



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 Zoning Administrator

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

Subject: **Benbow Valley Ranch Farms, LLC Special Permit**
Record Number PLN-11916-SP
Assessor's Parcel Number (APN) 223-044-010
3655 US Highway 101, Benbow area

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Please contact Jordan Mayor, Contract Planner, at 707-683-4711 or by email at jordan.mayor@icf.com, if you have any questions about the scheduled public hearing item.

AGENDA ITEM TRANSMITTAL

Hearing Date April 7, 2022	Subject Special Permit	Contact Jordan Mayor
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Project Description: Benbow Valley Ranch Farms, LLC seeks a Special Permit for an existing 10,000-square-foot (SF) mixed-light cannabis cultivation operation. All cannabis will be grown in three greenhouses that total 9,600 SF consolidated to one location per California Department of Fish and Wildlife recommendation. Three cultivation locations are to be retired and remediated. The additional 400 SF of permitted cultivation area would be used to bring 1,000 SF of ancillary propagation up to 1,200 SF in a fourth greenhouse and an additional 200 SF of clone propagation would occur in the drying room. There is a maximum of three mixed-light harvests annually. Processing activities including drying, curing, and trimming would be performed onsite in an existing 2,000-SF drying facility and 260-SF processing building. The estimated projected water use for the project is approximately 235,425 gallons (23 gallons/SF/year). All irrigation water is derived from a 1,466,329-gallon rainwater catchment pond and hard storage filled by the catchment pond. Up to three seasonal employees or contractors may be required during cannabis processing. Power for the project for the short term would be provided by a diesel generator. The applicant is proposing to install a solar system consisting of 30 1,000-watt photovoltaic panels and three Tesla batteries to power the project in the near future if Pacific Gas and Electric Company power should not be available.

Project Location: The project is located in Humboldt County, in the Benbow area, on the east side of US Highway 101, approximately 0.7 mile north from the intersection of Benbow Drive and US Highway 101, and approximately 2 miles south from the intersection of US Highway 101 and a private drive on the property known as 3655 US Highway 101, Benbow.

Present Plan Land Use Designations: Timberland (T) Density: 40-160 acres per dwelling unit, Slope Stability: Moderate Instability (2)

Present Zoning: TPZ (Timber Production Zone)

Record Number: PLN-11916-SP

Assessor's Parcel Number: 223-044-010

Applicant

Benbow Valley Ranch Farms, LLC.
Raycho Buhlev
1555 West St. Concord, CA 94521

Co-Owners

Bow Howard
PO Box 909, Garberville, CA
Mer Realty, LLC
3621 West 32 Ave, Seattle, WA 98119

Agents

ETA Humboldt
PO Box 147
Phillipsville, CA 95559

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

Recommended Zoning Administrator Action

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

Find that the Commission has considered the Addendum to the adopted Mitigated Negative Declaration (MND) for the Commercial Medical Marijuana Land Use Ordinance (CMMLUO) as described by Section 15164 of the State California Environmental Quality Act (CEQA) Guidelines, make all of the required findings for approval of the Special Permit and adopt the Resolution approving Benbow Valley Ranch Farms, LLC Special Permit as recommended by staff subject to the recommended conditions.

Executive Summary: Benbow Valley Ranch Farms, LLC seeks a Special Permit for an existing 10,000-square-foot (SF) mixed-light cannabis cultivation operation. All cannabis will be grown in three greenhouses that total to 9,600 SF on a single graded flat on the 300-acre parcel. The additional 400 SF of permitted cultivation area would be used to bring ancillary propagation up from 1,000 SF (10% of cultivation amount) to 1,200 SF in a fourth greenhouse and an additional 200 SF of clone propagation in the drying room. There is a maximum of three mixed-light harvests annually and natural prime agricultural soils and amendments are used. Processing activities including drying, curing, and trimming would be performed onsite in an existing 2,000-SF drying facility and 260-SF processing building. Up to three seasonal employees or contractors may be required during cannabis processing.

Three cultivation locations are to be retired and remediated from the 300-acre parcel and all cultivation consolidated to one location per California Department of Fish and Wildlife (CDFW) recommendation based on a site inspection on June 6, 2019. The applicant has revised the site plan to show the consolidated cultivation greenhouses and appurtenant structures, and residence located in a single flat area on the eastern edge of the parcel. In addition, the project will be removing three 3,000-gallon water tanks from above decommissioned historic cultivation areas and moving them 200 feet to a more stable area above the cultivation site due to an ongoing slow landslide. All structures will be permitted, and the retired cultivation areas remediated as a condition of approval (COAs #6 and #7).

Power for the project in the near term would be provided by a 400-kilowatt diesel generator used to power greenhouse lighting. A second 70-kilowatt generator powers pumps, atomizer, fans, dehumidifiers, trimming machines, etc., and daily domestic purposes in an existing residence. A third 320-kilowatt generator serves as backup. All diesel generators will be registered with the North Coast Unified Air Quality Management District as a condition of approval (COA #8). The applicant details that approximately 1,813 hours/year of generator time are used for cannabis operations and 2,310 hours/year for domestic uses in an Energy Generation and Consumption Plan prepared in October 2021 (**Attachment 3**). The applicant is proposing to install an alternative energy electrical system by the end of 2025 in the form of a Pacific Gas and Electric Company (PG&E) power drop (application in preparation) or a solar system consisting of 30 1,000-watt photovoltaic panels and three Tesla batteries; this requirement for transitioning to sustainable fuel sources within 4 years has been made a condition of approval (COA #9). Following the PG&E or solar transition, only a single generator will remain onsite as emergency backup power.

Based on comments received from the Department of Environmental Health, processing is required to be conducted offsite at a licensed processing facility until there is a permitted onsite wastewater treatment system (OWTS) the subject parcel. As a result, portable restrooms and handwashing stations must be provided for cultivation workers until it is demonstrated the existing OWTS is sufficient to meet the needs for the one employee working onsite during peak operations as a condition of approval (COA #10).

The project site is located in the South Fork Eel Planning Watershed, which under Resolution 18-43 is limited to 730 permits and 251 acres of cultivation. With the approval of this project, the total number of approved permits in this Planning Watershed would be 294, and the total approved acres of cultivation would be 80.08.

Water Resources

The primary irrigation water source is a 1,466,392-gallon rainwater catchment reservoir pond constructed in 2018 toward the bottom of the property, as detailed on the Grading, Drainage, and Erosion Control Plan diagrams provided by Omsberg & Preston, dated 11/13/18 (**Attachment 3**). Irrigation water use is detailed in a revised Water Irrigation and Storage Plan provided by the applicant on 1/31/22. The estimated projected water use for the project is approximately 235,425 gallons (23 gallons/SF/year); an additional 74,500 gallons is used for domestic purposes. A point of diversion with a documented water right H502329 and a 140-foot permitted well (20/21-0531) are used for domestic sources only. There are currently 15 high-density polyethylene (HDPE) water storage tanks on the project site: one 4,800-gallon tank filled from the spring diversion for firefighting use, one 3,200-gallon tank filled from the spring or well for domestic use, and thirteen 3,200-gallon tanks, some of which filled from the spring diversion outside of the forbearance period for domestic use, and from the pond during the summer forbearance period for irrigation use. All water irrigation sources (hard tank, pond, POD) will be monitored separately from domestic use as a condition of approval (COA #11) and in accordance with State Water Board policy. Cannabis cultivation would employ drip irrigation to prevent runoff from watering. The California Division of Water Rights has approved the project and verified the applicant has a water right certificate (H502329).

A Notification of a Lake or Streambed Alteration was submitted to the California Department of Fish and Wildlife (CDFW) (**Attachment 3**) in December 2018 for encroachments on three points of diversion and two Class III stream crossing installations. Adherence to the Final CDFW Notification and delivery to the County has been made a condition of approval (Ongoing Requirements). The applicant has registered with the North Coast Regional Water Quality Control Board (WDID: 1_12C403889) as a Tier 1, low-risk discharger in accordance with the State Water Resources Control Board Cannabis Cultivation Policy. In accordance with this policy, a Site Management Plan (SMP) was prepared by ETA Humboldt to describe how the best practicable treatment and control measures are being implemented property-wide, and to provide a schedule of priority improvements, when necessary. There was only one point of concern on the parcel (unarmored culvert) that will be ameliorated as a condition of approval (COA #12) and the SMP detailed general recommendations and winterization measures that are to be adopted by the project.

Biological Resources

No biological assessment has been prepared for the project. The nearest marbled murrelet mapped critical habitat is approximately 1 mile to the southwest. The nearest northern spotted owl (NSO) activity center is located 0.95 mile west of the consolidated cultivation area. The proposed project is to continue use of existing developed sites and the potential indirect impacts are mitigated through implementation of best management practices. Generators are proposed as primary power until a sustainable power source (PG&E or solar) is installed by the end of 2025 at which point generators will be used for emergency purposes only. Per the applicant, all generators will meet the performance standards for noise set by Department Policy Statement No. 16-005 clarifying CMMLUO Section 55.4.11(o), which requires noise levels be at or below 50 decibels at 100 feet or edge of habitat, whichever is closer. As a result, the project is conditioned to ensure the combination of background, generator, and greenhouse fan or other operational equipment-created noise meets the noise level threshold. Conformance will be evaluated using current auditory disturbance guidance prepared by the United States Fish and Wildlife Service.

The project has been conditioned to ensure supplemental lighting associated with mixed-light cultivation is fully contained with blackout tarps and have all outside lighting on timers or motion sensors to reduce light exposure to wildlife and their potential habitat and avoid heavy equipment operations during the

NSO critical period (February 1–July 31) or perform protocol-level surveys prior to initiating that work. Furthermore, the project is conditioned to adhere to Dark Sky Association standards for greenhouse lighting and security lighting, refrain from using synthetic netting, ensure refuse is contained in wildlife-proof storage and refrain from using anticoagulant rodenticides to further protect wildlife. As proposed and conditioned, the project is consistent with CMMLUO performance standards and CDFW guidance and will not negatively affect NSO or other sensitive species.

Tribal Cultural Resource Coordination

The project was referred to the Northwest Information Center, the Bear River Band of the Rohnerville Rancheria, and the Intertribal Sinkiyone Wilderness Council in August of 2019. The Bear River Band Tribal Historic Preservation Officer requested preparation of a Cultural Resources Report. William Rich and Associates prepared a Cultural Resources Report in January 2022 which determined that no artifacts, features, sites, or other cultural resources were identified during the field survey. The applicant shall abide by the Inadvertent Discovery Protocols as an ongoing condition of approval (COA # **Attachment B, Informational Note #3**). Ongoing conditions of approval are incorporated regarding the Inadvertent Discoveries Protocol to protect cultural resources and tribal cultural resources.

Access

The site is accessed on Reed Mountain Road, a privately maintained road, approximately 2.1 miles from its intersection with Benbow Drive (paved, County-maintained road). A Road Evaluation Report was prepared by the owner on 7/26/2018 indicated the entire road segment (Reed Ranch Road) is developed to the equivalent of a road category 4 standard. Public Works, Land Use Division provided recommended conditions of approval in a letter dated 8/19/20. Comments include: the applicant is advised of potential impacts from dust and other impacts on farms; that all fences and gates are to remain out of the County right-of-way; that any existing or proposed driveways that connect to a County-maintained road shall be paved for a minimum of 50 feet and be maintained in accordance with County Code Section 341-1 (Sight Visibility Ordinance). Meeting the conditions of County Code is made a condition of approval (COA # **13**). A letter from Public Works will satisfy this condition.

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 Special Permit.

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

**RESOLUTION OF THE ZONING ADMINISTRATOR
OF THE COUNTY OF HUMBOLDT
Resolution Number 22-
Record Number PLN-11916-SP
Assessor's Parcel Number: 223-044-010**

Resolution by the Zoning Administrator of the County of Humboldt certifying compliance with the California Environmental Quality Act (CEQA) and conditionally approving Benbow Valley Ranch Farms, LLC, Special Permit.

WHEREAS, Benbow Valley Ranch Farms, LLC submitted an application and evidence in support of approving a Special Permit for the continued operation of an existing 10,000-square-foot (SF) mixed-light cannabis cultivation operation with appurtenant propagation, drying, and processing activities;

WHEREAS, the County as lead agency, prepared an Addendum to 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. 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 Zoning Administrator held a duly-noticed public hearing on **April 7, 2022**, and reviewed, considered, and discussed the application for a Special Permit and reviewed and considered all evidence and testimony presented at the hearing.

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

- 1. FINDING:** **Project Description:** The application is a Special Permit to allow 10,000 SF of existing cannabis cultivation consisting of mixed-light cultivation in three greenhouses on one graded flat. Power is provided by a 400-kilowatt generator until solar power or Pacific Gas and Electric Company (PG&E) power is available. All irrigation water is derived from a 1,466,329-gallon rainwater catchment pond with 41,600 gallons of tank storage filled by the pond..

EVIDENCE: a) Project File: PLN-11916-SP

- 2. FINDING:** **CEQA.** The requirements of CEQA have been complied with. The Humboldt County Zoning Administrator has considered the Addendum to and the MND prepared for the CMMLUO adopted by the Humboldt County Board of Supervisors on January 26, 2016.

EVIDENCE: a) Addendum prepared for the proposed project.
b) The proposed project does not present substantial changes that would require major revisions to the previous MND. 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.
c) A Site Management Plan was prepared by ETA Humboldt to show compliance with the North Coast Regional Water Quality Control Board Order No. 2019-0023.

- d) A Notification of a Lake or Streambed Alteration was submitted to the California Department of Fish and Wildlife in December 2018 for encroachments on three points of diversion and two Class III stream crossing installations.
- e) A Cultural Resources Investigation was prepared by William Rich and Associates in January 2022. A buffer around the entire cultivation area and pond area was surveyed, no cultural resources were found. It was concluded the project will not affect cultural resources. It was also recommended that the inadvertent discovery protocol be followed.
- f) An Energy Generation and Consumption Plan prepared in October 2021 details that the applicant is proposing to install an alternative energy electrical system by the end of 2025 in the form of a PG&E power drop (application in preparation) or a solar system consisting of 30 1,000-watt photovoltaic panels and three Tesla batteries; this requirement for transitioning to sustainable fuel sources within 4 years has been made a condition of approval. Following the PG&E or solar transition, only a single generator will remain onsite as emergency backup power.
- g) A Grading, Drainage, and Erosion Control Plan diagram provided by Omsberg & Preston, dated 11/13/18, details the construction parameters of the installed rainwater catchment pond.
- h) The site is accessed from a 2.1-mile private road (Reed Mountain Drive) from Benbow Drive, a public road. Public Works identified provided recommended conditions of approval addressing fences and encroachments, driveway and private road intersection visibility, and private road intersections as they relate to county roads; these are made conditions of approval.

FINDINGS FOR SPECIAL PERMIT

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

EVIDENCE a) General agriculture is a use type permitted in the Timberlands (T) land use designation. The proposed cannabis cultivation, an agricultural product, is within land planned and zoned for agricultural purposes, consistent with the use of Open Space land for managed production of resources. The use of an agricultural parcel for commercial agriculture is consistent with the Open Space Plan and Open Space Action Program. Therefore, the project is consistent with and complimentary to the Open Space Plan and its Open Space Action Program.

4. FINDING The proposed development is consistent with the purposes of the existing TPZ-Zone in which the site is located.

EVIDENCE a) The TPZ-Zone is applied to areas of the County in which timber production and recreation is the desirable predominant uses and general agriculture is the secondary uses.
 b) All general agricultural uses are principally permitted in the TPZ-Zone.
 c) Humboldt County Code Section 314-55.4.8.2.2 allows cultivation of up to

10,000 SF of cannabis cultivation on a parcel over 1 acre subject to approval of a Special Permit and a determination that the cultivation was in existence prior to January 1, 2016. The application for 10,000 SF of mixed-light cultivation on a 300-acre parcel is consistent with this and with the cultivation area verification prepared by the County.

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 TPZ (Section 314-55.4.8.2.2).
- b) The parcel was created in compliance with all applicable state and local subdivision regulations, and it is a single legal parcel as described in the Notice of Lot Line Adjustment recorded as Document No. 2017-012414.
- c) The project will partially obtain water from a diversionary water source during the allowable winter period for domestic use and from non-diversionary water source (rainwater catchment pond) during the forbearance period. Irrigation water use is detailed in a Water Irrigation and Storage Plan provided by the applicant on 10/10/21 and a revised version provided on 1/31/22. The estimated projected water use for the project is approximately 235,425 gallons (23 gallons/SF/year); an additional 74,500 gallons is used for domestic purposes. The applicant also fills the water storage tanks during the diversion period from the spring diversion for domestic use with a documented water right H502329. A 140-foot permitted well (20/21-0531) provides domestic water only. There are currently thirteen 3,200-gallon tanks filled from the spring diversion during the winter diversion period for domestic use and from the rain catchment pond during summer forbearance for irrigation use.
- d) The site is accessed from a 2.1-mile private road (Reed Mountain Drive) from Benbow Drive, a public road. Public Works identified provided recommended conditions of approval addressing fences and encroachments, driveway and private road intersection visibility, and private road intersections as they relate to county roads; these are made conditions of approval.
- e) The cultivation of cannabis will not result in the net conversion of timberland.
- f) 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 and more than 600 feet from any school, church, public park or tribal cultural resource.

6. FINDING

The cultivation of 10,000 SF of mixed-light cannabis cultivation 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 accessed from a 2.1-mile private road (Reed Mountain Drive) from Benbow Drive, a public road. Public Works identified provided recommended conditions of approval addressing fences and encroachments, driveway and private road intersection visibility, and private road intersections as they relate to county roads; these are made conditions of approval.
- b) The site is in a rural part of the county where the typical parcel size is over 80 acres and many of the land holdings are very large. The proposed cannabis will not be in a location where there is an established neighborhood or other sensitive receptor such as a school, church, park or other use which may be sensitive to cannabis cultivation. Approving cultivation on this site and the other sites which have been approved or are in the application process will

not change the character of the area due to the large parcel sizes in the area.

- c) The project will obtain water for irrigation from a non-diversionary water source.
- d) Provisions have been made in the applicant's proposal to protect water quality and thus runoff to adjacent property and infiltration of water to groundwater resources will not be affected.

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

EVIDENCE a) The parcel was not included in the housing inventory of Humboldt County's 2019 Housing Element but does 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.

8. 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 that may be approved in each of the County's Planning Watersheds.

EVIDENCE a) The project site is located in the South Fork Eel Planning Watershed, which under Resolution 18-43 is limited to 730 permits and 251 acres of cultivation. With the approval of this project, the total approved permits in this Planning Watershed would be 294 permits, and the total approved acres would be 80.08.

DECISION

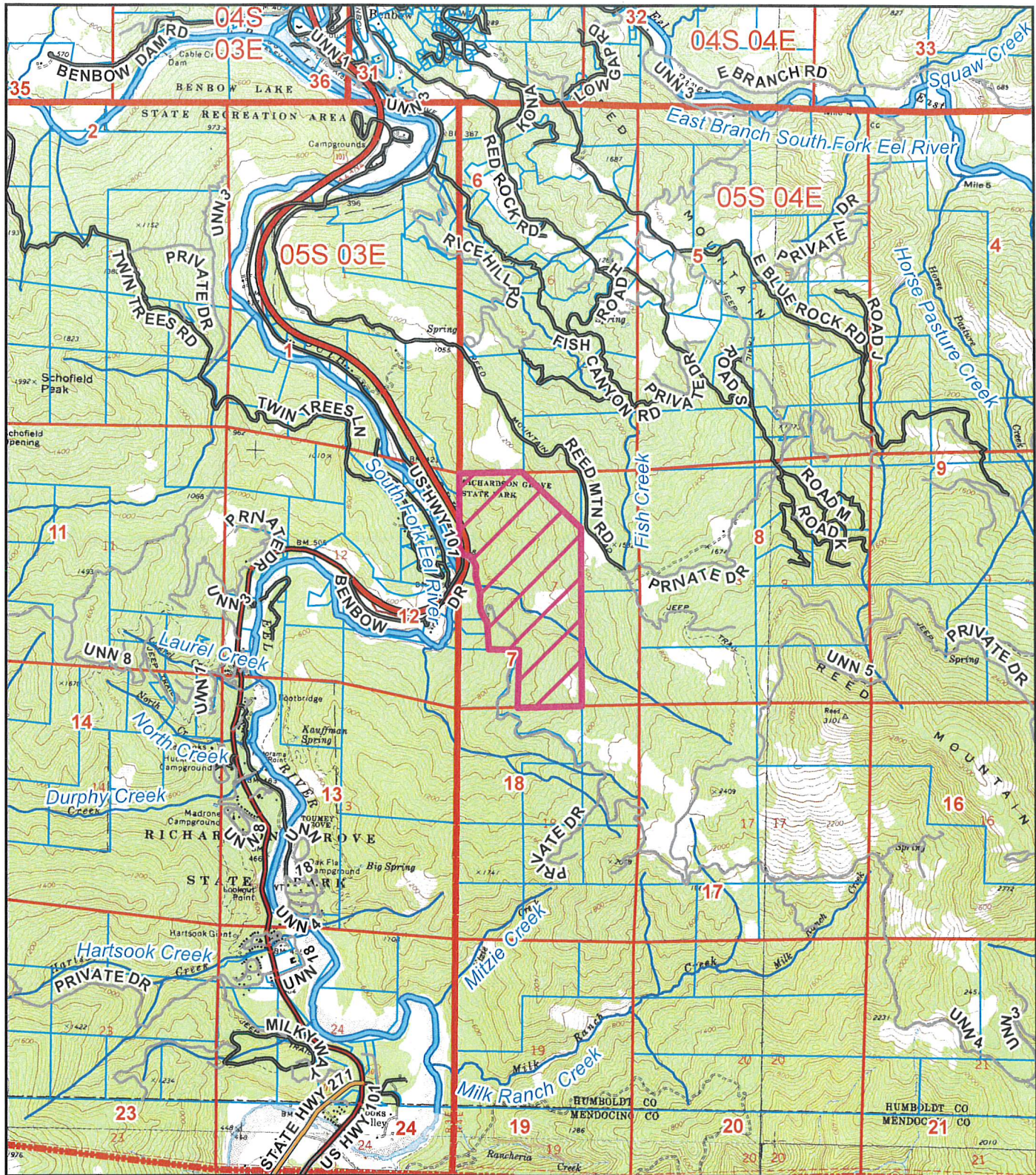
NOW, THEREFORE, based on the above findings and evidence, the Humboldt County Zoning Administrator does hereby:


- Adopt the findings set forth in this resolution; and
- Conditionally approves the Special Permit for Benbow Valley Ranch 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**.

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

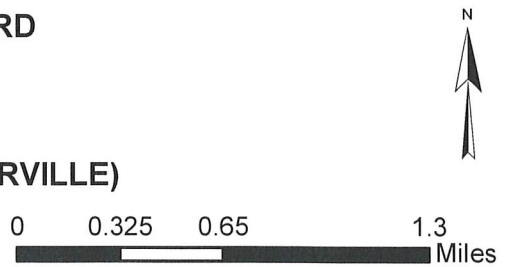
John Ford, Director
Planning and Building Department

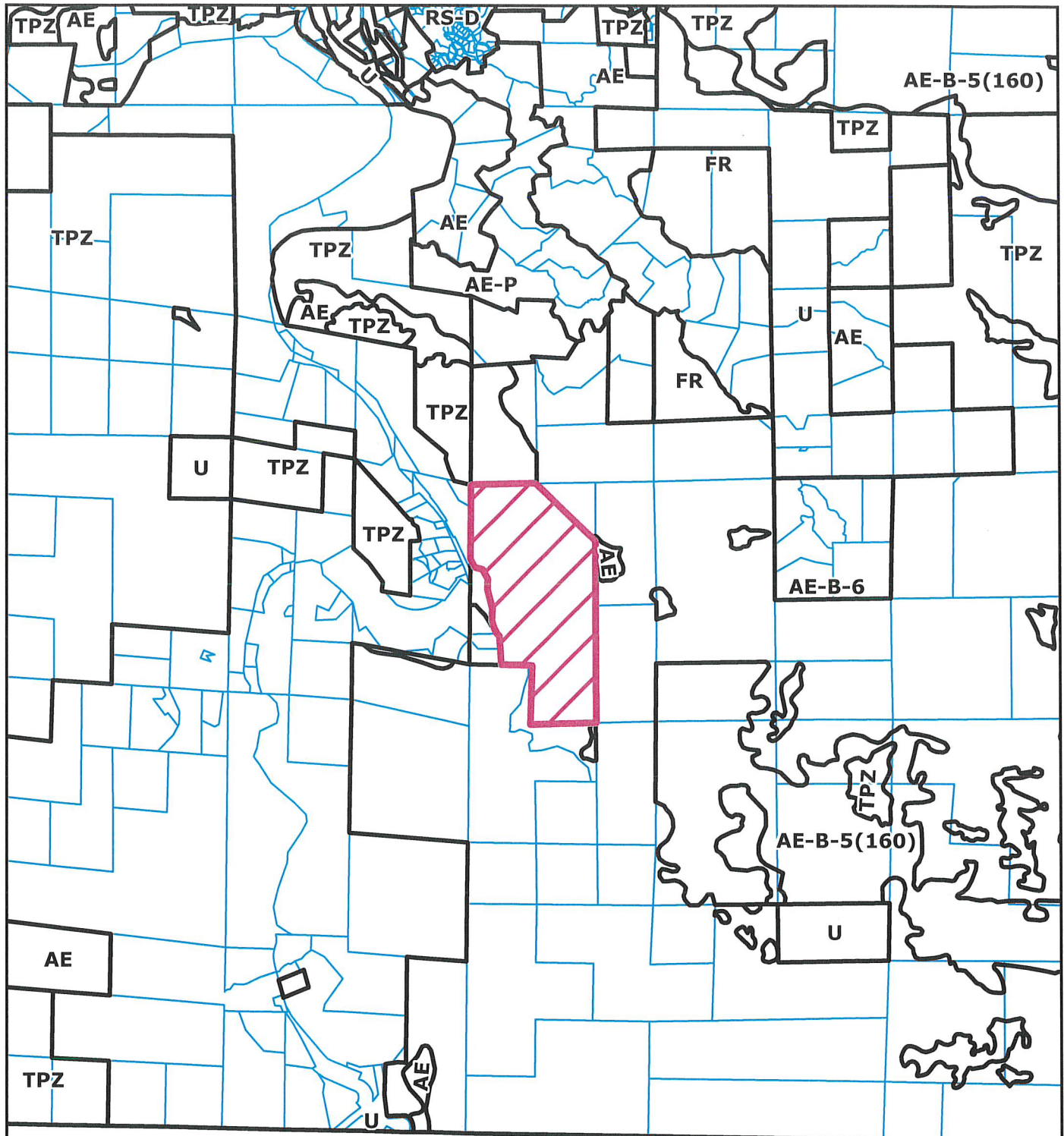


Project Area = 

**TOPO MAP
PROPOSED BOB HOWARD
BENBOW AREA
SP-16-346
APN: 223-044-003-000
T05S R04E S7 HB&M (GARBERVILLE)**

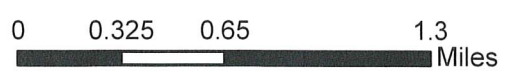
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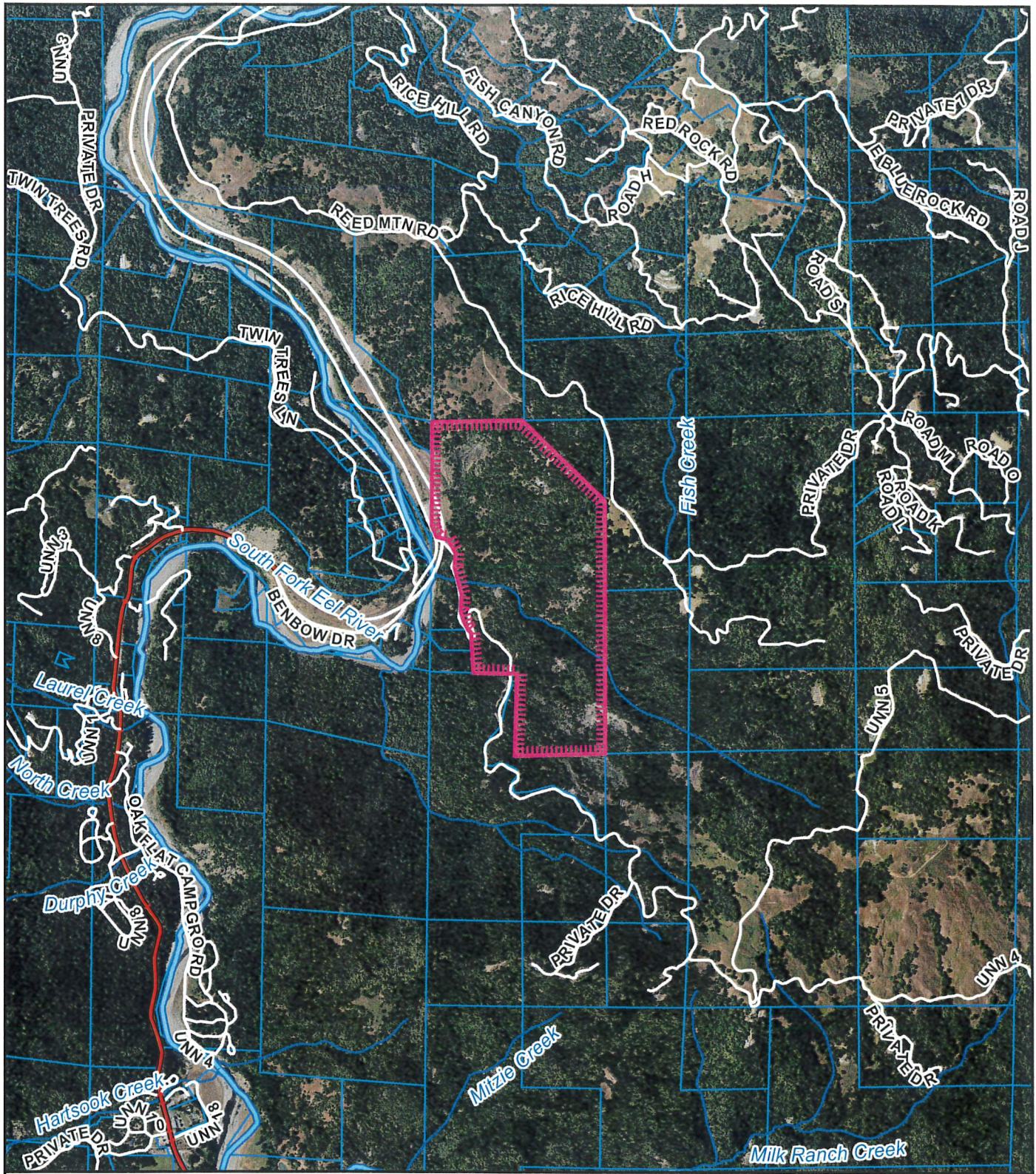


ZONING MAP
PROPOSED BOB HOWARD
BENBOW AREA
SP-16-346
APN: 223-044-003-000
T05S R04E S7 HB&M (GARBERVILLE)


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.



**AERIAL MAP
PROPOSED BOB HOWARD
BENBOW AREA
SP-16-346
APN: 223-044-003-000
T05S R04E S7 HB&M (GARBERVILLE)**

Project Area = 

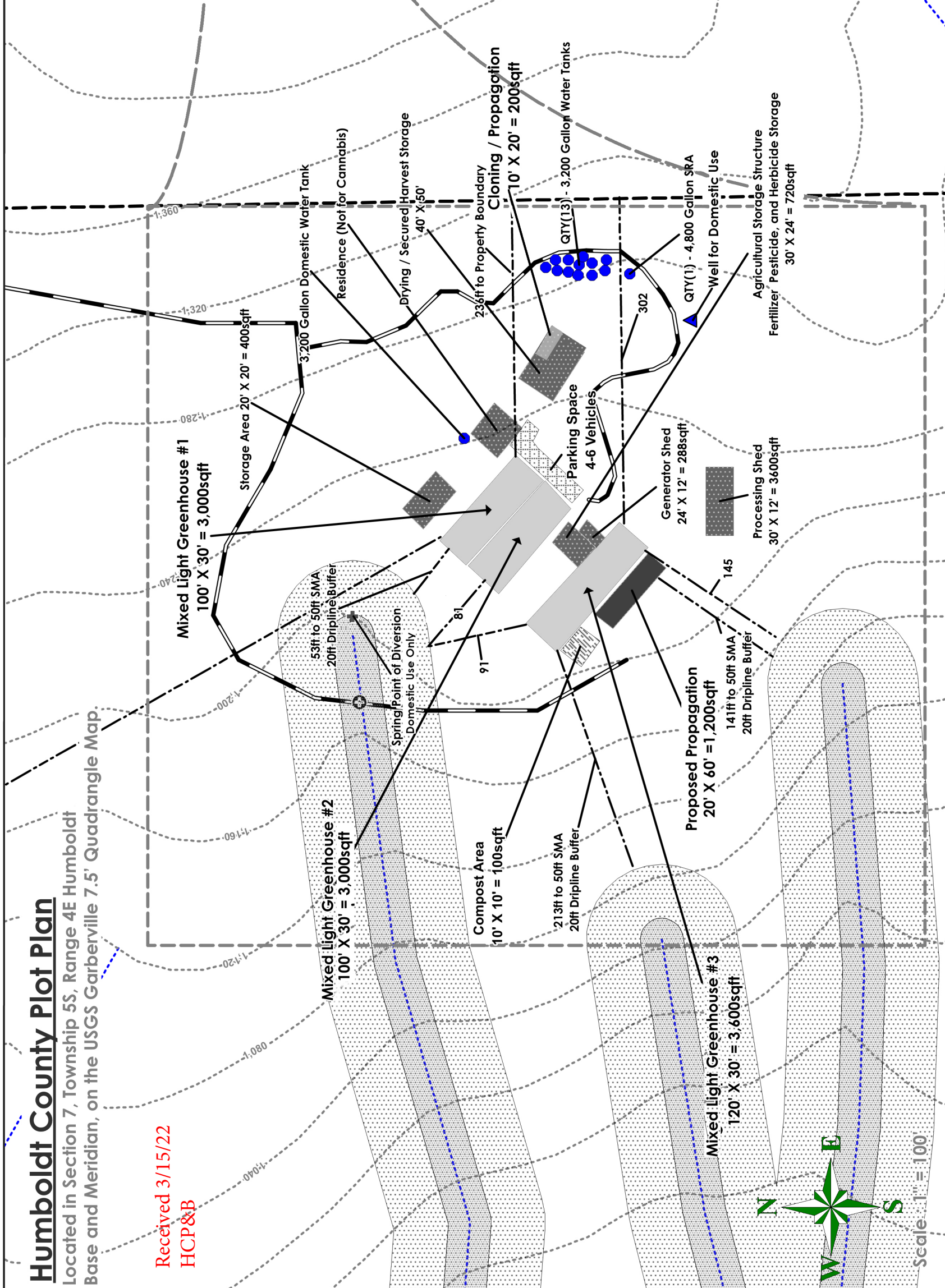
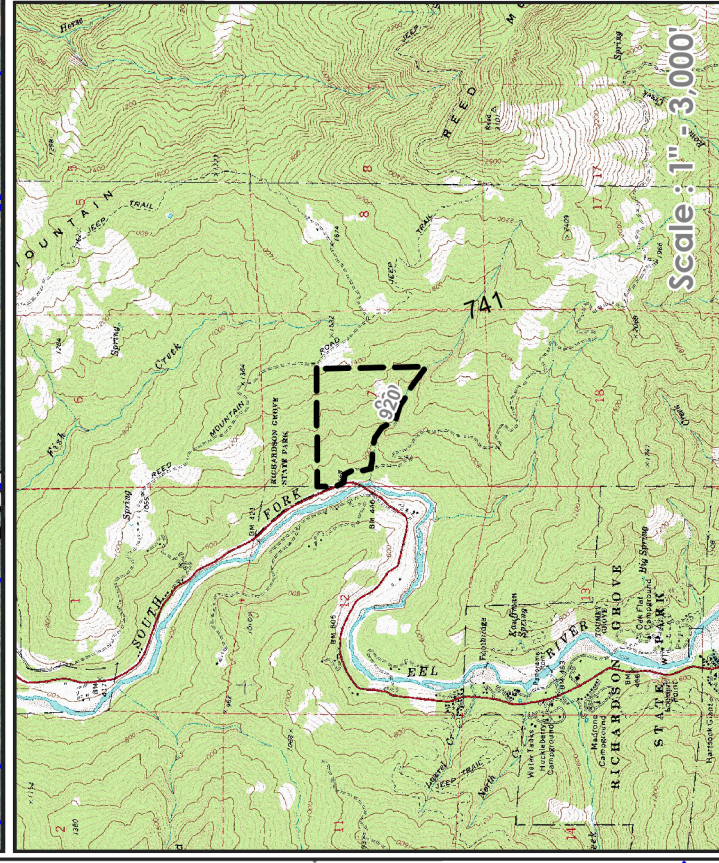
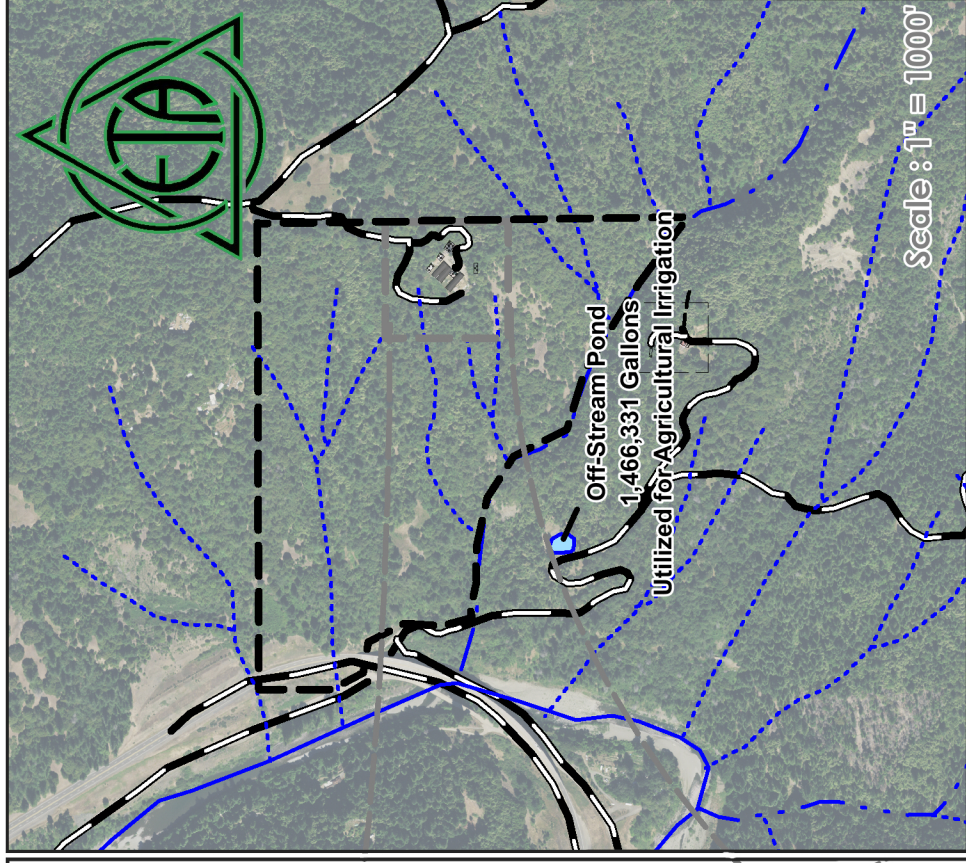

 0 1,000 2,000 4,000
 Feet

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.

Humboldt County Plot Plan

Located in Section 7, Township 5S, Range 4E Humboldt Base and Meridian, on the USGS Garberville 7.5' Quadrangle Map

Received 3/15/22
HCP&B



Benbow Valley Ranch Farms		Cultivation Area		Cultivation Area Dimensions		Property Information		Project Information	
APN : 223-044-010	Property Boundary	Existing Cultivation Area	Proposed Cultivation Area	Stream Management Area	Existing Cultivation Area = 9,600sqft	Proposed Cultivation Area = 400qft (To be used as Propagation)	Proposed Propagation = 1,000sqft	County:HUMBOLDT, CA	County - 11916
	Structure	Pond	Premise	Measurement	Mixed Light Greenhouse #1 : 30' X 100' = 3,000sqft	Mixed Light Greenhouse #2 : 30' X 100' = 3,000qft	Mixed Light Greenhouse #3 : 30' X 120' = 3,000sqft	Parcel # (APN):223-044-010-000	WDID - 1_12CC403889
	Topographic 40ft. Interval	Watercourse	Well	Proposed Cloning/ Propagation Room : 10' X 20' =200sqft	Proposed Propagation : 20' X 60' = 1,200sqft	Proposed Cloning/ Propagation Room : 10' X 20' =200sqft		Parcel Status:ACTIVE	DWR - S028006
		Spring Point of Diversion	Water Tank					Owner Name:Benbow Valley Ranch Farm	SUIR - H502329
		Watercourse Crossing						Mailing Address:3621 32ND AVE W	
								SEATTLE WA 98119	

ATTACHMENT 1

RECOMMENDED CONDITIONS OF APPROVAL

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

A. General Conditions

1. The applicant is responsible for obtaining all necessary County and State permits and licenses, and for meeting all requirements set forth by other regulatory agencies.
2. The applicant is required to pay for permit processing on a time and material basis as set forth in the schedule of fees and charges as adopted by ordinance of the Humboldt County Board of Supervisors. The Planning and Building Department will provide a bill to the applicant after the decision. Any and all outstanding planning fees to cover the processing of the application to decision by the Hearing Officer shall be paid to the Humboldt County Planning Division, 3015 "H" Street, Eureka.
3. The Applicant is responsible for costs for post-approval review for determining project conformance with conditions. A deposit is collected to cover this staff review. Permit conformance with conditions must be demonstrated prior to release of building permit or initiation of use and at time of annual inspection. A conformance review deposit as set forth in the schedule of fees and charges as adopted by ordinance of the Humboldt County Board of Supervisors (currently \$750) shall be paid within 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 #13. 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 and proposed 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. The approved building plans shall meet all applicable fire codes, including fire suppression infrastructure requirements deemed necessary for the project by the Building Inspection Division. Sign-off on the Occupancy Permit by the Building Division shall satisfy this requirement.
8. All diesel generators will be registered, if necessary, with the North Coast Unified Air Quality Management District as Stationary Sources. Furnishing the operating permits or correspondence shall satisfy this condition.

9. The applicant shall install an alternative energy electrical system by the end of 2025 (4 years from 2022 permit) as either a Pacific Gas & Electric Company power drop or a photovoltaic panel array combined with storage sufficient storage batteries or alternative power generation sources (micro-hydro, etc.) capable of supporting the mixed-light cultivation activities (artificial lights, dehumidifiers, fans, trimming machines) under anticipated loads.
10. Per the Division of Environmental Health (DEH) referral comments dated 8/28/19, the applicant must demonstrate that a properly functioning onsite wastewater treatment system serves the operation. This can be accomplished by either installing a new, permitted septic system or by providing DEH with an assessment of the existing system performed by a qualified professional engineer, geologist, soil scientist, or Registered Environmental Health Specialist that certifies that the existing system complies with the Regional Water Quality Control Board (RWQCB) definition of a Tier 0 system—not impairing groundwater or surface water resources. A letter or similar communication from DEH verifying that all its requirements have been met will satisfy this condition.
11. The applicant shall install water monitoring device on each source—the surface diversion if/when utilized, the rain catchment pond, and storage tanks as applicable—to monitor water used for cannabis irrigation sperate from domestic use.
12. The applicant shall implement all corrective actions detailed in the Site Management Plan prepared for the site in October 2021 by ETA Humboldt to evaluate if the site met the standard conditions of compliance pursuant to Tier 1 enrollment under the State Water Resources Control Board (SWRCB) Cannabis Cultivation Policy. The applicant shall implement the recommended mitigation measures, including armoring of the unarmored culvert. A letter or similar communication from the SWRCB verifying that all their requirements have been met will satisfy this condition.
13. The applicant shall implement all corrective actions detailed in the referral response from Public Works. These include:
 - a. The need for any fences, gates, or other materials to be relocated out of the County right-of-way such that vehicles will not block traffic when staging to open/close the gate.
 - b. In addition, the applicant’s driveways and private road intersections onto the County Road shall be maintained in accordance with County Code Section 341-1 (Sight Visibility Ordinance), and any of the applicant’s existing or proposed non-County-maintained access roads that will serve as access for the proposed project that connect to the County-maintained road shall be improved to current standards for a commercial driveway.
 - c. 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 interests the county road. A letter or similar communication from Public Works verifying that all their requirements have been met will satisfy this condition.
14. The applicant shall be compliant with the County of Humboldt's Certified Unified Program Agency 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.
15. 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 Humboldt County Code 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 as required to meet the performance standards for noise set by Department Policy Statement No. 16-005 clarifying Commercial Medical Marijuana Land Use Ordinance (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 States Fish and Wildlife Service, and further consultation where necessary. A building permit shall be obtained should any structures be necessary for noise attenuation.
2. The light source used in the nursery greenhouse shall comply with the International Dark Sky Association standards for Lighting Zone 0 and Lighting Zone 1, and be designed to regulate light spillage onto neighboring properties resulting from backlight, upright, or glare. Should the Humboldt County Planning Division receive complaints that the lighting is out of alignment or not complying with these standards, within 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 has been repaired, inspected and corrected as necessary.
3. Should the Humboldt County Planning Division receive complaints that the lighting or noise is not complying with the standards listed above in items B.1. and B.2., within 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. Ensure all generators and fuel be located on stable surfaces with secondary containment and with a minimum 200-foot buffer from all waterways measured horizontally from the outer edge of the riparian drip zone.
5. Prohibition on use of synthetic netting. To minimize the risk of wildlife entrapment, Permittee shall not use any erosion control 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.
6. All refuse shall be contained in wildlife-proof storage containers, at all times, and disposed of at an authorized waste management facility.
7. Should any wildlife be encountered during work activities, the wildlife shall not be disturbed and be allowed to leave the work site unharmed.
8. The use of anticoagulant rodenticide is prohibited.
9. 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 the Medicinal and Adult-Use Cannabis Regulation and Safety Act (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 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 1 year of issuance of the provisional clearance or permit. If good faith effort toward compliance can be shown within the 2 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 SWRCB 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 or 2 certification with North Coast RWQCB Order No. R1-2019-0023, 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.
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, if applicable.
19. Consent to an annual onsite 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. Pay all applicable application, review for conformance with conditions and annual inspection fees.
22. 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 program, and in such a way that no spillage occurs.
23. The master log books maintained by the applicant to track production and sales shall be maintained for inspection by the County.

24. 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

25. Pursuant to Business and Professions Code section 26051.5(a)(8), 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."
26. 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).
27. 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.
28. 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;
 - (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. Onsite housing provided to employees shall comply with all applicable federal, state, and local laws and regulations.
29. 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. Onsite housing, if any

30. Term of Commercial Cannabis Activity Special Permit. Any Commercial Cannabis Cultivation Special Permit issued pursuant to the CMMLUO shall expire 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.
31. 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 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 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.
32. 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.
33. 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.
34. 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.
35. 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 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 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 1 year after all appeal periods have lapsed (see "Effective Date"), except where the Compliance Agreement per Condition of Approval #6 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.
3. If cultural resources are encountered during construction activities, the contractor onsite shall cease all work in the immediate area and within a 50-foot buffer of the discovery location. A qualified archaeologist and the appropriate Tribal Historic Preservation Officer(s) are to be contacted to evaluate the discovery and, in consultation with the applicant and the lead agency, develop a treatment plan in any instance where significant impacts cannot be avoided.

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

ATTACHMENT 2

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

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

**APN 223-044-010; 3655 US Highway 101, Benbow
County of Humboldt**

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

March 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 modified project involves a Special Permit for an existing 10,000-square-foot (SF) mixed-light cannabis cultivation operation. All cannabis will be grown in three greenhouses that total 9,600 SF consolidated to one location per California Department of Fish and Wildlife recommendation. Three cultivation locations are to be retired and remediated. The additional 400 SF of permitted cultivation area would be used to bring 1,000 SF of ancillary propagation up to 1,200 SF in a fourth greenhouse and an additional 200 SF of clone propagation would occur in the drying room. There is a maximum of three mixed-light harvests annually. Processing activities including drying, curing, and trimming would be performed onsite in an existing 2,000-SF drying facility and 260-SF processing building. The estimated projected water use for the project is approximately 235,425 gallons (23 gallons/SF/year). All irrigation water is derived from a 1,466,329-gallon rainwater catchment pond and hard storage filled by the catchment pond. Up to three seasonal employees or contractors may be required during cannabis processing. Power for the project for the short term would be provided by a diesel generator. The applicant is proposing to install a solar system consisting of 30 1,000-watt photovoltaic panels and three Tesla batteries to power the project in the near future if Pacific Gas and Electric Company power should not be available.

A Cultural Resources Investigations Report prepared by William Rich and Associates in January 2022 that recommended the inadvertent discovery protocol be followed. No biological assessment has been prepared for the project. The nearest marbled murrelet mapped critical habitat is approximately 1 mile to the southwest. The nearest northern spotted owl (NSO) activity center is located 0.95 mile west of the consolidated cultivation area. The proposed project is to continue use of existing developed sites and the potential indirect impacts are mitigated through best management practices and the planned retirement of all generators.

The modified project is consistent with the adopted MND for the CMMLUO because it complies with all standards of the CMMLUO which were intended to mitigate impacts of existing cultivation. These include ensuring supplemental lighting and security lighting adheres to Dark Sky Association standards and ensuring project-related noise does not harass nearby wildlife, which will limit impacts on biological resources as a result of light and noise.

Purpose - Section 15164 of the California Environmental Quality Act (CEQA) provides that the lead agency shall prepare an addendum to a previously certified MND if some changes or additions are necessary but none of the conditions described in Section 15162 calling for a subsequent Environmental Impact Report (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 10,000 SF of mixed-light cultivation with ancillary drying activities 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:

- Plot Plan prepared by the applicant received 10/8/21.
- Cultivation and Operations Plan prepared by the applicant and the revision received 10/13/21.
- Water Irrigation and Storage Plan prepared by the applicant and the revision received 1/31/22.
- Energy Generation and Consumption Plan received 10/13/21.
- Site Management Plan prepared by ETA Humboldt dated 9/2/21 and received 10/13/21.
- Grading, Drainage, and Erosion Control Plan prepared by Omsberg & Preston, dated 11/13/18.
- Road Evaluation Report prepared by the owner, dated 7/26/18.
- Public Works project referral response dated 8/19/20.
- Initial Statement of Water Diversion and Use filed by ETA Humboldt, dated 8/21/18.
- Draft Streambed Alteration Agreement application submitted to the California Department of Fish and Wildlife on 12/5/18.
- CA Division of Water Rights referral response dated 9/16/19.
- Health and Human Services Environmental Health Division project referral dated 8/28/19.
- Cultural Resource Study prepared by William Rich and Associated dated January 2022.

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. (Plot Plan prepared by the applicant received 10/8/21 – **Attached** with project Maps)
4. A cultivation and operations plan that meets or exceeds minimum legal standards for water storage, conservation and use; drainage, runoff and erosion control; watershed and habitat protection; proper storage of fertilizers, pesticides, and other regulated products to be used on the parcel; and a description of cultivation activities (outdoor, indoor, mixed light), the approximate date(s) cannabis cultivation activities have been conducted on the parcel prior to the effective date of this ordinance, if applicable, and schedule of activities during each month of the growing and harvesting season. (Cultivation and Operations Plan prepared by the applicant (received date not known) and the revisions received 10/13/21 – **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. (Right to Divert and Use Water; Certificate H502329 – on file).
6. Description of water source, storage, irrigation plan, and projected water usage. (Included in Cultivation Operations Plan, item 4. Above, and in the revised Water Irrigation and Storage Plan dated 1/31/22 – **Attached**).
7. Copy of Notice of Intent (NOI) 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. (Initial Statement of Water Diversion and Use and Site Management Plan prepared by ETA Humboldt dated 9/2/21 – **Attached**).
8. If any onsite or offsite component of the cultivation facility, including access roads, water supply, grading or terracing, affects 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. (Draft Streambed Alteration Agreement application submitted on 12/5/18 – On file)
9. If the source of water is a well, a copy of the County well permit, if available. (20/21-0531– On file)

10. 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. (Does not involve conversion of timberland).
11. Consent for onsite inspection of the parcel by County officials at prearranged date and time in consultation with the applicant prior to issuance of any clearance or permit, and once annually thereafter. (On file)
12. 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)
13. Acknowledge that the County reserves the right to reduce the size of the area allowed for cultivation under any clearance or permit issued in accordance with this Section in the event that environmental conditions, such as a sustained drought or low flows in the watershed, will not support diversions for irrigation. (On file)
14. 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. (On file)
15. Division of Environmental Health Attachment for Commercial Medical Marijuana Clearances/ Permits (DEH Form). (On file)
16. Cultural Resources Investigation dated January 2022 and prepared by William Rich and Associates. (On file and confidential)
17. Grading, Drainage, and Erosion Control Plan prepared by Omsberg & Preston, dated 11/13/18. **(Attached)**
18. Energy Generation and Consumption Plan received 10/13/21. **(Attached)**

Benbow Valley Ranch Farms, LLC PLN-11916-SP

Operations Plan Addendum

Location: 000 Reed Mtn. Rd. Garberville, CA 95542

APN: 223-044-010

Project Description

This operations plan addendum has been written to amend the previously submitted operations and cultivation plans to update project details and provide an accurate project description.

The project includes three mixed light greenhouses and an ancillary propagation greenhouse. The total pre-existing canopy on this parcel is 10,000ft². The footprint of the cultivation areas was relocated to one cultivation area.

The cultivation area will consist of two 30' X 100' (3,000ft² each) mixed-light greenhouses, and one 30' X 120' (3,600ft²) mixed-light greenhouse. Total flowering canopy for this project is 9,600ft². Permit is for 10,000ft², and applicant is going to utilize the remaining square footage as additional propagation space. Mixed light greenhouses are equipped with automatic black out covers.

Proposed Ancillary propagation area will consist of one 20' X 60' (1,200ft²) propagation greenhouse with light assist for the propagation of vegetative plants, as well as a 200ft² (10' x 20') area inside the drying room for cloning and propagation. Propagation greenhouse and drying room cloning space will employ light shielding techniques such as black out tarps with secured ends, and blacked out doors and windows.

All cannabis will be harvested and dried in 1800ft² of the 40' X 50' (2,000ft²) drying room on site. Remainder of the drying room (10' x 20' 200ft², located in the rear right corner of building) is used as a cloning area and for ancillary propagation. The dried cannabis will be processed in the 12' X 30' (360ft²) processing building on site.

Water use for this project estimated to be 235,425-gallons. Irrigation water will be sourced from a 1,466,329.5-gallon rain catchment reservoir.

Land Features

This parcel has been subdivided from a larger parcel. Lot line adjustment has been done, but the parcel does not yet have its own parcel number. The parcel encompasses 90 acres on the northern part of parcel 223-044-010. Cultivation areas have been relocated to an environmentally superior area on the property and previous cultivation areas have been removed and revegetated. This parcel has not been graded historically.

Access to Property

The site is located on Reed Mtn. Rd a private road, off Benbow Drive, a county-maintained road, in the Garberville Area. Personal driveway is shared with no additional neighbors. GPS for the property is 40.0342, -123.7675. See Google maps for specific directions.

Proximity

The nearest neighboring properties are 1,050 ft to the north from 240 ft to the east from the cultivation sites. There are no schools, school bus stops, public parks, public lands, hiking trails or tribal resources within 600 ft of the property.

Equipment/ Power

This is a mixed light cultivation operation, with drying and processing to occur on site. The energy utilized by the applicant will be for cannabis activities includes but is not limited to:

- Drying room implements dehumidifiers, fans and lights for visibility
- Water and air pumps for fertilizer
- Atomizer (for foliage feeding and pest/disease), and
- Supplemental lighting in the propagation greenhouses
- Supplemental lighting in the flowering greenhouses
- Automatic black out covers, side rollers, circulation fan, ventilation system, negative pressure fans and evaporative cooling system within greenhouses.

Energy requirement for mixed light greenhouses is 69,600w of power with 6w per square foot.

Power for this parcel will be provided in the short term by a diesel generator. The applicant is proposing to install a solar system consisting of thirty (30) 1,000w Photo-voltaic panels and three (3) Tesla batteries to power the project in the future. The applicant is also applying to get PG&E power to the parcel as soon as possible.

Petroleum Based/ Fuel Products

Project site will not store any Hazardous Waste in threshold beyond domestic use. If any additional storage of hazardous waste becomes necessary, an appropriate application will be filed with DHHS.

Any above ground storage tanks and containers shall be provided with a secondary means of containment for the entire capacity of the largest single container and sufficient freeboard to contain precipitation. All Diesel tanks on site are double walled technology providing their own secondary containment. All five-gallon gasoline cans are stored with secondary containment inside of shed or similar enclosure on flat, stable areas. The applicants will implement spill prevention, control, and countermeasures (SPCC). There are no underground storage tanks on the property. All petroleum products on property are stored with secondary containment inside of a shed or similar enclosure on flat, stable areas.

Solid Waste/ Recycling

Solid waste and recycling shall be stored in a location and manner that prevents its discharge to receiving waters and prevents any leachate or contact water from entering or percolating to receiving waters. All solid waste and recycling are stored in cans with lids on a stable, flat area. The cans are secured to exclude wildlife. Solid waste and recycling shall be disposed of at an authorized municipal waste transfer station. It will be taken to by personal vehicle, i.e., truck, 1-3 times per week depending on garbage accumulation.

Solid Waste and Recyclables Disposal

Redway Transfer Station
 California Conservation Camp Rd.
 Redway, CA 95560707-923-3944
<https://www.recology.com/recology-eel-river/redway-transfer-station/>

Amended Cultivation Plan

Cultivation Site

This project will consist of three (3) greenhouses totaling 9,600 ft². These greenhouses consist of one (1) 3,600ft² mixed light greenhouse and two (2) 3,000ft² mixed light greenhouses. An additional 1,200 ft² propagation greenhouse as well as a 200ft² cloning/propagation space will also be utilized. This additional propagation space is 10% of the permit size, plus the remaining 400ft² that is unused on the approved Interim permit All cannabis will be grown in greenhouses. All cannabis is harvested and dried on site.

Cultivation Areas

Greenhouse	Cultivation Type	Cultivation Area	Structure Sizing
1	Mixed-light Greenhouses	3,600 ft ²	30' x 120' Greenhouse
2	Mixed-light Greenhouse	3,000 ft ²	30' X 100' Greenhouse
3	Mixed-light Greenhouse	3,000 ft ²	30' X 100' Greenhouse
Total Flowering Area		9,600 ft ²	3 mixed-light Flowering Greenhouses
Propagation Greenhouse	Propagation Space	1,200 ft ²	20' X 60' Propagation Greenhouse
Cloning/propagation Area	Cloning and propagation space	200ft ²	10' x 20' Cloning area and propagation space

Flowering Greenhouse 1- This is a 30' X 120' (3,600ft²) mixed-light flowering greenhouse with 36 600w lights.

Flowering Greenhouse 2- This is a 30' X 100' (3,000ft²) mixed light greenhouse with 40 - 600w lights.

Flowering Greenhouse 3- This is a 30' X 100' (3,000ft²) mixed light greenhouse with 40 - 600w lights.

Propagation Space- This area contains one (1) 20' X 60' (1,200ft²) propagation greenhouse with a small amount of supplemental lighting. Propagation area also includes a 10' x 20' (200ft²) cloning/propagation space inside the drying room.

Water Storage Facilities

Storage Facility	Capacity	Type	Point of Use	Water Source
Water Tank	3,200 gallons	HDPE Storage Tank	Domestic	Spring Diversion
Water Tank	4,800 gallons	HDPE Storage Tank	SRA Fire Tank	Spring Diversion
Water Tank	13 QTY 3,200 gallons	HDPE Storage Tank	Domestic/Irrigation Storage	Spring Diversion/Rain Catchment Reservoir
Rain Catchment Reservoir	1,466,329.5 gallons	Reservoir	Irrigation Storage	Rain Catchment

Irrigation/Domestic Water Sources

Pond existing- 4.5 acre-feet (1,466,329.5-gallons) Grading Plans are included with this submission.
Groundwater Well permit number 20/21-0531 (Domestic only) and Spring (Domestic only)

Ancillary Cannabis Facilities

Facility	Size	Purpose
Drying Room/cloning area	40' x 50' (2,000ft ²)	1,800ft ² used for Harvest, drying and storage, remaining 200ft ² used for cloning and ancillary propagation space
Processing	12' x 30' (360ft ²)	Processing
Existing Shed	30' x 24' (720ft ²)	Pesticide and Nutrient Storage
Storage Structure	20' x 20' (400ft ²)	AG and Domestic Storage
Generator Shed	12' x 24' (288ft ²)	Storage of Generator and associated fuels

Immature Plants

Each spring the Applicant takes cuttings or clones from mother plants and rears them in cloning area and propagation greenhouse till plants are ready to be moved to flowering greenhouses. Immature plants will be cultivated in one (1) greenhouse. Artificial lights will facilitate plant growth and hinder plants from moving into flowering stages ahead of cultivation schedule. All lighting will be shielded with black out tarps and checked daily for light leaks.

Cultivation Cycles

The Applicant cultivates in light deprivation greenhouses in three cycles from January to December. The first cycle is from January to May, the second cycle is from roughly May to August, and the third cycle is roughly from August to December. The Applicant uses supplemental light inside the propagation greenhouse to start plants. The Applicant uses mixed light in the flowering greenhouses, at regular intervals to supplement natural sunlight. All greenhouses will be equipped with fans.

There are companion plants, native grasses and indigenous plants that grow in the garden and around the area to also help control any type of run off. There are no signs of wastewater runoff or erosion in these greenhouses. Hay is also spread around the area and on the topsoil. The water line as well as manifolds and fittings will be checked on a regular basis for leak or cracks.

Processing Plan

Harvest

Cannabis will be harvested using gloves and clean tools. All cannabis will be hung to dry in the drying room. Dehumidifiers and fans will aid drying in the building. Cannabis will be dried for 10-14 days on lines in these areas depending on weather. The rooms will have proper ventilation, fans, and dehumidifiers to maintain proper environment. Moldy cannabis will be removed and destroyed using county and state approved procedures for holding and destroying unwanted product.

Curing

Curing will take place after cannabis is dried on the lines. Cannabis will be visually checked for mold then placed into plastic totes for curing. During this time the bins will be checked for mold and moisture consistency. Curing cannabis will be stored in processing building. Moldy or defective cannabis will be removed and destroyed using county and state approved procedures for holding and destroying unwanted product.

Processing

Cannabis Trimming will occur as cannabis becomes ready from curing process. Trimming will physically take place in processing building (see on map) with plenty of ventilation and fresh air. The Applicant plans to process the cannabis himself with the aid of trim machines. If needed, he will hire 1-3 employees or contractors to help. Processed cannabis will be bagged into turkey bags or sealed bags to be held until a distributor is ready. The trim or remaining leaves from processed cannabis, will be bagged into contractor bags to be stored until needed, sold, or destroyed in the legal manner.

Processing- Employees and Contractors

Employees will be seasonal and subcontracted as possible. Employees and contractors will have access to parking, spacious work zone, clean supplies for task, hand washing areas with soap, bathroom with sink and flushing toilet and break area. Fresh spring water is available, but workers are encouraged to bring their own drinking water. All areas are kept clean and in good condition All employees and/ or contractors will have access to personal safety equipment to meet the needs of the job for example, face mask, gloves, Tyvek suits, safety glasses, rubber boot covers etc. There are no worker sleeping quarters on site. Workers are encouraged to carpool to work daily, and applicant intends to mitigate any additional traffic on Ranch Rd., by reducing his own travel during times he has workers.

Worker Safety Practices

Safety protocols will be implemented to protect the health and safety of employees. All employees shall be provided with adequate safety training relevant to their specific job functions, which may include:

- Employee accident reporting

- Security breach

- Fire prevention

- Emergency Numbers

Materials handling policies

Use of protective clothing such as long sleeve shirts, brimmed hats, and sunglasses. Each garden site and or processing area have the following emergency equipment:

- Personal protective equipment including gloves and respiratory protection are provided where necessary

- Fire extinguisher

- First Aid Kit

- Snake Bite/Bee Sting Kit

- Eye Washing Kit

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, California Agricultural Labor Relations Act, and the Humboldt County Code (including the Building Code).

Monthly Cultivation Site Activities

Month	Activities
January	Finish processing of previous harvest, trimming and storage. Plan new year. Check greenhouses for issues/fix. Check water lines, tanks and all equipment for repairs or damages. Make plan for repairs. Amend and start turning beds, prep dirt and supplies for greenhouse plants Work on trenches/and holes for plants layer more compost in beds. Treat compost if necessary. Get clones from other permitted grow operation. Transplant and move into greenhouse.
February	Regular feeding schedule of compost teas adhered to. Pests are dealt with as they arise with oils, nematodes and predator mites from compost. Continue to Fix fences, service equipment, painting, fence building, greenhouse fixing, etc.
March	Regular feeding schedule of compost teas adhered to. Pests are dealt with as they arise with oils, nematodes and predator mites from compost. Greenhouse plants switched into flower using a blackout cover mid-late March. Monitor water supply, check lines and all areas for insect/ animal disturbance.
April	Add nematodes compost for pest prevention. Weed whacking, mowing, and brush cleanup. Procure next round of plants from licensed nursery. Monitor water supply, check lines and all areas for insect/ animal disturbance.
May	Spray with preventive sulfur. Treat with biodynamic preparations for pest control and mold control. Double check all water systems for leaks and clogs. Put out sound sensors for rodents. Harvest greenhouse mid-month, replant with new clones from a permitted nursery. Monitor water supply, check lines and all areas for insect/ animal disturbance.
June	Harvested flowers to hang in drying area then to be cured and hand trimmed per processing plan. Regular feeding schedule of compost teas adhered to. Pests are dealt with as they arise with oils, nematodes and predator mites from compost. Finish processing May's harvest. Monitor water supply, check lines and all areas for insect/ animal disturbance.
July	Treat plants with preventive measures. Regular feeding schedule of compost teas adhered to. Pests are dealt with as they arise with oils, nematodes and predator mites from compost. Monitor water supply, check lines and all areas for insect/ animal disturbance.
August	Procure next round of plants from licensed nursery. Monitor water supply, check lines and all areas for insect/ animal disturbance. Harvest greenhouse mid-month, replant with new clones from a permitted nursery. Harvested flowers to hang in drying area then to be cured and hand trimmed per processing plan.
September	Treat plants with preventive measures. Regular feeding schedule of compost teas adhered to. Pests are dealt with as they arise with oils, nematodes and predator mites from compost. Monitor water supply, check lines and all areas for insect/ animal disturbance.
October	Treat plants with preventive measures. Regular feeding schedule of compost teas adhered to. Pests are dealt with as they arise with oils, nematodes and predator mites from compost. Monitor water supply, check lines and all areas for insect/ animal disturbance.
November	Treat plants with preventive measures. Regular feeding schedule of compost teas adhered to. Pests are dealt with as they arise with oils, nematodes and predator mites from compost. Monitor water supply, check lines and all areas for insect/ animal disturbance. Prepare for harvest. Clean drying room and repair or buy any new supplies if necessary.

December

Harvest greenhouses. Dry and process utilizing above processing plan. Driveway fixing, other farm/garden maintenance.

Benbow Valley Ranch Farms PLN-11916-SP

Water Irrigation and Storage Plan

Location: 000 Reed Mtn. Rd. Garberville, CA 95542

APN: 223-044-010

Water Storage and Usage

Projected Water use for this site is approximately 309,925-gallons. The projected water use for the cannabis is approx. 235,425-gallons. Domestic water use is expected to be approx. 74,500-gallons. This water use is an estimate to the best of my knowledge.

The primary irrigation water source for this operation is an approximate 1,466,392.5-gallon rainwater catchment reservoir. The applicant also fills some of the the water storage tanks during the diversion period from his spring diversion with water right H502329 for domestic use.

There is currently a total of 15 (fifteen) HDPE water storage tanks on the parcel, 1 (one) 4,800-gallon HDPE water storage tank filled from the spring diversion for firefighting use, 13 (thirteen) 3,200-gallon HDPE water storage tanks filled from the spring diversion during diversion period for domestic use and from the pond during forbearance for irrigation use, and 1 (one) 3,200-gallon HDPE storage tank filled from the spring diversion for domestic use.

Point of Use	Source of Water	Storage available
Domestic Use	Spring Diversion	3,200-gallon HDPE tank
Fire Prevention	Spring Diversion	4,800-gallon HDPE tank
Domestic/Irrigation	Spring Diversion/Rainwater Catchment Reservoir	13 QTY 3,200-gallon HDPE Tanks
Irrigation Reservoir	Rainwater Catchment Reservoir	1,466,329.5-gallon capacity Rainwater catchment reservoir

Water Conservation Infrastructure

The applicant will utilize drip irrigation throughout this cultivation sites. Float valves will be installed on every water tank to ensure no overflow occurs. A water meter will be installed on the well to monitor water usage, and logs will be kept regularly. The slow rate of drip irrigation provides water at a rate that runoff will be preventable. Drip emitters are set to output the lowest amount of water possible over a period of time to minimize excess water use and eliminate runoff personalities. The entire irrigation system, all water lines, drip emitters and connections will be inspected for water leaks regularly, and any damaged equipment is replaced immediately to prevent water loss.

Water Discharge

All cannabis cultivation activities occur at least 200 feet away from the Class II watercourse. Cultivation fertilizer holding tanks exceed 200 ft setback from nearest water source.

In all cultivation areas mulched organic matter will be spread on topsoil to help with evaporation and runoff. Heavy amounts of peat moss and coco coir are also amended into soil periodically to prevent runoff from fertilizer. Cannabis cultivation will employ drip irrigation to prevent run off from watering. All poly-flex irrigation water lines are anchored, located up and out of drainages, and sited in a responsible way so as not to impede water flow through stream channels.

Monthly Water Use Table

Month	Cultivation Use	Domestic Use
January	19,995	6,000
February	18,060	6,000
March	19,995	6,000
April	19,350	6,000
May	19,995	6,000
June	19,350	6,000
July	19,995	6,000
August	19,995	6,000
September	19,350	6,000
October	19,995	6,000
November	19,350	6,000
December	19,995	8,500
Total	235,425 gallons	74,500 gallons

I have read and keep a copy in my binder of the “Best Management Practices of Waste Resulting from Cannabis Cultivation and Associated Activities or operations with Similar Environmental Risk”, “Performance Standards for all CMMLUO Cultivation and Processing Operations” and the “Legal Pest Management practices for Marijuana Growers in California”. I intend to practice the guidelines set forth by these documents to help ensure my compliance with laws. I also intend to be flexible with county and state officials, make changes as necessary and upgrade my property to comply. Please feel free to contact me for any more information.

Site Management Plan

Benbow Valley Ranch Farms, LLC

000 Reed Mtn. Rd. Garberville, CA 95542

APN: 223-044-010

By: ETA Humboldt

Prepared by Vanessa Valare



09/02/2021

Purpose

This Site Management Plan (SMP) has been prepared on behalf of the cannabis cultivator for the Humboldt County property identified as assessor parcel numbers 223-044-010, by agreement and in response to the State Water Resources Control Board Cannabis Cultivation Policy (Cannabis Policy), in congruence with General Waste Discharge Requirements for Discharges of Waste Associated with Cannabis Cultivation Activities (General Order). The General Order implements the Cannabis Policy requirements, specifically those requirements that address waste discharges associated with cannabis cultivation activities. Dischargers covered under the General Order are subject to the requirements of the Cannabis Policy in its entirety. The Cannabis Policy provides a statewide tiered approach for permitting discharges and threatened discharges of waste from cannabis cultivation and associated activities, establishes a personal use exemption standard, and provides conditional exemption criteria for activities with a low threat to water quality.

Tier Designation

Tiers are defined by the amount of disturbed area. Tier 1 outdoor commercial cultivation activities disturb an area equal to or greater than 2,000 square feet and less than 1 acre (43,560 square feet). Tier 2 outdoor commercial cultivation activities disturb an area equal to or greater than 1 acre. Risk designation for Tier 1 and Tier 2 enrollees under the Cannabis Policy is based on the slope of disturbed areas and the proximity to a surface water body. Characterization is based on the risk designation summarized in Table 1 below.

Thorough assessment of the project area including roads, disturbed areas, legacy features, and cultivation areas put this enrollment into the classification of **Tier 1, Low Risk**.

Scope of Report

Tier 1 and Tier 2 cannabis cultivators are required to submit and implement a Site Management Plan that describes how they are complying with the Requirements listed in Attachment A. Cannabis cultivators within the North Coast Regional Water Quality Control Board jurisdiction are required to submit and implement Site Management Plans that describe how the Requirements are implemented property-wide, to include legacy activities. The Discharger shall ensure that all site operating personnel are familiar with the contents of the General Order and all technical reports prepared for the property. A copy of the General Order, and technical reports required by the General Order, shall be kept at the cultivation site.

Methods

The methods used to develop this SMP include both field and office components. The office component consisted of aerial photography review and interpretation, existing USGS quad map review, GIS mapping of field data, review of on-site photography points, streamflow calculations, general planning, and information gathered from the cannabis cultivator and/or landowner. The field component included mapping of all access roads, vehicle parking areas, Waters of the State, stream crossings, drainage features, cultivation sites, buildings, disturbed areas, and all other relevant site features within the project area and surrounding areas (as feasible). Cultivation areas, associated facilities, roads, and other developed and/or disturbed areas were assessed for discharges and related controllable water quality factors from the activities listed in the General Order.

General Site Information

Discharger: Benbow Valley Ranch Farms, LLC

Landowner: Mer Realty/Bob Howard

GPS: 40.0341, -123.7675

Location: 000 Reed Mtn. Rd. Garberville, CA 95542

Parcel Number: 223-044-010

Parcel Size: 90 acres

Disturbed Area: approx. 10,000ft²

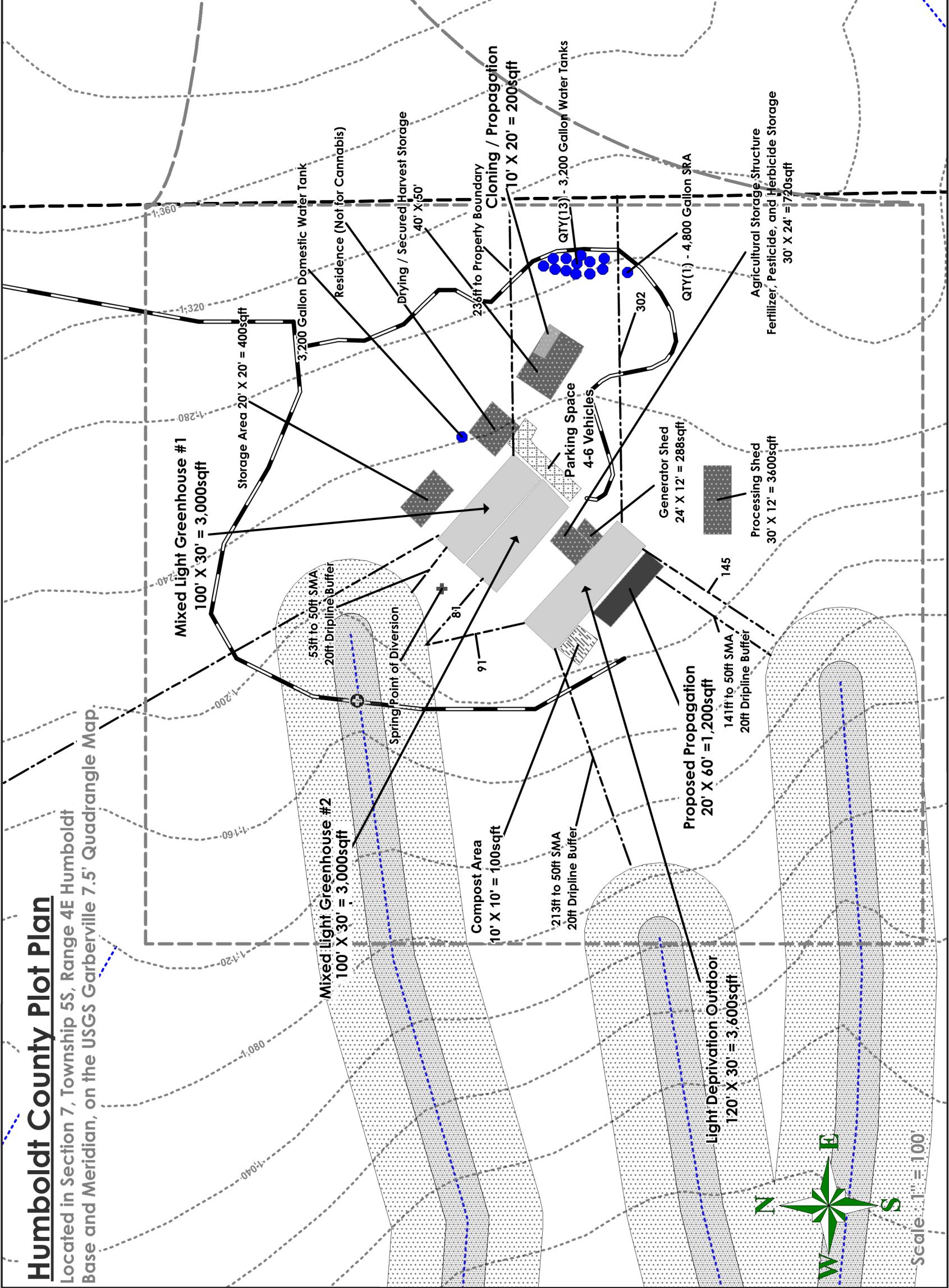
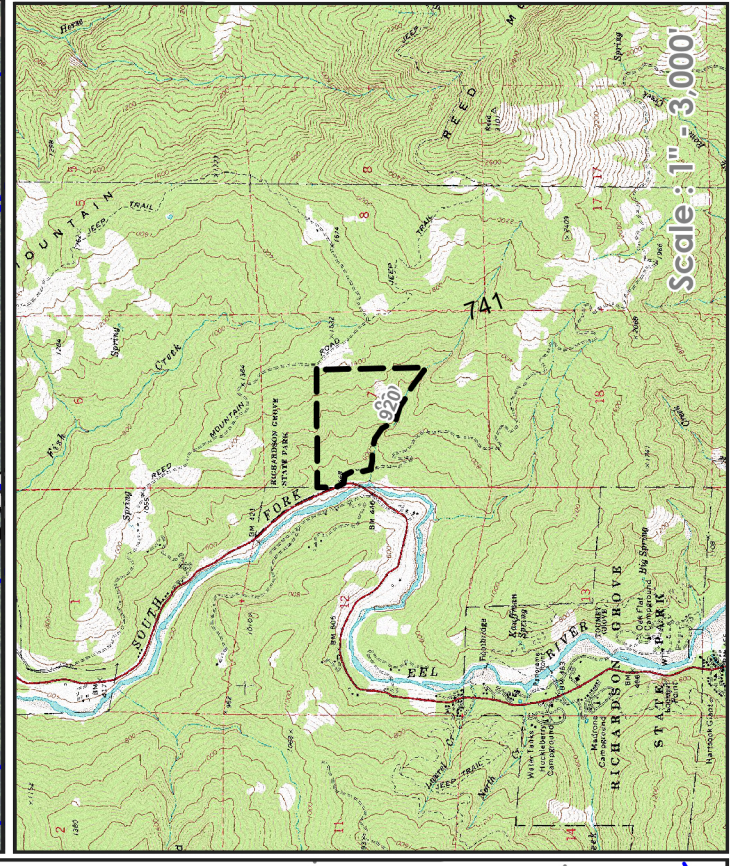
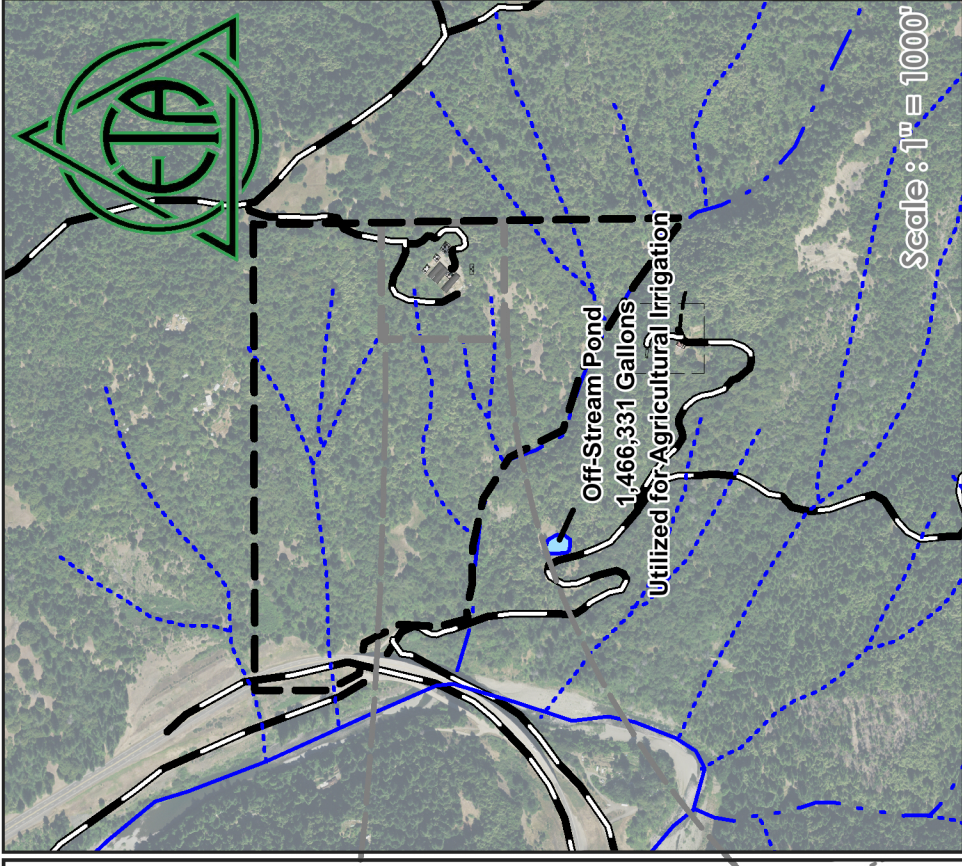
Cultivation Area and Type: 9,600ft² Mixed Light

Tier Level:1

Risk Level: Low

Humboldt County Plot Plan

Located in Section 7, Township 5S, Range 4E Humboldt Base and Meridian, on the USGS Garberville 7.5' Quadrangle Map



Benbow Valley Ranch Farms		Cultivation Area		Cultivation Area Dimensions		Property Information		Project Information	
APN : 223-044-010	Property Boundary	Existing Cultivation Area	Proposed Cultivation Area	Stream Management Area	Existing Cultivation Area = 9,600sqft	Proposed Cultivation Area = 400sqft (To be used as Propagation)	Proposed Propagation = 1,000sqft	County:HUMBOLDT, CA	County - 11916
Structure	Proposed Pond	Premise	Measurement	Topographic 40ft. Interval	Mixed Light Greenhouse #1 : 30' X 100' = 3,000sqft	Mixed Light Greenhouse #2 : 30' X 100' = 3,000qft	Light Deprivation Outdoor : 30' X 120' = 3,000sqft	Parcel # (APN):223-044-010-000	WDID - 1_12CC403889
Spring Point of Diversion	Water Tank	Watercourse Crossing	Watercourse	Class I	Proposed Propagation : 20' X 60' = 1,200sqft	Proposed Cloning/ Proagation Room : 10' X 20' =200sqft	Residence (Not for Cannabis)	DWR - S028006	SUIR - H502329
Water Tank	Watercourse Crossing	Watercourse	Class II	Class III			Drying / Secured Harvest Storage 40' X 50'	Owner Name:Benbow Valley Ranch Farm	
Watercourse	Watercourse	Watercourse					Cloning / Propagation 10' X 20' = 200sqft	Mailing Address:3621 32ND AVE W	
							3,200 Gallon Domestic Water Tank	SEATTLE WA 98119	
							Storage Area 20' X 20' = 400sqft		
							Residence (Not for Cannabis)		
							Drying / Secured Harvest Storage 40' X 50'		
							23ft to Property Boundary		
							Cloning / Propagation 10' X 20' = 200sqft		
							QTY(13) - 3,200 Gallon Water Tanks		
							Parking Space 4-6 Vehicles		
							Generator Shed 24' X 12' = 288sqft		
							Processing Shed 30' X 12' = 360sqft		
							Agricultural Storage Structure 30' X 24' = 720sqft		
							Fertilizer, Pesticide, and Herbicide Storage		
							QTY(1) - 4,800 Gallon SRA		

1. Site Characteristics

1.1 General

This parcel consists of 90 acres of evergreen forest, mixed forest and grassland. Total disturbed area is approx. 10,000 square feet. Total current cultivation area is 9,600ft². This parcel was subdivided from a larger parcel. The lot line adjustment has been completed, but the parcel does not yet have its own parcel number.

The applicant is dedicated to minimizing any negative impact to the rural community and natural environment surrounding this parcel. The applicant has owned and maintained the land for over 30 years and is committed to operating his business in an environmentally responsible manner. This would include eliminating light pollution, noise pollution, or any other adverse effect to neighbors. The applicant adheres to BMP in protecting the environment and works closely with county and state agencies to keep in compliance and run a safe clean farm. The applicant’s business functions with great regard for the ecosystem in which it operates.

- A. The applicant’s plans are to use the natural prime ag soils and only organic amendments to fortify the soil as needed.
- B. Soil samples will be taken and analyzed to ensure proper balance of nutrients are being used.
- C. Branches harvested during fuel reduction are composted and eventually used in swales, pathways, and remediation buffers to prevent nutrient runoff, reduce soil temperature, store carbon, and promote a healthy soil microbial community.
- D. Soil fertility is closely monitored to prevent excess use of fertilizers.
- E. Only organic products are used in the cultivation of cannabis.
- F. Cultivated soils are cover cropped and mulched in the off season to enhance soil fertility and eliminate runoff; and
- G. The entire site is monitored to identify and correct any potential sources of environmental degradation and maintain a protective riparian buffer

1.2 Structures currently on Site

Cultivation Areas

Greenhouse	Cultivation Type	Cultivation Area	Structure Sizing
1	Mixed-light Greenhouses	3,600 ft ²	30’ x 120’ Greenhouse
2	Mixed-light Greenhouse	3,000 ft ²	30’ X 100’ Greenhouse
3	Mixed-light Greenhouse	3,000 ft ²	30’ X 100’ Greenhouse
Propagation Greenhouse	Propagation Space	1,200 ft ²	20’ X 60’ Propagation Greenhouse

Ancillary Cannabis Facilities

Facility	Size	Purpose
Drying Room/cloning area	40’ x 50’ (2,000ft ²)	1,800ft ² used for Harvest, drying and storage, remaining 200ft ² used for cloning and ancillary propagation space
Processing	12’ x 30’ (360ft ²)	Processing
Existing Shed	30’ x 24’ (720ft ²)	Pesticide and Nutrient Storage
Storage Structure	20’ x 20’ (400ft ²)	AG and Domestic Storage
Generator Shed	12’ x 24’ (288ft ²)	Storage of Generator and associated fuels

1.3 Access Roads

The site is located on Reed Mtn. Rd., off Benbow Drive. in the Garberville Area. Personal driveway is shared with no additional neighbors. To access property from Eureka CA, via Highway 101.

Follow US-101 South for 71.8 miles to the southern turn off of Benbow Drive. Turn left onto Benbow Drive. Follow Benbow Drive 2.8 miles to Reed Mtn. Rd. Follow Reed Mtn Rd. 2.6 miles to destination. 40.0341, -123.7675

1.4 Stream Crossings

There is one Class II Tributary to South Fork Eel River on the parcel. There are eight Class III ephemeral watercourses that are tributary to the unnamed stream and to the South Fork Eel River. There is one culvert on the parcel.

1.5 Electricity

Power for this parcel will be provided in the short term by a diesel generator. The applicant is proposing to install a solar system consisting of thirty (30) 1,000w Photo-voltaic panels and three (3) Tesla batteries to power the project in the future. The applicant is also applying to get PG&E power to the parcel as soon as possible.

1.5.1 Artificial Lighting

There are 40 600w lights in each 3,000ft² greenhouse. There are 36 lights in the 3,600ft² greenhouse. Mixed Light Greenhouses utilize a total of 69,600 watts of power at 6 watts per square foot. Propagation greenhouses use a small amount of supplemental lighting. Two sets of String lights with 10-23w bulbs each for a total of 460w for each greenhouse.

1.6 Species of Concern

The following species that have been recorded within the quadrat (Garberville)

Pacific Tailed Frog

Foothill Yellow- Legged Frog

Bald Eagle

Osprey

Northern Spotted Owl

Klamath Crayfish

Pacific Lamprey

Coho Salmon- Southern Oregon Northern California ESU

Steelhead Northern California DPS

Chinook Salmon- California Coastal ESU

Obscure Bumblebee

Western Bumblebee

Sonoma Tree Vole

North American Porcupine

Pallid Bat

Long-eared Myotis

California Floater

Western Pond Turtle

2. Cultivation Plan

2.1 Cultivation Area

This project will consist of three (3) greenhouses totaling 9,600 ft². These greenhouses consist of one (1) 3,600ft² mixed light greenhouse and two (2) 3,000ft² mixed light greenhouses. An additional 1,200 ft² propagation greenhouse as well as a 200ft² cloning/propagation space will also be utilized. This additional propagation space is 10% of the permit size, plus the remaining 400ft² that is unused on the approved Interim permit All cannabis will be grown in greenhouses. All cannabis is harvested and dried on site.

The following areas are designated for cultivation activities:

- Three (3) existing flowering greenhouses totaling 9,600ft².
- One (1) Drying/Clone room (2000ft²) used for drying, curing, cloning and ancillary propagation
- One (1) Processing Building (360ft²) for processing
- One (1) shed (720ft²) used to store nutrients, refuse and recycling.
- One (1) propagation greenhouse (1,200 ft²).
- Total current cultivation area is 9,600 square feet, plus 400ft² of ancillary propagation space

2.2 Processing Plan

Harvest

Cannabis will be harvested using gloves and clean tools. All cannabis will be hung to dry in the drying room. Dehumidifiers and fans will aid drying in the building. Cannabis will be dried for 10-14 days on lines in these areas depending on weather. The rooms will have proper ventilation, fans, and dehumidifiers to maintain proper environment. Moldy cannabis will be removed and destroyed using county and state approved procedures for holding and destroying unwanted product.

Curing

Curing will take place after cannabis is dried on the lines. Cannabis will be visually checked for mold then placed into plastic totes for curing. During this time the bins will be checked for mold and moisture consistency. Curing cannabis will be stored in processing building. Moldy or defective cannabis will be removed and destroyed using county and state approved procedures for holding and destroying unwanted product.

Processing

Cannabis Trimming will occur as cannabis becomes ready from curing process. Trimming will physically take place in processing building (see on map) with plenty of ventilation and fresh air. The Applicant plans to process the cannabis himself with the aid of trim machines. If needed, he will hire 1-3 employees or contractors to help. Processed cannabis will be bagged into turkey bags or sealed bags to be held until a distributor is ready. The trim or remaining leaves from processed cannabis, will be bagged into contractor bags to be stored until needed, sold, or destroyed in the legal manner.

Processing- Employees and Contractors

Employees will be seasonal and subcontracted as possible. Employees and contractors will have access to parking, spacious work zone, clean supplies for task, hand washing areas with soap, bathroom with sink and flushing toilet and break area. Fresh spring water is available, but workers are encouraged to bring their own drinking water. All areas are kept clean and in good condition All employees and/ or contractors will have access to personal safety equipment to meet the needs of the job for example, face mask, gloves, Tyvek suits, safety glasses, rubber boot covers etc. There are no worker sleeping quarters on site. Workers are encouraged to carpool to work daily, and applicant intends to mitigate any additional traffic on Ranch Rd., by reducing his own travel during times he has workers.

Worker Safety Practices

Safety protocols will be implemented to protect the health and safety of employees. All employees shall be provided with adequate safety training relevant to their specific job functions, which may include:

- Employee accident reporting
- Security breach
- Fire prevention
- Emergency Numbers

Materials handling policies

Use of protective clothing such as long sleeve shirts, brimmed hats, and sunglasses. Each garden site and or processing area have the following emergency equipment:

- Personal protective equipment including gloves and respiratory protection are provided where necessary
- Fire extinguisher
- First Aid Kit
- Snake Bite/Bee Sting Kit
- Eye Washing Kit

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, California Agricultural Labor Relations Act, and the Humboldt County Code (including the Building Code).

Monthly Cultivation Site Activities

Month	Activities
January	Finish processing of fall harvest, trimming and storage. Plan new year. Mow cover crop. Check greenhouses for issues/fix. Check water lines, tanks and all equipment for repairs or damages. Make plan for repairs. Amend and start turning beds, prep dirt and supplies for greenhouse plants
February	Get clones from other permitted grow operation. Transplant and move into greenhouse with seedlings. Work on trenches/and holes for plants layer more compost in beds. Treat compost if necessary.
March	Regular feeding schedule of compost teas adhered to. Pests are dealt with as they arise with oils, nematodes and predator mites from compost. Fix fences, service equipment, make plan for independent contractors i.e., painting, fence building, greenhouse fixing, etc.
April	Add nematodes compost for pest prevention. Weed whacking, mowing, and brush cleanup. Greenhouse plants switched into flower using a blackout cover mid-late April
May	Spray with preventive sulfur. Treat with biodynamic preparations for pest control and mold control. Turn beds, fix/ replace and clean drip emitters, check timers. Double check all water systems for leaks and clogs. Put out sound sensors for rodents. Harvest greenhouse mid-month, replant with new clones from a permitted nursery.

June	Harvested flowers to hang in drying area then to be cured and hand trimmed per processing plan. Regular feeding schedule of compost teas adhered to. Pests are dealt with as they arise with oils, nematodes and predator mites from compost. Finish processing May's harvest.
July	Treat plants with preventive measures. Regular feeding schedule of compost teas adhered to. Pests are dealt with as they arise with oils, nematodes and predator mites from compost.
August	Procure next round of plants from licensed nursery. Monitor water supply, check lines and all areas for insect/ animal disturbance. Harvest greenhouse mid-month, replant with new clones from a permitted nursery.
September	Treat plants with preventive measures. Regular feeding schedule of compost teas adhered to. Pests are dealt with as they arise with oils, nematodes and predator mites from compost.
October	Treat plants with preventive measures. Regular feeding schedule of compost teas adhered to. Pests are dealt with as they arise with oils, nematodes and predator mites from compost. Prepare for Harvest.
November	Harvest greenhouses. Dry and process utilizing above processing plan. Pull all root-balls, pack hay and cover crop seeds on beds. Pull drip system. Check all equipment and tools for leaks and damages before storing for winter. Store all supplies possible, cleanup site. Winterize water system, greenhouses, and sheds. Clean up drying rooms remove all lines and debris. Put away all supplies i.e., fans, dehumidifiers. Continue processing cannabis as outlined above.
December	Start amendments for winter. Prep all water and water storage system for shut down. Clean all garden implements. Put all left over supplies away. Driveway fixing, other farm/garden maintenance.

3. Water

3.1 Source and System

Projected Water use for this site is approximately 309,925-gallons. The projected water use for the cannabis is approx. 235,425-gallons. Domestic water use is expected to be approx. 74,500-gallons. This water use is an estimate to the best of my knowledge.

The primary irrigation water source for this operation is an approximate 1,466,392.5-gallon rainwater catchment reservoir. The applicant has recently installed a permitted groundwater well which will be used for irrigation during times of low rainfall, or low water level in the pond. Well Permit number is 20/21-0531. See well completion report. The applicant also fills the water storage tanks during the diversion period from his spring diversion with water right H502329.

3.2 Use

The water is used for onsite irrigation and foliar spraying. The irrigation systems employed include drip irrigation and hand watering. Domestic water is used for handwashing stations and drinking water, as well as for the residence.

Monthly Water Use Table

Month	Cultivation Use	Domestic Use
January	19,995	6,000
February	18,060	6,000
March	19,995	6,000
April	19,350	6,000
May	19,995	6,000
June	19,350	6,000
July	19,995	6,000
August	19,995	6,000
September	19,350	6,000
October	19,995	6,000
November	19,350	6,000
December	19,995	8,500
Total	235,425 gallons	74,500 gallons

3.3 System Maintenance

Entire water system including manifolds and fittings are inspected weekly for leaks, and drip system is inspected daily for leaks and damage.

3.4 Storage

There is one 4,800-gallon HDPE water storage tank filled from the Spring Diversion and used for fire Protection. There are thirteen 3,200-gallon HDPE water storage tanks filled primarily by the rainwater catchment reservoir, filled from the spring diversion during the diversion period, and from the well during times of low reservoir levels. There is one 3,200-gallon HDPE water storage tank filled from the spring diversion and used for domestic purposes. The rainwater catchment reservoir has a capacity of 4.5 acre-feet, or 1,466,329.5-gallons.

3.2 Storage (cont.)

Point of Use	Source of Water	Storage available
Domestic Use	Spring Diversion	3,200-gallon HDPE tank
Fire Prevention	Spring Diversion	4,800-gallon HDPE tank
Irrigation	Spring Diversion/Rainwater Catchment Reservoir	13 QTY 3,200-gallon HDPE Tanks
Irrigation	Groundwater Well	Irrigation Tanks
Irrigation Reservoir	Rainwater Catchment Reservoir	1,466,329.5-gallon capacity Rainwater catchment reservoir

3.4 Water Conservation Infrastructure

The applicant will utilize drip irrigation throughout this cultivation sites. Float valves will be installed on every water tank to ensure no overflow occurs. A water meter will be installed on the well to monitor water usage, and logs will be kept regularly. The slow rate of drip irrigation provides water at a rate that runoff will be preventable. Drip emitters are set to output the lowest amount of water possible over a period of time to minimize excess water use and eliminate runoff personalities. The entire irrigation system, all water lines, drip emitters and connections will be inspected for water leaks regularly, and any damaged equipment is replaced immediately to prevent water loss.

4. Erosion and Sedimentation

4.1 Points of Concern

There is one culvert that needs rock armoring and revegetation on this parcel. There are currently no other points of concern on this parcel.

4.2 Soil Management

The soil used onsite consists of a premixed soil blend in combination with coco coir. Soil deficiencies are determined by testing the soil, observation of the crop health and comparison of crop yields. Soils on site are reused and amended, rather than disposed of. This site has no problems with soil erosion.

4.3. Maintenance

Some of the soil conservation measures employed include the use of firebreaks, the encouragement of winter cover crops and general maintenance of the wildlife habitat.

5. Fertilizers, Herbicides and Pest Management

The applicant will follow best organic operation practices. Fertilizers, amendments, or other agro-chemicals will be stored in dedicated locations within the first-floor garage of the residence. All fertilizers or other regulated and non-regulated agro-chemicals shall be stored within covered areas with secondary containment. Fertilizers, potting soils, compost, and other soils and soil amendments are currently stored in structures on the property in a manner in which they will not enter or be transported into surface waters and so that nutrients or other pollutants will not be leached into groundwater. Fertilizers and soil amendments are applied and used per the manufacturers guidelines. Cultivation areas are currently maintained so as to prevent nutrients from leaving the site during the growing season and post-harvest.

5.1 Herbicides/Weed Control

Biological, physical, and cultural methods of weed control are employed. Hand-pulling weeds and weed eating are the primary methods used onsite for weed reduction.

Herbicides and fertilizers present on site will be stored in a shed with a locked door

5.2 Pest Management

This Pest Management Plan was prepared to comply with California Department of Food and Agriculture requirements for CalCannabis cultivation licensing. This plan describes various pest management options that the applicant will employ depending on conditions and circumstances. All pesticides and practices used will comply with California Department of Pesticide Regulation and the Humboldt County Agricultural Commissioner's enforcement the use and sale of pesticides under Divisions 6 and 7 of the California Food and Agricultural Code, and Title 3 of the California Code of Regulations. The use of pesticide products is consistent with product labeling and all products on the property are to be currently stored in closed structures to ensure that they do not enter or are released into surface or ground waters.

The applicant will be utilizing proper crop spacing, using proper nutrient levels and pH balance to minimize the spread of insects. The applicant will choose plant strains with genetics that have resistance to pest. Timing crop planting will also be utilized.

If deemed beneficial, the applicant will utilize lady bugs to control mite infestations, or any other predator insect that is approved for use.

The applicant will be utilizing chemicals as a preventative. The chemicals will be applied as a foliar spray. All products are OMRI listed and are organic.

Product Name	Active Ingredients
Neem Oil	Azadirachtin
Micro-ionized Sulfur	Sulfur
Green Cleaner	Soybean Oil, Sodium Lauryl Sulfate, Citric Acid, Isopropanol Alcohol

5.3 Storage

All chemicals shall be stored and handled according to the manufacturers recommendation and as outlined by the CDFA or any other best practices as outlined by a cannabis licensing bureau.

Pesticides, fungicides, and other biocides on site will be stored in a shed with a locked door.

6. Petroleum, Gas and Oil

Project site will not store any Hazardous Waste in threshold beyond domestic use. If any additional storage of hazardous waste becomes necessary, an appropriate application will be filed with DHHS.

Any above ground storage tanks and containers shall be provided with a secondary means of containment for the entire capacity of the largest single container and sufficient freeboard to contain precipitation. All Diesel tanks on site are double walled technology providing their own secondary containment. All five-gallon gasoline cans are stored with secondary containment inside of shed or similar enclosure on flat, stable areas. The applicants will implement spill prevention, control, and countermeasures (SPCC). There are no underground storage tanks on the property. All petroleum products on property are stored with secondary containment inside of a shed or similar enclosure on flat, stable areas.

7. Waste

7.1.1 Cultivation Waste

CERCC (Clean Energy Resource Conservation Commission) requires that the project comply with the California Integrated Waste Management Act (CIWMA). In addition to cannabis waste, which is regulated by CERCC, the CIWMA requires that the project manage recycling of commercial solid waste and organic waste. The following project policies are regulated by local and state requirements:

- A. All cannabis waste shall be stored in a secure waste receptacle, or secured area, and disposed of in accordance with local and state regulations. "Secure waste receptacle" or "secured area" means that physical access to the receptacle or area is restricted to the licensee and its employees, or the local agency, or waste hauler franchised or contracted by a local agency.
- B. Public access to the designated cannabis waste receptacle or area shall be strictly prohibited.
- C. All commercial solid waste shall be stored separately from cannabis waste in disposal bins secure from wildlife and watershed discharge, divided out from trash and recyclables, and disposed in accordance local and state regulations.
- D. All hazardous waste regulated by the Integrated Pest Management Plan shall be dispose of properly utilizing protocols within that plan in compliance with all local and state regulations.

7.2 Tracking, Records, and Inspections

CERCC requires that the project comply with the Track-and-Trace System and local requirements. The following policies shall be implemented to ensure compliance with the local and state requirements:

- A. In addition to all other tracking requirements, disposal of cannabis waste shall use the Track-and-Trace System with documentation to ensure cannabis waste is identified, weighed, and tracked while on premises and when disposed.
- B. All cannabis plant material identified as cannabis waste shall be reported in the Track-and-Trace System made within three (3) business days of the change in disposition from cannabis plant material into cannabis waste scheduled for destruction or disposal.
- C. Review of on-site cannabis, Track-and-Trace System records, cannabis waste, commercial waste, and any other records shall be available for CDFA (California Dept of Food and Agriculture) inspection or their designated representative. Inspections shall occur at standard business hours from 8:00am to 5:00pm. Prior notice for inspections is not required by the inspecting agency.

7.2 Tracking, Records, and Inspections (cont.)

D. No person shall interfere with, obstruct, or impede inspection, investigation or audit. This includes, but is not limited to, the following actions: Denying the department access to the licensed premises. Providing false or misleading statements. Providing false, falsified, fraudulent or misleading documents and records, and failing to provide records, reports, and other supporting documents.

E. Accurate and comprehensive records shall be maintained on-site for seven (7) years regarding cannabis waste which are subject to CDFA inspection that account for, reconcile, and evidence all activity related to the generation or disposition of cannabis waste.

7.3 Internal Waste Management Policies

The following waste management policies shall be implemented to ensure compliance with the local and state regulations, as well as CIWMA, CERCC and, CWMP (Cannabis Waste Management Plan):

- A. The CWMP shall be always be retained onsite.
- B. Each new laborer that comes onto the site shall be provided with a copy of the CWMP and it shall be their responsibility to read the CWMP.
- C. The operator shall instruct all laborers as to the location and proper disposal of cannabis waste.
- D. The operator shall monitor the process of waste management and reuse of cannabis waste to ensure compliance with the CWMP, local requirements, Integrated Waste Management Act, and CERCC.
- E. The operator shall ensure that all supporting documentation which demonstrates compliance with the CWMP is provided to the local or state enforcement agency upon request or when required.
- F. Waste reduction and recycling strategies shall be periodically reviewed.
- G. Every effort shall be made to use to reduce the amount of cannabis waste sent to landfills by on-site composting and reuse.
- H. Any person hauling away cannabis waste shall notify the operator of the materials, location of disposal, and provide written record.
- I. The waste hauler shall track the total amount of cannabis waste leaving the project by weight or by volume and supply the operator with copies of tickets or detailed receipts from all loads of cannabis waste removed from the site

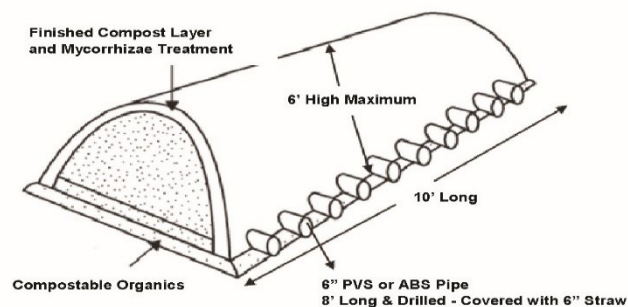
7.4 On Site Cultivation Waste Disposal

The CWMP identifies one or more of the following approved methods for cannabis waste and organic waste according to the CIWMA, CERCC and, CWMP:

On-premises disposal of cannabis and organic waste: Composting cannabis waste shall comply with title 14 of the California Code of Regulations Division 7 Chapter 3.1 (commencing with Section 17850) by one or more of the following methods:

Passive Aerated Static Pile: a composting process to the aerated static pile except that the air or may not be controlled.

Land Application: final deposition of material shall be spread on-site land (i.e., used within gardens).



that is similar source may

compostable compost

7.2 Solid Waste/ Recycling

Solid waste and recycling shall be stored in a location and manner that prevents its discharge to receiving waters and prevents any leachate or contact water from entering or percolating to receiving waters. All solid waste and recycling are stored in cans with lids on a stable, flat area. The cans are secured to exclude wildlife. Solid waste and recycling shall be disposed of at an authorized municipal waste transfer station. It will be taken to by personal vehicle, i.e., truck, 1-3 times per week depending on garbage accumulation.

Solid Waste and Recyclables Disposal

Redway Transfer Station
California Conservation Camp Rd.
Redway, CA 95560707-923-3944
<https://www.recology.com/recology-eel-river/redway-transfer-station/>

7.3 Domestic Wastewater

Portable toilets are utilized for handling domestic wastewater. Portable toilets are cleaned regularly by septic disposal company.

Monitoring Plan

Cannabis cultivators shall regularly inspect and maintain the condition of access roads, access road drainage features, and watercourse crossings. At a minimum, cannabis cultivators shall perform inspections prior to the onset of fall and winter precipitation and following storm events that produce at least 0.5 in/day or 1.0 inch/7 days of precipitation. Cannabis cultivators are required to perform all of the following maintenance:

- Remove any wood debris that may restrict flow in a culvert.
- Remove sediment that impacts access road or drainage feature performance.
- Place any removed sediment in a location outside the riparian setbacks and stabilize the sediment.
- Maintain records of access road and drainage feature maintenance for annual reporting.

Cannabis cultivator that are operating in areas that are, or may become, inaccessible during winter months due to extreme weather such as snow, road closures, seasonal access roads to the property, or any other such conditions shall make additional efforts to enhance winterization measures in the absence of monitoring during storm events.

Monitoring Requirements

(Tier 2, Low Risk, < 1 acre of cultivation)

Monitoring Requirement	Description
Winterization Measures Implemented	Report winterization procedures implemented, any outstanding measures, and the schedule for completion.
Tier Status Confirmation	Report any changes in the tier status.
Third Party Identification	Report any change in third party status as appropriate.

Annual Reporting

Annual Reports shall be submitted to the North Coast Regional Water Quality Control Board by March 1st following the year being monitored. The first Annual Report for this enrollment shall be submitted by March 1st, 2019 and report on monitoring done during the 2018 calendar year. Annual reporting is required each subsequent year of enrollment.

General Recommendations

- Frequent use of un-surfaced roads should be avoided, particularly when road surfaces are soft/saturated.
- Existing or newly installed road surface drainage structures such as water bars, rolling dips, ditch relief culverts, and intentionally in/out-sloped segments of road shall be maintained to ensure continued function of capturing and draining surface runoff.
- All culverts should be inspected regularly during the winter months to check for plugging, blockage, or other issues.
- All generators and petroleum powered pumps shall be located out of riparian setbacks, and are required to have spill trays or secondary containment placed underneath them when using, fueling, or changing oil on them to prevent the potential for leeching, seepage or spillage of petroleum products. All spill trays and containment structures require cover from precipitation. See BMPs: Generator, Fuel, Oil Management and General Recommendations - Petroleum products and hazardous materials specifications.
- Keep and use absorbent materials designated for spill containment and spill cleanup equipment on-site for use in an accidental spill of fertilizers, petroleum products, and hazardous materials.
- Fertilizer, soil amendments, and pesticide use it to be recorded in such a manner that cumulative annual totals are recorded for annual reporting.
- Store in-use fertilizers in a small storage container, such as a tote or deck box, adjacent to the mixing tanks. For the winter period, store fertilizers in enclosed structures with concrete or wooden floors. Do not store fertilizers and flammable petroleum fuels in the same storage structure or area.
- All water storage tanks shall be located out of riparian setbacks.
- Water use shall be designed and metered such that water used for the irrigation of cannabis will be recorded separately from domestic use. Water use for the irrigation of cannabis is to be recorded monthly for annual reporting.
- Install float valves, or implement another equivalent system, on all applicable water storage and transfer tanks to prevent unnecessary water diversion and the overflowing of water tanks.
- Ensure lids are secured on all water storage tanks to prevent wildlife from becoming entrapped within the tank.

Winterization

- Any exposed soils or disturbed land resulting from summer operations or winterization activities shall be seeded with native grass seed and mulched with weed free straw and/or wood chips.
- All disturbed ground and exposed soils around the pond will be treated with erosion control measures including: seeding with native grass seed, mulching with weed free straw and/or wood chips, and installing erosion control measures such as straw wattles, and jute netting.
- All existing culvert inlets shall be cleared of any potential obstructions.
- All fertilizers and petroleum products will be completely sealed and placed in the Storage Structures.
- The chemical toilet will be removed from the property until need resumes the following cultivation season.
- Water storage tank lids shall be appropriately closed to prevent the access of wildlife.
- All refuse/trash shall be removed and disposed of appropriately.
- All inorganic material capable of being transported by wind or rain shall be secured and stored appropriately.
- Any exposed soils resulting from winterization activities shall be seeded and straw mulched.

8. Appendix

8.1 Best Practical Treatment or Control Measures

BMP procedure measures to be implemented

- List of record keeping, monitoring, and other measures needed for compliance.
- Install flow meters for Install flow meters water use and record water use weekly.
- Use log pages and provide additional documentation as needed.
- Record water use.
- Read flow meters weekly and record irrigation use by water source.
- Use log pages provide additional documentation as needed.
- Wet weather road inspection.
- Inspect road during wet weather annually.
- Observe water and sediment discharge.
- Document observations, apply corrective measures to prevent erosion as needed based on observations.
- Pre and post season inspection, conduct self- assessment twice annually.
- Use log pages provide additional documentation as needed.
- Keep chemical storage and use logs
- List chemicals stored onsite and information about quantities used and frequency applied.
- Record annual fertilizer and amendment use.

Pre-season Self-Assessment (to be completed after March and before April 15 each year)

Person Reporting: _____

Date: _____

Yes No

All stockpiles, soil amendments, pesticides, and fertilizers have remained properly stored and/or contained and have not discharged from their storage/containment facility(ies).

Comments:

Yes No

Implemented erosion and sediment controls have remained in place and functioning throughout the winter wet weather period, preventing sediment and turbid stormwater from discharging to surface water bodies.

Comments:

Yes No

All access roads appear to be in good condition and drainage structures have been effective in preventing road surface and fill material from discharging to any surface water bodies.

Comments:

Yes No

Watercourse crossing structures remain functioning throughout the winter wet weather period and there is no evidence of crossings being plugged, overtopped, and/or discharging sediment or fill material. Comments:

Yes No

All water containment structures/ponds/dams have remained effective and in good condition.

Additional Findings: Please describe pre-winter BMPs applied to the site including location and methods (attach additional pages as necessary):

Comments:

Post-Season Self-Assessment (to be completed by October 15th each year)

Person Reporting: _____

Date: _____

Yes N/A

All stockpiles, soil amendments, pesticides, and fertilizers have been properly stored and/or protected per Best Management Practices (BMPs).

Comments

Yes N/A

Erosion and sediment controls have been properly installed and are functioning, and all areas of exposed soil have been stabilized in preparation for the winter wet weather period. Comments

Yes N/A

Drainage structures (waterbars/rolling dips) have been installed and are functioning on all access roads, and all access roads intended for use during the winter wet weather period have been weatherproofed. Comments

Yes N/A

Watercourse crossing structures have been correctly installed/maintained, all fill material/exposed soil has been stabilized, and are free of debris that could plug crossings over the winter wet weather period. Comments

Yes N/A

All trash/refuse has been cleaned up where it cannot pass into or be transported into any water body and empty/used containers have been properly disposed per manufacturer's instructions. Comments

Yes N/A

All water containment/storage ponds/dams have been inspected and appear to be in good, stable condition.

Additional Findings/Comments:

Chemical/Pesticide/Herbicide *Inventory Log*

List all chemicals that you have in storage. When any new pesticides, herbicides, or chemicals are brought onto the property enter the product information in this form. An example entry is provided.

Name of Product	Pest/Herb/Other	Quantity (gal/lbs)	Date	Recorded By

Chemical/Pesticide/Herbicide *Application Log*

Anytime a pesticide, herbicide, or any other chemical is applied to the cannabis it will be recorded on this form. An example entry is provided.

<u>Name of Product</u>	<u>Pest/Herb/Other</u>	<u>Quantity (gal/lbs)</u>	<u>Date</u>	<u>Recorded By</u>

Soil Amendments and Fertilizer Log

Anytime an amendment or fertilizer is used in soil building, top dressing, foliar spray, or any other application - fill out this log. An example entry is provided.

<u>Name of Product</u>	<u>Quantity (gal/lbs/etc)</u>	<u>Date Applied</u>	<u>N-P-K Ratio</u>	<u>Recorded By</u>
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Water Usage Log

Every week record the water used for cultivation using water meters. Fill out the annual total usage on the backside of this form at the end of the year. To calculate annual total, subtract the first meter reading of the year from the last reading of the year. An example entry is provided.

<u>Water Source</u>	<u>Meter#</u>	<u>Quantity (gal/cf)</u>	<u>Date Recorded</u>	<u>Recorded By</u>

8.3 Emergency Contact Information

Benbow Valley Ranch Farms shall visibly post and maintain an emergency contacts list which will include at a minimum:

1. Managerial and property owner contact(s):
2. Property Owner/Manager- Raycho Buhlev (925) 324-8561
3. Emergency responder contact(s):

a. EMERGENCY CALL 911

Site Address: 000 Reed Mtn. Rd. Garberville, CA 95542

b. Nonemergency Sheriff: (707) 445-7251

4. Hazardous Material/Poison control contact(s):

a. EMERGENCY CALL 911

Site Address: 000 Reed Mtn. Rd. Garberville, CA 95542

b. Poison Control Centers 1-800-222-1222

c. Humboldt County HazMat: (707) 445-6215

d. Humboldt County Ag Dept: (707) 441-5260

CANNABIS

PESTICIDES THAT **CANNOT** BE USED



Protecting workers, the public, and the environment from adverse effects of pesticide use in cannabis cultivation is critical to the mission of the California Department of Pesticide Regulation (DPR). DPR and the County Agricultural Commissioners (CAC) enforce the use and sale of pesticides under Divisions 6 and 7 of the California Food and Agricultural Code (FAC), and Title 3 of the California Code of Regulations (CCR). These laws and regulations apply to all pesticide use; cannabis is no exception.

All pesticide product labels include a warning statement, precautionary statements for protecting human and environmental health, storage and disposal statements, and directions for use. By law, all pesticide users must follow these statements.

When using pesticide products in cannabis cultivation, applicators must not use a rate that is higher than the rates listed on the label and follow the agricultural use requirements including method of application, restricted entry interval, personal protective equipment, and pre-harvest interval.

Always read the label prior to using any pesticide.

Some pesticides cannot be used in cannabis cultivation.

While there are some pesticide products that are legal to use on cannabis under state law, (see DPR's document: [Pesticides that are Legal to Use on Cannabis](#)) other products are never allowed in cannabis cultivation. The following criteria identify pesticide products that cannot be used in California cannabis cultivation under any circumstances. The use of any pesticides meeting any one of these criteria on cannabis will be strictly enforced as a violation of the FAC and could result in civil or criminal penalties (FAC sections 12996 and 12999.5):

- Not registered for a food use in California
- California Restricted Material including Federal Restricted Use Pesticides (3CCR section 6400)
- Signal word "DANGER"
- On the groundwater protection list (3CCR section 6800)

Cannabis cultivators who are licensed by the California Department of Food and Agriculture are required to comply with pesticide laws and regulations as enforced by DPR and the CAC's.

For more information:
www.cdpr.ca.gov/cannabis

PESTICIDES THAT **CANNOT** BE USED ON CANNABIS

The following are criteria for identifying pesticides that cannot be used in cannabis cultivation and examples of active ingredients meeting these criteria. This is a representative list of active ingredients and not intended to be exhaustive. The fact that an active ingredient is not listed does not authorize its use on cannabis in California.

Pesticides Not Registered for Food Use in California

If a pesticide product does not have directions for use on a food crop, it cannot be used in cannabis cultivation. Examples of active ingredients that do not have food uses include:

- Aldicarb
- Carbofuran
- Chlordane
- Chlorfenapyr
- Coumaphos
- Daminozide
- DDVP (Dichlorvos)
- Etofenprox
- Fenoxycarb
- Imazalil
- Methyl parathion
- Mevinphos
- Paclobutrazol
- Propoxur
- Spiroxamine
- Thiacloprid

California Restricted Materials

DPR designates certain pesticides as California restricted materials (3 CCR section 6400). A pesticide can be considered a restricted material for many reasons including designation as a federal Restricted Use Pesticide. Many of these products have product labels that clearly state "Restricted Use Pesticide." Consult your local CAC to determine whether a product is a restricted material. Examples of California restricted materials include:

- Abamectin
- Bifenthrin
- Brodifacoum
- Bromodiolone
- Cyfluthrin
- Difenacoum
- Difethialone
- Fipronil
- Naled

Pesticides on the Groundwater Protection List

Active ingredients that are on the Groundwater Protection List (3CCR section 6800) have chemical characteristics that make them likely to move into groundwater. Examples of active ingredients on the groundwater protection list include:

- Acephate
- Azoxystrobin
- Boscalid
- Carbaryl
- Chlorantraniliprole
- Diazinon
- Dimethoate
- Dimethomorph
- Ethoprop(hos)
- Fludioxonil
- Imidacloprid
- Malathion
- Metalaxyl
- Methiocarb
- Methomyl
- Myclobutanil
- Propiconazole
- Tebuconazole
- Thiamethoxam

Pesticide Products with the Signal Word "DANGER"

CANNABIS

PESTICIDES THAT ARE **LEGAL** TO USE



Protecting workers, the public, and the environment from adverse effects of pesticide use in cannabis cultivation is critical to the mission of the California Department of Pesticide Regulation (DPR). DPR and the County Agricultural Commissioners (CAC) enforce the use and sale of pesticides under Divisions 6 and 7 of the California Food and Agricultural Code (FAC), and Title 3 of the California Code of Regulations (CCR). These laws and regulations apply to all pesticide use; cannabis is no exception.

All pesticide product labels include a warning statement, precautionary statements for protecting human and environmental health, storage and disposal statements, and directions for use. By law, all pesticide users must follow these statements.

When using pesticide products in cannabis cultivation, applicators must not use a rate that is higher than the rates listed on the label and follow the agricultural use requirements including method of application, restricted entry interval, personal protective equipment, and pre-harvest interval.

Some pesticide products are never allowed in cannabis cultivation under any circumstances (see DPR's document: [Pesticides that Cannot be Used on Cannabis](#)).

Always read the label prior to using any pesticide.

PRODUCTS THAT CAN BE LEGALLY APPLIED TO CANNABIS IN CALIFORNIA

A pesticide product can legally be applied to cannabis under state law if the active ingredients found in the product are exempt from residue tolerance requirements and the product is either exempt from registration requirements or registered for a use that is broad enough to include use on cannabis.

Residue tolerance requirements are set by U.S. EPA for each pesticide on each food crop and are the amount of pesticide residue allowed to remain in or on each treated crop with "reasonable certainty of no harm." Some pesticides are exempt from the tolerance requirement when they are found to be minimal risk.

Active ingredients exempt from registration requirements are mostly food-grade essential oils such as peppermint oil or rosemary oil.

Cannabis cultivators who are licensed by the California Department of Food and Agriculture are required to comply with pesticide laws and regulations as enforced by DPR and the CAC's.

For more information:
www.cdpr.ca.gov/cannabis

PESTICIDES THAT ARE LEGAL TO USE ON CANNABIS

The following are examples of pesticide active ingredients that are exempt from tolerance requirements and either exempt from registration requirements or have labels broad enough to include use on cannabis. This is not an exhaustive list of active ingredients that may fit the legal use criteria. The active ingredients are organized by the intended target.

Insecticides and Miticides

- Azadirachtin
- *Bacillus thuringiensis* sub. *kurstaki*
- *Bacillus thuringiensis* sub. *israelensis*
- *Beauveria bassiana*
- *Burkholderia* spp. strain A396
- Capsaicin
- Cinnamon and cinnamon oil
- Citric acid
- Garlic and garlic oil
- Geraniol
- Horticultural oils (petroleum oil)
- Insecticidal soaps (potassium salts of fatty acids)
- Iron phosphate
- *Isaria fumosorosea*
- Neem oil
- Potassium bicarbonate
- Potassium sorbate
- Rosemary oil
- Sesame and sesame oil
- Sodium bicarbonate
- Soybean oil
- Sulfur
- Thyme oil

Fungicides and Antimicrobials

- *Bacillus amyloliquefaciens* strain D747
- Cloves and clove oil
- Corn oil
- Cottonseed oil
- *Gliocladium virens*
- Neem oil
- Peppermint and peppermint oil
- Potassium bicarbonate
- Potassium silicate
- Rosemary and rosemary oil
- Sodium bicarbonate
- *Reynoutria sachalinensis* extract
- *Trichoderma harzianum*

Vertebrate Repellants

- Castor oil
- Geraniol

BMP: Generator, Fuel, and Oil Management (General Requirements and Used Oil and Oil Filters)

All bulk fuel storage or petroleum products, any/all future petroleum products and other liquid chemicals, including but not limited to diesel, biodiesel, gasoline, and oils shall be stored so as to prevent their spillage, discharge, or seepage into receiving waters. Storage tanks and containers shall be of suitable material and construction to be compatible with the substance(s) stored and conditions of storage such as pressure and temperature. Above ground storage tanks and containers shall be provided with a secondary means of containment for the entire capacity of the largest single container and sufficient cover shall be provided to prevent any/all precipitation from entering said secondary containment vessel.

If the volume of a fuel container is greater than 1,320 gallons, a Spill Prevention, Control, and Countermeasures (SPCC) plan will be required for the use the fuel tank.

On-site storage of petroleum products, or other fuels used for commercial activities may require registration as hazardous materials through the California Environmental Reporting System (CERS). Additionally, the waste oil generated from commercial activities (generators) and their used oil filters are considered hazardous waste and requires addition reporting. The discharger is advised to contact local agencies to find out if such reporting is applicable to currently operations

Used motor oil is required to be stored in sealed containers that the oil was originally packaged in, e.g. sealed buckets/quart or gallon jugs, or other sealed containers designed to store motor oil. Stored used oil is required to be regularly disposed of at hazardous waste disposal sites. Used oil filters are also required to be stored in sealed containers, e.g. sealed plastic totes/buckets, for later disposal at a hazardous waste disposal site. These storage containers are required to be stored in structures where they are protected from precipitation.

Further information regarding the State of California's requirements for the managing of Used Oil and Oil Filters can be found by entering the links below or searching the corresponding titles to the links.

California Department of Toxic Substances Control - Used Oil Generator Requirements

- <https://www.dtsc.ca.gov/InformationResources/upload/RAG-UsedOilforGenerators.pdf>

Department of Toxic Substances Control - Managing Used Oil Filters for Generator

- https://www.dtsc.ca.gov/InformationResources/upload/RAG_Used-Oil-Filters_Generators1.pdf

BMP: Generator, Fuel, and Oil Management (Generators and Pumps)

All generators and petroleum powered pumps are required to have spill trays or secondary containment placed underneath them when using, fueling, or changing oil on them to prevent the potential for leeching, seepage or spillage of petroleum products. All spill trays and containment structures require cover from precipitation. All generators and petroleum powered pump locations are also required to have spill cleanup kits on hand.

Pre-fabricated secondary containment structures and spill trays can be purchased online or from local wholesalers of petroleum products. As an alternative to pre-fabricated secondary containment structures, structures can be constructed from wooden, cinderblock, concrete, or metal frames lined with PVC liners, e.g. pond liner/water bladder material, as long as the containment is fully sealed and constructed in a similar manner to examples of pre-fabricated containment structures found below. Ensure that diked areas are sufficiently impervious to contain discharged chemicals. All containment structures require cover from precipitation to prevent the containment from filling with water. Secondary containment for fuel tanks shall not be constructed.

As an alternative to pre-fabricated spill kits, kits can consist of sealed trashcans or buckets with industrial absorbent material (e.g. cat litter) and shovels, placed nearby any location where generators, pumps, or other petroleum products or chemicals are used.

Examples of industry standard pre-fabricated spill containment and clean-up kits can be found following or entering the links below. Pre-fabricated spill containment and clean-up kits can be purchased online, from Renner Petroleum, or other similar industry providers.

Ultratech Spill Containment

- <http://www.spillcontainment.com/categories/spill-containment/>

New Pig Portable and Collapsible Spill Containment

- <https://www.newpig.com/collapsible-berms/c/5142?show=All>

BMP: Generator, Fuel, and Oil Management



Example of a small, portable, and compact containment berm.



Example of a portable utility spill tray.

BMP: Generator, Fuel, and Oil Management



Example of secondary containment for a fuel tank. This container requires cover from precipitation.



Example of spill pallets for unused or used oil drums and other petroleum products.

BMP: Spill Prevention, Control, and Countermeasures (SPCC) and Hazardous Materials

All bulk fuel storage or petroleum products, any/all future petroleum products and other liquid chemicals, including but not limited to diesel, biodiesel, gasoline, and oils shall be stored so as to prevent their spillage, discharge, or seepage into receiving waters. Storage tanks and containers shall be of suitable material and construction to be compatible with the substance(s) stored and conditions of storage such as pressure and temperature. Above ground storage tanks and containers shall be provided with a secondary means of containment for the entire capacity of the largest single container and sufficient cover shall be provided to prevent any/all precipitation from entering said secondary containment vessel.

If the volume of a fuel container is greater than 1,320 gallons, a Spill Prevention, Control, and Countermeasures (SPCC) plan will be required for the use the fuel tank.

On-site storage of petroleum products, or other fuels used for commercial activities may require registration as hazardous materials through the California Environmental Reporting System (CERS). Additionally, the waste oil generated from commercial activities (generators) is considered hazardous waste and requires addition reporting. This discharger is advised to contact local agencies to find out if such reporting is applicable to currently operations.

Used and unused oil and oil filters are required to be stored in sealed plastic totes or other similar containers. These storage containers are required to be stored in structures and protected from precipitation.

The State of California's requirements for the managing of Used Oil and Oil Filters can be found following or entering the links below:

- <https://www.dtsc.ca.gov/InformationResources/upload/RAG-UsedOilforGenerators.pdf>
- https://www.dtsc.ca.gov/InformationResources/upload/RAG_Used-Oil-Filters_Generators1.pdf

As an alternative to pre-fabricated secondary containment structures, containment structures for generators, pumps, and used and unused oils sealed in containers can be constructed from wooded or metal frames, or earthen berms, lined with PVC liners, e.g. pond liner/water bladder material, as long as the containment is fully sealed and is constructed in a similar manner to examples of pre-fabricated containment structures found below. Ensure that diked areas are sufficiently impervious to contain discharged chemicals. All containment requires cover from precipitation to prevent the containment from filling with water. Secondary containment for fuel tanks shall not be constructed.

As an alternative to pre-fabricated spill kits, kits can consist of sealed trashcans or buckets with industrial absorbent material (e.g. cat litter) and shovels placed nearby any location where generators, pumps, or other petroleum products or chemicals are used.

Utility trays, or similar trays/catch pans, need to be used on all portable generators and pumps without any other form of secondary containment. Cover over the generator or pump from precipitation will also be required to prevent the secondary containment tray from filling with precipitation.

BMP: Spill Prevention, Control, and Countermeasures (SPCC) and Hazardous Materials

Examples of industry standard pre-fabricated spill containment and clean-up kits can be found following or entering the links below. Pre-fabricated spill containment and clean-up kits can be purchased online, from Renner Petroleum, or other similar industry providers.

- <http://www.spillcontainment.com/categories/spill-containment/>
- <https://www.spillcontainment.com/categories/spill-containment/spill-containment-berms/>

BMP: Spill Prevention, Control, and Countermeasures (SPCC) and Hazardous Materials



- <http://www.spillcontainment.com/products/containment-berms-compact/>

Example of a small, portable, and compact containment berm.



- <https://www.spillcontainment.com/products/containment-berms-collapsible-wall/>

Example of a larger, portable, collapsible wall containment berm.

BMP: Spill Prevention, Control, and Countermeasures (SPCC) and Hazardous Materials



- <https://www.spillcontainment.com/products/utility-trays/>

Example of secondary containment for a fuel tank. Requires cover from precipitation.



- <https://www.spillcontainment.com/categories/spill-containment/spill-containment-pallets/>

Example of spill pallets for unused or used oil drums and other petroleum products.

BMP: Spill Prevention, Control, and Countermeasures (SPCC) and Hazardous Materials



- <https://www.spillcontainment.com/products/utility-trays/>

Example of a portable utility spill tray.



- <https://www.chemtexinc.com/spill-kits/stationary-spill-kits.html>

Example of a spill cleanup kit.

Used Oil Generator Requirements

Regulatory Assistance Officers Notes:

This guidance provides an overview of requirements for generators managing used oil in California. For a complete legal description of requirements specific to used oil, consult California Health and Safety Code (Health & Saf. Code), chapter 6.5, division 20, article 13 (commencing with section [25250](#)), and California Code of Regulations title 22, division 4.5 (Cal. Code Regs.), including chapter 29 (used oil) commencing with section [66279.1](#).

Used Oil Management

Legal Definition of Used Oil:

[Health and Safety Code section 25250.1](#) defines used oil as “any oil that has been refined from crude oil, or any synthetic oil, that has been used, and, as a result of use or as a consequence of extended storage, or spillage, has been contaminated with physical or chemical impurities”.

Used oil includes, but is not limited to, the following:

Used motor oils:

Vehicle crankcase oils
Engine lubricating oils
Transmission fluids
Gearbox and differential oils
Gear oils

Used industrial oils:

Hydraulic oils
Compressor oils
Turbine oils
Bearing oils
Vegetable oils used for lubrication

Other oils:

Transformer oils
Refrigeration oils
Metalworking oils
Railroad oils

Waste synthetic oils that may be managed as used oil include:

Oil derived from coal, oil shale, or polymers;
Water-soluble petroleum-based oils;
Vegetable or animal oil used as a lubricant;
Hydraulic fluid;
Heat transfer fluid.

Used oil does NOT include:

Antifreeze,
Brake fluid,
Other automotive wastes,
Fuels,
Solvents.

Substances which are not regulated as used oils include:

Oils with a flashpoint below 100°F;
Oils mixed with hazardous waste;
Wastewater containing small amounts of used oil;
Oily wastes that are not used oil;
Oily wastewaters that are not used oil;
Tank bottoms;
Used oil processing bottoms;
Used oil re-refining distillation bottoms;
Cooking oils (edible);
Grease;
Oils containing 5 parts per million (ppm) polychlorinated biphenyls (PCBs) or greater;
Oils containing more than 1,000 ppm total halogens *;

* *See rebuttable presumption guidance and [Health and Safety Code section 25250.1, subdivision \(a\)\(1\)\(B\)\(v\)](#) and [California Code of Regulations, title 22, section 66279.10](#)*

Used Oil Management

[Health and Safety Code section 25250.4](#) requires that used oil be managed as a hazardous waste in California unless it has been recycled and is shown to meet the specifications for recycled oil in [Health and Safety Code section 25250.1\(b\)](#), or qualifies for a recycling exclusion under [Health and Safety Code section 25143.2](#).

Used Oil Generator Requirements

For Households

Householders who change their own oil must manage their used oil appropriately (e.g., by taking it to a used oil collection center, etc., and never disposing of it to land, water, storm drains, etc.) Householders are allowed to transport their own used oil to a used oil collection center or to a used oil recycling facility without needing an EPA Number or using a hazardous waste manifest. Some communities have a curbside used oil pickup program for residents. Check with your local solid waste or environmental health agency to see if a recycling program is offered in your area.

For Everybody Else

Under [Health and Safety Code section 25250.11](#), businesses generating used oil as well as used oil collection centers are required to meet all hazardous waste generator requirements operating. These requirements are found in [California Code of Regulations, title 22, sections 66279.20](#) and [66279.21](#) which refer the reader directly to section [66262.10](#) (Hazardous Waste Generator Requirements).

DTSC has a guidance document [Generator Requirements](#) that give detailed explanation of the requirements. Below are some basic requirements applicable to most used oil generators.

EPA ID Numbers

Each non household generator of used oil needs to have an EPA Identification Number issued by DTSC or US EPA for each site where used oil is generated, accumulated or stored. See the Regulatory Assistance Guidance “EPA Identification Numbers.”

Accumulation/Storage Requirements

Containers

The definition of container is given in [California Code of Regulation, title 22, section 66260.10](#). Containers by definition are portable. A “portable” tank that can be moved while it contains waste is regulated as a container. The references to container management requirements are found in California Code of Regulations, title 22, section [66262.34 subsection \(a\)\(1\)](#) which directs the reader to [Article 9 Use and Management of Containers](#) commencing with [California Code of Regulation, title 22, section 265170](#).

In brief, Article 9 states that containers (including portable tanks) that are used for the accumulation of used oil must be kept in good condition and have adequate structural support to contain the used oil. There must be no severe rusting, no apparent structural defects or deterioration, and no leaking. All containers must have tight-fitting lids that are kept closed except when used oil is being added or removed. If a funnel is used in the bung hole of a container, it must either be removed when the container is not being added to (and the container closed), or be equipped with a valve or cover of some sort to prevent leakage if the drum should be turned over. Regular inspection and routine maintenance of all containers is required. Faulty containers must be repaired or replaced.

According to [California Code of Regulation, title 22, section 66262.34 subsection \(f\)](#), Containers accumulating used oil must be labeled with the name and address of the generator and the words “Used Oil,” “Hazardous Waste”. In addition the container must be labeled with the initial date of accumulation.

Everybody Else (Generator >1,000kg/month)

The references to tank management requirements are found in [California Code of Regulations, title 22, section 66262.34 subsection \(a\)\(1\)](#) which directs the reader to Article 10 Tank Systems commencing with [section 66265.190](#).

In brief, Article 10 states that tanks that are used for the accumulation of used oil must be kept in good condition. Tanks must be made of non-earthen, non-absorbing, rust-resistant material such as steel or oil-resistant plastic, and have adequate structural support to contain the used oil. There must be no severe rusting, no apparent structural defects or deterioration, and no leaking. Regular inspection and routine maintenance of all storage tanks is required. Faulty tanks must be repaired or replaced.

For those generators that must comply with Article 10, secondary containment ([Cal. Code Regs., tit. 22, § 66265.193](#)) and tank certifications ([Cal. Code Regs., tit. 22, §§ 66265.191 and 66265.192](#)) are required for storage tanks.

Secondary containment is a backup system designed to prevent the release and migration of wastes or accumulated liquids out of a storage tank or a storage tank system. Examples of secondary containment systems include an impervious bermed area or liner, a vault, or a double-walled tank.

Above-ground storage tanks and fill pipes used to transfer used oil into underground storage tanks must be labeled with the words “USED OIL,” “HAZARDOUS WASTE,” and the initial date of accumulation. In addition, containers must be labeled with the name and address of the generator. ([Cal. Code Regs., tit. 22 § 66262.34\(f\)](#))

Transporting Used Oil

Prior to transporting individual containers of used oil, regulations ([Cal. Code Regs., tit. 22 §§66262.31 and 66262.32](#)) require that the generator must label shipping containers for used oil as follows:

HAZARDOUS WASTE - State and Federal Law Prohibit Improper Disposal. If found, contact the nearest police or public safety authority, the U.S. Environmental Protection Agency or the California Department of Health Services.

- Generator’s name and address
- Proper Department of Transportation (DOT) shipping name
- Uniform Hazardous Waste Manifest number and the shipping identification number (if an individual manifest is used).



An example is pictured to the right

Self Transport

Any generator of used oil is allowed to self transport, in a vehicle under the control of the generator, up to 55 gallons of used oil in containers of not greater than 55-gallon capacity to a used oil collection facility operating pursuant to [Health and Safety Code section 25250.11](#). No hazardous waste manifest is required nor do you need to be a registered hazardous waste transporter. The statute gives the upper limit of the amount of used oil that may be accepted by a used oil collection facility. Since handling 55 gallon drums requires special equipment, many used oil collection facilities will not accept more than 20 gallons. Therefore the generator must first call the collection facility and ensure the facility can accept more than 20 gallons of used oil.

Hire Someone Else

If you hire somebody else to transport your used oil, California law requires that the used oil be transported by a registered hazardous waste transporter using a hazardous waste manifest. In order to be managed under the less restrictive used oil regulations, the used oil must be transporter to an authorized recycling facility.

Hazardous Waste Manifests

Consolidated Manifesting

Most business that generate used oil contract with a used oil collection service that uses a consolidate provide the generator (at the time of used oil pickup) with a legible copy of a receipt for each quantity of used oil received. The generator must maintain these receipts for 3 years. Each receipt must contain the following information:

- Generator's name, address, EPA Identification Number, contact person and telephone number. Generator's signature or signature of generator's representative,
 - Date of shipment,
 - Manifest number (pre-printed on the manifest),
 - Volume, waste code(s) and shipping description of each type of used oil received,
 - Name, address and identification number of the authorized facility to which the used oil is being transported,
 - The transporter's name, address and identification number,
 - The driver's signature,
 - A statement, signed by the generator, certifying that the generator has established a waste minimization program to reduce the volume or quantity and toxicity of the hazardous waste to the degree, as determined by the generator, to be economically practicable.
-
- When using a consolidated manifest, the transporter is required to make a copy of the "generator copy" of the manifest and send it to DTSC. The transporter must also prepare and submit a quarterly report.

Full Hazardous Waste Manifests

Some used oil generators ship their used oil using a full hazardous waste manifest. When you give the used oil to the transporter for shipping, you must also complete a hazardous waste manifest. At the time of shipment, you and the transporter sign off on the manifest and keep one copy (the "generator copy"). As the generator, within 30 days of shipment, you must make a copy of the manifest with the generator and first transporter signatures and mail it to DTSC at:

DTSC Generator Manifests
P.O. Box 400
Sacramento, CA 95812-0400

The remaining manifests go with the transporter, who either delivers the waste to another transporter or a destination facility. Each transporter keeps a copy of the manifest. When the used oil is delivered to the destination facility, the destination facility signs off on the manifests and sends a copy to DTSC at:

**DTSC Facility Manifests
P.O. Box 3000
Sacramento, CA 95812**

Specific requirements for used oil transporters are contained in the statutes and regulations cited at the beginning of this guidance as well as guidance developed specifically for transporters.

Destination Facility

In order to be managed under the less restrictive used oil regulations, California law requires that the used oil be transported to an authorized (e.g. permitted) recycling facility. The recycling facility may be located outside of California, as long as the facility is authorized under the statutes and regulations of the state in which the facility is located.

When the used oil is delivered to the destination facility, the destination facility signs off on the manifests and sends a copy to DTSC at:

**DTSC Facility Manifests
P.O. Box 3000
Sacramento, CA 95812**

Useful Contact Information

DTSC Regulatory Assistance Officers

If you cannot find the answer to your question in this fact sheet, contact the DTSC Regulatory Assistance Officers. You can call them at 800-728-6942, email them at RAO@dtsc.ca.gov, or contact them through [the Regulatory Assistance Web page](#).

DTSC Regulatory Assistance Officers provide informal guidance only regarding management of hazardous waste for the convenience of the public. Such advice is not binding upon DTSC, nor does it have the force of law. If you would like a formal opinion on a matter by DTSC, please contact the responsible program office directly. You should also refer to the statutes and regulations, DTSC Policies and Procedures, and other formal documents.



Regulatory Assistance Guidance Document, November 2008

Managing Used Oil Filters for Generators

Regulatory Assistance Officers Notes:

This guidance provides an overview of requirements for managing used oil filters in California. Although certain fuel filters may be managed as used oil filters under certain circumstances please see separate guidance for fuel filters. For a complete legal description of requirements specific to used oil filters, consult California Health and Safety Code (HSC), chapter 6.5, division 20, article 13 §[25250.22](#), and California Code of Regulations title 22, division 4.5, (22CCR) §[66266.130](#).

Used Oil Filters

Used oil filters may exhibit hazardous characteristics for lead, other heavy metals and petroleum-derived compounds and are classified as hazardous waste in California. To encourage recycling of used oil filters, DTSC adopted reduced handling requirements for drained used oil filters that are sent for recycling as scrap metal.

If not sent for recycling, used oil filters are assumed to be hazardous waste unless they are proven to be non-hazardous by laboratory analysis. This means that, unless you can prove that they are not hazardous waste by chemical testing, used oil filters that are **not** recycled must be managed as fully regulated hazardous waste. Improper management of used oil filters can result in significant fines and penalties. Do not dispose of used oil filters in trashcans or at non-hazardous waste landfills.

Summary of Generator Management Requirements for Used Oil Filters and Fuel Filters:

- Drain and collect the free-flowing oil from the filters.
- The collected oil may be managed under the requirements for used oil.
- Properly contain, label and store the used filters.
- Store the filters within the allowed time limits.
- Transport under a bill of lading to an appropriate destination for eventual metal recycling.
- Keep a copy of the bill of lading for three years.

Draining: How much is enough?





Our mission is to provide the highest level of safety, and to protect public health and the environment from toxic harm.

Used oil and fuel filters must be drained of all free-flowing oil or fuel before they are placed in storage containers. The term “free-flowing” means a continuous stream of used oil from the filter when it is turned over. Used oil that flows drop-by-drop is not considered to be free-flowing. If the filter is equipped with a flapper valve or other device that blocks the drainage, the valve must be opened or the filter case punctured or opened to allow the residual used oil or fuel to drain freely.

Oil filter crushers are commonly used by oil filter generators to remove oil and compact oil filters for shipping. The used oil filter regulations allow generators to pierce and crush drained oil filters to prepare them for recycling, and this treatment does not require a hazardous waste treatment permit. The generator must properly manage all used oil and other residues that drain from the filters as a result of the crushing, puncturing or other activities. Used oil must be managed as hazardous waste.

Containers: What to keep them in?

Since oil filters can still drip oil after they have been drained, oil filters must be placed in a container that can capture all of the used oil that continues to drain from the filters.

The containers of used filters must be:

- Labeled as “Drained Used Oil Filters”, clearly marked with the initial date of accumulation or receipt. The initial date of accumulation is the date when the first filter is placed in the container, or the date when a container of filters is received at a second location,
- Contained in rainproof, non-leaking, closed containers, and
- Closed and sealed containers during transportation so that used oil will not spill out if the containers are placed or fall on their sides.

Storage: How much and for how long?

Generators may store up to one ton of used oil filters for a period of up to one year, and storage of one ton or more of used oil filters is limited to 180 days, unless the storage facility has a hazardous waste permit authorizing longer storage. One ton of filters are approximately equivalent to nine drums of uncrushed filters or six drums of crushed filters.

Allowed Destinations: Where can I send them?

The purpose of the oil filter regulations is to encourage recycling of the metal cases and oil. Because of this, you may only send them to certain facilities. While anybody can collect properly drained used oil filters without a hazardous waste permit, the only allowed destinations for used oil filters are:

- to a used oil collection center that accepts used oil filters;
- to a smelter or scrap metal processor for recycling;
- to a municipal solid waste incinerator for energy recovery, only if the remaining metal casings then are sent to a smelter or scrap metal processor for recycling;
- to a storage or consolidation facility that then transfers the filters to a smelter, scrap metal processor or municipal solid waste incinerator as described above; or
- to an authorized hazardous waste facility including a household hazardous waste facility.





Our mission is to provide the highest level of safety, and to protect public health and the environment from toxic harm.

Transportation: Who and how?

You can either take your filters to a destination facility in your own vehicle, or you can hire a shipper to take them there for you. The shipper does not need to be a registered hazardous waste transporter. Before you ship, you need to be sure that you:

- only transport filters that have been properly drained;
- prevent any spillage of used oil by sealing the containers tightly before transportation and inspecting them to be sure that they do not leak;
- secure the containers in the transport vehicle to prevent movement or tipping during transportation;
- use a bill of lading with each shipment of used oil filters, and include the following information on the bill of lading:
 - Generator's name, address, and telephone number;
 - Transporter's name, address, and telephone number;
 - Name, address and telephone number of the receiving facility quantity and capacity of the containers in the shipment;
 - Date of transportation.

A copy of each bill of lading must be kept on file by the transporter, generator and receiving facility for at least 3 years. Unlike the hazardous waste manifest, copies of bills of lading are not sent to DTSC.

USEFUL CONTACT INFORMATION

DTSC Regulatory Assistance Officers

If you cannot find the answer to your question in this fact sheet, contact the DTSC Regulatory Assistance Officers. You can contact them at 800-728-6942, through their email address RAO@dtsc.ca.gov, or contact them through the Department of Toxic Substances Control [Web site](#).

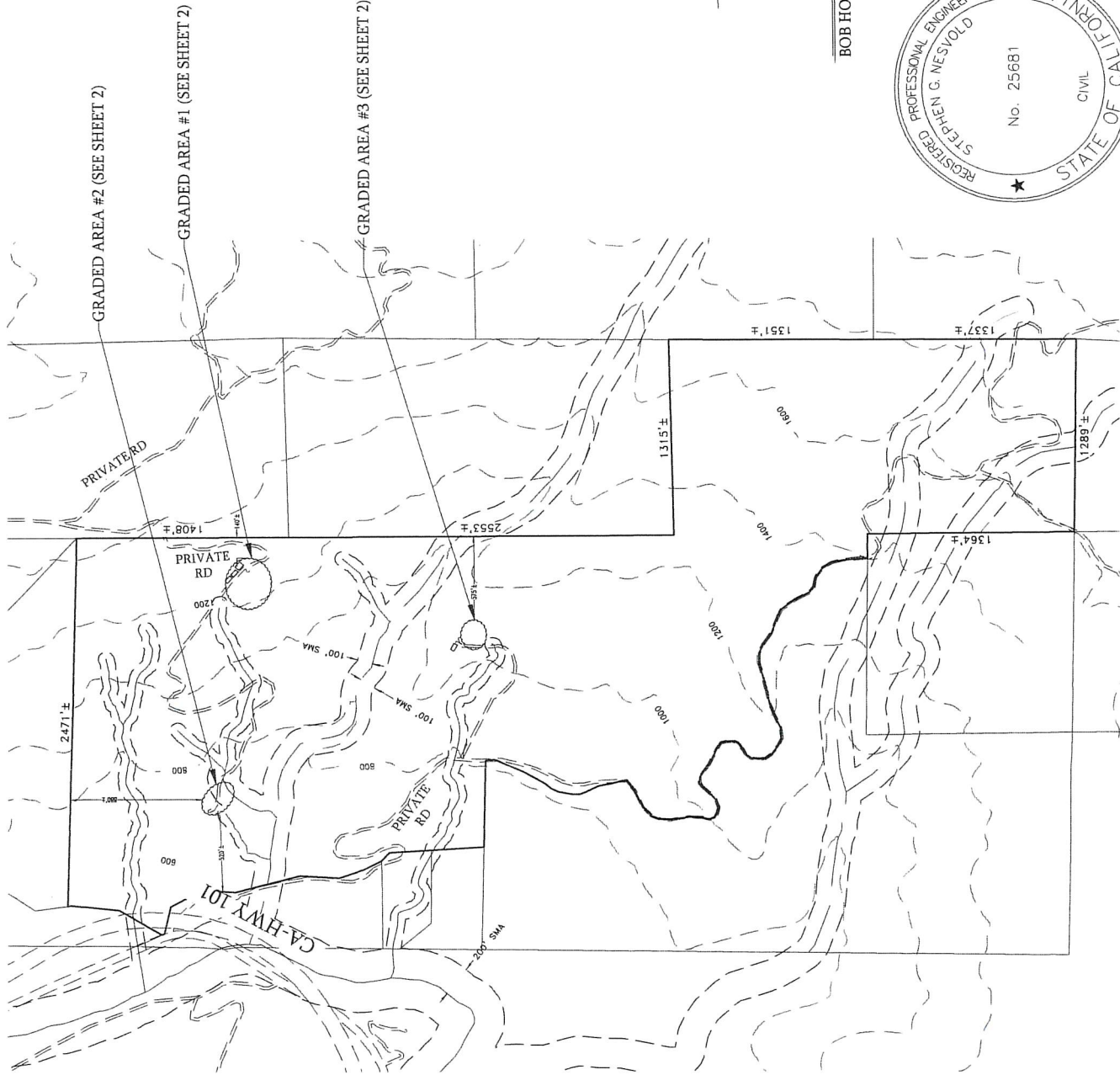
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AS-BUILT GRADING, DRAINAGE & EROSION CONTROL PLAN

ERDO DOGAN

Benbow, California



CAUTION:

UNAUTHORIZED CHANGES & USES
THE ENGINEER PREPARING THESE PLANS WILL NOT BE RESPONSIBLE FOR, OR LIABLE FOR, UNAUTHORIZED CHANGES TO OR USES OF THESE PLANS. ALL CHANGES MUST BE IN WRITING AND MUST BE APPROVED BY THE PREPARER OF THESE PLANS.

CONSTRUCTION CONTRACTOR AGREES THAT IN ACCORDANCE WITH GENERALLY ACCEPTED CONSTRUCTION PRACTICES, CONSTRUCTION CONTRACTOR WILL BE REQUIRED TO ASSUME SOLE AND COMPLETE RESPONSIBILITY FOR JOB SITE CONDITIONS DURING THE COURSE OF CONSTRUCTION OF THE PROJECT, INCLUDING SAFETY OF ALL PERSONS AND PROPERTY; THAT THIS REQUIREMENT SHALL BE MADE TO APPLY CONTINUOUSLY AND NOT BE LIMITED TO NORMAL WORKING HOURS; AND CONSTRUCTION CONTRACTOR FURTHER AGREES TO DEFEND, INDEMNIFY AND HOLD DESIGN PROFESSIONAL HARMLESS FROM ANY AND ALL LIABILITY, REAL OR ALLEGED, IN CONNECTION WITH THE PERFORMANCE OF WORK ON THIS PROJECT, EXCEPTING LIABILITY ARISING FROM THE SOLE NEGLIGENCE OF DESIGN PROFESSIONALS.

CONSTRUCTION NOTES

GENERAL

1. THE INFORMATION AND ELEVATIONS PERTAINING TO EXISTING UNDERGROUND FACILITIES, AS SHOWN HEREON, ARE FROM RECORD INFORMATION AND IS PRESENTED HERE FOR INFORMATIONAL PURPOSES ONLY. THE CONTRACTOR SHALL BE RESPONSIBLE FOR CONTACTING ALL AGENCIES INVOLVED AND SHALL LOCATE THE EXISTING UNDERGROUND FACILITIES PRIOR TO EXCAVATION AND CONSTRUCTION IN ANY AREA. THE CONTRACTOR SHALL CONTACT UNDERGROUND SERVICE ALERT (USA) AT 811 AT LEAST TWO (2) WORKING DAYS IN ADVANCE OF ANY EXCAVATION, AND SHALL NOTIFY THE ENGINEER AND DEVELOPER OF ANY APPARENT DISCREPANCIES IN THE RECORD INFORMATION SHOWN HEREIN.
2. CONTOURS ARE BASED ON USGS 1/3 ARC-SECOND DIGITAL ELEVATION MODELS AND ARE AT 40 FOOT INTERVALS.
3. MATERIALS AND WORK SHALL BE IN ACCORDANCE WITH THE STANDARD SPECIFICATIONS AND STANDARD PLANS OF THE STATE OF CALIFORNIA DEPARTMENT OF TRANSPORTATION (CALTRANS), LATEST EDITION, AND THE IMPROVEMENT STANDARDS, LATEST REVISION, OF THE COUNTY OF HUMBOLDT.
4. THE CONTRACTOR SHALL REMOVE FROM THE SITE AND LAWFULLY DISPOSE OF ALL DELETERIOUS MATERIAL (BROKEN CONCRETE, ASPHALT PAVEMENT, BASE MATERIAL, ROCKS, STUMPS, LIMBS, ETC.) TO A COUNTY APPROVED DISPOSAL SITE.
5. STORM DRAIN PIPE, SHALL BE HIGH-DENSITY POLYETHYLENE (N-12 AS MANUFACTURED BY ADS, OR APPROVED EQUAL), OR AS SPECIFIED ON THESE PLANS.
6. THIS PARCEL IS ZONED AE-B-5 (160);TPZ AND HAS A GENERAL PLAN DESIGNATION OF T AND IS IN THE STATE RESPONSIBILITY AREA (SRA).
7. THE PROPERTY IS CURRENTLY DEVELOPED, WITH ONE (1) RESIDENCE, THREE (3) STORAGE SHEDS AND TWO (2) GRADED FLATS.
8. THE SITE HAS HISTORICALLY NOT BEEN SUBJECT TO FLOODING, PER F.I.R.M. COMMUNITY-PANEL.
9. IT IS UNKNOWN AT THIS TIME WHETHER THE SITE IS UNDERLAIN BY SENSITIVE HABITAT AREAS, WETLAND AREAS OR ARCHAEOLOGICAL RESOURCES.

GRADING & EROSION CONTROL

10. APPROXIMATELY 980 C.Y. OF SOIL MATERIAL WAS RELOCATED TO ACCOMPLISH RECENT GRADING AS SHOWN HEREON. APPROXIMATELY 3,100 C.Y. OF MATERIAL WAS RELOCATED TO ACCOMPLISH PAST GRADING AS SHOWN HEREON.
11. LINDBERG GEOLOGIC CONSULTANTS HAS BEEN RETAINED TO COMPLETE AN R2 SOILS/GEOLOGIC REPORT. ALL RECOMMENDATIONS CONTAINED IN THAT REPORT SHALL BE FOLLOWED.
12. DUST WAS CONTROLLED BY WATERING DURING ALL PHASES OF CONSTRUCTION.
13. SANITARY FACILITIES WERE MAINTAINED ON THE SITE DURING CONSTRUCTION.
14. EXISTING NON-VEGETATED AREAS SHALL RECEIVE EROSION CONTROL TREATMENT PRIOR TO THE ONSET OF THE WINTER RAINS. EROSION CONTROL TREATMENT SHALL CONSIST OF THE FOLLOWING:
 - a. SPREAD REDWAY SEED MIX AT THE MANUFACTURERS RECOMMENDED RATE.
 - b. SPREAD STRAW AT THE RATE OF 2 TONS/ACRE.
 - c. STRAW SHALL BE STABLE AND NOT SUBJECT TO REMOVAL BY WIND. THE STRAW SHALL BE PLACED WITH PARTIAL EMBEDMENT INTO THE SOIL OR TREATED WITH A SUITABLE STABILIZING EMULSION.
15. THE GOAL OF THIS GRADING, DRAINAGE & EROSION CONTROL PLAN IS TO MINIMIZE SEDIMENT LEAVING THE SITE, AND TO ENSURE THAT ANY SEDIMENT THAT DOES LEAVE WILL HAVE AN INSIGNIFICANT IMPACT DOWNSTREAM.
16. SITE MONITORING PRIOR TO AND AFTER SIGNIFICANT STORM EVENTS SHALL BE MADE BY THE DEVELOPER, TO VERIFY THAT THE EROSION CONTROL MEASURES ARE SATISFACTORY, AND TO DETERMINE IF ADDITIONAL MEASURES ARE REQUIRED IN ORDER TO ACHIEVE THIS PLAN'S GOAL.
17. ALL EARTHWORK AND GRADING WAS COMPLETED IN ACCORDANCE WITH SECTION 19 OF CALTRANS SPECIFICATIONS, LATEST EDITION, AND SECTION 331-12 OF THE HUMBOLDT COUNTY LAND USE AND DEVELOPMENT ORDINANCE.
18. CUT SLOPES WAS 2:1 MAXIMUM AND FILL SLOPES WAS 2:1 MAXIMUM UNLESS OTHERWISE SHOWN HEREON.

DRAWING INDEX

SHEET	DRAWING COVER / TITLE SHEET
1	COVER / TITLE SHEET
2	GRADED AREAS #1, #2 & #3
3	CROSS SECTIONS & DETAILS

UTILITIES

WATER	ON-SITE WELL
SEPTIC	ON-SITE
POWER	ON-SITE SOLAR

LEGEND

SYMBOL

INDICATES
DIRECTION OF SURFACE WATER RUNOFF/FLOW DIRECTION

EXISTING PARKING

PROPOSED

EXISTING

TYPICAL

S.F. SQUARE FEET

DIA. DIAMETER

CMP CORRUGATED METAL PIPE

HDPE HIGH-DENSITY POLYETHYLENE

SRA STATE RESPONSIBILITY AREA

GRAVEL

EXISTING CUT

EXISTING FILL

C.Y. CUBIC YARDS

RSP ROCK SLOPE PROTECTION

SMA STREAMSIDE MANAGEMENT AREA

CMP CORRUGATED METAL PIPE

BMP BEST MANAGEMENT PRACTICES

ATV ALL TERRAIN VEHICLE

CONTOURS AT 200 FOOT INTERVALS (SHEET 1)

CONTOURS AT 40 FOOT INTERVALS (SHEET 2)

SILT FENCE

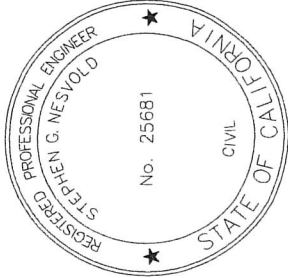
STRAW WATTLE

OWNER

BOB HOWARD & MER REALTY LLC CO
3621 32ND AVE W
SEATTLE, WA 98119

APPLICANT

ERDO DOGAN
P. O. BOX 351
GARBERVILLE, CA 95542
(206) 372-8966



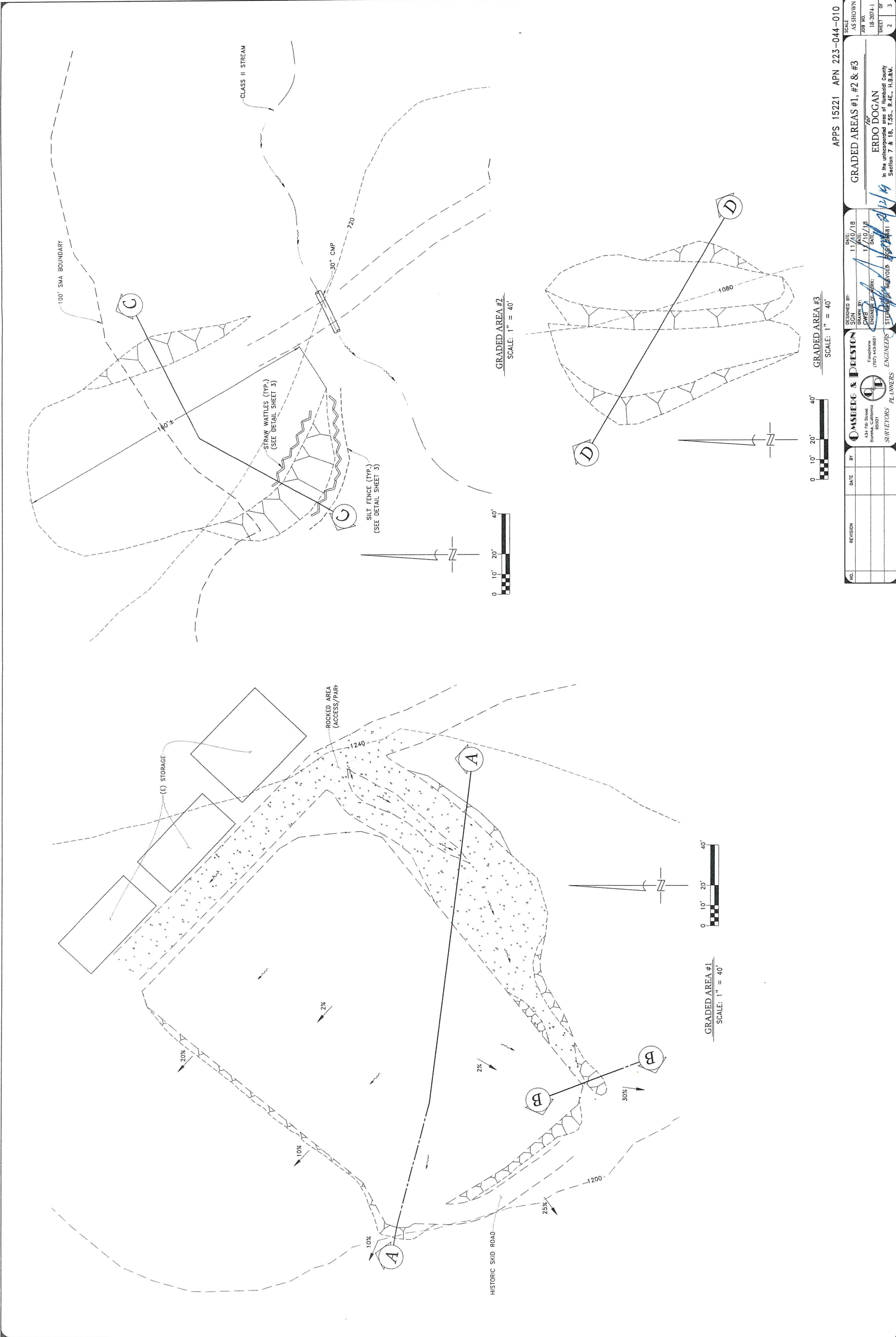
Stephen G. Nesvold
STEPHEN G. NESVOLD, P.E.
R.C.E. 2681
DATE 2/12/19



LOCATION MAP
SCALE: 1" = 1,000'

NO.	REVISION	DATE	BY	DESIGNED BY	DATE	SCALE
				SGN	11/10/18	AS SHOWN
				CWB	11/10/18	JOB NO. 18-2074-1
				SGN	02/08/19	SHEET 1 OF 3

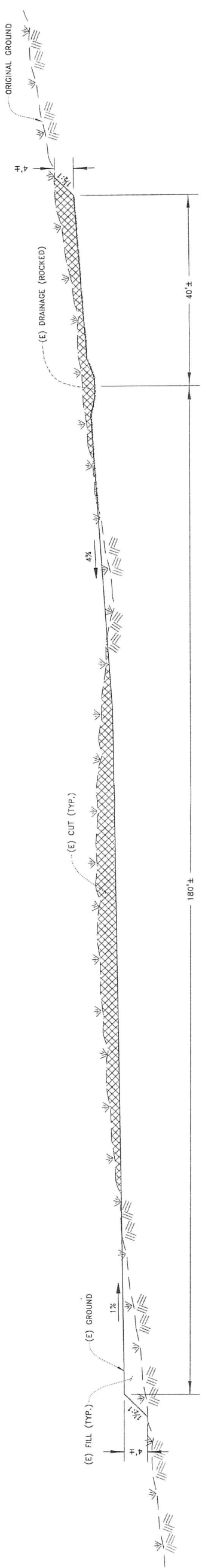
APPS 15221 APN 223-044-010
GRADING, DRAINAGE & EROSION CONTROL PLAN
ERDO DOGAN
In the unincorporated area of Humboldt County
Section 7 & 18, T.55S., R.4E., H.B.&N.



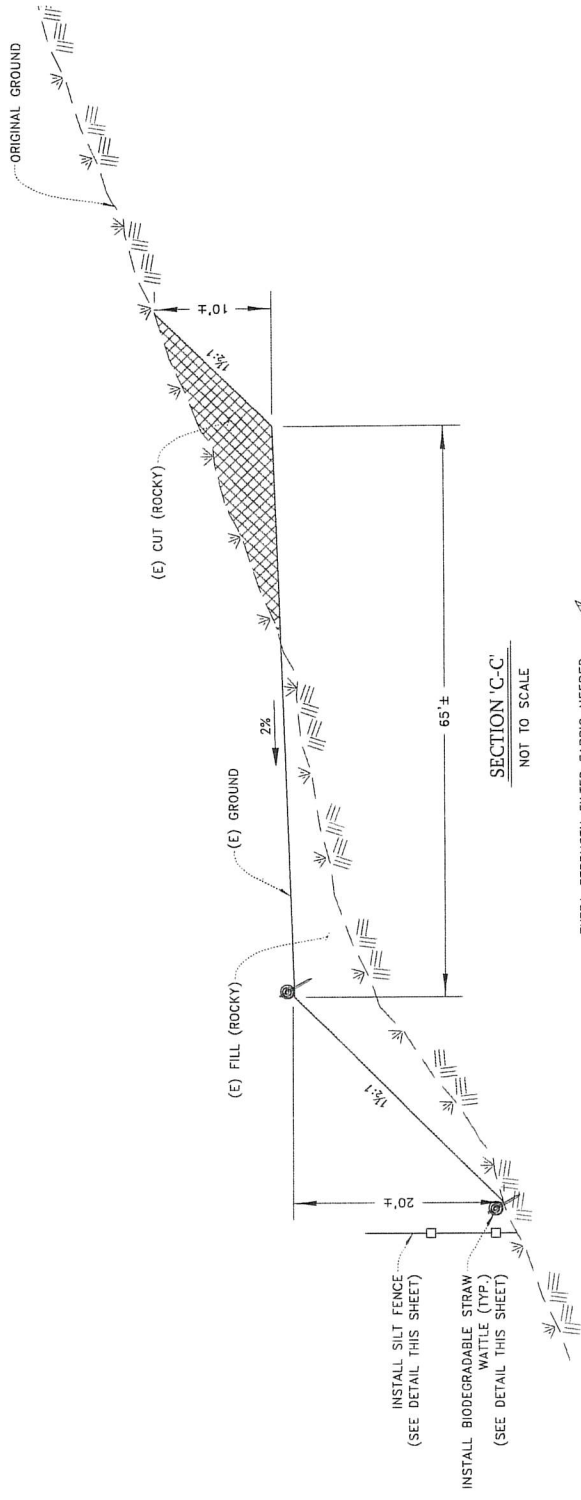
NO.	REVISION	DATE	BY

DESIGNED BY: SGN	DATE: 11/10/18
DRAWN BY: CWV	DATE: 11/10/18
CHECKED BY: SJM	DATE: 11/10/18
ENGINEER OF WORK: ERDO DOGAN	DATE: 11/10/18
REGISTERED PROFESSIONAL ENGINEER No. 45051	DATE: 11/10/18
REGISTERED PROFESSIONAL ENGINEER No. 24681	DATE: 11/10/18

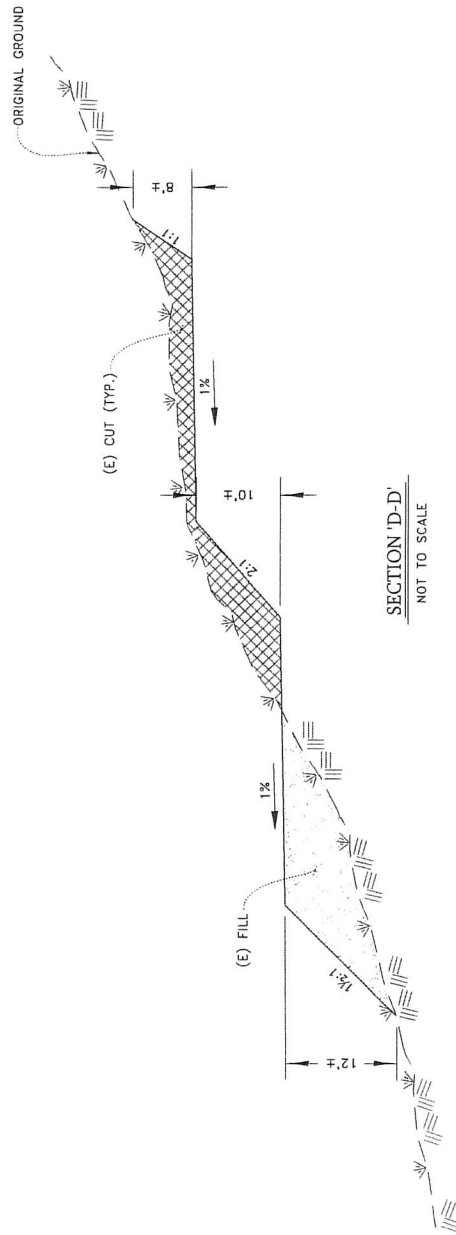
SCALE: AS SHOWN	APPS 15221 APN 223-044-010
JOB NO. 18-2074-1	GRADED AREAS #1, #2 & #3
SHEET 2 OF 3	ERDO DOGAN
	In the unincorporated area of Humboldt County
	Section 7 & 18, T.55S., R.4E., H.B.&M.



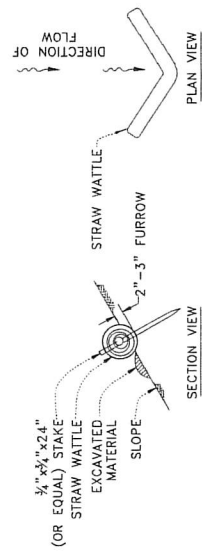
SECTION 'A-A'
NOT TO SCALE



SECTION 'B-B'
NOT TO SCALE

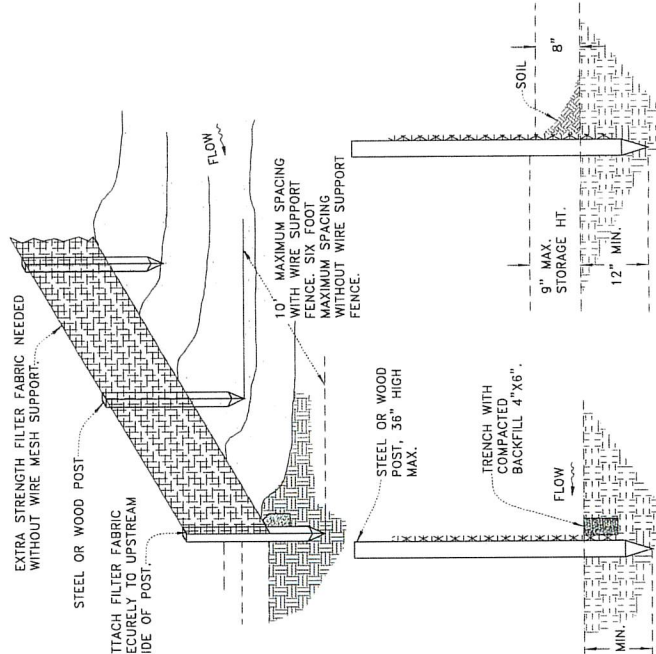


SECTION 'D-D'
NOT TO SCALE



NOTE:
STRAW WATTLE TO
BE BIODEGRADABLE.

STRAW WATTLE DETAIL
NOT TO SCALE



TRENCH DETAIL
INSTALLATION WITHOUT TRENCHING

SILT FENCE
NOT TO SCALE

NO.	REVISION	DATE	BY

DESIGNED BY:	CWB	DATE:	11/10/19
DRAWN BY:	CWB	DATE:	11/10/19
CHECKED BY:		DATE:	
APPROVED BY:		DATE:	

SCALE:	AS SHOWN
TAB NO.:	18-2074-1
SHEET:	3
OF:	3

APPS 15221 APN 223-044-010

CROSS SECTIONS & DETAILS

ERDO DOGAN
in the unincorporated area of Alameda County
Section 7 & 18, T.52S., R.4E., H.B.&M.

212/19

SHAWN G. NESVOLD P.E. 25663

ENGINEERS PLANNERS

OSBERG & PRESTON
434 7th Street
Emeryville, California 94601
(707) 464-1668

Energy Generation and Consumption Plan

Benbow Valley Ranch Farms, LLC PLN- 11916-SP

The applicant, Benbow Valley Ranch Farms LLC cultivates cannabis in greenhouses, using mixed light cultivation techniques. Greenhouse lighting, water and air pumps, atomizer (for foliage feeding and pest/disease), fans, power tools, surge protectors, dehumidifiers, cannabis trimming machine and all electrical supplies and equipment are run from three diesel generators at this time. Only one generator in operation at any time. Each generator has a different load capacity and is used only as necessary. Generator is always monitored by someone at site while in operation.

Energy conservative method are employed throughout the property. Domestic generator purposes limited to actual use time and generators are never left running without power loads. Domestic generator use is year-round, from the residence daily in the morning and at night,

Cultivation activities and cultivation with light assist will occur seasonally with 3 harvests. Lights are only used when weather conditions do not allow for natural light to be sufficient for growth. Drying and processing activities consume power but are executed quickly in an efficient manner to minimize time of generator use.

Generator #1 is 70kw and is used primarily for domestic purposes and ancillary cannabis activities that have smaller energy requirements. This the main generator used on site 8 ½ months of the year. It is not used for 3 months. It is used when the higher-powered generator is not necessary. See chart below for monthly rates.

Generator #2 is a 400kw Diesel Generator that is used for domestic, ancillary cultivation activities and cultivation when needed for cultivation activities. Applicant uses an average of 30 days of light assist in the winter cycle only. Generator is used or cultivation and domestic purposed 3½ months of the year. Generator is not in use for 8½ months of the year. See chart below for monthly usage.

Generator #3 is a 320kw and is for emergency back-up reasons only. This generator is only in use if both primary generators are unusable.

Generator # 2 current power requirement for mixed light greenhouses is 69,600 watts of power total for all three greenhouses during the winter cycle. Forty (40) cultivation lights in each Greenhouse numbers 1 and 2. Thirty-Six (36) cultivation lights in greenhouse #3. All wattage equal to 6 watts per square foot qualifying as a Tier 1 Mixed Light cultivation with Department of Cannabis Control. Other energy usage requirements in greenhouses includes several industrial fans. The drying shed also has fans and dehumidifiers. The propagation greenhouse has supplemental lighting fixtures. These fixtures are small string lights with CFL bulbs. Maximum output of 460 watts at peak usage.

Generator #1 current power requirements for greenhouses includes several industrial fans. The drying shed also has fans and dehumidifiers. The propagation greenhouse has supplemental lighting fixtures. These fixtures are small string lights with CFL bulbs. Maximum output of 460 watts at peak usage.

Generator #3 is for back up emergency use if both other generators fail to operate during the season.

Cultivation occurs in three cycles. Cycle one begins in January of every year and cultivation ends in late April . Cycle two begins in May and ends in early-mid August. Cycle three begins in August and runs through December, depending on Cannabis strain choices. Propagation Space is utilized from January through March-April and vegetative plants are moved into flowering greenhouses in March-April. New vegetative plants are started in the propagation greenhouses in June and moved into Flowering Greenhouses in August.

Flowering greenhouses receive light assistance in February through April. Fans and dehumidifiers are used frequently in these greenhouses year-round and powered by the domestic generator. Only when light assist is necessary in flowering greenhouses will the 400kw generator be in operation. All other operations are carried out by the 70kw generator.

OSHA requirements have been met by the applicant and Hazmat training will be completed by the end of 2022. All hazmat materials are removed from site immediately and not stored in amounts that exceed threshold hold requirements for CUPA.

Application for PG and E is being prepared. Plans to have PG and E installed and operational by 2025. At that time only one generator (generator #2) will stay on-site as a back up power source in case of a PG and E power outage or from power safety shut off policy.

Energy Consumption Table

Type of Power Use	Hours per month												Total
	Jan	Feb	Mar	April	May	June	July	Aug	Sept	Oct	Nov	Dec	
70 kw Diesel Cannabis Operations (hours in use with no domestic)	93	0	0	0	186	60	186	60	180	180	180	60	1,195 hours
400 kw Diesel Cannabis Operations (Hours in use while no domestic)	84	168	186	180	0	0	0	0	0	0	0	0	618 hours
Total Generator Usage for Cannabis Operations	177	168	186	180	186	60	186	60	180	180	180	60	1,813 hours
70 kw Diesel Domestic Operations	98	0	0	0	196	190	196	196	190	196	190	196	1,648 hours
400 kw Diesel Domestic Operations	98	178	196	190	0	0	0	0	0	0	0	0	662 hours
Total Generator Usage for Domestic Operations	186	178	196	190	196	190	196	196	190	196	190	196	2,310 hours
Total hours of Energy Usage on Site	382	346	382	370	382	250	382	256	370	382	370	356	4,123 Hrs./yr.

Calculations for 400 kw operations of light assist in Flowering greenhouses is 6 hours per day average Jan 15 – April. No light assist from May through Jan.

Calculations for 70 kw operations do not include time it is already in operations for domestic or light assist flowering to keep totals accurate. Energy calculations include fans, dehumidifiers, and trim machines. Trim machines only used during harvest in May, August, and December.

January through June propagation greenhouse will require an additional 4 hours a day of power. The 400kw will supply this power in addition to power used from domestic during the months of February-April. In May through Sept. propagation greenhouse supplement will occur on the 70kw generator in conjunction with flowering lights.

In May, August and December drying and harvesting as well as processing will occur. Power usage will increase by 4 hours a day on 400kw domestic use generator.

Domestic Calculations based on 2 hours in the morning and 4 hours in the evening of generator use for domestic purposes. Additional 10 hours of emergency use added per month.

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
Humboldt County District Attorney		No Response	
Division Environmental Health	✓	Conditional Approval	On file
Humboldt County Sheriff Office	✓	Approved	On file
Building Inspection Division		No Response	
Garberville Regional VFD		No Response	
Regional Water Quality Resources Control Board		No Response	
North Coast Unified Air Quality Management District		No Response	
Southern Humboldt Joint Unified School District		No Response	
California Department of Fish & Wildlife		No Response	
California Division of Water Rights	✓	Approved	On file
Public Works, Land Use Division	✓	Conditional Approval	On file
Northwest Information Center	✓	Further Study	On file and confidential
Bear River Band of the Rohnerville Rancheria	✓	Conditional Approval	On file and confidential
Intertribal Sinkyone Wilderness Council		No Response	
PW – Natural Resources		No Response	