretaker housing may be developed as temporary structures until replaced by permanent structures. The temporary structures will be placed in the same location as the permanent structures that are depicted on the site plan.

Setback Reduction

Under the CMMLUO, cultivation and processing operations require a setback of 600 feet from publicly owned lands that are managed for wildlife, open space and recreational facilities. This setback may be reduced with a Special Permit. The project proponent has applied for a Special Permit (SP18-83) to allow for a setback reduction to public land. APN 208-071-018 to the west and south of the subject parcel is owned by the US Forest Service (USFS) and is managed for open space and wildlife purposes. The USFS property is approximately 135 feet west and 293 feet south of the proposed nursery operation and approximately 175± feet west and 315 feet south of the proposed processing facility. The USFS was referred and responded with a recommendation of denial of the setback reduction. USFS clarified that this recommendation is not specific to the project, but is the position of the USFS for all cannabis applications that seek a reduced setback because the federal government seeks to reduce the impact of cannabis on federal lands.

The subject parcel is just over 600 feet in width at its narrowest point and would therefore not be suitable for cannabis cultivation and processing without approval of the requested setback reduction. The property is attractive as a nursery and processing facility because of its frontage along a State highway and its proximity to areas that are in critical need of such cannabis support facilities. The communities of Dinsmore, Bridgeville, and the surrounding areas have a high concentration of cannabis cultivation activities that are in need of suitable and permitted support facilities. Additionally, the development of these cannabis support facilities in this central location with well-developed access encourages these activities to occur away from areas that are not suitable for such commercial activities, thereby furthering the goal of protecting wildlife habitat.

Additionally, the adjacent public land is subject to the Land and Resource Management Plan - Six Rivers National Forest 1995 (L&RMP). The nursery and processing portions of the project, which are not possible without the setback reduction, is consistent with the L&RMP because the activities will minimize impacts to biological resources and wildlife through measures to reduce potential light and noise impacts and by maintaining appropriate buffers from sensitive habitat areas.

Water Use and Storage

The applicant estimates that the maximum annual water consumption by the proposed project would be 881,000 gallons. Approximately 255,000 gallons of water is estimated to be used for the proposed nursery per year, approximately 24,000 gallons of water would be used for the proposed manufacturing operation, approximately 180,000 gallons would be needed for employee use, approximately 180,000 for cleaning of the facility and sanitation of the equipment and, 242,000 gallons for all other uses on site including landscaping, temporary housing and contingency.

The proposed water sources for the property are a permitted well and a rainwater catchment system. The well was installed and permitted in 2016 under Department of Environmental Health permit number 15/16-03921. The well is assumed to access shallow groundwater and therefore is likely to be hydrologically connected to surface waters. The water sources would provide water to one (1) 400,000-gallon tank. The project applicant has contracted Camel Water to develop a water treatment facility (Aqualoop system) that would recycle water used in the nursery operation. After the initial use of water, the system would only require 10% new water supply each day after the initial use, reducing the operating requirements by 90% (Camel Water, 2018).

The applicant has an approved Lake and Streambed Alteration Agreement for the hydrologically-connected well. The project has also received an amendment to its Lake and Streambed Alteration Agreement to increase the amount of water pumped from the well during forbearance from 150 gallons per day to 500 gallons per day. The proposed project would pump an average of 15,000 gallons of water from the hydrologically connected well per month during the forbearance period amounting to 75,000 gallons of water during the five (5) month forbearance period. The proposed rainwater catchment system would supply 34,200 gallons of water during forbearance while the remaining 107,850 gallons would be provided from treated grey water from the proposed water treatment facility.

Employees and Schedule of Operations

For Phase I of the project the operation would initially employ 25 employees. When operating at full capacity during the peak season, Sensi Valley would employ 49 employees and expects that a maximum of 35 employees would be on-site per day per shift. Sensi Valley would operate under a 2-3 shift work schedule and would stagger start and end times of employee shifts to reduce traffic. The applicant anticipates a maximum of 25 employees per day per shift, plus a maximum of 10 additional employees per shift during peak season (Oct/Nov/Dec).

Access/Parking

The property is accessed directly from Highway 36 via an existing driveway. The project would provide 78 off-street parking spaces, including four (4) ADA-compliant accessible spaces.

Landscape trees would be installed along the northern and southern portion of the property to screen the project operation from Highway 36; sufficient space would be available in and around the proposed parking areas and internal circulation driveways for landscaping that may be requested by the County Planning and Building Department pursuant to HCC §314-109.1.5.2.

Encroachment Improvements

Highway 36 is a two-lane, paved, striped highway approximately 40 feet wide, and classified in Humboldt County GIS data as a Minor Arterial. Highway 36 provides access from U.S. Highway 101 at Fortuna to Hydesville, Bridgeville, Larrabee Valley, and east through Trinity County to Interstate-5 at Red Bluff in Tehama County. The Mitigated Negative Declaration for the proposed project proposes Mitigation Measure T-1, which requires the project to apply and receive an Encroachment Permit from Caltrans prior to construction of the project.

Storm Water Management

The project site is on a terrace north of and adjacent to the Van Duzen River, that has been previously graded and developed and is consequently flat. A large earthen berm along the south edge of the project site physically prevents surface water, pollutants, and sediment from discharging from the site into the Van Duzen River. The project would prepare a revised Water Resources Protection (WRPP) to further develop design features that restrict the potential for pollution discharge and erosion and sedimentation. Also, the project would develop a Storm Water Pollution Prevention Plan and implement Treatment Control BMP's to address concerns relating to storm water management that are specific to project construction.

Watershed Protection

The property is in the Mill Creek- Van Duzen River Hydrologic Unit (HUC-12) and the Van Duzen Planning Watershed and a WRPP is required for the proposed project. The WRPP includes a plan to make the project compliant with the Standard Conditions of the North Coast Regional Water Quality Control Board Cannabis Order, and will address site maintenance, erosion control and drainage features; riparian and wetland protection management; spoils management; water storage and use; irrigation runoff; fertilizers and soil amendments; pesticides/herbicide; petroleum products and other chemicals; cultivation related

waste; refuse and human waste; and remediation/cleanup/restoration.

Onsite Wastewater Treatment System

The proposed project would be served by a water treatment facility. The proposed facility would be housed in a 2,116 square foot building. Discharged gray water from the nursery, processing, manufacturing, and employee facilities would be recycled for re-use, creating a system with little wastewater discharge from the proposed cannabis operations.

A.M. Baird Engineering & Surveying, Inc. has designed the proposed septic system that would serve the proposed operation. The project proposes to design a Wisconsin at Grade Mound sewage disposal system, which would include a 3,300-gallon septic tank and a 1,500-gallon pumping tank. This system would be sufficient to serve the maximum of 35 employees per shift per day. The proposed project includes a 2,824 square foot leach field area, which would be protected from development.

Hazardous Materials and Waste

All chemicals, including pesticides, fertilizers, herbicides, and manufacturing solvents would be stored properly per their specified directions. A separate, secured storage shed is available on-site to store most chemicals. Agricultural waste would be recycled onsite. Plant matter would be fermented to generate ethanol from the plant, which would be used to extract the essential oils desired for manufacturing. All matter left after the operation would be used to make pots for the nursery or composted on-site. This process would generate very little waste. The proposed manufacturing operation would only use non-volatile solvents. The fermenter for the fermentation will be in the proposed energy distillation support facility.

The projects WRPP would condition the project to maintain a log of nutrient use stating the type of nutrient/amendments being added with stated NPK (Nitrogen, Phosphorus, and Potassium) ratio. The log would be kept onsite for reference and documentation of nutrient application. The WRPP has also conditioned the project to be monitored annually, and immediately following a precipitation event with 3 inches of accumulation in a 24-hr. period. The monitoring would include inspection to ensure nutrients, fertilizers, and any petroleum products are stored in a dry secured location and that soil and spoils are contained and covered to prevent nutrient leaching. All conditions applied in the WRPP would be included in the projects Conditions of Approval.

Odors

The project proponent would install heating, ventilation and air conditioning (HVAC) systems with a commercial grade filtration system. The proposed nursery would be enclosed within a metal building equipped with the commercial grade filtration system. Odor produced from nursery operations is not as fragrant, because the main odor from cannabis cultivation comes from the flower, nursery operations feature non-flowering plants. The manufacturing, processing, fermenting, distribution and testing facilities would all be indoors and would also feature the commercial grade filtration system.

Electrical Service

Electricity on the property is supplied by Pacific Gas and Electric (P. G. & E.). The project would have a backup generator, fueled by propane or LP gas and the generators would be used for initial construction until the proposed service drop is installed. After installation of the service drop the generator would be used only for emergency use. The applicant would conduct an annual energy audit, track energy use, and utilize alternative energy sources, when possible.

Security

The security plan includes fencing around the premises with locked gates, 24-hour digital surveillance with on-site security personnel, alarm systems, and inventory controls to prevent diversion. The proposed project will also include landscaping to help screen the proposed project from public views.

Comments from Reviewing Agencies

During the review period, the Department received a comment letter from the Bear River Band Rohnerville Rancheria (BRBRR). The Tribal Historic Preservation Officer for BRBRR stated that a cultural resource survey was conducted in 1978 on the project site, which indicated that no cultural resources were present. BRBRR requested that standard inadvertent discovery language be included as a condition of approval and that no new survey is required.

The Department of Public Works requested the applicant to complete the Airspace certification form to confirm the project will not create hazards for the nearby Dinsmore Airport. The applicant completed the Airspace Certification Form, which confirms the project complies with all applicable codes. The Airspace Certification Form was approved and signed by Allan Baird a registered Professional Engineer.

The Southern Trinity Joint Unified School District submitted a letter stating that the proposed project is within 600 feet of a bus stop. The site plan for the proposed project submitted on July 18, 2018 shows that the referenced bus stop is 764.5± feet away from the proposed operation.

The California Department of Fish and Wildlife (CDFW) submitted two letters in response to the proposed project. The first letter was received on August 31, 2018 and the second letter was received on September 7, 2018 and provided an updated response based on new information CDFW received on the project. CDFW recommend conditional approval with comments regarding the construction of permanent structures within a floodplain, storage of hazardous or toxic materials on-site, attenuation of noise and light pollution, and a request for mitigation of encroachments to public land in a 100-year floodplain in the form of a site-specific riparian enhancement plan.

In response to the CDFW's comments regarding development within a floodplain the IS/MND found that the project will have less than a significant impact on hydrology and water quality with the implementation of Mitigation Measures HYD-1 and HYD-2. Mitigation Measure HYD-1 requires the applicant to submit a California Northcoast Regional Water Quality Control Board (NCRQCB) approved Water Resources Protection Plan (WRPP) prior to construction. The WRPP shall describe and further mitigation measures the project would take to protect water resources. Mitigation Measure HYD-02 requires the project applicant to submit engineered plans that illustrate conformance with the recommendations made in the Flood Level Determination prepared by A.M. Baird to the Humboldt County Planning and Building Department prior to construction. In response to comments regarding hazardous and toxic materials, the proposed project has been conditioned to store all hazardous or toxic materials in proper facilities when not in direct use. The facility will be required to meet conditions of a Floodplain Development Certificate per Mitigation Measure HYD-2. The IS/MND addressed Noise and light pollution concerns with Mitigation Measure AES-1 and NOI-1. Mitigation measure AES-1 requires the applicant to provide a lighting plan demonstrating that all indoor and outdoor lighting for the proposed project would not deliver or have the potential to deliver light pollution from sunset to sunrise. Mitigation Measure NOI-1 places restrictions on construction activities including restrictions on time of construction operation and maintenance of equipment with approved muffler systems. In response to the requested mitigation of encroachments to public lands in a 100-year floodplain. Mitigation would be required when a significant impact is identified and that is not the case with this proposed project as it relates to indirect biological impacts to public land in a floodplain. The proposed setback reduction to public lands is not considered to be a significant biological impact, therefore, mitigation is not required.

Friends of the Eel River expressed concern regarding the project's location within a DWR Floodplain, proximity to surrounding U.S. Forest Service Land, hydrologically connected well, and the CEQA analysis. The proposed project has had an Initial Study/Mitigated Negative Declaration (IS/MND) prepared to analyze its environmental impacts. The IS/MND found that the project will have less than a significant impact on hydrology and water quality with the implementation of Mitigation Measures HYD-1 and HYD-

**RESOLUTION OF THE PLANNING COMMISSION #1
OF THE COUNTY OF HUMBOLDT
Resolution Number 18-**

**Case Numbers: CUP16-834, CUP18-043, SP17-170, SP17-171, SP-17-172, and SP18-083
Assessor's Parcel Number: 208-071-032**

Makes the required findings for certifying compliance with the California Environmental Quality Act and conditionally approves the Sensi Valley, Inc., Conditional Use Permit and Special Permit requests.

WHEREAS, Sensi Valley, Inc., submitted an application and evidence in support of approving the Conditional Use Permits and Special Permits for a new commercial cannabis nursery, processing, distribution, and products manufacturing establishment using non-volatile solvents, as well as a Special Permit for a setback reduction from public lands; and

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

WHEREAS, the project is subject to environmental review pursuant to the California Environmental Quality Act (CEQA); and

WHEREAS, The County Planning Division, the lead agency, prepared a Mitigated Negative Declaration (MND) for the Sensi Valley, Inc. Conditional Use Permits and Special Permits as required by Section 15074(b) of the CEQA Guidelines, and finds there is no substantial evidence that the proposed project will have a significant effect on the environment; and

WHEREAS, Attachment 3 in the Planning Division staff report includes substantial evidence in support of making all of the required findings for approving the proposed Conditional Use Permits (Case Numbers CUP16-834 and CUP17-076) and Special Permits (Case Number SP-17-170, SP17-171, SP17-172, SP18-083); and

WHEREAS, a public hearing was held on the matter before the Humboldt County Planning Commission on October 4, 2018.

NOW, THEREFORE, be it resolved, determined, and ordered by the Humboldt County Planning Commission that the following findings be and are hereby made:

1. Adopts the proposed Mitigate Negative Declaration in Attachment 2 as required by Section 15074(b) of the CEQA Guidelines, and finds that there is no substantial evidence that the proposed project will have a significant effect on the environment; and
2. The findings in Attachment 4 of the Planning Division staff report for Case Numbers CUP16-834, CUP17-076, SP17-170, SP17-171, SP-17-172, and SP18-083 support approval of the project based on the submitted evidence; and
3. Approves Conditional Use Permit Case Number CUP16-834 for a 5,000-sf indoor retail nursery as recommended and conditioned in Attachment 1. The permit shall become effective immediately after the Board of Supervisors approves the General Plan Amendment and Zone Reclassification for the property, which replaces the Residential Agriculture (RA20) General Plan and Unclassified (U) zone with the Industrial General (IG) General Plan and Heavy Industrial with the Qualified combining (MH-Q) zone.
4. Approves Conditional Use Permit Case Number CUP18-043 for a 2,400-sq foot caretaker housing building as recommended and conditioned in Attachment 1. The permits shall become effective immediately after the Board of Supervisors approves the General Plan Amendment and Zone Reclassification for the property, which replaces the Residential Agriculture (RA20) General Plan and Unclassified (U) zone with the Industrial General (IG) General Plan and Heavy Industrial with the Qualified combining (MH-Q) zone.

5. Approves Special Permit Case Number SP17-170 for a 21,200-sf processing facility as recommended and conditioned in Attachment 1. The permits shall become effective immediately after the Board of Supervisors approves the General Plan Amendment and Zone Reclassification for the property, which replaces the Residential Agriculture (RA20) General Plan and Unclassified (U) zone with the Industrial General (IG) General Plan and Heavy Industrial with the Qualified combining (MH-Q) zone.
6. Approves Special Permit Case Number SP17-171 for an 11,760-sf manufacturing facility as recommended and conditioned in Attachment 1. The permits shall become effective immediately after the Board of Supervisors approves the General Plan Amendment and Zone Reclassification for the property, which replaces the Residential Agriculture (RA20) General Plan and Unclassified (U) zone with the Industrial General (IG) General Plan and Heavy Industrial with the Qualified combining (MH-Q) zone.
7. Approves Special Permit Case Number SP17-172 for an 896-sf distribution facility recommended and conditioned in Attachment 1. The permits shall become effective immediately after the Board of Supervisors approves the General Plan Amendment and Zone Reclassification for the property, which replaces the Residential Agriculture (RA20) General Plan and Unclassified (U) zone with the Industrial General (IG) General Plan and Heavy Industrial with the Qualified combining (MH-Q) zone.
8. Approves Special Permit Case Number SP18-83 for a setback reduction to public lands as recommended and conditioned in Attachment 1. The permits shall become effective immediately after the Board of Supervisors approves the General Plan Amendment and Zone Reclassification for the property, which replaces the Residential Agriculture (RA20) General Plan and Unclassified (U) zone with the Industrial General (IG) General Plan and Heavy Industrial with the Qualified combining (MH-Q) zone.

Adopted after review and consideration of all the evidence on October 4, 2018.

The motion was made by COMMISSIONER _____ and second by COMMISSIONER _____:

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

**RESOLUTION OF THE PLANNING COMMISSION #2
OF THE COUNTY OF HUMBOLDT
Resolution Number 18-**

**Case Number GPA18-003, ZR18-006.
Assessor's Parcel Number: 208-071-032**

Recommending the Humboldt County Board of Supervisors certify compliance with the California Environmental Quality Act and approve the Sensi Valley, Inc., General Plan Amendment and Zone Reclassification request.

WHEREAS, Sensi Valley, Inc., submitted an application and evidence in support of approving the General Plan Amendment and Zone Reclassification (ZR); and

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

WHEREAS, the project is subject to environmental review pursuant to the California Environmental Quality Act (CEQA); and

WHEREAS, The County Planning Division, the lead agency, prepared a Mitigated Negative Declaration (MND) for the Sensi Valley, Inc., Conditional Use Permits, and Special Permits adopted by the Planning Commission on September 20, 2018, in Attachment 2 as required by Section 15074(b) of the State CEQA Guidelines, and finds there is no substantial evidence that the proposed project will have a significant effect on the environment; and

WHEREAS, Attachment 4 in the Planning Division staff report Includes substantial evidence in support of making all of the required findings for approving the proposed General Plan Amendment and Zone Reclassification; and

WHEREAS, a public hearing was held on the matter before the Humboldt County Planning Commission on October 4, 2018.

NOW, THEREFORE, be it resolved, determined, and ordered by the Humboldt County Planning Commission that the following findings be and are hereby made:

1. The Planning Commission makes the findings in Attachment 1 of the Planning Division staff report for Case Nos.: GPA18-003, ZR18-006 based on the submitted evidence; and
2. The Planning Commission recommends that the Board of Supervisors of the County of Humboldt:
 - Hold a public hearing in the manner prescribed by law.
 - Adopt the Planning Commission's findings.
 - By General Plan, approve the General Plan Amendment from Residential Agriculture (RA20) to Industrial General (IG) on the subject parcel.
 - By ordinance, approve the Zone Reclassification from Unclassified (U) zone to Heavy Industrial with the Qualified combining (MH-Q) zone on the subject parcel.
 - Direct the Planning Division to prepare and file a Notice of Determination pursuant to CEQA for the project.
 - Direct the Clerk of the Board to publish a post approval summary in a newspaper of general circulation, and give notice of the decision to interested parties.

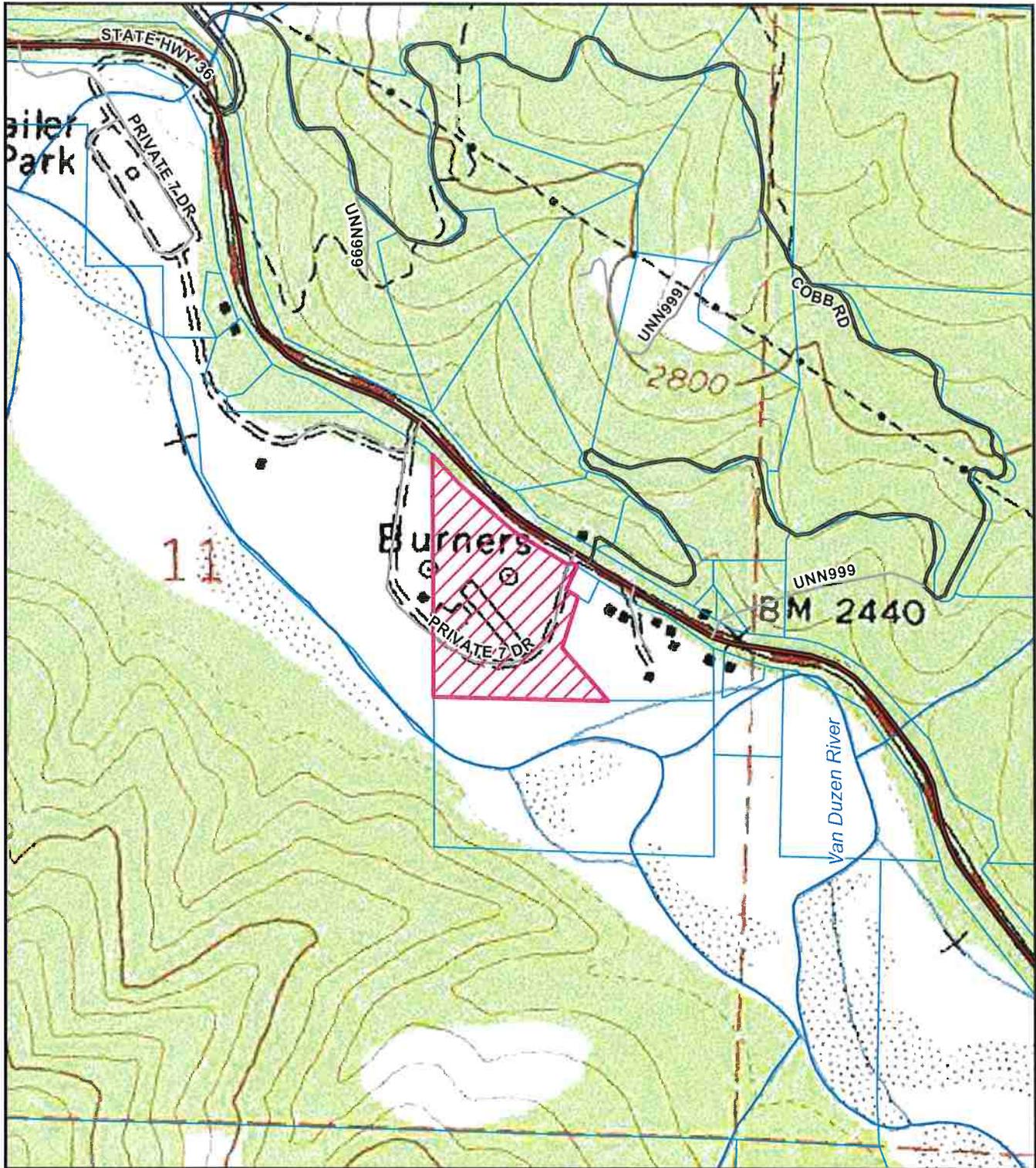
Adopted after review and consideration of all the evidence on October 4, 2018.

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 SENSI VALLEY INC
DINSMORE AREA**

GPA-18-003; ZR-18-18-006

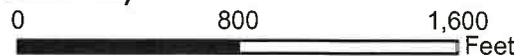
APN: 208-071-032

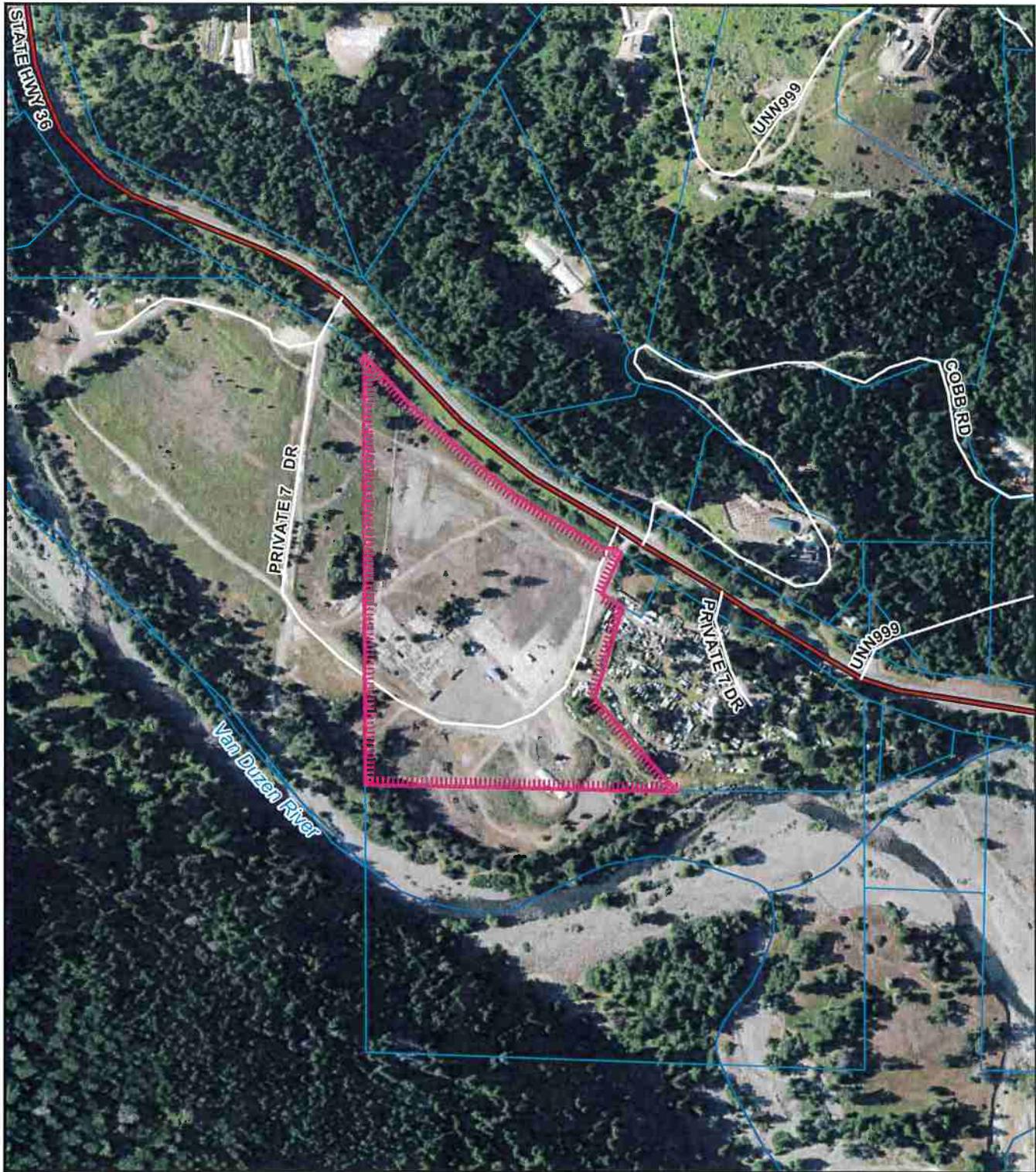
T01N R05E S11 HB&M (DINSMORE)

Project Area = 



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





AERIAL MAP

**PROPOSED SENSI VALLEY INC
DINSMORE AREA
GPA-18-003; ZR-18-18-006
APN: 208-071-032**

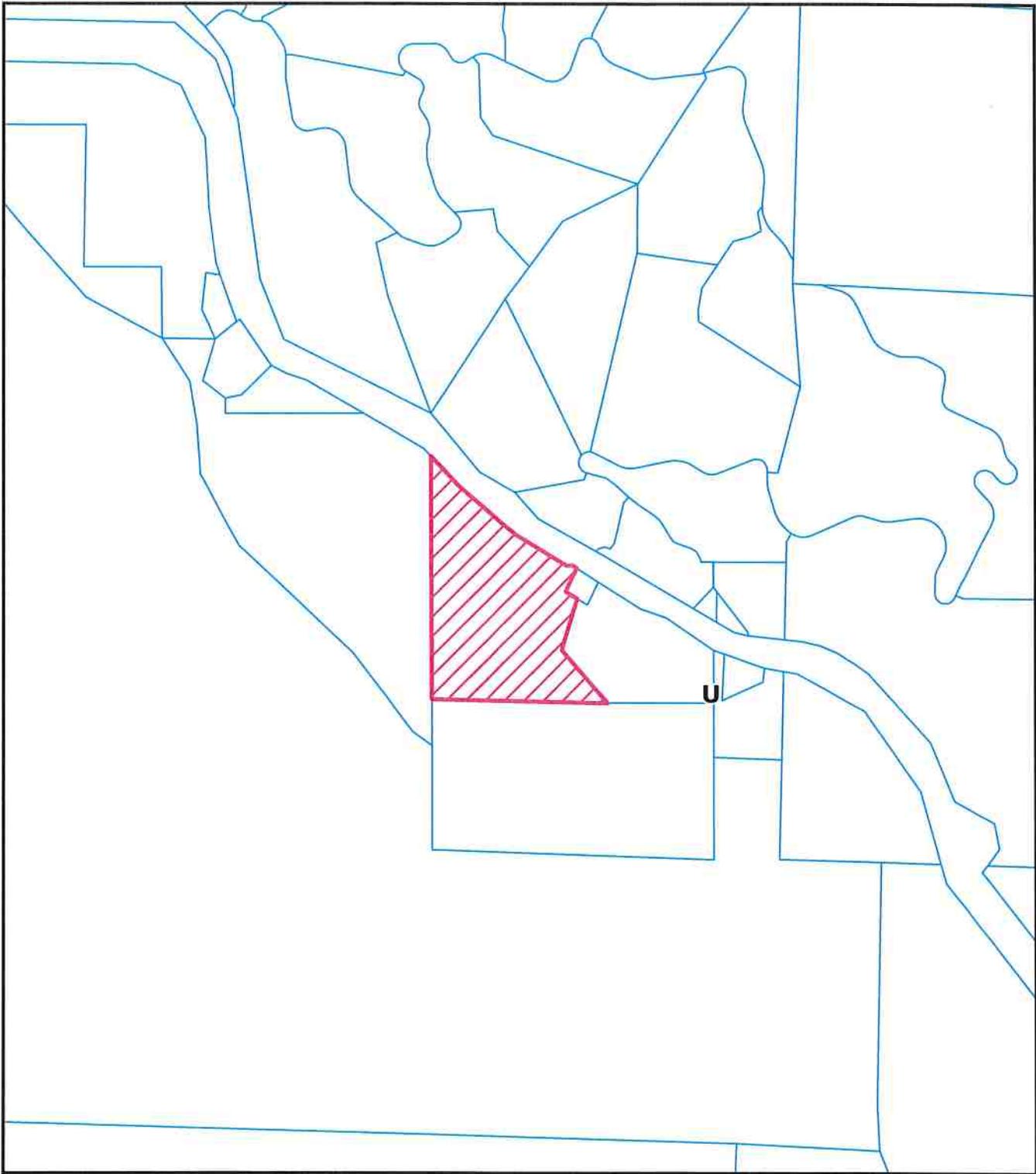
T01N R05E S11 HB&M (DINSMORE)

Project Area = 

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



0 475 950 Feet



ZONING MAP

**PROPOSED SENSI VALLEY INC
DINSMORE AREA**

GPA-18-003; ZR-18-18-006

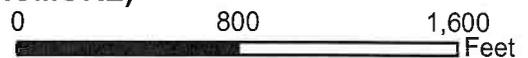
APN: 208-071-032

T01N R05E S11 HB&M (DINSMORE)



Project Area = 

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



NOTES:

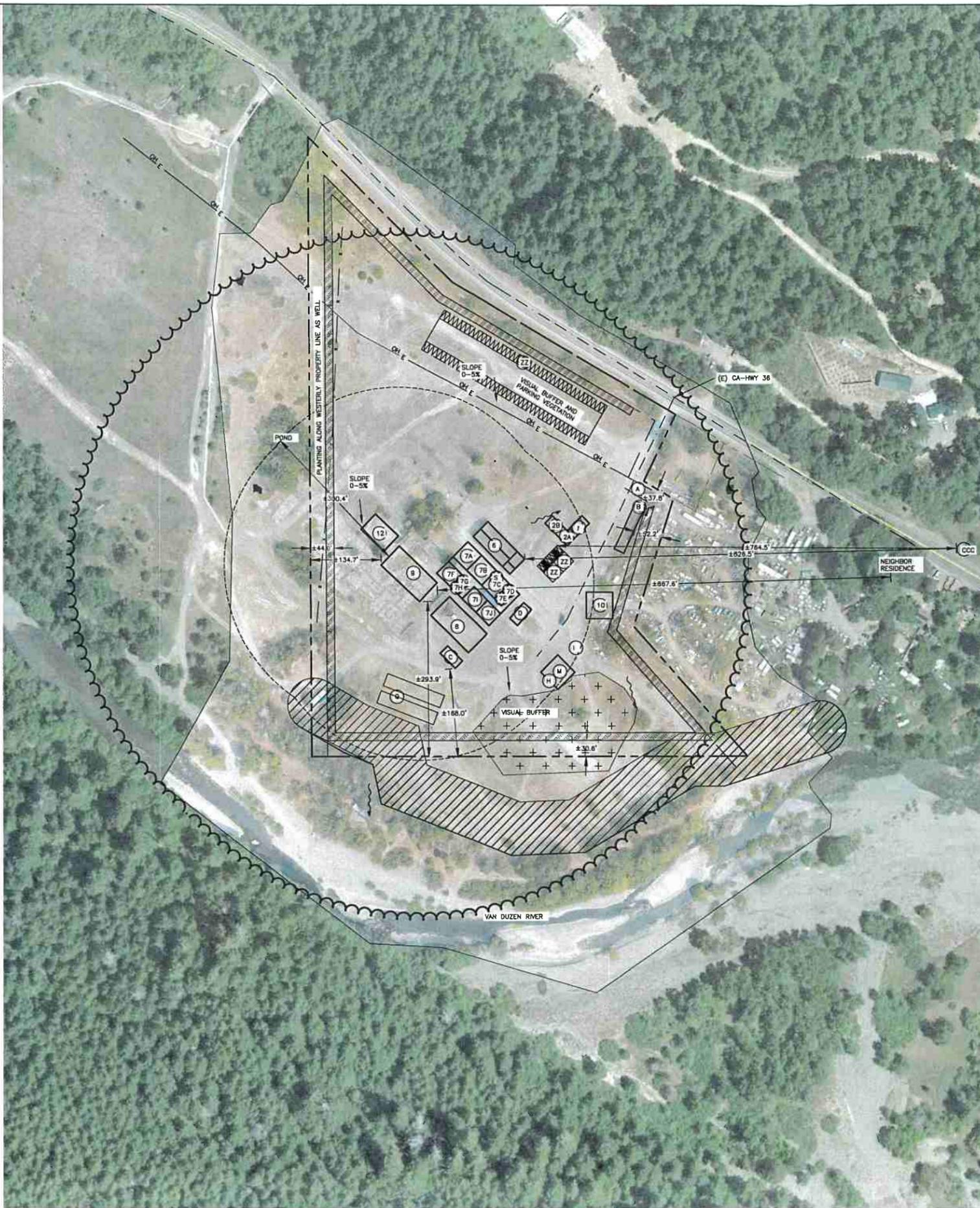
1. THE WATER SOURCE FOR THIS SITE IS PRIVATE.
2. POWER FOR THIS IS PROVIDED BY PG&E & PRIVATE.
3. WATER STORAGE ON SITE IS **ALL PROPOSED** A TWO STAGE ±400,000-GAL RAIN CATCHMENT WATER TANKS WITH EMERGENCY FIRE HYDRANTS
4. SLOPES ACROSS PARCEL ARE 0-5% GRADE.
5. GRADE IS FLAT, RUNOFF IS MITIGATED NATURALLY. DISCHARGE IF EVER PRESENT SHALL BE CONTROLLED WITH STRAW AND FIBER ROLLS AS REQUIRED. L.I.D. OPTIONS AVAILABLE.
6. NO SCHOOLS, SCHOOL BUS STOPS, PLACES OF WORSHIP, PUBLIC PARKS, TRIBAL CULTURAL RESOURCES, W/IN 600' OR W/IN 300' OF OFF-SITE RESIDENCES
7. THERE ARE NO KNOWN PRIME AG SOILS IN THE VICINITY.
8. PG&E OVERHEAD POWER LINE IS THE ONLY KNOWN EASEMENT
9. IMAGE DATE: 5/26/2016-GOOGLE EARTH PRO & DRONE IMAGE FROM 2018
10. ENTIRE PARCEL LOCATED WITHIN DWR AWARENESS FLOODPLAIN (PER HUMBOLDT COUNTY GIS MAPPING LAYER, 2017)
11. PARKING IS ASSUMED BASED OFF OF OCCUPANCY 78 REGULAR PARKING SPACES & FOUR ADA PARKING
12. SURVEY HAS BEEN SUBMITTED TO HUMBOLDT COUNTY PLANNING DEPARTMENT.
13. NO KNOWN HISTORICAL BUILDINGS, ARCHAEOLOGICAL, OR PALEONTOLOGICAL RESOURCES.
14. NO KNOWN HAZARDOUS REC'S OR AREAS ON PROJECT OR WITH IN 400' OF PROJECT.
15. NEW OUTDOOR LIGHTING SHALL BE COMPATIBLE W/ THE EXISTING SETTING. EXTERIOR LIGHTING FIXTURES & STREET STANDARDS WILL BE FULLY SHIELDED, DESIGNED, & INSTALLED TO MINIMIZE OFF-SITE LIGHTING & DIRECT LIGHT WITHIN THE PROPERTY BOUNDARIES. LIGHTING SHALL COMPLY WITH INTERNATIONAL DARK SKY ASSOCIATION STANDARDS.
16. EXISTING CONCRETE ±1.67-AC
17. EXISTING DRIVEWAY ±1.62-AC
18. UL-55. LANDSCAPING STANDARDS. LANDSCAPING SHALL BE REQUIRED FOR NEW DEVELOPMENT WHICH CREATES FIVE (5) OR MORE NEW PARKING SPACES. THE LANDSCAPING POLICES SHALL BE ACCOMPLISHED BY THE SUBMITTAL OF A LANDSCAPING PLAN.

Project Plan Table of Buildings (proposed unless duly noted as existing)

Bldg #	Description	Phase	Bldg #	Description	Phase
1	Entry Gate Security Facility 18' x 24' 432 sq-ft ~ 12.5' Tall	1	7.F	Post extraction Lab 32' x 36'	1
2.A	Site Office/Secure Entry Personnel 20' x 40' 800 sq-ft ~ 12.5' Tall	1	7.H	Bathroom 16' x 20'	1
2.B	Sales office 20' x 20' 400 sq-ft ~ 12.5' Tall	1	7.I	Post Extraction Lab 32' x 36'	1
3	Employee services Facility 24' x 70' 1,680 sq-ft	2	7.J	Post Extraction Lab 32' x 36'	1
4	Processing Building 232' x 60' 13,920 sq-ft	2	8	Energy, distillation, support 50'x100'	1
5.A	Commercial Distribution Area 32' x 28'	2	9	Nursery Operations 50'x100'	1
5.B	Certified Lab Testing facility 50' x 20'	2	10	Waste Management Area 50' x 50'	1
5.C, D, E, F	Final Processing 4(20' x 24')	2			
5.G	Post Processing Storage 20' x 40'	2	12	Temporary/Housing 40'x60'	1
5.H	Post Processing Auditing and logistics 20' x 28'	2	13	AG Building 50'x100'	3
6	Existing Commercial Processing Building 40' x 100' 4,000 sq-ft (permitted)	1		5,000 sq-ft	
7	Sensi Labs, All manufacturing (type 7)	1			
7.A	Extraction Lab 40' x 36'	1	15 A-E	Admin support offices 90'x64'	3
7.B	Extraction Lab 40' x 40'	1		5,760 sq ft	
7.C	Extraction Lab 40' x 36'	1		Total Site Impact	
7.D	Infusion Lab 20' x 18'	1		Phase One = 36,108 sq-ft	
7.E	Cold Water Lab 20' x 18'	1		Phase Two = 20,776 sq-ft	
				Phase Three = 10,760 sq-ft	
				Total = 67,644 sq-ft	
Utilities					
A	Primary Electric Drop	1			
B	Automatic Transfer Switch/Main Site Distribution Panel 10' x 10'	1			
C	Fuel tank for back up generator 20' x 40'	1			
D	CO2 Tank 20'x40'			Improvements	
	800 sq-ft			Cannabis = 0.97-AC	
				Non-Cannabis = 0.58-AC	
				Total = 1.55-AC	
H	Existing Well	1		1.55/13.78= 0.11 ~ 11%	
I	400,000-GAL Water Tank	1 & 2			
			CCC	Bus Stop	
M	Water Treatment, Waste Water, Recycled Water Facility 46' x 46' 2,116 sq-ft	1			
Q	(P) Septic System Blackwater not Recycled ~ 2,824 sq-ft	1			
ZZ	Parking 78 spaces and 4 ADA	1			

LEGEND:

	PROPERTY LINES
	ADJACENT PROPERTY LINES
	30' SETBACK
	OVERHEAD POWERLINE
	(P) FENCE LINE
	300' SETBACK
	600' SETBACK
	EXISTING ROAD/DRIVEWAY
	PROPOSED ROAD/DRIVEWAY
	DRAINAGE PATTERN
	SMA AREA
	HISTORICAL FILL SITE
	MULTI PURPOSE BUFFER ZONE
	PARKING 9'x18'



LEGAL:
 ADDRESS: 46068 ST HWY 36
 DINSMORE, CA 95526
 APN: 208-071-032
 APPLICANT: SENSI VALLEY, INC
 OWNER: TRAVIS AND CYRÉE BOWEN
 46068 ST HWY 36
 DINSMORE, CA 95526
 PHONE: (707) 273-8656
 SETBACK: 30' PERMETER

DESCRIPTIONS: USE PERMIT FOR:
 • NURSERY RETAIL
 • PROCESSING FACILITY
 • MANUFACTURING
 • DISTRIBUTION
 • TESTING

LOT SIZE: ±11.76 ACRES

DIRECTIONS:
 EXIT US-HWY 101 (685)
 CA-HWY 36
 TURN LEFT ONTO ST HWY 36
 (43.7 MILES)
 46068 ST HWY 36, DINSMORE,
 CA 95526

DISCLAIMER:
 MAPPING INFORMATION PROVIDED IS FOR HUMBOLDT COUNTY PLANNING PERMITTING PURPOSES ONLY.
 THIS SITE PLAN REFLECTS MANY MAPPING DETAILS THAT ARE USEFUL TO ASSURE THAT THE STRUCTURES ARE LOCATED APPROPRIATE TO THEIR SURROUNDINGS. HOWEVER, NONE OF THE INFORMATION SHOWN IS IMPLIED TO SUGGEST OR SUBSTITUTE FOR A CONTRACTED ACTUAL LAND SURVEY.
 A. M. BAIRD, ENGINEERING AND SURVEYING, INC. ASSUMES NO RESPONSIBILITY ARISING FROM THE USE OF THIS INFORMATION FOR HUMBOLDT COUNTY PLANNING PERMITTING PURPOSES ONLY.

NO.	DATE	DESCRIPTION	BY
1			
2			
3			
4			
5			

A.M. Baird
 Engineering & Surveying
 1257 Main St., P.O. Box 396, Fortuna, CA 95540
 (707) 725-5182



SCALE	AS SHOWN
DRAWN BY	PDS
CHKD	AMB
DATE	7/18/2018

SENSI VALLEY, INC
 APN: 208-071-032
 46068 CA-HWY 36, DINSMORE, CA 95526

CMMLUO SITE PLAN
SITE PLAN - PHASE ONE

JOB NO. 17-4711-3
 SHEET NO. 1 OF 1

NOTES:

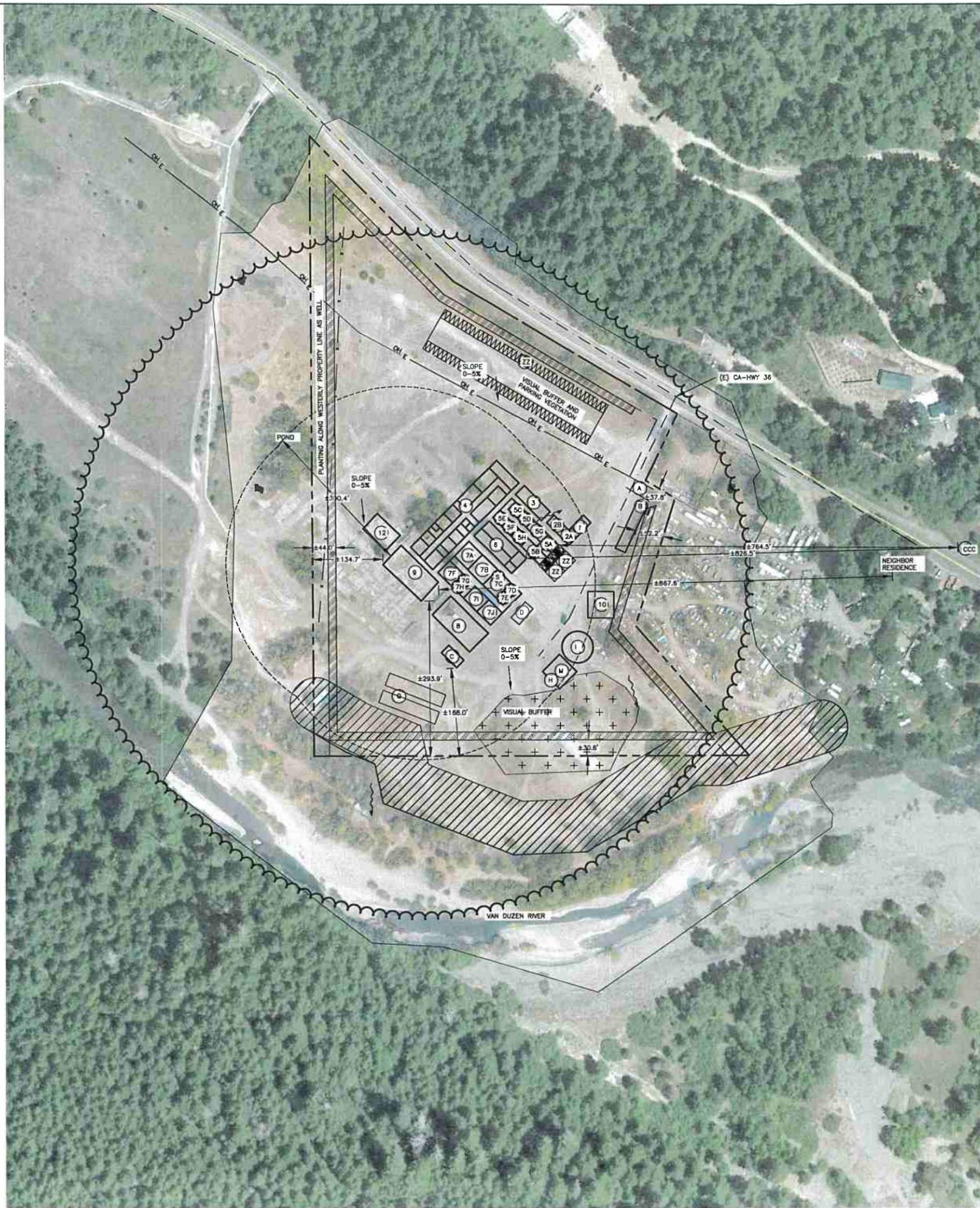
1. THE WATER SOURCE FOR THIS SITE IS PRIVATE.
2. POWER FOR THIS IS PROVIDED BY PG&E & PRIVATE.
3. WATER STORAGE ON SITE IS **ALL PROPOSED** A TWO STAGE ±400,000-GAL RAIN CATCHMENT WATER TANKS WITH EMERGENCY FIRE HYDRANTS
4. SLOPES ACROSS PARCEL ARE 0-5% GRADE.
5. GRADE IS FLAT. RUNOFF IS MITIGATED NATURALLY. DISCHARGE IF EVER PRESENT SHALL BE CONTROLLED WITH STRAW AND FIBER ROLLS AS REQUIRED. L.I.D. OPTIONS AVAILABLE.
6. NO SCHOOLS, SCHOOL BUS STOPS, PLACES OF WORSHIP, PUBLIC PARKS, TRIBAL CULTURAL RESOURCES, W/IN 600' OR W/IN 300' OF OFF-SITE RESIDENCES
7. THERE ARE NO KNOWN PRIME AG SOILS IN THE VICINITY.
8. PG&E OVERHEAD POWER LINE IS THE ONLY KNOWN EASEMENT
9. IMAGE DATE: 5/26/2016-GOOGLE EARTH PRO & DRONE IMAGE FROM 2018
10. ENTIRE PARCEL LOCATED WITHIN DWR AWARENESS FLOODPLAIN (PER HUMBOLDT COUNTY GIS MAPPING LAYER, 2017)
11. PARKING IS ASSUMED BASED OFF OF OCCUPANCY 78 REGULAR PARKING SPACES & FOUR ADA PARKING
12. SURVEY HAS BEEN SUBMITTED TO HUMBOLDT COUNTY PLANNING DEPARTMENT.
13. NO KNOWN HISTORICAL BUILDINGS, ARCHAEOLOGICAL, OR PALEONTOLOGICAL RESOURCES.
14. NO KNOWN HAZARDOUS REC'S OR AREAS ON PROJECT OR WITH IN 400' OF PROJECT.
15. NEW OUTDOOR LIGHTING SHALL BE COMPATIBLE W/ THE EXISTING SETTING. EXTERIOR LIGHTING FIXTURES & STREET STANDARDS WILL BE FULLY SHIELDED, DESIGNED, & INSTALLED TO MINIMIZE OFF-SITE LIGHTING & DIRECT LIGHT WITHIN THE PROPERTY BOUNDARIES. LIGHTING SHALL COMPLY WITH INTERNATIONAL DARK SKY ASSOCIATION STANDARDS.
16. EXISTING CONCRETE ±1.67-AC
17. EXISTING DRIVEWAY ±1.62-AC
18. UL-55. LANDSCAPING STANDARDS. LANDSCAPING SHALL BE REQUIRED FOR NEW DEVELOPMENT WHICH CREATES FIVE (5) OR MORE NEW PARKING SPACES. THE LANDSCAPING POLICIES SHALL BE ACCOMPLISHED BY THE SUBMITTAL OF A LANDSCAPING PLAN.

Project Plan Table of Buildings (proposed unless duly noted as existing)

Bldg #	Description	Phase	Bldg #	Description	Phase
1	Entry Gate Security Facility 18' x 24' 432 sq-ft ~ 12.5' Tall	1	7.F	Post extraction Lab 32' x 36'	1
2.A	Site Office/Secure Entry Personnel 20' x 40' 800 sq-ft ~ 12.5' Tall	1	7.H	Bathroom 16' x 20'	1
2.B	Sales office 20' X 20' 400 sq-ft ~ 12.5' Tall	1	7.I	Post Extraction Lab 32' x 36'	1
3	Employee services Facility 24' x 70' 1,680 sq-ft	2	7.J	Post Extraction Lab 32' x 36'	1
4	Processing Building 232' x 60' 13,920 sq-ft	2	8	Energy, distillation, support 50'X100'	1
5A	Commercial Distribution Area 32' x 28'	2	9	Nursery Operations 50'x100'	1
5B	Certified Lab Testing facility 50' x 20'	2	10	Waste Management Area 50' x 50'	1
5C, D, E, F	Final Processing 4(20' x 24')	2			
5G	Post Processing Storage 20' x 40'	2	12	Temporary/Housing 40'X60'	1
5H	Post Processing Auditing and logistics 20' x 28' 5,176 sq-ft	2	13	AG Building 50'X100'	3
6	Existing Commercial Processing Building 40' x 100' 4,000 sq-ft (permitted)	1			
7	Sensi Labs, All manufacturing (type 7)	1			
7.A	Extraction Lab 40' x 36'	1	15 A-E	Admin support offices 90'X64'	3
7.B	Extraction Lab 40' x 40'	1		5,760 sq ft	
7.C	Extraction Lab 40' x 36'	1		Total Site Impact	
7.D	Infusion Lab 20' x 18'	1		Phase One = 36,108 sq-ft	
7.E	Cold Water Lab 20' x 18'	1		Phase Two = 20,776 sq-ft	
				Phase Three = 10,760 sq-ft	
				Total = 67,644 sq-ft	
Utilities					
A	Primary Electric Drop	1			
B	Automatic Transfer Switch/Main Site Distribution Panel 10' x 10'	1			
C	Fuel tank for back up generator 20' x 40' 100 sq-ft	1			
D	CO2 Tank 20'X40' 800 sq-ft	1			
H	Existing Well	1			
I	400,000-GAL Water Tank	1 & 2			
Improvements					
				Cannabis = 0.97-AC	
				Non-Cannabis = 0.58-AC	
				Total = 1.55-AC	
			CCC	Bus Stop	
M	Water Treatment, Waste Water, Recycled Water Facility 46' x 46' 2,116 sq-ft	1			
Q	(P) Septic System Blackwater not Recycled ~ 2,824 sq-ft	1			
ZZ	Parking 78 spaces and 4 ADA	1			

LEGEND:

	PROPERTY LINES
	ADJACENT PROPERTY LINES
	30' SETBACK
	OVERHEAD POWERLINE
	(P) FENCE LINE
	300' SETBACK
	600' SETBACK
	EXISTING ROAD/DRIVEWAY
	EXISTING
	PROPOSED
	DRAINAGE PATTERN
	SMA AREA
	HISTORICAL FILL SITE
	MULTI PURPOSE BUFFER ZONE
	PARKING 9'X18'



LEGAL:
 ADDRESS: 46068 ST HWY 36
 DINSMORE, CA 95526
 ASSESSOR'S PARCEL NUMBER: 208-071-032
 APPLICANT: SENSI VALLEY, INC
 OWNER: TRAVIS AND CYNDIE BONH
 4606 ST HWY 36
 DINSMORE, CA 95526
 PHONE: (707) 273-8655
 SERIAL: 37 PERMETER

DESCRIPTIONS: USE PERMIT FOR:
 • NURSERY RETAIL
 • PROCESSING FACILITY
 • MANUFACTURING
 • DISTRIBUTION
 • TESTING

LOT SIZE: 413.78 ACRES

DIRECTIONS:
 EXIT US-HWY 101 (685)
 CA-HWY 36
 TURN LEFT ONTO ST HWY 36
 (4.7 MILES)
 46068 ST HWY 36, DINSMORE,
 CA 95526

DISCLAIMER:
 MAPPING INFORMATION PROVIDED IS FOR HUMBOLDT COUNTY PLANNING PERMITTING PURPOSES ONLY.
 THIS SITE PLAN REFLECTS MANY MAPPING DETAILS THAT ARE USEFUL TO ASSURE THAT THE STRUCTURES ARE LOCATED APPROPRIATE TO THEIR SURROUNDINGS. HOWEVER, NONE OF THE INFORMATION SHOWN IS IMPLIED TO SUGGEST OR SUBSTITUTE FOR A CONTRACTED ACTUAL LAND SURVEY.
 A. M. BAIRD, ENGINEERING AND SURVEYING, INC. ASSUMES NO RESPONSIBILITY ARISING FROM THE USE OF INFORMATION PROVIDED, OTHER THAN THAT WHICH IS SPECIFICALLY INTENDED FOR HUMBOLDT COUNTY PLANNING PERMITTING PURPOSES ONLY.

NO.	DATE	DESCRIPTION	BY
5			
4			
3			
2			
1			

A.M. Baird
 Engineering & Surveying
 1257 Main St., P.O.Box 396, Fortuna, CA 95540
 (707)725-5182



SCALE: AS SHOWN
 DRAWN BY: PDS
 CHKD BY: AMB
 DATE: 7/18/2018

SENSI VALLEY, INC
 46068 ST HWY 36, DINSMORE, CA 95526
 CMMLUO SITE PLAN
SITE PLAN - PHASE TWO
 JOB NO. 17-4711-3
 SHEET NO. 1 OF 1

NOTES:

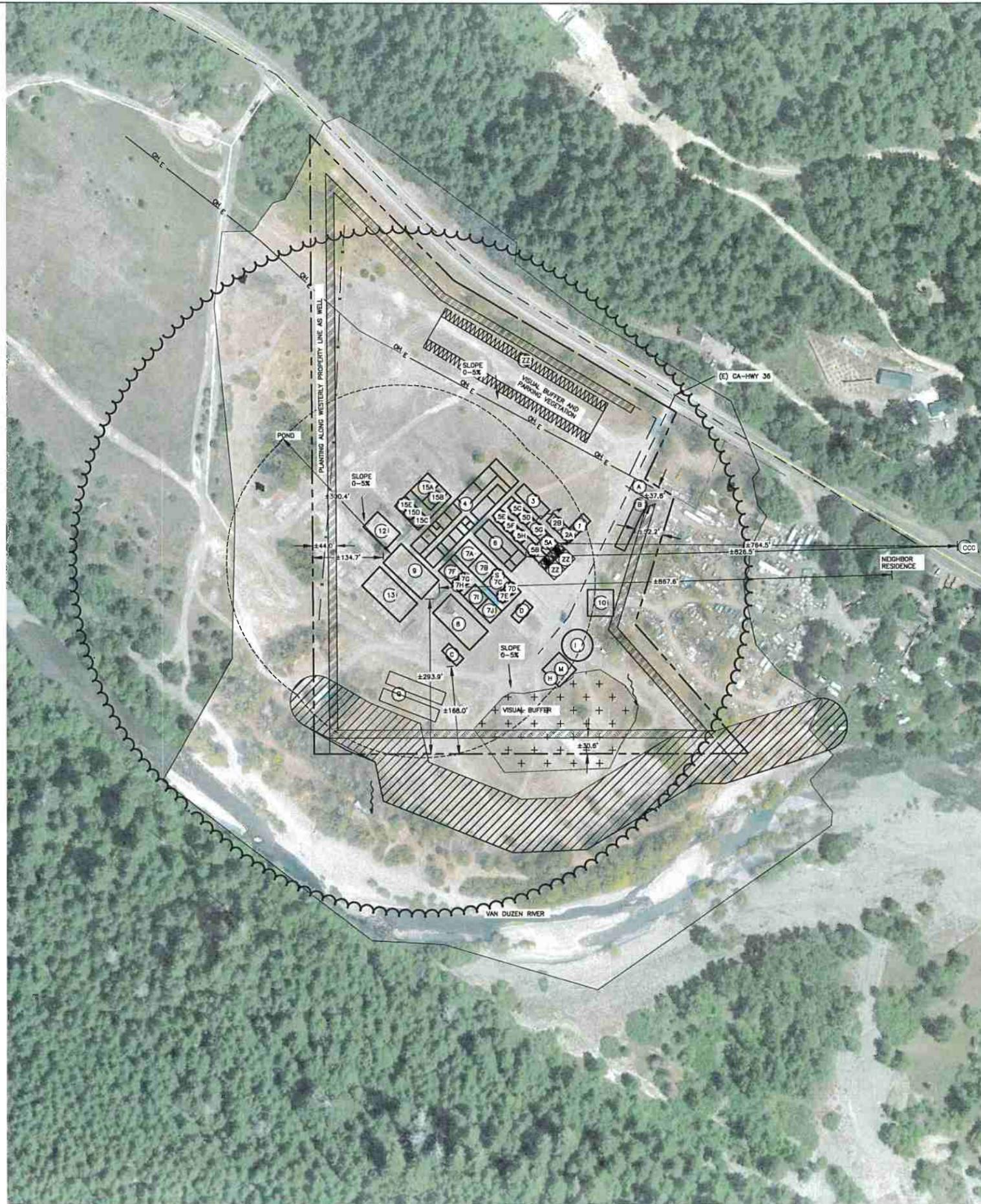
1. THE WATER SOURCE FOR THIS SITE IS PRIVATE.
2. POWER FOR THIS IS PROVIDED BY PG&E & PRIVATE.
3. WATER STORAGE ON SITE IS **ALL PROPOSED** A TWO STAGE ±400,000-GAL RAIN CATCHMENT WATER TANKS WITH EMERGENCY FIRE HYDRANTS
4. SLOPES ACROSS PARCEL ARE 0-5% GRADE.
5. GRADE IS FLAT, RUNOFF IS MITIGATED NATURALLY. DISCHARGE IF EVER PRESENT SHALL BE CONTROLLED WITH STRAW AND FIBER ROLLS AS REQUIRED. L.I.D. OPTIONS AVAILABLE.
6. NO SCHOOLS, SCHOOL BUS STOPS, PLACES OF WORSHIP, PUBLIC PARKS, TRIBAL CULTURAL RESOURCES, W/IN 600' OR W/IN 300' OF OFF-SITE RESIDENCES
7. THERE ARE NO KNOWN PRIME AG SOILS IN THE VICINITY.
8. PG&E OVERHEAD POWER LINE IS THE ONLY KNOWN EASEMENT
9. IMAGE DATE: 5/26/2016-GOOGLE EARTH PRO & DRONE IMAGE FROM 2018
10. ENTIRE PARCEL LOCATED WITHIN DWR AWARENESS FLOODPLAIN (PER HUMBOLDT COUNTY GIS MAPPING LAYER, 2017)
11. PARKING IS ASSUMED BASED OFF OF MANUFACTURING OCCUPANCY 78 REGULAR PARKING SPACES & FOUR ADA PARKING
12. SURVEY HAS BEEN SUBMITTED TO HUMBOLDT COUNTY PLANNING DEPARTMENT.
13. NO KNOWN HISTORICAL BUILDINGS, ARCHAEOLOGICAL, OR PALEONTOLOGICAL RESOURCES.
14. NO KNOWN HAZARDOUS REC'S OR AREAS ON PROJECT OR WITH IN 400' OF PROJECT.
15. NEW OUTDOOR LIGHTING SHALL BE COMPATIBLE W/ THE EXISTING SETTING. EXTERIOR LIGHTING FIXTURES & STREET STANDARDS WILL BE FULLY SHIELDED, DESIGNED, & INSTALLED TO MINIMIZE OFF-SITE LIGHTING & DIRECT LIGHT WITHIN THE PROPERTY BOUNDARIES. LIGHTING SHALL COMPLY WITH INTERNATIONAL DARK SKY ASSOCIATION STANDARDS.
16. EXISTING CONCRETE ±1.62-AC
17. EXISTING DRIVEWAY ±1.62-AC
18. UL-55. LANDSCAPING STANDARDS. LANDSCAPING SHALL BE REQUIRED FOR NEW DEVELOPMENT WHICH CREATES FIVE (5) OR MORE NEW PARKING SPACES. THE LANDSCAPING POLICIES SHALL BE ACCOMPLISHED BY THE SUBMITTAL OF A LANDSCAPING PLAN.

Project Plan Table of Buildings (proposed unless duly noted as existing)

Bldg #	Description	Phase	Bldg #	Description	Phase
1	Entry Gate Security Facility 18' x 24' 432 sq-ft ~ 12.5' Tall	1	7.F	Post extraction Lab 32' x 36'	1
2.A	Site Office/Secure Entry Personnel 20' x 40' 800 sq-ft ~ 12.5' Tall	1	7.H	Bathroom 16' x 20'	1
2.B	Sales office 20' x 20' 400 sq-ft ~ 12.5' Tall	1	7.I	Post Extraction Lab 32' x 36'	1
3	Employee services Facility 24' x 70' 1,680 sq-ft	2	7.J	Post Extraction Lab 32' x 36'	1
4	Processing Building 232' x 60' 13,920 sq-ft	2	8	Energy distillation support 50'X100'	1
5A	Commercial Distribution Area 32' x 28'	2	9	Nursery Operations 50'x100'	1
5B	Certified Lab Testing facility 50' x 20'	2	10	Waste Management Area 50' x 50'	1
5C, D, E, F	Final Processing 4(20' x 24')	2			
5G	Post Processing Storage 20' x 40'	2	12	Temporary Housing 40'X60'	1
5H	Post Processing Auditing and logistics 20' x 28' 5,176 sq-ft	2	13	AG Building 50'X100'	3
6	Existing Commercial Processing Building 40' x 100' 4,000 sq-ft (permitted)	1		5,000 sq-ft	
7	Sensi Labs, All manufacturing (type 7)	1			
7.A	Extraction Lab 40' x 36'	1	15 A-E	Admin support offices 90'X64'	3
7.B	Extraction Lab 40' x 40'	1		5,760 sq ft	
7.C	Extraction Lab 40' x 36'	1		Total Site Impact	
7.D	Infusion Lab 20' x 18'	1		Phase One = 36,108 sq-ft	
7.E	Cold Water Lab 20' x 18'	1		Phase Two = 20,776 sq-ft	
				Phase Three = 10,760 sq-ft	
				Total = 67,644 sq-ft	
Utilities					
A	Primary Electric Drop	1			
B	Automatic Transfer Switch/Main Site Distribution Panel 10' x 10' 100 sq-ft	1			
C	Fuel tank for back up generator 20' x 40' 800 sq-ft	1			
D	CO2 Tank 20'X40' 800 sq-ft	1			
				Improvements	
				Cannabis = 0.97-AC	
				Non-Cannabis = 0.58-AC	
				Total = 1.55-AC	
H	Existing Well	1		1.55/13.78=0.11 ~ 11%	
I	400,000-GAL Water Tank	1 & 2			
			CCC	Bus Stop	
M	Water Treatment, Waste Water, Recycled Water Facility 46' x 46' 2,116 sq-ft	1			
Q	(P) Septic System Blackwater not Recycled ~ 2,824 sq-ft	1			
ZZ	Parking 78 spaces and 4 ADA	1			

LEGEND:

	PROPERTY LINES
	ADJACENT PROPERTY LINES
	30' SETBACK
	OVERHEAD POWERLINE
	(P) FENCE LINE
	300' SETBACK
	600' SETBACK
	EXISTING
	PROPOSED
	DRAINAGE PATTERN
	SMA AREA
	HISTORICAL FILL SITE
	MULTI MITIGATION BUFFER ZONE
	PARKING 9'X18'



LEGAL
 ADDRESS: 46068 ST HWY 36
 DINGLORE, CA 95526
 ASSessor'S PARCEL NUMBER:
 208-071-032
 APPLICANT: SENSI VALLEY, INC
 OWNER: TRAVIS AND CYNDE BOWEN
 46068 ST HWY 36
 WINDYME, CA 95526
 PHONE: (707) 273-8638
 SETBACK: 30' PERIMETER

DESCRIPTIONS: USE PERMIT FOR:
 • NURSERY RETAIL
 • PROCESSING FACILITY
 • MANUFACTURING
 • DISTRIBUTION
 • TESTING

LOT SIZE: ±11.78 ACRES

DIRECTIONS:
 EXIT US-HWY 101 (685)
 CA-HWY 36
 TURN LEFT ONTO ST HWY 36
 (43.7 MILES)
 46068 ST HWY 36, DINSMORE,
 CA 95526

DISCLAIMER:
 MAPPING INFORMATION PROVIDED IS FOR HUMBOLDT COUNTY PLANNING PERMITTING PURPOSES ONLY.
 THIS SITE PLAN REFLECTS MANY MAPPING DETAILS THAT ARE USEFUL TO ASSURE THAT THE STRUCTURES ARE LOCATED APPROPRIATE TO THEIR SURROUNDINGS. HOWEVER, NONE OF THE INFORMATION SHOWN IS INTENDED TO SUGGEST OR SUBSTITUTE FOR A CONTRACTED ACTUAL LAND SURVEY.
 A. M. BAIRD, ENGINEERING AND SURVEYING, INC. ASSUMES NO RESPONSIBILITY ARISING FROM THE USE OF INFORMATION PROVIDED FOR HUMBOLDT COUNTY PLANNING PERMITTING PURPOSES ONLY.

NO.	DATE	DESCRIPTION	BY
1			
2			
3			
4			
5			

A.M. Baird
 Engineering & Surveying
 1257 Main St., P.O. Box 396, Fortuna, CA 95540
 (707) 725-5182



SCALE	AS SHOWN
DRAWN BY	PDS
CHKD	AMB
DATE	7/18/2018

SENSI VALLEY, INC
 APN: 208-071-032
 46068 CA-HWY 36, DINSMORE, CA 95526

CMMLUO SITE PLAN
 SITE PLAN - PHASE THREE

JOB NO. 17-4711-3
 SHEET NO. 1 OF 1

ATTACHMENT 1

CONDITIONS OF APPROVAL

APPROVAL OF THE SPECIAL PERMIT IS CONDITIONED ON THE FOLLOWING TERMS AND REQUIREMENTS WHICH MUST BE SATISFIED.

