

#### 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:	June 17, 2021	
То:	Humboldt County Zoning Administrator	
From:	John H. Ford, Director of Planning and Building Department	
Subject:	Summer Adams Special Permits Record Number PLN-12238-SP Assessor's Parcel Number (APN) 315-042-002 and 315-043-001 (one sep parcel) Willow Creek area	arate legal
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Please contact Jordan Mayor, Biologist and Planner, at 707-683-4711 or by email at jordan.mayor@icf.com, if you have any questions about the scheduled public hearing item.

#### AGENDA ITEM TRANSMITTAL

Hearing Date	Subject	Contact
June 17, 2021	Special Permits (3)	Jordan Mayor

**Project Description:** Summer Adams seeks a Special Permit for an existing 8,280-sauare-foot (SF) outdoor light-deprivation cannabis cultivation which is comprised of 4,440-square-foot (SF) existing outdoor light-deprivation cannabis cultivation operation on the parcel and 3,840 SF of new cultivation which is being relocated out of the trees on the adjacent parcel to the east, to the main cultivation area on the southwest section of the parcel. Irrigation water is sourced from a permitted groundwater well. Existing available water storage is 12,500 gallons in four hard tanks. Estimated annual water usage is 99,400 gallons (12.0 gallons/SF/yr). Drying and processing will occur offsite at a licensed facility. The applicant anticipates using two seasonal workers on the property for daily operations. The sole source of power for the project is solar panels with two small generators for emergency use only. Two additional Special Permits are also requested for a setback reduction from Six Rivers National Forest, approximately 130 feet to the west of the main cultivation area, and for site restoration within Streamside Management Areas.

**Project Location:** The project is in the Willow Creek area, on the north side of Rottis Craft Road, approximately 5.6 miles east from the intersection of Snow Camp Road and Rottis Craft Road, and approximately 3 miles north from the intersection of Rottis Craft Road and a Private Drive on the property known to be in Section 2 of Township 04 North, Range 04 East, Humboldt Base & Meridian (APN: 315-042-002 and 315-043-001).

**Present Plan Land Use Designations:** Timberland (T) Density: 40-160 acres minimum parcel size, Slope Stability: High instability (3)

**Present Zoning:** Timber Production Zone (TPZ) and Agriculture Exclusive (AE-B-5(160))

Record Number: PLN-12238-SP

Assessor's Parcel Number: 315-042-002 and 315-042-001

Applicant Summer Adams 74 Willow Way Willow Creek, CA 95573 **Owner** Coate Alvin R 1 Westward Drive Corte Madera, CA 94925 Agents Green Road Consulting, Inc. Kaylie Saxon 1650 Central Avenue, Suite C McKinleyville, CA 95519

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

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

Major Issues: None

#### Summer Adams Record Number: PLN-12238-SP Assessor's Parcel Number: 315-042-002 and 315-042-001

#### **Recommended Zoning Administrator Action**

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

Find that the Zoning Administrator has considered the Addendum to the adopted Mitigated Negative Declaration (MND) for the Commercial Medical Marijuana Land Use Ordinance (CMMLUO) as described by Section 15164 of the State California Environmental Quality Act (CEQA) Guidelines, make all of the required findings for approval of the Special Permits and adopt the Resolution approving the Summer Adams Special Permits as recommended by staff subject to the recommended conditions.

Executive Summary: Summer Adams seeks a Special Permit to allow the continued operation of 8,280 SF of outdoor light-deprivation cannabis cultivation which is comprised of an existing 4,440-square-foot (SF) outdoor light-deprivation cannabis cultivation and proposed 3,840-SF outdoor light-deprivation cannabis cultivation operation in accordance with Humboldt County Code Section 314-55.4 of Chapter 4 of Division I of Title III, CMMLUO. All clones (immature plants) are purchased offsite from a licensed nursery. The site is designated as Timberland (T) in the Humboldt County 2017 General Plan and zoned Timber Production Zone (TPZ) and Agriculture Exclusive (AE-B-5(160)). Cultivation takes place in one approximately 25,600 SF area on a historic log landing in the southwest portion of the property in eight existing and four proposed areenhouses. Assessor's Parcel Number (APN) 315-043-001, directly to the east, includes two former grow sites within Streamside Management Areas (SMAs) that will be decommissioned, and the cultivation areas relocated to the single cultivation site within the existing graded flat. Two harvests are anticipated annually in the outdoor light-deprivation cultivation area for a growing season that extends from March through November. Drying and processing will occur offsite at a licensed processing or manufacturing facility. A single 49-SF nutrient storage shed and a portable toilet occur on the parcel. The applicant anticipates using two seasonal workers on the property for daily operations. Power is provided entirely by solar panels with two small Honda generators for emergency use only. The operation will be secured behind a locked and gated road and game cameras are placed over the gate, buildings, and cultivation areas. Two additional Special Permits are also requested for a setback reduction from Six Rivers National Forest, approximately 130 feet to the west of the main cultivation area, and for site restoration within SMAs.

#### **Timber Conversion**

The California Department of Forestry and Fire Protection reviewed the project and in correspondence received on October 7, 2020, said that "the area described in the application as Site Plan A appears to be a conversion of timberland conducted between 2017 and 2018. A Cultivation Area Verification process confirmed that brush or timber removal and minor grading may have occurred. The applicant is conditioned for the provisioning and submittal of a Less-Than-3-Acre Conversion Mitigation report prepared by a Registered Professional Forester that documents the timberland conversion and provides appropriate mitigation measures.

#### Water Resources

Water for irrigation is provided by a permitted well (16/17-0403) (Attachment 3). Existing available water storage is 12,500 gallons in four hard tanks. Estimated annual water usage for cultivation is approximately 99,400 gallons (12.0 gallons/SF/yr) with peak demand occurring in July at approximately 21,700 gallons. A Notification of a Lake or Streambed Alteration was submitted to the California Department of Fish and Wildlife (CDFW) in February 2019 for encroachments on two Class III stream crossing installations. Adherence to the Final CDFW Notification and delivery to the County has been made a Condition of Approval.

The Water Resource Protection Plan (WRPP) prepared by Timberland Resource Consultants in 2018 for both parcels APN 315-043-001 and 315-042-002 (WDID 1B171681CHUM; Attachment 3) indicates cultivation occurs on a historic log landing that was previously constructed for timber operations and that has been used as a rock source for road and stream crossing work. The WRPP describes the presence of seven watercourse crossings on the parcels, four of which require new installation or maintenance of stream crossings and a schedule for completion is provided in the WRPP. Preparation of a Site Management Plan will be required to abide by State Water Resources Control Board 2019 Cannabis Policy, and this has been made a condition of approval. The proposed receiving site is detailed in the WRPP and the justification for relocation is to abide by the SMA buffer requirements. No grading is necessary to relocate the cannabis on site as it would be placed on the existing cultivation area with slopes less than 15% using only hand shovels to stabilize pots. As a result, the project is conditioned to submit details of a Site Remediation and Mitigation Monitoring Plan that includes postrestoration monitoring of the restored areas within SMA buffers and to abide by the conditions of the associated (existing and future) LSAAs from the CDFW. Work within the SMA requires a Special Permit subject to the SMAs and Wetlands Ordinance (SMAWO) of the County of Humboldt. In addition, if any restoration, remediation, or existing infrastructure upgrades are anticipated in streams or wetlands identified on your property, the applicant is required by the Regional Water Board to submit a Surface Water Correction Workplan at least 60 days prior to the proposed work.

Humboldt County's WebGIS shows a mapped stream going through the central portion of the parcel from east to west eventually flowing into Cow Creek. The Site Plan shows the same unnamed Class II stream in addition to unnamed Class III streams feeding into the Class II stream with the associated 50-foot and 100-foot SMA buffers. The proposed consolidated cultivation area and all ancillary facilities are outside of the SMA buffer.

#### **Biological Resources**

There are mapped sensitive species onsite and critical habitat for Northern Spotted Owl is located about 1 mile northeast of the property. There are previously recorded observations of Northern Spotted Owl within 1 mile of the project area. A Preliminary Biological Resource Assessment (Attachment 3) was prepared by TransTerra Consulting LLC and concluded that suitable habitat for special-status animals, including western bumble bee, North American porcupine, and Fisher was recorded during the field survey, but evidence for these taxa was not detected in the project area. The proposed project is existing and unlikely to significantly affect the species with habitat present onsite. The extent of noise from generator or fan use is currently unknown but the primary power source proposed is solar.

Furthermore, the project is conditioned to adhere to Dark Sky Association standards for greenhouse lighting and security lighting, refrain from using synthetic netting, ensure refuse is contained in wildlifeproof storage and refrain from using anticoagulant rodenticides to further protect wildlife. As proposed and conditioned, the project is consistent with CMMLUO performance standards and CDFW guidance and will not negatively affect Northern Spotted Owl or other sensitive species.

#### **Tribal Cultural Resource Coordination**

The project was referred to the Northwest Information Center, Bear River Band, and Tsnungwe Council in September 2020. A Cultural Resources Investigation was not prepared for the project. The Bear River Band Tribal Historic Preservation Officer responded in an email dated October 16, 2020 to include the Inadvertent Discoveries Protocol. Ongoing conditions of approval are incorporated regarding the Inadvertent Discoveries Protocol to protect cultural resources and tribal cultural resources. No response to date was received from the Tsnungwe Council.

#### Access

The property is located approximately 12 miles south of Willow Creek and accessed via private roads off U.S. Forest Service (USFS) Route 1 on a portion also known as Titlow Hill Road. USFS Route 1 is a USFSmaintained roadway. A self-assessed Road Evaluation Report with photo documentation for the private driveway accessing the site from Forest Road 6N01 concludes that that the entire road segment is developed to the equivalent of a road category 4 standard (Attachment 3).

#### Setbacks

The subject parcel borders Six Rivers National Forest (SRNF) on the west, and the applicant is requesting a Special Permit to allow a setback reduction to SRNF. The nearest cultivation area to SRNF is near the western parcel line which has been verified to be approximately 130 feet to the shared parcel line. The application was referred to the US Forest Service on January 26, 2021. The agency replied on February 1, 2021, requesting denial for the project, and commented that the Forest Service is against any waiver of the 600-foot setback to public lands as Forest Service surrounds the parcel.

The adjacent public land is subject to the Land and Resource Management Plan - Six Rivers National Forest 1995 (L&RMP). The project is consistent with the L&RMP because the cultivation activities will minimize impacts to biological resources and wildlife through measures to reduce potential light and noise impacts. Artificial lighting will not be used in the greenhouses, as the cultivation area will be outdoor light-deprivation cultivation, and all clones (immature plants) are purchased offsite from a licensed nursery. Further, the project will be powered by an on-site solar array and generators will only be used for emergency purposes. Further, the project will also protect fisheries and aquatic habitat on forest lands by maintaining buffers from streams and by avoiding surface water diversions. Water will be sourced from a permitted well. Additional protection methods include monitoring the use of pesticides, rodenticides and fertilizers, and adhering to the County's Fire Safe Regulations and providing adequate road access. The L&RMP's provisions for protection of heritage resources is consistent with the proposed project as consultation with the Tribal Historic Preservation Officer occurred and no concerns were raised. Lastly, the project is consistent with recreational use on public lands as the proposed project is not located near developed campgrounds, trails, or other related facilities.

Environmental review for this project was conducted and based on the results of that analysis, staff finds that all aspects of the project have been considered in a previously adopted MND that was adopted for the CMMLUO and has prepared an addendum to this document for consideration by the Zoning Administrator (See Attachment 2 for more information).

**RECOMMENDATION:** Based on a review of Planning Division reference sources and comments from all involved referral agencies, Planning staff believes that the applicant has submitted evidence in support of making all the required findings for approval of the Special Permits.

**ALTERNATIVES:** Several alternatives may be considered: 1) The Zoning Administrator could elect not to hear this item and put the decision making in front of the Planning Commission. Any decision to place this matter before the Planning Commission must be done before opening the public hearing on this project; 2) The Zoning Administrator could elect to add or delete conditions of approval; 3) The Zoning Administrator could deny approval of the requested permits if you are unable to make all of the required findings. Planning Division staff is confident that the required findings can be made based on the submitted evidence and subject to the recommended conditions of approval. Consequently, planning staff does not recommend further consideration of these alternatives.

#### RESOLUTION OF THE ZONING ADMINISTRATOR OF THE COUNTY OF HUMBOLDT Resolution Number 21-Record Number PLN-12238-SP Assessor's Parcel Number: 315-042-002 and 315-042-001

#### Resolution by the Zoning Administrator of the County of Humboldt certifying compliance with the California Environmental Quality Act (CEQA) and conditionally approves the Summer Adams Special Permits.

WHEREAS, Summer Adams, submitted an application and evidence in support of approving a Special Permit for the continued operation of a 4,440-square-foot (SF) outdoor light-deprivation and proposed 3,840-SF outdoor light-deprivation (8,280 SF total) cannabis cultivation operation with drying and processing activities occurring offsite at a licensed facility, and two Special Permits for a setback reduction from Six Rivers National Forest located approximately 130 feet to the west of the main cultivation area, and for restoration work within Streamside Management Areas (SMAs);

**WHEREAS**, the County Planning Division, the lead agency, prepared an Addendum to the Final Mitigated Negative Declaration (MND) prepared for the Commercial Medical Marijuana Land Use Ordinance (CMMLUO) adopted by the Humboldt County Board of Supervisors on January 26, 2016. The proposed project does not present substantial changes that would require major revisions to the previous 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; and

**WHEREAS**, the Humboldt County Zoning Administrator held a duly noticed public hearing on June 17, 2021, and reviewed, considered, and discussed the application for the Special Permits and reviewed and considered all evidence and testimony presented at the hearing.

Now, THEREFORE BE IT RESOLVED, that the Zoning Administrator makes all the following findings:

- 1. FINDING: Project Description: The application is a Special Permit to allow the continued operation of a 4,440-SF outdoor light-deprivation and proposed 3,840-SF outdoor light-deprivation cannabis cultivation operation (8,280 SF total) with drying and processing activities occurring offsite at a licensed facility. Power is provided by solar with two small generators for emergency back-up use. Water for irrigation is provided by a permitted groundwater well. Two additional Special Permits are also requested for a setback reduction from Six Rivers National Forest, approximately 130 feet to the west of the main cultivation area, and for site restoration within SMAs.
  - **EVIDENCE:** a) Project File: PLN-12238-SP
- 2. FINDING: CEQA. The requirements of CEQA have been complied with. The Humboldt County Zoning Administrator 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 prepared for the proposed project.
    - b) The proposed project does not present substantial changes that would require major revisions to the previous MND. No new information of substantial importance that was not known and could not be known at the time was presented as described by §15162(c) of CEQA Guidelines.

- c) A Water Resource Protection Plan was prepared by Timberland Resource Consultants to show compliance with the North Coast Regional Water Quality Control Board Order No. 2015-0023.
- d) A Preliminary Biological Resource Assessment report was carried out by TransTerra Consulting LLC in July 2020. The Assessment methods included a search of the California Natural Diversity Database and California Native Plant Society database. Suitable habitat for special-status animals, including western bumble bee, North American porcupine, and Fisher was recorded during the field survey, but evidence for these taxa, was not detected in the project area. Northern Spotted Owl habitat exists in the vicinity, but the nearest activity center is approximately 1 mile from the site and was established in 1998. Conditions of approval will require noise to be at or below 50 decibels at 100 feet which is below the guidance established by the California Department of Fish and Wildlife for protection of the species.
- e) A Road Evaluation Report was prepared for the private driveway by the applicant in September 2018 which identified that the road is suitable for safe access to and from the project site.

#### 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 Timberland (T) 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 adjacent public land is subject to the Land and Resource Management Plan - Six Rivers National Forest 1995 (L&RMP). The project is consistent with the L&RMP because the cultivation activities will minimize impacts to biological resources and wildlife through measures to reduce potential light and noise impacts. No artificial lighting will be used in the greenhouses, as the project will be outdoor cultivation with light depravation.

The project will also protect fisheries and aquatic habitat on forest lands by maintaining buffers from streams and by avoiding surface water diversion. The primary water source is a permitted well.

Additional protection methods include monitoring the use of pesticides, rodenticides and fertilizers, and adhering to the County's Fire Safe Regulations and providing adequate road access. The L&RMP's provisions for protection of heritage resources is consistent with the proposed project as consultation with the Tribal Historic Preservation Officer occurred and no concerns were raised. Lastly, the project is consistent with recreational use on public lands as the proposed project is not located near developed campgrounds, trails, or other related facilities.

- 4. FINDING The proposed development is consistent with the purposes of the existing Timber Production Zone (TPZ) and Agriculture Exclusive (AE-B-5(160)) Zones in which the site is located.
  - **EVIDENCE** a) The Timber Production Zone (TPZ) and Agriculture Exclusive (AE-B-5(160)) zones are applied to areas of the County in which general agriculture residential uses are the desirable predominant uses. All cultivation activities would be within the TPZ Zone.
    - b) All general agricultural uses are principally permitted in the TPZ-Zone.
    - c) Humboldt County Code Section 314-55.4.8.2.2 allows cultivation of up to 10,000 SF of existing cannabis cultivation on a parcel over 1 acre subject to approval of a Special Permit and a determination that the cultivation was in existence prior to January 1, 2016. The application for 8,280 SF of outdoor light-deprivation cultivation on a 78-acre parcel is consistent with this and with the cultivation area verification prepared by the County.
- 5. FINDING The proposed development is consistent with the requirements of the CMMLUO Provisions of the Zoning Ordinance.
  - **EVIDENCE** a) The CMMLUO allows existing cannabis cultivation to be permitted in areas zoned TPZ (Humboldt County Code Section 314-55.4.8.2.2).
    - b) The parcel was created in compliance with all applicable state and local subdivision regulations, as it was created in its current configuration per land patent #580592.
    - c) The project will obtain water from a non-diversionary water source.
    - d) A Road Evaluation Report was completed by the applicant in September 2018. The Evaluation addressed the private driveway, which is a privately maintained road. All road segments evaluated were found to be functionally appropriate for the expected traffic.
    - e) The slope of the land where cannabis will be cultivated is less than 15%.
    - f) The cultivation of cannabis will not result in the net conversion of timberland. The preparation of a Timber Conversion Report has been made a Condition of Approval.
    - g) 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 and more than 600 feet from any school, church, public park, or tribal cultural resource. A Special Permit is needed for a setback reduction from Six Rivers National Forest located approximately 130 feet to the west of the main cultivation area.
- 6. FINDING The cultivation of 8,280 SF of cannabis cultivation and the conditions under which it may be operated or maintained will not be detrimental to the public health, safety, or welfare or materially injurious to properties or improvements in the vicinity.
  - **EVIDENCE** a) The site is located on a road that has been determined by the applicant to safely accommodate the amount of traffic generated by the proposed cannabis cultivation.
    - b) The site is in a rural part of the county where the typical parcel size is over 40 acres and many of the land holdings are very large. The proposed cannabis will not be in a location where there is an established neighborhood or other sensitive receptor such as a school, church, park or other use which may be sensitive to cannabis cultivation. Approving cultivation on this site and the other sites which have been approved or are in the application process will

not change the character of the area due to the large parcel sized in the area.

- c) Irrigation water will come from a groundwater well that has been permitted by the Environmental Health Department.
- d) Provisions have been made in the applicant's proposal to protect water quality and thus runoff to adjacent property and infiltration of water to groundwater resources will not be affected.
- 7. FINDING The proposed development does not reduce the residential density for any parcel below that utilized by the Department of Housing and Community Development in determining compliance with housing element law.
  - **EVIDENCE** a) The parcel was not included in the housing inventory of Humboldt County's 2019 Housing Element but does have the potential to support one housing unit. The approval of cannabis cultivation on this parcel will not conflict with the ability for a residence to be constructed on this parcel.

#### DECISION

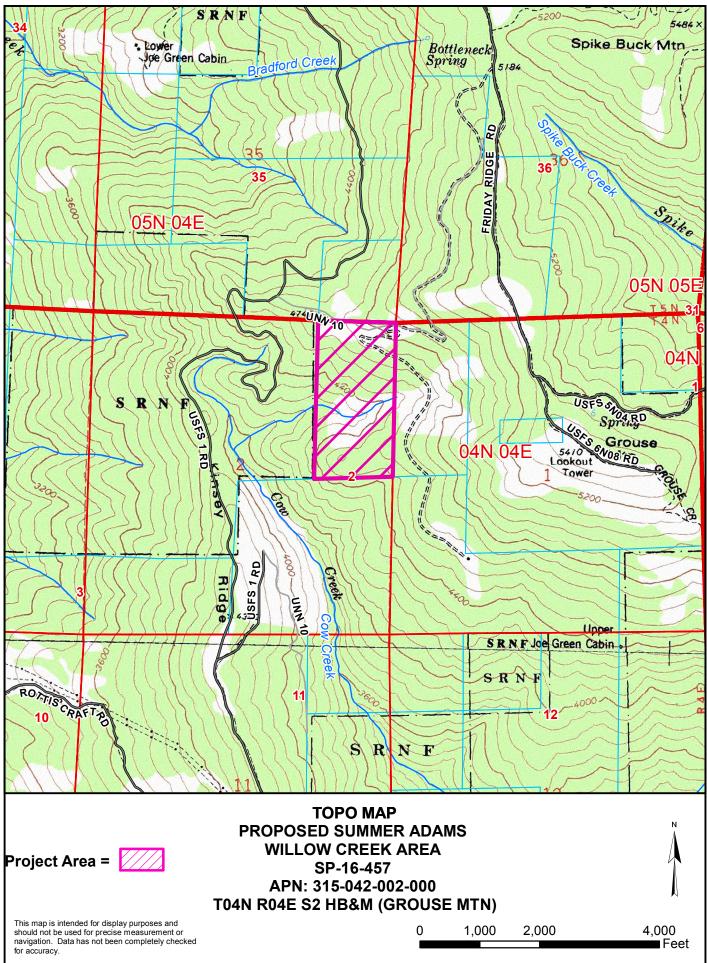
**NOW, THEREFORE,** based on the above findings and evidence, the Humboldt County Zoning Administrator does hereby:

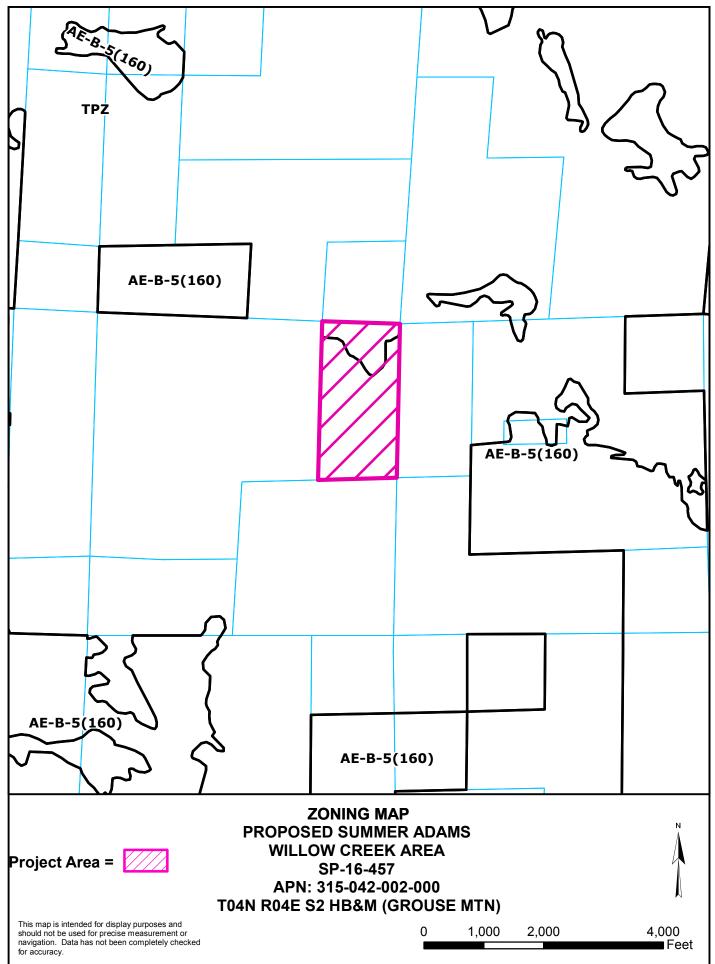
- Adopt the findings set forth in this resolution; and
- Conditionally approves the Special Permits (3) for Summer Adams, based upon the Findings and Evidence and subject to the conditions of approval attached hereto as Attachment 1 and incorporated herein by reference; and

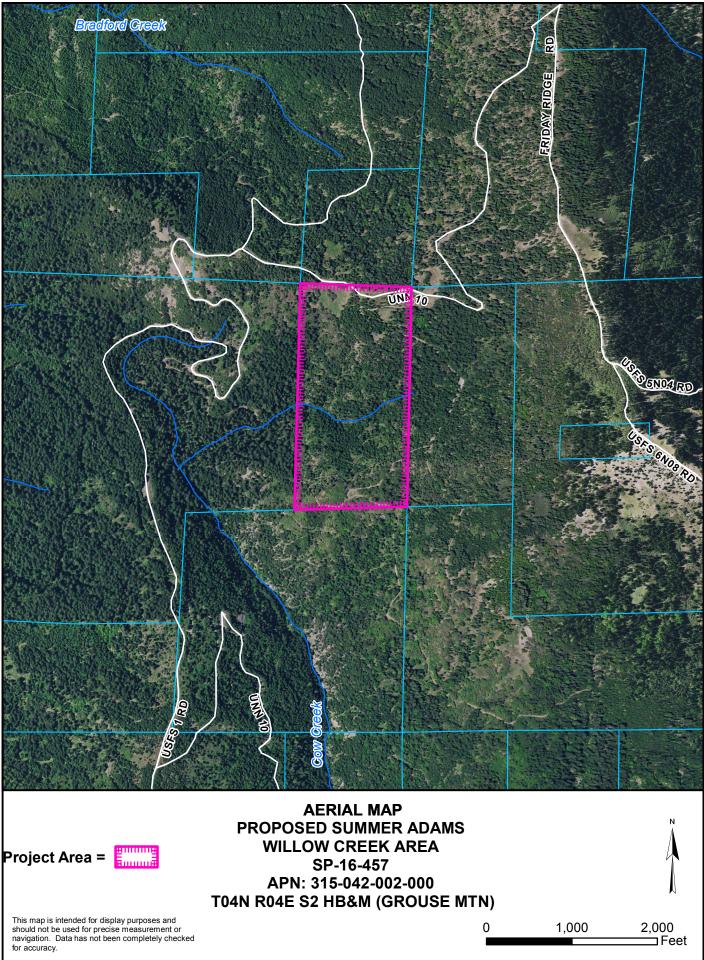
Adopted after review and consideration of all the evidence on June 17, 2021.

I, John Ford, Zoning Administrator 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 Zoning Administrator at a meeting held on the date noted above.

John Ford, Zoning Administrator Planning and Building Department







# APN: 315-042-002/315-043-001 INLINE SOLUTION, INC

# SITE LOCATION VICINITY MAP NOT TO SCALE

# PROJECT DIRECTIONS

HILL RD IN WILLOW CREEK (37.2MI) **DESTINATION (13.9 MI)** -TAKE CA-299 E TO COUNTY RTE 7K 100/TITLOW FROM: EUREKA, CA -TAKE 7TH ST TO US-101 N/5TH ST (.9MI) -CONTINUE ON TITLOW HILL RD TO YOUR

## TRAVEL TIME

APPROXIMATELY: 52 MILES (1HR 15 MINUTES)

### **CP-COVER PAGE PO-PARCEL OVERVIEW** SHEET INDEX **PR-PREMISES**

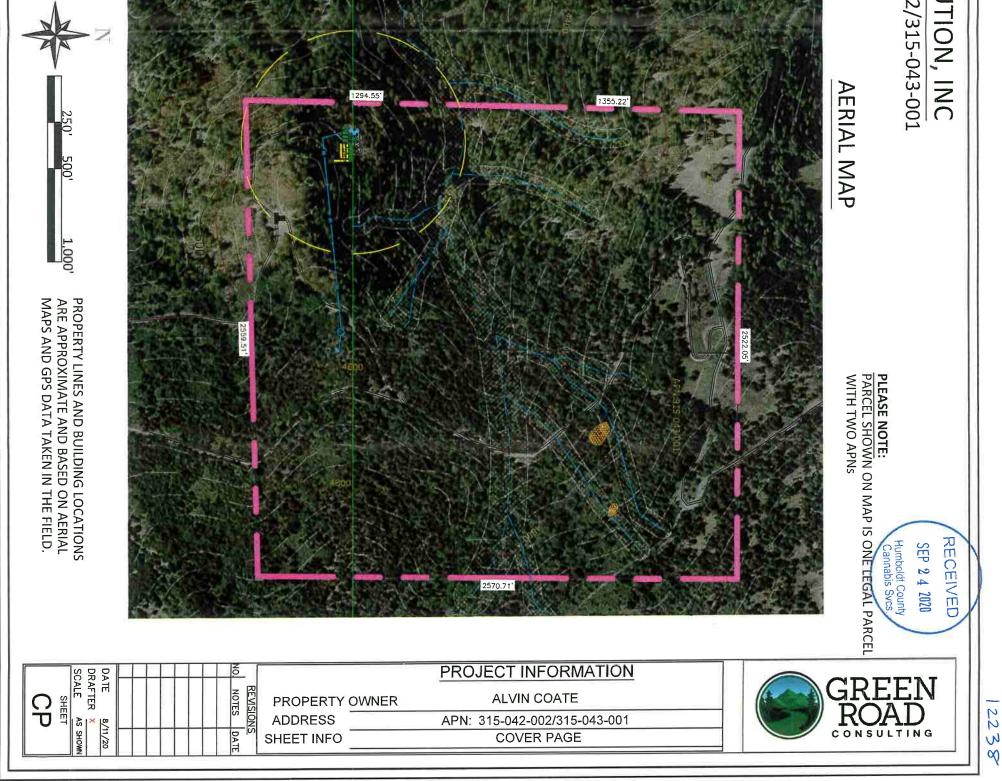
PROJECT INFORMATION APPLICANT: INLINE SOLUTION, INC PARCEL SIZE: 78 ACRES APN: 315-042-002 LAT/LONG: 40.7602,-123.6871

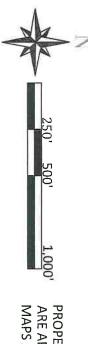
ZONING: AE-B(160);TPZ

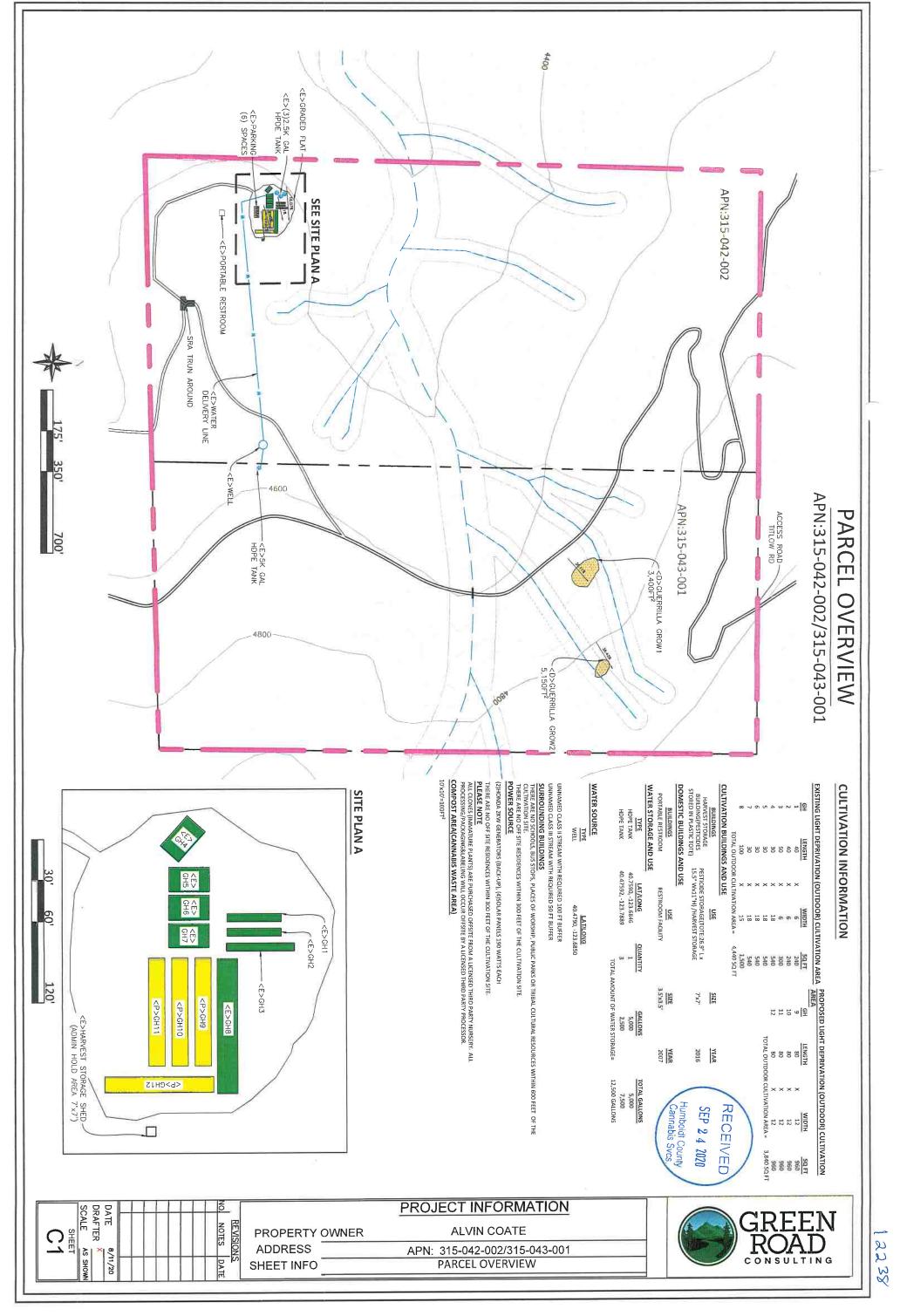
**APPLICATION TYPE: TYPE 2 OUTDOOR** 

# COASTAL ZONE: NO 100 YEAR FLOOD: NO

AGENT: 1650 CENTRAL AVE. SUITE C GREEN ROAD CONSULTING INC MCKINLEYVILLE, CA 95519 KAYLIE SAXON 707-630-5041







#### **ATTACHMENT 1**

#### **RECOMMENDED CONDITIONS OF APPROVAL**

### APPROVAL OF THE SPECIAL PERMITS IS CONDITIONED ON THE FOLLOWING TERMS AND REQUIREMENTS WHICH MUST BE SATISFIED BEFORE THE PROVISIONAL CANNABIS CULTIVATION PERMIT CAN BE FINALIZED.

#### A. General Conditions

- 1. The applicant is responsible for obtaining all necessary County and State permits and licenses, and for meeting all requirements set forth by other regulatory agencies.
- 2. The applicant is required to pay for permit processing on a time and material basis as set forth in the schedule of fees and charges as adopted by ordinance of the Humboldt County Board of Supervisors. The Planning and Building Department will provide a bill to the applicant after the decision. Any and all outstanding planning fees to cover the processing of the application to decision by the Hearing Officer shall be paid to the Humboldt County Planning Division, 3015 "H" Street, Eureka.
- 3. The applicant is responsible for costs for post-approval review for determining project conformance with conditions. A deposit is collected to cover this staff review. Permit conformance with conditions must be demonstrated prior to release of building permit or initiation of use and at time of annual inspection. A conformance review deposit as set forth in the schedule of fees and charges as adopted by ordinance of the Humboldt County Board of Supervisors (currently \$750) shall be paid within 60 days of the effective date of the permit or upon filing of the Compliance Agreement (where applicable), whichever occurs first. Payment shall be made to the Humboldt County Planning Division, 3015 "H" Street, Eureka.
- 4. A Notice of Determination (NOD) will be prepared and filed with the County Clerk for this project in accordance with the State CEQA Guidelines. The Department will file the NOD and will charge this cost to the project.
- 5. Within 60 days of the effective date of permit approval, 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. A letter or similar communication from the Building Division verifying that all structures related to the cannabis cultivation are permitted will satisfy this condition.
- 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. Within 90-days of the effective date of permit approval or issuance of a building permit, whichever comes first, the applicant shall submit a revised plot plan prepared by a licensed surveyor showing the following deficiencies identified in the pre-site inspection by the Building Division on October 21, 2020, in addition to what is already shown:

- a. Exact locations and setbacks of existing cultivation areas from the parcel boundaries and nearest Class II and Class III SMAs.
- 9. The applicant shall submit a grading, erosion and sediment control plan shall be prepared by a qualified engineer. The plan shall identify the cubic yards of all grading that has been completed, and any proposed. A letter or similar communication from the Building Division verifying that all grading related to the cannabis cultivation operation are permitted, or not needed, will satisfy this condition.
- 10. The applicant shall install water monitoring device on each source—well and surface diversion if/when utilized and storage tanks as applicable—to monitor water used for cannabis irrigation separate from domestic use.
- 11. Secure a Final Lake and Streambed Alteration Agreement from CDFW for the encroachments on the two Class III stream crossing installations and submit to the County.
- 12. The applicant shall implement all corrective actions detailed in the revised Water Resource Protection Plan prepared for the site in August 2018 by Timberland Resource Consultants, including secondary containment of all fuels, and the recommendations of a Site Management Plan to be developed for the parcel, pursuant to Tier 1 enrollment under the State Water Resources Control Board Cannabis Cultivation Policy, in congruence with Order WQ 2017-0023-DWQ General Waste Discharge Requirements for Dischargers of Waste Associated with Cannabis Cultivation Activities. A letter or similar communication from the State Water Resources Control Board verifying that all their requirements have been met will satisfy this condition.
- 13. To address the apparent illegal timber conversion which occurred sometime between 2017 and 2018, a report prepared by a registered professional forester (RPF) shall be submitted to the Planning Division. The report must contain the RPF's recommendation as to remedial actions necessary to bring the conversion area into compliance with the provisions of the Forest Practices Act. The Planning Division shall provide the report to CAL FIRE for comment. If no comments are received, the RPF recommendations in the report will become final and shall be implemented. In the event that CAL FIRE responds, the conversion that occurred must be resolved to their satisfaction.
- 14. The applicant shall prepare a Site Remediation and Mitigation Monitoring Plan for the restoration of retired or abandoned cultivation sites, any appurtenant legacy water storage structures, and any roads in conformance with the Performance Standard for Remediation Activities. The plan is to be prepared by a qualified individual and furnished to the County for approval. If relocation and remediation of Streamside Management Areas (SMA) require heavy machinery it will require a Special Permit subject to the SMA and Wetlands Ordinance (SMAWO) of the County of Humboldt (Section 314-61 Humboldt County Code), including incorporation of the mitigation measures for development within SMA buffers. The Site Remediation and Mitigation Monitoring Plan shall include a plan to document work performed on the retired sites and the sites natural revegetation progress for five years. Replanting of disturbed areas with riparian vegetation (including such species as alders, cottonwoods, willows, etc.) shall be required unless natural regeneration does not occur within two years of the completion of the restoration project. The mitigation and monitoring report adopted as a part of project approval shall include an alternative regeneration plan in case natural regeneration is not successful and the information detailed under Section 314-61.1.18 *Mitigation and Monitoring Plan*.
- 15. 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.

- 16. The applicant shall be compliant with the County of Humboldt's Certified Unified Program Agency 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.
- 17. 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 Humboldt County Code and available at the Planning Division.

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

- The combination of background, generator and greenhouse fan or other operational equipment created noise must not result in the harassment of Northern Spotted Owl species as required to meet the performance standards for noise set by Department Policy Statement No. 16-005 clarifying 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 (dB). Conformance will be evaluated using current auditory disturbance guidance prepared by the United States Fish and Wildlife Service, and further consultation where necessary. A building permit shall be obtained should any structures be necessary for noise attenuation.
- 2. The applicant shall abide by recommendations of the Preliminary Biological Resource Assessment prepared by TransTerra Consulting LLC, dated July 2020, which include but are not limited to, following all recommendations outlined by existing agency policies for minimizing impacts on natural resources; before any further vegetation removal occurs a certified biologist survey the area for listed terrestrial plants, including California globe mallow; areas scheduled for construction or vegetation removal searched for active nests for special-status nesting birds/bats; and avoid heavy equipment operations during Northern Spotted Owl critical period (February 1–July 31) or perform protocol-level surveys prior to initiating that work.
- 3. Should the Humboldt County Planning Division receive complaints that the noise is not complying with the standard listed above in item B.1., within 10 working days of receiving written notification that a complaint has been filed, the applicant shall submit written verification that noise levels have been repaired, inspected, and corrected, as necessary.
- 4. Prohibition on use of synthetic netting. To minimize the risk of wildlife entrapment, Permittee shall not use any erosion control and/or cultivation materials that contain synthetic (e.g., plastic or nylon) netting, including photo- or biodegradable plastic netting. Geotextiles, fiber rolls, and other erosion control measures shall be made of loose-weave mesh, such as jute, hemp, coconut (coir) fiber, or other products without welded weaves.
- 5. All refuse shall be contained in wildlife-proof storage containers, at all times, and disposed of at an authorized waste management facility.
- 6. Should any wildlife be encountered during work activities, the wildlife shall not be disturbed and 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 project shall be developed, operated, and maintained in conformance with the Project Description, the approved Site Plan, the Plan of Operations, and these conditions of approval. Changes shall require modification of this permit except where consistent with Humboldt County Code Section 312-11.1, Minor Deviations to Approved Plot Plan. If offsite processing is chosen to be the preferred method of processing, this permit shall be modified to identify the offsite licensed facility.
- 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, permittee shall abate or cure violations at the earliest feasible date, but in no event no more than 2 years from the date of issuance of a provisional clearance or permit. Permittee shall provide plans for curing such violations to the Planning and Building Department within 1 year of issuance of the provisional clearance or permit. If good faith effort toward compliance can be shown within the 2 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. 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. Compliance with all statutes, regulations, and requirements of the California State Water Resources Control Board (SWRCB) 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. 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. Maintain enrollment in Tier 1, 2, or 3, certification with North Coast Regional Water Quality Control Board 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. Comply with the terms of any applicable Lake and Stream Alteration (1600 or 1602) Permit obtained from the California Department of Fish and Wildlife and furnish the Final Notification to the County Planning and Building Department.
- 17. 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, if applicable.
- 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. Refrain from the improper storage or use of any fuels, fertilizer, pesticide, fungicide, rodenticide, or herbicide.
- 20. Pay all applicable application, review for conformance with conditions and annual inspection fees.

- 21. 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 program, and in such a way that no spillage occurs.
- 22. The master log books maintained by the applicant to track production and sales shall be maintained for inspection by the County.
- 23. 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 Business and Professions Code section 26051.5(a) (8), 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;
    - (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. Onsite housing, if any
- 29. <u>Term of Commercial Cannabis Activity Special Permit</u>. Any Commercial Cannabis Cultivation Special Permit issued pursuant to the CMMLUO shall expire 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 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 3 days after date of mailing, shall constitute delivery. The permit holder may request a reinspection to determine whether or not the permit holder has cured all issues of noncompliance. Failure to request reinspection or to cure any items of noncompliance shall terminate the Special Permit, immediately upon the expiration of any appeal period, or final determination of the appeal if an appeal has been timely filed pursuant to Section 55.4.13.
- 31. <u>Permit Renewals to Comply with Updated Laws and Regulations</u>. 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. <u>Acknowledgements to Remain in Full Force and Effect</u>. 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. <u>Transfers</u>. 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. <u>Inspections</u>. 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 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 1 year of the issuance of the provisional clearance 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 1 year after all appeal periods have lapsed (see "Effective Date"), except where the Compliance Agreement per Condition of Approval #5 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 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 Section 7050.5 requires that the County Coroner be contacted immediately at 707-445-7242. If the Coroner determines the remains to be Native American, the Native American Heritage Commission will then be contacted by the Coroner to determine appropriate treatment of the remains pursuant to Public Resources Code (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 MEDICAL MARIJUANA LAND USE ORDINANCE

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

> APN 315-042-002 and 315-042-001; Willow Creek area County of Humboldt

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

May 2021

#### Background

#### Modified Project Description and Project History –

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

The modified project involves a Special Permit for an existing 8,280-sauare-foot (SF) outdoor lightdeprivation cannabis cultivation which is comprised of 4,440-square-foot (SF) existing outdoor lightdeprivation cannabis cultivation operation on the parcel and 3,840 SF which is being relocated out of the trees on the adjacent parcel to the east, to the main cultivation area on the southwest section of the parcel. A Special Permit is also needed for a setback reduction from Six Rivers National Forest approximately 130 feet to the west of the main cultivation area, and a Special Permit is also needed for remediation activities within SMAs Irrigation water is sourced from a permitted groundwater well. Existing available water storage is 12,500 gallons in four hard tanks. Estimated annual water usage is 99,400 gallons (12.0 gallons/SF). Drying and processing will occur offsite at a licensed facility. The applicant anticipates using two seasonal workers on the property for daily operations. The sole source of power for the project is solar panels with two small generators for emergency back-up use.

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

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

- 1. Substantial changes are proposed in the project which require major revisions of the previous MND due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;
- 2. Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous MND due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or
- 3. New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous MND was certified as complete,

shows any of the following: A) the project will have one or more significant effects not discussed in the previous MND; B) significant effect previously examined will be substantially more severe than shown in the previous MND; C) mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or D) mitigation measures or alternatives which are considerably different from those analyzed in the previous MND would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.

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

No changes are proposed for the original MND recommended mitigations. The proposal to authorize the continued operation of an existing cannabis cultivation site consisting of 8,280 SF of 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:

- Plot Plans prepared by Green Road Consulting dated 8/11/20 and received 9/24/20.
- Site Plan Overview and Cultivation and Operations Plan and Amendment prepared by Green Road Consulting dated 8/11/20 and received 9/24/20.
- Water Resource Protection Plan prepared by Timberland Resource Consultants for the North Coast Regional Water Quality Control Board Order No. 2015-0023, amendment dated 8/29/18.
- Road Evaluation Report for private driveway prepared by applicant, dated 9/26/18.
- Division of Environmental Health Attachment for Commercial Medical Marijuana Clearances/ Permits.
- Preliminary Biological Resource Assessment for APN 315-042-002/315-043-001, Summer Adams, prepared by TransTerra Consulting LLC, received 9/24/20.
- Notification of Lake or Streambed Alteration Agreement prepared for the California Department of Fish and Wildlife
- SWRCB Division of Water Rights Demonstrating a Riparian Right for a Water Diversion, received 9/15/17.

#### Other CEQA Considerations

Staff suggests no changes for the revised project.

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

See **<u>Purpose</u>** statement above.

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

#### FINDINGS

1. The proposed project will permit an existing cannabis operation and bring the operation into compliance with county and state requirements intended to adequately mitigate environmental impacts.

- 2. The circumstances under which the project was approved have not changed substantially. There are no new significant environmental effects and no substantial increases in the severity of previously identified effects.
- 3. For the current proposed project, there has been no new information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous MND was adopted as complete.

#### CONCLUSION

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

#### ATTACHMENT 3

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

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

- 1. The name, contact address, and phone number(s) of the applicant. (Application form on file)
- 2. If the applicant is not the record title owner of parcel, written consent of the owner for the application with original signature and notary acknowledgement. (Not applicable)
- 3. Site plan showing the entire parcel, including easements, streams, springs, ponds and other surface water features, and the location and area for cultivation on the parcel with dimensions of the area for cultivation and setbacks from property lines. The site plan shall also include all areas of ground disturbance or surface water disturbance associated with cultivation activities, including access roads, water diversions, culverts, ponds, dams, graded flats, and other related features. If the area for cultivation is within 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. (Plot Plans prepared by Green Road Consulting dated 8/11/20 and received 9/24/20 Attached with project Maps)
- 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. (Site Plan Overview and Cultivation and Operations Plan and Addendum prepared by Green Road Consulting dated 8/11/20 and received 9/24/20 Attached)
- 5. Copy of the statement of water diversion, or other permit, license or registration filed with the State Water Resources Control Board (SWRCB), Division of Water Rights, if applicable. (Division of Water Rights Demonstrating a Riparian Right for a Water Diversion, received 9/15/17 On file.)
- 6. Description of water source, storage, irrigation plan, and projected water usage. (Included in Cultivation Operations Plan (item 4. above) and WRPP prepared for the Regional Water Quality Control Board (RWQCB) Order (item 7. below)
- 7. Copy of Notice of Intent and Monitoring Self-Certification and other documents filed with the North Coast RWQCB demonstrating enrollment in Tier 1, 2 or 3, North Coast RWQCB Order No. 2015-0023, or any substantially equivalent rule that may be subsequently adopted by the County of Humboldt or other responsible agency. (WRPP prepared by Timberland Resource Consultants for the North Coast RWQCB Order No. 2015-0023 – Attached)
- 8. If any onsite or offsite 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. Notification of a Lake or Streambed Alteration was submitted to the California Department of Fish and Wildlife in February 2019. (On file)
- If the source of water is a well, a copy of the County well permit, if available. (Permit Number 16/17-0430 – 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 a negotiated settlement with Cal Fire. The preparation of a Timber Conversion Report by a Registered Professional Forester has been made a Condition of Approval.
- 11. Consent for onsite inspection of the parcel by County officials at prearranged date and time in consultation with the applicant prior to issuance of any clearance or permit, and once annually thereafter. (On file)
- 12. For indoor cultivation facilities, identify the source of electrical power and how it will meet with the energy requirements in Section 55.4.8.2.3, and plan for compliance with applicable building codes. (Not applicable)
- 13. Acknowledge that the County reserves the right to reduce the size of the area allowed for cultivation under any clearance or permit issued in accordance with this Section in the event that environmental conditions, such as a sustained drought or low flows in the watershed, will not support diversions for irrigation. (On file)
- 14. Acknowledge that the County reserves the right to engage with local tribes before consenting to the issuance of any clearance or permit, if cultivation operations occur within an Area of Traditional Tribal Cultural Affiliation, as defined herein. This process will follow current departmental referral protocol, including engagement with the tribe(s) through coordination with their Tribal Historic Preservation Officer (THPO) or other tribal representatives. This procedure shall be conducted similar to the protocols outlined under SB 18 (Burton) and AB 52 (Gatto), which describe "government to government" consultation, through tribal and local government officials and their designees. During this process, the tribe may request that operations associated with the Clearance or permit be designed to avoid, minimize, or mitigate impacts to tribal cultural resources, as defined herein. Examples include, but are not limited to, conducting a site visit with the THPO or their designee to the existing or proposed cultivation site, requiring that a professional cultural resources survey be performed, or requiring that a tribal cultural monitor be retained during project-related ground disturbance within areas of sensitivity or concern. The County shall request that a records search be performed through the California Historical Resources Information System. (On file)
- 15. Road Evaluation Report for the privately maintained driveway prepared by applicant, dated 9/26/18. (Attached)
- 16. Division of Environmental Health Attachment for Commercial Medical Marijuana Clearances/ Permits (DEH Form). (On file)
- 17. Preliminary Biological Resource Assessment for APN 315-042-002/315-043-001, Summer Adams, prepared by TransTerra Consulting LLC, received 9/24/20 (On File).



### Site Plan Overview and Cultivation and Operations Plan

#### Applicant

Summer Adams PO Box 865

Willow Creek CA

Parcel: 315-042-002

#### Agent

Dante Hamm Green Road Consulting, Inc. 1650 Central Avenue, Suite C McKinleyville, CA 95519

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June 17, 2021

#### I. Site Plan Overview

#### 1.0 Project Information

Summer Adams ("Applicant"), is submitting this application for a Type 2 Special Permit for 10,000 square feet of existing outdoor commercial cannabis cultivation on a 78-acre parcel, located near Willow Creek, CA ("Parcel"), Assessor's Parcel Number (APN)315-042-002.

All water used for cultivation is sourced from the permitted, confined aquafer well. There are two (2) 2,000-gallon HDPE water tanks that total 4,000 gallons of hard tank water storage. The Applicant estimates their annual water use to be 99,400 gallons.

The Applicant has one (1) proposed buildings located on the parcel. The 7'x7' Nutrient Storage Shed will be built in 2018, and will be used for storing fertilizers and amendments.

The Applicant plans to have one (1) harvest for their full term outdoor cultivation area. All harvesting will be completed by family or applicant.

The Applicant will be taking their harvested material to a third-party processor.

This application is submitted through their agent, Dante Hamm of Green Road Consulting, Inc., and has been prepared in accordance with Humboldt County's Commercial Medical Marijuana Land Use Ordinance (CMMLUO).

The Type 2 Special Permit would achieve the following results for the Applicant:

- a. Permit 10,000 square feet of Outdoor commercial cannabis cultivation activities that were in existence prior to January 1, 2016, in compliance with the County CMMLUO; and
- b. Comply with applicable standards for water quality maintenance and watershed protection through the Waiver of Waste Discharge requirements of the North Coast Regional Water Quality Control Board ("Water Board") and California Department of Fish and Wildlife ("Fish and Wildlife").

#### 2.0 Project Location

The Applicant's Parcel is located in the inland zone of Humboldt County near Willow Creek, CA. The Parcel is comprised of 78-acres and is identified by Assessor's Parcel Number 315-042-002. The latitude/ longitude points of the parcel are 40.7612/-123.6871

#### 2.1 Zoning Classification

The County's Zoning Classification of the Parcel is AE-B-5(160); TPZ with a Current General Plan of T (FRWK). The CMMLUO permits existing Outdoor commercial cannabis cultivation on land zoned as AE-B-5(160); TPZ with cultivation sites up to 10,000 square feet.

#### 2.2 Site Topography

A map of the Parcel's topography is included as Attachment "A."

#### 3.0 Easements

The following information is taken from Exhibit "A" of the recorded Grant Deed, a copy of which is included in the Evidence of Ownership and Authorization section of this Application.

#### "Exhibit A DESCRIPTION

That real property situates in the County of Humboldt, State of California, described as follows:

PARCEL ONE:

Lots 2, 3 and 4; The South Half of the Northwest Quarter; The Northeast Quarter of the Southwest Quarter; The South Half of the Northeast Quarter; and The North Half of the Southeast Quarter of Section 1.

EXCEPTING that portion of the Southeast Quarter of Section 1, which was conveyed to the United States of America by Deed dated July 19,1943, and recorded in Book 214 of Deeds, Page 448, Humboldt County Records.

Lot 1; The Southeast Quarter of the Northeast Quarter of Section2 All in Township 4 North of Range 4 East of Humboldt Meridian.

#### PARCEL TWO:

Easement rights contained in that certain Mutual License for Right of Way recorded September 25, 1979 in Book 1590 of Official Records, Page 1145, under Recorder's Serial No. 21721, Humboldt County Records."

#### 4.0 Natural Waterways

There one (1) Class II Watercourse and two (2) Class III Drainages that cross the parcel.

#### 5.0 Location and Area of Existing Cultivation

The 10,000 square feet of Outdoor cannabis cultivation occurs in one (1) location on the parcel.

#### **Outdoor Cultivation**

#### Cultivation Area #1

Cultivation Area #1 is located near the southwestern section of the parcel on an existing graded flat. It consists of approximately 10,000 square feet of outdoor cannabis cultivation.

#### 6.0 Setbacks of Cultivation Area

#### **Outdoor Cultivation**

#### Cultivation Area #1

Cultivation Area #1 is setback from the western parcel line by approximately 162 feet and the southern parcel line by approximately 541 feet.

#### 7.0 Access Roads

The Parcel is located off Titlow Hill Road, which is well maintained. The Applicant also has a network of roads which are in usable condition. There is one stream crossing onsite.

#### 8.0 Graded Flats

There are existing flats on the Parcel. They may require permitting with the Humboldt County Building Department.

#### 9.0 Proposed Buildings

#### Nutrient Storage Shed

The Nutrient Storage Shed is a proposed 7'x7' structure that will be used for storing nutrients and amendments. It will be constructed in 2018 and may require permitting with the Humboldt County Building Department.

#### 10.0 Water Source, Storage, Irrigation Plan and Projected Water Usage

#### 10.1 Water Source

All water used for cultivation is sourced from the permitted, confined aquafer well.

#### 10.2 Water Storage

There are two (2) 2,000-gallon HDPE water tanks that total 4,000 gallons of hard tank water storage.

#### 10.3 Irrigation Plan

The Applicant will be hand watering at agronomic rate in order to avoid irrigation runoff.

#### 10.4 Projected Water Use

The amount of water used for the cultivation of cannabis will vary throughout the year, with peak periods of water use occurring during the summer months. The Applicant's cultivation and water use is outlined in the Cultivation and Water Usage Chart, attached as Attachment "B."

The Applicant estimates their annual water use to be 99,400 gallons.

5

#### 11.0 Site Drainage, Runoff, Erosion Control Measures and Watershed Protection

#### Site Drainage, Runoff, Erosion Control Measures

The Applicant is pending approval of the applicable permits in order to meet the standard conditions.

#### Watershed Protection

The Cultivation Area is outside the required buffer zones of all Watercourses that cross the parcel. The parcel meets the standard conditions for Watershed management.

#### 12.0 Distances from Significant Landmarks

There are no schools, school bus stops, state parks, places of worship or Tribal Cultural Resources within 600 feet of the cultivation site.

#### II. Cultivation and Operations Plan

#### 1.0 Materials Storage

#### Pesticides/Herbicides

Currently, there are no pesticides or herbicides registered specifically for use directly on cannabis. In the future, the Applicant will only be using items that were accepted under Legal Pest Management Practices for Marijuana Growers in California.

#### Fertilizer/ Amendments

The Applicant brings in fertilizers and amendments as needed. In 2018, all fertilizers and amendments will be located in the Nutrient Storage Shed on the Parcel. Fertilizers and amendments will be placed on the shelves and floor where any spill will be contained. All labels will be kept and directions are followed when nutrients are applied.

#### Petroleum Products

The Applicant does not have any generators or other equipment that would require fuel to be stored on site.

#### Soils Management

The Applicant does not have any compost or no soil piles on-site. The Applicant brings in soil to fill the beds and pots. The soil is reamended for each cultivation cycle. Once the dirt is no longer viable for cultivation, it is removed and disposed of at Wes Green in Arcata.

June 17, 2021

#### Refuse and Human Waste

The Applicant plans on installing a portable restroom by the spring of 2018. The Applicant is not storing trash onsite instead they will be disposing of their trash/refuse at Eel River Resource in Recovery Fortuna as they leave the parcel.

#### 2.0 Cultivation Activities

Cultivation activities will may vary due to the climate, strain, and the Applicants personal schedule.

Cultivation activities typically begin sometime in May when cannabis plants (clones) are brought to the Parcel for planting. The Plants will veg until July when they transition into their flowering cycle. They will flower for another three (3) months until they are ready to harvest sometime in October.

The Applicant anticipates one (1) harvest sometime in October for their Full Term Outdoor Cultivation Area.

#### 3.0 Processing Practices

The Applicant takes the harvested materials to a third party processor (offsite) for drying and processing.

The Applicant will be utilizing any Track and Trace program the County seeks to implement, abiding by all appropriate record keeping practices.

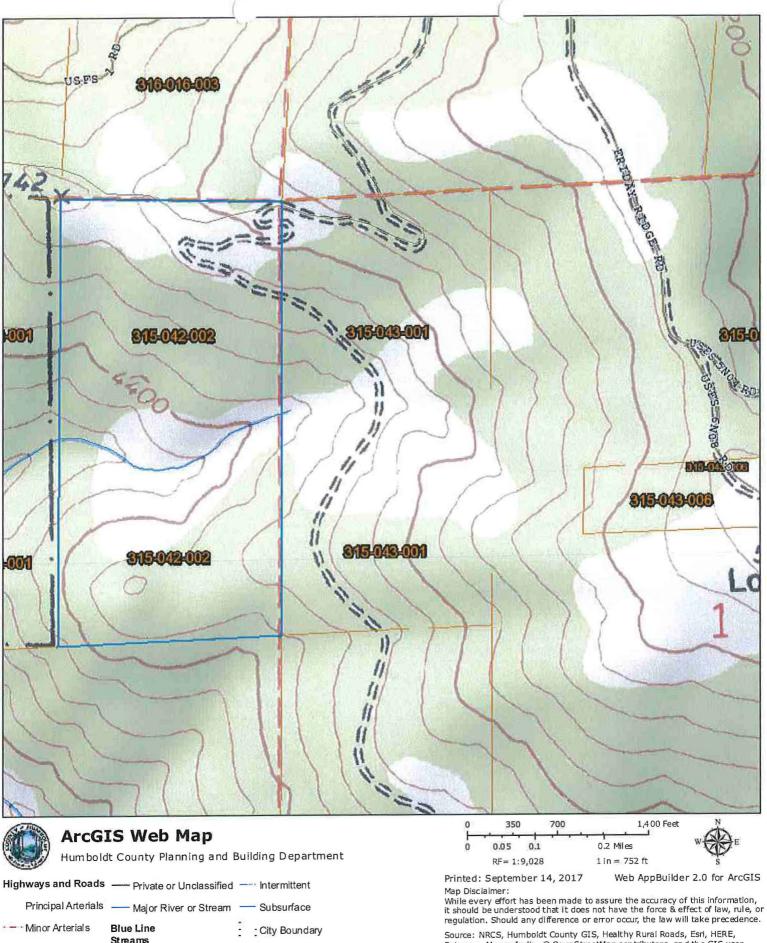
#### 4.0 Security Measures

The access to the parcel is gated and locked. There are game cameras placed over the gate, buildings and cultivation areas.

June 17, 2021



## Attachment "A"



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

June 17, 2021

Counties

Parcels

Major Collectors

Minor Collectors

Perennial 1-3

Local Roads-N-12238-SP Summer Adams



## Attachment "B"

## Water Use and Cultivation Form

Name:	Feinstein/adams/coate
APN:	
WDID:	
Reporting Year	
Storage (Gallons):	
Total Cultivation (ft <sup>2</sup> ):	10,000



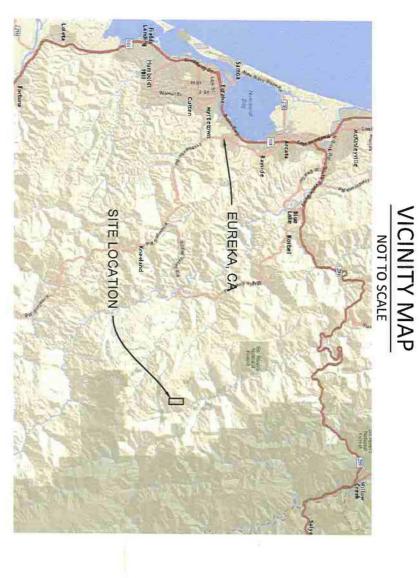
		Cultivation Area	
		Distance to watercourse (ft)	Cultiv
		Watercourse Classification	Cultivation Information
10.1		Average Slope	
		Area (ft <sup>2</sup> )	

					Water Use	Water Use by Source (Gallons)	(Gailons)						
Use from Source	January	February	March	April	May	June	July	August	September	October	November	December	Total
Domestic from well	1	1	2,500	2,400	2,500	2,400	2,500	2,400	2,500	2,400	2,500	1	22,10
Cultivation from well		-	-	3,600	9,400	18,000	21,700	13,200	18,000	15,500	1		99,40

ć 0 2 6 ancu.



## AERIAL MAP



## PROJECT DIRECTIONS

DESTINATION (13.9 MI) HILL RD IN WILLOW CREEK (37.2MI) -TAKE CA-299 E TO COUNTY RTE 7K 100/TITLOW -TAKE 7TH ST TO US-101 N/5TH ST (.9MI) FROM: EUREKA, CA -CONTINUE ON TITLOW HILL RD TO YOUR

## TRAVEL TIME

APPROXIMATELY: 52 MILES (1HR 15 MINUTES)

SHEET INDEX CP-COVER PAGE **PO-PARCEL OVERVIEW** 

### PROJECT INFORMATION LAT/LONG: 40.761-123.6871

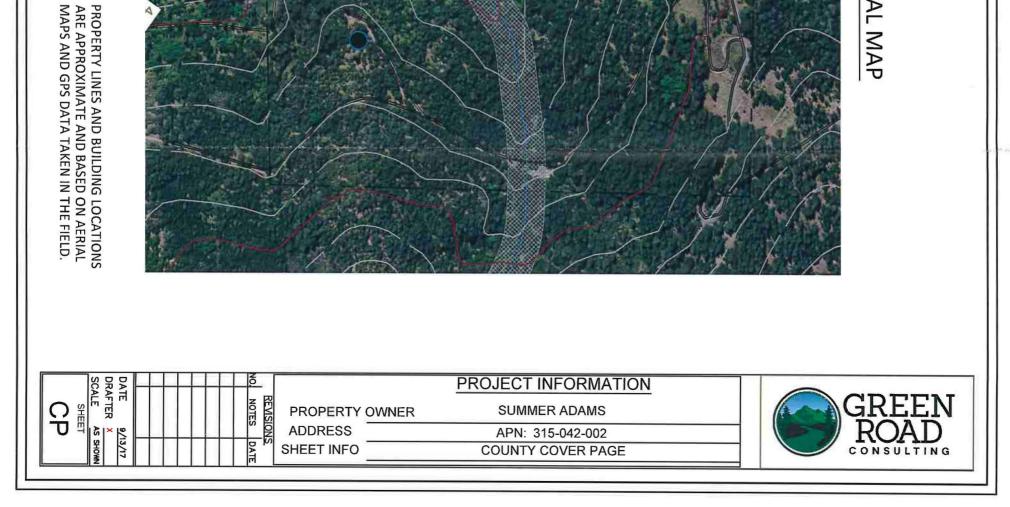
APPLICANT: SUMMER ADAMS PARCEL SIZE: 78 ACRES ZONING: AE-B APPLICATION TYPE: TYPE 2 OUTDOOR APN: 315-042-002

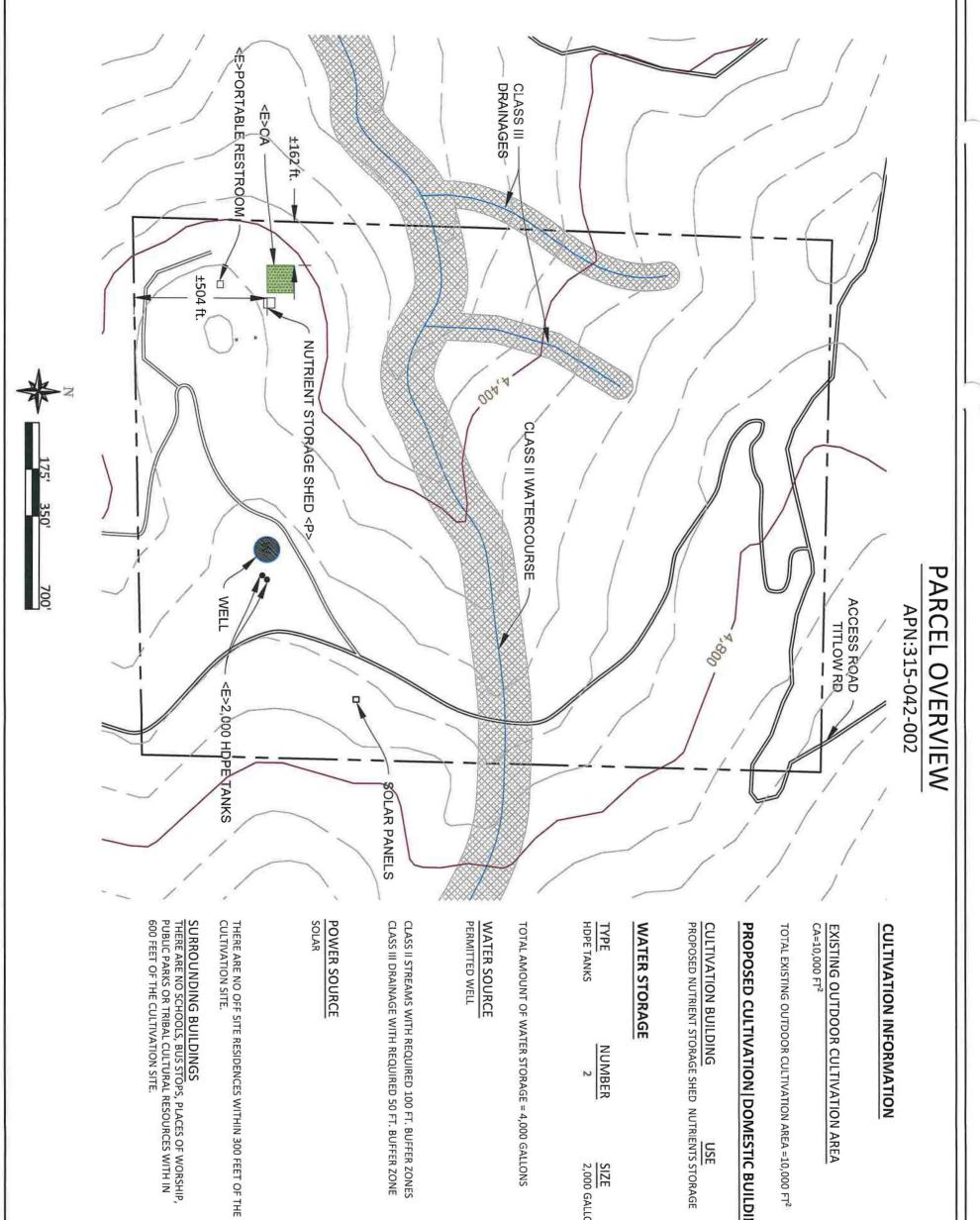
## COASTAL ZONE: NO 100 YEAR FLOOD: NO

MCKINLEYVILLE, CA 95319 AGENT: GREEN ROAD CONSULTING INC **KAYLIE SAXON** hi Co

1,000







L	2	>	,	
L	4	-	•	

# PROPOSED CULTIVATION DOMESTIC BUILDINS AND USE

NUTRIENTS STORAGE	USE
2018	YEAR
7'x7'	SIZE

SIZE 2,000 GALLONS

DATI DATI		PROJECT INFORMATION	
	PROPERTY OWNER	SUMMER ADAMS	GREEN
	ADDRESS	APN: 315-042-002 PARCEL OVERVIEW	

PLN-12238-SP Summer Adams





Humboldt County Planning Department 3015 H Street Eureka, CA 95501

### RE: Summer Adams- Humboldt County APPS 12238 - APN: 315-042-002

August 11<sup>th</sup>, 2020

To Whom It May Concern:

The following information should be added to the Cultivation and Operations Plan for Summer Adams, APPS #12238, APN: 315-042-002.

### **Cultivation Area**

The Applicant has an existing grow of 4,440 square feet of outdoor (light deprivation) cultivation. The Cultivation Area is located in one general area in southern end of the parcel.

The proposed 3,840 square feet of cultivation. Will occur on the same existing flat, next to the existing cultivation.

### Water Source

The Applicant sources their water for cannabis cultivation from a permitted well.

### Number of Employees

The Applicant anticipates using two (2) seasonal workers on the property for daily operations.

### Power Source

The Applicants sole source of power are solar panels. The project does not require a significant amount of power. As it is an outdoor operation.

### **Onsite Sanitation Facility**

A portable toilet with a hand washing station attached is available to all those working on the property.

### **Employee Safety Practices**

All those working on the property will be instructed in safe and proper techniques for performing any duties pretraining to cultivation and/ or processing. This includes the utilization of personal protective equipment and proper use of tools and necessary instruments required for the performance of one's duties. Personal protective equipment shall be provided for all employees and/or independent contractors via the proponent as well as having ample personal

Green Road Consulting, Inc. 1650 Central Ave. Suite C M	yville, Ca Robin Collins P.E.	Office 707-630-5041
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protective equipment in stock and onsite. Clean and safe drinking water will be provided for in the manner of a water dispenser which will utilize five-gallon containers of spring water. For the safety of the public and employees working while intoxicated will not be tolerated. All Employee and/or independent contractors shall be made aware of the following.

I. Location of fire extinguishers and the "P.A.S.S" technique.

II. List of operations manager contacts;

III. List of emergency control contacts;

- IV. List of poison control contacts;
- V. Location of first aid kit;
- VI. Location of Restroom and hand washing stations;
- VII. Location of clean drinking water and;

VIII. Location of Personal protective equipment.

All work surfaces and equipment are maintained in a clean, sanitary condition. Protocols to prevent the spread of mold are strictly followed.

The Applicant will be utilizing any Track and Trace program the County seeks to implement, abiding by all appropriate record keeping practices.

### Watershed Protection

All Cultivation areas are outside of the riparian buffer defined by California Regional Water Quality Control Boards Order. The Cultivation area was found to be over the preferred 200' distance from water courses. The Applicant will ensure that they are only using California State approved pesticides/nutrients and that all pesticides/ nutrients used (if any) will not have the potential to impact nearby habitat or watersheds.

### **Guerilla Grow Relocation/ Remediation.**

### Remediation Measures

On July 10<sup>th</sup>, 2018 Green Road Consulting preformed a field investigation with the intent to identify evidence of historic guerilla grow onsite. As a result of the field investigation, Green Road Consulting was able to identify substantial evidence of a historic guerilla grow. At the time of the field investigation it was apparent that the area of the historic guerilla grow had been decommissioned for some time. There was no evidence of any major grading (over 50 cubic yards) or large-scale vegetation removal. Due to these facts much of the vegetation had returned to its natural state. At this time Green Road Consulting recommends the Applicant remove any remaining cultivation related waste including but not limited to, plastic pots, irrigation lines, and potting soil. In addition, any remaining areas of bare soil shall be covered with straw and seeded for stability.

### <u>Relocation/Environmental Superiority</u>

A large portion of the historic guerilla grow was located within a stream buffer. Thus, rendering a large portion of the former grow area unsuitable for cannabis cultivation. In addition, the new location has a slope of approximately 11.91%-16.07% while the former grow area was situated on a slope of approximately 36.11%-36.45%.

1650 Central Ave. Suite C McKinleyville, Ca

### Water Resource Protection Plan

APN 315-043-001, 315-042-002

180102120505TRC379

1B171681CHUM

Prepared by:

**Timberland Resource Consultants** 

165 South Fortuna Blvd

Fortuna, California 95540

### 3/1/2018

### Revision Date - 8/29/2018

PLN-12238-SP Summer Adams

June 17, 2021

### Purpose

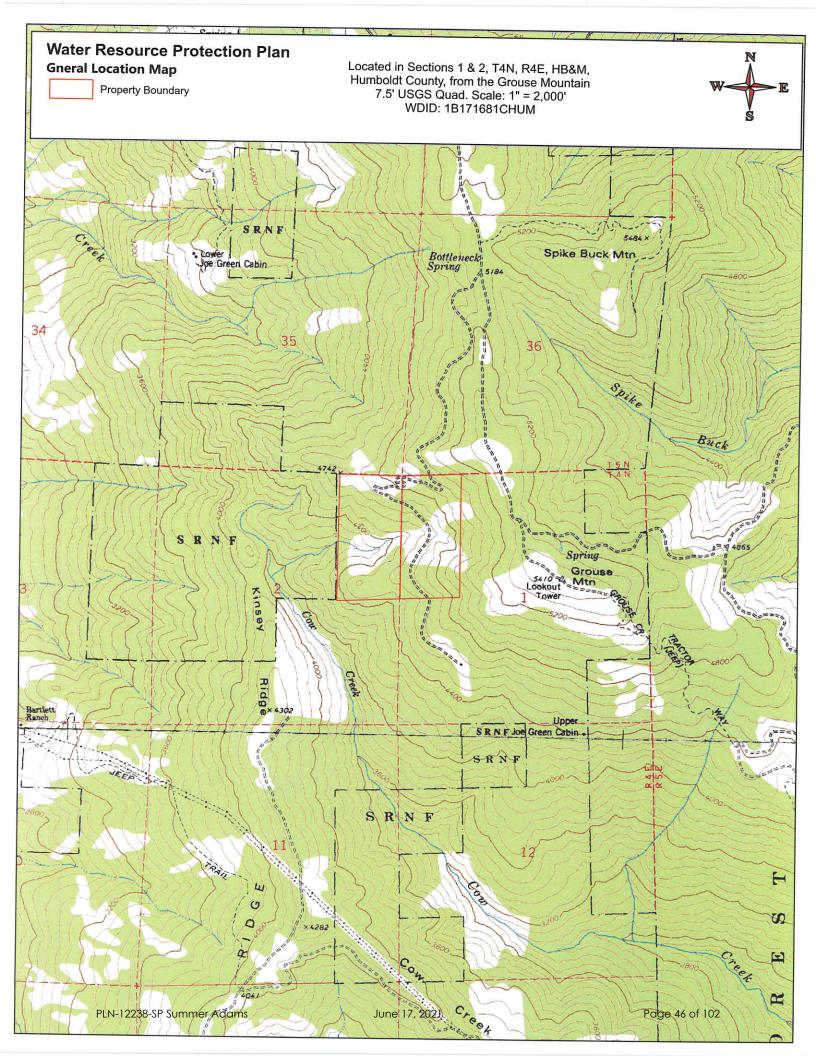
This Water Resource Protection Plan (WRPP) has been prepared on behalf of the property owner, for the Humboldt County property identified as parcel number 315-043-001 & 315-042-002 by agreement and in response to the California Water Code Section 13260(a), which requires that any person discharging waste 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.



### **Property Description**

The property assessed consists of a 160-acre ownership with vegetation consisting primarily of Douglas-fir and white fir conifer timberland. Slopes on the ownership average 35% with cultivation areas and roads averaging 14%. The property is located in Sections 1 & 2, T 4N, R4E, HB&M, in Humboldt County from the Grouse Mountain 7.5' Quad Map. This property is located approximately 12 miles south of Willow Creek, CA, California accessed via private roads of off USFS Route 1. This property has several unnamed Class II and III watercourses that drain to Cow Creek, a tributary the South Fork Trinity River.

### Project Description

Cultivation on the property consist of one single cultivation area located on a historic log landing. The total cultivation areas (disturbance footprint) was approximately 25,600 ft<sup>2</sup>. Cultivation within this area consisted of three 12'x80' greenhouses and two 12'x100' greenhouses. Plants were being grown within 8' wide raised beds inside the greenhouses. All areas are accessed by a well-established road network with seasonal, permanent, and trail types.

### Table 1: Cultivation Site Parameters.

Cultivation	Area <sup>1</sup>	Adjoining Hillslopes	Distance from a
Site	(ft <sup>2</sup> )	(% Grade)	Watercourse (ft)
A	25,600	15	270 [CIII]

<sup>1</sup> Area refers to the total land disturbance area. The total cannabis canopy area may vary from the disturbance area. Further details can be found under Item 1 below.

### **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 <u>http://www.srh.noaa.gov/forecast</u>). Sites requiring monitoring are indicated as such within the WRPP Mitigation report in the follow pages. Note that access to this property can be limited by winter conditions. This area historically have heavy snow fall, however this varies from season to season. Ideally, winter use of road should be avoided. As such, specific monitoring timing may need to be adjusted as annual conditions warrant. Any deviations will be explained in the annual monitoring plan report.

### **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 spring of 2018. 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  $Y \square / N \boxtimes$
- 2. Stream crossing maintenance  $Y \square / N \boxtimes$
- 3. Riparian and wetland protection and management Y⊠/N □
- Spoils management Y⊠/N□
- 5. Water storage and use  $Y \boxtimes / N \square$
- 6. Irrigation runoff  $Y \boxtimes / N \square$
- 7. Fertilizers and soil amendments Y⊠/N□
- 8. Pesticides and herbicides  $Y \boxtimes / N \square$
- 9. Petroleum products and other chemicals  $Y \boxtimes / N \square$
- 10. Cultivation-related wastes Y⊠/N □
- 11. Refuse and human waste  $Y \Box / N \boxtimes$

### 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).

The rocked permanent road on the property is used to access the cultivation area. The seasonal roads are infrequently used roads associated with timber management and serve to access adjacent properties. Trails are historic skid trails associated with past timber operations.

The permanent road is rocked and while erosion control structures have been installed, many of them require maintenance to varying degree. Several locations along the roads show signs of concentrated road run-off and are leading to riling of the road surface and in some cases erosion of road fills. An excellent rock source exists at the landing were cultivation is occurring and is the likely source of previous road rocking. It is recommended to continue to utilize this source for future road maintenance and stream crossing repair.

The seasonal roads are native surfaced and were stable due to limited vehicle traffic and primarily summer use. Trails mapped were overgrown and not in use. These trails are remnant of previous timber operations on the property. Road maintenance locations, mitigations, and schedule for treatment are located in the Mitigation Report to follow.

Cultivation on the property consist of one single cultivation area located on a historic log landing. This landing was previously constructed for timber operations and has been used as a rock source for road and stream crossing work. As such, the entire cultivation surface is rocked with fairly high-quality angular material. The drainage of the site is excellent and there is currently no significant concern regarding drainage at the cultivation area (disturbance footprint) was approximately 25,600 ft<sup>2</sup>. Cultivation within this area consisted of three 12'x80' greenhouses and two 12'x100' greenhouses. Plants were being grown within 8' wide raised beds inside the greenhouses. An additional greenhouse was observed and is used as a staging and nursery, but not for general cultivation. Several 'easy-up' tents housed cultivation related materials.

### 2. Stream crossing maintenance

Seven watercourse crossings were inventoried on the property. Two occur on an abandoned seasonal road and are not in use. Of the remaining five, Sites 01, 02, 05 & 06 require new installation or maintenance. Stream crossing maintenance locations, mitigations, and schedule for treatment are located in the Mitigation Report to follow.

Note that prior to any in-stream work, the Discharger is required to obtain coverage under a Lake and Stream Alteration Agreement [LSA] with CDFW and a 401/404 permit through the Water Board (refer to Appendix D of the Order).

### 3. Riparian and wetland protection and management

All cultivation areas are outside of the riparian buffer defined by California's Regional Water Quality Control Board's Order. The cultivation area was found to be over the preferred 200' distance from watercourses.

### 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 and domestic water is sourced from a well. A historic spring diversion was noted near Site 06, however it was advised to refrain from diversion until a LSA is obtained from CDFW along with the appropriate registration of water use with the Division of Water Rights.

Additionally, 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.

### 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.

### 7. Fertilizers and soil amendments

All fertilizers and soil amendments are stored temporarily in a storage structure and removed prior to the winter period. Products used are applied at rates based on the manufacturer's specifications. This standard condition is being met.

### 8. Pesticides and herbicides

All pesticides are stored temporarily in a storage structure and removed prior to the winter period. Products used are applied at rates based on the manufacturer's specifications. This standard condition is being met.

### 9. Petroleum products and other chemicals

No fuel, generators or other chemicals were observed during inspections. A solar system appeared to be the source of power on site.

### 10. Cultivation-related wastes

Cultivation waste was found composting within the cultivation area. It is advised to keep non-organic debris out of compost/burn piles, and to keep wastes consolidated.

### 11. Refuse and human waste

The primary means of human waste disposal consists of a serviceable temporary toilet. 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, three of the Standard Conditions are not being met; 1. Site maintenance, erosion control, and drainage features, 2. Stream Crossing Maintenance, and 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:

### General Recommendations:

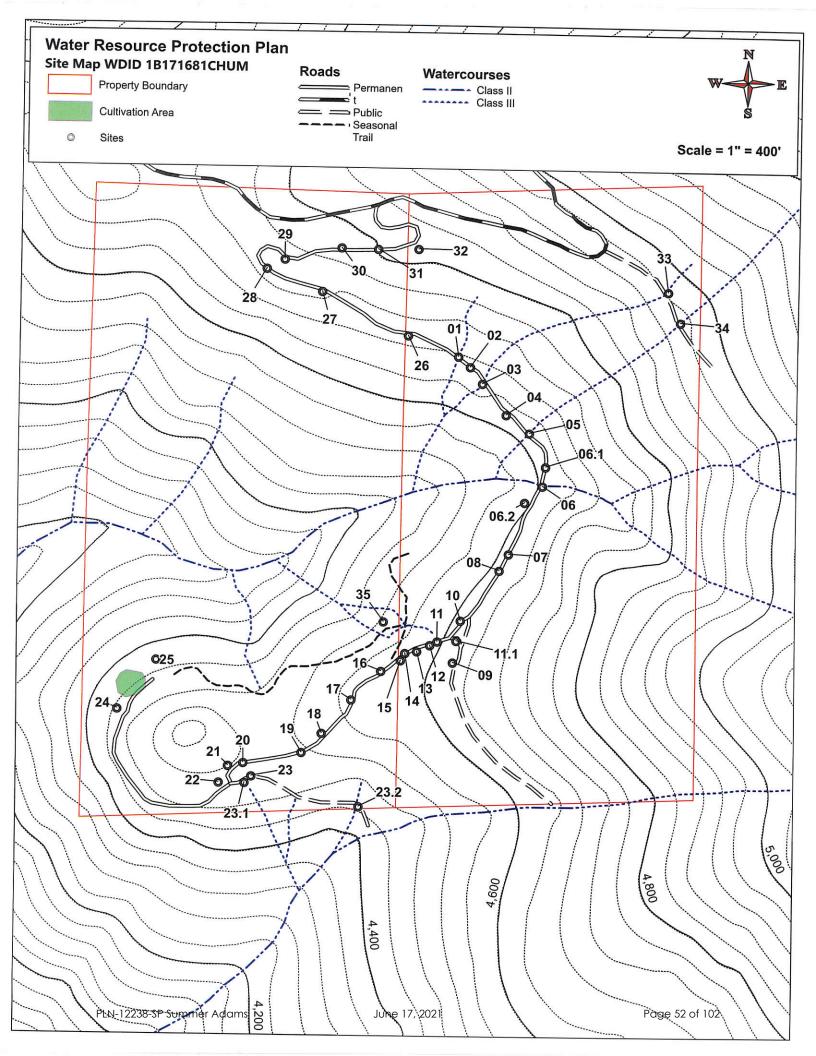
- □ It has been recommended to install a water meter to track water usage on the well.
- □ Implement water conservation techniques.

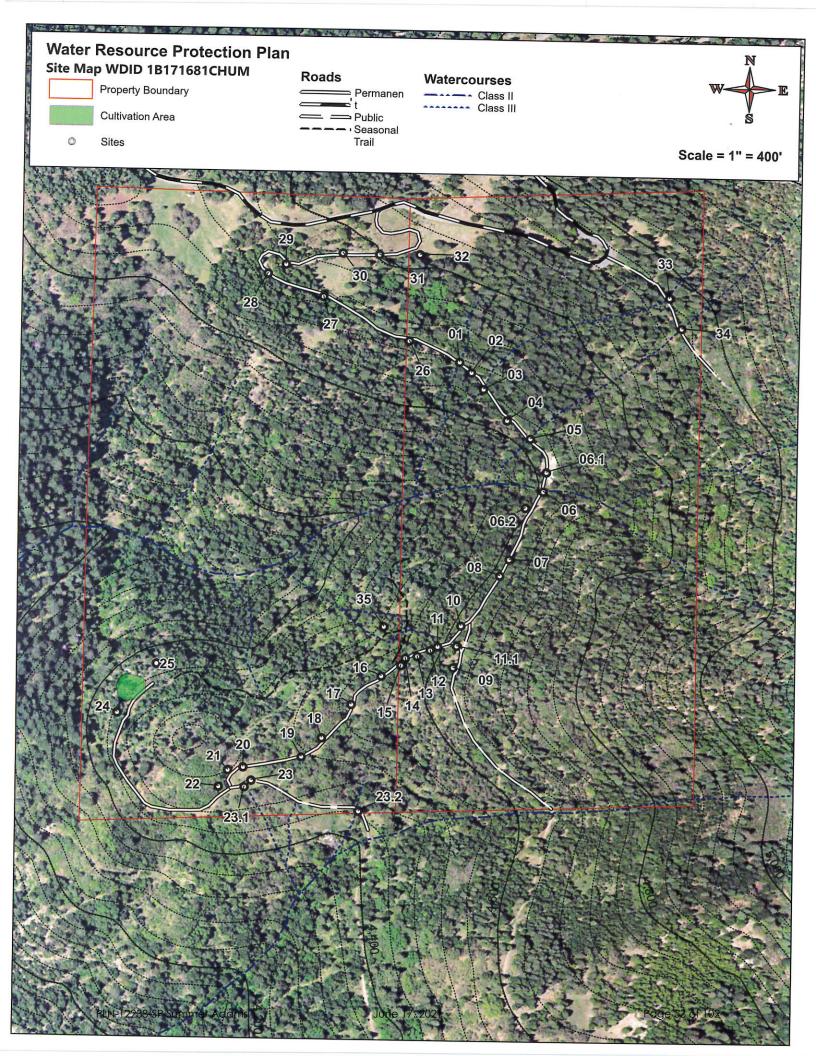
### STATEMENT OF CONTINGENT AND LIMITING CONDITIONS CONCERNING THE PREPARATION AND USE OF WATER RESOURCE PROTECTION PLAN

### Prepared by Timberland Resource Consultants

- 1. This Water Resource Protection Plan has been prepared for the property within APN 315-043-001, 315-042-002 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.

Nick Robinson Timberland Resource Consultants





		land ource nsultants		W	RP	P - Mit	tigation Report	3
				1	1		WDID# - 1B	171681CHU
Unique Point	Lat-Long NAD 83	Road Type	Mitigation Planned	Monitor	1600	Standard Conditions	Treatment Priority	Date Completed
1	-123.683912 40.762923	Permanent	x	x	x	A.2.	Prior to 10/15/19 pending the approval of any required permits	
Current Condit 03. This in com and fill slope at	bination with	watercourse dra road surface run	ains onto road -off is causing	and diverts erosion of t	to Site	Proposed Act directed into dip for this cr	l ions: Install 18" min diameter culvert at th original channel (as flagged). Site 02 shall l ossing.	is location be the critical
Unique Point	Lat-Long NAD 83	Road Type	Mitigation Planned	Monitor	1600	Standard Conditions	Treatment Priority	Date Completed
2	-123.68373 40.762806	Permanent	x	x	•	A.1.	Prior to 10/15/19	-
	Lat-Long		off is causing	riling of th	ie road	location, also installed with location. Two	ions: A Rock Rolling Dip shall be installed acting as the critical dip for Site 01. This R a 12" or larger rock base keyed to the discl straw waddles shall be installed below the sediment trap post construction.	RD shall be narge discharge
Unique Point	NAD 83	Road Type	Planned	Monitor	1600	Standard Conditions	Treatment Priority	Date Completed
3	-123.683543 40.762618	Permanent	x	x	x	A.2.	Prior to 10/15/19	
Current Condit surface.	ion: Poorly	defined Class I	ll channel dra	ins to ont	o road	Proposed Acti Outlet locatior	ons: Install 24" min diameter culvert at thi is flagged.	s location.
Unique Point	Lat-Long NAD 83	Road Type	Mitigation Planned	Monitor	1600	Standard Conditions	Treatment Priority	Date Completed
4	-123.683176 40.762266	Permanent	х	x	1	A.1.	Prior to 10/15/19	
Current Conditio	on: Existing	rolling dip is not	functional.			Proposed Action inside ditch.	ons: Re-establish rolling dip, ensuring it c	aptures the
Unique Point	Lat-Long NAD 83	Road Type	Mitigation Planned	Monitor	1600	Standard Conditions	Treatment Priority	Date Completed
5	-123.68282 40.762062	Permanent	x	x	-	A.2.	Prior to 10/15/19	
culvert. A sedin	nent wedge ha	watercourse cr as built up at the ne out-board road	inlet. Concentr	rated road s	surface	stabilized. Fail shall be install	ons: Perched fill at the inlet shall be remo ed fill shall be rock armored. Additionally a ed at this location, draining to armored fill. ced, it shall be a minimum 30" diameter cu	critical dip When this

		land ource nsultants		W	RP	P - Mit	tigation Report	
				ANG 1110 - 00 - 201 - 201 - 201 - 201 - 201 - 201 - 201 - 201 - 201 - 201 - 201 - 201 - 201 - 201 - 201 - 201 -			WDID# - 1B	171681CHUN
Unique Poin	t Lat-Long NAD 83	Road Type	Mitigation Planned	Monitor	1600	Standard Conditions	Treatment Priority	Date Completed
6	-123.682609 40.761459	Permanent	-	x	-	A.2.	As required	
of large rock leading to the Approximately via a Humbold some distance some perched water was ru observed dow	and woody d inlet of this 30' up-stream t Crossing and Most of the fill remains. A nning clear, a nstream. This		and 6.2 desci crossing is cu gacy skid train t ears to have w survey, the sit e of recent fi onitored howe	in outlief co ribe ditch urrently fur crossed the he stream i ashed out, e appeared ne sedime ver and is	features features nctional stream itself for though t stable	g 6.1 and 6.2. M s replaced, it sl	L ions: Maintain ditch configuration as des lonitor legacy site above crossing. When th nall be a minimum 42" culvert.	L cribed at Sites nis culvert is
Unique Point	Lat-Long NAD 83	Road Type	Mitigation Planned	Monitor	1600	Standard Conditions	Treatment Priority	Date Completed
6.1	-123.682566 40.761681	Permanent	x	x	-	A.1.	Prior to 10/15/19	
Current Conditi	ion: Bank see	p along a poorly	defined inside	ditch.		Proposed Acti 30' of ditch (m	ons: Re-establish ISD as flagged, ensurin easured from the Inlet of Site 06) is undistr	g that the last urbed.
Unique Point	Lat-Long NAD 83	Road Type	Mitigation Planned	Monitor	1600	Standard Conditions	Treatment Priority	Date Completed
6.2	-123.682871 40.761267	Permanent	-	x	-	A.1.	As required	
Surrent Conditi	on: Bank see	page along insid	e ditch. OK			Proposed Action	ons: Maintain existing configuration.	
Jnique Point	Lat-Long NAD 83	Road Type	Mitigation Planned	Monitor	1600	Standard Conditions	Treatment Priority	Date Completed
7	-123.6831 40.760672	Permanent	-	x	-	A.1.	As required	
radient, and d	oes not appea	ch begins to inle However the di ar to contributin location to disco	g sediment to	egetated and the watero	nd low course.	material generation	ons: Maintain existing configuration. Any ated as result of road maintenance shall be the ditch.	sidecast e immediately



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Unique Point	Lat-Long NAD 83	Road Type	Mitigation Planned	Monitor	1600	Standard Conditions	Treatment Priority	Date Completed
8	-123.683303 40.76051	Permanent	x	x	-	A.1.	Prior to 10/15/19	
Current Condit	ion: Undraine	ed bank seep.				Proposed Act	tions: Drain seep via 15" minimum ditch r	aliaf autoration
		2. <del>2</del>				the flagged lo	ocation. Establish and maintain inside ditch	elief culvert, at
						direction to in	nlet.	SU Each
Unique Point	Lat-Long		Mitigation			Standard		Date
Unique Point	NAD 83	Road Type	Planned	Monitor	1600	Conditions	Treatment Priority	
						Conditions		Completed
	-123.683913						Prior to 10/15/19	
9	40.759413	Seasonal	х	X	-	A.1.		
	40.735415							
Current Conditi	on: Polling D	)ip, requires main						
ourient conditi	ion. Koning D	hp, requires main	itenance.			Proposed Act	ions: Re-establish rolling dip as per the B	MPs.
Unique Point	Lat-Long	Road Type	Mitigation	Monitor	1600	Standard	_	Date
enque i onit	NAD 83	Noau Type	Planned	wonitor	1600	Conditions	Treatment Priority	Completed
								completed
10	-123.683804	Permanent	-	x		A 1	As required	
	40.759895	rennanent		^	-	A.1.		
Current Conditi	on: Rolling D	ip. OK				Proposed Act	I ions: Maintain Rolling Dip at this location.	
		.p. ort				Froposed Act	ions: Maintain Rolling Dip at this location.	6
								7
Unique Point	Lat-Long	Bood Tune	Mitigation		4000	Standard		Date
onique Font	NAD 83	Road Type	Planned	Monitor	1600	Conditions	Treatment Priority	Completed
								completeu
11	-123.68415	Seasonal	х	×			Prior to 10/15/19	
8.8.C	40.759651	Seasonal	^	x	-	A.1.		
Current Condi	tion: Rolling	ı din Fill slor	e is eroding	in part	duo to	Dropood Ast	l ions: Lay back all perched fill at the outlet	(2.1) 5
	sidecast den	osited below the	outlet of this	In part	due to	Proposed Act	broad rolling dip with a rock armored chan	(2:1). Re-
road-surface ru	noff	Usited below the	outlet of this	location, al	na from	establish as a	broad rolling dip with a rock armored chan	inel over the
roau-surface ru	non.					road fill. Apply	erosion control to all disturbed areas. Las	tly, install 2
							waddles below the discharge location 5' ap	art prior to
						construction.		
				1			I I I I I I I I I I I I I I I I I I I	
Unique Point	Lat-Long	Road Type	Mitigation	Monitor	1600	Standard	Treatment Deleviter	Date
onique i onic	NAD 83	Road Type	Planned	Monto	1000	Conditions	Treatment Priority	Completed
							Prior to 10/15/19	
10.000 M 10.000	-123.683864						FIOLO 10/15/19	
11.1	40.759662	Seasonal	-	Х	-	A.1.		
	40.1 05002							
Current Condit	ion: Section	of undrained	concorel	d contribut	ting t	Dreper - I A		
	11 This costic	n of road is redu	seasonal roa	u contribu	ung to		ons: Abandon this section of road by inst	
erosion at olle	i i. i ilis sectio	n or road is redu	nualit at this th	ne.			ween the intersections. Apply erosion contr	
							r slash material on the road surface. Lastly	block the
						road at each ii	ntersection with logs or large boulders.	
								1



			And the state of the state of					
Unique Point	t NAD 83	Road Type	Mitigation Planned	Monitor	1600	Standard Conditions	Treatment Priority	Date Completed
12	-123.684258 40.759606	Permanent	x	x	-	A.1.	Prior to 10/15/19	
Current Condi off is creating	tion: Rolling a knock point	Dip requires mai in the fill of the d	ntenance. Condip.	centrated r	oad run	Rock the knie	tions: Re-establish RD, ensuring to captur tions: Re-establish RD, ensuring to captur ck point on the fill slope. Lastly install a sta st construction.	l re inside ditch. ked waddle at
Unique Point	Lat-Long NAD 83	Road Type	Mitigation Planned	Monitor	1600	Standard Conditions	Treatment Priority	Date Completed
13	-123.684453 40.759535	Permanent	x	x	-	A.1.	Prior to 10/15/19	
Current Condi undesirable loo	ition: Rolling cation for road	Dip. Legacy discharge.	road below th	nis segme	nt is a	Proposed Act location to Si	ions: Re-configure road with a inside ditcl te 16.	l h from this
Unique Point	Lat-Long NAD 83	Road Type	Mitigation Planned	Monitor	1600	Standard Conditions	Treatment Priority	Date Completed
14	-123.684631 40.759512	Permanent	-	x	-	A.1.	As required	
	Lat-Long		Mitigation			Standard		
Unique Point	NAD 83	Road Type	Planned	Monitor	1600	Conditions	Treatment Priority	Date Completed
15	-123.684696 40.759427	Permanent	-	x	-	A.1.	As required	
Current Conditi will capture this	ion: Bank see s drainage.	ep. Proposed ins	ide ditch from	Site 13 to	Site 16	stabilize the d	ons: Rock may be required near this locat itch, and/or road surface. Operator shall tal the road cut bank to the extent feasible at t to Site 16.	ke care not to
Unique Point	Lat-Long NAD 83	Road Type	Mitigation Planned	Monitor	1600	Standard Conditions	Treatment Priority	Date Completed
16	-123.684988 40.7593	Permanent	х	x		A.1.	Prior to 10/15/19	
Current Condition from Site 13).	on: Proposed	ditch relief culve	ert location (dra	aining insid	e ditch	Proposed Acti	ons: Install a 18" DRC at this location.	



Unique Point	Lat-Long NAD 83	Road Type	Mitigation Planned	Monitor	1600	Standard Conditions	<b>Treatment Priority</b>	Date Complete
17	-123.68543 40.758965	Permanent	-	x	-	A.1.	As required	
Current Conditi	ion: Rolling d	lip/push-out. OK		Proposed Actions: Maintain feature.				
Unique Point	Lat-Long NAD 83	Road Type	Mitigation Planned	Monitor	1600	Standard Conditions	Treatment Priority	Date Complete
18	-123.685866 40.758574	Permanent	-	x	-	A.1.	As required	
Current Conditi	on: Rolling D	ip . OK				Proposed Acti	ons: Maintain feature.	
Unique Point	Lat-Long NAD 83	Road Type	Mitigation Planned	Monitor	1600	Standard Conditions	Treatment Priority	Date Complete
19	-123.686165 40.75835	Permanent	x	x		A.1.	Prior to 10/15/19	
Current Condition	on: Rolling D	ip, requires main	tenance.			Proposed Action	ons: Re-establish RD as per BMPs.	
Jnique Point	Lat-Long NAD 83	Road Type	Mitigation Planned	Monitor	1600	Standard Conditions	Treatment Priority	Date Completed
20	-123.687031 40.758218	Permanent	x	x	-	A.1.	Prior to 10/15/19	
Lurrent Conditio	on: Rolling Di	p, requires Main	tenance.			Proposed Action waddle at disc	ons: Re-establish RD as per BMPs, instal harge swale post construction.	l staked
Jnique Point	Lat-Long NAD 83	Road Type	Mitigation Planned	Monitor	1600	Standard Conditions	Treatment Priority	Date Completed
21	-123.687259 40.758182	Permanent	x	x		A.1.	Prior to 10/15/19	
Current Condition	on: Poorly dra	ained road segme	ent.		2	Proposed Actio	ons: Establish inside ditch along switchb	ack to site 22
Jnique Point	Lat-Long NAD 83	Road Type	Mitigation Planned	Monitor	1600	Standard Conditions	Treatment Priority	Date Completed
22	-123.687395 40.757989	Permanent	x	x	-	A.1.	Prior to 10/15/19	
urrent Conditio	on: Proposed	DRC location.				Proposed Actic	ons: Install a 15" minimum diameter DRC	at this

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Consultants	

WDID# - 1B171681CHUM Lat-Long Mitigation Standard **Unique Point Road Type** Date Monitor 1600 **NAD 83 Treatment Priority** Planned Conditions Completed Prior to 10/15/19 123.686908 23 Seasonal х x A.1. 40.758066 Current Condition: Rolling dip. Minor erosion is occurring in the swale Proposed Actions: Re-establish RD as per the BMPs. Install the between Sites 20 and 23. staked waddles in the swale between Sites 20 and 23. Lat-Long Mitigation Unique Point Standard **Road Type** Date Monitor 1600 **NAD 83 Treatment Priority** Planned Conditions Completed Prior to 10/15/19 -123.687008 23.1 Seasonal х х A.1. 40.75799 Current Condition: A gully flow path resultant from consolidated surface run- Proposed Actions: Grade out gully in switchback. Rock armor eroded off crosses road at this location and delivers to a Class III watercourse. fill at bottom of switchback at the flagged location. Treatments at upslope sites are expected to eliminate water concentration to this location. Lat-Long Mitigation Unique Point Road Type Monitor Date 1600 **NAD 83 Treatment Priority** Planned Completed Prior to 10/15/19 -123.685292 23.2 Seasonal Х X A.1. 40.757734 Current Condition: Class III watercourse crossing with existing 18" plastic Proposed Actions: Clean inlet of debris. Establish property boundary culvert. Culvert is to short, not to grade and lacks a critical dip. However no to determine responsibility. significant erosion was observed at this location. It is unclear if this crossing in the property. Lat-Long Mitigation Standard **Unique Point** Date Road Type Monitor 1600 **Treatment Priority NAD 83** Planned Conditions Completed Prior to 10/15/19 -123.688937 24 Seasonal х х . A.1. A.10 40.758821 Current Condition: Natural low spot draining portions of the historic log Proposed Actions: Remove any trash and debris from flow path, landing/cultivation area. shape outlet as Rock Rolling Dip. Lat-Long Mitigation Standard **Unique Point** Date Road Type Monitor 1600 **Treatment Priority NAD 83** Planned Conditions Completed As required -123.688361 25 Permanent х A.1. 40.759393 Current Condition: natural drainage location for landing. Proposed Actions: Maintain existing configuration. Lat-Long Mitigation Standard Date **Unique Point Road Type** Monitor 1600 **Treatment Priority NAD 83** Planned Conditions Completed Prior to 10/15/19 -123.684675 26 Permanent х х -A.1. 40.763154 Current Condition: Rolling Dip requires maintenance. Proposed Actions: Re-establish as per BMPs.



Unique Poin	t Lat-Long NAD 83	Road Type	Mitigation Planned	Monitor	r 1600	Standard Conditions	Treatment Priority	Date		
27	-123.685981 40.763642	Permanent	-	x	-	A.1.	As required	Completed		
Current Condi	ition: Rolling	Dip, OK.		Proposed Actions: Maintain.						
Unique Poin	t Lat-Long NAD 83	Road Type	Mitigation Planned	Monitor	1600	Standard Conditions	Treatment Priority	Date		
28	-123.68682 40.763893	Permanent	x	x	-	A.1.	Prior to 10/15/19	Completed		
Current Condition: Rolling dip, failing.						Proposed Actions: Re-establish as a Rock Rolling Dip as per BMPs. Install a staked waddle below discharge location post construction.				
Unique Point	Lat-Long NAD 83	Road Type	Mitigation Planned	Monitor	1600	Standard Conditions	Treatment Priority	Date Completed		
29	-123.686554 40.764003	Permanent	x	x	-	A.1.	Prior to 10/15/19			
Current Condit	Current Condition: Rolling Dip, requires maintenance.						Proposed Actions: Re-establish as per BMPs.			
Unique Point	Lat-Long NAD 83	Road Type	Mitigation Planned	Monitor	1600	Standard Conditions	Treatment Priority	Date Completed		
30	-123.685707 40.764147	Permanent	х	x	-	A.1.	Prior to 10/15/19			
Current Condit	Current Condition: Section of road requiring maintenance.						Proposed Actions: Establish a broad rolling dip at this location by breaching the berm of the through-cut. Install a staked waddle at the discharge location post construction.			
Unique Point	Lat-Long NAD 83	Road Type	Mitigation Planned	Monitor	1600	Standard Conditions	Treatment Priority	Date Completed		
31	-123.685158 40.76414	Permanent	х	x	-	A.1.	Prior to 10/15/19	6		
Current Conditi	Current Condition: Rolling dip, requires maintenance.						Proposed Actions: Re-establish as per BMPs.			
Unique Point	Lat-Long NAD 83	Road Type	Mitigation Planned	Monitor	1600	Standard Conditions	Treatment Priority	Date Completed		
32	-123.684552 40.76415	Permanent	x	x	-	A.1.	Prior to 10/15/19			
Current Conditi	urrent Condition: Poorly shaped push-out on switch back.						Proposed Actions: Re-establish pushout at switchback.			
Unique Point	Lat-Long NAD 83	Road Type	Mitigation Planned	Monitor	1600	Standard Conditions	Treatment Priority	Date Completed		
33	-123.680784 40.76372	Seasonal	-	-	-	A.2.	-			
Current Conditi	rrent Condition: Class III crossing on temporary road. This crossing has en abandoned.						ons: -			

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Unique Point	Lat-Long NAD 83	Road Type	Mitigation Planned	Monitor	1600	Standard Conditions	WDID# - 1 Treatment Priority	B171681CHUM Date Completed	
34	-123.680592 40.76337	Seasonal	-	-	-	A.2.	-		
Current Condition: Class III crossing on temporary road. This crossing has Proposed Actions: - been abandoned.									
Unique Point	Lat-Long NAD 83	Road Type	Mitigation Planned	Monitor	1600	Standard Conditions	Treatment Priority	Date Completed	
35	-123.684962 40.759868	Legacy	-	x	-	A.1.	As required		
Current Condition: This location appears to have been impacted by historic Proposed Actions: Monitor this location in years where large storm logging. Numerous skid trials exist near this location, however all are over events occur. grown and not in use. No significant current erosion was observed.									

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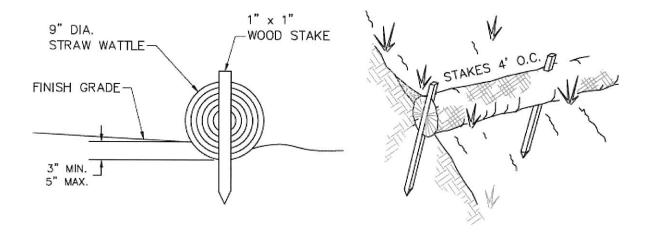
### **BMP: General BMP's**

- If operations require moving of equipment across a flowing stream, such operations shall be conducted without causing a prolonged visible increase in stream turbidity. For repeated crossings, the operator shall install a bridge, culvert, or rock-lined crossing.
- During construction in flowing water, which can transport sediment downstream, the flow shall be diverted around the work area by pipe, pumping, temporary diversion channel or other suitable means. When any dam or artificial obstruction is being constructed, maintained, or placed in operation, sufficient water shall at all times be allowed to pass downstream to maintain fish life below the dam. Equipment may be operated in the channel of flowing live streams only as necessary to construct the described construction.
- Disturbance or removal of vegetation shall not exceed the minimum necessary to complete operations. The disturbed portion of any stream channel shall be restored to as near their original condition as possible. Restoration shall include the mulching of stripped or exposed dirt areas at crossing sites prior to the end of the work period.
- Structures and associated materials not designed to withstand high seasonal flow shall be removed to areas above the high water mark before such flows occur.
- No debris, soil, silt, sand, bark, slash, sawdust, rubbish, cement or concrete washing, oil or petroleum products, or other organic or earthen material from any logging, construction, or associated activity of whatever nature shall be allowed to enter into or be placed where it may be washed by rainfall or runoff into waters of the State. When operations are completed, any excess materials or debris shall be removed from the work area. No rubbish shall be deposited within 150 feet of the high water mark of any stream.

June 17, 2021

### **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 shallbe 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.



June 17, 2021

### BMP: Permanent Culvert Crossing Design

- New culvert installations shall be sized to accommodate a 100-year storm flows.
- New culverts shall be placed at natural stream gradient (defined by existing natural channel above and below any influence of and existing road or crossing) or have downspouts, or have energy dissipaters at outfall.
  - o 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. 0
  - Culvert beds should be composed of rock-free soil or gravel, evenly distributed under the length of the pipe. 0 0
  - 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 0 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 0 the pipe.
  - Cover one end of the culvert pipe, then the other end. Once the ends are secure, cover the center. 0
  - Tamp and compact backfill material throughout the entire process, using water as necessary for compaction. 0
  - Backfill compacting will be done in 0.5 1.0 foot lifts until 1/3 of the diameter of the culvert has been covered. 0
  - Push layers of fill over the crossing to achieve the final design road profile, with a minimum of one-third to one-half the culvert 0 diameter of compacted fill over the culvert.
  - Stream crossing placement and design should minimize the total volume of fill as much as is feasible while maintaining 0 drivability through the crossing and adequate fill thickness over the culvert. This reduces the amount of sediment to be delivered should the crossing ever fail.
- Critical dips shall be installed on culvert crossings to eliminate diversion potential. Refer to additional figures below.
- Road approaches to crossings shall be treated out to the first drainage structure (i.e. waterbar) 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 anchored to 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.

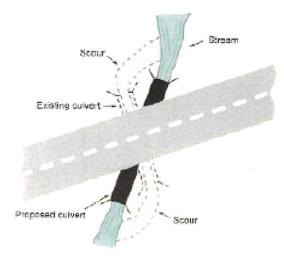


FIGURE 97. Culvert alignment should be in relation to the stream and not the road. It is important that the stream enters and leaves the culvert in a relatively straight horizontal alignment so streamflow does not have to turn to enter the inlet or discharge into a bank as it exits. This figure shows 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 tums at the inlet and outlet are often accompanied by scour against the channel banks (Wisconsin Transportation Information Center, 2004).

HANDBOOK FOR FOREST, RANCH AND RURAL ROADS

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**BMPs and Diagrams** 

### BMP: Permanent Culvert Crossing Design (Critcal Dip and Hydrologic Disconnect Placement)

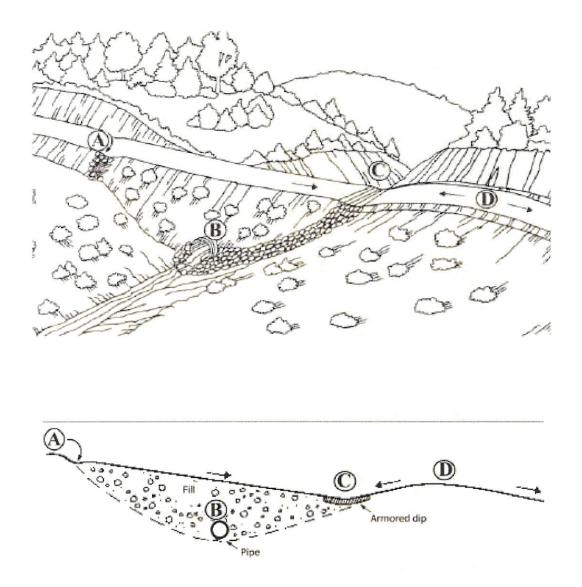
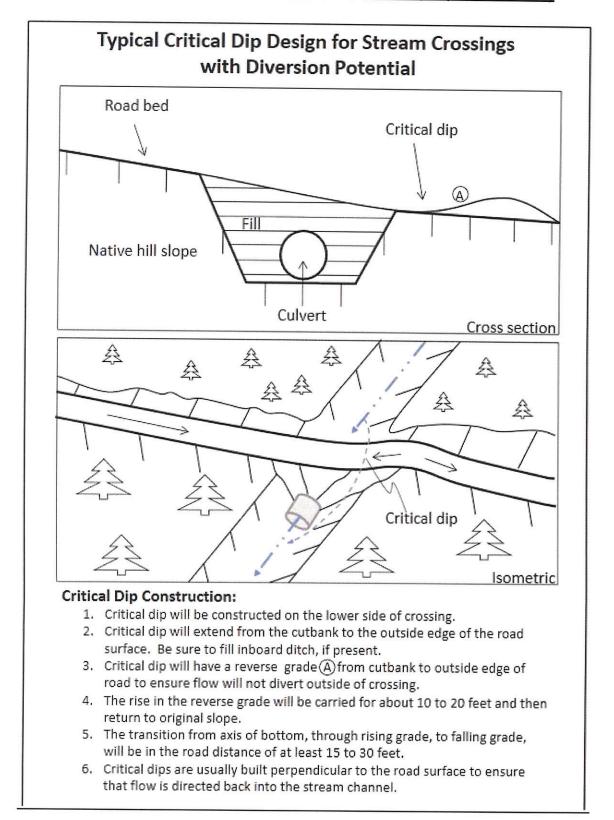


FIGURE 84. Critical dips or dipped crossing fills should be centered near a stream crossing's down-road hingeline, not over the centerline of the crossing where overtopping could cause washout or severe erosion of the fill. If the stream crossing culvert (B) plugs, water will pond behind the fill until 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, fiprap 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 runoff is disconnected from the stream crossing by installing a rolling dip and ditch relief culvert just up-road from the crossing (A) (Keller and Sherar, 2003).

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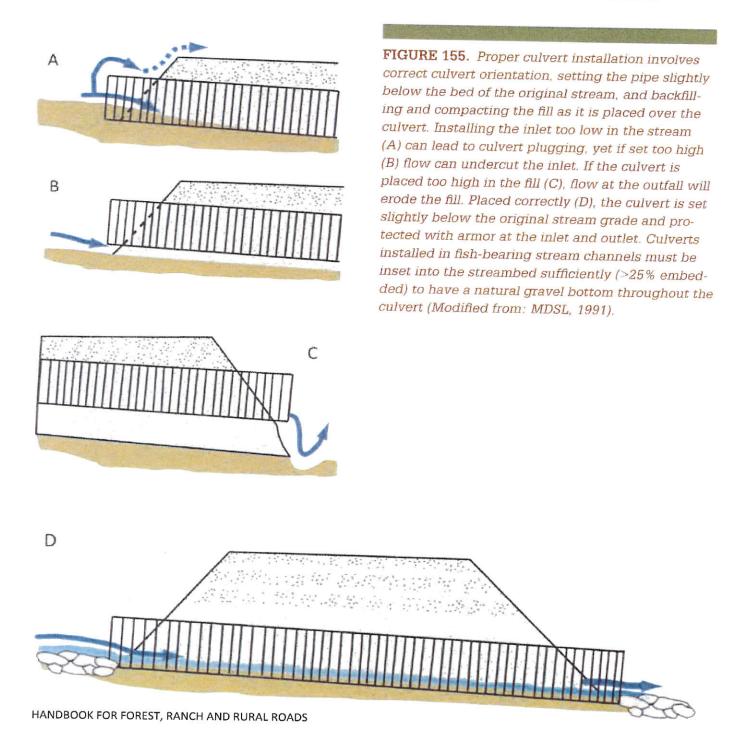
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### BMP: Permanent Culvert Crossing Design (Critical Dip)

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### **BMP: Permanent Culvert Crossing Design (Culvert Orientation)**



### **BMP: Permanent Culvert Crossing Design (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.
- 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 filed with smaller gravels and rocks.

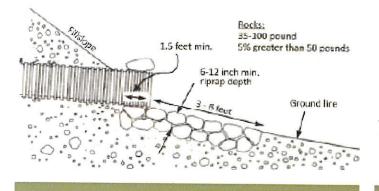




FIGURE 107A. Riprap armor at culvert outlet (Modified from: Kellar et al., 2011).

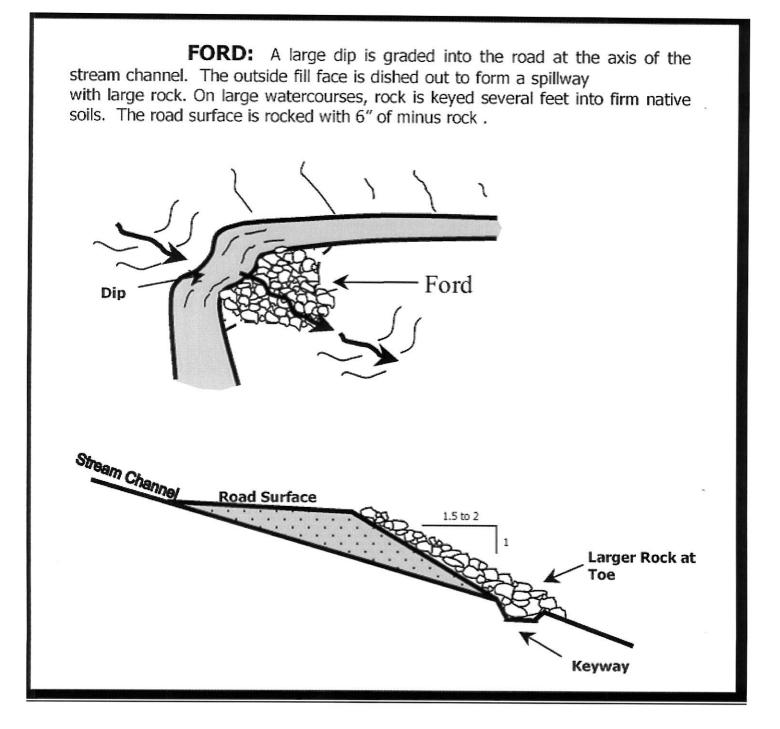
FIGURE 107B. Riprap armor at culvert inlet (Keller and Sherar, 2003).

HANDBOOK FOR FOREST, RANCH AND RURAL ROADS

### **BMP: Rocked Ford**

- Rocked fords are drainage structures designed to carry watercourses across roads where culvert crossings are not feasible or un-necessary.
- In channel constructed fords shall be of appropriate material that shall withstand erosion by expected velocities and placed in a 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.
- If water is expected during the time of use, an adequate sized pipe shall be installed to handle the flow if present (min. 6 inch).
  - The pipe shall be laid over the rocked ford surface.
  - The inlet should be at grade with the upstream flow.
  - The outlet shall drain onto the outlet armoring of the rocked ford.
  - A layer of clean rock/gravel shall be installed over the pipe to establish the running surface of the truck road.
  - Following use, the temporary pipe shall be removed and the placed rock/gravel shall be graded out of the ford and used on the approaches.
- No significant alteration to the bed and bank of the stream shall occur.
- Road approaches to rocked fords shall be rock surfaced out to the first drainage structure (i.e. waterbar) 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.

### **BMP: Rocked Ford (Cont.)**



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### **BMP: Armored Ford [Fill]**

- Armored fords are drainage structures designed to carry watercourses across roads.
- 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 utilize native soils.
- 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.
- If water is expected during the time of use, an adequate sized pipe shall be installed to handle the flow if present (min. 6 inch).
  - The pipe shall be laid over the armored ford surface.
  - The inlet should be at grade with the upstream flow.
  - The outlet shall drain onto the outlet armoring of the rocked ford.
  - A layer of clean native shall be installed over the pipe to establish the running surface of the truck road.
  - Following use, the temporary pipe shall be removed and the placed native soil shall be removed and drifted along the approaches.
  - No significant alteration to the bed and bank of the stream shall occur.
- Road approaches to armored fords shall be treated with seed and straw mulch out to the first drainage structure (i.e. waterbar) or hydrologic divide to prevent transport of sediment pursuant to Item 18, Section II.
- 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.

### BMP: Armored Ford [Fill] (Cont.)

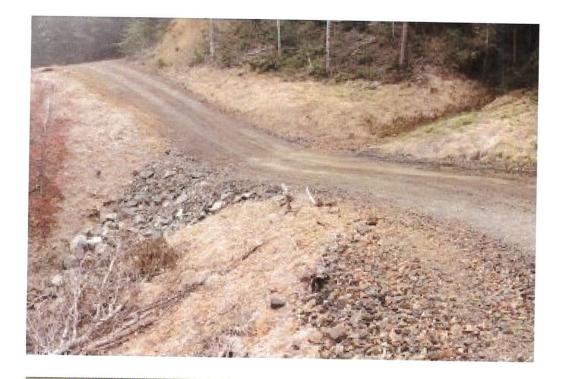


FIGURE 120. This armored fill crossing of a steep, ephemeral stream was constructed to provide a low maintenance crossing. The crossing has been deeply dipped to reduce the volume of road fill and to eliminate the potential for stream diversion. The fill slope has been heavily armored through the axis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

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## BMP: Armored Ford [Fill] (Cont.)

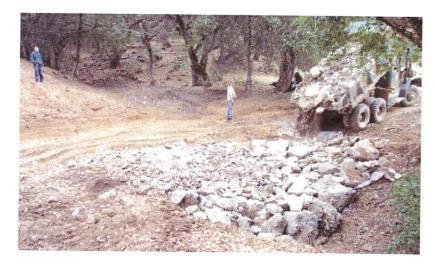


FIGURE 121D. Well graded rock armor is then backfilled into the structure and spread across the breadth of the U-shaped stream crossing, and about one-third the way up the roadbed, so that streamflow will only flow over or come in contact with resistant armor material. The armor must be spread and compacted 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.



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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.

## **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 and orientation, and 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.

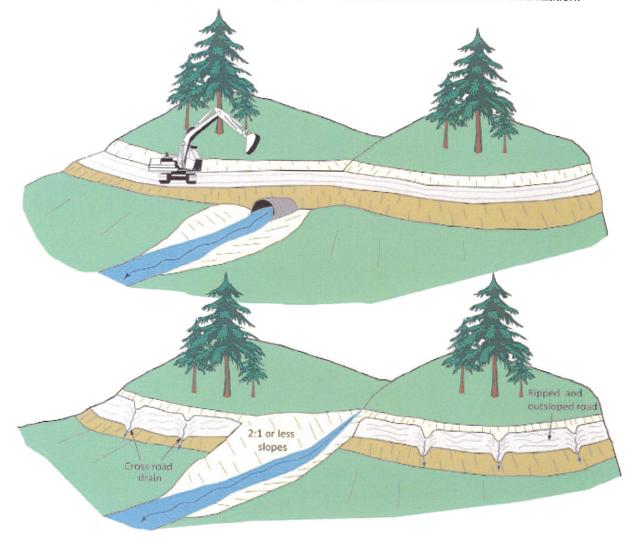


FIGURE 263. On roads that are to be closed (decommissioned), all stream crossing culverts and fills should be removed. Stream crossing excavations are best performed using an excavator. The original channel should be excavated and exhumed down to the former streambed, with a channel width equal or greater than the natural channel above and below the crossing. Sideslopes should be laid back to a stable angle, typically a 2:1 (50%) gradient, or less. Spoil can be endhauled off-site or stored on the road bench adjacent the crossing, provided it is placed and stabilized where it will not erode or fail and enter the stream.

## **BMP: Rolling Dip Design and Placement**

- Rolling dips are drainage structures designed to force surface water to be drained from the road surface.
- The road shall dip into, and rise out of, the rolling dip to eliminate the potential of road surface runoff to run further down road way.
- The rolling dip shall be constructed with clean native materials or rock surfaced where specified.
- The rolling dips outlet may be armored to resist down-cutting and erosion of the outboard road fill.
- Do not discharge rolling dips into any areas that show signs of instability or active landsliding.
   If the rolling dip is designed to divert both some 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 in order to force all ditch flows through the trough (low point) of the rolling dip.

## **BMP: Rocked Rolling Dip Design and Placement**

- Rocked rolling dips are drainage structures designed to carry known sources of surface water across road ways or from known persistently wet segments of road such as swales without defined watercourses or road segments with heavy bank/road seepage.
- The road shall dip into, and rise out of, the rocked rolling dip to minimize diversion potential.
- The rocked rolling dip shall be constructed with clean rock that is large enough to remain in place during peak flows. Rock size shall vary relative to the anticipated flow through the dip with larger rock used in location where greater flow is anticipated.
- The rocked rolling dips inlet and outlet shall be armored to resist down-cutting and erosion.
- The entire width of the rocked rolling dip shall be rock armored to a minimum of 5-feet from the centerline of the dipped portion of the rolling dip.
- If a keyway is necessary, the rocked rolling dip keyway at the base of the dip 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 any areas 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 should be designed as a broad feature ranging from 10-100 feet long so that it is drivable by most types of vehicular traffic and not significantly inhibit traffic and road use.

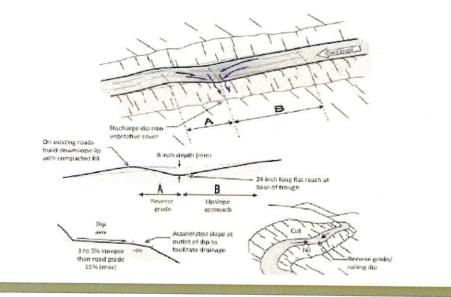
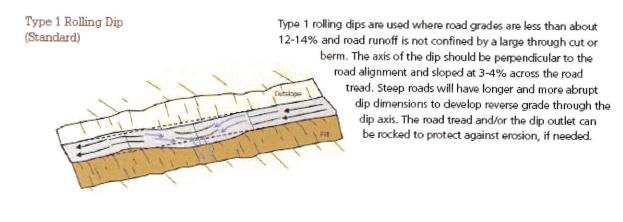


FIGURE 34. A classic Type I rolling dip, where the excavated up-road approach (B) to the rolling dip is several percent steeper than the approaching road and extends for 60 to 80 feet to the dip axis. The lower side of the structure reverses grade (A) over approximately 15 feet or more, and then fails down to rejoin the original road grade. The dip must be deep enough that it is not obliterated by normal grading, but not so deep that it is difficult to negotiate or a hazard to normal traffic. The outward crossslope 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 outsloped sufficiently to be self-cleaning, without triggering excessive downcutting or sediment deposition in the dip axis (Modified from: Best, 2013).

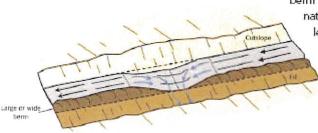
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## **BMP: Rolling Dip Design and Placement (Types)**



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 endhauled, 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 36. Rolling dip types

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**BMPs** and **Diagrams** 

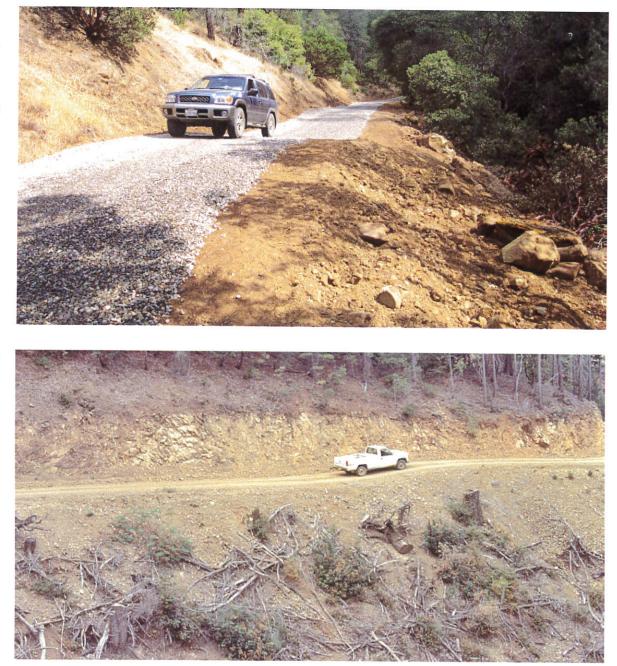
## **BMP: Rolling Dip Design and Placement**

### FIGURE 33A.

Rolling dip constructed on a rock surfaced rural road. The rolling dip represents a changein-grade along the road alignment and acts to discharge water that has collected on, or is flowing down, the road surface. This road was recently converted from a high maintenance. insloped, ditched road to a low maintenance, outsloped road with rolling dips.

#### FIGURE 33B.

This side view of an outsloped road shows that the rolling dip does not have to be deep or abrupt to reverse road grade and effectively drain the road surface. This outsloped forest road has rolling dips that allow all traffic types to travel the route without changing speed.



## BMP: Waterbar/Rolling Dip Combined with DRC



### FIGURE 39.

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.

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Diagram shows and discussed the use of a waterbar. However, a DRC combined with a rolling dip structure provides the same surface and ditch drainage for roads used year-round. Just as with the waterbar in the photo above, The DRC is installed just upslope from the rolling dip. This also creates a fail-safe should the DRC become plugged or overwhelmed.

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### **BMP: Road Outsloping**

FIGURE 29. Road shape changes as the road travels through the landscape. For example, an outsloped road will have a steep or "banked" outslope through inside curves, a consistent outslope through straight reaches and a flat or slightly insloped shape as it goes through an outside curve. The road may have an outslope of 2-3% across the travel surface while the shoulder is more steeply outsloped to ensure runoff and sediment will leave the roadbed.

## **BMP: Steep Road Drainage Structures**

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FIGURE 55. Steep roads that go straight up or down a hillside are very difficult to drain. This steep, fall line road developed a through cut cross section that was drained using lead out ditches to direct runoff off the road and onto the adjacent, vegetated hillside. The road was "outsloped" to drain runoff to the right side, and the lead out ditch was built slightly steeper than the road grade, to be self-cleaning. Four lead out ditches have been constructed at 100-foot intervals to the bottom of the hillside.

PLN-12238-SP Summer Adams

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### **BMP: Ditch Relief Culvert**

- Install ditch relief culverts at an oblique (typically 30 degree) angle to the road so that ditch flow does not have 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.</li>
- 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 then install a downspout on the outlet to carry the culverted flow to the base of the fillslope or energy dissipater material at outlet to prevent erosion or the outboard road fill.
- Downspouts longer than 20 feet should be secured to the hillslope for stability.
- Ditch relief culverts should not carry excessive flow such that gullying occurs below the culvert outlet or such that erosion and down-cutting of the inboard ditch is occurring.
- Do not discharge flows from ditch relief culverts onto unstable areas or highly erodible hillslopes.
- If the ditch is on an insloped or crowned road, consider reshaping road outsloping to drain the road surface. The ditch
  and the ditch relief culvert would then convey only spring flow from the cutbank and hillslope runoff, and not turbid
  runoff from the road surface.

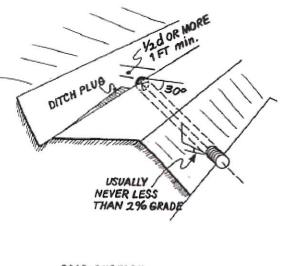
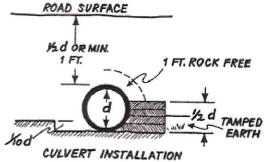


FIGURE 48. The elements of a properly installed ditch relief culvert. The culvert is angled at about 30 degrees to the road alignment to help capture flow and prevent culvert plugging or erosion of the inlet area. It is set at the base of the fill (ideally) or with a grade slightly steeper than the grade 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).



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### **BMP: Waterbar Construction**

FIGURE 40. Waterbars are constructed on unsurfaced forest and ranch roads that will have little or no traffic during the wet season. The waterbar should be extended to the cutbank to intercept all ditch flow (1) and extend beyond the shoulder of the road. A berm (2) must block and prevent ditch flow from continuing down the road during flood flows. The excavated waterbar (3) should be constructed to be selfcleaning, typically with a 30° skew to the road alignment with the excavated material bermed on the downhill grade of the road (4). Water should always be discharged onto the downhill side on a stable slope protected by vegetation. Rock (shown in the figure) should not be necessary if waterbars are spaced close enough to prevent serious erosion. (5) The cross ditch depth (6) and width (7) must allow vehicle cross-over without destroying the function of the drain. Several alternate types of waterbars are possible, including one that drains only the road surface (not the ditch), and one that drains the road surface into the inside ditch (BCMF, 1991).

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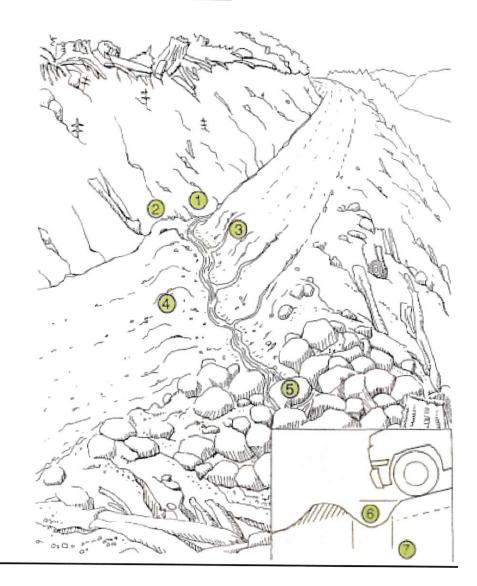
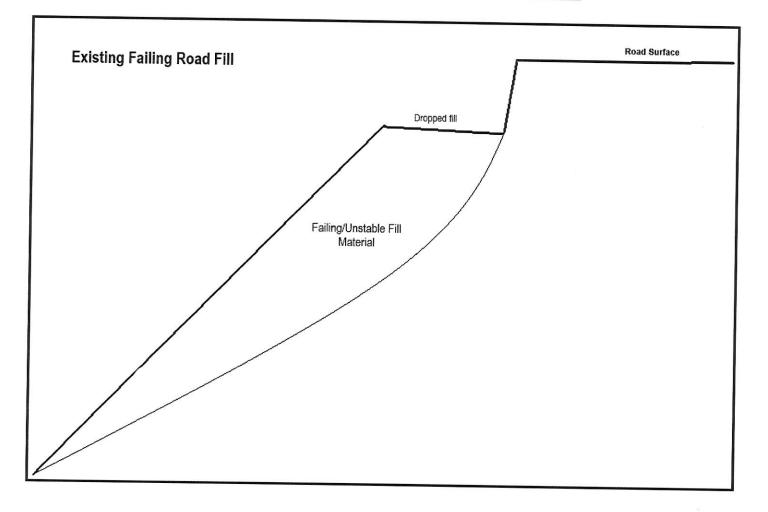
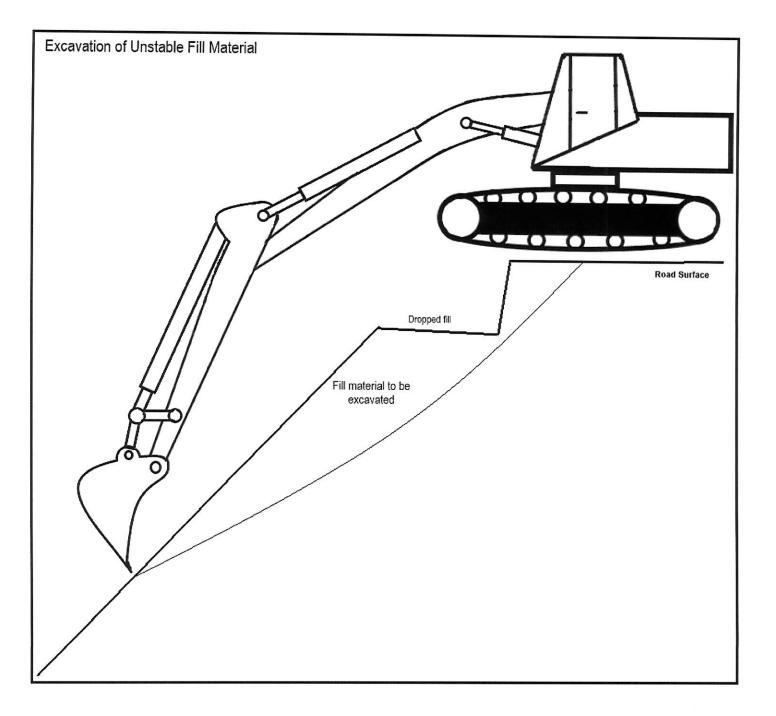




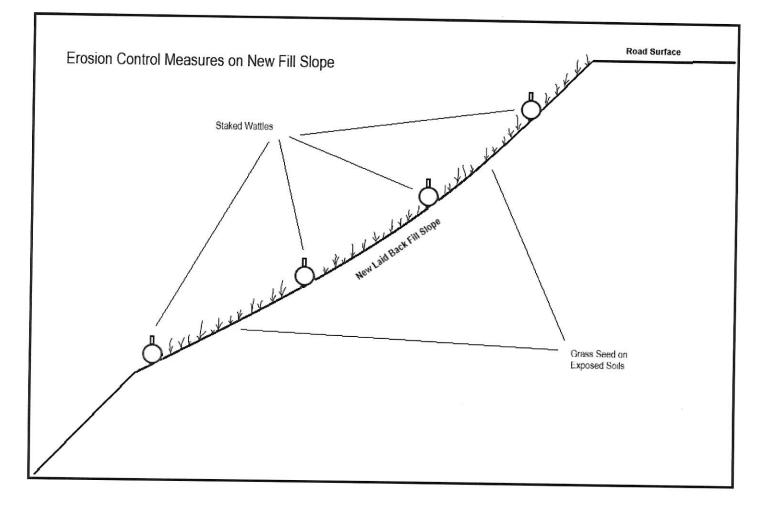
FIGURE 230. The most cost-effective treatment for unstable fills along the outside of a forest, ranch or rural road is simply the direct excavation of the unstable material. If road width is too narrow, additional width can often be derived from cutting into the bank. The excavation should encompass the unstable fill materials, beginning at the inside crack or scarp, and extending out and down the fill slope as far as possible. For proper surface drainage, and to retrieve most of the unstable fill, the excavation should have a concave profile when completed. Typically, the bulk of the fill is within 20 to 25 feet of the outside edge of the road and is easily reached by a midsized excavator. Any remaining fill is likely to be small enough that it will not fail or travel far enough to reach the stream.



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## **BMP: Rock Armor Cutbank**



FIGURE 52. This wet and potentially unstable cut slope on a newly constructed road was stabilized using a buttress of large rock armor. To assure their effectiveness, rock buttresses and other retaining structures should be designed by a qualified engineer or engineering geologist.

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## **BMP: Rip-Rap Size Class Table**

# TABLE 25. Standard classification and gradation of riprap by size of rock<sup>1</sup> Minimum and maximum allowed by the second statement of t

Riprap	Median	Median particle	Minimum and maximum allowable particle size (in) <sup>2</sup>									
size class particle weight <sup>2</sup>		diameter <sup>2</sup>	D	15	I	) <sub>50</sub>	D	) <sub>85</sub>	D <sub>100</sub>			
		(in)	Min	Max	Min	Max	Min	Max	Max			
Class I	20 lb	6	3.7	5.2	5.7	6.9	7.8	9.2	12.0			
Class II	60 lb	9	5.5	7.8	8.5	10.5	11.5	14.0	18.0			
Class III	150 lb	12	7.3	10.5	11.5	14.0	15.5	18.5	24.0			
Class IV	300 lb	15	9.2	13.0	14.5	17.5	19.5	23.0	30.0			
Class V	1/4 ton	18	11.0	15.5	17.0	20.5	23.5	27.5	36.0			
Class VI	3/8 ton	21	13.0	18.5	20.0	24.0	27.5	32.5	42.0			
Class VII	1/2 ton	24	14.5	21.0	23.0	27.5	31.0	37.0	48.0			
Class VIII	1 ton	30	18.5	26.0	28.5	34.5	39.0	46.0	60.0			
Class IX	2 ton	36	22.0	31.5	34.0	41.5	47.0	55.5	72.0			
Class X	3 ton	42	25.5	36.5	40.0	48.5	54.5	64.5	84.0			

'Equivalent to spherical diameter

Confidential

### State of California Well Completion Report WCR Form Submitted 11/30/2016 WCR2016-008121

Owner's Well Number 1 Date Work Began								
Local Permit Agency Humboldt County Department of Health & Human Services - Land Us Secondary Permit Agency Permit Number	Use Program           16/17 0430         Permit Date         11/02/2016							
Well Owner (must remain confidential pursuant to Water Code	de 13752) Planned Use and Activity Activity New Well							
Mailing Address 115 Carlson Lane	Planned Use Water Supply Domestic							
City Eureka State CA Zij	Zip95503							
Well Loca	ation							
Address 0 Titlow Hill	APN 316-042-002							
City Willow Creek Zip 95573 County Humboldt	Bange							
Latitude N Longitude Deg. Min. Sec. Deg. Min.								
Dec. Lat Dec. Long	Baseline Meridian							
Vertical Datum Horizontal Datum WGS84	Ground Surface Elevation							
Location Accuracy Location Determination Method	Elevation Determination Method							
Borehole Information         Orientation       Vertical       Specify         Drilling Method       Direct Rotary       Drilling Fluid       Air         Total Depth of Boring       198       Feet         Total Depth of Completed Well       198       Feet         Depth from       Surface       Description         Feet       0       3       Broken Topsoil	Water Level and Yield of Completed Wall         Depth to first water       130       (Feet below surface)         Depth to Static       Water Level       84       (Feet)         Water Level       84       (Feet)       Date Measured       11/21/2016         Estimated Yield*       Test Type       Test Type         Test Length       Total Drawdown       (Feet)         *May not be representative of a well's long term yield.							
3 198 Schist								
Casing	gs							
Casing Depth from Surface Feet to Feet	s Wall Outside Screen Slot Size Diameter Type if any (inches)							
1         0         1         Blank         Low Carbon Steel         Grade: ASTM A53           1         1         198         Blank         Low Carbon Steel         Grade: ASTM A53	0.188 8.625 0.25 6.625 0.25							
Depth from Surface Feet to Feet     Fill     Fill Type Details	Filter Pack Size Description							
0         20         Bentonite         Other Bentonite           20         198         Bentonite         Other Bentonite	0.375 Hole Plug No Annual Fill							
Other Observations:								

Sur	n from face o Feet	Borehole Specifications	I, the undersign	ed, certify that this report is complete and a . WATS	tion Statement courate to the best of my knowl GON WELL DRILLING	Contraction of the contract on	
0	, 20	13		Person, Firm or Corporation 500 Summer Street	Eureka	CA	95501
20	198	7.44		Address	City	State	Zlp
			Signed		11/30/2	2016	1014048
			1	C-57 Licensed Water Well Contracto	or Date Sig	gned C-57	License Numb
				DW/E	2 lise Only		
•				DWF	₹Use Only		
Þ					8 Use Only / State Well Numb	er	

TRS:			
APN:			

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### HUMBOLDT COUNTY DEPARTMENT OF PUBLIC WORKS ROAD EVALUATION REPORT

PART A:	Part A may be completed by the applic	ant			
Applicant N	ame: Summer Adams		APN:	315-042-002	
Planning &	Building Department Case/File No.:	SP16	-457	Automatic and a second second as the second s	
Road Name	e:Private Driveway		_ (comple	ete a separate for	m for each road)
From Road	(Cross street): Forset 6N01				
To Road (C	cross street): Private Driveway				
Length of re	oad segment:	.15	miles	Date Inspected:	9/26/18
	intained by: 🗌 County 🔯 Other (State, Forest So f the following:	Priva ervice, Natio	and a second sec	State Park, BLM	l, Private, Tribal, etc)
Box 1	The entire road segment is developed checked, then the road is adequate fo				
Box 2 🔀	The entire road segment is developed then the road is adequate for the prop				
	An equivalent road category 4 standa width, but has pinch points which nan one-lane bridges, trees, large rock ou visibility where a driver can see onco oncoming vehicle to stop and wait in pass.	rrow the road utcroppings, oming vehicle	d. Pinch culverts, es through	points include, b etc. Pinch points h the pinch point	ut are not limited to, s must provide which allows the
Box 3	The entire road segment is not develo may or may not be able to accommod Part B is to be completed by a Civil E	late the prop	osed use	and further evaluation	ation is necessary.
The statemen measuring the	ts in PART A are true and correct and I e road.	have been ma	ade by m	e after personally	inspecting and
Summer A Signature	dams			<u>9/26/18</u> Date	3
C	Adams			2	

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.

u:\pwrk\\_landdevprojects\referrals\forms\road evaluation report form (02-24-2017).docx

**Road Evaluation Photos** 

APPS No: 12338

APN: 315-042-002



1



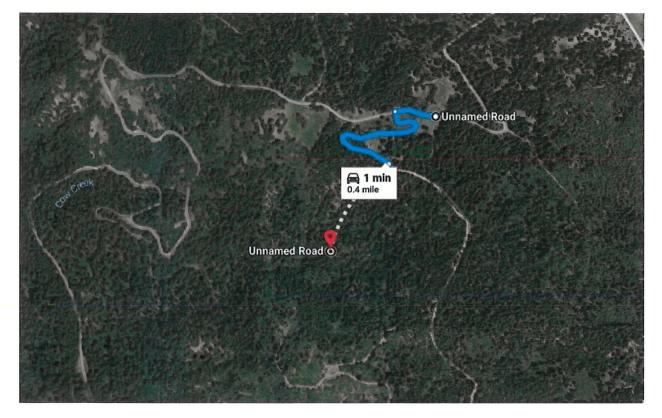
2



Access Road Map

Apps No. 12238

APN:315-042-002



### 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
Building Inspection Division	✓	Conditional Approval	Attached
Division Environmental Health	✓	Conditional Approval	Attached
Public Works, Land Use Division	✓	Approval	Attached
Cal Fire	$\checkmark$	Conditional Approval	Attached
Northwest Information Center	✓	Further Study	On file and confidential
U.S. Forest Service	✓	Denial	Attached
Bear River Band	✓	Comments	On file and confidential
Northern Humboldt Union High School District	~	Denial	Attached
Humboldt County Sheriff	$\checkmark$	Approved	On file and confidential
California Department of Fish & Wildlife		No response	
Tsnungwe Council		No response	
Humboldt County Agricultural Commissioner		No response	
Humboldt County District Attorney		No response	
North Coast Unified Air Quality Management District		No Response	
North Coast Regional Water Quality Control Board		No response	
Maple Creek School District		No response	

						Random Audit History (0)	Related Inspections	Documents (0)	Conditions of Approval (0)	Conditions (0)	Checklist	Inspection Detail		Record ID:
Record Type * Internal use only * Planning/Converted/Historical/NA 16HUM-00000-011MO	10-26-2020 Reviewed site plans of 1-12-2020 and 9-24-2020 and they do not match the number of and configuration of existing growing areas. Location of SRA turnaround, well, solar array and cultivation site appear accurate on the site plan at this time. Please submit revised site plan for review.	ent E Standard Comments	Status * Department * Current Department Inspector * Current Use	AM	Scheduled Date * ::	Scheduled Start Time	source of power for the project is solar pariets. The applicant is also requesting a special Fermit for a reduction of the required 600 foot setback from Six Rivers National Forest.	A Special Permit for 8,280 Square feet of existing commercial cannabis cultivation that is being relocated out of the trees in stages to a central area on the southwest section of the parcel. Water for irrigation is sourced from a well on site. There is 12,500 gallons of water storage on site in hard tanks. Processing will occur off site at a licensed processing facility. The sole for gallons of water storage on the option of the parcel. Water for irrigation is courced from a well on site. There is 12,500 gallons of water storage on the option of the parcel. Water for irrigation is courced from a well on site. There is 12,500 gallons of water storage on the option of the parcel.	Request Comment	Request Date Unit Nbr	Case # Inspection Type * Address PLN-12238-SP Pre-Site Inspection		Doort Canool Visue Log ve	

A https://humboldt-prod-av.accela.com/portlets/web/en-us/#/spacev360/pln12238sp	id-av.accela.com/portlets/	web/en-us/#/spacev360/	pln12238sp		<ul> <li>         ・</li> <li>         ・</li></ul>
Accela Civic Platform > HUMBOLDT	tform > HUMBOLDT				
°LN-12238-SP O	STATUS	SI	LOCATION	CONTACT	WORKFLOW
Jummer Adams - Existing 8280 Outdoor Ca A Special Permit for 8,280 Square feet of ex	$\sim$	In Referrals 09/30/2020 by John Moredo	> None Provided	> Alvin Coate	<ul> <li>&gt; 15 total Task</li> <li>• 7 completed</li> <li>• 3 active</li> </ul>
Summary	Cancel Help				
Project Description	Task Environmental Health	Due Date 10/11/2020	Assigned Date 09/30/2020		
Workflow	Assigned to Department Environmental Health	Assigned to Adam Molofsky	Status Approved with Conditions		
1 Deferral Accimmente	Action by Department Environmental Health	Action By Adam Molofsky	Status Date 10/01/2020		
	Start Time	End Time	Hours Spent 0.0		
2 Planning Information	Billable No	Overtime No	Comments DEH has no record of the well proposed as the source of water. Owner shall either provide evidence of permit, destroy the well, legalized the well through installation of a new sanitary seal, or provide compelling evidence that the well was installed prior to February 1973.	either provide evidence of permit, destroy the well, legalized the w	ell through installation of a new sanitary seal, or provide compelling evi
			Portable toilets shall be provided for cultivation activities.		
4 CEQA	Time Tracking Start Date	Est. Completion Date	In Possession Time (hrs)		
5 Cannahis	Display E-mail Address in A( No	Display E-mail Address in ACA Display Comment in ACA Comment Display in ACA No	A Comment Display in ACA All ACA Users		
			Record Creator		
Project Tracking			Licensed Professional		
6 Referral Task I on (2)			Contact		
			Owner		
Fee (5)	Estimated Hours 0.0	Action Updated	Workflow Calendar		
Payment					
Workflow History (21)					

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	https://humboldt-prod-av.accela.com/portlets/web/en-us/#/spacev360/pln12238sp

## Accela PLN-12238-SP O A Special Permit for 8,280 Square feet of ex... Summer Adams - Existing 8280 Outdoor Ca... 3 GP / Zoning Information 2 Planning Information Summary 4 CEQA Project Description 1 Referral Assignments Workflow Civic Platform > HUMBOLDT Task PW Land Use Display E-mail Address in ACA Display Comment in ACA Comment Display in ACA Time Tracking Start Date No Billable Action by Department Public Works Department Assigned to Department Public Works Department Start Time Cancel Help In Referrals STATUS 09/30/2020 by John Moredo Action By Ken Freed Overtime No Due Date 10/24/2020 Est. Completion Date End Time Assigned to Kristin Martinique Hours Spent 0.0 Status Approved Status Date 10/14/2020 In Possession Time (hrs) Assigned Date 10/08/2020 Comments This project is located on a non-county maintained road. This project has no direct effect on any facilities maintained by this Department. LOCATION > None Provided CONTACT > Alvin Coate

Fee (5)

6 Referral Task Log (2)

Estimated Hours 0.0

Action Updated

Workflow Calendar Workflow Blockout

Contact

Creator Licensed Professional

Project Tracking

5 Cannabis

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

The Department has no comment at this time.

Suggested conditions attached.

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

Recommend denial.

Other comments.

Date:

Name:

**Forester Comments:** 

Date:

Name:

**Battalion Chief Comments:** 

Summary:



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



9/30/2020

#### Project Referred To The Following Agencies:

AG Commissioner, County Counsel, District Attorney, Environmental Health, Sheriff, PW Land Use, Building Inspections, US Forest Service, RWQCB, NCUAQMD, School District: Northern Humboldt Union High School, Cal Fish & Wildlife, CalFire, Bear River Band, NWIC, Tsnungwe Council, School District: Maple Creek

Applicant Name Summer Adams Key Parcel Number 315-042-002-000

Application (APPS#) PLN-12238-SP Assigned Planner Rodney Yandell 707-268-3732

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: 10/15/2020

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

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

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

□ Recommend Conditional Approval. Suggested conditions attached.

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

Recommend Denial. Attach reasons for recommended denial.

Other Comments:	Realson	Eor	denial	13	strains	portation	of	CANNADIS	
Across	National	Ferest	lands	ANd	easen	hents is	; llas	al as	

DATE: <u>5 Oct 2020</u> Explained in the ottoched letter previously sent to the Olso the Forest Service recommends devial of priposel public uses setbock for the some reasons. - Commended illegal substance on federal Lands. PLN-12238-SP Summer Adams June 17, 2021 Page 99 of 102



Forest Service Pacific Southwest Region Six Rivers National Forest 1330 Bayshore Way Eureka, CA 95501 707-442-1721 TDD: 707-442-1721 Fax: 707-442-9242

File Code: 1500

**Date:** August 29, 2018

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

Dear Ms. Nelson:

Thank you for providing the USDA Forest Service with the opportunity to provide input to Humboldt County's land use regulations governing cannabis cultivation on private property as they relate to National Forest System (NFS) lands.

The use, cultivation and transportation of cannabis on Forest Service lands is illegal. The Comprehensive Drug Abuse Protection and Control Act of 1970, and more specifically Title II of the act (the Controlled Substances Act), lists cannabis as a Schedule 1 drug. The Forest Service does not have discretion to permit activities on NFS lands that will violate the Controlled Substances Act or any other federal law. The Forest Service cannot authorize any activities related to cannabis operations on public land, such as the cultivation, production, transportation, or distribution of supplies or product.

We recommend that applicants for county cannabis permits who are adjacent to or near Forest Service lands have their parcels surveyed by a professional land surveyor to ensure their operations are not trespassing upon or causing impacts to federal lands. Individuals that cause resource damage, including soil erosion and contamination to Forest Service administered lands from illicit acts including the manufacture of cannabis, may be subject to federal criminal and/or civil action. Permit applicants should be aware that transporting cannabis across an existing right of way on federal lands to access a private parcel, is also illegal under federal law, and violators could face federal criminal action.

We appreciate the opportunity to comment on the county's cannabis-use regulations. If you need further information on this subject, please contact me at (707) 441-3531.

Sincerely.

MICHAEL A. GREEN Acting Forest Supervisor,





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

9/30/2020

Project Referred To The Following Agencies:

AG Commissioner, County Counsel, District Attorney, Environmental Health, Sheriff, PW Land Use, Building Inspections, US Forest Service, RWQCB, NCUAQMD, School District: Northern Humboldt Union High School, Cal Fish & Wildlife, CalFire, Bear River Band, NWIC, Tsnungwe Council, School District: Maple Creek

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Recommend Conditional Approval. Suggested conditions attached.

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

Kecommend Denial. Attach reasons for recommended denial.

Other Comments:

PRINT NAME:

Roger Mardonald



# Northern Humboldt Union High School District

2755 McKinleyville Avenue, McKinleyville, CA 95519-3400 TELEPHONE: (707) 839-6470 • FAX: (707) 839-6477 www.nohum.k12.ca.us

ROGER MACDONALD District Superintendent

CINDY VICKERS Director of Fiscal Services

MELANIE SUSAVILLA Director of Student Services

October 7, 2020

Humboldt County Planning Commissioners Planning Commission Clerk 3015 H Street Eureka, CA 95501

RE: Case No. PLN-12238-SP

The proposed facility is not within 600 feet of a school or existing bus stop. However, Northern Humboldt Union High School District has concerns about this proposed facility as cannabis is still illegal under federal law and our district receives federal funds.

Additionally, the district has concerns about a grow operation in an area where current and/or future students may live in the area or near the facility, and be required to pass by it to and from school.

Should you have any further questions, please let me know.

Sincerely,

DONALD Superintendent