



COUNTY OF HUMBOLDT
PLANNING AND BUILDING DEPARTMENT
CURRENT PLANNING DIVISION

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

Hearing Date: April 7, 2022

To: Humboldt County Planning Commission

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

Subject: **Dare Farms, LLC, Conditional Use Permit**
Record Number: PLN-13225-CUP
Assessor's Parcel Number (APN): 215-172-031
Whitethorn area

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Please contact Abbie Strickland, Planner, at 707-441-2630 or by email at astrickland@co.humboldt.ca.us, if you have any questions about the scheduled public hearing item.

AGENDA ITEM TRANSMITTAL

Hearing Date April 7, 2022	Subject Conditional Use Permit	Contact Abbie Strickland
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Project Description: The applicant is seeking a Conditional Use Permit for 10,249 square feet of existing outdoor commercial cannabis cultivation. Light deprivation techniques are utilized to achieve between two and five harvests annually. The project is supported by 1,025 square feet of propagation space. Irrigation water will be supplied entirely from stored water and the existing rainwater catchment system. Projected annual water usage totals 122,600 gallons (11.96 gal/SF) and water storage onsite totals 135,000 gallons. All processing occurs offsite. Energy is sourced primarily by P.G.&E. and there is a 25-kW backup generator onsite.

Project Location: The project is located in Humboldt County, in the Whitethorn area, on the east side of Briceland-Thorne Road, at the intersection of Stump Lane and Briceland-Thorne Road, on the property known as 15796 Briceland-Thorne Road.

Present Plan Land Use Designations: Residential Agriculture (RA), Residential Estates (RE); 2017 General Plan; Density: 5-20 units per acre & 2.5-5 units per acre; Slope Stability: Low Instability (1) & High Instability (3).

Present Zoning: Unclassified (U)

Record Number: PLN-13225-CUP

Assessor's Parcel Number: 215-172-031

Applicant

Dare Farms, LLC
Jose Arellano
P.O. Box 2368
Redway, CA 95560

Owner

Jose Claudio Arellana Sanchez
P.O. Box 2514
Redway, CA 95560

Agents

Rain & Zepp, PLC
517 3rd Street, STE 30
Eureka, CA 95501

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

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

Major Issues: None.

Dare Farms, LLC
Record Number: PLN-13225-CUP
Assessor's Parcel Number: 215-172-031

Recommended Commission Action:

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

Adopt the resolution finding that the Commission has considered the Addendum to the adopted Mitigated Negative Declaration for the Commercial Medical Marijuana Land Use Ordinance (CMMLUO) pursuant to Section §15164 of the State CEQA Guidelines, making all of the required findings for approval of the Conditional Use Permit and adopt the Resolution approving the Dare Farms, LLC, subject to the recommended conditions.

Executive Summary: The applicant is seeking a Conditional Use Permit for 10,249 square feet of existing outdoor commercial cannabis cultivation. Light deprivation techniques are utilized to achieve between two and five harvests annually. The project is supported by 1,025 square feet of propagation space. Until such time the proposed 2,400 square foot processing building is constructed, and permitted to commercial standards, all processing will continue to occur off site at a licensed third-party processing facility (**Ongoing Requirement B.8**). Between two and six employees are utilized during the harvest season. Upon completion of the processing facility, up to eight employees will be utilized in the operation.

Energy Resources

The subject parcel is equipped with P.G.&E. which is the primary energy source for domestic uses. Energy for the operation is supplied primarily by one 25-kW generator. Energy is required for the lighting in the propagation greenhouse, hand tools used for pest management, and fans in the greenhouses. The propagation greenhouse is located near the residence, and will utilize energy supplied by P.G.&E., however, the other equipment will utilize the generator.

Water Resources

Irrigation water was historically sourced from an existing permitted well, however, the applicant will be transitioning to solely rainwater catchment and utilizing the well for domestic use. Currently, the site has 135,000 gallons of stored irrigation water. The stored water will provide irrigation for the 2022 cultivation season. Prior to the 2023 cultivation season, the applicant will construct additional rainwater infrastructure to increase the catchment area. The projected annual water usage for the project totals 122,600 gallons (11.9 gal/sf) and existing water storage totals 135,000 gallons. An ongoing requirement for the project requires the applicant to meter irrigation water and maintain records onsite (**General Condition A.7**).

The Division of Environmental Health requested that the permittee be required to provide portable toilet(s) to cultivation areas or install a permitted septic system to serve the needs of the project. This recommendation has been included as a condition of approval (**General Conditions A.8**). Additionally, the applicant is required to install an accessible restroom with a permitted septic system should operations be modified to conduct processing onsite.

The project is located in the Cape Mendocino Planning Watershed which under Resolution 18-43 is limited to 650 permits or 223 acres, whichever occurs first. With the approval of this project the total approved permits in this Planning Watershed would be 211 permits and the total approved acres would be approximately 74.8 acres of cultivation.

Biological Resources

A review of the California Natural Diversity Database (CNDDDB) found that no species of special concern or special status plant or animal species have been mapped on the subject parcel. However, there is a mapped Northern Spotted Owl activity center approximately 1.5 miles southwest of subject parcel. The project was referred to the California Department of Fish and Wildlife (CDFW), no response was received. An ongoing requirement for the project will require the applicant to maintain cultivation related noise at or below 50 decibels as measured from the edge of the clearing or 100 feet, whichever distance is closer (**Ongoing Requirement B.1**). The applicant will also be required to adhere to International Dark Sky Standards (**Ongoing Requirement B.2**). The applicant has entered into a *Lake and Streambed Alteration Agreement* with CDFW. The applicant will be required to adhere to the provisions within the LSAA (**Ongoing Requirement B.17**).

Timber Conversion

The project was referred to CAL FIRE which requested that the applicant submit a report prepared by a Registered Professional Forester to evaluate the tree removal that occurred between 2016 and 2018. The applicant submitted a *Timber Conversion Evaluation* report dated June 7, 2021. The report identified the conversion of 1.41 acres of timberland between May 2016 and July of 2016, and into 2019. The conversion areas are hosting cultivation and cultivation related infrastructure and are therefore subject to restocking at a 1:1 ratio. A condition of approval will require the applicant to submit a Restocking Plan equal to .38 acres to the Planning Department, within 6 months from the date of project approval, for review and approval (**General Condition A.8**).

Tribal Cultural Resource Coordination

The subject parcel is located in the aboriginal territory of the Bear River Band of Rohnerville Rancheria and the Intertribal Sinkiyone Wilderness Council. The project was referred to both tribes and the Northwest Information Center. The applicant submitted a *Cultural Resource Investigation Report* prepared by William Rich & Associates, dated June 2021. The report concluded that the project will not adversely impact cultural, Tribal, or historic resources with the existing footprint, and was forwarded to the tribes for review.

Access and Fire Safety

Access to the site is provided by Briceland-Thorne Road, a county-maintained road that is developed to a Category 4 standard. The applicant submitted a *Site Management Plan (SMP)* prepared by Timberland Resource Consultants, dated April 24, 2020, which included recommendations to improve the access road and prevent discharge of sediment to nearby watercourses. On October 22, 2021, the applicant submitted a *Revised Site Management Plan* documenting the completion of each item outlined in the SMP which included repairing and installing rolling dips, applying erosion control materials to exposed soils, resurfacing the roadway, and properly containing soil and amendments.

The project was referred to the Department of Public Works Land Use Division which requested two conditions of approval be added to the project requiring the applicant to improve and maintain visibility where the applicants driveway intersects with the county-maintained road, Briceland-Thorne Road and that the applicant be required to improve the location where the driveway intersects with Briceland-Thorne Road. These recommendations have been included as conditions of approval for the project (**General Conditions A.11**).

The subject parcel is located in the State Fire Responsibility Area and is in an area designated as having high fire hazard severity. The project was referred to CAL FIRE which requested a report prepared by a registered professional forester be submitted. The applicant submitted the requested report. The *Site Plan*

also shows the required SRA turnaround, 2,500-gallon water tank dedicated to fire suppression, and all project components adhere to the setback of 30 feet from all property lines.

Environmental review for this project was conducted and based on the results of that analysis, staff finds that all aspects of the project have been considered in a previously adopted Mitigated Negative Declaration that was adopted for the Commercial Medical Marijuana Land Use Ordinance and has prepared an addendum to this document for consideration by the Planning Commission.

RECOMMENDATION: Based on a review of Planning Division reference sources and comments from all involved referral agencies, planning staff believes that the applicant has submitted evidence in support of making all of the required findings for approval of the Conditional Use Permit.

ALTERNATIVES: The Planning Commission could elect not to approve the project, or to require the applicant to submit further evidence, or modify the project. If modifications may cause potentially significant impacts, additional CEQA analysis and findings may be required. These alternatives could be implemented if the Commission is unable to make all of the required findings. Planning staff has stated that the required findings in support of the proposal have been made. Consequently, Planning staff does not recommend further consideration of any alternative.

The Planning Commission could also decide the project may have environmental impacts that would require further environmental review pursuant to CEQA. Staff did not identify any potential impacts. As the lead agency, the Department has determined that the project is consistent with the MND for the CMMLUO as stated above. However, the Commission may reach a different conclusion. In that case, the Commission should continue the item to a future date at least two months later to give staff the time to complete further environmental review.

**RESOLUTION OF THE PLANNING COMMISSION
OF THE COUNTY OF HUMBOLDT**

Resolution Number 22-

Record Number PLN-13225-CUP

Assessor's Parcel Number: 215-172-031

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

WHEREAS, Dare Farms, LLC, is seeking a Conditional Use Permit for 10,249 square feet of existing outdoor commercial cannabis cultivation. Light deprivation techniques are utilized to achieve between two and five harvests annually. The project is supported by 1,025 square feet of propagation space. Irrigation water will be supplied entirely from stored water and the existing rainwater catchment system. Projected annual water usage totals 122,600 gallons (11.96 gal/SF) and water storage onsite totals 135,000 gallons. All processing occurs offsite. Energy is sourced primarily by P.G.&E. and there is a 25-kW backup generator onsite.

WHEREAS, the County as lead agency, prepared an Addendum to the Mitigated Negative Declaration (MND) prepared for the Commercial Medical Land Use Ordinance (CMMLUO) adopted by the Humboldt County Board of Supervisors on January 26, 2016. The proposed project does not present substantial changes that would require major revisions to the Mitigated Negative Declaration. No new information of substantial importance that was not known and could not be known at the time was presented as described by §15162(c) of CEQA Guidelines; and

WHEREAS, the Humboldt County Planning Commission held a duly noticed public hearing on **April 7, 2022**, and reviewed, considered, and discussed the application for a Conditional Use Permit and reviewed and considered all evidence and testimony presented at the hearing.

Now, THEREFORE BE IT RESOLVED, that the Planning Commission makes all the following findings:

- 1. FINDING:** **Project Description:** The applicant is seeking a Conditional Use Permit for 10,249 square feet of existing outdoor commercial cannabis cultivation. Light deprivation techniques are utilized to achieve between two and five harvests annually. The project is supported by 1,025 square feet of propagation space. Irrigation water will be supplied entirely from stored water and the existing rainwater catchment system. Projected annual water usage totals 122,600 gallons (11.96 gal/SF) and water storage onsite totals 135,000 gallons. All processing occurs offsite. Energy is sourced primarily by P.G.&E. and there is a 25-kW backup generator onsite.

EVIDENCE: a) Project File: PLN-13225-CUP

- 2. FINDING:** **CEQA.** The requirements of the California Environmental Quality Act have been complied with. The Humboldt County Planning Commission has considered the Addendum to and the Mitigated Negative Declaration (MND) prepared for the Commercial Medical Marijuana Land Use Ordinance (CMMLUO) adopted by the Humboldt County Board of Supervisors on January 26, 2016.

EVIDENCE: a) Addendum Prepared for the proposed project.
 b) A review of the California Natural Diversity Database (CNDDDB) found that no species of special concern have been mapped on the subject parcel.

However, there is a mapped Northern Spotted Owl activity center 1.5 miles southwest of subject parcel. The applicant will be required to maintain cultivation related noise at or below 50 decibels as measured at a distance of 100 feet from the noise source or the edge of habitat, whichever distance is closer. All generators will be held in secondary containment units to attenuate noise. The existing project is not anticipated to impact any special status plant or animal species.

- c) The applicant will be required to adhere to International Dark Sky standards. The supplemental lighting used in the propagation greenhouses shall not escape at a level that is visible from neighboring properties between sunset and sunrise.
- d) The cultivation of cannabis will not result in the net loss of timberland as the applicant will be required to provide a Restocking Plan detailing a 1:1 ratio for all conversion areas hosting, or proposing to host, cultivation or ancillary infrastructure for the project. No trees are proposed to be removed as a result of the project.
- e) The applicant submitted a *Cultural Resource Investigation Report* prepared by William Rich and Associates, dated June 2021. The report concluded that the project will not adversely impact cultural, Tribal, or historic resources with the existing footprint.
- f) Access to the site is provided by Briceland-Thorne Road, a county-maintained road that is developed to a Category 4 road standard. On October 22, 2021, the applicant submitted a *Revised Site Management Plan* documenting the completion of each item outlined in the SMP which included repairing and installing rolling dips, applying erosion control materials to exposed soils, resurfacing the roadway, and properly containing soil and amendments.

FINDINGS FOR CONDITIONAL USE PERMIT

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

EVIDENCE a) General agriculture is a use type allowed in the Residential Agriculture land use designation. The existing cannabis cultivation, an agricultural product, is consistent with and complimentary to the Open Space Plan and its Open Space Action Program.

4. FINDING The existing development is consistent with the purposes of the Unclassified (U) Zone in which the site is located.

EVIDENCE a) General agriculture is a principally permitted use in the Unclassified (U) Zone.

b) The location of all project elements meets the setback requirements for the Unclassified Zone.

c) Humboldt County Code section 314-55.4.8.2.2 allows up to 43,560 square feet of existing outdoor cultivation or 22,000 square feet of existing mixed light cultivation in zoning districts U subject to approval of a Conditional Use Permit and a determination that the cultivation was in existence prior to January 1, 2016. This application is for 10,249 square feet of pre-existing outdoor commercial cannabis cultivation which has been verified by the

Planning Department.

5. FINDING

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

EVIDENCE

- a) The CMMLUO allows existing cannabis cultivation to be permitted in areas zoned U, only when possible to eliminate existing violations and bring the project into compliance (HCC 314-55.4.8.2.2).
- b) The parcel was created in compliance with all applicable state and local subdivision regulations as shown on Parcel Map 2141 Book 18 Page 147 Parcel 2.
- c) Access to the site is provided by Briceland-Thorne Road, a county-maintained road that is developed to a Category 4 road standard. On October 22, 2021, the applicant submitted a *Revised Site Management Plan* documenting the completion of each item outlined in the SMP which included repairing and installing rolling dips, applying erosion control materials to exposed soils, resurfacing the roadway, and properly containing soil and amendments.
- d) The cultivation of cannabis will not result in the net loss of timberland as the applicant will be required to provide a Restocking Plan detailing a 1:1 ratio for all conversion areas hosting, or proposing to host, cultivation or ancillary infrastructure for the project. No trees are proposed to be removed as a result of the project.
- e) The location of the cultivation complies with all setbacks required in Section 314-55.4.11 (d). It is more than 30 feet from any property line, more than 300 feet from any off-site residence, more than 600 feet from any school, school bus stop, church, or other place of worship, public park, or Tribal Cultural Resource.
- f) All fertilizers, fuel, amendments, or otherwise hazardous materials will be properly stored in a 100 square foot shed.
- g) Irrigation water is locally sourced from an existing rainwater catchment collection system which is proposed to be expanded.
- h) Energy for the project is sourced from P.G.&E. and a 25-kW generator is onsite for back up use.

6. FINDING

The continued cultivation of 10,249 square feet of 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) The site is in a rural part of the County where the typical parcel size is over 30 acres and many of the land holdings are very large. Approving cultivation on this site and the other sites which have been approved or are in the application process will not change the character of the area.
- b) The location of the cultivation complies with all setbacks required in Section 314-55.4.11 (d). It is more than 30 feet from any property line, more than 300 feet from any off-site residence, more than 600 feet from any school, school bus stop, church, or other place of worship, public park, or Tribal Cultural Resource.

- c) The applicant submitted a Cultural Resource Investigation Report prepared by William Rich and Associates, dated June 2021. The report concluded that the project will not adversely impact cultural, Tribal, or historic resources with the existing footprint.
- d) A review of the California Natural Diversity Database (CNDDDB) found that no species of special concern have been mapped on the subject parcel. However, there is a mapped Northern Spotted Owl activity center 1.5 miles southwest of subject parcel. The applicant will be required to maintain cultivation related noise at or below 50 decibels as measured at a distance of 100 feet from the noise source or the edge of habitat, whichever distance is closer. All generators will be held in secondary containment units to attenuate noise. The existing project is not anticipated to impact any special status plant or animal species.
- e) Access to the site is provided by Briceland-Thorne Road, a county-maintained road that is developed to a Category 4 road standard. On October 22, 2021, the applicant submitted a Revised Site Management Plan documenting the completion of each item outlined in the SMP which included repairing and installing rolling dips, applying erosion control materials to exposed soils, resurfacing the roadway, and properly containing soil and amendments.

7. 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 Cape Mendocino Planning Watershed which under Resolution 18-43 is limited to 650 permits or 223 acres, whichever occurs first. With the approval of this project the total approved permits in this Planning Watershed would be 211 permits and the total approved acres would be approximately 74.8 acres of cultivation.

8. FINDING

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

EVIDENCE

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

DECISION

NOW, THEREFORE, based on the above findings and evidence, the Humboldt County Planning Commission does hereby:

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

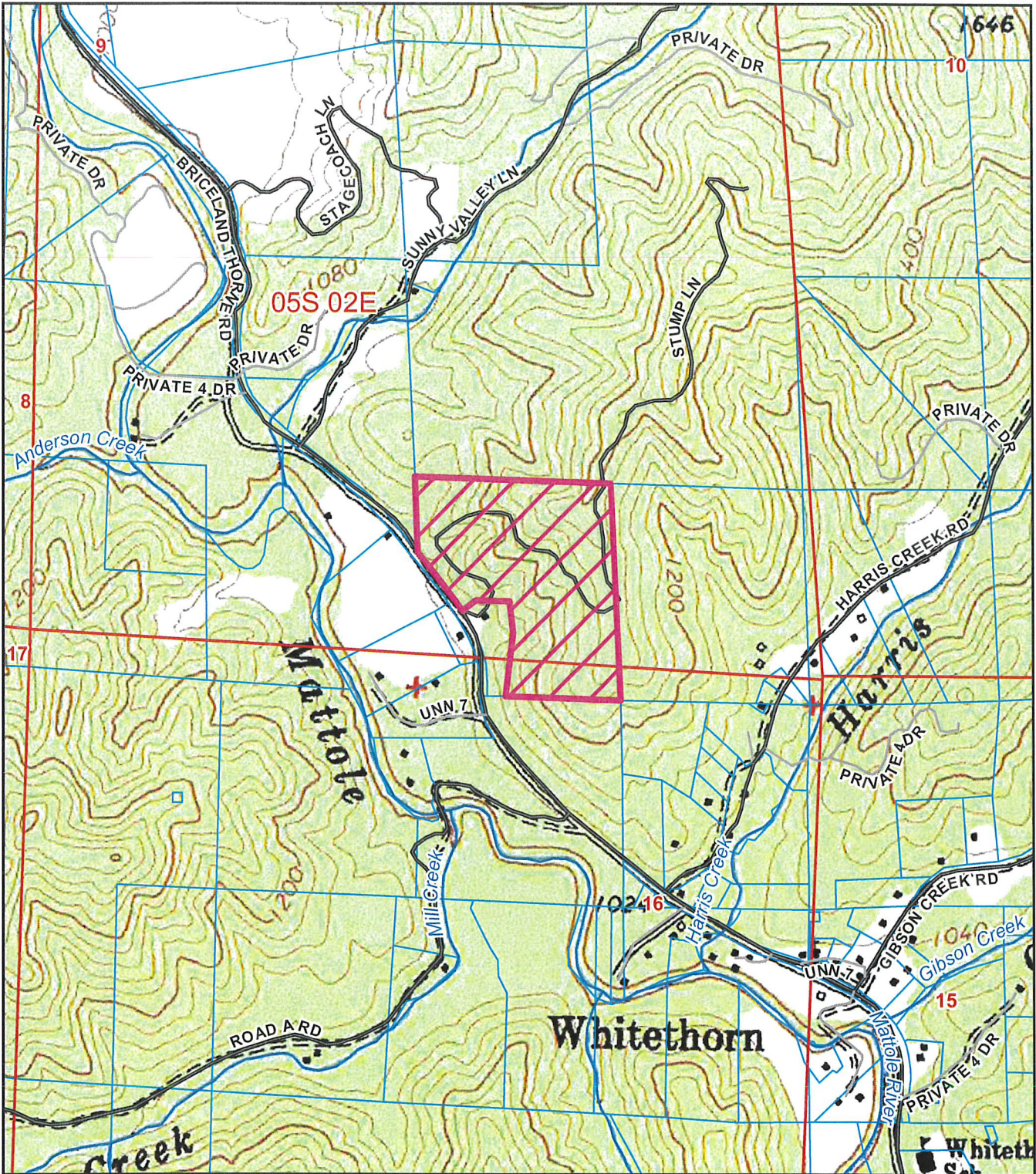
Adopted after review and consideration of all the evidence on **April 7, 2022**.

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

AYES:	COMMISSIONERS:
NOES:	COMMISSIONERS:
ABSENT:	COMMISSIONERS:
ABSTAIN:	COMMISSIONERS:
DECISION:	

I, John Ford, Secretary to the Planning Commission of the County of Humboldt, do hereby certify the foregoing to be a true and correct record of the action taken on the above-entitled matter by said Commission at a meeting held on the date noted above.