1. The applicant shall obtain all necessary building permits and grading permits from the Building Inspection Division (BID) for all structures and grading related to the cannabis cultivation and other commercial cannabis activity. The applicant/owner shall submit plans by a California-licensed engineer for the building permits and grading permits. All building and grading plans submitted for approval shall be consistent with those approved by the Planning Commission. A letter or similar communication from the Building Division verifying that all structures related to the cannabis cultivation are permitted will satisfy this condition.
2. The proposed on-site septic system shall be in conformance with the Septic Disposal Design Plan submitted by A.M. Baird.
3. Applications for grading and building permits shall be referred to the North Coast Air Quality Management District (NDCAQMD) for review and consultation. Dust control practices during grading and construction shall achieve compliance with NCAQMD fugitive dust emission standards.
4. The approved building plans shall meet all applicable fire codes, including fire suppression infrastructure requirements deemed necessary for the project by the Building Inspection Division. Sign off on the Occupancy Permit by the Building Division shall satisfy this requirement.
5. The applicant shall secure all necessary approvals and permits from the Division of Environmental Health and the Regional Water Quality Control Board for the on-site sewage disposal system prior to the issuance of the building permit. A letter from those agencies indicating approval has been issued will satisfy this condition.
6. The applicant shall secure all needed permits and approval from the Department of Transportation (Caltrans). A letter or similar communication from Caltrans indicating approval has been issued will satisfy this condition.
7. The applicant shall implement all mitigation measures as Incorporated (refer to Mitigation Monitoring and Reporting Program Included as Exhibit A).
8. The applicant shall obtain a Floodplain Development Certificate for each proposed structure to verify that the structure is properly designed to withstand a 100-year flood prior to issuance of building permits. A letter or similar communication from the Building Division verifying that all structures related to the cannabis cultivation are permitted will satisfy this condition.
9. The applicant shall submit a site plan drawn to scale and meeting the requirements of Building Inspection's Plot Plan Checklist for the review and approval of the Planning Director. The site plan shall show
 - a) Compliance with the setbacks of the Heavy Industrial (MH) zone.
 - b) Location of easements of record.
 - c) Adequate off-street parking, including the location of three dedicated 10 foot by 60 foot load spaces.
 - d) Compliance with emergency vehicle access requirements as per the Humboldt County Code Section 3111 et seq. (Fire Safe Regulations).
10. The applicant shall submit a landscaping plan and maintenance plan for the review and approval of the Planning Director. Plant materials used for landscaping shall be non-invasive and shall not be pyrophytic.

11. The applicant shall receive approval from the Department of Environmental Health (DEH) and shall conform to all DEH requirements prior to issuance of building permits.
12. All hazardous or toxic materials shall be stored in a proper facility when not in direct use.
13. The applicant shall secure a building permit prior to installing signage for the proposed project. The signage plan shall be subject to the review and approval of the Planning Director. Signage shall be compatible and not distract from the surrounding uses in the area.
14. The applicant shall develop three loading spaces for the proposed project in correspondence with Section 314-109.1 of the Humboldt County Zoning Ordinance.
15. 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.
16. 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.
17. The applicant shall the North Coast Regional Water Quality Control Board (NCRWQCB) of the additional operations on the project site and shall revise the enrollment and Water Resource Protection Plan (WRPP), as appropriate. The applicant shall implement all corrective actions detailed within the WRPP. A copy of the reporting form portion of the Mitigation and Reporting Program (MRP) shall be submitted annually to the Planning and Building Department concurrent with the submittal to the RWQCB. A letter or similar communication from the RWQCB verifying that all their requirements have been met by the listed dates or the applicant has proven to the satisfaction of RWQCB or the Third Party Consultant verifying that all the requirements in the MRP have been met will satisfy this condition. [After July 31, 2019, plans and reporting shall conform to the Cannabis Cultivation Policy and Cannabis General Order adopted October 17, 2017 by the State Water Board.]
18. Prior to initiating commercial medical cannabis cultivation or associated activities the applicant shall obtain a Business License from the Humboldt County Tax Collector.
19. The property owner shall execute and file with the Planning Division the statement titled, "Notice and Acknowledgment regarding Agricultural Activities in Humboldt County," ("Right to Farm" ordinance) as required by the HCC and available at the Planning Division.
20. A review fee for Conformance with Conditions as set forth in the schedule of fees and charges as adopted by ordinance of the Humboldt County Board of Supervisors (currently \$125.00) shall be paid to the Humboldt County Planning Division, 3015 "H" Street, Eureka. This fee is a deposit, and if actual review costs exceed this amount, additional fees will be billed at the County's current burdened hourly rate.
21. The applicant is required to pay for permit processing on a time and material basis as set forth in the schedule of fees and charges as adopted by ordinance of the Humboldt County Board of Supervisors. The Department will provide a bill to the applicant after the decision. Any and all outstanding Planning fees to cover the processing of the application to decision by the Hearing Officer shall be paid to the Humboldt County Planning Division, 3015 "H" Street, Eureka.

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

1. All components of project shall be developed, operated, and maintained in conformance with the Project Description, the approved Site Plan, the Plan of Operations, and these conditions of approval. Changes shall require modification of this permit except where consistent with Humboldt County Code Section 312-11.1, Minor Deviations to Approved Plot Plan.
2. Cannabis cultivation and other commercial cannabis activity shall be conducted in compliance with all laws and regulations as set forth in the CMMLUO and MCRSA, as applicable to the permit type.
3. If operating pursuant to a written approved compliance agreement, permittee shall abate or cure violations at the earliest feasible date, but in no event no more than two (2) years from the date of issuance of a provisional clearance or permit. Permittee shall provide plans for curing such violations to the Planning & Building Department within one (1) year of issuance of the provisional clearance or permit. If good faith effort towards compliance can be shown within the two years following the issuance of the provisional clearance or permit, The Planning Department may, at the discretion of the Director, provide for extensions of the provisional permit to allow for additional time to meet the outstanding requirements.
4. Possession of a current, valid required license, or licenses, issued by any agency of the State of California in accordance with the MCRSA, and regulations promulgated thereunder, as soon as such licenses become available.
5. Compliance with all statutes, regulations and requirements of the California State Water Resources Control Board and the Division of Water Rights, at a minimum to include a statement of diversion of surface water from a stream, river, underground stream, or other watercourse required by Water Code Section 5101, or other applicable permit, license, or registration, as applicable.
6. Confinement of the area of cannabis cultivation, processing, manufacture or distribution to the locations depicted on the approved site plan. The commercial cannabis activity shall be set back at least 30 feet from any property line, and 600 feet from any School, School Bus Stop, Church or other Place of Religious Worship, or Tribal Cultural Resources, except where a reduction to this setback has been approved pursuant to Section 55.4.11(d).
7. Maintain enrollment in Tier 1, 2 or 3, certification with the North Coast Regional Water Quality Control Board (NCRWQCB) Order No. R1-2015-0023, if applicable, or any substantially equivalent rule that may be subsequently adopted by the County of Humboldt or other responsible agency.
8. Comply with the terms of any applicable Streambed Alteration (1600) Permit obtained from the California Department of Fish & Wildlife.
9. Consent to an annual on-site compliance inspection, with at least 24 hours prior notice, to be conducted by appropriate County officials during regular business hours (Monday – Friday, 9:00 am – 5:00 pm, excluding holidays).
10. Refrain from the improper storage or use of any fuels, fertilizer, pesticide, fungicide, rodenticide, or herbicide.
11. Pay all applicable application and annual inspection fees.

12. The noise produced by a generator used on an emergency-only basis for cannabis drying, curing, and processing shall not be audible by humans from neighboring s. The decibel level for generators measured at the property line shall be no more than 60 decibels. Where applicable, sound levels must also show that they will not result in the harassment of Marbled Murrelet or Spotted Owl species. Conformance will be evaluated using current auditory disturbance guidance prepared by the United State Fish and Wildlife Service, and further consultation where necessary. Under these guidelines, generator noise may not exceed 50dB as measured at 100 feet from the generator or at the edge of the nearest Marbled Murrelet or Spotted Owl habitat, whichever is closer.
13. Storage of Fuel - Fuel shall be stored and handled in compliance with applicable state and local laws and regulations, including the County of Humboldt's CUPA program, and in such a way that no spillage occurs.
14. The Master Log Books maintained by the applicant to track production and sales shall be maintained for inspection by the County.
15. Pay all applicable taxes as required by the Humboldt County Commercial Marijuana Cultivation Tax Ordinance (Humboldt County Code Section 719-1 et seq.).
16. The operation shall participate in the Medical Cannabis Track and Trace Program administered by the Humboldt County Agricultural Commissioner, when available.

Performance Standards for Cultivation and Processing Operations

17. Pursuant to the 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."
18. Cultivators shall comply with all applicable federal, state, and local laws and regulations governing California Agricultural Employers, which may include: federal and state wage and hour laws, CAL/OSHA, OSHA, California Agricultural Labor Relations Act, and the Humboldt County Code (including the Building Code).
19. Cultivators engaged in processing shall comply with the following Processing Practices:
 - i. Processing operations must be maintained in a clean and sanitary condition including all work surfaces and equipment.
 - ii. Processing operations must implement protocols which prevent processing contamination and mold and mildew growth on cannabis.
 - iii. Employees handling cannabis in processing operations must have access to facemasks and gloves in good operable condition as applicable to their job function.
 - iv. Employees must wash hands sufficiently when handling cannabis or use gloves.
20. All persons hiring employees to engage in commercial cannabis cultivation and processing shall comply with the following Employee Safety Practices:
 - i. Cultivation operations and processing operations must implement safety protocols and provide all employees with adequate safety training relevant to their specific job functions, which may include:
 - (a) Emergency action response planning as necessary;
 - (b) Employee accident reporting and investigation policies;
 - (c) Fire prevention;

- (d) Hazard communication policies, including maintenance of material safety data sheets (MSDS);
- (e) Materials handling policies;
- (f) Job hazard analyses; and
- (g) Personal protective equipment policies, including respiratory protection.

- II. Cultivation operations and processing operations must visibly post and maintain an emergency contact list which includes at a minimum:
 - (a) Operation manager contacts;
 - (b) Emergency responder contacts;
 - (c) Poison control contacts.
- III. At all times, employees shall have access to safe drinking water and toilets and handwashing facilities that comply with applicable federal, state, and local laws and regulations. Plumbing facilities and water source must be capable of handling increased usage without adverse consequences to neighboring properties or the environment.
- IV. On site-housing provided to employees shall comply with all applicable federal, state, and local laws and regulations.

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

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

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

23. If the inspector or other County official determines that the permittees or site do not comply with the conditions of approval, the inspector shall serve the CUP or permit holder with a written statement identifying the items not in compliance, and the action that the permit holder may take to cure the non-compliance, or file an appeal within ten (10) days of the date that the written statement is delivered to the permit holder. Personal delivery or mailing the written statement to the mailing address listed on the application by regular mail, plus three (3) days after date of mailing, shall constitute delivery. The permit holder may request a reinspection to determine whether or not the permit holder has cured all issues of non-compliance. Failure to request reinspection or to cure any items of non-compliance shall terminate the Special Permit, immediately upon the expiration of any appeal period, or final determination of the appeal if an appeal has been timely filed pursuant to section 55.4.13.

24. Permit Renewals to comply with Updated Laws and Regulations. Permit renewal per Ongoing Condition of Approval #22 above is subject to the laws and regulations effective at the time of

renewal, which may be substantially different than the regulations currently in place and may require the submittal of additional information to ensure that new standards are met.

25. Acknowledgements to Remain in Full Force and Effect. Permittee Acknowledges that the County reserves the right to reduce the size of the area allowed for cultivation under any clearance or permit issued in accordance with this Section in the event that environmental conditions, such as a sustained drought or low flows in the watershed in which the cultivation area is located will not support diversions for irrigation.
26. Permittee further acknowledges and declares that:
- (I) All commercial cannabis activity that I, my agents, or employees conduct pursuant to a permit from the County of Humboldt for commercial cultivation, processing, manufacturing, and distribution of cannabis for adult use or medicinal use within the inland area of the County of Humboldt, shall at all times be conducted consistent with the provisions of the approved County permit; and
 - (II) All cannabis or cannabis products under my control, or the control of my agents or employees, and cultivated or manufactured pursuant to local Ordinance and the State of California Medicinal and Adult Use Cannabis Regulation and Safety Act ("MAUCRSA") (SB 94), will be distributed within the State of California; and
 - (II) All commercial cannabis activity conducted by me, or my agents or employees pursuant to a permit from the County of Humboldt will be conducted in compliance with the State of California MAUCRSA.
27. Transfers. Transfer of any leases or permits approved by this project is subject to the review and approval of the Planning Director for conformance with CMMLUO eligibility requirements, and agreement to permit terms and acknowledgments. The fee for required permit transfer review shall accompany the request. The request shall include the following information:
- a. Identifying information for the new Owner(s) and management as required in an initial permit application;
 - b. A written acknowledgment by the new Owner in accordance as required for the initial Permit application;
 - c. The specific date on which the transfer is to occur; and
 - d. Acknowledgement of full responsibility for complying with the existing Permit; and
 - e. Execution of an Affidavit of Non-diversion of Medical Cannabis.
28. 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.

Ongoing Requirements/Development Restrictions for Manufacturing and Distribution Activities Which Must be Satisfied for the Life of the Project:

1. The project shall be developed, operated and maintained in accordance with the project description, the Operating Plan, Security Plan, approved project site plan, approved Visitor Serving Operations Plan, and floor plan. Access to the rooms where commercial cannabis is present shall be restricted so that no one under the age of 21 is allowed entry. Changes to the project except for Minor Deviations to the Plot Plan as provided in Section 312- 11.1, shall require Modification of this permit.
2. All materials used for the manufacturing of commercial medical cannabis shall be stored inside the manufacturing facility.
3. Consistent with Section 11362.775 of the Health and Safety Code, until or unless amended, all manufacturing operations shall comply with the following standards:
 - A. Operations consist of either or both of the following:
 - (1) Use only manufacturing processes that do not involve the use of volatile compounds such as butane. (Alcohol may be used as a solvent.); and/or,
 - (2) Use only manufacturing processes that use solvents exclusively within a closed-loop system that meets all the following requirements:
 - a. The system is designed to recapture and contain solvents during the manufacturing process, and otherwise prevent the off-gassing of solvents into the ambient atmosphere to mitigate the risks of ignition and explosion during the manufacturing process.
 - b. A licensed engineer certifies that the system was commercially manufactured, safe for its intended use, and built to codes of recognized and generally accepted good engineering practices, including, but not limited to, the American Society of Mechanical Engineers (ASME), the American National Standards Institute (ANSI), Underwriters Laboratories (UL), the American Society for Testing and Materials (ASTM), or OSHA Nationally Recognized Testing Laboratories (NRTLs).
 - c. The system has a certification document that contains the signature and stamp of a professional engineer and the serial number of the extraction unit being certified.
 - d. All volatiles shall be disposed at a facility licensed to accept such materials, and in accordance with State and County regulations.
 - B. The proposed buildings shall meet all required fire, safety, and building code requirements in one or more of the following:
 - (1) The California Fire Code.
 - (2) The National Fire Protection Association (NFPA) standards.
 - (3) International Building Code (IBC).
 - (4) The International Fire Code (IFC).
 - (5) Other applicable standards, including complying with all applicable fire, safety, and building codes in processing, handling, and storage of solvents or gasses.
4. All proposed outdoor lighting shall be compatible with the existing setting and directed within the property boundaries.
5. Commercial cannabis activity shall be conducted in compliance with all laws and regulations as set forth in the Humboldt County Commercial Medical Marijuana Land Use Ordinance (CMMLUO), as may be amended from time to time, as applicable to the permit type.
6. Possession of a current, valid required license, or licenses, issued by any agency of the State of California in accordance with the MCRSA, and regulations promulgated thereunder, as soon as such licenses become available.
7. Possession of a current, valid permit or license, issued by the Humboldt County Department of Health

and Human Services-Environmental Health Division, as soon as such permits or licenses become available.

8. All persons hiring employees to engage in commercial processing of medical cannabis shall comply with the following Employee Safety Practices:
 - A. 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) Visibly post and maintain an emergency contact list which includes at a minimum:
 - 1) Operation manager contacts;
 - 2) Emergency responder contacts;
 - 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.
9. Odors shall be contained on the property on which the Cannabis activity is located. To implement this requirement air filtration and ventilation equipment is to be maintained in good working condition and monitored on an on-going basis to limit potential adverse odor emission impacts to employees and/or properties located in the vicinity. If the County receives any odor complaints, the permit holder shall work with the Building Official to correct odor concerns.
10. **Permit Duration.** The Permit shall be valid for one year from the effective date of approval and shall be renewed on the anniversary date of such effective date each year thereafter, unless an annual compliance inspection has been completed and the permit has been found to not comply with all conditions of approval. In the event the inspection finds noncompliance, a written notification of shall be provided to the permit holder identifying the items not in compliance and the action the permit holder may take to cure the noncompliance. Failure to cure the noncompliance shall result in termination of the permit. The process of notification, re-inspection and appeal of any noncompliance determination shall be as set forth in sections 55.4.1.2.2 and 55.4.13 of the CMMLUO.
11. **Permit renewals to comply with updated laws and regulations.** Permit renewal per COA #10 above is subject to the laws and regulations effective at the time of renewal, which may be substantially different than the regulations currently in place and may require the submittal of additional information to ensure that new standards are met.
12. **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 conformance with conditions review shall accompany the request. The request shall include the following information:
 - (1) Identifying information for the new Owner(s) and management as required in an initial permit application;
 - (2) A written acknowledgment by the new Owner in accordance as required for the initial

Permit application;

- (3) The specific date on which the transfer is to occur; and
- (4) Acknowledgement of full responsibility for complying with the existing Permit; and
- (5) Execution of an Affidavit of Non-diversion of Medical Cannabis.

13. **Modifications to the Facility.** Prior to making any modifications to a permitted facility, the permittee shall submit to the Planning Director a request for determination of County approvals, together with the appropriate fee. The request shall contain a description sufficiently detailed to allow the Planning Director to determine what permits and other approvals, are needed, and whether a modified Permit is required.
14. **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.
15. The operation shall participate in the Medical Cannabis Track and Trace Program administered by the Humboldt County Agricultural Commissioner, when available.
16. The manufacturing operations shall use the following best management practices to ensure the safety of employees and the manufactured product:
 - A. Ensure that the space in which any Medical Marijuana product is to be manufactured is a fully enclosed room and clearly designated on the approved floor plan.
 - B. Ensure that all applicable sanitary rules are followed.
 - C. Ensure that the standard operating procedure includes, but need not be limited to, step-by-step instructions on how to safely and appropriately:
 - a. Conduct all necessary safety checks prior to commencing handling;
 - b. Prepare Medical Marijuana for manufacturing;
 - c. Clean all equipment, counters and surfaces thoroughly; and
 - d. Dispose of any waste produced during the manufacturing of Medical Marijuana in accordance with all applicable local, state and federal laws, rules and regulations.
 - D. Establish written and documentable quality control procedures designed to maximize safety for employees and minimize potential product contamination.
 - E. Establish written emergency procedures to be followed by employees in case of a fire, chemical spill or other emergency.
 - F. Have a comprehensive training manual that provides step-by-step instructions for manufacturing medical marijuana products on its Licensed Premises. The training manual shall include, but need not be limited to, the following topics:
 - a. All standard operating procedures used at that Licensed Premises;
 - b. The quality control procedures;
 - c. The emergency procedures for the Licensed Premises;
 - d. The appropriate use of any necessary safety or sanitary equipment;
 - e. The hazards presented by all chemicals and solvents used within the Licensed Premises as described in the material safety data sheet for each chemical and solvent;
 - f. Clear instructions on the safe use of all equipment involved in each process and in accordance with manufacturer's instructions, where applicable; and

- g. Any additional periodic cleaning required to comply with all applicable sanitary rules.
- G. Provide adequate training to every employee prior that to that individual undertaking any step in manufacturing a Medical Marijuana product.
- a. Adequate training shall include, but need not be limited to, providing a copy of the training manual for that Licensed Premises and live, in-person instruction detailing at least all of the topics required to be included in the training manual.
 - b. The individual training each employee shall sign and date a document attesting that all required aspects of training were conducted and that he or she is confident that the trainee can safely handle and distribute a Medical Marijuana product.
 - c. The employee that received the training shall sign and date a document attesting that he or she can safely implement all standard operating procedures, quality control procedures, and emergency procedures, operate all equipment, use all safety, sanitary and other equipment and understands all hazards presented by the chemicals and solvents to be used within the Licensed Premises and any additional period cleaning required to maintain compliance with all applicable sanitary rules.
- H. Maintain clear and comprehensive records of the name and signature of every individual who engaged in any step related to the manufacturing of any Medical Marijuana product and the step that individual performed.
17. Persons engaging in the manufacturing of any Medical Marijuana product shall:
- A. Be over 21 years of age.
 - B. Not have been convicted of a felony for the illegal possession for sale, sale, manufacture, transportation, or cultivation of a controlled substance; a violent crime, as specified in subdivision (c) of Section 667.5 of the Penal Code; a serious crime, as specified in subdivision (c) of Section 1192.7 of the Penal Code; or a crime involving fraud, deceit, or embezzlement
 - C. Ensure that all equipment, counters and surfaces used in the manufacturing of any Medical Marijuana product is food-grade including ensuring that all counters and surface areas were constructed in such a manner that it reduces the potential for the development of microbials, molds and fungi and can be easily cleaned.
 - D. Ensure that all equipment, counters, and surfaces used in the manufacturing of any Medical Marijuana product are thoroughly cleaned after the completion of each Production Batch.
 - E. Ensure that the appropriate safety or sanitary equipment, including personal protective equipment, is provided to, and appropriately used by, each person engaged in the manufacturing of any Medical Marijuana product.

Informational Notes:

- 1. Pursuant to Section 314-55.4.11(a) of the CMMLUO, if upon inspection for the initial application, violations of any building or other health, safety, or other state of county statute, ordinance, or regulation are discovered, the Planning and Building Department may issue a provisional clearance or permit with a written approved Compliance Agreement. By signing the agreement, the permittee agrees to abate or cure the violations at the earliest opportunity but in no event more than two (2) years of the date of issuance of the provisional clearance or permit. Plans for curing the violations shall be submitted to the Planning and Building Department by the Permittee within one (1) year of the issuance of the provisional certificate or permit. The terms of the compliance agreement may be appealed pursuant to section 314-55.4.13 of the CMMLUO.

2. This provisional permit approval shall expire and become null and void at the expiration of one (1) year after all appeal periods have lapsed (see "Effective Date"); except where the Compliance Agreement per Condition of Approval #1 has been executed and the corrective actions pursuant to the agreement are being undertaken. Once building permits have been secured and/or the use initiated pursuant to the terms of the agreement, the use is subject to the Permit Duration and Renewal provisions set forth in Conditions of Approval #23 of the On-Going Requirements /Development Restrictions, above.

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

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

4. The applicant is required to pay for permit processing on a time and material basis as set forth in the schedule of fees and charges as adopted by ordinance of the Humboldt County Board of Supervisors. The Department will provide a bill to the applicant after the decision. Any and all outstanding Planning fees to cover the processing of the application to decision by the Hearing Officer shall be paid to the Humboldt County Planning Division, 3015 "H" Street, Eureka.

5. The Applicant is responsible for costs for post-approval review for determining project conformance with conditions on a time and material basis as set forth in the schedule of fees and charges as adopted by ordinance of the Humboldt County Board of Supervisors. The Department will send a bill to the Applicant for all staff costs incurred for review of the project for conformance with the conditions of approval. All Planning fees for this service shall be paid to the Humboldt County Planning Division, 3015 "H" Street, Eureka.

6. A Notice of Exemption (NOE) will be prepared and filed with the County Clerk for this project in accordance with the State CEQA Guidelines. **Within three days of the effective date of permit approval**, it is requested that the applicant submit a check or money order for the required filing fee in the amount of \$50 payable to the Humboldt County Clerk/Recorder. If this payment is not received within this time period, the Department will file the NOE and will charge this cost to the project.

7. If any wildlife is encountered during the authorized activity, the applicant shall not disturb the wildlife and shall allow wildlife to leave the work site unharmed.

8. The Applicant is responsible for costs for post-approval review for determining project conformance with conditions prior to release of building permit or initiation of use and at time of annual inspection. In order to demonstrate that all conditions have been satisfied, applicant is required to pay the conformance review deposit as set forth in the schedule of fees and charges as adopted by ordinance of the Humboldt County Board of Supervisors (currently \$750) within sixty (60) days of the effective date of the permit or upon filing of the Compliance Agreement (where applicable), whichever occurs first. Payment shall be made to the Humboldt County Planning Division, 3015 "H" Street, Eureka.

ATTACHMENT 2
Mitigated Negative Declaration

PLANNING DIVISION
HUMBOLDT COUNTY PLANNING & BUILDING DEPARTMENT
3015 H STREET | EUREKA, CA 95501

Initial Study and Mitigated Negative Declaration

1.0 INTRODUCTION

1. Project Title

Sensi Valley, Inc. Conditional Use Permit and Special Permit: APN 208-071-032; Case No. CUP16-834, SP17-170, SP17-171, SP17-172, and CUP17-076; App No. 12782.

2. Lead Agency Name and Address

Humboldt County Planning & Building Department, 3015 H Street, Eureka, CA 95501-4484; Phone: (707) 445-7541; Fax (707) 445-7446

3. Contact Person and Phone Number

Elizabeth Moreno (707) 445-7541; fax: 707-268-3792

4. Project Location

The project site is located in Humboldt County, in the Dinsmore area, on the south side of State Highway 36 approximately 100 feet south of the intersection of Cobb Road and State Highway 36, on the property known as 46068 State Highway 36. The project site is in Section 11, Township 1 North, Range 5 East, Humboldt Base and Meridian, and is depicted on the U.S. Geological Survey's "Dinsmore, CA" 7.5-minute quadrangle map.

5. Project Sponsor's Name and Address:

Applicant	Owner	Agent
Sensi Valley, Inc Attn.: Sean Trainor PO Box 1366 Eureka, CA 95502 (707) 273-8655 Sean.trainor@sensivalley.com	Bowen Travis & Cydnee HWJT PO Box 354 Cave Junction, OR 97523	Sensi Valley, Inc Attn: Sean Trainor PO Box 1366 Eureka, CA 95502 (707) 273-8655 Sean.trainor@sensivalley.com

6. General Plan Designation

Residential Agriculture (RA20); Density: 20 acres Per Dwelling Unit; Slope Stability: High Instability (3) and Low Instability (1).

7. Zoning

(U) Unclassified.

8. Project Site History and Background:

The project site is composed of a single Assessor's Parcel Number (APN): 208-071-032, which is 13.78± acres in size. The site is in the Dinsmore area, southeast of the Dinsmore Airport, on the south side of State Route 36 (Highway 36) and the site lies north of the Van Duzen River.

The project site was originally developed as a mill for timber processing in the 1970's. It was then converted to a solid waste disposal site for Humboldt County until it was cleaned and closed in 2003. The Framework Plan (General Plan Prior to 2017) designation that applied to the subject parcel on December 28, 2016, when the application was submitted, was Agricultural Land (AL20). Primary and Compatible Uses of the AL designation included resource production allowing forest products processing which was consistent with the prior use of the site as a lumber mill. The comprehensive update of the Humboldt County General Plan adopted on October 23, 2017 changed the designation of the subject parcel to Residential Agriculture (RA20). The current land use designation does not allow the uses proposed in the cannabis application, most notably commercial cannabis manufacturing and distribution.

9. General Plan Amendment and Zone Reclassification

The project proposes a General Plan Amendment and Zone Reclassification to designate the subject parcel's general plan designation as "Industrial General" (IG) and zoning of Heavy Industrial with a Qualified Combining Zone (MH-Q). The IG classification provides for general industrial and manufacturing uses, typically in urban areas. The designation may be accommodated in rural areas where full urban services are not required for the intended use. Principal uses for MH zoned properties include industrial manufacturing, animal hospitals, animal feed and sales yards, administrative, business, professional offices, stores, and services such as lumber yards, contractor's yards, metal-working shops, carpentry shops, auto repair, and wholesale outlet stores. The Qualified Zone is intended to be combined with any principal zone where sound and orderly planning indicate that specified principal permitted uses otherwise allowed under the principal zone may be limited or not be allowed, or development standards/restrictions can be added, deleted, or modified. Qualified uses are specified in the ordinance applying the Q Zone to the specific property. For the proposed project the Q zone would be implemented to protect the nearby Van Duzen River and its associated riparian habitat.

10. Description of Project:

Sensi Valley, Inc is applying for two Conditional Use Permits and three Special Permits for a cultivation, processing, manufacturing, distribution, and testing operation, in accordance with Humboldt County Code Section 314-55.4.8.7 of Chapter 4 of Division I of Title III, Commercial Medical Marijuana Land Use Ordinance (CMMLUO). The total size of the proposed project would be 58,320 sf (1.34 acre), which would comprise approximately 10 percent of the 13.78-acre project site.

The project would be developed in three phases. Phase One would develop all manufacturing operations, all nursery operations, a processing building, security, utilities, and parking. Phase Two would develop all remaining processing facilities, the commercial distribution facility and the testing laboratory. Phase Three would focus on the development of administrative buildings and final improvements on site. **Table 1** displays a detailed project phasing layout.

Table 1: Project Phasing

Phase 1		Phase 2	
Description of Work	Size (Square Feet)	Description of Work	Size (Square Feet)
Entry Security Facility	432	Employee Services Facility	1,680
Site office/Secure Entry Personnel	800	Processing Building	13,920
Sales Office	400	Commercial Distribution Building	896
Existing Commercial Processing Building	4,000	Certified Lab Testing Facility	1,000
Extraction Lab 1	1,440	Final Processing	480
Extraction Lab 2	1,600	Post Processing Storage	800
Volatile Lab	1,440	Post Processing Auditing & Logistics	560
Infusion Lab	360	Phase 3	
Cold Water Lab	360	Agricultural Building	5,000
Post Extraction Lab 1	1,152	Administrative Offices	5,760
Post Extraction Lab 2	1,152	--	--
Post Extraction Lab 3	1,152	--	--
Primary Electrical Drop	N/A	--	--
Automatic Transfer Switch/Main Distribution Panel	N/A	--	--
Generator Facility	800	--	--
Fuel Tank for Backup Generator	800	--	--
Existing Well	N/A	--	--
Water Treatment, Wastewater and Recycled Water Facility	2,116	--	--
Septic System Blackwater field	1,860	--	--
Install Water Tanks	N/A	--	--
Temporary Housing (RV's)	3,000	--	--
Bathroom	320	--	--
Parking	78 spaces, 4 ADA	--	--

Water Use and Storage

The project proponent estimates that the maximum annual water consumption by the proposed project is 881,000 gallons. Approximately 255,000 gallons of water is estimated to be used for the proposed nursery per year, approximately 24,000 gallons of water would be used for the proposed manufacturing operation, approximately 180,000 gallons would be needed for employee use, approximately 180,000 for cleaning of the facility and sanitation of the equipment and, 242,000 gallons for all other uses on site including landscaping, temporary housing and contingency.

The proposed water sources for the property are a permitted well and a rainwater catchment system. The well was installed and permitted in 2016 under Department of Environmental Health permit number 15/16-03921. The well is assumed to access shallow groundwater and therefore is likely to be hydrologically connected to surface waters. The water sources would provide water to two (2) 200,000-gallon tanks. The project applicant has contracted Camel Water to develop a water treatment facility (Aqualoop system) that would recycle water used in the nursery and testing operations. After the initial use of water, the system would only require 10% new water supply each day, reducing the operating requirements by 90% (Camel Water, 2018).

The applicant has an approved Lake and Streambed Alteration Agreement for the hydrologically-connected well. The project has also received an amendment to its Lake and Streambed Alteration Agreement to increase the amount of water pumped from the well during forbearance from 150 gallons per day to 500 gallons per day. The project would supplement the remainder of its water needs during forbearance from a proposed rainwater catchment system.

Employees and Schedule of Operations

For Phase I of the project the operation would initially employ 25 employees. When operating at full capacity during the peak season, Sensi Valley and its lessees would employ 49 employees and expects 35 employees to be on-site per day per shift. Sensi Valley would operate under a 2-3 shift work schedule and would stagger start and end times of employee shifts to reduce traffic congestion. The applicant anticipates a maximum of 25 employees per day per shift, plus a maximum of 10 additional employees per shift during peak season (Oct/Nov/Dec).

Access/Parking

The property is accessed directly from Highway 36 via an existing driveway. The project would provide 78 off-street parking spaces, including four (4) ADA-compliant accessible spaces.

Landscape trees would be installed along the northern and southern portion of the property to screen the project from Highway 36; sufficient space would be available in and around proposed parking areas and internal circulation driveways for landscaping that may be requested by the County Planning and Building Department pursuant to HCC §314-109.1.5.2.

Storm Water Management

The project site is on a terrace adjacent to the Van Duzen River, has been previously graded and developed and is consequently flat. The Van Duzen River is to the south of the project site. A large earthen berm to the south of the project site physically prevents surface water, pollutants, and sediment from discharging into the Van Duzen River. The project will be required to prepare a revised Water Resources Protection (WRPP) to develop design features that restrict the potential for pollution discharge or erosion and sedimentation. Also, the project would develop a Storm Water Pollution Prevention Plan and implement Treatment Control BMP's to address concerns relating to storm water management that are specific to project construction.

Watershed Protection

The property is in the Mill Creek- Van Duzen River Hydrologic Unit (HUC-12) and the Van Duzen Planning Watershed and a WRPP is required for the proposed project. The WRPP includes conditions to protect riparian and wetland features, including but not limited to: buffers from cultivation areas and associated facilities, spoil management, and the proper storage of chemicals. These conditions will be included as conditions of approval for the proposed project.

Waste Water

The proposed project would be served by a water treatment facility. The proposed facility would be housed in a 2,116 square foot building. Discharge water from the nursery, processing, manufacturing, and employee facilities would be recycled for re-use, creating a system with little wastewater discharge from the proposed cannabis operations.

A.M. Baird Engineering & Surveying, Inc. has designed the proposed septic disposal design that would serve the proposed operation. The project proposes to design a Wisconsin at Grade Mound sewage disposal system, which would include a 3,300-gallon septic tank and a 1,500-gallon pumping tank. This system would be sufficient to serve the maximum of 35 employees per shift per day. The proposed project includes a 2,824 square foot leach field area, which would be protected from development.

Hazardous Materials and Waste

All chemicals, including pesticides, fertilizers, herbicides, and manufacturing solvents would be stored in a secured storage shed. Agricultural waste would be recycled onsite. Plant matter would be fermented to generate ethanol from the plant, which would be used to extract the essential oils desired for manufacturing. All matter left after the operation would be used to make pots for the nursery or composted on-site. This process would generate very little waste. The proposed manufacturing operation would only use non-volatile solvents.

The project's WRPP recommends a condition that the project maintain a log of nutrient use stating the type of nutrient/amendments being added with stated NPK (Nitrogen, Phosphorus, and Potassium) ratio. The log would be kept onsite for reference and documentation of nutrient application. The WRPP has also conditioned the project to be monitored annually, and immediately following a precipitation event with 3 inches of accumulation in a 24 hr. period. The monitoring would include inspection to ensure nutrients, fertilizers, and any petroleum products are stored in a dry secured location and that soil and spoils are contained and covered to prevent nutrient leaching. All conditions applied in the WRPP would be included in the projects Conditions of Approval.

Odors

The project proponent would install heating, ventilation and air conditioning (HVAC) systems with a commercial grade filtration system. The proposed nursery would be enclosed within a metal building equipped with the commercial grade filtration system. Odor produced from nursery operations is not as strong as a cannabis cultivation site, because the main odor from cannabis cultivation comes from the flower, nursery operations feature non-flowering plants. The manufacturing, processing, distribution and testing facilities would all be indoors and would also feature a commercial grade filtration system.

Electrical Service

Electricity on the property is supplied by Pacific Gas and Electric (PGE). The project would have a backup generator, fueled by propane or LP gas and the generators would be used for initial construction until the proposed service drop is installed. After installation of the service drop the generator would be used only for

emergency use. The applicant would conduct an annual energy audit, track energy use, and utilize alternative energy sources, when possible.

10. Surrounding Land Uses and Setting:

The project site is located in Eastern Humboldt County, approximately 2± miles from Trinity County. The surrounding area is primarily defined by rural residential properties with some agriculture and industrial uses. To the east of the site is an auto salvage yard, to the north are several properties with cannabis cultivation, and to the south and east is the Van Duzen River and public undeveloped land. The Riverbend mobile home park is 1,500± feet north of the proposed project and the Dinsmore Airport is 1.3 miles west of the proposed project site.

Elevations range from approximately 2,415 feet above mean sea level (amsl) to approximately 2,424 feet amsl. Slopes on the property are 0-2 percent.

The Humboldt County General Plan Adopted October 23, 2017 (2017 General Plan) designates the project area as "Residential Agricultural 20" (RA20). The RA designation provides for residential and agricultural uses. The designation is for lands with slopes generally less than 30% and served by individual water and wastewater systems and good road access.

The parcel is zoned as "Unclassified" (U). The unclassified zoned parcels have not been sufficiently studied to justify precise zoning classifications. The principal permitted uses on the U zoning includes, single family dwellings and general agricultural activities.

The project site and surrounding areas are located in an area mapped as Zone D by the Federal Emergency Management Agency (FEMA 2016). The Zone D designation is used for areas where there are possible but undetermined flood hazards, as no analysis of flood hazards has been conducted. According to Humboldt County Web GIS data, the property is not designated as prime farmland and does not have any prime agricultural soils.

11. Other Public Agencies whose Approval is Required: (e.g., permits, financing approval, or participation agreement.)

The project proponent enrolled the proposed project under North Coast Regional Water Quality Control Board (NCRWQCB) Waiver of Waste Discharge Requirements Order Number R1-2015-0023 as a Tier II discharger on October 16, 2017. A water resources protection plan has been prepared and would be implemented prior to project development.

The California Department of Food and Agriculture (CDFA) began issuing annual permits for cannabis cultivation in January 2018 and requires applicants to demonstrate compliance with Section 1602 of the Fish and Game Code. Compliance must be demonstrated with a Lake or Streambed Alteration (LSA) Agreement issued by the California Department of Fish and Wildlife (CDFW) or written verification from CDFW that an LSA Agreement is not required. Applicants seeking compliance with Section 1602 of the Fish and Game Code must notify CDFW and enter into an LSA Agreement if required. CDFW may issue a standard (project-specific) LSA Agreement, an LSA General Agreement for Cannabis Cultivation, or may determine that an LSA Agreement is not required. Written verification that an LSA Agreement is not required may be in the form of a letter from CDFW, or the expiration of 60 days from the date that CDFW deems the notification complete without CDFW issuing a draft standard agreement. The project proponent has obtained a lake and streambed alteration agreement for the hydrologically connected well on-site.

2.0 ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED

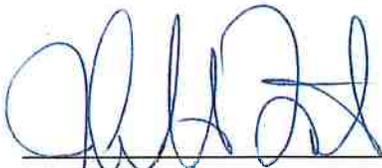
The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

- | | | |
|--|---|---|
| <input checked="" type="checkbox"/> Aesthetics | <input type="checkbox"/> Agriculture Resources | <input type="checkbox"/> Air Quality |
| <input checked="" type="checkbox"/> Biological Resources | <input checked="" type="checkbox"/> Cultural Resources | <input checked="" type="checkbox"/> Geology / Soils |
| <input type="checkbox"/> Greenhouse Gases | <input checked="" type="checkbox"/> Hazards & Hazardous | <input checked="" type="checkbox"/> Hydrology / Water Quality Materials |
| <input type="checkbox"/> Land Use / Planning | <input type="checkbox"/> Mineral Resources | <input checked="" type="checkbox"/> Noise |
| <input type="checkbox"/> Population / Housing | <input type="checkbox"/> Public Services | <input type="checkbox"/> Recreation |
| <input type="checkbox"/> Transportation/Traffic | <input checked="" type="checkbox"/> Tribal Cultural Resources | <input type="checkbox"/> Utilities/Service Systems |
| <input checked="" type="checkbox"/> Mandatory Findings of Significance | | |

3.0 DETERMINATION: (TO BE COMPLETED BY THE LEAD AGENCY)

On the basis of this initial evaluation:

- I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- I find that although the proposed project COULD have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
- I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
- I find that although the proposed project COULD have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.



Signature

August 16, 2018

Date

John H Ford

Printed name

Humboldt County Planning & Building Department

For

4.0 EVALUATION OF ENVIRONMENTAL IMPACTS

- 1) A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).
- 2) All answers must take into account the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
- 3) Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect may be significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.
- 4) "Negative Declaration: Less Than Significant with Mitigation Incorporated" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less Than Significant Impact." The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from Section 21, "Earlier Analyses," may be cross-referenced).
- 5) Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063(c)(3)(D). In this case, a brief discussion should identify the following:
 - a) Earlier Analysis Used. Identify and state where they are available for review.
 - b) Impacts Adequately Addresses. Identify which effects from the above checklist were within the scope of and adequately analyze in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
 - c) Mitigation Measures. For effects that are "Less Than Significant with Mitigation Measures Incorporated," describe the mitigation measures which they address site-specific conditions for the project.
- 6) Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plan, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.
- 7) Supporting Information Sources: A source list should be attached, and sources that have been used and individuals contacted should be cited in the discussion.
- 8) The explanation of each issue identifies:
 - a) The significance criteria or threshold, if any, used to evaluate each question; and
 - b) The mitigation measure identified, if any, to reduce the impact to less than significant.

5.0 CHECKLIST, DISCUSSION OF CHECKLIST RESPONSES, PROPOSED MITIGATION

5.1 AESTHETICS

Would the project:

	Potentially Significant	Potentially Significant Unless Mitigation Incorp.	Less Than Significant Impact	No Impact
a) Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Substantially degrade the existing visual character or quality of the site and its surroundings?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting:

Humboldt County is an area of diverse visual character. The project site is within the rural area of Dinsmore adjacent to the Van Duzen River. The project site was previously developed as a lumber mill and then a solid waste disposal site and it is characterized by flat topography with slopes ranging from 0%-2%. The project area features a variety of land uses consisting of agricultural land, rural residential, and light industry. The property to the east is an auto salvage yard. The properties to the north are utilized for cannabis cultivation and the properties to the south and west are vacant and publicly owned. Other land uses in the vicinity of the site include the Dinsmore Airport 1.3± miles to the northwest of the site, the Riverbend Mobile home park 0.35± miles northwest of the site, and the Dinsmore sand and gravel plant 2± miles southeast of the site.

The project site is accessed directly from Highway 36 via a gravel driveway. The driveway is approximately 30 feet wide at the highway, and tapers to 12 feet wide in portions of the site. Part 3, Chapter 10.7 of the 2017 General Plan states that, although there are no "officially designated" scenic highways in Humboldt County, State Route 36 from U.S. Highway 101 near Fortuna to the Trinity County line could be eligible for official designation. The 2017 General Plan defines a scenic highway as one that, in addition to its transportation function, provides opportunities for the enjoyment of natural or scenic resources. The 2017 General Plan states that "scenic highways direct views to areas of exceptional beauty, natural resources or landmarks, or historic or cultural interest." (Humboldt County, 2017) The properties viewed from SR 36 in the vicinity of the project site include an auto salvage yard and cannabis cultivation, and do not meet a standard of exceptional beauty, natural landmarks, or cultural or historic interest.

Analysis:

- a) Finding: The project would not have a substantial adverse effect on a scenic vista. *Less than Significant Impact.*

Discussion: A scenic vista is defined as a viewpoint that provides expansive views of a highly-valued landscape (such as an area with remarkable scenery or a resource that is indigenous to the area) for the benefit of the public. The property is adjacent to the Van Duzen River and natural open space, however there are no expansive views of these resources from the project site. The site was previously utilized as a lumber

mill and solid waste disposal site by Humboldt County and is currently surrounded by cannabis cultivation and industrial uses. Numerous industrial and commercial uses are located adjacent to the Van Duzen River and Highway 36, between Dinsmore and Mad River including a sand and gravel pit, the Dinsmore Airport, an auto salvage yard, and a mobile home park. There are no designated scenic vistas in the immediate vicinity of the site and the proposed project would conform to the historical and current land uses in the vicinity of the site. A less than significant impact would occur and no mitigation would be necessary.

- b) **Finding:** The project would not substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway. *No impact.*

Discussion: According to the California Scenic Highway Mapping System, there are no designated state scenic highways in the project vicinity. SR 36 is listed as an "Eligible State Scenic Highway" the project site does not contain any landmark trees, rock outcroppings, or buildings of historical significance (Caltrans, 2011.8).

The proposed project would not substantially damage scenic resources and it is not located along a state scenic highway. No impact would occur, and no mitigation would be necessary.

- c) **Finding:** The project would not substantially degrade the existing visual character or quality of the site and its surroundings. *Less than significant impact.*

Discussion: Sensitive viewer groups typically include residents, recreationists, and motorists. Properties adjacent to the project site feature industrial and agricultural uses. The proposed project would construct one- and two-story buildings and greenhouses on a property previously used as a lumber mill and solid waste disposal site. The project would include a general plan amendment and zone reclassification to revert the parcel's land use designation to industrial uses. The zone reclassification would include the addition of a Q combining zone, which would restrict development near the riparian corridor along the southern boundary of the site and to protect the Van Duzen River. A large portion of the proposed development would take place within the footprint of the previous uses on-site. The proposed Q combining zone would also protect visual character and quality along the river. The proposed project would not substantially degrade the existing visual character or quality of the site and its surroundings. The project would install additional landscaping and would submit a landscaping plan consistent with Humboldt County policy HCC §314-109.1.5.2.

Potential impacts would be less than significant, and no mitigation would be necessary.

- d) **Finding:** The project would not create a new source of substantial light or glare which would adversely affect day or nighttime views in the area. *Less than significant impact with mitigation incorporated.*

Discussion: The proposed project would include a 5,000 sf indoor nursery, a 19,760 sf-processing facility, a 11,760 sf-manufacturing facility, a 896 sf-distribution facility and a 1,000 sf-testing facility. There is the potential for light to escape from the indoor facilities, which could result in a source of light or glare and could be a potentially significant impact. Other outdoor lighting, if not properly directed, could also create a source of light and glare. Mitigation is proposed to reduce the potential impacts to less than significant. With implementation of the proposed mitigation, impacts would be reduced to a level of less than significant.

Mitigation:

AES-1 Lighting Plan

Prior to issuance of Building Permits or commencement of any use of the site, the applicant shall submit a lighting plan provide to the County Planning Division demonstrating that all indoor and outdoor lighting

for the proposed project would not deliver or have the potential to deliver light pollution, from sunset to sunrise. The lighting plan shall be designed to prevent light spillover into the riparian corridor along the Van Duzen River, shall prevent light spillover onto adjacent property and shall conform to the international dark sky standards. The lighting plan shall be approved by the County Planning Division prior to issuance of the building permits.

Findings:

- a) The project would not have a substantial adverse effect on a scenic vista: **Less than significant.**
- b) The project would not substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway: **No impact.**
- c) The project would not substantially degrade the existing visual character or quality of the site and its surroundings: **Less than significant impact.**
- d) The project would not create a new source of substantial light or glare which would adversely affect day or nighttime views in the area: **Less than significant impact with mitigation incorporated.**

5.2 AGRICULTURE AND FORESTRY RESOURCES

In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment Project; and the forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board. Would the project:

Potentially Significant	Potentially Significant Unless Mitigation Incorp.	Less Than Significant Impact	No Impact
--------------------------------	--	-------------------------------------	------------------

- | | | | | |
|--|--------------------------|--------------------------|-------------------------------------|-------------------------------------|
| a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Conflict with existing zoning for agricultural use, or a Williamson Act contract? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d) Result in the loss of forest land or conversion of forest land to non-forest use? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

Setting:

As previously mentioned, the project site was previously utilized as a lumber mill and for solid waste disposal. The parcel is designated "Residential Agriculture 20" (RA20) in the Humboldt County General Plan and is zoned Unclassified (U). The project site is not used for agriculture and has sparse vegetation. The majority of the parcel is highly impacted from previous development with remnants of concrete and densely packed dirt and gravel. No portion of the parcel is mapped as having prime agricultural soils in Humboldt's GIS database.

The Farmland Mapping and Monitoring Program (FMMP) of the California Resources Agency has not yet mapped farmland in Humboldt County. According to the Humboldt County Web GIS mapping, the NRCS has designated this site and surrounding areas a Not-Prime Farmland. Prime Agricultural soils have not been identified on this site or in this area.

As a means of agricultural land preservation, the State Legislature enacted the California Land Conservation Act of 1965 commonly called the "Williamson Act." Under the Act, property owners may enter into contracts with the

County to keep their lands in agricultural production for a minimum of 10 years, in exchange for property tax relief. Lands covered by Williamson Act contracts are assessed based on their agricultural value instead of their potential market value under non-agricultural uses and are known as "Agricultural Preserves." According to Humboldt County Web GIS mapping, there is no Williamson Act contract for the project site.

The Z'berg-Warren-Keene-Collier Forest Taxation Reform Action 1979 requires counties to provide for the zoning of land used for growing and harvesting timber as timberland preserve. The project site is not zoned for timber harvest and the parcel is not suitable for timber harvest.

Analysis:

- a) **Finding:** The proposed project would not convert prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use. *No impact.*

Discussion: Humboldt County is not included in the FMMP. The parcel does not contain any prime agricultural soils according to Humboldt County's GIS database. The project would have no impact, and no mitigation would be necessary.

- b) **Finding:** The project would not conflict with existing zoning for agricultural use, or a Williamson Act contract. *Less than Significant.*

Discussion: The project site is zoned as Unclassified (U). Pursuant to Section 314-8.1 of the Humboldt County Zoning Regulations the unclassified zone allows for various land uses, including general agriculture. General agriculture is an allowed use but not the primary use of the U zoning district. The project site has not been utilized as an agricultural site in recent history. According to Humboldt County Web GIS mapping, there is no Williamson Act contract applicable to the project site. The proposed project would reclassify the zoning from U to a Heavy Industrial Zone (MH), the MH zoning does not allow agricultural uses. The proposed project would have a less than significant impact on existing zoning for agricultural use, because agricultural is not the principal use of the site's (U) zoning and it has not recently been utilized for agricultural uses. The project would have no impact on land with a Williamson Act Contract. A less than significant impact would occur, and no mitigation would be necessary.

- c) **Finding:** The project would not conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)) or timberland (as defined in Public Resources Code section 4526). *No impact.*

Discussion: There is no forest or timber land on the property. No impact would occur, and no mitigation would be necessary.

- d) **Finding:** The project would not result in the loss of forest land or conversion of forest land to non-forest use. *No impact.*

Discussion: There is no forest or timber land on the property. The proposed project would not result in the loss of forestland or conversion of forest land to non-forest use. No impact would occur, and no mitigation would be necessary.

- e) **Finding:** The project would not involve other changes in the existing environment which, due to their location or nature, could result in conversion of farmland to non-agricultural use or conversion of forest land to non-forest use. *Less than significant impact.*

Discussion: The project site is surrounded by a state highway, industrial development, cannabis cultivation and open space. Of these, only the cannabis cultivation is an agricultural use and that use would not be

susceptible to change due to effects of the proposed project. Development of a nursery, manufacturing facility, processing facility, distribution facility and testing operation on the project site would introduce a use similar to the cannabis cultivation and surrounding industrial uses and would not encourage population growth or development in the surrounding area. Therefore, the project would not lead to a conversion of farmland to non-agricultural use or forest land to non-forest use in the area surrounding the site.

Findings:

- a) The project would not convert any Prime Farmland, as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use: **No impact.**
- b) The project would convert a parcel that has the potential to be utilized for general agricultural use to an industrial use. The project would not conflict with a Williamson Act contract: **Less than Significant impact.**
- c) The project would not conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)) or timberland (as defined in Public Resources Code section 4526): **No impact.**
- d) The project would not result in the loss of forest land or conversion of forest land to non-forest use: **No impact.**
- e) The project would not involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use. **Less than significant impact.**

5.3 AIR QUALITY

Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:

	Potentially Significant	Potentially Significant Unless Mitigation In corp.	Less Than Significant Impact	No Impact
a) Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Create objectionable odors affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Setting:

The project site is in Humboldt County, which lies within the North Coast Air Basin (NCAB). The NCAB extends for 250 miles from Sonoma County in the south to the Oregon border. The climate of NCAB is influenced by two major topographic units: the Klamath Mountains and the Coast Range provinces. The climate is moderate with the predominant weather factor being moist air masses from the ocean. Average annual rainfall in the area is approximately 50 to 60 inches with the majority falling between October and April. Predominant wind direction is from the northwest during summer months and from the southwest during winter storm events.

Project activities are subject to the authority of the North Coast Unified Air Quality Management District (NCUAQMD) and the California Air Resources Board (CARB). NCUAQMD is listed as "attainment" or "unclassified" for all the federal and state ambient air quality standards except for the state 24-hour particulate (PM₁₀) standard, which relates to concentrations of suspended airborne particles that are 10 micrometers or less in size.

In determining whether a project has potentially significant air quality impact on the environment, agencies often apply their local air district's thresholds of significance to project impacts in the review process. The District has not formally adopted specific significance thresholds, but rather utilizes the Best Available Control Technology (BACT) emissions rates for stationary sources as defined and listed in the NCUAQMD Rule and Regulations, Rule 110 – New Source Review (NSR) and Prevention of Significant Deterioration (PSD), Section 5.1 – BACT (pages 8-9), (NCUAQMD, 2018).

Sensitive receptors near the project site primarily include residences and a mobile home park. The nearest residences are 115 feet to the north, 500 feet to the northeast, and 600 feet to the east. The mobile home park is located 1,450 feet to the west.

Analysis:

- a) Finding: The project would not conflict with or obstruct implementation of the applicable air quality plan. *No impact.*

Discussion: A potentially significant impact to air quality would occur if the project would conflict with or obstruct the implementation of the applicable air quality management or attainment plan. Therefore, it is necessary to assess the project's consistency with these plan(s).

The California Clean Air Act (CCAA) requires the NCUAQMD to achieve and maintain state ambient air quality standards for PM₁₀ by the earliest practicable date. The NCUAQMD prepared the Particulate Matter Attainment Plan, Draft Report, in May 1995. This report includes a description of the planning area (North Coast Unified Air District), an emissions inventory, general attainment goals, and a listing of cost-effective control strategies. The NCUAQMD's attainment plan established goals to reduce PM₁₀ emissions and eliminate the number of days in which standards are exceeded. The plan includes three areas of recommended control strategies to meet these goals: (1) transportation, (2) land use and (3) burning. Control measures for these areas are included in the Attainment Plan. The project design incorporates control measures identified in the PM₁₀ Attainment Plan appropriate to this type of project, such as:

- 1) The project would provide multiple services and uses to cannabis cultivators in the Dinsmore area. The project proposes to implement a nursery, manufacturing, processing, and distribution operations on site. These services do not currently exist in the Dinsmore area and currently significant travel is needed to obtain these services. The culmination of various activities on the same property would reduce vehicle miles traveled and would result in less associated vehicular exhaust emissions generated when compared with cannabis operations with one specified use in Humboldt County.
- 2) The project would apply water in construction areas and access roads to control dust.
- 3) The proposed project's cannabis operation does not include any burning and would not employ wood stoves for heat.

The proposed project would not obstruct implementation of the NCUAQMD Attainment Plan for PM₁₀. No impacts would occur.

- b) Finding: The project would not violate any air quality standard or contribute substantially to an existing or projected air quality violation. *Less than Significant Impact.*

Discussion: Air quality standards within the NCUAQMD are set for emissions that may include, but are not limited to: visible emissions, particulate matter, and fugitive dust. Pursuant to Air Quality Regulation 1, Chapter IV, Rule 400 – *General Limitations*, a person shall not discharge from any source whatsoever such quantities of air contaminants or other material which cause injury, detriment, nuisance or annoyance to any considerable number of persons or to the public or which endanger the comfort, repose, health or safety of any such persons or the public or which cause or have a natural tendency to cause injury or damage to business or property. Visible emissions include emissions that are visible to the naked eye, such as smoke from a fire. The proposed project involves constructing and operating a commercial cannabis cultivation, processing, manufacturing, and dispensary operation. No activities resulting in visible emissions, including intentional fire/burn, would be associated with the project.

Air quality impacts can be divided into two phases for a project: construction and operation.

Mobile sources of emissions include equipment used during short-term construction and vehicle/truck

traffic and light-duty equipment from long-term operation. According to NCUAQMD Rule 102, the Air District does not currently require permits for the operation of heavy equipment used for construction (except pavement burners) or agricultural operations (NCUAQMD, 2018). There are no "target" air quality standards/limits in this area; however, heavy equipment is generally subject to off-road equipment emission standards from the California Air Resources Board (CARB) and exceeding those standards may constitute a "nuisance" condition and can be mitigated by proper equipment maintenance.

The project proposes to construct various buildings, 78 parking spaces, an OTWS, a waste management area, a water treatment system, and a generator facility. Construction would take place in three separate phases. Emissions from construction equipment would occur for a limited period and the equipment would be maintained to meet current emissions standards as required by the California Air Resources Board (CARB) and the NCUAQMD. As described in Section 5.16 – *Transportation/Traffic*, during long-term operation the project would generate up to 174 vehicle trips per day (115 in/115 out - 49 employees (max 35 on-site at one time) , 3 in/3 out - 6 cultivators dropping off/picking up product per day(only after harvest), 1 in/1 out – distribution of product (once per week), 2 in/2 out – Supply runs (weekly), 1 in/1 out – lab testing (weekly), and 3 in/ 3 out- equipment maintenance (monthly).

Stationary sources of emissions from the project would include the HVAC and filter systems for air conditioning, odor reduction, manufacturing, extraction, processing and heating. According to NCUAQMD Rule 102, the Air District does not require permits for HVAC systems.

The project has the potential to generate particulate matter (dust) during construction activities. All activities at the project site are required to meet NCUAQMD Air Quality standards, including Regulation 1, which prohibits nuisance dust generation and is enforceable by the District. The NCUAQMD currently enforces dust emissions according to the CA Health and Safety Code (Section 41701) which limits visible dust emissions that exceed 40% density to a maximum of 3 minutes for any one-hour period. NCUAQMD District Rule 104 states that "*reasonable precautions shall be taken to prevent particulate matter from becoming airborne.*" The USEPA has determined that dust generally settles out of the atmosphere within 300 feet of the source. Soil onsite has been packed down from previous development on site and areas still include concrete padding, particulate matter (dust) generated during construction would be minimal. The closest sensitive receptors are residences 600 feet to the south, but because of the limited activity that would occur, the rapid dissipation of the dust, and the low density of residences, potential impacts would be minimal.

The project site is accessed via an existing gravel driveway from Highway 36; therefore, vehicles accessing the project site during construction and operation would not generate a substantial level of dust.

Carbon monoxide (CO) hot spots are typically associated with idling vehicles at extremely busy intersections (i.e. intersection with an excess of 100,000 vehicle trips per day). There are no projected CO hot spot intersections in Humboldt County or in the general project area which exceed the 100,000 vehicles per day threshold typically associated with CO hot spots. In addition, the North Coast Air Basin is currently in attainment for carbon monoxide (CO). As such, project related vehicular emissions would not create a hot spot nor contribute to an existing one.

Therefore, the project would not violate any air quality standard or contribute substantially to an existing or projected air quality violation.

- c) Finding: The project would not result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors). *No impact.*

Discussion: The NCUAQMD is currently listed as being in "attainment" or is "unclassified" for all Federal health protective standards for air pollution (ambient air quality standards). However, under State ambient air quality standards, the air district has been designated "nonattainment" for particulate matter less than ten microns in size (PM₁₀).

The NCUAQMD has advised that, generally, an activity that individually complies with the state and local standards for air quality emissions would not result in a cumulatively considerable increase in the countywide PM₁₀ air quality violation. In general, construction activities that last for less than one year, and use standard quantities and types of construction equipment, are not required to be quantified and are assumed to have a less than significant impact. The project would not involve substantial earthwork due to the nature of the proposed structures and the condition of the site. Each phase of construction would be less than one year. Therefore, the project would not result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard.

- d) Finding: The project would not expose sensitive receptors to substantial pollutant concentrations. *Less than significant impact.*

Discussion: Sensitive receptors (e.g. children, senior citizens, and acutely or chronically ill people) are more susceptible to the effect of air pollution than the general population. Land uses that are considered sensitive receptors typically include residences, schools, parks, childcare centers, hospitals, convalescent homes, and retirement homes. Sensitive receptors near the project site primarily include residences on property to the north, east and west. Those residences are located approximately 115 feet, 500 feet, and 600 feet from the proposed project, respectively (residences based on review of structures in GoogleEarth© aerial imagery). The residences to the north are associated with cannabis cultivation operations and the property to the east is associated with an auto salvage yard.

As indicated by the air quality impact analysis under subsection b), the proposed project would not produce significant quantities of criteria pollutants (e.g. PM₁₀) during short-term construction activities or long-term operation. In addition, the proposed project would not create a carbon monoxide (CO) hot spot.

Cultivation operations involving application of dry or wet chemicals such as pesticides would be conducted inside a building and therefore not susceptible to wind dispersal to sensitive receptors. Extraction and manufacturing, operations would take place inside buildings, and would employ commercial equipment designed for cannabis extraction and manufacturing that use closed-loop processes for volatile solvents or open systems involving only steam and ethanol. Extraction and manufacturing equipment would be installed according to manufacturers' specifications for ventilation and filtration of exhaust. Therefore, the proposed project would not expose sensitive receptors to substantial pollutant concentrations. Impacts would be less than significant, and no mitigation would be necessary.

- e) Finding: The project would not create objectionable odors affecting a substantial number of people. *Less than significant impact.*

Discussion: During long-term operation of the project there is potential to impact air quality due to odors that would be generated by the proposed cultivation, processing, extraction, and manufacturing activities. Sensitive receptors near the project site are limited to two residences associated with the cannabis cultivation, and one residence associated with an auto salvage yard; the nearest residence is 115 feet from the project site. The project would be required to install odor control filtration systems on the processing, extraction, manufacturing, and cultivation buildings. The proposed project would not create objectionable odors affecting a substantial number of people. Impacts would be less than significant, and no mitigation would be needed.

Findings:

- a) The project would not conflict with or obstruct implementation of the applicable air quality plan: **No impact.**
- b) The project would not violate any air quality standard or contribute substantially to an existing or projected air quality violation: **Less than significant impact.**
- c) The project would not result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors): **No impact.**
- d) The project would not expose sensitive receptors to substantial pollutant concentrations: **Less than significant impact.**
- e) The project would not create objectionable odors affecting a substantial number of people: **Less than significant impact.**

5.4 BIOLOGICAL RESOURCES

Would the project:

	Potentially Significant	Potentially Significant Unless Mitigation Incorp.	Less Than Significant Impact	No Impact
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Wildlife or US Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Setting:

The project site is located on a parcel that was originally developed as a lumber mill site for timber processing in the 1970's. The site was converted to a solid waste disposal site for Humboldt County until it was closed in 2003 and the property has remained vacant since its closure. Terrestrial habitat on site consists of Douglas-fir, Annual Grassland, and Montane Riparian. The project site is flat and level, with slopes from 0 to 2 percent. The Van Duzen River runs along the south side of the site.

A Biological Assessment was conducted for the proposed project in December of 2017 by Jack Henry, a Wildlife Biologist for Timber Resource Consultants (TRC). Information in this section is summarized from the TRC report,

which is provided in full as **Appendix B**. The Biological Assessment Area (BAA) was defined by the extent of physical disturbance associated with the proposed construction activities, plus an additional buffer area of 0.25 mile.

Sensitive Species and Habitats:

The following lists of sensitive species and habitats known to occur and/or having the potential to occur in the project region were reviewed by Timber Resource Consultants. The list was compiled based on review of the Natural Diversity Database (December 2017) and the California Department of Fish & Wildlife information sources: Endangered and Threatened Animals list (July 2017) and Special Animals List (July 2017). **Table 2** lists the potential sensitive species within the BAA.

Table 2: Potential Sensitive Species Within the BAA

Species	Status	Status within BAA
Birds of Special Concern		
American Golden Eagle <i>(Aquila chrysaetos Canadensis)</i>	Federally protected under the Bald and Golden Eagle Act and MBT A	There are no high-quality nesting structures (large boulders and rock outcroppings) located within the BAA, however the ample amount of Douglas-fir forest present within the BAA allows for potential marginal nesting attempts in large conifer trees that stand above the rest of the canopy. The potential for GOEA nesting within the BAA is even further reduced given the proximity of SR 36 and existing human developments. It is unlikely for GOEA to nest within 500m of an active highway. No good quality foraging habitat is present within the BAA for GOEA. The CNDDDB shows no known detections for GOEA within the BAA.
American Peregrine Falcon <i>(Falco peregrinus anatum)</i>	BOF Sensitive Species, and CSSC Priority 4 (nesting)	There is very little potential for PEFA breeding to occur within the BAA. There are no high-quality nesting structures suited for this species within the BAA. There may be marginal nesting opportunities for PEFA in the form of large Douglas-fir snags although these attempts are assumed to be very unlikely due to a lack of observations of this behavior. The CNDDDB shows no known detections for PEFA within the BAA.
Cooper's Hawk <i>(Accipiter cooperi)</i>	CSSC Priority 4 (nesting)	Timberlands within the BAA meet Reynolds' 1983 description of Douglas-fir habitat utilized by COHA in Oregon. There is potential for COHA presence although the CNDDDB shows no know detections within the BAA.
Northern Spotted Owl <i>(Strix occidentalis caurlna)</i>	ESA and CESA Threatened, BOF Sensitive Species	The Spotted Owl Database shows no known detections of NSO within the BAA. DFR habitat within the northern half of the BAA has been historically impacted by forest fragmentation and existing anthropogenic disturbance. Potential NSO habitat in the southern half of the BAA is better quality and likely contains suitable nesting/roosting habitat for NSO. All potential NSO habitats within the BAA are subject to regular noise disturbance from SR 36 and the nearby airport. The nearby airport potentially becomes very active during the fire season which overlaps with the end of NSO breeding season. NSO are less likely to utilize this impacted habitat versus adjacent USPS lands just outside of the BAA which contain higher quality habitat.

Osprey (<i>Pandion haliaetus</i>)	CDFW Watch List, CDF Sensitive Species	The CNDDDB shows no documented observations of Osprey within the BAA. There is ample timber in the BAA capable of providing nesting structures as well as foraging habitat in the form of the Van Duzen River.
Purple Martin (<i>Progne subis</i>)	CSSC Priority 2 (nesting), TTJCN Least Concern, MBT A	The CNDDDB does not document any PUMA observations within the BAA. There is adequate foraging habitat within the BAA in the form of the Van Duzen River with its open airspace and ample invertebrate populations. The majority of the BAA is unsuitable for PUMA breeding due to the tight DFR canopy that covers approximately 49%. MRI habitat does not usually contain tree species conducive to cavity creation. However, where MRI and DFR intertwine larger diameter hardwood and conifer tree species may provide potential nesting cavities.
Southern Bald Eagle (<i>Haliaeetus leucocephalus leucocephalus</i>)	Federally protected, MBTA, and federally listed under the ESA (de-listed in 2007). State listed under CESA.	The Van Duzen River provides adequate foraging habitat for Bald Eagles within the BAA. The majority of timberland in the BAA is assumed to be mid to early seral and may provide potential roosting/nesting opportunities for Bald Eagle. The CNDDDB shows no reports of historic Bald Eagle occurrence within the BAA.
Vaux's Swift (<i>Chaetura vauxi</i>)	CSSC Priority 2 (breeding), IUCN Least Concern	The CNDDDB does not show any documented observations of VASW within the BAA. The BAA does not likely contain trees big enough at adequate densities to qualify as key habitat for VASW.
Mammal Species of Special Concern		
Common Porcupine (<i>Erethizon dorsatum</i>)	CSSC Priority 3	Status within BAA: The CNDDDB does not show any porcupine detections within the BAA. Key habitat is located in the DFR zones present within the BAA.
Gray Wolf (<i>Canis lupus</i>)	ESA and CESA Endangered	The BAA is located within California and is therefore within the gray wolves historic range. No sightings of wolves have occurred in Humboldt County.
Pacific Fisher (<i>Pekania pennanti</i>)	Status: CSSC Priority 2	There are no detections within the BAA in the CNDDDB. There is potential key habitat within the BAA for Pacific Fisher. DFR zones north of SR 36 are not suited to Fisher because of the rural homesteads that have fragmented the existing habitat. Better quality habitat is located within the DFR zone south of the Van Duzen River.
Silver-haired Bat (<i>Lasiorycteris noctivagans</i>)	CSSC Priority 4	This species has not been documented within the BAA by the CNDDDB. Potential habitat is present within the BAA in the form of conifer woodlands and multiple human developments. There is adequate riparian foraging habitat along the Van Duzen River.
Sonoma Red Tree Vole (<i>Arborimus pomio</i>)	CSSC Priority 3, IUCN Near Threatened	SRVT is assumed to be confined to the fog belt but the CNDDDB shows documented detections east of BAA. Therefore, SR VT are included in this species list. Although this species is known to be rare, especially inland, there is potential habitat within the BAA in the form of the DFR zones present.

White-footed vole (<i>Arborimus albipes</i>)	CSSC Priority 2	Adequate potential habitat within the dense riparian corridors along the Van Duzen River. Riparian habitat along the montane tributaries is less dense and more variable. Red alder does occur in dense thickets along the river banks and gravel bars. CNDDDB query does not show any known detections within the BAA.
Reptiles and Amphibian Species of Special Concern		
Foothill Yellow-legged Frog (<i>Rana boylei</i>)	Candidate for CESA Threatened, CSSC Priority 1, USPS Sensitive Species, IUCN Near Threatened	There are no documented occurrences of FYLF within the BAA according to the CNDDDB. There is aquatic and terrestrial habitat suitable for FYLF present within the BAA. The Van Duzen River provides high quality breeding habitat for this species.
Northern Red-Legged Frog (<i>Rana aurora aurora</i>)	CSSC Priority 2, USPS Sensitive Species, IUCN Least Concern	There have been no confirmed observations of NRLF within the BAA according to the CNDDDB. Due to the surface water fluctuations that occur within the Van Duzen River it is unlikely for NRLF to breed within this waterbody. NRLF may breed in intermittent tributaries located in the DFR zones within the BAA.
Northwestern Pond Turtle (<i>Emys marmorata marmorata</i>)	Category 2 Candidate for ESA, CSSC Priority 1, BLM & USPS Sensitive Species, IUCN Vulnerable	They CNDDDB shows no documented observations of NWPT within the BAA. Key habitat is present within the BAA along the Van Duzen River. AGS zones along the river provide ample area for nest excavation.
Coastal Tailed Frog (<i>Ascaphus truei</i>)	CSSC Priority 2 and IUCN Least Concern	The CNDDDB shows no documented occurrences of CTFR within the BAA. Potential CTFR and their habitat may already be impacted within the BAA due to existing rural development and historic timber harvests. Potential CTFR habitat north of the Van Duzen River may be impacted by rural homesteading and domestic agricultural diversions. CTFR habitat south of the river was clear cut in the early 1970's which likely increased sediment discharges and cemented stream substrates.
Southern Torrent Salamander (<i>Rhyacotriton variegatus</i>)	CSSC Priority 1	The CNDDDB shows no documented detections of STSA within the BAA. The BAA likely contains STSA key habitat in the form of high gradient, rocky substrate intermittent watercourses, springs, and seeps. However, potential STSA and their habitat may already be impacted north of the river by rural homestead developments and south of the river by historical timber harvest similar to CTFR.
Fish Species of Special Concern		
Southern Oregon/Coastal California ESU Chinook Salmon (<i>Oncorhynchus tshawytscha</i>)	ESA threatened, AFS Threatened	The CNDDDB shows no documented detections of SONCC within the BAA. Fish barriers located downstream on the Van Duzen River at Salmon Falls and Eaton Roughs prevent adult SONCC from traveling upstream in most years.

Coho Salmon (<i>Oncorhynchus kisutch</i>)	ESA and CESA Threatened, AFS Threatened	The CNDDDB shows no documented occurrences of CCTS within the BAA. CCTS key habitat is present within the BAA in the Van Duzen River. However, fish barriers downstream of the BAA prevent CCTS from entering the BAA in most years
North Coast Steelhead (<i>Oncorhynchus mykiss irideus</i>)	ESA Threatened, AFS Threatened	NCST habitat is present within the BAA however individual NCST cannot reach this portion of the river in most years due to fish barriers downstream (USDOT et al. 2014). The CNDDDB does not document any NCST observations within the BAA.
Pacific Lamprey (<i>Entosphenus tridentatus</i>)	CSSC, USFS and BLM Sensitive Species, AFS Vulnerable	Lamprey breeding habitat is present within the BAA in the Van Duzen River. The CNDDDB shows no documented detections of pacific lamprey but the "Native Fish Species by Watershed" dataset in the CNDDDB includes Pacific Lamprey for the watershed that encompasses the BAA. Fish barriers downstream may prevent this species from reaching the BAA
Plant Species of Concern		
Northern Meadow Sedge (<i>Carex praticola</i>)	State Ranked Rare Plant	Potential occurrence in meadows, riparian corridors and open forest area
Oregon Goldthread (<i>Coptis laciniata</i>)	State Ranked Vulnerable Species	Potential Occurrence in coniferous forest
Howell's Montia (<i>Montia howellii</i>)	State Ranked Rare Plant	Potential Occurrence in coniferous forest

Source: Timber Resource Consultants, 2017

Direct Impacts

The historic and existing industrial operations in the Van Duzen River valley have impacted wildlife habitats in the surrounding area. Due to the physical conditions of the property, a large percentage of direct impacts associated with the proposed project would not be able to influence flora and fauna outside of the property boundary. The large earthen berm south of the property physically prevents surface water, pollutants, and sediment from discharging directly into the Van Duzen River. There are no watercourses on the property capable of transporting water, pollutants, or sediment from the site to the river. There is also no critical habitat for any listed species within the property boundaries as well as no sensitive or ecologically important plant communities present. The only disturbances able to exceed the property boundaries and significantly directly affect wildlife and their habitats are noise and light. These potential impacts would be mitigated and are discussed below (Natural Resource Consultants, 2018).

Analysis:

- a) Finding: There is low potential for several regionally-occurring special-status plant and animal species to occur on the project site and be affected by the proposed project. With implementation of Mitigation Measure BIO-1 or BIO-2 the impact would be less than significant. *Less than significant impact with mitigation incorporated.*

Discussion: Some protected and sensitive species may be susceptible to adverse effects due to increased noise levels from proposed construction activities. Due to the topography, existing human activities, and vegetation composition noise levels are not expected to significantly impact species outside of the

quarter mile BAA. However, decibel levels within the BAA are expected to significantly increase above baseline conditions during construction. Additionally, there is potential for artificial lighting associated with nursery cultivation, security, and outdoor lighting to effect wildlife and their habitats. These impacts would be mitigated by AES-01, which would require the applicant to submit a lighting plan to the County Planning Division, demonstrating all lighting for the proposed project, would not deliver or have the potential to deliver light pollution from sunset to sunrise.

Mitigation Measure BIO-1 includes a requirement for a qualified biologist to conduct protocol surveys to determine if Nesting Spotted Owl (NSO) are present on site. Mitigation Measure BIO-02 would limit construction operations to occur outside of NSO breeding season (February 1- July 31) to prevent any effect on NSO reproduction regardless of presence. The applicant would need to implement either Mitigation Measure BIO-1 or BIO-02 (Natural Resource Consultants, 2018).

- b) Finding: The project would not have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the CDFW or USFWS. *Less than significant impact.*

Discussion: There is no critical habitat for any listed species within the property boundary and no sensitive or ecologically important plant communities are present on site. The proposed project would not result in the removal of riparian habitat, nor would it result in direct or indirect impacts to aquatic habitats. A large earthen berm on the southern portion of the site physically prevents surface water, pollutants, and sediments from discharging into the Van Duzen River. There are no watercourses on the property capable of transporting water, pollutants, or sediment from the site.

The site is enrolled under the NCRWQCB Waiver of Waste Discharge Requirements Order Number R1-2015-0023 as a Tier II discharger. One of the requirements is to prepare a watershed resources protection plan (WRPP), which includes identifying potential sources of water quality violations or waste discharge requirements, corrective actions including implementing and monitoring best management practices (BMPs), and documenting water usage and timing to ensure the water use is not impacting water quality objectives and beneficial uses. The site had a WRPP prepared in February 1, 2017 by Natural Resources Management. The applicant is responsible for the implementation of the WRPP. With implementation of the County's grading regulations, and the requirements of the WRPP, potential impacts to sensitive communities would be less than significant.

The County has determined that the existing well is hydrologically connected to surface waters. The applicant has received a Lake or Streambed Alteration with CDFW. The applicant would be required to implement a forbearance period of May 15th to October 31.

- c) Finding: The project would not have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means. *No impact.*

There are no federally protected wetlands in the project site.

- d) Finding: The project would not interfere substantially with the movement of any native resident or migratory fish or wildlife species, or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites. *No impact.*

Discussion: There is no aquatic habitat on the property suitable for passage by fish. The properties to the east are developed with industrial uses and highway 36 is adjacently north of the site. Property to the south and west is undeveloped and provide extensive areas for wildlife movement from north of Highway 36 south to the Van Duzen River.

The project site does not currently function as a wildlife movement corridor. Therefore, the proposed project would not interfere substantially with the movement of any native resident or migratory fish, or wildlife species or with established native resident, or migratory wildlife corridors, or impede the use of native wildlife nursery sites.

- e) **Finding:** The project would not conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance. *Less than significant impact.*

Discussion: In addition to the general biological resources policies in the 2017 General Plan, the County maintains Streamside Management Areas (SMAs) to protect sensitive fish and wildlife habitats and to minimize erosion, runoff, and other conditions detrimental to water quality. The SMA extends 50-100 feet to both sides of any stream, depending on the location (inside or outside of an urban area) and the nature of the stream (perennial or seasonal), and may extend up to 200 feet to include riparian vegetation. The proposed project is adjacent to the Van Duzen River, which has a 100 -foot SMA on both sides extending from the edge of the Riparian corridor. The proposed project would be well outside of the SMA. The proposed zone reclassification would include a Qualified Combining Zone adjacent to the river. The Qualified Combining Zone would place restrictions on the property to prevent development near the river. The applicant has retained a Lake and Streambed alteration agreement with CDFW for the hydrologically connected well on-site. The applicant would comply with all CDFW standards to maintain their LSAA agreement. The proposed project would have a less than significant impact on local policies or ordinances protecting biological resources.

- f) **Finding:** The project would not conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan. *No impact.*

Discussion: According to the U.S. Fish & Wildlife Service Environmental Conservation Online System (ECOS), the project site is not located within the boundaries of a Habitat Conservation Plan. Habitat Conservation Plans in Humboldt County include the following: 1) Green Diamond Resource Company California Timberlands & Northern Spotted Owl (formerly Simpson Timber Company); 2) Humboldt Redwood Company (formerly Pacific Lumber, Headwaters); and 3) Regli Estates. These Habitat Conservation Plans primarily apply to forest lands in the County.

According to the CDFW website, the project site is not located in the boundaries of a Natural Community Conservation Plan. The conservation plans for Humboldt County listed on California Regional Conservation Plans Map on the CDFW website include the Green Diamond and Humboldt Redwoods Company Habitat Conservation Plans.

The project would not conflict with any local policies or ordinances protecting biological resources or conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Plan, or other approved plan applicable to the project area.

Mitigation:

See AES-1 in Section 5.1, Aesthetics.

BIO-1 Protocol Surveys

Prior to issuance of building or grading permits, a qualified biologist shall conduct protocol surveys to determine if Nesting Spotted Owl (NSO) are present on site. Night time call surveys performed per federal protocol can assess if NSO are present. The project applicant shall submit a written report of survey results to the County Planning and Building Department. If survey results are negative, no further

mitigation would be required. If survey results are positive, the project applicant shall consult with CDFW and the County Planning and Building Department regarding avoidance, minimization, and mitigation measures, which measures shall be incorporated into building permits.

Or

BIO-2 Seasonal Timing of Construction

Construction operations shall be timed to occur outside of NSO breeding season (February 1- July 31) to prevent any effect on NSO reproduction regardless of presence.

Findings:

- a) The project would not have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service: **Less than significant impact with mitigation incorporated.**
- b) The project would not have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service: **Less than significant impact.**
- c) The project would not have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means: **No impact.**
- d) The project would not interfere substantially with the movement of any native resident or migratory fish or wildlife species, or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites: **No impact.**
- e) The project would not conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance: **Less than significant impact.**
- f) The project would not conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan. **No Impact.**

5.5 CULTURAL RESOURCES

Would the project:	Potentially Significant	Potentially Significant Unless Mitigation Incorp.	Less Than Significant Impact	No Impact
a) Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Disturb any human remains, including those interred outside of formal cemeteries?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting:

A Cultural Resources Study that covered 90% of the parcel was conducted in 1978. The study found no cultural resources on site. The project area is within the ethnographic territory of the Bear River Tribe. As part of preparation for a cultural resources survey, representatives of the Bear River Band of the Rohnerville Rancheria were contacted regarding the project. Upon notification of the results of the 1978 cultural resources survey, the THPO of Bear River concurred with the findings of the survey and the recommendation of no further cultural resources investigations. (**Appendix C**)

Analysis:

- a) **Finding:** The project would not cause a substantial adverse change in the significance of a historical resource as defined in §15064.5. *Less than significant with mitigation incorporated.*

Discussion: A Cultural Resources Study of the project site was conducted in 1978, the study found no historical resources as defined in CEQA, Article 4, 15064.5 (a).

Although no historic-age resources were found during the Cultural Resources Survey, there is always the possibility that previously unknown historic resources exist below ground surface. There is the potential for subsurface excavation activities to uncover previously unknown subsurface archaeological resources. Implementation of standard cultural resource construction mitigation (Mitigation Measure CUL-1) regarding inadvertent discovery would reduce potential impacts to a level of less than significant.

- b) **Finding:** The project would not cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5. *Less than significant impact with mitigation incorporated.*

Discussion: A Cultural Resources Study of the project site conducted in 1978 found no archaeological resources as defined in CEQA, Article 4, 15064.5 (a). Upon notification of the results of the cultural resources survey, the THPO of Bear River Tribe expressed no concerns. While it's unlikely that the site would contain archaeological resources, there is the potential for subsurface excavation activities to uncover previously unknown subsurface archaeological resources. Implementation of standard cultural

resource construction mitigation (Mitigation Measure CUL-1) regarding inadvertent discoveries would reduce potential impacts to a level of less than significant.

- c) Finding: The project would not directly or indirectly destroy a unique paleontological resource or site or unique geologic feature. *Less than significant impact with mitigation incorporated.*

Discussion: A Cultural Study in 1978 found no paleontological resources as defined in CEQA, Article 4, 15064.5 (a). However, there is a potential for fossils to be discovered and inadvertently damaged during project construction even in areas with a low likelihood of occurrence. Therefore, Mitigation Measure CUL-1 has been included for the project (See discussion under subsection b) above).

With the proposed mitigation measure, the proposed project would not directly or indirectly destroy a unique paleontological resource or site or unique geologic feature.

- d) Finding: The project would not disturb any human remains, including those interred outside of formal cemeteries. *Less than significant impact with mitigation incorporated.*

As indicated in the Cultural Resource Investigation conducted in 1978, there are no known human remains on the project site. However, due to the potential of discovering unknown human remains during the proposed construction activities, the inadvertent discovery protocol recommended in the Cultural Resources Investigation has been included as Mitigation Measure CUL-1 (See discussion under subsection b) above).

With the proposed mitigation measures, the proposed project would not disturb any human remains.

Mitigation:

CUL-1 - Inadvertent Discoveries of Cultural and Paleontological Resources, and Human Remains.

If cultural resources, such as lithic materials or ground stone, historic debris, building foundations, or bone are discovered during ground-disturbance activities, work shall be stopped within 20 meters (66 feet) of the discovery, per the requirements of CEQA (January 1999 Revised Guidelines, Title 14 CCR 15064.5 (f)). Work near the archaeological finds shall not resume until a professional archaeologist, who meets the Secretary of the Interior's Standards and Guidelines, has evaluated the materials and offered recommendation for further action.

Prehistoric materials which could be encountered include: obsidian and chert debitage or formal tools, grinding implements (e.g., pestles, handstones, bowl mortars, slabs), locally darkened midden, deposits of shell, faunal remains, and human burials. Historic materials which could be encountered include: ceramics/pottery, glass, metals, can and bottle dumps, cut bone, barbed wire fences, building pads, structures, trails/roads, etc.

In the event that paleontological resources are discovered, work shall be stopped within 20 meters of the discovery and a qualified paleontologist shall be notified. The paleontologist shall document the discovery as needed, evaluate the potential resource, and assess the significance of the find under the criteria set forth in State CEQA Guidelines Section 15064.5. If fossilized materials are discovered during construction, excavations within 50 feet of the find shall be temporarily halted or diverted until the discovery is examined by a qualified paleontologist. The paleontologist shall notify the appropriate agency to determine procedures that would be followed before construction is allowed to resume at the location of the find.

If human remains are discovered during project construction, work would stop at the discovery location, within 20 meters (66 feet), and any nearby area reasonably suspected to overlie adjacent to human remains (Public Resources Code, Section 7050.5). The Humboldt County coroner would be contacted to determine if the cause of death must be investigated. If the coroner determines that the remains are of Native American origin, it is necessary to comply with state laws relating to the disposition of Native American burials, which fall within the jurisdiction of the NAHC (Public Resources Code, Section 5097). The coroner would contact the NAHC. The descendants or most likely descendants of the deceased would be contacted, and work would not resume until they have made a recommendation to the landowner or the person responsible for the excavation work for means of treatment and disposition, with appropriate dignity, of the human remains and any associated grave goods, as provided in Public Resources Code, Section 5097.98.

Findings:

- a) The project would not cause a substantial adverse change in the significance of a historical resource as defined in §15064.5: **Less than significant impact with mitigation incorporated.**
- b) The project would not cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5: **Less than significant impact with mitigation incorporated.**
- c) The project would not directly or indirectly destroy a unique paleontological resource or site or unique geologic feature: **Less than significant impact with mitigation incorporated.**
- d) The project would not disturb any human remains, including those interred outside of formal cemeteries: **Less than significant impact with mitigation incorporated.**

5.6 GEOLOGY AND SOILS

Would the project:

	Potentially Significant	Potentially Significant Unless Mitigation Incorp.	Less Than Significant Impact	No Impact
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
ii) Strong seismic ground shaking?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
iii) Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
iv) Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Setting:

An Engineering Geologic Soils R-2 Report for the project site was prepared by Allan M. Baird (Registered Certified Engineer No. 23681) of A.M. Baird Engineering & Surveying on April 12, 2018 (**Appendix D**). Information in this section is summarized from the A.M. Baird report, which is provided in full as **Appendix D**. A Septic Design Plan was prepared by A.M. Baird in July 2018 to assess the suitability of the project site for an on-site wastewater treatment system adequate to meet the wastewater processing needs of the elements proposed for the project (**Appendix E**).

Geology and Soils

The project site is located on a fluvial terrace of the Van Duzen River at an elevation of 2,460 feet above sea level and with slopes less than 2 percent. All slopes on the property appear to be stable in their current

condition. Historic evidence of cut/fill was apparent during site inspections conducted by A.M. Baird. Soil sampling on the parcel revealed zero to four feet of greyish (Munsell color 10 year 3/1, 4/1, 4/2) topsoil, with extreme graves present and some to no roots. The subsoil below this layer is comprised of dark grey (Musell color 10 Year 4/1) consisting of at least 55% coarse content by weight. The report stated that there is no indication in the surrounding area of any slumps, faults, or springs that would be detrimental to the building site.

Seismicity

The site and entire Northern California Region are located in a seismically active area. The nearest active fault is the Little Salmon Fault, which has an estimated maximum movement magnitude of 7.0 on its on-shore segment. Other regional sources of earthquakes include the Cascadia Subduction Zone, the Northern San Andreas Fault, the Mendocino Fault, and faults in the Gorda Plate. These sources are situated offshore to the west of Humboldt County, and have potential to produce strong ground motions. The project site is not within an Alquist-Priolo earthquake fault zone (where the state of California anticipates potential surface rupture).

According to Humboldt County Web GIS data, the project site is not within an area of potential liquefaction.

Slope Stability

According to Humboldt County Web GIS data, the project site has a Seismic Safety Classification ranging from 1 to 3 which is considered "Low Instability" to "High Instability", and there are no historic landslides on the site. The report prepared by A.M. Baird concluded that the site is stable and should remain stable provided the recommendations of their report, which have been included as mitigation measures.

Soil Suitability

A.M. Baird conducted percolation and soil testing on site in May of 2016, April of 2018, and May of 2018. Based on the testing, Baird concluded that soils were present on site that are suitable for leaching with specified design within the Septic Disposal Design. (**Appendix E**).

Analysis:

- a) i) **Finding:** The project would not expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault (refer to Divisions of Mines and Geology Special Publication 42). *Less than significant impact.*

Discussion: Seismically induced ground rupture is defined as the physical displacement of surface deposits in response to an earthquake's seismic waves. The magnitude and nature of fault rupture can vary for different faults or even along different strands of the same fault. Surface rupture can damage or collapse buildings, cause severe damage to roads and pavement structures, and cause failure of overhead as well as underground utilities.

There are no earthquake faults delineated on Alquist-Priolo Fault Zone maps within the project area. Since the project area is not traversed by a known active fault and is not within 200 feet of an active fault trace, surface fault rupture is not considered to be a significant hazard for the project site. The project would not expose people or structures to substantial adverse effects from a fault rupture. Impacts would be less than significant and no mitigation would be necessary.

- b) ii) **Finding:** The project would not expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving strong seismic ground shaking. *Less than significant*

impact with mitigation incorporated.

Discussion: Earthquakes on active faults in the region have the capacity to produce a range of ground shaking intensities in the project area. Ground shaking may affect areas hundreds of miles distant from an earthquake's epicenter. Ground motion during an earthquake is described by the parameters of acceleration and velocity as well as the duration of the shaking. Because the project site is located within a seismically active area, some degree of ground motion resulting from seismic activity in the region is expected during the long-term operation of the project.

The State of California provides minimum standards for building design through the California Building Code (CBC; California Code of Regulations Title 24). Where no other building codes apply, CBC Chapter 29 regulates excavation, foundations, and retaining walls. The CBC applies to building design and construction in the State and is based on the federal Uniform Building Code (UBC) used widely throughout the country. The CBC has been modified for California conditions with numerous more detailed and/or more stringent regulations. Specific minimum seismic safety and structural design requirements are set forth in CBC Chapter 16. The Code identifies seismic factors that must be considered in structural design. Mitigation Measure GEO-1 includes site-specific recommendations that would reduce risks to a level of less than significant.

- a) iii) Finding: The project would not expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving seismic-related ground failure, including liquefaction. *Less than significant impact with mitigation incorporated.*

Discussion: Liquefaction is a phenomenon whereby unconsolidated and/or near-saturated soils lose cohesion and are converted to a fluid state as a result of severe vibratory motion. The relatively rapid loss of soil shear strength during strong earthquake shaking results in temporary, fluid-like behavior of the soil. Soil liquefaction causes ground failure that can damage roads, pipelines, underground cables and buildings with shallow foundations.

According to the Humboldt GIS system, the project site is designated as an area not subject to liquefaction. The A.M. Baird report includes recommendations for building foundations that would protect the proposed lightly-loaded metal or wood frame buildings from soil liquefaction risks. The project would not expose people or structures to potential substantial adverse effects related to seismic-related ground failure, including liquefaction. Implementation of recommendations for foundations and fills as specified by Mitigation Measure GEO-1 would reduce risks to a level of less than significant.

- a) iv) Finding: The project would not expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving landslides. *Less than significant impact.*

Discussion: The proposed project would be located in an area that is flat and is not at risk from landslides originating on slopes across Highway 36 to the north. There is no risk of loss, injury, or death involving landslides associated with construction and operation of the proposed project operations.

- b) Finding: The project would not result in substantial soil erosion or the loss of topsoil. *Less than significant impact.*

Discussion: Construction activities associated with the project would involve excavation and grading, and other soil disturbing activities that have the potential to temporarily increase erosion and sedimentation rates above existing conditions. The potential for impacts is low - the site is relatively flat, and the area associated with grading has previously been impacted from past development. There are no natural surface water features to which sediment might be discharged. Construction activities would

be conducted in accordance with the County's grading regulations and Best Management Practices (BMPs), including temporary erosion and runoff control measures in accordance with Section 3432.9 of the 2017 General Plan, would be implemented during construction to minimize the potential for erosion and storm water runoff. The County's grading regulations would reduce the potential for erosion or loss of topsoil associated with project activities to a less than significant level. Impacts would be less than significant, and no mitigation would be necessary.

- c) Finding: The project would not be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse. *Less than significant impact with mitigation incorporated.*

Discussion: According to Humboldt County Web GIS data, the project site has a Seismic Safety Classification of 1 to 3 which is defined as having "Low Instability" and "High Instability", however, the report prepared by A.M. Baird found the site to be stable and that the site should remain stable through the development of the proposed project subject to **Mitigation Measure GEO-01**. Potential impacts associated with on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse from the proposed project would be less than significant, and no mitigation would be necessary.

- d) Finding: The project would not be located on expansive soil, as defined in Table 18-1-B of the UBC (1994), creating substantial risks to life or property. *Less than significant impact.*

Discussion: Expansive soils possess a "shrink-swell" characteristic. Shrink-swell is the cyclic change in volume (expansion and contraction) that occurs in fine-grained clay sediments from the process of wetting and drying. Structural damage may occur over a long period of time due to expansive soils, usually the result of inadequate soil and foundation engineering or the placement of structures directly on expansive soils.

The R-2 Soils Report concluded that soils on the project site do not appear to be subject to significant shrink-swell potential (**Appendix D**). Therefore, the project would not be located on expansive soils creating substantial risks to life or property. Impacts would be less than significant, and no mitigation would be necessary.

- e) Finding: The project would not have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water. *Less than significant impact.*

The project proponent has submitted a Septic Disposal Design Report prepared by Allan Baird, who is a registered certified engineer (**Appendix D**). The septic design includes septic tanks and leach field capacity sufficient for the peak staffing levels expected for the proposed project. As such, the proposed project would not have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewer is not available for the disposal of wastewater. Impacts would be less than significant, and no mitigation would be necessary.

Mitigation:

GEO-1 Foundation and Fill Design

The project proponent shall comply with the recommendations of the Soils Engineering Geologic R-2 Report prepared by A.M. Baird Engineering and Surveying Inc, dated April 12, 2018 (**Appendix D**), which includes specifications for building foundations, structural fills, compaction, drainage, and other considerations. The grading, foundation design, drainage plans and plan specifications shall be

reviewed by a registered geologist prior to approval by the County.

Findings:

a) i) The project would not expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault. Refer to Divisions of Mines and Geology Special Publication 42: **Less than significant impact.**

a) ii) The project would not expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving strong seismic ground shaking: **Less than significant impact with mitigation incorporated.**

a) iii) The project would not expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving seismic-related ground failure, including liquefaction: **Less than significant impact with mitigation incorporated.**

a) iv) The project would not expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving landslides: **Less than significant impact.**

b) The project would not result in substantial soil erosion or the loss of topsoil: **Less than significant impact.**

c) The project would not be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse: **Less than significant impact with mitigation incorporated.**

d) The project would not be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property: **Less than significant impact.**

e) The project would not have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water: **Less than significant impact.**

5.7 GREENHOUSE GAS EMISSIONS

Would the project:

	Potentially Significant	Potentially Significant Unless Mitigation Incorp.	Less Than Significant Impact	No Impact
a) Generate greenhouse gas emission, either directly or indirectly, that may have a significant impact on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Setting:

As a result of revisions to the State CEQA Guidelines that became effective in March 2010, lead agencies are obligated to determine whether a project's GHG emissions significantly affect the environment and to impose feasible mitigation to eliminate or substantially lessen any such significant effects. The County of Humboldt completed a draft Climate Action Plan for the General Plan Update in January 2012. The plan contains GHG reduction strategies designed to achieve the goal of limiting greenhouse gas emissions to 1990 emissions levels by 2020. The NCUAQMD and Humboldt County have not adopted any thresholds of significance for measuring the impact of GHG emissions generated by a proposed project.

Analysis:

- a) Finding: The project would not generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment. *Less than significant impact.*

Discussion: This section includes a qualitative discussion of potential GHG/climate change impacts with an emphasis on project features which would reduce construction and operational GHG emissions (see discussion under subsection b) below).

Construction

Construction GHG emissions are generated by vehicle engine exhaust from construction equipment, on-road hauling trucks, vendor trips, and worker commuting trips. Construction for the proposed project would be short term. All construction equipment and commercial trucks are maintained to meet current emissions standards as required by the California Air Resources Board. Based on the size of the project and the short duration of construction activities, impacts associated with GHG emissions generation from construction would be less than significant.

Operation

The NCUAQMD and Humboldt County have not adopted any thresholds of significance for measuring the impact of GHG emissions generated by a proposed project. GHG emissions sources during operation would include vehicle traffic from workers and deliveries, and operation of HVAC units for the proposed buildings. As described in Section 5.16 – *Transportation/Traffic*, during long-term operation the project would generate up to 174 vehicle trips per day during week days. This estimate was based off four (4) trips

per day from the employees on site (25x4= 140), 14 trips per day for pickup from the nursery operation, 6 trips per week from cultivators dropping off and picking up product, two (2) trips per week from the distributor of the product, four (4) trips per week for supply runs, six (6) trips per month for equipment management, and two (2) trips per week from the chemist from the lab to test the product. This is equivalent to the vehicle trips expected from 18 single-family residences, which is 0.04 percent of the 53,689 households reported in Humboldt County by the 2017 U.S. Census (Institute of Transportation Engineers, 2008) and (United States Census Bureau, 2017). Therefore, operation of the project would generate vehicle trips (and concomitant GHG emissions) equivalent to an approximately 0.03 percent increase in the residential development of Humboldt County. This would not be a significant increase in GHG emissions for Humboldt County. On the other hand the project would provide services and supplies to cannabis cultivators in the area which would reduce the vehicle miles they need to travel to obtain nursery stock, have their crops transported for purposes of packaging, distribution and manufacturing. It is difficult to calculate the actual VMT savings because it is unknown if cultivators would be transporting their products to Eureka, Garberville or further. The savings in VMT could completely offset the increase in local trips associated with the site.

The proposed nursery would feature HVAC and filter systems for air conditioning, odor reduction, and heating. According to NCUAQMD Rule 102, the Air District does not require permits for HVAC systems. The proposed project would not generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment

b) Finding: The project would not conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases. *Less than significant impact.*

Discussion: The proposed project was evaluated against the following applicable plans, policies, and regulations:

- 1) Humboldt County Draft Climate Action Plan
- 2) Humboldt County Commercial Medical Marijuana Land Use Ordinance (CMMLUO)
- 3) NCUAQMD Particulate Matter Attainment Plan

Humboldt County Draft Climate Action Plan

The County's 2012 Draft Climate Action Plan contains strategies for reducing greenhouse gas emissions. This project, as proposed, mitigated, and conditioned, is consistent with the following GHG reduction strategies listed in the County of Humboldt Climate Action Plan:

- a) *Foster land use intensity near, along with connectivity to, retail and employment centers and services to reduce vehicle miles traveled and increase the efficiency of delivery services through adoption and implementation of focused growth principles and policies.*

The proposed project is near Dinsmore and Mad River, these communities have many cultivators who travel far distances to process, manufacture, test, and distribute their product. These processes are often separated and require the cultivator to make several trips to prepare their product for sale. The proposed project offers a local alternative that cumulatively provides processing, manufacturing, testing, and distribution services. The proposed project would reduce the number of commuters to larger population centers to receive services and focus distribution to a single location adjacent to Highway 36.

- b) *Conserve natural lands for carbon sequestration.*

The project site has historic industrial use and has sparse vegetation. The proposed project would require a minimal removal trees. Natural space with vegetation adjacent to the Van Duzen river would be protected by the proposed zone reclassification combining Qualified use zone (Q-Zone). Q zoning is applied to properties to focus or limit development. The intention of the proposed Q combining zone for the proposed project is to limit any industrial development adjacent to the Van Duzen River and protect natural habitat. The protection of natural habitat would help conserve natural lands for carbon sequestration.

- c) *Reduce length and frequency of vehicle trips.*

See response to strategy a), above.

- d) *Promote the revitalization of communities in transition due to the decline of resource-based industries.*

The project site was previously used as a lumber mill at a time when the timber economy of Humboldt County was in decline. The proposed project would develop a sustainable agricultural products processing, manufacturing, nursery, testing and distribution operation on the same site, which would provide economic benefits to the Dinsmore area, similar to timber products processing but in a burgeoning industry.

- e) *Ensure that land use decisions conserve, enhance, and manage water resources on a sustainable basis to assure sufficient clean water for beneficial uses and future generations.*

The proposed project would meet its annual water needs primarily from a rainwater catchment system. The proposed project would incorporate a water treatment facility, which would help recycle and conserve water. The water treatment facility would be designed and developed by Camel Water. The facility would be designed to reduce the water use on site by 90% through the recycling of grey water.

Humboldt County Commercial Medical Marijuana Land Use Ordinance (CMMLUO)

There are no applicable regulations in the CMMLUO regarding GHG.

NCUAQMD Particulate Matter Attainment Plan

As described under Question a) in Section 5.3 – *Air Quality*, the proposed project incorporates control measures consistent with the goals included in the Attainment Plan. The goals include: (1) transportation, (2) land use and (3) burning. The proposed project would not obstruct implementation of the NCUAQMD Attainment Plan for PM₁₀.

Therefore, the proposed project would not conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases.

Findings:

- a) The project would not generate greenhouse gas emission, either directly or indirectly, that may have a significant impact on the environment: **Less than significant impact.**
- b) The project would not conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases: **Less than significant impact.**

5.8 HAZARDS AND HAZARDOUS MATERIALS

Would the project:

	Potentially Significant	Potentially Significant Unless Mitigation Incorp.	Less Than Significant Impact	No Impact
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Setting:

The property was previously utilized as a lumber mill in the 1970's. It was then converted to a solid waste disposal site for Humboldt County until it was closed in 2003. The U.S. Environmental Protection Agency (EPA) EnviroMapper shows the project site as an "unassigned" site with no value. No hazardous materials concerns were identified at the site by the EPA (EPA, 2018).

The California Department of Toxic Substances Control EnviroStor mapper shows no sites within 10-mile of the project site. The nearest site is the Jensen Lumber Company lumber mill in Hyampom, CA, approximately 11.05

miles northeast of the project site (California Department of Toxic Substance Control, 2018).

Schools located nearest to the project site are Southern Trinity High School located approximately 3.09 miles southeast of the project site, and Bridgeville Elementary School located approximately 11.65 miles west of the project site.

The project site is located East of Dinsmore Airport, which is maintained by the County. The project site is located 1,180 feet outside of Zone C of the Airport Land Use Compatibility Zones (ALUCZ). No project components would interfere with airport operations.

According to Humboldt County Web GIS data, the project site is within a Wildland Fire Rating Zone of "High," indicating the area is at High risk from wildland fires. The site is located within the Ruth Lake Community Service District, and within the State Responsibility Area. Additionally, the Van Duzen Volunteer Fire Co is located adjacently to the east of the project site.

All chemicals, including pesticides, fertilizers, herbicides, manufacturing solvents would be stored in a secured storage shed. Agricultural waste would be recycled onsite through a zero-waste system. Plant matter would be used to extract ethanal from the plant, which would be used to extract the plant matter desired for manufacturing. All matter left after this operation would be used to make pots for the nursery or composted on-site. This process would result in a zero-waste system.

The projects Water Resource Protection Plan (WRPP) has conditioned the project to maintain a log of nutrient use stating the type of nutrient/amendments being added with stated NPK (Nitrogen, Phosphorus, and Potassium) ratio. The log would be kept onsite for reference and documentation of nutrient application. The WRPP has also conditioned the project to be monitored annually, and immediately following a precipitation event with 3 inches of accumulation in a 24hr period. The monitoring would include inspection to ensure nutrients, fertilizers, and any petroleum products are stored in a dry secured location and that soil and spoils are contained and covered to prevent nutrient leaching. All conditions applied in the WRPP would be included in the project's Conditions of Approval.

GHD Professional Services prepared a Phase I Environmental Site Assessment of the project in July 2018 (GHD, 2018). The purpose of the assessment is to identify recognized environmental conditions. A recognized environmental condition is defined as the presence or likely presence of any hazardous substances or petroleum products in, on, or at a property (ASTM International, 2018). The assessment found no evidence of recognized environmental conditions to exist in connection to the site. The Phase I Site Assessment can be found in **Appendix F.**

Analysis:

- a) **Finding:** The project would not create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials. *Less than significant impact.*

Discussion: The proposed project would involve constructing a nursery, processing, non-volatile manufacturing, testing and distribution operation. Hazardous materials associated with the proposed operation include fertilizers, pesticides, solvents, and may include fuels, lubricants, and paint. All hazardous materials used on-site would be stored in secured storage shed with soil containment. The project proponent would only utilize pesticides that are authorized products by the State of California.

Solvents used in the non-volatile extraction would include ethanol, vegetable glycerin, vegetable oils, animal fats, food-grade glycerin and alcohol. The health hazards for these substances are irritation in case of contact with skin and eyes, or inhalation. Ethanol and alcohol are flammable liquids. Handling and transport of these substances could pose a risk to the environment and to human health from improper

handling and storage resulting in exposure.

Use of such materials would be required to comply with all applicable local, state, and federal standards associated with the handling and storage of hazardous material. The applicant would be required to file a Hazardous Materials Business Plan with the County Division of Environmental Health for the storage of the various materials described above at the site. The proposed project would also be subject to the requirements of the North Coast Regional Water Quality Control Board (NCRWQCB) Cannabis Cultivation Waste Discharge Regulatory Program and the County of Humboldt Medical Marijuana Land Use Ordinance. The NCRWQCB program and County ordinance have "standard conditions" applicable to cannabis operations that address impacts from the storage and use of hazardous materials which include the following requirements:

- a) Any pesticide or herbicide product application be consistent with product labeling and be managed to ensure that they would not enter or be released into surface or groundwater.
- b) Petroleum products and other liquid chemicals be stored in containers and under conditions appropriate for the chemical with impervious secondary containment.
- c) Implementation of spill prevention, control, and countermeasures (SPCC) and have appropriate cleanup materials available onsite.

With appropriate storage, handling, and application practices that comply with the requirements of the NCRWQCB and Humboldt County, it is not anticipated that the use of these materials at the facility would pose a significant hazard. The proposed project would not create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials.

- b) Finding: The project would not create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment. *Less than significant impact.*

Discussion: As previously described under item (a), fertilizers, pesticides, lubricants, fuels, solvents and paint would be stored and used at the site. As described in the Cultivation and Operations Plan, all materials would be properly stored. Use of such materials would be required to comply with all applicable local, state, and federal standards associated with the handling and storage of hazardous materials, including the standard conditions contained in the NCRWQCB Cannabis Cultivation Waste Discharge Regulatory Program and the County Medical Marijuana Land Use Ordinance. These include implementation of spill prevention, control, and countermeasures and the maintenance of appropriate cleanup materials onsite. The project proponent would be required to file a Hazardous Materials Business Plan with the County Division of Environmental Health.

With appropriate storage, handling, and application practices, it is not anticipated that the use of these materials would pose a significant hazard. In the event of foreseeable upset and accident conditions, it is unlikely that these hazardous materials would be released in a manner that would create a significant hazard to the public or the environment.

- c) Finding: The project would not emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within 0.25 mile of an existing or proposed school. *No impact.*

Discussion: There are no schools located within one-quarter mile of the project site. The proposed project would not emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within 0.25 mile of an existing or proposed school. No impact would occur, and no mitigation would be necessary.

- d) Finding: The project would not be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would not create a significant hazard to the public or the environment. *Less than significant impact.*

Discussion: The EPA identified no hazardous material concerns at the site. No hazardous sites were identified within 1-mile of the project site. Because there are no hazardous materials concerns currently at the project site, implementation of the proposed project would not create a significant hazard to the public or the environment. No impact would occur, and no mitigation would be necessary.

- e) Finding: The project would not, for a project within two miles of a public airstrip, result in a safety hazard for people residing or working in the project area. *Less than significant with mitigation implemented.*

Discussion: The project site is 6,500± feet southeast of the Dinsmore Airport, which is maintained by the County, however the site is not located within the Dinsmore Airport's ALUCZ. The applicant has completed the Airspace Certification Form, which demonstrates the project would be in compliance with County Code Section 333-4 (height limits). The certification has been completed and signed by a registered engineer.

Substantial amounts of light being projected into the sky from the light generated indoors on the site could result in a hazardous condition with the airport. Mitigation Measure AES-1 requires the applicant to prepare a Lighting Plan for review and approval by the County. With implementation of the proposed mitigation, potential impacts would be reduced to a level of less than significant.

- f) Finding: The project would not, for a project within the vicinity of a private airstrip, result in a safety hazard for people residing or working in the project area. *No impact.*

Discussion: There are no private airstrips in the vicinity of the project site. The proposed project would not result in a safety hazard for people residing or working in the project area. No impact would occur, and no mitigation would be necessary.

- g) Finding: The project would not impair implementation of, or physically interfere with an adopted emergency response plan or emergency evacuation plan. *Less than significant impact.*

Discussion: The project would comply with the requirements of the Ruth Lake Community Services District and CALFIRE regarding emergency vehicle access, sprinkler systems, and minimum water supply requirements. The project site is accessed by an existing gravel driveway directly from Highway 36. As such, the project would not interfere with any emergency response or evacuation plan.

Therefore, the proposed project would not impair the implementation of, or physically interfere with an adopted emergency response plan or emergency evacuation plan. Potential impacts would be less than significant, and no mitigation would be necessary.

- h) Finding: The project would not expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized area or where residences are intermixed with wildlands. *Less than significant impact.*

Discussion: According to Humboldt County GIS data, the project site is within a Wildland Fire Rating Zone of "High" indicating the area is at high risk from wildland fires. The site is located within the State Responsibility Area. CALFIRE has commented to the proposed project with a list of requirements and recommendations including emergency access with turnarounds, signing and building numbers, emergency water standards, and fuel modification standards. The proposed project would comply with all of these requirements. The project would result in a less than significant impact and no mitigation would

be necessary.

Mitigation:

See AES-1 in Section 5.1, Aesthetics.

Findings:

- a) The project would not create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials: **Less than significant impact.**
- b) The project would not create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment: **Less than significant impact.**
- c) The project would not emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within 0.25 mile of an existing or proposed school: **No impact.**
- d) The project would not be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment: **Less than significant impact.**
- e) The project would not, for a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, result in a safety hazard for people residing or working in the project area: **Less than significant impact with mitigation implemented.**
- f) The project would not, for a project within the vicinity of a private airstrip, result in a safety hazard for people residing or working in the project area: **No impact.**
- g) The project would not impair implementation of, or physically interfere with an adopted emergency response plan or emergency evacuation plan: **Less than significant impact.**
- h) The project would not expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized area or where residences are intermixed with wildlands: **Less than significant impact.**

5.9 HYDROLOGY AND WATER QUALITY

Would the project:

	Potentially Significant	Potentially Significant Unless Mitigation Incorp.	Less Than Significant Impact	No Impact
a) Violate any water quality standards or waste discharge requirements?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) Create or contribute runoff water which would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Otherwise substantially degrade water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
j) Inundation by seiche, tsunami, or mudflow?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Setting:

The project site is located in the Mill Creek-Van Duzen River Subwatershed (180101050703 HUC12), which is part of the Van Duzen Watershed. The Van Duzen river is approximately 60 miles long and drains approximately 428 square miles of land. The mean annual rainfall within this drainage is approximately 76.7" per year (NRC, 2017).

Topography is flat over the project site; slopes are less than 1 percent. The site is situated on the floodplain of the Van Duzen River. An incomplete berm contains the river during normal flood pulses. However, if a very large flood were to occur (100 year return interval) the river could flow through the incomplete part of the berm and accumulate to a depth of approximately two feet along much of the site. These findings were made by the engineering firm A. M. Baird and are presented in their Flood Determination Report which appears in Appendix G.

Federal Emergency Management Agency (FEMA) flood insurance rate maps were reviewed for the project's proximity to a 100-year floodplain. The proposed project is on FEMA panel #0623C1550F, effective 11/19/2011. The project site is in an area mapped as Zone D, an area with possible but undetermined flood hazards. No analysis has been conducted by FEMA for areas designated as Zone D. (FEMA, 2011).

The entirety of the site is within the California Department of Water Resources (DWR) 100 year floodplain. DWR does not have any other data in regards to the floodplain.

The project site is not connected to a municipal storm drainage system.

The project would include internal storm water management measures as prescribed in the project's WRPP.

Analysis:

- a) **Finding:** The project would not violate any water quality standards or waste discharge requirements. *Less than significant impact.*

Discussion: Construction activities associated with the project would involve excavation and grading, and other soil disturbing activities that have the potential to expose soil to erosion and may result in the transport of sediments which could adversely affect water quality. The potential for impacts is low, as the site is flat and a berm separates the areas that would be disturbed and the Van Duzen River. Construction activities would be conducted in accordance with the County's grading regulations and BMPs, would be implemented during construction to minimize the potential for erosion and storm water runoff. A Storm Water Pollution Prevention Plan would be created to detail the procedures the project would undertake during construction to protect against the discharge of pollutants during rain events.

Construction of the proposed buildings would introduce approximately 58,320 sf of new impermeable surfaces; however, storm water runoff from these structures would be contained by an existing berm to the south of the site and proposed bioswales. The processing, manufacturing, distribution, testing, and administrative buildings would occupy a footprint of previously developed land. Internal circulation driveways, parking spaces, and loading areas would have permeable surfaces.

As described in response to Question b) in Section 5.4, Biological Resources, the project proponent has enrolled under the NCRWQCB Waiver of Waste Discharge Requirements Order Number R1-2015-0023 as a Tier II discharger. One of the requirements is to prepare a WRPP, which includes identifying potential sources of water quality violations or waste discharge requirements, corrective actions including implementing and monitoring BMPs, and documenting water usage and timing to ensure the water use is not impacting water quality objectives and beneficial uses. The project would prepare and implement a WRPP.

The project proposes to construct an OWTS to handle sanitary waste. The OWTS would be installed during Phase one of the proposed project. The proposed OWTS would be sufficient to meet the needs of the project at peak staffing levels. Additionally, the project would install a water treatment facility to help recycle water used for irrigating the nursery and during processing and manufacturing operations.

Therefore, the proposed project would not violate any water quality standards or waste discharge

requirements.

- b) Finding: The project would not substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g. the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted). *Less than significant impact.*

Discussion: The estimated maximum annual water consumption by the proposed project is approximately 881,100 gallons. This total includes 255,000 gallons for indoor cultivation, 24,000 gallons for manufacturing, 180,000 gallons for cleaning and sanitation, and 422,100 gallons for all other uses on site.

The project proponent estimates that the proposed rain water catchment system would supply 531,900 gallons of water annually for the operation. This estimate is based off of the 20-year average rainfall in Dinsmore, CA. The proposed water treatment facility is estimated to treat and recycle 107,850 gallons per year, while the project estimates that 348,850 gallons of water would be drawn from the well on-site yearly.

According to the 2008 Community Infrastructure and Services Technical Report, the Hydesville Community Water District, which serves nearby Hydesville but not the project site, delivers approximately 38 million gallons per year to its 450 service connections, all of which are residential (Winzler and Kelly Consulting Engineers, 2008). This equates to approximately 0.104 million gallons per day on average, or 231 gallons per day per connection. By that estimate, the annual water demand from the well on-site of the proposed project would equal the annual water consumption of approximately 4.1 customers of the Hydesville County Water District.

The total water demand for the project at full operation would be approximately 881,100 gallons per year, of which 531,900 gallons would be captured from the rainwater catchment system, and 107,850 gallons would be recycled through the water treatment facility. The net water demand of 241,350 gallons per year equals .74 acre-feet, which would not significantly deplete groundwater or reduce recharge.

- c) Finding: The project would not substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site. *Less than significant impact with mitigation implemented.*

Discussion: As previously described, construction activities associated with the project would involve excavation and grading, and other soil disturbing activities that have the potential to expose soil to erosion and may result in the transport of sediments which could adversely affect water quality. The site is flat and lacks drainage features. Site construction would include planned routing of storm water from impervious surfaces, altering the existing lack of drainage patterns. However, this run-off would be contained by storm water management systems prescribed in the WRPP. Implementation of the proposed project would not result in substantial on- or off-site erosion or siltation.

The proposed zone reclassification would add a Qualifying zone "Q" to the site which would prevent development near the riparian area. Construction activities would be conducted in accordance with the County's grading regulations and BMPs, including temporary erosion and runoff control measures in accordance with Section 3432.9 of the Framework Plan, would be implemented during construction to minimize the potential for erosion and siltation.

- d) Finding: The project would not substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site. *Less than significant*

impact with mitigation implemented.

Discussion: As previously mentioned, the project site is flat and there are no streams or rivers on the site, though the Van Duzen River runs adjacent to the site. The proposed project would introduce approximately 58,320 sf (~1.33 acres) of new impermeable surfaces on the parcel, which has a total area of approximately 13.78 acres. This is a significant increase, however, the WRPP would prescribe an internal storm water management system to handle runoff. With the implementation of the WRPP, the proposed project would not result in flooding on- or off-site.

- e) Finding: The project would not create or contribute runoff water that would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff. *Less than significant impact.*

Discussion: The project site does not drain to a municipal storm water drainage system. The project would implement a WRPP in accordance with the NCRWQB Waste Discharge Requirements Order R1-2015-0023 that would include internal storm water management for runoff generated by new impermeable surfaces. The proposed project would not result in a substantial increase in storm water runoff. There would be no impact on existing or planned municipal storm water drainage systems.

The proposed project would not produce substantial additional sources of polluted runoff. The project would implement water retention features such as permanent bioswales and straw and fiber erosion control rolls during construction. All nursery activities associated with the proposed project would be in raised beds that would capture all irrigation runoff. As previously mentioned under Question a and d, the proposed project would introduce impervious surfaces to the site; however, runoff would be managed by systems prescribed in the WRPP. Therefore, the project would not create or contribute runoff that would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff. Potential impacts would be less than significant, and no mitigation would be necessary.

- f) Finding: The project would not otherwise substantially degrade water quality. *Less than significant impact.*

Discussion: All other handling and storage of potential pollutants by the project would occur indoors. There are no conditions associated with the proposed project that could result in the substantial degradation of water quality beyond what is described in the responses to subsections a) – c) and e).

Therefore, the proposed project would not otherwise substantially degrade water quality.

- g) Finding: The project would not place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map. *Potentially significant unless mitigation incorporated.*

Discussion: The project includes the construction of housing within the DWR 100-year floodplain. The housing is limited to a caretaker residence that would be continuously occupied for security purposes. A flood level determination was conducted by a licensed engineer (Appendix G). It shows that much of the parcel could potentially be inundated during a 100-year flood event. The report indicates the potential depth of flooding that could occur and prescribes the minimum elevation for foundation construction in order for structures to avoid being inundated by floodwater. As a condition of approval for this project, the applicant must obtain a Floodplain Development Certificate for each structure which would verify that the structure is properly designed to withstand a 100 year flood without damage.

- h) Finding: The project would not place within a 100-year flood hazard area structures that would impede or redirect flood flows. *Less than significant impact.*

Discussion: The site was determined to be within a 100-year flood zone. However, the flood water would be shallow and the velocities slow. Any structures constructed on the floodplain would not impede or redirect such flows. Less than significant impact would occur, and no mitigation would be necessary.

- i) Finding: The project would not expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam. *No impact.*

Discussion: The proposed project does not involve the construction of levees or dams and according to Humboldt County GIS data, the project site is not located in a dam failure inundation zone. The proposed project would not expose people or structures to risks from flooding as a result of the failure of a levee or dam. No impact would occur, and no mitigation would be necessary.

Other flood impacts are discussed in items g and h.

- j) Finding: The project would not result in inundation by seiche, tsunami, or mudflow. *No impact.*

The project is not in an area that is at risk from seiche, tsunami or mudflow. The project is not located near a large body of water capable of producing a seiche and is not located near the coast in a tsunami inundation area. Therefore, the proposed project would not result in inundation by seiche, tsunami, or mudflow. No impact would occur, and no mitigation would be necessary.

Mitigation:

HYD-1 Water Resources Protection Plan

Prior to issuance of any construction permits, the project proponent shall submit a WRPP that describes the mitigation measures the project would take to protect water resources. This would specifically contain design criteria for each phase of construction to handle the increased runoff resulting from new impervious areas. Subsequent engineering plans shall incorporate the storm water management measures prescribed in the NCRQCB approved WRPP.

HYD-2 Humboldt County Floodplain Development Permit

Prior to construction, the project proponent shall submit engineering plans that illustrate conformance with the recommendations made in the Flood Level Determination prepared by A. M. Baird to the Humboldt County Planning and Building Department and obtain a Floodplain Development Permit.

Findings:

a) The project would not violate any water quality standards or waste discharge requirements: **Less than significant impact.**

b) The project would not substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g. the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted): **Less than significant impact.**

c) The project would not substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site: **Less than significant impact with mitigation implemented.**

d) The project would not substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site: **Less than significant impact with mitigation**

implemented.

e) The project would not create or contribute runoff water which would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff: **Less than significant impact.**

f) The project would not otherwise substantially degrade water quality: **Less than significant impact.**

g) The project would not place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary of Flood Insurance Rate Map or other flood hazard delineation map: **Less than significant impact with mitigation implemented.**

h) The project would not place within a 100-year flood hazard area structures which would impede or redirect flood flows: **Less than significant impact.**

i) The project would not expose people or structures to a significant risk or loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam: **No impact.**

j) The project would not result in inundation by seiche, tsunami, or mudflow: **No impact.**

5.10 LAND USE AND PLANNING

Would the project:

	Potentially Significant	Potentially Significant Unless Mitigation Incorp.	Less Than Significant Impact	No Impact
a) Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Conflict with any applicable habitat conservation plan or natural community conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Setting:

The Humboldt County General Plan designates the project area as "Residential Agriculture" (RA). RA zoned lands may be used for single family residential, neighborhood commercial and general agricultural uses. The property's zoning is Unclassified (U), which is defined as an area that has not been sufficiently studied to justify precise zoning classifications.

The project proposes a General Plan Amendment and Zone Reclassification to give the subject parcel a general plan designation of "Industrial General" (IG) and zoning of Heavy Industrial with a Qualified Combining Zone (MH-Q). The IG classification provides for general industrial and manufacturing uses, typically in urban areas. The designation may be accommodated in rural areas where full urban services are not required for the intended use. Principal uses for MH zoned properties includes industrial manufacturing, animal hospitals, animal feed and sales yards, administrative, business, and professional offices, stores, and services such as limber yards, contractor's yards, metal-working shops, carpentry shops, auto repair, and wholesale outlet stores. The Qualified Zone is intended to be combined with any principal zone where sound and orderly planning indicate that specified principal permitted uses otherwise allowed under the principal zone may be limited or not be allowed, or development standards/restrictions can be added, deleted, or modified. Qualified uses are specified in the ordinance applying the Q Zone to the specific property. For the proposed project the Q zone would be implemented adjacent to the river to protect the river and the associated riparian habitat.

Analysis:

a) **Finding:** The project would not physically divide an established community. *No impact.*

Discussion: The proposed project would involve a processing, manufacturing, distribution, testing and nursery operations. The site is currently unoccupied and was previously utilized as a mill and solid waste disposal site. The project site is located in the rural community of Dinsmore and it is surrounded by an industrial auto salvage yard and cannabis cultivation operations. There are no established communities on the project site or adjacent areas. The project site is accessed directly from Highway 36. No new access routes are proposed so the project would not physically divide an established community, and no impacts would occur.

b) **Finding:** The proposed project would not conflict with any applicable land use plan, policy, or regulation

of an agency with jurisdiction of the project adopted for the purpose of mitigating an environmental effect. *Less than significant impact.*

Discussion: The proposed project would develop processing, manufacturing, distribution, testing and nursery operations on a parcel currently zoned as unclassified (U) with a General Plan Designation of Rural Residential Agriculture (RA20). All of these uses are allowed on U zoned properties, but only when the zoning is accompanied by a Commercial or Industrial General Plan land use designation. To accommodate for the Humboldt County Ordinance Code the applicant proposes a General Plan Amendment and Zone Reclassification to designate the subject parcel with a general plan designation of "Industrial General" (IG) and zoning of Heavy Industrial with a Qualified Combining Zone (MH-Q).

Under the proposed zoning and general plan designation the project could implement all of the proposed uses. There are currently no residential uses on the subject parcel, but the project proposes to include temporary housing in the form of two RV's for security personnel. The proposed housing would require a use permit pursuant to Section 314-3.3 of the Humboldt County Ordinance Code.

The proposed project includes numerous buildings that would be used for the projects operation. The proposed 58,320 sf of buildings would leave approximately 90 percent of the property associated with no use other than parking, storage, and internal traffic circulation. The proposed buildings and outdoor lighting would conform to CMLLUO Section 55.4.1.1(v), which requires that all lighting conform to International Dark Sky Association standards for Lighting Zones 0 and 1, and regulate light spillage from backlight, uplight and glare. Consequently, mixed-light greenhouses would not create a potential hazard to flight in the form of uplight or glare.

The proposed project would conform to all setbacks and height limitations posed by section 314-3.3 of the Humboldt County Ordinance Code. The proposed project would not conflict with any goals, policies, or objectives in the County's General Plan or zoning ordinance intended to mitigate potential environmental impacts. Potential impacts would be less than significant with the implementation of the proposed General Plan Amendment and Zone Reclassification, and no mitigation would be necessary.

- c) Finding: The project would not conflict with any applicable Habitat Conservation Plan or Natural Community Conservation Plan. *No impact.*

Discussion: According to the U.S. Fish and Wildlife Service Environmental Conservation Online System (ECOS), the project site is not located within the boundaries of a Habitat Conservation Plan. Habitat Conservation Plans in Humboldt County include the following: 1) Green Diamond Resource Company California Timberlands and Northern Spotted Owl (formerly Simpson Timber Company); 2) Humboldt Redwood Company (formerly Pacific Lumber, Headwaters); and 3) Regli Estates. These Habitat Conservation Plans primarily apply to forest lands in the County.

According to the CDFW website, the project site is not located in the boundaries of a Natural Community Conservation Plan. The conservation plans for Humboldt County, listed on California Regional Conservation Plans Map on the CDFW website, include the Green Diamond and Humboldt Redwoods Company (previously Pacific Lumber Company) Habitat Conservation Plans.

The proposed project would not conflict with any applicable Habitat Conservation Plan or Natural Community Conservation Plan. No impact would occur, and no mitigation would be necessary.

Findings:

- a) The project would not physically divide an established community: **No impact.**
- b) The project would not conflict with any applicable land use plan, policy, or regulation of an agency with

jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect: **Less than significant impact.**

c) The project would not conflict with any applicable habitat conservation plan or natural community conservation plan: **No impact.**

5.1.1 MINERAL RESOURCES

Would the project:

	Potentially Significant	Potentially Significant Unless Mitigation Incorp.	Less Than Significant Impact	No Impact
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Setting:

Current mineral resource production in the County is primarily limited to sand, gravel, and rock extraction. The State Surface Mining and Reclamation Act of 1975 (SMARA) brought about a State policy for the reclamation of mined lands. According to Humboldt County Web GIS data, there are no SMARA parcels on or within two (2) miles the project site.

Analysis:

a) Finding: The project would not result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state. *No impact.*

Discussion: According to Humboldt County Web GIS data, the project is not within or adjacent to any mining operations. Implementation of the project would not result in the loss of availability of a known mineral resource, and no impact would occur.

b) Finding: The project would not result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan. *No impact.*

Discussion: There are no known mineral deposits of significance are on or near the project site. Therefore, implementation of the project would not result in the loss of availability of a locally important mineral resource recovery site, and no impact would occur.

Findings:

a) The project would not result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state: **No impact.**

b) The project would not result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan: **No impact.**

5.12 NOISE

Would the project result in:

	Potentially Significant	Potentially Significant Unless Mitigation Incorp.	Less Than Significant Impact	No Impact
a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Setting:

The project site is in a primarily agricultural and rural residential area of the County, and is bounded by industrial properties to the east, cannabis cultivators and Highway 36 to the north and vacant land to the south, and west. Noise sensitive receptors primarily include residences and a mobile home park. The nearest residences are 115 feet to the north, 500 feet to the northeast, and 600 feet to the east. The mobile home park is located 1,450 feet to the northwest (residences based on review of structures in GoogleEarth© aerial imagery).

Analysis:

- a) Finding: The project would not expose persons to or generate noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies. *Less than significant impact with mitigation incorporated.*

Discussion: The proposed project is on a site with existing industrial, agricultural, and highway land uses surrounding it. During operation, the project would not generate noise greater than that of vehicle traffic on the Highway.

Potential noise sources associated with the project would include temporary noise during construction of the proposed buildings and greenhouses. There are no noise-sensitive land uses within 300 feet of the

proposed developments. The noise standards in the Humboldt County General Plan are based on EPA recommendations. Section 3240 of the 2017 General Plan states: *"The Environmental Protection Agency identifies 45 Ldn indoors and 55 Ldn outdoors as the maximum level below which no effects on public health and welfare occur. Ldn is the Day-Night Noise Level. Ldn is the average sound level in decibels, excluding frequencies beyond the range of the human ear, during a 24-hour period with a 10dB weighting applied to nighttime sound levels. A standard construction wood frame house reduces noise transmission by 15dB. Since interior noise levels for residences are not to exceed 45dB, the maximum acceptable exterior noise level for residences is 60dB without any additional insulation being required. Of course, this would vary depending on the land use designation, adjacent uses, distance to noise source, and intervening topography, vegetation, and other buffers."* Since Ldn is a daily average, allowable noise levels can increase in relation to shorter periods of time. As stated in Section 3240, *"Fences, landscaping, and noise insulation can be used to mitigate the hazards of excessive noise levels."*

As noted above, the existing County noise standard utilizes an averaging mechanism (dBA Ldn) applicable to activities that generate sound sources averaged over a 24-hour period of time. This type of measurement is commonly used for measuring highway noise or industrial operations. A ten-decibel addition is added to noise levels occurring at nighttime – between 10:00 p.m. and 7:00 a.m. Utilizing a typical standard of 45 dBA Ldn interior noise level allows for a maximum of 60 dBA Ldn for 'normally acceptable' exterior levels.

Construction

Construction activities would result in a temporary increase in noise levels in the area. This noise increase would be short and would occur during daytime hours. As previously mentioned, the residences nearest to the project site are over 300 feet from the project site boundary, and an additional 75 feet farther from the nearest proposed building location. Although the potential for significant noise impacts is low, Mitigation Measure NOI-1 is proposed to reduce potential impacts from construction noise to a level of less than significant. The proposed mitigation would limit construction hours and days and would require standard maintenance of tools and equipment to reduce noise levels. With implementation of the proposed mitigation, potentially significant impacts would be reduced to a level of less than significant.

Operation

Long-term operation of the project is not expected to generate significant noise levels that would exceed the Humboldt County General Plan Noise Element standards. Most of the proposed activities would take place inside buildings which would not increase exterior noise levels. Outdoor operations would be consistent with the sorts of activities that occur on the adjacent auto salvage yard, such as deliveries, personal vehicle travel, and routine maintenance. Potential noise impacts from typical operational activities would be less than significant.

While not proposed as a primary energy source, the applicant may install generators for back up use in the event of a power outage. The County monitors the use of generators for cannabis operations pursuant to Section 55.4.11 (o) of the CMMLUO. Noncompliance with the ordinance would be a potentially significant impact. Mitigation Measure NOI-2 requires the applicant to notify the County of generator use and demonstrate there would be no violation of County noise standards.

Therefore, with the proposed mitigation measures, the proposed project would not expose persons to or result in the generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standard of other agencies.

- b) Finding: The project would not expose persons to or generate excessive ground borne vibration or ground

borne noise levels. *Less than significant impact.*

Discussion: Operation of the project would not involve the use of heavy machinery or ground disturbing activities that would result in excessive ground borne vibration or ground borne noise levels. Therefore, the proposed project would not expose persons to or generate excessive ground borne vibration or ground borne noise levels.

- c) Finding: The project would not result in a substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project. *Less than significant impact.*

Discussion: Construction activities would result in short-term increases in ambient noise levels due to the use of heavy equipment which is addressed under subsection d). Operation of the project would not result in a significant increase in permanent ambient noise levels. Project operation may involve the use of small equipment such as a forklift; however, the project site is located adjacent to other existing industrial and agricultural operations. Therefore, the proposed project would not result in a substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project.

- d) Finding: The project would not result in a substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project. *Less than significant impact with mitigation incorporated.*

Discussion: As described in response to question a), due to the surrounding land uses and the lack of noise-sensitive receptors, the potential for construction and operational noise impacts is low. Construction activities would result in a temporary increase in ambient noise levels, although they would be minimal and short in duration. Operation of the project has the potential to generate noise above existing levels, and if generators are used, ambient noise levels would be increased above existing levels. Mitigation Measures NOI-1 and NOI-2 are proposed to reduce potential impacts to a level of less than significant.

- e) Finding: The project would not, for a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, expose people residing or working in the project area to excessive noise levels. *Less than significant.*

Discussion: The project site is outside the 55 CNEL noise contour of the Dinsmore Airport, which is a public airport used for general aviation, and not commercial airlines. The project site is outside of the ALUC combining zone. The proposed project would not expose people working in the project area to excessive noise levels. Impacts would be less than significant, and no mitigation would be necessary.

- f) Finding: The project would not, for a project within the vicinity of a private airstrip, expose people residing or working in the project area to excessive noise levels. *No impact.*

Discussion: There are no private airstrips in the vicinity of the project site. The project would not expose workers working or residing on the project site to excessive noise levels from a private airstrip. No impacts would occur, and no mitigation would be necessary.

Mitigation:

NOI-1 Construction Related Noise

The following shall be implemented during construction activities:

- The operation of tools or equipment used in construction, drilling, repair, alteration or demolition shall be limited to between the hours of 8 A.M. and 5 P.M. Monday through Friday, and between 9 a.m. and 5 p.m. on Saturdays.

- No heavy equipment related construction activities shall be allowed on Sundays or holidays.
- All stationary and construction equipment shall be maintained in good working order and fitted with factory approved muffler systems.

NOI-2 Generator Noise

Should generators be installed, the locations of the generators shall be provided to the County Planning and Building Department on a site plan, and the projected use shall be provided. The generators shall be sited so that the decibel level for generators measured at the property line shall be no more than 60 decibels.

Findings:

- a) The project would not expose persons to or generate noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies: **Less than significant impact with mitigation incorporated.**
- b) The project would not expose persons to or generate excessive groundborne vibration or groundborne noise levels: **Less than significant impact.**
- c) The project would not result in a substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project: **Less than significant impact.**
- d) The project would not result in a substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project: **Less than significant impact with mitigation incorporated.**
- e) The project would not, for a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, expose people residing or working in the project area to excessive noise levels: **Less than significant impact.**
- f) The project would not, for a project within the vicinity of a private airstrip, expose people residing or working in the project area to excessive noise levels: **No impact.**

5.13 POPULATION AND HOUSING

Would the project:

	Potentially Significant	Potentially Significant Unless Mitigation Incorp.	Less Than Significant Impact	No Impact
a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Setting:

Humboldt County is a rural county with a large land area and low population density. The 2017 Census reported the county's population to be 136,754, which represents an increase of 10,236 over the population reported in the 2000 Census. Between 2020 and 2030, the population is projected to increase by approximately one percent, from 139,033 to 140,608 (an increase of 1,575 people). (U.S. Census Bureau, 2017). Population data of the Dinsmore area is not available.

Analysis:

- a) Finding: The project would not induce substantial population growth in an area, either directly (e.g., by proposing new homes and businesses) or indirectly (e.g., through extension of roads or other infrastructure). *Less than significant impact.*

Discussion: Growth inducing impacts are generally caused by projects that have a direct or indirect effect on economic growth, population growth, or when the project taxes community service facilities which require upgrades beyond the existing remaining capacity. The project proposes construction of a retail nursery, processing, manufacturing, distribution, and testing operation within a few miles of established communities in Dinsmore, and Mad River. Employees of the project would not be required to travel long distances to reach the project, and so there would be little incentive to develop new housing closer to the project than existing housing in nearby communities. Impacts associated with population growth would be less than significant and no mitigation would be necessary.

- b) Finding: The project would not displace existing housing, necessitating the construction of replacement housing elsewhere. *No impact.*

Discussion: The project site is currently vacant. The proposed project would not displace existing housing, necessitating the construction of replacement housing elsewhere.

- c) Finding: The project would not displace substantial numbers of people, necessitating the construction of replacement housing elsewhere. *No impact.*

Discussion: No people currently reside on the project site, and as discussed under subsection a), the proposed project is not expected to result in an influx of people to surrounding communities that would displace current residents. The proposed project would not displace a substantial number of existing people, necessitating the construction of replacement housing elsewhere.

Findings:

- a) The project would not induce substantial population growth in an area, either directly (e.g., by proposing new homes and businesses) or indirectly (e.g., through extension of roads or other infrastructure): **Less than significant impact.**
- b) The project would not displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere: **No impact.**
- c) The project would not displace substantial numbers of people, necessitating the construction of replacement housing elsewhere: **No impact.**

5.14 PUBLIC SERVICES

a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:	Potentially Significant	Potentially Significant Unless Mitigation Incorp.	Less Than Significant Impact	No Impact
i. Fire protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
ii. Police protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iii. Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iv. Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
v. Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Setting:

The project site is within the boundaries of the Ruth Lake Community Service District, and is in a State Responsibility Area, which means that fire protection services are provided by CAL FIRE.

The Humboldt County Sheriff's Office is responsible for law enforcement in the unincorporated areas of the County, including the project site. The Humboldt County Sheriff's Office provides a variety of public safety services countywide (court and corrections services) and law enforcement services for the unincorporated areas of the County. The California Highway Patrol is responsible for enforcing traffic laws on roadways within the unincorporated areas and on state highways throughout the County.

Schools located nearest to the project site are Southern Trinity Joint School located approximately 3.09 miles southeast of the project site and Bridgeville Elementary School located approximately 11.65 miles west of the project site.

Analysis:

a.i) Finding: The project would not result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services for fire protection. *Less than significant impact.*

Discussion: The proposed project would result in construction and operation of a cannabis manufacturing, processing, testing, nursery and distribution operation. This would potentially increase the likelihood of structure fires. As a result of the parcels previous use, the site is nearly devoid of vegetation. All proposed buildings would comply with fire code requirements including sprinklers, emergency vehicle access, and sufficient water to meet FFPD requirements for fire flow (1,500 gallons per minute for 120 minutes). Volatile extraction would be conducted using industry-standard equipment housed in fireproof rooms inside metal buildings. Other project activities such as cultivation, processing, manufacture, and sale of cannabis and cannabis products would not be prone to accidental fires. As such, the project would not result in the need for new or physically altered fire protection facilities. Impacts to fire protection services from the proposed project would be less than significant, and no mitigation would be necessary.

a.ii) **Finding:** The project would not result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, to maintain acceptable service ratios, response times or other performance objectives for any of the public services for police protection. *Less than significant impact.*

Discussion: Cannabis-related operations are commonly associated with greater security-related demands, which may result in an increase in law enforcement services provided by the County Sheriff's Department. The proposed project would include security fencing around the entire project, gated access, an alarm system, video monitoring, a security site office and security guards on-site at all times. Implementation of proposed security measures would minimize impacts on local law enforcement. The proposed project would not result in the need for new or physically altered law enforcement facilities. Potential impacts would be less than significant, and no mitigation would be necessary.

a.iii) **Finding:** The project would not result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any public schools. *No impact.*

Discussion: The proposed project would not include a residential housing development and would not directly or indirectly induce population growth in the area. The project would include up to two Recreational vehicles to provide temporary housing but the primary purpose of this facility would be to house security guards during their night shifts; therefore, the project would not result in the need for new or expanded school facilities. No impact on school facilities would occur.

a.iv) **Finding:** The project would not result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any public parks. *No impact.*

Discussion: As previously mentioned, the proposed project would not directly or indirectly induce population growth and would not result in the need for new or expanded park facilities. No impact on park facilities would occur.

a.v) **Finding:** The project would not result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any other public facilities. *No impact.*

Discussion: As previously mentioned, the proposed project would not directly or indirectly induce population growth and would not result in an increased demand for other public facilities. No impact on demand for public facilities would occur.

Findings:

i) The project would not result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services for fire protection: **Less than**

significant impact.

ii) The project would not result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services for police protection: **Less than significant impact.**

iii) The project would not result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services schools: **No impact.**

iv) The project would not result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services for parks: **No impact.**

v) The project would not result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services for other public facilities: **No impact.**

5.15 RECREATION

	Potentially Significant	Potentially Significant Unless Mitigation Incorp.	Less Than Significant Impact	No Impact
a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Setting:

Recreational resources are addressed in the Humboldt County General Plan. There are no existing recreational resources in or near the project site. There are no existing or planned bicycle trails in or near the project site (HCAOG 2014).

Analysis:

a) **Finding:** The project would not increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated. *No impact.*

Discussion: The project would not directly induce population growth or otherwise result in an increased demand on existing recreational facilities. There are no existing recreational facilities in or near the project site and the project would not provide direct access to or increase the use of recreational facilities in the region. No impacts would occur.

b) **Finding:** The project would not include recreational facilities or require the construction or expansion of recreational facilities that might have an adverse physical effect on the environment. *No impact.*

Discussion: The proposed project would not induce population growth or otherwise result in an increased demand on existing recreational facilities that would require the construction or expansion of recreational facilities. Further, the proposed project does not include construction of recreational facilities. No impacts would occur.

Findings:

a) The project would not increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated: **No impact.**

b) The project would not include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment: **No impact.**

5.16 TRANSPORTATION/TRAFFIC

Would the project:

	Potentially Significant	Potentially Significant Unless Mitigation Incorp.	Less Than Significant Impact	No Impact
a) Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Conflict with adopted policies, plans or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Setting:

The property is accessed directly from Highway 36 approximately one mile east of the Dinsmore Airport. All paved and unpaved driveways onsite would meet CALFIRE regulations and include an emergency vehicle turnaround near the midpoint and end of the property.

Highway 36 is a two-lane, paved, striped highway approximately 40 feet wide, and classified in Humboldt County GIS data as a Minor Arterial. Highway 36 provides access from U.S. Highway 101 at Fortuna to Hydesville, Bridgeville, Larrabee Valley, and east through Trinity County to Interstate-5 at Red Bluff in Tehama County.

According to California Department of Transportation (Cal Trans) traffic census data for 2016, the average annual daily traffic on Highway 36 at the Humboldt and Trinity County line (1.75 mile east of project site) was 1200 vehicles, with a peak hourly traffic of 120 vehicles and a peak monthly traffic of 15,000 vehicles (California Department of Transportation, 2016).

Analysis:

- a) **Finding:** The project would not conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit. *Potentially significant impact unless mitigation incorporated.*

Discussion: The project would be accessed from Highway 36 via a gravel driveway. Construction of the project would result in a temporary increase in construction traffic that would be minimal and for a short duration. Construction activities would not result in substantial adverse effects or conflicts with the local roadway system.

The current driveway intersection with Highway 36 has less than optimal visibility which could conflict with highway operations unless modifications are made. To improve the site lines at the intersection and facilitate vehicles entering and exiting the facility, the project would require grading improvements and vegetation management to occur within the Highway 36 easement. Before this work may proceed, and to ensure the work meets State Highway standards, the applicant would mitigate this impact by implementing **TRA-1**, receive an encroachment permit from Caltrans.

Sensi Valley anticipates that their operation would accommodate 200 cultivators within the general vicinity of Dinsmore, CA. Currently all of these cultivators work independently and make separate trips to their respective buyers and/or distributors and often travel far distances to make these transactions. Sensi Valley would process all of the cultivators products in one location and provide a much more efficient system of processing, manufacturing, testing and distribution, which would decrease the total vehicle miles traveled to sell and deliver product.

Vehicle trips generated during operation of the project would include daily round trips for each of the 35 staff members on-site per shift per day (49 employees total, a maximum of 35 anticipated on-site at one time), trips associated with cultivators purchase of nursery plants in the peak season, supply trips to the city, equipment maintenance and wholesale distributors purchasing product. The project proponent provided an estimate of vehicle trips for all operations involved in the proposed project, which is listed in **Table 3** below.

Table 3: Estimated Vehicle Trips

Purpose of Vehicle Trip	Round Trip	Total Trips
Nursery: Wholesale Purchase of Clones	7 Per Day (Only in Peak Season)	14
Processing: Product Drop-off	3 Per Day (Only After Harvest)	6
Distribution	1 Weekly	2
Supply	2 Weekly	4
Lab Testing	1 Weekly	2
Equipment Maintenance	3 Per Month	6
Employees*	70 Daily	140
	TOTAL	174

*Consultant estimated based off 4 trips per day per employee

The 174 estimated vehicle trips are a conservative estimate considering many of the trips made are only weekly or monthly. Sensi Valley would coordinate and stagger delivery and pickup times to minimize the

amount of traffic on road at one time. Additionally, the project proponent plans to implement a carpool incentive for employees that would reduce the amount of vehicle trips made by employees.

The total number of off-site vehicle trips per day on Highway 36 generated by the project at peak operation would be 174, which is 15 percent of the average annual daily traffic volume. The peak hourly traffic volume on Highway 36 near the Trinity County line is 120 vehicles, which equals 2 vehicles per minute. Assuming the peak hours for traffic on Highway 36 correspond to morning and afternoon commute times, employees arriving or departing work making left turns onto Highway 36 in or out of the project site would not create a substantial hazard to traffic. The number of trips generated by the proposed project would be an increase in the existing traffic volume on Highway 36, however the proposed project would cumulatively decrease the cumulative miles traveled by cultivators distributing and seeking processing, manufacturing, and testing services for their product. Potential impacts to the local roadway system would be less than significant, and no mitigation would be necessary.

There are currently no public transit facilities serving the project area. The nearest public transit bus stop is in Bridgeville. There are no existing or proposed bicycle or pedestrian facilities in the project area (HCOAG 2014).

Therefore, the proposed project would not conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit.

- b) Finding: The project would not conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways. *No impact.*

Discussion: Humboldt County is considered rural and does not have a Congestion Management Agency or an adopted Congestion Management Program. The HCAOG is the regional transportation planning agency for Humboldt County. Under its authority as the Regional Transportation Planning Agency for Humboldt County, HCAOG adopts and submits an updated Regional Transportation Plan to the California Transportation Commission and Caltrans every five years. The Regional Transportation Plan is a long-range (20-year) transportation planning document for Humboldt County. The most recent five-year update of the RTP was adopted in 2014. The Regional Transportation Plan does not currently establish vehicular level of service criteria for County roadways in the Dinsmore area.

Therefore, the proposed project would not conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways.

- c) Finding: The project would not result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks. *No impact.*

Discussion: The project would not cause an increase in air traffic patterns, since air travel would not be a means of transportation used for any aspect of the project. The project would not result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that would result in substantial safety risks.

- d) Finding: The project would not substantially increase hazards due to design features (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment). *Less than significant impact.*

Discussion: The proposed project would use existing roadways to access the site. The property is accessed from Highway 36 via a dirt and gravel driveway. The driveway has been used in the past for a lumber mill and solid disposal site. The proposed project does not include construction of any new public roads and would not introduce any incompatible uses on an existing public road.

Therefore, the proposed project would not substantially increase hazards due to a design feature (e.g. sharp curves or dangerous intersection) or incompatible uses (e.g. farm equipment). Potential impacts would be less than significant, and no mitigation would be necessary.

- e) Finding: The project would not result in inadequate emergency access. *Less than significant impact.*

Discussion: As previously mentioned, the project site is accessed by an existing driveway that would be modified to include an emergency vehicle turnaround at its interior mid-point and terminus. The internal circulation driveways would provide emergency vehicle access to all proposed buildings in accordance with Humboldt County requirements. The site would also include an additional emergency exit on southwestern portion of the property. The proposed project would not result in inadequate emergency access. Potential impacts would be less than significant, and no mitigation would be necessary.

- f) Finding: The project would not conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities. *No impact.*

Discussion: There are currently no public transit facilities serving the project site. The nearest public transit system is in the City of Fortuna. There are no existing or proposed bicycle or pedestrian facilities in the project site.

Therefore, the proposed project would not conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities.

Mitigation:

T-1 Highway 36 Intersection Improvements

Prior to final occupancy of any new buildings, the applicant shall modify the existing driveway on Highway 36 to conform to the Highway Design Manual. Prior to conducting work within the Highway 36 easement, the project proponent shall apply for and receive an Encroachment Permit from Caltrans.

Findings:

a) The project would not conflict with an applicable plan, ordinance or policy establishing measure of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit: **Less than significant impact.**

b) The project would not conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways: **No impact.**

c) The project would not result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks: **No impact.**

d) The project would not substantially increase hazards due to design features (e.g., sharp curves or dangerous

intersections) or incompatible uses (e.g., farm equipment): **Less than significant impact.**

e) The project would not result in inadequate emergency access: **Less than significant impact.**

f) The project would not conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities: **No impact.**

5.17 TRIBAL CULTURAL RESOURCES

Would the project:

	Potentially Significant	Potentially Significant Unless Mitigation Incorp.	Less Than Significant Impact	No Impact
a) Cause a substantial adverse change in the significance of a tribal cultural resource listed or eligible for listing in the California Register of Historical Resources, or in the local register of historical resources as defined in Public Resources Code §5020.1(k)?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Cause a substantial adverse change in the significance of a tribal cultural resource determined by the lead agency to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code §5024.1?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting:

The tribal cultural resources setting of the project is described in Section 5.5 – *Cultural Resources*.

Analysis:

a) **Finding:** The project would not cause a substantial adverse change in the significance of a tribal cultural resource listed or eligible for listing in the California Register of Historical Resources, or in the local register of historical resources as defined in Public Resources Code §5020.1(k). *Less than significant impact with mitigation incorporated.*

Discussion: As discussed under subsection a) of Section 5.5 – *Cultural Resources*, the cultural resources investigation of the project site found no cultural resources, including tribal cultural resources, and concluded that no additional cultural resources surveys of the site were warranted. The Tribal Historic Preservation Officer for the Bear River Band of the Rohnerville Rancheria concurred with this finding. While it is unlikely that the site would contain archaeological resources, there is the potential for subsurface excavation activities to uncover previously unknown subsurface archaeological resources. Implementation of standard cultural resource construction mitigation (Mitigation Measure CUL-1) regarding inadvertent discoveries would reduce potential impacts to a level of less than significant. As discussed above the previous development of the site and placement of fill material on site have probably capped any existing resources.

b) **Finding:** The project would not cause a substantial adverse change in the significance of a tribal cultural resource determined by the lead agency to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code §5024.1. *Less than significant impact with mitigation incorporated.*

Discussion: The County of Humboldt sent requests for formal consultation to the Bear River Band of the Rohnerville Rancheria and the Wiyot Tribe. To date a request for consultation has not been received.

Upon review of the Cultural Resources Study prepared for the project site, the County of Humboldt determined that the proposed project would not cause a substantial adverse change in the significance of a known tribal cultural resource. However, due to the potential to uncover tribal cultural resources during project construction activities and long-term operation, an inadvertent discovery protocol has been

included as Mitigation Measure CUL-1 for the proposed project in Section 5.5 – *Cultural Resources*.

With the proposed mitigation measures, the proposed project would not cause a substantial adverse change in the significance of a tribal cultural resource.

Mitigation:

See CUL-1 in Section 5.5 – *Cultural Resources*

Findings:

a) Cause a substantial adverse change in the significance of a tribal cultural resource listed or eligible for listing in the California Register of Historical Resources, or in the local register of historical resources as defined in Public Resources Code §5020.1(k): **Less than significant impact with mitigation incorporated.**

b) Cause a substantial adverse change in the significance of a tribal cultural resource determined by the lead agency to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code §5024.1: **Less than significant impact with mitigation incorporated.**

5.18 UTILITIES AND SERVICE SYSTEMS

Would the project:

	Potentially Significant	Potentially Significant Unless Mitigation Incorp.	Less Than Significant Impact	No Impact
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g) Comply with federal, state, and local statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Setting:

The project site is located in a rural area of the county. The project site does not receive municipal water or wastewater utility services. PGE supplies electricity to the site.

Solid waste from Humboldt County is largely transported to one of three out-of-area landfills for disposal: the Anderson Landfill in Shasta County; Dry Creek Landfill in Medford, Oregon; and Potrero Hills Landfill in Suisun City. In rural areas of the county, residents and businesses not served by commercial waste haulers or other solid waste transport arranged by the Humboldt County Public Works Department may haul solid waste to permitted transfer station and container sites located in several areas of Humboldt County where it is transported to an out-of-area landfill. The project applicant has contracted with Eel River Transportation and Salvage (ERTS) in Fortuna, CA to provide waste services for the proposed project. ERTS would provide waste services for the disposal of soil, plant waste, concrete and debris, general trash and hazardous waste. All waste associated with the project would be transported to the ERTS transfer station, which would then transport waste for disposal to the Anderson Landfill. ERTS would recycle any metal, concrete, rock, and asphalt it can from project debris before hauling to the

Anderson Landfill. The Anderson landfill is not expected to close until 2036.

Analysis:

- a) **Finding:** The project would not exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board. *Less than significant impact.*

Discussion: There are no public wastewater treatment systems serving the project site. The project proposes to construct a water treatment and septic system that would serve the entire project. The proposed septic system has been designed to accommodate the needs of 35 employees per shift per day (**Appendix E**) and would be sufficient for the proposed operation. Therefore, the proposed project would not exceed wastewater treatment requirements of the NCRWQCB.

- b) **Finding:** The project would not require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects. *Less than significant impact.*

Discussion: There are no public water or wastewater treatment systems serving the project site. Water for irrigation and operations would be obtained from groundwater through a permitted well and a rainwater catchment system. Wastewater from irrigation would be minimized through a wastewater treatment system designed by Camel Water. The proposed system would recycle water used during the nursery, manufacturing, testing, and office uses through a California certified filtration system. The project would use an automated drip irrigation system that would administer water at agronomic rates. Wastewater from cultivation, processing, and manufacture would not enter the OWTS.

The project proponent has secured an OWTS design from a licensed professional (**Appendix E**). Construction of the proposed OWTS would not result in significant environmental effects. Impacts would be less than significant, and mitigation would not be necessary.

- c) **Finding:** The project would not require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects. *Less than significant impact.*

Discussion: There are no public storm water drainage facilities serving the project site. Construction of Phase One of the project would not substantially change the existing extent of impermeable surface on the project site. Prior to constructing Phase Two of the project, the project proponent would implement a WRPP prepared by a qualified professional and approved by the NCRWQB and the County Planning and Building Department. Construction of the proposed storm water management systems would not result in significant environmental effects. Impacts would be less than significant, and mitigation would not be necessary.

- d) **Finding:** The project would not have insufficient water supplies available to serve the project from existing entitlements and resources (i.e., new or expanded entitlements are needed). *Less than significant impact.*

Discussion: The project site is not served by a municipal water system. Estimated annual water use for the project is 881,100 gallons, which would be obtained from a permitted well and a proposed rainwater catchment system. Additionally, the project proposes to implement a water treatment system, which would treat and recycle approximately 107,850 gallons of grey water per year. The existing well on-site is hydrologically connected and has obtained a Lake and Streambed Alteration Agreement from the California Department of Fish and Wildlife. The Lake and Streambed Alteration Agreement has been amended to allow the project to pump 500 Gallons Per Day during the forbearance period. Two (2) 200,000-gallon water tanks are proposed and would provide sufficient storage for the projected water use

on-site during the forbearance period.

The proposed project would have sufficient water supplies available to serve the project from existing entitlements and resources; no new or expanded entitlements would be required. Impacts would be less than significant, and no mitigation would be necessary.

- e) Finding: The project would not result in a determination by the wastewater treatment provider which services or may serve the project that it does not have adequate capacity to serve the project's projected demand in addition to the provider's existing commitments. *No impact.*

Discussion: There are no public wastewater treatment systems serving the project site.

The proposed project would not result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments. There would be no impact.

- f) Finding: The project would not be served by a landfill with insufficient permitted capacity to accommodate the project's solid waste disposal needs. *Less than significant impact.*

Discussion: All plant matter would be processed on-site to extract ethanol from the plant, which would then be used to extract plant matter desired for manufacturing. All matter left after these operations would be used to make pots for the nursery or composed on site for landscaping, resulting in a zero-waste system. Composted plant matter, expired or failed products, soil and grow mediums, household waste generated by employees and customers, and any hazardous waste would be kept in a fenced and secured waste management area. The waste management area would be observed by 24-hour surveillance to ensure the public and wildlife does not have access to the waste.

The applicant has contracted Eel River Transportation and Salvage (ERTS) a licensed waste management company in Fortuna to provide waste management services. ERTS recycles the waste that they can from debris and hauls the remaining waste to the Anderson Landfill. ERTS would properly dispose of all hazardous waste in accordance with EPA, State, and County regulations. ERTS transports waste to the Anderson Landfill which is not expected to close until 2036. There are numerous other disposal transfer sites in the County which are serviced by other out of area landfills. Therefore, the proposed project would be served by landfills with sufficient permitted capacity to accommodate the project's solid waste disposal needs.

- g) Finding: The project would not violate any federal, state, and local statutes and regulations related to solid waste. *Less than significant impact.*

Discussion: The California Integrated Waste Management Act of 1989 (Public Resources Code Division 30), enacted through Assembly Bill (AB) 939 and modified by subsequent legislation, required all California cities and counties to implement programs to divert waste from landfills (Public Resources Code Section 41780). Compliance with AB 939 is determined by the Department of Resources, Recycling, and Recovery (Cal Recycle), formerly known as the California Integrated Waste Management Board (CIWMB). Each county is required to prepare and submit an Integrated Waste Management Plan for expected solid waste generation within the county to the CIWMB. In 2012, the unincorporated area of Humboldt County met or exceeded the waste diversion mandate of 50 percent set by the Integrated Waste Management Act of 1989.

The proposed project would comply with all federal, state, and local statutes related to solid waste, including AB 939. This would include compliance with the Humboldt Waste Management Authority's recycling, hazardous waste, and composting programs in the county to comply with AB 939.

Therefore, the proposed project would not violate any federal, state, and local statutes and regulations related to solid waste. Impacts would be less than significant, and no mitigation would be necessary.

Findings:

- a) The project would not exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board: **Less than significant impact.**
- b) The project would not require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects: **Less than significant impact.**
- c) The project would not require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects: **Less than significant impact.**
- d) The project would not have insufficient water supplies available to serve the project from existing entitlements and resources (i.e., new or expanded entitlements are needed): **Less than significant impact.**
- e) The project would not result in a determination by the wastewater treatment provider which serves or may serve the project that it does not have adequate capacity to serve the project's projected demand in addition to the provider's existing commitments: **No impact.**
- f) The project would not be served by a landfill with insufficient permitted capacity to accommodate the project's solid waste disposal needs: **Less than significant impact.**
- g) The project would not violate any federal, state, and local statutes and regulations related to solid waste: **Less than significant impact.**

5.19 MANDATORY FINDINGS OF SIGNIFICANCE

Pursuant to CEQA guidelines Section 15065, an EIR shall be required where any of the following conditions occur:

	Potentially Significant	Potentially Significant Unless Mitigation Incorp.	Less Than Significant Impact	No Impact
a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Does the project have impacts that are individually limited, but cumulatively considerable (the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Does the project have environmental effects which would cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting:

The project has been reviewed in Sections 5.1 through 5.18 for questions a) and c), above, and determined to have no potentially significant unmitigated impact. With implementation of proposed mitigation measures AES-1, BIO-1 or BIO-2, CUL-1, GEO-1, HYD-1, HYD-2, NOI-1, and NOI-2, all potentially significant impacts would be reduced to less than significant.

Analysis:

a) **Finding:** The project would not have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory. *Less than significant impact with mitigation incorporated.*

Discussion: All impacts to the environment, including impacts to habitat for fish and wildlife species, fish and wildlife populations, plant and animal communities, rare and endangered plants and animal species, and historical and prehistorical resources were evaluated as part of the analysis in this document. Where impacts were determined to be potentially significant, mitigation measures have been proposed to reduce those impacts to less than significant levels. Accordingly, with incorporation of the proposed mitigation measures, the proposed project would not substantially degrade the quality of the environment and impacts would be less than significant.

6.0 DISCUSSION OF MITIGATION MEASURES, MONITORING, AND REPORTING PROGRAM

The Department found that the project could result in potentially significant adverse impacts unless mitigation measures are required. A list of measures that address and mitigate potentially significant adverse impacts to a level of non-significance follows. A mitigation monitoring and reporting program checklist is attached.

Mitigation:

AES-1 Lighting Plan

Prior to issuance of Building Permits or commencement of any use of the site, the applicant shall submit a lighting plan provide to the County Planning Division demonstrating that all indoor and outdoor lighting for the proposed project would not deliver or have the potential to deliver light pollution, from sunset to sunrise. The lighting plan shall be designed to prevent light spillover into the riparian corridor along the Van Duzen River, shall prevent light spillover onto adjacent property and shall conform to the international dark sky standards. The lighting plan shall be approved by the County Planning Division prior to issuance of the building permits.

BIO-1 Protocol Surveys

Prior to issuance of building or grading permits, a qualified biologist shall conduct protocol surveys to determine if Nesting Spotted Owl (NSO) are present on site. Night time call surveys performed per federal protocol can assess if NSO are present. The project applicant shall submit a written report of survey results to the County Planning and Building Department. If survey results are negative, no further mitigation would be required. If survey results are positive, the project applicant shall consult with CDFW and the County Planning and Building Department regarding avoidance, minimization, and mitigation measures, which measures shall be incorporated into building permits.

BIO-2 Seasonal Timing of Construction

Construction operations shall be timed to occur outside of NSO breeding season (February 1- July 31) to prevent any effect on NSO reproduction regardless of presence.

CUL-1 Inadvertent Discoveries of Cultural and Paleontological Resources, and Human Remains

If cultural resources, such as lithic materials or ground stone, historic debris, building foundations, or bone are discovered during ground-disturbance activities, work shall be stopped within 20 meters (66 feet) of the discovery, per the requirements of CEQA (January 1999 Revised Guidelines, Title 14 CCR 15064.5 (f)). Work near the archaeological finds shall not resume until a professional archaeologist, who meets the Secretary of the Interior's Standards and Guidelines, has evaluated the materials and offered recommendation for further action.

Prehistoric materials which could be encountered include: obsidian and chert debitage or formal tools, grinding implements (e.g., pestles, handstones, bowl mortars, slabs), locally darkened midden, deposits of shell, faunal remains, and human burials. Historic materials which could be encountered include: ceramics/potter, glass, metals, can and bottle dumps, cut bone, barbed wire fences, building pads, structures, trails/roads, etc.

In the event that paleontological resources are discovered, work shall be stopped within 20 meters of the discovery and a qualified paleontologist shall be notified. The paleontologist shall document the discovery as needed, evaluate the potential resource, and assess the significance of the find under the criteria set

forth in State CEQA Guidelines Section 15064.5. If fossilized materials are discovered during construction, excavations within 50 feet of the find shall be temporarily halted or diverted until the discovery is examined by a qualified paleontologist. The paleontologist shall notify the appropriate agency to determine procedures that would be followed before construction is allowed to resume at the location of the find.

If human remains are discovered during project construction, work would stop at the discovery location, within 20 meters (66 feet), and any nearby area reasonably suspected to overlie adjacent to human remains (Public Resources Code, Section 7050.5). The Humboldt County coroner would be contacted to determine if the cause of death must be investigated. If the coroner determines that the remains are of Native American origin, it is necessary to comply with state laws relating to the disposition of Native American burials, which fall within the jurisdiction of the NAHC (Public Resources Code, Section 5097). The coroner would contact the NAHC. The descendants or most likely descendants of the deceased would be contacted, and work would not resume until they have made a recommendation to the landowner or the person responsible for the excavation work for means of treatment and disposition, with appropriate dignity, of the human remains and any associated grave goods, as provided in Public Resources Code, Section 5097.98.

GEO-1 Foundation and Fill Design

The project proponent shall comply with the recommendations of the Soils Engineering Geologic R-2 Report prepared by A.M. Baird Engineering and Surveying Inc, dated April 12, 2018 (**Appendix D**), which includes specifications for building foundations, structural fills, compaction, drainage, and other considerations. The grading, foundation design, drainage plans and plan specifications shall be reviewed by a registered geologist prior to approval by the County.

HYD-1 Water Resources Protection Plan

Prior to issuance of any construction permits, the project proponent shall submit a WRPP that describes the mitigation measures the project would take to protect water resources. This would specifically contain design criteria for each phase of construction to handle the increased runoff resulting from new impervious areas. Subsequent engineering plans shall incorporate the storm water management measures prescribed in the NCRQCB approved WRPP.

HYD-2 Humboldt County Floodplain Development Permit

Prior to construction, the project proponent shall submit engineering plans that illustrate conformance with the recommendations made in the Flood Level Determination prepared by A. M. Baird to the Humboldt County Planning and Building Department and obtain a Floodplain Development Permit.

NOI-1 Construction Related Noise

The following shall be implemented during construction activities:

- The operation of tools or equipment used in construction, drilling, repair, alteration or demolition shall be limited to between the hours of 8 A.M. and 5 P.M. Monday through Friday, and between 9 a.m. and 5 p.m. on Saturdays.
- No heavy equipment related construction activities shall be allowed on Sundays or holidays.
- All stationary and construction equipment shall be maintained in good working order, and fitted with factory approved muffler systems.

NOI-2 Generator Noise

Should generators be installed, the locations of the generators shall be provided to the County Planning and Building Department on a site plan, and the projected use shall be provided. The generators shall be sited so that the decibel level for generators measured at the property line shall be no more than 60 decibels.

T-1 Highway 36 Intersection Improvements

Prior to final occupancy of any new buildings, the applicant shall modify the existing driveway on Highway 36 to conform to the Highway Design Manual. Prior to conducting work within the Highway 36 easement, the project proponent shall apply for and receive an Encroachment Permit from Caltrans.

7.0 EARLIER ANALYSES.

Earlier analysis may be used where, pursuant to the tiering, program EIR, or other CEQA process, one or more effects have been adequately analyzed in an earlier EIR or negative declaration. Section 16063(c)(3)(D). In this case a discussion should identify the following on attached sheets:

a) Earlier analyses used. Identify earlier analyses and state where they are available for review.

1. Humboldt County General Plan (2017)
2. Revised Draft Environmental Impact Report for the General Plan Update (2017)
3. CEQA Mitigated Negative Declaration for the Medical Marijuana Land Use Ordinance – Phase IV – Commercial Cultivation of Cannabis for Medical Use.
4. Humboldt County Zoning Ordinance

These items are available for review at Humboldt County Planning Division.

8.0 REFERENCES

A.M. Baird Engineering and Surveying Inc. 2018a. R-2 Soils Report Prepared for Sensi Valley LLC

____2018b. Septic Disposal Design Prepared for Sensi Valley LLC.

____2018c. Flood Determination Report Prepared for Sensi Valley LLC

ASTM International. 2018. Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment Process.

California Department of Conservation (CDOC). 2017. Farmland Mapping and Monitoring Program. Accessed at <http://www.conservation.ca.gov/dlrp/fmmp>.

California Department of Toxic Substance Control. 2018. EnviroStor: Toxic Substances Control;s data management system. Accessed at <https://www.envirostor.dtsc.ca.gov/public/>.

California Department of Transportation (Caltrans). 2018. *California Scenic Highway Mapping System*.

____2016. *2016 Highway 36 Traffic Volumes*. Accessed at <http://www.dot.ca.gov/trafficops/census/volumes2016/>

Camel Water. 2018. SENSI Valley Water Supply and Treatment Overview.

Federal Emergency Management Agency (FEMA). 2011. *Flood Insurance Rate Map (FIRM) Community-Panel Number 06023C1550F*.

GHD Professional Services. 2018. Phase I Environmental Site Assessment Prepared for Sensi Valley Inc.

Humboldt County. 2017. Humboldt County General Plan for Areas Outside the Coastal Zone.

Humboldt County Association of Governments (HCAOG). 2012. *Humboldt Regional Bicycle Plan*. Update 2012.

____2014. *20-Year Regional Transportation Plan*. 2014 Update.

Institute of Transportation Engineers. 2008. Trip Generation 6th edition. Accessed at <http://www.fehrandpeers.com/vmt/>

North Coast Unified Air Quality Management District ((NCUAQMD), 2018. District Rules and Regulations. Accessed at <http://www.ncuaqmd.org/index.php?page=rules.regulations>.

Timber Resource Consultants. 2017. Biological Assessment for Proposed Development of a Cannabis Processing Center for Sensi Valley, Inc.

United States Census Bureau. 2017. Quick Facts: Humboldt County, California. Accessed at <https://www.census.gov/quickfacts/fact/table/humboldtcountycalifornia/PST045217>

United States Environmental Protection Agency (EPA), 2018. EnviroMapper for Envirofacts. Accessed at <https://www.epa.gov/emefdata/em4ef.home>

United States Fish and Wildlife Service (USFWS), 2018. Environmental Conservation Online System (ECOS). Accessed at <https://ecos.fws.gov/ecp/>.

Winzler and Kelly Consulting Engineers. 2008. Humboldt County Community Infrastructure and Services Technical Report. Accessed at <https://humboldt.gov/DocumentCenter/View/1449/Complete-Document-Community-Infrastructure--Services-Report-PDF?bidId=>.

ATTACHMENT 3
Mitigation Monitoring Report

**HUMBOLDT COUNTY PLANNING & BUILDING DEPARTMENT
MITIGATION MONITORING REPORT**

For the Sensi Valley, Inc Conditional Use and Special Permit

APN 208-071-012; Case No. CUP16-834, CUP17-076, SP17-170, SP17-171, and SP17-172; App No. 12782

Sensi Valley, Inc is applying for a Conditional Use Permit (CUP16-834) for a 5,000 square foot nursery; Conditional Use Permit (CUP17-076) for a 1,000 square foot testing facility; a Special Permit for a 19,760 square foot processing operation; a Special Permit (SP17-171) for a 11,760 square foot manufacturing facility; and a Special Permit for a 896 square foot distribution operation. Additional features that are included in the entire project include, security facility and housing, sales office, employee services office, a generator facility, a water treatment and recycled wastewater facility, administrative offices and internal circulation driveways, parking, and loading zones, in accordance with Humboldt County Code Section 314-55.4.8.7 of Chapter 4 of Division I of Title III, Commercial Medical Marijuana Land Use Ordinance (CMMLUO).

The project would be developed in three phases. Phase One would involve the construction of the security facility and housing, sales office, utilization of the existing 4,000 square foot metal building for processing, development of the 11,760 square foot manufacturing operation, ADA compliant bathroom, and all utilities and parking. Phase Two would be developed the remaining 15,760 square feet of the processing operation, the 1,000 square foot lab testing facility, the 896 square foot distribution facility, and the 1,680 square foot Employee Services Facility. Phase Three would develop a 5,000 square foot agricultural building and 5,760 square feet of administrative offices.

Water Use and Storage

The project proponent estimates that the maximum annual water consumption by the proposed project is 881,100 gallons. Approximately 255,000 gallons of water is estimated to be used for the proposed nursery per year, approximately 24,000 gallons of water would be used for the proposed manufacturing operation, approximately 180,000 for employee use, approximately 180,000 for cleaning of the facility and sanitation of the equipment and, 242,100 gallons for all other uses on site including landscaping, temporary housing and contingency.

The proposed water sources for the property are a permitted well and a rainwater catchment system. The well was installed and permitted in 2016 under Department of Environmental Health permit number 15/16-03921. The well is assumed to access shallow groundwater and therefore is hydrologically connected to surface waters. The water sources would feed water into two (2) 200,000-gallon tanks. The project applicant has contracted Camel Water to develop a water treatment facility (Aqualoop system) that would recycle water used in the nursery and testing operations. After the initial use of water, the system would only require 10% new water supply each day after the initial use, reducing the operating requirements by 90% (Camel Water, 2018).

The applicant has an approved Lake and Streambed Alteration Agreement for the well. The project has also received an amendment on its Lake and Streambed Alteration Agreement to increase the amount of water pumped from the well during forbearance from 150 gallon per day to 500 gallons per day. The project would supplement the remainder its water needs during forbearance from a proposed rainwater catchment system.

Employees and Schedule of Operations

For the initial Phase I of the project the operation would employ 25 employees. When operating at full capacity during the peak season, Sensi Valley and its lessees would employ 49 employees. Sensi Valley would operate under a 2-3 shift work schedule and would stagger start and end times of employee shifts to reduce traffic congestion. The applicant anticipates a maximum of 25 employees per day per shift, plus a maximum of 10 additional employees per shift during peak season (Oct/Nov/Dec).

Access/Parking

The property is accessed directly from Highway 36 via an existing driveway. The project would provide 78 off-street parking spaces, including four (4) ADA-compliant accessible spaces.

Landscape trees would be installed along the northern and southern portion of the property to screen the project from Highway 36; sufficient space would be available in and around proposed parking areas and internal circulation driveways for landscaping that may be requested by the County Planning and Building Department pursuant to HCC §314-109.1.5.2.

Storm water Management

The project site has been previously graded and developed and as a result is relatively flat. The Van Duzen River is to the south of the project site. Additionally, the site has a class 2 drainage towards the eastern edge of the parcel, near the main access road. A large earthen berm to the south of the project site physically prevents surface water, pollutants, and sediment from discharging into the Van Duzen River. The project would prepare a Storm Water Pollution Plan and implement Treatment Control BMP's to address concerns relating to storm water management.

Watershed Protection

As previously mentioned the site is adjacent to the Van Duzen River. The property is in the Mill Creek- Van Duzen River Hydrologic Unit (HUC-12) and the Van Duzen Planning Watershed. The Natural Resource Management Corporation prepared a Water Resource Protection Plan (WRPP) for the proposed project. The WRPP includes conditions to protect riparian and wetland features, including but not limited to: buffers from cultivation areas and associated facilities, spoil management, and the proper storage of chemicals. These conditions would be included as conditions of approval for the proposed project.

Waste Water

The proposed project would be served by a water treatment facility. The proposed facility would be housed in a 2,116 Square foot building. Discharge water from the nursery, processing, manufacturing, and employee facilities would be recycled for repurposing, creating a system with no wastewater discharge from cannabis operations.

A.M. Baird Engineering & Surveying, Inc. has designed the proposed septic disposal design that would serve the proposed operation. The project proposes to design a Wisconsin at Grade Mound sewage disposal system, which would include a 3,300-gallon septic tank and a 1,500-gallon pumping tank. This system would be sufficient to serve the maximum of 35 employees per shift per day. The proposed project includes a 2,824 square foot leach field area, which would be protected from development.

Hazardous Materials and Waste

All chemicals, including pesticides, fertilizers, herbicides, manufacturing solvents would be stored in a secured storage shed. Agricultural waste would be recycled onsite. Plant matter would be used to extract ethanal from the plant, which would be used to extract the plant matter desired for manufacturing. All matter left after this operation would be used to make pots for the nursery or composted on-site. This process would result in a zero-waste system.

The projects Water Resource Protection Plan (WRPP) has conditioned the project to maintain a log of nutrient use stating the type of nutrient/amendments being added with stated NPK (Nitrogen, Phosphorus, and Potassium) ratio. The log would be kept onsite for reference and documentation of nutrient application. The WRPP has also conditioned the project to be monitored annually, and immediately following a precipitation event with 3 inches of accumulation in a 24hr period. The monitoring would include inspection to ensure nutrients, fertilizers, and any petroleum products are stored in a dry secured location and that soil and spoils are contained and covered to

prevent nutrient leaching. All conditions applied in the WRPP would be included in the projects Conditions of Approval.

Odors

The project proponent would install a heating, ventilation and air conditioning (HVAC) systems with a commercial grade filtration system. The proposed nursery would be enclosed within a metal building equipped with the commercial grade filtration system. The main odor from cannabis cultivation comes from the flower, nursery operations feature non-flowering plants. The manufacturing, processing, distribution and testing facilities would all be indoors and would also feature the commercial grade filtration system.

Electrical Service

Electricity on the property is supplied by Pacific Gas and Electric (PGE). The project would have a backup generator, fueled by propane or LP gas. The generators would be used for initial construction until the proposed service drop is installed. After installation of the service drop the generator would be used only for emergency use. The applicant would conduct an annual energy audit, track energy use, and utilize alternative energy sources when possible.

Project Location: The project site is located in Humboldt County, in the Dinsmore area, on the south side of State Highway 36 approximately 100 feet south of the intersection of Cobb Road and State Highway 36, on the property known as 46068 State Highway 36. The project site is in Section 11, Township 1 North, Range 5 East, Humboldt Base and Meridian, and is depicted on the U.S. Geological Survey's "Dinsmore, CA" 7.5-minute quadrangle map.

Application Number: 12782

Case Numbers: CUP16-834, SP17-170, SP17-171, SP17-172,
and CUP17-076

Assessor Parcel Number: 208-071-012

Mitigation measures were incorporated into conditions of project approval for the above-referenced project. The following is a list of these measures and a verification form that the conditions have been met. For conditions that require on-going monitoring, attach the Monitoring Form for Continuing Requirements for subsequent verifications.

CUL-1 Inadvertent Discoveries of Cultural and Paleontological Resources, and Human Remains

If cultural resources, such as lithic materials or ground stone, historic debris, building foundations, or bone are discovered during ground-disturbance activities, work shall be stopped within 20 meters (66 feet) of the discovery, per the requirements of CEQA (January 1999 Revised Guidelines, Title 14 CCR 15064.5 (f)). Work near the archaeological finds shall not resume until a professional archaeologist, who meets the Secretary of the Interior's Standards and Guidelines, has evaluated the materials and offered recommendation for further action.

Prehistoric materials which could be encountered include: obsidian and chert debitage or formal tools, grinding implements (e.g., pestles, handstones, bowl mortars, slabs), locally darkened midden, deposits of shell, faunal remains, and human burials. Historic materials which could be encountered include: ceramics/pottery, glass, metals, can and bottle dumps, cut bone, barbed wire fences, building pads, structures, trails/roads, etc.

In the event that paleontological resources are discovered, work shall be stopped within 20 meters of the discovery and a qualified paleontologist shall be notified. The paleontologist shall document the discovery as needed, evaluate the potential resource, and assess the significance of the find under the criteria set forth in State CEQA Guidelines Section 15064.5. If fossilized materials are discovered during construction, excavations within 50 feet of the find shall be temporarily halted or diverted until the discovery is examined by a qualified paleontologist. The paleontologist shall notify the appropriate agency to determine procedures that would be followed before construction is allowed to resume at the location of the find.

If human remains are discovered during project construction, work would stop at the discovery location, within 20 meters (66 feet), and any nearby area reasonably suspected to overlie adjacent to human remains (Public Resources Code, Section 7050.5). The Humboldt County coroner would be contacted to determine if the cause of death must be investigated. If the coroner determines that the remains are of Native American origin, it is necessary to comply with state laws relating to the disposition of Native American burials, which fall within the jurisdiction of the NAHC (Public Resources Code, Section 5097). The coroner would contact the NAHC. The descendants or most likely descendants of the deceased would be contacted, and work would not resume until they have made a recommendation to the landowner or the person responsible for the excavation work for means of treatment and disposition, with appropriate dignity, of the human remains and any associated grave goods, as provided in Public Resources Code, Section 5097.98.

Implementation Time Frame	Monitoring Frequency	Date Verified	To Be Verified By	Compliance		Comments / Action Taken
				Yes	No	
During construction activities.	Continuous		HCP&BD**			

HCP&BD = Humboldt County Planning and Building Department

GEO-1 Foundation and Fill Design

The project proponent shall comply with the recommendations of the Soils Engineering Geologic R-2 Report prepared by A.M. Baird Engineering and Surveying Inc, dated April 12, 2018 (**Appendix D**), which includes specifications for building foundations, structural fills, compaction, drainage, and other

considerations. The grading, foundation design, drainage plans and plan specifications shall be reviewed by a registered geologist prior to approval by the County.

Implementation Time Frame	Monitoring Frequency	Date Verified	To Be Verified By	Compliance		Comments / Action Taken
				Yes	No	
Prior to the issuance of building and/or grading permits for the project.	Once		HCP&BD			

HCP&BD = Humboldt County Planning and Building Department

HYD-1 Water Resources Protection Plan

Prior to issuance of any construction permits, the project proponent shall submit a WRPP that describes the mitigation measures the project would take to protect water resources. This would specifically contain design criteria for each phase of construction to handle the increased runoff resulting from new impervious areas. Subsequent engineering plans shall incorporate the storm water management measures prescribed in the NCRQCB approved WRPP.

Implementation Time Frame	Monitoring Frequency	Date Verified	To Be Verified By	Compliance		Comments / Action Taken
				Yes	No	
Prior to the issuance of building and/or grading permits for Phase One of the project.	Once		HCP&BD			

HCP&BD = Humboldt County Planning and Building Department

HYD-2 Humboldt County Floodplain Development Permit

Prior to construction, the project proponent shall submit engineering plans that illustrate conformance with the recommendations made in the Flood Level Determination prepared by A. M. Baird to the Humboldt County Planning and Building Department and obtain a Floodplain Development Permit.

Implementation Time Frame	Monitoring Frequency	Date Verified	To Be Verified By	Compliance		Comments / Action Taken
				Yes	No	
Prior to the issuance of building and/or grading permits for Phase One of the project.	Once		HCP&BD			

HCP&BD = Humboldt County Planning and Building Department

NOI-1 Construction Related Noise

The following shall be implemented during construction activities:

- The operation of tools or equipment used in construction, drilling, repair, alteration or demolition shall be limited to between the hours of 8 A.M. and 5 P.M. Monday through Friday, and between 9 a.m. and 5 p.m. on Saturdays.
- No heavy equipment related construction activities shall be allowed on Sundays or holidays.
- All stationary and construction equipment shall be maintained in good working order, and fitted with factory approved muffler systems.

Implementation Time Frame	Monitoring Frequency	Date Verified	To Be Verified By	Compliance		Comments / Action Taken
				Yes	No	
During construction activities.	Ongoing		HCP&BD			

HCP&BD = Humboldt County Planning and Building Department

NOI-2 Generator Noise

Should generators be installed, the locations of the generators shall be provided to the County Planning and Building Department on a site plan, and the projected use shall be provided. The generators shall be sited so that the decibel level for generators measured at the property line shall be no more than 60 decibels.

Implementation Time Frame	Monitoring Frequency	Date Verified	To Be Verified By	Compliance		Comments / Action Taken
				Yes	No	
During project operations.	Ongoing		HCP&BD			

HCP&BD = Humboldt County Planning and Building Department

T-1 Highway 36 Intersection Improvements

Prior to final occupancy of any new buildings, the applicant shall modify the existing driveway on Highway 36 to conform to the Highway Design Manual. Prior to conducting work within the Highway 36 easement, the project proponent shall apply for and receive an Encroachment Permit from Caltrans.

Implementation Time Frame	Monitoring Frequency	Date Verified	To Be Verified By	Compliance		Comments / Action Taken
				Yes	No	
Prior to Project Construction.	Once		HCP&HCPW			

the materials and offered recommendation for further action.

Prehistoric materials which could be encountered include: obsidian and chert debitage or formal tools, grinding implements (e.g., pestles, handstones, bowl mortars, slabs), locally darkened midden, deposits of shell, faunal remains, and human burials. Historic materials which could be encountered include: ceramics/pottery, glass, metals, can and bottle dumps, cut bone, barbed wire fences, building pads, structures, trails/roads, etc.

In the event that paleontological resources are discovered, work shall be stopped within 20 meters of the discovery and a qualified paleontologist shall be notified. The paleontologist shall document the discovery as needed, evaluate the potential resource, and assess the significance of the find under the criteria set forth in State CEQA Guidelines Section 15064.5. If fossilized materials are discovered during construction, excavations within 50 feet of the find shall be temporarily halted or diverted until the discovery is examined by a qualified paleontologist. The paleontologist shall notify the appropriate agency to determine procedures that would be followed before construction is allowed to resume at the location of the find.

If human remains are discovered during project construction, work would stop at the discovery location, within 20 meters (66 feet), and any nearby area reasonably suspected to overlie adjacent to human remains (Public Resources Code, Section 7050.5). The Humboldt County coroner would be contacted to determine if the cause of death must be investigated. If the coroner determines that the remains are of Native American origin, it is necessary to comply with state laws relating to the disposition of Native American burials, which fall within the jurisdiction of the NAHC (Public Resources Code, Section 5097). The coroner would contact the NAHC. The descendants or most likely descendants of the deceased would be contacted, and work would not resume until they have made a recommendation to the landowner or the person responsible for the excavation work for means of treatment and disposition, with appropriate dignity, of the human remains and any associated grave goods, as provided in Public Resources Code, Section 5097.98.

Implementation Time Frame	Monitoring Frequency	Date Verified	To Be Verified By	Compliance		Comments / Action Taken
				Yes	No	
During construction activities.	Continuous		HCP&BD**			

HCP&BD = Humboldt County Planning and Building Department

GEO-1 Foundation and Fill Design

The project proponent shall comply with the recommendations of the Soils Engineering Geologic R-2 Report prepared by A.M. Baird Engineering and Surveying Inc, dated April 12, 2018 (**Appendix D of IS/MND**), which includes specifications for building foundations, structural fills, compaction, drainage, and other considerations. The grading, foundation design, drainage plans and plan specifications shall be reviewed by a registered geologist prior to approval by the County.

Implementation Time Frame	Monitoring Frequency	Date Verified	To Be Verified By	Compliance		Comments / Action Taken
				Yes	No	
Prior to the issuance of building and/or grading permits for the project.	Once		HCP&BD			

HCP&BD = Humboldt County Planning and Building Department

HYD-1 Water Resources Protection Plan

Prior to construction, the project proponent shall submit a WRPP that describes the mitigation measures the project would take to protect water resources. This would specifically contain design criteria for each phase of construction to handle the increased runoff resulting from new impervious areas. Subsequent engineering plans shall incorporate the storm water management measures prescribed in the NCRQCB approved WRPP.

Implementation Time Frame	Monitoring Frequency	Date Verified	To Be Verified By	Compliance		Comments / Action Taken
				Yes	No	
Prior to the issuance of building and/or grading permits for Phase One of the project.	Before construction and annually thereafter		HCP&BD&NC RWQCB			

HCP&BD = Humboldt County Planning and Building Department

HYD-2 Humboldt County Floodplain Development Permit

Prior to construction, the project proponent shall submit engineering plans that illustrate conformance with the recommendations made in the Flood Level Determination prepared by A. M. Baird to the Humboldt County Planning and Building Department and obtain a Floodplain Development Permit.

Implementation Time Frame	Monitoring Frequency	Date Verified	To Be Verified By	Compliance		Comments / Action Taken
				Yes	No	
Prior to the issuance of building and/or grading permits for Phase One of the project.	Once		HCP&BD			

HCP&BD = Humboldt County Planning and Building Department

NOI-1 Construction Related Noise

The following shall be implemented during construction activities:

- The operation of tools or equipment used in construction, drilling, repair, alteration or demolition shall be limited to between the hours of 8 A.M. and 5 P.M. Monday through Friday, and between 9 a.m. and 5 p.m. on Saturdays.
- No heavy equipment related construction activities shall be allowed on Sundays or holidays.
- All stationary and construction equipment shall be maintained in good working order, and fitted with factory approved muffler systems.

Implementation Time Frame	Monitoring Frequency	Date Verified	To Be Verified By	Compliance		Comments / Action Taken
				Yes	No	
During construction activities.	Ongoing		HCP&BD			

HCP&BD = Humboldt County Planning and Building Department

NOI-2 Generator Noise

Should generators be installed, the locations of the generators shall be provided to the County Planning and Building Department on a site plan, and the projected use shall be provided. The generators shall be sited so that the decibel level for generators measured at the property line shall be no more than 60 decibels.

Implementation Time Frame	Monitoring Frequency	Date Verified	To Be Verified By	Compliance		Comments / Action Taken
				Yes	No	
During project operations.	Ongoing		HCP&BD			

HCP&BD = Humboldt County Planning and Building Department

T-1 Highway 36 Intersection Improvements

Prior to conducting work within the Highway 36 easement, the project proponent shall apply for and receive an Encroachment Permit from Caltrans.

Implementation Time Frame	Monitoring Frequency	Date Verified	To Be Verified By	Compliance		Comments / Action Taken
				Yes	No	
Prior to Project Construction.	Once		HCP&HCPW			

EXHIBIT A

**HUMBOLDT COUNTY PLANNING & BUILDING DEPARTMENT
MITIGATION MONITORING REPORT**

For the Sensi Valley, Inc. Proposed Project

Assessor Parcel Number: 208-071-032; Application Number: 12782; Case Numbers: GPA18-003, ZR18-006, CUP16-834, CUP18-043, SP17-170, SP17-171, SP17-172, and SP18-083.

AES-1 Lighting Plan

The applicant shall provide to the County Planning Division a lighting plan demonstrating that all indoor and outdoor lighting for the proposed project would not deliver or have the potential to deliver light pollution, from sunset to sunrise. The lighting plan shall be approved by the County Planning Division prior to issuance of the building permits.

Implementation Time Frame	Monitoring Frequency	Date Verified	To Be Verified By	Compliance		Comments / Action Taken
				Yes	No	
Prior to issuance of the building permit, and, during project operations.	Continuous		HCP&BD			

HCP&BD = Humboldt County Planning and Building Department

BIO-1 Protocol Surveys

Prior to issuance of building permits, a qualified biologist shall conduct protocol surveys to determine if Nesting Spotted Owl (NSO) are present on site. Night time call surveys performed per federal protocol can assess if NSO are present. The project applicant shall submit a written report of survey results to the County Planning and Building Department. If survey results are negative, no further mitigation would be required. If survey results are positive, the project applicant shall consult with CDFW and the County Planning and Building Department regarding avoidance, minimization, and mitigation measures, which measures shall be incorporated into building permits.

Or

BIO-2 Seasonal Timing of Construction

Construction operations shall be timed to occur outside of NSO breeding season (February 1- July 31) to prevent any effect on NSO reproduction regardless of presence.

Implementation Time Frame	Monitoring Frequency	Date Verified	To Be Verified By	Compliance		Comments / Action Taken
				Yes	No	
Prior to construction.	One survey		HCP&BD, DPW, and CDFW			

CDFW = California Department of Fish and Wildlife, DPW = Department of Public Works, HCP&BD = Humboldt County Planning and Building Department

CUL-1 Inadvertent Discoveries of Cultural and Paleontological Resources, and Human Remains

If cultural resources, such as lithic materials or ground stone, historic debris, building foundations, or bone are discovered during ground-disturbance activities, work shall be stopped within 20 meters (66 feet) of the discovery, per the requirements of CEQA (January 1999 Revised Guidelines, Title 14 CCR 15064.5 (f)). Work near the archaeological finds shall not resume until a professional archaeologist, who meets the Secretary of the Interior's Standards and Guidelines, has evaluated

the materials and offered recommendation for further action.

Prehistoric materials which could be encountered Include: obsidian and chert debitage or formal tools, grinding implements (e.g., pestles, handstones, bowl mortars, slabs), locally darkened midden, deposits of shell, faunal remains, and human burials. Historic materials which could be encountered Include: ceramics/pottery, glass, metals, can and bottle dumps, cut bone, barbed wire fences, building pads, structures, trails/roads, etc.

In the event that paleontological resources are discovered, work shall be stopped within 20 meters of the discovery and a qualified paleontologist shall be notified. The paleontologist shall document the discovery as needed, evaluate the potential resource, and assess the significance of the find under the criteria set forth in State CEQA Guidelines Section 15064.5. If fossilized materials are discovered during construction, excavations within 50 feet of the find shall be temporarily halted or diverted until the discovery is examined by a qualified paleontologist. The paleontologist shall notify the appropriate agency to determine procedures that would be followed before construction is allowed to resume at the location of the find.

If human remains are discovered during project construction, work would stop at the discovery location, within 20 meters (66 feet), and any nearby area reasonably suspected to overlie adjacent to human remains (Public Resources Code, Section 7050.5). The Humboldt County coroner would be contacted to determine if the cause of death must be investigated. If the coroner determines that the remains are of Native American origin, it is necessary to comply with state laws relating to the disposition of Native American burials, which fall within the jurisdiction of the NAHC (Public Resources Code, Section 5097). The coroner would contact the NAHC. The descendants or most likely descendants of the deceased would be contacted, and work would not resume until they have made a recommendation to the landowner or the person responsible for the excavation work for means of treatment and disposition, with appropriate dignity, of the human remains and any associated grave goods, as provided in Public Resources Code, Section 5097.98.

Implementation Time Frame	Monitoring Frequency	Date Verified	To Be Verified By	Compliance		Comments / Action Taken
				Yes	No	
During construction activities.	Continuous		HCP&BD**			

HCP&BD = Humboldt County Planning and Building Department

GEO-1 Foundation and Fill Design

The project proponent shall comply with the recommendations of the Soils Engineering Geologic R-2 Report prepared by A.M. Baird Engineering and Surveying Inc, dated April 12, 2018 (**Appendix D**), which Includes specifications for building foundations, structural fills, compaction, drainage, and other considerations. The grading, foundation design, drainage plans and plan specifications shall be reviewed by a registered geologist prior to approval by the County.

Implementation Time Frame	Monitoring Frequency	Date Verified	To Be Verified By	Compliance		Comments / Action Taken
				Yes	No	
Prior to the issuance of building and/or grading permits for the project.	Once		HCP&BD			

HCP&BD = Humboldt County Planning and Building Department

HYD-1 Water Resources Protection Plan

Prior to construction, the project proponent shall submit a WRPP that describes the mitigation measures the project would take to protect water resources. This would specifically contain design criteria for each phase of construction to handle the increased runoff resulting from new impervious areas. Subsequent engineering plans shall incorporate the storm water management measures prescribed in the NCRQCB approved WRPP.

Implementation Time Frame	Monitoring Frequency	Date Verified	To Be Verified By	Compliance		Comments / Action Taken
				Yes	No	
Prior to the issuance of building and/or grading permits for Phase One of the project.	Once		HCP&BD			

HCP&BD = Humboldt County Planning and Building Department

HYD-2 Humboldt County Floodplain Development Permit

Prior to construction, the project proponent shall submit engineering plans that illustrate conformance with the recommendations made in the Flood Level Determination prepared by A. M. Baird to the Humboldt County Planning and Building Department and obtain a Floodplain Development Permit.

Implementation Time Frame	Monitoring Frequency	Date Verified	To Be Verified By	Compliance		Comments / Action Taken
				Yes	No	
Prior to the issuance of building and/or grading permits for Phase One of the project.	Once		HCP&BD			

HCP&BD = Humboldt County Planning and Building Department

NOI-1 Construction Related Noise

The following shall be implemented during construction activities:

- The operation of tools or equipment used in construction, drilling, repair, alteration or demolition shall be limited to between the hours of 8 A.M. and 5 P.M. Monday through Friday, and between 9 a.m. and 5 p.m. on Saturdays.
- No heavy equipment related construction activities shall be allowed on Sundays or holidays.
- All stationary and construction equipment shall be maintained in good working order, and fitted with factory approved muffler systems.

Implementation Time Frame	Monitoring Frequency	Date Verified	To Be Verified By	Compliance		Comments / Action Taken
				Yes	No	
During construction activities.	Ongoing		HCP&BD			

HCP&BD = Humboldt County Planning and Building Department

NOI-2 Generator Noise

Should generators be installed, the locations of the generators shall be provided to the County Planning and Building Department on a site plan, and the projected use shall be provided. The generators shall be sited so that the decibel level for generators measured at the property line shall be no more than 60 decibels.

Implementation Time Frame	Monitoring Frequency	Date Verified	To Be Verified By	Compliance		Comments / Action Taken
				Yes	No	
During project operations.	Ongoing		HCP&BD			

HCP&BD = Humboldt County Planning and Building Department

T-1 Highway 36 Intersection Improvements

Prior to conducting work within the Highway 36 easement, the project proponent shall apply for and receive an Encroachment Permit from Caltrans.

Implementation Time Frame	Monitoring Frequency	Date Verified	To Be Verified By	Compliance		Comments / Action Taken
				Yes	No	
Prior to Project Construction.	Once		HCP&HCPW			

ATTACHMENT 4
STAFF ANALYSIS OF THE EVIDENCE SUPPORTING THE REQUIRED FINDINGS

A. Required Findings for General Plan Amendments

For approval of Plan Amendments, the Board must make the findings that the proposed revision is in the public interest and is consistent with the General Plan Guiding Principles in Section 1.4 and applicable goals of the Plan. Pursuant to State Planning and Zoning Law (Government Code Section 65000 et seq.) and the General Plan, Section G-P8, *Required Findings and Criteria for Amendments*, a general plan amendment may be approved upon making following findings:

1. The amendment is in the public interest; and
2. Ensure that public policy is reflective of the needs of the citizenry of a democratic society as expressed by the citizens themselves; and
3. Preserve and enhance the diverse character of Humboldt County and the quality of life it offers.
4. Promote and facilitate the creation of affordable housing opportunities to meet current and future demands for all income levels; and
5. Cooperate with service providers and promote efficient use of roads, water, and sewer services by encouraging development that is consistent with Land Use maps contained in the General Plan. Support home construction methods and alternative wastewater systems that are proven to minimize threats to human health and safety with a goal of reducing energy and water usage.
6. Support the County's economic development strategy and other efforts to retain and create living-wage job opportunities; and
7. Encourage, incentivize and support agriculture, timber ecosystem services and compatible uses on resource lands; and
8. Support individual rights to live in urban, suburban, rural or remote areas of the County while using a balanced approach to protect natural resources, especially open space, water resources, fisheries habitat and water quality in cooperation with state and federal agencies; and
9. Adhere to practical strategies that can be implemented utilizing constructive cooperation and common sense; and
10. Provide a clear statement of land use values and policies to provide clarity in the County's permit processing system and simplify review of projects; and
11. Maximize the opportunities to educate the public about the planning process, in order to have meaningful participation in the development and maintenance of the Plan; and
12. Support a broad public participation program at all levels of the decision making process; including study, workshops, hearings, a citizens handbook and plan revisions

B. Required Findings for Amendments to the Zoning Maps and Regulations

State Planning and Zoning Law (Government Code Section 65000 et seq.) and Section 312-50.3 of the Humboldt County Code (HCC) state the following findings must be made to approve changes to the Zoning Maps and Regulations:

1. The proposed amendment is in the public interest;
2. The proposed amendment is consistent with the General Plan;
3. The proposed amendment 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.

C. Required Findings for Conditional Use and Special Permits

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

Permit:

1. The proposed development is in conformance with the County General Plan;
2. The proposed development is consistent with the purposes of the existing zone in which the site is located;
3. The proposed development conforms with all applicable standards and requirements of these regulations;
4. The proposed development and conditions under which it may be operated or maintained will not be detrimental to the public health, safety, or welfare; or materially injurious to property or improvements in the vicinity;

D. Required Findings for Consistency with Housing Element Densities

1. Government Code Section 65302.81 requires specific findings supported by substantial evidence where a general plan amendment or zone reclassification is adopted that reduces the residential density for any parcel below that utilized by the Department of Housing and Community Development in determining compliance with housing element law (the mid-point of the density range specified in the plan designation).
2. In addition, the same Government Code sections also requires any proposed development to maintain the residential density for any parcel at or above that utilized by the Department of Housing and Community Development in determining compliance with housing element law (the mid-point of the density range specified in the plan designation), unless the following written findings are made supported by substantial evidence: 1) the reduction is consistent with the adopted general plan including the housing element; and 2) the remaining sites identified in the housing element are adequate to accommodate the County share of the regional housing need; and 3) the property contains insurmountable physical or environmental limitations and clustering of residential units on the developable portions of the site has been maximized.

E. Required Finding for Consistency with the California Environmental Quality Act

1. In addition, the California Environmental Quality Act (CEQA) states that one of the following findings must be made prior to approval of any development which is subject to the regulations of CEQA. The project either:
 - a. Is categorically or statutorily exempt; or
 - b. Has no substantial evidence that the project will have a significant effect on the environment and a negative declaration has been prepared; or
 - c. Has had an environmental impact report (EIR) prepared and all significant environmental effects have been eliminated or substantially lessened, or the required findings in Section 15091 of the State CEQA Guidelines have been made.

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

Finding A: Pursuant to State Planning and Zoning Law (Government Code Section 65000 et seq.) and the General Plan, Section 1.4, the following findings must be made to approve General Plan Amendments

Section(s)	Applicable Requirements
§1.4 of the General Plan	Finding A1. Ensure that public policy is reflective of the needs of the citizenry of a democratic society as expressed by the citizens themselves
<p>Evidence Supporting Finding A1.</p> <p>The proposed project is located on a property that was utilized in the past as an industrial mill and solid waste disposal site. The proposed general plan amendment and zone reclassification would return industrial use to the site. The proposed land use is less intensive than the past land uses on-site. The project will be seen by the Planning Commission and Board of Supervisors to allow for public comment and to ensure that the project reflects public policy. The Board of Supervisors will have the final deamination on the approval or denial of the proposed project.</p>	
§1.4 of the General Plan	Finding A2. Preserve and enhance the diverse character of Humboldt County and the quality of life it offers
<p>Evidence Supporting Finding A2.</p> <p>The proposed project would change the general plan designation of the subject parcel from Rural Agriculture (RA20) to Industrial General (IG). The subject parcel has been utilized in the past as a mill and solid waste disposal site and is adjacent to an auto salvage yard and various cannabis cultivation sites. The proposed General Plan Amendment would return the parcel to its historic use as an industrial land use and will help focus industrial use in the community of Dinsmore in one location. The proposed project will also provide practical services to nearby cannabis cultivation sites.</p>	
§1.4 of the General Plan	Finding A3. Promote and facilitate the creation of affordable housing opportunities to meet current and future demands for all income levels
<p>Evidence Supporting Finding A3.</p> <p>The current zoning on-site is Unclassified (U). The property is not included in the Housing element Residential Land Inventory. The proposed project will not remove or hamper the creation of affordable housing opportunities.</p>	
§1.4 of the General Plan	Finding A4. Cooperate with service providers and promote efficient use of roads, water, and sewer services by encouraging development that is consistent with Land Use maps contained in the General Plan. Support home construction methods and alternative wastewater systems that are proven to minimize threats to human health and safety with a goal of reducing energy and water usage.

Evidence Supporting Finding A4.	
<p>The proposed project will provide a variety of cannabis services, including a commercial nursery, processing, manufacturing, and distribution within an area of Humboldt County that has numerous active cultivation sites. Currently all these cultivators work independently and make separate trips to their respective buyers and/or distributors and often travel long distances to make these transactions. Sensi Valley would process all of the cultivators' products in one location and provide a much more efficient system of processing, manufacturing and distribution, which would decrease the total vehicle miles traveled to sell and deliver product.</p> <p>The project would develop a water treatment facility that would recycle water used in the nursery operation. After the initial use of water, the system would only require 10% new water supply each day after the initial use, reducing the operating requirements by 90%.</p> <p>Sewer services are not provided in the Dinsmore area. A.M. Baird Engineering & Surveying, Inc. has been contracted to design the proposed septic disposal system that would serve the proposed operation in a safe manner that would reduce human health threats.</p>	
§1.4 of the General Plan	Finding A5. Support the County's economic development strategy and other efforts to retain and create living-wage job opportunities.
Evidence Supporting Finding A5.	
<p>The community of Dinsmore like many areas within Humboldt County was traditionally supported by timber harvesting activities. With the decline of timber harvesting activities in the region, the community has been economically disadvantaged with little to no employment opportunities. The proposed project will employ 49 individuals and provide services for the existing cultivation sites nearby, which will support and foster economic development in the community.</p>	
§1.4 of the General Plan	Finding A6. Encourage, incentivize and support agriculture, timber ecosystems services and compatible uses on resource lands.
Evidence Supporting Finding A6.	
<p>The subject parcel is nearly devoid of native vegetation and was previously developed industrially. These environmental conditions do not provide an ideal environment for agricultural or timber harvest activities. Industrial development is appropriate from the subject parcel and will relieve an alternative site for the proposed project, which could provide as valuable resource land.</p>	
§1.4 of the General Plan	Finding A7. Support individual rights to live in urban, suburban, rural or remote areas of the County while using a balanced approach to protect natural resources, especially open space, water resources, fisheries habitat and water quality in cooperation with state and federal agencies.
Evidence Supporting Finding A7.	
<p>The proposed project would offer employment opportunities in a rural disadvantaged community, which would support individual rights to live in rural and remote areas of Humboldt County. The proposed project would implement and follow all county, state and federal laws to protect natural resources in the vicinity of the site.</p>	
§1.4 of the General Plan	Finding A8. Adhere to practical strategies that can be implemented utilizing constructive cooperation and common sense.
Evidence Supporting Finding A8.	
<p>The proposed project would implement numerous practical strategies to conserve valuable resources, including the implementation of a water treatment facility, the construction of a rainwater catchment system and implementation of best management practices in the construction of the project.</p>	
§1.4 of the General Plan	Finding A9. Provide a clear statement of land use values and policies to provide clarity in the County's permit processing system and simplify review of projects.

Evidence Supporting Finding A9.	
The proposed project has provided a clear and thorough evaluation to support the proposed General Plan Amendment that would maintain historic land use values and policies on the subject parcel and its vicinity.	
§1.4 of the General Plan	Finding A10. Maximize the opportunities to educate the public about the planning process, in order to have meaningful participation in the development and maintenance of the plan
Evidence Supporting Finding A10.	
The applicant for the proposed project has been transparent through the planning process and willing to meet with other parties opposed or interested in the project. The public hearings to be held for the proposed project will offer opportunities to educate the public about the planning process and will allow for meaningful public participation.	
§1.4 of the General Plan	Finding A11. Support a broad public participation program at all levels of the decision-making process; including study, workshops, hearings, a citizens handbook and plan revisions.
Evidence Supporting Finding A11.	
The proposed project has participated in the legal decision-making process. A Mitigated Negative Declaration was prepared for the project and circulated for public review, with input from advisory agencies and groups. The project has been posted for public comment and is undergoing a public hearing process at Planning Commission and Board or Supervisors hearings.	

Finding B: Section 312-50 of the Zoning Ordinance states the following findings must be made to approve changes in the Zoning Maps

Section(s)	Applicable Requirements
§312-50 of the Zoning Ordinance	Finding B1. That the proposed zoning change is consistent with the General Plan.
Evidence Supporting Finding B1	
With the submitted application, the proposed project proposes a General Plan Amendment from Residential Agriculture (RA20) to Industrial General I(G). Table 4-H in the General Plan shows the Industrial General (IG) land use designation that is proposed for the subject parcel is compatible with the Heavy Industrial (MH) zoning district is consistent with the application of a Qualified combining zone to ensure zoning consistency, so the proposed MH zone is consistent with the General Plan.	
The proposed Qualified (Q) combining zone limits uses in the MH zone adjacent to the Van Duzen River, to prevent industrial uses in the riparian corridor. The proposed Q zone will protect the Van Duzen River and its riparian resources.	
§312-50 of the Zoning Ordinance	Finding B2. That the proposed zoning change is in the public interest.
Evidence Supporting Finding B2	
It is in the public interest to modify the zoning to industrial and approve cannabis activities on the subject property because it has frontage on State Highway 36 that provides immediate access to the main transportation route in the Dinsmore community. The proposed project would provide other cannabis operators to be able to process their products in a centrally-located, easily accessible location.	

Finding C (1): Required Findings for Conditional Use and Special Permits The proposed development must be consistent with the General Plan. The following table identifies the substantial evidence which

supports finding that the proposed development is in conformance with all applicable policies and standards of the Humboldt County General Plan.

Plan Section	Summary of Applicable Goal, Policy or Standard	Evidence Which Supports Making the General Plan Conformance Finding
<p>Land Use Chapter 4</p> <p>Land Use Designations Section 4.8</p>	<p>Industrial General (IG): This designation provides for general industrial and manufacturing uses, typically in urban areas, convenient access to transportation systems and full range of urban services are available. This designation may be accommodated in rural areas where full urban services are not required for the intended use.</p> <p>No density range is specified.</p>	<p>The proposed project would change the General Plan Designation of the subject parcel from Rural Agriculture (RA20) to Industrial General (IG). The property has hosted industrial uses since the 1970's. The project site was previously used as a mill site for timber processing. The site was then converted to a solid waste disposal site for Humboldt County until it was clean and closed in 2003 and it has been vacant since that time. The proposed uses are consistent with the IG land use designation.</p> <p>The project Includes a Zone Reclassification to change the principal zoning district from Unclassified (U) to Heavy Industrial with a Qualified combining zone (MH-Q). According to Table 4-H in the adopted General Plan, the Heavy Industrial zoning district is consistent with the Industrial General land use designation. The proposed Qualified combining zone would be Included along the southern property line to prohibit industrial uses within riparian habitat.</p> <p>Commercial cannabis retail nursery operations and caretaker housing are a permissible use with a Conditional Use Permit in the MH zoning district pursuant to Humboldt County Code (HCC) §314-55.4.8.5.</p> <p>Commercial cannabis processing, manufacturing, and distribution operations are a permissible use with a Special Permit in the MH zoning district pursuant to Humboldt County Code (HCC) §314-55.4.8.5.</p> <p>Staff believes the evidence supports finding the proposed use consistent with the IG land use designation.</p>

Circulation
Chapter 7

Goals and policies contained in this Chapter relate to a balanced, safe, efficient, accessible and convenient circulation system that is appropriate for each type of unincorporated community (C-G1, CT-G2); coordinated planning design, development, operations, and maintenance between the County and other transportation system service providers (C-G3); and access for all transportation mode types with improved opportunities to move goods within, into and out of Humboldt County. (C-G4, C-G5)

Related policies: C-P3.
Consideration of Transportation Impacts in Land Use Decision Making.

Access to the site is directly off Highway 36. Highway 36 provides access from U.S. Highway 101 at Fortuna to Hydesville, Bridgeville, Larrabee Valley, and east through Trinity County to Interstate-5 at Red Bluff in Tehama County. Highway 36 is a two-lane, paved, striped highway approximately 40 feet wide, and classified in Humboldt County GIS data as Minor Arterial. The 2016 Caltrans average annual daily traffic volume (AADT) at the Humboldt and Trinity County line (1.75 miles east of the project site) was 1200 vehicles, with a peak hourly traffic of 120 vehicles and a peak monthly traffic of 1,500 vehicles.

Vehicle trips generated during operation of the project would include daily round trips for each of the 35 staff members on-site per shift per day (49 employees total, a maximum of 35 anticipated on-site at one time), trips associated with cultivators purchase of nursery plants in the peak season, supply trips to the city, equipment maintenance and wholesale distributors purchasing product. The project proponent provided an estimate of vehicle trips for all operations involved in the proposed project, which is listed in the table below.

Purpose of Vehicle Trip	Round Trip	Total Trips
Nursery: Wholesale Purchase of Clones	7 Per Day (Only in Peak Season)	14
Processing: Product Drop- off	3 Per Day (Only After Harvest)	6
Distribution	1 Weekly	2
Supply	2 Weekly	4
Lab Testing (Separate project)	1 Weekly	2
Equipment Maintenance	3 Per Month	6
Employees*	70 Daily	140
*Consultant estimated based off 4 trips per day per employee	TOTAL	174

The 174 estimated vehicle trips are a high estimate considering many of the trips made are

Plan Section	Summary of Applicable Goal, Policy or Standard	Evidence Which Supports Making the General Plan Conformance Finding
		<p>only weekly or monthly. Sensi Valley, Inc., would coordinate and stagger delivery and pickup times to minimize the amount of traffic on the road at one time. Additionally, the project proponent plans to implement a carpool Incentive for employees that would reduce the amount of vehicle trips made by employees.</p> <p>The maximum number of off-site vehicle trips per day on Highway 36 generated by the project at peak operation would be 174, which is 15 percent of the average annual daily traffic volume. The peak hourly traffic volume on Highway 36 near the Trinity County line is 120 vehicles, which equals 2 vehicles per minute. Assuming the peak hours for traffic on Highway 36 correspond to morning and afternoon commute times, employees arriving or departing work making left turns onto Highway 36 in or out of the project site would not create a substantial hazard to traffic. The number of trips generated by the proposed project would be an increase in the existing traffic volume on Highway 36, however, the proposed project would be likely to decrease the cumulative miles traveled by regional cultivators distributing and seeking processing, manufacturing, and testing services for their products. Potential impacts to the local roadway system would be less than significant, and no mitigation would be necessary.</p> <p>Caltrans was sent a project referral and the IS/MND during the circulation period. Conditions of Approval for this project require the applicant to obtain all required permits from Caltrans.</p> <p>A portion of the subject parcel is located within Airport Compatibility Zone D for the Dinsmore Airport. As required by the Department of Public Works, an Airspace Certification form was prepared by Allan M. Baird dated August 3, 2018. The form indicates the project conforms with restrictions in this zone.</p> <p>Staff recommends that evidence supports finding the project as proposed and conditioned is consistent with the General Plan circulation policies and standards.</p>

Plan Section	Summary of Applicable Goal, Policy or Standard	Evidence Which Supports Making the General Plan Conformance Finding
Housing Chapter 8	<p>Goals and policies contained in this Element seek to identify existing and projected housing needs and establish goals, policies, standards and measures for the preservation, improvement, and development of housing.</p> <p>Related policies: H-P3, Development of Parcels in the Residential Land Inventory</p>	<p>The project does not involve residential development, nor is the project site part of the Housing element Residential Land Inventory. The proposed project involves caretaker housing for security personal. A flood level determination was conducted by a licensed engineer. It shows that much of the parcel could potentially be inundated during a 100-year flood event. The report indicates the potential depth of flooding that could occur and prescribes the minimum elevation for foundation construction in order for structures to avoid being inundated by floodwater. As a condition of approval for this project, the applicant must obtain a Floodplain Development Certificate for each structure which would verify that the structure is properly designed to withstand a 100-year flood.</p> <p>The property is not included in the housing element of the residential land inventory, therefore the project will not reduce the residential density for any parcel below that utilized by the Department of Housing and Community Development in determining compliance with housing element law.</p>

Plan Section	Summary of Applicable Goal, Policy or Standard	Evidence Which Supports Making the General Plan Conformance Finding
<p>Conservation and Open Space Chapter 10</p> <p>Biological Resources Section 10.3</p>	<p>Goals and policies contained in this Chapter relate to mapped sensitive habitat areas where policies are applied to protect fish and wildlife and facilitate the recovery of endangered species (BR-G1, Threatened and Endangered Species, BR-G2, Sensitive and Critical Habitat, BR-G3, Benefits of Biological Resources)</p> <p>Related policies: BR-P1. Compatible Land Uses, BR-P5. Streamside Management Areas.</p>	<p>As discussed above, the project site has been used in the past as a mill and solid waste disposal site. The proposed project had a Biological Assessment performed by Jack Henry, a Wildlife Biologist for Timber Resource Consultants (TRC). Additionally, the MND analyzed potential biological impacts related the proposed operations. The BA and MND find that the project will have a less than significant impact on biological resources with the implementation of Mitigation Measure BIO-01 or BIO-2. Mitigation Measure BIO-1 Includes a requirement for a qualified biologist to conduct protocol surveys to determine if Nesting Spotted Owl (NSO) are present on site. Mitigation Measure BIO-02 would limit construction operations to occur outside of NSO breeding season (February 1- July 31) to prevent any effect on NSO reproduction regardless of presence.</p> <p>Staff recommends the evidence supports a finding of consistency with the General Plan Biological Resource policies.</p>
<p>Conservation and Open Space Chapter 10</p> <p>Cultural Resources Section 10.6</p>	<p>Goals and policies contained in this Chapter relate to the protection and enhancement of significant cultural resources, providing heritage, historic, scientific, educational, social and economic values to benefit present and future generations (CU-G1, Protection and Enhancement of Significant Cultural Resources)</p> <p>Related policies: CU-P1. Identification and Protection, CU-P2. Native American Tribal Consultation]</p>	<p>A Cultural Resources Study that covered 90% of the parcel was conducted in 1978. The study found no cultural resources on site. The project area is within the ethnographic territory of the Bear River Tribe. As part of preparation for a cultural resources survey, representatives of the Bear River Band of the Rohnerville Rancheria were contacted regarding the project. Upon notification of the results of the 1978 cultural resources survey, the THPO of Bear River concurred with the findings of the survey and the recommendation of no further cultural resources investigations.</p> <p>Although no further investigation was recommended, an informational note has been added to the Recommended Conditions of Approval stating that work must be halted if cultural resources are discovered during the construction process. An informational note has been Included with the Conditions of Approval indicating the steps to be taken should cultural resources and/or human remains be discovered during ground disturbing activities.</p>

Plan Section	Summary of Applicable Goal, Policy or Standard	Evidence Which Supports Making the General Plan Conformance Finding
<p>Conservation and Open Space Chapter 10</p> <p>Scenic Resources Section 10.6</p>	<p>Goals and policies contained in this Chapter relate to the protection of scenic areas that contribute to the enjoyment of Humboldt County's beauty and abundant natural resources (SR-G1); and a system of scenic highways roadways that increase the enjoyment of, and opportunities for, recreational and cultural pursuits and tourism in the County. (SR-G2)</p> <p>Related policies: SR-S4. Light and Glare</p>	<p>A scenic vista is defined as a viewpoint that provides expansive views of a highly-valued landscape (such as an area with remarkable scenery or a resource that is indigenous to the area) for the benefit of the public. There are no designated scenic vistas in the area.</p> <p>According to the California Scenic Highway Mapping System, there are no designated state scenic highways in the project vicinity. SR 36 is listed as an "Eligible State Scenic Highway" but the project site does not contain any landmark trees, rock outcroppings, or buildings of historical significance.</p> <p>The proposed project would include 5,000 sf indoor nursery operation, a 21,200 sf processing facility, a 11,760 sf manufacturing facility, a 896 sf distribution facility, and support buildings. There is the potential for light to escape from the indoor facilities, which could result in a source of light or glare and could be a potentially significant impact. Other outdoor lighting, if not properly directed, could also create a source of light and glare. The MND proposes to implement Mitigation Measure AES-1, which requires the applicant to submit a lighting plan to the County Planning Division that demonstrates all indoor and outdoor lighting for the proposed project would not deliver or have the potential to deliver light pollution. The lighting plan shall be approved by the County Planning Division prior to issuance of the building permits.</p>

Plan Section	Summary of Applicable Goal, Policy or Standard	Evidence Which Supports Making the General Plan Conformance Finding
<p>Water Resources Chapter 11</p> <p>Stormwater Drainage</p>	<p>Goals and policies contained in this Chapter relate to coordinated watershed planning and land use decision making to advance management priorities (WR-G3, WR-G4, WR-G5); watershed conservation and restoration efforts aimed at delisting water bodies and watersheds which are restored to meet all beneficial uses, including water use, salmon and steelhead recovery plans, recreational activities, and the economy. (WR-G1, WR-G2, WR-G7, WR-G8, WR-G9)</p> <p>Related policies: WR-P10. Erosion and Sediment Discharge; WR-42 Erosion and Sediment Control Measures.</p>	<p>The project site is in the Mill Creek-Van Duzen River sub-watershed. To protect water quality, given the close proximity of the Van Duzen River to the project site, staff recommends the Permits be subject to the following conditions:</p> <ul style="list-style-type: none"> • Require the project to submit a Water Resources Protection Plan (WRPP) that describes the measures the project would take to protect water resources. The plan will specifically contain design criteria for each phase of construction to handle the increased runoff resulting from new impervious areas. Subsequent engineering plans shall incorporate the storm water management measures prescribed in the NCRQCB approved WRPP. • Require the project to prepare a Storm Water Pollution Prevention Plan and obtain a Construction General Permit for storm water discharge. The Plan will identify the temporary measures required to protect the site from discharging pollutants during the construction period. • That the applicant secures a grading permit prior to commencing ground disturbance, and that the General Plan sedimentation and erosion control measures be incorporated into the grading plans; and implementation of these measures. <p>The project's Recommended Conditions of Approval include a requirement that the applicant secure a grading permit that incorporates the sedimentation and erosion controls specified in General Plan standard WR-S13 prior to initiating ground disturbance.</p>

Plan Section	Summary of Applicable Goal, Policy or Standard	Evidence Which Supports Making the General Plan Conformance Finding
<p>Water Resources Chapter 11</p> <p>Onsite Wastewater Systems</p>	<p>Goals and policies contained in this Chapter relate to adequate public water supply as well as onsite wastewater systems and natural and developed storm drainage systems that minimize interference with surface and groundwater flows and storm water pollution. (WR-G6, WR-G9, WR G10)</p> <p>Related policies: WR-IM7. Basin Plan Septic Requirements; and IS-P20. On-Site Sewage Disposal Requirements.</p>	<p>The project site is located within the service area of the Ruth Lake Community Services District (RLCSD), which does not have a wastewater treatment system. Therefore, the applicant must develop a system that meets the requirements of Division of Environmental Health and the Regional Water Quality Control Board and adequately treats the estimated wastewater discharge volume and strength for both domestic and operational uses that will be present. Further this system must provide adequate separation from ground water and will be subject to the following condition:</p> <ol style="list-style-type: none"> 1) Limit manufacturing to non-volatile based processes as the waste water stream of the manufacturing processes will discharge into the leachfield.

Plan Section	Summary of Applicable Goal, Policy or Standard	Evidence Which Supports Making the General Plan Conformance Finding
<p>Noise Chapter 13</p>	<p>Goals and policies contained in this Chapter discourage incompatible uses within communities and reduce excessive noise through the application of standards. (N-G1, N-G2)</p> <p>Related policies: N-P1, Minimize Noise from Stationary and Mobile Sources; N-P4, Protection from Excessive Noise.</p>	<p>Construction activities would result in a temporary increase in noise levels in the area. This noise increase would be short and would occur during daytime hours. The nearest residences are 115 feet to the north, 500 feet to the northeast, and 600 feet to the east. Mitigation Measure NOI-1 is proposed to reduce potential impacts from construction noise to a level of less than significant. The proposed mitigation would limit construction hours and days, and would require standard maintenance of tools and equipment to reduce noise levels.</p> <p>Long-term operation of the project is not expected to generate significant noise levels that will exceed the Humboldt County General Plan Noise Element standards. Most of the proposed activities would take place inside buildings which would not affect exterior noise levels. Outdoor operations would be consistent with the sorts of activities that occur on the adjacent auto dismantler site, such as deliveries, personal vehicle travel, and routine maintenance. The project would receive electrical power from PGE via the grid; emergency backup generators are proposed. Mitigation Measure NOI-02 is proposed to identify the generators location and to ensure the generators are below 60 decibels measured at the property line.</p> <p>There is low potential for sensitive-occurring special-status species to occur on site. The MND proposes Mitigation Measure BIO-1 or BIO-2 to prevent any effect on NSO reproduction regardless of presence. Mitigation Measure BIO-1 includes a requirement for a qualified biologist to conduct protocol surveys to determine if Nesting Spotted Owl (NSO) are present on site. Mitigation Measure BIO-02 would limit construction operations to outside of NSO breeding season (February 1- July 31).</p>

Plan Section	Summary of Applicable Goal, Policy or Standard	Evidence Which Supports Making the General Plan Conformance Finding
<p>Safety Element Chapter 14</p> <p>Geologic & Seismic</p>	<p>Goals and policies contained in this Chapter relate to communities that are designed and built to minimize the potential for loss of life and property resulting from natural and manmade hazards; and to prevent unnecessary exposure to areas of geologic instability, floodplains, tsunami run-up areas, high risk wildland fire areas, and airport areas planned and conditioned to prevent unnecessary exposure of people and property to risks of damage or injury. (S-G1, S-G2)</p> <p>Related policies: S-P11. Site Suitability, S-P7. Structural Hazards.</p>	<p>The project site is not located in a mapped Alquist-Priolo fault zone nor is subject to liquefaction. According to Humboldt County Web GIS data, the project site has a Seismic Safety Classification ranging from 1 to 3 which is considered "Low Instability" to "High Instability", and there are no historic landslides on the site.</p> <p>An Engineering Geologic Soils R-2 Report for the project site was prepared by Allan M. Baird (Registered Certified Engineer No. 23681) of A.M. Baird Engineering & Surveying on April 12, 2018. The Report concluded that the site is stable and should remain stable provided the project implements the recommendations of their report, which have been Included as Mitigation Measure GEO-01 in the MND prepared for the proposed project.</p>
<p>Safety Element Chapter 14</p> <p>Flooding</p>	<p>Goals and policies contained in this Chapter relate to the use of natural drainage channels and watersheds that are managed to minimize peak flows in order to reduce the severity and frequency of flooding. (S-G3)</p> <p>Related policies include: S-P10, Federal Flood Insurance Program; S-P11, Flood Plains; S-PX3, Construction Within Special Flood Hazard Areas</p>	<p>The entirety of the site is within the California Department of Water Resources (DWR) 100-year floodplain. DWR does not have any other data in regards to the floodplain.</p> <p>Federal Emergency Management Agency (FEMA) flood insurance rate maps were reviewed for the project's proximity to a 100-year floodplain. The proposed project is on FEMA panel #0623C1550F, effective 11/19/2011. The project site is in an area mapped as Zone D, an area with possible but undetermined flood hazards. No analysis has been conducted by FEMA for areas designated as Zone D. (FEMA, 2011).</p> <p>According to the Flood Determination Report prepared by A.M. Baird, the site is situated on the floodplain of the Van Duzen River. An Incomplete berm contains the river during normal flood pulses. However, if a very large flood were to occur (100-year return interval) the river could flow through the Incomplete part of the berm and accumulate to a depth of approximately two feet across much of the site.</p>

Plan Section	Summary of Applicable Goal, Policy or Standard	Evidence Which Supports Making the General Plan Conformance Finding
		<p>The MND prepared for the proposed project includes Mitigation Measure HYD-2, which would require the applicant to submit engineering plans that illustrate conformance with the recommendations made in the Flood Level Determination prepared by A.M. Baird to the Humboldt County Planning and Building Department and obtain a Floodplain Development Permit prior to construction. Additionally, due to the floodplain hazard and to protect water quality for beneficial uses, all materials shall be stored inside permitted buildings.</p> <p>A Septic Design Report was prepared by A.M. Baird. The report found that a septic system is suitable for the proposed project, when development of the septic system is consistent with the recommendations of the report. The proposed project has been conditioned to conform to the Septic Disposal Design Plan submitted by A.M. Baird.</p> <p>As the project site is approximately 40± miles from the coast and approximately 2,015 feet above mean sea level, it is outside the areas subject to tsunami run-up.</p> <p>Staff believes that a finding of consistency with the General Plan flood hazard policies and standards can be made based on the discussion above and with the incorporation of the Recommended Conditions of Approval and mitigation measures in the MND.</p>

Plan Section	Summary of Applicable Goal, Policy or Standard	Evidence Which Supports Making the General Plan Conformance Finding
<p>Safety Element Chapter 14</p> <p>Fire Hazards</p>	<p>Goals and policies of this Chapter encourage development designed to reduce the risk of structural and wildland fires supported by fire protection services that minimize the potential.</p> <p>Related policies: S-P15, Conformance with State Responsibility Areas (SRA) Fire Safe Regulations.</p>	<p>The subject parcel is located within an area with a high fire rating and a very high fire severity rating. The subject property is located within the Ruth Lake Community Services District and the State Fire Responsibility Area where the State of California has the primary financial responsibility for the prevention and suppression of wildland fires. CAL FIRE comments recommend improvements for emergency access (turnarounds), signing and building numbers, adherence to emergency water standards, including water storage designated for fire protection, and incorporate fuel modification standards into the project. All items are incorporated into the Conditions of Approval for the project.</p> <p>Conditions of approval also require compliance with the requirements of the County's Fire Safe Regulations. The Humboldt County Fire Safe Ordinance (Section 3111-1 <i>et seq.</i>), which establishes development standards for minimizing wildfire danger in state responsibility designated areas. Conditions of approval for the project require the applicant to demonstrate the driveway and emergency vehicle turn around conform with the Humboldt County Code Section 3112-12, the Fire Safe Regulations.</p> <p>According to the applicant, the proposed project will have 49 employees total with a maximum of 35 anticipated on-site at one time.</p>
<p>Community Infrastructure and Services Element, Chapter 5</p> <p>Implementation Action Plan</p>	<p>IS-S5 requires new industrial, commercial and residential development located outside of fire district boundaries to obtain written acknowledgment of available emergency response and fire suppression services from the local fire agency, including any recommended mitigation.</p>	<p>The proposed project is located within the boundaries of the Ruth Lake Community Services District.</p>

Plan Section	Summary of Applicable Goal, Policy or Standard	Evidence Which Supports Making the General Plan Conformance Finding
<p>Safety Chapter 14</p> <p>Hazardous Industrial Development</p>	<p>See summary of the Safety Element above</p> <p>Related policies: S-P25. Hazardous Industrial Development, S-P26. Hazardous Waste, S-S16.</p>	<p>Because cannabis related manufacturing activities use materials that are considered potentially hazardous pursuant to Standard S-S16, Hazardous Materials Handling and Emergency Response, such uses are defined as hazardous industrial development. The proposed project will only utilize non-volatile manufacturing. The proposed project is required to meet performance standards relating to fuel and hazardous materials storage and appropriate state and federal employee safety practices including hazardous materials handling. The proposed project is conditioned to adhere to requirements of the County of Humboldt's Certified Unified Program Agency (CUPA) requirements regarding hazardous materials. Based on the above findings, proposed project is determined to be consistent with the goals and policies of the Hazardous Waste Management Plan, which is a part of the Humboldt County General Plan.</p>
<p>Air Quality Chapter 15</p>	<p>Goals and policies contained in this Chapter relate to improved air quality to meet current and future state and federal standards, including attainment of particulate matter requirements (AQ-G1, AQ-G2, AQ-G3) and the successful reduction of greenhouse gas emissions to levels consistent with state and federal requirements. (AQ-G3)</p> <p>Related policies: AQ-P4, Construction and Grading Dust Control, AQ-S1. Construction and Grading Dust Control, AQ-P7. Interagency Coordination.</p>	<p>As a condition of project approval, applications for grading and or building permits shall be referred to the North Coast Air Quality Management District (NCAQMD) for review and consultation. Dust control practices during construction and grading shall achieve compliance with NCAQMD fugitive dust emission standards.</p>

Finding C2. Zoning Compliance and 3. Conforms with applicable standards and requirements of these regulations: The following table identifies the evidence which supports a finding that the proposed development is in conformance with all applicable policies and standards in the Humboldt County Zoning Regulations.

Zoning Section	Summary of Applicable Requirement	Evidence That Supports the Zoning Finding
----------------	-----------------------------------	---

<p>§312-1.1.2</p> <p>Legal Lot Requirement</p>	<p>Development permits shall be issued only for a lot that was created in compliance with all applicable state and local subdivision regulations.</p>	<p>The parcel of land known as APN 208-071-032 is a separate legal parcel pursuant to Determination of Status 16-01. A Certificate of Subdivision Compliance (COSC) was recorded as Document Number 2016-13768.</p> <p>There is no evidence indicating there have been any subsequent acts to merge or divide this parcel. Therefore, the subject parcel was lawfully created in its current configuration and can be developed as proposed.</p>
<p>§314-3.3 Heavy Industrial (MH)</p> <p>§314-32.1 Qualified (Q)</p>	<p>Heavy Industrial (MH): The MH zone is intended to apply to areas devoted to normal operations of industries subject only to regulations as are needed to control congestion and protect surrounding areas.</p> <p>Qualified (Q): The Q zone is intended to be combined with any principal zone in situations where sound and orderly planning indicate that specified principal permitted uses or conditional uses otherwise allowed under the principal zone may be limited or not be allowed with or without a Use Permit, or development standards/restrictions can be added, deleted or modified to implement the General Plan or to implement CEQA mitigation or to limit additional entitlements. The qualified uses shall be specified in the ordinance applying the Q Zone to specific property.</p>	<p>The proposed project is for Special Permits and Conditional Use Permits for a cannabis nursery, processing, distribution and, manufacturing facility using a non-volatile ethanol and CO₂ extraction process. The proposed use is a light industrial use that is specifically allowed with a Conditional Use Permit and Special Permit in this zoning district under Section 314-55 of the Humboldt County Code.</p> <p>The purpose of the Q Zone is to prevent industrial development in the riparian corridor.</p> <p>According to Section 55.4.9 of the CMMLUO, nursery, processing, manufacturing, and distribution operations may be permitted in the MH zone. Principal uses in the MH zone include industrial manufacturing, administrative, business, and professional offices, and stores, which are consistent with the processing, extraction, manufacturing, and dispensary uses proposed under the project.</p>
<p>Minimum Lot Size:</p>	<p>1 acre</p>	<p>13.78 acres</p>
<p>Maximum Ground Coverage:</p>	<p>None specified</p>	<p>9%</p>
<p>Minimum Lot Width:</p>	<p>None Specified</p>	<p>881 feet</p>
<p>Maximum Lot Depth:</p>	<p>None specified</p>	<p>1,085 feet</p>

<p>Minimum Yard Setbacks:</p> <p>(Through the SRA requirements)</p>	<p>Front: 50 feet</p> <p>Rear: 50 feet</p> <p>Side: ten percent of average lot width but not less than 25 feet.</p> <p>SRA: 30 feet (all sides)</p>	<p>Front: 250 feet</p> <p>Rear: >50 feet</p> <p>Side: > 30 feet</p> <p>SRA: >30 feet, all sides</p>
<p>Max. Building Height:</p>	<p>75 feet</p>	<p>< 75 feet</p>
<p>§314-61.1 Streamside Management Area (SMA)</p>	<p>Purpose: to provide minimum standards pertaining to the use and development of land located within Streamside Management Areas (SMAs) and other wet areas (OWA) to implement the County's Open Space Element of the General Plan.</p>	<p>A Streamside Management Area (SMA) is present on the southern portion of the site. The distance to the SMA from the nearest proposed building is over 250 feet. The proposed project will conform to the setbacks established for SMA's.</p>

Off-Street Parking §314-109.1	<p>Manufacturing: The higher of 1 space per 1,500 sf of gross floor space or 1 space per employee at peak shift; minimum of 2 spaces.</p> <p>Retail Services: 1 space for every 300 sf of gross floor area with a minimum of 4 spaces, plus 1 space for each employee.</p> <p>Offices: One (1) parking space for every 300 square feet of gross floor area plus one (1) space for each employee</p> <p>Agriculture: None specified.</p> <p>Loading: One loading space for each 20,000 sf of gross floor area or portion thereof.</p>	<table border="1"> <thead> <tr> <th>Proposed Use</th> <th>sf</th> <th>Staff (Per shift)</th> <th>Sf Spaces¹</th> <th>Staff Spaces²</th> </tr> </thead> <tbody> <tr> <td>Nursery/Agricultural Use</td> <td>10,000</td> <td>6</td> <td>--</td> <td>6</td> </tr> <tr> <td>Processing</td> <td>21,200</td> <td>14</td> <td>14</td> <td>14</td> </tr> <tr> <td>Manufacturing</td> <td>11,760</td> <td>6</td> <td>8</td> <td>8</td> </tr> <tr> <td>Distribution</td> <td>896</td> <td>2</td> <td>3</td> <td>5</td> </tr> <tr> <td>Testing (Separate project)</td> <td>1,000</td> <td>1</td> <td>--</td> <td>1</td> </tr> <tr> <td>Offices/Administrative services</td> <td>8,640</td> <td>3</td> <td>28</td> <td>31</td> </tr> <tr> <td>Security</td> <td>2,832</td> <td>3</td> <td>-</td> <td>3</td> </tr> <tr> <td>Total</td> <td>47,112</td> <td>35</td> <td>53</td> <td>68</td> </tr> </tbody> </table>				Proposed Use	sf	Staff (Per shift)	Sf Spaces ¹	Staff Spaces ²	Nursery/Agricultural Use	10,000	6	--	6	Processing	21,200	14	14	14	Manufacturing	11,760	6	8	8	Distribution	896	2	3	5	Testing (Separate project)	1,000	1	--	1	Offices/Administrative services	8,640	3	28	31	Security	2,832	3	-	3	Total	47,112	35	53	68
		Proposed Use	sf	Staff (Per shift)	Sf Spaces ¹	Staff Spaces ²																																												
Nursery/Agricultural Use	10,000	6	--	6																																														
Processing	21,200	14	14	14																																														
Manufacturing	11,760	6	8	8																																														
Distribution	896	2	3	5																																														
Testing (Separate project)	1,000	1	--	1																																														
Offices/Administrative services	8,640	3	28	31																																														
Security	2,832	3	-	3																																														
Total	47,112	35	53	68																																														
<p>¹Based on square footage of use</p> <p>²Based on staffing plus square footage for retail services</p> <p>Based on the off-street parking requirements specified in Section 314.109.1.3 of the Zoning Code, the project would require 68 off-street parking spaces. This total is based on assuming 1 space per agricultural, testing, and security employee.</p> <p>The project as proposed Includes a total of 78 off-street parking spaces, Including 4 ADA-accessible spaces.</p> <p>The project has been conditioned to INCLUDE 3 loading areas, which corresponds to the loading requirements listed in §314-109.1.3.3.</p>																																																		

314-55.4 et seq. HCC: Commercial Cultivation, Processing, Manufacturing and Distribution of Cannabis for Medical Use Inland Land Use Regulation (CMMLUO)		
§314-55.4.8.4 §314-55.4.8.5 §314-55.4.8.6 §314-55.4.8.7	<p>Zoning districts in which processing facilities may be located Include the MH Zone subject to a Special Permit.</p> <p>Zoning districts in which manufacturing facilities may be located Include the MH Zone subject to a Special Permit.</p> <p>Zoning districts in which wholesale distribution facilities may be located Include the MH Zone subject to a Special Permit.</p> <p>Zoning districts in which Nurseries may be located Include the MH Zone subject to a Use Permit.</p>	In accordance with the referenced sections the applicant has applied for a CUP for the nursery operation and SP's for processing, manufacturing, and distribution of commercial cannabis in the MH Zone.
§314-55.4.8.2	In all zones where cultivation is allowed consisting of timberland, the commercial cultivation of cannabis for medical use shall only be permitted within a 3-acre conversion exemption area, or non-timberland open area, subject to the conditions and limitations set forth in this Section.	The project site is a non-timberland property with only a few scattered trees.
§314-55.4.8.10 Permit Limit	No more than four commercial cannabis activity permits may be issued to a single person, as defined in the referenced section.	The proposed project includes the following four permits: nursery, processing, manufacturing, distribution. The General Plan Amendment, Zone Reclassification, Caretaker Housing and Setback Reduction Request permits are not subject to this limitation. According to records maintained by the Department, Sensi Valley, Inc., does not hold any other cannabis activity permits, and is entitled to four. Upon approval, Sensi Valley, Inc. will hold four permits.
§314-55.4.10 Application Requirements	Identifies the Information Required for All Applications	Attachment 4 identifies the information submitted with the application, and shows all the required information was received.
§314-55.4.11 Performance Standards	Identifies the Performance Standards for Cannabis Cultivation Activities	All the applicable performance standards are Included as Conditions of project approval. They are required to be met throughout the timeframe of the permit.

<p>§314-55.4.11.c Performance Standards- Water</p>	<p>Compliance with all statutes, regulations and requirements of the California State Water Resources Control Board, Division of Water Rights, at a minimum to include a statement of diversion of surface water from a stream, river, underground stream, or other watercourse required by Water Code Section 5101, or other applicable permit, license, or registration.</p>	<p>The proposed water sources for the property are a permitted well and a rainwater catchment system. The well was installed and permitted in 2016 under Department of Environmental Health permit number 15/16-03921. The well is assumed to access shallow groundwater and, therefore, is likely to be hydrologically connected to surface waters. The water sources would provide water to one (1) 400,000-gallon tank. Conditions of approval require the applicant to notify the California Department of Fish and Wildlife (CDFW) for the well to determine if the well is jurisdictional. If the well is jurisdictional, the applicant shall secure appropriate water rights from the State Water Resources Control Board (SWRCB) to allow for water storage for domestic and irrigation uses.</p>
<p>§314-55.4.11.d Performance Standards- Setbacks</p>	<p>The area of cannabis cultivation and on-site processing shall be setback at least 30 feet from any property line, and 600 feet from any school, school bus stop, church or other place of religious worship, public park, or tribal cultural resources (TCRs).</p> <p>For publicly owned lands managed for open space and/or wildlife habitat purposes, a setback of less than 600 feet may be allowed with a Special permit.</p>	<p>The applicant's site plan shows that the proposed nursery and processing operations conform to the 30-foot setback. Additionally, the site plan shows that the nursery and processing operation is located 600 feet from any school, school bus stop, church or other place of religious worship, and tribal resource. The nursery and processing facility is located within 600 feet of publicly owned lands, and the applicant has applied for a Special Permit for allowance of a reduction in this setback. The subject parcel is just over 600 feet in width at its narrowest point and would therefore not be suitable for cannabis cultivation and processing without approval of the requested setback reduction. The property is attractive as a nursery and processing facility because of its frontage along a State highway and its proximity to areas that are in critical need of such cannabis support facilities. The communities of Dinsmore, Bridgeville, and the surrounding areas have a high concentration of cannabis cultivation activities that are in need of suitable and permitted support facilities. Additionally, the development of these cannabis support facilities in this central location with well-developed access encourages these activities to occur away from areas that are not suitable for such commercial activities, thereby furthering the goal of protecting wildlife habitat.</p>

§314-55.4.11.o Performance Standards- Generator Noise	The noise produced by a generator used for cannabis cultivation shall not be audible by humans from neighboring residences. The combined decibel level for all noise sources, including generators, at the property line shall be no more than 60 decibels. Where applicable, sound levels must also show that they will not result in the harassment of Marbled Murrelet or Spotted Owl species, when generator use is to occur in the vicinity of potential habitat. Conformance will be evaluated using current auditory disturbance guidance prepared by the United State Fish and Wildlife Service	The proposed project includes a 5,000-square-foot indoor retail nursery. The project would receive conventional electrical power from P. G. & E. Only emergency back-up generators are proposed. The MND Includes Mitigation Measure NOI-02, which states that all noise sources, including generators, shall produce no more than 60 decibels at the property line.
§314-55.4.17 Sunset Date	No application for any Use Permit pursuant to the CMMLUO shall be processed for issuance or approval that is received after December 31, 2016.	The applicant filed the application on December 28, 2016.

Finding C4. Public Health, Safety and Welfare: The following table identifies the evidence which supports finding that the proposed development will not be detrimental to the public health, safety and welfare or materially injurious to properties or improvements in the vicinity.

Code Section	Summary of Applicable Requirements	Evidence that Supports the Required Finding
§312-17.1.4	The proposed development will not be detrimental to the public health, safety and welfare, and will not be materially injurious to properties or improvements in the vicinity.	The proposed project is in conformance with Department of Environmental Health requirements. Comments have not yet been received by the Department of Environmental Health. The proposed project has been conditioned to receive approval from the Department of Environmental Health prior to issuance of building permits.

Finding D: Required for Consistency with Housing Element Densities

Code Section	Summary of Applicable Requirements	Evidence that Supports the Required Finding
Government Code Section 65302.81	Specific findings supported by substantial evidence are required where a general plan amendment or zone reclassification is adopted that reduces the residential density for any parcel below that utilized by the Department of Housing and Community Development (HCD) in determining compliance with housing element law (the mid-point of the density range specified in the plan designation).	The project site is not included in the residential land inventory of the Housing Element. Further, historically the property has hosted milling and solid waste disposal. Therefore, the project will be consistent with this requirement.

Finding E: Required for Consistency with the California Environmental Quality Act

As Lead Agency, the Department prepared a Mitigated Negative Declaration (MND) for the proposed Sensi Valley, Inc., General Plan Amendment, Zone Reclassification, Conditional Use Permits and Special Permits. The MND evaluated the project for potential impacts on aesthetics, agriculture and forestry resources, air quality, biological resources, cultural resources, geology and soils, greenhouse gas emissions, hazards and hazardous materials, hydrology/water quality, land use/planning, noise, population/housing, public services, recreation, transportation/traffic, tribal cultural resources, and utilities/service systems. Based on the information in the application and a review of relevant references in the Department, staff has determined that there is no evidence before the Department that the project will have a potential adverse effect either individually or cumulatively on the resources described above. The environmental document on file includes a detailed discussion of the all relevant environmental issues.

ATTACHMENT 5

Applicant's Evidence In Support of the Required Findings

Attachment 5 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. (Not applicable)
3. Site plan showing the entire parcel, including easements, streams, springs, ponds and other surface water features, and the location and area for cultivation on the parcel with dimensions of the area for cultivation and setbacks from property lines. The site plan shall also include all areas of ground disturbance or surface water disturbance associated with cultivation activities, including: access roads, water diversions, culverts, ponds, dams, graded flats, and other related features. If the area for cultivation is within ¼ mile (1,320 ft.) of a school, school bus stop, church or other place of religious worship, public park, or Tribal Cultural Resource, the site plan shall include dimensions showing that the distance from the location of such features to the nearest point of the cultivation area is at least 600 feet. (Attached)
4. A cultivation and operations plan that meets or exceeds minimum legal standards for water storage, conservation and use; drainage, runoff and erosion control; watershed and habitat protection; and proper storage of fertilizers, pesticides, and other regulated products to be used on the parcel, and a description of cultivation activities (outdoor, indoor, mixed light), the approximate date(s) cannabis cultivation activities have been conducted on the parcel prior to the effective date of this ordinance, if applicable, and schedule of activities during each month of the growing and harvesting season. (Attached)
5. Copy of the statement of water diversion, or other permit, license or registration filed with the State Water Resources Control Board, Division of Water Rights, if applicable. (Condition of approval)
6. Description of water source, storage, irrigation plan, and projected water usage. (Attached – in operations plan)
7. Copy of Notice of Intent and Monitoring Self-Certification and other documents filed with the North Coast Regional Water Quality Control Board demonstrating enrollment in Tier 1, 2 or 3, North Coast Regional Water Quality Control Board Order No. 2015-0023, or any substantially equivalent rule that may be subsequently adopted by the County of Humboldt or other responsible agency. (On file and condition of approval)
8. If any on-site or off-site component of the cultivation facility, including access roads, water supply, grading or terracing impacts the bed or bank of any stream or other watercourse, a copy of the Streambed Alteration Permit obtained from the Department of Fish & Wildlife. (Pending)
9. If the source of water is a well, a copy of the County well permit, if available. (On file)
10. If the parcel is zoned FR, U or TPZ, or involves the conversion of timberland as defined under section 4526 of the Public Resources Code, a copy of a less-than-3-acre conversion exemption or timberland conversion permit, approved by the California Department of Forestry and Fire Protection (CAL-FIRE). Alternately, for existing operations occupying sites created through prior unauthorized

conversion of timberland, evidence may be provided showing that the landowner has completed a civil or criminal process and/or entered into a negotiated settlement with CAL-FIRE. (Not applicable)

11. Consent for onsite inspection of the parcel by County officials at prearranged date and time in consultation with the applicant prior to issuance of any clearance or permit, and once annually thereafter. (On file)
12. For indoor cultivation facilities, identify the source of electrical power and how it will meet with the energy requirements in section 55.4.8.2.3, and plan for compliance with applicable Building Codes. (Not applicable)
13. Acknowledge that the County reserves the right to reduce the size of the area allowed for cultivation under any clearance or permit issued in accordance with this Section in the event that environmental conditions, such as a sustained drought or low flows in the watershed will not support diversions for irrigation. (On file)
14. Acknowledge that the county reserves the right to engage with local Tribes before consenting to the issuance of any clearance or permit, if cultivation operations occur within an Area of Traditional Tribal Cultural Affiliation, as defined herein. This process will follow current departmental referral protocol, including engagement with the Tribe(s) through coordination with their Tribal Historic Preservation Officer (THPO) or other tribal representatives. This procedure shall be conducted similar to the protocols outlined under SB 18 (Burton) and AB 52 (Gatto), which describe "government to government" consultation, through tribal and local government officials and their designees. During this process, the tribe may request that operations associated with the clearance or permit be designed to avoid, minimize or mitigate impacts to Tribal Cultural Resources, as defined herein. Examples include, but are not limited to: conducting a site visit with the THPO or their designee to the existing or proposed cultivation site, requiring that a professional cultural resources survey be performed, or requiring that a tribal cultural monitor be retained during project-related ground disturbance within areas of sensitivity or concern. The county shall request that a records search be performed through the California Historical Resources Information System (CHRIS). (On file)
15. Phase I Environmental Assessment prepared GHD dated July 23, 2018. (On file)
16. Water Resources Protection Plan for APN 208-071-032 prepared by NRM Corp. dated February 1, 2017. (On file)
17. Geologic R-2 Soils Engineering Report prepared by A.M. Baird Engineering & Surveying, Inc., dated April 12, 2018. (On file)
18. Septic Disposal Design prepared by A.M. Baird Engineering & Surveying, Inc., dated July 23, 2018. (On file)
19. DEH Worksheet (on file)

SENSI VALLEY, INC OPERATIONS
MANUAL

Prepared for: Humboldt County Planning
Commission/State of California

Prepared by: Sensi Valley, Inc.

Date: 9-1-2018

APN #: 208-071-032



Operations Plan for Humboldt County
Table of Contents

1.	Project Description	p. 3
2.	Overview of Operations and General Administrations	p. 4
3.	General Plan research,	p. 6
4.	Elements	p. 8
5.	Zoning	p. 29
6.	Physical plant design protocols	p. 34
7.	Environmental Management: Protection & Mitigation	p. 38
8.	Circulation	p. 42
9.	Air Quality	p. 44
10.	Water Management	p. 46
11.	Energy Management	p. 49
12.	Security (incl. fencing/screening)	p. 50
13.	Employee services/training Roles	p. 52
14.	Roles	p. 53
15.	Sanitation, Contamination and Cleaning	p. 55
16.	Disease	p. 54
17.	Storage & Disposal of Chemicals & Hazardous Materials	p. 57
18.	Waste Management	p. 59
19.	Operations Plans:	
	a) Facility-Wide Operations	p. 60
	b) Commercial Nursery	p. 63
	c) Processing	p. 65
	d) Manufacturing	p. 68
	e) Packaging and Labeling	p. 81
	f) Storage & Handing	p. 86
	g) Distribution	p. 89
	h) Laboratory Testing	p. 95

Appendices:

A.	Definitions	p. 101
----	-------------	--------

Attached:

B.	Site Plans, including Phases 1, 2, 3
C.	Soil Report
D.	Flood certification
E.	Phase I ESA
F.	Biological Assessment
G.	Water Usage Charts
H.	Septic System
I.	Survey
J.	Aerospace
K.	Ethanol MSDS-SOP's
L.	LSAA Data
M.	Initial Study and Mitigated Negative Declaration
N.	Hazard Waste Letter

1. Sensi Valley Project Description for Humboldt Parcel # 208-071-032-000 APP# 12782

Sensi Valley comes before you to propose a Cultivation to Consumption, Cannabis support facility in Dinsmore, California that requires the following proposed permits to operate.

1.0 CMMLUO

General Plan (New)

1. A Conditional Use Permit for a 5,000 square foot indoor retail nursery (9);
2. A Special Use Permit for a 21,200 square foot processing space consisting of
 - one existing 4,000 square foot building (6)
 - 3,280 square foot in another proposed building (5)
 - one proposed 13,920 square foot building (4);
3. A Special Use Permit for a 11,760 square foot manufacturing operation (7);
4. A Special Use Permit for an 896 square foot distribution operation(5A);
5. A Conditional Use Permit for a 1,000 square foot test laboratory (5B).

Water is provided privately by onsite rainwater collection (main source) and hydro logically linked well with forbearance between May 15 and October 31. Water storage consists of a proposed 200,000 to 400,000-gallon storage scalable tank (I). Fire protection will be provided through a system of onsite water sprinklers and hydrants. All wastewater will be managed by a proposed onsite water treatment system that will collect, filter and disburse source, grey and black water resulting in 0 waste discharge (M). Electricity will be provided by PG&E (A) and a CHP energy system with a backup natural gas generator (8) fuel storage for emergencies is proposed in a 800-square foot Area(s) (C). Alternative energy sources will be utilized were and as much as possible. Site plan includes 78 proposed parking spaces and 4 ADA spaces with vegetation to meet code.

Landscaping with irrigation will be implemented to provide live visual buffers that help improve habitat while reducing discharge of dust, Noise, improve air and protect against possible rising waters. The rural location presents the ability to provide visual buffers that will complement the security and perimeter fencing while also complementing storm water to support a healthy aquifer.

Various ancillary structures and facilities are also proposed including:

- A) 1632 sq ft security/site/sales office (mobile that will become permanent and under mitigations) (1, 2),
- B) 100 sq ft Electric drop building (B),
- C) 1,680 square foot employee services building (3), (mobile that will become permanent and under mitigations)
- D) 2,116 square foot support water treatment/disbursement (M); (mobile that will become permanent and under mitigations)
- E) Energy, Distillation and Support (8); (mobile that will become permanent and under mitigations)
- F) Project also includes proposed 2,400 square foot temporary/housing building (12) (mobile that will become permanent and under mitigations)
- G) 5,760 sq ft Administration/Logistics Support building (15)
- H) 5,000 sq ft Ag Building (13)
- I) 2500 sq ft secured waste control area (10)

The construction is being done in phases and we request permission to operate temporarily while building permit and construction build out takes place. We formally request the ability to begin operations immediately upon permitting using temporary facilities while we build out our permanent structures.

Phase 1 is 36,108 sq ft (24,508 of proposed)
Phase 2 is 20,776 Sq ft (Proposed)
Phase 3 is 10,760 sq ft (Proposed)
Total is 67,644 sq ft

2. Operations Summary

Sensi Valley's goal is to create a community hub that serves hundreds of operatives from various sectors of the cannabis industry. Similar to a grain elevator, Sensi Valley's Cultivation to Consumption Support Facility will be a centralized location where all compliant cannabis cultivators can supply their harvested product and waste in order to be tested, processed, manufactured, distributed and or disposed of. This alleviates the burden on the cultivator to provide all of these services while increasing the value of their agricultural product and ensuring compliance with state and county regulations. Humboldt, Trinity and Mendocino county Cannabis operatives have all been disproportionately affected by the failed war on drugs. Our project provides these operatives a pathway to equitable space in the regulated marketplace that they are unable to accomplish individually. Not only are we able to help the small farmer obtain an equitable share we are also able to use our facility as a tool and resource that allows geneticist, extractors, processors, transport groups and waste management operatives the ability to work in a compliant location to hone their craft to hopefully grow with the emerging industry we are participating in.

Our understanding, based on conversations with the County as well as independent research, demonstrates that an estimated 80% of cultivators who have applied for permits in Humboldt County will be unable to meet the permitting standards due to a lack of processing plans, and thousands more face this challenge who have yet to even apply for permits. Similar roadblocks at the state level also exist. Sensi Valley wants to remove as many barriers as possible for these small operatives so that they can successfully enter the regulated market and focus on what they do best: creating, cultivating and manufacturing their world renowned cannabis crop. By being able to serve operatives with these proposed services, we can also reduce the cost and overhead expenses to ensure profitability and accountability to remain equitable partners. This facility also provides an efficient program that will streamline cultivator activities creating a path to compliance and operations that will naturally mitigate black market operations.

Furthermore, our Sensi Valley cultivator-members will receive administrative and compliance support to help them manage their accounting, tax reporting & collection, compliance reporting, human resources, product tracking, and more. All of this data can then be streamlined by Sensi Valley and provided to the proper County and State agencies overseeing the cannabis and taxation industry. These processes help to build on the world famous brand that has been created over the last 40 years.

All commercial cannabis activity shall be conducted in compliance with all laws and regulations as set forth in the Humboldt County Commercial Medical Marijuana Land Use Ordinance (CMMLUO) and the State of California's Medicinal and Adult-Use Cannabis Regulation and Safety Act (MAUCRSA) and any other application regulations and standards. Applicant will provide for all compliant Human Resources for employees as well as training on all aspects required of the employee as it relates to the facilities safe and efficient operations.

Sensi Valley will manage all aspects of the administration and management of the facility and its employees and fulfillment providers. Sensi Valley has partnered and contracted with software/IT providers in order to easily track and record information and provide a streamlined way to report on required data to the county, state, IRS and other regulatory agencies. Our general administrative

functions include:

- Human Resources: All human resource operations including employee background checks, payroll services, staff training & orientation, etc. are provided by Sensi Valley and managed using Würk SaaS platforms.
- Compliance auditing and management is tracked using Sensi Valleys proprietary suite of programs.
- Facility tracking of product and chain of custody is managed using MJ Freeway's cannabis compliance software
- Track and Trace reporting is streamlined and provides aggregated data to the proper authorities
- Accounting, including tax reporting, is managed using QuickBooks and expense tracking applications

Sensi Valley's cultivator-members are tracked and recorded internally with Sensi Valley's proprietary programs

- Internal management and third-party contractors:
 - Land management, Land Use, Zoning
 - Security Base Office, monitoring and armory
 - Energy management
 - Environmental management
 - Water Management
 - Waste Management

Schedule of activities during each month of the growing and harvesting season:

January through December: Nursery, Processing, Testing, Manufacturing and Distribution as needed.

3. General Plan, Elements and Zoning

SUMMARY

Chapter 1 Introduction; 1.2 Purposes, 1.4 Guiding Principles, 1.5 Planning Area, 1.6 Economy

Sensi Valley selected Humboldt County to build its Cultivation to Consumption Facility for several reasons. The need: there are tens of thousands of noncompliant cultivators throughout Humboldt and neighboring counties seeking to get permits and enter the regulated cannabis market and Humboldt, Trinity and Mendocino counties have all provided a Land Use Ordinance providing a path to compliance for potential operatives providing a planning area that stretches beyond Humboldt and is in harmony with the General Plans acknowledgement that the three counties work together on resources and resource extractions. It is this reason that allows us such a dynamic opportunity to operate in this planning area.

The location: the parcel in question (208-071-032 located on State Highway 36 in Dinsmore) is located in the heart of approximately 3-4,000 cultivators, on a main highway serviced by the county and state, with a long history of clean industrial activity. The parcel is in line with the guiding principles of the county General Plan and will allow the type of services we wish to provide.

The goal is to support the counties economic development strategy and other efforts to retain and create living wage job opportunities, encourage and incentivize and support agriculture ecosystem services and compatible uses on resource lands, support individual rights to live in rural areas while providing a balanced approach to protect natural resources in cooperation with all government agencies and the community at large.

Practical strategies

Sensi Valley will adhere to practical strategies that can be implemented utilizing constructive cooperation and common sense. We come forward with a clear statement of land use values and policies that coincide with the clarity of the counties permit system. We hope to establish a standard that will allow the county to process our permits accordingly.

Though the traditional resource production industries have declined, they still play a vital role in the local economy. Their contributions are substantial and can remain so for many decades to come. Therefore, it is vital that the County retain an essential quantity, or "critical mass," of land and infrastructure to allow the forest products, agriculture, and fishing industries to remain viable. This project fits directly into this economic scheme. Like the county, our research on rural economies consistently shows that rivers, beaches, forests, mountains, and a community "sense of place" are highly attractive to talented, innovative, creative people who are deciding where to live and start a business. In short, communities that emphasize social and cultural amenities are attractive to talented workers and entrepreneurial businesses. Hence why we are here before you today with a creative business plan in a county that supports the same.

Public Guide

The Humboldt County General Plan was updated in November 2017 taking Sensi Valley out of zoning compliance. Since then Sensi Valley has applied for and petitioned the BOS and was given unanimous consent to bring the amendment forward in order to bring the parcel into compliance with the new zoning options available to it.

Currently the parcel is listed in the U zone with a RA overlay. Sensi Valley has asked for an amendment to the GP for this parcel to bring the parcel back into compliance with a MH and Q overlay.

Required findings and Criteria for this amendment are as follows:

B. Community Values and assumptions have changed

D. To maintain established uses otherwise consistent with a comprehensive view of the plan

E. The proposed amendment has the potential for public benefit and is consistent with the guiding principles in section 1.4 and applicable goals of the plan.

Land use of this zoning provides the Land Use ability for all permits currently requested as well as provides for ease of permitting options in the future.

There are many documents currently on file that provide the historical review of all mappings, historical use, land use, etc.

Governance Policy

Moving in harmony with the proposed GP amendment Sensi Valley has developed their operations plan and project implementation strategies based on the abilities offered to it through these bodies of law. When combining all of these forces of regulations this brings about a burden that is challenging to shoulder in order to bring the balance allowing property rights to be utilized as applied for. Sensi Valley is consistent with the plan and seeks permit approval from all required departments for its applied requests.

Clearly the Inter Governmental Coordination between governments is struggling at a time with so much overload from developing such a large black market industry into a compliant industry. Sensi Valley has addressed this challenge by providing direct contact with other affected agencies in order to show good faith for this project. Based on the promise of the county and its General Plan, we wish to be permitted to fulfill the goals of the plan relating to our business.

Sensible balance allows the ability to develop and operate using all available Regulations and Incentives provided while improving public welfare that includes protections of public trust sources, such as air, water and wildlife.

Sensi Valley comes forth with a plan that strikes to the heart of the Environmental justice section of the GP. By defining these principles held true by the the US Constitution in the Fourteenth Amendment and California law this sensible request for permit approval provides a distinct path to meet these directives once approved.

The Sustainable Development goals meet the current needs of the present without compromising the ability of future generations. In fact Sensi Valley believes we will in fact improve this future for many generations to come by building communities with sustainable objectives where current services should be extended while protecting the resource lands. Long term economic viability while protecting long term economic potential of resource lands is paramount for success. The simple reduction of GHG's show in the traffic section of our elements directive is a glaringly obvious example.

Background

The economy of Humboldt County can best be described as a resource- extraction oriented economy...its primary industries of timber, fisheries, agriculture and recreation-tourism... Humboldt County's economy is associated with the problem of primary production economics including cyclical and seasonal instability, high unemployment rates and slow growth rates... To stabilize as well as increase the economic opportunities will require the development of a diversified commercial and industrial base. It is therefore important to encourage both growth of local business opportunities in each community, expansion of existing industries.

Besides the constraints of the economy, prospective businesses or industries have had to put up with a maze of federal, state, and local laws and regulations. In addition, suitable land designated for economic uses with adequate services for the development of industrial sites, warehouses and office buildings are in short supply in the County. One method of promoting commercial and industrial opportunities is through the formation of industrial parks which have some level of public services. This allows master environmental assessments of the entire site, reducing the subsequent review required for specific projects. Sensi Valley has provided the necessary studies and research documentation for these environmental requirements site wide.

Industrial and commercial designations should be compatible with surrounding/historical land uses. Many existing resource related industries, such as sawmills and gravel extraction operations are scattered throughout the county. (Cannabis does not have this source of service yet)

A separate land use designation protects these locations from incompatible uses while encouraging new resource processing development in these same locations.

The utilization of by-products from resource processing will make more efficient use of the County's resources and provide additional employment opportunities.

4. ELEMENTS

1. Land Use

4.1.1 Purpose Goals, Policy and Standards

UL-S6, UL-IM3, UL-IM12

- Sensi Valley uses these policies to guide growth and development of this parcel.

The policies of this project represent a balance between the individual rights of owning and developing a property and the health, safety, and welfare needs of our community. By working with other elements of the GP we can mitigate environmental challenges helping to conserve Open Space, improve housing by offering our services to the agriculture community and mitigate impacts on the circulation element. The economic element is supported by providing a plan for growth that is aligned with the other elements as well. According to the GP extended policy treatment should be given to this project.

Landscaping Standards

- Landscaping shall be required for new development which creates five (5) or more new parking spaces. The landscaping policies shall be accomplished by the submittal of a landscaping plan, which shall include the information described below.
 - A. The landscape plan is drawn to scale and shows all existing trees on the property, and indicate the size and location of those being removed.
 - B. The plan indicates the exact location, number; scientific name, common name, and container size of all proposed planting.
 - C. All landscaped areas shall include an automatic irrigation system.
 - D. Plantings will be maintained as needed to ensure compliance with initially approved landscape requirements.
 - E. Required plantings may be augmented with additional plantings
 - F. The use of native and fire resistant species is planned for.
 - G. Landscape design minimizes the area of impervious surfaces to reduce runoff.

The area of crushed rock, redwood chips, pebbles and similar materials should not dominate the required landscaped area

- Physical Plant design and protocols provide details for transitioning from current to proposed development

Support for Micro and small business development

- The support facility provides services for the home based, cottage industries in order to increase the scale and range of principally permitted development.

Cannabis Cultivation Ordinance

- Protects public health, safety and welfare by providing compatible services for the community while located in a properly zoned parcel

4.4 Rural Lands

4.4.1 Purpose, 4.4.3 Goals and Policies

RL-G1, RL-G2, RL-P1, RL-P2, RL-P3, RL-P4, RL-P7,

- Provides the basis for orderly development of lands outside of community development areas
- The facility supports others by providing stability and productivity of the counties resource lands and agricultural lands they inhabit.

RA development of rural community driven businesses focused on cottage agriculture

- The facility and administrations provides business opportunities and environmental accountability for these developments

Rural Land Development

- The facility helps Mitigate conflicts and impacts on resource development productions

Policies and mitigations

- Project is compatible with Resource Production and is compatible with agriculture production
- Water management, site water and septic systems are developed and accounted for

Rural Commercial uses

- Facility is being developed in an existing area with similar natured operations (industrial, heavy commercial and resource production)

Fire Safety Hazards

- New development is built to code
- Voluntary programs are in place for fuel reduction
- Fuel reduction landscaping is planned
- Defensible space for existing and proposed development
- Access to water for emergency operations is planned for by storage facilities equipped with fire hoses and water connections
- Compliant emergency vehicle access is provided

Clustered Residential Development

- Encourages clustered development where suitable and consistent with planned densities
- Parcel is dedicated to providing tools and resources for the agricultural community present within the areas of reach for the facility

4.5 AGRICULTURAL RESOURCES

4.5.2 BACKGROUND

- While agriculture is one of the most enduring industries in the County, agricultural operators face growing challenges to maintaining viable operations. Rising costs, increasingly complex regulatory requirements, and growing development pressures are among the hurdles facing today's farmers.
- Productive agricultural lands are vitally important to the County's economy, culture and environment. The long-term sustainability of Humboldt's agricultural economy hinges on continued profitability of agricultural operations

4.5.3 GOALS AND POLICIES

AG-G1 Agricultural Production

- project provides the ability to develop economically viable ag operations that contribute to the growth and stability of the economy increasing land values and increases economic and social status of the community serviced.

4.8 Land Use Designations

Residential Agriculture (RA) amended to (proposed) to MH

- Sensi Valley has petitioned and been approved to amend this LUD to MH
- See attached Zoning tables

COMMUNITY INFRASTRUCTURE AND SERVICES ELEMENT

GOALS AND POLICIES

IS-P17, IS-S5,

On Site sewage and disposal systems

- Innovative systems to recycle and reuse water have been designed and provided in the Water section
- CDFW LSAA provides water usage data from the hydrologically connected well

Development Outside of Fire District

- Fire hydrants are located on all water storage devices
- Van Duzen Volunteer FD is located on the easterly adjacent parcel
- US Forestry is located within 5 miles
- Cal Fire is located within 30 miles
- Medical clinic is located within 5 miles

Circulation Element

Goals, Policies, Standards and Implementation

C-G1, C-G3, C-G5, C-P1, C-P3, C-P4, C-P23, C-P45, C-S1, C-S2, C-S3, C-11, C-IM9, C-IM18

Circulation System Safety and Functionality

- Provides a mitigation of miles traveled for operatives associated with facility (see traffic chart)

Interagency Cooperation

- Project meets or exceeds county and State requirements for permitting and licensing
- Referral agencies have been contacted to provide approvals for project

Movement of Goods

- Project provides an improved system to move compliant cannabis and products collectively throughout the county.
- Improved system to move compliant cannabis goods in and out of the county

Circulation System

- Provides easier access to local communities for cannabis processing, manufacturing, testing and distribution needs
- Provides a community hub for multiple services for the agriculture community
- Improves connectivity between interrelated areas of agriculture operations
- Works in conjunction with the land use element

Land Impacts

- Safe access to the parcel is provided
- Project is on State Highway 36
- Entry apron is within compliance for Caltrans and Cal Fire
- Complies with the Clean Water Act's total maximum daily load

Reduction and Mitigation Measures

- Mitigates traffic on State Highway 36
- Mitigating traffic flows mitigates sediment transport
- Project hopes to reduce the human trafficking element by providing temporary and full time employment opportunities in a known permitted location.

Public Transit Service

- Coordination with county for future transit services so that service from Rural areas are integrated with urban areas is requested

Expansion of Airline Service

- Project could improve and diversify the usage of the Dinsmore airport when cannabis/ cannabis products or money is permitted to be air transported
- Location of project conforms and is Compliant with Functional classifications and standards that allows for orderly development of the area
- See traffic threshold and mitigation chart below
- Voluntary mitigations are profound based on the traffic study.
- Any development fee's should be waived and incentives should be provided for the voluntary mitigations proposed
- Project reduces impacts in nearly all elements including dramatic impact reductions for roadways, improving water quality, development of abandoned industrial sites and off stream habitat measures

ECONOMIC ELEMENT

REGIONAL ROLE

Economies form around natural geographic boundaries, clusters of similar industries, natural resource assets, infrastructure, and a common culture or history. These pieces work together to define a regional economy, which often includes and crosses several jurisdictional boundaries of cities and counties.

These shared assets and obstacles provide good reason to coordinate economic development strategies and investments.

As the global economy increasingly, values knowledge-based workers to provide innovations and solutions, businesses and industry have increasingly sought to employ these creative, technologically savvy workers, the so-called "creative class." Businesses follow this talent base wherever it exists, knowing it provides them with a competitive advantage. The "creative class," in turn, is mobile, willing, and able to locate where the amenities and community appreciate and stimulate their creativity.

Microenterprises and Home-based Businesses

Typically, microenterprises account for a higher proportion of the jobs in rural counties. Humboldt County's high rate of new firm creation underscores the importance of microenterprises.

Cannabis

The production and sale of medicinal and illicit cannabis contribute significantly to Humboldt County's economy. The impact is difficult to measure but its effects are unmistakable. For example, the size of the retail and restaurant sector is out of proportion to official income levels. While the production and sale of medicinal cannabis is legal and local jurisdictions are collecting data that can be used to measure the size of this industry, the size of the illegal industry cannot be measured directly. Many assume it is the largest single industry in Humboldt County.

While cash circulating is undisputedly good for the local economy, the industry's use of residential, agricultural and timberlands can result in environmental impacts land use conflicts. The competition for labor can also be problematic, for example there is a strong appeal to local youth to enter the cannabis trade instead of preparing themselves for a legal career.

If statewide efforts to legalize cannabis are successful, the County may enjoy a legal and economically viable industry based on the expertise, quality and market reputation that Humboldt County gained in the production of illicit cannabis. While there are practical and legal limitations on the County's ability to support illicit cultivation, support for legal cultivation should be a part of the County's overall economic policy.

Lands

The approach to determining industrial and other employment land needs involves inventorying current land supply, projecting future demand, and then comparing the current supply with anticipated demand.

- Sensi Valley brings forth a project that will provide permitted and illicit growers the opportunity to enter into the white market and remain compliant within this market
- The regional economy is impacted positively as Humboldt, Trinity and Mendocino counties will be served by our facility.
- Sensi Valley has been coordinating this project within these three counties since its inception in 2016

9.4 Goals and Policies

ED-G1 ED-G2 ED-G3 ED-G4 ED-G5 ED-G6 ED-G7 ED-G11 ED-G12 ED-P1 ED-P3 ED-P9 ED-P15 ED-P16 ED-P20 ED-S3

Stable Economy Project provides

- Develop Jobs
- Develop Careers
- Provide further Education opportunities
- Develop Standards and systems for the cannabis industry
- Facility reduces costs for state, county and operatives as well as enforcement
- Facility Improves community economy
- Facility and its operations and standards stabilizes an aloof industry

Natural Resource Assets

- Natural resources are accounted for and improved
- Improved economic status by operatives allows better stewardship of the land
- Reduction in traffic reduces environmental impacts in many categories
- Water, air, land are all accounted for and planning is done around them (see their elements)

Strategic Planning

- Illicit market is groomed to enter the compliant market creating a successful emerging marketplace
- This entrepreneurship brings forth economic development improving the region's economic prosperity.

Cooperation and Collaboration

- Building common assets between neighboring counties and communities with a facility that services the cannabis industry for operatives throughout the state
- Strategic engagements with state and local regulators streamlines reporting and regulating resources
- Improved tax collections

- Improved data reporting
- Allows law enforcement to work smarter

Economic and development assistance programs

- These options will be reviewed once the permit application items are completed

Competitive Quality of Life

- Project maintains and accounts for natural resources.
- Quality education for certifications and standards are provided
- Access to employment
- Improve public safety and well being
- Mitigate traffic demands improving highway safety
- Operates in harmony within cultural and natural amenities

Skilled and Ready workforce

- Sensi Valley will provide training and educational resources
- Operations demand that certification standards are adhered to
- Vocational training will be offered
- Retraining for development of the facility will be done

Transportation Networks

- The location and placement allows for proper and compliant transfer for freight and operations
- 3rd party transport company will employ local drivers for transport services creating more jobs

Land Inventory

- Located on an industrial parcel with proper zoning capabilities
- Our location is the key to our success
- Site is one of the most valuable pieces of land in Humboldt and Trinity Counties

Economic Stability and Diversity

- SENSIBLE projects like ours provides the ability to stabilize a shifting and aloof industry helping to stabilize communities and create economies in harmony with the environment.
- By encouraging innovation, entrepreneurship this allows for the possibility of global competition allowing the local operative the ability to survive and prosper.

Job Growth

- Jobs in all aspects of the facility will be created and available
- Career development opportunities will be naturally derived from operations
- Increased jobs for service providers, (Engineers, scientists, county and state personnel)
- Improved infrastructure for water and wastewater on parcel

Freight Mobility

- Location allows for improved movement of product within and without the county

Industrial and Business Parks

- The GP promotes development of Industrial parks with consideration for value added manufacturing and industries identified as a priority
- The Sensi Valley project is listed as a priority
- Master environmental reports have helped streamline the grueling and extremely expensive development and permitting process

Revitalization

- Dinsmore is classified as a disadvantaged community in Humboldt County.
- This project provides major positive impacts for the economic element, community, county and state
- Repurposing industrial parcels has been a focus throughout the counties GP since the Framework plan was introduced and enacted

Value Added Manufacturing

- Currently the anchor of shifting policies has hindered the ability for this project to move forward with any ease
- The Cultivation to Consumption facility proposed falls directly into this goal the county has established for itself with this GP

. Disadvantaged Communities.

- Communities shall be considered disadvantaged based on one or more of the following factors: disproportionately lower median incomes, higher unemployment rates, deteriorated housing conditions, or high commercial and industrial land vacancy rates.
- This area of the counties (Humboldt and Trinity) hits each of these measuring standards
- By improving the economic and social status of the community allows better land stewardship and the ability for higher property valuations stabilizing the markets on many fronts

9.6 Implementation Measures

ED-IM1 ED-IM2 ED-IM3 ED-IM4 ED-IM5 ED-IM6 ED-IM9 ED-IM14

Economic development strategy

- Sensi Valley has provided a project that coincides with this strategy defined by the GP

. Economic Development Programs

- The Cannabis Land Use ordinance allows us to develop this project and improve cannabis agricultural providers services and local and state oversight

Disadvantaged Community Assist Programs

- The land use provides the ability for the projects ability to improve the community in many ways defined within this manual
- Humboldt county should provide development incentives for the developer
- Reduce permitting costs, finance these costs, reduce property taxes and more should be considered

Permit Streaming

- Application amendments and procedures have helped bring this project to the permitting stage
- Coordination of other agencies for approval is slow and complicated
- The needs of the already permitted operatives, places pressure to bring about this project for the county to remain in compliance in their own activities
- Currently there are many permits needed for this project. It is our hope that the ability to streamline down to one permit in the future for the operations will be made available.

Regulatory Incentives for emerging industries

- Sensi Valley requests the ability to streamline its permitting processing
- SV requests tax breaks on property taxation and improvements
- SV requests that annual permitting be streamlined and focused
- SV requests streamlined permitting and approvals for related permits
- SV requests any and all incentives be considered and provided due to the nature of the project and its scope of work

Commercial and Industrial Sites

- SV has obtained a perfect site for a support facility operation in the center of many cannabis operatives
- Not many clean industrial sites are available in the counties served so the value is near priceless

Transportation and Infrastructure

- SV is working with Verizon to provide extended cellular infrastructure to our facility and members
- This extended coverage area allows our operatives to utilize tools for regulatory compliance
- SV asks the county to streamline and incentivize the ability for mobile carriers to expand their service coverage for the facility and its operatives by providing streamlined permitting for new cellular infrastructure
- Transportation will be provided by a 3rd party licensed transporter with local jobs created for drivers

Material Reuse

- The goal of the facility is 0 waste

- Innovation on water collection, filtering and disbursement provides a 0 waste discharge system while providing ample irrigation for landscaping and other controls
- Plant waste will be repurposed for manufacturing, nursery, landscaping, visual buffers, concession areas and riparian repurposing

BIOLOGICAL RESOURCES

OPEN SPACE AND PUBLIC HEALTH AND SAFETY

Summary

- Open Space is N/A
- Studies have been done to provide for natural disasters
- Operations include risk reductions for natural and manmade disasters
- Construction will be done utilizing design and construction plans for improving the land
- Safety access has been provided for emergency services
- Safety options for public service providers can be made available (water for fire)
- Natural resources are accounted for and improvement plans in place
- Preservation of natural habitat is provided and increased through the use of landscaping
- Production services are also included in the land use element
- Watershed protection is assisted by accumulating data for water use vs crop yield
- Cleanup of adjacent parcels will improve the community as a whole
- Sustainable development of the project and its members operation sites is planned for
- Agricultural resources promote and increase Humboldts economic viability
- Protecting working landscapes by streamlining and working cooperatively
- Maintain or improve the quality of humboldts water resources by setting standards

CO-IM2. Working Landscapes

- Market development strategies to that maximize financial returns for landowners for agricultural products while providing profit for the facility as a whole

Section 10.3 Biological Resources

10.3.1 Purpose

This section addresses biological resources including wildlife, fisheries, special status species and their habitats; it is a subsection of the Conservation and Open Space Element. Biological resource considerations are also reflected in the policies and development standards of the Land Use Element. For example, the list of primary and compatible uses in a given zone can be reflective of wildlife and fisheries considerations. Policies within the Growth Planning section of the Land Use Element (Chapter 4) have been developed to balance the need for growth with the need to protect biological resources.

10.3.2 Background

Humboldt County is part of California's Klamath/North Coast bioregion. The major terrestrial habitat types in the county are coniferous forests (61%), oak woodlands (21%), and grasslands (10%). They represent a vast store of plant species and are home to numerous animals including deer, fox, elk, bears, and mountain lions. Nearly 400,000 acres of the county's mountains and coastline are within state and national park systems, leaving large tracts of existing terrestrial habitat in a natural condition.

A signature asset of the county is its aquatic habitats, including rivers, estuaries, and wetlands. Humboldt Bay, one of California's largest coastal estuaries, is second only to San Francisco Bay in size. The bay is home to many invertebrates, fish, birds, and mammals. Humboldt's rivers and the ocean off the coast have tremendous productive potential. In the seventies, over half of the fish produced and consumed in California were landed in the Humboldt Bay Area. Restoring this biological productivity to the region, especially the recovery of threatened Coho salmon and steelhead, is a high priority of this Plan.

In total, there are more than 20 species of plants and animals listed as Endangered or Threatened under federal and state classification systems in Humboldt County. Making land use decisions consistent with the special protections afforded these species is also a high priority of this Plan.

The County's biological resource conservation strategy relies on an understanding and mapping of the locations and extent of sensitive and critical biological habitat. Known habitats can then be protected for future generations by applying conservation policies and standards to development that has the potential for significant adverse effects. For example, new development in proximity to wetlands will trigger protective measures. Riparian corridors will be protected from encroachment with development restrictions. The protective measures will serve to minimize habitat loss and degradation with an emphasis on the protection and restoration of endangered or threatened species.

10.3.3 Goals and Policies

BR-G1 Threatened and Endangered Species

BR-G2 Sensitive and Critical habitat

BR-G3 Benefits and Biological Resources

BR-P1 BR-P5 BR-P10

- See Biological Assessment and plan
- See LSAA
- See Phase 1 ESA
- See Soil, Flood, Air space, Water Usage charts
- See Landscaping plan

Compatible Land Uses.

- Area containing sensitive habitats has been planned and zoned for and is compatible with the long-term sustainability of the related habitat. Discretionary land uses and building activity in proximity to these sensitive habitats has been planned and is conditioned or otherwise permitted upon to prevent significant degradation of sensitive habitat, to the extent feasible consistent with California Department of Fish and Wildlife guidelines or recovery strategies.
- See LSAA

SMA

- No development in the SMA is proposed
- See Site Plan
- See Biological Assessment
- See buffer zone landscaping plan

Invasive Plant Species

- See Biological assessment
- Operations manual

10.3.4 STANDARDS

Sensitive and critical habitats

BR-S1 BR-S5 BR-S8 BR-S9 BR-S13 BR-IM6

Development excluded

- B. Any area proposed for development, which upon examination of the biological resource maps and field inspection is not actually within or does not contain the indicated habitat.
- C. Agricultural practices which are principally permitted within the zone shall not be considered development for the purposes of this standard.

SMA DEFINED

- A. Areas specifically mapped as SMA and Wetland (WR) Combining Zones, subject to verification and adjustment pursuant to site-specific biological reporting and review procedures.
- B. For areas along streams not specifically mapped as SMA and Wetland (WR) Combining Zones, the outer boundaries of the SMA shall be defined as:
 - 1. 100 feet, measured as the horizontal distance from the top of bank or edge of riparian drip-line whichever is greater on either side of perennial streams.
 - 2. 50 feet, measured as the horizontal distance from the top of bank or edge of riparian drip-line whichever is greater on either side of intermittent streams.

- SMAs do not include watercourses consisting entirely of a man-made drainage ditch, or other man-made drainage device, construction, or system.
- SEE SITE MAP, LSAA, BIOLOGICAL ASSESSMENT

REQUIRED MITIGATION MEASURES

- This project is not in a SMA however mitigation measures have been created by CDFW and SV
- A vegetative buffer zone that includes berming, multi tiered vegetation of local growth, air, noise, light, Flo-MAR plans, storm water runoff control, flood protections,
- Erosion control measures are in place see site plan, landscape plan

Erosion Control

- A. During construction, land clearing and vegetation removal will be minimized, following the provisions of the Water Resources Element and the standards listed here.
- B. Consistent with BR-S8, construction sites with at least 100 square feet of exposed soil will be planted or seeded as appropriate per mitigations as recommended in writing by the lead agency with native or non-invasive vegetation and mulched with natural or chemical stabilizers to aid in erosion control and ensure revegetation.
- Runoff from the site will be temporarily detained or filtered by berms, vegetated filter strips, and/or catch basins to prevent the escape of sediment from the site.
- Drainage controls are to be maintained as long as necessary to prevent erosion throughout construction.
- Buffer zone will include storm water discharge mitigations

Principally Permitted Accessory Use

- Invasive plant species will not be introduced
- Local vegetation will support the improvement plan
- All landscaping will be done with native species and provide multiple uses for same

SECTION 10.5 WASTE MANAGEMENT

- Decrease mismanaged waste by providing options for members to repurpose the waste to compost or be transported by the 3rd party waste management provider
- Organic materials with no further use will be handled by a local third party provider
- Additional facilities are provided for handling, transferring or recycling diverted materials, such as construction and demolition debris, organic materials (e.g., food, fats/oils/grease, food soiled paper, biodegradable food ware) and household hazardous waste. See Site Plan #10
- All waste will be controlled compliantly by a third party provider
- Sensi Valley will follow the California Health and Safety Code section 25404 et seq., that states any business that handles hazardous materials at any time, in a quantity equal to or greater than: a total weight of 500 pounds, a total volume of 55 gallons, or 200 cubic feet of gas at standard temperature and pressure must report these activities via the California Environmental Reporting System (CERS) at www.calepa.cers.ca.gov. Businesses that treat hazardous waste have the same requirements.

Goals Policies and Standards

WM-G1 WM-G2 WM-G4 WM-G5 WM-G6 WM-G9 WM-P1-8 ALL WM-IM4

Comprehensive System's

- Provide a flexible system for our emerging needs
- Utilize technology and other service providers to create a 0 waste discharge program

Environment Health and Safety

- Project will gather waste, repurpose and or provide to a third party contractor

Management Strategy Hierarchy for maximum achievement

- Sop's for operatives will allow for source reduction
- Recycle plans incorporate source reduction strategies

- Composting and landscape maintenance will reduce organic waste matter while reusing the resource constructively
- What incentives can be provided to improve our land use options for better industry overall waste reductions?

Participation

- Education and services offered will promote reduction strategies and incentivize producers to reduce.

Self Sufficient Disposal practices

- Mitigates solid waste disposal
- Mitigates waste transportation
- Mitigates waste export costs
- Hedges against disasters
- A. Achieves the maximum feasible reduction in volume and/or weight of waste requiring landfill disposal;
- B. Sensi Valley Supports regional efforts that maximize the reduction and diversion of additional materials in a consistent fashion for affected parties; such as organic and soil waste for remediation;
- C. Ensures the feasibility of expanding diversion programs by requiring that, in addition to solid waste collection bins, use plans include on-site space for diversion collection bins, such as recycling and organics;
- D. Maximizes the economic value of materials heretofore discarded;
- E. Benefits the environment and health and safety of county and state citizens;
- F. These strategies are easily implemented on a timely, practical, and cooperative basis;
- G. These strategies are supported by and are sustainable over the long-term by operatives and nearby residents.
- H. Cooperating with our community allows cost-effective achievement of the above criteria.
- Fund or incentivize innovative programs provided by developer
- Centralized organic waste collection and recycle program is offered
- Working with a third party provider to expand the and integrate the community
- Reduces Illegal disposal
- Geographical location improves access for waste management

ourSupport for Waste Management Diversion and Recycling Programs

- Explore waste diversion programs and incentives to provide them

Section 10.7 Scenic Resources

10.7.1 PURPOSE

- This is the Scenic Resources Section of the Conservation and Open Space Element. Sensi Valley used this to build Its policies to protect outstanding scenic resources that may have been adversely affected by land use and development.
- Signs and Billboards will follow code
- Visual buffers are in place for the
 - Scenic Highways
 - Scenic Waterways
- Encourage agricultural production

Scenic sub Elements

Scenic Roads

- To conserve scenic views observable from the routes the visual buffer will be established
- Publicly owned lands adjacent to the site may improve with site usage
- Clearly there is a dual scenic and economic value of the lands planned for production of agricultural products.

Several highways in the county have unique scenic qualities owing to their natural setting. A scenic highway is defined as a highway that, in addition to its transportation function, provides opportunities for the

enjoyment of natural and scenic resources. Scenic highways direct views to areas of exceptional beauty, natural resources or landmarks, or historic and cultural interest.

Although no highways in the county are "officially designated" as California State Scenic Highways, several state highways could be eligible for official designation:

- Route 36 from Route 101 near Fortuna to the Trinity County line

Wild and Scenic Rivers

- Portions of several rivers in the county are designated as part of the National and/or California Wild and Scenic River Systems. Sections of the Van Duzen rivers are designated "wild," "scenic," or "recreational." Policies relating to protection of water resources are found in the Water Resources Element.

10.7.3 Goals, Policies 10.7.4 STANDARDS

SR-G1 SR-G2. SR-P1 SR-P3 SR-S4 SR-S6 SR-IM5

Conservation of Scenic Resources.

- Our project provides tools and resources to help protect its related high-value scenic forest and river areas that contribute to the enjoyment of Humboldt County's beauty and abundant natural resources.

Support for a Designated Scenic Highway System.

- This project allows for applied uses while protecting these valuable natural resources

Working Landscapes.

- Recognize the scenic value of resource production lands and provide operations in harmony with nature Scenic Highway Protection.

- Protect the scenic quality of designated Scenic Highways for the enjoyment of natural and scenic resources by providing visual buffers

Scenic Highway Standards. The following standards are used and apply to the mapped Scenic Highways*:

A. Visual Buffer Width. The width of the visual buffer along the road shall not exceed 200 feet from the edge of the traveled roadway.

B. No off premise bill boards will be erected. No permitted uses are within the visual buffer area. Visual buffer measures are used to protect scenic qualities of the site. (see site plan)

C. Site Development. Landscaping within the visual buffer are shall be designed and located on the site to create a harmonious visual relationship with surrounding development and the natural terrain and vegetation. See landscaping plan

1. Existing topography, vegetation, and scenic features of the site will be retained to the maximum extent possible and are incorporated into the proposed development.

2. Structures and signs shall be limited in height, bulk, and siting to be visually compatible with, and subordinate to, the character of surrounding areas.

D. Consideration of Views. Structures, signs, and plant materials within the visual buffer will be constructed, installed, and planted to complement, enhance, and retain scenic views. Vegetative screening shall be used where needed to prevent significant intrusion or degradation of public views. Tiered canopies will be utilized in the landscaping areas.

E. Location and Screening of Unsightly Features. Potentially unsightly features within the visual buffer area, such as parking lots etc., will be located in areas not visible from the scenic highway. Where it is not feasible to locate such features out of view, features shall be screened from view by planting and/or fences, walls, or berms. Screening shall utilize primarily natural materials rather than solid fencing, preferably vegetation, in conjunction with low-earth berms.

1. Vegetative cover will be provided within a reasonable time after grading is completed to prevent visible scars remaining on the land from such operations.

3. Finished contours will be planted with native vegetation, so as to require minimum care and to be visually compatible with the existing landscaping.

G. Access Roads. The location and design of access roads within the visual buffer area shall not detract from the scenic quality of the road.

H. Utilities. New, relocated, or existing utility distribution lines within the visual buffer area will be

placed underground whenever feasible. When it is not feasible to place lines underground, they will be located so as to be inconspicuous from the scenic route wherever feasible. Combined or adjacent rights-of-way and common poles are already in use.

Light and Glare.

- New outdoor lighting will be compatible with the existing setting. Exterior lighting fixtures and street standards will be fully shielded, and designed and installed to minimize off-site lighting and direct light within the property boundaries.

Scenic Highway Map.

- Until such time as a General Plan Scenic Highway Roadway Map is prepared and adopted, Humboldt County Highways listed in Sections 263.1 through 263.8 of the California Streets and Highways Code shall be considered to be Scenic Highways pursuant to Policy SR-P3, Scenic Highway Protection, the County and Sensi Valley have addressed the potential for significant impacts to scenic resources during ministerial and discretionary permit review

Lighting Design Guidelines used

- A. Intensity – Acceptable standards will be utilized for various land uses and development types specifying the maximum allowable total lumens per acre.
- B. Directional Control – lighting system designs will minimize the upward transmission and intensity of light at various distances from its source through the use of full-cutoff lighting, downward casting, shielding, visors etc.
- C. Signage – Standards with respect to illuminated signs are used that prohibit or limit the size, spacing, design, upward transmission of light, and hours of operation. In addition, signs will be white or light colored lettering on dark backgrounds.
- D. Night Lighting – Hours of operation will be 24 hours and only lighting needed for security and for public safety reasons will be used. On demand lighting will be utilized throughout the facilities interior and exterior.
- E. Incentives will be sought for utilizing compliant fixtures that reduce energy and mitigates impacts.

Water Resources Element

11.1 Purpose

This Element addresses water planning issues including river and stream water quality, stormwater runoff, groundwater management, water needs of fish and wildlife, water consumption, conservation and re-use methods, and state and federal regulations.

11.2 Relationship to Other Elements

These and other water-related topics can be found throughout the General Plan and the operations manual. The Conservation and Open Space elements address riparian corridors, wetlands, wildlife protection, fishery resources, other biotic resources, water-oriented recreation, and soil erosion.

11.3 Background

Surface and Groundwater

Large rivers and biologically rich watersheds are defining characteristics of Humboldt County. These resources provide local water supply, spawning habitat for fisheries, recreation opportunities, and local wealth for the fishing and tourism industries. The Eel, Trinity, and Klamath rivers extend well beyond county borders linking Humboldt to the complex regional, state, and interstate water resource and habitat management issues affecting their respective watersheds. The average annual runoff of the rivers running through the county reflects almost 30% of the state's total runoff. Significant sections of these rivers and the Van Duzen River have been designated by the California legislature as wild, scenic, or recreational under the California Wild and Scenic River System. North Coast watersheds retain some of the last viable salmon and steelhead populations in the state and are a focal point for regional, state, federal, and tribal habitat recovery efforts. Managing these water resources will be a significant challenge in the years ahead as competition between statewide water demand, habitat requirements, and local water supply intensifies.

While mean annual runoff in Humboldt County from the major rivers and streams is approximately 23 million acre feet, over 80% of this flow occurs during November through March, and the total potential annual groundwater yield of the entire county is only approximately 100,000 acre feet. Ground water has been developed for individual domestic requirements, the agricultural demands of the Eel and Mad River delta areas, and to provide supplements to municipal water supply. Potential concerns are saltwater intrusion in coastal areas and the effects of groundwater withdrawal on streams that rely on groundwater recharge to sustain flows during the dry season.

- Van Duzen has been given a “low priority” ranking for the “Groundwater Sustainability Plan”

11.4 Goals and Priorities

Goals, Policies, Standards

WR-G1-G11 All WR-P1-P28 ALL WR-P40 – P42 ALL WR-S4 WR-S7, WR-S9 WR-S13

- Sensi Valley is working within each of the goals set forth by the GP
- The details are in the Operations manual, LSAA and the WRPP that will be developed once operations begin
- Rainwater catchment and recycling programs are designed and will be implemented
- Blackwater will be treated prior to movement into the Septic
- River habitat will be improved by concessionary areas providing tiered plans for growth
- All agencies have been accessed to generate the design approvals for the project
- Project will provide accountability for operatives to monitor off taking from the watershed
- Conservation strategies will be used throughout the project reducing and or mitigating impacts in all Elements of the GP
- Onsite infiltration and natural drainage will minimize erosion, peak runoff and storm water pollution by using FLO-MAR techniques.
- Wastewater treatment is designed to eliminate contamination of the of surface or groundwater
 - Conserve and enhance through sound management provides future generations a sound water source
 - Reductions and Mitigations to reduce impacts on the Basin Plan are planned
 - Reducing and Mitigating impacts on critical areas are created by improving operating procedures and accountability for the agricultural producers served by this project
 - Water usage charts are provided with the LSAA
 - Water storage is developed and used for the forbearance period
 - 0 sediment discharge is planned via the design of the buffer zone
 - Erosion is easily controlled as the site is flat and provides aquifer regeneration naturally
 - A riverside berm provides sediment and storm water control from parcel
 - Grading permit will include performance standards for operations
 - Project development is designed to complement river and its riparian area
 - Groundwater is protected by onsite water treatment systems
 - Coliform and nitrates are treated prior to water discharged to the septic system
 - Innovative water collection, filtration and disbursement systems are included in the planning
 - Rain catchment is provided throughout the facility
 - Watershed planning is assisted by operations and tools provided to ag production members
 - Plans include the use of water conservation and re-use strategies to lower the cost, minimize energy consumption, and maximize the overall efficiency and capacity of our private water systems.
 - The installation of water storage, rain catchment and graywater systems to support project and outdoor water needs.
 - We educate and encourage to support conservation for agricultural activities that increase the efficiency of water use.
 - The use of treated water for irrigation, landscaping, and other appropriate uses minimize the impacts for treated water in unincorporated areas.

- Our Industrial activities and their operations will minimize, and eliminate to the extent feasible, facility-related discharges to the storm water discharge.
- Parking areas are planned to mitigate any storm drainage offsite using bio-retention areas to allow clean water to enter the aquifer
- Parking areas will be planned in order to mitigate waste products entering the waterways from run off
- Multiple Erosion and sediment controls are in place

Water withdrawal permitting

- LSAA is on file

Erosion Control

- Grading permits will be obtained prior to grading activity
- See site plan
- See landscaping plan

Scenic Assets

- See Site Plan notes
- See Landscaping plan

Storm Water Management

- Industrial site's parking facilities shall, provide stormwater treatment for parking lot runoff using bio-retention areas, filter strips, and/or other practices integrated into required landscaping areas.
- During construction, the following erosion and sediment control measures will be incorporated into development design and improvements:
 - A. Minimize soil exposure during the rainy season by proper timing of grading and construction;
 - B. Retain natural vegetation where feasible; See landscaping plan
 - C. Vegetate and mulch denuded areas to protect them from winter rains;
 - D. Divert runoff from critical areas with berm and ditches;
 - F. Trap sediment-laden runoff in basins will allow soil particles to settle out before flows are released to receiving waters; and
 - G. Prior to significant rain events site will be reviewed to ensure control measures are working properly and problems corrected as needed.

11.6 Implementation Measures

WR-IM2 WR-IM7 WR-IM8 WR-IM16 WR-IM30 WR-IM31

Watershed Designation provides proper planning basis

Septic Requirements

- Septic plans are submitted for approval
- Onsite water treatment facilities will provide compliant services

Greywater re-use Standards

- Innovative water treatment facilities provides for maximum recycling of water and usage of greywater throughout the plan

Sustainable Groundwater Plan

- Water treatment systems support the control of waste water to mitigate groundwater contamination
- Buffer zones incorporate FLO-MAR techniques for a healthy aquifer

Low Impact Developments

- Low impact developments are in place to improve pervious penetration for the aquifer

health

- Grey water with any discharge will be used for landscaping and irrigating

ENERGY ELEMENT

12.3 Background

Energy and Land Use

- There is a close link between energy consumption and production and the physical development of land. Land use development policies strongly impact how much energy is consumed, and zoning and development strategies can affect the ability to develop and transport future energy resources.
- Humboldt County has a number of unique features with respect to energy. It is isolated at the end of electricity and natural gas transmission lines, and the capacity of these lines is not great enough to import all of the county's required energy. Related to these capacity constraints is the fact that the county currently produces a large portion of its electricity locally and also supplies some of its own natural gas needs. The county also has a tremendous amount of potential local energy resources, in the form of wind, wave, biomass, hydroelectric, and solar power. Conservation is also viewed as an energy resource and is considered in the Housing and Circulation elements of this Plan. And finally, there is much local interest and expertise and a strong desire to develop long-term energy self-sufficiency for the region.
- Efforts to reduce energy consumption in the transportation sector are also critical to the establishment of a secure energy future for the county, and decreasing the number of vehicle miles traveled is probably the most effective measure for reducing transportation energy use.
- The SV project facility provides close proximity to the ag industry it serves, immensely reducing vehicle travel.
- Replacing the exportation of waste with increased production and consumption of local organic waste and local waste processing (through recycling, reusing, and composting) can also help reduce vehicle miles traveled.

12.4 GOALS, Policies and Standards

E-G1-G3 E-P1, P3, P4, P10-P16

Planning, Conservation and renewable sources

- SV has an effective energy strategy based on conservation
- Renewable energy research is being conducted to implement when feasible
- Planning includes conservation and plans to seek incentives
- Transportation plan is included in the Circulation element
- Energy efficient landscape designs are in place
- Water efficiencies are planned for
- Land use and compatibility are being developed through the use of the GP amendment procedures
- Biomass reuse and energy options are being reviewed

12.6 Implementation Measures

E-IM6 E-IM9

Energy Conserving Landscape

- The use of natural and drought-resistant planting materials, efficient irrigation systems, utilizing pervious surfaces and the siting of trees to reduce energy demand are planned for in the landscaping plan.

Incentives

- SV will be reviewing any and all incentives offered through the county and state
- EV charging station will be available onsite
- Fast track permitting is requested
- Fee reductions are requested for permits, taxes and other options
- Property tax exemptions are requested

NOISE ELEMENT

13.1 Purpose

- Minimize the exposure of community residents to excessive noise.

13.3 Background/Principle Noise sources (Dinsmore)

- State Highway 36
- Dinsmore Airport
- Helicopters
- Open Pit Gravel mine, asphalt/cement factory
- Wind

13.4 Goals and Policies

N-G1, G2

N-P1, P2, P4

- Noise levels will meet Table 13 C guidelines of Normally Acceptable
- Peak noise may enter into the Normally Unacceptable or Clearly Unacceptable levels in rare peak moments
- Project will employ a backup generation system with maximum steady decibel level within Normally acceptable levels
- Proper land use, zoning and the general plan all align with the projected noise levels
- Project is located in a rural area impacted by the items in 13.3
- Multi Tiered vegetative buffers mitigate impacts from noise
- A detailed landscaping plan is being assembled with guidance from CDFW
- See Biological assessment and Operations manual
- Vehicle traffic noise will be mitigated from entering the facility by buffer zone
- Stationary items producing noise will employ mitigation measures where possible
- Project will mitigate noise levels throughout the entire region based on the circulation mitigations provided
- Noise will be mitigated to insure future activities will not interfere with sleep, communication, relaxation, health or legally permitted use of property

N.5 Standards

N-S1- S7 Land Use/Noise Compatibility Matrix.

- The Land Use/Noise Compatibility Standards (Table 13-C) the guide to ensure compatibility of land use as proposed.
- Development may occur in areas identified as “normally unacceptable” when mitigation measures reduce indoor noise levels to “Maximum Interior Noise Levels” and outdoor noise levels to the maximum “Normally Acceptable” value for the given Land Use Category.
- Land use noise compatibility Standards (Table 13-C) insure compatibility of land use as proposed as “Normally Acceptable” for interior and exterior
- Voluntary measures will be applied as needed to mitigate unforeseen impacts
- Extra sound measures for buildings will be used when necessary
- See Biological assessment and landscaping plans
- Voluntary mitigations are proposed
- Noise in the new development is planned for less than a maximum of 45 CNEL

(Community Noise Equivalent Level) interior noise levels in all habitable rooms per California building standards.

- Residents will maintain nearly equal usable outdoor area of at least 200 square feet in size per dwelling unit that meets the 60 CNEL (Community Noise Equivalent Level) standard.
- The following noise standards, unless otherwise specifically indicated, shall apply to project. These standards constitute the maximum permissible noise level within the MH Zone
- 6am to 10pm 80 DBA
- 10pm to 6am 70 DBA

Exceptions. The Short Term Noise levels shown in the above table shall not apply to uses such as, but not limited to:

1. Portable generator use in areas served by public electricity when electrical service is interrupted during emergencies as determined by the Planning Director.

2. Temporary events in conformance with an approved Conditional Use Permit.
3. Use of chainsaws for cutting firewood and power equipment used for landscape maintenance when accessory to permitted on-site uses.
4. Heavy equipment and power tools used during construction of permitted structures when conforming to the terms of the approved permit.
5. Emergency vehicles.

13.6 Implementation Measures

N-IM1, IM2, IM3, IM5,

- See site plan, Ops manual, landscaping plan
- Noise compliance will be maintained by periodic testing of decibel levels if required

SAFETY ELEMENT

14.1 Purpose

The purpose of the Safety Element is to reduce the risk of death, injuries, property damage, and economic and social dislocation resulting from earthquake, fire, flood, and other hazards. The components of this element include

- Geologic/Seismic Hazards
- Flooding and Drainage
- Fire Hazards
- Airport Safety
- Industrial Hazards
- Emergency Management

14.3 Background

Hazard and Risk Reduction

Land development is subject to a number of hazards to life and property, including seismic and non-seismic land instability, flooding, fire, and dangers from airport operations.

- Land use designation of proposed MH limits exposure to hazardous areas and conditions
- Engineered building plans will incorporate proper design and functionality to adhere to standards needed to mitigate exposure to the listed known hazards
- Not in a FEMA flood zone
- Not in 100 or 500 year flood zone
- Property is not exposed to high pressure river activity due to its geographical location

Drainage Management

Background

- Drainage management becomes increasingly important as new development converts additional areas in a watershed to hard surfaces. Impervious surfaces reduce infiltration and increase peak flows during storms.
- Increased peak flows can accelerate erosion and the loss of fish habitat and riparian areas or require the conversion of natural drainage ways into higher capacity conveyances that can more rapidly transport stormwater.

Implementations

- Drainage problems and associated flooding are reduced through this Plan by use of various measures including a buffer zone for flooding
- Landscaping plans include concessions to assist the natural riparian zone
- Engineered buildings are elevated to flood certificate levels to mitigate the threat of or damage from flooding

- Voluntary Watershed management and stream protection, reduction of impervious surfaces, proper siting of development projects, and other similar measures mitigate and improve water management in all areas
- See site plan, see landscaping plan, see LSAA

Airport Safety

- Out of the counties designated airspace zone
- See airspace control document attachment K

Fire Hazard site is in

- In a Severe Zone
- In a Cal Fire SRA
- Adjacent property is the location for the Van Duzen volunteer fire department
- Cal Fire and US Forestry are within 5 miles of location
- Onsite water storage devices are equipped with emergency water access equipment

Industrial Hazards

- Hazardous materials and handling plans are located in the Ops Manual
- MSDS sheets and storage facilities are provided for all chemicals onsite
- Contingency plans are in place for emergencies
- Under California Health and Safety Code section 25404 et seq., any business that handles hazardous materials at any time, in a quantity equal to or greater than: a total weight of 500 pounds, a total volume of 55 gallons, or 200 cubic feet of gas at standard temperature and pressure must report these activities via the California Environmental Reporting System (CERS) at www.calepa.cers.ca.gov.
- Businesses that treat hazardous waste have the same requirements.
- See ops manual and site plan

Emergency Management

- Trinity County Sherriff is within 10 miles
- Humboldt Sherriff is located 40 miles away
- State Highway patrol are local
- Deputies reside locally
- US Forestry is within 5 miles
- Local medical clinic is within 5 miles

14.4 Goals, Policies and Standards

S-G1- G7

S-P1, P3 - P5, P7, P9, P11, P15, P17, P19, P23 - P27, P28, P32-P36

- Land use, engineered designs mitigate potential for loss of life and property from natural disasters
- Emergency evacuation plans and education are in place
- Facility is outside of the flood plain defined in the water element, however improvement designs include flood certification levels
- All buildings are engineered for applicable hazards
- Natural drainage, concession area for flood mitigation, watershed and aquifer health are included in plan
- Fire risks are planned for
- Outside of the airport zone
- Land Use, project designs, hazardous chemicals used are easily mitigated in emergencies
- Only manageable chemicals are used to mitigate emergencies from petroleum products
- Proposed development does not create nor significantly contribute to or be impacted by geological instability or hazards
- Not in a FEMA zone

- All emergency response groups will be notified and provided resources for proper response to the facility for all hazards relating to each
- SRA area regulations will be voluntarily used
- Landscaping plan dictates that Hazardous fuels are reduced while improving mitigations for other elements
- Native plants will be used in all landscaping and vegetative buffer zones
- Alternative Owner Builder High and Very High Fire Severity Zones. Alternative Owner Builder (AOB) permits for construction of new dwellings in high and very high fire severity zones will comply with the materials and construction methods for exterior wildfire exposures of the California Residential Code (CRC) and chapter 7-A of the California Building Code (CBC) as amended, unless the construction materials can be found to be in substantial conformance with the California Building Codes by the Humboldt County Building Official.

Industrial Development

- Mitigation measures in designs, operations and handling of hazardous products provide sufficient measures to offset increased risks to adjacent human populations and the environment; and
- Increased risks to adjacent human populations and the environment have been adequately reduced by approved disaster response plans and procedures.
- No chemicals will be used that are toxic in their proper handling
- Under California Health and Safety Code section 25404 et seq., any business that handles hazardous materials at any time, in a quantity equal to or greater than; a total weight of 500 pounds, a total volume of 55 gallons, or 200 cubic feet of gas at standard temperature and pressure must report these activities via the California Environmental Reporting System (CERS) at www.calepa.cers.ca.gov. Businesses that treat hazardous waste have the same requirements.

STANDARDS

S-S1, S5, S6, S8-S16, S18, S19

- Soils report is on file
- Voluntary Flood strategies are based on FEMA rate maps. (not in a FEMA zone)
- Flood certificate requires engineered drawings for the improvements
- Flooding and draining are defined in other elements see landscaping plan
- Conformity to SRA fire regulations
- California building codes will be used when differing from the county codes of same
- Pertinent fire codes will be adhered to
- Recent fire severity safety maps are referred to in planning
- Engineered development for handling of toxic, flammable or explosive materials
- Humboldt County Operational Area Office of Emergency Services (OES). Local emergency management and response operations shall be consistent with Humboldt County Operational Area Emergency Operations Plan and Humboldt County Ordinance 2203.
- Consistency with State and Federal Framework. County emergency response efforts shall be consistent with the California Emergency Services Act (California Government Code, Section 8550 et seq.) and the federal National Response Framework (effective March 2008, as amended) and the National Incident Management System (NIMS).

AIR QUALITY ELEMENT

15.1 PURPOSE

The purpose of this Element is to describe the county's existing air quality, sources of air pollution, and strategies for improving air quality. Policies to reduce greenhouse gas emissions and reduce or mitigate affects to the climate are included in this Element.

15.2 Relationship to Other Elements

Air quality considerations, including greenhouse gas emissions, are reflected in policies within the Land Use, s

15.3 Background

Air Quality Standards and Sources of Emissions

As a whole, air quality in this county is better than other parts of the state. Local measurements by the North Coast Unified Air Quality Management District (NCAQMD) reveal that the county currently meets all federal standards for air quality and all state standards except for one pollutant – airborne particles that are 10 microns in diameter and smaller (PM10). Continued review and refinement of national and state standards may require additional control technologies.

Emissions of PM10 come from a number of sources within Humboldt County:

- Stationary sources such as power plants and manufacturing facilities. These sources are not the most significant PM10 contributors locally.
- Area-wide sources in which emissions originate from many points over a wide area. These include emissions from, fireplaces, construction and demolition, road dust, and agricultural operations. Wood stove emissions are a significant source of PM10 emissions during the winter months when the county exceeds PM10 thresholds. Road dust is a significant source during dry months.
- Mobile sources including “on-road sources” such as automobiles, and “off-road sources,” such as farm and construction equipment. Automobiles are significant sources of PM10 locally.
- Natural sources include wildfires, sea salts, windblown dust, and biogenic emissions from plants and trees. Along the coast, sea salts are a significant source of PM10.

- The emissions from stationary sources are subject to General Plan policies if the project requires discretionary land use permits and are followed in this project
- Environmental review of new development requires coordination between NCUAQMD and the County to ensure project conditions are consistent with state air quality laws and to reduce impacts below levels of significance. This Operations Plan supports complimentary policies and supports frequent communication between the County and the NCUAQMD to coordinate efforts, avoid regulatory redundancy and minimize permit costs and delays.
- Area-wide and mobile source emissions are addressed through General Plan policies that target specific sources and are addressed in several sections of the Ops manual
- Transportation policies have been designed to reduce area-wide PM10 levels by reducing both the number of vehicle miles traveled and the number of vehicle trips.
- Grading and road maintenance policies also work to reduce particulates in dust.
- Incentives for energy efficient building construction will be utilized
- Naturally occurring PM10 from wildfires may be reduced by decreasing the occurrence and severity of wildfires by voluntarily reducing fuels onsite and for members
- Provisions in the Forest Resources Chapter and Safety Element support fuel hazard reduction programs
- Green house gas emissions need mitigated county and state wide see traffic in the ops manual
- New development can be planned and distributed in a carbon efficient way and our operations plan and supporting documents provide our path forward.
- Land Use siting and design of projects can reduce GHG associated with energy, water, waste and vehicle travel. Hence the location chosen for this project and the GP Amendment applied for needs to be approved in a fast track way

15.4 GOALS POLICIES AND 15.5 STANDARDS

AQ-G1-G4,

AQ-P1, P2, P5- P8, P11, P13- P17

AQ-S1-S6

- No air pollution is provided in project activities
- Air quality standards are planned for
- Gasses used are closed loop systems
- Carbon filtration will be utilized to reduce or mitigate any odors produced by operations
- Project mitigates GHG through multiple elements

- Circulation mitigation figures reduce miles traveled by operators by nearly 1.5 million miles a year
- Site does not create a hot spot for air pollution
- All dust control and grading shall meet NCAQMD Standards
- Designs and operations are planned to achieve standards set by NCAQMD
- Vegetative buffers provide adequate reductions in air pollution
- Fire safety response emergency equipment will be provided to decrease fire threat
- Biomass energy will be reviewed when feasible
- Alternative energies will be reviewed when feasible
- Energy efficient building designs are engineered
- Electric vehicle accommodations will be provided
- Preservation and Replacement of onsite trees that meet SRA guidelines will be used
- When considering buffers between new commercial and industrial sources of emissions and adjacent land uses these sources will be referred to: California Air Resources Board's Air Quality and Land Use Handbook: A Community Health Perspective and NCAQMD recommendations.
- Land Use mitigates nuisance levels on all elements

15.6 Implementation Measures

AQ-IM3, IM6

- Mitigation of Carbon emissions through proper planning and operations
- GHG are mitigated and defined in several elements

Action Plans

- No geologic impact
- 70% will be implemented immediately on permit approval and activity
- Use type petitioned for

Heavy Industrial. The Heavy Industrial Use Type refers to industrial plants engaged in manufacturing, compounding, processing, assembling, packaging, treatment or fabrication of materials and products, electrical generation and distribution, and pulp mills, but excludes activities included within the Hazardous Industrial Use Type.

5. Zoning

PRINCIPAL ZONES - INLAND		
ZONE DISTRICT	DESIGNATION	CODE SECTION
COMMERCIAL		
Neighborhood Commercial	C-1	314-2.1
Community Commercial	C-2	314-2.2
Industrial Commercial	C-3	314-2.3
Highway Service Commercial	CH	314-2.4
INDUSTRIAL		
Business Park	MB	314-3.1
Limited Industrial	ML	314-3.2
Heavy Industrial	MH	314-3.3
PUBLIC		
Airport	AV	314-4.1
NATURAL HAZARD/FLOOD		
Design Floodway	DF	314-5.1
Flood Plain	FP	314-5.2
RESIDENTIAL		
Residential Suburban	RS	314-6.1
Residential One-Family	R-1	314-6.2
Residential Two-Family	R-2	314-6.3
Residential Multiple Family	R-3	314-6.4
Apartment Professional	R-4	314-6.5
Rural Residential Agricultural	RA	314-6.6
RESOURCE		
Agriculture Exclusive	AE	314-7.1
Agriculture General	AG	314-7.2
Forestry Recreation	FR	314-7.3
Timberland Production	TPZ	314-7.4
UNCLASSIFIED		
Unclassified	U	314-8.1

6.2 COMBINING ZONES

In addition to the principal zones, certain "Combining Zone" regulations are hereby established as follows, and in the sections entitled "Special Area Combining Zones," in Chapters 3 and 4 of this Code. All uses and development regulations of the Principal Zone shall apply in the Combined Zone except in so far as they are modified or augmented by the uses and regulations set forth in the Combining Zone regulations. (Former Section INL#313-2, 315-1; CZ#A311-7 (B), CZ#A313-44; Ord. 519, Sec. 501, 5/11/65; Ord. 1705, 9/10/85; Ord. 1800, Sec. 4, 6/23/87; Amended by Ord. 2214, 6/6/00)

314-8 UNCLASSIFIED ZONE REGULATIONS

314-8.1 U: UNCLASSIFIED ZONE

As provided in this Code, all of the unincorporated area of the County not otherwise zoned is designated as the Unclassified or U Zone. This area has not been sufficiently studied to justify precise zoning classifications. The following Code sections have been adopted to protect the health, safety and general welfare of the citizens and to insure orderly development in

conformance with the General Plan. (Former Section INL#314-2(a); Ord. 894, Sec. 1,

314-8.1 U: UNCLASSIFIED ZONE	
Principal Permitted Uses	
One-family dwelling. General agriculture.	
Rooming, and boarding of not more than two (2) persons.	
Manufactured home.	
Uses Permitted with a Use Permit	
All other uses not specified in the subsection Principal Permitted Uses may be permitted upon the	
Other Regulations for All Permitted Uses	
Minimum Lot Area	6,000 square feet.
Minimum Lot Width	Fifty feet (50').
Maximum Lot Depth	Three (3) times the width.
Minimum Lot Depth	One hundred feet (100').
Minimum Yard Setbacks*	
Front	Twenty feet (20').
Rear	Ten (10) feet.
Side	Five (5) feet.
Minimum Distance Between Major Buildings	Twenty feet (20').
Maximum Ground Coverage	Forty percent (40%).
Maximum Building Height	(None specified.)
Other Regulations for Uses Permitted with a Use Permit	
The building height, site area, setbacks and other requirements for all other uses shall be as required by the Planning Commission in the granting of a Use Permit.	

*Note: Setbacks may be modified by other provisions of this Code or State law. For example, see Section 314-22.1, "Alquist-Priolo Fault Hazard" and the "Fire Safe" Regulations at Title III, Division 11. (Former Sections INL#314-2(b)(1-4); INL#314-2(c); INL#314-3(a)(1-4); INL#314-3(b))

314-6.6 RA: RURAL RESIDENTIAL AGRICULTURE

Principal Permitted Uses. The following use types are permitted pursuant to the Development Permit Procedures in Chapter 2 of this Division. (Former Section INL#314-20; Added by Ord. 2205, Sec. 4/1 2205, Sec.

314-6.6 RA: RURAL RESIDENTIAL AGRICULTURE	
Use Type	Principal Permitted Use
Residential Use Types	Single Family Residential Second Residential Unit (Amended by Ord. 2167, Sec. 16, 4/7/98)
Civic Use Types	Minor Utilities
Agricultural Use Types	General Agriculture
Industrial Use Types	Cottage Industry; subject to the Cottage Industry Regulations (Amended by Ord. 2167, Sec. 16, 4/7/98)
Use Type	Conditionally Permitted Use
Residential Use Types	Guest House
Civic Use Types	Essential Services Community Assembly Public Recreation and Open Space Solid Waste Disposal; subject to the Solid Waste Disposal Regulations Oil and Gas Pipelines; subject to the Oil and Gas Pipeline Regulations Major Electrical Distribution Lines; subject to the Electrical Distribution Regulations
Commercial Use Types	Neighborhood Commercial Bed and Breakfast Establishment; subject to the Bed and Breakfast Establishment Regulations Private Recreation
Agricultural Use Types	Stables and Kennels
Commercial Timber Use Type	Timber Production
Extractive Use Type	Surface Mining - 2; subject to the Surface Mining Regulations
Natural Resource Use Types	Fish and Wildlife Management Watershed Management Wetland Restoration
Use Types Not Listed in This Table	Any use not specifically enumerated in this Division, if it is similar to and compatible with the uses permitted in the RA zone.

314-32 "Q" COMBINING ZONE DESIGNATIONS

314-32.1 Q – Qualified

The Qualified Combining Zone is intended to be combined with any principal zone in situations where sound and orderly planning indicate that specified principal permitted uses or conditional uses otherwise allowed under the principal zone may be limited or not be allowed with or without a Use Permit, or development standards/restrictions can be added, deleted or modified to implement the General Plan or to implement CEQA mitigation or to limit additional entitlements. The qualified uses shall be specified in the ordinance applying the Q Zone to specific property. (Former Section INL#315-6; Ord. 1103, Sec. 1, 9/21/76, Amended by Ord. 2297; 3/25/03)

32.1.1 Purpose. The Qualified Combining Zone Regulations are intended to be combined with principal zones to help more precisely implement the adopted County General Plan. (Former Section CZ#A313-42(A))

32.1.2 Applicability. The Board of Supervisors, in approving a zone reclassification as allowed by Chapter 2 of this Division, may combine the Qualified Combining Zone with any principal zone. In combining the Qualified Combining Zone with any principal zone, the Board of Supervisors may delete principally permitted uses, conditionally permitted uses, uses permitted with a Special Permit, or accessory uses. The Board of Supervisors may also require Use Permits for principal permitted uses, uses permitted with a Special Permit, or accessory uses. Zone reclassifications to implement the Qualified Combining Zone are subject to making all of the required findings in Chapter 2 of this Division. (Former Section CZ#A313-42(B))

32.1.3 Map Designation. When combined with a principal zone, the Qualified Combining Zone shall be represented on the adopted zoning maps by the Q designator. The Q designator shall immediately follow the Principal Zone designator and the maximum density designator, if applied; or the S designator, if applied. For example: RM-Q, RM-5-Q, RM-5-S-Q. Reference to the specific requirements of any "Q" Qualified Zone is contained on the zoning maps, and the requirements are set forth in the specific ordinances which create each "Q" Zone. (Former Section CZ#A313-42(C))

314-3.3 MH: HEAVY INDUSTRIAL ZONE

The Heavy Industrial or MH Zone is intended to apply to areas devoted to normal operations of industries subject only to regulations as are needed to control congestion and protect surrounding

areas. The following regulations shall apply to all Heavy Industrial or MH Zones. (Former INL#314-46; Ord. 1086, Sec. 12, 7/13/76; Amended by Ord. 2214, 6/6/00)

314-3.3 MH: HEAVY INDUSTRIAL	
Principal Permitted Uses	
Small animal hospitals completely enclosed within a building.	(From Section INL#314-37(b)(2); Ord. 1086, Sec. 8, 7/13/76)
Stores, agencies and services such as carpentry and cabinet-making shops, clothing manufacture, contractors' yards, dry cleaning and laundry plants, handicraft manufacture, lumber yards metal-working shops, wholesale outlet stores, painters' and decorators' yards, plumbing shops, printing, lithographing and major auto repair.	(From Section INL#314-37(b)(3); Ord. 1086, Sec. 8, 7/13/76)
Administrative, business and professional offices.	(From Section INL#314-43(a)(2))
Manufacturing of electrical and electronic equipment, of household effects such as lamps, rugs and fabrics, and research and development laboratories.	(From Section INL#314-43(a)(3))
Animal hospitals and kennels.	(From Section INL#314-43(b)(2))
Animal feed and sales yards.	(From Section INL#314-43(b)(3))
Manufacture of furniture, finished paper and paper products.	(From Section INL#314-43(b)(4))
Industrial manufacturing uses, except as provided in the following subsection, Uses Permitted with a Use Permit.	
Uses Permitted with a Use Permit	
Dwellings, manufactured homes, hotels, motels, emergency shelters, manufactured home parks, and special occupancy parks. (Amended by Ord. 2335, 12/14/04)	
All uses except: One-family dwellings; general agriculture; rooming and boarding of not more than two (2) persons; and manufactured homes. (Former Sections 314-2(c); 314-2(b)(1-4) and 314-46(b)(2))	
Any use not specifically enumerated in this Division, if it is similar to and compatible with the uses permitted in the MH zone.	
Other Regulations	
Minimum Lot Area	One (1) acre. (From Section INL#314-43(c))
Minimum Lot Width	(None specified.) (From Section INL#314-43(c))
Minimum Yard Setbacks*	
Front	Fifty feet (50'); (From Section INL#314-43(c))
Rear	Fifty feet (50'); (From Section INL#314-43(c))
Side	Ten percent (10%) of average lot width but not less than twenty-five feet (25'). (From Section INL#314-43(c))
Maximum Ground Coverage	(None specified.)
Maximum Building Height	Seventy-five feet (75'). (From Section INL#314-43(c))

For example, see Section 314-2.1,

*Note: Setbacks may be modified by other provisions of this Code or State law.

“Alquist-Priolo Fault Hazard” and the “Fire Safe” Regulations at Title III, Division 11. (Former Section INL#314-46(a)(1-3); Ord. 1086, Sec. 12, 7/13/76) (Former Section INL#314-46(b)(1-2); Ord. 894, Sec. 1, 12/19/72; Amended by Ord. 1086, Sec. 12, 7/13/76; Amended by Ord. 2166, Sec. 16, 4/7/98)

6. Physical Building Site Information & Design

The proposed development and operational plans are in conformance with the County General Plan, Building Codes for the County and the State as well as the CMMLUO and State of California's Medicinal and Adult-Use Cannabis Regulation and Safety Act (MAUCRSA). The general plan also provides for special attention to repurposing old industrial locations, especially mill and or timber processing and extraction sites, in order to generate economic activity for the disadvantaged communities who have suffered from the job losses from mill closures in the past. The proposed development is consistent with the purposes of the existing zone in which the site is located; The proposed development is actually repurposing of a mill which as history shows was a timber processing and extraction facility that provided for the community's resource industry including timber or agriculture production needs in its prior use. The proposed development will also bring the parcel into compliance as it relates to the county standards.

The proposed development conforms with all applicable standards and requirements of these regulations and its maintenance or operations will not be detrimental to the public health, safety, or welfare; or materially injurious to property or improvements in the vicinity.

Prior use was a mill site with a land Use of Industrial for processing and production use for timber (for the local community in which it was strategically placed to process and produce lumber and other agricultural products from local operatives and handle the products production and waste (which included a teepee burner). project is proposing to provide compliant intake, production, distribution and waste management for the cannabis community that is present in the surrounding area of facility.

Emergency procedures are in place for seismic, flooding and other potential disasters other than asteroids.

General protocols & standards implemented in the design of the facility:

1. The physical plant used in the manufacture, packaging, labeling, or holding of cannabis and cannabis-derived products will be suitable in size, construction, and design to facilitate maintenance, cleaning and/or sanitizing, as applicable to the operation.
2. There will be adequate space for the orderly placement of equipment and materials to prevent contamination, mix-ups of components, packaging components, in-process materials, cannabis, or cannabis-derived products during manufacturing, packaging, labeling, or holding.
3. The facilities are designed to reduce the potential for contamination of components, packaging components, cannabis, cannabis-derived products, or contact surfaces, with microorganisms, chemicals, filth, or other extraneous material. The design and construction include:
 - a. Floors, walls, and ceilings that can be adequately cleaned and kept clean and in good repair;
 - b. Fixtures, ducts, and pipes that do not contaminate components, packaging components, in-process materials, cannabis or cannabis-

derived products, or contact surfaces by dripping or other leakage, or condensate;

- c. Aisles or working spaces between equipment and walls that are adequately unobstructed and of adequate width to permit all persons to perform their duties and to protect against contamination of components, packaging components, in-process materials, cannabis or cannabis-derived products, or contact surfaces with clothing or personal contact.
4. Safety-type light bulbs, fixtures, skylights, or other glass or glass-like materials will be used when the light bulbs, fixtures, skylights or other glass or glass-like materials are suspended over exposed components, packaging components, in-process materials, or cannabis or cannabis-derived products, unless the physical plant is otherwise constructed in a manner that will protect against contamination of components, packaging components, in-process materials, or cannabis or cannabis-derived products in case of breakage of glass or glass-like materials.
 5. There are separate or defined areas, or other control systems such as computerized inventory controls or automated systems of separation, to prevent cross-contamination and mix-ups of components, cannabis, or cannabis-derived products during any of following operations that take place in the physical plant:
 6. Receipt, identification, storage, and withholding from use of quarantined components, packaging components, in-process materials, cannabis, or cannabis-derived products pending disposition by quality control personnel;
 7. Storage of approved components, packaging components, cannabis, or cannabis derived products
 - a. Storage of rejected components, packaging components, in-process materials, cannabis, cannabis-derived products, and cannabis waste pending return to their supplier or destruction;
 - b. Storage of in-process materials pending normal further processing;
 - c. Storage of components, packaging components, in-process materials, and products pending reprocessing;
 - d. Manufacturing operations;
 - e. Packaging and labeling operations;
 - f. Separation of the manufacturing, packaging, labeling, and holding of different product types including different types of cannabis or cannabis-derived products and other products handled in the same physical plant;
 - g. Performance of laboratory analyses and storage of laboratory supplies and samples, as applicable;
 - h. Cleaning and sanitation of contact surfaces.
 6. Water will be provided that is:
 - a. Safe and sanitary, at suitable temperatures, and under pressure as needed, for all uses where water does not become a component of the cannabis-derived product; and
 - b. Compliant with applicable state and local potable water requirements and with other requirements as necessary to ensure the water does not contaminate the cannabis-derived product, for all uses where such water may become a component

of the cannabis-derived product, e.g., when such water contacts components, packaging components, in-process materials, cannabis or cannabis-derived products, or any contact surface.

7. Heating, ventilating, cooling, and air filtration will be installed and maintained in the physical plant as needed to ensure the quality of the product.
8. Ventilation equipment such as filters, fans, exhausts, dust collection, and other air-blowing equipment must be provided in areas where odors, dust, and vapors (including steam and noxious fumes) may contaminate components, packaging components, in-process materials, cannabis or cannabis-derived products, or contact surfaces.
 - a. When fans, compressed air, or other air-blowing equipment are used, such equipment will be designed, located, and operated in a manner that minimizes the potential for microorganisms and particulate matter to contaminate components, packaging components, in-process materials, cannabis, cannabis-derived products, or contact surfaces.
 - b. Equipment that controls temperature, humidity, and/or microorganisms must be provided, when such equipment is necessary to ensure the quality of the product.
9. The plumbing in the physical plant will be of an adequate size and design and be adequately installed and maintained to:
 - a. Carry sufficient amounts of water to required locations throughout the physical plant including fire safety systems and service access sites
 - b. Properly convey sewage and liquid disposable waste from the physical plant;
 - c. Avoid being a source of contamination to components, packaging components, in-process materials, cannabis or cannabis-derived products, water supplies, or any contact surface, or creating an unsanitary condition;
 - d. Provide adequate floor drainage in all areas where floors are subject to flooding-type cleaning or where normal operations release or discharge water or other liquid waste on the floor; and
 - e. Not allow backflow from, or cross connection between, piping systems that discharge wastewater or sewage and piping systems that carry water used for manufacturing cannabis-derived products, for cleaning contact surfaces, or for use in bathrooms or hand-washing facilities.
10. Personnel will be provided with adequate, readily accessible toilet facilities:
 - a. Maintained in a clean and sanitary condition;
 - b. Adequately stocked with toilet paper, soap, and single use paper towels or other drying devices;
 - c. Kept in good repair at all times;
 - d. Equipped with signage advising personnel of the necessity of washing hands prior to returning to work;
 - e. Prohibited from being used for activities that support production operations, such as cleaning of production equipment or utensils.
11. Airborne contamination from toilet facilities will be prevented from contacting components, packaging components, in-process materials, cannabis, cannabis-derived products, or contact surfaces, for example by providing adequate physical separation of toilet

facilities from manufacturing, packaging, labeling, and holding operations, or by use of negative air pressure within the toilet facility.

12. Adequate and convenient hand-washing facilities will be provided that are:
 - a. Provided with running water of suitable temperature;
 - b. Provided with effective hand cleaning and/or sanitizing preparations and single use paper towels or other drying devices;
 - c. Located at points in the facility where good sanitary practices require personnel to wash their hands;
 - d. Prohibited from being used for activities that support production operations, such as cleaning of production equipment or utensils.
13. Adequate lighting will be provided in:
 - a. All areas where components, packaging components, in-process materials, cannabis, or cannabis-derived products are examined, manufactured, packaged, labeled, or held;
 - b. All areas where contact surfaces are cleaned; and
 - c. Hand-washing areas, dressing and locker rooms, and toilet facilities.

More specific information related to each of these areas can be found in their pertinent section(s) of this manual.

7. Environmental Management Summary: Protection & Mitigation (All)

The use of the General Plan Goals and Standards, IS/MND, CEQA and NEPA will provide the outline for a SENSIBLE environmental plan for parcel and project.

Background

Environmental and Economic damage and non-compliant operations are present throughout the county regarding cannabis cultivation, processing, manufacturing, testing, waste and distribution. The lack of the commercial processes applied for is currently creating bottlenecks within the production chain, regulatory control and accountability.

It is vital this project be fast tracked in order to begin mitigating non-compliant operations and their damaging affects.

Summary

- Sensi Valley has contracted and engaged with licensed professionals and industry leaders to develop comprehensive operating procedures and studies to ensure we are compliant with CEQA and other State and county environmental requirements.
- There are no CEQA checklist items triggered with this project development and operation.
- Phase I ESA showed no REC's (Attachment E)
- A Biological Assessment is attached (Attachment F)
- Airspace Certification is (Attachment I)
- Reductions and Mitigations are also detailed within this document
- Substantial evidence exists that provides plausibility this project will mitigate the Negative Dec on many fronts for the project itself and the members of the cultivation permit group serviced by this location
- The area is a known industrial and heavy commercial location for the community of Dinsmore, Mad River as well as Southern Trinity County
- The parcel was clean closed in 2003 By the Humboldt County DEH.
- Multiple EIR reports for the area have been reviewed for further guidance
- No archeological impacts are present as accounted for by past studies
- No Native American impacts are present as accounted for by past studies
- On the east and west sides of the parcel there are Heavy industrial, mining and heavy commercial locations including critical facilities with hazardous waste, a heavy industrial contractor with hazardous material and waste, a riverbed mining operation, an auto dismantler, volunteer fire department, a forest ranger camp, a mobile home park and retail outlets, most of these establishments maintain extremely heavy traffic, noise, air and light pollution. It is the "urban" area of this rural community.
- The parcel is located outside of the Scenic Waterway and Wildlife area and is not in a critical management area according to records. However, measures are included to insure harmony within all elements of the General Plan (See Landscaping Plan Attachment J)
- The project is not within a scenic highway designated area however visual buffers will be provided to enhance the view of passersby as well as provide benefits to the project as it relates to the GP
- There are no endangered vegetation or species present according to the Biological Resource maps and past EIR's
- There has not been and will not be cover for rodents that provide food for animals nor does cement, sand and stone provide an environment that supports natural growth.

- There is no indication that the development of this parcel will affect any endangered animal or plant and/or its habitat.
- NSO activities are accounted for.
- The parcel does not abut to the Van Duzen river
- Alternative energy sources will be researched to utilize waste from the production to utilize resources completely according to the General Plan guidelines.
- No in-water or SMA work within the Van Duzen River will be conducted as part of the project.
- The facility provides year-round employment as well as compliant areas for commercial productions mitigating the environmental pressure caused by transient workers and the challenges they pose when operating without compliant facilities.
- The facility is located directly off of Highway 36 reducing travel on mountain roads causing unwanted discharge and wear and tear on unpaved roads.
- Air, sound and light pollution are mitigated utilizing designs to insure the production and its operations and any air, sound or light pollution are all maintained onsite.
- The 15' multi tiered buffer zone will be used along the entire property boundary.
- The buffer zone will provide air, noise, visual, discharge, storm water run off, flooding and security benefits

Environmental Procedures (Facility Wide)

Employee and Operations

- 2-3 shift work schedule is requested to provide for part time laborers during peak season
- Reduce traffic congestion
- Reduce need for employee utilities (bath and parking)
- Phase 1- 25 employees with peak included
- Phase 2- 49 employees with peak included(max)

Green landscaping solutions

- Biological landscaping to provide segregation between nature and facility
- Reseeding
- Swales
- Irrigation using treated, recycled grey water
- Light shrouding to reduce control lightpollution
- Vegetative buffer zone for Noise, Air, Discharge, flood and aquifer health

Water

- Ample storage for all proposed activities
- Zero wastewater discharge goal with closed loopsystems
- Low flow toilets and other water conserving devices
- Setbacks from the Van Duzen waterway are strictly followed using the berm as a natural buffer

Air Quality

- Dust control for all operations
- Odor is maintained via setbacks and zoning
- HVAC systems using commercial grade filtration systems
- Closed loop extraction systems reduce non-compliant abuse of Butane, alcohol etc.

Noise

- Less impact than prior historical usage
- Sound control measures will be implemented to mitigate sound
- Reduce non-compliant generator use by operatives by providing Nursery services
- DB levels will be below the regulated thresholds

Energy, Alternative Energy

- Generator for backup/emergency use only (Natural Gas/Propane)
- All utilities on automatic control systems
- Wind and solar options will be explored
- CHP provides thermal energy and geothermal for water and power
- Clean burning generator will be used during power outages
- Light shrouding to reduce external pollution

Hazardous, Refuse and other Waste

- Reduce non-compliant operations in non-compliant areas of the County
- Waste reduction in all categories by reducing non-compliant operations
- Chemical storage and handling procedures including identification and MSDS
- Assigned area for shipping and receiving
- All applicable standards for handling and storage of solids and gasses
- Licensed third-party waste management secured to haul and manage waste

Recycling agriculture waste

- All plant matter will be used to extract ethanol from the plant
- Ethanol will then be used to extract the plant matter desired for manufacturing
- All matter left after these operations will be used to make pots for the nursery. Resulting in a zero waste system
- Any other matter will be composted on site and used for landscaping the property to help maintain compliance with Section 10.7.4

Fire

- Emergency Access is provided including compliant turnarounds
- Strategic Hydrant placement for emergency access
- All codes are adhered to for compliance with governing fire marshal
- Fuel management protocols are compliant
- Irrigation and fuel distance defense measures are in place

8. Utilities

Project design will continue to consider the effects to utilities. Conflicts with existing utilities will be minimized in design to the extent practicable. Coordination will continue with PG&E to ensure all conflicts are identified in design and necessary utility relocations are scheduled to minimize potential service disruptions. It is anticipated that relocated utilities can be accommodated within the project area surveyed for environmental resources and impacts associated with the relocation are similar in scope and nature to the environmental effects included in the historical and current EA/IS/MND. No additional avoidance, minimization, and/or mitigation measures for individual environmental resources related to utility relocation only have been identified thus far.

A Transitional Management Plan is being developed and implemented that will identify and provide compliant guidance for the improvement of the existing parcel for the applied for project

Visual and Aesthetics

Implementation of the following additional measures would help offset the adverse visual changes that would result from the proposed improvements:

- Minimize removal of trees and native vegetation to the extent practicable.
- Visual buffers and concession areas will be properly placed and kept
- Select material, color, and texture of treatments of all structures will be selected to blend with the natural environment.
- Aesthetic measures and buffers will be determined during final design by a qualified landscaper.
- Re-vegetate all disturbed land that is capable of sustaining vegetation with native vegetation and non- fuel for fire.
- Fencing and screening will be complemented to provide visual buffers that coincide with the natural surroundings
- All Elements will be addressed and negative impacts mitigated during the transitional period

Floodplain Development

The site is not in a FEMA flood zone, a 100 or 500 year flood zone. It is in a Flood awareness area. Nevertheless, Sensi Valley has had flood levels surveyed and a flood plain development report has been completed to provide sufficient evidence that demonstrates the projects activities will not put people or natural resources at risk from flooding. See Appendix D.

Geology and Soils: Grade is flat

Paleontological Resources

The following measures will be implemented:

- No native soils exist
- Paleontological Resources have not been identified and documented in past EIR's of the area
- Location will be monitored during construction for unanticipated discoveries.
- See Appendix C.

9. Circulation

Sensi Valley is located directly on State Highway 36, which is designed and maintained to support emergency vehicles, large construction vehicles and delivery trucks, and significant traffic.

All paved and unpaved driveways on Sensi Valley's property that will be used for business will meet the CA Fire Safe Regulations include the driveway being a minimum of 10 feet wide with 14 feet unobstructed horizontal clearance and 15 feet of vertical clearance, a turnaround point near the midpoint, and a turnaround at the end.

The main entrance which will be secured by gate is located over 200 feet from the road turnoff (CA Fire standard is 30 feet) on St Hwy 36, thus giving ample space for vehicles to pull on to the property and not interfere with traffic on the highway. The gate entrance will also meet CA Fire Safe Regulations and be a minimum of 2 feet wider than the width of the traffic lane(s) serving that gate and a minimum of width of 14 feet unobstructed horizontal clearance and 15 feet vertical clearance.¹

Sensi Valley anticipates having a positive impact on State Highway 36 by reducing the overall traffic particularly related to the cannabis industry. Currently, growers work independently from each other and thus each grower makes multiple trips to and from his buyers, and/or distributors coming out to their properties. By having one centralized location that is so close to the farmers that will be patronizing product, there will be less traffic.

Sensi Valley will coordinate Distributor Transportation for pick up of product and will pre-arrange pick-up and delivery times to ensure that a large number of vehicles are not arriving on site at the same time as well as stagger start and end times of employee shifts. Sensi Valley intends to hire as many local employees as possible which will not only reduce traffic and the carbon footprint but also increase the well-being of the local community. For employees that live further away, Sensi Valley will identify and secure nearby housing options, especially during peak season. Sensi Valley will also implement a carpool incentive for all employees to reduce traffic and our carbon footprint.

Anticipated traffic load:

- Harvest times: 200 growers patronizing product with pick up or drop off of product twice per year within two 30-day harvest windows (July and Oct/Nov) equals an average of 7 people per day driving an average of 20 miles one-way during these months. (16,000 miles)
- Nursery: 200 growers picking up clones at the start of the season over a 3-month window (Feb/Mar/Apr) equals an average of 2-3 growers per day driving 20 miles one-way (16,000)
- Additional member/grower trips for educational seminars, administration, testing, etc., average 4 trips x 200 grower-members = 800 trips (32,000 miles)
- Regulator inspections: 12 visits a year (from Eureka ~120 miles' roundtrip; 1,440 miles total)
- Equipment maintenance: 3 vehicles a month (from Eureka, 4,320 miles total)
- Employees: Estimated 25 employees per day per shift, plus a maximum of 10 additional employees per shift during peak season (Oct/Nov/Dec)

¹ http://www.fire.ca.gov/fire_prevention/downloads/Title_14.pdf

Traffic Comparison (Based on 200 growers patronizing their crop to Sensi Valley)

Purpose	Pre-Sensi Valley	With Sensi Valley	Difference
Nursery: Pick up of Clones	2 RT to Eureka (120 mi) 48,000	2 trips to SV: 16,000	-32,000 miles
Post-Harvest: Product Drop-off/Pick-Up	n/a	16,000	16,000 miles
Distribution/Sale of product	4-8 trips to various buyers around CA (or further); 180,000	1 weekly pick up by distributor from SF = 31,200	-148,800 miles
Supplies	1 trip/week to Eureka: 1,248,000	2 trips/week to Eureka: 12,480	-1,235,520 miles
Lab Testing	1 test per season from Eureka = 24,000	Weekly trip from SF: 30,000	6,000
Employees	Unknown; impact of transient, migratory was significant & detrimental (250,000)	50/day driving 20 miles = 250,000	0
TOTAL	1,750,000	355,680	1,406,320 miles saved via Sensi Valley's facility

Human Trafficking

By removing the need for transient employees in remote locations throughout the forests of the area, this project will certainly reduce the human trafficking and abuse conditions that plague the area and industry by providing a commercial location with year round employees.

10. Air Quality

All operations will comply with the Public Health and Safety Chapter Practical measures to control dust, such as irrigation of construction areas, will be incorporated into the plans and specifications for the construction phase of the project in accordance with NCUAQMD rules and regulations.

All construction contractors will be required to adhere to the following additional measures to reduce dust, ozone precursors, carbon monoxide, as well as toxics as a result of construction activities:

- Ensure that all construction equipment is properly tuned and maintained.
- Noise
- All operations will comply with the Public Health and Safety Chapter
- Use existing power sources or clean-burning fuel generators rather than temporary power generators.

The following minimization measures will be employed to minimize short-term construction-related impacts:

- The contractor will be restricted to not exceed 85 dBA at 50 feet from the job site between the hours of 9 pm and 6 am.
- All equipment shall be fitted with adequate mufflers according to manufacturers' specifications.
- Adjacent residences to project construction activities will be notified in advance of construction work.

Natural Communities

The following measures will be implemented to avoid or minimize potential adverse impacts to natural communities. The following standard management requirements will be implemented to prevent introduction of noxious weeds:

- All heavy equipment will be cleaned prior to entering the project area;
- All open-bodied trucks entering the project area will be covered when loaded; and
- All imported plant material used for erosion control and road maintenance will be certified weed free.

Wetlands and Other Waters

No wetlands are present

Avoidance and minimization efforts will be detailed in full within the permit application.

Plant Species

The measures identified above in the Natural Communities section would also apply to plant species. In addition, the following measures have been developed to avoid or minimize potential adverse impacts to vegetation.

Landscaping will adhere to scenic waterway and roadway guidelines even though project is without

these designated areas. Existing vegetation will be left as is as much as possible. Additional native species, such as cottonwoods, alders, and willows will be planted to further beautify the site, increase natural habitats for animals, create a dual canopy layer, and mitigate flood risk.

Animal Species

The project will adhere to the following measures to avoid or minimize potential adverse impacts to animal species.

- See Biological assessment
- No "Suitable habitat trees" are present

Threatened and Endangered Species

- See Biological Assessment

Sensi Valley shall provide the following:

- As described in most biological Opinions, any dead or injured NSO must be reported to the USFWS Law Enforcement Division (916-414-6660), or to the Arcata Fish and Wildlife Office (707-822-7201), as soon as possible, and turned over to the Law Enforcement Division or a game warden or biologist of the California Department of Fish and Wildlife for care or analysis. The USFWS is to be notified in writing within three working days of the accidental death of, or injury to, a NSO, or of the finding of any dead or injured NSO, during implementation of the proposed project. Notification must include the date, time, and location of the incident or discovery of a dead or injured NSO, as well as any pertinent information on circumstances surrounding the incident or discovery. The USFWS contact for this written information is Bruce Bingham, Field Supervisor, Arcata Fish and Wildlife Office.

Invasive Species

The project will adhere to the following measures to avoid or minimize potential adverse impacts associated with the spread of invasive plant species.

The following standard management requirements will be implemented to prevent introduction of noxious weeds:

- All vehicles and equipment entering the project area must be clean of noxious weeds and may be subject to inspection. All construction equipment will have washed to thoroughly remove all dirt, plant, and other foreign material prior to entering the project area.
- All open-bodied trucks entering the project area will be covered when loaded; and
- All imported plant material used for erosion control and road maintenance will be weed free. Vegetative buffer area will utilize local species
- See attached Biological assessment

11. Water Management

Water source(s)

At the Sensi Valley facility there will be two primary water sources available, a permitted well and rainwater catchment from plumbed rooftops and impermeable surfaces. Diversion to storage via the on-site permitted well during the non-forbearance period may also act as an alternative means to meet any unforeseen demands.

Type, location and capacity of existing and proposed water storage

- On-site well from which 500 gallons per day can be utilized from May 15 to October 15 (Forbearance Period). An amendment to our LSAA has been proposed and approved by CDFW increasing the maximum usage to 500 gallons per day during the Forbearance period. The maximum instantaneous diversion rate from the water intake shall not exceed 20- gallons per minute during the low flow forbearance period or at any time of year;
- An above-ground water storage system will be constructed on the site (see site plan) with a capacity of 200,000 to 400,000 gallons (see Site Plan I); will be developed and scaled as needed.
- Rain catchment can be captured and stored in the same scalable storage tanks.
- When we filter/treat for drinking use, we will meet or exceed potable water standards for California and ANSI.
- All systems will be installed and have NSF certifications (NSF 40, 55, 61, 350 Direct, IATMO 59)
- Any grey water not recycled for the projects operations will be utilized for irrigation to maintain a healthy landscape and visual buffer for the parcel and project.
- Camel Water is the contractor for the complete water systems for this project.

Water Quality and Storm Water Runoff

The project will incorporate treatment BMPs that will be implemented to target the areas of concern in the storm water runoff from the project area and where feasible and treatment Control BMPs would be incorporated. Implementation of Treatment Control BMPs would mitigate adverse impacts to water quality from facility construction and operation. BMPs aimed to minimize impacts before and during construction are listed below:

- Determinations of impervious surface area have been accounted for and low impact development such as gravel will be used
- The flood plain certificate will dictate the before and after impervious surface areas
- Area beyond the construction limits will not be disturbed. Trees, shrubs or vegetated areas temporarily damaged by construction operations will be re-vegetated.
- Visual buffers will be provided to meet more stringent scenic water and roadway guidelines
- Certified weed-free permanent and temporary erosion control measures to minimize erosion and sedimentation during and after construction according to the erosion control plans
- Before grading, all sediment controls around the perimeter of the project, including filter barriers, diversion and settling structures will be constructed.
- Temporary erosion control measures will be maintained in working condition until the project is complete or the measures are no longer needed.
- Any concrete or other waste material removed must be described in a disposal document
- Turf establishment will be applied to finished area

- Ditch areas will be maintained to provide water movement for public health and safety
- Storm water is naturally allowed to filter slowly to the aquifer due to flatgrade and low earth berms or ditches
- Storm water discharge is maintained due to the berm prohibiting discharge into the Van Duzen river
- The buffer zone will utilize Flood-MAR, an emerging water management strategy that could significantly improve water resources sustainability throughout the state. Flood-MAR is an integrated and voluntary resource management strategy that uses flood water resulting from, or in anticipation of, rainfall or snow melt for managed aquifer recharge (MAR) on agricultural lands and working landscapes, including but not limited to refuges, floodplains, and flood bypasses
- Fencing and security locations will provide vegetation to help storm water remain on-site and help with flood control
- All spills of petroleum products, hazardous materials, or other chemical/biological products released from construction related vehicles or equipment, will be properly cleaned up, mitigated and remedied, if necessary.
- In general, when gasoline, diesel fuel, antifreeze, hydraulic fluid or any other chemical contained within the vehicle is released to the pavement or the ground, proper, corrective, clean-up and safety actions will be immediately implemented. All vehicles with load rating of two tons or greater will carry, at minimum, enough absorbent materials to effectively immobilize the total volume of fluids contained within the vehicle.
- Leaks will be repaired immediately on discovery. Equipment that leaks will not be used. Oil pans and absorbent material will be in place prior to beginning repair work. Each contractor will be required to provide the “on-scene” capability of catching and absorbing leaks or spillage of petroleum products including antifreeze from breakdowns or repair actions with approved absorbent materials. A supply of acceptable absorbent materials at the job site in the event of spills, as defined in the SWPPP will be available. Sand and soil are not approved absorbent materials. Soils contaminated with fluids will be removed,
 - Contaminates will be placed in appropriate safety containers, and disposed of according to state and/or federal regulations.
 - Sensi Valley is evaluating other BMPs considering variables such as drainage areas, impact locations and BMP effectiveness, and will include additional BMPs in the final design plans. These BMPs will be implemented as necessary.

Site drainage, including runoff and erosion control measures.

- Existing site drainage has minimal risk to impact surface waters, due to slope less than 5% (toward Van Duzen River), a large earthen berm that separates existing and proposed facilities from the Van Duzen River encouraging hydrologic discontinuity, and highly permeable soils, characteristic of alluvial soils;
- Best Management Practices (BMPs) to reduce runoff and erosion will include: maintaining existing vegetative buffers, developing drainage management areas that would include (i.e.) the use of bio swales, self-retaining areas, encouraging permeable/porous surfaces, bio-stabilization and habitat enhancement by rehabilitation/mitigation, etc.

For detailed water usage chart and net water impact, see Appendix G.

Laboratory use for manufacturing and testing

- 20 hours of operation in a 24-hour period (3 shifts)
- 24,000 of potable water used per day in cooling
- 24,000 gallons discharged and captured with no contamination that needs cooled and repurposed
- Manufacturing activities and the innovative systems will actually help the project create a positive balance of water
- Distillation facilities will be utilized to produce distilled water for specialized manufacturing processes.

Cleaning/Sanitation

- 500 gallons/day
- Discharged with contaminants either acetone and or ethanol, needs captured and repurposed

Employees

- 500 gallons/day. Estimated 10 gallons per employee, up to 49 employees. Low flow toilets and other water conserving devices will be installed to minimize usage.

Indoor Nursery water use

2,500 gpd used in a controlled area.

- 2,500 gallons per day in a completely enclosed area from November to June.
- Needs to be potable preferably with no contaminants harmful to plants.
- Projected water usage for nursery activities will be 0.25 to 1 gallon every 3 days per square foot of nursery and propagation area;
- Climate controlled activities help mitigate waste and there is 0 discharge
- Effluent from nursery activities will be captured, gathered and recycled to minimize risk of nutrient transport to nearby watercourses.

Septic/Waste Water

- A septic plan is included to handle black water waste.
- All applicable water is processed prior to discharged to the septic system.
- Septic is an above-ground mound system
- Grey water will be treated and reused for irrigation
- WRPP and other water management tools will be developed once activity begins.

Does the project implement forbearance?

- Forbearance is required per the CDFW LSAA. See CDFW Lake Streambed Alteration Agreement #1600-2016-0375-R1 Sections 2.2 and 2.4;
- Diversion rate is 20 gallons per minute during the low flow period from May 15th – October 15th of any year;
- Monitoring and Reporting is required by both CDFW and SWRCB;
- Any anticipated storage for water supply during the forbearance period will be implemented utilizing captured rainwater stored within the Rainwater/well water storage tanks(s)

Water management and Fire Safety access

- Emergency water hydrants will be located in strategic locations for emergency water access (from storage location) for internal and external sourcing.

12. ENERGY MANAGEMENT

Sensi Valley seeks to operate in an energy efficient manner that incorporates green technology and minimizes its carbon footprint. This includes:

- Conducting an annual energy audit
- Tracking energy used by all equipment in the nursery, processing, manufacturing, testing and distribution stages.
- Building structures that have proper insulation, and efficient HVAC and lighting systems
- Installing automated lighting and HVAC systems to maximize efficiency
- Utilizing green and alternative energy sources when possible.

The primary source of power is electricity from PG&E. Alternative energy will be produced via a CPH system that utilizes solar, battery and geothermal systems combined with a LP generator for emergency purposes.

Propane or LP gas will be the fuel provided for a back-up generator to be kept in a secure location on-site and to be used only in situations to ensure the security and safety of the site and the protection of the product.

13. SECURITY/FENCING/SCREENING

All buildings will remain locked. All exterior doors will have commercial grade locks. All Employees will have keys or access cards so that they can only access the buildings related to their job functions. All visitors must be buzzed in. All authorized personnel; suppliers and visitors must sign in and out of the premises.

- A secure perimeter may be established around the entire facility to prevent access by unauthorized personnel and protect the physical access to the grounds and buildings.
 - The main entrance/exit gate(s) will remain locked at all times.
 - An alarm system will be turned on when the facilities are not in use and will automatically notify the police and management if the secured perimeter is breached.
 - The supervisor to prevent against theft and loss of cannabis, products, and money will conduct an inventory control at least weekly.
 - All regulations for inventory will be provided.
 - Secure and backed up electronic records will be maintained and will have systems in place to prevent unauthorized access.
 - There will be a complete digital video surveillance system with a minimum camera resolution of 1280x1024 pixels of all building, premises surrounding the facilities, and property entrance/exits. The system shall record all predetermined surveillance areas regardless of lighting conditions and shall be capable of supporting remote access by a supervisor/employee or third party security company. All video surveillance cameras will be installed in a manner that prevents intentional obstruction, tampering with, and/or disabling to the extent reasonably possible while conforming to local and state regulatory requirements. The system shall record continuously 24 hours per day at a minimum of 20 frames per second and shall be kept on the recording device for a minimum of 30 days.
- Areas to be recorded on video are:
- a) any location where cannabis products are weighed, packed, stored, loaded/unloaded, processed, manufactured, and moved between locations
 - b) areas where cannabis is destroyed
 - c) security rooms
 - d) limited-access areas
 - e) areas containing surveillance-system storage devices
 - f) interior and exterior of all entrance and exits to the premises and buildings.

1. Additionally, security guards may be hired or a third party security company may be contracted if needed.
2. Lodging for security personnel is provided on site to ensure security is operational 24/7/365.
3. Value storage and handling protocols are private and held from this document for safety and security reasons

FENCING AND SCREENING

A perimeter fence is not required as all operations are within fully enclosed, secured buildings. However, a perimeter fence may be installed in order to increase security of the facility as well as increase the visual appeal. If/when installed, Sensi Valley will follow the State and County's buffer, fencing and perimeter requirements for cannabis operations while helping to preserve the natural beauty of State Highway 36 that may be designated as a scenic highway in the future.



14. Employee Services

- a. When operating at full capacity, Sensi Valley will employ no more than 49 employees. The full time employees consist of but are not limited to: management & administrative staff, a certified chemist, nursery manager, manufacturing manager, processing manager, and security staff. Additional seasonal and/or part-time staff will be hired during peak season in October through December.
- b. Sensi Valley aims to provide a safe, healthy working environment for all its employees & contractors. All federal and state regulations will be followed in addition to which other best practices will be adopted. Additionally, staff will be given the opportunity to express any concerns and to provide suggestions on how to continually improve the safety and well-being of our operations
- c. As an Agricultural Employer, Sensi Valley will comply with federal and state wage and hour laws, CAL/OSHA, OSHA, California Agricultural Labor Relations Act, and applicable county codes.
- d. 78 Parking spaces and 4 ADA parking spaces are provided with room for growth
- e. Facility requests to operate 3 shifts 24 hours a day reducing the footprint on traffic, the facility and the workloads to help insure quality productions.
- f. Temporary housing for labor has been included in the initial site plan. Sensi Valley will explore on-site and off-site options, including RV parks and houses for rent, as options to provide employees with local housing in order to reduce the traffic impact.

Training & Certifications

All employees will go through a training upon hire that includes:

- Emergency action plans
 - Fire Prevention
 - Hazard Communication Policies
 - Job Hazard Analyses
 - General operations
 - Safety procedures
 - Accident, incident and injury reports and reporting
 - Sustainability standards
 - Product contamination
1. Each employee will receive additional training specific to their job/role including any relevant safety training, company policies, and sustainability standards.
 2. Training will be completed by the employee's supervisor and/or HR and a record will be kept in the employee's file demonstrating that they successfully completed the training(s). All management and supervisors will obtain applicable certifications relevant to their position through the Americans for Safe Access Patient Focused Certification Program or similar program within 180 days of hire.
 3. Sensi Valley encourages the professional development and growth of all its employees and thus will offer opportunities to attend internal and external trainings, classes, and other educational programs. Employees should check with their supervisor before registering to confirm if they are eligible for full or partial reimbursement for conferences, trainings, etc.

15. EMPLOYEE ROLES AND RESPONSIBILITIES

1) OSHA standards and requirements
Director of Operations: Supervises the entire facility and its day-to-day operations
Director of Compliance & Safety: Oversees all compliance and safety for the facility
Nursery Manager: Oversees nursery operations

Processing Manager: Oversees processing operations including intake, bucking, trimming, grinding

Manufacturing Manager: Oversees all manufacturing/extraction operations

Certified Chemist (may be one in the same as the Manufacturing Manager): Oversees the extraction operations

Distribution Manager: Oversees packaging, labeling, lab test sampling, and final distribution of product

General Support staff include: Nursery attendant, intake specialists, trimmers, manufacturing assistants, packaging and labeling assistants, sales team, cleaners, security.

Projects need to tailor the Roles/Responsibilities based on their staffing level

Example of Trimmer Job Description and Responsibilities:

- Responsible for operating the trimmer safely and in accordance with this SOP. Prior to operating any project trimmer, staff will be thoroughly familiar with the operational procedures of that trimmer by carefully reading the instruction manual.
- TRAINING REQUIREMENTS. All project staff required to use a trimmer for the project will have documented safety training as conducted by a knowledgeable user
- PERSONAL PROTECTIVE EQUIPMENT (PPE). PPE for head, eyes, ears, face, hands, legs are designed to prevent or lessen the severity of injuries/contamination and must be inspected prior to each use to ensure it is in serviceable condition. The following PPE is required for during processor use:
 - Head protection: head cap to prevent hair fall into product
 - Eye protection: face shield with safety glasses, or goggles; must have adequate sides, bottom and top protection (ANSI Z87.1 compliant)
 - Long sleeve shirt: reduces exposure to skin from flying debris
 - Gloves: quality non-latex to ensure no contamination, grip, and protection
 - Long pants: sturdy material but non loose/ reduces exposure to skin from flying debris
 - Closed toed shoes: well fitted, to provide ankle protection, non-skid soles adequate for the type of field terrain

PRECAUTIONS:

- Recognize the safety hazards of using a trimmer. Eye injuries are the most common injury for people using trimmers; wear eye protection.
- Lacerations to the user may occur without proper training or accidental incident.
- Back strains occur during prolong use and incorrect bending; adjust chair to a comfortable length to reduce bending over
- Wrist strains are common during prolonged use, use wrist wraps and hand grips for a comfortable hand position

CLEAN UP AND MAINTENANCE:

- After use, inspect tags and ensure completion
- Clean debris off work station
- Inspect, clean, adjust, oil or replace any items/tools as necessary

16. Disease Control

1 Any person who by medical examination or supervisory observation is shown to have, or appears to have, an illness, open lesion, or any other source of microbial contamination presenting a reasonable threat of contamination to cannabis products, contact surfaces or packaging materials shall be excluded from any related operations and contact with products until their health condition is corrected. Employees must report any such health conditions to their supervisors. Any openwounds or infections must be adequately covered to protect the employee and minimize the risk of contamination in the workplace.

Cross-Contamination, Cleaning and Sanitation(All)

Sensi Valley will provide a clean, sanitary environment that is safe for its employees and minimizes the risk of contamination.

All persons working in direct contact with cannabis products, cannabis product-contact surfaces, and cannabis product-packaging materials shall conform to hygienic practices to the extent necessary to protect against allergen cross-contact and contamination of cannabis products while on duty. The methods for maintaining cleanliness include:

- Wearing appropriate outer garments to protect against allergen cross-contact and contamination of cannabis products, contact surfaces, and/or packaging materials;
- Maintaining adequate personal cleanliness;
- Washing hands thoroughly in an adequate hand-washing facility before starting work, after each absence from the work station, and at any time when the hands may have become soiled or contaminated, and sanitizing hands if necessary to protect against contamination with undesirable microorganisms; and/or wearing non-latex gloves
- Removing all unsecured jewelry and other objects that might fall into cannabis products, equipment, or containers, and removing hand jewelry that cannot be adequately sanitized during periods in which cannabis products are manipulated by hand. If such hand jewelry cannot be removed, it may be covered by material which can be maintained in an intact, clean, and sanitary condition and which effectively protects against the contamination by these objects of the cannabis products, cannabis product contact surfaces, or cannabis product-packaging materials.
- Maintaining any gloves, if they are used in cannabis product handling in an intact, clean, and sanitary condition.
- Where appropriate wearing hair nets, headbands, caps, beard covers, or other hair restraints in an effective manner.
- Storing clothing or other personal belongings in areas separate from those where cannabis products are exposed or where equipment or utensils are washed.
- Confining the following activities to areas separate from those where cannabis products may be exposed or where equipment or utensils are washed: eating food, chewing gum, drinking beverages, and/or using tobacco.
- Taking any other necessary precautions to protect against allergen cross-contact and against contamination of cannabis products, cannabis product-contact surfaces, or cannabis product-packaging materials by microorganisms or foreign substances (including perspiration, hair, cosmetics, tobacco, chemicals, and medicines applied to the skin).

Sanitation

1. The grounds of the physical plant must be kept in a condition that protects against the contamination of components, packaging components, in-process materials, cannabis, cannabis-derived products, or contact surfaces. The methods for adequate ground maintenance include:
 - a. Properly storing equipment, removing litter and waste, and cutting weeds or grass within the immediate vicinity of the physical plant so that it does not attract pests, harbor pests, or provide pests a place for breeding;
 - b. Maintaining roads, yards, and parking lots so that they do not constitute a source of contamination in areas where components, packaging components, in-process materials, cannabis, cannabis-derived products, or contact surfaces are exposed;
 - c. Adequately draining areas that may contribute to the contamination of components, packaging components, in-process materials, cannabis or cannabis-derived products, or contact surfaces by seepage, filth or any other extraneous materials, or by providing a breeding place for pests;
 - d. Adequately operating systems for waste treatment and disposal so that they do not constitute a source of contamination in areas where components, packaging components, in-process materials, cannabis or cannabis-derived products, or contact surfaces are exposed; and
 - e. If the plant grounds are bordered by grounds not under the operation's control, and if those other grounds are not maintained in the manner described in this section, care should be exercised in the plant by inspection, extermination, or other means to exclude pests, dirt, and filth or any other extraneous materials that may be a source of contamination.
2. The physical plant must be maintained in a clean and sanitary condition and must be maintained in repair sufficient to prevent components, packaging components, in-process materials, cannabis, cannabis-derived products, or contact surfaces from becoming contaminated.
3. Cleaning compounds, sanitizing agents, pesticides, and other toxic materials must be appropriately stored, handled, and controlled.

Cleaning

1. Cleaning compounds and sanitizing agents must be free from microorganisms of public health significance and be safe and adequate under the conditions of use.
2. Toxic materials must not be used or held in a physical plant in which components, packaging components, in-process materials, cannabis, cannabis-derived products, or contact surfaces are manufactured or exposed, unless those materials are necessary as follows:
 - a. To maintain clean and sanitary conditions;
 - b. For use in laboratory testing procedures, where applicable;
 - c. For maintaining or operating the physical plant or equipment; or
 - d. For use in the plant's operations.
3. Cleaning compounds, sanitizing agents, pesticides, pesticide chemicals, and other toxic materials must be identified, stored, and used in a manner that protects against contamination of components, packaging components, in-process materials, cannabis, cannabis-derived products, or contact surfaces.
4. Adequate pest control must be provided.
5. Animals or pests must not be allowed in any area of the physical plant, except that guard or guide

- dogs may be allowed in some areas of the physical plant if the presence of the dogs will not result in contamination of components, packaging components, in-process materials, cannabis or cannabis-derived products, or contact surfaces;
6. Effective measures must be taken to exclude pests from the physical plant and to protect against contamination of components, packaging components, in-process materials, cannabis or cannabis-derived products, and contact surfaces on the premises by pests; and
 7. Insecticides, fungicides, or rodenticides must not be used in or around the physical plant, unless they are registered with EPA and used in accordance with the label instructions, and effective precautions are taken to protect against the contamination of components, packaging components, in-process materials, cannabis or cannabis-derived products, or contact surfaces.
 8. Trash must be regularly conveyed, stored, and disposed in order to:
 - a. Minimize the development of odors;
 - b. Minimize the potential for the trash to attract, harbor, or become a breeding place for pests;
 - c. Protect against contamination of components, packaging components, in-process materials, cannabis, cannabis-derived products, any contact surface, water supplies, and grounds surrounding the physical plant; and
 - d. Control hazardous waste to prevent contamination of components, packaging components, in-process materials, cannabis or cannabis-derived products, and contact surfaces.
 9. Manufacturing, packaging, labeling, or holding operations must have and follow written procedures for sanitation that address the following:
 - Responsibility for sanitation;
 - a. Detailed description of the cleaning schedules, methods, equipment, and materials to be used in cleaning the grounds and buildings; and
 - b. Records of cleaning and sanitation must be kept.
 10. Manufacturing, packaging, labeling, and holding operations must have and follow written procedures for use of rodenticides, insecticides, fungicides, fumigating agents, and cleaning and sanitizing agents that address the following:
 - a. Prevention of the contamination of components, packaging components, in process materials, cannabis, cannabis-derived products, or contact surfaces; and
 - b. Records of the use of rodenticides, insecticides, fungicides, fumigating agents, and cleaning or sanitizing agents must be kept.
 11. Sanitation procedures must apply to work performed by all personnel during the ordinary course of operations.
 12. All operations must be conducted in accordance with adequate sanitation principles, including, but not limited to:
 - a. Cleaning and/or sanitizing production equipment, containers, and other contact surfaces, as needed;
 - b. Controlling airborne contamination as needed where components, packaging components, in-process materials, product, or contact surfaces are exposed;
 - c. Using sanitary handling procedures.

17. STORAGE, HANDLING, & DISPOSAL OF CHEMICALS & HAZARDOUS MATERIALS

All chemicals, including pesticides, fertilizers, herbicides, manufacturing solvents, are stored per their specified direction. A separate, secured storage shed (Site Plan #8) is available on-site to store most chemicals. Safety data sheets are available for all chemicals and employees receive training and safety information regarding any chemicals they will be using. Lock out tag out will be utilized additionally to insure proper use and administration.

Hazardous Waste/Materials

Sensi Valley's goal is to provide a safe working environment for all its employees and that protects the environment. Specific operating procedures have been adopted to ensure that hazardous materials and waste are appropriately handled, stored, and disposed of. An annual hazard analysis and environmental evaluations will be completed to identify and evaluate known and reasonable, foreseeable hazards on the premises as well as to create a plan to prevent future hazards and mitigate existing ones.

Sensi Valley with follows all standards and regulations set forth by OSHA, EPA, as well as the State and County and any other relevant agencies.

Anticipated hazardous materials kept on-site:

- For manufacturing: Ethanol
- For back-up generator: Natural gas/propane
- For machinery/maintenance & landscaping equipment: Oil & fuel
- For landscaping and nursery use: Pesticides/herbicides/fertilizers

As related to construction/design of the facility:

If any staining within the construction limits, odoriferous scents, or other indication of hazardous material is encountered by the construction contractor, operations at the discovery site will be suspended and FHWA will be immediately notified. Any such discovery will be investigated by qualified personnel and treated in accordance with Federal, State, and local regulations.

Standard best practices will also be implemented during the handling and transport of hazardous materials.

Construction personnel will be trained to recognize signs of possible contamination in soil such as odors and staining. In addition, a materials management plan will be prepared for the project to ensure hazardous materials are handled accordingly if encountered during construction and operation activities.

The flooring will be spill proof for leaks, the spill proofing prevents any chance of ground contamination. The building should be well ventilated, we can put in explosion proof pumps and do all ethanol closed loop for transfer.

Installation of an outdoor storage shed specifically designed for solvents.

Employee training:

All employees will receive job-specific and facility-related training that addresses any potential hazards as well as proper procedures for handling, transporting, storing, and disposing of hazardous materials. This includes but is not limited to:

- Materials handling and hazard communications policies, including maintenance of material safety data sheets (MSDS)
- Personal protective equipment policies
- Emergency procedures
- Reporting incidents/accidents
- Emergency contact list must be visibly posted and maintained which includes at a minimum:
- Operation manager contacts; (2) Emergency responder contacts; (3) Poison control contacts; (4) Fire department contacts; and (5) Spill response team contacts

STORAGE OF CHEMICALS: All chemicals, including pesticides, fertilizers, herbicides, manufacturing solvents, are stored per their specified direction. A separate, secured storage building (Site Plan #8) is available on-site to store most chemicals. Material Safety Data Sheets (MSDS) are available for all chemicals and a copy will be filed with the local fire department.

TRANSPORT OF CHEMICALS: When possible chemicals will be delivered by the company from which they are purchased. If not possible, Sensi Valley will transport any chemicals according to the specific protocol of the given chemical.

HANDLING OF CHEMICALS: All employees will be training on how to properly handle each chemical required by their specific job description including proper personal protective equipment, exposure protocols, how to use, and how to dispose of.

DISPOSAL OF HAZARDOUS WASTE: All hazardous waste will be properly disposed of by the licensed third-party waste management company that Sensi Valley has contracted with and in accordance with EPA, State, and County regulations.

- If any staining within the construction limits, odoriferous scents, or other indication of hazardous material is encountered by the construction contractor, operations at the discovery site will be suspended and FHWA will be immediately notified. Any such discovery will be investigated by qualified personnel and treated in accordance with Federal, State, and local regulations. Standard best practices will also be implemented during the handling and transport of hazardous materials.
- Construction personnel will be trained to recognize signs of possible contamination in soil such as odors and staining. In addition, a materials management plan will be prepared for the project to ensure hazardous materials are handled accordingly if encountered during construction and operation activities.
- No subsurface utilities are present.

Potential hazards include:

1. Biological (microbiological, fungi, insects)
2. Chemical (pesticides, solvents, cleaning agents)
1. Physical (stone, glass, metal shards)

18. WASTE MANAGEMENT

Sensi Valley has secured Eel River Transportation & Salvage (ERTS) in Fortuna, CA, a licensed waste management company, to provide waste management services including but not limited to the disposal of soil, plant waste, concrete and debris, general trash, and hazardous waste. (10) ERTS will be responsible for transporting the waste to their location in Fortuna and will provide Sensi Valley with a weight receipt and any other required documentation.

19. OPERATION PLANS

FACILITY-WIDE PRACTICES & STANDARDS

Sensi Valley has developed best practices and standard operating procedures based on the County and State regulations, observations and recommendations from other cannabis businesses already in operation, cannabis industry professionals, and other similar industry models. Our goal is create a safe, clean environment which fosters high quality work and products and uses systems to ensure consistency and quality.

Machinery, Equipment and Utensils

Sensi Valley will purchase and use commercial grade equipment in all of its facilities. SOPs provided by the specific manufacturer for any and all machinery and equipment will be followed and will become part of Sensi Valley's SOPs. All operations will follow these general protocols related to equipment:

1. Use equipment and utensils that are of appropriate design, construction, and workmanship.
2. Are suitable for their intended use;
3. Can be adequately cleaned and properly maintained; and
4. Does not result in the contamination of components, packaging components, in-process materials, cannabis, cannabis-derived products, or contact surfaces.
5. All equipment and utensils used in production operations will be:
 - a. Installed and maintained to facilitate cleaning of the equipment, utensils, and adjacent spaces;
 - b. Constructed so that contact surfaces are nontoxic and corrosion-resistant, and neither reactive nor absorptive;
 - c. Designed and constructed to withstand the environment in which they are used, the action of components, in-process materials, cannabis, or cannabis-derived products and, if applicable, cleaning compounds and sanitizing agents; and
 - d. Maintained to protect components, in-process materials, cannabis, and cannabis-derived products from being contaminated by any source.
 - e. Designed and maintained to minimize accumulation of dirt, filth, organic material, particles of components, in-process materials, cannabis, and cannabis-derived products, or any other extraneous materials or contaminants.
10. Compressed air or other gases introduced mechanically into or onto a component, packaging component, in-process material, cannabis or cannabis-derived product, or contact surface or used to clean any contact surface will be filtered or otherwise treated such that the component, packaging component, in-process material, cannabis or cannabis-derived product, or contact surface is not contaminated.
11. Each freezer, refrigerator, and other cold storage compartment used to hold components, in-process materials, or cannabis or cannabis-derived products:
 - a. Will be fitted with an indicating thermometer, temperature-measuring device, or temperature-recording device that indicates and records, or allows for recording by hand, the temperature accurately within the compartment; and

- b. Will have an automated device for regulating temperature and/or an automated alarm system to indicate a significant temperature change.
12. Instruments or controls used in manufacturing, packaging, labeling, holding, or testing, and instruments or controls that are used to measure, regulate, or record conditions that control or prevent the growth of microorganisms or other contamination, will be suitably accurate and precise, and adequately maintained.
13. Where appropriate, instruments and controls used in manufacturing, packaging, holding, or testing components, packaging components, in-process materials, cannabis, and cannabis-derived products must be calibrated, inspected, or otherwise verified before first use and at routine intervals or as otherwise necessary to ensure the accuracy and precision of the instrument or control, and the resulting data must be periodically reviewed by quality control personnel. Instruments or controls that are past their calibration, inspection, or verification due date, or which cannot be adjusted to provide suitable accuracy and precision, must be removed from use until they are repaired or replaced.
14. Production operations must establish and use appropriate controls for automated, mechanical, and electronic equipment (including software for a computer controlled process) to ensure that:
 - a. Any changes to the equipment are approved by quality control personnel and instituted only by authorized personnel; and
 - b. The equipment functions in accordance with its intended use.
13. Equipment and utensils, and any other contact surfaces used in production operations must be maintained, cleaned, and sanitized, as necessary.
14. Equipment and utensils will be taken apart as necessary for thorough maintenance, cleaning, and sanitizing.
15. All contact surfaces used for manufacturing, packaging, or holding low-moisture components, in-process materials, or cannabis or cannabis-derived products, will be in a dry and sanitary condition when in use. When the surfaces are wet-cleaned, they must be sanitized, when necessary, and thoroughly dried before subsequent use.
16. If wet processing is used during production, all contact surfaces will be cleaned and sanitized, as necessary, to protect against the introduction of microorganisms into components, packaging components, in-process materials, or cannabis or cannabis-derived products.
17. When cleaning and sanitizing is necessary, all contact surfaces will be cleaned before use and after any interruption during which the contact surface may have become contaminated.
18. If contact surfaces are used in a continuous production operation or in consecutive operations involving different batches of the same product, the contact surfaces must be adequately cleaned and sanitized, as necessary.
19. Surfaces that do not come into direct contact with components, packaging components, in-process materials, or cannabis or cannabis-derived products will be cleaned as frequently as necessary to protect against contaminating components or products.
20. Single-service articles (such as utensils intended for one-time use, paper cups, and paper towels) will be stored in appropriate containers, and handled, dispensed, used, and disposed of in a manner that protects against contamination of components, packaging

components, in-process materials, cannabis or cannabis-derived products, or any contact surface.

21. Cleaning compounds and sanitizing agents will be adequate for their intended use and safe under their conditions of use.
22. Cleaned and sanitized portable equipment and utensils that have contact surfaces will be stored in a location and manner that protects them from contamination.
23. There will be written procedures for calibration, maintenance, cleaning, and sanitation of equipment, instruments, and utensils, and records of these activities must be kept.



19. B COMMERCIAL NURSERY PLAN

Sensi Valley will operate a commercial retail nursery (9) to provide high quality clones and starter plants to local cultivators. The Nursery will operate from February to August, however, mothers will be kept on-site year-round to preserve genetics and unique strains. Months of nursery operations schedules will adjust according to market demand.

- b. The only type of cultivation activity that will occur on-site will be a commercial nursery.
- c. Sensi Valley seeks to create a commercial nursery production program utilizing either Oasis Cubes, Hydroponic or tissue culture procedures to propagate clones or plants from seeds for customers.
- d. Seeded plants and/or Clones will be created in a secure room environment and gradually transitioned to buyers.
- e. Non-flowering plants are less odorous than flowering helping to mitigate odor pollution. PG&E energy helps mitigate sound as generators by cultivators are reduced. All productions produce less than zoning allowance for sound generation.
- f. All waste will be managed by Processor on site with waste certified oversight or handled by the third party waste management contractor.
- g. Irrigation will be necessary for commercial nursery activities. Water will be administered to clones and mother plants. Either drip irrigation or hand watering will be utilized for mature clones and mother plants;
- h. Immature clones will be incubated within clone machines that have a closed-loop irrigation system that recycles water and has no discharge;
- i. Moisture content will be monitored to reduce over-watering and encourage water conservation;
- j. Irrigation times will be during the early morning hours to reduce transpiration, or as needed depending on meteorological factors;
- k. Projected water usage for nursery activities is enclosed in the LSAA
- l. Light sources will comply with the International Dark Sky Association standards for Zone 0 and Zone 1, and designed to regulate light direction.
- m. Once commercial activities begin, flow meters will be installed in order to provide accurate data and information for monitoring and reporting as required by the CDFW and SWRCB

Genetic Sourcing

Plants for production can come from three sources: Seed, Clone or tissue culture. Seeds are naturally 50/50 male and female, but some companies now specialize in feminization, where it's possible to guarantee all female plants. A clone is a cutting from one plant that is rooted and allowed to grow into a self-sufficient plants form which they were cut. Tissue culture is a relatively new practice with cannabis, but is common in agriculture. Tissue is cut from a plant and put into a petri dish where it can be stored for years, cleansed of disease, and duplicated into another identical plant. The result is genetically the same as a clone, but with purification.

Facility Design

Facility design will take into account propagation, vegetation, and receiving and distribution of products to avoid contamination.

Pest Management & Disease

A record will be kept of all products used to treat plants and soil for pests, diseases, and other problems including the product name, active ingredient, purpose, application rate, timing within the life cycle of the plant, method and history of application and MSDS. Only authorized products allowed by the state of California will be utilized. The California Dept. of Pesticide Regulations are very inefficient. In order to provide our members and operatives robust pesticide information we are using a blend of information gathered from the State of Oregon and Colorado and our Integrated Pest Management system.

Integrated Pest Management (IPM)

IPM means understanding pest threats and developing a prevention plan. The UN's Food and Agriculture Organization defines IPM as "the careful consideration of all available pest control techniques and subsequent integration of appropriate measures that discourage the development of pest populations and keep pesticides and other interventions to levels that are economically justified and reduce to minimize risks to humans, health and environment. IPM emphasizes the growth of a healthy crop with the least possible disruption to agro-ecosystems and encourages natural pest control mechanisms".

- Nursery operatives will be trained to know native pests, their reproductive rates and how they thrive. Some nationally common pests and disease include spider mites, thrips, whiteflies, fungal gnats, root aphids, aphids. Budworms, powdery mildew, botrytis, pythium, phytothera and fusarium. Pests are disease to be avoided because they can requires or encourage the use of pesticides and fungicides which may be unhealthy for human consumption. Infested plants are also unhealthy plants and unhealthy plants make for a lower quality product.
- Nursery operative education will provide knowledge of natural predators and commercial bio-controls for local pests. Commercial bio-controls are predator insects, bacteria and fungus commercially bred for agriculture.. Operatives will be educated on how these predators interact with each other and the plant.
- Prevention of pest introduction is paramount with clean entrance and exit locations into nursery facilities.
- Prevention of pest and disease starts with the seed, clone or tissue.
- Pest and disease levels are set with monitoring and recording systems in place that provide data showing clean or the need for quarantine.
- Regularly scheduled events will be imposed for preventative measures, balancing plant health, plant growth phases and pest reproductive phases.
- Plans for low impact pest control are provided.

19. C PROCESSING OPERATIONS

Sensi Valley is operating a full Cultivation-to-Consumption production facility where compliant cannabis operatives can drop off their product immediately after harvest (wet product) or cured (dry product) for secure storage, processing, testing, manufacturing, packaging, labeling, and distribution. This is the processing operational plan that includes the handling of all product for the other individual operatives including but not limited to storage, trimming, packaging, labeling, inventory management and chain of custody data input.

Processing Best Practices:

- Processing operations must be maintained in a clean and sanitary condition including all work surfaces and equipment.
- Processing operations will follow our contamination protocols to minimize the risk of contamination and avoid mold and mildew growth on cannabis.
- Employees handling cannabis will have access to appropriate personal protective equipment including but not limited to non-latex gloves and face masks.
- Employees must use gloves (excluding latex gloves).
- Workplace and equipment cleaning protocols will be adhered to.

Basic Processing Procedures:

Sensi Valley will be a community based cannabis production hub where cultivator-members can drop off their harvested product to be graded, processed, manufactured, packaged, and distributed by applicant (similar to a grain elevator concept in agricultural cooperatives).

- Intake of products: When a cultivator-member patronizes their product to the processing intake, their product will be graded, sorted, recorded, and securely stored. (Site Plan #6) A sample will be taken from each batch and tested by a laboratory for contaminants. (Site Plan #5) Until the required test results are returned from the lab, the member deposited product will be quarantined in the quarantined storage area (Site Plan #6) and will not be processed or come into contact with other product.
- Cultivation to Consumption and track and trace data will be kept of all members and product that is taken in by the facility.
- Know your customer/AML information
- Land use and State regulatory documentation
- FEIN Data, BOE and other tax body data
- Any product that does not pass the regulatory requirements of the lab test will be reviewed by the intake specialist to determine if the product can be brought into compliance via remediation.
 - If yes, the product will be kept separated from all other product and be manufactured in the manufacturing area designated for contaminated or non-compliant products returned for remediation (Site Plan #7.B.)
 - If product cannot be manufactured into a compliant product it will be moved to compost or waste (see waste management plan) (Site Plan #10)
- Compliant product will be placed into production according to its grading* using proprietary quantitative and qualitative procedures (Site Plan #6, #4)

The product will be bucked by buck machines and then trimmed by a combination of auto-trim machines and hand labor. All bucking and trimming machines will be commercial grade and meet all certification standards per county and state regulations as well as ISO international standards.

- Employees are trained and certified in the operations for safety and product management
- Employees will receive specific training for providing a clean environment.
- After trimming, some product will be directly packaged and labeled, (Site Plan #5.A.) ** tested (Site Plan #5. B.) and distributed to licensed distributor(s) or retailer(s). [See distribution section for details.](Site Plan #5.C.)
- The remaining product and all usable trim will be manufactured (Site Plan #7 all) and converted into other products for distribution (Site Plan #5) and/or waste [See manufacturing, distribution and waste sections for details.]

All waste (refuse, cannabis and cannabis related) will be handled according to State and county regulations in the Waste area provided (see site plan #10 all)... Plant fiber, non-compliant product, other solid waste will be removed according to County and State Regulations Recycling and ancillary by-products will be explored

- All handling and data entry (chain of custody) is handled by processor for administration purposes using the distributor for reporting as required by state regulations
- A comprehensive processing manual is available however its contents are proprietary and releasing these processes publicly can cause harm to applicant's operations and profitability.
- Hazardous waste operations are regulated and provided for onsite. (Site Plan 10)
- Chain of custody data and all reporting will be handled by the processor, manufacturer or distributor (Site Plan All) and administrator/logistics control(Site Plan #15)

*Grading. The designation of grade standards for cut flowers is one of the most imperative areas in their care and handling. Resin productions, spectrum of color/aroma, presence of seed/stem, touch/cure, uniformity, foliage quality/PM/mold, human/animal hair content, stamens, taste, and sensation are among the factors which should be used in flower grading.

Drying crops (if provided) (provided to members for cultivation site) directly on the ground or under direct sunlight must be avoided. Uniform drying speed and prevention of mold growth must be assured. In the case that plant material is dried in the open air, it must be spread in a thin layer. To ensure good air circulation the drying racks must be placed at sufficient distance to the floor. Optimal drying circumstances like temperature and drying time must be chosen. The harvested cannabis plant should be moved quickly to the drying room. Once there, crop drying should commence as soon as possible. Ideally, most moisture should be pulled from the materials in the first 24-48 hours. Care should be taken to prevent long periods of time at warm and wet conditions, which can foster growth of bacteria and fungus. Curing conditions should ensure that the product neither dries nor moistens while temperatures are between 50-70 degrees Fahrenheit. Curing should commence at a moisture level between 8-12% when the product is near dry. Curing should finish at a product moisture content that is desired for packaging. This desired level can vary by preference of producer, but should generally be between 6-10%. There is much debate over the proper way to dry and cure, but – most importantly– habitats for mold and bacteria growth must be reduced. The most important element is rapid removal of water weight (1/2 water weight removed within a minimum of 48 hours). Some operators choose to remove the water even faster. Any movement of materials in the drying and curing process should follow the

same care as the harvest process, and if the product is moved into another container or room, the new facility must also be sterilized. Humidity levels need to remain low enough to inhibit mold growth in the curing stage. The chamber in which the drying and curing takes place needs to be nearly air tight in order to keep the climate under control and limit the access of contaminants.

Given that the room must be sterilized and free of contaminants, the walls should be easy to clean and free of any contamination. Waste bins must be available and must be emptied and cleaned daily

****Processing, Packaging and Storage:** Primary processing includes bucking, or cutting when dry or wet, freezing, and drying. On arrival at the processing facility, the harvested crop must be directly unloaded and unpacked. Prior to processing, the material must not be exposed to direct sunlight (except in cases that specifically require this) and must be protected from rain. Processing, Packaging and Storage the processing stage, like harvest, is vulnerable to contaminants. The climate of the processing and packing rooms should mimic the ideal conditions for the product inside its sealed package.

Key concerns:

1. All premises are enclosed to facilitate climate control which is needed to maintain optimal production moisture levels.
2. The entire infrastructure must be easy to clean and sterilize. Stainless steel tables, floor drains and Marlite-paneled walls aid in the ease of cleaning and sterilization.
3. Filtered positive air pressure over work areas will reduce the risks of contamination and worker exposure to breathing dust particulate from processing the product.
4. Hairnets, hats, masks, gloves, and non-loose clothing are highly recommending in the processing phase of the product life cycle, as it is the most vulnerable point, as well as the last chance to detect contamination prior to packaging.
5. Processing should feed directly into packaging to prevent over handling of product and reduce exposure to contaminants.
6. Great care should be taken to ensure unusable products and by-products are placed in clean and sterile containers that can be sealed. This includes trim, Grade A flowers, and Grade B flowers.
7. The product should be at an optimal moisture level (approx. 6-10% for cannabis flowers) prior to entering the package and the processing room environment should not add moisture. The packaging material should be acclimated to the processing room's ideal temperature and humidity (approximately 35-50% humidity and 50-70 degrees Fahrenheit or per state issued regulations or guidelines
8. Once the product is packaged in sealed containers it should be stored in a clean, cool, dark, and secure area.
9. Most all products would benefit from low temperatures and low light with low-to- moderate humidity.

19. D MANUFACTURING OPERATIONS

Facility proposes to utilize manufacturing processes that are either solvent-less or that employ only nonflammable, nontoxic solvents that are generally recognized as safe pursuant to the federal Food, Drug, and Cosmetic Act (21 U.S.C. Sec. 301 et seq.).

Sensi Valley has requested both volatile and non-volatile manufacturing permits based on the State licensing structure and to give maximum flexibility in the future. Our intention is to primarily work with ethanol in a closed-loop system, however, as the industry rapidly changes we want to be able to adapt to new trends and methods.

See Appendix H for ethanol-specific SOPs, MSDS, and other related information.

Facility proposes to utilize manufacturing processes that use solvents exclusively within a closed loop system that meets all of the following requirements:

1. Each system is designed to recapture and contain solvents during the manufacturing process, and otherwise prevent the off-gassing of solvents into the ambient atmosphere to mitigate the risks of ignition and explosion during the manufacturing process.
2. Facility manufacturing systems will utilize equipment that is commercially manufactured, safe for its intended use, and built to codes of recognized and generally accepted good engineering practices, including, but not limited to, the American Society of Mechanical Engineers (ASME), the American National Standards Institute (ANSI), Underwriters Laboratories (UL), the American Society for Testing and Materials (ASTM), or OSHA Nationally Recognized Testing Laboratories (NRTLs).
3. Systems when necessary will have a certification document that contains the signature and stamp of a professional engineer and the serial number of the extraction unit being certified.
4. Manufacturing will include wholesale and/or retail ready cannabis products obtained and produced from extracted cannabis produced by extraction methods including but not limited to alcohol, CO2 and/or butane extraction
5. Product will be manufactured using both volatile and non-volatile operations as demanded by the marketplace and allowed by law and regulation in a compliant facility.
6. Chain of custody accounting and data input for regulated operations will be handled by processing.
7. A certified chemist will oversee all extraction processes to ensure safety and quality. All employees who are working with extraction machines and/or with chemicals will receive specific training related to the hazards and proper safety precautions in order to use and operate the chemicals and equipment.
8. Methods of manufacturing that may be used are:
 - a. Mechanical (no chemicals required)
 - b. Chemical extraction using nonvolatile solvents, such as water, vegetable glycerin, vegetable oils, animal fats, or food-grade glycerin.
 - c. Chemical volatile extraction using professional closed loop systems in certified laboratories for the operations
 - d. Alcohol and other methods may be used as innovations of this process allow.

9. All equipment is commercial grade and meets all certification standards per county and state regulations as well as ISO international standards.
10. All facilities are permitted and constructed to provide the appropriate safety measures needed and a controlled environment to safely operate all equipment
11. A comprehensive manufacturing manual is available however its contents are proprietary and releasing these processes publicly can cause harm to applicant's operations and profitability.
12. Market ready products will be manufactured according to regulations
13. Wholesale, commercial and retail able products for any and all market segments will be utilized
14. State regulatory protocols will be utilized to insure compliance for testing, packaging and license to license chain of custody reporting
15. Packaging and labeling will be provided by the facility processor and administration
16. Processing and packaging of pre manufactured product and post manufactured product will be handled by the processor
17. Chain of custody will be handled by the administrator, data input for track and trace as well as certification standards will be catalogued by processor

Manufacturing, packaging, labeling and holding operations will:

1. Ensure that each person engaged in the operation has the education, training, and experience, or any combination thereof, to enable that person to perform all assigned functions;
2. Provide personnel with training in the applicable requirements of this part; and
3. Maintain records of any training provided to personnel for the performance of all assigned functions.
4. Personnel training should include:
 - a) Instructions regarding regulatory inspection preparedness and law-enforcement interactions; and
 - b) Information on U.S. federal, state and local laws, regulations, and policies relating to individuals employed in these operations, and the implications of these for such personnel.
 - c) Measures will be taken to exclude from any operation any person that might be a source of microbial contamination due to a health condition through contact with any material, including components, packaging components, in-process materials, cannabis, cannabis-derived products, and contact surfaces used in manufacturing, packaging, labeling, and holding operations. Such measures include the following:
 - i. Excluding from working in any operations that may result in contamination any person who, by medical examination, the person's acknowledgement, or supervisory observation, is shown to have, or appears to have, an illness, infection, open lesion, or any other abnormal source of microbial contamination, that could result in microbial contamination of components, packaging components, in-process materials, cannabis, cannabis-derived products, or contact surfaces, until the health condition no longer exists; and
 - ii. Instructing personnel to notify their supervisor(s) if they have or if there is a reasonable possibility that they have a health condition described in paragraph (a) of this section that could result in microbial contamination of any components,

packaging components, in-process materials, cannabis, cannabis-derived products, or any contact surface.

- d) Personnel working in an operation during which adulteration of components, packaging components, cannabis, cannabis-derived products, or contact surfaces could occur must use hygienic practices to the extent necessary to protect against such contamination of components, packaging components, in-process materials, cannabis, cannabis-derived products, or contact surfaces. These hygienic practices include the following:
- i. Wearing outer garments in a manner that protects against the contamination of components, packaging components, in-process materials, cannabis, cannabis-derived products, or any contact surface;
 - ii. Maintaining adequate personal cleanliness;
 - iii. Washing hands thoroughly with soap (and sanitizing if necessary to protect against contamination with microorganisms):
 - iv. Before starting work;
 - v. After using the restroom; and
 - vi. At any other time when the hands may have become soiled or contaminated;
 - vii. Removing all unsecured jewelry and other objects that might fall into components, packaging components, cannabis, cannabis-derived products, equipment, or packaging, and removing hand jewelry that cannot be adequately cleaned during periods in which components, packaging components, in-process materials, cannabis, or cannabis-derived products are manipulated by hand. If hand jewelry cannot be removed, it must be covered by material that is maintained in an intact, clean, and sanitary condition and that effectively protects against contamination of components, packaging components, in-process materials, cannabis, cannabis-derived products, or contact surfaces;
 - viii. Maintaining gloves used in handling components, packaging components, in-process materials, cannabis, or cannabis-derived products in an intact, clean, and sanitary condition. The gloves should be of an impermeable material;
 - ix. Wearing, where appropriate, in an effective manner, hair nets, caps, beard covers, or other effective hair restraints;
 - x. Not storing clothing or other personal belongings in areas where components, packaging components, in-process materials, cannabis, cannabis-derived products, or any contact surfaces are exposed or where contact surfaces are washed;
 - xi. Not eating food, chewing gum, drinking beverages, or using tobacco products in areas where components, packaging components, in-process materials, cannabis, cannabis-derived products, or any contact surfaces are exposed, or where contact surfaces are washed;
- e) Taking any other precautions necessary to protect against the contamination of components, packaging components, in-process materials, cannabis, cannabis-derived products, or contact surfaces with microorganisms, filth, or any other extraneous materials, including perspiration, hair, cosmetics, tobacco, chemicals, and medicines applied to the skin;

- g) Taking all precautions necessary to maintain the security of the physical plant, to prevent unauthorized access to controlled access areas, and to maintain strict control of in-process materials, cannabis, cannabis-derived products, and cannabis waste; and
- h) Entering controlled access areas only as authorized by supervisory personnel.

Personnel Safety

- 1. Policies will be implemented to protect personnel in all operations and provide personnel with adequate safety training to comply with these policies. Such policies should be similar to personnel safety policies in comparable industries, such as food processors, and may include, for example:
 - a. Personnel accident reporting and investigation policies;
 - b. Fire prevention and response plans;
 - c. Materials handling and hazard communications policies, including maintenance of material safety data sheets (MSDS); and
 - d. Personal protective equipment policies.
- 2. An emergency contact list must be visibly posted and maintained which includes at a minimum:
 - a. Operation manager contacts;
 - b. Emergency responder contacts;
 - c. Poison control contacts;
 - d. Fire department contacts; and
 - e. Spill response team contacts.
- 3. Compliance must also be ensured with all other applicable standards of the federal Occupational Health and Safety Administration and any applicable state or local worker safety requirements.

Manufacturing Protocol Internal

- A. Manufacturing operations must prepare and follow a manufacturing protocol for each unique formulation of cannabis-derived product to be produced. The manufacturing protocol must include the following, as applicable:
 - i. Identity of the product;
 - ii. For each formulation of product:
 - a. Nominal batch size;
 - b. Identity of each component to be used in the batch;
 - c. Weight or measure of each component to be used in the batch, including the unit of measure and a statement of any range or variation in the weight or measure;
 - d. A statement of any intentional overage amount of a component; and
 - e. Name and amount of each ingredient that will be declared on the product's labeling.
 - f. A statement of theoretical yield for each significant process step and at the end of manufacture, including the acceptable maximum and minimum percentages of theoretical yield;
- B. Written instructions or cross references to standard procedures for the following:

- i. The execution of each process step;
- ii. Production process specifications per section 5.5;
- iii. Monitoring of production process specifications;
- iv. In-process material specifications per section 5.8;
- v. In-process material sampling, testing, and/or examination;
- vi. Cannabis-derived product sampling, testing, and/or examination; and
- vii. Additional applicable procedures to be followed, if any.

Cannabis-derived product specifications, or a cross-reference to cannabis-derived product specification documents.

Manufacturing protocols must be written with the intent to provide not less than 100 percent of the labeled or specified amount of cannabis and any other ingredient for which a quantitative label claim is made, throughout the shelf life of the product.

The production process described in the manufacturing protocol must ensure that cannabis-derived product specifications are consistently met.

Manufacturing Component Controls - MJ Freeway or other similar software seed-to-sale tracking program

- a. Manufacturing operations must have written procedures describing in sufficient detail the receipt, identification, storage, handling, sampling, review, and approval or rejection of components.
- b. Each container or grouping of containers for components must be identified with a distinctive code (i.e. lot or control number) for each lot in each shipment received, which allows the lot to be traced backward to the supplier, the date received, and the name of the component; and forward to the cannabis-derived product batches manufactured or distributed using the lot. This code must be used in recording the disposition of each lot.
- c. Specifications for each component must be established as follows, to the extent they are necessary to ensure that manufactured batches of cannabis-derived product meet specifications.
 - i. An identity specification for the component must be established;
 - ii. Specifications for the strength and composition of the component must be established as necessary to ensure the strength and composition of cannabis-derived products manufactured with the component;
 - iii. Specifications for the purity of the component must be established as necessary to ensure the purity of cannabis-derived products manufactured with the component, including limits on those types of contamination that may adulterate or may lead to adulteration of cannabis-derived products manufactured with the component, such as filth, insect infestation, microbiological contamination, or other contaminants.
- d. Components must be received and stored pending approval as follows:
 - i. Upon receipt and before acceptance, each container or grouping of containers must be examined visually for appropriate labeling as to contents, container damage or broken seals, and contamination, to determine whether the container condition may have resulted in contamination or deterioration of the components.

- ii. The supplier's documentation for each shipment must be examined to ensure the components are consistent with what was ordered.
 - iii. Components must be stored under quarantine until they have been sampled, reviewed, and approved or rejected by quality control personnel.
- e. Components must be approved or rejected as follows:
 - i. Each lot of components must be withheld from use until the lot has been sampled, reviewed, and released for use by the quality control personnel.
 - ii. Compliance of the lot with established specifications must be ensured either through review of the supplier's certificate of analysis or other documentation, or through appropriate tests and/or examinations. Any tests and examinations performed must be conducted using appropriate scientifically valid methods.
 - ii. Any lot of a component that meets its specifications may be approved and released for use for use by quality control personnel.
 - iii. Any lot of a component that does not meet its specifications must be rejected by quality control personnel, unless quality control personnel approve a treatment, process adjustment, reprocessing, or other deviation that will render the component or packaging component suitable for use, and will ensure the finished cannabis product batches manufactured with the affected lot will meet all specifications for identity, purity, strength, and composition and will not be otherwise contaminated or adulterated. Any such treatment, process adjustment, reprocessing, or other deviation must be documented, justified, and approved by quality control personnel.

Components must be received and stored pending approval as follows:

1. Upon receipt and before acceptance, each container or grouping of containers must be examined visually for appropriate labeling as to contents, container damage or broken seals, and contamination, to determine whether the container condition may have resulted in contamination or deterioration of the components.
2. The supplier's documentation for each shipment must be examined to ensure the components are consistent with what was ordered.
3. Components must be stored under quarantine until they have been sampled, reviewed, and approved or rejected by quality control personnel.
4. Components must be approved or rejected as follows:
 - i. Each lot of components must be withheld from use until the lot has been sampled, reviewed, and released for use by the quality control personnel.
 - ii. Compliance of the lot with established specifications must be ensured either through review of the supplier's certificate of analysis or other documentation, or through appropriate tests and/or examinations. Any tests and examinations performed must be conducted using appropriate scientifically valid methods.
 - iii. Any lot of a component that meets its specifications may be approved and released for use for use by quality control personnel.
 - iv. Any lot of a component that does not meet its specifications must be rejected by quality control personnel, unless quality control personnel approve a treatment, process adjustment, reprocessing, or other deviation that will render the component or packaging component suitable for use, and will ensure the finished cannabis product

batches manufactured with the affected lot will meet all specifications for identity, purity, strength, and composition and will not be otherwise contaminated or adulterated. Any such treatment, process adjustment, reprocessing, or other deviation must be documented, justified, and approved by quality control personnel.

- f. Records of any cannabis waste generated during production of the batch; Records of any treatment, process adjustment, reprocessing, or other deviation that occurred during production of the batch;
- g. Records of the date, time where applicable, quantity, and person responsible for any sample removed during or after production;
- h. Actual results of any testing or examination of in-process material or cannabis-derived product, or a cross-reference to such results;
- i. Documentation that the cannabis-derived product meets its specifications for identity, purity, strength, and composition, in accordance with the requirements of the manufacturing protocol;
- j. Identity of each person performing each process step in production of the batch, including but not limited to:
- k. Weighing or measuring each component and verifying the weight or measure of each component used in the batch per section 5.4;
- l. Adding each component to the batch and verifying the addition of each component to the batch per section 5.4;
- m. Monitoring production process parameters;
- n. Performing and verifying calculations of the actual yield and any other mathematical calculations;
- o. Directly overseeing each stage of production of the batch;
- p. Performing any other checks or verifications in production of the batch, as needed; and
- q. Releasing the batch from one stage of production to the next.
- r. All data in the manufacturing batch record must be recorded at the time at which each action is performed.
- s. The completed manufacturing batch record for each batch must be reviewed and signed by quality control personnel to determine compliance with all applicable specifications and other requirements of the manufacturing protocol before a batch is approved.

Allocation and Charge-in of components for inventory control

1. Manufacturing operations must weigh, measure, or subdivide components to be used in a cannabis-derived product batch as appropriate for the batch.
2. If a component is removed from the original container to another, the new container must be identified with the following information:
 - a. Component identity;
 - b. Batch, lot, or control number;
 - c. Weight or measure in the new container; and
 - d. Batch for which component was dispensed, including its identity and batch, lot, or control number.
3. Each container of component dispensed to manufacturing must be examined by a second person or verified by automated equipment to assure that:
 - a. The component was released by quality control personnel;
 - b. The weight or measure is correct as stated in the manufacturing protocol; and

- c. The containers are properly identified.
4. Each component must either be added to the batch by one person and verified by a second person or, if the components are added by automated equipment, verified by one person.

Processing and Production controls

2. Process specifications must be established for production process parameters at or during any point, step, or stage where control is necessary to ensure the quality of the batch of cannabis-derived product, and to detect any unanticipated occurrence that may result in contamination, adulteration, or a failure to meet specifications. The process parameters to be monitored may include, but are not limited to, the following as appropriate:
 3. Time; Temperature; Pressure; and Speed.
 4. Production process parameters must be monitored at or during any point, step, or stage where process specifications have been established.
 5. Any deviation from the specified process parameters must be documented and justified, and the associated in-process material or product must be quarantined. The deviation must be reviewed and approved or rejected by quality control personnel. Such deviations must not be approved unless quality control personnel determine that the resulting cannabis-derived product will meet all specifications for identity, purity, strength, and composition and is not otherwise contaminated or adulterated.
 6. If a deviation is rejected, the resulting in-process or finished cannabis-derived product must be rejected, unless quality control personnel approve a treatment, process adjustment, reprocessing, or other deviation that will ensure the cannabis-derived product batches manufactured with the affected material will meet all specifications for identity, purity, strength, and composition and will not be otherwise contaminated or adulterated. Any such treatment, process adjustment, reprocessing, or other deviation must be documented, justified, and approved by quality control personnel.
 7. Manufacturing operations must properly identify all compounding and storage containers, processing lines, and major equipment used during the production of a batch of cannabis-derived product at all times to indicate their contents and, when necessary, the phase of processing of the batch.
 8. Operations on one component, product, or batch must be physically, spatially, or temporally separated from operations on other components, products, or batches.
 9. All necessary precautions must be taken during the manufacture of a cannabis-derived product to prevent contamination of components and products. These precautions include, but are not limited to:
 - a. Washing or cleaning components that contain soil or other contaminants;
 - b. Holding components, in-process materials, and cannabis or cannabis-derived products appropriately;
 - c. Preventing cross-contamination and mix-ups between contaminated components, in-process materials, and cannabis or cannabis-derived products and uncontaminated items;
 - d. Using effective measures to protect against the inclusion of metal or other foreign material in components or cannabis products, by, for example:
 - i. Filters, strainers, or sieves;
 - ii. Traps;

- iii. Magnets;
- iv. Electronic metal detectors.

Manufacturing Sampling (Site Plan #7a & b, and Site Plan #5b)

A representative sample of each batch or lot of component, cannabis, or cannabis-derived product must be collected by removing and compositing portions of material or units from throughout the containers in the batch or lot.

In addition to representative samples, other samples may be taken as appropriate to:

- (1) Monitor the quality of in-process materials during production;
- (2) Examine the degree of variability of materials or products; and
- (3) Investigate known or suspected non-conformances.

The number of containers and the amount of material or units to be removed from each container must be based on appropriate criteria such as:

- (1) Quantity needed for testing, examination, and reserve;
- (2) Past quality history of the item;
- (3) Expected variability of the material or units being sampled; and
- (4) Degree of confidence and precision required.

The containers selected for sampling must be based on rational criteria such as random sampling; directed sampling may be used where appropriate.

Samples must be collected in accordance with the following procedures:

- a. The containers selected for sampling must be cleaned when necessary in a manner to prevent introduction of contaminants into the component, in-process material, cannabis or cannabis-derived product.
- b. The containers must be opened, sampled, and resealed in a manner designed to prevent contamination of their contents and contamination of other components, in-process materials, cannabis or cannabis-derived product.
- c. Sterile equipment and aseptic sampling techniques must be used when necessary.
- d. Where appropriate for the purpose of the sample and the nature of the material being sampled, sample portions are removed from the top, middle, and bottom of containers. Such sample portions may be composited in forming the representative sample, or may be tested separately, as appropriate to the purpose.

Containers from which samples have been taken must be marked to indicate that samples have been removed from them.

Sample containers must be identified with the following information:

- a. Name of the item sampled;
- b. Batch, lot, or control number of the item sampled;

- c. Container from which the sample was taken, or for samples taken directly from the production line, the equipment line and time at which the sample was taken, unless such information is documented separately;
- d. Date on which the sample was taken;
- e. Name of the person who collected the sample; and
- f. Quantity and unit of measure of the sample.

Each sample removed from a batch or lot must be recorded in the inventory or manufacturing batch record for the batch or lot.

The quantity of sample used for each test or examination must be of sufficient size or number to ensure the results are representative of the batch or lot.

A reserve sample must be prepared from the representative sample of each batch or lot of shelf-stable component, cannabis or cannabis-derived product.

Reserve samples should consist of at least twice the quantity necessary for tests and examinations to determine whether the shelf-stable component, cannabis or cannabis-derived product meets established critical quality specifications. However, where state law limits the amount of cannabis and cannabis-derived product permitted to be kept on hand, operations may keep smaller amounts in reserve if necessary.

Reserve samples of shelf-stable components should:

1. Be stored using an appropriate container-closure to protect against contamination or deterioration during storage;
2. Be stored under conditions consistent with the conditions under which the component is stored at the manufacturing operation; and
3. Be retained for one year past the expiration date of the last batch of cannabis-derived product manufactured from the lot. However, where state law limits the amount of cannabis and cannabis-derived product permitted to be kept on hand, operations may keep reserve samples for shorter periods of time if necessary.

Reserve samples of cannabis-derived product should:

1. Be stored using the same container-closure system in which the packaged and labeled cannabis-derived product is distributed, or for bulk products, using a container-closure system that provides essentially the same characteristics to protect against contamination or deterioration as the one in which the bulk product is distributed;
2. Be stored under conditions consistent with the storage conditions recommended on the product label or, if no storage conditions are recommended on the label, under ordinary storage conditions.
3. Be retained for one year past the expiration date of the batch or lot. However, where state law limits the amount of cannabis and cannabis-derived products permitted to be kept on hand, operations may keep reserve samples for shorter periods of time if necessary.

Cannabis Derived Product Specifications

Manufacturing operations must establish specifications for each cannabis-derived product as follows:

2. Manufacturing operations must establish specifications for the identity purity, strength, and composition of each cannabis-derived product manufactured by the operation.
3. Manufacturing operations which receive cannabis-derived product for further processing must establish specifications to provide sufficient assurance that the product received is adequately identified and is consistent with the purchase order.
4. For each batch or lot of cannabis-derived product manufactured by the operation, the conformance of the batch or lot to established specifications must be confirmed as follows:
 - i. For every batch or lot, or for a subset of cannabis-derived product batches or lots identified through sound statistical sampling plan, the operation must verify that the batch or lot meets product specifications for identity, purity, strength, and composition, to the extent that scientifically valid test methods exist for these specifications.
 - ii. In lieu of testing every established strength and composition specification for which scientifically valid test methods exist, one or more strength and/or composition specifications may be selected for testing, where it can be established that testing for this reduced panel of specifications is sufficient to ensure that the production and process control system is producing product that meets all specifications.
 - iii. Where no scientifically valid test method exists for a product specification, compliance with the specification must be established through component and/or in-process testing, examinations, or monitoring and/or review of manufacturing batch records.
 - iv. Quality control personnel must document and approve the justification for reduced product testing under section 5.7(b)(2) or section 5.7(b)(3) of this part.
5. Cannabis-derived product which fails to meet its specifications must be rejected, unless quality control personnel approve a treatment, process adjustment, reprocessing, or other deviation that will ensure the cannabis-derived product batches manufactured with the affected material will meet all specifications for identity, purity, strength, and composition, and will not be otherwise contaminated or adulterated. Any such treatment, process adjustment, reprocessing, or other deviation must be documented in the manufacturing batch record, justified, and approved by quality control personnel.
6. Any unexplained occurrence or discrepancy, and any failure of the cannabis-derived product to meet its specifications or requirements, must be documented and investigated. The investigation must extend to any related batches that may have been associated with the same specific failure, discrepancy, or problem; this may include, but is not limited to, batches of the same cannabis-derived product, other batches processed on the same equipment or during the same time period, and other batches produced using the same lots of components.

7. Manufacturing operations have written procedures describing in sufficient detail the storage, handling, sampling, testing, and approval or rejection of cannabis and cannabis-derived products.

In Process material specifications, sampling and testing

In-process specifications must be established for any point, step, or stage in the manufacturing protocol where control is necessary to help ensure that specifications are met for the identity, purity, strength, and composition of the cannabis-derived product.

Such specifications may include, but are not limited to, the following as appropriate:

- (1) Weight or fill of tablets, capsules, or other units;
- (2) Weight or fill variation of tablets, capsules, or other units;
- (3) Hardness or friability of tablets;
- (4) Disintegration time of unit dosages;
- (5) Clarity, viscosity, specific gravity, total dissolved solids, or pH of solutions;
- (6) Loss on drying, moisture content, or solvent residue;
- (7) Microbiological characteristics; and
- (8) Organoleptic characteristics.

In-process specifications for such characteristics must be consistent with the cannabis-derived product specifications.

In-process materials must be sampled and tested or examined for conformance with in-process specifications as appropriate during the production process, e.g., at commencement or completion of significant process stages or after storage for long periods, and where appropriate must be approved or rejected by quality control personnel.

In-process material which fails to meet its specifications must be rejected, unless quality control personnel approve a treatment, process adjustment, reprocessing, or other deviation that will ensure the cannabis-derived product batches manufactured with the affected material will meet all specifications for identity, purity, strength, and composition and will not be otherwise contaminated or adulterated. Any such treatment, process adjustment, reprocessing, or other deviation must be documented in the manufacturing batch record, justified, and approved by quality control personnel.

Calculation of Yield

1. Actual yields must be determined at the conclusion of each appropriate phase of manufacturing of the cannabis-derived product. Such calculations must either be performed by one person and independently verified by a second person, or, if the yield is calculated by automated equipment, be independently verified by one person.
2. If the percentage of theoretical yield at any process step or at the end of production falls outside the maximum or minimum percentage of theoretical yield allowed in the manufacturing protocol, quality control personnel must conduct an investigation of the batch and determine, to the extent possible, the source of the

discrepancy. The deviation must be documented, explained, and approved by quality control personnel.



19. E PACKAGING AND LABELING

Packaging and labeling operations must prepare and follow a written protocol for each unique product to be packaged and/or labeled to assure that correct packaging and labeling components are used for each product packaged or labeled by the operation. Where appropriate, the packaging and/or labeling protocol may be combined with the manufacturing protocol for the product. The protocol must:

- a. Identify the product to be packaged and/or labeled;
 - b. Identify each packaging component to be used;
 - c. Provide a specimen of the label and other labeling to be used, or a cross-reference to the labeling (such as by label number and version number);
 - d. Provide a statement of the acceptable maximum and minimum percentages of theoretical yield; and
 - e. Include written instructions or cross references to standard procedures for the following:
 - i. Inspection of packaging and labeling equipment before and after use to assure that all products and packaging and labeling materials from previous operations have been removed;
 - ii. Issuance of labels and labeling to a packaging and/or labeling batch;
 - iii. Careful examination of labels and labeling issued to each batch prior to use, to ensure conformity to the labeling specified in the packaging and/or labeling protocol;
 - iv. Each packaging and/or labeling process step;
 - v. Monitoring of packaging and/or labeling process steps; and
 - vi. Additional applicable procedures to be followed, if any.
1. Packaging and/or labeling protocols must be written with the intent to provide not less than 100 percent of the labeled amount of product.
 2. The packaging and/or labeling process described in the protocol must ensure that product specifications are consistently met.

Packaging and/or labeling batch record

1. The packaging and/or labeling operation must prepare a packaging and/or labeling batch record for each batch or lot of product packaged and/or labeled by the operation. Where appropriate, the packaging and labeling batch record may be combined with the manufacturing batch record for the batch or lot.
2. The packaging and/or labeling batch record must:
 - d. Cross-reference or reproduce the appropriate packaging and/or labeling protocol; and
 - e. Form a complete record of the packaging and/or labeling and sampling of the batch.
2. The packaging and/or labeling batch record must include, as applicable to the process:
 - a. Identity of the product;
 - b. Batch, lot, or control number of the product;
 - c. Packaging and/or labeling batch size;
 - d. For each packaging component used in production of the batch:
 - i. Identity of each packaging component;
 - ii. Batch, lot, or control number of each packaging component used in the batch;

- iii. Quantity of each lot of packaging components used, including the unit of measure.
 - f. Date(s) on which, and where applicable the time(s) at which, each step of the packaging and/or labeling protocol was performed;
 - g. Identity of packaging lines and major equipment used in packaging and/or labeling the batch;
 - h. Date and time of the maintenance, cleaning, and/or sanitizing of the packaging lines and major equipment used in packaging and labeling of the batch, or a cross-reference to records, such as individual equipment logs, where this information is recorded;
 - i. If packaging or labeling of the batch uses equipment or instruments requiring periodic calibration, inspection, or verification, the date and time of the last calibration, inspection, or other verification of instruments or equipment or the date on which such is next due; or a cross-reference to records, such as individual equipment logs, where this information is recorded;
 - j. Statement of the actual yield and a statement regarding whether the actual yield is within the acceptable range of the theoretical yield as per section 6.2(a)(4) at the end of packaging and/or labeling;
3. When the actual yield falls outside the allowed limits, quality control personnel must conduct an investigation of the batch and determine, to the extent possible, the source of the discrepancy. The deviation must be documented, explained, and approved by quality control personnel.
 4. Label reconciliation, as per section 6.3(f) of this part;
 5. Records of any labeling scrap or cannabis waste generated during packaging and/or labeling of the batch
 6. Identity of each person performing each process step in packaging and/or labeling of the batch, including but not limited to:
 - a. Inspecting labels and other packaging components to ensure suitability and correctness prior to use in the batch;
 - b. Inspecting packaging and labeling areas before and after use;
 - c. Reconciling label issuance and usage and verifying the reconciliation of label issuance and usage;
 - d. Examining packaged and labeled products to ensure proper labeling and coding;
 - e. Performing any other checks or verifications in packaging and/or labeling of the batch as needed; and
 - f. Releasing the batch from one stage of packaging and/or labeling to the next.
 7. All data in the packaging and/or labeling batch record must be recorded at the time at which each action is performed.
 8. Printing devices located on, or associated with, production lines must be monitored to assure that all printing conforms to the requirements of the packaging and/or labeling protocol when used to imprint labeling or coding directly on the following:
 - a. Primary packaging for the product; or
 - b. Secondary packaging (e.g., a case containing several individual packages of product).
 9. Packaging and labeling operations must reconcile the quantities of labels or labeling issued, used, and returned to storage.

10. Narrow limits for the labeling reconciliation must be established, based where possible on historical operating data, for the amount of allowed variation in the labeling reconciliation.
11. When a labeling reconciliation falls outside the allowed limits, quality control personnel must conduct an investigation of the batch and determine, to the extent possible, the source of the discrepancy. The deviation must be documented, explained, and approved by quality control personnel.
12. Labeling reconciliation is waived for cut or roll labels if a 100-percent examination for correct labels is performed, either manually or by appropriate electronic or electromechanical equipment during or after completion of finishing operations.
13. All excess labeling bearing batch, lot, or control numbers must be destroyed.
14. Care must be taken when returning labeling to storage, to prevent mix-ups and ensure proper identification.
15. Representative and reserve samples of each batch or lot of retail packaged and/or labeled product must be collected as per section 5.6 of this part.
16. The completed packaging and/or labeling batch record for each batch or lot must be reviewed and signed by quality control personnel to determine compliance with all applicable specifications and other requirements of the packaging and/or labeling protocol before a batch or lot is approved.
17. Packaged or labeled product which fails to meet its packaging or labeling specifications or other packaging requirements must be rejected, unless quality control personnel approve repackaging, relabeling, or other deviation that will ensure the product batch or lot will meet all packaging and labeling specifications and other packaging requirements, and will not be otherwise contaminated or adulterated. Any such repackaging, relabeling, or other deviation must be documented, justified, and approved by quality control personnel.

Label content for cannabis and cannabis derived products

Each packaged and labeled product must bear on the label of its primary packaging:

- (1) Name and place of business of the manufacturer or distributor;
- (2) Identity of the product;
- (3) Net quantity of contents in terms of weight, numerical count, or other appropriate measure;
- (4) A batch, lot, or control number;
- (5) Either a production date or an expiration date. Products capable of supporting the rapid and progressive growth of infectious, toxigenic, or spoilage microorganisms must bear a "use by" date and/or a "freeze by" date. Any shelf life or expiration period indicated on the label of an edible product must be supported by appropriate data;
- (6) Instructions for use, including any types of compliant individuals for whom the product is recommended, as appropriate;
- (7) Appropriate warnings for use, including any types of compliant individuals for whom the product is contraindicated, as appropriate;
- (8) Instructions for appropriate storage; and
- (9) Any other statements or information required by state regulators.

For edible products, each product label must contain a "Product Facts" box listing quantitative content and nutrient information relevant to the product, including, as applicable to the product's content:

- (1) Cannabis ingredient;
- (2) Cannabinoid and/or terpenoid content;
- (3) Total calories and fat calories (when greater than 5 calories per serving);
- (4) Total fat, saturated fat, and trans fat (when greater than 0.5 g per serving);
- (5) Cholesterol (when greater than 2 mg per serving);
- (6) Sodium (when greater than 5 mg per serving);
- (7) Total carbohydrates (when greater than 1 g per serving);
- (8) Dietary fiber (when greater than 1 g per serving);
- (9) Sugars (when greater than 1 g per serving);
- (10) Protein (when greater than 1 g per serving); and
- (11) Vitamin A, vitamin C, calcium, and iron (when present at greater than 2% of the recommended daily intake).

Packaging and Label Processing Controls

General considerations for packaging components, including labels

- a. Cannabis to be packaged without undergoing manufacturing to a cannabis- derived product must be received, identified, stored, handled, sampled, reviewed, and approved or rejected as per sections 5.2 and 5.6 above.
- b. Specifications for packaging components must be established as necessary to ensure the identity, purity, strength, and composition of the packaged products. Packaging components that may come into contact with products must be safe and suitable for their intended use and must not be reactive or absorptive or otherwise affect the safety, purity, or quality of the product.
- c. Packaging and labeling operations must establish written procedures describing in sufficient detail the receipt, identification, storage, handling, and approval or rejection of packaging and labeling components.
- d. Labels and other packaging components must be received and stored pending approval as follows:
 - 1) Upon receipt and before acceptance, each container or grouping of containers of packaging components must be visually examined for appropriate labeling as to contents, container damage or broken seals, and contamination, to determine whether the container condition may have resulted in contamination or deterioration of the packaging components; and
 - 2) The supplier's documentation for each shipment must be examined to ensure the packaging components are consistent with what was ordered.
 - 3) Each container or grouping of containers for packaging components must be identified with a distinctive code (i.e. lot or control number) for each lot in each shipment received, which allows the lot to be traced backward to the supplier, the date received, and the name of the component; and forward to the product batches packaged or labeled using the lot. This code must be used in recording the disposition of each lot.

- 4) Labels and other packaging components must be stored under quarantine until they have been examined and approved or rejected by quality control personnel.
- e. Packaging components must be approved or rejected as follows:
- 1) Each lot of packaging components must be withheld from use until the lot has been reviewed and released for use by the quality control personnel.
 - 2) Compliance of the lot with established specifications must be ensured through examination of the components received, and/or review of the supplier's documentation.
 - 3) Any shipment of a packaging component that meets its specifications may be approved and released for use for use by quality control personnel.
 - 4) Any packaging component that does not meet its specifications, including any incorrect labels, must be rejected by quality control personnel, unless quality control personnel approve a treatment or other deviation that will render the packaging component suitable for use, and will ensure the product batches packaged and labeled with the affected component will meet all specifications for identity, purity, strength, composition, packaging, and labeling and will not be otherwise contaminated or adulterated. Any such treatment or other deviation must be documented, justified, and approved by quality control personnel.
- f. Use of gang-printed labeling for different products, or different strengths or net contents of the same product, is prohibited unless the labeling from gang-printed sheets is adequately differentiated by size, shape, or color.

19. F Storage, holding and handling controls

Identification

- (a) Each container of component, packaging component, in-process material, and product must be appropriately identified at all times with the following:
 - i. Identity of the item;
 - ii. Batch, lot, or control number;
 - iii. Status (e.g., quarantined, approved, recalled, rejected).
- (b) Product packages that are held in unlabeled condition for future labeling operations must be identified and handled to preclude mislabeling of individual containers, lots, or batches. Identification need not be applied to each individual container but must be sufficient to determine the identity of the product, quantity of contents, and batch, lot, or control number of each container.
- (c) Identification information required in sections 7.1(a) and (b) may be:
 - (1) Affixed to the individual container or to an appropriate grouping of containers; or
 - (2) Assigned to the room or other defined physical location of the container(s).

Storage and Handling

- (a) Components, packaging components, in-process materials, and products must at all times be handled, stored, and distributed in a manner to avoid deterioration, prevent contamination, and avoid mix-ups. Where necessary, appropriate conditions of temperature, humidity, and light must be established and maintained so that the identity, purity, strength, and composition of components, in-process materials, and products are not affected and that adulteration is prevented.
- (b) Containers of components, packaging components, in-process materials, and product must be stored off the floor and suitably spaced to permit cleaning and inspection.
- (c) Components, in-process materials, and products that can support the rapid growth of microorganisms of public health significance must be held in a manner that prevents them from becoming adulterated.
- (d) Labels, labeling, cannabis, cannabis-derived products, and cannabis waste must be stored in a controlled access area.
- (e) Components, packaging components, and products must be used or distributed in a manner whereby the oldest batches or lots are used or distributed first. Deviation from this requirement is permitted if such deviation is temporary and appropriate.

Withholding materials from use or distribution

- (a) Manufacturing, packaging, and labeling operations must establish and implement written procedures for quarantine of any lot, batch, or other portion of component, packaging component, in-process material, or product whose suitability for use or distribution is in question, to prevent its use and distribution pending disposition by quality control personnel. This includes:
 - 1. Newly received components and packaging components for use in manufacturing, packaging and/or labeling;
 - 2. Batches newly completed in production;
 - 3. Product returned to the operation for any reason;

4. Components, packaging components, in-process materials, or products that are or may be contaminated or adulterated; or
 5. Components, packaging components, in-process materials, or products that are under investigation by quality control personnel for any other reason.
- (b) Rejected components, packaging components, in-process materials, finished product, cannabis waste, and rejected labels and labeling (including any excess labeling bearing lot, batch, or control numbers which is not immediately destroyed after packaging operations are complete) must be appropriately segregated, controlled, and held in a controlled access area pending destruction or other disposal.
- (c) Cannabis waste other than cannabis and cannabis-derived product that is rejected and returned to the vendor, and rejected labels and other labeling, must be destroyed in a manner which prevents unauthorized use. Destruction of any cannabis waste must be documented and witnessed by at least two workers, one of whom must be supervisory, managerial, or quality control personnel; except that if video surveillance is used, only one worker is necessary. Destruction may include composting.

Inventory and records

- (a) Manufacturing, packaging, labeling and holding operations must keep written records for each shipment of component, packaging component, cannabis, and cannabis-derived product received from another company or individual.
- (b) Records must be kept of the following and will adjust per regulatory requirements:
1. Identity of the received item, as applicable to the item; and any component number or product number if such are in use by the supplier;
 2. Supplier or vendor from which the shipment was received;
 3. Original cultivation operation, processing operation, or manufacturing operation, if known and where applicable;
 4. The cultivation operation's, processing operation's, manufacturing operations, or supplier's batch, lot, or control number, if known and where applicable;
 5. Date of receipt; and
 6. Shipment delivery method, including where applicable the name of the commercial or private carrier.
- (c) Additionally, manufacturing, packaging, and labeling operations must keep records, or establish cross references to other records such as manufacturing batch records, of the following information:
1. Batch, lot, or other control number assigned by the manufacturing, packaging, and/or labeling operation to the shipment;
 2. Inspection, sampling, testing, and examinations performed on the batch or lot, and the conclusions derived therefrom, as applicable to the scope of the operation;
 3. Any treatment, reprocessing, or other deviation performed by the operation on the batch or lot prior to use;
 4. Disposition of the batch or lot by quality control personnel, including the date and the signature of the person responsible for approving or rejecting the batch or lot and any treatment, reprocessing, or other deviation performed thereon;
 5. A record of each use of the batch or lot in production, including:

- i. Quantity used, including unit of measure;
 - ii. Name and batch, lot, or other control number of the product batch in which the batch or lot is used; and
 - iii. Initials of the person(s) responsible for removing from storage the necessary quantity for use in the designated batch.
- (d) A record of any portion of the batch or lot returned from production to storage, including:
 - ii. Quantity returned, including unit of measure;
 - iii. Name and batch, lot, or other control number of the batch or lot from which the portion is returned; and
 - iv. Initials of the persons responsible for verifying the quantity returned.
- (e) A record of any portion of the batch or lot disposed of from storage, including the quantity, unit of measure, reason, and persons responsible for measuring the quantity.

19. G DISTRIBUTION

Distribution, Distributed, Transport & Recalls

Prior to distribution, a third party laboratory will test all batches to ensure that all regulatory standards are met.

1. If the batch does not pass the minimum established standards, the batch will be marked with a red 'x' and sent back to the intake area to be reviewed by the intake specialist and manufacturer to determine whether the batch can be re-processed & extracted to remove the contaminants.
 - If yes, the product will be kept separated from all other product and be processed, manufactured and re-tested.
 - If no, the product will be moved to waste (see waste management plan)
2. Products that meet the required specifications may be released for distribution. At this point, the product will be packaged and labeled either by machine or by hand.
3. Chain of custody will be input by processor and managed by the administrator.
 - Non-Consumer Packaging Label will include the following information:
4. Identity of the product
5. Name, address, and zip code of manufacturer
6. Quantity of the product
7. Tracking number to identify batch/lot
8. Consumer Packaging Label will include the following information:
 - Identity of the product
 - Name, address, and zip code of manufacturer
 - Quantity of the product in the lower 30% of the principal display panel area
 - Mandated warning statements
 - THC content
 - List of all ingredients in descending order
 - The amount of sugar, sodium, and fat per serving,
 - A cannabis product symbol
 - Tracking number to identify batch/lot
9. Products will only be sold to licensed/permitted distributors, corporations and retailers. Distributors may pick up products from the distribution office/loading bay. Seed to sale and track and trace chain of custody records are handled by the administrator.
 - Other sales are processed through the sales office
 - All certification labeling is applied prior to distribution of products
 - In the event that a product is returned due to a significant problem (such as adverse health consequences) or Sensi Valley learns that there may be a problem with a product that has been distributed, the sales manager and director of operations will determine if a recall is needed. If a recall is needed, the sales manager will contact all retailers & distributors who purchased the affected products that are being recalled. Sensi Valley will work with the distributor/retailer to notify customers if the product has already been sold and may use media communications or any means necessary to reach the consumer. Any recalled cannabis that is returned to Sensi Valley will be properly disposed of [see waste management plan].
 - Packaging and labeling will be provided by the facility processor and administrator.
 - Transportation will be provided as allowed per Permit and State licensing

Distributor and Material Handling (Site Plan #5A)

A. Manufacturing, packaging, labeling and holding operations must keep written records for each batch or lot of cannabis or cannabis-derived product distributed by the operation.

B. Records must be kept of the following:

- (1) Identity of the cannabis or cannabis-derived product, and any item code or product number if such are in use by the manufacturing, packaging, labeling, or holding operation;
- (2) A record of each distribution of the batch or lot, including:
 - a. Quantity distributed, including unit of measure;
 - b. Name and address of each company or non-profit entity to which, or individual to whom, the batch is distributed, unless a system exists to unambiguously cross-reference the name to the corresponding address maintained on file separately;
 - c. Shipping method by which each shipment is distributed, including where applicable the name of the commercial or private carrier;
 - d. Initials of the persons responsible for removing from storage the necessary quantity for each shipment. Each distribution must be verified by a second person.

C. A record of any portion of the batch or lot returned to storage, including:

- (i) Quantity returned, including the unit of measure;
- (ii) Company, non-profit entity, individual, or location from which the portion is returned;
- (iii) Shipment return method, including where applicable the name of the commercial or private carrier;
- (iv) Initials of the person(s) responsible for verifying the quantity returned;

D. A record of any portion of the batch or lot disposed of from storage, including the quantity, unit of measure, reason, and persons responsible for measuring the quantity.

E. Additionally, manufacturing, packaging, and labeling operations must keep records or establish cross references to other records such as manufacturing batch records, for the following:

- (1) Batch, lot, or other control number assigned by the manufacturing, packaging, and/or labeling operation to the batch or lot;
- (2) Inspection, sampling, testing, and examinations performed on the batch or lot by the operation, and the conclusions derived therefrom;
- (3) Any treatment, reprocessing, or other deviation performed on the batch or lot by the operation prior to distribution; and
- (4) Disposition of the batch or lot by quality control personnel, including the date and the signature of the person responsible for approving the batch or lot for distribution; and the date and the signature of the person responsible for approving or rejecting any treatment, reprocessing, or other deviation performed thereon.

19. H Transportation

Distribution/Transportation. Receiving and shipping docks for product. Transportation will be provided locally to facility. Transportation will be provided compliantly to other license holders as regulatory guidelines are implemented.

Contract transport or High Value shipping protocols will be implemented.

Reconciliation

- (a) Records of receipt, use or distribution, return, and disposal of each batch or lot of components, packaging components, cannabis or cannabis-derived products must be kept chronologically, and the quantities must be recorded with an appropriate level of precision.
- (b) After each batch or lot is used or distributed, manufacturing, packaging, labeling, and holding operations must perform a reconciliation of the quantity received into storage against the quantity used, distributed, returned, and/or disposed. Such calculations must be performed by one person and independently verified by a second person.
- (c) Narrow limits must be established, based where possible on historical operating data, for the amount of allowed variation in the reconciliation.
- (d) When a reconciliation falls outside the allowed limits, quality control personnel must conduct an investigation to determine, to the extent possible, the source of the discrepancy. The deviation must be documented, explained, and approved by quality control personnel.

Record Retention

- (a) Except as required in this section (b) and (c), manufacturing, packaging, labeling, and holding operations must retain the records required by this part for a period of at Seven years past date of creation of the record, or one year past the expiration date of the related product, whichever is longer, as applicable to the operation.
- (b) Product complaint records must be retained for one year past the expiration date of the batch or lot affected, or for one year past the date of receipt of the complaint, whichever is longer.
- (c) Records for returned products must be retained for one year past the expiration date of the batch or lot affected, or for one year past the date of receipt of the return, whichever is longer.

Complaints, returns and recalls Complaint Files

- (a) Manufacturing, packaging, labeling, and holding operations must establish written procedures describing the handling of product complaints received regarding a cannabis or cannabis-derived product.
- (b) A qualified person must:
 - (1) Review product complaints to determine whether the product complaint involves a possible failure of a product to meet any of its specifications, or any other requirements, including but not limited to those specifications and other requirements that, if not met, may result in a risk of illness or injury; and
 - (2) Investigate any product complaint that involves a possible failure of a product to meet any of its specifications, or any other requirements of this part, including but not limited to those specifications and other requirements that, if not met, may result in a risk of illness or injury.

- (c) Quality control personnel must review and approve decisions about whether to investigate a product complaint and review and approve the findings and follow-up action of any investigation performed.
- (d) The review and investigation of the product complaint, and the review by quality control personnel about whether to investigate a product complaint, and the findings and follow-up action of any investigation performed, must extend to all related batches and relevant records. Related batches may include, but are not limited to, batches of the same product, other batches processed on the same equipment or during the same time period, or other batches produced using the same batches or lots of components or packaging components.
- (e) A written record of the complaint and where applicable its investigation must be kept, including:
 - (1) Identity of the product;
 - (2) Batch, lot or other control number of the product;
 - (3) Date the complaint was received and the name, address, or telephone number of the complainant, if available;
 - (4) Nature of the complaint including, if known, how the product was used;
 - (5) Names of personnel who do the following:
 - (i) Review and approve the decision about whether to investigate a product complaint;
 - (ii) Investigate the complaint, and
 - (iii) Review and approve the findings and follow-up action of any investigation performed.
 - (6) Findings of the investigation and follow-up action taken when an investigation is performed; and
 - (7) Response to the complainant, if applicable.
- (f) Manufacturing, packaging, labeling, and holding operations must establish a procedure for a product complaint that includes a report of an adverse event. For purposes of this section, an adverse event is a health-related event associated with use of a product that is undesirable, and that is unexpected or unusual. The procedure must address whether the adverse event requires the following:
 - (1) Reporting to any public health authority;
 - (2) Reporting to the physician of record for the individual reported to have experienced the adverse event, if known; and
 - (3) Product recall.

Returned Products

- (a) Manufacturing, packaging, and/or labeling operations must establish written procedures describing the receipt, handling, and disposition of returned cannabis or cannabis-derived products.
- (b) Returned products must be identified as such and be quarantined upon receipt.
- (c) Returned product must be reviewed and approved or rejected by quality control personnel.
- (d) If the conditions under which returned product has been held, stored, or shipped before or during its return, or if the condition of the product, its containers, or labeling, as a result of storage or shipping, casts doubt on the identity, purity, strength, composition, or freedom from contamination or adulteration of the

product, the returned product shall be rejected unless examination, testing, or other investigations prove the product meets appropriate standards of identity, purity, strength, and composition and its freedom from contamination or adulteration.

(e) If the reason a product is returned implicates associated batches, an appropriate investigation must be conducted and must extend to all related batches and relevant records. Related batches may include, but are not limited to, batches of the same product, other batches processed on the same equipment or during the same time period, or other batches produced using the same components or packaging components.

(f) Rejected returned product returned to the manufacturing, packaging, labeling, and holding operation must be destroyed or remediated.

(g) A written record must be kept of the return, and where applicable its investigation, including:

- (1) Identity of the product;
- (2) Batch, lot or other control number of the product;
- (3) Date the returned product was received;
- (4) Name and address from which it was returned, and the means by which it was returned;
- (5) Reason for the return;
- (6) Results of any tests or examinations conducted on the returned product, or on related batches, if any;
- (7) Findings of the investigation and follow-up action taken when an investigation is performed;
- (8) Any reprocessing performed on the returned product;
- (9) The ultimate disposition of the returned product, and the date of disposition; and
- (10) Names of the quality control personnel who do the following:
 - (i) Review the reason for the product return;
 - (ii) Review and approve any reprocessing, as applicable, and
 - (iii) Review and approve the findings and follow-up action of any investigation performed.

Recall procedures

Manufacturing, packaging, labeling, and holding operations must establish a procedure for recalling a product that has been shown to present a reasonable or remote probability that the use of the product will cause serious adverse health consequences or could cause temporary or medically reversible adverse health consequences. This procedure should include:

- (1) Factors which necessitate arecall;
- (2) Personnel responsible for a recall; and
- (3) Notification protocols

Manufacturing, packaging, labeling, and holding operations incorporate procedures for communicating a recall of product distributed by the operation. This procedure includes:

- (1) A mechanism to contact all customers that have, or could have, obtained the product from the operation;
- (2) A mechanism to contact the vendor that supplied the recalled product to the operation, if applicable;
- (3) Instructions for the return or destruction of any recalled product by customers;

- (4) Instructions for contacting the relevant manufacturing, packaging, labeling, and/or holding operations; and
- (5) Communication and outreach via media, as necessary and appropriate.



19. I LABORATORY TESTING OPERATIONS

Laboratory internal and State Certified (Site Plan #5b)

Sensi Valley has contracted with Steep Hill labs of Berkeley to provide all of its testing both for internal testing for members and product certification testing per California regulatory guidelines. The laboratory will only utilize equipment that is commercially manufactured, safe for its intended use, and built to codes of recognized and generally accepted good engineering practices, including, but not limited to, the American Society of Mechanical Engineers (ASME), the American National Standards Institute (ANSI), Underwriters Laboratories (UL), the American Society for Testing and Materials (ASTM), or OSHA Nationally Recognized Testing Laboratories (NRTLs).

Standard operating procedures are provided by the laboratory as follows:

10. A laboratory shall develop and implement sampling plans that are consistent with the county and state regulations for obtaining samples of cannabis goods.
11. A laboratory shall develop a separate sampling plan for each type of matrix. The sampling plan must be appropriate to the type of matrix to be analyzed such that a representative sample may be obtained.
12. The sampling plans shall be signed and dated by the laboratory director or his/her designee and shall include the revision dates and authors. The laboratory director's signature denotes approval of the plan.
13. The laboratory shall keep controlled copies of the sampling plans at the laboratory, and the sampling plans shall be available to laboratory personnel. Uncontrolled copies of the sampling plans shall be available to samplers in the field.
14. The laboratory shall make the sampling plans available for inspection by regulatory agencies if requested by county and/or state regulatory agencies.

Laboratory Personnel

Each person engaged in a laboratory operation must:

1. Have education, training, and experience, or any combination thereof, to enable that person to perform all assigned functions
2. They must have records of any training received for the performance of all assigned functions.
3. Provide State authorized credentials posted in plain sight in the Lab

Testing Requirements

1. A laboratory shall obtain samples for the purposes of laboratory analyses for homogeneity; the presence or absence of various analyses, including cannabinoids, residual solvents, microorganisms, pesticides, heavy metals, and mycotoxins; water activity and moisture content; and filth and foreign material, as required in this chapter. A laboratory may also obtain samples for an analysis for the presence and concentration of terpenes.
2. Only the laboratory that collects samples shall be the laboratory that analyzes the collected samples.
3. Only a trained sampler employed by the licensed testing laboratory may obtain samples for the laboratory.

4. The sampler shall do the following when obtaining samples:
 - b. Ensure area is as clean and free from contaminants and filth as possible and sanitize tools;
 - c. Obtain both primary and duplicate samples from each batch;
 - d. Assign a unique sample identifier to each sample and sample increment;
 - e. Follow chain-of-custody protocols to ensure that sample integrity is such that it may be maintained from the point of collection to the receipt of the samples at the laboratory; and
 - f. Wear the equipment required in section below.

Sampler Personal Equipment

A sampler shall wear the following items during the entire sampling process:

1. Disposable protective coveralls or disposable lab coat or apron;
2. Disposable nitrile gloves;
3. Filtering dust mask;
4. Safety goggles; and
5. Hair net.

The sampler shall change gloves between sampling different batches.

Sampling Tools

The sampler shall sanitize all tools and equipment used in the sampling process. Sampling tools may include the following:

1. Amber glass jars or containers with polytetrafluoroethylene (PTFE)-lined lids;
2. A cooler with ice or cold packs;
3. Cleaning supplies such as 10% bleach or 70% ethanol;
4. Powder-free, nitrile, and sterile disposable gloves;
5. A field balance capable of weighing material to within 1 gram of accuracy;
6. Labels and permanent markers;
7. Disinfecting wipes; and
8. Spoons, spatulas, tongs, knives, pipettes, corers, and sampling thieves.

Storage and Handling of Samples

- Samplers shall place samples in tamper-evident containers
- Samplers shall place samples in amber glass jars or containers with polytetrafluoroethylene (PTFE)-lined lids to avoid photo degradation of the sample. The sample shall be kept on ice in an ice chest, with a physical separation between the ice and the sample, and the temperature shall be maintained at 0 to 6 degrees Celsius.

Sample Field Log

The sampler shall use a sample field log to record the following information during each sampling event:

1. Laboratory's name and license number;
2. Sampler's name and title and the names of others onsite;
3. Date and time sampling began;

4. Distributor's name, address, and license number;
5. Name, business address, and license number of the person who transports the samples to the laboratory;
6. Sample matrix;
7. Requested analyses;
8. Total composite sample weight or count;
9. Date and time each sample was obtained;
10. Total batch size, by weight or count;
11. Problems encountered and corrective actions taken;
12. For each sample, the weight or count of each sample, the unique sample identification number, and the location within the batch from which the sample was taken;
13. Any other observations from sampling, including major inconsistencies in the medical cannabis goods' color, size, or smell;
14. Sampling conditions, including temperature; and
15. Batch or lot number of the matrix.

Sampling Unpackaged Harvest Batches

- Samples collected must be representative of the harvest batch being sampled.
- The sampler may obtain samples from unpackaged (loose) harvest batches directly from the container or containers in which the batch is held.
- The harvest batch size will be determined by the county and/or state regulations.
- The sampler shall sample by performing all of the following tasks:
 - Draw samples from varying locations of the container, both vertically and horizontally. The sampler may obtain the necessary increments by following different paths through the batch container or by drawing the increments systematically at well-separated points along a heptagonal pattern.
 - Remove the dried flower and place into an air-tight, sterile sample container as described previously that is capable of protecting the sample from contamination and degradation.
 - Immediately and completely seal the sample container. The sampler shall seal all openings of the container so that it is tamper evident. The sampler shall initial and date each seal.
 - Place the sealed sample containers into a tamper-evident, portable storage unit for transport. The storage unit must be kept at 0 to 6 degrees Celsius.
 - Repack the remaining portion of the batch and replace any lids; and
 - Complete a chain-of-custody form and sample field log.

Batch Size and Sampling Requirements

- Minimum Unpackaged Harvest Batch Sample Size
 - The sampler shall collect 0.5% of the total batch size or the minimum amount required by the county and/or state regulations. A laboratory may obtain greater amounts if the amount in the table is insufficient for the testing required or less if a lesser amount is required by the state or county.

Sample Size Requirements Based on Size of Harvest Batch

Batch Size (lbs) Required Sample Size (g)

≤ 1.00	2.3
1.01 - 2.0	4.5
2.01 - 3.0	6.8
3.01 - 4.0	9.1
4.01 - 5.0	11.3
5.01 - 6.0	13.6
6.01 - 7.0	15.9
7.01 - 8.0	18.1
8.01 - 9.0	20.4
9.01 - 10.0	22.7

Unpackaged harvest-batch sample increments

The sampler shall collect a minimum of 7 and not more than 9 sample increments from each harvest batch. The table below shows the number of increments required for the primary sample, by batch size.

Number of Increments for the Primary Sample, Based on Batch Size

Batch size, pounds	≤ 2.0	2.01 - 4.0	4.01 - 6.0	6.01 - 8.0	8.01 - 10.0
Number of Increments	7	7	8	8	9

The sampler may collect more increments if doing so is required because of the analytical method or laboratory-specific procedures or to ensure that a sufficient quantity of material is available for all required tests. The sampler may collect only the amount necessary to conduct the required and requested testing.

Sample Increments for Packaged Medical Cannabis Goods Units in Batch Number of Increments

2 - 15	2
16 - 20	3
51 - 150	5
151 - 500	8
501 - 3200	13
3201 - 35,000	20
35,000 - 500,000	32
500,001 and above	50

For batches that are packaged for retail sale, the minimum number of required sample increments required, by size of the batch, is in the table below. Each increment consists of 1 prepackaged unit. The sampler may collect a greater number of increments if required because of an analytical method or laboratory-specific procedures or to ensure that a sufficient quantity of material is available for all required tests. The sampler may only collect the amount necessary to conduct the

required and requested testing. A sampler may not collect samples from a harvest batch weighing more than 10 pounds. If an entire unit for sale is an insufficient quantity of material available for all required tests, multiple units for sale may be combined to create a single increment. The sampler or testing laboratory shall combine all primary sample increments to constitute one primary sample.

Sampling Sample Field Log

The sampler shall use a sample field log to record the following information during each sampling event:

- i. Laboratory's name and license number;
- ii. Sampler's name and title and the names of others onsite;
- iii. Date and time sampling began;
- iv. Distributor's name, address, and license number;
- v. Name, business address, and license number of the person who transports the samples to the laboratory;
- vi. Sample matrix;
- vii. Requested analyses;
- viii. Total composite sample weight or count;
- ix. Date and time each sample was obtained;
- x. Total batch size, by weight or count;
- xi. Problems encountered and corrective actions taken;
- xii. For each sample, the weight or count of each sample, the unique sample identification number, and the location within the batch from which the sample was taken;
- xiii. Any other observations from sampling, including major inconsistencies in the medical cannabis goods' color, size, or smell;
- xiv. Sampling conditions, including temperature; and
- xv. Batch or lot number of the matrix.

Sampling Unpackaged Harvest Batches

- Samples collected must be representative of the harvest batch being sampled.
- The sampler may obtain samples from unpackaged (loose) harvest batches directly from the container or containers in which the batch is held.
- A sampler may not collect samples from a harvest batch weighing more than 10 pounds. Samples collected from batches weighing more than 10 pounds shall be deemed invalid.
- The sampler shall sample by performing all of the following tasks:
 1. Draw samples from varying locations of the container, both vertically and horizontally. The sampler may obtain the necessary increments by following different paths through the batch container or by drawing the increments systematically at well-separated points along a heptagonal pattern.
 2. Remove the dried flower and place into an air-tight, sterile sample container as described in section 5256 that is capable of protecting the sample from contamination and degradation.
 3. Immediately and completely seal the sample container. The sampler shall seal all openings of the container so that it is tamper evident. The sampler shall initial and date each seal.
 4. Place the sealed sample containers into a tamper-evident, portable storage unit for transport. The storage unit must be kept at 0 to 6 degrees Celsius.

5. Repack the remaining portion of the batch and replace any lids; and C
6. Complete a chain-of-custody form and sample fieldlog.

Sampling of Packaged Cannabis Goods

For packaged cannabis goods, the sampler shall store and secure the sample, taking all of the following steps:

1. Place into an air-tight, sterile sample container that is capable of protecting the sample from contamination and degradation.
2. The sampler shall seal all openings of the container so that it is tamper evident. The sampler shall initial and date each seal.
3. Place the sealed sample containers into a tamper-evident, portable storage unit for transport to the testing laboratory.
4. Complete a chain-of-custody form and a field sample log.

Homogeneity Tests for Edible Cannabis Products

1. A laboratory shall perform a homogeneity test for THC or CBD, whichever is purported by the manufacturer to be the largest ingredient content, for each batch of edible medical cannabis product. If the amounts of THC and CBD are very similar (near 1:1), the laboratory shall test for homogeneity of THC.
2. A homogeneity test requires at least 10 increments, collected separately than those collected for the field primary sample, from different regions of the manufactured cannabis batch, following procedures in sampling section 5277 and the laboratory's standard operating procedure for sampling. The laboratory shall determine the relative standard deviation of THC or CBD content between the 10 or more increments.
3. The batch is homogeneous and "passes" homogeneity testing if the relative standard deviation, with no outliers, as assessed using the Grubb's outlier test with a significance level of 0.05, is less than 15% on average. If the relative standard deviation is greater than 15%, the batch "fails" the homogeneity test.
4. If a homogeneity test is not performed or if a batch fails homogeneity testing, the batch fails and shall be destroyed.
5. If the product batch passes homogeneity testing, the laboratory shall perform all other analyses required under this chapter.

Appendix A: Definitions

The following definitions apply to this operation:

- Actual yield means the quantity that is actually produced at any appropriate step of cultivation, manufacture or packaging of a particular cannabis-derived product.
- Adulteration means that a cannabis-derived product (1) consists in whole or in part of any filthy, putrid, or decomposed substance; or (2) bears or contains any poisonous or deleterious substance which may render it injurious to health; except that (A) such product shall not be considered adulterated if the quantity of such substance does not ordinarily render it injurious to health and (B) the cannabis content of the product shall not be considered injurious to health; (3)(A) has been manufactured, packaged, labeled, or held under insanitary conditions whereby it may have become contaminated with filth, or whereby it may have been rendered injurious to health; or (B) has been manufactured, packaged, labeled, or held by methods, in facilities, or using controls that do not conform to or are not operated or administered in conformity with this part to assure that the cannabis-derived product meets appropriate requirements as to safety; or (4) fails to meet appropriate requirements as to safety; or (5) is in a container composed, in whole or in part, of any poisonous or deleterious substance which may render the contents injurious to health; or (6) bears or contains, for purposes of coloring, a color additive which is not approved in the United States for use in a comparable food product; or (7) (A) has been mixed or packaged with any substance so as to reduce its quality or strength or (B) has been substituted wholly or in part with any substance.
- Batch means, with regard to cannabis, a specific quantity of cannabis harvested during a specified time period from a specified cultivation area; and means, with regard to cannabis-derived product, a specific quantity that is uniform, that is intended to meet specifications for identity, strength, purity and composition, and that is manufactured, packaged and/or labeled during a specified time period according to a single manufacturing, packaging, and/or labeling batch record for testing and state regulations to be met.
- Batch number, lot number, or control number means any distinctive group of letters, numbers, or symbols, or any combination of them, from which the complete history of the manufacturing, packaging, labeling, or holding of a batch or lot of cannabis or cannabis-derived products can be determined.
- Cannabis means any of the aerial parts of a plant in the genus *Cannabis*, and does not mean hemp.
- Cannabis-derived product means a product, other than cannabis itself, which contains or is derived from cannabis by manufacturing as defined herein, and does not mean a product that contains or is derived from hemp.
- Cannabis waste means cannabis or cannabis-derived product discarded by a nursery, cultivator, manufacturing, packaging, labeling, or holding operation.
- Compliant member means a member who has met established legal requirements to create, obtain and use cannabis or cannabis-derived product(s) in the jurisdiction where this part applies.
- Composition means the aggregate mixture which results from the manufacture of a cannabis-derived product according to the formula and process defined in the product's manufacturing protocol.

- Component means any substance or item intended for use in the manufacture of a cannabis-derived product, including those that do not appear in the batch of the cannabis-derived product. Component includes cannabis, cannabis-derived products used as ingredients, other ingredients, and processing aids.
- Contact surface means any surface that directly contacts cannabis, components, or cannabis-derived product, and any surface from which drainage onto cannabis, components, or cannabis-derived product, or onto surfaces that contact cannabis, components, or cannabis-derived product, may occur during the normal course of operations.
- Controlled access area means an area in the physical plant designed to prevent entry by anyone except authorized personnel.
- Cultivate means to grow, harvest, dry, and cure cannabis. A person, group of persons, non-profit entity, or business entity that cultivates is a cultivator, and a facility where cannabis plants are cultivated is a cultivation operation.
- Dispense means to provide cannabis or cannabis-derived product to compliant individuals.
- Dispensing operation means a person, group of persons, non-profit entity, or business entity that provides cannabis or cannabis-derived product to compliant individuals and includes delivery services, direct-from-garden operations, growing co-ops, and storefront operations.
- Disposition means review and approval or rejection of a batch, lot, or other item by quality control personnel.
- Gang-printed label means a label for one product that is printed simultaneously on the same sheet of paper as labels for other products.
- Hemp means any part of a plant in the genus Cannabis, whether growing or not, with a delta-9 tetrahydrocannabinol concentration of not more than 0.3 (three-tenths) percent on a dry weight basis.
- Hold means to store or warehouse cannabis or cannabis-derived product in any context by an operation that is subject to this rule. A person, group of persons, non-profit entity, or business entity that holds is a holder, and a facility where holding occurs is a holding operation.
- Identity means the set of characteristics by which an ingredient or product is definitively recognizable or known. In the case of cannabis and other botanical ingredients, identity means the plant part and the botanical genus, species, variety, strain, and/or cultivar, as well as any other applicable characteristics as stated on the label or other labeling. In the case of cannabis-derived products, identity means the product name, strength, key features of its form or composition, grade, and/or other characteristics as applicable.
- Ingredient means any substance that is used in the manufacture of a cannabis-derived product and that is intended to be present in the batch of the cannabis-derived product. In-process material means any material that is compounded, blended, ground, extracted, sifted, sterilized, or prepared in any other way by the operation for use in its manufacturing, packaging, or labeling of cannabis or a cannabis-derived product.
- Labeling (verb) means to affix labeling on packaged cannabis or cannabis-derived product. A person, group of persons, non-profit entity, or business entity that labels is a labeler, and a facility where labeling occurs is a labeling operation.
- Label (noun) means all labels and other written, printed or graphic matter on or accompanying any article or any of its containers or wrappers.

- Lot means a batch, or a specific identified portion of a batch, that is uniform and that is intended to meet specifications for identity, purity, strength, and composition; or, in the case of a cannabis-derived product produced by continuous process, a specific identified amount produced in a specified unit of time or quantity in a manner that is uniform and that is intended to meet specifications for identity, purity, strength, and composition.
- Manufacture means to compound, blend, grind, extract, or otherwise make or prepare cannabis-derived product; the term does not apply to cannabis. A person, group of persons, non-profit entity, or business entity that manufactures is a manufacturer, and a facility where manufacture occurs is a manufacturing operation.
- May is used to indicate an action or activity that is permitted; may not is used to indicate an action or activity that is not permitted.
- Microorganism means yeasts, molds, bacteria, viruses, and other similar microscopic organisms having public health or sanitary concern. This definition includes species that may cause a component or cannabis or cannabis-derived product to decompose; may indicate that the component or cannabis or cannabis-derived product is contaminated with filth; or otherwise may cause the component, cannabis or cannabis-derived product to be adulterated.
- Must is used to state a requirement.
- Package (verb) means to place cannabis or cannabis-derived product into primary packaging for bulk or retail distribution when performed by an operation subject to this part. A person, group of persons, non-profit entity, or business entity that packages is a packager, and a facility where packaging occurs is a packaging operation.
- Pack (verb) means to place cannabis or cannabis-derived product into containers for distribution, other than to package the cannabis or cannabis-derived product; and includes the placement of cannabis into any type of containers by cultivation operations, processing operations, and dispensing operations, as well as the placement of filled primary packaging containers into other containers such as for storage or transport.
- Packaging component means any item intended for use in the primary packaging or labeling of cannabis-derived products.
- Personnel means any worker engaged in the performance of operations subject to this rule and includes full and part-time employees, temporary employees, contractors, and volunteers.
- Pest means any objectionable insect or other animal at any life stage.
- Physical plant means all or any part of a building or facility used for or in functional connection with manufacturing, packaging, labeling, or holding a cannabis-derived product.
- Primary packaging means items used in packaging that serve to directly contain, contact, and/or label the product.
- Process (verb) means to trim, inspect, grade, handle, store, inventory or pack cannabis. A person, group of persons, non-profit entity, or business entity that processes is a processor, and a facility where cannabis is processed is a processing facility.
- Product complaint means any communication that contains any allegation, written, electronic, or oral, expressing concern, for any reason, with the quality of a product that could be related to its manufacture, packaging, or labeling.
- Production means manufacturing, packaging, and/or labeling, as applicable to the firm's operations.

- Purity means the relative freedom from extraneous matter, contaminants, or impurities, whether or not harmful to the consumer or deleterious to the product.
- Quality means that the product consistently meets the established specifications for identity, purity, strength, composition, packaging, and labeling, and has been manufactured, packaged, labeled, and held under conditions to prevent adulteration. Quality control means a planned and systematic operation or procedure for ensuring the quality of a product.
- Quality control personnel means any person, persons, or group, within or outside of a manufacturing, packaging, labeling or holding operation, which is designated to be responsible for the operation's quality control operations.
- Quarantine means to segregate and withhold from use lots, batches, or other portions of components, packaging components, in-process materials, cannabis, or products whose suitability for use must be determined by quality control personnel.
- Representative sample means a sample that consists of an adequate quantity of material or number of units that is collected in a manner intended to ensure that the sample accurately portrays the material being sampled.
- Reprocessing means the performance of a treatment, adjustment, repackaging, relabeling, or other deviation from standard procedures or from the applicable manufacturing protocol, in order to render a nonconforming material suitable for use. Reserve sample means a representative sample of component, packaging component, or product that is held for a designated period of time.
- Sanitize means to adequately treat cleaned equipment, containers, utensils, or any other cleaned contact surface by a process that is effective in destroying vegetative cells of microorganisms of public health significance, and in substantially reducing numbers of other microorganisms, but without adversely affecting the product or its safety for the consumer.
- Should is used to state recommended or advisory procedures.
- Strength means the potency of cannabis or a cannabis-derived product, whether expressed as (a) the amount or percent of specific chemical constituents or groups of chemical constituents; (b) the concentration or amount of cannabis present in a cannabis-derived product; or (c), in the case of cannabis extracts, the ratio of the input quantity of crude cannabis, on a dry weight basis, to the output quantity of finished extract.
- Theoretical yield means the quantity that would be produced at any appropriate step of manufacture or packaging of a particular cannabis-derived product, based upon the quantity of components or packaging to be used, in the absence of any loss or error in actual production.
- Water activity (was) is a measure of the free moisture in a component or product and is the quotient of the water vapor pressure of the substance divided by the vapor pressure of pure water at the same temperature.
- Vendor means a person, group of persons, non-profit entity, or business entity that supplies cannabis or cannabis-derived product to manufacturing, packaging, labeling or holding operations, and may be either the direct representative of a cultivation, processing, or manufacturing operation, or may function independently of such operations by purchasing cannabis or cannabis-derived product from such operations and reselling it to other operations.

ATTACHMENT 6

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	✓	Conditional approval	On file with Planning
Public Works, Land Use Division	✓	Conditional approval	On file with Planning
Division Environmental Health	✓	Conditional approval	On file with Planning
US Forest Service	✓	Recommend denial of setback reduction.	Attached
Calfire	✓	Comments	Attached
Department of Fish & Wildlife	✓	Recommend Conditional approval	Attached
Caltrans		No Response	
NWIC	✓	Further Study	On file with Planning
Bear River Band Rohnerville Rancheria	✓	Conditional approval	
Humboldt County District Attorney		No response	
Humboldt County Agricultural Commissioner		No response	
Ruth Lake Community Services District		No response	
Southern Trinity Joint Unified School District	✓	Recommend denial- Issue resolved	Attached
Humboldt County Sheriff	✓	Comments	
USFS Six Rivers National Forest School District		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	

Johnson, Cliff

From: Frey, George -FS <gfrey@fs.fed.us>
Sent: Thursday, September 13, 2018 10:36 AM
To: Johnson, Cliff
Subject: RE: APN 208-071-32, 46068 Hwy 36, Dinsmore, USFS property

Cliff,

Yes that is our position. We do not want the 600 foot public lands buffer waived on National Forest System lands.



George Frey, Forester
Lands and Minerals Specialist
Forest Service
Six Rivers National Forest, Supervisors Office

p: 707-441-3631
f: 707-441-3502
gfrey@fs.fed.us

1330 Bayshore Way
Eureka, CA 95501
www.fs.fed.us



Caring for the land and serving people

From: Johnson, Cliff [<mailto:CJohnson@co.humboldt.ca.us>]
Sent: Wednesday, September 12, 2018 8:36 AM
To: Frey, George -FS <gfrey@fs.fed.us>
Subject: RE: APN 208-071-32, 46068 Hwy 36, Dinsmore, USFS property

Hi George,

Is it fair to say that this is the position of USFS for all requested waivers of the 600 foot setback from federal lands?

Cliff Johnson, Supervising Planner
County of Humboldt
Planning and Building Department
3015 H Street
Eureka, CA 95501
(707) 268-3721

From: Frey, George -FS [<mailto:gfrey@fs.fed.us>]
Sent: Thursday, September 06, 2018 4:13 PM

To: Johnson, Cliff

Subject: RE: APN 208-071-32, 46068 Hwy 36, Dinsmore, USFS property

Mr. Johnson,

Attached is a letter we recently sent to the Planning department on our position on cannabis and transportation of cannabis across National Forest System lands. In this case the applicant has direct access to a State Highway. We want to keep the influence of cannabis to a minimum on federal lands and therefore do not recommend a waiver of the 600 foot setback from federal lands.



**George Frey, Forester
Lands and Minerals Specialist**

**Forest Service
Six Rivers National Forest, Supervisors Office**

p: 707-441-3631

f: 707-441-3502

gfrey@fs.fed.us

1330 Bayshore Way

Eureka, CA 95501

www.fs.fed.us



Caring for the land and serving people

From: Johnson, Cliff [<mailto:CJohnson@co.humboldt.ca.us>]

Sent: Thursday, September 6, 2018 2:04 PM

To: Frey, George -FS <gfrey@fs.fed.us>

Subject: RE: APN 208-071-32, 46068 Hwy 36, Dinsmore, USFS property

Mr. Frey:

Regardless of the acquisition issue, would you be able to advise us if there are any concerns that USFS has about the proposed cannabis activity within 600 feet of USFS lands?

Cliff Johnson, Supervising Planner
County of Humboldt
Planning and Building Department
3015 H Street
Eureka, CA 95501
(707) 268-3721

File Code: 1500
Date: August 29, 2018

Michelle Nelson
Planning and Building Department
Humboldt County
3015 H Street
Eureka, CA 95501

Dear Ms. Nelson:

Thank you for providing the USDA Forest Service with the opportunity to provide input to Humboldt County's land use regulations governing cannabis cultivation on private property as they relate to National Forest System (NFS) lands.

The use, cultivation and transportation of cannabis on Forest Service lands is illegal. The Comprehensive Drug Abuse Protection and Control Act of 1970, and more specifically Title II of the act (the Controlled Substances Act), lists cannabis as a Schedule 1 drug. The Forest Service does not have discretion to permit activities on NFS lands that will violate the Controlled Substances Act or any other federal law. The Forest Service cannot authorize any activities related to cannabis operations on public land, such as the cultivation, production, transportation, or distribution of supplies or product.

We recommend that applicants for county cannabis permits who are adjacent to or near Forest Service lands have their parcels surveyed by a professional land surveyor to ensure their operations are not trespassing upon or causing impacts to federal lands. Individuals that cause resource damage, including soil erosion and contamination to Forest Service administered lands from illicit acts including the manufacture of cannabis, may be subject to federal criminal and/or civil action. Permit applicants should be aware that transporting cannabis across an existing right of way on federal lands to access a private parcel, is also illegal under federal law, and violators could face federal criminal action.

We appreciate the opportunity to comment on the county's cannabis-use regulations. If you need further information on this subject, please contact me at (707) 441-3531.

Sincerely,



MICHAEL A. GREEN
Acting Forest Supervisor



Caring for the Land and Serving People

Printed on Recycled Paper



From: Lee_Bo@CALFIRE
To: [Planning Clerk](#); HUU_CEOA@CALFIRE
Subject: 208-071-032-000, Sensi Valley, Inc., application #12782
Date: Thursday, December 21, 2017 7:57:38 PM

Reviewed by B1213.

Recommend:

- Emergency Access
 - Turnarounds
- Signing and building numbers
- Emergency water standards
 - Designated water storage for fire
- Fuel modification standards

Bo Lee
Battalion Chief
CAL FIRE
Humboldt-Del Norte Unit
707-499-2244



**California Department of Fish and Wildlife
CEQA Referral Checklist**

Applicant: Sensi Valley Inc.		Date: 8/31/2018	
APPS No.: 12782	APN: 208-071-032	CDFW CEQA: 2017-1118	Case No.: S CUP16-834, SP17-170 SP17-171 SP17- 172 CUP17-076 GPA18-003 ZR18-006 SP18-083 SP18- 084
<input checked="" type="checkbox"/> New	<input type="checkbox"/> Existing	<input type="checkbox"/> Mixed-light (SF):	<input type="checkbox"/> Outdoor (SF): <input type="checkbox"/> Indoor <input checked="" type="checkbox"/> Other

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 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 note the following information:

The Project proposes a General Plan Amendment (GPA18-003) to change the land use designation of the subject parcel from Residential Agriculture (RA20) to Industrial General (IG); A Zone Reclassification (ZR18-006) from Unclassified (U) to Heavy Industrial with a Qualified Combining Zone (MH-Q); A Conditional Use Permit (CUP 16-834) for a 45,000 square foot retail nursery; a Special Permit (SP 17-170) for a 21,240 square foot processing facility consisting of one existing 4,000 square foot building and two proposed buildings of 3,280 and 13,960 square feet respectively; a Special Permit (SP 17-171) for a 11,760 square foot manufacturing operation; a Special Permit (SP 17-172) for a 896 square foot distribution operation; a Conditional Use Permit (CUP 17-076) for a 1,000 square foot test laboratory; A Special Permit (SP18- 083) for a setback reduction from the Six Rivers National Forest; and a Special Permit (SP18-084) for activity within the 100-year flood zone. Water is provided by an onsite hydrologically connected well with water withdrawal limited between May 15 and October 31 to 500 gallons per day. Water storage consists of two proposed 100,000-gallon water tanks. A large storage pond was previously proposed, but does not seem to be included in the latest project revision. Fire protection will be provided through a system of onsite sprinklers and hydrants. Wastewater will be managed by a proposed onsite sewage disposal system. Electricity will be provided by PGE. A backup generator with fuel storage for emergencies is also proposed in two 800 square foot buildings. Site plan includes 88 proposed

parking spaces and 4 ADA spaces. Various ancillary structures and facilities are also proposed including: an 800 square foot security structure; a 100 square foot Electric drop building; a 1200 square foot site and sales office; a 3,360 square foot employee services building; a 1,680 square foot nursery operations building; a 2,240 square foot nursery distribution building; a 17,000 square foot waste management area; a 17,550 commercial storage/ag support building; two 2,116 square foot support buildings for maintenance and water treatment/distribution; one 1,920 square foot logistics support building; Project also includes a proposed 1,200 square foot management housing and a 1,200 square foot security housing building as well as a 5,760 square foot Administration building. The Special Permit (SP 17-170) for the processing operation includes a reduction in setback to adjacent US Forest Service Land. The facility is proposed to be located within the 100-year floodplain of the Van Duzen River, which provides habitat to sensitive fish and wildlife species.

- ☒ CDFW's primary concern with the project relates to the proposed construction of a permanent manufacturing and distribution facility within the 100-year floodplain. Floodplains are an important physical and biological part of riverine ecosystems. All rivers flood, and flooding is a natural and recurring event in river systems such as the Van Duzen River. CDFW strongly supports the conservation and restoration of floodplain habitats. CDFW is especially concerned with maintaining the floodplain and riparian habitat along the Van Duzen River because of the significant biological values the River has for numerous State and federally-listed or otherwise sensitive species.

Riverine floodplains provide many ecological services, including but not limited to:

- Facilitating growth of trees and vegetation that anchor riverbanks and prevent bank erosion.
- Sustaining listed anadromous salmonid populations and thereby commercial fisheries by providing river habitat such as shade, over-hanging banks, habitat complexity, large woody debris, insect and foliage drop contributing to the aquatic food chain, and high-flow refugia for fish during flood events.
- Providing vitally important habitat to numerous riparian-dependent wildlife species, such as reptiles, amphibians, bats, and migratory songbirds.
- Functioning as natural filters that absorb nutrients and other pollutants from water and making rivers healthier for drinking, swimming, and supporting fish and wildlife species.

Development in flood-prone areas disconnects rivers from their natural floodplains and displaces, fragments, and degrades important riparian habitat. Development in floodplains often eliminates benefits of natural flooding regimes such as deposition of river silts on valley floor soils, and recharging of wetlands. In addition, development can prevent the formation of braided channel structure, off-channel fish habitat, and backwaters, resulting in higher velocity flows. These changes lower habitat suitability for salmon, which need low-velocity refugia during flood flows.

Development in floodplains is vulnerable to erosion and flood damage. Once structures are built and threatened by river flooding, property owners often seek to armor riverbanks or build or raise levees to prevent future property damage. Thus, not only does development displace riparian and floodplain habitat when it is build, it often results in further riparian and floodplain habitat loss through rock armoring and levee construction. Floodplains also provide

vital water storage capacity during flood events. Flood-damaged properties also have a high potential to result in contaminant releases into river systems.

CDFW recommends that local lead land use agencies permit only vital public infrastructure in floodplains (e.g., transportation structures and water, sewer, natural gas, and electrical transmission facilities). Public facilities built in floodplains should be able to withstand flood events without significant damage or pollution release. Given their biological importance, and propensity to flood, CDFW believes ideal land uses for floodplains are parks, picnic areas, boat ramps, agriculture, open space, and, especially, lands dedicated to the maintenance and enhancement of riparian wildlife habitat. To best protect California's riverine and riparian habitats, CDFW believes it is wise public policy to maintain and restore floodplain functions and to prevent, whenever practicable, the development of residential and commercial structures in areas that are not already protected by existing levee systems.

Allowing non-essential development and habitat conversion in floodplains will result in degradation of riverine and riparian habitats and negatively impact the fish and wildlife species that depend upon them. Consequently, this Project, as proposed, will result in the degradation of both aquatic and riparian habitat of the Van Duzen River. For this reason, CDFW recommends the project be redesigned to keep permanent structures out of the Van Duzen River's 100-year floodplain.

- Due to the proximity of the project in relation to the floodplain of the Van Duzen River, CDFW requests that all hazardous or toxic materials deleterious to fish be stored in a proper facility when not in direct use. In addition, CDFW requests that the storage facility along with fuel storage be designed and constructed such that the facility is above the elevation of flood inundation.
- CDFW requests clarification on the legal parcel boundary, prior to project approval, as referral materials and ancillary information have indicated two separate delineations.
- The project has the potential to adversely affect fish and wildlife resources through noise and light pollution. Human induced noise and light pollution may adversely affect wildlife species in several ways including abandonment of territory, loss of reproduction, interference to predation, 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. CDFW requests that the project be designed to attenuate noise and light pollution to the extent feasible including but not limited to compliance with the International Dark Sky Association Standards for all lighting systems, and sound dampening infrastructure for project equipment (e.g. generators, processing equipment, etc.); noise released shall be minimized and should be no greater than 86-decibels measured at 50-feet from the noise source.
- The Project as referred is located within the 100 year floodplain and proposes to reduce the setback to public lands that provide habitat for fish and wildlife. CDFW requests mitigation for these encroachments in the form of a site-specific riparian enhancement plan developed by a qualified professional in consultation with CDFW. This plan shall include planting of native riparian trees and shrubs with a minimum five-year monitoring plan and a 90% success rate. CDFW requests that planting extend from the existing riparian vegetation located adjacent to the Van Duzen River to 100 feet north of the proposed vegetative fence line.

- ☒ A Final Lake or Streambed Alteration Agreement (1600-2016-0375) has been issued to the applicant.
- ☒ This project has the potential to affect sensitive fish and wildlife resources such as Willow Flycatcher (*Empidonax traillii*), Northern Goshawk (*Accipiter gentilis*), Osprey (*Pandon haliateus*), Steelhead Trout (*O. mykiss*), Foothill Yellow-legged Frog (*Rana boylii*), 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 kalyn.bocast@wildlife.ca.gov .

Please confirm that you have received this email.

Sincerely,

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



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



12/7/2017

PROJECT REFERRAL TO: Southern Trinity Joint Unified School District

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, California Department of Transportation District #1, Regional Water Quality Control Board, North Coast Unified Air Quality Management District, Humboldt County District Attorney, Humboldt County Agriculture Commissioner, Humboldt County Sheriff, CA Water Resources, Division of Water Rights, Southern Trinity Joint Unified School District, Ruth Lake Community Services District, USFS Six Rivers National Forest School District

Applicant Name Sensi Valley, Inc **Key Parcel Number** 208-071-032-000

Application (APPS#) 12782 **Assigned Planner** Steven Santos (707) 268-3749 **Case Number(s)** CUP16-834
 SP17-170
 SP17-171
 SP17-172
 CUP17-076

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.

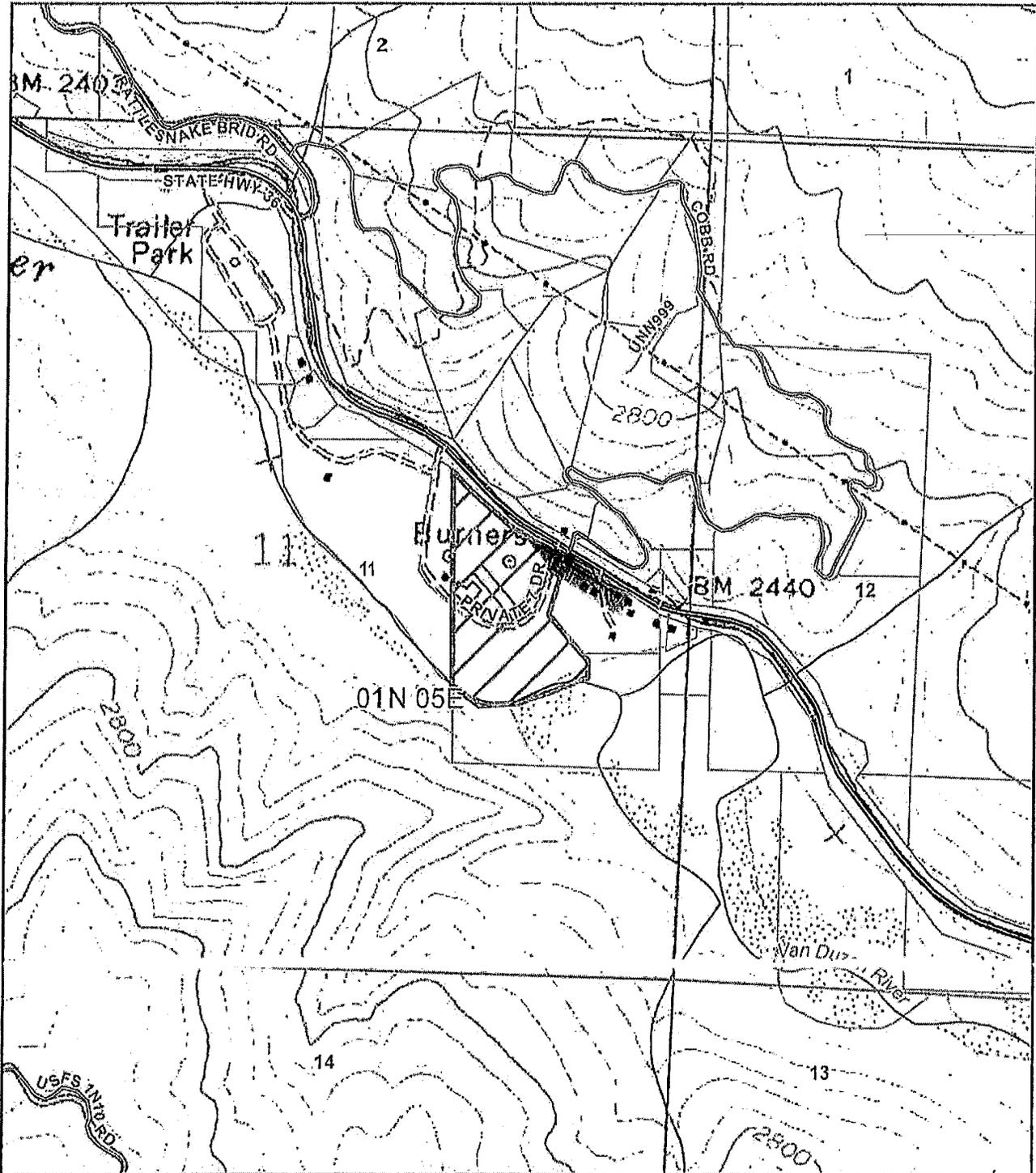
If this box is checked, please return large format maps with your response.

Return Response No Later Than 12/22/2017 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: This site is w/in 600 ft of a bus stop. Students were forced to move because of living near this site.

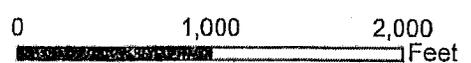


**TOPO MAP
 PROPOSED SENSI VALLEY INC
 DINSMORE AREA
 APN: 208-071-032
 T01N R05E S11 HB&M (DINSMORE)**

Project Area =



CUP-16-834; SP-17-170; SP-17-171; SP-17-172; CUP-17-076



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.

ATTACHMENT 7

BOARD OF SUPERVISORS, COUNTY OF HUMBOLDT,
STATE OF CALIFORNIA

Certified copy of portion of proceedings, Meeting on _____, 2018

ORDINANCE NO. _____

AN ORDINANCE OF THE BOARD OF SUPERVISORS OF THE COUNTY OF HUMBOLDT AMENDING SECTION 311-7 OF THE HUMBOLDT COUNTY CODE BY REZONING PROPERTY IN THE DINSMORE AREA (ZR-18-006, SENSI VALLEY, INC)

The Board of Supervisors of the County of Humboldt do ordain as follows:

SECTION 1. ZONE AMENDMENT. Section 311-7 of the Humboldt County Code is hereby amended by reclassifying lands in the Dinsmore area from Residential Agriculture (RA20) to Heavy Industrial with a Qualified combining zone (MH-Q). The area described is also shown on the Humboldt County zoning map [W-34] and on the map attached as Exhibit B.

SECTION 2. ZONE QUALIFICATION. The special restrictions and regulations set forth in Section 4 herein are hereby made applicable to the property reclassified from "RA20" to "MH-Q" (described in Exhibit A), in accordance with Humboldt County Code Section 314-32, which authorizes restriction of the MH zone regulations by application of the "Q" (Qualified Combining Zone).

SECTION 3. PURPOSE OF QUALIFICATIONS. The purposes of the special restrictions and regulations herein imposed on the property described in Exhibit A are to identify and restrict principally and conditionally permitted uses to those that are consistent with a General Plan designation of Industrial, Resource Related (IR) and which have no impacts on adjacent recreational, open space, and public school uses that are greater than the impacts caused by uses historically located on the MH-Q zoned property.

SECTION 4. SPECIAL RESTRICTIONS. Principal permitted uses and conditionally permitted uses otherwise allowed under the MH (Heavy Industrial) Zone regulations of Humboldt County Code Section 314-6.5 shall not be allowed on the property described in Exhibit A except as provided for below:

(a) Principal Permitted Uses. Uses in paragraph (1) below subject to the industrial performance standards of paragraph (2) herein:

(1) Resource-related industrial processing such as timber products processing, agricultural products processing.

(2) Industrial Performance Standards

- Noise. All noise generating operations shall be buffered so that they do not exceed the General Plan Land Use/Noise Compatibility Matrix for existing adjacent uses anywhere off site.
- Lights. All lights shall be directed on-site and shielded to reduce glare to adjacent residential, recreation, and open space areas.
- Vibrations. No perceptible vibrations shall be permitted off the building site except for surface mining processing facilities.
- Electronic Interference. No visual or audible interference of radio or television reception by operations shall be permitted.

- Dust Control. All areas used for parking, traffic circulation and material storage shall be surfaced with asphalt concrete, treated with a dust suppressant or another method to maintain dust control.
- Enclosures. All manufacturing and fabricating areas shall be enclosed in buildings except for surface mining processing facilities.
- Storage. All equipment and materials storage areas shall be screened from adjacent residential zones or uses, public recreation zones or uses, and public schools. Equipment and materials storage areas shall be screened by walls, fences, or adequate plantings to a height of not less than six feet (6'); the fencing and plantings shall conform to all yard requirements.
- Visual buffering. Maintain or enhance views from adjacent public recreation uses, public schools, and Highway 96 of a vegetated corridor such that new development is screened to the extent feasible.
- Does not involve industrial activity which involves the handling of toxic, highly flammable, explosive or radioactive materials in such quantities that would, if released or ignited, constitute a significant risk to adjacent human populations or development.

(b) Uses permitted with a Use Permit:

(1) Uses in paragraph (a)(1) above but are not able to meet the performance standards of (a)(2) above.

(2) Surface removal and processing of minerals and natural materials to be used for commercial purposes.

(3) A caretaker's residence when subordinate to the principal use.

(4) Uses in paragraph (a)(1) above and where there are no ground or surface water impacts to the lower Trinity watershed.

(c) Permitted Uses. Uses in paragraph (a)(1) above, consistent with the Commercial Cultivation, Processing, Manufacturing and Distribution of Cannabis regulations and as amended from time to time, Humboldt County Code 314-55.4 et seq., and subject to the industrial performance standards of paragraph (a)(2) herein.

SECTION 5. EFFECTIVE DATE. This ordinance shall become effective thirty (30) days after the date of its passage.

PASSED, APPROVED AND ADOPTED this _____ day of _____, 20__, on the following vote, to wit:

AYES: Supervisors:

NOES: Supervisors:

ABSENT: Supervisors:

Chairperson of the Board of Supervisors of the
County of Humboldt, State of California

(SEAL)

ATTEST:
Kathy Hayes
Clerk of the Board of Supervisors of the
County of Humboldt, State of California

Deputy

ATTACHMENT 8
PUBLIC COMMENTS RECEIVED

Moreno, Elizabeth

From: Stephanie Tidwell <stephanie@eelriver.org>
Sent: Wednesday, September 05, 2018 2:25 PM
To: Ford, John; Moreno, Elizabeth
Cc: Scott Greacen FOER
Subject: RE: SENSI Valley, Inc. CUP16-834, CUP17-076 and SP17-170, SP17-171

Follow Up Flag: Follow up
Flag Status: Flagged



Dear Elizabeth and John,

I write to express Friends of the Eel River's concerns over the CUPs and SPs applied for by Sensi Valley, Inc. for its proposed processing facility in the floodplain of the Van Duzen River. You were each listed as the contact person for this application on different platforms (Elizabeth for the initial study and mitigated negative declaration and John for CEQA clearinghouse # 2018082040).

FOER's concerns are encapsulated in the fact that construction of such a major commercial operation in the floodplain of the Van Duzen River would require a General Plan amendment in order to proceed. This is clearly not something that belongs in the floodplain of a river that hosts listed salmonids. Specific problems with the proposal include:

1. General Plan amendment: A Plan amendment is required to change the zoning designation from Residential Agriculture to Industrial. While the site was indeed previously a mill and then a dump, its 2017 rezoning was at least partially due to its cleanup and restoration. To walk that decision back is regressive. The conservation community was appalled by the environmental rollbacks that got through the last Plan update. The fact this proposal can't even comply with those insufficient regulations should be proof enough that it should not be approved in its current form. A MND is not justifiable for this application for a major operations expansion.

2. Location in a floodplain: The maps and satellite imagery clearly show that this site is located not only within the Van Duzen's floodplain but also in an area that regularly floods. Upriver braids and sandbars indicate that the river regularly changes course above, and even at, this bend. Even a lay person such as myself can see the likelihood for a flood event to significantly impact this site in a riverbend. Related problems include:

- A. Septic system: sandy and rocky soils in a floodplain are not appropriate for septic systems
- B. Water: The proposed well is likely hydrologically connected to the surface water. The assertion that it would be in compliance with forbearance requirements is highly suspect, as is the claim that a water reclamation plant in the future will facilitate a 90% reduction in water use.
- C. Processing waste: The facility would generate a significant amount of processing waste. Information on its removal and procedures for mitigating risk is insufficient.
- D. Failed berm: The notch in the berm is a significant weak point.
- E. Erosion, stormwater run-off, and other contributors to sediment pollution: The MND repeatedly states that the flat nature of the graded property makes this an insignificant concern. Due to the fact that the site is fully within the floodplain, has a failed berm, and is in an area that is known to regularly flood, such claims must not be taken at face value.

3. Impacts on surrounding land: There is a significant amount of National Forest land within the 600 foot buffer. Has the Forest Service agreed to a waiver?

4. Other watershed impacts: While the MND identifies a number of "Potentially significant unless mitigation is incorporated" impacts, it fails to sufficiently detail how any proposed mitigation would resolve the problems. Specifically, the certification for building residences within the floodplain does not entertain the fact that the site is more than 'within the 100 year flood' zone, it is essentially little more than a bermed sand bar. Furthermore, the berm/levee that theoretically protects the site from flooding is already damaged. It is unclear how this would be addressed.

5. Land use planning: The assertion that this application's impact on any applicable land use plans is laughable, in that amending the General Plan to permit this site sets a dangerous precedent for further eroding the General Plan in order to permit more activities that are inconsistent with its rules.

6. CEQA compliance: As detailed above, there is insufficient evidence to warrant a claim that mitigation measures will reduce environmental impacts to an insignificant level - particularly for listed salmonids. In particular, the Water Resources Protection Plan must be completed and approved prior to the County's approval of the application, as it is impossible to determine the potential impacts and their mitigation before it is completed. Otherwise, this application is a classic example of putting the cart before the horse.

Please keep us apprised of any scheduled public hearings for this proposal.

Sincerely,

Stephanie Tidwell, Executive Director
Friends of the Eel River
P.O. Box 4945
Arcata, CA 95518
Office: (707) 798-6345
Mobile: (415) 747-5458