



COUNTY OF HUMBOLDT
PLANNING AND BUILDING DEPARTMENT
CURRENT PLANNING DIVISION

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Phone: (707)445-7541 Fax: (707) 268-3792

Hearing Date: July 15, 2021

To: Humboldt County Planning Commission

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

Subject: **BLM Holdings, LLC., Conditional Use Permit**
Record Number: PLN-12618-CUP
Assessor's Parcel Number (APN:) 220-331-001
01 Miller Creek Road, Whitethorn area

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Please contact Christopher Alberts, Planner, at 707-445-7541 or by email at calberts@co.humboldt.ca.us, if you have any questions about the scheduled public hearing item.

AGENDA ITEM TRANSMITTAL

Hearing Date	Subject	Contact
July 15, 2021	Conditional Use Permit	Christopher Alberts

Project Description: A Conditional Use Permit for 37,894 square feet of existing outdoor and mixed light cannabis cultivation. Water for irrigation will be provided by a onstream pond. The applicant anticipates 183,600 gallons of water will be required annually for irrigation. Water storage onsite totals 75,000 gallons occurring in six (6) 5,000-gallon tanks, eleven (11) 3,000-gallon tanks, and five (5) 1,500-gallon tanks. Processing such as drying and curing will occur onsite within an existing permitted residence. The applicant is proposing to construct a new processing facility in the future. Further processing such as trimming and packaging will occur offsite at a third party licensed processing facility. The applicant anticipates up to three employees to handle operations. Power will be provided by PG&E.

Project Location: The project is located in the Kneeland area, on the east side of Miller Creek Rd, approximately 5000 feet NW from the intersection of Briceland Throne Rd and Miller Creek Rd, on the property known to be in Section 13 of Township 04S, Range 02E, Humboldt Base & Meridian. Situs address 801 Miller Creek Road.

Present Plan Land Use Designations: Residential Agriculture (RA); 2017 General Plan; Density: 40 acres per unit; Slope Stability: Low Instability (2).

Present Zoning: Forestry Recreation (FR), Special Building Site B-5(40)

Record Number: PLN-12618-CUP

Assessor's Parcel Number: 220-331-001

Applicant

BLM Holdings, LLC
P.O. Box 1832
Redway, CA 95560

Owner

Karen Lewis and Todd C.
801 Miller Creek Rd
Garberville, CA 95542

Agents

Oxalis Integrative Support Services
Ali Rivas
901 A, Redwood Drive
Garberville, CA 95542

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.

BLM Holdings, LLC.
 Record Number: PLN-12618-CUP
 Assessor's Parcel Number: 220-331-001

Recommended Planning Commission 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 Planning 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, make all of the required findings for approval of the Conditional Use Permit and adopt the Resolution approving the BLM Holdings, LLC., project as recommended by staff subject to the recommended conditions.

Executive Summary:

BLM Holdings, LLC, seeks a Conditional Use Permit to allow the continued operation of an existing 37,894 square foot outdoor and mixed light cannabis cultivation operation in accordance with Humboldt County Code Section 314-55.4 of Chapter 4 of Division I of Title III, Commercial Medical Marijuana Land Use Ordinance (CMMLUO). The site is designated as Residential Agriculture (RA) in the Humboldt County 2017 General Plan Update and zoned Forestry Recreation (FR) with Special Building Site B-5(40). The applicant is also proposing to host a Cannabis Tourism Site under a separate permit in the future. Cultivation is proposed on the northwest portion of the property. There will be 21,706 square feet of full-sun outdoor cannabis cultivation will be grown full-sun and 16,188 square feet of mixed light cannabis cultivation. The mixed light cultivation will occur in a series of six (6) greenhouses identified in the chart below:

Structures in Nexus to Cannabis	Size (sq ft)
Cultivation & Propagation Structures	
Greenhouse (ML cultivation)	33'x35' (1,155 square feet)
Greenhouse (ML cultivation)	60'x35' (2,100 square feet)
Greenhouses (ML cultivation)	61'x36' (2,196 square feet)
Greenhouse (ML cultivation)	72'x32' (2,304 square feet)
Greenhouse (ML cultivation)	66'x15' (990 square feet)
Greenhouse (ML cultivation)	36'x32' (1,152 square feet)
Greenhouse (ML propagation)	25'x37' (925 square feet)
Greenhouse (OD propagation)	2,564 square feet
Storage	9'x12' (108 square feet)
Storage	11'x23' (253 square feet)

The applicant anticipates there will be two mixed light cultivation cycles and one full-sun outdoor cycle. Artificial lighting used for mixed light cultivation, ancillary propagation nursery, and processing will adhere to shielding and International Dark Sky Association standards as set forth in the CMMLUO. The applicant anticipates on hiring a maximum of three (3) employees during the peak season. Power for the project will be provided PG&E with a backup generator for emergency situations only. Processing such as drying and curing will occur onsite within an existing 1,848-square-foot permitted residence. The applicant is proposing to construct a new 1,000-square-foot processing building. Trimming will occur offsite at a licensed processing facility until the proposed processing facility is constructed.

Water Resources

Water for irrigation will be provided by a 3,000,000-gallon onstream pond labeled as Pond 2 on the attached Site Map. The applicant anticipates 183,600 gallons of water will be required annually for irrigation. Water storage onsite totals 75,000 gallons occurring in six (6) 5,000-gallon tanks, eleven (11) 3,000-gallon tanks, and five (5) 1,500-gallon tanks. The project is conditioned to submit a Final Lake and Streambed Alteration Agreement for the encroachment to the onstream pond. The project is also conditioned for the applicant to implement an additional 108,600 gallons of water storage in order to meet irrigation needs during the forbearance period (May 15-October 31).

Biological Resources

According to the California National Diversity Data Base (CNDDDB) there are no rare or endangered species located on the parcel. The nearest Northern Spotted Owl activity center (HUM0580) is located approximately 1.79 miles south of the project site. The nearest NSO observation is located 1 mile south of the project site. Marbled murrelet habitat is mapped approximately 2.68 miles east of the project site. The proposed project is for existing cannabis cultivation. Staff does not believe the project will have a direct or indirect impact on the NSO's and Marbled murrelet's due to the distance from the nearest mapped observations and the cultivation is existing therefor there will be no new impacts. Power for the project will be sourced from PG&E and the combined decibel level for all noise sources, including generators, measured at the property line shall be no more than 60 decibels.

Tribal Consultation

The project is located in the Bear River Band Rancheria and Sinkyone Aboriginal Ancestral Territories. The project was referred to the Northwest Information Center, Bear River Band, and Sinkyone Tribe. The applicant submitted a Cultural Resource Study prepared by Archaeological Research and Supply Company dated March 2020. According to the study, there were zero (0) archaeological resource located during the survey. The project has an ongoing condition to include inadvertent archaeological discovery language.

Access

The property is accessed via Miller Creek Road from Briceland Thorne Road. The applicant submitted a Road Evaluation form dated April 10, 2018, indicating the entire road segment is developed to the equivalent of a road category 4 standard. The applicant submitted a Water Resource Protection Plan (WRPP) prepared by Green Road Consulting dated July 28, 2017. According to the WRPP there are approximately 0.3 miles of permanent access roads and approximately 0.3 miles of seasonal ranch road on the property that is maintained by the applicant. The developed portions of the property are relatively flat with (less than 10% grade) and the roads and flats are generally in good condition. The WRPP provides a Summary of Required Remediation found on page 6 (see Attachment 4). The remediation is required in order to bring the project into compliance with local and state regulations. The applicant shall have a licensed engineer verify the Summary of Required Remediation found on page 6 of the WRPP have been completed.

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).

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-12618-CUP
Assessor's Parcel Number: 220-331-001**

Resolution by the Planning Commission of the County of Humboldt certifying compliance with the California Environmental Quality Act and conditionally approves the BLM Holdings, LLC., Conditional Use Permit request

WHEREAS, BLM Holdings, LLC, submitted an application and evidence in support of approving a Conditional Use Permit for the continued operation of an existing 37,894 square feet of existing outdoor and mixed light cannabis cultivation operation with appurtenant propagation and processing activities;

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 July 15, 2021, and reviewed, considered, and discussed the application for a Conditional Use 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 37,894 square foot outdoor and mixed light cannabis cultivation operation with appurtenant propagation and drying activities. Power is provided by P. G. & E. with a backup generator within shed. Water for irrigation will be provided by a 3,000,000-gallon onstream pond.

EVIDENCE: Project File: PLN-12618-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) A Water Resources Protection Plan was prepared by the applicant to show compliance with the North Coast Regional Water Quality Control Board Order No. 2015-0023.
- d) The project is conditioned for the applicant to submit a Lake and Streambed Alteration Agreement for the onstream pond.

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

EVIDENCE a) General agriculture is a use type permitted in Residential Agriculture (RA) land use designation. The proposed cannabis cultivation, an agricultural product, is within land planned and zoned for agricultural purposes, consistent with the use of Open Space land for managed production of resources. The use of an agricultural parcel for commercial agriculture is consistent with the Open Space Plan and Open Space Action Program. Therefore, the project is consistent with and complimentary to the Open Space Plan and its Open Space Action Program.

4. FINDING The proposed development is consistent with the purposes of the existing Forestry Recreation (FR) zone in which the site is located.

EVIDENCE a) The Forestry Recreation or FR Zone is intended to be applied to areas of the County in which general agriculture is an allowable use for FR zones.

b) All general agricultural uses are conditionally permitted in the FR zone.

c) Humboldt County Code section 314-55.4.8.2.2 allows cultivation of up to 43,560 square feet of cannabis cultivation on a 40-acre parcel subject to approval of a Conditional Use Permit and a determination that the cultivation was in existence prior to January 1, 2016 and is consistent with this and with the cultivation area verification prepared by the County.

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

EVIDENCE a) The CMMLUO allows existing cannabis cultivation to be permitted in areas zoned FR (HCC 314-55.4.8.2.2).

b) The parcel was created in compliance with all applicable state and local subdivision regulations, as it was created in its current configuration by a patent (certificate no. 2418), before the establishment of county and state subdivision regulations that would have applied to the creation of the parcel.

c) The applicant will forbear from diverting water from the onstream pond annually from May 15 to October 31.

d) The slope of the land where cannabis will be cultivated is less than 15%

- e) The location of the cultivation complies with all setbacks required in Section 314-55.4.11.d. It is more than 30 feet from any property line, more than 300 feet from any off-site residence, more than 600 feet from any school, church, or Tribal Cultural Resource. The project includes a Special Permit a for a 600' setback reduction from where the City of Arcata's property corner touches applicant's northwest property corner.

6. FINDING

The cultivation of 37,894 square foot outdoor and mixed light cannabis cultivation and the conditions under which it may be operated or maintained will not be detrimental to the public health, safety, or welfare or materially injurious to properties or improvements in the vicinity.

EVIDENCE

- a) The site is located on road that has been evaluated by Green Road Consulting, who provided Road Evaluation Photos which indicate the road can safely accommodate the amount of traffic generated by the proposed cannabis cultivation.
- b) The site is in a rural part of the County where the typical parcel size is over 40 acres and many of the land holdings are very large. The proposed cannabis will not be in a location where there is an established neighborhood or other sensitive receptor such as a school, church, park or other use which may be sensitive to cannabis cultivation. Approving cultivation on this site and the other sites which have been approved or are in the application process will not change the character of the area due to the large parcel sized in the area.
- c) The location of the proposed cannabis cultivation is more than 300 feet from the nearest off-site residence.
- d) Irrigation water will come from a onstream pond in which The applicant will forbear from diverting water from the onstream pond annually from May 15 to October 31.

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.

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
- Approve the BLM Holdings, LLC. Conditional Use Permit, Case No. CUP16-770 (Application Number PLN-12618-CUP) subject to the conditions in Attachment 1.

Adopted after review and consideration of all the evidence on July 15, 2021.

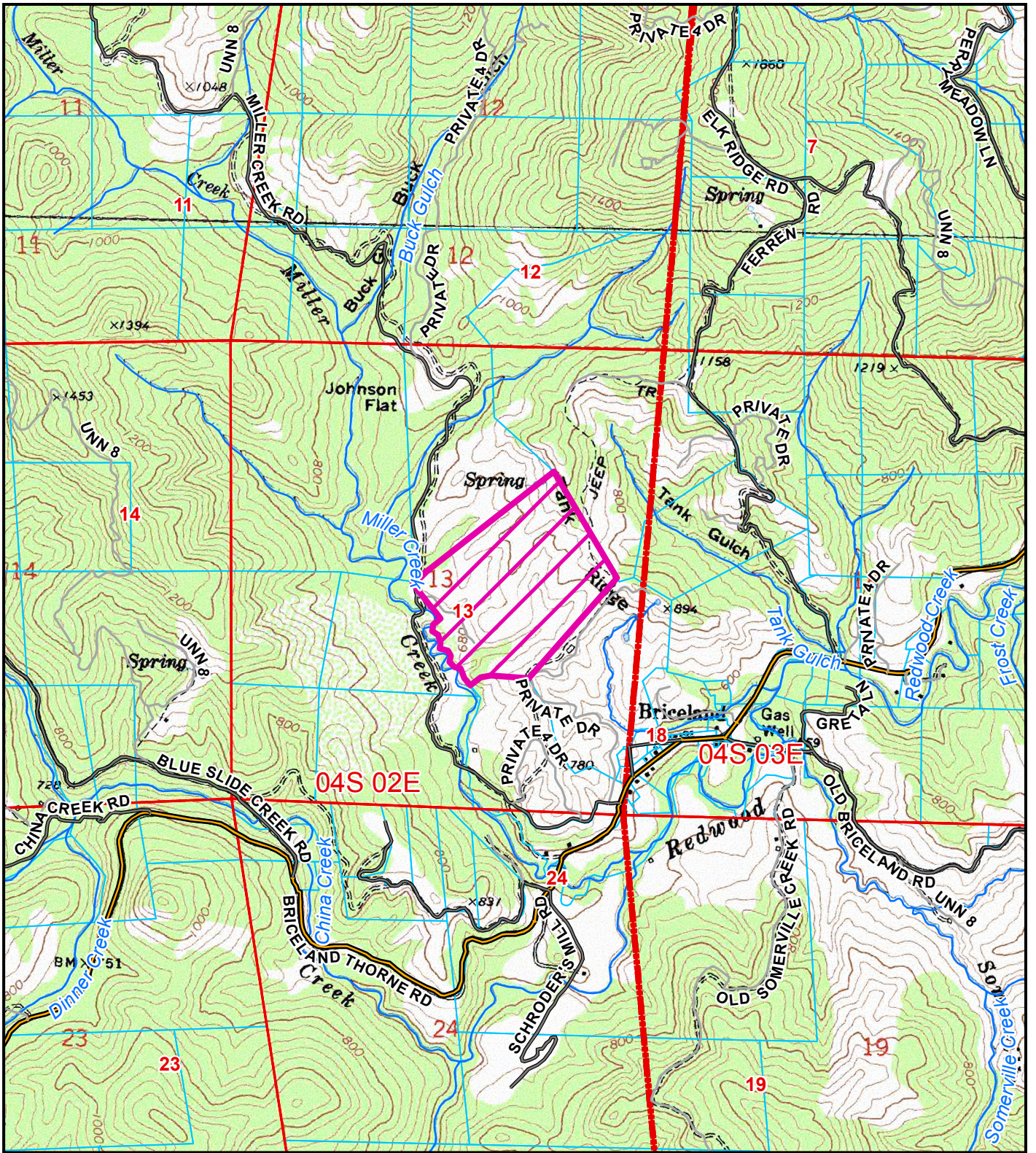
The motion was made by COMMISSIONER _____ and second by COMMISSIONER _____ and the following ROLL CALL vote:

AYES: COMMISSIONERS:

DECISION: Motion carries

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 H. Ford, Director,
Planning and Building Department

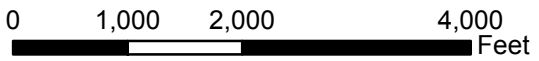


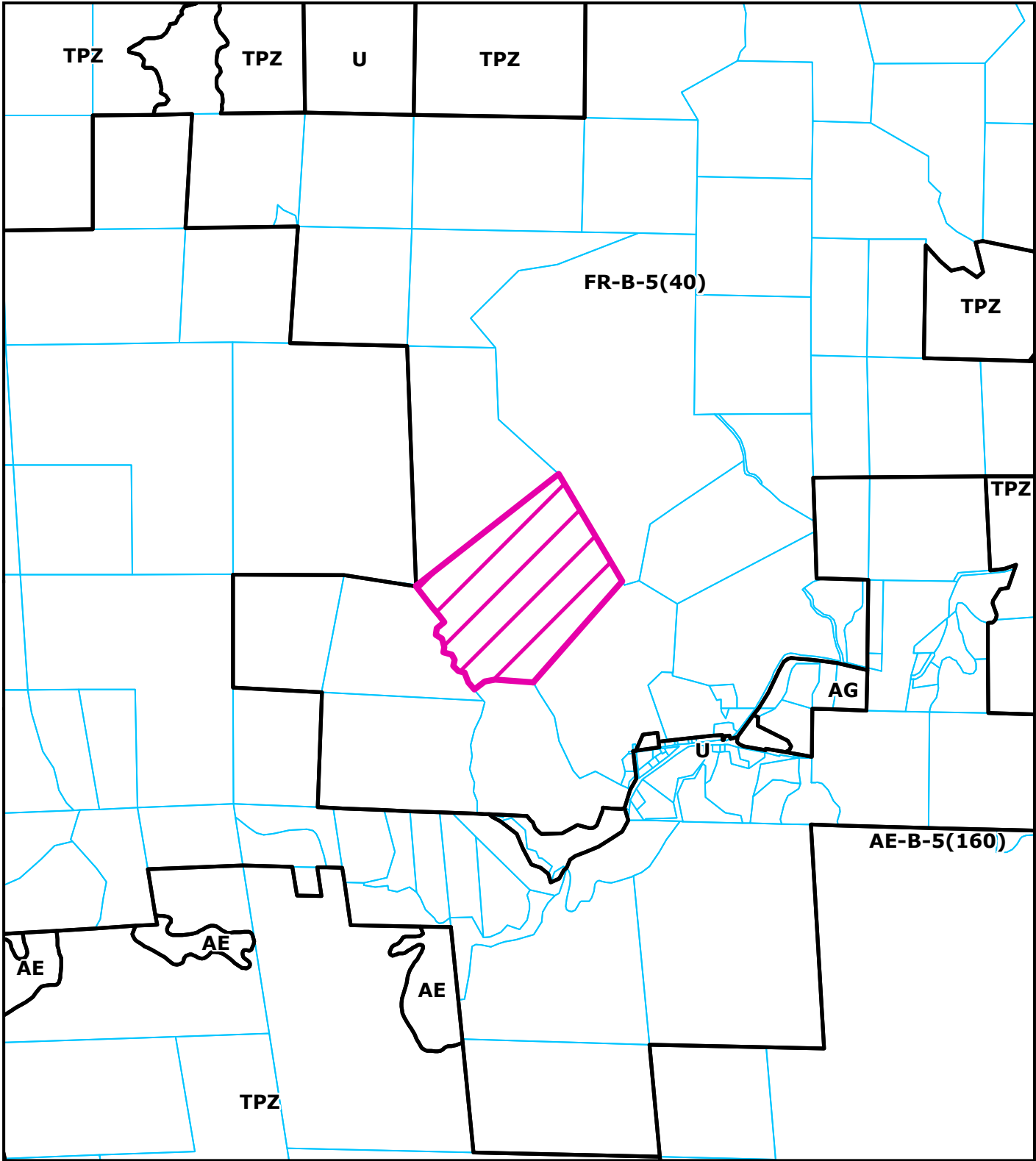
Project Area = 

TOPO MAP
PROPOSED BLM HOLDINGS
WHITETHORN AREA
CUP-16-770
APN: 220-331-001-000
T04S R02E S13 HB&M (BRICELAND)



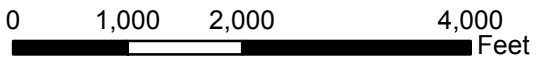
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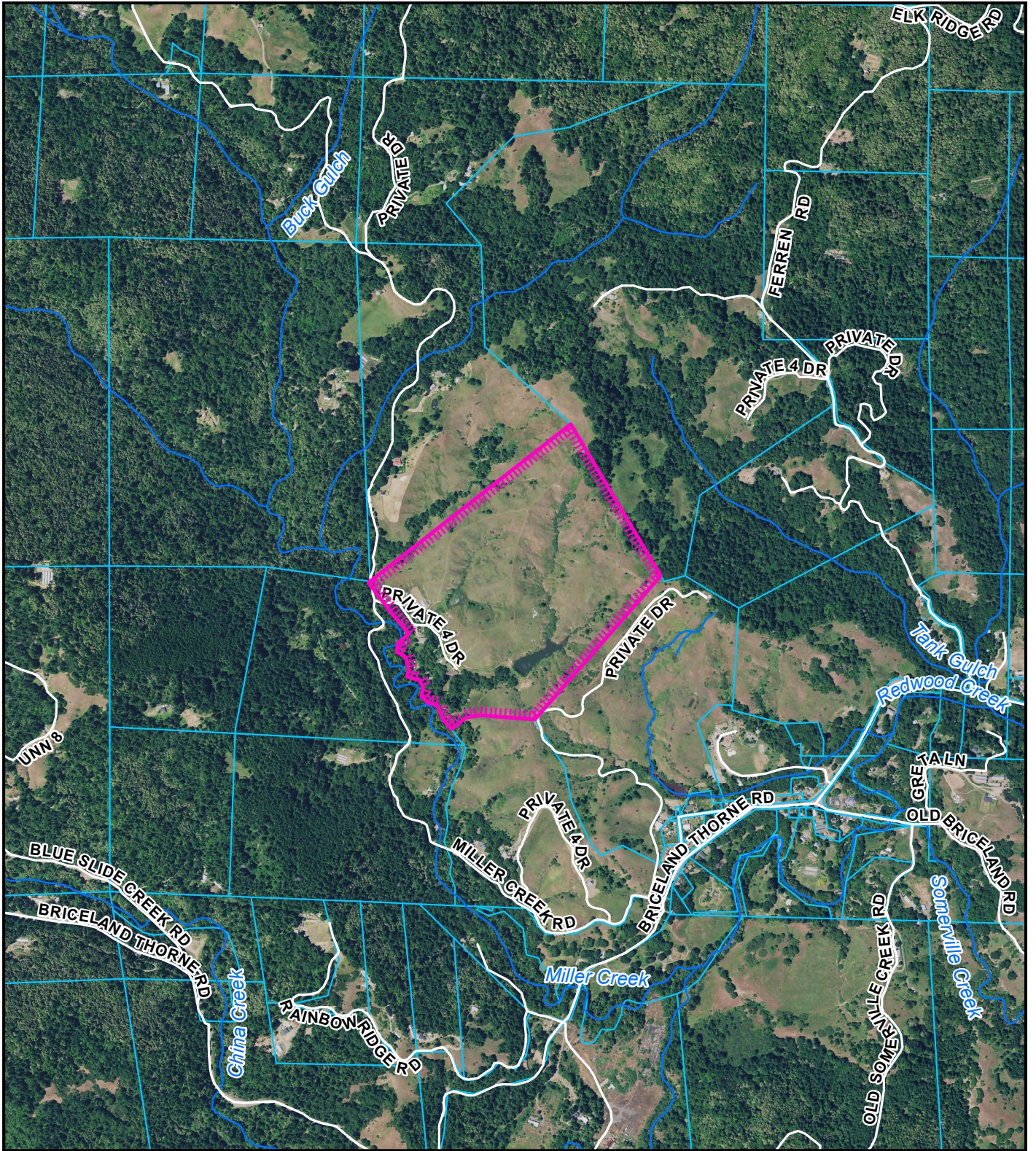


**ZONING MAP
 PROPOSED BLM HOLDINGS
 WHITETHORN AREA
 CUP-16-770
 APN: 220-331-001-000
 T04S R02E S13 HB&M (BRICELAND)**

Project Area = 

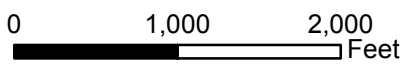


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Project Area = 

**AERIAL MAP
 PROPOSED BLM HOLDINGS
 WHITETHORN AREA
 CUP-16-770
 APN: 220-331-001-000
 T04S R02E S13 HB&M (BRICELAND)**

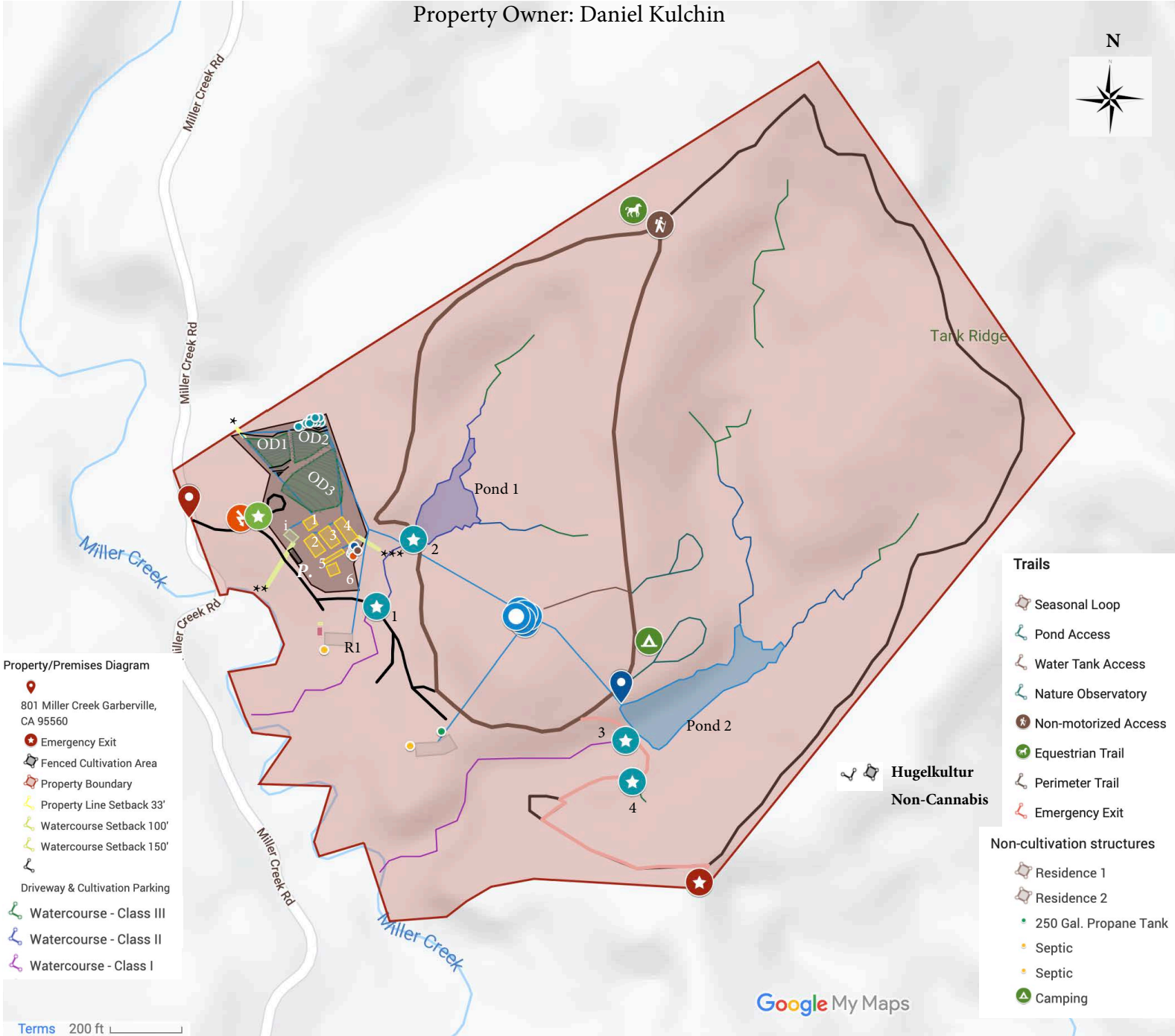


This map is intended for display purposes and should not be used for precise measurement or navigation. Data has not been completely checked for accuracy.

BLM Holdings Property Site Map

APN: 220-331-001-000 HUMBOLDT COUNTY: 801 Miller Creek Road Redway, CA 95560

Property Owner: Daniel Kulchin



Property/Premises Diagram

- 801 Miller Creek Garberville, CA 95560
- Emergency Exit
- Fenced Cultivation Area
- Property Boundary
- Property Line Setback 33'
- Watercourse Setback 100'
- Watercourse Setback 150'
- Driveway & Cultivation Parking
- Watercourse - Class III
- Watercourse - Class II
- Watercourse - Class I

Trails

- Seasonal Loop
- Pond Access
- Water Tank Access
- Nature Observatory
- Non-motorized Access
- Equestrian Trail
- Perimeter Trail
- Emergency Exit

Non-cultivation structures

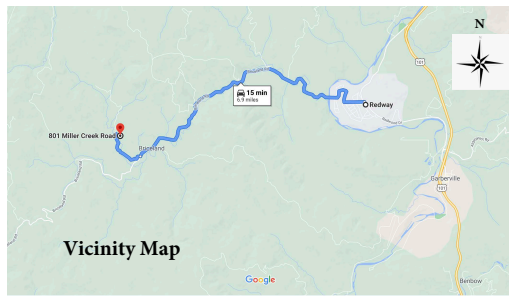
- Residence 1
- Residence 2
- 250 Gal. Propane Tank
- Septic
- Septic
- Camping

Hugelkultur Non-Cannabis

Google My Maps

Irrigation

- Point of Diversion (40.11137, -123.90864)
- Water Tank 5,000 Gallons x 6
- Water Tank 3,000 Gallons x 11
- Water Tank 1,500 Gallons x 5
- Water Line
- Water Storage Total= 76,000 Gallons



Processing Plan

- Current Processing - 66 x 28 Residence 1(R1)
- P. Proposed Relocation of Processing - 50 x 20 new structure

Immature Plant Area

- i. ML=25 x 37 =925 SQ FT.
- Outdoor =2,564 SQ FT.

Outdoor Canopy

- OD1=6,621 OD2=5,968 OD3=17,990
- OD Canopy Total=27,997 SQ FT.

Mixed Light Canopy

- 33 x 35 = 1,155
 - 60 x 35 = 2,100
 - 61 x 36 = 2,196
 - 72 x 32 = 2,304
 - 66 x 15 = 990
 - 36 x 32 = 1,152
- ML Canopy Total=9,897 SQ FT.

Cultivation

- Entrance/Exit
- ML Immature Plants
- Mixed Light
- Outdoor
- Hugelkultur Bed
- Compost Tea Brewer
- Compost Pile
- Power Pole - PG & E Service
- Culverts:
 - 18" HDPE
 - 24" Flare End HDPE
 - 24" Flare End Metal
 - 12" HDPE
- Cultivation Storage 9x12 & 11x23

* Cultivation to Property Line Setback = 33 ft.

** Watercourse Setback = 150 ft.

*** Watercourse Setback = 100 ft.

PLN-10648-CUP BLM Holdings, LLC

July 15, 2021

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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 PROVISIONAL CANNABIS CULTIVATION PERMIT CAN BE FINALIZED.

A. General Conditions

1. The applicant is responsible for obtaining all necessary County and State permits and licenses, and for meeting all requirements set forth by other regulatory agencies.
2. The applicant is required to pay for permit processing on a time and material basis as set forth in the schedule of fees and charges as adopted by ordinance of the Humboldt County Board of Supervisors. The Planning and Building Department will provide a bill to the applicant after the decision. Any and all outstanding planning fees to cover the processing of the application to decision by the Hearing Officer shall be paid to the Humboldt County Planning Division, 3015 "H" Street, Eureka.
3. The Applicant is responsible for costs for post-approval review for determining project conformance with conditions. A deposit is collected to cover this staff review. Permit conformance with conditions must be demonstrated prior to release of building permit or initiation of use and at time of annual inspection. A conformance review deposit as set forth in the schedule of fees and charges as adopted by ordinance of the Humboldt County Board of Supervisors (currently \$750) shall be paid within sixty (60) days of the effective date of the permit or upon filing of the Compliance Agreement (where applicable), whichever occurs first. Payment shall be made to the Humboldt County Planning Division, 3015 "H" Street, Eureka.
4. A Notice of Determination (NOD) will be prepared and filed with the County Clerk for this project in accordance with the State CEQA Guidelines. **Within three days of the effective date of permit approval**, the Department will file the NOD and will charge this cost to the project.
5. The applicant shall submit evidence of enrollment into the State Cannabis Cultivation Discharge program by submitting copies of all documents filed with the State Water Resources Control Board, including, but not limited to, a Notice of Applicability and a Site Management Plan. The applicant is required to adhere to and implement the requirements contained in the SWRCB's Cannabis Cultivation Policy, the General Order and the Notice of Applicability. A copy of the reporting form portion of the Mitigation and Reporting Program (MRP) shall be submitted annually to the Planning and Building Department concurrent with the submittal to the SWRCB. Should the site qualify for an exemption, the applicant shall provide proof of a SWRCB exemption status.
6. Within 60 days of the effective date of permit approval, the applicant shall execute a Compliance Agreement with the Humboldt County Planning and Building Department detailing all necessary permits and infrastructure improvements described under Conditions of Approval #7 through #13. The agreement shall provide a timeline for completing all outstanding items. All activities detailed under the agreement must be completed to the satisfaction of the Planning and Building Department before the permit may be finalized and no longer considered provisional.
7. The applicant shall relocate the existing fence out of the County right of way. All fences 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 building permit, or Public Work approval for a business license. Final sign-off from Public Works will satisfy this condition.

8. The applicant shall secure permits for all structures related to the cannabis cultivation and other commercial cannabis activity, including but not limited to, existing and proposed greenhouses, water tanks over 5,000 gallons existing and proposed structures associated with drying and storage or any activity with a nexus to cannabis, and any noise containment structures as necessary. The plans submitted for building permit approval shall be consistent with the project description and the approved project site plan. A letter or similar communication from the Building Division verifying that all structures related to the cannabis cultivation are permitted will satisfy this condition.
9. The applicant shall submit a copy of the Final Lake and Streambed Alteration Agreement from the California Department of Fish and Wildlife. Final signoff from the Planning Department will satisfy this condition.
10. The applicant shall pave the surface at the location of Old Briceland Road where it meets the applicant's private driveway Road for a minimum width of 20 feet and a length of 50 feet where it intersects the County Road. Confirmation from the Department of Public Works that the work has been done will satisfy this requirement.
11. The applicant shall ensure all driveways and private road intersections onto the County Road shall be maintained in accordance with County Code Section 341-1 (Sight Visibility Ordinance).
12. The applicant shall install water monitoring device on each source - surface diversion when utilized and storage tanks applicable - to monitor water used for cannabis irrigation separate from domestic use.
13. The applicant shall implement an additional 108,600 gallons of water storage in order to meet irrigation needs during the forbearance period (May 15-October 31) or propose an alternative non-diversionary source that will supplement the onstream pond during the forbearance period. Final signoff from the Planning Department will satisfy this condition.
14. The applicant shall contact the local fire service provider [Briceland Fire Protection District] and furnish written documentation from that agency of the available emergency response and fire suppression services and any recommended project mitigation measures. Mitigation measures shall be incorporated into the project, if applicable. If emergency response and fire suppression services are not provided, the applicant shall cause to be recorded an "ACKNOWLEDGMENT OF NO AVAILABLE EMERGENCY RESPONSE AND FIRE SUPPRESSION SERVICES" for the parcel(s) on a form provided by the Humboldt County Planning Division. Document review fees as set forth in the schedule of fees and charges as adopted by ordinance of the Humboldt County Board of Supervisors will be required.
15. 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.

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

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

1. The combination of background, generator 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.
2. All artificial lighting shall be fully contained within structures such that no light escapes (e.g., through blackout curtains). Structures shall be enclosed between 30 minutes prior to sunset and 30 minutes after sunrise to prevent disruption to crepuscular wildlife. Security lighting shall be motion activated and comply with the International Dark-Sky Association standards and Fixture Seal of Approval Program; see: <https://www.darksky.org/our-work/lighting/lighting-for-citizens/lighting-basics/>. Standards include but are not limited to the following, 1) light shall be shielded and downward facing, 2) shall consist of Low Pressure Sodium (LPS) light or low spectrum Light Emitting Diodes (LED) with a color temperature of 3000 kelvins or less and 3) only placed where needed.
3. Should the Humboldt County Planning Division receive complaints that the lighting or noise is not complying with the standards listed above in items B.1. and B.2., within ten (10) working days of receiving written notification that a complaint has been filed, the applicant shall submit written verification that the lights' shielding and alignment, and noise levels have been repaired, inspected, and corrected as necessary.
4. Prohibition on use of synthetic netting. To minimize the risk of wildlife entrapment, Permittee shall not use any erosion control and/or cultivation materials that contain synthetic (e.g., plastic or nylon) netting, including photo- or biodegradable plastic netting. Geotextiles, fiber rolls, and other erosion control measures shall be made of loose-weave mesh, such as jute, hemp, coconut (coir) fiber, or other products without welded weaves.
5. All refuse shall be contained in wildlife proof storage containers, at all times, and disposed of at an authorized waste management facility.
6. The applicant shall forbear from diverting from the onstream pond annually from May 15 to October 31.
7. Should any wildlife be encountered during work activities, the wildlife shall not be disturbed and be allowed to leave the work site unharmed.
8. The use of anticoagulant rodenticide is prohibited.
9. 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.

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

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

Performance Standards for Cultivation and Processing Operations

25. 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."
26. Cultivators shall comply with all applicable federal, state, and local laws and regulations governing California Agricultural Employers, which may include federal and state wage and hour laws, Cal/OSHA, OSHA, the California Agricultural Labor Relations Act, and the Humboldt County Code (including the Building Code).
27. Cultivators engaged in processing shall comply with the following Processing Practices:
 - a. Processing operations must be maintained in a clean and sanitary condition including all work surfaces and equipment.
 - b. Processing operations must implement protocols which prevent processing contamination and mold and mildew growth on cannabis.
 - c. Employees handling cannabis in processing operations must have access to facemasks and gloves in good operable condition as applicable to their job function.
 - d. Employees must wash hands sufficiently when handling cannabis or use gloves.
28. All persons hiring employees to engage in commercial cannabis cultivation and processing shall comply with the following Employee Safety Practices:
 - a. Cultivation operations and processing operations must implement safety protocols and provide all employees with adequate safety training relevant to their specific job functions, which may include:
 - (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.
29. All cultivators shall comply with the approved processing plan as to the following:
- a. Processing practices
 - b. Location where processing will occur
 - c. Number of employees, if any
 - d. Employee Safety Practices
 - e. Toilet and handwashing facilities
 - f. Plumbing and/or septic system and whether or not the system is capable of handling increased usage
 - g. Drinking water for employees
 - h. Plan to minimize impact from increased road use resulting from processing
 - i. On-site housing, if any
30. Term of Commercial Cannabis Activity Special Permit. Any Commercial Cannabis Cultivation SP issued pursuant to the CMMLUO shall expire one (1) year after date of issuance, and on the anniversary date of such issuance each year thereafter, unless an annual compliance inspection has been conducted and the permittees and the permitted site have been found to comply with all conditions of approval.
31. If the inspector or other County official determines that the permittees or site do not comply with the conditions of approval, the inspector shall serve the permit holder with a written statement identifying the items not in compliance, and the action that the permit holder may take to cure the noncompliance, or file an appeal within ten (10) days of the date that the written statement is delivered to the permit holder. Personal delivery or mailing the written statement to the mailing address listed on the application by regular mail, plus three (3) days after date of mailing, shall constitute delivery. The permit holder may request a reinspection to determine whether or not the permit holder has cured all issues of noncompliance. Failure to request reinspection or to cure any items of noncompliance shall terminate the Special Permit, immediately upon the expiration of any appeal period, or final determination of the appeal if an appeal has been timely filed pursuant to Section 55.4.13.
32. Permit Renewals to Comply with Updated Laws and Regulations. Permit renewal is subject to the laws and regulations effective at the time of renewal, which may be substantially different than the regulations currently in place and may require the submittal of additional information to ensure that new standards are met.
33. Acknowledgements to Remain in Full Force and Effect. Permittee acknowledges that the

County reserves the right to reduce the size of the area allowed for cultivation under any clearance or permit issued in accordance with this section in the event that environmental conditions, such as a sustained drought or low flows in the watershed in which the cultivation area is located, will not support diversions for irrigation.

34. Transfers. Transfer of any leases or permits approved by this project is subject to the review and approval of the Planning Director for conformance with CMMLUO eligibility requirements and agreement to permit terms and acknowledgments. The fee for required permit transfer review shall accompany the request. The request shall include the following information:
 - a. Identifying information for the new owner(s) and management as required in an initial permit application;
 - b. A written acknowledgment by the new owner in accordance as required for the initial permit application;
 - c. The specific date on which the transfer is to occur;
 - d. Acknowledgement of full responsibility for complying with the existing permit; and
 - e. Execution of an Affidavit of Non-diversion of Medical Cannabis.
35. Inspections. The permit holder and subject property owner are to permit the County or representative(s) or designee(s) to make inspections at any reasonable time deemed necessary to assure that the activities being performed under the authority of this permit are in accordance with the terms and conditions prescribed herein.

Informational Notes:

1. Pursuant to Section 314-55.4.11 (a) of the CMMLUO, if upon inspection for the initial application, violations of any building or other health, safety, or other state or county statute, ordinance, or regulation are discovered, the Planning and Building Department may issue a provisional clearance or permit with a written approved Compliance Agreement. By signing the agreement, the permittee agrees to abate or cure the violations at the earliest opportunity but in no event more than two (2) years after the date of issuance of the provisional clearance or permit. Plans for curing the violations shall be submitted to the Planning and Building Department by the permittee within one (1) year of the issuance of the provisional certificate or permit. The terms of the compliance agreement may be appealed pursuant to Section 314-55.4.13 of the CMMLUO.
2. This provisional permit approval shall expire and become null and void at the expiration of one (1) year after all appeal periods have lapsed (see "Effective Date"), except where the Compliance Agreement per Condition of Approval #6 has been executed and the corrective actions pursuant to the agreement are being undertaken. Once building permits have been secured and/or the use initiated pursuant to the terms of the agreement, the use is subject to the Permit Duration and Renewal provisions set forth in Conditions of Approval #26 and 27 of the Ongoing Requirements/Development Restrictions, above.
3. If cultural resources are encountered during construction activities, the contractor on-site shall cease all work in the immediate area and within a 50-foot buffer of the discovery location. A qualified archaeologist and the appropriate Tribal Historic Preservation Officer(s) are to be contacted to evaluate the discovery and, in consultation with the applicant and the lead agency, develop a treatment plan in any instance where significant impacts cannot be avoided.

Prehistoric materials may include obsidian or chert flakes, tools, locally darkened midden soils, groundstone artifacts, shellfish or faunal remains, and human burials. If human remains are

found, California Health and Safety Code 7050.5 requires that the County Coroner be contacted immediately at 707-445-7242. If the Coroner determines the remains to be Native American, the Native American Heritage Commission will then be contacted by the Coroner to determine appropriate treatment of the remains pursuant to Public Resources Code (PRC) Section 5097.98. Violators shall be prosecuted in accordance with PRC Section 5097.99.

4. The applicant shall be aware that the Federal Government considers the cultivation of cannabis to be an illegal activity. This project is accessed by using roads that pass-through lands owned by the Federal Government. The Federal Government may not allow the applicant to use these roads to transport cannabis. In such case, Humboldt County will not provide relief to the applicant. Approval of this permit does not authorize transportation of cannabis across Federal lands.

ATTACHMENT 2

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

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

APN 220-331-001; 01 Miller Creek Road, Whitethorn, County of Humboldt

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

July 2021

Background

Modified Project Description and Project History –

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

The modified project involves a Conditional Use Permit (PLN-12618-CUP) for an existing 37,894 square foot outdoor and mixed light cannabis cultivation operation. The mixed light cultivation will occur in a series of six (6) greenhouses identified in the chart below:

Structures in Nexus to Cannabis	Size (sq ft)
<i>Cultivation & Propagation Structures</i>	
Greenhouse (ML cultivation)	33'x35' (1,155 square feet)
Greenhouse (ML cultivation)	60'x35' (2,100 square feet)
Greenhouses (ML cultivation)	61'x36' (2,196 square feet)
Greenhouse (ML cultivation)	72'x32' (2,304 square feet)
Greenhouse (ML cultivation)	66'x15' (990 square feet)
Greenhouse (ML cultivation)	36'x32' (1,152 square feet)
Greenhouse (ML propagation)	25'x37' (925 square feet)
Greenhouse (OD propagation)	2,564 square feet
Storage	9'x12' (108 square feet)
Storage	11'x23' (253 square feet)

The applicant anticipates there will be two mixed light cultivation cycles and one full-sun outdoor cycle. Artificial lighting used for mixed light cultivation, ancillary propagation nursery, and processing will adhere to shielding and International Dark Sky Association standards as set forth in the CMMLUO. The applicant anticipates on hiring a maximum of three (3) employees during the peak season. Power for the project will be provided PG&E. Processing such as drying and curing will occur onsite within an existing 1,848-square-foot permitted residence. The applicant is proposing to construct a new 1,000-square-foot processing building. Trimming will occur offsite at a licensed processing facility until the proposed processing facility is constructed.

Water for irrigation will be provided by a 3,000,000-gallon onstream pond. The applicant anticipates 183,600 gallons of water will be required annually for irrigation. Water storage onsite totals 75,000 gallons occurring in six (6) 5,000-gallon tanks, eleven (11) 3,000-gallon tanks, and five (5) 1,500-gallon tanks. The project is conditioned to submit a Final Lake and Streambed Alteration Agreement for the encroachment to the onstream pond. The project is also conditioned for the

applicant to implement an additional 108,600 gallons of water storage in order to meet irrigation needs during the forbearance period (May 15-October 31).

The project is located in the Bear River Band Rancheria and Sinkyone Aboriginal Ancestral Territories. The project was referred to the Northwest Information Center, Bear River Band, and Sinkyone Tribe. The applicant submitted a Cultural Resource Study prepared by Archaeological Research and Supply Company dated March 2020. According to the study, there were zero (0) archaeological resource located during the survey. The project has an ongoing condition to include inadvertent archaeological discovery language.

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 restocking 0.30 acres with timber that was converted after the CEQA baseline was established to remediate for loss of wildlife habitat, 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 continued operation of an existing cannabis cultivation site consisting of 37,894 square feet of cultivation with ancillary drying activities is fully consistent with the impacts identified and adequately mitigated in the original MND. The project as conditioned to implement responsible agency recommendations, results in no significantly adverse environmental effects beyond those identified in the MND. Compliance with the CMMLUO ensures consistency with the

adopted MND and provides for mitigation of all project related impacts to a less than significant level.

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

- Cultivation and Operations Plan prepared by the agent received April 14, 2021.
- Site Plan prepared by the agent received June 4, 2021.
- Water Resource Protection Plan (WRPP) prepared by Green Road Consulting received July 28, 2017.
- Cultural Resource Study prepared by Archaeological Research and Supply Company dated March 2020.

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. (Plot Plans prepared by the agent dated 06/24/2021 – **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. (Cultivation and Operations Plan prepared by the agent dated 04/14/2021- **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 Intent and Monitoring Self-Certification and other documents filed with the North Coast Regional Water Quality Control Board demonstrating enrollment in Tier 1, 2 or 3, North Coast Regional Water Quality Control Board Order No. 2015-0023, or any substantially equivalent rule that may be subsequently adopted by the County of Humboldt or other responsible agency. (NOI and reporting, and Water Resources Protection Plan (WRPP) prepared by the applicant – On file. Initial Statement of Water Diversion and Use – **Attached**)
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. (Conditioned)
8. If the source of water is a well, a copy of the County well permit, if available. (Not applicable)
9. 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)

10. 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)
11. 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)
12. 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)
13. 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)
14. Division of Environmental Health Attachment for Commercial Medical Marijuana (CMM) Clearances/ Permits (DEH Form). (On-file)

OPERATION PLAN

BLM HOLDINGS

APN: 220-331-001

801 MILLER CREEK RD.

CULTIVATION

Our location has a pre-existing footprint of 16,188 sq ft mixed light and 21,706 sq ft of outdoor, totaling 37,894 sq ft preexisting cultivation. Some of those prior cultivation areas were non-contiguous and poorly located for efficient work. We are proposing to retire any location that is not within the majority growing area and propose a relocation of the locations to the current outdoor cultivation area. The proposed cultivation footprint would reflect 9,897 sq ft of mixed lighting plus an additional 925 sq ft for immature plant nursery, and 27,997 sq ft of outdoor cultivation plus an additional 2,564 sq ft for immature plant nursery.

Cultivation activities are as follows:

- Outdoor cultivation areas totaling 27,997 sq. ft. Operating 5 months annually, roughly June through November.
- Mixed light cultivation areas totaling 9897 sq. ft. Operating 6 months annually, roughly May through November. *Structure sizes: 1. 33 x 35 = 1,155, 2. 60 x 35 = 2,100, 3. 61 x 36 = 2,196 4. 72 x 32 = 2,304, 5. 66 x 15 = 990, 6. 36 x 32 = 1,152*
- Clone/Seedling nursery totaling 925 sq. ft. for mixed light and 2,564 sq ft for outdoor cultivation. Operating 9 months annually, roughly November through July.
- Processing will occur as needed roughly July through November.

We anticipate two cycles for our mixed light cultivation areas annually. Timing of cycles for each cultivation space will vary. The following is our schedule of activities breakdown:

	Jan & Feb	March	April	May	June	July	Aug	Sept	Oct	Nov & Dec
Cultivation				Deprivation cycle 1	Deprivation cycle 1 & full term	Deprivation cycle 1 & full term	Deprivation cycle 2 & full term	Deprivation cycle 2 & full term	Deprivation cycle 2 & full term	
Processing						Dep 1		Dep 2	Full term	
Immature Plant Nursery	Tissue cultures & moms	Clones and seeds	Clones and seeds	Clones and seeds	Clones and seeds	Clones and seeds				Tissue cultures & moms

UTILITIES

- Existing PG & E grid tied power – In process of upgrading current service to an additional 600 AMP service to support upgrades to mixed lighting structures. Estimated completed summer 2021.
- Thompson Gas 250 Gallon LP tank & service to both existing residences. Proposed upgrade of LP gas for service to mixed light cultivation areas.
- Water for irrigation and domestic use – Pre-existing pond diversion and 22 water storage tanks. Currently permitting POD and both pre-existing ponds with CDFW through an LSAA.
- Additional Restrooms/Washrooms – Provided by B & B Portables.
- Waste management – Composting, Self-haul to Redway Transfer Station

WATER USE

Water for cultivation will be diverted from a pre-existing pond labeled Pond 2. Water will be pumped with a water pump up to six 5,000 Gal. tanks and then directly to domestic water use locations or additional irrigation water storage tanks. Additional storage tanks consist of eleven 3,500 Gal. tanks and five 1,500 Gal. tanks. For a water storage capability of 76,000 Gallons. Our annual estimated water use is 183,600 Gal. for irrigation and 90,000 Gal. domestic use, for a total of 273,600 Gallons.

LAND MANAGEMENT

With relocation of prior cultivation, we will be restoring sites to either pre-cultivation conditions or protected nature habitat. We will also be abandoning prior cultivation practices of using large 200 Gallon cloth pots for on-grade Hügelkultur beds. These beds will consist of decomposing lumber on top of native soil in a layering process using materials recycled from fuel reduction practices, composting, native soil, local amendments and mulch. These beds will have companion plants along with plants grown for food production along with cannabis. Once established these beds should reduce our water needs significantly as they become ideal locations for dry farming practices. They will also help water runoff, build slope stability, assist with building wildlife diversity, attract beneficial insects and offer an appealing aesthetic.

PROCESSING

Processing (Trimming) of cultivated cannabis shall take place in the existing permitted residence 1. (Permit #bld-16463-02-0712ph3) An attached permitted septic system exists for residence 1 including wash and restroom facilities. We will provide additional temporary workstations, along with additional employee restrooms and handwashing stations, meeting the general labor requirements near cultivation during harvest times.

Proposed relocation to new commercial structure would be a goal of the next 2 years. This commercial structure would combine processing, drying, and harvest storage along. Location and size of proposed structure is included on site map.

AGRICULTURAL MATERIALS MANAGEMENT PLAN

We intend to cultivate with organic fertilizers and amendments made on-site using natural farming. This will allow us to keep our agricultural material storage to compost and dry bulk amendments as most nutrients will be made in batches as needed and used within a week of producing. We are also going to be phasing out the use of plastics in our outdoor cultivation space. Which will be converted to a native soil grown artisanal product. Storage area for materials will be listed on site map.

INTEGRATED PEST MANAGEMENT

We intend to cultivate using better management practices that support organic agricultural production. This will equate to pest management through the use of beneficial insect applications, trap crops, and companion planting. Following in these practices will allow us to apply for the state Appalachian and OCal programs.

EMPLOYEES

Currently 1 employee other than Daniel Kulchin are associated with this location. All processing will be hired out using temporary work agencies on an as-needed ongoing situation. Additional temporary employees may be required during harvest or planting activities. Any construction & consulting help will be hired out as independent contracted work.

PARKING

There will be a designated 5 vehicle parking area for cultivation on our site map along with residential parking sites near each home.

SECURITY

Our security measures will include a fenced area around the cultivation site along with a secured gated entrance to the property. Locked and video monitored storage for harvested cannabis. Motion sensor lighting throughout property and cultivation area. A large guard dog and a property caretaker resides on-site as overnight security.

Additionally, we will include security cameras that are Wi-Fi-connected at each greenhouse/growing space once electrical upgrades have finished.

TOURISM

Our intention with this site is to integrate cannabis tourism into our operations. Offering farm tours, overnight camping, wildlife viewing and nature access, along with private group events. Our hügelkultur garden will be the first of its kind, being the largest cannabis cultivation done in hügelkultur beds, making us a special interest to both cannabis and non-cannabis visitors.

We will be adding a second permit to allow these activities upon completion of the current permit for cultivation.

State Water Resources Control Board
DIVISION OF WATER RIGHTS
INITIAL STATEMENT OF WATER DIVERSION AND USE
 A STATEMENT SHALL NOT ESTABLISH OR CONSTITUTE EVIDENCE OF A WATER RIGHT
 READ THE ATTACHED INFORMATION AND INSTRUCTION SHEET BEFORE COMPLETING THIS FORM
 FURTHER INFORMATION CAN BE FOUND IN WATER CODE, SECTIONS 5100-5107



Page 1 of 3: INITIAL STATEMENT OF WATER DIVERSION AND USE

DIVERTER NAME Todd Lewis

SOURCE/TRIBUTARY Unnamed Class II Stream

DIVERSION WORKS NAME POD 1

A. Diverter Information			
Diverter Name(s) Todd Lewis			
Mailing Address 801 Miller Creek	City Briceland	State CA	Zip 95542
Phone Number 707-459-6675	Email Address (if available)		
Person Filing Statement (If Different From Diverter) Green Road Consulting, Inc.			
Mailing Address 1650 Central Avenue, Suite C	City McKinleyville	State CA	Zip 95519
Phone Number 707-630-5041	Email Address (if available) eric@greenroadconsulting.com		
Land Owner Name Karen Lewis			
Mailing Address 801 Miller Creek	City Briceland	State CA	Zip 95542
Mail Receiver <input checked="" type="radio"/>	Diverter <input type="radio"/>	Person Filing <input type="radio"/>	
B. Signature and Important Information			
DATE: <u>5/17/2017</u>			
SIGNATURE: <u>Eric Sorensen</u>		Digitally signed by Eric Sorensen Date: 2017.05.17 12:32:40 -07'00'	
PRINTED NAME: <u>Eric</u>		<u>Sorensen</u>	
(first name)		(last name)	
I declare that the information in this report is true to the best of my knowledge and belief.			
Submit Form Electronically			
THE STATE WATER RESOURCES CONTROL BOARD MAY RELY ON THE NAMES AND ADDRESSES ON THIS DOCUMENT FOR MAILING NOTICES REGARDING PROCEEDINGS BEFORE THE BOARD. (Wat. Code, § 5106, subd. (b)(1).)			
SUPPLEMENTAL STATEMENTS OF WATER DIVERSION AND USE MUST BE FILED AT THREE-YEAR INTERVALS OR IF THERE IS A CHANGE IN THE NAME OR ADDRESS OF THE DIVERTER. (Wat. Code, § 5104.)			
THE MAKING OF A WILLFUL MISSTATEMENT ON A STATEMENT OF WATER DIVERSION AND USE IS A MISDEMEANOR PUNISHABLE BY A FINE NOT EXCEEDING \$1,000 OR BY IMPRISONMENT IN THE COUNTY JAIL FOR UP TO SIX MONTHS, OR BOTH. THE BOARD MAY IMPOSE CIVIL LIABILITY UPON A PERSON WHO KNOWINGLY MAKES A MATERIAL MISSTATEMENT ON THIS FORM. (Wat. Code, § 5107.)			

UPON COMPLETION OF THIS STATEMENT, ATTACH ALL SUPPORTING DOCUMENTATION AND MAPS AND MAIL TO:

State Water Resources Control Board
 Division of Water Rights
 PO Box 2000
 Sacramento, CA 95812-2000

Additional copies of this form, instructions on how to complete this form and water right information can be obtained at
http://www.waterboards.ca.gov/waterrights/water_issues/programs/diversion_use/. Revised January 2014.

State Water Resources Control Board
DIVISION OF WATER RIGHTS
INITIAL STATEMENT OF WATER DIVERSION AND USE
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PAGE 2 OF 3: INITIAL STATEMENT OF WATER DIVERSION AND USE DIVERTER NAME Todd Lewis
 SOURCE/TRIBUTARY Unnamed Class II Stream DIVERSION WORKS NAME POD 1

1. Type of Claim													
Check the box(s) which describe the type of claim(s) under which you are diverting water.													
<input checked="" type="checkbox"/> Riparian <input type="checkbox"/> Pre-1914 <input type="checkbox"/> Court Decree <input type="checkbox"/> Pending Appropriative Application <input type="checkbox"/> Pueblo <input type="checkbox"/> Other: _____													
If you checked yes for Court Decree, Pending Appropriative Application or other, list the decree number, application ID or explanation:													
2. Water Course Description													
Water Course Name at the point of diversion Unnamed Class II Watercourse						Water Course is tributary to Miller Creek							
3. Legal Land Description													
Provide the location of the Point of Diversion using one of the following methods (check one box and enter coordinates, if applicable)													
<input checked="" type="checkbox"/> Latitude/Longitude Measurements: <u>40.111305°, -123.908255°</u> <input type="checkbox"/> California Coordinate System (NAD 1983): _____ <input type="checkbox"/> USGS Topographic Map with point of diversion labeled on map (if checked yes, please attach map)													
Assessor's Parcel Number(s), if assigned: <u>220-331-001</u>						County <u>Humboldt</u>							
Provide Public Land Description to nearest 40 acres (if assigned)													
<u>NW</u> $\frac{1}{4}$ of the <u>SE</u> $\frac{1}{4}$ of Section <u>13</u> , Township <u>4S</u> , Range <u>2E</u> , B&M <u>Humboldt</u>													
4. Place of Use Description													
Provide a general description of the area in which the water was used Cooperative Greenhouse & Outdoor Cultivation													
Identify the location of the place of use on a specific United States Geological Survey (USGS) topographic map and on any other maps with identifiable landmarks. If assigned, provide the public land description to the nearest 40-acre subdivision and the assessor's parcel number. (check box indicating each map attached)													
<input checked="" type="checkbox"/> USGS Topographic Map <input checked="" type="checkbox"/> County Assessor's parcel map													
5. Purpose of Use Description (Please select all that apply below)													
<input checked="" type="checkbox"/> Irrigation Number of Acres : 0.4748			<input type="checkbox"/> Domestic Persons Served :			<input type="checkbox"/> Stock watering Number of stock and type:			<input type="checkbox"/> Other Please Explain:				
6. Diversion Works Description													
Name of Diversion Works, if named POD 1						Year in which diversion commenced (or specify nearest known year) 2016							
List any related existing water rights, if applicable (for example, an appropriative right using the same diversion works) N/A													
Type of Diversion Facility (select one)													
<input type="checkbox"/> Gravity <input checked="" type="checkbox"/> Water Course Pump <input type="checkbox"/> Well Pump <input type="checkbox"/> Other (please specify) _____													
Do you directly divert water?			Capacity of Direct Diversion Works (specify unit and amount) 3						Do you divert water to storage?				
<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No			<input type="checkbox"/> Cubic feet per second <input checked="" type="checkbox"/> Gallons per minute <input type="checkbox"/> Gallons per day						<input type="checkbox"/> On-stream storage (Complete Section B) <input checked="" type="checkbox"/> Off-stream storage (Complete Sections A & B)				
A. Capacity of Storage Diversion Works (specify unit and amount) ³						B. Capacity of Storage Tank or Reservoir (specify unit and amount)							
<input type="checkbox"/> Cubic feet per second <input checked="" type="checkbox"/> Gallons per minute <input type="checkbox"/> Gallons per day						<input checked="" type="checkbox"/> Gallons <input type="checkbox"/> Acre-feet <div style="text-align: right;"><small>6,500</small></div>							
7. Quantity of Water Diverted Note: Measurements must be made using best available technologies and best professional practices as listed in Section 8a unless documentation is provided to the State Water Resources Control Board that the implementation of those practices is not locally cost effective.													
Provide the quantity of water diverted each month in the table below as a measured in (check one box)													
<input checked="" type="checkbox"/> Gallons <input type="checkbox"/> Acre-feet													
Year	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total
2016				13,275	15,045	17,700	20,355	21,240	19,470	16,815			123,900

