



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

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Hearing Date: May 19, 2022

To: Humboldt County Planning Commission

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

Subject: **Bear Creek Ranch Farm, Inc., Conditional Use Permit**  
Record Number: PLN-12656 -CUP  
Assessor's Parcel Number (APN): 208-271-003  
Section 32 of Township 02 North, Range 05 East, H.B.&M., Dinsmore area

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Please contact Noah Rodriguez, Assigned Planner, at 707-443-5054 or by email at rodriguezna@acoassociates.com, if you have any questions about the scheduled public hearing item.

**AGENDA ITEM TRANSMITTAL**

<b>Hearing Date</b> May 19, 2022	<b>Subject</b> Conditional Use Permit	<b>Contact</b> Noah Rodriguez
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**Project Description:** A Conditional Use Permit for 12,420 square feet (SF) of existing outdoor cannabis cultivation utilizing light deprivation techniques and 1,200 SF of ancillary propagation. Irrigation water is sourced from a 250,000-gallon rainwater catchment pond. Existing available water storage for irrigation is 283,100 gallons in the pond and a series of hard-sided tanks. Estimated annual water usage is 125,089 gallons. Processing, including drying, curing, and trimming, occurs onsite within an existing 1,200 SF building. A maximum of three (3) employees may be utilized during peak operations. Power is provided by three (3) generators and a small photovoltaic solar system, with an additional generator utilized for back-up power only. The applicant proposes to expand the onsite photovoltaic solar system to reduce the carbon footprint and eliminate the generator use except for emergency purposes by 2026.

**Project Location:** The project is located in Humboldt County, in the Dinsmore area, on the east and west side of Anderson Ford Road, approximately 452 feet north from the intersection of Bear Creek Road and Anderson Ford Road, on the property known to be in Section 32 of Township 02 North, Range 05 East, Humboldt Base & Meridian.

**Present Plan Land Use Designations:** Residential Agriculture (RA40) Density: 40 acres per dwelling unit, Slope Stability: High instability (3).

**Present Zoning:** Forestry Recreation with a 40-Acre Minimum Special Building Site Combining Zone (FR-B-5(40))

**Record Number:** PLN-12656-CUP

**Assessor's Parcel Number:** 208-271-003

**Applicant**

Bear Creek Ranch Farm, Inc.  
C/O Antonio Petrushevski  
P.O. Box 2107  
Redway, CA 95560

**Owner**

Bear Creek Ranch Farm, Inc.  
P.O. Box 2114  
Redway, CA 95560

**Agent**

ETA Humboldt  
C/O Vanessa Valare  
3943 Walnut Drive, Suite E  
Eureka, CA 95503

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

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

**Major Issues:** None.

**Recommended Planning Commission Action:**

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

*Find that the Planning Commission has considered the Addendum to the adopted Mitigated Negative Declaration for the Commercial Medical Marijuana Land Use Ordinance (CMMLUO) as described by Section §15164 of the State CEQA Guidelines, make all of the required findings for approval of the Conditional Use Permit and adopt the Resolution approving the Bear Creek Ranch Farm, Inc., project as recommended by staff subject to the recommended conditions.*

**Executive Summary:** Bear Creek Ranch Farm, Inc., seeks a Conditional Use Permit to allow the continued cultivation of 12,420 square feet (SF) of outdoor cannabis and 1,200 SF of ancillary propagation (for a total of 13,620 SF of onsite cultivation) in accordance with Humboldt County Code Section 314-55.4 of Chapter 4 of Division I of Title III, Commercial Medical Marijuana Land Use Ordinance (CMMLUO). The site is designated as Residential Agriculture (RA40) in the Humboldt County 2017 General Plan Update and zoned Forestry Recreation with a 40-acre minimum Special Building Site combining zone (FR-B-5(40)). Currently, cultivation takes place in the eastern portion of the site within three (3) existing metal greenhouse structures totaling 12,490 SF: Greenhouse #1 - 34'x145' (4,930 SF); Greenhouse #2 - 34'x145' (4,930 SF); and Greenhouse #3 - 20'x128' (2,560 SF). Ancillary propagation occurs within a separate existing 1,200 SF (20'x60') greenhouse. Two (2) harvests are anticipated annually for a growing season that extends from April through October.

Cannabis will be harvested, cured, and dried in an existing 441 SF (21'x21') drying room onsite. The dried cannabis will be trimmed in an existing 1,200 SF two-story structure; each floor measures out to be 600 SF. Additional structures associated with the cultivation activities include: 220 SF (20'x22') and 200 SF (8'x20') storage sheds used for cultivation related materials, and a 120 SF (10'x12') fuel storage shed. A maximum of three (3) employees may be utilized during peak operations. Power is provided by three (3) generators, a small photovoltaic solar system, and one (1) 45kw diesel generator reserved for emergency purposes only. The applicant proposes to expand the onsite photovoltaic solar system to reduce the carbon footprint and eliminate the use of generators (except for emergency purposes) by 2026 (see additional discussion below under *Energy Resources*). The operation is enclosed in a secure privacy fence. The entry gate remain locked at all times and access to the cultivation areas is limited exclusively to employees.

**Cultivation and Nursery Space**

As noted above, the application is for 12,420 SF of existing outdoor cannabis cultivation and 1,200 SF of ancillary propagation. The onsite nursery equates to approximately 9.7% of the total current cultivation area, which complies with what Planning division staff and the Planning Commission have found allowable in the past (i.e., a nursery space of 10% of the cultivation area). Based on the County's cultivation area verification, 12,500 SF of cultivation was in existence prior to the CMMLUO environmental baseline date of January 1, 2016. Because the parcel is over 5 acres in size, zoned FR, and irrigation water is sourced from a non-diversionary source, and the cultivation is located on a graded pad with less than 5% grade, new cultivation could occur on the subject parcel. Therefore, planning staff is supportive of the propagation area.

**Energy Resources**

The applicant provided an *Energy Generation and Consumption Plan* dated October 25, 2021 (see Attachment 3). As previously stated, power is provided by three (3) generators, a small photovoltaic solar system, and one (1) 45kw diesel generator reserved for emergency purposes only. One (1) Honda

EU7000i generator, one (1) EU3000 generator, one (1) Honda EU2000w generator, and the photovoltaic solar system power the propagation greenhouse lighting; water and air pumps; atomizer; fans; power tools; dehumidifiers; cannabis trimming machine and all electrical supplies and equipment; and all domestic power for the onsite residence. **Table 1** illustrates the overall power consumption for cannabis operations and domestic use. The generators associated with the cultivation activities are stored in two (2) sheds: one (1) 36 SF (6'x6') and a 16 SF (4'x4').

**Table 1: Energy Consumption Table**

Type of Power Use	Hours Per Month for Cannabis Operation Use Only												
Generator	Jan	Feb	Mar	April	May	June	July	Aug	Sept	Oct	Nov	Dec	Total
Honda EU7000i	0	0	124	180	186	120	0	0	0	128	124	0	1,283 hours
Honda EU3000	0	0	62	60	62	60	186	186	186	62	0	0	858 hours
Honda 2000w	0	0	10	8	10	8	10	10	8	10	0	0	74 hours
<b>Total Hours of Energy Generation Operations</b>	<b>0</b>	<b>0</b>	<b>186</b>	<b>240</b>	<b>186</b>	<b>192</b>	<b>186</b>	<b>186</b>	<b>180</b>	<b>190</b>	<b>124</b>	<b>0</b>	<b>1,744 Hours</b>
Type of Power Use	Hours Per Month for Domestic Use Only												
Generator	Jan	Feb	Mar	April	May	June	July	Aug	Sept	Oct	Nov	Dec	Total
Honda EU 7000i	196	178	196	190	196	190	196	196	190	196	190	196	2,310 hours
<b>Total Hours of Energy Generation Domestic Use</b>	<b>196</b>	<b>178</b>	<b>196</b>	<b>190</b>	<b>196</b>	<b>190</b>	<b>196</b>	<b>196</b>	<b>190</b>	<b>196</b>	<b>190</b>	<b>196</b>	<b>2,310 Hours</b>
<b>Total Hours of Energy Generation Property Use</b>	<b>196</b>	<b>178</b>	<b>382</b>	<b>430</b>	<b>382</b>	<b>382</b>	<b>382</b>	<b>382</b>	<b>370</b>	<b>386</b>	<b>314</b>	<b>196</b>	<b>4,054 Total Hrs/Yr</b>

The applicant is currently working on a solar management plan to reduce the carbon footprint and eliminate the generator use except for emergency purposes only. As provided in the applicant's Energy Generation and Consumption Plan dated October 2021 (Attachment 3), the applicant anticipates an expansion of the photovoltaic solar system consisting of sixteen (16) 250w photovoltaic panels and sixteen (16) deep cycle batteries. The project anticipates the solar system installation and operational by 2026. By 2026, only one (1) generator will be onsite as back-up power source and for low solar output. Conditions of approval require the applicant to adhere to and implement the Energy Generation and Consumption Plan and provide the solar management plan upon completion. The applicant is also required to demonstrate the solar system is installed and supporting the operation prior to the 2026 cultivation season (**Condition of Approval #8**).

**Timber Conversion**

Based on review of historic aerial imagery dating back to 2004, timber conversion has occurred onsite in order to accommodate the existing cultivation area in the southeastern portion of the subject property. It appears this conversion occurred sometime between 2014 and 2016. A Less Than Three Acre Conversion Exemption was applied for but not finalized by the California Department of Forestry and Fire Protection (CAL FIRE) in January 2016 (Attachment 3), which accounted for 2.4 acres of timberland to be converted. The submitted map included with the Less Than Three Acre Conversion Exemption application indicated the location of the proposed conversion area to be within the southeastern portion of the property, similar to the area converted. The conversion does not appear to have occurred after the CMMLUO environmental baseline date of January 1, 2016, based *Dinsmore Petruskevici: Quantifying Historic Cannabis Cultivation prepared by Archeological Research and Supply Company* received November 29, 2018 (see Attachment 3). No additional tree removal is proposed or authorized by this permit.

The project is conditioned to require the property be evaluated by a Registered Professional Forester (RPF) to determine the amount of timber conversion that occurred prior to and after the CMMLUO



baseline date of January 1, 2016, and obtain a Timber Conversion Report prepared by a RPF to address previously unpermitted timber conversion. The applicant/owner will be responsible for mitigating the environmental impacts not analyzed in the environmental document prepared for the CMMLUO. The applicant/owner shall be required to re-stock an area onsite equivalent to the amount of area converted after the CMMLUO baseline date at a rate of 3:1. Additionally, the project is conditioned to require preparation of a Restocking Plan within 90 days of project approval and implement the Restocking Plan within a period of two (2) years, should any timber conversion be determined to have occurred after the CMMLUO baseline date (**Condition of Approval #17**). The Restocking Plan shall include details on the locations and total areas to be restocked, the type, number, and spacing of the plantings, and a monitoring plan for three (3) years which includes performance evaluations, performance standards, and contingency measures should performance standards not be met. The Report shall include monitoring and reporting requiring a minimum of 3 years of monitoring at an 85% success rate and submission of annual monitoring reports at the time of the annual inspection (**Condition of Approval #17**).

### **Water Resources**

Estimated annual water usage for cultivation irrigation is 125,089 gallons (10.1 gal/SF) with peak demand occurring in July at approximately 28,400 gallons. Water for irrigation is provided by a 250,000-gallon rainwater catchment pond located in the southeastern corner of the subject parcel. A permitted groundwater well (15/16-0383) is onsite and registered with the California Department of Water Resources (WCR2016-003056) that provides for water only for domestic use and fire suppression. The rainwater catchment pond is the primary water source for irrigation use.

In addition to the 250,000-gallon rainwater catchment pond, onsite water storage includes ten (10) 3,000-gallon high density polyethylene (HDPE) water tanks and two (2) 1,550-gallon HDPE water tanks that stores irrigation water for a total of 283,100 gallons of onsite water storage for irrigation. One (1) 1,550-gallon HDPE water tank filled from the groundwater well is for domestic use only and one (1) 20,000-gallon water storage bladder (filled from the groundwater well) is dedicated for fire suppression to protect the parcel. The projected annual water usage for cultivation is approximately 125,089 gallons. Water management strategies are adhered to conserve and reuse onsite water to achieve net zero discharge. As such, Planning staff has determined there is sufficient water storage onsite to serve the project. Conditions of approval require the applicant to monitor water use from the pond and water storage tanks annually to demonstrate there is sufficient water available to meet operational needs (**Condition of Approval #22**).

A Final Streambed Alteration Agreement (FSAA) with the California Department of Fish and Wildlife (CDFW; Notification No. 1600-2016-0229-R1) was issued in November 2016 (Attachment 3) for two (2) encroachments. One (1) encroachment is for a water diversion from a Class II tributary to the Mad River that is not currently being used for irrigation but is listed on the Site Plan located in the southwestern portion of the parcel. Water diversion is to be used for domestic purposes only. Work for the water diversion will include use and maintenance of the water diversion infrastructure. The other encroachment includes replacement of a failing 12" diameter culvert with a minimum 24" diameter culvert or a rocked ford. The work for this project will include excavation, placement of the culvert or rock armoring, and relocation of the fill material. A condition of approval is recommended to require the applicant adhere to and implement the FSAA and comply with all applicable terms (**Condition of Approval #11**).

A Site Management Plan (SMP) was prepared by Timberland Resource Consultants in February 2020 (Attachment 3) for the subject site in response to the State Water Resources Control Board (SWRCB) Cultivation Policy, in congruence with Order WQ 2019-0001-DWQ General Waster Discharge Requirements for Discharges of Waste Associated with Cannabis Cultivation Activities (General Order). The subject project was previously enrolled in the North Coast Regional Water Quality Control Board (NCRWQCB) No. R1-2015-0023 under WDID-1B16892CHUM and has since enrolled with SWRCB as WDID-1\_12CC417903. Currently, some Best Practicable Treatment or Control (BPTC) measures and monitoring reporting has been completed and are continually being implemented. A SMP Implementation and

Mitigation Reporting chart are included within the SMP. The SMP did not identify any specific locations onsite that are currently out of line with the requirements as outlined in the General Order. The SMP did, however, outline specific Best Practicable Treatment or Control measures (BPTC) to be utilized onsite including the installation and maintenance of one (1) identified watercourse crossing. The culvert at the watercourse crossing was upgraded. The encroachment replacement work was finalized in the FSAA (No. 1600-2016-0229-R1) to ensure they are functioning properly and needed replacement outside of the rainy season. There are Best Management Practices (BMPs) and BPTCs included for chemical storage and use, petroleum product storage and use, winterization measures, erosion control, permanent culvert crossing, and cultivation site restoration that the project is required to implement and adhere to. A Water Resource Protection Plan (WRPP) was previously prepared by Timberland Resource Consultants in February 2016 (Attachment 3), which identified numerous items requiring remediation, including but not limited to upgrading existing culverts, stream crossing maintenance, cultivation waste and waste containment, covering and installing secondary containment on fuel tank, and installation of erosion control measures. As such, the project is conditioned to adhere to and implement the BMPs and BPTCs described in the SMP and implement any remaining corrective actions identified in the WRPP (**Condition of Approval #10**).

As depicted on the Site Plan, two (2) watercourses, a Class III and Class II, traverse the central portion of the subject site. As described in the SMP, the cultivation activities were noted to be approximately 80 feet and over 200 feet from the Streambed Management Area (SMA) of the nearest Class III and Class II watercourses. The respective 200 feet distance of the SMA buffer provide a suitable buffer between cultivation operation and habitat shown on the Site Plan.

### **Biological Resources**

Per review of CDFW's California Natural Diversity Database (CNDDDB) in December 2021, there are no mapped sensitive species onsite and the nearest NSO activity center is located approximately 1.8 miles from the nearest cultivation area, with the nearest NSO sighting located approximately 1.65 miles away. As previously discussed, power for all cultivation and domestic uses is provided by three (3) generators, a small photovoltaic solar system, and one (1) 45kw diesel generator reserved for emergency purposes only. Use of the onsite generators follows all Humboldt County and State of California guidelines. The generators are located away from the property line and are located within an enclosed shed to control the noise level. Fuel is located in a secure shed with secondary containment. By 2026, the applicant is proposing to expand the photovoltaic solar system to reduce the carbon footprint and eliminate the generator use except for emergency purposes only. Artificial lighting is utilized in the ancillary propagation area to assist with the propagation of vegetative plants; however, light shielding is implemented, such as use of black out tarps with secured ends. A Lighting Management Plan has been implemented to be used in the selection, placement, installation, and operation of all mixed light cultivation areas. The project is conditioned to continually implement the Lighting Management Plan (**Condition of Approval #15**), found in the Revised Cultivation and Operations Plan in Appendix G (Attachment 3). Additional conditions of approval require the applicant to implement noise and light attenuation measures, refrain from using synthetic netting, ensure refuse is contained in wildlife proof storage, and refrain from using anticoagulant rodenticides to further protect wildlife (**Condition of Approval #17**). As proposed and conditioned, the project is consistent with CMMLUO performance standards and CDFW guidance and will not negatively impact NSO or other sensitive species.

### **Access**

Access to the subject site is from a private driveway via Anderson Ford Road from Bear Creek Road from State Highway 36. State Highway 36 is maintained by the California Department of Transportation (Caltrans). Anderson Ford Road and Bear Creek Road are both private roads. The applicant prepared and submitted a Humboldt County Department of Public Works Road Evaluation Report, dated 3/15/22 (Attachment 3), for a 3.38-mile segment of Bear Creek Road, from State Highway 36 to Anderson Ford Road, which indicates the roadway meets a Category 4 road equivalent standard and is adequate for the proposed use identifying the road access to be equivalent of a road Category 4 standards from State Highway 36 to Bear Creek Road to Anderson Ford Road along the road. A Road Evaluation accompanied with photos of Bear Creek Road was conducted on 3/20/19 for an adjacent cultivation

property (APN 208-271-007; Attachment 3) located in the southeastern direction of the subject parcel. The Road Evaluation along the Bear Creek Road that runs through the adjacent property maintains that the road segment meets a Category 4 road equivalent standards and is adequate for the proposed use. Comments received from the Department of Public Works, Land Use Division, dated 11/9/20, reference Humboldt County Code Section 3112-5, regarding roadway grades in excess of 16%, which must be paved and have an exception request approved, and advises the applicant of potential dust generation and associated impacts. Further, since there are more than one road evaluation along Bear Creek Road, all the recommendations in the various road evaluations reports shall be combined into one action plan, as recommended by the Department of Public Works, which has been included as a condition of approval (**Condition of Approval #13**).

Additionally, the comments state,

*"If a Road Maintenance Association (RMA) will not be responsible for constructing all of the improvements in the action plan, it is recommended that the proportioning of the improvements be clearly documented so that each applicant knows exactly what portion of the action plan that they are responsible for constructing."*

Due to the number of cultivation projects along Bear Creek Road, both approved and pending, Planning staff recommends a condition of approval to require the applicant take steps to form or join a Road Maintenance Association for the maintenance of Bear Creek Road (**Condition of Approval #10**). The necessary steps include sending notices to all road users of the requirement to form a Road Maintenance Association and conducting a meeting with the users of the road, especially those engaged in commercial cannabis activities to discuss formation of the Road Maintenance Association. The applicant shall provide evidence, including notice, meeting minutes, and the decision as to whether a Road Maintenance Association is being formed to show this effort. In the event the applicant is unable to coordinate formation a Road Maintenance Association, the applicant shall pay fair-share cost for maintenance of the road to any road user engaged in maintaining the road.

#### **Consistency with Humboldt County Board of Supervisors Resolution No. 18-43**

Approval of this project is consistent with Humboldt County Board of Supervisors Resolution No. 18-43, which established a limit on the number of permits and acres which may be approved in each of the County's Planning Watersheds. The project site is located in the Mad River Planning Watershed, which under Resolution 18-43 is limited to 334 permits and 115 acres of cultivation. With the approval of this project the total approved permits in this Planning Watershed would be 66 permits and the total approved acres would be 24.76 acres of cultivation.

Environmental review for this project was conducted and based on the results of that analysis, staff finds that all aspects of the project have been considered in a previously adopted Mitigated Negative Declaration that was adopted for the Commercial Medical Marijuana Land Use Ordinance and has prepared an addendum to this document for consideration by the Planning Commission (See Attachment 2 for more information).

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

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

The Planning Commission could also decide the project may have environmental impacts that would require further environmental review pursuant to CEQA. Staff did not identify any potential impacts. As

the lead agency, the Department has determined that the project is consistent with the MND for the CMMLUO as stated above. However, the Commission may reach a different conclusion. In that case, the Commission should continue the item to a future date at least two months later to give staff the time to complete further environmental review.

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

**Resolution Number: 22-**

**Record Number: PLN-12656-CUP**

**Assessor's Parcel Number: 208-271-003**

**Resolution by the Planning Commission of the County of Humboldt certifying compliance with the California Environmental Quality Act and conditionally approves the Bear Creek Ranch Farm, Inc., Conditional Use Permit request.**

**WHEREAS, Bear Creek Ranch Farm, Inc.,** submitted an application and evidence in support of approving a Conditional Use Permit to allow the continued cultivation of 12,420 square feet (SF) of outdoor cannabis cultivation and 1,200 SF of ancillary propagation. Irrigation water is sourced from a 250,000-gallon rainwater catchment pond on the subject parcel. Existing available water storage for irrigation is 283,100 gallons in the pond and a series of hard-sided tanks. Estimated annual water usage is 125,089 gallons. Processing, including drying, curing, and trimming, occurs onsite within an existing 1,200 SF building. A maximum of three (3) employees may be utilized during peak operations. Power is provided by three (3) generators and a small photovoltaic solar system, with an additional generator utilized for back-up power only. The applicant proposes to expand the onsite photovoltaic solar system to reduce the carbon footprint and eliminate the generator use except for emergency purposes by 2026; and

**WHEREAS,** the County Planning Division, the lead agency, prepared an Addendum to the Final Mitigated Negative Declaration (MND) prepared for the Commercial Medical Marijuana Land Use Ordinance (CMMLUO) adopted by the Humboldt County Board of Supervisors on January 26, 2016. The proposed project does not present substantial changes that would require major revisions to the previous Mitigated Negative Declaration. No new information of substantial importance that was not known and could not be known at the time was presented as described by §15162(c) of CEQA Guidelines; and

**WHEREAS,** the Humboldt County Planning Commission held a duly-noticed public hearing on **May 19, 2022**, and reviewed, considered, and discussed the application for a Conditional Use Permit, and reviewed and considered all evidence and testimony presented at the hearing.

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

- 1. FINDING:**                    **Project Description:** The application is a Conditional Use Permit to allow the continued cultivation of 12,420 square feet (SF) of outdoor cannabis cultivation and 1,200 SF of ancillary propagation. Irrigation water is sourced from a 250,000-gallon rainwater catchment pond on the subject parcel. Existing available water storage for irrigation is 283,100 gallons in the pond and a series of hard-sided tanks. Estimated annual water usage is 125,089 gallons. Processing, including drying, curing, and trimming, occurs onsite within an existing 1,200 SF building. A maximum of three (3) employees may be utilized during peak operations. Power is provided by three (3) generators and a small photovoltaic solar system, with an additional generator utilized for back-up power only. The applicant proposes to expand the onsite photovoltaic solar system to reduce the carbon footprint and eliminate the generator use except for emergency purposes by 2026.

**EVIDENCE:**            a) Project File: PLN-12656 -CUP

- 2. FINDING:**                    **CEQA.** The requirements of the California Environmental Quality Act have been complied with. The Humboldt County Planning Commission has considered the Addendum to and the Mitigated Negative Declaration

(MND) prepared for the Commercial Medical Marijuana Land Use Ordinance (CMMLUO) adopted by the Humboldt County Board of Supervisors on January 26, 2016.

**EVIDENCE:**

- a) Addendum prepared for the proposed project.
- b) The proposed project does not present substantial changes that would require major revisions to the previous MND. No new information of substantial importance that was not known and could not be known at the time was presented as described by §15162(c) of CEQA Guidelines.
- c) A Site Management Plan (SMP; WDID 1\_12CC417903), prepared by Timberland Resource Consultants in February 2020, and a Notice of Applicability (NOA) were submitted by the applicant to show compliance with the State Water Board Cannabis General Order for Waste Discharge. The project is conditioned to require the applicant implement the requirements of the SMP and NOA, and maintain enrollment in the Cannabis General Order for the life of the project.
- d) California Department of Fish and Wildlife Resource Maps indicate no Special Status species are known to occur within the project area. A review of the California Natural Diversity Database (CNDDDB) Spotted Owl Observation Database in December 2021 showed that Northern Spotted Owl habitat exists in the vicinity and the nearest positive sighting is 1.65 miles from the cultivation area, with the nearest activity center located approximately 1.8 miles away. Power for all cultivation and domestic uses is provided by three (3) generators, a small photovoltaic solar system, and one (1) 45kw diesel generator reserved for emergency purposes only. Use of the onsite generators follows all Humboldt County and State of California guidelines. The generators are located away from the property line and are located within an enclosed shed to control the noise level. Fuel is located in a secure shed with secondary containment. By 2026, the applicant is proposing to expand the photovoltaic solar system to reduce the carbon footprint and eliminate the generator use except for emergency purposes only. Conditions of approval will require noise to be at below 50 decibels at 100 feet which is below the guidance established by the California Department of Fish and Wildlife for protection of the species. Additional conditions of approval require the applicant to noise and light attenuation measures, refrain from using synthetic netting, ensure refuse is contained in wildlife proof storage, and refrain from using anticoagulant rodenticides to further protect wildlife.
- e) The cultivation of cannabis will not result in the net conversion of timberland. A Less Than Three Acre Conversion Exemption was applied for by the applicant in January 2016 for 2.4 acres of timberland conversion, however, the Less Than Three Acre Conversion was not approved by CAL FIRE. The conversion occurred does not appear to have occurred after the CMMLUO environmental baseline date of January 1, 2016 based *Dinsmore Petruskevici: Quantifying Historic Cannabis Cultivation* prepared by Archeological Research and Supply Company received November 29, 2018 (see Attachment 3). The project is conditioned to require the property be evaluated by a Registered Professional Forester (RPF) to determine the amount of timber conversion that occurred prior to and after the CMMLUO baseline date of January 1, 2016, and obtain a Timber Conversion Report from a RPF to address previously unpermitted timber conversion. The applicant/owner will be responsible for mitigating the environmental

impacts not analyzed in the environmental document prepared for the CMMLUO. The applicant/owner shall be required to re-stock an area onsite equivalent to the amount of area converted after the CMMLUO baseline date at a rate of 3:1. Additionally, the project is conditioned to require preparation of a Restocking Plan within 90 days of project approval and implement the Restocking Plan within a period of two (2) years, should any timber conversion be determined to have occurred after the CMMLUO baseline date. The Restocking Plan shall include details on the locations and total areas to be restocked, the type, number, and spacing of the plantings, and a monitoring plan for three (3) years which includes performance evaluations, performance standards, and contingency measures should performance standards not be met. The Report shall include monitoring and reporting requiring a minimum of 3 years of monitoring at an 85% success rate and submission of annual monitoring reports at the time of the annual inspection.

- f) A Cultural Resources Investigation was prepared by Archaeological Research and Supply Company in November 2018, which did not identify any sensitive resources within the study area. However, as there is always the possibility of the inadvertent discovery of buried archaeological resources during ground disturbing activities with project implementation, Inadvertent Discoveries Protocol is recommended, also recommended by the Bear River Band of the Rohnerville Rancheria in November 2020, which has been included as an ongoing condition of approval.
- g) Access to the subject site is from a private driveway via Anderson Ford Road from Bear Creek Road from State Highway 36. The applicant prepared and submitted a Humboldt County Department of Public Works Road Evaluation Report, dated 3/15/22, for a 3.38-mile segment of Bear Creek Road, from State Highway 36 to Anderson Ford Road, which indicates the roadway meets a Category 4 road equivalent standard and is suitable for safe access to the site. Comments received from the Department of Public Works, Land Use Division, dated 11/9/20, references Humboldt County Code Section 3112-5, regarding roadway grades in excess of 16%, which must be paved and have an exception request approved. Further, since multiple road evaluation reports that have been prepared along Bear Creek Road all the recommendations in the various road evaluations reports shall be combined into one action plan. Due to the number of cultivation projects along Bear Creek Road, both approved and pending, Planning staff recommends a condition of approval to require the applicant take steps to form or join a Road Maintenance Association for the maintenance of Bear Creek Road. The necessary steps include sending notices to all road users of the requirement to form a Road Maintenance Association and conducting a meeting with the users of the road, especially those engaged in commercial cannabis activities to discuss formation of the Road Maintenance Association. The applicant shall provide evidence, including notice, meeting minutes, and the decision as to whether a Road Maintenance Association is being formed to show this effort. In the event the applicant is unable to coordinate formation a Road Maintenance Association, the applicant shall pay fair-share cost for maintenance of the road to any road user engaged in maintaining the road.

