



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

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

Hearing Date: September 15, 2022

To: Humboldt County Zoning Administrator

From: Cliff Johnson, Supervising Planner

Subject: **Chris Dazzi, Special Permit**
Record Number: PLN-2022-17744
Assessor's Parcel Number: 208-201-011-000
Dinsmore area

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Please contact Portia Saucedo, Planner II, by email at psaucedo1@co.humboldt.ca.us (preferred) or by phone at (707)268-3745, should you have any questions about this scheduled public hearing item.

AGENDA ITEM TRANSMITTAL

Hearing Date September 15, 2022	Subject Special Permit	Contact Portia Saucedo
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Project: Chris Dazzi seeks a Special Permit for 10,000 square feet (SF) of new cannabis cultivation and 1,000 of ancillary propagation. The parcel is accessed by a series of private access roads (Bear Creek Road 3.9 miles, Canyon Road 0.8 miles, and Canyon Court 0.3 miles) off State Highway 36. The private access roads do not meet the functional equivalent of a Category 4 road standards. Pursuant to the Commercial Cannabis Land Use Ordinance (CCLUO) Section 55.4.12.1.8(C)(2) Performance Standard – Road systems that do not meet the functional equivalent of a Category 4 road require a Special Permit. Irrigation water is sourced from rain catchment to provide 62,000 gallons annually. Drying and curing will occur within an existing agricultural exempt structure. Further processing will occur off site at a third-party processing facility. Electricity to the parcel is sourced from solar arrays. Two harvest cycles per year are anticipated. No employees will be used in carrying out cannabis operations.

Project Location: The project is located in Humboldt County, in the Dinsmore area, on the North side of Canyon Court, approximately 0.33 miles from the intersection of Canyon Road and Canyon Court, on the property known as 330 Canyon Court.

Present Plan Land Use Designations: Residential Agricultural (RA40), Humboldt County General Plan, Density: 40 acres per dwelling unit, Slope Stability: High Instability (3).

Present Zoning: Forestry Recreation (FR) with a Building Site Combining Zone (B-5-(40)).

Record Number: PLN-2022-17744

Assessor's Parcel Number: 208-201-011-000

Applicant

Chris Dazzi
130 Webster Street
Rio Dell, CA 95562

Owner

Chris Dazzi
130 Webster Street
Rio Dell, CA 95562

Agent

Timberland Resource Consultants
165 S. Fortuna Blvd., Suite 4
Fortuna, CA 95540

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

State Appeal Status: Project is NOT appealable to the California Coastal Commission.

Major Issues: None.

Chris Dazzi

Record Number: PLN-2022-17744

Assessor's Parcel Number: 208-201-011-000

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 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 Chris Dazzi, project as recommended by staff subject to the recommended conditions.

Executive Summary

An application has been submitted to the Planning Division for a Special Permit for new commercial cannabis cultivation. This commercial cannabis activity is authorized by Section 314-55.4.6.1.2 of the Commercial Cannabis Land Use Ordinance No. 2599 (CCLUO). The application meets the requirements of zoning, siting criteria (55.4.6.4.1, 55.4.6.4.2, 55.4.6.4.3), setbacks from property lines and listed incompatible uses (e.g., schools), and is accompanied by the documentation, plans, descriptions, and agency clearances set forth in the CCLUO.

The subject parcel comprises approximately 40 acres and sets on a north-facing hillside with a mix of hardwoods and grassland. The project is located within the Bear Creek watershed, approximately three (3) miles northwest of the town of Dinsmore, CA. Watercourse features are shown on the Site Plan and were taken into consideration in the overall development plan for the subject parcel. Where applicable, these features are addressed in associated state filings/documents. Water watercourse crossings are specifically addressed within the final Lake and Streamside Area Agreement with the California Department of Fish and Wildlife dated December 10, 2021. The subject parcel is accessed from Bear Creek Road from highway 36 near Dinsmore, CA.

A Special Permit for 10,000 existing square feet (SF) of outdoor commercial cannabis cultivation on APN 208-201-011-000. The proposed Special Permit is to cultivate 10,000 SF within five (5) greenhouses utilizing light deprivation cultivation methodology. The parcel is accessed by a series of private access roads (Bear Creek Road 3.9 miles, Canyon Road 0.8 miles, and Canyon Court 0.3 miles) off State Highway 36. The private access roads do not meet the functional equivalent of a Category 4 road standards. Pursuant to the Commercial Cannabis Land Use Ordinance (CCLUO) Section 55.4.12.1.8(C)(2) Performance Standard – Road systems that do not meet the functional equivalent of a Category 4 road require a Special Permit. Cultivation is proposed to be enclosed within eight (8) 20'x100' greenhouses, one (1) 20'x100' greenhouse, and one (1) 10'x100' ancillary nursery greenhouse. Cultivation (3) locations on the project parcel, as shown on the site plan and below in Figure 1. Up to two (2) cultivation cycles per annum are proposed. All cultivation work is completed by the resident-operator and no employees are proposed. Drying will occur in an onsite barn. The applicant proposes to utilize a third-party off-site party processing facility for all processing beyond drying and curing.



Figure 1: Current conditions as of June 2022 on APN 208-201-011-000 sourced from Planet satellite imagery and mapped with the Humboldt County California WebGIS mapping interface. Cultivation areas are labeled here as A, B, & C which are referred in the Cultivation Operations Plan and Site Plan without numerical/alphabetical identifiers. Coordinates displayed are for the centroid of the parcel.

Water Resources

The applicant projects to require 62,000 gallons annually, which is approximately 5.64 gal/sf for the 10,000 SF of primary cultivation area and 1,000 SF of ancillary nursery area. Peak water use occurring June through September (Table 1).

Table 1. Annual water usage by month in gallons.

Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sept	Oct	Nov	Dec
0	0	0	0	7,000	10,500	12,500	13,500	12,500	6,000	0	0

The irrigation water source for the project is a rainwater catchment system from the roof-top of two (2) existing structures: a 32'x40' agricultural building and a 26'x28' cabin. The combined square footage of the two rooftops is 2,008 SF. There is currently 23,000 gallons of water storage capacity on the project parcel. An additional 40,000 gallons is proposed with the addition of eight (8) 5,000-gallon hard plastic tanks. Current water storage specifically for commercial cannabis irrigation consists of two (2) 5,000-

gallon tanks, two (2) 2,500-gallon tanks, one (1) 1,500-gallon tank, one (1) 1,000-gallon tank, and one (1) 500-gallon tank.

Domestic water is provided to the residence from a permitted well. A well completion report completed by Fisch Drilling September 29, 2014 was provided by the applicant with their application materials. Domestic water storage totals 15,325 gallons in two (2) locations of as indicated on the site plan. In the northern part of the parcel there is one (1) 5,000-gallon tank and on the southern parcel adjacent to the project parcel there is additional domestic water storage consisting of one (1) 5,000-gallon tank, two (2) 3,000-gallon tanks, and one (1) 2,825-gallon tank. There is a single tank specifically designated for fire protection totaling 2,500 gallons located near the southern project parcel boundary. Irrigation water will be delivered via drip lines with flow regulated through timers. Hand-water may be utilized if needed. Water for cultivation irrigation will be metered separately of all domestic uses, as a condition of project approval.

The project parcel is only utilized seasonally for agricultural operations; it is not developed for regular domestic occupancy. Portable toilets equipped with handwash stations are proposed for usage until such time as approved sanitation infrastructure is deemed necessary.

The project has a previously approved Site Management Plan (WDID-1_12CC436386) prepared by Timberland Resource Consultants November 5, 2021, which meets the standards of the SWRCB's General Order (No. WQ 2019-0001-DWQ). The project is designated as Low Risk Tier 1. The applicant is also registered with the North Coast Regional Water Resources Quality Control Board (Reg. ID WDID-1B16502CHUM) for Cannabis Small Irrigation Use.

The project parcel is located within the Bear Creek subwatershed within the Mad River Planning Watershed. The project parcel contains two (2) unnamed intermittent watercourses with ephemeral tributaries present. A final A Lake or Streambed Alteration Agreement (LSAA) with the California Department of Fish & Wildlife (CDFW), Permit # EPIMS-HUM-20900-R1C, dated December 10, 2021, was received by the Planning Department May 5, 2022. The applicant shall adhere to the work described within the Agreement.

Energy Resources

Electrical power is proposed to be sourced from solar panels that will power water pumps and fans. A portable generator (Honda 2000/3000) is proposed to be utilized on occasion to operate hand tools and will have no nexus to the commercial cannabis operations.

Biological Resources

A Biological Report was prepared by Timberland Resource Consultants April 13, 2022. The report contains descriptions of existing site conditions with additional analysis on their relationship to animal species of special concern, plant species of special concern, sensitive natural communities, and potential environmental impacts prepared by a qualified biologist. The findings of the assessment found minimal risks to biological resources as result of the proposed project prior to recommended mitigations. Invasive species were not identified on the project parcel. In the event that a post project a post-inspection occurs and any invasive species are identified the owner/applicant shall manage such species in accordance with recommendations of the California Invasive Plants Council and Humboldt County Weed Management Area guidelines. These indirect impacts are disturbance-based. As a result, the report assessed potential presence and/or rare species and potential biological resources within a Biological Assessment Area (BAA). The BAA represents the largest area that disturbance impacts can be reasonably expected per the proposed project in association with potential species. The BAA encompasses the project parcel and portions of surrounding private parcels. The current land uses within the BAA consists of rural residences, cattle ranching, commercial cannabis cultivation, and non-industrial timber management. The California Natural Diversity Database (CNDDDB) was queried for any species detection within the nine (9) 7.5' USGS quadrangles in the vicinity of the project parcel. A general habitat assessment was made for the BSAA from observations made on the project parcel and the surrounding

areas. Lastly, given the habitat types present within the BAA, a species list was developed for animals using special animals list (Sept. 2021). The plant list uses information from the special vascular plants bryophytes and lichens list (Sept. 2021) and endangered threatened and rare plants (Sept. 2021). The cultivation areas proposed for this project are pre-impacted sites that do not host any natural communities or potential habitat for special status plant species. Further, since the project does not propose removal of any native vegetation, the project as proposed will not impact sensitive natural communities or special status plants. potential impacts to sensitive natural communities and special status plant species. The project proposes no new ground disturbance within the project parcel and will therefore not remove any potential nesting habitat for migratory bird species or any special status species. The project does not pose a risk to bird species of special concern. The Biological Report assessed the need for raptor and nesting bird surveys and the findings were concluded to be unnecessary.

The resolution that certified the Environmental Impact Report (EIR) for the Commercial Cannabis Land Use Ordinance (CCLUO) includes all of the mitigation measures that were adopted with the EIR. Section 55.4.12.1.10 of the CCLUO references all of the biological resource mitigation measures in the EIR and the department needs to make the finding that our 2.0 cannabis projects are consistent with the EIR. The EIR includes a mitigation measure that no new cultivation will be permitted if northern spotted owls (NSO) (*Strix occidentalis caurina*) are present within 1.3 miles of the proposed cultivation areas. The Biological Report included an analysis of NSO in the project vicinity. The CNDDDB indicated that two (2) observations with the last detection in 2011 and the closest observation approximately 0.89 miles of the project site. The closest activity center is approximately 1.6 miles from the proposed project. Given this information, a Northern Spotted Owl surveys is not recommended by staff to be required. Humboldt County Code does not require protocol level surveys for the Northern Spotted Owl as outlined in Resolution 18-40, the Resolution Certifying the Environmental Impact Report given the findings of the biological report. Greenhouse structures utilizing artificial light shall be regularly monitored, ensuring they are covered adequately for adherence to Dark Sky International Association guidelines for Lighting Zone 0 and Lighting Zone 1.

Special status mammal species within the BAA that have moderate to high potential for impact are fringed myotis (*Myotis thysanodes*), long-eared myotis (*Myotis evotis*), long-legged myotis (*Myotis Volans*), North American porcupine (*Ethizon dorsatum*), pacific fisher (*Pekania pennanti*), Sonoma tree vole (*Aborimus pomo*), and western red bat (*Lasiusus blossevillii*). The project does not likely pose a risk to these special status species within the BAA.

Special status reptiles and amphibians that have potential to be within the BAA include red-legged frog (*Rana aurora aurora*), yellow-legged frog (*Rana boylei*), southern torrent salamander (*Rhyacotriton variegatus*), western pond turtle (*Emys marmorata*), and coastal tailed-frog (*Ascaphus truei*). The project does not contain any potential habitat for any reptilian or amphibian species of special concern.

The applicant submitted a Lake and Streambed Alteration with the California Department of Fish and Wildlife. The final LSAA was received by the Planning Department May 5, 2022. The applicant shall adhere to the work described within the Agreement and adherence to that work has been added to the conditions of approval.

Geologic Suitability

A review of WebGIS determined that the project is located within a parcel that has been classified as having low instability. The project cultivation areas are located within an area that has slopes less than 15% percent. All cultivation is proposed to take place on existing graded flats.

Tribal Cultural Resource Coordination

The project is located within the ancestral territories of the Intertribal Sinkyone Wilderness Council and the Bear River Band of the Rohnerville Rancheria. The previously approved project (PLN-2019-15824) had a Cultural Resource Study conducted in June of 2019 by Archaeological Research and Supply Company and was submitted to both tribes for review. The project proposal was referred to the Northwest Information Center, Sinkyone Intertribal Wilderness Council, and the Tribal Historic Preservation Officer (THPO) of the Bear River Band. The THPO representative for the Bear River Band recommended approval

for this project as well as the previously approved project with the inclusion of inadvertent discovery protocol. The project will be conditioned as such.

Security and Safety

The subject parcel is located within both the Ruth Lake Community Service District and the State Fire Responsibility Area where the State of California has the primary financial responsibility for the prevention and suppression of wildland fires. A review of the Humboldt County WebGIS showed the subject parcel as being located in an area deemed to have a very high fire hazard severity. Access to the parcel is restricted locking metal gates (photos included with Road System Assessment documents). The premises is normally occupied by the owner/applicant during the cultivation season.

Access

The parcel is accessed by a series of private access roads (Bear Creek Road 3.9 miles, Canyon Road 0.8 miles, and Canyon Court 0.3 miles) off State Highway 36 that do not meet the functional equivalent of a Category 4 road. Section 55.4.12.1.8 of the CCLUO specifies that roads that do not meet the functional equivalent of a Category 4 road, a Special Permit is required. Further, where three or more permit applications have been filed for commercial cannabis activities on parcels served by the same shared private road system, the owner of each property must consent to join or establish the appropriate Road Maintenance Association (RMA). Prior to operation of provisional permit approval. This requirement shall also apply to existing permittees seeking to renew their permit. Evidence shall be provided to the satisfaction of the County, and may include minutes from a meeting, written correspondence and confirmation from the RMA Secretary, or similar information (Section 55.4.12.1.8 (d)(1)). The applicant will join in an appropriate RMA to meet this requirement, as the number of commercial cannabis applications meets the threshold. The project was referred to the Department of Public Works. Public Works approved the project and reiterated the Section 55.4.12.1.8 (d)(1) CCLUO requirements. A Road System Assessment was completed by Timber Resource Consultants dated December 30, 2021 was submitted to the Department of Planning and Building May 5, 2022. The assessment evaluated the "roadshed" beginning from State Highway 36 near Dinsmore, CA and extend to the subject parcel. The roadshed included a segment of road approximately five (5) miles of private access road (Bear Creek Road 3.9 miles, Canyon Road 0.8 miles, and Canyon Court 0.3 miles). Where the assessment determined necessary improvements within the project's roadshed, the report specified upgrades render the roadshed Category 4 equivalent. The project has been conditioned to require these roadshed improvements be completed to meet Category 4, standards.

Noise

The subject parcel is essentially undeveloped and intended for seasonal agricultural use limited to outdoor cultivation. Detectable ambient noise occurring at property lines of the subject parcel in the off-site is dependent upon several variables that include topography, vegetation, and wind conditions. Other transitory localized spikes in sound pressure levels are expected to occur from various human activities: neighboring cultivation operations with fulltime occupancy, occasional road use, and prevailing weather conditions. The outdoor cultivation, as proposed would not contribute to an ambient level above that which occurs in the off season. The day-to-day operation does not use generators or other mechanical equipment. A Noise Evaluation was conducted by Timberland Resource Consultants March 31, 2022. The results of the evaluation indicated that noise from cultivation activities are not anticipated to exceed 3 Db above ambient baseline levels as measure at the parcel boundary lines.

Tribal Cultural Resource Coordination

The project is located within the Bear River Band of the Rohnerville Rancheria aboriginal territory. The project was referred to the Bear River Band Tribal Historic Preservation Officer (THPO) and the Northwest Information Center (NWIC) on May 5, 2022. The NWIC responded on May 25, 2022, with a recommendation that the lead agency contact the local Native American tribe(s) regarding tradition, cultural, and religious heritage values. A response was received from the Bear River Band THPO on May 11, 2022, requesting the applicant adhere to Inadvertent Discovery Protocols as a condition of approval (**Informational Note B.3**).

Site Inspection

A pre-site inspection was conducted by the Humboldt County Building Department on August 19, 2022. The inspection was approved without conditions.

Setback Reduction

A *Neighbor Authorization* for 270 setback reduction email from adjacent property owner Nick Erickson of Full Moon Farms APN 208-201-020-000 pursuant to Section 55.4.6.4.4 Setbacks, which requires a 270' setback from any adjacent undeveloped separately owned parcel. The authorization is included in Attachment 3.

Timber Conversion

A *Timber Conversion Report* was conducted by Timberland Resource Consultants (TRC) September 10, 2021. TRC inspected and evaluated the cultivation sites and associated areas contained within the subject property on June 18, 2021. The Registered Professional Forester (RFP) exercised due diligence in reviewing all sites and available resources to fully assess potential timberland conversion and consequential impacts. The Timber Conversion Report evaluated the cultivation sites and associated areas for timber operations only. The scope of the report did not include: all other land alteration (such as grading, construction, and other permit-regulated activities), all property features and sites unrelated to cultivation activities, or any proposed, planned, or absent cultivation-related project sites. The finding of the report concluded that 0.69 acres of unauthorized timber conversion occurred within APN 208-201-011-000. The total timberland removal did not exceed the three-acre conversion exemption maximum and therefore comply with the California Forest Practice Act and the California Forest Practice Rules. The RFP had no recommendations for the project. The project was referred to CALFIRE in May 12, 2022. The Department stated that the project does not involve Timberlands (reference PRC 4526). CAL FIRE stated does not have jurisdiction in the project.

Environmental Review and Recommendation

Environmental review for this project was conducted and based on the results of that analysis, staff finds that all aspects of the project have been considered in a previously adopted 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). 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.

importance that was not known and could not be known at the time was presented as described by §15162(c) of CEQA Guidelines.

- c) A *Biological Assessment*, prepared by Timberland Resources Consultants dated April 13, 2022, and received May 5, 2022.
- e) A *Noise Evaluation*, prepared by Timberland Resource Consultants dated March 31, 2022, and received May 5, 2022.
- f) *Site Management Plan* (WDID-1_12CC436386) prepared by Timberland Resource Consultants November 5, 2021.
- g) *Lake or Streambed Alteration Agreement (LSAA)* filed with the California Department of Fish & Wildlife (CDFW), Permit # EPIMS-HUM-20900-R1C, dated December 10, 2021.
- h) *Cultural Resource Study* prepared by Archaeological Research and Supply Company, August 2021.

FINDINGS FOR SPECIAL PERMIT

3. FINDING

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

EVIDENCE

The CCLUO identified Forestry Recreation (FR) parcels as sites where existing cannabis cultivation activities could be allowed. The proposed cannabis cultivation, an agricultural product, is within land planned and zoned for agricultural purposes, consistent with the use of Open Space land for managed production of resources. The use of an agricultural parcel for commercial agriculture is consistent with the Open Space Plan and Open Space Action Program. Therefore, the project is consistent with and complimentary to the Open Space Plan and its Open Space Action Program.

4. FINDING

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

EVIDENCE

Humboldt County Code § 314-55.4.6.2 allows applications submitted a Zoning Clearance Certificate for commercial cannabis cultivation of up to 10,000 square feet on parcels between 10 acres or larger in size. As set forth in the following subsections, Cultivation Sites that meet all other Eligibility and Siting Criteria and Performance Standards, may be permitted within AE, AG, RA, FR, FP, TPZ, and U zoning districts, where accompanied by a Resource Production, General Plan land use designation or Residential land use designation requiring parcel sizes on more than 10 acres. The application is for 10,000 square feet of new outdoor cultivation on a 40-acre parcel (APN 208-201-011-000) and requires a Special Permit pursuant to Section 55.4.12.1.8 Performance Road Standard – Road Systems which specifies that access roads not meeting Category 4 standards are required to be processed as a Special Permit.

5. FINDING

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

EVIDENCE

- a) The applicant's primary energy is solar arrays; generator use is not

proposed.

- b) The subject parcel has been determined to be one legal parcel (lot 56) as shown on Record of Survey in Book 26 of Surveys page 135.
- c) The project will obtain irrigation water from a proposed rainwater catchment system.
- d) The project is located in Humboldt County, in the Dinsmore area, on the North side of Canyon Court, approximately 0.33 miles from the intersection of Canyon Road and Canyon Court, on the property known as 330 Canyon Court. The parcel is accessed by a series of private access roads (Bear Creek Road 3.9 miles, Canyon Road 0.8 miles, and Canyon Court 0.3 miles) off State Highway 36 that do not meet the functional equivalent of a Category 4 road. Section 55.4.12.1.8 of the CCLUO specifies that roads that do not meet the functional equivalent of a Category 4 road, a Special Permit is required. Further, where three or more permit applications have been filed for commercial cannabis activities on parcels served by the same shared private road system, the owner of each property must consent to join or establish the appropriate Road Maintenance Association (RMA). Prior to operation of provisional permit approval. This requirement shall also apply to existing permittees seeking to renew their permit. Evidence shall be provided to the satisfaction of the County, and may include minutes from a meeting, written correspondence and confirmation from the RMA Secretary, or similar information (Section 55.4.12.1.8 (d)(1)). The applicant will join in an appropriate RMA to meet this requirement, as the number of commercial cannabis applications meets the threshold. The project was referred to the Department of Public Works. Public Works approved the project and reiterated the Section 55.4.12.1.8 (d)(1) CCLUO requirements. A Road System Assessment was completed by Timber Resource Consultants dated December 30, 2021 was submitted to the Department of Planning and Building May 5, 2022. The assessment evaluated the "roadshed" beginning from State Highway 36 near Dinsmore, CA and extend to the subject parcel. The roadshed included a segment of road approximately five (5) miles of private access road (Bear Creek Road 3.9 miles, Canyon Road 0.8 miles, and Canyon Court 0.3 miles). Where the assessment determined necessary improvements within the project's roadshed, the report specified upgrades render the roadshed Category 4 equivalent. The project has been conditioned to require these roadshed improvements be completed to meet Category 4, standards.
- e) The location of the cultivation complies with all setbacks required in Section 314-55.4.6.4.4. (a.-f.). It is more than 30 feet from any property line, more than 300 feet from any off-site residence, and more than 600 feet from any school, church, public park or Tribal Cultural Resource.

6. FINDING

EVIDENCE Cultivation of 10,000 square feet of outdoor new outdoor commercial cannabis 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) Works as being capable of safely accommodating the amount of traffic generated by the proposed project.
- b) The site is in a rural part of the County where the typical parcel size is over 40 acres. 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 40-acre 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 sizes in the area.

- c) Irrigation water will be sourced from a proposed rainwater catchment system.
- e) Provisions have been made in the applicant's proposal to protect water quality and thus runoff to adjacent property and infiltration of water to groundwater resources will not be affected.

7. FINDING

The proposed development does not reduce the residential density for any parcel below that utilized by the Department of Housing and Community Development in determining compliance with housing element law.

