



COUNTY OF HUMBOLDT
PLANNING AND BUILDING DEPARTMENT
CURRENT PLANNING DIVISION

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

Hearing Date: April 15, 2021

To: Humboldt County Planning Commission

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

Subject: **Mystic Mountain Farms, LLC Conditional Use Permit**
Record Number: PLN-12024-CUP
Assessor's Parcel Number (APN) 217-381-001
8735 Homestead Road

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Please contact David J. R. Mack, AICP, Project Manager/Senior Planner (Harris & Associates) at 831-320-0413 or by email at david.mack@weareharris.com, if you have any questions about the scheduled public hearing item.

AGENDA ITEM TRANSMITTAL

Hearing Date	Subject	Contact
April 15, 2021	Conditional Use Permit	David Mack, AICP

Project Description: Mystic Mountain Farms, LLC seeks a Conditional Use Permit to allow a total of 15,440 square feet (SF) of existing cannabis cultivation, consisting of 10,695 SF outdoor cultivation and 4,745 SF mixed light cultivation.

Irrigation water is sourced from an onsite domestic well and a 500,000-gallon rainwater catchment pond. Water is stored within the rainwater catchment pond, as well as one (1) 5,000-gallon storage tank, and one (1) 1,000-gallon storage tank, yielding a total onsite storage of 506,000 gallons.

Drying and further processing activities would occur onsite in a proposed 2,400-SF building (40' x 60'). The project will require one (1) to two (2) full time persons employed onsite for cultivation activities, and an additional one (1) to two (2) persons may be employed onsite seasonally, depending on cultivation productivity, resulting in a maximum of two (2) to four (4) persons. Power is provided primarily by four onsite generators; two (2) Honda EU2000 (2,000 watts) to run the pumps and lights, and two (2) Honda 7000 (7,000 watts) generators used to run de-humidifiers and well pumps. The applicant is exploring options to convert to solar power generation in the future.

Project Location: The project site (APN: 217-381-001) is located at 8735 Homestead Road in the unincorporated community of Blocksburg, in southern Humboldt County. The site is on the west side of Homestead Road, approximately 0.63 miles north from the intersection of Homestead Road and Browning Road.

Present Plan Land Use Designations: Residential Agriculture (RA), 40 acres/unit. Slope Stability: High Instability.

Parcel Size: 40 acres

Present Zoning: Forestry Recreation (FR), Minimum Building Site, 40 acres [B-5(40)]

Record Number: PLN-12024-CUP

Assessor's Parcel Number: 217-381-001

Applicant

Mystic Mountain Farms, LLC
Randy & Dawnita Hoisington
PO Box 170
Blocksburg, CA 95514

Owner

Randy & Dawnita Hoisington
PO Box 170
Blocksburg, CA 95514

Agents

N/A

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

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

Major Issues: No major issues/concerns were identified for this project.

Mystic Mountain Farms
Record Number: PLN-12024-CUP
Assessor's Parcel Number: 217-381-001

Recommended 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:

Adopt the Resolution to: Find that the Commission has considered the Addendum to the adopted Mitigated Negative Declaration for the Commercial Medical Land Use Ordinance (CCMLUO), as described by Section §15164 of the State CEQA Guidelines; make the required findings for approval of the Conditional Use Permit; and approve the Mystic Mountain Farms Conditional Use Permit as recommended by staff subject to the recommended conditions.

Executive Summary: Mystic Mountain Farms, LLC seeks Conditional Use Permit (PLN-12024-CUP) to allow a total of 15,440 square feet (SF) of existing cannabis cultivation, consisting of 10,695 SF outdoor cultivation and 4,745 SF mixed light cultivation. The medical cannabis permit application is 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), Zoning Clearance Certificate for Interim Permit (IP), and the Cultivation Area Verification (CAV) developed for the site.

The site is zoned as Forestry Recreation (FR) and Building Site, 40 acres [B-5(40)] as defined in the Humboldt County 2017 General Plan Update. Drying and further processing activities would occur onsite in a proposed 2,400-SF building (40' x 60'). The project will require one (1) to two (2) full time persons employed onsite for cultivation activities, and an additional one (1) to two (2) persons may be employed onsite seasonally, depending on cultivation productivity, resulting in a maximum of two (2) to four (4) persons. Power is provided primarily by four onsite generators; two (2) Honda EU2000 (2,000 watts) to run the pumps and lights, and two (2) Honda 7000 (7,000 watts) generators used to run de-humidifiers and well pumps. The applicant is exploring options to convert to solar power generation in the future. The primary use of generator power is not allowed to occur beyond December 31, 2025. To ensure that generator use is not extended beyond this date, the project has been conditioned to provide permanent power to the site prior to December 31, 2025 (**Condition 15**).

Water Resources

Irrigation water is sourced from an onsite domestic well (well permit 19/20-0331) and a 500,000-gallon rainwater catchment pond. Water is stored within the rainwater catchment pond, as well as one (1) 5,000-gallon storage tank, and one (1) 1,000-gallon storage tank, yielding a total onsite storage of 506,000 gallons. Total annual water use for cultivation activities is estimated at 80,478 gallons (69,624 gallons for outdoor and 10,854 gallons for mixed light) (5.21 gallons/SF), and will be applied at agronomic rates using drip irrigation and hand-watering to minimize over watering. The project will be able to comply with full forbearance requirements during the required period (April 1 – October 31).

A Water Resources Protection Plan (WRPP) was created in order to protect the water resources of the project site, through annual site inspection, monitoring, and reporting of Tier 2 discharges to the North Coast Regional Water Quality Control Board (NCRWQCB). The project is enrolled with the State Water Board Waste Discharge Program (Water Quality Permit - WDID 1B170490CHUM). The project is within a Streamside Management Area (SMA) and therefore is required to be consistent with the Humboldt County General Plan Policy BR-P6, which requires development within a SMA to comply with erosion control and required mitigation measures.

The WRPP assessed 15 points of interest throughout the property and identified one site, Site 11, as a watercourse crossing. Site 11 consists of a rockered ford and a foot bridge; however, it does not require replacement or maintenance of any sort, as of the date of evaluation (October 2017).

Biological Resources

A list of potential special status species was generated in March 2021 using the following information systems: California Natural Diversity Database (CDFW 2019), Biogeographic Information and Observation system (BIOS), Northern Spotted Owl Viewer (CDFW 2019), and US Fish and Wildlife Service (USFWS) Information for Planning and Consultation (IPaC) database. Two Northern Spotted Owl Activity Centers were identified; one is 1,700 meters east of the project site, and one is approximately 1,965 meters southwest of the project site. There was no further information about the owl center or recent sightings. The CNDDDB search did not identify any listed or special status species on the project site. Project activities are not expected to cause any adverse or cumulative effects to any special status species or habitat, due to the small size of the project site and the type of proposed activities. Therefore, impacts to biological resources are considered low and unlikely.

Tribal Cultural Resource Coordination

A field survey of the project site and a Cultural Resources Investigation were conducted in September 2020 by Mark Arsenault, M.A., RPA, principal investigator of Arsenault & Associates, in order to determine if any cultural resources exist within the project study area. The Cultural Resources Investigation included sending emails to the Native American organizations identified on the Native American Heritage Commission (NAHC) list, contacting the Northwest Information Center (NWIC), and conducting a historical background search of existing maps and publications relevant to the study area.

The investigation was conducted on approximately 24.27 acres of the overall 40-acre parcel, and no cultural resources were identified within the study area. It is the conclusion of lead investigator, Mark Arsenault, that the cannabis cultivation located on the parcel has not impacted any cultural resources; the project would not result in any adverse changes to known historical or archaeological resources; and no further investigation(s) would be required if the project remains as proposed. However, he recommended the use of the Inadvertent Discoveries Protocol by a qualified professional archaeologist, if any previously unidentified cultural resources are encountered throughout project implementation.

Access

The project site (APN: 217-381-001) is located at 8735 Homestead Road in the unincorporated Blocksburg area. The site is on the west side of Homestead Road, approximately 0.63 miles north from the intersection of Homestead Road and Browning Road. Per the review referral from Humboldt County Department of Public Works (DPW), the entire road segment is developed to the equivalent of a road category 4 standard, and thus is adequate for the proposed use without further review. Nonetheless, DPW recommended standard conditions pertaining to driveway and private road intersection visibility (**Condition 16**) and private road intersections (**Condition 17**).

Generator Use

The application is for outdoor and mixed light cultivation, and the applicant uses four (4) generators as the primary power source. Consistent with past actions of the Planning Commission, a condition has been added that the power source of all cannabis related activities shall be converted to a renewable source by December 31, 2025 (**Condition 15**).

California Environmental Quality Act (CEQA)

Environmental review for this project was conducted in February 2021 by the County. Based on the results of that analysis, staff finds that all aspects of the project have been considered in the Mitigated Negative Declaration (MND) adopted for the Commercial Medical Marijuana Land Use Ordinance on January 26, 2016. Accordingly, staff has prepared an addendum to this document for consideration by the Planning Commission. See **Attachment 2** for more information.

RECOMMENDATION: Based on a review of Planning and Building Department reference sources and comments from all involved referral agencies, Planning staff believes that the applicant has submitted

evidence in support of making all of the required findings for approval of the Conditional Use Permit.

ALTERNATIVES: The Planning Commission could elect to 1) not approve the project, or 2) 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 which case, the Commission should continue the item to a future date at least two months later to provide staff adequate time to complete further environmental review.

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

**Resolution Number 21-X
Record Number PLN-12024-CUP
Assessor's Parcel Number: 217-381-001**

Resolution by the Planning Commission of the County of Humboldt certifying compliance with the California Environmental Quality Act and conditionally approves the Mystic Mountain Farms LLC, Conditional Use Permit.

WHEREAS, Mystic Mountain Farms Conditional Use Permit (PLN-12024-CUP) for the continued operation of a total of 15,440 square feet (SF) existing cannabis cultivation, consisting of 10,695 SF outdoor cultivation and 4,745 SF mixed light cultivation, with appurtenant propagation and drying activities; and

WHEREAS, the County Planning Division, the lead agency, prepared an Addendum to the Final Mitigated Negative Declaration (MND) 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 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 California Environmental Quality Act (CEQA) Guidelines; and

WHEREAS, the Humboldt County Planning Commission held a duly-noticed public hearing on **April 15, 2021**, and reviewed, considered, and discussed the application for the requested Conditional Use Permits 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 (PLN-12024-CUP) for the continued operation of a total of 15,440 square feet (SF) of existing cannabis cultivation, consisting of 10,695 SF outdoor cultivation and 4,745 SF mixed light cultivation, with appurtenant propagation and drying activities. Power is provided primarily by four onsite generators; two (2) Honda EU2000 (2,000 watts) to run the pumps and lights, and two (2) Honda 7000 (7,000 watts) generators used to run de-humidifiers and well pumps. Irrigation water is sourced from an onsite domestic well (well permit 19/20-0331) and a 500,000-gallon rainwater catchment pond.

EVIDENCE: Project File: PLN-12024-CUP

- 2. FINDING:** **CEQA.** The requirements of CEQA have been met. The Humboldt County Planning Commission has considered the Addendum to and the MND prepared for the CMMLUO adopted by the Humboldt County Board of Supervisors on January 26, 2016.

- EVIDENCE:**
- a) Addendum to the MND prepared for the proposed project in compliance with CEQA.
 - 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 list of potential special status species was generated in March 2021 using the following information systems: California Natural Diversity Database

(CDFW 2019), Biogeographic Information and Observation system (BIOS), Northern Spotted Owl Viewer (CDFW 2019), and US Fish and Wildlife Service (USFWS) Information for Planning and Consultation (IPaC) database. Two Northern Spotted Owl Activity Centers were identified; one is 1,700 meters east of the project site, and one is approximately 1,965 meters southwest of the project site. There was no further information about the owl center or recent sightings. The CNDDDB search did not identify any listed or special status species on the project site. Project activities are not expected to produce any adverse or cumulative effects to any special status species or habitat, due to the small size of the project site and the type of proposed activities. Therefore, impacts to biological resources are considered low and unlikely.

- d) Per the review referral from Humboldt County Department of Public Works (DPW), the entire road segment is developed to the equivalent of a road category 4 standard, and thus is adequate for the proposed use without further review. Nonetheless DPW recommended standard conditions pertaining to driveway and private road intersection visibility (**Condition 16**) and private road intersections (**Condition 17**).
- e) A Water Resources Protection Plan (WRPP) was created in order to protect the water resources of the project site, through annual site inspection, monitoring, and reporting of Tier 2 discharges to the North Coast Regional Water Quality Control Board (NCRWQCB). The project is enrolled with the State Water Board Waste Discharge Program (Water Quality Permit - WDID 1B170490CHUM). The WRPP assessed 15 points of interest throughout the property and identified one site (Site 11) as a watercourse crossing. Site 11 consists of a rocked ford and a foot bridge, which do not require replacement or maintenance of any sort, as of the date of evaluation (October 2017).
- f) A site field survey and a Cultural Resources Investigation were conducted in September 2020 by Mark Arsenault, M.A., RPA, principal investigator of Arsenault & Associates. The investigation was conducted on approximately 24.27 acres of the overall 40-acre parcel. No cultural resources were identified within the study area. However, Mr. Arsenault recommended the use of the Inadvertent Discoveries Protocol by a qualified professional archaeologist, if any previously unidentified cultural resources are encountered throughout project implementation.

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.
- b) The project is within a Streamside Management Area (SMA) and therefore is

required to be consistent with the Humboldt County General Plan Policy BR-P6, which requires development within a SMA to comply with erosion control and required mitigation measures.

4. FINDING

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

EVIDENCE

- a) Forestry Recreation (FR) zone is intended to be applied to forested areas of the County in which timber production and recreation are the desirable predominant land uses and agriculture is the secondary use.
- b) All general agricultural uses are principally permitted in the FR zone.
- c) Humboldt County Code section 314-106.6 allows cultivation of up to 43,560 SF of existing outdoor cannabis and up to 22,000 SF of existing mixed light 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 10,695 SF outdoor and 4,745 SF mixed light (15,440 SF total) cultivation on a 40-acre parcel is consistent with the Humboldt County Code 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 parcel was created in compliance with all applicable state and local subdivision regulations, as it was created via Parcel Map No. 64, recorded in Book 1 of Parcel Maps, Pages 95 through 114, inclusive.
- b) Irrigation water is sourced from an onsite domestic well (well permit 19/20-0331) and a 500,000-gallon rainwater catchment pond.
- c) The slope of the land where cannabis will be cultivated is less than 15%.
- d) The location of the cultivation complies with all setbacks required in Section 314-55.4.11.d. It is more than 30 feet from any property line, more than 300 feet from any offsite residence, and more than 600 feet from any school, church, public park, or Tribal Cultural Resource.

6. FINDING

The cultivation of 15,440 SF of cannabis and the conditions under which it may be operated or maintained will not be detrimental to the public health, safety, or welfare or materially injurious to properties or improvements in the vicinity.

EVIDENCE

- a) Per the review referral from Humboldt County Department of Public Works (DPW), the entire road segment is developed to the equivalent of a road category 4 standard, and thus is adequate for the proposed use without further review. Nonetheless DPW recommended standard conditions pertaining to driveway and private road intersection visibility (**Condition 16**) and private road intersections (**Condition 17**).
- 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 sizes in the area.

- c) The location of the proposed cannabis cultivation is more than 300 feet from the nearest offsite residence.
- d) Irrigation water is sourced from an onsite domestic well (well permit 19/20-0331) and a 500,000-gallon rainwater catchment pond.
- e) Annual water use for cultivation activities is estimated at 80,478 gallons total (69,624 gallons for outdoor and 10,854 gallons mixed light) (5.21 gallons/SF), and will be applied at agronomic rates using drip irrigation and hand-watering to minimize over watering.
- f) Existing water storage onsite is 506,000 gallons. This amount of water storage would be sufficient to provide enough water for annual cultivation activities (80,478 gallons) to forbear completely during the required forbearance period (April 1 – October 31).
- g) Provisions have been made in the applicant's proposal to protect water quality, through yearly site inspection monitoring and reporting to the North West Regional Water Quality Control Board (NWRWQCB). The site shall be inspected and monitoring reports prepared for the following activities: 1) before and after any alteration or upgrade to a given stream crossing, road segment, or other controllable sediment discharge site; 2) prior to the start of the water year (October 15) to evaluate site preparedness for storm events and associated storm water runoff; 3) site inspection no later than December 15 of each year; and 4) following any rainfall event with an intensity of 3 inches of precipitation within any 24 hour period. Annual reporting shall be submitted to the NCRWQCB by March 31 of each year. Therefore, runoff to adjacent property and infiltration of water to groundwater resources will not be adversely 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 currently contains a single residential unit. The approval of cannabis cultivation on this parcel will not conflict with the operation or use of the existing residential unit on site.

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 approve the Conditional Use Permits (PLN-12024-CUP) for Mystic Mountain Farms LLC 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 April 15, 2021.

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

AYES: COMMISSIONERS:

NOES: COMMISSIONERS:

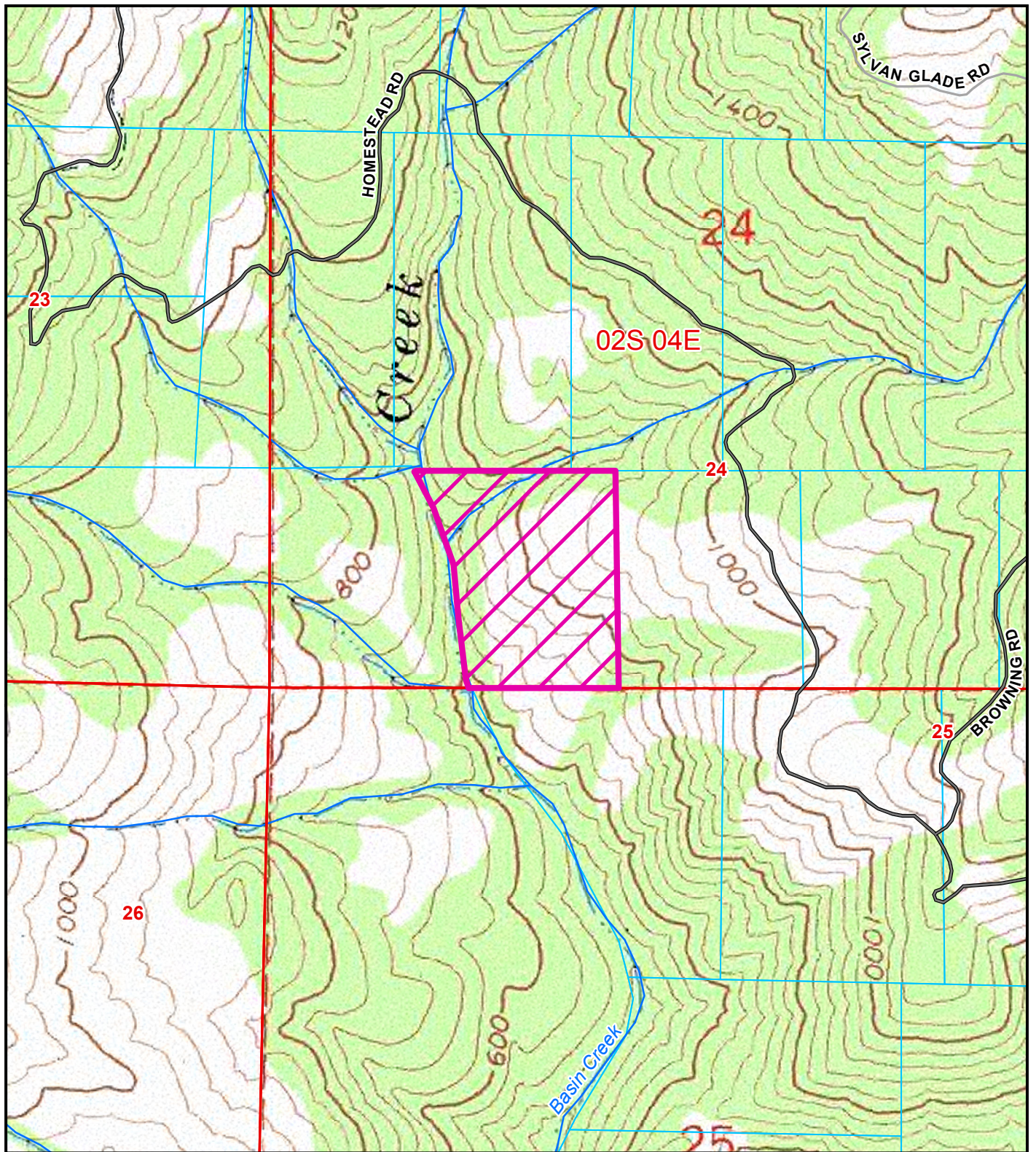
ABSENT: COMMISSIONERS:

ABSTAIN: COMMISSIONERS:

DECISION:

I, John H. 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 H. Ford, Director
Planning and Building Department