### **FINDINGS FOR CONDITIONAL USE PERMIT**

#### **3. FINDING**

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

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

**4. FINDING** The proposed development is consistent with the purposes of the existing Forestry Recreation (FR) zone in which the site is located.

**EVIDENCE** a) The Forestry Recreation or FR Zone is intended to be applied to forested areas of the County in which timber production and recreation are the desirable predominant uses and agriculture is the secondary use, and in which protection of the timber and recreational lands is essential to the general welfare.

b) All general agricultural uses are principally permitted in the FR zone.

c) Humboldt County Code section 314-55.4.8.2.2 allows cultivation of up to 43,560 square feet of existing outdoor cannabis and up to 22,000 square feet of existing outdoor cannabis on a parcel over 1 acre subject to approval of a Conditional Use Permit and a determination that the cultivation was in existence prior to January 1, 2016. The application for 12,420 square feet of outdoor cultivation on a 40-acre parcel is consistent with this and with the cultivation area verification prepared by the County.

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

**EVIDENCE** a) The CMMLUO allows existing cannabis cultivation to be permitted in areas zoned FR (HCC 314-55.4.8.2.2).

b) The parcel was created in compliance with all applicable state and local subdivision regulations, as it was created by an approved and recorded Parcel Map Subdivision (Parcel 1906 of Parcel Map Book 16 Page 136).

c) Water for irrigation is provided by a 250,000 gallon rainwater catchment pond located in the southeastern corner of the subject parcel. Existing available water storage for irrigation is 283,100 gallons in the pond and a series of hard-sided tanks. Estimated annual water usage is 125,089 gallons. As such, Planning staff has determined there is sufficient water storage onsite to serve the project. Conditions of approval require the applicant to monitor water use from the pond and water storage tanks annually to demonstrate there is sufficient water available to meet operational needs.

d) Access to the subject site is from a private driveway via Anderson Ford Road from Bear Creek Road from State Highway 36. State Highway 36 is maintained by the California Department of Transportation (Caltrans). A Road Evaluation accompanied with photos of Bear Creek Road was conducted for an adjacent cultivation property (APN 208-271-007) located in the Southeastern direction of the subject parcel. The Road Evaluation along the Bear Creek Road that runs through the adjacent property maintains that the road segment meets a Category 4 road equivalent standards and is functionally appropriate for the expected traffic. Comments received from the Department of Public Works, Land Use



Division, dated 11/9/20, requested a Road Evaluation Report be submitted and reference Humboldt County Code Section 3112-5, regarding roadway grades in excess of 16%, which must be paved and have an exception request approved. Further, it is conditioned that the comments noted the Department is aware of multiple road evaluation reports that have been prepared along Bear Creek Road, and since there are more than one road evaluation, all the recommendations in the various road evaluations reports shall be combined into one action plan. Due to the number of cultivation projects along Bear Creek Road, both approved and pending, Planning staff recommends a condition of approval to require the applicant take steps to form or join a Road Maintenance Association (RMA) for the maintenance of Bear Creek Road. The necessary steps include sending notices to all road users of the requirement to form an RMA and conducting a meeting with the users of the road, especially those engaged in commercial cannabis activities to discuss formation of the RMA. The applicant shall provide evidence, including notice, meeting minutes, and the decision as to whether an RMA is being formed to show this effort. In the event the applicant is unable to coordinate formation an RMA, the applicant shall pay fair-share cost for maintenance of the road to any road user engaged in maintaining the road.

- e) The slope of the land where cannabis will be cultivated is located on graded flat and the slopes of the hillsides immediately surrounding the cultivation areas are between 15% - to 20% as per the Site Management Plan (SMP).
- f) The cultivation of cannabis will not result in the net conversion of timberland. A Less Than Three Acre Conversion Exemption was applied for by the applicant, however, it was not issued by the California Department of Forestry and Fire Protection (CAL FIRE) in January 2016 for 2.4 acres of timberland conversion. The project is conditioned to require the property be evaluated by a Registered Professional Forester (RPF) to determine the amount of timber conversion that occurred prior to and after the CMMLUO baseline date of January 1, 2016, and obtain a Timber Conversion Report from a RPF to address previously unpermitted timber conversion. The applicant/owner will be responsible for mitigating the environmental impacts not analyzed in the environmental document prepared for the CMMLUO. The applicant/owner shall be required to re-stock an area onsite equivalent to the amount of area converted after the CMMLUO baseline date at a rate of 3:1. Additionally, the project is conditioned to require preparation of a Restocking Plan within 90 days of project approval and implement the Restocking Plan within a period of two (2) years, should any timber conversion be determined to have occurred after the CMMLUO baseline date. The Restocking Plan shall include details on the locations and total areas to be restocked, the type, number, and spacing of the plantings, and a monitoring plan for three (3) years which includes performance evaluations, performance standards, and contingency measures should performance standards not be met. The Report shall include monitoring and reporting requiring a minimum of 3 years of monitoring at an 85% success rate and submission of annual monitoring reports at the time of the annual inspection.
- g) The location of the cultivation complies with all setbacks required in Section 314-55.4.11.d. It is more than 30 from any property line, more than 300 feet from any off-site residence, and more than 600 feet from any school,

church, public park or Tribal Cultural Resource.

**6. FINDING**

The cultivation of 12,420 square feet of cannabis cultivation and the conditions under which it may be operated or maintained will not be detrimental to the public health, safety, or welfare or materially injurious to properties or improvements in the vicinity.

**EVIDENCE**

- a) The site is located on road that has been certified to safely accommodate the amount of traffic generated by the proposed cannabis cultivation.
- b) The site is in a rural part of the County where the typical parcel size is over 40 acres and many of the land holdings are very large. The proposed cannabis will not be in a location where there is an established neighborhood or other sensitive receptor such as a school, church, park or other use which may be sensitive to cannabis cultivation. Approving cultivation on this site and the other sites which have been approved or are in the application process will not change the character of the area due to the large parcel sized in the area.
- c) Power is provided by three (3) generators, a small photovoltaic solar system, and one (1) 45kw diesel generator reserved for emergency purposes only. One (1) Honda EU7000i generator, one (1) EU3000 generator, one (1) Honda EU2000w generator, and the photovoltaic solar system power the propagation greenhouse lighting; water and air pumps; atomizer; fans; power tools; dehumidifiers; cannabis trimming machine and all electrical supplies and equipment; and all domestic power for the onsite residence. The applicant is currently working on a solar management plan to reduce the carbon footprint and eliminate the generator use except for emergency purposes only. As provided in the applicant's Energy Generation and Consumption Plan dated October 2021, the applicant anticipates an expansion of the photovoltaic solar system consisting of sixteen (16) 250w photovoltaic panels and sixteen (16) deep cycle batteries. The project anticipates the solar system installation and operational by 2026. By 2026, only one (1) generator will be onsite as back-up power source and for low solar output. Conditions of approval require the applicant to adhere to and implement the Energy Generation and Consumption Plan and provide the solar management plan upon completion. The applicant is also required to demonstrate the solar system is installed and supporting the operation prior to the 2026 cultivation season.
- d) The location of the proposed cannabis cultivation is more than 300 feet from the nearest off-site residence.
- e) Irrigation water will come from a 250,000-gallon rainwater catchment pond located in within the southeastern portion of the subject parcel.
- f) Provisions have been made in the applicant's proposal to protect water quality and thus runoff to adjacent property and infiltration of water to groundwater resources will not be affected.

**7. FINDING**

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

**EVIDENCE**

- a) The parcel was not included in the housing inventory of Humboldt County's 2019 Housing Element but is currently developed with an existing residence. The approval of cannabis cultivation on this parcel will not conflict with the

ability for the existing residence to continue to be utilized on this parcel.

**8. FINDING**

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

**EVIDENCE**

- b) The project site is located in the Mad River Planning Watershed, which under Resolution 18-43 is limited to 334 permits and 115 acres of cultivation. With the approval of this project the total approved permits in this Planning Watershed would be 66 permits and the total approved acres would be 24.76 acres of cultivation.

**DECISION**

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

- Adopt the findings set forth in this resolution; and
- Conditionally approves the Conditional Use Permit for Bear Creek Ranch Farm, Inc., based upon the Findings and Evidence and subject to the conditions of approval attached hereto as Attachment 1 and incorporated herein by reference; and

Adopted after review and consideration of all the evidence on **May 19, 2022**.

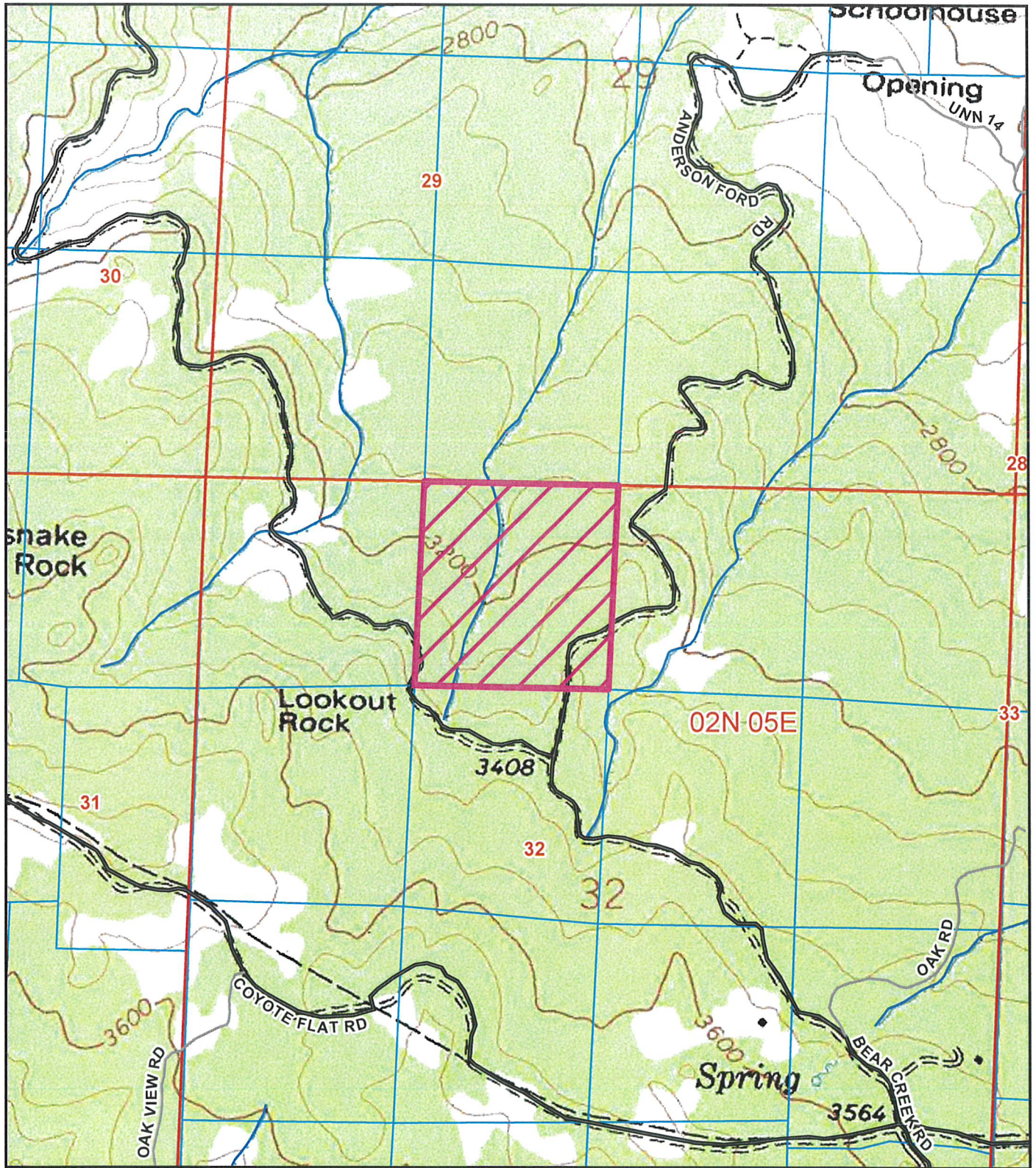
The motion was made by COMMISSIONER \_\_\_\_\_ and second by COMMISSIONER \_\_\_\_\_ and the following ROLL CALL vote:

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

I, John Ford, Secretary to the Planning Commission of the County of Humboldt, do hereby certify the foregoing to be a true and correct record of the action taken on the above entitled matter by said Commission at a meeting held on the date noted above.

\_\_\_\_\_  
 John Ford, Director  
 Planning and Building Department





**TOPO MAP**  
**PROPOSED BEAR CREEK RANCH FARM, INC.**  
**DINSMORE AREA**  
**CUP-16-792**  
**APN: 208-271-003**  
**T02N R05E S32 HB&M (SHOWERS MTN)**

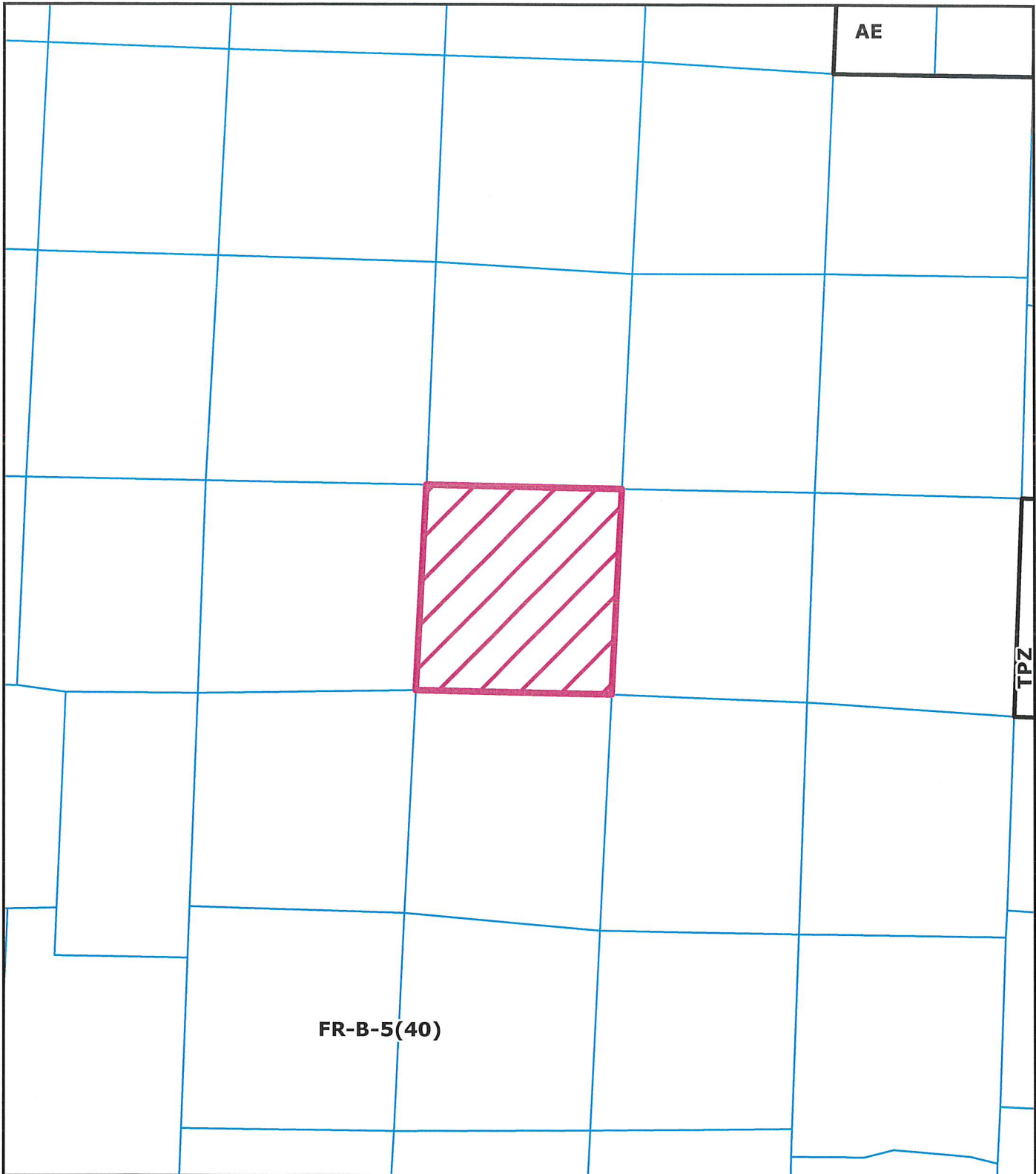
Project Area =



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

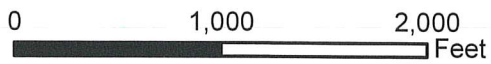






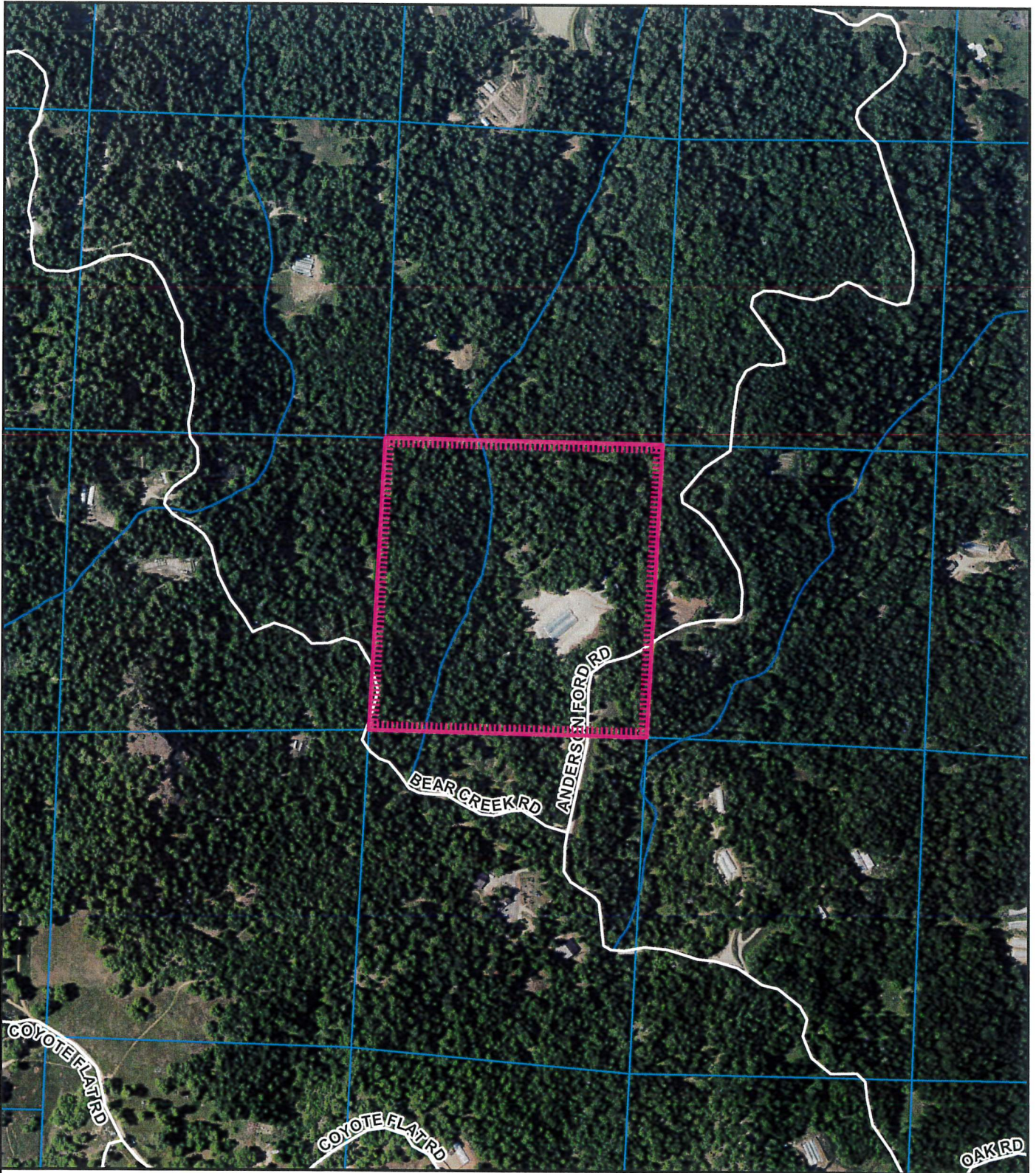
**ZONING MAP**  
**PROPOSED BEAR CREEK RANCH FARM, INC.**  
**DINSMORE AREA**  
**CUP-16-792**  
**APN: 208-271-003**  
**T02N R05E S32 HB&M (SHOWERS MTN)**

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 BEAR CREEK RANCH FARM, INC.  
DINSMORE AREA  
CUP-16-792  
APN: 208-271-003  
T02N R05E S32 HB&M (SHOWERS MTN)**

Project Area = 



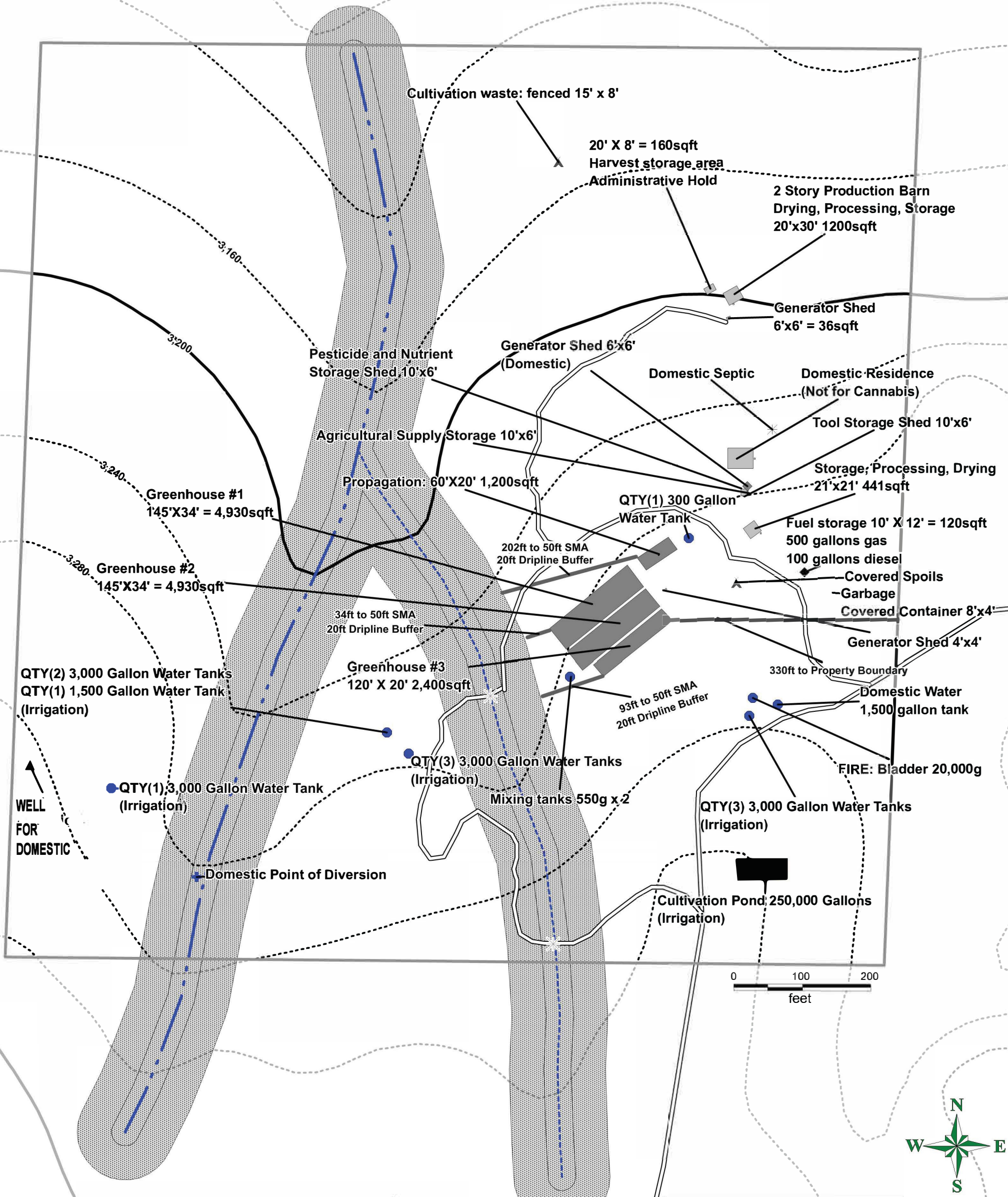
This map is intended for display purposes and should not be used for precise measurement or navigation. Data has not been completely checked for accuracy.





# Humboldt County Plot Plan

Located in Section 32 of T2N R5E  
from the Showers Mountain USGS 7.5' Quadrangle



## Humboldt County Plot Plan

APN: 208-271-003

- |  |                               |  |                      |
|--|-------------------------------|--|----------------------|
|  | Property Boundary             |  | Fuel                 |
|  | Cultivation Area              |  | Generator            |
|  | Stream Management Area        |  | Point of Diversion   |
|  | Structure                     |  | Pond                 |
|  | Pond                          |  | Septic Structure     |
|  | Topographic 40ft Interval     |  | Waste                |
|  | Permanent Road                |  | Water Tank           |
|  | Measurements U.S. Survey Feet |  | Well                 |
|  | Class II Watercourse          |  | Watercourse Crossing |
|  | Class III Watercourse         |  |                      |

## Project Information

Cultivation Area Total = 12,420sqft  
 Greenhouse #1: 145' X 34' = 4,930sqft  
 Greenhouse #2: 145' X 34' = 4,930sqft  
 Greenhouse #3: 120' X 20' = 2,400sqft  
 Propagation Area 60' X 20' = 1,200sqft

**Water Source**  
 Irrigation - Well  
 Domestic - Point of Diversion

**Water Storage**  
 250,000 Gallon Off-Stream Pond  
 QTY(10) : 3,000 Gallon Water Tanks  
 QTY(1) 1,500 Water Tank (Domestic)  
 QTY(1) 20,000 Gallon Water Bladder (Fire)

## Property Information

County:HUMBOLDT, CA  
 Assessor:MARI WILSON, ASSESSOR  
 Parcel # (APN):208-271-003-000  
 Parcel Status:ACTIVE  
 Owner Name:BEAR CREEK RANCH FARM INC  
 Mailing Address:PO BOX 2114  
 REDWAY CA 95560-2114  
 Acres: 40



## ATTACHMENT 1

### RECOMMENDED CONDITIONS OF APPROVAL

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

#### **A. General Conditions**

1. The applicant is responsible for obtaining all necessary County and State permits and licenses, and for meeting all requirements set forth by other regulatory agencies.
2. The applicant is required to pay for permit processing on a time and material basis as set forth in the schedule of fees and charges as adopted by ordinance of the Humboldt County Board of Supervisors. The Planning and Building Department will provide a bill to the applicant after the decision. Any and all outstanding planning fees to cover the processing of the application to decision by the Hearing Officer shall be paid to the Humboldt County Planning Division, 3015 "H" Street, Eureka.
3. The applicant is responsible for costs for post-approval review for determining project conformance with conditions. A deposit is collected to cover this staff review. Permit conformance with conditions must be demonstrated prior to release of building permit or initiation of use and at time of annual inspection. A conformance review deposit as set forth in the schedule of fees and charges as adopted by ordinance of the Humboldt County Board of Supervisors (currently \$750) shall be paid within sixty (60) days of the effective date of the permit or upon filing of the Compliance Agreement (where applicable), whichever occurs first. Payment shall be made to the Humboldt County Planning Division, 3015 "H" Street, Eureka.
4. A Notice of Determination (NOD) will be prepared and filed with the County Clerk for this project in accordance with the State CEQA Guidelines. The Department will file the NOD and will charge this cost to the project.
5. Within 60 days of the effective date of permit approval, whichever comes first, the applicant shall submit a revised plot plan detailing and showing the following, in addition to what is shown:
  - a. Size, dimensions, and use of all structures.
  - b. All areas of ground disturbance, including but not limited to graded flats.
6. Within 60 days of the effective date of permit approval, the applicant shall execute a Compliance Agreement with the Humboldt County Planning and Building Department detailing all necessary permits and infrastructure improvements described under Conditions of Approval #7 through #19. The agreement shall provide a timeline for completing all outstanding items. All activities detailed under the agreement must be completed to the satisfaction of the Planning and Building Department before the permit may be finalized and no longer considered provisional.
7. The applicant shall secure building permits for all structures related to the cannabis cultivation and other commercial cannabis activity, including but not limited to, existing and proposed greenhouses, water tanks over 5,000 gallons, existing and proposed structures associated with processing, drying, and storage, or any activity with a nexus to cannabis, and any noise containment structures as necessary. The plans submitted for building permit approval shall be consistent with the project description and the approved project site plan. A letter or similar communication from the Building Division verifying that all structures related to the cannabis cultivation are permitted will satisfy this condition.

