

ATTACHMENT 4

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 and Building Department:

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 with prime agricultural soils prepared by ETA Humboldt dated 11/22/21 – **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. (Revised Cultivation and Operations Plan prepared by ETA Humboldt dated 10/20/21 – **Attached**)
5. Description of water source, storage, irrigation plan, and projected water usage. (Included in Cultivation Operations Plan (item 4. above) and Site Management Plan prepared for State Water Board Cannabis General Order (item 6. below)
6. Copy of Notice of Intent and Monitoring Self-Certification and other documents filed with the North Coast Regional Water Quality Control Board (RWQCB) demonstrating enrollment in Tier 1, 2 or 3, North Coast RWQCB Order No. 2015-0023, or any substantially equivalent rule that may be subsequently adopted by the County of Humboldt or other responsible agency. (Site Management Plan prepared by ETA Humboldt dated 10/19/21 for the State Water Board Cannabis Cultivation Policy – **Attached**)
7. If any onsite or offsite 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. (Lake or Streambed Alteration Agreement and response letter from Timberland Resources Consultants dated 9/17/19 and Operation of Law Letter – **Attached**)
8. 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. (Cultivation takes place on AE portion of parcel – Not applicable)

9. Consent for onsite 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)
10. 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)
11. 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)
12. Acknowledge that the County reserves the right to engage with local tribes before consenting to the issuance of any clearance or permit, if cultivation operations occur within an Area of Traditional Tribal Cultural Affiliation, as defined herein. This process will follow current departmental referral protocol, including engagement with the tribe(s) through coordination with their Tribal Historic Preservation Officer (THPO) or other tribal representatives. This procedure shall be conducted similar to the protocols outlined under Senate Bill 18 (Burton) and Assembly Bill 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)
13. Cultural Resources Investigation Report prepared in May 2018, and an Addendum Report prepared in December 2020, by Mark Arsenault, MA, RPA, Principal Investigator, Arsenault & Associates, Sacramento, CA (On file and confidential)
14. Prime Agricultural Soil Assessment of the grassland meadows prepared by Dirty Business Soil in 5/22/18. **(Attached)**
15. A Biological Assessment for Commercial Cannabis Cultivation prepared by O’Brien Biological Consultants prepared after a site visit on 1/17/20. **(Attached)**
16. Wetland Delineation prepared by Kyle Wear, botanical consultant, dated January 2019. **(Attached)**
17. Botanical Survey Results prepared by Kyle Wear, botanical consultant, dated October 2021. **(Attached)**
18. Road Evaluation Report prepared by Antonio Petrushevski of Mayers Flat Farms, LLC, of inspection date of 1/5/21 and photo-documentation provided by ETA Humboldt dated January 2021. **(Attached)**