

Salmon Creek High Grade, LLC
 Record Number: PLN-2019-16114
 Assessor's Parcel Numbers: 219-011-009

Recommended Zoning Administrator Action

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

Find that the Zoning Administrator has considered the Addendum to the adopted Environmental Impact Report for the Commercial Cannabis Land Use Ordinance (CCLUO) as described by Section 15164 of the State CEQA Guidelines, make all required findings for approval of the Special Permit modification, and adopt the Resolution approving the Salmon Creek High Grade, LLC Special Permit Modification as recommended by staff subject to the recommended conditions.

Executive Summary

A Modification to a Special permit for 10,000 square feet of existing outdoor commercial cannabis and 1,824 square foot ancillary nursery previously approved under record number PLN-12482-SP. The modification adds an additional 1,350 square feet of existing outdoor commercial cannabis cultivation increasing the total to 11,350 which will be comprised of 4,599 square feet of light deprivation for two harvest cycles and 6,751 of full sun for one harvest cycle. The water budget is increasing from 44,000 gallons annually to 120,00 gallons annually to correct an error in the original estimation. The change in water budget will be met through the addition of rainwater catchment. The modification includes reconfiguration of outdoor cultivation areas consistent with the operations plan. Water storage is also increasing from 75,000 gallons to 155,200 gallons which includes 75,200 gallons of rainwater catchment tanks. Other aspects of the operation concerning nursery size, processing, power source, and number employees remain the same.

The applicant had approximately 12,700 square feet of pre-existing outdoor cultivation and received a Special Permit under PLN-12482-SP which capped the eligible permitted cultivation at 10,000 square feet. The applicant applied for the remaining pre-existing cultivation under the CCLUO on December 30, 2019. Applying at that time resulted in the applicant being eligible for only 50% of the remaining pre-existing outdoor cultivation. The addition of the 1,350 square feet of outdoor will be operated as full-sun cultivation in cultivation areas 3 and 4 as depicted on the plot plan. The 1,824 square foot ancillary nursery remains unmodified and takes place in three separate locations. An 899 square foot hoop house near cultivation area 1 will contain immature plants and will not use any artificial light. A 525 square foot immature plant area using artificial light occurs in an existing structure labeled guest house on the plot plan. And a 400 square foot immature plant area occurs in a shop building that also operates as a storage and hold area.

Cultivation areas will be slightly reconfigured to utilize a more efficient management of space and utilize a combination of individual rows, holes, and planters as well as hoop houses.

Cultivation Area 1-1	19 x 27	513 SF
Cultivation Area 1-2	8 Hoop Houses Light Deprivation	4,599 SF
Cultivation Area 1-3	Four plants 3x (6x5) 1x (5x5)	115 SF
Cultivation Area 2	Full Sun Outdoor in 19 separate rows	4,773 SF
Cultivation Area 3	20x20 perimeter	400 SF
Cultivation Area 4	38 – 5 x 5 plants	950 SF
TOTAL		11,350 SF

Rows and individual plants will be managed utilizing netting and cages to define the extent of plant growth consistent with the dimension described above.

The annual water budget is increasing from 44,000 gallons annually to 120,000 gallons annually. This increase is primarily to correct an error made in the original project regarding water usage and to align water usage more consistent with typical agronomic rates. Only 13,000 gallons of the increase is to accommodate the additional 1,350 square feet of outdoor cultivation.

Water Source

PLN-12482-SP approved a 44,000-gallon diversion with forbearance. That legally non-conforming water source will continue consistent with the associated Small Irrigation Use Registration with the State Water Resources Control Board. As noted above, the annual water budget is increasing to correct a prior error and align water usage with typical agronomic rates. The water budget for all the cultivation including the nursery translates to approximately 9.1 gallons per square foot per year. Rainwater catchment will account for 75,200 gallons or 62.6% of the annual water budget. The project operations plan accounts for the possibility of less than average rainfall and if rainfall is extremely low, the operation will either deploy additional water conservation measures or reduce the cultivation areas to stay within the available and eligible water budget. The 1,350 square feet of outdoor cultivation provided by this modification will be served exclusively by rainwater. Water infrastructure for cultivation areas 3 and 4 will not have any interconnectivity with the diversionary water source (Condition B3). A more detailed breakdown of water usage is provided in the following table excerpted from the project operations plan.

Figures in this table are in gallons. (D) = Diversion (RW) = Rainwater Catchment

	Cult Area 1 Dep 1.0	Cult Area 2 Outdoor 1.0	Cult Area 3 Outdoor cube 2.0	Cult Area 4 Outdoor holes in ground 2.0	Propagation Areas	TOTAL
January	0	0	0	0	0	
February	0	0	0	0	1500 RW	1500
March	0	0	0	0	2000 RW	2000
April	0	6,000 D	0	0	2000 RW	8000
May	0	7,000 D	0	0	2000 RW	9000
June	13,200 RW	7,000 RW	1000 RW	2000 RW	2000 RW	25,200
July	15,000 RW	7,000 RW	1000 RW	2000 RW	0	25,000
August	15,000 D	7,000 RW	1000 RW	3000 RW	0	26,000
September	10,000 D	7,000 D / RW	1000 RW	2000 RW	0	20,000
October	2,500 D	0	0	0	0	2,500
November	0	0	0	0	0	
December	0	0	0	0	0	
TOTAL	55,700 (27,500 D + 28,200 RW)	41,000 (16,500 D + 24,500 RW)	4,000 RW	9,000 RW	9,500 RW	119,200 (44,000 D + 75,200 RW)

Conservation measures include using irrigation emitters. Forbearance is followed from April 1 to October 31. Water is pulled for the irrigation 42 hours a week. Drip irrigation and water timers ensure consistent and economical use of water.

Water storage is also increasing from 75,000 gallons to 155,200 gallons which includes 75,200 gallons of rainwater catchment tanks. The location of the tanks is depicted on the plot plan.

Natural Resources

The approval of additional pre-existing cultivation does not represent additional ground disturbance. The additional water tanks are in an area requiring a grading permit as described in the existing compliance agreement and post approval follow up for PLN-12482-SP. Therefore, no additional analysis is needed regarding potential biological impacts from this modification.

Energy

Electricity is provided by PGE and there is no change in energy source with this modification. There is not generator usage associated with the project.

Noise

No noise generating devices are being introduced as part of this modification. No generators are used. Noise standards will be followed per the terms and conditions of the approved Special Permit PLN-12482-SP.

Access

Access to the site is taken directly from Thomas Road, which is county-maintained. No additional vehicle trips are occurring because of this modification. The number of employees at peak operation are remaining the same.

The project is located within the State Responsibility Area and two, 5,000-gallon water tanks are shown on the plot plan as dedicated for fire suppression. The plot plan also depicts emergency vehicle turnarounds compliant with the Fire Safe Regulations. Comment was received from the Salmon Creek Volunteer Fire Department which requested that the hydrant head be brass or other corrosion resistant material with a 2.5-inch National Hose male thread with a cap. The fire department also requested that the valve on the hydrant and the pipe feeding the hydrant be at least 1.5-inches wide and capable of 200 gallons per minute and the hydrant be labeled. These recommendations have been added as a condition of approval (Condition B6).

Tribal Consultation

The project is in the Bear River Band of Rohnerville Rancheria and Intertribal Sinkiyone Wilderness Council aboriginal territory. The project was referred to the tribes and the Northwest Information Center. Tribal consultation on PLN-12482-SP resulted in a recommendation of inadvertent discovery protocol which is unchanged with this modification.

Resolution 18-43 Consistency

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. The project is in the South Fork Eel Watershed, which under Resolution 18-43 is limited to 730 permits and 251 acres of cultivation. With the approval of this project the total approved permits in this Planning Watershed are unchanged and the total approved acres would be 81.33 acres of cultivation.

Environmental Review and Staff Recommendation

Environmental review for this project was conducted and based on the results of that analysis, staff concludes that all aspects of the project have been considered in a previously adopted Environmental Impact Report adopted for the Commercial Cannabis Land Use Ordinance. An addendum to the Environmental Impact Report has been prepared for consideration by the Zoning Administrator (Attachment 2).

Staff recommends that the Zoning Administrator make all the required findings based on the evidence in the record and approve the application subject to the recommend conditions.

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