

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

Resolution Number 23-087

Record Number PLN-12426-CUP

Assessor's Parcel Numbers: 214-142-012

Resolution by the Planning Commission of the County of Humboldt certifying compliance with the California Environmental Quality Act and conditionally approves the Patient 2 Patient, Inc. Conditional Use Permit and Special Permit.

WHEREAS, Patient 2 Patient, Inc. submitted an application and evidence in support of approving a Conditional Use Permit and Special Permit for Record No, PLN-12426-CUP. The permit requests a Conditional Use Permit for approximately 86,000 square feet (sf) of outdoor cannabis cultivation and approximately 7,500 sf of commercial nursery space, employee housing, and appurtenant facilities to support the operation. The applicant is also seeking a Special Permit in concert with work to remediate and restore areas of the property previously used for cannabis cultivation and resolve violations associated with impacts to wetlands and riparian areas that occurred as a result of unauthorized expansion and relocation of cultivation areas that occurred within these areas between 2015 and 2018.

WHEREAS, a Mitigated Negative Declaration was prepared for the proposed Conditional Use Permit and circulated for public review pursuant to Section 15074 of the CEQA Guidelines; and

WHEREAS, during their hearing on October 5, 2023, the Humboldt County Planning Commission considered incorporating substitute mitigation measures in the draft mitigated negative declaration and Mitigation, Monitoring, and Reporting Program (MMRP) and revised conditions of approval for the project with those described further below in Attachments 1A and 1B; and

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

1. FINDING:

Project Description: A Conditional Use Permit and Special Permit to recognize lawful pre-existing cannabis cultivation and authorize relocation and expansion of cultivation activities on an approximately 361-acre parcel. The project includes two distinct parts. **Part 1** involves a Special Permit to authorize development within riparian and wetlands areas as part of remediation and restoration of approximately 6.7 acres of land disturbance associated with seven (7) discrete areas historically used for cannabis cultivation. **Part 2** involves a Conditional Use Permit to allow development and operation of approximately 86,000 square feet of Outdoor cannabis cultivation in greenhouses within an approximately 6-acre area in the northern portion of the project parcel. The Conditional Use Permit is being requested pursuant to the Humboldt County Commercial Cannabis regulations which allow up to 1-acre of cultivation per 100 acres on parcels where 320 acres or larger in size. The amount of cultivation area proposed is approximately one third larger (33%) in size than historic cultivation

levels managed during the peak of prior lawful pre-existing operations at the property and will accommodate relocation of cultivation activities from the seven former sites targeted for remediation and restoration.

EVIDENCE: Project File: PLN-12426-CUP

- 2. FINDING:** **CEQA:** As required by the California Environmental Quality Act, the project was found subject to CEQA and a Draft Initial Study and Mitigated Negative Declaration (IS/MND) were prepared for the project by the Planning and Building Department, Planning Division (Attachment 3) (SCH# 2023080682) pursuant to the California Environmental Quality Act (CEQA) Statute (Public Resources Code 21000–21189) and Guidelines (California Code of Regulations, Title 14, Division 6, Chapter 3, Sections 15000–15387). The Draft IS/MND has evaluated the project for any adverse effects on the environment.

- EVIDENCE:**
- a) The CEQA document includes an analysis of the subject Conditional Use Permit. The Initial Study and Draft Mitigated Negative Declaration (IS/MND) was circulated from August 29, 2023 to September 29, 2023.
 - b) The IS/MND included eighteen (18) mitigation measures which have been incorporated into a Mitigation Monitoring and Reporting Plan which is being adopted as part of the project.

- 3. FINDING** **ENVIRONMENTAL IMPACTS FOUND NOT TO BE SIGNIFICANT- NO MITIGATION REQUIRED.** The following impacts have been found to be less than significant and mitigation is not required to reduce project related impacts: Aesthetics, Agriculture and Forestry Resources, Air Quality, Energy, Geology and Soils, Hazards and Hazardous Materials, Land Use and Planning, Mineral Resources, Noise, Population and Housing, Public Services, Recreation, Transportation, Utilities and Service Systems, and Wildfire.

- EVIDENCE**
- a) There is no evidence of an impact to any of the above reference potential impact areas based on the project as proposed at this proposed location.
 - b) Initial Study/Mitigated Negative Declaration circulated for public review August 29, 2023 to September 29, 2023.

- 4. FINDING** **ENVIRONMENTAL IMPACTS MITIGATED TO LESS THAN SIGNIFICANT** – The Initial Study identified potentially significant impacts to Biological Resources, Cultural Resources, Greenhouse Gas Emissions, Hydrology and Water Quality, Tribal Cultural Resources, and Mandatory Findings of Significance which could result from the project as originally submitted. Mitigation Measures have been required to ensure potential impacts are limited to a less than significant level.

- a) **Biological Resources:** Potentially significant impacts will be mitigated to a less than significant level with the implementation of the following mitigation measures for biological resources:

BIO-1 Worker Environmental Awareness Program

BIO-2 Nesting Bird Pre-construction Surveys

BIO-3 Accidental Spill Prevention

BIO-4 Revegetation and Planting

BIO-5 Off-site Mitigation Credits

Through incorporation of the above referenced mitigation measures, impacts to biological resources will be avoided during restoration and remediation activities as well as during the development of the new site described in Part 2 of the project description.

- EVIDENCE** b) **Cultural Resources & Tribal Cultural Resources:** Potentially significant impacts will be mitigated to a less than significant level with the implementation of the following mitigation measures for Cultural Resources and Tribal Cultural Resources:

CR-1 Archaeological and Native American Monitoring

CR-2 Inadvertent Discovery of Cultural Resources

By requiring monitoring for cultural resource discovery during future ground disturbance, potential impacts to these resources can be avoided.

- EVIDENCE** c) **Greenhouse Gas Emissions:** Potentially significant impacts will be mitigated to a less than significant level with the implementation of the following mitigation measures for Greenhouse Gas Emissions:

GHG-1 Energy Source for Cultivation

Through incorporation of the above referenced mitigation measure, impacts from Greenhouse Gas Emissions will be avoided during future operation of the site. By prohibiting Mixed-Light Cultivation until an adequate power source is available, GHG emissions from ongoing generator use are kept well below levels in the environmental baseline for the site.

- d) **Hydrology and Water Quality:** Potentially significant impacts will be mitigated to a less than significant level with the implementation of the following mitigation measures for Hydrology and Water Quality:

WQ-1& 2 Restore Pre-Existing Wetlands

WQ-3 - Remediate Cultivation Area

WQ-4 - Restore Diverted Watercourses to Original Channel

WQ-5 - Improve Functioning of On-Stream Pond

WQ-6 - Decommission Road Crossing

- WQ-7 - Upgrade Road Crossing to Improve Water Quality
- WQ-8 - Site D – Restore Pre-Existing Wetland
- WQ-9 - Site E – Restore Streambed
- WQ-10 - Site G – Restore Pre-Existing Wetland and Streambed
- WQ-11 - Compensatory/Temporal Impact Mitigation – On-Site Wetland Creation or Off-Site Wetland Creation/Restoration/Enhancement or Mitigation Credits

Through incorporation of the above referenced mitigation measures, impacts to water quality will be avoided during restoration and remediation activities as well as during the development of the new site described in Part 2 of the project description.

- e) **Mandatory Findings of Significance:** Potentially significant impacts will be mitigated to a less than significant level with the implementation of the following mitigation measures addressing the Mandatory Findings of Significance (part a):

Through incorporation of the eighteen mitigation measures included, impacts concerning Mandatory Findings of Significance (a) will be avoided during future remediation, restoration, development, and operation of the site. Following completion of the project, impacts from the project will be far below the environmental baseline of the pre-existing development activities.

5. FINDING

CEQA Public Comments: There have been comments from the California Department of Fish & Wildlife (CDFW) as well as the California Department of Cannabis Control (DCC).

- EVIDENCE**
- a) Comments from CDFW have been addressed through the addition of an additional Condition of Approval (COA A16) and minor revisions to Mitigation Measure BIO-2
 - b) Comments from the Department of Cannabis Control primarily concern recommendations for inclusion or reiteration of information and references that are already found in the IS/MND. Their comments have been considered and do not change the conclusions reached in the Mitigated Negative Declaration.

6. FINDING

Substitution of Mitigation Measures: Section 15074.1 of the CEQA Guidelines provides for the substitution of mitigation measures by the Lead Agency at a public hearing prior to approving a project. Recirculation of the environmental document is not required so long as the Lead Agency

include written findings explaining why the new measure is equivalent or more effective in mitigating or avoiding potentially significant effects on the environment, and in itself will not have the potential to create an adverse impact of its own greater than the original measure.

- a) In response to public comments on the Draft IS/MND provided by the California Department of Fish & Wildlife, revisions to Mitigation Measures BIO-2 were performed, enlarging the required wildlife buffers and shortening the period of time that may elapse between when pre-construction wildlife surveys are performed and when development activities commence. These changes make the measure more effective in mitigating potential significant effects from the project and do not introduce new potential adverse impacts not previously considered during the analysis performed under the Draft IS/MND. The change merely shortens the time period between survey and project implementation. While this could result in a greater number of surveys needing to be performed, the surveys themselves pose no risk of resulting in adverse effects to the environment.
- b) In response to public comments on the Draft IS/MND provided by the California Department of Fish & Wildlife, an additional Condition has been added to the Recommended Conditions of Approval for the project (COA A16), requiring that monitoring of all remediation and restoration activities occur for a minimum of five (5) years. The addition of this requirement makes the measure more effective in mitigating potential significant effects from the project and does not introduce new potential adverse impacts not previously considered during the analysis performed under the Draft IS/MND. The change merely lengthens the time period under which monitoring of the remediation and restoration activities must occur. While this could result in a greater number of visits and inspections of the property following the completion of remediation and restoration work, the inspections themselves pose no risk of resulting in adverse effects to the environment.

FINDINGS FOR CONDITIONAL USE PERMITS AND SPECIAL PERMITS

7. 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 and Intensive Agriculture are allowable uses in the Agricultural Grazing land use designation. The proposed cannabis project, an agricultural product, is within land planned and zoned for agricultural purposes, consistent with the use of Open Space land for managed production of resources. The use of an agricultural parcel for commercial agriculture is consistent with the Open Space Plan and Open Space Action Program. Therefore, the project is consistent with and complimentary to the

Open Space Plan and its Open Space Action Program.

- b) The General Plan Circulation Element requires *Decisions to change or expand the land use of a particular area shall include an analysis of the impacts to existing and proposed transportation facilities and services so as to minimize or avoid significant operational, environmental, economic, and health-related consequences.* The project does not change or expand the allowable land uses in this area, as the project site is an existing agricultural operation.

Conditions of Approval are included setting maximum daily vehicle trips for the project and requiring the applicant to implement measures to lower daily vehicle traffic to and from the site.

- c) The proposed project is consistent with the Conservation and Open Space Element - Biological Resources through the following project design elements: A potential wetland area was identified on the subject parcel west of the area targeted for development under Part 2 of the project. Due to the distance and landscape between the potential wetland and the project site, the potential wetland will not be disrupted by Project activities. No wetland areas were identified within 100 feet of any proposed new development activities. Remediation and restoration efforts will be conducted in accordance with biological surveys and restoration plans developed for the site and subject to review and approval by trustee agencies. CDFW was consulted in preliminary preparation stages of the Initial Study/Mitigated Negative Declaration however no comments were submitted. Mitigation Measures are included to require pre-construction survey for nesting birds incorporate timeframes and buffers recommended by the California Department of Fish & Wildlife.

After a review of Essential Habitat Connections identified in the California Essential Habitat Connectivity Project, no significant barriers to wildlife movement corridors were identified within the Project design.

- d) The Goals and policies of the Conservation and Open Space Cultural Resources have been complied with based on the referral to Northwest Information Center, Bear River Band, and Sinkyone tribe. The applicant submitted a Cultural Resource Investigation prepared by Archaeological Research & Supply Company evaluating the subject property. No artifacts, features, sites or other cultural resources were identified on the subject parcel. The Bear River Band of the Rohnerville Rancheria THPO has recommended use of a tribal Cultural Monitor during future ground disturbing activities. This has been included within the recommended Conditions of Approval and Mitigation Measures within the IS/MND.. Pursuant to AB52 under the California Environmental Quality Act, an opportunity for formal consultation was offered to the following parties:

Bear River Band of the Rohnerville Rancheria and the Intertribal Sinkyone

Wilderness Council. No consultation was requested in response to AB52 referral outreach.

- e) The project is consistent with the Conservation and Open Space Scenic Resources policies as the only applicable policy is related to restricting light and glare. The project involves mixed-light cultivation. The CCLUO requires that mixed light cultivation comply with International Dark Sky Association standards for Lighting Zone 0 and Lighting Zone 1 and be designed to regulate light spillage onto neighboring properties resulting from backlight, uplight, or glare (BUG). The project is required to follow International Dark Sky Association Standards that exceed the requirements of Scenic Resources Standard SR-S4, Light and Glare, that lighting be fully shielded, and designed and installed to minimize off-site lighting and direct light within the property boundaries.
- f) The project is consistent with the Water Resources Element through the following project design elements: The project does not utilize diversion from a surface water source, as water will come from rainwater catchment within several existing ponds and an existing well (on an emergency/backup basis only). The well is located within the South Fork Eel River subbasin. This subbasin is not subject to the Sustainable Groundwater Management Act (SGMA) and the basin prioritization is very low. Water storage features have emergency shutoff valves and float valves where appropriate, pond overflow features have been constructed consistent with engineering professional standards by a qualified licensed engineer in accordance with Humboldt County Code and SWRCB regulations. The slope of the proposed new cultivation area is less than 15% and surface water naturally percolates through the soil without channelization. Irrigation water will be applied at agronomic rates and detected leaks in the irrigation systems shall be fixed immediately to reduce runoff. With the exception of remediation and restoration activities included under Part 1 of the project, all new structures and cultivation areas proposed as Part 2 of the project will be located outside of Streamside Management Area buffer zones.
- g) The project is in compliance with the Noise Element as there are no sensitive receptors which would be adversely affected by the project. Nearby parcels in the area are often 160 acres or larger in size. The predominant land uses in the vicinity of the project include grazing, agricultural and scattered rural residential uses. The surrounding vicinity is not heavily populated.

Project activities are not expected to generate significant noise levels that will exceed the Humboldt County General Plan Noise Element standards. Project activities within the greenhouses and hoop structures will be limited from a noise-generating perspective (e.g., conventional air movement fans) and will meet applicable County building and zoning code requirements for noise levels. Outdoor noise-generating activities will include vehicle use and small agricultural support equipment.

prepared by a licensed geologist demonstrating no adverse impacts to groundwater resources and a disconnection from surface water features. Consequently, water use associated with irrigation of the cultivation area will not result in impacts to nearby watercourses such as the South Fork of the Eel River and similar public trust resources.

- d) The location of the cultivation complies with all setbacks and performance standards of the CMMLUO.
- e) All the applicable performance standards are included as conditions of project approval. They are required to be met throughout the timeframe of the permit.
- f) The project as proposed is in compliance with applicable siting criteria. No timberland conversion is proposed, and the new development will be located in areas identified as having prime agricultural soils.
- g) The project is proposed within the South Fork Eel River Planning Watershed, which has a cap of 730 permits and 251 acres. Approval of this project would result in 378 approved permits and 143 acres of cultivation in the South Fork Eel River Planning Watershed.

10. FINDING

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

EVIDENCE

- a) The site is located on a privately-maintained road that can safely accommodate the amount of traffic.
- b) The proposal to operate a commercial cannabis cultivation operation is similar to other agricultural uses in the immediate area.
- c) The location of the operation is more than 600 feet from any school, school bus stop, or church.
- d) Irrigation water will not be sourced from surface water.

11. 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 and is zoned Agriculture Exclusive and Timberland Production Zone (TPZ).

DECISION

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

- Adopts the Mitigated Negative Declaration for the Patient 2 Patient, Inc. Conditional Use Permit and Special Permit; and
- Adopts the Substitute Mitigation Measures included in Attachment 1A and 1B; and
- Adopts the Mitigation Monitoring and Reporting Program for the Patient 2 Patient, Inc. Conditional Use Permit and Special Permit; and
- Adopt the findings set forth in this resolution; and
- Conditionally approves the Conditional Use Permit and Special Permit for Patient 2 Patient, Inc. based upon the Findings and Evidence and subject to the conditions of approval attached hereto as Attachment A and incorporated herein by reference; and

Adopted after review and consideration of all the evidence on October 5, 2023.

The motion was made by COMMISSIONER Iver Skavdal and second by COMMISSIONER Sarah West and the following ROLL CALL vote:

AYES: COMMISSIONERS: Iver Skavdal, Noah Levy, Lonyx Landry, Thomas Mulder, Sarah West


NOES: COMMISSIONERS:

ABSENT: COMMISSIONERS: Brian Mitchell, Peggy O'Neill

ABSTAIN: COMMISSIONERS:

DECISION: Motion carries 5/0

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

CONDITIONS OF APPROVAL

Approval of the Conditional Use Permit and Special Permit is conditioned on the following terms and requirements which must be satisfied before site development or initiation of operations.

A. General Conditions

1. The applicant shall submit a check to the Planning Division payable to the Humboldt County Clerk/Recorder in the amount of \$2,814.00. Pursuant to Section 711.4 of the Fish and Game Code, the amount includes the CDFW fee plus the \$50 document handling fee to the Clerk. This fee is effective through December 31, 2022, at such time the fee will be adjusted pursuant to Section 713 of the Fish and Game Code. Alternatively, the applicant may contact CDFW by phone at (916) 651-0603 or through the CDFW website at www.wildlife.ca.gov for a determination stating the project will have no effect on fish and wildlife. If CDFW concurs, a form will be provided exempting the project from the \$2,764.00 fee payment requirement. In this instance, only a copy of the CDFW form and the \$50.00 handling fee is required.
2. The project shall be developed the Site Plan set received and dated "Revised 07/06/23" (included as Attachment 1C).
3. The applicant shall submit an updated Cultivation and Operations plan so that it meets or exceeds minimum legal standards for water storage, conservation and use; drainage, runoff and erosion control; watershed and habitat protection; proper storage of fertilizers, pesticides, and other regulated products to be used on the parcel; and a description of cultivation activities, and schedule of activities during each month of the growing and harvesting season. The plan must be provided to the Planning & Building Department (HPB&D) for review and approval and should also detail measures to minimize daily vehicle trips, traffic safety, and other matters determined appropriate by HPB&D.
4. The project shall meet all applicable fire codes, including fire suppression infrastructure requirements deemed necessary for the project. Sign off on the Occupancy Permit by the Building Division shall satisfy this requirement.
5. Where feasible, new utilities shall be underground or sited unobtrusively if above ground.
6. The applicant shall obtain from the Building Division any Building or other required permits prior to commencing construction activities or the approved use (i.e. grading building plumbing electrical, mechanical, etc.).
7. Prior to initiating commercial cannabis cultivation or associated activities the applicant shall obtain a Business License from the Humboldt County Tax Collector.
8. Prior to initiating commercial cannabis cultivation or associated activities 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.
9. The applicant shall be compliant with the County of Humboldt's Certified Unified Program Agency (CUPA) requirements regarding any hazardous materials. A written verification of compliance shall be required before release of the Building Permit and initiation of operations.

Ongoing proof of compliance with this condition shall be required at each annual inspection in order to keep the permit valid.

10. Prior to initiating operation, the applicant shall meet all of the requirements and obtain all necessary permits from the Division of Environmental Health. The applicant shall submit written verification from that agency verifying this requirement has been met.
11. 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.
12. 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.
13. 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.
14. The applicant shall install a permitted onsite wastewater treatment system (OWTS), associated with a permitted structure, to support the needs of the project. A letter or similar documentation from DEH verifying satisfactory completion of work will satisfy this condition.
15. 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 NOE and will charge this cost to the project.
16. Monitoring of vegetation establishment and recovery shall be performed at all areas of the property where revegetation, remediation, and restoration activities are occurring. Monitoring shall occur for a period of no less than five (5) years. The start of the five-year period shall begin once all initial revegetation and replanting work has been completed. Reports shall be prepared and submitted after at appropriate intervals determined by the Biologist overseeing remediation and restoration activities. A final report shall be submitted following the end of the fifth year of monitoring and shall detail how well the revegetation efforts have performed against the established success criteria within the approved restoration plans.
17. An Emergency Response Plan shall be submitted for review and approval by the Planning & Building Department. The plan should address possible evacuation routes and other steps to be taken during a wildland fire event. Once approved, the plan shall be used for training employees and residents of the property and must be posted in conspicuous locations used by employees.

18. *Development Timing*: Grading and other site development work associated within Part 2 of the project description shall not be initiated until a Building Permit has been approved and issued for these activities. The Building Permit shall not be issued until all remediation and restoration activities (described in Part 1 of the project description) have been completed, to the satisfaction of the Director of the Humboldt County Planning & Building Department. Alternately, work associated with Part 2 of the project description may proceed ahead of completion of Part 1 if a financial assurance has been secured covering the full projected cost of all remediation and restoration work (described in Part 1 of the project description). The financial assurance mechanism may include posting of a performance bond or assignment in lieu of a performance bond or any other similar means of surety determined acceptable by the Director of the Planning and Building Department, or their designee. The purpose of the financial assurance is to allow the County to contract to complete the remediation and restoration work in the event that the applicant or their successor fails to do so. When determining whether the Part 1 work has been satisfactorily completed, in addition to reviewing information and evidence supplied by the applicant and their agents, the Planning & Building Department will consult with relevant agencies including (but not limited to): the Regional Water Quality Control Board, the California Department of Fish and Wildlife, and the Army Corps of Engineers.
19. The applicant shall cause to be recorded an "ACKNOWLEDGMENT OF NO AVAILABLE EMERGENCY RESPONSE AND FIRE SUPPRESSION SERVICES" for the parcel(s) on a form provided by the Humboldt County Planning Division. Document review fees as set forth in the schedule of fees and charges as adopted by ordinance of the Humboldt County Board of Supervisors will be required.

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

1. *Irrigation source*: all irrigation shall first utilize stored water from the two on-site ponds identified for all irrigation demands and only rely upon well water when stored water is depleted or otherwise unavailable. The applicant shall install metering devices at both ponds at the point of withdrawal and on the well and maintain records of use. In the case of the well, separate metering shall be provided where plumbed to areas of domestic (non-cannabis) use. These records of water withdrawal shall be made available to the county during inspections and upon request.
2. *Wood Ranch Road*: At a minimum, 15mph speed limit signage shall be installed and maintained within segments of the Wood Ranch Road right-of-way near the Cherney property (APN's 214-231-004, 214-232-005 & 214-142-003).
3. *Wood Ranch Road*: On an annual basis, the operator shall pay road maintenance dues to the private landowner group currently maintaining Wood Ranch Road. The amount contributed annually by the operator shall be at least twice the annual minimum contribution amount established by the group and may be a greater amount established by the road maintenance group. Written proof of payment shall be furnished to the County upon request.
4. *Wood Ranch Road*: The operator shall implement various measures to minimize daily vehicle traffic on Wood Ranch Road during regular operations. These measures shall include (but are not limited to): requiring that workers take their lunch breaks on-site unless coupled with a shared trip for needed supplies and offering on-site lodging for employees to use during the workweek, using off-site parking areas and shuttling of employees to and from the property.

Daily vehicles trips to and from the property shall not exceed the following limits:

- During regular operations (12 trips per day)
- During harvest (20 trips per day)

For purposes of compliance with this condition, a journey to and from the cultivation site over the course of one day shall be counted as two (2) "trips". "Regular operations" shall not include periods trips associated with completing necessary remediation and restoration work (Part 1 of the project description).

5. *Wood Ranch Road*: During all periods of operation, the owner/operator shall designate a point of contact and provide their contact information for this person to all neighbors and users of Wood Ranch Road. This contact person shall be responsible for fielding complaints about employee driving behavior and impacts to the road observed by other road users and occupants of neighboring properties in the Wood Ranch area. Where receiving information on employees observed speeding or driving dangerously, the owner/operator shall notify employees that future instances will be grounds for termination from employment. The owner/operator shall maintain a log of all complaints received noting the date and nature of the complaint and contact person, and shall make this log book available to county staff during inspection or upon request. Ongoing and regular instances of complaints concerning excessive speed or dangerous driving shall be grounds for permit revocation.
6. *Tribal Cultural Resources (Monitoring of New Ground Disturbance)*: Native American monitoring should be provided by the Bear River Band of the Rohnerville Rancheria (BRB) or their designee. The monitor(s) shall have the authority to halt and redirect work should any archaeological resources be identified during monitoring. If archaeological resources are encountered during ground-disturbing activities, work in the immediate area shall halt and the find shall be evaluated for listing in the CRHR and National Register of Historical Places. The Tribe may request that archaeological monitoring be performed under the direction of an archaeologist meeting the Secretary of the Interior's Professional Qualification Standards for archaeology (National Park Service 1983).

The monitoring schedule shall be established by the Bear River Band of the Rohnerville Rancheria and may be adjusted based on the scale of disturbance and sensitivity of the location where ground disturbance will occur. Monitoring may be decreased to spot-checking at the discretion of the monitors, as warranted by conditions such as encountering bedrock. If monitoring is decreased to spot-checking, spot-checking should occur when ground-disturbance moves to a new location in the project site and when ground disturbance extends to depths not previously reached (unless those depths are within bedrock).

7. *Tribal Cultural Resources (Inadvertent Discovery)*: If cultural resources are encountered during construction activities, the contractor on site shall cease all work in the immediate area and within a 50-foot buffer of the discovery location. A qualified archaeologist as well as the appropriate Tribal Historic Preservation Officer(s) are to be contacted to evaluate the discovery and, in consultation with the applicant and lead agency, develop a treatment plan in any instance where significant impacts cannot be avoided.

The Native American Heritage Commission (NAHC) can provide information regarding the appropriate Tribal point(s) of contact for a specific area; the NAHC can be reached at 916- 653-4082. 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 NAHC will then be contacted by the Coroner to determine appropriate treatment of the remains pursuant to PRC 5097.98. Violators shall be prosecuted in accordance with PRC Section 5097.99

8. Noise from cultivation and related activities shall not result in an increase of more than three decibels of continuous noise above existing ambient noise levels at any property line of the site.
9. All artificial lighting shall be fully contained within structures such that no light escapes (e.g., through blackout curtains). Structures shall be enclosed between 30 minutes prior to sunset and 30 minutes after sunrise to prevent disruption to crepuscular wildlife. Security lighting shall be motion activated and comply with the International Dark-Sky Association standards and Fixture Seal of Approval Program; see: <https://www.darksky.org/our-work/lighting/lighting-for-citizens/lighting-basics/>. Standards include but are not limited to the following, 1) light shall be shielded and downward facing, 2) shall consist of Low Pressure Sodium (LPS) light or low spectrum Light Emitting Diodes (LED) with a color temperature of 3000 kelvins or less and 3) only placed where needed.
10. Should the Humboldt County Planning Division receive complaints that the lighting or noise is not complying with the standards listed above in items B.1. and B.2., within ten (10) working days of receiving written notification that a complaint has been filed, the applicant shall submit written verification that the lights' shielding and alignment, and noise levels have been repaired, inspected, and corrected as necessary.
11. All components of project shall be developed, operated, and maintained in conformance with the Project Description, the approved Site and Utility Plan, the updated Plan of Operations, and these conditions of approval. Changes shall require modification of this permit except where consistent with Humboldt County Code Section 312-11.1, Minor Deviations to Approved Plot Plan.
12. All water sources shall be metered to show annual water use. If the water use exceeds the anticipated needs and available storage, the County reserves the right to reduce the cultivation area to a size relative to water availability until additional storage adequate to meet annual irrigation needs are in place.
13. 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.
14. Possession of a current, valid required license, or licenses, issued by any agency of the State of California in accordance with the MAUCRSA, and regulations promulgated thereunder, as soon as such licenses become available.
15. Confinement of the area of cannabis cultivation to the locations depicted on the approved site plan. The commercial cannabis activity shall be set back at least 30 feet (or setback for the underlying zone) 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 County Code Section 55.4.11(d).

16. Maintain enrollment in Tier 1, 2 or 3, certification with the State Water Board Order 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.
17. Consent to an annual on-site compliance inspection, with at least 24 hours prior notice, to be conducted by appropriate County officials during regular business hours (Monday – Friday, 9:00 am – 5:00 pm, excluding holidays).
18. Refrain from the improper storage or use of any fuels, fertilizer, pesticide, fungicide, rodenticide, or herbicide.
19. Pay all applicable application, review for conformance with conditions and annual inspection fees.
20. The use of monofilament netting for all uses, including but not limited to erosion control, shall be prohibited. Geotextiles, fiber rolls, and other erosion control measure materials shall be made of loose-weave mesh, such as jute, hemp, coconut (coir) fiber, or other products without welded weaves to minimize the risk of ensnaring and strangling wildlife.
21. Leave wildlife unharmed. If any wildlife is encountered during the Authorized Activity, Permittee shall not disturb the wildlife and shall allow wildlife to leave the work site unharmed.
22. All refuse shall be contained in wildlife proof storage containers, at all times, and disposed of at an authorized waste management facility.
23. The burning of excess plant material associated with the cultivation and processing of commercial cannabis is prohibited.
24. Storage of Fuel - Fuel shall be stored and handled in compliance with applicable state and local laws and regulations, including the County of Humboldt's CUPA program, and in such a way that no spillage occurs.
25. Any outdoor construction activity and use of heavy equipment outdoors shall take place between 7:00 a.m. and 6:00 p.m., Monday through Friday, and between 9:00 a.m. and 6:00 p.m. on Saturday and Sunday.
26. The Master Log-Books maintained by the applicant to track production and sales shall be maintained for inspection by the County.
27. Participate in and bear costs for permittee's participation in the State sanctioned tracking program (currently METRC).

Performance Standards for Cultivation and Processing Operations

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

29. Cultivators shall comply with all applicable federal, state, and local laws and regulations governing California Agricultural Employers, which may include: federal and state wage and hour laws, CAL/OSHA, OSHA, California Agricultural Labor Relations Act, and the Humboldt County Code (including the Building Code).
30. Processing shall comply with the following Processing Practices:
- I. Processing operations must be maintained in a clean and sanitary condition including all work surfaces and equipment.
 - II. Processing operations must implement protocols which prevent processing contamination and mold and mildew growth on cannabis.
 - III. Employees handling cannabis in processing operations must have access to facemasks and gloves in good operable condition as applicable to their job function.
 - IV. Employees must wash hands sufficiently when handling cannabis or use gloves.
31. All persons hiring employees to engage in commercial cannabis cultivation and processing shall comply with the following Employee Safety Practices:
- I. Cultivation operations and processing operations must implement safety protocols and provide all employees with adequate safety training relevant to their specific job functions, which may include:
 - 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.
 - II. Cultivation operations and processing operations must visibly post and maintain an emergency contact list which includes at a minimum:
 - 8) Operation manager contacts;
 - 9) Emergency responder contacts;
 - 10) Poison control contacts.
 - III. At all times, employees shall have access to safe drinking water and toilets and handwashing facilities that comply with applicable federal, state, and local laws and regulations. Plumbing facilities and water source must be capable of handling increased usage without adverse consequences to neighboring properties or the environment.
32. All cultivators shall comply with the approved Processing Plan as to the following:
- I. Processing Practices.
 - II. Location where processing will occur.
 - III. Number of employees, if any.
 - IV. Employee Safety Practices.
 - V. Toilet and handwashing facilities.
 - VI. Plumbing and/or septic system and whether or not the system is capable of handling increased usage.
 - VII. Drinking water for employees.

33. Term of Commercial Cannabis Activity Permit. Any Commercial Cannabis Permit issued pursuant to the CCLUO shall expire after 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.

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

34. Permit Renewals to comply with Updated Laws and Regulations. Permit renewal per Ongoing Condition of Approval #33, above, is subject to the laws and regulations effective at the time of renewal, which may be substantially different than the regulations currently in place and may require the submittal of additional information to ensure that new standards are met.
35. 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.

Permittee further acknowledges and declares that:

- (1) All commercial cannabis activity that I, my agents, or employees conduct pursuant to a permit from the County of Humboldt for commercial cultivation, processing, manufacturing, and distribution of cannabis for adult use or medicinal use within the inland area of the County of Humboldt, shall at all times be conducted consistent with the provisions of the approved County permit; and
 - (2) All cannabis or cannabis products under my control, or the control of my agents or employees, and cultivated or manufactured pursuant to local Ordinance and the State of California Medicinal and Adult Use Cannabis Regulation and Safety Act ("MAUCRSA") (SB 94), will be distributed within the State of California; and
 - (3) All commercial cannabis activity conducted by me, or my agents or employees pursuant to a permit from the County of Humboldt will be conducted in compliance with the State of California MAUCRSA.
36. 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:

- (1) Identifying information for the new Owner(s) and management as required in an initial permit application;
- (2) A written acknowledgment by the new Owner in accordance as required for the initial Permit application;
- (3) The specific date on which the transfer is to occur; and
- (4) Acknowledgement of full responsibility for complying with the existing permit; and
- (5) Execution of an Affidavit of Non-diversion of Commercial Cannabis.

37. 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.

C. Informational Notes:

1. This permit approval shall expire and become null and void at the expiration of one (1) year after all appeal periods have lapsed (see "Effective Date"), except where building permits have been secured and/or the use initiated pursuant to the terms of the agreement, the use is subject to the Permit Duration and Renewal provisions set forth in Humboldt County Code.

Mitigation, Monitoring, and Reporting Program (MMRP)

including substitute mitigation measures (BIO-2)

deletions shown in ~~strikeout text~~

additions **underlined and shown in bold**



Mitigation Measures, Monitoring, and Reporting Program (MMRP)

All of the following mitigation measures are required to mitigate impacts from the proposed project:

BIO-1 Worker Environmental Awareness Program

Prior to initiation of construction activities (including staging and mobilization) all personnel associated with project construction should attend a Worker Environmental Awareness Program (WEAP) training, conducted by a qualified biologist, to aid workers in recognizing special status resources that may occur in the construction area. The specifics of this program should include identification of the sensitive species and habitats, a description of the regulatory status and general ecological characteristics of sensitive resources, and review of the limits of construction and mitigation measures required to reduce impacts to biological resources within the work area. A fact sheet conveying this information should also be prepared for distribution to all contractors, their employees, and other personnel involved with construction. All employees should sign a form provided by the trainer indicating they have attended the WEAP and understand the information presented to them. The form should be submitted to the County by the contractor to document compliance.

BIO-2 Nesting Bird Pre-construction Surveys

For construction activities occurring during the nesting season (generally February 1 to August 31), surveys for nesting birds covered by the MBTA and CFGC should be conducted by a qualified biologist no more than ~~14~~ **seven (7)** days prior to initiation of construction activities, including construction staging and vegetation removal. The surveys should include the entire disturbance areas plus a 200-foot buffer around any disturbance areas. If active nests are located, all construction work should be conducted outside a buffer zone from the nest to be determined by the qualified biologist. The buffer should be a minimum of ~~50~~ **one hundred (100)** feet for non-raptor bird species and at least ~~150~~ **three hundred (300)** feet for raptor species. Larger buffers may be required depending upon the status of the nest and the construction activities occurring in the vicinity of the nest. The biologist should have full discretion for establishing a suitable buffer. The buffer area(s) should be closed to all construction personnel and equipment until the adults and young are no longer reliant on the nest site. A qualified biologist should confirm that breeding/nesting has completed and young have fledged the nest prior to removal of the buffer. **If there is a lapse in project-related activities of seven days or more, the biologist should re-survey the area before work resumes.**

BIO-3 Accidental Spill Prevention

All refueling and maintenance of equipment and vehicles shall occur a minimum of 250 feet from ephemeral drainages and ponds, and in a location from which a spill would not drain directly toward these habitats (e.g., on a slope that drains away from the water), or in a containment structure. Prior to the onset of work, a plan shall be developed for prompt and effective response to any accidental spills. All workers shall be informed of the importance of preventing spills and of the appropriate measures to take in the event of a spill. Should any debris or equipment from the work area fall into the wetland, riparian habitat, and the concrete drainage, it shall be removed immediately.

BIO-4 Revegetation and Planting

Prior to revegetation efforts, all existing structures will be removed from the delineated wetland areas and will be graded back to their natural contours as shown in the grading plan. A series of shallow berms will be installed across graded wetland areas to retain and pool water. The roads adjacent to the restored wetlands will be decommissioned by ripping and grading back to their natural contours. The adjacent cut/fill areas will be graded to their natural grade as shown in the grading plan. All graded areas will be seeded according to Hydroseed Specifications in the Revegetation and Planting Plan. Planting strategy will focus on planting a range of native species and to allow for natural competition and evolution of native plant species distribution. The plants will be selected based on the surrounding intact wetland populations surrounding the sites. Planting will occur post hydroseeding with tight spacing to reduce the potential for colonization of non-native species. Plants will be installed in clustered groups of each species to create patches that will naturalize the site. Plants shall be obtained from stock within Humboldt County, unless approved by a governing agency.

BIO-5 Off-Site Mitigation Credits

In consultation with responsible agencies, off-site mitigation bank credits will be obtained as they become available to mitigate temporal impacts of legacy development in wetland and stream channels which have occurred at the project. Off-site mitigation areas may be in-watershed or out of watershed in consultation with responsible agencies.

CR-1 Archaeological and Native American Monitoring

Native American monitoring should be provided by the Bear River Band of the Rohnerville Rancheria (BRB) or their designee. The monitor(s) shall have the authority to halt and redirect work should any archaeological resources be

identified during monitoring. If archaeological resources are encountered during ground-disturbing activities, work in the immediate area shall halt and the find shall be evaluated for listing in the CRHR and National Register of Historical Places. The Tribe may request that archaeological monitoring be performed under the direction of an archaeologist meeting the Secretary of the Interior's Professional Qualification Standards for archaeology (National Park Service 1983).

The monitoring schedule shall be established by the Bear River Band of the Rohnerville Rancheria and may be adjusted based on the scale of disturbance and sensitivity of the location where ground disturbance will occur. Monitoring may be decreased to spot-checking at the discretion of the monitors, as warranted by conditions such as encountering bedrock. If monitoring is decreased to spot-checking, spot-checking should occur when ground-disturbance moves to a new location in the project site and when ground disturbance extends to depths not previously reached (unless those depths are within bedrock).

CR-2 Inadvertent Discovery of Cultural Resources

If cultural resources are encountered during construction activities, the contractor on site shall cease all work in the immediate area and within a 50-foot buffer of the discovery location. A qualified archaeologist as well as the appropriate Tribal Historic Preservation Officer(s) are to be contacted to evaluate the discovery and, in consultation with the applicant and lead agency, develop a treatment plan in any instance where significant impacts cannot be avoided.

The Native American Heritage Commission (NAHC) can provide information regarding the appropriate Tribal point(s) of contact for a specific area; the NAHC can be reached at 916-653-4082. 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 NAHC will then be contacted by the Coroner to determine appropriate treatment of the remains pursuant to PRC 5097.98. Violators shall be prosecuted in accordance with PRC Section 5097.99 "

Mitigation Measure GHG-1 (Energy Source for Cultivation):

Power used by Mixed-Light Cultivation activities shall exclusively be supplied by an on-site renewable energy system, or grid power from renewable energy sources, or grid power from non-renewable source with purchase of carbon offset credits. This includes all power used by fans, lights, dehumidifiers, heaters, pumps, or similar equipment or activities. Power from a generator may be used

to supply energy for on-site propagation activities within a designated nursery area until grid power or an adequate on-site renewable energy system is developed or January 1, 2026 (whichever is earlier). After January 1, 2026, any cultivation-related generator use shall be limited to providing emergency backup of the primary power source in the event that power from the electrical grid or on-site renewable system is suddenly and unexpectedly lost.

WQ-1& 2 - Restore Pre-Existing Wetlands

Pull back fill and fill slopes placed into wetlands and contour the fill into source cut hillslopes to recreate pre-development, historic, topography. Begin grading and contouring wetland areas and implement erosion control measures in conjunction with replanting of native wetland vegetation. Remove existing drainage structures impeding stream channel function and upgrade/modify existing water course crossings and install new drainage structures. Remove placed crossing fill and layback fill slopes/streambanks. Upgrade/modify existing watercourse crossings and install new drainage structures and implement erosion control measures. Remove all cultivation related materials from setbacks and rip road surface and graded areas within setbacks, while implementing erosion control measures in conjunction with replanting.

WQ-3 - Remediate Cultivation Area

Shorten existing culvert by 40-feet to reduce overall permanent impacts to site. Remove existing greenhouse and all cultivation material and adjacent buildings. Rip road and cultivation pad, hydroseed and plant native wetland vegetation in order to create approximately 45,550 square feet of wetland to mitigate for onsite impacts.

WQ-4 - Restore Diverted Watercourses to Original Channel

Install a rock ford across legacy road impoundment to realign two watercourses with their native channel.

WQ-5 - Improve Functioning of On-Stream Pond

Drain pond, if necessary, and excavate impoundment fill prism. Place and key-in ¼ ton RSP along the excavated impoundments downhill fill slope. Install impoundment toe drainage ditch at base of downhill armored slope and install rock armored spillway over both impoundment fill prisms while implementing erosion control measures.

WQ-6 - Decommission Road Crossing

Remove existing culvert to restore stream channel to pre-construction conditions.

WQ-7 - Upgrade Road Crossing to Improve Water Quality

An existing culvert will be upgraded to be properly sized for a 100-year storm event, and to restore the natural grade of the watercourse.

WQ-8 - Site D – Restore Pre-Existing Wetland

Pull back fill and fill slopes placed into wetland to recreate pre-development, historic, topography. Begin grading and contouring wetland area and implement erosion control measures in conjunction with replanting of native wetland vegetation.

WQ-9 - Site E – Restore Streambed

Pull back fill from streambed and restore to pre-development conditions, approximately 140 feet of filled streambed, and hydroseed to another 80 feet of impacted streambed with native upland seed mix.

WQ-10 - Site G – Restore Pre-Existing Wetland and Streambed

Pull back fill from wetland and streambed to restore to pre-development conditions. A small basin will be contoured at the head of the streambed to capture seasonal surface waters and feed into the restored streambed. The site will then be replanted with native wetland vegetation.

WQ-11 - Compensatory/Temporal Impact Mitigation – On-Site Wetland Creation or Off-Site Wetland Creation/Restoration/Enhancement or Mitigation Credits

The applicant shall satisfy the compensatory mitigation requirements of the Notice of Violation and Cleanup and Abatement Order issued by the North Coast Regional Water Quality Control Board in 2021 (R1-2021-0003). The point of this effort is to mitigate temporal impacts of illegal development in wetland and stream channels which has occurred at the project site. This may include wetland creation and enhancement activities and similar measures on the property or at appropriate off-site locations approved by Water Board staff and in consultation with other responsible agencies. Alternatively, off-site mitigation bank credits may be obtained as they become available. Off-site mitigation areas may be in-watershed or out of watershed.

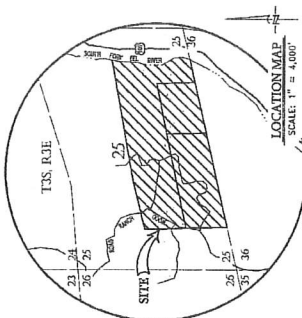
Site Planset



UTILITIES

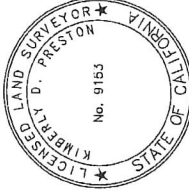
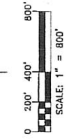
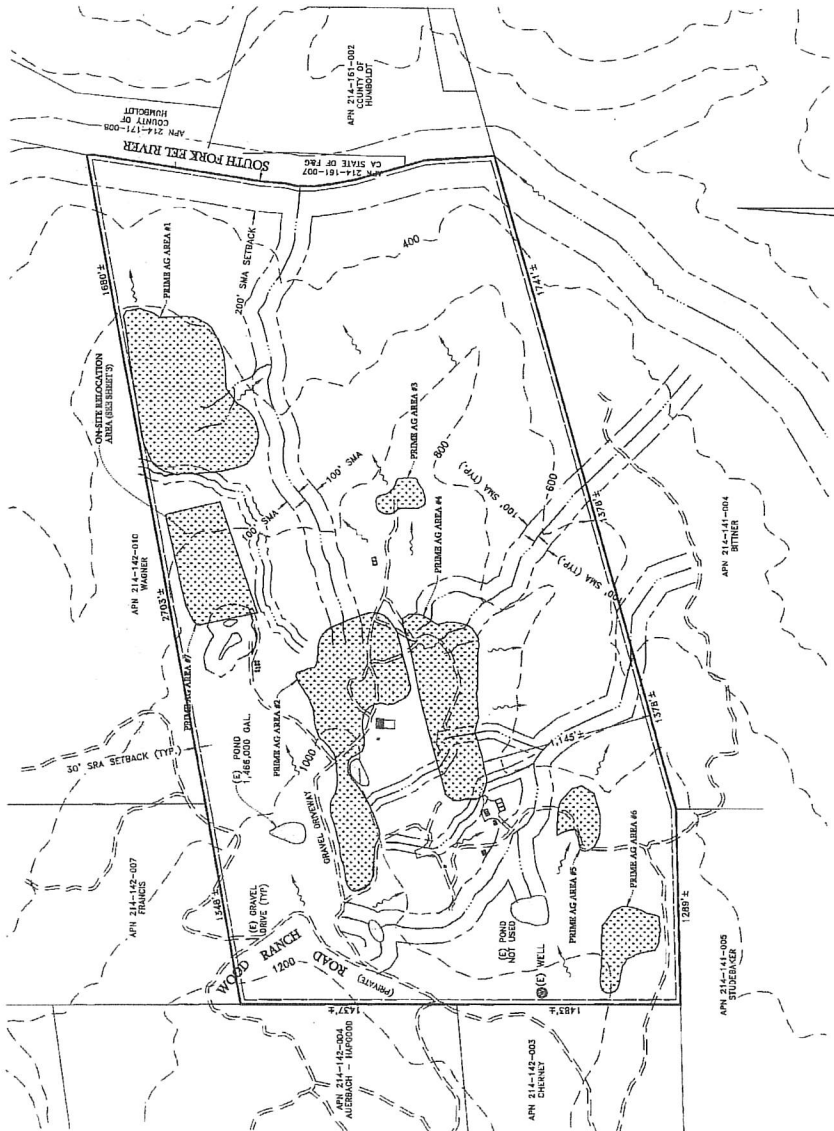
ON-SITE
WATER
SEWER
POWER
GENERATOR

LEGEND
SYMBOL
INDICATES
EXISTING PARKING SPACE
DIRECTION OF SURFACE WATER RUNOFF
PROPOSED
EXISTING
TYPICAL
GALLON
S.F.
BUILDING
GREENHOUSE
MIXED LIGHT
OUTDOOR
STREAMSIDE MANAGEMENT AREA SETBACK
STATE RESPONSIBILITY AREA SETBACK
CONTOURS AT 200-FOOT INTERVALS
PRIME AGRICULTURAL LAND AREAS



DIRECTIONS TO THE SITE

EXIT U.S. HIGHWAY 101 SOUTH AT REDWOOD DRIVE;
RIGHT AT WOOD RANCH ROAD.



SHEET LAYOUT

- SHEET 1 - ULTIMATE CONFIGURATION
- SHEET 2 - ULTIMATE CONFIGURATION DETAIL
- SHEET 3 - ON-SITE RELOCATION PLAN
- SHEET 4 - PRELIMINARY RELOCATION
- SHEET 5 - RELOCATION PLAN
- SHEET 6 - GRADING PLAN
- SHEET 7 - CROSS SECTIONS & DETAILS

NOTES

- A LOT MERGER OF APNs 214-142-000, -009 & -011 ASSOCIATED WITH THIS PROJECT HAS OCCURRED.
- THE PROPERTY IS ZONED AE/TPZ, WITH A GENERAL PLAN DESIGNATION OF TIMBERLAND (T).
- THE PROPERTY IS RELATIVELY OPEN AND MEADOWY. CONTOURS SHOWN HEREIN ARE AT 200 FOOT INTERVALS AND ARE BASED ON USGS 1/3 ARC-SECOND DIGITAL ELEVATION MODELS.
- THE PROJECT IS NOT LOCATED WITHIN AN AREA WHERE CULTURAL RESOURCES ARE KNOWN TO HAVE BEEN LOCATED. HOWEVER, AS THERE EXISTS THE POSSIBILITY THAT UNDISCOVERED CULTURAL RESOURCES MAY BE ENCOUNTERED, MITIGATION MEASURES MAY BE REQUIRED UNDER FEDERAL AND STATE LAW.
- NO SCHOOLS, SCHOOL BUS STOPS, PLACES OF WORSHIP, PUBLIC PARKS OR TRIBAL CULTURAL RESOURCES ARE LOCATED WITHIN SIX HUNDRED FEET (600') OF THE CULTIVATION SITES.
- SEWAGE DISPOSAL FOR THE SITE'S AGRICULTURAL OPERATIONS SHALL BE ON-SITE, WITH SEPTIC TRENCH DESIGN AND REPORT PREPARATION STILL TO BE UNDERTAKEN, AT A LATER DATE. THE SITE IS CURRENTLY UTILIZING AN EXISTING UNLIMITED SEPTIC SYSTEM EXISTING RESTROOMS AT BUILDING 1, TO BE UPDATED TO ADA FACILITY.
- WATER FOR THE PARCELS IS CURRENTLY FROM AN EXISTING WELL.
- A GRADING PLAN BY TRINITY VALLEY CONSULTING ENGINEERS AND CHURBERG & PRESTON, HAVE BEEN PREPARED IN CONJUNCTION WITH THIS PROJECT. THREE (3) PRIME AGRICULTURAL LAND ASSESSMENTS WERE PREPARED BY DBS AND PACIFIC AFFILIATES.
- THIS PROJECT IS IN A STATE RESPONSIBILITY AREA (SRA), AND CURRENT SRA FIRE SAFE STANDARDS FOR ROADSIDE DRIVEWAYS, TURNOUTS, TURNAROUNDS, ETC. SHALL BE ADHERED TO. EXISTING PONDS TO BE USED FOR SRA WATER STORAGE.
- THIS PLOT PLAN IS BASED ON RECORD INFORMATION, AND SHOULD NOT BE CONSIDERED A SURVEY. INFORMATION SHOWN ON THIS DIAGRAM INCLUDING DISTANCES, BUILDINGS, ROADS, WATER TANK AND STREAM LOCATIONS SHOULD BE CONSIDERED PRELIMINARY. FIELD SURVEY SHALL BE CONDUCTED IN COMPLIANCE WITH STATE LAW. A FIELD SURVEY SHALL BE PERFORMED AT A LATER DATE, FOLLOWING PROJECT APPROVAL.
- WIDTH AND SLOPE OF GRAVEL ROADS VARY. ALL ROADS ARE A MINIMUM OF 10 FOOT WIDE AND HAVE GRADES UNDER 15%.
- THIS PLAN IS NOT INTENDED TO BE USED FOR CONSTRUCTION PURPOSES.

OWNER
CALIFORNIA PROPERTY SOLUTIONS, LLC
c/o YOUNG JACOBSEN
P. O. BOX 2344
REDWAY, CA 95560

APPLICANT

PATIENT 2 PATIENT, INC.
c/o DIANE SADOSKY
1881 BARNETT COURT, SUITE #1
REDWAY, CA 95560

CMLUO APPS #12415 & 12426
APN 214-142-012
(PRE-LOT MERGER APN 214-142-008,
& -009 & -011)

REVISED: 07/08/23
03/30/23

DESIGNED BY PRESTON
PLA 1100

DATE

CHURBERG & PRESTON
Engineers
18001
Redway, CA 95560

DESIGNED BY
CHK/ADP

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08/24/18

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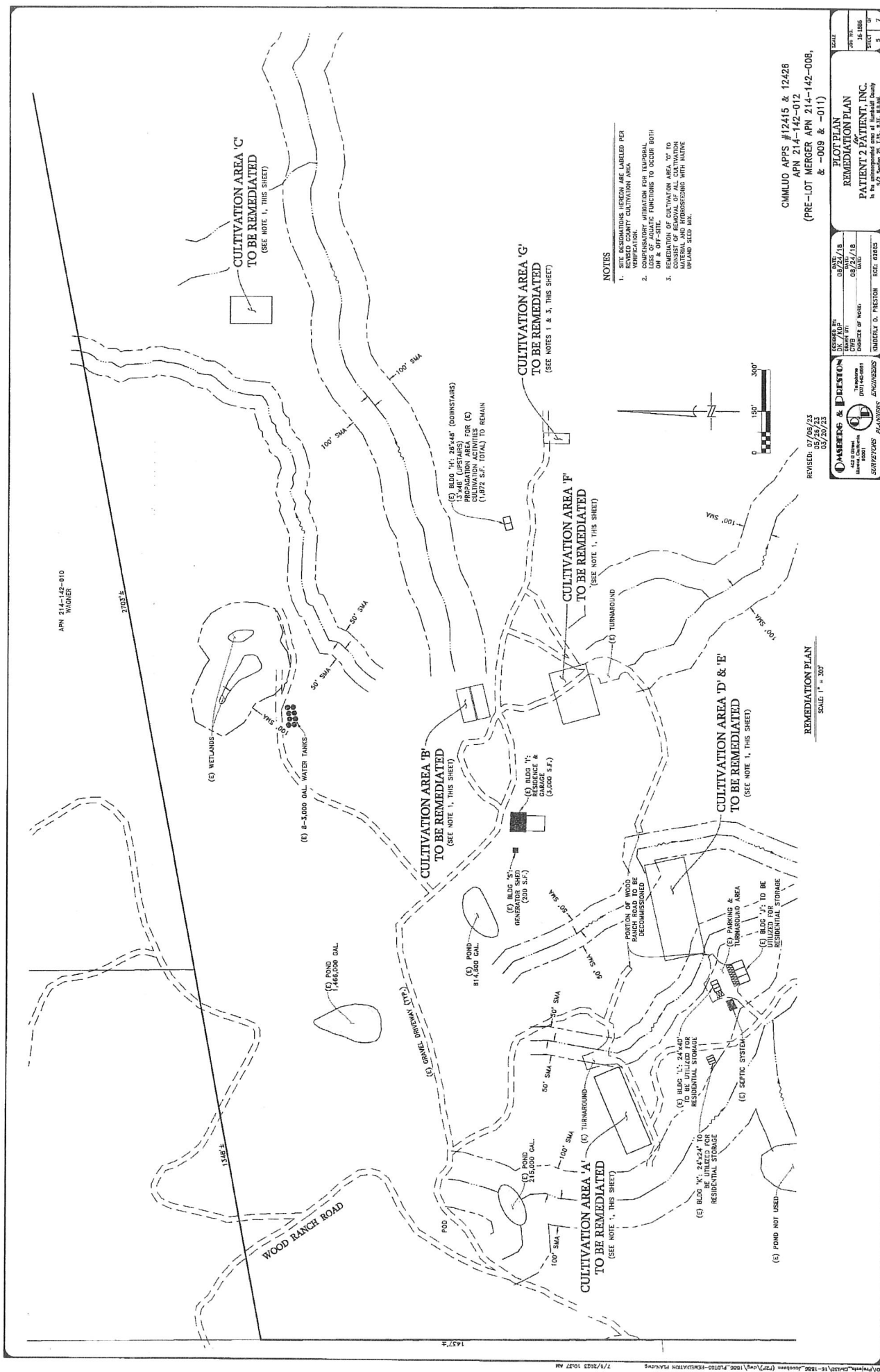
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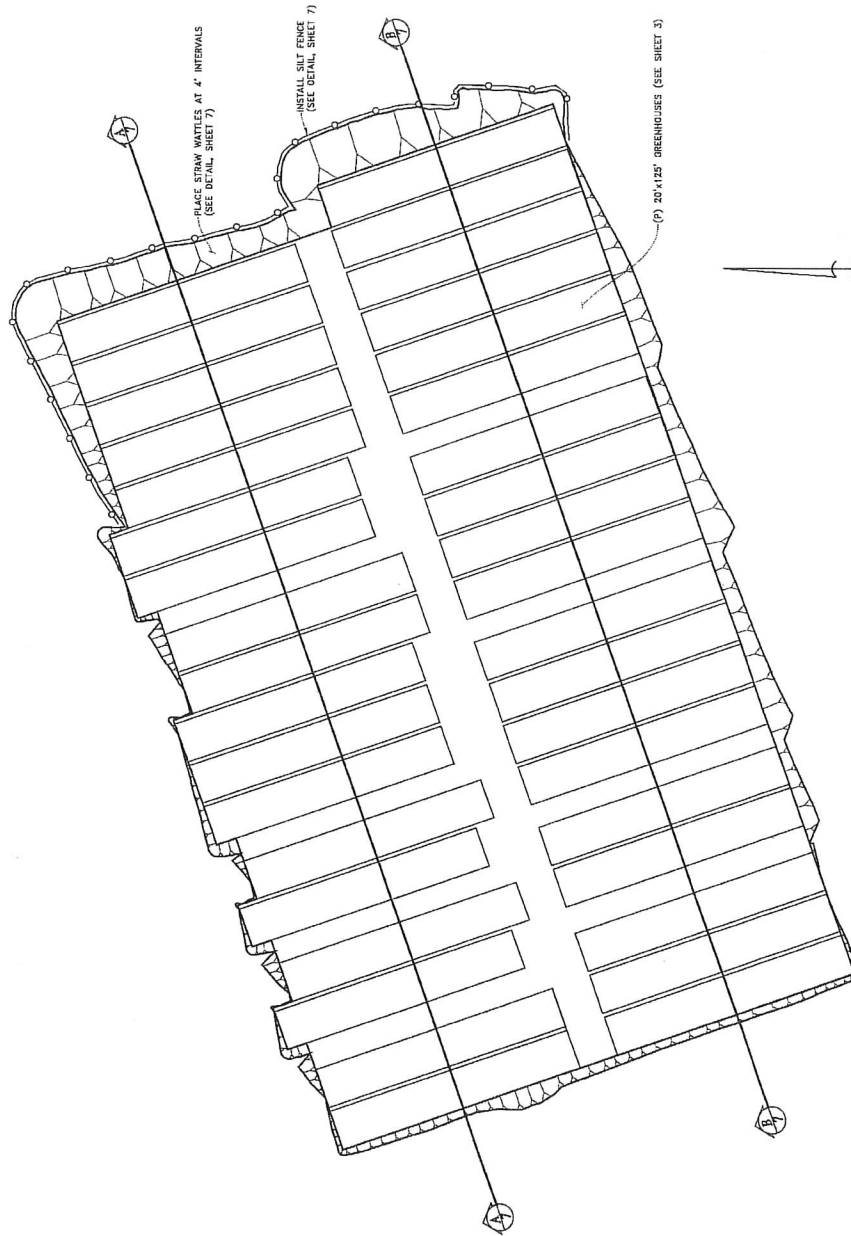
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GRADING PLAN
SCALE: 1" = 40'

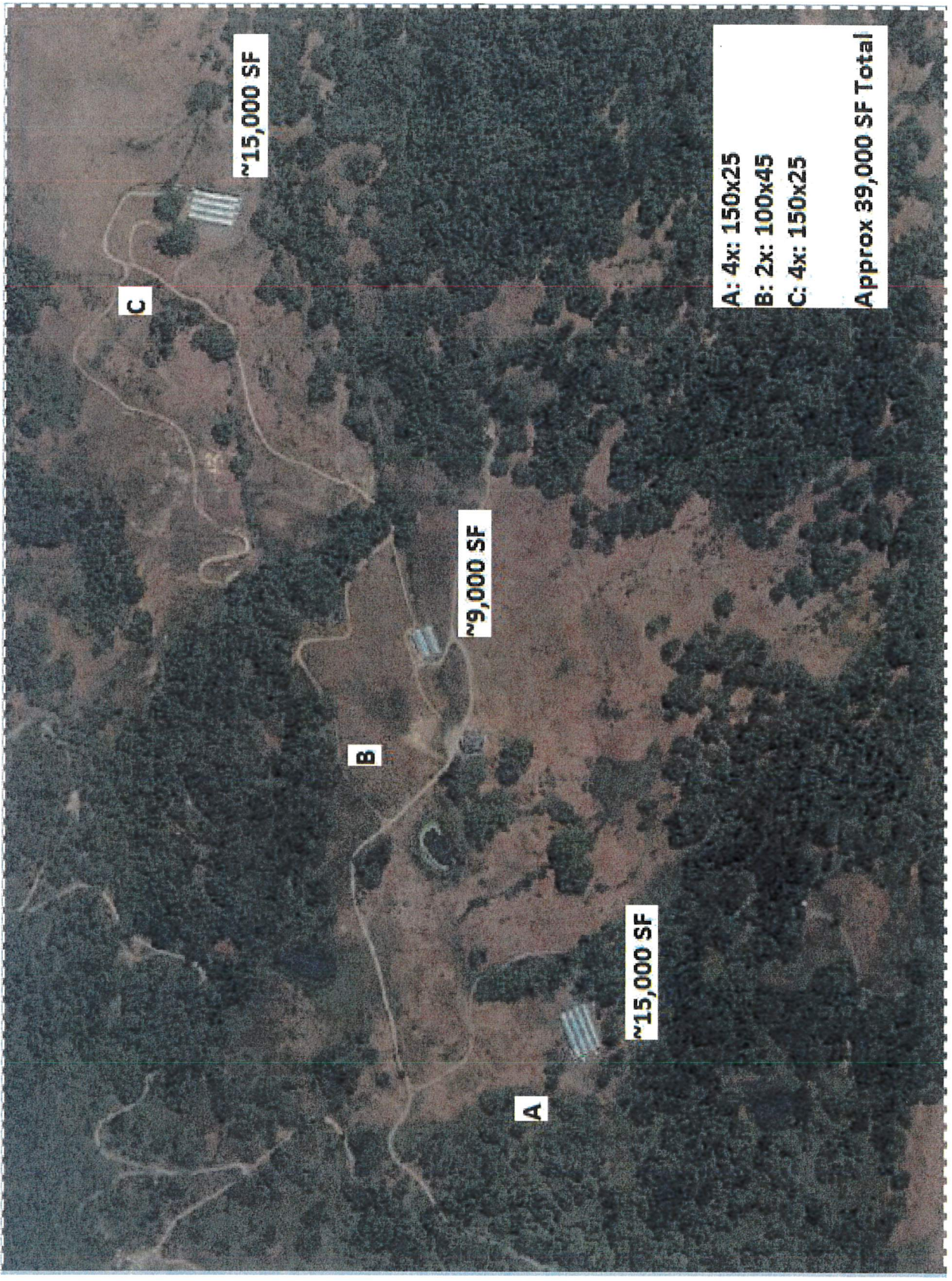
OMMLUO APPS #12415 & 12426
APN 214-142-012
(PRE-LOT MERGER APN 214-142-008,
& -009 & -011)

REVISED: 07/05/23
07/27/23
07/27/23

DASSINE & PRESTON LAND SURVEYORS 1001 E STREET SUITE 100 SALT LAKE CITY, UT 84143 (801) 463-0881 www.dassinepreston.com		PREPARED BY: DATE: 08/24/18 CHECKED BY: DATE: 08/24/18 DESIGNED BY: DATE: 08/24/18 DRAWN BY: DATE: 08/24/18	SCALE: 1" = 40' 1" = 80' 1" = 160' 1" = 320' 1" = 640' 1" = 1280' 1" = 2560' 1" = 5120' 1" = 10240' 1" = 20480' 1" = 40960' 1" = 81920' 1" = 163840' 1" = 327680' 1" = 655360' 1" = 1310720' 1" = 2621440' 1" = 5242880' 1" = 10485760' 1" = 20971520' 1" = 41943040' 1" = 83886080' 1" = 167772160' 1" = 335544320' 1" = 671088640' 1" = 1342177280' 1" = 2684354560' 1" = 5368709120' 1" = 10737418240' 1" = 21474836480' 1" = 42949672960' 1" = 85899345920' 1" = 171798691840' 1" = 343597383680' 1" = 687194767360' 1" = 1374389534720' 1" = 2748779069440' 1" = 5497558138880' 1" = 10995116277760' 1" = 21990232555520' 1" = 43980465111040' 1" = 87960930222080' 1" = 175921860444160' 1" = 351843720888320' 1" = 703687441776640' 1" = 1407374883553280' 1" = 2814749767106560' 1" = 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Revised Cultivation Area Verification (CAV) dated October 17, 2018





Santos, Steven A

From: Santos, Steven A
Sent: Wednesday, October 17, 2018 12:46 PM
To: 'jslack@janssenlaw.com'; 'lilshielasky@gmail.com'
Cc: Ford, John
Subject: Patient 2 Patient Inc Revised CAV for 12415 and 12426
Attachments: Patient2Patient Revised CAV 10.17.18.pdf

Jeff and Diane – Attached is our revised aerial analysis of the cultivation area for the above referenced projects. This information supersedes any previous CAVs and the totals listed in the May 3, 2018 correspondence.

Here is a summary of our findings:

APN 214-142-008

- We found no prior cultivation
- We identified an expansion of ~3,200 SF

APN 214-142-009

- We found no prior cultivation
- We identified an expansion of ~69,000 SF

APN 214-142-011

- We found a prior cultivation baseline of ~39,000 SF in three discrete areas labeled on the imagery as A, B, and C.
- We found that Area A expanded from ~15,000 SF to ~27,000 SF starting in 2016
 - This resulted in an overall expansion on this parcel of ~12,000 SF in 2016 and 2017
- We found that Area C was abandoned in 2018
 - This resulted in an overall cultivation area of ~36,000 SF on this parcel in 2018

Below is an outline of the settlement required before an interim permit can be issued:

Penalties

At the mixed light rate, the penalty is \$288,800. This calculation excludes the expansion on parcel 214-142-011

Restoration

Greenhouses on parcels 214-142-008 and -009 must be removed

Relocation

Justification of environmental superiority must be provided for the relocation from Area C to Area A on parcel 214-142-011. Alternatively, the cultivation area in Area A can be reduced to its baseline level of 15,000 SF and cultivation in Area C can resume.



Steven A. Santos
Senior Planner
[Planning and Building Department](#)
707.268.3749

214-142-011 Image: 4/25/18 TerraServer
Approximately 36,000 SF



214-142-009 Image: TerraServer 4/25/18
Approximately 69,000 SF

