

SUPPLEMENTAL INFORMATION #2

For Planning Commission Agenda of:
June 2, 2022

<input checked="" type="checkbox"/>	Consent Agenda Item	No. <u>E-1</u>
<input type="checkbox"/>	Continued Hearing Item	
<input type="checkbox"/>	Public Hearing Item	
<input type="checkbox"/>	Department Report	
<input type="checkbox"/>	Old Business	

Project Title: **The Vista 36, LLC; Special Permit**
Record Number: PLN-2019-16038
Assessor Parcel Numbers: 316-313-003 & 316-312-008
Blue Lake Area

Attached for the Planning Commission's record and review is the following supplementary information:

1. Supplemental Attachment containing revised Resolution, Conditions of Approval, and Cultivation and Operations Plan.

**SUPPLEMENTAL
REVISED RESOLUTION OF THE PLANNING COMMISSION
OF THE COUNTY OF HUMBOLDT
Resolution Number 22-
Record Number PLN-2019-16038
Assessor's Parcel Numbers: 316-313-003 & 316-312-008**

Resolution by the Planning Commission of the County of Humboldt certifying compliance with the California Environmental Quality Act and conditionally approves the The Vista 36, LLC Special Permit.

WHEREAS, The Vista 36, LLC, submitted an application and evidence in support of approving a Special Permit for ~~27,000~~ **21,375** square feet of mixed light cultivation, ~~5,588~~ **455** SF of outdoor cultivation, and ~~3,200~~ **2,100** SF of nursery space;

WHEREAS, the County Planning Division, the lead agency, prepared an Addendum to the Final Environmental Impact Report (EIR) prepared for the Commercial Cannabis Land Use Ordinance (CCLUO) adopted by the Humboldt County Board of Supervisors on May 8, 2018. The proposed project does not present substantial changes that would require major revisions to the previous EIR. No new information of substantial importance that was not known and could not be known at the time was presented as described by §15162(c) of CEQA Guidelines; and

WHEREAS, the Humboldt County Planning Commission held a duly noticed public hearing on June 2, 2022, and reviewed, considered, and discussed the application for Special Permit and reviewed and considered all evidence and testimony presented at the hearing.

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

- 1. FINDING:** **Project Description:** A Special Permit for ~~27,000~~ **21,375** square feet (SF) of new and existing mixed light cultivation, ~~5,588~~ **455** SF of new outdoor cultivation, and ~~3,200~~ **2,100** SF of nursery space. Pre-existing cultivation on the site was 6,000 square feet of mixed-light cultivation. The total cultivation area will be ~~32,588~~ **21,830** SF. The project also includes relocation and remediation of a previously existing cultivation area which was approximately 6,000 square feet on another portion of the legal parcel. The applicant hopes to achieve ~~three~~ **two (2)** harvest cycles annually. Water will be sourced from two (2) wells which were determined to be not hydrologically connected, **from a rainwater catchment tank**, and from a rooftop rainwater catchment system. ~~Four (4) 50,000 gallon water~~ **One (1) 500,000 gallon rainwater catchment** tanks and ~~five~~ **six (6)** 5,000 gallon water tanks are proposed onsite, totaling ~~225,000~~ **530,000** gallons of water storage. An additional 5,000 gallon water tank is designated for emergency fire suppression. The estimated water needed annually for irrigation is approximately ~~515,468~~ **282,692.5** gallons (~~14.4~~ **11.8** gal/sf/yr on average, including the nursery space usage). Drying, trimming, and processing will occur offsite on a neighboring parcel, which has a project from the same applicant, or at a licensed third-party facility. Operations will utilize up to two (2) full time employees and up to two (2) seasonal employees, totaling a maximum of four (4) employees on site. Portable restrooms will be available onsite for employees. Power will be sourced by PG&E and there is a Honda 2200-Watt Super Quiet Inverter generator available for emergency use only.

EVIDENCE a) Project File: PLN-2019-16038

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- 2. FINDING:** **CEQA.** The requirements of the California Environmental Quality Act have been complied with. The Humboldt County Planning Commission has considered the Addendum to and the Environmental Impact Report (EIR) prepared for the Commercial Cannabis Land Use Ordinance (CCLUO) adopted by the Humboldt County Board of Supervisors on May 8, 2018.

- 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 EIR. 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) The project is conditioned to maintain enrollment in the State Water Resource Control Board Order No. WQ 2019-0001-DWQ, and to follow the measures identified in the Site Management Plan as required to meet compliance with the standard conditions of the Order.
 - d) The applicant is required to adhere to inadvertent discovery protocols for archaeological resources.
 - e) An Invasive Species Control Plan was prepared for the project, and the applicant is conditioned to adhere to the recommendations within the Plan.
 - f) A Biological Reconnaissance Survey Report was prepared by Leopardo Wildlife Associates dated April 17th, 2020. Recommended mitigation measures for the project have been included in the conditions of approval. Leopardo Wildlife Associates concluded that no habitat for Northern Spotted Owl would be removed and that no adverse impacts to the species would occur as a result of the project. A botanical survey was completed by Naiad Biological Consulting which found the site to be unlikely to contain any sensitive or threatened plant species however the project is conditioned to require an additional botanical survey for two species that were not in bloom at the time. The project is further conditioned to require the project to be modified or reduced in scale if those species are found and can not be avoided.
 - g) A copy of the Lake or Streambed Alteration agreement was submitted to CDFW on August 14th, 2017. The agreement allows stream encroachments for water diversion on Willow Creek, and the Site Management Plan, submitted February 17th, 2022, identifies off-parcel restoration of Willow Creek's damaged water impoundment. This permit will not allow diversion for irrigation purposes.

FINDINGS FOR THE SPECIAL PERMIT

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

- EVIDENCE** a) General agriculture is a use type permitted in the Residential Agriculture (RA) land use designation. The proposed cannabis cultivation, an agricultural product, is within land planned 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 site is in an area of High Instability for seismic safety, but no commercial structures are proposed on the project site.

According to the drainage map prepared December 2020, all proposed development occurs in areas with slopes of less than 15%.

- c) Willow Creek passes through the subject parcel. The streamside management area for this watercourse is 150 feet from the edge of the water. All development takes place over 350 feet from the water's edge. The project site is on a ridge 100 feet of elevation above Willow Creek, outside of the WebGIS demarcated National Wetlands Inventory and Troy Leopardo did not observe any wetlands during his biological reconnaissance survey in March 2020, so it is unlikely that any wetland habitats have potential to be impacted by the proposed project. A protocol-level wetland determination was not performed.

4. FINDING

The proposed development is consistent with the purposes of the existing U zone in which the site is located.

EVIDENCE

- a) The Unclassified or U zone is intended to be applied to areas of the County which have not been sufficiently studied to justify precise zoning classifications.
- b) General agricultural uses are principally permitted in the U zone.
- c) Humboldt County Code section 55.4.6.1.2 (b) allows cultivation of up to 43,560 square feet of new outdoor and mixed light cannabis cultivation on a parcel over 10 acres, subject to approval of a Special Permit, in AE, AG, FR, and U zones, provided that the U zone is accompanied by a Resource Production or Residential General Plan land use designation. The application for new operation of ~~32,588~~ 21,830 square feet of outdoor and mixed light cultivation on a 21-acre legal parcel is consistent with this.

5. FINDING

The proposed development is consistent with the requirements of the CCLUO Provisions of the Zoning Ordinance.

EVIDENCE

- a) The CCLUO allows up to 1-acre of new commercial cannabis cultivation to be permitted in areas zoned U, provided that the zone is accompanied by a Resource Production or Residential General Plan land use designation, (HCC 314-55.4.6.1.2 (b)) with a Special Permit.
- b) The subject parcels combined have been determined to comprise one legal parcel, per LLA-67-78.
- c) The project will obtain water from non-diversionary water sources.
- d) Access to the site is from a private road which offshoots from what was historically Highway 299, which in turn offshoots from Titlow Hill Road, a paved County-maintained road. The property owner has submitted road evaluation self-certifications as well as a formal roadway evaluation prepared by Trinity Valley Consulting Engineers Inc. These evaluations

determined that Titlow Hill Road meets the Category 4 standard, old Highway 299 is developed to the equivalent of a Category 4 roadway, and the private road will be able to accommodate the cumulative increased traffic from the project, provided that recommendations are executed. It has been determined that the access roads will meet the functional capacity required for the project.

- e) The slope of the land where cannabis will be cultivated and development is to occur has slopes of less than 15%.
- f) A Less Than 3 Acre Timber Conversion Exemption was approved April 3rd, 2015 and conversion was completed by December 14th, 2015.
- g) The location of the cultivation complies with all setbacks required in Section 314-55.4.6.4.4 (a-f)]. It is more than 30 feet from any property line, more than 600 feet from any school, church or other place of religious worship, Tribal Cultural Resource, or school bus stop, and more than 1,000 feet from any known Tribal Ceremonial Sites. It is not more than 300 feet from any off-site residence or more than 270 feet from any adjacent undeveloped parcel, however the property owners of these parcels and residences have provided express written consent to waive these setbacks.

6. FINDING

The cultivation of ~~27,000~~ 21,375 square feet of new mixed light commercial cannabis and ~~5,588~~ 455 square feet of new outdoor commercial cannabis and the conditions under which it may be operated or maintained will not be detrimental to the public health, safety, or welfare or materially injurious to properties or improvements in the vicinity.

EVIDENCE

- a) The private access road and the road which was historically Highway 299 have been evaluated by an engineer and determined to be able to accommodate the cumulative increased traffic from the project, provided that recommendations are executed. The recommendations are incorporated into the Conditions of Approval.
- b) The location of the proposed cannabis cultivation is not more than 300 feet from any off-site residence or more than 270 feet from any adjacent undeveloped parcel, however the property owners of these parcels and residences have provided express written consent to waive these setbacks.
- c) All irrigation water will come from non-hydrologically connected wells and from rainwater catchment.
- d) The project will occur on existing slopes of less than 15%.

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.

8. FINDING

Approval of this project is consistent with Humboldt County Board of Supervisors Resolution No. 18-43 which established a limit on the number of

permits and acres which may be approved in each of the County's Planning Watersheds.

- EVIDENCE** a) The project site is located in the Lower Trinity Planning Watershed, which under Resolution 18-43 is limited to 169 permits and 58 acres of cultivation. With the approval of this project the total approved permits in this Planning Watershed would be 59 permits and the total approved acres would be 25.84 acres of cultivation.

DECISION

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

- Adopt the findings set forth in this resolution; and
- Conditionally approves the Special Permit for The Vista 36, LLC, based upon the Findings and Evidence and subject to the conditions of approval attached hereto as Attachment 1 and incorporated herein by reference; and

Adopted after review and consideration of all the evidence on **June 2, 2022**.

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

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

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

John Ford, Director,
Planning and Building Department

ATTACHMENT 1

RECOMMENDED CONDITIONS OF APPROVAL

APPROVAL OF THE CONDITIONAL USE PERMIT IS CONDITIONED ON THE FOLLOWING TERMS AND REQUIREMENTS WHICH MUST BE SATISFIED BEFORE THE PROJECT MAY BEGIN OPERATING

A. General Conditions

1. The applicant is responsible for obtaining all necessary County and State permits and licenses, and for meeting all requirements set forth by other regulatory agencies.
2. The applicant is required to pay for permit processing on a time and material basis as set forth in the schedule of fees and charges as adopted by ordinance of the Humboldt County Board of Supervisors. The Planning and Building Department will provide a bill to the applicant after the decision. Any and all outstanding planning fees to cover the processing of the application to decision by the Hearing Officer shall be paid to the Humboldt County Planning Division, 3015 H Street, Eureka.
3. The Applicant is responsible for costs for post-approval review for determining project conformance with conditions. A deposit is collected to cover this staff review. Permit conformance with conditions must be demonstrated prior to release of building permit or initiation of use and at time of annual inspection. A conformance review deposit as set forth in the schedule of fees and charges as adopted by ordinance of the Humboldt County Board of Supervisors (currently \$750) shall be paid within sixty (60) days of the effective date of the permit or upon filing of the Compliance Agreement (where applicable), whichever occurs first. Payment shall be made to the Humboldt County Planning Division, 3015 H Street, Eureka.
4. A Notice of Determination (NOD) will be prepared and filed with the County Clerk for this project in accordance with the State CEQA Guidelines. The Department will file the NOD and will charge this cost to the project.
5. The applicant shall secure permits or agricultural exemptions for all structures related to the cannabis cultivation and other commercial cannabis activity, including but not limited to ~~four~~ **three** (4 ~~3~~) propagation greenhouses, one (1) ~~270' by 100'~~ mixed light cultivation area **no greater than 21,375 square feet**, and any other structures with a nexus to cannabis. 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.
6. The project shall enroll the site in the SWRCB's General Order (WQ 2019-0001-DWQ), and shall submit a Notice of Applicability letter or Notice of Receipt as proof of enrollment before cultivation activities can occur onsite.
7. Prior to construction activities, the applicant shall complete the following pre-construction surveys and the results shall be submitted to the Planning Division showing no presence of any rare, threatened, or special-status species within the proposed development area.
 - a. If loud construction or any vegetation removal will occur between February 1st and August 15th, the completion of bird surveys by a biologist within seven (7) days prior to cultivation activities to address the presence of any migratory or non-migratory birds which may have constructed nests in any of the trees within a proximity to the project

and may be impacted by noise disturbance. If a nest is found, the applicant shall consult with CDFW and the Planning Director regarding appropriate actions.

- b. The project area shall be surveyed between June and July by a qualified botanist for any special-status or invasive plant species, also specifically assessing the potential presence of *Eucephalus glabratus* and *Lilium washingtonianum ssp. purpurascens*. The botanist shall prepare a protocol-level Botanical Report, including the findings of that survey and the findings of the survey on May 13th, 2022. The report shall be submitted for approval to the Planning Division and CDFW. The applicant shall incorporate any identified invasive plant species into the Invasive Species Management Plan in an addendum to the Cultivation and Operations Plan and submit that addendum to the Planning Division. This condition must be fulfilled prior to initiating cultivation and before any ground disturbance or vegetation removal.

In the event that rare threatened, or special-status species are found onsite, the biologist shall notify the Planning Director in consultation with CDFW. The Planning Director shall determine in consultation with CDFW if any modifications to the project design are possible to avoid removal of occupied habitat or any impact to *Eucephalus glabratus* or *Lilium washingtonianum ssp. purpurascens* while still achieving project objectives, or if avoidance is not feasible. If avoidance of the animal species is not feasible, a qualified biologist shall monitor the site and no construction activities shall commence until the nest and or den is no longer active and has been cleared. If avoidance of the plant species is not feasible, project objectives will need to be reduced or eliminated to accommodate the species. Any special-status species shall be reported to the California Natural Diversity Database (CNDDDB).

8. During the time of the project's site development, the applicant shall follow procedures for eradicating any invasive species identified in the project's associated Invasive Species Control Plan.
9. Per the recommendation in the Roadway Evaluation, prepared by Trinity Valley Consulting Engineers, Inc in February 2018, any brush shall be cleared from the right-of-way on the private driveway to improve visibility, particularly those identified in the figures within the Roadway Evaluation's figures.
10. Per the comments received from the Department of Public Works, conditions of approval for the roadway include:
 - a. All fences and gates shall be relocated out of the County right-of-way. All gates shall be setback sufficiently from the County road so that vehicles will not block traffic when staging to open or close the gate. In addition, no materials shall be stored or placed on the County right-of-way.
 - b. Driveways that will serve as access for the proposed project and connect to a County-maintained road shall be improved to current standards for a commercial driveway. The driveway apron shall be paved for a minimum width of 18 feet and a length of 50 feet (or to break in slope) where it intersects the County road. An encroachment permit shall be issued by the Department of Public Works prior to commencement of any work in the County-maintained right-of-way.
 - c. Surfaced parking lots shall have an oil-water filtration system prior to discharge into any County-maintained drainage facility.
 - d. All driveways and private road intersections onto the County Road shall be maintained in accordance with County Code Section 341-1 (Sight Visibility).

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

11. The applicant shall be compliant with the County of Humboldt's Certified Unified Program Agency (CUPA) requirements regarding hazardous materials. A written verification of compliance shall be required before any provisional permits may be finalized. Ongoing proof of compliance with this condition shall be required at each annual inspection in order to keep the permit valid.
12. The applicant shall execute and file with the Planning Division the statement titled, "Notice and Acknowledgment regarding Agricultural Activities in Humboldt County," ("Right to Farm" ordinance) as required by the HCC and available at the Planning Division.

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

1. The applicant shall prepare a 24-hour Noise Study recording noise levels from at least three property lines while cannabis activities are not in operation. Project shall not go over three decibels above these ambient noise levels for the life of the project.
2. The applicant shall provide an invoice or equivalent documentation to the Planning Department to confirm the continual use of portable toilets used to serve the needs of cultivation staff. In the event that a cannabis support building with restroom facilities is permitted and constructed, and the restroom facilities are found to meet the needs of the project, the project may choose not to utilize portable toilets for onsite wastewater treatment and shall submit proof of a septic permit to the Planning Division.
3. The applicant shall adhere to the work outlined in the final Streambed Alteration Agreement.
4. The applicant shall only acquire irrigation water from the hydrologically isolated existing wells, identified by Lindberg Geologic Consulting on December 15th and 17th, 2021, on APNs 316-313-003 and 316-313-007 and the rainwater catchment systems on APN 316-313-007 and 316-313-003. If additional water sources are deemed necessary, then additional hydrologic studies will need to be submitted to the Planning Department which will determine whether the water source can be incorporated into the project.
5. Lighting shall be implemented as described in the Cultivation and Operations Plan to conform to International Dark-Sky Association standards. All artificial lighting shall be fully contained within structures such that no light escapes via blackout tarp shielding. Structures shall be enclosed between 30 minutes prior to sunset and 30 minutes after sunrise to prevent disruption to crepuscular wildlife. Security lighting shall be motion activated and comply with the International Dark-Sky Association standards and Fixture Seal of Approval Program; see: <https://www.darksky.org/our-work/lighting/lighting-for-citizens/lighting-basics/>. Standards include, but are not limited to, the following, 1) light shall be shielded and downward facing, 2) shall consist of Low Pressure Sodium (LPS) light or low spectrum Light Emitting Diodes (LED) with a color temperature of 3000 kelvins or less and 3) only placed where needed.
6. Should the Humboldt County Planning Division receive complaints that the lighting or noise is not complying with the standards listed above in items B.1. and B.5., within ten (10) working days of receiving written notification that a complaint has been filed, the permittee shall submit written verification that the lights' shielding and alignment, and noise levels have been repaired, inspected, and corrected as necessary.
7. Prohibition on use of synthetic netting for erosion control. To minimize the risk of wildlife entrapment, Permittee shall not use any 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.

8. All refuse shall be contained in wildlife proof storage containers at all times, and disposed of at an authorized waste management facility.
9. Should any wildlife be encountered during work activities, the wildlife shall not be disturbed and shall be allowed to leave the work site unharmed.
10. The use of anticoagulant rodenticide is prohibited.
11. If cultural resources are encountered during construction activities, the contractor onsite shall cease all work in the immediate area and within a 50-foot buffer of the discovery location. A qualified archaeologist and the appropriate Tribal Historic Preservation Officer(s) are to be contacted to evaluate the discovery and, in consultation with the applicant and the lead agency, develop a treatment plan in any instance where significant impacts cannot be avoided.

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

12. 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.
13. All components of the project shall be developed, operated, and maintained in conformance with the Project Description, the approved Site Plan, the Plan of Operations, and these conditions of approval. Changes shall require modification of this permit except where consistent with Humboldt County Code Section 312-11.1, Minor Deviation from the Plot Plan.
14. Cannabis cultivation and other commercial cannabis activity shall be conducted in compliance with all laws and regulations as set forth in the CCLUO and MAUCRSA, as applicable to the permit type.
15. 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.
16. Compliance with all statutes, regulations, and requirements of the California State Water Resources Control Board and the Division of Water Rights, as applicable.
17. 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 55.4.6.4.4 (e) or (f).

18. Maintain enrollment in Tier 1 or Tier 2 certification with State Water Resource Control Board (SWRCB) Order No. WQ 2019-0001-DWQ, if applicable, or any substantially equivalent rule that may be subsequently adopted by the County of Humboldt or other responsible agency.
19. The revegetation plan prepared in accordance with requirement number 35 from the Site Management Plan, updated on January 16, 2020, and its monitoring data, including photographic documentation, shall be available to be submitted upon request of County staff and/or California Department of Fish and Wildlife staff.
20. 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).
21. Refrain from the improper storage or use of any fuels, fertilizer, pesticide, fungicide, rodenticide, or herbicide.
22. Fuel shall be stored and handled in compliance with applicable state and local laws and regulations, including the County of Humboldt's Certified Unified Program Agency (CUPA) program, and in such a way that no spillage occurs.
23. Pay all applicable application fees, review for conformance with conditions fees, and annual inspection fees.
24. The master logbooks maintained by the permittee to track production and sales shall be available for inspection by the County.
25. 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

26. Pursuant to Business and Professions Code section 26051.5(a)(8), the applicant seeking a cultivation license shall "provide a statement declaring the applicant is an 'agricultural employer,' as defined in the Alatorre-Zenovich-Dunlap-Berman Agricultural Labor Relations Act of 1975 (Part 3.5 commencing with Section 1140 of Division 2 of the Labor Code), to the extent not prohibited by law."
27. Cultivators shall comply with all applicable federal, state, and local laws and regulations governing California Agricultural Employers, which may include federal and state wage and hour laws, Cal/OSHA, OSHA, the California Agricultural Labor Relations Act, and the Humboldt County Code (including the Building Code).
28. Cultivators engaged in processing shall comply with the following Processing Practices:
 - a. Processing operations must be maintained in a clean and sanitary condition including all work surfaces and equipment.
 - b. Processing operations must implement protocols which prevent processing contamination and mold and mildew growth on cannabis.
 - c. Employees handling cannabis in processing operations must have access to facemasks and gloves in good operable condition as applicable to their job function.

- d. Employees must wash hands sufficiently when handling cannabis or use gloves.
29. All persons hiring employees to engage in commercial cannabis cultivation and processing shall comply with the following Employee Safety Practices:
- a. Cultivation operations and processing operations must implement safety protocols and provide all employees with adequate safety training relevant to their specific job functions, which may include:
 - (1) Emergency action response planning as necessary;
 - (2) Employee accident reporting and investigation policies;
 - (3) Fire prevention;
 - (4) Hazard communication policies, including maintenance of material safety data sheets (MSDS);
 - (5) Materials handling policies;
 - (6) Job hazard analyses; and
 - (7) Personal protective equipment policies, including respiratory protection.
 - b. Cultivation operations and processing operations must visibly post and maintain an emergency contact list which includes at a minimum:
 - (1) Operation manager contacts;
 - (2) Emergency responder contacts; and
 - (3) Poison control contacts.
 - c. At all times, employees shall have access to safe drinking water and toilets and handwashing facilities that comply with applicable federal, state, and local laws and regulations. Plumbing facilities and water source must be capable of handling increased usage without adverse consequences to neighboring properties or the environment.
 - d. On site-housing provided to employees shall comply with all applicable federal, state, and local laws and regulations.
30. All cultivators shall comply with the approved processing plan as to the following:
- a. Processing practices
 - b. Location where processing will occur
 - c. Number of employees, if any
 - d. Employee Safety Practices
 - e. Toilet and handwashing facilities
 - f. Plumbing and/or septic system and whether or not the system is capable of handling increased usage
 - g. Drinking water for employees
 - h. Plan to minimize impact from increased road use resulting from processing
 - i. Onsite housing, if any
31. Term of Commercial Cannabis Activity Special Permit. Any Commercial Cannabis Cultivation SP issued pursuant to the CCLUO shall expire one (1) year after date of issuance, and on the anniversary date of such issuance each year thereafter, unless an annual compliance inspection has been conducted and the permittees and the permitted site have been found to comply with all conditions of approval.
32. If the inspector or other County official determines that the permittees or site do not comply with the conditions of approval, the inspector shall serve the permit holder with a written

statement identifying the items not in compliance, and the action that the permit holder may take to cure the noncompliance, or file an appeal within ten (10) days of the date that the written statement is delivered to the permit holder. Personal delivery or mailing the written statement to the mailing address listed on the application by regular mail, plus three (3) days after date of mailing, shall constitute delivery. The permit holder may request a reinspection to determine whether or not the permit holder has cured all issues of noncompliance. Failure to request reinspection or to cure any items of noncompliance shall terminate the Special Permit, immediately upon the expiration of any appeal period, or final determination of the appeal if an appeal has been timely filed pursuant to Section 55.4.5.8.

33. Permit Renewals to Comply with Updated Laws and Regulations. Permit renewal is subject to the laws and regulations effective at the time of renewal, which may be substantially different than the regulations currently in place and may require the submittal of additional information to ensure that new standards are met.
34. Acknowledgements to Remain in Full Force and Effect. Permittee acknowledges that the County reserves the right to reduce the size of the area allowed for cultivation under any clearance or permit issued in accordance with this section in the event that environmental conditions, such as a sustained drought or low flows in the watershed in which the cultivation area is located, will not support diversions for irrigation.
35. Transfers. Transfer of any leases or permits approved by this project is subject to the review and approval of the Planning Director for conformance with CCLUO eligibility requirements and agreement to permit terms and acknowledgments. The fee for required permit transfer review shall accompany the request. The request shall include the following information:
 - a. Identifying information for the new owner(s) and management as required in an initial permit application;
 - b. A written acknowledgment by the new owner in accordance as required for the initial permit application;
 - c. The specific date on which the transfer is to occur;
 - d. Acknowledgement of full responsibility for complying with the existing permit; and
 - e. Execution of an Affidavit of Non-diversion of Medical Cannabis.
36. Inspections. The permit holder and subject property owner are to permit the County or representative(s) or designee(s) to make inspections at any reasonable time deemed necessary to assure that the activities being performed under the authority of this permit are in accordance with the terms and conditions prescribed herein.



REV	DATE	DESCRIPTION	APP BY	CHK BY	DES BY	OWN BY

SITE PLAN
STEVEN C. WICK
APN: 316-313-003 & 316-312-008
BLUE LAKE, CA. 95525
TITLOW HILL ROAD
HUMBOLDT COUNTY, CALIFORNIA

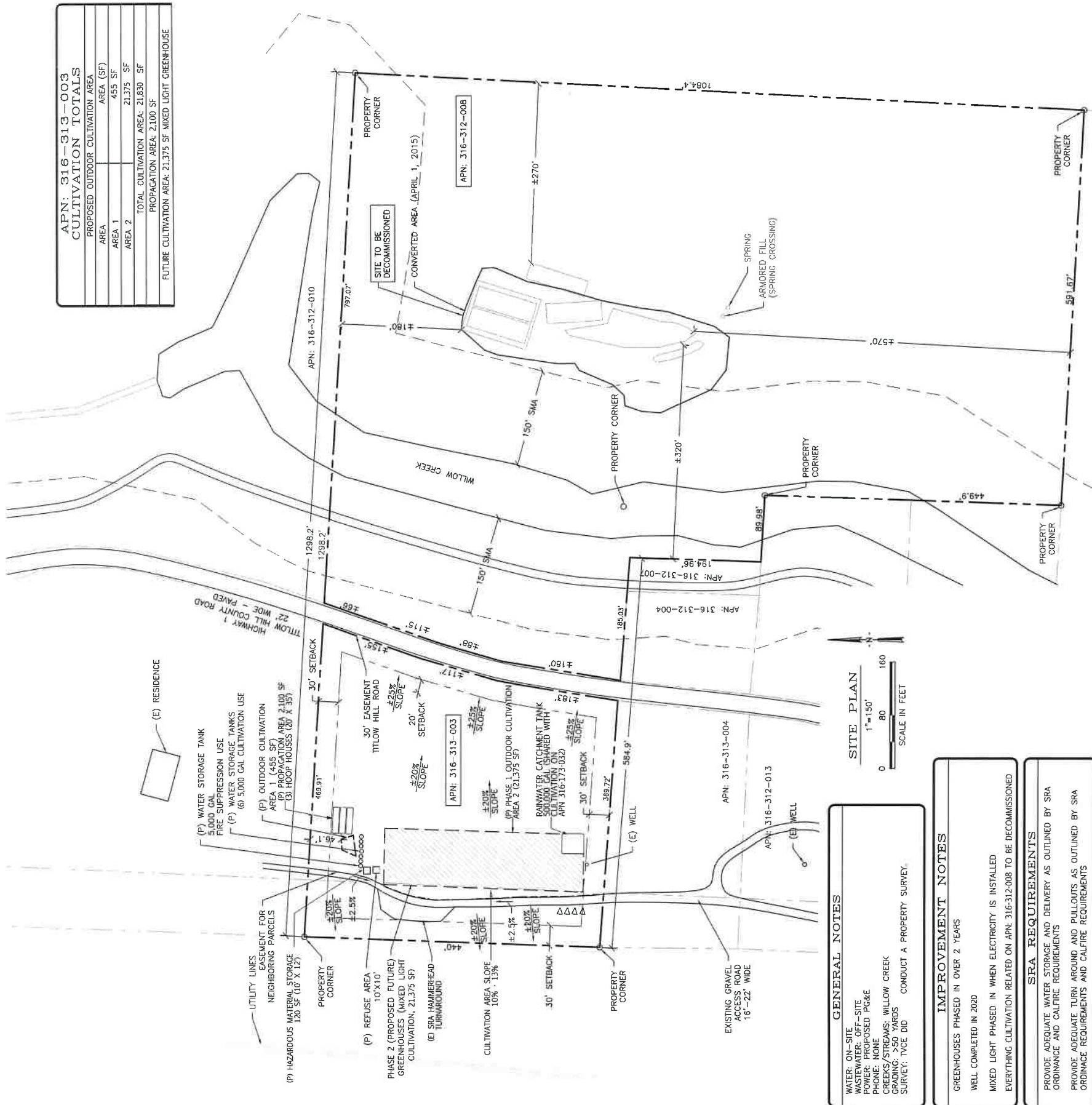
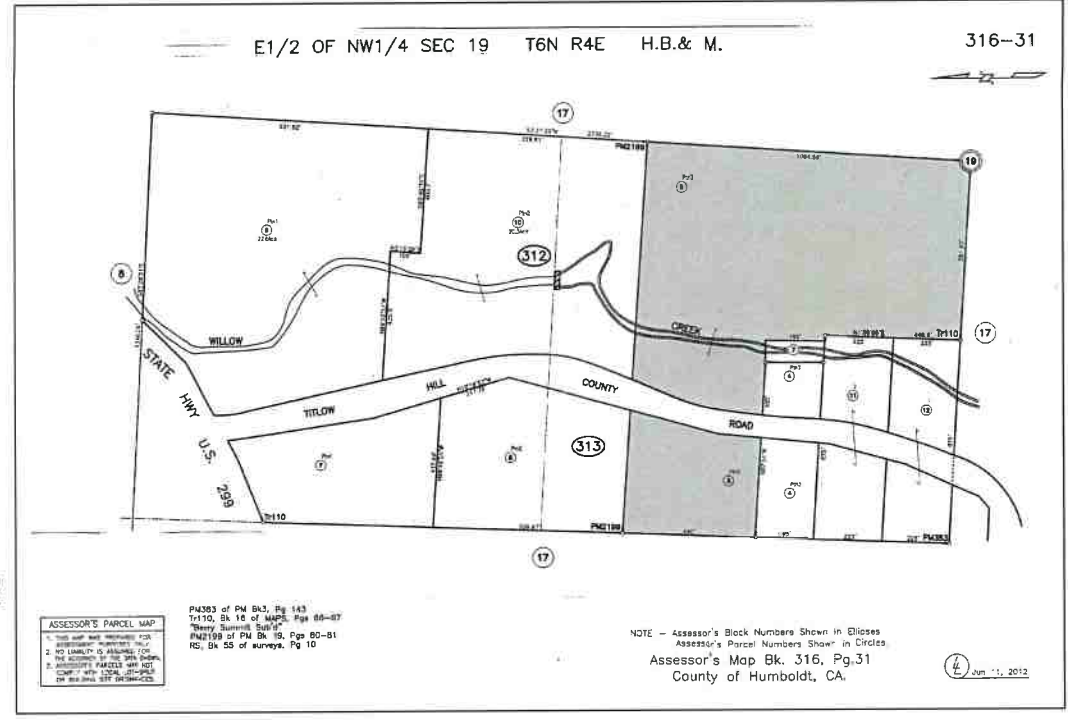
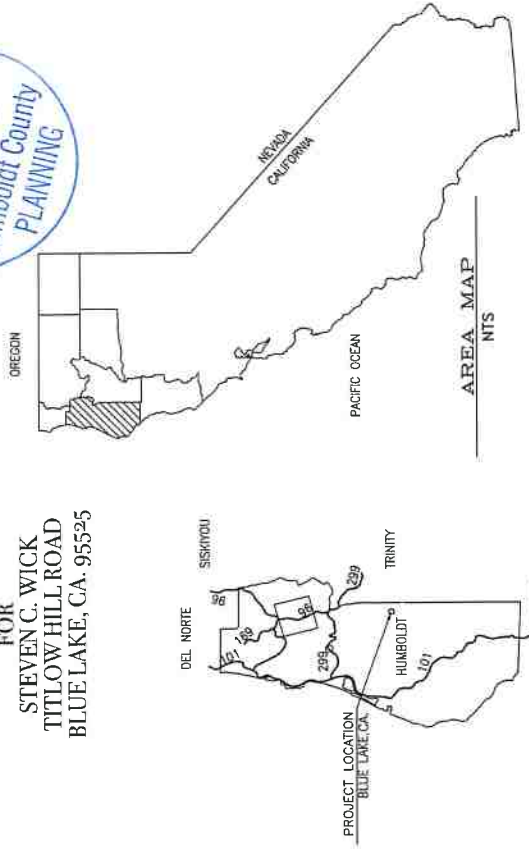
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DRAWING NO.:	C00

SITE PLAN
APN: 316-313-003
& 316-312-008

FOR
STEVEN C. WICK
TITLOW HILL ROAD
BLUE LAKE, CA. 95525



APN: 316-313-003 CULTIVATION TOTALS	
PROPOSED OUTDOOR CULTIVATION AREA	AREA
AREA 1	455 SF
AREA 2	21,375 SF
TOTAL CULTIVATION AREA:	21,830 SF
PROPAGATION AREA:	2,100 SF
FUTURE CULTIVATION AREA:	21,375 SF MIXED LIGHT GREENHOUSE

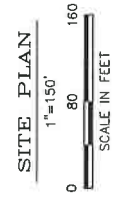


GENERAL NOTES
WATER: ON-SITE
WASTEWATER: OFF-SITE
POWER: PROPOSED PG&E
PHONE: NONE
CREEKS/STREAMS: WILLOW CREEK
GRADING: >50 YARDS CONDUCT A PROPERTY SURVEY.
SURVEY: TVCE DID

IMPROVEMENT NOTES
GREENHOUSES PHASED IN OVER 2 YEARS
WELL COMPLETED IN 2020
MIXED LIGHT PHASED IN WHEN ELECTRICITY IS INSTALLED
EVERYTHING CULTIVATION RELATED ON APN: 316-312-008 TO BE DECOMMISSIONED

SRA REQUIREMENTS
PROVIDE ADEQUATE WATER STORAGE AND DELIVERY AS OUTLINED BY SRA ORDINANCE AND CALFIRE REQUIREMENTS
PROVIDE ADEQUATE TURN AROUND AND PULLOUTS AS OUTLINED BY SRA ORDINANCE REQUIREMENTS AND CALFIRE REQUIREMENTS

CULTIVATION NOTES
THERE ARE NO OFF-SITE RESIDENCES WITHIN 300 FEET OF CULTIVATION AREA
THERE ARE NO SCHOOLS, SCHOOL BUS STOPS PLACES OF WORSHIP, AND PUBLIC PARKS WITHIN 600 FEET OF CULTIVATION SITE.
WATER USE EASEMENT FOR CULTIVATION OPERATIONS FROM WELLS LOCATED ON APN 316-312-013 AND APN 316-313-007





Cultivation Plan Project Overview

The Vista 36, LLC is seeking approval for a special permit. The Project site is located on legal parcels 316-313-003 and 316-313-008. Parcels are zoned U; GPLU: AL20 (FRWK), on a total of 21 acres. Cultivation activities will take place on key Assessor's Parcel Number 316-313-003.

The Project sponsor is requesting the approval of a special permit for 21,830 square feet of full-term and mixed-light cultivation to be located on APN 316-313-003. The project sponsor is proposing the site be developed in (2) two phases over a five (5) year period. A detailed description of the development phases is outlined below in the Project Phases section.

The Project site has permitted easements allowing cultivation operation related traffic to occur through 520 Titlow Hill Rd (APN 316-312-013) and 540 Titlow Hill Rd (APN 316-313-007).

Location Description

The Project site is located on Titlow Hill Road in Blue Lake CA, in the Southeast quarter of the Northwest quarter of Section 19, Township 6 North, Range 4 East, Humboldt Meridian. Titlow Hill Road (County Route 7K100) runs north to south through both parcels; this is a paved county road that is in good condition. The access road to these parcels is Old Highway 299, which was extended to go through both parcels and is also used to access parcels to the North. Old Highway 299 is a dirt road, reinforced with gravel, that has no issues that require work. The entire section of road on these parcels is flat, with the slope never exceeding 5%. On the eastern side of parcels 316-313-003, running parallel to Willow Creek, there is a two-track road accessed from Titlow Hill Road. This road is used to drive out to the point of diversion in the Willow Creek impoundment. This road is rarely used, runs along the flat flood plain of the creek, and there were no drainage issues identified during previous site visits.

Zoning

The property falls within allowable zoning and property specification requirements of the local jurisdiction's commercial cannabis program. The property features zoning FRWK and the following characteristics:

- Assessor's Parcel Numbers: 316-313-003 and 316-312-008
- GIS Acres: 22.37
- Coastal Zone: Not Applicable, Outside of Identified Coastal Area
- 100 Year Flood Zone: Not Applicable, Outside of Identified Flood Zone Area
- Alquist-Priolo Fault Hazard Zone: Not Applicable, Outside of Identified Alquist-Priolo Fault Hazard Zone
- FEMA Firm Flood Rating & Panel Number: Not Applicable

- Slope: >15% in cultivation area
- Relative Slope Stability (Per General Plan Geologic Maps): High/
Moderate Instability

Project Phases

The Project site is proposing two (2) phases of development. If the project is approved, the Project sponsor estimates phase two of the development to span a five (5) year period. Project development phases are outlined below in detail.

Phase 1: The cultivation areas 1 and 2 will be used for full-term cultivation. The two cultivation areas total 21,830 square feet.

Phase 2: Phase two of the project includes the transition of a portion of the cultivation footprint into mixed-light cultivation. The project sponsor is proposing the site be connected to Pacific Gas and Electric utility and 21,375 square feet of the cultivation footprint would be transitioned into mixed-light cultivation. The remaining 455 square feet will maintain full-term outdoor cultivation.

Cultivation Activities & Schedule

The following tables detail the type of cultivation, dimensions of the cultivation footprint, estimated plants in the cultivation area and a general schedule detailing the stage of maturity of plants will be in during a specific month.

Phase 1 Detailed Cultivation Area Footprint

Area	Type of Cultivation	Area (Square Feet)
1	Full Term	455
2	Full Term	21,375
P	Propagation	2,100
Total Cultivation Area (SF)		21,830

Phase 2 Detailed Cultivation Area Footprint

Area	Type of Cultivation	Area (Square Feet)
1	Full Term	455
2	Mixed Light	21,375
P	Propagation	2,100
Total Cultivation Area (SF)		21,830

Cultivation Schedule

The following table details the annual cultivation schedule organized into the two (2) proposed phases of development for the site. Phase 1 will comprise one cycle of full-term cultivation for each area.

Phase 1 Cultivation Activities Schedule

Area	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
1	CC	CC	CC	CC	CC	CC/ Veg	Veg	Veg	Veg/ Blm	Blm	Blm/ CC	CC
2	CC	CC	CC	CC	CC	CC/ Veg	Veg	Veg	Veg/ Blm	Blm	Blm/ CC	CC
P	CC	CC	Veg	Veg	Veg	Veg/ CC	CC	CC	CC	CC	CC	CC

(*CC= Cover Crop, Veg= Vegetative Stage of Plant, and Blm= Blooming Stage of Plan)

Phase 2 Cultivation Activities Schedule APN 316-313-003

Area	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
1	CC	CC	CC	CC	CC	CC/Veg	Veg	Veg	Veg/Blm	Blm	Blm/CC	CC
2	CC	CC	CC	CC/ Veg	Veg	Veg/Blm	Blm	Veg	Veg/Blm	Blm	Blm/CC	CC
P	CC	CC	Veg	Veg	Veg	Veg	Veg	CC	CC	CC	CC	CC

(*CC= Cover Crop, Veg= Vegetative Stage of Plant, and Blm= Blooming Stage of Plan)



Water Source

Overview

The Project site has access to four (4) water sources. Agricultural wells are located on contiguous parcels and owned by the same property owner Steven Wick. The Project site will source water from the following:

- A non-hydrologically connected well is located on APN 316-313-003 at coordinates.
- The Project site has a water use easement to a non-hydrologically connected well located on APN 316-313-007
- The Project site proposes the use of water from a rainwater catchment collection system connected to the private residence located on APN 316-313-007.
- The Project site proposes the use of water from a rainwater catchment collection system located on APN 316-313-003.

Water Use Estimates

The Project sponsor estimates water use based on 11 gallons of water per square foot of cultivation during full-term cycles and approximately 9 gallons of water per square foot during mixed-light cycles. The total estimated yearly water use during Phase 1 is 250,630 gallons. The total estimated yearly water use during Phase 2 is approximately 282,692 gallons of water.

Water estimates are based on the different stages of plant growth and seasonal temperatures. Plants tend to be significantly smaller in size during mixed-light cultivation cycles. During the summer months and early fall months, the occurrence of moisture loss in soil increases due to warmer temperatures. The Project sponsor estimates that during the colder winter, early spring, and late fall months, the use of water will decrease due to colder temperatures and the increase in seasonal rainfall.

Water Storage

Water for the Project is to be stored in eight (8) onsite storage and rainwater catchment tanks totaling 535,000 gallons to be used for irrigation and emergency applications. The 500,000-gallon rainwater catchment tank is to be shared with the neighboring cultivation operation located on APN 316-173-032 under application PLN-2019-16032. Water storage figures are in gallons.

Water Storage Location and Holding Capacity

Water Storage Type	Tank Capacity (gallons)
Tank (Emergency Use)	5,000
Rainwater Catchment Tank	500,000
Tank	5,000
Tank	5,000
Tank	5,000
Tank	5,000
Tank	5,000
Tank	5,000
Total Storage	535,000

Irrigation Methods

The Project will implement a system that includes drip irrigation and/or drip emitter closed-loop sourced from the onsite metered water storage tanks. The irrigation system shall be designed to include redundancy (e.g., safety valves) if leaks occur, so that waste of water and runoff is prevented and minimized.

Water Conservation Measures & Irrigation Runoff Management

The Project sponsor will conduct a regularly scheduled inspection for leaks in mainlines, laterals, irrigation connections, sprinkler heads, or at the ends of drip tape and feeder lines and immediately repair any leaks found upon detection. The cultivation plan includes the minimization of irrigation deep percolation by applying irrigation water at agronomic rates. The Project sponsor will additionally apply a layer of rice straw above the soil to assist in the reduction of moisture evaporation. Additionally, the Project sponsor will water cultivation areas in the early mornings and late evenings when temperatures decrease to allow for the reduction of evapotranspiration.

Water Budget & Schedule

The following Cultivation Water Budget includes the stage of maturity of plants will be in a specific month. The cultivation areas that are intended for mixed-light use have one cycle and cultivation areas intended for full-term are proposed to have a total of one cycle per year. The Yearly Water Budget outlines the estimates for the total use of water for the year (12 months) and the estimated plant total per cultivation area. Water use figures are in gallons.

Phase 1 Water Budget APN 316-313-003

Area	Type of Cultivation	Area (Square Feet)	Number of Plants	Water Use (gallons)
1	Full Term	455	25	5,005
2	Full Term	21,375	1,340	235,125
P	Propagation	2,100	1,375	10,500
			Total Water Use	250,630

Phase 2 Water Budget APN 316-313-003

Area	Type of Cultivation	Area (Square Feet)	Number of Plants	Water Use (gallons)
1	Full Term	455	25	5,005
2	Mixed-Light-cycle 1, Full Term - cycle 2	21,375	2,031.5	267,187.5
P	Propagation	2,100	1,375	10,500
			Total Water Use	282,692.5

State Water Resource Control Board Cannabis General Order

Site Enrollment

The Project is currently enrolled in the State Water Resources Control Board Cannabis Cultivation General Order under the WDID 1B161389CHUM. The site's application ID is 404131. The Project is identified as a Tier 2 low risk site.

Measure of Compliance with SWRCB Cannabis Cultivation General Order

The site maintains compliance measures under the SWRCB Cannabis Cultivation General Order, including requirements related to water diversions and waste discharge for cannabis cultivation. The following Requirements apply to any water diversion or waste discharge related to cannabis cultivation.

Record-keeping

1. Water meters will be used to quantify water use for irrigation, domestic, and storage. A photo of the meter reading will be taken monthly to document water use and storage.
2. The business keeps inventories for those materials, documents emergency and training procedures, and maintains hazardous waste disposal records.

Land Development and Maintenance, Erosion Control, and Drainage Features

3. The site will not conduct grading activities for cannabis cultivation land development or alteration on slopes exceeding 50 percent grade, or as restricted by local county or city permits, ordinances, or regulations for grading, agriculture, or cannabis cultivation; whichever is more stringent shall apply. The grading prohibition on slopes exceeding 50 percent does not apply to site mitigation or remediation if the cannabis cultivator is issued separate WDRs or an enforcement order for the activity by the Regional Water Board Executive Officer.
4. Finished cut and fill slopes, including side slopes between terraces, shall not exceed slopes of 50 percent and should conform to the natural pre-grade slope whenever possible.
5. The site shall not drive or operate vehicles or equipment within the riparian setbacks or within waters of the state unless authorized under 404/401 CWA permits, a CDFW LSA Agreement, coverage under the Cannabis General Order water quality certification, or site-specific WDRs issued by the Regional Water Board. This requirement does not prohibit driving on established, maintained access roads that are in compliance with this Policy.
6. Cannabis cultivation land development and access road construction shall be designed by qualified professionals. Cannabis cultivators shall conduct all construction or land development activities to minimize grading, soil disturbance, and disturbance to aquatic and terrestrial habitat.
7. The cannabis cultivator shall control all dust related to cannabis cultivation activities to ensure dust does not produce sediment-laden runoff. The cannabis cultivator shall implement

dust control measures, including, but not limited to, pre-watering of excavation or grading sites, use of water trucks, track-out prevention, washing down vehicles or equipment before leaving a site, and prohibiting land disturbance activities when instantaneous wind speeds (gusts) exceed 25 miles per hour. Cannabis cultivators shall grade access roads in dry weather while moisture is still present in soil to minimize dust and to achieve design soil compaction, or when needed use a water truck to control dust and soil moisture.

Construction Equipment Use and Limitations

8. Cannabis cultivators shall employ spill control and containment practices to prevent the discharge of fuels, oils, solvents and other chemicals to soils and waters of the state.
9. Cannabis cultivators shall stage and store equipment, materials, fuels, lubricants, solvents, or hazardous or toxic materials in locations that minimize the potential for discharge to waters of the state. At a minimum, the following measures shall be implemented:
 - Designate an area outside the riparian setback for equipment storage, short-term maintenance, and refueling. Cannabis cultivator shall not conduct any maintenance activity or refuel equipment in any location where the petroleum products or other pollutants may enter waters of the state as per Fish and Game Code section 5650 (a)(1).
 - Frequently inspect equipment and vehicles for leaks.
 - Immediately clean up leaks, drips, and spills. Except for emergency repairs that are necessary for safe transport of equipment or vehicles to an appropriate repair facility, equipment or vehicle repairs, maintenance, and washing onsite is prohibited.
 - If emergency repairs generate waste fluids, ensure they are contained and properly disposed or recycled off-site.
 - Properly dispose of all construction debris off-site. 6. Use dry cleanup methods (e.g., absorbent materials, cat litter, and/or rags) whenever possible. Sweep up, contain, and properly dispose of spilled dry materials.

Erosion Control

10. The cannabis cultivator shall use appropriate erosion control measures to minimize erosion of disturbed areas, potting soil, or bulk soil amendments to prevent discharges of waste. Fill soil shall not be placed where it may discharge into surface water. If used, weed-free straw mulch shall be applied at a rate of two tons per acre of exposed soils and, if warranted by site conditions, shall be secured to the ground.
11. The cannabis cultivator shall not plant or seed noxious weeds. Prohibited plant species include those identified in the California Invasive Pest Plant Council's database, available at: www.cal-ipc.org/paf/. Locally native, non-invasive, and non-persistent grass species may be used for temporary erosion control benefits to stabilize disturbed land and prevent exposure of disturbed land to rainfall. Nothing in this term may be construed as a ban on cannabis cultivation that complies with the terms of this Policy.

12. Cannabis cultivators shall incorporate erosion control and sediment detention devices and materials into the design, work schedule, and implementation of the cannabis cultivation activities. The erosion prevention and sediment capture measures shall be effective in protecting water quality.

- Interim erosion prevention and sediment capture measures shall be implemented within seven days of completion of grading and land disturbance activities, and Cannabis Cultivation Policy shall consist of erosion prevention measures and sediment capture measures including:

- Erosion prevention measures are required for any earthwork that uses heavy equipment (e.g., bulldozer, compactor, excavator, etc.). Erosion prevention measures may include surface contouring, slope roughening, and upslope storm water diversion. Other types of erosion prevention measures may include mulching, hydroseeding, tarp placement, revegetation, and rock slope protection.
- Sediment capture measures include the implementation of measures such as gravel bag berms, fiber rolls, straw bale barriers, properly installed silt fences, and sediment settling basins

- Long-term erosion prevention and sediment capture measures shall be implemented as soon as possible and prior to the onset of fall and winter precipitation. Long-term measures may include the use of heavy equipment to reconfigure access roads or improve access road drainage, installation of properly sized culverts, gravel placement on steeper grades, and stabilization of previously disturbed land.
- Maintenance of all erosion protection and sediment capture measures is required year round. Early monitoring allows for identification of problem areas or underperforming erosion or sediment control measures. Verification of the effectiveness of all erosion prevention and sediment capture measures is required as part of winterization activities.

13. Cannabis cultivators shall only use geotextiles, fiber rolls, and other erosion control measures made of loose-weave mesh (e.g., jute, coconut (coir) fiber, or from other products without welded weaves). To minimize the risk of ensnaring and strangling wildlife, cannabis cultivators shall not use synthetic (e.g., plastic or nylon) monofilament netting materials for erosion control for any cannabis cultivation activities. This prohibition includes photo-degradable or bio-degradable plastic netting.

14. Cultivation sites constructed on or near slopes with a slope greater than or equal to 30 percent shall be inspected for indications of instability. Indications of instability include the occurrence of slope failures at nearby similar sites, weak soil layers, geologic bedding parallel to slope surface, hillside creep (trees, fence posts, etc. leaning downslope), tension cracks in the slope surface, bulging soil at the base of the slope, and groundwater discharge from the slope. If indicators of instability are present, the cannabis cultivator shall consult with a qualified professional to design measures to stabilize the slope to prevent sediment discharge to surface waters.

15. For areas outside of riparian setbacks or for upland areas, cannabis cultivators shall ensure that rock placed for slope protection is the minimum amount necessary and is part of a design that provides for native plant revegetation. If retaining walls or other structures are required to provide slope stability, they shall be designed by a qualified professional.

16. Cannabis cultivators shall monitor erosion control measures during and after each storm event that produces at least 0.5 in/day or 1.0 inch/7 days of precipitation, and repair or replace, as needed, ineffective erosion control measures immediately.

Access Road/Land Development and Drainage

17. Access roads shall be constructed consistent with the requirements of California Code of Regulations Title 14, Chapter 4. The Road Handbook describes how to implement the regulations and is available at . Existing access roads shall be upgraded to comply with the Road Handbook.

18. Cannabis cultivators shall obtain all required permits and approvals prior to the construction of any access road constructed for cannabis cultivation activities. Permits may include section 404/401 CWA permits, Regional Water Board WDRs (when applicable), CDFW LSA Agreement, and county or local agency permits.

19. Cannabis cultivators shall ensure that all access roads are hydrologically disconnected to receiving waters to the extent possible by installing disconnecting drainage features, increasing the frequency of (inside) ditch drain relief as needed, constructing out-sloped roads, constructing energy dissipating structures, avoiding concentrating flows in unstable areas, and performing inspection and maintenance as needed to optimize the access road performance.

20. New access road alignments should be constructed with grades (slopes) of 3 to 8 percent, or less, wherever possible. Forest access roads should generally be kept below 12-percent except for short pitches of 500 feet or less where road slopes may go up to 20 percent. These steeper access road slopes should be paved or rock surfaced and equipped with adequate drainage. Existing access roads that do not comply with these limits shall be inspected by a qualified professional to determine if improvements are needed.

21. Cannabis cultivators shall decommission or relocate existing roads away from riparian setbacks whenever possible. Roads that are proposed for decommissioning shall be abandoned and left in a condition that provides for long-term, maintenance-free function of drainage and erosion controls. Abandoned roads shall be blocked to prevent unauthorized vehicle traffic.

22. If site conditions prohibit drainage structures (including rolling dips and ditch-relief culverts) at adequate intervals to avoid erosion, the cannabis cultivator shall use bioengineering techniques¹² as the preferred measure to minimize erosion (e.g., live fascines). If bioengineering cannot be used, then engineering fixes such as armoring (e.g., rock of adequate size and depth to remain in place under traffic and flow conditions) and velocity dissipaters (e.g., gravel-filled

“pillows” in an inside ditch to trap sediment) may be used for problem sites. The maximum distance between water breaks shall not exceed those defined in the Road Handbook.

23. Cannabis cultivators shall have a qualified professional design the optimal access road alignment, surfacing, drainage, maintenance requirements, and spoils handling procedures.

24. Cannabis cultivators shall ensure that access road surfacing, especially within a segment leading to a waterbody, is sufficient to minimize sediment delivery to the wetland or waterbody and maximize access road integrity. Road surfacing may include pavement, chip-seal, lignin, rock, or other material appropriate for timing and nature of use. All access roads that will be used for winter or wet weather hauling/traffic shall be surfaced. Steeper access road grades require higher quality rock (e.g., crushed angular versus river-run) to remain in place. The use of asphalt grindings is prohibited.

25. Cannabis cultivators shall install erosion control measures on all access road approaches to surface water diversion sites to reduce the generation and transport of sediment to streams.

26. Cannabis cultivators shall ensure that access roads are out-sloped whenever possible to promote even drainage of the access road surface, prevent the concentration of storm water flow within an inboard or inside ditch, and to minimize disruption of the natural sheet flow pattern off a hill slope to a stream.

27. If unable to eliminate inboard or inside ditches, the cannabis cultivator shall ensure adequate ditch relief culverts to prevent down-cutting of the ditch and to reduce water runoff concentration, velocity, and erosion. Ditches shall be designed and maintained as recommended by a qualified professional. To avoid point-source discharges, inboard ditches and ditch relief culverts shall be discharged onto vegetated or armored slopes that are designed to dissipate and prevent runoff channelization. Inboard ditches and ditch relief culverts shall be designed to ensure discharges into natural stream channels or watercourses are prevented.

28. Cannabis cultivators shall ensure that access roads are not allowed to develop or show evidence of significant surface rutting or gulying. Cannabis cultivators shall use water bars and rolling dips as designed by a qualified professional to minimize access road surface erosion and dissipate runoff.

29. Cannabis cultivators shall only grade ditches when necessary to prevent erosion of the ditch, undermining of the banks, or exposure of the toe of the cut slope to erosion. Cannabis cultivators shall not remove more vegetation than necessary to keep water moving, as vegetation prevents scour and filters out sediment.

30. Access road storm water drainage structures shall not discharge onto unstable slopes, earthen fills, or directly to a waterbody. Drainage structures shall discharge onto stable areas with straw bales, slash, vegetation, and/or rock riprap.

31. Sediment control devices (e.g., check dams, sand/gravel bag barriers, etc.) shall be used when it is not practical to disperse storm water before discharge to a waterbody. Where potential discharge to a wetland or waterbody exists (e.g., within 200 feet of a waterbody) access road surface drainage shall be filtered through vegetation, slash, other appropriate material, or settled into a depression with an outlet with adequate drainage. Sediment basins shall be engineered and properly sized to allow sediment settling, spillway stability, and maintenance activities.

Drainage Culverts

31. Cannabis cultivators shall regularly inspect ditch-relief culverts and clear them of any debris or sediment. To reduce ditch-relief culvert plugging by debris, cannabis cultivators shall use 15-inch to 24-inch diameter pipes, at minimum. In forested areas with a potential for woody debris, a minimum 18-inch diameter pipe shall be used to reduce clogging. Ditch relief culverts shall be designed by a qualified professional based on site-specific conditions.

32. Cannabis cultivators shall ensure that all permanent watercourse crossings that are constructed or reconstructed are capable of accommodating the estimated 100-year flood flow, including debris and sediment loads. Watercourse crossings shall be designed and sized by a qualified professional.

Stormwater Management Plan

Location, Capacity, and Operation

The site is located just south of Berry Summit, in the Willow Creek watershed. The western edge of the parcels, where all infrastructure is located, is on a natural ridge top so there are no waterways or stream crossings more than 500 feet of any cultivation or cultivation related infrastructure.

The Project site is enrolled in the State Water Resources Control Board under Tier 2 and Low Risk standards.

Drainage Conditions

The main road on the parcel is a gravel road, on the ridge top, with no drainage issues. On the eastern side of the site's parcels, running parallel to Willow Creek, there is a two-track road accessed from Titlow Hill Road. This road is rarely used, runs along the flat flood plain of the creek, and there were no drainage issues.

Analysis of Proposed On-site and Off-site Drainage Flows

There are no current proposed alterations for on-site or off-site drainage flows. Interim erosion prevention and sediment capture measures shall be implemented in the project operations to ensure that the project will retain pre-project drainage conditions. The measures include:

- Erosion prevention measures for any earthwork that uses heavy equipment
- Erosion prevention measures may include surface contouring, slope roughening, and upslope storm water diversion. Other types of erosion prevention measures may include mulching, hydroseeding, tarp placement, revegetation, and rock slope protection.
- Sediment capture measures include the implementation of measures such as gravel bag berms, fiber rolls, straw bale barriers, properly installed silt fences, and sediment settling basins
 - Long-term erosion prevention and sediment capture measures shall be implemented as soon as possible and prior to the onset of fall and winter precipitation. Long-term measures may include the use of heavy equipment to reconfigure access roads or improve access road drainage, installation of properly sized culverts, gravel placement on steeper grades, and stabilization of previously disturbed land.
 - Maintenance of all erosion protection and sediment capture measures is required year round. Early monitoring allows for identification of problem areas or underperforming erosion or sediment control measures. Verification of the effectiveness of all erosion prevention and sediment capture measures is required as part of winterization activities.

Access road storm water drainage structures shall not discharge onto unstable slopes, earthen fills, or directly to a waterbody. Drainage structures shall discharge onto stable areas with straw bales, slash, vegetation, and/or rock riprap.

Project operations shall cover and berm all loose stockpiled construction materials that are not actively being used as needed to prevent erosion by storm water. The Project operations shall have adequate cover and berm materials available onsite if the weather forecast indicates a probability of precipitation.

Maintenance Schedule

Maintenance for all drainage improvements is scheduled twice a calendar year. The first maintenance will take place during winterization preparation after the finish of the last cultivation cycle in late November or early December. The second maintenance will take place at the start of the new cultivation cycle, after snow melt and large rainfall events.

Invasive Species Management

The site is in process of a Biological Reconnaissance conducted by a qualified professional. There will be potentially new identified invasive species to add to the site's management plan once the final draft of the Biological Reconnaissance has been submitted. Projected submission of the Biological Reconnaissance is late December 2019.

Presence of Invasive Species

Plants. The site has presence of *Cirsium vulgare*, Bull Thistle. This suite of invasive thistles infests native grasslands, roadsides and fields. These species displace native plants and are often noxious to native wildlife and livestock. Mitigation efforts include digging up small infestations if possible. Repeated mowing will prevent flowering and seed production of bull thistle.

Mitigation and Management of Invasive Species

The Project sponsor shall implement an invasive species management plan prepared by a Qualified Biologist for any existing or proposed water storage facilities that are open to the environment. The plan shall include, at a minimum, an annual survey for bullfrogs and other invasive aquatic species. If bullfrogs or other invasive aquatic species are identified, eradication measures shall be implemented under the direction of a qualified biologist, if appropriate after consultation with CDFW (pursuant to Fish and Game Code section 6400). Eradication methods can be direct or indirect. Direct methods may include handheld dip net, hook and line, lights, spears, gigs, or fish tackle under a fishing license (pursuant to Fish and Game Code section 6855). An indirect method may involve seasonally timed complete watering and a drying period of the off-stream storage facility under a Permit to Destroy Harmful Species (pursuant to Fish and Game Code section 5501) issued by CDFW.

The Project sponsor shall not plant or seed noxious weeds. Prohibited plant species include those identified in the California Invasive Pest Plant Council's database. Locally native, non-invasive, and non-persistent grass species may be used for temporary erosion control benefits to stabilize disturbed land and prevent exposure of disturbed land to rainfall.

Materials Management Plan

Cultivation Related Materials and Waste. The Project operations will include the management of materials used in cultivation activities to prevent exposure to any life stage of fish and wildlife or their habitat. The Project sponsor will implement standard operating procedures to secure containment of materials from contaminating soil or entering the riparian setback or waters of the State. To ensure mitigation of potential pollution of grounds, nearby waterways, and ecological habitats, the proper treatment, storage, removal, and overall security of all agricultural materials products would be ensured via the use of dedicated areas and containers that are covered water tight.

The Project operations will refrain from the improper storage or use of any fuels, fertilizer, pesticide, fungicide, rodenticide, or herbicide. Agricultural materials and wastes from agricultural commercial operations are regulated by Department of Pesticide Regulation, Humboldt County Division of Environmental Health and California Department of Food and Agriculture.

Any uses of pesticide products shall be in compliance with the State pesticide laws and regulations enforced by the County Agricultural Commissioner's Office and the California Department of Pesticide Regulation. As per the Department of Pesticide Regulation (DPR), Projects that utilize pesticides and fertilizers must meet guidelines pursuant to CCR, §6670, Title 3, Division 6, Pesticide and Pesticide Control Operations. General guidelines dictate that chemical are to be stored separately from fuels, oils, and similar products. Fertilizers and pesticides would be store in locked containment within a closed outdoor structure.

Material Safety Data Sheets (MSDS) for all fertilizers, soil amendments, and pesticides will be made available onsite and posted adjacent to the secure pesticide and agricultural material storage locker.

To minimize infiltration and water quality degradation, Project operations shall manage the irrigation and pesticide, fertilizer and nutrient application of crops consistent with the crop need (i.e., agronomic rate). The Project operations shall not apply pesticide, fertilizer and nutrient applications at a rate that may result in a discharge to surface water or groundwater. The Project operations shall ensure that potting soil or soil amendments, when not in use, are placed and stored with covers, when needed, to protect from rainfall and erosion, to prevent discharge to waters of the State, and to minimize leaching of waste constituents into groundwater. Additionally, winterization methods will cover cultivation areas with cover crop to secure soil and soil amendments from discharging into surface water, groundwater, and water ways. For soil disposal sites the Project operations shall revegetate soil disposal sites with a mix of native plant species, cover the seeded and planted areas with mulched straw at a rate of two tons per acre, and apply non-synthetic netting or similar erosion control fabric (e.g., jute) on slopes greater than 2:1 if the site is erodible and haul away and properly dispose of excess soil and other debris as needed to prevent discharge to waters of the state.

Plant Materials. Organic plant materials are composted in designated areas identified on premises map. Cultivation-related wastes including empty soil/soil amendment/fertilizer/pesticide bags and containers, plant pots or containers, dead or harvested waste, and spent growth medium shall be stored and/or disposed of at locations where they will not enter surface waters, including leaching of nutrients and/or other chemicals into surface or ground waters.

The Project will handle compost by employing an Enclosed Composting Process which means a composting process where the area that is used for the processing, composting, Stabilizing, and curing of organic materials, is covered on all exposed sides and rests on a stable surface with environmental controls for moisture and air-borne emissions present. Organic materials (soil) are composted in designated areas, covered in tarp above and Below and surrounded by straw wattle. All composting practices are recorded.

Solid Waste Management. The Project sponsor will manage solid waste generated onsite by cultivation activities due to the potential of hazard to any life stage of fish and wildlife or their habitat. The Project sponsor will implement standard operating procedures to secure containment of solid materials from contaminating soil or entering the riparian setback or waters of the State. Common waste products that would be used or generated onsite include:

- Fertilizers
- Fuels
- Household chemicals
- Human trash
- Human waste
- Pesticides/herbicides/fungicides
- Product packaging and containers
- Irrigation tubing
- Pots and similar containers used for propagation and cultivation
- Water bladders or tanks
- Electrical lighting fixtures, wiring and related equipment
- Fencing

All waste products, excluding plant waste, will be contained within a holding structure that is secure from wildlife exposure while waiting to be transported offsite. All solid waste is contained is to be removed no less than once a week. All waste and/or recycling materials will be processed by a permitted solid waste/recycling facility. All waste and/or recycling materials are self-hauled offsite to the fully permitted solid-waste landfill processing Humboldt Sanitation transfer station.

Name of Local Agency: Humboldt Sanitation transfer station

Company Business Address: 2585 Central Avenue McKinleyville, CA 95519

Primary phone number: (707) 839-3285

Hazardous Material Site Assessments and Contingency Plans

Site Assessment

The project has no historical data regarding its development for an industrial or heavy commercial use. Additionally, the site currently does not have any demolition activities are proposed.

The project proposes the installation of agricultural structures in the form of greenhouses and a surrounding fence around the cultivation area perimeter. If at any time during construction, evidence of soil and/or groundwater contamination with hazardous material is encountered, the project applicant shall immediately halt construction and contact Humboldt County Division of Environmental Health. Work shall not recommence until the discovery has been assessed/treated appropriately to the satisfaction of Humboldt County Division of Environmental Health, North Coast Regional Water Quality Control Board, and California Department of Toxic Substances Control (as applicable).

Contingency Plans

Hazard Waste Management. To meet environmental health standards, the project operations will include a maintained list of and description of all completed gases, cleaner, and sanitizers (including, but not limited to, household chemicals, bleach, and alcohol) and document quantities stored onsite. Fuels, pesticides and other agricultural/household chemicals are required to be stored in locked containment, separate from other input products. Any substance in use shall be accompanied by a posted notification that clearly identified its nature. To prevent spills onto ground surfaces, any motors, fuel containers, etc., would be stored in crop pans and within an enclosed area. Other fuels may be used for small equipment and machinery and may include gasoline, oils, and diesel. All fuels used for equipment would be stored per the (CUOA) fuel and chemical storage guidelines.

Quantities that trigger disclosure are based on the maximum amount onsite at any one time, as follows:

- 55 gallons, 500 pounds, or 200 cubic (for 30 days or more at any time during a year)
- Any amount of hazardous waste
- Category I and II pesticides
- Explosives
- Extremely hazardous substances (above planning threshold)

All equipment maintenance performed onsite will be listed and describes as a requirement under the Certified Unified Program Agency (CUPA) guidelines. Upon request, Project sponsor will furnish information regarding ongoing maintenance of small machinery and equipment that is necessary to support cultivation activities.

Project operations shall store construction and waste materials outside the riparian setback except as needed for immediate construction needs. Such materials shall not be stored in locations of

known slope instability or where the storage of construction or waste material could reduce slope stability.

Chemical Spill Procedures & Handling Guidelines. Chemical spills would be handled and reported per directions in the Project's Chemical Spill Procedure. If requested, all equipment maintenance performed onsite would be listed/described. Per from fuels, oils, and similar products. Fertilizers and pesticides, specifically, would be stored in locked containment within an outdoor structure. In the event of emergency soils, the incident would be reported to the California Governor's Office of Emergency Services (Cal OES) State Warning Center at:

- (800) 852-7550 OR
- (916) 845-8911

The procedure would follow the Cal OES California Hazardous Materials Spills/Release Notification Guidance and the Environmental Protection Agency's Chemical Spills Prevention and Preparedness web page for the Pacific southwest, Region 9 standards.

Sewage Disposal Plan

The site will provide one (1) port-a-potty restroom facility with access to two (2) additional port-a-potty restroom facilities located on supporting site at 540 Titlow Hill Rd (APN 316-313-007). The sites are part of a contiguous stretch of parcels. The Project sponsor has deeded rights to all contiguous parcels.

The Project sponsor is in process of permitting the residential structure as a commercial structure. The structure is located at the supporting site (APN 316-313-007). Once complete the structure will offer two (2) accessible restrooms including toilet and showering facilities. The septic system associated with the house is a permitted and paperwork is provided in the this section.

Overview of Plumbing and Septic System

The proposed Project location is currently equipped with a septic system that is permitted and plumbed to the main residential structure. Employee(s) would utilize the available port-a-potties for regular use.

Sewage Disposal Plan

The site will schedule cleaning and disposal service for the port-a-potties every two weeks or based on need while the residential structure secures commercial permits for the use of the space as employee housing and break area.

Soil Management

The Soils Management Plan outlines the origin of soil, soil use for clones, preparation of soil for cultivation use, management of soil moisture, cover crop applications, winterization techniques, erosion controls, soil disposal and spoils management. Standard Operating Procedures for soil management will be prepared for each growth stage and significant cultivation cycles of the operation such as winterization, early spring testing, and amendment application (if applicable).

Origin of Soil

The origin of the soil will be of mixed source including onsite soil left from previous the pre-established cultivation site and new soil brought from off-site sources for the proposed cultivation areas and for nursery operations such as the transplant of immature clones. This soil will be tested yearly for viability levels in order to create a plan for both amendment applications and cover crop applications.

Soil for Clones

Plans and specifications will be prepared for clone management. Plans shall include:

- Clones are transplanted into larger receptacles while waiting for appropriate growth before their final transfer directly into established soil located in the greenhouse, hoop houses, and smart pots.
- External soil applications for clones are based on the number of clones as well as the size of receptacle used in transplant.
- Soil use determinations may vary based on the size of clones upon arrival to the cultivation site.

Preparation of Soil for Use

Plans for the establishment of cover crops shall include:

- Seedbed preparation
- Recommended seeding dates
- Seed mixture(s)
- Seeding rates
- Establishment procedure
- Planned rates and timing of nutrient application
- Planned dates and method for destroying cover crop
- Other information pertinent to establishing and managing the cover crop.
- Plans and specifications for the establishment and management of cover crops may be recorded in narrative, logs, or other internal means of record keeping

Managing Soil Moisture

Plans and specifications will be prepared for each area. Plans for the establishment of managing soil moisture shall include:

- Terminate growth of the cover crop sufficiently early to conserve soil moisture for the subsequent crop.
- Cover crops established for moisture conservation shall be left on the soil surface until the subsequent crop is planted.
- In areas of potential excess soil moisture, allow the cover crop to grow as long needed.

Cover Crop Application

Plans and specifications will be prepared for each area. Plans for the establishment of cover crop shall include:

- Plant species, seedbed preparation, seeding rates, seeding dates, seeding depths, and planting methods will be consistent with approved local criteria and site conditions.
- Cover crop species will be selected on the basis of producing high volumes of organic material and or root mass to maintain or improve soil organic matter.
- The species selected will be compatible with the other components of the cropping system.
- Select and manage cover crop species that will produce deep roots and large amounts of surface or root biomass to increase soil organic matter, improve soil structure and increase soil moisture through better infiltration.
- Deep-rooted species provide maximum nutrient recovery.
- Use grasses to utilize more soil nitrogen, and legumes to utilize both nitrogen and phosphorus.
- Mixtures of two or more cover crops are often more effective than planting a single species.
- Avoidance using plants that are on the state's noxious weed or invasive species lists.
- Avoidance of cover crop species that harbor or carryover potentially damaging diseases or insects.
- Cover crops will be terminated by harvest, frost, mowing, tillage, crimping and/or herbicides in preparation for the following crop.
- Cover crop residue will not be burned.
- Cover crops will be present during the time when protection is needed.

- The cover crop will be terminated as late as feasible to maximize plant biomass and still prepare the seedbed for the subsequent crop.
- Cover crops may be sown in the spring or fall for turndown the following spring. Cover crops may also be plowed the year seeded.
- Cover crop calculator will be used to determine the amount of seeding based on the surface area of application. Cultivator will reference the following calculator <http://smallfarms.oregonstate.edu/node/54>
- Plant cover crop in a timely manor to establish a good stand.

Winterization Applications

Plans and specifications will be prepared for each area. Plans for the establishment of winterization applications shall include:

- Soil preparation of the site for the winter months shall take place at the end of the growing season, prior to the winter rains.
- Soil used in cultivation will be covered, or left in beds planted with a cover crop to be amended and reused the following season.
- Any bare soil on the fill sloped of the landing will be covered with straw 2 to 3 inched thick and secured tackifier.
- All nutrients, fuels, and all chemicals will be placed in a secure storage shed
- All cultivation trash and debris will be properly disposed of at Humboldt Sanitation & Recycling
- All drainage or sediment capture features will be inspected for debris, blockages, or any potential for compromised function
- Roads will be monitored to maintain water quality protection

As stated by the Water Code section 13267 the Project sponsor will complete and submit technical monitoring reports monthly until winterization measures have been implemented.

These monthly reports will include:

- Surface water runoff
- Soil erosion control
- Sediment capture
- Stabilization of Disturbed Areas
- Erosion/sediment capture maintenance
- Material(s) storage and spill prevention
- Holding Tank, Septic Tank, or Chemical Toilet Servicing

Erosion Control

Plans and specifications will be prepared for each area. Plans for the establishment of erosion control shall include:

- Cover crop establishment, in conjunction with other practices, will be timed so that the soil will be adequately protected during the critical erosion period(s).
- Plants selected for cover crops will have the physical characteristics necessary to provide adequate protection.
- The amount of surface and/or canopy cover needed from the cover crop shall be determined using current erosion prediction technology.

Soil Disposal and Spoils Management

If soil needs to be replaced, the soils management plan will be updated and stored for records. The determination to dispose of soil and replace it will be made based on the following reasons below. Please note that there is no plan to remove existing soil, this section is written in as an alternative management strategy.

- Cultivation operations shall separate large organic material (e.g., roots, woody debris, etc.) from soil materials.
- Cultivation operations shall either place the large organic material in long-term, upland storage sites, or properly dispose of these materials offsite.
- Cultivation operations shall store erodible soil, soil amendments, and spoil piles to prevent sediment discharges in storm water.
- Storage practices may include use of tarps, upslope land contouring to divert surface flow around the material, or use of sediment control devices (e.g., silt fences, straw wattles, etc.).
- Cultivation operations shall include the contouring and stabilization stored spoils to mimic natural slope contours and drainage patterns (as appropriate) to reduce the potential for fill saturation and slope failure.
- For soil disposal sites cultivation operations shall:
 - Revegetate soil disposal sites with a mix of native plant species,
 - Cover the seeded and planted areas with mulched straw at a rate of two tons per acre, and
 - Apply non-synthetic netting or similar erosion control fabric (e.g., jute) on slopes greater than 2:1 if the site is erodible.
- Cultivation operations shall haul away and properly dispose of excess soil and other debris as needed to prevent discharge to waters of the state.

Processing Plan

Summary of Processing Practices

The processing activities are off-site located on parcels that are contiguous with the Project. The supporting site has permitted easements allowing cultivation operations related traffic to occur through 520 Titlow Hill Rd (APN 316-312-013) and 540 Titlow Hill Rd (APN 316-313-007).

The offsite's processing practices include:

- Harvest
- Drying
- Curation
- Trimming
- Grading
- Bulk Packaging

The Vista 36 LLC will produce specialty agricultural cannabis nursery stock to support the onsite cultivation of high-grade organically produced cannabis flower, biomass, and trim. Cultivation of by products of additional value would be sold to permitted manufacturers (for the processing of extracts, concentrates, and topical products).

Quality Control Practices. Quality assurance efforts include sanitation, dust control, and environmental standards necessary for optimal processing. Processing operations will include Standard Operations Procedures to prevent processing contamination and mold and mildew growth on cannabis. Employees processing cannabis will be provided Personal Protective Equipment including coveralls, face masks and gloves in good operable condition as applicable to their job function. Employees must wash hands sufficiently when handling cannabis or use gloves. Employees are required to wash hands sufficiently when handling cannabis or use gloves.

Location

The Project will employ offsite processing activities located at adjacent site 540 Titlow Hill Road (APN 316-313-007). All processing will be done in the lower portion of the residential structure in the identified garage areas. There are a total of three garage areas that are to be updated to meet standards for drying, curing, and grading commercial cannabis. One (1) garage space will be updated to allow space for trimming and bulk packaging. Bulk packaging means the preparation of large amounts of cannabis for transferred custody to a licensed distributor. The proposed processing spaces can be identified on the structure elevation provided in the Site Plan of this application.

Summary Employee(s) & Contractors

The site will have two (1) full season/full time employee and will hire four (2) seasonal/temporary employees during peak work flows such as transplant and harvest cycles.

The primary organization currently responsible for the record keeping of employees (both seasonal and permanent) would be The Vista 36. All records maintained by The Vista 36 would be made available upon request.

The organization has considered payroll options for peak times of the season during which employment periods would be up to several months in duration (particularly during the harvesting, processing, and packaging stages of cultivation). An outside entity may be responsible for soliciting, recruiting, and hiring employees.

The designated entity is responsible for ensuring property, business, and workplace compliance under the guidelines of the following departments:

- Bureau of Cannabis Control
- California Department of Food & Agriculture
- County Agriculture Commissioner
- County Planning Department
- Department of Industrial Relations
- Department of Labor, Wage, and Hour Division
- Department of Pesticide Regulation
- National & California Agricultural Labor Relations Board
- Occupational Safety & Health Administration
- US Department of Labor

Summary of Employee Safety Practices

The site's cultivation operations will visibly post and maintain an emergency contact list which includes operation manager contacts, human resource manager contact, emergency responder contacts, poison control contacts. The site's Safety practices are based in OSHA Agricultural Occupations.

Heat. Workers exposed to hot and humid conditions are at a high risk of heat illness, especially if they are doing heavy work tasks or using bulky protective clothing and equipment. New workers may also be at greater risk than others if they have not built up a tolerance to hot conditions. Employers must take steps to help workers become acclimated.

Prevention. Heat-related illnesses, while potentially deadly, are easily preventable. When working in hot conditions, remember "WATER, REST, SHADE." Drink water every 15 minutes, even when not thirsty. Wear a hat and light-colored clothing. Rest in the shade. Be sure to watch out for fellow workers and know your location in case you need to call for assistance. Get help right away if there are any signs of illness.

Pesticide Exposure. Pesticides pose risks of short- and long-term illness to farmworkers and their families. Workers who mix, load or apply pesticides (known as pesticide handlers) can be exposed to toxic pesticides due to spills and splashes, defective, missing or inadequate protective equipment, direct spray, or drift. Workers who perform hand labor tasks in areas that have been

treated with pesticides face exposure from direct spray, drift or contact with pesticide residues on the crop or soil.

Pesticides can present a hazard to applicators, to harvesters reentering a sprayed field, to family members due to take-home contamination, and to rural residents via air, ground water and food. Workers may be exposed to pesticides in a variety of ways, including: working in a field where pesticides have recently been applied; breathing in pesticide "drift" from adjoining or nearby fields; working in a pesticide-treated field without appropriate PPE; eating with pesticide-contaminated hands; eating contaminated fruits and vegetables; and eating in a pesticide-contaminated field. Workers may also be exposed to pesticides if they drink from, wash their hands, or bathe in irrigation canals or holding ponds, where pesticides can accumulate.

Pesticide Protection. The Environmental Protection Agency (EPA) oversees pesticide use through the Worker Protection Standard (WPS). The WPS is a regulation for agricultural pesticides which is aimed at reducing the risk of pesticide poisonings and injuries among agricultural workers and pesticide handlers. The WPS protects employees on farms, forests, nurseries, and greenhouses from occupational exposure to agricultural pesticides. The regulation covers two types of workers:

- **Pesticide handlers** -- those who mix, load, or apply agricultural pesticides; clean or repair pesticide application equipment; or assist with the application of pesticides in any way.
- **Agricultural workers** -- those who perform tasks related to the cultivation and harvesting of plants on farms or in greenhouses, nurseries, or forests. Workers include anyone employed for any type of compensation (including self-employed) doing tasks -- such as carrying nursery stock, repotting plants, or watering -- related to the production of agricultural plants on an agricultural establishment. Workers do *not* include office employees, truck drivers, mechanics, and any others not engaged in handling, cultivation, or harvesting activities.

The WPS contains requirements for pesticide safety training, notification of pesticide applications, use of personal protective equipment, restricted-entry intervals after pesticide application, decontamination supplies, and emergency medical assistance. While EPA covers the use of respirators in the application of pesticides, OSHA's Safety and Health Topic page on Respiratory Protection provides general information on respirator use and OSHA standards that may apply with the use of other chemicals.

Hazard Communication. Chemicals must be properly labeled so farmworkers know the identity and hazards of the chemicals they may be exposed to at work. OSHA has information to assist employers and workers ensure that hazard communication is properly addressed in their workplaces. In addition, certain OSHA standards address hazard communications. As explained in 1910.1200(b)(5)(i), pesticides covered under FIFRA are exempt from the OSHA labeling requirements since EPA regulates these labels.

Respiratory Hazards. Respiratory hazards. Respiratory hazards in barns, manure pits, machinery and silos range from acute to chronic air contaminants. Farmworkers' most common respiratory hazards are bioaerosols, such as organic dusts, microorganisms, and endotoxins and chemical toxicants from the breakdown of grain and animal waste. Inorganic dust, from silicates in harvesting and tilling, is prevalent but less significant.

Changes to farming mechanisms have both improved working conditions and increased exposure to respiratory hazards—mainly due to the increased density in animal confinement.

Vehicle Hazards. Proper operation of farm vehicles can reduce accidents, injuries and fatalities in agricultural operations.

General Vehicle Safety.

Vehicle operation

- Do not allow passengers to ride in the vehicle.
- Remove persons not involved in the activity from the site.
- Shut off vehicle for refueling.
- Park the vehicle whenever there is no driver inside, so that the motor is shut off, the brakes are engaged, the transmission is in park-lock or in gear, the keys are removed, and the attachments are disengaged.
- All farm equipment traveling on any roadway should be equipped with an approved Slow Moving Vehicle (SMV) emblem. Emblems should be clean and in good shape.
- Use a standardized system of hand signals to communicate when noise and or distance does not allow for verbal communication.
- Falling Object Protective Structures (FOPS) should be installed on equipment where the user runs the risk of being struck by falling debris.
- Never tow an implement that is improperly hitched.

Vehicle Storage

- Store away from structures housing livestock-to reduce the likelihood of fire.
- Do not store with fuel storage tanks.
- Do not store with debris.
- Ensure that electrical lines are high enough for vehicles to pass below.
- Ensure there is an easy exit from the storage structure.
- Ensure the storage structure is lockable.
- Ensure the floor surfaces are smooth and clean.
- Remove keys from all vehicles.
- Do not allow non-employees or children into storage structures.

All terrain vehicles (ATVs)

The National Safety Council has developed recommendations for using ATVs. The recommendations include:

- ATVs with an engine size of 70cc to 90cc should be operated by people at least 12 years of age.
- ATVs with an engine size of greater than 90cc should only be operated by people at least 16 years of age.
- Wear appropriate riding gear: DOT, Snell ANSI-approved helmet, goggles, gloves, over-the-ankle boots, long-sleeve shirt and long pants.
- Read owners' manuals carefully.
- ATVs are not made for multiple riders. Never carry anyone else on the ATV.
- Any added attachments effect the stability, operating and braking of the ATV.
- Just because an attachment is available doesn't mean that it can be used without increasing your risk of being injured.
- Do not operate the ATV on streets, highways or paved roads.

Noise. Thousands of workers every year suffer from preventable hearing loss due to high workplace noise levels, and research has shown that those who live and work on farms have had significantly higher rates of hearing loss than the general population. In fact, farming is among the occupations recognized as having the highest risks for hearing loss.

Tractors, forage harvesters, silage blowers, chain saws, skid-steer loaders, grain dryers, squealing pigs and guns are some of the most typical sources of noise on the farm. Studies suggest that lengthy exposure to these high sound levels have resulted in noise-induced hearing loss to farmworkers of all ages, including teenagers. Hearing loss is not as dramatic nor as sudden as an injury from a tractor overturn or machine entanglement, but it is permanent.

Employers can achieve noise reduction in several ways, usually related to the maintenance of the equipment:

- Worn, loose, or unbalanced machine parts can increase decibel levels during operation. Regular lubrication and parts replacement (bearings, mufflers, silencers, etc.), reduce friction and lower noise levels.
- Larger engines that can be operated at lower speeds reduce noise levels, and may even conserve fuel.
- Vibration isolation pads may be installed under the legs of noisy equipment to reduce noise generated by the equipment vibrating on a cement floor.
- Newer chainsaws and leaf blowers have flexible mountings to reduce vibration-induced noise as well.
- Tractor and skid-steers can be purchased with sound reducing cabs and tightly fitted cab doors and windows to reduce how much outside noise reaches the operator.
- Acoustical materials may be installed on walls and ceilings to enclose sound.

In addition, employers may provide workers with personal protective equipment (PPE) but must train them in using the PPE correctly. OSHA's Safety and Health Topics Page on PPE describes proper use of personal protective equipment.

Noise and Hearing Conservation - OSHA's Safety and Health Topics Page on Occupational Noise Exposure provides a comprehensive review of the hazards of noise, the means of protection, as well as OSHA requirements.

Hazardous Equipment and Machinery. Farmworkers routinely use knives, hoes, and other cutting tools; work on ladders; or use machinery in their shops. However, these simple tools can be hazardous and have the potential for causing severe injuries when used or maintained improperly.

- All tools should be maintained in good condition and used according to the manufacturers' instructions.
- Power tools must be properly grounded or double insulated and all guards or shields must be in place.
- Farmworkers should wear the proper personal protective equipment (PPE) and make sure that clothing has no strings or loose ends that could be caught by machinery. Long hair should be tied back to prevent entanglement.
- In addition, shops should be well lit and have clear walkways to eliminate slips, trips and falls.

Sanitization Facilities

As per the CCR, Title 8, §3457, which addresses field sanitation standards, the cultivation site is required to provide access to waste facilities within one-quarter (1.4) mile or a five (5) minute walk, whichever is shorter. The primary waste facility and septic system is located within the listed guidelines of one-quarter (1.4) mile or a five (5) minute walk from the work site. The site will provide two (2) port-a-potty restroom facilities that will be serviced every two weeks or based on need while the residential structure secures commercial permits for the use of the space as employee housing and break area. Once the residential structure is permitted, there are two accessible restrooms including toilet and showering facilities. The septic system associated with the house is a permitted.

Handwashing Stations are located on site within the processing areas, providing on demand hot water for sanitary purposes.

Overview of Plumbing and Septic System

The proposed Project location is not currently equipped with a septic system. However, the site will provide one (1) port-a-potty restroom facility with access to two (2) additional port-a-potty restroom facilities located on supporting site at 540 Titlow Hill Rd (APN 316-313-007).

The sites are part of a contiguous stretch of parcels. The Project sponsor has deed rights to all contiguous parcels.

The Project sponsor is in process of permitting the residential structure located at the supporting site (APN 316-313-007). Employee(s) would utilize the available port-a-potties for regular use while the structure on adjacent site is permitted for commercial use. Once complete the structure will offer two (2) accessible restrooms including toilet and showering facilities. The septic

system associated with the house is a permitted and associated paperwork is provided in the this section.

Overview of Drinking Water for Employees

Drinking water for employees will be provided in the designate and shaded break area(s). Water will be potable and water storage receptacles will be kept sanitary for use. Water supply is brought from off-site sources to ensure quality. The site will schedule regular drinking water deliveries.

Overview of Road Use

Titlow Hill Road (County Route 7K100) runs north to south through both parcels; this is a paved county road that is in good condition. The access road to these parcels is Old Highway 299, which was extended to go through both parcels and is also used to access parcels to the North. Old Highway 299 is a dirt road, reinforced with gravel, that has no issues that require work. The entire section of road on these parcels is flat, with the slope never exceeding 5%. As the road passes the cabin there is a small swale where rainwater runoff from the cabin flows across the road and infiltrates on the hillside to the West. There is no potential for sediment delivery with this site.

On the eastern side of both parcels, running parallel to Willow Creek, there is a two-track road accessed from Titlow Hill Road. This road is used to drive out to the point of diversion in the Willow Creek impoundment. This road is rarely used, runs along the flat flood plain of the creek, and there were no drainage issues identified during previous site visits.

Access roads have been constructed consistent with the requirements of California Code of Regulations Title 14, Chapter 4. The amount of employees proposed will put minimal amount of increased use on the roads leading to the property and going through the property. The roads will be monitored to observe any impacts from potential increase used and will be addressed with mitigation measures such as filling potholes, managing run-off, etc.

Overview of Onsite Housing

There will be no onsite housing provided to employees.

Parking Plan

The site will provide 4 designated parking spaces for employees, contractors, and deliveries. The designated parking spaces are provided to enhance public safety by minimizing traffic congestion, by providing for off-street motor vehicle parking and thereby permitting safe passage of passengers to and from their destinations. The off-street parking provided are for any motor vehicles associated with any use or uses on the premises.

Noise Source Assessment

Electricity

The site currently does not have power. Phase 1 of the proposed cultivation activities are outdoor areas, which require little to no power source for operation purposes. If power is needed, the Project site is supported by two options of energy input.

1. Generator Use
2. On grid power supply from adjacent power source located at 316-313-007. The site has a permitted easement allowing access to the adjacent parcel and is owned by the same applicant.

No generator use is required to support the main cultivation operations, however in the event of an emergency, the Project sponsor will employ the use of a Honda EU2200i 2200-Watt 120-Volt Super Quiet Portable Inverter Generator. Associated generator noises will not be audible by humans from neighboring residences.

Farm Vehicle

There are currently no identified noise levels at the property line beyond the use of farm vehicles.

Noise Source Mitigation Plan

In the case of a power outage, the Project Sponsor will ensure that generators used to supply cultivation operations with power will meet the Performance Standards for CMMLUO. The decibel level for generators at the property line shall be no more than 60 decibels. The Project Sponsor will source the Honda EU2200i 2200-Watt 120-Volt Super Quiet Portable Inverter Generators in case of power outage emergencies. The Honda model EU2200i operates at 48 to 57 dBA which meets the specifications listed in the Performance Standards for CMMLUO.

Additionally, all cultivation sites will be enclosed with a fence which will allow for the mitigation of any noise levels associated with cultivation.



Light Pollution Control Plan

The Project site proposes 21,375 square feet of mixed-light cultivation to be contained in auto-dep greenhouses. The lighting design for this Project are within the parameters of the International Dark Sky Association standards for Lighting Zone 0 and Lighting Zone 1. These guidelines will be implemented in order to avoid any light spillage to neighboring properties.

The mixed light cultivation area would use no less than 6 watts per square foot and no more than 25 watts per square foot. The designated mixed light areas using artificial lighting shall employ a shielded greenhouse to be covered in dark plastic material called a light deprivation tarp. This application will shield any potential light from escaping at a level that is visible to neighbors between sunset and sunrise. Routine daily inspections will be scheduled to assess the condition, repairing, and/or replacement (as necessary) of greenhouse plastics used in light shielding methods.