



**COUNTY OF HUMBOLDT**  
**PLANNING AND BUILDING DEPARTMENT**  
**CURRENT PLANNING DIVISION**

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

Hearing Date: July 21, 2022

To: Humboldt County Zoning Administrator

From: Cliff Johnson, Supervising Planner

Subject: **Big Rock Farms, Inc, Special Permit**

Record Number: PLN-13117-SP

Assessor's Parcel Number: 101-061-003

The project is located in Humboldt County, in the Ferndale area, on the south side of Grizzly Bluff Rd, approximately 648 feet west from the intersection of Grizzly Bluff and Rose Avenue, on the property known to be in Section 12 of Township 02N, Range 02W, Humboldt Base & Meridian. 255 WILLIAMS CREEK RD FERNDAL

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Please contact Michael Holtermann, Planner, at (707) 268-3737, or by email [mholtermann@co.humboldt.ca.us](mailto:mholtermann@co.humboldt.ca.us), if you have any questions about the scheduled public hearing item.

## AGENDA ITEM TRANSMITTAL

<b>Hearing Date</b> July 7, 2022	<b>Subject</b> Special Permit	<b>Contact</b> Michael Holtermann
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**Project Description:** One Special Permit for commercial cannabis manufacturing and distribution, and a Zoning Clearance Certificate for a community propagation center. The applicant proposes manufacturing in the form of non-volatile infusions, a 1,600 square foot commercial nursery, a distribution facility, and non-storefront retail sales. The project will use roughly 60,000 gallons of water for propagation annually and will be served by a rainwater catchment system. The project has a permitted septic system and proposes an ADA compliant restroom and hand washing facilities in the office area and proposes a maximum of four employees at peak operations. Power for the project will be provided by PG&E. A licensed testing laboratory will provide testing services for all in house and out of house products.

**Project Location:** The project is located in Humboldt County, in the Ferndale area, on the south side of Grizzly Bluff Rd, approximately 648 feet west from the intersection of Grizzly Bluff and Rose Avenue, on the property known to be in Section 12 of Township 02N, Range 02W, Humboldt Base & Meridian. 255 WILLIAMS CREEK RD FERNDALE

**Present Plan Land Use Designation:** Agricultural Exclusive (AE), Residential Agriculture (RA), Timberland (T), 2017 General Plan, Eel River Area Plan (ERAP), Density: 5-20 acres per unit, Slope Stability: Relatively Stable (0) & Moderate Instability (2)

**Present Zoning:** Agricultural Exclusive (AE) 60 acres per unit, Flood Hazard Area (F), Stream/Riparian Area (R), Unclassified (U)

**Record Number:** PLN-13117-SP

**Assessor Parcel Number:** 101-061-003

**Applicant**

Big Rock Farms, Inc  
Tonya Smith  
600 F St. Suite 3 Box 401  
Arcata, CA 95521

**Owner**

Buzzards Peak LLC,  
PO Box 218  
Ferndale, CA 95542

**Agent**

Aaron Baker  
4030 El Molino Lane  
Sebastopol, CA 95472

**Environmental Review:** An Addendum to a previously adopted Environmental Impact Report has been prepared for consideration per §15164 of CEQA Guidelines.

**Major Issue:** None.

**State Appeal Status:** Project is located outside the Coastal Zone and is therefore NOT appealable to the California Coastal Commission.

**Recommended Zoning Administrator Action**

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

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

**Executive Summary:** Big Rock Farms Inc is seeking a Special Permit for a proposed microbusiness consisting of non-volatile cannabis infusions, distribution, and non-storefront retail delivery activities, as well as a Zoning Clearance Certificate for a community propagation center.

The applicant proposes a 1,600 square foot nursery to raise immature plants until root systems are established, at which point they will be sold to licensed cultivators. The applicant expects most sales will be to cultivation sites owned by Buzzard's Peak. The nursery will operate year-round, with an expected 60,000 gallons of water required for propagation operations.

Manufacturing on-site will consist of delivered cannabis raw material entered into the track and trace system, and subsequently sorted to utilize usable cannabis material for infusion. The applicant proposes non-volatile infusions to manufacture topical and edible products such as tinctures, oils, syrups, and balms. Infusions will be produced without the use of chemicals or machines. The operation will also purchase cannabis concentrate through a licensed distributor or directly from license holders to conduct infusion techniques to produce cannabis products other than extracts or concentrates.

Distribution facilities on-site will be utilized to transport cannabis products to licensed cannabis retailers or sold through the applicant's proposed non-storefront retail delivery business. A Licensed laboratory will provide lab testing for all products.

**Water Resources**

Water for the project will be provided entirely by rainwater catchment. The applicant expects 5,000 gallons of water usage per month, for an annual irrigation requirement of 60,000 gallons. The applicant proposes 40,000 gallons of hard tank water storage to fulfill irrigation requirements during the dry season. The applicant expects up to 63,709 gallons of water can be supplied from rainwater catchment.

**Biological Resources**

A *Preliminary Biological Assessment Report* was prepared by TransTerra Consulting in June of 2019 for the project, and documented *Riparia riparia* (bank swallow) presence and habitat in the project parcel. The biologist concluded that any further disturbance of the cliffs that constitute bank swallow habitat could result in impact of the species. Biologist recommendations include avoidance of any disturbance of the sandy cliffs that provide habitat to the bank swallows, as well as consultation with CDFW staff regarding appropriate setbacks and protection measures for the species. CDFW confirmed via a site visit that no bank swallows were present on site.

**Access**

The property is accessed via Williams Creek Road. The applicant submitted a *Road Evaluation Report* performed by a licensed engineer that states the entire road segment is developed to the equivalent of a road category 4 standard. The applicant proposes the construction of seven parking spots and one ADA compliant parking spot. The project was referred to the Department of Public works who recommended conditional approval. Relevant conditions have been included as recommended conditions of approval in Attachment 1 (**Conditions A7-A9**).

### **Tribal Consultation**

The project is located in the Bear River Band and Wiyot Aboriginal Ancestral Territories. The project was referred to Northwest Information Center, Bear River Band, and Wiyot tribe. The Northwest Information Center recommended the applicant to survey the project site for cultural resources. The applicant submitted a *Cultural Resource Investigation* prepared by Archaeological Research and Supply Company dated April 2019. According to the *Cultural Resource Investigation* there were no historic or prehistoric resources identified. The survey concluded the proposed cannabis operation will have no effect or changes to any historic resources.

### **Environmental review**

Based on the results of the analysis, staff finds that all aspects of the project have been considered in a previously adopted Environmental Impact Report that was adopted for the Commercial Cannabis Land Use Ordinance and has prepared an addendum to this document for consideration by the Zoning Administrator (See Attachment 2 for more information).

**RECOMMENDATION:** Staff recommends that the Zoning Administrator describe the application as a part of the consent agenda, survey the audience to see if any person would like to discuss the application and, if no one requests discussion, make all the required findings based on the evidence in the record and approve the application subject to the recommended conditions.

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

**RESOLUTION OF THE ZONING ADMINISTRATOR  
OF THE COUNTY OF HUMBOLDT**

**Resolution Number 22-**

**Record Number: PLN-13117-SP**

**Assessor's Parcel Number: 101-061-003**

**Resolution by the Zoning Administrator of the County of Humboldt certifying compliance with the California Environmental Quality Act and conditionally approving the Big Rock Farms Inc, Special Permit request**

**WHEREAS, Big Rock Farms Inc,** submitted an application and evidence in support of approving a Special Permit for the operation of a proposed microbusiness composed of a 1,600 square foot nursery, distribution, non-volatile infusion, and non-storefront retail;

**WHEREAS,** the County Planning Division, the lead agency, prepared an Addendum to the Final Environmental Impact Report (EIR) prepared for the Commercial Cannabis Land Use Ordinance (CCLUO) adopted by the Humboldt County Board of Supervisors on May 8, 2018. The proposed project does not present substantial changes that would require major revisions to the previous Environmental Impact Report. 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 Zoning Administrator held a duly-noticed public hearing on July 7, 2022, and reviewed, considered, and discussed the application for a Special Permit and reviewed and considered all evidence and testimony presented at the hearing.

**Now, THEREFORE BE IT RESOLVED,** that the Zoning Administrator makes all the following findings:

**1. FINDING:** **Project Description:** The application is a Special Permit to allow for a microbusiness comprised of 1,600 square foot nursery, distribution, non-volatile infusion, and non-storefront retail. Power is provided by PG&E. Water for irrigation will be provided by a proposed rainwater catchment system. The applicant proposes 40,000 gallons of water storage to meet water needs during the dry season.

**EVIDENCE:** a) Project File: PLN-13117-SP

**2. FINDING:** **CEQA.** The requirements of the California Environmental Quality Act have been complied with. The Humboldt County Zoning Administrator has considered the Addendum to the Environmental Impact Report (EIR) prepared for the Commercial Cannabis Land Use Ordinance (CCLUO) adopted by the Humboldt County Board of Supervisors on May 8, 2018.

**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 EIR. 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.

- d) A Preliminary Biological Assessment Report was prepared by TransTerra Consulting in June of 2019, which concluded no significant impacts to sensitive species would occur with recommended mitigation measures.
- e) The property is accessed via Williams Creek Road. The applicant submitted a Road Evaluation Report performed by a licensed engineer that states the entire road segment is developed to the equivalent of a road category 4 standard.
- f) The applicant submitted a Cultural Resource Investigation prepared by Archaeological Research and Supply Company dated April 2019. According to the Cultural Resource Investigation there were no historic or prehistoric resources identified. The survey concluded the proposed cannabis operation will have no effect or changes to any historic resources.

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

**EVIDENCE** General agriculture is a use type principally permitted in Unclassified (U) Zones. 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 U zone in which the site is located.

- EVIDENCE**
- a) Humboldt County Code §314-55.4.10.3 allows microbusiness activities as a permitted use, subject to a Special Permit, in any of the zones in which authorized cannabis activities is a permitted use (except on parcels zoned FP or TPZ). The project is zoned U and accompanied a Resource Production General Plan land use designation.
  - b) General agricultural uses are principally permitted in the U zone.

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

- EVIDENCE**
- a) Humboldt County Code §314-55.4.10.3 allows microbusiness activities as a permitted use, subject to a Special Permit, in any of the zones in which authorized cannabis activities is a permitted use (except on parcels zoned FP or TPZ). The project is zoned U and accompanied a Resource Production General Plan land use designation.
  - b) The parcel was created in compliance with all applicable state and local subdivision regulations, as the subject parcel qualifies for

Certificate of Compliance pursuant to section 66499.35 of the Subdivision map Act due to approval of building permit 90-0809 B4

- c) The project will obtain water from a non-diversionary water source.
- d) The property is accessed via Williams Creek Road. The applicant submitted a Road Evaluation Report performed by a licensed engineer that states the entire road segment is developed to the equivalent of a road category 4 standard.
- e) The slope of the land where cannabis will be cultivated is less than 15%.
- f) The location of the cultivation complies with all setbacks required in Section 314-55.4.6.4.4. 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.

**6. FINDING**

The establishment of a microbusiness 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 a road that has been certified by a licensed engineer to 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 proposed rainwater catchment system.

**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**

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 Zoning Administrator does hereby:

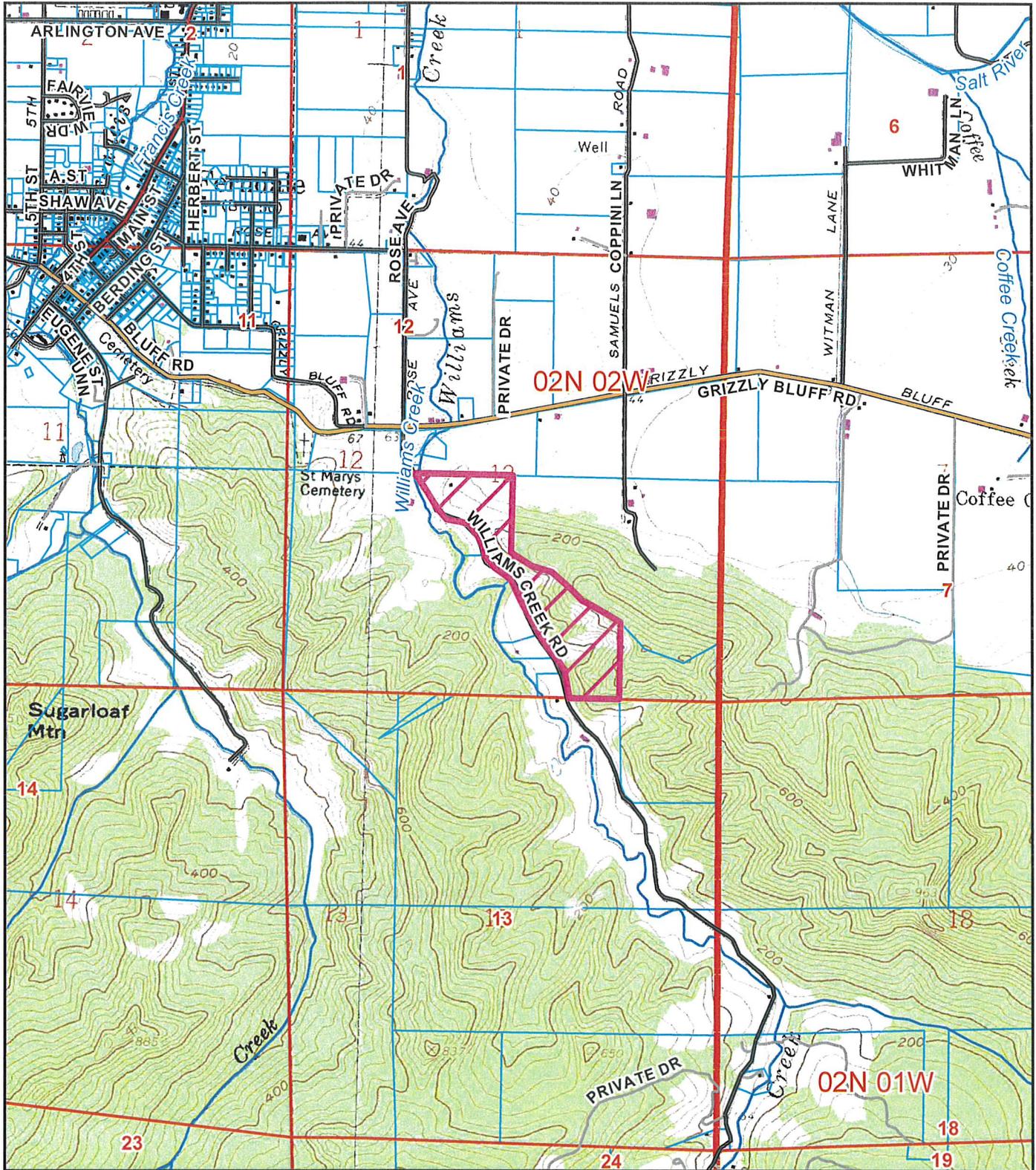
- Adopt the findings set forth in this resolution; and
- Conditionally approves the Special Permit for Big Rock Farms, based upon the Findings and Evidence and subject to the conditions of approval attached hereto as Attachment 1 and incorporated herein by reference; and

Adopted after review and consideration of all the evidence on **July 21, 2022**.

I, John H. Ford, Zoning Administrator 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 Zoning Administrator at a meeting held on the date noted above.

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John H. Ford, Zoning Administrator  
Planning and Building Department

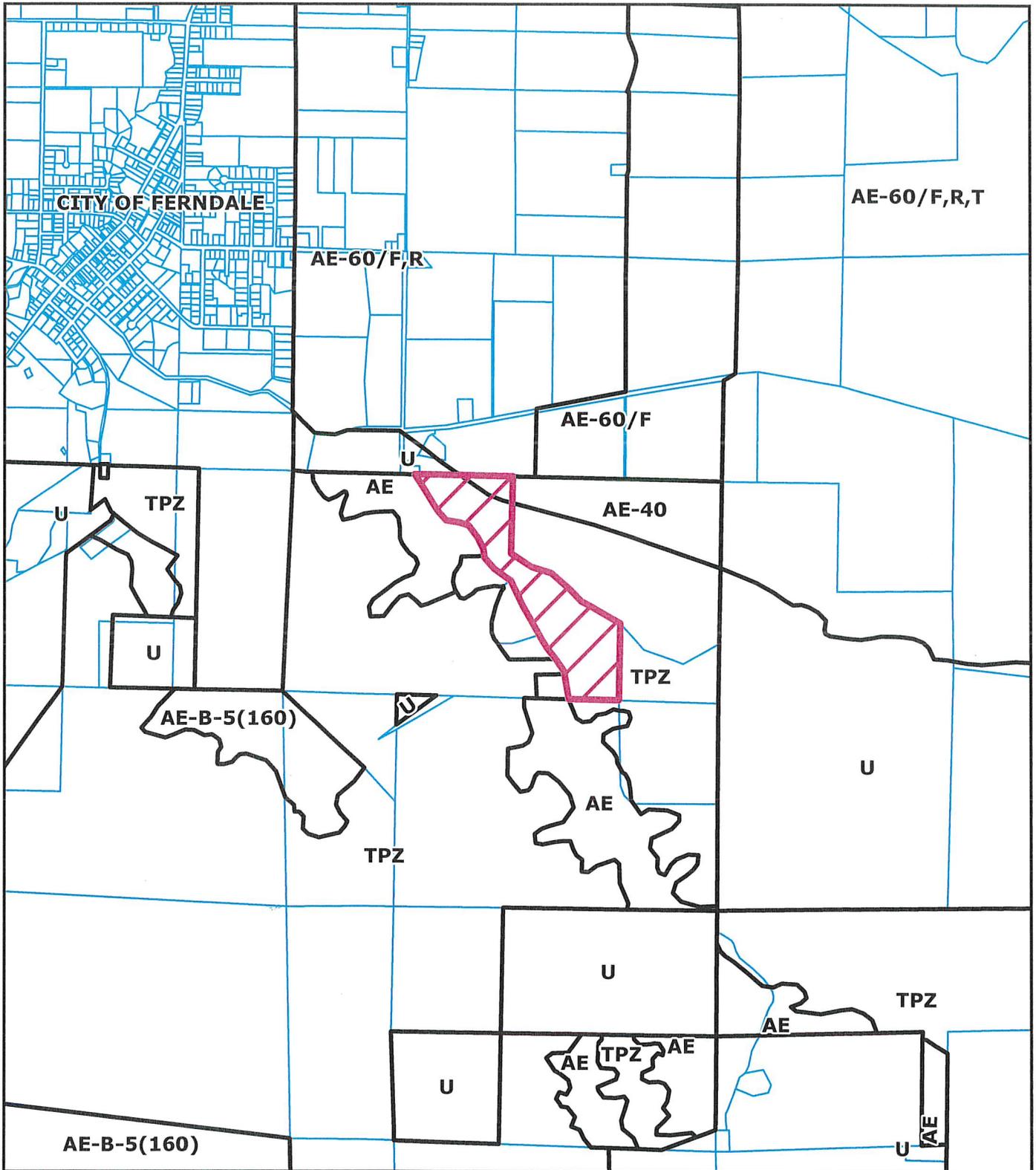


**TOPO MAP**  
**PROPOSED BIG ROCK FARMS, LLC**  
**FERNDALE AREA**  
**SP-16-780; SP-16-781; ZCC-16-707**  
**APN: 101-061-003-000**  
**T02N R02W S12 HB&M (FORTUNA)**

Project Area = 

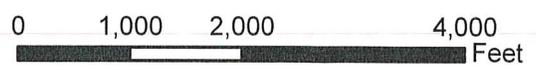


This map is intended for display purposes and should not be used for precise measurement or navigation. Data has not been completely checked for accuracy.

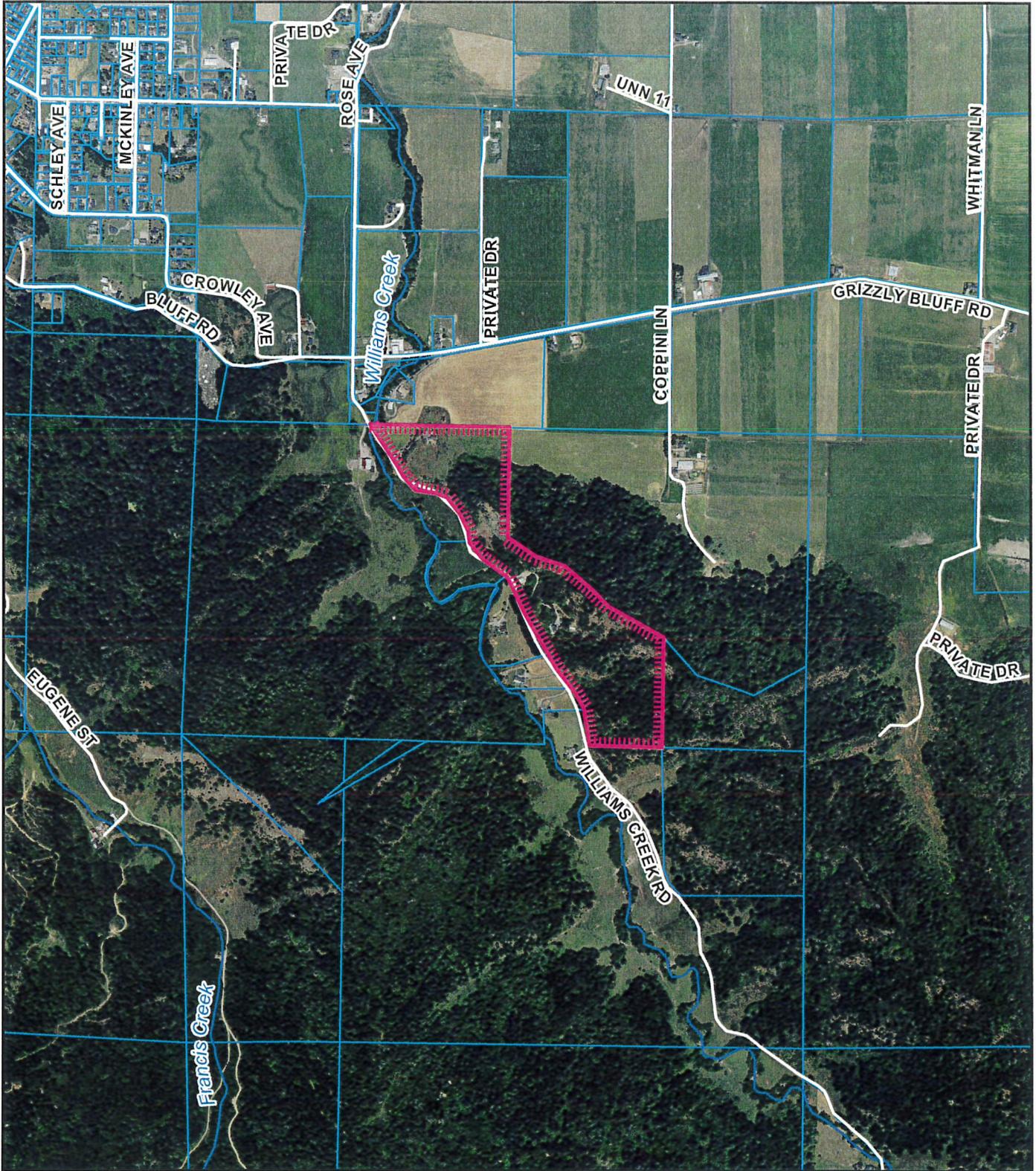


**ZONING MAP**  
**PROPOSED BIG ROCK FARMS, LLC**  
**FERNDALE AREA**  
**SP-16-780; SP-16-781; ZCC-16-707**  
**APN: 101-061-003-000**  
**T02N R02W S12 HB&M (FORTUNA)**

Project Area = 

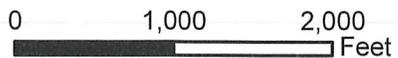


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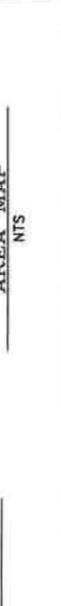
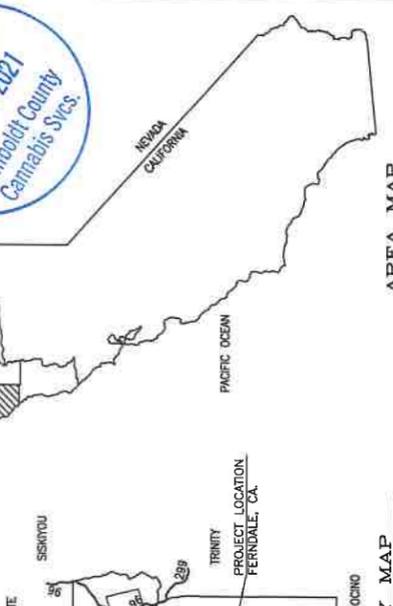
**AERIAL MAP**  
**PROPOSED BIG ROCK FARMS, LLC**  
**FERNDALE AREA**  
**SP-16-780; SP-16-781; ZCC-16-707**  
**APN: 101-061-003-000**  
**T02N R02W S12 HB&M (FORTUNA)**

Project Area = 



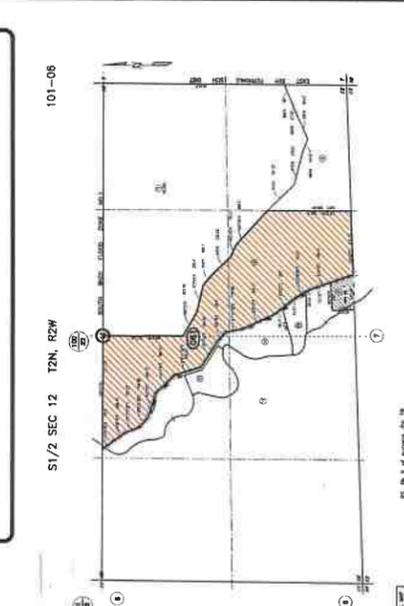
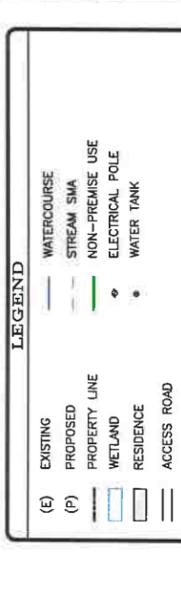
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RECEIVED  
MAY 18 2021  
Humboldt County  
Cannabis Stems



**NURSERY TOTALS**  
35'x40' = 1,400 SF TOTAL NURSERY AREA

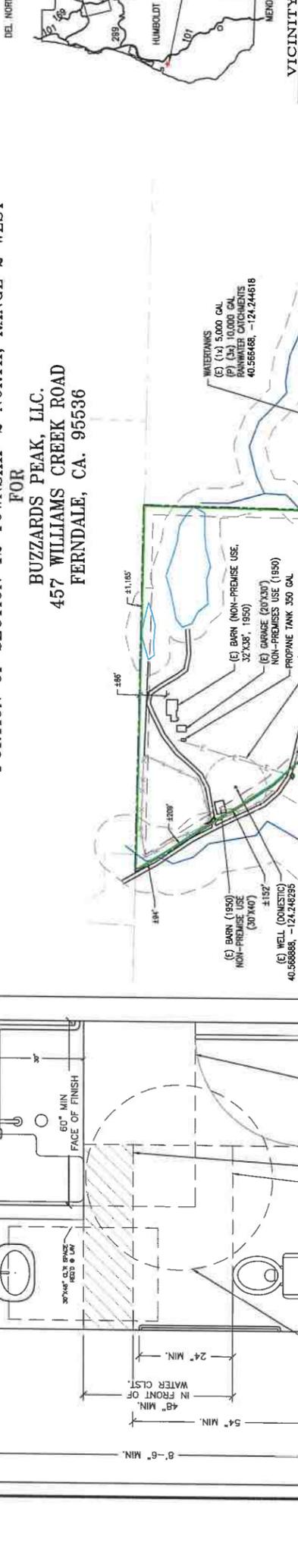
**WATER STORAGE NOTES**  
(E) WATER STORAGE = 10,000 GAL.  
(P) WATER STORAGE = 30,000 GAL.  
(E) + (P) = 40,000 GAL TOTAL WATER STORAGE



**CULTIVATION NOTES**  
THERE ARE NO SCHOOLS, SCHOOL BUS STOPS, PLACES OF WORSHIP, PUBLIC PARKS, OR TRIBAL CULTURAL RESOURCES WITHIN 600' OF CULTIVATION AREAS.  
THERE ARE NO OFF SITE RESIDENCES WITHIN 300' OF CULTIVATION AREAS.

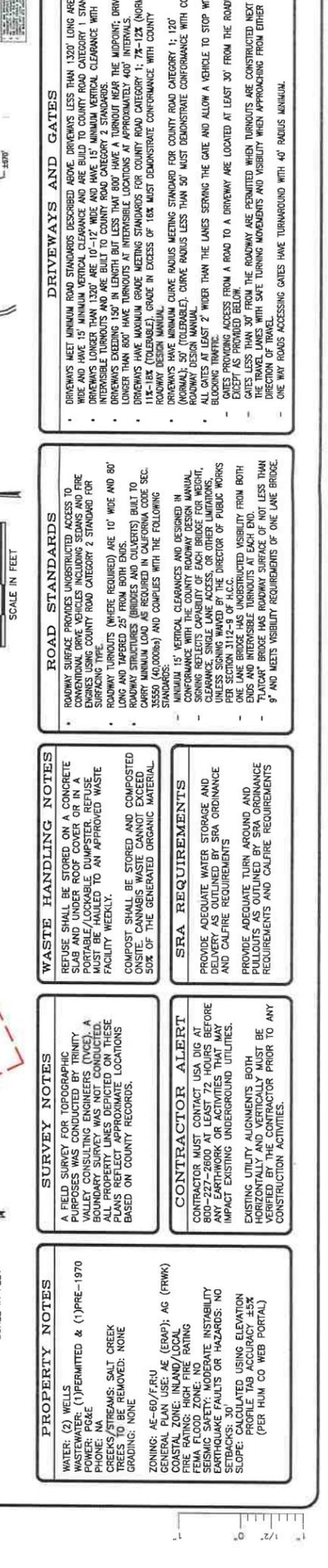
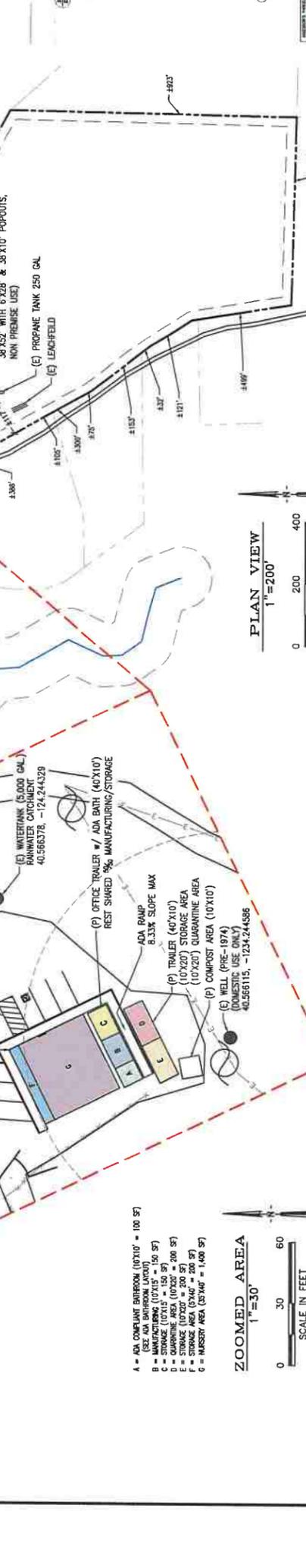
**DRIVEWAYS AND GATES**  
1. THE WAYS PROVIDED BY A GENERATOR USED FOR CHANGE CULTIVATION SHALL NOT BE MADE BY HUMANS FROM NEIGHBORING RESIDENCES. THE ELEVATION FOR GENERATORS AT THE PROPERTY LINE SHALL BE NO MORE THAN 60 DECIBELS WHERE APPLICABLE. SOUND LEVELS MUST ALSO SHOW THAT THEY WILL NOT RESULT IN THE IMPOSITION OF UNREASONABLE BURDEN ON NEIGHBORS. WHEN GENERATOR USE IS TO OCCUR, THE OPERATOR SHALL BE REQUIRED TO WEAR HEARING PROTECTION AND ADEQUATE DISTURBANCE MITIGATION PREPARED BY THE UNITED STATES FISH AND WILDLIFE SERVICE, AND FURTHER CONSULTATION WHERE NECESSARY.  
2. WAYS SHALL BE CONSTRUCTED FOR WHEEL OPERATORS. SHEETS WILL BE CONSTRUCTED FROM CURB TO CURB, THROUGH PROTECTION, AND THE RESISTANT SURFACE IF NECESSARY.  
3. STORAGE OF FUEL, FUEL SHALL BE STORED AND HANDLED IN COMPLIANCE WITH APPLICABLE STATE AND LOCAL LAWS AND REGULATIONS, AND IN SUCH A WAY THAT NO SPLASH OCCURS.

**SITE MAP**  
APN: 101-061-003  
FOR  
BUZZARDS PEAK, LLC.  
457 WILLIAMS CREEK ROAD  
FERNDALE, CA. 95536



**NURSERY TOTALS**  
35'x40' = 1,400 SF TOTAL NURSERY AREA

**WATER STORAGE NOTES**  
(E) WATER STORAGE = 10,000 GAL.  
(P) WATER STORAGE = 30,000 GAL.  
(E) + (P) = 40,000 GAL TOTAL WATER STORAGE



**PROPERTY NOTES**  
WATER: (C) WELLS  
WASTEWATER: (1) PERMITTED & (1) PRE-1970  
PHONE: NONE  
CREEKS/STREAMS: SALT CREEK  
TREES TO BE REMOVED: NONE  
GRADING: NONE  
ZONING: AE-60/FRU  
GENERAL LAKE USE: AG (FRWP); AG (FRWK)  
FIRE RATING: HIGH FIRE RATING  
FEMA FLOOD ZONE: NO  
SEISMIC SAFETY: MODERATE INSTABILITY  
EARTHQUAKE FAULTS OR HAZARDS: NO  
SETBACKS: 30'  
SLOPE: CALCULATED USING ELEVATION PROFILE TAB ACCURACY ±5% (PER HUM CO WEB PORTAL)

**CONTRACTOR ALERT**  
CONTRACTOR MUST CONTACT USA DIG AT 800-227-2600 AT LEAST 72 HOURS BEFORE ANY EARTHWORK OR ACTIVITIES THAT MAY IMPACT EXISTING UNDERGROUND UTILITIES.  
EXISTING UTILITY ALIGNMENTS BOTH HORIZONTALLY AND VERTICALLY MUST BE VERIFIED BY THE CONTRACTOR PRIOR TO ANY CONSTRUCTION ACTIVITIES.

**WASTE HANDLING NOTES**  
REFUSE SHALL BE STORED ON A CONCRETE SLAB AND UNDER ROOF COVER OR IN A PORTABLE/LOCKABLE DUMPSTER. REFUSE MUST BE HAULED TO AN APPROVED WASTE FACILITY WEEKLY.  
COMPOST SHALL BE STORED AND COMPOSTED ON-SITE. CANINNS WASTE SHALL BE STORED ON-SIDE OF THE GENERATED ORGANIC MATERIAL.

**ROAD STANDARDS**  
ROADWAY SURFACE PROVIDES UNOBSTRUCTED ACCESS TO DRIVEWAYS AND GATES. DRIVEWAYS AND GATES SHALL BE CONSTRUCTED TO MEET COUNTY ROAD CATEGORY 2 STANDARD. ROADWAY TURNOUTS (WHERE REQUIRED) ARE 10' WIDE AND 80' LONG AND TAPERED 25' FROM BOTH ENDS.  
ROADWAY STRUCTURES (BRIDGES AND CULVERTS) BUILT TO CARRY MINIMUM LOAD AS REQUIRED IN CALIFORNIA CODE SEC. 35550 (40,000lbs) AND COMPLY WITH THE FOLLOWING STANDARDS:  
- MINIMUM 15' VERTICAL CLEARANCES AND DESIGNED IN ACCORDANCE WITH THE CALIFORNIA HIGHWAY DESIGN MANUAL.  
- SLOPING REFLECTS CAPABILITY OF EACH BRIDGE FOR WEIGHT, CLEARANCE, SINGLE LANE ACCESS, OR OTHER LIMITATIONS, UNLESS SIGNING WAIVED BY THE DIRECTOR OF PUBLIC WORKS PER SECTION 3112-9 OF H.C.C.  
- ONE LANE BRIDGE HAS UNOBSTRUCTED VISIBILITY FROM BOTH ENDS AND INTERCHANGE TURNOUTS AT EACH END.  
- PULVERT BRIDGE HAS MINIMUM SURFACE OF NOT LESS THAN 9' AND MEETS VISIBILITY REQUIREMENTS OF ONE LANE BRIDGE.

**DRIVEWAYS AND GATES**  
DRIVEWAYS MEET MINIMUM ROAD STANDARDS DESCRIBED ABOVE. DRIVEWAYS LESS THAN 1320' LONG ARE 10' WIDE AND HAVE 15' MINIMUM VERTICAL CLEARANCE AND ARE BUILT TO COUNTY ROAD CATEGORY 1 STANDARD. DRIVEWAYS LONGER THAN 1320' ARE 10'-12' WIDE AND HAVE 15' MINIMUM VERTICAL CLEARANCE WITH DRIVEWAYS EXCEEDING 60' IN LENGTH BUILT TO COUNTY ROAD CATEGORY 2 STANDARDS. DRIVEWAYS LONGER THAN 800' HAVE TURNOUTS AT INTERSECTABLE LOCATIONS AT APPROXIMATELY 400' INTERVALS. DRIVEWAYS HAVE MAXIMUM GRADE MEETING STANDARDS FOR COUNTY ROAD CATEGORY 1: 7%-12% (NORMAL); 11%-18% (TOLERABLE). GRADE IN EXCESS OF 18% MUST DEMONSTRATE CONFORMANCE WITH COUNTY ROADWAY DESIGN MANUAL.  
DRIVEWAYS HAVE MINIMUM CURVE RADIUS MEETING STANDARD FOR COUNTY ROAD CATEGORY 1: 120' (NORMAL); 50' (TOLERABLE). CURVE RADIUS LESS THAN 50' MUST DEMONSTRATE CONFORMANCE WITH COUNTY ROADWAY DESIGN MANUAL.  
ALL GATES AT LEAST 2' WIDER THAN THE LANES SERVING THE GATE AND ALLOW A VEHICLE TO STOP WITHOUT BLOCKING TRAFFIC.  
GATES PROVIDING ACCESS FROM A ROAD TO A DRIVEWAY ARE LOCATED AT LEAST 30' FROM THE ROADWAY EDGE AND INTERCHANGE TURNOUTS AT EACH END. THE ROADWAY ARE PERMITTED WHEN TURNOUTS ARE CONSTRUCTED NEXT TO THE TRAVEL LANES WITH SAFE TURNING MOVEMENTS AND VISIBILITY WHEN APPROACHING FROM EITHER DIRECTION OF TRAVEL.  
- ONE WAY ROADS ACCESSING GATES HAVE TURNAROUND WITH 40' RADIUS MINIMUM.

**WASTE HANDLING NOTES**  
REFUSE SHALL BE STORED ON A CONCRETE SLAB AND UNDER ROOF COVER OR IN A PORTABLE/LOCKABLE DUMPSTER. REFUSE MUST BE HAULED TO AN APPROVED WASTE FACILITY WEEKLY.  
COMPOST SHALL BE STORED AND COMPOSTED ON-SITE. CANINNS WASTE SHALL BE STORED ON-SIDE OF THE GENERATED ORGANIC MATERIAL.

**ROAD STANDARDS**  
ROADWAY SURFACE PROVIDES UNOBSTRUCTED ACCESS TO DRIVEWAYS AND GATES. DRIVEWAYS AND GATES SHALL BE CONSTRUCTED TO MEET COUNTY ROAD CATEGORY 2 STANDARD. ROADWAY TURNOUTS (WHERE REQUIRED) ARE 10' WIDE AND 80' LONG AND TAPERED 25' FROM BOTH ENDS.  
ROADWAY STRUCTURES (BRIDGES AND CULVERTS) BUILT TO CARRY MINIMUM LOAD AS REQUIRED IN CALIFORNIA CODE SEC. 35550 (40,000lbs) AND COMPLY WITH THE FOLLOWING STANDARDS:  
- MINIMUM 15' VERTICAL CLEARANCES AND DESIGNED IN ACCORDANCE WITH THE CALIFORNIA HIGHWAY DESIGN MANUAL.  
- SLOPING REFLECTS CAPABILITY OF EACH BRIDGE FOR WEIGHT, CLEARANCE, SINGLE LANE ACCESS, OR OTHER LIMITATIONS, UNLESS SIGNING WAIVED BY THE DIRECTOR OF PUBLIC WORKS PER SECTION 3112-9 OF H.C.C.  
- ONE LANE BRIDGE HAS UNOBSTRUCTED VISIBILITY FROM BOTH ENDS AND INTERCHANGE TURNOUTS AT EACH END.  
- PULVERT BRIDGE HAS MINIMUM SURFACE OF NOT LESS THAN 9' AND MEETS VISIBILITY REQUIREMENTS OF ONE LANE BRIDGE.

**DRIVEWAYS AND GATES**  
DRIVEWAYS MEET MINIMUM ROAD STANDARDS DESCRIBED ABOVE. DRIVEWAYS LESS THAN 1320' LONG ARE 10' WIDE AND HAVE 15' MINIMUM VERTICAL CLEARANCE AND ARE BUILT TO COUNTY ROAD CATEGORY 1 STANDARD. DRIVEWAYS LONGER THAN 1320' ARE 10'-12' WIDE AND HAVE 15' MINIMUM VERTICAL CLEARANCE WITH DRIVEWAYS EXCEEDING 60' IN LENGTH BUILT TO COUNTY ROAD CATEGORY 2 STANDARDS. DRIVEWAYS LONGER THAN 800' HAVE TURNOUTS AT INTERSECTABLE LOCATIONS AT APPROXIMATELY 400' INTERVALS. DRIVEWAYS HAVE MAXIMUM GRADE MEETING STANDARDS FOR COUNTY ROAD CATEGORY 1: 7%-12% (NORMAL); 11%-18% (TOLERABLE). GRADE IN EXCESS OF 18% MUST DEMONSTRATE CONFORMANCE WITH COUNTY ROADWAY DESIGN MANUAL.  
DRIVEWAYS HAVE MINIMUM CURVE RADIUS MEETING STANDARD FOR COUNTY ROAD CATEGORY 1: 120' (NORMAL); 50' (TOLERABLE). CURVE RADIUS LESS THAN 50' MUST DEMONSTRATE CONFORMANCE WITH COUNTY ROADWAY DESIGN MANUAL.  
ALL GATES AT LEAST 2' WIDER THAN THE LANES SERVING THE GATE AND ALLOW A VEHICLE TO STOP WITHOUT BLOCKING TRAFFIC.  
GATES PROVIDING ACCESS FROM A ROAD TO A DRIVEWAY ARE LOCATED AT LEAST 30' FROM THE ROADWAY EDGE AND INTERCHANGE TURNOUTS AT EACH END. THE ROADWAY ARE PERMITTED WHEN TURNOUTS ARE CONSTRUCTED NEXT TO THE TRAVEL LANES WITH SAFE TURNING MOVEMENTS AND VISIBILITY WHEN APPROACHING FROM EITHER DIRECTION OF TRAVEL.  
- ONE WAY ROADS ACCESSING GATES HAVE TURNAROUND WITH 40' RADIUS MINIMUM.

## ATTACHMENT 1

### RECOMMENDED CONDITIONS OF APPROVAL

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

##### 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. The Department will file the NOD and will charge this cost to the project.
5. The applicant shall secure permits for all structures related to the cannabis cultivation and other commercial cannabis activity, including but not limited to, the greenhouses, one (1) commercial processing building, and all other structures with a nexus to cannabis. The plans submitted for building permit approval shall be consistent with the project description and the approved project site plan. A letter or similar communication from the Building Division verifying that all structures related to the cannabis cultivation are permitted will satisfy this condition.
6. This permit does not allow the use of noise generating equipment (i.e. dehumidifiers) until ambient noise levels for at least three property lines are measured for a twenty-four hour period. The applicant shall provide ambient noise measurements to the department before commencing cultivation activities associated with this permit. Noise from cultivation and related activities shall not result in an increase of more than three decibels of continuous noise above existing ambient noise levels at any property line of the site.
7. The applicant shall ensure all fences and gates are located 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. Confirmation from the Department of Public Works that the work has been done will satisfy this condition.

8. The applicant shall pave the surface of the intersection where Williams Creek Road meets the private driveway for a minimum of 18 feet and a length of 50 feet. Final signoff from the Department of Public Works will satisfy this condition.
9. 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). Final signoff from the Department of Public Works will satisfy this condition.
10. The applicant shall ensure that surfaced parking lots 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 of a business license.
11. The Applicant shall provide the final Site Management Plan (SMP) report to the department when available. The applicant shall implement all corrective actions detailed in the Site Management Plan developed for the parcel, prepared pursuant enrollment under the State Water Resource Control Board (SWRCB) Cannabis Cultivation Policy (Cannabis Policy), in congruence with Order WQ 2019-0001-DWQ General Waste Discharge Requirements for Dischargers of Waste Associated with Cannabis Cultivation Activities (General Order). A letter or similar communication from the State Water Board verifying that all their requirements have been met will satisfy this condition.
12. 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.
13. 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. Noise from cultivation and related activities shall not result in an increase of more than three decibels of continuous noise above existing ambient noise levels at any property line of the site.
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. Should any wildlife be encountered during work activities, the wildlife shall not be disturbed and shall be allowed to leave the work site unharmed.
7. The use of anticoagulant rodenticide is prohibited.
8. 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.
9. 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.
10. Cannabis cultivation and other commercial cannabis activity shall be conducted in compliance with all laws and regulations as set forth in the CCLUO and MAUCRSA, as applicable to the permit type.
11. 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.
12. 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.
13. 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.
14. 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).

15. 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.
16. 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).
17. 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.
18. 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).
19. Refrain from the improper storage or use of any fuels, fertilizer, pesticide, fungicide, rodenticide, or herbicide.
20. Pay all applicable application, review for conformance with conditions and annual inspection fees.
21. 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.
22. The master log books maintained by the applicant to track production and sales shall be maintained for inspection by the County.
23. 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

24. 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."
25. 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).
26. 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.
27. 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.
28. 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
29. 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.
30. 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.

31. 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.
32. 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.
33. 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.
34. 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.
35. If cultural resources are encountered during construction activities, the contractor on-site shall cease all work in the immediate area and within a 50-foot buffer of the discovery location. A qualified archaeologist and the appropriate Tribal Historic Preservation Officer(s) are to be contacted to evaluate the discovery and, in consultation with the applicant and the lead agency, develop a treatment plan in any instance where significant impacts cannot be avoided.

Prehistoric materials may include obsidian or chert flakes, tools, locally darkened midden soils, groundstone artifacts, shellfish or faunal remains, and human burials. If human remains are found, California Health and Safety Code 7050.5 requires that the County Coroner be contacted immediately at 707-445-7242. If the Coroner determines the remains to be Native American, the Native American Heritage Commission will then be contacted by the Coroner to determine appropriate treatment of the remains pursuant to Public Resources Code (PRC) Section 5097.98. Violators shall be prosecuted in accordance with PRC Section 5097.99.

**ATTACHMENT 2**

**CEQA ADDENDUM TO THE  
ENVIRONMENTAL IMPACT REPORT FOR THE COMMERCIAL CANNABIS LAND USE ORDINANCE**

**Commercial Cannabis Land Use Ordinance Environmental Impact Report (EIR)  
(State Clearinghouse # 2017042022), May 2018**

**APN 101-061-003; The project is located in Humboldt County, in the Ferndale area, on the south side of Grizzly Bluff Rd, approximately 648 feet west from the intersection of Grizzly Bluff and Rose Avenue, on the property known to be in Section 12 of Township 02N, Range 02W, Humboldt Base & Meridian. 255 WILLIAMS CREEK RD FERNDALE**

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

**July 2022**

## Background

**Modified Project Description and Project History** - The original project reviewed under the Environmental Impact Report (EIR) for the Commercial Cannabis Land Use Ordinance (CCLUO) addressed the broad environmental impacts that could be expected to occur from the adoption and implementation of the ordinance. The EIR specified that the regulations established in the CCLUO 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. The EIR 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 EIR and compliance with the provisions of the CCLUO will fully mitigate all environmental impacts of the project to a less than significant level. a Special Permit for a proposed microbusiness consisting of non-volatile cannabis infusions, distribution, and non-storefront retail delivery activities, as well as a Zoning Clearance Certificate for a community propagation center.

The applicant proposes a 1,600 square foot nursery to raise immature plants until root systems are established, at which point they will be sold to licensed cultivators. The applicant expects most sales will be to cultivation sites owned by Buzzard's Peak. The nursery will operate year-round, with an expected 60,000 gallons of water required for propagation operations.

Manufacturing on-site will consist of delivered cannabis raw material entered into the track and trace system, and subsequently sorted to utilize usable cannabis material for infusion. The applicant proposes non-volatile infusions to manufacture topical and edible products such as tinctures, oils, syrups, and balms. Infusions will be produced without the use of chemicals or machines. The operation will also purchase cannabis concentrate through a licensed distributor or directly from license holders to conduct infusion techniques to produce cannabis products other than extracts or concentrates.

Distribution facilities on-site will be utilized to transport cannabis products to licensed cannabis retailers or sold through the applicant's proposed non-storefront retail delivery business. A Licensed laboratory will provide lab testing for all products.

Water for the project will be provided entirely by rainwater catchment. The applicant expects 5,000 gallons of water usage per month, for an annual irrigation requirement of 60,000 gallons. The applicant proposes 40,000 gallons of hard tank water storage to fulfill irrigation requirements during the dry season. The applicant expects up to 63,709 gallons of water can be supplied from rainwater catchment.

The project is located in the Bear River Band and Wiyot Aboriginal Ancestral Territories. The project was referred to Northwest Information Center, Bear River Band, and Wiyot tribe. The Northwest Information Center recommended the applicant to survey the project site for cultural resources. The applicant submitted a *Cultural Resource Investigation* prepared by Archaeological Research and Supply Company dated April 2019. According to the *Cultural Resource Investigation* there were no historic or prehistoric resources identified. The survey concluded the proposed cannabis operation will have no effect or changes to any historic resources.

The project is consistent with the adopted EIR for the CCLUO because it complies with all standards of the CCLUO which were intended to mitigate for impacts of cannabis cultivation. These include compliance with noise and light standards to limit disturbance to wildlife, increased water storage to allow for complete forbearance from water diversion during the dry season, and proper storage of fertilizers and soil amendments.

**Purpose** - Section 15164 of the California Environmental Quality Act (CEQA) provides that the lead agency shall prepare an addendum to a previously certified Final Environmental Impact Report

(EIR) 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 EIR 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 EIR 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 Final EIR was certified as complete, shows any of the following: A) the project will have one or more significant effects not discussed in the previous Final EIR; B) significant effect previously examined will be substantially more severe than shown in the Final EIR; 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 Final EIR 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 Final EIR recommended mitigations. The proposal to authorize the project in compliance with the CCLUO is fully consistent with the impacts identified and adequately mitigated in the Final EIR. The project as conditioned to implement responsible agency recommendations, results in no significantly adverse environmental effects beyond those identified in the Final EIR.

Technical documents utilized in conducting this review included, but are not limited to the following:

- Cultivation and Operations Plan prepared by AgDynamix Inc. Updated December 22, 2017.
- Site Plan prepared by Trinity Valley Consulting Engineers Inc. dated March 2021.
- Biological Reconnaissance Assessment prepared by TransTerra Consulting dated June 2019.
- Cultural Resource Inventory Report prepared by Archaeological Research and Supply Company dated April 2019.

### **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 EIR 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 EIR was adopted as complete.

## **CONCLUSION**

Based on these findings it is concluded that an Addendum to the previous Final EIR 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 EIR, 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 February 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 April 24, 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. 2019-0001, or any substantially equivalent rule that may be subsequently adopted by the County of Humboldt or other responsible agency. (Site Management Plan (SMP)– Conditioned).
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. (Notification on file)
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)
15. Road Evaluation Form prepared by DTN Engineering dated October 15, 2020. **(Attached)**
16. Biological Reconnaissance Assessment prepared by TransTerra Consulting dated June 2019. **(Attached)**
17. LSAA Notification. **(Attached)**
18. Email from CDFW dated May 10, 2022. **(Attached)**



*Operations Manual*  
*for*  
*Big Rock Farms, Inc.*  
*Retail Nursery Project*  
*Updated: 12/22/17*

Produced By:

**A g D y n a m i x**  
CONSULTING • MANAGEMENT • COMPLIANCE

INCORPORATED 2015

732 5<sup>th</sup> St. Suite H & I, Eureka, CA, 95501°(707)798-6199°agdynamix.com

**Project Name** BIG ROCK FARMS, INC

**Project Location** 475 Williams Creek Rd  
Ferndale, CA

**Project Sponsor** Big Rock Farms, Inc.  
600 F St. Suite 3 #401  
Arcata, CA, 95521  
Mailing: 1271 Evergreen Rd#2  
Redway, CA,95560

**Sponsor Contact** Adam Owen,  
415-269-2833

**Permitting Agency** AgDynamix, LLC  
Teisha Mechetti, 707-798-6199

**APN** 101-061-003

**Existing Zoning Designation** AG

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## Industry Analysis

Industry regulations have been enacted at the State, County, local and—in some instances—municipal levels. The proposed Project will adhere to all applicable regulations.

### Summary

A complex framework of regulatory laws influences cannabis cultivation regulations pertaining to the proposed Project, including Proposition 215, the Compassionate Use Act, Senate Bill 420, and the Medical Cannabis Regulation and Safety Act (MCRSA), and Proposition 65 (Prop 64) or the Adult Use Marijuana Act (AUMA), and most recently the Medical Adult Use Cannabis Regulation Safety Act (MAUCRSA).

Local permitting must be obtained before seeking licensure at the State level (which becomes effective January 2018). Some local jurisdictions in California, to date, have established and implemented regulations to per miss, permit, and/or license cannabis business operations.

In November 2016, the AUMA legalized “recreational” cannabis possession, consumption, and personal indoor cultivation, but had no effect on medical marijuana permitting or licensing.

On June 27<sup>th</sup>, Senate Bill 94, otherwise known as, the Medical Adult Use Cannabis Regulation and Safety Act (MAUCRSA) by Governor Jerry Brown in efforts to consolidate the two legislative pieces put in effect to govern commercial medical and recreational cannabis activities, otherwise known as the consolidation of the MCRSA and AUMA. The merge of these two legislative pieces features changes to the licensing scheme that we were working within prior to its effect.

### State Regulatory Framework

With the passage of the Compassionate Use Act (Proposition 215) in 1996 and the Medical Marijuana Program Act (MMPA) in 2003 (Senate Bill 420), California created a system of possession and cultivation limits, a voluntary identification program, and assurance of a non-diversionary system of medical cannabis cultivation and dispensation. The intent of these legislative efforts was to clarify the scope of application, prevent arrest and prosecution, promote uniform application, increase accessibility of product, and address issues within the act to promote fair and orderly implementation.

In September 2015, the California State legislature enacted three bills under the MCRSA, consisting of AB-243, AB-266, and SB-643. Each bill addresses various issues pertaining to licensing and regulatory requirements involving medical cannabis cultivation, manufacturing, transportation, distribution, sales, and testing. These bills became effectual January 1, 2016, with State licensing to open on January 1, 2018.

The MCRSA establishes a multiagency framework to regulate commercial cannabis. The foundation of MCRSA is: “No person shall engage in commercial cannabis activity without possessing both a State license and a local permit, license, or other authorization.” This legislation provides for the licensure of commercial cannabis activity in California, strengthens environmental protections, and creates licensing opportunities for small and specialty cultivators.

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Assembly Bill 243 (AB-243) requires the CDFA, CDFW, and State Water Resources Control Board (SWRCB) to promulgate regulations and standards pertaining to medical cannabis cultivation efforts, mitigate impacts on environments, and coordinate enforcement efforts with State agencies.

Assembly Bill 266 (AB-266) addresses the licensure and regulation of medical marijuana for which the framework is primarily the responsibility of the Bureau of Cannabis Control (BCC) to enforce under the Department of Consumer Affairs' (DCA) and the Bureau of Medical Cannabis Regulation. Collaboratively, the Board of Equalization (BOE) and the CDFA are responsible for tracking and reporting the movement of cannabis goods throughout the State.

Senate Bill 643 (SB-643) addresses the setting of standards on behalf of physicians and surgeons prescribing medical cannabis and requires the Medical Board of California (MBC) to implement investigations of physicians who repeatedly or excessively prescribe medical cannabis to patients without good faith exemption. This bill requires the BMCR to gather fingerprints to conduct criminal history background checks.

This Act also grants the DCA sole authority to implement and govern the system for creation, issuance, renewal, discipline, suspension, or revocation of such licensure under the Bureau of Cannabis Control program. Additionally, the CDFA is responsible for administering provisions of the act related to or associated with cultivation and transportation of medical cannabis. This bill also authorizes counties and municipalities to propose and implement taxation on medical cannabis activity.

In addition to the initial framework developed to support local regulations and State licensing, there has been a broad legislative effort to institute clean-up bills to further clarify the scope and definitions under the MCRSA.

The Adult Use of Marijuana Act (AUMA), which passed in November 2016, has legalized adult use ("recreational") cannabis possession, consumption, and limited personal indoor cultivation. Because the AUMA legislation addresses only recreational cannabis issues, it currently has no effect on medical marijuana permitting or licensing.

On June 27<sup>th</sup> Senate Bill 94, also known as, the Medical Adult Use Cannabis Regulation and Safety Act (MAUCRSA) signed by, Governor Jerry Brown, in efforts to develop a single regulatory structure that governs commercial medical and recreational cannabis activities, collectively known as MCRSA and AUMA. The merge of these two legislative pieces features changes to the licensing scheme that were in effect prior to the implementation of MAUCRSA.

The creation of MAUCRSA prompted 23 license type activities varying from Cultivation, Processing, Manufacturing, Packaging, Infusion, Testing, Retail, Distribution, and Microbusiness licenses. License types 5-5B will not be available until 2023. Across the license types they will be assigned either an "A" for Adult Use or "M" for Medical operations. The introduction of new license types Type 5-5B Cultivation, Processing, Manufacturer I and II, Packaging, Infusion, and Microbusinesses was an introduction of license types carried from the AUMA. The MAUCRSA also now excludes transportation as a license type. Furthermore, clarification of the fact, points concerning that event licenses are not prohibited under this framework were also clarified. The local authority could issue event permits for "onsite cannabis sales to, and consumption by, persons 21 years of age or older at a County Fair or District Agricultural Association Event".

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According to this legislation, an applicant may now pursue a State license without local approval, however, may not conduct activities until local approval is met, otherwise could prompt a violation that would make the State license applicant ineligible to hold the license.

### Local Regulatory Framework

Under State legislation, MCRSA, municipalities possess the authority to set their own regulations pertaining to land use and commercial cannabis business activities. Local permitting must be obtained before seeking licensure at the State level (which becomes effective January 2018).

#### Humboldt County

In October 2015, Humboldt County began its review process of the Commercial Medical Cannabis Land Use Ordinance (CMCLUO). This legislation governs commercial medical cannabis activities within the authority of the County of Humboldt and establishes zoning regulations, performance standards, and environmental compliance—as well as requiring proof of documentation. The ordinance went into effect February 26, 2016. The deadline for applicants was December 31, 2016.

On September 13, 2016 Humboldt County issued a correcting and clarifying document to address the elements of the CMCLUO that were not clear under the initial Ordinance No. 2544 and the implementation of the program.

An Environmental Impact Report is underway to assess the overall impacts of this program which could significantly affect the Commercial Cannabis Land Use Ordinance, once the results of the study have been considered.

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## Executive Summary

LLC

Project sponsor is Big Rock Farms, Inc, a nonprofit mutual benefit corporation, comprised of a board, whose purpose is to conduct agricultural activities within the State of California.

Sponsor proposes to operate an agricultural business that supports wholesale nursery activities. The company has assumed up to two (2) people will support site activities during the year. This model would set a healthy precedent for the Ferndale community by setting a sound agricultural standard for this emerging industry.

The Sponsor is applying with the county for a Special Permit that allows wholesale nursery operations. Applicant also wishes to pursue issuance of an M-Type 4 license with the State.

The Project Sponsor's proposal for wholesale nursery operations will include; two (2) indoor nursery areas within existing agricultural exempt structures, and one (1) commercial building, located on U Zoning, on Parcel No. 101-061-003. Nursery production will occur in one (1) 1,200 sq. ft., one (1) 600 sq. ft. agricultural exempt structures, and one (1) 1,600 sq. ft. commercial building. The Project site and production will be supported by PG&E utility services.

Water will primarily be sourced from two (2) pre-existing wells that will support primary agriculture and domestic uses.

The Sponsor has initiated the Waste Waiver Discharge (WWD) enrollments to facilitate compliance with the State Water Resources Control Board. No other environmental filings are known to be required now.

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## Project Overview

The Project concerns Parcel No. 101-061-003 in Ferndale, California that is seeking permitting for wholesale nursery cultivation activities. The Project features three (3) nursery areas totaling 3,400 sq. ft. Commercial nursery production would occur on the northern and central portions of the Parcel.

### Project Summary

The Project parcel is zoned AE; F,R and U, which falls within the allowable zoning specified by the local authority. The Sponsor seeks permit approval for 3,400 sq. ft. of commercial wholesale nursery production and involves supplemental lighting.

### Location Description

The proposed Project would occur on legal Parcel No. 101-061-003 at 475 Williams Creek Road, Ferndale, CA 95536, in the southwest and southeast quarters of Section 12, Township 2 North, Range 2 West, Humboldt Meridian.

### Zoning

The property features zoning AE, F,R, and U and the following characteristics:

- GIS acres: 45.76 acres.
- Coastal Zone: Outside/Inside.
- 100 Year Flood Zone: Outside/Inside.
- Alquist-Priolo Fault Hazard Zone: Outside.
- FEMA FIRM Flood Rating & Panel Number: 1205-F.
- Slope: <15%.
- Relative Slope Stability (Per General Plan Geologic maps): Moderate Instability.

### Soil Ratings

As per Humboldt County's Ordinance No. 2544, because the project proposal is for nursery operations, no prime agricultural soil requirement pertains.

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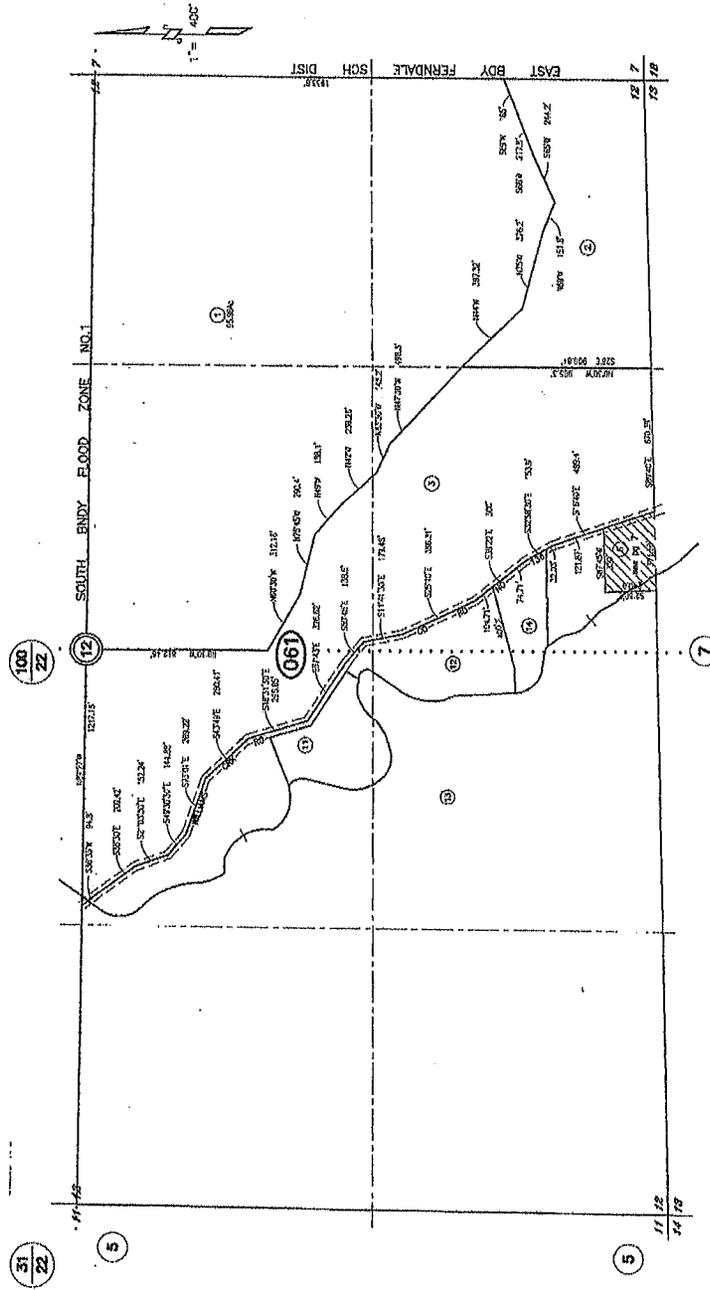
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# Assessor's Parcel Map

S1/2 SEC 12 T2N, R2W

101-06



**ASSESSOR'S PARCEL MAP**  
 1. THIS MAP WAS PREPARED FOR  
 2. ASSESSMENT PURPOSES ONLY.  
 3. THE ACCURACY OF THE DATA SHOWN  
 4. HEREON IS NOT GUARANTEED BY  
 5. THE COUNTY OF HUMBOLDT OR  
 6. BY THE FIELD SITE SURVEYORS.

RS, Bk 9 of surveys, Pg 78  
 RS, Bk 11 of surveys, Pg 4

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

100' 200' 400'  
 1" = 400'  
 JUN 22, 2024

Assessor's Map Bk.101, Pg.06  
 County of Humboldt, CA.

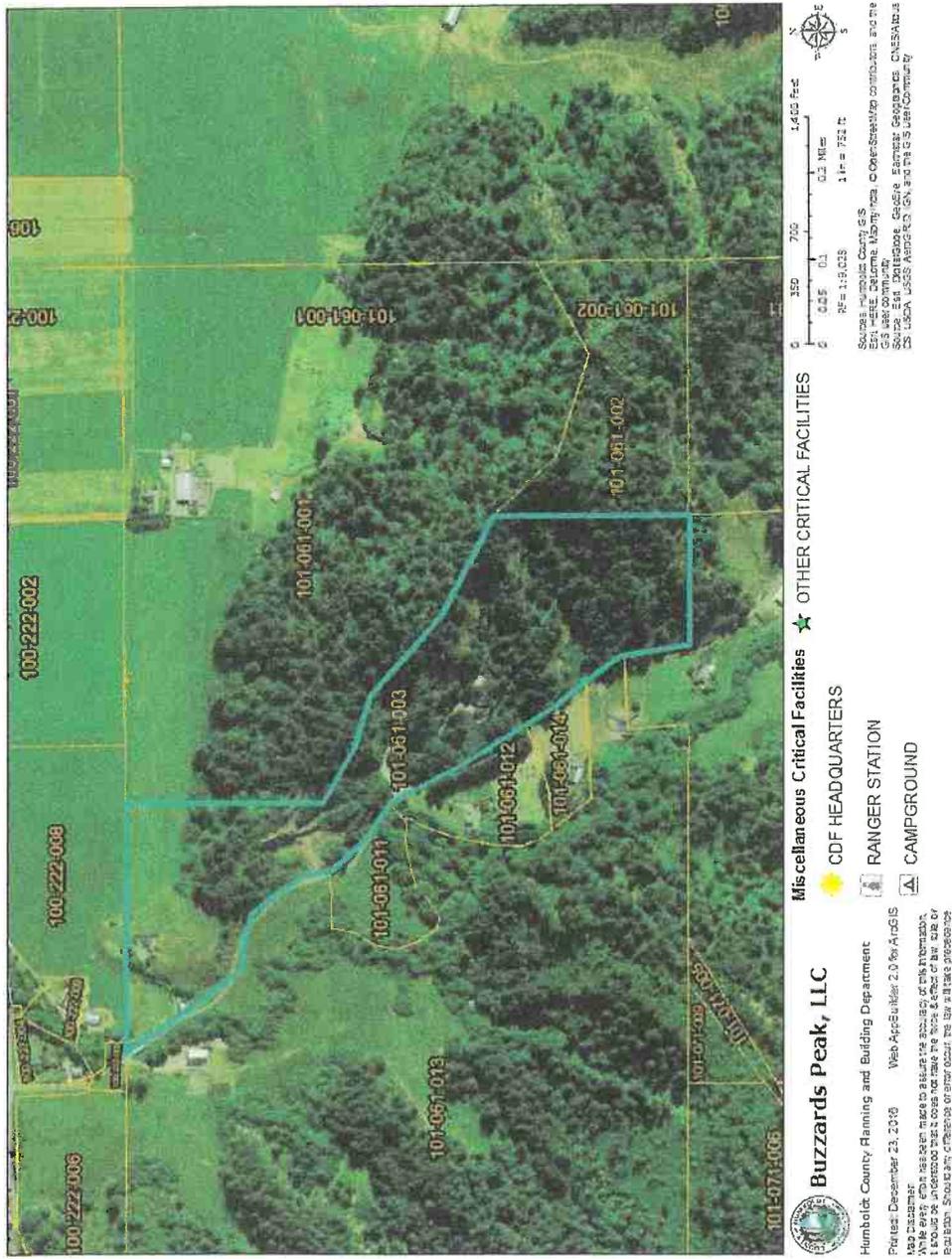
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### Land Use (Critical Facilities) Map



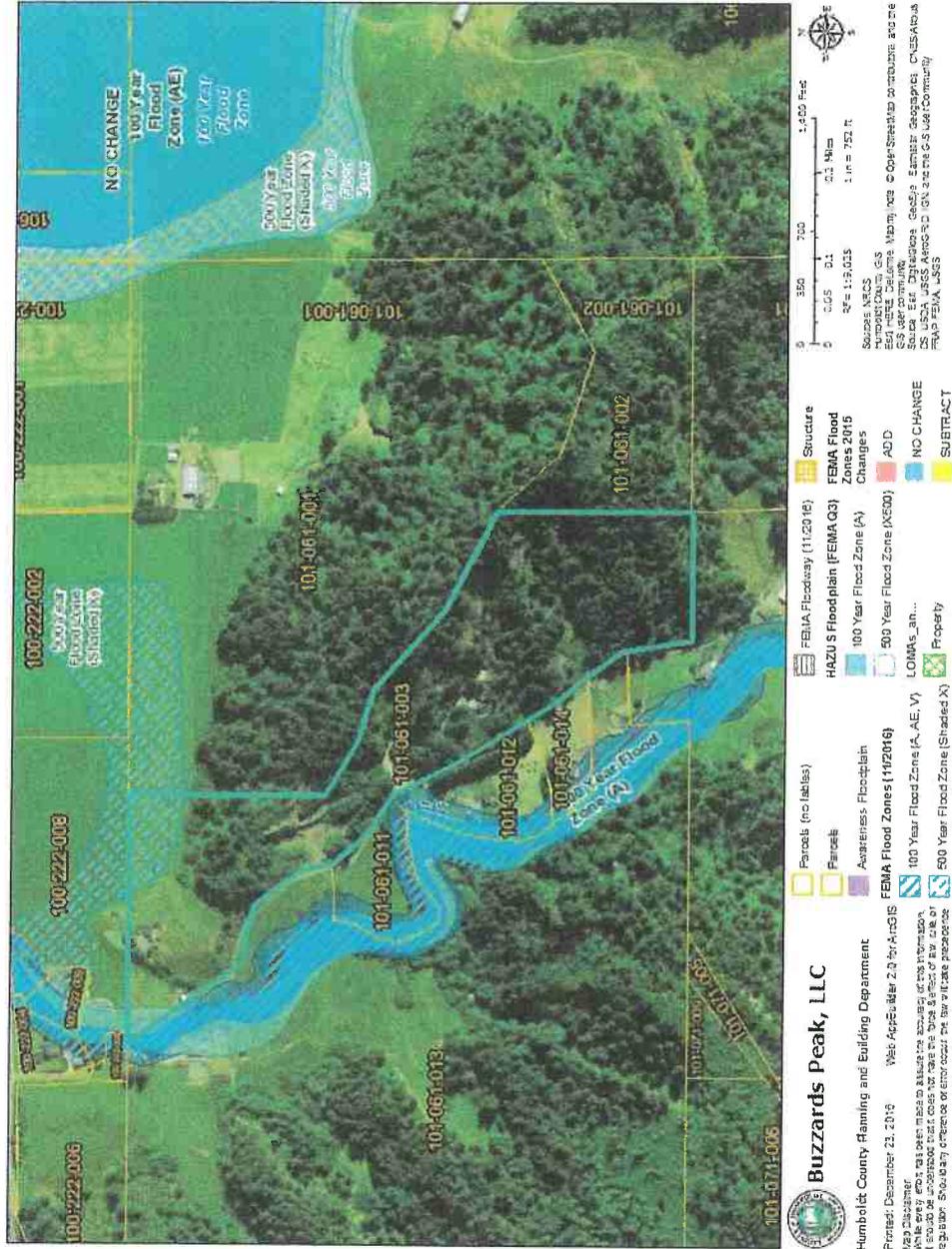
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# Flood Zones Map

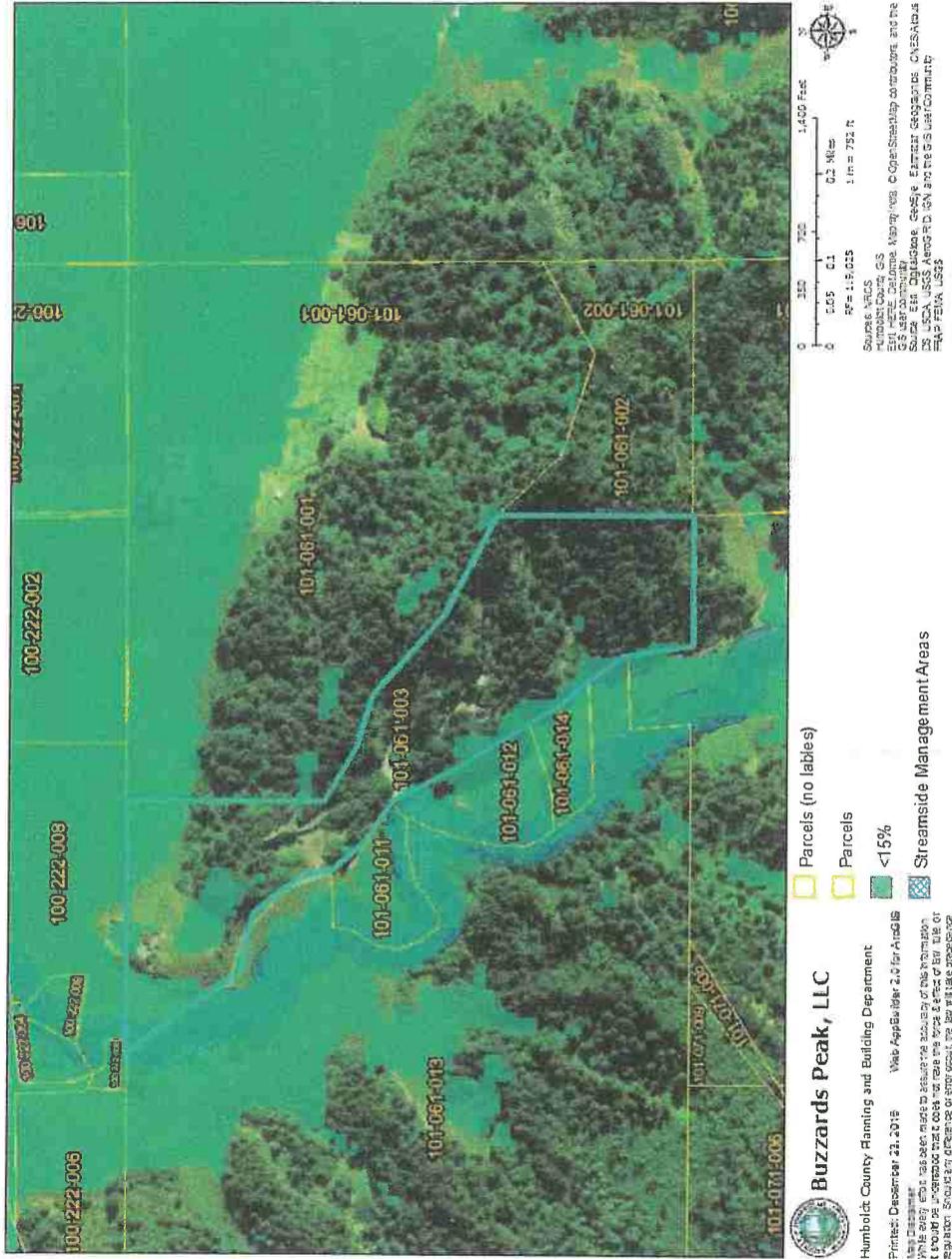
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Slope Map



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## Environmental Impacts & Standards

Environmental impacts and standards include a comprehensive summary of all environmental elements related to the proposed Project. Impacts could include land use, development, pollutants, nuisances, and related environmental concerns. Federal and State standards have been set—with oversight from the United States Environmental Protection Agency (EPA) and the U.S. Department of Agriculture (USDA)—regarding potential environmental impacts caused by general industry applications.

Mitigation measures that can be employed for cultivation activities to prevent environmental detriment often feature the implementation of Best Management Practices (BMPs) suggested by the State Water Resources Control Board (SWRCB) under the Water Board Order and enrollment/compliance with the Waste Waiver Discharge (WWD) program through the North Coast Regional Water Quality Control Board (NCRWQCB). This can include the potential requirement for a Water Resource Protection Plan (WRPP). Additional conformance may be required with the California Department of Fish & Wildlife (CDFW) (formerly Fish & Game) under a Lake and Streambed Alteration Agreement (LSA-1600/1602).

All projects must also adhere to standards and maintain compliance with regulations set forth by the Division of Environmental Health (DEH) through a Contingency Plan (see *Contingency Plan* below) regarding all wastes (known as a Waste Management Plan). Applicants must also abide by regulations set forth by the Department of Pesticide Regulations (DPR) and the Tribal Historical Preservation Office (THPO) for archaeological preservation.

Often it is found, during the review of the Project, that there may be additional requirements and/or specific needs to support a sound environmental action or mitigative plan to adhere to the standards set under additional agency authority.

### Summary

Potential Project impacts could include biological resources, land use/planning, transportation/traffic, agriculture and forestry, hazards and hazardous materials, public services, utilities/service systems, geology/soils, and hydrology/water quality.

Development impacts could include those regarding landscapes, infrastructure, roadways, and other environmental ramifications resulting from the Project.

Nuisance mitigation would include prevention of environmental impacts such as through odors, lights, and sounds that could potentially adversely affect neighboring properties or habitats. The proposed Project area would be required to meet all setback standards required by all agencies within the State of California and the local authority.

### Background

On January 1, 1970, President Nixon signed the National Environmental Policy Act (NEPA). California Governor Reagan followed suit by signing the California Environmental Quality Act (CEQA) into law on September 18 of the same year. These laws required the incorporation of environmental values into governmental decision making. These statutes require Federal, State, and local agencies to analyze and disclose the potential environmental impacts of their decisions, and—in the case of CEQA—to minimize significant adverse effects to the extent feasible.

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NEPA was codified under Title 42 of United States Code § 4331 et seq. (42 U.S.C. 4331 et seq.). Under NEPA, Congress established the White House Council on Environmental Quality (CEQ) to ensure that Federal agencies meet their obligations under the Act. CEQ's Regulations for Implementing the Procedural Provisions of NEPA are found in Title 40 of the Code of Federal Regulations, § 1500 et seq. (40 CFR 1500 et seq.). In California, CEQA was codified under Division 13 of California's Public Resources Code (CPRC), section 21000 et. seq. (Cal. Pub. Res. Code § 21000 et seq.). The Guidelines for Implementation of the CEQA regulations are in Title 14 of the California's Code of Regulations (CCR), § 15000 et seq. (14 CCR § 1500 et seq.).

NEPA and CEQA are similar, both in intent and in their respective review processes (analysis, public engagement, and document preparation) that they dictate. Importantly, both statutes encourage a joint Federal and State review for projects that require both Federal and State approvals. In such cases, a joint review process can avoid redundancy, improve efficiency and interagency cooperation, and be easier for applicants and citizens to navigate. Despite the similarities between NEPA and CEQA, there are several differences that require careful coordination between the Federal and State agencies responsible for complying with the statutes. Conflict arising from those differences can create unnecessary delay, confusion, and legal vulnerability.

Federal, State, and local agencies have cooperated in the environmental review of projects ranging from infrastructural development to renewable energy permitting. As State and Federal governments continue to pursue shared goals, there will be a continued need for an efficient and transparent environmental review processes that meets the requirements of both statutes.

Recognizing the importance of implementing NEPA and CEQA efficiently and effectively, the CEQ and the California Governor's Office of Planning and Research (OPR) developed a handbook regarding conducting joint NEPA and CEQA review processes. The CEQ oversees Federal agency implementation of NEPA, which includes writing the CEQ NEPA regulations and preparing guidance and handbooks for Federal agencies.

OPR plays several roles in the administration of CEQA, including development of CEQA Guidelines in coordination with the California Natural Resources Agency, providing technical assistance to State and local agencies, and coordinating State-level review of CEQA documents. Agencies conducting an environmental review must also consider any additional requirements or deadlines established in the individual agency's administrative regulations or procedures that implement NEPA and CEQA. These requirements could prescribe additional or more stringent requirements than the CEQ regulations and CEQA guidelines.

The NEPA and CEQA handbook provides practitioners with an overview of the NEPA and CEQA processes and practical suggestions for developing a single environmental review process that can meet the requirements of both statutes. The handbook contains three main elements. First is a "Question and Answer" section that addresses the key similarities and differences between NEPA and CEQA. This section compares each law's requirements or common practices and identifies possible strategies for meeting the requirements of both laws. These strategies are not meant to prescribe methods that agencies must use; rather, the handbook provides suggestions that help agencies identify and analyze potential issues.

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### Project-Specific Factors

The following table details any potential effects to environmental elements related to the Project:

<input type="checkbox"/>	Aesthetics	<input checked="" type="checkbox"/>	Agriculture and Forestry	<input type="checkbox"/>	Air Quality
<input type="checkbox"/>	Biological Resources	<input type="checkbox"/>	Cultural Resources	<input type="checkbox"/>	Geology/Soils
<input type="checkbox"/>	Greenhouse Gas Emissions	<input checked="" type="checkbox"/>	Hazards and Hazardous Materials	<input checked="" type="checkbox"/>	Hydrology/Water Quality
<input checked="" type="checkbox"/>	Land Use/Planning	<input type="checkbox"/>	Mineral Resources	<input type="checkbox"/>	Noise
<input type="checkbox"/>	Population/Housing	<input checked="" type="checkbox"/>	Public Services	<input type="checkbox"/>	Recreation
<input type="checkbox"/>	Transportation/Traffic	<input checked="" type="checkbox"/>	Utilities/Service Systems	<input type="checkbox"/>	Mandatory Findings of Significance

### Mandatory Compliance Factors

In accordance with the State of California, it is a requirement that agricultural operations obtain the appropriate environmental filings to support land alterations, diversions, and discharges of affluent.

#### Water Sources

Water is being sourced from two (2) pre-existing pre-1974 wells, that will support primary agriculture and domestic uses.

#### Initial Statement of Water Diversion & Use (ISWDU)

Not applicable.

#### Small Domestic Use Registration (SDU)

Not applicable.

#### Small Irrigation Use (SIU)

Not applicable.

#### Lake and Streambed Alteration Agreements (LSAA-1600/1602)

It was determined that a LSAA-1600/1602 will be required for this Project to notify CDFW of proposed activities. A third-party agent may conduct periodic inspections, Natural Resource Management (NRM) or CDFW to determine the need and application for filing.

#### Water Board Order: Waste Waiver Discharge (WWD)

Initial inspections by NRM regarding water usage and discharges have been conducted. The initial notice of intent and monitoring/reporting forms, under the WWD, have been filed with the North Coast Regional Water Quality Control Board (NCRWQCB). A reporting/recording system would be developed, monitored, and reported to comply with annual renewal requirements under this order.

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Additional inspections (post enrollment) would be conducted by the NRM, with no current confirmation of when this inspection would occur. The proposed Project falls into Tier 2 due to the pre-existing cultivation site, canopy size, and water uses. The Project does not pose a notable threat to the environment due to several conditions that are documented in the WRPP.

#### Water Resource Protection Plan (WRPP)

A WRPP will be generated by the designated agency, NRM. This document is held by the third-party agent and applicant which maintained onsite to satisfy any request by the NCRWQCB. This ensures protection of nearby habitats via management of spoils, management of runoff/discharges, use of DPR-approved inputs, correct use of fertilizer, and proper storage of fungicides, pesticides, and fuels.

#### Department of Pesticide Regulation Requirements (DPR)

The Project would adhere to DPR requirements and limitations regarding pesticide, fungicide, and rodenticide inputs for cannabis cultivation and management of pests and/or disease. Quality and consumer-safe production requires medical cannabis cultivation inputs that are approved as environmentally sound and deemed safe for medical consumption.

#### Archaeological Inspections & Survey

There is no current archaeological inspection on file of which the permitting agent is aware. However, records may be accessible through Sonoma State University's Northwest Information Center (NWIC) and the local THPO.

### Additional Compliance Factors

#### Bureau of Cannabis Control (BCC)

In 2015, the Legislature passed, and the Governor signed into law three bills (Assembly Bills 243 and 266, and Senate Bill 643) that create a licensing and regulatory framework for medical cannabis through the Medical Cannabis Regulation and Safety Act. Later this was updated through the MAUCRSA, Senate Bill 94. This legislation created the Bureau Cannabis Control within the Department of Consumer Affairs. It also divided the responsibility for state licensing between three state entities – the CA Department of Food and Agriculture, the CA Department of Public Health, and the Bureau of Medical Cannabis Regulation, with the Bureau designated as the lead agency in regulating the cannabis industry in California. This agency is responsible for licensing concerning testing, retail, distribution, and microbusinesses.

#### CalCannabis Cultivation Licensing

As directed by the Medical Cannabis Regulation and Safety Act and the Adult Use of Marijuana Act, the California Department of Food and Agriculture (CDFA) has written the proposed regulations to establish **cannabis cultivation and processing licensing** and a **track-and-trace system**, collectively referred to as **CalCannabis Cultivation Licensing**.

#### Office of Manufactured Cannabis Safety

OMCS was established in the Center for Environmental Health of the California Department of Public Health (CDPH) after the Governor signed into law the Medical Cannabis Regulation and Safety Act in 2015.

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The Act established a licensing and regulatory framework for the manufacturing, packaging, and infusion of medical cannabis in California.

The Medical Cannabis Regulation and Safety Act created the Bureau of Medical Cannabis Regulation in the Department of Consumer Affairs, and tasked the following Departments to establish regulations for the medical cannabis industry:

**CA Department of Consumer Affairs (Bureau of Cannabis Control):** to license transporters, distributors, dispensaries, and testing laboratories.

**CA Department of Food and Agriculture (Cal-Cannabis Cultivation Licensing):** to license cultivators and will also be responsible for implementing the Track-and-Trace System for plants from cultivation to sale.

**CA Department of Public Health (Office of Manufactured Cannabis Safety):** to license manufacturers of cannabis.

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## Performance Standards

Performance standards include nuisance mitigation (for noise, odors, light, and other potential hazards of the Project), setback requirements, and a consent to inspect.

### Setback Requirements

The proposed Project area meets all setbacks required by the local authority and adheres to all other setbacks from neighboring parcels and property boundaries.

Nearby parcel residences are more than 300' from the proposed cultivation space (applicable only to parcels of five (5) acres or less). There are no known schools, school bus stops, public parks, places of religious worship, or Tribal cultural resources that are known within 600' to 1,320' of the cultivation area. Additionally, a 30' setback from the PG&E pole and 12' of overhead lines and property borders is satisfied.

Setbacks from nearby waterways adhere to the NCRWQCB and the CDFW's setback requirements. It is deemed that Environmentally Sensitive Habitat areas will not be impacted by the proposed Project.

### Nuisance Mitigation

The Project would mitigate the potential for or existing nuisances, including through odors, lights, sounds, and other nuisances that extend beyond the boundaries of an adjacent property, with adherence to State and local (County and/or municipality) regulations pertinent to this Project.

#### Best mitigation efforts:

- Odor: Scrubbers.
- Light: Escape shielding.
- Sound: Buffering.

### Generator Use

The Project site is supported by PG&E utility services.

### Consent to Inspect

This section hereby grants to the relevant authority an authorization to conduct an annual compliance inspection with a minimum notice of 24 hours. The inspection would be conducted by officials during regular business hours (Monday-Friday, 9:00 am-5:00 pm), excluding holidays.

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## Cultivation Plan

The Cultivation Plan adheres to robust standards promulgated under the DPR and regulated under the CDFA, and in accordance with DCA's consumer standards maintained by the Department of Public Health (DPH).

In preparation for future certification related to organically produced product, the Cultivation Plan also follows National Organic Program (NOP) standards. The input guidelines established by the DPR are in accordance with certification regarding organically produced product requirements and follow a whole-farm BMP plan for management of land, crops, and end products.

### Summary

The Project proposes 3,600 sq. ft. of Type 4 wholesale nursery cultivation in the form of three (3) designated building areas on approximately 45 acres of AE, F,R, and U zoning that would be serviced entirely by supplemental lighting.

Water for the Project would be sourced directly from two (2) onsite pre-1974 wells. A WRPP will be available upon completion for further information regarding site-specific conditions, mitigation measures, and remediation efforts.

### Cultivation Schedule

The following table details the annual cultivation schedule, comprised of annual vegetative activity, with breakdown by area. Water figures are indicated in gallons.

Area	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
Nursery 1	Veg											
Nursery 2	Veg											
Nursery 3	Veg											
Water	5000	5000	5000	5000	5000	5000	5000	5000	5000	5000	5000	5000

\*Water use as estimated.

### Water Resources

Water for the proposed cultivation Project would be sourced from two (2) onsite pre-1974 wells to supply the nursery activities.

### Emergency Water Plan

In the event of a water emergency, the proposed Project currently features adequate water storage to supply the cultivation activities from two (2) pre-1974 wells.

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## Operational Plan

The Operational Plan covers many aspects of the business, including location, organization, and a description of the Project's business sponsor that includes its mission, vision, and values. It also includes a description of what is produced by the Project, including sales and marketing efforts.

### Summary

The Operational Plan details use of the organization's resources in pursuit of the strategic plan. It prescribes specific activities and events to be undertaken to implement strategies. It is a plan for the day-to-day management of the organization (encompassing a one-year period). An operational plan should not be formulated without reference to a strategic plan. Operational plans may evolve from year to year with business growth. The chief executive, lead staff, and third parties of or for the organization often produce the Operational Plan.

The products produced by the Project would have the primary designated use of the treatment of patients with varying ailments. Medical cannabis products would be distributed to qualified medical cannabis consumers via wholesale outlets and retail dispensary locations.

### Business Organization

Big Rock Farms, Inc. is a nonprofit mutual benefit corporation operating under entity number C3931539 that is comprised of a board. The members are responsible for delegating primary activities pertinent to the organization's daily and future management.

#### Management Team

Adam Owen, Chief Executive Officer.

Tonya Smith, Secretary.

Tonya Smith, Chief Financial Officer.

### Business Description

The primary goal of Big Rock Farms is, within the State of California, to conduct agricultural activities and produce specialty agricultural products.

#### Mission

Big Rock Farms, is a not-for-profit entity with the mission of producing high-grade specialty cannabis agricultural products to support the medical cannabis supply chain for California-based retail dispensary outlets.

#### Vision

Big Rock Farms, adheres to a sustainable and homestead-driven, integrative farming model that includes standards related to organically produced crops and onsite agricultural resource sustenance. The company's model integrates sustainable living and production principles with cannabis cultivation.

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## Values

Big Rock Farms, values the need for prudent land management strategy, social equity, and the quality production of cannabis to supply medical consumers and the treatment of their conditions. The company is committed to operating within full compliance of local, County, and State regulations.

## Products

Big Rock Farms, LLC would produce specialty agricultural cannabis and nursery stock to support the onsite cultivation of high-grade organically produced cannabis flower products that are tested and assured for quality. Cultivation byproducts of additional value would be sold to permitted manufacturers (for the processing of extracts, concentrates, and topical products).

The primary designated use of the raw medical cannabis (flower) produced would be the treatment of patients with varying ailments. Premium-grade medical cannabis can be consumed via multiple methods, including inhalation, ingestion, and dermal (topical) applications. Cannabis has proven to deliver positive efficacy for myriad ailments, conditions, and symptoms. Research is underway regarding additional benefits of medical cannabis.

## Sales & Marketing

Big Rock Farms, LLC's product would be distributed to medical cannabis consumers via wholesale outlets and retail dispensary locations and ancillary marketplaces. The quality, testing thresholds, and branding would target consumers who lead a Lifestyle of Health and Sustainability (LOHAS) and who prefer premium organically produced medicine.

## Chain of Custody

Big Rock Farms, LLC adheres to a robust system of chain of custody for recordkeeping and sourcing potential contamination of seed/nursery product, flower product, trim, or value-added byproducts. This system would serve to verify responsibility for and liability of products during cultivation, processing, distribution, and wholesale/retail sales.

## Packaging

After testing and processing, products would be packaged per quality control standards and in tamper-proof packaging that does not appeal to minors. Products packaged in larger volumes would be distributed directly to consumers and retail outlets. Individual consumer labelling may be applied at the distributor or retailer level, after transfer of ownership in the chain of custody. If the business chooses to protect its branding through the Agricultural Commissioner, products would be individually packaged and labelled within the County of origin.

## Distribution

Big Rock Farms, LLC will secure trading outlets for its products through existing local distribution networks. These distribution networks service retail dispensary outlets that seek licensure within their respective jurisdictions, as well as the State licensing platform under the CDFA. The established patient base has created a demand and fulfills the need for many medical cannabis products from multiple licensed suppliers within the State of California.

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## Track and Trace Standards

As per the Track and Trace provisions as of June 27<sup>th</sup>, 2017 under the Medical Adult Use Cannabis Regulation and Safety Act (MAUCRSA), Senate Bill 94.

### Chapter 6.5. Unique Identifiers and Track and Trace

26067. (a) The department, in consultation with the bureau, shall establish a track and trace program for reporting the movement of cannabis and cannabis products throughout the distribution chain that utilizes a unique identifier pursuant to Section 26069, secure packaging, and can provide information that captures, at a minimum, all the following:

- (1) The licensee receiving the product.
- (2) The transaction dates.
- (3) The cultivator from which the product originates, including the associated unique identifier pursuant to Section 26069.

(b) (1) The department, in consultation with the State Board of Equalization, shall create an electronic database containing the electronic shipping manifests to facilitate the administration of the track and trace program, which shall include, but not be limited to, the following information:

- (A) The variety and quantity or weight of products shipped.
- (B) The estimated times of departure and arrival.
- (C) The variety and quantity or weight of products received.
- (D) The actual time of departure and arrival.
- (E) A categorization of the product.
- (F) The license number and the unique identifier pursuant to Section 26069 issued by the licensing authority for all licensees involved in the shipping process, including, but not limited to, cultivators, manufacturers, distributors, and dispensaries.

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## Transportation

All products would be transported through either the permitted cultivator to processing or distribution and/or via a licensed transporter to trading partners that are authorized to distribute cannabis products to end consumer outlets (when applicable). These transporters would be responsible for adhering to guidelines that involve (but are not limited to) permitting, weights and measures, packaging/packing/labeling, verification of packing and freight volumes, and liability insurance that covers product loss resulting from unintentional diversion or emergency.

Transporters would be responsible for fulfilling contractual deadlines and ensuring delivery of products in a timely fashion to maintain positive standing with trading partners and protect the quality of a product that features a limited shelf life.

SB-643, Chapter 719, § 19302.1 (d): "The DCA shall have the sole authority to create, issue, renew, discipline, suspend, or revoke licenses for the transportation, storage unrelated to manufacturing activities, distribution, and sale of medical marijuana within the State and to collect fees regarding activities the BMCR regulates. The bureau may create licenses in addition to those identified in this chapter that the bureau deems necessary to effectuate its duties under this chapter."

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## Processing Plan

The Processing Plan covers many aspects of the end stage cultivation workflow employed by the business to harvest, dry, trim, cure, package, and assure the quality of medical cannabis products. Quality assurance efforts include sanitation, dust control, and environmental standards necessary for optimal processing.

### Background

#### Summary

As promulgated under various regulatory agencies, including but not limited to the Labor Commissioner (LC) and Wage and Hour Division (WHD), Employment Development Department (EDD), the Agricultural Labor Relations Board (ALRB), United States Department of Agriculture (USDA), the Food and Drug Administration (FDA), California Department of Food and Agriculture (CDFA), and are responsible for varying aspects of government labor laws, quality control, minimum wage and hours laws, administrative responsibilities, and health and safety regulations that govern processing and day labor activities related to Agricultural industries.

#### Project Details

Cultivation activities undergo a common process flow that involves cultivation, to harvest, drying, to testing, grading/sorting, curing, to testing, packaging, to testing again (distributor level), and end sales. This is in efforts to ensure robust quality control; the business would employ stringent grading and sorting of medical cannabis product during harvest to eliminate any contaminated product from end supply.

#### Project Processing Environment

Nursery processing activities are to occur within the respective designated nursery structures.

It is expected that structures for this project would support a maximum of two (2) people during peak processing activities. Applicant may propose additional structural development to accommodate enhanced operational needs.

#### Housing

The Plot Plan includes a personal residence and a Mother-in-Law unit that are not extended to employees.

Any housing provided to employees for this Project will be subject to CCR regulations found in the *Source Guide for Federal & State Requirement for Employees and Migrant Housing* and the *Department of Community Housing & Development*.

#### Administrative

Administrative elements of the Project include payroll, recording and reporting, chain of custody, safety procedures and protocols, product safety materials, labor and subcontractor issues, and quality assurance/control of product.

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## Labor Management

The primary organization currently responsible for the recordkeeping of employees (both seasonal and permanent) would be Big Rock Farms, LLC. All records maintained by Big Rock Farms, LLC would be made available upon request.

The organization has considered payroll options for peak times of the season during which employment periods would be up to several months in duration (particularly during the harvesting, processing, and packaging stages of cultivation). An outside entity may be responsible for soliciting, recruiting, and hiring employees.

The designated entity is responsible for ensuring property, business, and workplace compliance under the guidelines of the following departments:

- Bureau of Medical Marijuana Regulation (BMCR).
- California Department of Food & Agriculture (CDFA).
- County Agriculture Commissioner (CAC).
- County Planning Department (CPD)/Community Planning (CP)/Development Department (DD).
- Department of Industrial Relations (DIR).
- Department of Labor, Wage, and Hour Division (DL-WHD).
- Department of Pesticide Regulation (DPR).
- National & California Agricultural Labor Relations Board (NALRB/CALRB).
- Occupational Safety and Health Administration (OSHA).
- U.S. Department of Labor (US-DOL).

## Recording & Reporting

All employee records for hours worked and reported would be kept onsite or via a payroll recordkeeping center and submitted to the managing payroll department to ensure timely reporting. Requests for review of payroll records would be the sole responsibility of the managing human resources agent (upon request and under certain lawful circumstances).

## Quality Assurance & Control of Product

Quality assurance efforts encompass sanitation, climate control, dust control, and a variety of environmental standards. Quality control measures include monitoring, testing, harvesting, drying, curing, grading, sorting, packaging, secure storage, and distribution procedures.

In 2011, the Food and Drug Administration tasked the U.S. Department of Agriculture (USDA) to co-create with the U.S. Department of Health and Human Services (USDHHS) and the Center for Food Safety and Applied Nutrition (CFSAN) a program to implement Good Agricultural Practices (GAPs) and Good Handling Practices (GHPs). The goal was to mitigate food safety hazards and set standards and management regulations for processing facilities to ensure quality and consumer safety of agricultural products when handled in processing environments.

Found in the April 2011 *Guide to Minimize Microbial Food and Safety Hazards for Fresh Fruit and Vegetables* (authored by the USDA, USDHHS, and CFSAN) is discussion about the fundamental procedures

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that should be developed and implemented. This document features a list of principles applied to the workplace in efforts to meet these standards and is as follows:

- Accountability for product quality.
- Controls for workplace sanitation.
- Employee hygiene.
- Minimization of microbial exposures.
- Operating procedures.
- Packaging procedures and protocols.

### Chain of Custody

Agricultural businesses must adhere to a rigorous chain of custody system for product management and the identification of contamination in all raw and finished products.

### Monitoring

Pre/post-harvest workflow would be monitored on a predetermined schedule and involve documentation of the condition of the product during its active stage of monitoring.

### Harvesting

During harvest, a labor crew would be required to assist with light physical labor, including walking, crouching, lifting, and some climbing.

### Testing Procedure

All product testing would be conducted by an approved (certified) third-party laboratory. This would encompass testing for potency and purity, including the presence of pesticides, fungicides, and harmful micro biologics.

### Drying/Curing

Product would be harvested at maturity and dried and cured in a climate-controlled environment. The primary equipment used would include dehumidifiers, fans, and heaters.

### Grading/Sorting

Products would be graded based on testing results, maturity, and specific intended use (flower, manufacturing of extracts, concentrates, topical products, etc.)

### Processing

Product would be harvested, trimmed, dried, and cured in a manner best suited to the specific environmental factors of the crop. This would include both visual inspections by master cultivators and data collection and analysis (via automated sensors).

### Packaging

Packaging would adhere to the guidelines for package type, quantity/weights, warning labels, and stamping procedures.

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## Health & Safety

The first response emergency contact phone number is 9-1-1. Hospitals are Redwood Memorial Hospital at 707-725-3361 (Fortuna) and St. Joseph Hospital at 707-445-8121 (Eureka). The American Association of Poison Control Centers (AAPCC) can be reached at 800-222-1222.

### Job Hazard Analysis

Labor duties would vary throughout the harvesting, drying, processing, and packaging stages of the operation. With each task, an analysis would be conducted to identify potential hazards associated with a task, including weather conditions, the physical aptitude of employees, tools utilized, and potential exposure to chemicals and other substances. Identification of these hazards is intended to mitigate potential job hazards and help ensure employee adherence to safety practices.

### Injury Illness Prevention Plan

It is required by the DIR that every employer shall establish, implement, and maintain an effective Injury and Illness Prevention Plan (IIPP).

Components of an IIPP include:

- Employee compliance with safe and healthy work practices.
- Investigation of injuries and/or illnesses.
- Procedures for correction of unsafe/unhealthy conditions, work practices, and/or procedures.
- Procedures to identify and evaluate workplace hazards.
- Responsible person(s) and contact information.
- Safety training.
- System for communication with employees.
- Thorough safety program recordkeeping and document retention practices.

### Heat Illness Prevention Plan

Written protocols regarding heat illness prevention would be available to employers, managers, supervisors, and employees regarding how to prevent and handle heat illness incidents.

To prevent heat illness to employees in the field, several factors must be considered:

- Ambient temperature (measured via thermometer or weather report).
- Crew size.
- Excessive clothing.
- Other relevant exposures.
- Presence of personal protective equipment or additional sources of heat.
- Work shift duration.

The following heat illness factors would be considered:

- Accessibility of drinking water.
- Accessibility of shade (via protective structures).
- Periodic rest breaks.

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- Reminders to employees to remain hydrated.

### Hazard Communication Policies

Hazard communication is important to ensure the safety of all onsite employees, contractors, and subcontractors. Potential and known hazards would be made clear prior to conducting tasks and activities. Implementing this procedure is important to ensure that employees, contractors, and subcontractors are informed about the relevant risks associated with certain onsite tasks and the reduction of liabilities against the employer for improper use of equipment, machinery, and tools.

### Emergency Procedures

Emergency procedures include the availability of eye washing stations and detailed procedures for dealing with chemical spills. In the event of an emergency, certain protocols would be developed and followed regarding fire evacuation plans, earthquake safety, and other emergency scenarios.

### Chemical Handling

Any input products used onsite would be accompanied by MSDS and Chemical Inventory Lists that would be available to inspectors and employees and maintained onsite.

In the event of emergency spills, call 9-1-1 and then report to the Office of Environmental Safety (OES) and California State Warning Center (CSWC) at 800-852-7550 or 916-845-8911 and identify proper steps to isolate the incident and cleanup.

### Eye Washing Station

Often, chemicals used onsite provide MSDS sheets that indicate the need for applicators to utilize an eye washing station *after* exposure. The eye washing station must be positioned within 200' of the cultivation area and any areas where chemicals, fertilizers, or pesticides would be used or administered for various applications.

### Employee Accident Policies

An investigation would be conducted to determine next steps.

The company adheres to protocols for employee accident reporting. The manager is responsible for documenting any onsite incidents using *Form 5020*, including:

- Address of accident/event site.
- Description of accident/event and if the accident scene/instrumentation has been altered.
- Employer's name, address, and telephone number.
- Law enforcement agencies present at the accident/event site.
- Location of medical treatment.
- Name and address of injured employee(s).
- Name and job title of reporting party.
- Name of contact person at accident/event site.
- Nature of injuries.
- Time and date of accident/event.

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Accidents need to be reported immediately to Cal/OSHA in Redding at 530-224-4743.

Contact the business' medical provider, the employee's designated medical provider, or 9-1-1, depending on the severity of the incident. Follow up with contact to the California Division of Workers' Compensation (CDWC).

### Personal Protective Equipment Policies

Application of pesticides and fungicides requires personal protective equipment, including respirators, Tyvek suits, and gloves. It is the applicator's responsibility to ensure safety in the field. The farm manager is responsible for furnishing, applying, and informing of the appropriate uses associated with such products.

Applicators are required to acquire an Operator ID through the Agriculture Commissioner via the Pesticide Handling Training Program (PHTP). This would involve training applicators about labels, cautions, and recommended Personal Protective Equipment (PPE). Pesticide PPE would be stored onsite and separately from fertilizers, pesticides, and fungicides. Restricted Entry Intervals (REI) would be imposed and posted after application of chemicals to prevent exposures.

Additional PPE provided onsite for any processing labor would include access to gloves and dust masks by employees during drying, processing, and packaging.

It is the responsibility of managers/supervisors to ensure that PPE policies are followed during appropriate working conditions. In the event of product application by an employee, the applicator must be designated an operator ID and is required to employ the proper PPE during application, as well as abide by label warnings in the event of exposure, poisoning, or a spill.

Processors may be required by State law to employ PPE equipment for the duration of their shifts to ensure no exposure to and/or contamination from a product.

All laborers must be made aware of REI and tangible notification of the recommended REI after the application of pesticides, fungicides, and other chemical applications.

### Occupancy & Structural Guidelines

The general environments in which laborers would work include the field and within the proposed processing building. The environments in which any agricultural activity would occur would follow all guidelines (per agricultural and labor oversight agencies). The facility would need to meet commercial building standards in accordance with California Building Codes and would be made compliant with the American with Disabilities Act (ADA) and Architectural Barriers Act (ABA).

Any housings, buildings, and structures would be subject to California Building Code (CBC), including possible permitting requirements, inspections, and certificate(s) of occupancy. Additionally, specific exemptions exist that pertain to agricultural standards under the Occupational Safety and Health Administration (OSHA) and in conformance with the Occupational Safety and Health Guidelines (OSHG) (unless the Project meets certain exemptions, such as being a family-owned and operated business, does not offer temporary labor housing, or employs fewer than 10 employees at any given time). In other such cases, the site would need to comply with OSHA Guidelines pertaining to agricultural employment.

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### Notification of Occupancy & Terms

As per the DIR and the US-DOL, all notices and labor postings would be provided and visible to all onsite employees. Any notification of occupancy status and terms of employee occupancy would be posted in compliance with all local, State, and Federal laws governing agricultural employers under the following regulatory bodies and regulations:

- California Agricultural Labor Relations Act (CALRA).
- California Occupational Safety & Health Administration (Cal/OSHA).
- Department of Industrial Relations (DIR).
- State and National Agricultural Labor Relations Board (CLRB & NLRB).
- U.S. Department of Labor (US-DOL).

### Maintenance of Sanitary Facility

To help ensure the quality of finished product, a clean working environment would be maintained during the drying, curing, processing, and packaging stages of cultivation. Among other benefits, this would prevent potential contamination between crop batches. All product would be batch tested prior to processing. In the event of a recall, it would be assured that each batch or variety has not become contaminated during these stages within the processing facility.

### Dust Control Measures

In the event of high dust levels, all processing environments would maintain clean working areas to prevent potential dust exposure to employees.

To ensure product quality and to prevent potential contamination of processing environments, certain dust control measures would be implemented. These measures would include maintenance of sanitary working environments and possible implementation of air filtration systems.

### Water Access & Facilities

The Project site would provide employees with access to the following facilities/resources within reasonable proximity to work areas:

- Handwashing facilities (processing area).
- Onsite potable water (work areas).
- Restroom facilities (processing area).

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## Contingency Plan

In accordance with specifications provided by the DEH and the California Unified Program Act (CUPA)—to meet the business plan criteria required to ensure compliance with regulations that are intended to protect public health and the environment—this section addresses water production (including well construction) and the handling of onsite wastewater, solid waste, and hazardous materials.

### Summary

The Contingency Plan addresses onsite wastewater and hazardous wastes, solid waste removal and recycling, water production and well construction, hazardous materials handling, agricultural product storage, and chemical spill procedures and handling guidelines.

Material Safety Data Sheets (MSDS) for all fertilizers, soil amendments, and pesticides would be made available onsite. If requested, all equipment maintenance performed onsite would be listed/described. Per California Department of Food and Agriculture (CDFA) regulations, chemicals would be stored separately from fuels, oils, and similar products. Fertilizers and pesticides, specifically, would be stored in locked containment within an outdoor structure.

Chemical spills would be handled and reported per directions in the Project's Chemical Spill Procedure.

Common waste products that would be used or generated onsite include:

- Fertilizers.
- Fuels.
- Household chemicals.
- Human refuse.
- Human waste.
- Pesticides/herbicides/fungicides.

To ensure mitigation of potential pollution of grounds, nearby waterways, and ecological habitats, the proper treatment, storage, removal, and overall security of potentially polluting products would be ensured via use of dedicated areas and containers that are covered and watertight.

## Project Waste Management

The sections below address the Project-specific details, impacts, and procedures for handling waste products.

### Project Specific Details

A primary residence and auxiliary agricultural structures support the site. The site also features one (1) 1,600 sq. ft. commercial building and two (2) agricultural exempt structures that support the propagation of nursery stock. PG&E supports the Project site. The Sponsor has identified that the operation requires two (2) people during peak staffing to perform seasonal work activities. It is estimated that peak staffing would occur year-round.

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### Onsite Wastewater/Hazardous Wastes

The proposed Project location is equipped with a septic system that is plumbed to the main residential structure. The proposed project is owner-operated. Now, no record of permit or data exists regarding age or specifications of the system. Further inspections may be required to identify the septic system's ability to support increased use during peak seasonal work times and whether it requires an upgrade to meet commercial standards.

### Waste Management Standards

As per the CCR, Title 8, § 3457, which addresses field sanitation standards, the cultivation site is required to provide access to waste facilities within one-quarter (1/4) mile or a five (5) minute walk, whichever is shorter.

If the primary septic system is not within this accessibility threshold, a portable facility or pit privy may be provided in lieu of septic to support waste activities. The standards for portable waste facilities are as follow:

- Toilet facilities: Shall be always operational, maintained in a clean and sanitary condition, and kept in good repair. Records of service and maintenance shall be retained for two years.
- Chemical toilet wastewater tank: Shall be constructed of durable, easily cleanable material and have a minimum tank capacity of forty (40) gallons. Construction shall prevent splashing on the occupant, field, or road.
- Chemical tanks: Contents shall be disposed of by draining or pumping into a sanitary sewer, an approved septic tank of sufficient capacity, a suitably sized and constructed holding tank approved by the local health department, or any other method approved by the local health department.
- Privies: Shall be moved to a new site or taken out of service when the pit is filled within two (2) feet of the adjacent ground surface. When the privy is moved, the pit contents will be covered with at least two (2) feet of well-compacted dirt.

### Hazardous Materials Handling

The Project is supported by PG&E utilities and does not require fuels to supply the domestic energy needs of the structures or cultivation activities. Other fuels may be used for small equipment and machinery and may include gasoline, oils, and diesel. All fuels used for equipment would be stored per the (CUPA) fuel and chemical storage guidelines.

To meet environmental health standards, applicants must maintain a list of and describe all compressed gases, cleaners, and sanitizers (including, but not limited to, household chemicals, bleach, and alcohol) and document quantities stored onsite. Fuels, pesticides, and other agricultural/household chemicals are required to be stored in locked containment, separate from other input products. Any substance in use shall be accompanied by a posted notification that clearly identifies its nature. To prevent spills onto ground surfaces, any motors, fuel containers, etc. would be stored in drop pans and within an enclosed area.

### Hazardous Material Standards

Quantities that trigger disclosure are based on the maximum amount onsite at any one time, as follows:

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- 55 gallons, 500 pounds, or 200 cubic feet (for 30 days or more at any time during a year).
- Any amount of hazardous waste.
- Category I or II pesticides.
- Explosives.
- Extremely hazardous substances (above the planning threshold).

MSDS for all fertilizers, soil amendments, and pesticides (including organically produced examples) would be furnished and made available onsite. Compressed gases, cleaners, and sanitizers are stored on the premises in the quantities outlined in the *Gases and Cleaners* inventory list that is maintained onsite.

Applicants are required under CUPA guidelines to list/describe all equipment maintenance performed onsite (including changing oil, antifreeze, etc.). Upon request, applicant will furnish information regarding ongoing maintenance of small machinery and equipment that is necessary to support cultivation activities.

#### Project Equipment Inventory

- No equipment reported at this time.

#### Maintenance

Offsite.

#### Project Product Inventory

##### Household Chemicals (N/A)

None reported at this time.

##### Fuels/Oils (N/A)

None reported at this time.

##### Fertilizers/Pesticides/Fungicides/Rodenticides (N/A)

None reported at this time.

#### Agricultural Product Storage

As per the DPR (enforced by CDFA or the local Agriculture Commissioner), Projects that utilize pesticides and fertilizers must meet guidelines pursuant to CCR, § 6670, Title 3, Division 6, *Pesticide, and Pesticide Control Operations*. General guidelines dictate that chemicals are to be stored separately from fuels, oils, and similar products. Fertilizers and pesticides would be stored in locked containment within an enclosed outdoor structure.

#### Chemical Spill Procedure/Handling

In the event of emergency spills, the incident would be reported to the Cal OES State Warning Center at 800-852-7550 or 916-845-8911. The California Highway Patrol must be notified via 9-1-1 of spills occurring on highways in the State. The *Chemical Spill Procedure* would be followed, and emergency services also contacted via 9-1-1. The procedure would follow the California Office of Emergency Services (Cal OES) *California Hazardous Materials Spill/Release Notification Guidance* (February 2014) and the (EPA) (Pacific Southwest, Region 9) *Chemical Spills Prevention and Preparedness* webpage.

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In the State of California, many statutes require emergency notification of a hazardous chemical release, including:

- California Labor Code § 6409.1 (b).
- Government Code § 51018, 8670.25.5 (a).
- Health and Safety Code § 25270.8, § 25510.
- Public Utilities Code § 7673 (General Orders #22-B, 161).
- Title 42, U.S. Code § 9603, 11004.
- Vehicle Code § 23112.5.
- Water Code § 13271, § 13272.

In addition to statutes, several agencies have notification or reporting regulations:

- Title 8, CCR, § 342.
- Title 13, CCR, § 1166.
- Title 14, CCR, § 1722 (h).
- Title 17, CCR, § 30295.
- Title 19, CCR, § 2703, 2705.
- Title 22, CCR, § 66265.56 (j), § 66265.196 (e).
- Title 23, CCR, § 2230, 2250, 2251, 2260.
- Title 40, CFR, § 263 esp. § 263.30.
- Title 49, CFR, § 171.16.

#### Solid Waste Removal/Recycling

All garbage will be contained within a holding structure and is to be removed no less than once per week. All waste and/or recycling materials will be processed by a permitted solid waste/recycling facility. The facility designated to receive waste products for this project is Eel River Resource Recovery.

#### Water Production/Well Construction

The Project is supported by two (2) pre-existing wells (see plot plan for location).

Approximated water use for activities are denoted within the *Cultivation Schedule* under the Cultivation Plan. Monthly monitoring and annual reporting must be implemented to identify actual total uses for domestic and cultivation activities.

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## Security Plan

The Project's *Security Plan* includes product security, inventory management, and diversion prevention. Pertinent regulatory language includes the following:

Assembly Bill 604 (AB-604), Article 3, Mandatory Commercial Registration, § 26040 (5): "Security requirements, including, but not limited to, procedures for limiting access to facilities and for the screening of employees. The department shall require all registrants to maintain an accurate roster of any employee's name, date of birth, and relevant identifying information, which shall be available for inspection by the department or State or local law enforcement upon demand."

AB-604, Article 3, Mandatory Commercial Registration, § 26046 (a)(3): "Operating and inventory control procedures to ensure security and prevent diversion."

AB-604, Article 3, Mandatory Commercial Registration, § 26046 (a)(4): "Detailed operating procedures for the proposed facility, which shall include, but not be limited to, provisions for facility and operational security, prevention of diversion, employee screening, storage of medical cannabis, personnel policies, and recordkeeping procedures."

### Summary

The Security Plan details efforts to prevent loss and diversion of medical cannabis product at all stages of its cultivation and processing, including drying, trimming, curing, processing, and packaging. Robust recordkeeping would be implemented and maintained for quality assurance, inventory management, and prevention of diversion.

### Measures of Security

Several security measures would be involved in the comprehensive protection of medical cannabis product during the cultivation and processing lifecycles. These include exterior lighting, alarms, cameras and video capture, and the hardening of doors, windows, and fencing.

Security measures for this project would encompass, at a minimum:

- Locked containment for product storage.
- Locked gate(s) into entry of property.

### Inventory Management

A rigorous system of recordkeeping and reporting would be facilitated to adhere to the State's Track and Trace requirements of all cannabis products. This would include (but not be limited to) flower, trim, and stem to ensure zero diversion of product throughout processing.

To prevent loss and diversion, all cannabis products would be stored under locked containment during the drying, curing, and packaging phases of processing. Products would also be subject to conformance with a checks and balances system to ensure the prevention of unintentional diversion.

### Prevention of Diversion

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The most vulnerable stage of product security is transit to retail outlets. The best way to ensure product safety and prevention of diversion and loss is to maintain adequate chain of custody records via the Agricultural Commissioner.

This would occur under the oversight of the CDFA, in congruence with SICPA's Track and Trace Program. Additionally, retail outlets would be informed of expected delivery quantities. This would include packing slips, tamper-evident seals, verification of credibility, liability coverage, and manifests provided by licensed transporters.

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## Appendices

The following regulatory information sources contributed to the development of this narrative.

### Source Guide for Federal & State Requirements for Employee & Migrant Housing Housing Standards/Requirements for Employee/Migrant Housing Caretakers

#### *Health & Safety*

- First Aid.
- Communicable Diseases.
- Hand Washing, Bathing, and Laundry.
- Cooking, Kitchen, and Mess Halls.
- Garbage and Refuse.
- Insects and Rodents.

#### *Occupancy & Structural Guidelines*

- Housing Site.
- Housing Structure.
- Postings of Required Information.
- Permit to Operate Housing.
- Mobile Homes, Recreational Vehicles, and Commercial Modular.
- Tents.
- Construction and Repair.
- Fire Safety.
- Electrical.
- Lighting.
- Heating.
- Liquid Propane (LP) Gas.

#### *Waste Management*

- Toilets.
- Water Supply.
- Screens.
- Sewage.

#### *Enforcement*

- Enforcement and Penalties.
- Remediation and Mitigation.

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## Sources of Additional California Regulatory Information

SOURCES OF ADDITIONAL INFORMATION			<u>Sacramento</u>	<u>San Benito</u>	<u>San Joaquin</u>
More specific information can be obtained by:			Environmental Health 8475 Jackson Road, 240 Sacramento, CA. 95826 (916) 875-8484	Building and Safety 3224 Southside Road Hollister, CA 95023 (831) 637-5313	Public Health Services 304 E. Weber Ave. Stockton, CA 95202 (209) 468-3426
<p><b>1. Review of the following reference documents at law and public libraries:</b></p> <ul style="list-style-type: none"> <li>California Health and Safety Code, Division 13, Part 1, beginning with Section 17000.</li> <li>California Code of Regulations, Title 25, Chapter 1, beginning with Section 600.</li> <li>California Code of Regulations, Title 24, California State Building Code.</li> <li>Federal Migrant and Seasonal Agricultural Worker Protection Act</li> <li>Code of Federal Regulations, Title 29, Parts 500 through 500.270.</li> <li>Code of Federal Regulations, Title 29, Part 1910.142 (OSHA Reg.)</li> </ul>			<p><u>San Mateo</u> Health Services Agency 455 County Center, 4<sup>th</sup> Fl. Redwood City, CA 94063 (650) 363-4305</p> <p><u>Stanislaus</u> Environmental Res. 3800 Cornucopia Way, Ste. C Modesto, CA 95358-9492 (209) 525-6700</p>	<p><u>Santa Cruz</u> Health Services Agency 701 Ocean Street, Rm 312 Santa Cruz, CA 95060 (831) 454-2022</p> <p><u>Tulare</u> Resource Management Agency 5961 S. Mooney Blvd Visalia, CA 93277-939 1-800-228-6133</p>	
<p><b>2. Obtaining or purchasing copies of documents as follows:</b></p> <ul style="list-style-type: none"> <li><u>CALIFORNIA HEALTH AND SAFETY CODE, DIVISION 13, PART 1</u> (Employee Housing Act) can be purchased from: West Publishing Company, PO Box 64526, St. Paul, MN; telephone 800-328-4880.</li> <li><u>CALIFORNIA CODE OF REGULATIONS, TITLE 25, CHAPTER 1, and the CALIFORNIA CODE OF REGULATIONS, TITLE 24.</u> Can be purchased from: Barclays Law Publishers, Attention: CCR/Agency Services Representative 400 Oyster Point Blvd., PO Box 3006, South San Francisco, CA. 94083 800-888-3600 or on the internet at <a href="http://www.leginfo.ca.gov/calaw.html">http://www.leginfo.ca.gov/calaw.html</a></li> <li><u>MIGRANT AND SEASONAL AGRICULTURAL WORKERS PROTECTION ACT and OSHA REGULATION 1910.142.</u> Can be obtained by contacting the Wage and Hour Division of the U.S. Department of Labor offices as shown on this page or on the internet at, <a href="http://www.dol.gov/esa/vshd/mspa/index.htm">http://www.dol.gov/esa/vshd/mspa/index.htm</a></li> </ul>			<p>STATE OF CALIFORNIA DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT DIVISION OF CODES AND STANDARDS</p>		
<p><b>3. Contacting the appropriate government offices listed below:</b></p> <p>If the housing is located in one of the following counties contact the county office listed below:</p>			<p><b>NORTHERN CALIFORNIA:</b> (North of Fresno County) 9342 Tech Center Dr #550 Sacramento, Ca. 95826 (916) 255-2501</p> <p><b>SOUTHERN CALIFORNIA:</b> (South of Madera County) 3737 Main Street, Ste 400 Riverside, CA 92501 (951) 782-4420</p> <p>U.S. DEPARTMENT OF LABOR WAGE &amp; HOUR DIVISION</p>		
<p><u>Fresno</u> Environmental Health Systems 1221 Fulton Mall, 3<sup>rd</sup> Floor Fresno, CA 93775-1867 (559) 445-3391</p>	<p><u>Kern</u> Environmental Health 2700 M. Street, Suite 300 Bakersfield, CA 93301 (661) 862-8700</p>	<p><u>Merced</u> Environmental Health 777 W. 22<sup>nd</sup> St. Merced, CA 95340 (209) 381-1100</p>	<p><u>LOS ANGELES</u> 300 South Glendale Ave., 400 Glendale, CA. 91205-1752 (818) 240-5274/75</p>	<p><u>SAN FRANCISCO</u> 455 Market St., 800 San Francisco, CA. 94105 (415) 744-5590</p>	
<p><u>Monterey</u> Environmental Health 1270 Natividad Road Salinas, CA 93906 (831) 755-4500</p>	<p><u>Napa</u> Environmental Health 1195 Third Street, 101 Napa, CA 94559 (707) 253-4471</p>	<p><u>Orange</u> Environmental Health Div. 2009 E. Edinger Avenue Santa Ana, CA 92705 (714) 667-3600</p>	<p><u>WEST COVINA</u> 100 North Barranca St., 850 West Covina, CA. 91791 (626) 966-0478</p>	<p><u>SACRAMENTO</u> 2800 Cottage Way, Rm. W-1836 Sacramento, CA. 95825-1886 (916) 978-6123</p>	
			<p><u>SAN DIEGO</u> 5675 Ruffin Rd, 320 San Diego, CA. 92123-1362 (619) 557-5606</p>		

## Federal Governing Bodies & Regulatory Framework

- U.S. Department of Agriculture.
- U.S. Environmental Protection Agency.
- Farm Labor Standards Act.
- Farm Bill 2014.
- Clean Water Act (CWA)/Safe Drinking Water Act (SDWA).
- Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA).
- Resource Conservation & Recovery Act (RCRA).
- Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA/Superfund).
- Clean Air Act (CAA).
- Emergency Planning & Community Right to Know Act (EPCRA).

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INCORPORATED 2015

## Summary of Employment Requirements for California Agricultural Employers

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- Post-Job-Offer, Pre-Employment Medical Examinations.
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- Alcohol and Other Drugs.
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#### U.S Department of Labor

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- National Labor Relations Act (NLRA) Employee Rights.
- Employment of Minors.
- Employment Development Department (EDD).
- Equal Employment Opportunity is the Law.
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- Summary of Employment Requirements for California Agricultural Employers.
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- Written Notice to New Employees.
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- Uniformed Services Employment and Reemployment Rights Act (USERRA).
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- GISO § 3203.
- Department of Pesticide Regulation.
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- Wages and Payroll.
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## Glossary of Abbreviations & Definitions

**AAPCC:** American Association of Poison Control Centers

**AB:** Assembly Bill

**ABA:** Architectural Barriers Act

**ADA:** Americans with Disabilities Act

**ALRA:** Agricultural Labor Relations Act

**ALRB:** Agricultural Labor Relations Board

**APN:** Assessor's Parcel Number

**AUMA:** Adult Use Marijuana Act (Prop 64)

**BCC:** Bureau of Cannabis Control

**BMCR:** Bureau of Medical Cannabis Regulation

**BMP:** Best Management Practices

**BOE:** Board of Equalization

**CAC:** County Agricultural Commissioner

**Cal OES:** California Office of Emergency Services (*See also OES*)

**CALRA:** California Agricultural Labor Relations Act

**CALRB:** California Agricultural Labor Relations Board

**CBC:** California Building Code

**CBO:** Cannabis Board Order

**CCR:** California Code of Regulations (also Cal. Code Regs.)

**CDFA:** California Department of Food and Agriculture

**CDFFP:** California Department of Forestry and Fire Protection (CAL FIRE)

**CDF:** California Department of Fire

**CDFW:** California Department of Fish and Wildlife

**CDIR:** *Also see DIR:* California Department of Industrial Relations

**CD:** Community Development

**CDPH:** California Department of Public Health

**CDWC:** California Division of Worker's Compensation

**CEH:** Center for Environmental Health

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**CEQ:** Council on Environmental Quality  
**CEQA:** California Environmental Quality Act  
**CFR:** Code of Federal Regulations  
**CFSAN:** Center for Food Safety and Applied Nutrition  
**CLRB:** California Labor Relations Board  
**CSLB:** California State Licensing Board  
**CMCLUO:** Commercial Medical Cannabis Land Use Ordinance  
**CP:** Community Planning  
**CPD:** County Planning Department  
**CPRC:** California Public Resources Code  
**CSWC:** California State Warning Center  
**CUPA:** California Unified Program Act  
**DCA:** Department of Consumer Affairs  
**DD:** Development Department  
**DEH:** Division of Environmental Health  
**DFEH:** Department of Fair Employment and Housing  
**DHHS:** Department of Health and Human Services  
**DIR:** Department of Industrial Relations  
**DLSE:** Department of Labor Standards Enforcement  
**DL-WHD:** Department of Labor, Wage and Hour Division  
**DOL:** Department of Labor  
**DPH:** Department of Public Health  
**DPR:** Department of Pesticide Regulation  
**DWC:** Division of Workers' Compensation  
**DWR:** Division of Water Rights  
**EEOC:** Equal Employment Opportunity Commission  
**EIR:** Environmental Impact Report  
**EPA:** Environmental Protection Agency  
**FLC:** Farm Labor Contractor  
**FLSA:** Fair Labor Standards Act  
**GAP:** Good Agricultural Practices

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**GHP:** Good Handling Practices  
**GP:** General Plan  
**HIPP:** Heat Injury Prevention Plan  
**HSC:** Health and Safety Code  
**HUC:** Hydrologic Unit Code  
**IIPP:** Injury and Illness Prevention Program  
**IPM:** Integrated Pest Management  
**ISWDU:** Initial Statement of Diversion and Use  
**LLC:** Limited Liability Company  
**LRDP:** Long Range Development Plan  
**LSA:** Lake and Streambed Alteration  
**LSAA-1600/1602:** Lake and Streambed Alteration Agreement  
**LC:** Labor Commissioner  
**MBC:** Medical Board of California  
**MCRSA:** Medical Cannabis Regulation and Safety Act  
**MND:** Mitigated Negative Declaration  
**MOU:** Memorandum of Understanding  
**MRP:** Monitoring and Reporting Program  
**MSDS:** Material Safety Data Sheet  
**MSPA:** Migrant Seasonal Protection Act  
**NCRWQCB:** North Coast Regional Water Quality Control Board  
**ND:** Negative Declaration  
**NEPA:** National Environmental Policy Act  
**NLRB:** National Labor Relations Board  
**NMBC:** Non-Profit Mutual Benefit Corporation  
**NOE:** Notice of Enrollment  
**NOI:** Notice of Intent  
**NOP:** National Organic Program  
**NRCS:** Natural Resources Conservation Service  
**NWIC:** Northwest Information Center  
**OES:** Office of Emergency Services

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**OMCS:** Office of Manufactured Cannabis Safety  
**OMRI:** Organic Materials Review Institute  
**OPR:** Office of Planning and Research  
**OSHA:** Occupational Safety and Health Administration  
**OSHG:** Occupational Health and Safety Guidelines  
**OSHT:** Occupational Safety and Health Technician  
**PG&E:** Pacific Gas and Electric  
**PHTP:** Pesticide Handling Training Program  
**PPE:** Personal Protective Equipment  
**REI:** Restricted Entry Interval  
**SB:** Senate Bill  
**SDS:** Safety Data Sheets (*See also MSDS*)  
**SDU:** Small Domestic Use  
**SIU:** Small Irrigation Use  
**SOP:** Standard Operating Procedures  
**SWRCB:** State Water Resources Control Board  
**THPO:** Tribal Historical Preservation Office  
**USC:** United States Code  
**USCB:** United State Census Bureau  
**USDA:** United States Department of Agriculture  
**US-DOL:** United States Department of Labor  
**USDHHS:** United States Department of Health and Human Services  
**WBO:** Water Board Order  
**WDID:** Waste Discharge Identification  
**WHD:** Wage and Hour Division  
**WRPP:** Water Resource Protection Plan  
**WWD:** Waste Waiver Discharge Program

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## Other Relevant Sources

- Adult Use of Marijuana Act (AUMA), <http://bit.ly/2hTHGHw>.
- Agricultural Operations, Field Sanitation, California Code of Regulations, Title 8, § 3457, <http://bit.ly/2jDeHrW>.
- Best Management Practices (SWRCB), <http://bit.ly/2ii6JEK>.
- Bureau of Medical Cannabis Regulation, or Bureau of Marijuana Control, <http://bit.ly/2pb9Lkq>
- CalCannabis, <http://bit.ly/2qHI43T>
- California Building Code (CBC), <http://bit.ly/2ii3wFb>.
- California Code of Regulations, § 51018, <http://bit.ly/2iq7azr>.
- California Environmental Quality Act (CEQA), <http://bit.ly/2iigkLE>.
- California Field Sanitation Standards, <http://bit.ly/2jDeHrW>.
- California Hazardous Materials Spill/Release Notification Guidance, <http://bit.ly/2jpUR6i>.
- California Health and Safety Code, § 25270.8, § 25510, <http://bit.ly/2jtbkWX>.
- California Labor Code, § 6409.1 (b), <http://bit.ly/2j26HjC>.
- California Public Utilities Code, § 7673, <http://bit.ly/2ivtkR7>.
- California Water Code, § 13271, <http://bit.ly/2jq3Ggp>.
- Characteristic Hazardous Wastes, 22 CCR § 66261.21-66261.24, <http://bit.ly/2iq7pKF>.
- Commercial Medical Cannabis Land Use Ordinance (CMCLUO), <http://bit.ly/2iDgM7e>.
- Compassionate Use Act, <http://bit.ly/2f2Koud>.
- Contingency Plan and Emergency Procedures, California Code of Regulations, Title 22, CCR, § 66265.56, <http://bit.ly/2iDoivG>.
- Detailed Hazardous Materials Incident Reports, Code of Federal Regulations, Title 49, CFR, § 171.16, <http://bit.ly/2iAmDZh>.
- Driving Offenses, California Vehicle Code, § 23112.5, <http://bit.ly/2jqfqb5>.
- EPA, Pacific Southwest, Region 9, *Chemical Spills Prevention and Preparedness* webpage, <http://bit.ly/2ivmEIX>.
- Farmers, CCR, Title 22, § 66262.70, <http://bit.ly/2ivuufu>.
- Guide for State and Federal Requirements for Employee/Migrant Housing, <http://bit.ly/2jYFimu>.
- Hazardous Material Release Reporting, California Code of Regulations, Title 19, CCR, § 2703, <http://bit.ly/2iigd2U>.
- Health and Safety Code (HSC), § 11362.777, <http://bit.ly/2ivoMdk>.
- Lake and Streambed Alteration Agreement (LSA-1600/1602), <http://bit.ly/2jS5NWV>.
- Medical Cannabis Regulation & Safety Act (MCRSA), <http://bit.ly/2j2mwqc>.
- National Environmental Policy Act (NEPA), <http://bit.ly/2fSvght>.
- NEPA CEQA Handbook, <http://bit.ly/2ivnyPq>.
- Occupational Safety and Health Guidance Manual for Hazardous Waste Site Activities, <http://bit.ly/1AKXsYc>.
- Onshore Well Regulations, California Code of Regulations, Title 14, CCR, § 1722 (h), <http://bit.ly/2iAmbKi>.
- Office of Manufactured Cannabis Safety, <http://bit.ly/2qR3WoO>
- OSHA Guidelines, <http://bit.ly/Zha1yc>.

Prepared for Big Rock Farms, LLC by AgDynamix, LLC (Sept. 2017)



- Pesticide and Pesticide Control Operations, California Code of Regulations, § 6670, Title 3, Division 6, , <http://bit.ly/2iFhG4K>.
- Pesticide and Pesticide Control Operations, California Code of Regulations, § 6670, Title 3, Division 6, <http://bit.ly/2ivveB5>.
- Regulations for Implementing the Procedural Provisions of NEPA, <http://bit.ly/2ivt84d>.
- Reporting of Incidents Involving Hazardous Materials or Hazardous Wastes, California Code of Regulations, Title 13, § 1166, <http://bit.ly/2jtcX6J>.
- Reporting Work-Connected Fatalities and Serious Injuries, California Code of Regulations, Title 8, § 342: <http://bit.ly/2jS4dUU>.
- SB-643, Chapter 719, § 19302.1 (d), <http://bit.ly/2iAePXp>.
- Senate Bill 420, <http://bit.ly/2fy0zBj>.
- Solid Waste Storage and Removal Standards, California Code of Regulations, Title 14, Chapter 3, Article 5, <http://bit.ly/2jS8BmV>.
- Standards Applicable to Transporters of Hazardous Waste, Code of Federal Regulations, Title 40, Chapter I, Subchapter I, Part 263, <http://bit.ly/2i27jpc>.
- Statements of Water Diversions and Use, California Code of Regulations, § 5101, <http://bit.ly/2jigDWU>.
- Summary of Employment Requirements for California Agricultural Employers, <http://bit.ly/2j7mxJy>.
- Toxics, California Code of Regulations, Title 17, CCR, § 30295, <http://bit.ly/2jt3sVh>.
- U.S. Code, Title 42, § 9603, <http://bit.ly/2iAp7Xi>.
- Unique Identifier and Track and Trace Program, Article 7.5, § 19335 (a), <http://bit.ly/2jYFT7K>.
- United States Code, Title 42, Sections 4331 et seq., <http://bit.ly/2iFqgiE>.
- Waste Discharge Reports and Requirements, California Code of Regulations, Title 23, CCR, § 2230, <http://bit.ly/2iFoWxe>.

Prepared for Big Rock Farms, LLC by AgDynamix, LLC (Sept. 2017)



HUMBOLDT COUNTY DEPARTMENT OF PUBLIC WORKS  
ROAD EVALUATION REPORT



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

Applicant Name: Big Rock Farms Inc APN: 101-161-003-000

Planning & Building Department Case/File No.: 13117

Road Name: Williams Creek Rd (complete a separate form for each road)

From Road (Cross street): Grizzly Bluff Rd

To Road (Cross street): Driveway Entrance to Nursery on APN 101-061-003

Length of road segment: .50 Miles miles Date Inspected: 10-13-20

Road is maintained by:  County  Other \_\_\_\_\_  
(State, Forest Service, National Park, State Park, BLM, Private, Tribal, etc)

Check one of the following:

**Box 1**  The entire road segment is developed to Category 4 road standards (20 feet wide) or better. If checked, then the road is adequate for the proposed use without further review by the applicant.

**Box 2**  The entire road segment is developed to the equivalent of a road category 4 standard. If checked, then the road is adequate for the proposed use without further review by the applicant.

*An equivalent road category 4 standard is defined as a roadway that is generally 20 feet in width, but has pinch points which narrow the road. Pinch points include, but are not limited to, one-lane bridges, trees, large rock outcroppings, culverts, etc. Pinch points must provide visibility where a driver can see oncoming vehicles through the pinch point which allows the oncoming vehicle to stop and wait in a 20 foot wide section of the road for the other vehicle to pass.*

**Box 3**  The entire road segment is not developed to the equivalent of road category 4 or better. The road may or may not be able to accommodate the proposed use and further evaluation is necessary. Part B is to be completed by a Civil Engineer licensed by the State of California.

The statements in PART A are true and correct and have been made by me after personally inspecting and measuring the road.

David Nicoletti  
Signature



10-15-20  
Date

David Nicoletti PE #76814  
Name Printed

**Important: Read the instructions before using this form. If you have questions, please call the Dept. of Public Works Land Use Division at 707.445.7205.**

From: David Nicoletti PE QSD\QSP  
DTN Engineering & Consulting  
2731 K Street Unit A  
Eureka, CA 95501  
Email: dnicoletti@dtngineering.com

**Subject: Roadway Evaluation for Big Rock Farms Nursery APN 101-061-003**

### **Introduction**

On October 13, 2020 DTN Engineering & Consulting performed a road evaluation for Big Rock Farms Inc, upon request from Humboldt County Public Works. Humboldt County Public Works has provided direction for the roads to be evaluated by the Engineer. The roads to be evaluated are as follows (see Exhibit A):

- Williams Creek Rd from Driveway on APN 101-061-003 Grizzly Bluff Rd (Photos 1-15).

Williams Creek Rd is being evaluated as part of the Applicant's Cannabis permit referral process. The roadways were evaluated for Category 4 compliance as described in Title III – Land Use and Development, Division II, and the Fire Safe which in accordance with the Ordinance. This analysis performed was in accordance with the Roadway Evaluation Report Instructions provided by Humboldt County Public Works Department.

Williams Creek Rd is a County road, but is not on the County approved list for Category 4 Roads.

### **Evaluation**

Williams Creek Rd from Driveway on APN 101-061-003 to Grizzly Bluff Rd (Photos 1- 33) (Exhibit B)

This evaluation will apply the Category 4 roadway criteria to the Williams Creek Rd from the entrance to the proposed nursery location to Grizzly Bluff Rd. The width for Williams Rd is from 13' to 18' and the road is close to flat, but positive drainage does exist. Shoulder width outside of the travel way is 2' -3' wide.

The flat slope of the road provides adequate stopping sight distances at corners along with small pullouts. Williams Creek Rd meets the Humboldt County criteria for an Equivalent Category 4 road.

Report Completed By  
David Nicoletti PE:



# Exhibit A - Project Location

APN 101-061-003  
255 Williams Creek Rd  
Ferdale CA



# Exhibit B - Photo Locations

APN 101-061-003  
255 Williams Creek Rd  
Ferndale CA

FN-13117-SP Big Rock Farms, Inc, Special Permit

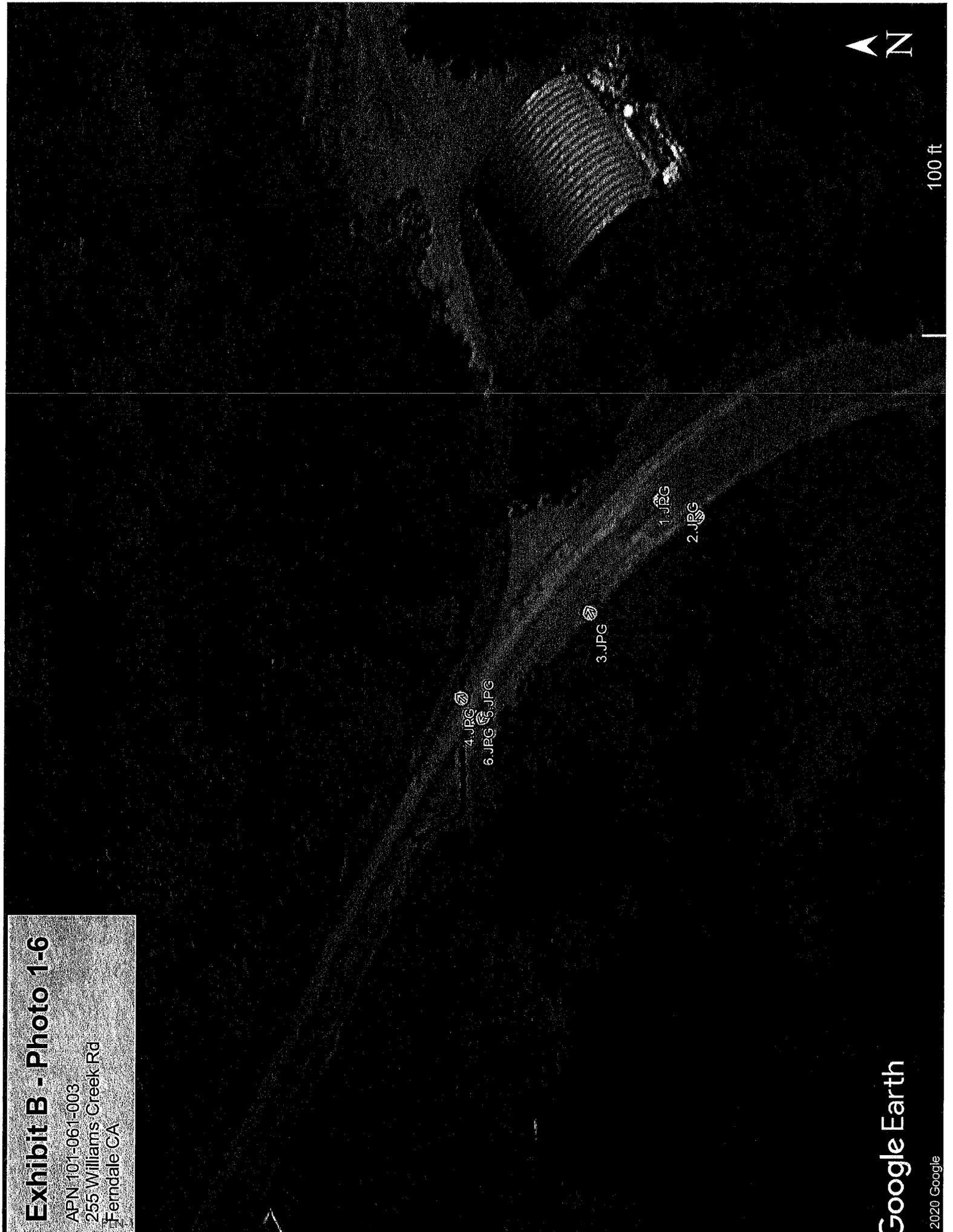
July 21, 2022

Page 88



# Exhibit B - Photo 1-6

APN 101-061-003  
255 Williams Creek Rd  
Ferdale CA



100 ft

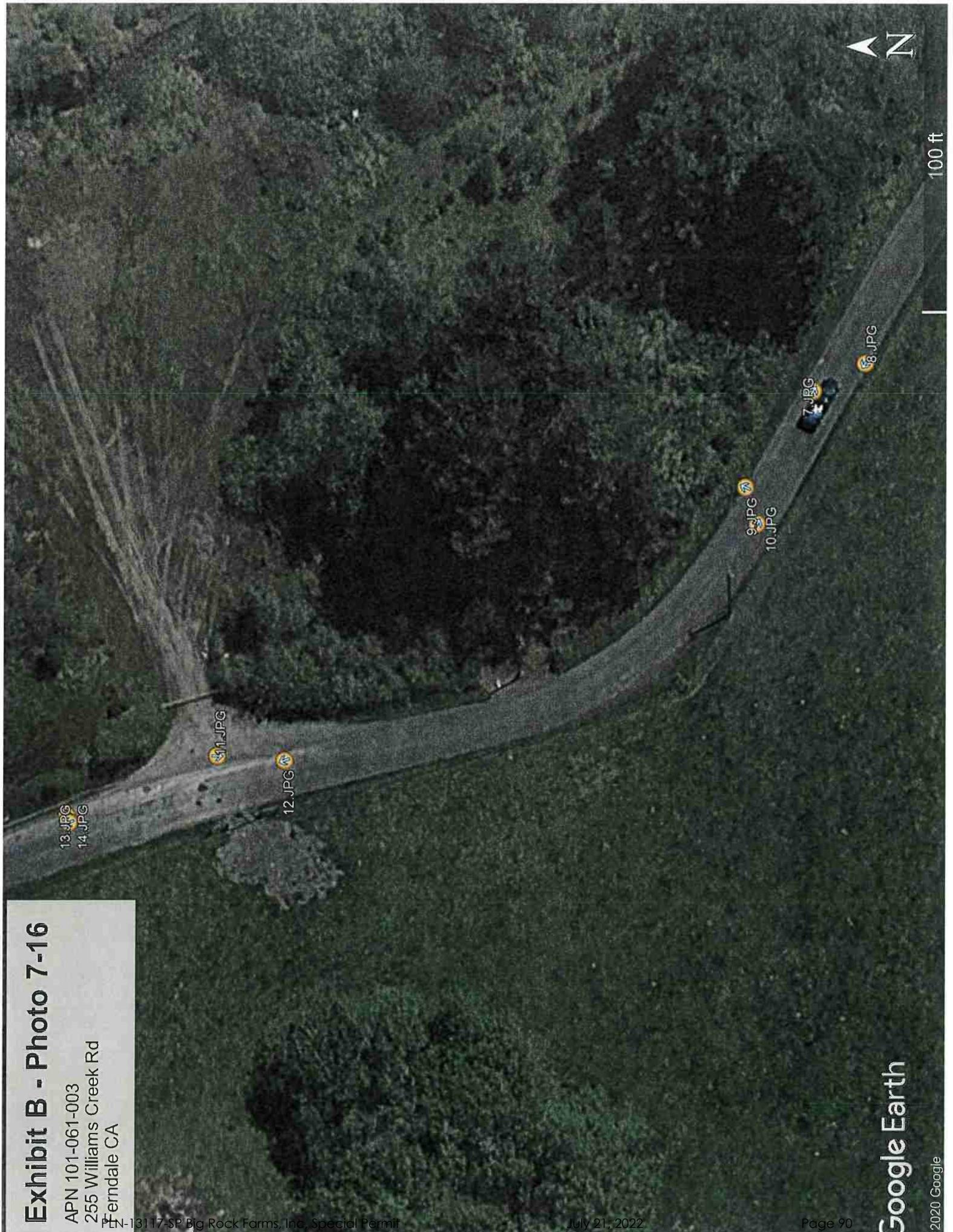
# Exhibit B - Photo 7-16

APN 101-061-003  
255 Williams Creek Rd  
Ferndale CA

PN-13117-SP Big Rock Farms, Inc. Special Permit

July 21, 2022

Page 90



# Exhibit B - Photo 17-24

APN 101-061-003  
255 Williams Creek Rd  
Ferrdale CA

24.JPG

22.JPG  
21.JPG

19.JPG  
20.JPG

Williams Creek Rd

16.JPG

18.JPG

17.JPG



200 ft

**Exhibit B - Photo 25-33**

APN 101-061-003  
255 Williams Creek Rd  
Ferndale CA

33.JPG

31.JPG

30.JPG

Williams Creek Rd

29.JPG

27.JPG

26.JPG



100 ft



Photo #1 Williams Creek Rd @ Driveway of APN 101-061-003 Looking South

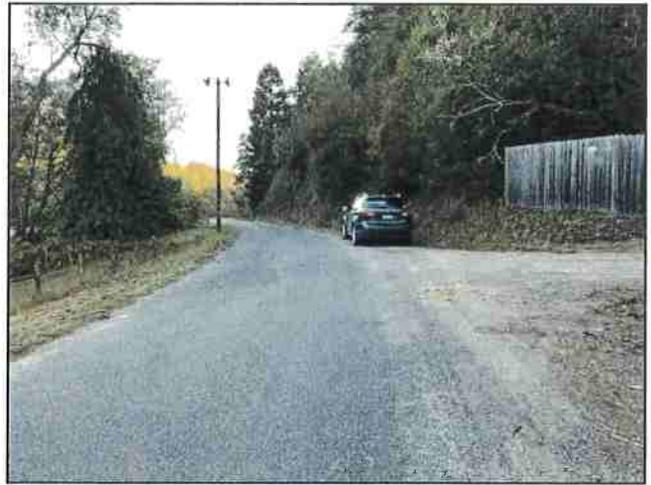


Photo #2 Williams Creek Rd @ Driveway of APN 101-061-003 Looking North



Photo #3 Williams Creek Rd @ Driveway of APN 101-061-003 Looking East



Photo #4 Williams Creek Rd Width = 13'



Photo #5 Williams Creek Rd @ Driveway of APN 101-061-003 Looking North



Photo #6 Williams Creek Rd @ Driveway of APN 101-061-003 Looking South @ Pullout Area



Photo #7 Williams Creek Rd Looking SE

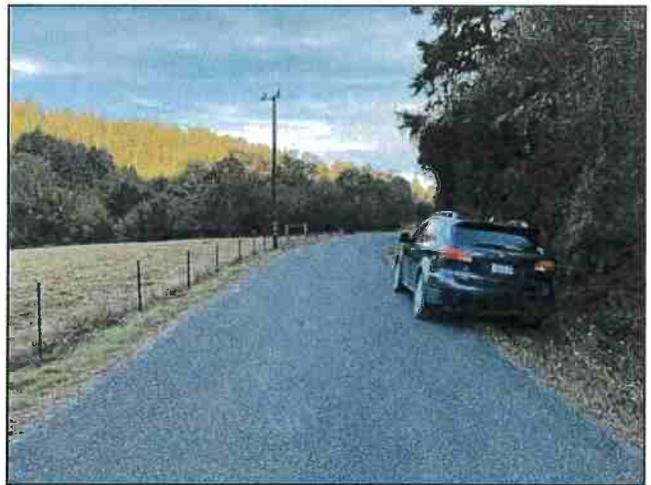


Photo #8 Williams Creek Rd Looking NW @ Curve and Pullout Location



Photo #9 Williams Creek Rd Width = 16'



Photo #10 Williams Creek Rd Looking SE

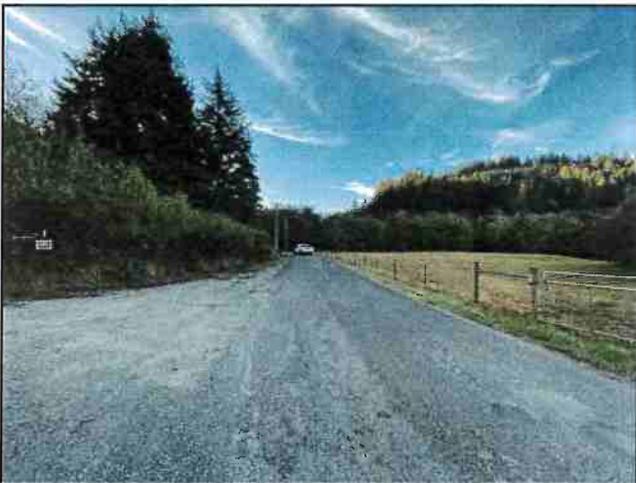


Photo #11 Williams Creek Rd Looking South @ Driveway and Pullout Location

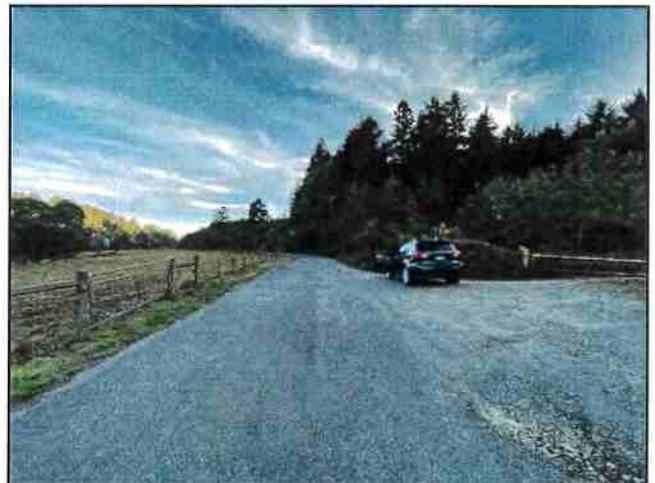


Photo #12 Williams Creek Rd Looking North @ Driveway and Pullout Location

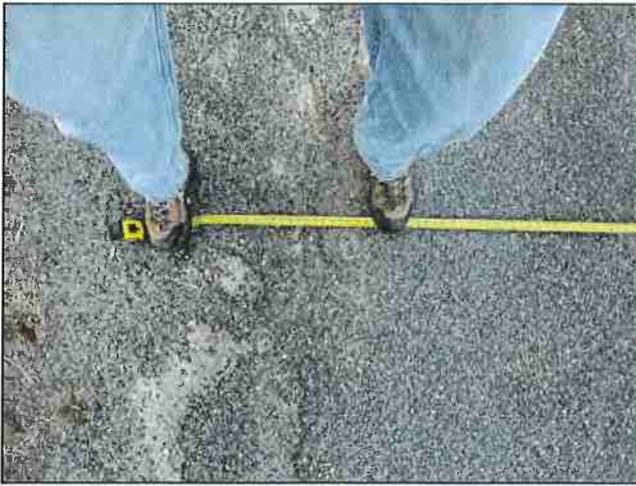


Photo #13 Williams Creek Rd Width = 18'

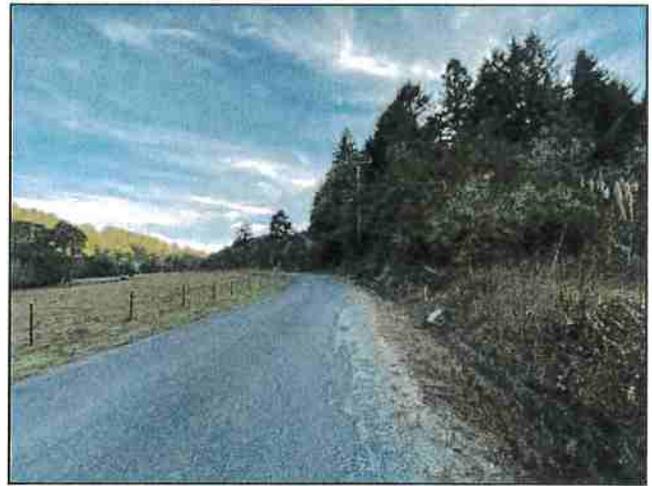


Photo #14 Williams Creek Rd Looking North @ Curve & Shoulder



Photo #15 Williams Creek Rd Looking South @ Pullout Location

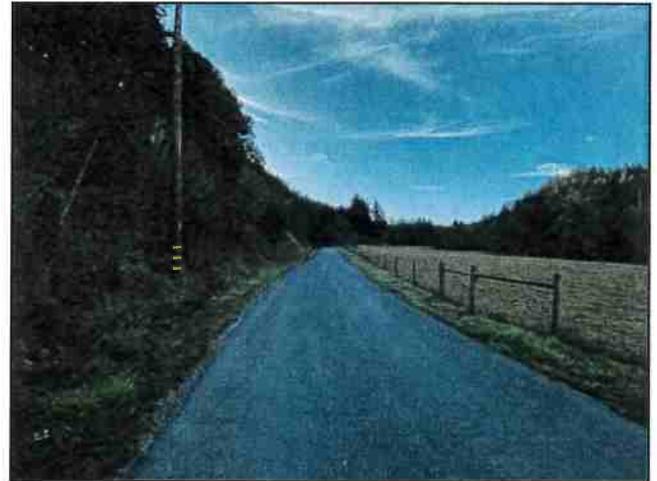


Photo #16 Williams Creek Rd Looking South

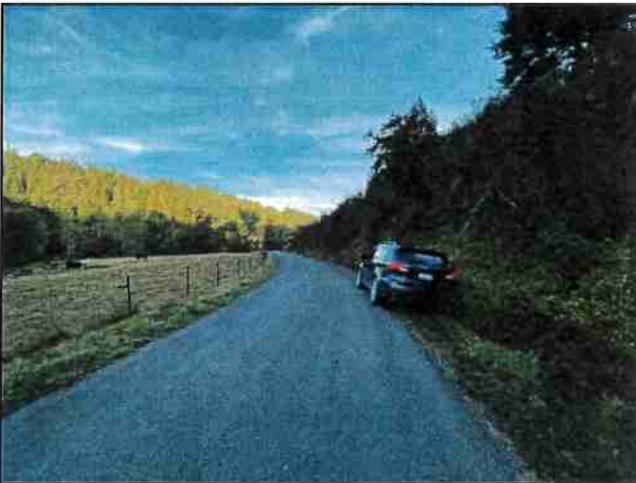


Photo #17 Williams Creek Rd Looking North @ Curve & Shoulder



Photo #18 Williams Creek Rd Width = 15' 4"

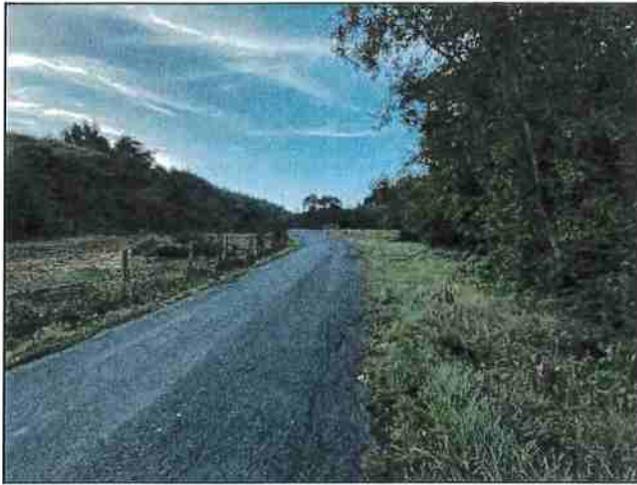


Photo #19 Williams Creek Rd Looking SE @ Curve & Shoulder Pullout

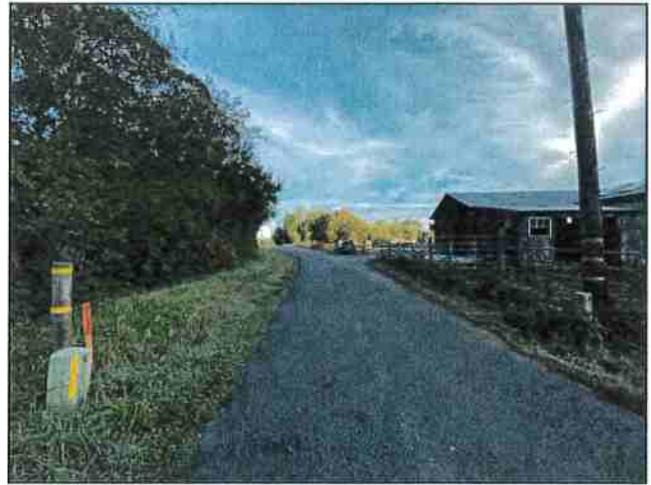


Photo #20 Williams Creek Rd Looking NW @ Curve & Shoulder Pullout



Photo #21 Williams Creek Rd Width = 19'



Photo #22 Williams Creek Rd Looking North @ Bridge

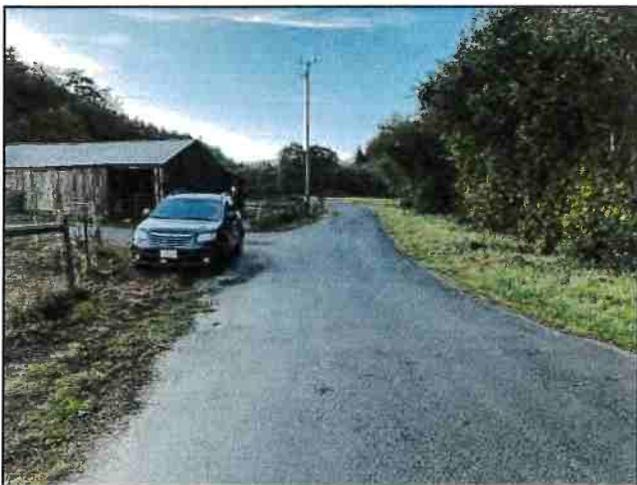


Photo #23 Williams Creek Rd Looking SE @ Bridge

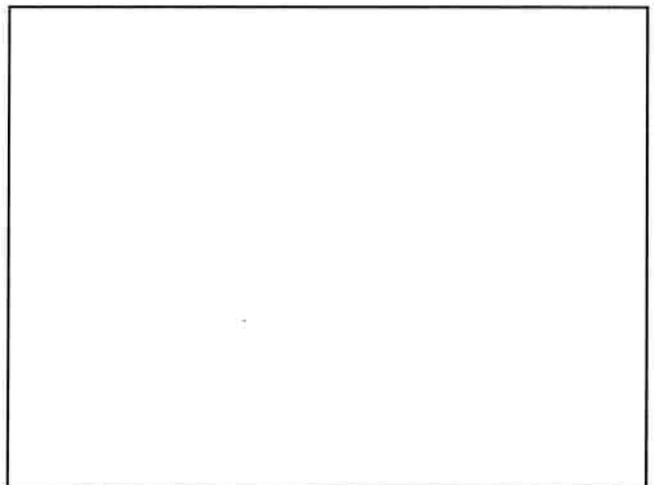


Photo #24 Not Used

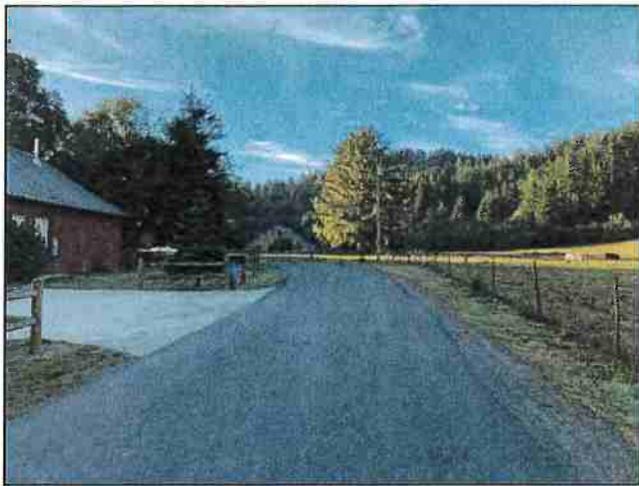


Photo #25 Williams Creek Rd Looking SE @ First Driveway South of Grizzly Bluff Rd

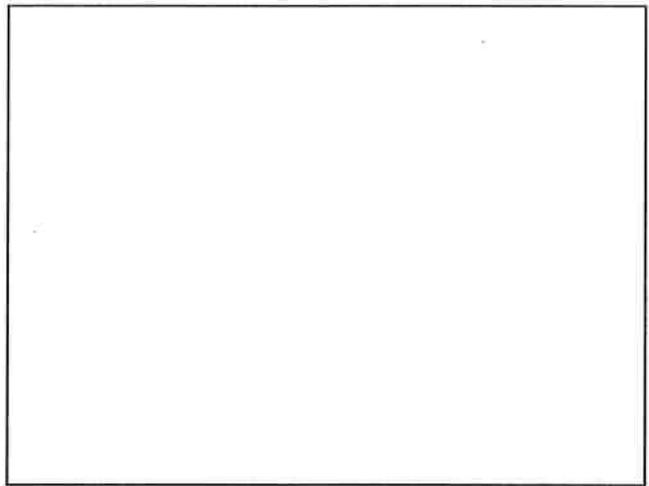


Photo #26 Not Used

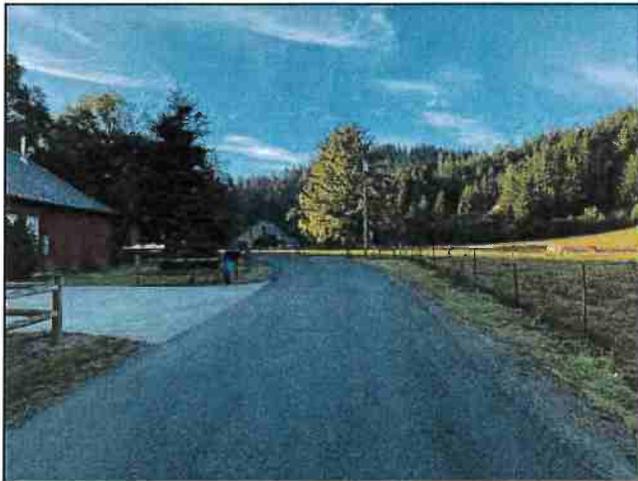


Photo #27 Williams Creek Rd Looking SE @ First Driveway South of Grizzly Bluff Rd



Photo #28 Williams Creek Rd Looking NW @ First Driveway South of Grizzly Bluff Rd

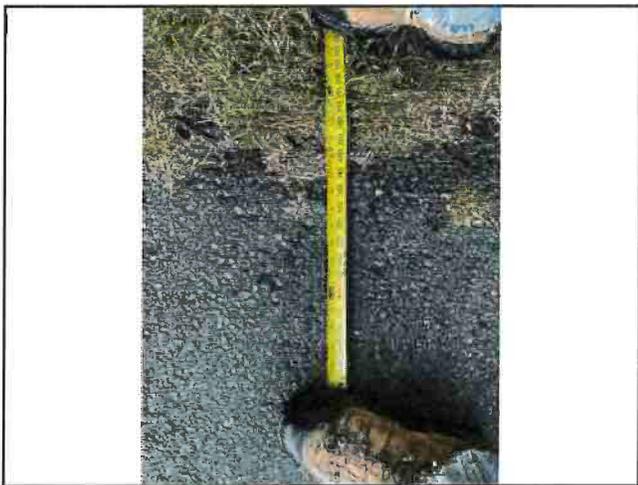


Photo #29 Williams Creek Rd Width = 16' 6"

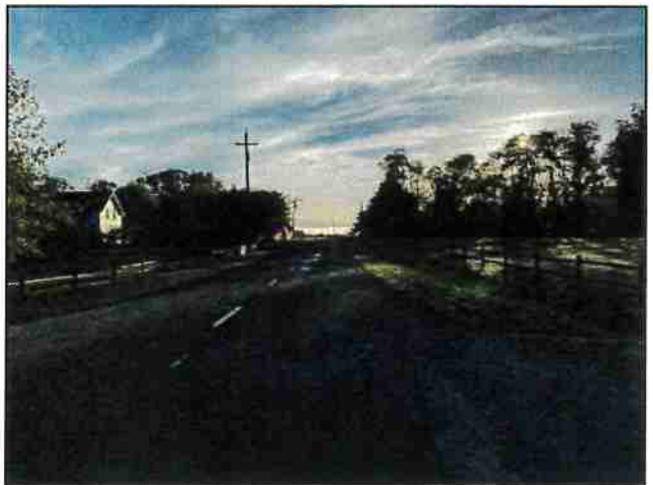


Photo #30 Williams Creek Rd @ Grizzly Bluff Rd Looking East

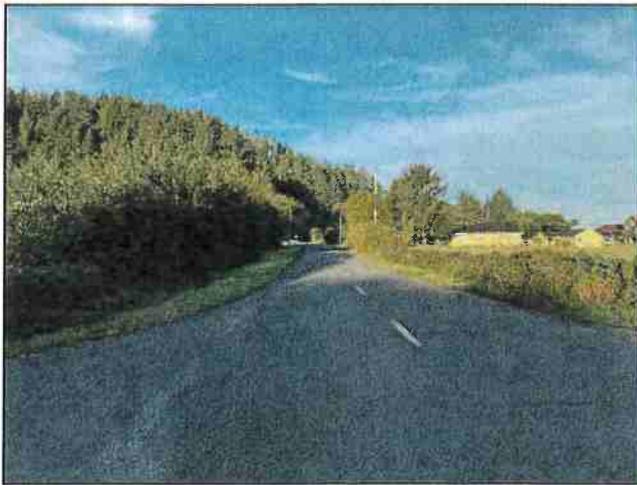


Photo #31 Williams Creek Rd @ Grizzly Bluff Rd Looking West



Photo #32 Williams Creek Rd @ Grizzly Bluff Rd Looking North

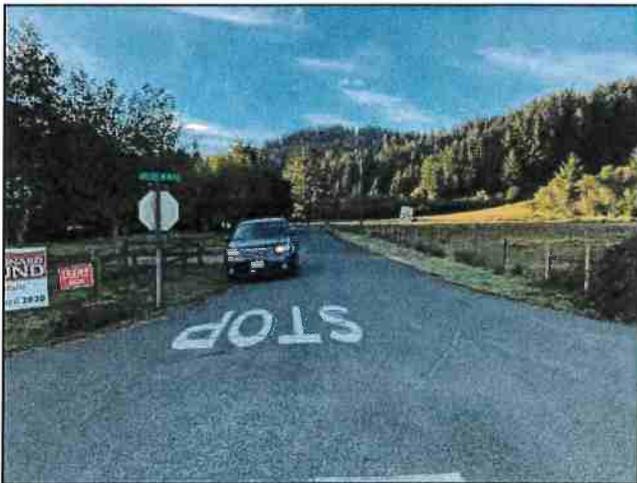


Photo #33 Williams Creek Rd @ Grizzly Bluff Rd Looking South

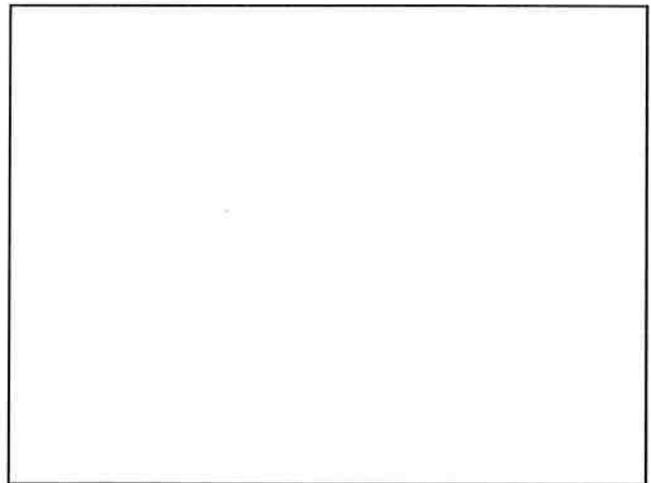


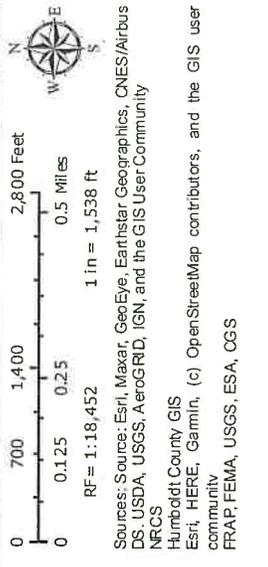
Photo #



Photo #



Photo #



- Sources: Esri, Maxar, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community  
 NRCS  
 Humboldt County GIS  
 Esri, HERE, Garmin, (c) OpenStreetMap contributors, and the GIS user community  
 FRAP, FEMA, USGS, ESA, CGS
- Highways and Roads
    - Principal Arterials
    - Minor Arterials
    - Major Collectors
    - Minor Collectors
    - Local Roads
  - Private or Unclassified
  - Major River or Stream
  - Blue Line Streams
    - Perennial 1-3
    - Perennial >4
  - Intermittent
  - Subsurface
  - City Boundary
  - Counties
  - Parcels
  - Parcels (no APN labels)

**ArcGIS Web Map**  
 Humboldt County Planning and Building Department  
 Web AppBuilder 2.0 for ArcGIS  
 Printed: October 15, 2020  
 Map Disclaimer:  
 While every effort has been made to assure the accuracy of this information, it should be understood that it does not have the force & effect of law, rule, or regulation. Should any difference or error occur, the law will take precedence.

CONFIDENTIAL

# Preliminary Biological Assessment Report for APN 101-061-003



June 2019  
Prepared For:  
Big Rock Farms

Prepared By:



**TransTerra Consulting**  
INTEGRATED ENVIRONMENTAL SERVICES



## Introduction

This Biological Resource Assessment was prepared to provide data concerning the type and extent of biological resources under the jurisdiction of the California Department of Fish and Wildlife (CDFW) and US Fish and Wildlife Service (USFWS) that are currently or potentially present at the project location. The project includes commercial cannabis cultivation and associated activities. If required after agency review of the preliminary habitat assessment, protocol level surveys will be completed per recommendations by the Final Environmental Impact Report (FEIR) amendments to the Humboldt County Code Regulating Commercial Cannabis Activities.<sup>1</sup>

## Environmental Setting

### Project Location

The property is located off Williams Creek Road in Ferndale of Humboldt County, California (Section 12, T2N, R2W). The 45.76-acre parcel is within the U.S. Geological Survey's (USGS) Fortuna 7.5-minute quadrangle map. Aspect is primarily west-facing. Elevation is approximately 120-500 feet above sea level. Property is located in the Lower Eel Watershed. The regional climate is Mediterranean in nature with warm summers and cool winters. Soil, Topography, Hydrology

Four (4) soil types are mapped in the project areas on the Web Soil Survey.<sup>2</sup> The property area is primarily composed of Nanningcreek-Oeschger-Scotiabluffs complex (363), Fiedler consociation (371), Fielder-Petellen-Nanningcreek complex (372), and Weott (110). Of these series, Weott is the only soil considered to be hydric. The Nanningcreek, Oeschger, and Scotiabluffs series all consist of very deep, moderately well drained soils formed in colluvium and residuum from sandstone with minor amounts of siltstone and gravelly conglomerate. The mean annual precipitation of these series is about 1525 mm and the mean annual air temperature is about 11 degrees C. Nanningcreek soils are on linear to concave backslope positions on mountain slopes from 15 to 75 percent. Nanningcreek has particle sizes usually consisting of rock (0-14%), pararock (0-30%), and clay (18-30%) fragments. Oeschger and Scotiabluffs soils are on mountain slopes and ridges with slopes ranging from 15 to 110 percent. Oeschger and Scotiabluffs both have particle sizes usually consisting of rock (0-14%), pararock (0-14%), and clay (10-17%) fragments. Scotiabluffs soils are on convex summit, backslope, and shoulder positions on ridges and mountains. The Fiedler series consists of very deep, well drained soils formed in colluvium and residuum derived from weakly consolidated siltstone, sandstone and conglomerate. Fiedler soils are on linear to concave positions on backslopes on mountains with slopes between 5 to 50 percent. The mean annual precipitation is about 1275 mm and the mean annual temperature is about 11 degrees C. Fiedler soil has particle sizes usually consisting of rock (0-14%), pararock (0-5%), and clay (24-30%) fragments. The Petellen series consists of very deep, well drained soils formed in colluvium and residuum derived from weakly consolidated conglomerate. Petellen soils are found on

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<sup>1</sup> [Final Environmental Impact Report :Amendments to the Humboldt County Code Regulating Commercial Cannabis Activities](#), January 2018. Prepared by Ascent Environmental. (Accessed via <https://humboldt.gov.org/DocumentCenter/View/62689/Humboldt-County-Cannabis-Program-Final-EIR-60mb-PDF>)

<sup>2</sup> Soil Survey Staff, Natural Resources Conservation Service, United States Department of Agriculture. Web Soil Survey. (Accessed via [https://websoilsurvey.sc.egov.usda.gov/.](https://websoilsurvey.sc.egov.usda.gov/))

summits, shoulders, and backslopes on mountain slopes and ridges with slopes ranging from 15 to 75 percent. The mean annual precipitation is about 1520 mm and the mean annual air temperature is about 11 degrees C. Petellen has particle sizes usually consisting of rock (cemented gravel 35-65% and cemented cobble 0-60%) and clay (18-34%) fragments. The Weott soils are on backswamps, depressions, and low flood-plain steps on alluvial plains with slopes of 0 to 2 percent. These soils formed in alluvium derived from mixed sources with mean annual precipitation at about 1015 mm and mean annual temperature at about 11 degrees C. Weott soil has particle sizes usually consisting of clay (18-33%) fragments.

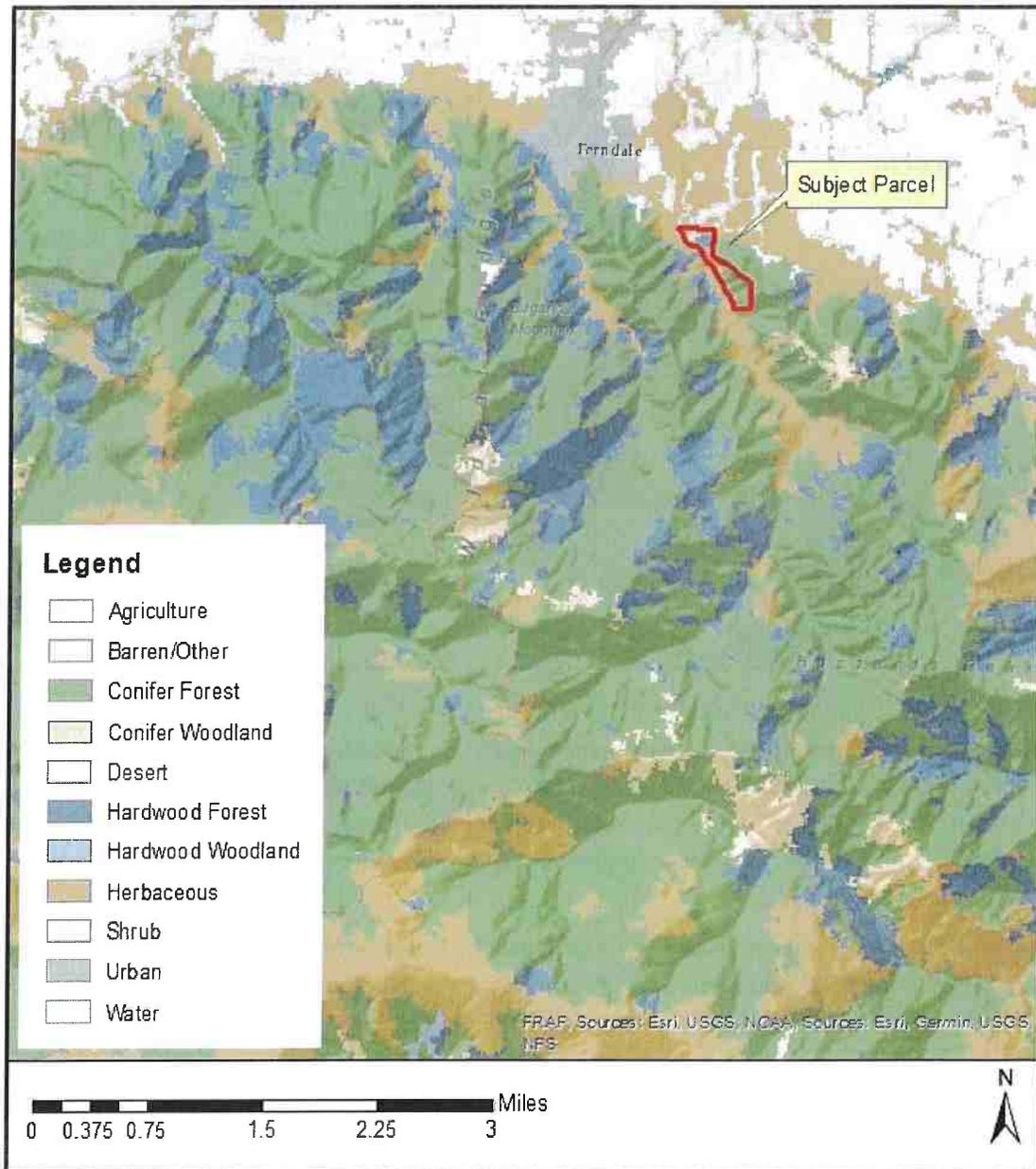


Figure 1. Project Location. Map created using ArcMap 10.6 and Humboldt County GIS layers.

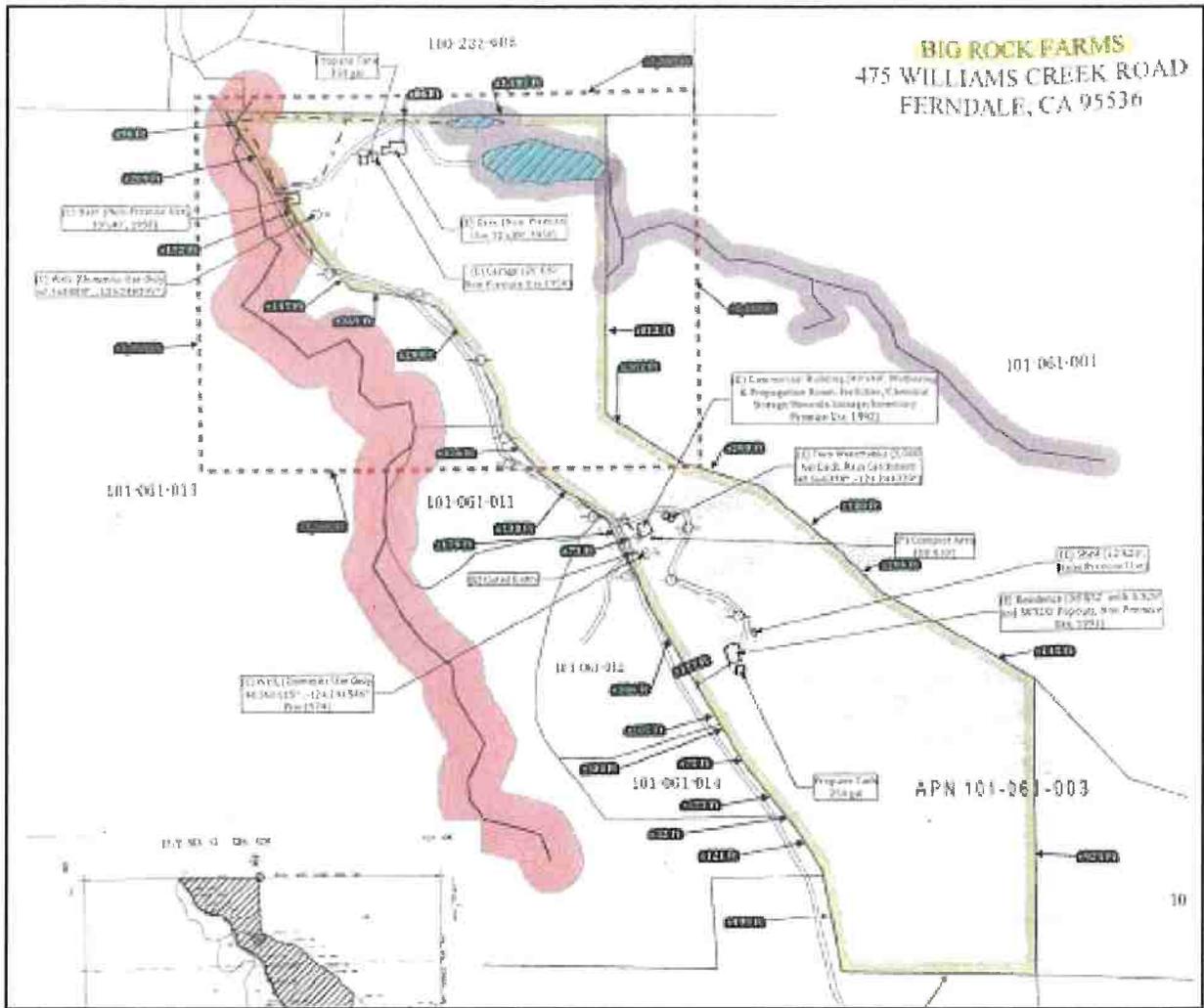


Figure 2. Proposed Project (prepared by Green Roads Consulting)

The property is situated in Salt River watershed which is in the Lower Eel watershed. Per the Humboldt County GIS layer, the Streamside Management Area of Williams Creek intersects the property in the very top northwest section. Project areas are approximately just east of Williams Creek Streamside Management Area buffer. The NWI and Humboldt GIS layers show wetlands on the very northern areas of the property. (Figure 2)

The project area as having moderate levels of instability and potential liquefaction. The northeastern corner is within the 500 year floodzone. Historic landslides, fault lines and other hazards are not mapped in or adjacent to the parcel on the Humboldt GIS database.

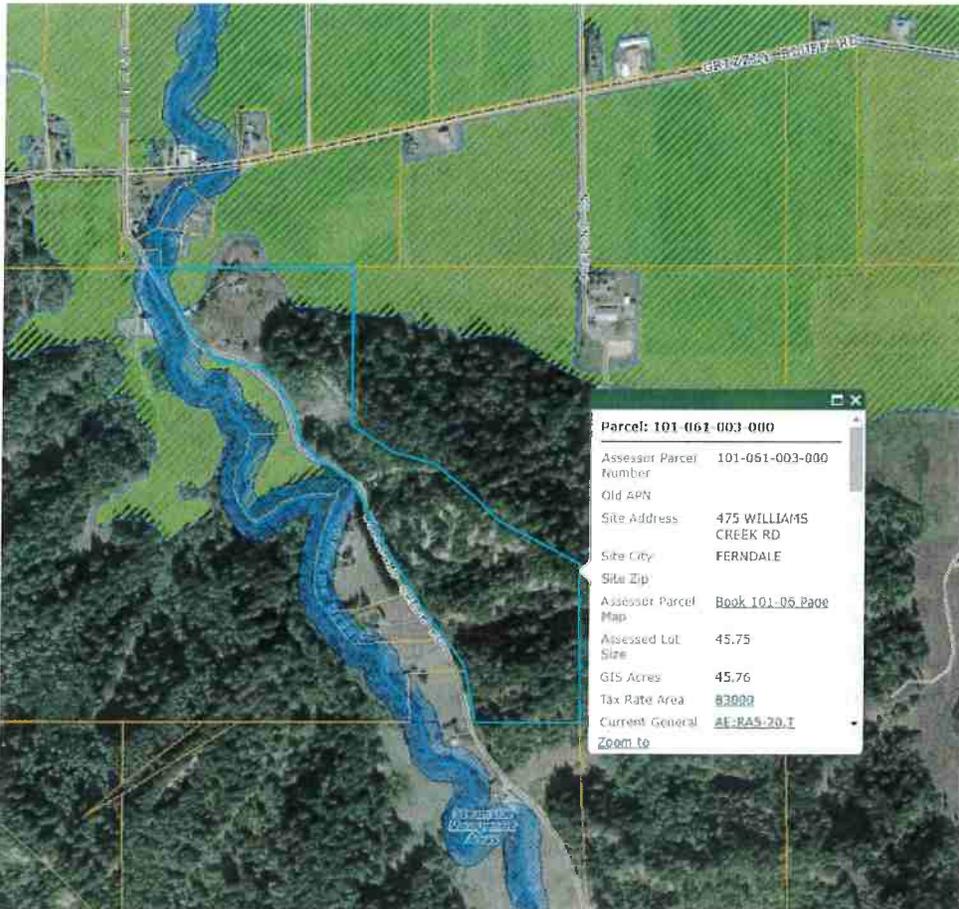


Figure 3. Streamside Management Areas (SMA) and National Wetland Inventory (NWI) wetlands mapped in and adjacent to project site.<sup>3</sup>

## Methods

The California Natural Diversity Database (CNDDDB) RareFind and Spotted Owl Database, and California Native Plant Society (CNPS) databases were used to assess potential rare species. A habitat assessment was conducted by TransTerra Consulting Associate Biologists Megan Nibbelink and Adrian Macedo on May 22, 2019. The assessment evaluated listed species and species of special concern (SOC). The study area was scanned for wildlife sign including tracks, scat, tree habitat (cavities, nests scrapes or accumulated vegetation) as well as special habitat types and habitats associated with rare plant species. The observations were concentrated around cultivation sites, roads and watercourses. The CNDDDB 9-Quad area was queried to generate occurrences of special-status animal species.

The assessment was conducted due to mandatory requirements for cannabis permitting, however the timing of the field visit did not coincide with ideal survey seasons based on phenology and life history cycles for all potential species. Full floristic surveys and/or protocol-level surveys were not conducted in the project area. Based on the timing of the survey, all plant species growing within the study area may not have been observed due to varying flowering phenologies and life forms, such as bulbs,

<sup>3</sup> Humboldt County GIS layer. (Accessed via: <http://webgis.co.humboldt.ca.us/HCEGIS2.0/>)

biennials, and annuals. Other potentially dominant species within vegetation communities on site may be present during other times of the year. Therefore, the present study is not floristic in nature. Some of the plant species identified in this report are tentative due to the absence of morphological characters, resulting from immature reproductive structures or seasonal desiccation, which is required to make species-level determinations. Many wildlife species are also not identifiable between August and March and must be surveyed for during the reproductive season. Species-specific surveys will be conducted as appropriate and are further discussed below.

## Results and Discussion

### Vegetation

The project area is generally a cleared portion of Douglas fir forest with gravel cliffs. Forested areas are dominated by *Pseudotsuga menziesii* (Douglas fir). Cleared areas contained both native and non-native vegetation generally associated with disturbance was present including *Vicia americana* (American Vetch), *Mentha pulegium* (Pennyroyal), *Linum bienne* (Western Blue Flax), *Avena sp.*, *Rubus ursinus* (California blackberry), *Achillea millefolium* (Yarrow), *Cytisus scoparius* (Scotch broom), *Rumex acetosella* (Sheep sorrel), *Conium maculatum* (Poison hemlock), *Digitalis purpurea* (Foxglove), *Juncus bufonius* (Toad rush), *Cortaderia selloana* (Pampas grass), *Plantago lanceolata* (Lanceleaf plantain), *Trifolium albopurpureum* (Indian clover), *Briza maxima* (Rattlesnake grass), *Briza minor* (Small rattlesnake grass), *Zantedeschia aethiopica* (Calla lily), and *Dactylis glomerata* (Orchard grass). Small arborescent and shrubby species indicating succession in some disturbed areas were present, including *Baccharis pilularis* (Coyote brush), *Alnus rubra* (Red alder), *Abies grandis* (Grand fir), *Umbellularia californica* (California bay laurel), *Salix hookeriana* (Coastal willow), and *Salix sitchensis* (Sitka willow). Areas not evidently cleared were host to a diverse flora of herbs, shrubs, and trees such as *Holodiscus discolor* (Oceanspray), *Marah oregana* (Coast manroot), *Athyrium filix-femina* (Lady fern), *Frangula californica* (Coffeeberry), *Vaccinium ovatum* (Huckleberry), and *Vancouveria planipetala* (Inside-out flower). Gravel cliffs of the area played host to several types of epilithic species including *Sedum spathulifolium* (Stonecrop). Lichen flora includes *Usnea sp.*, *Ramalina sp.*, and *Parmelia sp.* Moss flora showed competition between *Pogonatum sp.* and invasive *Campylopus introflexus*, especially in recently disturbed areas.

### Wetlands and SMA areas

As stated previously, there are streams near the project site as well as mapped wetlands. A jurisdictional wetland delineation was not requested or conducted for this assessment. The regulatory background for wetlands in Humboldt County is presented below.

### U.S. Army Corps of Engineers (USACE)

The USACE Regulatory Branch regulates activities that may discharge dredged or fill materials into “waters of the U.S.” under Section 404 of the Federal Clean Water Act (CWA) and Section 10 of the Rivers and Harbors Act. This permitting authority applies to all “waters of the U.S.” where the material (1) replaces any portion of a “waters of the U.S.” with dry land or (2) changes the bottom elevation of any portion of any “waters of the U.S.”. These fill materials include sand, rock, clay, construction debris, wood chips, and materials used to create any structure or infrastructure in these waters. The selection of disposal sites for dredged or fill material is done in accordance with

guidelines specified in Section 404(b)(1) of the CWA, which were developed by the U.S. Environmental Protection Agency (USEPA).

### Regional Water Quality Control Board (RWQCB)

The RWQCB is the primary agency responsible for protecting water quality in California through the regulation of discharges to surface waters under the CWA and the California Porter-Cologne Water Quality Control Act (Porter-Cologne Act). The RWQCB's jurisdiction extends to all "waters of the State" and to all "waters of the U.S.," including wetlands (isolated and non-isolated).

Section 401 of the CWA provides the RWQCB with the authority to regulate, through a Water Quality Certification, any proposed, federally permitted activity that may affect water quality. Among such activities are discharges of dredged or fill material permitted by the USACE pursuant to Section 404 of the CWA. Section 401 requires the RWQCB to provide certification that there is reasonable assurance an activity with the potential for discharge into navigable waters will not violate water quality standards. Water Quality Certification must be based on findings that the proposed discharge will comply with water quality standards, which contain numeric and narrative objectives found in each of the nine RWQCBs' Basin Plans.

### California Department of Fish and Wildlife

The CDFW has jurisdictional authority over wetland resources associated with rivers, streams, and lakes pursuant to the California Fish and Game Code (§§1600–1616). Activities of state and local agencies, as well as public utilities that are project proponents, are regulated by the CDFW under Section 1602 of the California Fish and Game Code.

Because the CDFW includes streamside habitats under its jurisdiction that, under the federal definition, may not qualify as wetlands on a project site, its jurisdiction may be broader than that of the USACE. Riparian forests in California often lie outside the plain of ordinary high water regulated under Section 404 of the CWA, and often do not have all three parameters (wetland hydrology, hydrophytic vegetation, and hydric soils) sufficiently present to be regulated as a wetland.

However, riparian forests are frequently included within CDFW regulatory jurisdiction under Section 1602 of the California Fish and Game Code.

The CDFW jurisdictional limits are not as clearly defined by regulation as those of the USACE. While they closely resemble the limits described by USACE regulations, they include riparian habitat supported by a river, stream, or lake regardless of the presence or absence of hydric and saturated soils conditions. In general, the CDFW extends jurisdiction from the top of a stream bank or to the outer limits of the adjacent riparian vegetation (outer drip line), whichever is greater. Notification is generally required for any project that will take place within or near a river, stream, lake, or their tributaries. This includes rivers or streams that flow at least periodically or permanently through a bed or channel with banks that support fish and other aquatic plant and/or wildlife species. It also includes watercourses that have a surface or subsurface flow that support or have supported riparian vegetation.

### Humboldt County-Streamside Management Area

"Streamside Management Areas" (SMAs) [Section 3432(5) of the Humboldt County 1984 General Plan] are defined in the Humboldt County General Plan (Page G-8) and include a natural resource area along

both sides of streams containing the channel and adjacent land. Updates to the SMA guidance for cannabis activities are defined in the Environmental Impact Assessment Biological Resources Section<sup>4</sup>.

Project applicants proposing development activities within a SMA or wetland areas are required to include a site-specific biological report prepared consistent with these regulations. The written report prepared by a qualified biologist is subsequently referred to CDFW for review and comment. If required, after agency review of the preliminary habitat assessment, protocol level surveys will be completed per recommendations by the Final Environmental Impact Report (FEIR) amendments to the Humboldt County Code Regulating Commercial Cannabis Activities<sup>5</sup>.

### Additional Laws and Policies

In addition to the above-mentioned policies, numerous other policies exist to protect wetlands, waters and biological resources including the California Environmental Quality Act (CEQA), California Endangered Species Act (CESA) and the Z'berg-Nejedly Forest Practice Act.

### Northern Spotted Owl

In 2016, the California Fish and Game Commission approved the listing of the Northern Spotted Owl (*Strix occidentalis caurina*) as Threatened under the California Endangered Species Act. It has been listed as Threatened under the federal Endangered Species Act since 1990. Owl pairs typically nest in broken-top trees, tree cavities, debris accumulations or nests built by other wildlife (abandoned raptor nests or rodent nests). Females generally lay one to two eggs in spring and chicks fledge and leave nests in early fall. Generally older forests with dense canopy closure are preferred for nesting and roosting, however younger stands with similar structure are also utilized. Structural components of high-quality stands include multiple canopy layers, higher species density, larger overstory trees, live trees with deformities and woody debris in the understory. Prey species include flying squirrels, woodrats, rabbits, voles, shrews, gophers, smaller birds, bats and insects. Owls are threatened by Barred Owls, habitat loss, climate change and pathogens.<sup>6</sup>

Northern Spotted Owl was recorded in the CDFW database within 1 mile. No visible habitat was present on-site for nesting spotted owls. The HUM0100 activity center is located approximately 3,526 feet south of the project and positive observations of an owl were made by Mauney most recently in 2013 and while a pair was noted in 2005. While the activity centers of HUM1075, HUM0997, and HUM0796 were located further than 1 mile of the subject parcel, all possessed positive and negative observations within the 1-mile buffer. Critical habitat for NSO is not marked near the project site.

### CNDDDB and other Database Results

The CDFW CNDDDB, BIOS, Rarefind and CNPS databases were scoped before and after field site visit to determine habitat potential and known occurrences of rare or listed species of concern in or around

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<sup>4</sup> <https://humboldt.gov/DocumentCenter/View/58840/Section-311-Biological-Resources-Revised-DEIRPDF>

<sup>5</sup> Final Environmental Impact Report :Amendments to the Humboldt County Code Regulating Commercial Cannabis Activities. January 2018. Prepared by Ascent Environmental. Accessed via <https://humboldt.gov/DocumentCenter/View/62689/Humboldt-County-Cannabis-Program-Final-EIR60mb-PDF>. Accessed [January 2019]

<sup>6</sup> Northern Spotted Owls in California. California Department of Fish and Wildlife (Accessed via <https://www.wildlife.ca.gov/Conservation/Birds/Northern-Spotted-Owl>)

the project area. Known reference populations near the site were visited to confirm phenology. The following species were observed in the database within 1 miles of the project site.

*Bombus caliginosus* (obscure bumble bee) occupies coastal areas from Santa Barabara county to north to Washington state. Their food plant genera include Baccharis, Cirsium, Lupinus, Lotus, Grindelia and Phacelia.

*Lasiurus cinereus* (hoary bat) prefer open habitats or habitat mosaics, with access to trees for cover and open areas or habitat edges for feeding. They roost in dense foliage of medium to large trees. This species feeds primarily on moths and requires accessible water for survival.

*Antrozous pallidus* (pallid bat) occupies deserts, grasslands, shrublands, woodlands and forests. They are most commonly found in open, dry habitats with rocky areas for roosting. The roosts must protect bats from high temperatures as they are very sensitive to any disturbance of roosting sites.

*Bombus occidentalis* (western bumble bee) while once common & widespread, the species has declined precipitously from central CA to southern B.C., perhaps from disease.

*Anomobryum julaceum* (slender silver moss) is listed as a CNPS 4.2, denoting it a watchlist species. They occupy broadleafed upland forest, lower montane coniferous forest, north coast coniferous forest. *Anomobryum julaceum* are found near moss which grows on damp rocks and soil, primarily acidic substrates. They are usually seen on roadcuts at around 100-1000 m.

*Sidalcea malachroides* (maple-leaved checkerbloom) categorized as a 4.3 by the CNPS, denoting it a watchlist species. It occupies broadleafed upland forest, coastal prairie, coastal scrub, north coast coniferous forest, and riparian forest. This species is found in woodlands and clearings near coast. It is often in disturbed areas being located in elevations between 4-765 m.

*Montia howellii* (Howell's montia) is ranked as 2B.2 by CNPS, meaning low populations are present in California, being more prevalent outside the state. It occupies meadows and seeps, north coast coniferous forest, as well as, vernal pools. This species prefers vernal wet sites, often on compacted soil ranging from 10-1215 m.

*Polemonium carneum* (Oregon polemonium) is ranked as 2B.2 by CNPS, meaning low populations are present in California, being more prevalent outside the state. It occupies coastal prairie, coastal scrub, and lower montane coniferous forest ranging from 0-1830 m.

*Oncorhynchus clarkii clarkii* (coast cutthroat trout) are found in small, low gradient coastal streams and estuaries from the Eel River to the Oregon border. This species needs shaded streams with water temperatures less than 18C, and small gravel present for spawning.

***Riparia riparia* (bank swallow) is listed in California as a threatened species. It is a colonial nester, nesting primarily in riparian and other lowland habitats west of the desert. This species requires vertical banks or cliffs with fine-textured, sandy soils near streams, rivers, lakes, or oceans to dig nesting holes. Bank swallows were observed nesting and flying in and out of vertical banks. The swallows were not occupying the areas where structures were cut into the banks See recommendations and CNDDB form.**

The project area contains habitat for various rare or listed species. (See site photos for general habitat types) A complete list of occurrences of rare and species of concern are listed below in Table 1 and Table 2.

### Potential Direct and Indirect Impacts

The potential direct, indirect, and cumulative effects of the land clearing, residential development, and cultivation activities include removal of vegetation and canopy cover, disturbance and compaction of soil, alteration of hydrologic regime, sedimentation and erosion, increase in invasive species, and noise, solid and chemical waste pollution, visual impacts, and air quality impacts.

Tree clearing is not currently proposed, nor is additional grading or expansion of facilities. The ambient conditions from cannabis cultivation are similar to the impacts of historic logging/grazing. Some debris such as plastic pots were observed at the site and should be cleaned up and properly disposed of.

**The Bank swallows occupying the cliffs on the property are a State listed species and must be protected per CEQA and CESA. The species is threatened due to habitat loss. Impacts from the previous excavation of the banks cannot currently be assessed, however the excavation of the cliffs most likely reduced the available habitat for the species. Any further disturbance of the cliffs could result in impacts to the species**

Agency personnel from CDFW and USFWS can further analyze the potential impacts and provide technical assistance for any listed species if additional activities are proposed that may result in take of a listed species including Northern Spotted Owl.<sup>7</sup> If required, pre-construction reconnaissance surveys should follow the guidelines set forth in the Humboldt County Cannabis Program EIR, CDFW Survey and Monitoring Protocols and Guidelines<sup>8</sup>, USFWS Endangered Species Program<sup>9</sup> and CNPS Botanical Survey Guidelines<sup>10</sup>

### Recommendations

**Avoid any disturbance of sandy cliffs that provide habitat to the Bank swallows. Consult with CDFW staff regarding appropriate buffers and protection measures for the species**

Follow all recommendations outlined by existing agency policies for minimizing impacts to natural resources. Impacts from light, noise and chemicals can be addressed in the operations plan and best management practices can be employed to minimize impacts. Additional disturbance, clearing, and road cuts would likely modify existing groundwater, and surface water patterns and could impact water quality and/or hydrophytic species.

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<sup>7</sup> Transmittal of Guidance: Estimating the Effects of Auditory and Visual Disturbance to Northern Spotted Owls and Marbled Murrelet in Northwestern California: (Accessed via <https://www.fws.gov/arcata/es/birds/nso/documents/MAMUNSO%20Harassment%20Guidance%20NW%20CA%202006Jul31.pdf>)

<sup>8</sup> California Department of Fish and Wildlife Survey and Monitoring Protocols and Guidelines (Accessed via <https://www.wildlife.ca.gov/conservation/survey-protocols>)

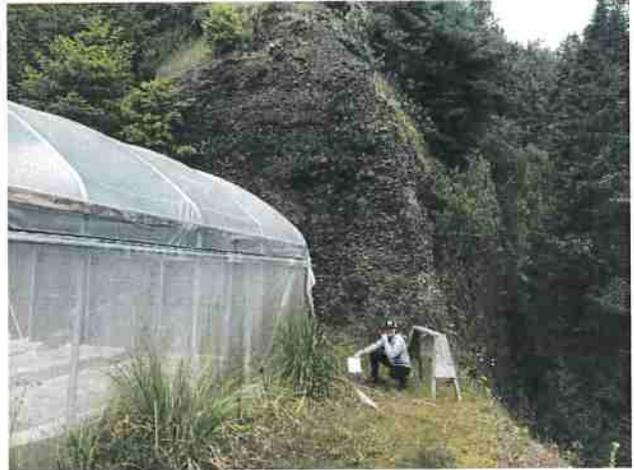
<sup>9</sup> USFWS Arcata Fish and Wildlife Office Endangered Species Program (Accessed via <https://www.fws.gov/arcata/es/default.htm>)

<sup>10</sup> California Native Plant Society (CNPS) Botanical Survey Guidelines (Accessed via [https://cnps.org/wp-content/uploads/2018/03/cnps\\_survey\\_guidelines.pdf](https://cnps.org/wp-content/uploads/2018/03/cnps_survey_guidelines.pdf))

Please contact me with any comments or concerns regarding this memorandum or future work required for your project. I can be reached at [tami@trans-terra.com](mailto:tami@trans-terra.com) or (707) 845-7483. I have included my project experience as an attachment to this memorandum as it is often requested by agency personnel reviewing work of this nature. (Appendix A)

## Site Photographs

Cliff faces including excavated areas and some plastic waste.



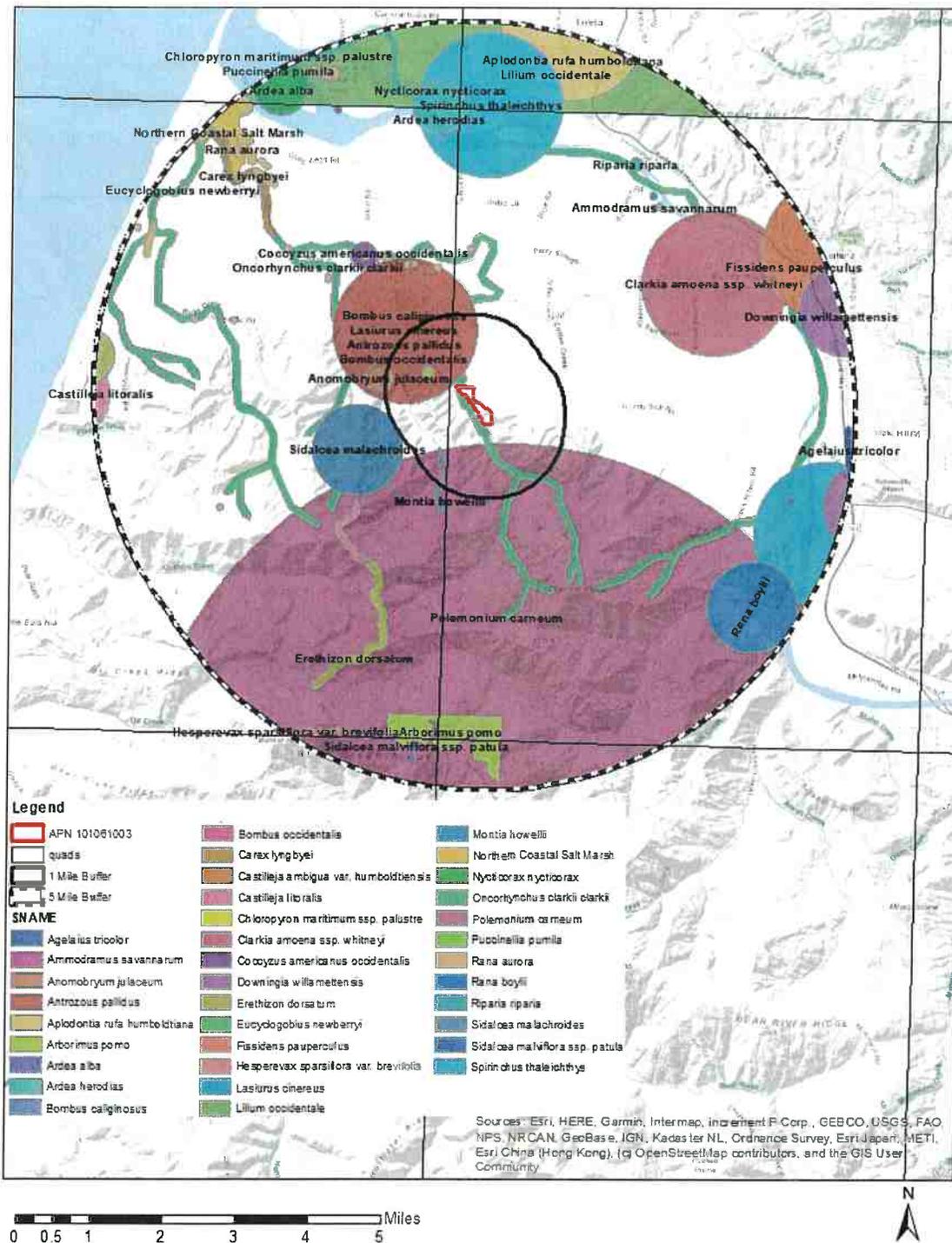


Figure 5 – CNDDDB search results of observed rare plant and sensitive animal occurrences within five miles of property.

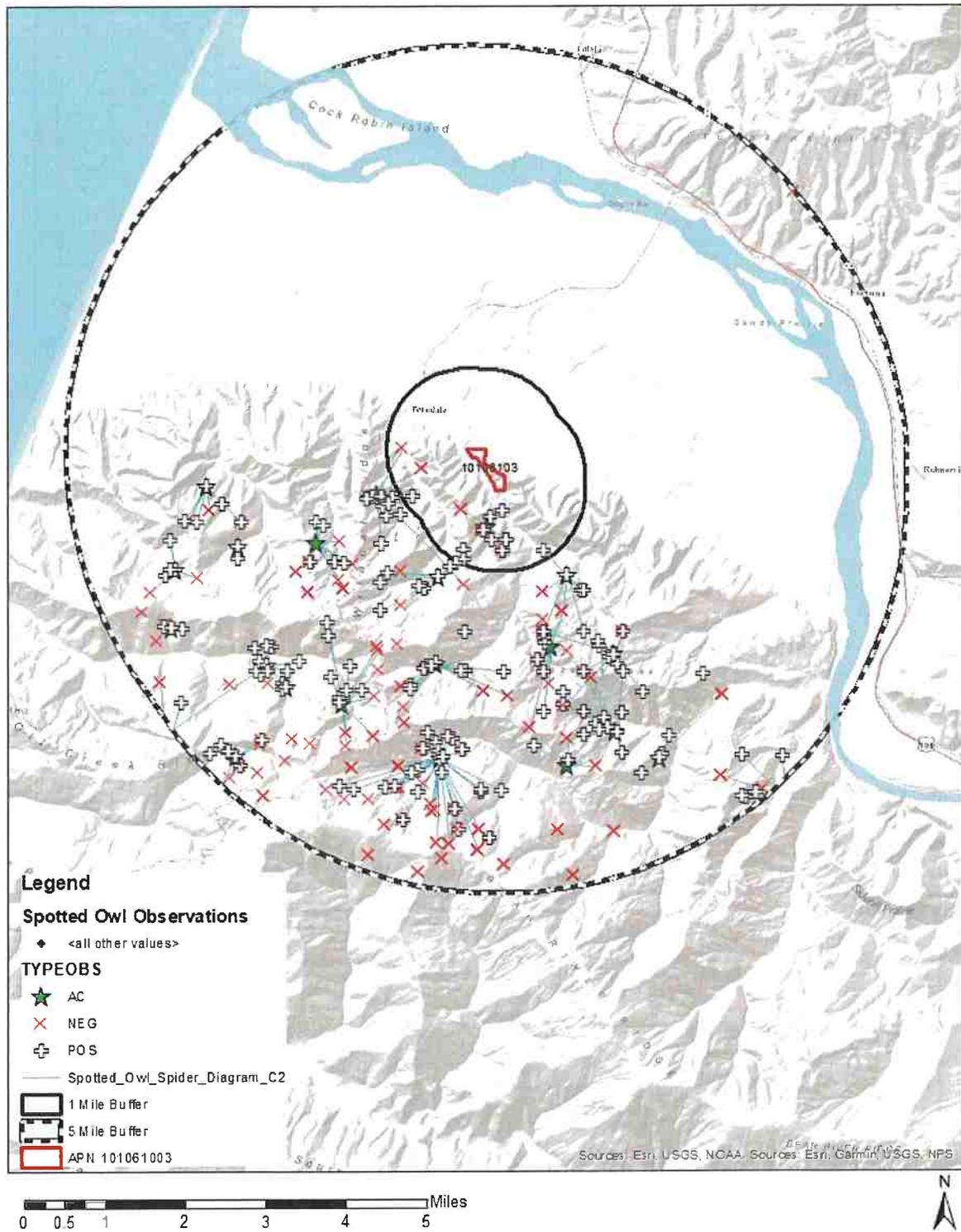


Figure 4. Northern Spotted Owls database entries within 5 miles of property

Table 1-CNDDDB nine-quad database results for the Fortuna 7.5' quadrangle (plants listed in CNPS results; C=Candidate Species, E=Endangered, T=Threatened, D=Delisted, N=None).

Scientific Name	Common Name	FESA	CESA	General Habitat	Microhabitat
<i>Accipiter cooperii</i>	Cooper's hawk	N	N	Woodland, chiefly of open, interrupted or marginal type.	Nest sites mainly in riparian growths of deciduous trees, as in canyon bottoms on river flood-plains; also, live oaks.
<i>Accipiter striatus</i>	sharp-shinned hawk	N	N	Ponderosa pine, black oak, riparian deciduous, mixed conifer, and Jeffrey pine habitats. Prefers riparian areas.	North-facing slopes with plucking perches are critical requirements. Nests usually within 275 ft of water.
<i>Acipenser medirostris</i>	green sturgeon	T	N	These are the most marine species of sturgeon. Abundance increases northward of Point Conception. Spawns in the Sacramento, Klamath, & Trinity Rivers.	Spawns at temps between 8-14 C. Preferred spawning substrate is large cobble, but can range from clean sand to bedrock.
<i>Agelaius tricolor</i>	tricolored blackbird	N	T	Highly colonial species, most numerous in Central Valley & vicinity. Largely endemic to California.	Requires open water, protected nesting substrate, and foraging area with insect prey within a few km of the colony.
<i>Ammodramus savannarum</i>	grasshopper sparrow	N	N	Dense grasslands on rolling hills, lowland plains, in valleys and on hillsides on lower mountain slopes.	Favors native grasslands with a mix of grasses, forbs and scattered shrubs. Loosely colonial when nesting.
<i>Anodonta californiensis</i>	California floater	N	N	Freshwater lakes and slow-moving streams and rivers. Taxonomy under review by specialists.	Generally in shallow water.
<i>Antrozous pallidus</i>	pallid bat	N	N	Deserts, grasslands, shrublands, woodlands and forests. Most common in open, dry habitats with rocky areas for roosting.	Roosts must protect bats from high temperatures. Very sensitive to disturbance of roosting sites.
<i>Aplodontia rufa humboldtiana</i>	Humboldt mountain beaver	N	N	Coast Range in southwestern Del Norte County and northwestern Humboldt County.	Variety of coastal habitats, including coastal scrub, riparian forests, typically with open canopy and thickly vegetated understory.
<i>Aquila chrysaetos</i>	golden eagle	N	N	Rolling foothills, mountain areas, sage-juniper flats, and desert.	Cliff-walled canyons provide nesting habitat in most parts of range; also, large trees in open areas.
<i>Arborimus pomo</i>	Sonoma tree vole	N	N	North coast fog belt from Oregon border to Sonoma County. In Douglas-fir, redwood & montane hardwood-conifer forests.	Feeds almost exclusively on Douglas-fir needles. Will occasionally take needles of grand fir, hemlock or spruce.
<i>Ardea alba</i>	great egret	N	N	Colonial nester in large trees.	Rookery sites located near marshes, tide-flats, irrigated pastures, and margins of rivers and lakes.
<i>Ardea herodias</i>	great blue heron	N	N	Colonial nester in tall trees, cliffsides, and sequestered spots on marshes.	Rookery sites in close proximity to foraging areas: marshes, lake margins, tide-flats, rivers and streams, wet meadows.
<i>Ascaphus truei</i>	Pacific tailed frog	N	N	Occurs in montane hardwood-conifer, redwood, Douglas-fir & ponderosa pine habitats.	Restricted to perennial montane streams. Tadpoles require water below 15 degrees C.
<i>Bombus caliginosus</i>	obscure bumble bee	N	N	Coastal areas from Santa Barbara county to north to Washington state.	Food plant genera include Baccharis, Cirsium, Lupinus, Lotus, Grindelia and Phacelia.
<i>Bombus occidentalis</i>	western bumble bee	N	N	Once common & widespread, species has declined precipitously from central CA to southern B.C., perhaps from disease.	

Scientific Name	Common Name	FESA	CESA	General Habitat	Microhabitat
<i>Brachyramphus marmoratus</i>	marbled murrelet	T	E	Feeds near-shore; nests inland along coast from Eureka to Oregon border and from Half Moon Bay to Santa Cruz.	Nests in old-growth redwood-dominated forests, up to six miles inland, often in Douglas-fir.
<i>Charadrius alexandrinus nivosus</i>	western snowy plover	T	N	Sandy beaches, salt pond levees & shores of large alkali lakes.	Needs sandy, gravelly or friable soils for nesting.
<i>Charadrius montanus</i>	mountain plover	N	N	Short grasslands, freshly plowed fields, newly sprouting grain fields, & sometimes sod farms.	Short vegetation, bare ground, and flat topography. Prefers grazed areas and areas with burrowing rodents.
<i>Coastal Terrace Prairie</i>	Coastal Terrace Prairie	N	N		
<i>Coccyzus americanus occidentalis</i>	western yellow-billed cuckoo	T	E	Riparian forest nester, along the broad, lower flood-bottoms of larger river systems.	Nests in riparian jungles of willow, often mixed with cottonwoods, with lower story of blackberry, nettles, or wild grape.
<i>Corynorhinus townsendii</i>	Townsend's big-eared bat	N	N	Throughout California in a wide variety of habitats. Most common in mesic sites.	Roosts in the open, hanging from walls and ceilings. Roosting sites limiting. Extremely sensitive to human disturbance.
<i>Coturnicops noveboracensis</i>	yellow rail	N	N	Summer resident in eastern Sierra Nevada in Mono County.	Freshwater marshlands.
<i>Egretta thula</i>	snowy egret	N	N	Colonial nester, with nest sites situated in protected beds of dense tules.	Rookery sites situated close to foraging areas: marshes, tidal-flats, streams, wet meadows, and borders of lakes.
<i>Emys marmorata</i>	western pond turtle	N	N	A thoroughly aquatic turtle of ponds, marshes, rivers, streams and irrigation ditches, usually with aquatic vegetation, below 6000 ft elevation.	Needs basking sites and suitable (sandy banks or grassy open fields) upland habitat up to 0.5 km from water for egg-laying.
<i>Entosphenus tridentatus</i>	Pacific lamprey	N	N	Found in Pacific Coast streams north of San Luis Obispo County, however regular runs in Santa Clara River. Size of runs is declining.	Swift-current gravel-bottomed areas for spawning with water temps between 12-18 C. Ammocoetes need soft sand or mud.
<i>Erethizon dorsatum</i>	North American porcupine	N	N	Forested habitats in the Sierra Nevada, Cascade, and Coast ranges, with scattered observations from forested areas in the Transverse Ranges.	Wide variety of coniferous and mixed woodland habitat.
<i>Eucyclogobius newberryi</i>	tidewater goby	E	N	Brackish water habitats along the California coast from Agua Hedionda Lagoon, San Diego County to the mouth of the Smith River.	Found in shallow lagoons and lower stream reaches, they need fairly still but not stagnant water and high oxygen levels.
<i>Haliaeetus leucocephalus</i>	bald eagle	D	E	Ocean shore, lake margins, and rivers for both nesting and wintering. Most nests within 1 mile of water.	Nests in large, old-growth, or dominant live tree with open branches, especially ponderosa pine. Roosts communally in winter.
<i>Lasiurus cinereus</i>	hoary bat	N	N	Prefers open habitats or habitat mosaics, with access to trees for cover and open areas or habitat edges for feeding.	Roosts in dense foliage of medium to large trees. Feeds primarily on moths. Requires water.
<i>Margaritifera falcata</i>	western pearlshell	N	N	Aquatic.	Prefers lower velocity waters.
<i>Martes caurina humboldtensis</i>	Humboldt marten	N	E	Occurs only in the coastal redwood zone from the Oregon border south to Sonoma County.	Associated with late-successional coniferous forests, prefer forests with low, overhead cover.
<i>Myotis yumanensis</i>	Yuma myotis	N	N	Optimal habitats are open forests and woodlands with sources of water over which to feed.	Distribution is closely tied to bodies of water. Maternity colonies in caves, mines, buildings or crevices.

Scientific Name	Common Name	FESA	CESA	General Habitat	Microhabitat
Northern Coastal Salt Marsh	Northern Coastal Salt Marsh	N	N		
Nycticorax nycticorax	black-crowned night heron	N	N	Colonial nester, usually in trees, occasionally in tule patches.	Rookery sites located adjacent to foraging areas: lake margins, mud-bordered bays, marshy spots.
Oncorhynchus clarkii	coast cutthroat trout	N	N	Small coastal streams from the Eel River to the Oregon border.	Small, low gradient coastal streams and estuaries. Needs shaded streams with water temperatures <18C, and small gravel for spawning.
Oncorhynchus kisutch pop. 2	coho salmon - southern Oregon / northern California ESU	T	T	Federal listing refers to populations between Cape Blanco, Oregon and Punta Gorda, Humboldt County, California.	State listing refers to populations between the Oregon border and Punta Gorda, California.
Oncorhynchus mykiss irideus pop. 16	steelhead - northern California DPS	T	N	Coastal basins from Redwood Creek south to the Gualala River,	inclusive. Does not include summer-run steelhead.
Pandion haliaetus	osprey	N	N	Ocean shore, bays, freshwater lakes, and larger streams.	Large nests built in tree-tops within 15 miles of a good fish-producing body of water.
Pekania pennanti	fisher - West Coast DPS	N	T	Intermediate to large-tree stages of coniferous forests and deciduous-riparian areas with high percent canopy closure.	Uses cavities, snags, logs and rocky areas for cover and denning. Needs large areas of mature, dense forest.
Rana aurora	northern red-legged frog	N	N	Humid forests, woodlands, grasslands, and streambanks in northwestern California, usually near dense riparian cover.	Generally near permanent water, but can be found far from water, in damp woods and meadows, during non-breeding season.
Rana boylei	foothill yellow-legged frog	N	C T	Partly-shaded, shallow streams and riffles with a rocky substrate in a variety of habitats.	Needs at least some cobble-sized substrate for egg-laying. Needs at least 15 weeks to attain metamorphosis.
Rhyacotriton variegatus	southern torrent salamander	N	N	Coastal redwood, Douglas-fir, mixed conifer, montane riparian, and montane hardwood-conifer habitats. Old growth forest.	Cold, well-shaded, permanent streams and seepages, or within splash zone or on moss-covered rocks within trickling water.
Riparia riparia	bank swallow	N	T	<b>Colonial nester; nests primarily in riparian and other lowland habitats west of the desert.</b>	<b>Requires vertical banks/cliffs with fine-textured/sandy soils near streams, rivers, lakes, ocean to dig nesting hole.</b>
Sitka Spruce Forest	Sitka Spruce Forest	N	N		
Spirinchus thaleichthys	longfin smelt	C	T	Euryhaline, nektonic & anadromous. Found in open waters of estuaries, mostly in middle or bottom of water column.	Prefer salinities of 15-30 ppt, but can be found in completely freshwater to almost pure seawater.
Thaleichthys pacificus	eulachon	T	N	Found in Klamath River, Mad River, Redwood Creek, and in small numbers in Smith River and Humboldt Bay tributaries.	Spawn in lower reaches of coastal rivers with moderate water velocities and bottom of pea-sized gravel, sand, and woody debris.

Table 2-CNPS nine-quad database results for the Fortuna 7.5' quadrangle

Scientific Name	Common Name	CRPR	Habitat
<i>Abronia umbellata</i> var. <i>breviflora</i>	pink sand-verbena	1B.1	Coastal dunes
<i>Angelica lucida</i>	sea-watch	4.2	Coastal bluff scrub, Coastal dunes, Coastal scrub, Marshes and swamps (coastal salt)
<i>Anomobryum julaceum</i>	slender silver moss	4.2	Broadleafed upland forest, Lower montane coniferous forest, North Coast coniferous forest
<i>Astragalus pycnostachyus</i> var. <i>pycnostachyus</i>	coastal marsh milk-vetch	1B.2	Coastal dunes (mesic), Coastal scrub, Marshes and swamps (coastal salt, stream-sides)
<i>Carex leptalea</i>	bristle-stalked sedge	2B.2	Bogs and fens, Meadows and seeps (mesic), Marshes and swamps
<i>Carex lyngbyei</i>	Lyngbye's sedge	2B.2	Marshes and swamps (brackish or freshwater)
<i>Castilleja ambigua</i> var. <i>humboldtii</i>	Humboldt Bay owl's-clover	1B.2	Marshes and swamps (coastal salt)
<i>Castilleja litoralis</i>	Oregon coast paintbrush	2B.2	Coastal bluff scrub, Coastal dunes, Coastal scrub
<i>Chloropyron maritimum</i> ssp. <i>palustre</i>	Point Reyes bird's-beak	1B.2	Marshes and swamps (coastal salt)
<i>Chrysosplenium glechomifolium</i>	Pacific golden saxifrage	4.3	North Coast coniferous forest, Riparian forest
<i>Clarkia amoena</i> ssp. <i>whitneyi</i>	Whitney's farewell-to-spring	1B.1	Coastal bluff scrub, Coastal scrub
<i>Collomia tracyi</i>	Tracy's collomia	4.3	Broadleafed upland forest, Lower montane coniferous forest
<i>Downingia willamettensis</i>	Cascade downingia	2B.2	Cismontane woodland (lake margins), Valley and foothill grassland (lake margins), Vernal pools
<i>Erysimum menziesii</i>	Menzies? wallflower	1B.1	Coastal dunes
<i>Erythronium oregonum</i>	giant fawn lily	2B.2	Cismontane woodland, Meadows and seeps
<i>Erythronium revolutum</i>	coast fawn lily	2B.2	Bogs and fens, Broadleafed upland forest, North Coast coniferous forest
<i>Fissidens pauperculus</i>	minute pocket moss	1B.2	North Coast coniferous forest (damp coastal soil)
<i>Gilia capitata</i> ssp. <i>pacifica</i>	Pacific gilia	1B.2	Coastal bluff scrub, Chaparral (openings), Coastal prairie, Valley and foothill grassland
<i>Gilia millefoliata</i>	dark-eyed gilia	1B.2	Coastal dunes
<i>Glehnia littoralis</i> ssp. <i>leiocarpa</i>	American glehnia	4.2	Coastal dunes
<i>Hesperivax sparsiflora</i> var. <i>brevifolia</i>	short-leaved evax	1B.2	Coastal bluff scrub (sandy), Coastal dunes, Coastal prairie
<i>Hesperolinon adenophyllum</i>	glandular western flax	1B.2	Chaparral, Cismontane woodland, Valley and foothill grassland
<i>Lathyrus glandulosus</i>	sticky pea	4.3	Cismontane woodland
<i>Layia carnosia</i>	beach layia	1B.1	Coastal dunes, Coastal scrub (sandy)
<i>Lilium kelloggii</i>	Kellogg's lily	4.3	Lower montane coniferous forest, North Coast coniferous forest
<i>Lilium occidentale</i>	western lily	1B.1	Bogs and fens, Coastal bluff scrub, Coastal prairie, Coastal scrub, Marshes and swamps (freshwater), North Coast coniferous forest (openings)
<i>Lilium rubescens</i>	redwood lily	4.2	Broadleafed upland forest, Chaparral, Lower montane coniferous forest, North Coast coniferous forest, Upper montane coniferous forest

<i>Listera cordata</i>	heart-leaved twayblade	4.2	Bogs and fens, Lower montane coniferous forest, North Coast coniferous forest
<i>Lycopodium clavatum</i>	running-pine	4.1	Lower montane coniferous forest (mesic), Marshes and swamps, North Coast coniferous forest (mesic)
<i>Mitella caulescens</i>	leafy-stemmed mitrewort	4.2	Broadleaved upland forest, Lower montane coniferous forest, Meadows and seeps, North Coast coniferous forest
<i>Montia howellii</i>	Howell's montia	2B.2	Meadows and seeps, North Coast coniferous forest, Vernal pools
<i>Oenothera wolffi</i>	Wolf's evening-primrose	1B.1	Coastal bluff scrub, Coastal dunes, Coastal prairie, Lower montane coniferous forest
<i>Packera bolanderi</i> var. <i>bolanderi</i>	seacoast ragwort	2B.2	Coastal scrub, North Coast coniferous forest
<i>Piperia candida</i>	white-flowered rein orchid	1B.2	Broadleaved upland forest, Lower montane coniferous forest, North Coast coniferous forest
<i>Pityopus californicus</i>	California pinefoot	4.2	Broadleaved upland forest, Lower montane coniferous forest, North Coast coniferous forest, Upper montane coniferous forest
<i>Pleuropogon refractus</i>	nodding semaphore grass	4.2	Lower montane coniferous forest, Meadows and seeps, North Coast coniferous forest, Riparian forest
<i>Polemonium carneum</i>	Oregon polemonium	2B.2	Coastal prairie, Coastal scrub, Lower montane coniferous forest
<i>Puccinellia pumila</i>	dwarf alkali grass	2B.2	Marshes and swamps (coastal salt)
<i>Ribes laxiflorum</i>	trailing black currant	4.3	North Coast coniferous forest
<i>Ribes roezlii</i> var. <i>amictum</i>	hoary gooseberry	4.3	Broadleaved upland forest, Cismontane woodland, Lower montane coniferous forest, Upper montane coniferous forest
<i>Sidalcea malachroides</i>	maple-leaved checkerbloom	4.2	Broadleaved upland forest, Coastal prairie, Coastal scrub, North Coast coniferous forest, Riparian woodland
<i>Sidalcea malviflora</i> ssp. <i>patula</i>	Siskiyou checkerbloom	1B.2	Coastal bluff scrub, Coastal prairie, North Coast coniferous forest
<i>Sidalcea oregana</i> ssp. <i>eximia</i>	coast checkerbloom	1B.2	Lower montane coniferous forest, Meadows and seeps, North Coast coniferous forest
<i>Sisyrinchium hitchcockii</i>	Hitchcock's blue-eyed grass	1B.1	Cismontane woodland (openings), Valley and foothill grassland
<i>Spergularia canadensis</i> var. <i>occidentalis</i>	western sand-spurrey	2B.1	Marshes and swamps (coastal salt)
<i>Tiarella trifoliata</i> var. <i>trifoliata</i>	trifoliolate laceflower	3.2	Lower montane coniferous forest, North Coast coniferous forest
<i>Usnea longissima</i>	Methuselah's beard lichen	4.2	Broadleaved upland forest, North Coast coniferous forest

## APPENDIX A-Plants Observed

S. Name Jepson '93	S. Name Jepson 2012	Common Name	Cal-IPC Rating	Habitat
Herbs				
<i>Achillea millefolium</i>	<i>Achillea millefolium</i>	Common yarrow		meadows, many habitats
<i>Acmispon</i> sp.	<i>Acmispon</i> sp.	<i>Acmispon</i>		
<i>Aira caryophylla</i>	<i>Aira caryophylla</i>	Silver hair grass		sandy soils, disturbed
<i>Antennaria</i> sp.	<i>Antennaria</i> sp.			dry conifer forest
<i>Anthoxanthum</i> sp.	<i>Anthoxanthum</i> sp.		moderate	meadows, pastures, conifer ofrest, disturbed
<i>Athyrium filix-femina</i> var. <i>cyclosorum</i>	<i>Athyrium filix-femina</i> var. <i>cyclosorum</i>	Lady fern		woodland, streambanks, seeps
<i>Avena</i> sp.				disturbed
<i>Bellis perennis</i>	<i>Bellis perennis</i>	English daisy		damp, grassy areas
<i>Blechnum spicant</i>	<i>Blechnum spicant</i>	Deer fern		shaded, neutral to acid moist areas
<i>Brassica rapa</i>	<i>Brassica rapa</i>	Field mustard	limited	disturbed
<i>Briza maxima</i>	<i>Briza maxima</i>	Rattlesnake grass	limited	disturbed, coastal dunes
<i>Briza minor</i>	<i>Briza minor</i>	Small quaking grass		disturbed
<i>Bromus</i> sp.	<i>Bromus</i> sp.			slopes, woodland
<i>Cardamine hirsuta</i>	<i>Cardamine hirsuta</i>	Hairy bittercress		disturbed, fields
<i>Carduus pycnocephalus</i>	<i>Carduus pycnocephalus</i>	Italian thistle	moderate	disturbed
<i>Castilleja attenuata</i>	<i>Castilleja attenuata</i>	Valley tassels		grassland
<i>Cirsium vulgare</i>	<i>Cirsium vulgare</i>	Bull thistle	moderate	disturbed
<i>Claytonia perfoliata</i>	<i>Claytonia perfoliata</i>	Miner's lettuce		shrubland, woodland, rocky sites, disturbed
<i>Conium maculatum</i>	<i>Conium maculatum</i>	Poison hemlock	moderate	disturbed
<i>Cortaderia seloana</i>	<i>Cortaderia seloana</i>	Pampas grass	high	disturbed
<i>Cyperus eragrostis</i>	<i>Cyperus eragrostis</i>	Tall flat-sedge		vernal pools, streambanks
<i>Dactylis glomerata</i>	<i>Dactylis glomerata</i>	Orchard grass	limited	disturbed
<i>Digitalis purpurea</i>	<i>Digitalis purpurea</i>	Purple foxglove	limited	open woodland, disturbed
<i>Dipsacus fullonum</i>	<i>Dipsacus fullonum</i>	Wild teasel	moderate	disturbed, pastures, fields, sometimes moist sites
<i>Equisetum telmateia</i> subsp. <i>braunii</i>	<i>Equisetum telmateia</i> subsp. <i>braunii</i>	Giant horsetail		streambanks
<i>Eriophyllum lanatum</i>	<i>Eriophyllum lanatum</i>	Common woolly sunflower		
<i>Eschscholzia californica</i>	<i>Eschscholzia californica</i>	California poppy		grassy, open areas
<i>Galium aparine</i>	<i>Galium aparine</i>	Goose grass		grassy, shady places
<i>Geranium dissectum</i>	<i>Geranium dissectum</i>	Cut-leaved geranium	moderate	disturbed
<i>Hedera helix</i>	<i>Hedera helix</i>	English ivy	high	woodland, disturbed
<i>Heracleum lanatum</i>	<i>Heracleum maximum</i>	Cow parsnip		moist places
<i>Heuchera micrantha</i>	<i>Heuchera micrantha</i>	Small-flowered alumroot		moist, rocky banks and cliffs
<i>Heuchera micrantha</i>	<i>Heuchera micrantha</i>	Small-flowered alumroot		moist, rocky banks and cliffs
<i>Iris</i> sp.	<i>Iris</i> sp.	Iris		
<i>Juncus balticus</i>	<i>Juncus balticus</i>	Baltic rush		Forest, Chaparral, grassland, wetland-riparian
<i>Juncus bufonius</i>	<i>Juncus bufonius</i>	Toad rush		disturbed, drying pools

<b>S. Name Jepson '93</b>	<b>S. Name Jepson 2012</b>	<b>Common Name</b>	<b>Cal-IPC Rating</b>	<b>Habitat</b>
<i>Leucanthemum vulgare</i>	<i>Leucanthemum vulgare</i>	Ox-eye daisy	moderate	disturbed, meadows, seeps
<i>Linum bienne</i>	<i>Linum bienne</i>	Western blue flax		coastal, disturbed, grassland, woodland
<i>Lolium perenne</i>	<i>Festuca perennis</i>	Perennial rye grass	moderate	disturbed
<i>Lupinus rivularis</i>	<i>Lupinus rivularis</i>	Riverbank lupine		coastal
<i>Marah oreganus</i>	<i>Marah oregana</i>	Coast man-root		openings
<i>Mentha pulegium</i>	<i>Mentha pulegium</i>	Pennyroyal	moderate	fields
<i>Myosotis discolor</i>	<i>Myosotis discolor</i>	Changing forget-me-not		meadows, roadsides
<i>Myosotis micrantha</i>	<i>Myosotis micrantha</i>	Small-flowered forget-me-not		roadsides, streambanks, disturbed
<i>Ochrolechia sp</i>	<i>Ochrolechia sp</i>			
<i>Papaver rhoeas</i>	<i>Papaver rhoeas</i>	Common poppy		
<i>Parentucellia viscosa</i>	<i>Parentucellia viscosa</i>	Yellow parentucellia	limited	disturbed
<i>Pentagramma triangularis subsp. triangularis</i>	<i>Pentagramma triangularis subsp. triangularis</i>	Goldback fern		shaded rocky or wooded areas
<i>Plantago lanceolata</i>	<i>Plantago lanceolata</i>	English plantain	limited	disturbed
<i>Polystichum munitum</i>	<i>Polystichum munitum</i>	Western sword fern		streambanks, slopes, wooded hillsides
<i>Ranunculus occidentalis</i>	<i>Ranunculus occidentalis</i>	Western buttercup		meadows
<i>Raphanus sativus</i>	<i>Raphanus sativus</i>	Wild radish	limited	disturbed
<i>Rubus ursinus</i>	<i>Rubus ursinus</i>	California blackberry		canyons, coastal, streambanks, disturbed
<i>Rumex acetosella</i>	<i>Rumex acetosella</i>	Sheep sorrel	moderate	disturbed
<i>Rumex crispus</i>	<i>Rumex crispus</i>	Curly dock	limited	disturbed
<i>Scrophularia californica subsp. californica</i>	<i>Scrophularia californica</i>	California figwort		damp places, chaparral, roadsides
<i>Sedum spathulifolium</i>	<i>Sedum spathulifolium</i>	Broadleaf stonecrop		slopes, outcrops, often in shade
<i>Sedum spathulifolium</i>	<i>Sedum spathulifolium</i>	Broadleaf stonecrop		slopes, outcrops, often in shade
<i>Silene gallica</i>	<i>Silene gallica</i>	Small-flower catchfly		disturbed
<i>Taraxacum officinale</i>	<i>Taraxacum officinale</i>	Common dandelion		disturbed
<i>Torilis arvensis</i>	<i>Torilis arvensis</i>	Tall sock-destroyer	moderate	disturbed
<i>Trifolium albopurpureum</i>	<i>Trifolium albopurpureum</i>	Indian clover		coastal, slopes, meadows, grassland, disturbed
<i>Trifolium subterraneum</i>	<i>Trifolium subterraneum</i>	Subterranean clover		meadows, disturbed
<i>Urtica dioica subsp. gracilis</i>	<i>Urtica dioica subsp. gracilis</i>	American stinging nettle		riparian
<i>Vancouveria planipetala</i>	<i>Vancouveria planipetala</i>	Redwood ivy		coastal conifer forest
<i>Vicia americana var. americana</i>	<i>Vicia americana subsp. americana</i>	American vetch		disturbed, along streams, open, moist forest
<i>Vinca major</i>	<i>Vinca major</i>	Greater periwinkle	moderate	coastal bluffs, streambanks

S. Name Jepson '93	S. Name Jepson 2012	Common Name	Cal-IPC Rating	Habitat
<i>Viola sp.</i>	<i>Viola sp.</i>	Violet		
<i>Zantedeschia aethiopica</i>	<i>Zantedeschia aethiopica</i>	Calla-lily	limited	disturbed
<b>Shrubs</b>				
<i>Baccharis pilularis</i>	<i>Baccharis pilularis</i>	Coyote brush		canyons, coastal
<i>Ceanothus thyrsiflorus</i>	<i>Ceanothus thyrsiflorus</i>	Blue blossom		wooded slopes, canyons
<i>Cytisus scoparius</i>	<i>Cytisus scoparius</i>	Scotch broom	high	disturbed
<i>Diplacus aurantiacus</i>	<i>Diplacus aurantiacus</i>	Sticky monkey-flower		coastal, disturbed
<i>Holodiscus discolor</i>	<i>Holodiscus discolor</i>	Oceanspray		rocky places, moist woodland
<i>Lavandula stoechas</i>	<i>Lavandula stoechas</i>	Frech lavender		
<i>Rhamnus californica</i>	<i>Frangula californica</i>	California coffee berry		canyons, coastal, slopes
<i>Sambucus racemosa var. microbotrys</i>	<i>Sambucus racemosa var. racemosa</i>	Red elderberry		moist places
<i>Toxicodendron diversilobum</i>	<i>Toxicodendron diversilobum</i>	Poison-oak		slopes, canyons, chaparral, coastal scrub, oak woodland
<i>Vaccinium ovatum</i>	<i>Vaccinium ovatum</i>	California huckleberry		edges, conifer forest
<b>Trees</b>				
<i>Abies grandis</i>	<i>Abies grandis</i>	Grand fir		redwood, douglas- fir, mixed-evergreen forest
<i>Acer macrophyllum</i>	<i>Acer macrophyllum</i>	Bigleaf maple		streambanks, canyons
<i>Alnus rubra</i>	<i>Alnus rubra</i>	Red alder		wet places
<i>Picea sitchensis</i>	<i>Picea sitchensis</i>	Sitka spruce		coastal
<i>Pseudotsuga menziesii var. menziesii</i>	<i>Pseudotsuga menziesii var. menziesii</i>	Douglas-fir		mixed-evergreen, mixed-conifer forests
<i>Salix hookeriana</i>	<i>Salix hookeriana</i>	Coastal willow		coastal, floodplains, meadows
<i>Salix sitchensis</i>	<i>Salix sitchensis</i>	Sitka willow		tidal swamps, marshes, springs, streambeds
<i>Umbellularia californica</i>	<i>Umbellularia californica</i>	California-bay		canyons, valleys, chaparral
<b>Non-Vascular</b>				
<i>Campylopus sp</i>	<i>Campylopus sp</i>			
<i>Cladonia sp</i>	<i>Cladonia sp</i>			
<i>Graphis sp</i>	<i>Graphis sp</i>			
<i>Parmelia sp</i>	<i>Parmelia sp</i>			
<i>Pogonatum sp</i>	<i>Pogonatum sp</i>			
<i>Ramalina sp</i>	<i>Ramalina sp</i>			
<i>Usnea sp</i>	<i>Usnea sp</i>			

## APPENDIX A-Qualifications



**Tami Camper**  
*Owner-Founder*

Tami is the founder of TransTerra Consulting LLC. She obtained a B.S. in Environmental Science from Western Washington University and M.S. in Biology from Humboldt State University. She has worked on publications including a rare plant guide for timberlands of Mendocino County published by MCRCD. She has worked as a professional biologist and planner for 18 years, specializing in wetland/stream surveys, wildlife/vegetation mapping, rare species surveys, biological assessments, impact assessments, mitigation and monitoring plans, CEQA/NEPA and land-use planning. Though she has worked as an independent consultant for most of her career, she has also worked for HSU, Caltrans, Mendocino Redwood Company, Campbell Timberland Management and Streamline Planning (now SHN) to round out her experience. Her desire is to implement her diverse background and passion for the natural world to aid clients through the environmental process. She also is also a member of the Arcata Sunrise Rotary Club, California Native Plant Society, The Wildlife Society, The Society of Wetland Scientists and other local non-profits and professional organizations.

Margaux received her Bachelor's Degree in Molecular Biology from the California State University of Monterey Bay in 2018. She grew up in Humboldt and is very familiar with the unique geological and political landscape. Her experience encompasses restoration, environmental education, and lab techniques. She strives to utilize her molecular background to share an in depth understanding of the environmental field to promote policy and preservation.



**Margaux Karp**  
*Staff Biologist*



**Adrian Macedo**  
*Staff Biologist*

Adrian obtained a Bachelors of Science degree in Wildlife and a minor in Botany from Humboldt State University in 2017. He is currently finishing up a Masters of Science in Biological Sciences at Humboldt State. He has worked with the California Department of Fish and Wildlife for the past 5 years, specializing in fish, amphibian, and reptile research and restoration in the high mountain lakes of the Trinity Alps and Marble Mountain wilderness. His extensive resume includes his current phylogenetic work on Coastal Trail Frog (*Ascaphus truei*), Mountain Lion (*Puma concolor*) tracking, bat mist-netting, electrofishing/dive counts, research specimen preparation, PIT tagging of amphibians, invasive species removal, native plant cultivation and landscaping, and much more. In addition, he has worked on six publications in various journals and three conference presentations.

Megan received her Bachelor's degree in Botany from Humboldt State University in 2019. She will be returning to HSU to pursue her Master's degree in Biology with a thesis focusing on fossil plants from the lower Devonian of Québec, Canada. Her previous work experience includes curation and care of an extensive living collection of plants from around the world, state-of-the-art biological lab facility and research equipment maintenance, and education. Currently, she is working on a diversity survey of ancient plants and will be presenting an oral paper at the Botanical Society of America conference this summer.



**Megan Nibbelink**  
*Staff Botanist*



FOR DEPARTMENT USE ONLY				
Date Received	Amount Received	Amount Due	Date Complete	Notification No.
	\$	\$		
Assigned to:				

## NOTIFICATION OF LAKE OR STREAMBED ALTERATION

Complete EACH field, unless otherwise indicated, following the enclosed instructions and submit ALL required enclosures. Attach additional pages, if necessary.

### 1. APPLICANT PROPOSING PROJECT

Name	Tonya Smith		
Business/Agency			
Mailing Address	PO Box 620		
City, State, Zip	Redway, CA 95560		
Telephone	415-269-2833	Fax	
Email	tonya.cecelia@gmail.com		

### 2. CONTACT PERSON *(Complete only if different from applicant)*

Name	Natural Resources Management Corp.		
Street Address	1434 3rd Street		
City, State, Zip	Eureka, CA, 95501		
Telephone	707-442-1735	Fax	707-442-8823
Email	pmoore@nrmcorp.com		

### 3. PROPERTY OWNER *(Complete only if different from applicant)*

Name	same as applicant		
Street Address			
City, State, Zip			
Telephone		Fax	
Email			

### 4. PROJECT NAME AND AGREEMENT TERM

A. Project Name		Request Waiver Cannabis State Licensing		
B. Agreement Term Requested		<input checked="" type="checkbox"/> Regular (5 years or less) <input type="checkbox"/> Long-term (greater than 5 years)		
C. Project Term		D. Seasonal Work Period		E. Number of Work Days
Beginning (year)	Ending (year)	Start Date (month/day)	End Date (month/day)	
2018	2023			



State of California – Department of Fish and Wildlife  
**NOTIFICATION OF LAKE OR STREAMBED ALTERATION**  
**FISH AND GAME CODE SECTION 1602**  
 DFW 2023 (REV. 10/01/16) Page 2

**5. AGREEMENT TYPE**

Check the applicable box. If box B, C, D, E, or F is checked, complete the specified attachment.

A.	<input type="checkbox"/> Standard (Most construction projects, excluding the categories listed below)	
B.	<input type="checkbox"/> Gravel/Sand/Rock Extraction (Attachment A)	Mine I.D. Number: _____
C.	<input type="checkbox"/> Timber Harvesting (Attachment B)	THP Number: _____
D.	<input type="checkbox"/> Water Diversion/Extraction/Impoundment (Attachment C)	SWRCB Number: _____
E.	<input type="checkbox"/> Routine Maintenance (Attachment D)	
F.	<input type="checkbox"/> Remediation of Marijuana Cultivation Sites (Attachment E)	
G.	<input type="checkbox"/> Department Grant Programs	Agreement Number: _____
H.	<input type="checkbox"/> Master	
I.	<input type="checkbox"/> Master Timber Operations	

**6. FEES**

See the current fee schedule to determine the appropriate notification fee. Itemize each project's estimated cost and corresponding fee. **Note: The Department may not process this notification until the correct fee has been received.**

A. Project		B. Project Cost	C. Project Fee
1	Request Waiver-Cannabis State Licensing	\$0	\$577.25
2			
3			
4			
5			
6			
7			
8			
9			
10			
		D. Base Fee (if applicable)	
		<b>E. TOTAL FEE*</b>	\$577.25

\* Cash, check, and Visa or MasterCard payments are accepted. When payment is made by Visa or MasterCard, the "Total Fee Enclosed" must include an additional credit card processing fee of 1.6%. Credit card payment must be submitted with a completed Credit Card Payment Authorization Form (DFW 1443b (Rev. 8/15)) available online at: <https://www.wildlife.ca.gov/Conservation/LSA/Forms> or at a Department regional office.



**7. PRIOR NOTIFICATION AND ORDERS**

A. Has a notification previously been submitted to, or a Lake or Streambed Alteration Agreement previously been issued by, the Department for the project described in this notification?

Yes (Provide the information below)       No

Applicant	Notification Number	Date

B. Is this notification being submitted in response to a court or administrative order or notice, or a notice of violation (NOV) issued by the Department?

No     Yes (Enclose a copy of the order, notice, or NOV. If the applicant was directed to notify the Department verbally rather than in writing, identify the person who directed the applicant to submit this notification and the agency he or she represents, and describe the circumstances relating to the order.)

Continued on additional page(s)

**8. PROJECT LOCATION**

A. Address or description of project location.  
 (Include a map that marks the location of the project with a reference to the nearest city or town, and provide driving directions from a major road or highway)

The parcel is located on APN 101-061-003, at 417 Williams Creek Road just southwest of the town of Ferndale, CA, near the intersection of Grizzly Bluff Road and Williams Creek Road.

Continued on additional page(s)

B. River, stream, or lake affected by the project.    None

C. What water body is the river, stream, or lake tributary to?    NA

D. Is the river or stream segment affected by the project listed in the state or federal Wild and Scenic Rivers Acts?     Yes     No     Unknown

E. County    Humboldt

F. USGS 7.5 Minute Quad Map Name	G. Township	H. Range	I. Section	J. ¼ Section
Fortuna Quad	2N	2W	12	

Continued on additional page(s)

K. Meridian (check one)     Humboldt     Mt. Diablo     San Bernardino

L. Assessor's Parcel Number(s)

101-061-003

Continued on additional page(s)



M. Coordinates (If available, provide at least latitude/longitude or UTM coordinates and check appropriate boxes)			
Latitude/Longitude	Latitude: 40.566118		Longitude: -124.244559
	<input type="checkbox"/> Degrees/Minutes/Seconds	<input checked="" type="checkbox"/> Decimal Degrees	<input type="checkbox"/> Decimal Minutes
UTM	Easting:	Northing:	<input type="checkbox"/> Zone 10 <input type="checkbox"/> Zone 11
Datum used for Latitude/Longitude or UTM		<input type="checkbox"/> NAD 27	<input checked="" type="checkbox"/> NAD 83 or WGS 84

**9. PROJECT CATEGORY**

WORK TYPE	NEW CONSTRUCTION	REPLACE EXISTING STRUCTURE	REPAIR-MAINTAIN-OPERATE EXISTING STRUCTURE
Bank stabilization – bioengineering/recontouring	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Bank stabilization – rip-rap/retaining wall/gabion	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Boat dock/pier	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Boat ramp	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Bridge	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Channel clearing/vegetation management	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Culvert	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Debris basin	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Dam	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Filling of wetland, river, stream, or lake	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Geotechnical survey	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Habitat enhancement – revegetation/mitigation	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Levee	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Low water crossing	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Road/trail	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sediment removal: pond, stream, or marina	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
flood control	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Storm drain outfall structure	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Temporary stream crossing	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Utility crossing: horizontal directional drilling	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
jack/bore	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
open trench	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Water diversion without facility	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Water diversion with facility	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Other (specify): Cannabis Waiver	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>



**NOTIFICATION OF LAKE OR STREAMBED ALTERATION**

**FISH AND GAME CODE SECTION 1602**

**10. PROJECT DESCRIPTION**

- A. Describe the project in detail. Include photographs of the project location and immediate surrounding area.
- Written description of all project activities with detailed step-by-step description of project implementation.
  - Include any structures (e.g., rip-rap, culverts) that will be placed or modified in or near the stream, river, or lake, and any channel clearing.
  - Specify volume, and dimensions of all materials and features (e.g., rip rap fields) that will be used or installed.
  - If water will be diverted or drafted, specify the purpose or use.
  - Enclose diagrams, drawings, plans, and maps that provide all of the following: site specific construction details; dimensions of each structure and/or extent of each activity in the bed, channel, bank or floodplain; overview of the entire project area (i.e., "bird's-eye view") showing the location of each structure and/or activity, significant area features, stockpile areas, areas of temporary disturbance, and where the equipment/machinery will access the project area.

See Attached

Continued on additional page(s)

B. Specify the equipment and machinery that will be used to complete the project.

NA

Continued on additional page(s)

C. Will water be present during the proposed work period (specified in box 4.D) in the stream, river, or lake (specified in box 8.B).

Yes  No (Skip to box 11)

D. Will the proposed project require work in the wetted portion of the channel?

Yes (Enclose a plan to divert water around work site)  
 No



**11. PROJECT IMPACTS**

A. Describe impacts to the bed, channel, and bank of the river, stream, or lake, and the associated riparian habitat. Specify the dimensions of the modifications in length (linear feet) and area (square feet or acres) and the type and volume of material (cubic yards) that will be moved, displaced, or otherwise disturbed, if applicable.

NA

Continued on additional page(s)

B. Will the project affect any vegetation?

Yes (Complete the tables below)  No (Include aerial photo with date supporting this determination)

Vegetation Type	Temporary Impact	Permanent Impact
	Linear feet: _____ Total area: _____	Linear feet: _____ Total area: _____
	Linear feet: _____ Total area: _____	Linear feet: _____ Total area: _____

Tree Species	Number of Trees to be Removed	Trunk Diameter (range)

Continued on additional page(s)

C. Are any special status animal or plant species, or habitat that could support such species, known to be present on or near the project site?

Yes (List each species and/or describe the habitat below)  No  Unknown

Continued on additional page(s)

D. Identify the source(s) of information that supports a “yes” or “no” answer above in Box 11.C.

California Natural Diversity Database (CNDDDB)

Continued on additional page(s)

E. Has a biological study been completed for the project site?

Yes (Enclose the biological study)  No

Note: A biological assessment or study may be required to evaluate potential project impacts on biological resources.



**13. PERMITS**

List any local, State, and federal permits required for the project and check the corresponding box(es). Enclose a copy of each permit that has been issued.

A. \_\_\_\_\_  Applied  Issued

B. \_\_\_\_\_  Applied  Issued

C. \_\_\_\_\_  Applied  Issued

D. Unknown whether  local,  State, or  federal permit is needed for the project. (Check each box that applies)

Continued on additional page(s)

**14. ENVIRONMENTAL REVIEW**

A. Has a draft or final document been prepared for the project pursuant to the California Environmental Quality Act (CEQA) and/or National Environmental Protection Act (NEPA)?

Yes (Check the box for each CEQA or NEPA document that has been prepared and enclose a copy of each.)

No (Check the box for each CEQA or NEPA document listed below that will be or is being prepared.)

<input type="checkbox"/> Notice of Exemption <input type="checkbox"/> Initial Study <input type="checkbox"/> Negative Declaration <input type="checkbox"/> THP/ NTMP	<input type="checkbox"/> Mitigated Negative Declaration <input type="checkbox"/> Environmental Impact Report <input type="checkbox"/> Notice of Determination (Enclose) <input type="checkbox"/> Mitigation, Monitoring, Reporting Plan	<input type="checkbox"/> NEPA document (type): _____
---	--	---

B. State Clearinghouse Number (if applicable) \_\_\_\_\_

C. Has a CEQA lead agency been determined?  Yes (Complete boxes D, E, and F)  No (Skip to box 14.G)

D. CEQA Lead Agency \_\_\_\_\_

E. Contact Person \_\_\_\_\_ F. Telephone Number \_\_\_\_\_

G. If the project described in this notification is not the "whole project" or action pursuant to CEQA, briefly describe the entire project (Cal. Code Regs., tit. 14, § 15378).

Continued on additional page(s)

H. Has a CEQA filing fee been paid pursuant to Fish and Game Code section 711.4?

Yes (Enclose proof of payment)  No (Briefly explain below the reason a CEQA filing fee has not been paid)

*Note: If a CEQA filing fee is required, the Lake or Streambed Alteration Agreement may not be finalized until paid.*



**15. SITE INSPECTION**

Check one box only.

In the event the Department determines that a site inspection is necessary, I hereby authorize a Department representative to enter the property where the project described in this notification will take place at any reasonable time, and hereby certify that I am authorized to grant the Department such entry.

I request the Department to first contact (*insert name*) NRM  
at (*insert telephone number*) 707-442-1735 to schedule a date and time to enter the property where the project described in this notification will take place. I understand that this may delay the Department's determination as to whether a Lake or Streambed Alteration Agreement is required and/or the Department's issuance of a draft agreement pursuant to this notification.

**16. DIGITAL FORMAT**

Is any of the information included as part of the notification available in digital format (i.e., CD, DVD, etc.)?

Yes (Please enclose the information via digital media with the completed notification form)

No

**17. SIGNATURE**

I hereby certify that to the best of my knowledge the information in this notification is true and correct and that I am authorized to sign this notification as, or on behalf of, the applicant. I understand that if any information in this notification is found to be untrue or incorrect, the Department may suspend processing this notification or suspend or revoke any draft or final Lake or Streambed Alteration Agreement issued pursuant to this notification. I understand also that if any information in this notification is found to be untrue or incorrect and the project described in this notification has already begun, I and/or the applicant may be subject to civil or criminal prosecution. I understand that this notification applies only to the project(s) described herein and that I and/or the applicant may be subject to civil or criminal prosecution for undertaking any project not described herein unless the Department has been separately notified of that project in accordance with Fish and Game Code section 1602 or 1611.

DocuSigned by:  


DE3C22B02431420  
Signature of Applicant or Applicant's Authorized Representative \_\_\_\_\_ Date \_\_\_\_\_

Print Name \_\_\_\_\_

RE: Big Rock Farms; PLN-13117-SP; APN 101-061-003

McDonald, Kelsey@Wildlife <Kelsey.Mcdonald@Wildlife.ca.gov>

Tue 5/10/2022 11:14 AM

To: Holtermann, Michael <mholtermann@co.humboldt.ca.us>

Cc: Van Hattem, Michael@Wildlife <Michael.VanHattem@wildlife.ca.gov>; Olson, Jennifer@Wildlife <Jennifer.Olson@wildlife.ca.gov>

**Caution:** This email was sent from an EXTERNAL source. Please take care when clicking links or opening attachments.

Hello, Michael.

Thank you so much for organizing our site visit to Big Rock Farms yesterday (5/9). Jennifer Olson and I walked the road through the parcel up to the location of the previously documented bank swallow observation near the old greenhouse (approx.. 40°33'54.40"N, 124°14'34.20"W). Although potential habitat occurs on the property and in the surrounding area, no swallow activity was observed onsite and no likely bank swallow cavities were observed. CDFW does not believe this is currently a bank swallow nesting location. If the landowner or others observe a colony of nesting bank swallows or potential bank swallows in the future, we request that they please contact us for scientific data collection purposes at [CoastalCannabis@wildlife.ca.gov](mailto:CoastalCannabis@wildlife.ca.gov). The parcel provides high-quality habitat for migratory bird species and other wildlife, and we believe that it is particularly important that the project adheres to the noise and light disturbance restrictions embedded in the county ordinance. CDFW has no additional comment on the project.

Thank you for consulting with us and offering an opportunity to comment.

Sincerely,

**Kelsey McDonald**

Environmental Scientist – CESA Specialist

Coastal Conservation Planning

California Department of Fish and Wildlife

619 2<sup>nd</sup> Street | Eureka, CA

---

**From:** Holtermann, Michael <mholtermann@co.humboldt.ca.us>

**Sent:** Wednesday, May 4, 2022 4:39 PM

**To:** McDonald, Kelsey@Wildlife <Kelsey.Mcdonald@Wildlife.ca.gov>

**Subject:** Re: Big Rock Farms; PLN-13117-SP; APN 101-061-003

## 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.

<b>Referral Agency</b>	<b>Response</b>	<b>Recommendation</b>	<b>Location</b>
Building Inspection Division		No response	
Division Environmental Health	✓	Conditional Approval	<b>Attached</b>
Public Works, Land Use Division	✓	Conditional Approval	<b>Attached</b>
California Department of Fish & Wildlife		No response	
Northwest Information Center	✓	Further Study	On file and confidential
Bear River Band Rancheria		No response	
Ag Commissioner		No response	
Wiyot Tribe		No response	
County Counsel	✓	Revisions required	On file
North Coast Unified Air Quality Management District		No response	
District Attorney		No response	
State Water Resources Control Board – Division of Water Rights		No response	
Ferndale Unified School District	✓	Note	<b>Attached</b>
Ferndale FPD	✓	Conditional Approval	<b>Attached</b>
Sheriff	✓	Approved	On file
CalFire	✓	Note	<b>Attached</b>

**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:**

PLN-13117-SP STATUS

Big Rock Farms, Inc - SP for wholesale nurs... > In Referrals

A Special Permit for a 3,400 square feet wh... 06/04/2019 by John Moredo

LOCATION > None Provided

CONTACT > Green Road Consulting

WORKFLOW > 15 total Task  
● 8 completed ○ 2 active

Cancel Help

- Summary
- Project Description
- Workflow
- 1 Referral Assignments
- 2 Planning Information
- 3 GP / Zoning Information
- 4 CEQA
- 5 Cannabis
- Project Tracking
- 6 Referral Task Log (2)
- Fee (4)
- Payment
- Workflow History (13)**
- Comments (2)
- Documents (21)
- Conditions of Approval (0)

Task	Due Date	Assigned Date
Environmental Health	06/14/2019	06/04/2019
Assigned to Department	Assigned to Land User	Status
Environmental Health	DEH	Approved with Conditions
Action by Department	Action By	Status Date
Environmental Health	Ben Dorf	06/04/2019
Start Time	End Time	Hours Spent
		0.0
Billable	Overtime	Comments
No	No	DEH has no record of the well(s) proposed as the source of water. Owner shall either provide evidence of permit, destroy the well, legalize the well through installation of a new sanitary surface seal, or provide compelling evidence that the well was installed prior to February, 1972.
Time Tracking Start Date	Est. Completion Date	In Possession Time (hrs)
Display E-mail Address in ACA	<input checked="" type="checkbox"/> Display Comment in ACA	<input checked="" type="checkbox"/> All ACA Users
No		<input checked="" type="checkbox"/> Record Creator
		<input checked="" type="checkbox"/> Licensed Professional
		<input checked="" type="checkbox"/> Contact
		<input checked="" type="checkbox"/> Owner
Estimated Hours	Action Updated	Workflow Calendar
0.0		



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

6/4/2019

**Project Referred To The Following Agencies:**

AG Commissioner, County Counsel, District Attorney, Environmental Health, Sheriff, PW Land Use, Building Inspections, Ferndale:FPD, NCUAQMD, Ferndale Unified :School District, Cal Fish & Wildlife, CalFire, CA Division of Water Rights, Bear River Band, NWIC, Wiyot Tribe

**Applicant Name** Big Rock Farms, Inc **Key Parcel Number** 101-061-003-000

**Application (APPS#)** PLN-13117-SP Historic Planning **Assigned Planner** Stephen Luther

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

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

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

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

**Return Response No Later Than:** 6/19/2019

Planning Commission Clerk  
County of Humboldt Planning and Building Department  
3015 H Street  
Eureka, CA 95501  
**Email:** PlanningClerk@co.humboldt.ca.us **Fax:** (707) 268 - 3792

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

- Recommend Approval. The Department has no comment at this time.
- Recommend Conditional Approval. Suggested Conditions Attached.
- Applicant needs to submit additional information. List of items attached.
- Recommend Denial. Attach reasons for recommended denial.

Other Comments: It is inconclusive if wells are groundwater or surface water. Well completion reports need to be submitted.

DATE: 6/11/19 PRINT NAME: Cheyene Keniston

## Project Review and Comment Cannabis SIUR Program

Project Name: Big Rock Farms, Inc

Date: 6/11/19

APN:  
101-061-003

County:  
Humboldt

Project#:  
13117

Date Referral Received:  
6/10/19

Reviewer:  
Cheyene Keniston

Date Referral Due:  
6/19/19

### Documentation Required to Assess Project Compliance with the Water Code

<input type="checkbox"/>	Water Rights Documentation
<input type="checkbox"/>	Project designs/Maps/Diagrams inclusive of existing on-site roads, access roads and easements
<input type="checkbox"/>	Riparian/Stream/Wetland Avoidance Strategy
<input type="checkbox"/>	Proof of Enrollment in State Water Resources Control Board Cannabis Regulatory Program
<input type="checkbox"/>	Evidence of Consultation with Dept. of Fish and Wildlife
<input type="checkbox"/>	Water Resource Protection Plan
<input type="checkbox"/>	Cumulative Impact Assessment for Project Sub Watershed
<input type="checkbox"/>	Cleanup and Restoration Plan
<input type="checkbox"/>	Evidence of Consultation with Army Corps of Engineers
<input type="checkbox"/>	Low Impact Development Strategy
<input type="checkbox"/>	Waste Characterization/Disposal Strategy
<input checked="" type="checkbox"/>	Other, described as follows:

The diverted expresses that the water source comes from two wells on the property, but in the WRPP surface water is briefly mentioned. Due to the location of the wells it is possible that the wells are hydrologically connected and pulling surface water from the nearby stream. To determine if the well water is coming from the nearby stream or percolating groundwater, the well reports should be submitted and reviewed.

### Permits and Mitigations Required for Project Compliance

Cannabis Regulatory Program Enrollment

[https://www.waterboards.ca.gov/water\\_issues/programs/cannabis](https://www.waterboards.ca.gov/water_issues/programs/cannabis)



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



6/4/2019

**Project Referred To The Following Agencies:**

AG Commissioner, County Counsel, District Attorney, Environmental Health, Sheriff, PW Land Use, Building Inspections, Ferndale:FPD, NCUAQMD, Ferndale Unified :School District, Cal Fish & Wildlife, CalFire, CA Division of Water Rights, Bear River Band, NWIC, Wiyot Tribe

**Applicant Name** Big Rock Farms, Inc **Key Parcel Number** 101-061-003-000

**Application (APPS#)** PLN-13117-SP Historic Planning **Assigned Planner** Stephen Luther

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

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

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

**Return Response No Later Than: 6/19/2019**

Planning Commission Clerk  
 County of Humboldt Planning and Building Department  
 3015 H Street  
 Eureka, CA 95501  
**Email:** PlanningClerk@co.humboldt.ca.us **Fax:** (707) 268 - 3792

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

Recommend Approval. The Department has no comment at this time.

Recommend Conditional Approval. Suggested Conditions Attached.

Applicant needs to submit additional information. List of items attached.

Recommend Denial. Attach reasons for recommended denial.

Other Comments: Provide adequate fire engine access, turnarounds and pullouts per CalFire SRA requirements. Provide description of water supply access and delivery methods for fire use. Provide fire department connection of water supply; Connection clearly marked for fire use. Address clearly marked and visible from Williams Creek Road.

DATE: June 17, 2019

PRINT NAME: Rick Nicholson  
Asst. Chief, Ferndale Fire



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



6/4/2019

**Project Referred To The Following Agencies:**

AG Commissioner, County Counsel, District Attorney, Environmental Health, Sheriff, PW Land Use, Building Inspections, Ferndale:FPD, NCUAQMD, Ferndale Unified :School District, Cal Fish & Wildlife, CalFire, CA Division of Water Rights, Bear River Band, NWIC, Wiyot Tribe

**Applicant Name** Big Rock Farms, Inc **Key Parcel Number** 101-061-003-000

**Application (APPS#)** PLN-13117-SP Historic Planning **Assigned Planner** Stephen Luther

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

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

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

**Return Response No Later Than: 6/19/2019**

Planning Commission Clerk  
County of Humboldt Planning and Building Department  
3015 H Street  
Eureka, CA 95501  
**Email:** PlanningClerk@co.humboldt.ca.us **Fax:** (707) 268 - 3792

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

- Recommend Approval. The Department has no comment at this time.
- Recommend Conditional Approval. Suggested Conditions Attached.
- Applicant needs to submit additional information. List of items attached.
- Recommend Denial. Attach reasons for recommended denial.

Other Comments: This project location is not within 600 ft of a school or school bus stop.

DATE: 6/6/19 PRINT NAME: Beth Anderson



DEPARTMENT OF PUBLIC WORKS  
**COUNTY OF HUMBOLDT**

MAILING ADDRESS: 1106 SECOND STREET, EUREKA, CA 95501-0579  
 AREA CODE 707

ARCATA-EUREKA AIRPORT TERMINAL  
 MCKINLEYVILLE  
 FAX 839-3596

PUBLIC WORKS BUILDING  
 SECOND & L ST., EUREKA  
 FAX 445-7409

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

AVIATION 839-5401

ADMINISTRATION 445-7491  
 BUSINESS 445-7652  
 ENGINEERING 445-7377  
 FACILITY MAINTENANCE 445-7493

NATURAL RESOURCES 445-7741  
 NATURAL RESOURCES PLANNING 267-9540  
 PARKS 445-7651  
 ROADS & EQUIPMENT MAINTENANCE 445-7421

LAND USE 445-7205

**LAND USE DIVISION INTEROFFICE MEMORANDUM**

TO: Stephen Luther, Planner, Planning & Building Department

FROM: Kenneth M. Freed, Assistant Engineer

DATE: 06/05/2019

RE:

Applicant Name	BIG ROCK FARMS, INC
APN	101-061-003
APPS#	PLN-13117-SP

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 a road evaluation report for Williams Creek Road, dated 12/03/2018, with Part A –Box 2 checked, certifying that the road is equivalent to a road Category 4 standard.

Williams Creek Road is listed as a road that does not meet or is not equivalent to a Category 4 Road and will require review by a Civil Engineer licensed by the State of California.

// END //

Public Works Recommended Conditions of Approval

(All checked boxes apply)

AAPS # 13117

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:

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 //

**Additional Information is Requested**

APPS# 13117

**Please re-refer the project to the Department when all of the requested information has been provided.**

**COUNTY ROADS- MISSING/INCOMPLETE ROAD EVALUATION REPORT(S)**

*Road Evaluation Report(s)* for the following County maintained road(s) were not provided:

Road Name	Part B Road Evaluation Report Required?
Williams Creek Road (2G045) [Grizzley Bluff Road to project driveway]	<input checked="" type="checkbox"/> YES
	<input type="checkbox"/> YES
	<input type="checkbox"/> YES
	<input type="checkbox"/> YES
	<input type="checkbox"/> YES

The Department cannot recommend approval of the project until the Road Evaluation Report(s) adequately address the County road(s).

**COUNTY ROADS- INADEQUATE ROAD EVALUATION REPORTS:**

The Department cannot support the proposed recommendations within the *Road Evaluation Reports* for the following County maintained roads:

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The Department cannot recommend approval of the project until the *Road Evaluation Reports* adequately addresses the County road. The applicant's civil engineer is advised to contact the Department for details.

**COUNTY ROADS- ON-SITE PARKING & INTERNAL TRAFFIC CIRCULATION PLAN:**

The Department has reviewed the proposed on-site parking area(s) and internal traffic circulation plan(s) pursuant to County Code Section 313-109.1.3.2.5 (Coastal) and 314-109.1.2.2.5 (inland). The Department cannot support the proposed parking area and traffic circulation plan. The applicant must submit a realistic parking plan to the Department for review.

// END //

# Exhibit "D"

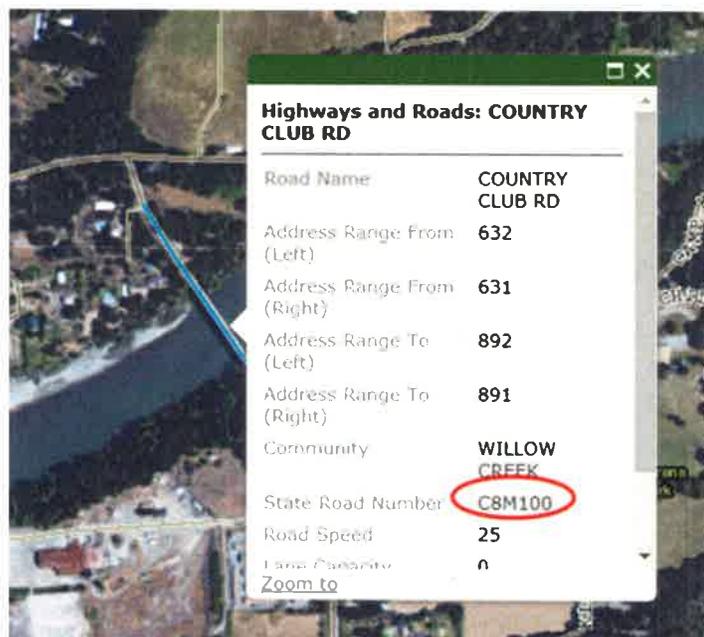
## Road Evaluation Reports

- ROADS – Road Evaluation Reports.** **Planning and Building Department staff shall request that the applicant provide Road Evaluation Reports for the project.** The particular roads that require a *Road Evaluation Report* is to be determined by following the guidance shown below.

The Department has developed a *Road Evaluation Report* form so that an applicant can address the adequacy of the various roads used by their project. Most projects will require that a *Road Evaluation Report* form be completed.

When viewing the project site on google earth, if the County maintained road (or other publicly maintained road) has a centerline stripe, the road is adequate. If there is no centerline stripe, then the roads leading from the nearest publicly maintained road with a paved centerline stripe (or a known category 4 road) must be evaluated. A separate *Road Evaluation Report* form is needed for each road. This applies to all roads regardless if they are publicly or privately maintained. The Department has prepared a "approved list" of known County maintained roads that are category 4 (or are equivalent to category 4) standards for cannabis projects. The Department has also prepared a list of roads that are known to not meet road category 4 of equivalent. Both of these lists will be updated as the County information regarding the County maintained roads becomes available.

The *Road Evaluation Report* form needs to be provided to applicants to complete. It is important that Planning and Building Department staff provide the applicant with a map that has the roads to be evaluated highlighted. This will most likely include a combination of County maintained roads and non-County maintained roads. This will give the applicant clear direction on which roads need to be evaluated.



Above: screenshot from the WebGIS showing County Road Number circled in **RED**.

A County maintained road will have a 5 or 6 character identifier. The general format is **ABCDDD** where:

- A** is an optional identifier for the functionality of the road (A=Arterial, C=Collector, F=Federal Aid)
- B** is a grid identifier number for the X-axis of a "battleship" style grid that was drawn on a county map to divide the county into a series of squares.
- C** is a grid identifier letter for the Y-axis for the grid.
- DDD** is a three digit road identification number within a particular grid. Each grid can have up to 999 roads in them

Examples:

**ABCDDD**

A3M020 Murray Road

F6B165 Alderpoint Road

6C040 Thomas Road

## Exhibit "D"

### Road Evaluation Reports

The Department is working towards identifying which County maintained roads meet (or are equivalent to) Road Category 4 standards for cannabis projects. Two lists are being prepared: the first list with the green heading shows which roads (or portions thereof) meet or are equivalent to Road Category 4 standard (AKA "Approved List"); and the second list with the red heading shows which roads (or portions thereof) that do not meet or are not equivalent to Road Category 4 standards. These lists will be updated as information becomes available. **This list will be updated frequently. Make sure you are using the most up to date list.**

On occasion there may be more than one road that has the same name; in these instances check the road number to ensure that you are referencing the correct road. Until such time as the GIS roads layer has been proofed by the Department, the GIS is not to be used for this task. Use the paper road maps to check road numbers.

If the subject property takes direct access from a road on the "approved list", no further road evaluation needs to be done.

**Note: As stated above, County maintained roads with a painted centerline strip are roads considered meeting or exceeding Road Category 4 standards, and are not necessarily listed below.**

<b>"APPROVED LIST"</b>		
<b>List of County Maintained Roads that meet (or are equivalent to) Road Category 4 standards for Cannabis Projects</b>		
<b>Road Name</b>	<b>Road Number</b>	<b>Range meeting (or equivalent to) Road Category 4 standard</b>
Alderpoint Road	F6B165	All
Barrys Road	5J020	All
Bair Road	C6L300	All
Bair Road	6L300	All
Bald Hills Road	F4R300	All
Benbow Drive	6B180	Oakcrest Drive to State Hwy 101
Blue Slide Road	F2G100	All [Grizzley Bluff Rd to City limits of Rio Dell]
Brannon Mountain Road	7M100	State Hwy 96 to Creekside Lane
Briceland Thorne Road	F5A010	All
Burrell Road	3D030	From Mattole Road to P.M. 0.67
Butler Valley Road	F5J031	All
Cathey Road	6D050	State Park to P.M. 0.87 [End of County maintained]
Chemise Mountain Road	C4A030	Shelter Cove Road to P.M. 3.0
Dean Creek Road	6B198	State Hwy 101 to P.M. 0.48 [End of County maintained]
Eel Rock Road	7D010	All
Eighth Avenue	4N080	All
Ettersburg- Honeydew Road	F5A010	All
Fickle Hill Road	C5J040	PM 1.55 [end of centerline stripe] to P.M. 8.00
Fieldbrook Road	C4L760	All
Freshwater Road	F6F060	All
Friday Ridge Road	8L100	State Hwy 299 to PM 3.37 [End of County maintained] then continues as USFS Road
Greenwood Heights Drive	C4K160	All
Grizzley Bluff Road	F2G100	All [City limits of Ferndale to Blue Slide Rd]
Jacoby Creek Road	C4K230	Old Arcata Road to P.M. 2.50
Jacoby Creek Road	4K230	From P.M. 2.5 to P.M. 2.69
Johnson Road	4G060	State Hwy 36 to P.M. 1.69 [End County maintained]
Kneeland Road	F6F060	Freshwater Road to Mountain View Road
Lighthouse Road	1D010	Mattole Road to State Park boundary
Maple Creek Road	5L100	All
Mattole Road	F3D010	All
Mattole Road	F3C010	All
McCann Road	6D090	Dyerville Loop Road to P.M. 1.5
McCellan Mtn Road	7F010	State Hwy 36 to P.M. 3.57 [End of County maintained]
Mountain View Road	6H010	All
Murray Road	C3M020	All
Old Three Creeks Road	6L250	State Hwy 299 to P.M. 2.8 [End of County maintained] continues as a non-County maintained road
Panther Gap Road	4D010	Mattole Road to P.M. 1.83 [End of County maintained] continues as a non- County maintained road
Patterson Road	C3M130	All

**Exhibit "D"**

**Road Evaluation Reports**

<b>"APPROVED LIST"</b>		
<b>List of County Maintained Roads that meet (or are equivalent to) Road Category 4 standards for Cannabis Projects</b>		
<b>Road Name</b>	<b>Road Number</b>	<b>Range meeting (or equivalent to) Road Category 4 standard</b>
Price Creek Road	3G075	Blue Slide Creek Rd to PM 2.0
Salmon Creek Road	6C030	Hwy 101 to P.M. 5.39 [Gate]
Shelter Cove Road	C4A010	All
Showers Pass Road	6G010	PM 0.0 to PM 4.0 and PM 17.0 to PM 19.1
Sprowel Creek Road	C6B095	PM 0.0 to PM 2.11 (At Old Briceland Road)
Sprowel Creek Road	6B095	Old Briceland Rd to PM 7.22 [End of County maintained]
Tim Mullen Road	5J010	PM 0.0 to PM 2.07 [End of County maintained]
Thomas Road	6C040	Salmon Creek Road to P.M. 4.03 [End of County maintained] continues as a non- County maintained road
Titlow Hill Road	7K100	Hwy 299 to PM 4.7[End of County maintained] then becomes USFS Road
Wallan Road	6B166	Alderpoint Rd to PM 1.29 [End of County maintained]
West End Road	5L010	PM 0.0 at Arcata City Limits to Warren Creek Road
Wilder Ridge Road	C5B010	All

<b>List of County Maintained Roads that do not meet (or are not equivalent to) Road Category 4 standards for Cannabis Projects</b>		
<b>Road Name</b>	<b>Road Number</b>	<b>Range not meeting (or not equivalent to) Road Category 4 standard</b>
Bark Shanty Road	9R105	All
Benbow Drive	6B180	Oakcrest Dr to end of County maintained
Brannon Mountain Road	7M100	Creekside Lane to PM 5.0 [End of County maintained] then becomes USFS Road
Burrell Road	3D030	P.M. 067 to P.M. 2.22 [End of County maintained]
Butte Creek Road	6H020	All
Cemetery Road	8D020	All
Chemise Mountain Road	C4A030	P.M. 3.0 to P.M. 4.09 [Mendocino County Line]
Essex Lane	C4L780	P.M. 0.2 to P.M. 0.9 [End of County maintained]
Fickle Hill Road	C5J040	P.M. 8.0 to P.M. 11.72
Harris Road	8B020	All
Kings Peak Road	C4A020	P.M. 1.0 to P.M 12.20
McCann Road	6D090	P.M.1.5 to P.M.2.6 [End of County maintained]
Mill Street	3G305	Country Club Estates to P.M. 0.49 [End]
Old Eel Rock Road	7D025	All
Price Creek Road	3G075	P.M. 2.0 to P.M. 3.45
River Bar Road	4G010	Hwy 36 to P.M. 1.76 [End of County maintained]
Salmon Creek Road	6C030	P.M. 5.39 to P.M. 5.88 [End of County maintained]
Showers Pass Road	6G0100	P.M. 4.0 to P.M. 17.0
Stapp Road	7H010	P.M 0.00 to 3.25 [End of County maintained]
Warren Creek Road	5L740	P.M 0.0 to PM 0.95 [End of County maintained]
Williams Creek Road	2G045	All

// END //