8. The applicant shall adhere to and implement the *Energy Generation and Consumption Plan* dated October 25, 2021, and provide the solar management plan upon completion. The applicant shall demonstrate the solar system is installed and supporting the operation prior to the 2026 cultivation season. The applicant shall contact the Planning Department to schedule and conduct a site inspection to verify the change in power source. Alternatively, the Planning Department may determine that the applicant can demonstrate compliance with this condition by other means (e.g. photographs, video or statement from qualified professional). A sign-off from the Planning Department will satisfy this condition.
9. The applicant shall implement any corrective actions included in the Water Resource Protection Plan (WRPP), prepared by Timberland Resource Consultants in February 2016, and Site Management Plan (SMP), prepared by Timberland Resource Consultants in February 2020. The applicant shall submit evidence (e.g., a letter from a qualified professional and photographs) that the corrective actions were completed as described by the WRPP and SMP. Alternatively, the applicant may request a site inspection from the Planning and Building Department to review the corrective actions. A sign-off from the Planning Department will satisfy the condition.
10. Within 1 year from the effective date, the applicant shall take steps to form or join a Road Maintenance Association for the maintenance of Bear Creek Road. The necessary steps include sending notices to all road users of the requirement to form a Road Maintenance Association and conducting a meeting with the users of the road, especially those engaged in commercial cannabis activities to discuss formation of the Road Maintenance Association. The applicant shall provide evidence, including notice, meeting minutes, and the decision as to whether a Road Maintenance Association is being formed to show this effort. The recommendations in the various road evaluations reports previously completed for the project access roads shall be combined into one action plan. If the Road Maintenance Association will not be responsible for constructing all of the improvements in the action plan, proportioning of the improvements shall be clearly documented so that each applicant knows exactly what portion of the action plan they are responsible for constructing. In the event the applicant is unable to coordinate formation a Road Maintenance Association, the applicant shall pay fair-share cost for maintenance of the road to any road user engaged in maintaining the road. A sign-off from the Planning Department will satisfy this condition.
11. In accordance with comments received from the Department of Public Works, Land Use Division in November 2020, per Humboldt County Code Section 3112-5, any roadway grades in excess of 16% shall be paved and have an exception request approved. This condition shall be completed to the satisfaction of the Department of Public Works prior to commencing operations, final sign-off for a building permit, or Public Works approval for a business license. A letter or similar communication from the Department of Public Works will satisfy this condition.
12. Due to the onsite pond, the applicant shall coordinate with CDFW to determine if a Bullfrog Management Plan is required and shall meet any annual reporting requirements. If not already in place, the applicant shall install an overflow spillway to the off-stream pond that will withstand a 100-year flood event, and exit ramps to the off-stream pond to prevent wildlife entrapment. The overflow spillway shall be designed with a dispersal mechanism, or low-impact design, that discourages channelization and promotes dispersal and infiltration of flows to prevent surface overflow from reaching waters of the State. Exit ramps shall be installed no grater that 2:1 slope, secured at the upslope end, and made of solid material (e.g., wood). As applicable, the applicant shall obtain an addendum to the Final Streambed Alteration Agreement from CDFW for these items or obtain an additional Final Streambed Alteration Agreement from CDFW, whichever is required. Alternatively, a letter or similar communication from CDFW stating an addendum or second agreement is not required shall satisfy this condition.
13. The applicant is required to adhere to and implement the requirements contained in the SWRCB's Cannabis Cultivation Policy, the General Order, the Site Management Plan, 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.

14. The applicant shall adhere to and implement the Final Streambed Alteration Agreement issued by CDFW in November 2016 (Notification No. 1600-2016-0029-R1). 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.
15. The applicant must demonstrate that a properly functioning onsite wastewater treatment system serves the operation prior to processing on-site. This can be accomplished by either installing a new, permitted septic system; or by providing the Department of Environmental Health (DEH) with an assessment of the existing system performed by a qualified professional engineer, geologist, soil scientist, or registered environmental health specialist (REHS) that certifies that the existing system complies with the State RWQCB definition of a Tier 0 system - not impairing groundwater or surface water resources. Portable toilet and handwashing facilities may be utilized during the construction of these improvements to support cultivation staff only. The applicant shall furnish receipts or other documentation to the DEH for the continual use of portable toilets for employees 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.
16. The subject property shall be evaluated by a Professional Registered Forester (RPF) to determine the amount of timber conversion that occurred onsite after the CMMLUO baseline date of January 1, 2016. Any measures determined to be necessary by the RPF to mitigate for the unauthorized timber conversion shall be implemented. Additionally, the applicant/owner is required to re-stock an area onsite equivalent to the amount of area converted after the CMMLUO baseline date at a rate of 3:1. A Restocking Plan shall be prepared within 90 days of project approval and the Restocking Plan shall be implemented within a period of two (2) years, should any timber conversion be determined to have occurred after the CMMLUO baseline date. The Restocking Plan shall include details on the locations and total areas to be restocked, the type, number, and spacing of the plantings, and a monitoring plan for three (3) years which includes performance evaluations, performance standards, and contingency measures should performance standards not be met. A monitoring report prepared by a licensed professional forester shall be submitted annually to the Planning and Building Department until the restocking is complete as indicated by the monitoring report. The Report shall include monitoring and reporting requiring a minimum of 3 years of monitoring at an 85% success rate and submission of annual monitoring reports at the time of the annual inspection. A sign-off from the Planning Department will satisfy this condition.
17. 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.
18. 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. No generator use is authorized by this permit until the applicant can demonstrate to compliance with this standard.
19. All artificial lighting including security and propagation area lighting 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. Within 30 days of the effective date of this permit, the applicant shall schedule a site inspection with the Humboldt County Planning Department to demonstrate the structures and greenhouses can be comply with this standard.

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. 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 250,000-gallon rainwater catchment pond and amount of water available in storage tanks and shall be provided annually prior to or during the annual inspection.
23. The applicant shall cause to be recorded an "ACKNOWLEDGMENT OF NO AVAILABLE EMERGENCY RESPONSE AND FIRE SUPPRESSION SERVICES" for the parcel(s) on a form provided by the Humboldt County Planning Division. Document review fees as set forth in the schedule of fees and charges as adopted by ordinance of the Humboldt County Board of Supervisors will be required.
24. The applicant shall be compliant with the County of Humboldt's Certified Unified Program Agency (CUPA) requirements regarding hazardous materials. A written verification of compliance shall be required before any provisional permits may be finalized. Ongoing proof of compliance with this condition shall be required at each annual inspection in order to keep the permit valid.
25. The applicant shall execute and file with the Planning Division the statement titled, "Notice and Acknowledgment regarding Agricultural Activities in Humboldt County," ("Right to Farm" ordinance) as required by the HCC and available at the Planning Division.

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

1. The combination of background, generator and greenhouse fan or other operational equipment created noise must not result in the harassment of Northern Spotted Owl species as required to meet the performance standards for noise set by Department Policy Statement No. 16-005 clarifying CMMLUO Section 55.4.11 (o) requirements. The combined noise levels measured at 100 feet or the edge of habitat, whichever is closer, shall be at or below 50 decibels. Conformance will be evaluated using current auditory disturbance guidance prepared by the United State Fish and Wildlife Service, and further consultation where necessary. A building permit shall be obtained should any structures be necessary for noise attenuation.
2. All artificial lighting shall be fully contained within structures such that no light escapes (e.g., through blackout curtains). Structures shall be enclosed between 30 minutes prior to sunset and 30 minutes after sunrise to prevent disruption to crepuscular wildlife. Security lighting shall be motion activated and comply with the International Dark-Sky Association standards and Fixture Seal of Approval Program; see: <https://www.darksky.org/our-work/lighting/lighting-for-citizens/lighting-basics/>. Standards include but are not limited to the following, 1) light shall be shielded and downward facing, 2) shall consist of Low Pressure Sodium (LPS) light or low spectrum Light Emitting Diodes (LED) with a color temperature of 3000 kelvins or less and 3) only placed where needed.

3. The applicant shall abide by recommendations of the Timber Conversion Report prepared by Timberland Resource Consultants (TRC) July 4, 2019, and received November 8, 2019 which include but are not limited to, floristic surveys to ensure no potentially special status plant species or communities are present should additional ground disturbance or habitat conversion be proposed in the future; ensuing supplemental lighting associated with mixed-light cultivation is fully contained with black out tarps and have all outside lighting on timers or motion sensors to reduce light exposure to wildlife and their potential habitat; and, avoid heavy equipment operations during NSO critical period (February 1 – July 31) or perform protocol level surveys prior to initiating that work.
4. Should the Humboldt County Planning Division receive complaints that the lighting or noise is not complying with the standards listed above in items B.1. and B.2., within ten (10) working days of receiving written notification that a complaint has been filed, the applicant shall submit written verification that the lights' shielding and alignment, and noise levels have been repaired, inspected, and corrected as necessary.
5. Prohibition on use of synthetic netting. To minimize the risk of wildlife entrapment, Permittee shall not use any erosion control and/or cultivation materials that contain synthetic (e.g., plastic or nylon) netting, including photo- or biodegradable plastic netting. Geotextiles, fiber rolls, and other erosion control measures shall be made of loose-weave mesh, such as jute, hemp, coconut (coir) fiber, or other products without welded weaves.
6. All refuse shall be contained in wildlife proof storage containers, at all times, and disposed of at an authorized waste management facility.
7. Should any wildlife be encountered during work activities, the wildlife shall not be disturbed and be allowed to leave the work site unharmed.
8. The use of anticoagulant rodenticide is prohibited.
9. 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.
10. All components of project shall be developed, operated, and maintained in conformance with the Project Description, the approved Site Plan, the Plan of Operations, and these conditions of approval. Changes shall require modification of this permit except where consistent with Humboldt County Code Section 312-11.1, Minor Deviations to Approved Plot Plan. If offsite processing is chosen to be the preferred method of processing, this permit shall be modified to identify the offsite licensed facility.
11. Cannabis cultivation and other commercial cannabis activity shall be conducted in compliance with all laws and regulations as set forth in the CMMLUO and MAUCRSA, as applicable to the permit type.
12. If operating pursuant to a written approved compliance agreement, permittee shall abate or cure violations at the earliest feasible date, but in no event no more than two (2) years from the date of issuance of a provisional clearance or permit. Permittee shall provide plans for curing such violations to the Planning and Building Department within one (1) year of issuance of the provisional clearance or permit. If good faith effort toward compliance can be shown within the two years following the issuance of the provisional clearance or permit, the Department may, at the discretion of the Director, provide for extensions of the provisional permit to allow additional time to meet the outstanding requirements.

13. Possession of a current, valid required license, or licenses, issued by any agency of the State of California in accordance with the MAUCRSA, and regulations promulgated thereunder, as soon as such licenses become available.
14. Compliance with all statutes, regulations, and requirements of the California State Water Resources Control Board and the Division of Water Rights, at a minimum to include a statement of diversion of surface water from a stream, river, underground stream, or other watercourse required by Water Code Section 5101, or other applicable permit, license, or registration, as applicable.
15. Confinement of the area of cannabis cultivation, processing, manufacture, or distribution to the locations depicted on the approved site plan. The commercial cannabis activity shall be set back at least 30 feet from any property line, and 600 feet from any school, school bus stop, church or other place of religious worship, or tribal cultural resources, except where a reduction to this setback has been approved pursuant to Section 55.4.11 (d).
16. Maintain enrollment in Tier 1, 2, or 3, certification with North Coast Regional Water Quality Control Board (RWQCB) Order No. R1-2015-0023, if applicable, or any substantially equivalent rule that may be subsequently adopted by the County of Humboldt or other responsible agency.
17. Comply with the terms of the Final Lake and Streambed Alteration Agreement (EPIMS-HUM-09230-R1), as well as any subsequent amendments, obtained from the California Department of Fish and Wildlife (CDFW).
18. Comply with the terms of a less-than-3-acre conversion exemption or timberland conversion permit, approved by the California Department of Forestry and Fire Protection (Cal Fire), if applicable.
19. Consent to an annual on-site compliance inspection, with at least 24 hours prior notice, to be conducted by appropriate County officials during regular business hours (Monday through Friday, 9:00 a.m. to 5:00 p.m., excluding holidays).
20. Refrain from the improper storage or use of any fuels, fertilizer, pesticide, fungicide, rodenticide, or herbicide.
21. Pay all applicable application, review for conformance with conditions and annual inspection fees.
22. Fuel shall be stored and handled in compliance with applicable state and local laws and regulations, including the County of Humboldt's Certified Unified Program Agency (CUPA) program, and in such a way that no spillage occurs.
23. The master log books maintained by the applicant to track production and sales shall be maintained for inspection by the County.
24. Pay all applicable taxes as required by the Humboldt County Commercial Marijuana Cultivation Tax Ordinance (Humboldt County Code Section 719-1 et seq.).
25. Fish stocking of the onsite pond is prohibited without written permission from CDFW pursuant to Section 6400 of the Fish and Game Code.

#### Performance Standards for Cultivation and Processing Operations

26. Pursuant to the MCRSA, Health and Safety Code Section 19322(a)(9), an applicant seeking a cultivation license shall "provide a statement declaring the applicant is an 'agricultural employer,' as defined in the Alatorre-Zenovich-Dunlap-Berman Agricultural Labor Relations Act of 1975 (Part 3.5

commencing with Section 1140) of Division 2 of the Labor Code), to the extent not prohibited by law.”

27. Cultivators shall comply with all applicable federal, state, and local laws and regulations governing California Agricultural Employers, which may include federal and state wage and hour laws, Cal/OSHA, OSHA, the California Agricultural Labor Relations Act, and the Humboldt County Code (including the Building Code).
28. Cultivators engaged in processing shall comply with the following Processing Practices:
  - a. Processing operations must be maintained in a clean and sanitary condition including all work surfaces and equipment.
  - b. Processing operations must implement protocols which prevent processing contamination and mold and mildew growth on cannabis.
  - c. Employees handling cannabis in processing operations must have access to facemasks and gloves in good operable condition as applicable to their job function.
  - d. Employees must wash hands sufficiently when handling cannabis or use gloves.
29. All persons hiring employees to engage in commercial cannabis cultivation and processing shall comply with the following Employee Safety Practices:
  - a. Cultivation operations and processing operations must implement safety protocols and provide all employees with adequate safety training relevant to their specific job functions, which may include:
    - (1) Emergency action response planning as necessary;
    - (2) Employee accident reporting and investigation policies;
    - (3) Fire prevention;
    - (4) Hazard communication policies, including maintenance of material safety data sheets (MSDS);
    - (5) Materials handling policies;
    - (6) Job hazard analyses; and
    - (7) Personal protective equipment policies, including respiratory protection.
  - b. Cultivation operations and processing operations must visibly post and maintain an emergency contact list which includes at a minimum:
    - (1) Operation manager contacts;
    - (2) Emergency responder contacts; and
    - (3) Poison control contacts.
  - c. At all times, employees shall have access to safe drinking water and toilets and handwashing facilities that comply with applicable federal, state, and local laws and regulations. Plumbing facilities and water source must be capable of handling increased usage without adverse consequences to neighboring properties or the environment.
  - d. On site-housing provided to employees shall comply with all applicable federal, state, and local laws and regulations.
30. All cultivators shall comply with the approved processing plan as to the following:
  - a. Processing practices
  - b. Location where processing will occur
  - c. Number of employees, if any
  - d. Employee Safety Practices
  - e. Toilet and handwashing facilities
  - f. Plumbing and/or septic system and whether or not the system is capable of handling increased usage
  - g. Drinking water for employees
  - h. Plan to minimize impact from increased road use resulting from processing
  - i. On-site housing, if any

31. Term of Commercial Cannabis Activity Conditional Use Permit. Any Commercial Cannabis Cultivation CUP issued pursuant to the CMMLUO shall expire one (1) year after date of issuance, and on the anniversary date of such issuance each year thereafter, unless an annual compliance inspection has been conducted and the permittees and the permitted site have been found to comply with all conditions of approval.
32. If the inspector or other County official determines that the permittees or site do not comply with the conditions of approval, the inspector shall serve the permit holder with a written statement identifying the items not in compliance, and the action that the permit holder may take to cure the noncompliance, or file an appeal within ten (10) days of the date that the written statement is delivered to the permit holder. Personal delivery or mailing the written statement to the mailing address listed on the application by regular mail, plus three (3) days after date of mailing, shall constitute delivery. The permit holder may request a reinspection to determine whether or not the permit holder has cured all issues of noncompliance. Failure to request reinspection or to cure any items of noncompliance shall terminate the Special Permit, immediately upon the expiration of any appeal period, or final determination of the appeal if an appeal has been timely filed pursuant to Section 55.4.13.
33. Permit Renewals to Comply with Updated Laws and Regulations. Permit renewal is subject to the laws and regulations effective at the time of renewal, which may be substantially different than the regulations currently in place and may require the submittal of additional information to ensure that new standards are met.
34. 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.
35. Transfers. Transfer of any leases or permits approved by this project is subject to the review and approval of the Planning Director for conformance with CMMLUO eligibility requirements and agreement to permit terms and acknowledgments. The fee for required permit transfer review shall accompany the request. The request shall include the following information:
  - a. Identifying information for the new owner(s) and management as required in an initial permit application;
  - b. A written acknowledgment by the new owner in accordance as required for the initial permit application;
  - c. The specific date on which the transfer is to occur;
  - d. Acknowledgement of full responsibility for complying with the existing permit; and
  - e. Execution of an Affidavit of Non-diversion of Medical Cannabis.
36. 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 314-55.4.11(a) of the CMMLUO, if upon inspection for the initial application, violations of any building or other health, safety, or other state or county statute, ordinance, or regulation are discovered, the Planning and Building Department may issue a provisional clearance or permit with a written approved Compliance Agreement. By signing the agreement, the permittee agrees to abate or cure the violations at the earliest opportunity but in no event more than two (2) years after the date of issuance of the provisional clearance or permit. Plans for curing the violations shall be submitted to the Planning and Building Department by the permittee within one (1) year of



the issuance of the provisional certificate or permit. The terms of the compliance agreement may be appealed pursuant to Section 314-55.4.13 of the CMMLUO.

2. This provisional permit approval shall expire and become null and void at the expiration of one (1) year after all appeal periods have lapsed (see "Effective Date"), except where the Compliance Agreement per Condition of Approval #6 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 #26 and 27 of the Ongoing 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 and the appropriate Tribal Historic Preservation Officer(s) are to be contacted to evaluate the discovery and, in consultation with the applicant and the lead agency, develop a treatment plan in any instance where significant impacts cannot be avoided.

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

**ATTACHMENT 2**

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

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

**APN 208-271-003; East and West side of Anderson Ford Road, approximately 452 feet North from the  
intersection of Bear Creek Road and Anderson Ford Road, on the property known to be in Section 32 of  
Township 02 North, Range 05 East, H. B. & M., Dinsmore area  
County of Humboldt**

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

**April 2022**

## Background

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

The modified project involves a Conditional Use Permit to allow the continued cultivation of 12,420 square feet (SF) of outdoor cannabis cultivation and 1,200 SF of ancillary propagation. Irrigation water is sourced from a 250,000-gallon rainwater catchment pond on the subject parcel. Existing available water storage for irrigation is 283,100 gallons in the pond and a series of hard-sided tanks. Estimated annual water usage is 125,089 gallons. Processing, including drying, curing, and trimming, occurs onsite within an existing 1,200 SF building. A maximum of three (3) employees may be utilized during peak operations. Power is provided by three (3) generators and a small photovoltaic solar system, with an additional generator utilized for back-up power only. The applicant proposes to expand the onsite photovoltaic solar system to reduce the carbon footprint and eliminate the generator use except for emergency purposes by 2026.

The project site contains riparian habitat associated with two (2) watercourses, a Class III and Class II, which traverse the central portion of the subject site. All approved cannabis cultivation activities would occur outside of the required stream setbacks and on slopes less than 20%. Per review of CDFW's California Natural Diversity Database (CNDDDB) in December 2021, there are no mapped sensitive species onsite and the nearest NSO activity center is located approximately 1.8 miles from the nearest cultivation area, with the nearest NSO sighting located approximately 1.65 miles away. As described above, while three (3) generators and a small photovoltaic solar system are currently used for power, additional solar is proposed onsite and only one (1) generator will continue to be utilized for backup power by 2026. The applicant has enrolled with the State Water Resources Control Board Cannabis Cultivation Policy. A condition of project approval is inadvertent discovery protocols for cultural resources consistent with the recommendation of the Cultural Resources Investigation prepared by Archaeological Research and Supply Company in November 2018 (on file and confidential), as well as the Bear River Band of the Rohnerville Rancheria in November 2020.

The modified project is consistent with the adopted MND for the CMMLUO because it complies with all standards of the CMMLUO which were intended to mitigate impacts of existing cultivation. These include ensuring supplemental lighting and security lighting adheres to Dark Sky Association standards and ensuring project related noise does not harass nearby wildlife which will limit impacts to biological resources as a result of light and noise.

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

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

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

No changes are proposed for the original MND recommended mitigations. The proposal to authorize the continued operation of an existing cannabis cultivation site consisting of 12,500 square feet of outdoor cultivation with ancillary propagation and processing activities is fully consistent with the impacts identified and adequately mitigated in the original MND. The project as conditioned to implement responsible agency recommendations, results in no significantly adverse environmental effects beyond those identified in the MND. Compliance with the CMMLUO ensures consistency with the adopted MND and provides for mitigation of all project related impacts to a less than significant level.

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

- Plot Plan prepared by ETA Humboldt, dated 3/24/2022.
- Cultivation and Operations Plan, prepared by ETA Humboldt, Revised March 2022.
- Revised Water Irrigation and Storage Plan, prepared by ETA Humboldt, dated 3/24/22
- Water Resource Protection Plan (WRPP) for APN 222-083-007, prepared by Timberland Resources Consultants, received 6/1/18.
- Final Lake Streambed Alternation Agreement (LSAA; Notification No. 1600-2016-0229-R1), issued by the California Department of Fish and Wildlife (CDFW), dated 11/16/16.
- Notice of Intent for Waiver of Waste Discharge Requirements Order Number R1-2015-0023 (WDID # 1B16892CHUM) prepared by Timber Resource Consultants, dated 5/26/16.
- Site Management Plan (WDID – 1\_12CC417903) prepared Timberland Resource Consultants, dated 3/2/20.
- Well Completion Report (WCR2016-003056), Permit # 15/16-0383, submitted 4/22/2016.
- Less Than Three Acre Conversion Exemption Application prepared by Timberland Resource Consultants, and Less Than Three Acre Conversion Exemption issued by CAL FIRE, both received 1/5/16.
- Energy Generation and Consumption Plan, prepared by ETA Humboldt, dated 2/23/22.
- Appendix G: Lighting Management Plan for International Dark Sky Policy; Revised Cultivation and Operations Plan, prepared by Elevated Solutions, LLC, dated February 2020.

- Humboldt County Department of Public Works Road Evaluation Report, for a 3.38-mile segment of Bear Creek Road, from State Highway 36 to Anderson Ford Road prepared by the Applicant, dated 3/15/22.
- Road Access Comments to Bear Creek Ranch Farms, LLC, prepared by Department of Public Works, County of Humboldt, dated 11/9/20.
- APN 208-271-007, Department of Public Works County of Humboldt, Comments and Recommendations, dated 5/24/21.
- APN 208-271-007, Humboldt County Department of Public Works Road Evaluation Report from Dinsmore Road and Bear Creek Road to subject parcel, prepared by the Applicant, dated 3/20/19.
- A Cultural Resources Investigation of the Dinsmore Petruskevski Property Final Report, prepared by Archaeological Research and Supply Company, dated November 2018.

### **Other CEQA Considerations**

Staff suggests no changes for the revised project.

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

See **Purpose** statement above.

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

### **FINDINGS**

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

### **CONCLUSION**

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

### ATTACHMENT 3

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

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

1. The name, contact address, and phone number(s) of the applicant. (Application form on file)
2. If the applicant is not the record title owner of parcel, written consent of the owner for the application with original signature and notary acknowledgement. (On file)
3. Site plan showing the entire parcel, including easements, streams, springs, ponds and other surface water features, and the location and area for cultivation on the parcel with dimensions of the area for cultivation and setbacks from property lines. The site plan shall also include all areas of ground disturbance or surface water disturbance associated with cultivation activities, including access roads, water diversions, culverts, ponds, dams, graded flats, and other related features. If the area for cultivation is within one-quarter mile (1,320 feet) of a school, school bus stop, church or other place of religious worship, public park, or tribal cultural resource, the site plan shall include dimensions showing that the distance from the location of such features to the nearest point of the cultivation area is at least 600 feet. (**Attached** - Plot Plan prepared by ETA Humboldt, prepared 3/24/22)
4. A cultivation and operations plan that meets or exceeds minimum legal standards for water storage, conservation and use; drainage, runoff and erosion control; watershed and habitat protection; proper storage of fertilizers, pesticides, and other regulated products to be used on the parcel; and a description of cultivation activities (outdoor, indoor, mixed light), the approximate date(s) cannabis cultivation activities have been conducted on the parcel prior to the effective date of this ordinance, if applicable, and schedule of activities during each month of the growing and harvesting season. (**Attached** - Cultivation and Operations Plan prepared by Elevated Solutions revised February 2020 and Addendum prepared by ETA Humboldt, prepared 3/24/22)
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. (Included in Cultivation Operations Plan (item 4. above) and Water Resource Protection Plan prepared for the North Coast Regional Water Quality Board Order No. 2015-0023 (item 7. below)
7. Copy of Notice of Intent and Monitoring Self-Certification and other documents filed with the North Coast Regional Water Quality Control Board demonstrating enrollment in Tier 1, 2 or 3, North Coast Regional Water Quality Control Board Order No. 2015-0023, or any substantially equivalent rule that may be subsequently adopted by the County of Humboldt or other responsible agency. (**Attached** - Notice of Applicability dated September 24, 2019, Site Management Plan prepared by Timberland Resource Consultants dated March 3, 2020, and Water Resource Protection Plan prepared by Timber Resource Consultants, dated 8/21/16; On file – Notice of Intent (NOI))
8. If any on-site or off-site component of the cultivation facility, including access roads, water supply, grading or terracing, impacts the bed or bank of any stream or other watercourse, a copy of the Streambed Alteration Permit obtained from the California Department of Fish and Wildlife. (**Attached** – Final Streambed Alteration Agreement issued by the California Department of Fish and Wildlife (Notification No. 1600-2015-0543-R1) dated 5/2/17)
9. If the source of water is a well, a copy of the County well permit, if available. (Not applicable).

10. If the parcel is zoned FR, U or TPZ, or involves the conversion of timberland as defined under Section 4526 of the Public Resources Code, a copy of a less-than-3-acre conversion exemption or timberland conversion permit, approved by the California Department of Forestry and Fire Protection (Cal Fire). Alternately, for existing operations occupying sites created through prior unauthorized conversion of timberland, evidence may be provided showing that the landowner has completed a civil or criminal process and/or entered into a negotiated settlement with Cal Fire. (**Attached** - Less Than Three Acre Conversion Exemption Application prepared by Timberland Resource Consultants)
11. Consent for on-site inspection of the parcel by County officials at prearranged date and time in consultation with the applicant prior to issuance of any clearance or permit, and once annually thereafter. (On file)
12. 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. *Dinsmore Petruseski: Quantifying Historic Cannabis Cultivation* prepared by Archeological Research and Supply Company received November 29, 2018. (**Attached**)
16. Road Evaluation Report, for a 3.38-mile segment of Bear Creek Road, from State Highway 36 to Anderson Ford Road prepared by Applicant, dated 3/15/22. (**Attached**)
17. Road Evaluation Report from Dinsmore Road and Bear Creek Road to subject parcel, prepared by the Applicant, dated 3/20/19. (**Attached**)
18. Division of Environmental Health Attachment for Commercial Medical Marijuana (CMM) Clearances/ Permits (DEH Form). (On file)
19. Energy Generation and Consumption Plan, prepared by ETA Humboldt, dated 2/23/22. (**Attached**)
20. Revised Water Irrigation and Storage Plan, prepared by ETA Humboldt, dated 3/24/22. (**Attached**)

**Cultivation & Operations Plan**

**Bear Creek Ranch Farm, LLC  
APN# 208-271-003/App# 12656  
WDID #: 1B1689CHUM  
Provisional State License # CCL18-0003140**

**Proposed Cannabis Cultivation Facilities  
Humboldt County Planning Department  
3015 H St.  
Eureka, CA 95501**



**Prepared By  
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**Revised February 2020**



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# 1. Project Summary

## 1.1 Project Objective

Bear Creek ranch Farm, LLC is proposing to permit existing cannabis cultivation activities in accordance with the County of Humboldt Commercial Medical Marijuana Land Use Ordinance (CMMLUO). The project requires a Conditional Use Permit (CUP), for a total of 12,500 Square Feet of Outdoor Cultivation. The project includes the permitting of existing outdoor cultivation in the following metal greenhouse structures, greenhouse #1-35'x145', greenhouse #2-35'x145', greenhouse #3 20'x117', for a total of 12,500 SF of Outdoor Cultivation. Bear Creek Ranch Farm proposes a 1,200 SF ancillary nursery to be used for propagation of nursery stock. The project has an existing 1,200 SF building that is used for the drying, curing, and processing of cannabis. There is a 10'x14' storage shed that is used for cultivation related materials and fuel storage. Bear Creek Ranch Farm has a 350,000-gallon rain catchment pond that is used for agricultural use and a permitted ground water well, (permit# 15/16-0383), that is used for domestic and agricultural use. Power is supplied by a 45KW whisper watt generator. Bear creek Ranch Farm is currently working on a solar management plan to reduce the carbon footprint and eliminate the generator use except for emergency purposes only. Bear Creek ranch farm currently has a Provisional License with the State of California and an Interim Permit with Humboldt County to cultivate in the 2020 season is pending. The applicant aims to become fully compliant with State and Local Cultivation Regulations.

## 1.2 Site Description

The project site is located approximately 44 miles South East of Eureka Ca. To reach the site from Eureka Ca take US-101 South for 17 miles to exit 685 to Hwy 36. Continue on Hwy 36 East for 36 miles. Turn left onto Bear Creek Road for 5.5 miles then turn left onto Rattlesnake Ridge Road for 3.9 miles. Take a right turn onto Bear creek Road for 3 miles to the driveway on the right. Approximate drive time from Eureka Ca is 1 hour and 30 minutes with a distance of 60 miles. The site is located in Section 20&21, township 1 north, range 5 east, H.B.&M. The project site can be located on the Honeydew 7.5' quadrangle map. Furthermore, the site can be located at Latitude 40.5142 and Longitude -123.6388. The subject parcel is approximately 39.27 acres in size (per Humboldt County WEBGIS).

## 1.3 Land Use

The subject has a general plan designation of Dispersed Housing as identified by the Northern General Plan (NHGP) and is zoned: Forest Recreational, FR-B (40). The purpose for which either land or structure is designated, arranged, or intended, or for which is or may be occupied or maintained (former section INL #312-72) a; ord. 1104, sec. 210576 by ord. 2166 section 9 on 4-7-2008.

## 2. State & Local Compliance

### 2.1 State of California Commercial Cannabis Activity License

Bear Creek Ranch Farm, LLC has an interim permit (APP#12656), with Humboldt County and has a Provisional State License # CCL18-0003140 for the State of California.

### 2.2 North Coast Regional Water Quality Control Board

Bear Creek Ranch Farm, LLC is currently enrolled with the NCRWQCB for coverage under Tier 2 of Order No. 2015-0023 and WQ 2017-0023 Waiver of Waste Discharge Requirements and General Water Quality Certification for Discharges of Waste Resulting from Cannabis Cultivation & Associated Activities or Operations, With Similar Environmental Effects. A Site Management Plan (SMP) has been developed by Timber Resource Consultants and a Water Resource Protection Plan (WRPP) has been developed for the project by Chris Carroll at Timber Resource Consultants, which has been implemented for activities associated with onsite cultivation since August 2017. The associated WDID # is 1B1689CHUM.

### 2.3 State Water Resource Control Board

Water for agricultural use is provided by a 350,000-gallon Rain Catchment Pond and the permitted ground water well (permit # 15/16-0383) is used for domestic and agricultural use if needed. In addition to the pond the applicant has 21,050-gallons of hard storage tanks, which (1) 5000-gallon hard plastic tank is dedicated to Cal Fire for fire suppression. CDFW has walked the project site for the 1600 permit and has deemed the pond off-stream. Applicant has enrolled and transitioned to the State Water Resource Control Board, under Order WQ 2017-0023-DWQ.

### 2.4 Humboldt County Building Department

All necessary building permits will be obtained from the Humboldt County Building Department for all existing and proposed structures and supporting infrastructure upon approval of the Conditional Use Permit. The Humboldt County Planning Department application # is 12656.

### 2.5 Humboldt County Agriculture Department

The applicant of Bear Creek Ranch Farm, LLC will be assigned an Operator Identification number in order to identify specific areas that have been treated with pesticides and report monthly use of EPA regulated pesticides. Bear Creek Ranch Farm, LLC adheres to all agriculture safety requirements for employers, including posting necessary pesticide safety forms on site and conducting pertinent training for employees. Please refer to section 2.6-3 for further information.

### 2.6 Cal Fire

The subject property is located within a State Responsibility Area (SRA) for fire protection. Several improvements are proposed in order to meet SRA requirements, including designation of a fire turn out area for emergency vehicles, and management of

trees and vegetation around existing structures to maintain the required 100 ft. defensible space. All structures on the property meet the 30 ft. SRA setback requirement from property lines. Fire extinguishers are located at all greenhouse structures, processing facility and fuel areas. These areas are identified on the Site Plan.

There is one, (1) 5000-gallon water storage tank located near the pond that has been dedicated for CalFire Use. This water tank is labeled with a blue reflector and can be located on the site map.

## 2.7 California Department of Fish & Wildlife

A Lake Streambed Alteration Agreement (LSAA) has been completed by Chris Carroll from Timberland Resource Consultants. There is a 12" diameter culvert that will be upgraded to a minimum 24" diameter by 30-foot long CMP on a class III stream. This culvert will be upgraded during the construction season in 2020.

# 3. Cultivation & Processing

## 3.1 Propagation & Initial Transplant

Juvenile plants are propagated on site from "mother plants" that demonstrate the desired genetics for the specific cannabis strain. Mother plants are located in the Ancillary Nursery and remain in the vegetative stage solely for propagation. Clones are cut from the mother plants in lots of 100 and tagged with Metrc Packaging tags. Clones remain in clone trays until the root system is developed and they can be transitioned into soil. Clones remain in the Ancillary Nursery to grow until they are transitioned into their final flowering greenhouse structure. Once a clone is transitioned into their flowering greenhouse, they are assigned individual plant tags from their Clone Packaging Tag.

## 3.2 Cultivation Plan & Schedule

The outdoor cultivation will occur in (2) 35'x145' SF greenhouse and (1) 20'x117' SF greenhouse for a total of 12,500 SF of Outdoor Cultivation. Applicant proposes a 1,200 SF ancillary nursery that would be used only for onsite propagation. The greenhouses consist of heavy gauge steel tubing, covered with a woven poly translucent opaque tarp. Greenhouse flooring consists of black polyurethane petromat, six inches of rock, and one foot of soil contained in garden beds. Each greenhouse is ventilated by intake and exhaust fans and has met or exceeded all specifications for decibel readings at 100 feet and property line.

## 3.3 Irrigation Plan & Schedule

Irrigation and fertigation of plants occurs using top feed hand watering methods and drip admitters. Bear Creek Ranch Farm, LLC maintains that irrigation of nutrients via hand watering methods to prevent admitters from clogging. This also allows for daily inspection of each plant by the cultivator and tailored irrigation and nutrient application dependent on the needs of each individual plant.

### 3.4 Harvesting, Drying & Trimming

Plants that are ready for harvest have their flowering branches removed and suspended in the drying room, which is equipped with ventilation fans and climate control measures. The drying process takes approximately one week. The dried flowers are then bucked into manageable buds and processed at an on-site processing facility. All wet plants are weighed again to document dry loss. When the product is dried and ready for processing it is weighed again to document dry loss. When the plant has completed the processing stage, the finished flower, trim, and stocks are weighed and will be documented to implement into the METRC System.

### 3.5. Processing Facility

All cannabis processing will occur onsite at the 1200 SF building located by the main residence. The owner/applicant will be involved in the processing of cannabis with a trim machine and additional employees will be hired as needed (5 employees total). The facility will incorporate all aspects of processing including drying, curing, and trimming, and will include a portable ADA restroom.

The finished product is stored in the processed materials room before being transported to a licensed distribution facility. The waste product, “trim”, from the processing facility is collected and placed into bins to be weighed, labeled, and sealed. Trim will be transferred to an off-site facility via a licensed transportation company to a licensed manufacturing facility for processing.

### 3.6 Employee Plan

Bear Creek Ranch Farm, LLC is an “agricultural employer” as defined in Alatorre-Zenovich-Dunlap-Berman Agricultural Labor Relations Act of 1975 [Part 3.5 (commencing with Section 1140) of Division 2 of the Labor Code], and complies with all applicable federal, state and local laws and regulations governing California Agricultural Employers.

#### 3.6-1 Job Descriptions & Employee Summary

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

management of processing the dried medical cannabis. This is a full time, seasonal position.

- *Seasonal Labor* – Provides cultivation, harvesting, and processing support including trim machine operation and hand finished trimming. This is a part to full time, seasonal position.

### 3.6-2 Staffing Requirements

In addition to the agent, lead cultivator, and assistant cultivator positions, up to (2) full time seasonal labor positions may be employed. The number of seasonal laborers varies based on the needs of the farm during the cultivation, harvest and processing seasons. During the peak harvest and processing season, there are an estimated total of (5) employees on site.

### 3.6-3 Employee Training & Safety

On site cultivation, harvesting, and drying is performed by employees trained on each aspect of the procedure including cultivation and harvesting techniques, use of pruning tools, and proper application of pesticides and fertilizers. All employees are trained annually by a certified individual, i.e. a person holding a Pesticide Applicator Certification issued by the Department of Pesticide Regulation, before working in treated cultivation areas and/or handling any pesticides. The Material Safety Data Sheets (MSDS), as well as an A-8 and A-9 form are kept on site and accessible to employees. Access to the onsite cultivation, drying, processing facilities is limited to authorized and trained staff.

All employees are trained in proper safety procedure including fire safety, use of rubber gloves, respirators, proper hand washing guidelines and protocol in the event of an emergency. Eye wash stations are located at areas where nutrients or fuels are used. Contact information for the local fire department, CAL FIRE, Humboldt County Sheriff Department, as well as agent in charge will be posted at the cultivation site. Each employee is provided with a written copy of emergency procedures and contact information.

All employees are required to complete sexual harassment prevention training in compliance with SB 1343. At least (1) employee on site holds a weigh master certification. All staff involved in harvesting activities will undergo METRC track & trace training. Employees involved in Metrc duties are required to stay current with corresponding regulations and attend any future training or refresher courses.

### 3.6-4 Toilet & Handwashing Facilities

Portable ADA compliant restroom and hand wash stations are provided within 250' reach of all employee work area.

### 3.6-5 On-Site Housing

All seasonal employees live off-site and commute daily to the cultivation site via carpool and personal forms of transportation.



### 3.7 Security Plan & Hours of Operation

#### 3.7-1 Facility Security

The cultivation facilities including the greenhouses and processing buildings are enclosed in a secure privacy fence. An entry gate is located off of Bear Creek Road approximately 200 ft. on the west side of Bear Creek Road. The entry gates remain locked at all times and access to the cultivation areas is limited to exclusively to employees. Restricted access signs are posted conspicuously at the entry gates. The cultivation and processing facility area will have low intensity exterior lighting to illuminate the entrances and will include a small number of motion activated security lights. All lighting will be designed and located, so that direct rays are confined to the property. Bear Creek Ranch Farm, LLC will adhere to the International Dark Sky Associations' recommendations by using downward facing, warm colored, Low-pressure Sodium, High-pressure Sodium or low color-temperature LED's with a shield over the light source to minimize glare and light pollution. Please refer to *Appendix G: Lighting Management Plan for International Dark Sky Policy* for further information. Security cameras will be installed at the main access gates and entrances to the facilities, which will include an alarm system. There are motion alarms posted at various locations on the property to ensure that trespassers are not on the premises.

## 4. Environment

### 4.1 Water Source and Projected Water Use

Water for agricultural use is provided by a 350,000-gallon Rain Catchment Pond and water for Domestic use is provided by the permitted groundwater well (permit #15/16-0383). Water is then pumped and stored into 21,050 -gallons of hard storage tanks during the winter months to maintain water levels throughout the year. Bear Creek Ranch Farm has retired all water bladders used for storage. Bear Creek Ranch Farm, LLC utilizes water management strategies to conserve and reuse onsite water and fertilizers to achieve net zero discharge. Total water use from the 350,000-gallon Rain Catchment Pond is 166,000 gallons annually.

The table below outlines the estimated irrigation water usage for cultivation during a typical year. Variables such as weather conditions and specific cannabis strains will have a slightly different effect on water use.

Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
0	0	0	20,000	23,000	26,500	31,500	26,000	23,000	16,000	0	0

### 4.2 Water Storage

Water storage for irrigation use is provided by the 350,000-gallon Rain Catchment Pond. Bear Creek Ranch Farm, LLC currently has (4) 5,000 gal, (1) 5,000-gallon tank will be dedicated for fire suppression. Bear Creek Ranch Farm, LLC has a total 21,050



gallons of hard water storage which is stored during the rainy winter months. Total water use from the 350,000-gallon Rain Catchment Pond is 166,000 gallons.

#### 4.3 Site Drainage, Runoff, & Erosion Control

Bear Creek Ranch Farm, LLC is enrolled with the North Coast Regional Water Quality Control Board (NCRWQCB) for Tier 2 coverage, and a Site Management Plan (SMP)/Water Resource Protection Plan (WRPP) has been developed utilizing Best Management Practices (BMP's) in accordance with the North Coast Regional Water Quality Control Board and the State Water Resources Control Board recommendations. The drainage and erosion control measures described are referenced from the SMP/WRPP in *Appendix H*.

##### 4.3-1 Site Drainage & Runoff

Site Investigation for the development of the Site Management Plan (SMP) /Water Resource Protection Plan (WRPP) showed no evidence of surface runoff associated with the cultivation, nor was there evidence that it had occurred in the past. This area has suitable vegetation ground cover, consisting of native grasses with no evidence of leaching from cultivation related activities.

Fertilizers and pesticides are currently stored in a 10'x14' building with secondary containment. To further prevent runoff to riparian areas, water conservation and containment measures will be implemented, including use of hand irrigation to prevent excessive water use, and maintenance of stable, vegetated buffer between the cultivation area and riparian zone.

#### 4.4 Erosion Control

The Site Management Plan (SMP) /Water Resource Protection Plan (WRPP) includes erosion and sediment control BMP's designed to prevent contain and reduce sources of sediment. The SMP/WRPP also includes corrective actions to access road maintenance. Additionally, the SMP/WRPP requires mulch piles and spoils from any grading to be stored in a designated location away from the watercourse. Please refer to the SMP/WRPP section titled *Best Management Practices for Discharges of Waste Resulting from Cannabis Cultivation and Associated Activities* located in *Appendix H* for complete BMP recommendations and specifications.

#### 4.5 Watershed and Habitat Protection

Adherence to the Site Management Plan (SMP) /Water Resource Protection Plan (WRPP) ensures that the watershed and surrounding habitat are protected. The cultivation activities and associated structures are > 150 ft. from the nearest watercourse, providing a suitable buffer between cultivation operation and habitat. Additionally, site development and maintenance activities utilize BMP's in accordance with the NCRWQB/SWRCB recommendations. Any grading and earthwork activities will be conducted by a licensed contractor in accordance with approved grading permits, signed Lake and Streambed Alteration Agreement with CDFW and the SMP/WRPP. Refer to *Appendix H* for detailed descriptions of watershed and habitat protection measures.

#### 4.6 Monitoring & Reporting

Monitoring will be conducted to confirm the effectiveness of corrected measures listed in the Site Management Plan (SMP) /Water Resource Protection (WRPP) and determine if the site meets all standard conditions. Inspections will include photographic documentation of any controllable sediment discharge sites as identified in the site map. Visual inspection will occur at those locations on the site where pollutants or wastes, if uncontained, could be transported into receiving waters, and those locations where runoff from roads or developed areas drain into or toward surface water. The inspection will also document the progress of any planned contingency subject to a time schedule, or in the process of being implemented. A monitoring plan is included in the SMP/WRPP with photo points identified on SMP/WRPP map.

On-site monitoring shall occur:

- Before and after any significant alteration or upgrade to a given stream crossing, road segment, or controllable sediment discharge site. Inspection should include photogenic documentation with photo records to be kept on sight.
- Prior to October 15<sup>th</sup> and December 15<sup>th</sup> to evaluate site preparedness for storm events and storm water runoff.
- Following any rainfall event with an intensity of 3" precipitation in 24 hours. Precipitation data can be obtained from the National Weather Service by entering the site zip code at <http://www.noaa.gov/forecast>.

A monitoring and Reporting Forms are submitted annually under State Water Resource Control Board Order WQ 2017-0023-DWQ. The annual report will include data from the monitoring reports.

#### 4.7 Energy & Generator Use

Off-Grid energy is provided by a generator for all cultivation and domestic uses. Use of the on-site generator follows all guidelines set up by Humboldt County and the State of California. The generator is located away from the property line and has an enclosed shed to control the noise level. The generator is a Whisper Watt, rated for 45kw and a sound level of 65dB(A) at a distance of 23 feet at full load. Generator decibel readings at the property line were recorded at 39.7 decibels. The generator and diesel fuel are located in a secure shed with secondary containment. Refer to *Appendix D* for more detailed generator specifications.

#### 4.8 Use and Storage of Regulated Products

##### 4.8-1 Best Management Practices

Best Management Practices (BMP's) are employed when storing, handling, mixing, application, and disposal of all fertilizers, pesticides, and fungicides. All nutrients, pesticides, and fungicides are located in a locked storage room, and contained within water-tight, locked and labeled containers, in accordance with manufacturers instruction. Application rates will be tracked and reported with the end of the year monitoring report required in the SMP/WRP. Employees are trained to safely handle

such pesticides, as before stated in section 2.6-3. See *Appendix H, SMP/WRPP* for complete BMP specifications for the use and storage of regulated products.

#### 4.8-2 Fertilizers

Nutrients and biological inoculants used for cultivation include:

- BCC Compost Tea Recipe From BCC
- Bat Guano (0-7-0)
- Bat Guano (7-3-1)
- Earthworm Castings
- Azomite
- Dolomite
- Chicken Manure
- Max Sea (16-16-16)
- Max Sea (3-20-20)
- Bloombastic

Please see *Appendix B, MSDS* for complete product data.

#### 4.8-3 Pesticides & Fungicides

Pesticides and fungicides used for cultivation include:

- Mildstop
- Treafecta
- Plant Therapy

#### 4.8-4 Fuel & Oil

Bear Creek Ranch Farm, LLC has a 500-gallon fuel tank located in the 10'x14' fuel shed. Spill kits, fire extinguisher, and eye wash stations are located by all fuel storage, nutrients, and pesticide locations.

### 4.9 Waste Management Plan

#### 4.9-1 Solid Waste Management

Trash and recycling containers are located near the processing building in a safe, enclosed location. Solid waste and recycling are hauled off-site to 965 Riverwalk Dr. Fortuna, CA 95540. Cultivation waste and soil management stalks are burned and composted or chipped for ground cover and compost. Root balls are hauled away as green waste or composted. Spent potting soil is stored in a contained area with environmental measures in place. Spent soil is covered during winter months and then amended in pots before further use. All packaging from soil amendments and fertilizers are collected and disposed at the appropriate facility.

#### 4.9-2 Wastewater Management

The water management plan aims to achieve an entirely close-cycled irrigation and nutrient system. Hand watering methods minimize the over-irrigation of plants and subsequent runoff.

## 5. Product Management

### 5.1 Product Testing & Labeling

Samples are selected from individual harvested cannabis strains (lots) are tested by a licensed third-party lab in accordance with State and local standards. The finished product is labeled with the Bear Creek Ranch Farm, LLC logo, or sold to a licensed distributor in bulk to be privately labeled and will include tracking ID's provided by the County of Humboldt and/or Statewide tracking systems.

### 5.2 Product Inventory & Tracking

The agent in charge and lead cultivator ensure all cannabis from clone to packaged product is tracked, accounted for and inventoried using METRC. Records are kept at each phase of the plant's growth, harvest and processing operation for reporting and compliance with state and local regulations. The information recorded for Metrc includes:

- Packages for Clones and Seeds (propagation stage) up to 100 per tag.
- Individual plant tags applied when transitioning into flowering greenhouses
- Manicure (de-leafing) Waste
- Waste (Mold Loss or loss of plant)
- Weight of plants (wet)
- Weight of plants (dry)
- Packaging Tags for plants that are bucked down awaiting processing
- Packaging Tag processed flower,
- Packaging Tag trim/ Biomass
- Waste (compost area)
- Transfers: Transportation/Distribution/Off-Site Processing

### 5.3 Transportation & Distribution

Transportation will be handled by the third-party contracted, licensed transporter/distributor in accordance with State and local regulations. All merchantable products will be distributed through licensed distribution company. Prior to moving packages from the on-site holding facility to another physical location, a transport manifest will be created by the distributor/transporter. The agent in charge and processing manager are responsible for performing a physical inventory of all packages being transported and ensuring that physical inventory coincides with the shipping manifest.

## Appendix A: References

1. Bass, Ronald E., Kenneth M. Bogdan, and Terry Rivasplata. 2013. CEQA Desktop. Point Arena, CA; Solano Book Press. Page 44.
2. California Code of Regulations. Health and Safety Code Section 11357-11362.9. <<http://www.leginfo.ca.gov/cgi-bin/displaycode?section=hsc&group=11001-12000&file=11357-11362.9>> Date accessed: July 16, 2014.
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4. County of Humboldt. Medical Marijuana Land Use Ordinance (MMLUO) – Phase IV, Commercial Cultivation, Processing, Manufacturing and Distribution of Cannabis for Medical Use (Staff Report to the Board of Supervisors). January 26, 2016. <<https://humboldt.legistar.com/Calendar.aspx>> Date accessed: March 28, 2016.
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6. State Board of Equalization. Information on the Sales and Registration for Marijuana Sellers. June 2007. <<http://www.boe.ca.gov/news/pdf/173.pdf>>
7. State of California. Guidelines for the Security and Non-Diversion of Marijuana Grown for Medical Use. August 2008. [http://www.ag.ca.gov/cms\\_attachments/press/pdfs/n1601\\_medicalmarijuanaguidelines.pdf](http://www.ag.ca.gov/cms_attachments/press/pdfs/n1601_medicalmarijuanaguidelines.pdf)










Appendix B: Plot Map



# Bear Creek Ranch Farm, LLC

## Site Map

-  Property Boundary
-  Permanent Rocked Road
-  ATV Trail
-  Seasonal Dirt Road
-  Class III Watercourse
-  Class II Watercourse
-  Point of Diversion (POD)
-  Water Tanks
-  Water Bladder (20,000 gal)
-  200 Foot Deep Well
-  Road / Development Runoff
-  Set Back

-  Map Point
-  Map Point
-  550 Gallon Fuel Tank
-  House
-  Ext. Enclosed Shed
-  Ext. Open Storage Barn
-  Ext. Drying / Storage
-  Ext. Cultivation areas
-  Ext. Delevoped Area

**NORTH**  
 Map Scale 1" = 200'  
 Contour Interval = 80'  
 Secion 32, T2N-R5E, H.B.M.  
 APN 208-271-003

*Owner:*  
 Bear Creek Ranch Farm, Inc.  
 P.O. Box 2107  
 Redway, CA 95560

*Applicant:*  
 Bear Creek Ranch Farm, LLC  
 P.O. Box 2107  
 Redway, CA 95560

*Agent:*  
 Humble Servants of the Mattole, LLC  
 600 F Street, Ste. 3 #223  
 Arcata, CA 95521  
 (707)683-6686  
 HSOM16@hotmail.com

Site Location: 40.5141 -123.6388  
 Tree Removal: None  
 Existing Cultivation Area: 15,500SF  
 Earthwork QTY: TBD  
 Water: Private  
 Sewer: Private  
 Zoning: FR-B-5(40)  
 Parcel Size: 39 Acres

**Directions to site:**  
 9/2017  
 101 South to exit 685 for CA-36E for 41.3 Miles  
 Takes Bear Creek Road to Anderson Ford Road .3 miles  
 Turn Left onto Dinsmore Road. .3 miles  
 Continue onto Bear Creek Rd. for 2 miles  
 Continue straight onto Anderson Ford Road .4 miles.

**General Notes:**  
 Drawing scale as noted. Written Dimensions shall take precedence over scaled dimensions.  
 This is not a boundary survey. Boundary information was obtained from Humboldt County 2016 GIS Data. There are no nearby schools, school bus stops, places of worship, public parks or tribal resources with 600' of the cultivation areas.  
 There are no residences on the adjoining parcels within 300' of the proposed cultivation area.  
 Any existing development constructed without the benefit of county review will be subject to the Humboldt County building department upon approval of the conditional use permit.

**Building Set Backs:**

FR	SRA
Front:	20' 30'
Side:	20' 30'
Rear:	20' 30'

**Max Building HT: 35'**

SRA Area: Yes  
 Coastal Zone: No  
 100 Flood: No



## Appendix D: Generator Specifications

### SPECIFICATIONS





# DCA45USI

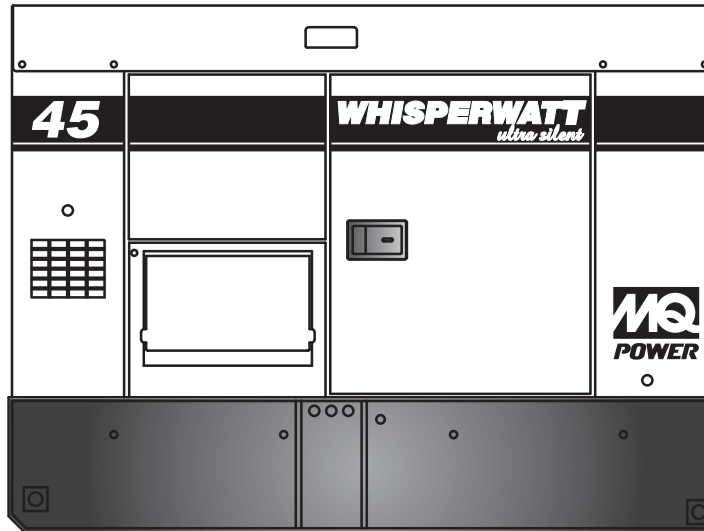
## MQ POWER Series Generator

### WhisperWatt™

Prime Rating — 36 kW (45 kVA)

Standby Rating — 40 kW (50 kVA)

Three-Phase, 60 Hertz, 0.8 PF



#### STANDARD FEATURES

- Heavy duty, 4-cycle, direct injection, diesel engine provides maximum reliability.
- Brushless alternator reduces service and maintenance requirements and meets temperature rise standards for Class H insulation systems.
- Open delta excitation design provides virtually unlimited excitation for maximum motor starting capability.
- Automatic voltage regulator (AVR) provides precise regulation.
- Electronic Governor Control (Crystal Sync) — maintains frequency to within  $\pm 0.25\%$  from no load to full load.
- Full load acceptance of standby nameplate rating in one step (NFPA 110, para 5-13.2.6).
- Sound attenuated, weather resistant, steel housing provides operation at 58 dB(A) at 23 feet. Fully lockable enclosure allows safe unattended operation.
- Internal fuel tank with direct reading of fuel gauge.
- Seven stage powder coat paint system provides durability and weather protection.
- Fuel/water separator removes condensation from fuel for extended engine life. Panel mounted alarm light included.
- Complete engine analog instrumentation includes DC ammeter, oil pressure gauge, water temp. gauge, fuel level gauge, tachometer/hour meter, preheat indicator, emergency shutdown monitors.
- Automatic start/stop control — automatically starts the generator set during a commercial power failure when used in conjunction with a transfer switch.
- Complete generator analog instrumentation includes voltage regulator control, ammeter phase selector switch, voltmeter phase selector switch, AC voltmeter, AC ammeter, frequency meter, panel light, and circuit breaker.
- Automatic safety shutdown system monitors the water temperature, engine oil pressure, overspeed and overcrank. Warning lights indicate abnormal conditions.
- Complete power panel. Fully covered; three-phase terminals and single phase receptacles allow fast and convenient hookup for most applications including temporary power boxes, tools and lighting equipment. The GFCI receptacles are NEMA 5-20, and the auxiliary outputs use CS6369 twist-lock receptacles.
- Simultaneous single and three phase power.
- Voltage selector switch offers the operator a wide range of voltages that are manually selectable. Fine tuning of the output voltage can be accomplished by adjusting the voltage regulator control knob to obtain the desired voltage.
- EPA emissions certified - Interim Tier 4 emissions compliant.

DCA45USI — MQ POWER SERIES GENERATOR — REV. #10 (01/10/11)



# DCA45USI

## MQ POWER Series Generator

### SPECIFICATIONS

Generator Specifications		
Design	Revolving field, self-ventilated Drip-proof, single bearing	
Armature Connection	Star with Neutral	Zig Zag
Phase	3	Single
Standby Output	40 KW (50 KVA)	27.6 KW
Prime Output	36 KW (45 KVA)	26 KW
3Ø Voltage (L-L/L-N) Voltage Selector Switch at 3Ø 240/139	208Y/120, 220Y/127, 240Y/139	N/A
3Ø Voltage (L-L/L-N) Voltage Selector Switch at 3Ø 480/277	416Y/240, 440Y/254, 480Y/277	N/A
1Ø Voltage (L-L/L-N) (Voltage Selector Switch at 1Ø 240/120)	N/A	240/120
Power Factor	0.8	1.0
Voltage Regulation (No load to full load)	±0.5%	
Generator RPM	1800	
Frequency	60 Hz	
No. of Poles	4	
Excitation	Brushless with AVR	
Frequency	60 Hz	
Frequency Regulation: No Load to Full Load	Isochronous under varying loads from no load to 100% rated load	
Frequency Regulation: Steady State	±0.25% of mean value for constant loads from no load to full load.	
Insulation	Class H	
Sound Level dB(A) Full load at 23 feet	58	

Engine Specifications	
Make / Model	Isuzu / BU-4JJ1T
Emissions	EPA Interim Tier 4 Certified
Starting System	Electric
Design	4-cycle, water cooled, direct injection, turbocharged
Displacement	183.0 in <sup>3</sup> (2999 cc)
No. cylinders	4
Bore x Stroke (mm)	95.4 x 104.9
Gross Engine Power Output	67.1 bhp (50 kW)
BMEP	136 psi (940 kPa)
Piston Speed	1237 ft./min. (6.29 m/s)
Compression Ratio	17.5:1
Engine Speed	1800 rpm
Overspeed Limit	2100 rpm
Oil Capacity	3.96 gallons (15 liters)
Battery	12V 72Ah x 1

Fuel System		
Recommended Fuel	ASTM-D975-No.1 & No.2-D	
Maximum Fuel Flow (per hour)	16 gallons (61 liters)	
Maximum Inlet Restriction (Hg)	5.9 in. (150 mm)	
Fuel Tank Capacity	79.2 gallons (300 liters)	
<b>Fuel Consumption</b>	<b>gph</b>	<b>lph</b>
At full load	2.7	10.4
At 3/4 load	2.1	8.0
At 1/2 load	1.5	5.6
At 1/4 load	0.9	3.4

Cooling System	
Fan Load	0.54 hp (0.7 kW)
Coolant Capacity (with radiator)	3.15 gallons (12 liters)
Coolant Flow Rate (per minute)	15.4 gallons (58.5 liters)
Heat Rejection to Coolant (per minute)	1640 Btu (1.73 MJ)
Heat Rejection to Room (per minute)	379 Btu (0.40 MJ)
Maximum Coolant Friction Head	6.1 psi (42 kPa)
Maximum Coolant Static Head	21 feet (6.4 meters)
Ambient Temperature Rating	104°F (40°C)

Air	
Combustion Air	99 cfm (2.8 m <sup>3</sup> /min)
Maximum Air Cleaner Restriction	25 in. H <sub>2</sub> O (6.25 kPa)
Alternator Cooling Air	526 cfm (14.9 m <sup>3</sup> /min)
Radiator Cooling Air	1472 cfm (41.7 m <sup>3</sup> /min)

Exhaust System	
Gas Flow (full load)	233 cfm (6.6 m <sup>3</sup> /min)
Gas Temperature	896°F (480°C)
Maximum Back Pressure	53.2 in. H <sub>2</sub> O (13.3 kPa)

Amperage	
Rated Voltage	Maximum Amps
1Ø 120 Volt	100 Amps (4 wire) 108A x 2 (Zigzag)
1Ø 240 Volt	50 Amps (4 wire) 108A (Zigzag)
3Ø 240 Volt	108 Amps
3Ø 480 Volt	54 Amps
Main Line Circuit Breaker Rating	110 Amps
Over Current Relay Trip Set Point 480V Mode Only	54 Amps

### WARRANTY\*

#### Isuzu Engine

12 months from date of purchase with unlimited hours or 24 months from date of purchase with 2000 hours (whichever comes first).

#### Generator

24 months from date of purchase or 2000 hours (whichever occurs first).

#### Trailer

12 months excluding normal wear items.

\*Refer to the express written, one-year limited warranty sheet for additional information.

### NOTICE

Generator is not intended for use in enclosed areas or where free flow of air is restricted.

Backfeed to a utility system can cause electrocution, shock and/or property damage. **DO NOT** connect to any building's electrical system except through an approved device.

Specifications are subject to change without notice.



# DCA45USI

## MQ POWER Series Generator

### MQ POWER DECIBEL LEVELS

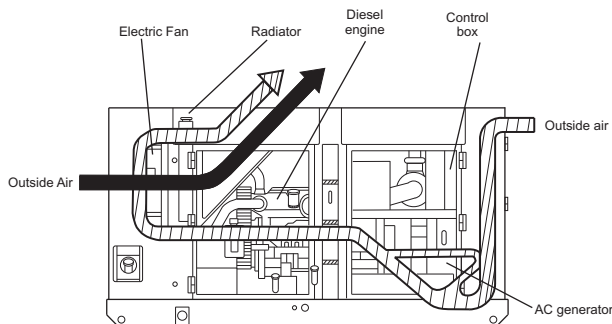
Our soundproof housing allows substantially lower operating noise levels than competitive designs. WhisperWatts are at home on construction sites, in residential neighborhoods, and at hospitals — just about anywhere.

- 90 — Subway / truck traffic
- 80 — Average city traffic
- 70 — Inside car at 60 mph
- 60 — Air conditioner at 20 feet
- 50 — Normal conversation



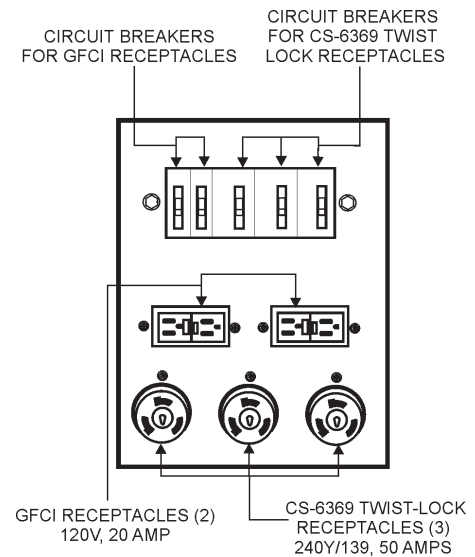
### ULTRA-SILENT FEATURES

- **Low Noise Muffler** — Large capacity low noise muffler minimizes exhaust sound.
- **Soundproof Casing** — The new design divides the cabinet into three sections, separating the engine, muffler and radiator for more efficient cooling and reduces noise from the engine and fans.
- **New Cooling System** — An advanced design uses two separate air intake systems to cool the generator. The engine fan draws air in to cool the engine and generator housing while a second electric fan directly cools the radiator. With less air being drawn into the generator through each fan, considerably less noise is produced through the top of the generator.
- **Environmental Design** — Constructed using an integrated environmental skid and fuel tank. This design fully contains fuel leakage and any liquid that might leak from the engine such as lube oil or radiator coolant. All potentially hazardous liquids are contained without contaminating the surrounding area.



Flow of Cooling Air

### GENERATOR OUTPUT PANEL



### OPTIONAL GENERATOR FEATURES

- **Battery Charger** — provides fully automatic and self-adjusting charging to the generator's battery system.
- **Jacket Water Heater** — for easy starting in cold weather climates.
- **Special Batteries** — long life batteries provide extra engine cranking power.
- **Low Coolant Level Shutdown** — provides protection from critically low coolant levels. Includes control panel warning light.
- **Spring Isolators** — provides extra vibration protection for standby applications.
- **Trailer Mounted Package** — meets National Highway Traffic Safety Administration (NHTSA) regulations. Trailer is equipped with electronic or surge brakes with double or triple axle configuration.

### OPTIONAL CONTROL FEATURES

- **Emergency Stop Switch** — when manually activated shuts down generator in the event of an emergency.
- **Audible alarm** — alerts operator of abnormal conditions

### OPTIONAL OUTPUT CONNECTIONS

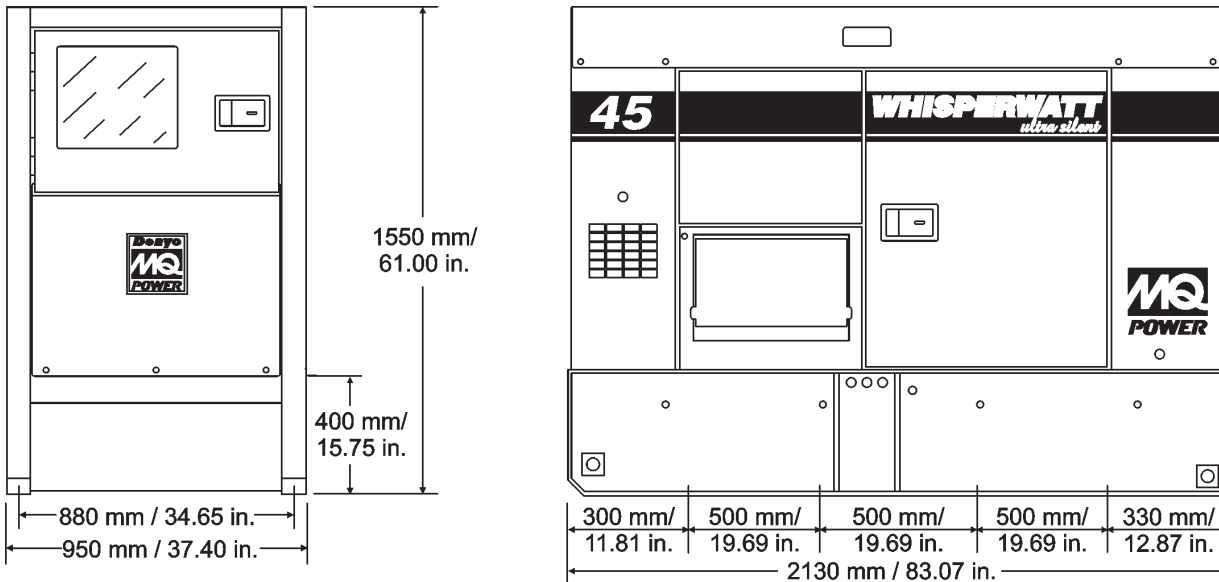
- **Cam-Lok Connectors** — provides quick disconnect alternative to bolt-on connectors.
- **Pin and Sleeve Connectors** — provides industry standard connectors for all voltage requirements.
- **Output Cable** — available in any custom length and size configuration.



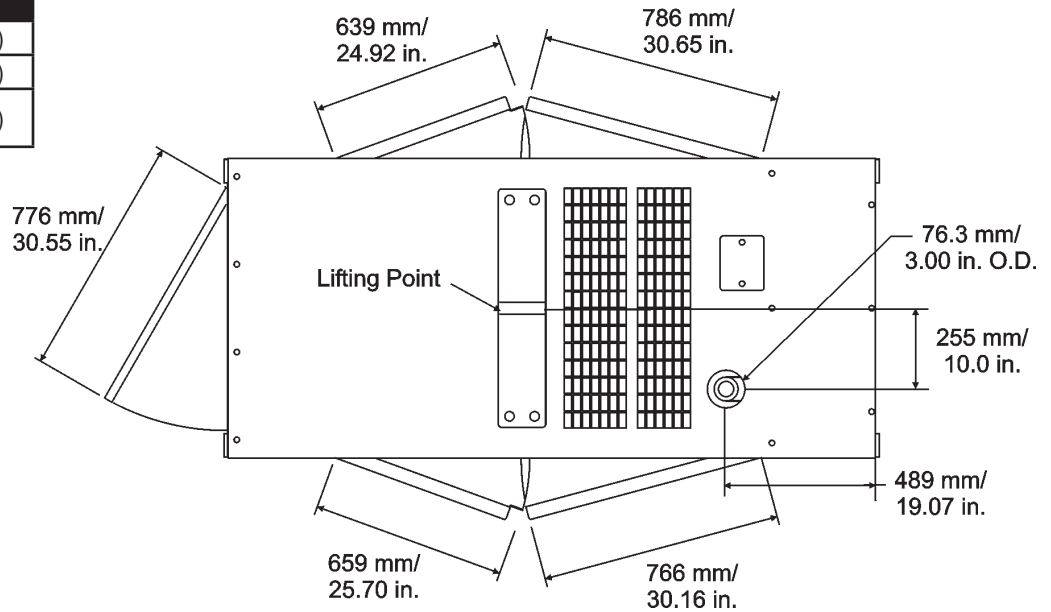
# DCA45USI

## MQ POWER Series Generator

### DIMENSIONS



Weight	
Dry Weight	2,888 lbs. (1,310 kg)
Wet Weight	3,499 lbs. (1,587 kg)
Max. Lifting Point Capacity	6,960 lbs. (3,157 kg)



Generator can be placed on a MQ Power Model TRLR70 Tandem Axle Trailer

**Your MultiQuip dealer is:**

Hardy Diesels & Equipment Inc.  
 15749 Lyons Valley Rd.  
 Jamul, CA 91935  
 800-341-7027  
 www.HardyDiesel.com



## Appendix F: Cultivation Schedule

### **February 1-April 1st: Clone Propagation**

All plant used in Bear Creek Ranch Farm, LLC cultivation sites will be composed of clones taken from “mother” plants. Mother plants are composed of samples that have been deemed to demonstrate superior genetics for desired outcomes. Cuttings, or clones, are taken from the mother plants at various intervals. Mother Plants, Clones are grown in the on-site processing facility.

Clones will be cut from mother plants and will be placed within trays to root. After approximately 2-3 weeks, rooted clones will be transferred to 5” by 5” pots within the mixed light square footage green house to acclimate.

### **April 1 – April 15: Transplant Phase**

When the plants have achieved desired height and plant growth density for transplant, the plants are immediately planted into 25-gal pots. Due to the increase in container size and increase in daylight hours, the plants will continue to grow in a vegetative state for 2-4 weeks. The approximate desired height and growth density would be 3’-4’. Upon final transplant, plants will be hand-watered and fertilized. All fertilizers and supplements used are in accordance with Humboldt County and State of California Department of Agriculture compliance. Once the desired height and vegetative growth density has been achieved the Light Deprivation Phase begins.

### **April 15 – Jun 15: Light Deprivation Phase-Cycle 1**

Taking into account factors such as height, growth density and overall health of the plant, determination of the exact date for the light deprivation process begins. Once that date is determined, 100% light resistant, specifically designed tarps will be automatically pulled over the outside of the greenhouses. This process will reduce the daylight hours from approximately fifteen (15) hours of daylight to the desired twelve (12) hours of daylight, twelve (12) hours of darkness desired to induce flowering. During the first two weeks of light deprivation, the plants will enter into a transitional phase. During this transitional phase plants will continue vegetative growth while transitioning into flowering.

It is not uncommon for plants to obtain 25% of their entire height and vegetative growth density during the transitional phase. Once the plants enter in the final bloom or flowering phase, they will begin to expend energy into the production of flowers, therefore, ceasing vegetative growth and begin to flower. The entire flowering process, including the transitional and final bloom phases, will last fifty-five (55) to sixty-five (65) days depending on strain variation and weather conditions.

### **June 15 – 22: First Harvest and Re-Planting**

Once the light deprivation phase has concluded and it has been determined that the plants are at their peak, harvest procedures will be initiated. (See Section 2.4 of the Cultivation and Operations Plan). The soil in the pots will be turned and amended. All amendments used are in accordance with Humboldt County and State of California Department of Agriculture compliance. New clones obtained from the “mother” will be transplanted into the greenhouses.

Due to the length of daylight hours, the plants will continue in a vegetative state for approximately one month. Plants will be planted using the same methodology as with the Transplant Phase.

**June 22 – September 15: Light Deprivation-Cycle 2**

See Light Deprivation-Cycle 1 for a description of activities during this phase.

September 15 - September 22 – Second Harvest and Re-Planting

See First Harvest and Re-Planting for a description of activities during this phase.

October 1 – February 1st- Repair, Upgrade and Recondition Phase

Bear Creek Ranch Farm, LLC will inspect all cold frames and covers for wear and replace as necessary. All watering hoses, etc. will be inspected and repaired or replaced, as appropriate.

Refilling of irrigation tanks will commence in accordance with the Small Irrigation Use

Registration and Conditions of the Department of Fish and Wildlife (DFW) Lake or Streambed

Alteration Agreement (LSAA). Pots will be turned over and composted within the greenhouses

to prepare for the upcoming season.

## Appendix G: Lighting Management Plan for International Dark Sky Policy

### 1. Purpose and Philosophy

This Lighting Management Plan (LMP) is intended to be used by Bear Creek Ranch Farm, LLC as a guide in the selection, placement, installation and operation of all Mixed Light Cultivation area. Its function is to regulate the use of Artificial Light At Night (ALAN) at Bear Creek Ranch Farm, LLC in a way that prioritizes the safety of staff while minimizing the impact of such light on protected wildlife. Therefore, all instances of the use of ALAN at Bear Creek Ranch Farm, LLC will adhere to the principle that any artificial light will be deployed only: (1) when it is strictly needed; (2) where it is needed; (3) in the appropriate amount for a specific task; and (4) with the appropriate spectrum and in accordance with Humboldt County Medical Marijuana Land Use Ordinance (CMMLUO) Section 55.4.1 (V) et. seq. Performance Standard for Mixed Light Cultivation and Processing Operations and the State of California Department Medicinal And Adult-Use Cannabis Regulation and Safety Act (MAUCRSA) and the California Department of Food Administration (CDFA) Regulation Code Article 4. Section 8304 Cultivation Site Requirements. General Environmental Protection Measures (c) & (g).

### 2. Applicability

Bear Creek Ranch Farm, LLC represents that this Lighting Management Plan (LMP) meets or exceeds all applicable agency and/or departmental policies regarding outdoor lighting and conforms to all local, regional, and national laws. Humboldt County Medical Marijuana Land Use Ordinance

(CMMLUO) Section 55.4.1 (V) et. seq. Performance Standard for Mixed Light Cultivation and Processing Operations and the State of California Department Medicinal And Adult-Use Cannabis Regulation and Safety Act (MAUCRSA) and the California Department of Food Administration (CDFA) Regulation Code Article 4. Section 8304 Cultivation Site Requirements. General Environmental Protection Measures (c) & (g).

Those cultivators using artificial lighting for mixed-light cultivation shall shield greenhouses so that little to no light escapes. Light shall not escape at a level that is visible from neighboring properties between sunset and sunrise.

The light source should comply with the 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). Should the Humboldt County Planning Division receive complaints that the lighting is out of alignment or not complying with these standards, within ten (10) working days of receiving written notification that a complaint has been filed, the applicant shall submit written verification that the lights' shielding and alignment has been repaired, inspected and corrected as necessary.

All outdoor lighting used for security purposes shall be shielded and downward facing Mixed-Light license types of all tiers and sizes shall ensure that lights used for cultivation are shielded from sunset to sunrise to avoid nighttime glare.

### 5. Shielding



Bear Creek Ranch Farm, LLC currently has manual Blackout curtains that shield the night and early morning sky from light pollution. Black out curtains are pulled before dusk prior to any artificial light use in Greenhouse structures. Further, to the greatest possible extent, Bear Creek Ranch Farm, LLC will endeavor to limit the inadvertent or incidental emission of light from Greenhouse Structures to the outdoors through the use of automated deprivation curtains, indoor lighting timers/switches, and other appropriate measures.

In all applications, outdoor lighting deployed throughout the developed area at Bear Creek Ranch Farm, LLC will use the most energy efficient lamp technology that minimizes the emission of short-wavelength light into the nighttime environment. This will include outdoor lighting on all structures, including but not limited to House, Processing facility, Sheds, etc.

#### 8. Application

Artificial lighting will only be used when needed and limited to times of the year when the natural light cycle will not be significant for vegetative plant growth.

#### 9. Curfew

Bear Creek Ranch Farm, LLC will follow the Dusk to Dawn International Dark Sky Standard. All Greenhouse curtains will be pulled and secured prior to any artificial light use. When possible lighting at Bear Creek Ranch Farm, LLC will be extinguished between the hours of 10pm and one hour before sunrise except in cases where staff safety is at risk.

#### 10. Adaptive Controls

To the greatest practical extent possible, all lighting at Bear Creek Ranch Farm, LLC will make appropriate use of adaptive controls to limit the duration, intensity, and/or extent of outdoor lighting. Bear Creek Ranch Farm, LLC is proposing to install automated black out curtains and automated lighting timer to reduce the human error factor. Staff will be required to do mandatory inspections of all Greenhouse Structures to reduce mechanical error. All staff will be required as a part of the employment training program regarding the International Dark Sky Standards and this Lighting Management Plan will be added to the Operation Plan and Employee Handbook.

#### References

1. Humboldt County Medical Marijuana Land Use Ordinance (CMMLUO) Section 55.4.1 (V) et. seq. Performance Standard for Mixed Light Cultivation and Processing Operations

<https://humboldt.gov/2124/Medical-Marijuana-Land-Use-Ordinance>

2. State of California Department Medicinal And Adult-Use Cannabis Regulation and Safety Act (MAUCRSA) and the California Department of Food Administration (CDFA) Regulation Code Article 4. Section 8304 Cultivation Site Requirements. General Environmental Protection Measures (c) & (g).

[https://static.cdfa.ca.gov/MCCP/document/CDFA%20Final%20Regulation%20Text\\_01162019\\_Clean.pdf](https://static.cdfa.ca.gov/MCCP/document/CDFA%20Final%20Regulation%20Text_01162019_Clean.pdf)

c. California Cannabis Laws and Regulations 2019 Edition- ©2019 Omar Figueroa, ALL rights reserved ISBN 978-0-9984215-3-7 A Review of the Potential Impacts of Cannabis Cultivation on Fish and Wildlife Resources California Department of Fish and Wildlife Habitat Conservation Planning Branch July 2018

<https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=160552&inline> Pages: 14-16



## Appendix H: Site Management Plan

Waiting for Timber Resource Consultants to complete the plan. A copy will be Submitted to the county once it is received.

**Bear Creek Farms LLC**

**March 24<sup>th</sup>, 2022**

**Operations Plan Addendum**

Location: 40.5139, -123.6381 000 Anderson Ford Rd. Dinsmore, CA 95526

APN: 208-271-003

**Project Description**

This project includes three (3) light deprivation greenhouses and a propagation greenhouse. There are two (2) 34' x 145' (4930ft<sup>2</sup>) greenhouses and one (1) 20' x 128' (2,560ft<sup>2</sup>) greenhouse for a total of 12,420ft<sup>2</sup> of outdoor light deprivation cultivation. There is also a 20' x 60' (1,200ft<sup>2</sup>) propagation greenhouse on site to propagate vegetative plants.

Ancillary propagation area utilizes small amounts of supplemental lighting (460watts) to assist for the propagation of vegetative plants. Propagation area greenhouse will employ light shielding techniques such as black out tarps with secured ends.

All cannabis will be harvested and dried in the existing 21' x 21' (441ft<sup>2</sup>) drying room on site. The dried cannabis will be processed in the two-story 20' x 30' (600ft<sup>2</sup> each floor, 1,200ft<sup>2</sup> total) processing building. There will be an ADA compatible portable toilet next to the processing building to serve the project. Pesticides and nutrients are stored in the 10' x 22' (220ft<sup>2</sup>) nutrient shed. There is a 6' x 6' (36ft<sup>2</sup>) generator shed, and a 10' x 12' (120ft<sup>2</sup>) fuel storage shed on site. There is also an 8' x 20' (160ft<sup>2</sup>) Connex container that is used for Secured Harvest Storage and Admin Hold. Additionally, there is a 24' x 30' (720ft<sup>2</sup>) residence (Not for Cannabis) on the parcel.

Irrigation Water use for this project estimated to be 125,089-gallons. Irrigation water will be sourced from a 250,000-gallon rain catchment reservoir. There are thirteen water storage tanks on the parcel, ten 3,000-gallon tanks, and three 1,550-gallon tanks. There is also a 20,000-gallon water bladder on site for firefighting use. Domestic water use is estimated to be 74,500-gallons annually, is sourced from the groundwater well and stored in one of the 1,550-gallon tanks. All other water tanks are for irrigation storage.

**Land Features**

Cultivation area was developed in 2015 with an approved three-acre conversion exemption. Pond was built in 2018. As built pond plans are pending.

**Access to Property**

The site is located on Anderson Ford Road off Bear Creek Road in the Dinsmore area. Personal driveway is shared with no additional neighbors. See Google maps for specific directions.

## **Proximity**

The nearest neighboring properties are 220 feet to the South and 84 feet to the east from the cultivation sites. There are no schools, school bus stops, public parks, public lands, hiking trails or tribal resources within 600 ft of the property.

## **Equipment/ Power**

This is an outdoor light deprivation cultivation operation, with processing to occur on site. The only energy utilized by the applicant will be for ancillary cannabis activities including but not limited to:

- Drying room implements dehumidifiers, fans and lights for visibility
- Water and air pumps for fertilizer
- Atomizer (for foliage feeding and pest/disease), and
- Supplemental lighting in the propagation greenhouse

Power for this parcel will be provided by three Honda Gasoline generators. (7,000w, 3,000w, and 2,000w) There is also a 25kw diesel generator on site for emergency back-up.

## **Petroleum Based/ Fuel Products**

Project site will not store any Hazardous Waste in threshold beyond domestic use. If any additional storage of hazardous waste becomes necessary, an appropriate application will be filed with DHHS.

Any above ground storage tanks and containers shall be provided with a secondary means of containment for the entire capacity of the largest single container and sufficient freeboard to contain precipitation. Onsite fuel storage tank is on a flat stable surface, within secondary containment and under a roof. All five-gallon gasoline cans are stored with secondary containment inside of shed or similar enclosure on flat, stable areas. The applicants will implement spill prevention, control, and countermeasures (SPCC). There are no underground storage tanks on the property. All petroleum products on property are stored with secondary containment inside of a shed or similar enclosure on flat, stable areas.

## **Solid Waste/ Recycling**

Solid waste and recycling shall be stored in a location and manner that prevents its discharge to receiving waters and prevents any leachate or contact water from entering or percolating to receiving waters. All solid waste and recycling are stored in cans with lids on a stable, flat area. The cans are secured to exclude wildlife. Solid waste and recycling shall be disposed of at an authorized municipal waste transfer station. It will be taken to by personal vehicle, i.e., truck, 1-3 times per week depending on garbage accumulation.

## **Solid Waste and Recyclables Disposal**

Recology Eel River  
965 Riverwalk Dr.  
Fortuna, CA 95540  
<https://www.recology.com/recology-eel-river>

## Amended Cultivation Plan

### Cultivation Site

This project will consist of three light deprivation greenhouses, two 4,930ft<sup>2</sup> greenhouses and one 2,560ft<sup>2</sup> greenhouse. There is also a 1,200ft<sup>2</sup> greenhouse for the propagation of vegetative plants. All cannabis will be grown in greenhouses. All cannabis is harvested and dried on site.

### Cultivation Areas

Cultivation Area	Cultivation Type	Cultivation Area	Structure Sizing
Greenhouse 1	Outdoor Light Deprivation Greenhouse	4,930 ft <sup>2</sup>	34' x 145'
Greenhouse 2	Outdoor Light deprivation Greenhouse	4,930 ft <sup>2</sup>	34' x 145'
Greenhouse 3	Outdoor light deprivation Greenhouse	2,560 ft <sup>2</sup>	20' x 128'
Propagation	Propagation Greenhouse with Supplemental light	1,200 ft <sup>2</sup>	20' x 60'
Total Flowering Area	Outdoor light deprivation	12,420 ft <sup>2</sup>	3 Outdoor Light Deprivation Flowering Greenhouses
Ancillary Area	Propagation Space	1,200 ft <sup>2</sup>	20' x 60' Propagation Greenhouse

Outdoor Light Deprivation Greenhouses- two 4,930ft<sup>2</sup> (34' X 145') greenhouse and one 2,560ft<sup>2</sup> (20' X 128') greenhouse for a total of 12,420 ft<sup>2</sup> of existing cultivation.

Propagation Space- This area contains 1 (one) 1,200ft<sup>2</sup> (20' x 60') Greenhouse for a total of 1,200ft<sup>2</sup> of propagation space.

### Water Storage Facilities

Storage Facility	Capacity	Type	Point of Use	Water Source
Water Tank	1,550-gallons	HDPE Storage Tank	Domestic	Groundwater well
Water Tank	20,000-gallons	water storage bladder	SRA Fire Tank	Groundwater Well
Water Tank	10 QTY- 3,000-gallons/ea. Total 30,000-gallons	HDPE Storage Tank	Irrigation Storage	Rain Catchment
Water Tank	2 QTY 1,550-gal/ea. 3,100-gal total	HDPE Storage Tank	Irrigation Storage	Rain Catchment
Rain Catchment Reservoir	250,000 gallons	Reservoir	Irrigation Storage	Rain Catchment

Pond existing- 250,000-gallons of rainwater catchment. This existing non diversionary irrigation water sources provide all the water needed for the project.

## Ancillary Cannabis Facilities

Facility	Size	Purpose
2-Story Processing Building	20' x 30' (1200ft <sup>2</sup> )	processing
pesticide and nutrient storage building	20' x 22' (220ft <sup>2</sup> )	pesticide/nutrient storage
Drying Room	21' x 21' (441ft <sup>2</sup> )	Drying of harvested cannabis
Fuel Storage shed	10' x 12' (120ft <sup>2</sup> )	fuel storage area
Connex Container	8' x 20' (200ft <sup>2</sup> )	Secured Harvest Storage/Admin Hold
Generator Shed	6' x 6'	Generator Shed
Generator Shed	4' x 4'	Generator Shed

## Immature Plants

Each spring the Applicant takes cuttings or clones from mother plants and rears them in propagation greenhouse till plants are ready to be moved to flowering greenhouses. Immature plants will be cultivated in one (1) greenhouse. Artificial lights will facilitate plant growth and hinder plants from moving into flowering stages ahead of cultivation schedule. All lighting will be shielded with black out tarps and checked daily for light leaks.

## Cultivation Cycles

The Applicant cultivates in light deprivation greenhouses in two cycles from April to October. The first cycle is from April to July, the second cycle is from roughly July to October. The Applicant uses supplemental light inside the propagation greenhouse to start plants. The Applicant uses a blackout tarp over the flowering greenhouses, at regular intervals to impede natural sunlight. No artificial lighting in flowering greenhouses. All greenhouses will be equipped with fans.

There are companion plants, native grasses and indigenous plants that grow in the garden and around the area to also help control any type of run off. There are no signs of wastewater runoff or erosion in these gardens. Hay is also spread around the area and on the topsoil. The water line as well as manifolds and fittings will be checked on a regular basis for leak or cracks.

## Processing Plan

### Harvest

Cannabis will be harvested using gloves and clean tools. All cannabis will be hung to dry in the drying room. Dehumidifiers and fans will aid drying in the building. Cannabis will be dried for 10-14 days on lines in these areas depending on weather. The rooms will have proper ventilation, fans, and dehumidifiers to maintain proper environment. Moldy cannabis will be removed and destroyed using county and state approved procedures for holding and destroying unwanted product.

### Curing

Curing will take place after cannabis is dried on the lines. Cannabis will be visually checked for mold then placed into plastic totes for curing. During this time the bins will be checked for mold and moisture consistency. Curing cannabis will be stored in proposed processing building. Moldy or defective cannabis will be removed and destroyed using county and state approved procedures for holding and destroying unwanted product.

### Processing

Cannabis Trimming will occur as cannabis becomes ready from curing process. Trimming will physically take place in processing building (see on map) with plenty of ventilation and fresh air. The Applicant plans to process the cannabis himself with the aid of trim machines. If needed, he will hire 1-3 employees or contractors to help. Processed cannabis

will be bagged into turkey bags or sealed bags to be held until a distributor is ready. The trim or remaining leaves from processed cannabis, will be bagged into contractor bags to be stored until needed, sold, or destroyed in the legal manner.

### **Processing- Employees and Contractors**

Employees will not be anticipated until commercial processing building is completed. Employees will be seasonal and subcontracted as possible. Employees and contractors will have access to parking, spacious work zone, clean supplies for task, hand washing areas with soap, bathroom with sink and flushing toilet and break area. Fresh spring water is available, but workers are encouraged to bring their own drinking water. All areas are kept clean and in good condition. All employees and/ or contractors will have access to personal safety equipment to meet the needs of the job for example, face mask, gloves, Tyvek suits, safety glasses, rubber boot covers etc. There are no worker sleeping quarters on site. Workers are encouraged to carpool to work daily, and applicant intends to mitigate any additional traffic on Anderson Ford Rd., by reducing his own travel during times he has workers.

### **Worker Safety Practices**

Safety protocols will be implemented to protect the health and safety of employees. All employees shall be provided with adequate safety training relevant to their specific job functions, which may include:

- Employee accident reporting

- Security breach

- Fire prevention

- Emergency Numbers

### **Materials handling policies**

Use of protective clothing such as long sleeve shirts, brimmed hats, and sunglasses. Each garden site and or processing area have the following emergency equipment:

- Personal protective equipment including gloves and respiratory protection are provided where necessary

- Fire extinguisher

- First Aid Kit

- Snake Bite/Bee Sting Kit

- Eye Washing Kit

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).



## Monthly Cultivation Site Activities

Month	Activities
January	Finish processing of fall harvest, trimming and storage. Plan new year. Mow cover crop. Check greenhouses for issues/fix. Check water lines, tanks and all equipment for repairs or damages. Make plan for repairs.
February	Work on trenches/and holes for plants layer more compost in beds. Treat compost if necessary. Finishing processing last year's crop if still necessary.
March	Get clones from other permitted grow operation. Transplant and move into greenhouse with seedlings. Amend beds, fix fences, service equipment, make plan for independent contractors i.e.; painting, fence building, greenhouse fixing, etc.
April	Amend and start turning beds, prep dirt and supplies for greenhouse plants Add nematodes compost for pest prevention. Mid- April move first round of plants to greenhouses. Weed whacking, mowing, and brush cleanup.
May	Spray with preventive sulfur. Treat with biodynamic preparations for pest control and mold control. Greenhouse plants switched into flower using a blackout cover mid-late May. Turn beds, fix/ replace and clean drip emitters, check timers. Double check all water systems for leaks and clogs. Put out sound sensors for rodents.
June	Regular feeding schedule of compost teas adhered to. Pests are dealt with as they arise with oils, nematodes and predator mites from compost. Procure next round of plants from licensed nursery.
July	Harvest greenhouse mid-month, replant with new clones from a permitted nursery. Treat plants with preventive measures. Harvested flowers to hang in drying area then to be cured and hand trimmed per processing plan.
August	Finish processing July's harvest. Monitor water supply, check lines and all areas for insect/ animal disturbance.
September	Prepare for Harvest. Clean and prepare lines and drying spaces in drying room. Clean all supplies and purchase new items needed. Harvest, cure and trim as outlined above in processing plan.
October	Harvest greenhouses. Process as outlined above. Pull all root-balls, pack hay and cover crop seeds on beds. Pull drip system. Check all equipment and tools for leaks and damages before storing for winter. Store all supplies possible, cleanup site.
November	Finish harvesting plants if necessary. Winterize water system, greenhouses, and sheds. Clean up drying rooms remove all lines and debris. Put away all supplies i.e. fans, dehumidifiers. Continue processing cannabis as outlined above.
December	Start amendments for winter. Prep all water and water storage system for shut down. Clean all garden implements. Put all left over supplies away. Driveway fixing, other farm/garden maintenance.

North Coast Regional Water Quality Control Board

September 24, 2019

WDID:1\_12CC417903

ANTONIO PETRUSEVSKI  
PO BOX 2114  
REDWAY, CA 95560

Subject: Notice of Applicability - Waste Discharge Requirements Water Quality Order WQ 2019-0001-DWQ

The attached Notice of Applicability provides notice that the requirements of the State Water Board *Cannabis Cultivation Policy- Principles and Guidelines for Cannabis Cultivation* (Policy), and the *General Waste Discharge Requirements and Waiver of Waste Discharge Requirements for Discharges of Waste Associated with Cannabis Cultivation Activities*, Order WQ 2019-0001-DWQ (General Order – previously WQ 2017-0023-DWQ, with updates and revisions effective April 16, 2019) are applicable to the site as described below. Based on the information provided, the Discharger self-certifies the cannabis cultivation activities are consistent with the requirements of the State Water Board Policy and General Order.

Please direct all submittals, discharge notifications, and questions regarding compliance and enforcement to the North Coast Regional Water Quality Control Board Cannabis Program at (707) 576-2676 or [northcoast.cannabis@waterboards.ca.gov](mailto:northcoast.cannabis@waterboards.ca.gov).

Sincerely,

2019.09.25 10:16:24 PDT  
  
On Behalf Of  
Water Boards

Matthias St. John  
Executive Officer  
North Coast Regional Water Quality Control Board

190924\_1L\_1\_12CC417903\_1B16892CHUM\_Anderson\_Ford\_Rd\_\_NOA\_TW

**NOTICE OF APPLICABILITY – WASTE DISCHARGE REQUIREMENTS, WATER QUALITY ORDER WQ 2019-0001-DWQ, ANTONIO PETRUSEVSKI, HUMBOLDT COUNTY APN(s) 208-271-003**

Antonio Petrusevski (hereafter “Discharger”) submitted information through the State Water Resources Control Board’s (State Water Board’s) online portal on June 24, 2019, for discharges of waste associated with cannabis cultivation related activities. Based on the information provided, the Discharger self-certifies the cannabis cultivation activities are consistent with the requirements of the Policy and General Order. This letter provides notice that the Policy and General Order are applicable to the site as described below. You are hereby assigned waste discharge identification (WDID) number **1\_12CC417903**. The original WDID assigned by the North Coast Regional Water Quality Control Board was 1B16892CHUM.

The Discharger is responsible for all the applicable requirements in the Policy, General Order, and this Notice of Applicability (NOA). This includes making any necessary changes to the enrollment, and the Discharger is the sole person or entity with legal authority to make those changes. The Discharger will be held liable for any noncompliance with the Policy, General Order, and the NOA.

**1. FACILITY AND DISCHARGE DESCRIPTION**

All dischargers enrolled under the North Coast Regional Water Board’s Order (R1-2015-0023) or the Central Valley Regional Water Board’s Order (R5-2015-0113) as of October 17, 2017, (the adoption date of the General Order) may retain the reduced setbacks applicable under the appropriate Regional Water Board order unless the Executive Officer for the appropriate Regional Board determines that the reduced setbacks applicable under their regional order are not protective of water quality. However, sites that expand their cannabis cultivation area or other cannabis related activities must comply with the riparian setbacks in the General Order.

The information submitted by the Discharger states the disturbed area is equal to or greater than 2,000 square feet and less than 1 acre (43,560 square feet) no portion of the disturbed area is within the setback requirements, no portion of the disturbed area is located on a slope greater than 30 percent, and the cannabis cultivation area is less than or equal to 1 acre.

Based on the information submitted by the Discharger, the cannabis cultivation activities are classified as Tier 1 Low Risk.

**2. SITE-SPECIFIC REQUIREMENTS**

The Policy and General Order are available on the Internet at:

[https://www.waterboards.ca.gov/water\\_issues/programs/cannabis/cannabis\\_water\\_quality.html](https://www.waterboards.ca.gov/water_issues/programs/cannabis/cannabis_water_quality.html)



The Discharger shall ensure that all site operating personnel know, understand, and comply with the requirements contained in the Policy, General Order, this NOA, and the Monitoring and Reporting Program (MRP, Attachment B of the General Order). Note that the General Order contains standard provisions, general requirements, and prohibitions that apply to all cannabis cultivation activities.

The application requires the Discharger to self-certify that all applicable Best Practicable Treatment or Control (BPTC) measures are being implemented, or will be implemented by the onset of the winter period (November 15 - April 1), following the enrollment date. Landowners of the cultivation site in the North Coast Region are required to submit and implement Site Management Plans that describes how BPTC measures are implemented property-wide, including BPTC measures implemented to address discharges from legacy activities (e.g. former timber harvest, road building, mining, etc.) at the site per Provision C.1.a. of the General Order. Dischargers that cannot implement all applicable BPTC measures by the onset of the winter period, following their enrollment date, shall submit to the appropriate Regional Water Board a *Site Management Plan* that includes a time schedule and scope of work for use by the Regional Water Board in developing a compliance schedule as described in Attachment A of the General Order.

The Policy and General Order require that, prior to conducting any work in streams or wetlands, the Discharger obtain water quality certification from the Water Boards and other required permits from other agencies (e.g. a Clean Water Act section 404 permit from the United States Army Corps of Engineers, a Lake and Streambed Alteration Agreement from the California Department of Fish and Wildlife, and other local permits). Enrollment in the General Order requires that the Discharger obtain water quality certification for any such work, but this NOA does not provide the necessary certification. If the Discharger proposes or requires work in streams or wetlands, they must apply for water quality certification separately by filling out and submitting a separate application for that work. The application is available for download at the following Regional Water Board website:

[https://www.waterboards.ca.gov/northcoast/water\\_issues/programs/cannabis/](https://www.waterboards.ca.gov/northcoast/water_issues/programs/cannabis/)

Currently, the direct link to that application is as follows:

[https://www.waterboards.ca.gov/northcoast/water\\_issues/programs/cannabis/pdf/190403/180731\\_031616\\_401\\_WQ2017-0023-Application.pdf](https://www.waterboards.ca.gov/northcoast/water_issues/programs/cannabis/pdf/190403/180731_031616_401_WQ2017-0023-Application.pdf)

Note: Water Quality Certifications require separate application and monitoring fees. A fee calculator and additional information are available at:

[https://www.waterboards.ca.gov/northcoast/water\\_issues/programs/water\\_quality\\_certification/#401\\_calc](https://www.waterboards.ca.gov/northcoast/water_issues/programs/water_quality_certification/#401_calc)

During reasonable hours, the Discharger shall allow the State Water Board or Regional Water Board (collectively Water Boards), California Department of Fish and Wildlife, CAL FIRE, and any other authorized representatives of the Water Boards upon presentation of a badge, employee identification card, or similar credentials, to:



- i. enter premises and facilities where cannabis is cultivated; where water is diverted, stored, or used; where wastes are treated, stored, or disposed; or in which any records are kept;
- i. access and copy, any records required to be kept under the terms and conditions of the Policy and General Order;
- ii. inspect, photograph, and record audio and video, any cannabis cultivation sites, and associated premises, facilities, monitoring equipment or device, practices, or operations regulated or required by the Policy and General Order; and
- iii. sample, monitor, photograph, and record audio and video of site conditions, any discharge, waste material substances, or water quality parameters at any location for the purpose of assuring compliance with the Policy and General Order.

### **3. TECHNICAL REPORT REQUIREMENTS**

The following technical report(s) shall be submitted by the Discharger as described below:

A Site Management Plan, by September 21, 2019, consistent with the requirements of General Order Provision C.1.a., and Attachment A, Section 5. Attachment D of the General Order provides guidance on the contents of the Site Management Plan.

A *Site Closure Report* must be submitted 90 days prior to permanently ending cannabis cultivation activities and seeking to rescind coverage under the General Order. The *Site Closure Report* must be consistent with the requirements of General Order Provision C.1.e., and Attachment A, Section 5. Attachment D of the General Order provides guidance on the contents of the *Site Closure Report*.

### **4. MONITORING AND REPORTING PROGRAM**

The Discharger shall comply with all provisions of the Monitoring and Reporting Program (MRP), which appears as Attachment B to the General Order. The Discharger shall also comply with all provisions of the *North Coast Regional Supplement to Annual Monitoring and Reporting Requirements for Statewide Cannabis General Order WQ 2017-0023-DWQ* (Regional Supplement), which independently appears as Investigative Order No. R1-2019-0023, issued by the Regional Water Board Executive Officer on March 22, 2019. Annual reports for both sets of requirements shall be submitted to the Regional Water Board in a combined report by March 1 following the year being monitored through the online portal (<https://public2.waterboards.ca.gov/cgo>). The Discharger shall not implement any changes to the MRP or to the Regional Supplement unless and until a revised MRP or Regional Supplement is issued by the Regional Water Board Executive Officer or the State Water Board Division of Water Quality Deputy Director, or the State Water Board Chief Deputy Director.

A copy of Attachment B to the General Order can be obtained online at the following location, or by contacting staff at the phone number and email address listed below. [https://www.waterboards.ca.gov/board\\_decisions/adopted\\_orders/water\\_quality/2019/wq2019\\_0001\\_dwq.pdf#page=32](https://www.waterboards.ca.gov/board_decisions/adopted_orders/water_quality/2019/wq2019_0001_dwq.pdf#page=32).



A copy of the Regional Supplement can be obtained online at the following location, or by contacting staff at the phone number and email address listed below.

[https://www.waterboards.ca.gov/northcoast/board\\_decisions/adopted\\_orders/pdf/2019/19\\_0023\\_Regional%20Supplement%2013267%20Order.pdf](https://www.waterboards.ca.gov/northcoast/board_decisions/adopted_orders/pdf/2019/19_0023_Regional%20Supplement%2013267%20Order.pdf).

## 5. ANNUAL FEE

According to the information submitted, the discharge is classified as Tier 1 Low Risk. The 2018-2019 annual fee for that tier and risk level was set at \$600, but please note that the Fee Schedule is updated annually and future fees may be invoiced at different rates. Invoices are sent by the State Water Board at the beginning of each calendar year (generally in February). Do not submit payments without receiving an invoice. If you have questions or concerns about your fees please contact the Fee Branch at [FeeBranch@waterboards.ca.gov](mailto:FeeBranch@waterboards.ca.gov) or (916) 341-5247. The fee is due and payable on an annual basis until coverage under this General Order is formally rescinded. To rescind coverage, the Discharger must submit a Request for Termination in writing through the online portal (available at: <https://public2.waterboards.ca.gov/cgo>), including a Site Closure Report at least 90 days prior to termination of activities and include a final MRP report.

## 6. TERMINATION OF COVERAGE UNDER THE GENERAL ORDER & REGIONAL WATER BOARD CONTACT INFORMATION

Enrollees that propose to terminate coverage under the General Order must submit a Request for Termination in writing through the online portal (<https://public2.waterboards.ca.gov/cgo>). The Request for Termination consists of a formal statement regarding the reason for requesting termination (i.e. cultivation is no longer occurring, the property is being sold, etc.), documentation that the site is in compliance with the General Order, including dated photographs and a written discussion. If the site is not meeting the requirements of the General Order, then the enrollment cannot be terminated. Regional Water Board staff will review the Request for Termination for completeness before determining if a property inspection, enrollment termination, or a request for additional information is appropriate.

If the Discharger cannot comply with the General Order, or will be unable to implement an applicable BPTC measure contained in Attachment A by the onset of the winter period each year, the Discharger shall notify the North Coast Regional Cannabis Unit staff at (707) 576-2676 or [northcoast.cannabis@waterboards.ca.gov](mailto:northcoast.cannabis@waterboards.ca.gov) so that a site-specific compliance schedule can be developed.

Cc: Kevin Porzio, State Water Resources Control Board,  
[dwq.cannabis@waterboards.ca.gov](mailto:dwq.cannabis@waterboards.ca.gov)  
Cheri Sanville, California Department of Fish and Wildlife,  
[cheri.sanville@wildlife.ca.gov](mailto:cheri.sanville@wildlife.ca.gov)  
Cliff Johnson, Humboldt County Planning and Building,  
[cjohnson@co.humboldt.ca.us](mailto:cjohnson@co.humboldt.ca.us)





165 South Fortuna Boulevard, Fortuna, CA 95540  
707-725-1897 • fax 707-725-0972  
trc@timberlandresource.com

January 5, 2016

Community Development Services – Planning Division  
Attention: Planner on Duty  
3015 H Street  
Eureka, CA 95501

Dear Community Development Services – Planning Division,

The following attached document is a *CalFire Less Than 3-Acre Conversion Exemption* being prepared by Timberland Resource Consultants for Idyllwild LLC, within APN 208-271-03. Please view this letter as a request for a site visit by the County to confirm conformance with Grading and Open Space Ordinance requirements for Less Than 3-Acre Conversion Exemptions.

The enclosed General Location Map shows the project area. Please call Chris Carroll @ 707-499-1222 to arrange access.


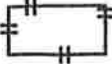

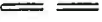



Sincerely,



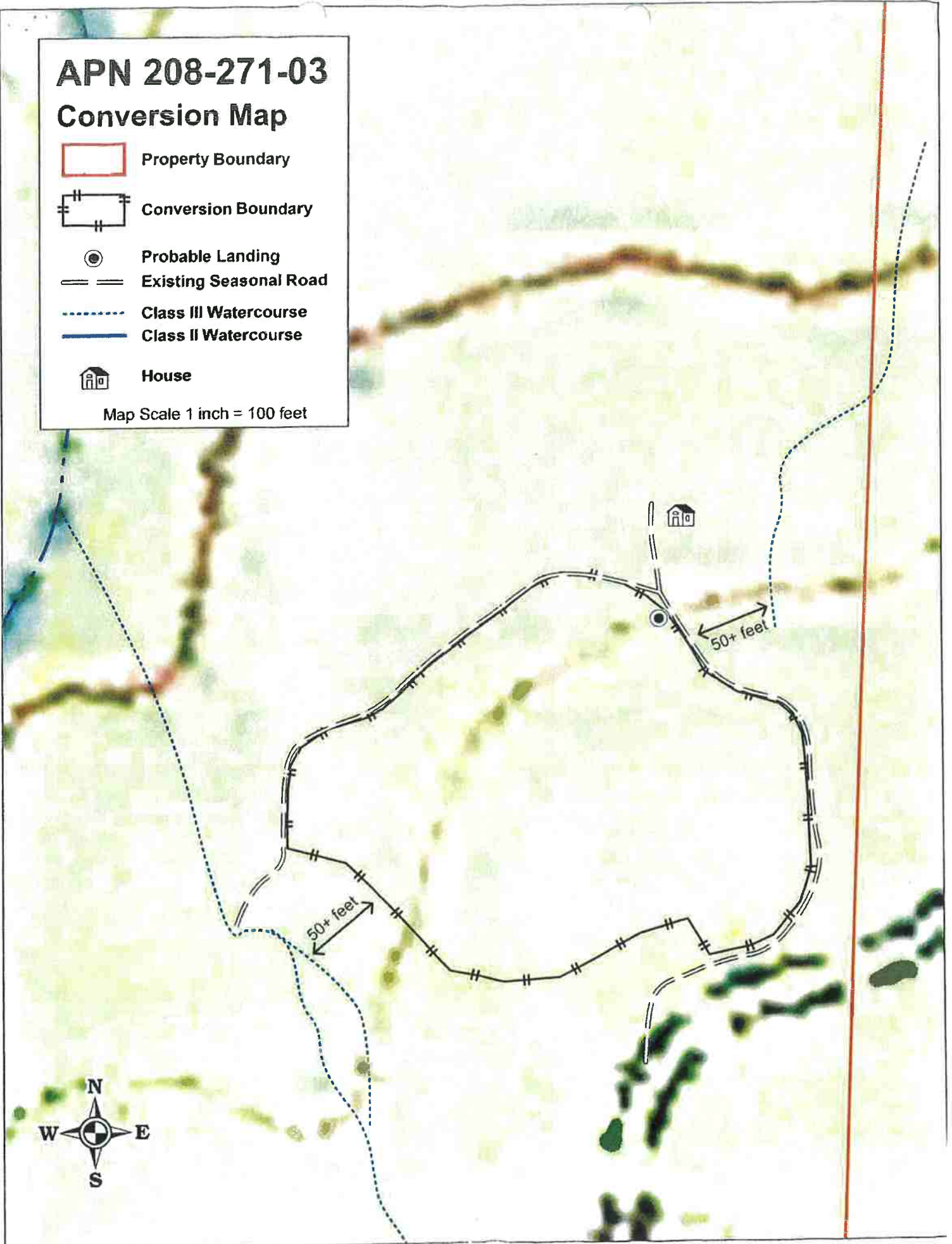
Chris Carroll, RPF #2628  
Timberland Resource Consultants

# APN 208-271-03

## Conversion Map

-  Property Boundary
-  Conversion Boundary
-  Probable Landing
-  Existing Seasonal Road
-  Class III Watercourse
-  Class II Watercourse
-  House

Map Scale 1 inch = 100 feet



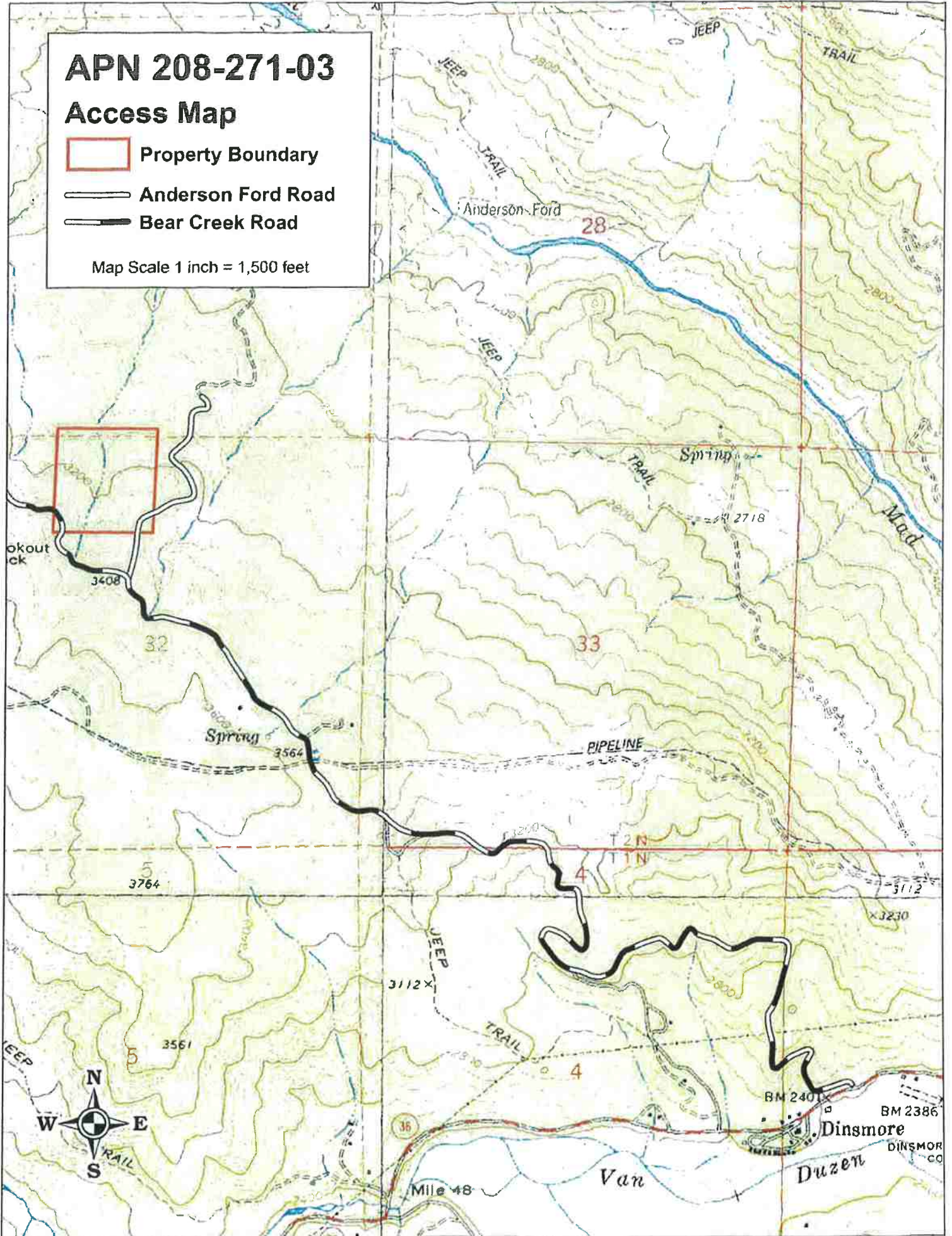


# APN 208-271-03

## Access Map

-  Property Boundary
-  Anderson Ford Road
-  Bear Creek Road

Map Scale 1 inch = 1,500 feet





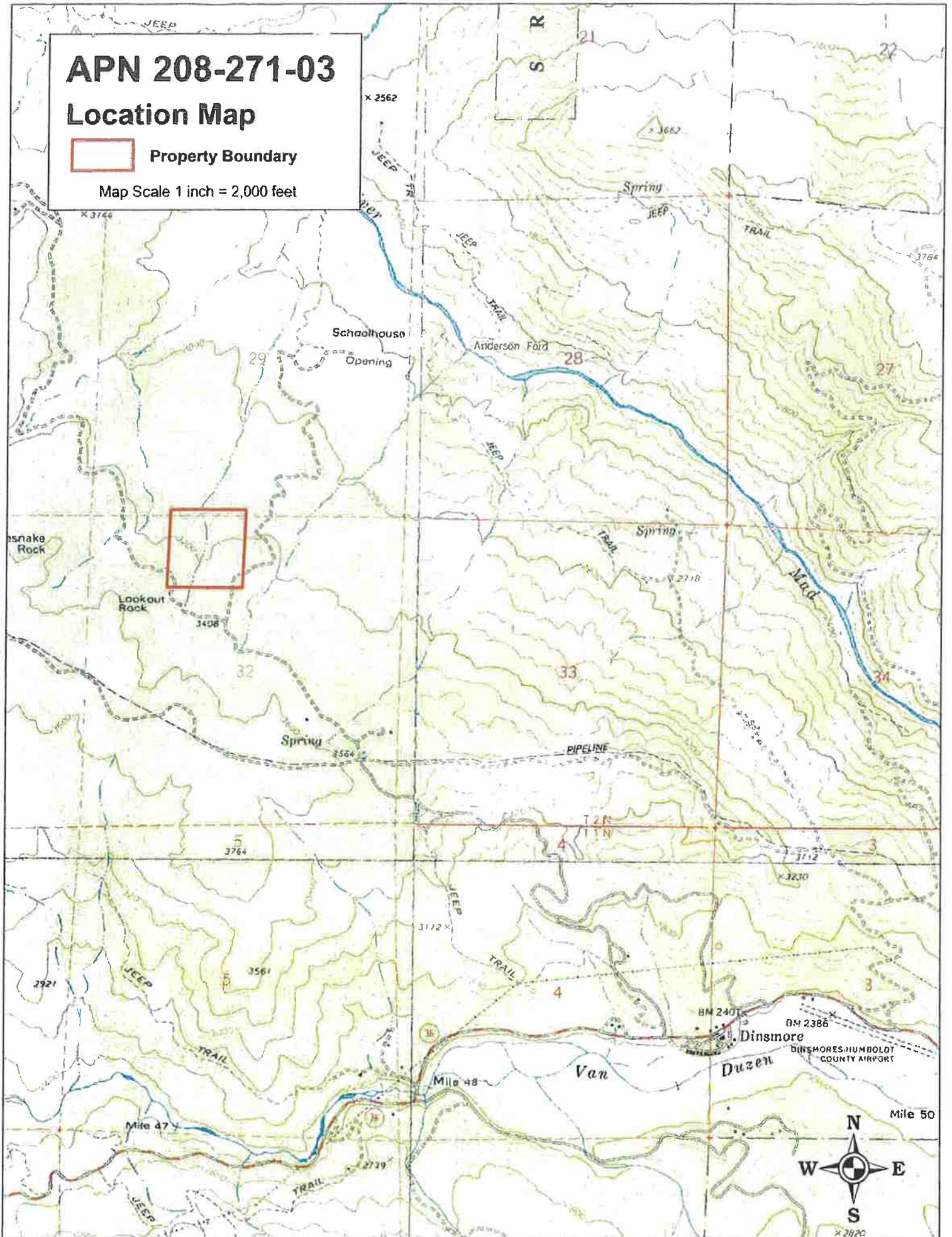
# APN 208-271-03

## Location Map



Property Boundary

Map Scale 1 inch = 2,000 feet



LESS THAN 3 ACRE CONVERSION EXEMPTION

FOR ADMIN. USE ONLY

STATE OF CALIFORNIA
DEPARTMENT OF FORESTRY AND FIRE PROTECTION
NOTICE OF TIMBER OPERATIONS THAT ARE EXEMPT FROM
CONVERSION AND TIMBER HARVESTING PLAN REQUIREMENTS
RM-73 (1104.1a) (11/12)

Ex. # \_\_\_\_\_
Date of Receipt \_\_\_\_\_
Date Accepted \_\_\_\_\_
Date Expires \_\_\_\_\_

VALID FOR ONE YEAR FROM DATE OF RECEIPT BY CAL FIRE
TIMBER OPERATIONS CANNOT START UNTIL VALID COPY
OF A NOTICE OF ACCEPTANCE IS RECEIVED FROM CAL FIRE

The Director of the Department of Forestry and Fire Protection (CAL FIRE) is hereby notified of timber operations under the requirements of 14 CCR § 1104.1(a); Harvesting of trees that is a single conversion to a non-timber growing use of timberland of less than three acres. (See 14 CCR § 1104.1(a) for a description of the conditions on the conduct of this type of timber operation and additional information that is required to be submitted.) Complete items 1 through 8 on both pages of this notice.

1. TIMBER OWNER(S) OF RECORD: Idyllwild LLC

Address: P.O. Box 578

City: Fortuna State: CA Zip: 95540 Phone: 707-498-3063

TIMBER TAX EXEMPTION: Timber owners owe timber yield tax when they harvest trees unless the harvest is exempt (Revenue and Taxation Code sec. 38116). Some small or low value harvests may be exempt from timber yield tax: Timber removed from an operation whose value does not exceed \$3,000 within a quarter, according to BOE Harvest Value Schedules, Rule 1024. If you believe your harvest may qualify for this exemption, please complete items A and B below. For timber yield tax information or for further assistance with these questions call the State Board of Equalization, 1-800-400-7115, or write: Timber Tax Section, MIC: 60, State Board of Equalization, P.O. Box 942879, Sacramento, California 94279-0060; or contact the BOE Web Page on the Internet at http://www.boe.ca.gov.

A. Circle the option that most closely estimates the total volume for this harvest, in thousands of board feet (mbf - Net Scribner short log):

Under 8 mbf [8-15 mbf] 16-25 mbf Over 25 mbf

B. Estimate the species composition of the timber that will be removed during this harvest (numbers should sum to 100%):

Redwood \_\_\_\_\_%; Ponderosa/Sugar pine \_\_\_\_\_%; Douglas-fir 50%; Fir \_\_\_\_\_%;

Port-Orford Cedar \_\_\_\_\_%; Cedar (IC, WRC) \_\_\_\_\_%; Other conifer \_\_\_\_\_%; Other hardwood 50%.

2. TIMBERLAND OWNER(S) OF RECORD: Idyllwild LLC

Address: P.O. Box 578

City: Fortuna State: CA Zip: 95540 Phone: 707-498-3063

I certify, under penalty of perjury, that this is a one-time conversion to a non-timberland use and that there is a "bona fide intent" [14 CCR § 1100(b)] to convert to agriculture. I also certify that as the timberland owner, I have not obtained an exemption pursuant to this section in the last five years.

SIGNATURE \_\_\_\_\_ Date \_\_\_\_\_

3. LICENSED TIMBER OPERATOR(S): Joe Rice Lic. No. A-641

Address: P.O. Box 374

City: Loleta State: CA Zip: 95551 Phone: 707-499-7150

SIGNATURE \_\_\_\_\_ Date \_\_\_\_\_

4. Designate the legal land description of the location of timberland conversion. A map showing the location of the timberland conversion MUST be attached. The map must show the ownership boundaries, the location of the timber operation, boundaries of the conversion, location and classification of all watercourses, and landing locations.

Section Township Range Base & Meridian County Acreage to be Converted Assessors Parcel Number
32 2N 5E Humboldt Humboldt 2.4 208-271-03



5. The following are limitations or requirements for timber operations conducted under a Less Than Three Acre Conversion Exemption (Notice, Notice of Conversion Exemption, Conversion Exemption):

- A. Timber operations shall comply with all other applicable provisions of the Forest Practice Act and regulations, county general plans, zoning ordinances, and any implementing ordinances; copies of the state rules and regulations may be found on CAL FIRE's Web Page on the Internet at <http://www.fire.ca.gov>.
- B. All timber operations shall be complete within one year from the date of acceptance by CAL FIRE.
- C. All conversion activities shall be complete within two years from the date of acceptance by CAL FIRE unless under permit by local jurisdiction. Failure to complete the conversion requires compliance with stocking standards and stocking report requirements of the Forest Practice Act and Board of Forestry and Fire Protection regulations.
- D. The timber operator shall remove or dispose of all slash or woody debris in accordance with 14 CCR § 1104.1(a)(2)(D)(1)-(9). The timberland owner may assume responsibility for the slash treatment, provided the landowner acknowledges in writing to CAL FIRE such responsibility at the time of submission of this notice. The specific requirements shall be included with the acknowledgement.
- E. Timber operations may be conducted during the winter period. Tractor operations in the winter period are allowed under any of the conditions described in 14 CCR § 1104.1(a)(2)(E)1.-3.
- F. No timber operations are allowed within a watercourse and lake protection zone unless specifically approved by local permit (e.g., county, city).
- G. No timber operations shall be conducted until CAL FIRE's notice of acceptance is received and a valid copy of this notice and CAL FIRE's acceptance shall be kept on site during timber operations.
- H. No sites of rare, threatened or endangered plants or animals or species of special concern shall be disturbed, threatened, or damaged.
- I. No timber operations are allowed on significant historical or archeological sites.
- J. Within one month of the completion of timber operations, including slash disposal, the timberland owner shall submit a work completion report to CAL FIRE.
- K. A violation of the conversion exemption, including a conversion applied for in the name of someone other than the person or entity implementing the conversion in bona fide good faith, are violations of the Forest Practice Act and penalties may accrue up to ten thousand dollars (\$10,000) for each violation pursuant to Article 8 (commencing with Section 4601).

6. I, Karen Meynell, declare as the authorized designee of the County Board of Supervisors that this conversion exemption is in conformance with all county regulatory requirements, including public notice. (If the county has authorized a designee this item **MUST be completed. If it has not, see Item 7.**)

SIGNATURE Karen Meynell Date 1/26/16

7. Registered Professional Forester preparing Notice: Chris Carroll Number 2628

Address: Timberland Resource Consultants, 165 South Fortuna Blvd, Suite 4

City Fortuna State CA Zip 95540 Phone 707-725-1897

I have, or my supervised designee has, (1) prepared this Notice of Conversion Exemption Timber Operations; (2) visited the site and flagged the boundaries of the conversion exemption, applicable WLPZs and equipment limitation zones; (3) prepared a Neighborhood Notice of Conversion Exemption according to 14 CCR § 1104.1(a)(3) to be mailed by the landowner to adjacent landowners; and (4) posted and dated a copy of the Neighborhood Notice of Conversion Exemption on the ownership, visible to the public, at least 5 days prior to the postmark date of submission of the Notice of Conversion Exemption. I certify that if the County Board of Supervisors has not designated a representative authorized to sign in Item 6 that I, or my supervised designee, contacted the county and the Notice is in conformance with county regulations.

SIGNATURE of RPF \_\_\_\_\_ Date \_\_\_\_\_

8. NOTICE SUBMITTER(S): Idyllwild LLC

Address: P.O. Box 578

City: Fortuna State: CA Zip: 95540 Phone: 707-498-3063

Submitter must be 1, 2, or 3 above, and must sign.

SIGNATURE \_\_\_\_\_ Date \_\_\_\_\_

FILE THIS NOTICE WITH THE CAL FIRE OFFICE BELOW FOR THE COUNTY IN WHICH THE OPERATION WILL OCCUR:

Forest Practice, CAL FIRE 135 Ridgway Avenue Santa Rosa, CA 95401	Forest Practice, CAL FIRE 6105 Airport Road Redding, CA 96002	Forest Practice, CAL FIRE 1234 East Shaw Avenue Fresno, CA 93710
Alameda, Colusa, Contra Costa, Del Norte, Humboldt, Lake, Marin, Mendocino, Napa, San Mateo, Santa Clara, Santa Cruz, Solano, Sonoma, western Trinity and Yolo Counties	Butte, Glenn, Lassen, Modoc, Nevada, Placer, Plumas, Shasta, Sierra, Siskiyou, Sutter, Tehama, eastern Trinity and Yuba Counties	Alpine, Amador, Calaveras, El Dorado, Fresno, Imperial, Inyo, Kern, Los Angeles, Madera, Mariposa, Merced, Mono, Monterey, Orange, Riverside, San Benito, San Bernardino, San Diego, San Luis Obispo, Santa Barbara, Stanislaus, Tuolumne, Tulare, and Ventura Counties





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



**1/11/2016**

**PROJECT REFERRAL TO: Building Inspection Division**

**Project Referred To The Following Agencies:**  
Building Inspection Division

**Applicant Name** Timberland Resource Consultants **Key Parcel Number** 208-271-003-000

**Application (APPS#)** 10099 **Assigned Planner** Trevor Estlow (707) 268-3740 **Case Number(s)** TRM16-002

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

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

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

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

**Return Response No Later Than 1/26/2016**

Planning Commission Clerk  
County of Humboldt Planning and Building Department  
3015 H Street  
Eureka, CA 95501  
**E-mail:** PlanningClerk@co.humboldt.ca.us **Fax:** (707) 268-3792

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

Recommend Approval. The Department has no comment at this time.

Recommend Conditional Approval. Suggested Conditions Attached.

Applicant needs to submit additional information. List of items attached.

Recommend Denial. Attach reasons for recommended denial.

Other Comments: \_\_\_\_\_

DATE: 1/20/16

PRINT NAME: MARC PHIPPEW



**PROJECT TRANSMITTAL**

**APPLICANT** Timberland Resource Consultants **KEY PARCEL** 208-271-003-000 **DATE** 1/11/2016 **CONTACT** Trevor Estlow **APPS#** 10099

<b>PROJECT INFORMATION</b>	
<b>SUBJECT</b> Tree Removal	<b>CASE NUMBERS</b> TRM16-002
<b>PROJECT DESCRIPTION</b> Less than 3 acre conversion	
<b>PROJECT LOCATION</b> Dinsmore	
<b>PRESENT PLAN DESIGNATIONS</b> AL20	<b>PRESENT ZONING</b> FR-B-5(40)
<b>KEY PARCEL NUMBER</b> 208-271-003-000	<b>ADDITIONAL PARCEL #S</b>

<b>APPLICANT INFORMATION</b>	<b>OWNER INFORMATION</b>	<b>AGENT INFORMATION</b>
<b>Name</b> Timberland Resource Consultants <b>Address 1</b> 165 S. Fortuna Blvd., Suite 4 <b>Address 2</b> <b>City</b> Fortuna <b>State</b> CA <b>Zip</b> 95540 <b>Phone</b> <b>E-Mail</b>	<b>Name</b> Stephens Michael & Sue A Tr <b>Address1</b> <b>Address2</b> 29242 Marshall Rd <b>City</b> Gustine <b>State</b> CA <b>Zip</b> 95322 <b>Phone</b> <b>E-Mail</b>	<b>Name</b> <b>Address1</b> <b>Address2</b> <b>City</b> <b>State</b> <b>Zip</b> <b>Phone</b> <b>E-Mail</b>

**ADDITIONAL PROJECT INFORMATION**

**ADDITIONAL OWNERS:**

Empty.

[Insert Additional Owner](#) | [First 50](#) | [Previous](#) | [Next](#) | [Last](#) | [All](#) | [Search Table](#)

**DECISION MAKER** Administrative

**ENVIRONMENTAL REVIEW REQUIRED?** No

**CEQA EXEMPTION SECTION** 15304-Minor Alteratlons to Land

**MAJOR ISSUES** None

**STATE APPEAL STATUS** Project is NOT appealable to the California Coastal Commission



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

RECEIPT

Receipt # C 3673 Receipt Date 1/11/2016 Receipt Type Fee Payment Received By Karen Meynell

PROJECT INFORMATION

Apps # 10099 Key Parcel Number 208-271-003-000 Case Numbers TRM16-002

PAYER INFORMATION

Applicant Name Timberland Resource Consultants

Applicant Phone

Address 1 165 S. Fortuna Blvd., Suite 4

Address 2

City Fortuna

State CA

Zip 95540

PAYMENT

Cash Amount \$ Credit Card Amount \$ Other Amount \$ Check Amount \$154.45 Check # 9854 Amount Paid \$154.45

FEE DETAIL

Planning Fees

[Edit Table](#) [First 50](#) | [Previous](#) | [Next](#) | [Last](#) | [All](#) | [Search Table](#)

No.	Category	Fee Name	Fee Type	Fee Amount
1	Other Dept.	Review Fee	Building Division	\$99.45
2	Flat Fee	Tree Removal	Miscellaneous	\$55.00
<b>Total:</b>				<b>\$154.45</b>

[Edit Table](#) [First 50](#) | [Previous](#) | [Next](#) | [Last](#) | [All](#) | [Search Table](#)

NOTES

Notes



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

**ROAD EVALUATION REPORT INSTRUCTIONS**

**PURPOSE:** The *Road Evaluation Report* is intended as a way for an applicant to document the condition of the access road(s) serving the subject property for cannabis projects that require a Conditional Use Permit (CUP) or Special Permit (SP). This report is not intended to be used for any other type of Planning & Building Department permit application. This will enable Public Works staff to determine if the existing roadway network [excluding on-site driveway(s)] is suitable to accommodate the proposed use on the subject property.

In rural areas, a category 4 road is usually adequate for most uses. If the road is paved and has a centerline stripe it is considered by the Department to be a category 4 road. In urban and suburban areas, the road may also need to accommodate other road users (pedestrians, bicycles, equestrians, etc.). When roads meet or exceed this standard, the roadways can typically accommodate increased traffic. This evaluation is accomplished by the applicant completing Part A of the *Road Evaluation Report*.

When the roadways do not meet a category 4 standard, there is a question that road may not be able to accommodate traffic from the proposed use. The goal is to evaluate roads that do not meet road category 4 standards in order to determine if the roads can accommodate increased traffic. This evaluation is accomplished by the applicants engineer completing Part B of the *Road Evaluation Report*.

In lieu of constructing road improvements to meet a category 4 road standard, the Department may approve a *Neighborhood Traffic Management Plan*. A neighborhood traffic management plan may include (but is not limited) the following elements: restricting the times that project traffic will use the road to off-peak hours; combining trips to reduce the volume of project traffic; carpooling to reduce the volume of project traffic; the use of signs and CB radios to coordinate traffic using the road(s); etc. The Department's criteria for approving a *Neighborhood Traffic Management Plan* is based upon site specific conditions; sound engineering judgment; the proposed ADT and DHV of the roads; the need to accommodate other road users (pedestrians, bicycles, equestrians, and other cannabis projects using the road, etc.); and the frequency and quantity of traffic associated with the proposed use. The applicant's Civil Engineer can address this in Part B of the *Road Evaluation Report*.

There may be other cannabis projects that use the same access road(s) as your project. Part B of the *Road Evaluation Report* needs to address the cumulative impacts from your project and all other cannabis projects that will also use the same road(s). There may be benefits of applicants collectively working together with one engineer to complete the *Road Evaluation Reports* for all of the projects.

*(continued on next page)*

**REFERENCES:**

- Humboldt County *Road Design Manual*, Chapter 7, Design Standards for Roadway Categories.
- American Association of State Highway and Transportation Officials (AASHTO) *Guidelines for Geometric Design of Very Low-Volume Local Roads (ADT ≤400)*.
- American Association of State Highway and Transportation Officials (AASHTO) *A Policy on Geometric Design of Highways and Streets* (AKA "Green Book")
- Institute of Transportation Engineers (ITE) *Trip Generation*

**INSTRUCTIONS:** The *Road Evaluation Report* consists of two parts. The first part (Part A) *may* be completed by the applicant. If the second part (Part B) is needed, it *must* be completed by a Civil Engineer licensed by the State of California. The .pdf version of this document provides fields that can be filled in.

A separate *Road Evaluation Report* is required for each road. **Save Time: before completing these forms consult with the Land Use Division at 707.445.7205 to make sure you are evaluating all of the necessary roads for your project; that other cannabis projects in the vicinity have been included; and to make sure that you understand what is needed.**

Special instructions to the applicant's Civil Engineer in completing Part B:

- Engineer will need to contact the Department for a list of other cannabis projects that may be using all or some of the same roads in the roadway network.
- Engineer will need to determine which of these projects utilize the roads within the same roadway network by personally reviewing the cannabis project applications at the Planning & Building Department. Many of the cannabis project applications are incomplete; therefore the engineer may need to directly contact other applicants to determine how these other cannabis projects will utilize the roads in question.
- Engineer may propose a master plan in which any required roadway improvements are incrementally divided among several cannabis projects. However, the master plan must be designed so that improvements to the road(s) will be adequate when constructed incrementally.

// END //

HUMBOLDT COUNTY DEPARTMENT OF PUBLIC WORKS  
ROAD EVALUATION REPORT

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

Applicant Name: Bear Creek Ranch Farm Inc. APN: 208-271-003

Planning & Building Department Case/File No.: PLN-12656-CUP

Road Name: Bear Creek Rd. *(complete a separate form for each road)*

From Road (Cross street): State Highway 36

To Road (Cross street): Anderson Ford Rd.

Length of road segment: 3.38 miles miles Date Inspected: 03/09/2021

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

Check one of the following:

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

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

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

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

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

DocuSigned by:  
Antonio Petruszewski  
382ABF8772594F7...  
Signature

3/15/2022  
Date

Antonio Petruszewski  
Name Printed

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



**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: \_\_\_\_\_ Date Inspected: \_\_\_\_\_ APN: \_\_\_\_\_  
From Road: \_\_\_\_\_ (Post Mile \_\_\_\_\_) Planning & Building  
To Road: \_\_\_\_\_ (Post Mile \_\_\_\_\_) Department Case/File No.: \_\_\_\_\_

1. What is the Average Daily Traffic (ADT) of the road (including other known cannabis projects)?

Number of other known cannabis projects included in ADT calculations:  
(Contact the Planning & Building Department for information on other nearby projects.) \_\_\_\_\_

ADT: \_\_\_\_\_ Date(s) measured: \_\_\_\_\_

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 *A 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 Post Mile (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 the cumulative increased traffic from this project and all known cannabis projects identified above.

The roadway can accommodate the cumulative increased traffic from this project and all known cannabis projects identified above, 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

\_\_\_\_\_  
Date

(SEAL)

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

HUMBOLDT COUNTY DEPARTMENT OF PUBLIC WORKS  
ROAD EVALUATION REPORT

PART A: Part A may be completed by the applicant

Applicant Name: \_\_\_\_\_ APN: 208-271-007

Planning & Building Department Case/File No.: APPS: 12245

Road Name: BEAR Creek ROAD (complete a separate form for each road)

From Road (Cross street): DINSMORE ROAD

To Road (Cross street): SUBJECT PARCEL

Length of road segment: 2 miles Date Inspected: 03/20/2019

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

Check one of the following:

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

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

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

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

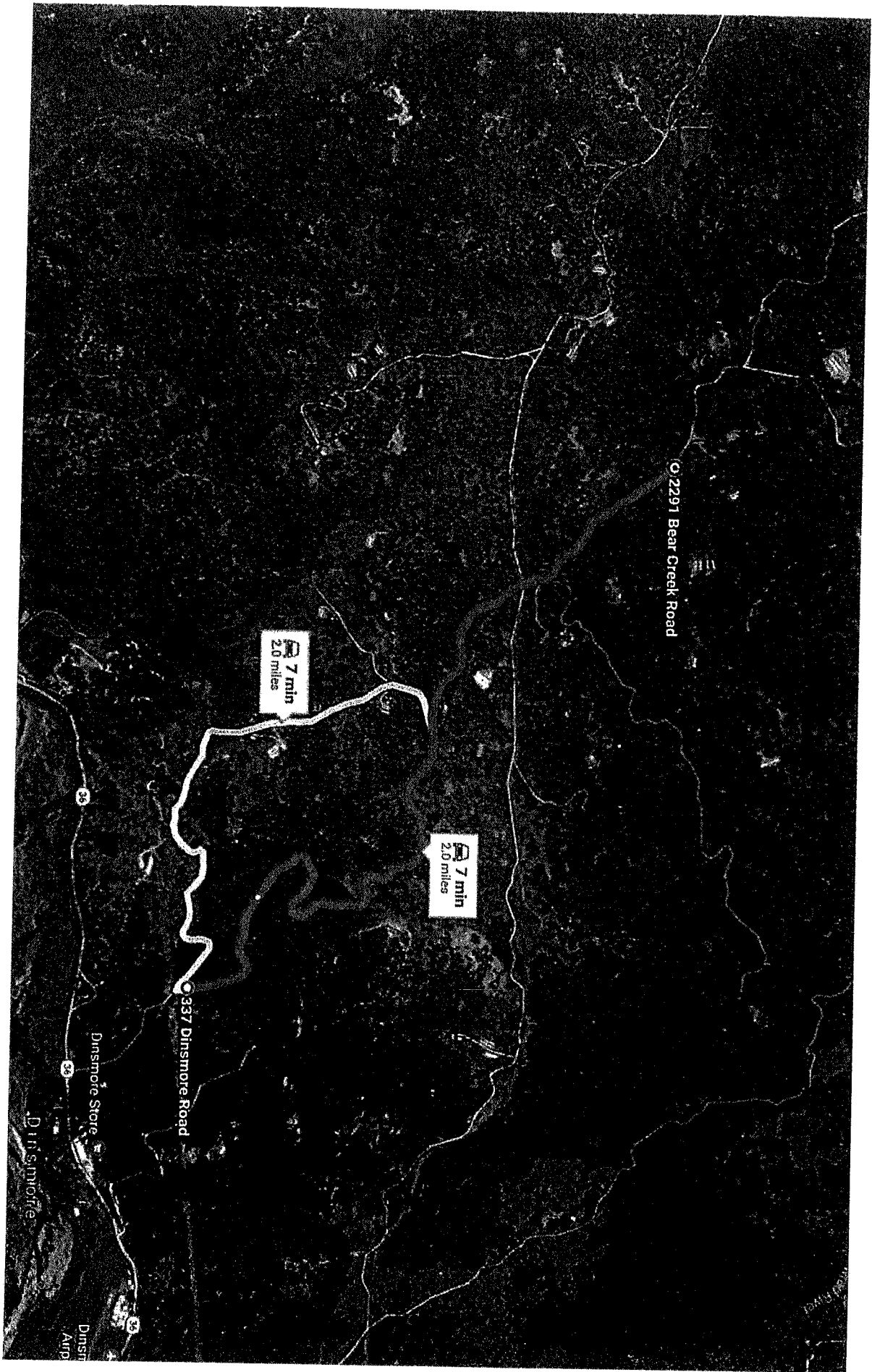
The statements in PART A are true and correct and have been made by me after personally inspecting and measuring the road.

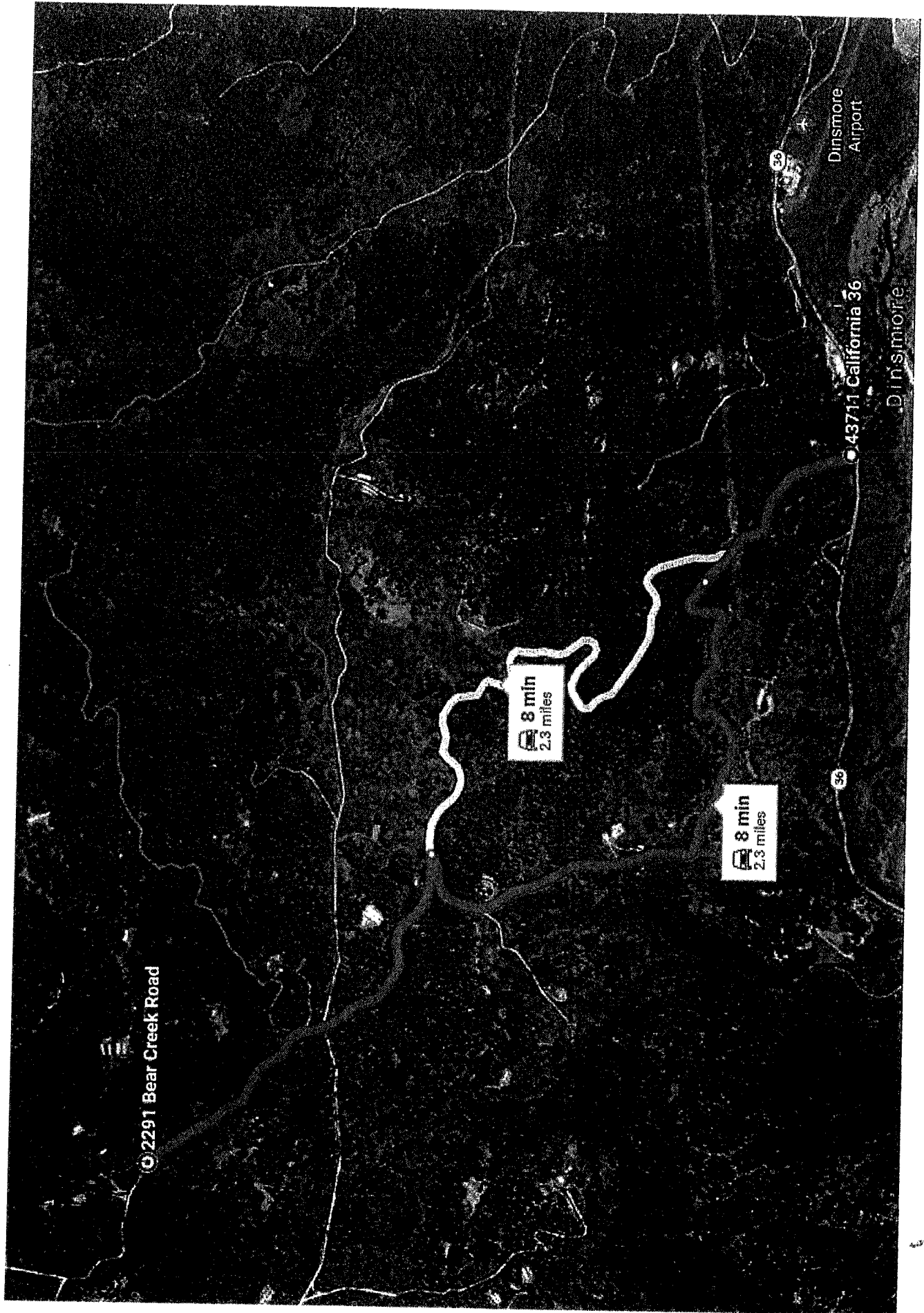
Signature \_\_\_\_\_

03/20/2019  
Date

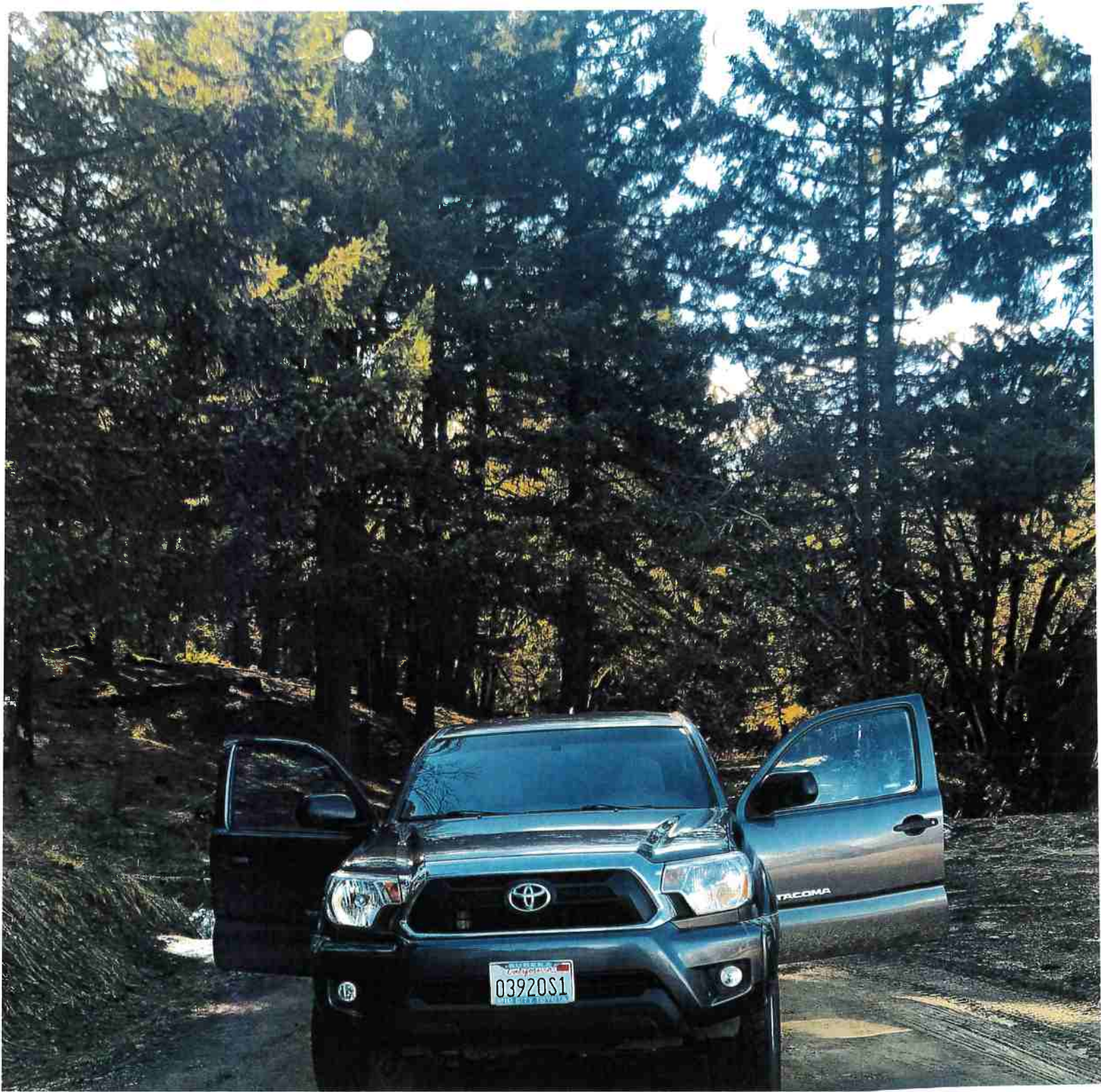
Name Printed \_\_\_\_\_

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









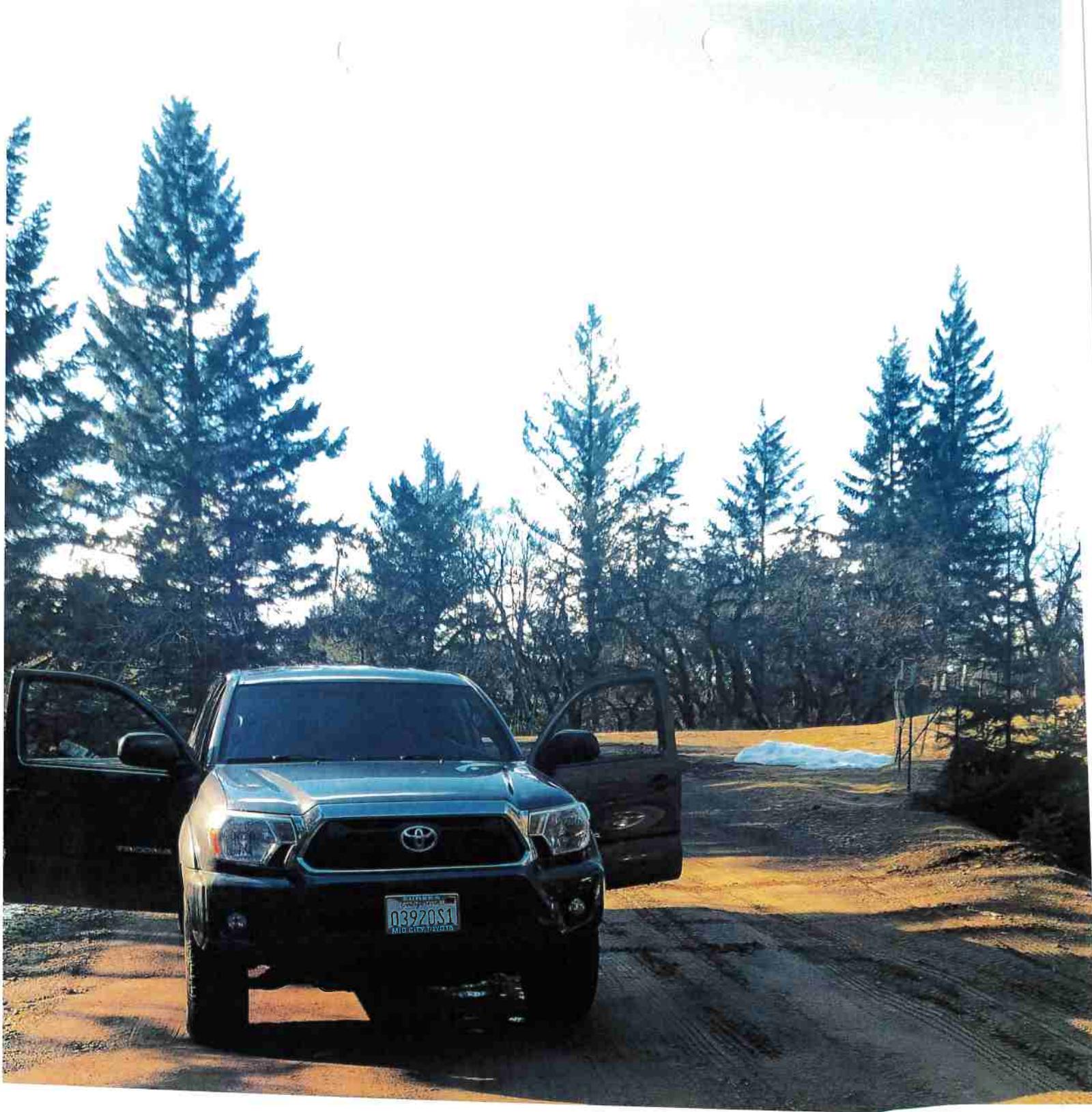












## **Energy Generation and Consumption Plan**

**Bear Creek Farms, LLC**

**October 25<sup>th</sup>, 2021**

**Location:** 40.5139, -123.6381 000 Anderson Ford Rd. Dinsmore, CA 95526

**APN:** 208-271-003

The applicant, Bear Creek Farms LLC cultivates cannabis in greenhouses, using light deprivation cultivation techniques. There is a small amount of supplemental lighting in the propagation greenhouse, that is in use March through June. Propagation Greenhouse lighting, water and air pumps, atomizer (for foliage feeding and pest/disease), fans, power tools, surge protectors, dehumidifiers, cannabis trimming machine and all electrical supplies and equipment as well as all domestic power in the residence is sourced from one Honda EU7000i generator, one Honda EU3000 generator, and one Honda EU2000w generator, as well as a small photovoltaic solar system. There is one 45kw diesel generator on the site that is reserved for emergency back-up use. Generators are always monitored by someone at site while in operation.

Energy conservative methods are employed throughout the property. Domestic generator purposes limited to actual use time and generators are never left running without power loads. Domestic generator use is year-round, from the residence daily in the morning and at night,

Cultivation activities and cultivation with light deprivation will occur seasonally with 2 harvests. The following energy information describes the current project as it is, while on generators. Lights are only used in the propagation greenhouse to supplement natural light and keep plants in a vegetative state. Drying and processing activities consume power but are executed quickly in an efficient manner to minimize time of generator use.

Generator #1 is a Honda EU7000i gasoline generator and is used primarily for all domestic purposes and ancillary cannabis activities. See chart below for monthly rates.

Generator #2 is a Honda EU3000 gasoline that is used to power fans, water pump for the pond and ancillary cannabis activities. See chart below for monthly rates.

Generator #3 is a Honda 2000 gasoline generator that is used to power mixers for the feeding tanks, and ancillary cannabis activities. See chart below for monthly rates.

Generator #4 is a Whisper Watt 45kw Diesel generator that is reserved for emergency back-up use only. This generator will provide power for all energy uses on an emergency back-up basis only, if all generators fail, and will only be used for a short time until small generators can be repaired.

Current power requirement for propagation greenhouse is 460 watts of power. Supplemental lighting fixtures in propagation greenhouse are small, two sets of string lights with ten 23watt bulbs each for a total of 460 watts. Each light deprivation greenhouse contains several industrial fans. The drying shed also has fans and dehumidifiers.

Cultivation occurs in two cycles. Cycle one begins in early March of every year and cultivation ends in early July. Cycle two begins in May and ends in late Oct/early Nov depending on Cannabis strain choices. Propagation Space is utilized from March through April and vegetative plants are moved into flowering greenhouses in April. New vegetative plants are started in the propagation greenhouses in May and moved into Flowering Greenhouses in July.

Flowering greenhouses do not receive light assistance. Fans and dehumidifiers are used frequently in these greenhouses year-round and powered by the 7000w and 3,000w generator.

OSHA requirements have been met by the applicant and Hazmat training will be completed by the end of

2022. All hazmat materials are removed from site immediate and not stored in amounts that exceed threshold hold requirements for CUPA.

Plans for an expanded Photovoltaic solar system consisting of 16 250w photovoltaic panels and 16 deep cycle batteries with inverter is in progress. Applicant anticipates that all solar equipment installed and operational by 2026. At that time only one generator will stay on-site as a back up power source in cases of bad weather and low solar output

Energy Consumption Table

Type of Power Use	Hours per month												
Generator	Jan	Feb	Mar	April	May	June	July	Aug	Sept	Oct	Nov	Dec	Total
Honda EU7000i Cannabis Operations (Hours in use while no domestic)	0	0	124	180	186	120	0	0	0	128	124	0	1,283 hours
Honda EU3000 Cannabis Operations (hours in use while no domestic)	0	0	62	60	62	60	186	186	180	62	0	0	858 hours
Honda 2000w Cannabis operations (hours in use while no domestic)	0	0	10	8	10	8	10	10	8	10	0	0	74 hours
<b>Total hours of energy generation Cannabis</b>	<b>0</b>	<b>0</b>	<b>186</b>	<b>240</b>	<b>186</b>	<b>192</b>	<b>186</b>	<b>186</b>	<b>180</b>	<b>190</b>	<b>124</b>	<b>0</b>	<b>1,744 hours</b>
Type of Power Use	Hours in operation per month												
Generator	Jan	Feb	Mar	April	May	June	July	Aug	Sept	Oct	Nov	Dec	Total
Honda EU 7000i Domestic Operations	196	178	196	190	196	190	196	196	190	196	190	196	
<b>Total hours of energy generation Domestic</b>	<b>196</b>	<b>178</b>	<b>196</b>	<b>190</b>	<b>196</b>	<b>190</b>	<b>196</b>	<b>196</b>	<b>190</b>	<b>196</b>	<b>190</b>	<b>196</b>	<b>2,310 hours</b>
<b>Total hours of energy generation Property</b>	<b>196</b>	<b>178</b>	<b>382</b>	<b>430</b>	<b>382</b>	<b>382</b>	<b>382</b>	<b>382</b>	<b>370</b>	<b>386</b>	<b>314</b>	<b>196</b>	<b>4,054 total hrs/yr</b>

Energy calculations include fans, dehumidifiers, supplemental lighting in the propagation greenhouse, water pumps, and trim machines. Trim machines only used during harvest in July, October, and November.

February through June propagation greenhouse will require an additional 4 hours a day of power.

Mixing equipment and associated pump are run two hours a day, once a week throughout the season.

In July, October and November drying and harvesting as well as processing will occur. Power usage will increase by 4 hours a day on 45kw domestic use generator.

Domestic Calculations based on 2 hours in the morning and 4 hours in the evening of generator use for domestic purposes. Additional 10 hours of emergency use added per month.



**Bear Creek Farms, LLC**

**March 24<sup>th</sup>, 2022**

**Water Irrigation and Storage Plan**

**Location:** 40.5139, -123.6381 000 Anderson Ford Rd. Dinsmore, CA 95526

**APN:** 208-271-003

**Water Storage and Usage**

Projected Water use for this expanded site is approximately 199,589-gallons. The projected water use for the cannabis is approx. 125,089-gallons. Domestic water use is expected to be approx. 74,500-gallons. This water use is an estimate to the best of my knowledge.

The primary irrigation water source for this operation is rainwater stored in a pond that has a capacity of approximately 250,000-gallons. The rainwater stored in the pond will provide enough water for all seasonal irrigation uses. Domestic water is sourced from the groundwater well and is stored in the domestic water tank. There is also a spring diversion on the parcel, which is not currently being used, but is listed on the map because it can be used for domestic purposes if necessary.

There are 10 (ten) 3,000-gallon HDPE water storage tanks and 2 (two) 1,550-gallon HDPE water storage tank that are used to store irrigation water from the pond. There is one 1,550-gallon HDPE water storage tank filled from the groundwater well for domestic use only. There is also 1 (one) 20,000-gallon Water storage bladder, filled from the well, for firefighting use.

**Water Storage Facilities**

<b>Storage Facility</b>	<b>Capacity</b>	<b>Type</b>	<b>Point of Use</b>	<b>Water Source</b>
Water Tank	1,550-gallons	HDPE Storage Tank	Domestic	Groundwater Well
Water Bladder	20,000-gallons	Water Storage Bladder	SRA Fire Tank	Groundwater Well
Water Tank	10 QTY 3,000-gal./ea. 30,000-gallons total	HDPE Storage Tank	Irrigation Storage	Rain Catchment
Water Tank	2 QTY 1,550-gal/ea. 3,100-gal total	HDPE Storage Tank	Irrigation Storage	Rain Catchment
Rain Catchment Reservoir	250,000 gallons	Reservoir	Irrigation Storage	Rain Catchment

## Water Discharge

All cannabis cultivation activities occur at least 200 feet away from the Class II watercourse. Cultivation fertilizer holding tanks exceed 200 ft setback from nearest water source.

In all cultivation areas mulched organic matter will be spread on topsoil to help with evaporation and runoff. Heavy amounts of peat moss and coco coir are also amended into soil periodically to prevent runoff from fertilizer. Cannabis cultivation will employ drip irrigation to prevent run off from watering. All poly-flex irrigation water lines are anchored, located up and out of drainages, and sited in a responsible way so as not to impede water flow through stream channels.

## Water conservation infrastructure

The applicant uses drip irrigation throughout this cultivation site. There are float valves installed on every water tank to ensure that none of them ever overflow. There is a water meter installed on the well to monitor water usage, and logs are kept regularly. The slow rate of drip irrigation ensures that no runoff comes out of the cultivation area. Drip emitters are set to output the lowest amount of water possible over a period of time to minimize excess water use and eliminate runoff. The entire irrigation system, all water lines, drip emitters and connections are inspected for water leaks regularly, and any damaged equipment is replaced immediately to prevent water loss.

## Monthly Water Use Table

Month	Greenhouse 1	Greenhouse 2	Greenhouse 3	Propagation Greenhouse	Total Cannabis Use in Gallons	Domestic Use
January	0	0	0	0	0	6,000
February	0	0	0	0	0	6,000
March	0	0	0	2,745	2,745	6,000
April	3,200	3,200	1,500	2,745	10,645	6,000
May	4,400	4,400	2,100	2,745	13,645	6,000
June	8,500	8,500	5,100	2,745	24,845	6,000
July	10,500	10,500	7,400	0	28,400	6,000
August	8,600	8,600	4,500	0	21,700	6,000
September	7,400	7,400	2,000	0	16,800	6,000
October	2,694	2,694	920	0	6,308	6,000
November	0			0	0	6,000
December	0			0	0	8,500
<b>Total</b>	<b>45,294</b>	<b>45,294</b>	<b>23,520</b>	<b>10,980</b>	<b>125,089</b>	<b>74,500</b>
					<b>TOTAL</b>	<b>199,589</b>

***I have read and keep a copy in my binder of the “Best Management Practices of Waste Resulting from Cannabis Cultivation and Associated Activities or operations with Similar Environmental Risk”, “Performance Standards for all CMMLUO Cultivation and Processing Operations” and the “Legal Pest Management practices for Marijuana Growers in California”. I intend to practice the guidelines set forth by these documents to help ensure my compliance with laws. I also intend to be flexible with county and state officials, make changes as necessary and upgrade my property to comply. Please feel free to contact me for any more information.***

## ATTACHMENT 4

### REFERRAL AGENCY COMMENTS AND RECOMMENDATIONS

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

<b>Referral Agency</b>	<b>Response</b>	<b>Recommendation</b>	<b>Location</b>
Building Inspection Division	✓	Denial	<b>Attached</b>
Division Environmental Health	✓	Conditional Approval	On file with Planning (Accela)
Public Works, Land Use Division	✓	Conditional Approval	<b>Attached</b>
Caltrans District 1		No Response	
CAL FIRE	✓	No Comments	<b>Attached</b>
California Department of Fish & Wildlife		No Response	
Ruth Lake Fire Protection District		No Response	
Northwest Information Center	✓	Further Study	On file and confidential
Bear River Band of Rohnerville Rancheria	✓	Conditional Approval	On file and confidential
Southern Trinity Joint Unified School District		No Response	
Humboldt County Sheriff	✓	Approval	On file with Planning
Humboldt County Agricultural Commissioner		No Response	
Humboldt County District Attorney		No Response	
North Coast Unified Air Quality Management District		No Response	
North Coast Regional Water Quality Control Board		No Response	
State Water Resources Control Board – Division of Water Rights	✓	Approval	<b>Attached</b>

Tues-Dean

1/19



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

10/27/2020

**Project Referred To The Following Agencies:**

AG Commissioner, County Counsel, District Attorney, Environmental Health, Sheriff, PW Land Use, **Building Inspections**,  
FPD: Ruth Lake, RWQCB, NCUAQMD, School District: Southern Trinity JUSD, Cal Fish & Wildlife, Division of Water  
Resources, CalFire, CalTrans Dist 1, CA Division of Water Rights, Bear River Band, NWIC

**Applicant Name** Bear Creek Ranch Farm, Inc. **Key Parcel Number** 208-271-003-000

**Application (APPS#)** PLN-12656-CUP **Assigned Planner** Portia Saucedo 707-268-3745

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

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

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

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

**Return Response No Later Than: 11/11/2020**

Planning Clerk  
County of Humboldt Planning and Building Department  
3015 H Street  
Eureka, CA 95501  
**Email:** PlanningClerk@co.humboldt.ca.us **Fax:** (707) 268 - 3792

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

- Recommend Approval. The department has no comment at this time.
- Recommend Conditional Approval. Suggested conditions attached.
- Applicant needs to submit additional information. List of items attached.
- Recommend Denial. Attach reasons for recommended denial.

Other Comments: site plan is incomplete, see attached list

DATE: 1-21-2021 PRINT NAME: Tom Deberstein





# PLN-12656-CUP - Bear Creek Ranch Farm, Inc. - Existing outdoor cannabis cultivati...



Update    Reset    Cancel    View Log    Help

**Case #**  
PLN-12656-CUP

**Inspection Type \***  
Pre-Site Inspection -  
Planning Referral

**Address**



**Request Date**  
01/05/2021

**Requestor's Phone**

**Unit I**

### Request Comment

An application for a Conditional Use Permit for 12,500 square foot existing outdoor medical cannabis cultivation. Water provided by a rainwater catchment pond with a capacity of 350,000 gallons of water. The total water usage is about 16...



Inspections

**Scheduled Date \***  
01/19/2021

**Scheduled Start Time**  
: AM

**Inspection Date**  
01/21/2021

**Status \***  
Denied

**Department \* Current Department**  
Building Department

**Inspect**  
Thoma



PLN-12656 -CUP

### Result Comment Standard Comments

Site visit on 1-19-2021  
revised site plan provided at inspection, incomplete.  
Existing pond appears to be within partial boundaries, pending confirmation of existing survey pin.  
Revise and resubmit site plan to include: *prove*  
-Label pump house  
-Add water tank below pump house  
-Add septic tank next to AOB structure

For future reference regarding building permits AOB and SRA requirements will apply. As built engineer grading plan f  
Many structures requiring building permits.  
TD

[check spelling](#)

**Record Type \***  
Planning/Converted/Historical/NA

**Internal use only \***  
16HUM-00000-00UQ6



Pre-Site Inspection - ...



COUNTY OF HUMBOLDT  
PLANNING AND BUILDING DEPARTMENT  
BUILDING DIVISION

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

Building Division's Referral Comments for Cannabis Operations:

Accela Record No: PLN-12656 APN: 208-27-003

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

Site plan appears to be accurate.

Site plan is not accurate, submit revised site plan showing the following items:

All grading including ponds and roads,

Location of any water course including springs,

All structures including size and use and all setbacks from each other, above stated items, and property lines.

See notes in inspection in accelra

Existing operation appears to have expanded as follows: \_\_\_\_\_

Proposed new operation has already started.

Development is near a wet area. If yes, distance from development: \_\_\_\_\_

Development is near a Steam side Management Area (SMA). If yes, distance from development: \_\_\_\_\_

Recommend approval based on the condition that all required grading, building, plumbing, electrical, and mechanical permits and or Agricultural Exemptions are obtained.

Other Comments: Revise and resubmit site plan

Name: Tom Dabstein

Date: 1-21-2021

Note: Please take photographs and save them to the Planning Accela record number.



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

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

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

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

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

LAND USE 445-7205

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**LAND USE DIVISION INTEROFFICE MEMORANDUM**

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TO: Portia Saucedo, Planner, Planning & Building Department

FROM: Kenneth M. Freed, Assistant Engineer

DATE: 11/09/2020

RE:

<b>Applicant Name</b>	<b>BEAR CREEK RANCH FARM, INC</b>
<b>APN</b>	<b>208-271-003</b>
<b>APPS#</b>	<b>PLN-12656-CUP</b>

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

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

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

**No re-refer is required.**

\*Note: Exhibits are attached as necessary.

Additional comments/notes:

Review Items #1 and #8 on Exhibit "C"

The Department is aware that multiple road evaluation reports have been prepared for this road. Because there is more than one road evaluation, all of the recommendations in the various road evaluation reports need to be combined into one action plan.

If the road maintenance association will not be responsible for constructing all of the improvements in the action plan, it is recommended that the proportioning of the improvements be clearly documented so that each applicant knows exactly what portion of the action plan that they are responsible for constructing.

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// END //



**Additional Review is Required by Planning & Building Staff**

APPS #12656

**All of the following questions are to be answered by Planning and Building Department staff.**

No further involvement with the Department of Public Works is required for these items; however Public Works staff is available to answer any questions that may arise.

- 1. **ROADS – PART 1.** Does the project take access from a series of non-county maintained roads that connect directly to a State Highway (36, 96, 101, 255, 299, etc...)?

YES  NO

If **YES**, the project does not need to be referred to the Department. Include the following requirement:

**All recommendations in the Road Evaluation Report(s) for non-county maintained road(s) shall be constructed/implemented to the satisfaction of the Planning & Building Department prior to commencing operations, final sign-off for a building permit, or approval for a business license. A grading permit may be required; check with the Building Division of the Planning and Building Department for any permit requirements.**

- 2. **ROADS – PART 2.** Does the project take access from a series of non-county maintained roads that connect directly to a Caltrans State Highway, US Forest Service Road, BLM Road, or a City road?

YES  NO

If **YES**, the Department recommends that prior to the project presented to the Planning Commission or Zoning Administrator, that the project should be referred to the affected road agency(ies).

- 3. **ROADS – PART 3.** Does the project take access or use a county maintained road that does not have a centerline stripe or is not on the "approved list" of known category 4 roads?

YES  NO

If **YES**, a *Road Evaluation Report* must be done for the County road(s) that do not have a centerline stripe or are not on the "approved" list. The project along with the road evaluation report(s) for the County maintained road(s) must be referred to Public Works for review to ensure that the Department supports the findings in the report. If the road is on the "not approved" list, then Part B of the *Road Evaluation Report* form must be completed.

- 4. **Deferred Subdivision Improvements.** Does the project have deferred subdivision improvements?  YES  NO

*How to check:* Method 1: Planning and Building Department staff review the legal description for the subject property in the deed. If the deed reads similar to "Parcel \_\_\_ of Parcel Map No. \_\_\_" then there may be deferred subdivision improvements; further research will be needed. Method 2: Planning and Building Department staff need to review the title report(s) for the subject property(ies) to see if a "Notice of Construction Requirements" document is listed. If the document is listed, then there are deferred subdivision improvements.

If **YES** then the subject property has deferred subdivision improvements. The project cannot be presented to the Zoning Administrator or the Planning Commission until the deferred subdivision improvements are completed. The applicant should be directed to the Department of Public Works regarding the deferred subdivision improvements.

- 5. **AIRPORT:** If the project is located within Airport Land Use Compatibility Plan (ALUCP) Zone A, B, B1, B2, or B3 as shown on the ALUCP GIS layer **or** if the project is located within the County Code Section 333 GIS layer **AND** the project is proposing to construct (or permit) a fence, building or other structure.  YES  NO

If **YES**, the Department recommends that prior to the project presented to the Planning Commission or Zoning Administrator, that the project should be referred to the Humboldt County Airports Department.

- 6. **MS4/ASBS Areas.** Is the project located within MS4 Permit Area as shown on the GIS layer?  YES  NO

If **YES**, include the following requirement:

**The applicant shall demonstrate to the satisfaction of the Planning & Building Department that the project is in compliance with MS4/ASBS requirements.**

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**Additional Review is Required by Planning & Building Staff**

**7. COUNTY ROADS- PROXIMITY OF FARMS:**

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

**8. ROAD GRADES:**

Whether specifically addressed or not within the road evaluation report, per County Code Section 3112-5, "No roadway grade in excess of 16 percent shall be permitted unless it has been demonstrated to be in conformance with the County Roadway Design Manual." Where portions of the road have grades that exceed 16%, those portions must be paved and must have an exception request approved. [reference: County Code sections 3111-9 and 3112-5]

// END //



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

The Department has no comment at this time.

Suggested conditions attached.

Applicant needs to submit additional information. List of Items attached.

Recommend denial.

Other comments.

Date:

Name:

**Forester Comments:**

Date:

Name:

**Battalion Chief Comments:**

**Summary:**



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

10/27/2020

**Project Referred To The Following Agencies:**

AG Commissioner, County Counsel, District Attorney, Environmental Health, Sheriff, PW Land Use, Building Inspections, FPD: Ruth Lake, RWQCB, NCUAQMD, School District: Southern Trinity JUSD, Cal Fish & Wildlife, Division of Water Resources, CalFire, CalTrans Dist 1, CA Division of Water Rights, Bear River Band, NWIC

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**Applicant Name** Bear Creek Ranch Farm, Inc. **Key Parcel Number** 208-271-003-000

**Application (APPS#)** PLN-12656-CUP **Assigned Planner** Portia Saucedo 707-268-3745

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

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

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

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

**Return Response No Later Than: 11/11/2020**

Planning Clerk  
County of Humboldt Planning and Building Department  
3015 H Street  
Eureka, CA 95501  
**Email:** PlanningClerk@co.humboldt.ca.us **Fax:** (707) 268 - 3792

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

- Recommend Approval. The department has no comment at this time.
- Recommend Conditional Approval. Suggested conditions attached.
- Applicant needs to submit additional information. List of items attached.
- Recommend Denial. Attach reasons for recommended denial.

Other Comments: This site is sourcing cannabis irrigation water from a rainwater catchment pond and a groundwater well. Both are considered water sources exempt from the Cannabis Small Irrigation Use Registration water right program.

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DATE: 10/27/2020

PRINT NAME: Jonathan Pham, Environmental Scientist, Registration Unit, Division of Water Rights