



COUNTY OF HUMBOLDT
PLANNING AND BUILDING DEPARTMENT
CURRENT PLANNING DIVISION

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Hearing Date: June 18, 2020

To: Humboldt County Planning Commission

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

Subject: **Emerald Organics Cooperative, Inc. Conditional Use Permit, Special Permit, Special Permit Modification and Zoning Clearance Certificate**
Record Number: PLN-2018-15186
Assessor's Parcel Number (APN): 220-061-019
6693 Briceland-Thorne Road, Briceland area

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Please contact Meghan Ryan, Senior Planner, at (707) 445-7541, or by email at mryan2@co.humboldt.ca.us if you have any questions about the scheduled public hearing item.

AGENDA ITEM TRANSMITTAL

Hearing Date June 18, 2020	Subject Conditional Use Permit, Special Permit, Special Permit Modification and Zoning Clearance Certificate	Contact Meghan Ryan
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Project Description: The proposed project is a Special Permit for non-volatile manufacturing that would authorize infusion of cannabis into chocolate on the subject parcel. Manufacturing will occur in an existing garage that will be updated to meet commercial building standards; the use of the existing garage for processing was previously approved (APPS #11044/SP16-135). Conditional Use Permit is required request an exception to the Commercial Cannabis Land Ordinance (CCLUO) requirements that require manufacturing operations to be located on roads that are paved with centerline stripe, or paved meeting the Category 4 standard. The applicant is also requesting a modification to the previously approved Special Permit that allowed for 8,680 square feet comprised of mixed light and outdoor cultivation areas, consisting of 5,980 square feet and 2,700 square feet, respectively (APPS #11044/SP16-135). The previous approval allowed 400 square feet of propagation in two sheds. The proposed modification includes reconfiguration for the previously-approved cultivation areas and construction of a 750-square-foot structure that will be used for the 400-square-foot propagation area and additional storage. The proposed project also includes a Zoning Clearance Certificate for cannabis distribution.

Project Location: The project is located in Humboldt County, in the Briceland area, on the south side and adjacent to Rainbow Ridge Road, approximately 0.36 miles west from the intersection of Briceland Road and Rainbow Ridge Road, on the property known as 6693 Briceland-Thorne Road.

Present Plan Land Use Designation: Residential Agriculture: 5 to 20 acres, 2017 General Plan, Density: Range is 5 to 20 acres per unit, Slope Stability: Moderate Instability (2).

Present Zoning: Unclassified (U).

Record Number: PLN-2018-15186

Assessor Parcel Number: 220-061-019

Applicant

Emerald Organics Cooperative, Inc.
Attn: Daniel Kulchin
P.O. Box 1832
Redway, CA 95560

Owner

Daniel Kulchin
P.O. Box 1832
Redway, CA 95560

Agent

Jennifer Aspuria
2523 Chris Ave
South Lake Tahoe, CA 96150

Environmental Review: CEQA Exemption Section: 15301-Existing Facilities and 15303 – New Construction or Conversion of Small Structures.

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

Major Issues: None.

EMERALD ORGANICS COOPERATIVE, INC.

Record Number: PLN-2018-15186

Assessor's Parcel Number: 220-061-016

Recommended Planning Commission Action:

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

Find projects exempt from environmental review pursuant to Sections 15301 and 15303 of the State CEQA Guidelines, make all of the required findings for approval, make all of the required findings for approval of the Conditional Use Permit, Special Permit, Special Permit Modification and Zoning Clearance Certificate based on the evidence in the staff report and any public testimony, and adopt the Resolution approving the proposed Emerald Organics Cooperative, Inc., project subject to the recommended conditions.

Executive Summary: The proposed project is a Special Permit for non-volatile manufacturing that would authorize infusion of cannabis into chocolate on the subject parcel. Manufacturing will occur in an existing garage that will be updated to meet commercial building standards; the use of the existing garage for processing was previously approved (APPS #11044/SP16-135). Conditional Use Permit is required request an exception to the Commercial Cannabis Land Ordinance (CCLUO) requirements that require manufacturing operations to be located on roads that are paved with centerline stripe, or paved meeting the Category 4 standard. The applicant is also requesting a modification to the previously approved Special Permit that allowed for 8,680 square feet comprised of mixed light and outdoor cultivation areas, consisting of 5,980 square feet and 2,700 square feet, respectively (APPS #11044/SP16-135). The previous approval allowed 400 square feet of propagation in two sheds. The proposed modification includes reconfiguration for the previously-approved cultivation areas and construction of a 750-square-foot structure that will be used for the 400-square-foot propagation area and additional storage. The proposed project also includes a Zoning Clearance Certificate for distribution. The following discusses the different aspects of the proposed project.

Manufacturing and Distribution

The CCLUO requires a Special Permit for manufacturing and a Zoning Clearance Certificate for distribution. The applicant is proposing to infused cannabis into chocolate truffles, which involves a non-volatile manufacturing process. The manufacturing will be conduct in the processing structures (former residential garage) on the subject parcel. The manufacturing will occur with other activities, such as processing or distribution area not occurring. The applicant may also take trim from on-site cultivation to a licensed manufacture for off-site manufacturing. Any off-site manufacture would need an entitlement for manufacturing covered by a separate permit; this permit does not authorize manufacturing on any other parcel. Distribution activities will also occur on the subject parcel within the processing facility (former residential garage). Distribution activities will occur weekly and will allow the applicant to the distribute product directly to testing and retailers for sale to consumers. Prior to transport, the cannabis will be located in a secure location. No cash or cannabis will be stored on-site once processed. Conditions of approval for the project require the applicant to secure building permits to improve the processing facility to a commercial structure and final necessary improvements prior to commencing manufacturing and distribution activities.

Exception Request to Locational Criteria for Manufacturing

The subject parcel is located Rainbow Ridge Road, which is a dead-end road, approximately 0.61 miles from it's intersection with Briceland-Thorne Road, which is a County-maintained Road

approved for commercial cannabis use. The proposed project includes a Conditional Use Permit to request an exception to the requirement that manufacturing activities be located on roads that are paved with a centerline strip or paved meeting the Category 4 standard. The applicant submitted a *Road Evaluation Report* prepared by Whitchuch Engineering dated October 25, 2019 (see Attachment 4). The report states the 0.61-mile length of private road serves 8 parcels and is compacted soil with gravel. Slopes range from 0 -19% with widths ranging from 9 – 21 feet.

The report evaluates the Average Daily Trips (ADT) for current use and the proposed uses. The Report states the cumulative ADT will be is 103 when evaluated cumulative with uses on the 8 parcels serving the road. This permit would authorize the modifications to the Special Permit, manufacturing and distribution, would utilize the same number of employees (maximum of 9) that were evaluated in the previous permit, the anticipated traffic is not expected to increase as a result of approval of the manufacturing, distribution and modification permits.

The report states that the cumulative ADT of 103 is under the upper limit of 250 ADT for County Road Category 2 standards. The report also states that the road conditions mostly meets Road Category 2 standards with a 14-foot section of the road not meeting requirements, but does include a turnout. Recommendations within the *Road Evaluation Report* prepared by Whitchuch Engineering dated October 25, 2019, includes grading and paving of 30-feet of the road to create a slope of less than 18%. The report also recommends annual evaluation of the seven sections of road that are over 10% in slope. Conditions of approval require the applicant to adhere to the recommendations in the report. Annual inspection of the road segments will be completed by a licensed, civil engineer and will be provided at the time of the annual inspection or as requested by the Planning Department. The annual inspection report shall evaluate whether or not this section of road meets or exceeds Best Management Practices for water quality and habitat protection. The report shall make recommendations, as applicable, to ensure the entire road length meet or exceeds road standards described by the latest edition of the document titled, "A Water Quality and Stream Habitat Protection Manual for County Road Maintenance in Northwestern California Watersheds," and is also known as the *Five Counties Salmonid Conservation Roads Maintenance Manual*. Prior to commencing manufacturing and distribution uses, the applicant shall submit a monitoring report of the seven locations to ensure no additional modifications are required.

The Water Resources Protection Plan (WRPP) submitted for the initial Special Permit evaluated the culvert by the gate and noted sediment is collecting and the culvert is angled wrong. The temporary BMP was to redirect water so it flows better, while the permanent BMP was to install a large culvert at a different and to collect downhill flows. This report is dated February 10, 2017, and the time schedule was noted at 12-24 months. The applicant provided updates to progress on this improvement in 2018, 2019 and 2020, and indicated that the culvert is on a neighboring parcel and has been unable to get property owner permission to complete this upgrade. Conditions of approval require the applicant to upgrade this culvert prior to commencing manufacturing and distribution activities.

Special Permit Modifications

As previously stated, the applicant is also requesting a modification to the previously approved Special Permit that allowed for 8,680 square feet comprised of mixed light and outdoor cultivation areas, consisting of 5,980 square feet and 2,700 square feet, respectively (APPS #11044/SP16-135). The previous approval allowed 400 square feet of propagation in two sheds. The proposed modification includes reconfiguration for the previously-approved cultivation areas and construction of a 750-square-foot structure that will be used for the 400-square-foot propagation area and additional storage. The 750-square-foot structure for the 400-square-foot propagation area and additional storage will be located in a cleared area near the center of the parcel. The structure will replace two sheds that were previously approved for propagation. Conditions of approval require the applicant to submit an addendum to the Less Than Three Acre Conversion Evaluation prepared for Timberland Resources consultants as it appears this area (approximately

0.13 acres) was converted sometime between November 4, 2015, and May 24, 2016, and not previously evaluated. Conditions require restocking at a 3:1 rate and a monitoring plan to ensure success of restocking efforts.

The modification also includes reconfiguration of the previously-approved cultivation areas. The modification is required as the applicant modified the cultivation areas without the benefit of County review; this is an after-the-fact modification. The initial approval allowed for 11 separate cultivation areas (a mix of full-sun, outdoor and mixed light cultivation areas) located in the west and northwest areas of the parcel. The applicant is proposing to consolidate outdoor cultivation areas into 7 greenhouses and the mixed light cultivation will be contained within three greenhouses, for a total of 10 greenhouses as depicted on the site plan dated May 29, 2019, and received in January 2020. Therefore, although the overall cultivation areas will be reduced by 1 from 11 to 10, the applicant constructed additional greenhouses to relocate full sun plants into greenhouses. The greenhouses were constructed in previously disturbed areas. Consolidation of full-sun cultivation areas into greenhouses does not result in any additional impacts to the environment as the number of growing days will remain consistent, even if two harvests occur. Placement within greenhouses allows for greater control of the environmental to minimize water loss.

Based on a review of Planning Division reference sources and comments from all involved referral agencies, planning staff determined that the applicant has submitted evidence in support of making all of the required findings for approving the Conditional Use Permit, Special Permit, modification of the Special Permit and Zoning Clearance Certificate.

ALTERNATIVES: The Planning Commission could elect not to approve the project, or to require the applicant to submit further evidence, or modify the project. If modifications may cause potentially significant impacts, additional CEQA analysis and findings may be required. These alternatives could be implemented if the Commission is unable to make all of the required findings. Planning Division staff has stated that the required findings in support of the proposal have been made. Consequently, Planning staff does not recommend further consideration of either alternative. The Commission could also decide the project may have environmental impacts that would require further environmental review pursuant to CEQA. Staff did not identify any potential impacts. As Lead Agency, the Department has determined that the Project is categorically exempt from CEQA as described above. However, the Commission may reach a different conclusion. In that case, the Commission should continue the item to a future date at least two months later to give staff the time to complete further environmental review.

**RESOLUTION OF THE PLANNING COMMISSION
OF THE COUNTY OF HUMBOLDT
Resolution Number 20-**

**Record Number: PLN-2018-15186
Assessor's Parcel Number: 220-061-019**

Makes the required findings for certifying compliance with the California Environmental Quality Act and conditionally approves the Emerald Organics Cooperative, Inc. Conditional Use Permit and Special Permit request.

WHEREAS, Emerald Organics Cooperative, Inc. submitted an application and evidence in support of approving a Special Permit for non-volatile manufacturing of chocolates that will be infused with cannabis for commercial cannabis manufacturing activities involving non-volatile extraction methods. The applicant proposes to manufacture chocolates infused with cannabis cultivated on-site. Processing will occur in an existing residential garage that will be improved to commercial standards prior to operations. Manufacturing will occur when processing and distribution activities are not occurring. Water is provided by a groundwater well. Power is provided by P. G. & E; and

WHEREAS, Emerald Organics Cooperative, Inc. submitted an application and evidence in support of approving a Conditional Use Permit that authorizes an exception to the CCLUO requirement that manufacturing activities shall be located on roads that are paved with centerline stripe, or paved meeting the Category 4 standard and allow for the use of Rainbow Ridge Road as the access road for the manufacturing operation; 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 exempt from environmental review per Section 15301 (Existing Facilities) and Section 15303 (New or Conversion of Small Structures) of the State CEQA Guidelines; and

WHEREAS, Attachment 2 in the Planning Division staff report includes substantial evidence in support of making all of the required findings for approving the proposed Conditional Use Permit (Record Number PLN-2018-15186); and

WHEREAS, a public hearing was held on the matter before the Humboldt County Planning Commission on June 18, 2020.

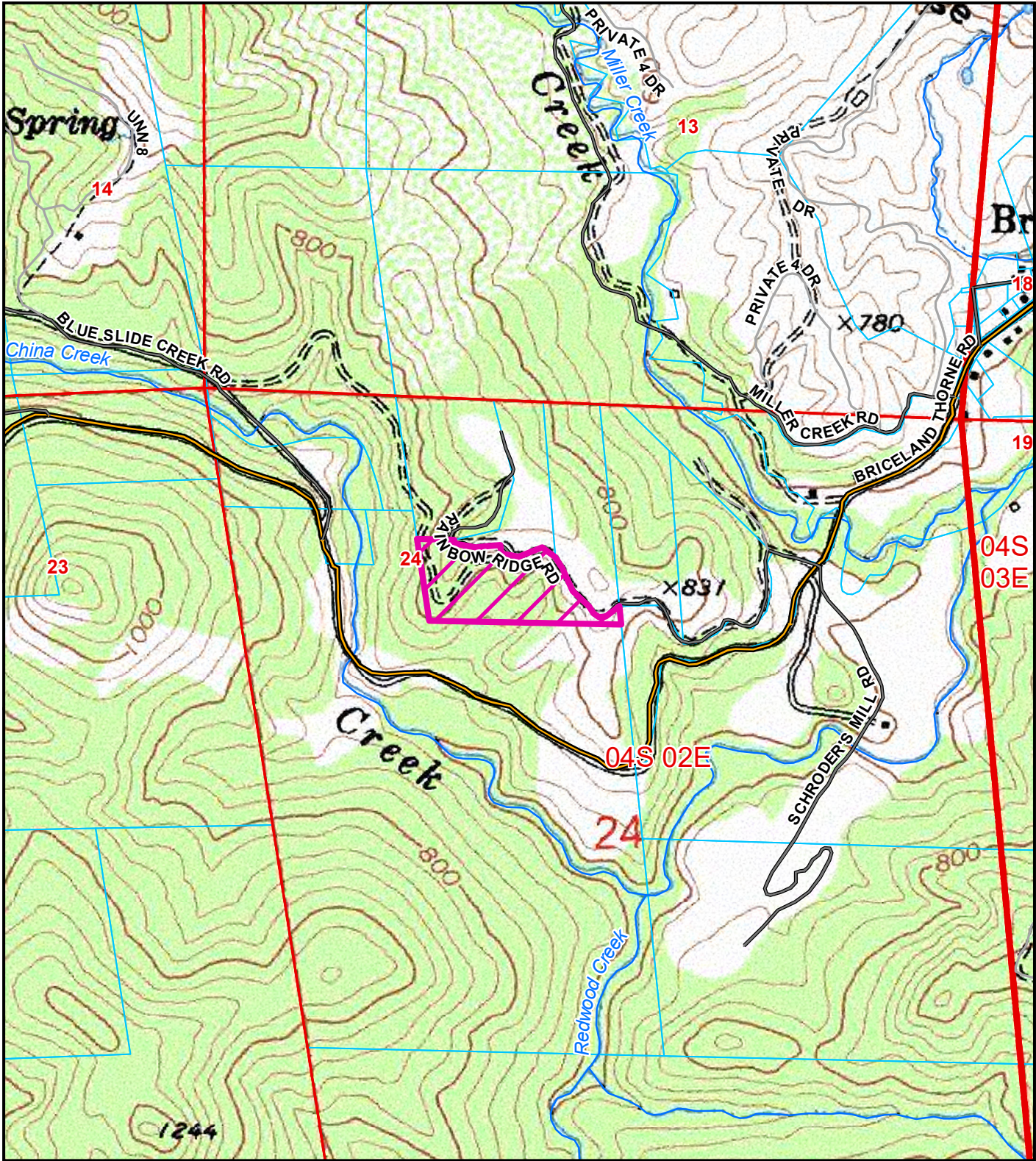
NOW, THEREFORE, be it resolved, determined, and ordered by the Humboldt County Planning Commission that the following findings be and are hereby made:

1. The proposed project is categorically exempt from environmental review pursuant to Class 1, Section 15301 (Existing Facilities) and Class 3, Section 15303 (New or Conversion of Small Structures) of the State CEQA Guidelines; and
2. The Planning Commission makes the required findings in Attachment 2 of the Planning Division staff report support approval of Record Number PLN-2018-15186 based on the submitted substantial evidence; and
3. Conditional Use Permit and Special Permit Record Number PLN-2018-15186 is approved as recommended and conditioned in Attachment 1.

Adopted after review and consideration of all the evidence on June 18, 2020.

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

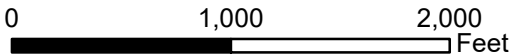


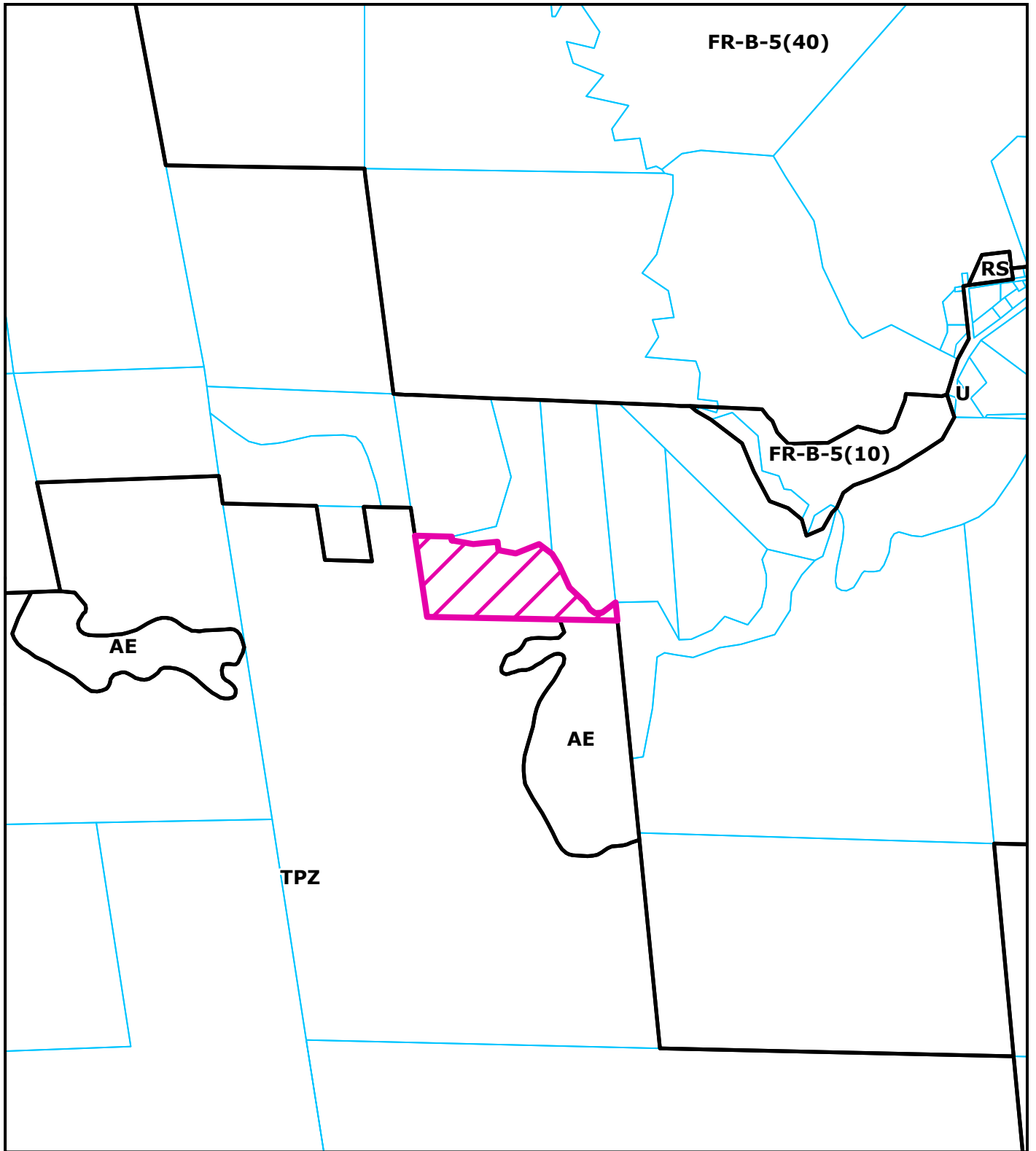
TOPO MAP
PROPOSED EMERALD ORGANICS COOPERATIVE
WHITETHORN AREA
PLN-2018-15186
APN: 220-061-019
T04S R02E S24 HB&M (BRICELAND)

Project Area =



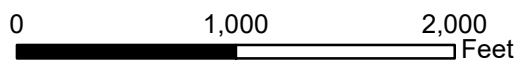
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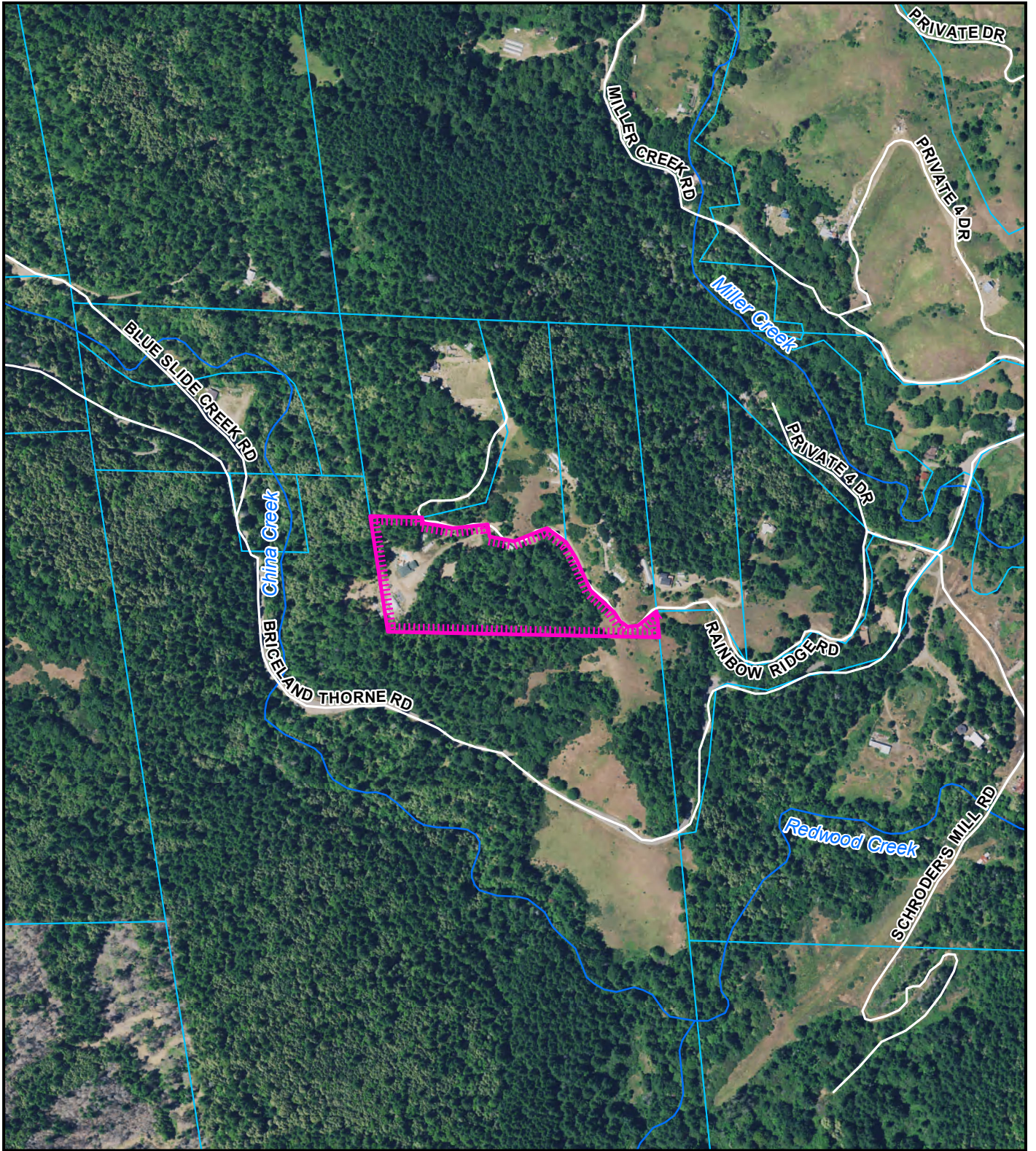


ZONING MAP
PROPOSED EMERALD ORGANICS COOPERATIVE
WHITETHORN AREA
PLN-2018-15186
APN: 220-061-019
T04S R02E S24 HB&M (BRICELAND)

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.

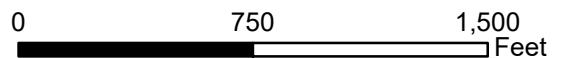


AERIAL MAP
PROPOSED EMERALD ORGANICS COOPERATIVE
WHITETHORN AREA
PLN-2018-15186
APN: 220-061-019
T04S R02E S24 HB&M (BRICELAND)

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.



General Notes

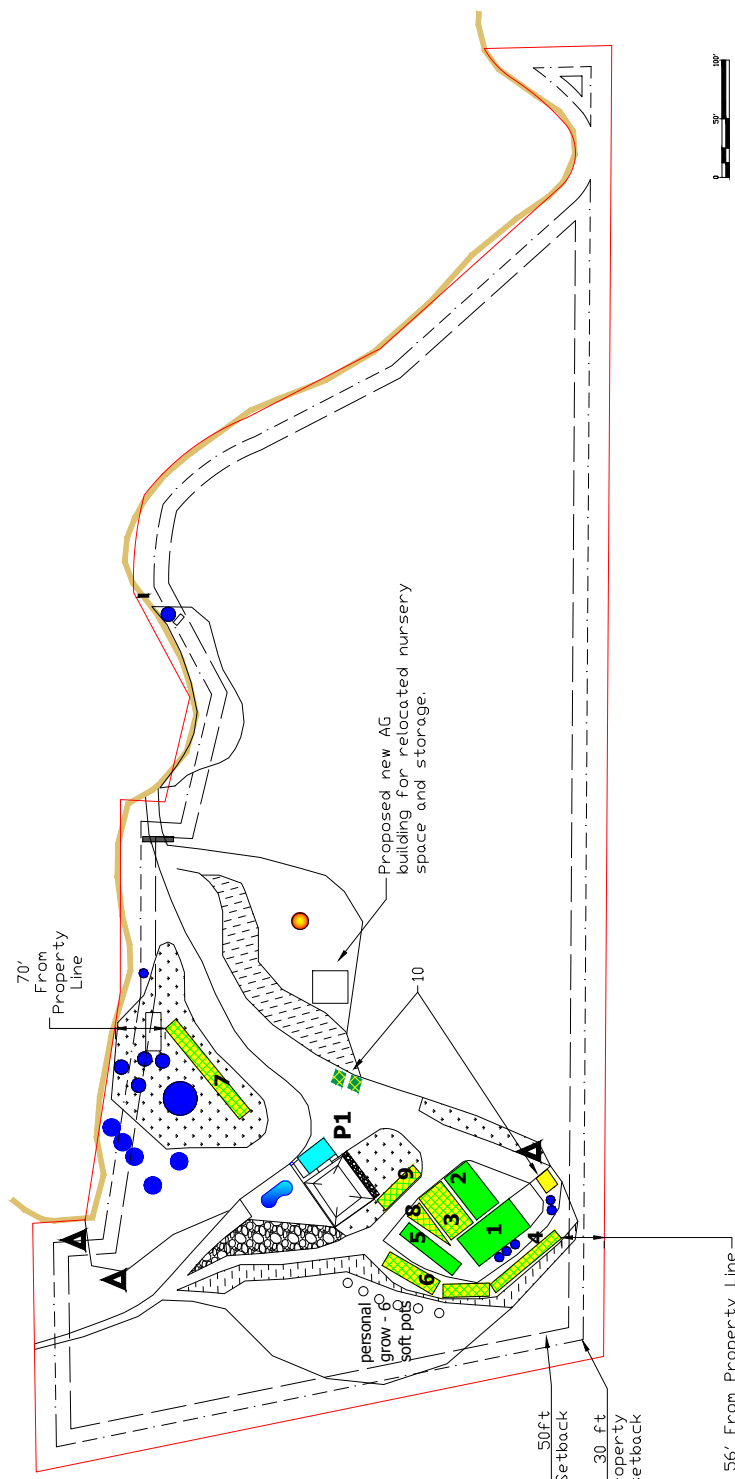
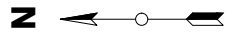
- Easement
- Storage
- Water feature
- Property line
- riprap hillside
- Slope
- Grass
- P1 Parking
- 40k rain catchment tank
- 3-5k green poly water storage tanks
- Fire Pit
- camp platforms

No.	Revision/Issue	Date

Site Name and Address:
 Jennifer Aspuria
 2523 Chris Ave
 South Lake
 Tahoe, CA 96158

Client Name and Address:
 Daniel Kuchta
 6893 Friesland Road
 Redwood, CA 95560
 APN: 220-061-019-000
 Local: SP16-135
 State: CML18-0000620

Project: Site Plan
 Date: 5/29/19
 Scale: As Noted



Growing Areas	
1. GH 60x30	8. Cloth Pots(relocated outdoor)37x18.5x38
2. GH 45x24	9. Cloth Pots(relocated outdoor)57x12
3. GH 45x24	10. Current nursery space & storage 3(8x8)sheds
4. GH 79x12	
5. GH 57x12	
6. GH 49x13	
7. GH 100x12	

Total cultivation canopy as of 01/14/ 2020 = 7429

***we will be adding additional locations to make up remaining sq footage of 1,531 for our total canopy of 8,960 sq ft.**

Additional Information

- Outdoor Cultivation
- Immature Plant Nursery
- Mixed Lighting
- Processing Building

General Notes

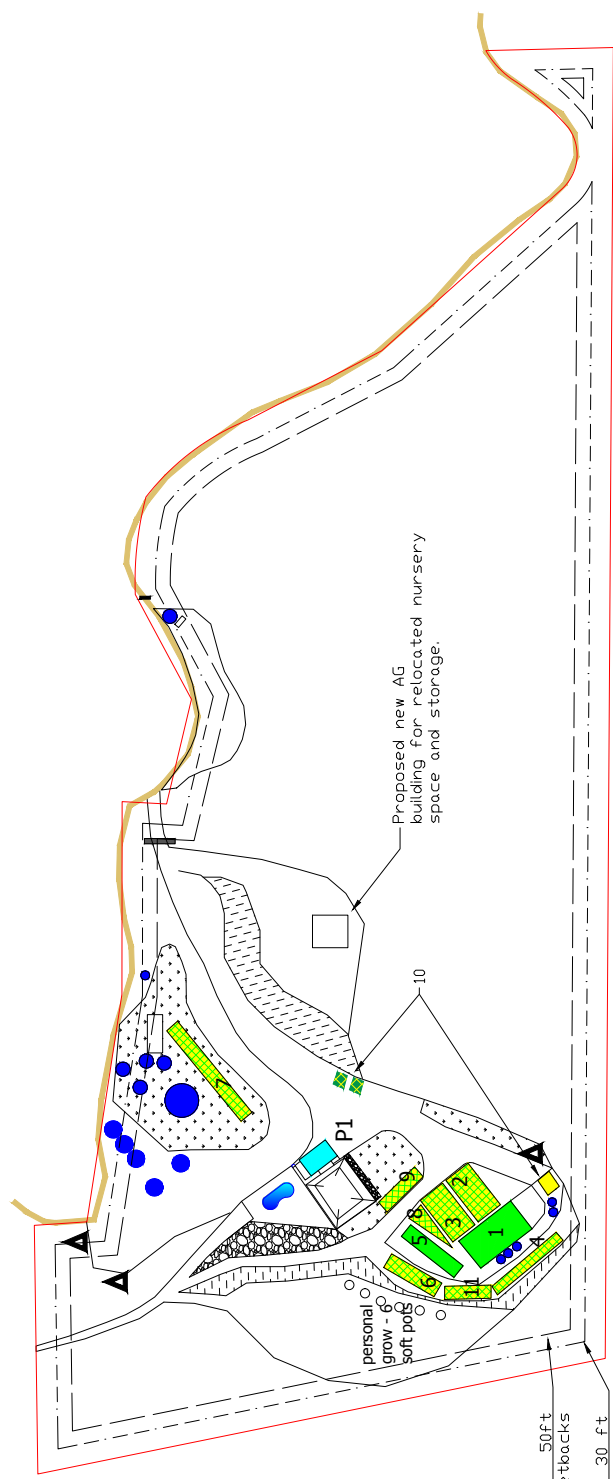
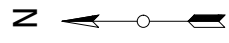
- Easement
- Storage
- Water feature
- Property line
- riprap hillside
- Slope
- Grass
- P1 Parking
- 40k rain catchment tank
- 3-5k green poly water storage tanks
- camp platforms

No.	Revision/Issue	Date

Client Name and Address
 Jennifer Aspuria
 2523 Chris Ave
 South Lake
 Tahoe, CA 96158

Project Name and Address
 6800 Fritchlin Road
 Redway, CA 95560
 APN: 220-061-019-000
 Local: SPIG-135
 State: CML18-0000620

Project Site Plan
 Date: 5/29/19
 Scale: As Noted



Total cultivation canopy = 8,680 SQ FT

Growing Areas	
1. GH 60x30	8. Cloth Pots 18x36x2(relocated outdoor)
2. GH 45x24	9. Raised bed 11x55(relocated outdoor)
3. GH 45x24	10. Current nursery space & storage
4. GH 79x12	11. Raised bed 25x10
5. GH 57x12	
6. GH 49x13	
7. GH 100x12	

Additional Information

- Outdoor Cultivation
- Immature Plant Nursery
- Mixed Lighting
- Processing Building

**RESOLUTION OF THE PLANNING COMMISSION
OF THE COUNTY OF HUMBOLDT
Resolution Number 20-**

**Record Number: PLN-2018-15186
Assessor's Parcel Number: 220-061-019**

Makes the required findings for certifying compliance with the California Environmental Quality Act and conditionally approves the Emerald Organics Cooperative, Inc. Special Permit Modification request.

WHEREAS, Emerald Organics Cooperative, Inc. submitted an application and evidence in support of approving a modification to a previously approved Special Permit to allow for the construction of a 750-square-foot structure for propagation and reorganization of cultivation areas, which includes after-the-fact permitting of two greenhouses. Power is provided by P. G. & E and will be upgraded to a renewable energy source; 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 exempt from environmental review per Section 15301 (Existing Facilities) and Section 15303 (New or Conversion of Small Structures) of the State CEQA Guidelines; and

WHEREAS, Attachment 2 in the Planning Division staff report includes substantial evidence in support of making all of the required findings for approving the proposed Special Permit Modification (Record Number PLN-2018-15186); and

WHEREAS, a public hearing was held on the matter before the Humboldt County Planning Commission on June 18, 2020.

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 proposed project is categorically exempt from environmental review pursuant to Class 1, Section 15301 (Existing Facilities) and Class 3, Section 15303 (New or Conversion of Small Structures) of the State CEQA Guidelines; and
2. The Planning Commission makes the required findings in Attachment 2 of the Planning Division staff report support approval of Record Number PLN-2018-15186 based on the submitted substantial evidence; and
3. Special Permit Modification Record Number PLN-2018-15186 is approved as recommended and conditioned in Attachment 1.

Adopted after review and consideration of all the evidence on June 18, 2020.

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
OF THE COUNTY OF HUMBOLDT
Resolution Number 20-**

**Record Number: PLN-2018-15186
Assessor's Parcel Number: 220-061-019**

Makes the required findings for certifying compliance with the California Environmental Quality Act and conditionally approves the Emerald Organics Cooperative, Inc. Zoning Clearance Certificate request.

WHEREAS, Emerald Organics Cooperative, Inc. submitted an application and evidence in support of approving a Zoning Clearance Certificate for distribution that would allow the applicant to distribute cannabis and manufactured chocolates directly to testing laboratories and retailers. Distribution activities will be conducted within an existing processing facility once the facility is upgraded to commercial standards. Distribution activities would occur weekly after cannabis is processed or manufactured on-site; 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 exempt from environmental review per Section 15301 (Existing Facilities) and Section 15303 (New or Conversion of Small Structures) of the State CEQA Guidelines; and

WHEREAS, Attachment 2 in the Planning Division staff report includes substantial evidence in support of making all of the required findings for approving the proposed Zoning Clearance Certificate (Record Number PLN-2018-15186); and

WHEREAS, a public hearing was held on the matter before the Humboldt County Planning Commission on June 18, 2020.

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 proposed project is categorically exempt from environmental review pursuant to Class 1, Section 15301 (Existing Facilities) and Class 3, Section 15303 (New or Conversion of Small Structures) of the State CEQA Guidelines;
2. The Planning Commission makes the required findings in Attachment 2 of the Planning Division staff report support approval of Record Number PLN-2018-15186 based on the submitted substantial evidence; and
3. Zoning Clearance Certificate Record Number PLN-2018-15186 is approved as recommended and conditioned in Attachment 1.

Adopted after review and consideration of all the evidence on June 18, 2020.

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

ATTACHMENT 1

RECOMMENDED CONDITIONS OF APPROVAL

APPROVAL OF THE CONDITIONAL USE PERMIT AND SPECIAL PERMIT MODIFICATION IS CONDITIONED ON THE FOLLOWING TERMS AND REQUIREMENTS WHICH MUST BE SATISFIED BEFORE RELEASE OF THE BUILDING PERMIT AND INITIATION OF OPERATIONS.

1. Prior to operation of the non-volatile manufacturing and distribution uses, the applicant shall secure permits for all structures (including, but not limited to: 750-square-foot propagation and storage structure and commercial upgrade to the AOB garage that will be used for processing, manufacturing and distribution activities) and grading (including, but not limited to: on- and off-site road improvements, graded flats and ponds) related to the proposed cannabis cultivation and other commercial cannabis activity. The plans submitted for building permit approval shall be consistent with the project description and approved project site plan. A letter or similar communication from the Building Division verifying that all structures related to the cannabis cultivation are permitted will satisfy this condition. Existing structures used in the cannabis operation shall not be used/occupied until all required permits have been obtained.
2. The project shall address odor management by incorporating a ventilation/air filtration system limiting potential adverse odor emission impacts to employees and/or properties located in the vicinity. The system shall be designed, signed, and stamped by a mechanical engineer or other qualified professional for review and approval by the Building Official.
3. The applicant shall adhere to and implement the recommendations contained in the Road Evaluation Report for the proposed project dated October 25, 2019, prepared by Whitchurch Engineering. Annual inspection of the road segments will be completed by a licensed, civil engineer and will be provided at the time of the annual inspection or as requested by the Planning Department. The annual inspection report shall evaluate whether or not this section of road meets or exceeds Best Management Practices for water quality and habitat protection. The report shall make recommendations, as applicable, to ensure the entire road length meet or exceeds road standards described by the latest edition of the document titled, "A Water Quality and Stream Habitat Protection Manual for County Road Maintenance in Northwestern California Watersheds," and is also known as the *Five Counties Salmonid Conservation Roads Maintenance Manual*. Prior to commencing manufacturing and distribution uses, the applicant shall submit a monitoring report of the seven locations to ensure no additional modifications are required. If additional modifications are required, the modification shall be implemented and successful completion of the
4. Prior to commencing operations, the applicant shall obtain 100% renewable energy for all energy use to support commercial cannabis operations for the subject project. A letter from P.G.& E. will satisfy this condition.
5. The applicant to submit an addendum to the *Evaluation of Potential Timberland Conversion* prepared by a Registered Professional Forester (RPF) that describes the makes recommendations for unauthorized timber conversion that occurred between November 4, 2015, and May 28, 2016, and was not addressed previously. The addendum shall include an evaluation to ensure the timber removal was done in accordance with the Forest Practices Act. The plan shall also include a plan for restocking any timber removal that occurred after January 1, 2016, at a rate of 3:1. The plan shall include a monitoring plan for a minimum of three years that requires an 85% success rate for any timber restocking.
6. The applicant to submit a Soils Management Plan for review and approval by the Planning

Department. Once approved, the applicant is required to implement the Soils Management Plan and provide monitoring results during the annual inspection.

7. The applicant to submit an Invasive Species Plan for review and approval by the Planning Department. Once approved, the applicant is required to implement the Invasive Species Plan and provide monitoring results during the annual inspection.
8. Applicant shall secure permits from the North Coast Unified Air Quality Management District, as applicable. A letter or similar communication from the North Coast Air Quality Management District verifying that all their requirements have been met and/or no additional permitting is required will satisfy this condition.
9. Prior to operation of the non-volatile manufacturing and distribution uses, the applicant shall secure permits and install an on-site sewage disposal system and restroom facility. Portable toilet and handwashing facilities may be utilized for cultivation staff only during the construction of these permanent improvements. The applicant shall furnish receipts or other documentation to the DEH for the continual use of portable toilets for employees either through 2019 or until a permanent septic system is installed to their satisfaction. A letter or similar communication from DEH verifying that all their requirements have been met will satisfy this condition.
10. The applicant shall implement all corrective actions detailed within the Water Resource Protection Plan developed for the parcel, prepared pursuant to Tier 2 enrollment under the North Coast Regional Water Quality Control Board Cannabis Waste Discharge Regulatory Program, including those measures later determined necessary during annual and periodic site inspections in accordance with the monitoring element until the Applicant has demonstrated enrollment in the State Cannabis Cultivation Discharge Program.
11. The applicant to submit copies of all documents filed with the State Water Resources Control Board, including, but not limited to: the Notice of Applicability and a Site Management Plan. The applicant is required to adhere to and implement the requirements contained in the SWRCB's Cannabis Cultivation Policy, the General Order and the Notice of Applicability. 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 SWRCB.
12. The applicant shall submit an addendum to the Less Than Three Acre Conversion Evaluation prepared by Timberland Resource Consultants dated March 23, 2017, for the approximately 0.13-acre timber removal that occurred in the central portion of the subject parcel. The plan shall be prepared by a Registered Professional Forester and shall include any recommendations to ensure the timber removal occurred in compliance with the Forest Practices Act. The plan shall also include a plan for restocking any timber removal that occurred after January 1, 2016, at a rate of 3:1. The plan shall include a monitoring plan for a minimum of three years that requires an 85% success rate for any timber restocking. The plan shall be reviewed and approved by the Planning Department prior to commencing any restoration. Monitoring data is required to be submitted annually thereafter at the time of the annual inspection.
13. The applicant shall submit a copy of the Final Streambed Alteration Agreement issued by CDFW that includes, but is not limited to, replacement of culvert near the gate as recommended by the WRPP, and submit a Bullfrog Management Plan for review and approval by CDFW. Reporting requirements shall be submitted to the Planning Department and the California Department of Fish and Wildlife at 619 Second Street, Eureka, CA 95501, no later than December 31 of each year.

14. The applicant shall adhere to the Final Streambed Alteration Agreement issued by the California Department of Fish and Wildlife (CDFW) and comply with all applicable terms.
15. The applicant shall be compliant with the County of Humboldt's Certified Unified Program Agency (CUPA) requirements regarding any 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. All fences and gates shall be relocated out of the County right of way. All gates shall be setback sufficiently from the County road so that vehicles will not block traffic when staging to open/close the gate. In addition, no materials shall be stored or placed in the County Right of Way. Approval from Public Works will satisfy this condition.
17. The Applicant shall install and utilize a water meter to demonstrate that there is sufficient water supply to meet the demands of the project. The water use for cultivation is limited to the use of the well and amount of water available in storage tanks and shall be provided annually prior to or during the annual inspection.
18. The applicant shall execute and file with the Planning Division the statement titled, "Notice and Acknowledgment regarding Agricultural Activities in Humboldt County," ("Right to Farm" ordinance) as required by the HCC and available at the Planning Division.
19. The applicant shall construct noise containment structures for all generators used on the parcel. The applicant shall obtain all required building permits for such structures. The applicant shall maintain generator, fan, and dehumidifier noise at or below 50 decibels at the edge of the clearing or 100 feet, whichever distance is closer. This will satisfy the auditory disturbance guidance prepared by the U.S. Fish and Wildlife (USFS), California Fish and Wildlife (CDFW) and Department Policy Statement No. 16-005 to minimize impacts to the Northern Spotted Owl and Marbled murrelet. All generators must be located on stable surfaces with a minimum 200-foot buffer from Class I and Class II streams, per the requirements of CDFW.
20. The applicant shall not use any erosion control measures that contain synthetic (e.g. plastic or nylon) monofilament netting, including photo- or biodegradable plastic netting, on a regular and on-going basis. Geotextiles, fiber rolls, and other erosion control measures shall be made of loose-weave mesh, such as jute, hemp, coconut (coir) fiber, or other products without weaves.
21. All refuse shall be contained in wildlife proof containers, at all times, and relocated to an authorized waste management facility, in compliance with State and local laws, on a regular and on-going basis.
22. No fish stocking shall be permitted without written permission from the California Department of Fish and Game pursuant to Section 6400 of the Fish and Game Code.
23. All mixed light cultivation shall comply with International Dark Sky Association standards for Lighting Zone 0 and Lighting Zone 1, and be designed to regulate light spillage onto neighboring properties resulting from backlight, up light, or glare (BUG). International Dark Sky Association standards exceed the requirements of Scenic Resources Standard SR-S4, Light and Glare, that lighting be fully shielded, and designed and installed to minimize off-site lighting and direct light within the property boundaries.

24. 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.
25. The Applicant is responsible for costs for post-approval review for determining project conformance with conditions. A deposit is collected to cover this staff review. Permit conformance with conditions must be demonstrated prior to release of building permit or initiation of use and at time of annual inspection. A conformance review deposit as set forth in the schedule of fees and charges as adopted by ordinance of the Humboldt County Board of Supervisors (currently \$750) shall be paid within sixty (60) days of the effective date of the permit or upon filing of the Compliance Agreement (where applicable), whichever occurs first. Payment shall be made to the Humboldt County Planning Division, 3015 "H" Street, Eureka. The applicant is required to pay for permit processing on a time and material basis as set forth in the schedule of fees and charges as adopted by ordinance of the Humboldt County Board of Supervisors. The Department will provide a bill to the applicant after the decision. Any and all outstanding Planning fees to cover the processing of the application to decision by the Hearing Officer shall be paid to the Humboldt County Planning Division, 3015 "H" Street, Eureka.

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

1. All components of project shall be developed, operated, and maintained in conformance with the Project Description, the approved Site Plan, the Plan of Operations, and these conditions of approval. Changes shall require modification of this permit except where consistent with Humboldt County Code Section 312-11.1, Minor Deviations to Approved Plot Plan.
2. Cannabis cultivation and other commercial cannabis activity shall be conducted in compliance with all laws and regulations as set forth in the CCLUO and MAUCRSA, 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 MAUCRSA, 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 Department of Fish & Wildlife.
9. Comply with the terms of a less-than-3-acre conversion exemption or timberland conversion permit, approved by the California Department of Forestry and Fire Protection (CAL-FIRE), if applicable.
10. 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).
11. Refrain from the improper storage or use of any fuels, fertilizer, pesticide, fungicide, rodenticide, or herbicide.
12. Pay all applicable application and annual inspection fees.
13. 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 residences. The decibel level for generators measured at the property line shall be no more than 60 decibels.
14. 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.
15. The Master Log Books maintained by the applicant to track production and sales shall be maintained for inspection by the County.
16. Pay all applicable taxes as required by the Humboldt County Commercial Marijuana Cultivation Tax Ordinance (Humboldt County Code Section 719-1 et seq.).
17. 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

18. Pursuant to the MAUCRSA, Health and Safety Code section 19322(a)(9), an applicant seeking a cultivation license shall "provide a statement declaring the applicant is an 'agricultural employer,' as defined in the Alatorre-Zenovich-Dunlap-Berman Agricultural Labor Relations Act of 1975 (Part 3.5 commencing with Section 1140) of Division 2 of the Labor Code), to the extent not prohibited by law."
19. 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).

20. 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.

21. 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.

22. 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.

23. Term of Commercial Cannabis Activity Special Permit. Any Commercial Cannabis Cultivation CUP and SP issued pursuant to the CCLUO shall expire one (1) year after date of issuance, and on the anniversary date of such issuance each year thereafter, unless an annual compliance inspection has been conducted and the permittees and the permitted site have been found to comply with all conditions of approval.
24. 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 SP 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.
25. Permit Renewals to comply with Updated Laws and Regulations. Permit renewal per Ongoing Condition of Approval #23 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.
26. 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.
27. 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 shall be solely for medical purposes and all commercial cannabis products produced by me, my agents, or employees are intended to be consumed solely by qualified patients entitled to the protections of the Compassionate Use Act of 1996 (codified at Health and Safety Code section 11362.5); 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 California Medical Marijuana Regulation and Safety Act will be distributed within the State of California; and
 - III. All commercial cannabis activity conducted by me, or my agents or employees pursuant to a permit from the County of Humboldt will be conducted in compliance with the California Medical Marijuana Regulation and Safety Act.
28. 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.

29. Inspections. The permit holder and subject property owner are to permit the County or representative(s) or designee(s) to make inspections at any reasonable time deemed necessary to assure that the activities being performed under the authority of this permit are in accordance with the terms and conditions prescribed herein.

Informational Notes:

1. Pursuant to Section 314-55.4.6.5.7 of the CCLUO, 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.

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

8. The operator shall provide information to all employees about the potential health impacts of cannabis use on children. Information shall be provided by posting the brochures from the Department of Health and Human Services titled *Cannabis Palm Card* and *Cannabis Rack Card*. This information shall also be provided to all employees as part of the employee orientation.

ATTACHMENT 2

REQUIRED FINDINGS FOR APPROVAL

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.

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 and Special Permit:

1. The proposed development is in conformance with the County General Plan 2017, Open Space Plan, and Open Space Action Program;
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 complies with the terms and conditions of any applicable permit and/or subdivision map that was previously approved for such development; and
5. 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;
6. The proposed development does not reduce the residential density for any parcel below that utilized by the Department of Housing and Community Development in determining compliance with housing element law (the midpoint 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; and
7. 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 CEQA Guidelines have been made.

The County Zoning Ordinance, Sections 312-2.4 (Required Findings for All Zoning Clearance Certificates) of the Humboldt County Code specifies the findings that are required to approval and immediately issue a Zoning Clearance Certificate:

1. The proposed development conforms with all requirements of the Humboldt County Zoning Regulations;
2. The proposed development complies with the terms and conditions of any applicable permit and/or subdivision map that was previously approved for such development; and
3. The proposed development is not located on the same lot where conditions exist or activities are being conducted which are a part of the proposed development and in violation of the Humboldt County Code, unless the zoning clearance a) is necessary for the abatement of the existing violation(s) or; b) addresses an imminent health and/or safety violation; or, c) facilitates an accessibility improvement to a structure or site for ADA compliance consistent with 312-42 of this Chapter; or d) the applicant has executed and recorded an enforcement agreement with the County to cure the violation(s) on a form approved by the Risk Manager and County Counsel.

1. **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 2017, Open Space Plan, Open Space Action Program.

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>Commercial General</p>	<p>Residential Agriculture (RA5-20): Large lot residential uses that typically rely upon on-site water and wastewater systems. The RA designation applies to more remote, steep, and high hazard areas and is meant to ensure compatibility with adjacent resource production and open space uses.</p> <p>Allowable uses include single family residential, second residential unit, guest house, planned developments, and residential accessory uses.</p> <p>Density range is 5-20 acres/unit.</p>	<p>The proposed project includes a Conditional Use Permit to request an exception to the road standards for manufacturing, a Special Permit for manufacturing chocolates infused with cannabis, a modification to a previously approved Special Permit to allow for reconfigure of outdoor cultivation areas and construction of a 750-square-foot structure for propagation and storage and a Zoning Clearance Certificate for distribution. General and intensive agriculture, cottage industry and similar and compatible uses are allowed use types for this designation. Therefore, the project conforms with this section.</p>
<p>Circulation Chapter 7</p>	<p>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,C-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)</p> <p>Related policies: C-P3. Consideration of Transportation Impacts in Land Use Decision Making.</p>	<p>The subject parcel is located Rainbow Ridge Road, which is a dead-end road, approximately 0.61 miles from it's intersection with Briceland-Thorne Road, which is a County-maintained Road approved for commercial cannabis use. The proposed project is not located more than 2-miles from the nearest intersection with a Category 4 road or secondary access for emergency vehicles and personnel, including wildland fire equipment. A Road Evaluation Report was prepared by Whitchurch Engineering dated October 25, 2019, that states the majority of the road meets Road Category 2 standards and can accommodate the cumulative traffic for the proposed project and the other 7 other parcels served on Rainbow Ridge Road.</p> <p>See §314-55.4.8.2.3 <i>Locational Criteria for Manufacturing</i> for additional information and discussion relating to the Conditional Use Permit to request an exception to the road standards for manufacturing projects.</p> <p>The Department of Public Works recommended conditional approval of this project. Conditions of approval require the</p>

		applicant to adhere to County standards for fences and encroachments. Therefore, the project conforms with this section.
Housing Chapter 8	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. Related policies: H-P3, Development of Parcels in the Residential Land Inventory.	The project does not involve residential development, nor is the project site part of the Housing Element Residential Land Inventory. There is a 5-bedroom residence on the parcel. However, the project will not preclude any future residential development. 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.
Conservation and Open Space Chapter 10 Open Space Section 10.2	Goals and policies contained in this Chapter relate to an Open Space and Conservation Program that is complimentary to other agencies' plans and that preserves the county's unique open spaces. (CO-G1,CO-G3) Related policies: CO-P1, Conservation and Open Space Program; CO-P12, Development Review, CO-S1. Identification of Local Open Space Plan, and CO-S2. Identification of the Open Space Action Program.	The project is for a Conditional Use Permit to request an exception to the road standards for manufacturing, a Special Permit for manufacturing chocolates infused with cannabis, a modification to a previously approved Special Permit to allow for reconfigure of outdoor cultivation areas and construction of a 750-square-foot structure for propagation and storage and a Zoning Clearance Certificate for distribution. If approved, these permits would not authorize any timber harvesting. The project would leave intact, the existing open space areas surrounding the cultivation areas as well as surrounding parcels. In addition, the project would reforest a 0.13-acre area of timber that was removed between November 4, 2015 and May 24, 2016 at a rate of 3:1. The project can be found consistent with the Open Space Action Program because the project is consistent with the allowable uses of the Land Use Designations. The proposed cannabis cultivation – an agricultural product – and associated uses are within land planned for agricultural purposes, consistent with the use of Open Space land for management production of resources. There are no mapped Streamside Management Areas on the subject parcel. See Section 10.3 <i>Biological Resources</i> for more information. In addition, the project incorporates numerous conditions of approval related to the listed policies that would ensure resources are protected and is;

		therefore, consistent with the Open Space Element.
<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>There are no rare or special status species based on a review of the California Natural Diversity Database. There are no mapped Streamside Management Areas. The nearest mapped Marbled murrelet habitat is location 3.46 miles to the northeast of the subject parcel. The nearest Northern Spotted Owl (NSO) positive observation is located 0.47 miles to the south and the nearest NSO Activity Center is located 1.27 miles to the south of the project site. Greenhouses are equipped with fans and power is provided by P. G. & E. However, because potential habitat exists on the subject parcel, special noise attenuation measures due to proximity to known noise sources. In accordance with the standards set forth in Section 55.4.11(o) of the CMMLUO and Departmental Policy Statement (DPS) 16-005, the subject parcel is considered to contain habitat or potential habitat for Northern Spotted Owl because it is within one-mile of a mapped Northern Spotted Owl activity center. Ongoing conditions of approval require the maximum allowable generator noise exposure level is 50 dB when measured from the generator at a distance of 100 feet or at the edge of habitat, whichever is closer. Conditions of approval require the applicant to provide evidence that generator and fan noise exposure levels are 50 dB when measured at 100 feet or edge of habitat. Artificial lighting is used for the 5,980-square-foot mixed light cultivation area and 400-square-foot propagation area, which will be fully enclosed in the proposed 750-square-foot structure. Conditions of approval require all lighting to adhere to Dark Sky standards as described by the CCLUO.</p> <p>The proposed modification to the Special Permit project includes construction of a 750-square-foot propagation structure and after-the-fact permitting for reconfiguration of the previously approved cultivation areas that included construction of 2 greenhouses without the benefit of County review. The greenhouses were and the propagation structure will be constructed within a previously disturbed area on the subject parcel, therefore, no biological assessment was</p>

		<p>required. Because the historic cultivation area will now be used to cultivation 6 personal use plants, no remediation plan was required.</p> <p>See findings for <i>Stormwater Drainage</i> (Chapter 11, <i>Water Resources</i>) for additional information regarding culvert replacements and permitting requirements.</p> <p>See findings for the <i>Streamside Management Area</i> (SMA) for additional information regarding culvert replacements and findings for development of the on-stream pond.</p> <p>See findings for <i>Timber Conversion</i> for additional information regarding the location of the proposed 750-square-foot propagation structure and timber conversion that occurred sometime between November 4, 2015, and May 24, 2016, and was previously not evaluated.</p> <p>See findings for <i>Performance Standards – Water</i> for additional information regarding water use and storage.</p> <p>The California Department of Fish and Wildlife (CDFW) was referred on March 3, 2019, and no response was provided. Staff contacted CDFW staff through email on May 20, 2020, to request comments and no response was received (see Attachment 5). Several conditions of approval requested by CDFW for wildlife and watershed protection, such as preparation and implementation of a bullfrog management plan and a prohibition on use of synthetic netting, are incorporated into the project. As conditioned, the project is consistent with the Biological Resource policies of the General Plan.</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</p>	<p>There is a currently approved Special Permit for 8,680 square feet of outdoor cultivation (APPS #11044/SP16-135). An Archaeological Survey Report was prepared for the subject parcel and concluded no significant archaeological or historic period cultural resources would exist in the limits of the project area.</p>

	Tribal Consultation]	
<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>The applicant is seeking a Conditional Use Permit to allow for the exception to the road standards for manufacturing, a Special Permit for non-volatile manufacturing cannabis, a modification to a previously approved Special Permit to reconfigure the cultivation areas and add a 750-square-foot structure for propagation and storage and a Zoning Clearance Certificate for distribution. The previously approved Special Permit that allowed for 8,680 square feet comprised of mixed light and outdoor cultivation areas, consisting of 5,980 square feet and 2,700 square feet, respectively (APPS #11044/SP16-135). The propagation area requires the use of artificial lighting, however, will be enclosed within the proposed 750-square-foot structure. The project has been conditioned to adhere to Dark Sky Standards for artificial lighting used in the mixed light greenhouses and within the propagation structure. With these conditions of approval, the proposed project would meet the goals and policies contained in this chapter relating to the protection of scenic areas. As conditioned, the project is therefore consistent with the Scenic Resource policies of the General Plan.</p>
<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 de-listing 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-G, WR-G7, WR-G8, WR-G9)</p> <p>Related policies: WR-P10. Erosion and Sediment Discharge; WR-P42. Erosion and Sediment Control</p>	<p>The Project site falls within Tier 2 of the North Coast Regional Water Quality Control Board's (NCRWQCB) Order No. 2015-0023 (Order), which requires preparation of a Water Resources Protection Plan (WRPP) to protect water quality from cannabis cultivation and related activities. The Water Resources Protection Plan (WRPP) submitted for the initial Special Permit evaluated the culvert by the gate and noted sediment is collecting and the culvert is angled wrong. The temporary BMP was to redirect water so it flows better, while the permanent BMP was to install a large culvert at a different and to collect downhill flows. This report is dated February 10, 2017, and the time schedule was noted at 12-24 months. The applicant provided updates to progress on this improvement in 2018, 2019 and 2020, and indicated that the culvert is on a neighboring parcel and has been unable to get property owner permission to complete this upgrade. Conditions of approval require the applicant to upgrade this culvert prior to</p>

	<p>Measures.</p>	<p>commencing manufacturing and distribution activities. The project has been conditioned to implement all recommendations listed in the WRPP and provide notification to the California Department of Fish and Wildlife (CDFW). With implementation of the proposed recommendations this project will conform to the requirements of the Plan.</p> <p>The applicant was required to enroll in the State Cannabis Discharge program by July 2019. Conditions of approval require the applicant to submit copies of all documents filed with the State Water Resources Control Board, including, but not limited to the Notice of Applicability a Site Management Plan. The applicant is required to adhere to and implement the requirements contained in the SWRCB's Cannabis Cultivation Policy, the General Order and the Notice of Applicability. 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 SWRCB. The project is consistent with the Water Resource policies of the General Plan.</p>
<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-P17. On-Site Sewage Disposal Requirements.</p>	<p>There is a permitted Onsite Wastewater Treatment Facility (OWTS) located on the subject parcel that serves a five-bedroom residence. Department of Environmental Health recommended approval for the project. The processing facility, where the manufacturing and distribution will occur, has not yet been upgraded to commercial standards, therefore, the project is conditioned that no processing can be approved until an acceptable site suitability report can establish potential for onsite waste treatment system. Portable toilet and handwashing facilities will be allowed to be utilized during the construction of these permanent improvements for cultivation staff only; processing, manufacturing and distribution shall occur off-site until the commercial structural upgrades, including ADA-bathroom facilities are constructed. An invoice, or equivalent documentation, is provided to DEH to confirm the continual use of portable toilets to serve the needs of cultivation staff prior to reissuance of annual permit. As a part of this condition the applicant</p>

		is required to provide receipts or other documentation to the DEH for the continual use of portable toilets for employee use until a permanent septic system is installed to their satisfaction. As conditioned, the project, therefore, conforms with this section.
Noise Chapter 13	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) Related policies: N-P1, Minimize Noise from Stationary and Mobile Sources; N-P4, Protection from Excessive Noise.	Greenhouses are equipped with fans and power is provided by P. G. & E. The nearest mapped Marbled murrelet habitat is location 3.46 miles to the northeast of the subject parcel. The nearest Northern Spotted Owl (NSO) positive observation is located 0.47 miles to the south and the nearest NSO Activity Center is located 1.27 miles to the south of the project site. However, because potential habitat exists on the subject parcel, special noise attenuation measures due to proximity to known noise sources. In accordance with the standards set forth in Section 55.4.11(o) of the CMMLUO and Departmental Policy Statement (DPS) 16-005, the subject parcel is considered to contain habitat or potential habitat for Northern Spotted Owl because it is within one-mile of a mapped Northern Spotted Owl activity center. Ongoing conditions of approval require the maximum allowable generator noise exposure level is 50 dB when measured from the generator at a distance of 100 feet or at the edge of habitat, whichever is closer. Conditions of approval require the applicant to provide evidence that generator and fan noise exposure levels are 50 dB when measured at 100 feet or edge of habitat prior to using any artificial lighting. As conditioned, the project is consistent with the Noise Element.
Safety Element Chapter 14 Geologic & Seismic	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	The project site is not located in a mapped Alquist-Priolo fault zone nor is subject to liquefaction. The site is located in an area designated as Moderate Slope Instability (2) in the County's GIS mapping. All existing features of the cultivation are located on graded pads or in grassland openings. Although there are historic landslides on the subject parcel, they are not located within the existing and proposed developed areas. Conditions of approval require the applicant to obtain grading permits from the Building Inspection Division for all grading conducted without the benefit of County review, including, but not limited to the cultivation areas, area where the 750-square-foot propagation and storage

	<p>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>facility and on- and off-site road improvements, such as the 50-foot section of the Rainbow Ridge Road located on APN ... that was paved in 2019. The project is consistent with the geologic resource policies of the Safety Element.</p>
<p>Safety Element Chapter 14 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-P12, Federal Flood Insurance Program; S-P13, Flood Plains; S-P15, Construction Within Special Flood Hazard Areas.</p>	<p>The subject site is outside any mapped flood hazard areas. The project site is not within a mapped dam or levee inundation area and, at approximately 10 miles distance from the coast, is outside the areas subject to tsunami run-up.</p>
<p>Safety Element Chapter 14 Fire Hazards</p>	<p>Goals and policies of this Chapter encourages development designed to reduce the risk of structural and wildland fires supported by fire protection services that minimize the potential Related policies: S-P 19, Conformance with State Responsibility Areas (SRA) Fire Safe Regulations.</p>	<p>The subject property is located within an area with a high hazard severity. The parcel is located within the Briceland Fire Protection District Response Area 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 recommended compliance with the requirements of the County's Fire Safe Regulations. The Humboldt County Fire Safe Ordinance (Section 3111-1 <i>et seq.</i>) establishes development standards for minimizing wildfire danger in state responsibility designated areas.</p> <p>The proposed project is for non-flammable manufacturing. According to the operations plan, a maximum of nine employees will be on-site during peak operations. Total water storage is 62,500 gallons in hard-sided tanks and a groundwater well that can be used for fire protection is needed.</p> <p>See §314-55.4.8.2.3 <i>Locational Criteria for Manufacturing</i> for additional information and discussion relating to the Conditional Use Permit to request an exception to the road standards for manufacturing projects that describes the road in terms of the Fire Safe standards. A project referral was sent to CAL</p>

		FIRE on May 18, 2020, and no response has been received as of the drafting of the report. The project is consistent with the fire protection policies of the Safety Element.
Community Infrastructure and Services Element, Chapter 5 Implementation Action Plan	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.	The project is located in the Briceland Fire Protection District boundaries.
Air Quality Chapter 15	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-G 1, AQ-G2, AQ-G3) and the successful reduction of greenhouse gas emissions to levels consistent with state and federal requirements (AQ-G4) Related policies: AQ-P4, Construction and Grading Dust Control, AQ-S 1, Construction and Grading Dust Control, AQP7, Interagency Coordination.	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. As conditioned, the project is consistent with these policies of the General Plan.

2. Zoning Compliance and 3. Conforms with applicable standards and requirements of these regulations: The following table identifies the evidence which supports 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 Requirements	Evidence Supporting the Zoning Finding
§312-1.1.2 Legal Lot Requirement	Development permits shall be issued only for a lot that was created in compliance with all applicable state and local subdivision regulations.	The subject parcel of land known as APN 220-061-019 is one, legal parcel and is on file in the Office of the Humboldt County Recorder shown as Lot 4 on Parcel Map 82, Book 1, Page 136. Therefore, the subject parcel was lawfully created in its current configuration and can be developed as proposed.

<p>§312-2.4</p> <p>Zoning Clearance Certificates</p>	<p>The proposed development conforms with all requirements of the Humboldt County Zoning Regulations; and</p> <p>The proposed development complies with the terms and conditions of any applicable permit and/or subdivision map that was previously approved for such development; and</p> <p>The proposed development is not located on the same lot where conditions exist or activities are being conducted which are a part of the proposed development and in violation of the Humboldt County Code, unless the zoning clearance a) is necessary for the abatement of the existing violation(s) or; b) addresses an imminent health and/or safety violation; or, c) facilitates an accessibility improvement to a structure or site for ADA compliance consistent with 312-42 of this Chapter; or d) the applicant has executed and recorded an enforcement agreement with the County to cure the violation(s) on a form approved by the Risk Manager and County Counsel.</p>	<p>The proposed Zoning Clearance Certificate for distribution is analyzed throughout this staff report in combination with Conditional Use Permit, Special Permit and Special Permit modification as all development will be on the same parcel. The project conforms with all the requirements of the Humboldt County Zoning Regulations. The subject parcel of land known as APN 220-061-019 is one, legal parcel and is on file in the Office of the Humboldt County Recorder shown as Lot 4 on Parcel Map 82, Book 1, Page 136. There are no active violations on the subject parcel. The project therefore conforms with the requirements to issue Zoning Clearance Certificate.</p>
<p>§314-8.1</p> <p>Unclassified</p>	<p>Unclassified (U): 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.</p>	<p>The applicant is seeking a Conditional Use Permit to allow for the exception to the road standards for manufacturing, a Special Permit for non-volatile manufacturing cannabis, a modification to a previously approved Special Permit to reconfigure the cultivation areas and add a 750-square-foot structure for propagation and storage and a Zoning Clearance Certificate for distribution within an existing garage on the property zoned U. The proposed uses allowed with Special Permits and a Zoning Clearance Certificate in this</p>

		zone district under Sections 314-55.4.6.11, 314-55.4.71, 314-55.4.8.2.3 of the Humboldt County Code.
Minimum Lot Area:	6,000 square feet	10.16 acres
Minimum Lot Width:	50 feet	1,191 feet
Minimum Lot Depth:	100 feet	516 feet
Max. Lot Coverage:	40%	<40%
Min. Yard Setbacks (through the SRA requirements):	Front: 20 feet Rear: 10 feet Side: 5 feet SRA: 30 feet, all sides	Front: >30 feet Rear: >30 feet Sides: >30 feet
Max. Building Height:	None specified	<35 feet
§314-109.1.3.4.1 Off-Street Parking Manufacturing	The higher of one parking space for each 1,500 square feet of gross floor area within all enclosed building areas or one (1) parking space for each employee at the peak shift. A minimum of two (2) parking spaces are required.	9 spaces
§314-61.1 Streamside Management Area (SMA)	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.	There are no mapped Streamside Management Areas on the subject parcel.

314-55.4 et seq. HCC: Commercial Cultivation, Processing, Manufacturing, Distribution, Testing and Sale of Cannabis for Medical or Adult Use Inland Land Use Regulation (CCLUO)		
§314-55.4.5.4 Permit Limits and Permit Counting	No more than eight acres of Commercial Cannabis permits may be issued to a single Person. No more than ten (10) Persons shall be granted permits authorizing three (3) or acres of cultivation pursuant to the provisions of 55.4.6.1.2(c).	According to records maintained by the Planning Department, the party who is the Emerald Organics Cooperative, Inc., applicant, submitted four applications, including this application for non-volatile manufacturing, distribution and a modification to a previously approved Special Permit for distribution. If approved, the applicant will have less than 8 acres of approved cultivation area.

314-55.4 et seq. HCC: Commercial Cultivation, Processing, Manufacturing, Distribution, Testing and Sale of Cannabis for Medical or Adult Use Inland Land Use Regulation (CCLUO)

<p>§314-55.4.6.4.2</p> <p>Conversion of Timberland</p>	<p>Cultivation sites may only be located within an Non-Forested area that was in existence prior to January 1, 2016.</p>	<p>A review of aerial imagery on the Humboldt County WebGIS and Digital Globe shows the parcel contains timberland. An <i>Evaluation of Potential Timberland Conversion</i> was prepared by Timberland Resource Consultants dated March 23, 2017. The report reviewed 2 cultivation areas, Area A and Area B. However, the report did not evaluate the approximately 0.13 acres of timber removal that occurred sometime between November 4, 2015 and May 28, 2016 (see Attachment 4 – <i>Evaluation of Potential Timberland Conversion</i> was prepared by Timberland Resource Consultants dated March 23, 2017, and Digital Globe Aerial Imagery). Conditions of approval require the applicant to submit an addendum to the <i>Evaluation of Potential Timberland Conversion</i> prepared by a Registered Professional Forester (RPF) that describes the makes recommendations for unauthorized timber conversion that occurred between November 4, 2015, and May 28, 2016, and was not addressed previously. The addendum shall include an evaluation to ensure the timber removal was done in accordance with the Forest Practices Act. The plan shall also include a plan for restocking any timber removal that occurred after January 1, 2016, at a rate of 3:1. The plan shall include a monitoring plan for a minimum of three years that requires an 85% success rate for any timber restocking. Conditions of approval also require the applicant to obtain a grading permit for the grading conducted without the benefit of County review. No tree removal that could constitute a timber conversion has occurred on the property since May 28, 2016. No trees are proposed to be removed as part of the project.</p>
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314-55.4 et seq. HCC: Commercial Cultivation, Processing, Manufacturing, Distribution, Testing and Sale of Cannabis for Medical or Adult Use Inland Land Use Regulation (CCLUO)		
<p>§314-55.4.6.3.1</p> <p>Eligibility Requirements –</p> <p>Energy Source</p>	<p>Electricity must be exclusively provided by a Renewable Energy Source, meeting the Performance Standard for Energy Use.</p>	<p>Power to the subject parcel is provided by P. G. & E. To meet the Performance Standard for Energy Use, CCLUO §314 - 55.4.12.5, The applicant will join one of P.G.&E's renewable energy programs (“Repower+” or “Solar Choice”) to obtain 100% renewable energy for all energy used in the commercial cannabis operations, which is included as a Condition of Approval. As conditioned, the proposed project meets this performance standard.</p>
<p>§ 314-55.4.6.3.2</p> <p>Eligibility Requirements –</p> <p>Water Source</p>	<p>Irrigation shall exclusively utilize Stored Water from Non-Diversionary Sources or water from a Public or Private Water Supplier.</p>	<p>Annual water use is estimated at 120,000 gallons. Water for irrigation is provided by a permitted well and rainwater catchment. According to referral comments received for the previous approval, the California Department of Fish and Wildlife found the well to be non-jurisdictional to that agency. There is 62,500 gallons of water storage in hard-sided tanks. No additional Special Permit is required for the water sources. A combination of dry farming, drip irrigation and hand-watering is used to promote water conversation. Conditions of approval require the applicant to meter the water used for cultivation annually to demonstrate sufficient water is provided by the well and rain catchment to support the operation.</p>
<p>§314-55.4.6.4.4</p> <p>Standard Setbacks</p>	<p>The proposed project shall be more than 600 feet from any school, school bus stop, church or other place of religious worship, public park, or tribal cultural resources (TCRs) and 1,000 feet from all Tribal Ceremonial Sites.</p>	<p>The applicant is seeking a Conditional Use Permit to allow for the exception to the road standards for manufacturing, a Special Permit for non-volatile manufacturing cannabis, a modification to a previously approved Special Permit to reconfigure the cultivation areas and add a 750-square-foot structure for propagation and storage and a Zoning Clearance Certificate for distribution within an existing garage on the property zoned U. The proposed project conforms to the 600-foot setback for schools, school bus stops, parks, or places of religious worship. No nearby Tribal Cultural Resources or Tribal Ceremonial Sites were identified by the Bear River Band THPO. The project complies with these standards.</p>

314-55.4 et seq. HCC: Commercial Cultivation, Processing, Manufacturing, Distribution, Testing and Sale of Cannabis for Medical or Adult Use Inland Land Use Regulation (CCLUO)		
§314-55.4.8.2.2 Non-flammable Manufacturing	Manufacturing activities involving Non-Flammable Extraction may be permitted with a Special Permit within those zones specified under 55.4.6.1.1 (AE, AG, FR, and U).	The subject parcel is zoned Unclassified with a Residential Agriculture land use designation. Non-flammable manufacturing is allowable pursuant to CCLUO §314-55.4.8.2.2(c).

<p>§314-55.4.8.2.3</p> <p>Locational Criteria for Manufacturing</p>	<p>Manufacturing activities shall be located on roads that are paved with centerline stripe, or paved meeting the Category 4 standard. Exceptions may be considered with a Use Permit. Where an exception is sought, the Use Permit application shall include an evaluation of the local road network and relevant segments prepared by a licensed engineer. The engineers report shall include substantial evidence to support a finding that standards for the protection of public health and safety, including fire safe road access, capacity to support anticipated traffic volumes, water quality objectives, and protection of habitat can be met.</p>	<p>The subject parcel is located Rainbow Ridge Road, which is a dead-end road, approximately 0.61 miles from its intersection with Briceland-Thorne Road, which is a County-maintained Road approved for commercial cannabis use.</p> <p>The proposed project includes a Conditional Use Permit to request an exception to the requirement that manufacturing activities be located on roads that are paved with a centerline strip or paved meeting the Category 4 standard. The applicant submitted a <i>Road Evaluation Report</i> prepared by Whitchuch Engineering dated October 25, 2019 (see Attachment 4). The report states the 0.61-mile length of private road serves 8 parcels and is compacted soil with gravel. Slopes range from 0 -19% with widths ranging from 9 – 21 feet.</p> <p>The report evaluates the Average Daily Trips (ADT) for current use and the proposed uses. The Report states the cumulative ADT will be is 103 when evaluated cumulative with uses on the 8 parcels serving the road. This permit would authorize the modifications to the Special Permit, manufacturing and distribution, would utilize the same number of employees (maximum of 9) that were evaluated in the previous permit, the anticipated traffic is not expected to increase as a result of approval of the manufacturing, distribution and modification permits.</p> <p>The report states that the cumulative ADT of 103 is under the upper limit of 250 ADT for County Road Category 2 standards. The report also states that the road conditions mostly meets Road Category 2 standards with a 14-foot section of the road not meeting requirements, but does include a turnout. Recommendations within the <i>Road Evaluation Report</i> prepared by Whitchuch Engineering dated October 25, 2019, includes grading and paving of 30-feet of the road to create a slope of less than 18%. The report also recommends annual evaluation of the seven sections of road that are over 10% in slope. Conditions of approval require the applicant to adhere to the recommendations in the report. Annual inspection of the road segments will be completed by a licensed, civil engineer and will be provided at the time of the annual</p>
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314-55.4 et seq. HCC: Commercial Cultivation, Processing, Manufacturing, Distribution, Testing and Sale of Cannabis for Medical or Adult Use Inland Land Use Regulation (CCLUO)

		<p>inspection or as requested by the Planning Department. The annual inspection report shall evaluate whether or not this section of road meets or exceeds Best Management Practices for water quality and habitat protection. The report shall make recommendations, as applicable, to ensure the entire road length meet or exceeds road standards described by the latest edition of the document titled, "A Water Quality and Stream Habitat Protection Manual for County Road Maintenance in Northwestern California Watersheds," and is also known as the <i>Five Counties Salmonid Conservation Roads Maintenance Manual</i>. Prior to commencing manufacturing and distribution uses, the applicant shall submit a monitoring report of the seven locations to ensure no additional modifications are required.</p> <p>The Water Resources Protection Plan (WRPP) submitted for the initial Special Permit evaluated the culvert by the gate and noted sediment is collecting and the culvert is angled wrong. The temporary BMP was to redirect water so it flows better, while the permanent BMP was to install a large culvert at a different and to collect downhill flows. This report is dated February 10, 2017, and the time schedule was noted at 12-24 months. The applicant provided updates to progress on this improvement in 2018, 2019 and 2020, and indicated that the culvert is on a neighboring parcel and has been unable to get property owner permission to complete this upgrade. Conditions of approval require the applicant to upgrade this culvert prior to commencing manufacturing and distribution activities.</p>
<p>§314-55.4.11 Application Requirements</p>	<p>Identifies the Information Required for All Applications</p>	<p>Attachment 4 identifies the information submitted with the application and shows all the required information was received.</p>
<p>§314-55.4.12 Performance Standards</p>	<p>Identifies the Performance Standards for Cannabis Cultivation Activities.</p>	<p>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 et seq. HCC: Commercial Cultivation, Processing, Manufacturing, Distribution, Testing and Sale of Cannabis for Medical or Adult Use Inland Land Use Regulation (CCLUO)

<p>§314-55.4.12.1.8 Performance Standards– Road System</p>	<p>Roads providing access to any parcel(s) or premises on which commercial cannabis activities occur must comply with standards regarding dead-end road length, functional capacity and private road systems.</p>	<p>The subject parcel is located Rainbow Ridge Road, which is a dead-end road, approximately 0.61 miles from it's intersection with Briceland-Thorne Road, which is a County-maintained Road approved for commercial cannabis use.is directly off a paved County-maintained public road (Evergreen Road). The Department of Public Works recommended conditional approval of this project. The applicant was required to improve the intersection of Rainbow Ridge Road and Briceland-Thorne Road under the previous approval. Staff correspondence with DFW on May 19, 2020, indicates the intersection has been paved. Conditions of approval require the applicant to adhere to County standards for fences and encroachments.</p> <p>The proposed project is not located more than 2-miles from the nearest intersection with a Category 4 road or secondary access for emergency vehicles and personnel, including wildland fire equipment.</p> <p>See §314-55.4.8.2.3 <i>Locational Criteria for Manufacturing</i> for additional information and discussion relating to the Conditional Use Permit.</p>
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<p>§314-55.4.12.1.10 Performance Standards–</p> <p>Biological Resource Protection</p>	<p>Projects proposing new development activities shall provide the necessary information to implement Mitigation Measures 3.4-1a – 3.4-1l, 3.4-3a, 3.4-4, 3.4-5 and 3.4-6 from the Final Environmental Impact Report.</p>	<p>There are no rare or special status species based on a review of the California Natural Diversity Database. There are no mapped Streamside Management Areas. The nearest mapped Marbled murrelet habitat is location 3.46 miles to the northeast of the subject parcel. The nearest Northern Spotted Owl (NSO) positive observation is located 0.47 miles to the south and the nearest NSO Activity Center is located 1.27 miles to the south of the project site. Greenhouses are equipped with fans and power is provided by P. G. & E. However, because potential habitat exists on the subject parcel, special noise attenuation measures due to proximity to known noise sources. In accordance with the standards set forth in Section 55.4.11(o) of the CMMLUO and Departmental Policy Statement (DPS) 16-005, the subject parcel is considered to contain habitat or potential habitat for Northern Spotted Owl because it is within one-mile of a mapped Northern Spotted Owl activity center. Ongoing conditions of approval require the maximum allowable generator noise exposure level is 50 dB when measured from the generator at a distance of 100 feet or at the edge of habitat, whichever is closer. Conditions of approval require the applicant to provide evidence that generator and fan noise exposure levels are 50 dB when measured at 100 feet or edge of habitat. Artificial lighting is used for the 5,980-square-foot mixed light cultivation area and 400-square-foot propagation area, which will be fully enclosed in the proposed 750-square-foot structure. Conditions of approval require all lighting to adhere to Dark Sky standards as described by the CCLUO.</p> <p>The proposed modification to the Special Permit project includes construction of a 750-square-foot propagation structure and after-the-fact permitting for reconfiguration of the previously approved cultivation areas that included construction of 2 greenhouses without the benefit of County review. The greenhouses were and the propagation structure will be constructed within a previously disturbed area on the subject parcel,</p>
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314-55.4 et seq. HCC: Commercial Cultivation, Processing, Manufacturing, Distribution, Testing and Sale of Cannabis for Medical or Adult Use Inland Land Use Regulation (CCLUO)		
		<p>therefore, no biological assessment was required. Because the historic cultivation area will now be used to cultivation 6 personal use plants, no remediation plan was required.</p> <p>See findings for <i>Stormwater Drainage</i> (Chapter 11, <i>Water Resources</i>) for additional information regarding culvert replacements and permitting requirements.</p> <p>See findings for the <i>Streamside Management Area</i> (SMA) for additional information regarding culvert replacements and findings for development of the on-stream pond.</p> <p>See findings for <i>Timber Conversion</i> for additional information regarding the location of the proposed 750-square-foot propagation structure and timber conversion that occurred sometime between November 4, 2015, and May 24, 2016, and was previously not evaluated.</p> <p>See findings for <i>Performance Standards – Water</i> for additional information regarding water use and storage.</p> <p>The California Department of Fish and Wildlife (CDFW) was referred on March 3, 2019, and no response was provided. Staff contacted CDFW staff through email on May 20, 2020, to request comments and no response was received (see Attachment 5). Several conditions of approval requested by CDFW for wildlife and watershed protection, such as preparation and implementation of a bullfrog management plan and a prohibition on use of synthetic netting, are incorporated into the project. As conditioned, the project conforms to the performance standards for biological protections.</p>
§314-55.4.12.2 Performance Standards– Commercial Cannabis Cultivation	Identifies the Performance Standards for Cannabis Cultivation Activities.	The project as proposed and conditioned meets all of the requirements stipulated in the cited section. In Attachment 1, these performance standards have been incorporated into the On-going Conditions of Approval that must be satisfied for the life of the project.

314-55.4 et seq. HCC: Commercial Cultivation, Processing, Manufacturing, Distribution, Testing and Sale of Cannabis for Medical or Adult Use Inland Land Use Regulation (CCLUO)		
<p>§314-55.4.12.4 Performance Standards– Light Pollution Control</p>	<p>a) Structures used for Mixed Light Cultivation and Nurseries shall be shielded so that no light escapes between sunset and sunrise.</p> <p>b) Where located on a Parcel abutting a residential Zoning District or proposed within Resource Production or Rural Residential areas, any Security Lighting for Commercial Cannabis Activities shall be shielded and angled in such a way as to prevent light from spilling outside of the boundaries of the Parcel(s) or Premises or directly focusing on any surrounding uses.</p>	<p>The applicant is seeking a Conditional Use Permit to allow for the exception to the road standards for manufacturing, a Special Permit for non-volatile manufacturing cannabis, a modification to a previously approved Special Permit to reconfigure the cultivation areas and add a 750-square-foot structure for propagation and storage and a Zoning Clearance Certificate for distribution. The previously approved Special Permit that allowed for 8,680 square feet comprised of mixed light and outdoor cultivation areas, consisting of 5,980 square feet and 2,700 square feet, respectively (APPS #11044/SP16-135). The propagation area requires the use of artificial lighting, however, will be enclosed within the proposed 750-square-foot structure. The project has been conditioned to adhere to Dark Sky Standards for artificial lighting used in the mixed light greenhouses and within the propagation structure. With these conditions of approval, the proposed project would meet the performance standards contained within the CCLUO.</p>
<p>§314-55.4.12.5 Performance Standards– Energy Use</p>	<p>All electricity utilized by Commercial Cannabis Cultivation, Manufacturing or Processing activities shall conform to one or more of the following standards:</p> <ul style="list-style-type: none"> • Grid power supplied from 100% renewable source; and • On-site renewable energy system with twenty percent net non-renewable energy use <p>Grid power supplied by partial or wholly non-renewable source with purchase of carbon offset credits.</p>	<p>The applicant is seeking a Conditional Use Permit to allow for the exception to the road standards for manufacturing, a Special Permit for non-volatile manufacturing cannabis, a modification to a previously approved Special Permit to reconfigure the cultivation areas and add a 750-square-foot structure for propagation and storage and a Zoning Clearance Certificate for distribution within an existing garage. Power is provided by P. G. & E. Conditions of approval require the applicant to join one of P.G.&E's renewable energy programs ("Repower+" or "Solar Choice") to obtain 100% renewable energy which is included as a Condition of Approval. As conditioned, the proposed project meets this performance standard.</p>

314-55.4 et seq. HCC: Commercial Cultivation, Processing, Manufacturing, Distribution, Testing and Sale of Cannabis for Medical or Adult Use Inland Land Use Regulation (CCLUO)		
<p>§314-55.4.12.6 Performance Standards–</p> <p>Noise</p>	<p>Noise from cultivation and related activities shall not result in an increase of more than three decibels of continuous noise above existing ambient noise levels at any property line of the site. Existing ambient noise levels shall be determined by take twenty-four measurements on three or more property lines when all cannabis related activities are not in operation.</p>	<p>Greenhouses are equipped with fans and power is provided by P. G. & E. The nearest mapped Marbled murrelet habitat is location 3.46 miles to the northeast of the subject parcel. The nearest Northern Spotted Owl (NSO) positive observation is located 0.47 miles to the south and the nearest NSO Activity Center is located 1.27 miles to the south of the project site. However, because potential habitat exists on the subject parcel, special noise attenuation measures due to proximity to known noise sources. In accordance with the standards set forth in Section 55.4.11(o) of the CMMLUO and Departmental Policy Statement (DPS) 16-005, the subject parcel is considered to contain habitat or potential habitat for Northern Spotted Owl because it is within one-mile of a mapped Northern Spotted Owl activity center. Ongoing conditions of approval require the maximum allowable generator noise exposure level is 50 dB when measured from the generator at a distance of 100 feet or at the edge of habitat, whichever is closer. Conditions of approval require the applicant to provide evidence that generator and fan noise exposure levels are 50 dB when measured at 100 feet or edge of habitat prior to using any artificial lighting.</p>
<p>§314-55.4.12.7 Performance Standards –</p> <p>Cannabis Irrigation</p>	<p>A Special Permit shall be required where Irrigation of Commercial Cannabis Cultivation Activities occurs wholly or in part using one or more Diversionary sources of water. All Cannabis Irrigation, regardless of cultivation area, shall be subject to documentation of water use, forbearance periods and storage requirements, metering and recordkeeping.</p>	<p>Annual water use is estimated at 120,000 gallons. Water for irrigation is provided by a permitted well and rainwater catchment. According to referral comments received for the previous approval, the California Department of Fish and Wildlife found the well to be non-jurisdictional to that agency. There is 62,500 gallons of water storage in hard-sided tanks. No additional Special Permit is required for the water sources. A combination of dry farming, drip irrigation and hand-watering is used to promote water conversation. Conditions of approval require the applicant to meter the water used for cultivation annually to demonstrate sufficient water is provided by the well and rain catchment to support the operation.</p>

314-55.4 et seq. HCC: Commercial Cultivation, Processing, Manufacturing, Distribution, Testing and Sale of Cannabis for Medical or Adult Use Inland Land Use Regulation (CCLUO)		
314-55.4.12.10 Performance Standards – Soils Management	A soils management plan shall be provided detailing the use of imported and native soil on the Parcel(s) or Premises. The plan shall provide accounting for the annual and seasonal volume of soil that is imported and exported and documentation of the approved location of any Parcel(s) used for off-site disposal of spent soil if this occurs or is proposed.	Under the previous approval, the applicant provided photographs showing how coverings used for soils management. The CCLUO requires a soils management plan shall be provided detailing the use of imported and native soil on the Parcel(s) or Premises. The plan shall provide accounting for the annual and seasonal volume of soil that is imported and exported and documentation of the approved location of any Parcel(s) used for off-site disposal of spent soil if this occurs or is proposed. Conditions of approval require the applicant to submit a Soils Management Plan for review and approval by the Planning Department. Once approved, the applicant is required to implement the invasive species plan and provide monitoring results during the annual inspection.
314-55.4.12.11 Performance Standards – Existing Site Reconfiguration	Where an existing site does not conform to one or more performance standards or eligibility criteria, or cannot comply with local, state, or federal regulatory requirements, reconfiguration of the cultivation site and associated infrastructure may be permitted, provided that the reconfiguration results in an improvement in the environmental resources of the site.	The proposed project includes a modification to a previously approved Special Permit that allowed for 8,680 square feet comprised of mixed light and outdoor cultivation areas, consisting of 5,980 square feet and 2,700 square feet, respectively (APPS #11044/SP16-135). The previous approval allowed 400 square feet of propagation in two sheds. The proposed modification includes reconfiguration for the previously-approved cultivation areas and construction of a 750-square-foot structure that will be used for the 400-square-foot propagation area and additional storage.
314-55.4.12.13 Performance Standards – Remediation Activities	All remediation activities shall be conducted in accordance with the requirements for Mitigation and Monitoring Plans described within 314-61.1 of the Humboldt County Code, including the standards for documentation, reporting, and adaptive management.	The proposed project does not includes any remediation activities for historic cultivation areas.

314-55.4 et seq. HCC: Commercial Cultivation, Processing, Manufacturing, Distribution, Testing and Sale of Cannabis for Medical or Adult Use Inland Land Use Regulation (CCLUO)		
314-55.4.12.16 Performance Standards – Invasive Species Control	It is the responsibility of a certificate or permit holder to work to eradicate invasive species.	The CCLUO requires the cultivation area will be monitored for invasive species. If invasive species are located, mechanical will be implemented. Hand tools, such as shovels, weed wrenches, trowels, or hand saws, may be used to remove invasive species. The exact rate and method of invasive species will be determined by the species identified. The areas of disturbance shall be surveyed and maintained bi-annually, at a minimum, as part of the invasive species control plan. Conditions of approval require the applicant to submit an Invasive Species Plan for review and approval by the Planning Department. Once approved, the applicant is required to implement the Invasive Species Plan and provide monitoring results during the annual inspection.

4. **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.

Code Section	Summary of Applicable Requirement	Evidence that Supports the Required Finding
§312-17.1.4 Conditional Use and Special Permit Findings	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 Department finds that the proposed project will not be detrimental to the public health, safety and welfare since all reviewing referral agencies have approved the proposed project design. The project as proposed and conditioned is consistent with the general plan and zoning ordinances; and the proposed project is not expected to cause any environmental damage.

5. **Residential Density Target:** The following table identifies the evidence which supports finding that the proposed 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.

Code Section	Summary of Applicable Requirement	Evidence that Supports the Required Finding
312-17.1.5 Housing Element Densities	The proposed development does not reduce the residential density for any parcel below that utilized by the Department of Housing and Community Development in determining compliance with housing element law (the midpoint of the density range specified in the plan designation), except where: 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.	The parcel was not included in the 2014 Housing Inventory.

6. **Environmental Impact:** The following table identifies the evidence which supports finding that the proposed development will not adversely impact the environment.

Code Section	Summary of Applicable Requirement	Evidence that Supports the Required Finding
§15301 and §15303 of CEQA Guidelines	Categorically exempt from State environmental review.	The project has been determined to be exempt from CEQA pursuant to Sections 15301 – Existing Facilities and Section 15303 - New Construction or Conversion of Small Structures of the Guidelines for the Implementation of CEQA. Section 15301 exempts from environmental review the operation, repair maintenance, permitting, licensing, or minor alteration of existing private structures or facilities where involving negligible or no expansion of use. Section 15301 applies to the ongoing cannabis cultivation operation and associated activities. Section 15303

		applies to the construction of the 750-square-foot structure that will be used for the 400-square-foot propagation area and additional storage and any new greenhouses.
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ATTACHMENT 3

Applicant's Evidence in Support of the Required Findings

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

1. The name contact address and phone number(s) of the applicant. (Application form on file)
2. If the applicant is not the record title owner of parcel, written consent of the owner for the application with original signature and notary acknowledgement. (On file)
3. Site plan showing the entire parcel, including easements, streams, springs, ponds and other surface water features, and the location and area for cultivation on the parcel with dimensions of the area for cultivation and setbacks from property lines. The site plan shall also include all areas of ground disturbance or surface water disturbance associated with cultivation activities, including: access roads, water diversions, culverts, ponds, dams, graded flats, and other related features. If the area for cultivation is within 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 – Site Operations Plan received December 11, 2018, and Proposed Changes 2020)
5. Copy of the statement of water diversion, or other permit, license or registration filed with the State Water Resources Control Board, Division of Water Rights, if applicable. (Not applicable)
6. Description of water source, storage, irrigation plan, and projected water usage. (Attached – in 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 – Water Resources Protection Plan; Condition of approval – submit documentation showing compliance with the State Cannabis Policy)
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. (Condition of Approval)
9. If the source of water is a well, a copy of the County well permit, if available. (Not applicable)

10. If the parcel is zoned FR, U or TPZ, or involves the conversion of timberland as defined under section 4526 of the Public Resources Code, a copy of a less-than-3-acre conversion exemption or timberland conversion permit, approved by the California Department of Forestry and Fire Protection (CALFIRE). 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 CALFIRE. (Condition of approval)
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. DEH Worksheet. (On file)
16. Road Evaluation Report prepared by Whitchurch Engineering received October 25, 2019. (Attached)
17. Digital Globe Aerial Imagery between November 4, 2015 and May 28, 2016. (Attached)
18. *Evaluation of Potential Timberland Conversion* was prepared by Timberland Resource Consultants dated March 23, 2017. (Attached)

Site Operations Plan

Emerald Organics Cooperative



Utilities

Utility services for cultivation site are established through local area service providers.

- PG&E - Electricity provider. Any and all structures with electrical services onsite are maintained from this provider.
- Amerigas - 250-gallon propane tank rental and service. Delivery is on as needed bases and occurs very little.

Water Use

Water for cultivation will be collected from either our permitted well or rainwater catchment tank and stored in containers. Water storage containers onsite include one 40,000-gallon silver rainwater collection tank and 7 green poly tanks ranging from 2500-3500 gallons each. Total storage capacity will be close to 62,500 gallons of water. Containers will be continuously refilled with our permitted well October through May, when rain water collection is not available. Locations of storage tanks and the permitted well are included on project site map. Additionally, we are in the process of installing a second well. We will be updating our site map and operations plan as soon as a location is chosen.

Irrigation for cultivation will be an integrated plan utilizing water conservation and reduced environmental impact practices. Depending on time of year we will adjust to include either dry-land farming practices, drip irrigation system, or manual watering methods. Water is gravity fed through poly lines from our water storage containers to the appropriate garden locations. Water is then temporarily stored in irrigation tanks near each cultivation area and then either mixed with nutrients or given as plain water through drip line. Cultivation sites are equipped with surface drip-irrigation line to aid in monitoring and conservation. The system will operate daily under the direct supervision of the caretaker allowing for minimal mechanical error. We believe our cultivation water use to be near 120,000-gallons annually using the State of California Department of Water Resources, Water Budget Workbook. We will also have a calendar of watering/feeding/IPM spray days and times for each different cultivation area for record keeping and estimating purposes.

Land Management

Erosion control landscaping, riprap, landscaping drainage, and a drop inlet have been installed near back hillside of caretaker's residence for increased erosion control measures. As well as the use of erosion control grass and mulch around cultivation sites and areas of cleared space. Bi-annual removal of invasive plant such as scotch broom and re-plant with drought tolerant California native plants and ground covers. Cultivation site walkways will be kept mulched and maintained.

The prior owner(s) had culverts installed for the development and use of the roadway, both of which have been noted on site map. Measurements for these culverts are both 18". These culverts maintain the integrity of the road and are in good working order.

We will be eliminating groundwater contamination through proper storage, use, and disposal of materials and chemicals. We will be limiting fertilizers and pesticides to those listed for organic food production. Cultivation will occur with the use of on-grid utilities, not gas/diesel generators. Our waste management plan includes weekly trash removal and property maintenance to maintain a clean well-kept location. Fertilizers, pesticides, and other regulated products will be stored in corrosion proof locking cabinets that will be stored in the climate protected storage spaces onsite. Storage of such items will be marked and labeled on the site plan and also our emergency action plan/map. Keys to locking cabinets will be carried by manager on duty and a secondary set kept in the office.

Cultivation & Processing (part of SP16-135 / Apps#11044)

Cultivation work will be performed by Daniel Kulchin, Jennifer Aspuria, their family members, and members of Emerald Organics Cooperative. Volunteer work, internships, and processing work positions will be fill as they are needed and workers will maintain independent contractor employment status. Estimated 2-7 people will be onsite during daytime operational hours.

Cultivation activities are as follows:

- Outdoor cultivation areas totaling 2700 sq. ft. Operating 5 months annually, roughly June through November.
- Mixed light cultivation areas totaling 5980 sq. ft. Operating 6 months annually, roughly May through November. Structure sizes: (GH) 60x30, (GHA) 70x30, (Dep1) 75x10, (Dep2) 45x10, (Dep3) 100x10
- Clone/Seedling nursery totaling 400 sq. ft. Operating 9 months annually, roughly November through July
- Trimming will occur as needed roughly July through November

Processing(trimming) of cultivated cannabis shall take place in the existing permitted garage (permit #12-264-AOB-3). We will provide temporary processing workstations, along with additional employee restrooms and handwashing stations, meeting the general labor requirements. Hand washing station and bathroom facilities are being provided and maintained by B&B Portables in Fortuna. One permitted septic system exists for the house with wash and bathroom facilities that will be made accessible during work hours. A permit for a secondary septic will be going in summer 2017 as a replacement for the portable facilities. Tent camping spaces will be available to rent onsite at a first come first serve basis.

We anticipate two cycles for our mixed light cultivation areas annually. Timing of cycles for each cultivation space will vary. The following is our schedule of activities breakdown:

	Jan & Feb	March	April	May	June	July	Aug	Sept	Oct	Nov & Dec
Growing				Deprivation cycle 1	Deprivation cycle 1 & full term	Deprivation cycle 1 & full term	Deprivation cycle 2 & full term	Deprivation cycle 2 & full term	Deprivation cycle 2 & full term	
Trimming						Dep 1		Dep 2	Full term	
Nursery	Tissue cultures & moms	Clones and seeds	Clones and seeds	Clones and seeds	Clones and seeds	Clones and seeds				Tissue cultures & moms

Security Plan

The security plan for the site is designed to prevent theft and emergencies by properly equipping our staff and site. We have developed an emergency action plan and SDS information manual to help in the event of an emergency or accident. A copy of both will be kept in the office and are available for review upon request. There will be regular monthly testing and monitoring of the security systems, locks, fire extinguishers and first aid stations.

Security measures in place are as follows:

- 24 hour Monitored Security System - consisting of eight indoor/outdoor night vision cameras. Positioned at gated entrance, parking, and cultivation sites.
- Automatic security gate with coded entry

- Secondary security gate – Manual locking
- Two security dogs onsite 24 hours a day/7 days a week
- Upgraded security locks on buildings and greenhouses
- Caretaker onsite 24 hours a day/7 days a week
- 10 ft. perimeter fence around property boundary along easement
- Fire extinguishers located at all cultivation sites and material storage sites
- Emergency action plan and SDS information

Materials Management Plan

All materials will be kept in storage bins and locking containers. Inventory will be assessed monthly and material reorders kept low to keep just enough on hand to operate. Any finished products kept onsite for tour and farm stay guests will be separate from products for other retailers. There will be different packaging used to easily distinguish between them. Storage of packaging materials will be kept on shelves in the processing building. Processing building will be sterilized between different activities and at the end of each batch run.

Infusion Manufacturing Plan

Infusion manufacturing will be occurring onsite within the same building as our processing. We will be producing small batches of infused chocolate truffles on a monthly basis. Batches will be scheduled when no other use of building is occurring. We have included a copy of our standard operations plan for infused chocolate truffles. R & D testing will be performed in-house throughout production. We will either use our trim for infusion of ingredients used in production of chocolates or we will take our trim to a licensed lab for manufacturing and using the finished product.

Distribution Plan

Distribution will be within the same building as our processing and manufacturing. We anticipate distribution activities will occur once a week after processing activities have finished. We will include a heavy duty safe and locked area for storage of any products awaiting transport to retailer. There will be no storage or acceptance of cash onsite. Additional security cameras will be installed to support the materials storage area. Compliance testing will be picked up onsite by licensed testing facility. Products will leave site ready for retail market.

Public Accommodations Plan & Tour Site Plan

We will be adding a second portable toilet and hand washing station while completing the installation of our second septic system and permanent restroom facility. Tours to site will only be available M-F during the hours of 11-3 PM. There will be no walk-in traffic and group sizes will be limited to 10 people and under. Tours will be set up and run through partner companies and payment for tours made prior to arrival. Tours will only be allowed to shuttle over and parking for tours will be limited to two spaces, including use of one ADA space. An operations plan for the overnight farm stay has been submitted under **CUP17-067**.

Parking

Parking will consist of 7 parking spaces and 2 ADA parking spaces listed on map titled P1 and 8 parking spaces listed on map P2. P1 is located beyond the black security gate, next to the house & processing buildings. P2 will be overflow parking and will be located next to our proposed additional septic and restroom facilities. Both parking areas will be under 24 hr. surveillance and have motion sensor lighting.

Procedure Control

Document: Project name

Doc Tech: Creator

Created:

Updated:

Process Overview

Chocolate Tempering:

- Using the chocolate tempering machine, we prepare the chocolate for pouring in to the moulds by first tempering. We use seeding methodology for dark chocolates.

Pouring Shells:

- Each mould is polished before use, moulds are filled with chocolate, inverted over the well for primary drain, placed on a vibrating table to remove any air bubbles, and then stored face down for secondary draining and setting.

Filling Production:

- Fillings are produced while shells are setting, using a stovetop range each filling is made separately; each with its own dosing/emulsion phase.

Filling Shells:

- Once fillings are prepared, and put in to piping bags, the moulds are cleaned and we fill each cavity. Once filled we set them on the vibrating table to ensure they are all settled evenly.

Capping:

- After an inspection of the moulds, they are each capped.

Packaging:

- Once fully set, the chocolates are turned out of the moulds, placed in individual paper cups, and packaged.

0.1) Process Equipment

Chocolate Tempering:

- Tempering Machine, Laser Thermometer, Bench Knife

Pouring Shells:

- Bench Knife, Stainless Steel Sheet Tray, Speed Rack, Small Metal Bowl

Filling Production:

- Candy Thermometer, Large Pot, Metal Whisk, Digital Milligram Scale, Stainless Steel Sheet Tray, Cooling Rack, Speed Rack, Parchment Paper, Rubber Spatula

Filling Shells:

- Piping Bag, Rubber Spatula, Vibrating Table.

Capping:

- Tempering Machine, Bench Knife, Cooling Rack

Packaging:

- Stainless Steel Sheet Tray, Parchment Paper, Speed Rack

0.3) Process Ingredients

Chocolate Tempering:

- Guittard Chocolate 72%

Pouring Shells:

- Guittard Chocolate 72%

Filling Production:

- Peanut Butter Fill:

- Organic Creamy Peanut Butter, Cocoa Butter, 10x Sugar, Distillate

- Mint Ganache Fill:

- Heavy Cream, Glucose, Butter, Guittard Chocolate 72%, Mint Essential Oil,

Distillate

- Caramel Fill:

- Sugar, Heavy Cream, Butter, Distillate, Salt, Lemon Juice

Filling Shells:

- Peanut Butter Fill, Ganache Fill, Caramel Fill

Capping:

- Guittard Chocolate 72%

Packaging:

- N/A

1.1) Ingredient Prep & Batch Calculations

These batch calculations were formulated using an active ingredient that was 70% purity (i.e. 700mg pr 1g)

- Peanut Butter Fill:

- Peanut Butter: 414g.

- Cocoa Butter: 115g.

- 10x Sugar: 112g.

- Distillate: 1.7g.

Peanut butter is placed in a mixing bowl, 10x is added (be sure to sift). Cocoa butter is warmed separately, once reaching adequate temperature the distillate is added and allowed to hold at temperature before adding to the peanut butter. Make sure to mix the peanut butter continuously while adding in the cocoa butter. Mix for 2-3 minutes, or until the filling sets. Once the temperature of the cocoa butter drops, the filling will seize.

- Ganache Fill:

- Heavy Cream: 175g.
- Glucose: 40g.
- Butter: 17g.
- Chocolate: 350g.
- Distillate: 1.7g
- Mint Essential Oil: To Taste

Add chocolate and glucose to a mixing bowl, cube room temperature butter and add to mixing bowl as well. Separately warm the cream on the stove top to just steaming, add distillate and stir until dissolved. The cream is then poured slowly back in to the mixing bowl while gently stirring the other ingredients. Continue gently mixing until the mixture looks like shiny pudding, let set.

- Caramel Fill:

- Sugar: 333g.
- Heavy Cream: 170g.
- Butter: 82g.
- Distillate: 1.7g
- Lemon Juice: 1 lemon
- Salt: Pinch

In a pot warm the heavy cream until simmering, add the distillate and stir to insure it is all melted, allow to cool. In a separate pot add sugar, lemon juice, and a touch of water (this will evaporate). Cook sugar until sufficiently brown (around 350), immediately add the butter (it may help to cube the butter before hand for faster melting), once the butter is melted slowly pour in the heavy cream that we infused earlier while whisking. Whisk gently over low (seriously low) for 1-2 minutes. Once made add a pinch or two of salt (to taste). Pour out on a sheet tray and allow to cool.

2.2) Quality Control

Several quality control steps are helpful during this process. An initial testing of temper on chocolate before pouring shells is needed. Visual inspection of cooled shells before pouring filling. Tasting of each filling for flavor. Weighing of random units once filled and capped to monitor filling consistency is within limits. Visual inspection once capped to insure there is no leaking from the base. Final inspection once turned out, before packing.

2.3) Post Processing

Care should be taken to keep the chocolates between 60-75 degrees. IF refrigerated, care should be taken that the temperature is equalized slowly and in an environment that will not create condensation.

END OF PROCESS

Emerald Organics Cooperative, INC.
Proposed Change 2020
SP16-135

We are looking to relocate our current nursery space of 128 square feet and include the missing approved amount of nursery space (272 SQ FT.) that is included in our Special Permit for this location. Currently the space is marked on our site map as two small exempt sheds. We are proposing placement of a larger AG exempt structure that will provide additional storage and the nursery space of 400 SQ FT. The currently used nursery locations will become repurposed for non-cannabis related use. The building we are proposing would have a poured concrete slab of 30'x30' and the steel building would be 25'x30. We will be using this new space strictly as nursery, drying and storage.

HUMBOLDT COUNTY DEPARTMENT OF PUBLIC WORKS
ROAD EVALUATION REPORT

PART A: Part A may be completed by the applicant

Applicant Name: Jennifer Aspuria APN: 220-061-019

Planning & Building Department Case/File No.: _____

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

From Road (Cross street): Briceland-Thorne Road

To Road (Cross street): Dead end on Rainbow Ridge Road

Length of road segment: 0.61 mi miles Date Inspected 10/15/2019

Road is maintained by: County Other private
(State, Forest Service, National Park, State Park, BLM, Private, Tribal, etc)

Check one of the following:

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

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

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

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

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

10/25/2019

Signature

Date

Jennifer Aspuria

Name Printed

PART B: Only complete Part B if Box 3 is checked in Part A. Part B is to be completed by a Civil Engineer licensed by the State of California. Complete a separate form for each road.

Road Name: Rainbow Ridge Rd. Date Inspected: 10/14/19 APN: 220-061-019
 From Road: Briceland-Thorne Rd. (PM) Planning & Building
 To Road: Rainbow Ridge Rd, (PM) Department Case/File No.:

1. What is the Average Daily Traffic of the road?

ADT: 103 Date(s) measured: 10/14/19

Method used to measure ADT: Counters Estimated using ITE Trip Generation Book
 Is the ADT of the road less than 400? Yes No

If **YES**, then the road is considered very low volume and shall comply with the design standards outlined in the American Association of State Highway and Transportation Officials (AASHTO) *Guidelines for Geometric Design of Very Low-Volume Local Roads (ADT ≤400)*. Complete sections 2 and 3 below.
 If **NO**, then the road shall be reviewed per the applicable policies for the design of local roads and streets presented in AASHTO policy on Geometric Design of Highways and Streets, commonly known as the Green Book. Complete section 3 below.

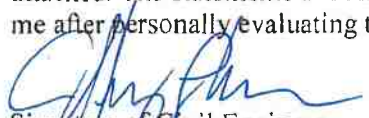
2. Identify site specific safety problems with the road that include, but are not limited to: (Refer to Chapter 3 in AASHTO *Guidelines for Geometric Design of Very Low-Volume Local Roads (ADT ≤400)* for guidance.)

- A. Pattern of curve related crashes.
Check one: No. Yes, see attached sheet for PM locations.
- B. Physical evidence of curve problems such as skid marks, scarred trees, or scarred utility poles
Check one: No. Yes, see attached sheet for PM locations.
- C. Substantial edge rutting or encroachment.
Check one: No. Yes, see attached sheet for PM locations.
- D. History of complaints from residents or law enforcement.
Check one: No. Yes check if written documentation is attached)
- E. Measured or known speed substantially higher than the design speed of the road (20+ MPH higher)
Check one: No. Yes.
- F. Need for turn-outs.
Check one: No. Yes, see attached sheet for PM locations.

3. Conclusions/Recommendations per AASHTO. Check one:

- The roadway can accommodate increased traffic from the proposed use.
- The roadway can accommodate increased traffic from the proposed use if the recommendations on the attached report are done. check if a *Neighborhood Traffic Management Plan* is also required and is attached.)
- The roadway cannot accommodate increased traffic from the proposed use. It is not possible to address increased traffic.

A map showing the location and limits of the road being evaluated in PART B is attached. The statements in PART B are true and correct and have been made by me after personally evaluating the road.


Signature of Civil Engineer

10/25/19
Date



October 25, 2019

ATTN: Emerald Organics
c/o Jennifer Aspuria
6693 Briceland-Thorne Rd
Whitethorn, CA, 99589



RE: Road Evaluation Report
Briceland-Thorne Road, through Rainbow Ridge Road
Whitethorn, CA, 95589
APN: 220-061-019

JN: EMO1901

Dear Mrs. Aspuria,

Per your request on October 14th, 2019, representatives of Whitchurch Engineering (WEI) visited Rainbow Ridge Road with the purpose of performing a Road Evaluation for the proposed cannabis/company retreat operation at the parcel listed above, per Humboldt County Planning Department. The intent of the report is to determine if the road requires improvements to accommodate the traffic loading anticipated from development of the subject parcel. Listed below are the notes from the site visit. This report will address the road from the intersection of Briceland-Thorne Road to 100' into the client parcel (APN: 220-061-019).

Notes on Site Observation – Monday, October 14th, 2019

- This length of road serves 8 parcels.
 - All 8 parcels are listed as Residential Agriculture, with slopes less than 30% (RA5-20).
 - Entire road length evaluated is ± 3200 feet.
- Observed 6 vehicles coming and going over the entire road evaluation period (9am-2pm).
- Surface slopes ranged from 0% -19.3% longitudinally, and 0.1%-15.5% cross slope.
- The majority of the road is constructed with compacted soil and gravel with widths of $\approx 9'$ minimum to $\approx 21'$ max. There is intermittent asphaltic pavement at various points of the road (See Attachment 1 for road evaluation map).
 - Intermittent turnouts are located throughout with widths of $\approx 7'$ minimum to $\approx 25'$ max. Turnout length varied lengths from $\approx 27'$ minimum to $\approx 99'$ max. (See Attachment 2 for all measured dimensions).
 - Distance between shoulders varies between $\approx 88'$ minimum to $\approx 477'$ max.



County Information

Rainbow Ridge Road is not a county road, therefore there are not public record documents referencing condition complaints, accident reports, or repair orders.

Humboldt County Planning and Building has provided recommendations on road condition improvements for the intersection at Rainbow Ridge Road and Briceland-Thorn Road. These recommended improvements are attached (See attachment 3) with this report. This report does not evaluate the intersection as it has been assumed to be improved to County Standards by a separate parcel owner on Rainbow Ridge Road

Trip Generation

Based on a site observation conducted by WEI representatives on October 14th, 2019, the number of vehicles using this section of road was an average of 1.2 trips within each peak hour. For the proposed Commercial Cannabis parcels, traffic volume estimates were based on operational information provided by our client. Several site employees will be seasonal, and half will live on site. 2-4 trip is expected daily during non-harvest conditions, the average number of trips doubles to 4-8 during harvest time. An average of 6 trip daily throughout the entire year was assumed to generate an ADT of 30.

Retreat and tour traffic will run seasonally from Mid-April through October. To reduce the number of vehicles going to and from the site, clients will be shuttled to the site via a van. An average 6 trips per month was assumed and extrapolated over the year to result in an average ADT of 0.1 for the entire year.

ADT for the other parcels serviced by Rainbow Road was assumed based on their agricultural usage. To be conservative, 4 workers were assumed for the other commercial agriculture parcels serviced by the road. An assumed 2 trips per worker results 8 ADT for each other parcel.

Combined traffic results in a cumulative ADT of 103. Therefore, the volume of traffic is within the ADT specific within the Humboldt County Road Category 2 standards (Attachment 4), under the upper limit of 250 vehicles per day.

Conclusion

The existing road length (Rainbow Ridge Rd., turn off from Briceland-Thorne Rd. to APN: 220-061-019, see Attachment 1) has been evaluated to the Humboldt County Road Design standards. The roadway section evaluated provides access to 8 parcels; the road surface is constructed of gravel roads with intermittent asphaltic coverage, including an asphaltic intersection. ADT for the road has been determined to be approximately 88. The road has a minimum width of 9' and maximum width of 21'. Per the Humboldt County Road Design Standards majority of this section of road meets Road Category #2 single lane, narrow travelled way with intervisible turnouts. A small section of the road at Station 10+61.58 to 10+76.42 is not within the requirements but does include a turnout.

We are advising the client of the items in need of correction below:

- Longitudinal Slope exceeds mountainous upper limit in two points of the road. Cross slope at various points of the road exceeds the limit set for Category 2 roads.
 - Station 17+14.92 is on private property (APN 223-061-026), approximately 30' in length, and was measured at 19.3% longitudinal grade (see Attachment 5 for picture). With the approval of Humboldt County Planning Department, and with authorization of the property owner, this portion could be graded to be under 18% for Category 2, mountainous roads.
 - Seven sections of road (See Attachment 2) have a cross slopes of 10% or higher. These sections are stable for now, and are being actively improved with new gravel coverage, however, each section should be evaluated annually regarding long-term road stability.

Our office provides the corrections above as recommendations for the client. These recommendations may be evaluated by the Humboldt County Public Works Department. Our recommendations are in addition to the requirements outlined by Humboldt County Public works dated 3-7-18.

In my opinion, the regrading of the road in the area of station 17+14.92 could be considered a regrading and stabilization maintenance activity.

The intersection of Briceland-Thorne Road and Rainbow Ridge Road has been improved by another tenant. We have assumed that the intersection has been improved to County Standards as part of the necessary encroachment permit need to make modifications to the intersection.

Based on visual observation to the best of my knowledge the work performed on this road is in accordance with generally accepted procedures. However, Whitchurch Engineering, Inc. does not undertake the guarantee of construction, nor do we relieve the contractor of his primary responsibility to produce a completed project conforming to the project plans and specifications. No warranty is expressed or implied.

Sincerely,



Jeffrey Laikam, P.E.
Engineering Manager
RCE#65856



10-25-19



Whitchurch Engineering, Inc.
Road Evaluation Report
EMO1901 – Emerald Organics
October 25, 2019

ATTACHMENT 1: Road Evaluation Map

Date	OCT 16 '19
Scale	AS NOTED
Design	NTN
Drawn	NTN
Job	EMO1901
Sheet	1

REVISIONS	BY

WHITTCURCH ENGINEERING, INC.
 610 9th Street Fortuna, California 95540
 Phone (707) 725-6926



THESE PLANS ARE ORIGINALLY
 PRINTED ON 24"x36" PAPER.
 1 INCH

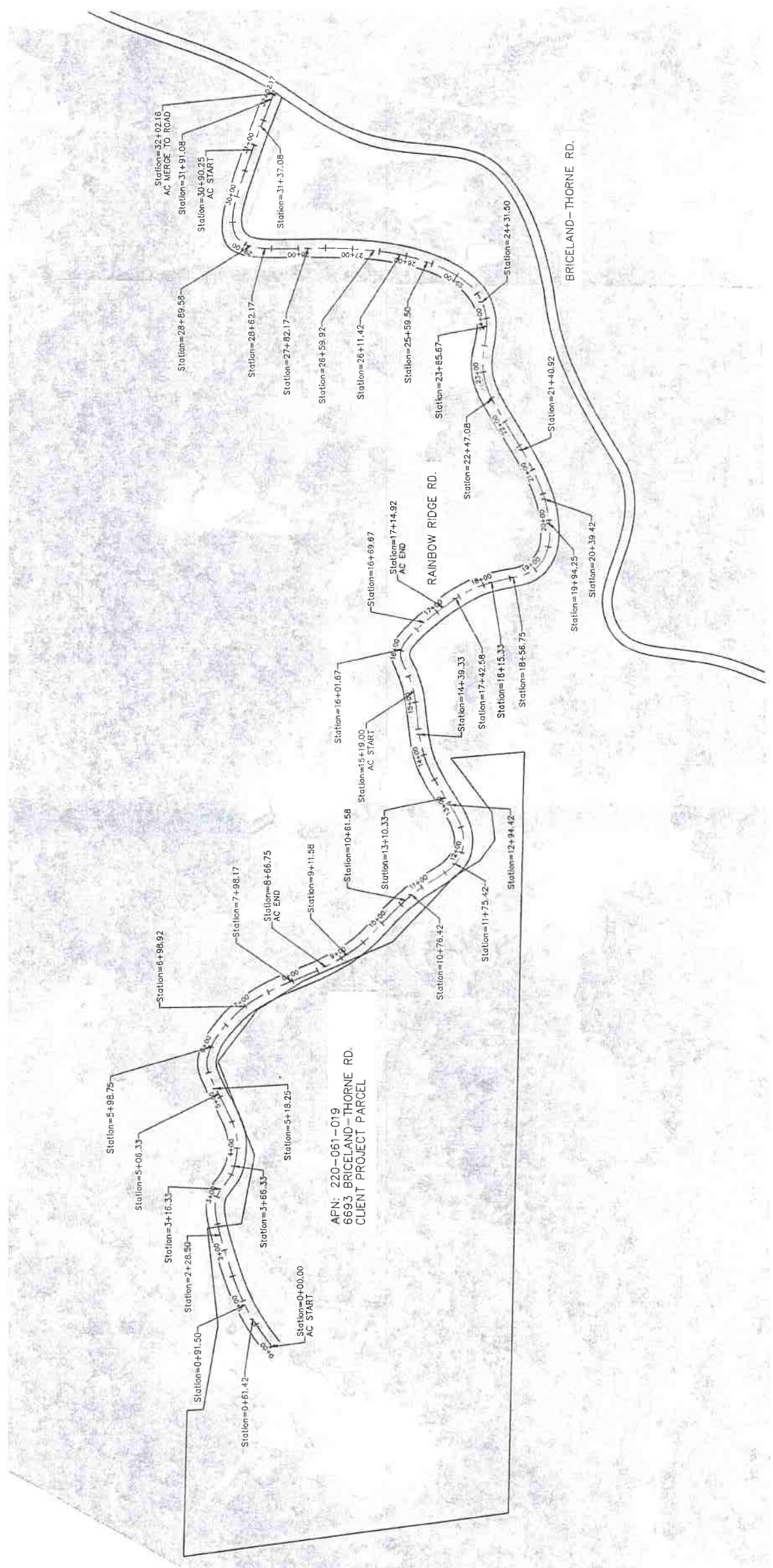
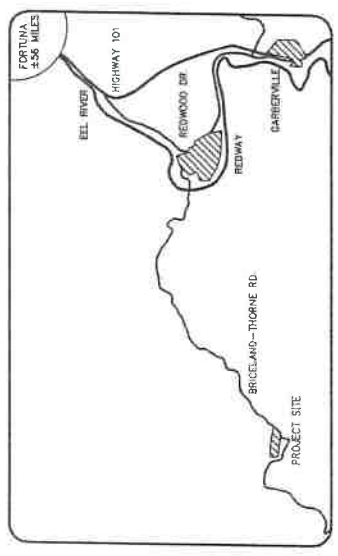
PRELIMINARY

ROAD EVALUATION MAP
 SCALE: 1" = 100'

This drawing or drawing set shall not be used for construction unless a jurisdictional stamp (County, City, State, Federal) has been issued on the drawing, stating "FOR PERMIT" or similar verbiage, a wet signed professional engineer's stamp, and permit documents have been issued for the project.

SHEET INDEX

1. LOCATION MAP/ROAD EVALUATION MAP
 PROJECT DESCRIPTION
 CONSULTING ENGINEER: CONSTRUCTION CONSULTANTS WITH COMPANY RETREAT AND TOUR SERVICES
 THIS MAP IS MEANT TO ILLUSTRATE WHERE MEASUREMENTS WERE TAKEN FOR RAINBOW RIDGE ROAD FOR THE PURPOSE OF HIGHBOLT COUNTY ROAD EVALUATION.
 ADJACENT INFORMATION:
 JENNIFER ASPURIA
 6693 BRICELAND-THORNE RD
 WHITEHORNS, CA 95589
 MAP ENGINEER:
 NICHOLAS NOTTHOFF
 WHITTCURCH ENGINEERING
 610 9TH STREET
 FORTUNA, CA 95540
 (707) 725-6926
 nnt@whittechurchengineering.com





Whitchurch Engineering, Inc.
Road Evaluation Report
EMO1901 – Emerald Organics
October 25, 2019

ATTACHMENT 2: Road Evaluation Data

EMO1901

Road Evaluation Data

APN: 220-061-019

10/15/2019

By: NTN

Chk: RAO

Rd Width		Turnout Width		Turnout Length		Distance(ft)	
Min	Max	Min	Max	Min	Max	Min	Max
9.1	20.6	7	24.6	27.4	98.7	87.8	476.5

Long Slope		Cross Slope	
Min	Max	Min	Max
0	19.3	0.1	15.6

Map Station	Station			Rd Width			Long. Slope (%)	X-Slope (%)	Turnout Length			Turnout Width			Distance to next
	ft	in	Decimal Ft	Ft	in	Decimal Ft			ft	in	Decimal Ft	ft	in	Decimal Ft	
0	0	0	0.00	13	0	13.00	0.2	3.3	-	-	-	-	-	-	-
0+61.00	61	5	61.42	11	9	11.75	0.2	5.5	30	5	30.42	9	2	9.17	167.08
0+91.5	91	6	91.50	12	10	12.83	2.1	4.1	-	-	-	-	-	-	-
2+28.50	228	6	228.50	11	7	11.58	1.9	2.7	74	0	74.00	14	6	14.50	87.83
3+16.30	316	4	316.33	12	2	12.17	2	7.4	42	1	42.08	24	7	24.58	190.00
3+66.33	366	4	366.33	18	5	18.42	2.7	3.3	-	-	-	-	-	-	-
5+06.33	506	4	506.33	19	3	19.25	0	1	47	2	47.17	10	0	10.00	92.42
5+18.25	518	3	518.25	13	4	13.33	0	0.5	-	-	-	-	-	-	-
5+98.75	598	9	598.75	12	0	12.00	2	9.2	64	3	64.25	8	0	8.00	199.42
6+98.92	698	11	698.92	11	3	11.25	1	0.8	-	-	-	-	-	-	-
7+98.17	798	2	798.17	11	0	11.00	3.2	1.4	38	-	38.00	10	10	10.83	113.42
8+66.75	866	9	866.75	11	2	11.17	2.2	1.3	-	-	-	-	-	-	-
9+11.58	911	7	911.58	12	7	12.58	5.5	5.9	58	0	58.00	8	0	8.00	164.83
10+61.58	1061	7	1061.58	9	7	9.58	8.8	10.2	-	-	-	-	-	-	-
10+76.42	1076	5	1076.42	9	1	9.08	8.8	10.2	98	8	98.67	16	7	16.58	233.92
11+75.42	1175	5	1175.42	15	8	15.67	5	13.6	-	-	-	-	-	-	-
12+94.42	1294	5	1294.42	11	32	13.67	13	2.2	-	-	-	-	-	-	-
13+10.33	1310	4	1310.33	12	4	12.33	10.9	10.4	52	2	52.17	7	0	7.00	129.00
14+39.33	1439	4	1439.33	13	0	13.00	12.1	3.1	80	4	80.33	13	2	13.17	230.33
15+19.00	1519	0	1519.00	11	1	11.08	8.7	8.6	-	-	-	-	-	-	-
16+01.67	1601	8	1601.67	15	4	15.33	13.8	15.6	-	-	-	-	-	-	-
16+69.67	1669	8	1669.67	11	0	11.00	13.5	5.4	45	2	45.17	12	5	12.42	145.67
17+14.92	1714	11	1714.92	10	10	10.83	19.3	3.7	-	-	-	-	-	-	-
17+42.58	1742	7	1742.58	10	7	10.58	10.7	2	-	-	-	-	-	-	-
18+15.33	1815	4	1815.33	12	11	12.92	12.5	5.2	40	9	40.75	10	4	10.33	178.92
18+56.75	1856	9	1856.75	13	5	13.42	16.3	5.4	-	-	-	-	-	-	-
19+94.25	1994	3	1994.25	10	10	10.83	8.9	1.1	45	2	45.17	10	-	10.00	146.67
20+39.42	2039	5	2039.42	11	1	11.08	12.9	4.3	-	-	-	-	-	-	-
21+40.92	2140	11	2140.92	11	0	11.00	10.6	0.2	46	2	46.17	11	4	11.33	244.75
21+87.08	2187	1	2187.08	10	11	10.92	12.1	0.4	-	-	-	-	-	-	-
22+47.08	2247	1	2247.08	11	4	11.33	16.9	10.1	-	-	-	-	-	-	-
23+85.67	2385	8	2385.67	16	6	16.50	8.7	5	45	10	45.83	12	7	12.58	476.50
24+31.50	2431	6	2431.50	20	5	20.42	9.8	13.1	-	-	-	-	-	-	-
25+59.50	2559	6	2559.50	13	2	13.17	11.1	2.3	-	-	-	-	-	-	-
26+11.42	2611	5	2611.42	15	0	15.00	12	2.6	-	-	-	-	-	-	-
26+59.92	2659	11	2659.92	20	7	20.58	11.4	5.3	-	-	-	-	-	-	-
27+82.17	2782	2	2782.17	12	7	12.58	18.1	5.1	-	-	-	-	-	-	-
28+62.17	2862	2	2862.17	16	0	16.00	11.6	6.3	27	5	27.42	9	4	9.33	228.08
28+89.58	2889	7	2889.58	17	2	17.17	11.8	5.8	-	-	-	-	-	-	-
30+90.25	3090	3	3090.25	13	3	13.25	6.3	2.8	46	10	46.83	10	0	10.00	-
31+37.08	3137	1	3137.08	13	6	13.50	3.7	0.1	-	-	-	-	-	-	-
31+91.08	3191	1	3191.08	11	5	11.42	2.8	0.1	-	-	-	-	-	-	-
32+02.00	3202	2	3202.17	70	3	70.25	2	0.1	-	-	-	-	-	-	-



Whitchurch Engineering, Inc.
Road Evaluation Report
EMO1901 – Emerald Organics
October 25, 2019

ATTACHMENT 3: Humboldt County Road Improvement Recommendations



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

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

ARCATA-EUREKA AIRPORT TERMINAL
McKINLEYVILLE
FAX 839-3596

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

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

AVIATION	839-5401	ADMINISTRATION	445-7491	NATURAL RESOURCES	445-7741	LAND USE	445-7205
		BUSINESS	445-7552	NATURAL RESOURCES PLANNING	287-9540		
		ENGINEERING	445-7377	PARKS	445-7651		
		FACILITY MAINTENANCE	445-7493	ROADS & EQUIPMENT MAINTENANCE	445-7421		

LAND USE DIVISION INTEROFFICE MEMORANDUM

TO: Liza Welsh, Planner, Planning & Building Department

FROM: Kenneth Freed, Assistant Engineering *KF*

DATE: 03/07/2018

RE: **EMERALD ORGANICS COOP; APN 220-061-019, APPS# PLN-2019-15186**

ROAD: Rainbow Ridge Road is a gravel surfaced non-County maintained road that intersects Briceland-Thorne Road (F5A010) a paved County maintained road.

The intersection of the existing non-County maintained access road, Rainbow Ridge Road, and the County road, Briceland-Thorne Road, does not meet County standards.

The following conditions are recommended: Our review of this project is limited to what is shown on the submitted plot plan. If other facilities not shown on the plot plan will be constructed, contact this Department immediately for approval before construction. This Department has regulations regarding facilities such as retaining walls, fence site visibility, drainage culverts, and parking lanes within the County right of way. This Department has included general statements for facilities that may not be included on the plot plan.

- (1) The access road shall be constructed in conformance with surfacing and width of access requirements for a Category 4 standard. Therefore the intersection with Briceland-Thorne Road shall be surfaced with asphalt concrete for minimum width of 20 feet. The paved area shall extend a minimum of 50 feet back from the edge of the existing roadway pavement and be flared a minimum of 30 feet at the intersection with the County road. The access road shall intersect the County road at a 90° angle. The grade shall not exceed 2% in the first 20 feet. [reference: County Code section 341-1, 411-51]
- (2) Applicant must apply for and obtain an encroachment permit to construct improvements within the County road right of way [reference: County Code section 411-11 (a)(b)]
- (3) Site visibility must be maintained at the intersection of Rainbow Ridge Road and Briceland-Thorne Road. [reference: County Code section 341-1 et seq.]
- (4) Applicant shall be responsible to correct any involved drainage problems within the County road right of way to the satisfaction of this Department.

Informational Notes (not a requirement):

1. FENCES/GATES: Pursuant to County Code Section 411-11 (j) and California Streets & Highways Code Sections 1481 & 1482, fences are not allowed within the public right of way of County maintained roads. Prior to constructing any fences along (or near) the right of way line, the applicant is advised to consult with the Department of Public Works Encroachment Permit Office at 707.445.7205.

It is important to note that fences constructed outside of the public right of way are still subject to the County's visibility Ordinance (County Code Section 341-1). Fences and gates on private property may need to be setback further to comply with the County Visibility Ordinance.

Gates must be set back sufficiently from the road so that a vehicle can completely pull off the road while opening or closing the gate. In addition, for properties in the State Responsibility Area, conformance with Fire Safe Regulations (County Code Section 3112-13) is also required.

Fences and gates taller than 6 feet may require a building permit. The applicant is advised to consult with the Planning and Building Department – Building Division at 707.445.7245 prior to constructing any fences or gates.

2. The subject property is located in the State Responsibility Area and is subject to the County's Fire Safe Regulations (FSR) as set forth in County Code. Development of the subject property must comply with the FSR. The Department is involved with ensuring that roads meet minimum FSR. The most common issues with roads not conforming to the FSR are: the maximum length of dead-end road is exceeded; the width of road is not wide enough; the grade of the road is too steep; and curve radii are too small. Development of the subject property may require extensive on-site and off-site road improvements in order to meet minimum standards.

// END //



Whitchurch Engineering, Inc.
Road Evaluation Report
EMO1901 – Emerald Organics
October 25, 2019

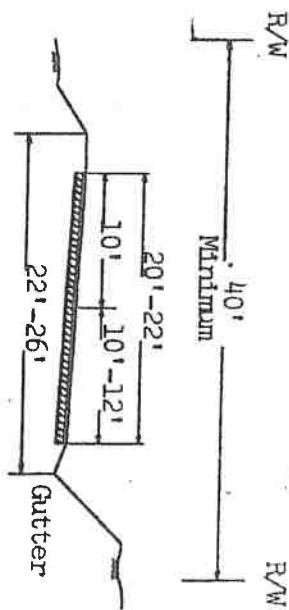
ATTACHMENT 4: Humboldt County Category 2 Road Specifications

DESIGN STANDARDS AND USE AND SERVICE LEVELS

Figure 7-302B

ROADWAY CATEGORY 2 (SINGLE LANE - NARROW TRAVELED WAY - TURNOUTS)

TYPICAL SECTION (TURNOUT)



Service Provided:

Mobility	Volume
25-35 MPH Safe Driving Speed	Low 25-250 ADT

Roadway Classification Categories (Section 7-300):

Function	Use	Service Level
Access Road	Single Access - Public Access - Private (2-5) Multiple Access - Private	1, 2 1, 2 1, 2
Collector	Collector - Rural	0, 1, 2 2

Geometric Standards (Section 2):

ELEMENT	DESIGN SPEED/TERRAIN				
	Flat	Rolling	Mountainous		
Grade	20	30	40	20	30
Tolerable Grade *	7	11	7	10	15
Sight Distance	20	30	40		
Stopping Intersection	150'	200'	275'		
Minimum Curve Radius	200'	300'	400'		
Horizontal Clearance to Obstructions	120'	300'	550'		
Surface Cross Slope	10' 4%	10' 4%	10' 4%		

* For short distances.

- (1) Traveled Way Width:
- (2) Shoulder Width:
- (3) Roadbed Width:
- (4) Right of Way Width:
- (5) Turnout Section:

Turnout Section	Total at Turnout
10 - 12 ft.	20 - 22 ft.
-0-	-0-
12 - 16 ft.	22 - 26 ft.
10 ft.	22 - 26 ft.
-0-	-0-

Notes: See publication "Turnout Spacing on Logging Roads" by Conrad L. Mandt (ITTE-University of Calif.)

Turnout Section: 10 feet at deepest point - minimum length - 80 feet.
Structural Section: Depends upon engineering analysis of materials and soil by County laboratory.
Surface Recommendation: Native earth, gravel or Seal Coat (double). (A.C. may be used.)
Distance Between Turnouts: 500-1000 feet. See note below.
Design Period: 10 - 20 years.

Figure 7-302B

ATTACHMENT 5: Rainbow Ridge Slope Issue Visual



Figure 1: Station 16+01.67 - Slope exceeds Category 2 Standards

APN 220-061-019
November 4, 2015 – DigitalGlobe



APN 220-061-019
May 28, 2016 – DigitalGlobe





165 South Fortuna Boulevard, Fortuna, CA 95540

707-725-1897 • fax 707-725-0972

trc@timberlandresource.com

March 23, 2017

County of Humboldt
Planning and Building Department
3015 H Street
Eureka, CA 95501

Dear Humboldt County Planning Division:

The following is an evaluation of potential timberland conversion on proposed cannabis cultivation sites included in the Humboldt County Cannabis Permit Application for landowner Daniel Kulchin within APN 220-061-019. Please accept this letter as the RPF's written report required by Humboldt County Code, Ordinance No. 2559 (Commercial Medical Marijuana Land Use), Section 55.4.10 (j), cited below.

"Alternately, for existing operations occupying sites created through prior unauthorized conversion of timberland, if the landowner has not completed a civil or criminal process and/or entered into a negotiated settlement with CALFIRE, the applicant shall secure the services of a registered professional forester (RPF) to evaluate site conditions and conversion history for the property and provide a written report to the Planning Division containing the RPF's recommendation as to remedial actions necessary to bring the conversion area into compliance with provisions of the Forest Practices Act. The Planning Division shall provide CAL-FIRE written Notice of Availability of the RPF's report. If CAL-FIRE takes no action within ten (10) days of the notice of availability, the report recommendations shall become final."

Timberland Resource Consultants (TRC) inspected and evaluated the proposed cultivation sites contained within the application on December 16th, 2016. Landowner Daniel Kulchin also attended the field inspection. The RPF and his representatives have exercised due diligence in reviewing all sites and all available resources to fully assess potential timberland conversion. This report evaluates the cultivation areas for timber operations only. All other land alteration such as grading, construction, and other permit-regulated activities are not covered under this report. All findings are summarized in the report below.

Project Summary

Note: The property background has been summarized using personal accounts of current landowners, historic orthographic photography, Humboldt County Web GIS, and CAL FIRE Watershed Mapper v2. To avoid speculation and maintain relevancy, the property background shall focus on the past 10 years.

The legal description of the ownership is as follows:

APNs: 220-061-019

Section 24, Township 4S, Range 2E, HB&M, Humboldt County

Located on Briclenad USGS 7.5' Quadrangle

Total Acreage: 10 acres

Humboldt County Zoning: U

Physical Address: 6693 Briceland-Thorne Road, Garberville, CA 95542



As shown on the General Location Map, the parcel is located on a private road, approximately 0.7 miles southwest of the town of Briceland. The parcel is dominated by mixed Douglas-fir stands with components of hardwoods such as tanoak, true oak, California bay laurel, and madrone.

The property was purchased by Daniel Kulchin in 2007. The property contains two cultivation sites. These sites are hereby identified as Cultivation Areas A and B.

Cultivation Area A totals 1.15 acres and is located on the western side of the parcel. This site is situated on a 0.15 acre preexisting log landing. This landing was constructed during previous historic timber harvesting events. Between 2005 and 2009, the landing was expanded. All vegetation and timber, including Douglas-fir and tanoak, were cleared from this site. No commercial operations occurred. All slash was lopped and scattered or piled onsite. No Winter Operations Plan was recorded for this activity. That said, though timing of operations cannot be determined, no consequential erosion hazards from operations in poor weather conditions were observed. A house and multiple cultivation structures were built on Cultivation Area A by 2010. These structures are permanent and impede the use of the area for current or future timber harvesting. Thus, the 1.0-acre expanded area surrounding the historic log landing constitutes a timberland conversion.

Cultivation Area B totals 0.38 acres and is situated in the northwestern portion of the parcel between the driveway and the upper seasonal mainline road. Between 2008 and 2014, most vegetation and timber were cleared from this site. No commercial operations occurred. All slash was lopped and scattered or piled onsite. No Winter Operations Plan was recorded for this activity. Again, though timing of operations cannot be determined, no consequential erosion hazards from operations in poor weather conditions were observed. A water tank and multiple cultivation structures were built on Cultivation Area B by 2014. These structures impede the growing space and regeneration of timber species and have completely repurposed this TPZ land to non-timberland use; therefore, this area constitutes a timberland conversion.

In total, approximately 1.38 acres of unauthorized timberland conversion occurred on the inspected cultivation areas. Below are the considerations for the converted areas.

Watercourses and Water Resources

14CCR 1104.1(a)(2)(F): "No timber operations are allowed within a watercourse and lake protection zone unless specifically approved by local permit (e.g., county, city)."

Cultivation Areas A and B do not negatively affect watercourses or other water resources on the property. As shown in the Overview Map, these areas are outside of the 30-foot minimum Equipment Exclusion Zone (EEZ) surrounding the Class III watercourses. Although the easternmost portion of Cultivation Area B lies directly adjacent to this riparian buffer, no signs of negative impacts were observed.

Treatment of Slash and Woody Debris

14CCR 1104.1(a)(2)(D)(6): "Full slash and woody debris treatment may include any of the following: a. burying; b. chipping and spreading; c. piling and burning; or d. removing slash and woody debris from the site for treatment in compliance with (a)-(b). Slash and woody debris may not be burned by open outdoor fires except under permit from the appropriate fire protection agency, if required, the local air pollution control district or air quality management district. The burning must occur on the property where the slash and woody debris originated."

A few untreated, remnant slash piles exist on the western edge of Cultivation Area A as a result of the past conversion activities. The piles range from 1-7 years old and have begun to naturally decay. Most of the piles are heavily intermixed with fill from pushouts. All piles are located on the edges of the clearings or cultivation areas and away from all structures, posing no immediate fuel hazards.

Though burning is generally the recommended treatment for slash piles, the intermixed fill would likely hinder the rate of consumption. Burying the piles would require disturbance of the already settled soils. Also, because they've subsisted on the property for multiple years, the piles may now serve as habitat features for small mammals and other wildlife. For this reason, burying, manually removing, or chipping and spreading the piles may create a disturbance. Allowing the piles to naturally decompose, untreated, would create the least amount of damage and pose no further threat to the property's resources. As such, no treatment is necessary at this point in time.

Biological Resources and Forest Stand Health

14 CCR 1104.1 (2)(H): "No sites of rare, threatened or endangered plants or animals shall be disturbed, threatened or damaged and no timber operations shall occur within the buffer zone of a sensitive species as defined in 14 CCR 895.1"

A query of the California Natural Diversity Database (CNDDDB) on December 20th, 2016 showed no observations of sensitive, rare, threatened, or endangered species or species of special concern within a 0.7 mile radius area surrounding the parcel. A 1.3-mile radius search shows two observations of white-flowered rein orchid (*Piperia candida*), a non-listed species, approximately 5,800 feet from the southwestern corner of the property. Additionally, no listed or special species were observed during the field assessment of the property.

The query of the CNDDDB also resulted in several Northern Spotted Owl (NSO) observations and territories within a 1.3-mile radius surrounding the property. The nearest NSO activity center/territory is HUM0580, located approximately 6,550 feet south of the southernmost border of the property. No NSO individuals or NSO habitat were observed during the field assessment of the property. Thus, it is highly unlikely that the conversion activities had any negative impacts upon NSOs.

The conversion activities do not appear to have altered wildlife habitat for all other non-listed species. No evidence of felled snags was observed.

No major forest health issues were observed during the field assessment. Though the property is located within Humboldt County, a Zone of Infestation (ZOI) for Sudden Oak Death (SOD), no symptoms, signs, or evidence of oak mortality were detected (Oak Mortality Disease Control). The conversion activities do not appear to have impacted forest health.

Cultural Resources

14 CCR 1104.1 (2)(I): "No timber operations are allowed on significant historical or archeological sites."

No archeological sites were observed during the field assessment. No record of recent archeological surveys was found.

Recommendations

In summary, a total of 1.38 acres of unauthorized timberland conversion has occurred at inspected Cultivation Areas A and B. This acreage is well below the three-acre conversion exemption maximum. The conversion areas appear to comply with the standards set forth in the California Forest Practice Act and the California Forest Practice Rules. The RPF suggests no recommendations.

Sincerely,

Chris Carroll, RPF #2628
Timberland Resource Consultants

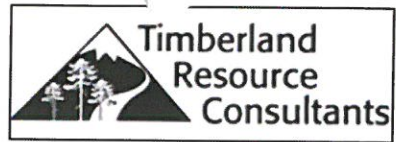
Enclosures:

- General Location Map
- Overview Map
- DOQ Map
- Photos
- Resources

Kulchin - Timberland Conversion Evaluation General Location Map

APN: 220-061-019

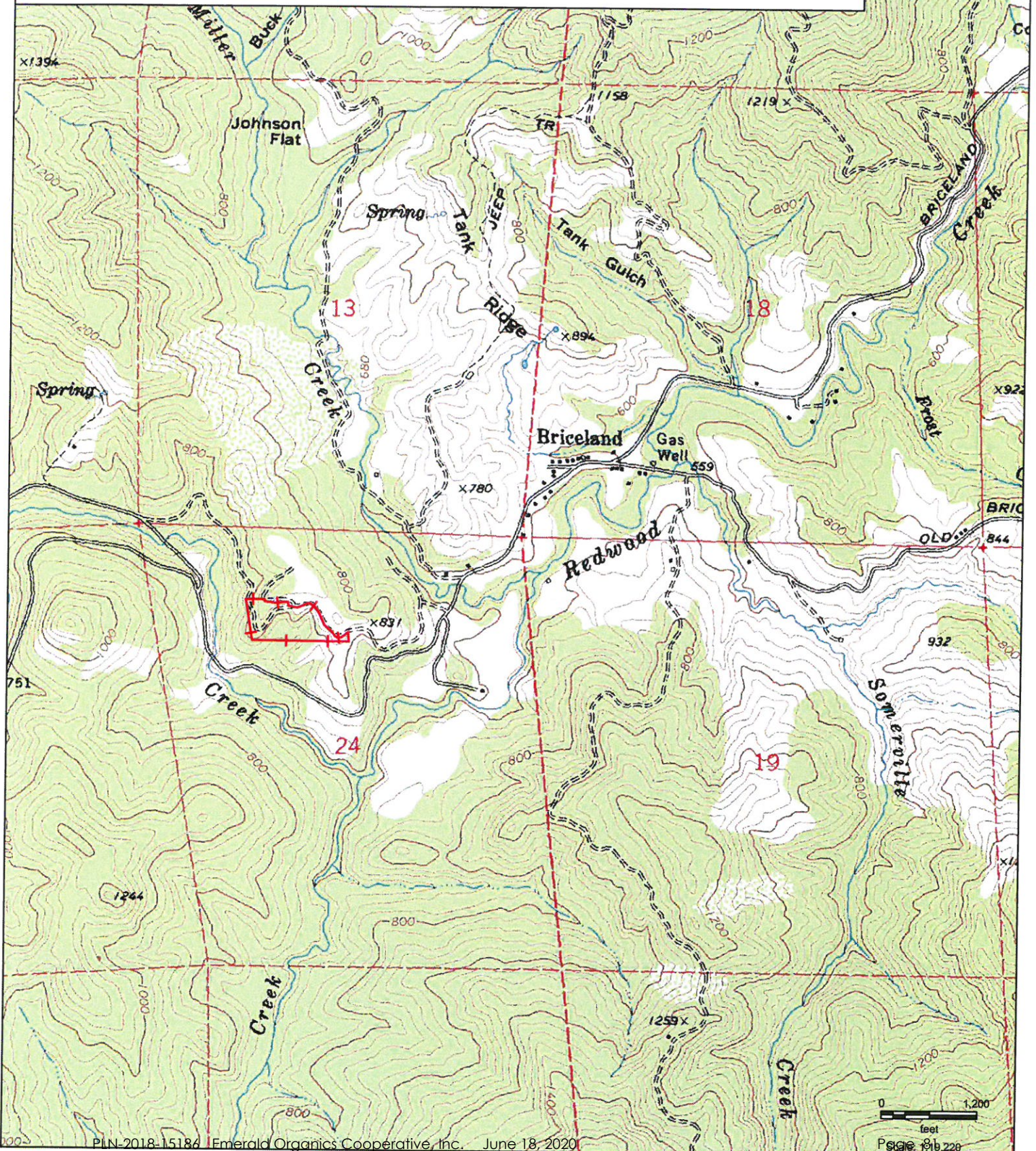
Section 24, Township 4S, Range 2E
HB&M; Humboldt County
Briceland USGS 7.5' Quadrangle
Contour Interval = 40 feet



Legend

 Property Boundary

Revised: 03/17/17



Kulchin - Timberland Conversion Evaluation Overview Map

APN: 220-061-019

Section 24, Township 4S, Range 2E
HB&M; Humboldt County
Briceland USGS 7.5' Quadrangle
Contour Interval = 40 feet



Legend

Property Features
Property Boundary

Watercourses

Class III
Class IV
30' EEZ

Structures

Main House

Roads

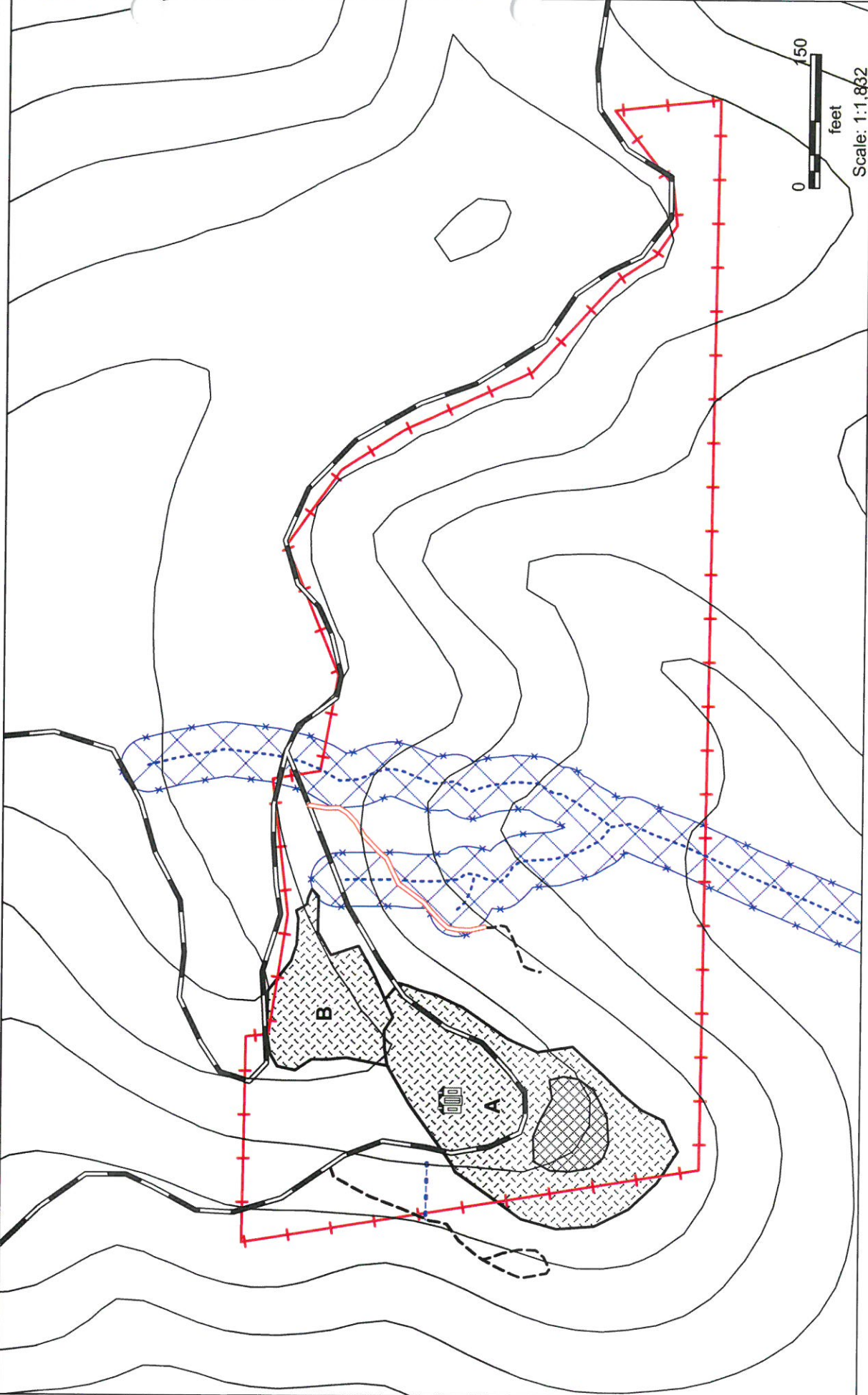
Historic Mainline
Seasonal
Skid Trail

Operations

Conversion Area
Historic Log Landing



Revised: 03/17/17



**Kulchin - Timberland Conversion Evaluation
DOQ Map (1998)
APN: 220-061-019**

Section 24, Township 4S, Range 2E
HB&M: Humboldt County
Briceland USGS 7.5' Quadrangle
Contour Interval = 40 feet



**Legend
Property Features**

-  Property Boundary
-  Historic Log Landing

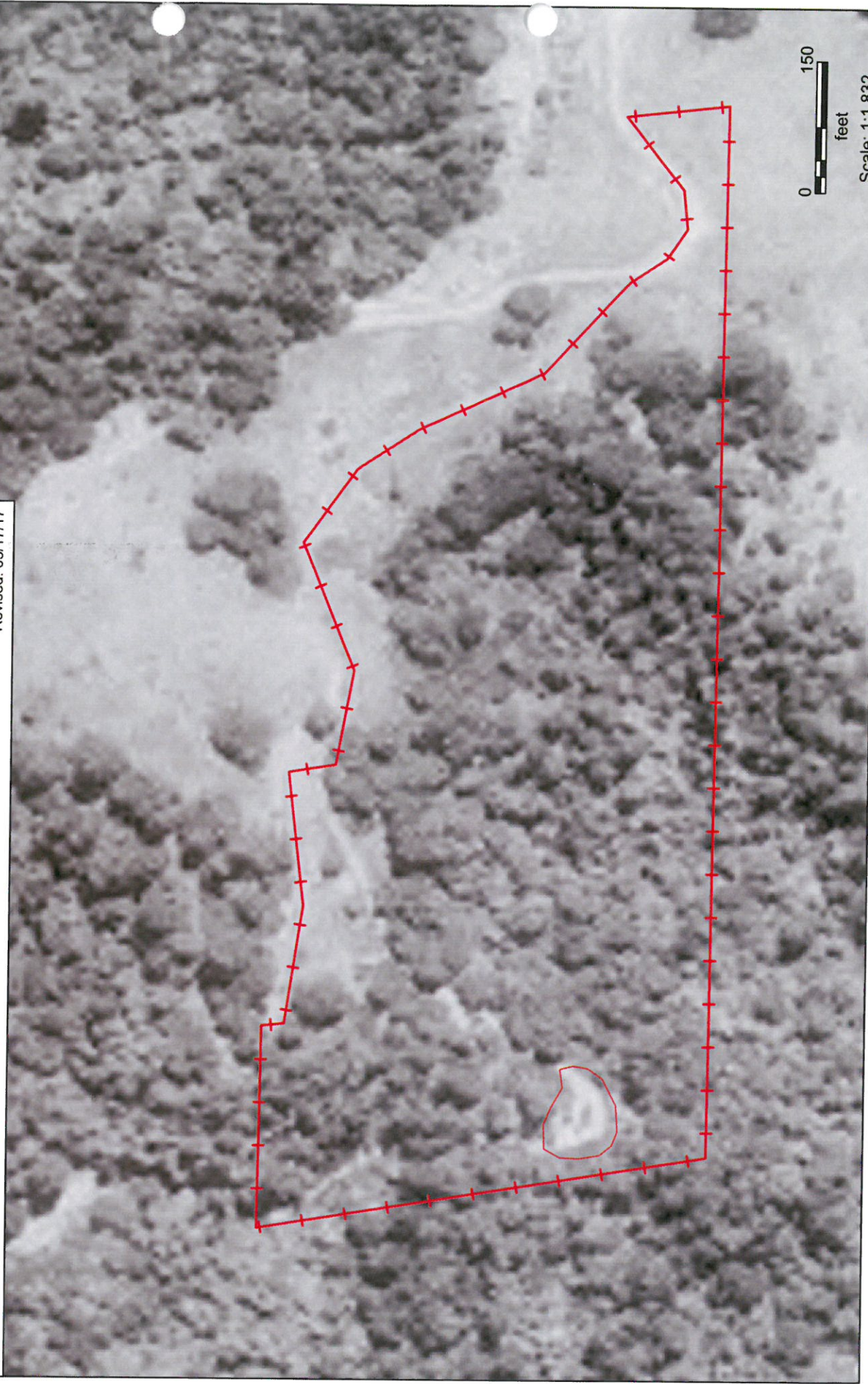


Revised: 03/17/17

Note: This DOQ from 1998 shows the outline of the historic mainline roads and landing from previous logging operations.



Scale: 1:1,832



Photos



Photo 1 & 2: View of Conversion Area A, showing the cultivation structures in the center and part of the main house on the right.



Photo 3: Other cultivation structures/activities on west side of Cultivation Area A.



Photo 4: View from Conversion Area A looking north, showing the remainder of the main house on the left and the water tank and cultivation structures of Cultivation Area B in the center.



Photo 5: View of Cultivation Area B from lower mainline historic road.



Photo 6: Example of slash pile near Conversion Area A.



Photo 7: Example of mixed Douglas-fir stand type on the property.

Resources

California Forest Practice Rules 2016. Sacramento: CAL FIRE, 2016. Print.

California Natural Diversity Database. California Department of Fish and Wildlife. Web.
<https://www.wildlife.ca.gov/Data/CNDDB>. Accessed 20 Dec. 2016

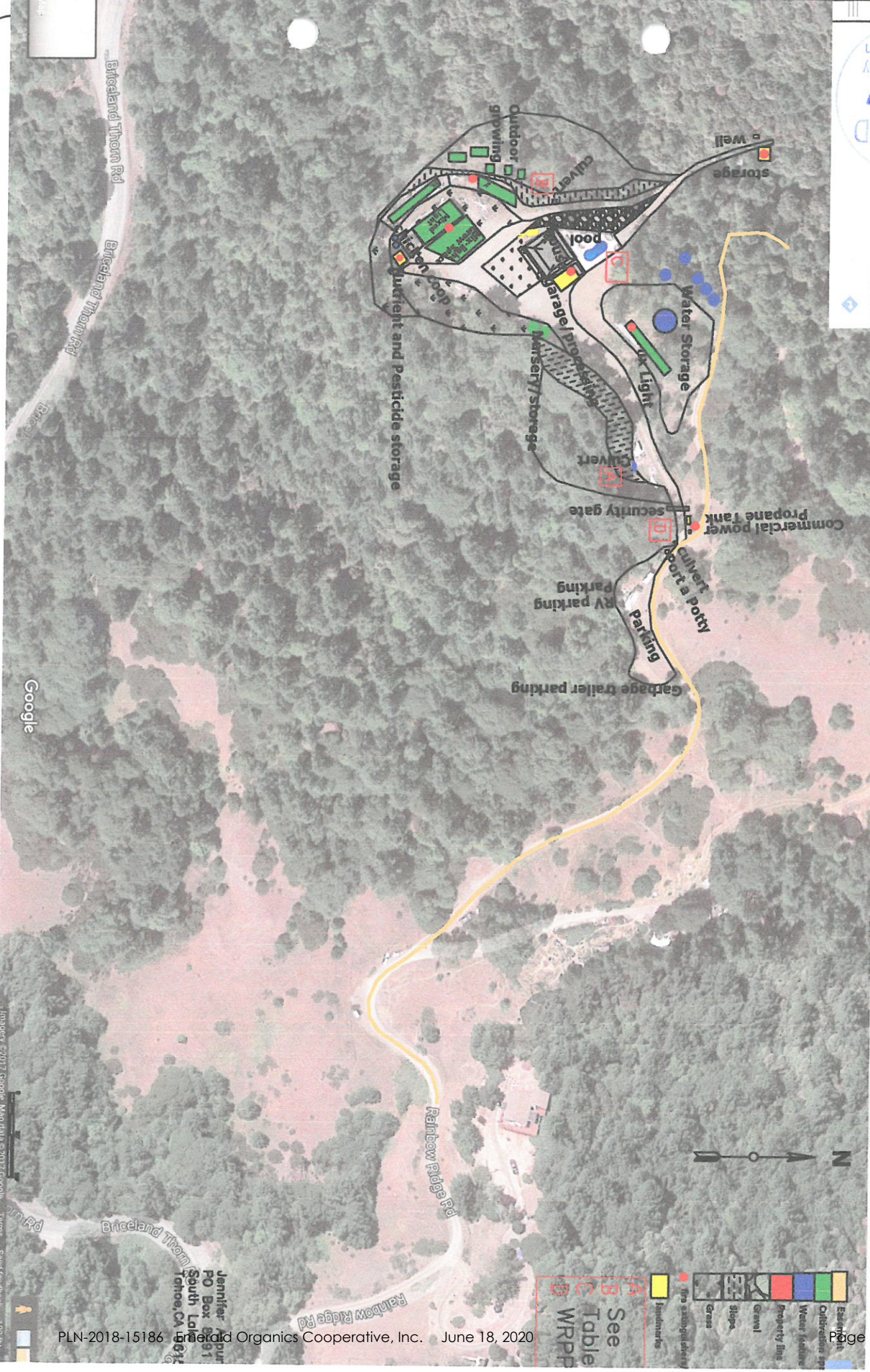
Forest Practice Watershed Mapper v2. CAL FIRE. Web. http://egis.fire.ca.gov/watershed_mapper/. Accessed 20 Dec. 2016.

Humboldt County Web GIS. County of Humboldt. Web. <http://webgis.co.humboldt.ca.us/HCEGIS2.0/>. Accessed Dec. 20 2016.

Oak Mortality Disease Control. Plant Quarantine Manual 3700. California Department of Food and Agriculture. Web.
<http://pi.cdфа.ca.gov/pqm/manual/pdf/455.pdf>. Accessed 20 Dec. 2016.

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 Humboldt County
 Planning Department

Google Maps
 Humboldt County, CA - Official Website
 Humboldt County Web GIS
 Humboldt County, CA - Official Website
 google.com
 Humboldt County, CA - Official Website
 co.humboldt.ca.us/assessor/jmapsl/220-00.pdf



See Table A, B, C, D WRPP

[Yellow box]	Essential
[Green box]	Cultivation
[Blue box]	Water feature
[Red box]	Property line
[Grey box]	Gravel
[Hatched box]	Slope
[Green box]	Grass
[Red dot]	No existing structure
[Yellow box]	Impervious

Google

Briceland Thom Rd

Briceland Thom Rd

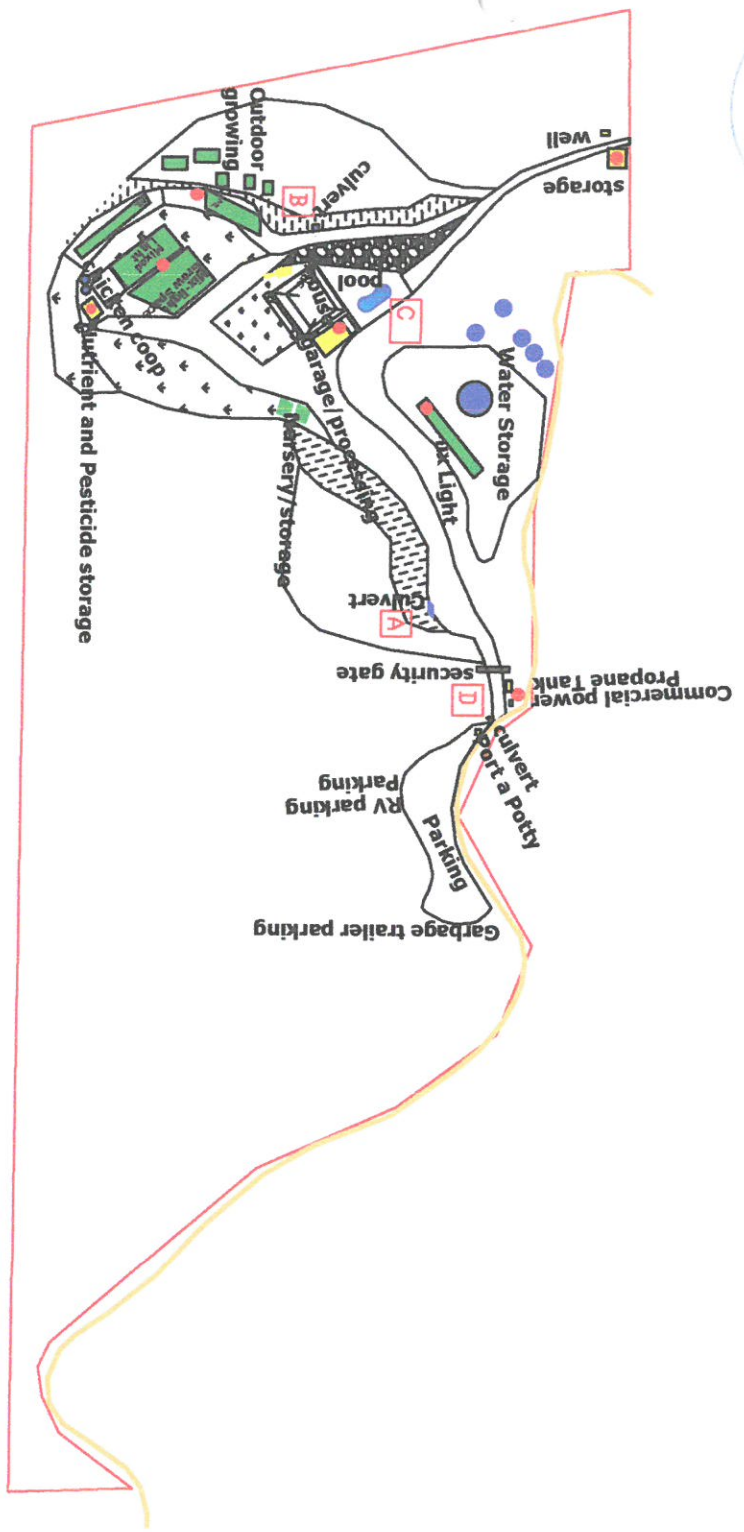
Jennifer Purpur
 PO Box 891
 South Lake
 Tahoe, CA 96148

Rainbow Ridge Rd

Rainbow Ridge Rd

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Planning Division



General Notes

- Easement
- Cultivation space
- Water feature
- Property line
- Gravel
- Slope
- Grass
- fine extinguishers/fire aid
- landmarks

A B C D
See Table 1
WRPP

Prepared by and address:
Jennifer Aspuri
PO Box 8291
South Lake
Tahoe, CA 96158

Project Name and Address:
BDC
6643 Blvdwood Road
Redding, CA 96001
APN: 255-081-10

Project	Site Plan	Sheet
Date	2/21/17	1/2
Drawn by	As Noted	

ATTACHMENT 4

Referral Agency Comments and Recommendation

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		No response	
Department of Public Works - Land Use Division	✓	Conditional approval	Attached
Division Environmental Health	✓	Approved	On-File
Department of Fish & Wildlife		No response	On File: Request for comments dated 05/18/2020
CAL FIRE		No response	
NCUAQMD		No response	
Southern Humboldt Joint Unified School District		No response	



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

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

ARCATA-EUREKA AIRPORT TERMINAL
MCKINLEYVILLE
FAX 839-3596

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

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

AVIATION 839-5401

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

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

LAND USE 445-7205

LAND USE DIVISION INTEROFFICE MEMORANDUM

TO: Liza Welsh, Planner, Planning & Building Department

FROM: Kenneth Freed, Assistant Engineering 

DATE: 03/07/2018

RE: EMERALD ORGANICS COOP; APN 220-061-019, APPS# PLN-2019-15186

ROAD: Rainbow Ridge Road is a gravel surfaced non-County maintained road that intersects Briceland-Thorne Road (F5A010) a paved County maintained road.

The intersection of the existing non-County maintained access road, Rainbow Ridge Road, and the County road, Briceland-Thorne Road, does not meet County standards.

The following conditions are recommended: Our review of this project is limited to what is shown on the submitted plot plan. If other facilities not shown on the plot plan will be constructed, contact this Department immediately for approval **before** construction. This Department has regulations regarding facilities such as retaining walls, fence site visibility, drainage culverts, and parking lanes within the County right of way. This Department has included general statements for facilities that may not be included on the plot plan.

- (1) The access road shall be constructed in conformance with surfacing and width of access requirements for a Category 4 standard. Therefore the intersection with Briceland-Thorne Road shall be surfaced with asphalt concrete for minimum width of 20 feet. The paved area shall extend a minimum of 50 feet back from the edge of the existing roadway pavement and be flared a minimum of 30 feet at the intersection with the County road. The access road shall intersect the County road at a 90° angle. The grade shall not exceed 2% in the first 20 feet. [reference: County Code section 341-1, 411-51]
- (2) Applicant must apply for and obtain an encroachment permit to construct improvements within the County road right of way [reference: County Code section 411-11 (a)(b)]
- (3) Site visibility must be maintained at the intersection of Rainbow Ridge Road and Briceland-Thorne Road. [reference: County Code section 341-1 et seq.]
- (4) Applicant shall be responsible to correct any involved drainage problems within the County road right of way to the satisfaction of this Department.

Informational Notes (not a requirement):

1. FENCES/GATES: Pursuant to County Code Section 411-11 (j) and California Streets & Highways Code Sections 1481 & 1482, fences are not allowed within the public right of way of County maintained roads. Prior to constructing any fences along (or near) the right of way line, the applicant is advised to consult with the Department of Public Works Encroachment Permit Office at 707.445.7205.

It is important to note that fences constructed outside of the public right of way are still subject to the County's visibility Ordinance (County Code Section 341-1). Fences and gates on private property may need to be setback further to comply with the County Visibility Ordinance.

Gates must be set back sufficiently from the road so that a vehicle can completely pull off the road while opening or closing the gate. In addition, for properties in the State Responsibility Area, conformance with Fire Safe Regulations (County Code Section 3112-13) is also required.

Fences and gates taller than 6 feet may require a building permit. The applicant is advised to consult with the Planning and Building Department – Building Division at 707.445.7245 prior to constructing any fences or gates.

2. The subject property is located in the State Responsibility Area and is subject to the County's Fire Safe Regulations (FSR) as set forth in County Code. Development of the subject property must comply with the FSR. The Department is involved with ensuring that roads meet minimum FSR. The most common issues with roads not conforming to the FSR are: the maximum length of dead-end road is exceeded; the width of road is not wide enough; the grade of the road is too steep; and curve radii are too small. Development of the subject property may require extensive on-site and off-site road improvements in order to meet minimum standards.

// END //