8. Measurement Device Description												
Method used to measure water diverted (select one)												
<input type="radio"/> Water directly diverted and/or diverted to storage was measured with a measuring device. (if checked, proceed to section 8a and skip section 8b)												
<input checked="" type="radio"/> Direct measurement using a device listed in Section 8a is not locally cost effective for water directly diverted and/or diverted to storage. (If checked, skip section 8a and proceed to section 8b).												
8a. Measuring Device												
Indicate the types of measuring devices used (check all that apply):												
<input type="checkbox"/> Propeller Meter <input type="checkbox"/> Sluice/Slide Gate <input type="checkbox"/> Acoustic Meter <input type="checkbox"/> Weir <input type="checkbox"/> Staff gage and storage capacity curve <input type="checkbox"/> Staff gage and floodable acreage <input type="checkbox"/> Pressure transducer and storage capacity curve <input type="checkbox"/> Other: _____												
Indicate any additional technology used (check all that apply and explain below):												
<input type="checkbox"/> Flow totalizer <input type="checkbox"/> Data Logger <input type="checkbox"/> Telemetry <input type="checkbox"/> Other: _____												
Indicate who installed your measuring device(s) (check all that apply):												
<input type="checkbox"/> Representative using manufacturer's recommendations <input type="checkbox"/> Licensed Civil or Agricultural Engineer <input type="checkbox"/> Representative who is American Water Works Association (AWWA)-certified <input type="checkbox"/> Hydrographer <input type="checkbox"/> Representative using United States Geological Survey (USGS) techniques <input type="checkbox"/> Other/Unknown: _____												
List the make, model number, and last calibration date of your measuring device(s), if available:												
8b. Explanation of why use of a measuring device is "not locally cost effective"												
Indicate why you concluded that direct measurement using a device listed in Section 8a is not locally cost effective (check all that apply)												
<input type="checkbox"/> Diversion is small or minimal in size <input type="checkbox"/> Diversions are infrequent <input type="checkbox"/> Ungauged Siphon <input checked="" type="checkbox"/> No power at diversion point <input type="checkbox"/> Other: _____												
Indicate method(s) used as an alternative to direct measurement in order to complete this report (check all that apply)												
<input type="checkbox"/> Electricity records dedicated to the pump <input type="checkbox"/> Total facility electricity records minus estimated non-pump electricity <input type="checkbox"/> Engine fuel use or hour meter records <input type="checkbox"/> Crop duty estimates/consumptive use estimates <input type="checkbox"/> Power generation estimates <input type="checkbox"/> Other water duty estimates other than for crops <input type="checkbox"/> Modeled/estimated flows <input type="checkbox"/> Remote satellite imaging <input type="checkbox"/> Pipe/trajectory method <input checked="" type="checkbox"/> Bucket and stopwatch <input type="checkbox"/> Float and stopwatch <input type="checkbox"/> Other: _____												
Explain your measurement alternatives:												
9. Maximum Rate of Diversion (if available)												
Provide the maximum rate of diversion achieved in each month as measured in (check one box) <input type="checkbox"/> cfs <input type="checkbox"/> gpm <input type="checkbox"/> gpd												
Year	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
2016				450	510	600	700	720	660	570		
10. Recent Water Use												
Provide the annual water use in recent years:		Maximum 123,900					<input checked="" type="checkbox"/> Gallons		<input type="checkbox"/> Acre Feet			
		Minimum 123,900					<input checked="" type="checkbox"/> Gallons		<input type="checkbox"/> Acre Feet			
11. Water Conservation Efforts (answer only sections applicable to your diversion)												
<u>Water Conservation:</u> Are you currently employing any methods of water conservation? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No												
If yes, describe any water conservation efforts in use: BMP's; Limited Use												
<u>Water Quality and Wastewater Reclamation:</u> Are you now or have you been using reclaimed water from a wastewater treatment facility, desalination facility or water polluted by waste to a degree that unreasonably affects such water for other beneficial uses? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No												
<u>Conjunctive use of surface water and groundwater:</u> Are you using groundwater in lieu of surface water? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No												

END OF INITIAL STATEMENT FORM

Sign and Submit Form

Save Form (submit later)

Information and Instructions for Completing the Initial Statement Form

General Information

California law requires each person or entity that diverts and uses surface water to file a Statement of Water Diversion and Use (Statement) with the State Water Resources Control Board (State Water Board), Division of Water Rights (Division), unless the diversion falls into one of the categories described in Water Code 5101. In particular, those persons who have a permit or license to appropriate water on file with the State Water Board need not file a Statement. A Statement should be filed if water is diverted and used under a claim of riparian right. A Statement should also be filed for pre-1914 water rights for water diversions that commenced prior to the establishment of the State Water Commission (the predecessor to the State Water Board) on December 19, 1914. With few exceptions, Statements should be filed for any diversion that occurred after January 1, 2009 and is not covered by a permit or license.

Failure to file a Statement for each diversion that occurred after January 1, 2009, may result in civil liabilities that carry a maximum fine of \$1,000 plus \$500 for each day the violation continues if the violation is not corrected within 30 days of notification of the violation. (Wat. Code, § 5107, subd. (c)(1)). In addition, any person who makes a willful misstatement on a Statement commits a misdemeanor punishable by a fine not to exceed \$1,000 or by imprisonment in the county jail for not more than six months, or both. (Wat. Code, § 5107, subd. (a)). Water diverters must file Statements with the State Water Board prior to July 1 of the year succeeding the year of the diversion. (Wat. Code, § 5101).

PRIOR TO FILING OUT FORM

Use this guide to determine if you need to file an Initial Statement of Diversion and Use. This information can also be found in Water Code, sections 5100-5107. You do **not** need to file a Statement if any of the following conditions are true:

- The diversion is from a spring that does not flow off the property on which it is located and from which your aggregate diversions do not exceed 25 acre-feet in any year;
- The diversion is covered by a permit or license to appropriate water that is on file with the Division;
- The diversion is covered by a registration for small domestic, small irrigation or livestock stockpond uses;
- The diversion is covered by a State Water Board stockpond certificate issued for ponds with a storage capacity of less than 10 acre-feet in either program;
- A notice is on file with the State Water Board for the recordation of groundwater extractions and diversions in Los Angeles, Riverside, San Bernardino and Ventura Counties;
- A diversion is regulated by a Watermaster appointed by the Department of Water Resources and included in annual reports filed with a court or the State Water Board by a Watermaster, which reports identify the persons who divert water and describe the general purposes and the place, the use, and the quantity of water that has been diverted from each source;
- A diversion is included in annual reports filed with the court or State Water Board by a Watermaster appointed by a court or filed pursuant to statute to administer a final judgment determining rights to water, for which reports identify the persons who have diverted water and give the general place of use and the quantity that has been diverted from each source.

INSTRUCTIONS

A separate Statement must be filed for each individual diversion point from which water is diverted as set forth in the Water Code, section 5102. The following describes the information requested on each form:

(Page 1 of 3)

Diverter Information

The diverter is the party responsible for the diversion. As the diverter you are required to provide your name or company name and a mailing address. If someone other than the diverter filed the Statement, that person must also provide his or her name and address.

Signature and Important Information

The form must be legible and signed by the person completing the form. The company name is required if applicable.

(Page 2 of 3)

1. Type of Claim

Indicate the type of claim you are filing. See the claim descriptions below if you are unsure of the type of claim you are using. The following are descriptions of the type of water rights that a user may claim use under:

Riparian: A riparian right enables an owner of the land bordering a natural lake or stream to take water on his riparian land. Riparian land must be in the same watershed as the water source and must never have been severed from the source of supply by an intervening parcel without reservation of the riparian right to the severed parcel. Generally, a riparian water user must share the water supply with other riparian users. A riparian water right, like all water rights in California, is subject to Article X section 2 of the California Constitution which prohibits waste and unreasonable use of water, including the unreasonable method of use or diversion of water. Riparian rights may be used to divert the natural flow of a stream but typically may not be used to (1) store water for later use (2) divert water which originates in a different watershed (3) divert water released from storage, or (4) divert return flows from groundwater use.

Pre-1914 Appropriative: A pre-1914 appropriative right is for diversions that have been under continuous use since December 19, 1914. After the formation of the California Water Commission in December 1914, new appropriators are required to obtain a permit or license from the State.

Court Decree: An adjudicated right is one in which a court or the State Water Board has determined, by decree, the amount of use allowed to landowners within the adjudicated stream area. You must file a Statement if you are in an adjudicated area if a Watermaster is not filing reports on your behalf. Indicate the decree number when filing a Statement on a court decree claim.

Pending Appropriative: An appropriative right is required for use of water on non-riparian land and for storage of water. Generally, appropriative rights may be exercised only when there is a surplus not needed by riparian water users. If you have filed an application for a water right permit and are not yet permitted, but are diverting water, you are required to file a Statement. Indicate the corresponding application ID number on this line.

2. Water Course Description

Indicate the name of the body of water from which you are diverting water and the body of water it is a tributary to.

3. Legal Land Description

Provide the location of the point of diversion. You must do so by: 1) depicting the location of the diversion works on a specific USGS topographic map, 2) identifying the location using the California Coordinate System, or 3) identifying the location by latitude and longitude measurements. Each separate diversion point should be reported on separate Initial Statement forms. **About Maps:** You may submit a single map showing both the point of diversion and the place of use. Maps can be found at: <http://www.store.usgs.gov>. If assigned, you must provide the public land description to the nearest 40-acre subdivision and the assessor's parcel number.

4. Place of Use Description

Provide a general description of the area where the water is used. **About Maps:** You **MUST** submit a USGS topographic map depicting the place of use. If you are also using a USGS topographic map for the point of diversion, you can draw both on a single map. Maps can be found at: <http://www.store.usgs.gov>

5. Purpose of use

Indicate the purpose of use for the diverted water. Examples of purposes of use are: domestic, dust control, fire protection, fish/wildlife protection and enhancement, fish culture, frost protection, heat protection, incidental power, industrial, milling, mining, municipal, power, recreational, snow making, stock watering, etc. Also indicate the number of acres irrigated, number of persons served for domestic use, number of animals watered, etc.

6. Diversion Works Description

The maximum capacity of the diversion works is the maximum output available for a pump or other diversion source. If you store water and know the storage capacity indicate in gallons or acre-feet. If you do not know the actual storage capacity, you can use the following formula to estimate: Multiply the surface area (in acres) by the maximum depth of the reservoir (in feet) then multiply that by 0.7.

7. Quantity of Water Diverted

Provide the quantity of water used for each month in the year you are reporting. If you did not divert water in a particular month, enter "0". Beginning January 1, 2012, monthly measurement records of water diversion must be made using the best available technologies and best professional practices.

(Page 3 of 3)

8. Measurement Device Description

Beginning January 1, 2012, water diverters who are required to file a Statement of Water Diversion and Use are required to measure their water diversions using best available technology and best professional practices. If diversions are not measured using best available technologies, the diverter must provide documentation to the State Water Board demonstrating that the implementation of such practices is not locally cost effective. Additional information about measurement devices can be found at: http://www.waterboards.ca.gov/waterrights/water_uses/programs/diversion_use/measurement. Indicate the method used to measure the water diverted. This is a new requirement for Statements. If you measured with a measuring device, complete section **8a** and skip section **8b**. If you did not use a measuring device, skip section **8a** and complete **8b**.

8a. Measuring Device

Indicate the types of measuring devices used, any additional technology used and indicate who installed your measuring device. If none of the check box options apply, use the boxes marked other and include an explanation.

8b. No Measuring Device Explanation

If you did not measure your diversion with a measuring device using best available technology, you must indicate why installing a measuring device that utilizes best available technology would not be locally cost effective. Also indicate the method used as an alternative to direct measurement methods.

9. Maximum Rate of Diversion

Provide a monthly maximum rate of diversion in the table provided. If precise measurements are not available, provide an estimated average per month.

10. Recent Water Use

Provide the annual amount of water used in recent years. If precise measurements are not available, provide an estimated annual usage.

11. Water Conservation Efforts

Complete (item 11) if you are filing under pre-1914 appropriative water rights and are using conservation methods, using recycled or treated water, or using groundwater in lieu of surface water.

SUBMITTING YOUR STATEMENT

Attach the Statement form to your maps and other supporting documentation. You may submit multiple forms in the same envelope if each diversion work has been labeled. DO NOT send duplicate copies of your Statement. Send Statement documents via one of the following methods:

Mail: State Water Resources Control Board/ Division of Water Rights, P.O. Box 2000, Sacramento, CA 95812-2000

Email: DWR-statements@waterboards.ca.gov

Fax: (916) 341-5400

Faxes and Emails must be legible and contain readable maps.

FREQUENTLY ASKED QUESTIONS

Q. Why do I need to submit a Statement of my diversion?

A. Water Code, section 5101 requires every person who diverts water to file a Statement with the State Water Board.

Q. When should I file my Statement?

A. A Statement must be filed for a diversion that takes place in the prior year. For example, if water is diverted any time in annual year 2012, a Statement must be filed on or after January 1, 2013 but no later than June 30, 2013. A separate Statement should be completed for each point of diversion.

Q. What happens after I submit my Statement?

A. Once a Statement is received, the Division will assign it a Statement number. If a Statement is missing required information, the Division may notify the diverter. All correspondence concerning these Statements should refer to the assigned Statement number.

Q. How often do I need to report usage in subsequent years?

A. Supplemental Statements must be filed at three-year intervals and must be filed on line with the Division prior to July 1 of the reporting year.

Q. How can I update or make changes to my information?

A. Changes in the name and address of the person diverting the water must be reported on a Supplemental Statement, regardless of whether the changes occurred during a reporting year. If the location of the existing point of diversion as identified on the Statement or Supplemental Statement has changed, the new location must be reported on the Supplemental Statement. If there is a new point of diversion, a separate Statement must be filed with the Division.

Q. Do I need approval from any other agencies to divert water?

A. You are responsible for ensuring all proper permits from local, state or federal agencies are acquired.

NOTICE PURSUANT TO INFORMATION PRACTICES ACT OF 1977 (CIV. CODE. § 1798.17)

The State Water Resources Control Board, Division of Water Rights, is requesting personal information about the diverter and the person filing the Statement of diversion and use. The agency official responsible for this system of records is Robert Rinker, Jr., Staff Services Manager I, whose business address is 1001 I Street, 14th Floor, Sacramento, CA 95814 and whose business telephone is (916) 322-3143. Upon request, the agency official shall inform an individual regarding the location of his or her records and the categories of any persons who use the information in these records. The State Water Resources Control Board is empowered to require the submission of personal information by Water Code, section 5103, subdivision (a). The submission of the name and address of the diverter and person filing the Statement is mandatory. The submission of the phone number and e-mail address of the diverter and person filing the Statement is voluntary. The submission of the name and address of the land owner is voluntary. Failure to provide the mandatory information can result in the imposition of administrative civil liability in the amount of \$1,000 plus \$500 per day for each additional day on which the violation continues if the person fails to cure the violation within 30 days after the State Water Resources Control Board has called the violation to the attention of the person. This personal information is collected to facilitate better water management by the State Water Resources Control Board. The State Water Resources Control Board does not know of or foresee any disclosures of personal information pursuant to Civil Code, section 1798.24, subdivisions (e) or (f). Any member of the public may inspect the information collected in this form by contacting the State Water Resources Control Board, Division of Water Rights by mail at P. O. Box 2000, Sacramento, CA 95812-2000, by fax at (916) 341-5400, by telephone at (916) 341-5300 or by e-mail at dwr@waterboards.ca.gov, or by appearing in person at the State Water Resources Control Board, Division of Water Rights file room located at 1001 I Street, 2nd Floor, Sacramento, CA 95814 during normal business hours.

State Water Resources Control Board
DIVISION OF WATER RIGHTS
INITIAL STATEMENT OF WATER DIVERSION AND USE
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PAGE 2 OF 3: INITIAL STATEMENT OF WATER DIVERSION AND USE DIVERTER NAME Todd Lewis
 SOURCE/TRIBUTARY Unnamed Class II Stream DIVERSION WORKS NAME POD 2

1. Type of Claim													
Check the box(s) which describe the type of claim(s) under which you are diverting water.													
<input checked="" type="checkbox"/> Riparian <input type="checkbox"/> Pre-1914 <input type="checkbox"/> Court Decree <input type="checkbox"/> Pending Appropriative Application <input type="checkbox"/> Pueblo <input type="checkbox"/> Other: _____													
If you checked yes for Court Decree, Pending Appropriative Application or other, list the decree number, application ID or explanation:													
2. Water Course Description													
Water Course Name at the point of diversion Unnamed Class II Watercourse						Water Course is tributary to Miller Creek							
3. Legal Land Description													
Provide the location of the Point of Diversion using one of the following methods (check one box and enter coordinates, if applicable)													
<input checked="" type="checkbox"/> Latitude/Longitude Measurements: <u>40.112703°, -123.910399°</u> <input type="checkbox"/> California Coordinate System (NAD 1983): _____ <input type="checkbox"/> USGS Topographic Map with point of diversion labeled on map (if checked yes, please attach map)													
Assessor's Parcel Number(s), if assigned: 220-331-001						County Humboldt							
Provide Public Land Description to nearest 40 acres (if assigned)													
NW ¼ of the SE ¼ of Section 13, Township 4S, Range 2E, B&M Humboldt													
4. Place of Use Description													
Provide a general description of the area in which the water was used													
Domestic & Cooperative Greenhouse													
Identify the location of the place of use on a specific United States Geological Survey (USGS) topographic map and on any other maps with identifiable landmarks. If assigned, provide the public land description to the nearest 40-acre subdivision and the assessor's parcel number. (check box indicating each map attached)													
<input checked="" type="checkbox"/> USGS Topographic Map <input checked="" type="checkbox"/> County Assessor's parcel map													
5. Purpose of Use Description (Please select all that apply below)													
<input checked="" type="checkbox"/> Irrigation Number of Acres : .0302		<input checked="" type="checkbox"/> Domestic Persons Served : 2		<input type="checkbox"/> Stock watering Number of stock and type:				<input type="checkbox"/> Other Please Explain:					
6. Diversion Works Description													
Name of Diversion Works, if named POD 2						Year in which diversion commenced (or specify nearest known year) 2016							
List any related existing water rights, if applicable (for example, an appropriative right using the same diversion works)													
N/A													
Type of Diversion Facility (select one)													
<input type="checkbox"/> Gravity <input checked="" type="checkbox"/> Water Course Pump <input type="checkbox"/> Well Pump <input type="checkbox"/> Other (please specify) _____													
Do you directly divert water?		Capacity of Direct Diversion Works (specify unit and amount) 3						Do you divert water to storage?					
<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		<input type="checkbox"/> Cubic feet per second <input checked="" type="checkbox"/> Gallons per minute <input type="checkbox"/> Gallons per day						<input type="checkbox"/> On-stream storage (Complete Section B) <input checked="" type="checkbox"/> Off-stream storage (Complete Sections A & B)					
A. Capacity of Storage Diversion Works (specify unit and amount) ³ _____						B. Capacity of Storage Tank or Reservoir (specify unit and amount) ⁵⁰⁰ _____							
<input type="checkbox"/> Cubic feet per second <input checked="" type="checkbox"/> Gallons per minute <input type="checkbox"/> Gallons per day						<input checked="" type="checkbox"/> Gallons <input type="checkbox"/> Acre-feet							
7. Quantity of Water Diverted Note: Measurements must be made using best available technologies and best professional practices as listed in Section 8a unless documentation is provided to the State Water Resources Control Board that the implementation of those practices is not locally cost effective.													
Provide the quantity of water diverted each month in the table below as a measured in (check one box)													
<input checked="" type="checkbox"/> Gallons <input type="checkbox"/> Acre-feet													
Year	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total
2016	2,000	2,000	2,000	3,425	3,615	3,900	4,185	4,280	4,090	3,805	2,000	2,000	37,300

8. Measurement Device Description												
Method used to measure water diverted (select one)												
<input type="radio"/> Water directly diverted and/or diverted to storage was measured with a measuring device. (if checked, proceed to section 8a and skip section 8b)												
<input checked="" type="radio"/> Direct measurement using a device listed in Section 8a is not locally cost effective for water directly diverted and/or diverted to storage. (If checked, skip section 8a and proceed to section 8b).												
8a. Measuring Device												
Indicate the types of measuring devices used (check all that apply):												
<input type="checkbox"/> Propeller Meter <input type="checkbox"/> Sluice/Slide Gate <input type="checkbox"/> Acoustic Meter <input type="checkbox"/> Weir <input type="checkbox"/> Staff gage and storage capacity curve <input type="checkbox"/> Staff gage and floodable acreage <input type="checkbox"/> Pressure transducer and storage capacity curve <input type="checkbox"/> Other: _____												
Indicate any additional technology used (check all that apply and explain below):												
<input type="checkbox"/> Flow totalizer <input type="checkbox"/> Data Logger <input type="checkbox"/> Telemetry <input type="checkbox"/> Other: _____												
Indicate who installed your measuring device(s) (check all that apply):												
<input type="checkbox"/> Representative using manufacturer's recommendations <input type="checkbox"/> Licensed Civil or Agricultural Engineer <input type="checkbox"/> Representative who is American Water Works Association (AWWA)-certified <input type="checkbox"/> Hydrographer <input type="checkbox"/> Representative using United States Geological Survey (USGS) techniques <input type="checkbox"/> Other/Unknown: _____												
List the make, model number, and last calibration date of your measuring device(s), if available:												
8b. Explanation of why use of a measuring device is "not locally cost effective"												
Indicate why you concluded that direct measurement using a device listed in Section 8a is not locally cost effective (check all that apply)												
<input checked="" type="checkbox"/> Diversion is small or minimal in size <input type="checkbox"/> Diversions are infrequent <input type="checkbox"/> Ungauged Siphon <input type="checkbox"/> No power at diversion point <input type="checkbox"/> Other: _____												
Indicate method(s) used as an alternative to direct measurement in order to complete this report (check all that apply)												
<input type="checkbox"/> Electricity records dedicated to the pump <input type="checkbox"/> Total facility electricity records minus estimated non-pump electricity <input type="checkbox"/> Engine fuel use or hour meter records <input type="checkbox"/> Crop duty estimates/consumptive use estimates <input type="checkbox"/> Power generation estimates <input type="checkbox"/> Other water duty estimates other than for crops <input type="checkbox"/> Modeled/estimated flows <input type="checkbox"/> Remote satellite imaging <input type="checkbox"/> Pipe/trajectory method <input checked="" type="checkbox"/> Bucket and stopwatch <input type="checkbox"/> Float and stopwatch <input type="checkbox"/> Other: _____												
Explain your measurement alternatives:												
The diversion is minimal in size												
9. Maximum Rate of Diversion (if available)												
Provide the maximum rate of diversion achieved in each month as measured in (check one box) <input type="checkbox"/> cfs <input type="checkbox"/> gpm <input type="checkbox"/> gpd												
Year	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
2016	70	70	70	120	125	135	145	150	140	135	70	70
10. Recent Water Use												
Provide the annual water use in recent years:												
Maximum 37,300 <input checked="" type="checkbox"/> Gallons <input type="checkbox"/> Acre Feet Minimum 37,300 <input checked="" type="checkbox"/> Gallons <input type="checkbox"/> Acre Feet												
11. Water Conservation Efforts (answer only sections applicable to your diversion)												
<u>Water Conservation:</u> Are you currently employing any methods of water conservation? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No												
If yes, describe any water conservation efforts in use:												
BMP's; Limited Use												
<u>Water Quality and Wastewater Reclamation:</u> Are you now or have you been using reclaimed water from a wastewater treatment facility, desalination facility or water polluted by waste to a degree that unreasonably affects such water for other beneficial uses? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No												
<u>Conjunctive use of surface water and groundwater:</u> Are you using groundwater in lieu of surface water? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No												

END OF INITIAL STATEMENT FORM

Sign and Submit Form

Save Form (submit later)

Information and Instructions for Completing the Initial Statement Form

General Information

California law requires each person or entity that diverts and uses surface water to file a Statement of Water Diversion and Use (Statement) with the State Water Resources Control Board (State Water Board), Division or Water Rights (Division), unless the diversion falls into one of the categories described in Water Code 5101. In particular, those persons who have a permit or license to appropriate water on file with the State Water Board need not file a Statement. A Statement should be filed if water is diverted and used under a claim of riparian right. A Statement should also be filed for pre-1914 water rights for water diversions that commenced prior to the establishment of the State Water Commission (the predecessor to the State Water Board) on December 19, 1914. With few exceptions, Statements should be filed for any diversion that occurred after January 1, 2009 and is not covered by a permit or license.

Failure to file a Statement for each diversion that occurred after January 1, 2009, may result in civil liabilities that carry a maximum fine of \$1,000 plus \$500 for each day the violation continues if the violation is not corrected within 30 days of notification of the violation. (Wat. Code, § 5107, subd. (c)(1)). In addition, any person who makes a willful misstatement on a Statement commits a misdemeanor punishable by a fine not to exceed \$1,000 or by imprisonment in the county jail for not more than six months, or both. (Wat. Code, § 5107, subd. (a)). Water diverters must file Statements with the State Water Board prior to July 1 of the year succeeding the year of the diversion. (Wat. Code, § 5101).

PRIOR TO FILING OUT FORM

Use this guide to determine if you need to file an Initial Statement of Diversion and Use. This information can also be found in Water Code, sections 5100-5107. You do **not** need to file a Statement if any of the following conditions are true:

- The diversion is from a spring that does not flow off the property on which it is located and from which your aggregate diversions do not exceed 25 acre-feet in any year;
- The diversion is covered by a permit or license to appropriate water that is on file with the Division;
- The diversion is covered by a registration for small domestic, small irrigation or livestock stockpond uses;
- The diversion is covered by a State Water Board stockpond certificate issued for ponds with a storage capacity of less than 10 acre-feet in either program;
- A notice is on file with the State Water Board for the recordation of groundwater extractions and diversions in Los Angeles, Riverside, San Bernardino and Ventura Counties;
- A diversion is regulated by a Watermaster appointed by the Department of Water Resources and included in annual reports filed with a court or the State Water Board by a Watermaster, which reports identify the persons who divert water and describe the general purposes and the place, the use, and the quantity of water that has been diverted from each source;
- A diversion is included in annual reports filed with the court or State Water Board by a Watermaster appointed by a court or filed pursuant to statute to administer a final judgment determining rights to water, for which reports identify the persons who have diverted water and give the general place of use and the quantity that has been diverted from each source.

INSTRUCTIONS

A separate Statement must be filed for each individual diversion point from which water is diverted as set forth in the Water Code, section 5102. The following describes the information requested on each form:

(Page 1 of 3)

Diverter Information

The diverter is the party responsible for the diversion. As the diverter you are required to provide your name or company name and a mailing address. If someone other than the diverter filed the Statement, that person must also provide his or her name and address.

Signature and Important Information

The form must be legible and signed by the person completing the form. The company name is required if applicable.

(Page 2 of 3)

1. Type of Claim

Indicate the type of claim you are filing. See the claim descriptions below if you are unsure of the type of claim you are using. The following are descriptions of the type of water rights that a user may claim use under:

Riparian: A riparian right enables an owner of the land bordering a natural lake or stream to take water on his riparian land. Riparian land must be in the same watershed as the water source and must never have been severed from the source of supply by an intervening parcel without reservation of the riparian right to the severed parcel. Generally, a riparian water user must share the water supply with other riparian users. A riparian water right, like all water rights in California, is subject to Article X section 2 of the California Constitution which prohibits waste and unreasonable use of water, including the unreasonable method of use or diversion of water. Riparian rights may be used to divert the natural flow of a stream but typically may not be used to (1) store water for later use (2) divert water which originates in a different watershed (3) divert water released from storage, or (4) divert return flows from groundwater use.

Pre-1914 Appropriative: A pre-1914 appropriative right is for diversions that have been under continuous use since December 19, 1914. After the formation of the California Water Commission in December 1914, new appropriators are required to obtain a permit or license from the State.

Court Decree: An adjudicated right is one in which a court or the State Water Board has determined, by decree, the amount of use allowed to landowners within the adjudicated stream area. You must file a Statement if you are in an adjudicated area if a Watermaster is not filing reports on your behalf. Indicate the decree number when filing a Statement on a court decree claim.

Pending Appropriative: An appropriative right is required for use of water on non-riparian land and for storage of water. Generally, appropriative rights may be exercised only when there is a surplus not needed by riparian water users. If you have filed an application for a water right permit and are not yet permitted, but are diverting water, you are required to file a Statement. Indicate the corresponding application ID number on this line.

2. Water Course Description

Indicate the name of the body of water from which you are diverting water and the body of water it is a tributary to.

3. Legal Land Description

Provide the location of the point of diversion. You must do so by: 1) depicting the location of the diversion works on a specific USGS topographic map, 2) identifying the location using the California Coordinate System, or 3) identifying the location by latitude and longitude measurements. Each separate diversion point should be reported on separate Initial Statement forms. **About Maps:** You may submit a single map showing both the point of diversion and the place of use. Maps can be found at: <http://www.store.usgs.gov>. If assigned, you must provide the public land description to the nearest 40-acre subdivision and the assessor's parcel number.

4. Place of Use Description

Provide a general description of the area where the water is used. **About Maps:** You **MUST** submit a USGS topographic map depicting the place of use. If you are also using a USGS topographic map for the point of diversion, you can draw both on a single map. Maps can be found at: <http://www.store.usgs.gov>

5. Purpose of use

Indicate the purpose of use for the diverted water. Examples of purposes of use are: domestic, dust control, fire protection, fish/wildlife protection and enhancement, fish culture, frost protection, heat protection, incidental power, industrial, milling, mining, municipal, power, recreational, snow making, stock watering, etc. Also indicate the number of acres irrigated, number of persons served for domestic use, number of animals watered, etc.

6. Diversion Works Description

The maximum capacity of the diversion works is the maximum output available for a pump or other diversion source. If you store water and know the storage capacity indicate in gallons or acre-feet. If you do not know the actual storage capacity, you can use the following formula to estimate: Multiply the surface area (in acres) by the maximum depth of the reservoir (in feet) then multiply that by 0.7.

7. Quantity of Water Diverted

Provide the quantity of water used for each month in the year you are reporting. If you did not divert water in a particular month, enter "0". Beginning January 1, 2012, monthly measurement records of water diversion must be made using the best available technologies and best professional practices.

(Page 3 of 3)

8. Measurement Device Description

Beginning January 1, 2012, water diverters who are required to file a Statement of Water Diversion and Use are required to measure their water diversions using best available technology and best professional practices. If diversions are not measured using best available technologies, the diverter must provide documentation to the State Water Board demonstrating that the implementation of such practices is not locally cost effective. Additional information about measurement devices can be found at: http://www.waterboards.ca.gov/waterrights/water_uses/programs/diversion_use/measurement. Indicate the method used to measure the water diverted. This is a new requirement for Statements. If you measured with a measuring device, complete section **8a** and skip section **8b**. If you did not use a measuring device, skip section **8a** and complete **8b**.

8a. Measuring Device

Indicate the types of measuring devices used, any additional technology used and indicate who installed your measuring device. If none of the check box options apply, use the boxes marked other and include an explanation.

8b. No Measuring Device Explanation

If you did not measure your diversion with a measuring device using best available technology, you must indicate why installing a measuring device that utilizes best available technology would not be locally cost effective. Also indicate the method used as an alternative to direct measurement methods.

9. Maximum Rate of Diversion

Provide a monthly maximum rate of diversion in the table provided. If precise measurements are not available, provide an estimated average per month.

10. Recent Water Use

Provide the annual amount of water used in recent years. If precise measurements are not available, provide an estimated annual usage.

11. Water Conservation Efforts

Complete (item 11) if you are filing under pre-1914 appropriative water rights and are using conservation methods, using recycled or treated water, or using groundwater in lieu of surface water.

SUBMITTING YOUR STATEMENT

Attach the Statement form to your maps and other supporting documentation. You may submit multiple forms in the same envelope if each diversion work has been labeled. DO NOT send duplicate copies of your Statement. Send Statement documents via one of the following methods:

Mail: State Water Resources Control Board/ Division of Water Rights, P.O. Box 2000, Sacramento, CA 95812-2000

Email: DWR-statements@waterboards.ca.gov

Fax: (916) 341-5400

Faxes and Emails must be legible and contain readable maps.

FREQUENTLY ASKED QUESTIONS

Q. Why do I need to submit a Statement of my diversion?

A. Water Code, section 5101 requires every person who diverts water to file a Statement with the State Water Board.

Q. When should I file my Statement?

A. A Statement must be filed for a diversion that takes place in the prior year. For example, if water is diverted any time in annual year 2012, a Statement must be filed on or after January 1, 2013 but no later than June 30, 2013. A separate Statement should be completed for each point of diversion.

Q. What happens after I submit my Statement?

A. Once a Statement is received, the Division will assign it a Statement number. If a Statement is missing required information, the Division may notify the diverter. All correspondence concerning these Statements should refer to the assigned Statement number.

Q. How often do I need to report usage in subsequent years?

A. Supplemental Statements must be filed at three-year intervals and must be filed on line with the Division prior to July 1 of the reporting year.

Q. How can I update or make changes to my information?

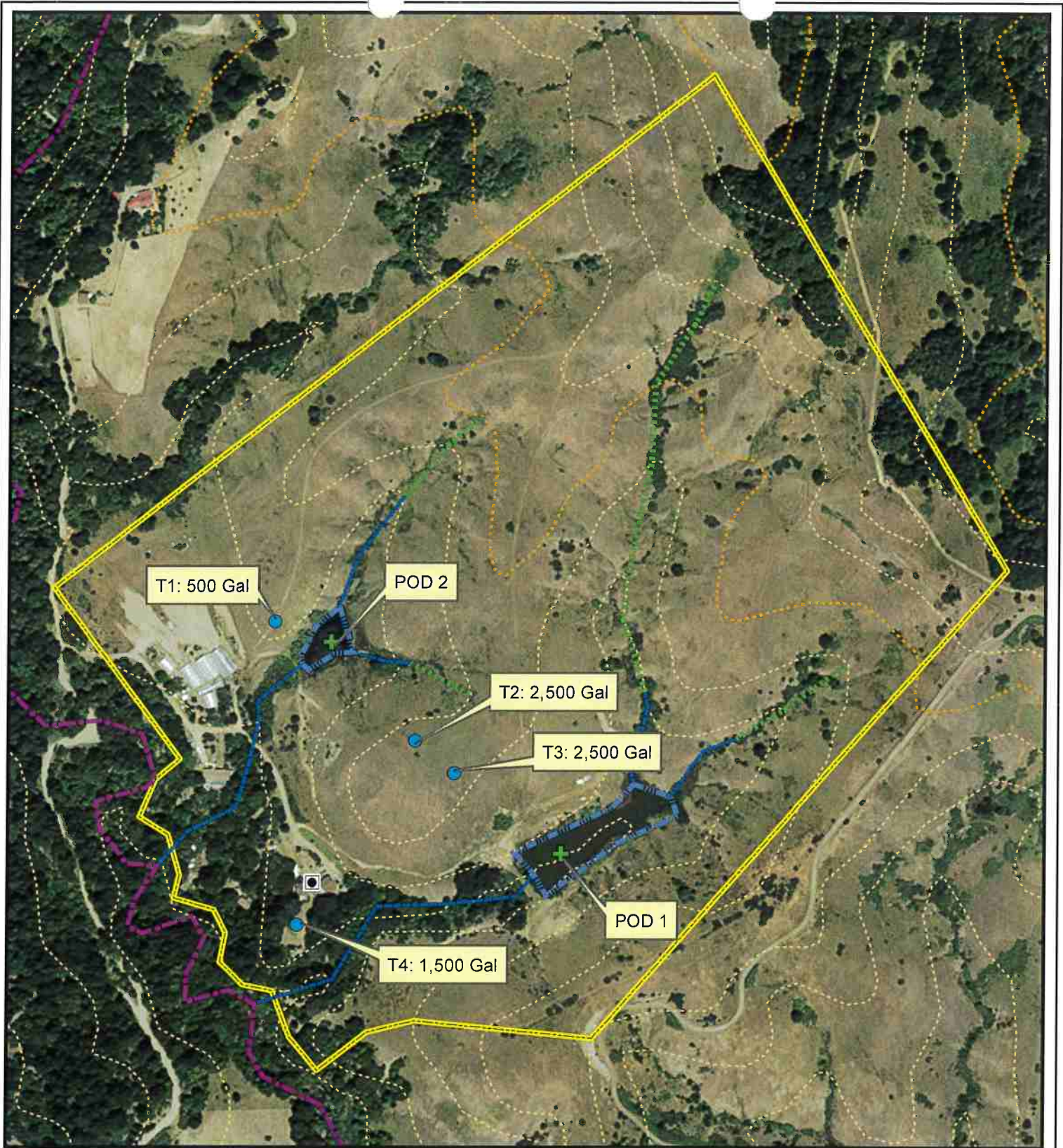
A. Changes in the name and address of the person diverting the water must be reported on a Supplemental Statement, regardless of whether the changes occurred during a reporting year. If the location of the existing point of diversion as identified on the Statement or Supplemental Statement has changed, the new location must be reported on the Supplemental Statement. If there is a new point of diversion, a separate Statement must be filed with the Division.

Q. Do I need approval from any other agencies to divert water?









A. You are responsible for ensuring all proper permits from local, state or federal agencies are acquired.

NOTICE PURSUANT TO INFORMATION PRACTICES ACT OF 1977 (CIV. CODE. § 1798.17)

The State Water Resources Control Board, Division of Water Rights, is requesting personal information about the diverter and the person filing the Statement of diversion and use. The agency official responsible for this system of records is Robert Rinker, Jr., Staff Services Manager I, whose business address is 1001 I Street, 14th Floor, Sacramento, CA 95814 and whose business telephone is (916) 322-3143. Upon request, the agency official shall inform an individual regarding the location of his or her records and the categories of any persons who use the information in these records. The State Water Resources Control Board is empowered to require the submission of personal information by Water Code, section 5103, subdivision (a). The submission of the name and address of the diverter and person filing the Statement is mandatory. The submission of the phone number and e-mail address of the diverter and person filing the Statement is voluntary. The submission of the name and address of the land owner is voluntary. Failure to provide the mandatory information can result in the imposition of administrative civil liability in the amount of \$1,000 plus \$500 per day for each additional day on which the violation continues if the person fails to cure the violation within 30 days after the State Water Resources Control Board has called the violation to the attention of the person. This personal information is collected to facilitate better water management by the State Water Resources Control Board. The State Water Resources Control Board does not know of or foresee any disclosures of personal information pursuant to Civil Code, section 1798.24, subdivisions (e) or (f). Any member of the public may inspect the information collected in this form by contacting the State Water Resources Control Board, Division of Water Rights by mail at P. O. Box 2000, Sacramento, CA 95812-2000, by fax at (916) 341-5400, by telephone at (916) 341-5300 or by e-mail at dwr@waterboards.ca.gov, or by appearing in person at the State Water Resources Control Board, Division of Water Rights file room located at 1001 I Street, 2nd Floor, Sacramento, CA 95814 during normal business hours.

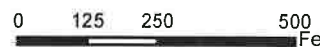


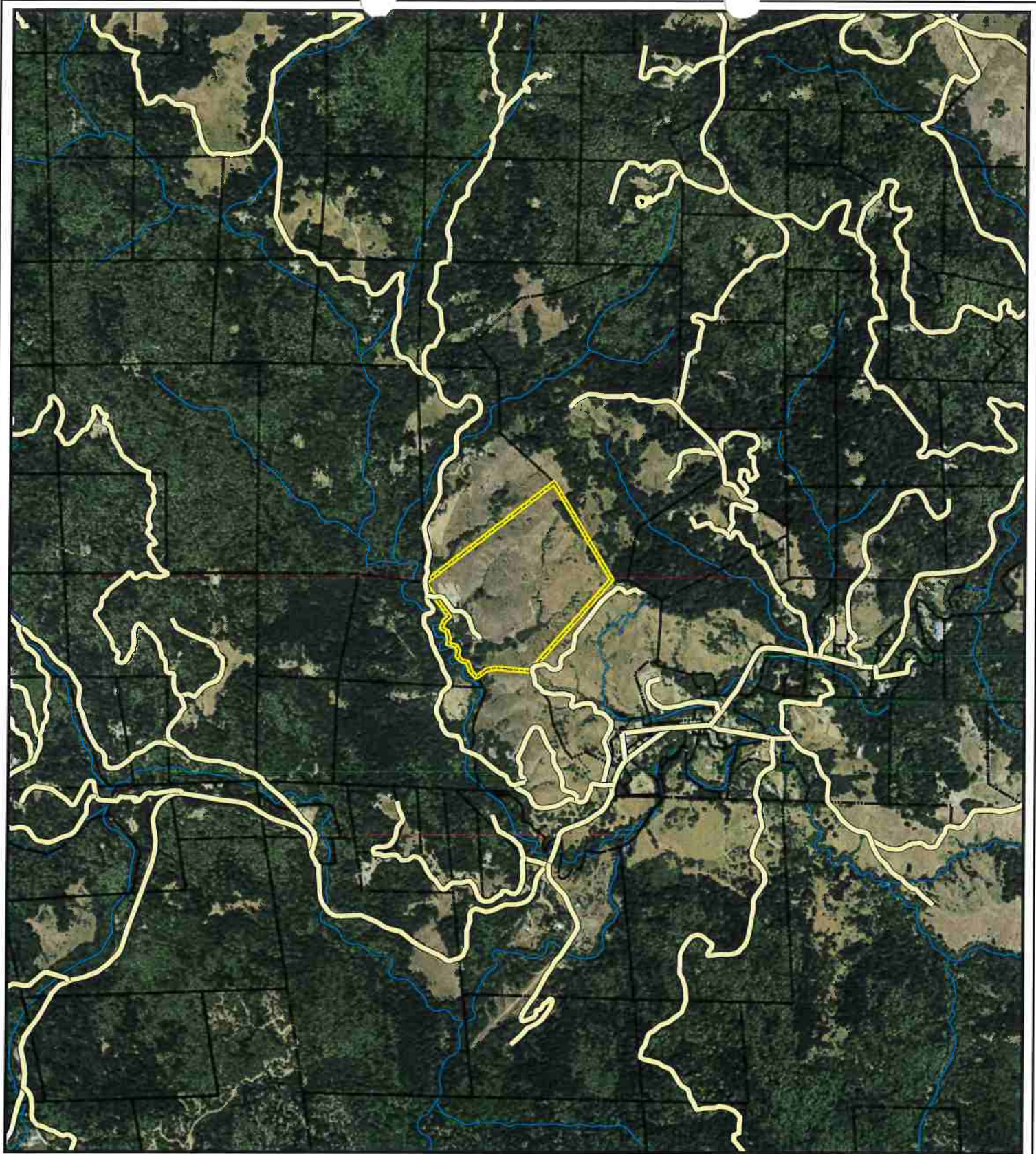
Site Map APN: 220-331-001

- | | | | |
|---|-----------------|---|-----------------------|
|  | Parcel Boundary |  | Pond |
|  | Residence |  | Class I Watercourse |
|  | Watersource |  | Class II Watercourse |
|  | Water Tank |  | Class III Watercourse |



Contour Interval: 40ft
Imagery: 2016 NAIP





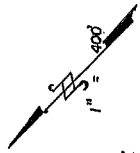
Vicinity Map APN: 220-331-001



-  Project Parcel Boundary
-  Parcel Boundaries
-  Permanent Roads
-  USGS Streams

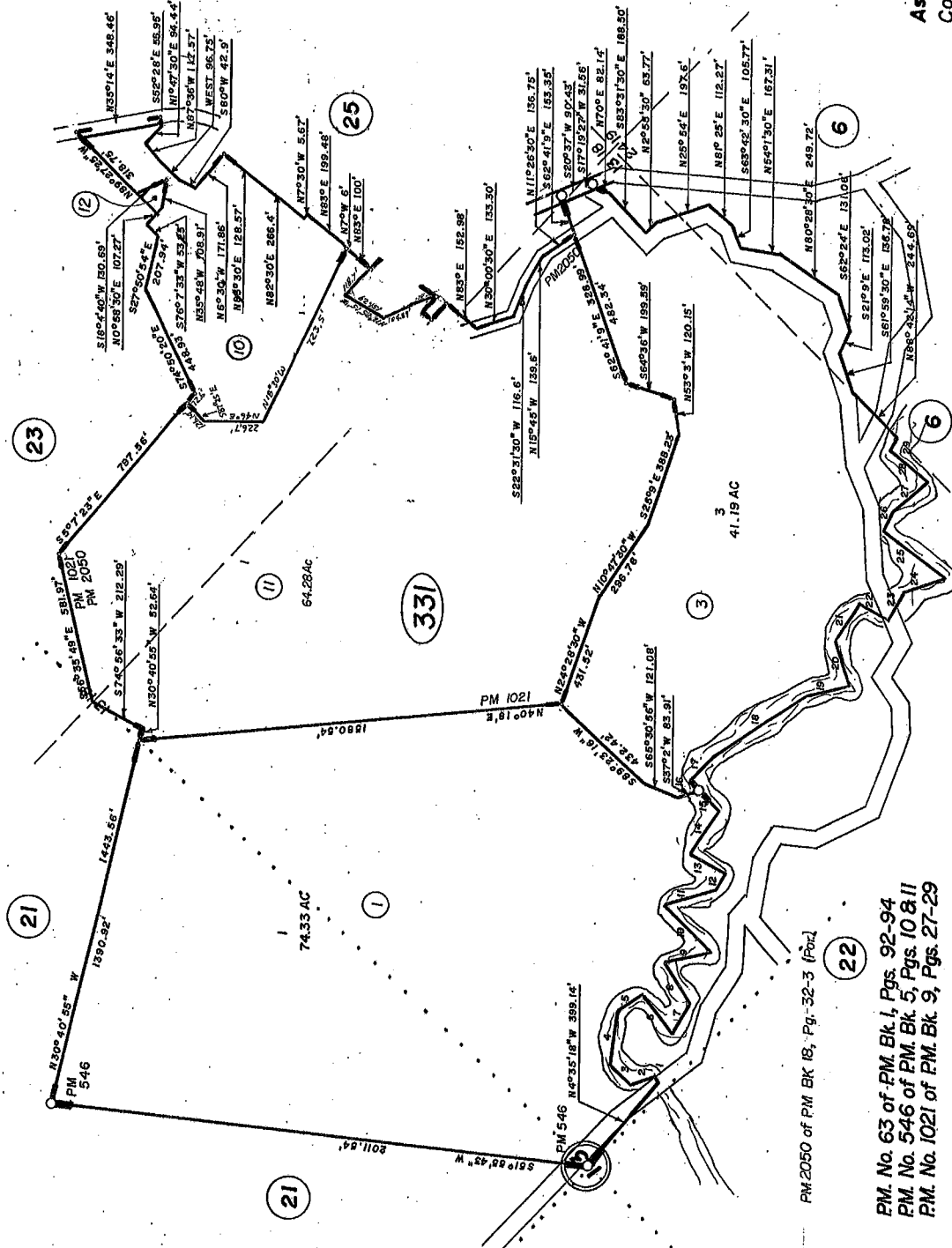


Contour Interval: 40ft
Imagery: 2016 NAIP
4,000 Feet
Page 44



CENTER LINE MILLER CREEK

- 1 East 22.80'
- 2 N 27° 51' E 88.77'
- 3 N 88° 38' 30" E 119.54'
- 4 S 34° 01' E 209.43'
- 5 S 20° 32' 30" W 107.78'
- 6 N 76° 50' 30" W 175.40'
- 7 S 17° 13' 0" E 141.17'
- 8 S 76° 44' E 178.92'
- 9 S 33° 8' W 212.76'
- 10 N 88° 24' 30" E 264.0'
- 11 S 29° 13' W 209.05'
- 12 S 18° 32' E 66.58'
- 13 N 74° 28' E 155.57'
- 14 S 7° 29' E 192.22'
- 15 N 87° 58' E 95.28'
- 16 N 87° 58' E 60.01'
- 17 S 4° 35' 30" E 149.13'
- 18 S 12° 46' W 384.88'
- 19 S 27° 28' 50" W 194.95'
- 20 S 62° 35' E 181.10'
- 21 S 19° 50' E 153.37'
- 22 S 77° 54' W 136.96'
- 23 S 24° 11' E 141.84'
- 24 S 39° 13' W 160.35'
- 25 N 77° 31' E 297.88'
- 26 S 16° 30' E 98.26'
- 27 S 3° 58' W 179.58'
- 28 N 83° 1' E 171.49'
- 29 S 11° 40' E 76.44'



Assessor's Maps Bk.220-Pg.33
County of Humboldt, Calif.

NOTE - Assessor's Block Numbers Shown in Ellipses
Assessor's Parcel Numbers Shown in Circles

PM. No. 63 of PM. Bk. 1, Pgs. 92-94
PM. No. 546 of PM. Bk. 5, Pgs. 10 & 11
PM. No. 1021 of PM. Bk. 9, Pgs. 27-29

PM 2050 of PM Bk 18, Pg. 32-3 (Por.)



robin @ greenroadconsulting.com



EDMUND G. BROWN JR.
GOVERNOR



MATTHEW RODRIGUEZ
SECRETARY FOR ENVIRONMENTAL PROTECTION

State Water Resources Control Board

APR 28 2017

CERTIFIED MAIL

Todd C. and Karen S. Lewis
801 Miller Creek Road
Garberville, CA 95542

CERTIFIED MAIL NO 7003 1680 0000 2968 9562

**DIVISION OF WATER RIGHTS REPORT OF INSPECTION OF HUMBOLDT COUNTY
APN 220-331-001-000**

Dear Mr. & Ms. Lewis:

On September 15, 2016, staff from the State Water Resources Control Board (State Water Board), Office of Enforcement (OE), the State Water Board, Division of Water Rights (Division), the North Coast Regional Water Quality Control Board (Regional Water Board), and the California Department of Fish and Wildlife (CDFW) Watershed Enforcement Team conducted an inspection of the property referenced above (Property). The purpose of the inspection was to observe site conditions, including erosion and storm water drainage controls, grading issues, site maintenance, and water diversions and use occurring on the Property to evaluate potential impacts to the South Fork Eel River.

Enclosed is the State Water Board, Division of Water Rights Report of Inspection for the Property listed above. The Regional Water Board, OE and CDFW will contact you separately if their inspection found concerns that require corrective actions. Please review the enclosed inspection report thoroughly. Violations of the Water Code are alleged in this report and this matter requires your immediate attention.

Water Rights Inspection Report

This letter and the attached Report of Inspection serve as formal notice that you are in violation of California Water Code sections 5101 *et seq.*, which require you to file a Statement of Water Diversion and Use (Statement) with the Division. Water Code section 5107 authorizes the State Water Board to administratively impose an initial \$1,000 civil liability for failure to file a Statement, plus \$500 per day for each additional day on which the violation continues if the person fails to file a Statement within 30 days after the State Water Board has called the violation to the attention of that person. Accordingly, you must file a Statement within 30 days of receipt of this letter or you could be subject to additional liability.

Further details about filling a Statement and an Initial Statement form can be located on the State Water Board's website at:

http://www.swrcb.ca.gov/waterrights/water_issues/programs/diversion_use/

FELICIA MARCUS, CHAIR | THOMAS HOWARD, EXECUTIVE DIRECTOR

1001 I Street, Sacramento, CA 95814 | Mailing Address: P.O. Box 100, Sacramento, Ca 95812-0100 | www.waterboards.ca.gov

ec: DeWayne Little
DeWayne.Little@wildlife.ca.gov

Scott Bauer, Staff Environmental Scientist, Department of Fish and Wildlife
Scott.Bauer@wildlife.ca.gov

North Coast Regional Water Quality Control Board
Connor McIntee, Environmental Scientist
Connor.McIntee@waterboards.ca.gov

State Water Resource Control Board, Office of Enforcement
Erin Mustain
Erin.Mustain@waterboards.ca.gov



EDMUND G. BROWN JR.
GOVERNOR



MATTHEW RODRIGUEZ
SECRETARY FOR
ENVIRONMENTAL PROTECTION

State Water Resources Control Board

**DIVISION OF WATER RIGHTS
REPORT OF INSPECTION**

Date of Inspection: 9/15/2016

Inspection Performed by: Bill Rigby and Michael Vella

Consent by or Warrant: Warrant

Facility Owner Information

Water Rights Information

Facility Owner: Todd C. & Karen S. Lewis

Statement: NA

Mailing Address: 801 Miller Creek Road

Registration: NA

City: Garberville, CA

Application: NA

Zip: 95542

Permit: NA

Phone: 707-459-6675

License: NA

Email: NA

County: Humboldt

Additional Information: NA

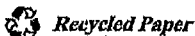
Parcel Number: 220-331-001-000

Site Address: 801 Miller Creek Road

Site City: Garberville, CA

Site Zip: 95542

California Environmental Protection Agency



POD ID: 2
Storage ID: Tank # 1
Storage Type: Tank
Storage Lat/Long: 40.112518, -123.911273
Storage Capacity (Gal): 500/ empty during inspection
Storage Description: Plastic storage tank for irrigation

POD ID: 3
Storage ID: Tank # 2
Storage Type: Tank
Storage Lat/Long: 40.112019, -123.909528
Storage Capacity (Gal): 2,500/ 1/3 full during inspection
Storage Description: Plastic storage tank for irrigation

POD ID: 3
Storage ID: Tank # 3
Storage Type: Tank
Storage Lat/Long: 40.111731, -123.909436
Storage Capacity (Gal): 2,500/ full during inspection
Storage Description: Plastic storage tank for irrigation

POD ID: 3
Storage ID: Tank # 4
Storage Type: Tank
Storage Lat/Long: 40.110912, -123.910224
Storage Capacity (Gal): 1,500/ 1/4 full during inspection
Storage Description: Plastic storage tank for domestic use by Residence 2

POD ID: 1
Storage ID: Tank # 5
Storage Type: Tank
Storage Lat/Long: 40.111626, -123.911356
Storage Capacity (Gal): 500/ empty during inspection
Storage Description: Plastic storage tank for domestic use by Residence 1

Place of Use (POU) Information:

POD ID: 1
POU ID: Residence 1
POU Lat/Long: 40.111905, -123.911362
POU Type: At residence
POU Description: Residence 1 on property is using water diverted from an unnamed stream to a 500 gallon storage tank (#5) for domestic use. Tank was empty at time of inspection.

POD ID: 2 (Reservoir)
POU ID: Greenhouse 1
POU Lat/Long: 40.112648, -123.911869
POU Type: Greenhouse- .0302 acres
POU Description: Greenhouse used to grow 30 cannabis plants

Facility Violations

POD ID: 2 & 3

Violation: Failure to File a Statement of Water Diversion and Use

Violation Description: Public records indicate the Lewis's purchased the property on April 13, 2006. California Water Code sections 5100-5107 provides that persons who divert water from a surface stream or a subterranean stream flowing through a known and definite channel (with a few limited exceptions), are required to file a Statement of Water Diversion and Use (Statement) for their diversion. Failure to file a Statement reporting water diversion and use from each POD on the property that occurred after January 1, 2009 may subject the Lewis's to monetary penalties. (Water Code, § 5107.) At this time there are no Statements on file for the property.

POD ID: 2 & 3

Violation: Unauthorized Diversion or Use of Water

Violation Description: POD 2 and POD 3 are reservoirs located on two different ephemeral unnamed streams tributary to Miller Creek. Water diverted at POD's 2 & 3 are unauthorized diversions and use of water. Direct diversion and use from the unnamed streams can occur under a riparian claim of right. A riparian right, however, does not include a right to divert water to storage for later use. Diversion of water from the Lewis' reservoirs for later use at a time when the unnamed streams are not flowing or that is carried over to the next season is an unauthorized diversion and use of water in violation of Water Code section 1052.

The following is a list of corrective actions and compliance options the Lewis' shall take to come into compliance with the California Water Code:

- File separate Statements for POD's 2 and 3 within 30 days.
- Submit an application(s) to appropriate water for the 2 reservoirs (POD 2 and 3) within 30-days.
- File a Statement for POD 1 by June 30, 2017
-

Corrective Action Description:

Failure to File a Statement of Water Diversion and Use (Statement):

You must file Statements within 30 days from the date this inspection report is mailed to you. The Statements must be filed for all points of water diversion on the property including but not limited to POD 1, 2, & 3 as required by Water Code section 5101 through 5107. Water Code section 5101 requires, with limited exceptions, that a person who diverts water from a stream in the absence of a permit, license, or registration must file a Statement with the State Water Resources Control Board (State Water Board).

The State Water Board may administratively impose a civil liability in the amount of \$1,000 for the failure to file a Statement for diversions that have occurred since 2009, plus \$500 per day for each additional day on which the violation continues if the person fails to file a Statement within 30 days after the State Water Board has called the violation to the attention of that person. (Water Code § 5107, subdivision. (c)(1)). This report of inspection constitutes your notice that you are in violation of the Statement filing requirements. If your Statements are not received within 30 days from the date you receive this inspection report, then you are subject to an

Todd & Karen Lewis Inspection Photos

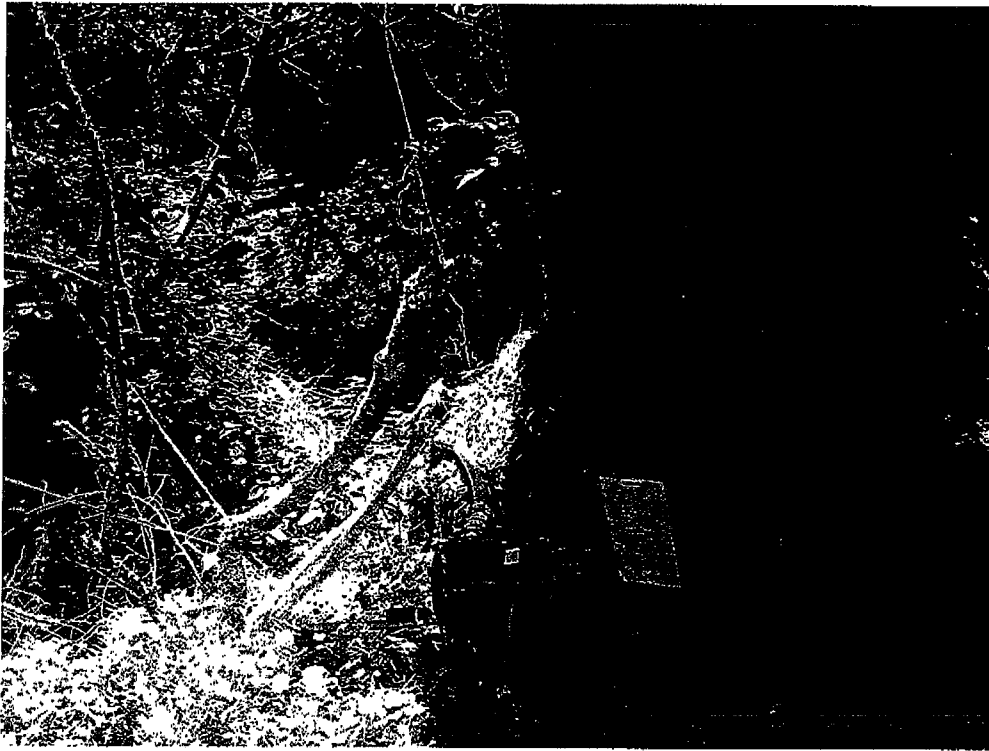


Figure 1. Small diversion pump at POD 1 behind Residence #1.



Figure 2. Storage Tank #5 holds water diverted from POD 1.

Todd & Karen Lewis Inspection Photos

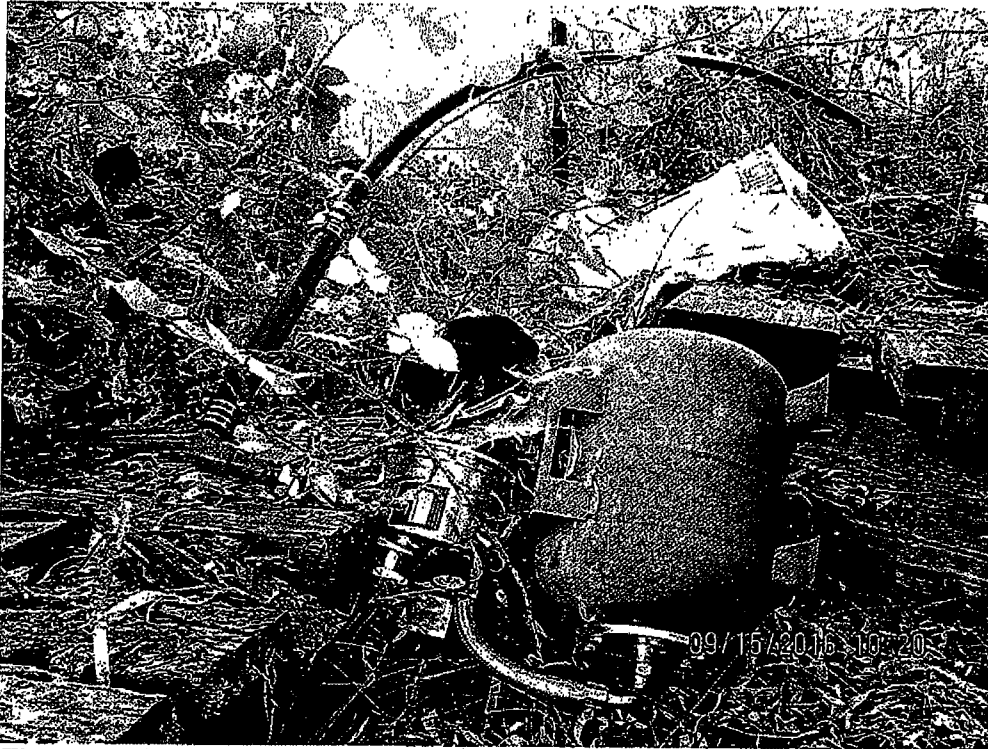


Figure 5. Water line from diversion pump at Reservoir 1, POD 2 serves Storage Tank #1, at POU 1.



Figure 6. Looking NW at spillway from top of dam at Reservoir 1, POD 2. POU 1 is in background.

Todd & Karen Lewis Inspection Photos



Figure 9. From hillside, looking South across Reservoir 2 and dam at POD 3.

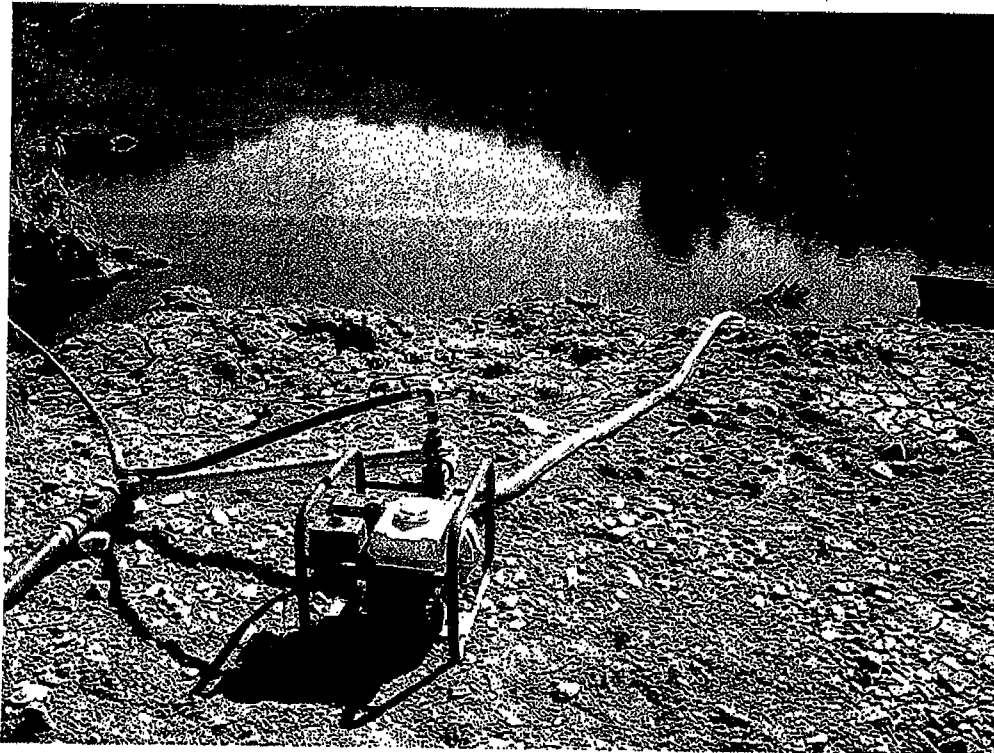


Figure 10. Diversion pump at Reservoir 2, POD 3 serves Storage Tanks #2, #3, and #4.

Todd & Karen Lewis Inspection Photos

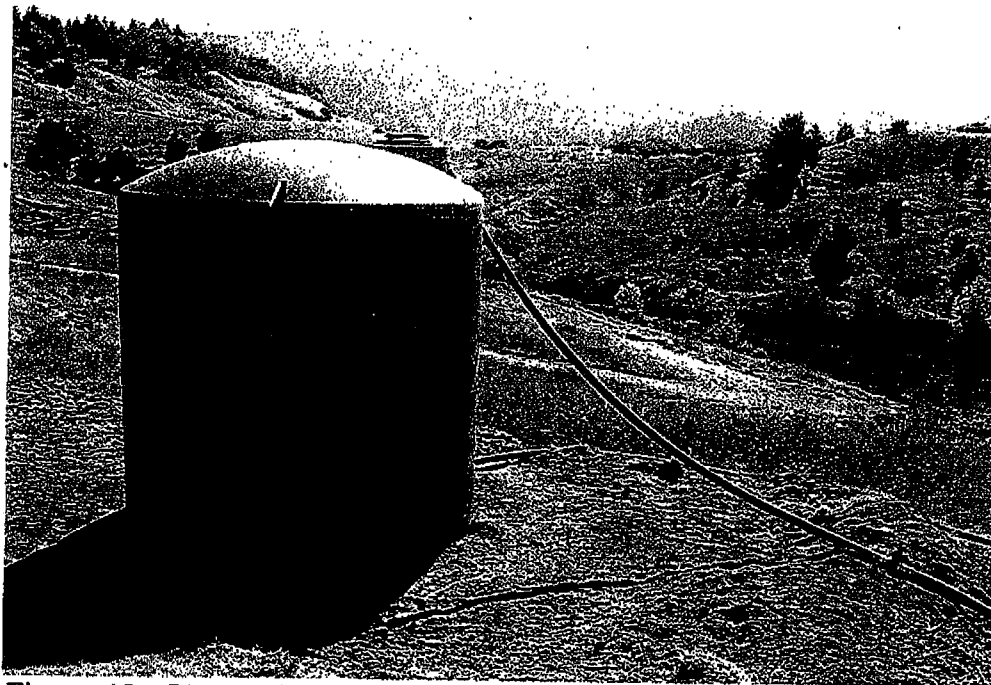


Figure 13. Storage Tank #3 served by Reservoir 2, POD 3.

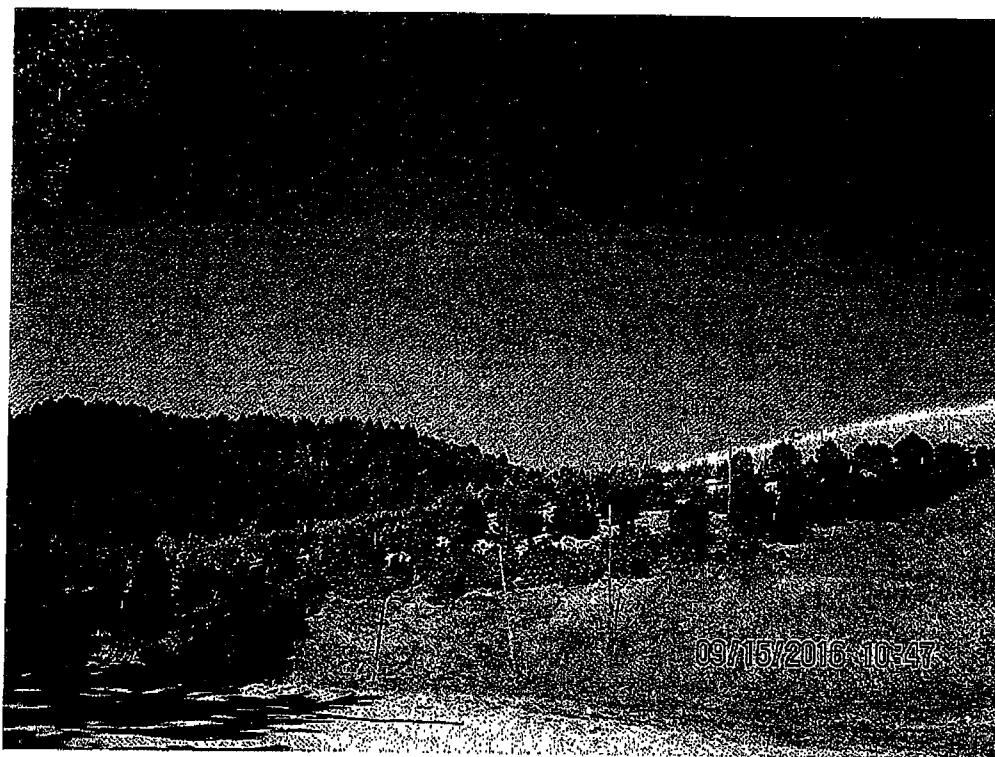
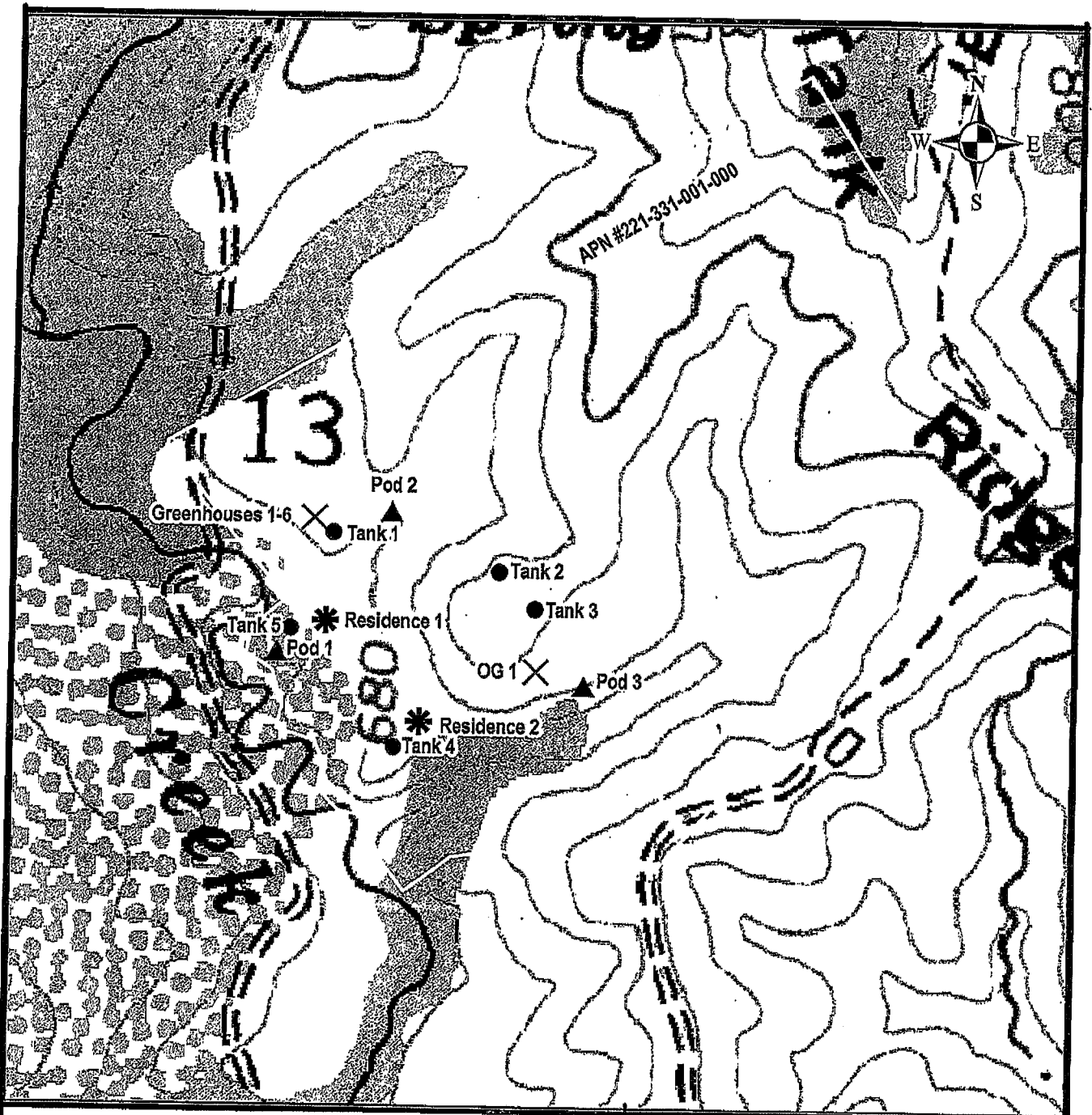


Figure 14. POU 2 is a marijuana garden irrigated by Storage Tanks #2 and #3.



OWNER TODD C. AND KAREN S. LEWIS
 SOURCE MILLER CREEK
 ASSESSOR PARCEL NUMBER 221-331-001-000
 COUNTY OF HUMBOLDT

STATE OF CALIFORNIA
 CALIFORNIA ENVIRONMENTAL PROTECTION AGENCY
 STATE WATER RESOURCES CONTROL BOARD
 DIVISION OF WATER RIGHTS

DIVISION FILE # UN001089

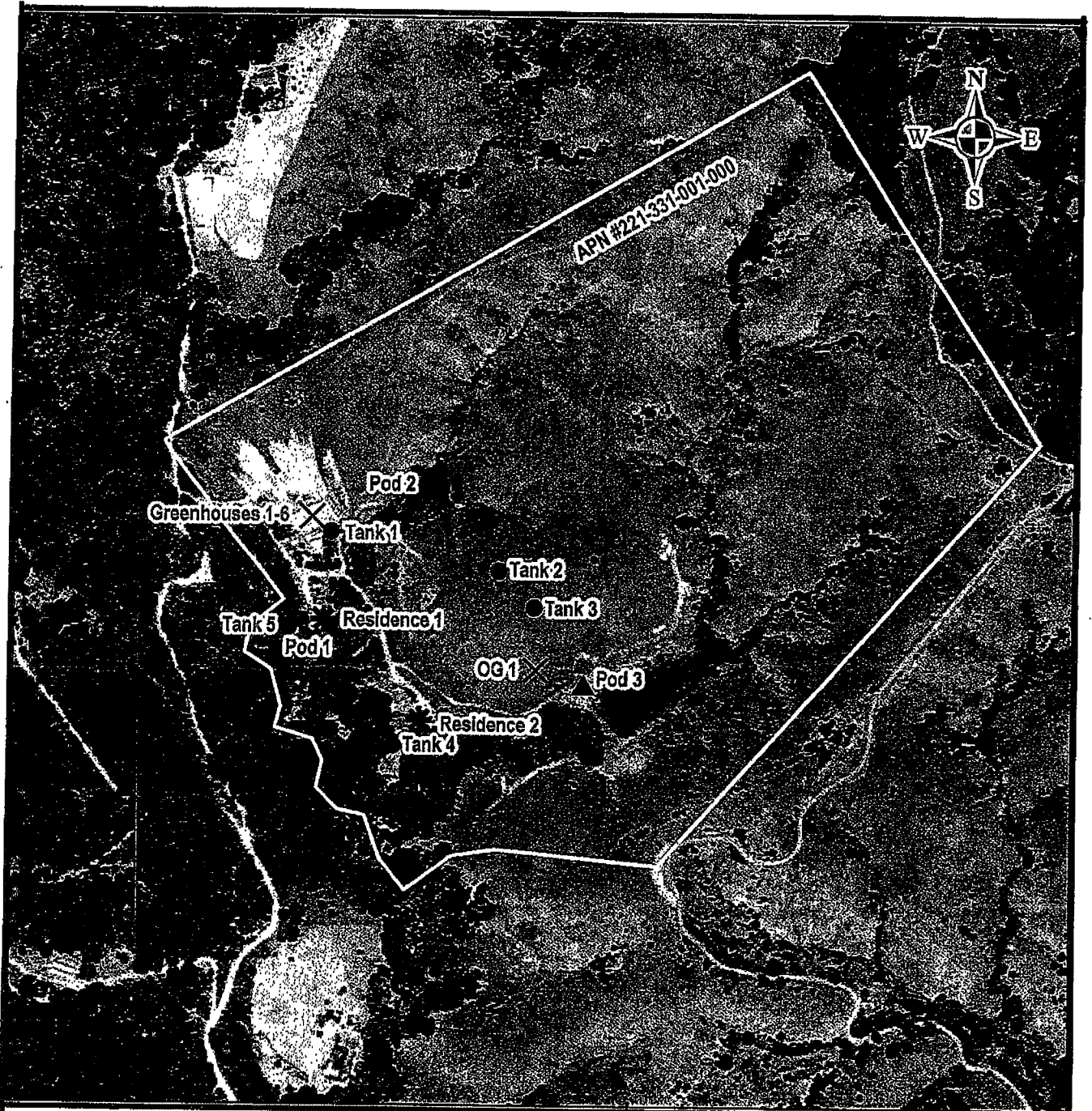
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DATE: 10-26-2016

DRAWN: BR

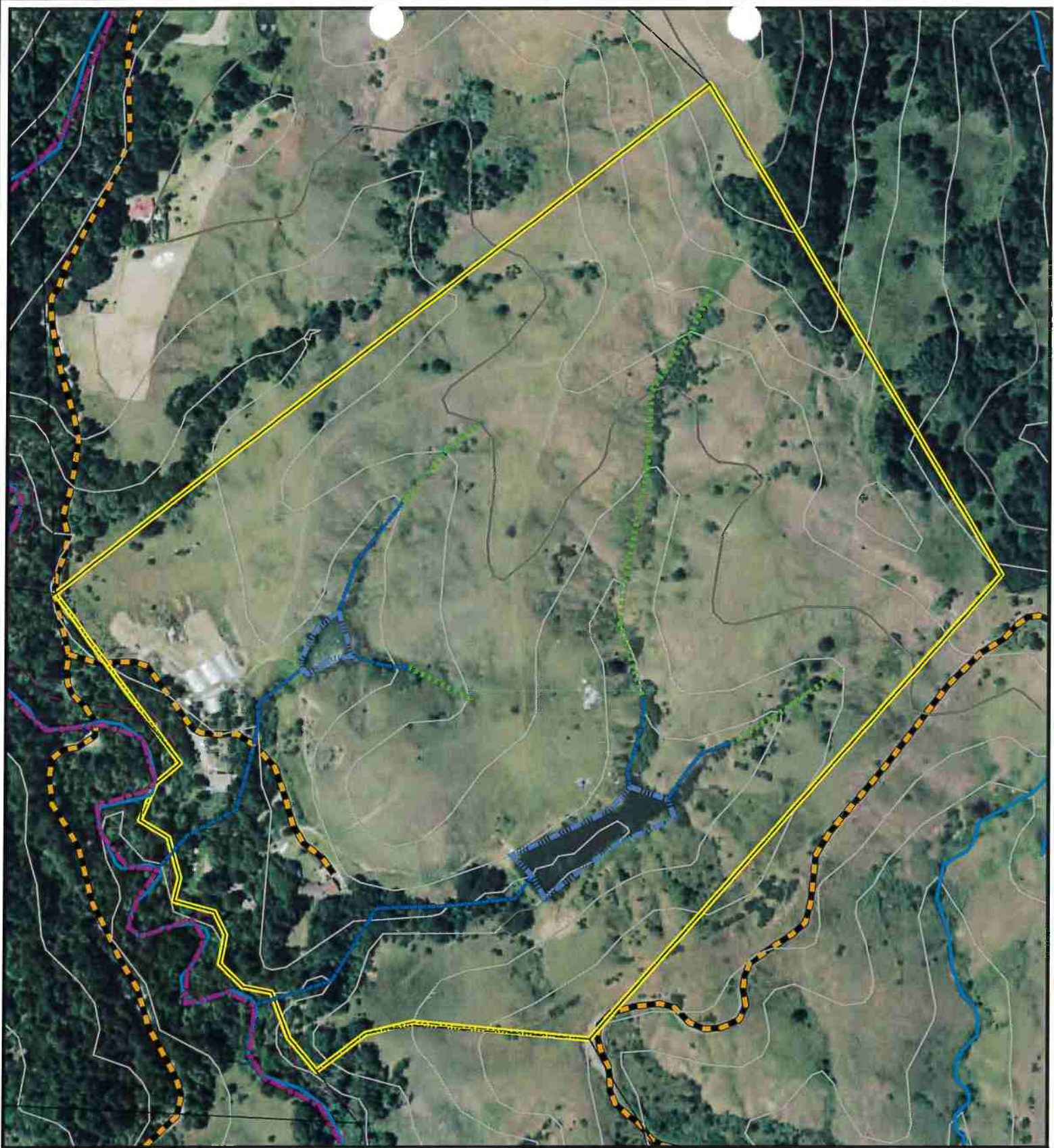
CHECKED:

Note: This map does not constitute a public land survey as defined by California Business & Professions Code section 8726. It has been prepared for descriptive purposes only.



<p>OWNER TODD C. AND KAREN S. LEWIS</p> <p>SOURCE MILLER CREEK</p> <p>ASSESSOR PARCEL NUMBER 221-331-001-000</p> <p>COUNTY OF HUMBOLDT</p>	<p>STATE OF CALIFORNIA CALIFORNIA ENVIRONMENTAL PROTECTION AGENCY STATE WATER RESOURCES CONTROL BOARD DIVISION OF WATER RIGHTS</p> <p>DIVISION FILE # UN001089</p>			
<p>NATIONAL AGRICULTURAL IMAGERY PROGRAM; DATE: 2014 SCALE: 1:5,000</p>	<table border="1"> <tr> <td data-bbox="925 1921 1104 1974">DATE: 10-26-2016</td> <td data-bbox="1104 1921 1282 1974">DRAWN: BR</td> <td data-bbox="1282 1921 1477 1974">CHECKED:</td> </tr> </table>	DATE: 10-26-2016	DRAWN: BR	CHECKED:
DATE: 10-26-2016	DRAWN: BR	CHECKED:		

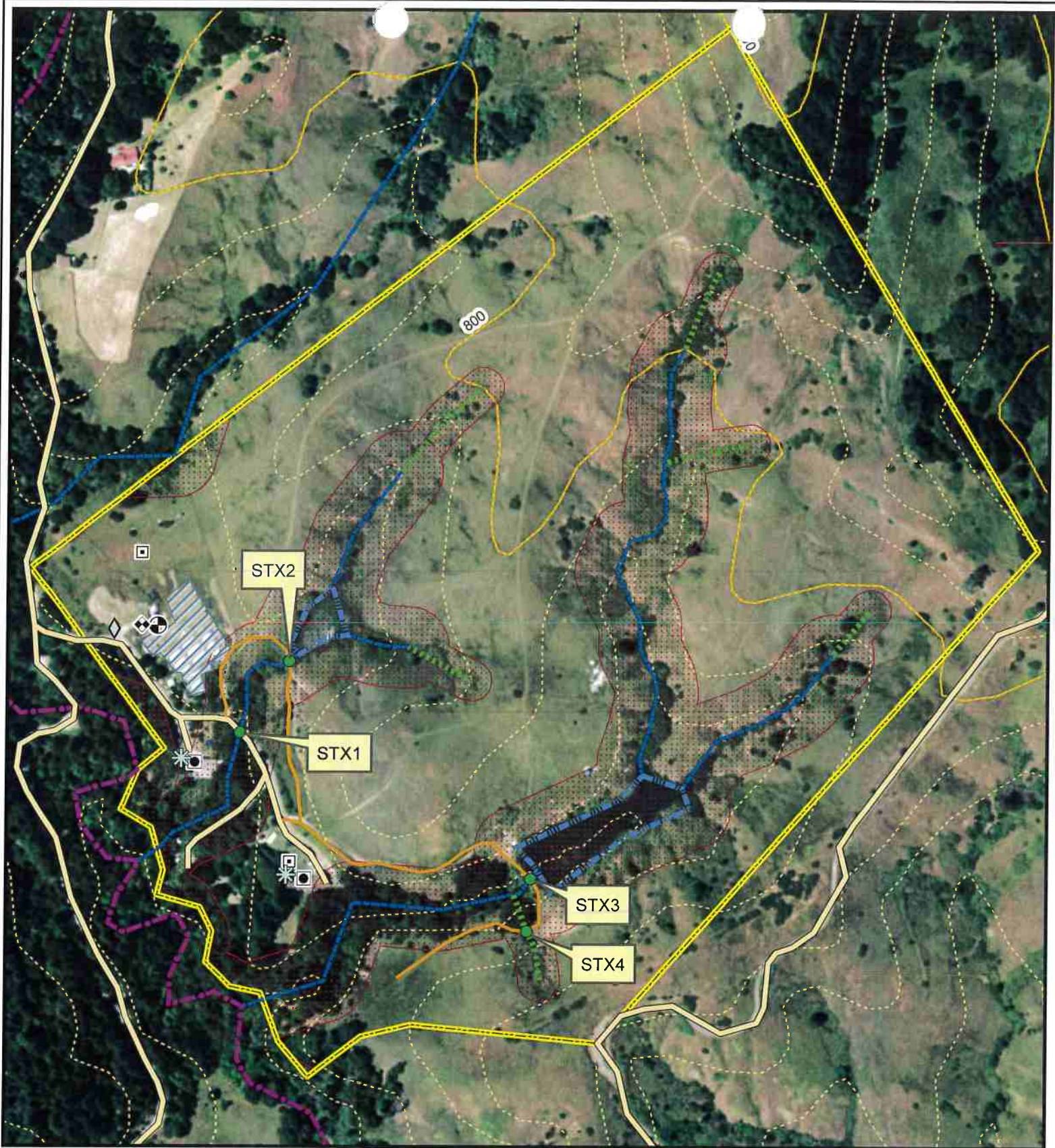
Note: This map does not constitute a public land survey as defined by California Business & Professions Code section 8726. It has been prepared for descriptive purposes only.



Site Map APN: 220-231-001

- Parcel Boundary
- Map Point (MP)
- Class III Watercourse
- Permanent Road
- Class I Watercourse
- Pond
- Seasonal Road
- Class II Watercourse





Site Overview Map APN: 220-331-001

- | | | | |
|------------------|--------------------|-----------------------|-----------------------|
| Parcel Boundary | RV/Trailer | Septic | Riparian Buffer Zone |
| Cultivation Area | Residence | Portable Toilet | Class I Watercourse |
| Permanent Road | Fuel Storage | Stream Crossing (STX) | Class II Watercourse |
| Seasonal Road | Fertilizer Storage | Pond | Class III Watercourse |

PLN-112618-CUP BLM Holdings, LLC

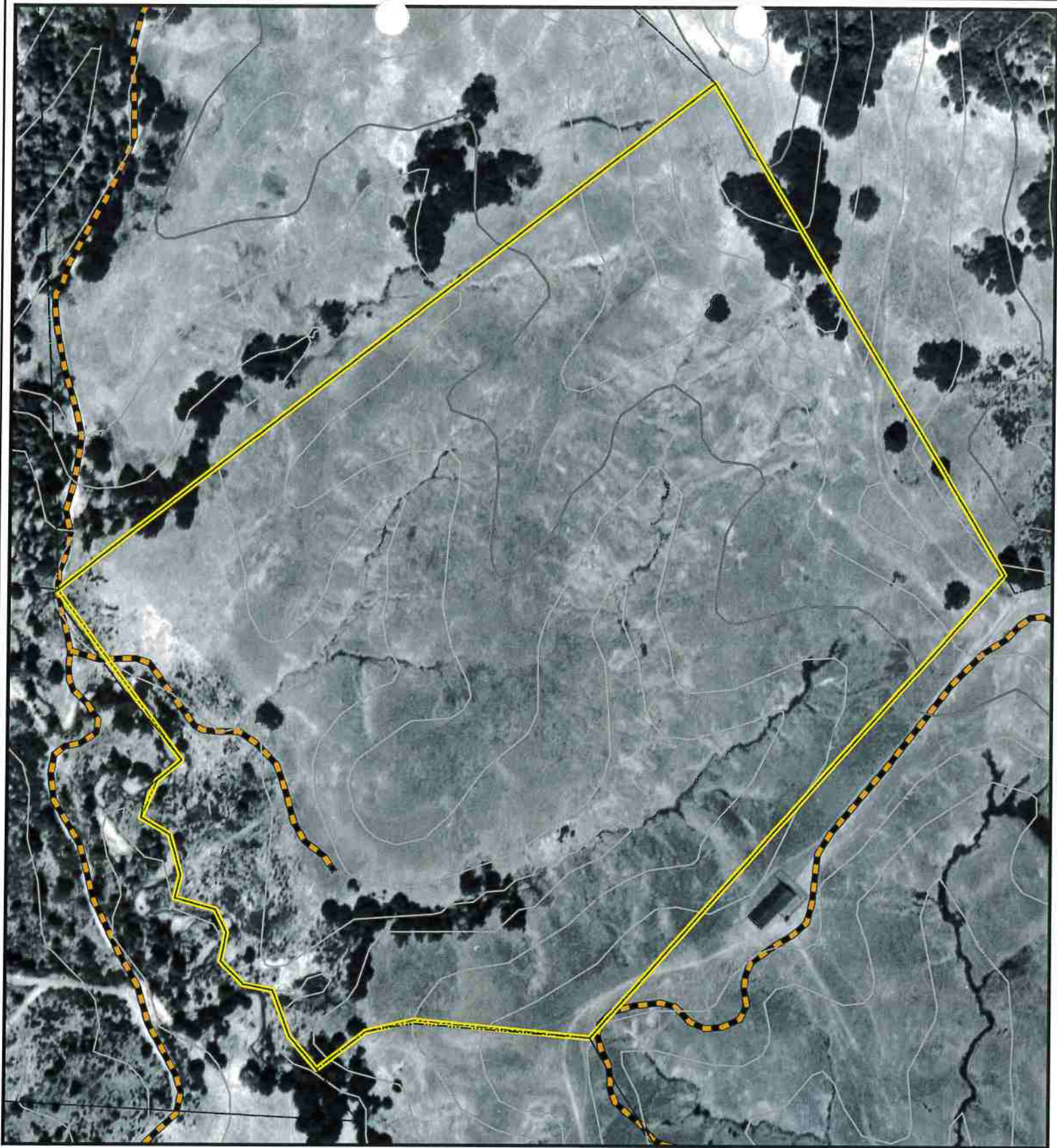
July 15, 2021



Contour Interval: 40ft
Imagery: 2016 NAIP

Page 58

0 125 250 500 Feet

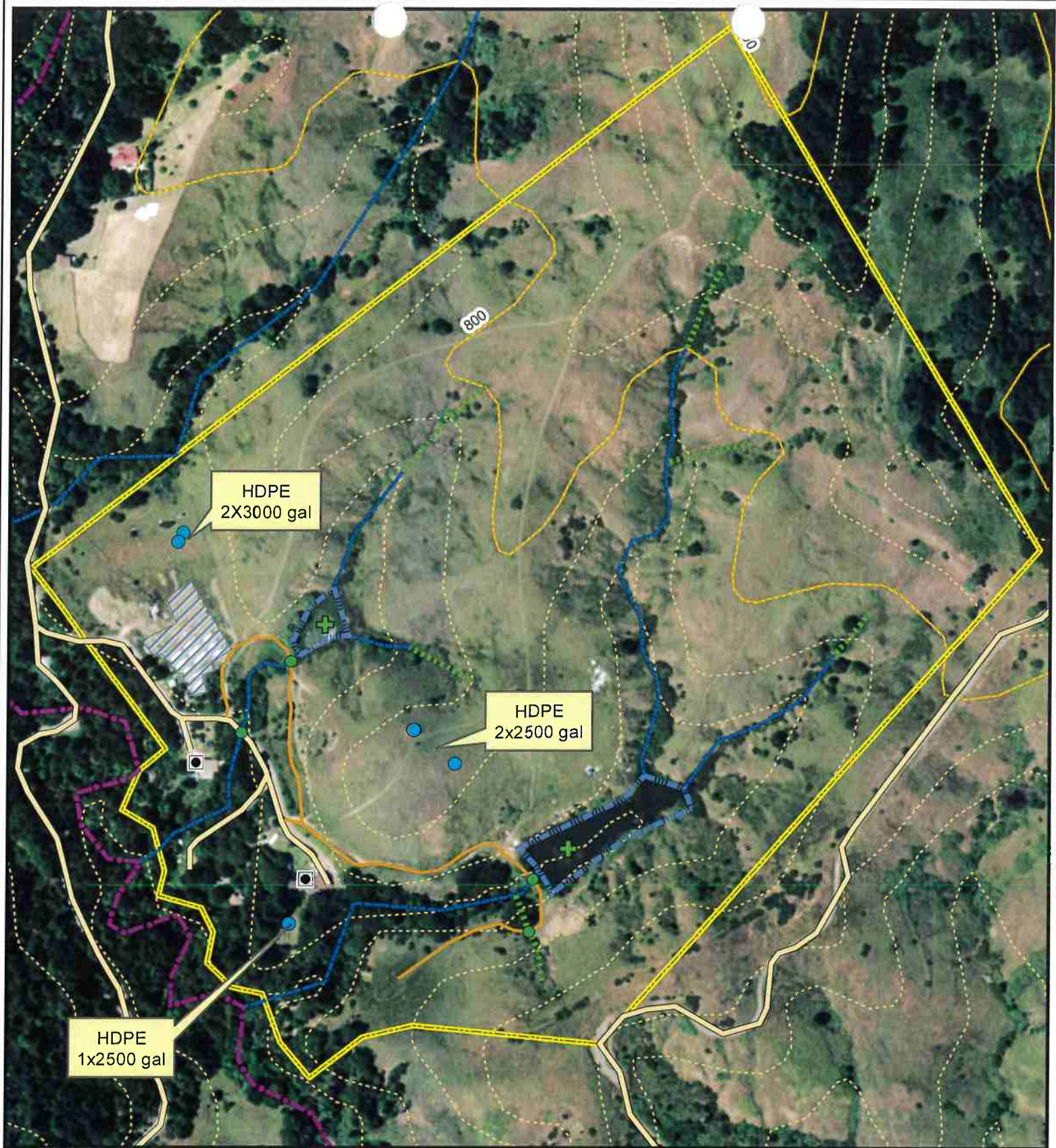


Historical Imagery APN: 220-231-001



 Parcel Boundary

Contour Interval: 40ft
Imagery: 1963 Imagery

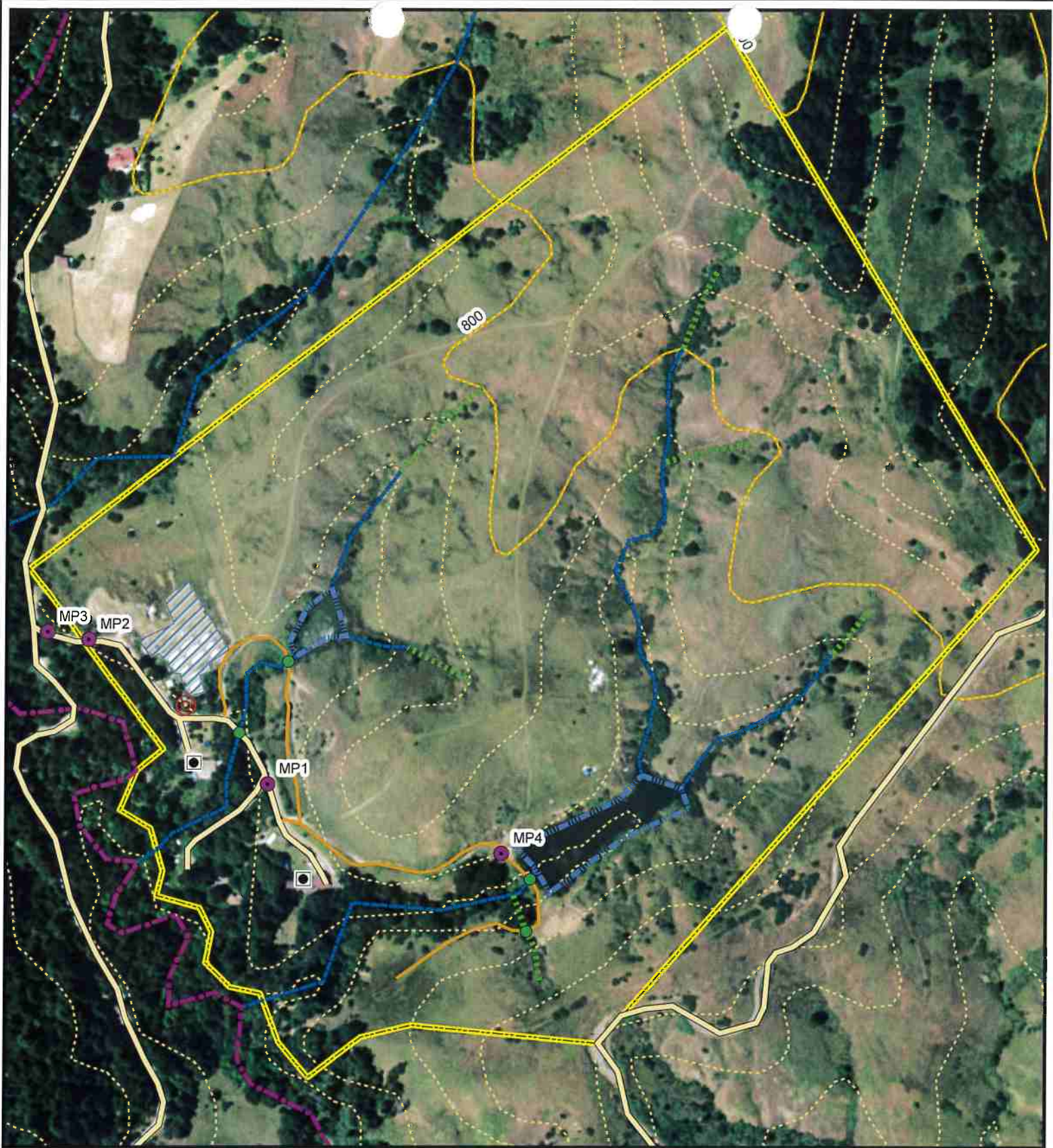


Water Storage and Use Map APN: 220-331-001

- | | | |
|--|--|--|
| <ul style="list-style-type: none"> Parcel Boundary Cultivation Area Permanent Road Seasonal Road | <ul style="list-style-type: none"> Residence Stream Crossing (STX) Watersource Water Tank | <ul style="list-style-type: none"> Pond Class I Watercourse Class II Watercourse Class III Watercourse |
|--|--|--|



Contour Interval: 40ft
Imagery: 2016 NAIP



Erosion and Sediment Control Map APN: 220-331-001

- | | | | | | |
|--|------------------|---|-----------------------|---|-----------------------|
|  | Parcel Boundary |  | Map Point (MP) |  | Pond |
|  | Cultivation Area |  | Residence |  | Class I Watercourse |
|  | Permanent Road |  | Stream Crossing (STX) |  | Class II Watercourse |
|  | Seasonal Road |  | Spoils |  | Class III Watercourse |

PLN-112618-CUP BLM Holdings, LLC

July 15, 2021



Contour Interval: 40ft
Imagery: 2016 NAIP



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
Division Environmental Health	✓	Approved	On file
Public Works, Land Use Division	✓	Conditional Approval	Attached
CalFire	✓	Rejected	Attached
Humboldt County Sheriff	✓	Approved	On file
Northwest Information Center	✓	Further Study	On file and confidential
Bear River Band Rancheria	✓	Comments	On file and confidential
Intertribal Sinkyone Wilderness Council		No response	
California Department of Fish & Wildlife		No response	
Southern Humboldt JT		No response	
Briceland Fire Protection District		No response	
County Counsel		No Response	
Humboldt County District Attorney		No response	
North Coast Unified Air Quality Management District		No response	
State Water Resources Control Board – Division of Water Rights		No response	



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


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

	PUBLIC WORKS BUILDING SECOND & L ST., EUREKA FAX 445-7409		
ADMINISTRATION	445-7491	NATURAL RESOURCES	445-7741
BUSINESS	445-7652	NATURAL RESOURCES PLANNING	267-9540
ENGINEERING	445-7377	PARKS	445-7651
FACILITY MANAGEMENT	445-7493	ROADS	445-7421

	CLARK COMPLEX HARRIS & H ST., EUREKA FAX 445-7388
LAND USE	445-7205

LAND USE DIVISION INTEROFFICE MEMORANDUM

TO: Max Hilken, Planner, Planning & Building Department

FROM: Kenneth M. Freed, Assistant Engineer 

DATE: 01/13/2020

RE:	Applicant Name	BLM HOLDINGS
	APN	220-331-001
	APPS#	PLN-12618-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:

Applicant has submitted an unsigned road evaluation report form, dated 04/10/18 with Part A –Box 2 checked, certifying that the road is equivalent to a road Category 4 standard.

// END //

Public Works Recommended Conditions of Approval

(All checked boxes apply)

APPS # 12618

COUNTY ROADS- FENCES & ENCROACHMENTS:

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

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

COUNTY ROADS- DRIVEWAY (PART 1):

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

COUNTY ROADS- DRIVEWAY (PART 2):

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

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

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

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

COUNTY ROADS- DRIVEWAY (PART 3):

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

COUNTY ROADS-PARKING LOT- STORM WATER RUNOFF:

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

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

COUNTY ROADS- DRIVEWAY & PRIVATE ROAD INTERSECTION VISIBILITY:

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

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

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

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

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

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

COUNTY ROADS- ROAD EVALUATION REPORT(S):

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

// END //

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

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.

Date:

Name:

Forester Comments:

Date:

Name:

Battalion Chief Comments:

Summary: