

ATTACHMENT 3
Deficiency Letter



COUNTY OF HUMBOLDT
PLANNING AND BUILDING DEPARTMENT
CANNABIS SERVICES DIVISION

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

October 26, 2022

Jonah Hunter
39512 Highway 36
Bridgeville, CA 95526

RE: Permit Application No. PLN-13234-SP **APN:** 210-231-005

Dear Jonah:

This letter provides an important update on your Zoning Clearance Certificate applications referenced above. On August 17, 2018, the County sent you a deficiency letter stating that additional information was required in order to process these applications. Additional information is required to be submitted so that we may review your projects conformance with the criteria necessary to obtain approval. To date, we have not received the requested information and therefore continue to be unable to adequately review the application to determine consistency with the Humboldt County Code (specifically Section 312-2.4 of the Humboldt County Code, Required Findings for Approval of Zoning Clearance Certificates).

This letter is to inform you that if the information requested in the deficiency letters is not submitted within 30 days of the date of this letter, the referenced Zoning Clearance Certificate will be denied due to lack of evidence to recommend approval of your project.

If you wish to withdraw the application and prevent further processing of this application, please provide your request in writing within 30 days of this letter.

When you have assembled all of the requested material, submit the documents with this letter as a complete package to the Planning Department. Once the required information is received processing your application will promptly resume. If you have questions about this letter, please contact me at astrickland@co.humboldt.ca.us (preferred) or by phone at (707) 441-2630.

Sincerely,

Abbie Strickland
Planner II

Enclosed: Deficiency Letter(s)



COUNTY OF HUMBOLDT
PLANNING AND BUILDING DEPARTMENT
CANNABIS SERVICES DIVISION

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

August 17, 2018

Jonah Hunter
39512 Hwy 36
Bridgeville, CA 95526

RE: Permit Application No. 13234

APN: 210-231-005

Case No.: SP16-835

Dear Jonah Hunter:

Thank you for your submittal of the above referenced application for a commercial cannabis permit on 12/3/16 for 6,480 square feet (sf) of mixed light (ML) and 3,518 sf of outdoor (OD) (9,998 sf total). Prior correspondence regarding the project has included an incomplete letter dated 2/9/17, and a withdrawal notice dated 8/16/17. Additional application materials were received on 9/14/17, and the project became eligible for an interim permit on 3/29/18. Unfortunately, after review the application submittal was found not to contain all of the required information and we are unable to move the permit forward at this time.

Listed below are the actions you must take for staff to continue processing this permit application:

1. Submit additional evidence of historic cultivation or amend the application. The county performed a cultivation area verification (CAV) on the parcel to find evidence of historic grow sites in existence prior to January 1, 2016. The CAV found 6,400 sf of ML cultivation. In order to support the full application for 9,998 sf, evidence must be submitted. Alternatively, the project and associated materials (site plan, ops plan, etc.) may be amended to reflect what the county was able to verify.
2. Submit notarized owner's consent of all property owners of record including "Ryan Smart".
3. Submit the most current deed for the property.
4. Submit an updated Operations Plan that includes:
 - o Estimated irrigation water use both monthly and annually;
 - o An updated schedule of activities broken up month-by-month;
 - o Elaboration on the processing plan including:
 - Summary of Processing Practices.
 - Description of location where processing will occur.
 - Estimated number of employees, if any.
 - Summary of Employee Safety Practices.
 - Description of toilet and handwashing facilities.
 - Description of plumbing and/or septic system and whether or not the system is capable of handling increased usage.
 - Description of source of drinking water for employees.
 - Description of increased road use resulting from processing and a plan to minimize that impact.
 - Description of on-site housing, if any.

- o Elaboration on the security plan describing measures to be taken to ensure the security of the medical marijuana and to safeguard against the diversion of medical marijuana for non-medical purposes, or access by minors.
 - o If greenhouses are proposed, indicate how their construction and configuration complies with Humboldt County Zoning Regulations Section 313 - 69.1.5.2.
5. Submit an updated Site Plan that is consistent with the County Plot Plan Checklist (<https://humboldt.gov/DocumentCenter/View/191/Plot-Plan-Checklist-Building-Inspection-Division-PDF>) and includes:
 - o Showing the entire parcel;
 - o Both owners' name and assessor's parcel number;
 - o Internal access roads;
 - o Graded flats if applicable (if not include a note as such);
 - o Dimensions showing 600 feet around the cultivation site, including notations describing distance from nearby schools, school bus stops, places of worship, public parks, and Tribal Cultural Resources; and
 - o Date of construction for buildings and water storage structures.
 6. Submit a copy of the North Coast Regional Water Quality Control Board (NCRWQCB) or State Water Resources Control Board (SWRCB) Notice of Intent (NOI) & Monitoring and Reporting Plan (MRP).
 7. Submit a copy of a Water Resources Protection Plan (WRPP) prepared for the project, or a letter from a qualified professional indicating that one is being prepared.
 8. If springs are found to be hydrologically connected to surface water, submit a copy of the statement of water diversion, or other permit, license, or registration filed with the SWRCB Division of Water Rights.
 9. If springs are found to be hydrologically connected to surface water, submit a copy of a Lake and Streambed Alteration Agreement (LSAA) for the point of diversion, or a letter from a qualified professional indicating that one is being prepared.
 10. Submit a completed Road Evaluation Report (enclosed). If selecting "Box 2", include evidence, such as photos or other documentation, justifying that determination.
 11. Execute the interim permit for this project, submit imagery showing no cultivation is occurring this year, or withdraw the application (see the letter from Director John Ford dated July 5, 2018).

Be advised, if your source of water for cultivation and associated activities is a spring, forbearance will be required pursuant to Humboldt County Code Section 314-55.4.11(i) unless it can be demonstrated that the spring is not hydrologically connected to surface water. As a condition of project approval you will be required to provide confirmation from CDFW that the spring is not hydrologically connected to surface water, or ensure water storage capacity to comply with a mandatory forbearance period.

Pursuant to Humboldt County Code (HCC) Section 312-11.2, "*Development permits shall be issued only for a lot that was created in compliance with all applicable state and local subdivision regulations.*" While our office is in the process of completing this review for your parcel, it may be necessary for you to submit additional information in order to determine how the property was created in its current configuration. If additional information is needed our office will contact you.

County staff will conduct a review of previous land use actions that have been approved on the subject parcel(s) to ensure that, "*The proposed development complies with the terms and conditions of any applicable permit and/or subdivision map that was previously approved for such development.*" (HCC §312-2.4.1.2). If a relevant project is found and additional information is needed, our office will contact you.

Please keep in mind, additional information may be requested once the project is reviewed by State and local agencies during the referral stage of the process. The Department cannot make the required findings specified in Humboldt County Code Sections 312-1.1.2 and 312-17 et seq., and the California Environmental Quality Act (CEQA) based on the information submitted to date. In order for the Department to further evaluate this project for compliance, the additional requested information must be submitted.

Unless it is withdrawn, the Department must act on your application. For this reason, if you do not submit the requested materials or a request for hearing within 180 days (6 months) of the date of this letter, we will begin scheduling your project for a hearing. This could result in the denial of your application and the inability to secure a State license under the Medical and Adult Use Cannabis Regulation and Safety Act (MAUCRSA).

Please accumulate all requested material and submit as a complete package to the contact listed below during regular business hours. When submitting these items please include the Application Number and APN found at the top of this letter. For most efficient processing, please include a copy of this letter with your submittals.

Please remember that the filing of a permit application does not authorize the applicant to engage in any new commercial marijuana cultivation, processing, manufacture or distribution activity. No such activity shall commence until the application has been processed to decision and all requisite clearances, permits and/or licenses have been secured. If you have questions about this letter, please contact Isaac Hansen at 707-445-7541.

Sincerely,

A handwritten signature in black ink that reads "Isaac Hansen". The signature is written in a cursive, flowing style.

Isaac Hansen
Cannabis Services Division
vendoriaco@co.humboldt.ca.us

Attachments
Road Evaluation Report



COUNTY OF HUMBOLDT
PLANNING AND BUILDING DEPARTMENT

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

12/14/2019

Jonah Hunter
39512 Hwy 36
Bridgeville, CA 95526

**RE: Extension of Zoning Clearance Certificate for Interim Permit
Application No. PLN-13234-SP ; Parcel No. 210-231-005-000:**

The 2019 Zoning Clearance Certificate (ZCC) for an Interim Permit for existing cannabis cultivation associated with your ongoing application under the Humboldt County Commercial Medical Marijuana Land Use Ordinance (CMMLUO) has NOT been approved for extension and will **NOT be continued into 2020.**

To legally cultivate cannabis in Humboldt County, you must have both a valid County Cultivation Permit and a license issued by the State of California. In addition you were required to pay Measure S taxes to the County of Humboldt. Our records show that you have not paid the required Measure S taxes to the County of Humboldt and/or you do not have an active state license application.

The compliance agreement which you signed stated that you would comply with all of these provisions and that if the terms of the compliance agreement were not complied with the Interim Permit would be revoked or in this case not extended. Your 2018 and/or 2017 cannabis cultivation taxes have not been paid, and/or you have not applied for or obtained the required provisional state license for 2019. The consequence of this action is that you do not have a permit to cultivate cannabis in Humboldt County.

Cultivation sites not in compliance with Humboldt County Code cannot be approved. Cultivation on the subject property after December 31, 2019 is a violation of Humboldt County Regulations. The only path to legal cultivation associated with this application is to obtain approval of the actual permit. We strongly encourage you to contact this Department as soon as possible to determine what steps need to be taken to receive approval of the permit.

Sincerely,

John H. Ford, Director
Planning and Building Department



COUNTY OF HUMBOLDT
PLANNING AND BUILDING DEPARTMENT

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

July 5, 2018

Jonah Hunter
39512 Hwy 36
Bridgeville CA 95526

YOUR ACTION IS REQUIRED

SUBJECT: 2018 Update to Applicants seeking Cannabis Cultivation Permit
Apps: 13234
APN: 210-231-005-000

Dear Applicant/Agent/Property Owner,

This letter is to inform you of changes to cannabis regulations affecting you and provide you with actions necessary to keep your site legal. It is important that your site remain legal in order to process your Cannabis Cultivation Permit Application to a positive action and to avoid enforcement actions. Your application is to permit an existing cultivation site, and you were given the opportunity to apply for an Interim Permit. To date, no Interim Permit has been issued for your application; therefore any cultivation currently occurring on this property is illegal.

To legally cultivate cannabis in Humboldt County in 2018, you must have both a valid County Cultivation Permit and a State License. The County is committed to protecting the legal market. The cultivation season is well underway, and the County is engaged in code enforcement actions as well as supporting law enforcement actions on illegal cultivations. To ensure we target only illegal operations, and correctly discern the legitimate compliant cultivations, **your action is required** to avoid potential impact to your application and subsequent enforcement actions, you must take one of the following actions within 30 days:

1. Take the necessary actions to receive an Interim Permit to cultivate from the Planning and Building Department AND apply for a State License.

OR—

2. Submit a signed letter to this Department indicating that no cultivation is, or will occur on the property until a valid County Permit and State License have been obtained. The letter must include time-certain photographic evidence of your garden/structures demonstrating no cultivation is occurring. For example, photos with a newspaper front page visible inside each empty hoop house with the coverings off. Or a photo of newspaper front page in foreground and a fallow garden in the background with identifying physical features visible. This evidence must be sufficient to readily identify the property/plot plan being depicted is the property in the application.

OR —

3. Submit a signed and notarized letter requesting withdrawal of your cultivation application, and submit photographic evidence that there is no cultivation on site and all cannabis cultivation related improvements have been removed.

Cultivation sites not in compliance with the Humboldt County Code cannot be approved. Failure to submit information as identified in one of these three options demonstrating the site is in compliance within 30 days will result in your application being scheduled for a hearing at the Planning Commission with a recommendation to deny your project and subsequent referral to appropriate Civil and/or Penal Code Enforcement.

Thank you for understanding how important it is to maintain the legal market and for your anticipated response to this letter.

Sincerely,

A handwritten signature in black ink, appearing to read "John H. Ford". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

John H. Ford
Director

- o Elaboration on the security plan describing measures to be taken to ensure the security of the medical marijuana and to safeguard against the diversion of medical marijuana for non-medical purposes, or access by minors.
 - o If greenhouses are proposed, indicate how their construction and configuration complies with Humboldt County Zoning Regulations Section 313 - 69.1.5.2.
5. Submit an updated Site Plan that is consistent with the County Plot Plan Checklist (<https://humboldt.gov/DocumentCenter/View/191/Plot-Plan-Checklist-Building-Inspection-Division-PDF>) and includes:
 - o Showing the entire parcel;
 - o Both owners' name and assessor's parcel number;
 - o Internal access roads;
 - o Graded flats if applicable (if not include a note as such);
 - o Dimensions showing 600 feet around the cultivation site, including notations describing distance from nearby schools, school bus stops, places of worship, public parks, and Tribal Cultural Resources; and
 - o Date of construction for buildings and water storage structures.
 6. Submit a copy of the North Coast Regional Water Quality Control Board (NCRWQCB) or State Water Resources Control Board (SWRCB) Notice of Intent (NOI) & Monitoring and Reporting Plan (MRP).
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COUNTY OF HUMBOLDT
PLANNING AND BUILDING DEPARTMENT
CANNABIS SERVICES DIVISION

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

August 17, 2018

Jonah Hunter
39512 Hwy 36
Bridgeville, CA 95526

RE: Permit Application No. 13234

APN: 210-231-005

Case No.: SP16-835

Dear Jonah Hunter:

Thank you for your submittal of the above referenced application for a commercial cannabis permit on 12/3/16 for 6,480 square feet (sf) of mixed light (ML) and 3,518 sf of outdoor (OD) (9,998 sf total). Prior correspondence regarding the project has included an incomplete letter dated 2/9/17, and a withdrawal notice dated 8/16/17. Additional application materials were received on 9/14/17, and the project became eligible for an interim permit on 3/29/18. Unfortunately, after review the application submittal was found not to contain all of the required information and we are unable to move the permit forward at this time.

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4. Submit an updated Operations Plan that includes:
 - o Estimated irrigation water use both monthly and annually;
 - o An updated schedule of activities broken up month-by-month;
 - o Elaboration on the processing plan including:
 - Summary of Processing Practices.
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 - Estimated number of employees, if any.
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 - Description of increased road use resulting from processing and a plan to minimize that impact.
 - Description of on-site housing, if any.

Please keep in mind, additional information may be requested once the project is reviewed by State and local agencies during the referral stage of the process. The Department cannot make the required findings specified in Humboldt County Code Sections 312-1.1.2 and 312-17 et seq., and the California Environmental Quality Act (CEQA) based on the information submitted to date. In order for the Department to further evaluate this project for compliance, the additional requested information must be submitted.

Unless it is withdrawn, the Department must act on your application. For this reason, if you do not submit the requested materials or a request for hearing within 180 days (6 months) of the date of this letter, we will begin scheduling your project for a hearing. This could result in the denial of your application and the inability to secure a State license under the Medical and Adult Use Cannabis Regulation and Safety Act (MAUCRSA).

Please accumulate all requested material and submit as a complete package to the contact listed below during regular business hours. When submitting these items please include the Application Number and APN found at the top of this letter. For most efficient processing, please include a copy of this letter with your submittals.

Please remember that the filing of a permit application does not authorize the applicant to engage in any new commercial marijuana cultivation, processing, manufacture or distribution activity. No such activity shall commence until the application has been processed to decision and all requisite clearances, permits and/or licenses have been secured. If you have questions about this letter, please contact Isaac Hansen at 707-445-7541.

Sincerely,

A handwritten signature in cursive script that reads "Isaac Hansen".

Isaac Hansen
Cannabis Services Division
vendorlaco@co.humboldt.ca.us

Attachments
Road Evaluation Report



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

APPLICATION WITHDRAWAL NOTICE

Jonah Hunter
39512 Hwy 36

Bridgeville, CA 95526

8/16/2017

This is a courtesy notification from the County of Humboldt Planning and Building Department for the following commercial cannabis permit application:

Application #: 13234

Application Submittal Date: 12/30/2016

Incomplete Letter Date: 2/10/2017

Application Withdrawal Effective Date: 9/16/2017

Assessor Parcel Number: 210-231-005-000

Your application for a commercial cannabis permit has remained incomplete for more than 6 months since the first incomplete letter was sent to you. Section 312-6.1.5 of the Humboldt County Code states an application which has not been made complete within 6 months of receipt of the application is deemed withdrawn.

If you do NOT submit **ALL** information required to complete your application within 30 calendar days from the date of this letter your project will be deemed withdrawn.

Due to our commitment to process complete applications received prior to June 30, 2017 and the very large number of applicants receiving this same letter, it is anticipated there will be long lines and limited staff availability at the Planning and Building Department counter. Submittals which do not result in a complete application will not be accepted. Staff will review the supplemental materials at the counter to ensure all required information is included to complete your application. If the information does not result in a complete application, the material will not be taken over the counter. Additional time extensions are not being granted as this 30 day period is the time extension.

Please make your application complete as early as possible so we can continue assisting you in achieving our common goal of permit approval and compliance. If you have any questions, please contact the Planning and Building Department between the hours of 8:30 AM and 5:00 PM at (707) 445-7245.

Sincerely,

Office of the Director
Planning and Building Department
County of Humboldt





HUMBOLDT COUNTY
PLANNING AND BUILDING DEPARTMENT
CANNABIS SERVICES DIVISION

3015 H STREET, EUREKA, CA 95501
FAX: (707) 268-3792 PHONE (707) 445-7541

2/9/2017

Jonah Hunter

39512 Hwy 36

Bridgeville, CA 95526

RE: Permit Application No. 13234 APN 210-231-005-000

Dear Jonah Hunter,

Thank you for your Commercial Cannabis Permit Application. After an initial review, the submittal did not contain all of the required information and has been deemed incomplete. The items below must be provided before we can begin processing your application. For a complete version of the application checklist please visit: <http://humboldt.gov/DocumentCenter/View/53497>

✓ **Additional Payments**

Check(s) in the amount of \$30.00 payable to the Tribal Historic Preservation Office (THPO) for each of the following tribes: \$30 to Bear River Band THPO. The application deposit balance indicated on your Notice of Incomplete Payment is due.

✓ **Application Materials**

Indemnification and Hold Harmless Agreement; Commercial Medical Marijuana Land Use Ordinance Acknowledgement Form; Signed Affidavit - Commercial Cannabis Activity; Documentation of cultivation activities occurring prior to January 1, 2016 (not required for new cultivation).

✓ **Evidence of Ownership or Authorization**

Evidence of ownership is needed including, but not limited to: Copy of current deed for the property; Copy of lease or similar instrument authorizing application for permits; Copy of ownership instrument, showing all owner names (if more than one owner); Legal documentation describing the composition of the organization showing those empowered to direct the affairs and those holding an interest in the organization.

✓ **Site Plan of Entire Parcel Showing**

A site plan is needed including, but not limited to: Owner's name and assessor's parcel number; Easements; Natural waterways including streams, springs, ponds, culverts, and any other water features; Location and area of cultivation or commercial activity; Setbacks of cultivation area from property lines; Access roads; Graded flats; Buildings labeled as to type and date of construction including whether they will be used for any cultivation or processing activity; Water storage structures labeled as to type, capacity, and date of construction; Water diversions including culverts, ponds, dams, and other ground disturbance from water diversion; Dimensions showing 600 square feet around the cultivation site, including distances from nearby schools, school bus stops, places of worship, public parks, Tribal Cultural Resources, and off-site residences within 300 feet.

✓ **Cultivation and Operations** an

An operation plan is needed including, but not limited to: Description of water source, storage, irrigation plan, and projected water usage; Description of site drainage, including runoff and erosion control measures; Detail of measures taken to ensure protection of watershed and nearby habitat; Protocols for proper storage and use of fertilizers, pesticides, and other regulated products utilized; Description of cultivation activities (e.g. outdoor, indoor, mixed light); Processing Plan; If mixed light cultivation proposed, identify number of cultivation cycles; Schedule of activities during each month of the growing and harvesting season, including projected generator use; Security Plan.

✓ **Indoor Cultivation Facilities**

Information on indoor facilities is needed including, but not limited to: Identify source of electrical power; Include description of how it will meet energy requirements described in section 314-55.4.8.3 of the Zoning Code.

✓ **Retirement, Remediation, and Relocation (if applicable)**

If your project includes a Retirement, Remediation, and Relocation please consult the application checklist found at: <http://humboldt.gov/DocumentCenter/View/53497>

✓ **Other Permits, Licenses, and Documents (if applicable)**

If applicable, please include: A copy of the statement of water diversion, or other permit, license or registration filed with the State Water Resources Control Board, Division of Water Rights; Copy of Notice of Intent and Monitoring Self-Certification and other documents filed with the North Coast Regional Water Quality Board; Streambed Alteration Permit obtained from the Department of Fish and Wildlife; Copy of County of Humboldt well permit; If parcel is zoned FR, U or TPZ, or involves conversion of timberland, a copy of less-than-3-acre conversion exemption or timberland conversion permit, approved by CAL-FIRE. For existing operations occupying sites created through prior unauthorized conversion of timberland, evidence may be provided showing the landowner has completed a civil or criminal process and/or entered into a negotiated settlement with CAL-FIRE.

Please assemble all requested material and submit as a complete package. Once the items above are submitted and the application is determined to be complete, we will refer it to the appropriate agencies for comment. Additional issues or concerns may be identified through the referral and/or environmental review process. To help in this effort, the Division of Environmental Health has provided a checklist which has been enclosed.

The filing of an application does not authorize the applicant to engage in any new commercial medical marijuana cultivation, processing, manufacture or distribution activity. No such activity shall commence until the application has been processed to decision and all requisite clearances, permits and/or licenses have been secured.

If you submitted an update to your application that is not reflected in this letter, it may be because that additional information has not yet been added to your project file. Rest assured, if we received something, it will be added to your project file. Again please bring all the items indicated in this letter to make your application complete. If you have any questions regarding this letter please call the Planning and Building Department at (707)445-7245.

Sincerely,



Rodney Yandell, Planner
Cannabis Services