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: October 21, 2021

To: Humboldt County Planning Commission

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

Subject: **Aloha Top Shelf, LLC Conditional Use Permits & Special Permits**
Record Number: PLN-12333-CUP
Assessor's Parcel Numbers (APNs): 522-511-016
85 Moonset Lane, Willow Creek

Record Number: PLN-12337-CUP
Assessor's Parcel Numbers (APNs): 522-511-013
145 Hillcrest Way, Willow Creek

Record Number: PLN-12637-CUP
Assessor's Parcel Numbers (APNs): 522-511-014 & 522-511-015
105 Hillcrest Way, Willow Creek; 65 Moonset Lane, Willow Creek

Table of Contents **Page**

Agenda Item Transmittal	2
Recommended Action and Executive Summary	3
Draft Resolution	7
Maps	
Topo Map	8
Zoning Map	9
Aerial Map	10
Site Plans	11
Attachments	
Attachment 1: Recommended Conditions of Approval	14
Attachment 2: CEQA Addendum	22
Attachment 3: Applicant's Evidence in Support of the Required Findings	50
Attachment 4: Referral Agency Comments and Recommendations	101
Attachment 5: Public Comments	

Please contact Megan Acevedo, Planner, at 707-441-2634 or by email at macevedo@co.humboldt.ca.us, if you have any questions about the scheduled public hearing item.

AGENDA ITEM TRANSMITTAL

Hearing Date	Subject	Contact
October 21, 2021	Conditional Use Permits & Special Permits	Megan Acevedo

Project Description: Aloha Top Shelf, LLC seeks a total of three (3) Conditional Use Permits, three (3) Special Permits, and one (1) voluntary Notice of Merger (NOM).

- PLN-12333-CUP: A Conditional Use Permit to allow 2,500 square feet (sq. ft.) of new mixed-light commercial cannabis cultivation on a 1.27 acre parcel within the Willow Creek Community Planning Area. An additional Special Permit is being requested to reduce the 600-foot setback to public lands to approximately 350 feet. The applicant is proposing two (2) new mixed-light greenhouses, two (2) buildings for drying and storage, and one (1) shipping container for storage. All cultivation greenhouses and drying structures will be fully enclosed with odor mitigating carbon filters. Water will be provided by the Willow Creek Community Services District (WCCSD), and a will-serve letter is on-file. Up to four (4) cycles are anticipated per year, and up to 50,000 gallons of water is estimated for annual irrigation needs 20 gal/sq. ft./year). There is no existing water storage on-site and no storage is required. Power is sourced by PG&E, and up to three (3) employees will be used for cultivation activities on-site. Ancillary nursery and trimming activities are proposed in a proposed building on the adjacent parcel 522-511-013.

- PLN-12337-CUP: A Conditional Use Permit for 2,250 sq. ft. of new indoor cultivation within an existing building, and 2,750 sq. ft. of new mixed-light cultivation on a 1.72 acre parcel within the Willow Creek Community Planning Area. The project also proposes to have one (1) new processing facility, and one (1) 1,260 sq. ft. nursery, which will be used to support the operations for PLN-12333-CUP & PLN-12637-CUP, also owned by the applicant. All cultivation related structures will utilize odor mitigating carbon filters. An additional Special Permit is being requested to reduce the 600-foot setback to public lands to approximately 590 feet. Water will be provided by the WCCSD, and a will-serve letter is on file. Up to four (4) cycles are anticipated, and estimated annual water usage is 100,000 gallons (15.97 gal/sq. ft./year). Appurtenant drying, processing and nursery structures will be located on adjacent parcels 522-511-016, 522-511-014 & 522-511-015 also owned and operated by the applicant. The processing facility will also provide an ADA compliant bathroom. Power is provided by PG&E and the applicant anticipates utilizing three (3) employees for operations on-site. The existing residence will house the Agent in Charge and all other employees will commute to the site.

- PLN-12637-CUP: A Conditional Use Permit to apply for 5,000 sq. ft. of new mixed-light cannabis cultivation within the Willow Creek Community Planning Area on a parcel of 1.63 acres. All cultivation related structures will have odor mitigating carbon filters. An additional Special Permit is being requested to reduce the 600-foot setback to public lands to approximately 430 feet. Water will be sourced from the WCCSD, and power will be provided by PG&E. Up to four (4) harvests are anticipated and total annual water usage is estimated at 100,000 gallons (20 gal/sq. ft./year), and the applicant has a will-serve letter from the WCCSD. A 2,400 sq. ft. two-story drying building is proposed for drying, and will support the operations for PLN-12333-CUP & PLN-12337-CUP, also owned by the applicant. The applicant anticipates a maximum of nine (9) employees used on-site during peak operations. The Lead Cultivator and Assistant Cultivator will live in the residence on-site and all other employees will commute to the site.

The project includes a voluntary Notice of Merger (NOM) between two (2) parcels, comprised of two (2) Assessor Parcel Numbers (APN's: 522-511-014 & 522-511-015), resulting in one (1) parcel. The purpose of this NOM is to confirm that the applicant meets the parcel size requirement outlined in Section 55.4.8.2.1.3 of the CMMLUO, of between 1 and 5 acres.

Project Location: The projects are located in the Willow Creek area as described by the following:

PLN-12333-CUP; APN: 522-511-016: The project is located in Humboldt County, in the Willow Creek area, on the East side of Hillcrest Way, approximately 484 feet East from the intersection of Hillcrest Way and Moonset Lane, on the property known to be in Section 28 of Township 07 North, Range 05 East, Humboldt Base & Meridian.

PLN-12337-CUP; APN: 522-511-013: The project is located in Humboldt County, in the Willow Creek area, on the east side of Hillcrest Way, approximately 250 feet east from the intersection of Hillcrest Way and Moonset Lane, on the property known as 145 Hillcrest Way.

PLN-12637-CUP; APN: 522-511-014 & 522-511-015: The project is located in Humboldt County, in the Willow Creek area, on the East side of Hillcrest Way, approximately 27 feet East from the intersection of Hillcrest Way and Moonset Lane, on the property known to be in Section 28 of Township 07 North, Range 05 East, Humboldt Base & Meridian.

Present Plan Land Use Designations: Residential Agriculture (RA); 2017 General Plan; Willow Creek Community Plan; Density: 5-20 acres per unit; Slope Stability: Moderate Instability: 2.

Present Zoning: Agricultural General (AG); Special Building Site B-5(5).

Record Number's: PLN-12333-CUP, PLN-12337-CUP, PLN-12637-CUP

Assessor's Parcel Number: 522-511-016, 522-511-013, 522-511-014 & 522-511-015

Record Number	Applicant	Owner	Agents
PLN-12333-CUP PLN-12337-CUP PLN-12637-CUP	Aloha Top Shelf, LLC PO Box 1262 Willow Creek, CA 95573	Sean O'Connor PO Box 1262 Willow Creek, CA 95573	Northpoint Consulting Group Phil Standish 1117 Samoa Blvd. Arcata, CA 95521

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

Aloha Top Shelf, LLC
Record Number: PLN-12333-CUP, PLN-12337-CUP and PLN-12637-CUP
Assessor's Parcel Number's: 522-511-016, 522-511-013,
522-511-014 & 522-511-015

Recommended Commission Action
1. Describe the application as part of a public hearing.
2. Request staff to present the application and staff report;
3. Open the public hearing and receive testimony;
4. Close the public hearing and adopt the Resolutions to take the following actions:

1) Find that the Commission 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, 2) make all of the required findings for approval of the Conditional Use Permit and Special Permit and 3) approve the Aloha Top Shelf, LLC Conditional Use Permits and Special Permits as recommended by staff subject to the recommended conditions.

Executive Summary: Aloha Top Shelf, LLC seeks three (3) Conditional Use Permits to allow the cultivation of cannabis with appurtenant nursery, drying & processing, across four adjacent and contiguous parcels. Three (3) additional Special Permits are being requested to reduce the 600-foot setback to the Six Rivers National Forest, and the project includes one (1) voluntary Notice of Merger (NOM) between parcels APN: 522-511-014 & 522-511-015, which will make the project occurring across three adjacent and contiguous parcels.

PLN-12637-CUP, includes a voluntary Notice of Merger (NOM) between two (2) parcels, comprised of two (2) Assessor Parcel Numbers (APN's: 522-511-014 & 522-511-015), resulting in one (1) parcel. The purpose of this NOM is to confirm that the applicant meets the parcel size requirement outlined in Section 55.4.8.2.1.3 of the CMMLUO, of between 1 and 5 acres. The applicant is conditioned to record the NOM before commencing new cultivation and construction activities **(Conditions C.1 – C.3)**.

Table 1. Project Summaries

Record Number and Assessor's Parcel Number	Cultivation Area	Irrigation Water Source	Water Storage	Water Usage	Proposed support facilities	Power
Record No.: PLN-12333-CUP APN: 522-511-016	2,500 sq. ft. of mixed-light.	Willow Creek Community Services District	N/A	50,000 gallons (20 gal/sq. ft./year)	One (1) proposed 1,000 sq. ft. building and one (1) 600 sq. ft. building for drying to support all adjacent operations.	PG&E
Record No: PLN-12337-CUP APN: 522-511-013	2,250 sq. ft. of indoor, and 2,750 sq. ft. of mixed-light. 1,260 sq. ft. ancillary nursery to support all parcels.	Willow Creek Community Services District	N/A	100,000 gallons (15.97 gal/sq. ft./year)	One (1) 1,000 sq. ft. proposed processing building to be equipped with ADA compliant restroom, to support all adjacent operations. One (1) Residence for employee housing.	PG&E
Record No.: PLN-12637-CUP APN: 522-511-014 & 522-511-015 (to be merged)	5,000 sq. ft. of mixed-light	Willow Creek Community Services District	N/A	100,000 gallons (20 gal/sq. ft./year)	One (1) proposed 2,400 sq. ft. building for drying to support all adjacent operations. One (1) Residence for employee housing.	PG&E

The applicant will utilize supplemental lights within the mixed-light greenhouses, and all cultivation related structures will utilize odor mitigating carbon filters. Up to four (4) harvests are anticipated for all cultivation areas that will occur year round. Up to fifteen (15) employees may be utilized during peak season, for all operations run by Aloha Top Shelf, LLC. The projects will share the following facilities: a 1,260 sq. ft. ancillary nursery located on APN: 522-511-013, drying facilities located on APN: 522-511-016,

522-511-014 & 522-511-015, water meters located on APN: 522-511-013 and 522-511-014, and a processing facility with an attached ADA compliant restroom located on APN: 522-511-013. In the event that one or more of the subject parcels are conveyed to a different owner and are no longer under the same ownership, the projects shall no longer use the shared facilities, and shall be completely independent. PLN-12333 shall obtain an independent water source, shall have processing done off-site at a licensed processing facility, shall provide portable toilets or have a permitted Onsite Waste Treatment System (OWTS), and shall have documentation from a licensed processing facility kept on-site to be furnished during an annual inspection, and shall obtain clones or seeds from a licensed nursery. PLN-12337-CUP shall lower the ancillary nursery on-site to be 500 sq. ft. (in accordance with the Humboldt County Department Policy to only allow up to 10% of cultivation area for nursery space). PLN-12637-CUP shall obtain clones or seeds from a licensed nursery, shall provide portable toilets or have a permitted OWTS, and shall have processing done off-site at a licensed processing facility and shall have documentation from a licensed processing facility kept on-site to be furnished during an annual inspection **(Ongoing Condition E.1)**. On-site security consists of locked gates at the entrances, and access to cultivation areas will be limited exclusively to employees.

PLN-12333-CUP seeks a Conditional Use Permit to allow 2,500 sq. ft. of new mixed-light commercial cannabis cultivation on a 1.27 acre parcel within the Willow Creek Community Planning Area. The applicant is proposing two (2) new mixed-light greenhouses, two (2) buildings for drying and storage, and one (1) shipping container for storage. All cultivation greenhouses and drying structures will be fully enclosed with odor mitigating carbon filters. The applicant is conditioned to permit all buildings with a nexus to cannabis including but not limited to two (2) greenhouses, two (2) drying buildings, and one (1) shipping container **(Condition A.5)**. The applicant shall submit a grading, erosion and sediment control plan to permit previous grading done on-site, and for any new grading required for new structures, with the Building Division **(Condition A.6)**.

PLN-12337-CUP seeks a Conditional Use Permit to allow 2,250 sq. ft. of new indoor and 2,750 sq. ft. of new mixed-light commercial cannabis cultivation on a 1.72 acre parcel within the Willow Creek Community Planning Area. The subject parcel will also have a 1,000 sq. ft. processing facility, and a 1,260 sq. ft. ancillary nursery, which will support projects PLN-12333-CUP and PLN-12337-CUP. All cultivation related structures will utilize odor mitigating carbon filters. Indoor cultivation will occur within an existing non-residential structure on-site, and mixed-light cultivation is proposed to occur within a proposed greenhouse. The existing residence will house the Agent in Charge and all other employees will commute to the site. The applicant is conditioned to permit all buildings with a nexus to cannabis on-site including but not limited to one (1) existing structure for indoor cultivation, one (1) proposed mixed-light greenhouse, one (1) proposed nursery greenhouse, one (1) processing facility, and the existing residence **(Condition B.5)** The applicant shall also permit any new grading in excess of 50 cubic yards required for the proposed structures on-site, with the Building Division **(Condition B.6)**.

PLN-12637-CUP seeks a Conditional Use Permit to apply for 5,000 sq. ft. of new mixed-light cannabis cultivation within the Willow Creek Community Planning Area. The subject parcel will also have a 2,400 sq. ft. building for drying. All cultivation related structures will have odor mitigating carbon filters. The Lead Cultivator and Assistant Cultivator will live in the residence on-site and all other employees will commute to the site. The applicant is conditioned to permit all buildings with a nexus to cannabis on-site including but not limited to one (1) mixed-light greenhouse, one (1) two-story drying structure, and one (1) residence (**Condition D.5)** The applicant shall also permit any new grading in excess of 50 cubic yards required for the proposed structures on-site, with the Building Division **(Condition D.6)**.

Trimming activities are proposed to occur in a proposed building on the subject parcel 522-511-013, which will supply the site with an ADA bathroom. The applicant plans to utilize portable toilets for the projects needs until the Processing facility is built out and equipped with an ADA bathroom. The projects were referred to the Department of Environmental Health (DEH), and comments received from the department stated that seasonal cultivation without processing may use portable toilets to serve the operation and that the permittee shall provide portable toilets or install a permitted onsite wastewater treatment system associated with a permitted structure. The applicant is conditioned to provide portable

toilets on-site **(Conditions A.7, B.7 & D.7)**, and shall submit receipts of portable toilet service to the Planning Department annually until the Processing facility is equipped with an ADA compliant bathroom on APN: 522-511-013 **(Ongoing Condition E.2)**.

Energy
Power is sourced by PG&E, and in accordance with the Commercial Medical Marijuana Land Use Ordinance, the applicant shall comply with section 55.4.8.3 of the CMMLUO, for indoor cultivation operations (PLN-12337-CUP) including but not limited to illumination, heating, cooling, and ventilation, shall be provided by on-grid power with 100% renewable source, on-site zero net energy renewable source, or with purchase of carbon offsets of any portion of power used for indoor cultivation, not from renewable sources. In the event the applicant chooses to purchase carbon offset credits, an Energy Plan shall be submitted to the Planning Department outlining how much carbon offsets are required for the project **(Condition B.8)**.

Prime Agricultural Soils
PLN-12333-CUP has been determined to have approximately 12,500 sq. ft. of prime agricultural soils on-site, and the total 2,500 sq. ft. of proposed cultivation area will not cover more than 20% (2,500 sq. ft.) of prime agricultural soils present on-site.

PLN-12337-CUP has been determined to have approximately 67,262 sq. ft. of prime agricultural soils on-site, and the total 4,010 sq. ft. of proposed new cultivation area (not including existing or proposed structures) will not cover more than 20% (13,452 sq. ft.) of prime agricultural soils present on-site.

PLN-12637-CUP has been determined to have approximately 1.63 acres (71,002 sq. ft.) of prime agricultural soils on-site, and the total 5,000 sq. ft. of proposed new cultivation area will not cover more than 20% (14,200 sq. ft.) of the prime agricultural soils present on-site.

Setbacks
The subject parcels are located within 600 feet of Six Rivers National Forest (SRNF), and the applicant is requesting a Special Permit in order to approve a reduction in the 600 foot setback. For PLN-12333-CUP the requested setback reduction is approximately 350 feet. For PLN-12337-CUP the requested setback reduction is approximately 590 feet. For PLN-12637-CUP the requested setback reduction is approximately 430 feet. The projects were referred to the US Forest Service, and no response was received. It has been determined that the projects are not located within 600 feet of a designated recreational facility.

The adjacent public land is subject to the Land and Resource Management Plan - Six Rivers National Forest 1995 (L&RMP). The project is consistent with the L&RMP because the cultivation activities will minimize impacts to biological resources and wildlife through measures to reduce potential light and noise impacts, and the applicant will utilize odor mitigation controls. Furthermore, the project is conditioned to comply with International Dark Sky Standards, and shall not result in light-pollution. Lastly, the project is consistent with recreational use on public lands as the proposed project is not located near developed campgrounds, trails, or other related facilities.

The proposed cultivation is within 300 feet of the residence located on APN's 522-511-013 and 522-511-015. The applicant and owner has given authorization for all projects to be within 300 feet of the residences located on APN's 522-511-013 and 522-511-015 and is on file. All proposed cultivation for the projects are not within 300 feet of any other neighboring residences, and have been found to meet all other setbacks required from a school, school bus stop, church or other place of religious worship, or tribal cultural resource.

Water Resources
Water for irrigation will be provided by the Willow Creek Community Services District (WCCSD). The applicant anticipates using approximately 50,000 gallons of water annually for the 2,500 sq. ft. of mixed-light cultivation on PLN-12333-CUP (20 gal/sq. ft./year). The applicant anticipates using approximately

100,000 gallons of water annually for the 2,750 sq. ft. of mixed-light, 2,250 sq. ft. of indoor, and 1,260 sq. ft. of ancillary nursery cultivation on PLN-12337-CUP (15.97 gal/sq. ft./year). The applicant anticipates using approximately 100,000 gallons of water annually for the 5,000 sq. ft. of mixed-light cultivation on PLN-12637-CUP (20 gal/sq. ft./year). No water storage is proposed and none is required for the project. The applicant has obtained a Will Serve letter from the WCCSD showing the allowance of approximately 280,000 gallons of water to be used annually for agricultural purposes at 522-511-016, 522-511-013, 522-511-014, and 522-511-015. These four (4) adjacent parcels have applications under Aloha Top Shelf, LLC (Application numbers 12333, 12337, and 12637). Aloha Top Shelf, LLC is applying for a total of 12,500 sq. ft. of cultivation area and 1,260 sq. ft. of ancillary propagation, and the total anticipated water to be used annually for cannabis irrigation is approximately 250,000 gallons for all three applications (18.17 gal/sq. ft./year). The Will Serve letter states that the WCCSD Board Policy allows for individuals who own adjacent parcels to use water from one parcel on the next and that water usage on the adjacent parcels is acceptable given that all parcels are owned by the same owner. In order to continue using the WCCSD meters located on parcels 522-511-013 and 522-511-014, for all adjacent parcels under Applications 12333, 12337, and 12637, all parcels (522-511-016, 522-511-013, 522-511-014, and 522-511-015) shall be owned by the same property owner, and in the event that parcels under Applications 12333, 12337, and 12637 have different property owners, the applicant's shall contact the WCCSD in order to receive a subsequent Will Serve letter to allow the use of water from the WCCSD **(Ongoing Condition E.3)**. The WCCSD has a Drought Ordinance in its Board Policy, and in the event of a drought the water usage may be restricted per the policy and the applicant shall adhere to any restrictions set forth by the WCCSD **(Ongoing Condition E.4)**.

The applicant is not currently cultivating, and the project is not currently enrolled in the State Water Resources Control Board's (SWRCB) General Order (No. WQ 2019-0001-DWQ) for Waste Discharge Requirements and Water Quality. The project is conditioned to enroll in the SWRCB's General Order prior to commencing cultivation activities on-site, and shall submit a Notice of Applicability letter or Notice of Receipt as proof of enrollment before cultivation activities can occur **(Conditions A.8, B.9, D.8)**. As well, the project is required to have a Site Management Plan prepared within 90 days of enrollment to outline on-site measures required to meet the standards of the SWRCB's General Order. The applicant shall submit to the Planning Department the final Site Management Plan, and shall adhere to the measures and recommendations within the final SMP (**Ongoing Condition E.5)**.

There are no streams or stream crossings located on the subject parcels, and the project will not utilize any stream diversion, therefore no Lake or Streambed Alteration Agreement with the California Department of Fish & Wildlife (CDFW). The applicant shall submit to the Planning Department a letter from the CDFW stating that no Lake or Streambed Alteration Agreement is required for the project, and in the event that one is needed the applicant shall submit the Final LSAA to the Planning Department and shall adhere to the work described within the Agreement **(Ongoing Condition E.6)**.

Biological Resources

There are no mapped sensitive species shown on the subject parcels in the California Natural Diversity Database (CNDDB) Resource Map. The nearest Northern Spotted Owl (NSO) activity center is located approximately 1.82 miles from the nearest proposed cultivation site on all adjoining parcels, and the closest observation is approximately 1.55 miles away. Lands surrounding the site are heavily forested, thus there is potential for NSO habitat. The applicant will source power from PG&E grid connection and no generators are proposed. The project is conditioned to adhere to International Dark Sky standards for all mixed-light greenhouses, and noise generated on-site shall not exceed 50 decibels at either 100 feet or the nearest canopy **(Ongoing Conditions E.7 & E.8)**. The projects were referred to the Department of Fish & Wildlife, and no response was received.

For PLN-12333-CUP, a Biological Scoping Study (BSS) was prepared for the site by Be Green Legal in June of 2019. A site visit was conducted on March 8, 2019, which found one hydrologic feature located on the subject parcel. The BSS describes the hydrologic feature as a small pond that captures water from a spring located in the middle of the parcel. An Addendum to the BSS was submitted by Northpoint Consulting Group, dated September 1, 2021. The Addendum to the BSS was created by Britney Newby,

an Environmental Scientist with 5 years' experience in wetland delineations. Britney conducted a site visit on August 12, 2021, to analyze the pond and redefined it as a detention rain catchment basin with no spillway, nor was it found to be connected to a watercourse. The applicant has added the small seasonal pond to the Site Plan with a 50-foot buffer, in compliance with the Humboldt County Streamside Management Areas and Wetlands Ordinance. The BSS was originally produced for a previous RRR remediation application, but included recommendations for a pre-construction survey for special status amphibian and reptile species within 5 days of project implementation and if any frog, salamander or turtle is found within the proposed project location, activities shall be halted until the salamander or frog migrates outside of the project area. This recommendation is included in the Conditions of Approval for the project before construction activities can commence on-site (**Condition A.9)**, and all other conclusions within the BSS are not applicable to this application as no remediation activities are a part of the proposed project.

Fire Safety
The projects are located within the State Responsibility Area for CalFire, and is in an area that is designated to have Very High Fire Hazard Severity. All structures are shown to outside of the 30 foot setback and the applicant has water connection with the Willow Creek Community Services District. The project is located within the Willow Creek Volunteer Fire District (WCVFD).

Tribal Cultural Resource Coordination
The projects are located within the Hoopa and Tsnungwe tribal aboriginal territories. The projects were referred to the Hoopa Tribe and the Tsnungwe Tribes. The project was also referred to the Northwest Information Center (NWIC). A response was received from the NWIC, which recommended that the lead agency contact the local Native American tribe(s) regarding traditional, cultural, and religious heritage values. The Tsnungwe Council replied stating no comment existing. No response was received from the Hoopa Tribe. No Cultural Resource Investigation was requested, and the projects are conditioned to adhere to inadvertent discovery protocols in the event that cultural resources are encountered during project activities **(Informational Note F.1)**.

Access
Access route to PLN-12333-CUP and PLN-12637 is off of a private road Moonset Lane, off of Hillcrest Way which is a county maintained road. The projects were referred to the Department of Public Works, and comments were received requesting a Road Evaluation Report form be prepared for the private road. The applicant has submitted a Road Evaluation Report form for Moonset Lane, designating it as being developed to the equivalent of a Category 4 road standard. Updated comments received by the Department of Public Works on September 24, 2021, included the recommendation for conditions of approval for the project. Conditions of approval included: the applicant is advised that County maintained roads may generate dust and other impacts to farms and the applicant shall hold the County harmless from these impacts **(Ongoing Condition E.10)**, and whether specifically addressed or not within the road evaluation report "no roadway grade in excess of 16 percent shall be permitted unless it has been demonstrated to be in conformance with the County Roadway Design Manual," where portions of the road have grades that exceed 16% those portions must be paved and must have an exception request approved, and all driveways and private road intersections onto the County Road shall be maintained in accordance with Code Section 341-1 (Site Visibility Ordinance) which 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 **(Conditions A.10 & D.9)**.

Access route to PLN-12337-CUP is off of a private driveway off of Hillcrest Way which is a county maintained road. The project was referred to the Department of Public Works on May 7, 2021, and comments were received on May 21, 2021, stating that the driveway is surfaced to County standards. Other comments received by the Department of Public Works included the recommendation for conditions of approval for the project. Conditions of approval included: the applicant is advised that County maintained roads may generate dust and other impacts to farms and the applicant shall hold the County harmless from these impacts **(Ongoing Condition E.10)**, all fences shall be relocated out of the County right of way, and all driveways and private road intersections onto the County Road shall be

maintained in accordance with Code Section 341-1 (Site Visibility Ordinance) which 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 **(Condition B.10)**. These Conditions have been included in the Conditions of Approval before the project may commence activities on-site.

All projects will utilize up to fifteen (15) employees during peak season, three of which will be living within the residences on APN: 522-511-013 and 522-511-015. All other employees will commute to and from the site, and it is anticipated that a maximum of twenty-four (24) trips will occur daily, when operations are occurring on-site. As the sites are accessed off Hillcrest Way, a county maintained road that is developed to a Category 4 road standard, it has been determined that the access route meets the functional capacity for the project's needs.

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 Planning Commission (See Attachment 2 for more information).

RECCOMENDATION: Based on a review of Planning Division reference sources and comments from all involved referral agencies, Planning staff believes that the applicant has submitted evidence in support of making all of the required findings for approval of the Conditional Use Permit (CUP) and Special Permit (SP).

ALTERNATIVES: The Planning Commission could elect not to approve the project, or to require the applicant to submit further evidence, or modify the project. If modifications may cause potentially significant impacts, additional CEQA analysis and findings may be required. These alternatives could be implemented if the Commission is unable to make all of the required findings. Planning staff has stated that the required findings in support of the proposal have been made. Consequently, Planning staff does not recommend further consideration of any alternative.

The Planning Commission could also decide the project may have environmental impacts that would require further environmental review pursuant to CEQA. Staff did not identify any potential impacts. As the lead agency, the Department has determined that the project is consistent with the MND for the CMMLUO as stated above. However, the Commission may reach a different conclusion. In that case, the Commission should continue the item to a future date at least two months later to give staff the time to complete further environmental review.

RESOLUTION OF THE PLANNING COMMISSION
OF THE COUNTY OF HUMBOLDT

Resolution Number 21-

Record Number PLN-12333-CUP
Assessor's Parcel Numbers: 522-511-016

Resolution by the Planning Commission of the County of Humboldt certifying compliance with the California Environmental Quality Act and conditionally approves the Aloha Top Shelf, LLC, Conditional Use Permit and Special Permit.

WHEREAS, **Aloha Top Shelf, LLC,** submitted an application and evidence in support of approving a Conditional Use Permit for 2,500 sq. ft. of new mixed-light commercial cannabis cultivation, and drying activities; a Special Permit for a setback reduction to the Six Rivers National Forest for public lands;

WHEREAS, the County Planning Division, the lead agency, prepared an Addendum to the Final Mitigated Negative Declaration (MND) prepared for the Commercial Medical 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 Planning Commission held a duly-noticed public hearing on October 21, 2021, and reviewed, considered, and discussed the application for a Conditional Use Permit and Special Permit and reviewed and considered all evidence and testimony presented at the hearing.

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

1. **FINDING:** **Project Description:** The application is a Conditional Use Permit to allow 2,500 sq. ft. of new mixed-light commercial cannabis cultivation on a 1.27 acre parcel within the Willow Creek Community Planning Area. An additional Special Permit is being requested to reduce the 600-foot setback to public lands to approximately 350 feet. The applicant is proposing two (2) new mixed-light greenhouses, and two (2) buildings for drying and storage. All cultivation greenhouses and drying structures will be fully enclosed with odor mitigating carbon filters. Water will be provided by the WCCSD, and a will-serve letter is on-file. Up to four (4) harvests are anticipated per year, and up to 50,000 gallons of water is estimated for annual irrigation needs (20 gal/sq. ft./year). There is no existing water storage on-site and no storage is required. Power is sourced by PG&E.

   EVIDENCE: a) Project File: PLN-12333-CUP

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) The project is conditioned to enroll in the State Water Resource Control Board Order No. WQ 2019-0001-DWQ, and to have a Site Management Plan prepared to show measures required to meet compliance with the standard conditions of the Order.

d) A Road Evaluation Report Form was submitted for Moonset Lane, designating it as being developed to a Category 4 road standard. It has been determined that the access road meets the functional capacity for the project.

e) A Biological Scoping Study (BSS) was prepared by Be Green Legal in June of 2019. The BSS describes a hydrologic feature on-site, a small pond that captures water from a spring located in the middle of the parcel. An Addendum to the BSS was submitted by Northpoint Consulting Group, dated September 1, 2021. The Addendum to the BSS redefined the pond as a detention rain catchment basin with no spillway, nor was it found to be connected to a watercourse. The applicant has added the small seasonal pond to the Site Plan with a 50-foot buffer, in compliance with the Humboldt County Streamside Management Areas and Wetlands Ordinance.

f) The project was referred to the Hoopa Tribe and the Tsnungwe Tribe on May 6, 2021, and to the Northwest Information Center (NWIC) on May 6, 2021. A response was received from the NWIC on May 24, 2021, which recommended that the lead agency contact the local Native American tribe(s) regarding traditional, cultural, and religious heritage values. The Tsnungwe Council replied on May 10, 2021, which stated no comment existing. No response was received from the Hoopa Tribe. No Cultural Resource Investigation was requested, and the project is conditioned to adhere to inadvertent discovery protocols in the event that cultural resources are encountered during project activities.

g) Irrigation water will come from the Willow Creek Community Services District. The applicant has obtained a Will Serve letter from the WCCSD, and anticipated water used annually is within the allowed amount for agricultural purposes outlined in the Will Serve letter. The applicant is conditioned to comply with terms of the Will Serve letter, and in the event of a drought the water usage may be restricted per the policy and the applicant shall adhere to any restrictions set forth by the WCCSD.

FINDINGS FOR CONDITIONAL USE PERMIT

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

EVIDENCE a) The proposed project is not located within an Open Space Action Program because the project site is not planned or zoned as open space, does not have a combining zone that would be considered open space, and there are no other open space general plan or zoning code overlays affecting this project.

4. FINDING The proposed development is consistent with the purposes of the existing AG-B-5(5) zone in which the site is located.

EVIDENCE

a) The Agriculture General or AG Zone is intended to be applied to areas of the County in which general agriculture residential uses are the desirable predominant uses.

b) The proposed buildings for the project meet the setback requirements for the B-5 zoning, as all buildings will be set 30 feet from the property lines.

c) All general agricultural uses are principally permitted in the AG zone.

d) Humboldt County Code section 314-55.8.2.1.3 allows for new mixed-light commercial cannabis cultivation of up to 5,000 square feet, on AG parcels between 1 and 5 acres in size with a Use Permit. The application for 2,500 square feet of new mixed-light on a 1.27 acre parcel is consistent with this.

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

EVIDENCE

a) The CMMLUO allows up to 5,000 square feet of new cannabis cultivation to be permitted in areas zoned AG on parcels between 1 and 5 acres with a Conditional Use Permit (HCC 314-55.4.8.2.1.3).

b) The parcel has been determined to be legally created through Lot Line Adjustment 98-10, Notice of Lot Line Adjustment recorded August 18, 1999, Document #1999-23443-3.

c) The project will obtain water from a non-diversionary water source.

d) It has been verified that new cultivation is to be located on areas that have a slope of <15%.

e) It has been verified that new cultivation of 2,500 sq. ft. will not cover more than 20% (2,500 sq. ft.) of the Prime Agricultural Soils on-site.

f) The project has received authorization from the property owner of the neighboring residences on APN's: 522-511-013 & 522-511-015 within 300 feet of the proposed cultivation.

g) A Road Evaluation Report was submitted for Moonset Lane, the private road to the project site, designating the road as being developed to the equivalent of a Category 4 road standard.

h) The location of the proposed cultivation complies with setbacks required in Section 314-55.4.11.d, for 30 feet from any property line, and more than 600 feet from any school, school bus stop, church or other place of religious worship, or Tribal Cultural Resource.

i) The applicant is requesting a Special Permit in order to approve a reduction in the 600 foot setback to Six Rivers National Forest to approximately 350 feet. It has been determined that the project is not located within 600 feet of a designated recreational facility.

The adjacent public land is subject to the Land and Resource Management Plan - Six Rivers National Forest 1995 (L&RMP). The project is consistent with the L&RMP because the cultivation activities will minimize impacts to biological resources and wildlife through measures to reduce

potential light and noise impacts, and the applicant will utilize odor mitigation controls. Furthermore, the project is conditioned to comply with International Dark Sky Standards, and shall not result in light-pollution. Lastly, the project is consistent with recreational use on public lands as the proposed project is not located near developed campgrounds, trails, or other related facilities.

6. FINDING The new 2,500 sq. ft. of mixed-light commercial 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) Access route to the project site is off of a private road Moonset Lane, off of Hillcrest Way which is a county maintained road. The applicant has submitted a Road Evaluation Report form for Moonset Lane, designating it as being developed to the equivalent of a Category 4 road standard. The access road has been determined to meet the needs for the project.

b) All cultivation greenhouses and drying structures will be fully enclosed with odor mitigating carbon filters.

c) The applicant has received owner authorization for the proposed cultivation to be within 300 feet of the residences located on APN's: 522-511-013 and 522-511-015.

d) Irrigation water will come from the Willow Creek Community Services District. The applicant has obtained a Will Serve letter from the WCCSD, and anticipated water used annually is within the allowed amount for agricultural purposes outlined in the Will Serve letter. The applicant is conditioned to comply with terms of the Will Serve letter, and in the event of a drought the water usage may be restricted per the policy and the applicant shall adhere to any restrictions set forth by the WCCSD.

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

EVIDENCE

a) The parcel was not included in the housing inventory of Humboldt County's 2019 Housing Element but does have the potential to support one housing unit. The approval of cannabis cultivation on this parcel will not conflict with the ability for a residence to be constructed on this parcel.

8. FINDING Approval of this project is consistent with Humboldt County Board of Supervisors Resolution No. 18-43 which established a limit on the number of permits and acres which may be approved in each of the County's Planning Watersheds.

EVIDENCE

a) The project site is located in the Lower Trinity Planning Watershed, which under Resolution 18-43 is limited to 169 permits and 58 acres of cultivation. With the approval of this project the total approved permits in this Planning Watershed would be 53 permits and the total approved acres would be 24.5 acres of cultivation.

DECISION

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

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

Adopted after review and consideration of all the evidence on October 21, 2021

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

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

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

_____
John Ford, Director
Planning and Building Department

RESOLUTION OF THE PLANNING COMMISSION
OF THE COUNTY OF HUMBOLDT

Resolution Number 21-

Record Number PLN-12337-CUP
Assessor's Parcel Numbers: 522-511-013

Resolution by the Planning Commission of the County of Humboldt certifying compliance with the California Environmental Quality Act and conditionally approves the Aloha Top Shelf, LLC, Conditional Use Permit and Special Permit.

WHEREAS, **Aloha Top Shelf, LLC,** submitted an application and evidence in support of approving a Conditional Use Permit for 2,250 sq. ft. of new indoor and 2,750 sq. ft. of new mixed-light commercial cannabis cultivation, a residence used for employee housing, and appurtenant processing and nursery; a Special Permit for a setback reduction to the Six Rivers National Forest for public lands;

WHEREAS, the County Planning Division, the lead agency, prepared an Addendum to the Final Mitigated Negative Declaration (MND) prepared for the Commercial Medical 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 Planning Commission held a duly-noticed public hearing on October 21, 2021, and reviewed, considered, and discussed the application for a Conditional Use Permit and Special Permit and reviewed and considered all evidence and testimony presented at the hearing.

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

1. **FINDING:** **Project Description:** The application is a Conditional Use Permit for 2,250 sq. ft. of new indoor cultivation within an existing building, and 2,750 sq. ft. of new mixed-light cultivation on a 1.72 acre parcel within the Willow Creek Community Planning Area. The project includes a 1,260 sq. ft. nursery, and a processing facility on-site. All cultivation related structures will utilize odor mitigating carbon filters. An additional Special Permit is being requested to reduce the 600-foot setback to public lands to approximately 590 feet. Water will be provided by the Willow Creek Community Services District, and a will-serve letter is on file. Up to four (4) cycles are anticipated, and estimated annual water usage is 100,000 gallons (15.97 gal/sq. ft./year). Power is provided by PG&E. The existing residence will house the Agent in Charge and all other employees will commute to the site.

   EVIDENCE: a) Project File: PLN-12337-CUP

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) The project is conditioned to enroll in the State Water Resource Control Board Order No. WQ 2019-0001-DWQ, and to have a Site Management Plan prepared to show measures required to meet compliance with the standard conditions of the Order.

d) The project site is located off of Hillcrest Way which is a County maintained road, the driveway has been determined to meet County standards, and the access road has been determined to meet the functional capacity for the project's needs.

e) The project was referred to the Hoopa Tribe and the Tsnungwe Tribe on May 6, 2021, and to the Northwest Information Center (NWIC) on May 6, 2021. A response was received from the NWIC on May 24, 2021, which recommended that the lead agency contact the local Native American tribe(s) regarding traditional, cultural, and religious heritage values. The Tsnungwe Council replied on May 10, 2021, which stated no comment existing. No response was received from the Hoopa Tribe. No Cultural Resource Investigation was requested, and the project is conditioned to adhere to inadvertent discovery protocols in the event that cultural resources are encountered during project activities.

f) Irrigation water will come from the Willow Creek Community Services District. The applicant has obtained a Will Serve letter from the WCCSD, and anticipated water used annually is within the allowed amount for agricultural purposes outlined in the Will Serve letter. The applicant is conditioned to comply with terms of the Will Serve letter, and in the event of a drought the water usage may be restricted per the policy and the applicant shall adhere to any restrictions set forth by the WCCSD.

FINDINGS FOR CONDITIONAL USE PERMIT AND 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) The proposed project is not located within an Open Space Action Program because the project site is not planned or zoned as open space, does not have a combining zone that would be considered open space, and there are no other open space general plan or zoning code overlays affecting this project.

4. FINDING The proposed development is consistent with the purposes of the existing AG-B-5(5) zone in which the site is located.

EVIDENCE a) The Agriculture General or AG Zone is intended to be applied to areas of the County in which general agriculture residential uses are the desirable predominant uses.

b) The proposed buildings for the project meet the setback requirements for the B-5 zoning, as all buildings will be set 30 feet from the property lines.

c) Humboldt County Code section 314-55.8.2.1.3 allows for new mixed-light commercial cannabis cultivation of up to 5,000 square feet, on AG parcels between 1 and 5 acres in size with a Use Permit. The application for 2,750

sq. ft. of new mixed-light on a 1.27 acre parcel is consistent with this.

d) Humboldt County Code section 314-55.8.3 allows for up to 5,000 sq. ft. of indoor cannabis cultivation to occur in parcels zoned AG, within an existing non-residential structure. The application for 2,250 sq. ft. of indoor cultivation within an existing non-residential structure on a 1.27 acre parcel is consistent with this.

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

EVIDENCE

a) The CMMLUO allows up to 5,000 square feet of new cannabis cultivation to be permitted in areas zoned AG on parcels between 1 and 5 acres with a Conditional Use Permit (HCC 314-55.4.8.2.1.3).

b) The CMMLUO allows for up to 5,000 sq. ft. of indoor cannabis cultivation to occur in parcels zoned AG, within an existing non-residential structure. The applicant shall comply with the CMMLUO, for indoor cultivation operations including but not limited to illumination, heating, cooling, and ventilation, shall be provided by on-grid power with 100% renewable source, on-site zero net energy renewable source, or with purchase of carbon offsets of any portion of power not from renewable sources.

c) The subject parcel has been determined to be one legal parcel created by Parcel Map 2521 as Lot 1 recorded in Book 22 of Parcel Maps page 110 and later modified by LLA-98-10 as shown on Record of Survey recorded in Book 59 of Surveys page 8.

d) It has been verified that new cultivation is to be located on areas that have a slope of <15%.

e) It has been verified that new cultivation area of 4,010 sq. ft. will not cover more than 20% (13,452 sq. ft.) of prime agricultural soils present on-site.

f) The project will obtain water from a non-diversionary water source.

g) Access route to the project site is off of Hillcrest Way which is a county maintained road. The project was referred to the Department of Public Works on May 6, 2021, and comments were received on May 21, 2021, stating that the driveway is surfaced to County standards. It has been determined that the access road meets the functional capacity for the project's needs.

h) The project has received authorization from the property owner of the neighboring residence on APN 522-511-015, within 300 feet of the proposed cultivation.

i) The location of the proposed cultivation complies with setbacks required in Section 314-55.4.11.d, for 30 feet from any property line, and more than 600 feet from any school, school bus stop, church or other place of religious worship, or Tribal Cultural Resource.

j) The applicant is requesting a Special Permit in order to approve a reduction in the 600 foot setback to Six Rivers National Forest to approximately 590 feet. It has been determined that the project is not located within 600 feet of a designated recreational facility.

The adjacent public land is subject to the Land and Resource Management Plan - Six Rivers National Forest 1995 (L&RMP). The project is consistent with the L&RMP because the cultivation activities will minimize impacts to biological resources and wildlife through measures to reduce potential light and noise impacts, and the applicant will utilize odor mitigation controls. Furthermore, the project is conditioned to comply with International Dark Sky Standards, and shall not result in light-pollution. Lastly, the project is consistent with recreational use on public lands as the proposed project is not located near developed campgrounds, trails, or other related facilities.

6. FINDING The cultivation of 2,250 sq. ft. of indoor cannabis cultivation, 2,750 sq. ft. of new mixed-light, ancillary nursery and processing, 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 project is located off of a private driveway off of Hillcrest Way, which is county maintained, and the driveway has been determined to meet County standards. The access road has been determined to meet the functional capacity for the project's needs.

b) The project has received authorization from the property owner of the neighboring residences on APN 522-511-015, within 300 feet of the proposed cultivation.

c) All cultivation greenhouses and drying structures will be fully enclosed with odor mitigating carbon filters.

d) Irrigation water will come from the Willow Creek Community Services District. The applicant has obtained a Will Serve letter from the WCCSD, and anticipated water used annually is within the allowed amount for agricultural purposes outlined in the Will Serve letter. The applicant is conditioned to comply with terms of the Will Serve letter, and in the event of a drought the water usage may be restricted per the policy and the applicant shall adhere to any restrictions set forth by the WCCSD.

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

EVIDENCE

a) The parcel was not included in the housing inventory of Humboldt County's 2019 Housing Element but does have the potential to support one housing unit. The approval of cannabis cultivation on this parcel will not conflict with the ability for a residence to be constructed on this parcel.

8. FINDING Approval of this project is consistent with Humboldt County Board of Supervisors Resolution No. 18-43 which established a limit on the number of permits and acres which may be approved in each of the County's Planning Watersheds.

EVIDENCE

a) The project site is located in the Lower Trinity Planning Watershed, which under Resolution 18-43 is limited to 169 permits and 58 acres of cultivation. With the approval of this project the total approved permits in this Planning Watershed would be 54 permits and the total approved acres would be 24.6 acres of cultivation.

DECISION

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

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

Adopted after review and consideration of all the evidence on October 21, 2021

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

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

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

_____
John Ford, Director
Planning and Building Department

RESOLUTION OF THE PLANNING COMMISSION
OF THE COUNTY OF HUMBOLDT

Resolution Number 21-

Record Number PLN-12637-CUP
Assessor's Parcel Numbers: 522-511-014 & 522-511-015

Resolution by the Planning Commission of the County of Humboldt certifying compliance with the California Environmental Quality Act and conditionally approves the Aloha Top Shelf, LLC, Conditional Use Permit and Special Permit.

WHEREAS, **Aloha Top Shelf, LLC,** submitted an application and evidence in support of approving a Conditional Use Permit for 5,000 sq. ft. of new mixed-light commercial cannabis cultivation, and appurtenant drying activities; a Special Permit for a setback reduction to the Six Rivers National Forest for public lands; and a Notice of Merger (NOM) between two (2) parcels, comprised of two (2) Assessor Parcel Numbers (APN's: 522-511-014 & 522-511-015), resulting in one (1) parcel;

WHEREAS, the County Planning Division, the lead agency, prepared an Addendum to the Final Mitigated Negative Declaration (MND) prepared for the Commercial Medical 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 Planning Commission held a duly-noticed public hearing on October 21, 2021, and reviewed, considered, and discussed the application for a Conditional Use Permit and Special Permit and reviewed and considered all evidence and testimony presented at the hearing.

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

1. **FINDING:** **Project Description:** The application is a Conditional Use Permit to apply for 5,000 sq. ft. of new mixed-light cannabis cultivation and drying facilities within the Willow Creek Community Planning Area. All cultivation related structures will have odor mitigating carbon filters. An additional Special Permit is being requested to reduce the 600-foot setback to public lands to approximately 430 feet. Water will be sourced from the Willow Creek Community Services District, and power will be provided by PG&E. Total annual water usage is estimated at 100,000 gallons (20 gal/sq. ft./year), and the applicant has a will-serve letter from the WCCSD. The project also includes a merger of APN: 522-511-014 & 522-511-015. The Lead Cultivator and Assistant Cultivator will live in the residence on-site and all other employees will commute to the site.

   EVIDENCE: Project File: PLN-12637-CUP

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) The project is conditioned to enroll in the State Water Resource Control Board Order No. WQ 2019-0001-DWQ, and to have a Site Management Plan prepared to show measures required to meet compliance with the standard conditions of the Order.

d) A Road Evaluation Report Form was submitted for Moonset Lane, designating it as being developed to a Category 4 road standard. It has been determined that the access road meets the functional capacity for the project.

e) The project was referred to the Hoopa Tribe and the Tsnungwe Tribe on May 26, 2021. The project was also referred to the Northwest Information Center (NWIC) on May 26, 2021. A response was received from the NWIC on June 9, 2021, which recommended that the lead agency contact the local Native American tribe(s) regarding traditional, cultural, and religious heritage values. The Tsnungwe Council replied stating that no comment existing. No response was received from the Hoopa Tribe. No Cultural Resource Investigation was requested, and the project is conditioned to adhere to inadvertent discovery protocols in the event that cultural resources are encountered during project activities.

f) Irrigation water will come from the Willow Creek Community Services District. The applicant has obtained a Will Serve letter from the WCCSD, and anticipated water used annually is within the allowed amount for agricultural purposes outlined in the Will Serve letter. The applicant is conditioned to comply with terms of the Will Serve letter, and in the event of a drought the water usage may be restricted per the policy and the applicant shall adhere to any restrictions set forth by the WCCSD.

FINDINGS FOR CONDITIONAL USE PERMIT AND 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) The proposed project is not located within an Open Space Action Program because the project site is not planned or zoned as open space, does not have a combining zone that would be considered open space, and there are no other open space general plan or zoning code overlays affecting this project.

4. FINDING The proposed development is consistent with the purposes of the existing AG-B-5(5) zone in which the site is located.

EVIDENCE a) The Agriculture General or AG Zone is intended to be applied to areas of the County in which general agriculture residential uses are the desirable predominant uses.

b) The proposed buildings for the project meet the setback requirements for the B-5 zoning, as all buildings will be set 30 feet from the property lines.

c) All general agricultural uses are principally permitted in the AG zone.

d) Humboldt County Code section 314-55.8.2.1.3 allows for new mixed-light commercial cannabis cultivation of up to 5,000 square feet, on AG parcels between 1 and 5 acres in size with a Use Permit. The application for 5,000 square feet of new mixed-light on a 1.63 acre parcel is consistent with this.

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

EVIDENCE

a) The CMMLUO allows up to 5,000 square feet of new cannabis cultivation to be permitted in areas zoned AG on parcels between 1 and 5 acres with a Conditional Use Permit (HCC 314-55.4.8.2.1.3).

b) The subject parcels were legally created through Lot Line Adjustment 98-10, Notice of Lot Line Adjustment recorded August 18, 1999, Document #1999-23442-3.

c) The project will obtain water from a non-diversionary water source.

d) It has been verified that new cultivation is to be located on areas that have a slope of <15%.

e) It has been verified that new cultivation of 5,000 sq. ft. will not cover more than 20% (14,200 sq. ft.) of the Prime Agricultural Soils on-site.

f) A Road Evaluation Report Form was submitted for Moonset Lane, designating it as being developed to a Category 4 road standard. It has been determined that the access road meets the functional capacity for the project.

g) The project has received authorization from the property owner of the neighboring residences on APN 522-511-013, within 300 feet of the proposed cultivation.

h) The location of the proposed cultivation complies with setbacks required in Section 314-55.4.11.d, for 30 feet from any property line, and more than 600 feet from any school, school bus stop, church or other place of religious worship, or Tribal Cultural Resource.

i) The applicant is requesting a Special Permit in order to approve a reduction in the 600 foot setback to Six Rivers National Forest to approximately 430 feet. It has been determined that the project is not located within 600 feet of a designated recreational facility.

The adjacent public land is subject to the Land and Resource Management Plan - Six Rivers National Forest 1995 (L&RMP). The project is consistent with the L&RMP because the cultivation activities will minimize impacts to biological resources and wildlife through measures to reduce potential light and noise impacts, and the applicant will utilize odor mitigation controls. Furthermore, the project is conditioned to comply with International Dark Sky Standards, and shall not result in light-pollution. Lastly, the project is consistent with recreational use on public lands as the proposed project is not located near developed campgrounds, trails, or other related facilities.

6. FINDING The cultivation of 5,000 sq. ft. of new mixed-light of cannabis cultivation, and the conditions under which it may be operated or maintained will not be detrimental to the public health, safety, or welfare or materially injurious to properties or improvements in the vicinity.

EVIDENCE

a) Access route to the project site is off of a private road Moonset Lane, off of Hillcrest Way which is a county maintained road. The applicant has submitted a Road Evaluation Report form for Moonset Lane, designating it as being developed to the equivalent of a Category 4 road standard. The access road has been determined to meet the needs for the project.

b) All cultivation greenhouses, drying structures, and the processing facility will be fully enclosed with odor mitigating carbon filters.

c) The project has received authorization from the property owner of the neighboring residences on APN 522-511-013, within 300 feet of the proposed cultivation.

d) Irrigation water will come from the Willow Creek Community Services District. The applicant has obtained a Will Serve letter from the WCCSD, and anticipated water used annually is within the allowed amount for agricultural purposes outlined in the Will Serve letter. The applicant is conditioned to comply with terms of the Will Serve letter, and in the event of a drought the water usage may be restricted per the policy and the applicant shall adhere to any restrictions set forth by the WCCSD.

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

b) The parcel was not included in the housing inventory of Humboldt County's 2019 Housing Element but does have the potential to support one housing unit. The approval of cannabis cultivation on this parcel will not conflict with the ability for a residence to be constructed on this parcel.

8. FINDING Approval of this project is consistent with Humboldt County Board of Supervisors Resolution No. 18-43 which established a limit on the number of permits and acres which may be approved in each of the County's Planning Watersheds.

EVIDENCE

a) The project site is located in the Lower Trinity Planning Watershed, which under Resolution 18-43 is limited to 169 permits and 58 acres of cultivation. With the approval of this project the total approved permits in this Planning Watershed would be 55 permits and the total approved acres would be 24.8 acres of cultivation.

Findings for Voluntary Mergers: The following table identifies the evidence which supports finding that the proposed development is in conformance with all applicable policies and standards in the Humboldt County Subdivision Regulations.

Code Section	Summary of Applicable Requirement	Evidence that Supports the Required Finding
§327.5-18	Legal, Contiguous Parcels	A. APN 522-511-014: 1. Parcel legally created through Lot Line Adjustment 98-10, Notice of Lot Line Adjustment recorded August 18, 1999, Document #1999-23442-3. B. APN 522-511-015: 1. The subject parcel has been determined to be one legal parcel created by Parcel Map 2521 as Lot 3 recorded in Book 22 of Parcel Maps page 110 and later modified by LLA-98-10 as shown on Record of Survey recorded in Book 59 of Surveys page 8; Findings: 1. The action described in A.1 resulted in one separate legal parcel. 2. The action described in B.1 resulted in one separate legal parcel. 3. That a review of the Department's records show no further actions to divide or merge the parcels of land described in Findings 1 and 2 herein. 4. The two parcels of land known as APN 522-511-014, and APN 522-511-15 consisting of the Lots 2, and 3, in Section 28 of Township 07 North, Range 05 East, HBM, are entitled to unconditional certificates of compliance.
§327.5-18	Parcels meet health, building, and zoning requirements.	The parcels are zoned Agricultural General. The merger will not affect the ability of the parcel to be developed consistent with health, building and zoning requirements.
§327.5-18	Merged parcel will not create health or safety problems.	There is no evidence that the merger will create any health or safety problems. Any construction will be required to meet all prescribed development standards and all applicable requirements of the County Building Regulations. Merger is categorically exempt from State environmental review per Class 5, Section 15305(a).

DECISION

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

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

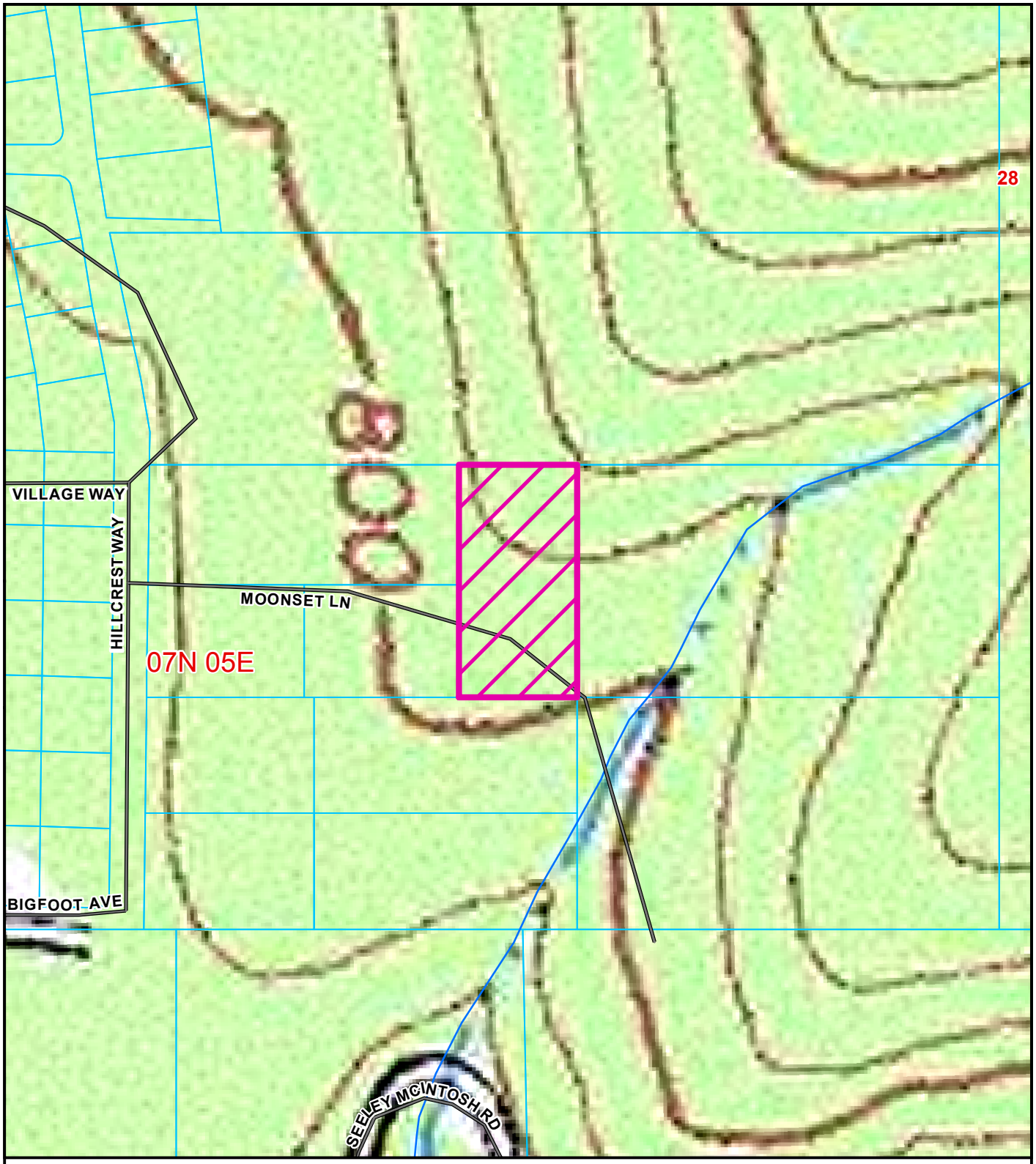
Adopted after review and consideration of all the evidence on October 21, 2021

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

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

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

_____
John Ford, Director
Planning and Building Department



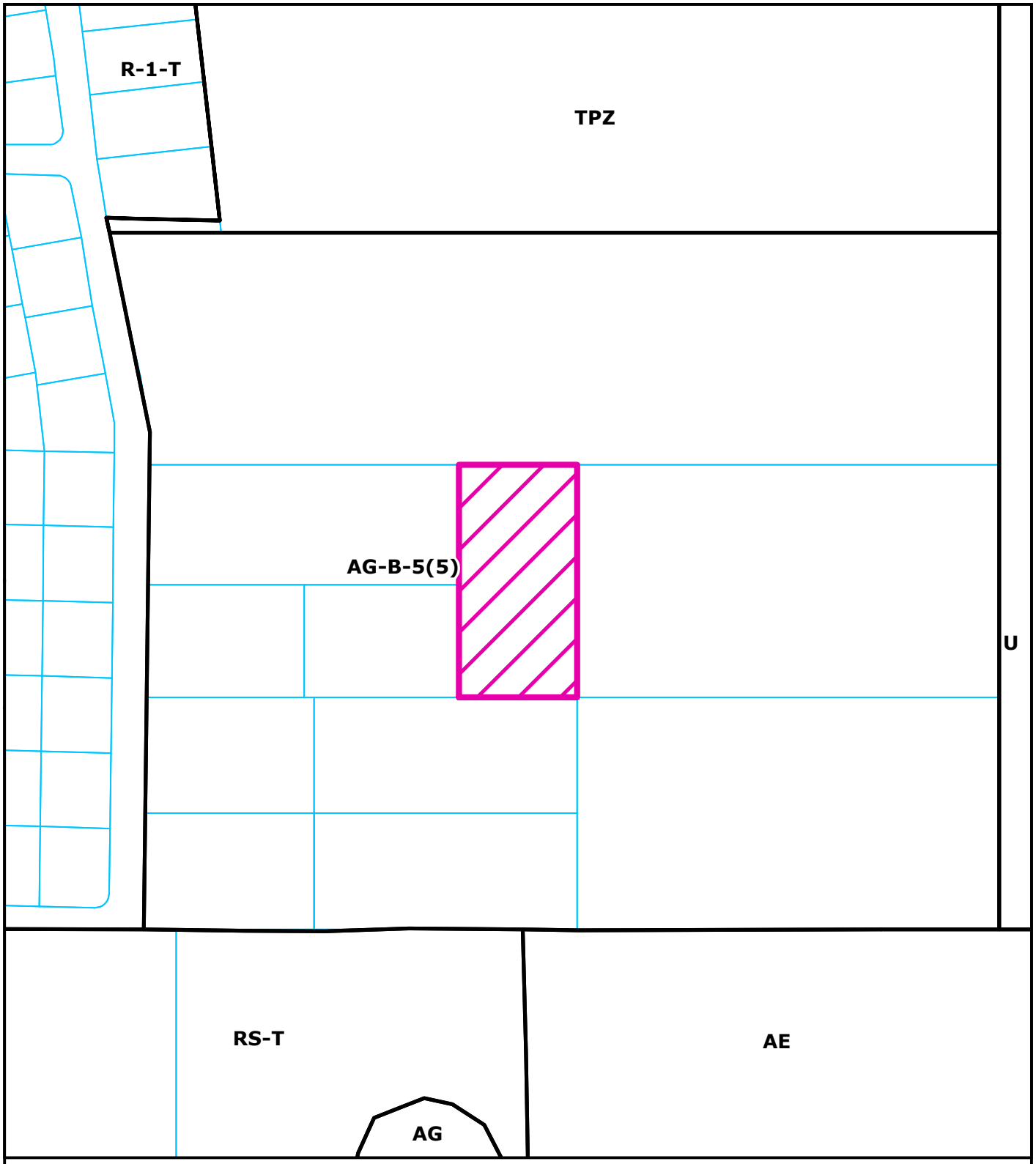
TOPO MAP
PROPOSED WILLIAM O'NEIL
WILLOW CREEK AREA
CUP-16-629
APN: 522-511-016-000
T07N R05E S28 HB&M (SALYER)

Project Area =

N

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.

0 255 510 Feet



ZONING MAP
PROPOSED WILLIAM O'NEIL
WILLOW CREEK AREA
CUP-16-629
APN: 522-511-016-000
T07N R05E S28 HB&M (SALYER)

Project Area =

N

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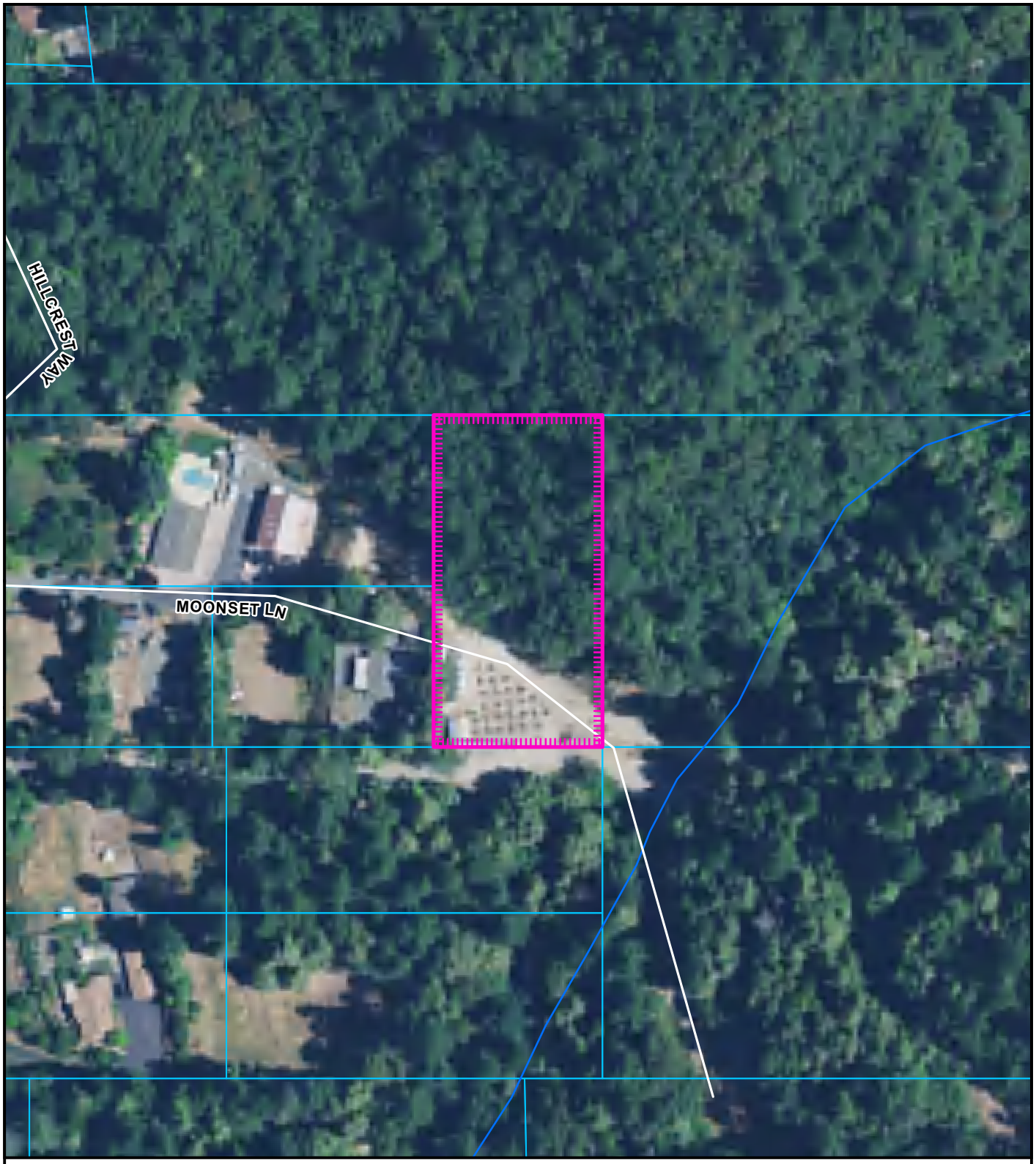
0 255 510 Feet



AERIAL MAP
PROPOSED WILLIAM O'NEIL
WILLOW CREEK AREA
CUP-16-629
APN: 522-511-016-000
T07N R05E S28 HB&M (SALYER)

Project Area =

N

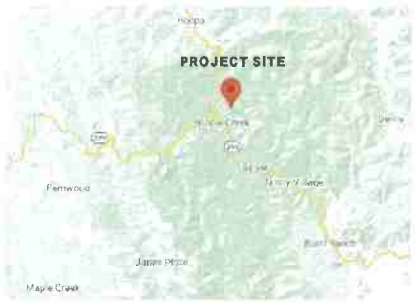
This map is intended for display purposes and should not be used for precise measurement or navigation. Data has not been completely checked for accuracy.

0 175 350 Feet

ALOHA TOP SHELF, LLC

CONDITIONAL USE PERMIT APPLICATION

APN: 522-511-016



VICINITY MAP
NOT TO SCALE

DIRECTIONS TO SITE:

FROM EUREKA, CA
-TAKE US-101 N/5TH ST
-TAKE CA-299 E TO COUNTRY CLUB RD. IN WILLOW CREEK
-CONTINUE ON COUNTRY CLUB RD. TAKE BIGFOOT AVE. TO HILCREST WAY
-TAKE A RIGHT ONTO MOONSET LN.

RECEIVED
OCT - 6 2021
Humboldt County
Cannabis Svcs.

PROJECT INFORMATION:

APPLICANT:
ALOHA TOP SHELF, LLC
P.O BOX 1262
WILLOW CREEK, CA 95573

PROPERTY OWNER:
SEAN O'CONNOR
P.O BOX 1262
WILLOW CREEK, CA 95573

APPLICANTS AGENT:
NORTHPOINT CONSULTING GROUP, INC
1117 SAMOA BLVD.
ARCATA, CA 95521
(707) 798-6438

SITE ADDRESS:
APN: 522-511-016
85 MOONSET LAKE
WILLOW CREEK, CA 95573

TREES TO BE REMOVED	= NONE
EARTHWORK QUANTITIES	= TBD
WATER	= PUBLIC
SEWER	= PRIVATE
PROPERTY SIZE	= ±1.27 ACRES
ZONING	= AG-B-5(5)
GENERAL PLAN DESIGNATION	= RA5-20

BUILDING SETBACKS:

	SRA
FRONT	30'
SIDE	30'
REAR	30'

SRA AREA: = YES
IN COASTAL ZONE: = NO
IN 100 YR FLOOD ZONE: = NO

PRIME AG SOILS: 12,500 SF (0.29 ACRES)
20% OF PRIME AG SOILS: 2,500 SF (.05 ACRES)

PROJECT DESCRIPTION:

ALOHA TOP SHELF, LLC IS PROPOSING TO PERMIT PROPOSED CANNABIS CULTIVATION ACTIVITIES IN ACCORDANCE WITH THE COUNTY OF HUMBOLDT'S (COUNTY) COMMERCIAL MARIJUANA LAND USE ORDINANCE (CMMLUO), ORDINANCE NO. 2559. THE EXISTING/PROPOSED OPERATION INCLUDES 2,500 SQUARE FEET (SF) OF NEW MIXED-LIGHT CANNABIS CULTIVATION AND A 30'X50' TWO-STORY BUILDING FOR DRYING.

GENERAL NOTES:

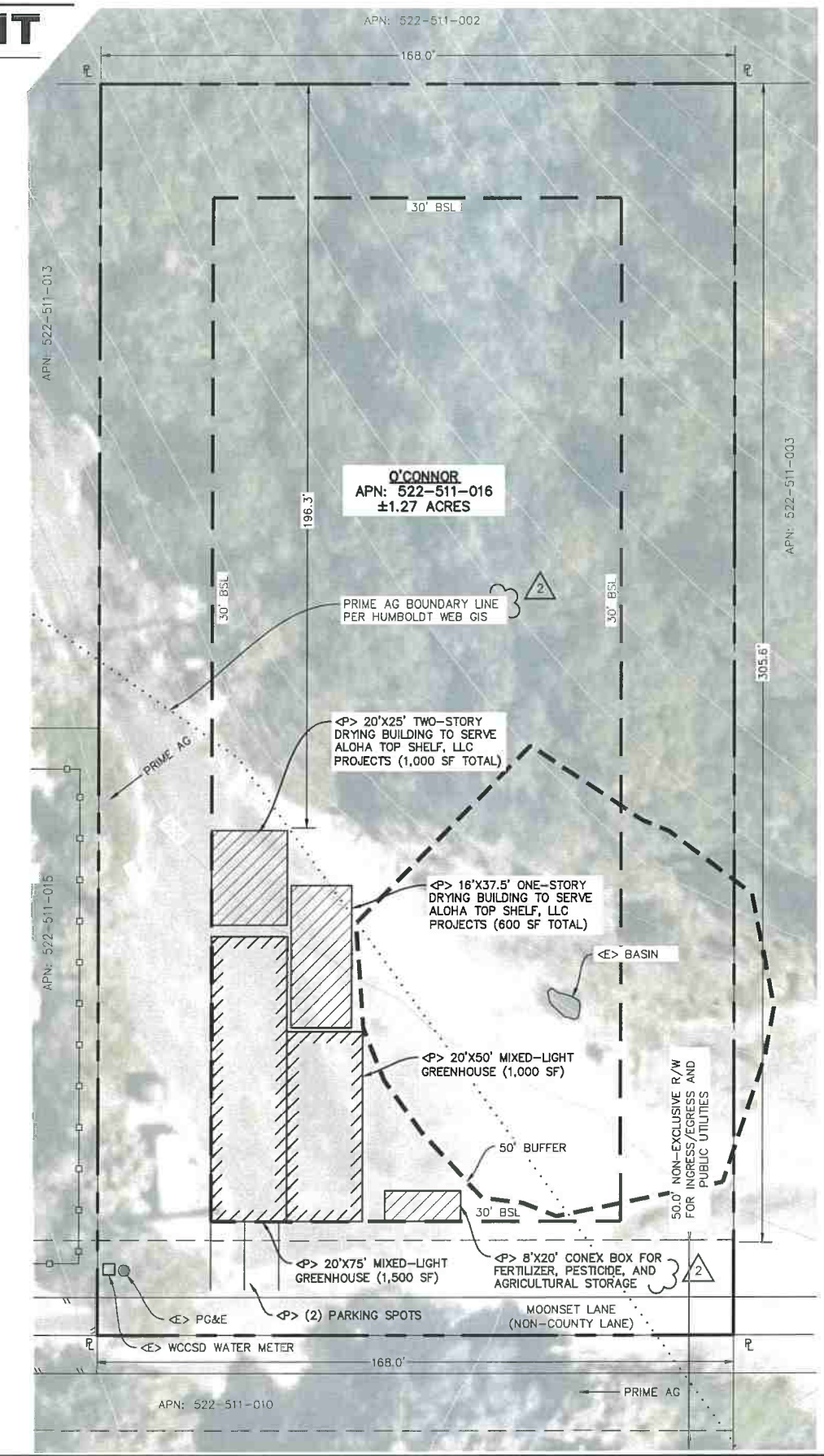
1. DRAWING SCALE AS NOTED. WRITTEN DIMENSIONS SHALL TAKE PRECEDENCE OVER SCALED DIMENSIONS.
2. THIS IS NOT A BOUNDARY SURVEY. BOUNDARY INFORMATION DEPICTED HAS BEEN OBTAINED FROM HUMBOLDT COUNTY 2015 GIS DATA. NORTHPOINT CONSULTING GROUP, INC. HAS NOT VERIFIED THIS PROPERTY BOUNDARY.
3. THERE ARE NO NEARBY SCHOOLS, SCHOOL BUS STOPS, PLACES OF WORSHIP, PUBLIC PARKS OR TRIBAL RESOURCES WITHIN 600 FEET OF THE PROPOSED MANUFACTURING FACILITY/DISTRIBUTION FACILITY/CULTIVATION AREA.

LEGEND:

= PRIME AGRICULTURAL SOILS BOUNDARY
= FENCE
= EDGE OF PAVEMENT

SHEET INDEX:

CO - PLOT PLAN, VICINITY MAP, & PROJECT NOTES



2 **PLOT PLAN**
22x34 SHEET: 1"=20
11x17 SHEET: 1"=40'
0 10 20 40

N

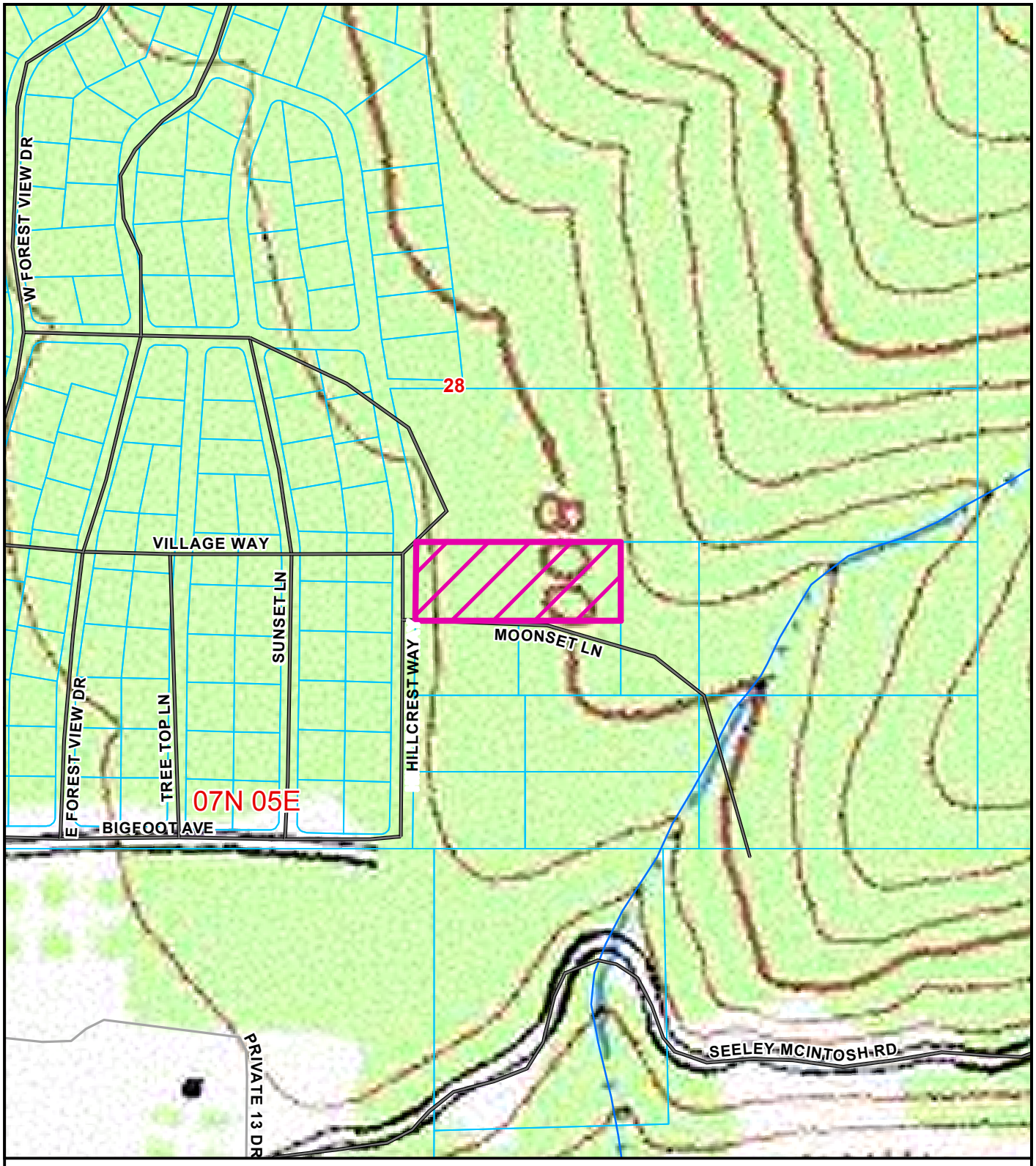
DATE	REVISION	DRAWN BY
09/09/21	UPDATE BASIN, 50 ft BUFFER, RECONFIG DRY BLDG	PJS
10/06/21	ADD CONEX BOX & UPDATE PRIME AG BOUNDARY	CC

NORTHPOINT
CONSULTING GROUP, INC.
1117 Samoa Blvd., Arcata, CA 95521

SEAN O'CONNOR / APN: 522-511-016
85 MOONSET LANE WILLOW CREEK, CA 95573
PLOT PLAN, VICINITY MAP, AND PROJECT NOTES

PROJ. MGR.: PS
DRAWN BY: CC
DATE: 10/06/21
SCALE: AS SHOWN
SHEET
CO
20-019

October 6, 2021 - 11:26 Dwg Name: P:\O'Connor, Sean - O'Neil's Property - 20-019\CAD\O'Connor-016 - CUP.dwg Updated By: Chong Chen



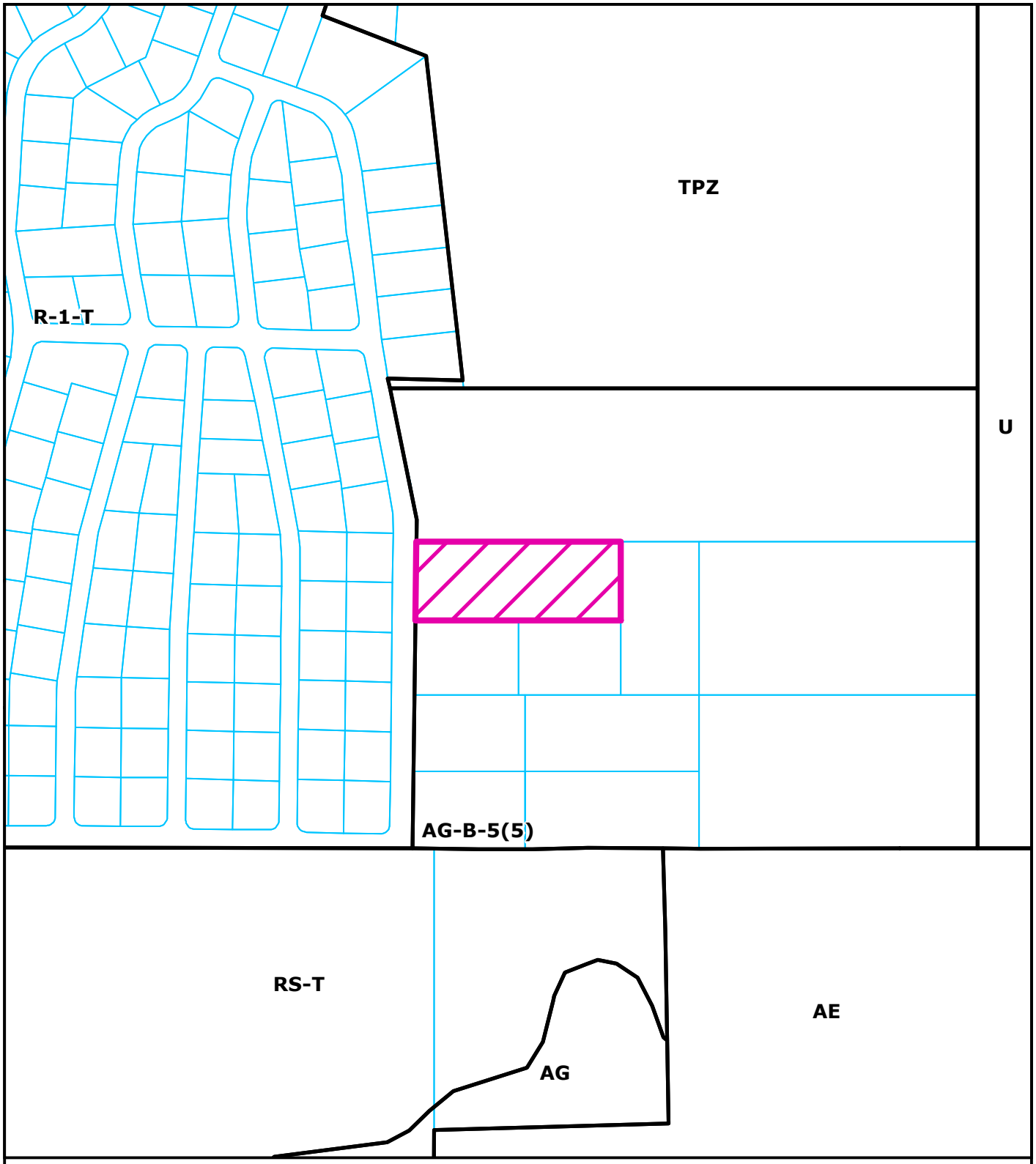
TOPO MAP
PROPOSED TERRI O'NEILL
WILLOW CREEK AREA
CUP-16-630
APN: 522-511-013-000
T07N R05E S28 HB&M (SALYER)

Project Area =

N

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.

0 385 770 Feet



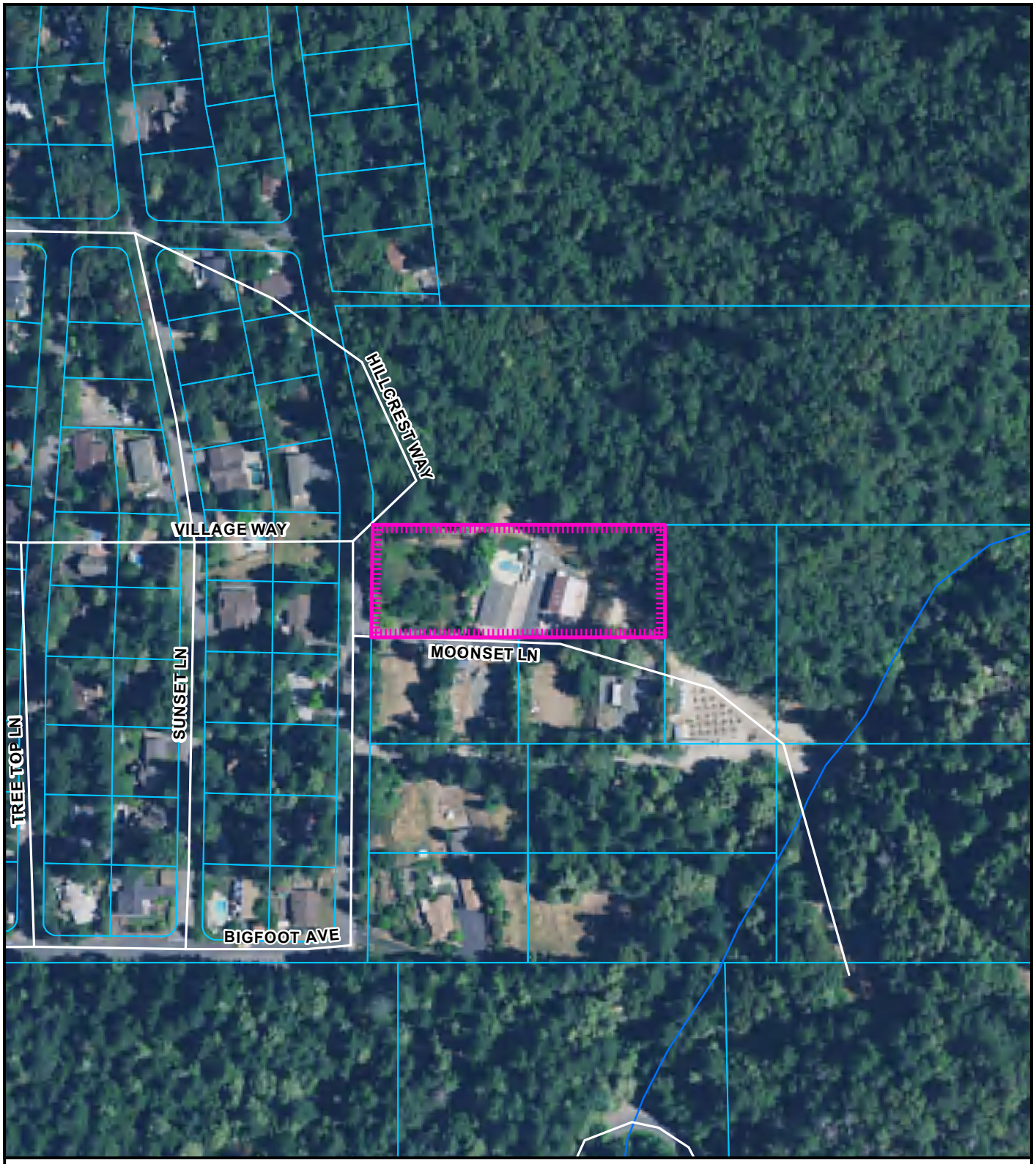
ZONING MAP
PROPOSED TERRI O'NEILL
WILLOW CREEK AREA
CUP-16-630
APN: 522-511-013-000
T07N R05E S28 HB&M (SALYER)

Project Area =

N

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.

0 385 770 Feet



AERIAL MAP
PROPOSED TERRI O'NEILL
WILLOW CREEK AREA
CUP-16-630
APN: 522-511-013-000
T07N R05E S28 HB&M (SALYER)

Project Area =

N

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.

0 270 540 Feet

ALOHA TOP SHELF, LLC

CONDITIONAL USE PERMIT APPLICATION

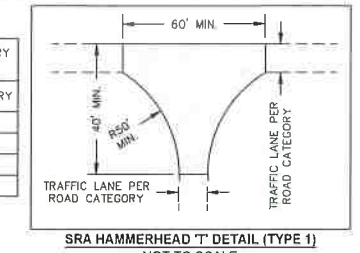
APN: 522-511-013

VICINITY MAP
NOT TO SCALE

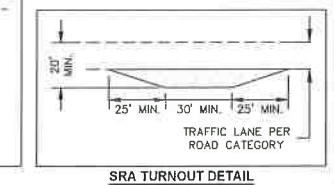
DIRECTIONS TO SITE:
FROM EUREKA, CA
–TAKE US–101 N/5TH ST
–TAKE CA–299 E TO COUNTRY CLUB RD. IN WILLOW CREEK
–CONTINUE ON COUNTRY CLUB RD. TAKE BIGFOOT AVE. TO HILCREST WAY

RECEIVED OCT – 6 2021 Humboldt County Cannabis Svcs.

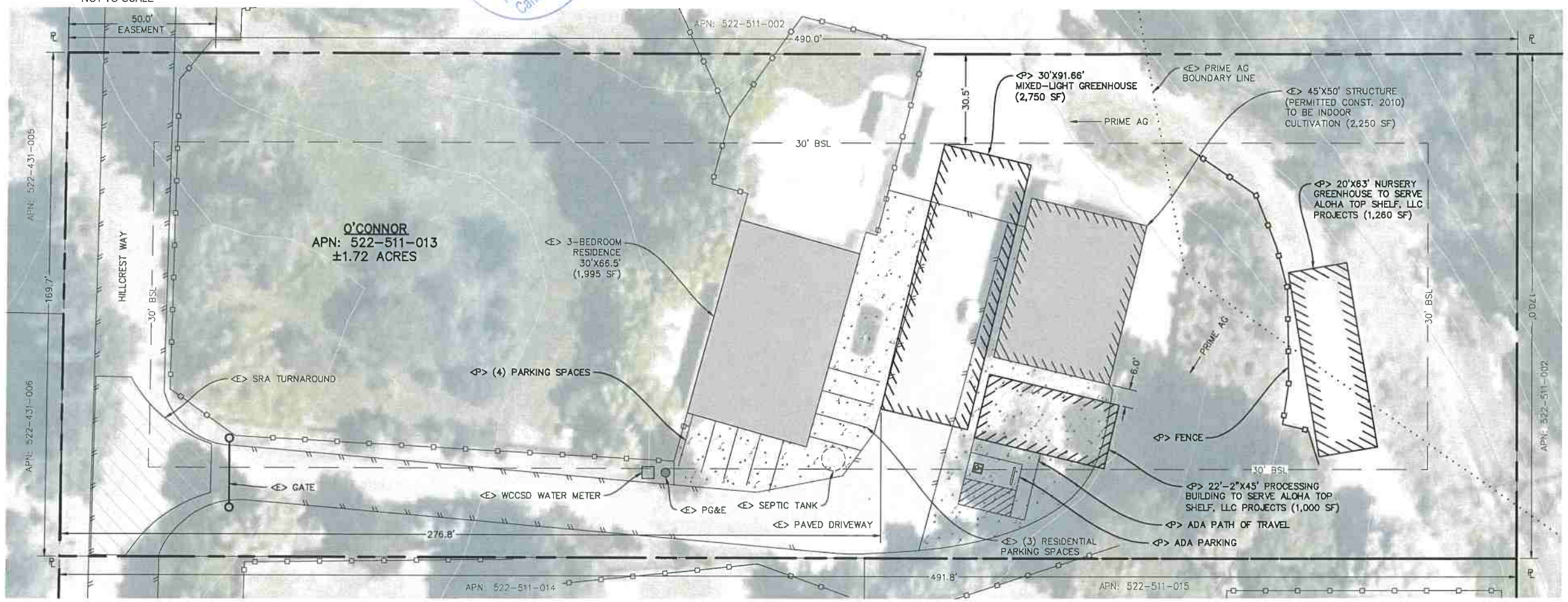
ROAD CATEGORY WIDTHS	
MIN. WIDTH	CATEGORY
10'	1
12'	2
16'	3
20'	4



SRA HAMMERHEAD 'T' DETAIL (TYPE 1)
NOT TO SCALE



SRA TURNOUT DETAIL
NOT TO SCALE



PLOT PLAN
22x34 SHEET: 1"=20
11x17 SHEET: 1"=40'
0 10 20 40

PROJECT DESCRIPTION:

ALOHA TOP SHELF, LLC IS PROPOSING TO PERMIT EXISTING/PROPOSED CANNABIS CULTIVATION ACTIVITIES IN ACCORDANCE WITH THE COUNTY OF HUMBOLDT'S (COUNTY) COMMERCIAL MARIJUANA LAND USE ORDINANCE (CMMLUO), THE PROJECT PROPOSES 2,250 SQUARE FEET (SF) OF INDOOR CULTIVATION AND 2,750 SF OF MIXED–LIGHT CULTIVATION. WATER WOULD COME FROM WILLOW CREEK COMMUNITY SERVICES DISTRICT AND POWER WOULD COME FROM PG&E

GENERAL NOTES:

1. DRAWING SCALE AS NOTED. WRITTEN DIMENSIONS SHALL TAKE PRECEDENCE OVER SCALED DIMENSIONS.
2. THIS IS NOT A BOUNDARY SURVEY. BOUNDARY INFORMATION DEPICTED HAS BEEN OBTAINED FROM HUMBOLDT COUNTY 2015 GIS DATA. NORTHPOINT CONSULTING GROUP, INC. HAS NOT VERIFIED THIS PROPERTY BOUNDARY.
3. THERE ARE NO NEARBY SCHOOLS, SCHOOL BUS STOPS, PLACES OF WORSHIP, PUBLIC PARKS OR TRIBAL RESOURCES WITHIN 600 FEET OF THE PROPOSED MANUFACTURING FACILITY/DISTRIBUTION FACILITY/CULTIVATION AREA.

SRA NOTE:

RURAL PROPERTIES WITHIN STATE RESPONSIBILITY AREA (SRA) MUST COMPLY WITH FIRE SAFE REGULATIONS AS OUTLINED IN TITLE III OF THE HUMBOLDT COUNTY LAND USE AND DEVELOPMENT CODE, DIVISION 11. PRIMARY CONDITIONS OF APPROVAL ARE SUMMARIZED BELOW:

CHAPTER 2 (SECTION 3112) – EMERGENCY ACCESS
CHAPTER 3 (SECTION 3113) – SIGNING AND BUILDING NUMBERS
CHAPTER 4 (SECTION 3114) – EMERGENCY WATER STANDARDS
CHAPTER 5 (SECTION 3115) – FUEL MODIFICATION STANDARDS

PROJECT INFORMATION:

APPLICANT:
ALOHA TOP SHELF, LLC
P.O BOX 1262
WILLOW CREEK, CA 95573

PROPERTY OWNER:
SEAN O'CONNOR
P.O BOX 1262
WILLOW CREEK, CA 95573

APPLICANTS AGENT:
NORTHPOINT CONSULTING GROUP, INC
1117 SAMOA BLVD.
ARCATA, CA 95521
(707) 798–6438

SITE ADDRESS:
APN: 522–511–013
145 HILLCREST WAY
WILLOW CREEK, CA 95573

TREES TO BE REMOVED	= NONE
EARTHWORK QUANTITIES	= TBD
PRIME AG:	= YES
WATER	= PUBLIC
SEWER	= PRIVATE
PROPERTY SIZE	= ±1.72 ACRES
ZONING	= AG–B–5(5)
GENERAL PLAN DESIGNATION	= RA5–20
PRIME AGRICULTURAL AREA	= 67,262 SF (1.54 ACRES)
20% OF PRIME AG AREA	= 13,452 SF (0.31 ACRES)

BUILDING SETBACKS:

	SRA
FRONT	30'
SIDE	30'
REAR	30'

SRA AREA:	= YES
IN COASTAL ZONE:	= NO
IN 100 YR FLOOD ZONE:	= NO
MAX BLDG HT.	= 35'

LEGEND:

= PRIME AGRICULTURAL SOILS BOUNDARY
= CONCRETE
= FENCE
= EDGE OF PAVEMENT

SHEET INDEX:

C0 – PLOT PLAN, VICINITY MAP, & PROJECT NOTES

DATE	REVISION	DESCRIPTION

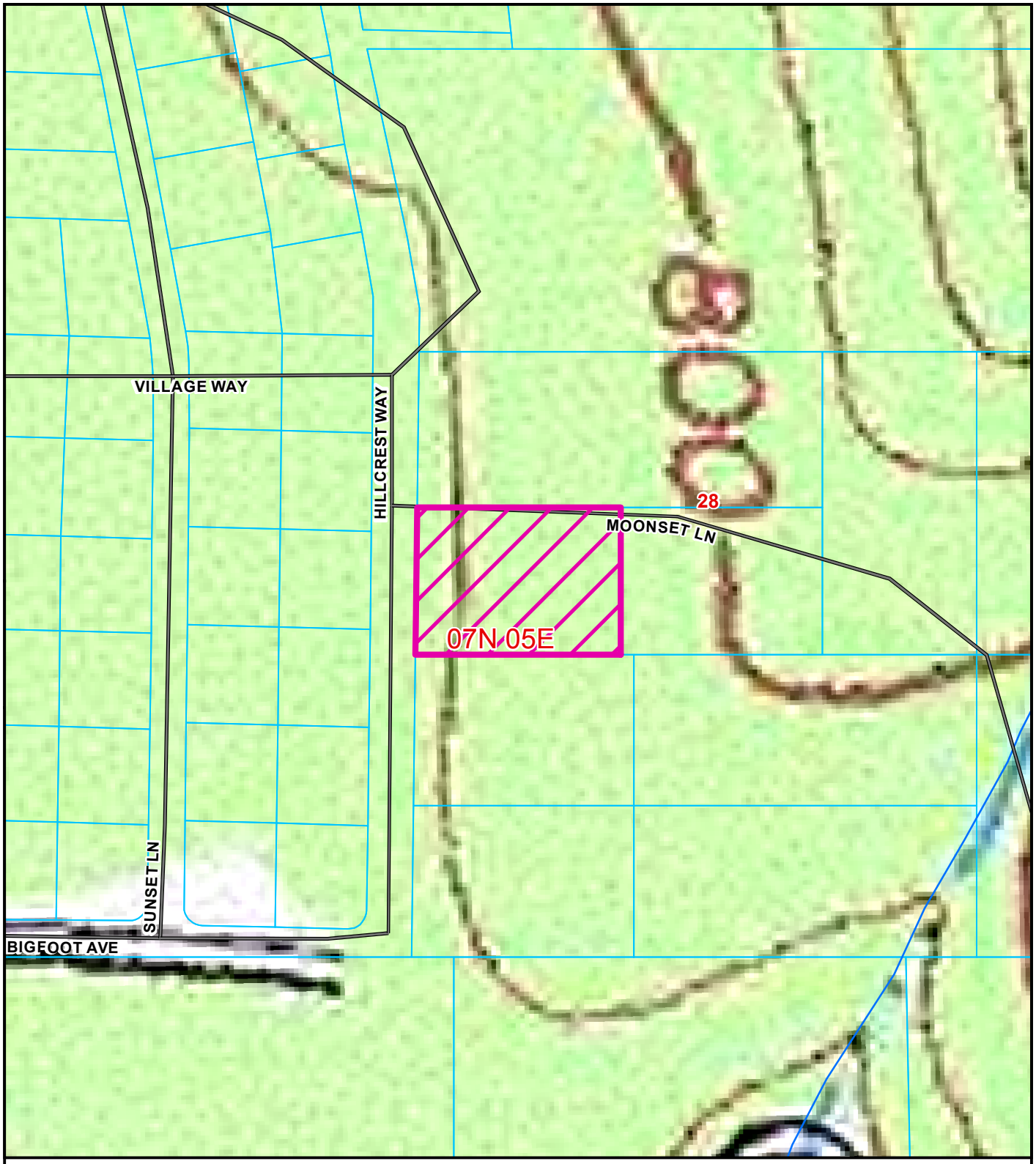
NORTHPOINT CONSULTING GROUP, INC.
1117 Samoa Blvd., Arcata, CA 95521

SEAN O'CONNOR / APN: 522-511-013
145 HILLCREST WAY WILLOW CREEK, CA 95573
PLOT PLAN, VICINITY MAP, AND PROJECT NOTES

PROJ. MGR.: PS
DRAWN BY: CJG
DATE: 10/06/21
SCALE: AS SHOWN
SHEET C0
20–019

October 21, 2021

PLN-12333_12337_12637-CUP Aloha Top Shelf



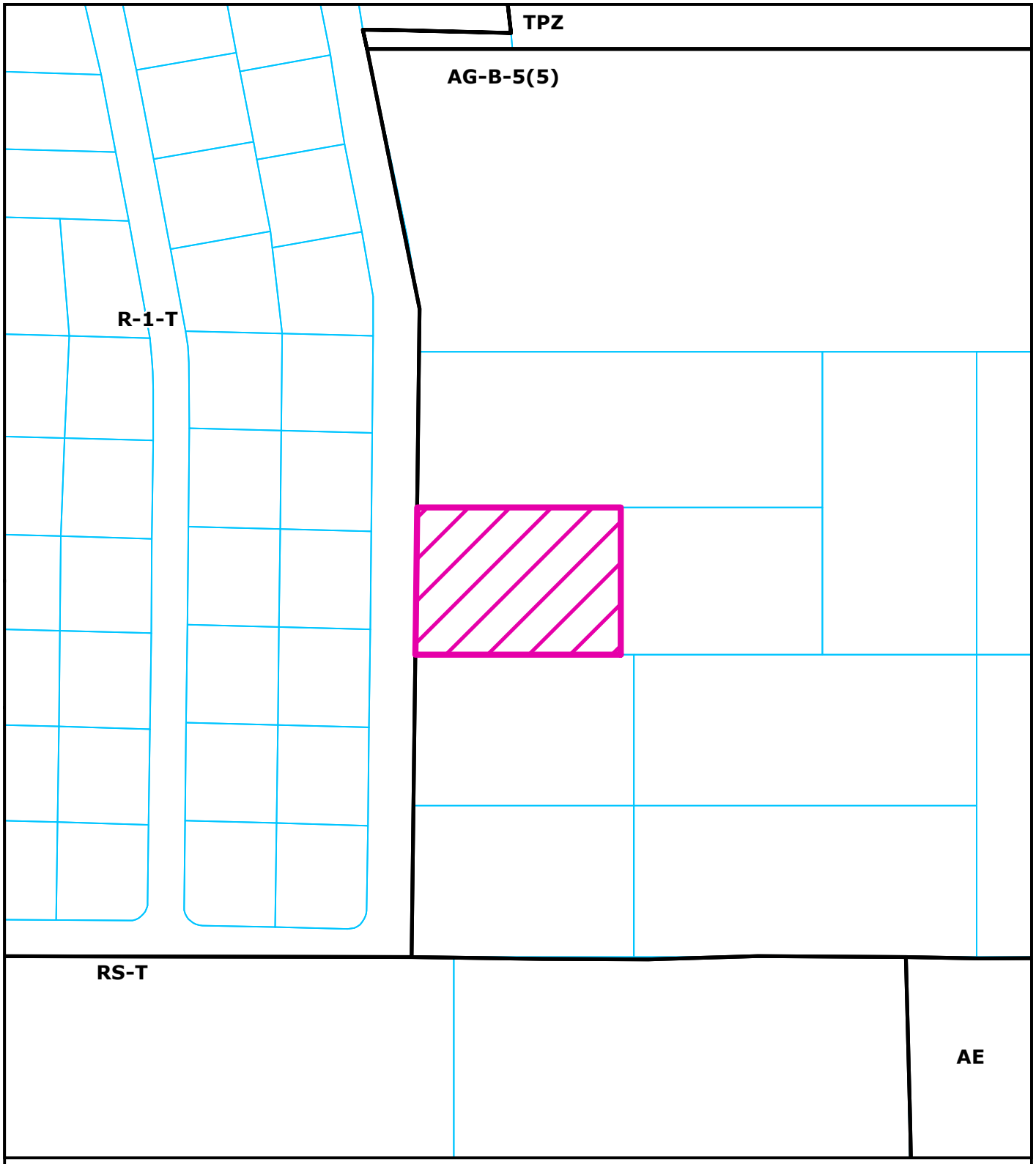
TOPO MAP
PROPOSED TERRI O'NEIL
WILLOW CREEK AREA
CUP-16-780
APN: 522-511-014-000
T07N R05E S28 HB&M (SALYER)

Project Area =

N

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.

0 195 390 Feet



ZONING MAP
PROPOSED TERRI O'NEIL
WILLOW CREEK AREA
CUP-16-780
APN: 522-511-014-000
T07N R05E S28 HB&M (SALYER)

Project Area =

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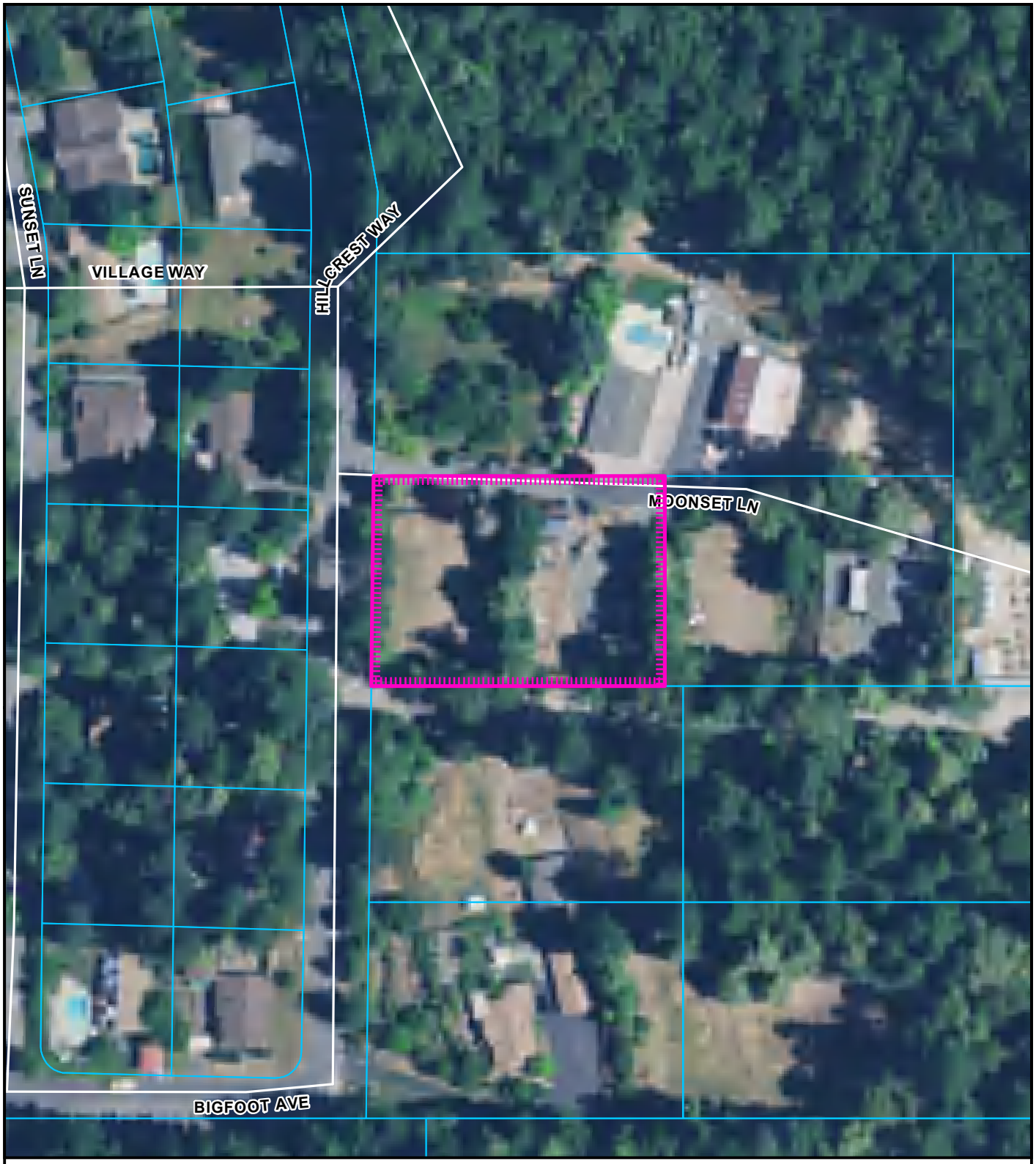

AERIAL MAP
PROPOSED TERRI O'NEIL
WILLOW CREEK AREA
CUP-16-780
APN: 522-511-014-000
T07N R05E S28 HB&M (SALYER)

Project Area =

N

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0 135 270 Feet

ALOHA TOP SHELF, LLC

CONDITIONAL USE PERMIT AND SPECIAL PERMIT

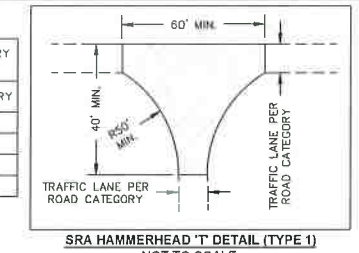
APN: 522-511-014 & 522-511-015

VICINITY MAP
NOT TO SCALE

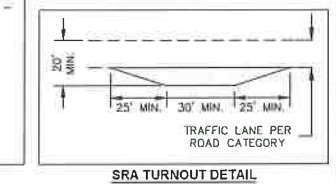
DIRECTIONS TO SITE:

FROM EUREKA, CA
-TAKE US-101 N/5TH ST
-TAKE CA-299 E TO COUNTRY CLUB RD. IN WILLOW CREEK
-CONTINUE ON COUNTRY CLUB RD. TAKE BIGFOOT AVE. TO HILCREST WAY

ROAD CATEGORY WIDTHS	
MIN. WIDTH	CATEGORY
10'	1
12'	2
16'	3
20'	4



SRA HAMMERHEAD 'T' DETAIL (TYPE 1)
NOT TO SCALE



SRA TURNOUT DETAIL
NOT TO SCALE

SRA NOTE:

RURAL PROPERTIES WITHIN STATE RESPONSIBILITY AREA (SRA) MUST COMPLY WITH FIRE SAFE REGULATIONS AS OUTLINED IN TITLE III OF THE HUMBOLDT COUNTY LAND USE AND DEVELOPMENT CODE, DIVISION 11. PRIMARY CONDITIONS OF APPROVAL ARE SUMMARIZED BELOW:

CHAPTER 2 (SECTION 3112) – EMERGENCY ACCESS
CHAPTER 3 (SECTION 3113) – SIGNING AND BUILDING NUMBERS
CHAPTER 4 (SECTION 3114) – EMERGENCY WATER STANDARDS
CHAPTER 5 (SECTION 3115) – FUEL MODIFICATION STANDARDS

RECEIVED
OCT - 6 2021
Humboldt County
Cannabis Svcs.

PROJECT INFORMATION:

APPLICANT:
ALOHA TOP SHELF, LLC
P.O BOX 1262
WILLOW CREEK, CA 95573

PROPERTY OWNER:
SEAN O'CONNOR
P.O BOX 1262
WILLOW CREEK, CA 95573

APPLICANTS AGENT:
NORTHPOINT CONSULTING GROUP, INC
1117 SAMOA BLVD.
ARCATA, CA 95521
(707) 798-6438

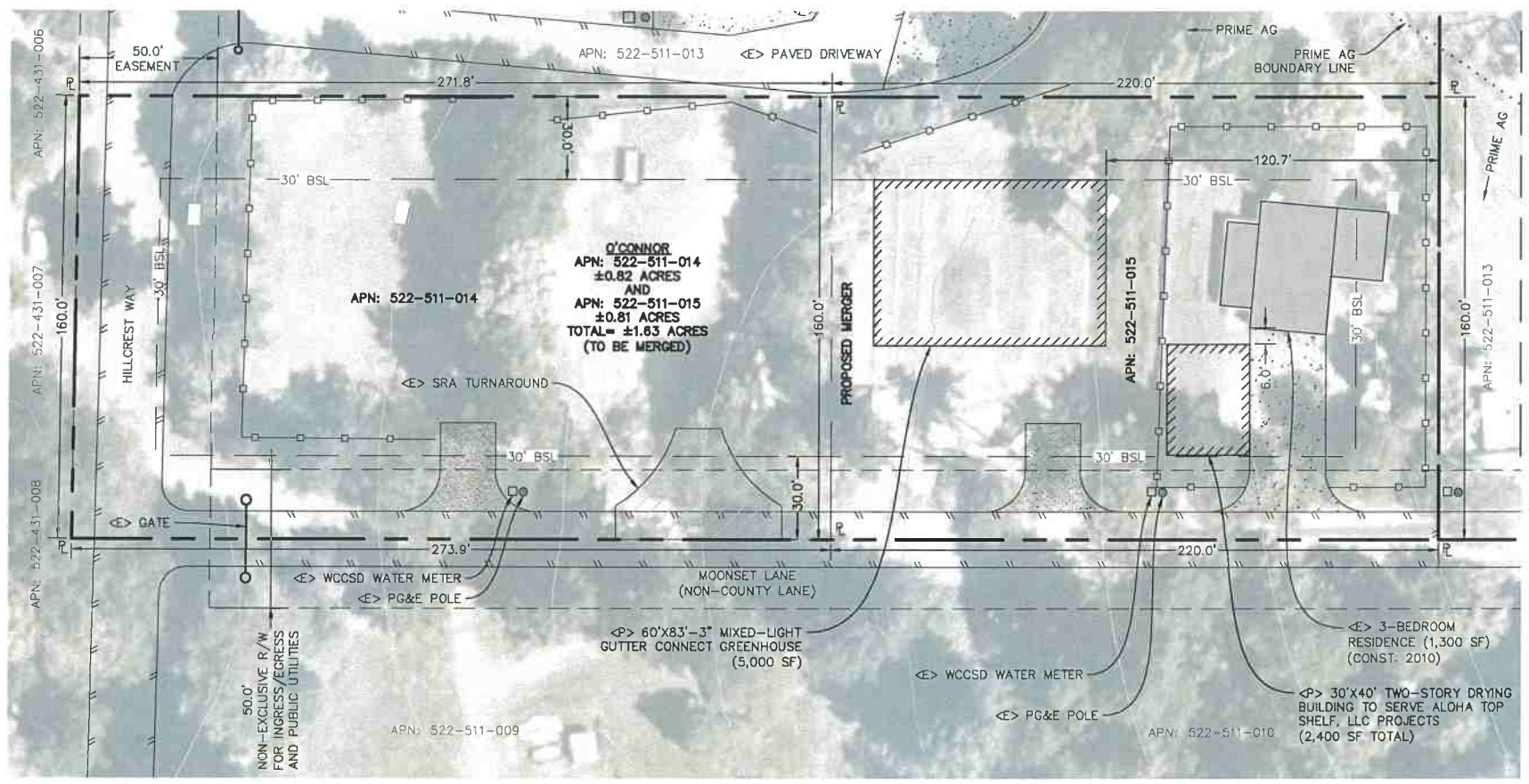
SITE ADDRESS:
APN: 522-511-014 AND APN: 522-511-015
105 HILLCREST WAY
WILLOW CREEK, CA 95573

TREES TO BE REMOVED	= NONE
EARTHWORK QUANTITIES	= TBD
PRIME AG:	= YES
PRIME AGRICULTURAL AREA 20% OF PRIME AG AREA	= 1.63 ACRES = 0.326 ACRES
WATER SEWER	= PUBLIC = PRIVATE
PROPERTY SIZE	= ±1.63 ACRES
ZONING	= AG-B-5(5)
GENERAL PLAN DESIGNATION	= RA5-20

BUILDING SETBACKS:

	SRA
FRONT	30'
SIDE	30'
REAR	30'

SRA AREA:	= YES
IN COASTAL ZONE:	= NO
IN 100 YR FLOOD ZONE:	= NO
MAX BLDG HT.	= 35'



PROJECT DESCRIPTION:

ALOHA TOP SHELF, LLC IS PROPOSING TO PERMIT EXISTING/PROPOSED CANNABIS CULTIVATION ACTIVITIES IN ACCORDANCE WITH THE COUNTY OF HUMBOLDT'S (COUNTY) COMMERCIAL MARIJUANA LAND USE ORDINANCE (CMMLUO), ORDINANCE NO. 2559. PRE-EXISTING CULTIVATION ON THE PROPERTY TOTALED 1,800 SQ. FT., OF WHICH THE APPLICANT IS PROPOSING TO EXPAND TO 5,000 SQ. FT. OF MIXED-LIGHT CANNABIS CULTIVATION. THE PROJECT PROPOSAL INCLUDES THE DEVELOPMENT OF FACILITIES APPURTENANT TO THE CULTIVATION, INCLUDING STRUCTURES FOR ONSITE NURSERY, DRYING, AND PROCESSING.

GENERAL NOTES:

1. DRAWING SCALE AS NOTED. WRITTEN DIMENSIONS SHALL TAKE PRECEDENCE OVER SCALED DIMENSIONS.
2. THIS IS NOT A BOUNDARY SURVEY. BOUNDARY INFORMATION DEPICTED HAS BEEN OBTAINED FROM HUMBOLDT COUNTY 2015 GIS DATA. NORTHPOINT CONSULTING GROUP, INC. HAS NOT VERIFIED THIS PROPERTY BOUNDARY.
3. THERE ARE NO NEARBY SCHOOLS, SCHOOL BUS STOPS, PLACES OF WORSHIP, PUBLIC PARKS OR TRIBAL RESOURCES WITHIN 600 FEET OF THE PROPOSED MANUFACTURING FACILITY/DISTRIBUTION FACILITY/CULTIVATION AREA.

LEGEND:

= PRIME AGRICULTURAL SOILS BOUNDARY
= CONCRETE
= FENCE
= EDGE OF PAVEMENT
= GRAVEL

SHEET INDEX:

C0 – PLOT PLAN, VICINITY MAP, & PROJECT NOTES
C1 – EXISTING & PROPOSED SITE PLAN

PLOT PLAN
22x34 SHEET: 1"=30
11x17 SHEET: 1"=60'
0 15 30 60

N

DATE	REVISIONS	DRAWN BY

NORTHPOINT CONSULTING GROUP, INC.
1117 Samoa Blvd., Arcata, CA 95521

SEAN O'CONNOR / APN: 522-511-014 & APN: 522-511-015
105 HILLCREST WAY WILLOW CREEK, CA 95573
PLOT PLAN, VICINITY MAP, AND PROJECT NOTES

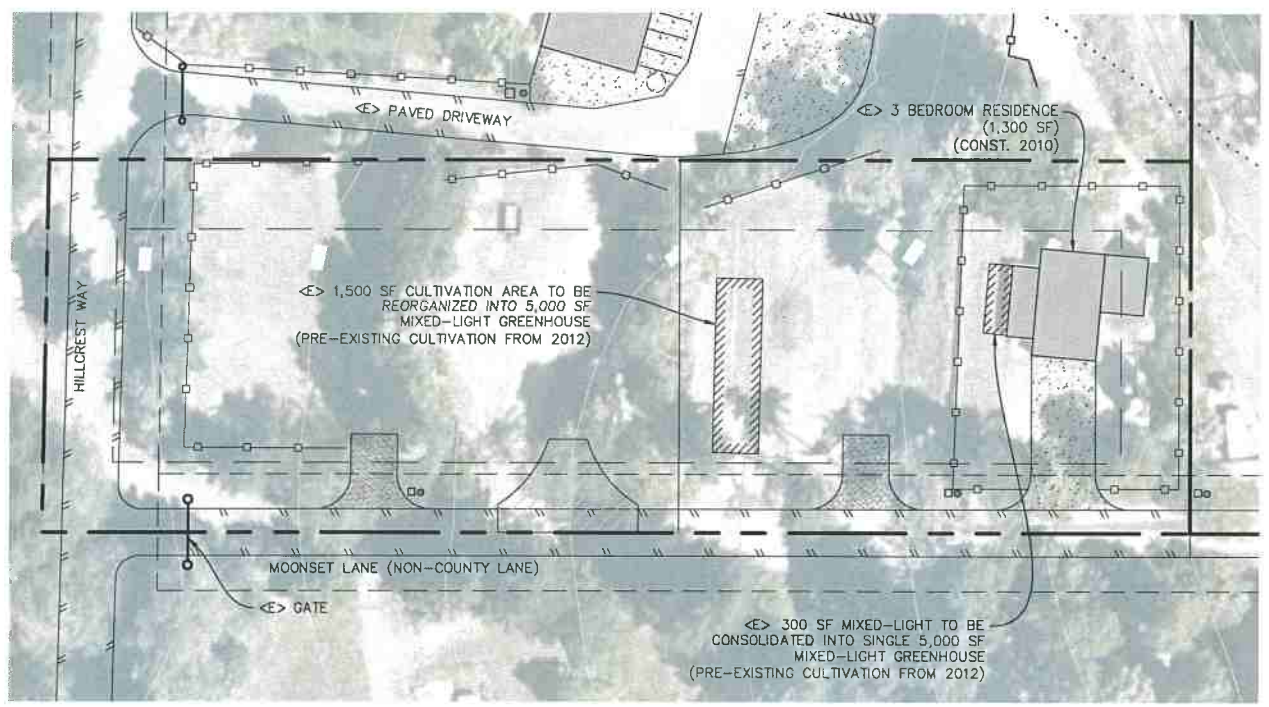
PROJ. MGR.: PS
DRAWN BY: CC
DATE: 10/05/21
SCALE: AS SHOWN
SHEET
C0
20-019

October 6, 2021 – 12:28 Dwg Name: P:\O'Connor, Sean – O'Neil's Property – 20-019\CAD\O'Connor -014 & -015 – CUP.dwg Updated By: Chris Chen

ALOHA TOP SHELF, LLC

EXISTING AND PROPOSED SITE PLAN

APN: 522-511-014 & 522-511-015



PRE-2016 SITE PLAN

PROPOSED SITE PLAN

22x34 SHEET: 1"=40'
11x17 SHEET: 1"=80'

0 20 40 80

N

DATE	REVISIONS	DRAWN BY

NORTHPOINT CONSULTING GROUP, INC.
1117 Samoa Blvd., Arcata, CA 95521

SEAN O'CONNOR / APN: 522-511-014 & APN: 522-511-015
105 HILLCREST WAY WILLOW CREEK, CA 95573
EXISTING AND PROPOSED SITE PLAN

PROJ. MGR.: PS
DRAWN BY: CC
DATE: 10/06/21
SCALE: AS SHOWN
SHEET
C1
20-019

October 6, 2021 - 12:28 Dwg Name: P:\O'Connor, Sean - O'Neill's Property - 20-019\CAD\O'Connor -014 & -015 - CUP.dwg Updated By: Chase Chase

ATTACHMENT 1

RECOMMENDED CONDITIONS OF APPROVAL

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

A. General Conditions for PLN-12333-CUP

1. The applicant is responsible for obtaining all necessary County and State permits and licenses, and for meeting all requirements set forth by other regulatory agencies.

2. The applicant is required to pay for permit processing on a time and material basis as set forth in the schedule of fees and charges as adopted by ordinance of the Humboldt County Board of Supervisors. The Planning and Building Department will provide a bill to the applicant after the decision. Any and all outstanding planning fees to cover the processing of the application to decision by the Hearing Officer shall be paid to the Humboldt County Planning Division, 3015 "H" Street, Eureka.

3. The Applicant is responsible for costs for post-approval review for determining project conformance with conditions. A deposit is collected to cover this staff review. Permit conformance with conditions must be demonstrated prior to release of building permit or initiation of use and at time of annual inspection. A conformance review deposit as set forth in the schedule of fees and charges as adopted by ordinance of the Humboldt County Board of Supervisors (currently $750) shall be paid within sixty (60) days of the effective date of the permit or upon filing of the Compliance Agreement (where applicable), whichever occurs first. Payment shall be made to the Humboldt County Planning Division, 3015 "H" Street, Eureka.

4. A Notice of Determination (NOD) will be prepared and filed with the County Clerk for this project in accordance with the State CEQA Guidelines. The Department will file the NOD and will charge this cost to the project.

5. The applicant shall secure permits all proposed structures related to the cannabis cultivation and other commercial cannabis activity, including but not limited to: two (2) greenhouses, two (2) drying buildings, and one (1) shipping container for storage. The plans submitted for building permit approval shall be consistent with the project description and the approved project site plan. A letter or similar communication from the Building Division verifying that all structures related to the cannabis cultivation are permitted will satisfy this condition.

6. The applicant shall submit a grading, erosion and sediment control plan for the previous grading done on-site, and for any new grading required for new structures. The plan shall identify the cubic yards of all grading that has been completed. A letter or similar communication from the Building Division verifying that all grading related to the cannabis cultivation operation are permitted, or not needed, will satisfy this condition.

7. The applicant is conditioned to provide portable toilets on-site until the Processing facility is equipped with an ADA compliant bathroom on APN's: 522-511-013.

8. The project is conditioned to enroll in the State Water Resources Control Board's General Order prior to commencing cultivation activities on-site, and shall submit a Notice of Applicability letter or Notice of Receipt from the Water Board as proof of enrollment.

9. Pre-construction surveys for special status amphibian and reptile species within 5 days of project implementation and if any frog, salamander or turtle is found within the proposed project location, activities shall be halted until the salamander or frog migrates outside of the project area. This

recommendation is included in the Conditions of Approval for the project before construction activities can commence on-site.

10. The applicant shall comply with the recommended conditions of approval from the Department of Public Works:
    a. All driveways and private road intersections onto the County Road shall be maintained in accordance with Code Section 341-1 (Site Visibility Ordinance) which shall be completed to the satisfaction of the Department of Public Works prior to commencing operations final sign-off for a building permit or Public Works approval for a business license.
    b. And whether specifically addressed or not within the road evaluation report "no roadway grade in excess of 16 percent shall be permitted unless it has been demonstrated to be in conformance with the County Roadway Design Manual," where portions of the road have grades that exceed 16% those portions must be paved and must have an exception request approved.

    Sign off and documentation from the Department of Public Works shall satisfy these requirements.

11. The applicant shall be compliant with the County of Humboldt's Certified Unified Program Agency (CUPA) requirements regarding hazardous materials. A written verification of compliance shall be required before any provisional permits may be finalized. Ongoing proof of compliance with this condition shall be required at each annual inspection in order to keep the permit valid.

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

B. General Conditions for PLN-12337-CUP

1. The applicant is responsible for obtaining all necessary County and State permits and licenses, and for meeting all requirements set forth by other regulatory agencies.

2. The applicant is required to pay for permit processing on a time and material basis as set forth in the schedule of fees and charges as adopted by ordinance of the Humboldt County Board of Supervisors. The Planning and Building Department will provide a bill to the applicant after the decision. Any and all outstanding planning fees to cover the processing of the application to decision by the Hearing Officer shall be paid to the Humboldt County Planning Division, 3015 "H" Street, Eureka.

3. The Applicant is responsible for costs for post-approval review for determining project conformance with conditions. A deposit is collected to cover this staff review. Permit conformance with conditions must be demonstrated prior to release of building permit or initiation of use and at time of annual inspection. A conformance review deposit as set forth in the schedule of fees and charges as adopted by ordinance of the Humboldt County Board of Supervisors (currently $750) shall be paid within sixty (60) days of the effective date of the permit or upon filing of the Compliance Agreement (where applicable), whichever occurs first. Payment shall be made to the Humboldt County Planning Division, 3015 "H" Street, Eureka.

4. A Notice of Determination (NOD) will be prepared and filed with the County Clerk for this project in accordance with the State CEQA Guidelines. The Department will file the NOD and will charge this cost to the project.

5. The applicant shall secure permits all structures (existing and proposed) related to the cannabis cultivation and other commercial cannabis activity, including but not limited to one (1) existing structure for indoor cultivation, one (1) proposed mixed-light greenhouse, one (1) proposed nursery greenhouse, one (1) processing facility, and the existing residence. The plans submitted for building permit approval shall be consistent with the project description and the approved project site plan.

A letter or similar communication from the Building Division verifying that all structures related to the cannabis cultivation are permitted will satisfy this condition.

6. The applicant shall submit a grading, erosion and sediment control plan for any new grading in excess of 50 cubic yards required for new structures. The plan shall identify the cubic yards of all grading that has been completed. A letter or similar communication from the Building Division verifying that all grading related to the cannabis cultivation operation are permitted, or not needed, will satisfy this condition.

7. The applicant is conditioned to provide portable toilets on-site until the Processing facility is equipped with an ADA compliant bathroom on-site.

8. For indoor cultivation operations including but not limited to illumination, heating, cooling, and ventilation, shall be provided by on-grid power with 100% renewable source, on-site zero net energy renewable source, or with purchase of carbon offsets of any portion of power used for indoor cultivation, not from renewable sources. In the event the applicant chooses to purchase carbon offset credits, an Energy Plan shall be submitted to the Planning Department outlining how much carbon offsets are required for the project.

9. The project is conditioned to enroll in the State Water Resources Control Board's General Order prior to commencing cultivation activities on-site, and shall submit a Notice of Applicability letter or Notice of Receipt from the Water Board as proof of enrollment.

10. The applicant shall comply with the recommended conditions of approval from the Department of Public Works:
    a. All fences shall be relocated out of the County right of way.
    b. All driveways and private road intersections onto the County Road shall be maintained in accordance with Code Section 341-1 (Site Visibility Ordinance) which 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.

    Sign off and documentation from the Department of Public Works shall satisfy these requirements.

11. The applicant shall be compliant with the County of Humboldt's Certified Unified Program Agency (CUPA) requirements regarding hazardous materials. A written verification of compliance shall be required before any provisional permits may be finalized. Ongoing proof of compliance with this condition shall be required at each annual inspection in order to keep the permit valid.

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

C.1. Notice of Merger Conditions for PLN-12637-CUP

1. The applicant shall submit a completed Notice of Merger and Certificate of Subdivision Compliance document along with legal document review fees and recording fees, as applicable.

2. **Applicant shall provide documentation from the County of Humboldt Tax Collector that all property taxes for the parcels involved in the Merger have been paid in full if payable, or secured if not yet payable, to the satisfaction of the County Tax Collector's Office. Please contact the Tax Collector's Office approximately three to four weeks prior to filing the Notice of Merger to satisfy this condition.**

   Note: The purpose of this condition is to avoid possible title consequences in the event of a tax default and sale affecting the owner's real property interest. If property has delinquent taxes, the property cannot be combined for tax purposes. This means that the owner will receive two or more tax bills, and penalties and interest will continue to accrue against the land which has delinquent

taxes. If five or more years have elapsed since the taxes on the subject property were declared in default, such property will be sold by the County Tax Collector for non-payment of delinquent taxes unless the amount required to redeem the property is paid before sale. Property combined by merger but "divided" by tax sale will require separate demonstration of subdivision compliance of all resultant parcels prior to the County's issuance of a building permit or other grant of authority to develop the subject properties.

3. A map revision fee as set forth in the schedule of fees and charges as adopted by ordinance of the Humboldt County Board of Supervisors (currently $78.20) as required by the County Assessor shall be paid to the County Planning Division, 3015 "H" Street, Eureka. The check shall be made payable to the "Humboldt County Planning Division". The fee is required to cover the Assessor's cost in updating the parcel boundaries.

C.2. Informational Notes

1. This merger does not guarantee that developable lots will result. Issuance of a building permit will require demonstration of all applicable development standards at the time a permit is requested.

2. The applicant shall comply with the provisions of Section 321-14 of the Humboldt County Code concerning reapportionment or payment of special assessments, if applicable.

3. This permit shall expire and become null and void at the expiration of three years after all appeal periods have lapsed (refer to "effective date"). This approval may be extended in accordance with the Humboldt County Code.

D. General Conditions for PLN-12637-CUP

1. The applicant is responsible for obtaining all necessary County and State permits and licenses, and for meeting all requirements set forth by other regulatory agencies.

2. The applicant is required to pay for permit processing on a time and material basis as set forth in the schedule of fees and charges as adopted by ordinance of the Humboldt County Board of Supervisors. The Planning and Building Department will provide a bill to the applicant after the decision. Any and all outstanding planning fees to cover the processing of the application to decision by the Hearing Officer shall be paid to the Humboldt County Planning Division, 3015 "H" Street, Eureka.

3. The Applicant is responsible for costs for post-approval review for determining project conformance with conditions. A deposit is collected to cover this staff review. Permit conformance with conditions must be demonstrated prior to release of building permit or initiation of use and at time of annual inspection. A conformance review deposit as set forth in the schedule of fees and charges as adopted by ordinance of the Humboldt County Board of Supervisors (currently $750) shall be paid within sixty (60) days of the effective date of the permit or upon filing of the Compliance Agreement (where applicable), whichever occurs first. Payment shall be made to the Humboldt County Planning Division, 3015 "H" Street, Eureka.

4. A Notice of Determination (NOD) will be prepared and filed with the County Clerk for this project in accordance with the State CEQA Guidelines. The Department will file the NOD and will charge this cost to the project.

5. The applicant shall secure permits all structures (existing and proposed) related to the cannabis cultivation and other commercial cannabis activity, including but not limited to one (1) mixed-light greenhouse, one (1) two-story drying structure, and one (1) residence. The plans submitted for building permit approval shall be consistent with the project description and the approved project

site plan. A letter or similar communication from the Building Division verifying that all structures related to the cannabis cultivation are permitted will satisfy this condition.

6. The applicant shall submit a grading, erosion and sediment control plan for any new grading in excess of 50 cubic yards required for new structures. The plan shall identify the cubic yards of all grading that has been completed. A letter or similar communication from the Building Division verifying that all grading related to the cannabis cultivation operation are permitted, or not needed, will satisfy this condition.

7. The applicant is conditioned to provide portable toilets on-site until the Processing facility is equipped with an ADA compliant bathroom on APN: 522-511-013.

8. The project is conditioned to enroll in the State Water Resources Control Board's General Order prior to commencing cultivation activities on-site, and shall submit a Notice of Applicability letter or Notice of Receipt from the Water Board as proof of enrollment.

9. The applicant shall comply with the recommended conditions of approval from the Department of Public Works:
    a. all driveways and private road intersections onto the County Road shall be maintained in accordance with Code Section 341-1 (Site Visibility Ordinance) which shall be completed to the satisfaction of the Department of Public Works prior to commencing operations final sign-off for a building permit or Public Works approval for a business license.
    b. And whether specifically addressed or not within the road evaluation report "no roadway grade in excess of 16 percent shall be permitted unless it has been demonstrated to be in conformance with the County Roadway Design Manual," where portions of the road have grades that exceed 16% those portions must be paved and must have an exception request approved.

    Sign off and documentation from the Department of Public Works shall satisfy these requirements.

10. 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.

11. 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.

E. Ongoing Requirements/Development Restrictions Which Must be Satisfied for the Life of the Projects PLN-12333-CUP, PLN-12337-CUP, and PLN-12637-CUP:

1. In the event that one or more of the subject parcels are conveyed to a different owner and are no longer under the same ownership, the projects shall no longer use the shared facilities, and shall be completely independent. PLN-12333 shall obtain an independent water source, shall have processing done off-site at a licensed processing facility, shall provide portable toilets or have a permitted Onsite Waste Treatment System (OWTS), and shall have documentation from a licensed processing facility kept on-site to be furnished during an annual inspection, and shall obtain clones or seeds from a licensed nursery. PLN-12337-CUP shall lower the ancillary nursery on-site to be 500 sq. ft. (in accordance with the Humboldt County Department Policy to only allow up to 10% of cultivation area for nursery space). PLN-12637-CUP shall obtain clones or seeds from a licensed nursery, shall provide portable toilets or have a permitted OWTS, and shall have processing done off-site at a licensed processing facility and shall have documentation from a licensed processing facility kept on-site to be furnished during an annual inspection.

2. The applicant shall submit receipts of portable toilet service to the Planning Department annually until the Processing facility is equipped with an ADA compliant bathroom on APN: 522-511-013.

3. In order to continue using the WCCSD meters located on parcels 522-511-013 and 522-511-014, for all adjacent parcels under Applications 12333, 12337, and 12637, all parcels (522-511-016, 522-511-013, 522-511-014, and 522-511-015) shall be owned by the same property owner, and in the event that parcels under Applications 12333, 12337, and 12637 have different property owners, the applicant's shall contact the WCCSD in order to receive a subsequent Will Serve letter to allow the use of water from the WCCSD.

4. The WCCSD has a Drought Ordinance in its Board Policy, and in the event of a drought the water usage may be restricted per the policy and the applicant shall adhere to any restrictions set forth by the WCCSD.

5. The applicant shall submit to the Planning Department the final Site Management Plan when available, and shall adhere to the measures and recommendations within the final SMP.

6. The applicant shall submit to the Planning Department at an annual inspection, a letter from the California Department of Fish & Wildlife (CDFW) stating that no Lake or Streambed Alteration Agreement is required for the project, and in the event that one is needed the applicant shall submit the Final LSAA to the Planning Department and shall adhere to the work described within the Agreement.

7. The combination of background noise and greenhouse fan, or other operational equipment created noise, must not result in the harassment of Northern Spotted Owl species as required to meet the performance standards for noise set by Department Policy Statement No. 16-005 clarifying 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.

8. All artificial lighting shall be fully contained within mixed-light and propagation structures such that no light escapes (e.g., through blackout tarps). Structures shall be enclosed between 30 minutes prior to sunset and 30 minutes after sunrise to prevent disruption to crepuscular wildlife. Security lighting shall be motion activated and comply with the International Dark-Sky Association standards and Fixture Seal of Approval Program; see: https://www.darksky.org/our-work/lighting/lighting-for-citizens/lighting-basics/. Standards include but are not limited to the following, 1) light shall be shielded and downward facing, 2) shall consist of Low Pressure Sodium (LPS) light or low spectrum Light Emitting Diodes (LED) with a color temperature of 3000 kelvins or less and 3) only placed where needed.

9. Should the Humboldt County Planning Division receive complaints that the lighting or noise is not complying with the standards listed above in items E.7. and E.8., within ten (10) working days of receiving written notification that a complaint has been filed, the applicant shall submit written verification that the lights' shielding and alignment, and noise levels have been repaired, inspected, and corrected as necessary.

10. The applicant is advised that County maintained roads may generate dust and other impacts to farms and the applicant shall hold the County harmless from these impacts.

11. Prohibition on use of synthetic netting. To minimize the risk of wildlife entrapment, Permittee shall not use any erosion control 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.

12. All refuse shall be contained in wildlife proof storage containers, at all times, and disposed of at an authorized waste management facility.

13. Should any wildlife be encountered during work activities, the wildlife shall not be disturbed and be allowed to leave the work site unharmed.

14. The use of anticoagulant rodenticide is prohibited.

15. The operator shall provide information to all employees about the potential health impacts of cannabis use on children. Information shall be provided by posting the brochures from the Department of Health and Human Services titled "Cannabis Palm Card" and "Cannabis Rack Card." This information shall also be provided to all employees as part of the employee orientation.

16. All components of project shall be developed, operated, and maintained in conformance with the Project Description, the approved Site Plan, the Cultivation & Operations Plan, 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.

17. Cannabis cultivation and other commercial cannabis activity shall be conducted in compliance with all laws and regulations as set forth in the CMMLUO and MAUCRSA, as applicable to the permit type.

18. 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.

19. 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.

20. 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.

21. 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).

22. Maintain enrollment in Tier 1, 2, or 3, certification with State Water Resource Control Board (SWRCB) Order No. WQ 2019-0001-DWQ, if applicable, or any substantially equivalent rule that may be subsequently adopted by the County of Humboldt or other responsible agency.

23. 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).

24. 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.

25. 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).

26. Refrain from the improper storage or use of any fuels, fertilizer, pesticide, fungicide, rodenticide, or herbicide.

27. Pay all applicable application, review for conformance with conditions and annual inspection fees.

28. 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.

29. The master log books maintained by the applicant to track production and sales shall be maintained for inspection by the County.

30. Pay all applicable taxes as required by the Humboldt County Commercial Marijuana Cultivation Tax Ordinance (Humboldt County Code Section 719-1 et seq.).

<u>Performance Standards for Cultivation and Processing Operations</u>

31. Pursuant to the MCRSA, 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."

32. Cultivators shall comply with all applicable federal, state, and local laws and regulations governing California Agricultural Employers, which may include federal and state wage and hour laws, Cal/OSHA, OSHA, the California Agricultural Labor Relations Act, and the Humboldt County Code (including the Building Code).

33. 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.

34. All persons hiring employees to engage in commercial cannabis cultivation and processing shall comply with the following Employee Safety Practices:
    a. Cultivation operations and processing operations must implement safety protocols and provide all employees with adequate safety training relevant to their specific job functions, which may include:
        (1) Emergency action response planning as necessary;
        (2) Employee accident reporting and investigation policies;
        (3) Fire prevention;

(4) Hazard communication policies, including maintenance of material safety data sheets (MSDS);
(5) Materials handling policies;
(6) Job hazard analyses; and
(7) Personal protective equipment policies, including respiratory protection.

b. Cultivation operations and processing operations must visibly post and maintain an emergency contact list which includes at a minimum:

(1) Operation manager contacts;
(2) Emergency responder contacts; and
(3) Poison control contacts.

c. At all times, employees shall have access to safe drinking water and toilets and handwashing facilities that comply with applicable federal, state, and local laws and regulations. Plumbing facilities and water source must be capable of handling increased usage without adverse consequences to neighboring properties or the environment.

d. On site-housing provided to employees shall comply with all applicable federal, state, and local laws and regulations.

35. 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

36. Term of Commercial Cannabis Activity Conditional Use Permit & Special Permit. Any Commercial Cannabis Cultivation CUP or 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.

37. 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 Conditional Use Permit & 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.

38. 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.

39. 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.

40. 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.

41. 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.

F. Informational Notes:

1. 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 MEDICIAL MARIJUANA LAND USE ORDINANCE

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

APNs 522-511-016, 522-511-013, 522-511-014, 522-511-015; Willow Creek, CA 95573
County of Humboldt

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

October 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.

Project Description: The modified project involves three (3) Conditional Use Permits under Aloha Top Shelf, LLC (applications 12333, 12337, and 12637) to allow 2,250 sq. ft. of new indoor commercial cannabis cultivation, 10,250 sq. ft. of new mixed-light commercial cannabis cultivation, and 1,250 sq. ft. of ancillary nursery space on four parcels totaling 4.62 acres (APN's: 522-511-013, 522-511-014/522-511-015 to be merged, and 522-511-016), all within the Willow Creek Community Planning Area. The applicant is proposing four (4) new mixed-light greenhouses, one (1) ancillary propagation nursery greenhouse, one (1) existing structure for indoor cultivation, three (3) buildings for drying and storage, one (1) processing facility with an ADA compliant bathroom, and two (2) existing residences to house employees on-site. All cultivation greenhouses, the processing facility, and drying structures will be fully enclosed with odor mitigating carbon filters. Up to four (4) harvests are anticipated per year. The applicant is conditioned to permit all buildings with a nexus to cannabis.

Power is sourced by PG&E, and up to fifteen (15) employees will be used for cultivation activities on all of the subject parcels. Trimming activities are proposed to occur in a proposed processing building on APN's: 522-511-014/522-511-015 (to be merged), which will supply the sites with an ADA compliant bathroom. The applicant plans to utilize portable toilets for the projects needs until the Processing facility is built out and equipped with an ADA bathroom.

Energy

Power is sourced by PG&E, and in accordance with the Commercial Medical Marijuana Land Use Ordinance, the applicant shall comply with section 55.4.8.3 of the CMMLUO, for indoor cultivation operations including but not limited to illumination, heating, cooling, and ventilation, shall be provided by on-grid power with 100% renewable source, on-site zero net energy renewable source, or with purchase of carbon offsets of any portion of power used for indoor cultivation, not from renewable sources. In the event the applicant chooses to purchase carbon offset credits, an Energy Plan shall be submitted to the Planning Department outlining how much carbon offsets are required for the project.

Prime Agricultural Soils

The subject parcels 522-511-013, 522-511-014, 522-511-015, and 522-511-016 have been determined to have approximately 150,764 sq. ft. of prime agricultural soils on-site, and the total 11,500 sq. ft. of proposed new cultivation area will not cover more than 20% (30,153 sq. ft.) of the prime agricultural soils present on-site.

Setbacks

The subject parcels are located within 600 feet of Six Rivers National Forest (SRNF), and the applicant is requesting a Special Permit in order to approve a reduction in the 600 foot setback.

The adjacent public land is subject to the Land and Resource Management Plan - Six Rivers National Forest 1995 (L&RMP). The project is consistent with the L&RMP because the cultivation activities will minimize impacts to biological resources and wildlife through measures to reduce potential light and noise impacts, and the applicant will utilize odor mitigation controls. Furthermore, the project is conditioned to comply with International Dark Sky Standards, and shall not result in light-pollution. Lastly, the project is consistent with recreational use on public lands as the proposed project is not located near developed campgrounds, trails, or other related facilities.

The proposed cultivation areas are within 300 feet of the residence located on APN's 522-511-013 and 522-511-015. The applicant and owner has given authorization for all projects to be within 300 feet of the residences located on APN's 522-511-013 and 522-511-015 and is on file. All proposed cultivation on-site has been found to meet all other setbacks required from a school, school bus stop, church or other place of religious worship, or tribal cultural resource.

Water Resources

Water for irrigation will be provided by the Willow Creek Community Services District (WCCSD). No water storage is proposed and none is required for the project. The applicant has obtained a Will Serve letter from the WCCSD showing the allowance of approximately 280,000 gallons of water to be used annually for agricultural purposes at 522-511-016, 522-511-013, 522-511-014, and 522-511-015. These four (4) adjacent parcels have applications under Aloha Top Shelf, LLC (Application numbers 12333, 12337, and 12637). Aloha Top Shelf, LLC is applying for a total of 12,500 sq. ft. of cultivation area and 1,250 sq. ft. of ancillary propagation, and the total anticipated water to be used annually for cannabis irrigation is approximately 250,000 gallons for all three applications (18.17 gal/sq. ft./year). The WCCSD has a Drought Ordinance in its Board Policy, and in the event of a drought the water usage may be restricted per the policy and the applicant shall adhere to any restrictions set forth by the WCCSD.

The applicant is not currently cultivating, and the project is not currently enrolled in the State Water Resources Control Board's (SWRCB) General Order (No. WQ 2019-0001-DWQ) for Waste Discharge Requirements and Water Quality. The project is conditioned to enroll in the SWRCB's General Order prior to commencing cultivation activities on-site, and shall submit a Notice of Applicability letter or Notice of Receipt as proof of enrollment before cultivation activities can occur. As well, the project is required to have a Site Management Plan prepared within 90 days of enrollment to outline on-site measures required to meet the standards of the SWRCB's General Order. The applicant shall submit to the Planning Department the final Site Management Plan, and shall adhere to the measures and recommendations within the final SMP.

There are no streams or stream crossings located on the subject parcel, and the project will not utilize any stream diversion, therefore no Lake or Streambed Alteration Agreement with the California Department of Fish & Wildlife (CDFW). The applicant shall submit to the Planning Department a letter from the CDFW stating that no Lake or Streambed Alteration Agreement is required for the project, and in the event that one is needed the applicant shall submit the Final LSAA to the Planning Department and shall adhere to the work described within the Agreement.

Biological Resources

There are no mapped sensitive species shown on-site in the California Natural Diversity Database (CNDDB) Resource Map. The nearest Northern Spotted Owl (NSO) activity center is located approximately 1.82 miles from the nearest proposed cultivation site on all adjoining parcels, and the closest observation is approximately 1.55 miles away. Lands surrounding the site are heavily forested, thus there is potential for NSO habitat. The applicant will source power from PG&E grid connection and no generators are proposed. The project is conditioned to adhere to International Dark Sky standards for all mixed-light greenhouses, and noise generated on-site shall not exceed 50 decibels at either 100 feet or the nearest canopy.

A Biological Scoping Study (BSS) was prepared for the site (APN: 522-511-016) by Be Green Legal in June of 2019, which found one hydrologic feature located on the subject parcel 522-511-016. The BSS

describes the hydrologic feature as a small pond that captures water from a spring located in the middle of the parcel. An Addendum to the BSS was submitted by Northpoint Consulting Group, dated September 1, 2021, which redefined the pond as a detention rain catchment basin with no spillway, nor was it found to be connected to a watercourse. The applicant has added the small seasonal pond to the Site Plan with a 50-foot buffer, in compliance with the Humboldt County Streamside Management Areas and Wetlands Ordinance. As well, the project shall have a pre-construction survey for special status amphibian and reptile species within 5 days of project implementation.

The project was referred to the Department of Fish & Wildlife on May 6, 2021, and no response was received.

Fire Safety
The project is located within the State Responsibility Area for CalFire, and is in an area that is designated to have Very High Fire Hazard Severity. All structures are shown to outside of the 30 foot setback and the applicant has water connection with the Willow Creek Community Services District. The project is located within the Willow Creek Volunteer Fire District (WCVFD).

Tribal Cultural Resource Coordination
The project is located within the Hoopa and Tsnungwe tribal aboriginal territories. The project was referred to the Hoopa Tribe and the Tsnungwe Tribe on May 6, 2021. The project was also referred to the Northwest Information Center (NWIC) on May 6, 2021. A response was received from the NWIC on May 24, 2021, which recommended that the lead agency contact the local Native American tribe(s) regarding traditional, cultural, and religious heritage values. The Tsnungwe Council replied on May 10, 2021, which stated no comment existing. No response was received from the Hoopa Tribe. No Cultural Resource Investigation was requested, and the project is conditioned to adhere to inadvertent discovery protocols in the event that cultural resources are encountered during project activities.

Access
Access route to the project site on APN: 522-511-013 is off of a private driveway off of Hillcrest Way which is a county maintained road. The project was referred to the Department of Public Works on May 7, 2021, and comments were received on May 21, 2021, stating that the driveway is surfaced to County standards. Other comments received by the Department of Public Works included the recommendation for conditions of approval for the project, which have been included for the project.

Access route to the project site for APN's: 522-511-014/522-511-015, and 522-511-016 is off of a private road Moonset Lane, off of Hillcrest Way which is a county maintained road. The project was referred to the Department of Public Works on May 6, 2021, and comments were received on May 28, 2021, requesting a Road Evaluation Report form be prepared for the private road. The applicant has submitted a Road Evaluation Report form for Moonset Lane, designating it as being developed to the equivalent of a Category 4 road standard. Other comments received by the Department of Public Works included the recommendation for conditions of approval for the project, which have been included for the project.

The modified project is consistent with the adopted MND for the CMMLUO because it complies with all standards of the CMMLUO which were intended to mitigate impacts of existing cultivation. These include the enrollment in the SWRCB's General Order (No. WQ 2019-0001-DWQ), preparation of and adherence to a Site Management Plan in compliance with the SWRCB, power source requirements for indoor cultivation, pre-construction surveys, ensuring supplemental lighting and security lighting adheres to Dark Sky Association standards and ensuring project related noise does not harass nearby wildlife which will limit impacts to biological resources as a result of light and noise.

Purpose - Section 15164 of the California Environmental Quality Act (CEQA) provides that the lead agency shall prepare an addendum to a previously certified Mitigated Negative Declaration (MND) if some changes or additions are necessary but none of the conditions described in Section 15162 calling for a subsequent EIR or Negative Declaration have occurred. Section 15162 states that when an EIR has

been certified for a project, no subsequent EIR shall be prepared for that project unless the lead agency determines, on the basis of substantial evidence in the light of the whole record, one or more of the following:

1. Substantial changes are proposed in the project which require major revisions of the previous MND due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;

2. Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous MND due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or

3. New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous MND was certified as complete, shows any of the following: A) the project will have one or more significant effects not discussed in the previous MND; B) significant effect previously examined will be substantially more severe than shown in the previous MND; C) mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or D) mitigation measures or alternatives which are considerably different from those analyzed in the previous MND would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.

Summary of Significant Project Effects and Mitigation Recommended

No changes are proposed for the original MND recommended mitigations. The proposal to authorize the project 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 Plans received October 6, 2021.
- Cultivation & Operations Plans received September 10, 2021, and October 6, 2021.
- Site Map to show 300 foot setback to neighboring residences received October 6, 2021.
- Will-Serve letter from the Willow Creek Community Services District dated July 27, 2017.
- Road Evaluation Report form for Moonset Lane dated October 5, 2021.
- A Biological Scoping Study (BSS) prepared by Be Green Legal in June of 2019.
- An Addendum to the BSS submitted by Northpoint Consulting Group, dated September 1, 2021.
- Owner's authorization for neighboring residences within 300 feet of the proposed project.

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. (Site Plans – **Attached** with project Maps)

4. A cultivation and operations plan that meets or exceeds minimum legal standards for water storage, conservation and use; drainage, runoff and erosion control; watershed and habitat protection; proper storage of fertilizers, pesticides, and other regulated products to be used on the parcel; and a description of cultivation activities (outdoor, indoor, mixed light), the approximate date(s) cannabis cultivation activities have been conducted on the parcel prior to the effective date of this ordinance, if applicable, and schedule of activities during each month of the growing and harvesting season. (**Attached**)

5. Description of water source, storage, irrigation plan, and projected water usage. (Included in Cultivation Operations Plan (item 4. above))

6. Copy of Notice of Applicability filed with the State Water Resource Control Board Order No. WQ 2019-0001-DWQ. (Condition of Approval)

7. If any on-site or off-site component of the cultivation facility, including access roads, water supply, grading or terracing, impacts the bed or bank of any stream or other watercourse, a copy of the Streambed Alteration Permit obtained from the California Department of Fish and Wildlife. (Not Applicable)

8. If the source of water is a well, a copy of the County well permit, if available. (Not Applicable)

9. A Will-Serve letter from the Willow Creek Community Services District dated July 27, 2017. (**Attached**)

10. A Site Management Plan (SMP) prepared for the State Water Resource Control Board Order No. WQ 2019-0001-DWQ. (Condition of Approval)

11. If the parcel is zoned FR, U or TPZ, or involves the conversion of timberland as defined under Section 4526 of the Public Resources Code, a copy of a less-than-3-acre conversion exemption or timberland conversion permit, approved by the California Department of Forestry and Fire Protection (Cal Fire). Alternately, for existing operations occupying sites created through prior unauthorized conversion of timberland, evidence may be provided showing that the landowner has completed a civil or criminal process and/or entered into a negotiated settlement with Cal Fire. (Not Applicable)

12. 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)

13. 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)

14. 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)

15. Acknowledge that the County reserves the right to engage with local tribes before consenting to the issuance of any clearance or permit, if cultivation operations occur within an Area of Traditional Tribal Cultural Affiliation, as defined herein. This process will follow current departmental referral protocol, including engagement with the tribe(s) through coordination with their Tribal Historic Preservation Officer (THPO) or other tribal representatives. This procedure shall be conducted similar to the protocols outlined under SB 18 (Burton) and AB 52 (Gatto), which describe "government to government" consultation, through tribal and local government officials and their designees. During this process, the tribe may request that operations associated with the clearance or permit be designed to avoid, minimize, or mitigate impacts to tribal cultural resources, as defined herein. Examples include, but are not limited to, conducting a site visit with the THPO or their designee to the existing or proposed cultivation site, requiring that a professional cultural resources survey be performed, or requiring that a tribal cultural monitor be retained during project-related ground disturbance within areas of sensitivity or concern. The County shall request that a records search be performed through the California Historical Resources Information System (CHRIS). (On-file)

16. Road Evaluation Report form for Moonset Lane dated October 5, 2021. (**Attached**)

17. Division of Environmental Health Attachment for Commercial Medical Marijuana (CMM) Clearances/ Permits (DEH Form). (On-file)

18. A Biological Scoping Study (BSS) prepared by Be Green Legal in June of 2019. (On file & Confidential)

19. An Addendum to the BSS submitted by Northpoint Consulting Group, dated September 1, 2021. (**Attached**)

20. Site Map to show 300 foot setback to neighboring residences received October 6, 2021. (**Attached**)

21. Owner's authorization for neighboring residences within 300 feet of the proposed project. (On-file)

ALOHA TOP SHELF, LLC
APN: 522-511-016
CULTIVATION AND OPERATIONS MANUAL
HUMBOLDT COUNTY, CA

PROPOSED COMMERCIAL CANNABIS CULTIVATION FACILITIES

RECEIVED
SEP 10 2021
Humboldt County
Cannabis Svcs.

PREPARED FOR:

COUNTY OF HUMBOLDT
The Home of the Redwoods

April 2021

Cultivation and Operations Manual
For
Aloha Top Shelf, LLC

Apps. #:12333
APNs: 522-511-016

Proposed Commercial Cannabis Cultivation Facilities

Lead Agency:
Humboldt County Planning Department
3015 H Street
Eureka, CA 95501

Prepared By:

NORTHPOINT
CONSULTING GROUP, INC.

In Consultation with:
Sean O'Connor
of
Aloha Top Shelf, LLC

April 2021

1. PROJECT SUMMARY

1.1. Project Objective

Aloha Top Shelf, LLC is proposing to permit new commercial cannabis cultivation activities in accordance with the County of Humboldt's (County) Commercial Medical Marijuana Land Use Ordinance (CMMLUO). The project requires a Conditional Use Permit (CUP) for 2,500 square feet (sq. ft.) of new mixed-light commercial cannabis cultivation in one (1) 20' x 75' greenhouse and one (1) 20' x 50' greenhouse. The project includes permitting appurtenant structures to the cultivation, including the proposed greenhouses and a 20' x 25' two-story building for drying and storage. Processing is proposed to occur at an adjacent site owned by the same operator (APN 522-511-014/015). Power will be provided by existing PG&E power and water will be provided by Willow Creek Community Services District. The applicant aims to become fully compliant with State and Local cultivation regulations.

1.2. Site Description

The Project is located in Willow Creek, California, on APN 522-511-016. The northern half of the property is primarily forested, with an existing landing located on the southern portion. There is a basin located on the eastern side of the property. The property is approximately 1.27 acres in size, per Humboldt Web GIS. No structures exist on the property. A Class II stream buffer exists in the southern portion of the property. All proposed infrastructure is set back 100' from the stream.

1.3. Land Use

The subject properties have a General Plan Land Use Designation of Agricultural Rural and is zoned Agricultural General (AG-B-5). Surrounding properties are zoned for residential and agricultural uses. The property contains 12,500 sq. ft. (0.29 acres) of Prime Agricultural Soils according to Humboldt Web GIS. The proposed project area is 2,500 sq. ft., or 20% of onsite prime soils.

1.4. State and Local Compliance

1.4.1. State of California Commercial Cannabis Activity License

Once approved, Aloha Top Shelf, LLC will apply for annual cannabis cultivation licenses through the California Department of Food and Agriculture (CDFA).

1.4.2. State Water Resources Control Board – Water Rights

Water for cannabis cultivation and domestic use will be provided by an existing service line from the Willow Creek Community Services District. No surface water diversions are proposed. Accordingly, the filing of water rights with the SWRCB are not required for this project.

1.4.3. North Coast Regional Water Quality Control Board and State Water Resources Control Board – Water Quality

Prior to commencing onsite cultivation activities, the applicant will enroll as a Low Risk discharger with State Water Resources Control Board (SWRCB) General Order WQ 2017-0023-DWQ *General Waste Discharge Requirements and Waiver of Waste Discharge Requirements for Dischargers of Waste Associated with Cannabis Cultivation Activities*. A Site Management Plan will be developed for this parcel and submitted to the appropriate parties.

1.4.4. Humboldt County Building Department

All necessary building permits will be obtained from the Humboldt County Building Department for all existing and proposed structures and supporting infrastructure upon approval of the Conditional Use Permit.

1.4.5. Cal Fire

The subject property is located within a State Responsibility Area (SRA) for fire protection. Several improvements are proposed in order to meet SRA requirements, including designating a fire turn-around and pull-out area for emergency vehicles, and management of trees and vegetation around existing structures to maintain the required 100-foot defensible space. All structures on the property meet the 30-foot SRA setback requirement from property lines. If required by Cal Fire, a 2,500-gallon water tank with a riser to SRA specifications will be installed for firefighting purposes.

1.4.6. California Department of Fish and Wildlife

No in-stream work or work within wetland areas is proposed as part of this project. A Class II stream is located on the adjacent property to the South, and a 100' buffer is proposed from the stream to all cannabis infrastructure. Otherwise, there are no stream crossings, ponds, or other wetted areas located on the project. No trees are proposed to be removed. Therefore, a Lake and Streambed Alteration Agreement (SAA) from the CDFW is likely not required. The applicant will submit a Non-jurisdictional Items Notification to CDFW for review.

1.4.7. 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, groundstone 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.

2. CULTIVATION AND PROCESSING

2.1. Propagation and Initial Transplant

Juvenile plants are propagated on adjacent site 522-011-014/015, which is owned and operated by the same entity, from 'mother plants' that demonstrate the desired genetics for the specific cannabis strain. Mother plants remain in the vegetative stage solely for propagation. Cuttings are sampled from the mother plants and are rooted into a growing medium, typically oasis cubes, to produce 'clones'. The clones are placed into the nursery, and once fully rooted they are transplanted directly into one (1) gallon plastic pots. The juvenile plants are irrigated using hand-watering methods. After 2'4 weeks the clones are then transplanted into 20-gallon smart pots with a soil and perlite medium and are then moved into the mixed-light greenhouses to continue their 'vegetative' cycle.

2.2. Mixed Light Cultivation Plan and Schedule

This application proposes 2,500 sq. ft. of mixed-light cultivation. Mixed-light cultivation will take place in one (1) 20' x 75' greenhouse and one (1) 20' x 50' greenhouse. The greenhouses will consist of

heavy gauge steel tubing covered with a woven poly translucent opaque tarp. They will be ventilated by intake and exhaust fans. The greenhouses will operate year-round and use a combination of artificial light and light-deprivation techniques to produce up to four (4) flowering cycles per year. monthly Cultivation Schedule in Appendix B details the proposed cultivation activities associated with the mixed-light cultivation operations for a typical year.

2.3. Harvesting, Drying, and Trimming

Plants that are ready for harvest have their flowering branches removed and suspended in the proposed 20x 25 drying building onsite. The drying process takes approximately one week.

The dried flowers are bucked into manageable buds and trimmed in the proposed commercial building on adjacent site 522-511-014/015. Packaging of trimmed product may occur in this building or offsite. The proposed commercial building on APN 522-511-014/015 is proposed to be the processing location for all Aloha Top Shelf, LLC farms. No manufacturing, extraction, or further processing is proposed onsite.

2.4. Odor Mitigation

The project property (zoned Agriculture General (AG)) is located adjacent to a residential area on its western property boundary (zoned One-Family Residential (R-1)). To ensure odor from cannabis cultivation activities would not be a nuisance to nearby residents, the applicant is proposing to enclose all cannabis-related activities within structures (no open-air cultivation). In addition, odor-mitigating carbon filters and fans are proposed on every greenhouse and structure proposed for cannabis use.

2.5. Employee Plan

Aloha Top Shelf, LLC 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.

2.5.1. Job Descriptions And Employee Summary

- *Agent in Charge*: Responsible for business oversight and management. 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.
- *Seasonal Laborer*: Provides cultivation support. This is a part-time to full-time, seasonal position.

2.5.2. Staffing Requirements

In addition to the *Agent in Charge,* up to two (2) full-time seasonal labor positions are employed. The number of seasonal laborers varies based on the needs of the farm during the season. During the peak planting and harvesting seasons, there are an estimated total of three (3) employees on site. Employees related to adjacent site activities, such as drying and processing on the adjacent site 522-511-014/015 are accounted for in Application # 12637.

2.5.3. Employee Training and Safety

On site cultivation and harvesting 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 staff are provided with proper hand, eye, body and

respiratory Personal Protective Equipment (PPE). Access to the onsite cultivation and drying facilities are limited to authorized and trained staff.

All employees are trained on proper safety procedure 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.

2.5.4. Toilet and Handwashing Facilities

An ADA-compliant bathroom is proposed within the 40' x 60' commercial drying and processing building located on 522-511-014/015 to the South. Until such a time that the building can be constructed, employees will utilize portable toilets, which will be regularly serviced as required by a qualified professional. Anti-bacterial Liquid Soap and paper hand towels will be made available. Employees will work at a distance typically no greater than 400 feet from the restroom facility.

2.5.5. Off-Site Housing

There are no structures on this property. All employees will commute to the site from offsite locations.

2.6. Security Plan and Hours of Operation

2.6.1. Facility Security

An entry gate leading to the cultivation is located on the driveway off Hillcrest Way and off of Moonset Lane. The entry gates remain locked at all times and access to the cultivation area is limited exclusively to employees.

2.6.2. Hours of Operation

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

3. ENVIRONMENT

3.1. Water Source and Projected Water Use

Water for domestic and cultivation uses are provided by direct service connection to the Willow Creek Community Services District. Aloha Top Shelf, LLC will use water management strategies, such as hand watering or drip-sensor irrigation, to conserve water use.

Table 3.1 below outlines the estimated irrigation water usage for cultivation during a typical year, which is estimated at approximately 38,000 gallons. This volume includes water allocated for both flowering canopy in mixed-light greenhouses and full-sun outdoor plants, as well as immature plants and mother plants irrigated year-round. Variables such as weather conditions and specific cannabis strains will have a slight effect on water use.

Table 3.1: Estimated Annual Irrigation Water Usage (Gallons)

Jan	Feb	Mar	April	May	June	July	Aug	Sept	Oct	Nov	Dec	**Total**
0	0	0	1,500	2,500	5,500	7,000	8,000	8,000	4,500	1,000	0	**38,000**

3.2. Water Storage

Water for both domestic and irrigation uses will be provided by direct service connection to the Willow Creek Community Services District. Accordingly, water storage for cultivation is not required. If required by Cal-FIRE ,a 2,500-gallon water tank may be installed to comply with SRA fire protection requirements.

3.3. Site Drainage, Runoff, and Erosion Control

Aloha Top Shelf, LLC will enroll as a Low Risk Discharger under the SWRCB General Order. A Site Management Plan will be developed utilizing Best Practicable Treatment and Control (BPTC) measures in accordance with Attachment A of the Order.

3.3.1. Site Drainage and Runoff

Site investigation showed no evidence of surface runoff or erosion on this Project Site within the direct area of cannabis cultivation. Areas proposed for cannabis cultivation are less than 15% slope and are located over 100' from any nearby drainages. To prevent runoff from cultivation activities to riparian areas, water conservation measures will be implemented including the use of hand irrigation or drip irrigation to prevent excessive water use.

The northern portion of the property does have some areas of potential erosion stemming from a historically created graded flat and a steep cut slope. Appropriate BPTC Measures will be implemented and a plan for corrective actions will be submitted to the SWRCB for their approval.

3.3.2. Erosion Control

Prior to initiation of cultivation activities, Aloha Top Shelf, LLC will enroll under the SWRCB General Order. The forthcoming Site Management Plan (SMP) will include erosion and sediment control BPTCs designed to prevent, contain, and reduce sources of sediment. The SMP will also include corrective actions to reduce sediment delivery, including road maintenance. Additionally, the SMP requires mulch piles and spoils from any grading to be stored in a designated location away from watercourse.

3.4. Watershed and Habitat Protection

Adherence to the SMP ensures that the watershed and surrounding habitat are protected. The cultivation activities and associated structures are >100 feet from the nearest watercourse, providing a suitable buffer between the cultivation operation and habitat. Additionally, site development and maintenance activities will utilize BPTC measures in accordance with the State Water Resources Control Board's recommendations.

3.5. Monitoring and Reporting

Monitoring will be conducted to confirm the effectiveness of corrected measures listed in the SMP and determine if the site meets all of the BPTC Measures in Attachment A of the Order. The Site Management Plan will provide more details regarding Monitoring and Reporting. Aloha Top Shelf, LLC will track all water diversion and use and records fertilizer applications. This information will be reported to the State Water Resources Control Board in the Annual Report, due annually by March 1st.

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On-grid electricity is provided by PG&E for all proposed cultivation uses. An existing on-site generator will be limited to power outage events and will follow all guidelines set up by Humboldt County and the State of California. The generator is located on the adjacent property, away from the property line

to ensure the noise level does not exceed 60 decibels at the property line. The generator and diesel fuel will be located within secondary containment.

3.7. Use and Storage of Regulated Products

3.7.1. Best Management Practices

Best Management Practices (BMP's) and Best Practicable Treatment and Control (BPTC) Measures will be utilized when storing, handling, mixing, applying and disposing of all fertilizers, pesticides and fungicides. All nutrients, pesticides and fungicides will be located in a locked storage room, and will be contained within watertight, locked and labeled containers in accordance with manufactures instruction. Application rates will be tracked and reported with the end of the year monitoring report as detailed in the SMP. Employees responsible for application will be 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.

3.7.2. Fertilizers

Nutrients and biological inoculants used for cultivation include:

- 707 Royal Gold
- Stutzman Chicken Manure (3-2-2)
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- Dr. Earth Premium Gold All-Purpose Fertilizer (4-4-4)
- Age Old Bloom (3-20-20)
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- Soluble Humic Acid

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Pesticides and fungicides used for cultivation include:

- Plant Therapy
- Green Clean
- Neem Oil
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Fuels and oils will be brought to the stie as needed.

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3.8.1. Solid Waste Management

Trash and recycling will be temporarily stored onsite near the proposed 20' x 110' greenhouse before being brought to containers. Trash and recycling containers are located near the residence building on the adjacent property 522-511-014/015, enclosed within a fenced area to prevent animal intrusion. Solid waste and recycling is hauled off-site to the Willow Creek Transfer Station as needed, typically once per week.

3.8.2. Cultivation Waste and Soil Management

Cultivation vegetative matter such as root balls, branches, and leaves will be composted at a designated area. Soils will be reused and amended at the end of the year. Spent potting soil will be stored in the greenhouses or in a designated contained covered area, which will be located outside of riparian buffers and lined to prevent soil erosion or nutrient seepage. Used pots will be collected and stored in the metal building for the winter. All packaging from soil amendments and fertilizers will be collected and disposed at an appropriate facility.

3.8.3. Wastewater Management

The water management plan aims to achieve an entirely closed-cycle irrigation and nutrient system. Hand watering and drip irrigation methods minimize the over-irrigation of plants and subsequent runoff.

4. PRODUCT MANAGEMENT

4.1. Product Testing and Labeling

Samples will be selected from individual harvested cannabis strains and are tested by a licensed third-party lab in accordance with State and local standards.

4.2. Product Inventory and Tracking

Aloha Top Shelf, LLC will enroll in the California Cannabis Track & Trace (CCTT) METRC program and complies with all METRC regulations.

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Transportation will be handled by a licensed transporter/distributer 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 distributer/transporter and will include:

- Product ID numbers and product weight
- Route to be travelled
- Origin and destination addresses
- Time of departure
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The *Agent in Charge* and the *Processing Manager* are responsible for performing a physical inventory of all packages being transported and ensuring that the physical inventory coincides with the transport manifest. Aloha Top Shelf, LLC is enrolled in the California Cannabis Track & Trace (CCTT) METRC program and complies with all METRC regulations.

ALOHA TOP SHELF, LLC

CONDITIONAL USE PERMIT APPLICATION

APN: 522-511-016

VICINITY MAP
NOT TO SCALE

DIRECTIONS TO SITE:
FROM EUREKA, CA
- TAKE US-101 N/5TH ST
- TAKE CA-299 E TO COUNTRY CLUB RD. IN WILLOW CREEK
- CONTINUE ON COUNTRY CLUB RD. TAKE BIGFOOT AVE. TO HILCREST WAY
- TAKE A RIGHT ONTO MOONSET LN.

PROJECT INFORMATION:

APPLICANT:
ALOHA TOP SHELF, LLC
P.O BOX 1262
WILLOW CREEK, CA 95573

PROPERTY OWNER:
SEAN O'CONNOR
P.O BOX 1262
WILLOW CREEK, CA 95573

APPLICANTS AGENT:
NORTHPOINT CONSULTING GROUP, INC
1117 SAWOA BLVD.
ARCATA, CA 95521
(707) 798-6438

SITE ADDRESS:
APN: 522-511-016
85 MOONSET LANE
WILLOW CREEK, CA 95573

TREES TO BE REMOVED	= NONE
EARTHWORK QUANTITIES	= TBD
WATER SEWER	= PUBLIC = PRIVATE
PROPERTY SIZE	= ±1.27 ACRES
ZONING	= AG-B-5(5)
GENERAL PLAN DESIGNATION	= RA5-20

BUILDING SETBACKS:

	SRA
FRONT	30'
SIDE	30'
REAR	30'

SRA AREA: = YES
IN COASTAL ZONE: = NO
IN 100 YR FLOOD ZONE: = NO

PRIME AG SOILS: 12,500 SF (0.29 ACRES)
20% OF PRIME AG SOILS: 2,500 SF (.05 ACRES)

PROJECT DESCRIPTION:

ALOHA TOP SHELF, LLC IS PROPOSING TO PERMIT PROPOSED CANNABIS CULTIVATION ACTIVITIES IN ACCORDANCE WITH THE COUNTY OF HUMBOLDT'S (COUNTY) COMMERCIAL MARIJUANA LAND USE ORDINANCE (CMMLUO), ORDINANCE NO. 2559. THE EXISTING/PROPOSED OPERATION INCLUDES 2,500 SQUARE FEET (SF) OF NEW MIXED-LIGHT CANNABIS CULTIVATION AND A 30'X50' TWO-STORY BUILDING FOR DRYING.

GENERAL NOTES:

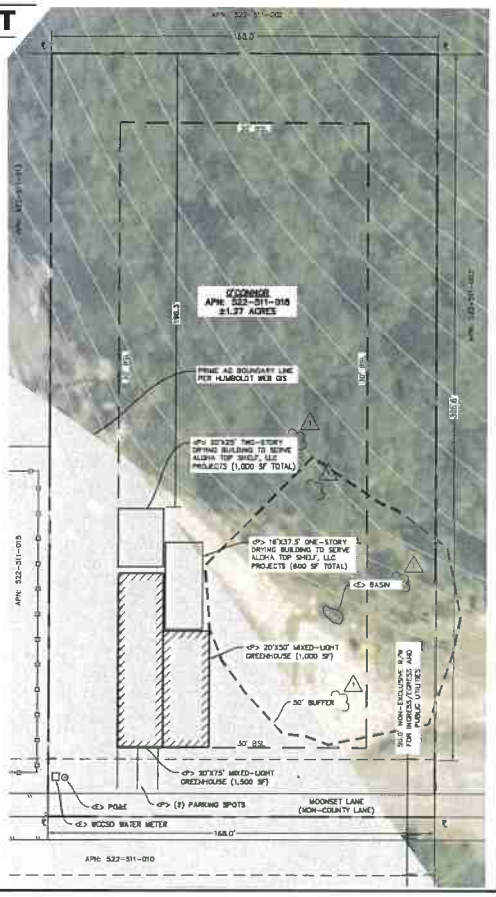
1. DRAWING SCALE AS NOTED. WRITTEN DIMENSIONS SHALL TAKE PRECEDENCE OVER SCALED DIMENSIONS.
2. THIS IS NOT A BOUNDARY SURVEY. BOUNDARY INFORMATION DEPICTED HAS BEEN OBTAINED FROM HUMBOLDT COUNTY 2015 GIS DATA. NORTHPOINT CONSULTING GROUP, INC. HAS NOT VERIFIED THIS PROPERTY BOUNDARY.
3. THERE ARE NO NEARBY SCHOOLS, SCHOOL BUS STOPS, PLACES OF WORSHIP, PUBLIC PARKS OR TRIBAL RESOURCES WITHIN 600 FEET OF THE PROPOSED MANUFACTURING FACILITY/DISTRIBUTION FACILITY/CULTIVATION AREA.

LEGEND:

= PRIME AGRICULTURAL SOILS
= FENCE
= EDGE OF PAVEMENT

SHEET INDEX:

CO - PLOT PLAN, VICINITY MAP, & PROJECT NOTES



PLOT PLAN
22x34 SHEET: 1"=20
11x17 SHEET: 1"=40'
0 10 20 40

N

NORTHPOINT CONSULTING GROUP, INC.
1117 Samoa Blvd., Arcata, CA 95521

SEAN O'CONNOR / APN: 522-511-016
85 MOONSET LANE WILLOW CREEK, CA 95573
PLOT PLAN, VICINITY MAP, AND PROJECT NOTES

CO

Appendix B: Cultivation Activities Schedule

Item	Description	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
Drainage, Runoff, and Erosion Control	Winterization (storage of pots/greenhouse covers)												
	Temporary Erosion Control BMP's (straw, seeding, fiber rolls, etc.)												
	Road maintenance												
Irrigation Activities													
	Irrigation of flowering plants												
Mixed-Light Cultivation and Harvest Schedule	Mixed-Light Cultivation Cycle 1												
	Mixed-Light Cultivation Cycle 2												
	Mixed-Light Cultivation Cycle 3												
	Mixed-Light Cultivation Cycle 4												
	Harvest activities												
	Drying Activities												

Appendix C: References

Bass, Ronald E., Kenneth M. Bogdan, and Terry Rivasplata. 2013. CEQA Desktop. Point Arena, CA; Solano Book Press. Page 44.

California Code of Regulations. Health and Safety Code Section 11357-11362.9. <http://www.leginfo.ca.gov/cgi-bin/displaycode?section=hsc&group=11001-12000&file=11357-11362.9.>

California NORML. SB 420 Establishes Prop. 215 Guidelines, Voluntary Patient Identification Card System. <http://www.canorml.org/laws/sb420.html.>

County of Humboldt. *Medical Marijuana Land Use Ordinance (MMLUO) – Phase IV, Commercial Cultivation, Processing, Manufacturing and Distribution of Cannabis for Medical Use* (Staff Report to the Board of Supervisors). January 26, 2016. <https://humboldt.legistar.com/Calendar.aspx.>

North Coast Regional Water Quality Control Board. 2016. *Cannabis Cultivation Waste Discharge Regulatory Program*. http://www.waterboards.ca.gov/northcoast/water_issues/programs/cannabis/.

State Board of Equalization. Information on the Sales and Registration for Marijuana Sellers. June 2007. <http://www.boe.ca.gov/news/pdf/173.pdf.>

State of California. Guidelines for the Security and Non-Diversion of Marijuana Grown for Medical Use. August 2008. <http://www.ag.ca.gov/cms_attachments/press/pdfs/n1601_medicalmarijuanaguidelines.pdf>

RECEIVED
OCT - 6 2021
Humboldt County
Cannabis Svcs.

ALOHA TOP SHELF, LLC
APN: 522-511-013
CULTIVATION AND OPERATIONS MANUAL
HUMBOLDT COUNTY, CA

PROPOSED COMMERCIAL CANNABIS CULTIVATION FACILITIES

PREPARED FOR:

April 2021

Cultivation and Operations Manual
For
Aloha Top Shelf, LLC

Apps. #:12337
APNs: 522-511-013

Proposed Commercial Cannabis Cultivation Facilities

Lead Agency:
Humboldt County Planning Department
3015 H Street
Eureka, CA 95501

Prepared By:

NORTHPOINT
CONSULTING GROUP, INC.

In Consultation with:
Sean O'Connor
of
Aloha Top Shelf, LLC

April 2021

1. PROJECT SUMMARY

1.1. Project Objective

Aloha Top Shelf, LLC is proposing to permit existing and new commercial cannabis cultivation activities in accordance with the County of Humboldt's (County) Commercial Medical Marijuana Land Use Ordinance (CMMLUO). The project requires a Conditional Use Permit (CUP) for 2,250 square feet (sq. ft.) of new indoor commercial cannabis cultivation in an existing 45' x 50' permitted structure and 2,750 sq. ft. of mixed-light cultivation in one 30' x 91.66' for a total of 5,000 sq. ft. of cannabis cultivation. The project includes permitting appurtenant structures to the cultivation, including the proposed greenhouses, and a proposed 22' x 45' commercial building for onsite processing. Power will be provided by existing PG&E power and water will be provided by Willow Creek Community Services District. The applicant aims to become fully compliant with State and Local cultivation regulations.

1.2. Site Description

The Project is located in Willow Creek, California, on APN 522-511-013. The central location of the property is primarily developed with an existing residence, garage, a pol, and a paved driveway. The property is approximately 1.72 acres in size, per Humboldt Web GIS. There is an existing landing on the site, east of the ag exempt garage. There are no stream crossings on site.

1.3. Land Use

The subject properties have a General Plan Land Use Designation of Agricultural Rural and is zoned Agricultural General (AG-B-5). Surrounding properties are zoned for residential and agricultural uses. The property contains 58,806 sq. ft. (1.35 acres) of Prime Agricultural Soils according to Humboldt Web GIS. The proposed project area is 7,250 sq. ft., or approximately 12% of onsite prime soils. Therefore, the proposed project occupies less than twenty percent (20%) of the total prime agricultural soils area on both parcels.

1.4. State and Local Compliance

1.4.1. State of California Commercial Cannabis Activity License

Once approved, Aloha Top Shelf, LLC will apply for annual cannabis cultivation licenses through the California Department of Food and Agriculture (CDFA).

1.4.2. State Water Resources Control Board – Water Rights

Water for cannabis cultivation and domestic use will be provided by an existing service line from the Willow Creek Community Services District. No surface water diversions are proposed. Accordingly, the filing of water rights with the SWRCB are not required for this project.

1.4.3. North Coast Regional Water Quality Control Board and State Water Resources Control Board – Water Quality

Prior to commencing onsite cultivation activities, the applicant will enroll as a Low Risk discharger with State Water Resources Control Board (SWRCB) General Order WQ 2017-0023-DWQ *General Waste Discharge Requirements and Waiver of Waste Discharge Requirements for Dischargers of Waste Associated with Cannabis Cultivation Activities*. A Site Management Plan will be developed for this parcel and submitted to the appropriate parties.

1.4.4. Humboldt County Building Department

All necessary building permits will be obtained from the Humboldt County Building Department for all existing and proposed structures and supporting infrastructure upon approval of the Conditional Use Permit.

1.4.5. Cal Fire

The subject property is located within a State Responsibility Area (SRA) for fire protection. Several improvements are proposed in order to meet SRA requirements, including designating a fire turn-around and pull-out area for emergency vehicles, and management of trees and vegetation around existing structures to maintain the required 100-foot defensible space. All structures on the property meet the 30-foot SRA setback requirement from property lines. If required by Cal Fire, a 2,500-gallon water tank with a riser to SRA specifications will be installed for firefighting purposes.

1.4.6. California Department of Fish and Wildlife

No in-stream work or work within wetland areas is proposed as part of this project. There are no stream crossings, ponds, or other wetted areas located on the project. No trees are proposed to be removed. Therefore, a Lake and Streambed Alteration Agreement (SAA) from the CDFW is likely not required. The applicant will submit a Non-jurisdictional Items Notification to CDFW for review.

1.4.7. 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, groundstone 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.

2. CULTIVATION AND PROCESSING

2.1. Propagation and Initial Transplant

Juvenile plants are propagated on onsite from 'mother plants' that demonstrate the desired genetics for the specific cannabis strain. Mother plants remain in the vegetative stage solely for propagation, and will be located in the 1,250 sf nursery located onsite. Cuttings are sampled from the mother plants and are rooted into a growing medium, typically oasis cubes, to produce 'clones'. The clones are placed into the nursery, and once fully rooted they are transplanted directly into one (1) gallon plastic pots. The juvenile plants are irrigated using hand-watering methods. After 2-4 weeks the clones are then transplanted into 20-gallon smart pots with a soil and perlite medium and are then moved into the mixed-light greenhouses to continue their 'vegetative' cycle.

The onsite nursery will also produce clones for the two other adjacent properties owned and operated by Aloha Top Shelf (Apps #s 12637 and 12333). These two projects are located on adjacent properties and, although located on separate properties, are proposed to function as one farm owned and operated by Aloha Top Shelf, LLC.

2.2. Indoor and Mixed Light Cultivation Plan and Schedule

This application proposes 2,750 sq. ft. of mixed-light cultivation. Mixed-light cultivation would operate year-round in one (1) 30' x 91.66' greenhouse. The greenhouse will consist of heavy gauge steel tubing covered with a woven poly translucent opaque tarp. They will be ventilated by intake and exhaust fans. The greenhouse will use a combination of artificial light and light-deprivation techniques to produce up to four (4) flowering cycles per year.

This application also proposes 2,250 sq. ft. of indoor cultivation in an existing 45' x 50' permitted structure constructed in 2010. Indoor cultivation would occur inside this building year-round and would utilize artificial light to produce up to four (4) flowering cycles per year. Cultivation Schedule in Appendix B details the proposed cultivation activities associated with the mixed-light and indoor cultivation operations for a typical year.

2.3. Harvesting, Drying, and Trimming

Plants that are ready for harvest have their flowering branches removed and suspended in the proposed drying buildings located on 522-511-014/015 or 522-511-016. Drying may also occur in the proposed 30' x 50' ag exempt garage located on APN 522-511-016. The drying process takes approximately one week.

The dried flowers are bucked into manageable buds and trimmed in the proposed 22' x 45' commercial processing building onsite. Packaging of trimmed product may occur in this building or offsite. The proposed 22' x 45' commercial building onsite at APN 522-511-013 is proposed to be the processing location for all Aloha Top Shelf, LLC farms. No manufacturing, extraction, or further processing is proposed onsite.

2.4. Odor Mitigation

The project property (zoned Agriculture General (AG)) is located adjacent to a residential area on its western property boundary (zoned One-Family Residential (R-1)). To ensure odor from cannabis cultivation activities would not be a nuisance to nearby residents, the applicant is proposing to enclose all cannabis-related activities within structures (no open-air cultivation). The indoor cultivation would be located in an existing building that would be outfitted with odor-mitigating carbon filters and ventilation systems. In addition, odor-mitigating carbon filters and fans are proposed on every greenhouse and structure proposed for cannabis use.

2.5. Employee Plan

Aloha Top Shelf, LLC 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.

2.5.1. Job Descriptions And Employee Summary

- *Agent in Charge*: Responsible for business oversight and management. 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.
- *Seasonal Laborer*: Provides cultivation support. This is a part-time to full-time, seasonal position.

2.5.2. Staffing Requirements

In addition to the *Agent in Charge,* up to two (2) full-time seasonal labor positions are employed. The number of seasonal laborers varies based on the needs of the farm during the season. During the peak planting and harvesting seasons, there are an estimated total of three (3) employees on site. Employees related to adjacent site activities, such as drying on the adjacent site 522-511-014/015 and processing are accounted for in Application # 12637.

2.5.3. Employee Training and Safety

On site cultivation and harvesting 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 staff are provided with proper hand, eye, body and respiratory Personal Protective Equipment (PPE). Access to the onsite cultivation and drying facilities are limited to authorized and trained staff.

All employees are trained on proper safety procedure 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.

2.5.4. Toilet and Handwashing Facilities

An ADA-compliant bathroom is proposed within the 40' x 60' commercial drying and processing building. Until such a time that the building can be constructed, employees will utilize portable toilets, which will be regularly serviced as required by a qualified professional. Anti-bacterial Liquid Soap and paper hand towels will be made available. Employees will work at a distance typically no greater than 400 feet from the restroom facility.

2.5.5. Off-Site Housing

The Agent in Charge will live in the main residence. All other employees will commute to the site from offsite locations.

2.6. Security Plan and Hours of Operation

2.6.1. Facility Security

An entry gate leading to the cultivation is located on the driveway off Hillcrest Way and off of Moonset Lane. The entry gates remain locked at all times and access to the cultivation area is limited exclusively to employees.

2.6.2. Hours of Operation

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

3. ENVIRONMENT

3.1. Water Source and Projected Water Use

Water for domestic and cultivation uses are provided by direct service connection to the Willow Creek Community Services District. Aloha Top Shelf, LLC will use water management strategies, such as hand watering or drip-sensor irrigation, to conserve water use.

Table 3.1 below outlines the estimated irrigation water usage for cultivation during a typical year, which is estimated at approximately 75,000 gallons. This volume includes water allocated for both flowering canopy in mixed-light greenhouses and full-sun outdoor plants, as well as immature plants and mother plants irrigated year-round. Variables such as weather conditions and specific cannabis strains will have a slight effect on water use.

Table 3.1: Estimated Annual Irrigation Water Usage (Gallons)

Jan	Feb	Mar	April	May	June	July	Aug	Sept	Oct	Nov	Dec	**Total**
0	0	0	7,000	10,000	12,000	15,000	12,000	11,000	8,000	0	0	**75,000**

3.2. Water Storage

Water for both domestic and irrigation uses will be provided by direct service connection to the Willow Creek Community Services District. Accordingly, water storage for cultivation is not required. If required by Cal-FIRE ,a 2,500-gallon water tank may be installed to comply with SRA fire protection requirements.

3.3. Site Drainage, Runoff, and Erosion Control

Aloha Top Shelf, LLC will enroll as a Low Risk Discharger under the SWRCB General Order. A Site Management Plan will be developed utilizing Best Practicable Treatment and Control (BPTC) measures in accordance with Attachment A of the Order.

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

The *Agent in Charge* and the *Processing Manager* are responsible for performing a physical inventory of all packages being transported and ensuring that the physical inventory coincides with the

transport manifest. Aloha Top Shelf, LLC is enrolled in the California Cannabis Track & Trace (CCTT) METRC program and complies with all METRC regulations.

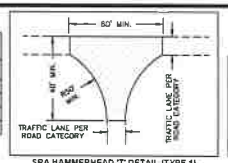
ALOHA TOP SHELF, LLC

CONDITIONAL USE PERMIT APPLICATION

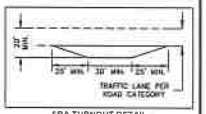
APN: 522-511-013

DIRECTIONS TO SITE:
FROM EUREKA, CA
- TAKE US-101 N/5TH ST
- TAKE CA-299 E TO COUNTRY CLUB RD. IN WILLOW CREEK
- CONTINUE ON COUNTRY CLUB RD. TAKE BIGFOOT AVE. TO HILCREST WAY

ROAD CATEGORY WIDTHS	
MIN. WIDTH	CATEGORY
10'	1
12'	2
16'	3
20'	4



SRA HAMMERHEAD 'T' DETAIL (TYPE 1)
NOT TO SCALE



SRA TURNOUT DETAIL
NOT TO SCALE

VICINITY MAP
NOT TO SCALE

PLOT PLAN
22x34 SHEET: 1"=20
11x17 SHEET: 1"=40'
0 10 20 40

N

PROJECT DESCRIPTION:

ALOHA TOP SHELF, LLC IS PROPOSING TO PERMIT EXISTING/PROPOSED CANNABIS CULTIVATION ACTIVITIES IN ACCORDANCE WITH THE COUNTY OF HUMBOLDT'S (COUNTY) COMMERCIAL MARIJUANA LAND USE ORDINANCE (CMMLUO). THE PROJECT PROPOSES 2,250 SQUARE FEET (SF) OF INDOOR CULTIVATION AND 2,750 SF OF MIXED-LIGHT CULTIVATION. WATER WOULD COME FROM WILLOW CREEK COMMUNITY SERVICES DISTRICT AND POWER WOULD COME FROM PG&E

GENERAL NOTES:

1. DRAWING SCALE AS NOTED. WRITTEN DIMENSIONS SHALL TAKE PRECEDENCE OVER SCALED DIMENSIONS.
2. THIS IS NOT A BOUNDARY SURVEY. BOUNDARY INFORMATION DEPICTED HAS BEEN OBTAINED FROM HUMBOLDT COUNTY 2015 GIS DATA. NORTHPOINT CONSULTING GROUP, INC. HAS NOT VERIFIED THIS PROPERTY BOUNDARY.
3. THERE ARE NO NEARBY SCHOOLS, SCHOOL BUS STOPS, PLACES OF WORSHIP, PUBLIC PARKS OR TRIBAL RESOURCES WITHIN 500 FEET OF THE PROPOSED MANUFACTURING FACILITY/DISTRIBUTION FACILITY/CULTIVATION AREA.

SRA NOTE:

RURAL PROPERTIES WITHIN STATE RESPONSIBILITY AREA (SRA) MUST COMPLY WITH FIRE SAFE REGULATIONS AS OUTLINED IN TITLE III OF THE HUMBOLDT COUNTY LAND USE AND DEVELOPMENT CODE, DIVISION 11. PRIMARY CONDITIONS OF APPROVAL ARE SUMMARIZED BELOW:

CHAPTER 2 (SECTION 3112) - EMERGENCY ACCESS
CHAPTER 3 (SECTION 3113) - SIGNING AND BUILDING NUMBERS
CHAPTER 4 (SECTION 3114) - EMERGENCY WATER STANDARDS
CHAPTER 5 (SECTION 3115) - FUEL MODIFICATION STANDARDS

PROJECT INFORMATION:

APPLICANT:
ALOHA TOP SHELF, LLC
P.O BOX 1262
WILLOW CREEK, CA 95573

PROPERTY OWNER:
SEAN O'CONNOR
P.O BOX 1262
WILLOW CREEK, CA 95573

APPLICANTS AGENT:
NORTHPOINT CONSULTING GROUP, INC
1117 SAMOA BLVD.
ARCATA, CA 95521
(707) 798-6438

SITE ADDRESS:
APN: 522-511-013
145 HILLCREST WAY
WILLOW CREEK, CA 95573

TREES TO BE REMOVED	= NONE
EARTHWORK QUANTITIES	= TBD
PRIME AG:	= YES
WATER	= PUBLIC
SEWER	= PRIVATE
PROPERTY SIZE	= ±1.72 ACRES
ZONING	= AG-B-5(5)
GENERAL PLAN DESIGNATION	= RA5-20
PRIME AGRICULTURAL AREA	= 67,262 SF (1.54 ACRES)
20% OF PRIME AG AREA	= 13,452 SF (0.31 ACRES)

BUILDING SETBACKS:

	SRA
FRONT	30'
SIDE	30'
REAR	30'

SRA AREA:	= YES
IN COASTAL ZONE:	= NO
IN 100 YR FLOOD ZONE:	= NO
MAX BLDG HT.	= 35'

LEGEND:

- = PRIME AGRICULTURAL SOILS BOUNDARY
- = CONCRETE
- = FENCE
- = EDGE OF PAVEMENT

SHEET INDEX:

C0 - PLOT PLAN, VICINITY MAP, & PROJECT NOTES

NORTHPOINT CONSULTING GROUP, INC.
1117 Samoa Blvd., Arcata, CA 95521

SEAN O'CONNOR / APN: 522-511-013
145 HILLCREST WAY WILLOW CREEK, CA 95573
PLOT PLAN, VICINITY MAP, AND PROJECT NOTES

PROJ. ENGR. PS
DRAWN BY CJG
DATE 10/08/21
SCALE AS SHOWN
SHEET C0
20-019

Appendix B: Cultivation Activities Schedule

Item	Description	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
Drainage, Runoff, and Erosion Control	Winterization (storage of pots/greenhouse covers)												
	Temporary Erosion Control BMP's (straw, seeding, fiber rolls, etc.)												
	Road maintenance												
Indoor Cultivation and Harvest Schedule	Indoor Cultivation Cycle 1												
	Indoor Cultivation Cycle 2												
	Indoor Cultivation Cycle 3												
	Indoor Cultivation Cycle 4												
	Harvest activities												
	Drying Activities												
Mixed-Light Cultivation and Harvest Schedule	Mixed-Light Cultivation Cycle 1												
	Mixed-Light Cultivation Cycle 2												
	Mixed-Light Cultivation Cycle 3												
	Mixed-Light Cultivation Cycle 4												
	Harvest activities												
	Drying Activities												

Appendix C: References

Bass, Ronald E., Kenneth M. Bogdan, and Terry Rivasplata. 2013. CEQA Desktop. Point Arena, CA; Solano Book Press. Page 44.

California Code of Regulations. Health and Safety Code Section 11357-11362.9. <http://www.leginfo.ca.gov/cgi-bin/displaycode?section=hsc&group=11001-12000&file=11357-11362.9.>

California NORML. SB 420 Establishes Prop. 215 Guidelines, Voluntary Patient Identification Card System. <http://www.canorml.org/laws/sb420.html.>

County of Humboldt. *Medical Marijuana Land Use Ordinance (MMLUO) – Phase IV, Commercial Cultivation, Processing, Manufacturing and Distribution of Cannabis for Medical Use* (Staff Report to the Board of Supervisors). January 26, 2016. <https://humboldt.legistar.com/Calendar.aspx.>

North Coast Regional Water Quality Control Board. 2016. *Cannabis Cultivation Waste Discharge Regulatory Program*. http://www.waterboards.ca.gov/northcoast/water_issues/programs/cannabis/.

State Board of Equalization. Information on the Sales and Registration for Marijuana Sellers. June 2007. <http://www.boe.ca.gov/news/pdf/173.pdf.>

State of California. Guidelines for the Security and Non-Diversion of Marijuana Grown for Medical Use. August 2008. <http://www.ag.ca.gov/cms_attachments/press/pdfs/n1601_medicalmarijuanaguidelines.pdf>

RECEIVED
OCT - 6 2021
Humboldt County
Cannabis Svcs.

ALOHA TOP SHELF, LLC
APNs: 522-511-0014 & 522-511-015
CULTIVATION AND OPERATIONS MANUAL
HUMBOLDT COUNTY, CA

PROPOSED COMMERCIAL CANNABIS CULTIVATION FACILITIES

PREPARED FOR:

July 2020

Cultivation and Operations Manual
For
Aloha Top Shelf, LLC

Apps. #: 12637
APNs: 522-511-014/522-511-015

Proposed Commercial Cannabis Cultivation Facilities

Lead Agency:
Humboldt County Planning Department
3015 H Street
Eureka, CA 95501

Prepared By:

NORTHPOINT
CONSULTING GROUP, INC.

In Consultation with:
Sean O'Connor
of
Aloha Top Shelf, LLC

July 2020

1. PROJECT SUMMARY

1.1. Project Objective

Aloha Top Shelf, LLC is proposing to permit existing and new commercial cannabis cultivation activities in accordance with the County of Humboldt's (County) Commercial Medical Marijuana Land Use Ordinance (CMMLUO). The project requires a Conditional Use Permit (CUP) for 5,000 square feet (sf) of mixed-light commercial cannabis cultivation. The project includes the permitting of existing and proposed facilities appurtenant to the cultivation, including proposed greenhouses. Processing is proposed to occur at an adjacent site owned by the same operator (APN 522-511-013). Power will be provided by existing PG&E power and water will be provided by Willow Creek Community Services District. The applicant aims to become fully compliant with State and Local cultivation regulations.

1.2. Site Description

The Project is proposed on two properties in Willow Creek, California (APNs 522-511-014 and 522-511-015). A merger is proposed to merge the two properties into a single parcel of approximately 1.63 acres in size. A permitted 1,300 sf existing single-family residence and residential accessory structures is located on APN 522-511-015. The proposed project is located in the Campbell Creek- Trinity River HUC 12 Watershed outside of the flood zone of the Trinity River, which is located over 1,000 feet from the properties. There are no onsite streams or stream crossings.

1.3. Land Use

The subject properties have a General Plan Land Use Designation of Agricultural Rural and is zoned Agricultural General (AG-B-5). Surrounding properties are zoned for residential and agricultural uses.

The properties contain 1.63 acres of prime agricultural soils (approx. 71,000 sf) according to the Humboldt Web GIS. The proposed project area (including cultivation and the proposed building) occupies approximately 7,400 sf, or approximately 10% of onsite prime soils. Therefore, the proposed project occupies less than twenty percent (20%) of the total prime agricultural soils area on both parcels.

1.4. State and Local Compliance

1.4.1. State of California Commercial Cannabis Activity License

Once approved, Aloha Top Shelf, LLC will apply for annual cannabis cultivation licenses through the California Department of Food and Agriculture (CDFA).

1.4.2. State Water Resources Control Board – Water Rights

Water for cannabis cultivation and domestic use will be provided by an existing service line from the Willow Creek Community Services District. No surface water diversions are proposed. Accordingly, the filing of water rights with the SWRCB are not required for this project.

1.4.3. North Coast Regional Water Quality Control Board and State Water Resources Control Board – Water Quality

Prior to commencing onsite cultivation activities, the applicant will enroll as a Low Risk discharger with State Water Resources Control Board (SWRCB) General Order WQ 2017-0023-DWQ *General Waste Discharge Requirements and Waiver of Waste Discharge Requirements for Dischargers of Waste Associated with Cannabis Cultivation Activities*. A Site Management Plan will be developed for this parcel and submitted to the appropriate parties.

1.4.4. Humboldt County Building Department

All necessary building permits will be obtained from the Humboldt County Building Department for all existing and proposed structures and supporting infrastructure upon approval of the Conditional Use Permit.

1.4.5. Cal Fire

The subject property is located within a State Responsibility Area (SRA) for fire protection. Several improvements are proposed in order to meet SRA requirements, including designating a fire turn-around and pull-out area for emergency vehicles, and management of trees and vegetation around existing structures to maintain the required 100-foot defensible space. All structures on the property meet the 30-foot SRA setback requirement from property lines. If required by Cal Fire, a 2,500-gallon water tank with a riser to SRA specifications will be installed for firefighting purposes.

1.4.6. California Department of Fish and Wildlife

No in-stream work or work within wetland areas is proposed as part of this project. There are no stream crossings, ponds, or other wetted areas located on the project and no trees are proposed to be removed. Therefore, a Lake and Streambed Alteration Agreement (SAA) from the CDFW is likely not required. The applicant will submit a Non-jurisdictional Items Notification to CDFW for review.

1.4.7. 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, groundstone 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.

2. CULTIVATION AND PROCESSING

2.1. Propagation and Initial Transplant

Juvenile plants are propagated onsite from 'mother plants' that demonstrate the desired genetics for the specific cannabis strain. Mother plants remain in the vegetative stage solely for propagation, and will be located in the 1,250 sf nursery located at APN 522-511-013. Cuttings are sampled from the mother plants and are rooted into a growing medium, typically oasis cubes, to produce 'clones'. The clones are placed into the nursery, and once fully rooted they are transplanted directly into one (1) gallon plastic pots. The juvenile plants are irrigated using hand-watering methods. After 2'4 weeks the clones are then transplanted into 20-gallon smart pots with a soil and perlite medium, and are then moved into either a mixed-light greenhouse to continue their 'vegetative' cycle.

2.2. Outdoor and Mixed Light Cultivation Plan and Schedule

This application proposes 5,000 sf of mixed-light cultivation. Mixed-light cultivation will take place in a 60'x83.33' greenhouse. Greenhouses will consist of heavy gauge steel tubing covered with a woven poly translucent opaque tarp. Each greenhouse will be ventilated by intake and exhaust fans. The greenhouses will use a combination of artificial light and light-deprivation techniques to produce up to three (3)

flowering cycles per year. The light deprivation cultivation is expected to produce two (2) flowering cycle per year. The monthly Cultivation Schedule in Appendix C details the proposed cultivation activities associated with the mixed-light and outdoor cultivation operations for a typical year.

2.3. Harvesting, Drying, and Trimming

Plants that are ready for harvest have their flowering branches removed and suspended in the proposed 30' x 40' commercial drying/processing building. Drying is proposed to occur in the existing 30' x 40' building onsite and the proposed drying structures at APN 522-511-016. The drying process takes approximately one week. The proposed 40' x 60'drying building is proposed to be the drying location for all Aloha Top Shelf, LLC farms.

The dried flowers are bucked into manageable buds and trimmed in the proposed 22' x 45' commercial drying/processing building on APN 522-511-013. Packaging of trimmed product may occur in this building or offsite.

2.4. Employee Plan

Aloha Top Shelf, LLC 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.

2.4.1. Job Descriptions And Employee Summary

- *Agent in Charge*: Responsible for business oversight and management. 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.
- *Lead Cultivator*: 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.
- *Assistant Cultivator / Processing Manager*: Provides support to the *Lead Cultivator* in their day to day duties and takes the lead role during times when the *Lead Cultivator* may be off site. Once processing activities commence, the *Assistant Cultivator* duties switch to oversight and management of processing the dried commercial cannabis. This is a full-time, seasonal position.
- Seasonal Laborer: Provides cultivation, harvesting, and drying support. This is a part-time to full-time, seasonal position.

2.4.2. Staffing Requirements

In addition to the *Agent in Charge, Lead Cultivator, and Assistant Cultivator positions,* up to six (6) full-time seasonal labor positions are employed. The number of seasonal laborers varies based on the needs of the farm during the cultivation, harvest and processing seasons. During the peak harvest and processing season, there are an estimated total of nine (9) employees on site.

2.4.3. Employee Training and Safety

On site cultivation, harvesting and drying 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 staff are provided with proper hand,

eye, body and respiratory Personal Protective Equipment (PPE). Access to the onsite cultivation and drying facilities are limited to authorized and trained staff.

All employees are trained on proper safety procedure 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.

2.4.4. Toilet and Handwashing Facilities

An ADA-compliant bathroom is proposed within the 30' x 40' commercial drying and processing building located on 522-511-016. Until such a time that the building can be constructed, employees will utilize portable toilets, which will be regularly serviced as required by a qualified professional. Anti-bacterial Liquid Soap and paper hand towels will be made available. Employees will work at a distance typically no greater than 500 feet from the restroom facility.

2.4.5. Off-Site Housing

The Lead Cultivator and Assistant Cultivator will live at a single-family residence onsite. All other full-time and seasonal employees will live off site and commute daily to the cultivation site.

2.5. Security Plan and Hours of Operation

2.5.1. Facility Security

An entry gate leading to the cultivation is located on the driveway off Hillcrest Way and off of Moonset Lane. The entry gates remain locked at all times and access to the cultivation area is limited exclusively to employees.

2.5.2. Hours of Operation

Activities associated with cultivation (watering, transplanting, harvesting, drying, and processing) generally occur during daylight hours, typically no earlier than 8 AM and extend no later than 8 PM.

3. ENVIRONMENT

3.1. Water Source and Projected Water Use

Water for domestic and cultivation uses are provided by direct service connection to the Willow Creek Community Services District. Aloha Top Shelf, LLC will use water management strategies, such as hand watering or drip-sensor irrigation, to conserve water use.

Table 3.1 below outlines the estimated irrigation water usage for cultivation during a typical year, which is estimated at approximately 75,000 gallons. This volume includes water allocated for both flowering canopy in mixed-light greenhouses and light deprivation greenhouses, as well as immature plants and mother plants irrigated year-round. Variables such as weather conditions and specific cannabis strains will have a slight effect on water use.

Table 3.1: Estimated Annual Irrigation Water Usage (Gallons)

Jan	Feb	Mar	April	May	June	July	Aug	Sept	Oct	Nov	Dec	**Total**
0	0	0	7,000	10,000	12,000	15,000	12,000	11,000	8,000	0	0	**75,000**

3.2. Water Storage

Water for both domestic and irrigation uses will be provided by direct service connection to the Willow Creek Community Services District. Accordingly, water storage for cultivation is not required. If required by Cal-FIRE ,a 2,500-gallon water tank may be installed to comply with SRA fire protection requirements.

3.3. Site Drainage, Runoff, and Erosion Control

Aloha Top Shelf, LLC will enroll as a Low Risk Discharger under the SWRCB General Order. A Site Management Plan will be developed utilizing Best Practicable Treatment and Control (BPTC) measures in accordance with Attachment A of the Order.

3.3.1. Site Drainage and Runoff

Site investigation showed no evidence of surface runoff or erosion on this Project Site. The project site is currently comprised of two properties but is proposed to be merged into one. The project site generally drains water easterly across the four existing flats. The proposed cultivation areas are located over 150' from any nearby drainages and are located on flat areas of less than 15% slope. To further prevent runoff to riparian areas, water conservation and containment measures will be implemented including the use of hand irrigation or drip irrigation to prevent excessive water use and maintenance of a stable, vegetated buffer surrounding the proposed cultivation areas.

3.3.2. Erosion Control

The forthcoming Site Management Plan (SMP) will include erosion and sediment control BPTCs designed to prevent, contain, and reduce sources of sediment. The SMP will also include corrective actions to reduce sediment delivery, including road maintenance. Additionally, the SMP requires mulch piles and spoils from any grading to be stored in a designated location away from watercourse.

3.4. Watershed and Habitat Protection

Adherence to the SMP ensures that the watershed and surrounding habitat are protected. The cultivation activities and associated structures are >150 feet from the nearest watercourse, providing a suitable buffer between the cultivation operation and habitat. Additionally, site development and maintenance activities will utilize BPTC measures in accordance with the State Water Resources Control Board's recommendations. Any grading and earthwork activities will be conducted by a licensed contractor in accordance with approved grading permits and the SMP.

3.5. Monitoring and Reporting

Monitoring will be conducted to confirm the effectiveness of corrected measures listed in the WRPP and SMP and determine if the site meets all of the BPTC Measures in Attachment A of the Order. The Site Management Plan will provide more details regarding Monitoring and Reporting. Aloha Top Shelf, LLC will track all water diversion and use and records fertilizer applications. This information will be reported to the State Water Resources Control Board in the Annual Report, due annually by March 1st.

3.6. Energy and Generator Use

On-grid electricity is provided by PG&E for all proposed cultivation and existing domestic uses. An existing on-site generator will be limited to power outage events and will follow all guidelines set up by Humboldt County and the State of California. The generator is located away from the property line to ensure the noise level does not exceed 60 decibels at the property line. The generator and diesel fuel will be located within secondary containment.

3.7. Use and Storage of Regulated Products

3.7.1. Best Management Practices

Best Management Practices (BMP's) and Best Practicable Treatment and Control (BPTC) Measures will be utilized when storing, handling, mixing, applying and disposing of all fertilizers, pesticides and fungicides. All nutrients, pesticides and fungicides will be located in a locked storage room, and will be contained within watertight, locked and labeled containers in accordance with manufactures instruction. Application rates will be tracked and reported with the end of the year monitoring report as detailed in the SMP. Employees responsible for application will be 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.

3.7.2. Fertilizers

Nutrients and biological inoculants used for cultivation include:

- 707 Royal Gold
- Stutzman Chicken Manure (3-2-2)
- Sparetime Fossilized Seabird Guano (0-6-0)
- Calcium Phosphate Tribasic
- Dr. Earth Premium Gold All-Purpose Fertilizer (4-4-4)
- Age Old Bloom (3-20-20)
- Age Old Gro (12-6-6)
- Soluble Humic Acid

3.7.3. Pesticides and Fungicides

Pesticides and fungicides used for cultivation include:

- Plant Therapy
- Green Clean
- Neem Oil
  - http://www.gardensafe.com/Products/Fungicide/Neem-Oil-Extract-Concentrate.aspx

3.7.4. Fuels and Oils

Fuels and oils will be brought to the stie as needed.

3.8. Waste Management Plan

3.8.1. Solid Waste Management

Existing trash and recycling containers are located near the residence building, enclosed within a fenced area to prevent animal intrusion. Solid waste and recycling is hauled off-site to the Willow Creek Transfer Station as needed, typically once per week.

3.8.2. Cultivation Waste and Soil Management

Cultivation vegetative matter such as root balls, branches, and leaves will be composted at a designated area. Soils will be reused and amended at the end of the year. Spent potting soil will be stored in the greenhouses or in a designated contained covered area, which will be located outside of riparian buffers and lined to prevent soil erosion or nutrient seepage. Used pots will be collected and stored in the metal building for the winter. All packaging from soil amendments and fertilizers will be collected and disposed at an appropriate facility.

3.8.3. Wastewater Management

The water management plan aims to achieve an entirely closed-cycle irrigation and nutrient system. Hand watering and drip irrigation methods minimize the over-irrigation of plants and subsequent runoff.

4. PRODUCT MANAGEMENT

4.1. Product Testing and Labeling

Samples will be selected from individual harvested cannabis strains and are tested by a licensed third-party lab in accordance with State and local standards.

4.2. Product Inventory and Tracking

Aloha Top Shelf, LLC will enroll in the California Cannabis Track & Trace (CCTT) METRC program and complies with all METRC regulations.

4.3. Transportation and Distribution

Transportation will be handled by a licensed transporter/distributer 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 distributer/transporter and will include:

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

The *Agent in Charge* and the *Processing Manager* are responsible for performing a physical inventory of all packages being transported and ensuring that the physical inventory coincides with the transport manifest. Aloha Top Shelf, LLC is enrolled in the California Cannabis Track & Trace (CCTT) METRC program and complies with all METRC regulations.

ALOHA TOP SHELF, LLC

CONDITIONAL USE PERMIT AND SPECIAL PERMIT

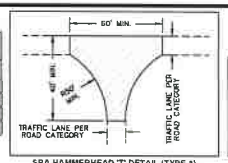
APN: 522-511-014 & 522-511-015

VICINITY MAP
NOT TO SCALE

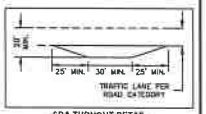
DIRECTIONS TO SITE:

FROM EUREKA, CA
- TAKE US-101 N/STH ST
- TAKE CA-299 E TO COUNTRY CLUB RD. IN WILLOW CREEK
- CONTINUE ON COUNTRY CLUB RD. TAKE BIGFOOT AVE. TO HILCREST WAY

ROAD CATEGORY WIDTHS	
MIN. WIDTH	CATEGORY
10'	1
12'	2
16'	3
20'	4



SRA HAMMERHEAD 'T' DETAIL (TYPE 1)
NOT TO SCALE



SRA TURNOUT DETAIL
NOT TO SCALE

SRA NOTE:

RURAL PROPERTIES WITHIN STATE RESPONSIBILITY AREA (SRA) MUST COMPLY WITH FIRE SAFE REGULATIONS AS OUTLINED IN TITLE 14 OF THE HUMBOLDT COUNTY LAND USE AND DEVELOPMENT CODE, DIVISION 11. PRIMARY CONDITIONS OF APPROVAL ARE SUMMARIZED BELOW:

CHAPTER 2 (SECTION 3112) – EMERGENCY ACCESS
CHAPTER 3 (SECTION 3113) – SIGNING AND BUILDING NUMBERS
CHAPTER 4 (SECTION 3114) – EMERGENCY WATER STANDARDS
CHAPTER 5 (SECTION 3115) – FUEL MODIFICATION STANDARDS

PROJECT INFORMATION:

APPLICANT:
ALOHA TOP SHELF, LLC
P.O BOX 1262
WILLOW CREEK, CA 95573

PROPERTY OWNER:
SEAN O'CONNOR
P.O BOX 1262
WILLOW CREEK, CA 95573

APPLICANTS AGENT:
NORTHPOINT CONSULTING GROUP, INC
1117 SAMOA BLVD.
ARCATA, CA 95521
(707) 798-6438

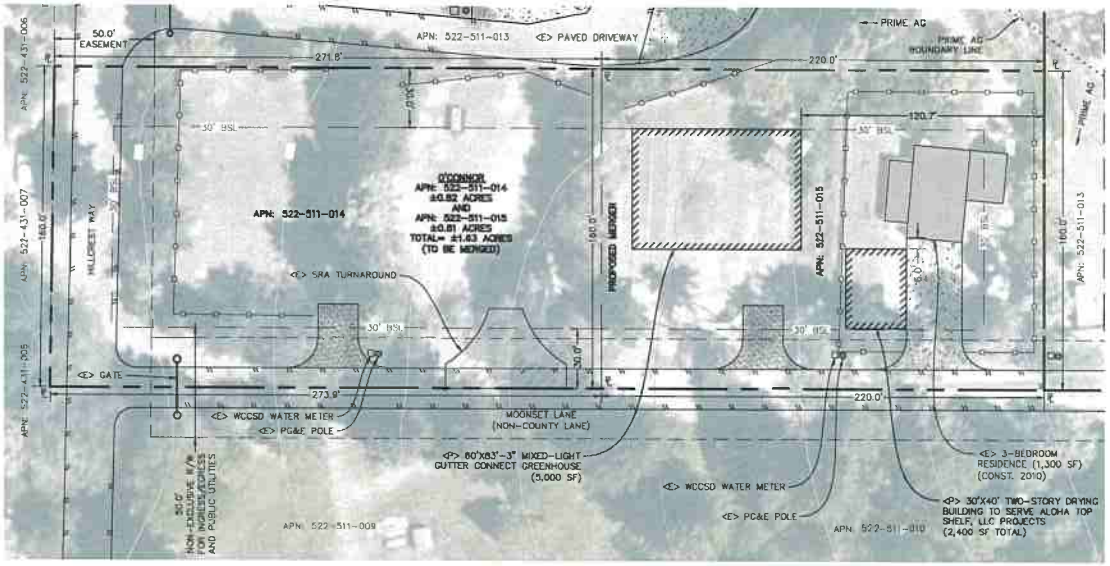
SITE ADDRESS:
APN: 522-511-014 AND APN: 522-511-015
105 HILLCREST WAY
WILLOW CREEK, CA 95573

TREES TO BE REMOVED	= NONE
EARTHWORK QUANTITIES	= TBD
PRIME AG	= YES
PRIME AGRICULTURAL AREA 20% OF PRIME AG AREA	= 1.63 ACRES = 0.326 ACRES
WATER SEWER	= PUBLIC = PRIVATE
PROPERTY SIZE	= ±1.63 ACRES
ZONING	= AG-B-5(5)
GENERAL PLAN DESIGNATION	= RA5-20

BUILDING SETBACKS:

	SRA
FRONT	30'
SIDE	30'
REAR	30'

SRA AREA:	= YES
IN COASTAL ZONE:	= NO
IN 100 YR FLOOD ZONE:	= NO
MAX BLDG HT.	= 35'



PROJECT DESCRIPTION:

ALOHA TOP SHELF, LLC IS PROPOSING TO PERMIT EXISTING/PROPOSED CANNABIS CULTIVATION ACTIVITIES IN ACCORDANCE WITH THE COUNTY OF HUMBOLDT'S (COUNTY) COMMERCIAL MARIJUANA LAND USE ORDINANCE (CMMLUO), ORDINANCE NO. 2559. PRE-EXISTING CULTIVATION ON THE PROPERTY TOTALED 1,800 SQ. FT., OF WHICH THE APPLICANT IS PROPOSING TO EXPAND TO 5,000 SQ. FT. OF MIXED-LIGHT CANNABIS CULTIVATION. THE PROJECT PROPOSAL INCLUDES THE DEVELOPMENT OF FACILITIES APPURTENANT TO THE CULTIVATION, INCLUDING STRUCTURES FOR ONSITE NURSERY, DRYING, AND PROCESSING.

GENERAL NOTES:

1. DRAWING SCALE AS NOTED. WRITTEN DIMENSIONS SHALL TAKE PRECEDENCE OVER SCALED DIMENSIONS.
2. THIS IS NOT A BOUNDARY SURVEY. BOUNDARY INFORMATION DEPICTED HAS BEEN OBTAINED FROM HUMBOLDT COUNTY 2015 GIS DATA. NORTHPOINT CONSULTING GROUP, INC. HAS NOT VERIFIED THIS PROPERTY BOUNDARY.
3. THERE ARE NO NEARBY SCHOOLS, SCHOOL BUS STOPS, PLACES OF WORSHIP, PUBLIC PARKS OR TRIBAL RESOURCES WITHIN 600 FEET OF THE PROPOSED MANUFACTURING FACILITY/DISTRIBUTION FACILITY/CULTIVATION AREA.

LEGEND:

- PRIME AGRICULTURAL SOILS BOUNDARY
- CONCRETE
- FENCE
- EDGE OF PAVEMENT
- GRAVEL

SHEET INDEX:

C0 – PLOT PLAN, VICINITY MAP, & PROJECT NOTES
C1 – EXISTING & PROPOSED SITE PLAN

PLOT PLAN

22x34 SHEET: 1"=30
11x17 SHEET: 1"=60'
0 15 30 60

N

NORTHPOINT CONSULTING GROUP, INC.
1117 Samoa Blvd., Arcata, CA 95521

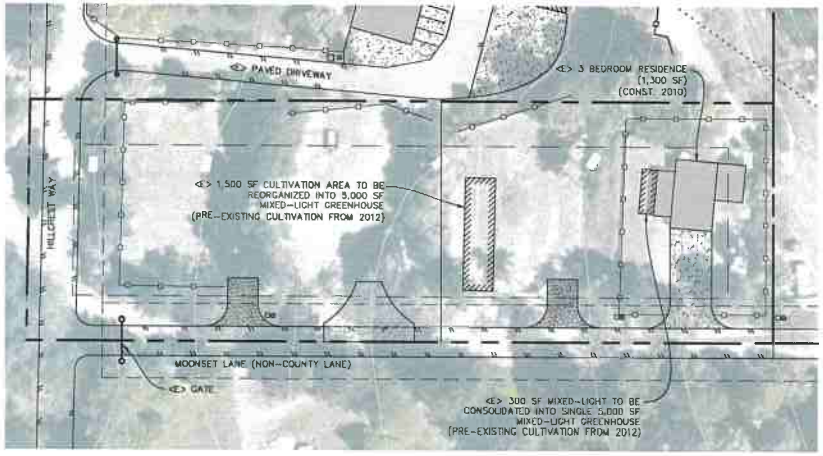
SEAN O'CONNOR / APN: 522-511-014 & APN: 522-511-015
105 HILLCREST WAY WILLOW CREEK, CA 95573
PLOT PLAN, VICINITY MAP, AND PROJECT NOTES

SHEET
C0
20-019

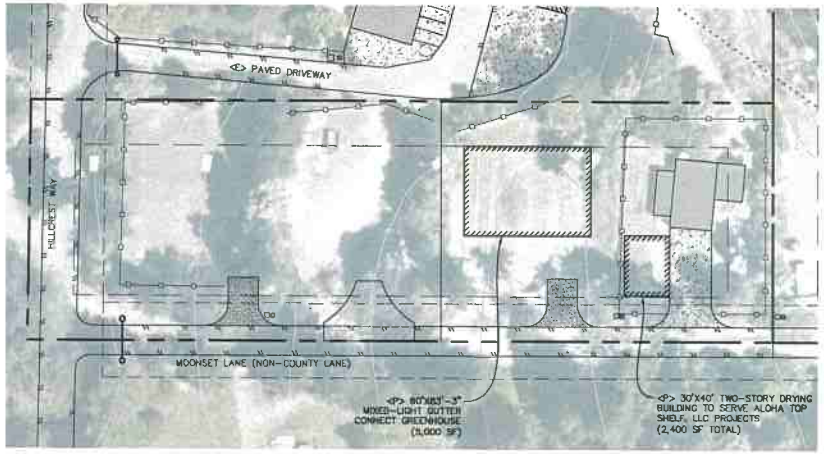
ALOHA TOP SHELF, LLC

EXISTING AND PROPOSED SITE PLAN

APN: 522-511-014 & 522-511-015



PRE-2016 SITE PLAN



PROPOSED SITE PLAN

22x34 SHEET: 1"=40'
11x17 SHEET: 1"=80'
0 20 40 80

N

NORTHPOINT CONSULTING GROUP, INC.
1117 Samoa Blvd., Arcata, CA 95521

SEAN O'CONNOR / APN: 522-511-014 & APN: 522-511-015
105 HILLCREST WAY WILLOW CREEK, CA 95573
EXISTING AND PROPOSED SITE PLAN

SHEET
C1

Appendix B: Cultivation Activities Schedule

Item	Description	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
Drainage, Runoff, and Erosion Control	Winterization (storage of pots/greenhouse covers)												
	Temporary Erosion Control BMP's (straw, seeding, fiber rolls, etc.)												
	Road maintenance												
Mixed-Light Cultivation and Harvest Schedule	Mixed-Light Cultivation Cycle 1												
	Mixed-Light Cultivation Cycle 2												
	Mixed-Light Cultivation Cycle 3												
	Mixed-Light Cultivation Cycle 4												
	Harvest activities												
	Drying Activities												

Appendix C: References

Bass, Ronald E., Kenneth M. Bogdan, and Terry Rivasplata. 2013. CEQA Desktop. Point Arena, CA; Solano Book Press. Page 44.

California Code of Regulations. Health and Safety Code Section 11357-11362.9. <http://www.leginfo.ca.gov/cgi-bin/displaycode?section=hsc&group=11001-12000&file=11357-11362.9.>

California NORML. SB 420 Establishes Prop. 215 Guidelines, Voluntary Patient Identification Card System. <http://www.canorml.org/laws/sb420.html.>

County of Humboldt. *Medical Marijuana Land Use Ordinance (MMLUO) – Phase IV, Commercial Cultivation, Processing, Manufacturing and Distribution of Cannabis for Medical Use* (Staff Report to the Board of Supervisors). January 26, 2016. <https://humboldt.legistar.com/Calendar.aspx.>

North Coast Regional Water Quality Control Board. 2016. *Cannabis Cultivation Waste Discharge Regulatory Program*. http://www.waterboards.ca.gov/northcoast/water_issues/programs/cannabis/.

State Board of Equalization. Information on the Sales and Registration for Marijuana Sellers. June 2007. <http://www.boe.ca.gov/news/pdf/173.pdf.>

State of California. Guidelines for the Security and Non-Diversion of Marijuana Grown for Medical Use. August 2008. <http://www.ag.ca.gov/cms_attachments/press/pdfs/n1601_medicalmarijuanaguidelines.pdf>

WCCSD
WILLOW CREEK COMMUNITY SERVICES DISTRICT

July 27, 2017

William & Terri O'Neil
PO Box 605
Willow Creek, CA 95573

RE: Water use on Hillcrest Way and Moonset Lane

Mr. and Mrs. O'Neil,

I understand you have inquired about your properties on Hillcrest Way and Moonset Lane in Willow Creek. The APN numbers of the properties are: 522-511-003, 522-511-016, 522-511-013, 522-511-014, and 522-511-015.

You currently have 5/8" meters from the Willow Creek Community Services District (WCCSD) water system on two of these properties, of which I believe are 522-511-013 and 522-511-014. The WCCSD board policy allows for individuals who own adjacent parcels to use water from one parcel on the next. Therefore water usage on the adjacent parcels is acceptable given you are the owners off all 5 parcels.

I understand you have inquired if these two meters could be used for approximately 280,000 gallons (37,433 cubic feet), total, of water annually for your agricultural business. That amount of water is acceptable to the Willow Creek Community Services District.

Please note that the WCCSD has a Drought Ordinance in its Board Policy. In the event of a drought, the water usage may be restricted per the policy (see attached).

Please let me know if you have any additional questions.

Sincerely,

Susan O'Gorman, PE
General Manager

Section 7 - Shortage of Water Priorities (Ord. #44 3.14.2014) (amended 4.30.15)

If for any reason, the Willow Creek Community Services Districts water is significantly depleted, the following priorities for water usage shall be followed.

1. District residential and small business customers will be our top priority.
2. Livestock watering.
3. Agricultural usage.
4. Commercial, Industrial, Golf Courses and Park Systems.

SECTION 7A - DROUGHT CONDITIONS

1. If the Willow Creek Community Services District experiences drought conditions and the watershed is stressed from low rainfall. The District will impose the following water restrictions, if the Albert E Hodgson Water Treatment Facility is not able to pump and treat a minimum of 2.25 CFS (Cubic Feet Second) during peak usage from the confluences of the Willow Creek.
2. The Willow Creek Community Services District will follow all of the Governors executive orders of said document.
3. Governor may require a percentage of mandatory reduction of water usage (To be determined), **2015 will be 25%.**
4. No watering or washing down of driveways.
5. Washing vehicles with nozzles on hoses only.
6. No wasting water by prolonged leaks (must be repaired within 72 hours of notification).
7. Turning auto sprinklers off during rain storms and for two days after.
8. Ornamental fountains must have a recirculation water pump.
9. Water days may be restricted (If necessary).
10. No watering of public street medians with potable water that have ornamental turf.
11. Potable water sold within the WCCSD boundaries to water tenders will be limited to one load per week (up to 3,000 gallons per load) for residential use per parcel. This will be by permit only.
    Exception for water tenders will be for emergency services vehicles.
12. **Public Notice of Hearing**: Said Board of Directors shall, pursuant to Section 6061 of California Government Code, publish said hearing date at least seven days prior to vote on Emergency Drought Conditions.
13. Implementation of SECTION 7A, the Board of Directors will by majority vote; **State a Declaration of Emergency Drought Conditions in the Willow Creek Watershed.**

14. Such vote shall be enacted for that current calendar year only. If conditions exist continuously said Board of Directors shall vote each calendar year thereafter.

15. The Willow Creek Community Services District **will restrict the water usage of our Park System up to 95 percent** (to be determined by the General Manager).

16. The WCCSD will ask for **volunteer** water consumption decrease of up to 20 percent of normal monthly use for all customers first.

17. If **volunteer** usage fails to reach water usage goals, the following steps will be implemented.

    A. Residential customers may be restricted up to 50 percent (to be determined by the General Manager) of normal household water usage. In particular warm outdoor watering season (May to October). All usage will be based on monthly average.

    B. Residents will be restricted of no watering of lawns and gardens.

    C. Livestock watering will be restricted to watering and care of animals only.

    D. 1" to 3" Commercial, Industrial, large business and Agricultural meters will be restricted up to 75 percent (to be determined by the General Manager) and will be restricted of no watering of lawns. All usage will be based on a monthly average.

    E. The District will restrict fire hydrant usage to emergency household water (dwellings, non-agriculture) for out of District and will also allow for the use of all fire departments and public emergency services.

    F. Water will not be sold from hydrants for agriculture, commercial or personal use during drought conditions for non-emergency.

    G. Customers not in compliance (water restrictions) with ORDIANCE NUMBER 44 will be subject to termination of service. However not before a written notice of non-compliance and the WCCSD working with the customer to rectify said non-compliance. This will be determined by the General Manager.

    H. Customer service will not be restored without written agreement of compliance of ORDINANCE NUMBER 44 and acceptance of said agreement by the General Manager.

    I. Said customer shall pay all costs that were occurred by the Willow Creek Community Services District for enforcing ORDINANCE NUMBER 44.

8. Appeal process: Customer may appeal noncompliance of ORIDANCE NUMBER 44 by following board policy protocol.

9. WCCSD customers will be given a 96 hour public notice (News outlets, WCCSD website and US Mail) if SECTION 7A is to be implemented.

HUMBOLDT COUNTY DEPARTMENT OF PUBLIC WORKS
ROAD EVALUATION REPORT

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

Applicant Name: Sean O'Connor APN: 522-511-016

Planning & Building Department Case/File No.: 12333 and 12637

Road Name: Moonset Lane *(complete a separate form for each road)*

RECEIVED OCT - 6 2020 Humboldt County Cannabis Svcs.

From Road (Cross street): Hillcrest Way

To Road (Cross street): Private Driveway

Length of road segment: 0.11 miles Date Inspected: 5/28/20

Road is maintained by: ☐ County ☑ Other Private
(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. A map showing the location and limits of the road being evaluated in PART A is attached.

Signature 10-5-21 Date

PRAJ WHITE, P.E.
Name Printed

REGISTERED PROFESSIONAL ENGINEER PRAJ WHITE No. 65025 CIVIL STATE OF CALIFORNIA

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.

ROAD EVALUATION MAP
APN:522-511-016
MOONSET LANE VIA HILLCREST WAY
Hillcrest Way
Hillcrest Way
Hillcrest Way
APN: 522-511-016
APN: 522-511-014
APN: 522-511-015
PRIVATE DRIVEWAY
Photo Point 3
Photo Point 2
Photo Point 1
Google Earth
300 ft
N

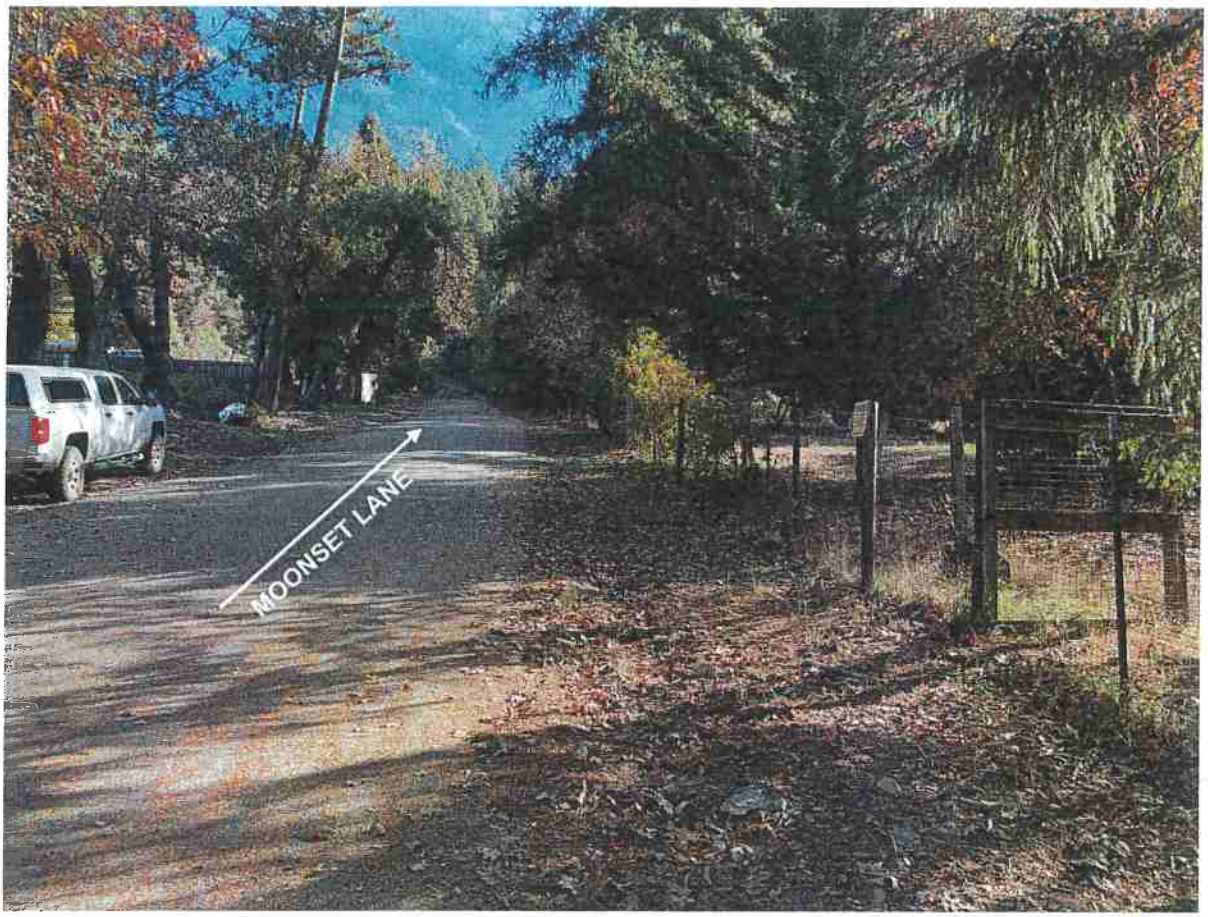


Photo Point 1. Facing East on Paved Section Moonset Lane (Road Width = ±20 feet).

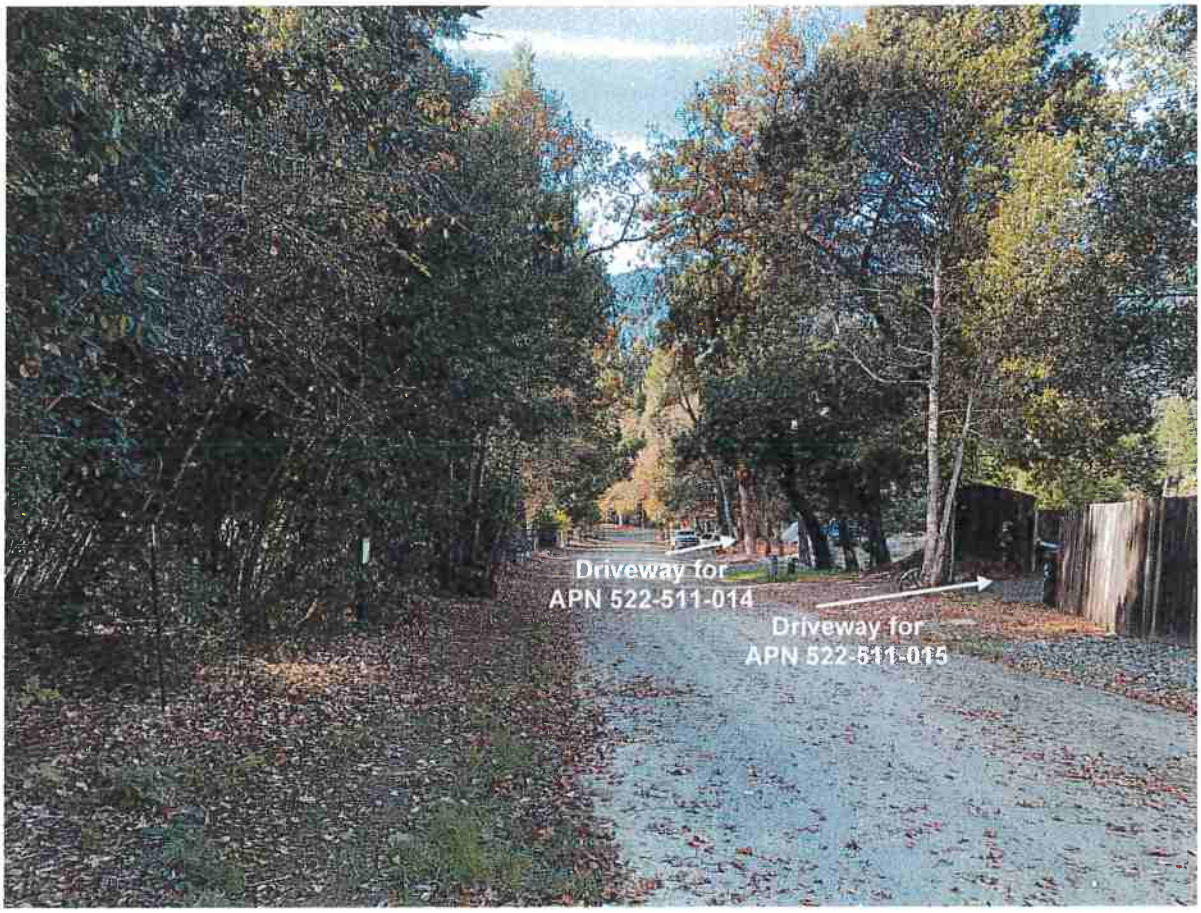


Photo Point 2. Facing West on Paved Section Moonset Lane Displaying Driveways for APN 522-511-014 and 522-511-015 with Ample Visibility (Road Width = ±20 feet).

Photo Point 3. Facing East at Intersection of Hillcrest Way and Moonset Lane

NORTHPOINT
CONSULTING GROUP, INC.

RECEIVED
SEP 2 2021
Humboldt County
Cannabis Svcs.

ADDENDUM

TO: Cliff Johnson, Senior Planner
Humboldt County Planning Dept.
3015 H St.
Eureka, CA 95501

FROM: Britney Newby, Environmental Scientist II
NorthPoint Consulting Group, Inc.
1117 Samoa Blvd.
Arcata, CA 95521

RE: **Addendum to Biological Scoping Study**
Rectification for Rain-Catchment Basin
Aloha Top Shelf, LLC – Sean O'Connor
Apps # 12333; APN 522-511-016

DATE: September 1, 2021

SUBJECT

This purpose of this memo is to addend and rectify the Biological Scoping Study (BSS), written by BeGreenLegal, which incorrectly identified the man-made detention basin as being a spring-fed pond. In response to Planner comments received from the County of Humboldt Planning Department regarding Conditional Use Permit application #12333 and the BSS that was submitted in 2019, a site investigation was conducted on 8/12/21 by Britney Newby, the Environmental Scientist at NorthPoint Consulting Group, Inc. The site investigation methods, findings, and recommendations are detailed below.

PRE-SITE INVESTIGATION

The pre-site investigation included analysis of historical aerial imagery and topographical maps from Google Earth, Humboldt GIS, and USGS The National Map (TNM). The National Wetland Inventory (NWI) database was queried by BeGreenLegal in their BSS; the mapping they produced showed no mapped wetlands or surface waters on the subject parcel. The closest mapped waterbody is on the adjacent parcel approximately 140 ft east of the detention basin and is an unnamed intermittent tributary to the Trinity River. Prior land use and landowner accounts of the site history were also taken into consideration prior to making a determination onsite. According to the prior landowner, the small basin was dug by an excavator when the land was being developed about 5 years ago (Enclosures 1-2).

ONSITE BASIN ASSESSMENT

At the time of the onsite assessment, the detention basin was dry and contained a mix of native and non-native grasses, sedges, and forbs. The basin lies at the base of a steep rocky cliff (40.951783, -123.618686) (Figure 1). A portion of the cliff was also carved out by an excavator. Boulders have since been placed on the perimeter of the pond to serve as a visual barrier, as recommended in the BSS.

The area surrounding the basin was inspected and evaluated for hydrologic connectivity and hydrophytic vegetation. Soils were not analyzed during the site evaluation. The detention basin is isolated on a pre-disturbed flat bench, does not have a spillway, nor is it connected to a watercourse. The cliff that the basin abuts shows signs of a drainage pattern (Figure 1), a hydrologic indicator, created by concentrated sheet flow from the top of the cliff. The catchment basin captures runoff from the cliff during rain events.

Figure 1. Drainage pattern on the cliff next to the pond.

Hydrophytic vegetation is confined to the edges of the pond (Figure 2) and includes the native *Cyperus eragrostis* (tall flatsedge) (Figure 3), a facultative wetland species (FACW)[1]. Intermixed with the flatsedge are non-native, invasive grasses such as *Phalaris aquatica* (harding grass) (FACU) and *Briza maxima* (rattlesnake grass) (UPL). Just outside the pond perimeter the rattlesnake grass is mixed with non-native, invasive *Avena barbata* (slim oat) (UPL) and native *Deinandra sp.* (tarweed) (UPL). Shrubs near the pond and on the cliff include native species *Baccharis pilularis* (coyote brush) (UPL) and *Spirea douglasii* (Douglas spirea) (FACW). The top of the cliff is dominated by native *Arbutus menzesii* (Pacific madrone)

[1] Adapted from the National Wetland Plant List Indicator Rating Definitions (ERDC/CRREL TN-12-1):

Indicator status (abbreviation)	% Occurrence in wetlands
Obligate (OBL). Occur almost always under natural conditions in wetlands.	99
Facultative Wetland (FACW). Usually occur in wetlands but occasionally found in non-wetlands.	67-99
Facultative (FAC). Equally likely to occur in wetlands and nonwetlands.	34-66
Facultative Upland (FACU). Usually occur in non-wetlands but occasionally found in wetlands.	1-33
Upland (UPL). Occur in wetlands in another region, but occur almost always under natural conditions in non-wetlands in the region specified.	1

Figure 2. Hydrophytic and upland vegetation around the pond.

Figure 2. *Cyperus eragrostis* (tall flatsedge)

(UPL). Based on the existing vegetation, there is no indication that wetlands or a spring exist uphill from the catchment basin.

CONCLUSION AND RECOMMENDATIONS

There are no watercourses or springs connected to the man-made detention basin; thus, the basin is a rain-catchment basin. However, there is hydrophytic vegetation present and the potential for aquatic habitat during the Spring season. Therefore, a buffer from the riparian vegetation is required (State Water Resources Control Board Oder WQ 2019-0001-DWQ and Cannabis Cultivation Policy). With the slope around the pond being >5% and the habitat value of the pond being minimal, a 30-ft buffer from riparian vegetation is recommended. The riparian buffer, in conjunction with the use of appropriate Best Management Practices (BMPs) to prevent erosion and sediment delivery, are designed to protect wildlife habitat and water quality. In addition, to prevent overtopping during a high rain event, water withdrawal may be necessary; in this case, wildlife protection measures will be in place, as required by the CA Department of Fish and Wildlife. Avoidance measures, as well as habitat enhancement within the riparian buffer, will ensure there are no significant impacts to the sensitive resource as a result of the proposed project. Post construction, non-native invasive species should be removed within the buffer and properly disposed of to prevent their spread and the soil shall be mulched with straw to prevent erosion. At a minimum, management and maintenance of the pond and invasive species should occur annually.

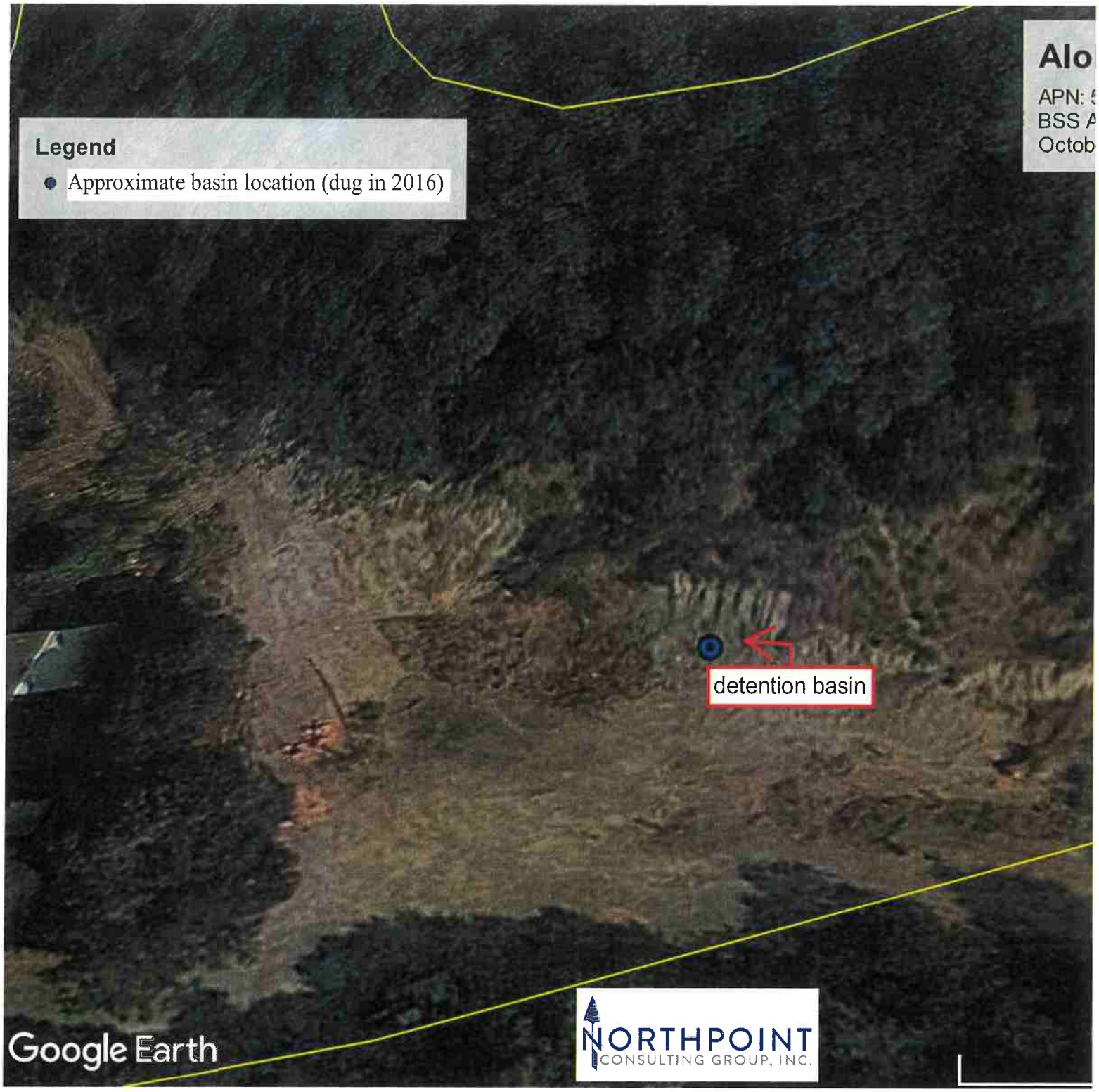
Statement of Qualifications

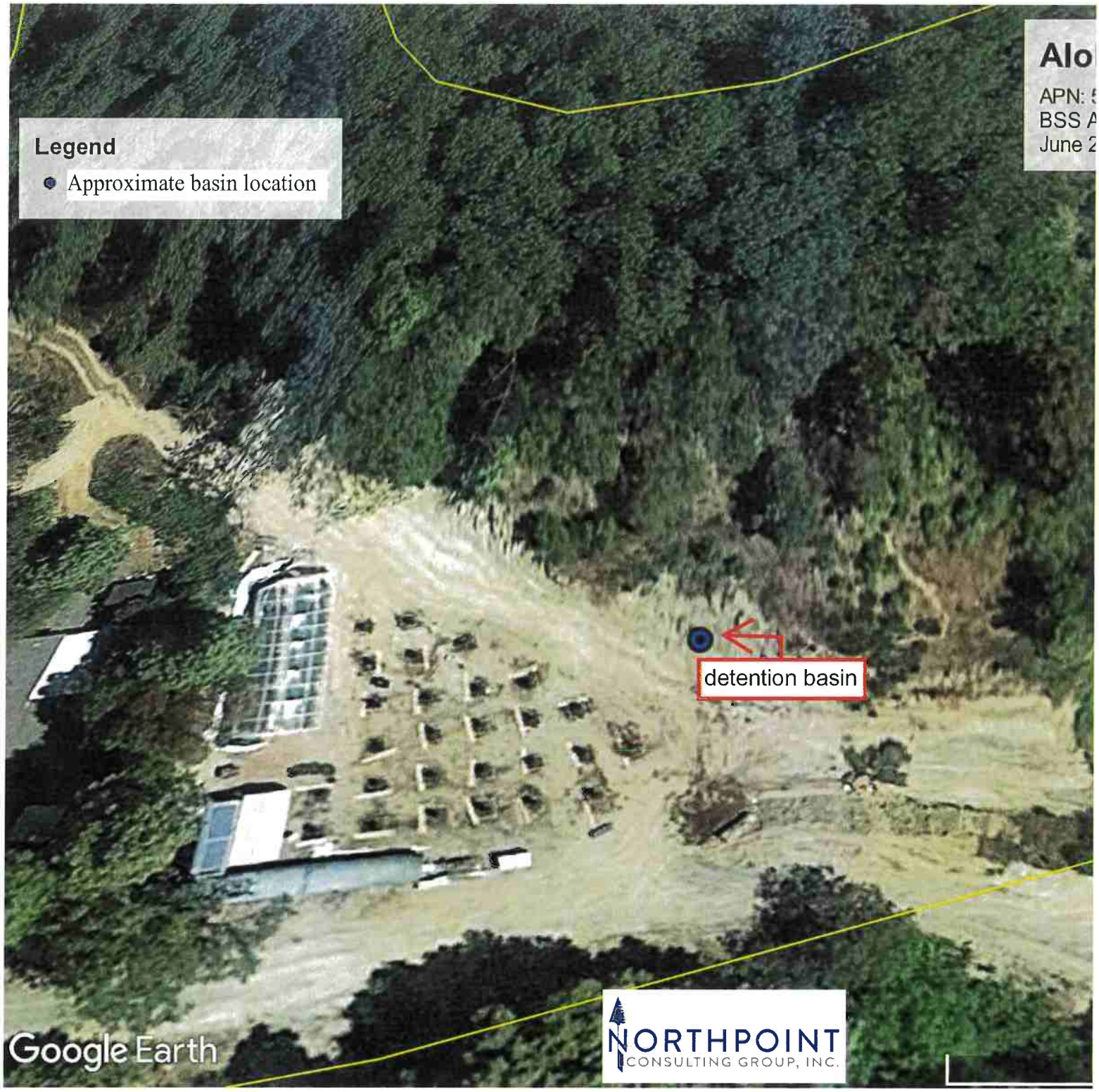
Britney Newby has a BS in Ecological Restoration with a minor in Watershed Management. Professional experience includes 8 years of conducting rare plant surveys, invasive species and stormwater management, 5 years of environmental permitting, biological assessments, and wetland delineations. A full Statement of Qualifications is available upon request.

Please contact me if you have any questions or concerns.
Regards,

Britney Newby
Environmental Scientist II
NorthPoint Consulting Group, Inc.
(707) 798-6438

Enclosed (2):
1 – October 2012 Aerial Imagery
2 – June 2016 Aerial Imagery


Alo
APN: 5
BSS A
Octob
Legend
Approximate basin location (dug in 2016)
detention basin
Google Earth
NORTHPOINT
CONSULTING GROUP, INC.


Legend
Approximate basin location
Alo
APN: 5
BSS A
June 2
detention basin
Google Earth
NORTHPOINT
CONSULTING GROUP, INC.

SEAN O'CONNOR
EXHIBIT A

APN: 522-511-013, 522--511-014, 522-511-015, & 522-511-016

LEGEND:

R	=	RESIDENCE
D	=	DRYING
C	=	CULTIVATION
ML	=	MIXED LIGHT
N	=	NURSERY
S	=	STORAGE

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OCT - 6 2021
Humboldt County
Cannabis Svcs.

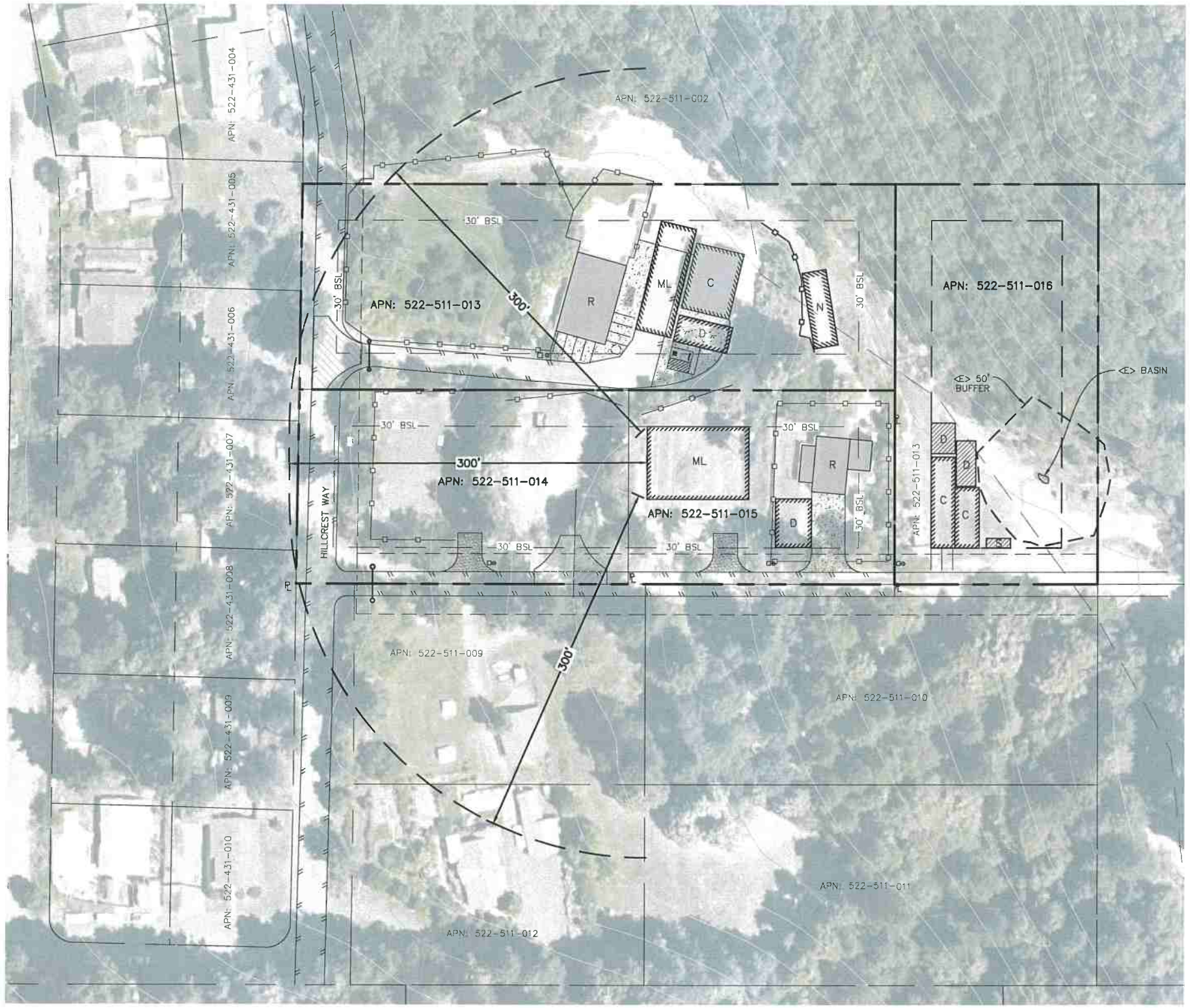

EXHIBIT A

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

0 40 80 100

N

REVISIONS		
DATE		DRAWN BY

NORTHPOINT CONSULTING GROUP, INC.
1117 Samoa Blvd., Arcata, CA 95521

SEAN O'CONNOR
105 HILLCREST WAY WILLOW CREEK, CA 95573
EXHIBIT A

PROJ. MGR.: PS
DRAWN BY: CC
DATE: 10/06/21
SCALE: AS SHOWN

SHEET
C0
20-019

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	✓	Comments	**Attached**
Division Environmental Health	✓	Conditional Approval	**Attached**
Public Works, Land Use Division	✓	Conditional Approval	**Attached**
Northwest Information Center	✓	Comments	On file and confidential
Tsnungwe Council	✓	Comments	On file and confidential
CalFIRE	✓	Comments	**Attached**
PG&E	✓	Comments	**Attached**
Humboldt County Sheriff	✓	Approved	On file
Hoopa Valley Tribe		No response	
US Forest Service		No response	
Willow Creek Community Services District		No response	
Willow Creek Volunteer Fire Protection District		No response	
California Department of Fish & Wildlife		No response	
Klamath-Trinity Joint Unified School District		No response	
County Counsel		No response	
Humboldt County Agricultural Commissioner		No response	
Humboldt County District Attorney		No response	
North Coast Unified Air Quality Management District		No response	
North Coast Regional Water Quality Control Board		No response	
State Water Resources Control Board – Division of Water Rights		No response	
CalTrans District 1		No response	

TOM

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

RECEIVED
SEP 22 2021
Humboldt County
Cannabis Svcs.

5/6/2021

Project Referred To The Following Agencies:

AG Commissioner, County Counsel, District Attorney, Environmental Health, Sheriff, PW Land Use, Building Inspections, CSD: Willow Creek, FPD: Willow Creek, RWQCB, NCUAQMD, School District: Klamath-Trinity JUSD, Cal Fish & Wildlife, Division of Water Resources, CalFire, CalTrans Dist 1, Hoopa Valley Tribe, NWIC, Tsnungwe Council, PGE

Applicant Name **Key Parcel Number** 522-511-016-000

Application (APPS#) PLN-12333-CUP **Assigned Planner** Megan Acevedo

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: 5/21/2021

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: Site map appears accurate at this time. Project located in SMA. Inspection done using GIS.

DATE: 9/21/21 PRINT NAME: Dean Beck

TUM
Aloha Top Shelf

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

RECEIVED
SEP 22 2021
Humboldt County
Cannabis Svcs.

5/7/2021

Project Referred To The Following Agencies:

AG Commissioner, County Counsel, District Attorney, Environmental Health, Sheriff, PW Land Use, Building Inspections, US Forest Service, CSD: Willow Creek, FPD: Willow Creek, RWQCB, NCUAQMD, School District: Klamath-Trinity JUSD, Cal Fish & Wildlife, Division of Water Resources, CalFire, CalTrans Dist 1, Hoopa Valley Tribe, NWIC, Tsnungwe Council, PGE

Applicant Name **Key Parcel Number** 522-511-013-000

Application (APPS#) PLN-12337-CUP **Assigned Planner** Megan Acevedo

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: 5/22/2021

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: Site map appears accurate at this time. Inspection done using GIS.

DATE: 9/21/21 PRINT NAME: Dean Beck

Tom

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

RECEIVED SEP 22 2021 Humboldt County Planning Svcs.

5/26/2021

Project Referred To The Following Agencies:

AG Commissioner, County Counsel, District Attorney, Environmental Health, Sheriff, PW Land Use, Building Inspections, US Forest Service, CSD: Willow Creek, FPD: Willow Creek, RWQCB, NCUAQMD, School District: Klamath-Trinity JUSD, Cal Fish & Wildlife, Division of Water Resources, CalFire, CalTrans Dist 1, Hoopa Valley Tribe, NWIC, Tsnungwe Council, PGE

Applicant Name **Key Parcel Number** 522-511-014-000

Application (APPS#) PLN-12637-CUP **Assigned Planner** Megan Acevedo

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

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

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

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

Return Response No Later Than: 6/10/2021

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: Site map appears accurate at this time. Inspection done using GTS

DATE: 9/21/21 PRINT NAME: Dean Beck

From: Michelle Aldrete [mailto:Michelle@northpointeureka.com]
Sent: Wednesday, October 13, 2021 4:31 PM
To: Acevedo, Megan <macevedo@co.humboldt.ca.us>; Phil Standish <Phil@northpointeureka.com>
Cc: Sean OConnor <pulehuroot@yahoo.com>
Subject: RE: Aloha Top Shelf 12333, 12337, 12637

Hi Megan,

I hope all is well. We appreciate all your effort on these projects. I updated the water use table to reflect 20 gal/sf for year-round cultivation. The total water usage is 250,000 gallons. Which is less than the will serve letter (280,000 gallons). Please do not hesitate to contact me if you have any questions.

App No. 12337
APN: 522-511-013

Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total
6082	5712	6082	5959	9849	10479	11658	11808	10479	9849	5959	6082	**100,000**

App No. 12637
APNs: 522-511-014/522-511-015

Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total
4110	4110	4110	4110	10959	12329	14247	14521	12329	10959	4110	4110	**100,000**

App No. 12333
APNs: 522-511-016

Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total
2055	2055	2055	2055	5479	6164	7123	7260	6164	5479	2055	2055	**50000**

As always, we appreciate your time. Please do not hesitate to reach out to me.

Best,
Michelle Aldrete

Accela Civic Platform > HUMBOLDT

MA

PLN-12333-C...

Aloha Top Shelf, L...

Applying for a Co...

STATUS
> In Referrals
05/05/2021 by...

LOCATION
> None Provided

CONTACT
> Aloha Top She...

WORKFLOW
> 17 total Task
●...

Cancel Help

Summary

Project Description

Workflow

1 Referral Assignments

2 Planning Information

3 GP / Zoning Information

4 CEQA

5 Cannabis

Project Tracking

6 Referral Task Log (2)

Fee (6)

Payment

Workflow History (25)

Comments (4)

Documents (33)

Task Environmental Health	Due Date 05/21/2021	Assigned Date 05/06/2021
Assigned to Department Environmental Health	Assigned to Adam Molofsky	Status Approved with Conditions
Action by Department Environmental Health	Action By Adam Molofsky	Status Date 05/11/2021
Start Time	End Time	Hours Spent 0.0
Billable No	Overtime No	Comments Seasonal cultivation without processing may use portable toilets to serve the operation. Permittee shall provide portable toilets to cultivation areas or install a permitted onsite wastewater treatment system associated with a permitted structure.
Time Tracking Start Date	Est. Completion Date	In Possession Time (hrs)
Display E-mail Address in ACA No	Display Comment in ACA	Comment Display in ACA All ACA Users Record Creator Licensed Professional Contact Owner
Estimated Hours 0.0	Action Updated	Workflow Calendar

Accela Civic Platform > HUMBOLDT

MA

PLN-12337-C...
Aloha Top Shelf, L...
A Conditional Use...

STATUS
> In Referrals
05/07/2021 by...

LOCATION
> 145 Hillcrest ...
Willow Creek, ...

CONTACT
> Aloha Top She...

WORKFLOW
> 17 total Task
...

Summary

Project Description

Workflow

1 Referral Assignments

2 Planning Information

3 GP / Zoning Information

4 CEQA

5 Cannabis

Project Tracking

6 Referral Task Log (2)

Fee (5)

Payment

Workflow History (16)

Comments (2)

Documents (27)

Conditions of Approval (0)

Cancel Help

Task Environmental Health	Due Date 05/21/2021	Assigned Date 05/07/2021
Assigned to Department Environmental Health	Assigned to Adam Molofsky	Status Approved with Conditions
Action by Department Environmental Health	Action By Adam Molofsky	Status Date 05/11/2021
Start Time	End Time	Hours Spent 0.0
Billable No	Overtime No	Comments Seasonal cultivation without processing may use portable toilets to serve the operation. Permittee shall provide portable toilets to cultivation areas or install a permitted onsite wastewater treatment system associated with a permitted structure.
Time Tracking Start Date	Est. Completion Date	In Possession Time (hrs)
Display E-mail Address in ACA No	Display Comment in ACA	Comment Display in ACA All ACA Users Record Creator Licensed Professional Contact Owner
Estimated Hours 0.0	Action Updated	Workflow Calendar

Accela Civic Platform > HUMBOLDT

MA

PLN-12637-C...

Aloha Top Shelf, L...

A Conditional Use...

STATUS > In Referrals 05/26/2021 by...

LOCATION > None Provided

CONTACT > Aloha Top She...

WORKFLOW > 17 total Task ●...

Cancel Help

Summary

Project Description

Workflow

1 Referral Assignments

2 Planning Information

3 GP / Zoning Information

4 CEQA

5 Cannabis

Project Tracking

6 Referral Task Log (2)

Fee (4)

Payment

Workflow History (15)

Comments (2)

Documents (35)

Conditions of Approval (0)

Task Environmental Health	Due Date 06/06/2021	Assigned Date 05/26/2021
Assigned to Department Environmental Health	Assigned to Adam Molofsky	Status Approved with Conditions
Action by Department Environmental Health	Action By Adam Molofsky	Status Date 05/27/2021
Start Time	End Time	Hours Spent 0.0
Billable No	Overtime No	Comments Onsite processing must be supported by a permanent means of sewage disposal. Operator shall install a permitted Onsite Wastewater Treatment System, associated with a permitted structure, to support the needs of the project. Seasonal cultivation without processing may use portable toilets to serve the operation.
Time Tracking Start Date	Est. Completion Date	In Possession Time (hrs)
Display E-mail Address in ACA No	☑ Display Comment in ACA	Comment Display in ACA ☑ All ACA Users ☑ Record Creator ☑ Licensed Professional ☑ Contact ☑ Owner
Estimated Hours 0.0	Action Updated	Workflow Calendar

DEPARTMENT OF PUBLIC WORKS
COUNTY OF HUMBOLDT
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

LAND USE DIVISION INTEROFFICE MEMORANDUM

TO: Megan Acevedo, Planner, Planning & Building Department

FROM: Kenneth M. Freed, Assistant Engineer KF

DATE: 05/14/2021

RE:

Applicant Name	**ALOHA TOP SHELF LLC**
APN	**522-511-016**
APPS#	**PLN-12333-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:

Whether specifically addressed or not within the road evaluation report, per County Code Section 3112-5, "No roadway grade in excess of 16 percent shall be permitted unless it has been demonstrated to be in conformance with the County Roadway Design Manual." Where portions of the road have grades that exceed 16%, those portions must be paved and must have an exception request approved. [reference: County Code sections 3111-9 and 3112-5]

// END //

Exhibit "A"

Public Works Recommended Conditions of Approval

(All checked boxes apply) APPS # 12333

☐ **COUNTY ROADS- PROXIMITY OF FARMS:**
Applicant is advised that County maintained roads may generate dust and other impacts to farm(s). Applicant shall locate their farm(s) in areas not subject to these impacts. Applicant shall be responsible for protecting their farm(s) against these impacts. Applicant shall hold the County harmless from these impacts. Applicant is advised that a paved road may not always remain paved and Applicant shall locate their farms appropriately. Applicant is advised that the amount of traffic on a road will vary over time which may increase or decrease the impacts.

☐ **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 (or to break in slope) where it intersects the County road.**
- **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 where it intersects the County road.**
- **If the County road is an urban road, frontage improvements (curb, gutter, and sidewalk) shall also be constructed to the satisfaction of the Department. Any existing curb, gutter or sidewalk that is damaged shall be replaced.**

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

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

☐ **COUNTY ROADS- DRIVEWAY (PART 3):**
The existing driveway will require substantial modification in order to comply with County Code. The applicant may wish to consider relocating the driveway apron if a more suitable location is available.

☐ **COUNTY ROADS-PARKING LOT- STORM WATER RUNOFF:**
Surfaced parking lots shall have an oil-water filtration system prior to discharge into any County maintained facility.

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

☒ **COUNTY ROADS- DRIVEWAY & PRIVATE ROAD INTERSECTION VISIBILITY:**
All driveways and private road intersections onto the County Road shall be maintained in accordance with County Code Section 341-1 (Sight Visibility Ordinance).

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

☒ **COUNTY ROADS- PRIVATE ROAD INTERSECTION: (AT COUNTY MAINTAINED RD)**
Any existing or proposed non-county maintained access roads that will serve as access for the proposed project that connect to a county maintained road shall be improved to current standards for a commercial driveway. An encroachment permit shall be issued by the Department of Public Works prior to commencement of any work in the County maintained right of way.

- **If the County road has a paved surface at the location of the access road, the access road shall be paved for a minimum width of 20 feet and a length of 50 feet (or break in slope) 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 //

DEPARTMENT OF PUBLIC WORKS
COUNTY OF HUMBOLDT
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

LAND USE DIVISION INTEROFFICE MEMORANDUM

TO: Megan Acevedo, Planner, Planning & Building Department

FROM: Kenneth M. Freed, Assistant Engineer

DATE: 05/21/2021

RE:

Applicant Name	**ALOHA TOP SHELF LLC**
APN	**522-511-013**
APPS#	**PLN-12337**

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

☒ The Department's recommended conditions of approval are attached as **Exhibit "A"**.

☐ Additional information identified on **Exhibit "B"** is required before the Department can review the project. **Please re-refer the project to the Department when all of the requested information has been provided.**

☐ Additional review is required by Planning & Building staff for the items on **Exhibit "C"**. **No re-refer is required.**

☐ *Road Evaluation Reports(s)* are required; See **Exhibit "D"**

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

No re-refer is required.

*Note: Exhibits are attached as necessary.

Additional comments/notes:

Applicant to remove fence from County right of way. Driveway is surfaced to County standards.

// END //

Exhibit "A"

Public Works Recommended Conditions of Approval

(All checked boxes apply) APPS # 12337

☒ **COUNTY ROADS- PROXIMITY OF FARMS:**
Applicant is advised that County maintained roads may generate dust and other impacts to farm(s). Applicant shall locate their farm(s) in areas not subject to these impacts. Applicant shall be responsible for protecting their farm(s) against these impacts. Applicant shall hold the County harmless from these impacts. Applicant is advised that a paved road may not always remain paved and Applicant shall locate their farms appropriately. Applicant is advised that the amount of traffic on a road will vary over time which may increase or decrease the impacts.

☒ **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. Applicant must apply for and obtain an encroachment permit from 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 (or to break in slope) where it intersects the County road.**
- **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 where it intersects the County road.**
- **If the County road is an urban road, frontage improvements (curb, gutter, and sidewalk) shall also be constructed to the satisfaction of the Department. Any existing curb, gutter or sidewalk that is damaged shall be replaced.**

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

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

☐ **COUNTY ROADS- DRIVEWAY (PART 3):**
The existing driveway will require substantial modification in order to comply with County Code. The applicant may wish to consider relocating the driveway apron if a more suitable location is available.

☐ **COUNTY ROADS-PARKING LOT- STORM WATER RUNOFF:**
Surfaced parking lots shall have an oil-water filtration system prior to discharge into any County maintained facility.

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

☒ **COUNTY ROADS- DRIVEWAY & PRIVATE ROAD INTERSECTION VISIBILITY:**
All driveways and private road intersections onto the County Road shall be maintained in accordance with County Code Section 341-1 (Sight Visibility Ordinance).

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

☐ **COUNTY ROADS- PRIVATE ROAD INTERSECTION: (AT COUNTY MAINTAINED RD)**
Any existing or proposed non-county maintained access roads that will serve as access for the proposed project that connect to a county maintained road shall be improved to current standards for a commercial driveway. Applicant must apply for and obtain an encroachment permit from the Department of Public Works prior to commencement of any work in the County maintained right of way. This also includes installing or replacing intersection culverts; minimum size is typically 18 inches.

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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 //

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

LAND USE DIVISION INTEROFFICE MEMORANDUM

TO: Megan Acevedo, Planner, Planning & Building Department

FROM: Kenneth M. Freed, Assistant Engineer

DATE: 05/28/2021

RE:

Applicant Name	**ALOHA TOP SHELF LLC**
APN	**522-511-014**
APPS#	**PLN-12637-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:

No road evaluation report submitted for Moonset Lane (non-County maintained road).

Whether specifically addressed or not within the road evaluation report, per County Code Section 3112-5, "No roadway grade in excess of 16 percent shall be permitted unless it has been demonstrated to be in conformance with the County Roadway Design Manual." Where portions of the road have grades that exceed 16%, those portions must be paved and must have an exception request approved. [reference: County Code sections 3111-9 and 3112-5]

// END //

Exhibit "A"

Public Works Recommended Conditions of Approval

(All checked boxes apply) APPS # 12637

☒ **COUNTY ROADS- PROXIMITY OF FARMS:**
Applicant is advised that County maintained roads may generate dust and other impacts to farm(s). Applicant shall locate their farm(s) in areas not subject to these impacts. Applicant shall be responsible for protecting their farm(s) against these impacts. Applicant shall hold the County harmless from these impacts. Applicant is advised that a paved road may not always remain paved and Applicant shall locate their farms appropriately. Applicant is advised that the amount of traffic on a road will vary over time which may increase or decrease the impacts.

☐ **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 (or to break in slope) where it intersects the County road.**
- **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 where it intersects the County road.**
- **If the County road is an urban road, frontage improvements (curb, gutter, and sidewalk) shall also be constructed to the satisfaction of the Department. Any existing curb, gutter or sidewalk that is damaged shall be replaced.**

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

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

☐ **COUNTY ROADS- DRIVEWAY (PART 3):**
The existing driveway will require substantial modification in order to comply with County Code. The applicant may wish to consider relocating the driveway apron if a more suitable location is available.

☐ **COUNTY ROADS-PARKING LOT- STORM WATER RUNOFF:**
Surfaced parking lots shall have an oil-water filtration system prior to discharge into any County maintained facility.

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

☒ **COUNTY ROADS- DRIVEWAY & PRIVATE ROAD INTERSECTION VISIBILITY:**
All driveways and private road intersections onto the County Road shall be maintained in accordance with County Code Section 341-1 (Sight Visibility Ordinance).

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

☐ **COUNTY ROADS- PRIVATE ROAD INTERSECTION: (AT COUNTY MAINTAINED RD)**
Any existing or proposed non-county maintained access roads that will serve as access for the proposed project that connect to a county maintained road shall be improved to current standards for a commercial driveway. An encroachment permit shall be issued by the Department of Public Works prior to commencement of any work in the County maintained right of way.

- **If the County road has a paved surface at the location of the access road, the access road shall be paved for a minimum width of 20 feet and a length of 50 feet (or break in slope) 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 //

DEPARTMENT OF PUBLIC WORKS
COUNTY OF HUMBOLDT
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

LAND USE DIVISION INTEROFFICE MEMORANDUM

TO: Megan Acevedo, Planner, Planning & Building Department

FROM: Kenneth M. Freed, Assistant Engineer

DATE: 05/14/2021

RE:

Applicant Name	**ALOHA TOP SHELF LLC**
APN	**522-511-016**
APPS#	**PLN-12333-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:

Whether specifically addressed or not within the road evaluation report, per County Code Section 3112-5, "No roadway grade in excess of 16 percent shall be permitted unless it has been demonstrated to be in conformance with the County Roadway Design Manual." Where portions of the road have grades that exceed 16%, those portions must be paved and must have an exception request approved. [reference: County Code sections 3111-9 and 3112-5]

// END //

Exhibit "A"

Public Works Recommended Conditions of Approval

(All checked boxes apply) APPS # 12333

☐ **COUNTY ROADS- PROXIMITY OF FARMS:**
Applicant is advised that County maintained roads may generate dust and other impacts to farm(s). Applicant shall locate their farm(s) in areas not subject to these impacts. Applicant shall be responsible for protecting their farm(s) against these impacts. Applicant shall hold the County harmless from these impacts. Applicant is advised that a paved road may not always remain paved and Applicant shall locate their farms appropriately. Applicant is advised that the amount of traffic on a road will vary over time which may increase or decrease the impacts.

☐ **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 (or to break in slope) where it intersects the County road.
- 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 where it intersects the County road.
- If the County road is an urban road, frontage improvements (curb, gutter, and sidewalk) shall also be constructed to the satisfaction of the Department. Any existing curb, gutter or sidewalk that is damaged shall be replaced.

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

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

☐ **COUNTY ROADS- DRIVEWAY (PART 3):**
The existing driveway will require substantial modification in order to comply with County Code. The applicant may wish to consider relocating the driveway apron if a more suitable location is available.

☐ **COUNTY ROADS-PARKING LOT- STORM WATER RUNOFF:**
Surfaced parking lots shall have an oil-water filtration system prior to discharge into any County maintained facility.

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

☒ **COUNTY ROADS- DRIVEWAY & PRIVATE ROAD INTERSECTION VISIBILITY:**
All driveways and private road intersections onto the County Road shall be maintained in accordance with County Code Section 341-1 (Sight Visibility Ordinance).

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

☒ **COUNTY ROADS- PRIVATE ROAD INTERSECTION: (AT COUNTY MAINTAINED RD)**
Any existing or proposed non-county maintained access roads that will serve as access for the proposed project that connect to a county maintained road shall be improved to current standards for a commercial driveway. An encroachment permit shall be issued by the Department of Public Works prior to commencement of any work in the County maintained right of way.

- If the County road has a paved surface at the location of the access road, the access road shall be paved for a minimum width of 20 feet and a length of 50 feet (or break in slope) 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.

Mounset Lane is Existing Paved 9/24/21

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 //

12337

Application Number

522-511-013-000

Key APN

RECEIVED
MAY 21 2021
Humboldt County
Cannabis Svcs.

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

- [x] The Department has no comment at this time.
- [ ] Suggested conditions attached.
- [ ] Applicant needs to submit additional information. List of Items attached.
- [ ] Recommend denial.
- [ ] Other comments.

Forester Comments: Date: 5/18/21 Name: Chris Poli

No Comments

Battalion Chief Comments: Date: Name:

Summary:

12333
Application Number

522-511-016-000
Key APN

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

RECEIVED
MAY 21 2021
Humboldt County
Cannabis Svcs.

- [x] The Department has no comment at this time.
- [ ] Suggested conditions attached.
- [ ] Applicant needs to submit additional information. List of Items attached.
- [ ] Recommend denial.
- [ ] Other comments.

Forester Comments: Date: 5/18/21 Name: Chris Poli

No Comments

Battalion Chief Comments: Date: Name:

Summary:

June 23, 2021

John Moredo
County of Humboldt
3015 H St
Eureka, CA 95501

Ref: Gas and Electric Transmission and Distribution

Dear John Moredo,

Thank you for submitting the PLN-12337-CUP plans for our review. PG&E will review the submitted plans in relationship to any existing Gas and Electric facilities within the project area. If the proposed project is adjacent/or within PG&E owned property and/or easements, we will be working with you to ensure compatible uses and activities near our facilities.

Attached you will find information and requirements as it relates to Gas facilities (Attachment 1) and Electric facilities (Attachment 2). Please review these in detail, as it is critical to ensure your safety and to protect PG&E's facilities and its existing rights.

Below is additional information for your review:

1. This plan review process does not replace the application process for PG&E gas or electric service your project may require. For these requests, please continue to work with PG&E Service Planning: https://www.pge.com/en_US/business/services/building-and-renovation/overview/overview.page.

2. If the project being submitted is part of a larger project, please include the entire scope of your project, and not just a portion of it. PG&E's facilities are to be incorporated within any CEQA document. PG&E needs to verify that the CEQA document will identify any required future PG&E services.

3. An engineering deposit may be required to review plans for a project depending on the size, scope, and location of the project and as it relates to any rearrangement or new installation of PG&E facilities.

Any proposed uses within the PG&E fee strip and/or easement, may include a California Public Utility Commission (CPUC) Section 851 filing. This requires the CPUC to render approval for a conveyance of rights for specific uses on PG&E's fee strip or easement. PG&E will advise if the necessity to incorporate a CPUC Section 851filing is required.

This letter does not constitute PG&E's consent to use any portion of its easement for any purpose not previously conveyed. PG&E will provide a project specific response as required.

Sincerely,

Plan Review Team
Land Management

Attachment 1 – Gas Facilities

There could be gas transmission pipelines in this area which would be considered critical facilities for PG&E and a high priority subsurface installation under California law. Care must be taken to ensure safety and accessibility. So, please ensure that if PG&E approves work near gas transmission pipelines it is done in adherence with the below stipulations. Additionally, the following link provides additional information regarding legal requirements under California excavation laws: https://www.usanorth811.org/images/pdfs/CA-LAW-2018.pdf

1. Standby Inspection: A PG&E Gas Transmission Standby Inspector must be present during any demolition or construction activity that comes within 10 feet of the gas pipeline. This includes all grading, trenching, substructure depth verifications (potholes), asphalt or concrete demolition/removal, removal of trees, signs, light poles, etc. This inspection can be coordinated through the Underground Service Alert (USA) service at 811. A minimum notice of 48 hours is required. Ensure the USA markings and notifications are maintained throughout the duration of your work.

2. Access: At any time, PG&E may need to access, excavate, and perform work on the gas pipeline. Any construction equipment, materials, or spoils may need to be removed upon notice. Any temporary construction fencing installed within PG&E's easement would also need to be capable of being removed at any time upon notice. Any plans to cut temporary slopes exceeding a 1:4 grade within 10 feet of a gas transmission pipeline need to be approved by PG&E Pipeline Services in writing PRIOR to performing the work.

3. Wheel Loads: To prevent damage to the buried gas pipeline, there are weight limits that must be enforced whenever any equipment gets within 10 feet of traversing the pipe.

Ensure a list of the axle weights of all equipment being used is available for PG&E's Standby Inspector. To confirm the depth of cover, the pipeline may need to be potholed by hand in a few areas.

Due to the complex variability of tracked equipment, vibratory compaction equipment, and cranes, PG&E must evaluate those items on a case-by-case basis prior to use over the gas pipeline (provide a list of any proposed equipment of this type noting model numbers and specific attachments).

No equipment may be set up over the gas pipeline while operating. Ensure crane outriggers are at least 10 feet from the centerline of the gas pipeline. Transport trucks must not be parked over the gas pipeline while being loaded or unloaded.

4. Grading: PG&E requires a minimum of 36 inches of cover over gas pipelines (or existing grade if less) and a maximum of 7 feet of cover at all locations. The graded surface cannot exceed a cross slope of 1:4.

5. Excavating: Any digging within 2 feet of a gas pipeline must be dug by hand. Note that while the minimum clearance is only 12 inches, any excavation work within 24 inches of the edge of a pipeline must be done with hand tools. So to avoid having to dig a trench entirely with hand tools, the edge of the trench must be over 24 inches away. (Doing the math for a 24 inch

wide trench being dug along a 36 inch pipeline, the centerline of the trench would need to be at least 54 inches [24/2 + 24 + 36/2 = 54] away, or be entirely dug by hand.)

Water jetting to assist vacuum excavating must be limited to 1000 psig and directed at a 40° angle to the pipe. All pile driving must be kept a minimum of 3 feet away.

Any plans to expose and support a PG&E gas transmission pipeline across an open excavation need to be approved by PG&E Pipeline Services in writing PRIOR to performing the work.

6. Boring/Trenchless Installations: PG&E Pipeline Services must review and approve all plans to bore across or parallel to (within 10 feet) a gas transmission pipeline. There are stringent criteria to pothole the gas transmission facility at regular intervals for all parallel bore installations.

For bore paths that cross gas transmission pipelines perpendicularly, the pipeline must be potholed a minimum of 2 feet in the horizontal direction of the bore path and a minimum of 12 inches in the vertical direction from the bottom of the pipe with minimum clearances measured from the edge of the pipe in both directions. Standby personnel must watch the locator trace (and every ream pass) the path of the bore as it approaches the pipeline and visually monitor the pothole (with the exposed transmission pipe) as the bore traverses the pipeline to ensure adequate clearance with the pipeline. The pothole width must account for the inaccuracy of the locating equipment.

7. Substructures: All utility crossings of a gas pipeline should be made as close to perpendicular as feasible (90° +/- 15°). All utility lines crossing the gas pipeline must have a minimum of 12 inches of separation from the gas pipeline. Parallel utilities, pole bases, water line ‘kicker blocks’, storm drain inlets, water meters, valves, back pressure devices or other utility substructures are not allowed in the PG&E gas pipeline easement.

If previously retired PG&E facilities are in conflict with proposed substructures, PG&E must verify they are safe prior to removal. This includes verification testing of the contents of the facilities, as well as environmental testing of the coating and internal surfaces. Timelines for PG&E completion of this verification will vary depending on the type and location of facilities in conflict.

8. Structures: No structures are to be built within the PG&E gas pipeline easement. This includes buildings, retaining walls, fences, decks, patios, carports, septic tanks, storage sheds, tanks, loading ramps, or any structure that could limit PG&E’s ability to access its facilities.

9. Fencing: Permanent fencing is not allowed within PG&E easements except for perpendicular crossings which must include a 16 foot wide gate for vehicular access. Gates will be secured with PG&E corporation locks.

10. Landscaping: Landscaping must be designed to allow PG&E to access the pipeline for maintenance and not interfere with pipeline coatings or other cathodic protection systems. No trees, shrubs, brush, vines, and other vegetation may be planted within the easement area. Only those plants, ground covers, grasses, flowers, and low-growing plants that grow unsupported to a maximum of four feet (4’) in height at maturity may be planted within the easement area.

11. Cathodic Protection: PG&E pipelines are protected from corrosion with an “Impressed Current” cathodic protection system. Any proposed facilities, such as metal conduit, pipes, service lines, ground rods, anodes, wires, etc. that might affect the pipeline cathodic protection system must be reviewed and approved by PG&E Corrosion Engineering.

12. Pipeline Marker Signs: PG&E needs to maintain pipeline marker signs for gas transmission pipelines in order to ensure public awareness of the presence of the pipelines. With prior written approval from PG&E Pipeline Services, an existing PG&E pipeline marker sign that is in direct conflict with proposed developments may be temporarily relocated to accommodate construction work. The pipeline marker must be moved back once construction is complete.

13. PG&E is also the provider of distribution facilities throughout many of the areas within the state of California. Therefore, any plans that impact PG&E’s facilities must be reviewed and approved by PG&E to ensure that no impact occurs which may endanger the safe operation of its facilities.

Attachment 2 – Electric Facilities

It is PG&E's policy to permit certain uses on a case by case basis within its electric transmission fee strip(s) and/or easement(s) provided such uses and manner in which they are exercised, will not interfere with PG&E's rights or endanger its facilities. Some examples/restrictions are as follows:

1. Buildings and Other Structures: No buildings or other structures including the foot print and eave of any buildings, swimming pools, wells or similar structures will be permitted within fee strip(s) and/or easement(s) areas. PG&E's transmission easement shall be designated on subdivision/parcel maps as "**RESTRICTED USE AREA – NO BUILDING."**

2. Grading: Cuts, trenches or excavations may not be made within 25 feet of our towers. Developers must submit grading plans and site development plans (including geotechnical reports if applicable), signed and dated, for PG&E's review. PG&E engineers must review grade changes in the vicinity of our towers. No fills will be allowed which would impair ground-to-conductor clearances. Towers shall not be left on mounds without adequate road access to base of tower or structure.

3. Fences: Walls, fences, and other structures must be installed at locations that do not affect the safe operation of PG&'s facilities. Heavy equipment access to our facilities must be maintained at all times. Metal fences are to be grounded to PG&E specifications. No wall, fence or other like structure is to be installed within 10 feet of tower footings and unrestricted access must be maintained from a tower structure to the nearest street. Walls, fences and other structures proposed along or within the fee strip(s) and/or easement(s) will require PG&E review; submit plans to PG&E Centralized Review Team for review and comment.

4. Landscaping: Vegetation may be allowed; subject to review of plans. On overhead electric transmission fee strip(s) and/or easement(s), trees and shrubs are limited to those varieties that do not exceed 15 feet in height at maturity. PG&E must have access to its facilities at all times, including access by heavy equipment. No planting is to occur within the footprint of the tower legs. Greenbelts are encouraged.

5. Reservoirs, Sumps, Drainage Basins, and Ponds: Prohibited within PG&E's fee strip(s) and/or easement(s) for electric transmission lines.

6. Automobile Parking: Short term parking of movable passenger vehicles and light trucks (pickups, vans, etc.) is allowed. The lighting within these parking areas will need to be reviewed by PG&E; approval will be on a case by case basis. Heavy equipment access to PG&E facilities is to be maintained at all times. Parking is to clear PG&E structures by at least 10 feet. Protection of PG&E facilities from vehicular traffic is to be provided at developer's expense AND to PG&E specifications. Blocked-up vehicles are not allowed. Carports, canopies, or awnings are not allowed.

7. Storage of Flammable, Explosive or Corrosive Materials: There shall be no storage of fuel or combustibles and no fueling of vehicles within PG&E's easement. No trash bins or incinerators are allowed.

8. Streets and Roads: Access to facilities must be maintained at all times. Street lights may be allowed in the fee strip(s) and/or easement(s) but in all cases must be reviewed by PG&E for proper clearance. Roads and utilities should cross the transmission easement as nearly at right angles as possible. Road intersections will not be allowed within the transmission easement.

9. Pipelines: Pipelines may be allowed provided crossings are held to a minimum and to be as nearly perpendicular as possible. Pipelines within 25 feet of PG&E structures require review by PG&E. Sprinklers systems may be allowed; subject to review. Leach fields and septic tanks are not allowed. Construction plans must be submitted to PG&E for review and approval prior to the commencement of any construction.

10. Signs: Signs are not allowed except in rare cases subject to individual review by PG&E.

11. Recreation Areas: Playgrounds, parks, tennis courts, basketball courts, barbecue and light trucks (pickups, vans, etc.) may be allowed; subject to review of plans. Heavy equipment access to PG&E facilities is to be maintained at all times. Parking is to clear PG&E structures by at least 10 feet. Protection of PG&E facilities from vehicular traffic is to be provided at developer's expense AND to PG&E specifications.

12. Construction Activity: Since construction activity will take place near PG&E's overhead electric lines, please be advised it is the contractor's responsibility to be aware of, and observe the minimum clearances for both workers and equipment operating near high voltage electric lines set out in the High-Voltage Electrical Safety Orders of the California Division of Industrial Safety (https://www.dir.ca.gov/Title8/sb5g2.html), as well as any other safety regulations. Contractors shall comply with California Public Utilities Commission General Order 95 (http://www.cpuc.ca.gov/gos/GO95/go_95_startup_page.html) and all other safety rules. No construction may occur within 25 feet of PG&E's towers. All excavation activities may only commence after 811 protocols has been followed.

Contractor shall ensure the protection of PG&E's towers and poles from vehicular damage by (installing protective barriers) Plans for protection barriers must be approved by PG&E prior to construction.

13. PG&E is also the owner of distribution facilities throughout many of the areas within the state of California. Therefore, any plans that impact PG&E's facilities must be reviewed and approved by PG&E to ensure that no impact occurs that may endanger the safe and reliable operation of its facilities.

June 23, 2021

John Moredo
County of Humboldt
3015 H St
Eureka, CA 95501

Ref: Gas and Electric Transmission and Distribution

Dear John Moredo,

Thank you for submitting the PLN-12333-CUP plans for our review. PG&E will review the submitted plans in relationship to any existing Gas and Electric facilities within the project area. If the proposed project is adjacent/or within PG&E owned property and/or easements, we will be working with you to ensure compatible uses and activities near our facilities.

Attached you will find information and requirements as it relates to Gas facilities (Attachment 1) and Electric facilities (Attachment 2). Please review these in detail, as it is critical to ensure your safety and to protect PG&E's facilities and its existing rights.

Below is additional information for your review:

1. This plan review process does not replace the application process for PG&E gas or electric service your project may require. For these requests, please continue to work with PG&E Service Planning: https://www.pge.com/en_US/business/services/building-and-renovation/overview/overview.page.

2. If the project being submitted is part of a larger project, please include the entire scope of your project, and not just a portion of it. PG&E's facilities are to be incorporated within any CEQA document. PG&E needs to verify that the CEQA document will identify any required future PG&E services.

3. An engineering deposit may be required to review plans for a project depending on the size, scope, and location of the project and as it relates to any rearrangement or new installation of PG&E facilities.

Any proposed uses within the PG&E fee strip and/or easement, may include a California Public Utility Commission (CPUC) Section 851 filing. This requires the CPUC to render approval for a conveyance of rights for specific uses on PG&E's fee strip or easement. PG&E will advise if the necessity to incorporate a CPUC Section 851filing is required.

This letter does not constitute PG&E's consent to use any portion of its easement for any purpose not previously conveyed. PG&E will provide a project specific response as required.

Sincerely,

Plan Review Team
Land Management

Attachment 1 – Gas Facilities

There could be gas transmission pipelines in this area which would be considered critical facilities for PG&E and a high priority subsurface installation under California law. Care must be taken to ensure safety and accessibility. So, please ensure that if PG&E approves work near gas transmission pipelines it is done in adherence with the below stipulations. Additionally, the following link provides additional information regarding legal requirements under California excavation laws: https://www.usanorth811.org/images/pdfs/CA-LAW-2018.pdf

1. Standby Inspection: A PG&E Gas Transmission Standby Inspector must be present during any demolition or construction activity that comes within 10 feet of the gas pipeline. This includes all grading, trenching, substructure depth verifications (potholes), asphalt or concrete demolition/removal, removal of trees, signs, light poles, etc. This inspection can be coordinated through the Underground Service Alert (USA) service at 811. A minimum notice of 48 hours is required. Ensure the USA markings and notifications are maintained throughout the duration of your work.

2. Access: At any time, PG&E may need to access, excavate, and perform work on the gas pipeline. Any construction equipment, materials, or spoils may need to be removed upon notice. Any temporary construction fencing installed within PG&E's easement would also need to be capable of being removed at any time upon notice. Any plans to cut temporary slopes exceeding a 1:4 grade within 10 feet of a gas transmission pipeline need to be approved by PG&E Pipeline Services in writing PRIOR to performing the work.

3. Wheel Loads: To prevent damage to the buried gas pipeline, there are weight limits that must be enforced whenever any equipment gets within 10 feet of traversing the pipe.

Ensure a list of the axle weights of all equipment being used is available for PG&E's Standby Inspector. To confirm the depth of cover, the pipeline may need to be potholed by hand in a few areas.

Due to the complex variability of tracked equipment, vibratory compaction equipment, and cranes, PG&E must evaluate those items on a case-by-case basis prior to use over the gas pipeline (provide a list of any proposed equipment of this type noting model numbers and specific attachments).

No equipment may be set up over the gas pipeline while operating. Ensure crane outriggers are at least 10 feet from the centerline of the gas pipeline. Transport trucks must not be parked over the gas pipeline while being loaded or unloaded.

4. Grading: PG&E requires a minimum of 36 inches of cover over gas pipelines (or existing grade if less) and a maximum of 7 feet of cover at all locations. The graded surface cannot exceed a cross slope of 1:4.

5. Excavating: Any digging within 2 feet of a gas pipeline must be dug by hand. Note that while the minimum clearance is only 12 inches, any excavation work within 24 inches of the edge of a pipeline must be done with hand tools. So to avoid having to dig a trench entirely with hand tools, the edge of the trench must be over 24 inches away. (Doing the math for a 24 inch

wide trench being dug along a 36 inch pipeline, the centerline of the trench would need to be at least 54 inches [24/2 + 24 + 36/2 = 54] away, or be entirely dug by hand.)

Water jetting to assist vacuum excavating must be limited to 1000 psig and directed at a 40° angle to the pipe. All pile driving must be kept a minimum of 3 feet away.

Any plans to expose and support a PG&E gas transmission pipeline across an open excavation need to be approved by PG&E Pipeline Services in writing PRIOR to performing the work.

6. Boring/Trenchless Installations: PG&E Pipeline Services must review and approve all plans to bore across or parallel to (within 10 feet) a gas transmission pipeline. There are stringent criteria to pothole the gas transmission facility at regular intervals for all parallel bore installations.

For bore paths that cross gas transmission pipelines perpendicularly, the pipeline must be potholed a minimum of 2 feet in the horizontal direction of the bore path and a minimum of 12 inches in the vertical direction from the bottom of the pipe with minimum clearances measured from the edge of the pipe in both directions. Standby personnel must watch the locator trace (and every ream pass) the path of the bore as it approaches the pipeline and visually monitor the pothole (with the exposed transmission pipe) as the bore traverses the pipeline to ensure adequate clearance with the pipeline. The pothole width must account for the inaccuracy of the locating equipment.

7. Substructures: All utility crossings of a gas pipeline should be made as close to perpendicular as feasible (90° +/- 15°). All utility lines crossing the gas pipeline must have a minimum of 12 inches of separation from the gas pipeline. Parallel utilities, pole bases, water line ‘kicker blocks’, storm drain inlets, water meters, valves, back pressure devices or other utility substructures are not allowed in the PG&E gas pipeline easement.

If previously retired PG&E facilities are in conflict with proposed substructures, PG&E must verify they are safe prior to removal. This includes verification testing of the contents of the facilities, as well as environmental testing of the coating and internal surfaces. Timelines for PG&E completion of this verification will vary depending on the type and location of facilities in conflict.

8. Structures: No structures are to be built within the PG&E gas pipeline easement. This includes buildings, retaining walls, fences, decks, patios, carports, septic tanks, storage sheds, tanks, loading ramps, or any structure that could limit PG&E’s ability to access its facilities.

9. Fencing: Permanent fencing is not allowed within PG&E easements except for perpendicular crossings which must include a 16 foot wide gate for vehicular access. Gates will be secured with PG&E corporation locks.

10. Landscaping: Landscaping must be designed to allow PG&E to access the pipeline for maintenance and not interfere with pipeline coatings or other cathodic protection systems. No trees, shrubs, brush, vines, and other vegetation may be planted within the easement area. Only those plants, ground covers, grasses, flowers, and low-growing plants that grow unsupported to a maximum of four feet (4’) in height at maturity may be planted within the easement area.

11. Cathodic Protection: PG&E pipelines are protected from corrosion with an “Impressed Current” cathodic protection system. Any proposed facilities, such as metal conduit, pipes, service lines, ground rods, anodes, wires, etc. that might affect the pipeline cathodic protection system must be reviewed and approved by PG&E Corrosion Engineering.

12. Pipeline Marker Signs: PG&E needs to maintain pipeline marker signs for gas transmission pipelines in order to ensure public awareness of the presence of the pipelines. With prior written approval from PG&E Pipeline Services, an existing PG&E pipeline marker sign that is in direct conflict with proposed developments may be temporarily relocated to accommodate construction work. The pipeline marker must be moved back once construction is complete.

13. PG&E is also the provider of distribution facilities throughout many of the areas within the state of California. Therefore, any plans that impact PG&E’s facilities must be reviewed and approved by PG&E to ensure that no impact occurs which may endanger the safe operation of its facilities.

Attachment 2 – Electric Facilities

It is PG&E's policy to permit certain uses on a case by case basis within its electric transmission fee strip(s) and/or easement(s) provided such uses and manner in which they are exercised, will not interfere with PG&E's rights or endanger its facilities. Some examples/restrictions are as follows:

1. Buildings and Other Structures: No buildings or other structures including the foot print and eave of any buildings, swimming pools, wells or similar structures will be permitted within fee strip(s) and/or easement(s) areas. PG&E's transmission easement shall be designated on subdivision/parcel maps as "**RESTRICTED USE AREA – NO BUILDING."**

2. Grading: Cuts, trenches or excavations may not be made within 25 feet of our towers. Developers must submit grading plans and site development plans (including geotechnical reports if applicable), signed and dated, for PG&E's review. PG&E engineers must review grade changes in the vicinity of our towers. No fills will be allowed which would impair ground-to-conductor clearances. Towers shall not be left on mounds without adequate road access to base of tower or structure.

3. Fences: Walls, fences, and other structures must be installed at locations that do not affect the safe operation of PG&'s facilities. Heavy equipment access to our facilities must be maintained at all times. Metal fences are to be grounded to PG&E specifications. No wall, fence or other like structure is to be installed within 10 feet of tower footings and unrestricted access must be maintained from a tower structure to the nearest street. Walls, fences and other structures proposed along or within the fee strip(s) and/or easement(s) will require PG&E review; submit plans to PG&E Centralized Review Team for review and comment.

4. Landscaping: Vegetation may be allowed; subject to review of plans. On overhead electric transmission fee strip(s) and/or easement(s), trees and shrubs are limited to those varieties that do not exceed 15 feet in height at maturity. PG&E must have access to its facilities at all times, including access by heavy equipment. No planting is to occur within the footprint of the tower legs. Greenbelts are encouraged.

5. Reservoirs, Sumps, Drainage Basins, and Ponds: Prohibited within PG&E's fee strip(s) and/or easement(s) for electric transmission lines.

6. Automobile Parking: Short term parking of movable passenger vehicles and light trucks (pickups, vans, etc.) is allowed. The lighting within these parking areas will need to be reviewed by PG&E; approval will be on a case by case basis. Heavy equipment access to PG&E facilities is to be maintained at all times. Parking is to clear PG&E structures by at least 10 feet. Protection of PG&E facilities from vehicular traffic is to be provided at developer's expense AND to PG&E specifications. Blocked-up vehicles are not allowed. Carports, canopies, or awnings are not allowed.

7. Storage of Flammable, Explosive or Corrosive Materials: There shall be no storage of fuel or combustibles and no fueling of vehicles within PG&E's easement. No trash bins or incinerators are allowed.

8. Streets and Roads: Access to facilities must be maintained at all times. Street lights may be allowed in the fee strip(s) and/or easement(s) but in all cases must be reviewed by PG&E for proper clearance. Roads and utilities should cross the transmission easement as nearly at right angles as possible. Road intersections will not be allowed within the transmission easement.

9. Pipelines: Pipelines may be allowed provided crossings are held to a minimum and to be as nearly perpendicular as possible. Pipelines within 25 feet of PG&E structures require review by PG&E. Sprinklers systems may be allowed; subject to review. Leach fields and septic tanks are not allowed. Construction plans must be submitted to PG&E for review and approval prior to the commencement of any construction.

10. Signs: Signs are not allowed except in rare cases subject to individual review by PG&E.

11. Recreation Areas: Playgrounds, parks, tennis courts, basketball courts, barbecue and light trucks (pickups, vans, etc.) may be allowed; subject to review of plans. Heavy equipment access to PG&E facilities is to be maintained at all times. Parking is to clear PG&E structures by at least 10 feet. Protection of PG&E facilities from vehicular traffic is to be provided at developer's expense AND to PG&E specifications.

12. Construction Activity: Since construction activity will take place near PG&E's overhead electric lines, please be advised it is the contractor's responsibility to be aware of, and observe the minimum clearances for both workers and equipment operating near high voltage electric lines set out in the High-Voltage Electrical Safety Orders of the California Division of Industrial Safety (https://www.dir.ca.gov/Title8/sb5g2.html), as well as any other safety regulations. Contractors shall comply with California Public Utilities Commission General Order 95 (http://www.cpuc.ca.gov/gos/GO95/go_95_startup_page.html) and all other safety rules. No construction may occur within 25 feet of PG&E's towers. All excavation activities may only commence after 811 protocols has been followed.

Contractor shall ensure the protection of PG&E's towers and poles from vehicular damage by (installing protective barriers) Plans for protection barriers must be approved by PG&E prior to construction.

13. PG&E is also the owner of distribution facilities throughout many of the areas within the state of California. Therefore, any plans that impact PG&E's facilities must be reviewed and approved by PG&E to ensure that no impact occurs that may endanger the safe and reliable operation of its facilities.

Accela Civic Platform > HUMBOLDT

MA

PLN-12337-C...

Aloha Top Shelf, L...

A Conditional Use...

STATUS
> In Referrals
05/07/2021 by...

LOCATION
> 145 Hillcrest ...
Willow Creek, ...

CONTACT
> Aloha Top She...

WORKFLOW
> 17 total Task
...

Cancel Help

- Summary
- Project Description
- Workflow
- 1 Referral Assignments
- 2 Planning Information
- 3 GP / Zoning Information
- 4 CEQA
- 5 Cannabis
- Project Tracking
- 6 Referral Task Log (2)
- Fee (5)
- Payment
- **Workflow History (16)**
- Comments (2)
- Documents (27)
- Conditions of Approval (0)

Task Sheriff	Due Date 05/27/2021	Assigned Date
Assigned to Department Sheriff	Assigned to	Status Approved
Action by Department Sheriff	Action By Sheriff Humboldt County	Status Date 05/17/2021
Start Time	End Time	Hours Spent 0.0
Billable No	Overtime No	Comments Misdemeanor Charges only for Sean O'Connor in the DA Office System
Time Tracking Start Date	Est. Completion Date	In Possession Time (hrs)
Display E-mail Address in ACA No	☑ Display Comment in ACA	Comment Display in ACA ☑ All ACA Users ☑ Record Creator ☑ Licensed Professional ☑ Contact ☑ Owner
Estimated Hours 0.0	Action Updated	Workflow Calendar Workflow Blockout

Accela Civic Platform > HUMBOLDT

MA

PLN-12333-C...

Aloha Top Shelf, L...

Applying for a Co...

STATUS	LOCATION	CONTACT	WORKFLOW
> In Referrals 05/06/2021 by...	> None Provided	> Aloha Top She...	> 17 total Task ●...

Cancel Help

- Summary
- Project Description
- Workflow
- 1 Referral Assignments
- 2 Planning Information
- 3 GP / Zoning Information
- 4 CEQA
- 5 Cannabis
- Project Tracking
- 6 Referral Task Log (2)
- Fee (6)
- Payment
- **Workflow History (19)**
- Comments (4)
- Documents (31)
- Conditions of Approval (0)

Task Sheriff	Due Date 05/27/2021	Assigned Date
Assigned to Department Sheriff	Assigned to	Status Approved
Action by Department Sheriff	Action By Sheriff Humboldt County	Status Date 05/17/2021
Start Time	End Time	Hours Spent 0.0
Billable No	Overtime No	Comments Misdemeanor Charges only for Sean O'Connor in the DA Office System
Time Tracking Start Date	Est. Completion Date	In Possession Time (hrs)
Display E-mail Address in ACA No	☑ Display Comment in ACA	Comment Display in ACA ☑ All ACA Users ☑ Record Creator ☑ Licensed Professional ☑ Contact ☑ Owner
Estimated Hours 0.0	Action Updated	Workflow Calendar Workflow Blockout