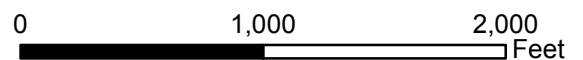


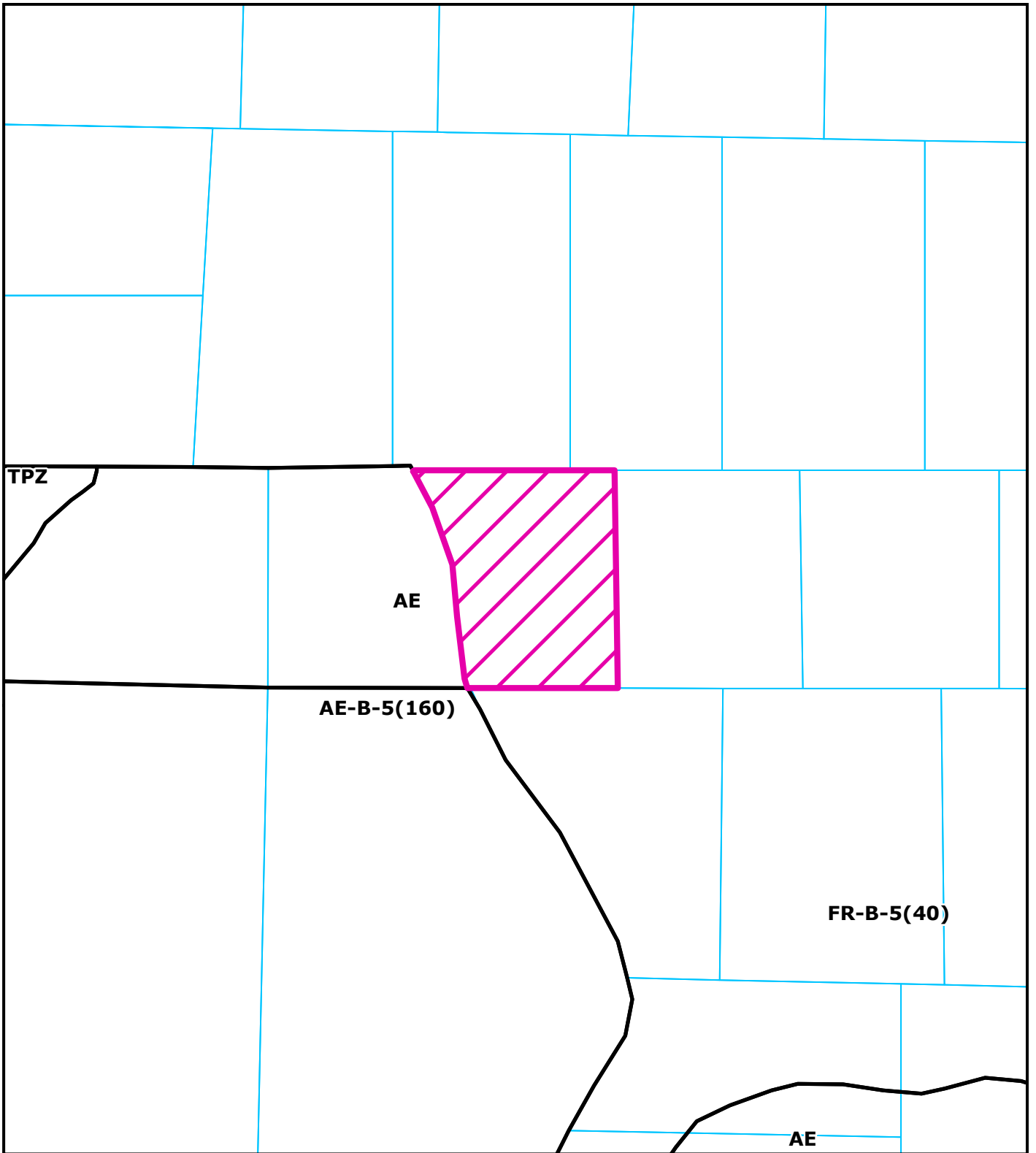
Project Area = 

TOPO MAP
PROPOSED MYSTIC MOUNTAIN FARMS, LLC
BLOCKSBURG AREA
CUP-16-507
APN: 217-381-001-000
T02S R04E S24 HB&M (BLOCKSBURG)



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.



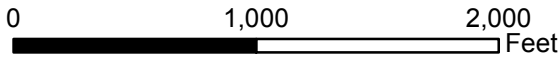


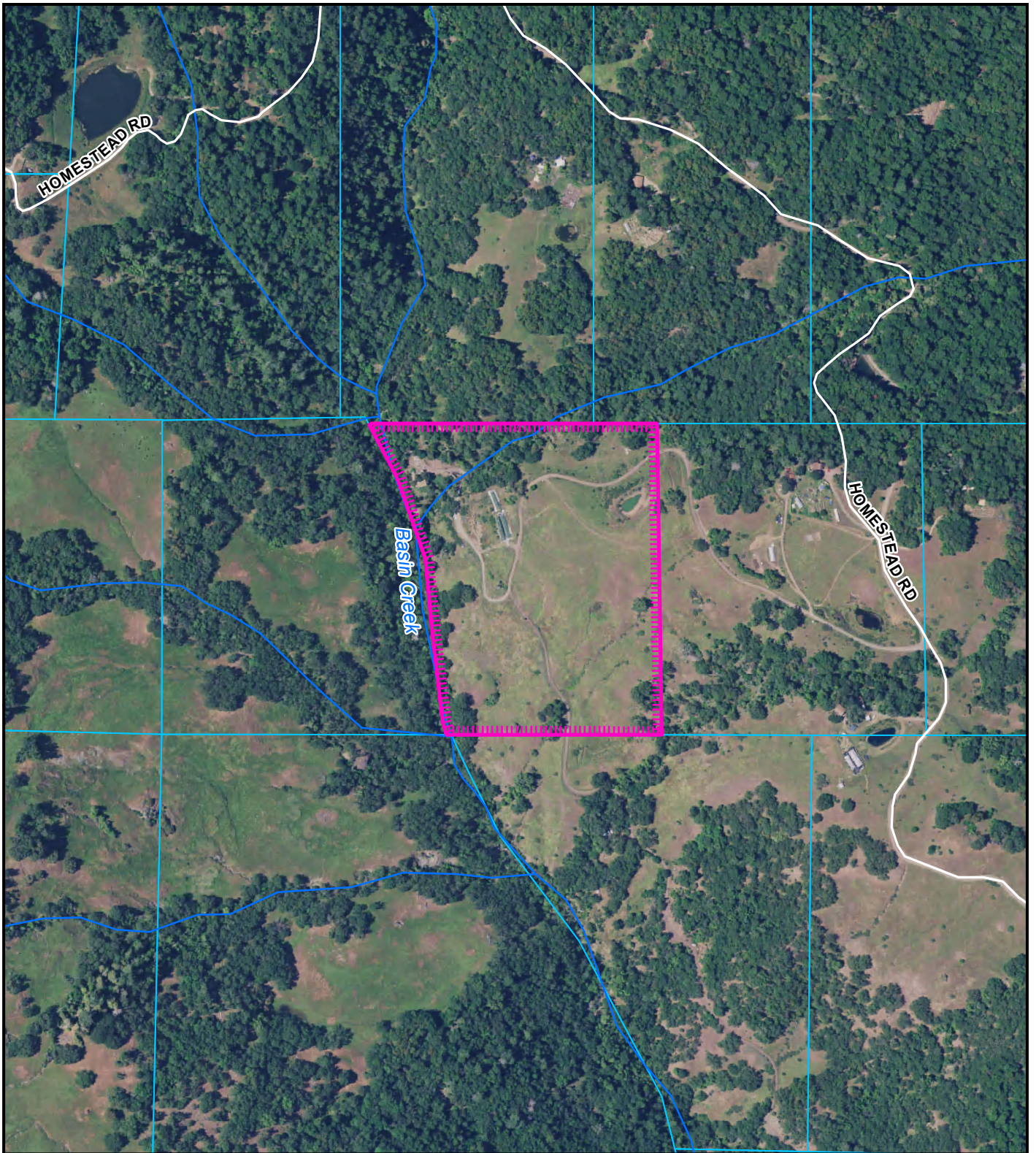
Project Area = 

ZONING MAP
PROPOSED MYSTIC MOUNTAIN FARMS, LLC
BLOCKSBURG AREA
CUP-16-507
APN: 217-381-001-000
T02S R04E S24 HB&M (BLOCKSBURG)



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.

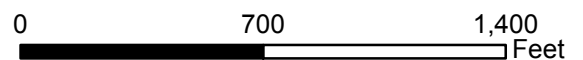




Project Area = 

AERIAL MAP
PROPOSED MYSTIC MOUNTAIN FARMS, LLC
BLOCKSBURG AREA
CUP-16-507
APN: 217-381-001-000
T02S R04E S24 HB&M (BLOCKSBURG)

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.



APN 217-381-001

Site Plan

- Property Boundary
- Rain Catchment Pond
- Cultivation Area
- Immature Plant Area
- Riparian Buffer

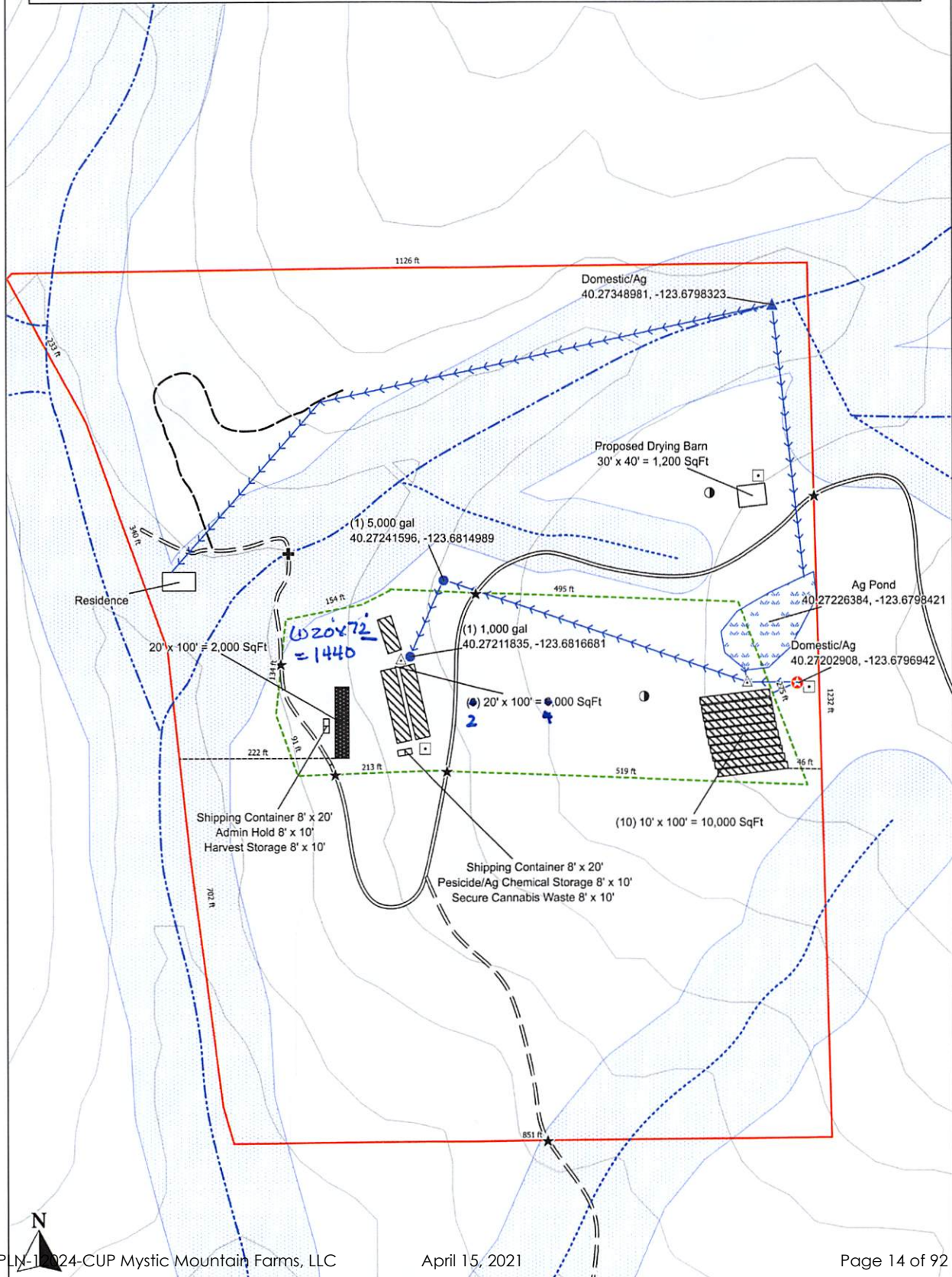
- Premises Boundary
- Structure
- Generator
- Class II Watercourse
- Class III Watercourse
- Waterline
- Permanent Road
- Seasonal Road

- Compost Pile
- Pump
- Water Tank
- Groundwater Well
- Entrance/Exit
- Watercourse Crossing
- Point of Diversion

Project Information:

Applicant: Randy & Dawnita
Hoisington
Mystic Mountain Farms LLC
Aggregate Square Footage - 15,000
-Light Dep Only
-Processing/Packaging off-site
-Site Address: 8735 Homestead
Road, Blocksburg 95514

Map Scale 1" = 130'



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 the staff review. Permit conformance with conditions must be demonstrated prior to release of building permit or initiation of use, and at the 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. **Within three days of the effective date of permit approval**, it is requested that the applicant submit a check or money order for the required filing fee in the amount of \$50 payable to the Humboldt County Clerk/Recorder. If this payment is not received within this time period, the Department will file the NOD and will charge this cost to the project.
5. Within 60 days of the effective date of permit approval, the applicant shall execute a Compliance Agreement with the Humboldt County Planning and Building Department detailing all necessary permits and infrastructure improvements described under Conditions of Approval #6 through #17. The agreement shall provide a timeline for completing all outstanding items. All activities detailed under the agreement must be completed to the satisfaction of the Planning and Building Department before the permit may be finalized and no longer considered provisional.
6. The applicant shall secure permits for all structures related to the cannabis cultivation and other commercial cannabis activity including, but not limited to, existing and proposed greenhouses, water tanks over 5,000 gallons, existing and proposed structures associated with drying and storage or any activity with a nexus to cannabis, and any noise containment structures as necessary. The plans submitted for building permit approval shall be consistent with the project description and the approved project site plan. Communication from the Building Division, verifying that all structures related to the cannabis cultivation are permitted, was approved by Building Inspection Department on August 27, 2020.
7. The approved building plans shall meet all applicable fire codes, including fire suppression infrastructure requirements deemed necessary for the project by the Building Inspection Division. Sign-off on the Occupancy Permit by the Building Division shall satisfy this requirement.

8. Obtain a permit to operate the proposed generator from the North Coast Unified Air Quality Management District (NCUAQMD) and obtain an electric permit from the County's Building Department.
9. Prior to renewal of the permit, the operator is required to submit to the Department of Environmental Health (DEH), receipts or copy of contract confirming sufficient use of portable toilets to serve staff for the duration of the first year, or provide written assessment from a qualified septic consultant confirming a Tier 0 status for the addition of an onsite wastewater treatment system serving the dwelling (Department of Environmental Services).
10. Within 60 days of project approval, the owner/applicant/operator shall submit a lighting plan for all mixed light cultivation/light deprivation cultivation areas. The lighting plan shall be reviewed and approved by the Director of Planning and Building Services.
11. The applicant shall install a water monitoring device on each source – rainwater catchment pond and surface diversion if/when utilized and storage tanks as applicable - to monitor water used for cannabis irrigation separate from domestic use.
12. The applicant shall contact the Blocksburg Volunteer Fire Protection District and furnish written documentation from that agency of the available emergency response and fire suppression services and any recommended project mitigation measures. Mitigation measures shall be incorporated into the project, if applicable. If emergency response and fire suppression services are not provided, 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.
13. The applicant shall be compliant with the County of Humboldt's Certified Unified Program Agency (CUPA) requirements regarding hazardous materials. A written verification of compliance shall be required before any provisional permits may be finalized. Ongoing proof of compliance with this condition shall be required at each annual inspection in order to keep the permit valid.
14. The applicant shall execute and file with the Planning Division the statement titled, "Notice and Acknowledgment regarding Agricultural Activities in Humboldt County," ("Right to Farm" ordinance) as required by the HCC and available at the Planning Division.
15. The use of generators as a primary power source for cannabis related activities shall cease by December 31, 2021. The applicant shall either connect to a utility or have an alternative source of power starting January 1, 2026.
16. COUNTY ROADS – DRIVEWAY & PRIVATE ROAD INTERSECTION VISIBILITY: All driveways and private road intersections onto the County road shall be maintained in accordance with County Code Section 341-1 (Sight Visibility Ordinance). This condition shall be completed to the satisfaction of the Department of Public Works prior to commencing operations, final sign-off for a building permit, or Public Works approval for a business license.
17. COUNTY ROADS – PRIVATE ROAD INTERSECTION: Any existing and proposed non-county maintained access roads, that will serve as access for the proposed project and connect to a county maintained road, shall be improved to current standards for a commercial driveway. An encroachment permit shall be issued by the Department of Public Works prior to commencement of any work in the County maintained right of way. This 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.

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

1. The combined noise from background, generator, greenhouse fan, or other operational activities and equipment 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 Commercial Medical Marijuana Land Use Ordinance (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 light utilized in mixed light greenhouses shall be limited to 6 watts per square foot, with no wattage limit in the ancillary propagation greenhouse. All artificial lighting shall be fully contained within structures such that no light escapes (i.e., through the use of 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 (refer to <https://www.darksky.org/our-work/lighting/lighting-for-citizens/lighting-basics/>). Standards include, but are not limited to: Light shall 1) be shielded and downward facing, 2) 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 be placed where needed.
3. Should the Humboldt County Planning Division receive complaints that the lighting or noise is not complying with the standards listed above in items B.1. 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.
4. To minimize the risk of wildlife entrapment, the permittee shall not use any erosion control and/or cultivation materials that contain synthetic (e.g., plastic or nylon) netting, including photo- or biodegradable plastic netting. Geotextiles, fiber rolls, and other erosion control measures shall be made of loose-weave mesh, such as jute, hemp, coconut (coir) fiber, or other products without welded weaves.
5. All refuse shall be contained in wildlife proof storage containers at all times, and disposed at an authorized waste management facility.
6. Should any wildlife be encountered during work activities, the wildlife shall not be disturbed and shall be allowed to leave the work site unharmed.
7. The use of anticoagulant rodenticide is prohibited.
8. The operator shall provide information to all employees about the potential health impacts of cannabis use on children. Information shall be provided by posting the brochures from the Department of Health and Human Services titled "Cannabis Palm Card" and "Cannabis Rack Card." This information shall also be provided to all employees as part of the employee orientation.
9. All components of the 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. Any 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.

10. Cannabis cultivation and other commercial cannabis activity shall be conducted in compliance with all laws and regulations as set forth in the CMMLUO and Medicinal and Adult-Use Cannabis Regulation and Safety Act (MAUCRSA), as applicable to the permit type.
11. If operating pursuant to a written approved compliance agreement, the permittee shall abate or cure violations at the earliest feasible date, but in no event no more than two years from the date of issuance of a provisional clearance or permit. The permittee shall provide plans for curing such violations to the Planning and Building Department within one 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.
12. The permittee shall have 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.
13. The permittee shall be in 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.
14. The permittee shall ensure 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).
15. The permittee shall maintain enrollment in Tier 1, 2, or 3, certification with North Coast Regional Water Quality Control Board (NWRWQCB) 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.
16. The permittee shall comply with the terms of any applicable Lake and Stream Alteration (1600 or 1602) Permit obtained from the California Department of Fish and Wildlife (CDFW).
17. The permittee shall 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.
18. The permittee shall consent to an annual onsite 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).
19. The permittee shall pay all applicable fees for application review to ensure conformance with conditions and annual inspection fees.
20. 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.

21. Fertilizer, pesticide, fungicide, rodenticide, or herbicide shall be properly stored, handled and used in accordance with applicable regulations.
22. The master log books maintained by the applicant to track production and sales shall be maintained for inspection by the County.
23. The permittee shall pay all applicable taxes as required by the Humboldt County Commercial Marijuana Cultivation Tax Ordinance (Humboldt County Code Section 719-1 et seq.).

Performance Standards for Cultivation and Processing Operations

24. Pursuant to the MAUCRSA, Health and Safety Code Section 19322(a)(9), an applicant seeking a cultivation license shall "provide a statement declaring the applicant is an 'agricultural employer,' as defined in the Alatorre-Zenovich-Dunlap-Berman Agricultural Labor Relations Act of 1975 (Part 3.5 commencing with Section 1140) of Division 2 of the Labor Code), to the extent not prohibited by law."
25. 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).
26. 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.
27. 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. Onsite housing provided to employees shall comply with all applicable federal, state, and local laws and regulations.
28. 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
29. Term of Commercial Cannabis Activity Special Permit. Any Commercial Cannabis Activity Permit 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.
30. 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 re-inspection to determine whether or not the permit holder has cured all issues of noncompliance. Failure to request re-inspection 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.
31. 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.
32. 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.
33. 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.

34. 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 #B.11 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 #B.29 and B.30 of the Ongoing Requirements/Development Restrictions, above.
3. If cultural resources are encountered during construction activities, the contractor onsite 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.

4. The applicant shall be aware that the Federal Government considers the cultivation of cannabis to be an illegal activity. This project is accessed by using roads that pass-through lands owned by the Federal Government. The Federal Government may not allow the applicant to use these roads to transport cannabis. In such case, Humboldt County will not provide relief to the applicant. Approval of this permit does not authorize transportation of cannabis across Federal lands.

ATTACHMENT 2

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

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

**APN 217-381-001; Mystic Mountain Farms, LLC, 735 Homestead Road, Blocksburg, CA 95573
County of Humboldt**

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

March 2021

BACKGROUND

Purpose of Addendum

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.

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 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 potential environmental impacts of the project to a less than significant level.

Modified Project Description

The modified project involves a Conditional Use Permit (PLN-12024-CUP) to permit a total of 15,440 square feet (SF) of existing cannabis cultivation, consisting of 10,695 SF outdoor cultivation and 4,745 SF mixed light cultivation. Drying and further processing activities would occur onsite in a proposed 2,400-SF building (40' x 60'). The project will require one (1) to two (2) full time persons employed on site for cultivation activities and an additional one (1) to two (2) persons seasonally, resulting in a maximum of

two (2) to four (4) persons. Power is provided primarily by four onsite generators; two (2) Honda EU2000 (2,000 watts) to run the pumps and lights, and two (2) Honda 7000 (7,000 watts) generators used to run de-humidifiers and well pumps. The applicant is exploring options to convert to solar power generation in the future.

Irrigation water is sourced from an onsite domestic well (well permit 19/20-0331) and a 500,000-gallon rainwater catchment pond. Water is stored within the rainwater catchment pond, as well as one (1) 5,000-gallon storage tank, and one (1) 1,000-gallon storage tank, yielding a total onsite storage of 506,000 gallons.

In order to preserve water resources within the project site, a Water Resources Protection Plan (WRPP) was created that includes annual reporting, site inspection and monitoring of all water-related activities to the North Coast Regional Water Quality Control Board (NCRWQCB) by March 31st of each year. The proposed project is within a Streamside Management Area (SMA) and therefore is required to be consistent with the Humboldt County General Plan Policy BR-P6, which requires development within a SMA to comply with erosion control and required mitigation measures.

A list of potential special status species was generated in March 2021 using the following information systems: California Natural Diversity Database (CDFW 2019), Biogeographic Information and Observation system (BIOS), Northern Spotted Owl Viewer (CDFW 2019), and US Fish and Wildlife Service (USFWS) Information for Planning and Consultation (IPaC) database. Two Northern Spotted Owl Activity Centers were identified; one is 1,700 meters east of the project site parcel, and one is approximately 1,965 meters southwest of the project site. There was no further information about the owl center or recent sightings. The CNDDB search did not identify any listed or special status species on the project site. Project activities are not expected to produce any adverse or cumulative effects to any special status species or habitat, due to the small size of the project site and the type of proposed activities. Therefore, impacts to biological resources are considered low and unlikely.

A site field survey and a Cultural Resources Investigation were conducted in September 2020 by Mark Arsenault, M.A., RPA, principal investigator of Arsenault & Associates, in order to determine if any cultural resources exist within the project study area. The Cultural Resources Investigation included sending emails to the Native American organizations identified on the Native American Heritage Commission (NAHC) list, contacting the Northwest Information Center (NWIC), and conducting a historical background search of existing maps and publications relevant to the study area.

The investigation was conducted on approximately 24.27 acres of the overall 40-acre parcel. No cultural resources were identified within the study area. It is the conclusion of lead investigator, Mark Arsenault, that the cannabis cultivation located on the parcel has not impacted any cultural resources; the project would not result in any adverse changes to known historical or archaeological resources; and no further investigation(s) would be required if the project remains as proposed. However, he recommended the use of the Inadvertent Discoveries Protocol by a qualified professional archaeologist, if any previously unidentified cultural resources are encountered throughout project implementation.

The project site (APN: 217-381-001) is at 8735 Homestead Road in the unincorporated community of Blocksburg. The site is on the west side of Homestead Road, approximately 0.63 miles north from the intersection of Homestead Road and Browning Road. Per the review referral from Humboldt County Department of Public Works (DPW), the entire road segment is developed to the equivalent of a road category 4 standard and thus is adequate for the proposed use without further review. Nonetheless, DPW recommended standard conditions pertaining to driveway and private road intersection visibility **(Condition 16)** and private road intersections **(Condition 17)**.

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.

Summary of Significant Project Effects and Mitigation Recommended

No changes are proposed for the original MND recommended mitigation measures. The proposal to authorize the continued operation of an existing cannabis cultivation site, consisting of 15,440 SF cannabis cultivation, is fully consistent with the impacts identified and adequately mitigated in the original MND. The project, as conditioned to implement responsible agency recommendations, results in no significantly adverse environmental effects beyond those identified in the MND. Compliance with the CMMLUO ensures consistency with the adopted MND and provides for mitigation of all project related impacts to a less than significant level.

In reviewing the application for consistency with the adopted MND, the County considered the following information and studies, among other documents:

- Site Plan prepared by Timberland Resource Consultants, created June 2017.
- Cultivation and Operations Plan, received May 2019.
- Water Resources Protection Plan (WDID 1B170490CHUM), prepared by Timberland Resource Consultants on 10/25/2017.
- Cultural Resources Investigation for the Western Mystic Mountain Commercial Cannabis Cultivation, Humboldt County, California, conducted by Mark Arsenault, M.A., RPA (41855166), Arsenault & Associates, dated September 2020.
- Northwest Information Center (NWIC) records search, conducted by Bryan Much on June 13, 2019.
- Justification for Onsite Relocation, prepared by Timberland Resource Consultants, dated December 13, 2018, and received May 1, 2019.
- Well Permit 19/20-0331, dated 01/08/2020.

Other CEQA Considerations

Staff suggests no changes for the revised project.

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

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.

For every environmental topic analyzed in this review, the potential environmental impacts of the current project proposal, Mystic Mountain Farms LLC, would be the same or similar, with no substantial increase in severity, than the initial CMMLUO 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, Mystic Mountain Farms LLC. 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. **(On file)**
2. If the applicant is not the record title owner of parcel, written consent of the owner for the application with original signature and notary acknowledgement. **(On file)**
3. Site plan showing the entire parcel, including easements, streams, springs, ponds and other surface water features, and the location and area for cultivation on the parcel with dimensions of the area for cultivation and setbacks from property lines. The site plan shall also include all areas of ground disturbance or surface water disturbance associated with cultivation activities, including access roads, water diversions, culverts, ponds, dams, graded flats, and other related features. If the area for cultivation is within one-quarter mile (1,320 feet) of a school, school bus stop, church or other place of religious worship, public park, or tribal cultural resource, the site plan shall include dimensions showing that the distance from the location of such features to the nearest point of the cultivation area is at least 600 feet. **(Site Plan dated 12/28/2020.)**
4. A cultivation and operations plan that meets or exceeds minimum legal standards for water storage, conservation and use; drainage, runoff and erosion control; watershed and habitat protection; proper storage of fertilizers, pesticides, and other regulated products to be used on the parcel; and a description of cultivation activities (outdoor, indoor, mixed light), the approximate date(s) cannabis cultivation activities have been conducted on the parcel prior to the effective date of this ordinance, if applicable, and schedule of activities during each month of the growing and harvesting season. **(Cultivation and Operations Plan received May 2019)**
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. - **(N/A)**
6. Description of water source, storage, irrigation plan, and projected water usage. **(Included in Cultivation Operations Plan, Water Resources Protection Plan)**
7. Copy of Notice of Intent and Monitoring Self-Certification and other documents filed with the North Coast Regional Water Quality Control Board demonstrating enrollment in Tier 1, 2 or 3, North Coast Regional Water Quality Control Board Order No. 2015-0023, or any substantially equivalent rule that may be subsequently adopted by the County of Humboldt or other responsible agency **(Water Resources Protection Plan, WDID 1B170490CHUM, prepared by Timberland Resource Consultants on 10/25/2017 - Attached)**
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 on March 17, 2016 **(N/A)**
9. If the source of water is a well, a copy of the County well permit, if available. **(Well Permit 19/20-0331 - Attached)**
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. **(Project is in compliance with CAL FIRE)**

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, identification of 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. Acknowledgment 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. Acknowledgment 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. Cultural Resources Investigation of the Crisp Farm Property, Willow Creek, Humboldt County, California. Conducted by Nick Angeloff (MS) and Saige Heuer, Archaeological Research and Supply Company, 440 Wildwood Ave. Rio Dell, CA 95562. Report Dated November 2018 (Submitted for Tribal Review). **(On file and confidential)**
16. Division of Environmental Health Attachment for Commercial Medical Marijuana (CMM) Clearances/ Permits (DEH Form). **(On file)**

HOMESTEAD ROAD RANCH, LLC

CULTIVATION, OPERATIONS, AND SECURITY PLAN

OPERATIONS PLAN

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

WATER SOURCE AND STORAGE: The primary source of irrigation water comes from rainwater catchment in the form of one 500,000-gallon storage pond, one 5,000-gallon storage tank, two 1,000-gallon storage tanks, and a 2,000-gallon storage bladder for total water storage of 509,000 gallons.

Applicant will be working with Timberland Resource Consultant (TRC) to ascertain whether the bladder will be replaced with more appropriate water storage via water tanks or an additional rainwater catchment pond.

Applicant will work with TRC to ensure that water storage tanks are sufficiently stable to avoid escapement and meet the best management practices stated in the North Coast Regional Water Quality Control Board's (NCRWQCB) Order No. R1-2015-0023. Additionally, Applicant will construct secondary containment for the existing water bladder until such time as it is replaced. Containment will consist of an earthen berm extending one foot above the height of the bladder when full. Applicant will secure all necessary grading permits required for its storage tanks and bladder.

IRRIGATION PLAN: Irrigation water is applied at agronomic rates to minimize over watering cannabis plants and reducing the risk of irrigation runoff. Irrigation is applied through a traditional drip irrigation and hand-watering for feeding applications. Applicant will be watering every other day. Applicant waters in the morning/early evening hours to reduce evaporative loss. Ground cover and weed barrier is used to minimize weed growth, which reduces water loss during watering. Applicant uses natural soil amendments to aid in soil moisture retention as part of the irrigation plan.

PROJECTED WATER USAGE: Applicant will cultivate approximately 10,695 sf of outdoor cannabis and approximately 4,745 sf of cannabis using mixed light cultivation. Based on California Department of Fish and Wildlife's (CDFW) estimates of cannabis irrigation, and Applicant's irrigation practice of watering every other day, Applicant anticipates using approximately 69,624 gallons of water for irrigation for outdoor cultivation during the growing season ((93 days/2) x 10,695 sq. ft. x (1.4/10 sq. ft.)).

For mixed light cultivation, Applicant is anticipating approximately one, 61-day cultivation run. Based on estimates from CDFW, and Applicant's practice of watering every other day, Applicant anticipates using approximately 10,854 gallons total for mixed light cultivation ((61 days/2) x 4,745 sq. ft. x (.75 gallons/10 sq. ft.)).

Accordingly, Applicant's total water usage for the growing season is projected to be approximately 80,478 gallons of water.

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

2. Description of Site Drainage, including Runoff and Erosion Control Measures

SITE DRAINAGE: There is one Class II watercourse on the property consisting of a rock ford. All roads on the property are graveled to prevent erosion from occurring. Applicant will work with and implement the recommendations of Timberland Resource Consultants (TRC) to implement best management practices to prevent drainage issues from occurring around roads and developed areas.

EROSION CONTROL MEASURES: Applicant has water bars on ditch relief drains and roads are rocked to promote infiltration/dispersal of outflows and prevent erosion along developed areas. Applicant will seed areas of exposed soils with native grasses to prevent bare soil erosion. There are three (3) culverts on the property. Applicant will consult with, and implement recommendations by TRC to implement best management practices to prevent erosion from occurring around roads and developed areas.

RUNOFF CONTROL MEASURES: There is no runoff from Applicant's cultivation activities. Applicant uses drip irrigation, waters at agronomic rates, uses timers to avoid overwatering and maintains vegetation around cultivation areas and riparian areas to minimize runoff and sediment transportation to receiving waters. Applicant's outdoor cultivation areas produce no concentrated storm water runoff from the cultivation areas. Applicant will re-seed and re-vegetate any exposed soils around the cultivation areas and install straw bales and sediment control fencing on slopes or discharge points that may transport sediment to receiving waters. Applicant will consult with, and implement recommendations from, TRC to improve runoff control measures on an as needed basis.

3. Details of Measures Taken to Ensure Protection of Watershed and Nearby Habitat

PROTECTION OF WATERSHED AND HABITAT: Cultivation areas are all setback at least 100 feet from the nearest watercourse. Buffers are maintained at natural slope with native vegetation to prevent sediment transport to receiving waters. These buffers are unaltered and appear to be of

sufficient width to filter wastes from runoff and to maintain essential functions of riparian areas. Riparian areas are protected in a manner that maintains their essential functions.

CULTIVATION RELATED WASTE PROTOCOLS: Applicant is implementing measures to reduce and/or eliminate cultivation related waste. Soil will be reused for multiple cultivation cycles. Pots containing starts and clones will be washed, rinsed, and reused between seasons and recycled at the end of their useful life. Applicant will recycle pesticide and fertilizer containers per California pesticide regulations. All other associated waste will be placed in garbage cans with lids and placed within the structure to the south of the cultivation areas (20'x40' proposed processing facility as shown on the site plan) to prevent nutrients from being leached to groundwater or transported to watercourses. Applicant will determine frequency of disposal to permitted disposal sites that prevents rodent infestation and other nuisances on the property. This will likely be done on a bi-weekly schedule during the growing season.

REFUSE DISPOSAL: The site generates little human refuse. However, Applicant has garbage cans equipped with lids in secondary containment to prevent leaching and transport of foreign materials to receiving waters. The cans are housed within an existing shed, which is covered with roof and side wind protection. Applicant will determine the frequency of pickup and delivery to disposal facilities that prevents rodent infestation and other nuisances on the property. This will likely be done on a bi-weekly schedule during the growing season.

HUMAN WASTE: There is a septic system on the property. Applicant proposes to build a bathroom facility, placed outside of any SMAs, on the property. Applicant will be implementing an OWTS with restroom and handwashing facilities for the proposed processing that will meet commercial building and Americans with Disabilities Act requirements as specified in Humboldt County codes.

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

PESTICIDES: Pesticides are stored in the existing shed that is completely enclosed, lockable, and equipped with a non-permeable floor liner to prevent leaching of pesticides into groundwater or transport to surface waters. Pesticides will be kept in original containers with labels affixed and kept in secondary containment totes to further minimize spills from transportation to groundwater or receiving surface waters. Approved spill proof containers with appropriate warning and information labels will be used to transport pesticides to and from site.

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

All required warning signs will be posted and material safety data sheets (MSDS) will be kept in the area where pesticides are stored. Emergency contact information in the event of pesticide

poisoning shall also be posted at the work site including the name, address and telephone number of emergency medical care facilities. Change areas and decontamination rooms will be available off-site.

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

FERTILIZERS: Applicant seeks out and uses fertilizers that are advertised as naturally based. Fertilizers will be stored in the on-site building referenced above that is completely enclosed, lockable, and equipped with a non-permeable floor liner to prevent leaching and transport to surface waters. Applicant will store and use fertilizers according to the protocols it uses for pesticide storage and use. Fertilizers will be kept in secondary containment totes to further prevent leaching. Applicant will use all fertilizers according to the label and use personal protective equipment as required by the label.

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

SOIL AMENDMENTS: Soil amendments are stored in the existing shed that is completely enclosed, lockable, and equipped with a non-permeable floor liner to prevent leaching of pesticides into groundwater or transport to surface waters. Soil amendments will be kept in original containers with labels affixed and kept in secondary containment totes to further minimize spills from transportation to groundwater or receiving surface waters. Approved spill proof containers with appropriate warning and information labels will be used to transport soil amendments to and from site.

Applicant will use all soil amendments according to the label and use personal protective equipment as required by the label. Applicant will seek out and use soil amendments that are advertised as naturally based.

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

PETROLEUM PRODUCTS AND STORAGE: Applicant stores two (2) five-gallon gasoline cans on site in the shed as shown on the site map. Gas cans are stored in secondary containment. Applicant has a spill-proof kit on site to prevent seepage into groundwater or transport to surface water.

5. Description of Cultivation Activities (e.g. outdoor, indoor, mixed light)

CULTIVATION ACTIVITIES: Applicant is proposing to permit existing full-term outdoor cultivation site with cultivation area of 10,695 sq. ft. and mixed light cultivation area with 4,745 sq. ft. Applicant will be using surface water to irrigate cannabis. Applicant will cultivate in pots to prevent excess irrigation runoff and promote soil moisture retention. Cover crops will be planted at the end of the year to promote soil regeneration.

Power is supplied via a generator. Generator is housed inside the existing “processing” facility located to the south of the cultivation areas. The generator is equipped with secondary containment to prevent seepage of fuels to groundwater or surface water. Applicant will sufficiently muffle sound from generators to less than 50 dbs. to protect surrounding habitat.

Applicant is anticipating two cycles of mixed light cultivation.

The lighting source for the mixed light facilities will comply with the International Dark Sky Association’s standards as outlined in the Commercial Medical Marijuana Land Use Ordinance. Applicant will tarp and sufficiently shield greenhouses so that light will not escape to neighboring parcels.

Applicant does not anticipate hiring any employees for cultivation. Applicant does not anticipate increased road activity. Parking will be provided near the cultivation site and there will be no on-site housing.

Applicant will comply with all applicable federal, state, and local laws and regulations governing California agricultural employers. Applicant will execute a statement declaring it is an agricultural employer as defined in the California Labor Code.

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

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

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

January-March

- Amend soils using blood meal, bone meal, dolomite, and chicken manure

April

- Begin watering soil
- Begin planting on approximately April 15th
- Water greenhouses every other day
- Attach greenhouse tarp covers
- Construct trellis system for plants
- Approximate generator use: 3 hours/day

May

- Water greenhouses every other day
- Apply nutrient feed once a week
- Approximate generator use: 3 hours/day

June

- Water greenhouses every other day
- Apply nutrient feed once a week
- Begin pulling tarps for light deprivation
- Approximate generator use: 0 hours/day

July

- Water greenhouses every other day
- Begin de-leafing plants
- Approximate generator use: 0 hours/day

August

- Water greenhouses every other day
- Begin harvesting
- Begin replanting
- Trim and manicure harvested plants
- Approximate generator use: 3 hours/day

September

- Water greenhouses every other day
- De-leaf plants
- Approximate generator use: 0 hours/day

October

- Water greenhouses every other day
- Begin harvesting second cycle
- De-leaf plants
- Trim and manicure harvested plants
- Approximate generator use: 0 hours/day

November

- Trim and manicure harvested plants
- Approximate generator use: 0 hours/day

December

- Clean and landscape areas used in cultivation
- Approximate generator use: 0 hours/day

PROCESSING PLAN AND ACTIVITIES

PLAN: Applicant is in the process of permitting a 40'x60' processing building in which all processing activities will occur. The processing facility will meet commercial food grade handling standards. It will be equipped with portable, ADA compliant restrooms and handwashing facilities, as well as supplies for cleanliness and sanitation. Hand sanitizing liquid, gloves, potable water, and face masks shall be provided. Potable water will be supplied from groundwater source located on the property and stored in a 1,000-gallon proposed water tank that is anticipated to store water from the proposed well. Applicant will be applying for a permitted on-site waste treatment system sufficient to meet demand from the facility.

Processing will occur in the 40' x 60' proposed processing facility as labeled on the site plan. The dry rooms and processing facilities will be sanitized after every use using organic cleaning products to prevent mold growth and other contaminants. A daily cleaning routine for all work rooms and surface areas will be prepared and carried out. Individuals will be required to wash their hands prior to handling the product and after using the restroom. Sanitary equipment and products such as hand sanitizing liquids, paper towels, gloves, water and face masks will be provided on-site and kept in good and operable condition. Emergency contact numbers will be posted in working areas, including local poison control center.

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

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

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

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

SECURITY FEATURES

Applicant has implemented security measures to safeguard the product and prevent nuisance from occurring on the property. There are gates and locks on all access roads to the property and "private property" and "no trespassing" signs are posted. There is a 6-ft. fence around the grow area. All doors and windows on all buildings are lockable. All finished marijuana is stored away from processing activities and in a locked facility.

To ensure the non-diversion of product, Applicant will enroll in a track and trace program upon the implementation of those programs at the state and local level. Applicant is a cultivation-member of Humboldt Sun Growers Guild, a California Non-Profit Medical Cannabis Collective, that provides medical cannabis to qualified patients and primary caregivers. Applicant will comply with SB 420 and the Attorney General Guidelines for the Security and Non-Diversion of Medical Cannabis (2007).

SOIL AMENDMENTS

<u>PRODUCT USED</u>	<u>AMOUNT STORED ON-SITE</u>
Blood Meal	
Bone Meal	
Dolomite	
Chicken Manure	

MYSTIC MOUNTAIN FARMS, LLC
ADDENDUM TO CULTIVATION OPERATIONS PLAN
APP #12024; APN 217-381-001



Number of Persons Required for Operations: For purposes of cultivation, the applicant is anticipating 1-2 full time persons on site required for cultivation operations. At this time, there is no intention to process on site; therefore, no additional persons will be on-site to conduct processing activities. An additional 1-2 persons may be on-site as seasonal employees for cultivation activities.

Water Resource Protection Plan

APN 217-381-001

180101050501TRC296

1B170490CHUM

Prepared by:

Timberland Resource Consultants

165 South Fortuna Blvd

Fortuna, California 95540

10/22/2017

Revision Date – 10/25/2017

Purpose

This Water Resource Protection Plan (WRPP) has been prepared on behalf of the property owner, for the Humboldt County property identified as parcel number 217-381-001 by agreement and in response to the California Water Code Section 13260(a), which requires that any person discharging waste or proposing to discharge waste within any region that could affect the quality of the waters of the state, other than into a community sewer system, shall file with the appropriate regional water board a Report of Waste Discharge (ROWD) containing such information and data as may be required by the Regional Water Board. The Regional Water Board may waive the requirements of Water Code section 13260 for specific types of discharges if the waiver is consistent with the Basin Plan and in the public interest. Any waiver is conditional and may be terminated at any time. A waiver should include monitoring requirements to verify the adequacy and effectiveness of the waiver's conditions. California Regional Water Quality Control Board, North Coast Region, Order R1-2015-0023, conditionally waives the requirement for the property owner to file an ROWD for discharges and associated activities described in Finding-4.

