



MINUTES

THURSDAY, NOVEMBER 21, 2019


Regular Meeting

The Honorable Planning Commission of the County of Humboldt met in a regular meeting on the above date within the Humboldt County Courthouse, Eureka, California. The minutes of this meeting were approved on Thursday, January 23, 2020 with the vote as shown below.

The motion was made by Commissioner Mitchell and seconded by Commissioner McCavour.

AYES: Commissioners Mitchell, Levy, Newman, Bongio, McCavour  
ABSENT: Commissioner O'Neill  
DECISION: Motion carries 5/0.

  
Suzanne Lippre  
Deputy Clerk of the Planning Commission

  
John H. Ford  
Secretary of the Planning Commission

PLANNING COMMISSION

Alan Bongio  
First District - Vice-Chair  
Robert Morris  
Second District - Chair  
Noah Levy  
Third District  
Mike L Newman  
Fourth District  
Peggy O'Neill  
Fifth District  
Brian Mitchell  
At-Large  
Melanie McCavour  
At-Large



COUNTY STAFF

JOHN H. FORD  
Director, Planning and Building

**PLANNING COMMISSION  
COUNTY OF HUMBOLDT**

**825 Fifth Street  
Board of Supervisors Chambers  
Eureka, California**

**ACTION SUMMARY**

Thursday, November 21, 2019

4:00 PM

Special Meeting

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**A. CALL TO ORDER / SALUTE TO FLAG**

*Chair Morris called the meeting to order at 4:00 p.m.*

**B. COMMISSIONERS PRESENT**

Present : 6 - Commissioner Robert Morris, Commissioner Alan Bongio, Commissioner Noah Levy,  
Commissioner Mike L Newman, Commissioner Melanie McCavour and Commissioner  
Peggy O'Neill

Absent : 1 - Commissioner Brian Mitchell

**C. AGENDA MODIFICATIONS**

**D. PUBLIC COMMENTS**

**E. CONSENT AGENDA**

Emerald Triangle Group, LLC Co., Special Permits  
Record Numbers: PLN-12733-SP and PLN-12747-SP  
Assessor's Parcel Number: 032-051-032  
829 Redwood Drive, Garberville area

**Project Description:** This project consists of two applications requesting permits pursuant to the Commercial Medical Marijuana Land Use Ordinance (CMMLUO). A Special Permit (SP) is requested for a cannabis distribution facility (App #12733), and an SP is requested for a commercial cannabis manufacturing facility (App #12747). Manufacturing involves the use of mechanical machinery and ethanol to extract products such as kief, hash and rosin. No flammable solvent materials are used. The site is currently developed with a three-story commercial building, a two-story concrete building, and a two-story storage facility. Extraction operations will occur on the first floor of the three-story building in the existing retail space. The use of the 2nd floor office space and 3rd floor residence will not change as a result of this project. In addition, flower and pre-rolls will be packaged for distribution. The project proposes to demolish the existing concrete building and construct in its place a 180-square foot metal building to house a closed loop ethanol extraction unit. The storage building will be retrofitted with a walk-in refrigeration unit to store cannabis products for the distribution operation. A Special Permit is also requested for an exception to the size of the loading space requirement described by Humboldt County Code (H.C.C.) Section 109.1. The Planning Commission will also consider approval of the design review study as prepared by the applicant per H.C.C. 314-19.1.3.

**Staff Recommendation:** Find the project exempt from environmental review pursuant to Section 15301 (Existing Facilities) and Section 15303 (New Construction or Conversion of Small Structures) of the California Environmental Quality Act (CEQA) Guidelines, make all the required findings for approval based on evidence in the staff report, and adopt the Resolution approving the Emerald Triangle group project subject to the recommended conditions.

***A motion was made by Commissioner Bongio, seconded by Commissioner Levy, that the Emerald Triangle Group, LLC Co., Special Permits item be continued to the December 5, 2019 Planning Commission hearing. The motion carried by the following vote:***

Aye: 6 - Commissioner Morris, Commissioner Bongio, Commissioner Levy, Commissioner Newman, Commissioner McCavour and Commissioner O'Neill

Jason Miller, Conditional Use Permit and Special Permit  
Application Number 11484  
Case Numbers CUP16-262 and PLN-11484-SP  
Assessor's Parcel Number (APN) 210-144-008  
Dinsmore Area

Project Description: A Conditional Use Permit for 18,120 square feet of existing outdoor cannabis cultivation and ancillary processing activity. A Special Permit is also requested for an enforcement within a Streamside Management Area.

*A motion was made by Commissioner Bongio, seconded by Commissioner Levy, that the Jason Miller, Conditional Use Permit and Special Permit item be continued to the December 5, 2019 meeting of the Planning Commission. The motion carried by the following vote:*

Aye:           6 - Commissioner Morris, Commissioner Bongio, Commissioner Levy, Commissioner Newman, Commissioner McCavour and Commissioner O'Neill

#### **F. CONTINUED PUBLIC HEARING**

Humboldt Wind LLC, Conditional Use Permit and Special Permit.

Case Number: PLN-13999-CUP

Application Number 13999

Assessor Parcel Numbers (APNs): 102-132-004-000; 207-124-005-000; 207-126-004-000; 205-021-005-000; 205-021-006-000; 205-021-014-000; 205-021-015-000; 205-021-017-000; 205-021-019-000; 205-021-021-000; 205-021-022-000; 205-021-023-000; 207-311-002-000; 209-191-001-000; 209-191-002-000; 209-191-003-000; 209-191-012-000; 209-191-013-000; 209-201-002-000; 209-201-003-000; 209-201-007-000; 209-201-008-000; 209-201-010-000; 211-453-002-000; 211-453-003-000; 211-461-001-000; 211-462-004-000; 211-471-001-000; 211-472-001-000; 207-341-001-000; 207-181-005-000; 207-181-016-000; 207-181-019-000; 207-182-009-000; 207-182-011-000; 207-183-003-000; 103-012-004-000; 205-051-001-000; 205-051-008-000; 205-051-009-000; 205-051-010-000; 205-051-011-000; 205-051-012-000; 205-061-002-000; 205-061-007-000; 205-061-011-000; 208-114-002-000; 208-121-001-000; 208-121-007-000; 208-121-010-000; 208-131-006-000; 208-135-001-000; 208-135-003-000; 208-135-004-000; 208-135-005-000; 208-141-001-000; 208-141-011-000; 209-401-001-000; 209-401-002-000; 209-401-010-000; 209-401-015-000; 209-401-016-000; 205-311-002-000; 205-311-004-000; 205-321-032-000; 205-321-033-000; 205-321-034-000; 205-331-003-000; 205-331-006-000; 205-331-007-000; 205-341-006-000; 205-341-008-000; 205-341-011-000; 205-341-013-000; 205-341-018-000; 205-341-019-000; 205-351-012-000; 209-401-023-000; 207-226-001-000; 207-231-003-000; 207-231-007-000; 207-232-001-000; 207-232-002-000; 208-111-009-000; 208-111-014-000; 209-281-004-000; 211-011-004-000; 211-012-002-000; 211-013-001-000; 211-023-002-000; 207-183-004-000; 207-184-004-000; 207-184-006-000; 207-185-002-000; 207-185-003-000; 207-186-005-000; 207-186-007-000; 207-186-009-000; 207-186-013-000; 207-211-001-000; 207-211-002-000; 207-212-002-000; 207-213-001-000; 207-213-002-000; 207-213-003-000; 207-221-001-000; 207-221-003-000; 209-081-022-000; 207-074-027-000; 106-191-010-000; 106-191-011-000; 106-191-012-000; 206-262-007-000; 209-211-008-000; 209-211-009-000; 209-211-010-000; 209-211-011-000; 209-251-002-000; 209-261-002-000; 209-261-003-000; 205-221-001-000; 205-351-026-000; 205-351-030-000; 205-311-001, 205-321-006, 205-051-003, 205-061-004, and 205-341-019.

Project Description: A conditional use permit to allow electrical transmission lines and electrical power generation in the Agricultural Exclusive and Timber Production Zone and a Special Permit to allow work within a streamside management area (stream crossings) and work within other wet areas for a project consisting of the following:

Up to 60 wind turbine generators (WTGs) and associated infrastructure with a nameplate generating capacity (theoretical maximum energy generation) of up to 155 MW. The exact footprint of individual WTGs within the project site would be determined during final engineering design but would generally be placed along Monument and Bear River ridges. Turbine heights could reach up to 600 feet tall, with a rotor diameter of 492 feet.

In addition to the wind turbines and transformers, the project includes ancillary facilities such as

temporary staging areas, access roads, 34.5-kilovolt (kV) collection lines (referred to in this EIR as the "collection system"), operations and maintenance (O&M) facility, a substation, a modified utility switchyard, and an approximately 25 mile long 115 kV gen-tie along Shively Ridge.

The project's point of interconnection with the Pacific Gas and Electric Company (PG&E) transmission grid would be PG&E's Bridgeville Substation.

The project would include the following components:

- ▶ Up to 60 turbines (capable of generating 2-5 MW of electricity each) erected on tubular steel towers set on concrete foundations, as well as the associated turbine pads, temporary staging areas, and transformers;
- ▶ construction of access roads;
- ▶ an approximately 25-mile, 115 kV gen-tie, including crossing of the Eel River, following Shively Ridge and ultimately connecting to the existing PG&E transmission system;
- ▶ a project substation located on-site;
- ▶ an underground electrical collection system linking turbines to each other and to the project substation;
- ▶ an underground communication system (fiber optic cable) adjacent to the collection system;
- ▶ a Supervisory Control and Data Acquisition (SCADA) system between each turbine and the substation and between the project substation and the Bridgeville Substation to monitor and control project output and the transmission of energy into the system;
- ▶ an up to 5-acre O&M facility, including an operations building, a parking area, and an outdoor storage area with perimeter fencing;
- ▶ a 10-acre temporary staging area and a construction trailer and parking area located within the O&M facility;
- ▶ a component offloading location at Fields Landing;
- ▶ two temporary bypasses off U.S. 101 (Hookton Overpass and 12th Street Bypass) for transporting oversize loads;
- ▶ up to six permanent meteorological towers;
- ▶ three 5-acre, temporary staging areas distributed throughout the project site, one of which would include one temporary cement batch plant on Monument Ridge; and
- ▶ up to 17 miles of new 24-foot access roads.

*Meeting went into Recess*

*Meeting Reconvened*

***A motion was made by Commissioner Newman, seconded by Commissioner Bongio to make all the required findings, based on the evidence in the staff report and after receiving public testimony, certify the Environmental Impact Report, adopt the Statements of Overriding Considerations for the indicated project, adopt findings that the project is consistent with applicable policies and regulations, adopt a mitigation monitoring and reporting plan and approve the Humboldt Wind LLC, Conditional Use Permit and Special Permit project as revised in the FEIR, subject to the conditions of approval.***

*Ayes: Commissioners Newman, Morris, Bongio*

*Nays: Commissioners Levy, McCavour and O'Neill*

*The motion failed by the following vote: 3/3*

*A motion was made by Commissioner McCavour, seconded by Commissioner O'Neill, that the Commission was not able to make all the required findings, based on the evidence in the staff report and after receiving public testimony, the Commission could not certify the Environmental Impact Report, nor adopt the Statements of Overriding Considerations for the indicated project. The findings that the project is consistent with applicable policies and regulations could not be found by the Commission and the mitigation monitoring and reporting plan could not be adopted, and the Commission moves to deny the Humboldt Wind LLC, Conditional Use Permit and Special Permit project as revised in the FEIR.*

*The motion carried by the following vote:*

*Aye: 4 - Commissioner Bongio, Commissioner Levy, Commissioner McCavour and Commissioner O'Neill*

*Nay: 2 - Commissioner Morris and Commissioner Newman*

## **G. ADJOURNMENT**

*Chair Morris adjourned the meeting to order at 8:47 p.m.*

## **H. NEXT MEETINGS**

*Persons wishing to file documentation on any agenda item for the official record must submit an original and fourteen (14) copies of each document to the Planning Commission Clerk, 3015 H Street in Eureka.*

*The Chamber is wheelchair accessible, and disabled parking is available in the lot on K Street, between Fourth and Fifth Streets. If you are a person with a disability, and you need disability-related modifications or accommodations to participate in this meeting, please contact the Planning Commission Clerk at 707-445-7541, or 707-268-3792 (fax). Requests for such modifications or accommodations must be made at least three full business days before the start of the meeting.*