 John Ford, Director
 Planning and Building Department

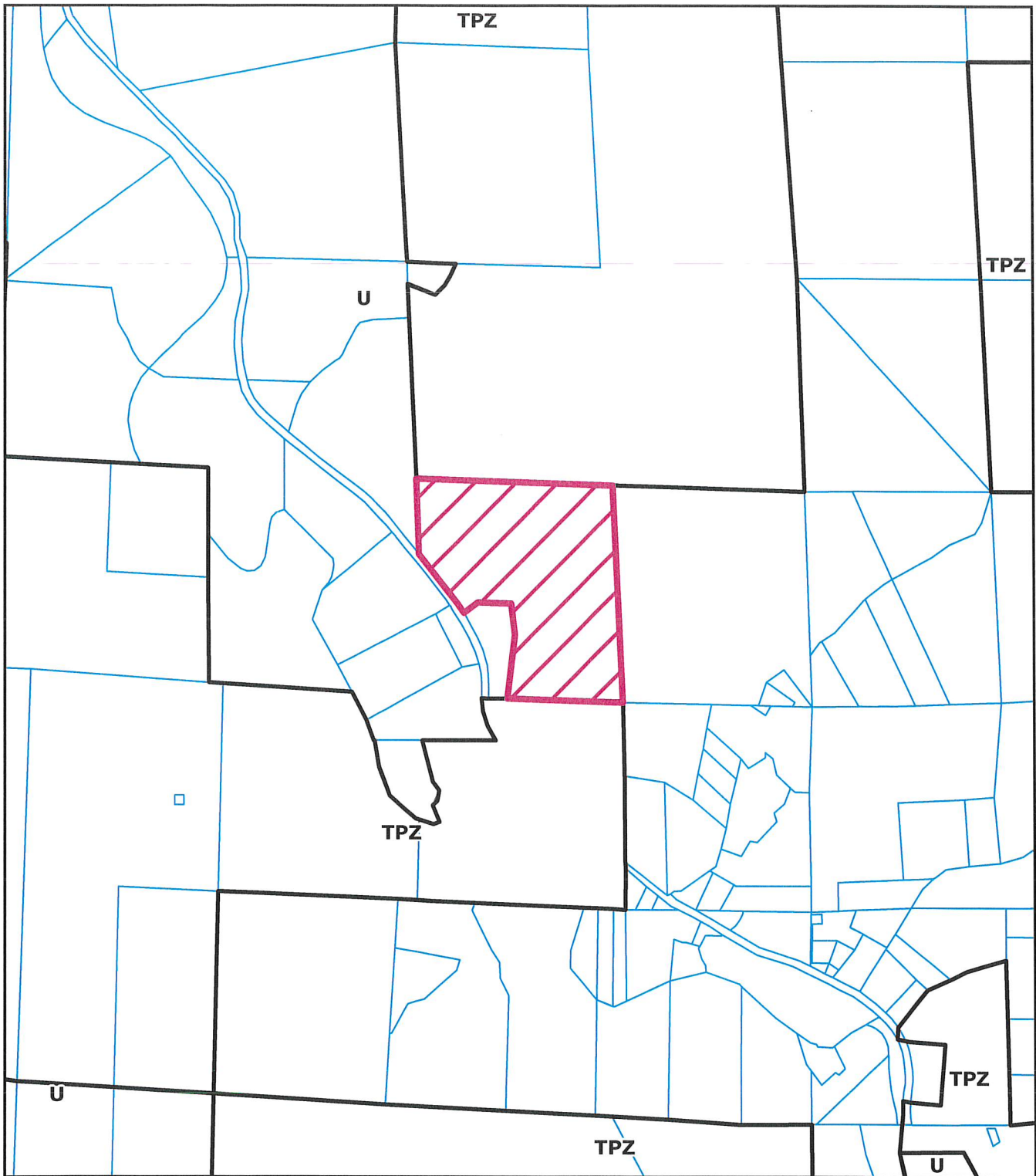


**TOPO MAP
PROPOSED WESTSIDE HOLDING LLC
WHITETHORN AREA
CUP-16-1055
APN: 215-172-031-000
T05S R02E S9; S16 HB&M (BRICELAND)**


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.


0 1,000 2,000
Feet



**ZONING MAP
 PROPOSED WESTSIDE HOLDING LLC
 WHITETHORN AREA
 CUP-16-1055
 APN: 215-172-031-000
 T05S R02E S9; S16 HB&M (BRICELAND)**


Project Area = 

N


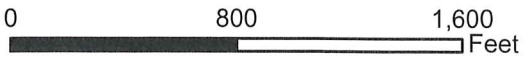
0 1,000 2,000
 Feet

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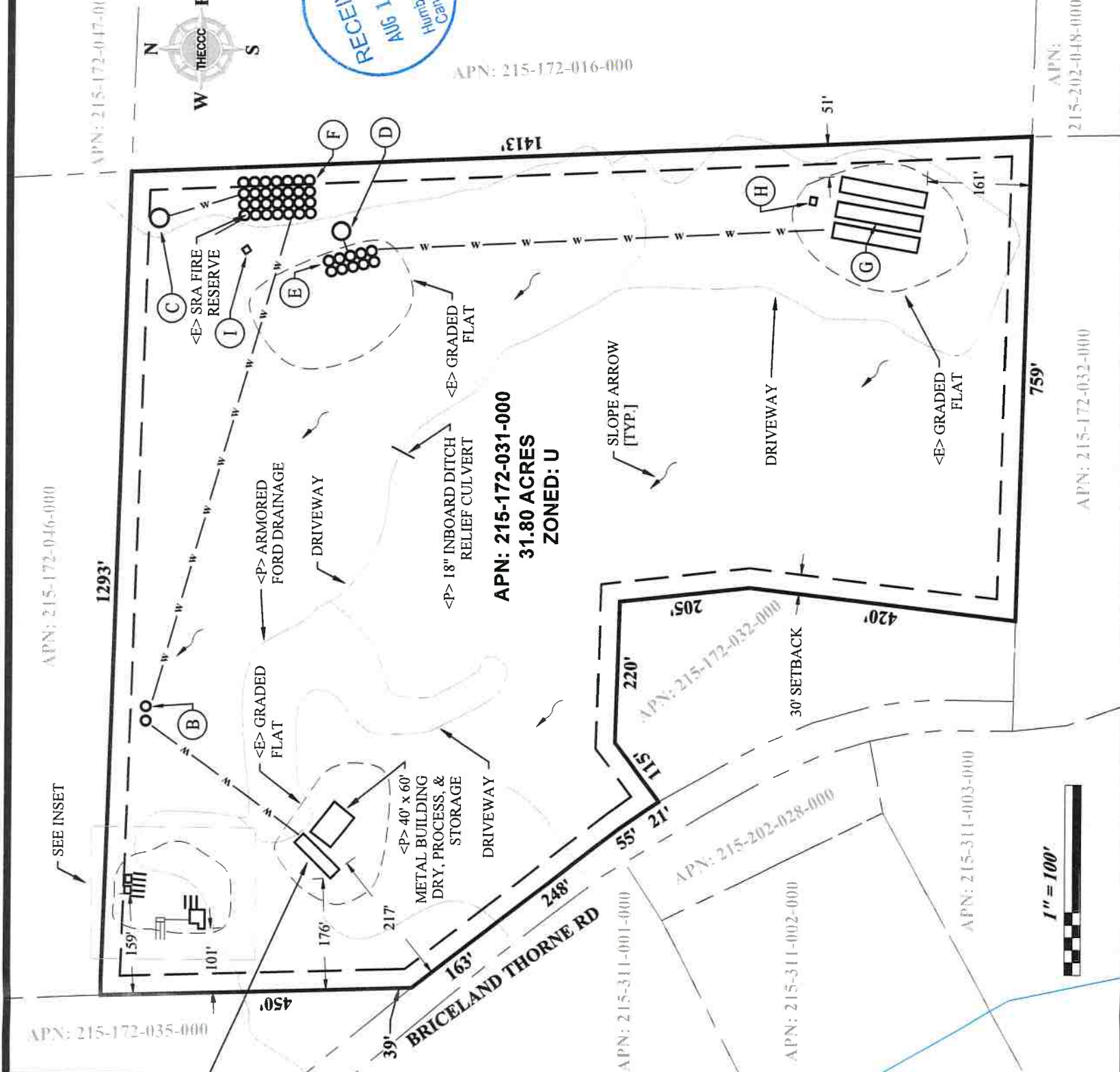
Project Area = 

**AERIAL MAP
 PROPOSED WESTSIDE HOLDING LLC
 WHITETHORN AREA
 CUP-16-1055
 APN: 215-172-031-000
 T05S R02E S9; S16 HB&M (BRICELAND)**



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

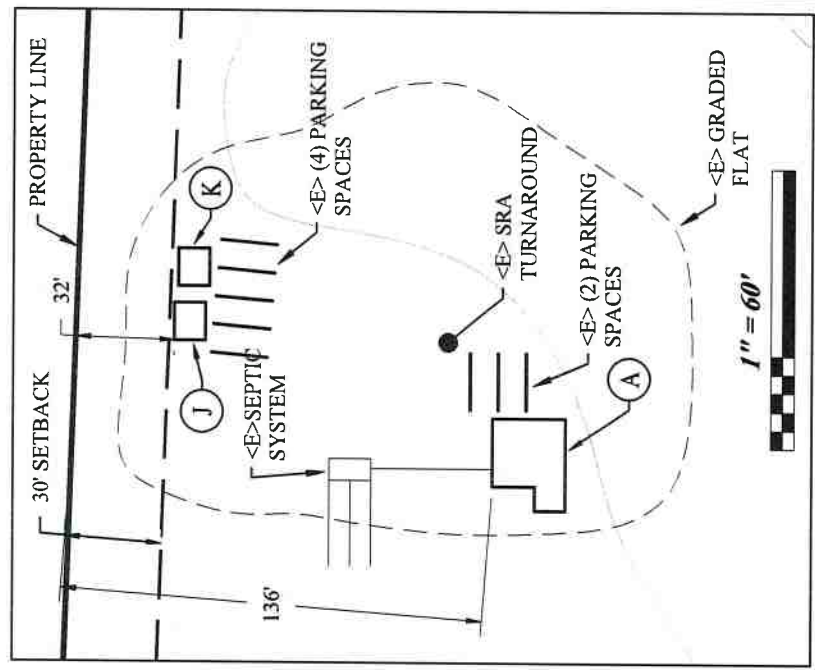
13225



NOTES:
 NO RECORDED EASEMENTS.
 NO RESIDENCE OR OTHER STRUCTURES WITHIN 300' OF CULTIVATION AREA.
 NO WATER COURSE.
 WATER TANKS INSTALLED PRIOR TO CURRENT OWNERSHIP, RECONFIGURED IN 2019 TO MEET SET BACK REQUIREMENTS.
 APPLICANT: DARE FARMS, LLC
 OWNER: JOSE SANCHEZ

IMMATURE PLANT AREA (20' x 80')

STRUCTURE LIST		600 SF +/-
A	RESIDENCE	10,000 GAL TOTAL
B	(2)-TWO 5,000-GALLON WATER TANKS LAT: 40.031094 LONG: -123.947966	
C	CANNABIS IRRIGATION GROUNDWATER WELL & PUMP TO WATER STORAGE LAT: 40.031090 LONG: -123.945185	
D	CANNABIS IRRIGATION GROUNDWATER WELL & PUMP TO WATER STORAGE LAT: 40.030306 LONG: -123.945230	
E	(10)-TEN 5,000-GALLON WATER TANKS LAT: 40.030261 LONG: -123.945404	50,000 GAL TOTAL
F	(27)-TWENTY-SEVEN 5,000-GALLON WATER TANKS LAT: 40.030630 LONG: -123.945060	135,000 GAL TOTAL
G	AGGREGATE CANOPY AREA OF NON-CONTIGUOUS CANOPY TOTAL 9,840 SQ FT	(3) 135' x 24'
H	GENERATOR & ROOF	10' x 12'
I	SHED	10' x 10'
J	JUNIOR BARN (2020)	10' x 12"
K	JUNIOR BARN (2020)	10' x 12'



PROPERTY LINES LEGEND:

——	PROJECT PROPERTY LINE
- - - -	ADJOINING PROPERTY LINE

NOTE:
 <E> = EXISTING
 <P> = PROPOSED

SCALE: AS SHOWN	DATE: 8/13/20	DESIGNED: TVB&CAB	CHECKED: C.BARRETT	CHRISTIAN@CALJCC.COM	PH: 707-880-4356
<p>NOTE: PROPERTY LINES AND OTHER DATA IS APPROXIMATE AND BASED OFF OF AERIAL IMAGERY AND HUMBOLDT COUNTY GIS DATA.</p>					
<p>SITE PLAN - APN: 215-172-031-000 DARE FARMS, LLC - 15796 BRICELAND-THORNE RD</p>					
<p>WHITETHORN - HUMBOLDT COUNTY, CA</p>					
REVISIONS	DATE	BY			
W.O. SHEET	N/A	OF 2 SHEETS	PLOT DATE: 13-Aug-20		

ATTACHMENT 1

RECOMMENDED CONDITIONS OF APPROVAL

APPROVAL OF THE CONDITIONAL USE PERMIT IS CONDITIONED ON THE FOLLOWING TERMS AND REQUIREMENTS WHICH MUST BE SATISFIED BEFORE THE PROVISIONAL CANNABIS CULTIVATION PERMIT CAN BE FINALIZED.

A. General Conditions

1. The applicant is responsible for obtaining all necessary County and State permits and licenses, and for meeting all requirements set forth by other regulatory agencies.
2. The applicant is required to pay for permit processing on a time and material basis as set forth in the schedule of fees and charges as adopted by ordinance of the Humboldt County Board of Supervisors. The Planning and Building Department will provide a bill to the applicant after the decision. Any and all outstanding planning fees to cover the processing of the application to decision by the Hearing Officer shall be paid to the Humboldt County Planning Division, 3015 "H" Street, Eureka.
3. The Applicant is responsible for costs for post-approval review for determining project conformance with conditions. A deposit is collected to cover this staff review. Permit conformance with conditions must be demonstrated prior to release of building permit or initiation of use and at time of annual inspection. A conformance review deposit as set forth in the schedule of fees and charges as adopted by ordinance of the Humboldt County Board of Supervisors (currently \$750) shall be paid within sixty (60) days of the effective date of the permit or upon filing of the Compliance Agreement (where applicable), whichever occurs first. Payment shall be made to the Humboldt County Planning Division, 3015 "H" Street, Eureka.
4. A Notice of Determination (NOD) will be prepared and filed with the County Clerk for this project in accordance with the State CEQA Guidelines. The Department will file the NOD and will charge this filing cost to the project.
5. Within 60 days of the effective date of permit approval, the applicant shall execute a Compliance Agreement with the Humboldt County Planning and Building Department detailing all necessary permits and infrastructure improvements described under Conditions of Approval #6 through #11. The agreement shall provide a timeline for completing all outstanding items. All activities detailed under the agreement must be completed to the satisfaction of the Planning and Building Department before the permit may be finalized and no longer considered provisional.
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 and proposed structures associated with drying and storage or any activity with a nexus to cannabis, and any noise containment structures as necessary. The plans submitted for building permit approval shall be consistent with the project description and the approved project site plan. A letter or similar communication from the Building Division verifying that all structures related to the cannabis cultivation are permitted will satisfy this condition.
7. Within 30 days from the date of permit approval, the applicant will submit a Revised Site Plan to the Planning Department for review and approval. The Revised Site Plan shall reflect the following (in addition to all else show):
 - a) The revised dimensions of the propagation greenhouse;
 - b) Cultivation related infrastructure adhering to the 30-foot setback;
 - c) Location of the 2 wells onsite, shown as domestic use;

- d) Location of the surface water diversion, shown as domestic use;
 - e) Location of the generator and any noise containment structures.
8. Within 6 months from the date of permit approval, the applicant will submit a Restocking Plan, prepared by a Registered Professional Forester, calling for the restocking of .38 acres. All restocking shall be completed within 2 years from the date of permit approval.
 9. To ensure there is adequate water collected solely by rainwater catchment, the applicant will install water meters at the point of withdrawal from the rainwater collection system and record weekly water usage. These records will be kept on site and made available during the applicants annual inspection.
 10. The applicant shall adhere to the recommendations provided by DEH which require the applicant provide portable toilets to cultivation areas or obtain a permitted septic. The receipts for portable toilet services shall be submitted to the Division of Environmental Health on an annual basis and a copy of these record shall be kept onsite for review during the applicant's annual inspection.
 11. The applicant shall adhere to the following recommendations made by the Department of Public Works Land Use Division:
 - a) The applicant shall improve and maintain visibility where the driveway intersects with Briceland Thorne Road in accordance with the County's Sight Visibility Ordinance. Photo documentation will satisfy this requirement. Visibility will be assessed at the applicant's annual inspection.
 - b) If Briceland Thorne Road has a paved surface at the location of the intersection with the applicants driveway, the applicant shall obtain an encroachment permit and pave the driveway for a minimum width of 20 feet and a length of 50 feet.

A letter or similar communication from the Department of Public Works stating the work has been completed to their satisfaction will satisfy this condition.

12. The applicant shall be compliant with the County of Humboldt's Certified Unified Program Agency (CUPA) requirements regarding hazardous materials. A written verification of compliance shall be required before any provisional permits may be finalized. Ongoing proof of compliance with this condition shall be required at each annual inspection in order to keep the permit valid.
13. The applicant shall execute and file with the Planning Division the statement titled, "Notice and Acknowledgment regarding Agricultural Activities in Humboldt County," ("Right to Farm" ordinance) as required by the HCC and available at the Planning Division.

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

1. The combination of background, generator and greenhouse fan or other operational equipment created noise must not result in the harassment of Northern Spotted Owl species as required to meet the performance standards for noise set by Department Policy Statement No. 16-005 clarifying CMMLUO Section 55.4.11 (o) requirements. The combined noise levels measured at 100 feet or the edge of habitat, whichever is closer, shall be at or below 50 decibels. Conformance will be evaluated using current auditory disturbance guidance prepared by the United State Fish and Wildlife Service, and further consultation where necessary. A building permit shall be obtained should any structures be necessary for noise attenuation.
2. All artificial lighting shall be fully contained within structures such that no light escapes (e.g., through blackout curtains). Structures shall be enclosed between 30 minutes prior to sunset and 30 minutes after sunrise to prevent disruption to crepuscular wildlife. Security lighting shall be motion activated and comply with the International Dark-Sky Association standards and Fixture Seal of Approval Program; see: <https://www.darksky.org/our-work/lighting/lighting-for-citizens/lighting-basics/>.
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 above, within ten (10) working days of receiving written notification that a complaint has been filed, the applicant shall submit written verification that the lights' shielding and alignment, and noise levels have been repaired, inspected, and corrected as necessary.
4. Prohibition on use of synthetic netting. To minimize the risk of wildlife entrapment, Permittee shall not use any erosion control and/or cultivation materials that contain synthetic (e.g., plastic or nylon) netting, including photo- or biodegradable plastic netting. Geotextiles, fiber rolls, and other erosion control measures shall be made of loose-weave mesh, such as jute, hemp, coconut (coir) fiber, or other products without welded weaves.
5. All refuse shall be contained in wildlife proof storage containers, at all times, and disposed of at an authorized waste management facility.
6. Should any wildlife be encountered during work activities, the wildlife shall not be disturbed and be allowed to leave the work site unharmed.
7. The use of anticoagulant rodenticide is prohibited.
8. Prior to conducting any processing such as trimming or packaging onsite, the applicant will obtain permits for, and construct, a commercial processing facility equipped with an accessible restroom and parking.
9. The operator shall provide information to all employees about the potential health impacts of cannabis use on children. Information shall be provided by posting the brochures from the Department of Health and Human Services titled "Cannabis Palm Card" and "Cannabis Rack Card." This information shall also be provided to all employees as part of the employee orientation.
10. All components of project shall be developed, operated, and maintained in conformance with the Project Description, the approved Site Plan, the Plan of Operations, and these conditions of approval. Changes shall require modification of this permit except where consistent with Humboldt County Code Section 312-11.1, Minor Deviations to Approved Plot Plan. If offsite processing is chosen to be the preferred method of processing, this permit shall be modified to identify the offsite licensed facility.
11. Cannabis cultivation and other commercial cannabis activity shall be conducted in compliance with all laws and regulations as set forth in the CMMLUO and MAUCRSA, as applicable to the permit

type.

12. If operating pursuant to a written approved compliance agreement, permittee shall abate or cure violations at the earliest feasible date, but in no event no more than two (2) years from the date of issuance of a provisional clearance or permit. Permittee shall provide plans for curing such violations to the Planning and Building Department within one (1) year of issuance of the provisional clearance or permit. If good faith effort toward compliance can be shown within the two years following the issuance of the provisional clearance or permit, the Department may, at the discretion of the Director, provide for extensions of the provisional permit to allow additional time to meet the outstanding requirements.
13. Possession of a current, valid required license, or licenses, issued by any agency of the State of California in accordance with the MAUCRSA, and regulations promulgated thereunder, as soon as such licenses become available.
14. Compliance with all statutes, regulations, and requirements of the California State Water Resources Control Board and the Division of Water Rights, at a minimum to include a statement of diversion of surface water from a stream, river, underground stream, or other watercourse required by Water Code Section 5101, or other applicable permit, license, or registration, as applicable.
15. Confinement of the area of cannabis cultivation, processing, manufacture, or distribution to the locations depicted on the approved site plan. The commercial cannabis activity shall be set back at least 30 feet from any property line, and 600 feet from any school, school bus stop, church or other place of religious worship, or tribal cultural resources, except where a reduction to this setback has been approved pursuant to Section 55.4.11 (d).
16. Maintain enrollment in Tier 1, 2, or 3, certification with North Coast Regional Water Quality Control Board (RWQCB) Order No. R1-2015-0023, if applicable, or any substantially equivalent rule that may be subsequently adopted by the County of Humboldt or other responsible agency.
17. Comply with the terms of any applicable Lake and Stream Alteration (1600 or 1602) Permit obtained from the California Department of Fish and Wildlife (CDFW).
18. Comply with the terms of a less-than-3-acre conversion exemption or timberland conversion permit, approved by the California Department of Forestry and Fire Protection (Cal Fire), if applicable.
19. Consent to an annual on-site compliance inspection, with at least 24 hours prior notice, to be conducted by appropriate County officials during regular business hours (Monday through Friday, 9:00 a.m. to 5:00 p.m., excluding holidays).
20. Refrain from the improper storage or use of any fuels, fertilizer, pesticide, fungicide, rodenticide, or herbicide.
21. 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.

22. Pay all applicable application, review for conformance with conditions and annual inspection fees.
23. 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.
24. The master logbooks maintained by the applicant to track production and sales shall be maintained for inspection by the County.
25. 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

26. Pursuant to the MCRSA, Health and Safety Code Section 19322(a)(9), an applicant seeking a cultivation license shall "provide a statement declaring the applicant is an 'agricultural employer,' as defined in the Alatorre-Zenovich-Dunlap-Berman Agricultural Labor Relations Act of 1975 (Part 3.5 commencing with Section 1140) of Division 2 of the Labor Code), to the extent not prohibited by law."
27. 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).
28. 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.
29. 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.
30. 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
31. Term of Commercial Cannabis Activity Special Permit. Any Commercial Cannabis Cultivation SP issued pursuant to the CMMLUO shall expire one (1) year after date of issuance, and on the anniversary date of such issuance each year thereafter, unless an annual compliance inspection has been conducted and the permittees and the permitted site have been found to comply with all conditions of approval.
32. If the inspector or other County official determines that the permittees or site do not comply with the conditions of approval, the inspector shall serve the permit holder with a written statement identifying the items not in compliance, and the action that the permit holder may take to cure the noncompliance, or file an appeal within ten (10) days of the date that the written statement is delivered to the permit holder. Personal delivery or mailing the written statement to the mailing address listed on the application by regular mail, plus three (3) days after date of mailing, shall constitute delivery. The permit holder may request a reinspection to determine whether or not the permit holder has cured all issues of noncompliance. Failure to request reinspection or to cure any items of noncompliance shall terminate the Special Permit, immediately upon the expiration of any appeal period, or final determination of the appeal if an appeal has been timely filed pursuant to Section 55.4.13.
33. 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.
34. 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.
35. Transfers. Transfer of any leases or permits approved by this project is subject to the review and approval of the Planning Director for conformance with CMMLUO eligibility requirements and agreement to permit terms and acknowledgments. The fee for required permit transfer review shall accompany the request. The request shall include the following information:
- a. Identifying information for the new owner(s) and management as required in an initial permit application;
 - b. A written acknowledgment by the new owner in accordance as required for the

- initial permit application;
- c. The specific date on which the transfer is to occur;
- d. Acknowledgement of full responsibility for complying with the existing permit; and
- e. Execution of an Affidavit of Non-diversion of Medical Cannabis.

36. Inspections. The permit holder and subject property owner are to permit the County or representative(s) or designee(s) to make inspections at any reasonable time deemed necessary to assure that the activities being performed under the authority of this permit are in accordance with the terms and conditions prescribed herein.

Informational Notes:

1. Pursuant to Section 314-55.4.11(a) of the CMMLUO, if upon inspection for the initial application, violations of any building or other health, safety, or other state or county statute, ordinance, or regulation are discovered, the Planning and Building Department may issue a provisional clearance or permit with a written approved Compliance Agreement. By signing the agreement, the permittee agrees to abate or cure the violations at the earliest opportunity but in no event more than two (2) years after the date of issuance of the provisional clearance or permit. Plans for curing the violations shall be submitted to the Planning and Building Department by the permittee within one (1) year of the issuance of the provisional certificate or permit. The terms of the compliance agreement may be appealed pursuant to Section 314-55.4.13 of the CMMLUO.
2. This provisional permit approval shall expire and become null and void at the expiration of one (1) year after all appeal periods have lapsed (see "Effective Date"), except where the Compliance Agreement has been executed and the corrective actions pursuant to the agreement are being undertaken. Once building permits have been secured and/or the use initiated pursuant to the terms of the agreement, the use is subject to the Permit Duration and Renewal provisions set forth in the Ongoing Requirements/Development Restrictions, above.

ATTACHMENT 2

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

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

**APN 215-172-031; The project is located in Humboldt County, in the Whitethorn area.
County of Humboldt**

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

February 2022

Background

Modified Project Description and Project History –

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

The applicant is seeking a Conditional Use Permit for 10,249 square feet of existing outdoor commercial cannabis cultivation. Light deprivation techniques are utilized to achieve between two and five harvests annually. The project is supported by 1,025 square feet of propagation space. Irrigation water will be supplied entirely from stored water and the existing rainwater catchment system. Projected annual water usage totals 122,600 gallons (11.96 gal/SF) and water storage onsite totals 135,000 gallons. All processing occurs offsite. Energy is sourced primarily by P.G.&E. and there is a 25-kW backup generator onsite.

A review of the California Natural Diversity Database (CNDDDB) found that no species of special concern or special status plant or animal species have been mapped on the subject parcel. However, there is a mapped Northern Spotted Owl activity center approximately 1.5 miles southwest of subject parcel. The project was referred to the California Department of Fish and Wildlife (CDFW), no response was received. An ongoing requirement for the project will require the applicant to maintain cultivation related noise at or below 50 decibels as measured from the edge of the clearing or 100 feet, whichever distance is closer. The applicant submitted a Cultural Resource Investigation Report prepared by William Rich and Associates, dated June 2021. The report concluded that the project will not adversely impact cultural, Tribal, or historic resources with the existing footprint.

Purpose - Section 15164 of the California Environmental Quality Act (CEQA) provides that the lead agency shall prepare an addendum to a previously certified Mitigated Negative Declaration (MND) if some changes or additions are necessary but none of the conditions described in Section 15162 calling for a subsequent EIR or Negative Declaration have occurred. Section 15162 states that when an EIR has been certified for a project, no subsequent EIR shall be prepared for that project unless the lead agency determines, on the basis of substantial evidence in the light of the whole record, one or more of the following:

1. Substantial changes are proposed in the project which require major revisions of the previous MND due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;
2. Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous MND due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or

3. New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous MND was certified as complete, shows any of the following: A) the project will have one or more significant effects not discussed in the previous MND; B) significant effect previously examined will be substantially more severe than shown in the previous MND; C) mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or D) mitigation measures or alternatives which are considerably different from those analyzed in the previous MND would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.

Summary of Significant Project Effects and Mitigation Recommended

No changes are proposed for the original MND recommended mitigations. The proposal to authorize the continued operation of an existing cannabis cultivation site consisting of 10,249 square feet of existing outdoor commercial cannabis cultivation is fully consistent with the impacts identified and adequately mitigated in the original MND. The project as conditioned to implement responsible agency recommendations, results in no significantly adverse environmental effects beyond those identified in the MND. Compliance with the CMMLUO ensures consistency with the adopted MND and provides for mitigation of all project related impacts to a less than significant level.

In reviewing the application for consistency with the adopted MND, the County considered the following information and studies, among other documents (see Attachment 3 for a complete listing):

- *Site Plan* submitted by the applicant, dated August 13, 2020
- *Cultivation and Operations Plan* prepared by Rain & Zepp, PLC received 2/15/2022
- *Addendum to Cultivation and Operations Plan* prepared by Rain & Zepp, PLC received 2/15/2022
- *Site Management Plan* prepared by Timberland Resource Consultants for the North Coast Regional Water Quality Control Board Order No. 2015-0023.
- Division of Environmental Health Attachment for Commercial Medical Marijuana (CMM) Clearances/ Permits.
- *Cultural Resources Investigation* prepared by William Rich and Associates received June 2021.

Other CEQA Considerations

Staff suggests no changes for the revised project.

EXPLANATION OF DECISION NOT TO PREPARE A SUPPLEMENTAL MITIGATED NEGATIVE DECLARATION OR ENVIRONMENTAL IMPACT REPORT

See **Purpose** statement above.

In every impact category analyzed in this review, the projected consequences of the current project proposal are either the same or less than significantly increased than the initial project for which the MND was adopted. Based upon this review, the following findings are supported:

FINDINGS

1. The proposed project will permit an existing cannabis operation and bring the operation into compliance with county and state requirements intended to adequately mitigate environmental impacts.
2. The circumstances under which the project was approved have not changed substantially. There are no new significant environmental effects and no substantial increases in the severity of

previously identified effects.

3. For the current proposed project, there has been no new information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous MND was adopted as complete.

CONCLUSION

Based on these findings it is concluded that an Addendum to the certified MND is appropriate to address the requirements under CEQA for the current project proposal. All of the findings, mitigation requirements, and mitigation and monitoring program of the MND, remain in full force and effect on the original project.

ATTACHMENT 3

Applicant's Evidence in Support of the Required Findings

Attachment 3 includes a listing of all written evidence which has been submitted by the applicant in support of making the required findings. The following materials are on file with the Planning Division:

1. The name, contact address, and phone number(s) of the applicant. (Application form on file)
2. If the applicant is not the record title owner of parcel, written consent of the owner for the application with original signature and notary acknowledgement. (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. (*Site Plan* prepared by Omsberg and Preston received 12/15/2020 – **Attached** with project Maps)
4. A cultivation and operations plan that meets or exceeds minimum legal standards for water storage, conservation and use; drainage, runoff and erosion control; watershed and habitat protection; proper storage of fertilizers, pesticides, and other regulated products to be used on the parcel; and a description of cultivation activities (outdoor, indoor, mixed light), the approximate date(s) cannabis cultivation activities have been conducted on the parcel prior to the effective date of this ordinance, if applicable, and schedule of activities during each month of the growing and harvesting season. (*Cultivation and Operations Plan* prepared by Rain & Zepp, PLC, received 2/5/22 and *Addendum to the Cultivation and Operations Plan* received 2/15/22 – **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 (Not applicable).
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 No. 2015-0023, or any substantially equivalent rule that may be subsequently adopted by the County of Humboldt or other responsible agency. (**Attached-Site Management Plan Completion Report**, received 3/16/22 (WDID: 1_12CC405506)).
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. (Notification No. 1600-2020-0364-R1- **Attached**)
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. (*Timber Conversion Evaluation Report* prepared by Timberland Resource Consultants, dated June 7, 2021- **Attached**)

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 if 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. *Road Evaluation Report* prepared by the applicant, dated 03/19/21. (**Attached**)
15. Division of Environmental Health Attachment for Commercial Medical Marijuana (CMM) Clearances/ Permits (DEH Form). (On-file)
16. *Cultural Resources Investigation* prepared by William Rich and Associates dated June 2021. (On file- confidential)

Cultivation and Operations Plan

Description of Water Source, Storage, Irrigation Plan, and Project Water Usage

Historic project water source is an existing deep ground water well. Due to the recent public comment letter that has caused all well water dependent projects to have a temporary freeze of permit processing, and due to the fact that this project will suffer grave and potentially irreparable impacts if permit processing cannot resume, the applicant proposes the following modification to the water source, water budget, and irrigation plan.

At this time the project will use exclusively previously stored water for the entire 2022 cultivation season forbearing from any additional water diversion to storage of any kind. If the well issue is still unresolved in the fall of 2022, the applicant will install and exclusively utilize a rooftop (three greenhouses totaling 9,720 square feet of collection area) rainwater catchment water source until such time as the well issue is resolved. At that time the applicant will either continue to use the rooftop rainwater catchment system exclusively or resume use of the well within the parameters established by the resolution of the well issue and in conformance with any findings or limitations produced through that resolution process. The applicant will only resume the use of the deep ground water well for irrigation purposes if there is a resolution of the current ground water well issue that supports that use. The well will be used to source exclusively domestic water at this time.

Water storage serving cultivation consists of twenty-seven 5,000 gallon hard poly tanks. Total existing hard poly tank water storage volume is 135,000 gallons. The entire water storage system is full as of 2/15/2022 with water that has been held in storage since 2020. The applicant proposes to limit all water use in 2022 to only the now existing stored water and will only use rain water catchment for subsequent years unless and until the well water source issue is fully resolved and future well sourced water is approved by the pending resolution.

Current anticipated annual water use for this project is summarized in the table below.

<u>Month</u>	<u>Approx. Daily Use</u>	<u>Monthly Total measured in gallons</u>
January	0	0
February	0	0
March	100	3,100
April	200	6,000



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May	500	15,500
June	700	21,000
July	900	27,900
August	900	27,900
September	500	15,000
October	200	6,200
November	0	0
December	0	0

Total annual anticipated water usage for commercial cultivation by Dare Farms, LLC is 122,600 gallons for an average annual water consumption rate of approximately 12 gallons per square foot of cultivation area.

Moving forward, until the well issue is fully addressed and resolved, water storage will be filled with the proposed rooftop rainwater catchment system exclusively. Depending on the resolution of the water well issue additional water may be added to the storage tanks from the deep ground water well as needed to serve the cultivation irrigation needs, but only once the issue around wells is resolved and only if the resolution supports that use. Otherwise no well water will be used to support the cannabis project. All forbearance requirements will be adhered to and annual reporting will be submitted as required.

Irrigation Method

Dare Farms hand waters. This method is used to ensure each plant is inspected on a regular basis and water volume can be varied directly according to each plant's need. Care is taken to ensure over watering is avoided. This strategy is used to ensure each plant receive optimal hydration while at the same time achieving maximum conservation of water resources. Additional water conservation efforts will be utilized in project operations. Plants will be watered at the time of planting sufficient to enable roots to set then watered at regular intervals according to the table above. Plant feedings will be performed at agronomic rates to ensure maximum plant vitality while minimizing potential for agricultural runoff.

Description of Site Drainage

The site is situated in the rural region of Whitethorn. The parcel varies from relatively low gradient in areas to moderately sloped. There are no watercourses on the property and generally the site has good infiltration and limited erosion control issues. The WRPP does indicate some road improvements will be implemented with this projects development (see WRPP and Site Plan for proposed upgrades and locations).

Parking Plan

The site has 6 designated parking spaces and plenty of additional open space if additional parking is needed. An SRA Hammer Head T turnaround is designated near the residence (see site plan for location and details).

Detail of Measures taken to Ensure Protection of the Watershed and Nearby Habitat

The parcel has county frontage and the access road is in relatively good repair with upgrades proposed. The area anticipated for use in the commercial cannabis operation is readily accessible with the existing road system. No additional road building will occur.

Cultivation will occur either in 25 gallon pots or raised beds. During the off season soil will remain under cover such that run off or nutrient leaching shall not occur.

Generator noise is minimized. Low decibel level models are used and run at a minimum (see specifications below) Fuels and other chemicals are contained (see below).

Invasive Species Control Plan

The site does not presently have an invasive species issue. If in the future invasive species move in, are identified or become an issue, hand and or mechanical removal will be implemented. Chemical treatment will be avoided.

Protocols for Proper Storage and Use of Fertilizers, Pesticides, and Other Regulated Products

All chemicals used in cultivation will be stored in secondary containment under cover to minimize any potential for spill or contamination. See site plan for location of chemical storage shed. Only safe and approved products are used. Proposed chemicals shall only be products approved for use on cannabis. Dare Farms also uses a natural compost heap.

Waste Management Plan

All cannabis plant material is composted on site in a secure composting location.

Other waste is collected, sorted, and contained on site until such time as it can be periodically hauled to appropriate waste management facilities. Typically, Redway Transfer-station is used. Alternatively, Fortuna Transfer-station, or Eureka Transfer-station may be used depending on which is convenient as to schedule and efficiency with other tasks. Dump receipts are retained.

Description of Cultivation Activities

This application is for 10,249 square feet of existing cultivation and expansion is proposed for the area of the property in the north east corner if additional cultivation is approved for this area. Additionally, RRR's may be identified and moved to this location if appropriate and in conformity with the county ordinance.

Processing Plan

As indicated on the site plan a proposed processing structure is part of the plan. However, until such time as that structure can be permitted and developed to the appropriate industrial building standards Dare Farms will process off site at a licensed processing facility. Once the proposed building is developed Dare Farms anticipates between 4-8 employees will be used for processing.

Sewage Disposal

There is an On Site Waste Treatment facility (septic). The system is sufficient to meet current demand. There will be an additional onsite waste treatment system (septic) installed as part of the proposed processing facility sufficient to handle waste from the operation. If additional waste in excess of the capacity of the existing system is an issue prior to the development of the new processing facility a portable toilet will be maintained on site and serviced regularly by a local service provider and the service records will be maintained on site. Maintenance shall continue as long as is necessary until such time as the permanent facility can be permitted and built at which point the temporary facilities will be removed.

Employees

Two full time employee(s) will work on site. The onsite residence will be available for them to occupy. At peak of season in the fall and possibly for a week or two in spring, 2-6 additional employees shall be brought on to support the spring planting and fall harvest push. These additional employees will commute to work and carpooling will be encouraged to limit traffic impacts.

Drinking water is provided by the existing well. Bottled water will be provided if needed.

Number Cultivation Cycles Proposed

Mix light technique will not be implemented on this project. All cultivation will be strictly out-door and light manipulation will be exclusively with light shielding. No more than five cycles will be performed per growing season and generally 2 or 3 are anticipated depending on annual whether conditions.

Conformance with Dark Sky Standards

No supplemental light will be used in the cultivation operation. If supplemental lighting is needed in the ancillary propagation area light shielding covers will be used to ensure little or no light escapes. No light shall be visible from neighboring properties from sunset to sunrise. International dark sky standards shall be met.

Schedule of Activities During the Season

Plant stock shall be developed on site and supplemented with stock purchased from a licensed nursery facility as needed.

Starts will be developed in the ancillary propagation (see site plan for location) area and planted out as conditions indicate and plant stock is properly established and developed.

Plants will be grown with light deprivation technique and full-term natural flower development.

Once the plants are fully developed and ready for harvest, they will be cut down, dried and cured. That will either be performed in the on-site processing facility or through a licensed off-site facility depending on need and timing. The soil is managed and developed as described above.

Energy Plan

The existing residence is PG&E grid power. The ancillary propagation area is near the residence and could be tied into the grid. The cultivation area is not grid tied and the noise produced by the generator will be minimized by using a low noise 25KW Whisper Watt Generator. Generator use will be minimized. The generator when needed will not be audible by humans from neighboring residences. The decibel level for generators at the property line shall be no more than 60 decibels. The noise level when measured at a distance of 100 feet reads (+ -) 50DBA.

Table Describing Detailed Schedule of Activities During the Season

Month	Activities
February	<ul style="list-style-type: none"> • Cut clone starts from pre-existing mother stock and or delivered from off-site licensed nursery • Plant seeds if used • Transplant into pots as conditions require • At time of transplant lower fan leaves are removed to prevent disease and encourage vigor • Begin amending soil • Haul garbage and recycling to dump
March	<ul style="list-style-type: none"> • Further develop plant stock, cut more clone starts from mother plants • Plant next batch of seeds if used • Transplant to larger pots as plants require • Support all plants with high Nitrogen fertigation solution • Continue soil amendment process • Spray preventative foliar treatment as needed(see above list of products) • Haul garbage and recycling to dump
April	<ul style="list-style-type: none"> • Further develop plant stock, cut more clone starts from mother plants if needed • Plant last batch of seeds if needed • Transplant to larger pots or raised beds as plants require • Support all plants with high Nitrogen fertigation solution • Continue amending soil • Begin light deprivation if conditions allow • Spray preventative foliar treatment as needed (see above list of products) • Haul garbage and recycling to dump

May	<ul style="list-style-type: none"> • Complete all full-term outdoor soil conditioning task soil amendments added and mixed in • Support all plants with high Nitrogen fertigation solution • Remove lower fan leaves as conditions indicate to improve air flow and disease resistance • Spray preventative foliar treatment (see above list of products) • Begin or continue light deprivation as conditions warrant • Haul garbage and recycling to the dump
June	<ul style="list-style-type: none"> • Plant out any remaining full-term outdoor plants • Support all full-term outdoor plants with high Nitrogen fertigation solution • Plant support infrastructure will be implemented to support the plants as they develop. For smaller plants lateral netting (non-monofilament) may be placed such that plants can develop into the net for support when flowers are heavy later in the growing cycle. Cylinder shaped cages may be used for larger full term plants depending on conditions • Remove lower fan leaves as conditions indicate to improve air flow and disease resistance • Spray preventative foliar treatment unless substantial flower development is present (see above list of products) • Continue light deprivation • Begin harvest if ideal conditions and timing was achieved • Process flowers when ready either on-site or off-site (see above) • Haul garbage and recycling to dump
July	<ul style="list-style-type: none"> • Continue with high nitrogen liquid fertigation applications to full term out door plants • Add top dressing soil conditioners as plant conditions indicate • Apply pest management techniques as needed in accord with the pest management plan • Remove lower fan leaves as conditions indicate to improve air flow and disease resistance • Spray preventative foliar treatment (see above list of products) • Begin or continue harvesting as conditions indicate • Process flowers when ready either on-site or off-site (see above) • Haul garbage and recycling to dump
August	<ul style="list-style-type: none"> • Apply liquid fertigation as conditions indicate • Spray preventative foliar treatment unless substantial flower development is present (see above list of products)

	<ul style="list-style-type: none"> • Remove lower fan leaves as conditions indicate to improve air flow and disease resistance • Begin or continue harvesting as conditions indicate • Process flowers when ready either on-site or off-site (see above) • Haul garbage and recycling to dump
September	<ul style="list-style-type: none"> • Apply liquid fertigation as conditions indicate • Limit preventative foliar treatment where substantial flower development is present • Begin or continue harvesting as conditions indicate • Begin early strain harvest of full-term outdoor crop • Process flowers when ready either on-site or off-site (see above) • Haul garbage and recycling to dump
October	<ul style="list-style-type: none"> • Begin harvesting mid length stains of full-term plants • Dry in accord with drying procedure • Process flowers when ready either on-site or off-site (see above) • Haul garbage and recycling to dump
November	<ul style="list-style-type: none"> • Remove and compost any post-harvest remaining plant material • Begin planting cover crop for winter if used • Finish drying any remaining flowers • Process flowers when ready either on-site or off-site (see above) • Haul garbage and recycling to the dump
December	<ul style="list-style-type: none"> • Finish planting cover crop if used • Irrigate cover crop if needed • General Property maintenance including road and site run off mitigation and refuse disposal in accord with operations plan
January	<ul style="list-style-type: none"> • General property maintenance including further road and site run off mitigation • Irrigate cover crop if needed

* All plant foods will be applied at rates consistent with or less than the manufacturer's suggested application rate.

** Garbage and recycling may be taken at more frequent intervals as conditions require.

Security Plan

The cultivation area is accessible only through locked gate(s). The two year round employees are on site and will remain vigilant to ensure the site is secure. A neighborhood watch group may be developed. The cultivation area is remote and isolated. The region does not experience much traffic and the cultivation area is not visible from the road.

Dare Farms, LLC
Cultivation and Operation Plan Addendum
APN: 215-172-031
APP# 13225

Description of Water Source, Storage, Irrigation Plan, and Project Water Usage

Historic project water source is an existing deep ground water well. Due to the recent public comment letter that has caused all well water dependent projects to have a temporary freeze of permit processing, and due to the fact that this project will suffer grave and potentially irreparable impacts if permit processing cannot resume, the applicant proposes the following modification to the water source, water budget, and irrigation plan.

At this time the project will use exclusively previously stored water for the entire 2022 cultivation season forbearing from any additional water diversion to storage of any kind. If the well issue is still unresolved in the fall of 2022, the applicant will install and exclusively utilize a rooftop (three greenhouses totaling 9,720 square feet of collection area) rainwater catchment water source until such time as the well issue is resolved. At that time the applicant will either continue to use the rooftop rainwater catchment system exclusively or resume use of the well within the parameters established by the resolution of the well issue and in conformance with any findings or limitations produced through that resolution process. The applicant will only resume the use of the deep ground water well for irrigation purposes if there is a resolution of the current ground water well issue that supports that use. The well will be used to source exclusively domestic water at this time.

Water storage serving cultivation consists of twenty-seven 5,000 gallon hard poly tanks. Total existing hard poly tank water storage volume is 135,000 gallons. The entire water storage system is full as of 2/15/2022 with water that has been held in storage since 2020. The applicant proposes to limit all water use in 2022 to only the now existing stored water and will only use rain water catchment for subsequent years unless and until the well water source issue is fully resolved and future well sourced water is approved by the pending resolution.

Current anticipated annual water use for this project is summarized in the table below.

<u>Month</u>	<u>Approx. Daily Use</u>	<u>Monthly Total measured in gallons</u>
January	0	0
February	0	0
March	100	3,100
April	200	6,000
May	500	15,500
June	700	21,000
July	900	27,900

August	900	27,900
September	500	15,000
October	200	6,200
November	0	0
December	0	0

Total annual anticipated water usage for commercial cultivation by Dare Farms, LLC is 122,600 gallons for an average annual water consumption rate of approximately 12 gallons per square foot of cultivation area.

Irrigation will be performed by hand watering to ensure optimal hydration is attained and no excess water runoff is allowed to occur. Other water conservation efforts will be utilized in project operations.

Moving forward, until the well issue is fully addressed and resolved, water storage will be filled with the proposed rooftop rainwater catchment system exclusively. Depending on the resolution of the water well issue additional water may be added to the storage tanks from the deep ground water well as needed to serve the cultivation irrigation needs, but only once the issue around wells is resolved and only if the resolution supports that use. Otherwise no well water will be used to support the cannabis project. All forbearance requirements will be adhered to and annual reporting will be submitted as required.



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

October 22, 2021

**SITE MANAGEMENT PLAN - PROJECT INSPECTION REPORT
(Tier 2, Low Risk)
WDID - 1_12CC416907
Humboldt County APN: 215-172-031-000**

This Project Inspection Report is being submitted to demonstrate compliance with treatments prescribed in the Site Management Plan in response to Notice of Violation and Transmittal of Inspection Report for May 27, 2021 Inspection of Humboldt County Assessor's Parcel 215-172-031; Cannabis Program Inspections, Humboldt County, May 2021 CIWQS Place ID 825026; Cannabis General Order WDID: 1_12CC416907.

The points inspected during the site visit consist of the Site Management Plan's Sites 1 through 16, as well as other treatments installed on the access roads that were not specifically prescribed in the Site Management Plan. The following attached SMP – Mitigation Report specifies the treatments that were completed as described in the SMP. Site's 14 and 16 are not shown in the attached photographs but their prescribed treatments have been completed.

The Property was inspected on 10/5/2021 by Forrest Hansen at Timberland Resource Consultants. Photos have been attached below to show the treatments that were verified during the project inspection.

Sincerely,

Forrest Hansen
Timberland Resource Consultants



SMP - Mitigation Report

WDID# - 1_12CC416907

Unique Point	Lat-Long NAD 83	Road Type	Mitigation Planned	Monitor	1600	Treatment Priority	Date Completed
Site 1	-123.94824, 40.03061	Permanent	X	X	-	Prior to 10/15/20	9/20 - 10/10/21
Current Condition: Steep segment of rock road need maintenance.						Prescribed Action: Repair rock surfacing that has been damaged by erosion.	
Unique Point	Lat-Long NAD 83	Road Type	Mitigation Planned	Monitor	1600	Treatment Priority	Date Completed
Site 2	-123.946948, 40.030085	Permanent	X	X	-	Prior to 10/15/20	9/20 - 10/10/21
Current Condition: Existing rolling dip is not functioning adequately.						Prescribed Action: The existing rolling dip shall be repaired/maintained to the standards set forth in the attached BMP's.	
Unique Point	Lat-Long NAD 83	Road Type	Mitigation Planned	Monitor	1600	Treatment Priority	Date Completed
Site 3	-123.946209, 40.029486	Permanent	X	X	-	Prior to 10/15/20	9/20 - 10/10/21
Current Condition: Existing outloped dip needs maintenance.						Prescribed Action: Maintain existing dip to ensure road surface drains.	
Unique Point	Lat-Long NAD 83	Road Type	Mitigation Planned	Monitor	1600	Treatment Priority	Date Completed
Site 4	-123.945667, 40.029486	Permanent	X	X	-	Prior to 10/15/20	9/20 - 10/10/21
Current Condition: The road lacks adequate surface drainage structures to prevent erosion.						Prescribed Action: A new type-1 rolling dip shall be constructed at this location to the standards set forth in the attached BMP's.	
Unique Point	Lat-Long NAD 83	Road Type	Mitigation Planned	Monitor	1600	Treatment Priority	Date Completed
Site 5	-123.945577, 40.029243	Permanent	X	X	-	Prior to 10/15/20	9/20 - 10/10/21
Current Condition: The road lacks adequate surface drainage structures to prevent erosion.						Prescribed Action: A new type-1 rolling dip shall be constructed at this location to the standards set forth in the attached BMP's.	



SMP - Mitigation Report

WDID# - 1_12CC416907

Unique Point	Lat-Long NAD 83	Road Type	Mitigation Planned	Monitor	1600	Treatment Priority	Date Completed
Site 6	-123.945664, 40.027965	Permanent	X	X	-	Prior to 10/15/20	9/20 - 10/10/21
Current Condition: Sediment transported from erosion at Site 08 has been deposited onto the road surface at this location covering the rock surface. A previously installed wattle along the outboard road edge has captured sediment behind it.						Prescribed Action: Repair rock surfacing that has been damaged by erosion. Install and replace the existing wattle.	
Unique Point	Lat-Long NAD 83	Road Type	Mitigation Planned	Monitor	1600	Treatment Priority	Date Completed
Site 7	-123.944889, 40.027602	Permanent	X	X	-	Prior to 10/15/20	9/20 - 10/10/21
Current Condition: Drainage from the graded area runs down this road which lacks adequate surface drainage structures to prevent erosion.						Prescribed Action: A new type-1 rolling dip shall be constructed at this location to the standards set forth in the attached BMP's.	
Unique Point	Lat-Long NAD 83	Road Type	Mitigation Planned	Monitor	1600	Treatment Priority	Date Completed
Site 8	-123.945327, 40.02796	Permanent	X	X	-	Prior to 10/15/20	9/20 - 10/10/21
Current Condition: Erosion and settling of the outer fill-slope is occurring at this location. The cultivation area, as well as the associated fill slopes remain bare soil and are prone to erosion.						Prescribed Action: All exposed soil associated with the disturbed areas shall be seeded and straw mulched spring and fall until fully vegetated. All seed utilized shall be of native seed mix variety.	
Unique Point	Lat-Long NAD 83	Road Type	Mitigation Planned	Monitor	1600	Treatment Priority	Date Completed
Site 9	-123.944767, 40.028722	Seasonal	X	X	X	Prior to 10/15/20	9/20 - 10/10/21
Current Condition: The road lacks adequate surface drainage structures to prevent erosion.						Prescribed Action: A new type-1 rolling dip shall be constructed at this location to the standards set forth in the attached BMP's.	
Unique Point	Lat-Long NAD 83	Road Type	Mitigation Planned	Monitor	1600	Treatment Priority	Date Completed
Site 10	-123.945088, 40.028853	Permanent	X	X	-	Prior to 10/15/20	9/20 - 10/10/21
Current Condition: Existing rolling dip is not functioning adequately.						Prescribed Action: The existing rolling dip shall be repaired/maintained to the standards set forth in the attached BMP's.	



SMP - Mitigation Report

WDID# - 1_12CC416907

Unique Point	Lat-Long NAD 83	Road Type	Mitigation Planned	Monitor	1600	Treatment Priority	Date Completed
Site 11	-123.944785, 40.029143	Permanent	X	X	-	Prior to 10/15/20	9/20 - 10/10/21
Current Condition: Existing rolling dip is not functioning adequately.						Prescribed Action: The existing rolling dip shall be repaired/maintained to the standards set forth in the attached BMP's.	
Unique Point	Lat-Long NAD 83	Road Type	Mitigation Planned	Monitor	1600	Treatment Priority	Date Completed
Site 12	-123.945061, 40.029982	Permanent	X	X	-	Prior to 10/15/20	9/20 - 10/10/21
Current Condition: Existing rolling dip is not functioning adequately.						Prescribed Action: The existing rolling dip shall be repaired/maintained to the standards set forth in the attached BMP's.	
Unique Point	Lat-Long NAD 83	Road Type	Mitigation Planned	Monitor	1600	Treatment Priority	Date Completed
Site 13	-123.945148, 40.030377	Permanent	X	X	-	Prior to 10/15/20	9/20 - 10/10/21
Current Condition: Existing rolling dip is not functioning adequately.						Prescribed Action: The existing rolling dip shall be repaired/maintained to the standards set forth in the attached BMP's.	
Unique Point	Lat-Long NAD 83	Road Type	Mitigation Planned	Monitor	1600	Treatment Priority	Date Completed
Site 14	-123.948648, 40.030267	Permanent	X	X	X	Interim measures immediately; Mitigation measures prior to 10/15/20 pending the approval of any required permits	9/20 - 10/10/21
Current Condition: Erosion and settling of the outer fill-slope is occurring at this location that may be associated with the burial of organic materials during grading and construction. The disturbed area, as well as the associated fill-slopes remain bare soil and are prone to erosion and subsequent eroded sediment is being transported to a watercourse below the fill-slope.						Prescribed Action: All exposed soil associated with the disturbed areas shall be seeded and straw mulched spring and fall until fully vegetated. All seed utilized shall be of native seed mix variety.	
Unique Point	Lat-Long NAD 83	Road Type	Mitigation Planned	Monitor	1600	Treatment Priority	Date Completed
Site 15	-123.947578, 40.030155	Legacy	X	X	-	Prior to 10/15/20	9/20 - 10/10/21
Current Condition: Surface runoff from the intersection of this legacy road is eroding the road surface.						Prescribed Action: From the intersection to this location, waterbars shall be installed every 100'.	



SMP - Mitigation Report

WDID# - 1_12CC416907

Unique Point	Lat-Long NAD 83	Road Type	Mitigation Planned	Monitor	1600	Treatment Priority	Date Completed
Site 16	-123.947332, 40.029701	Legacy	X	X	-	Immediately	9/20 - 10/10/21
Current Condition: Legacy cultivation ammendments were found at this location. Some containers are missing lids, some are punctured, and all containers are being stored inappropriately.						Prescribed Action: These ammendments shall be removed and disposed of properly.	
Unique Point	Lat-Long NAD 83	Road Type	Mitigation Planned	Monitor	1600	Treatment Priority	Date Completed
POD	-123.946899, 40.029675	-	-	-	-	-	
Current Condition: Location of a large concrete cistern capturing water from a spring on the bank of a watercourse. These diversions and structures provide water to the adjacent landowner below.						Prescribed Action: All surface water diversions are required to be permitted by the DWR, CDFW, and by the diverter. This diversion is being used by the adjacent landowner. They may have an easement to this spring, and TRC does not recommend that the diversion be discontinued. It is the diverter's responsibility to permit the surface diversion, not the landowner.	
Unique Point	Lat-Long NAD 83	Road Type	Mitigation Planned	Monitor	1600	Treatment Priority	Date Completed
Well	-123.945179, 40.031028	-	-	-	-	-	
Current Condition: Spatial reference to a permitted groundwater well.						Prescribed Action: None	
Unique Point	Lat-Long NAD 83	Road Type	Mitigation Planned	Monitor	1600	Treatment Priority	Date Completed
Well	-123.945125, 40.029993	-	X	X	-	Immediately	
Current Condition: Spatial reference to a permitted groundwater well.						Prescribed Action: None	
Unique Point	Lat-Long NAD 83	Road Type	Mitigation Planned	Monitor	1600	Treatment Priority	Date Completed
Disturbed Areas	-	-	-	-	-	Until fully vegetated.	9/20 - 10/10/21
Current Condition: All areas of regular distance or having exposed, bare soil surfaces including associated cut and fill slope, are highly prone to erosion and are required to be vegetated.						Prescribed Action: All area of regular disturbace or having exposed, bare soil surfaces including associated cut and fill slopes, are to be seeded and straw mulched each spring and fall until fully vegetated to promote soil stability and prevent or limit erosion.	

Photographs

Photo Dates: October 5th, 2021

See attached Mitigation Report for site details.



Photo looking up grade at Site 01. A rocked rolling dip was in the process of being installed here and additional road rock surfacing was being brought in to finish the prescribed treatment at this location.



Photo looking down grade at Site 01.



Photo looking down grade at a rocked rolling dip at Site 02.



Photo looking down grade at a rocked rolling dip installed at Site 03.



Photo of another rolling dip/kickout that was installed a short distance up grade of Site 03.



Photo looking up grade at Site 04 with Site 05 further down the road in the photo.



Photo looking up grade at Site 05.



Photo looking down grade at a waterbar installed at Site 06. I advised the cultivator to touch up the waterbars recently installed on the roads around the property to increase their depth for proper function.



Photo looking down grade at a waterbar installed at Site 07.



Photo look down grade at a rolling dip/outsloping installed to drain the adjacent greenhouse flat up grade of Site 07.



Photo looking at Site 08. The fillslope here was laid back, compacted, and treated with erosion control measures.



Photo looking at another fillslope that was treated at Site 08.



Photo looking at another fillslope that was treated at Site 08.



Photo looking down grade at a kick out/outsloping drainage feature up grade of Site 09.



Photo looking down grade at a rocked rolling dip installed at Site 09.



Photo looking down grade at one of several drainage features installed at Site 10. This drainage feature is a Kickout/inside ditch lead-out ditch. Two other drainage features are installed up grade of this site (not shown) that consist of rocked rolling dips/lead-outs.



Photo looking down grade at a rocked rolling dip installed at Site 11.



Photo looking down grade at rocked rolling dip installed at Site 12.



Photo looking down grade at a rocked rolling dip installed at Site 13.



Photo looking down grade at a waterbar installed at Site 15.



Photo looking up grade at a waterbar installed at Site 15.



Photo looking up grade at a rolling dip installed on the lower legacy road below, to the west of, Site 15.



Photo looking up grade at a rolling dip installed on the lower legacy road below, to the west of, Site 15.



Photo looking up grade at a rolling dip installed on the lower legacy road below, to the west of, Site 15.



Photo looking up grade at a rolling dip installed on the lower legacy road below, to the west of, Site 15.



Photo looking up grade at a rolling dip installed on the lower legacy road below, to the west of, Site 15.



State of California – Natural Resources Agency
DEPARTMENT OF FISH AND WILDLIFE
Northern Region
619 Second Street
Eureka, California 95501
(707) 445-6493
www.wildlife.ca.gov

GAVIN NEWSOM, Governor
CHARLTON H. BONHAM, Director



July 20, 2021

Jose C. Arellano Sanchez
Dare Farms LLC
Post Office Box 2368
Redway, CA 95560

Subject: Revised Draft Lake or Streambed Alteration Agreement, V2
Notification No. 1600-2020-0364-R1 APN# 215-172-031
Arellano Sanchez Dare Farms Domestic Water Diversion Project

Dear Jose C. Arellano Sanchez:

The California Department of Fish and Wildlife (Department) has determined that your project requires a Lake or Streambed Alteration Agreement (Agreement) because it could substantially adversely affect an existing fish or wildlife resource. Enclosed is a revised draft Agreement that includes measures the Department has determined are necessary to protect existing fish and wildlife resources.

Within 30 days of receipt of this draft Agreement, you must notify the Department in writing whether the measures to protect fish and wildlife resources are acceptable (Fish and Game Code section 1603). If you agree with the measures set forth in the draft Agreement, you or your authorized representative **must return the draft Agreement with original signature to the above address.**

If you disagree with any measures in the draft Agreement, please contact the Department staff identified below. In the event that mutual agreement is not reached, you may follow the dispute resolution process described in Fish and Game Code section 1603(a), Part III of the "Notification Instructions and Process." If you fail to respond in writing within 90 days of receiving the draft Agreement, the Department may withdraw the draft Agreement.

Please be advised the Department may not execute the Agreement until it has complied with the California Environmental Quality Act (CEQA) (Public Resources Code section 21000 *et seq.*) as the lead or a responsible agency. Please note that the draft Agreement may be subject to change upon receipt and review of the environmental document for the overall project and that the Department may have additional comments or concerns during the CEQA review process.

Conserving California's Wildlife Since 1870

This Agreement only covers projects subject to Fish and Game Code 1600 et seq., but there may be other aspects of the overall development project that invoke the Department's role as trustee and responsible agency under CEQA. Therefore, the Department may submit additional comments, requests for information, and recommend requirements for mitigation or monitoring in order to avoid significant impacts to fish and wildlife or their habitat. Furthermore, this Agreement does not authorize "take" of any state or federal listed threatened, endangered, or candidate species. No direct or indirect impacts shall occur to any threatened or endangered species as a result of implementing the project or the project's activities. If the project could result in the "take" of a state listed or candidate threatened or endangered species, the Permittee has the responsibility to obtain an Incidental Take Permit from the Department, as required by the California Endangered Species Act.

After you receive a final Agreement executed by the Department, you may begin the project the Agreement authorizes provided you have obtained all other necessary local, state, and federal permits or other authorizations.

For more information on the process described above, please refer to Part IV in the "Notification Instructions and Process" included with your notification materials, which is also available at www.wildlife.ca.gov/habcon/1600/notificationpackage.pdf.

If you have any questions regarding this letter, please contact Environmental Scientist Christine Hahn Vertical at Christine.HahnVertical@wildlife.ca.gov.

Sincerely,



Cheri Sanville
Senior Environmental Scientist Supervisor

Ec: Timberland Resource Consultants
tmcauliffe@timberlandresource.com; TRC@timberlandresource.com,
carroll@timberlandresource.com;

North Coast Regional Water Quality & State Water Resources Control Board
NorthCoast.Cannabis@Waterboards.ca.gov
Stormer.feiler@waterboards.ca.gov
Phillip.dutton@waterboards.ca.gov

California Department of Fish and Wildlife
Christine.HahnVertical@wildlife.ca.gov

County of Humboldt
Calberts@co.humboldt.ca.us, Cliff.Johnson@co.humboldt.ca.us

CALIFORNIA DEPARTMENT OF FISH AND WILDLIFE

REGION 1 – NORTHERN REGION
619 Second Street
Eureka, CA 95501



STREAMBED ALTERATION AGREEMENT

NOTIFICATION NO. 1600-2020-0364-R1
Unnamed Tributary to Mattole River and the Pacific Ocean

Arellano Sanchez Dare Farms Water Diversion
APN 215-172-031-000
1 Encroachment

This Lake or Streambed Alteration Agreement (Agreement) is entered into between the California Department of Fish and Wildlife (CDFW) and Jose Arellano Sanchez (Permittee).

RECITALS

WHEREAS, pursuant to Fish and Game Code (FGC) section 1602, the Permittee initially notified CDFW on August 6, 2020, that the Permittee intends to complete the project described herein.

WHEREAS, pursuant to FGC section 1603, CDFW has determined that the project could substantially adversely affect existing fish or wildlife resources and has included measures in the Agreement necessary to protect those resources.

WHEREAS, the Permittee has reviewed the Agreement and accepts its terms and conditions, including the measures to protect fish and wildlife resources.

NOW THEREFORE, the Permittee agrees to complete the project in accordance with the Agreement.

PROJECT LOCATION

The project is located within the Mattole River watershed, approximately miles 0.5 north west of the town of Whitethorn, County of Humboldt, State of California; Assessor's Parcel Number 215-172-031; latitude 40.0297 N and longitude -123.9466 W at the first point of diversion (POD).

PROJECT DESCRIPTION

This Agreement relies on the Notification materials and a desk review without a CDFW site inspection.

The project is limited to 1 encroachment (Table 1). The encroachment is for a surface water diversion from an unnamed tributary to Mattole River. Water is diverted to provide

domestic water to the residence located on the property. Work for the water diversion will include removal, reinstallation of new infrastructure described within the Agreement, use, and maintenance of the water diversion infrastructure. This point of diversion is presented as 1 of 3 existing water sources. Cannabis cultivation is served by two water wells. No projects associated with commercial cultivation, including these wells, were evaluated by CDFW as part of this Agreement.

Table 1. Project Encroachments with Description

ID	Latitude/Longitude	Description
POD-1	40.0297, -123.9466	Water diversion from a spring in an unnamed tributary from Mattole River for <u>domestic use</u> at the residence. SWRCB application ID: S026378. Permittee shall only divert from November 1 - May 14, 3 gallons per minute, 80% bypass at all times. Remove existing unpermitted water diversion. Install new water diversion structure consistent with this Agreement. Use and maintenance of water diversion infrastructure.

Table 2. Description of Features Not Covered by the Agreement

ID	Latitude/Longitude	Description
POD-2 Unpermitted Well C	40.0310, -123.9451	Water diversion from unnamed tributary from Mattole River for irrigation use from storage. Tanks are filled during winter months and then utilized after the wells dry in early summer. No Well Completion Report provided. SWRCB H506805. Shall be evaluated for potential impacts from commercial cannabis irrigation use through the Humboldt County's conditional use permit/cannabis cultivation permit (PLN-13225-CUP).
POD-3 Unpermitted Well D	40.0303, -123.9452	Water diversion from unnamed tributary from Mattole River for irrigation use from storage. Tanks are filled during winter months and then utilized after the wells dry in early summer. No Well Completion Report provided. SWRCB H506805. Shall be evaluated for potential impacts from commercial cannabis irrigation use through the Humboldt County's conditional use permit/cannabis cultivation permit (PLN-13225-CUP).
POD	-123.9469, 40.0297	Site Management Plan describes location of large cistern capturing water from springs on bank of a watercourse and that these diversions and structures provide water to the adjacent landowner below. No diversion is authorized by this Agreement

CDFW did not evaluate hydraulic connection of the wells to surface water, nor was a hydrogeologic evaluation prepared by a licensed geologist provided for CDFW review. Based on the available resources, the wells may be hydraulically connected to streams and/or springs and shall be evaluated for potential impacts from commercial cannabis irrigation use through the Humboldt County's conditional use permit/cannabis cultivation permit (PLN-13225-CUP).

This Agreement does not retroactively permit any constructed reservoirs (including "ponds"), stream crossings, water diversions, modifications to riparian buffers, or other encroachments not described in Table 1.

PROJECT IMPACTS

Existing fish or wildlife resources the project could substantially adversely affect include **Chinook Salmon** (*Oncorhynchus tshawytscha*), **Coho Salmon** (*O. kisutch*), **Steelhead Trout** (*O. mykiss*), **Western Brook Lamprey** (*Lampetra richardsoni*), **Pacific Lamprey** (*Entosphenus tridentatus*), **Southern Torrent Salamander** (*Rhyacotriton variegatus*), **Pacific Giant Salamander** (*Dicamptodon tenebrosus*), **Foothill Yellow-legged Frog** (*Rana boylei*), **Coastal Tailed Frog** (*Ascaphus truei*), **Western Pond Turtle** (*Actinemys marmorata marmorata*), amphibians, reptiles, aquatic invertebrates, mammals, birds, and other aquatic and riparian species.

The adverse effects the project could have on the fish or wildlife resources identified above include:

Impacts to water quality:

increased water temperature;
increased turbidity;
increased sedimentation (chronic or episodic);

Impacts to bed, channel, or bank and direct effects on fish, wildlife, and their habitat:

loss or decline of riparian habitat;
loss or decline of instream channel habitat;
direct impacts on benthic organisms;
direct and/or incidental take of aquatic and/or terrestrial organisms;

Impacts to natural flow and effects on habitat structure and process:

reduced instream flow;
cumulative effect of diversions in the watershed;
impediment of up- or down-stream movement;
water quality degradation; and
damage to aquatic habitat and function.

MEASURES TO PROTECT FISH AND WILDLIFE RESOURCES

1. Administrative Measures

Permittee shall meet each administrative requirement described below.

- 1.1 Documentation at Project Site. Permittee shall make the Agreement, any extensions and amendments to the Agreement, and all related notification materials and California Environmental Quality Act (CEQA) documents, readily available at the project site at all times and shall be presented to CDFW personnel, or personnel from another state, federal, or local agency upon request.
- 1.2 Providing Agreement to Persons at Project Site. Permittee shall provide copies of the Agreement and any extensions and amendments to the Agreement to all persons who will be working on the project at the project site on behalf of Permittee, including but not limited to contractors, subcontractors, inspectors, and monitors.
- 1.3 Notification of Conflicting Provisions. Permittee shall notify CDFW if Permittee determines or learns that a provision in the Agreement might conflict with a provision imposed on the project by another local, state, or federal agency. In that event, CDFW shall contact Permittee to resolve any conflict.
- 1.4 Project Site Entry. Permittee agrees to allow CDFW employees access to the Project site for the purpose of inspecting and/or monitoring, provided CDFW: a) provides 24 hours advance notice; and b) allows Permittee or representatives to participate in the inspection and/or monitoring. This condition does not apply to CDFW law enforcement personnel.
- 1.5 Applicable Permits. Land development or alterations may be subject to additional federal, state and local laws, regulations, and permitting requirements, including but not limited to the following:
 - The Clean Water Act (CWA) as implemented through permits, enforcement orders, and self-implementing requirements. When needed per the requirements of the CWA, Permittee shall obtain a CWA section 404 (33 U.S.C. § 1344) permit from the United States Army Corps of Engineers (Army Corps) and a CWA section 401 (33 U.S.C. § 1341) water quality certification from the State Water Board or the Regional Water Board with jurisdiction.
 - The California Water Code as implemented through applicable water quality control plans (often referred to as Basin Plans), waste discharge requirements (WDRs) or waivers of WDRs, enforcement orders, and self-implementing requirements issued by the State Water Resources Control

Board (State Water Board) or Regional Water Quality Control Boards (Regional Water Boards).

- All applicable state, city, county, or local regulations, ordinances, or license requirements including, but not limited to those for grading, construction, and building.
- All applicable requirements of the California Department of Forestry and Fire Protection (CAL FIRE), including the Board of Forestry.

1.6 Cannabis Cultivation Policy. If commercial cannabis cultivation occurs on the project parcel, the State Water Resources Control Board (SWRCB) requires enrollment in the Cannabis Cultivation General Order and compliance with the Cannabis Cultivation Policy - Principles and Guidelines for Cannabis Cultivation, available at:
https://www.waterboards.ca.gov/water_issues/programs/cannabis/cannabis_policy.html

1.6.1 Site Management Plan and Related Technical Reports. Permittee shall submit to CDFW the initial preparation and subsequent updates to the project's Site Management Plan and related technical reports prepared in conformance with the SWRCB Cannabis Cultivation Policy.

1.7 Water Rights. This Agreement does not constitute a valid water right. All water diversion facilities that Permittee owns, operates, or controls shall be operated and maintained in accordance with current law and applicable water rights. Water rights are administered by the State Water Resources Control Board as described here:
https://www.waterboards.ca.gov/waterrights/water_issues/programs/registrations/.

1.8 Change of Conditions and Need to Cease Operations. If conditions arise, or change, in such a manner as to be considered deleterious by CDFW to the stream or fish and wildlife, operations shall cease until corrective measures approved by CDFW are taken. This includes new information that indicates bypass flows, diversion rates or other measures provided in this Agreement are not providing adequate protection to keep aquatic life downstream in good condition or to avoid "take" or "incidental take" of federal or State listed species.

1.9 Notification Materials. Permittee's Notification of Lake or Streambed Alteration, together with all maps, plans, photographs, drawings, and all other supporting documents submitted with the Notification and received on August 6, 2020, is hereby incorporated by reference into this Agreement. Permittee shall conduct project activities within the work areas, and using the protective measures, described in the Notification and supporting documents, unless such project activities, work areas or protective measures are modified by the provisions of this Agreement, in which case the activities shall be conducted as described in this Agreement.

2. Avoidance and Minimization Measures

To avoid or minimize adverse impacts to fish and wildlife resources identified above, Permittee shall implement each measure listed below.

Work Periods and Pre-Project Notice

- 2.1 Work Period. All work, not including authorized diversion of water, shall be confined to the period **June 15 through October 15** of each year. Work within the active channel of a stream shall be restricted to periods of **dry weather**. Permittee shall monitor precipitation forecasts and potential increases in stream flow when planning construction activities. Construction activities shall cease, and all necessary erosion control measures shall be implemented prior to the onset of precipitation. Limited vegetation removal may occur outside of this work period as per the Avoidance of Nesting Birds Measure. A notice of completed work, including dates of activities and photographs of each site, shall be submitted to CDFW within seven (7) days of project completion.
- 2.2 CDFW Notification of Work Initiation and Completion. Permittee shall contact CDFW in writing within the 7-day period preceding the beginning of work permitted by this Agreement. Information provided shall include Agreement number, and the anticipated start date. Subsequently, Permittee shall notify CDFW in writing no later than seven (7) days after the project is fully completed. **Notification of completion will include photographs of the completed work, erosion control measures, waste containment and disposal, and a summary of any CNDDDB submissions as required below.**
- 2.3 Work Period Extension Requests. If Permittee needs more time to complete the project, CDFW may grant a work period extension on a day-to-day basis. Extension requests shall be made in writing before **October 5** of each year and shall: 1) describe the extent of work already completed; 2) detail the uncompleted activities; 3) detail the time required to complete each remaining activity; and 4) provide photographs of the completed work site(s) and remaining work. Requests shall describe the effects of increased stream flows, rain delays, increased erosion control measures, access constraints caused by saturated soils, and anticipated effects of climatic conditions on growth of erosion control grasses. Work period extensions are issued at the discretion of CDFW. CDFW will review the written request and may require additional measures to protect fish and wildlife resources.

General Stream Protection Measures

- 2.4 Prohibition of Live Stream Work. No work is authorized in a live flowing stream. All work shall be conducted when the stream is dry. Permittee shall notify CDFW if it determines that work in a live flowing stream is required to complete a project and will submit a diversion plan.

- 2.5 Fish and Aquatic Species. If surface water is or becomes present during construction, Permittee shall: a) have the Designated Biologist survey the site and adjacent area for fish, amphibians, and turtles three (3) days or less before commencing project activities and b) if fish, amphibians, or turtles are detected, CDFW shall be contacted and work shall not commence until authorized by a CDFW representative.
- 2.6 Maintain Passing of Fish Up and Down Stream. It is unlawful to construct or maintain in any stream any device or contrivance that prevents, impedes, or tends to prevent or impede, the passing of fish (as defined in FGC Section 45 "fish" means a wild fish, mollusk, crustacean, invertebrate, amphibian, or part, spawn, or ovum of any of those animals) up and down stream pursuant to FGC section 5901.
- 2.7 Decontamination. Permittee shall ensure all project personnel adhere to the Northern Region California Department of Fish and Wildlife Aquatic Invasive Species Decontamination Protocol for all field gear and equipment that will be in contact with water. Heavy equipment and other motorized or mechanized equipment that contacts water shall adapt watercraft decontamination protocols found in the AIS Decontamination Protocol.
<https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=92821&inline>
- 2.8 Staging and Storage. Staging and storage areas for equipment, materials, fuels, lubricants, and solvents shall be located outside of the stream channel and banks, and away from riparian vegetation. Structures and associated materials not designed to withstand high seasonal flows shall be removed to areas above the ordinary high-water mark before such flows occur or at the end of the yearly work period, whichever occurs first.
- 2.9 Equipment and Vehicle Leaks. Equipment or vehicles operated in or near the stream shall be checked and maintained daily to prevent leaks. Stationary equipment (e.g. motors, pumps, generators, welders, etc.) in or near the stream shall be positioned over drip pans. Stationary heavy equipment shall have sufficient containment to manage catastrophic spills or leaks.
- 2.10 Hazardous Substances. Debris, soil, silt, bark, slash, sawdust, rubbish, creosote-treated wood, raw cement/concrete or washings thereof, asphalt, paint or other coating material, oil or other petroleum products, or any substance or material deleterious to fish, plant life, mammals, or bird life, or their habitat, shall be prevented from contaminating the soil and/or entering the waters of the State, pursuant to FGC Sections 5650 and 5652. Permittee shall ensure hazardous or toxic materials are stored in watertight containers and promptly removed from the worksite.
- 2.11 Spill Containment and Cleanup. All authorized activities performed in or near a stream shall have on-site cleanup equipment (e.g. boom, skimmers, etc.) and absorbent materials for spill containment and cleanup prior to the start of work and

for the duration of the project. In the event of a spill, Permittee shall immediately notify the California Office of Emergency Services State Warning Center at 1-800-852-7550 and initiate clean-up. Permittee shall immediately notify CDFW of any spills and shall follow CDFW cleanup procedures and guidance.

- 2.12 Stockpiled Materials. Materials shall not be stockpiled where they may wash into the stream or cover aquatic or riparian vegetation. Permittee shall monitor the National Weather Service (NWS) 72-hour forecast for the project area and cover stockpiles if NWS predicts precipitation.
- 2.13 Erosion Control. Permittee shall implement erosion control measures throughout all phases of operation where sediment delivery could occur. Silt fences, straw bales, gravel or rock lined ditches, water check bars, broadcasted weed-free straw, or other approved erosion control measures shall be used wherever sediment has the potential to leave the work site and enter the stream.
- 2.14 Silt Laden Runoff. At no time shall silt laden runoff enter the stream or be directed to where it may enter the stream. Silt control structures shall be monitored for effectiveness and shall be repaired or replaced as needed.
- 2.15 Disposal and Removal of Material. Permittee shall remove from the work area, and relocate outside of the stream and riparian area, all spoils and construction debris prior to inundation. All removed material and debris shall be disposed of according to State and local laws and ordinances.
- 2.16 Waste Containment and Disposal. Permittee shall contain all refuse in enclosed, wildlife proof, storage containers, at all times, and relocate refuse to an authorized waste management facility, in compliance with State and local laws, on a regular and ongoing basis. All refuse shall be removed from the site and properly disposed of at the close of the cultivation season and/or when the parcel is no longer in use.
- 2.17 Wash Water. Water containing mud, silt, or other pollutants from equipment washing or other activities, shall not be allowed to enter a lake or flowing stream or placed in locations that may be subjected to high storm flows.
- 2.18 Allow Wildlife to Leave Unharmd. Permittee shall allow any wildlife encountered to leave the project area unharmed. This Agreement does not allow for the trapping, capture, or relocation of any state or federally listed species.
- 2.19 Escape Ramp in Trench. At the end of each work day, Permittee shall place an escape ramp at each end of any open trench deeper than six inches with walls greater than 30 degrees to allow entrapped animals to escape. The ramp may be constructed of either dirt fill, non-treated wood, or other suitable material placed at an angle no greater than 30 degrees.

- 2.20 Prohibition Against Use of Plastic Netting in Erosion Control Measures. Permittee shall not use erosion control devices containing plastic, including photo- or bio-degradable plastic netting. Erosion control mats, blankets, and straw or fiber wattles shall consist entirely of natural fiber.
- 2.21 Remove Temporary Flagging, Fencing, and Barriers. Permittee shall remove all temporary flagging, fencing, and/or barriers from the project site and vicinity of the stream upon completion of project activities.

Designated Biologist

- 2.22 Designated Biologist. At least thirty (30) days before project activities requiring biological surveys begin, the Permittee shall submit to CDFW in writing the name, qualifications, business address, and contact information for a Designated Biologist. Permittee shall obtain CDFW's written approval of the Designated Biologist before initiating project activities. The Designated Biologist shall be knowledgeable and experienced in the biology and natural history of local fish and wildlife resources potentially present at the project site. The Designated Biologist shall be responsible for monitoring all project activities and avoidance measures, including any ground-disturbing activities.
- 2.23 Designated Biologist Authority. The Designated Biologist shall have authority to immediately stop any activity that is not in compliance with this Agreement, and/or to order any reasonable measure to avoid the unauthorized take of Special Status Species. Neither the Designated Biologist nor CDFW shall be liable for any costs incurred in complying with the Measures in this Agreement, including cease-work orders issued by CDFW.

Special Status Species Avoidance and Minimization

- 2.24 Prohibition on Take of Listed Species. This agreement does not authorize the take or incidental take of any State or Federal listed threatened or endangered listed species. State Listed or Fully Protected Species include any native plant species listed as rare under the Native Plant Protection Act (FGC, § 1900 et seq.; Cal. Code Regs., tit. 14, § 670.2), any species that is listed or is a candidate for listing under the California Endangered Species Act (FGC Code, § 2080 et seq.; Cal. Code Regs., tit. 14, §§ 670.2, 670.5), or any fully protected species (FGC, §§ 3511, 4700, 5050, 5515). Permittee shall consult with the appropriate agency prior to commencing the project.
- 2.25 Avoidance of Nesting Birds. Permittee shall avoid nests occurring within and near the project site pursuant to the Migratory Bird Treaty Act of 1918 and FGC section 3503. Vegetation maintenance/removal shall be confined to the period **September 1 to January 31** of any year in which this Agreement is valid, provided the work area is outside the stream. Vegetation maintenance/removal may continue during

precipitation events provided stream flows have not risen into work areas and sediment delivery will not result.

2.26 Nesting Bird Surveys. If vegetation removal or other project-related activities that could impact nesting birds are scheduled during the nesting season (typically **February 1 to August 31**), the Designated Biologist shall survey for active bird nests within seven (7) days prior to the beginning of project-related activities. Surveys shall begin prior to sunrise and continue until vegetation and nests have been sufficiently observed. A report of the surveys shall be submitted to CDFW by email within three (3) business days of completion. The report shall include a description of the area surveyed, time and date of surveys, ambient conditions, species observed, active nests observed, evidence of breeding behaviors (e.g., courtship, carrying nesting material or food, etc.), and a description of any outstanding conditions that may have impacted survey results (e.g. weather conditions, excess noise, predators present, etc.). If an active nest is found, Permittee shall implement avoidance measures and consult with CDFW. If a lapse in project-related work of seven (7) days or longer occurs, the Designated Biologist shall repeat surveys before project work can resume.

2.27 Special-Status Plants. If Special-Status plants (State listed and taxa that meet the definition of Rare or Endangered under CEQA Guidelines 15380) may occur on the project site, the Designated Biologist shall conduct seasonally-appropriate surveys of the area to document potential effects prior to the implementation of Project-related activities. If populations of any of these species are found:

2.27.1 Exclusion fencing shall be installed a minimum of 100 feet from the location of special-status plants, and no Project activity shall occur within the area occupied by special-status plants or the 100-foot buffer area around these plants.

2.27.2 If special-status plant populations are found on the Project site and it is not feasible to avoid them during Project-related activities, the Project applicant shall consult with CDFW to determine if the project may be covered under this Agreement. Separate notification pursuant to FGC section 1602 may be required in some instances.

Vegetation Management

2.28 Riparian Buffers. Riparian buffers shall be not be modified, unless authorized by CDFW in writing.

2.29 Minimum Vegetation Removal. No native riparian vegetation shall be removed, except where authorized by CDFW. Permittee shall limit the disturbance or removal of native vegetation to the minimum necessary to achieve design guidelines and standards for the authorized activity. Permittee shall take precautions to avoid damage to vegetation outside the work area.

- 2.30 Vegetation Maintenance. Permittee shall limit vegetation management (e.g., trimming, pruning, or limbing) and removal for the purpose of the authorized activity to the use of hand tools. Vegetation management shall not include treatment with herbicides.
- 2.31 Invasive Plant Species. Permittee shall not plant, seed or otherwise introduce invasive plant species within the Project area. Invasive plant species include those identified in the California Invasive Plant Council's inventory database, which is accessible at: <https://www.cal-ipc.org/plants/inventory/>.

Water Diversion

- 2.32 Maximum Diversion Rate. The maximum instantaneous diversion rate from the water intake shall not exceed **three (3) gallons per minute** at any time.
- 2.33 Bypass Flow. Permittee shall pass **80% of the flow** at all times to keep all aquatic species including fish and other aquatic life in good condition below the POD.
- 2.34 Seasonal Diversion Minimization. For POD-1, (intended for household domestic use only) no water shall be diverted of any year from this POD during the low flow season from **May 15 to October 31**. Water shall be diverted only if Permittee can adhere to the maximum diversion rate and bypass flow conditions of this Agreement.
- 2.35 Measurement of Diverted Flow. Permittee shall install and maintain an adequate measuring device for measuring the instantaneous and cumulative rate of diversion. This measurement shall begin as soon as this Agreement is signed by Permittee. The device shall be installed within the flow of diverted water. Permittee shall maintain records of diversion, and provide information including, but not limited to the following:
- 2.35.1 A log including the date, time and quantity of water diverted from the POD.
- 2.35.2 The amount of water used per day for cannabis cultivation separated out from the amount of water used for other irrigation purposes and other uses of water (e.g., domestic use or fire protection).
- 2.35.3 Permittee shall make available for review at the request of CDFW the diversion records required by the SWRCB Cannabis Cultivation Policy.
- 2.36 Water Management Plan. Permittee shall submit a Water Management Plan no later than **sixty days** from the effective date of this Agreement that describes how compliance will be achieved under this Agreement. The Water Management Plan shall include details on water storage, water conservation, or other relevant material to maintain water needs in coordination with forbearance and bypass flow requirements. The Water Management Plan shall include a brief narrative

describing water use on the property, photographs to support the narrative, and water use calculations to ensure compliance with this Agreement.

Water Diversion Infrastructure

- 2.37 Intake Structure. No polluting materials (e.g., particle board, plastic sheeting, bentonite) shall be used to construct or screen, or cover the diversion intake structure.
- 2.38 Intake Structure Placement. Infrastructure installed in the streambed (e.g. spring box) shall not exceed 10% of the active-channel width and shall not be located in the deepest portion of the channel. The depth of the intake shall be no greater than 12 inches below the streambed.
- 2.39 Intake Screening Maintenance. Permittee shall regularly inspect, clean, and maintain screens in good condition.
- 2.40 Intake Screens on Fish Bearing Streams. All intakes shall be screened with at least 2.5 square feet of wetted, unobstructed screen, have at least 2.5 square feet of wetted, unobstructed screen. Screens shall be constructed of wire mesh, perforated plate, or pipe with at least 27 percent open area. Round openings in the screen shall not exceed 3/32 inch (2.38 millimeters) in diameter. Slotted openings shall not exceed 1/16 inch (1.75 mm) horizontally (providing a maximum diagonal opening of 3/32 inch).
- 2.41 Intake Screens on Non-Fish Bearing Streams. All intakes shall be screened and openings in the screen shall not exceed 1/8-inch diameter (horizontal for slotted or square openings) or 3/32 inch for round openings.
- 2.42 Intake Shall Not Impede Aquatic Species Passage. Water diversion structures shall be designed, constructed, and maintained such that they do not constitute a barrier to upstream or downstream movement of aquatic life.
- 2.43 Exclusionary Devices. Permittee shall keep diversion-related structures covered at all times to prevent the entrance and entrapment of amphibians and other wildlife.
- 2.44 Diversion Intake Removal. Permittee shall plug, cap, block (e.g., with a shut-off valve located near the source) or remove all intakes when no water diversion is planned for a period of one week or longer.
- 2.45 Heavy Equipment Use. No heavy equipment shall be used in the excavation or replacement of the existing water diversion structure. Permittee shall use hand tools or other low impact methods of removal/replacement. All project materials and debris shall be removed from the project site and properly disposed of off-site upon project completion.

2.46 Diversion Infrastructure Plan (DIP). Permittee shall submit a DIP for CDFW review and approval within **60 days** from the effective date of this Agreement. The DIP shall include a narrative describing the different elements of the water diversion infrastructure, supporting photographs and/or diagrams, and justification of how compliance with the **Water Diversion Infrastructure** conditions will be achieved under this Agreement.

Diversion to Storage

2.47 Water Storage. All water storage facilities (WSFs) (e.g., reservoirs, storage tanks, mix tanks, and bladders tanks), except those specifically authorized by CDFW and included as encroachments in a current Agreement, shall be located outside the active 100-year floodplain. Covers/lids shall be securely affixed to water tanks to prevent entry by wildlife. Permittee shall cease all water diversion at the POD when WSFs are full.

2.48 Water Storage Maintenance. WSFs shall have float valves to prevent overflowing. Water shall not leak, overflow, or overtop WSFs at any time. Permittee shall regularly inspect all WSFs and water diversion infrastructure, and immediately repair leaks.

2.49 Water Conservation. Permittee shall make best efforts to minimize water use, and to follow best practices for water conservation and management.

2.50 Limitations on Impoundment and Use of Diverted Water. Permittee shall impound and use water in accordance with a valid water right, including any limitations on when water may be impounded and used, the purpose for which it may be impounded and used, and the location(s) where water may be impounded and used.

3. Reporting Measures

Permittee shall meet each reporting requirement described below.

3.1 CDFW Notification of Work Initiation. Permittee shall contact CDFW within the seven-day period **preceding the beginning of work** permitted by this Agreement. Information to be disclosed shall include Agreement number, and the anticipated start date.

3.2 Work Completion. The proposed work (diversion infrastructure) shall be completed by no later than **November 1, 2021 or before diverting water**. **Notification of completion will include dates work occurred, photographs of work stages and the completed work, erosion control measures, waste containment and disposal, and a summary of any CNDDDB submissions** and shall be submitted to CDFW, LSA program at 619 Second Street, Eureka, CA 95501 **within seven (7) days** of project completion.

- 3.3 Project Inspection. The Project shall be inspected a by a qualified professional to ensure that the diversion infrastructure complies with the terms of this Agreement. A copy of the inspection report, including photographs of each site, shall be submitted to CDFW within 90 days of completion of each separate project. Permittee shall submit the **Project Inspection Report** to CDFW, LSA Program at 619 Second Street, Eureka, CA 95501.
- 3.4 Measurement of Diverted Flow. Copies of the **Water Diversion Records** shall be submitted to CDFW, LSA Program at 619 Second Street, Eureka, CA 95501 no later than **March 31** of each year beginning in **2022**, to report the preceding year's diversion.
- 3.5 Water Management Plan. Permittee shall submit a **Water Management Plan** within **60 days** from the effective date of this Agreement. The Water Management Plan shall be submitted to CDFW, LSA Program at 619 Second Street, Eureka, CA 95501.
- 3.6 Diversion Infrastructure Plan. Permittee shall submit **Diversion Infrastructure Plan** within **60 days** from the effective date of this Agreement. Permittee shall **allow 60 days for CDFW review and approval** after submittal of a Diversion Infrastructure Plan. This document shall be submitted to CDFW at the 619 Second Street, Eureka, CA 95501.
- 3.7 Site Management Plan and Related Technical Reports. Permittee shall submit to CDFW the project's current draft of the Site Management Plan and related technical reports if it was not included in the Notification. If the Site Management Plan and/or related technical reports are still in preparation, Permittee shall submit it and all subsequent revisions and updates within **30 days** of submittal to the
- 3.8 Notification to the California Natural Diversity Database. If any special status species are observed at any time during the project, the Designated Biologist shall submit California Natural Diversity Data Base (CNDDDB) forms to the CNDDDB within **five (5) working days** of the sightings. A summary of CNDDDB submissions shall be included with the completion notification. Forms and instructions for submissions to the CNDDDB may be found at:
<https://www.wildlife.ca.gov/Data/CNDDDB/Submitting-Data>.

CONTACT INFORMATION

Any communication that Permittee or CDFW submits to the other shall be in writing and any communication or documentation shall be delivered to the address below by U.S. mail, fax, or email, or to such other address as Permittee or CDFW specifies by written notice to the other.

To Permittee:

Jose C. Arellano Sanchez
Dare Farms LLC
Post Office Box 2368
Redway, California 95560
707-986-9607

To CDFW:

Department of Fish and Wildlife
Northern Region
619 Second Street
Eureka, California 95501
Attn: Lake and Streambed Alteration Program – Christine Hahn Vertical
Notification #1600-2020-0364-R1

LIABILITY

Permittee shall be solely liable for any violation of the Agreement, whether committed by the Permittee or any person acting on behalf of the Permittee, including its officers, employees, representatives, agents or contractors and subcontractors, to complete the project or any activity related to it that the Agreement authorizes.

This Agreement does not constitute CDFW's endorsement of or require the Permittee to proceed with the project. The decision to proceed with the project is the Permittee's alone.

SUSPENSION AND REVOCATION

CDFW may suspend or revoke in its entirety this Agreement if it determines that the Permittee or any person acting on behalf of the Permittee, including its officers, employees, representatives, agents, or contractors and subcontractors, is not in compliance with the Agreement.

Before CDFW suspends or revokes the Agreement, it shall provide the Permittee written notice by certified or registered mail that it intends to suspend or revoke. The notice shall state the reason(s) for the proposed suspension or revocation, provide the Permittee an opportunity to correct any deficiency before CDFW suspends or revokes the Agreement, and include instructions to the Permittee, if necessary, including but not limited to a directive to immediately cease the specific activity or activities that caused CDFW to issue the notice.

ENFORCEMENT

Nothing in the Agreement precludes CDFW from pursuing an enforcement action against the Permittee instead of, or in addition to, suspending or revoking the Agreement.

Nothing in the Agreement limits or otherwise affects CDFW's enforcement authority or that of its enforcement personnel.

OTHER LEGAL OBLIGATIONS

This Agreement does not relieve Permittee or any person acting on behalf of Permittee, including its officers, employees, representatives, agents, or contractors and subcontractors, from complying with, or obtaining any other permits or authorizations that might be required under, other federal, state, or local laws or regulations before beginning the project or an activity related to it. For example, if the project causes take of a species listed as threatened or endangered under the Endangered Species Act (ESA), such take will be unlawful under the ESA absent a permit or other form of authorization from the U.S. Fish and Wildlife Service or National Marine Fisheries Service.

This Agreement does not relieve Permittee or any person acting on behalf of Permittee, including its officers, employees, representatives, agents, or contractors and subcontractors, from complying with other applicable statutes in FGC including, but not limited to, FGC sections 2050 *et seq.* (threatened and endangered species), section 3503 (bird nests and eggs), section 3503.5 (birds of prey), section 5650 (water pollution), section 5652 (refuse disposal into water), section 5901 (fish passage), section 5937 (sufficient water for fish), and section 5948 (obstruction of stream).

Nothing in the Agreement authorizes the Permittee or any person acting on behalf of the Permittee, including its officers, employees, representatives, agents, or contractors and subcontractors, to trespass.

AMENDMENT

CDFW may amend the Agreement at any time during its term if CDFW determines the amendment is necessary to protect an existing fish or wildlife resource.

The Permittee may amend the Agreement at any time during its term, provided the amendment is mutually agreed to in writing by CDFW and the Permittee. To request an amendment, the Permittee shall submit to CDFW a completed CDFW "Request to Amend Lake or Streambed Alteration" form and include with the completed form payment of the corresponding amendment fee identified in CDFW's current fee schedule (see Cal. Code Regs., tit. 14, § 699.5).

TRANSFER AND ASSIGNMENT

This Agreement may not be transferred or assigned to another entity, and any purported transfer or assignment of the Agreement to another entity shall not be valid or effective, unless the transfer or assignment is requested by the Permittee in writing, as specified below, and thereafter CDFW approves the transfer or assignment in writing.

The transfer or assignment of the Agreement to another entity shall constitute a minor amendment, and therefore to request a transfer or assignment, the Permittee shall submit to CDFW a completed CDFW "Request to Amend Lake or Streambed Alteration" form and include with the completed form payment of the minor amendment fee identified in CDFW's current fee schedule (see Cal. Code Regs., tit. 14, § 699.5).

EXTENSIONS

In accordance with FGC section 1605, subdivision (b), Permittee may request one extension of the Agreement, provided the request is made prior to the expiration of the Agreement's term. To request an extension, Permittee shall submit to CDFW a completed CDFW "Request to Extend Lake or Streambed Alteration" form and include with the completed form payment of the extension fee identified in CDFW's current fee schedule (see Cal. Code Regs., tit. 14, § 699.5). CDFW shall process the extension request in accordance with FGC section 1605, subdivisions (b) through (e).

If Permittee fails to submit a request to extend the Agreement prior to its expiration, Permittee must submit a new notification and notification fee before beginning or continuing the project the Agreement covers (Fish & G. Code § 1605, subd. (f)).

EFFECTIVE DATE

The Agreement becomes effective on the date of CDFW's signature, which shall be: 1) after the Permittee signature; 2) after CDFW complies with all applicable requirements under CEQA; and 3) after payment of the applicable FGC section 711.4 filing fee listed at

<https://www.wildlife.ca.gov/Conservation/CEQA/Fees>.

TERM

This Agreement shall **expire five (5) years** from date of execution, unless it is terminated or extended before then. All provisions in the Agreement shall remain in force throughout its term. The Permittee shall remain responsible for implementing any provisions specified herein to protect fish and wildlife resources after the Agreement expires or is terminated, as FGC section 1605, subdivision (a)(2) requires.

AUTHORITY

If the person signing the Agreement (signatory) is doing so as a representative of Permittee, the signatory hereby acknowledges that he or she is doing so on Permittee's behalf and represents and warrants that he or she has the authority to legally bind Permittee to the provisions herein.

AUTHORIZATION

This Agreement authorizes only the project described herein. If Permittee begins or completes a project different from the project the Agreement authorizes, Permittee may be subject to civil or criminal prosecution for failing to notify CDFW in accordance with FGC section 1602.

CONCURRENCE

The undersigned accepts and agrees to comply with all provisions contained herein.

FOR ARRELLANO SANCHEZ

Arrellano Sanchez

Date

FOR DEPARTMENT OF FISH AND WILDLIFE

Cheri Sanville
Senior Environmental Scientist Supervisor

Date

Prepared by: Christine Hahn Vertical Environmental Scientist, October 28, 2020
Revised July 12, 2021



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

June 7, 2021

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

Re: APN 215-172-031
 Application #13225

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 (HCCLUO) for Application #13225. 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."

In addition, the Timberland Conversion Evaluation Report was prepared in response to Cal Fire's April 14, 2021 referral comment as follows:

Date:	Name:
4/14/21	Tim Meyers

AP# 13225
 APN 215-172-031

CALFIRE cannot support this project. Illegal conversion has occurred on the subject property.

It appears from the airphoto that trees were removed between 2016/2018. A CALFIRE harvest document should have been obtained prior to removing the trees. More information is required for a proper evaluation. A Registered Professional Forester may be required to advise the landowner of necessary permits from CALFIRE.

Chris Carroll, RPF #2628 of Timberland Resource Consultants (TRC) inspected and evaluated the cultivation sites and associated areas on May 20, 2021. The RPF has visited the property on numerous occasions dating back to March 2016 as described below. 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: non-commercial timber harvesting within or nearby the cannabis cultivation sites that did not result in timberland conversion, 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 cultivation-related project sites. All findings are summarized in the report.

Project Location

APN: 215-172-031

Acreage: 33 acres

Legal Description: SE ¼ of Section 9, T5S, R2E, HB&M

Located on USGS 7.5' Quadrangle: Briceland

Humboldt County Zoning: Unclassified

Site Address: 15796 Briceland-Thorne Road, Whitethorn

Landowner/Timber Owner: Jose Sanchez

The property is located approximately ¼ air mile southwest of Whitethorn. See attached Location Map. From Thorne Junction, drive south-southeast on Briceland-Thorne Road for approximately 3 miles to Stump Lane. Take the next left-hand turn (~1,000 feet south of Stump Lane) on an unnamed gated road into the property.

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's timber stands consist of second growth tanoak with a minor component of redwood, madrone and Douglas-fir. 1948 imagery (<https://www.historicaerials.com>) reveals uncut timber (presumably old growth redwood and Douglas-fir) within the subject property. Subsequent imagery from 1968 reveals that the old growth was harvested with no signs of a recent clearcut but rather advanced regeneration and brush suggesting that the initial harvest likely occurred in the early 1950's. An additional timber harvest is visible on 1993 imagery, presumably associated with the harvest of scattered residual old growth and larger second growth redwood. This harvest appears to have occurred in the late 1980's / early 1990's based upon signs of recent log landing and truck road use and vegetative/ground disturbance. There have been no subsequent commercial harvests per Cal Fire's Watershed Mapper (http://egis.fire.ca.gov/watershed_mapper/). The current landowner, Jose Sanchez, purchased the property from Thomas Harwood on November 14, 2018.

Discussion of Recent Timberland Conversion

As described in a letter to Humboldt County Planning from TRC (RPF, Chris Carroll) on June 6, 2019 (attached); the former landowner, Thomas Harwood, hired TRC to prepare a Cal Fire Conversion Exemption (14CCR 1104.1) within the subject property in March 2016. TRC flagged and mapped a proposed timberland conversion area (see attached Conversion Exemption Map) on March 15, 2016, which included two existing log landings that were covered with manzanita and small hardwoods and conifers. Following preparation of the Cal Fire Less than 3 Acre Conversion Exemption, but prior to its submission to Humboldt County for their review and sign-off per 14CCR 1104.1(a)(1)(D); the landowner requested that TRC put the project on hold. On July 22, 2016, TRC re-visited the site to begin preparation of a CDFW 1600 Notification and observed that the two historic log landings were re-opened and enlarged to their present size and configuration as shown on the attached Conversion Evaluation Map. The two landings appear to have been enlarged between May 2016 (Google imagery) and July 22, 2016 (NAIP imagery). Following the conveyance of the property from Thomas Harwood to Jose Sanchez on November 14, 2018, TRC has visited the sites numerous times in association with the preparation the Site Management Plan and a new CDFW 1600 Notification, and no enlargement of the timberland conversions have occurred.

Project Description

Three timberland conversions associated with cannabis cultivation were inspected during the field assessment within APN 215-172-031. The following table lists the inspected sites and their acreage; see detailed site descriptions below.

Cultivation Area	Total Acreage	Converted?	Converted Acreage
Site 1	0.24	Yes	0.24
Site 2	0.60	Yes	0.60
Site 3	0.57	Yes	0.57
TOTAL	1.41		1.41

Site 1

Site 1 is an existing graded flat proposed to be used in the future for drying, processing, storage, and a nursery. Site 1 is a historic cannabis cultivation site dating back to 2010, which was subsequently relocated in 2016. Review of Google and NAIP aerial imagery reveals that this cultivation site was formerly a log landing as shown on the attached 1998 DOQ. Reconstruction and realignment of the upper access road in 2019 resulted in tree removal and reconstruction of the cut-slope between the lower seasonal road and upper permanent road, however, the footprint of the old landing/existing graded flat hasn't changed much since 1998. The past and proposed cultivation related activities observed at this site impede the use of this space for current timber growth and harvesting, and the site has effectively been converted from timber production to cannabis cultivation.

Site 2

Site 2 is an existing graded flat presently used for water storage consisting of approximately thirty 5,000-gallon plastic water tanks. Review of Google and NAIP aerial imagery reveals that this cultivation site was formerly a log landing as shown on the attached 1998 DOQ. As discussed above, this old landing was enlarged between May 2016 (Google imagery) and July 22, 2016 (NAIP imagery). The cultivation related activities observed at this site impede the use of this space for current timber growth and harvesting, and the site has effectively been converted from timber production to cannabis cultivation.

Site 3

Site 3 is an existing graded flat presently used for cannabis cultivation consisting of three 24-foot by 135-foot greenhouses. Review of Google and NAIP aerial imagery reveals that this cultivation site was formerly a log landing as shown on the attached 1998 DOQ. As discussed above, this old landing was enlarged between May 2016 (Google imagery) and July 22, 2016 (NAIP imagery). The cultivation related activities observed at this site impede the use of this space for current timber growth and harvesting, and the site has effectively been converted from timber production to cannabis cultivation.

Timberland Conversion Summary

TRC observed approximately 1.41 acres of unauthorized timberland conversion. 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, no 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.

Limitations and Considerations for Timberland Conversion Activities (Cont.)

Slash, Woody Debris, and Refuse Treatment

14 CCR 914.5(b): "Non-biodegradable refuse, litter, trash, and debris resulting from timber operations, and other activity in connection with the operations shall be disposed of concurrently with the conduct of timber operations."

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.

The RPF observed no untreated slash, logs, and/or woody debris that was a result of past timberland conversion.

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"

The query of the CNDDDB Database on June 5, 2021 revealed two observations of sensitive, rare, threatened, or endangered species or species of special concern within a 0.7-mile radius biological assessment area (BAA) surrounding the property. Howell's montia and Oregon goldthread were observed along the Mattole River south of the property. Despite their "sensitive" status per the CNDDDB, neither species are state or federally listed, or a Board of Forestry Sensitive Species, 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 0.7-mile radius biological assessment area (BAA) surrounding the conversion sites.

The conversion area did not include late successional stands, late seral stage forests, or old growth trees. The conversion area 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.

Limitations and Considerations for Timberland Conversion Activities (Cont.)

Sudden Oak Death

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) and the RPF observed symptoms, signs, and evidence of oak mortality within the subject property. The RPF is aware of numerous SOD locations within the subject watershed. Preliminary research has shown that trees infected or killed by SOD are prone to rapid decay and unpredictable failure. The RPF's professional experience and opinion is that infected trees will eventually die and topple over and their removal is recommended when located within striking distance of improvements to minimize hazard. Proper disposal of infested SOD material contributes toward limiting pathogen spread. Removal of SOD debris from the property is not recommended. Whenever possible, leave SOD tree debris on site in a safe area where woody debris will not become dislodged, contaminate uninfected hosts, or constitute a fire hazard. When infected oaks are cut down and left on site, chip the branches and cut and split the wood. To prevent pathogen spread via muddy boots or equipment, avoid chipping in wet weather. Stack woodpiles in sunny locations to promote rapid drying. Do not leave firewood and chips in an area where they might be transported to another location. Leaving infected trees intact on site may benefit wildlife. If chipping is not possible, reduce fire hazard by lopping and scattering branches so they lay close to the ground at least 30 feet away from any structure, driveway, roadside, or propane tank (consult your local fire department). See attachment A *Homeowners Guide to Sudden Oak Death*.

Cultural Resources

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

No archeological sites were observed during the TRC field assessment. The RPF conducted pre-field research for the project's geographic location and closely surveyed the converted sites and surrounding undisturbed areas for presence or evidence of prehistoric or historic sites. The archaeological survey was conducted by Chris Carroll, a certified archaeological surveyor with current CALFIRE Archeological Training (Archeological Training Course #575). The survey consisted of examining boot scrapes, rodent disturbances, natural and manmade areas of exposed soils, and road and cultivation site surfaces.

Per 14 CCR 1104.2(2)(l), all required Native American tribes and organizations have been notified of the project location and are encouraged to respond with any information regarding archaeological sites, cultural sites, and/or tribal cultural resources within or adjacent to the project area.

14CCR 923.4 Construction and Reconstruction of Logging Roads and Landings

While it's recognized that cannabis cultivation sites are not log landings; initial development and construction and subsequent maintenance of the graded flats should (at a minimum) meet or exceed similar requirements stated in the Forest Practice Rules for log landings. Compliance with Humboldt County's grading & SMA ordinance, State Water Resources Control Board Order WQ 2019-0001-DWQ, and other regulations will require even higher standards. Therefore, the RPF closely evaluated the converted graded flats to the standards of a log landing. All 19 performance standards of 923.4(a-s) are presently being met at each of the converted sites.

14CCR 923.5 Erosion Control for Logging Roads and Landings

TRC observed erosion of Site 3's fill-slope during preparation of the Site Management Plan in December 2019. This erosion was occurring from concentrated surface runoff from the landing surface, which was not in compliance with 14CCR 923.5(a), which states:

All logging road and landing surfaces shall be adequately drained through the use of logging road and landing surface shaping in combination with the installation of drainage structures or facilities and shall be hydrologically disconnected from watercourses and lakes to the extent feasible. Guidance on methods for hydrologic disconnection may be found in "Board of Forestry Technical Rule Addendum Number 5: Guidance on Hydrologic Disconnection, Road Drainage, Minimization of Diversion Potential, and High-Risk Crossings" (1st Edition, revised 10/27/14), hereby incorporated by reference.

Limitations and Considerations for Timberland Conversion Activities (Cont.)

The landowner has re-graded and rocked the surface of the landing/graded flat, which has improved drainage. In addition, the landowner added erosion control to the bare soils on the erodible fill-slope. Storm-water runoff is no longer discharging on the fill-slope. The erosion feature on the fill-slope appears to have stabilized and is revegetating. TRC shall continue to monitor this location per Water Board requirements.

The permanent roads accessing the two cultivation sites are old logging roads used for commercial timber operations in the past prior to cannabis cultivation. The roads have been evaluated by TRC for compliance with the requirements of 923.5 and Board of Forestry Technical Rule Addendum No. 5: Guidance on Hydrologic Disconnection, Road Drainage, Minimization of Diversion Potential, And High-Risk Crossings. As can be seen on the Conversion Evaluation Map, the appurtenant roads accessing the cultivation-related sites contain no watercourse crossings. The RPF observed no areas where direct routes of drainage or overland flow of road runoff was entering a watercourse. The roads accessing Sites 1, 2, & 3 are hydrologically disconnected from waters of the state.

14CCR 923.9 Watercourse Crossings

No watercourse crossings are located in or nearby the two cultivation sites or on the appurtenant roads accessing the two cultivation sites.

Recommendations

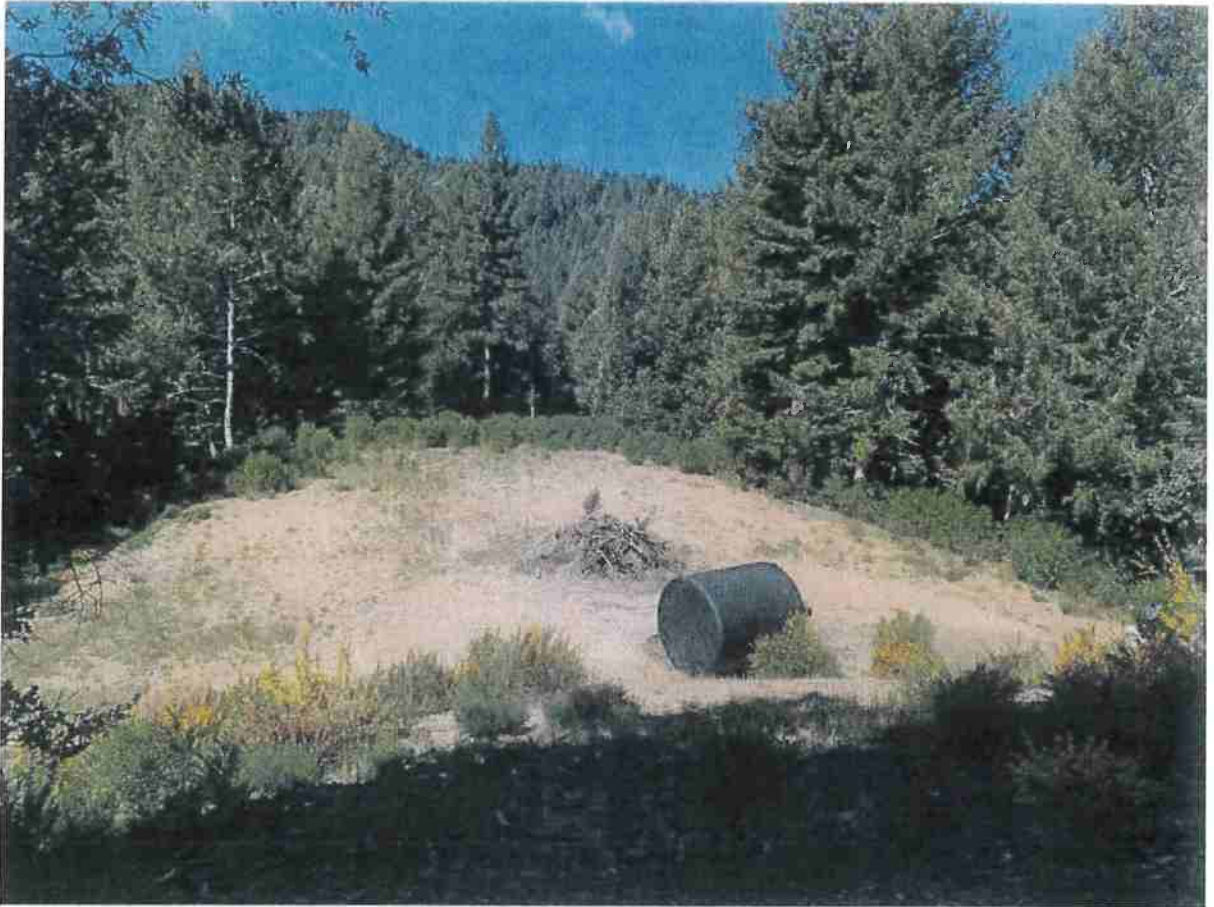
In summary, a total of 1.41 acres of unauthorized timberland conversion has occurred within APN 215-172-031. This total does not exceed the three-acre conversion exemption maximum. The past conversion activities conducted on the property comply with the California Forest Practice Act and the California Forest Practice Rules. The RPF has no recommendations.

Sincerely,



Chris Carroll, RPF #2628
Timberland Resource Consultants

Pictures



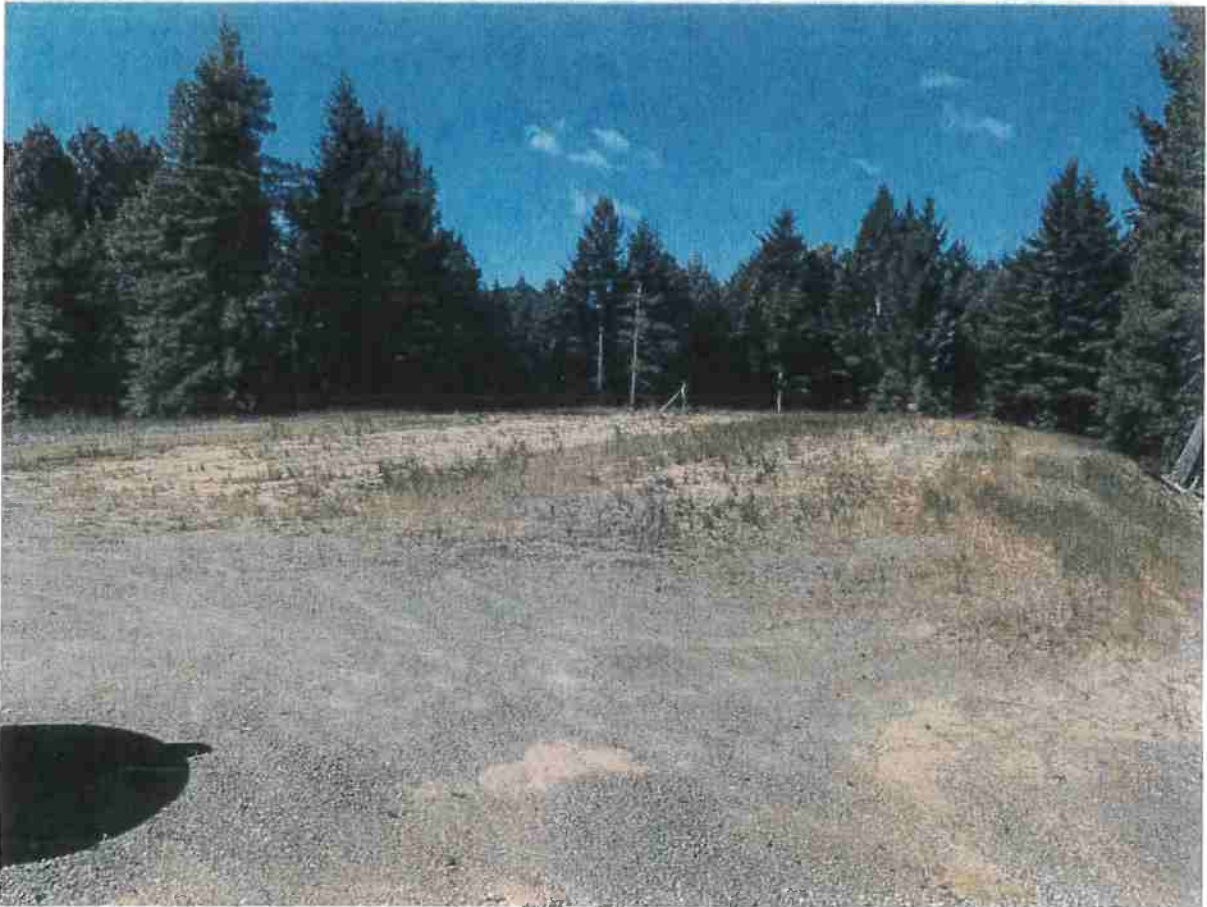
Picture 1: Site 1. Photo date 5-20-2021.

Pictures



Picture 2: Site 2. Photo date 6-27-2020.

Pictures



Picture 3: Site 2. Photo date 5-20-2021.

Pictures



Picture 4: Site 3. Photo date 6-27-2020.

Pictures



Picture 5: Site 3. Photo date 6-27-2020.

Pictures



Picture 6. Site 3's fill-slope with erosion feature. This section of fill-slope is still revegetating and stabilizing, but corrective measures have occurred to improve drainage. Photo date 5-20-2021.

Pictures



Picture 7. Site 3's fill-slope where no erosion occurred from poor drainage. Photo date 5-20-2021.

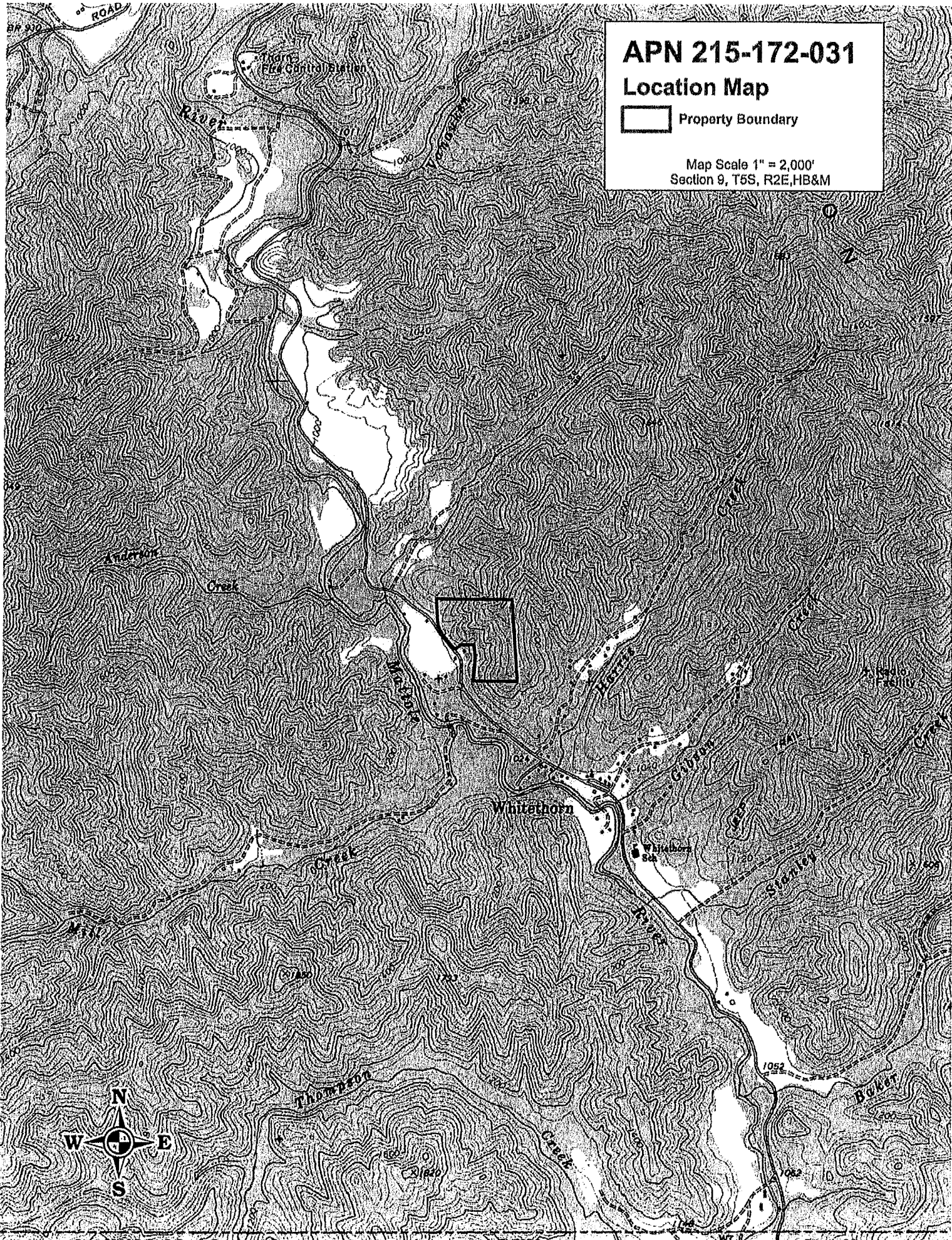
MAPS

APN 215-172-031

Location Map

 Property Boundary

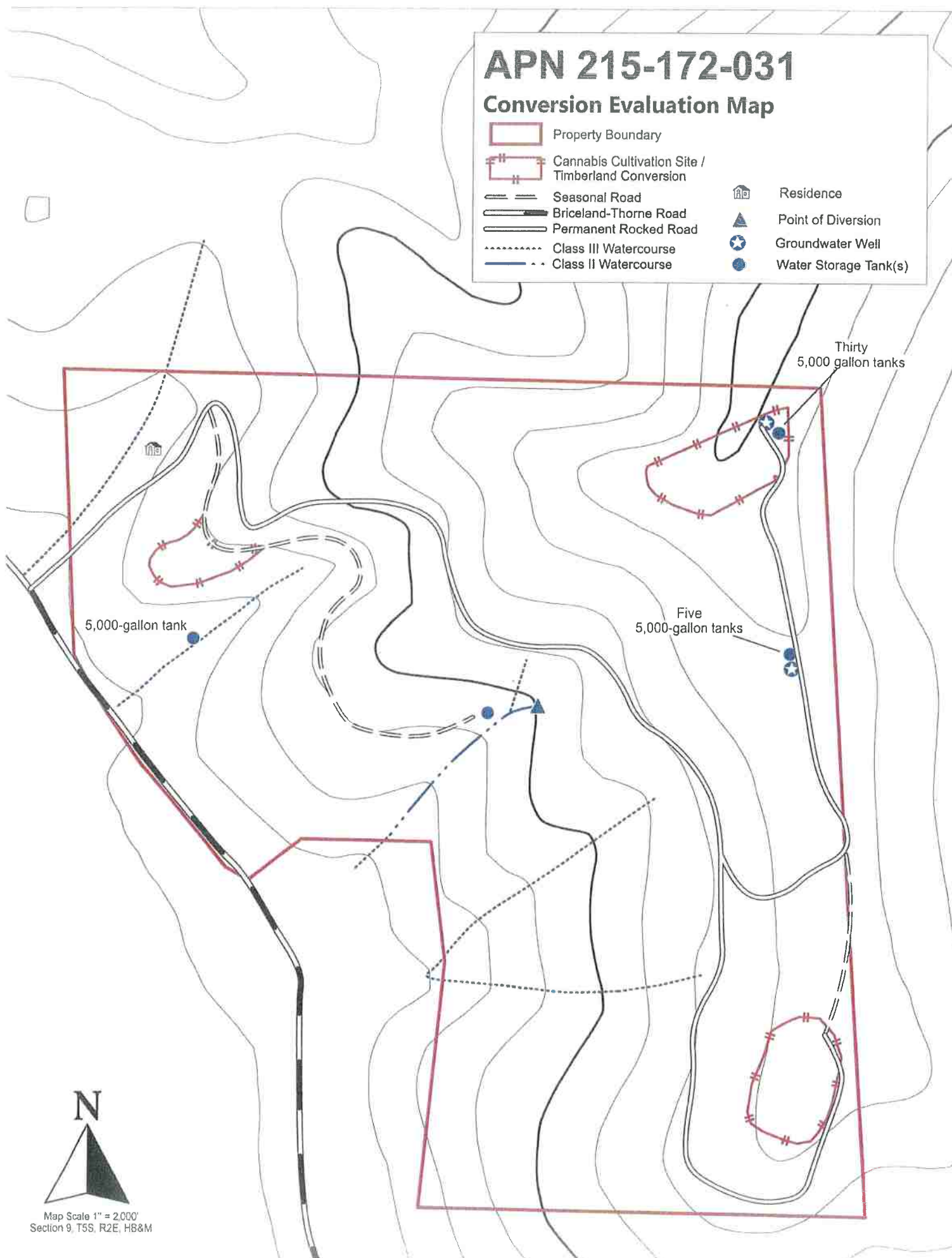
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Section 9, T5S, R2E, HB&M



APN 215-172-031

Conversion Evaluation Map

-  Property Boundary
-  Cannabis Cultivation Site / Timberland Conversion
-  Seasonal Road
-  Briceland-Thorne Road
-  Permanent Rocked Road
-  Class III Watercourse
-  Class II Watercourse
-  Residence
-  Point of Diversion
-  Groundwater Well
-  Water Storage Tank(s)













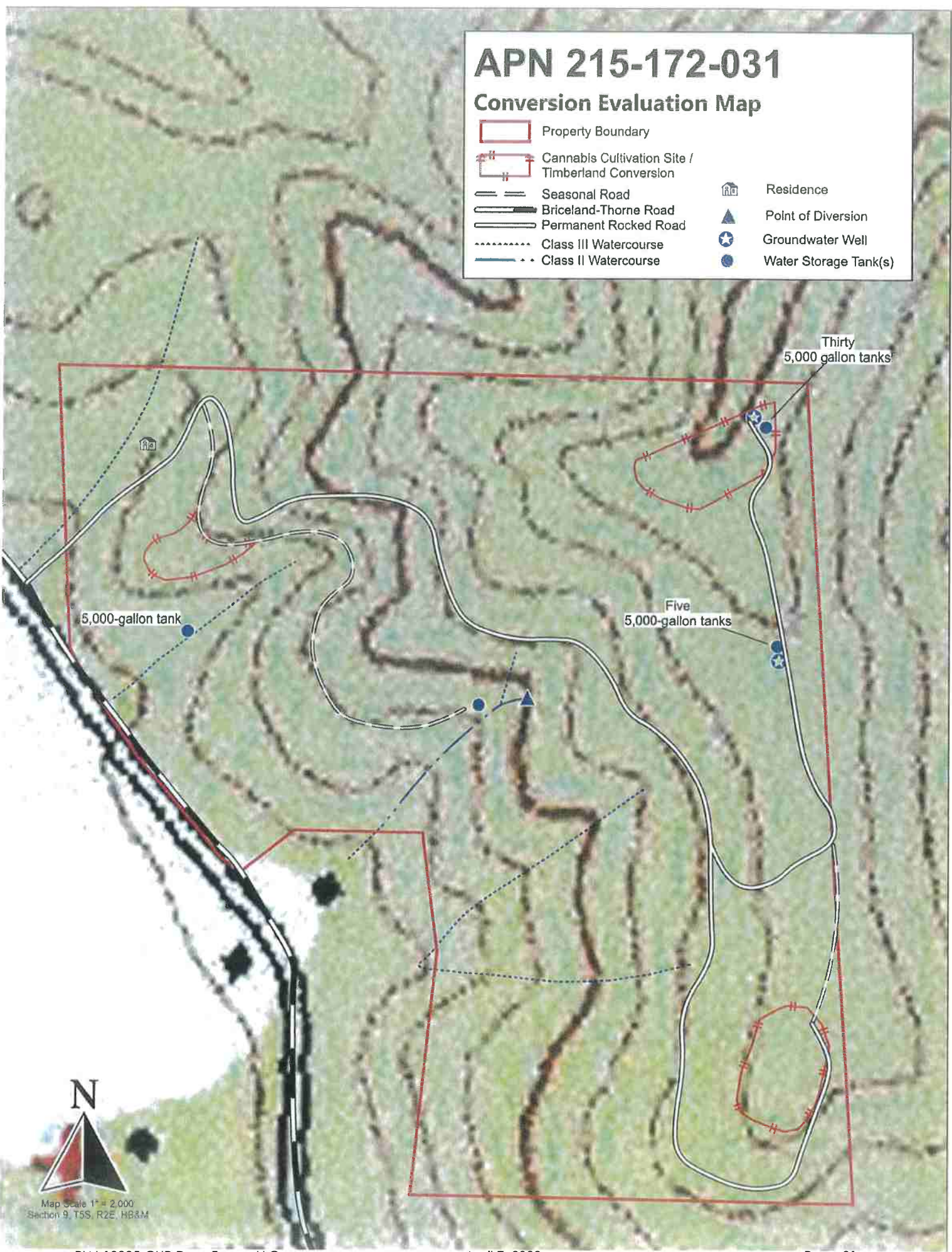
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Map Scale 1" = 2,000'
Section 9, T5S, R2E, H8&M

APN 215-172-031

Conversion Evaluation Map

-  Property Boundary
-  Cannabis Cultivation Site / Timberland Conversion
-  Seasonal Road
-  Briceland-Thorne Road
-  Permanent Rocked Road
-  Class III Watercourse
-  Class II Watercourse
-  Residence
-  Point of Diversion
-  Groundwater Well
-  Water Storage Tank(s)



APN 215-172-031

1998 NAIP DOQ





-  Property Boundary
-  Cannabis Cultivation Site / Timberland Conversion
-  Seasonal Road
-  Briceland-Thorne Road
-  Permanent Rocked Road
-  Class III Watercourse
-  Class II Watercourse
-  Residence
-  Point of Diversion
-  Groundwater Well
-  Water Storage Tank(s)



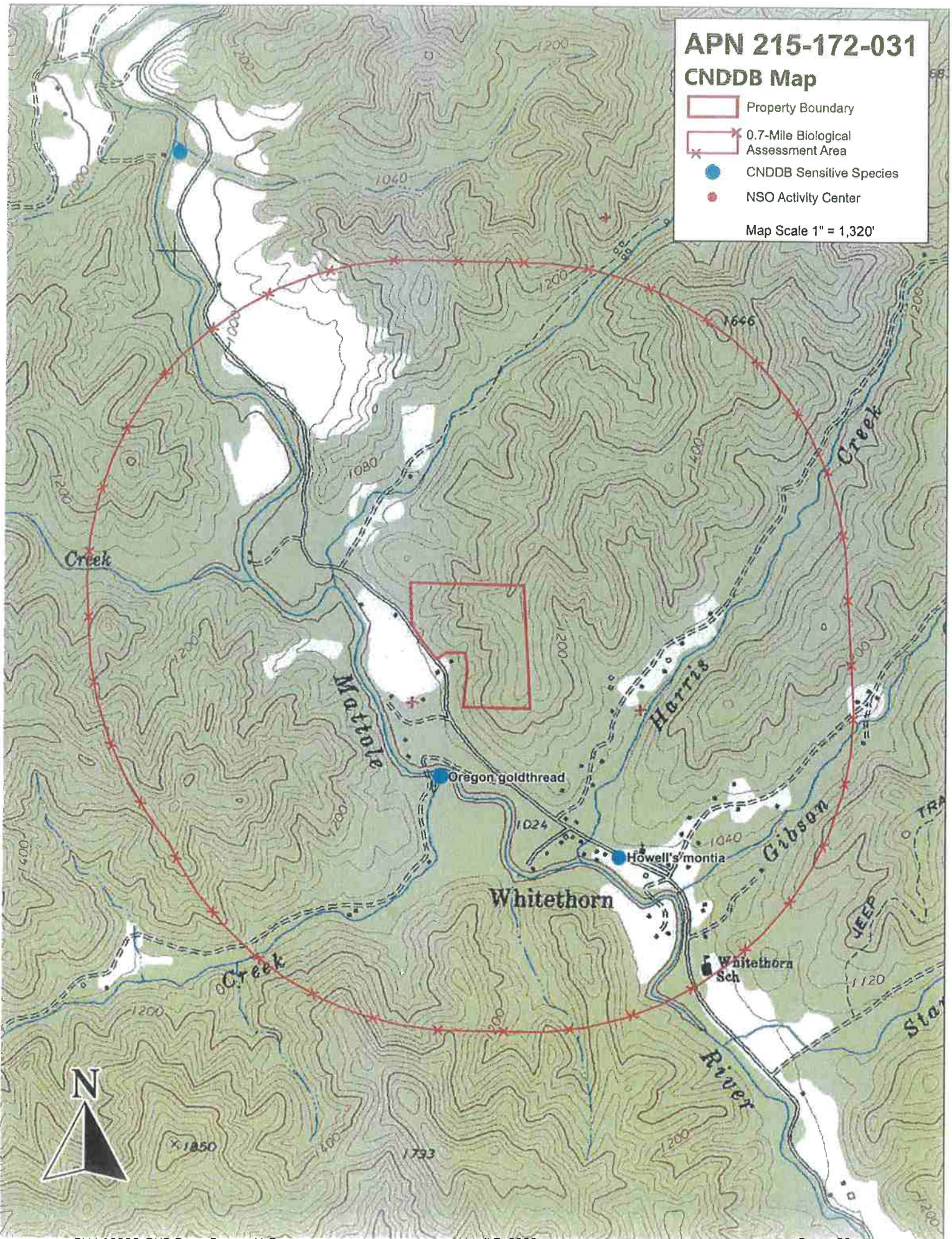
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Map Scale: 1" = 2,000'
Section: 12, T22N, R18E

APN 215-172-031

CNDDDB Map

-  Property Boundary
-  0.7-Mile Biological Assessment Area
-  CNDDDB Sensitive Species
-  NSO Activity Center

Map Scale 1" = 1,320'



ADDITIONAL INFORMATION



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

June 6, 2019

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

Dear Planner,

Re: APN 215-172-031
Application #13225

This letter explains TRC's involvement with the former landowner for the preparation of a Cal Fire Conversion Exemption per 14CCR 1104.1.

The former landowner, Thomas Harwood, hired Registered Professional Forester Chris Carroll of TRC to prepare a conversion exemption within APN 215-172-031 in March 2016. On March 15, 2016, Chris Carroll mapped and flagged the conversion boundary with "TIMBER HARVEST BOUNDARY" flagging in the approximate location shown on the attached "Conversion Exemption Map". This field work included property-wide mapping of all roads, watercourses, old log landings, and other natural features to satisfy the mapping required by the Forest Practice Rules. Please note that the attached map is based upon conditions observed by the RPF in March 2016.

At some time in the near future (April 2016 based upon my recollection) Thomas Harwood requested that I stop working on the conversion exemption for APN 215-172-031. On August 5, 2016, Chris Carroll re-visited the site to begin preparation of the CDFW 1600 Notification and observed that two of the existing log landings, as shown on the attached "Conversion Exemption Map", had been enlarged to their present size and configuration as depicted on the attached "WRPP Map". The balance of the conversion exemption area that I mapped and flagged was not harvested.




Sincerely,



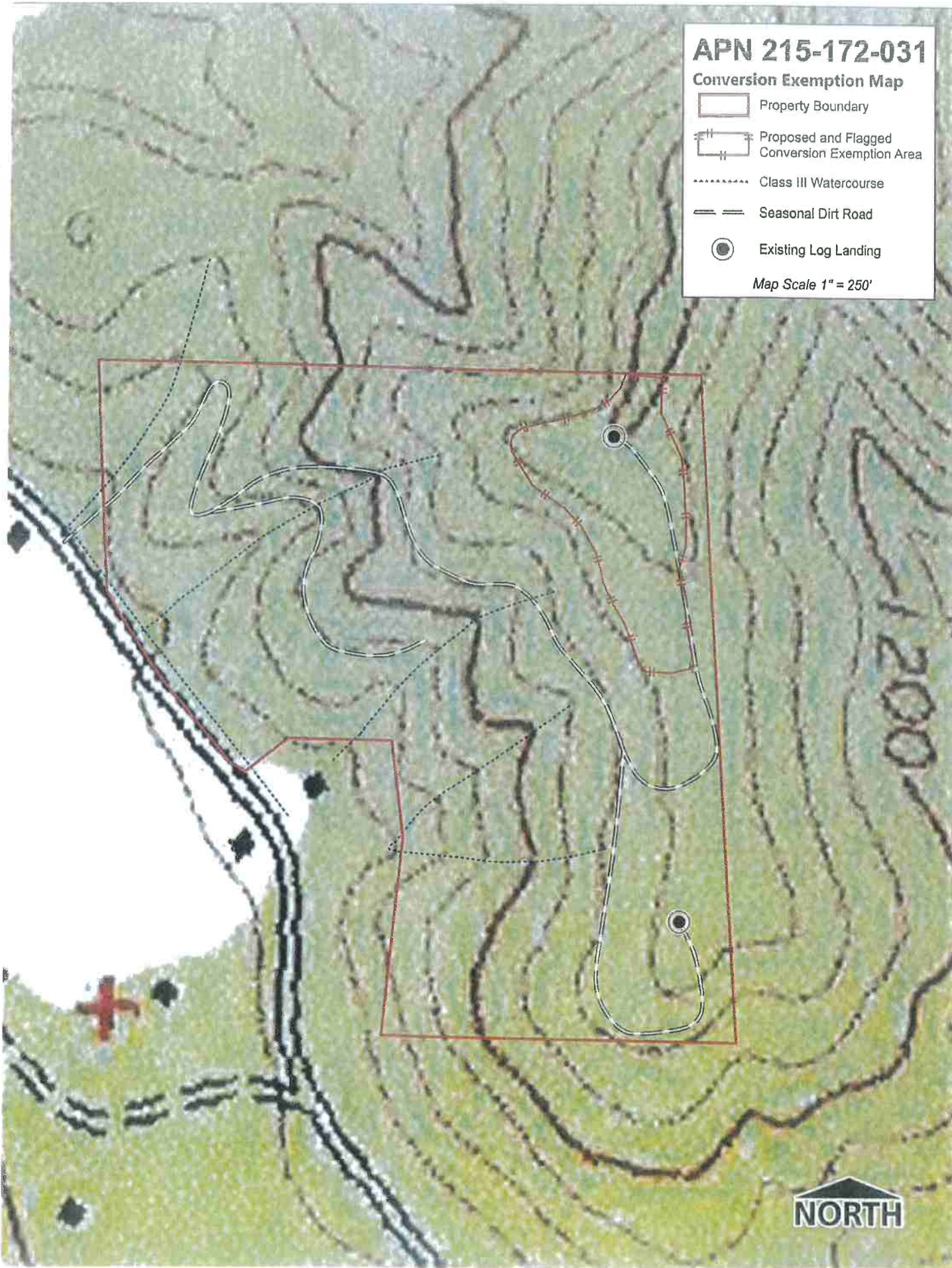
Chris Carroll, RPF #2628
Timberland Resource Consultants

APN 215-172-031

Conversion Exemption Map









-  Property Boundary
-  Proposed and Flagged Conversion Exemption Area
-  Class III Watercourse
-  Seasonal Dirt Road
-  Existing Log Landing






Map Scale 1" = 250'



Water Resource Protection Plan

Site Map [180101070202TRC70]

-  Property Boundary
-  Road Point
-  Cultivation Site
-  Legacy Cultivation Site
-  County Road
-  Seasonal Road
-  Map Point
-  House

-  Well
-  Water Storage
-  Point of Diversion
-  Class III Watercourse
-  County Road Ditch



Timberland Resource Consultants
Map Created 9/1/2016

A Homeowner's Guide to Sudden Oak Death

A plant disease commonly called Sudden Oak Death is threatening coastal forests in California and Oregon. Currently found in coastal California counties from Monterey to Humboldt and in a small portion of southwest Oregon, the disease is caused by the pathogen *Phytophthora ramorum* (pronounced Fi-TOFF-thor-ra ra-MOR-um). Sudden Oak Death has resulted in the death of millions of tanoak and coast live oak trees. In addition, more than 35 other plant species are susceptible to the pathogen, yet most of these species suffer only minor damage, limited to leaf spots or twig dieback. Though Sudden Oak Death is a forest disease, it is common in urban-wildland interface areas, so it presents many challenges for homeowners. This guide addresses homeowner concerns, including diagnosing infected trees, disposing of contaminated material, and understanding treatment options that are available.

What is the connection between Sudden Oak Death and nursery plants?

Many common horticultural plants are hosts for *Phytophthora ramorum*; consequently, nurseries in California, other states, and other countries, have found the pathogen on their plants. Plants are shipped all across the country, but they are strictly regulated. All *P. ramorum* host plants in California's regulated counties must be inspected and approved prior to shipment out of the regulated area. Nevertheless, carefully inspect the leaves of host plants for symptoms before making a purchase, and refrain from planting these horticultural hosts near susceptible oaks in your yard.

Because *P. ramorum* may be spread through the movement of infested soil and plant materials, State and federal regulations are in place to control the potential spread of the pathogen to uninfested areas. *P. ramorum* host species plant material is regulated by the California Department of Food and Agriculture (CDFA) and the U.S. Department of Agriculture, Animal and Plant Health Inspection Service (USDA-APHIS). Quarantine regulations are in place for the infested counties, and before moving susceptible plant material out of the regulated area, you must contact your Agricultural Commissioner for a permit.

If my oak tree has Sudden Oak Death, what are the chances it will die?

There is no way to determine if an individual tree will live or die after contracting Sudden Oak Death. Each tree responds differently to infection: experience tells us that it is rare for a tree pathogen to kill all of the trees it infects. Depending on a number of factors, some trees may never become infected, some may become infected and survive for various lengths of time, and others may become infected and die quickly. Because Sudden Oak Death is a relatively new disease in California, it will take time to determine just how likely different outcomes are for different tree species. Initial observations tell us that once infected, tanoak has a high probability of being killed by *P. ramorum*, but some individuals are still likely to survive. Coast live oaks appear to have a lower probability of being killed, though many have been killed by the disease. There is little mortality information on California black oak at this time, so it is difficult to predict how this tree species will fare.



Hosts, Symptoms, & Diagnosis

Phytophthora ramorum affects different species in different ways. It can be lethal to tanoak, coast live oak, California black oak, Shreve oak, canyon live oak, and madrone saplings, while it may cause only a minor leaf or needle disease for other hosts such as California bay laurel, coast redwood, and Douglas-fir. The list of species and varieties known to be susceptible to this plant pathogen continues to grow; check suddenoakdeath.org for the latest updated host list.

How can I confirm that my oak tree has Sudden Oak Death?

Because other organisms and injuries can produce symptoms on oaks that look similar to Sudden Oak Death, homeowners will not be able to diagnose their trees by themselves with absolute certainty. However, there are some steps that can help you determine if *Phytophthora ramorum* is likely.

- (1) Determine if your oak tree is a susceptible species. To date, Sudden Oak Death has only been found on the following tree species in California: tanoak, coast live oak, Shreve oak, canyon live oak, and California black oak. Of these, tanoak is the species most likely to be killed.
- (2) Determine if you are in an infested area. Check the Sudden Oak Death mapping and monitoring site or contact staff in your local County Extension, Agricultural Commissioner, or California Department of Forestry and Fire Protection (CDF) offices. If you are outside of an infested area, your tree could still be infected with *Phytophthora ramorum*, but it would be less likely.
- (3) Compare the symptoms of Sudden Oak Death with those on your oak tree. Check other susceptible tree and shrub species nearby. Do they have leafspots or other symptoms of *P. ramorum*? California bay laurel is the best indicator of the risk and presence of the disease. Photos of symptoms on oaks, California bay laurel, and other hosts can be found at suddenoakdeath.org.

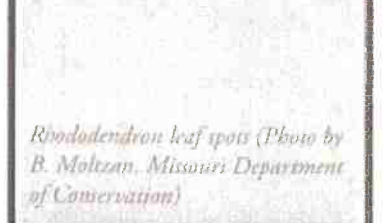
The probability that your tree is infected with *Phytophthora ramorum* will be greater if your tree is a susceptible species, exhibits typical symptoms, and is located in an infested area where other trees and plants are showing symptoms. Although positive confirmation can only be done through laboratory testing, diagnosis of *Phytophthora ramorum* based on visual symptoms can justify taking preventative action if you live in a generally infested area. If you ask a tree care professional to make such a judgment, determine what training or qualifications enable them to do this.



Bleeding cankers on a coast live oak trunk (Photo by Matteo Carbelatto, University of California, Berkeley)



Bleeding cankers on a tanoak trunk (Photo by Pavel Svitina, UC Cooperative Extension)



Rhododendron leaf spots (Photo by B. Moltzan, Missouri Department of Conservation)



(Left) California bay laurel showing leaf spots typical of *P. ramorum* (Photo by Bruce Moltzan, Missouri Department of Conservation)
(Right) California bay laurel leaf spots (Photo by Matteo Carbelatto, University of California, Berkeley)



Treatments: A phosphonate compound is registered as a preventative treatment for *Phytophthora ramorum*, for use on individual, high-value tanoak and oak trees. This treatment is NOT a cure, but can help protect trees from infection, as well as suppress disease progression in very early infections. However, fungicide treatment of *P. ramorum*-infected trees is not always appropriate. Trees with advanced symptoms cannot be saved.

The phosphonate compound may be injected or mixed with a surfactant and sprayed on the trunk for absorption through bark. The optimal treatment routine for coast live oaks calls for two applications the first year followed by one application annually thereafter. It is recommended to treat in either the fall then spring, or spring then fall the first year. Follow up treatments should be only in the fall annually (avoid treatments when temperatures are very low). If risk is minimal, meaning low abundance of infections or host species in the area, follow up treatments can be bi-annual.

Since the treatment must be made to healthy trees, and the pathogen's distribution and activity is patchy and somewhat unpredictable, it is difficult to determine which trees need to be treated. Generally, you should treat healthy, high-value oak or tanoak trees within 150ft of other infested plants. You may want to treat healthy, high-value oaks or tanoaks if they are surrounded by healthy California bay laurel and there are known infections between 150ft and 1000ft away. Treatment is NOT recommended in areas where infested plants are not already present. Although these treatments are best used as a preventative approach, it may be possible to prolong the life of trees already infected by *P. ramorum*. Research results indicate that treatments are effective only if trees are treated within the first two months of infection. Treatment of trees having displayed symptoms for six months or longer is not recommended.

Exactly how the pathogen spreads to oak trees is unknown, but it is suspected that neighboring non-oak host plants may be a source of infection for oak trees. However, because this relationship is poorly understood, large-scale removal of non-oak host plants is not being recommended as a way to prevent disease spread. Currently, it may be best to plant non-*Phytophthora ramorum* hosts under or adjacent to oak trees. Rhododendron, for example, is a commonly planted ornamental that is a host for *P. ramorum*, and it is possible that an infested rhododendron could infect a nearby oak. Additionally, the summer watering necessary to keep lawns and non-native ornamental shrubs, such as camellias, alive under an oak tree severely predisposes the oak to other diseases.

The use of insecticides to prevent *P. ramorum* infection is unjustified and without merit. However, the treatment of individual, high-value landscape trees displaying early bleeding symptoms of Sudden Oak Death may be justified to control damage from secondary bark beetle attacks. If an insecticide is to be used, apply it only if the disease is not at an advanced stage and realize it may only prolong the life of the tree for a relatively short period of time.

Tree Removal: A tree with Sudden Oak Death needs to be considered and treated differently than a tree without the disease, but the disease alone is not justification for removing a tree. Current information indicates that non-oak foliar hosts contribute the most to disease spread, so removing infected oak trees will probably have little or no impact on local disease levels and spread. However, an important consideration with respect to any tree is whether or not it presents a hazard to life or property. All trees present some hazard, depending on the tree's structural integrity and its potential to do harm should it fail or portions break off. Preliminary research has shown that trees infected or killed by *P. ramorum* are prone to rapid decay and unpredictable failure. Green infected trees, as well as trees already dead from *P. ramorum* and/or secondary pests, are at increased risk of trunk and limb breakage.

Who should I hire to treat my trees?

The COMTF has held many training sessions for tree care professionals in California. A list of those training participants can be found on the COMTF website. Go to suddenoakdeath.org to find a professional in your area who has attended a general diagnostic training session or a training session on applying the registered preventative chemical treatment. While they have been trained, it is still important to ask for references, as well as to interview the arborist and applicator to see if they are up-to-date on the latest *Phytophthora ramorum* management strategies.

The decision to remove a hazardous tree ultimately lies with the property owner. In order to get an objective assessment of hazardous conditions, contact a certified arborist or other qualified professional. Any dead tree has an increased risk of failure, but even dead trees have value, and if there is not a risk to life or property, consider leaving it standing. Standing dead trees provide important wildlife habitat, and after they fall and decay, they are a source of nutrients to be recycled into the soil.

Always consult regulatory officials regarding local tree ordinances before deciding to remove trees. Experienced tree service technicians should conduct tree felling, as infected trees may have an abundance of structural wood decay. If there is an acute emergency, contact your city arborist, local fire, or police department.

If I have an infected oak tree cut down, what should be done with the wood?

The simplest and best way to deal with infested wood is to leave it on site, chipping the smaller pieces of wood for use as mulch, and splitting the larger pieces of wood for firewood. Do not stack oak firewood next to living oak trees since this can lead to insect attack on the living trees. If the stack must be next to living trees, consider seasoning the logs beneath a tightly sealed, clear plastic tarp to prevent the buildup of destructive insects.

What should be planted to replace a tree that was killed by *Phytophthora ramorum*?

If you want to replant, it is important to choose a plant that will suit your needs and adapt well to the site. There are many resources available that can guide you in making the right choice. Check to see if there are any local ordinances or guidelines that govern tree replacement or planting.

Resistance to *P. ramorum* in oak trees is just beginning to be explored. Resistant planting stock is not available at this time, nor is it known if it will ever be available. If you want to replant the same species of tree that was lost, there is a risk that the new tree may also suffer from the disease. If you have space for replanting many trees, consider replanting the same species in combination with other trees that don't get the disease. Thus, if some trees are lost to *P. ramorum* there will still be other trees that survive. Coast live oaks do not seem to be infected by *P. ramorum* until they reach about 4" in diameter, so new trees should be immune for a number of years, and high value trees can be treated if necessary once they reach a susceptible age. Species in the white oak group such as valley oak, Garry oak, and blue oak are not susceptible to *P. ramorum*.

Many common ornamental plants, such as rhododendrons, azaleas, and camellias, are also known hosts of *P. ramorum*. These plants not only can host spores that may infect oak trees, but their watering requirements are vastly different than those of California native oaks. We do not recommend planting these species under or near native oaks.

If infected wood is removed from your property, make sure it is utilized or disposed of in a way that does not spread the disease. Avoid leaving wood next to roads where it could be picked up and transported off-site by unauthorized parties. Regulations prohibit the movement of host plants and plant parts out of the quarantined area. If you have infected trees cut down, make sure the wood and other tree parts are not moved outside of the quarantine area.

Debris Disposal:

Disposal of infested material is extremely important because branches, twigs, and leaves from California bay laurel, rhododendron and other host plants may harbor *P. ramorum*, even after they are removed from the plant. If infested plant debris

or infected live plants are moved, they may inadvertently transfer the pathogen to uninfested areas. Unfortunately, *P. ramorum* has been present in many areas of coastal California for a decade or longer, making complete eradication impossible. In infested areas, the best option is to leave infested material on site, chipping the small material (for use as ground cover) and using larger pieces for firewood. Composting can also successfully kill the pathogen, but the compost must reach temperatures that are probably not possible or practical in a home composting site. Since inoculum levels are already thought to be high, leaving the additional inoculum from the infested plant material on site will not significantly worsen the local disease conditions. Plant debris removal from the property is only recommended if it is the first infected tree to be detected in the area, or if fire risk is high.



DEPARTMENT OF PUBLIC WORKS
COUNTY OF HUMBOLDT

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

ARCATA-EUREKA AIRPORT TERMINAL
McKINLEYVILLE
FAX 839-3596

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

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

AVIATION 839-5401

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

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

LAND USE 445-7205

ROAD EVALUATION REPORT INSTRUCTIONS

PURPOSE: The *Road Evaluation Report* is intended as a way for an applicant to document the condition of the access road(s) serving the subject property for cannabis projects that require a Conditional Use Permit (CUP), Special Permit (SP), or Zoning Clearance Certificate (ZCC). This report is not intended to be used for any other type of Planning & Building Department permit application. This will enable Public Works staff to determine if the existing roadway network [excluding on-site driveway(s)] is suitable to accommodate the proposed use on the subject property.

In rural areas, a category 4 road is usually adequate for most uses. If the road is paved and has a centerline stripe it is considered by the Department to be a category 4 road. In urban and suburban areas, the road may also need to accommodate other road users (pedestrians, bicycles, equestrians, etc.). When roads meet or exceed this standard, the roadways can typically accommodate increased traffic. This evaluation is accomplished by the applicant completing Part A of the *Road Evaluation Report*.

When the roadways do not meet a category 4 standard, there is a question that road may not be able to accommodate traffic from the proposed use. The goal is to evaluate roads that do not meet road category 4 standards in order to determine if the roads can accommodate increased traffic. This evaluation is accomplished by the applicants engineer completing Part B of the *Road Evaluation Report*.

In lieu of constructing road improvements to meet a category 4 road standard, the Department may approve a *Neighborhood Traffic Management Plan*. A neighborhood traffic management plan may include (but is not limited) the following elements: restricting the times that project traffic will use the road to off-peak hours; combining trips to reduce the volume of project traffic; carpooling to reduce the volume of project traffic; the use of signs and CB radios to coordinate traffic using the road(s); etc. The Department's criteria for approving a *Neighborhood Traffic Management Plan* is based upon site specific conditions; sound engineering judgment; the proposed ADT and DHV of the roads; the need to accommodate other road users (pedestrians, bicycles, equestrians, and other cannabis projects using the road, etc.); and the frequency and quantity of traffic associated with the proposed use. The applicant's Civil Engineer can address this in Part B of the *Road Evaluation Report*.

There may be other cannabis projects that use the same access road(s) as your project. Part B of the *Road Evaluation Report* needs to address the cumulative impacts from your project and all other cannabis projects that will also use the same road(s). There may be benefits of applicants collectively working together with one engineer to complete the *Road Evaluation Reports* for all of the projects.

(continued on next page)

REFERENCES:

- Humboldt County *Road Design Manual*, Chapter 7, Design Standards for Roadway Categories.
- American Association of State Highway and Transportation Officials (AASHTO) *Guidelines for Geometric Design of Very Low-Volume Local Roads (ADT ≤400)*.
- American Association of State Highway and Transportation Officials (AASHTO) *A Policy on Geometric Design of Highways and Streets (AKA "Green Book")*
- Institute of Transportation Engineers (ITE) *Trip Generation*

INSTRUCTIONS: The *Road Evaluation Report* consists of two parts. The first part (Part A) may be completed by the applicant. If the second part (Part B) is needed, it must be completed by a Civil Engineer licensed by the State of California. The .pdf version of this document provides fields that can be filled in.

A separate *Road Evaluation Report* is required for each road. **Save Time: before completing these forms consult with the Land Use Division at 707.445.7205 to make sure you are evaluating all of the necessary roads for your project; that other cannabis projects in the vicinity have been included; and to make sure that you understand what is needed.**

Special instructions to the applicant's Civil Engineer in completing Part B:

- Engineer will need to contact the Department for a list of other cannabis projects that may be using all or some of the same roads in the roadway network.
- Engineer will need to determine which of these projects utilize the roads within the same roadway network by personally reviewing the cannabis project applications at the Planning & Building Department. Many of the cannabis project applications are incomplete; therefore the engineer may need to directly contact other applicants to determine how these other cannabis projects will utilize the roads in question.
- Engineer may propose a master plan in which any required roadway improvements are incrementally divided among several cannabis projects. However, the master plan must be designed so that improvements to the road(s) will be adequate when constructed incrementally.

// END //

HUMBOLDT COUNTY DEPARTMENT OF PUBLIC WORKS
ROAD EVALUATION REPORT

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

Applicant Name: Dare Farms, LLC APN: 215-172-031

Planning & Building Department Case/File No.: 13225

Road Name: Briceland-Thorne Road (complete a separate form for each road)

From Road (Cross street): _____

To Road (Cross street): _____

Length of road segment: 0 (County Frontage) miles Date Inspected: 3/10/2021

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

Check one of the following:

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

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

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

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

The statements in PART A are true and correct and have been made by me after personally inspecting and measuring the road. A map showing the location and limits of the road being evaluated in PART A is attached.

Jose Arellano

Signature

03 / 19 / 2021

Date

Jose C. Arellano Sanchez

Name Printed

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

PART B: Only complete Part B if Box 3 is checked in Part A. Part B is to be completed by a Civil Engineer licensed by the State of California. Complete a separate form for each road.

Road Name: _____ Date Inspected: _____ APN: _____
 From Road: _____ (Post Mile _____) Planning & Building
 To Road: _____ (Post Mile _____) Department Case/File No.: _____

1. What is the Average Daily Traffic (ADT) of the road (including other known cannabis projects)?

Number of other known cannabis projects included in ADT calculations:
 (Contact the Planning & Building Department for information on other nearby projects.) _____

ADT: _____ Date(s) measured: _____

Method used to measure ADT: Counters Estimated using ITE Trip Generation Book

Is the ADT of the road less than 400? Yes No

If YES, then the road is considered very low volume and shall comply with the design standards outlined in the American Association of State Highway and Transportation Officials (AASHTO) *Guidelines for Geometric Design of Very Low-Volume Local Roads (ADT ≤400)*. Complete sections 2 and 3 below.

If NO, then the road shall be reviewed per the applicable policies for the design of local roads and streets presented in AASHTO *A Policy on Geometric Design of Highways and Streets*, commonly known as the "Green Book". Complete section 3 below.

2. Identify site specific safety problems with the road that include, but are not limited to: (Refer to Chapter 3 in AASHTO *Guidelines for Geometric Design of Very Low-Volume Local Roads (ADT ≤400)* for guidance.)

A. Pattern of curve related crashes.

Check one: No. Yes, see attached sheet for Post Mile (PM) locations.

B. Physical evidence of curve problems such as skid marks, scarred trees, or scarred utility poles

Check one: No. Yes, see attached sheet for PM locations.

C. Substantial edge rutting or encroachment.

Check one: No. Yes, see attached sheet for PM locations.

D. History of complaints from residents or law enforcement.

Check one: No. Yes (check if written documentation is attached)

E. Measured or known speed substantially higher than the design speed of the road (20+ MPH higher)

Check one: No. Yes.

F. Need for turn-outs.

Check one: No. Yes, see attached sheet for PM locations.

3. Conclusions/Recommendations per AASHTO. Check one:

The roadway can accommodate the cumulative increased traffic from this project and all known cannabis projects identified above.

The roadway can accommodate the cumulative increased traffic from this project and all known cannabis projects identified above, if the recommendations on the attached report are done. (check if a *Neighborhood Traffic Management Plan* is also required and is attached.)

The roadway cannot accommodate increased traffic from the proposed use. It is not possible to address increased traffic.

A map showing the location and limits of the road being evaluated in PART B is attached. The statements in PART B are true and correct and have been made by me after personally evaluating the road.



Signature of Civil Engineer _____

Date _____

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

TITLE	Road Evaluation Report Form
FILE NAME	2021.03.10 Road Eval Jose unsigned.pdf
DOCUMENT ID	3126ca7c235ea128707781b339c004fecb539e72
AUDIT TRAIL DATE FORMAT	MM / DD / YYYY
STATUS	● Completed

Document History

 SENT	03 / 10 / 2021 17:48:07 UTC	Sent for signature to Jose Arellano Sanchez (jarellano4720@gmail.com) from office@rainzepplaw.com IP: 24.156.46.116
 VIEWED	03 / 19 / 2021 17:40:20 UTC	Viewed by Jose Arellano Sanchez (jarellano4720@gmail.com) IP: 47.208.145.187
 SIGNED	03 / 19 / 2021 17:40:39 UTC	Signed by Jose Arellano Sanchez (jarellano4720@gmail.com) IP: 47.208.145.187
 COMPLETED	03 / 19 / 2021 17:40:39 UTC	The document has been completed.

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
Building Inspection Division		No response	
Division Environmental Health	✓	Conditional Approval	Attached
Public Works, Land Use Division	✓	Conditional Approval	Attached
CalFIRE	✓	Additional Information Requested	Attached
California Department of Fish & Wildlife		No response	
Northwest Information Center	✓	Further Study	On file- confidential
Bear River Band of Rohnerville Rancheria			
Intertribal Sinkyone Wilderness Council		No response	
Humboldt County Sheriff	✓	Other comments	On file
Humboldt County Agricultural Commissioner		No response	
Humboldt County District Attorney		No response	
North Coast Unified Air Quality Management District		No response	
North Coast Regional Water Quality Control Board		No response	
State Water Resources Control Board – Division of Water Rights		No response	

PLN-13225-CUP

Dare Farms LLC - C...
The applicant is see...

STATUS

> Staff Report
02/28/2022 by A...

LOCATION

> 15796 Briceland-...
Whitethorn, CA 9...

CONTACT

> Nate Madsen

WORKFLOW

> 18 total Task
● 7 completed ...

- Summary
- Project Description
- Workflow
- 1 Referral Assignments
- 2 Planning Information
- 3 GP / Zoning Information
- 4 CEQA
- 5 Cannabis
- Project Tracking
- 6 Referral Task Log (2)

Cancel
Help

<p>Task Environmental Health</p> <p>Assigned to Department Environmental Health</p> <p>Action by Department Environmental Health</p> <p>Start Time</p> <p>Billable No</p>	<p>Due Date 04/18/2021</p> <p>Assigned to Joey Whittlesey</p> <p>Action By Joey Whittlesey</p> <p>End Time</p> <p>Overtime No</p> <p>Est. Completion Date</p>	<p>Assigned Date 04/08/2021</p> <p>Status Approved with Conditions</p> <p>Status Date 04/08/2021</p> <p>Hours Spent 0.0</p> <p>Comments DEH has no record of the two wells proposed as the source of water. Owner shall either provide evidence of permits, destroy the wells, legalize the wells through installation of a new sanitary surface seal, or provide compelling evidence that the wells were installed prior to February, 1973.</p> <p>Processing activities must be supported by an approved onsite wastewater treatment system. Seasonal/outdoor cultivation sites may be supported by portable toilets. Applicant must obtain a permit for, and install, an approved onsite wastewater treatment system to support the processing location and either install approved septic systems or provide portable toilets to cultivation areas.</p> <p>In Possession Time (hrs)</p>
<p>Time Tracking Start Date Est. Completion Date In Possession Time (hrs)</p> <p>Display E-mail Address in ACA <input type="checkbox"/> Display Comment in ACA <input checked="" type="checkbox"/> Comment Display in ACA <input checked="" type="checkbox"/></p> <p>No All ACA Users</p>		



DEPARTMENT OF PUBLIC WORKS
C O U N T Y O F H U M B O L D T

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

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

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

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

LAND USE DIVISION INTEROFFICE MEMORANDUM

TO: Chris Alberts, Planner, Planning & Building Department

FROM: Kenneth M. Freed, Assistant Engineer 

DATE: 04/23/2021

RE:

Applicant Name	DARE FARMS LLC
APN	215-172-031
APPS#	PLN-13225-CUP

The Department has reviewed the above project and has the following comments:

- The Department's recommended conditions of approval are attached as **Exhibit "A"**.
- Additional information identified on **Exhibit "B"** is required before the Department can review the project. **Please re-refer the project to the Department when all of the requested information has been provided.**
- Additional review is required by Planning & Building staff for the items on **Exhibit "C"**. **No re-refer is required.**
- Road Evaluation Reports(s)* are required; See **Exhibit "D"**

Note: Prior to requesting an applicant to submit a road evaluation report, verify if the project is exempt from meeting road system performance standards under CCLUO v2.0 sections 313-55.4.6.5.1 and 314-55.4.6.5.1, even if this box is checked.

No re-refer is required.

*Note: Exhibits are attached as necessary.

Additional comments/notes:

// END //

Public Works Recommended Conditions of Approval

(All checked boxes apply)

APPS # 13225

COUNTY ROADS- PROXIMITY OF FARMS:

Applicant is advised that County maintained roads may generate dust and other impacts to farm(s). Applicant shall locate their farm(s) in areas not subject to these impacts. Applicant shall be responsible for protecting their farm(s) against these impacts. Applicant shall hold the County harmless from these impacts. Applicant is advised that a paved road may not always remain paved and Applicant shall locate their farms appropriately. Applicant is advised that the amount of traffic on a road will vary over time which may increase or decrease the impacts.

COUNTY ROADS- FENCES & ENCROACHMENTS:

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

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

COUNTY ROADS- DRIVEWAY (PART 1):

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

COUNTY ROADS- DRIVEWAY (PART 2):

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

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

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

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

COUNTY ROADS- DRIVEWAY (PART 3):

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

COUNTY ROADS-PARKING LOT- STORM WATER RUNOFF:

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

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

COUNTY ROADS- DRIVEWAY & PRIVATE ROAD INTERSECTION VISIBILITY:

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

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

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

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

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

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

COUNTY ROADS- ROAD EVALUATION REPORT(S):

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

// END //

13225

Application Number

215-172-031

Key APN

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:

AP# 13225
APN 215-172-031

CALFIRE cannot support this project. Illegal conversion has occurred on the subject property.

It appears from the airphoto that trees were removed between 2016/2018. A CALFIRE harvest document should have been obtained prior to removing the trees. More information is required for a proper evaluation. A Registered Professional Forester may be required to advise the landowner of necessary permits from CALFIRE.

Date:

Name:

Battalion Chief Comments:

Summary: