



COUNTY OF HUMBOLDT
PLANNING AND BUILDING DEPARTMENT
CURRENT PLANNING DIVISION

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

Hearing Date: September 2, 2021

To: Humboldt County Zoning Administrator

From: Cliff Johnson, Supervising Planner

Subject: **28759 Humboldt, Inc., Special Permit**
Record Number: PLN-11005-SP
Assessor's Parcel Number (APN): 211-401-017
2464 Salmon Creek Road, Miranda area

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Please contact Megan Marruffo, Assigned Planner, at (707) 443-5054 or by email at marruffom@lacoassociates.com, if you have any questions about the scheduled public hearing item.

AGENDA ITEM TRANSMITTAL

Hearing Date	Subject	Contact
September 2, 2021	Special Permit	Megan Marruffo

Project Description: A Special Permit for continued cultivation of 8,180 square feet (SF) cannabis cultivation of which 5,180 SF is outdoor and 3,000 SF is mixed-light with appurtenant drying and processing activities. Ancillary propagation area is 910 SF. Estimated annual water usage is 98,200 gallons. Irrigation water is sourced from a permitted onsite groundwater well and rain catchment. Water storage will total 51,700 gallons. All processing will occur onsite within a proposed 4,000-square-foot structure. There will be 6 employees on site during peak operations. Power is provided by a generator.

Project Location: The project site is located in the Miranda area, on the west side of Salmon Creek Road, approximately 0.4 miles from the intersection of U.S. Highway 101 and Salmon Creek Road, on the property known as 2464 Salmon Creek Road, Miranda.

Present Plan Land Use Designations: Residential Agriculture (RA5-20) Density: 5 to 20 acres per dwelling unit, Slope Stability: Low Instability (1) and Moderate Instability (2).

Present Zoning: Unclassified (U)

Record Number: PLN-11005-SP

Assessor's Parcel Number: 211-401-017

Applicant

28759 Humboldt, Inc.
C/O Sherry Elliot
1714 79th Court West
Brandenton, FL 34209

Owner

Humboldt Hill Farms, LLC
C/O Sherry Elliot
1714 79th Court West
Brandenton, FL 34209

Agents

Cannabusiness Law, Inc.
755 Baywood Drive, 2nd Floor
Petaluma, CA 94954

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

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

Major Issues: None.

Recommended Zoning Administrator Action:

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

Find that the Zoning Administrator has considered the Addendum to the adopted Mitigated Negative Declaration for the Commercial Medical Marijuana Land Use Ordinance (CMMLUO) as described by Section §15164 of the State CEQA Guidelines, make all of the required findings for approval of the Special Permit and adopt the Resolution approving the 28759 Humboldt, Inc., project as recommended by staff subject to the recommended conditions.

Executive Summary: 28759 Humboldt, Inc., seeks a Special Permit to allow the continued cultivation of 8,180 square feet (SF) cannabis cultivation operation of which 5,180 SF is outdoor and 3,000 SF is mixed-light in accordance with Humboldt County Code Section 314-55.4 of Chapter 4 of Division I of Title III, Commercial Medical Marijuana Land Use Ordinance (CMMLUO). The site is designated as Residential Agriculture (RA5-20) in the Humboldt County 2017 General Plan Update and zoned Unclassified (U). Cultivation takes place in 6 greenhouses, 5 for outdoor and 1 3,000-square-foot greenhouse is designated for mixed light. There will be a maximum of three harvests of mixed light and two harvests of outdoor annually. All processing will occur onsite in a proposed 4,000-square-foot (40'x100') structure to be utilized for processing, drying, harvest storage, and immature plant area. A maximum of 6 people will be on-site during peak operations. According to the operations plan, power for the domestic and agricultural activities is provided by various gasoline- and diesel-fueled generators. The generators are proposed to be replaced with a single propane-powered generator to eliminate the risk of spills or contamination. A separate appropriately sized generator may be utilized for the processing facility. The operation will be secured behind a gated road and monitored by an independent licensed security company with a camera surveillance system.

As described by the operations plan, immature plants or seeds are sourced from a Licensed Nursery and transported to site. Seeds are "cracked" and rooted in the 160-square-foot nursery propagation area and transplanted into pots in the 750-square-foot nursery greenhouse to grow to the appropriate size to serve as "mother plants". Purchased clones are transplanted into larger pots and allowed to "veg up" within the 750-square-foot nursery greenhouse to appropriate size for taking cuttings as "mother plants". Cuttings are rooted in the 160 SF nursery propagation area in trays. Once rooted, the starts are transplanted from trays into pots in the 750 SF nursery greenhouse and once plants are the appropriate size, they are planted in the cultivation area in raised beds. The total size of the nursery propagation area and the propagation greenhouse is 918 SF. However, staff is recommending a reduction of the nursery propagation area to 68 SF to ensure the propagation space does not exceed 10%, which is consistent with other approvals by the Zoning Administrator and Planning Commission. A condition of approval is included to require the applicant to submit a revised operations plan and site plan to reflect this change.

The applicant is proposing to relocate cultivation from two historic cultivation sites located on the west and east sides of the subject parcel to the central portion of the subject parcel. The Relocation Report prepared by Timberland Resource Consultants dated October 21, 2019, describes the historic cultivation site on the western portion of the parcel as having slopes between 30 – 40% and the eastern cultivation are as being located within the 30-foot parcel setback (see Attachment 3). Planning staff is supportive of the relocation as the proposed relocation site has slopes less than 30%, is located in an already disturbed area that is outside of riparian buffer, and is located outside of the 30-foot setback requirement to meet FIRE SAFE standards.

Estimated annual water usage is 98,200 gallons (12 gal/SF) with peak demand occurring in July through September. Water for irrigation is provided by a permitted well (17/18-0163) (Attachment 3). The well is

also registered with the California Department of Water Resources (WCR2018-004387). The well is located in the northwest portion of the subject parcel more than 100 feet north of the nearest Streamside Management Area and at a similar elevation. According to the Well Completion Report (see Attachment 3), the well is 220 feet deep and drilled through clay, sandstone and shale. A blank is installed for the first 60 feet of the well and there is screening from 60 -220 feet. Based on the distance from the nearest watercourse and the use of a blank for casing of the first 60 feet of the well, Planning staff determined the well is likely to be hydrologically disconnected from surface waters and does not require additional water rights from the State Water Resources Control Board and is not subject to forbearance or water storage requirements.

Applicant also intends to add gutters to the existing residence (~32'x40'), 1,280 SF of catchment area tied into the water storage system. Assuming 57 inches (Garberville area average rainfall, Western Climate Research Institute) and accounting for a 50% drought factor (Northern California Region - Eureka and Scotia 2020-2021 drought averages, California Nevada River Forecast Center) yields 22,740 gallons capturable over the roof surface in the current drought condition (worst on record) with approximately 45,840 gallons in average years. The rain capture will reduce demand on the well system. Existing available water storage is 21,700 gallons in seven (7) water storage tanks. The applicant is proposing to add six (6) additional 5,000-gallon water storage tanks for a total of 51,700 gallons of water storage once improvements to the site are complete.

A Water Resources Protection Plan (WRPP) was prepared by Timberland Resource Consultants in February 2017 (Attachment 3) that includes recommended best practices for erosion control, monitoring irrigation volumes to prevent runoff, and utilizing a secure storage facility for all cultivation-related materials consistent with the North Coast Regional Water Quality Control Board Order RI-2015-0023 and the State Water Resources Control Board (SWRCB) Cannabis General Order. The WRPP recommends 22 improvements to the subject parcel to bring the property into compliance with State Cannabis Cultivation Policy. The WRPP includes recommendations including but not limited to the installation of additional ditch relief culverts, development of appropriate drainage features for cultivation sites, relocation of spoils piles with erosion control measures during the rainy season, and implementation of water conservation measures according to the State Water Resource and Control Board's water conservation better management practices. The conditions of approval require the applicant to adhere to and implement the recommendations in the WRPP and maintain enrollment in the SWRCB's State Cannabis Cultivation program.

Although Humboldt County's WebGIS shows no mapped streams, the Site Plan shows a stream bisects the southern portion of the property and provides the associated 100-foot Streamside Management Area (SMA) buffer. The cultivation areas are outside of the SMA buffer; however, four (4) of the 3,000-gallon tanks are located within the SMA buffer. As a result, the project is conditioned to relocate the tanks outside of the SMA buffer without the use of machinery and submit a revised plot plan illustrating the new location of the tanks.

A search of CNDDDB biological resources database was performed on November 9, 2020. The only mapped sensitive species potentially onsite was identified as the Western bumble bee, which is included on the CNDDDB mapping due to state rarity of native pollinators; however, due to the project areas having a history of regular disturbance, it is unlikely that there would be a significant loss of habitat as a result of the project. The nearest NSO activity center is located approximately 1.5 miles from the site, lands surrounding the site are heavily forested thus there is high potential for NSO habitat.

The project utilizes mixed-light cultivation techniques that could impact sensitive species, including NSO, that may utilize the potential surrounding habitat, and, as such, the project is conditioned to comply with International Dark-sky Association Standards for lighting zones 0 and, utilize appropriate infrastructure such as black out tarps so that no light may escape the cultivation areas starting a half hour before sunset and no sooner than a half hour after sunrise. Any security lighting shall be adjusted so that no light spillage or up-glare spills off the property to neighboring residences. The project is proposed to make use of a generator onsite to power cultivation, drying, and processing equipment and machinery. All equipment utilized in conjunction with the proposed commercial activity including but

not limited to generators, fans, dehumidifiers, heaters, etc. is required to comply with the performance standards set by Department Policy Statement No. 16-005 clarifying CMMLUO Section 55.4.11 (o) which requires noise levels be at or below 50 dB at 100 feet or edge of habitat whichever is closer to the noise source. Furthermore, the project is conditioned to refrain from using synthetic netting, ensure refuse is contained in wildlife proof storage, and refrain from using anticoagulant rodenticides to further protect wildlife.

Access to the site is by Salmon Creek Road via U.S. Highway 101. A Road Evaluation Report for the Salmon Creek Road, prepared by the applicant in April 2019 (Attachment 3), indicates Salmon Creek Road is a County-maintained road and can accommodate the project. No additional traffic is anticipated as there are no employees, therefore, the project will not result in additional traffic that could exacerbate roadway deterioration. Conditions of approval require the applicant to improve the directly intersection of the driveway with Salmon Creek Road to meet commercial standards.

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

Staff recommends that the Zoning Administrator describe the application as a part of the consent agenda, survey the audience to see if any person would like to discuss the application and, if no one requests discussion, make all the required findings based on the evidence in the record and approve the application subject to the recommended conditions.

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

**RESOLUTION OF THE ZONING ADMINISTRATOR
OF THE COUNTY OF HUMBOLDT**

**Resolution Number 21-
Record Number PLN-11005-SP
Assessor's Parcel Number: 211-401-017**

Resolution by the Zoning Administrator of the County of Humboldt certifying compliance with the California Environmental Quality Act and conditionally approving the 28759 Humboldt, Inc., Special Permit request.

WHEREAS, 28759 Humboldt, Inc., submitted an application and evidence in support of approving a Special Permit for continued cultivation of 8,180 square feet (SF) cannabis cultivation of which 8,180 SF is outdoor and 3,000 SF is mixed-light with appurtenant drying and processing activities. Ancillary propagation is 818 square feet in a 750-square-foot greenhouse and a 68-square-foot nursery propagation area. Estimated annual water usage is 98,200 gallons. Irrigation water is sourced from a permitted onsite groundwater well and rain catchment. Existing available water storage is 23,500 gallons in a series of hard-sided tanks. The applicant will add an additional 28,200 gallons for a total of 51,700 gallons of water storage on-site. All processing will occur onsite within a proposed 4,000-square-foot structure. No employees are currently used for cultivation operations. Power is provided by a generator; and

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

WHEREAS, the Humboldt County Zoning Administrator held a duly-noticed public hearing on September 2, 2021, and reviewed, considered, and discussed the application for a Special Permit and reviewed and considered all evidence and testimony presented at the hearing.

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

1. FINDING: **Project Description:** The application is a Special Permit for continued cultivation of 8,180 square feet (SF) cannabis cultivation of which 8,180 SF is outdoor and 3,000 SF is mixed-light with appurtenant drying and processing activities. Ancillary propagation is 818 square feet in a 750-square-foot greenhouse and a 68-square-foot nursery propagation area. Estimated annual water usage is 98,200 gallons. Irrigation water is sourced from a permitted onsite groundwater well and rain catchment. Existing available water storage is 23,500 gallons in a series of hard-sided tanks. The applicant will add an additional 28,200 gallons for a total of 51,700 gallons of water storage on-site. All processing will occur onsite within a proposed 4,000-square-foot structure. No employees are currently used for cultivation operations. Power is provided by a generator

EVIDENCE: a) Project File: PLN-11005-SP

2. FINDING: **CEQA.** The requirements of the California Environmental Quality Act have been complied with. The Humboldt County Planning Commission has considered the Addendum to and the Mitigated Negative Declaration (MND) prepared for the Commercial Medical Marijuana Land Use Ordinance (CMMLUO) adopted by the Humboldt County Board of Supervisors on January 26, 2016.

EVIDENCE: a) Addendum Prepared for the proposed project.

- b) The proposed project does not present substantial changes that would require major revisions to the previous MND. No new information of substantial importance that was not known and could not be known at the time was presented as described by §15162(c) of CEQA Guidelines.
- c) A Water Resources Protection Plan was prepared by Timberland Resources Consultants in February 2017 to fulfill the North Coast Regional Water Quality Control Board Order No. R1-2015-0023. The project is conditioned to implement all corrective actions detailed in the WRPP. Conditions of approval require the applicant to adhere to and implement the recommendations in the WRPP and maintain enrollment in the State Cannabis Policy.
- d) A search of CNDDDB biological resources database was performed on November 9, 2020. One sensitive species (the Western bumble bee) is mapped as having the potential to be located onsite, but due to the project areas having a history of regular disturbance, it is unlikely that there would be a significant loss of habitat as a result of the project. Although the nearest NSO activity center is located approximately 1.5 miles from the site, lands surrounding the site are heavily forested thus there is high potential for NSO habitat. Conditions of approval will require noise to be at or below 50 decibels at 100 feet or edge of habitat whichever is closer to comply with the performance standards set by Department Policy Statement No. 16-005 clarifying CMMLUO Section 55.4.11 (o), as well as to comply with International Dark-sky Association Standards for any onsite lighting. Furthermore, the project is conditioned to implement all corrective actions contained in the WRPP and to relocate four (4) existing 3,000-gallon water tanks from within the SMA boundaries in order to further minimize any potential biological impacts.
- e) The project was referred by the County to the Northwest Information Center (NWIC), Bear River Band of the Rohnerville Rancheria, and the Intertribal Sinkyone Wilderness Council in September 2019. The NWIC noted that no prior cultural resource studies have been conducted onsite and the project area has the possibility of containing unrecorded resources. In the response received from the Bear River Band of the Rohnerville Rancheria, inclusion of the Inadvertent Discoveries Protocol was recommended and has been incorporated as a condition of approval.
- f) A Road Evaluation Report was prepared for Salmon Creek Road and self-certified by the applicant in April 2019 which identified that the road is developed to Category 4 road standards and is suitable for safe access to and from the project site. Conditions of approval require the applicant to improve the intersection of the driveway with Salmon Creek Road to meet commercial standards as required by the Department of Public Works.

FINDINGS FOR 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.

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 in which general agriculture residential uses are the desirable predominant uses.
 - b) All general agricultural uses are principally permitted in the U zone.
 - c) Humboldt County Code (HCC) section 314-55.4.8.2.2 allows cultivation of up to 10,000 square feet of existing outdoor cannabis and up to 10,000 square feet of existing mixed-light cannabis on a parcel over 1 acre subject to approval of a Special Permit and a determination that the cultivation was in existence prior to January 1, 2016. The application for 8,180 square feet of cultivation on a 10.8-acre parcel is consistent with this and with the cultivation area verification prepared by the County.

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

- EVIDENCE**
- a) The CMMLUO allows existing cannabis cultivation to be permitted in areas zoned U (HCC 314-55.4.6.5).
 - b) The parcel was created in compliance with all applicable state and local subdivision regulations, as it was created in its current configuration by Parcel Map No. 3441 located in Book 33 of Parcel Maps, page 78.
 - c) The project will obtain water from a non-diversionary water source. Water for irrigation is provided by a permitted well (17/18-0163). The well is located in the northwest portion of the subject parcel more than 100 feet north of the nearest Streamside Management Area and at a similar elevation. According to the Well Completion Report (see Attachment 3), the well is 220 feet deep and drilled through clay, sandstone and shale. A blank is installed for the first 60 feet of the well and there is screening from 60 -220 feet. Based on the distance from the nearest watercourse and the use of a blank for casing of the first 60 feet of the well, Planning staff determined the well is likely to be hydrologically disconnected from surface waters and does not require additional water rights from the State Water Resources Control Board and is not subject to forbearance or water storage requirements.

Applicant also intends to add gutters to the existing residence (~32'x40'), 1,280 SF of catchment area tied into the water storage system. Assuming 57 inches (Garberville area average rainfall, Western Climate Research Institute) and accounting for a 50% drought factor (Northern California Region - Eureka and Scotia 2020-2021 drought averages, California Nevada River Forecast Center) yields 22,740 gallons capturable over the roof surface in the current drought condition (worst on record) with approximately 45,840 gallons in average years. The rain capture will reduce demand on the well system. Existing available water storage is 21,700 gallons in seven (7) water storage tanks. The applicant is proposing to add six (6) additional 5,000-gallon water storage tanks for a total of 51,700 gallons of water storage once improvements to the site are complete.

- d) A Road Evaluation Report was completed and self-certified by the applicant in April 2019. The Evaluation addressed Salmon Creek Road, which is a County-maintained road. The road segment evaluated was found to be functionally appropriate for the expected traffic. Conditions of approval require the applicant to improve the intersection of the driveway with Salmon Creek Road to meet commercial standards as required by the Department of Public Works.

- e) The cultivation of cannabis will not result in the net conversion of timberland. No conversion of timberland has occurred.
- f) The project includes relocation of historic cultivation areas to the central portion of the parcel. The historic cultivation site on the western portion of the parcel has slopes between 30 – 40% and the eastern cultivation is located within the 30-foot parcel setback. Planning staff is supportive of the relocation as the proposed relocation site has slopes less than 30%, is located in an already disturbed area that is outside of riparian buffer, and is located outside of the 30-foot setback requirement to meet FIRE SAFE standards.
- g) The location of the cultivation complies with all setbacks required in Section 314-55.4.11.d. It is more than 30 feet from any property line, more than 300 feet from any off-site residence, more than 600 feet from any school, church, public park or Tribal Cultural Resource.

6. FINDING

The cultivation of 3,000 square feet of mixed-light and 5,180 square feet of outdoor cannabis cultivation and the conditions under which it may be operated or maintained will not be detrimental to the public health, safety, or welfare or materially injurious to properties or improvements in the vicinity.

EVIDENCE

- a) The site is located on road that has been verified to safely accommodate the amount of traffic generated by the proposed cannabis cultivation.
- b) The site is in a rural part of the County identified for lands with slopes generally less than 30% and good road access, where the typical parcel size is over 40 acres and many of the land holdings are very large. The proposed cannabis will not be in a location where there is an established neighborhood or other sensitive receptor such as a school, church, park or other use which may be sensitive to cannabis cultivation. Approving cultivation on this site and the other sites which have been approved or are in the application process will not change the character of the area due to the large parcel sized in the area.
- c) The location of the proposed cannabis cultivation is more than 300 feet from the nearest off-site residence.
- d) Irrigation water will come from an onsite permitted well (17/18-0163). The well is located in the northwest portion of the subject parcel more than 100 feet north of the nearest Streamside Management Area and at a similar elevation. According to the Well Completion Report (see Attachment 3), the well is 220 feet deep and drilled through clay, sandstone and shale. A blank is installed for the first 60 feet of the well and there is screening from 60 -220 feet. Based on the distance from the nearest watercourse and the use of a blank for casing of the first 60 feet of the well, Planning staff determined the well is likely to be hydrologically disconnected from surface waters and does not require additional water rights from the State Water Resources Control Board and is not subject to forbearance or water storage requirements.

Applicant also intends to add gutters to the existing residence (~32'x40'), 1,280 SF of catchment area tied into the water storage system. Assuming 57 inches (Garberville area average rainfall, Western Climate Research Institute) and accounting for a 50% drought factor (Northern California Region - Eureka and Scotia 2020-2021 drought averages, California Nevada River Forecast Center) yields 22,740 gallons capturable over the roof surface in the current drought condition (worst on record) with approximately 45,840 gallons in average years. The rain capture will reduce demand on the well system. Existing available water storage is 21,700 gallons in seven (7) water storage tanks. The applicant is proposing to add six (6) additional 5,000-gallon water storage tanks for a total of 51,700 gallons of water storage once improvements to the site are complete.

- e) Provisions have been made in the applicant's proposal to protect water quality and thus runoff to adjacent property and infiltration of water to groundwater resources will not be affected.

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

EVIDENCE a) The parcel was not included in the housing inventory of Humboldt County's 2019 Housing Element. One housing unit is located on the parcel consistent with its land use designation. The proposed project would not preclude the residence from being utilized as such.

DECISION

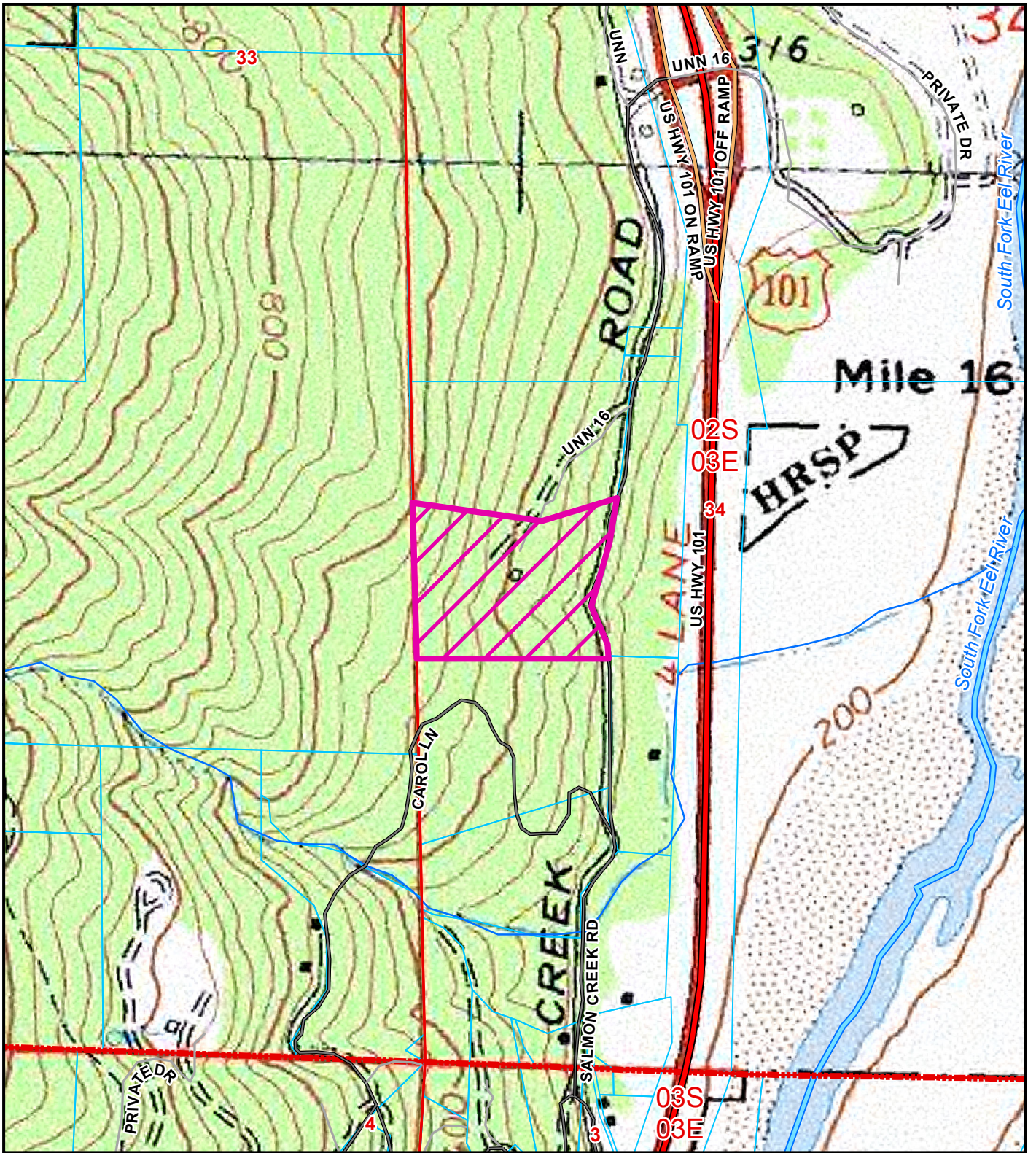
NOW, THEREFORE, based on the above findings and evidence, the Humboldt County Zoning Administrator does hereby:

- Adopt the findings set forth in this resolution; and
- Conditionally approves the Special Permit for 28759 Humboldt, Inc., based upon the Findings and Evidence and subject to the conditions of approval attached hereto as Attachment 1 and incorporated herein by reference; and

Adopted after review and consideration of all the evidence on September 2, 2021.

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

John H. Ford, Zoning Administrator,
Planning and Building Department

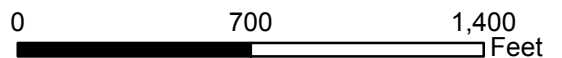


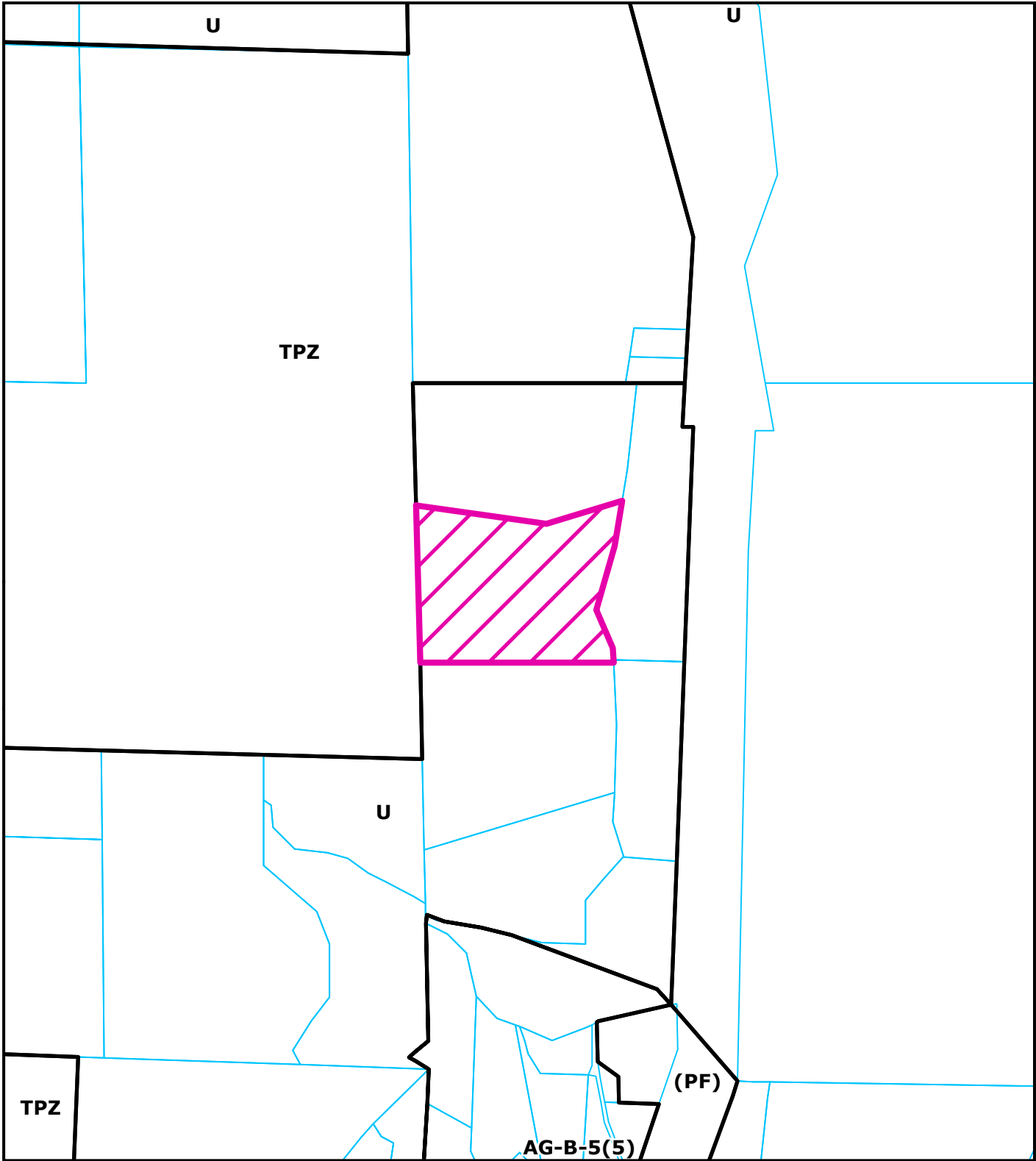
TOPO MAP
PROPOSED CHRISTOPHER CAMERON
MIRANDA AREA
CUP-16-121
APN: 211-401-017-000
T02S R03E S34 HB&M (MIRANDA)

Project Area = 



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



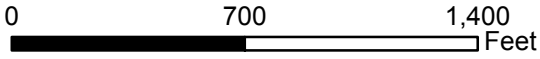


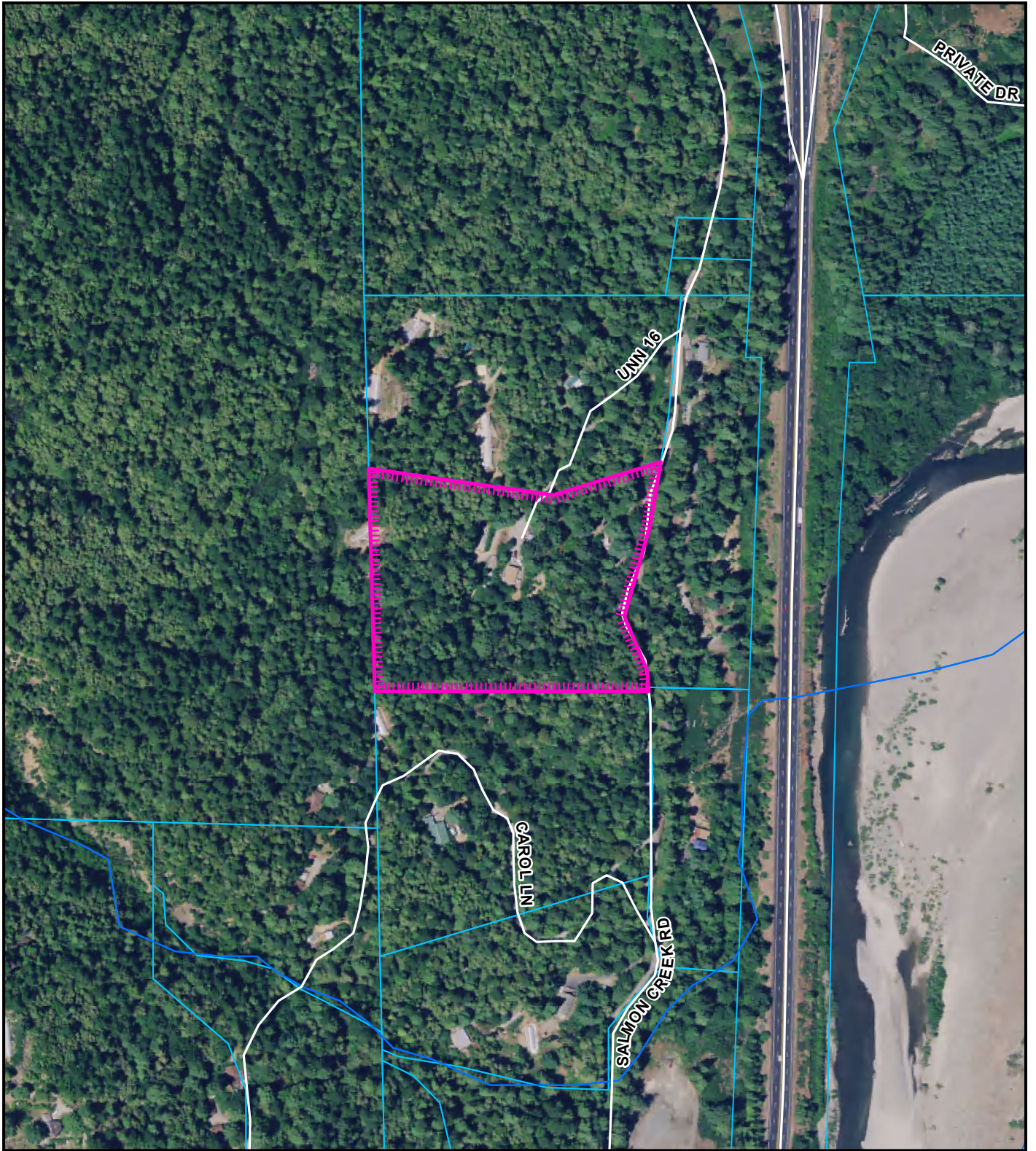
Project Area = 

ZONING MAP
PROPOSED CHRISTOPHER CAMERON
MIRANDA AREA
CUP-16-121
APN: 211-401-017-000
T02S R03E S34 HB&M (MIRANDA)



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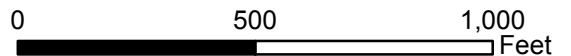


Project Area = 

**AERIAL MAP
 PROPOSED CHRISTOPHER CAMERON
 MIRANDA AREA
 CUP-16-121
 APN: 211-401-017-000
 T02S R03E S34 HB&M (MIRANDA)**



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



PROJECT INFORMATION:

APPLICANT:
 28759 HUMBOLDT INC
 1714 79TH COURT
 WEST BRADENTON FL 34209

PROPERTY OWNER:
 HUMBOLDT HILL FARMS, LLC
 1714 79TH COURT WEST
 BRADENTON FL 34209

OWNERS AGENT:
 SL CONSULTING SERVICES INC
 973 DOWLER DR
 EUREKA, CA 95501
 (707) 440-9033

SITE ADDRESS:
 211-401-017-000
 2464 SALMON CREEK RD
 MIRANDA CA 95553

TREES TO BE REMOVED = NONE
 EXISTING CULTIVATION AREA = 5,180 SF OUTDOOR
 = 3,000 SF MIXED LIGHT

EARTHWORK QUANTITIES = TBD

WATER = PRIVATE
 SEWER = PRIVATE

PARCEL SIZE = ±10.87 ACRES

ZONING: = U
 GENERAL PLAN DESIGNATION = RA5-20

SRA AREA: = YES
 IN COASTAL ZONE: = NO
 IN 100_YR FLOOD_ZONE: = NO

GENERAL NOTES:

- DRAWING SCALE AS NOTED. WRITTEN DIMENSIONS SHALL TAKE PRECEDENCE OVER SCALED DIMENSIONS.
- THIS IS NOT A BOUNDARY SURVEY. BOUNDARY INFORMATION DEPICTED HAS BEEN OBTAINED FROM HUMBOLDT COUNTY 2015 GIS DATA AND ADJUSTED BASED ON PROPERTY OWNER COMMENTS. SL CONSULTING SERVICES INC. HAS NOT VERIFIED THIS PROPERTY BOUNDARY.
- THERE ARE NO NEARBY SCHOOLS, SCHOOL BUS STOPS, PLACES OF WORSHIP, PUBLIC PARKS OR TRIBAL RESOURCES WITHIN 600 FEET OF THE PROPOSED CULTIVATION AREA.
- THERE ARE NO RESIDENCES ON ADJOINING PARCELS WITHIN 500 FEET OF THE PROPOSED CULTIVATION AREAS.
- ANY EXISTING DEVELOPMENT CONSTRUCTED WITHOUT THE BENEFIT OF COUNTY REVIEW WILL BE SUBJECT TO THE HUMBOLDT COUNTY BUILDING DEPARTMENT UPON APPROVAL OF THE ZONING CLEARANCE CERTIFICATE.

PLOT PLAN

22x34 SHEET: 1"=50'
 11x17 SHEET: 1"=100'



CANOPY AREA SUMMARY

OUTDOOR	
GH 1 - 24'x70'	= 1,680 SF
GH 2 - 20'x50'	= 1,000 SF
GH 3 - 24'x20'	= 480 SF
GH 4 - 24'x30'	= 720 SF
GH 5 - 20'x65'	= 1,300 SF
TOTAL	= 5,180 SF

MIXED LIGHT	
GH 6A - 30'x100'	= 3,000 SF
IMMATURE PLANT AREA/NURSERY	
GH 6B - 30'x25'	= 750 SF

DATE	REVISIONS	DRAWN BY

28759 HUMBOLDT INC APN: 211-401-017-000	
2464 SALMON CREEK ROAD MIRANDA, CA 95553	
PLOT PLAN, VICINITY MAP AND PROJECT NOTES	

PROJECT NO.	SL
PROJECT NAME	SL
DRAWN BY	SL
DATE	12-21-2019
SCALE	AS SHOWN



ATTACHMENT 1

RECOMMENDED CONDITIONS OF APPROVAL

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

A. General Conditions

1. The applicant is responsible for obtaining all necessary County and State permits and licenses, and for meeting all requirements set forth by other regulatory agencies.
2. The applicant is required to pay for permit processing on a time and material basis as set forth in the schedule of fees and charges as adopted by ordinance of the Humboldt County Board of Supervisors. The Planning and Building Department will provide a bill to the applicant after the decision. Any and all outstanding planning fees to cover the processing of the application to decision by the Hearing Officer shall be paid to the Humboldt County Planning Division, 3015 "H" Street, Eureka.
3. The Applicant is responsible for costs for post-approval review for determining project conformance with conditions. A deposit is collected to cover this staff review. Permit conformance with conditions must be demonstrated prior to release of building permit or initiation of use and at time of annual inspection. A conformance review deposit as set forth in the schedule of fees and charges as adopted by ordinance of the Humboldt County Board of Supervisors (currently \$750) shall be paid within sixty (60) days of the effective date of the permit or upon filing of the Compliance Agreement (where applicable), whichever occurs first. Payment shall be made to the Humboldt County Planning Division, 3015 "H" Street, Eureka.
4. A Notice of Determination (NOD) will be prepared and filed with the County Clerk for this project in accordance with the State CEQA Guidelines. **Within three days of the effective date of permit approval**, it is requested that the applicant submit a check or money order for the required filing fee in the amount of \$50 payable to the Humboldt County Clerk/Recorder. If this payment is not received within this time period, the Department will file the NOD and will charge this cost to the project.
5. Within 60 days of the effective date of the permit, the applicant shall submit a revised plot plan and operations plan showing the propagation area is limited to 818 SF. The revisions shall be reviewed by Planning Department staff. A sign-off from the Planning Department will satisfy this condition.
6. Within 60 days of the effective date of permit approval, the applicant shall execute a Compliance Agreement with the Humboldt County Planning and Building Department detailing all necessary permits and infrastructure improvements described under Conditions of Approval #7 through #15. The agreement shall provide a timeline for completing all outstanding items. All activities detailed under the agreement must be completed to the satisfaction of the Planning and Building Department before the permit may be finalized and no longer considered provisional.
7. The applicant shall secure permits for all structures and grading related to the cannabis cultivation and other commercial cannabis activity, including but not limited to, water tanks over 5,000 gallons (if any), graded flats and existing and proposed structures associated with drying and storage or any activity with a nexus to cannabis, as necessary. The plans submitted for building permit approval shall be consistent with the project description and the approved project site plan. A letter or similar communication from the Building Division verifying that all structures related to the cannabis cultivation are permitted will satisfy this condition.
8. The applicant shall secure permits and install an onsite sewage disposal systems and restroom facilities prior to processing onsite. Portable toilet and handwashing facilities may be utilized during the construction of these improvements. The applicant shall furnish receipts or other documentation to the DEH for the continual use of portable toilets for employees until a permanent septic system is

installed to their satisfaction. A letter or similar communication from DEH verifying that all their requirements have been met will satisfy this condition.

9. The applicant shall improve the intersection of the driveway of the subject parcel with Salmon Creek Road to meet commercial road standards to the satisfaction of the Department of Public Works (DPW). Prior to commencing work, the applicant shall obtain an encroachment permit from DPW. The applicant shall adhere to and implement the requirements of the encroachment permit when completing the improvements. A sign-off from DPW shall satisfy this condition.
10. The applicant shall obtain a Final Streambed Alteration Agreement from the California Department of Fish and Wildlife for projects under their jurisdiction, including, but not limited to culvert replacement and/or maintenance. The applicant shall adhere to and implement the Final Streambed Alteration Agreement issued by CDFW. Reporting requirements shall be submitted to the Planning Department and the California Department of Fish and Wildlife at 619 Second Street, Eureka, CA 95501, no later than December 31 of each year.
11. The applicant shall implement all corrective actions detailed in the Water Resource Protection Plan (WRPP) developed for the parcel, prepared pursuant to a Tier 2 enrollment under the North Coast Regional Water Quality Control Board (NCRWQCB).
12. The applicant shall implement all corrective actions detailed in the Site Management Plan developed for the parcel, prepared pursuant to Tier 1 enrollment under the State Water Resource Control Board (State Water Board) Cannabis Cultivation Policy (Cannabis Policy), in congruence with Order WQ 2017-0023-DWQ General Waste Discharge Requirements for Dischargers of Waste Associated with Cannabis Cultivation Activities (General Order). A letter or similar communication from the State Water Board verifying that all their requirements have been met will satisfy this condition.
13. The applicant shall construct noise containment structures for all generators used on the parcel. The applicant shall obtain all required building permits for such structures. The applicant shall maintain generator, fan, and dehumidifier noise at or below 50 decibels at the edge of the clearing or 100 feet, whichever distance is closer. This will satisfy the auditory disturbance guidance prepared by the U.S. Fish and Wildlife (USFS), California Fish and Wildlife (CDFW) and Department Policy Statement No. 16-005 to minimize impacts to the Northern Spotted Owl and Marbled murrelet. All generators must be located on stable surfaces with a minimum 200-foot buffer from Class I and Class II streams, per the requirements of CDFW. No generator use is authorized by this permit until the applicant can demonstrate to compliance with this standard.
14. All artificial lighting used for propagation shall comply with International Dark Sky Association standards for Lighting Zone 0 and Lighting Zone 1 and be designed to regulate light spillage onto neighboring properties resulting from backlight, up light, or glare (BUG). International Dark Sky Association standards exceed the requirements of Scenic Resources Standard SR-S4, Light and Glare, that lighting be fully shielded, and designed and installed to minimize offsite lighting and direct light within the property boundaries. Within 30 days of the effective date of this permit, the applicant shall schedule a site inspection with the Humboldt County Planning Department to demonstrate the structures and greenhouses can be comply with this standard.
15. Obtain a permit to operate the Honda 6500 generator from the North Coast Unified Air Quality Management District (NCUAQMD) and obtain an electric permit from the County's Building Department. Alternatively, the applicant may obtain a letter or similar communication from the NCUAQMD that a permit is not required. A sign-off from the Planning Department will satisfy this condition.
16. The applicant shall install and utilize a water meter to demonstrate that there is sufficient water supply to meet the demands of the project. The water use for cultivation is limited to the use of the well and amount of water available in storage tanks and shall be provided annually prior to or during the annual inspection.

17. 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.
18. 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.
19. The applicant shall execute and file with the Planning Division the statement titled, "Notice and Acknowledgment regarding Agricultural Activities in Humboldt County," ("Right to Farm" ordinance) as required by the HCC and available at the Planning Division.

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

1. The combination of background, generator, or other operational equipment created noise must not result in the harassment of Northern Spotted Owl species as required to meet the performance standards for noise set by Department Policy Statement No. 16-005 clarifying CMMLUO Section 55.4.11 (o) requirements. The combined noise levels measured at 100 feet or the edge of habitat, whichever is closer, shall be at or below 50 decibels. Conformance will be evaluated using current auditory disturbance guidance prepared by the United State Fish and Wildlife Service, and further consultation where necessary. A building permit shall be obtained should any structures be necessary for noise attenuation.
2. All artificial lighting shall be fully contained within structures such that no light escapes (e.g., through blackout curtains). Structures shall be enclosed between 30 minutes prior to sunset and 30 minutes after sunrise to prevent disruption to crepuscular wildlife. Security lighting shall be motion activated and comply with the International Dark-Sky Association standards and Fixture Seal of Approval Program; see: <https://www.darksky.org/our-work/lighting/lighting-for-citizens/lighting-basics/>. Standards include but are not limited to the following, 1) light shall be shielded and downward facing, 2) shall consist of Low Pressure Sodium (LPS) light or low spectrum Light Emitting Diodes (LED) with a color temperature of 3,000 kelvins or less and 3) only placed where needed.
3. Prohibition on use of synthetic netting. To minimize the risk of wildlife entrapment, Permittee shall not use any erosion control and/or cultivation materials that contain synthetic (e.g., plastic or nylon) netting, including photo- or biodegradable plastic netting. Geotextiles, fiber rolls, and other erosion control measures shall be made of loose-weave mesh, such as jute, hemp, coconut (coir) fiber, or other products without welded weaves.
4. All refuse shall be contained in wildlife proof storage containers, at all times, and disposed of at an authorized waste management facility.
5. Should any wildlife be encountered during work activities, the wildlife shall not be disturbed and be allowed to leave the work site unharmed.
6. All driveways and private road intersections onto the County Road shall be maintained in accordance with County Code Section 341-1 (Sight Visibility Ordinance).
7. Any existing or proposed non-county maintained access roads that will serve as access for the proposed project that connect to a county maintained road shall be improved to current standards for a commercial driveway. An encroachment permit shall be issued by the Department of Public Works prior to commencement of any work in the County maintained right of way.

- If the County road has a paved surface at the location of the driveway, the driveway apron shall be paved for a minimum width of 18 feet and a length of 50 feet.
 - This condition shall be completed to the satisfaction of the Department of Public Works prior to commencing operations, final sign-off for a building permit, or Public Works approval for a business license.
8. The use of anticoagulant rodenticide is prohibited.
 9. All components of project shall be developed, operated, and maintained in conformance with the Project Description, the approved Site Plan, the Plan of Operations, and these conditions of approval. Changes shall require modification of this permit except where consistent with Humboldt County Code Section 312-11.1, Minor Deviations to Approved Plot Plan. If offsite processing is chosen to be the preferred method of processing, this permit shall be modified to identify the offsite licensed facility.
 10. Within 90 days of permit approval, documentation of the offsite licensed processing or manufacturing facility where processing will occur shall be submitted to the County and this permit shall be modified to identify the offsite licensed facility.
 11. Cannabis cultivation and other commercial cannabis activity shall be conducted in compliance with all laws and regulations as set forth in the CMMLUO and Medicinal and Adult-Use Cannabis Regulation and Safety Act (MAUCRSA), as applicable to the permit type.
 12. If operating pursuant to a written approved compliance agreement, permittee shall abate or cure violations at the earliest feasible date, but in no event no more than two (2) years from the date of issuance of a provisional clearance or permit. Permittee shall provide plans for curing such violations to the Planning and Building Department within one (1) year of issuance of the provisional clearance or permit. If good faith effort toward compliance can be shown within the two years following the issuance of the provisional clearance or permit, the Department may, at the discretion of the Director, provide for extensions of the provisional permit to allow additional time to meet the outstanding requirements.
 13. Possession of a current, valid required license, or licenses, issued by any agency of the State of California in accordance with the MAUCRSA, and regulations promulgated thereunder, as soon as such licenses become available.
 14. Compliance with all statutes, regulations, and requirements of the California State Water Resources Control Board and the Division of Water Rights, at a minimum to include a statement of diversion of surface water from a stream, river, underground stream, or other watercourse required by Water Code Section 5101, or other applicable permit, license, or registration, as applicable.
 15. Confinement of the area of cannabis cultivation, processing, manufacture, or distribution to the locations depicted on the approved site plan. The commercial cannabis activity shall be set back at least 30 feet from any property line, and 600 feet from any school, school bus stop, church or other place of religious worship, or tribal cultural resources, except where a reduction to this setback has been approved pursuant to Section 55.4.11(d).
 16. Maintain enrollment in Tier 1, 2, or 3, certification with North Coast Regional Water Quality Control Board (RWQCB) Order No. R1-2015-0023, if applicable, or any substantially equivalent rule that may be subsequently adopted by the County of Humboldt or other responsible agency.
 17. Comply with the terms of any applicable Lake and Stream Alteration (1600 or 1602) Permit obtained from the California Department of Fish and Wildlife (CDFW).
 18. Comply with the terms of a less-than-3-acre conversion exemption or timberland conversion permit, approved by the California Department of Forestry and Fire Protection (Cal Fire), if applicable.

19. Consent to an annual on-site compliance inspection, with at least 24 hours prior notice, to be conducted by appropriate County officials during regular business hours (Monday through Friday, 9:00 a.m. to 5:00 p.m., excluding holidays).
20. Refrain from the improper storage or use of any fuels, fertilizer, pesticide, fungicide, rodenticide, or herbicide.
21. Pay all applicable application, review for conformance with conditions and annual inspection fees.
22. Fuel shall be stored and handled in compliance with applicable state and local laws and regulations, including the County of Humboldt's Certified Unified Program Agency (CUPA) program, and in such a way that no spillage occurs.
23. The master log books maintained by the applicant to track production and sales shall be maintained for inspection by the County.
24. Pay all applicable taxes as required by the Humboldt County Commercial Marijuana Cultivation Tax Ordinance (Humboldt County Code Section 719-1 et seq.).

C. Performance Standards for Cultivation and Processing Operations

25. 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."
26. 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, California Occupational Safety and Health Administration (Cal/OSHA), Occupational Safety and Health Administration (OSHA), the California Agricultural Labor Relations Act, and the Humboldt County Code (including the Building Code).
27. 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.
28. 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:
 - b. Emergency action response planning as necessary;
 - (1) Employee accident reporting and investigation policies;
 - (2) Fire prevention;
 - (3) Hazard communication policies, including maintenance of material safety data sheets (MSDS);
 - (4) Materials handling policies;
 - (5) Job hazard analyses; and
 - (6) Personal protective equipment policies, including respiratory protection.

- c. 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.
 - d. 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.
 - e. On site-housing provided to employees shall comply with all applicable federal, state, and local laws and regulations.
29. All cultivators shall comply with the approved processing plan as to the following:
- a. Processing practices
 - b. Location where processing will occur
 - c. Number of employees, if any
 - d. Employee Safety Practices
 - e. Toilet and handwashing facilities
 - f. Plumbing and/or septic system and whether or not the system is capable of handling increased usage
 - g. Drinking water for employees
 - h. Plan to minimize impact from increased road use resulting from processing
 - i. On-site housing, if any
30. Term of Commercial Cannabis Activity Special Permit. Any Commercial Cannabis Cultivation SP issued pursuant to the CMMLUO shall expire one (1) year after date of issuance, and on the anniversary date of such issuance each year thereafter, unless an annual compliance inspection has been conducted and the permittees and the permitted site have been found to comply with all conditions of approval.
31. If the inspector or other County official determines that the permittees or site do not comply with the conditions of approval, the inspector shall serve the permit holder with a written statement identifying the items not in compliance, and the action that the permit holder may take to cure the noncompliance, or file an appeal within ten (10) days of the date that the written statement is delivered to the permit holder. Personal delivery or mailing the written statement to the mailing address listed on the application by regular mail, plus three (3) days after date of mailing, shall constitute delivery. The permit holder may request a reinspection to determine whether or not the permit holder has cured all issues of noncompliance. Failure to request reinspection or to cure any items of noncompliance shall terminate the Special Permit, immediately upon the expiration of any appeal period, or final determination of the appeal if an appeal has been timely filed pursuant to Section 55.4.13.
32. 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.
33. 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.
34. Transfers. Transfer of any leases or permits approved by this project is subject to the review and approval of the Planning Director for conformance with CMMLUO eligibility requirements and agreement to permit terms and acknowledgments. The fee for required permit transfer review shall accompany the request. The request shall include the following information:

- a. Identifying information for the new owner(s) and management as required in an initial permit application;
- b. A written acknowledgment by the new owner in accordance as required for the initial permit application;
- c. The specific date on which the transfer is to occur;
- d. Acknowledgement of full responsibility for complying with the existing permit; and
- e. Execution of an Affidavit of Non-diversion of Medical Cannabis.

35. 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.

D. Informational Notes

1. Pursuant to Section 314-55.4.11(a) of the CMMLUO, if upon inspection for the initial application, violations of any building or other health, safety, or other state or county statute, ordinance, or regulation are discovered, the Planning and Building Department may issue a provisional clearance or permit with a written approved Compliance Agreement. By signing the agreement, the permittee agrees to abate or cure the violations at the earliest opportunity but in no event more than two (2) years after the date of issuance of the provisional clearance or permit. Plans for curing the violations shall be submitted to the Planning and Building Department by the permittee within one (1) year of the issuance of the provisional certificate or permit. The terms of the compliance agreement may be appealed pursuant to Section 314-55.4.13 of the CMMLUO.
2. This provisional permit approval shall expire and become null and void at the expiration of one (1) year after all appeal periods have lapsed (see "Effective Date"), except where the Compliance Agreement per Condition of Approval #6 has been executed and the corrective actions pursuant to the agreement, if any are required, are being undertaken. Once building permits have been secured and/or the use initiated pursuant to the terms of the agreement, the use is subject to the Permit Duration and Renewal provisions set forth in Conditions of Approval #30 and #32 of the Ongoing Requirements/Development Restrictions, above.
3. If cultural resources are encountered during construction activities, the contractor on-site shall cease all work in the immediate area and within a 50-foot buffer of the discovery location. A qualified archaeologist and the appropriate Tribal Historic Preservation Officer(s) are to be contacted to evaluate the discovery and, in consultation with the applicant and the lead agency, develop a treatment plan in any instance where significant impacts cannot be avoided.

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

ATTACHMENT 2

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

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

APN 211-401-017; 2464 Salmon Creek Road, Miranda, County of Humboldt

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

August 2021

Background

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

The project involves a Special Permit (PLN-11005-SP) for an existing 8,180 square foot (SF) cannabis cultivation operation of which 5,180 SF is outdoor and 3,000 SF is mixed-light. All processing will occur onsite. There will be 6 employees onsite during peak operations. Power is provided by a generator.

Estimated annual water usage is 98,200 gallons (12 gal/SF) with peak demand occurring in July through September. Water for irrigation is provided by a permitted well (17/18-0163) (Attachment 3). The well is also registered with the California Department of Water Resources (WCR2018-004387). The well is located in the northwest portion of the subject parcel more than 100 feet north of the nearest Streamside Management Area and at a similar elevation. According to the Well Completion Report (see Attachment 3), the well is 220 feet deep and drilled through clay, sandstone and shale. A blank is installed for the first 60 feet of the well and there is screening from 60 -220 feet. Based on the distance from the nearest watercourse and the use of a blank for casing of the first 60 feet of the well, Planning staff determined the well is likely to be hydrologically disconnected from surface waters and does not require additional water rights from the State Water Resources Control Board and is not subject to forbearance or water storage requirements.

Applicant also intends to add gutters to the existing residence (~32'x40'), 1,280 SF of catchment area tied into the water storage system. Assuming 57 inches (Garberville area average rainfall, Western Climate Research Institute) and accounting for a 50% drought factor (Northern California Region - Eureka and Scotia 2020-2021 drought averages, California Nevada River Forecast Center) yields 22,740 gallons capturable over the roof surface in the current drought condition (worst on record) with approximately 45,840 gallons in average years. The rain capture will reduce demand on the well system. Existing available water storage is 21,700 gallons in seven (7) water storage tanks. The applicant is proposing to add six (6) additional 5,000-gallon water storage tanks for a total of 51,700 gallons of water storage once improvements to the site are complete.

The applicant is proposing to relocate cultivation from two historic cultivation sites located on the west and east sides of the subject parcel to the central portion of the subject parcel. The Relocation Report prepared by Timberland Resource Consultants dated October 21, 2019, describes the historic cultivation site on the western portion of the parcel as having slopes between 30 – 40% and the eastern cultivation are as being located within the 30-foot parcel setback (see Attachment 3). Planning staff is supportive of the relocation as the proposed relocation site has slopes less than 30%, is located in an already disturbed area that is outside of riparian buffer, and is located outside of the 30-foot setback requirement to meet FIRE SAFE standards.

Although Humboldt County's WebGIS shows no mapped streams, the Site Plan shows a stream bisects the southern portion of the property and provides the associated 100-foot Streamside Management Area (SMA) buffer. The cultivation areas are outside of the SMA buffer; however, four (4) of the 3,000-gallon tanks are located within the SMA buffer. As a result, the project is conditioned to relocate the

tanks outside of the SMA buffer without the use of machinery and submit a revised plot plan illustrating the new location of the tanks. The conditions of approval require the applicant to adhere to and implement the recommendations in the WRPP and maintain enrollment in the SWRCB's State Cannabis Cultivation program.

A search of CNDDDB biological resources database was performed on November 9, 2020. The only mapped sensitive species potentially onsite was identified as the Western bumble bee, which is included on the CNDDDB mapping due to state rarity of native pollinators; however, due to the project areas having a history of regular disturbance, it is unlikely that there would be a significant loss of habitat as a result of the project. The nearest NSO activity center is located approximately 1.5 miles from the site, lands surrounding the site are heavily forested thus there is potential for NSO habitat. The project utilizes mixed-light cultivation techniques that could impact sensitive species, including NSO, that may utilize the potential surrounding habitat, and, as such, the project is conditioned to comply with International Dark-sky Association Standards for lighting zones 0 and and, utilize appropriate infrastructure such as black out tarps so that no light may escape the cultivation areas starting a half hour before sunset and no sooner than a half hour after sunrise.

The project was referred to the Northwest Information Center (NWIC), the Bear River Band of the Rohnerville Rancheria, and the Intertribal Sinkyone Wilderness Council in September 2019. The NWIC noted that no prior cultural resource studies have been conducted onsite and the project area has the possibility of containing unrecorded resources. The Bear River Band of the Rohnerville Rancheria recommended the inclusion of the Inadvertent Discoveries Protocol. Additionally, all development currently meets, or will meet as a condition of approval, appropriate Streamside Management Area (SMA) setbacks preserving them as wildlife corridors.

The modified project is consistent with the adopted MND for the CMMLUO because it complies with all standards of the CMMLUO which were intended to mitigate impacts of existing cultivation. No timber conversion has occurred, no supplemental lighting is used, and no generator will be required for cannabis cultivation. Thus, project-related noise will not harass nearby wildlife.

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

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

effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.

Summary of Significant Project Effects and Mitigation Recommended

No changes are proposed for the original MND recommended mitigations. The proposal to authorize the continued operation of an existing cannabis cultivation site consisting of 10,000 square feet of cultivation with ancillary drying activities is fully consistent with the impacts identified and adequately mitigated in the original MND. The project as conditioned to implement responsible agency recommendations, results in no significantly adverse environmental effects beyond those identified in the MND. Compliance with the CMMLUO ensures consistency with the adopted MND and provides for mitigation of all project related impacts to a less than significant level.

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

- Site Plan prepared by SL Consulting Services dated 12/19/2021.
- Cultivation and Operations Plan prepared by SL Consulting Services, revised August 2021.
- Water Resources Protection Plan prepared by Timberland Resource Consultants for the North Coast Regional Water Quality Control Board Order No. 2015-0023, dated 2/1/17.
- Humboldt County Road Evaluation Report prepared by the applicant, dated 4/19/19.
- Division of Environmental Health Attachment for Commercial Medical Marijuana (CMM) Clearances/ Permits.
- CNDDDB biological resources database search conducted by AECOM on 11/9/20.
- Cultural resources consultation materials: Letter from Northwest Information Center dated 9/19/19 and referral response from the Bear River Band of the Rohnerville Rancheria dated 9/16/19.

Other CEQA Considerations

Staff suggests no changes for the revised project.

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

See **Purpose** statement above.

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

FINDINGS

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

CONCLUSION

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

ATTACHMENT 3

APPLICANT'S EVIDENCE IN SUPPORT OF THE REQUIRED FINDINGS

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

1. The name, contact address, and phone number(s) of the applicant. (Application form on file)
2. If the applicant is not the record title owner of parcel, written consent of the owner for the application with original signature and notary acknowledgement. (On file)
3. Site plan showing the entire parcel, including easements, streams, springs, ponds and other surface water features, and the location and area for cultivation on the parcel with dimensions of the area for cultivation and setbacks from property lines. The site plan shall also include all areas of ground disturbance or surface water disturbance associated with cultivation activities, including access roads, water diversions, culverts, ponds, dams, graded flats, and other related features. If the area for cultivation is within one-quarter mile (1,320 feet) of a school, school bus stop, church or other place of religious worship, public park, or tribal cultural resource, the site plan shall include dimensions showing that the distance from the location of such features to the nearest point of the cultivation area is at least 600 feet. **(Attached)**
4. A cultivation and operations plan that meets or exceeds minimum legal standards for water storage, conservation and use; drainage, runoff and erosion control; watershed and habitat protection; proper storage of fertilizers, pesticides, and other regulated products to be used on the parcel; and a description of cultivation activities (outdoor, indoor, mixed light), the approximate date(s) cannabis cultivation activities have been conducted on the parcel prior to the effective date of this ordinance, if applicable, and schedule of activities during each month of the growing and harvesting season. **(Attached)**
5. Copy of the statement of water diversion, or other permit, license or registration filed with the State Water Resources Control Board, Division of Water Rights, if applicable. (Riparian Water Rights Statement of Diversion and Use claims and reporting for personal use only, dated 11/21/18 - On file). (Not applicable for cannabis cultivation.)
6. Description of water source, storage, irrigation plan, and projected water usage. (Included in Cultivation Operations Plan (item 4. above) and Water Resources Protection Plan prepared for , North Coast Regional Water Quality Control Board Order No. 2015-0023 (item 7. below)
7. Copy of Notice of Intent and Monitoring Self-Certification and other documents filed with the North Coast Regional Water Quality Control Board demonstrating enrollment in Tier 1, 2 or 3, North Coast Regional Water Quality Control Board Order No. 2015-0023, or any substantially equivalent rule that may be subsequently adopted by the County of Humboldt or other responsible agency. (Water Resources Protection Plan (WRPP) prepared by Timberland Resources Consultants, dated 2/17/17 – **Attached**. Notice of Intent (NOI) and Reporting: Waiver of Waste Discharge Requirements Water Quality Order R1-2015-0023 – **Attached**)
8. If any on-site or off-site component of the cultivation facility, including access roads, water supply, grading or terracing, impacts the bed or bank of any stream or other watercourse, a copy of the Streambed Alteration Agreement Notification from the California Department of Fish and Wildlife. (Condition of Approval)
9. If the source of water is a well, a copy of the County well permit, if available. (Permit Number 11/12-0233)
10. If the parcel is zoned Forestry Recreation (FR), Unclassified (U) or Timber Production Zone (TPZ), or involves the conversion of timberland as defined under Section 4526 of the Public Resources

Code, a copy of a less-than-3-acre conversion exemption or timberland conversion permit, approved by the California Department of Forestry and Fire Protection (Cal Fire). Alternately, for existing operations occupying sites created through prior unauthorized conversion of timberland, evidence may be provided showing that the landowner has completed a civil or criminal process and/or entered into a negotiated settlement with Cal Fire. (Not applicable)

11. Consent for on-site inspection of the parcel by County officials at prearranged date and time in consultation with the applicant prior to issuance of any clearance or permit, and once annually thereafter. (On file)
12. For indoor cultivation facilities, identify the source of electrical power and how it will meet with the energy requirements in Section 55.4.8.2.3, and plan for compliance with applicable building codes. (Not applicable)
13. Acknowledge that the County reserves the right to reduce the size of the area allowed for cultivation under any clearance or permit issued in accordance with this Section in the event that environmental conditions, such as a sustained drought or low flows in the watershed, will not support diversions for irrigation. (On file)
14. Acknowledge that the County reserves the right to engage with local tribes before consenting to the issuance of any clearance or permit, if cultivation operations occur within an Area of Traditional Tribal Cultural Affiliation, as defined herein. This process will follow current departmental referral protocol, including engagement with the tribe(s) through coordination with their Tribal Historic Preservation Officer (THPO) or other tribal representatives. This procedure shall be conducted similar to the protocols outlined under Senate Bill (SB) 18 (Burton) and Assembly Bill (AB) 52 (Gatto), which describe "government to government" consultation, through tribal and local government officials and their designees. During this process, the tribe may request that operations associated with the clearance or permit be designed to avoid, minimize, or mitigate impacts to tribal cultural resources, as defined herein. Examples include, but are not limited to, conducting a site visit with the THPO or their designee to the existing or proposed cultivation site, requiring that a professional cultural resources survey be performed, or requiring that a tribal cultural monitor be retained during project-related ground disturbance within areas of sensitivity or concern. The County shall request that a records search be performed through the California Historical Resources Information System (CHRIS). (On file)
15. Road Evaluation Report dated 4/19/19. **(Attached)**
16. Division of Environmental Health Attachment for Commercial Medical Marijuana (CMM) Clearances/ Permits (DEH Form). (On-file)
17. CNDDDB biological resources database search conducted by AECOM on 11/9/20. (On file and confidential)
18. Relocation Report prepared by Timberland Resource Consultants dated October 21, 2019. **(Attached)**

Cannabis Cultivation Facilities

August 2021

Cultivation and Operations Manual
For
28759 Humboldt Inc

Cannabis Cultivation Facilities
APN No. 211-401-017-000

Lead Agency:

Humboldt County Planning Department
3015 H Street
Eureka, CA 95501

Prepared By:
SL Consulting Services Inc
973 Dowler Dr
Eureka, California 95501

In Consultation with:

28759 Humboldt Inc
1714 79th Court West
Bradenton FL 34209

August 2021

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1. Project Summary

1.1. Project Objective

28759 Humboldt Inc is proposing to permit 3,000 SF of mixed light (3 harvests) and 5,180 SF of outdoor (2 harvests) Commercial Cannabis Cultivation activities in accordance with the County Of Humboldt Commercial Marijuana Land Use Ordinance (CMLUO).

Irrigation water is provided by an onsite existing permitted well. A total of 21,700 gallons in plastic storage tanks is in use on the property. An additional six (6) 5,000 gallon tanks are proposed to be added in 2021 for a total of 51,700 gallons of water storage. Gutters are proposed on the existing residence which should mitigate 22,000 to 44,000 gallons of water usage depending on if the rainfall is during a drought year or average rainfall year.

2. Land Use

2.1. Site Description

The Project is located at 2464 Salmon Creek Road near Miranda California. (APN 211-401-017-000) The subject parcel is zoned U and is approximately 10.87 Acres (per the county of Humboldt's WebGIS.)

The site is located between TPZ zoned forested land to the west and highway 101 to the east.

2.2. State of California Commercial Cannabis Activity License

28759 Humboldt Inc will operate under a California Cultivation license.

2.3. State Water Resources Control Board

Water will be provided by an existing permitted well on the parcel. The property will be enrolled under the Waterboard's Cannabis Cultivation general order.

2.4. Cal Fire

The subject property is located within a State Responsibility Area (SRA) for fire protection and SRA requirements have been met. All structures on the property meet the 30-foot SRA setback requirement from property lines.

2.5. California Department of Fish and Wildlife

A Lake and Streambed Alteration Agreement (LSAA) from the Department of Fish and Wildlife (DFW) has been issued.

2.6. Cultural Resources

If buried archaeological or historical resources are encountered during construction or cultivation activities, the applicant or contractor shall call all work in the immediate area to halt temporarily, and a qualified archaeologist is to be contacted to evaluate the materials. Prehistoric materials may include obsidian or chert flakes, tools, locally darkened midden soils, ground stone artifacts, dietary bone, and human burials. If human burial is found during construction, state law requires that the County Coroner be contacted immediately. If the remains are found to be those of a Native American, the California Native American Heritage Commission will then be contacted by the Coroner to determine appropriate treatment of the remains. The applicant is ultimately responsible for ensuring compliance with this condition.

3. Cultivation and Processing

3.1. Propagation and Initial Transplant

Immature plants or seeds are sourced from a Licensed Nursery and transported to site. Seeds are “cracked” and rooted in the 160 SF nursery propagation area and transplanted into pots in the 750 SF nursery greenhouse to grow to the appropriate size to serve as “mother plants”. Purchased clones are transplanted into larger pots and allowed to “veg up” within the 750 square foot nursery greenhouse to appropriate size for taking cuttings as “mother plants”. Cuttings are rooted in the 160 SF nursery propagation area in trays. Once rooted, the starts are transplanted from trays into pots in the 750 SF nursery greenhouse and once plants are the appropriate size, they are planted in the cultivation area in raised beds.

3.2. Cultivation Plan and Schedule

The cultivation activities will occur in cold frame greenhouses.

One 30'x125' greenhouse will be split into a 30'x100' mixed light flowering greenhouse and a 30'x25' accessory nursery area. The mixed light flowering greenhouse will enable three harvests per year.

The remainder of the greenhouses (outdoor) will use light deprivation techniques to allow for two harvests.

Cultivation Operations Schedule			
Month	Outdoor (Dep) Cultivation	Mixed Light Cultivation	Nursery
January	No activity	Maintain plants Supplemental light	Crack seeds for mother plants
February	No activity	Harvest and replant greenhouses Supplemental light	Boost Moms & seed cracking
March	No activity	Maintain plants Supplemental light until end of month	Cut first clones
April	Prepare greenhouses/beds (till in cover crop, repair structures)	Maintain plants	Transplant clones into pots in nursery
May	Plant greenhouses	Maintain plants	Maintain immature plants
June	Maintain plants	Maintain plants Pull tarp to induce flowering	Cutting and rooting new round of clone
July	Harvest (last 2 weeks)	Maintain plants Pull tarp to induce flowering	Transplanting new clones into small pots
August	Maintain plants	Harvest and re-plant	Maintain immature plants
September	Maintain plants	Maintain plants	Start cutting new clones
October	Harvest	Harvest and re-plant	Transplanting new clones into small pots
November	Finish harvest, amend and cover crop beds	Maintain plants Begin supplemental light	Maintain immature plants
December	No activity	Maintain plants Supplemental light	Maintain immature plants

3.3. Irrigation Plan and Schedule

Irrigation and fertigation of plants occurs using drip irrigation and hand watering methods (nursery) at agronomic rates which conserves water by not allowing excess water runoff.

Water is also used for supplemental foliar spraying of pesticides and drip watering of inoculants such as compost tea, beneficial bacteria.

See section 5.1 for water usage estimates.

3.4. Harvesting, Drying, and Trimming

Plants that are ready for harvest have their flowering branches removed and are brought to the proposed drying facility. Once taken to the drying building then hung and suspended in the drying facilities. The drying facilities will be equipped with air conditioning and dehumidifiers to ensure proper curing and elimination of conditions for mold. All work surfaces are maintained in a clean and sanitary manner. Contamination prevention protocols are strictly followed within the facilities.

Dried plants are bucked off the stalks and put into totes for transport to an offsite licensed processor or distributor. Waste plant material is composted onsite just outside the cultivation area.

3.5. Processing Facility

Cannabis will be dried and stored in the 20'x54' shed until the proposed processing facility is developed. Once the processing building is developed, trimming will occur on-site with the assistance of trimming machines to reduce labor needs.

3.6. Employee Plan

28759 Humboldt Inc 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), and complies with all applicable federal, state and local laws and regulations governing California Agricultural Employers.

- Job Descriptions And Employee Summary
- Agent in Charge: Responsible for business oversight and management of the 28759 Humboldt Inc. Responsibilities include, but are not limited to: inventory and tracking,

personnel management, record keeping, budget, and liaison with State and County inspectors as needed. This is a part-time to full-time, seasonal position.

- Operations and Compliance Managers: Oversight and management of the day to day cultivation of medical cannabis. Responsibilities include, but are not limited to: plant propagation and transplant, soil management, irrigation, fertilization, pesticide management, and harvest activities. This is a full-time, year-round position.
- Seasonal Laborer: Provides cultivation, harvesting and processing support. This is a part-time to full-time, seasonal position.

3.7. Staffing Requirements

Staffing is limited to three (3) full time and three (3) part time staff for a peak of six (6) employees onsite.

Month	Full Time	Future Processing
January	3	3
February	3	3
March	3	3
April	3	3
May	3	3
June	3	3
July	3	3
August	3	3
September	3	3
October	3	3
November	3	3
December	3	3

3.8. Employee Training and Safety

On site cultivation, harvesting, drying and processing is performed by employees trained on each aspect of the procedure including: cultivation and harvesting techniques and use of

pruning tools; proper application and storage of pesticides and fertilizers. All cultivation and processing staff are provided with proper hand, eye, body and respiratory Personal Protective Equipment (PPE). Access to the onsite facilities are limited to authorized and trained staff.

All employees are trained on proper safety procedures including fire safety; use of rubber gloves and respirators; proper hand washing guidelines; and protocol in the event of an emergency. Contact information for the local fire department, CAL FIRE, Humboldt County Sheriff and Poison Control as well as the Agent in Charge will be posted at the employee restroom. Each employee is provided with a written copy of emergency procedures and contact information. The material safety data sheets (MSDS) are kept on site and accessible to employees.

3.9. Toilet and Handwashing Facilities

Portable toilets and handwashing stations will be provided.

3.10. Drinking Water Source

Bottled water will be provided and properly disposed of.

3.11. On Site Housing

The existing residence on site is used by up to three full time employees.

3.12. On Site Parking

Parking is provided in the designated area adjacent to the cultivation site.

4. Security Plan and Hours of Operation

4.1. Facility Security

Entry gates are located at entrances to the property. The entry gates remain locked at all times and access to the cultivation area is limited exclusively to employees. All lighting will be designed and located so that direct rays are confined to the property. Security cameras and an alarm system are to be installed at entrances to the site.

4.2. Hours of Operation

Activities associated with cultivation in the greenhouses (watering, transplanting, and harvesting) generally occur during daylight hours. All other activities typically occur no earlier than 8 AM and extend no later than 8 PM.

5. Environment

5.1. Water Source and Projected Water Use

Water is provided by an existing permitted well on the parcel.

28759 Humboldt Inc utilizes water management strategies such as drip irrigation to conserve water use.

The table below outlines the estimated irrigation water usage for cultivation during a typical year. Variables such as weather conditions and specific cannabis strains will have a slight effect on water use. Water usage is not expected to change significantly between the full sun outdoor cultivation compared to light deprivation as they will have similar planted canopy throughout the season.

ESTIMATED ANNUAL IRRIGATION WATER USAGE MIXED LIGHT 3,000 SF											
JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC
2000	2000	3300	3300	3300	6300	6300	6300	6300	3300	2000	2000

Approximately 15.5 gallons per square foot canopy for the mixed light operation of which 11,300 gallons occurs over the wet weather period from November 1st through March 31st.

ESTIMATED ANNUAL IRRIGATION WATER USAGE OUTDOOR 5,180 SF											
JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC
---	---	---	1,500	5,000	8,000	11,000	11,000	11,000	4,300	---	---

Approximately 10 gallons per square foot canopy per season for the light deprivation outdoor cultivation.

Applicant also intends to add gutters to the existing residence (~32'x40'), 1,280 SF of catchment area tied into the water storage system.

Assuming 57 inches (Garberville area average rainfall, Western Climate Research Institute) and accounting for a 50% drought factor (Northern California Region - Eureka and Scotia 2020-2021 drought averages, California Nevada River Forecast Center) yields 22,740 gallons capturable over the roof surface in the current drought condition (worst on record) with approximately 45,840 gallons in average years. The rain capture will reduce demand on the well system.

5.2. Water Storage

Existing water storage consists of:

Two (2) 5,000 gallon tanks

Three (3) 3,000 gallon tanks

One (1) 1,500 gallon tank

One (1) 1,200 gallon tank

Total of 21,700 gallons.

An additional six (6) 5,000 gallon tanks are proposed to be added in 2021 for a total of 51,700 gallons of water storage.

5.3. Site Drainage, Runoff, and Erosion Control

28759 Humboldt Inc will enroll with the State Water Quality Control Board State general order and a Water Resource Protection Plan (WRPP) will be developed utilizing best management practices (BMP's) in accordance with the NCRWQCB's recommendations.

5.4. Site Drainage and Runoff

The site is mostly flat and has a forested buffer surrounding the property to mitigate runoff. Buffers and setbacks from neighboring drainages are met.

5.5. Erosion Control

28759 Humboldt Inc will utilize best management practices including but not limited to:

- Maintenance of roads, including rocking and armoring.
- Proper management of solid, liquid and cultivation waste (see section 3.8)
- Cultivation facilities and spoil stockpiles will meet all required setbacks from riparian and wetland areas.
- Irrigation and application of fertilizers will be applied at agronomic rates.
- Regulated products will be safely stored with secondary containment (see section 3.7)

5.6. Watershed and Habitat Protection

Adherence to the proposed best management practices ensures that the watershed and surrounding habitat are protected. The cultivation activities and associated structures meet all required setbacks from the nearest watercourse, providing a suitable buffer between the cultivation operation and habitat. Additionally, site development and maintenance activities utilize BMP's in accordance with the NCRWQCB's recommendations. Any grading and earthwork activities will be conducted by a licensed contractor in accordance with approved grading permits.

5.7. Monitoring and Reporting

Monitoring will be conducted to confirm the effectiveness of corrected measures listed in the Water Resource Protection Plan and determine if the site meets all Standard Conditions. Inspections will include photographic documentation of any controllable sediment discharge sites as identified on the site map. Visual inspection will occur at those locations on the site where pollutants or wastes, if uncontained, could be transported into receiving waters, and those locations where runoff from roads or developed areas drains into or towards surface water. The inspection will also document the progress of any plan element subject to a time schedule, or in the process of being implemented.

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

A Monitoring and Reporting Form will be submitted upon initial enrollment in the Order and then annually by March 1 to the Water Board. The annual report will include data from the monitoring reports.

5.8. Energy Plan

Power for the domestic and agricultural activities is provided by various gasoline and diesel fueled generators. The generators are proposed to be replaced with a single propane powered generator to eliminate the risk of spills or contamination. A separate appropriately sized generator may be utilized for the processing facility.

5.9. Light Pollution Control Plan

The project will meet International Dark Sky Standards. Greenhouses will be covered with blackout tarp whenever supplemental lighting is used from 1 hour before dawn to 1 hour after dusk.

5.10. Best Management Practices

Best Management Practices (BMP's) are employed when storing, handling, mixing, application and disposal of all fertilizers, pesticides and fungicides. All nutrients, pesticides and fungicides are located in a locked storage room, and contained within water tight, locked and labeled containers in accordance with manufacturer's instruction. Application rates will be tracked and reported with the end of the year monitoring report required in the SMP. Employees responsible for application are trained to handle, mix, apply or dispose of pesticides/fungicides with proper hand, eye body and respiratory protection in accordance with the manufacturer's recommendations.

5.11. Fertilizers

Nutrients and biological inoculants used for cultivation and kept on site include:

- Chicken Manure - up to 10 25lb bags
- Worm Castings - up to 10 1.5 cuft bags
- Spare time supply blood meal Up to one 50# bag
- Dr Earth All Purpose - up to two 50lb bags
- Dr Earth Bloom - Up to two 50lb bags

Pesticides and fungicides used for cultivation include:

- Plant Therapy Lost Coast Plant Therapy - up to 5 Gallons
- Dr Zymes - up to 5 Gallons
- Azapro - up to 5 Gallons

Fuels, oils other regulated substances stored on site include:

- Isopropyl / Ethyl Alcohol - up to 5 Gallons
- Various Essential Oils - up to 1 liter
- Gasoline/Oil for lawn mower/weed wacker - up to 5 Gallons

5.12. Waste Management Plan

Animal-proof trash and recycling containers are located near the greenhouses. Solid waste and recycling is hauled off-site to a transfer station at least once per month.

5.13. Cultivation Waste and Soil Management

Vegetative matter, such as root balls, is composted on site. Potting soil is utilized in raised beds in greenhouses. A mix of amendments added to existing soil at the end of each harvest. No soil stockpiles, import or haul-off is anticipated.

5.14. Materials Management Plan

Waste bins with lids are kept adjacent to cultivation sites and emptied out the day they are filled up or weekly.

Waste materials are stored in a trailer and self-hauled off weekly to a licensed waste transfer station.

5.15. Wastewater Management

Combination of hand watering and drip irrigation methods minimize the over-irrigation of plants and subsequent runoff. Moreover, the nursery greenhouse floor is gravel/dirt and will absorb any excess runoff.

5.16. Storm-water Management Plan

Roads will be armored appropriately. Use of native soil, in-place greatly reduces risk of sediment run-off compared to use of potting soil.

Native soil will be utilized and cover cropped to reduce sediment delivery.

6. Product Management

6.1. Product Testing and Labeling

Sampling and labeling is handled by the third party distributor off-site.

6.2. Product Inventory and Tracking

Site will be enrolled with the state METRC track and trace system and utilizes it to manage inventory and tracking.

6.3. Transportation and Distribution

Transportation will be handled by a third-party, contracted, licensed transporter/distributor in accordance with State and Local regulations. All merchantable product will be distributed through licensed medical cannabis dispensaries. Prior to moving packages from the on-site holding facility to another physical location, a transport manifest will be created by the distributor/transporter and will include:

- Product ID numbers and product weight
- Route to be travelled
- Origin and destination address
- Time of departure
- Time of arrival

The Agent in Charge and the Cultivation Manager are responsible for performing a physical inventory of all packages being transported, and ensuring that the physical inventory coincides with the transport manifest.

GARBERVILLE, CALIFORNIA (043320)

Period of Record Monthly Climate Summary

Period of Record : 11/01/1917 to 03/31/1985

	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Annual
Average Max. Temperature (F)													Insuff icient Data
Average Min. Temperature (F)													Insuff icient Data
Average Total Precipitation (in.)	10.75	9.16	7.35	3.70	1.35	0.37	0.05	0.42	0.74	3.72	8.48	10.81	56.90
Average Total SnowFall (in.)	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.1	0.1
Average Snow Depth (in.)	0	0	0	0	0	0	0	0	0	0	0	0	0

Percent of possible observations for period of record.

Max. Temp.: 1.1% Min. Temp.: 1.1% Precipitation: 92.5% Snowfall: 92.4% Snow Depth: 92.2%

Check [Station Metadata](#) or [Metadata graphics](#) for more detail about data completeness.

Western Regional Climate Center, wrcc@dri.edu

Monthly Precipitation Summary Water Year 2021

(Oct 1, 2020 to Sep 30, 2021)

Updated: Thu Jul 15 2021 at 03:00:01 AM

The following is data from National Weather Service cooperative observers as of the end of last month. **The water year starts on October 1 of the previous reference year and ends on September 30 of the reference year.** Precipitation data is provided for each month of the most recent water year, total precipitation for the water year, the percent of normal for the water year to date, and the percent of the entire water year we have received to date.

M stands for Missing Data. WY means Water Year. NA means that 30 year averages do not exist for this station. The units of precipitation is INCHES.

If a station has any missing data, it's WY to Date total will also be missing. In addition the percent of normal will not be calculated.

Note, monthly data is collected during the first week of the following month and will be posted to this webpage when received from the National Weather Service cooperative observers. As an example, December data will typically be posted sometime during the first week of January.

Any questions about this product should be directed to the CNRFC.

SOUTHERN OREGON COASTAL													
ID	Location	OCT 2020	NOV 2020	DEC 2020	JAN 2021	FEB 2021	MAR 2021	APR 2021	MAY 2021	JUN 2021	WY to Date	Pct Avg to Date	Pct Tot WY
ASHO3	ASHLAND	0.47	2.16	3.04	1.58	2.06	1.82	0.32	0.36	1.02	12.83	70	64
CVJO3	CAVE JUNCTION	M	M	M	M	M	M	M	M	M	M		
GOLO3	GOLD BEACH	M	M	M	M	M	M	M	M	M	M		
GPSO3	GRANTS PASS KAJO	0.46	4.20	4.03	4.24	5.14	1.84	0.16	0.10	1.23	21.40	72	69
GSPO3	GREEN SPRINGS PP	0.20	1.14	2.68	2.53	1.46	2.12	0.38	0.15	0.44	11.10	51	47
LEMO3	LEMOLO LAKE	3.36	10.88	7.65	7.75	10.53	2.79	0.87	1.86	1.96	47.65	77	72
MFR	MEDFORD	0.16	3.26	3.12	1.98	1.87	1.47	0.24	0.13	1.02	13.25	77	72
OTH	NORTH BEND	1.57	6.79	8.68	4.47	7.70	5.50	1.14	0.63	2.67	39.15	63	60
PRSO3	PROSPECT 2SW	1.30	7.64	5.13	3.97	5.49	2.12	0.27	0.46	1.03	27.41	69	65
RIDO3	RIDDLE	0.93	5.05	4.59	4.38	3.98	2.38	0.31	0.64	1.10	23.36	79	75
ROGO3	ROSEBURG	M	M	M	M	M	M	M	M	M	M		
SXT	SEXTON SUMMIT	0.91	3.28	5.55	8.49	4.16	2.78	0.33	0.17	1.48	27.15	81	77
TKFO3	TOKETEE FALLS	1.58	7.50	6.00	5.90	6.05	2.96	0.46	1.27	1.29	33.01	73	68
WINO3	WINCHESTER DAM	1.07	4.33	5.14	4.87	4.71	1.79	0.45	0.73	1.21	24.30	70	67
WLMO3	WILLIAMS	0.52	5.60	5.04	6.25	3.69	1.31	0.16	0.17	0.95	23.69	76	73
OREGON CLOSED BASINS													
ID	Location	OCT 2020	NOV 2020	DEC 2020	JAN 2021	FEB 2021	MAR 2021	APR 2021	MAY 2021	JUN 2021	WY to Date	Pct Avg to Date	Pct Tot WY
HMRO3	HART MOUNTAIN REF	0.48	1.15	1.18	1.52	0.65	1.03	1.14	1.88	0.75	9.78	89	78
PASO3	PAISLEY	M	M	M	M	M	M	M	M	M	M		
SMMO3	SUMMER LAKE	0.20	M	0.56	0.61	0.76	M	0.54	0.72	M	M		
SVLO3	SILVER LAKE	M	M	M	M	M	M	M	M	M	M		
NORTHERN CALIFORNIA COASTAL													
ID	Location	OCT 2020	NOV 2020	DEC 2020	JAN 2021	FEB 2021	MAR 2021	APR 2021	MAY 2021	JUN 2021	WY to Date	Pct Avg to Date	Pct Tot WY
CVLC1	COVELO	0.07	2.48	3.96	5.16	4.56	2.88	0.64	0.16	M	M		
EKA	EUREKA	0.41	2.55	3.96	5.12	3.74	3.00	0.62	0.22	1.06	20.68	53	51
FORC1	FORT ROSS	0.00	1.59	3.62	4.34	2.37	2.57	0.31	0.07	M	M		
FRBC1	FT BRAGG 5N	0.14	2.53	3.72	8.07	3.90	3.06	0.90	0.10	0.65	23.07	54	53
GASC1	GASQUET RS	1.77	9.16	11.25	21.24	14.52	8.36	1.36	0.44	3.05	71.15	80	78
SCOC1	SCOTIA	0.14	2.94	3.95	6.61	4.94	3.96	0.68	0.14	0.41	23.77	49	48

State of California
Well Completion Report
 Form DWR 188 Complete 7/24/2018
 WCR2018-004387

Owner's Well Number 1 Date Work Began 05/23/2018 Date Work Ended 06/06/2018
 Local Permit Agency Humboldt County Department of Health & Human Services - Land Use Program
 Secondary Permit Agency _____ Permit Number 17/18-0163 Permit Date 08/08/2017

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

Well Location					
Address <u>2464 Salmon Creek RD</u>			APN <u>211-401-017</u>		
City <u>Miranda</u>	Zip <u>95553</u>	County <u>Humboldt</u>	Township <u>02 S</u>		
Latitude _____ N	Longitude _____ W	Range <u>03 E</u>			
<u>Deg.</u> <u>Min.</u> <u>Sec.</u>	<u>Deg.</u> <u>Min.</u> <u>Sec.</u>	Section <u>34</u>			
Dec. Lat. <u>40.2457280</u>	Dec. Long. <u>-123.8359310</u>	Baseline Meridian <u>Humboldt</u>			
Vertical Datum _____	Horizontal Datum <u>WGS84</u>	Ground Surface Elevation _____			
Location Accuracy _____	Location Determination Method _____	Elevation Accuracy _____			
		Elevation Determination Method _____			

Borehole Information	
Orientation <u>Vertical</u>	Specify _____
Drilling Method <u>Direct Rotary</u>	Drilling Fluid <u>Air</u>
Total Depth of Boring <u>220</u>	Feet
Total Depth of Completed Well <u>220</u>	Feet

Water Level and Yield of Completed Well	
Depth to first water <u>68</u>	(Feet below surface)
Depth to Static _____	
Water Level <u>65</u> (Feet)	Date Measured <u>06/06/2018</u>
Estimated Yield* <u>4</u> (GPM)	Test Type <u>Air Lift</u>
Test Length <u>4</u> (Hours)	Total Drawdown <u>155</u> (feet)
*May not be representative of a well's long term yield.	

Geologic Log - Free Form		
Depth from Surface	Feet to Feet	Description
0	4	hard clay
4	22	silt sandstone mix
22	58	soft shale
58	175	blue sandstone shale mix
175	220	fransiscan

North Coast Regional Water Quality Control Board

December 8, 2020
REVISED

WDID:1_12CC416512

CHRISTOPHER CAMERON
PO BOX 328
GARBERVILLE, CA 95542

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

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

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

Sincerely,

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

201208_1M_1_12CC416512_Salmon_NOA_Revised_TW

NOTICE OF APPLICABILITY – WASTE DISCHARGE REQUIREMENTS, WATER QUALITY ORDER WQ 2019-0001-DWQ, CHRISTOPHER CAMERON, HUMBOLDT COUNTY APN(s) 211-401-017-000 and 211-401-018-000

Christopher Cameron (hereafter “Discharger”) submitted information through the State Water Resources Control Board’s (State Water Board’s) online portal on May 29, 2019, for discharges of waste associated with cannabis cultivation related activities at Humboldt APN(s) 211-401-017-000 and 211-401-018-000 classified as Tier 1 Low Risk. On March 04, 2020, the Discharger submitted the required Site Management Plan for this enrollment. In the Site Management Plan the Discharger stated that an update to the existing risk was needed and should be changed to Tier 1 Moderate Risk. Based on the information provided, the Discharger self-certifies the cannabis cultivation activities are consistent with the requirements of the Policy and General Order. This letter provides notice that the Policy and General Order are applicable to the site as described below. You are hereby assigned waste discharge identification (WDID) number **1_12CC416512**.

The Discharger is responsible for all the applicable requirements in the Policy, General Order, and this Notice of Applicability (NOA). This includes making any necessary changes to the enrollment, and the Discharger is the sole person or entity with legal authority to make those changes. The Discharger will be held liable for any noncompliance with the Policy, General Order, and the NOA. Please note that this NOA does not provide authorization to cultivate cannabis; such authorization is provided through a license from the California Department of Food and Agriculture (CalCannabis), required permits from your local jurisdiction (City or County), and an agreement from the California Department of Fish and Wildlife. General Requirement #1 of the Policy and General Order, and by reference this NOA, require that you obtain all appropriate permits from those other agencies prior to cultivating cannabis.

1. FACILITY AND DISCHARGE DESCRIPTION

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

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

2. SITE-SPECIFIC REQUIREMENTS

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

https://www.waterboards.ca.gov/water_issues/programs/cannabis/cannabis_water_quality.html

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

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

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

https://www.waterboards.ca.gov/northcoast/water_issues/programs/cannabis/

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

https://www.waterboards.ca.gov/northcoast/water_issues/programs/cannabis/pdf/200204/RB1_Cannabis_WQC_401_App.pdf

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

https://www.waterboards.ca.gov/northcoast/water_issues/programs/water_quality_certification/#401_calc

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

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

3. TECHNICAL REPORT REQUIREMENTS

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

A Site Management Plan, by August 26, 2019, consistent with the requirements of General Order Provision C.1.a., and Attachment A, Section 5. Attachment D of the General Order provides guidance on the contents of the Site Management Plan.

A Site Erosion and Sediment Control Plan consistent with the requirements of General Order Provision C.1.b., and Attachment A, Section 5. The Site Erosion and Sediment Control Plan shall be approved by the Regional Water Board Executive Officer prior to implementation. Attachment D of the General Order provides guidance on the contents of the Site Erosion and Sediment Control Plan.

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

4. MONITORING AND REPORTING PROGRAM

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

Water Board Executive Officer or the State Water Board Division of Water Quality Deputy Director, or the State Water Board Chief Deputy Director.

A copy of Attachment B to the General Order can be obtained online at the following location, or by contacting staff at the phone number and email address listed below.
https://www.waterboards.ca.gov/board_decisions/adopted_orders/water_quality/2019/wqo2019_0001_dwq.pdf#page=32.

A copy of the Regional Supplement can be obtained online at the following location, or by contacting staff at the phone number and email address listed below.
https://www.waterboards.ca.gov/northcoast/board_decisions/adopted_orders/pdf/2019/19_0023_Regional%20Supplement%2013267%20Order.pdf.

5. ANNUAL FEE

According to the information submitted, the discharge is classified as Tier 1 Moderate Risk. The 2018-2019 annual fee for that tier and risk level was set at \$1,800, but please note that the Fee Schedule is updated annually and future fees may be invoiced at different rates. Invoices are sent by the State Water Board at the beginning of each calendar year (generally in February). Do not submit payments without receiving an invoice. If you have questions or concerns about your fees please contact the Fee Branch at FeeBranch@waterboards.ca.gov or (916) 341-5247. The fee is due and payable on an annual basis until coverage under this General Order is formally rescinded. To rescind coverage, the Discharger must submit a Request for Termination in writing through the online portal (available at: <https://public2.waterboards.ca.gov/cgo>), including a Site Closure Report at least 90 days prior to termination of activities and include a final MRP report.

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

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

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

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

HUMBOLDT COUNTY DEPARTMENT OF PUBLIC WORKS
ROAD EVALUATION REPORT

PART A: Part A may be completed by the applicant

Applicant Name: Chris Cameron APN: 211-401-017

Planning & Building Department Case/File No.: 11005 and 12920

Road Name: Salmon Creek Frontage Road (complete a separate form for each road)

From Road (Cross street): Highway 101

To Road (Cross street): Todd Lane

Length of road segment: .6 miles miles Date Inspected: 4/19/19

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

Check one of the following:

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

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

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

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

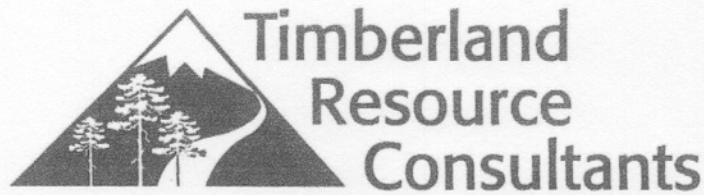
The statements in PART A are true and correct and have been made by me after personally inspecting and measuring the road.

Christopher Cameron
Signature

4/26/19
Date

Chris Cameron
Name Printed

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



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

October 21, 2019

Cannabis Services Division
Humboldt County Planning and Building Department
3015 H Street
Eureka, CA 95501

Dear Planner,

Re: APN 211-401-017
Application #12920

This letter is in response to Department Policy Statement No. 16-002, which states, *"If a workable alternative cultivation site exists on a parcel and its relocation will bring the cultivation into compliance with performance standards of the CMMLUO, this approach could meet the objectives of the CMMLUO provided it is the environmentally superior option."*

As a Third-Party representative to the Water Board, Timberland Resource Consultants recommends relocating Cultivation Site #1 and Cultivation Site #3 to the Proposed Relocation Site near Cultivation Site #2 as shown on the attached Relocation Maps.

The Proposed Relocation Site is superior to Cultivation Site #1 for the following reason detailed below;

1. The Proposed Relocation Site is environmentally superior because it is outside of the riparian buffer zone. The project was previously enrolled in Water Board Order No. 2015-0023 and is therefore grandfathered into the setbacks required by this order. Water Board Order No. 2015-0023, Standard Condition (I)(A)(3)(a), states that *"While 200 foot buffers are preferred for Tier 2 sites, at minimum, cultivation areas and associated facilities shall not be located or occur within 100 feet of any Class I or II watercourse or within 50 feet of any Class III watercourse or wetlands"*. Cultivation Site #1 is located on the northeast portion of the property and is approximately 5 to 10-feet from the Class III bank seep. The Proposed Relocation Site is located in the center of the property and is approximately 75+ feet away from the nearest Class III watercourse.

The Proposed Relocation Site is superior to Cultivation Site #3 for the following reasons detailed below;

1. Cultivation Site #3 resides on a hillside with slopes that are 35-40 percent. The section of road that is used to access this site also has a maximum road grade of 40 percent which only allows for seasonal access by 4-wheel drive vehicles. A steep road cannot be drained via "out-sloping" unless the angle of the out-slope exceeds the road grade, which in this case would be dangerous and perhaps impossible. Even if this particular section of road was significantly improved with rock surfacing, rolling-dips, and ditch relief culverts; it will always be a source of erosion, and a maintenance

headache due to the steep road grade. The Proposed Relocation Site has a slope of approximately 30 percent and the access road has a maximum of 15 percent road grade.

2. Cultivation Site #3 is located within the setback of the western property boundary. The Performance Standards for all CMMLUO Cultivation and Processing Operations, states that *"The area of cannabis cultivation shall be located as shown on the application site plan, 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, Public Park, or Tribal Cultural Resource."* Cultivation Site #3 is located approximately 25-feet from the property boundary. The Proposed Relocation Site is well outside of the property boundary setbacks.

The Cultivator is subject to State-wide Order WQ 2019-0001-DWQ. The Cannabis Policy provides criteria to evaluate the threat to water quality based on site conditions. The threat is risk-based based upon:

- a. Disturbed area
- b. Slope of disturbed area
- c. Proximity to surface water body

Cultivation Site #1 is classified as "High Risk" to water quality due to the proximity to surface water. Cultivation Site #3 is classified as "Medium Risk" to water quality due to the disturbed area having a slope greater than 30 percent. The Proposed Relocation Site is classified as a "Medium Risk" to water quality based on slope and compliance with the setback requirements for surface water.

Restoration Plan

Once relocation is approved, remediation of Cultivation Site #1 and Cultivation Site #3 will occur.

The Cultivator shall remove all cultivation related infrastructure and material. Trash, refuse, and solid waste shall be disposed of at an appropriate waste disposal location. Native grasses surround the cultivation site and will eventually spread vegetatively through rhizomes below the soil, and via seed production. However, revegetation of the site with native grasses is recommended per the following Revegetation Plan. Timberland Resource Consultants has been retained to prepare the Site Management Plan, which will further assess and address restoration of the sites and potential decommissioning of the access roads leading to them.

Revegetation Plan

Reseeding Methods: Reseeding is key to site restoration, especially at sites where understory vegetation or topsoil has been removed. Grasses are fast-growing and quickly provide vegetative cover to protect exposed soils from erosion. Native grasses are typically better adapted to site-specific climate and environmental conditions. Though reseeding is a simple practice, timing is important. Seeds should be planted during the wet seasons so soils are viable for seed germination. Planting during hot summer or early fall months can deprive seeds of necessary moisture.

Recommendation: Reseed the decommissioned cultivation site and all additional areas of disturbed soil with a native grass seed mix. Manually distribute seed mix evenly across the site during late fall, winter, or early spring and follow any specific instructions accompanying seed mix. No equipment use or seed burial is required. Some areas will have begun to naturally revegetate; if a given area has more than 75% ground cover, no reseeding is necessary. Though the seed mix may vary, the RPF recommends the

following:

Native Erosion Control Mix

Species Content:

- Bromus carinatus, California Brome
- Elymus glaucus, Blue Wildrye
- Festuca microstachys, Small Fescue
- Trifolium willdenovii, Tomcat Clover

"This grass mixture features California native grasses that are acclimated to varying conditions around our state. Typically, this mix will grow 2 to 3 ft tall given normal soil conditions and normal rainfall patterns. On shallow soils, there is potential for vegetative cover if there is adequate resources to sustain 24 to 36 inches of annual reseeding vegetation. This mix can be modified with the addition of other species including wildflowers."

This seed mix can be purchased from Pacific Coast Seed in Livermore, California, on the following website: <http://store.pcseed.com/product/UNative-Erosion-Control-Mix.aspx>

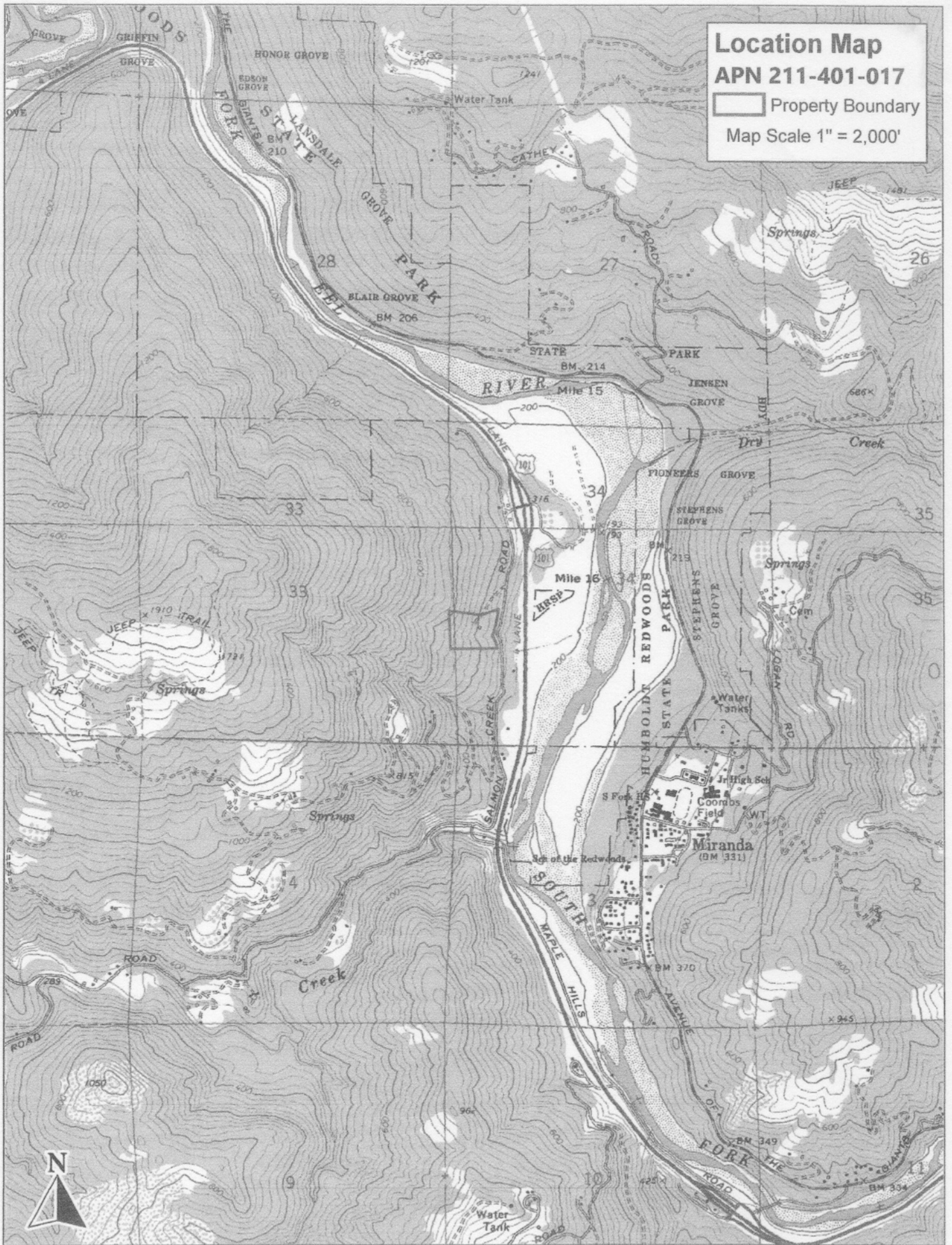
Straw Mulching: Straw mulching can be used to protect newly sown seeds from wind and high precipitation events as well as stabilize exposed soils. Humboldt County proposes straw mulching all areas of disturbed soils to prevent potential erosion.

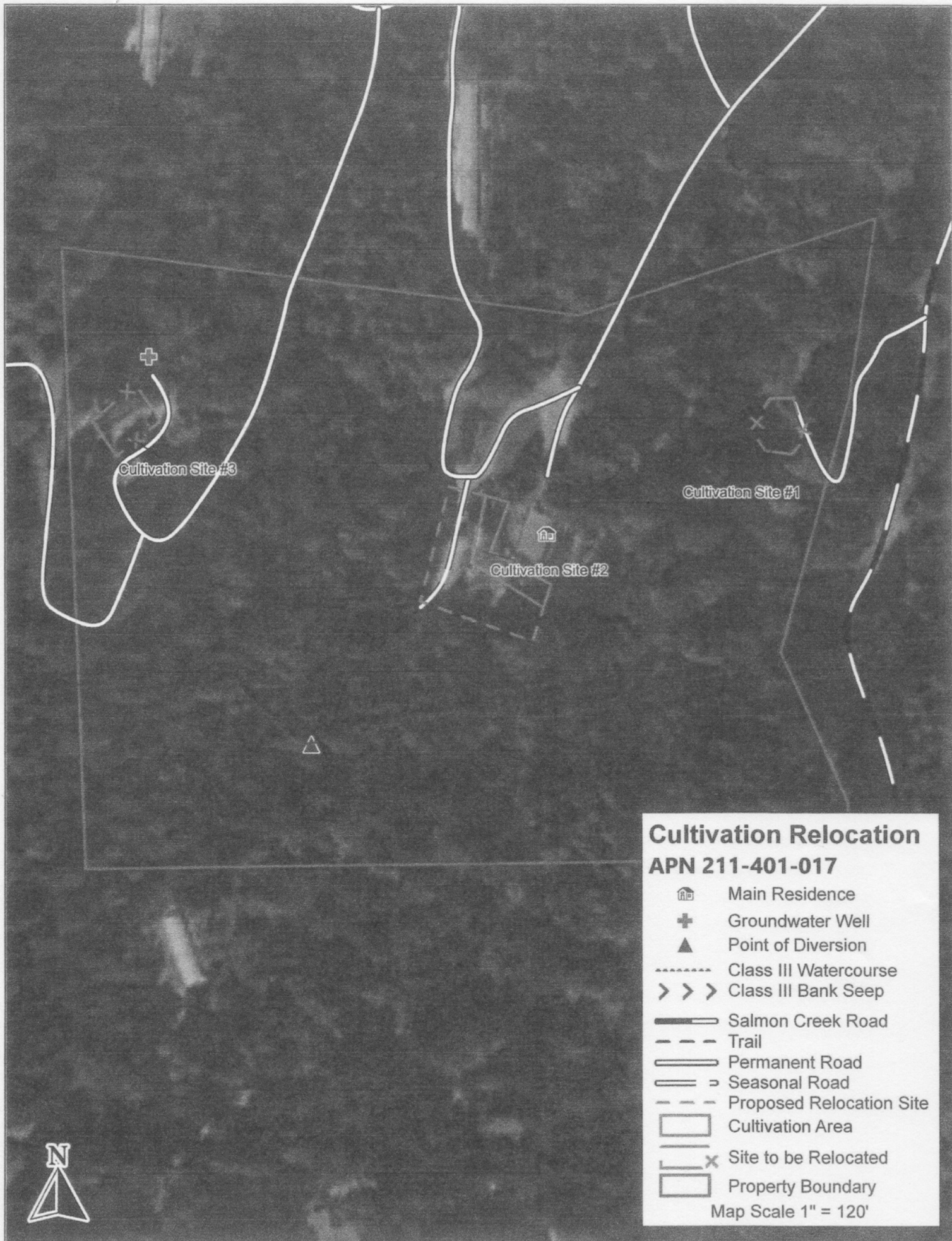
Recommendation: After reseeding, apply straw mulch to the decommissioned cultivation site and all additional areas of disturbed soil at one bale per 800 square feet. Some areas will have begun to naturally revegetate; if a given areas has more than 75% ground cover, no mulching is necessary. See NRCS Straw Mulching guidelines for more instructions.

Sincerely,



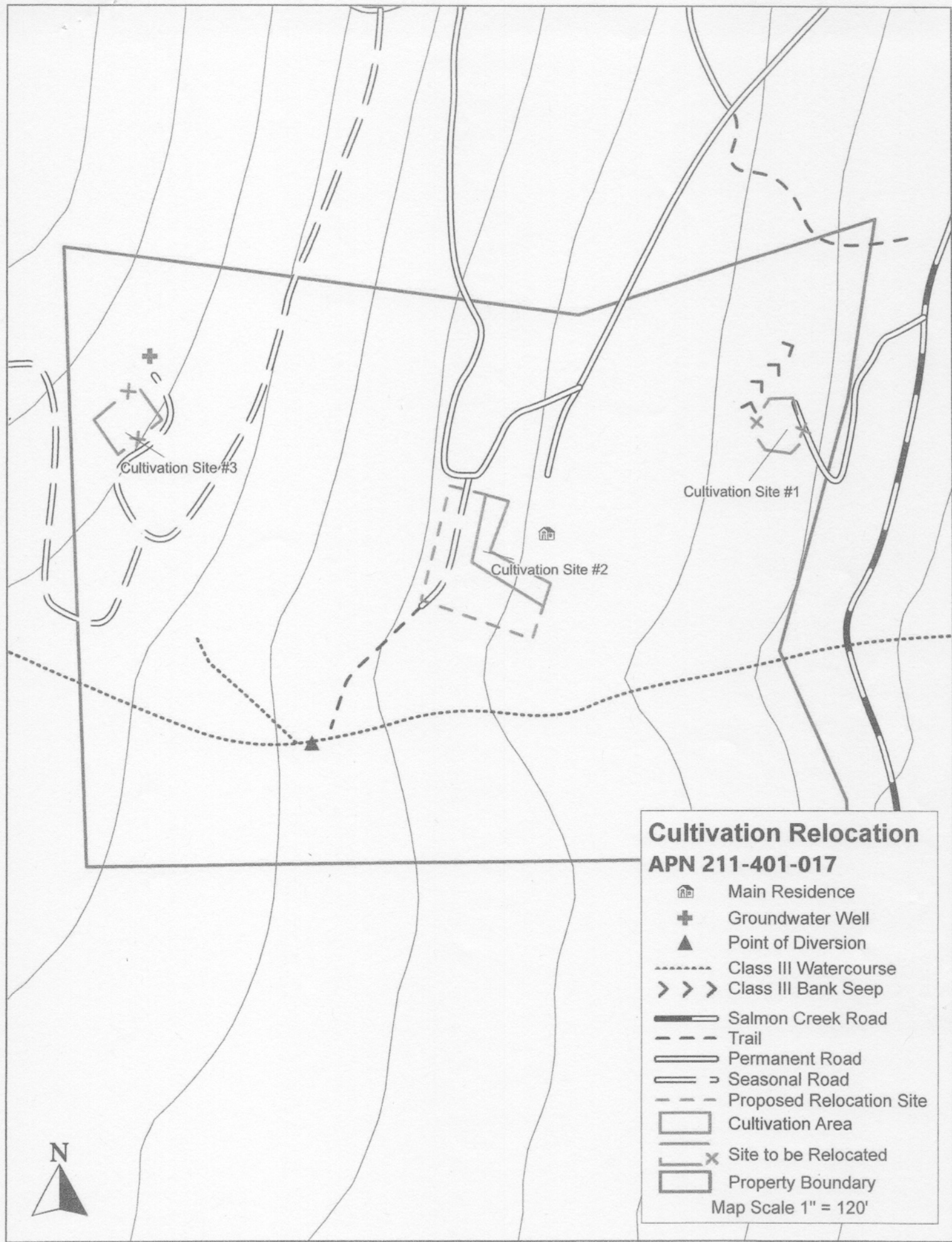
Chris Carroll, RPF #2628
Timberland Resource Consultants





**Cultivation Relocation
APN 211-401-017**

-  Main Residence
 -  Groundwater Well
 -  Point of Diversion
 -  Class III Watercourse
 -  Class III Bank Seep
 -  Salmon Creek Road
 -  Trail
 -  Permanent Road
 -  Seasonal Road
 -  Proposed Relocation Site
 -  Cultivation Area
 -  Site to be Relocated
 -  Property Boundary
- Map Scale 1" = 120'





APPS #12920

1 message

Timberland Resource Consultants <trc@timberlandresource.com>
To: RYandell@co.humboldt.ca.us, cannabis@co.humboldt.ca.us
Cc: joellen.mcchesney@gmail.com, curlyhum8@gmail.com

Tue, Oct 29, 2019 at 4:18 PM

Attached is a Relocation Letter prepared by TRC for APPS #12920. Please contact our office if you have any questions.

Thank you,

Laurie Kepon

Timberland Resource Consultants

165 S. Fortuna Blvd.

Fortuna, CA 95540

707-725-1897

 **Relocation Letter_APPS #12920.pdf**
3914K

ATTACHMENT 4

REFERRAL AGENCY COMMENTS AND RECOMMENDATIONS

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

Referral Agency	Response	Recommendation	Location
Building Inspection Division	✓	Approval	Attached
Division Environmental Health	✓	Approved	On file with Planning
Public Works, Land Use Division	✓	Conditional Approval	Attached
Miranda Fire Protection District		No Response	
California Department of Fish & Wildlife		No Response	Attached – Planning staff request for comments
Northwest Information Center	✓	Further Study	On file and confidential
Bear River Band of the Rohnerville Rancheria	✓	Conditional Approval	On file and confidential
Intertribal Sinkyone Wilderness Council		No Response	
Humboldt County Sheriff		No Response	
Humboldt County Agricultural Commissioner		No Response	
Humboldt County District Attorney		No Response	
Southern Humboldt Joint Unified School District		No Response	
North Coast Unified Air Quality Management District		No Response	
North Coast Regional Water Quality Control Board		No Response	
State Water Resources Control Board – Division of Water Rights		No Response	



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

PRE-SITE INVESTIGATION FORM

THIS IS NOT A PERMIT DOCUMENT

APPLICATION INFORMATION

Name Christopher Cameron
Address 1 PO Box 328 **Address 2**
City Garberville **State** CA **Zip** 95542

OWNERS NAME AND MAILING ADDRESS

Name Cameron Peter T **Email**
Address 1 Po Box 942 **Address 2**
City Cloverdale **State** CA **Zip** 95425

SITE INFORMATION

Parcel Number 211-401-017-000 **Application Number** PLN-11005-CUP
Street Address 2464 Salmon Creek Rd **City** Miranda **State** CA **Zip**

PRESITE INVESTIGATION

Project is already started	AOB Inspection
Soil report is required due to	Project appears to be within wet area
Project is in flood zone A per	FIRM panel number
Flood elevation certificate required	Is 2nd Flood Certificate Required?
Plans stamped by a licensed person required	SRA requirements apply
SRA water storage requirements apply	Lot created prior to 1992
Appr.SRA req. need to be shown on plot plan	Plot plan incomplete, must be revised No
Driveway slope appears to be	Submit engineered foundation for
Grading permit required	Applicant must locate property lines
Incomplete submittal Construction Plan	Other concerns exist No
Erosion and sediment control measures req.	

Inspector Notes

10/8/19 11005
-Plot plan and plan of operation appear correct
RM

QUESTIONS? Please contact the County of Humboldt Building Division



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

9/27/2019

Project Referred To The Following Agencies:

AG Commissioner, County Counsel, District Attorney, Environmental Health, Sheriff, PW Land Use, Building Inspections, FPD: Miranda, RWQCB, NCUAQMD, School District: Southern Humboldt JUSD, Cal Fish & Wildlife, CA Division of Water Rights, Bear River Band, Intertribal Sinkiyone Wilderness Council, NWIC

Applicant Name Christopher Cameron **Key Parcel Number** 211-401-017-000

Application (APPS#) PLN-11005-CUP **Assigned Planner** Rodney Yandell 707-268-3732

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

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

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

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

Return Response No Later Than: 10/12/2019

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

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

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

Other Comments: Notes in ACELA

DATE: 10/8/19 PRINT NAME: Rudy Marenghe

County

Building Inspections

09/05/2019

10/08/2019

RMARENGHI

Approved

10/8/19 11005 -Plot plan and plan of operation appear correct RM

No

No



DEPARTMENT OF PUBLIC WORKS
C O U N T Y O F H U M B O L D T
 MAILING ADDRESS: 1106 SECOND STREET, EUREKA, CA 95501-0579
 AREA CODE 707

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

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

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

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

LAND USE	445-7205
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LAND USE DIVISION INTEROFFICE MEMORANDUM

TO: Rodney Yandell, Planner, Planning & Building Department

FROM: Kenneth M. Freed, Assistant Engineer *KMF*

DATE: 09/06/2019

RE:

Applicant Name	CHRISTOPHER CAMERON
APN	211-401-017
APPS#	PLN-11005-CUP

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

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

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

No re-refer is required.

*Note: Exhibits are attached as necessary.

Additional comments/notes:

Salmon Creek Road in this location is listed on the "Approved List" in Exhibit "D".

// END //

Public Works Recommended Conditions of Approval

(All checked boxes apply)

AAPS #11005

COUNTY ROADS- FENCES & ENCROACHMENTS:

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

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

COUNTY ROADS- DRIVEWAY (PART 1):

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

COUNTY ROADS- DRIVEWAY (PART 2):

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

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

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

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

COUNTY ROADS- DRIVEWAY (PART 3):

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

COUNTY ROADS-PARKING LOT- STORM WATER RUNOFF:

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

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

COUNTY ROADS- DRIVEWAY & PRIVATE ROAD INTERSECTION VISIBILITY:

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

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

COUNTY ROADS- PRIVATE ROAD INTERSECTION: (AT END OF COUNTY MAINTAINED RD)

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

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

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

COUNTY ROADS- ROAD EVALUATION REPORT(S):

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

// END //

From: [Meghan Ryan](#)
To: [Bauer, Scott@Wildlife](mailto:Bauer.Scott@Wildlife)
Cc: ["Johnson, Cliff"](#)
Subject: APPS #11005, Christopher Cameron, APN 211-401-017: PROJECTED HEARING DATE: JULY 1, 2021
Date: Wednesday, June 9, 2021 2:39:00 PM

Good afternoon, Scott- I hope you are doing well! I am reviewing the Christopher Cameron permit and I do not see any CDFW comments. The project description is the following:

A Special Permit for continued cultivation of 7,566 square feet (SF) cannabis cultivation of which 4,566 SF is full-sun outdoor and 3,000 SF is mixed-light with appurtenant drying and processing activities. Ancillary propagation occurs within three (3) 216 SF greenhouses, with additional propagation to occur within a portion of a proposed 4,000-square-foot metal building. Estimated annual water usage is 149,640 gallons. Irrigation water is sourced from a permitted onsite groundwater well. Existing available water storage is 23,500 gallons in a series of hard-sided tanks. All processing will occur onsite within the proposed metal building. No employees are currently used for cultivation operations. Power is provided by a generator.

Please let me know if CDFW has any questions or comments.

Best,
Meghan



Meghan Ryan
Planning Director
LACO Associates
Eureka | Ukiah | Santa Rosa | Chico
Advancing the quality of life for generations to come
707 443-5054
<http://www.lacoassociates.com>

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