EVIDENCE

- a) The parcel was not included in the housing inventory of Humboldt County's 2019 Housing Element but does support one housing unit. Approval of cannabis cultivation on this parcel will not conflict with the ability for a residence to be constructed on this parcel.

FINDING

Approval of this project is consistent with Humboldt County Board of Supervisors Resolution No. 18-43 which established a limit on the number of permits and acres which may be approved in each of the County's Planning Watersheds.

EVIDENCE

- a) The project is located in the The project is located in Humboldt County, in the Dinsmore area, on the North side of Canyon Court, approximately 0.33 miles from the intersection of Canyon Road and Canyon Court, on the property known as 330 Canyon Court, which is outside the purview of Resolution 18-43 is limited to 650 permits or 223 acres, whichever occurs first.

DECISION

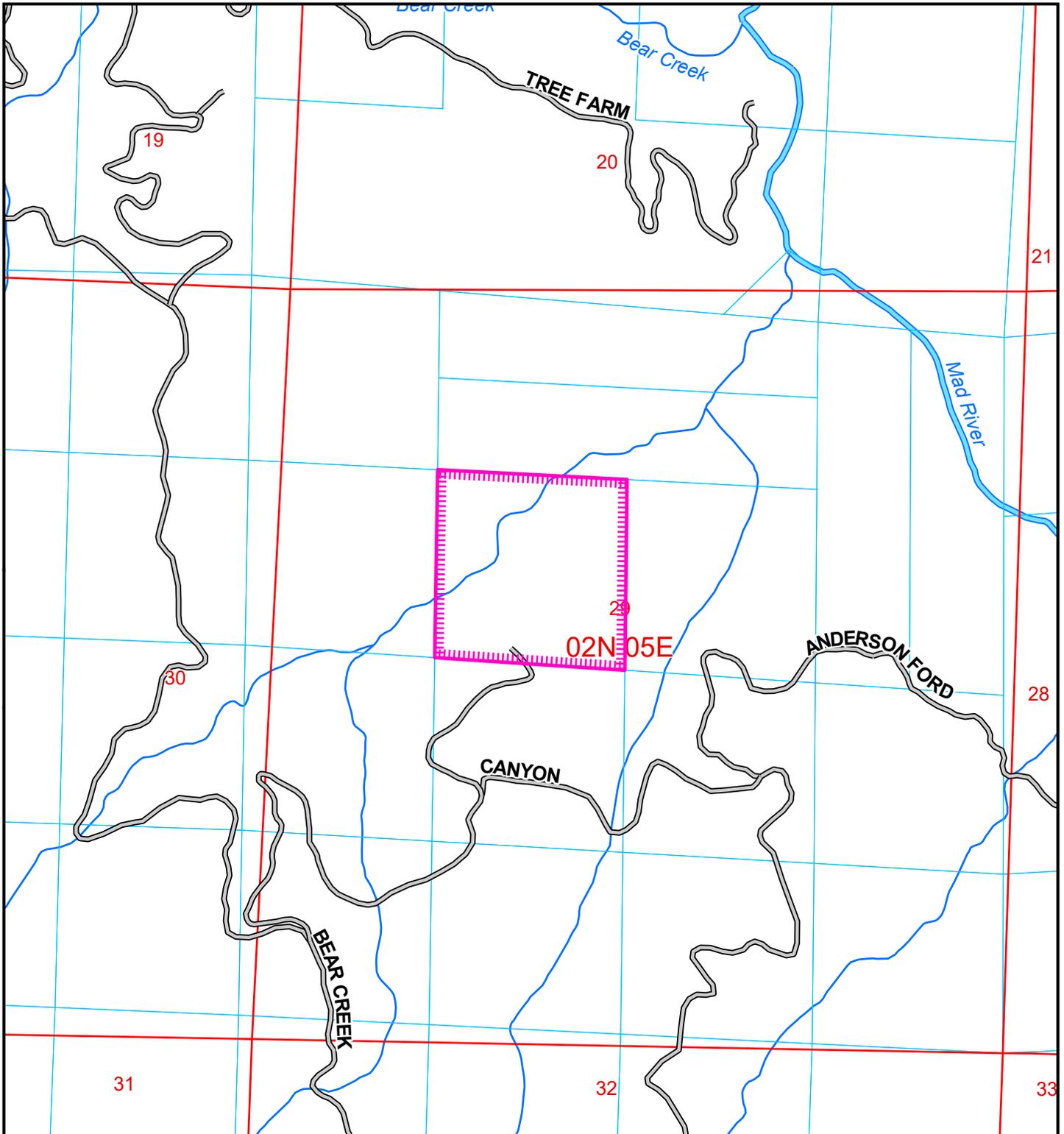
NOW, THEREFORE, based on the above findings and evidence, the Humboldt County Zoning Administrator does hereby:

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

Adopted after review and consideration of all the evidence on **September 15, 2022**,

I, John 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.

John H. Ford, Zoning Administrator,
Planning and Building Department



LOCATION MAP

**PROPOSED CHRIS DAZZI
 ZONING CLEARANCE CERTIFICATE
 DINSMORE AREA
 PLN-2022-17744
 APN: 208-201-011**

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.

T02N R05E S25 HB&M (Showers Mountain)



Site Plan

APN 208-201-011

- Property Boundary
- Parking and SRA Turnaround
- Cultivation Area
- Nursery Area
- Historic Cultivation Area
- Structure
- Riparian Buffer
- Pond
- Class III Watercourse
- Class II Watercourse
- Swale
- Seasonal Road
- ATV Trail
- Groundwater Well (Domestic)
- Watercourse Crossing
- Water Tank
- Point of Diversion

Project Information:

Applicant/Owner: Chris Dazzi
 APN: 208-201-011
 APPS: 17139
 Parcel Size(s): 40 Acres
 Zoning: FR-B-5 (40)
 Cultivation Area: 10,000 SqFt
 Solar used for residence.
 No artificial lights used for cultivation.
 Total water storage proposed to be on-site = 78,325 gallons

For planning purposes only.

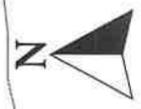
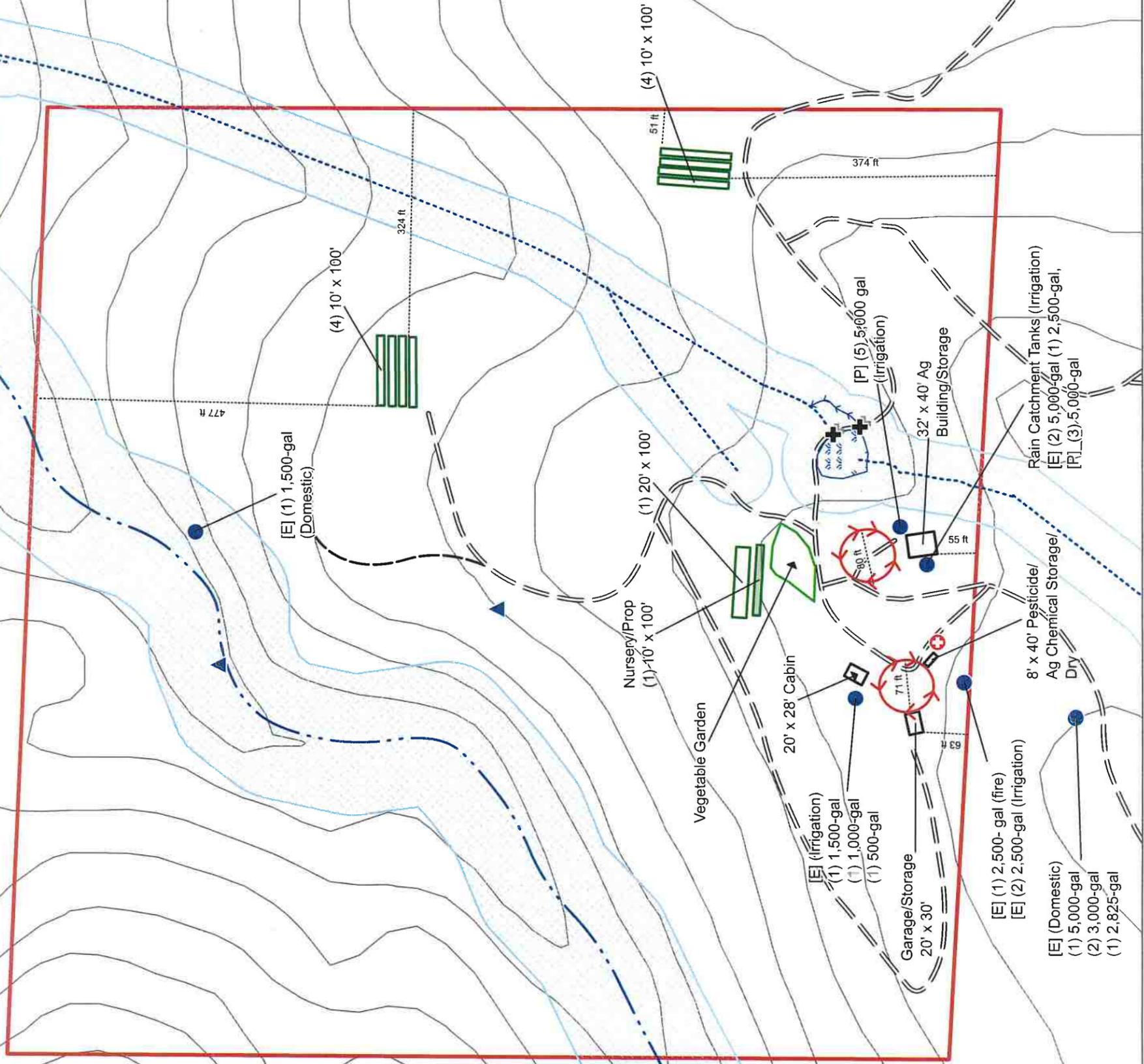
This is not a Boundary Survey.

No schools, school bus stops, places of worship or tribal cultural resources are located within 600 feet of Cultivation Area.

Directions

In the Dinsmore area. Turn left onto Bear Creek Road off of Highway 36. Slight right onto Canyon Rd and then slight left to continue towards onto Canyon Court. 330 Canyon Court, Dinsmore.

Map Scale 1" = 170'



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 PROVISIONAL CANNABIS CULTIVATION PERMIT CAN BE FINALIZED.

A. General Conditions

1. The applicant is responsible for obtaining all necessary County and State permits and licenses, and for meeting all requirements set forth by other regulatory agencies.
2. The applicant is required to pay for permit processing on a time and material basis as set forth in the schedule of fees and charges as adopted by ordinance of the Humboldt County Board of Supervisors. The Planning and Building Department will provide a bill to the applicant after the decision. Any and all outstanding planning fees to cover the processing of the application to decision by the Hearing Officer shall be paid to the Humboldt County Planning Division, 3015 "H" Street, Eureka.
3. The Applicant is responsible for costs for post-approval review for determining project conformance with conditions. A deposit is collected to cover this staff review. Permit conformance with conditions must be demonstrated prior to release of building permit or initiation of use and at time of annual inspection. A conformance review deposit as set forth in the schedule of fees and charges as adopted by ordinance of the Humboldt County Board of Supervisors (currently \$750) shall be paid within sixty (60) days of the effective date of the permit or upon filing of the Compliance Agreement (where applicable), whichever occurs first. Payment shall be made to the Humboldt County Planning Division, 3015 "H" Street, Eureka.
4. A Notice of Determination (NOD) will be prepared and filed with the County Clerk for this project in accordance with the State CEQA Guidelines. The Department will file the NOD and will charge this cost to the project.
5. The applicant shall separately meter water utilized for commercial cannabis operations separate of all domestic uses. These data are to be available during annual and any additional inspections to County Staff.
6. The applicant shall secure permits for all structures related to the cannabis cultivation and other commercial cannabis activity, including but not limited to, existing greenhouses, water tanks over 5,000 gallons, existing structures associated with drying and storage and processing, or any activity 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.
7. 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 to keep the permit valid.
8. 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.

9. The applicant shall adhere to the requirements of the Final LSAA and submit progress reports to the Planning Department.
10. The applicant shall follow mitigation recommendations as specified in the *Biological Report*.
11. The applicant shall implement the recommendations of the Road System Assessment completed by Timber Resource Consultants dated December 30, 2021 pursuant to Section 55.4.12.1.8 Performance Standards – Road Systems of the CCLUO.

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

1. The combination of background, generator and greenhouse fan or other operational equipment created noise must not result in the harassment of Northern Spotted Owl species as required to meet the performance standards for noise set by CCLUO Section 55.4.12.6 (b) requirements. The combined noise levels measured at 100 feet or the edge of habitat, whichever is closer, shall be at or below 50 decibels. Conformance will be evaluated using current auditory disturbance guidance prepared by the United State Fish and Wildlife Service, and further consultation where necessary. A building permit shall be obtained should any structures be necessary for noise attenuation. The applicant is to limit the use of heavy equipment during nesting season February 1st through August 15th.
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/>.
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. Generators shall be housed in enclosed structures with noise attenuation measures to reduce auditory disturbance.
7. Should any wildlife be encountered during work activities, the wildlife shall not be disturbed and be allowed to leave the work site unharmed.
8. The use of anticoagulant rodenticide is prohibited.
9. 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 WQ 2019-0001-DWQ, 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, if applicable.
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 MAUCRSA, 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 CCLUO 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 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 CCLUO 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 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.

Informational Notes:

1. Pursuant to Section 314-55.4.11(a) of the CCLUO, if upon inspection for the initial application, violations of any building or other health, safety, or other state or county statute, ordinance, or regulation are discovered, the Planning and Building Department may issue a provisional clearance or permit with a written approved Compliance Agreement. By signing the agreement, the permittee agrees to abate or cure the violations at the earliest opportunity but in no event more than two (2) years after the date of issuance of the provisional clearance or permit. Plans for curing the violations shall be submitted to the Planning and Building Department by the permittee within one (1) year of the issuance of the provisional certificate or permit. The terms of the compliance agreement may be appealed pursuant to Section 314-55.4.13 of the CCLUO.
2. This provisional permit approval shall expire and become null and void at the expiration of one (1) year after all appeal periods have lapsed (see "Effective Date"), except where the Compliance Agreement per Condition of Approval #5 has been executed and the corrective actions pursuant to the agreement are being undertaken. Once building permits have been secured and/or the use initiated pursuant to the terms of the agreement, the use is subject to the Permit Duration and Renewal provisions of the Ongoing Requirements/Development Restrictions, above.
3. If cultural resources are encountered during construction activities, the contractor on-site shall cease all work in the immediate area and within a 50-foot buffer of the discovery location. A qualified archaeologist and the appropriate Tribal Historic Preservation Officer(s) are to be contacted to evaluate the discovery and, in consultation with the applicant and the lead agency, develop a treatment plan in any instance where significant impacts cannot be avoided.

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

ATTACHMENT 2

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

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

**APN 208-201-011-000
330 Canyon Court,
Dinsmore area, County of Humboldt**

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

August 2022

Background

Modified Project Description and Project History –

The Commercial Cannabis Land Use Ordinance (CCLUO) updated the County's existing Commercial Medical Marijuana Land Use Ordinance (Section 313-55.4 and 314-55.4 of Chapter 3 of Division 1 of Title III of the County Code) as well as repeal of the Medical Cannabis Testing and Research Laboratories provisions and on-site consumption prohibition found in Sections 313-55.3.15, 314-55.3.15, 313-55.3.11.7, and 314-55.3.11.7 of Division 1 of Title III of the County Code, respectively. These regulations establish land use regulations for the commercial cultivation, processing, manufacturing, distribution, testing, and sale of cannabis within Humboldt County. These regulations were developed in concert with the Final Environmental Impact Report (EIR) that was adopted for the ordinance in order to implement the mitigation measures of the EIR. The EIR 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 prepared for the CCLUO also established local land use regulations to allow for continued commercial cannabis operations in the unincorporated area of the County that ensure the health and safety of residents, employees, County visitors, neighboring property owners and end users of cannabis. The proposed project is consistent with all regulations within the CCLUO and all mitigation measures of the EIR. Commercial cannabis cultivation in existence as of December 31, 2015, was included in the environmental baseline for the EIR. 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.

The project is located in Humboldt County, within the Mattole River watershed. The project parcel is located at an elevation ranging between 2560 to 2800 feet and approximately 39 miles east of the Pacific Ocean. The proposed cultivation occurs on three (3) pre-disturbed flats on APN 208-201-011-000. A review of WebGIS determined that the project setting is located on a parcel that has been determined to have high seismic instability and having a very high fire severity.

Chris Dazzi seeks a Special Permit for 10,000-square-foot (SF) of new cannabis cultivation, which will include 1,000 of ancillary propagation. The parcel is accessed by a series of private access roads (Bear Creek Road 3.9 miles, Canyon Road 0.8 miles, and Canyon Court 0.3 miles) off the north of State Highway 36. The private access roads do not meet the functional equivalent of a Category 4 road standards. Pursuant to the Commercial Cannabis Land Use Ordinance (CCLUO) Section 55.4.12.1.8(C)(2) Performance Standard – Road systems that do not meet the functional equivalent of a Category 4 road require a Special Permit. Irrigation water is sourced from rain catchment to provide 62,000 gallons annually. Drying and curing will occur within an existing agricultural exempt structure. Further processing will occur off site at a third-party processing facility. Electricity to the parcel is sourced from solar arrays. Two harvest cycles per year are anticipated. No employees will be used in carrying out cannabis operations, and portable restroom facilities are available on site. The project will also comply with provision of the CCLUO intended to eliminate impacts to sensitive species from noise and from light and noise. Compliance with these and other measures of the CCLUO ensure consistency with the EIR.

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 effects 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 and minor improvements necessary to bring the operation into 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.

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

- *Cultivation & Operations Plan* submitted July 25, 2022.
- *Site Plan* prepared by *Timberland Resource Consultants*. received July 21, 2022.
- *Biological Report* prepared by *Timberland Resource Consultants* April 13, 2022.
- *Noise Evaluation* prepared by *Timberland resource Consultants* March 31, 2022.
- *Site Management Plan* (WDID-1_12CC436386) prepared by *Timberland Resource Consultants* November 5, 2021.
- *Lake or Streambed Alteration Agreement (LSAA)* filed with the California Department of Fish & Wildlife (CDFW), Permit # EPIMS-HUM-20900-R1C, dated December 10, 2021.
- *Cultural Resource Study* prepared by *Archaeological Research and Supply Company*, August 2021.
- *Well Completion Report* completed by *Fisch Drilling* September 29, 2014.

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 a new 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.

There are no new significant environmental effects and no substantial increases in the severity of previously identified effects. For the current proposed project, there has been no new information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous MND was adopted as complete.

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. (Not applicable)
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. (**Attached** in 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. (**Attached**)
5. Copy of the statement of water diversion, or other permit, license or registration filed with the State Water Resources Control Board, Division of Water Rights, if applicable. (**Attached**)
6. Description of water source, storage, irrigation plan, and projected water usage. (Included in item 4 above)
7. 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 WQ 2019-0001-DWQ, or any substantially equivalent rule that may be subsequently adopted by the County of Humboldt or other responsible agency. (Conditioned)
8. If any on-site or off-site component of the cultivation facility, including access roads, water supply, grading or terracing, impacts the bed or bank of any stream or other watercourse, a copy of the Streambed Alteration Permit obtained from the California Department of Fish and Wildlife. (Conditioned)
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. *Biological Report* prepared by *Timberland Resource Consultants* February 17, 2022. (On file and confidential)
15. *Site Management Plan* (WDID-1_12CC436386) prepared by *Timberland Resource Consultants* November 5, 2021. **(Attached)**
16. *Noise Evaluation* was conducted by *Timberland Resource Consultants* March 31, 2022. **(Attached)**
17. *Timberland Conversion Evaluation Report* by *Timberland Resource Consultants* September 10, 2021. **(Attached)**
18. *Well Completion Report* by *Fisch Drilling* September 29, 2014. **(Attached)**
19. Road System Assessment was completed by *Timber Resource Consultants* dated December 30, 2021 was submitted to the Department of Planning and Building May 5, 2022. **(Attached)**
20. *Neighbor Authorization for 270 setback reduction* email from adjacent property owner Nick Erickson of Full Moon Farms APN 208-201-020-000. **(Attached)**
21. *Domestic Water Right* from the State Water Resources Control Board, July 01, 2020. **(Attached)**

Cultivation Operations

APN: 208-201-011

Project Description: The applicant is seeking Humboldt County approval to allow outdoor cannabis cultivation up to **10,000 ft²** and development of appurtenant support infrastructure/facilities on the subject parcel including a 1,000 ft² propagation nursery.

The subject parcel is used for domestic occupancy and limited seasonal agricultural activity.

Irrigation water will be collected from the roof-top of two existing structures; the Ag Building (32' x 40') and a cabin (26' x 28'). The combined square footage of the two roof-tops is 2008 ft². Given an average County rainfall amount of 50 inches per season the expected volume of water which could be collected from the roof-tops is approximately 62,500 gallons. The anticipated irrigation demand for the proposed cultivation is 62,000 gallons.

A permitted water well provides domestic water. A copy of the Well Completion Report is included with this submittal.

The cabin is powered from a solar array. There is no generator usage associated with the proposed cultivation.

A portable toilet unit with handwash facilities will be used seasonally for sanitation purposes.

The applicant will join in an appropriate Road Maintenance Association (RMA) as the number of Cultivation applicants sharing a common road segment meets the threshold specified under CCLUO (55.4.12.1.8 d) 1)).

A Road Evaluation addressing Protections for Water Quality and Biological Resources has been provided with application materials. The evaluation focusing specifically on road conditions/functionality of drainage features, was conducted using standards and procedures found in the *Handbook for Forest, Ranch and Rural Roads: A Guide for Planning, Designing, Constructing, Reconstructing, Upgrading, Maintaining and Closing Wildland Roads, Mendocino County Resource Conservation District. The road assessment evaluates whether the Roadshed is designed and maintained in accordance with A Water Quality and Stream Habitat Protection Manual for County Road Maintenance in Northwestern California Watersheds*. A completed Road Evaluation for the adjoining parcel APN: 217-381-007 / APPS: 12593 is on file with the County and may be used in conjunction with the aforementioned evaluation as a guide for future RMA activity.

The applicant acknowledges that the commercial cannabis activity approval being sought is subject to compliance with all other applicable Humboldt County zoning and land use regulations, as well as other applicable provisions of the Humboldt County Code and applicable state laws. Determination of compliance will require multi-agency review of proposed activity/development described herein and, may also require site inspections by personnel from various governmental agencies.

Parcel Information: The subject parcels (APN: 208-201-011) comprises approximately 40 acres and is zoned FR-B-5(40).

Topography/Landscape: The subject parcel sets on a north facing hillside with a mix of hardwoods and grassland.

Surface Water Features: Watercourse features are shown on the Site Plan and taken into consideration in the overall development plan for the subject parcel. Where applicable these features are addressed in associated state filings/documents.

Roads/Stream Crossings/Easements: The subject parcel is accessed from BEAR Creek Road coming off of ST HWY 36 near Dinsmore, CA. A Road Evaluation has been completed and is provided with permit application materials. Where applicable, stream crossings are addressed in a CDFW LSAA.

Parking: The site plan indicates area available for parking and Emergency Vehicle Turnaround.

Utilities: A permitted well supplies domestic water. Portable Toilets equipped with handwash stations shall be utilized to serve seasonal agricultural operations.

Water Supply: Irrigation water will be collected from the roof-top of two existing structures; the Ag Building (32' x 40') and a cabin (26' x 28'). The combined square footage of the two roof-tops is 2008 ft². Given an average County rainfall amount of 50 inches per season the expected volume of water which could be collected from the roof-tops is approximately 62,500 gallons. The anticipated irrigation demand for the proposed cultivation is 62,000 gallons.

A permitted water well is also developed on the parcel.

Water Storage: There is currently **23,000 gallons** of hard plastic storage tanks on the parcel for irrigation and an additional 40,000 gallon capacity (**8- 5,000 gal**) proposed – as shown on the Site Plan.

Additional “Domestic” water tanks totaling 15,325 gallons are shown at two (2) locations on the site plan. A single tank – 2,825 gallons is designated for fire suppression.

Structures: There is a small cabin structure on the parcel. An Ag Exempt utility structure is proposed to support agricultural operations.

Cultivation Area: Shown on Site Plan – **10,000 ft²**

Legacy log landings described in the attached Conversion Evaluation are intended to support greenhouses as shown on the Site Plan. The northern most landing shown on the Site Plan will contain 4,000 ft² of light dep greenhouse cultivation and the landing in the SE parcel quadrant will contain 4,000 ft² of light dep greenhouse cultivation with the remaining 2,000 ft² of cultivation at the south-central location. A proposed 1,000 ft² propagation nursery is also shown.

Proposed cultivation areas were evaluated during the development of a site-specific *Site Management Plan (SMP)*. Implementation of BMP's to ensure safeguards to prevent erosion/sediment transport are prescribed in the SMP.

Cultivation areas will be monitored in accordance with applicable requirements set forth under SWRCB Order WQ 2017-0023-DWQ

Peak Water Demand: The projected peak water demand to maintain plant growth during the warm summer months is approximately 13,500 gallons per month. The “Monthly Water Use” Table below shows projected water use throughout the growing season totaling 62,000 gallons.

January-March: No Water Use

	<i>Cultivation – 10,00 ft²</i>
May	7,000
June	10,500
July	12,500
August	13,500
September	12,500
October	6,000

Totalizing flow meters shall be installed in the irrigation system and water use shall be monitored and recorded in accordance with all applicable state/local requirements.

Irrigation Method(s): Irrigation will be accomplished by use of drip lines. The flow to drip lines is regulated by timers and adjusted for maximum efficiency taking into consideration temperature, plant demand etc. Water delivery throughout the system is carefully monitored on a regular basis to ensure proper function and responsible water use. Mulch is carefully placed as a top dressing to optimize soil water retention. Occasional hand watering may be employed if needed.

Irrigation Runoff/Erosion control: Irrigation runoff from cultivation areas is minimized by the use of carefully regulated drip irrigation to prevent any overwatering or residual discharge of nutrient solutions outside of the “targeted” root zone. In the unlikely event that residual discharge did occur, it would be absorbed upon contact with permeable soil surrounding the cultivation area. Cultivation activities are limited to the immediate area surrounding cultivation areas and conducted so materials are kept confined. The ground surface within and around the cultivation areas is nearly level and managed year-round to prevent any movement of entrained constituents such as fine sediment, fertilizer or other organic particles beyond the cultivation area.

Stormwater Management: Proposed development does not include creation of any significant areas of impermeable ground surface or modification to existing ground resulting in impermeable ground surface or redirection of stormwater runoff. The subject parcel sets on a north facing hillside and is comprised of mixed forest and natural grassland. Approximately 10,000 ft² of greenhouses may be utilized during the grow season and given the location of the greenhouses and the characteristics of the surrounding landscape the likelihood of any additional stormwater movement off the property is negligible.

The project may include establishment of greenhouses which may, or may not have the skins removed during the rainy season. In the event that greenhouse materials are selected to remain in place year-round, stormwater runoff would be negligible and would be managed by placement of straw wattles around the downslope periphery of each greenhouse reducing runoff velocity and facilitating dispersed for optimal absorption into the large surrounding areas of undisturbed native ground with no net increase of stormwater runoff migrating offsite.

If greenhouse skins are removed following fall harvest the area will not concentrate runoff from the greenhouse roofs and prescribed BMP’s from State water quality control documents will be implemented

Watershed Protection: Proposed cultivation meets applicable setback requirements to watercourses, riparian zones or wetlands (see site plan). There is no planned removal of vegetation. Sheet flow of rainwater or transport of cultivation byproducts over permeable, gently sloped soils in and around the cultivation area is unlikely. Vegetative buffers have been maintained at natural slope around the entire perimeter of cleared/developed area. Adherence to measures prescribed in the *Site Management Plan* developed specifically for this parcel will help protect the surrounding environment.

The applicant/operator shall engage in ongoing monitoring, reporting and maintenance including periodic site inspections and reviews of operational practices to ensure regulatory requirements related to the following listed items are being met:

<i>Site maintenance, erosion control, and drainage features</i>	<i>Stream crossing maintenance</i>
<i>Riparian and wetland protection and management</i>	<i>Spoils management</i>
<i>Water storage and use</i>	<i>Irrigation runoff</i>
<i>Fertilizers and soil amendments</i>	<i>Pesticides and herbicides</i>
<i>Petroleum products and other chemicals</i>	<i>Cultivation-related wastes</i>
<i>Refuse and human waste</i>	

The applicant shall ensure management measures and controls are effectively protecting water resources, and that any newly developing problems representing a water quality concern are identified and corrected quickly.

Upon completion of seasonal cultivation, areas surrounding cultivated sites shall be sown with grass seed to stabilize surface soil over winter. Additional measures for site “winterization” shall be implemented as prescribed in the *Site Management Plan*.

In the event that a Propagation facility is developed, Black-Out tarps shall be used to prevent light spillage from the propagation facility any time lights are in use from 1 hour prior to dusk to 30 minutes pass dawn. prevent light spillage from the propagation facility **if** lights are utilized anytime between dawn and dusk.

Energy Usage: This is an outdoor cultivation with no light usage proposed. Solar Power will be utilized to move water and operate fans if needed.

As previously mentioned, **outdoor cultivation proposed is not reliant upon recurring electric power** input. The occasional portable generator (Honda 2000/3000) use for hand tool operation would be less than 20 % of the cannabis related energy demand (pumping water and solar fan usage).

Noise Source: The subject parcel is essentially undeveloped and intended for seasonal agricultural use limited to outdoor cultivation.

Detectable Ambient noise occurring at property lines of the subject parcel in the **off-season** is dependent upon several variables which include topography, vegetation and wind conditions. Other transitory localized spikes in sound pressure levels are expected to occur from various human activity: *neighboring Cultivation Operations having fulltime occupancy parcels, occasional road use and prevailing weather conditions*

The outdoor cultivation, as proposed would not contribute to an increase in ambient noise level above that which occurs in the **off season**. The day-to-day operation does not use generators or other mechanical equipment. A report of Noise Level Measurements is included.

Invasive Species: A report prepared by a professional Biologist is included with this submission. The report did not identify *invasive species*. In the event that a post project approval inspection occurs and any invasive species are identified the owner/applicant shall manage such species in accordance with recommendations of the *California Invasive Plants Council* and *Humboldt County Weed Management Area* guidelines.

Cultivation Operations/Practices: Outdoor cultivation having two harvest cycles with no use of lights or generators. The applicant and partner will carry-out operations.

January	Monitor winterization measure, plant cover crops
February	Ongoing site and infrastructure maintenance
March	General site maintenance and preparation
April	Obtain seedlings/start propagation
May	Transplant young plants to appropriate containers, continue garden preparation and site maintenance.
June	Ongoing garden care and site maintenance. Initiate light dep over hoop houses
July	Ongoing garden care, monitor water supply, etc. Start 1 st harvest - set plants to dry Ag Building
August	Ongoing garden care, monitor water supply, etc.
September	General garden care – harvest prep.
October	Begin full term & 2 nd round harvest, set plants to dry – and site cleanup
November	Complete harvest, start site preparations for winter.

Soils Management: The applicant shall refurbish existing soil to the greatest extent practicable upon completion of cultivation. The goal is to use 100% organic amendments in the refurbishment process. An appropriate “cover-crop” shall be sown in and around the cultivation area following completion of crop harvest. If it becomes necessary, exhausted soil will be removed from cultivation beds and carefully mixed and spread over and into native top-soils on level ground at select locations to initiate microbial reconditioning and prevent unwanted constituent migration.

No spent soil shall be dumped off-site. Spent growth medium containing inorganic substances such as perlite, will be stored in weatherproof containers and hauled to an approved waste facility as needed.

Materials Management: Cultivation related wastes are sorted such that compostable materials are recycled/composted onsite within a small area equipped with perimeter and top containment to prevent unwanted movement of materials due to weather conditions or animals/pests. Other materials, unsuitable for composting, are stored in conventional lid trash containers secured within an area alongside the cabin along with domestic garbage. When trash containers are full, they are hauled to an approved transfer station for proper disposal. All soil amendments shall be kept inside the proposed Ag storage building in original packaging/containers when not in use and used in accordance with manufacturer’s directions. Other cultivation materials/products which may be reused shall be stored over-winter in the Ag storage building or consolidated and securely covered alongside the shed.

Fertilizers, Pesticides, other Regulated products:

List and describe machinery and equipment used for cultivation and associated activities.

Solar powered well pump/fans

Describe equipment service and maintenance; including where it is done.

NA

List and describe petroleum products and automotive fluids used onsite-Indicate amounts normally stored and how/where they are stored.

Gasoline is kept in 5 gallon metal cans in quantities not exceeding 20 gallons and shall be stored inside the Ag storage building with secondary containment away from any ignition source with spill kit present.

List and describe compressed gases, cleaners, solvents and sanitizers used- indicate amounts normally stored and how/where they are stored.

Regular non-toxic household cleaners in original domestic-use containers and 1 quart rubbing alcohol stored on shelves.

All agricultural amendments are stored inside of the proposed Ag storage building at all times.

The applicant acknowledges that the storage and/or use of certain materials in specified volumes and/or weights will be subject to regulation through Humboldt County Division of Environmental Health CUPA and may require: submittal of inventories for those materials, documentation of emergency and training procedures, maintenance of hazardous waste disposal records, obtaining an EPA generator ID number and be subject to site inspections.

Human Waste: The project site is only utilized seasonally for agricultural operations; it is not developed for regular domestic occupancy. Portable toilet units equipped with handwash stations are proposed for usage until such time as approved sanitation infrastructure is deemed necessary.

Processing: Plants are periodically inspected to ensure that any indication of pests, molds, mildews or disease are immediately addressed and crop quality is maintained. When ready, individual plants are hand harvested, placed inside clean transport containers and immediately transferred to the Ag Storage facility where they are hung to dry. The drying area is cleaned thoroughly prior to placement of any harvested plants therein to minimize potential contaminant contact. Natural air flow may be supplemented with careful use of household fans facilitate drying and maintain product quality control.

All equipment, surfaces and tools used in the harvesting/drying of cultivated product are used exclusively for that purpose. Equipment, surfaces and tools are visually inspected, washed and sanitized throughout the day. A Gentle detergent (such as *Simple Green or equivalent*) is used for cleaning followed by rinsing with potable water. Isopropyl Alcohol is applied as a sanitizer.

The applicant/operator is cognizant of potential mold and mildew problems associated with cultivation. Any suspect plant matter which appears compromised for any reason is carefully removed and disposed of avoiding cross contaminant contact with other product, equipment or utensils. A separately designated green-waste stream is implemented to recycle plant waste.

The applicant/operator is well versed in the use/cleaning of equipment utilized throughout the operation. Cleaning materials are stored on shelves away from working surfaces. A fire extinguisher is readily available. The working space is kept clean and orderly.

Ample potable water for handwashing and portable restroom facilities are in close proximity to the Ag Storage building. The portable restroom is equipped with first aid kits and eye-wash kits for emergency use.

Trimming of dried plants will be done off-site at a licensed facility.

Security: Access to the parcel is restricted locking metal gates and the premises is normally occupied during the cultivation season.

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

ORDER RENEWING REGISTRATIONS

WHEREAS:

1. The registrants listed in the attachment to this Order have met the requirements for renewal of their registration certificates. (Wat. Code, § 1228.5, subd. (d).)
2. Pursuant to Resolution No. 2012-0029, the State Water Resources Control Board (State Water Board) has delegated the authority to administer the State Water Board's water rights program. By memorandum dated October 19, 2017, the Deputy Director for Water Rights has redelegated the authority.

NOW, THEREFORE, IT IS ORDERED THAT:

1. The registration certificates listed in the attachment to this Order are hereby renewed for the next incremental five-year period. Registration certificates are subject to revocation for failure to renew the registration prior to the expiration date in substantial compliance with the reporting and fee payment requirements prescribed by the State Water Board.
2. The registration certificates listed in the attachment to this Order are subject to the following:
 - a. Details regarding the point of diversion, rate of diversion, amount of diversion, season of diversion, purpose of use, place of use, and any reservoir capacity limits as described in the original certificate and any amendments approved by the State Water Board.
 - b. The general conditions established by the State Water Board that are in effect as of the date of this Order supersede any general conditions previously applied to this registration certificate.

STATE WATER RESOURCES CONTROL BOARD

ORIGINAL SIGNED BY:
MATT MCCARTHY, FOR

*Erik Ekdahl, Deputy Director
Division of Water Rights*

Dated: JUL 01 2020

Attachment: List of Registrations Subject to Order Renewing Registrations

Registration Number	Certificate Number	Registration Primary Owner	Expiration Date
D029504	D11	Bell Valley Ranch, LLC	June 15, 2024
D030341	D237	Bonnie Jamison	March 25, 2024
D030345	D254	Alden Moffatt	April 6, 2024
D030399	D262	Barbara Pino	September 12, 2024
D030413	D269	Carol Brock	December 6, 2024
D030464	D281	22 Stars, Inc.	July 26, 2024
D030862	D441	Clark-Reilly Family LP c/o Christine Clark	April 13, 2024
D030875	D457	Burton Stein	April 23, 2024
D030883	D449	Alan Ornbaun	April 27, 2024
D030887	D451	Andrew Rudovsky	May 13, 2024
D030917	D476	Andres Favela	July 1, 2024
D030918	D479	Andres Favela	July 1, 2024
D030985	D518	Colin M Murphey	November 22, 2024
D031498	D652	Adidam Avataric Pan Communion	April 2, 2024
D031552	D666	Anthony Prevedello	November 30, 2024
L031764	L98	Brutocao Vineyards	April 28, 2024
D031766	D763	Charlottle Griggsmiller	May 1, 2024
D031769	D767	Corona Project, LLC	May 12, 2024
D031805	D775	Blandon Granger	October 20, 2024
D032242	D911	Alan Grant	February 27, 2024
D032274	D935	Capretta Family Revocable Trust	June 20, 2024
D032290	D878	Cherryl L Mier	August 5, 2024
D032292	D863	Brad Acredolo	August 7, 2024
D032294	D973	Crocker Curve Mutual Water Company	August 11, 2024
D032392	D892	Christopher Dazzi	April 9, 2024



**STATE OF CALIFORNIA
CALIFORNIA ENVIRONMENTAL PROTECTION AGENCY
STATE WATER RESOURCES CONTROL BOARD**

DIVISION OF WATER RIGHTS

RIGHT TO DIVERT AND USE WATER

REGISTRATION D032392

CERTIFICATE D892

Right Holder: Christopher Dazzi
130 Webster Street
Rio Dell, CA 95562

The State Water Resources Control Board (State Water Board) authorizes the diversion and use of water by the right holder in accordance with the limitations and conditions herein SUBJECT TO PRIOR RIGHTS. The priority of this right dates from **April 9, 2015**. This right is issued in accordance with the State Water Board delegation of authority to the Deputy Director for Water Rights (Resolution 2012-0029) and the Deputy Director for Water Rights redelegation of authority dated July 6, 2012. The Deputy Director for Water Rights finds that this registration meets the requirements for registration of small domestic use appropriation. (Wat. Code, § 1228 et seq.)

Right holder is hereby granted a right to divert and use water as follows:

1. Source of water: **an Unnamed Stream**

tributary to: **Mad River**

within the County of **Humboldt**.

2. Location of point of diversion

By California Coordinate System of 1983 in Zone 1	County	Assessor's Parcel Number
North 2,078,894 feet and East 6,105,970 feet	Humboldt	208-201-011-000

Location of place of storage

By California Coordinate System of 1983 in Zone 1	County	Assessor's Parcel Number
N/A	Humboldt	208-201-011-000

3. Purpose of use	4. Place of use	
	County	Assessor's Parcel Number
Domestic, Fire Protection	Humboldt	208-201-011-000

The place of use is shown on map on file with the State Water Board.

5. The water appropriated shall be limited to the quantity which can be beneficially used and shall not exceed **0.63 acre-foot per year** to be collected from November 1 of each year to May 31 of the succeeding year.

6. No water shall be diverted or used under this right, and no construction related to such diversion shall commence, unless right holder has obtained and is in compliance with all necessary permits or other approvals required by other agencies.
7. Diversion works shall be constructed and water applied to beneficial use with due diligence.
8. No water shall be diverted under this right unless right holder complies with all lawful conditions required by the California Department of Fish and Wildlife. (Wat. Code, § 1228.6, subd. (a)(2).)
9. No water shall be diverted under this right unless it is diverted in accordance with the information set forth in the completed registration form as to source, location of point of diversion, purpose of use, place of use, and quantity and season of diversion. This information is reproduced as conditions 1 through 5 of this certificate.
10. Pursuant to Water Code sections 100 and 275 and the common law public trust doctrine, all rights and privileges under this right, including method of diversion, method of use, and quantity of water diverted, are subject to the continuing authority of the State Water Board in accordance with law and in the interest of the public welfare to protect public trust uses and to prevent waste, unreasonable use, unreasonable method of use, or unreasonable method of diversion of said water.
11. Right holder shall grant, or secure authorization through right holder's right of access to property owned by another party, the staff of the State Water Board, and any other authorized representatives of the State Water Board the following:
 - a. Entry upon property where water is being diverted, stored or used under a right issued by the State Water Board or where monitoring, samples and/or records must be collected under the conditions of this right;
 - b. Access to copy any records at reasonable times that are kept under the terms and conditions of a right or other order issued by State Water Board;
 - c. Access to inspect at reasonable times any project covered by a right issued by the State Water Board, equipment (including monitoring and control equipment), practices, or operations regulated by or required under this right; and,
 - d. Access to photograph, sample, measure, and monitor at reasonable times for the purpose of ensuring compliance with a right or other order issued by State Water Board, or as otherwise authorized by the Water Code.
12. Diversion of water under this right is subject to prior rights. Right holder may be required to curtail diversion or release water stored during the most recent collection season should diversion under this right result in injury to holders of legal downstream senior rights. If a reservoir is involved, right holder may be required to bypass or release water through, over, or around the dam. If release of stored water would not effectively satisfy downstream prior storage rights, right holder may be required to otherwise compensate the holders of such rights for injury caused.
13. This right shall not be construed as conferring right of access to any lands or facilities not owned by right holder.
14. All rights are issued subject to available flows. In as much as the source contains treated wastewater, imported water from another stream system, or return flow from other projects, there is no guarantee that such supply will continue.

15. If storage or diversion of water under this right is by means of a dam, right holder shall allow sufficient water at all times to pass through a fishway or, in the absence of a fishway, allow sufficient water to pass over, around, or through the dam to keep in good condition any fish that may be planted or exist below the dam; provided that, during a period of low flow in the stream, upon approval of the California Department of Fish and Wildlife, this requirement will be satisfied if sufficient water is passed through a culvert, waste gate, or over or around the dam to keep in good condition any fish that may be planted or exist below the dam if it is impracticable or detrimental to pass the water through a fishway. In the case of a reservoir, this provision shall not require the passage or release of water at a greater rate than the unimpaired natural inflow into the reservoir. (Fish & G. Code, § 5937.)
16. The facilities for diversion under this right shall include satisfactory means of measuring and bypassing sufficient water to satisfy downstream prior rights and any requirements of the California Department of Fish and Wildlife.
17. This right does not authorize any act which results in the taking of a threatened, endangered or candidate species or any act which is now prohibited, or becomes prohibited in the future, under either the California Endangered Species Act (Fish and Game Code section 2050 et seq.) or the Federal Endangered Species Act (16 U.S.C.A. section 1531 et seq.). If a "take" will result from any act authorized under this water right, the right holder shall obtain authorization for an incidental take prior to construction or operation of the project. Right holder shall be responsible for meeting all requirements of the state and Federal Endangered Species Acts for the project authorized under this right.
18. This right is subject to the submittal of a report of water use and satisfactory renewal, on forms to be furnished by the State Water Board, including payment of the then-current renewal fees prior to the expiration of each five-year period following the priority date of this right. (Wat. Code, § 1228.5.)
19. This right shall be revoked by operation of law upon failure of the right holder to renew the right as required by the conditions of this certificate. (Wat. Code, § 1228.5, subd. (d).)
20. Right holder is on notice that: (1) failure to timely commence or complete construction work or beneficial use of water with due diligence, (2) cessation or partial cessation of beneficial use of water, (3) failure to observe any of the terms or conditions of this right, or (4) a finding by the State Water Board that the right holder knowingly made a false statement or knowingly concealed any material fact in the registration, may be cause for the State Water Board to consider revocation (including partial revocation) of this right. (Wat. Code, § 1228.4.)

STATE WATER RESOURCES CONTROL BOARD

ORIGINAL SIGNED BY:
C. SCOTT FRAZIER, FOR

Leslie F. Grober, Deputy Director
Division of Water Rights

Dated: NOV 30 2016



State Water Resources Control Board

Sent by email. No hard copy to follow.

Effective Date: 11/23/2021

WDID: 1_12CC436386

Dazzi, Christopher
Attn: Christopher Dazzi
Email: 1234erin@att.net

FACILITY ADDRESS:
Bear Creek Road
Dinsmore CA, 95526
Humboldt County

NOTICE OF APPLICABILITY – WASTE DISCHARGE REQUIREMENTS, WATER QUALITY ORDER WQ 2019-0001-DWQ

This Notice of Applicability (NOA) provides notice that the requirements of the State Water Resources Control Board (State Water Board) *Cannabis Cultivation Policy- Principles and Guidelines for Cannabis Cultivation* (Policy), and Order WQ 2019-0001-DWQ (General Order), are applicable to the site as described below.

DISCHARGER: DAZZI, CHRISTOPHER

WDID: 1_12CC436386	ORDER: WQ 2019-0001-DWQ
Enrollment – Type	Enrollee - WDR
Tier and Risk	Tier 1 Low Risk
Wastewater Disposal	Not Applicable
Disturbed Area (SqFt)	14000
Cultivation Area (SqFt)	14000

FACILITY APNs:

208-201-011-000

Additional site-specific requirements are contained in this NOA. The Discharger is responsible for all the applicable requirements in the Policy, General Order, and this NOA.

If you have any further question, please contact North Coast Regional Cannabis Unit at northcoast.cannabis@waterboards.ca.gov.

APPROVED BY

Karen Mogus
Deputy Director
Division of Water Quality

E. JOAQUIN ESQUIVEL, CHAIR | EILEEN SOBECK, EXECUTIVE DIRECTOR

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

The *Cannabis Cultivation Policy- Principles and Guidelines for Cannabis Cultivation* (Policy) and the *General Waste Discharge Requirements and Waiver of Waste Discharge Requirements for Discharges of Waste Associated with Cannabis Cultivation Activities*, Order WQ 2019-0001-DWQ (General Order) are available at <<http://www.waterboards.ca.gov/cannabis>>. The Discharger shall ensure that all site operating personnel know, understand, and comply with the requirements contained in the Policy, General Order, and this Notice of Applicability (NOA). Note that the General Order contains standard provisions, general requirements, and prohibitions that apply to all cannabis cultivation activities (Attachment A of the General Order).

Please direct submittals, discharge notifications, and questions regarding compliance and enforcement to the North Coast Regional Cannabis Unit, at (707) 576-2676 or northcoast.cannabis@waterboards.ca.gov unless otherwise directed in this document.

CONTENTS:

1. **ENROLLMENT RESPONSIBILITIES**
2. **FACILITY AND DISCHARGE DESCRIPTION**
3. **PROJECTS AND MAINTANCE OCCURING IN STREAMS AND WETLANDS**
4. **GENERAL REQUIREMENTS**
5. **TECHNICAL REPORT REQUIREMENTS**
6. **MONITORING AND REPORTING PROGRAM**
7. **ANNUAL FEE**
8. **TERMINATION OF COVERAGE UNDER THE GENERAL ORDER**
9. **REGION SPECIFIC REQUIREMENTS**

Additional Cannabis Water Quality Resources

The links below are available on the last page of this document

Water Boards' Cannabis Cultivation Webpage	Water Quality Fees Webpage
Cannabis Policy	Water Quality Annual Fee Invoice Lookup
Cannabis General Order	Facility-At-A-Glance Report
Rural Roads Handbook	Cultivation Permitting Agency Webinar

For translation assistance, please contact the following:

Spanish: Para obtener más información en español por favor contáctenos al teléfono (916) 341-5265 o vía email a: OPP-LanguageServices@Waterboards.ca.gov.

Hmong: Rau kev npaub ntxiv ua lus Hmoob, thov txuas lus nrog peb ntawm xov tooj (916)-341-5265 los sis email: OPP-LanguageServices@Waterboards.ca.gov.

1. ENROLLMENT RESPONSIBILITIES

Dazzi, Christopher (hereafter “Discharger”) submitted information, or updated enrollment information, for discharges of waste associated with cannabis cultivation at or near Bear Creek Road Dinsmore CA, 95526. The Discharger’s cannabis cultivation activities are in compliance, will be in compliance with, or the Discharger will contact the Regional Board if they cannot be in compliance with the requirements of the State Water Board’s Policy and General Order before the winter period. You are hereby assigned waste discharger identification (WDID) number 1_12CC436386.

The Discharger is responsible for all applicable requirements in the Policy, General Order, and this NOA, including submittal of all required reports. The Discharger is the sole person with legal authority to, among other things, change information submitted to obtain regulatory coverage under the General Order; request changes to enrollment status, including tier and risk designation; and terminate regulatory coverage. The Discharger may designate a third-party representative/agent to represent them in issues related to the General Order but must do so in writing. The Regional Water Quality Control Board (Regional Water Board) or the State Water Board (collectively Water Boards) will hold the Discharger liable for any noncompliance with the Policy, General Order, or this NOA. Pursuant to the General Order, if the Discharger is not the landowner, the Discharger must have express written permission of the landowner authorizing the cannabis cultivation activities. If the landowner contests this NOA and the Discharger cannot obtain consent, the Discharger will be required to submit a request for termination of coverage under the General Order, as described in Section 5 below.

This NOA does not provide authorization to cultivate cannabis; such authorization is provided through a license from the California Department of Cannabis Control, required permits from your local jurisdiction (city or county), and an agreement or exemption from agreement from the California Department of Fish and Wildlife. The Policy and General Order, and by reference this NOA, require that you obtain all appropriate permits from other agencies prior to cultivating cannabis.

2. FACILITY AND DISCHARGE DESCRIPTION

The information submitted by the Discharger indicates:

1. the disturbed area is less than 1 acre (43,560 square feet)
2. no portion of the disturbed area is within the required riparian setbacks
3. no portion of the disturbed area is located on a slope greater than 30 percent

Therefore, the activities are classified as Tier 1 Low Risk and meet the requirements of the General Order.

If site conditions described above change, you must contact the North Coast Regional Cannabis Unit listed at the top of page 2.

3. PROJECTS AND MAINTANCE OCCURING IN STREAMS AND WETLANDS

The Policy and General Order require that, prior to conducting any work in streams or wetlands, the Discharger obtain water quality certification from the Water Boards and other required permits from other agencies (e.g., a Clean Water Act section 404 permit from the United States Army Corps of Engineers, a Lake and Streambed Alteration Agreement from the California Department of Fish and Wildlife, and other local permits). Enrollment in the General Order requires that the Discharger obtain water quality certification for any such work, but this NOA does not provide the necessary certification. If the Discharger proposes or requires work in streams or wetlands, they must apply for water quality certification by filling out and submitting a separate application for that work. Additional application

and monitoring fees will apply. Please contact the North Coast Regional Cannabis Unit for application forms, fee information, and instructions.

4. GENERAL REQUIREMENTS

The General Order requires that all applicable best practicable treatment or control (BPTC) measures listed in Attachment A of the General Order be implemented before the onset of the winter period November 15 to April 1. Dischargers that cannot implement all applicable BPTC measures by the onset of the winter period shall submit to the Regional Water Board a Site Management Plan that includes a time schedule and scope of work for use by the Regional Water Board in developing a compliance schedule as described in General Requirement No. 33 in Attachment A of the General Order.

The Discharger shall notify the Regional Water Board in writing of any proposed change in the method of waste disposal for irrigation tailwater, hydroponic wastewater, or other miscellaneous industrial wastewaters. Note the following:

- i. Discharge to a permitted wastewater treatment collection system and facility that accepts cannabis cultivation wastewater is permissible under the General Order. A will-serve letter (or equivalent) from the sewer agency is sufficient to demonstrate that the discharge is in compliance with wastewater system requirements and shall be made available to the Water Boards upon request.
- ii. The Discharger shall retain, for a minimum of five years, appropriate documentation for any industrial wastewater collected to a storage tank for disposal at a permitted wastewater facility that accepts cannabis cultivation wastewater. Documentation shall be made available to the Water Boards upon request.
- iii. The Discharger must obtain separate regulatory authorization (e.g., site-specific Waste Discharge Requirements (WDRs), conditional waiver of WDRs, or other permit mechanism) from the Regional Water Board prior to implementing alternative waste disposal methods, such as onsite wastewater treatment systems, including, but not limited to, a septic/leach field system, evaporation ponds, or onsite landscape irrigation using treated wastewater. Additional monitoring and reporting requirements may be necessary to demonstrate compliance with the General Order and the Regional Water Board's Basin Plan.

During reasonable hours, the Discharger shall allow the Water Boards, California Department of Fish and Wildlife, CAL FIRE, and any other authorized representatives of the Water Boards, upon presentation of a badge, employee identification card, or similar credentials, to:

- i. enter premises and facilities where cannabis is cultivated; where water is diverted, stored, or used; where wastes are treated, stored, or disposed; or in which any records are kept;
- ii. access and copy any records required to be kept under the terms and conditions of the Policy and General Order;
- iii. record audio and video, inspect, and/or photograph any cannabis cultivation sites, and associated premises, facilities, monitoring equipment or device, practices, or operations regulated or required by the Policy and General Order; and

- iv. sample, monitor, photograph, and record audio and video of site conditions, any discharge, waste material substances, or water quality parameters at any location for the purpose of ensuring compliance with the Policy and General Order.

5. TECHNICAL REPORT REQUIREMENTS

The technical reports described below shall be submitted through the Water Boards Cannabis Cultivation Programs Portal by completing a *General Order Technical Reporting* survey. See Section 8 for required reporting before termination of General Order coverage.

A Site Management Plan, due by 10/13/2021, or within 90 days of notifying the North Coast Regional Cannabis Unit of planned material change in activity, character, location, or volume of discharge (i.e. change in cultivation, disturbed area, wastewater disposal method, etc.) as required by General Order Provision C.1.a, Provision C.2.i, and Attachment A, Section 5. Attachment D of the General Order provides guidance on the contents of the Site Management Plan.

6. MONITORING AND REPORTING PROGRAM

The Discharger shall comply with the Monitoring and Reporting Program (MRP). Attachment B of the General Order provides guidance on the contents for the annual reporting requirement. Annual reports shall be submitted through the Water Boards Cannabis Cultivation Programs Portal by completing a *Online Cannabis Water Quality Monitoring & Reporting Program* survey by March 1 following the year being monitored. The Discharger shall comply with the MRP and any future revisions as specified by the Regional Water Board Executive Officer, the State Water Board Division of Water Quality Deputy Director, or the State Water Board Chief Deputy Director.

7. ANNUAL FEE

If applicable you will receive an invoice annually until coverage under this General Order is formally terminated. Please visit <http://www.waterboards.ca.gov/resources/fees/water_quality/> and click on the latest Water Quality Fee Schedule (for example, for fiscal year 2020-2021, the fee schedule is called 'FY 2020-2021 Water Quality Fee Schedule'). California Code of Regulation Title 23 Division 3 Chapter 9 Article 1 Section 2200.7, 'Annual Fee Schedule for Cannabis Cultivation.' Please note that the Fee Schedule is reviewed annually and future fees may be invoiced at different rates.

Annual fees are assessed on a fiscal year basis (July 1 through June 30). Invoices are sent by the State Water Board roughly midway through each fiscal year, usually in January. Please do not submit payments without receiving an invoice. If you have questions or concerns about your fees please contact the Water Boards Fee Branch at FeeBranch@waterboards.ca.gov or (916) 341-5247. The fee is due and payable on an annual basis until coverage under the General Order is formally terminated. Instructions for requesting termination of coverage appear in Section 8.

To terminate coverage, the Discharger must submit a Notice of Termination, including a Site Closure Report, at least 90 days prior to termination of activities, and a final Annual Monitoring Report. See Termination of Coverage Under the General Order section below.

8. TERMINATION OF COVERAGE UNDER THE GENERAL ORDER

Dischargers who wish to terminate coverage under the General Order must submit a Notice of Termination and Site Closure Report. The Notice of Termination and Site Closure Report shall be submitted through the Water Boards Cannabis Cultivation Programs Portal

<<https://public2.waterboards.ca.gov/cgo>>by completing a *Cannabis General Order Termination Request Form* survey.

Dischargers enrolled under Waste Discharge Requirements in the General Order (i.e., non-Waiver enrollees) must also submit a final Annual Monitoring Report. The final Annual Monitoring Report shall be submitted by completing an *Online Cannabis Water Quality Monitoring & Reporting Program* survey.

The Regional Water Board reserves the right to inspect the site before approving a request for termination of coverage. Attachment C of the General Order includes the *NOT* form and Attachment D of the General Order provides guidance on the contents of the *Site Closure Report*.

9. REGION SPECIFIC REQUIREMENTS

Dischargers shall comply with all applicable federal, state, and local laws, regulations, and permitting requirements. This includes any applicable Regional Water Board Orders or Regional Water Quality Control Plan (Basin Plan) requirements, including prohibitions and/or water quality objectives governing the discharge. In the event of duplicate or conflicting requirements, the most stringent requirement shall apply.

You can access your regions Basin Plan by visiting your local Regional Water Board's website at <<https://www.waterboards.ca.gov/northcoast/>>.

The Discharger shall also comply with the provisions of the North Coast Regional Water Board's Supplement to the General Order Annual Monitoring and Reporting Program (Regional Supplement), which independently appears as Investigative Order No. R1-2019-0023, issued by the Regional Water Board Executive Officer on March 22, 2019. The information required by Order No. R1-2019-0023 will be submitted while completing the *Online Cannabis Water Quality Monitoring & Reporting Program* survey

Individuals Notified of Notice of Applicability Issuance

Cannabis Regulatory Unit
State Water Resources Control Board
dwq.cannabis@waterboards.ca.gov

North Coast Water Quality Control Board
Northcoast.Cannabis@Waterboards.Ca.Gov

Timberland Resource Consultants
Trc@Timberlandresource.Com

Cliff Johnson, Senior Planner
Humboldt County
Cjohnson@Co.Humboldt.Ca.Us

211123_1L_1_12CC436386_Star_Mountain_Farm_NOA_BTM;APPROVAL#581

Additional Cannabis Water Quality Resources

Water Boards' Cannabis Cultivation Webpage:

https://www.waterboards.ca.gov/water_issues/programs/cannabis/cannabis_outreach.html

Cannabis Policy:

https://www.waterboards.ca.gov/water_issues/programs/cannabis/docs/policy/final_cannabis_policy_with_attach_a.pdf

Cannabis General Order:

https://www.waterboards.ca.gov/board_decisions/adopted_orders/water_quality/2019/wqo2019_0001_dwq.pdf

Rural Roads Handbook:

http://www.pacificwatershed.com/sites/default/files/handbook_chapter_download_page.pdf

Cultivation Permitting Agency Webinar: <https://youtu.be/kVbIKnFRZy8>

Water Quality Fees Webpage: https://www.waterboards.ca.gov/resources/fees/water_quality/

Water Quality Annual Fee Invoice Lookup:

<http://infofees.waterboards.ca.gov/FeeInfo/DischargerInvoice.aspx>

Facility-At-A-Glance Report:

<https://ciwqs.waterboards.ca.gov/ciwqs/readOnly/CiwqsReportServlet?reportName=facilityAtAGlance&inCommand=reset>



State Water Resources Control Board

Sent by email. No hard copy to follow.

Effective Date: 3/15/2022

WDID: 1_12CC436386

Dazzi, Christopher
Attn: Christopher Dazzi
Email: 1234erin@att.net

FACILITY ADDRESS:
Bear Creek Road
Dinsmore CA, 95526
Humboldt County

NOTICE OF APPLICABILITY – CONDITIONAL WAIVER OF WASTE DISCHARGE REQUIREMENTS, WATER QUALITY ORDER WQ 2019-0001-DWQ

This Notice of Applicability (NOA) provides notice that the requirements of the State Water Resources Control Board (State Water Board) *Cannabis Cultivation Policy- Principles and Guidelines for Cannabis Cultivation* (Policy), and Order WQ 2019-0001-DWQ (General Order), are applicable to the site as described below.

DISCHARGER: DAZZI, CHRISTOPHER

WDID: 1_12CC436386	ORDER: WQ 2019-0001-DWQ
Enrollment – Type	Enrollee - Waiver
Tier and Risk	Not Applicable
Wastewater Disposal	Conditionally Exempt
Disturbed Area (SqFt)	1999
Cultivation Area (SqFt)	1999

FACILITY APNs:

208-201-011-000

Additional site-specific requirements are contained in this NOA. The Discharger is responsible for all the applicable requirements in the Policy, General Order, and this NOA.

If you have any further question, please contact North Coast Regional Cannabis Unit at northcoast.cannabis@waterboards.ca.gov.

APPROVED BY

Karen Mogus
Deputy Director
Division of Water Quality

E. JOAQUIN ESQUIVEL, CHAIR | EILEEN SOBECK, EXECUTIVE DIRECTOR

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

The *Cannabis Cultivation Policy- Principles and Guidelines for Cannabis Cultivation* (Policy) and the *General Waste Discharge Requirements and Waiver of Waste Discharge Requirements for Discharges of Waste Associated with Cannabis Cultivation Activities*, Order WQ 2019-0001-DWQ (General Order) are available at <<http://www.waterboards.ca.gov/cannabis>>. The Discharger shall ensure that all site operating personnel know, understand, and comply with the requirements contained in the Policy, General Order, and this Notice of Applicability (NOA). Note that the General Order contains standard provisions, general requirements, and prohibitions that apply to all cannabis cultivation activities (Attachment A of the General Order).

Please direct submittals, discharge notifications, and questions regarding compliance and enforcement to the North Coast Regional Cannabis Unit, at (707) 576-2676 or northcoast.cannabis@waterboards.ca.gov unless otherwise directed in this document.

CONTENTS:

1. **ENROLLMENT RESPONSIBILITIES**
2. **FACILITY AND DISCHARGE DESCRIPTION**
3. **PROJECTS AND MAINTANCE OCCURING IN STREAMS AND WETLANDS**
4. **GENERAL REQUIREMENTS**
5. **TECHNICAL REPORT REQUIREMENTS**
6. **MONITORING AND REPORTING PROGRAM**
7. **ANNUAL FEE**
8. **TERMINATION OF COVERAGE UNDER THE GENERAL ORDER**
9. **REGION SPECIFIC REQUIREMENTS**

Additional Cannabis Water Quality Resources

The links below are available on the last page of this document

Water Boards' Cannabis Cultivation Webpage	Water Quality Fees Webpage
Cannabis Policy	Water Quality Annual Fee Invoice Lookup
Cannabis General Order	Facility-At-A-Glance Report
Rural Roads Handbook	Cultivation Permitting Agency Webinar

For translation assistance, please contact the following:

Spanish: Para obtener más información en español por favor contáctenos al teléfono (916) 341-5265 o vía email a: OPP-LanguageServices@Waterboards.ca.gov.

Hmong: Rau kev npaub ntxiv ua lus Hmoob, thov txuas lus nrog peb ntawm xov tooj (916)-341-5265 los sis email: OPP-LanguageServices@Waterboards.ca.gov.

1. ENROLLMENT RESPONSIBILITIES

Dazzi, Christopher (hereafter “Discharger”) submitted information, or updated enrollment information, for discharges of waste associated with cannabis cultivation at or near Bear Creek Road Dinsmore CA, 95526. The Discharger’s cannabis cultivation activities are in compliance, will be in compliance with, or the Discharger will contact the Regional Board if they cannot be in compliance with the requirements of the State Water Board’s Policy and General Order before the winter period. You are hereby assigned waste discharger identification (WDID) number 1_12CC436386.

The Discharger is responsible for all applicable requirements in the Policy, General Order, and this NOA, including submittal of all required reports. The Discharger is the sole person with legal authority to, among other things, change information submitted to obtain regulatory coverage under the General Order; request changes to enrollment status, including tier and risk designation; and terminate regulatory coverage. The Discharger may designate a third-party representative/agent to represent them in issues related to the General Order but must do so in writing. The Regional Water Quality Control Board (Regional Water Board) or the State Water Board (collectively Water Boards) will hold the Discharger liable for any noncompliance with the Policy, General Order, or this NOA. Pursuant to the General Order, if the Discharger is not the landowner, the Discharger must have express written permission of the landowner authorizing the cannabis cultivation activities. If the landowner contests this NOA and the Discharger cannot obtain consent, the Discharger will be required to submit a request for termination of coverage under the General Order, as described in Section 5 below.

This NOA does not provide authorization to cultivate cannabis; such authorization is provided through a license from the California Department of Cannabis Control, required permits from your local jurisdiction (city or county), and an agreement or exemption from agreement from the California Department of Fish and Wildlife. The Policy and General Order, and by reference this NOA, require that you obtain all appropriate permits from other agencies prior to cultivating cannabis.

2. FACILITY AND DISCHARGE DESCRIPTION

The information submitted by the Discharger indicates that the cannabis cultivation activities:

1. the cultivation areas are contiguous, and all located on one parcel or on contiguous parcels,
2. outdoor cultivation activities disturb less than 2,000 square feet,
3. no portion of the disturbed area is located on a slope greater than 20 percent,
4. The Discharger complies with all applicable requirements listed in Attachment A of the Policy and General Order

Therefore, the cultivation activities are appropriately regulated by the General Order’s waiver of waste discharge requirements.

If site conditions described above change, you must contact the North Coast Regional Cannabis Unit listed at the top of page 2.

3. PROJECTS AND MAINTANCE OCCURING IN STREAMS AND WETLANDS

The Policy and General Order require that, prior to conducting any work in streams or wetlands, the Discharger obtain water quality certification from the Water Boards and other required permits from other agencies (e.g., a Clean Water Act section 404 permit from the United States Army Corps of Engineers, a Lake and Streambed Alteration Agreement from the California Department of Fish and Wildlife, and other local permits). Enrollment in the General Order requires that the Discharger obtain

water quality certification for any such work, but this NOA does not provide the necessary certification. If the Discharger proposes or requires work in streams or wetlands, they must apply for water quality certification by filling out and submitting a separate application for that work. Additional application and monitoring fees will apply. Please contact the North Coast Regional Cannabis Unit for application forms, fee information, and instructions.

4. GENERAL REQUIREMENTS

The General Order requires that all applicable best practicable treatment or control (BPTC) measures listed in Attachment A of the General Order be implemented before the onset of the winter period November 15 to April 1. Dischargers that cannot implement all applicable BPTC measures by the onset of the winter period shall submit to the Regional Water Board a Site Management Plan that includes a time schedule and scope of work for use by the Regional Water Board in developing a compliance schedule as described in General Requirement No. 33 in Attachment A of the General Order.

The Discharger shall notify the Regional Water Board in writing of any proposed change in the method of waste disposal for irrigation tailwater, hydroponic wastewater, or other miscellaneous industrial wastewaters. Note the following:

- i. Discharge to a permitted wastewater treatment collection system and facility that accepts cannabis cultivation wastewater is permissible under the General Order. A will-serve letter (or equivalent) from the sewer agency is sufficient to demonstrate that the discharge is in compliance with wastewater system requirements and shall be made available to the Water Boards upon request.
- ii. The Discharger shall retain, for a minimum of five years, appropriate documentation for any industrial wastewater collected to a storage tank for disposal at a permitted wastewater facility that accepts cannabis cultivation wastewater. Documentation shall be made available to the Water Boards upon request.
- iii. The Discharger must obtain separate regulatory authorization (e.g., site-specific Waste Discharge Requirements (WDRs), conditional waiver of WDRs, or other permit mechanism) from the Regional Water Board prior to implementing alternative waste disposal methods, such as onsite wastewater treatment systems, including, but not limited to, a septic/leach field system, evaporation ponds, or onsite landscape irrigation using treated wastewater. Additional monitoring and reporting requirements may be necessary to demonstrate compliance with the General Order and the Regional Water Board's Basin Plan.

During reasonable hours, the Discharger shall allow the Water Boards, California Department of Fish and Wildlife, CAL FIRE, and any other authorized representatives of the Water Boards, upon presentation of a badge, employee identification card, or similar credentials, to:

- i. enter premises and facilities where cannabis is cultivated; where water is diverted, stored, or used; where wastes are treated, stored, or disposed; or in which any records are kept;
- ii. access and copy any records required to be kept under the terms and conditions of the Policy and General Order;

- iii. record audio and video, inspect, and/or photograph any cannabis cultivation sites, and associated premises, facilities, monitoring equipment or device, practices, or operations regulated or required by the Policy and General Order; and
- iv. sample, monitor, photograph, and record audio and video of site conditions, any discharge, waste material substances, or water quality parameters at any location for the purpose of ensuring compliance with the Policy and General Order.

5. TECHNICAL REPORT REQUIREMENTS

Technical reporting prior to requesting termination of enrollment in the Cannabis General Order is not required for dischargers subject to the General Order's waiver of waste discharge requirements. See Section 8 for required reporting before termination of General Order coverage.

6. MONITORING AND REPORTING PROGRAM

Annual monitoring and reporting is not required for dischargers subject to the General Order's waiver of waste discharge requirements.

7. ANNUAL FEE

If applicable you will receive an invoice annually until coverage under this General Order is formally terminated. Please visit <http://www.waterboards.ca.gov/resources/fees/water_quality/> and click on the latest Water Quality Fee Schedule (for example, for fiscal year 2020-2021, the fee schedule is called 'FY 2020-2021 Water Quality Fee Schedule'). California Code of Regulation Title 23 Division 3 Chapter 9 Article 1 Section 2200.7, 'Annual Fee Schedule for Cannabis Cultivation.' Please note that the Fee Schedule is reviewed annually and future fees may be invoiced at different rates.

Annual fees are assessed on a fiscal year basis (July 1 through June 30). Invoices are sent by the State Water Board roughly midway through each fiscal year, usually in January. Please do not submit payments without receiving an invoice. If you have questions or concerns about your fees please contact the Water Boards Fee Branch at FeeBranch@waterboards.ca.gov or (916) 341-5247. The fee is due and payable on an annual basis until coverage under the General Order is formally terminated. Instructions for requesting termination of coverage appear in Section 8.

To terminate coverage, the Discharger must submit a Notice of Termination, including a Site Closure Report, at least 90 days prior to termination of activities. See Termination of Coverage Under the General Order section below.

8. TERMINATION OF COVERAGE UNDER THE GENERAL ORDER

Dischargers who wish to terminate coverage under the General Order must submit a Notice of Termination and Site Closure Report. The Notice of Termination and Site Closure Report shall be submitted through the Water Boards Cannabis Cultivation Programs Portal <<https://public2.waterboards.ca.gov/cgo>> by completing a *Cannabis General Order Termination Request Form* survey.

The Regional Water Board reserves the right to inspect the site before approving a request for termination of coverage. Attachment C of the General Order includes the *NOT* form and Attachment D of the General Order provides guidance on the contents of the *Site Closure Report*.

Individuals Notified of Notice of Applicability Issuance

Cannabis Regulatory Unit
State Water Resources Control Board
dwq.cannabis@waterboards.ca.gov

North Coast Water Quality Control Board
Northcoast.Cannabis@Waterboards.Ca.Gov

Timberland Resource Consultants
Trc@Timberlandresource.Com

Cliff Johnson, Senior Planner
Humboldt County
Cjohnson@Co.Humboldt.Ca.Us

220315_CE_1_12CC436386_Star_Mountain_Farm_NOA_BTM;APPROVAL#732

9. REGION SPECIFIC REQUIREMENTS

Dischargers shall comply with all applicable federal, state, and local laws, regulations, and permitting requirements. This includes any applicable Regional Water Board Orders or Regional Water Quality Control Plan (Basin Plan) requirements, including prohibitions and/or water quality objectives governing the discharge. In the event of duplicate or conflicting requirements, the most stringent requirement shall apply.

You can access your regions Basin Plan by visiting your local Regional Water Board's website at <https://www.waterboards.ca.gov/northcoast/>.

The Discharger shall also comply with the provisions of the North Coast Regional Water Board's Supplement to the General Order Annual Monitoring and Reporting Program (Regional Supplement), which independently appears as Investigative Order No. R1-2019-0023, issued by the Regional Water Board Executive Officer on March 22, 2019. The information required by Order No. R1-2019-0023 will be submitted while completing the *Online Cannabis Water Quality Monitoring & Reporting Program* survey

Additional Cannabis Water Quality Resources

Water Boards' Cannabis Cultivation Webpage:

https://www.waterboards.ca.gov/water_issues/programs/cannabis/cannabis_outreach.html

Cannabis Policy:

https://www.waterboards.ca.gov/water_issues/programs/cannabis/docs/policy/final_cannabis_policy_with_attach_a.pdf

Cannabis General Order:

https://www.waterboards.ca.gov/board_decisions/adopted_orders/water_quality/2019/wqo2019_0001_dwq.pdf

Rural Roads Handbook:

http://www.pacificwatershed.com/sites/default/files/handbook_chapter_download_page.pdf

Cultivation Permitting Agency Webinar: <https://youtu.be/kVbIKnFRZy8>

Water Quality Fees Webpage: https://www.waterboards.ca.gov/resources/fees/water_quality/

Water Quality Annual Fee Invoice Lookup:

<http://infofees.waterboards.ca.gov/FeeInfo/DischargerInvoice.aspx>

Facility-At-A-Glance Report:

<https://ciwqs.waterboards.ca.gov/ciwqs/readOnly/CiwqsReportServlet?reportName=facilityAtAGlance&inCommand=reset>



165 South Fortuna Boulevard, Fortuna, CA 95540
707-725-1897 • fax 707-725-0972
trc@timberlandresource.com

APN 208-201-011 Noise Evaluation

Chris Dazzi

03/31/2022

Background

Humboldt County Ordinance No. 2599 or the Commercial Cannabis Land Use Ordinance (CCLUO) regulates land use within the county associated with commercial cannabis operations.

Section 55.4.12.6 of the CCLUO outlines performance standards for managing potential noise pollution. This section states:

“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. Existing ambient noise levels shall be determined by taking twenty-four hour measurements on three or more property lines when all cannabis related activities are not in operation.”

Site Conditions

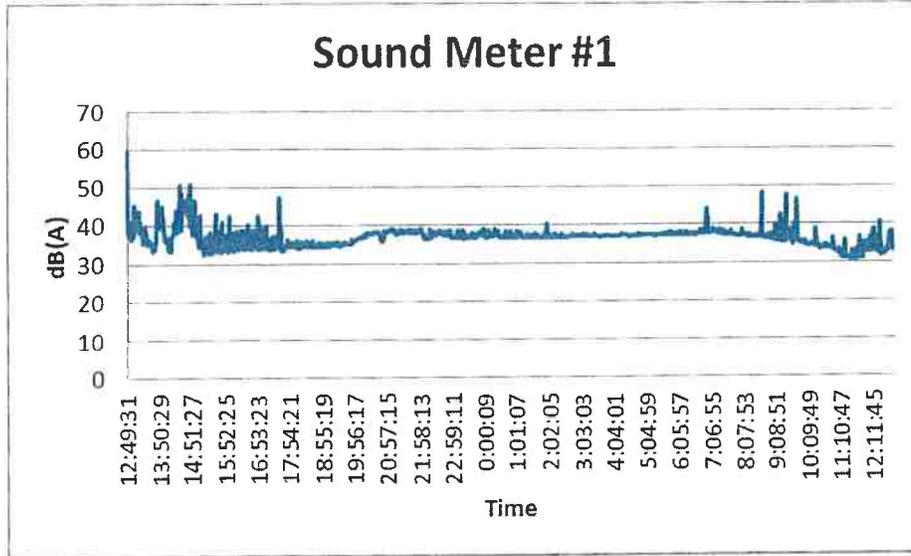
Cultivation sites proposed to be developed on existing landings. At the time of the site visit, no existing cultivation operations were occurring. The parcel is located off Bear Creek Road, approximately 2.7 miles Northwest of Dinsmore, CA.

Methods

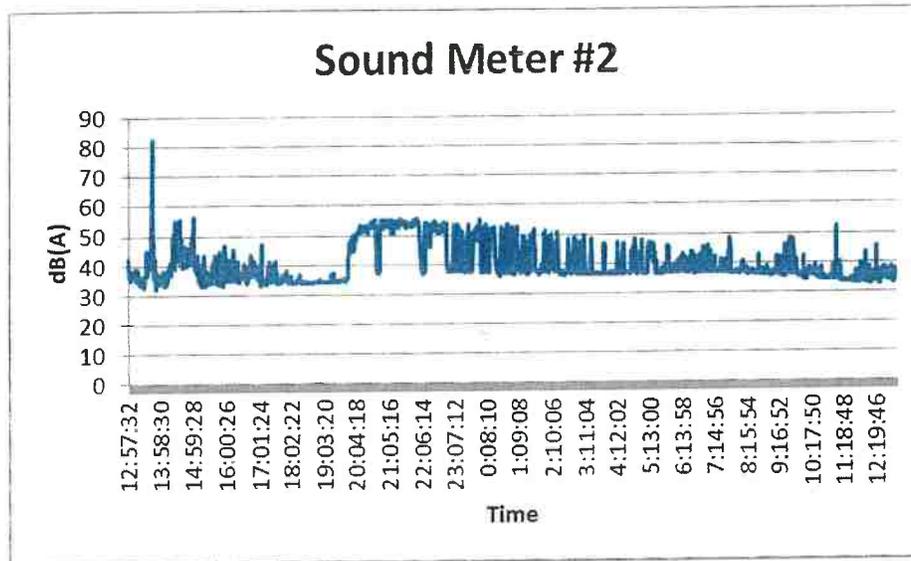
As outlined in the Performance Standards of the CCLUO, decibel levels are measured at three property lines. Measurements were conducted with three CEM DT-8852 Industrial High Accuracy Digital Sound Level Meters. These devices measure dB(A) and dB(C) within a 1.4 dB accuracy using an internal data logger. These meters were set to measure dB(A) ranging from 30 to 130, on slow setting, at a 59 second recording interval. Sound meters were set at three property lines and data was recorded for a 24 hour period. An attached map shows the locations of the meters. The initial pre-operations dataset was recorded from 03/25/2022 to 03/26/2022. The second noise recording will be conducted once commercial operations commence. After the data is collected it is imported into Microsoft Excel for statistical analysis. Data is averaged and a line graph is generated for visual representation of the dataset. Data recorded at 59 second intervals resulted in a total sample size (n) of 1466 data points per sound meter. Each dataset contains a graph and average of decibel level.

Results

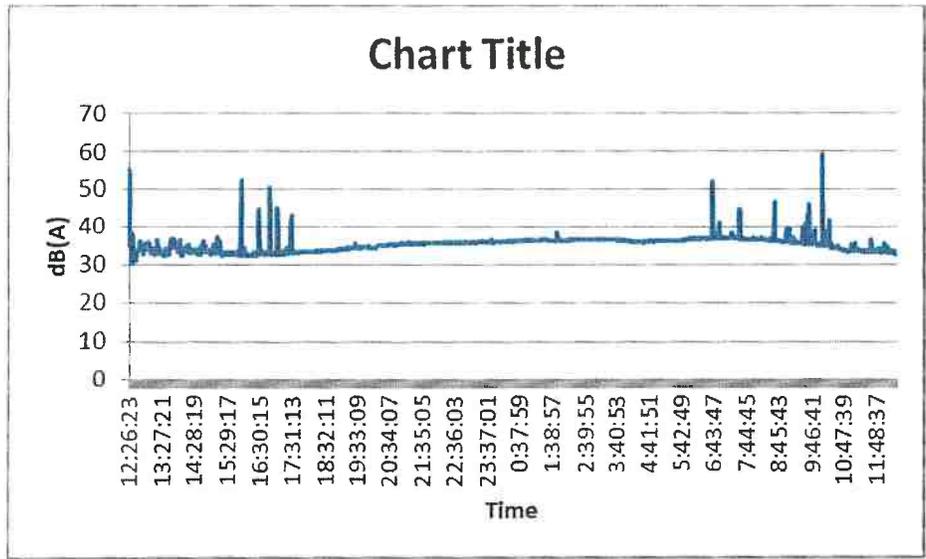
Sound Meter #1 was located along the northern property line downslope of one of the proposed cultivation areas. This meter recorded data from 12:29:31 on 03/25 to 12:30:06 on 03/26. The average noise level recorded for this property line pre-operations was 36.79 dB(A).



Sound Meter #2 was located along the southern property line and placed near the gravel driveway. This meter recorded data from 12:57:32 on 03/25 to 12:58:07 on 03/26. The average noise level recorded for this property line pre-operations was 40.01 dB(A).



Sound Meter #3 was located along the eastern property boundary along a ridge. This meter recorded data from 12:26:23 on 03/25 to 12:26:58 on 03/26. The average noise level recorded for this property line pre-operations was 35.42 dB(A).



Sincerely,
Jack A Henry
Jack A Henry
Wildlife Biologist
Timberland Resource Consultants



165 South Fortuna Boulevard, Fortuna, CA 95540

707-725-1897 • fax 707-725-0972

trc@timberlandresource.com

September 10, 2021

Attention: Cannabis Services Division
Humboldt County Planning and Building Department
3015 H Street
Eureka, CA 95501

Re: APN 208-201-011
Application #15584

The following is an evaluation of potential timberland conversion on cannabis cultivation sites and associated areas for a proposed cannabis cultivation permit under the Humboldt County Cannabis Land Use Ordinance (CMMLUO) 2.0. Please accept this letter as the RPF's written report required by Humboldt County Code, Ordinance No. 2559 (Commercial Medical Marijuana Land Use), Section 55.4.12.2.4 as sited below.

"Where existing or proposed operations occupy sites created through prior unauthorized conversion of timberland, if the landowner has not completed a civil or criminal process and/or entered into a negotiated settlement with CALFIRE, the applicant shall secure the services of a registered professional forester (RPF) to evaluate site conditions and conversion history for the property and provide a written report to the Planning Division containing the RPF's recommendation as to remedial actions necessary to bring the conversion area into compliance with provisions of the Forest Practices Act. The Planning Division shall circulate the report to CAL-FIRE for review and comment."

Timberland Resource Consultants (TRC) inspected and evaluated the cultivation sites and associated areas contained within the subject property on June 18, 2021. The RPF exercised due diligence in reviewing all sites and available resources to fully assess potential timberland conversion and consequential impacts. This report evaluates the cultivation sites and associated areas for timber operations only. The scope of this report does not include: all other land alteration (such as grading, construction, and other permit-regulated activities), all property features and sites unrelated to cultivation activities, or any proposed, planned, or absent cultivation-related project sites. All findings are summarized in the report below.

Project Location

APN: 208-201-011

Acreage: 42 acres

Legal Description: SE ¼ of NW ¼ of Section 29
Township 2 North, Range 5 East,
Humboldt Base & Meridian, Humboldt County

Located on USGS 7.5' Quadrangle: Showers Mountain

Humboldt County Zoning: Forest Recreation

Site Address: 330 Canyon Court, Dinsmore

Landowner/Timber Owner: Christopher Dazzi Trust

The property is located approximately 2.7 air miles northwest of Dinsmore. From Highway 36 immediately east of the Dinsmore Store, take a left on Bear Creek Road and drive 4.3 miles northwesterly to Canyon Drive. From junction of Bear Creek Road and Canyon Drive; the property is approximately 1.1 miles via Canyon Drive.

Parcel Description & Timber Harvest History

Note: The property background has been summarized using personal accounts of the current landowner, digital orthographic quadrangle (DOQ) imagery, Humboldt County Web GIS, CAL FIRE Watershed Mapper v2, and Historic Aerials. To avoid speculation and maintain relevancy, the property background focuses mainly on the past 10-15 years.

The property consists of oak woodlands dominated by Oregon white oak with varying degrees of conifer encroachment consisting entirely of Douglas-fir. Review of historic aerial imagery (<https://www.historicaerials.com>) from 1947 reveals that the property consisted of two stand types: The southern or upper 1/3 was oak woodland with scattered old growth Douglas-fir, and the balance to the north was primarily old growth Douglas-fir. Subsequent imagery from 1972 reveals obvious signs of timber harvesting of the old growth Douglas-fir, which likely occurred in the late 1960's. Subsequent imagery from 1983 shows the remaining scattered old growth Douglas-fir to the south, located within the oak woodlands, was harvested between 1972 and 1983. The property was harvested again in 1996 but the THP# is unknown. However, the RPF worked on the THP layout for the RPF John Pieper and recollects that the silviculture was shelterwood removal step. The current landowner purchased the property in 2004.

Forest Fire Prevention Exemption (1-21EX-00740-HUM)

TRC prepared a Cal Fire Forest Fire Prevention Exemption (1-21EX-00740-HUM) for portions of the subject property, which overlap the proposed cannabis cultivation sites. In addition, log landings are proposed to be located near or within each cannabis cultivation site. A copy of the approved Cal Fire Exemption is attached. Timber operations are intended to occur this Fall under the requirements of 14 CCR § 1038.3 for the purpose of cutting and removing of trees to eliminate the vertical continuity of vegetative fuels and the horizontal continuity of tree crowns for the purpose of reducing flammable materials to reduce fire spread, duration, and intensity, fuel ignitability, or ignition of tree crowns. Timber harvesting will occur adjacent to all of the proposed cannabis cultivation sites, and log landings may be reconstructed/enlarged as needed to facilitate timber operations in compliance with 14CCR § 1038.3(e)(4)(D).

Project Description

Three cannabis cultivation sites were inspected during the field assessment within APN 208-201-011. The following table lists the inspected site and associated acreage; see detailed site description below.

Cultivation Site/Associated Area	Total Acreage	Converted?	Converted Acreage
Cultivation Area 1	0.32	Yes	0.32
Cultivation Area 2	0.19	Yes	0.19
Cultivation Area 3	0.18	Yes	0.18
Total:	0.69		0.69

Cultivation Area 1

Review of historic Google and NAIP aerial imagery reveals that the extreme southern portion of the cultivation site was an existing log landing used in 1996, which is visible in 1998 and 2005 imagery. The balance of the site was developed between 2006 and 2009 to its current size and configuration. The past and proposed cultivation activities at Cultivation Area 1 impedes the use of this space for current timber growth and future harvesting; in this way, the landowner has effectively converted this area from timber production to cannabis cultivation.

Cultivation Area 2

Review of historic Google and NAIP aerial imagery reveals that the cultivation site was developed between 2006 and 2009 to its current size and configuration. It appears that several trees were harvested from the periphery of the site between 2016-2018 but no site expansion appears to have occurred. The past and proposed cultivation activities at Cultivation Area 2 impedes the use of this space for current timber growth and future harvesting; in this way, the landowner has effectively converted this area from timber production to cannabis cultivation.

Project Description (Cont.)

Cultivation Area 3

Review of historic Google and NAIP aerial imagery reveals that the cultivation site was an existing log landing used in 1996, which is clearly visible in 1998 imagery. Following years of non-use; the landing was re-opened between 2006 and 2009 to its approximate present size and configuration. It appears that several trees were harvested from the periphery of the site between 2014-2016 but no site expansion appears to have occurred. The past and proposed cultivation activities at Cultivation Area 3 impedes the use of this space for current timber growth and future harvesting; in this way, the landowner has effectively converted this area from timber production to cannabis cultivation.

Timberland Conversion Summary

TRC observed 0.69 acres of timberland conversion for cultivation-related purposes within APN 208-201-011. This total does not exceed the three-acre conversion exemption maximum.

Limitations and Considerations for Timberland Conversion Activities

Watercourses and Water Resources

14CCR 1104.1(a)(2)(F): "No timber operations are allowed within a watercourse and lake protection zone unless specifically approved by local permit (e.g., county, city)."

No conversion areas exist within a Watercourse and Lake Protection Zone (WLPZ). Further, none of the cultivation sites are located within a riparian buffer per State Water Resources Control Board Order WQ 2019-0023-DWQ, or a Humboldt County Stream Management Area based upon the RPF's physical inspection of the cultivation sites and their respective surrounding areas. See attached Conversion Evaluation Map.

Slash, Woody Debris, and Refuse Treatment

14CCR 1104.1(a)(2)(D) – Treatment of Slash and Woody Debris

- 1) Unless otherwise required, slash greater than one inch in diameter and greater than two feet long, and woody debris, except pine, shall receive full treatment no later than April 1 of the year following its creation, or within one year from the date of acceptance of the conversion exemption by the Director, whichever comes first.*
- 2) All pine slash three inches and greater in diameter and longer than four feet must receive initial treatment if it is still on the parcel, within 7 days of its creation.*
- 3) All pine woody debris longer than four feet must receive an initial treatment prior to full treatment.*
- 4) Initial treatment shall include limbing woody debris and cutting slash and woody debris into lengths of less than four feet, and leaving the pieces exposed to solar radiation to aid in rapid drying.*
- 5) Full treatment of all pine slash and woody debris must be completed by March 1 of the year following its creation, or within one year from the date of acceptance of the conversion exemption by the Director, whichever comes first.*
- 6) Full slash and woody debris treatment may include any of the following:
 - a) Burying;*
 - b) Chipping and spreading;*
 - c) Piling and burning; or*
 - d) Removing slash and woody debris from the site for treatment in compliance with (a)-(b). Slash and woody debris may not be burned by open outdoor fires except under permit from the appropriate fire protection agency, if required, the local air pollution control district or air quality management district. The burning must occur on the property where the slash and woody debris originated.**
- 7) Slash and woody debris, except for pine, which is cut up for firewood shall be cut to lengths 24 inches or less and set aside for drying by April 1 of the year following its creation. Pine slash and woody debris which is cut up for firewood shall be cut to lengths 24 inches or less and set aside for drying within seven days of its creation.*
- 8) Any treatment which involves burning of slash or woody debris shall comply with all state and local fire and air quality rules.*

Limitations and Considerations for Timberland Conversion Activities (Cont.)

The RPF observed no slash, logs, and/or woody debris at any of the cultivation areas in association with past timber conversion, which would require treatment per the Forest Practice Rules.

Biological Resources and Forest Stand Health

14 CCR 1104.1 (2)(H): "No sites of rare, threatened or endangered plants or animals shall be disturbed, threatened or damaged and no timber operations shall occur within the buffer zone of a sensitive species as defined in 14 CCR 895.1"

A query of the California Natural Diversity Database (CNDDDB) on September 8, 2021 revealed one observation of sensitive, rare, threatened, or endangered species or species of special concern within a 1.3-mile radius biological assessment area (BAA) surrounding the property. Oregon goldthread (vascular plant) was observed approximately one mile southeast of the property. Despite its "sensitive" status, this species is not state or federally listed, which would require protection under the Forest Practice Rules. The query of the CNDDDB NSO Database revealed no known Northern Spotted Owl (NSO) Activity Centers within a 1.3-mile radius biological assessment area (BAA) surrounding the property. No major forest health issues were observed during the field assessment. The property is located within Humboldt County, a Zone of Infestation (ZOI) for Sudden Oak Death (SOD) but the RPF observed no symptoms, signs, and evidence of oak mortality within the property. The conversion areas did not appear to include late successional stands, late seral stage forests, or old growth trees. The conversion areas did not include any trees that existed before 1800 A.D. and are greater than sixty (60) inches in diameter at stump height for Sierra or Coastal Redwoods and forty-eight (48) inches in diameter at stump height for all other tree species.

Cultural Resources

14 CCR 1104.1 (2)(I): "No timber operations are allowed on significant historical or archeological sites."

An archeological survey was conducted by RPF Jonathan Leonard in association Forest Fire Prevention Exemption 1-21EX-00740-HUM, which overlaps all of the cultivation areas / conversion sites. No prehistoric or historic sites were observed.

Recommendations

In summary, a total of 0.69 acres of unauthorized timberland conversion has occurred within APN 208-201-011. This total does not exceed the three-acre conversion exemption maximum. The conversion activities conducted on the property comply with the California Forest Practice Act and the California Forest Practice Rules. The RPF has no recommendations.

Sincerely,



Chris Carroll, RPF #2628
Timberland Resource Consultants

APN 208-201-011

Location Map

Property Boundary

Map Scale 1" = 2,000'
Section 29, T2N, R5E, HB&M

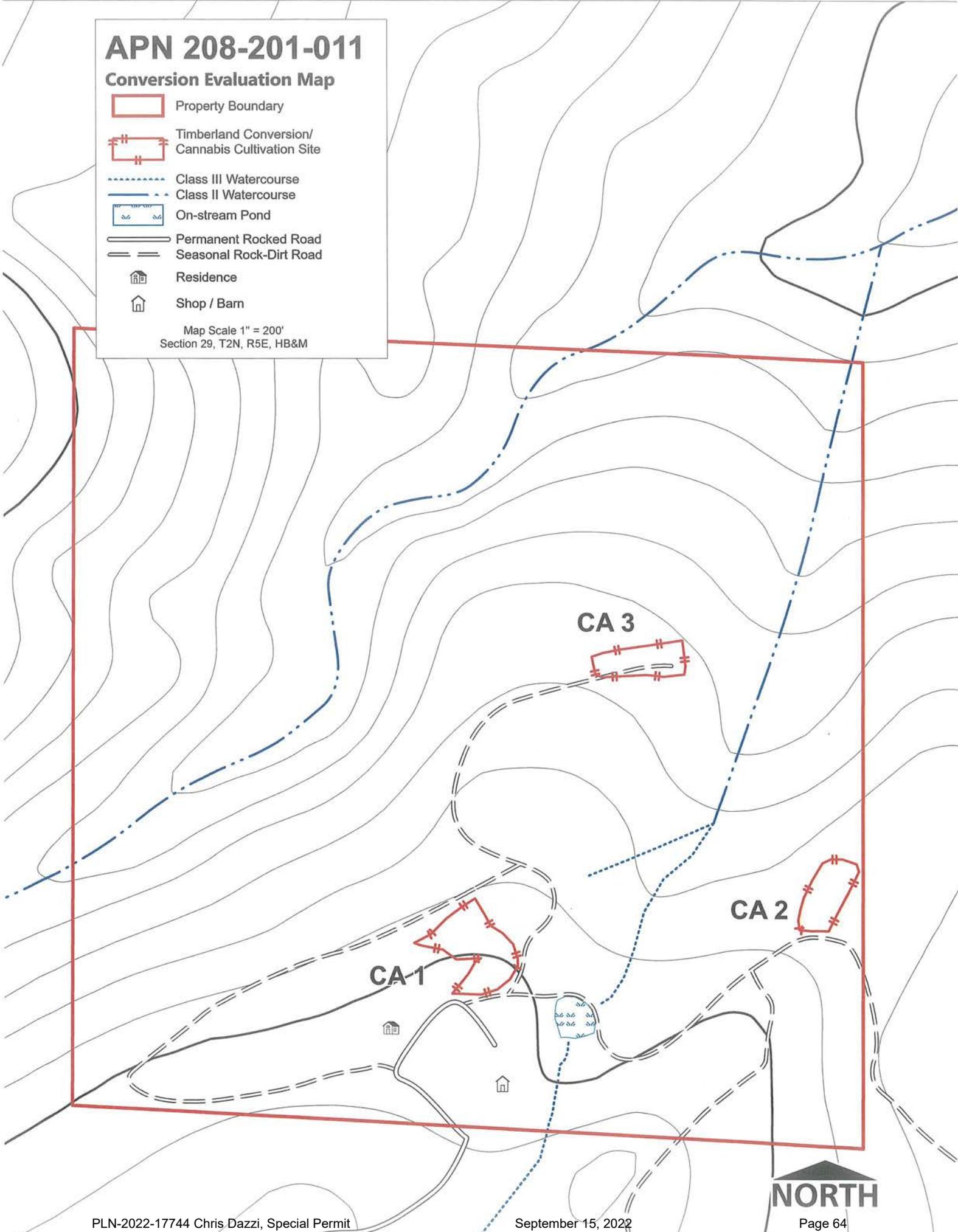


APN 208-201-011

Conversion Evaluation Map

-  Property Boundary
-  Timberland Conversion/
Cannabis Cultivation Site
-  Class III Watercourse
-  Class II Watercourse
-  On-stream Pond
-  Permanent Rocked Road
-  Seasonal Rock-Dirt Road
-  Residence
-  Shop / Barn

Map Scale 1" = 200'
Section 29, T2N, R5E, HB&M

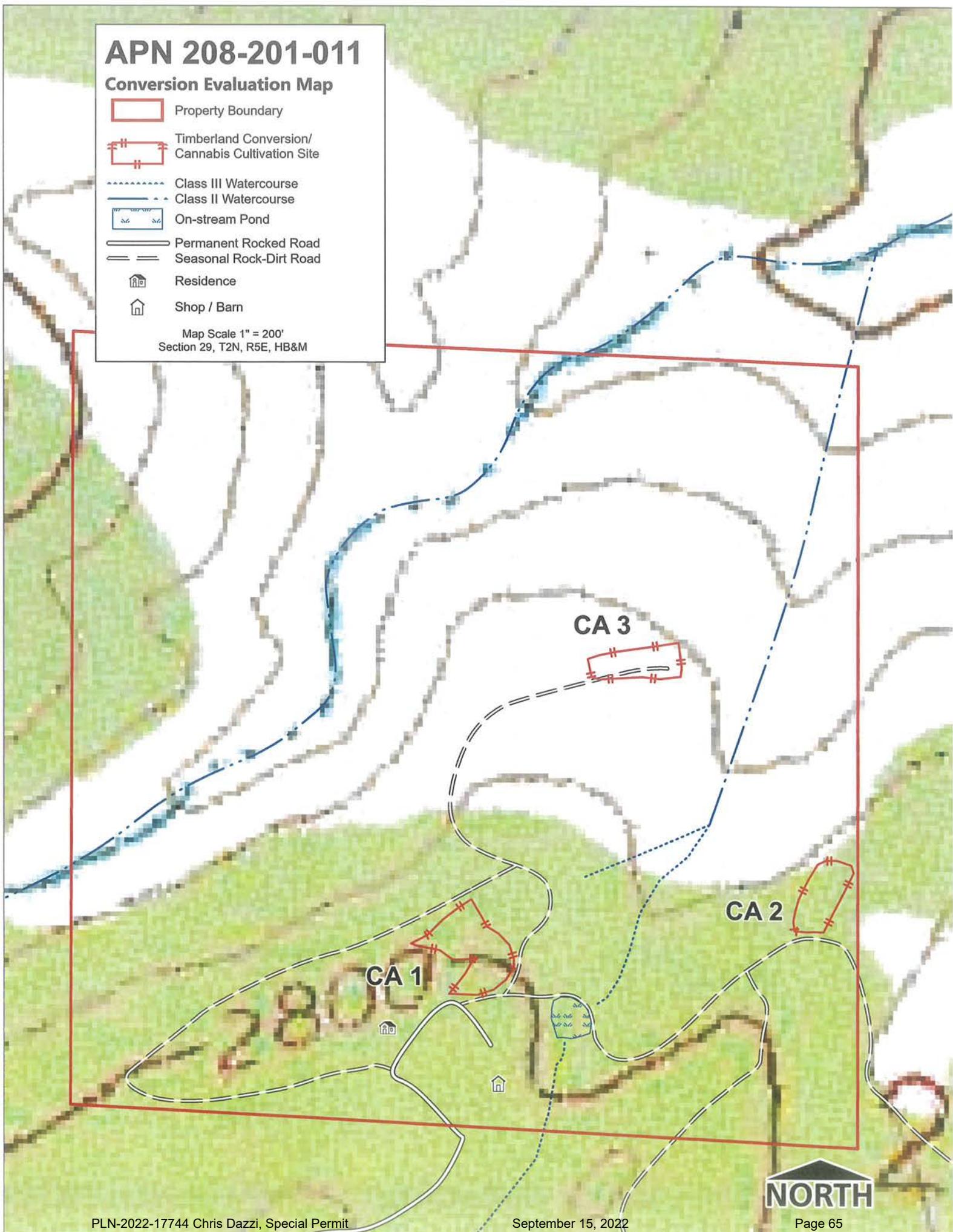


APN 208-201-011

Conversion Evaluation Map

-  Property Boundary
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Cannabis Cultivation Site
-  Class III Watercourse
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-  Residence
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Map Scale 1" = 200'
Section 29, T2N, R5E, HB&M

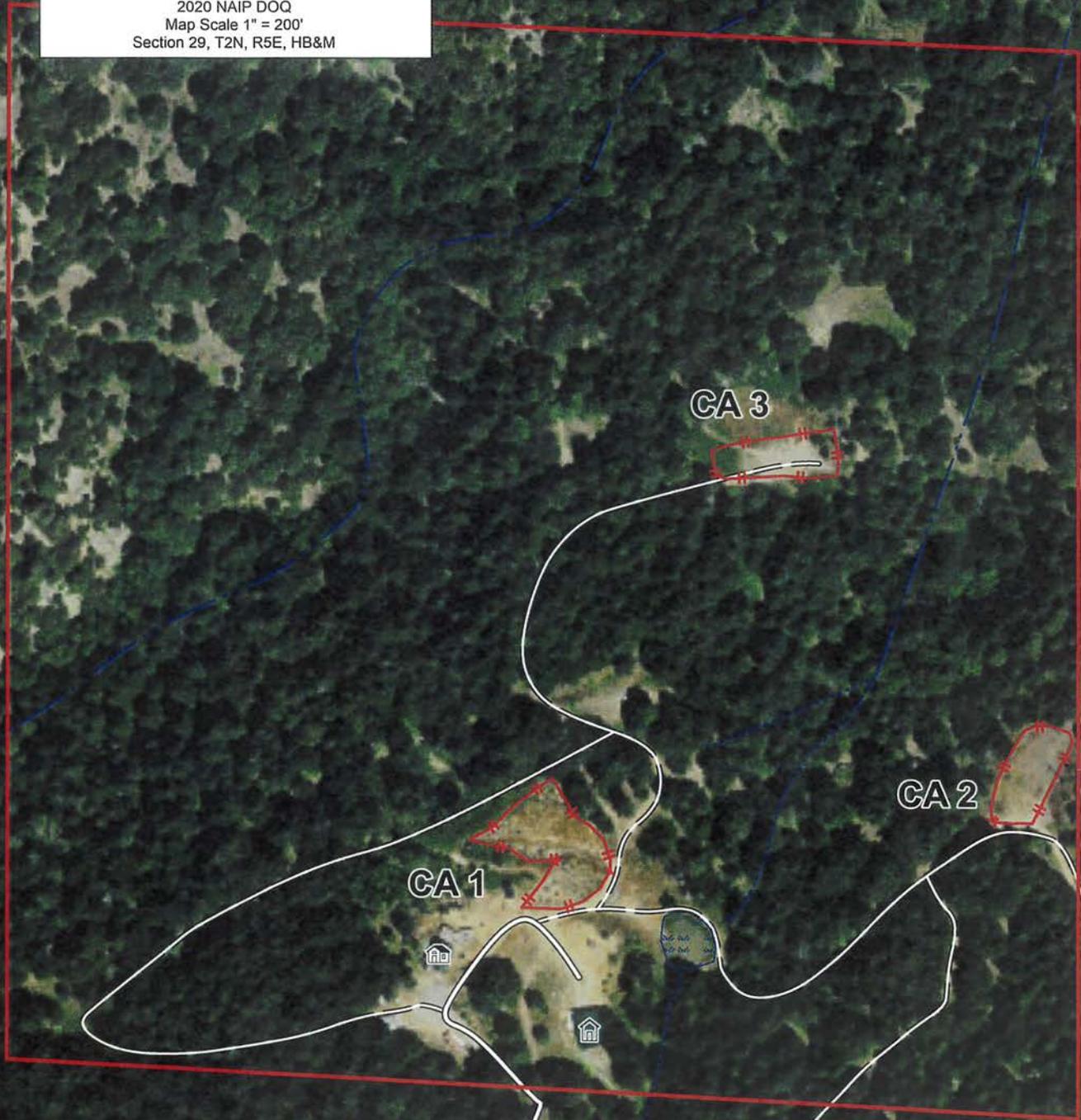


APN 208-201-011

Conversion Evaluation Map

-  Property Boundary
-  Timberland Conversion/
Cannabis Cultivation Site
-  Class III Watercourse
-  Class II Watercourse
-  On-stream Pond
-  Permanent Rocked Road
-  Seasonal Rock-Dirt Road
-  Residence
-  Shop / Barn

2020 NAIP DOQ
Map Scale 1" = 200'
Section 29, T2N, R5E, HB&M



APN 208-201-011 CNDDB Map

-  Property Boundary
-  1.3-mile Biological Assessment Area
-  CNDDB Sensitive Species
-  NSO Activity Center

Map Scale 1" = 2,000'
Section 29, T2N, R5E, HB&M



Forest Fire Prevention Exemption (1-21EX-00740-HUM)



DEPARTMENT OF FORESTRY AND FIRE PROTECTION
 NORTHERN REGION HEADQUARTERS - SANTA ROSA
 135 Ridgway Avenue
 Santa Rosa, CA, 95401
 (707) 576-2959
 Website: www.fire.ca.gov



May 24, 2021

Jonathon Leonard
 165 S. FORTUNA BLVD
 FORTUNA, CA 95540

Forest Fire Prevention v2019
 No: 1-21EX-00740-HUM

Letter of Acceptance

This letter acknowledges acceptance of your "Notice of Exemption" per **Title 14, California Code of Regulations, Section 1038(a), (b), (c), (c)(6), (d), (e), (f), 1038.3, 1038.5, and 1038.6**, from plan preparation and submission requirements (PRC 4581) and from the completion and stocking report requirements (PRC 4585 and 4587).

This Exemption EXPIRES May 17, 2022. Timber operations shall comply with all operational provisions of the Forest Practice Act and District Forest Practice Rules. Note: in-lieu practices, exceptions to rules, and alternative practices are not allowed.

Regulatory rules may differ if the exemption is in a county with special rules or within a Special Treatment Area. The Timberland Owner and the Licensed Timber Operator are advised to be aware of the rules for the specific location of the exemption.

Other Agency Considerations:

- **Regional Water Quality Control Boards** (Regional Boards) regulate waste discharges from timber harvest activities. The Regional Boards may have special requirements for timber harvesting conducted under this exemption. Please contact your local Regional Water Control Board with any questions regarding compliance with the California Water Code.
- **Department of Fish and Wildlife (DFW)** may require notification if the timber operations will substantially divert or obstruct the natural flow of, or substantially change or use any material from the bed, channel, or bank of any river, stream, or lake. Information on the Lake and Streambed Alteration Program and other DFW programs can be found at the following internet address: <https://www.wildlife.ca.gov/Conservation/Environmental-Review>

On-site inspection will be conducted by local CAL FIRE Unit Forest Practice Inspectors to evaluate compliance with all the provisions of the Forest Practice Act and Rules. For questions regarding the above referenced exemption, please contact the appropriate regional office listed above or contact the local CAL FIRE Unit for your County.

Sincerely,

Dominik Schwab, RPF #2823
 Resource Manager – Coast

cc: Unit, TLO/TO/PS, LTO, BOE, File

To view Exemption Notices, please visit: <https://caltreesplans.resources.ca.gov/caltrees/>

"The Department of Forestry and Fire Protection serves and safeguards the people and protects the property and resources of California."

FOREST FIRE PREVENTION

STATE OF CALIFORNIA, DEPARTMENT OF FORESTRY AND FIRE PROTECTION
NOTICE OF TIMBER OPERATIONS THAT ARE EXEMPT
FROM TIMBER HARVESTING PLAN REQUIREMENTS RM-73 (1038.3) (03/2019)

FOR ADMIN. USE ONLY *SH*

EX. # 1-21EX-00740-HUM

Date of Receipt MAY 17 2021

Date Validated by CAL FIRE MAY 24 2021

Date Expires MAY 23 2022

VALID FOR ONE YEAR FROM DATE OF RECEIPT BY CAL FIRE

The Director of the Department of Forestry and Fire Protection (CAL FIRE) is hereby notified of timber operations under the requirements of 14 CCR § 1038.3 for the purpose of cutting and removing of trees to eliminate the vertical continuity of vegetative fuels and the horizontal continuity of tree crowns for the purpose of reducing flammable materials to reduce fire spread, duration, and intensity, fuel ignitability, or ignition of tree crowns.

- NOTE:**
- Notice of Exemption SHALL only be used on Timberlands that are within the most recent version of the Departments Fire Hazard Severity Zone Map, located at the Departments website at http://www.fire.ca.gov/fire_prevention/fire_prevention_wildland_zones_maps that shows the exemption will occur in areas determined to be moderate, high, or very high fire threat. 14 CCR § 1038.3(b)
 - Harvest Area shall not exceed three-hundred (300) acres. 14 CCR § 1038.3(c)
 - Only trees less than 30 inches outside bark stump diameter 8 inches above ground level may be harvested. 14 CCR § 1038.3(h)
 - Road Construction and Reconstruction:
 - No tree larger than 36 inches in diameter at stump height, measured 8 inches above ground level, may be removed for the purpose of road construction or reconstruction. 14 CCR § 1038.3(e)(5)(F)
 - Trees between 30 and 36 inches in stump diameter at stump height, measured 8 inches above the ground may be removed for the purpose of road construction and reconstruction, WHEN NO OTHER FEASIBLE OPTION EXISTS FOR ROAD ACTIVITIES. 14 CCR § 1038.3(e)(5)(F)

Timber Operations pursuant to the notice of exemption may not commence for ten (10) working days from the date of the Directors receipt of the notice unless this delay is waived by the director. If the Director does not act within ten (10) working days of receipt of the notice of exemption, Timber Operations may commence. 14 CCR § 1038.3(s)(4)

REGISTERED PROFESSIONAL FORESTER (RPF) CERTIFICATION:

- In the professional judgement of the RPF the post-harvest slash treatment and stand conditions will lead to more moderate fire behavior. 14 CCR § 1038.3(s)(2)(B)
- RPF is certifying that the level of residual stocking SHALL be consistent with maximum sustained production of high-quality timber products. 14 CCR § 1038.3(s)(3)(A)
- RPF affirms that the construction or reconstruction of Temporary Roads is necessary to provide access to Harvest Areas when no other feasible alternatives exist. 14 CCR § 1038.3(s)(3)(B)

The Notice of Exemption SHALL be prepared, signed and submitted by a RPF. The RPF SHALL be retained to oversee all construction of Roads and Landings, and provide for necessary mitigation to avoid potential impacts. 14 CCR § 1038.3(s)

1. REGISTERED PROFESSIONAL FORESTER: Name: Jon Dylan Leonard RPF #: 3107

Address 165 S Fortuna Blvd #4

City Fortuna State CA Zip 95540 Phone 707-725-1897

Signature:  Date: 5-14-21

EMAIL: (optional) dleonard@timberlandresource.com

Per 14 CCR 1038.3(f) The RPF responsible for submission of the Notice of Exemption shall designate Temporary Road locations, Landing locations, Tractor Road crossings of Class III Watercourses, Unstable Areas, or Connected Headwall Swales on the ground prior to submission of the notice of exemption.

Per 14 CCR 1038.3(m) the RPF shall comply with 14 CCR 1035.2 relating to the interaction between LTO and RPF. After approval of the Plan preparation process but before commencement of Timber Operations by each LTO assigned to the Plan, the responsible RPF or Supervised Designee, shall meet with either the LTO, or their representative, who will be on the ground and directly responsible for Timber Operation. The purpose of the meeting shall be for the RPF to familiarize the LTO with the Plan, the Plan area, and specific applicable requirements of the Plan. The meeting shall be on-site if requested by either the RPF or LTO. An on-site meeting is required between the RPF or supervised designee familiar with on-site conditions and LTO to discuss protection of any archaeological or historical sites requiring protection if any such sites exist within the Site Survey Area pursuant to Section 929.2[949.2,969.2](b).

RECEIVED

MAY 17 2021

COAST AREA OFFICE

RESOURCE MANAGEMENT

2. LICENSED TIMBER OPERATOR(S): EBM Engineering Construction Lic #: A11304 ✓
Name: _____
Address 517 Penny Lane
City Fortuna State CA Zip 95540 Phone 707-845-5288
EMAIL: (optional) _____
Signature: [Signature] Date: 5-14-21

3. TIMBERLAND OWNER(S) OF RECORD: Name: Christopher Dazzi
Address 130 Webster Street
City Rio Dell State CA Zip 95562 Phone 707-499-0284
EMAIL: (optional) _____

I certify, under penalty of perjury, that I have read and understand the information on this form and that I am the Timberland Owner of record.

Signature: [Signature] Date: 5/12-21

4. TIMBER OWNER(S) OF RECORD: Name Christopher Dazzi
Address 130 Webster Street
City Rio Dell State CA Zip 95562 Phone 707-499-0284
EMAIL: (optional) _____

TIMBER TAX NOTICE: The TIMBER OWNER is responsible for payment of a yield tax.

For timber yield tax information or for assistance with these questions call 1-800-400-7115, or write: Timber Tax Section, MIC: 60, California Department of Tax and Fee Administration, P.O. Box 942879, Sacramento, CA 94279-0060; or see the CDTFA Web Page on the Internet <http://www.cdtfa.ca.gov>.

TIMBER TAX INFORMATION: Some small or low value harvests may be exempt from the timber yield tax (Revenue and Taxation Code sec. 38116)

Timber Owners may be considered exempt if the value of the harvesting operations does not exceed \$3,000 dollars within a quarter, according to CDTFA Harvest Value Schedules, Rule 1024.

IF THE TIMBER OWNER BELIEVES HARVESTING MAY BE EXEMPT (see timber tax exemption language above for low value harvests) PLEASE CHECK BELOW:

FINAL DETERMINATION of tax exempt status will be made by the Timber Tax Section of the California Department of Tax and Fees Administration. If you think you are exempt based on the directions above please complete the below information so the Timber Tax Section can make the final determination.

IF YOU WOULD LIKE CDTFA TIMBER TAX SECTION TO CONSIDER A TAX EXEMPTION BASED ON PROJECTED HARVEST PLEASE COMPLETE THE INFORMATION BELOW.

A. Circle/Check the option that most closely estimates the total volume for this harvest, in thousands of board feet (mbf - Net Scribner short log):

Under 8 mbf _____ 8-15 mbf _____ 16-25 mbf _____ Over 25 mbf X

B. Estimate what percentage of timber will be removed during this harvest: (percentages provided should equal 100%)

Redwood _____ % Ponderosa/Sugar Pine _____ % Douglas-Fir 75% Fir _____ %
 Cedar _____ % Port-Orford Cedar _____ % Other Conifer _____ % Other Hardwoods 25%

C. Fuelwood over 150 cords? Yes No D. Christmas trees over 3,000 lineal feet? Yes No

5. 14 CCR § 1038.1(c)(12) NO timber harvesting is permitted within the standard width of a Watercourse or Lake Protection Zone (WLPZ) per 14 CCR § 916.4 [936.4, 956.4](b) (exceptions apply - see below) or within a WLPZ in a watershed identified as Anadromous Salmonids Planning watersheds (ASP) per 14 CCR § 916.9 [936.9, 956.9](s), unless the harvesting in an ASP WLPZ is recommended in writing by CDFW to address specifically identified forest conditions, 14 CCR § 916.9(s)(6) (optional)

Two exceptions permitted in WLPZs outside of an ASP watershed:

(Please indicate below if trees meeting the exception identified below are anticipated to be harvested. (If not, then leave blank)

- SANITATION-SALVAGE harvesting per 14 CCR § 913.3 [933.3, 953.3] or
- for the removal of DEAD or DYING trees per 14 CCR § 916.4 [936.4, 956.4](b)

Exception in WLPZ of ASP Watersheds

- Will harvesting occur within a WLPZ of an ASP watershed based on written recommendation from CDFW?

If YES then provide a copy of the written recommendation from CDFW identifying the specific reason for the recommended harvesting.

NOTE: Trees to be harvested shall be marked by a RPF or a supervised designee of the RPF, PRIOR TO TIMBER OPERATIONS.

6. 14 CCR § 1038.3(p) No Timber Operations on any site that satisfies the criteria listed in 14 CCR § 895.1 for a Significant Archaeological or Historical Site (information on some of these sites may be available from the Information Centers of the California Historical Resources Information System within the Department of Parks and Recreation):

Per 14 CCR § 1038.3(o) upon submission of the Notice of Exemption, a Confidential Archaeological Letter pursuant to 14 CCR § 929.1[949.1, 969.1] must be provided to the Director.

Per 14 CCR § 1038.3(o) upon submission of the Notice of Exemption the RPF shall send a copy of the Notice of Exemption to the current list of Native Americans as defined in 14 CCR § 895.1.

Has the RPF sent a copy of the Notice of Exemption to the Native Americans on the current Contact List as defined in 14 CCR § 895.1? (required)

YES NO

DATE Notice of Exemption was mailed: May 12, 2021

If 'NO' Do not submit Notice of Exemption until the notice has been sent to the appropriate Native Americans

PRE-HARVEST STAND STRUCTURE: (required)

7. Description of the preharvest stand structure: (14 CCR § 1038.3(s)(2)(A): (consider in your description species, basal area, and diameter distributions)

Preharvest stand structure estimates:

DESCRIPTION:	The project area is mainly consists of a mixed species evenaged stand of Douglas-fir and tanoak trees. Basal area ranges from 150-200 square feet per acre. Light to moderate amounts of brush and tanoak regeneration are present throughout the stand type.	
Species	Basal Area	Description of Diameter Distribution
75 % Douglas-fir, 25% hardwoods	150-200 ft ²	4"-28"

PRE & POST-HARVEST Quadratic Mean Diameter (QMD): (required)

8. QMD of trees 8 inches dbh or greater in the pre-harvest stand SHALL be increased in the post-harvest stand. The submitted notice of exemption SHALL report the expected post-harvest increase in QMD: 14 CCR § 1038.3(g)

Pre-harvest QMD: 14" Post-harvest QMD: 16" 14 CCR § 1038.3(s)(2)(B)

Expected Post-harvest QMD Increase: 2"

9. **TIMBER MARKING:** 14 CCR § 1038.3(i) All trees that are harvested or all trees that are retained SHALL be marked or sample marked by, or under the supervision of a RPF before felling operations

- Completed by - RPF Supervised Designee Both
- Trees marked - Leave trees Harvest trees Both
- Harvest area marked - Entire area
 Sample area 10% up to 20 acres per stand type Both

NOTE: Sample marking shall be limited to homogeneous forest stand conditions typical of plantations.

When trees are sample-marked, the prescription for unmarked areas SHALL be in writing. 14 CCR 1038.3(i) RPF shall provide written prescription describing how trees will be designated in the unmarked areas: (required)

RPF Prescription for unmarked areas:	Trees to be retained shall be of the best phenotypic quality, displaying full crowns, and with little defect. In no case will trees, either hardwood or conifer, larger than 36" stump diameter be removed under this exemption. Trees between 30" and 36" stump diameter may only be removed for the purposes of road reconstruction where no other feasible option exists. Preference for removal shall be given to understory suppressed and intermediate crown classes and smaller diameter trees. Trees less than 24" diameter will be retained where larger trees are not present, or not present with enough frequency, to achieve the 75 square feet of basal area, 75 trees per acre, and the retention of 60% canopy closure. Trees of value to wildlife shall also be retained where they exist. The timber fallers shall inspect every tree to ensure no raptor nests exist before felling. If a potential nest or roosting colony is detected, the LTO shall cease felling and contact the RPF.
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TREE SELECTION CRITERIA: 14 CCR § 1038.3(s)(3)(C) (required)

10. Provide the selection criteria for the trees to be removed or the trees to be retained. The RPF SHALL consider retaining elements, where feasible, including, but not limited to ground level cover necessary for the long-term management of local wildlife populations. Selection criteria shall specify how the trees to be removed, or how the trees to be retained, will be designated.

Describe how trees will be designated: (for removal or retention)	Trees to be retained in order of preference will be conifers equal to or greater than 30" stump diameter, then hardwoods equal to or greater than 30" stump diameter. Trees less than 24" diameter will be retained where larger trees are not present, or not present with enough frequency, to achieve the 75 square feet of basal area, 75 trees per acre, and the retention of 60% canopy closure minimum requirements indicated below. In no case will trees, either hardwood or conifer, larger than 36" stump diameter be removed under this exemption. Trees between 30" and 36" stump diameter may only be removed for the purposes of road reconstruction where no other feasible option exists. Preference for removal shall be given to understory suppressed and intermediate crown classes, smaller diameter trees, with hardwoods (and conifers) prioritized for retention.
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POST-HARVEST CANOPY STOCKING LEVELS: 14 CCR § 1038.3(s)(3)(A) (required)

The residual stand shall consist primarily of healthy and vigorous Dominants and Codominants from the preharvest stand. Trees retained to meet the Basal Area stocking standards shall be selected from the largest trees available on the project area prior to harvest. In no case, shall stocking be reduced below the standards found within 14 CCR § 913.3 [933.3, 953.3] (a).

11. Will stocking be met where the pre-harvest dominant and codominant crown canopy is occupied primarily by trees? (optional)
 Specify the dominant and codominant crown canopy which will be occupied by the following tree sizes:

- Greater than 14 inches dbh Less than 14 inches dbh
- Coastal Forest District Northern Forest District Southern Forest District

12. Site Classification: Site I Site II Site III Site IV Site V (optional)

13. Forest Type: Mixed Conifer Pine East Side Pine Conifer Coast Redwood Douglas Fir (optional)

NOTE: Basal area stocking standard requirements may change based on Forest District Site Classification, and Forest Type per 14 CCR § 913.3 [933.3, 953.3] (a).

POST-HARVEST CANOPY CLOSURE REQUIREMENTS:

14. 14 CCR § 1038.3(j): if the preharvest crown canopy of Dominants and Codominants is occupied by trees less than 14 inches in dbh, a minimum of 100 trees over 4 inches in dbh shall be retained per acre for Site I, II, and III lands and a minimum of 75 trees over 4 inches in dbh shall be retained per acre for Site IV and V lands. 14 CCR § 1038.3(j)

Please select below:

Trees less than 14 inches dbh for Site I, II, and III lands (100 trees per acre) X
Trees less than 14 inches dbh for Site IV and V lands (75 trees per acre) X

- 14 CCR § 1038.3(k)(1-2) reference 14 CCR § 1052.4(d)(3)(A) Minimum post treatment canopy closure of dominant and codominant trees shall be:
- 40% east side pine forest types.
 - 50% for Coastal Redwood and Douglas-fir forest types in or adjacent to communities and legal structures per 14 CCR 1052.4(c)(1-2)
 - 60% for Coastal Redwood and Douglas-fir types outside of communities and legal structures per 1052.4(c)(1-2)
 - 50% for mixed conifer and all forest types.
15. Will operations within Coastal Redwood and Douglas-fir forest types occur within ¼ mile or 500 feet of an approved and legally permitted structure defined by the California Building Code? YES NO
16. Is the legally permitted structure within or adjacent to a "Community at Risk" defined by the "California Fire Alliance List of Communities at Risk".
 YES NO
- If yes, Identify the name of the Community at Risk: _____
17. Is structure density greater than 1 structure per 20 acres? YES NO

NOTE:

- Canopy closure requirements change based on forest type and proximity to legally permitted structures within or adjacent to communities at risk identified by the "California Fire Alliance List of Communities at Risk".
- Post-harvest treatment stand shall contain no more than 200 trees per acre over 3 inches in dbh. 14 CCR § 1038.3(k)(2)
- Vertical spacing shall be achieved by treating dead fuels excluding dead branches on the tree retained for stocking, to a minimum clearance distance of 8 feet measured from the base of the live crown of the post-harvest Dominants and Codominants to the top of the dead surface or ladder fuels, whichever is taller. 14 CCR § 1038.3(k)(3)

FUEL TREATMENT: 14 CCR § 1038.3(d)(1-4)

- All logging slash created by the timber operations shall be treated to achieve a maximum post-harvest depth of **18" inches** above the ground except within 150 feet from any point of a legally permitted structure that complies with the California Standards Building Code. 14 CCR § 1038.3(d)(1)
 - All surface fuels within 150 feet of an Approved and Legally Permitted Structure, which could promote the spread of wildfire, SHALL be chipped, burned, or removed within 45 days from the start of Timber Operations. 14 CCR § 1038.3(d)(2)
 - All fuel treatments SHALL be completed within 1 year from the date the Director receives the Notice. This does not apply to burning, which instead shall be completed within 2 years from the date the Director receives the notice. 14 CCR § 1038.3(d)(3)
 - The requirements of this subsection shall not supersede the requirements of PRC § 4291
18. Will any timber operations be within 150 feet of an Approved and Legally Permitted Structure? YES NO
- Fuel Treatment Method: Chipping Removing Burning Other

OTHER: _____

CONSTRUCTION or RECONSTRUCTION OF TEMPORARY ROADS ON SLOPES OF 30% OR LESS: 14 CCR § 1038.3(e)

14 CCR § 1038.3(e) The construction or reconstruction of temporary roads on slopes of 30% or less shall be allowed if ALL of the following conditions are met.

- Temporary Roads or Landings SHALL NOT be located on unstable areas. 14 CCR § 1038.3(e)(1)
- Temporary Roads SHALL BE single lane in width. 14 CCR § 1038.3(e)(2)
- Temporary Roads SHALL NOT be located across a Connected Headwall Swale. 14 CCR § 1038.3(e)(3)
- Construction or reconstruction of Temporary Roads, Landings or Watercourse crossings SHALL NOT occur during the winter period. 14 CCR § 1038.3(e)(4)
- NO operations SHALL BE permitted on roads that are not subject to Hydrological Disconnection, or exhibit Saturated Soil Conditions. 14 CCR § 1038.3(e)(4)(A)
- NO Logging Road or Landing construction, or re-construction, activities shall occur within 200 feet of a Class I and II watercourse. 14 CCR § 1038.3(e)(4)(D)
- NO Logging Road or Landing Construction, or re-construction, activities shall occur within 50 feet of a Class III watercourse. 14 CCR § 1038.3(e)(4)(D)

14 CCR § 1038.3(e)(5) Temporary Road construction or re-construction, shall be limited to no more than two (2) miles of road per ownership within a single Planning Watershed (CALWATER 2.2) per any five (5) year period.

19. YES NO Has temporary road construction or reconstruction within the planning watershed occurred within the last 5 years under a Forest Fire Prevention Exemption? 14 CCR § 1038.3(e)(5)
If YES indicate how many feet/miles: _____

NOTE: If total is greater than 2 miles, within the previous 5 years no additional road construction may occur.

Temporary road construction and/or reconstruction shall not exceed:

(please select which criteria below will be applied to this Exemption and list the total length of temporary road(s) to be constructed or reconstructed)

14 CCR § 1038.3(e)(5)(A-C)		✓	Feet/ Miles
Exemptions Less than 40 acres	Cumulative length of 300 feet	X	
Exemptions between 40 and 80 acres	NOT to exceed 300 to 600 feet determined on a pro rata basis by total acreage affected by exemption.		
Exemptions over 80 acres	Shall not exceed 600 feet		

20. YES NO Will any temporary roads constructed or reconstructed be connected to other temporary roads construction under previous or subsequent exemptions filed pursuant of this section? 14 CCR § 1038.3(e)(5)(D)
If YES then no additional road construction may occur

NOTE:

- Prior to the completion of Timber Operations, all Temporary Roads constructed or reconstructed under this section shall undergo Abandonment in a manner which uses protective measures that will effectively remove them from the Permanent Road Network, as defined in 14 CCR § 895.1. 14 CCR § 1038.3(e)(5)(E)
- The RPF responsible for submission of the Notice of Exemption shall designate Temporary Road locations, Landing locations, Tractor Road crossings of Class III Watercourses, Unstable Areas, or Connected Headwall Swales on the ground prior to submission of the Notice of Exemption. 14 CCR § 1038.3(f)

21. TENTATIVE COMMENCEMENT DATE OF TIMBER OPERATIONS: (required) **May 21, 2021** 14 CCR § 1038.3(s)(D)
Before beginning Timber Operations, the RPF responsible for submittal of the Notice of Exemption shall notify the Department, the appropriate RWQCB, the CDFW, and the CGS of the actual commencement date of operations. The notification, by telephone, mail, or email, shall be directed to the appropriate agency personnel and contact information for the appropriate agency personnel shall be provided by the Department on the notice of exemption form (see Below) If the notification is provided by mail, Timber Operations may not commence for three (3) days after the postmark date of notification.

Region	Email	Region	Email	Region	Email
CDFW		CRWQB		CGS	
1 – Inland	r1inland.timber@wildlife.ca.gov	1	RB1-Timber@waterboards.ca.gov	Sacramento	CGSTHP.Sacramento@conservation.ca.gov
1 – Coast	ctp@wildlife.ca.gov	5	RB5R-Timber@waterboards.ca.gov	Eureka	CGSTHP.Eureka@conservation.ca.gov
2	R2Timber@wildlife.ca.gov	6	RB6-Timber@waterboards.ca.gov	Redding	CGSTHP.Redding@conservation.ca.gov
3	R3Timber@wildlife.ca.gov			Santa Rosa	CGSTHP.SantaRosa@conservation.ca.gov
4	R4Timber@wildlife.ca.gov				

22. 14 CCR 1038.2 - The submitted Notice of Exemption shall indicate if more than one Yarding system is to be used and identify the systems. CHECK each Yarding method to be utilized: **If more than one type of method is selected, these methods must be identified on the accompanying maps.** (required)

YARDING SYSTEMS					
GROUND BASED		CABLE		OTHER	
X	Tractor, including end/long lining		Cable, Ground lead		Hand thinning and removing
X	Rubber tired skidder, Forwarder		Cable, High Lead		Other:
X	Feller Buncher		Cable, Skyline		
X	Shovel yarding				

23. 14 CCR § 1038.3(s)(C) - Designate the legal land description of the location of the Timber Operation. 14 CCR § 1038.4 attach a USGS 7.5-minute quadrangle map or equivalent map showing the location of:
- Boundaries of logging areas 14 CCR § 1038.4(a)
 - Boundaries of Yarding (logging) systems, if more than one system is used. 14 CCR § 1038.4(b)
 - Location of all roads to be used for, or potentially impacted by, Timber Operations. 14 CCR § 1038.4(c)
 - Classification of ALL roads as Proposed, Permanent, Seasonal, Temporary, Deactivated, or Proposed. 14 CCR § 1038.4(c)(1)
 - Roads and Landings located in Watercourses, Lakes, WLPZs, Marshes, Wet Meadows and other Wet Areas, other than at road Watercourse

- crossings. 14 CCR § 1038.4(c)(2)
- Logging Roads that provide access to rock pits and water drafting sites, and the location of water drafting sites. 14 CCR § 1038.4(c)(3)
- Public Roads within one-quarter (1/4) mile of the Harvest Area. 14 CCR § 1038.4(c)(4)
- The location of Significant or Existing Potential Erosion Sites on all Roads and Landings pursuant to 14 CCR § 923.1 (e). 14 CCR § 1038.4(c)(5)
- For all constructed and reconstructed Logging Roads and Landings, the following shall be mapped: 14 CCR § 1038.4(d)
 - Location of Logging Road grades greater than fifteen (15) percent for over two-hundred (200) continuous feet or Logging Roads grades exceeding twenty (20) percent. 14 CCR § 1038.4(d)(1)
 - Location of Road Failures on existing Logging Roads to be Reconstructed. 14 CCR § 1038.4(d)(2)
 - Location of Landings, specifying those that require substantial excavation and those in excess of one-quarter acre in size. 14 CCR § 1038.4(d)(3)
 - Location of excess material disposal sites on slopes greater than forty (40) percent or on active Unstable Areas. 14 CCR § 1038.4(d)(4)
- Location of all Tractor Road Watercourse crossings of classified Watercourses. 14 CCR § 1038.4(e)
 - Location of Erosion Hazard Ratings, if more than one rating exists. 14 CCR § 1038.4(f)
 - Location of Watercourses and Lakes with Class I, II, III, or IV waters. 14 CCR § 1038.4(g)
 - Location of known Unstable Areas. 14 CCR § 1038.4(h)
 - Location of understocked areas prior to Timber Operations, and other areas not normally bearing timber to at least a 20-acre minimum, or as specified in the district rules. 14 CCR § 1038.4(i)
 - Location of boundaries of timber-site classes needed for determination of Stocking Standards to be applied, down to at least a twenty (20) acre minimum, or as specified in the Forest Practice District Rules. 14 CCR § 1038.4(j)
 - Location of any Special Treatment Areas. 14 CCR § 1038.4(k)
- Appurtenant Roads may be shown on a separate map which may be planimetric with a scale as small as one-half inch equals one mile. Color coding may not be used. 14 CCR § 1038.4

Additional maps, which may be topographic or planimetric, may be used to provide additional information, to show details, and improve map clarity. A legend shall be included indicating the meaning of the symbols used. It will be helpful to describe the access route to the timber operation so that it can be easily located, and/or include an assessor's parcel map for small areas. (required)

Base Meridian	Township	Range	Section	County	Logging area Acreage (estimated)	Assessors Parcel # (optional)
HB&M	2N	5E	29	Humboldt	15	208-201-011
TOTAL					15	
PLANNING WATERSHED - CALWATER V2.2						
Name		Watershed Identification Number			CALWATER Version	
Bear Creek		1109.300101			2.2	

The following are limitations or requirements for timber operations conducted under a Notice of Exemption for the cutting and removing of trees to eliminate the vertical continuity of vegetative fuels and the horizontal continuity of tree crowns for the purpose of reducing flammable materials to reduce fire spread, duration, intensity, fuel ignitability, or ignition of tree crowns:

1. This Notice of Exemption SHALL be prepared, signed, and submitted to the Department by a Registered Professional Forester (RPF) 14 CCR § 1038.3(s) and received by CAL FIRE at the appropriate office listed below prior to the commencement of timber operations.
 - **Coastal Special Treatment Areas and Marin County** the Director shall have ten calendar days from date of receipt to accept or reject the Notice of Timber Operations.
2. 14 CCR § 1038.3(a-t) places certain limits on the harvesting. These limits need to be reviewed to assure compliance.
3. 14 CCR § 1038.3 Timber operations conducted under this notice shall comply with all operational provisions of the Forest Practice Act and District Forest Practice Rules applicable to "Timber Harvest Plan," "THP," and "plan." The requirements to submit a completion and stocking report normally do not apply. **However, Completion and Stocking reports are required for areas when operations occur within COASTAL SPECIAL TREATMENT AREAS and / or MARIN COUNTY.** The landowner shall submit to CAL FIRE a RM-71 Completion and Stocking report, per PRC 4585 and PRC 4587. The requirements for environmental review under the California Environmental Quality Act (See 14 CCR § 15300.1) do not apply.
4. There are special requirements for timber operations conducted in Coastal Commission Special Treatment Areas and in counties with special rules adopted by the Board of Forestry and Fire Protection. These rules should be reviewed prior to submitting this notice to CAL FIRE. 14 CCR § 1038.1(c)(6)
5. All timber operations conducted in the Lake Tahoe Region must have a valid Tahoe Basin Tree Removal Permit, as defined by the Tahoe Regional Planning Agency (TRPA), or shall be conducted under a valid TRPA Memorandum of Understanding, when such a permit is required by TRPA, 14 CCR § 1038.3(n)
6. Harvesting under this Notice of Exemption is limited to those trees that eliminate the vertical continuity of vegetative fuels and the horizontal continuity of tree crowns, for the purpose of reducing the rate of fire spread, duration intensity, fuel ignitability, or ignition of tree crowns. 14 CCR § 1038.3

7. The logging area shall not exceed 300 acres in size. 14 CCR § 1038.3(c) and tree harvesting shall decrease fuel continuity and increase the quadratic mean diameter (QMD) of the stand. 14 CCR § 1038(j)(1)
8. No trees larger than thirty (30) inches outside bark stump diameter, measured eight (8) inches above ground level may be removed for commercial purposes. 14 CCR § 1038.3(h)
9. 14 CCR § 1038.3(s)(3)(A) The residual stand shall consist primarily of healthy and vigorous Dominants and Codominants from the preharvest stand. Trees retained to meet the Basal Area stocking standards shall be selected from the largest trees available on the project area prior to harvest. In no case shall stocking be reduced below the standards found within 14 CCR § 913.3 [933.3, 953.3] (a).
10. Road Construction and Reconstruction:
 - No tree larger than 36 inches in diameter at stump height, measured 8 inches above ground level, may be removed for the purpose of road construction or reconstruction. 14 CCR § 1038.3(e)(5)(F)
 - Trees between 30 and 36 inches in stump diameter at stump height, measured 8 inches above the ground may be removed for the purpose of road construction and reconstruction, WHEN NO OTHER FEASIBLE OPTION EXISTS FOR ROAD ACTIVITIES. 14 CCR § 1038.3(e)(5)(F)
11. Timber Operations conducted during the Winter Period shall comply with the applicable Rule sections under 14 CCR § 923 [943, 963] et seq. 14 CCR § 1038.3(e)(4)(B)
12. Use of Temporary Roads shall comply with the operational provisions of 14 CCR § 923 [943, 963] et seq. 14 CCR § 1038.3(e)(4)(C)
13. Per 14 CCR 1038.3(f) The RPF responsible for submission of the Notice of Exemption shall designate Temporary Road locations, Landing locations, Tractor Road crossings of Class III Watercourses, Unstable Areas, or Connected Headwall Swales on the ground prior to submission of the nNotice of Exemption.
14. No helicopter yarding shall be allowed 14 CCR § 1038.3(i)
15. 14 CCR § 1038.3(d)(1-3) Slash and Woody Debris shall be treated to achieve a maximum post-harvest depth of eighteen (18) inches above the ground except within one-hundred-fifty (150) feet from any point of an approved and legally permitted structure that complies with the California Standards Building Code.
 - All surface fuels within one-hundred-fifty (150) feet of an Approved and Legally Permitted Structure, which could promote the spread of wildfire, shall be chipped, burned, or removed within forty-five (45) days from the start of Timber Operations.
 - All fuel treatments shall be completed within one (1) year from the date the Director receives the notice. This requirement does not apply to burning, which instead shall be completed within two (2) years from the date the Director receives the notice.
16. No tractor or heavy equipment operations on slopes greater than 50%. 14 CCR § 1038.1(c)(5)
17. No construction of new tractor roads on slopes greater than 40%. 14 CCR § 1038.1(c)(5)
18. No tractor or heavy equipment operations on known Unstable Areas. 14 CCR § 1038.1(c)(7)
19. **No timber harvesting within the standard width of a watercourse or lake protection zone**, as defined in 14 CCR § 916.4 [936.4, 956.4](b), except Sanitation-Salvage harvesting, as defined in 14 CCR § 913.3 [933.3,953.3], where immediately after completion of operations, the area shall meet the stocking standards of 14 CCR § 912.7 [932.7,952.7](b)(2), or, except the removal of dead or dying trees where consistent with 14 CCR § 916.4 [936.4,956.4] (b). **Trees to be harvested within a WLPZ shall be marked by, or under the supervision of, a RPF prior to timber operations.** 14 CCR § 1038.1(c)(12)
20. **ASP watersheds** – No timber operations are allowed in a WLPZ, or within any ELZ or EEZ designated for watercourse or lake protection, under exemption notices except **(1) Hauling on existing roads (2) Road maintenance (3) Operations conducted for public safety (4) Construction or reconstruction of approved watercourse crossings (5) Temporary crossings of dry Class III watercourses that do not require notification under Fish and Game Code §1600 et seq. (6) Harvesting recommended in writing by CDFW to address specifically identified forest conditions.**
21. If a Notice of Exemption has been accepted by the Director and will use pesticides or herbicides on the Harvest Area within one (1) calendar year of the date of acceptance, the timberland owner shall notify the appropriate Regional Water Quality Control Board within ten (10) days prior to application of pesticides or herbicides.
22. Subsequent to the completion of Timber Operations operating under this section, the Department shall conduct an onsite inspection to determine compliance with this section. The Department shall notify the appropriate RWQCB, the CDFW, and the CGS seven (7) days prior to conducting the onsite inspection
23. Operations conducted under a Notice of Exemption are NOT permitted in known sites of rare, candidate, threatened or endangered plants and animals if the sites will be disturbed or damaged. NO timber operations may occur within a buffer zone of a listed, or sensitive species defined by 14 CCR § 895.1. 14 CCR § 1038.1(c)(10-11)
24. If any activities related to timber operations, as defined by PRC 4527, are to include any of the following activities in any river, stream or lake, including episodic and perennial waterways, a notification to the California Department Fish and Wildlife is required pursuant to Fish and Game Code

§1602: 1) A substantial alteration of the bed, bank, or channel; 2) A substantial diversion (i.e. water drafting) or obstruction of the natural flow; or 3) use of material from or deposit of material into the watercourse. Information on the Lake and Streambed Alteration Program, as well as notification forms, may be found at the following link: <https://www.wildlife.ca.gov/conservation/lisa>.

25. All activities conducted pursuant to this Notice of Exemption occur within the most recent version of the Department's "Fire Hazard Severity Zone Map in moderate, high, and very high fire threat zones. 14 CCR § 1038.3(b)
26. The requirements to submit a completion and stocking report do not normally apply. **However, Completion and Stocking reports are required for areas when operations occur within COAST, SPECIAL TREATMENT AREAS and / or MARIN COUNTY.** The landowner shall submit to CAL FIRE form RM-71 Completion and Stocking report. Per PRC 4585 and PRC 4587.
27. A Licensed Timber Operator must be designated upon submission of this notice.
28. RPF shall include a Confidential Archaeological Letter (CAL) with the exemption notice submitted to the Director. The CAL shall include all information required by 14 CCR § 929.1 [949.1, 969.1](c)(2), (7), (8), (9), (10) and (11), including site records, if required pursuant to 14 CCR §§ 929.1 [949.1, 969.1](g) and 929.5. The discovery of human remains requires immediate notification to appropriate agencies. 14 CCR § 929.3 [949.3, 969.3] requires notification to CAL FIRE. The area must not be further disturbed, and any area reasonably suspected to overlie adjacent human remains, until an evaluation is completed by the County Coroner pursuant to Health and Safety Code § 7050.5. If the human remains are determined to be Native American, the Native American Heritage Commission must also be notified pursuant to Public Resources Code § 5097.98. 14 CCR § 1038(j)(11)

The following suggestions may help ensure your compliance with the Forest Practice Rules:

1. Timber Owners, Timberland owners and Timber Operators should obtain and review copies of the Forest Practice Rules pertaining to the Notice of Exemption. Copies may be obtained from BARCLAYS LAW PUBLISHERS, P.O. BOX 3066, SO. SAN FRANCISCO, CA. 94080. or from CAL FIRE, Forest Practice Section, P.O. BOX 944246, Sacramento, CA 94244-2460; or from CAL FIRE's Web Page on the Internet at <http://www.fire.ca.gov>.
2. Contact the CAL FIRE office listed below for questions regarding the use of this notice.

FILE THIS NOTICE WITH THE CAL FIRE OFFICE BELOW FOR THE COUNTY IN WHICH THE OPERATION WILL OCCUR:

Alameda, Colusa, Contra Costa, Del Norte Humboldt, Lake, Marin, Mendocino, Napa,
San Mateo, Santa Clara, Santa Cruz, Solano, Sonoma, western Trinity and Yolo Counties.

=> Forest Practice Program Manager
=> CAL FIRE
135 Ridgway Avenue
Santa Rosa, CA 95401

**Dazzi FFPE
Operations Map**

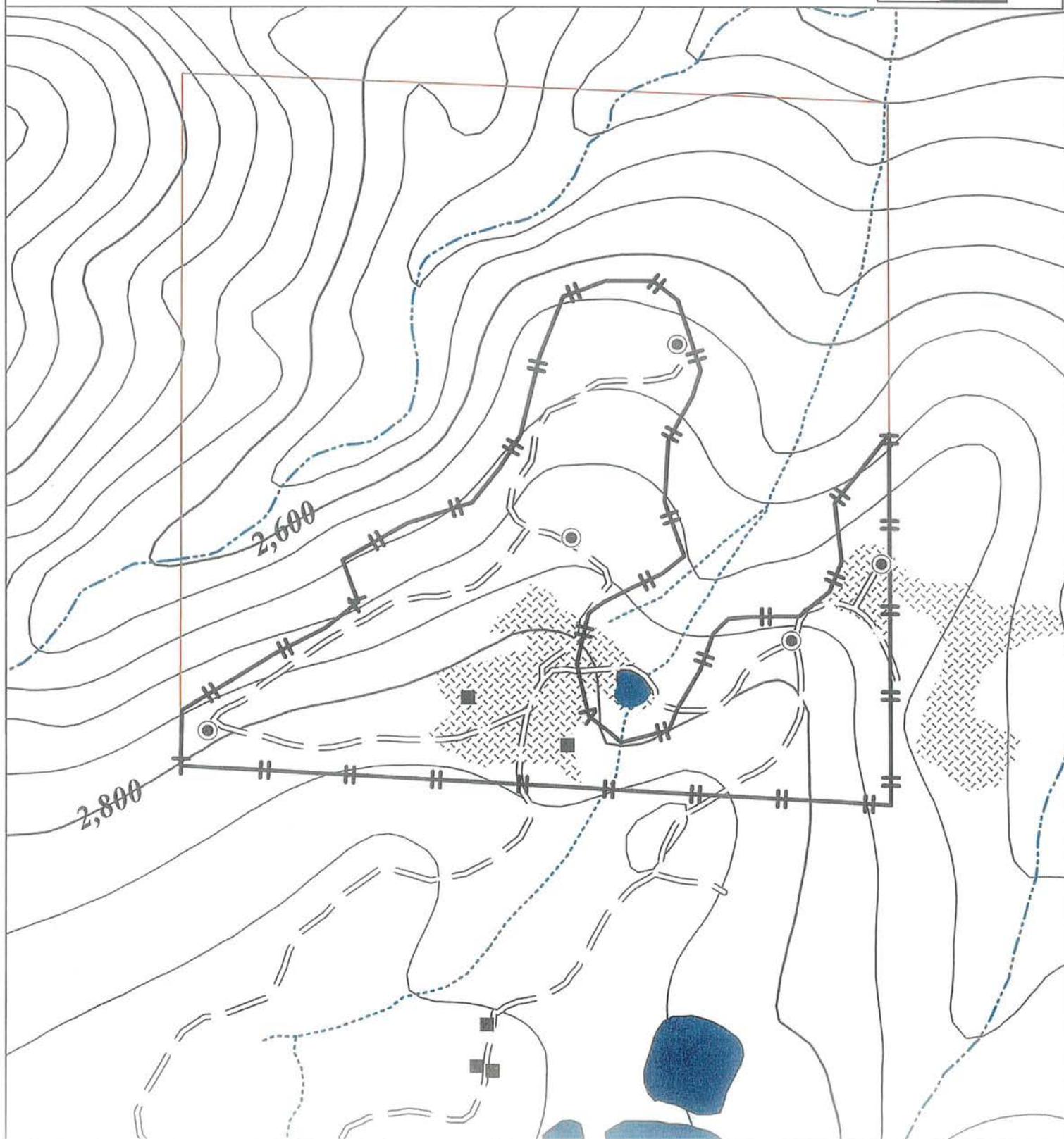
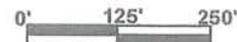
*Found in portions of Section 29; Township 2 North,
Range 5 East; HB&M; Humboldt County
From the Showers Mountain 7.5' USGS Quadrangle*



-  Property boundary
-  THP area
-  Non timber
-  Permanent structure

- Watercourses**
-  Class II-S
 -  Class III
 -  Pond
 -  Seasonal road
 -  Probable landing

Map scale: 1 inch = 250 feet
Contour interval: 40 feet



From: [Timberland Resource Consultants](#)
To: [Santa Rosa Review Team@CALFIRE](#)
Cc: dleonard@timberlandresource.com
Subject: Dazzi Exemption
Date: Monday, May 17, 2021 8:55:13 AM
Attachments: [Dazzi FFP Exemption.pdf](#)

Warning: this message is from an external user and should be treated with caution.

Good Morning,

Attached is an exemption for your review.

Thank you,

Laurie Kepon
Timberland Resource Consultants
165 S. Fortuna Blvd.
Fortuna, CA 95540
707-725-1897

RECEIVED
MAY 17 2021
COAST AREA OFFICE
RESOURCE MANAGEMENT

From: Harris, Ben@CALFIRE
Sent: Friday, May 21, 2021 9:22 AM
To: Smith, Katrina@CALFIRE; Burgess, Traci@CALFIRE; Dollinger, Samantha@CALFIRE; Dysthe, Dana@CALFIRE; Fitch, Jonathan@CALFIRE; Headley, Shawn@CALFIRE; Howard, Valerie@CALFIRE; Lopez, Cale@CALFIRE; Robbins, James@CALFIRE; Schwab, Dominik@CALFIRE; Strong, James@CALFIRE
Subject: Archaeology Review: 1-21EX-00740-HUM (Dazzi) FFP

The Northern Region Archaeology Office has reviewed the Confidential Archaeological Letter (CAL) and the report is complete. There is no objection to CAL FIRE accepting Exemption Notice 1-21EX-00740-HUM (Dazzi) FFP as it relates to archaeology.

Ben Harris
Associate State Archaeologist
CAL FIRE Northern Region
Office: (707) 576 2966
Cell: (707) 529 7989

From: Smith, Katrina@CALFIRE
Sent: Tuesday, May 18, 2021 8:09 AM
To:
Subject: 1-21EX-00740-HUM

Ben,

1-21EX-00740-HUM was submitted 05/17/21 and is due 05/24/21. The paper copy is in your box and the CAL I uploaded to RTEAMS.

Katrina Smith
Supervising Program Technician II



Phone #707-576-2946
135 Ridgway Ave.
Santa Rosa CA, 95401

*The free Adobe Reader may be used to view and complete this form. However, software must be purchased to complete, save, and reuse a saved form.

File Original with DWR

NOV 17 2014

State of California
Well Completion Report

Refer to Instruction Pamphlet
No. e0234785

DWR Use Only - Do Not Fill In

State Well Number/Site Number

Latitude Longitude

APN/TRS/Other

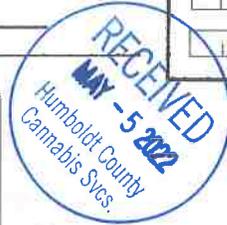
Page 1 of 2

Owner's Well Number 1

Date Work Began 09/19/2014 Date Work Ended 9/22/2014

Local Permit Agency Humboldt County E.H.D.

Permit Number 13/14-0319 Permit Date 5/1/14



Geologic Log		
Orientation <input checked="" type="radio"/> Vertical <input type="radio"/> Horizontal <input type="radio"/> Angle Specify _____		
Drilling Method Direct Rotary Drilling Fluid Air		
Depth from Surface		Description
Feet to Feet		Describe material, grain size, color, etc
0	2	Top Soil
2	10	Sandstone Clay Mix
10	15	Brown Clay
15	30	Shale
30	46	Blue Sandstone
46	71	Shale Sandstone Mix
71	97	Bue Sandstone97
97	200	Shale, Sandstone, Basalt Mix
Total Depth of Boring 200 Feet		
Total Depth of Completed Well 200 Feet		

Well Location

Address Bear Creek Rd.

City Bridgeville County Humboldt

Latitude _____ N Longitude _____ W

Datum _____ Dec. Lat. _____ Dec. Long _____

APN Book 208 Page 201 Parcel 011

Township 01N Range 05E Section 29

Location Sketch
(Sketch must be drawn by hand after form is printed.)

North

West East

South

Illustrate or describe distance of well from roads, buildings, fences, rivers, etc. and attach a map. Use additional paper if necessary. Please be accurate and complete.

Activity

New Well
 Modification/Repair
 Deepen
 Other _____
 Destroy
Describe procedures and materials under "GEOLOGIC LOG"

Planned Uses

Water Supply
 Domestic Public
 Irrigation Industrial

Cathodic Protection
 Dewatering
 Heat Exchange
 Injection
 Monitoring
 Remediation
 Sparging
 Test Well
 Vapor Extraction
 Other _____

Water Level and Yield of Completed Well

Depth to first water 75 (Feet below surface)

Depth to Static _____

Water Level 61 (Feet) Date Measured 09/19/2014

Estimated Yield * 2 (GPM) Test Type Air Lift

Test Length 4.0 (Hours) Total Drawdown 189 (Feet)

*May not be representative of a well's long term yield.

Casings							
Depth from Surface	Borehole Diameter	Type	Material	Wall Thickness	Outside Diameter	Screen Type	Slot Size
Feet to Feet	(Inches)			(Inches)	(Inches)		(Inches)
0	120	10	Blank	PVC Sch. 80	CL200	5	
120	200	10	Screen	PVC Sch. 80	CL200	5	Milled Slots 0.032

Annular Material			
Depth from Surface	Fill	Description	
Feet to Feet			
0	20	Bentonite	Sanitary Seal
20	200	Filter Pack	3/8" Pea Gravel

Attachments

Geologic Log
 Well Construction Diagram
 Geophysical Log(s)
 Soil/Water Chemical Analyses
 Other Location Map

Attach additional information, if it exists

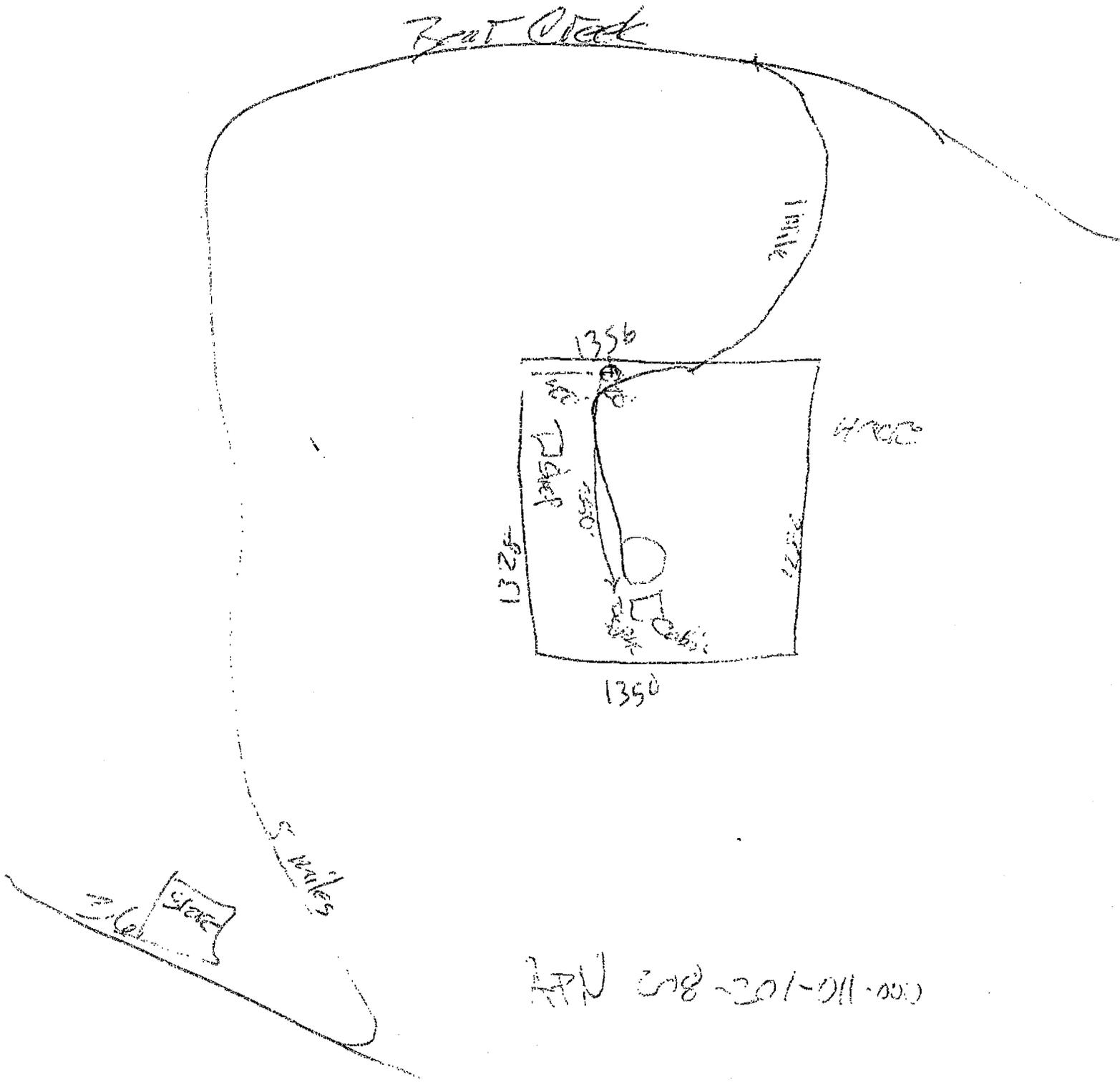
Certification Statement

I, the undersigned, certify that this report is complete and accurate to the best of my knowledge and belief

Name FISCH DRILLING
Person, Firm or Corporation

3150 JOHNSON ROAD HYDESVILLE CA 95547
Address City State Zip

Signed _____ Date Signed 09/29/2014
C-57 Licensed Water Well Contractor C-57 License Number



APN 318-301-011-000

120	200	10	Screen	PVC Sch. 80	CL200	5	Milled Slots	0.032	20	200	Filter Pack	3/8" Pea Gravel

Attachments

Geologic Log
 Well Construction Diagram
 Geophysical Log(s)
 Soil/Water Chemical Analyses
 Other Location Map

Attach additional information, if it exists.

Certification Statement

I, the undersigned, certify that this report is complete and accurate to the best of my knowledge and belief.

Name FISCH DRILLING
Person, Firm or Corporation

3150 JOHNSON ROAD HYDESVILLE CA 95547
Address City State Zip

Signed [Signature] 09/29/2014
C-57 Licensed Water Well Contractor... Date Signed

683865
C-57 License Number

Acevedo, Megan

From: Nikolai Erickson <fullmoonfarmsne@gmail.com>
Sent: Saturday, July 09, 2022 10:30 AM
To: Acevedo, Megan
Subject: Dazzi permit permission

Follow Up Flag: Follow up
Flag Status: Flagged

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

Hello Megan, Nik Erickson here from Full Moon Farms. Our neighbors Chris Dazzi APN 208-201-011 are applying for a permit and you have been assigned to them as well. Their greenhouses will be located within 200' of our property line and they asked if I could send you an email stating my approval of this. I have no issues with them being close to the line. If you have any further questions I can be reached at 707-672-5141 I waive the residential set back requirement as described under CCLUO-55,4,6,4,4

Nikolai Erickson

ATTACHMENT 4

REFERRAL AGENCY COMMENTS AND RECOMMENDATIONS

The project was referred to the following referral agencies for review and comment. Those agencies that provided written comments are checked off.

Referral Agency	Response	Recommendation	Location
Public Works, Land Use Division	✓	Approval	Attached
Building Inspections	✓	Approval	On file
Bear River Band of The Rohnerville Rancheria	✓	Conditional Approval	On file and confidential
Northwest Information Center	✓	Comment	On file and confidential
Department of Environmental Health	✓	Conditional Approval	Attached
CALFIRE		No Comment	Attached
CA State Water Resources Control Board – Division of Water Rights	✓	Approval	Attached
County Council		No Response	
Sheriff		No Response	
Mattole Unified School District		No response	
District Attorney		No response	
Ag Commissioner		No response	
RWCQB		No Response	
Telegraph Ridge Fire Protection District		No Response	
CDFW		No Response	
Sheriff		No Response	



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

5/12/2022

Project Referred To The Following Agencies:

County Counsel, Environmental Health, PW Land Use, Building Inspections, CSD: Ruth Lake CSD, Cal Fish & Wildlife, Bear River Band, NWIC, AG Commissioner, District Attorney, Sheriff, CSD: Ruth Lake CSD, RWQCB, Division of Water Resources, CalFire, CA Division of Water Rights

Applicant Name Chris Dazzi **Key Parcel Number** 208-201-011-000

Application (APPS#) PLN-2022-17744 **Assigned Planner** Megan Acevedo

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: 5/27/2022

Planning 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: _____

DATE: _____

PRINT NAME: _____

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:



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

5/12/2022

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- 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: The water source for this cannabis cultivation site is rainwater catchment. This water source does not need a SIUR water right.

5/17/2022

Jonathan Pham
Environmental Scientist
Division of Water Rights

DATE:

PRINT NAME:

From: [Planning Clerk](#)
To: [Moredo, John](#)
Subject: FW: Humboldt County Project Review Request - PLN-2022-17744 Dazzi
Date: Tuesday, May 17, 2022 3:04:29 PM
Attachments: [17744 Referral Cover Sheet 05.12.2022.pdf](#)
[image002.png](#)

Good afternoon,

The email below with the attachment should be processed as a referral response from the Waterboard. Can you process and document accordingly?

Thank you for your help.



Delilah Moxon

Administrative Services Manager
[Planning and Building Department](#)
3015 H Street | Eureka, CA 95501
Phone: 707-445-7541 | Fax: 707-445-7446
Email: dmoxon@co.humboldt.ca.us

From: Pham, Jonathan@Waterboards <Jonathan.Pham@Waterboards.ca.gov>
Sent: Tuesday, May 17, 2022 2:50 PM
To: Planning Clerk <planningclerk@co.humboldt.ca.us>
Subject: Humboldt County Project Review Request - PLN-2022-17744 Dazzi

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

Good Afternoon Planning Staff,

Thank you for including the Division of Water Rights in your project review process. Please see attached Referral Cover Letter with our comments. This particular site is utilizing rooftop rainwater catchment to irrigate their cannabis. With this source in mind, they do not need a Cannabis SIUR water right.

Thank you for your time and I hope you have a nice day.

Best,
Jonathan Pham

Environmental Scientist
Registrations Unit
Division of Water Rights

PLN-2022-1...

Chris Dazzi - Spe...
A Special Permit ...

STATUS

> Referrals
05/12/2022 b...

LOCATION

> None Provided

CONTACT

> Chris Dazzi

WORKFLOW

> 18 total Task

Workflow History (7)

Comments (0)

Documents (21)

Conditions of Approval (0)

Locks Holds (1)

Address (0)

Owner (1)

Parcel (1)

Contacts (27)

Communications (30)

Consolidated Record
Activities (58)

Fee History (10)

A notice was added to this record on 2021-04-13.
 Condition: Parcel Status : 208-201-011 LP 1:1 Severity: Notice
 Total conditions: 1 (Notice: 1)

[View notice](#)

[Cancel](#) [Help](#)

Task	Due Date	Assigned Date
Environmental Health	05/23/2022	
Assigned to Department	Assigned to	Status
Environmental Health Senior LU	Joey Whittlesey	Approved with Conditions
Action by Department	Action By	Status Date
Environmental Health Senior LU	Joey Whittlesey	05/13/2022
Start Time	End Time	Hours Spent
		0.0
Billable	Overtime	Comments
No	No	Seasonal cultivation without processing may use portable toilets to serve the operation. Permittee shall provide portable toilet(s) to cultivation areas, meeting appropriate setbacks per Humboldt County Code, or install a permitted onsite wastewater treatment system associated with a permitted structure.
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	Comment Display in ACA
No		<input checked="" type="checkbox"/> All ACA Users

PLN-2022-17744

STATUS

LOCATION

Chris Dazzi - Special Permit (SP) ...
A Special Permit (SP) for 10,000 ...

> Referrals
05/12/2022 by Liz Kernahan

> None Provided

Workflow History (7)

[View notice](#)

Comments (0)

[Cancel](#) [Help](#)

Documents (21)

Conditions of Approval (0)

Task PW Land Use	Due Date 05/29/2022	Assigned Date
---------------------	------------------------	---------------

Locks Holds (1)

Assigned to Department Public Works Department	Assigned to Ken Freed	Status Approved
Action by Department Public Works Department	Action By Ken Freed	Status Date 05/19/2022

Address (0)

Start Time	End Time	Hours Spent 0.0
------------	----------	---------------------------

Owner (1)

Billable No	Overtime No	Comments
----------------	----------------	-----------------

Parcel (1)

Time Tracking Start Date	Est. Completion Date	In Possession Time (hrs)
--------------------------	----------------------	--------------------------

Contacts (27)

Display E-mail Address in ACA No	<input checked="" type="checkbox"/> Display Comment in ACA	Comment Display in ACA <input checked="" type="checkbox"/> All ACA Users
-------------------------------------	--	---

Communications (30)

Record Creator

Consolidated Record Activities (58)

Licensed Professional

Contact

Owner

Fee History (10)

Estimated Hours 0.0	Action Updated
------------------------	-------------------

Workflow Calendar