Scope of Report

Order No. R1-2015-0023 states that "Tier 2 Dischargers and Tier 3 Dischargers who intend to cultivate cannabis before, during, or following site cleanup activities shall develop and implement a water resource protection plan that contains the elements listed and addressed below. Dischargers must keep this plan on site, and produce it upon request by Regional Water Board staff. Management practices shall be properly designed, installed, and assessed periodically for effectiveness. If a management measure is found to be ineffective, the plan must be adapted and implemented to incorporate new or additional management practices to meet standard conditions. Dischargers shall certify annually to the Regional Water Board individually or through an approved third party program that the plan is being implemented and is effectively protecting water quality, and report on progress in implementing site improvements intended to bring the site into compliance with all conditions of this Order."

Methods

The methods used to develop this WRPP include both field and office components. The office component consisted of aerial photography review and interpretation, existing USGS quad map review, GIS mapping of field data, review of on-site photography points, streamflow calculations, and general planning. The field component included identifying and accurately mapping all watercourses, wet areas, and wetlands located downstream of the cultivation areas, associated facilities, and all appurtenant roads accessing such areas. An accurate location of the Waters of the State is necessary to make an assessment of whether potential and existing erosion sites/pollution sites have the potential to discharge waste to an area that could affect Waters of the State (including groundwater). All cultivation areas, associated facilities, and all appurtenant roads accessing such areas were assessed for discharges and related controllable water quality factors from the activities listed in Order R1-2015-0023, Finding 4a-j. The field assessment also included an evaluation and determination of compliance with the Standard Conditions per Provision I.B of Order No. R1-2015-0023. The water resource protection plans required under Tier 2 are meant to describe the specific measures a discharger implements to achieve compliance with standard conditions. Therefore, all required components of the water resource protection plan per Provision I.B of Order No. R1-2015-0023 were physically inspected and evaluated. A comprehensive summary of each Standard Condition as it relates to the subject property is appended.

Water Resource Protection Plan

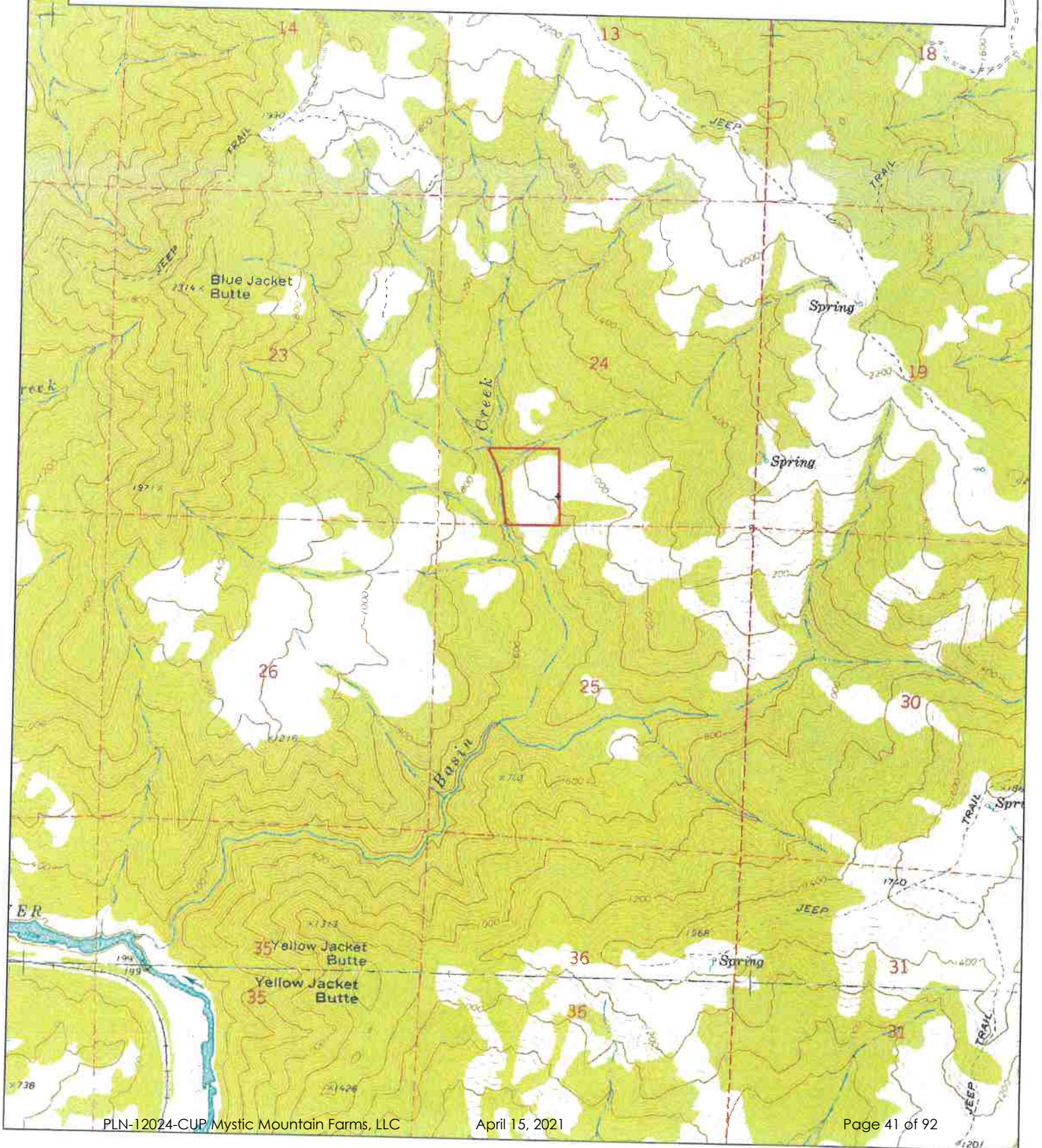
General Location Map WDID - 1B170490CHUM

 Property Boundary

The property is located in SW ¼ of Section 24, T2S, R4E, HB&M, in Humboldt County from the Blocksburg 7.5' Quad Map.



1" = 2000'



Property Description

The property assessed consists of one 27-acre parcel with vegetation consisting primarily of oak woodlands and Grasslands. Slopes on the ownership average 27% with cultivation areas and roads averaging 15%. The property is located in SW ¼ of Section 24, T2S, R4E, HB&M, in Humboldt County from the Blocksburg 7.5' Quad Map. This property is located approximately 2.2 miles west of Blocksburg, California accessed via private roads off Alderpoint Road. This property has two unnamed Class II watercourses and one unnamed Class III watercourses that converge with the Eel River.

Project Description

Cultivation on the property is comprised of four cultivation areas, referenced as Cultivation Area A, B, C, and D. Cultivation Area A consists of 9,038ft² with two 20X100ft greenhouses and one 20X80ft greenhouse. Cultivation B consists of 4,530ft² of outdoor above ground potted plants. Cultivation Area C consists of 1,986ft² outdoor above ground potted plants. Cultivation Area D consists of 3,871ft² of outdoor above ground planted pots. This equates to a total of 19,425ft² of cultivation area. All areas are accessed by a well-established road network with seasonal, permanent, and trail types.

Monitoring Plan

Tier 2 Dischargers shall include a monitoring element in the Water Resource Protection Plan that at a minimum provides for periodic inspection of the site, checklist to confirm placement and efficacy of management measures and document progress on any plan elements subject to a time schedule. Tier 2 Dischargers shall submit an annual report (Appendix C) by March 31 of each year that documents implementation and effectiveness of management measures during the previous year. Tier 2 annual reporting is a function that may be provided through an approved third party program.

Monitoring of the site includes visual inspection and photographic documentation of each feature of interest listed on the site map, with new photographic documentation recorded with any notable changes to the feature of interest. At a minimum, all site features must be monitored annually, to provide the basis for completion of the annual re-certification process. Additionally, sites shall be monitored at the following times to ensure timely identification of changed site conditions and to determine whether implementation of additional management measures are necessary to prevent, minimize, and mitigate discharges of waste to surface water: 1) just prior to October 15 to evaluate site preparedness for storm events and storm water runoff, 2) following the accumulation of 3" total precipitation or by November 15, whichever is sooner, and 3) following any rainfall event with an intensity of 3" precipitation in 24 hours. Precipitation data can be obtained from the National Weather Service Forecast Office (e.g. by entering the zip code of the parcel location at <http://www.srh.noaa.gov/forecast>). Sites requiring monitoring are indicated as such within the WRPP Mitigation report in the follow pages.

Monitoring Plan Reporting Requirements

Order No. R1-2015-0023, Appendix C must be submitted to the Regional Water Board or approved third party program upon initial enrollment in the Order (NOI) and annually thereafter by March 31. Forms submitted to the Regional Water Board shall be submitted electronically to northcoast@waterboards.ca.gov. If electronic submission is infeasible, hard copies can be submitted to North Coast Regional Water Quality Control Board, 5550 Skylane Boulevard, Suite A, Santa Rosa, CA 95403.

Assessment of the Standard Conditions

Assessment of Standard Conditions consisted of field examinations in the winter of 2016 and spring of 2017. The examination evaluated areas near, and areas with the potential to directly impact, watercourses for sensitive conditions including, but not limited to, existing and proposed roads, skid trails and landings, unstable and erodible watercourse banks, unstable upslope areas, debris, jam potential, inadequate flow capacity, changeable channels, overflow channels, flood-prone areas, and riparian zones. Field examinations also evaluated all roads and trails on the property, developed areas, cultivation sites, and any structures and facilities appurtenant to cultivation on the property. Anywhere the Standard Conditions are not met on the property, descriptions of the assessments and the prescribed treatments are outlined in the Mitigation Report to follow.

Summary of Standard Conditions Compliance

1. Site maintenance, erosion control, and drainage features Y☒/N ☐
2. Stream crossing maintenance Y☒/N ☐
3. Riparian and wetland protection and management Y☐/N☒
4. Spoils management Y☒/N☐
5. Water storage and use Y☒/N ☐
6. Irrigation runoff Y☒/N☐
7. Fertilizers and soil amendments Y☒/N☐
8. Pesticides and herbicides Y☒/N☐
9. Petroleum products and other chemicals Y☒/N☐
10. Cultivation-related wastes Y☒/N ☐
11. Refuse and human waste Y☐/N☒

1. Site maintenance, erosion control, and drainage features

Roads are being classified as "permanent" (being used year-round), "seasonal" (being used primarily during summer months), and "trail" (being rarely used for occasional access to features on the property). This property has approximately 0.5 miles of road with grades ranging 0-20%.

The rocky permanent road on the property is used to access two cultivation areas. The seasonal use road is used to access a residence. There is a Class II rocky ford watercourse crossing before the house; the primary means of accessing the house consists of a parking area before the rocky ford crossing and a foot bridge to the house. The watercourse crossing is only used for equipment and supplies delivery. The trails are used to access water tanks, a pond, and as shortcuts to access various locations on the property.

The permanent road has sufficient surface rock with appropriate and adequately spaced drainage structures. This portion of road is primarily drained by an inside ditch and appropriately spaced ditch relief culverts. Grades on the permanent roads ranged from 0-15%.

The seasonal roads have sufficient surface rock and appropriately spaced drainage structures. Portions of this road are drained by an inside ditch with multiple ditch relief culverts. Grades on the seasonal roads ranged from 0-20%.

The trails on the property were stable with no signs of erosion. Multiple water bars were noted that are well defined and functioning adequately. No locations were determined to be lacking drainage or requiring maintenance on the trails. Grades on the trails ranged from 5-25%.

Assessment of the Standard Conditions (Cont.)

Cultivation on the property consists of four areas totaling 19,425ft².

Cultivation Area A consists of 9,038ft² located on a mid-slope terrace. This area is drained by a ditch through the center of the cultivation area and contained by a berm around the northern edge of the cultivation area. At the time of survey, mulching was observed on the exposed soils around the greenhouse. Slopes within this cultivation area range from 0-5%; slopes of the surrounding landscape range from 10-30%. No erosion or site maintenance issues were observed at this location.

Cultivation B consists of 4,530ft² of outdoor above ground potted plants located on a mid-slope terrace below and to the west of Cultivation Area A. The exposed soils have been mulched with straw. No erosion control or site maintenance issues were observed at this location.

Cultivation Area C consists of 1,986ft² outdoor above ground potted plants. This area is located on a graded flat located below the residence. The exposed soils have been mulched with straw. The area surrounding the cultivation area is well vegetated with shrubs and grasses. As per recommendations of the first site visit this would not be a suitable location to cultivate due to close proximity with watercourses. As a result, the land owner has ceased cultivation in this location and seeded and mulched the area. No erosion control or site maintenance issues were observed at this location.

Cultivation Area D consists of 3,871ft² of outdoor above ground planted pots. The exposed soils are mulched with straw. This cultivation area is located on a graded flat above the residence. No erosion control or site maintenance issues were observed at this location.

Cultivation Area C and D were deemed to be located in an unsuitable location due to proximity to watercourses. A proposed relocation site was vetted in the field and is referenced on the site map. This proposed cultivation area is located on a mid-slope flat with a grassland vegetation type. The slopes within the cultivation area are 0-3% with surrounding slopes averaging 15%.

2. Stream crossing maintenance

One watercourse crossing occurs on this property and is referenced as Sites 11. This watercourse crossing does not require replacement or maintenance at this time (11/16/2017). Site 11 consists of a rock ford and a foot bridge. Both of these watercourse crossings were functioning adequately, stable, and sized appropriately. This watercourse feature will require yearly monitoring and maintenance to maintain the current configuration.

3. Riparian and wetland protection and management

Cultivation Area A is 100 feet from a Class II watercourse, the runoff from this cultivation area drains in a different direction. Run-off flow is obstructed by a 4-5ft berm at the northern end of the cultivation area, posing no threat to water quality. Cultivation Area B is approximately 120 feet from a Class II watercourse. There was a collection of refuse and garbage perched at Site 09. This site will require relocation and cleanup due to the refuse being perched on the edge of a steep slope, of 30-40%, with a distance of approximately 60ft down to a Class II watercourse.

Assessment of the Standard Conditions (Cont.)

Cultivation Area C is approximately 30ft from a Class II watercourse and 50ft away from another Class II watercourse. The discharger was informed of this close proximity to the nearby watercourses. Upon the second visit most of the cultivation related materials had been removed and the exposed soils were mulched. There were approximately 4 soil pots that were completely overgrown in blackberry bushes, shrubs, and grasses. This site is no longer used.

Cultivation Area D is approximately 95 feet from a Class II watercourse. This cultivation area was situated on a graded area with mulching and a well vegetated riparian buffer zone. Cultivation Area C and D are located within the riparian buffer zone. The land owner was informed of this and all cultivation activities have been ceased in these cultivation areas. A proposed location for relocation of these cultivation areas was evaluated in the field and referenced on the site map.

4. Spoils management

During initial inspection, no spoils piles were located on the property. If spoiling material is required, such as from stream crossing installation or other grading, the discharger shall follow the BMPs in Appendix B or the Order, under Spoil Management. Spoil sites shall be located outside any standard width riparian area (50' for Class III and 100' for Class II) and shall be stabilized and contained as per the BMPs. This standard condition is being met at this time.

5. Water storage and use

All agricultural water is sourced from an off-stream rain catchment pond that is estimated to hold approximately 200,000 gallons. This is pumped to three tanks, a 1,000 and 550-gallon tank above Cultivation Area A, and a 1000-gallon tank above the house. Approximately, 233,460 gallons of water storage exists on this property. This volume of water storage is sufficient to allow for full forbearance during the required period. The land owner has expressed intent to install a pond liner and potentially utilize a winter time diversion from an on-property watercourse to fill the pond to its full potential. Water metering device(s) shall be installed prior to any cultivation operation in 2018, to meter water used for the irrigation of cannabis. Separate water meter(s) shall be installed to record domestic water use.

A general recommendation has been made to implement water conservation techniques at the discretion of the discharger. Water conservation technique options include drip systems, mulching base of plant, watering early in the morning (before 10a.m) or later in the evening (after 6 p.m.), repairing leaky pipes and fittings, and utilizing water conserving soil amendments such as bio-char. These options further described in Appendix B of the order under Water Storage and Use BMPs.

Water Use Estimates (gallons) from the Pond

Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total
4650	4200	4650	4500	13950	13500	13950	13950	13500	13950	4500	4650	109,950

6. Irrigation runoff

During the field assessments, no evidence of irrigation runoff was observed, nor was there evidence that it had occurred in the past. Recommendations were made to the property owner about proper winterization of the gardens including storing greenhouse plastics and covering of exposed soils.

Assessment of the Standard Conditions (Cont.)

7. Fertilizers and soil amendments

Fertilizers, potting soils, compost, and other soils and soil amendments are stored appropriately on the property in a manner in which they will not enter or be transported into surface waters and so that nutrients or other pollutants will not be leached into groundwater. Fertilizers and soil amendments are applied and used per the manufacturers guidelines. Cultivation areas are currently maintained so as to prevent nutrients from leaving the site during the growing season and post-harvest.

8. Pesticides and herbicides

All pesticides are stored in an agricultural storage structure. Products used are applied at rates based on the manufacturer's specifications. This standard condition is being met.

9. Petroleum products and other chemicals

Currently, no fuel storage or petroleum products are present on the property. Should the discharger at any point in the future obtain fuel storage or petroleum products, any/all future petroleum products and other liquid chemicals, including but not limited to diesel, biodiesel, gasoline, and oils shall be stored so as to prevent their spillage, discharge, or seepage into receiving waters.

10. Cultivation-related wastes

During inspection, no cultivation related waste was observed on site. Prior to the second site visit a cleanup of the property had taken place. As a result, there was a negligible amount of cultivation related waste or garbage evident at the time of survey.

11. Refuse and human waste

There was one collection of refuse and garbage perched at the top of a slope referenced as Site 09. The collection of refuse is within the riparian buffer zone and shall be moved to a location that is at least 100 feet from any watercourse. The primary means of human waste disposal consists of a septic system attached to the residence. It is unknown whether this septic system is permitted. The landowner shall have this septic system inspected and approved to be in a permissible condition by a licensed professional. It is the responsibility of the landowner to comply with the requirements set forth under Humboldt County Health and Human Services, Department of Public Health: Sewage Disposal Regulations, Appendix VII, 1984.

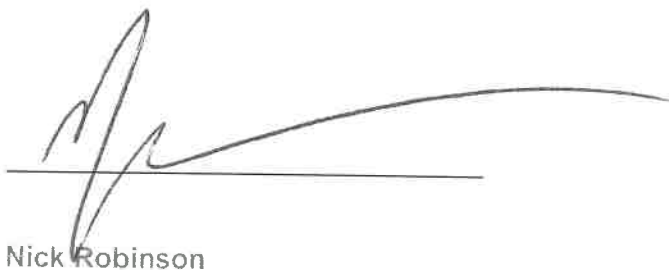
12. Remediation/Cleanup/Restoration

Currently, one of the Standard Conditions are not being met; 11. Refuse and human waste. These sites will be treated in accordance with regulations, following approval of any and/or all necessary permits, and done in accordance with the BMP's listed in Appendix B of the Order. Additionally, several other general recommendations have been made as follows:

**STATEMENT OF CONTINGENT AND LIMITING CONDITIONS CONCERNING THE PREPARATION AND
USE OF WATER RESOURCE PROTECTION PLAN**

Prepared by Timberland Resource Consultants

1. This Water Resource Protection Plan has been prepared for the property within APN 217-381-001 in Humboldt County at the request of the Client.
2. Timberland Resource Consultants does not assume any liability for the use or misuse of the information in this Water Resource Protection Plan.
3. The information is based upon conditions apparent to Timberland Resource Consultants at the time the inspection was conducted. Changes due to land use activities or environmental factors occurring after this inspection have not been considered in this Water Resource Protection Plan.
4. Maps, photos, and any other graphical information presented in this report are for illustrative purposes. Their scales are approximate, and they are not to be used for locating and establishing boundary lines.
5. The conditions presented in this Water Resource Protection Plan may differ from those made by others or from changes on the property occurring after the inspection was conducted. Timberland Resource Consultants does not guarantee this work against such differences.
6. Timberland Resource Consultants did not conduct an investigation on a legal survey of the property.
7. Persons using this Water Resource Protection Plan are advised to contact Timberland Resource Consultants prior to such use.
8. Timberland Resource Consultants will not discuss this report or reproduce it for anyone other than the Client named in this report without authorization from the Client.

A handwritten signature in dark ink, appearing to read 'Nick Robinson', is written over a horizontal line. The signature is stylized with a large, sweeping initial 'N' and a long, horizontal stroke extending to the right.

Nick Robinson
Timberland Resource Consultants

Photographs



Cultivation Area A



Cultivation Area B



Cultivation Area C (Removed)








Cultivation Area D (Removed)




Site 11 - Rock ford functioning adequately. Details are in the Mitigation Report.




Water Resource Protection Plan

Site Map WDID - 1B170490CHUM

- | | |
|--|---|
|  Property Boundary |  Structure |
|  Cultivation Area |  Pond |
|  Proposed Relocation Area | |

- | |
|--|
|  Site |
|  Tank |

Road

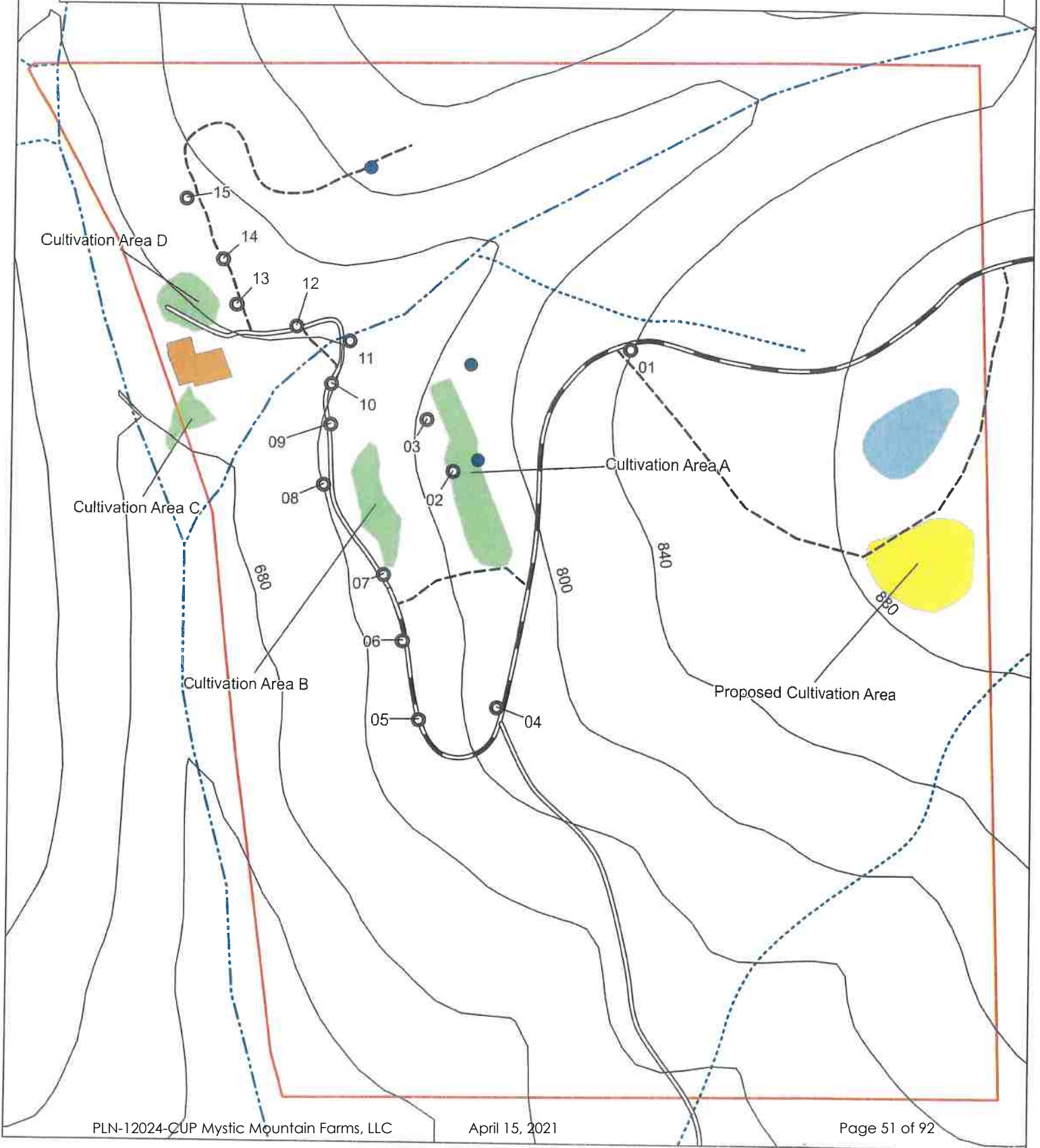
- | |
|--|
|  Permanent |
|  Seasonal |
|  Trail |

Watercourse






- | |
|---|
|  Class II |
|  Class III |





1" = 150'



Water Resource Protection Plan Site Map WDID - 1B170490CHUM

- | | |
|--|---|
|  Property Boundary |  Structure |
|  Cultivation Area |  Pond |
|  Proposed Relocation Area | |

- | |
|--|
|  Site |
|  Tank |

- Road**
- | |
|--|
|  Permanent |
|  Seasonal |
|  Trail |

- Watercourse**
- | |
|---|
|  Class II |
|  Class III |



1" = 150'





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WRPP - Mitigation Report

APN# - 217-381-001

180101050501TRC296

Unique Point	Lat-Long NAD 83	Road Type	Mitigation Planned	Monitor	1600	Standard Conditions	Treatment Priority	Date Completed
1	-123.681 40.2725	Permanent		X		A.1.		
Current Condition: Existing 18" ditch relief culvert. Functioning adequately.						Proposed Action : None.		
Unique Point	Lat-Long NAD 83	Road Type	Mitigation Planned	Monitor	1600	Standard Conditions	Treatment Priority	Date Completed
2	-123.682 40.2721			X		A.1.		
Current Condition: Drainage ditch that runs through the cultivation area. This ditch outputs onto a well vegetated slope. No signs of erosion.						Proposed Action : None.		
Unique Point	Lat-Long NAD 83	Road Type	Mitigation Planned	Monitor	1600	Standard Conditions	Treatment Priority	Date Completed
3	-123.682 40.2723			X		A.1.		
Current Condition: Spatial reference to a topographical barrier consisting of a berm. This berm does not allow run-off from the cultivation area to drain towards a Class II watercourse. Surface water is instead collected in the drainage ditch referenced as Site 02.						Proposed Action : None.		
Unique Point	Lat-Long NAD 83	Road Type	Mitigation Planned	Monitor	1600	Standard Conditions	Treatment Priority	Date Completed
4	-123.682 40.2713	Permanent		X		A.1.		
Current Condition: Existing 18" ditch relief culvert. Functioning adequately.						Proposed Action : None.		
Unique Point	Lat-Long NAD 83	Road Type	Mitigation Planned	Monitor	1600	Standard Conditions	Treatment Priority	Date Completed
5	-123.682 40.2713	Permanent		X		A.1.		
Current Condition: Existing 18" ditch relief culvert. Functioning adequately.						Proposed Action : None.		
Unique Point	Lat-Long NAD 83	Road Type	Mitigation Planned	Monitor	1600	Standard Conditions	Treatment Priority	Date Completed
6	-123.682 40.2715	Permanent		X		A.1.		
Current Condition: Existing 18" ditch relief culvert. Functioning adequately.						Proposed Action : None.		
Unique Point	Lat-Long NAD 83	Road Type	Mitigation Planned	Monitor	1600	Standard Conditions	Treatment Priority	Date Completed
7	-123.682 40.2717	Permanent		X		A.1.		
Current Condition: Existing 18" ditch relief culvert. Functioning adequately.						Proposed Action : None.		



Timberland
Resource
Consultants

WRPP - Mitigation Report

APN# - 217-381-001

180101050501TRC296

Unique Point	Lat-Long NAD 83	Road Type	Mitigation Planned	Monitor	1600	Standard Conditions	Treatment Priority	Date Completed
8	-123.682 40.272	Seasonal	X	X		A.1.		
Current Condition: Existing 18" ditch relief culvert. Functioning adequately.						Proposed Action : None.		
9	-123.682 40.2722	Seasonal	X	X		A.3. & A.11.	Prior to 10/15/18 pending approval of applicable permits	
Current Condition: Debris located within the riparian buffer zone. Debris consist of plastic trash and vehicle parts.						Proposed Action: It is being recommended to move these items to a location that is at least 100 feet from any watercourse.		
10	-123.682 40.2724	Seasonal	X	X		A.1.	Prior to 10/15/17 pending approval of applicable permits	
Current Condition: 4" steel pipe used as a ditch relief culvert. Functioning adequately						Proposed Action: There was gully forming at the output of this overflow, it is being recommended to install erosion control rock to prevent further erosion of this site.		
11	-123.682 40.2725	Seasonal		X		A.2.		
Current Condition: Class II watercourse crossing consisting of a rockford. Approaches are rocky. This watercourse crossing is occasionally used in the summer months to deliver supplies and equipment to a residence. At this location there is also a foot bridge that is used as the primary means of accessing the residence. The crossing appears to be bedrock with large boulders in the stream channel. There was no downcutting or erosion evident at the time of survey. This crossing is functioning adequately.						Proposed Action: None. Monitor annually and maintain the current configuration.		
12	-123.682 40.2726	Seasonal		X		A.1.		
Current Condition: Existing rolling dip. Functioning adequately.						Proposed Action: None.		
13	-123.683 40.2726	Trail		X		A.1.		
Current Condition: Existing water bar located on a trail. Functioning adequately.						Proposed Action: None.		



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WRPP - Mitigation Report

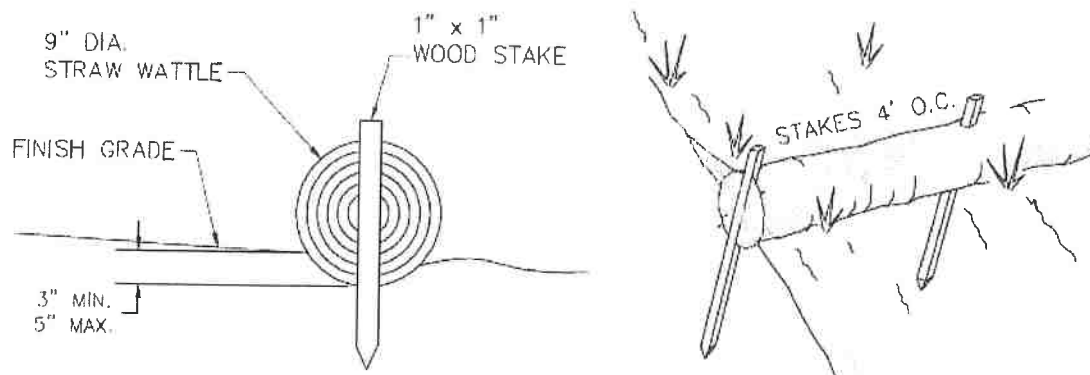
APN# - 217-381-001

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Unique Point	Lat-Long NAD 83	Road Type	Mitigation Planned	Monitor	1600	Standard Conditions	Treatment Priority	Date Completed
14	-123.683 40.2728	Trail		X		A.1.		
Current Condition: Existing water bar located on a trail. Functioning adequately.						Proposed Action: None.		
15	-123.683 40.273	Trail		X		A.1.		
Current Condition: Existing water bar located on a trail. Functioning adequately.						Proposed Action: None.		

BMP: Erosion Control

- Erosion control and sediment detention devices and materials shall be incorporated into the cleanup/restoration work design and installed prior to the end of project work and before the beginning of the rainy season. Any continuing, approved project work conducted after October 15 shall have erosion control works completed up-to-date and daily.
- Erosion control materials shall be, at minimum, stored on-site at all times during approved project work between May 1 and October 15.
- Approved project work within the 5-year flood plain shall not begin until all temporary erosion controls (straw bales or silt fences that are effectively keyed-in) are installed downslope of cleanup/restoration activities.
- Non-invasive, non-persistent grass species (e.g., barley grass) may be used for their temporary erosion control benefits to stabilize disturbed slopes and prevent exposure of disturbed soils to rainfall.
- Upon work completion, all exposed soil present in and around the cleanup/restoration sites shall be stabilized within 7 days.
- Soils exposed by cleanup/restoration operations shall be seeded and mulched to prevent sediment runoff and transport.
- Straw Wattles (if used) shall be installed with 18 or 24 inch wood stakes at four feet on center. The ends of adjacent straw wattles shall be abutted to each other snugly or overlapped by six inches. Wattles shall be installed so that the wattle is in firm contact with the ground surface.



BMP: Crossing Abandonment

- When fills are removed they shall be excavated to form a channel that is as close as feasible to natural watercourse grade, orientation, and a width that is wider than the natural channel.
- Excavated banks shall be laid back to a 2:1 (50%) or natural slope.
- Temporary crossings shall be removed by November 15.
 - Any temporary culvert crossing left in after October 15 or installed between October 15 and May 1, shall be sized to accommodate the estimated 100-year flow.
- Bank and channel armoring may occur when appropriate to provide channel and bank stabilization.
- Road approaches leading to the crossing to be abandoned shall be hydrologically disconnected.
- The abandonment of a watercourse crossing shall not prevent equipment access to existing watercourse crossings not also being abandoned.

BMP: Permanent Culvert Crossing

- New culvert installations shall be sized to accommodate flows associated with a 100-year storm event.
- If the new culvert is replacing a poorly installed old culvert, the crossing may need to be abandoned to the following standard:
 - When fills are removed they shall be excavated to form a channel that is as close as feasible to natural watercourse grade and orientation, and that is wider than the natural channel.
 - Excavated banks shall be laid back to a 2:1 (50%) or natural slope.
- New culverts shall be placed at stream gradient, or have downspouts, or have energy dissipaters at outfall.
 - Align culverts with the natural stream channel orientation to ensure proper function, prevent bank erosion, and minimize debris plugging. See Figure 97 below.
 - Place culverts at the base of the fill and at the grade of the original streambed or install a downspout past the base of the fill. Downspouts should only be installed if there are no other options.
 - Culverts should be set slightly below the original stream grade so that the water drops several inches as it enters the pipe.
 - Culvert beds should be composed of rock-free soil or gravel, evenly distributed under the length of the pipe.
 - Compact the base and sidewall material before placing the pipe in its bed.
 - Lay the pipe on a well-compacted base. Poor basal compaction will cause settling or deflection in the pipe and can result in separation at a coupling or rupture in the pipe wall.
 - Backfill material should be free of rocks, limbs, or other debris that could dent or puncture the pipe or allow water to seep around the pipe.
 - Cover one end of the culvert pipe, then the other end. Once the ends are secure, cover the center.
 - Tamp and compact backfill material throughout the entire process, using water as necessary for compaction.
 - Backfill compacting will be done in 0.5 – 1.0 foot lifts until 1/3 of the diameter of the culvert has been covered.
 - Push layers of fill over the crossing to achieve the final design road grade, road fill above the culvert should be no less than one-third to one-half the culvert diameter at any point on the drivable surface.
- Critical dips shall be installed on culvert crossings to eliminate diversion potential. Refer to Figure 84 below.
- Road approaches to crossings shall be treated out to the first drainage structure (i.e. waterbar, rolling dip, or hydrologic divide) to prevent transport of sediment.
- Road surfaces and ditches shall be disconnected from streams and stream crossings to the greatest extent feasible. Ditches and road surfaces that cannot be feasible disconnected from streams or stream crossings shall be treated to reduce sediment transport to streams.
- If downspouts are used, they shall be secured to the culvert outlet and shall be secure on fill slopes.
- Culverts shall be long enough so that road fill does not extend or slough past the culvert ends.
- Inlet of culverts, and associate fill, shall be protected with appropriate measures that extend at least as high as the top of the culvert.
- Outlet of culverts shall be armored with rock if road fill sloughing into channel can occur.
- Armor inlets and outlets with rock, or mulch and seed with grass as needed (not all stream crossings need to be armored).
- Where debris loads could endanger the crossing, a debris catchment structure shall be constructed upstream of the culvert inlet.
- Bank and channel armoring may occur, when appropriate, to provide channel and bank stabilization.

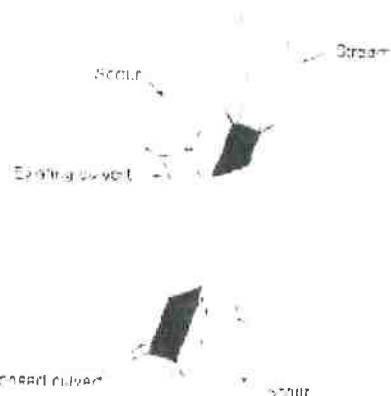


FIGURE 97. Culvert alignment should be in relation to the stream and not the road. It is important that the stream enters and leaves the culvert in a relatively straight horizontal alignment so streamflow does not have to turn to enter the inlet or discharge into a bank as it exits. This figure shows a redesigned culvert installation that replaces the bending alignment that previously existed. Channel turns at the inlet increase plugging potential because wood going through the turn will not align with the inlet. Similarly, channel turns at the inlet and outlet are often accompanied by scour against the channel banks (Wisconsin Transportation Information Center, 2004).

HANDECON FOR FOREST RANCH AND RURAL ROADS

BMPs and Diagrams

BMP: Permanent Culvert Crossing (Cont.)

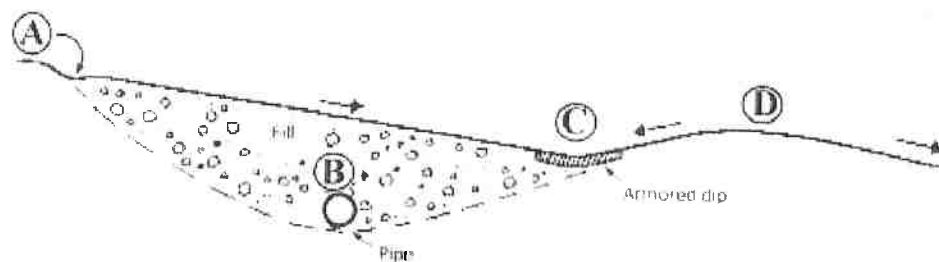
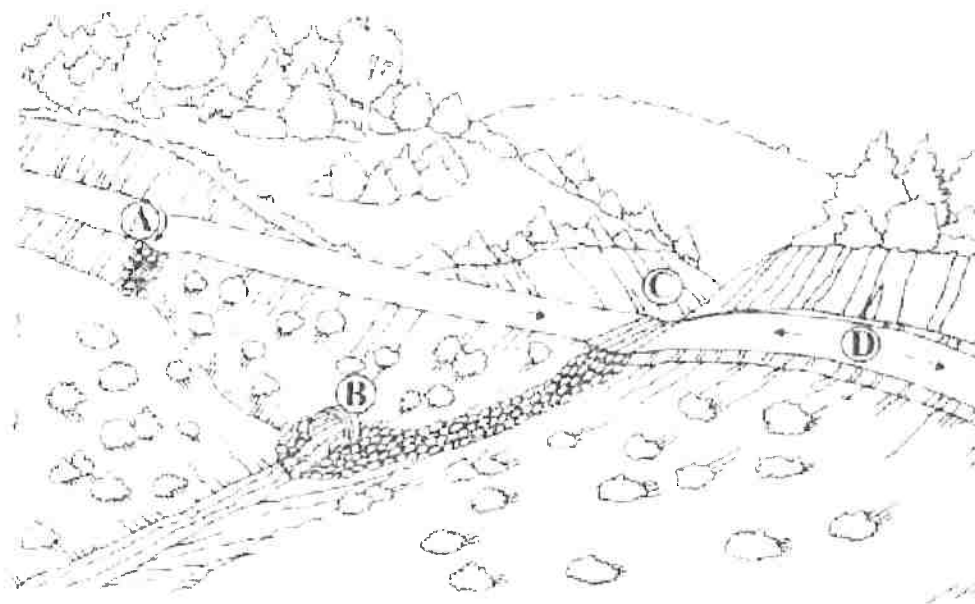
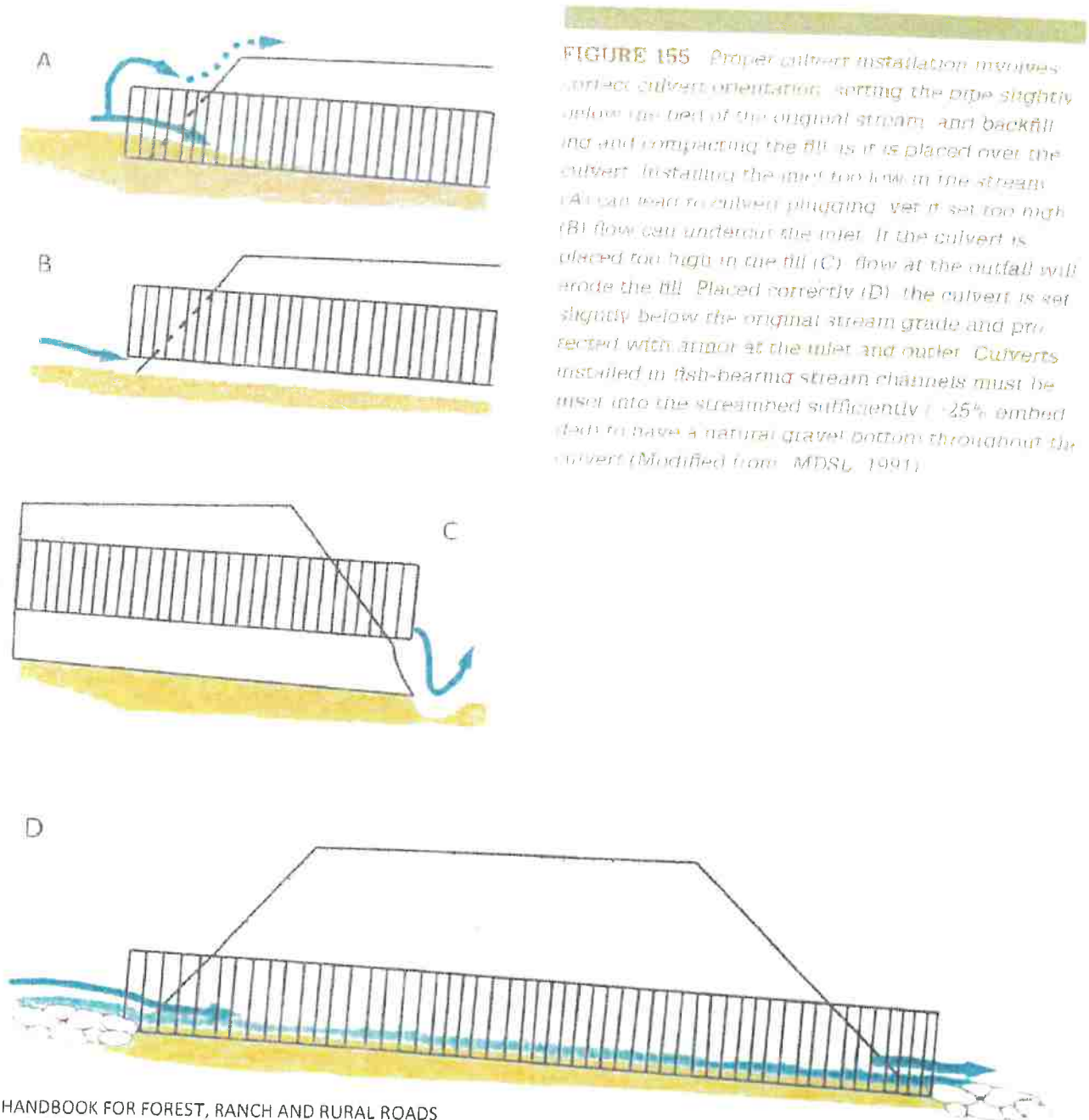


FIGURE 84. Critical dips or dipped crossing fills should be centered near a stream crossing's down-road rightline, not over the centerline of the crossing where overtopping could cause washout or severe erosion of the fill. If the stream crossing culvert (B) plugs, water will pond behind the fill until reaching the critical dip or low point in the crossing (C) and flowing back down into the natural stream channel. The down-road ditch must be plugged to prevent streamflow from diverting down the ditch line. For extra protection in this sketch, dprap armor has been placed at the critical dip outfall and extending downslope to the stream channel. This is only required or suggested on stream crossings where the culvert is highly likely to plug and the crossing fill overtopped. The dip at the hinge line is usually sufficient to limit erosional damage during an overtopping event. Road surface and ditch armor is disconnected from the stream crossing by installing a rolling dip and ditch near culvert just up-road from the crossing (A) (Keller and Sherar, 2003).

HANDBOOK FOR FOREST, RANCH AND RURAL ROADS

BMPs and Diagrams

BMP: Permanent Culvert Crossing (Cont.)



HANDBOOK FOR FOREST, RANCH AND RURAL ROADS

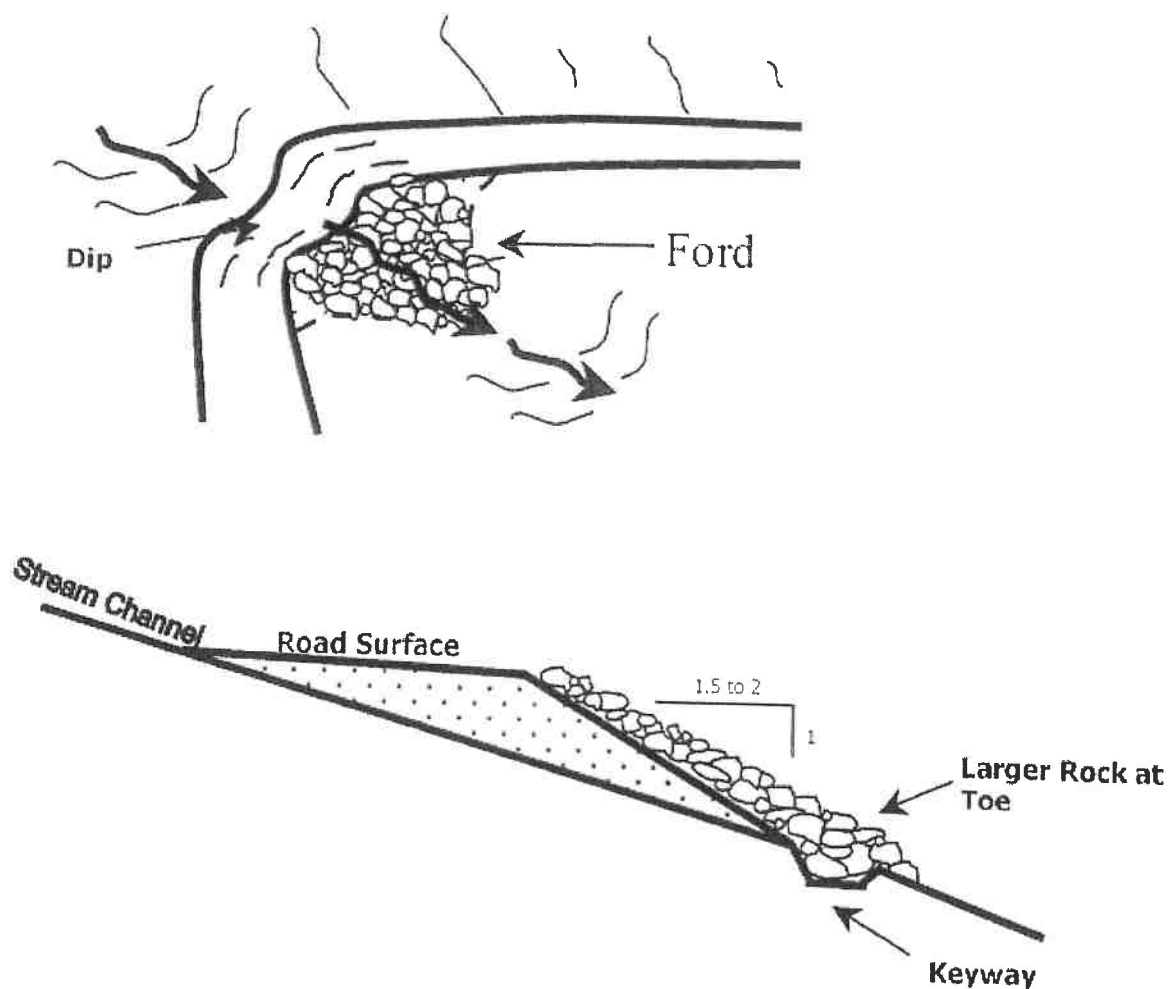
BMP: Rocked Ford

- Rocked fords are drainage structures designed to carry watercourses across roads with little to no erosion of the road surface or fill.
- Fords constructed in-channel shall be of appropriately sized material that shall withstand erosion or displacement by expected velocities and placed in a broad, U-shaped channel to create a drivable crossing.
 - The road shall dip into and out of the rocked ford to minimize diversion potential. Construct a broad rolling dip across the roadbed, centered at the crossing, which is large enough to contain the expected 100-yr flood discharge while preventing flood flow from diverting down the road or around the rock armor.
- The road surface at the ford shall be constructed with clean rock. The rock shall be applied to a minimum depth of 6 inches.
 - A range of interlocking rock armor sizes should be selected and sized so that peak flows will not pluck or transport the armor off the roadbed or the sloping fill face of the armored fill.
- The ford's outlet shall be rock armored to resist downcutting and erosion.
 - *Excavate the keyway and armored area* - Excavate a two to three foot deep "bed" into the dipped road surface and adjacent fillslope (to place the rock in) that extends from approximately the middle of the road, across the outer half of the road, and down the outboard road fill to where the base of the fill meets the natural channel. At the base of the fill, excavate a keyway trench extending across the channel bed.
 - *Armor the basal keyway* - Put aside the largest rock armoring to create the buttresses. Use the largest rock armor to fill the basal trench and create a buttress at the base of the fill. This should have a "U" shape to it and it will define the outlet where flow leaves the armored fill and enters the natural channel.
 - *Armor the fill* - Backfill the fill face with the remaining rock armor making sure the final armor is unsorted and well placed, the armor is two coarse-rock layers in thickness, and the armored area on the fill face also has a "U" shape that will accommodate the largest expected flow.
 - *Armor the top of the fill* - Install a second trenched buttress for large rock at the break-in-slope between the outboard road edge and the top of the fill face.
- Road approaches to rocked fords shall be rock surfaced out to the first drainage structure (i.e. waterbar, rolling dip, or hydrologic divide) to prevent transport of sediment using rock.
- Bank and channel armoring may occur when appropriate to provide channel and bank stabilization.
- Road approach rock and rock ford armoring shall be reapplied following use as needed to maintain a permanent crossing.

BMPs and Diagrams

BMP: Rocked Ford (Cont.)

FORD: A large dip is graded into the road at the axis of the stream channel. The outside fill face is dished out to form a spillway with large rock. On large watercourses, rock is keyed several feet into firm native soils. The road surface is rocked with 6" of minus rock.



BMP: Armored Ford [Fill]

- Armored fords are watercourse crossing fills comprised primarily of rock and designed to carry watercourses across roads without erosion or displacement of installed fill material.
- Armored fords shall have a U-shaped channel to create a drivable crossing.
 - The road shall dip into and out of the armored ford to minimize diversion potential. Construct a broad rolling dip across the roadbed, centered at the crossing, which is large enough to contain the expected 100-yr flood discharge while preventing flood flow from diverting down the road or around the rock armor.
- The road surface at the armored ford shall consist of rock small enough to be easily passable by vehicle, but large enough to not be transported during high flow storm events.
- The ford's inlet shall be rocked if a threat of head cutting exists.
 - *Excavate the keyway* - Excavate a one to three foot deep "bed" into the inboard edge of the road
 - *Armor the basal keyway* - place various sized rock in the constructed keyway to prevent head cutting. Use the largest rock armor to fill the keyway trench and create a buttress along the inboard edge of the road. This should have a "U" shape to it and it will define the inlet where flow leaves the natural channel and enters the road.
- The ford's outlet shall be rock armored to resist downcutting and erosion.
 - *Excavate the keyway and armored area* - Excavate a two to three foot deep "bed" into the dipped road surface and adjacent fillslope (to place the rock in) that extends from approximately the middle of the road, across the outer half of the road, and down the outboard road fill to where the base of the fill meets the natural channel. At the base of the fill, excavate a keyway trench extending across the channel bed.
 - *Armor the basal keyway* - Put aside the largest rock armoring to create the buttresses. Use the largest rock armor to fill the basal trench and create a buttress at the base of the fill. This should have a "U" shape to it and it will define the outlet where flow leaves the armored fill and enters the natural channel.
 - *Armor the fill* - Backfill the fill face with the remaining rock armor making sure the final armor is unsorted and well placed, the armor is two coarse-rock layers in thickness, and the armored area on the fill face also has a "U" shape that will accommodate the largest expected flow.
 - *Armor the top of the fill* - Install a second trenched buttress for large rock at the break-in-slope between the outboard road edge and the top of the fill face.
- Road approaches to armored fords shall surface rocked out to the first drainage structure (i.e. waterbar, rolling dip, or hydrologic divide) to prevent transport of sediment using rock.
- Bank and channel armoring may occur when appropriate to provide channel and bank stabilization.
- Armored ford armoring shall be reapplied following use as needed to maintain a permanent crossing.



FIGURE 120. This armored fill crossing of a steep, ephemeral stream was constructed to provide a low maintenance crossing. The crossing has been deeply dipped to reduce the volume of road fill and to eliminate the potential for stream diversion. The fill slope has been heavily armored through the axis of the crossing to contain flood flows and prevent downcutting. Armored fills cannot be used on fish bearing streams.

HANDECK FOR FOREST RANCH AND RURAL ROADS

BMPs and Diagrams

BMP: Armored Ford [Fill] (Cont.)



FIGURE 121D Well graded rock armor is then backfilled into the structure and spread across the breadth of the U-shaped stream crossing, and about one-third the way up the roadbed, so that streamflow will only flow over or come in contact with resistant armor material. The armor must be spread and compacted across the design width of the expected flood flow channel width so peak flows will not flank the armored structure.



FIGURE 121E. Two weeks after this armored fill was constructed, a storm flow event occurred and the structure maintained its function and integrity. The road approaches had not yet been compacted or surfaced with road rock.

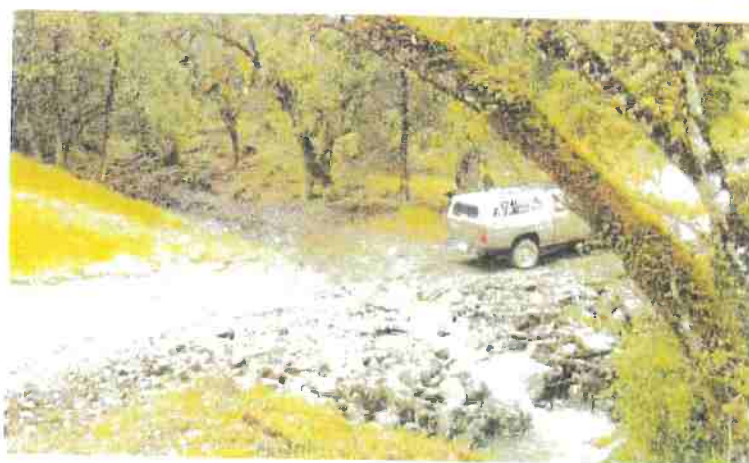


FIGURE 121F The same armored fill as it appeared after the first winter flood flows. No maintenance was required to reopen the road. It is also clear that no stream diversion is possible at this stream crossing site, and the volume of fill within the crossing has been reduced to the minimum amount needed to maintain a relatively smooth driving surface on this low volume road.

HANDBOOK FOR FOREST, RANCH AND RURAL ROADS

BMPs and Diagrams

BMP: Rolling Dip

- Rolling dips are drainage structures designed to capture and discharge surface water collected on road surfaces and in inside ditches at a specific location.
- The road shall dip into and out of the rolling dip to eliminate the possibility of water flowing along the road surface or in an inside ditch to bypass the dip structure.
- The rolling dip shall be constructed with clean native materials.
- The rolling dips outlet may be armored to resist downcutting and erosion.
- Do not discharge rolling dips into swales that show signs of instability or active landsliding.
- If the rolling dip is designed to divert both road surface and ditch runoff, block the down-road ditch with compacted fill.

BMP: Rocked Rolling Dip

- Rocked Rolling dips are drainage structures designed to capture and discharge surface water collected on road surfaces and in inside ditches at a specific location.
- The road shall dip into and out of the rolling dip to eliminate the possibility of water flowing along the road surface or in an inside ditch to bypass the dip structure.
- The rocked rolling dips inlet and outlet shall be armored to resist downcutting and erosion.
- The entire length of the rocked rolling dip shall be rock armored to a minimum of 5-feet from the centerline of the dip.
- If a keyway is necessary, the rocked rolling dip keyway shall be constructed at the base of the dip and shall be of sufficient size, depth, and length to support materials used in the rocked rolling dip construction back up to the road crossing interface.
- Do not discharge rolling dips into swales that show signs of instability or active landsliding.
- If the rolling dip is designed to divert both road surface and ditch runoff, block the down-road ditch with compacted fill.
- The rolling dip must be drivable and not significantly inhibit traffic and road use.

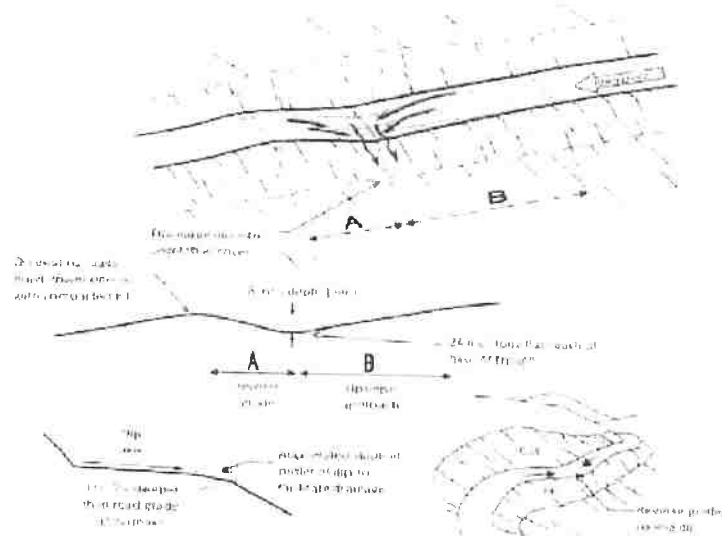


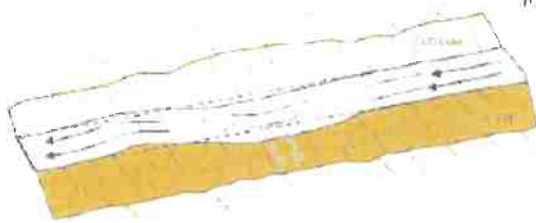
FIGURE 34. A classic Type I rolling dip, where the excavated up-road approach (B) to the rolling dip is several percent steeper than the approaching road and extends for 60 to 80 feet to the dip axis. The lower side of the structure reverses grade (A) over approximately 16 feet or more, and then falls down to regain the original road grade. The dip must be deep enough that it is not contaminated by normal grading, but not so deep that it is difficult to negotiate or a hazard to normal traffic. The outward cross-slopes of the dip axis should be 3% to 5% greater than the up-road grade (B) so it will drain properly. The dip axis should be out-sloped sufficiently to be self-cleaning, without triggering excessive downcutting or sediment deposition in the dip axis (Modified from Best, 2013).

—HANDBOOK FOR FOREST RANCH AND RURAL ROADS

BMPs and Diagrams

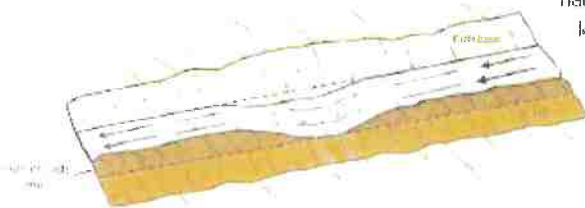
BMP: Rolling Dip and Rocked Rolling Dip (Cont.)

Type 1 Rolling Dip
(Standard)



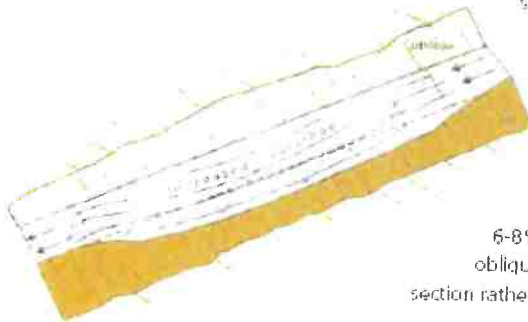
Type 1 rolling dips are used where road grades are less than about 12-14% and road runoff is not confined by a large through cut or berm. The axis of the dip should be perpendicular to the road alignment and sloped at 3-4% across the road tread. Steep roads will have longer and more abrupt dip dimensions to develop reverse grade through the dip axis. The road tread and/or the dip outlet can be rocked to protect against erosion, if needed.

Type 2 Rolling Dip
(Through-cut or thick berm road reaches)



Type 2 rolling dips are constructed on roads up to 12-14% grade where there is a through cut up to 3 feet tall, or a wide or tall berm that otherwise blocks road drainage. The berm or native through cut material should be removed for the length of the dip, or at least through the axis of the dip, to the extent needed to provide for uninterrupted drainage onto the adjacent slope. The berm and slope material can be excavated and endhailed, or the material can be sidecast onto native slopes up to 45%, provided it will not enter a stream.

Type 3 Rolling Dip
(Steep road grade)



Type 3 rolling dips are utilized where road grades are steeper than about 12% and it is not feasible to develop a reverse grade that will also allow passage of the design vehicle (steep road grades require more abrupt grade reversals that some vehicles may not be able to traverse without bottoming out).

Instead of relying on the dip's grade reversal to turn runoff off the roadbed, the road is built with an exaggerated outslope of 6-8% across the dip axis. Road runoff is deflected obliquely across the dip axis and is shed off the outsloped section rather than continuing down the steep road grade.

FIGURE 16 Rolling dip types

HANDBOOK FOR FOREST, RANCH AND RURAL ROADS

BMP: Ditch Relief Culvert

- Install ditch relief culverts at an oblique (typically 30 degree) angle to the road so that ditch flow does not forced to make a sharp angle turn to enter the pipe. On low gradient roads (<5%), where ditch flow is slow, ditch relief culverts can be installed at right angles to the road.
- Install ditch relief culverts (DRC) to outlet at, and drain to, the base of the fill.
- If it cannot be installed at the base of the fill, install the DRC with a grade steeper than the inboard ditch draining to the culvert inlet, and install a downspout on the outlet to carry the culverted flow to the base of the fillslope.
- Downspouts longer than 20 feet should be secured to the hillslope for stability.
- Ditch relief culverts should not carry excessive flow such that downcutting of the ditchline or gullying below the outlet occur.
- Do not discharge flows from ditch relief culverts onto unstable fill or active landslides.
- If the ditch is on an insloped or crowned road, consider using outslowing to drain the road surface. The ditch and the ditch relief culvert would then convey only spring flow from the cutbanks and hillslope runoff, and not turbid runoff from the road surface.

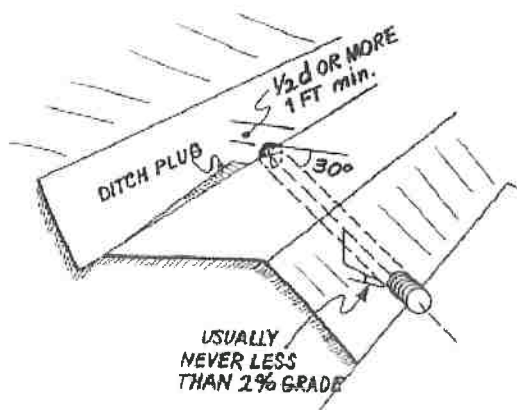
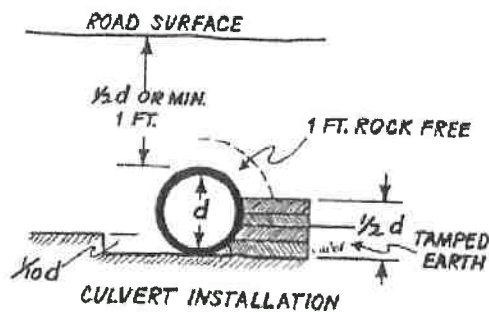


FIGURE 48. The elements of a properly installed ditch relief culvert. The culvert is angled at about 30 degrees to the road alignment to help capture flow and prevent culvert plugging or erosion of the inlet area. It is set at the base of the fill (ideally) or with a grade slightly steeper than the grade of the contributing ditch (but never with a grade less than 2 percent) (USDA-SCS, 1983). At a minimum, the grade of the ditch relief culvert should be sufficient to prevent sediment accumulation at the inlet or deposition within the culvert itself (it should be self-cleaning) (USDA-SCS, 1983).



HANDBOOK FOR FOREST RANCH AND RURAL ROADS

BMP: Ditch Relief Culvert (Cont.)



FIGURE 239

Waterbars are often used to drain surface runoff from seasonal, unsurfaced roads. Because they are easily broken down by vehicles, waterbars are only used on unsurfaced roads where there is little or no wet weather traffic. In this photo, a waterbar and ditch relief culvert are used to drain all road surface and ditch runoff from the insloped road prism.

HANDBOOK FOR FOREST, RANCH AND RURAL ROADS



FIGURE 238. Traffic and surface runoff from gravelled roads often produces surface erosion, turbid runoff and fine sediment transport that can be delivered to streams. Where ditches can't be eliminated, sediment traps and roadside settling basins can be installed to capture and remove most of the eroded sediment. This settling basin has been constructed along the inside ditch just before a stream crossing culvert inlet (see arrow). Eroded sediment from the road and ditch are deposited in the basin before flow is released to the stream. Fine sediments have filled about 1/3 of this basin and vegetation is now growing. Sediment basins require periodic maintenance to maintain their storage capacity.

HANDBOOK FOR FOREST, RANCH AND RURAL ROADS

BMPs and Diagrams

BMP: Inlet and Outlet Armoring

- Inlets of culverts and associate fills shall be protected with rock armoring that extends at least as high as the top of the culvert.
- Outlets of culverts shall be provided a rocked energy dissipater at the outfall of the culvert.
- Outlets of culverts and associate fills shall be protected with rock armoring that extends at least as high as the top of the culvert if road fill sloughing into channel can occur.
- Prior to inlet and outlet rocking, the inlet and outlets shall be prepared. Preparation will include removal of vegetation and stored materials from the inlet and outlet.
- Inlets may require construction of an inlet basin.
- Slopes at the outlet should be shaped to a 2:1 or natural slope prior to placing rock armor.
- Rock used at culvert inlets and outlets should be a matrix of various sized rocks and rip-rap that range from a 3" dia. to a 2' dia.
- The largest rocks should be places at the base of the culvert or fill. Incrementally smaller rocks shall be placed over the larger rocks at the armoring extend up the slope. Voids and spaces shall be back filled with smaller gravels and rocks.

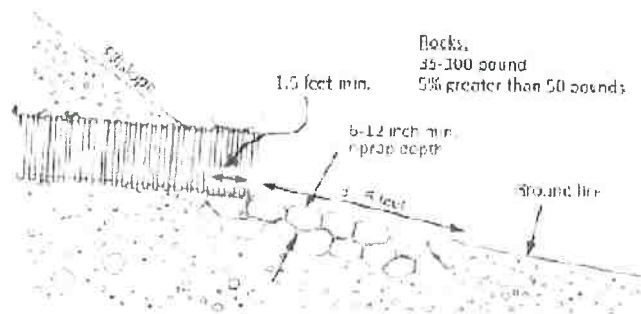


FIGURE 107A. Riprap armor at culvert outlet (Modified from Keller et al. 2011).

HANDBOOK FOR FOREST, RANCH AND RURAL ROADS

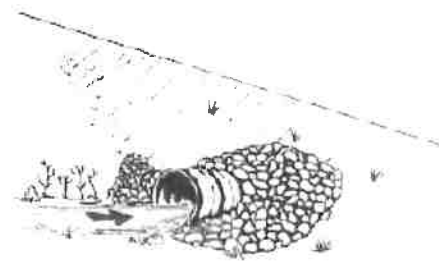


FIGURE 107B. Riprap armor at culvert inlet (Keller and Shear, 2003).

State of California
Well Completion Report
 Form DWR 188 Complete 1/8/2020
 WCR2019-016581

Owner's Well Number 1 Date Work Began 10/30/2019 Date Work Ended 10/30/2019
 Local Permit Agency Humboldt County Department of Health & Human Services - Land Use Program
 Secondary Permit Agency _____ Permit Number 19/20-0331 Permit Date 10/25/2019

Well Owner (must remain confidential pursuant to Water Code 13752)		Planned Use and Activity
Name <u>XXXXXXXXXXXXXXXXXXXX</u>	Activity <u>New Well</u>	
Mailing Address <u>XXXXXXXXXXXXXXXXXXXX</u> <u>XXXXXXXXXXXXXXXXXXXX</u>	Planned Use <u>Water Supply Irrigation - Agriculture</u>	
City <u>XXXXXXXXXXXXXXXXXXXX</u> State <u>XX</u> Zip <u>XXXXX</u>		

Well Location	
Address <u>8735 homestead RD</u>	APN <u>217-381-001</u>
City <u>blocksburg</u> Zip <u>95514</u> County <u>Humboldt</u>	Township <u>02 S</u>
Latitude <u>40</u> <u>16</u> <u>18.8759</u> <u>N</u> Longitude <u>-123</u> <u>40</u> <u>46.8839</u> <u>W</u>	Range <u>04 E</u>
Deg. Min. Sec. Deg. Min. Sec.	Section <u>24</u>
Dec. Lat. <u>40.27191</u> Dec. Long. <u>-123.67969</u>	Baseline Meridian <u>Humboldt</u>
Vertical Datum _____ Horizontal Datum <u>WGS84</u>	Ground Surface Elevation _____
Location Accuracy _____ Location Determination Method _____	Elevation Accuracy _____
	Elevation Determination Method _____

Borehole Information	Water Level and Yield of Completed Well
Orientation <u>Vertical</u> Specify _____	Depth to first water <u>165</u> (Feet below surface)
Drilling Method <u>Direct Rotary</u> Drilling Fluid <u>Air</u>	Depth to Static _____
Total Depth of Boring <u>200</u> Feet	Water Level <u>165</u> (Feet) Date Measured <u>10/30/2019</u>
Total Depth of Completed Well <u>200</u> Feet	Estimated Yield* <u>10</u> (GPM) Test Type <u>Air Lift</u>
	Test Length <u>1</u> (Hours) Total Drawdown _____ (feet)
	*May not be representative of a well's long term yield.

Geologic Log - Free Form		
Depth from Surface	Feet to Feet	Description
0	20	topsoil
20	40	clay
40	160	shale
160	200	blue rock

HUMBOLDT COUNTY DEPARTMENT OF PUBLIC WORKS
ROAD EVALUATION REPORT

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

Applicant Name: Homestead Ranch LLC APN: 217-381-001

Planning & Building Department Case/File No.: APPS: 12024 CUP 12-507

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

From Road (Cross street): Alderpoint Rd

To Road (Cross street): SUBJECT PARCEL

Length of road segment: approx 5 miles Date Inspected: 3-1-18

Road is maintained by: ☐ County ☒ Other Larabee Cr. Rd. 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.

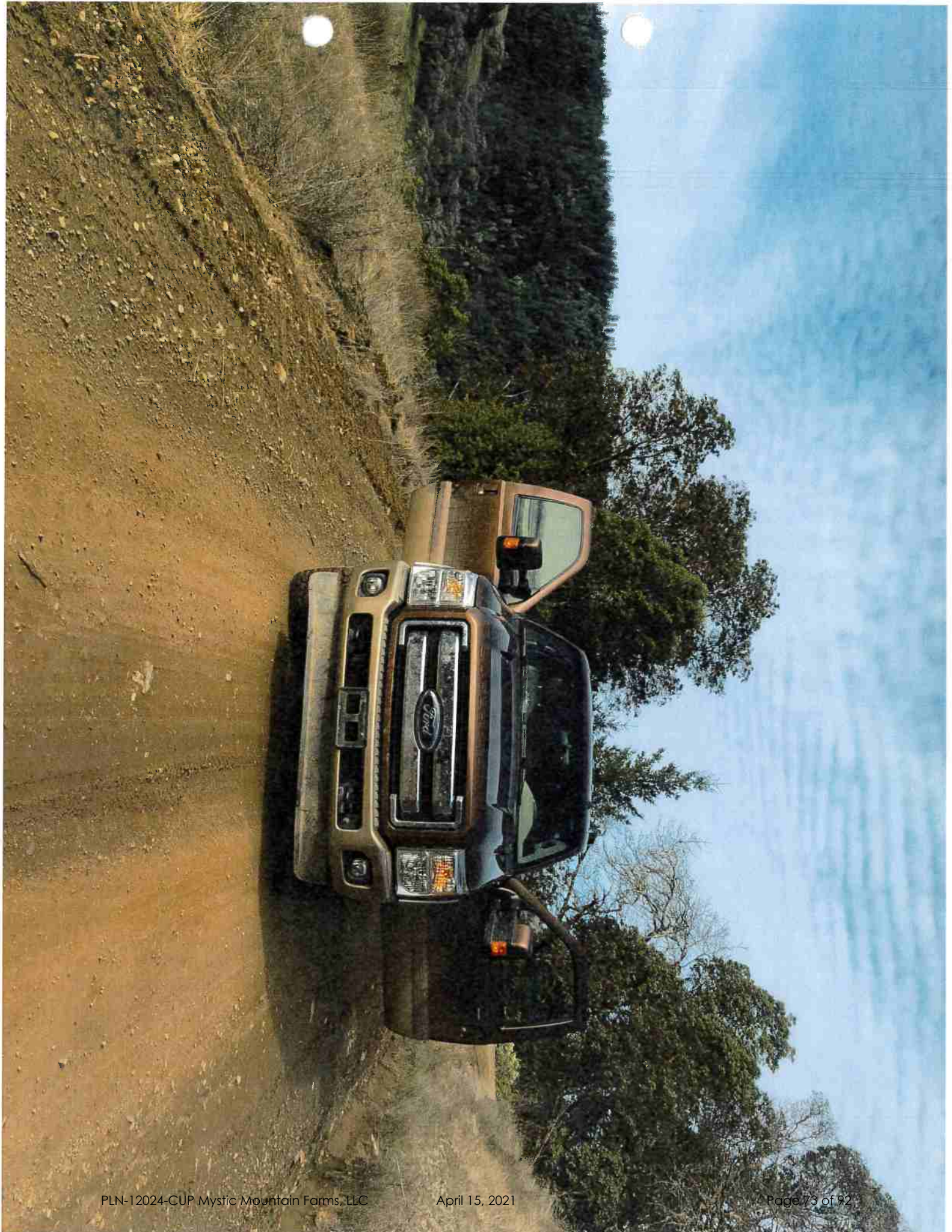
Jared Bonato
Signature

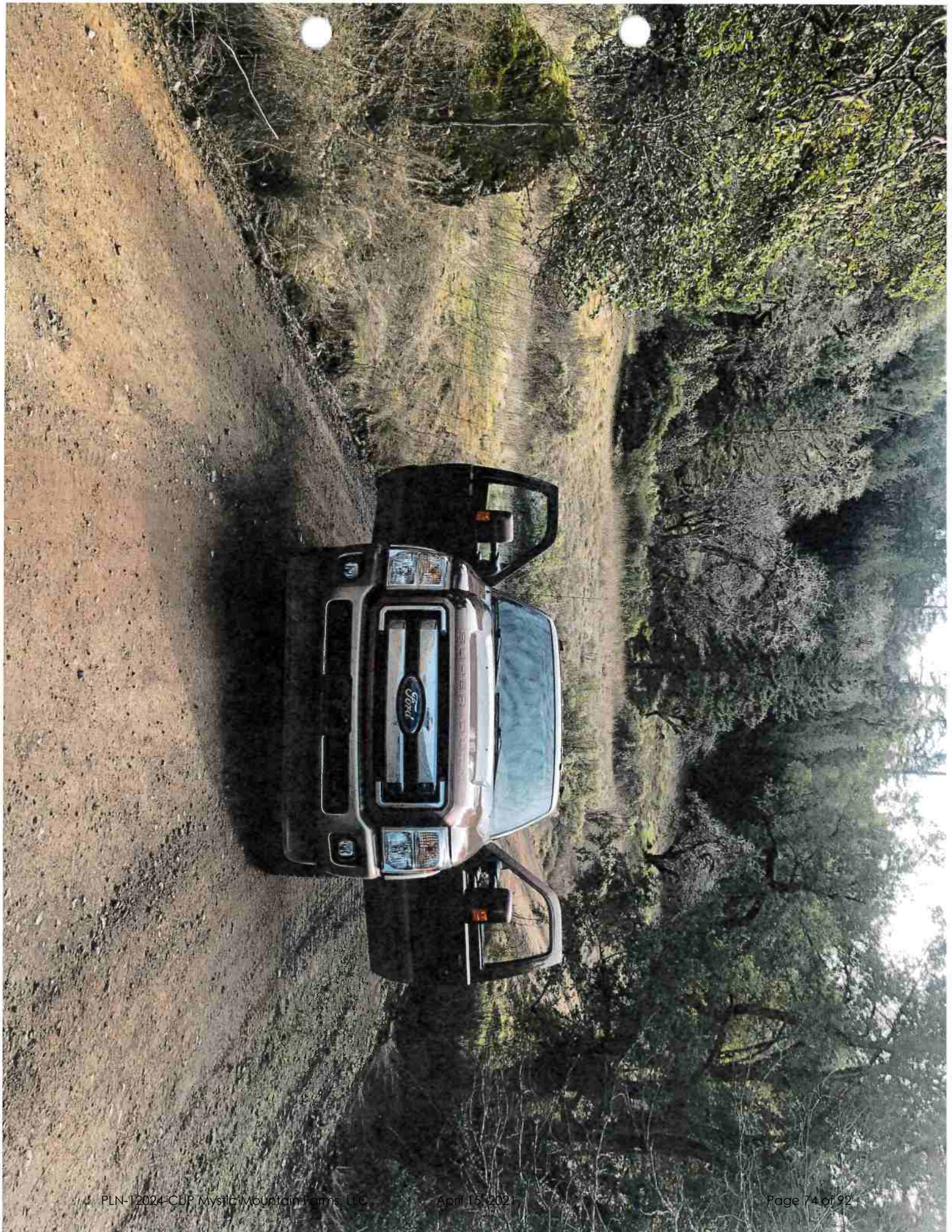
3-1-18
Date

Jared Bonato
Name Printed

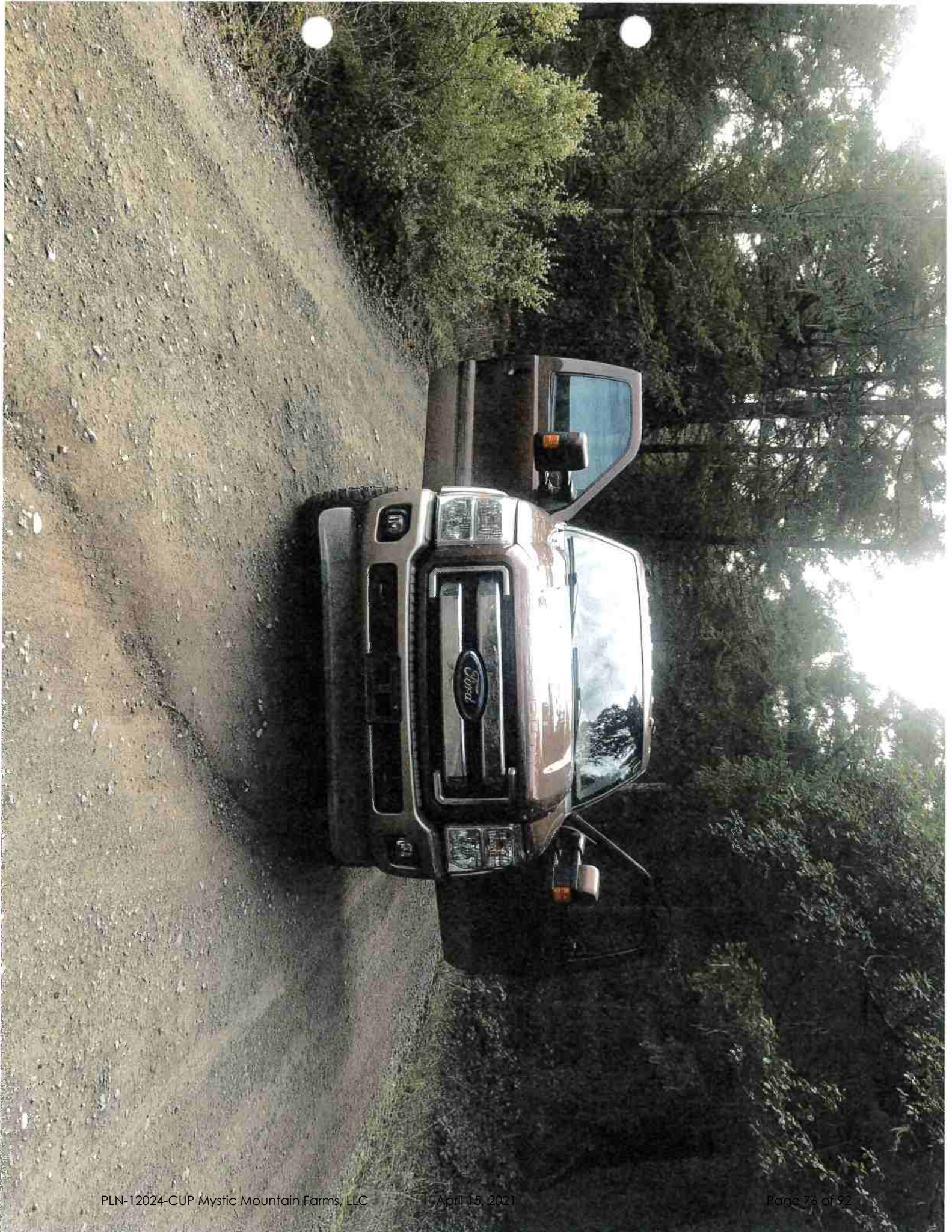
Important: Read the instructions before using this form. If you have questions, please call the Dept. of Public Works Land Use Division at 707.445.7205.

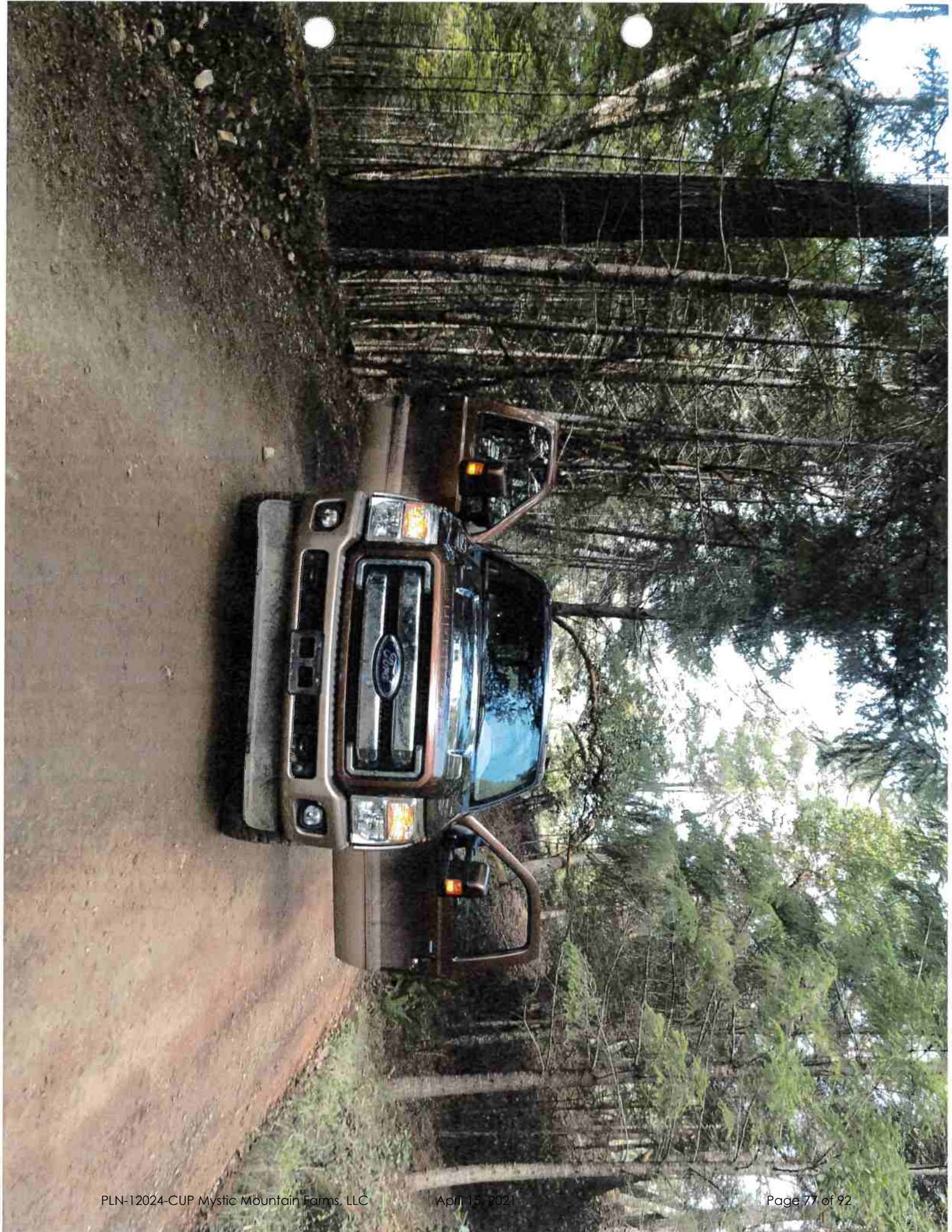


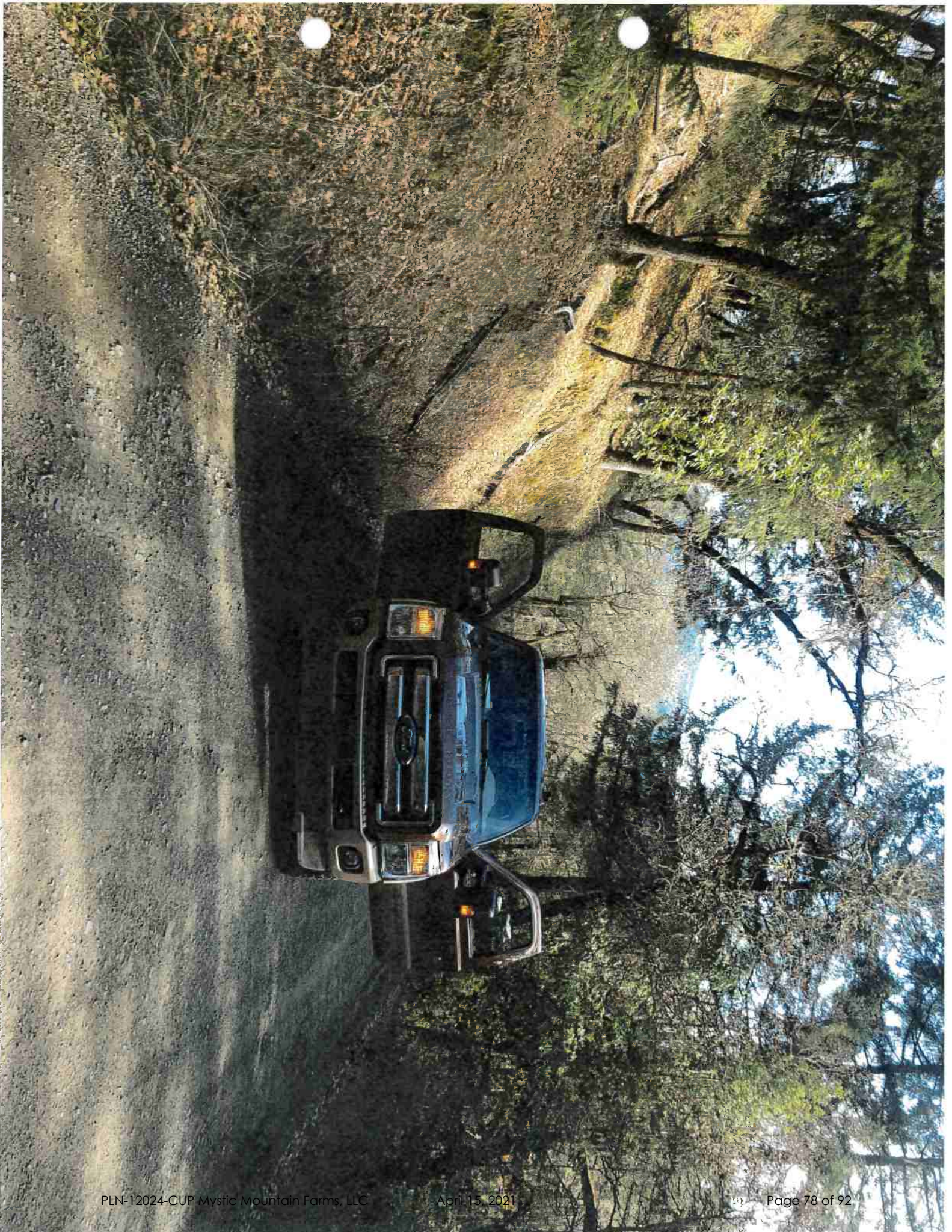




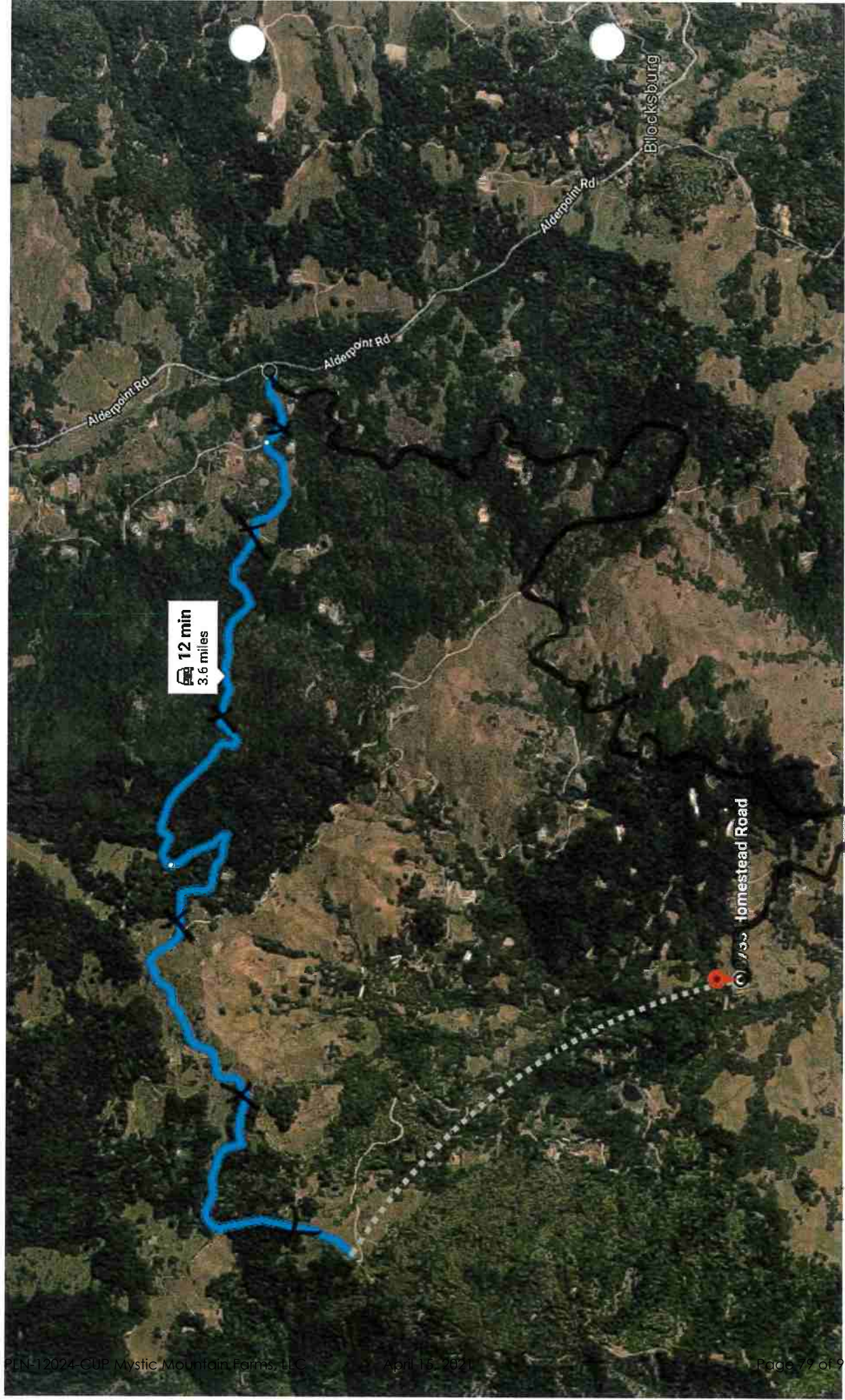








APPS: 12024
APN: 217-381-001

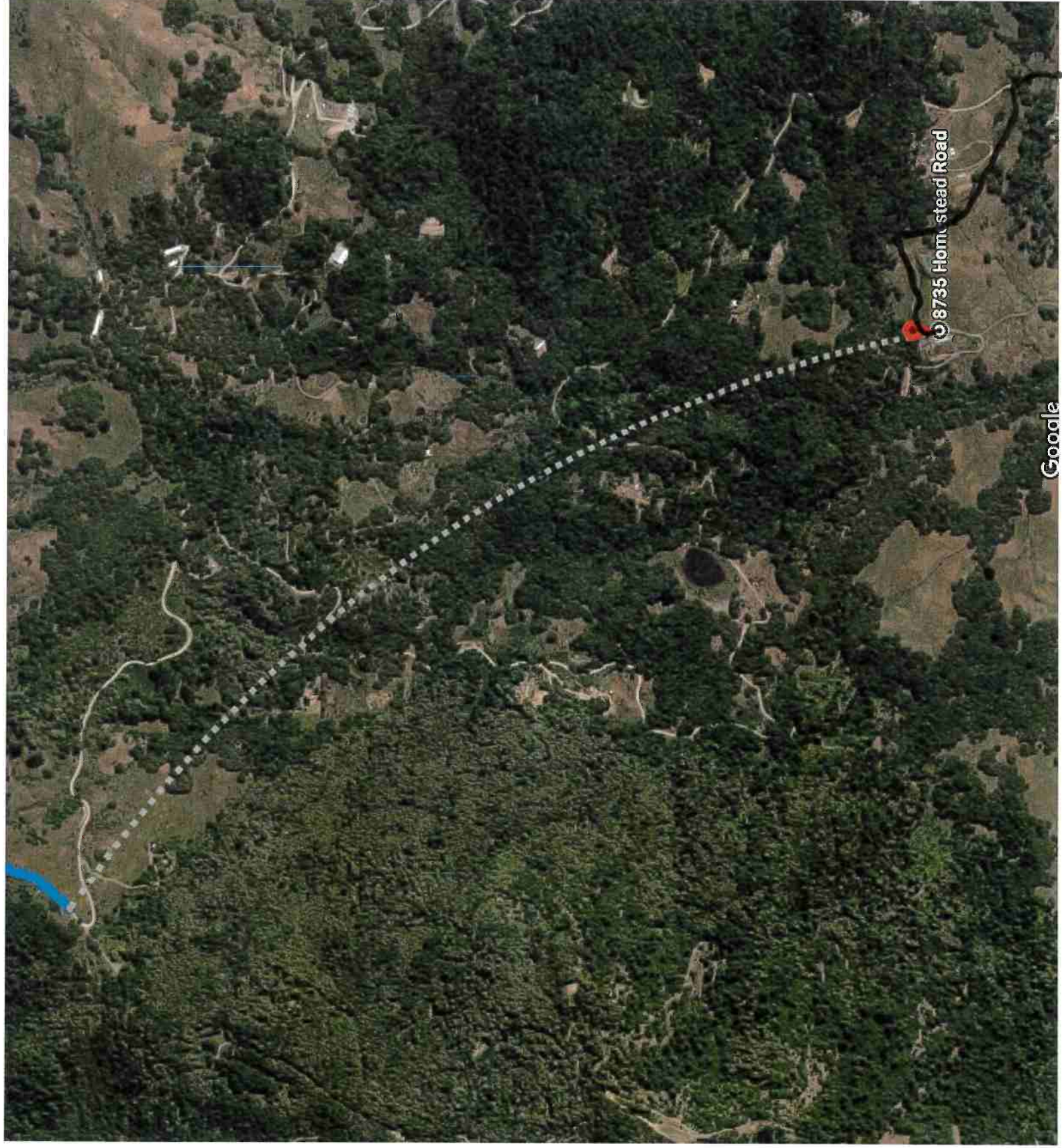


Black line is Road
not Blue

not Blms
3104 1140
609 21



APPS:
12024
APN:
217-381-0

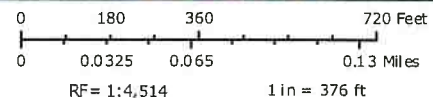




ArcGIS Web Map

Humboldt County Planning and Building Department

- Highways and Roads**
- Private or Unclassified
 - Intermittent
 - Principal Arterials
 - Major River or Stream
 - Subsurface
 - Minor Arterials
 - Major Collectors
 - Minor Collectors
 - Local Roads
- Blue Line Streams**
- Perennial 1-3
 - Perennial >4
- : City Boundary
 : Counties
 : Parcels



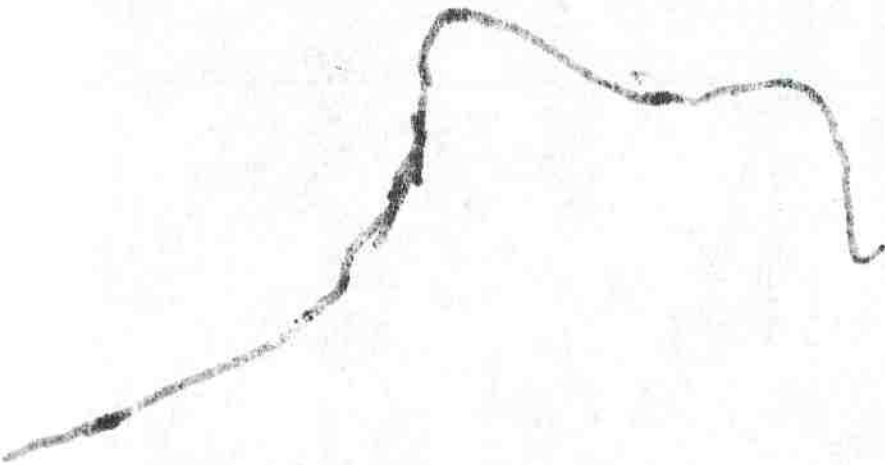
Printed: December 5, 2017

Web AppBuilder 2.0 for ArcGIS

Map Disclaimer:

While every effort has been made to assure the accuracy of this information, it should be understood that it does not have the force & effect of law, rule, or regulation. Should any difference or error occur, the law will take precedence.

Source: NRCS, Humboldt County GIS, Healthy Rural Roads, Esri, HERE, DeLorme, MapmyIndia, © OpenStreetMap contributors, and the GIS user community, Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community, FRAP, FEMA, USGS



ATTACHMENT 4

REFERRAL AGENCY COMMENTS AND RECOMMENDATIONS

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

Referral Agency	Response	Recommendation	Location
Department of Health & Human Services	✓	Approved	Attached
Public Works, Land Use Division	✓	Conditional approval	Attached Memo dated 6/20/2019
CAL FIRE	✓	No Comment	Attached
Northwest Information Center (NWIC)	✓	Email response (6/13/2019)	On-File and Confidential



DEPARTMENT OF PUBLIC WORKS
COUNTY OF HUMBOLDT
MAILING ADDRESS: 1106 SECOND STREET, EUREKA, CA 95501-0579
AREA CODE 707

ARCATA-EUREKA AIRPORT TERMINAL
McKINLEYVILLE
FAX 839-3596
AVIATION 839-5401

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

CLARK COMPLEX
HARRIS & H ST., EUREKA
FAX 445-7388
LAND USE 445-7205

LAND USE DIVISION INTEROFFICE MEMORANDUM

TO: Keenan Hilton, Planner, Planning & Building Department
FROM: Kenneth M. Freed, Assistant Engineer *KMF*
DATE: 06/20/2019

RE:

Applicant Name	MYSTIC MAOUTAIN FARMS
APN	217-381-001
APPS#	PLN-12024-CUP

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:

Applicant has submitted a road evaluation report, dated 3/01/2018, with Part A – Box 2 checked, certifying that the road is equivalent to a road Category 4 standard.

// END //

Exhibit "A"

Public Works Recommended Conditions of Approval

(All checked boxes apply)

APPS # 12024

☐ **COUNTY ROADS- FENCES & ENCROACHMENTS:**

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

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

☐ **COUNTY ROADS- DRIVEWAY (PART 1):**

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

☐ **COUNTY ROADS- DRIVEWAY (PART 2):**

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

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

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

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

☐ **COUNTY ROADS- DRIVEWAY (PART 3):**

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

☐ **COUNTY ROADS-PARKING LOT- STORM WATER RUNOFF:**

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

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

☒ **COUNTY ROADS- DRIVEWAY & PRIVATE ROAD INTERSECTION VISIBILITY:**

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

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

☒ **COUNTY ROADS- PRIVATE ROAD INTERSECTION: (AT COUNTY MAINTAINED RD)**

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

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

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

☐ **COUNTY ROADS- ROAD EVALUATION REPORT(S):**

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

// END //

PLN-12024-CUP

Mystic Mountain Farms, LLC - CUP for 4,74...
A Conditional Use Permit for 10,695 square ...

STATUS

> In Referrals

06/07/2019 by Chelsey Van Scyoc

LOCA

> N

Summary

Project Description

Workflow

1 Referral Assignments

2 Planning Information

3 GP / Zoning Information

4 CEQA

5 Cannabis

Project Tracking

6 Referral Task Log (2)

Fee (3)

Payment

Cancel

Help

Task
Environmental Health

Due Date
07/04/2019

Assigned Date
06/17/2019

Assigned to Department
Environmental Health

Assigned to
LandUse1 DEH

Status
Approved

Action by Department
Environmental Health

Action By
Ben Dolf

Status Date
06/24/2019

Start Time

End Time

Hours Spent
0.0

Billable
No

Overtime
No

Comments

Time Tracking Start Date

Est. Completion Date

In Possession Time (hrs)

Display E-mail Address in ACA
No

☒ Display Comment in ACA

Comment Display in ACA
☒ All ACA Users

☒ Record Creator

☒ Licensed Professional

☒ Contact

☒ Owner

Estimated Hours
0.0

Action
Updated

Workflow Calendar



COUNTY OF HUMBOLDT
PLANNING AND BUILDING DEPARTMENT
CURRENT PLANNING

3015 H STREET, EUREKA, CA 95501 ~ PHONE (707) 445-7245

18-2368

6/7/2019

Project Referred To The Following Agencies:

AG Commissioner, County Counsel, District Attorney, Environmental Health, Sheriff, PW Land Use, Building Inspections, Alderpoint VFC:FPD, RWQCB, Southern Humboldt JUSD:School District, Cal Fish & Wildlife, CalFire, CA Division of Water Rights, Bear River Band, NWIC

Applicant Name Mystic Mountain Farms, LLC **Key Parcel Number** 217-381-001-000

Application (APPS#) PLN-12024-CUP Historic Planning **Assigned Planner** Keenan Hilton

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: 6/22/2019

Planning Commission 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.

Rec'd
6/10/19

Other Comments: _____

DATE: _____ PRINT NAME: _____

CALIFORNIA
HISTORICAL
RESOURCES
INFORMATION
SYSTEM



ALAMEDA
COLUSA
CONTRA COSTA
DEL NORTE

HUMBOLDT
LAKE
MARIN
MENDOCINO
MONTEREY
NAPA
SAN BENITO

SAN FRANCISCO
SAN MATEO
SANTA CLARA
SANTA CRUZ
SOLANO
SONOMA
YOLO

Northwest Information Center
Sonoma State University
150 Professional Center Drive, Suite E
Rohnert Park, California 94928-3609
Tel: 707.588.8455
nwic@sonoma.edu
<http://www.sonoma.edu/nwic>

June 13, 2019

File No.: 18-2368

Planning Commission Clerk
County of Humboldt
Planning and Building Department
3015 H Street
Eureka, CA 95501
*PlanningClerk@co.humboldt.ca.us

re: APPS# PLN-12024-CUP, 217-381-001-000, Mystic Mountain Farms, LLC

To Whom It May Concern,

Records at this office were reviewed to determine if this project could adversely affect cultural resources. **Please note that use of the term cultural resources includes both archaeological sites and historical buildings and/or structures. The review for possible historic-era building/structures, however, was limited to references currently in our office and should not be considered comprehensive.**

Project Description: A Conditional Use Permit for 10,695 square feet of existing outdoor and 4,745 square feet of existing mixed light cannabis cultivation. Water is sourced from an onsite 500,000-gallon rainwater catchment and a surface water diversion. Water is stored in (1) 5,000-gallon hard tank, (2) 1,000-gallon hard tank, and (1) 2,000-gallon bladder in addition to the 500,000-gallon pond for a total of 509,000-gallons. Processing activities are will occur at an offsite third party processing facility. The Applicant anticipates up to two employees for cultivation activities. Power is provided by a generator.

Previous Studies:

XX This office has no record of any previous cultural resource studies for the proposed project area (see recommendation below).

Archaeological and Native American Resources Recommendations:

XX The proposed project area has the possibility of containing unrecorded archaeological site(s). A study by a qualified professional archaeologist is recommended prior to commencement of project activities.

XX We recommend that the lead agency contact the local Native American tribe(s) regarding traditional, cultural, and religious heritage values. For a complete listing of tribes in the vicinity of the project, please contact the Native American Heritage Commission at (916) 373-3710.

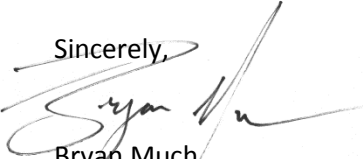
Built Environment Recommendations:

XX Since the Office of Historic Preservation has determined that any building or structure 45 years or older may be of historical value, if the project area contains such properties, it is recommended that prior to commencement of project activities, a qualified professional familiar with the architecture and history of Humboldt County conduct a formal CEQA evaluation.

Due to processing delays and other factors, not all of the historical resource reports and resource records that have been submitted to the Office of Historic Preservation are available via this records search. Additional information may be available through the federal, state, and local agencies that produced or paid for historical resource management work in the search area. Additionally, Native American tribes have historical resource information not in the California Historical Resources Information System (CHRIS) Inventory, and you should contact the California Native American Heritage Commission for information on local/regional tribal contacts.

The California Office of Historic Preservation (OHP) contracts with the California Historical Resources Information System's (CHRIS) regional Information Centers (ICs) to maintain information in the CHRIS inventory and make it available to local, state, and federal agencies, cultural resource professionals, Native American tribes, researchers, and the public. Recommendations made by IC coordinators or their staff regarding the interpretation and application of this information are advisory only. Such recommendations do not necessarily represent the evaluation or opinion of the State Historic Preservation Officer in carrying out the OHP's regulatory authority under federal and state law.

For your reference, a list of qualified professionals in California that meet the Secretary of the Interior's Standards can be found at <http://www.chrisinfo.org>. If archaeological resources are encountered during the project, work in the immediate vicinity of the finds should be halted until a qualified archaeologist has evaluated the situation. If you have any questions please give us a call at (707) 588-8455.

Sincerely,

Bryan Much
Coordinator

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: