



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

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

Hearing Date: February 17, 2022

To: Humboldt County Planning Commission

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

Subject: **Reed Mountain Farms, LLC, Conditional Use Permit**  
Record Number: PLN-13186-CUP  
Assessor's Parcel Number (APN): 033-140-008  
200 Thistle Lane, Benbow area

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Please contact Max Hilken, Assigned Planner, at 707-443-5054 or by email at hilkenm@lacoassociates.com, if you have any questions about the scheduled public hearing item.

**AGENDA ITEM TRANSMITTAL**

<b>Hearing Date</b> February 17, 2022	<b>Subject</b> Conditional Use Permit	<b>Contact</b> Max Hilken
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**Project Description:** A Conditional Use Permit for an existing 16,050-square-foot outdoor cannabis cultivation including 1,590 square feet (SF) of ancillary propagation. Irrigation water is sourced from the Del Oro Water Company (Benbow District). Estimated annual water usage is 162,500 gallons. Existing available water storage is 12,750 gallons in a series of hard-sided tanks. Processing, including drying, curing, and trimming, will occur onsite within a proposed 2,400 SF building. A maximum of nine (9) employees may be utilized during peak operations. Power is provided by a generator, utilized for drying, curing, and supplemental domestic uses; however, the applicant is proposing to transition to Pacific Gas and Electric (PG&E) prior to the 2025 cultivation season.

**Project Location:** The project is located in Humboldt County, in the Benbow area, at the terminus of Thistle Lane, approximately 1,500 feet southeast from the intersection of Kona Way and Thistle Lane, on the property known known as 200 Thistle Lane.

**Present Plan Land Use Designations:** Residential Agriculture (RA) Density: 20 to 160 acres per dwelling unit, Slope Stability: High instability (3).

**Present Zoning:** Agricultural Exclusive with a Planned Unit Development Combining Zone (AE-P)

**Record Number:** PLN-13186-CUP

**Assessor's Parcel Number:** 033-140-008

**Applicant**

Reed Mountain Farms, LLC  
C/O Plamen Stoyanov  
2729 51<sup>st</sup> Avenue SW  
Seattle, WA 98116

**Owner**

Plamen Stoyanov  
20 Thistle Ln.  
Garberville, CA 95542

**Agent**

ETA Humboldt, LLC  
Vanessa Valare  
P.O. 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.

**Reed Mountain Farms, LLC**  
Record Number: PLN-13186-CUP  
Assessor's Parcel Number: 033-140-008

**Recommended Planning Commission 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 for the Commercial Medical Land Use Ordinance (CCMLUO) as described by Section §15164 of the State CEQA Guidelines, make all of the required findings for approval of the Conditional Use Permit and adopt the Resolution approving the Reed Mountain Farms, LLC, project as recommended by staff subject to the recommended conditions.*

**Executive Summary:** Reed Mountain Farms, LLC, seeks a Conditional Use Permit to allow the continued cultivation of 16,050 square feet (SF) of outdoor cannabis in accordance with Humboldt County Code Section 314-55.4 of Chapter 4 of Division I of Title III, Commercial Medical Marijuana Land Use Ordinance (CMMLUO). The site is designated as Residential Agriculture (RA20-160) in the Humboldt County 2017 General Plan Update and zoned Agricultural Exclusive with a Planned Unit Development combining zone (AE-P).

Currently, there are four (4) outdoor light deprivation greenhouses utilized for a total of 12,070 SF of cultivation onsite. The project proposes an additional 3,980 SF greenhouse to fully utilize the 16,050 SF that has been verified as existing prior to the CMMLUO baseline date of January 1, 2016, through the County's Cultivation Aerial Verification (CAV) process (Attachment 3). Currently, cultivation takes place primarily in the eastern portion of the parcel. Per the applicant, the additional 3,980 SF greenhouse would be located on the western side of the parcel and outside of required setbacks. Ancillary propagation currently occurs on the east end of the parcel within a 1,000-square foot greenhouse and a 600-square-foot greenhouse. The applicant is proposing to relocate and consolidate the two existing greenhouses into one 1,590-square-foot greenhouse approximately 300 feet east of the historic propagation location. additional 1,590 SF of propagation space, bringing total propagation area to 2,590 SF. Two (2) harvests are expected annually for a growing season that extends from April through October.

Processing, including drying, curing, and packing, occurs onsite within two 768 SF structures. The applicant is proposing to relocate the processing and drying activities to one 2,400-square-foot structure onsite. Up to nine (9) employees may be utilized during peak operations. Power is provided by a generator, utilized for drying, curing, and supplemental domestic uses, the applicant is proposing to transition to Pacific Gas and Electric prior to the 2025 cultivation season. The operation is secured utilizing, security lighting, and locked doors to processing and storage areas.

**Soils**

An R2 Soils Report was prepared by DTN Engineering, dated January 21, 2021 (Attachment 3), which included a field investigation to evaluate existing soil and geologic conditions for the project location. General slopes across the property are described as slightly inclined (less than 10% to greater than 25%). According to the Humboldt County WebGIS, all proposed areas for development are located outside of any mapped historic landslides. The Garberville Briceland Fault Zone is located approximately 0.5 miles to the southwest and northwest of the parcel; however, the subject site is not located within a mapped hazard zone per Humboldt County WebGIS. The Report indicates that the site's potential for liquefaction, surface rupture, soil strength loss, or faulting is moderate, and no special mitigation hazards are necessary. The Report did include general recommendations for any future grading activities to be performed for greenhouse pads and a seasonal access road on the southern portion of the parcel. Additional grading activities would include development of the foundation of the existing building, of which the project is conditioned to adhere to and implement through the life of the project.

## **Water Resource**

Estimated annual water usage for irrigation is 121,552 gallons (7.57 gal/SF). Water for irrigation is provided by the Del Oro Water Company (Benbow District). Water storage onsite consists of four (4) 2,500-gallon, one (1) 1,100-gallon, and three (3) 550-gallon hard sided water tanks for a total of 12,750 gallons of onsite water storage.

A Final Streambed Alteration Agreement (Notification No. 1600-2016-0056-R1) from the California Department of Fish and Wildlife (CDFW), initiated July 13, 2016, includes approval of three (3) encroachments at the site, which include two (2) points of diversion (one from a Class III stream and one from the main stem of the Eel River) for replacement of an undersized failing culvert. The points of diversion were described as being utilized for cannabis irrigation and domestic uses. However, the project as proposed does not utilize a point of diversion for irrigation. The use of a point of diversion for the use of cannabis irrigation is not allowed under this permit.

A Site Management Plan (SMP) was prepared by DTN Engineering on December 31, 2020 (Attachment 3) for the subject site pursuant to the State Water Resources Control Board (SWRCB) Cultivation Policy, in congruence with Order WQ 2017-0023-DWQ General Waste Discharge Requirements for Discharges of Waste Associated with Cannabis Cultivation Activities (General Order). The SMP did not identify any specific locations onsite that currently do not comply the requirements as outlined in the General Order. The SMP did, however, outline specific Best Practicable Treatment or Control measures (BPTC) to be utilized onsite including monitoring of locations that may represent potential points of sediment discharge, including bi-annual culvert inspections to ensure they are functioning properly and do not require cleaning or replacement outside of the rainy season. There are BPTCs included for chemical storage and use, petroleum product storage and use, trash or refuse and domestic wastewater measures, and winterization measures that the project is required to implement and adhere to. As such, the project is conditioned to adhere to and implement the BPTCs described in the SMP.

As shown on the Site Plan, three unnamed Class III streams traverse the subject property with several forks, and generally run east to west towards Fish Creek and the South Fork Eel River. The respective 50-foot Streamside Management Area (SMA) buffers are depicted on the Site Plan. As identified in the SMP, the nearest cultivation area is over 50 feet from any streams onsite as measured through geo-referenced aerial imagery and further verified with in-field measurement. The Site Plan depicts all cultivation areas outside of the SMA; however, two (2) 768 SF drying, and processing structures currently reside within an SMA.

## **Biological Resources**

Per review of CDFW's California Natural Diversity Database (CNDDDB) in October 2021, there are no mapped sensitive species onsite and the nearest NSO activity center is located approximately 1.7 miles from the nearest cultivation area, with the nearest NSO sighting located approximately 1.6 miles away. Per the Cultivation and Operations Plan, "the applicant has applied for and paid a deposit for a PG&E power drop from the existing power pole located on this parcel. Applicant is actively working with PG&E to facilitate getting power to this parcel as soon as possible and is expecting to have PG&E service by 2025. In the meantime, power for this outdoor light deprivation cultivation is sourced from a generator, minimally utilized for ancillary activities." 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 of a maximum of 50 decibels at the property line. Conformance will be evaluated using current auditory disturbance guidance prepared by the United States Fish and Wildlife Service (USFWS). Additional conditions of approval require the applicant to refrain from using synthetic netting, ensure refuse is contained in wildlife proof storage, refrain from using anticoagulant rodenticides, prepare and adhere to the applicants' Waste Management Plan (Attachment 3), and Pest Management Plan (Attachment 3), prepared by CannaFarms Consulting on November 30, 2018. As proposed and conditioned, the project is consistent with CMMLUO performance standards and CDFW guidance, and will not negatively impact NSO or other sensitive species.



## **Access**

Access to the site is via an access road (Thistle Lane) from Lower Kona Road (a private road) from Red Rock Road. Redrock Road is accessed off Fairway Drive via Benbow Drive, which is a County maintained road. Two engineered road evaluations have been performed for the access roads onsite and leading to the property: one dated February 2, 2018, that focused on the ability for the access roads to accommodate the traffic in conjunction with the proposed project, and the other dated December 21, 2020, that evaluated the ability for the onsite access roads to accommodate emergency vehicle access (Attachment 3). The project is conditioned to require that the applicant construct and/or implement the recommendations contained in the Roadway Evaluation Report, prepared by Omsberg and Preston, dated January 31, 2019, for Thistle Lane and engineer recommendations provided by DTN Engineering and Consulting, dated 12,31,2020, including the following:

- a. Minor grading and rocking in addition to the clearing of road turnouts is required to make the turnouts usable (less than 50 cubic yards).
- b. Turnouts at miles 0.25, 0.30, and 0.45 will need to be cleared of brush and/or debris.
- c. Clearing of brush and limbing of trees at key locations (described in report), mostly along inside curves.
- d. Lime treatment to the surface of the Driveway to create a hard surface and construct appropriate water bars and rolling dips (as shown in exhibit D of the DTN Engineering and Consulting Road Evaluation Report).

Due to the number of cultivation projects along Red Rock Road, Kona Road, and Thistle Lane Road, and recommendations in the Road Evaluation Report, both approved and pending, conditions of approval require the applicant to take steps to form a Road Maintenance Association for the maintenance of Red Rock and Kona Road. The necessary steps include sending notices to all road users of the requirement to form a Road Maintenance Association and conducting a meeting with the users of the road, especially those engaged in commercial cannabis activities to discuss formation of the Road Maintenance Association. The applicant shall provide evidence, including notice, meeting minutes, and the decision as to whether a Road Maintenance Association is being formed to show this effort. In the event the applicant is unable to coordinate formation a Road Maintenance Association, the applicant shall pay fair-share cost for maintenance of the road to any road user engaged in maintaining the road.

## **Consistency with Humboldt County Board of Supervisors Resolution No. 18-43**

Planning staff determined approval of this project is consistent with Humboldt County Board of Supervisors Resolution No. 18-43, which established a limit on the number of permits and acres which may be approved in each of the County's Planning Watersheds. 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 305 permits and the total approved acres would be 86.38 acres of cultivation.

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

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



**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 (SMP) was prepared by DTN Engineering on December 31, 2020, (Attachment 3) for the subject site pursuant to the State Water Resources Control Board (SWRCB) Cultivation Policy, in congruence with Order WQ 2017-0023-DWQ General Waste Discharge Requirements for Discharges of Waste Associated with Cannabis Cultivation Activities (General Order). The SMP did not identify any specific locations onsite that are currently out of line with the requirements as outlined in the General Order. The project is conditioned to adhere to the BPTC's as outlined by the General Order and further described in the applicants SMP.
- d) A review of CDFW's California Natural Diversity Database (CNDDDB) in October 2021, there are no mapped sensitive species onsite and the nearest NSO activity center is located approximately 1.7 miles from the nearest cultivation area, with the nearest NSO sighting located approximately 1.6 miles away. 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 of a maximum of 50 decibels at the property line. Conformance will be evaluated using current auditory disturbance guidance prepared by the United States Fish and Wildlife Service (USFWS). Additional conditions of approval require the applicant to refrain from using synthetic netting, ensure refuse is contained in wildlife proof storage, refrain from using anticoagulant rodenticides, prepare and adhere to the applicants Waste Management Plan and, Pest Management Plan.
- e) No net loss of timberland after the environmental baseline of December 31, 2015, would occur under the project. Review of the National Agriculture Imagery Program (NAIP) images taken in the summer for 2014, 2016, 2018, and 2020 depict no timber conversion has occurred on the subject property. The project does not propose timber conversion as described.
- f) A Cultural Resources Investigation (survey) was prepared by Archaeological Research and Supply Company in December 2018 which concluded no archaeological resources were located within the parcel or current project area. Consultation to the Bear River Band of Rohnerville Rancheria was conducted, on October 26, 2021, the Tribal Historic Preservation Officer recommended the inclusion of Inadvertent Discoveries protocol language for project approval. The project is conditioned to adhere to and implement the standard Inadvertent Discoveries protocol through the life of the project.
- g) The applicant submitted a Road Evaluation Report for Thistle Lane from Lower Kona Road via Red Rock Road, which were self-certified by the applicant as being developed to the equivalent of a Category 4 road standard. The project as conditioned requires that the applicant form or join (if existing) a Road Maintenance Association. Additionally, the project is conditioned to ensure the Humboldt County sight visibility ordinance is adhered where Red Rock Road intersects Benbow Drive (a county-maintained road) as well as intersection upgrades to meet county standards as recommended by the Humboldt County Public Works Land Use Division.

As conditioned, the roads are suitable for safe access to and from the project site.

### **FINDINGS FOR CONDITIONAL USE PERMIT AND 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 Residential Agriculture (RA) 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 RA designation in which the site is located.
- EVIDENCE**
- a) The Agricultural Exclusive or AE Zone is intended to be applied to areas of the County in which general agriculture residential uses are the desirable predominant uses.
  - b) All general agricultural uses are principally permitted in the AE zone.
  - c) Humboldt County Code section 314-55.4.8.2.2 allows cultivation of up to 43,560 square feet of existing outdoor cannabis and up to 22,000 square feet of existing mixed-light cannabis on a parcel over 1 acre subject to approval of a Conditional Use Permit and a determination that the cultivation was in existence prior to January 1, 2016. The application for 16,050 square feet of outdoor cultivation on a 20-acre parcel is consistent with this and with the cultivation area verification prepared by the County.
  - d) The proposed development is consistent with the requirements of the CMMLUO Provisions of the Zoning Ordinance.
- 5. FINDING** The CMMLUO allows existing cannabis cultivation to be permitted in areas zoned AE (HCC 314-55.4.8.2.2).
- EVIDENCE**
- a) The parcel was created in compliance with all applicable state and local subdivision regulations, as it was created in its current configuration as recorded on Parcel Map No. 3206 in Book 30 page 38.
  - b) Water for irrigation is provided by the Del Oro Water Company (Benbow District). Estimated annual water usage for irrigation is 121,552 gallons (7.57 gal/SF). Water storage onsite consists of four (4) 2,500-gallon, one (1) 1,100-gallon, and three (3) 550-gallon hard sided water tanks for a total of 12,750 gallons of water storage. The Del Oro Water Company has provided a will serve letter on behalf of the applicant to indicate their willingness to continue to provide water for the needs of the project site. The applicant is required to meter and log all water used for irrigation provided by the Del Oro Water Company, this project is not authorized to utilize points of diversion as described within the applicants Streambed Alteration Agreement.
  - c) The applicant submitted a Road Evaluation Report for Thistle Lane from Lower Kona Road via Red Rock Road, which were self-certified by the applicant as being developed to the equivalent of a Category 4 road

standard. The project as conditioned requires that the applicant form or join (if existing) a Road Maintenance Association. Additionally, the project is conditioned to ensure the Humboldt County sight visibility ordinance is adhered where Red Rock Road intersects Benbow Drive (a county-maintained road) as well as intersection upgrades to meet county standards as recommended by the Humboldt County Public Works Land Use Division. As conditioned, the roads are suitable for safe access to and from the project site.

- d) An R2 Soils Report was prepared by DTN Engineering, dated January 21, 2021 (Attachment 3), which included a field investigation to evaluate existing soil and geologic conditions for the project location. General slopes across the property are described as slightly inclined (less than 10% to greater than 25%). According to the Humboldt County WebGIS, all proposed areas for development are located outside of any mapped historic landslides. The Garberville Briceland Fault Zone is located approximately 0.5 miles to the southwest and northwest of the parcel; however, the subject site is not located within a mapped hazard zone per Humboldt County WebGIS. The Report indicates that the site's potential for liquefaction, surface rupture, soil strength loss, or faulting is moderate, and no special mitigation hazards are necessary. The Report did include general recommendations for any future grading activities to be performed for greenhouse pads and a seasonal access road on the southern portion of the parcel. Additional grading activities would include development of the foundation of the existing building, of which the project is conditioned to adhere to and implement through the life of the project.
- e) No net loss of timberland after the environmental baseline of December 31, 2015, would occur under the project. Review of the National Agriculture Imagery Program (NAIP) images taken in the summer for 2014, 2016, 2018, and 2020 depict no timber conversion has occurred on the subject property. The project does not propose timber conversion as described.
- 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, more than 300 feet from any off-site residence, more than 600 feet from any school, church, public park or Tribal Cultural Resource.
- g) The cultivation of 16,050 square feet of 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.

**6. FINDING**

The site is located on road that has been certified to safely accommodate the amount of traffic generated by the proposed cannabis cultivation.

**EVIDENCE**

- a) The site is in a rural part of the County where the typical parcel size is over 20 acres and many of the land holdings are moderately large. The proposed cannabis will not be in a location where there is an established neighborhood or other sensitive receptor such as a school, church, park or other use which may be sensitive to cannabis cultivation. Approving cultivation on this site and the other sites which have been approved or are in the application process will not change the character of the area due to the large parcel sized in the area.
- b) The location of the proposed cannabis cultivation is more than 300 feet from

the nearest off-site residence.

- c) Water for irrigation is provided by the Del Oro Water Company (Benbow District). Estimated annual water usage for irrigation is 121,552 gallons (7.57 gal/SF). Water storage onsite consists of four (4) 2,500-gallon, one (1) 1,100-gallon, and three (3) 550-gallon hard sided water tanks for a total of 12,750 gallons of water storage. The Del Oro Water Company has provided a will serve letter on behalf of the applicant to indicate their willingness to continue to provide water for the needs of the project site. The applicant is required to meter and log all water used for irrigation provided by the Del Oro Water Company, this project is not authorized to utilize points of diversion as described within the applicants Streambed Alteration Agreement.
- 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.
- e) 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.

**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 is currently developed with an existing residence, in addition to cabins to be utilized for employee housing. The approval of cannabis cultivation on this parcel will not conflict with the ability for the existing residence to continue to be utilized 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 which 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 305 permits and the total approved acres would be 83.38 acres of cultivation.

**DECISION**

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

- Adopt the findings set forth in this resolution; and
- Conditionally approves the Conditional Use Permit for Reed Mountain, 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 **February 17, 2022**.

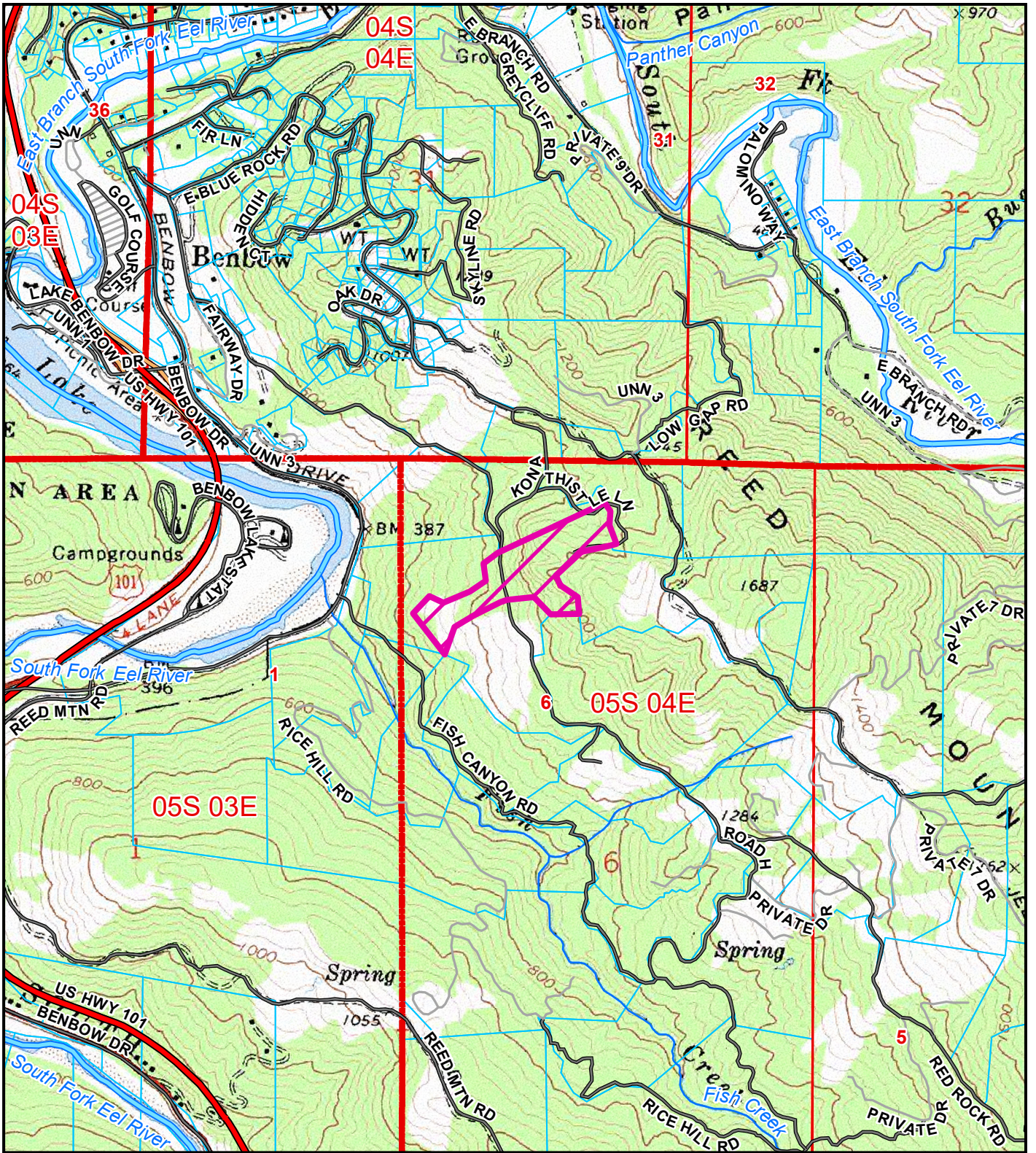
The motion was made by COMMISSIONER \_\_\_\_\_ and second by COMMISSIONER \_\_\_\_\_ and the following ROLL CALL vote:

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

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

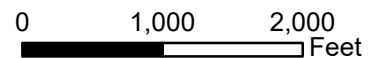
\_\_\_\_\_  
 John Ford, Director  
 Planning and Building Department





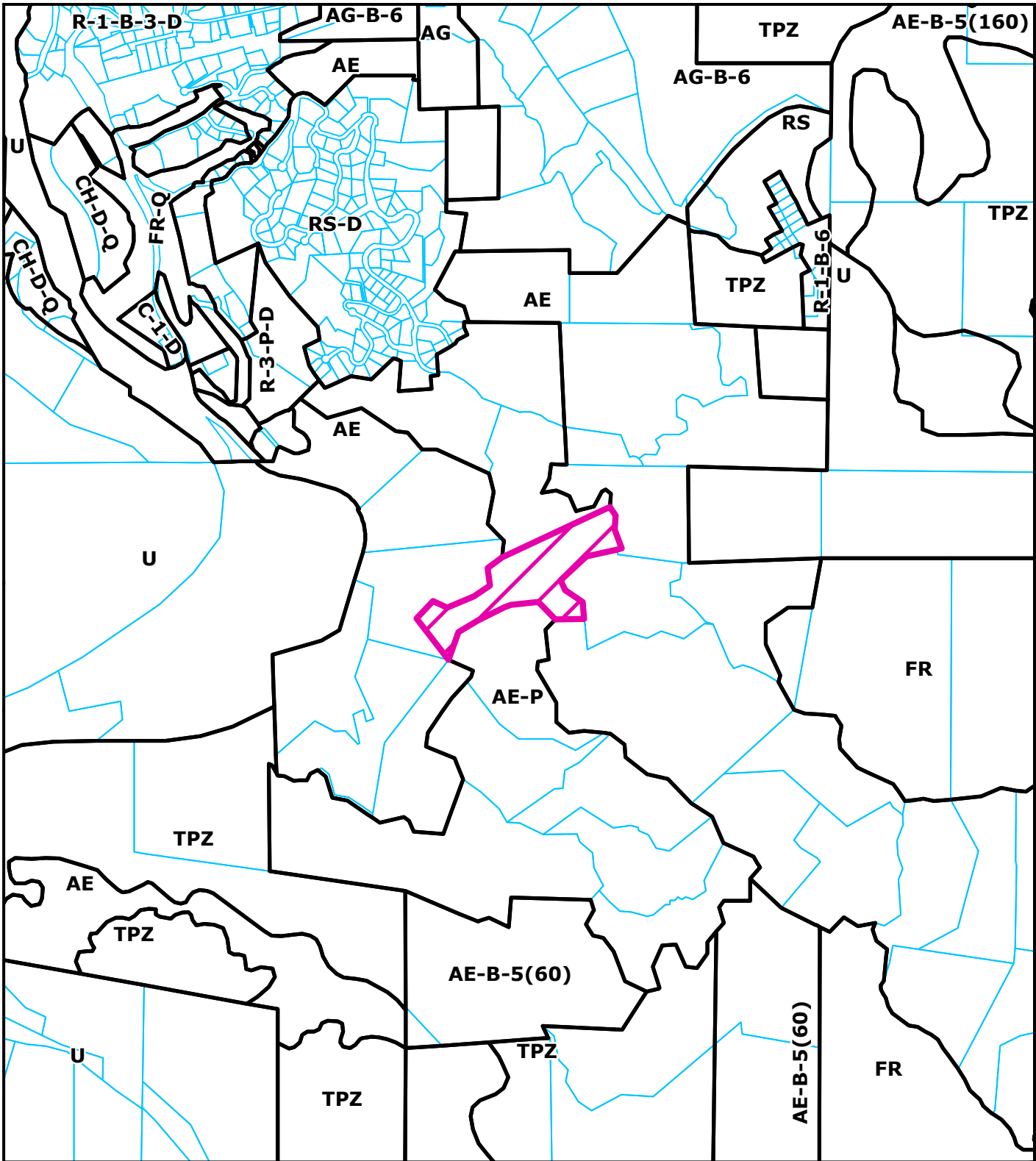
**TOPO MAP**  
**PROPOSED BEAR BUTTE FARMS LLC**  
**BENBOW AREA**  
**PLN-13186-CUP**  
**APN: 033-140-008**  
**T05S R04E S6 HB&M (GARBERVILLE)**

Project Area = 



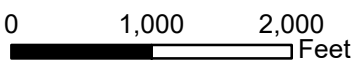
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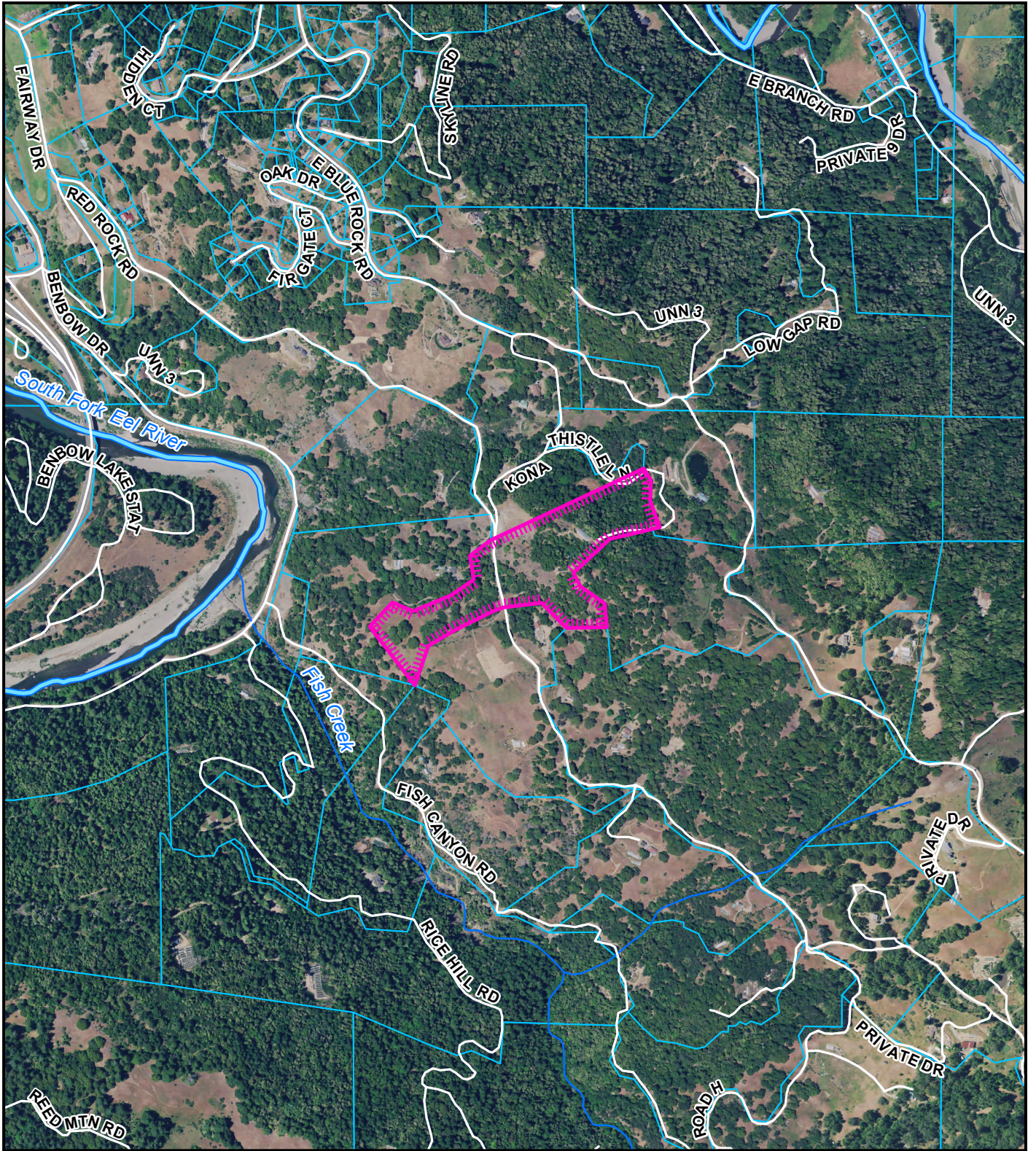
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**ZONING MAP**  
**PROPOSED BEAR BUTTE FARMS LLC**  
**BENBOW AREA**  
**PLN-13186-CUP**  
**APN: 033-140-008**  
**T05S R04E S6 HB&M (GARBERVILLE)**



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 BEAR BUTTE FARMS LLC**  
**BENBOW AREA**  
**PLN-13186-CUP**  
**APN: 033-140-008**  
**T05S R04E S6 HB&M (GARBERVILLE)**

Project Area = 

  
 0                      1,000                      2,000  
 Feet

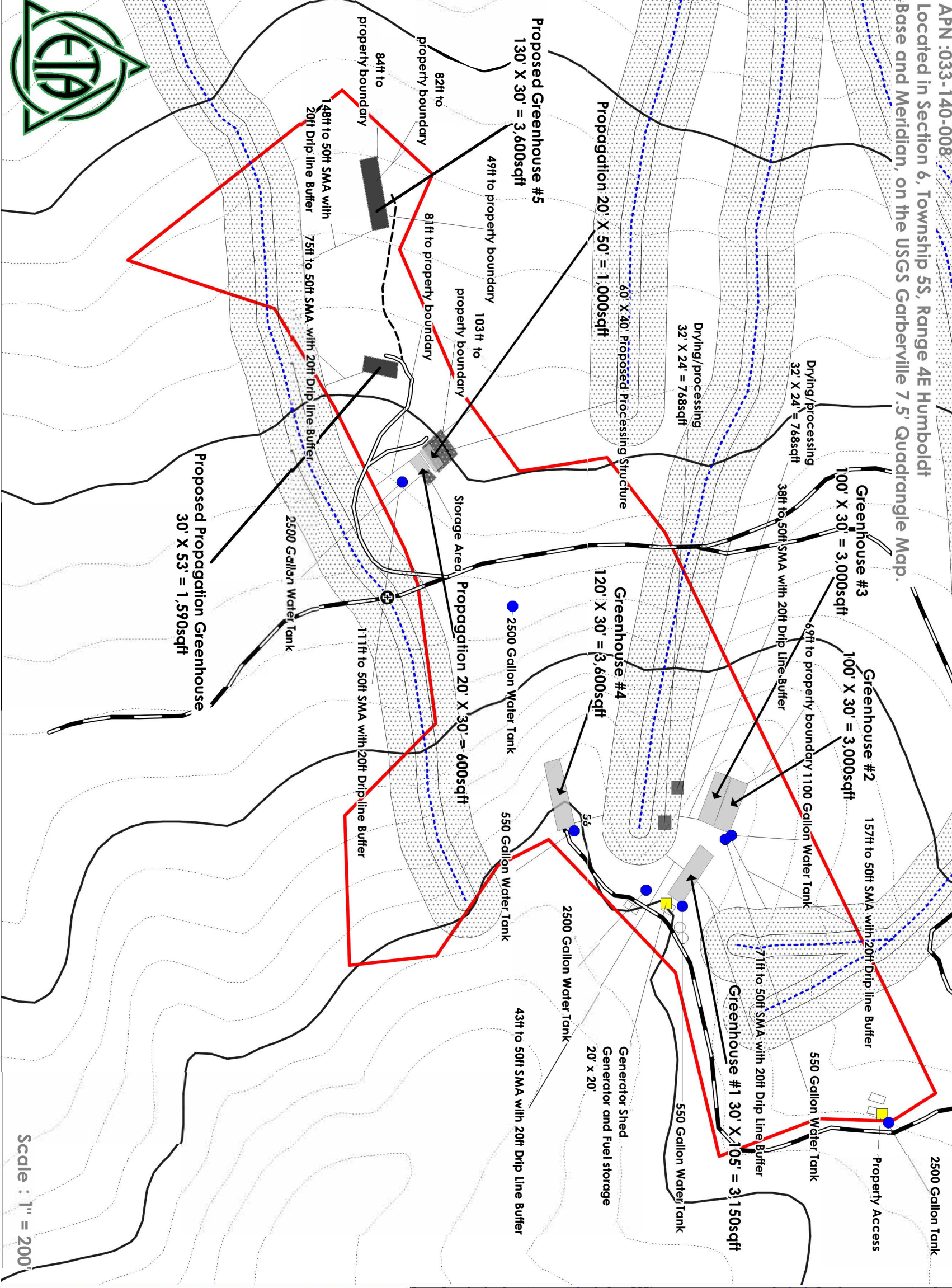
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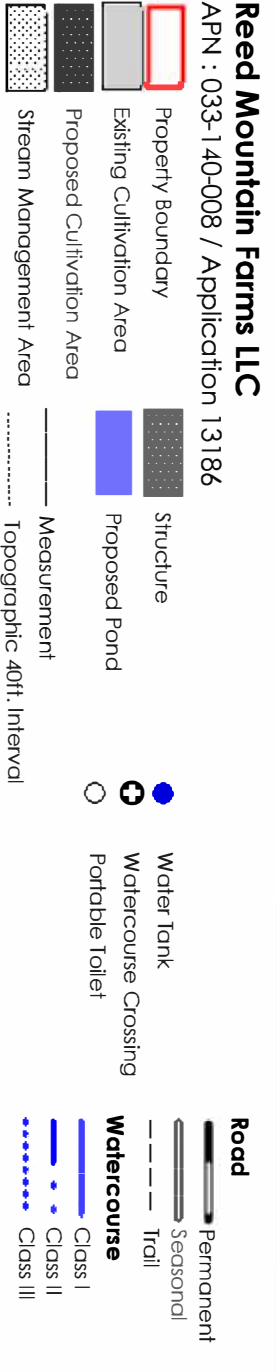
# Humboldt County Plot Plan

APN : 033-140-008

Located in Section 6, Township 5S, Range 4E Humboldt Base and Meridian, on the USGS Garberville 7.5' Quadrangle Map.



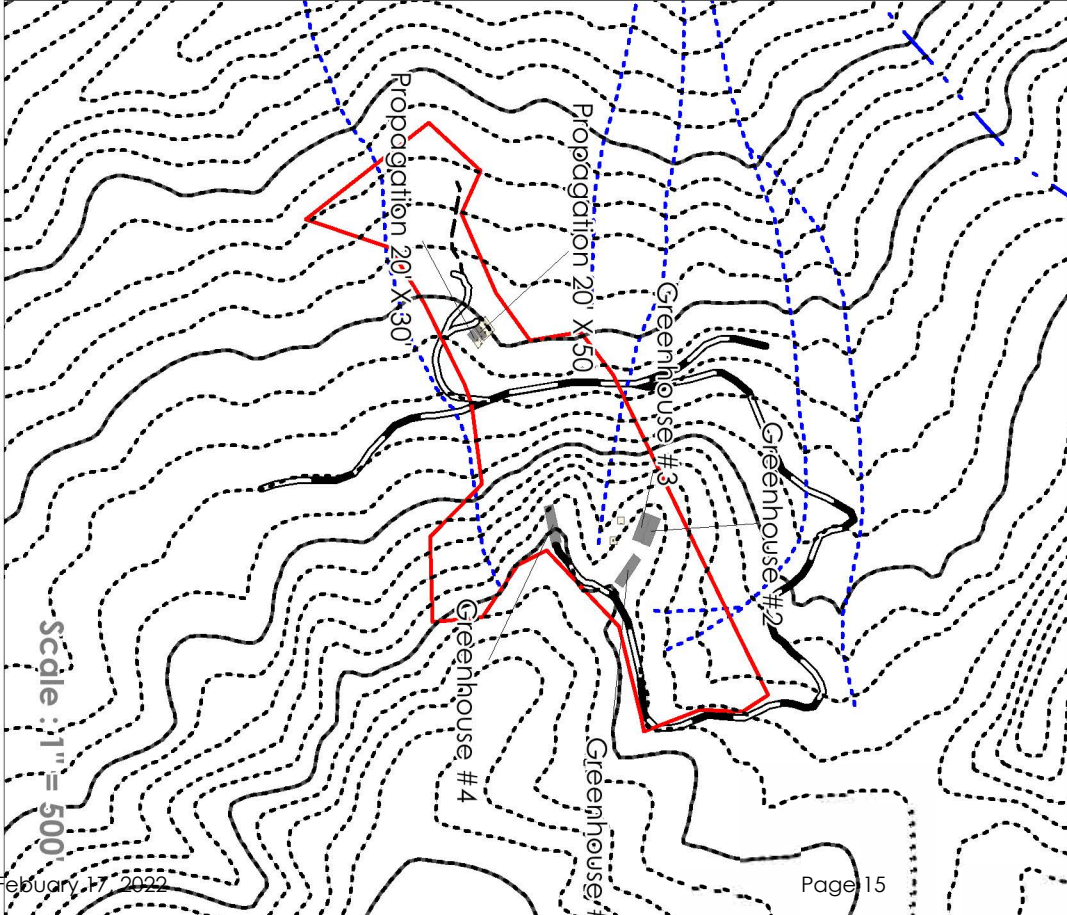
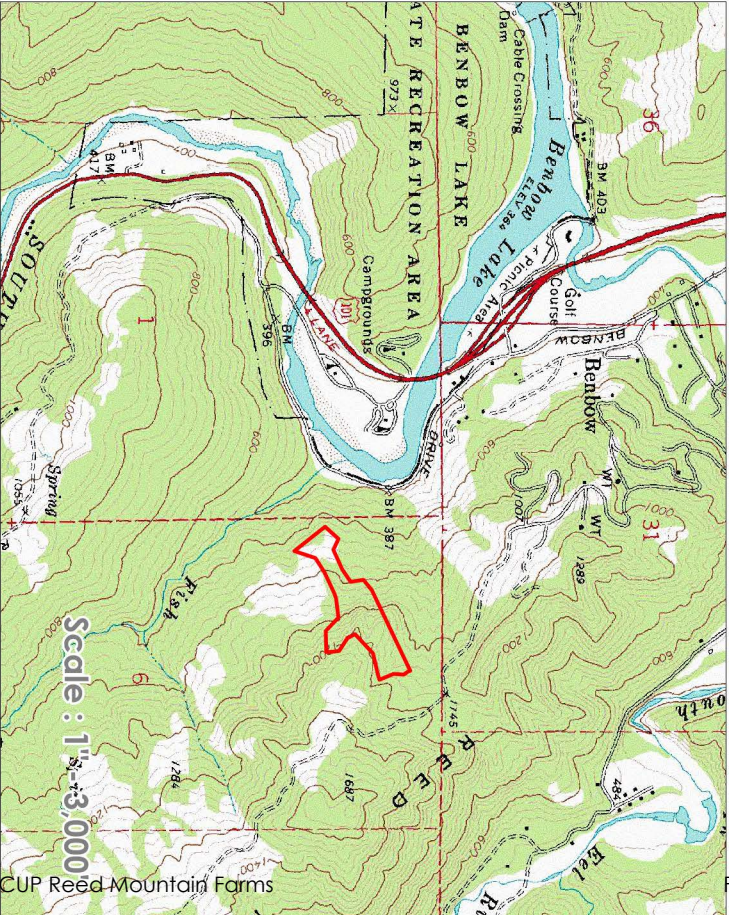
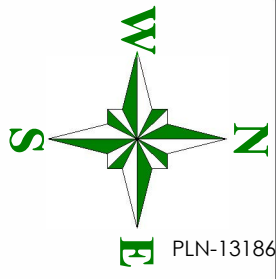
Scale : 1" = 200'



**Cultivation Area**  
 Total Existing Cultivation = 12,750sqft  
 Proposed Cultivation = 3,900sqft  
 Propogation Area  
 Current Total Area 1,600sqft  
 Proposed Relocation  
 Total Area = 1,590sqft

**Cultivation Area Dimensions**  
 Greenhouse #1 : 30' X105' = 3,150sqft  
 Greenhouse #2 : 30' X100' = 3,000sqft  
 Greenhouse #3 : 30' X100' = 3,000sqft  
 Greenhouse #4 : 30' X120' = 3,600sqft  
 Proposed Greenhouse #5 = 130' X 30' = 3,900sqft

**Property Information**  
 County: HUMBOLDT, CA  
 Parcel # (APN): 033-140-008-000  
 Parcel Status: ACTIVE  
 Owner Name: STOYANOV, PLAMEN  
 Mailing Address: 2729 51st Ave SW Seattle, WA 98116  
 Legal Description: LOT 1 PM 3206 BK 30 PGS 37-38  
 Acre = 20



February 17, 2022



## ATTACHMENT 1

### RECOMMENDED CONDITIONS OF APPROVAL

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

#### **A. General Conditions**

1. The applicant is responsible for obtaining all necessary County and State permits and licenses, and for meeting all requirements set forth by other regulatory agencies.
2. The applicant is required to pay for permit processing on a time and material basis as set forth in the schedule of fees and charges as adopted by ordinance of the Humboldt County Board of Supervisors. The Planning and Building Department will provide a bill to the applicant after the decision. Any and all outstanding planning fees to cover the processing of the application to decision by the Hearing Officer shall be paid to the Humboldt County Planning Division, 3015 "H" Street, Eureka.
3. The applicant is responsible for costs for post-approval review for determining project conformance with conditions. A deposit is collected to cover this staff review. Permit conformance with conditions must be demonstrated prior to release of building permit or initiation of use and at time of annual inspection. A conformance review deposit as set forth in the schedule of fees and charges as adopted by ordinance of the Humboldt County Board of Supervisors (currently \$750) shall be paid within sixty (60) days of the effective date of the permit or upon filing of the Compliance Agreement (where applicable), whichever occurs first. Payment shall be made to the Humboldt County Planning Division, 3015 "H" Street, Eureka.
4. A Notice of Determination (NOD) will be prepared and filed with the County Clerk for this project in accordance with the State CEQA Guidelines. The Department will file the NOD and will charge this cost to the project.
5. Within 60 days of the effective date of permit approval, the applicant shall submit a Remediation Plan detailing any remediation efforts that have occurred and/or are proposed for the decommissioned areas. Any proposed remediation efforts shall occur within a period of 6 months from project approval. A sign-off from the Planning Department will satisfy this condition.
6. 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 #7 through #16. 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.
7. The applicant shall secure building 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.
8. The applicant shall construct and/or implement the recommendations contained in the Roadway Evaluation Report, prepared by Omsberg and Preston, dated January 31, 2019, for Thistle Lane and

engineer recommendations provided by DTN Engineering and Consulting, dated 12,31,2020, including the following:

- e. Minor grading and rocking in addition to the clearing of road turnouts is required to make the turnouts usable (less than 50 cubic yards).
- f. Turnouts at miles 0.25, 0.30, and 0.45 will need to be cleared of brush and/or debris.
- g. Clearing of brush and limbing of trees at key locations (described in report), mostly along inside curves.
- h. Lime treatment to the surface of the Driveway to create a hard surface and construct appropriate water bars and rolling dips (as shown in exhibit D of the DTN Engineering and Consulting Road Evaluation Report).

The applicant shall submit evidence (e.g., a letter from a qualified professional and photographs) that the recommendations were completed as described by the Road Evaluation Report. Alternatively, the applicant may request a site inspection from the Planning and Building Department to review the recommended improvements. A sign-off from the Planning Department will satisfy the condition.

9. The applicant shall adhere to and implement the Site Management Plan as described within the executive summary, prepared by DTN Engineering and Consulting, dated 12/29/2018. A letter or similar communication from a qualified professional indicating the recommendations of the Site Management Plan are complete shall be submitted to the Planning Department. Alternatively, the applicant may schedule a site visit with the Planning Department to verify the recommendations are completed. A sign-off from Planning staff will satisfy this condition.
10. The applicant shall adhere to and implement the Pest Management Plan prepared by CannaFarms Consulting, as described in Table 1: *Physical/Mechanical and Biological Pest Management Control Methods* located on page 2 Consulting, dated 11/30/2018.
11. The applicant shall adhere to and implement the Waste Management Plan prepared by CannaFarms Consulting and maintain up to date Composting Cannabis Waste Records as depicted in the example *On Premises Composting Cannabis Waste Records* Log Sheet located on page 7, dated 11/30/2018.
12. Within 1 year from the effective date, the applicant shall take steps to form or join a Road Maintenance Association for the maintenance of Red Rock Road. The necessary steps include sending notices to all road users of the requirement to form a Road Maintenance Association and conducting a meeting with the users of the road, especially those engaged in commercial cannabis activities to discuss formation of the Road Maintenance Association. The applicant shall provide evidence, including notice, meeting minutes, and the decision as to whether a Road Maintenance Association is being formed to show this effort. In the event the applicant is unable to coordinate formation a Road Maintenance Association, the applicant shall pay fair-share cost for maintenance of the road to any road user engaged in maintaining the road and provide evidence (e.g. receipts) to the Planning Department to demonstrate payment of fair-share costs. A sign-off from the Planning Department will satisfy this condition.
13. The applicant shall maintain enrollment in the State Water Resources Control Board's Cannabis Cultivation Program for the life of the project. The applicant to submit copies of all documents filed with the State Water Resources Control Board, including, but not limited to, a Notice of Availability. The applicant is required to adhere to and implement the requirements contained in the SWRCB's Cannabis Cultivation Policy, the General Order, the Site Management Plan and the Notice of Applicability. A copy of the reporting form portion of the Mitigation and Reporting Program (MRP) shall be submitted annually to the Planning and Building Department concurrent with the submittal to the SWRCB.
14. The applicant shall adhere to and implement the Final Streambed Alteration Agreement issued by

CDFW in July 2016 (Notification No. 1600-2016-0056-R1). Reporting requirements shall be submitted to the Planning Department and the California Department of Fish and Wildlife at 619 Second Street, Eureka, CA 95501, no later than December 31 of each year.

15. The applicant shall secure permits and install an on-site sewage disposal systems and restroom facilities prior to processing on-site. Portable toilet and handwashing facilities may not be utilized during the construction of these improvements. The applicant shall furnish receipts or other documentation to the DEH for the continual use of portable toilets for employees until a permanent septic system is installed to their satisfaction. A letter or similar communication from DEH verifying that all their requirements have been met will satisfy this condition.
16. The applicant shall construct noise containment structures for all generators used on the parcel. The applicant shall obtain all required building permits for such structures. The applicant shall maintain generator, fan, and dehumidifier noise at or below 50 decibels at the edge of the clearing or 100 feet, whichever distance is closer. This will satisfy the auditory disturbance guidance prepared by the U.S. Fish and Wildlife (USFS), California Fish and Wildlife (CDFW) and Department Policy Statement No. 16-005 to minimize impacts to the Northern Spotted Owl and Marbled murrelet. No generator use is authorized by this permit until the applicant can demonstrate to compliance with this standard.
17. The applicant shall not use any erosion control measures that contain synthetic (e.g. plastic or nylon) monofilament netting, including photo- or biodegradable plastic netting, on a regular and on-going basis. 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 weaves.
18. All refuse shall be contained in wildlife proof containers, at all times, and relocated to an authorized waste management facility, in compliance with State and local laws, on a regular and on-going basis.
19. The applicant shall install and utilize a water meter to demonstrate that the irrigation needs of the project can be fully facilitated from the Del Oro Water Company (Benbow District). The water use for cultivation is limited to the use of the utility use provided by the Del Oro Water Company (Benbow District), and amount of water available in storage tanks and shall be provided annually to the Humboldt County Planning Department prior to or during the annual inspection.
20. The applicant shall cause to be recorded an "ACKNOWLEDGMENT OF NO AVAILABLE EMERGENCY RESPONSE AND FIRE SUPPRESSION SERVICES" for the parcel(s) on a form provided by the Humboldt County Planning Division. Document review fees as set forth in the schedule of fees and charges as adopted by ordinance of the Humboldt County Board of Supervisors will be required.
21. The applicant shall be compliant with the County of Humboldt's Certified Unified Program Agency (CUPA) requirements regarding hazardous materials. A written verification of compliance shall be required before any provisional permits may be finalized. Ongoing proof of compliance with this condition shall be required at each annual inspection in order to keep the permit valid.
22. The applicant shall execute and file with the Planning Division the statement titled, "Notice and Acknowledgment regarding Agricultural Activities in Humboldt County," ("Right to Farm" ordinance) as required by the HCC and available at the Planning Division.

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

23. The combination of background, generator and greenhouse fan or other operational equipment created noise must not result in the harassment of Northern Spotted Owl species as required to meet the performance standards for noise set by Department Policy Statement No. 16-005 clarifying CMMLUO Section 55.4.11 (o) requirements. The combined noise levels measured at 100 feet or the edge of habitat, whichever is closer, shall be at or below 50 decibels. Conformance will be

evaluated using current auditory disturbance guidance prepared by the United State Fish and Wildlife Service, and further consultation where necessary. A building permit shall be obtained should any structures be necessary for noise attenuation.

24. All artificial light utilized in mixed-light greenhouses shall be limited to 6 watts per square foot with no wattage limit in the ancillary propagation greenhouse. All artificial lighting shall be fully contained within structures such that no light escapes (e.g., through blackout curtains). Structures shall be enclosed between 30 minutes prior to sunset and 30 minutes after sunrise to prevent disruption to crepuscular wildlife. Security lighting shall be motion activated and comply with the International Dark-Sky Association standards and Fixture Seal of Approval Program; see: <https://www.darksky.org/our-work/lighting/lighting-for-citizens/lighting-basics/>. Standards include but are not limited to the following, 1) light shall be shielded and downward facing, 2) shall consist of Low Pressure Sodium (LPS) light or low spectrum Light Emitting Diodes (LED) with a color temperature of 3000 kelvins or less and 3) only placed where needed.
25. Should the Humboldt County Planning Division receive complaints that the lighting or noise is not complying with the standards listed above in items B.1. and B.2., within ten (10) working days of receiving written notification that a complaint has been filed, the applicant shall submit written verification that the lights' shielding and alignment, and noise levels have been repaired, inspected, and corrected as necessary.
26. Prohibition on use of synthetic netting. To minimize the risk of wildlife entrapment, Permittee shall not use any erosion control and/or cultivation materials that contain synthetic (e.g., plastic or nylon) netting, including photo- or biodegradable plastic netting. Geotextiles, fiber rolls, and other erosion control measures shall be made of loose-weave mesh, such as jute, hemp, coconut (coir) fiber, or other products without welded weaves.
27. All refuse shall be contained in wildlife proof storage containers, at all times, and disposed of at an authorized waste management facility.
28. Should any wildlife be encountered during work activities, the wildlife shall not be disturbed and be allowed to leave the work site unharmed.
29. The use of anticoagulant rodenticide is prohibited.
30. 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.
31. 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.
32. Cannabis cultivation and other commercial cannabis activity shall be conducted in compliance with all laws and regulations as set forth in the CMMLUO and MAUCRSA, as applicable to the permit type.
33. If operating pursuant to a written approved compliance agreement, permittee shall abate or cure violations at the earliest feasible date, but in no event no more than two (2) years from the date of issuance of a provisional clearance or permit. Permittee shall provide plans for curing such violations to the Planning and Building Department within one (1) year of issuance of the provisional clearance

or permit. If good faith effort toward compliance can be shown within the two years following the issuance of the provisional clearance or permit, the Department may, at the discretion of the Director, provide for extensions of the provisional permit to allow additional time to meet the outstanding requirements.

34. 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.
35. Compliance with all statutes, regulations, and requirements of the California State Water Resources Control Board and the Division of Water Rights, at a minimum to include a statement of diversion of surface water from a stream, river, underground stream, or other watercourse required by Water Code Section 5101, or other applicable permit, license, or registration, as applicable.
36. 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).
37. Maintain enrollment in Tier 1, 2, or 3, certification with North Coast Regional Water Quality Control Board (RWQCB) Order No. R1-2015-0023, if applicable, or any substantially equivalent rule that may be subsequently adopted by the County of Humboldt or other responsible agency.
38. Comply with the terms of the Final Lake and Streambed Alteration Agreement (EPIMS-HUM-09230-R1), as well as any subsequent amendments, obtained from the California Department of Fish and Wildlife (CDFW).
39. Comply with the terms of a less-than-3-acre conversion exemption or timberland conversion permit, approved by the California Department of Forestry and Fire Protection (Cal Fire), if applicable.
40. Consent to an annual on-site compliance inspection, with at least 24 hours prior notice, to be conducted by appropriate County officials during regular business hours (Monday through Friday, 9:00 a.m. to 5:00 p.m., excluding holidays).
41. Refrain from the improper storage or use of any fuels, fertilizer, pesticide, fungicide, rodenticide, or herbicide.
42. Pay all applicable application, review for conformance with conditions and annual inspection fees.
43. Fuel shall be stored and handled in compliance with applicable state and local laws and regulations, including the County of Humboldt's Certified Unified Program Agency (CUPA) program, and in such a way that no spillage occurs.
44. The master log books maintained by the applicant to track production and sales shall be maintained for inspection by the County.
45. 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

46. Pursuant to the MCRSA, Health and Safety Code Section 19322(a)(9), an applicant seeking a cultivation license shall "provide a statement declaring the applicant is an 'agricultural employer,' as defined in the Alatorre-Zenovich-Dunlap-Berman Agricultural Labor Relations Act of 1975 (Part 3.5



commencing with Section 1140) of Division 2 of the Labor Code), to the extent not prohibited by law.”

47. 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).
48. 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.
49. All persons hiring employees to engage in commercial cannabis cultivation and processing shall comply with the following Employee Safety Practices:
  - a. Cultivation operations and processing operations must implement safety protocols and provide all employees with adequate safety training relevant to their specific job functions, which may include:
    - (1) Emergency action response planning as necessary;
    - (2) Employee accident reporting and investigation policies;
    - (3) Fire prevention;
    - (4) Hazard communication policies, including maintenance of material safety data sheets (MSDS);
    - (5) Materials handling policies;
    - (6) Job hazard analyses; and
    - (7) Personal protective equipment policies, including respiratory protection.
  - b. Cultivation operations and processing operations must visibly post and maintain an emergency contact list which includes at a minimum:
    - (1) Operation manager contacts;
    - (2) Emergency responder contacts; and
    - (3) Poison control contacts.
  - c. At all times, employees shall have access to safe drinking water and toilets and handwashing facilities that comply with applicable federal, state, and local laws and regulations. Plumbing facilities and water source must be capable of handling increased usage without adverse consequences to neighboring properties or the environment.
  - d. On site-housing provided to employees shall comply with all applicable federal, state, and local laws and regulations.
50. All cultivators shall comply with the approved processing plan as to the following:
  - a. Processing practices
  - b. Location where processing will occur
  - c. Number of employees, if any
  - d. Employee Safety Practices
  - e. Toilet and handwashing facilities
  - f. Plumbing and/or septic system and whether or not the system is capable of handling increased usage
  - g. Drinking water for employees
  - h. Plan to minimize impact from increased road use resulting from processing
  - i. On-site housing, if any

51. Term of Commercial Cannabis Activity Special Permit. Any Commercial Cannabis Cultivation SP issued pursuant to the CMMLUO shall expire one (1) year after date of issuance, and on the anniversary date of such issuance each year thereafter, unless an annual compliance inspection has been conducted and the permittees and the permitted site have been found to comply with all conditions of approval.
52. If the inspector or other County official determines that the permittees or site do not comply with the conditions of approval, the inspector shall serve the permit holder with a written statement identifying the items not in compliance, and the action that the permit holder may take to cure the noncompliance, or file an appeal within ten (10) days of the date that the written statement is delivered to the permit holder. Personal delivery or mailing the written statement to the mailing address listed on the application by regular mail, plus three (3) days after date of mailing, shall constitute delivery. The permit holder may request a reinspection to determine whether or not the permit holder has cured all issues of noncompliance. Failure to request reinspection or to cure any items of noncompliance shall terminate the Special Permit, immediately upon the expiration of any appeal period, or final determination of the appeal if an appeal has been timely filed pursuant to Section 55.4.13.
53. 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.
54. 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.
55. 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.
56. Inspections. The permit holder and subject property owner are to permit the County or representative(s) or designee(s) to make inspections at any reasonable time deemed necessary to assure that the activities being performed under the authority of this permit are in accordance with the terms and conditions prescribed herein.

**Informational Notes:**

1. Pursuant to Section 314-55.4.11(a) of the CMMLUO, if upon inspection for the initial application, violations of any building or other health, safety, or other state or county statute, ordinance, or regulation are discovered, the Planning and Building Department may issue a provisional clearance or permit with a written approved Compliance Agreement. By signing the agreement, the permittee agrees to abate or cure the violations at the earliest opportunity but in no event more than two (2) years after the date of issuance of the provisional clearance or permit. Plans for curing the violations shall be submitted to the Planning and Building Department by the permittee within one (1) year of

the issuance of the provisional certificate or permit. The terms of the compliance agreement may be appealed pursuant to Section 314-55.4.13 of the CMMLUO.

2. This provisional permit approval shall expire and become null and void at the expiration of one (1) year after all appeal periods have lapsed (see "Effective Date"), except where the Compliance Agreement 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 Conditions of Approval #26 and 27 of the Ongoing Requirements/Development Restrictions, above.
3. If cultural resources are encountered during construction activities, the contractor on-site shall cease all work in the immediate area and within a 50-foot buffer of the discovery location. A qualified archaeologist and the appropriate Tribal Historic Preservation Officer(s) are to be contacted to evaluate the discovery and, in consultation with the applicant and the lead agency, develop a treatment plan in any instance where significant impacts cannot be avoided.

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

4. Per County Code Section 3112-5 "NO roadway grade in excess of 16 percent shall be permitted unless it has been demonstrated to be in conformance with the County Roadway Design Manual." Where portions of the road have grades that exceed 16%, those portions must be paved and must have an exception request approved [reference: County Code sections 3111-9 and 3112-5]

**ATTACHMENT 2**

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

**Commercial Medical Marijuana Land Use Ordinance Mitigated Negative Declaration (MND)  
(State Clearinghouse # 2015102005), February 1716**

**APN 033-140-008; 200 Thistle Lane, , Benbow  
County of Humboldt**

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

**January 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 Conditional Use Permit for an existing 16,050 square foot (SF) outdoor cannabis cultivation including 1,590 SF of ancillary propagation. Irrigation water is sourced from the Del Oro Water Company (Benbow District). Annual water use is described at 162,500 gallons annually. Processing, including drying, curing, and trimming, will occur onsite within a proposed 2,400 SF building. A maximum of nine (9) employees may be utilized during peak operations. Power is provided by a generator, utilized for drying, curing, and supplemental domestic uses, the applicant is proposing to transition to Pacific Gas and Electric prior to the 2025 cultivation season.

As shown on the Site Plan, three unnamed Class III streams traverse the subject property with several forks which includes the respective 50-foot Streamside Management Area (SMA) buffers. The Site Plan depicts all cultivation areas outside of the SMA however, two (2) 768-square-foot drying, and processing structures currently reside within an SMA. The project is conditioned to relocate these structures outside of the SMA and provide a remediation plan to return these two (2) disturbed areas to pre-developed conditions. A Special Permit is required and included with this project, for the work described above within the SMA, as directed by the Streamside Management and Wetlands Area Ordinance (SMAWO) (Humboldt County Code, Section 314-61). the nearest NSO activity center is located approximately 1.7 miles from the nearest cultivation area, with the nearest NSO sighting located approximately 1.6 miles away. Artificial lighting is used to support the 1,590 SF mixed light propagation area. Conditions of approval require the applicant use light and noise attenuation to ensure the project has a Less than Significant Impact on NSO. A condition of project approval is inadvertent discovery protocols for cultural resources consistent with the recommendation of the Bear River Band of the Rohnerville Rancheria.

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

1. Substantial changes are proposed in the project which require major revisions of the previous MND due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;
2. Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous MND due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or
3. New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous MND was certified as complete, shows any of the following: A) the project will have one or more significant effects not discussed in the previous MND; B) significant effect previously examined will be substantially more severe than shown in the previous MND; C) mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or D) mitigation measures or alternatives which are considerably different from those analyzed in the previous MND would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.

### **Summary of Significant Project Effects and Mitigation Recommended**

No changes are proposed for the original MND recommended mitigations. The proposal to authorize the continued operation of an existing cannabis cultivation site consisting of 14,810 square feet of outdoor cultivation with ancillary propagation and processing 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 (see Attachment 3 for a complete listing of document):

- Plot Plan prepared by ETA Humboldt, LLC, received 10/4/21.
- Cultivation and Operations Plan prepared by CannaFarms Consulting, Dated 12/29/2018.
- Project Addendum prepared by Applicant, received 10/7/21.
- Site Management Plan prepared by DTN Engineering and Consulting, dated 12/31/20 for the State Water Resources Control Board (SWRCB) Cannabis Cultivation Policy in congruence with Order WQ 2017-0023-DWQ General Waste Discharge Requirements for Discharges of Waste Associated with Cannabis Cultivation Activities.
- R2 Soils Report for Bear Butte Farms, LLC, prepared by DTN Engineering and Consulting, received 2/5/2020.
- Road Evaluation Report for Kona Road and Thistle and Roadway Evaluation Technical Memorandum, both prepared by Steven Nesvold, dated 11/10/18.
- Road Evaluation Report for Kona Road and Thistle and Roadway Evaluation Technical Memorandum, both prepared by DTN Engineering and Consulting, received 12/20/2019.
- Waste Management Plan, prepared by CannaFarms Consulting, prepared 11/30/2018.
- Streambed Alteration Agreement (Notification No. 1600-2016-0056-R1) issued by the California Department of Fish and Wildlife, executed. 7/13/16.
- Pest Management Plan, prepared by CannaFarms Consulting, prepared 11/30/2018.

### **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. (On file)
3. Site plan showing the entire parcel, including easements, streams, springs, ponds and other surface water features, and the location and area for cultivation on the parcel with dimensions of the area for cultivation and setbacks from property lines. The site plan shall also include all areas of ground disturbance or surface water disturbance associated with cultivation activities, including access roads, water diversions, culverts, ponds, dams, graded flats, and other related features. If the area for cultivation is within one-quarter mile (1,320 feet) of a school, school bus stop, church or other place of religious worship, public park, or tribal cultural resource, the site plan shall include dimensions showing that the distance from the location of such features to the nearest point of the cultivation area is at least 600 feet. (**Attached** - Plot Plan prepared by ETA Humboldt, LLC, received 10/4/21)
4. A cultivation and operations plan that meets or exceeds minimum legal standards for water storage, conservation and use; drainage, runoff and erosion control; watershed and habitat protection; proper storage of fertilizers, pesticides, and other regulated products to be used on the parcel; and a description of cultivation activities (outdoor, indoor, mixed light), the approximate date(s) cannabis cultivation activities have been conducted on the parcel prior to the effective date of this ordinance, if applicable, and schedule of activities during each month of the growing and harvesting season. (**Attached** - Cultivation and Operations Plan prepared by CannaFarms Consulting, Dated 12/29/2018 and includes the Addendum to the Operations Plan and Update to the Processing Plan dated October 7, 2021)
5. Copy of the statement of water diversion, or other permit, license or registration filed with the State Water Resources Control Board, Division of Water Rights, if applicable. (Not Applicable)
6. Description of water source, storage, irrigation plan, and projected water usage. (Included in Cultivation Operations Plan (item 4. above) and Water Resource Protection Plan prepared for the North Coast Regional Water Quality Board Order No. 2015-0023 (item 7. below)
7. Copy of Notice of Intent and Monitoring Self-Certification and other documents filed with the North Coast Regional Water Quality Control Board demonstrating enrollment in Tier 1, 2 or 3, North Coast Regional Water Quality Control Board Order No. 2015-0023, or any substantially equivalent rule that may be subsequently adopted by the County of Humboldt or other responsible agency. (**Attached** - Site Management Plan prepared by DTN Engineering and Consulting, dated 12/31/20)
8. If any on-site or off-site component of the cultivation facility, including access roads, water supply, grading or terracing, impacts the bed or bank of any stream or other watercourse, a copy of the Streambed Alteration Permit obtained from the California Department of Fish and Wildlife. (**Attached** – Final Streambed Alteration Agreement (Notification No. 1600-2016-0056-R1) issued by the California Department of Fish and Wildlife, executed. 7/13/16)
9. If the source of water is a well, a copy of the County well permit, if available. (Not applicable).



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. (Not Applicable)
11. Consent for on-site inspection of the parcel by County officials at prearranged date and time in consultation with the applicant prior to issuance of any clearance or permit, and once annually thereafter. (On file)
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 (CHRIS). (On file)
15. R2 Soils Report for Bear Butte Farms, LLC, prepared by DTN Engineering and Consulting, received 2/5/2020. **(Attached)**
16. Road Evaluation Report for Kona Road and Thistle and Roadway Evaluation Technical Memorandum, both prepared by Steven Nesvold, dated 11/10/18. **(Attached)**
17. Road Evaluation Report for Kona Road and Thistle and Roadway Evaluation Technical Memorandum, both prepared by DTN Engineering and Consulting, received 12/20/2019. **(Attached)**
18. Waste Management Plan, prepared by CannaFarms Consulting, prepared 11/30/2018. **(Attached)**
19. Pest Management Plan, prepared by CannaFarms Consulting, prepared 11/30/2018. **(Attached)**
20. Division of Environmental Health Attachment for Commercial Medical Marijuana (CMM) Clearances/ Permits (DEH Form). (On file)
21. Will Serve Letter, prepared by Del Oro Water Company, dated May 19, 2020. **(Attached)**
22. Submittal regarding site plan, project modifications and PGE deposit received July 7, 2021. (On file)

# Cultivation and Operations Plan Bear Butte Farms: Red Rock



**APN 033-140-008-000  
200 Thistle Lane - Benbow**

**December 29, 2018 (1.1)**

Submitted to:



Prepared by:



## Preface

This Cannabis Cultivation and Operations Plan (CCOP) is hereby submitted to comply with the California Emergency Regulations for Cannabis Cultivation (CERCC). Compliance is required by CalCannabis Cultivation Licensing which is a division of the California Department of Food and Agriculture (CDFA). The CCOP is required to be in compliance with CERCC *Article 2 §8104 General Environmental Protection Measures*, *Article 2 §8105 Property Diagram*, *Article 2 §8106(a)(1) Cultivation Plan Requirements*, and *Article 4 Cultivation Site Requirements §8300 to §8308*, as applicable. The following items within the CCOP are regulated by CDFA:

- A. Canopy area(s), including noncontiguous aggregate square footage.
- B. Area(s) outside of the canopy where only immature plants shall be maintained.
- C. Pesticide and other agricultural chemical storage area(s).
- D. On-site processing area(s).
- E. Designated on-site packaging area(s).
- F. Secured area(s) for cannabis waste.
- G. Composting area(s), if composting cannabis waste on site.
- H. Storage area(s) for harvested cannabis.
- I. Compliance with *California Water Code §13149* policies for cannabis cultivation.
- J. Compliance with any conditions requested by the California Department of Fish and Wildlife (DFW) and the State Water Resources Control Board (SWCB).
- K. Dark Sky policies to avoid nighttime glare.
- L. Discovery of human remains policies as required by *California Health and Safety Code §7050.5*.
- M. Renewable energy requirements.
- N. Solar power systems use requirements.

Further, Humboldt County requires a CCOP for a cannabis business permit under Humboldt County Code (HCC) Chapter 3 Division 1 Title III §313 55.4, known as the Commercial Medical Marijuana Land Use Ordinance (CMMLUO). The CMMLUO regulates compliance at the local governmental level to ensure that conditions required under state and local law, or those requested by any agency with jurisdiction, are implemented as proposed within the CCOP. Therefore, the purpose of this CCOP is to identify and outline the methods to be used to meet the minimum requirements for CDFA licensing, Humboldt County Planning and Building Department permitting, and any other local or state requirements.

## **I. Project Location**

Operations are located one-mile (1mi) south of Benbow on the top of Red Rock which is easily accessible off of Red Rock Road (Figure 1). The parcel is between six hundred eighty feet (680') to one thousand two hundred feet (1,200') above sea level. It is approximately twenty acres (20ac) in size and is zoned Agricultural Exclusive with Planned Unit Development (AE-P).

### **A. Zoning**

The intent of Humboldt County Zoning Code is to implement the policies and elements of the Humboldt County General Plan. The Code is based upon Principle Zones and has further Combining Zones. All uses and development regulations of the Principal Zone apply in the Combining Zone, except, they are modified by the uses and regulations allowed within the Combining Zone regulations.

Bear Butte Farms is generally Principally Zoned as AE with a Combining Zone P. The P Zoning These zones determine overall development and allow the following:

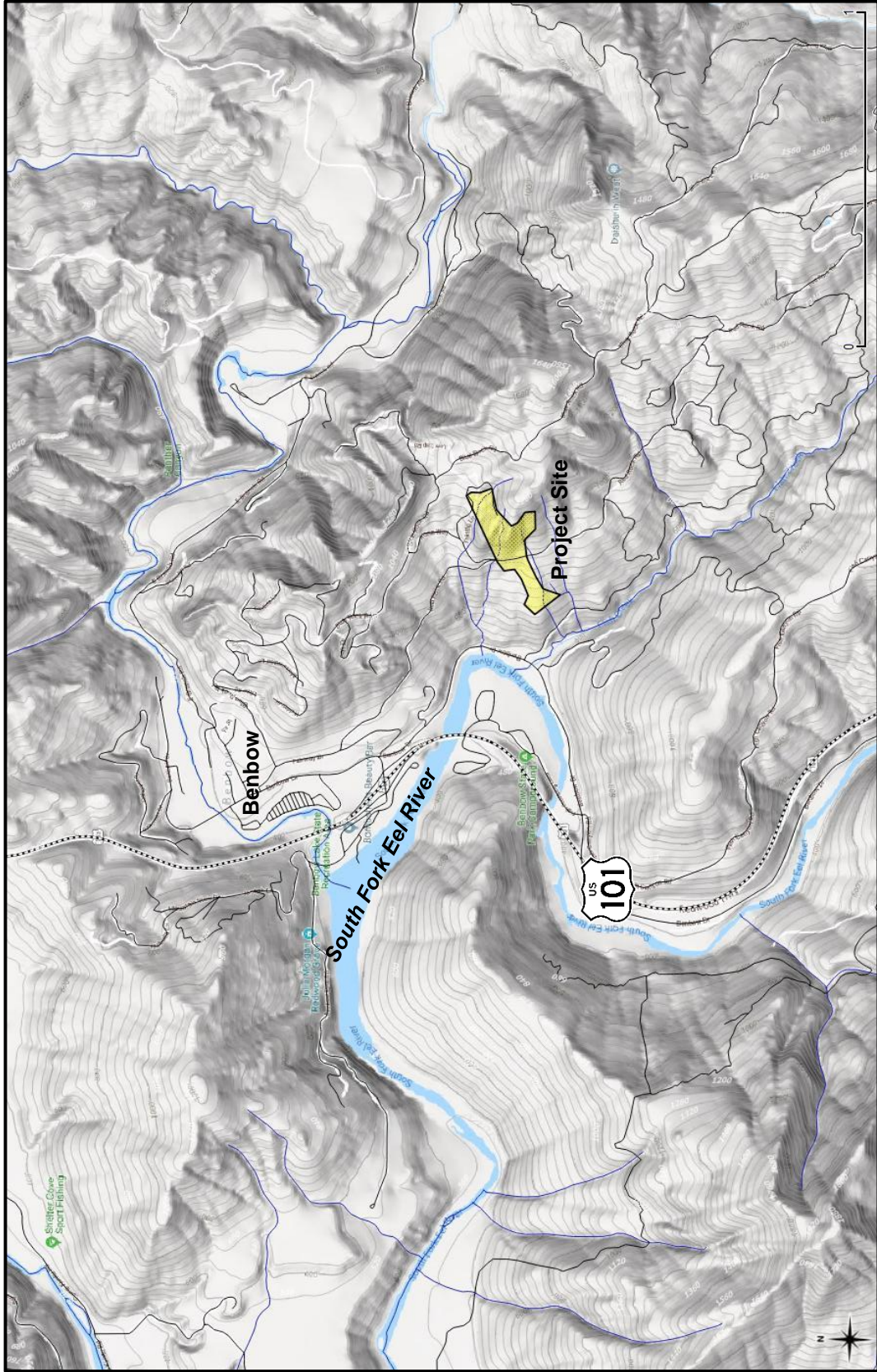
1. Agriculture Exclusive
  - a. Principally Permitted: all agricultural uses, farm dwellings, windmills, greenhouses, silos, tank houses, barns and outbuildings, coops, drainage facilities and structures, roadside agricultural sales, public stables, and other necessary or customary uses.
  - b. Uses with a Permit: animal or fur farms, feed lots, auction yards, animal or timber processing plants, irrigation equipment sales and storage, veterinarian hospitals, labor camps, or anything compatible but not enumerated within Zoning Code.

### **B. Principally Permitted Uses**

Principally permitted agricultural uses found under Principally Permitted shall require a simple "Agricultural Exempt Permit". It shall be necessary to apply for such permitting using the Plot Plan and a form from the Humboldt County Building Department for the following items:

1. Home.
2. Greenhouses.
3. Water Tanks up to five thousand gallons (5,000gal).
4. Processing facilities (barns).
5. Storage sheds.





**Figure 1: Project Location & Topography**



### C. Site Hydrology

The area of use on the parcel is located on the northern ridge of Reed Mountain which drains to the South Fork Eel River watershed. The cultivation area of two (2) flats at twelve hundred feet (1,200) in elevation. This area is bisected by a Class III Stream which flows down the face of Red Rock cliff directly to the river eight hundred feet (800') below.

The parcel varies greatly in slope, with Red Rock cliff being vertical, to a number of flats (Figure 2). The slope of the main cultivation area is less than fifteen percent (>15%) and the secondary flat is just over fifteen (15%) slope. These sites have been disturbed for a number of years for cultivation related purposes. Below these cultivation sites on the eastern side of the property the slope is much gentler. There is potential of environmental impact due to discharge to surface waters without proper implementation of the State Water Board Discharge Permit requirement control measures.

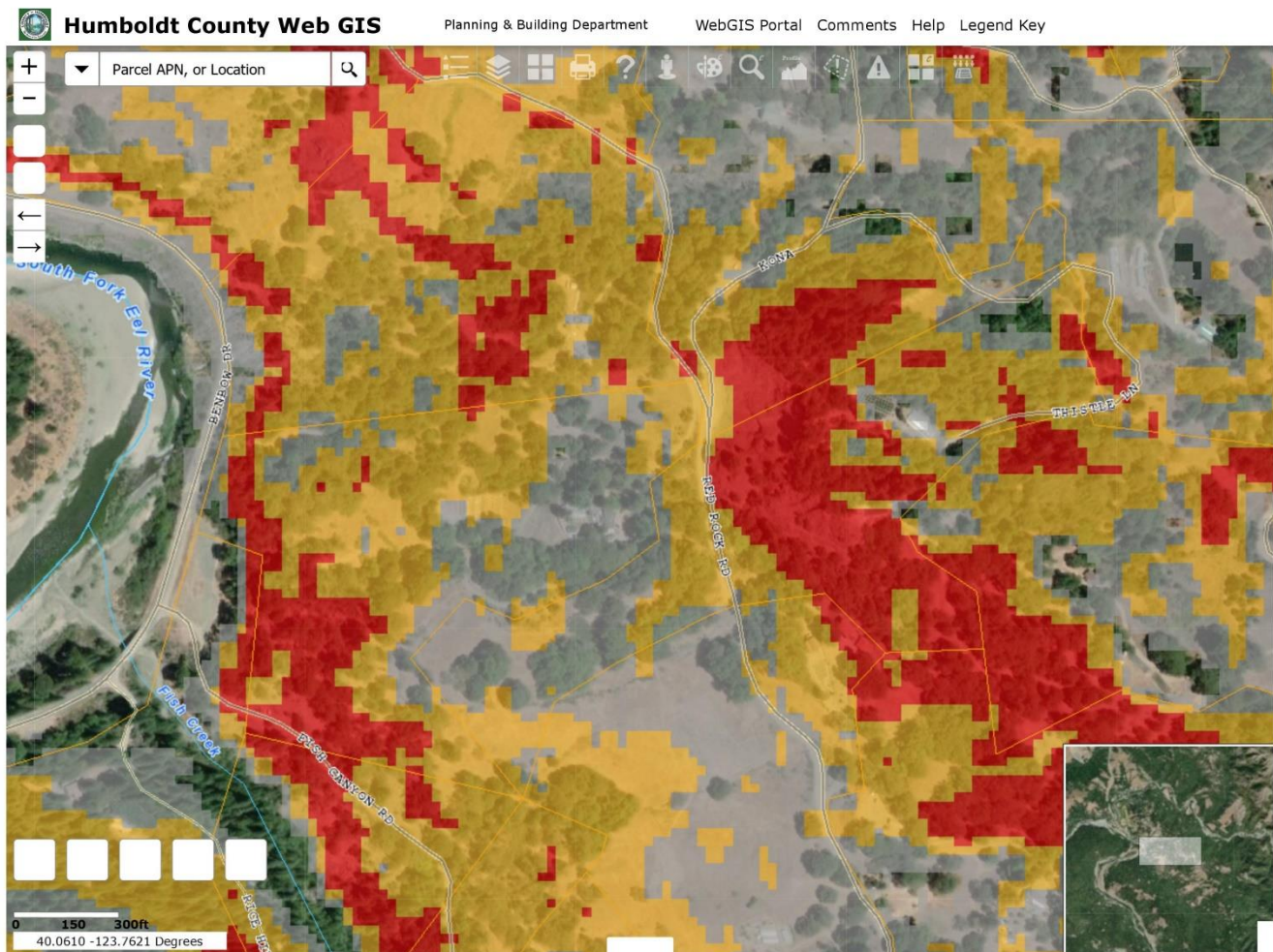
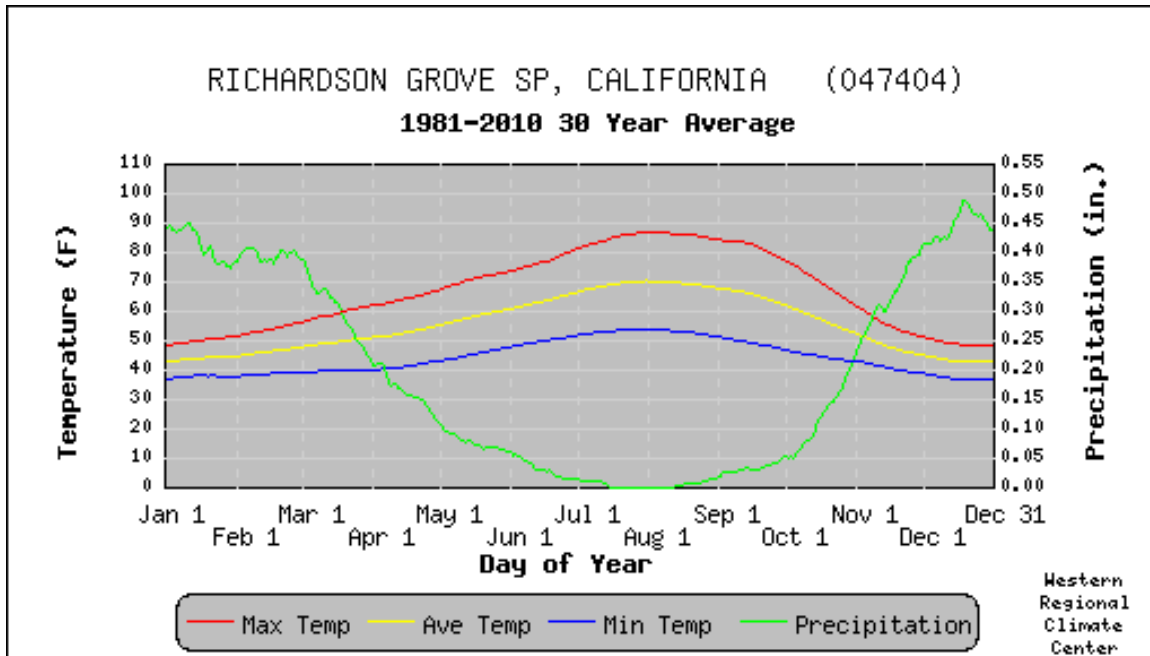


Figure 2: Project Site Slope

## D. Climate

Rain gauge records accessible via Western Regional Climate Center's (WRCC) are for Richardson Grove State Park (Figure 3). This gauge location provides a reasonable understanding of local climate as it is approximately at the same elevation and three and one-half miles (3.5mi) by air to the east of the project site. The area experiences sixty-eight inches (68") of rain annually on average, can see extreme precipitation as high as one hundred twenty-eight inches (128"), and as low as thirty inches (30") during a drought. Average temperature during the summer months of agricultural production is eighty-three degrees Fahrenheit (83°F) and can reach over one hundred degrees Fahrenheit (100°+F) during extreme heat conditions.



**Figure 3: WRCC Richardson State Park Station Climate Data**

Source: <https://wrcc.dri.edu/cgi-bin/cliMAIN.pl?ca7404>

## E. Fisheries

There are many Species of Concern within the project site, some of which have state and federal protection, including Threatened and Endangered Species status. Operations can have an impact to these species at any time due to noncompliance with environmental regulations. These species can be vegetation, aquatic lifeforms, and terrestrial wildlife including the Northern Spotted Owl (*Strix occidentalis caurina*).

Species of most concern regarding operations and direct impacts are salmon found within local rivers and streams (Figure 4). These species require clean, cool, and flowing river conditions to survive. Local fisheries which are dependent upon water quality for spawning and rearing include:

1. Fall-run California Coast Chinook salmon (*Oncorhynchus tshawytscha*)
2. Southern Oregon Northern California coho salmon (*O. kisutch*)
3. Winter-run and summer-run North California Coast steelhead (*O. mykiss*)

4. Resident rainbow trout (*O. mykiss*)
5. Anadromous coastal cutthroat trout (*O. clarkii*)
6. Pacific Lamprey (*Entosphenus tridentatus*)
7. Green sturgeon (*Acipenser medirostris*)

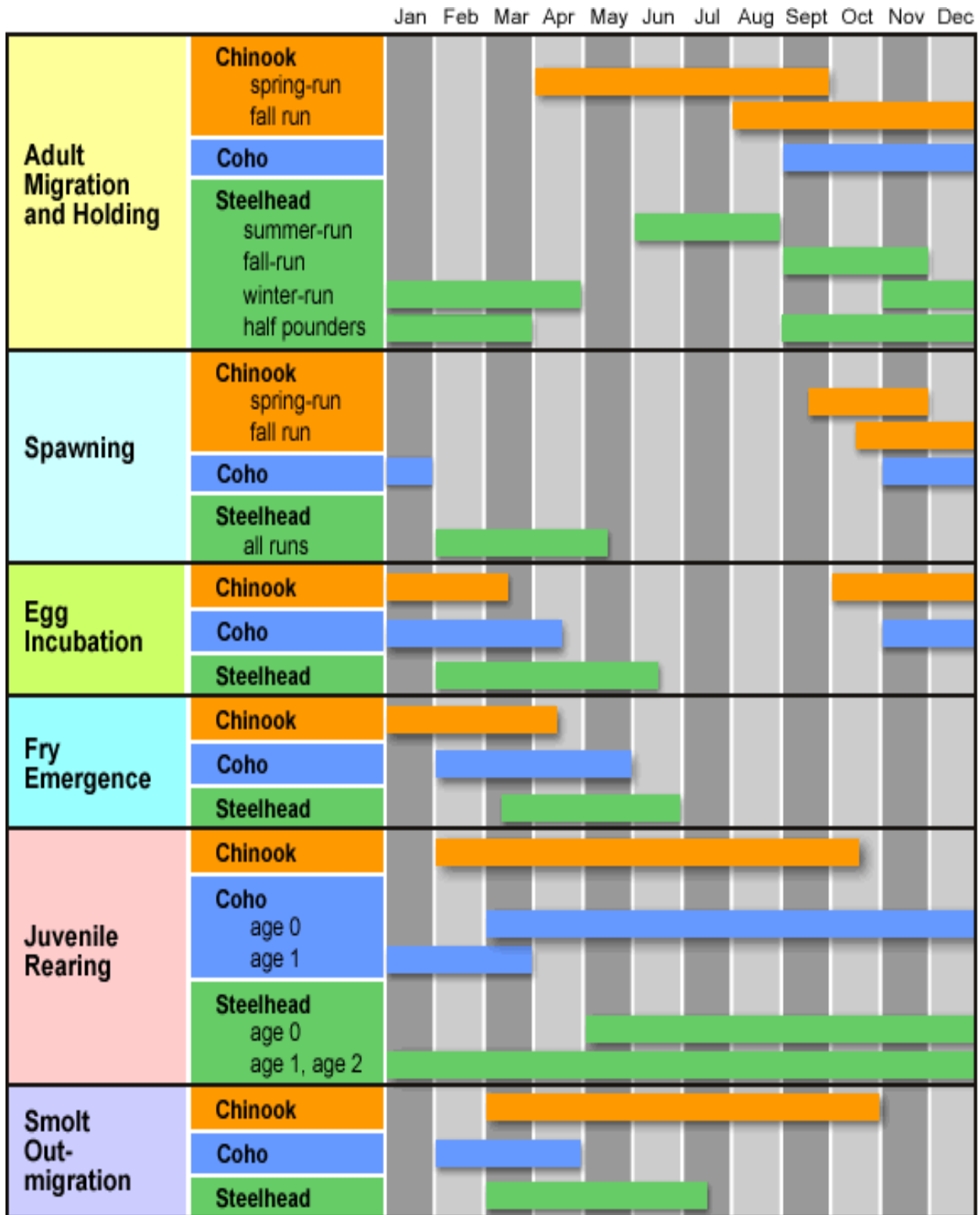
Operations can potentially have a direct impact upon the water quality of the Class II stream. This in turn affects the salmonid fishery of the Eel River. Impacts to the Eel River fishery can be created through a number of ways including:

1. Diversion during forbearance period which directly reduces in-stream flows and increase temperatures for juvenile rearing habitat.
2. Diversion rates higher than allowed which reduce instream flows needs for seasonal migration and spawning.
3. Infiltration of nutrients beyond the crop root zone into the stream which contribute to in-stream algae blooms and reduce dissolved oxygen levels.
4. Improper implementation of sediment and erosion control measures can result in increased water turbidity damaging fish gills and covering up spawning gravels.
5. Improper use and storage of hazardous materials which can cause environmental spills and contamination.

The impacts listed above are only a few of the way's operations can have a direct impact upon the environment. The fisheries in the area have evolved to a life cycle that is timed with the local water cycle of rain from late fall to early spring (Figure 4). Water use for seasonal cannabis operations are in direct opposition to the salmonid fishery life cycle which is protected by state and federal law.

Therefore, it shall be a primary concern that project operations minimize and mitigate impacts to the local environment. How this shall be accomplished is through the implementation of all requests made by the SWB or DFW. All requirements shall be adhered as found within permits, including discharge and water forbearance periods, development of environmentally responsive business policies and procedures, and regular monitoring with recording of on-site conditions.





**Figure 4: Northern California Salmon Life Cycle Calendar**

Source: <http://www.trrp.net/wordterrain/wp-content/uploads/2017/07/fishresources1.gif>

## **F. Historic Resources**

The project site is located in the Benbow Valley area. This area was historically occupied by Eel River Athapaskans, specifically the Sinkyone Tribe, who were violently exterminated by settlers, and their lands taken through force. Many areas are historic with unknown sites of past activity including displacement, homicide, hunting or gathering, or other important tribal resources; including the parcel. Any and all tribal resources which may be found would come under the jurisdiction of the Bear River Tribe, a Federally Recognized Tribe, for the cataloging and preservation of historic resources.

## **G. Utilities**

The parcel has basic services for public utilities such as electrical and water. PG&E has a power line which is located directly adjacent to Red Rock Road and into the cultivation site. Del Oro Water Company provides potable water service to the parcel, which is metered, and reaches pressure height where a pressure pump is used to move the water uphill further.

On-site services for human sanitation need of wastewater septic has not been developed. The eastern processing facility offers a logistically location for an AD-Compliant restroom which shall require perk test with permit to determine if viable. The cultivation site is not a suitable location for the development of septic as it is on the top of Red Rock with minimal soil for infiltration and would require the removal of trees on a slope for a potential area to develop.

## **II. Past Cultivation**

### **A. Past Cultivation Area**

Publicly available satellite imagery shows that the site has been used for cultivation in 2011. The first available imagery of the site in November 2004 is available from Google Earth and clearly shows the area had been previously clear of timber and brush (Figure 5). By November 4, 2015 there were three (3) discreet areas of outdoor full-term sun grown cannabis equal to at least twenty-two thousand two hundred square feet (22,000'<sup>2</sup>) (Figure 6). Some of the areas were on slopes greater than thirty percent (<30%) (Figure 7).

### **B. Water Source**

Cultivation was undertaken in the past utilizing the Del Oro Water Company Connection with invoices paid for years. This water source is metered which is located off of Blue Rock Road. Water reaches the maximum height of service pressure along the driveway to the cultivation site, filled a five thousand-gallon (5,000gal) tank, and was pumped uphill using a small Honda gas pump to another tank of equal size.



**Figure 5: November 2004 - Google Earth Imagery**





**Figure 6: Evidence of Cultivation 11/4/2015 TerraServer**





**Figure 7: Past Cultivation on Slopes**

### **III. Operations Plan**

The following Cultivation and Operations Plan is to identify and outline the methods to be used to meet the minimum requirements for CDFA licensing, Humboldt County Planning and Building Department permitting, and any other local or state requirements related to cannabis production. These methods shall be requirements of maintaining compliance with local and state regulatory agencies. Strict adherence to development and implementation of the project site as stated shall be of the utmost importance.

#### **A. Discovery of Human Remains or Archeological Resources**

California Health and Safety Code §7050.5 requires operations to cease in the advent of the discovery of human remains. Further, Humboldt County requires cessation of activities should archeological resources be inadvertently found. There are potential to find such remains or resources due to the history of the area. Disturbance without notification, with intent to possess or to maliciously destroy such items, carries the weight of the law, including and not limited to, felony charges.

**The following actions shall immediately occur upon the discovery of human remains or archeological resources:**

**1. Human Remains**

- a. Operations shall immediately cease in the advent of the discovery of human remains.
- b. The Humboldt County Sherriff Department shall be notified at (707) 445-7251.
- c. The Humboldt County Coroner shall be notified at (707) 445-7242.
- d. The Bear River Tribal Heritage Preservation Office shall be notified at (707) 733-1900.
- e. The Humboldt County Planning Department shall be notified at (707) 445-7541.

**2. Archeological Resources**

- a. Operations shall immediately cease in the advent of the discovery of archeological resources, including but not limited to:
  - i. Obsidian or chert tools such as arrowheads, axes, knives, or spears.
  - ii. Obsidian or chert flakes.
  - iii. Stone tools.
  - iv. Groundstone artifacts.
  - v. Locally darkened midden soils.
- b. The Bear River Tribal Heritage Preservation Office shall be notified at (707) 733-1900.
- c. The Humboldt County Planning Department shall be notified at (707) 445-7541.

**The following are recommendations:**

**1. *Voluntarily undertake an archeological resources survey performed by a Licensed and Qualified Archaeologist.***

- a. A copy should be provided to the Humboldt County Planning Department and any requesting agency.
- b. A copy should be kept on-site at all times.

**B. Farm Operations**

Pursuant to the MCRSA §19322(a)(9), Bear Butte Farms is an “agricultural employer”, as defined in the Alatorre-Zenovich-Dunlap-Berman Agricultural Labor Relations Act of 1975 (Part 3.5 commencing with §1140) of Division 2 of the Labor Code, to the extent not prohibited by law.

Bear Butte Farms shall be employing persons for hire as allowable by law.

1. It is anticipated that operations shall consist of four (4) employees.
2. If ever over 20 employees are hired, they shall be allowed to unionize and negotiate a Labor Peace Agreement according to MCRSA §19322(a)(6).

Bear Butte Farms 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, California Agricultural Labor Relations Act, Americans with Disabilities Act (ADA), and the Humboldt County Code (including the Building Code). At all times, employees shall have access to safe drinking water, toilets, and handwashing facilities that comply with all applicable federal, state, and local laws and regulations. On site-housing provided to employees shall comply with all applicable federal, state, and local laws and regulations.

**Operations shall implement safety protocols to protect health and safety, property, and the environment through adequate planning and training relevant to specific operations including, and not limited to, the following:**

1. State Water Board compliance with all measures identified within the ***Water Resources Protection Plan (WRPP)*** shall be implemented.
2. ***Permit to Operate*** a Tier 4 generator obtained from the Local Air District.
3. ***Track & Trace with training*** in accordance with the policies of County of Humboldt and State of California.
4. ***Private Applicator Certification*** shall be undertaken with the Humboldt County Agricultural Commissioner.
5. ***Potable water shall be provided by the Del Oro Water Company connection.***
6. ***Human wastewater shall be managed by on-site permitted septic system with an ADA-compliant processing facility restroom and cultivation area portable toilet under contract.***
7. ***ADA-compliant parking shall be provided separate from standard parking areas.***
8. ***Equipment required for the safe handling of cannabis shall readily be available on-site at all times.***
  - a. All personal equipment shall meet all local and state requirements while being OSHA compliant.
  - b. OSHA certified safety glasses (tinted and clear), hats, disposable and reusable gloves, disposable face masks, and filtered respiratory protection shall be on-site and used as required.
  - c. Training in the use of personal protective equipment shall be undertaken on an annual basis.
9. ***Standard Operating Procedures*** shall be developed, implemented, and a written copy on premises at all times in accordance with all applicable County of Humboldt and State of California regulations. Additionally, this plan shall incorporate:
  - a. ***Dark Sky Plan*** shall be developed, implemented, and a written copy on premises at all times in accordance with all Humboldt County and State of California regulations.
  - b. ***Policies concerning CPR & 1<sup>st</sup> Aid*** shall be developed and implemented.
    - i. 1<sup>st</sup> Aid Station(s) shall be provided on-site.



- c. **Fire prevention meeting CalFire Fire Safe standards** shall be incorporated and implemented.
  - i. A minimum of five thousand-gallons (5,000gal) of water shall be dedicated for CalFire Fire Safe purposes and not connected to the Cultivation Area.
  - ii. A minimum of two (2) dry chemical fire extinguishers shall be maintained and certified on an annual basis with a twenty-pound (20lb) capacity in easily accessible locations.
- 10. **Transportation Plan** shall be developed, implemented, and a written copy on premises at all times in accordance with all County of Humboldt and State of California regulations;
- 11. **Receiving and Inventory Plan** shall be developed, implemented, and a written copy on premises at all times in accordance with all applicable County of Humboldt and State of California regulations.
- 12. **Processing and Packaging Plan** shall be developed, implemented, and a written copy on premises at all times in accordance with all applicable County of Humboldt and State of California regulations.
- 13. **Security Plan** shall be developed, implemented, and a written copy on premises at all times in accordance with all applicable County of Humboldt and State of California regulations.
- 14. **Pesticide Management Plan** shall be developed with training for **Private Applicator Certification**, and a written copy of the plan and certification shall be on premises at all times in accordance with all applicable Humboldt County and State of California regulations.
- 15. **Nitrogen Management Plan shall be developed by a Qualified Professional**, implemented, and a written copy on premises at all times in accordance with all applicable Humboldt County, State of California, and Federal regulations.
- 16. **Cannabis Waste Management Plan** shall be developed, implemented, and a written copy on premises at all times in accordance with all applicable Humboldt County and State of California regulations.

**The following are recommendations:**

- 1. ***An independent risk assessment is recommended to be undertaken within one (1) year and implemented to reduce job hazards to the greatest extent possible.***

**C. Employee Safety Practices**

Bear Butte Farms operations and processing operations shall implement safety protocols to protect the health and safety of its employees. All employees shall be provided with adequate safety training relevant to their specific job functions, which may include:

- 1. Emergency action response planning.
  - a. Employees shall be trained and certified in basic CPR & 1<sup>st</sup> Aid.

- b. CPR& 1<sup>st</sup> Aid Kit Stations shall be provided within the cultivation areas, bathroom, and drying facility.
  - c. Employees with known allergies that could be a health concern in an agricultural setting shall inform management, and if require an EpiPen, shall carry said provisions with them at all times while on-site.
  - d. If feasible, a working phone connection or emergency call button connected to a monitored security system shall be put into use.
  - e. Emergency call buttons, depending on circumstances, may or may not be placed within the greenhouses and processing facility.
  - f. Employees shall be provided with handheld communication devices with a secure channel for on-site use.
2. Employee accident reporting and investigation policies.
    - a. All accidents shall be reported to management.
    - b. Management shall investigate and keep written reports of accidents.
    - c. Reporting to authorities shall be accordingly to the requirements of law.
  3. Fire prevention.
    - a. CalFire Fire Safe regulations (Title 14 Code of California Regulations: Division 1.5, Chapter 7, Subchapter 2, Articles 1-5) shall be met.
    - b. All employees shall be trained with fire safe methods and in the proper use of fire extinguishers.
    - c. Fire extinguishers shall be available in the cultivation areas and drying facility in the advent of an emergency.
    - d. Fire extinguishers shall be maintained and certified on an annual basis.
    - e. The dedicated water storage tank and nipple shall be inspected on an annual basis to ensure viability.
  4. Hazard communication policies, including maintenance of material safety data sheets (MSDS).
    - a. Employees shall be trained in the proper handling of all hazardous materials, if any are ever used.
    - b. Employees shall be provided secure communication devices for communication and emergencies.
    - c. MSDS of any applicable hazardous materials shall be posted visibly on-site at all times.
  5. Materials handling policies.
    - a. Employees shall be trained on handling cannabis and other related materials on an annual basis.
  6. Job hazard analyses.
    - a. Employees may be exposed to agricultural related risks and informed of such.
    - b. Within the first year of operations on-site risks shall be assessed by an independent expert to reduce job hazards within a risk management plan as applicable by law.
    - c. The risk management plan shall be implemented to reduce identified issues.

7. Personal protective equipment policies; including respiratory protection.
  - a. Bear Butte Farms shall provide personal safety equipment for use such as OSHA certified safety glasses (tinted and clear), hardhats, disposable and reusable gloves, disposable face masks, and filtered respiratory protection.
  - b. Employees shall be trained in the use, expected to make use, and have ample access to personal protective equipment provided by Bear Butte Farms.
  - c. Storage areas for personal safety equipment shall be provided.

#### **D. Emergency Contacts**

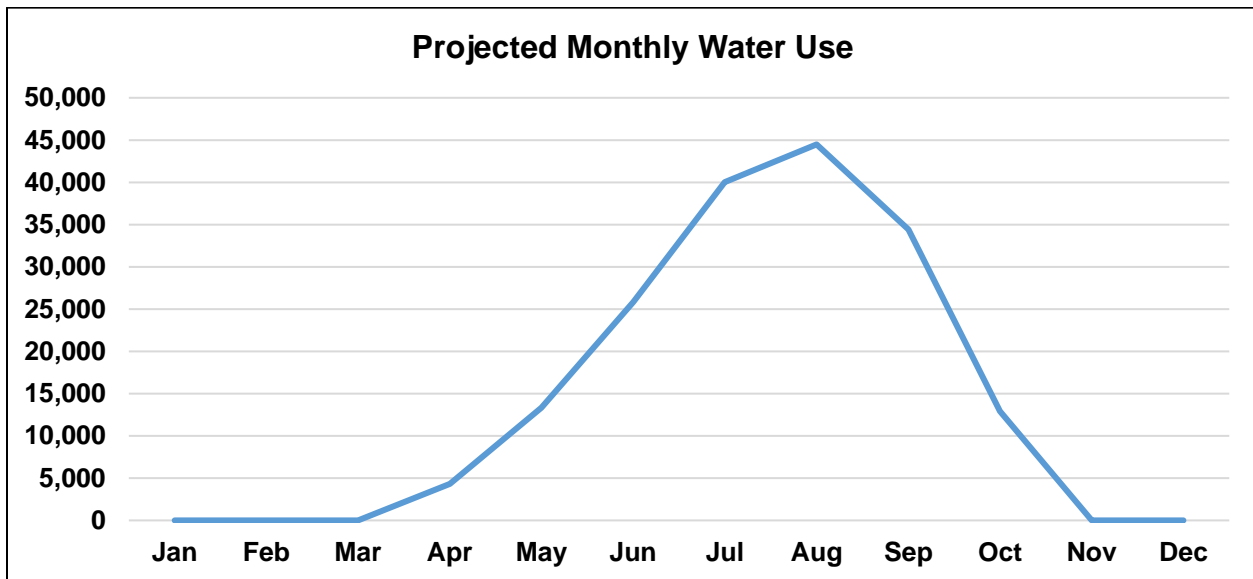
Bear Butte Farms operations and processing facilities shall visibly post and maintain an emergency contact list which includes at a minimum:

1. Operation manager contact(s):
  - a. Owner: Erdinc Dogan (206)372-8966
2. Emergency responder contact(s):
  - a. EMERGENCY CALL 911
  - b. Nonemergency Sheriff: (707) 445-7251
  - c. Hoopa Fire Department: (530) 625-4366
  - d. City Ambulance: (707) 445-4907
3. Poison control contact(s):
  - a. EMERGENCY CALL 911
  - b. Poison Control Centers 1-800-222-1222

#### **E. Schedule of Operations**

Operations shall follow a fairly consistent annual set schedule of events (Table 1). Record keeping of past water use was not undertaken and water use has been estimated based upon a peak in August of one thousand four hundred thirty-five gallons per day (1,435gal/day). Cultivation shall be twice a year using light deprivation (DEP) without lights. Total estimated water use for operations are approximately one hundred sixty-two thousand five hundred gallons (162,500gal) per year, utilizing dripped irrigation on timers at an agronomic rate just after sunrise and/or sunset, and based upon seasonal tapering of need (Figure 9).

Table 1: Schedule of Activities						
Month	Propagation	Vegetating	Flowering	Cultivation	Processing	Projected Water Use (Gal)
Jan						0
Feb						0
Mar						0
Apr	X					4,305
May	X	X				13,346
Jun	X	X	X			25,830
Jul		X	X	X	X	40,037
Aug		X	X			44,485
Sep			X	X		34,440
Oct			X			12,915
Nov					X	0
Dec						0
<b>Total</b>	<b>3 Months</b>	<b>7 Months</b>	<b>5 Months</b>	<b>2 Harvests</b>	<b>Twice</b>	<b>162,442gal</b>



**Graph 1: Projected Monthly Water Use**

**The following are compliance requirements:**

1. ***Maintain legal water source for cultivation from Del Oro Water Company meeting all conditions of use.***
2. ***A locally licensed portable toilet service provider, for instance B&B Portable Toilets or Trusted Portable Toilets, shall provide contractual services for human waste.***
3. ***The site, services, and maintenance shall follow all Humboldt Department of Environmental Health requirements.***

**The following are recommendations:**

1. ***Storage needs should be based upon the minimum amount needed to buffer operations during a drought or electricity or pump outage.***
2. ***Water Conservation Measures are recommended to be investigated and implemented when feasible***, such as high efficiency drip systems which are maintained on a regular basis, solar powered irrigation timers set to water just after sunrise and/or sunset, posting of sunrise/sunset calendars within each cultivation area, hygrometers, handheld infrared cameras, and other appropriate technology.

**F. Water Source & Irrigation Plan**

The parcel is served by Del Oro Water Company which has provided permission to continue operations using the water service connection. Due to the limitations of Del Oro's system a pump is required to move water up the remainder of the grade and maintain pressure (Figure 8). Electricity has not been developed on the parcel, besides portable generators which are not compliant, and another means of powering the pump is required such as public utility or solar.



**Figure 8: Pressure Pump & Tank**

**The project shall utilize the following Water Source:**

1. ***First Option: Installation of the solar panel array and battery system shall meet all regulatory requirements, including electrical, which shall be submitted for permitting through the Humboldt County Building.***
2. ***Second Option: Installation of the utility agricultural drop which shall meet all regulatory requirements, including electrical, which shall be submitted for permitting through the Humboldt County Building.***

**The following are compliance requirements:**

1. ***Maintain legal water source for cultivation from Del Oro Water Company meeting all conditions of use.***
2. ***Electrical Permit shall be submitted to the Humboldt County Building Department by a Licensed Electrician who shall install the solar power system, pumps, batteries, switch box, conduit, outlets, and any other related electrical connections.***
3. State Water Board compliance with all measures identified within the ***WRPP shall be implemented.***
4. ***Standard Operating Procedures*** shall be developed, implemented, and a written copy on premises at all times in accordance with all State of California regulations.

**The following are recommendations:**

1. ***Additional storage beyond the minimum amount needed is highly recommended to be developed to buffer operations during drought conditions.***
2. ***Water Conservation Measures are recommended to be investigated and implemented when feasible***, such as drip systems, solar powered irrigation timers set to water after sunset or before sunrise, hygrometers, handheld infrared cameras, and other appropriate technology.

**G. Water Storage & Fire Storage Plan**

Total estimated water use for operations are approximately one hundred sixty-two thousand five hundred gallons (162,500gal) per year. Irrigation shall use drip irrigation on timers at an agronomic rate just after sunrise and/or sunset based upon seasonal tapering of need. Further, a minimum of two thousand five hundred gallons (2,500gal) or a fire hydrant is required to be developed per parcel by law for fire suppression purposes.

**The project shall utilize the following minimum Water Storage:**

1. ***Cultivation related storage shall be forty-five thousand gallons (45,000gal) of hard poly water storage tanks.***
  - a. A single five thousand-gallon (5,000gal) tank shall serve as the lower pressure tank connected to the Del Oro line and on-site pump.
  - b. Eight (8) five thousand-gallon (5,000gal) tank shall serve cultivation.
2. ***Two (2) five thousand-gallon (5,000gal) tank shall serve as dedicated fire suppression.***
  - a. There shall be a tank at the cultivation site.
  - b. There shall be a tank at the lower flat with the processing facility.

**The following are compliance requirements for Water Storage:**

1. ***Maintain legal water source for cultivation from Del Oro Water Company meeting all conditions of use.***
2. ***Electrical Permit shall be submitted to the Humboldt County Building Department by a Licensed Electrician who shall install the solar***



**power system, pumps, batteries, switch box, conduit, outlets, and any other related electrical connections.**

3. **State Water Board compliance with all measures identified within the WRPP shall be implemented.**
4. **Agricultural Exempt Permits** shall be submitted to the Humboldt County Building Department for the water storage tanks.
5. **Two (2) five thousand-gallons (5,000gal) tanks of water shall be dedicated for CalFire Fire Safe purposes and not connected to the Cultivation Area.**
  - a. Three inch (3") reflectorized blue dot shall be installed on an address sign upon the gates.
  - b. Three inch (3") reflectorized blue dot shall be installed upon the fire suppression tanks or fire hydrant.
  - c. A two and one-half inch (2½") or four and one-half inch(4½") N.H. male fitting for a fire house connection shall be made available on the fire water storage tank or a remote fire hydrant connection with said fitting at least eighteen inches (18") above grade
  - d. The placement of a tank with a hose fitting or a fire hydrant connection shall be between four feet (4') and twelve feet (12') from the roadway.
  - e. Tank and fire hydrant placement shall be at least fifty (50') from buildings.
  - f. Tank and fire hydrant placement shall be at least eight feet (8') from vegetation.
  - g. Fire suppression tanks shall be monitored for water level, topped off on a monthly basis if necessary, and a direct connection with shut-off valve provided.
  - h. All fire hydrant connections shall be maintained for proper fit and function.
6. **Humboldt County and CalFire Category 2 road standards shall be met for fire emergency response purposes from Red Rock Road.**
7. **Standard Operating Procedures** shall be developed, implemented, and a written copy on premises at all times in accordance with all State of California regulations.

**The following are recommendations:**

1. **Additional storage beyond the minimum amount needed is highly recommended to be developed to buffer operations during drought conditions.**
2. **Water Conservation Measures are recommended to be investigated and implemented when feasible**, such as drip systems, solar powered irrigation timers set to water after sunset or before sunrise, hygrometers, handheld infrared cameras, and other appropriate technology.

## H. Cultivation, Energy, and Soils Plan

Bear Butte Farms shall bring the cannabis Cultivation Areas into full regulatory compliance for commercial using Full Sun Outdoor DEP. It is an “Agricultural Employer”, as defined in the Alatorre-Zenovich-Dunlap-Berman Agricultural Labor Relations Act of 1975 (Part 3.5 commencing with §1140) of Division 2 of the Labor Code, to the extent not prohibited by law. All development shall meet ADA compliance as required.

The operations plan shall develop cultivation in two (2) areas on top of Red Rock with a road that does not meet SRA Code requirements. The northern cultivation area is larger with two (2) flats and the southern site is narrower with slightly more slope (Figures 9-11). Total of both outdoor cultivation DEP areas is fourteen thousand three hundred fifty square feet (14,350’<sup>2</sup>).

Cannabis cultivated is intended for the adult recreational market for flower and extraction which shall be grown to meet that demand. Product shall either be minimally processed as dried plant material conveyed by the farmer to an extraction facility or distributor for packaging, or, as fresh frozen collected by the extractor who shall be on-site during harvest with material transport. Operations shall meet all local and state regulatory requirements.



**Figure 9: Upper Northern Flat**





**Figure 10: Lower Northern Flat**



**Figure 11: Southern Flat**



Power sources are limited and shall require development for pumps and fans. There is a PG&E power line that bisects the parcel which would be the easiest most cost-effective way to provide long-term energy for cultivation related needs by developing a commercial agricultural drop. The location, permit, and all electrical connections shall require being designed for Humboldt County Building Code and California Electrical Code by a Licensed Electrician or Engineer.

Greenhouses shall be constructed upon native soils with cultivation occurring within raised beds. The purpose is to remove cultivation found on the slopes and closer to the edges within contained facilities. Greenhouses would be an environmentally superior option due to the location of the project site on top of Red Rock and potential of discharge.

Protection from overuse of inputs and reuse of soils shall be a key component of operations. All farming shall be certified organic with mixing, tilling, and amending of soils occurring within the raised beds. All fertilizers shall be storage in designated areas as recommended by the manufacturer.

Soils shall be reused, composted in a secure area with chipped cannabis waste, and no dumping off-site shall occur. Cover crops shall be utilized when not in cultivation for a month or more to reduce soils loss. Straw and other erosion control methods shall be placed on the ground surrounding the cultivation areas.

Bear Butte Farms recognizes the benefits of water conservation and soils management to their business, community, watershed, and fishery. Environmentally friendly good neighbor policies shall be developed and implemented. These include:

1. A nitrogen plan shall be developed and implemented to prevent subsurface nutrient release with the assistance of a licensed soil scientist.
2. All cultivation shall utilize agricultural soils in raised beds and within the ground utilizing permaculture methods.
3. All bare soils shall be covered soils with straw, ground cloth, or cover crop such as clover.
4. Operations shall be metered as required by the State Water Board.
5. Operations shall utilize drip irrigation controlled by a timer.
6. A detailed monthly schedule of watering activities shall be developed and conspicuously posted on-site.
7. Soils and vegetated matter shall be reused, composted on-site, and no dumping off-site shall occur.
8. Composting shall consist of a dedicated area and vegetated matter shall be chipped into an inconsumable humic mix.
9. Other methods of soil and plant moisture analysis may be implemented including the use of hygrometers, infrared cameras, and computerized sensors.



**The project shall utilize the following for Cultivation:**

1. ***Northern Upper Flat shall have two (2) outdoor DEP greenhouses, a three thousand square feet (3,000<sup>2</sup>) measuring thirty feet by one hundred feet (30'x100'), and ten feet by seventy-five feet (10'x75') in size equaling seven hundred fifty square feet (750<sup>2</sup>).***
  - a. There shall be a single ADA-compliant and two (2) standard parking stalls.
  - b. There shall be an ADA-Compliant portable toilet due to infeasibility of a septic system at the cultivation site.
  - c. There shall be an SRA fire dedicated tank.
  - d. There shall be forty feet (40') Slip-T turnaround.
2. ***Northern lower flat shall six thousand square feet (6,000<sup>2</sup>) of outdoor full sun DEP.***
3. ***Southern Flat shall have two (2) outdoor DEP greenhouses, a four thousand two hundred square feet (4,200<sup>2</sup>) measuring thirty feet by one hundred forty feet (30'x140'), and ten feet by forty feet (10'x40') in size equaling four hundred square feet (400<sup>2</sup>).***
4. ***The eastern side of the property, by the processing facility, there shall be eight feet by twenty feet (8'x20') shipping container for fertilizer and pesticide storage.***
5. ***All greenhouses shall meet the following requirements:***
  - a. Be wired by a Licensed Electrician under permit.
  - b. Not be air conditioned or actively heated.
  - c. Not be lighted.
  - d. Utilize electrical ventilation fans.
  - e. Utilize timers for fans.
  - f. Utilize Light Deprivation (DEP) covers.

**The following are compliance requirements:**

1. ***Humboldt County and CalFire Category 2 road standards shall be met.***
2. ***Licensed Engineer shall perform a Humboldt County Road Evaluation Report.*** Should grading of over fifty yards (<50yd) of material or be located on a slope greater than fifteen percent (<15%) then the following applies:
  - a. Grading plan for internal roads which shall be designed by a licensed and qualified engineer to meet a minimum Category 2 Road Standard.
  - b. Grading permit shall be submitted to the Humboldt County Building Department.
  - c. Road construction shall be undertaken by a licensed and qualified contractor between April 15 to October 31.
3. ***Agricultural Exempt Permits*** shall be submitted to the Humboldt County Building Department for the greenhouses and fertilizer storage sheds.

4. ***Installation of the PG&E utility agricultural drop which shall meet all regulatory requirements, including electrical, which shall be submitted for permitting through the Humboldt County Building.***
5. ***Electrical Permit shall be submitted to the Humboldt County Building Department by a Licensed Electrician who shall install the power system, pumps, batteries, switch box, conduit, outlets, and any other related electrical connections.***
6. Greenhouse **construction shall occur after April 15** as required by Humboldt County Building Department.
7. ***A locally licensed portable toilet service provider, for instance B&B Portable Toilets or Trusted Portable Toilets, shall provide contractual services for human waste.***
8. State Water Board compliance with all measures identified within the ***Water Resources Protection Plan (WRPP)*** shall be implemented.
9. ***DFW §1602 LSA undertaken by a Qualified Professional***, such as a Registered Professional Forester, Licensed Fishery Biologist, Licensed Geologist, Licensed Hydrologist, or Licensed Engineer.
10. ***Track & Trace*** in accordance with the policies of County of Humboldt and State of California.
  - a. Unique Identifier Designations (UID) are required for each mature plant.
  - b. A unique harvest batch name shall be created and associated with all UIDs for each individual plant, or portion thereof, contained in the harvest batch.
  - c. UIDs shall be attached to the main stem and placed in a position so it is visible within clear view standing next to a mature plant.
  - d. UIDs shall be kept free from dirt and debris.
  - e. UIDS are prohibited from being removed from the mature plant to which it was attached and assigned until the plant is harvested, destroyed or disposed.
  - f. Cannabis plants maintained outside of the designated Cultivation Area are prohibited from flowering. Should plants outside of the canopy area(s) begin to flower, a UID shall be applied, the plants shall be moved to the designated Cultivation Area without delay and reported in the Track-and-Trace system.
11. ***Fertilizers shall be stored in designated areas and maintained per manufacturer recommendations.***
12. ***Nitrogen Management Plan shall be developed by a Qualified Professional***, implemented, and a written copy on premises at all times in accordance with all applicable Humboldt County, State of California, and Federal regulations.
13. ***Cannabis Waste Management Plan*** shall be developed, implemented, and a written copy on premises at all times in accordance with all applicable Humboldt County and State of California regulations.

14. ***Pesticide Management Plan*** shall be developed, implemented, and a written copy on premises at all times in accordance with all applicable Humboldt County and State of California regulations.
15. ***Private Applicator Certification*** shall be undertaken with the Humboldt County Agricultural Commissioner.
16. ***Standard Operating Procedures*** shall be developed, implemented, and a written copy on premises at all times in accordance with all applicable State of California regulations.
17. ***Humboldt County and CalFire Category 2 road standards shall be met.***
18. ***Transportation Plan*** shall be developed, implemented, and a written copy on premises at all times in accordance with all State of California regulations;
19. ***Receiving and Inventory Plan*** shall be developed, implemented, and a written copy on premises at all times in accordance with all applicable State of California regulations.
20. ***Processing and Packaging Plan*** shall be developed, implemented, and a written copy on premises at all times in accordance with all applicable State of California regulations.
21. ***Security Plan*** shall be developed, implemented, and a written copy on premises at all times in accordance with all applicable State of California regulations.

#### **I. Appurtenant Nursery**

Cultivation shall be supported by on-site Appurtenant Nursery Area equal to four hundred fifty square feet (450'<sup>2</sup>). These activities shall occur separately where only immature plants maintained outside of the canopy area. Power sources shall be developed for pumps, fans, lights, and other electrical needs. The nurseries may also be actively or passively heated. All development shall meet Humboldt County Building Code and California Electrical Code.

#### **The project shall utilize the following Appurtenant Nursery Area:**

1. ***Four hundred fifty square foot (450'<sup>2</sup>) fifteen feet by thirty feet (15'x30') appurtenant nursery building with two (2) standard parking stalls.***
2. ***All greenhouses shall meet the following requirements:***
  - a. Be wired by a Licensed Electrician under permit.
  - b. May be actively or passively heated.
  - c. May be air conditioned.
  - d. Utilize low wattage fans for ventilation.
  - e. Utilize low wattage efficiency LED lighting.
  - f. Utilize timers for lighting and fans.
  - g. Utilize DEP covers.

**All compliance requirements as listed for the Cultivation Area are applicable to the Appurtenant Nursery Area.**

## **J. Processing Facilities, Drinking Water & Wastewater Plan**

Operations shall be based upon greenhouses with a dual season harvest utilizing full sun DEP. The cultivation is intended to be for flowers which are dried, trimmed, and packaged or to be sent manufacturing in bulk. The initial step of processing shall occur with on-site bucking within greenhouses. All processing, including drying, shall occur within a two-story processing site building.

Potable water is available from Del Oro Water Company. This source is a public utility with water filtered to meet public hygiene standards. All on-site connections shall utilize this source. There may be conditions of use imposed during drought and it is recommended to develop sufficient storage to buffer any cutoff which may occur.

Power sources shall be developed for pumps, fans, lights, and other energy needs. Within the processing facility there shall be an ADA compliant restroom connected to permitted septic systems. At the cultivation site development space is limited and shall have an ADA compliant portable toilet.

All on-site roads shall meet Category 2 standards. Off-street parking shall be provided separate of the driveway emergency vehicle access areas with two (2) standard stalls at the nursery and at the processing facility an ADA compliant plus standard parking. All development shall meet Humboldt County Building Code and California Codes.

### **The project shall utilize the following Processing Facilities:**

1. ***One thousand two hundred square feet (1,200'<sup>2</sup>) two-story thirty feet by forty feet (30'x40') with ADA compliant restroom and parking stall.***

### **The following are compliance requirements:**

1. ***Building Permits shall be submitted to the Humboldt County Building Department for all new construction including an ADA compliant restroom with septic system.***
2. ***Electrical Permit shall be submitted to the Humboldt County Building Department by a Licensed Electrician who shall determine electrical needs and install the power system, switch box, conduit, and any other related electrical connections.***
3. ***Humboldt County and CalFire Category 2 road standards shall be met.***
4. ***Licensed Engineer shall perform a Humboldt County Road Evaluation Report.*** Should grading of over fifty yards (<50yd) of material or be located on a slope greater than fifteen percent (<15%) then the following applies:
  - a. Grading plan for internal roads which shall be designed by a licensed and qualified engineer to meet a minimum Category 2 Road Standard.
  - b. Grading permit shall be submitted to the Humboldt County Building Department.
  - c. Road construction shall be undertaken by a licensed and qualified contractor between April 15 to October 31.
5. ***Potable water shall be provided by the Del Oro Water Company connection.***



6. **Human wastewater shall be managed by on-site permitted septic system with an ADA-compliant restroom in the processing facility and at the cultivation area a portable toilet under contract.**
7. **ADA-compliant parking shall be provided separate from standard parking areas.**
8. **Track & Trace** in accordance with the policies of County of Humboldt and State of California.
9. **Cannabis Waste Management Plan** shall be developed, implemented, and a written copy on premises at all times in accordance with all applicable Humboldt County and State of California regulations.
10. **Processing and Packaging Plan** shall be developed, implemented, and a written copy on premises at all times in accordance with all applicable County of Humboldt and State of California regulations. Additionally, this plan shall incorporate:
  - a. Processed and dried cannabis procedure for weighing, packaging, labeling, and deposited in accordance with all applicable County of Humboldt and State of California requirements.
  - b. All work surfaces and equipment maintained in a clean and sanitary condition in accordance with all applicable County of Humboldt and State of California requirements.
  - c. Prevention practices against the contamination or growth of E. coli, mold, mildew, or other microbiological agent upon or within processed cannabis.
  - d. Nitrile gloves and paper facemasks shall be used at all times.
  - e. Hygiene policies for the use and maintenance of face and hand protection equipment in good operable condition.
  - f. Hands washing methods policies to minimize activities which may introduce contamination.
11. **Transportation Plan** shall be developed, implemented, and a written copy on premises at all times in accordance with all State of California regulations;
  - a. Shall incorporate a road maintenance plan to maintain compliance with road standards required by Humboldt County, CalFire, and SWB.
12. **Receiving and Inventory Plan** shall be developed, implemented, and a written copy on premises at all times in accordance with all applicable State of California regulations.
13. **Processing and Packaging Plan** shall be developed, implemented, and a written copy on premises at all times in accordance with all applicable State of California regulations.
14. **Security Plan** shall be developed, implemented, and a written copy on premises at all times in accordance with all applicable State of California regulations.

## **K. Road Plan**

Operations shall require that roads are suitable for commercial agricultural use. The parcels are accessed on the Red Rock public right of way from Benbow. State and County law requires that private access and all on-site roads meet minimum standards. Humboldt County prefers a Category 4 Road Standard which are a minimum of twenty feet (20') wide, two (2) lane, on a slope less than sixteen percent (>16%), inside curve radius of fifty feet (50'), and forty feet (40') radius turnarounds or forty feet (40') Slip-T turnarounds. Should the physical landscape not allow for a two (2) lane road, then Humboldt County and CalFire Category 2 minimums standards shall be met, which are fourteen feet (14') wide roads with turnouts every four hundred feet (400'), dead-end turnarounds, and other contour requirements. On-site parking shall occur in dedicated off-street locations and roadways which are clear at all times for emergency vehicle access.

### **The project shall utilize the following for Roads:**

1. ***Humboldt County and CalFire Category 2 road standards shall be met.***
2. ***Any ROW entrances shall be to code requirements for approach and departure.***
3. ***Gates shall have a three inch (3") red reflector on both sides.***
4. ***A KNOX box located at the gates shall provide emergency vehicle access to the project site.***
5. ***Emergency vehicle turnarounds shall be marked with white reflectors and remain clear at all times.***
6. ***The driveway shall always be clear and accessible at all times.***
7. ***All off-street parking spots shall measure a minimum of ten feet by eighteen feet (10'x18').***

### **The following are compliance requirements:**

1. ***Licensed Engineer shall perform a Humboldt County Road Evaluation Report with recommendations to meet Humboldt County and CalFire Category 2 road standards.***
2. ***Humboldt County and CalFire Category 2 road standards shall be met.***
3. ***Should grading of over fifty yards (<50yd) of material or be located on a slope greater than fifteen percent (<15%) then the following applies:***
  - d. ***Grading plan which shall be designed by a licensed and qualified engineer.***
  - e. ***Grading permit which shall be submitted to the Humboldt County Building Department.***
  - f. ***Road construction shall be undertaken by a licensed and qualified contractor between April 15 to October 31.***
4. ***State Water Board compliance with all measures identified within the Water Resources Protection Plan (WRPP) shall be implemented including, but not limited to, culvert and road upgrades.***
5. ***DFW §1602 LSA undertaken by a Qualified Professional, such as a Registered Forestry Professional, Licensed Fishery Biologist, Licensed Geologist, Licensed Hydrologist, or Licensed Engineer.***

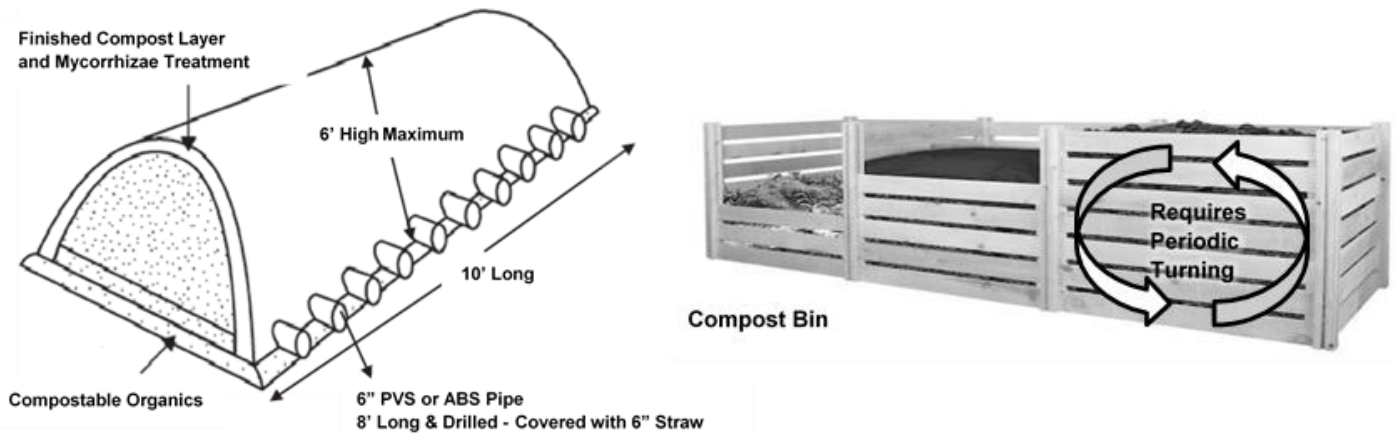
6. **Transportation Plan** shall be developed, implemented, and a written copy on premises at all times in accordance with all State of California regulations;
  - b. Shall incorporate a road maintenance plan to maintain compliance with road standards required by Humboldt County, CalFire, and SWB.
7. **Receiving and Inventory Plan** shall be developed, implemented, and a written copy on premises at all times in accordance with all applicable State of California regulations.
8. **Processing and Packaging Plan** shall be developed, implemented, and a written copy on premises at all times in accordance with all applicable State of California regulations.
9. **Security Plan** shall be developed, implemented, and a written copy on premises at all times in accordance with all applicable State of California regulations.

#### **L. Solid and Organic Waste Plan**

An Integrated Waste Management Plan to control cannabis and solid waste shall occur by implementation of a Cannabis Waste Management Plan (CWMP). Due to project site remoteness the CWMP shall focus on self-haul of solid waste and recycling. Cannabis waste shall be chipped on-site, composted in an approved manner (Figure 12), and utilize land disposal by mixing into cultivation soils. The State of California and Humboldt County require that the project be in compliance with the California Integrated Waste Management Act through the use of a CWMP.

All cannabis waste shall be stored in a secure waste receptacle, or secured area, and disposed of in accordance with local and state regulations as found within the CWMP. Cannabis waste shall be chipped and disposed of in a static aerated or windrow compost pile (Figure 8). Public access to the designated cannabis waste receptacle or area shall be strictly prohibited.

All commercial solid waste shall be stored separately from cannabis waste in disposal bins secure from wildlife and watershed discharge. Trash and recyclables shall be separated and disposed in accordance local and state regulations as found within the CWMP. All hazardous waste regulated by the CA Integrated Pest Management Plan shall be disposed of properly utilizing protocols in compliance with all local and state regulations as found within the CWMP.



**Figure 12: Static Aerated and Windrow Compost Piles Example**

**The following are compliance requirements:**

1. ***Cannabis Waste Management Plan*** shall be developed, implemented, and a written copy on premises at all times in accordance with all applicable Humboldt County and State of California regulations.
2. ***Installation of a Static Aerated Compost Pile and/or Windrow Compost.***
3. State Water Board compliance with all measures identified within the ***Water Resources Protection Plan (WRPP)*** shall be implemented.
4. ***Track & Trace*** in accordance with the policies of County of Humboldt and State of California.
5. ***Hazardous Materials Plan*** shall be developed, implemented, and a written copy on premises at all times in accordance with all applicable Humboldt County, State of California, and Federal regulations.
6. ***Standard Operating Procedures*** shall be developed, implemented, and a written copy on premises at all times in accordance with all applicable State of California regulations.
7. ***Transportation Plan*** shall be developed, implemented, and a written copy on premises at all times in accordance with all State of California regulations;
8. ***Receiving and Inventory Plan*** shall be developed, implemented, and a written copy on premises at all times in accordance with all applicable State of California regulations.
9. ***Processing and Packaging Plan*** shall be developed, implemented, and a written copy on premises at all times in accordance with all applicable State of California regulations.
10. ***Security Plan*** shall be developed, implemented, and a written copy on premises at all times in accordance with all applicable State of California regulations.

**The following are recommendations:**

1. ***Utilize aerated static pile compost to reduce manual labor of operations.***



#### **IV. Site Drainage, Runoff, and Erosion Control Measures**

##### **A. Site Drainage**

Bear Butte Farms is located on the northern ridge slope of Reed Mountain and drains directly into the Eel River via Class III Streams. The parcel has been used for agricultural related purposes in the past. Cultivation operations are proposed on natural flats at twelve hundred feet (1,200') with cultivation area just over 100' from a Class III Stream which drains down the face of Red Rock and to the Eel River eight hundred feet (800') below. The areas surrounding the natural flats are steep and not suitable for use due to the potential of site discharge to the watershed. The southern natural ridgeline flat shall be used for support area and homesite five hundred feet (500') below is also within one hundred feet of a Class III Stream.

##### **B. Runoff and Erosion Control Measures**

Bear Butte Farms recognizes the benefits of minimizing discharge to the watershed and anadromous fisheries. The following erosion control measures are proposed to be implemented:

1. The driveway access from Red Rock Road shall meet Category 2 Road Standards.
2. All measures of the Water Resources Protection Plan shall be implemented;
3. Road surfaces shall be graveled.
4. Training by environmental/farm professionals to further develop internal policies to minimize impacts by from farm related activities.
5. All cultivation shall utilize the raised beds and in the ground soils through amending and permaculture methods.
6. Outdoor soil beds shall be in ground, contained, and methods implemented to minimize soils loss.
7. Cover crops such as clover, straw, or ground cloth shall be utilized on all bare soils; and,

##### **C. Watershed and Nearby Habitat Protection**

Bear Butte Farms shall be utilizing the following to ensure protection of the watershed and nearby habitat:

1. The driveway access from Red Rock Road shall meet Category 2 Road Standards.
2. All measures of the Water Resources Protection Plan shall be implemented
3. Graveling of the driveway.
4. Training by environmental and farm professionals to further develop internal policies to minimize impacts by from farm related activities.
5. All outdoor cultivation shall utilize the in the ground soils through amending and permaculture methods.
6. Raised beds shall be contained within greenhouses.
7. All farming shall be certified organic.
8. A locked six-foot (6') perimeter fence may be installed around the cultivation area to minimize wildlife exposure.
9. Greenhouses shall have doors to minimize wildlife exposure.

10. A power system shall be developed.
11. All enclosures shall have locking doors.
12. Septic system shall be developed and portable toilet maintained under contract on a regular basis.
13. Compost shall be covered and secure.
14. Trash bins shall be secured from wildlife.
15. Cover crops such as clover, straw, or ground cloth shall be utilized on all bare soils.

#### **D. Soil Management and/or Permaculture Methods.**

Bear Butte Farms shall protect from the overuse of nutrients as a key component of their business. Operations shall manage on-site soils through the following means:

1. All measures of the Water Resources Protection Plan shall be implemented.
2. A nitrogen management plan developed by a licensed soil scientist.
3. All cultivation shall utilize the on-site prime agricultural soils through amending and permaculture methods.
4. All farming shall be certified organic.
5. Mixing, tilling, and amending of outdoor cultivation soils shall occur within the soils used for cultivation.
6. Raised beds shall be contained within greenhouses with amending occurring within the beds.
7. Soils and vegetated matter shall be reused, composted on-site, and no dumping off-site shall occur.
8. Composting shall consist of a dedicated area and vegetated matter shall be chipped into an inconsumable humic mix.
9. Cover crops such as clover, straw, or ground cloth shall be utilized on all bare soils.

#### **V. Fertilizers, Pesticides, or Other Regulated Products**

##### **A. Storage Protocols**

Bear Butte Farms intends to be a certified organic farm. Operations shall not be using regulated products, such as pesticides or herbicides. The following are fertilizer storage protocols:

1. All measures of the Water Resources Protection Plan shall be implemented;
2. Storage of all fertilizers or other regulated and nonregulated organic products shall be according to manufacturer requirements;
3. A permanent storage shed on a foundation shall provide shelf and floor space for products to be stored according to manufacturer requirements;
4. Clean-up and containment protocols shall be developed and implemented to minimize discharge;
5. Clean-up and containment equipment shall be maintained in good operating condition on-site at all times; and,
6. Safe handling practices and protocols for using clean-up and containment equipment shall be developed and posted conspicuously.

## B. Fertilizers and Amendments Utilized

Bear Butte Farms shall be utilizing any or all of the following certified organic amendments and fertilizers in Table 2.

1. Bat Guano	6. Fishbone	11. MycoApply Endo Ultra *
2. Bone Meal	7. Grape Compost	13. Neem Meal
3. Cascade Worm Castings	8. Gypsum	14. Phytamin Fish 3-2-0*
4. Crab Shell	9. Kelp Meal	15. Seabird Guano
5. Epsom Salt	10. Kickstart 6-1-2*	16. Shrimp Meal

\*Organic Material Review Institute listed and California Department of Food & Agriculture registered organic input material.

## C. Pesticides

Bear Butte Farms methods and care during cultivation typically require minimal pest management, though, there may be situations requiring the potential use of any the following agriculturally exempt products in Table 3.

<b>Active Ingredient</b>	<b>Pest or Disease</b>
Azadirachtin	Aphids, Whiteflies, Fungus Gnats, Leafminers, Cutworms
Bacillus subtilis QST	Root Diseases, Powdery Mildew
Bacillus thuringiensis subsp. aizawai or kurstaki	Moth Larvae (E.G., Cutworms, Budworms, Borer)
Bacillus thuringiensis subsp. israelensis	Fly Larvae (E.G., Fungus Gnats)
Beauveria bassiana	Whiteflies, Aphids, Thrips
Cinnamon oil	Whiteflies
Gliocladium virens	Root Diseases
Horticultural Oils (Petroleum Oil)	Mites, Aphids, Whiteflies, Thrips; Powdery Mildew
Insecticidal Soaps (Potassium Salts of Fatty Acids)	Aphids, Whiteflies, Cutworms, Budworms
Iron phosphate, sodium ferric EDTA	Slugs And Snails
Neem Oil	Mites; Powdery Mildew
Potassium bicarbonate; sodium bicarbonate	Powdery Mildew
Predatory nematodes	Fungus Gnats
Rosemary + peppermint essential oils	Whiteflies
Sulfur	Mites, Flea Beetles
Trichoderma harzianum	Root Diseases

Active ingredients that are exempt from residue tolerance requirements and either exempt from registration requirements or registered for a use broad enough to include use on marijuana.  
[http://www.waterboards.ca.gov/water\\_issues/programs/enforcement/docs/cannabis\\_enfrcmnt/pest\\_mgmt\\_practices.pdf](http://www.waterboards.ca.gov/water_issues/programs/enforcement/docs/cannabis_enfrcmnt/pest_mgmt_practices.pdf)

## **VI. Operations and Safety Practices**

### **A. Commercial Operations**

Bear Butte Farms is an “agricultural employer”, as defined in the Alatorre-Zenovich-Dunlap-Berman Agricultural Labor Relations Act of 1975 (Part 3.5 commencing with §1140) of Division 2 of the Labor Code, to the extent not prohibited by law.

### **B. Safety Practices**

Operations and processing operations shall implement safety protocols to protect the health and safety of employees, with adequate safety training relevant to their specific job functions, which include:

1. Drinking water and wastewater
  - a. Potable water shall be provided from off-site bottle or cooler water.
  - b. ADA bathroom within the processing facilities shall be developed connected to a permitted on-site septic system.
2. Emergency action response planning.
  - g. Training and certification in basic CPR & 1<sup>st</sup> Aid.
  - h. A CPR & 1<sup>st</sup> Aid Kit Station shall be provided within the processing facilities.
  - i. An emergency response plan shall be designed and implemented.
  - j. A monitored security and active video camera system may be installed.
3. Fire prevention.
  - f. Fire suppression tanks shall be monitored for water level and topped off on a monthly basis if necessary.
  - g. All fire hydrant connections shall be maintained for proper fit and function.
  - h. Smoke detectors shall be installed and may be connected with a monitored security system.
  - i. The appurtenant drying and/or processing facilities shall have at a minimum one (1) dry chemical fire extinguishers with a twenty-pound (20lb) capacity in each building.
  - j. Fire extinguishers may also be installed within convenient locations accessible during working hours.
  - k. Fire extinguishers shall be maintained and certified on an annual basis.
4. Hazard communication policies, including maintenance of material safety data sheets (MSDS).
  - d. Pesticide Management Plan shall be developed.
  - e. Private Applicator Certification and a written copy of the plan and certification shall be on premises at all times in accordance with all applicable Humboldt County and State of California regulations.
  - f. MSDS of all pesticides used shall be on premises at all times.
  - g. A pesticides management plan shall be on premises at all times.
  - h. Training in the proper handling of all hazardous materials, if any are ever used.



- i. If any regulated substances are ever used, MSDS of any applicable hazardous materials shall be posted visibly on-site at all times.
- 5. Materials handling policies.
  - b. Training in the handling of cannabis and other related on-site materials shall occur on an annual basis.
  - c. All Track and Trace requirements shall be implemented.
  - d. A transportation plan shall be developed and implemented.
  - e. Standard Operating Procedures shall be developed and implemented.
- 6. Job hazard analyses.
  - d. Risks assessment audit shall be implemented and activities modified to reduce job hazards.
- 7. Personal protective equipment policies; including respiratory protection.
  - d. Certified safety glasses (tinted and clear), hats, disposable and reusable gloves, disposable face masks, and filtered respiratory protection may be on-site and used.
  - e. Training in the use, expectations, and access to personal protective equipment.

## **VII. Processing Practices and Plan**

### **A. Processing Practices**

Bear Butte Farms shall implement and practice the following Processing Practices on-site at all times:

- 1. All work surfaces and equipment shall be maintained in a clean and sanitary condition;
- 2. Prevention against contamination, mold, and mildew growth on processed cannabis;
- 3. Facemasks and gloves shall be in good operable condition; and,
- 4. Hands shall be sufficiently clean when handling cannabis or use gloves.

### **B. Processing Plan**

Bear Butte Farms processing plan of cultivated cannabis consists of:

- 1. Harvesting cannabis shall occur twice (2) a year.
- 2. Drying of harvested cannabis shall processing facilities.
- 3. Processed, trimmed, weighed, packaged, labeled, and distributed to licensed dispensaries or distributors, as allowable under California law, and shall adapt as changes occur.

## **VIII. Security Plan**

Operations are intended to be conducted securely. At all times operations shall be visibly obscured, discreet, nor draw attention. The purpose of operational security is to avoid being a nuisance activity which could attract burglary, robbery, or diversion of cannabis for unlawful use.

**The following are Security Measures:**

- A. Operations shall be secured behind a gated road with KNOX Box access.
- B. There may be a fence at least six feet (6') in height with a locking gate utilizing a commercial grade lock around the cultivations areas.
  - 1. Fencing over six feet (<6') shall require a Humboldt County Building Permit.
- C. Internet monitored security and fire system may be installed, if feasible, and accessible only to permitted individuals on the premises.
- D. Digital video surveillance system, if feasible, with 1280x720 resolution connected through the internet 24/7 to a licensed alarm monitoring company.
- E. Passive audible trespasser alarm system may be installed.
- F. Cameras may be installed.
- G. Video recording system shall be installed within the processing facilities, if self-transporting, as per California Bureau of Cannabis Control regulations.
  - 1. Permanently mounted in a fixed location as noted on licensing site map.
  - 2. Pointed at all entry and exit access points from both inside and outside.
  - 3. Record within twenty feet (20') of those access points.
  - 4. Spaces where cannabis products are weighed, packed, stored, loaded/unloaded for transportation, prepared, or moved within the premises.
  - 5. Rooms in which surveillance system storage or recordings are kept.
- H. Locks shall be installed.
  - 1. Commercial-grade, non-residential door locks at all points of entry and exit.
  - 2. It is recommended that alarmed lock systems be considered to ensure restricted access.
- I. Any security personnel employed must possess a valid Guard Card and be compliant with the California Department of Consumer Affairs.

**The following are compliance requirements:**

- A. ***Humboldt County and CalFire Category 2 road standards shall be met.***
- B. ***Electrical Permit shall be submitted to the Humboldt County Building Department by a Licensed Electrician who shall install*** the power system, switch box, conduit, and any other related electrical connections.
- C. ***Track & Trace*** in accordance with the policies of County of Humboldt and State of California.
- D. ***Cannabis Waste Management Plan*** shall be developed, implemented, and a written copy on premises at all times in accordance with all applicable Humboldt County and State of California regulations.
- E. ***Standard Operating Procedures*** shall be developed, implemented, and a written copy on premises at all times in accordance with all applicable State of California regulations.

- F. **Transportation Plan** shall be developed, implemented, and a written copy on premises at all times in accordance with all State of California regulations;
- G. **Receiving and Inventory Plan** shall be developed, implemented, and a written copy on premises at all times in accordance with all applicable State of California regulations.
- H. **Processing and Packaging Plan** shall be developed, implemented, and a written copy on premises at all times in accordance with all applicable State of California regulations.
- I. **Security Plan** shall be developed, implemented, and a written copy on premises at all times in accordance with all applicable State of California regulations.



**Processing Plan**

**Bear Butte Farms LLC**

**Location: 200 Thistle Ln. Garberville, CA 95542**

**County: Humboldt**

**APN: 033-140-008**

**Address: 321 W. 32<sup>nd</sup> Ave. Seattle WA 98199**

**Contact: Vanessa Valare**

**Telephone: (707) 923-1180 (760)613-6520**

**Email: [etahumboldt@gmail.com](mailto:etahumboldt@gmail.com)**

**Processing Plan**

**Harvest**

Cannabis will be harvested using gloves and clean tools. All cannabis will be hung to dry in the drying shed (on site map). Dehumidifiers and fans will aid drying in the buildings. Cannabis will be dried for 10-21 days on lines in these areas depending on weather. The room 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 (2) weeks to two (2) months for curing. During this time the bins will be checked for mold and moisture consistency. Curing cannabis will be stored in processing buildings (on site map). Moldy or defective cannabis will be removed and destroyed using county and state approved procedures for holding and destroying unwanted product.

**Processing**

Ideally a processing center will be available to contract processing of cannabis from harvested cured product to a shelf-ready product. If not plan below would be implemented until facility became available.

Cannabis Trimming, trimming will occur as cannabis becomes ready from curing process. Trimming will physically take place in drying shed with plenty of ventilation and fresh air or on the back porch of the residence when weather permits. The applicant intends to trim with the aid of a trim machine and will hire 1-3 independent contractors with a processor's license 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 brown lawn bags and into contractor bags to be stored until needed, sold or destroyed in the legal manner. Using a processing center for trimming would be ideal scenario in future. As soon as option is available, I intend to utilize it. If needed when a provisional permit is granted, I will permit my building commercially and built ADA accessible bathroom.

### **Processing- Independent Contractors**

The applicant will need help, so independent contractors will be hired to help in their respective fields. Independent 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. The break area has a stove, refrigerator and ample counter space for all meal preparation. All areas are kept clean and in good condition. All independent 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. Additionally, the following practices will be implemented and only employ persons for hire as allowable by law. At all times workers shall have access to safe drinking water, toilets and handwashing facilities. Workers will commute daily, there are no worker sleeping facilities planned. Water for workers is provided via domestic use spring, which supplies water to the residence. See site plan. Workers are to carpool to property using as few vehicles as possible. Applicant anticipates only one (1) additional vehicle traveling the road daily. Applicant plans to mitigate this by reducing his own trips on the road during the time 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

### **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).

## **Addendum to Operations Plan**

**Reed Mountain Farms, LLC**

**200 Thistle Lane**

**Garberville, CA 95542**

**APN: 033-140-008**

**PLN-13186-CUP**

**This document serves as an addendum to the previously submitted operations plans (12-31-2018 and 12/27/2019) for this project.**

### **Project Description**

This applicant is seeking a conditional use permit for 16,050ft<sup>2</sup> of outdoor light deprivation cultivation. The issued interim permit is also for 16,050ft<sup>2</sup>. The current project configuration consists of four outdoor light deprivation greenhouses for a total of 12,070ft<sup>2</sup> of cultivation, one existing 1,000ft<sup>2</sup> propagation greenhouse, with two harvests per year. Irrigation and domestic water for this property is sourced from a municipal water company, Del Oro Water District. There is a total of 12,750-gallons of water storage on this parcel. There is no domestic spring/stream water diversion on this parcel. Energy for the project is provided by a generator, but the applicant is actively pursuing PG&E power on this parcel.

The applicant is proposing to expand existing cultivation area by adding an additional 3,600ft<sup>2</sup> greenhouse to utilize all the space that has been approved. The applicant is also proposing to expand propagation space to the maximum allowed 1,600ft<sup>2</sup>.

### **Water Use**

Current annual water use for this property is 162,041-gallons according to records kept by the Del Oro Water District. Irrigation water usage for this property is estimated at 121,552-gallons, with 40,489-gallons of domestic water use based off times/months of cultivation versus total annual usage. These water usage numbers are estimates because there is currently no separation of water usage between domestic and irrigation on this parcel due to Municipal water source.

Estimated expected irrigation water usage for fully approved 16,050ft<sup>2</sup> cultivation permit is 162,500-gallons with approximately 40,500-gallons for domestic water use. Total water usage for fully approved 16,050ft<sup>2</sup> cultivation project (domestic and irrigation) is expected to be 203,000-gallons.

### **Energy**

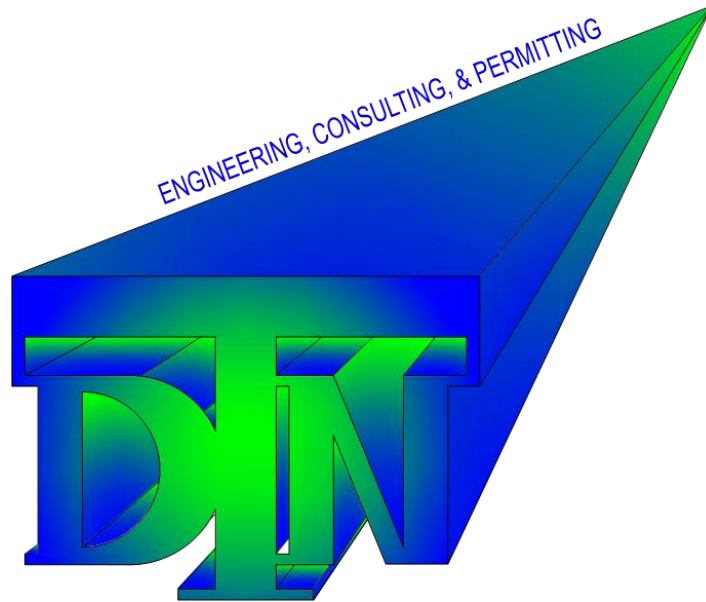
Applicant has applied for and paid a deposit for a PG&E power drop from the existing power pole located on this parcel. Applicant is actively working with PG&E to facilitate getting power to this parcel as soon as possible and is expecting to have PG&E service by 2025. In the meantime, this outdoor light deprivation cultivation uses minimal power, only for ancillary activity, which is provided by a generator.



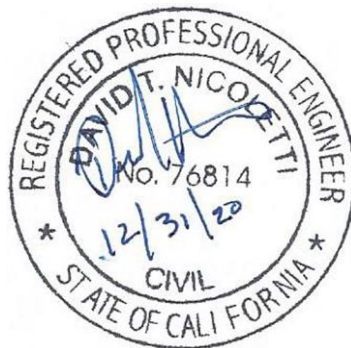
# SITE MANAGEMENT PLAN

Owner: Erdinc Dogan  
Project Name: Bear Butte Farm LLC  
200 Thistle Lane  
Benbow, CA 95542

**Humboldt County**  
**APN: 033-140-008**



DTN Engineering  
2731 K Street Unit A  
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## **Project Description**

This discharger is Tier 2, Low Risk with approximately 56,000 square feet (1.29 acres) of cumulative disturbed area on the 20.77 acre parcel. There is currently 14,350 s.f. of cumulative cultivation on the property. This parcel is approximately 800 feet from South Fork Eel River, 500 feet from Fish Creek, and, as the crow flies, approximately 2.8 miles from the town of Garberville.

## **Methods**

The methods used to develop this SMP include both field and office components. The office component consisted of existing Humboldt WebGIS 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.

## **1. Sediment Discharge BPTC Measures**

### *A. Site Characteristics*

#### **i. Access Road Conditions**

The parcel currently has dirt roads to the cultivation areas that will be improved in accordance with State and County standards. There are, on average, 16 vehicles per day driving on these access roads.

The on-site roadways will convey water to roadside ditches via rolling dips that will, in turn, convey water through culverts to be dispersed in the natural flow pattern of the parcel. Currently the on-site roadways don't meet current code requirements and they will be improved. The water drainage facilities will be designed to incorporate energy reducing facilities such as rip-rap and bioswales to slow the water after being discharged through culverts. This will allow sediment to drop out from the conveyed stormwater.

On a yearly basis the on-site roadway will be winterized during the fall with seed, mulch and fiber rolls. At the beginning of activities in the spring the on-site roadway will have: culverts and roadside ditches cleaned; rolling dips re-established; travel way re-graded; and, if necessary, additional gravel and dust control will be placed. The amount of traffic and activities on site are such that it is not foreseen that much maintenance activities will be required during the summer months, but maintenance will be attended to during the summer as required.

## **ii. Streams**

The area of use is located on the western slope of the Fish Creek watershed south of the South Fork Eel River basin. There are 3 Unnamed Class III streams on the property. These Class III waterways each generally run east to west towards Fish Creek and the South Fork Eel River.

The closest point from any of these Unnamed Streams to any cultivation area is over 50 feet. The distance was developed with a geo-referenced aerial image and verified with in field measurements.

There are five culverts identified on the access roads for this parcel. Three of them are on the property. All five are 24," made of corrugated metal pipe and not designed by a licensed engineer.

Photos of the culverts are included in Attachment C of this report.

## **B. Sediment Erosion Prevention and Sediment Capture**

### **i. Erosion Prevention**

Storm water from buildings, greenhouses, and other structures will be captured in gutters and transported to a water conveyance system that will convey the water to rainwater catchment tanks or directed from the roof into pervious areas (gravel, vegetative, paving material, self-contained tail water system or retention ponds).

If necessary, straw mulch, seed, and fiber rolls will be placed on site for temporary erosion control and also at the end of harvest prior to winter each year. Any bare soil areas will be converted to vegetation that will retard runoff and take up nutrients, pesticides, and other pollutants wherever possible. The BPTC's will be placed in accordance with the State of California General Permit.

### **ii. Sediment Control BPTC Measures**

In the case of any erosion, there will be fiber rolls in place to capture sediment. The initial approach will be to prevent and minimize erosion thereby eliminating most sediment needing capture. If required, the fiber rolls will be placed at the edges of all exposed slopes. Hydroseeding will be used for sediment control and dispersed during the winterization of the site.

Spoil or soil piles (piles of excavated soil or excess potting soil) that remain onsite one day or longer will be surrounded by properly installed temporary sediment barriers (fiber rolls or filter fence) and completely covered by an impermeable fabric. The impermeable fabric will also be placed on spoil piles whenever a storm is impending. This practice will allow rain to flow off of the fabric instead of allowing it to quickly erode the spoil pile.

### **iii. Maintenance Activities – Erosion Prevention and Sediment Control**

Erosion control consisting of fiber rolls, mulch and seed will be put in place after any activities expose slopes immediately if those slopes will no longer be worked with during the construction activities.



Maintenance and Inspection of BPTC's will be performed in accordance with the State of California General Construction Permit. The BPTC's will be inspected weekly, prior to and after a rain event. When any BPTC's are damaged they will be immediately repaired or replaced. Sediment will be removed from the BPTC's as needed and will be disposed of in accordance to the General Permit.

## **2. Fertilizer, Pesticide, Herbicide, and Rodenticide BPTC Measures**

### *A. Product List*

#### **i. Fertilizers:**

1. CANNA Start – a balanced one-part nutrient for seedlings and (rooted) cuttings. CANNA Start can be used on various substrates like coco pellets, jiffy plugs, seed mixes and most other propagation media, except re-circulating systems and clone machines.
2. CANNAZYM – a high-quality enzyme product that helps with breaking down dead root material and encourages beneficial micro-organisms. CANNAZYM also helps plants take up nutrients.
3. CANNA PK 13/14 – a mixture of top quality nutritional minerals that encourage flowering during the blooming stage.
4. CANNA RHIZOTONIC – a powerful, algae (kelp) based, additive that supports plant health by improving abiotic stress tolerance and improving overall plant nutrition.

#### **ii. Pesticides**

1. Green Cleaner – The active ingredients of Soybean Oil (39%) and Sodium Lauryl Sulfate (19%) along with citric acid and isopropyl alcohol combine to make a potent treatment for russet mites, spider mites, mealybugs, powdery mildew and more.
2. Crop Control – The active ingredients of Thyme Oil (14%), Clove Oil (10%), Garlic Oil (9%), Peppermint Oil (4%), Corn Oil (3%), Geraniol (3%), Citric Acid (2%), Rosemary Oil (2%) combine to treat many types of mold, mildew, and pests.

#### **iii. Herbicides**

- none.

#### **iv. Rodenticides**

- none.

### *B. Product Storage Location*

All of the above-listed products and any other fertilizers, pesticides, herbicides, or rodenticides used in the future will be stored in a shed designated on site map with all containers stored in secondary containment.

### *C. Bulk Fertilizers and Chemical Concentrates*

Bulk fertilizers and chemicals will be stored and mixed within the above-referenced shed. This shed is outside of any setbacks and will have secondary containment. Application will not occur within 48 hours of a predicted rain event having a 50% or greater chance of happening and producing more than .5" of rainfall during the event.

Disposal of empty containers will be in accordance with manufacturers recommendations. All bulk fertilizers and chemicals will be kept in their original containers and properly stored at all times. Containers will be routinely inspected for leaks.

### *D. Spill Prevention and Cleanup Plan*

All Fertilizer, Pesticide, Herbicide, and Rodenticides will be kept in their original containers and properly stored at all times. Containers will be routinely inspected for leaks. Containers with these materials are stored within a covered structure, within secured containers, with their lids secured after their use. There are adequate quantities of absorbent materials stored at this location. Should a spill of these materials occur, absorbent materials will be applied immediately and allowed enough time to absorb as much material as possible. Following treatment, absorbent materials applied will be removed and disposed of appropriately as per the manufacturer's guidelines. Reporting in accordance with the State of California Water Board will occur.

## **3. Petroleum Product BPTC Measures**

### *A. Product List*

1. Gasoline – Powers the gasoline-powered sprayers and other gasoline engines on site.
2. Oil – Used for oil changes on all gas engines when required.
3. Bar Oil – Used for oil changes with the chain saws.
4. Two Cycle Fuel – Powers the weed eater, roto-tiller, and chainsaws.

### *B. Product Storage Location*

All of the above listed products and any other petroleum products used in the will be stored in the same shed designated on the site map for fertilizer and pesticide storage.

All petroleum products and other liquid chemicals are stored so as to prevent their spillage, discharge, or seepage into receiving waters. Storage 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 are 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.

### *C. Product Use*

Small quantities of fuel and motor oil are stored within fuel canisters, or the original container, in the above-mentioned structure. Any/all fuel canisters and motor oil containers shall be stored in secondary containment (e.g. plastic totes or sealed metal boxes) while being stored long term or not in immediate use, wherever these materials are used anywhere on the property.

Disposal of empty containers will be in accordance with manufacturers recommendations.

### *D. Spill Prevention and Cleanup*

Containers with these materials are stored within a covered structure, within secured containers, with their lids secured after their use. There are adequate quantities of absorbent materials stored at this location. Should a spill of these materials occur, absorbent materials will be applied immediately and allowed enough time to absorb as much material as possible. Following treatment, absorbent materials applied will be removed and disposed of appropriately as per the manufacturer's guidelines. Reporting in accordance with the State of California Water Board will occur.

## **4. Trash/Refuse, and Domestic Wastewater BPTC Measures**

### *A. Type of Trash/Refuse*

The types of trash that will be generated at this site will be typical household waste such as paper, plastic, glass and other recyclables. In addition to typical household waste, additional trash associated with the cultivation of Cannabis will be created also. The Cannabis-related trash will be: old irrigation parts, potting soil, grow pots, wood, Cannabis products, and jugs and containers containing fertilizers, herbicides, and pesticides.

### *B. Trash/Refuse Containment and Disposal*

Trash/refuse will typically be hauled off-site to a dump or recycle facility and organic household waste will be composted. Cannabis related trash, residual nutrients, and chemicals will be disposed of in a manner that will not impact waters of the State and will not encroach on any setbacks to riparian areas. Cannabis plant material may be disposed of onsite in compliance with any CDFA license conditions.

### *C. Trash/Refuse Storage Location*

Typical household trash that can't be composted will be removed from the site AND will be hauled to a landfill for disposal. Prior to removal from the site, trash will be stored in a shed designated on the site map. Spent growth medium shall be covered with plastic sheeting or stored in water tight dumpsters prior to proper disposal or reuse. Spent

growth medium will be disposed of at an authorized landfill or other disposal site in compliance with state and local laws, ordinances, and regulations. Proper reuse of spent growth medium may include incorporation into garden beds or spreading on a stable surface and re-vegetating the surface with native plants.

#### *D. Personal Waste*

**i. How many employees, visitors, and residents will you have at the site?**

There will be 1 employee year round at this site. The only visitors to the site will be regulators from the appropriate agencies performing routine inspections of the site and delivery drivers delivering materials and products to the site. During trimming time, there will be 8 additional employees for the months of July and October.

**ii. What types of domestic wastewater will be generated at the site?**

The household generated wastewater will be typical effluents and solids.

**iii. How will domestic wastewater be disposed?**

The domestic waste will be disposed of in an On-site Wastewater Treatment System (OWTS). The OWTS will be designed and constructed in accordance with County and State requirements for permitting.

### **5. Winterization BPTC Measures**

#### *A. Winterization and Waste Discharge Prevention*

During the winterization process fiber rolls, seed, and mulch will be applied in accordance with State requirements. Temporary roads will be closed to through traffic and no heavy equipment will operate during the winter period.

#### *B. Drainage and Sediment Capture Maintenance Activities*

The owners shall maintain all culverts, drop inlets, trash racks and similar devices to ensure they are not blocked by debris or sediment. The outflow of culverts shall be inspected to ensure erosion is not undermining the culvert. Culverts shall be inspected prior to the onset of fall and winter precipitation and following precipitation events that produce at least 0.5 in/day or 1.0 inch/7 days of precipitation to determine if maintenance or cleaning is required.

#### *C. Revegetation Activities*

If necessary, seed and mulch will be applied to all exposed slopes prior to the beginning of the precipitation season.

*D. Timeline for The Above Winterization, Maintenance and Revegetation Measures*

Winterization will be completed prior to October 15 of each year and will not be removed until after April 15 of each year.

**6. Cannabis Cultivation Activities**

*A. Where is Cannabis grown?*

The Cannabis grown at this facility will all be within greenhouses with permeable floors and planted within pots. The cultivation occurring in the greenhouses will be Mixed Light and no light. The tailwater will not be captured.

*B. Is irrigation water filtered prior to use?*

No.



# Attachment A

Bear Butte Farm LLC

Location Map

Legend



Google Earth

© 2018 Google



# Attachment B

Gero-Referenced Stream Crossing Images

Legend





**Attachment C: Culvert Photographs.**

First photo is Inlet, Second photo is Outlet of the 5 Culverts

Photo #20:



Photo #21:





Photo #33:



Photo #34:



Photo #39:





Photo 40:



Photo 70:





Photo 71:



Photo 74:





Photo 75:



HUMBOLDT COUNTY DEPARTMENT OF PUBLIC WORKS  
ROAD EVALUATION REPORT

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

Applicant Name: Humboldt Consolidators LLC APN: 033-140-203

Planning & Building Department Case/File No.: 13186

Road Name: KONA ROAD (complete a separate form for each road)

From Road (Cross street): RED ROCK ROAD

To Road (Cross street): THISTLE LANE

Length of road segment: 0.15 miles Date Inspected: 11/10/18

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

Check one of the following:

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

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

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

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

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

Signature Stephen A. Nusselt PE

Date 2/4/18

Name Printed

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

u:\pwr\k\_landdev\projects\referrals\forms\road evaluation report form (02-24-2017).docx



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

Road Name: KONA ROAD Date Inspected: 11/10/18 APN: 033-140-006  
 From Road: \_\_\_\_\_ (Post Mile \_\_\_\_\_) Planning & Building  
 To Road: SEE SHEET (Post Mile \_\_\_\_\_) Department Case/File No.:  
App# 13186

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

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

ADT: less than 200 Date(s) measured: ESTIMATED  
 Method used to measure ADT:  Counters  Estimated using ITE Trip Generation Book

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

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

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

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

A. Pattern of curve related crashes.

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

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

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

C. Substantial edge rutting or encroachment.

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

D. History of complaints from residents or law enforcement.

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

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

Check one:  No.  Yes.

F. Need for turn-outs.

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

3. Conclusions/Recommendations per AASHTO. Check one:

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

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

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

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

Signature of Civil Engineer: Stephen H. Reed PE Date: 2/4/19

(SEAL)

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



HUMBOLDT COUNTY DEPARTMENT OF PUBLIC WORKS  
ROAD EVALUATION REPORT

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

Applicant Name: HUMBOLDT CONSOLIDATORS LLC APN: 033-140-008

Planning & Building Department Case/File No.: 13186

Road Name: THISTLE LANE (complete a separate form for each road)

From Road (Cross street): KONA ROAD

To Road (Cross street): PROJECT SITE

Length of road segment: 0.30 miles Date Inspected: 11/10/18

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

Check one of the following:

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

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

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

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

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

Signature

Date

Name Printed

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

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

Road Name: THISTLE LANE Date Inspected: 11/10/18 APN: 033-140-008  
 From Road: KOHA ROAD (Post Mile \_\_\_\_\_) Planning & Building  
 To Road: PROJECT SITE (Post Mile \_\_\_\_\_) Department Case/File No.:  
13186

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

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

ADT: less than 200 Date(s) measured: ESTIMATED

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

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

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

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

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

A. Pattern of curve related crashes.

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

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

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

C. Substantial edge rutting or encroachment.

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

D. History of complaints from residents or law enforcement.

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

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

Check one:  No.  Yes.

F. Need for turn-outs.

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

3. Conclusions/Recommendations per AASHTO. Check one:

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

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

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

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

Signature of Civil Engineer: Stephen A. Marshall P.E.

Date: 2/4/19

(SEE ATT)

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

# Road Evaluation – Supporting Information (Imagery)

Kona Road & Thistle Lane

November 10, 2018

Steven Nesvold, C.E. and Ethan Amezcua

Mile 0.0 (intersection of Redrock Road and Kona Road): 0+50+10=60ft wide apron;  
Good visibility and sight distance.

Forward



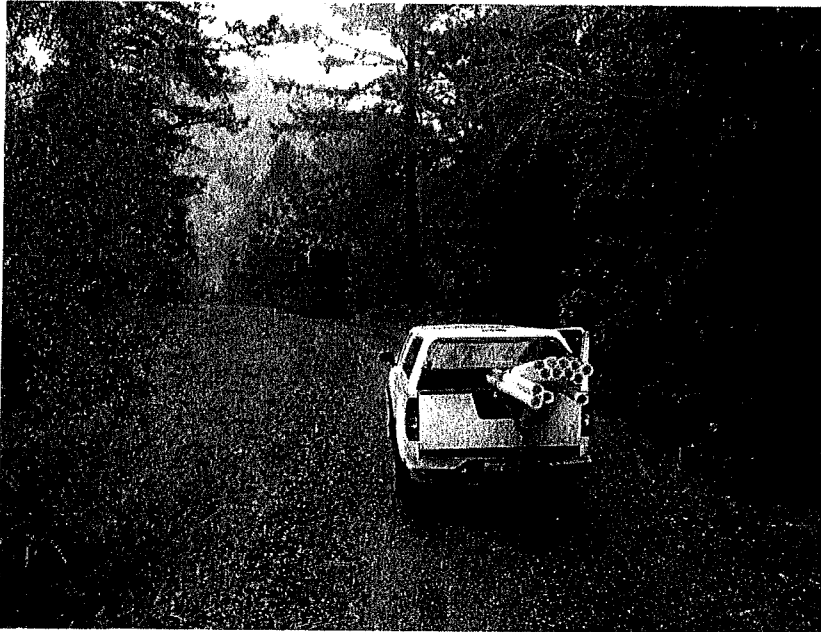
Mile 0.05 (Kona Road):  $0+12+2=14$ ft wide road prism; Pinch point with brush clearing required upstation on inside curve to improve sight distance; Turnouts forward and backward.

Forward



Mile 0.12 (Kona Road):  $1+12+1=14$ ft wide road prism; Pinch point at stream crossing (36" CMP); Good site distance between turnouts

Forward





Backward



Mile 0.15 (intersection of Kona Road and Thistle Lane): 2+14+2=18ft wide road prism; Good visibility and sight distance; Turnouts forward and backward.

Forward



Mile 0.2 (Thistle Lane):  $1+13+2=16$ ft wide road prism; Road grade at 14%; Clearing of brush required upstation on inside curve to improve sight distance. Turnout forward and wider road prism backward.

Forward



Backward





Mile 0.25 (Thistle Lane): 1+11+2=14ft wide road prism; Pinch point at crest vertical curve with brush clearing required upstation on outside curve to re-establish turnout. Turnouts forward and backward.

Forward (Potential for future brush clearing)



Backward (Brush clearing required to establish turnout)



Mile 0.3 (Thistle Lane): 2+12+2=16ft wide road prism; Pinch point at crest vertical curve with brush clearing required upstation and on inside curve to improve sight distance, with additional brush clearing on outside curve to re-establish turnout. Turnouts forward and backward.

Backward



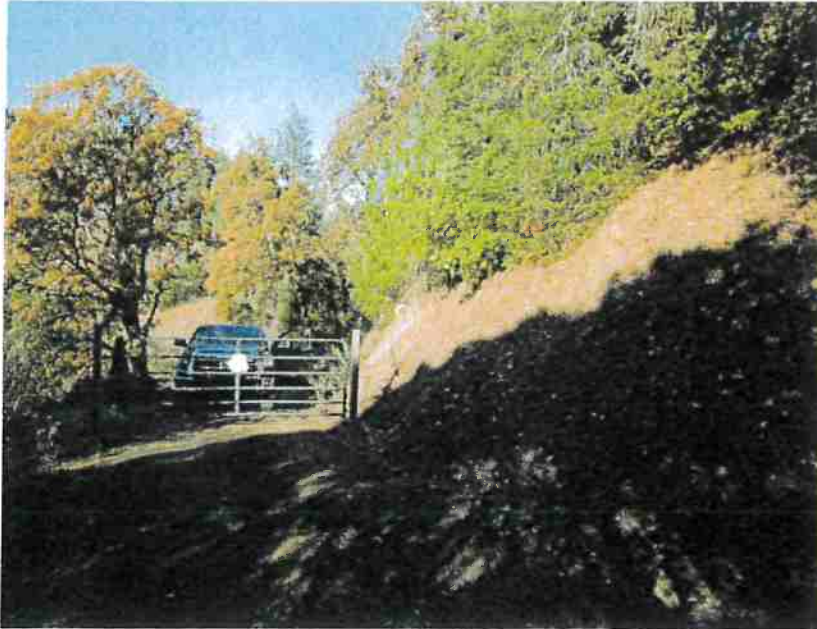
Mile 0.35 (Thistle Lane): 2+12+2=16ft wide road prism; Gate; Good visibility and sight distance; Clear brush and debris to re-establish turnout forward and backward.

Forward





Backward



Mile 0.4 (Thistle Lane): 2+12+2=16ft wide road prism; Limbing and brush clearing required on inside curve to improve sight distance; Turnouts forward and backward.

Backward



Mile 0.45 (Thistle Lane): 2+13+2=17ft wide road prism; Good visibility and sight distance; Turnouts forward and backward.

Forward (SRA turnaround immediately upstation at project site)



Backward





January 31, 2019

18-2074

Robert Bronkall  
Attn: Ken Freed  
Humboldt County Department of Public Works  
1106 2nd St  
Eureka, CA 95501

Re: Road Evaluation for Humboldt Consolidators LLC  
(CMMLUO APPS #13186; APN 033-140-008)

Dear Ken,

On November 10, 2018 Stephen G. Nesvold PE, and Ethan Amezcua, engineering technician completed a road evaluation for Kona Road and Thistle Lane, a private road network off Redrock Road that leads to the applicant's parcel (APN 033-140-008; Section 6, Township 5S, Range 4E).

This evaluation was undertaken to determine if this road meets the intent of the Road Category 4 standard (18'-20' wide travel way). We are recommending road improvements to existing turnouts at key locations<sup>1</sup> which will make important contributions to accessibility along Thistle Lane. Some minor grading and rocking in addition to the clearing is required to make the turnouts usable (less than 50 cubic yards). With these road improvements, both roadways will have the road widths and sight distances required to meet the intent of Road Category 4.

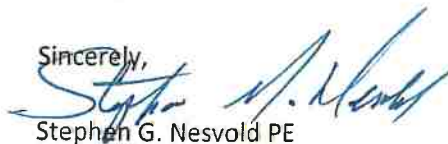
In order to meet the intent of Road Category 4, turnouts at miles 0.25, 0.30 and 0.45 will need to be cleared of brush and/or debris. Clearing of brush and limbing of trees has also been recommended at other key locations, mostly along inside curves. See photos with descriptions in the supporting materials, attached.

It was apparent that this road is currently being maintained. The road surface looked to be in good shape and the road drainage controlled. Assessment of the culverts are not a part of this report.

If you have any questions or comments, please don't hesitate to contact us.

Thank you.

Sincerely,



Stephen G. Nesvold PE  
RCE 25681



<sup>1</sup> See supporting materials (attached)

## **Cannabis Waste Management Plan**

**Location:** Red Rock    **County:** Humboldt

**APN:** 033-140-008    **Address:** 200 Thistle Lane Benbow, CA 95542

**License #1:** 6,000'sq Small Mixed Light Tier 1

**License #2:** 7,950'sq Small Mixed Light Tier 1

**Contact Name:** Erdinc Dogan

**Telephone:** (206)372-8966    **Email:** erdin4dogan@gmail.com

### **I. Preface**

This Cannabis Waste Management Plan (CWMP) is hereby submitted to comply with Sections 8108 and 8308 of the 2018 California Emergency Regulations for Cannabis Cultivation (CERCC). Compliance is required by CalCannabis Cultivation Licensing, a division of the California Department of Food and Agriculture (CDFA). The purpose of this plan is to identify and outline the methods to be used to meet the minimum requirements for a CWMP, CDFA licensing, along with other local and state requirements.

The following items are regulated by CDFA within the CWMP:

- A. Cannabis Waste which is organic waste as defined in by the California Integrated Waste Management Act (CIWMA) in Division 30 Part 3 Chapter 12.8 of the Public Resources Code §42649.8(c) of the Public Resources.
  - 1. "Organic waste" means food waste, green waste, landscape and pruning waste, nonhazardous wood waste, and food-soiled paper waste that is mixed in with food waste.
    - a. A business shall take at least one of the following actions:
      - I. Source separate organic waste from other waste and subscribe to a basic level of organic waste recycling service that includes collection and recycling of organic waste; and/or,
      - II. Recycle its organic waste onsite or self-haul its own organic waste for recycling; and/or,
      - III. Subscribe to an organic waste recycling service that may include mixed waste processing that specifically recycles organic waste.
- B. Recycling of Commercial Solid Waste as defined by the CIWMA in Division 30 Part 3 Chapter 12.8 of the Public Resources Code §42649-42649.7.
  - 1. "Commercial solid waste" includes all types of solid waste (i.e. trash and recyclables) generated by a store, office, or other commercial or public entity source, including a business or a multifamily dwelling of five or more units.
    - a. A business that generates four cubic yards or more of commercial solid waste per week shall arrange for recycling services, consistent with state or local laws or requirements, including a local



ordinance or agreement, applicable to the collection, handling, or recycling of solid waste, to the extent that these services are offered and reasonably available from a local service provider.

- b. A commercial waste generator shall take at least one of the following actions:
  - i. Source separate recyclable materials from solid waste and subscribe to a basic level of recycling service that includes collection, self-hauling, or other arrangements for the pickup of the recyclable materials; and/or,
  - ii. Subscribe to a recycling service that may include mixed waste processing that yields diversion results comparable to source separation.

C. Hazardous waste as defined by the CIWMA in Division 30 Part 3 Chapter 12.8 of the Public Resources Code §40141 of the Public Resources Code, in compliance with all applicable other hazardous waste statutes and regulations, both state and local.

- 1. “Hazardous waste” means a waste, defined as a “hazardous waste” in accordance with Section 25117 of the Health and Safety Code, or a combination of wastes, which because of its quantity, concentration, or physical, chemical, or infectious characteristics may do either of the following:
  - a. Cause, or significantly contribute to, an increase in mortality or an increase in serious irreversible, or incapacitating reversible, illness.
  - b. Pose a substantial present or potential hazard to human health or environment when improperly treated, stored, transported, or disposed of, or otherwise managed.

## **II. Integrated Waste Management Plan**

CERCC requires that the project be in compliance 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 the CWMP to be in compliance with the CERCC, CIWMA, and other 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, CERCC, and CWMP.
  - 1. “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, CERCC, and CWMP.
- 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.

### **III. Tracking, Records, and Inspections**

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

- 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 inspection or their designated representative.
  - 1. Inspections shall occur at standard business hours from 8:00am to 5:00pm.
  - 2. Prior notice for inspections is not required by the inspecting agency.
- D. No person shall interfere with, obstruct or impede inspection, investigation or audit. This includes, but is not limited to, the following actions:
  - 1. Denying the department access to the licensed premises;
  - 2. Providing false or misleading statements;
  - 3. Providing false, falsified, fraudulent or misleading documents and records; and
  - 4. 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.

### **IV. Internal Waste Management Policies**

The following waste management policies shall be implemented to ensure compliance with the CIWMA, CERCC and, CWMP:

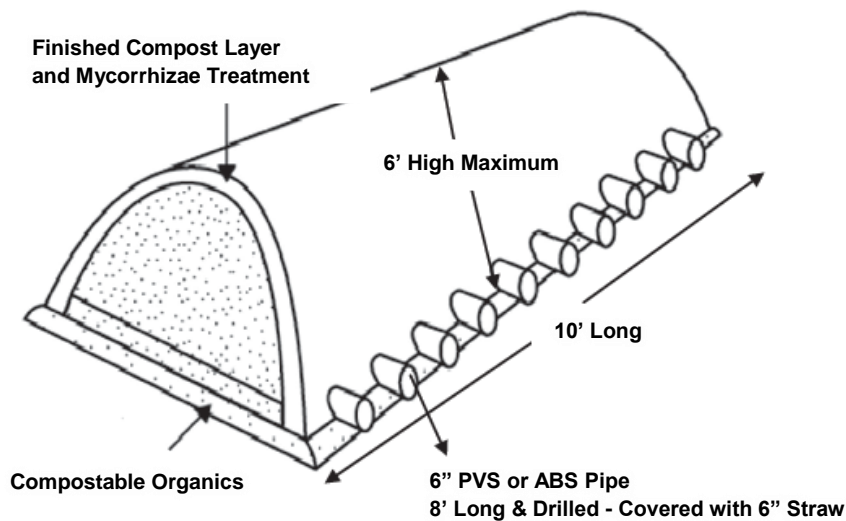
- A. The CWMP shall be retained on-site at all times.
- B. Each new laborer that comes onto the site shall be provided with a copy of the CWMP and it shall be their responsibility to read the CWMP.
- C. The operator shall instruct all laborers as to the location and proper disposal of cannabis waste.

- 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.

**V. Cannabis and Organic Waste Management**

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

- A.  **On-premises disposal of cannabis and organic waste:** Composting cannabis waste shall be in compliance 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:
  - 1.  **Passive Aerated Static Pile:** a composting process that is similar to the aerated static pile except that the air source may or may not be controlled.



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

**AND/OR**

- B.  **Self-haul cannabis waste to the following;**
1.  **A manned fully permitted transfer/processing facility or manned transfer/processing operation.**
    - a. Name of Facility: **Redway Transfer Station**
    - b. Address: **Conservation Camp Road**
    - c. City: **Redway, CA 95560**
    - d. Telephone: **(707)923-3944**
    - e. Hours:
      - **Sunday: 12:00 pm- 4:00 pm**
      - **Monday – Tuesday: 9:00 am – 4:00 pm**
      - **Wednesday – Thurs: Closed to the public; commercial customer hours: 9:00 am – 1:30 pm**
      - **Friday – Saturday: 9:00 am – 4:00 pm**
    - f. Website: **<https://www.recology.com/recology-eel-river/redway-transfer-station/>**
  2. **Frequency:  1X  2X  Week  Month**
  3.  **Documentation shall be obtained and retained from the local agency or permitted facility that indicates the date and time of each disposal of solid waste and recyclables.**

**V. Solid Waste and Recyclables Management**

The CWMP identifies one or more of the following methods for managing solid waste and recyclables according to the CIWMA, CERCC and, CWMP:

- A.  **Self-haul solid waste and recyclables to the following;**
4.  **A manned fully permitted transfer/processing facility or manned transfer/processing operation.**
    - g. Name of Facility: **Redway Transfer Station**
    - h. Address: **Conservation Camp Road**
    - i. City: **Redway, CA 95560**
    - j. Telephone: **(707)923-3944**
    - k. Hours:
      - **Sunday: 12:00 pm- 4:00 pm**
      - **Monday – Tuesday: 9:00 am – 4:00 pm**
      - **Wednesday – Thurs: Closed to the public; commercial customer hours: 9:00 am – 1:30 pm**
      - **Friday – Saturday: 9:00 am – 4:00 pm**
    - l. Website: **<https://www.recology.com/recology-eel-river/redway-transfer-station/>**
  5. **Frequency:  1X  2X  Week  Month**



6.  **Documentation shall be obtained and retained from the local agency or permitted facility that indicates the date and time of each disposal of solid waste and recyclables.**

## VI. Hazardous Waste Management

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

- A.  **Self-haul hazardous waste to the following;**
1.  **A manned fully permitted hazardous waste facility.**
    - a. Name of Facility: **Humboldt Waste Management Authority Hazardous Waste Facility**
    - b. Address: **1059 W Hawthorne Street**
    - c. City: **Eureka**
    - d. Telephone: **(707) 441-2005**
    - e. Hours:
      - **Monday to Friday: 8:00 am - 4:00 pm By Appointment**
      - **First Saturday of the Month: 9:00 am - 2:00 pm**
      - **Sunday: Closed**
    - f. Website: <http://hwma.net/facilities/hazardous-waste-facility>
  2. Frequency:  **1X**  **2X**  **Week**  Month
  3.  **Documentation shall be obtained and retained from the local agency or permitted facility that indicates the date and time of each disposal of hazardous waste.**

CWMP Produced  
November 30, 2018(v2):





## **Pest Management Plan**

**Location: Red Rock County: Humboldt**

**APN: 033-140-008 Address: 200 Thistle Lane Benbow, CA 95542**

**License #1: 6,000'sq Small Mixed Light Tier 1**

**License #2: 7,950'sq Small Mixed Light Tier 1**

**Contact Name: Erdinc Dogan**

**Telephone: (206)372-8966 Email: erdin4dogan@gmail.com**

### **1.0 Introduction**

This Pest Management Plan (PMP) was prepared to be in compliance with California Department of Food and Agriculture (CDFA) requirements for CalCannabis cultivation licensing. This plan describes various pest management options that The Humboldt Cure will employ depending on conditions and circumstances. All pesticides and practices used will comply with California Department of Pesticide Regulation (DPR) and the Humboldt County Agricultural Commissioners (CAC) enforcement 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).

Pest management activities will be consistent with DPR recommendations provided in the October 9, 2017 version of "Legal Pest Management Practices For Cannabis Growers In California".

### **2.0 Cultural Pest Management Control Methods**

The Humboldt Cure cultivation site was selected because it is ideal for cannabis cultivation. The Humboldt Cure utilizes crop isolation, cultivations beds with optimum plant density, vegetative stripping, and spacing as a means to manage pests. A buffer around the cultivation beds is used as further means of isolation from the surrounding environment. Pest repellent companion plant species are also used in the vicinity such as marigolds, red amaranthus, dill, cilantro, basil, chrysanthemum, and rosemary.

The Humboldt Cure staff performs routine ongoing maintenance activities for management of pests including, pruning, defoliation, thinning and topping. Irrigation and drainage is designed to eliminate standing water and runoff/pooling. Sanitation facilities are designed and located to reduce pest attraction. Additional maintenance activities include crop residue destruction, maintenance of clean cultivation bed borders, and weed control. The timing of harvesting is also used to reduce exposure to powdery mildew infestations.

### 3.0 Physical/Mechanical and Biological Pest Management Control Methods

The Humboldt Cure cultivation staff utilize physical/mechanical and biological pest management control methods. The table below contains potential pests and optional physical/mechanical and biological pest management control methods. Please note pest management options will employed depending on conditions and circumstances.

<b>Table 1: Physical/Mechanical and Biological Pest Management Control Methods</b>		
<b>Pest or Disease</b>	<b>Physical/Mechanical Practices</b>	<b>Biological Practices</b>
Spider Mites	Keep dust down by hosing off plants (if dust is a problem)	Release predatory mites
Broad Mites	Inspect plants; disinfest or dispose of infested plants	Release predatory mites and six-spotted thrips
Russet Mites		Release predatory mites
Whiteflies	Hang up yellow sticky cards, Use reflective plastic mulch	
Thrips	Hang up yellow or blue sticky cards	
Aphids	Hang up yellow sticky cards (alates), Hose off plants	
Leafminers	Remove older infested leaves	Release Diglyphus parasitoids
Cutworms	Use pheromone traps to detect adults. Remove weeds, which serve as a reservoir for cutworms and other noctuids	
Flea Beetles	Use reflective mulches Plant trap crops (e.g., radish or Chinese mustard)	

### 3.0 Chemical Pest-Management Control Methods

The following table contains a list of all of the chemicals will be used for pest management. The active ingredients are exempt from residue tolerance requirements and either exempt from registration requirements or registered for a use broad enough to include use on cannabis.



<b>Pest or Disease</b>	<b>Pesticide Active Ingredient</b>	<b>Pesticide</b>
Mites, powdery mildew, leafhoppers, aphids, whiteflies, moth larvae	Soybean Oil (39%), Sodium Lauryl Sulfate (19%), Citric Acid, and Isopropyl Alcohol	Green Cleaner Spidermite Miticide
Mites, powdery mildew, leafhoppers, aphids, whiteflies, moth larvae	Soy Oil,, Peppermint Essential Oil, Citric Acid, Plant Based Surfactant (Soap), Alcohol, Sodium Citrate, and Water	Lost Coast Plant Therapy
Mites, powdery mildew, botrytis and other pests, and fungal/mildew	Thyme Oil 14%, Clove Oil 10%, Garlic Oil 9%, Peppermint Oil 4%, Corn Oil 3%, Geraniol 3%, Citric Acid 2%, Rosemary Oil 2%, 53% Filtered Water, Soap, Isopropyl Alcohol, and Vinegar	Trifecta Crop Control

#### **4.0 Pesticide and Agricultural Chemical Storage Area**

Pesticides and agricultural chemicals (nutrients) are stored in a central location under a roofed structure. Pesticides and agricultural chemicals are stored in an orderly fashion on shelves and on the floor with original labels per manufacturers recommendations. The area is neat, orderly, and includes a table with measuring devices for calculating and mixing chemicals.

#### **5.0 Pesticide Training and Compliance Activities**

The Humboldt Cure shall undertake the following:

- A. Apply for an Operator Identification Number from the Department of Pesticide Regulations.
- B. Staff responsible for mixing and application of pesticides will be trained and certified as a Private Applicator.
- C. Written Pesticide Training Program will be prepared and utilized at the site.
- D. Hazardous Communications Program for Pesticides will be developed and available for all cultivation staff to review.
- E. If pesticides used have requirements for respiratory protection Respirator Protection Plan will be developed and implemented at the cultivation site.
- F. The Cannabis Waste Management Plan lists the location of hazardous waste disposal and shall hold all records of discarding at a licensed facility.



# 2110150

May 19, 2020

To: Erdinc Dogan  
PO Box 351  
Garberville, CA 95542

Re: **Property Address: 200 Thistle Dr., Garberville CA 95542**  
**APN: 033-140-008-000**  
**Account No. 02110150**

Please be advised that the above referenced parcel located at **200 Thistle Dr, Garberville CA 95542** is within the service area of the **Benbow Water District**, which is currently being served and will continue to be served in accordance with the applicable California Public Utilities Commission tariffs, rules and regulations.

Potable water is currently available for normal use including fire protection.

Please feel free to contact us if you have any questions.

Sincerely,

**Janice Hanna**  
Del Oro Water Company  
River Island Service District  
(530)717-2500

[Janice@corporatecenter.us](mailto:Janice@corporatecenter.us)  
[Angela@DelOroWater.com](mailto:Angela@DelOroWater.com)  
[www.delorowater.com](http://www.delorowater.com)

## ATTACHMENT 4

### REFERRAL AGENCY COMMENTS AND RECOMMENDATIONS

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

<b>Referral Agency</b>	<b>Response</b>	<b>Recommendation</b>	<b>Location</b>
Building Inspection Division	✓	Conditional Approval	On file with Planning (Accela)
Division Environmental Health	✓	Conditional Approval	On file with Planning (Accela)
Public Works, Land Use Division	✓	Comments	<b>Attached</b>
CAL FIRE	✓	No Comment	<b>Attached</b>
California Department of Fish & Wildlife	✓	Conditional Approval	<b>Attached</b> and includes Planning staff response
Northwest Information Center	✓	Further Study	On file and confidential
Bear River Band of Rohnerville Rancheria	✓	Conditional Approval	On file and confidential
Intertribal Sinkyone Wilderness Council		No Response	
Garberville Fire Protection District		No comments	<b>Attached</b>
Southern Humboldt Joint Unified School District		No Response	
Humboldt County Sheriff	✓	Approved	On file
Humboldt County Agricultural Commissioner		No Response	
Humboldt County District Attorney		No Response	
North Coast Regional Water Quality Control Board		No Response	
North Coast Unified Air Quality Management District		No Response	
State Water Resource Control Board – Water Rights	✓	Approval	<b>Attached</b>



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

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

ARCATA-EUREKA AIRPORT TERMINAL  
McKINLEYVILLE  
FAX 839-3596

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

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


AVIATION 839-5401

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

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

LAND USE 445-7205

**LAND USE DIVISION INTEROFFICE MEMORANDUM**

TO: Megan Ryan, Planner, Planning & Building Department  
FROM: Kenneth M. Freed, Assistant Engineer   
DATE: 03-05-2019

<b>RE:</b>	<b>Applicant Name</b>	<b>BEAR BUTTE FARMS LLC</b>
	<b>APN</b>	<b>033-140-008</b>
	<b>APPS#</b>	<b>PLN-13186-CUP</b>

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

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

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

**No re-refer is required.**

\*Note: Exhibits are attached as necessary.

Additional comments/notes:

Applicant has submitted a road evaluation report, not stamped received by the Humboldt County Planning & Building Department. Engineers report dated November 10, 2018 with letter to Public Works dated January 31, 2019. Road evaluation forms dated February 4, 2019, with Part A –Box 3 and Part B #3 checked, certifying that the roadway can accommodate the cumulative increased traffic from this project and all known cannabis projects identified above, if the recommendations on the submitted report are completed.

The Department requires all recommendations be completed

// END //



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

The Department has no comment at this time.

Suggested conditions attached.

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

Recommend denial.

Other comments.

Date:

Name:

**Forester Comments:**

Date:

Name:

**Battalion Chief Comments:**

**Summary:**



Applicant: Bear Butte Farms		Date: 8/15/2019	
APPS No.: 13186	APN: 033-140-008	DFW CEQA No.: 2019-0106	Case No.: PLN-13186
<input checked="" type="checkbox"/> Existing	Proposed: <input checked="" type="checkbox"/> Outdoor (SF): 14,350		

Thank you for referring this application to the California Department of Fish and Wildlife (CDFW) for review and comment.

CDFW offers the following comments on the Project in our role as a Trustee and Responsible Agency pursuant to the California Environmental Quality Act (CEQA; California Public Resource Code Section 21000 *et seq.*). These comments are intended to assist the Lead Agency in making informed decisions early in the planning process.

- Applicant needs to submit additional information. Please see the list of items below.
- Recommend Denial. See comments below.

**Please provide the following information prior to Project Approval:** *(All supplemental information requested shall be provided to the Department concurrently)*

**Please note the following information and/or requested standard conditions of Project approval:**

- A Final Lake or Streambed Alteration Agreement (1600-2017-0503-R1) has been issued to the applicant.
- Prohibition on use of synthetic netting. To minimize the risk of wildlife entrapment, Permittee shall not use any erosion control and/or cultivation materials that contain synthetic (e.g., plastic or nylon) netting, including photo- or biodegradable plastic netting. Geotextiles, fiber rolls, and other erosion control measures shall be made of loose-weave mesh, such as jute, hemp, coconut (coir) fiber, or other products without welded weaves.
- The environmental impacts of improper waste disposal are significant and well documented. CDFW requests, as a condition of Project approval, that all refuse be contained in wildlife proof storage containers, at all times, and disposed of at an authorized waste management facility.
- Human induced noise pollution may adversely affect wildlife species in several ways including abandonment of territory, loss of reproduction, auditory masking (inability to hear important cues and signals in the environment), hindrance to navigation, and physiological impacts such as stress, increased blood pressure, and respiration. To avoid disturbance, CDFW requests, as a condition of project approval, the construction of noise containment structures for all generators parcel; noise released shall be no more than 50 decibels measured from 100ft.
- This project has the potential to affect sensitive fish and wildlife resources such as Foothill Yellow-legged Frog (*Rana boylei*), Pacific Giant Salamander (*Dicamptodon tenebrosus*), Northwestern Salamander (*Ambystoma gracile*), Rough-skinned Newt (*Taricha granulosa*), Northern Red-legged Frog (*Rana aurora*), and amphibians, reptiles, aquatic invertebrates, mammals, birds, and other aquatic and riparian species.

Thank you for the opportunity to comment on this Project. Please send all inquiries regarding these comments to [david.manthorne@wildlife.ca.gov](mailto:david.manthorne@wildlife.ca.gov) .

Sincerely,

**From:** [Meghan Ryan](#)  
**To:** ["Van Hatter, Michael@Wildlife"](#)  
**Cc:** ["Johnson, Cliff"](#); [Max C. Hilken](#)  
**Subject:** RE: APPS #13186 - Reed Mountain Farms,, LLC - APN: 033-140-008/ PROJECTED HEARING DATE: FEBRUARY 17, 2022  
**Date:** Tuesday, February 1, 2022 8:12:00 AM

---

Correction – Reed Mountain Farms, LLC. I think I need more coffee! Thanks, Mike!



Meghan Ryan  
Planning Director  
LACO Associates  
Eureka | Ukiah | Santa Rosa | Chico  
*Advancing the quality of life for generations to come*  
707 443-5054  
<http://www.lacoassociates.com>

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---

**From:** Meghan Ryan  
**Sent:** Tuesday, February 1, 2022 8:10 AM  
**To:** 'Van Hatter, Michael@Wildlife' <Michael.VanHatter@wildlife.ca.gov>  
**Cc:** 'Johnson, Cliff' <CJohnson@co.humboldt.ca.us>; Max C. Hilken <hilkenm@lacoassociates.com>  
**Subject:** APPS #13186 - Bear Butte Farms, LLC - APN: 033-140-008/ PROJECTED HEARING DATE: FEBRUARY 17, 2022

Good morning, Mike – I'm reviewing the Bear Buttes Farms, LLC, project (near the community of Benbow) and there are CDFW comments for this project (see attached). A prohibition on synthetic netting, wildlife-proof waste containers and noise attenuation measures will be included in the conditions of approval for this project.

Please let me know if you have any additional questions or comments.

Best,  
Meghan



Meghan Ryan  
Planning Director  
LACO Associates  
Eureka | Ukiah | Santa Rosa | Chico  
*Advancing the quality of life for generations to come*  
707 443-5054  
<http://www.lacoassociates.com>

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

2/25/2019

**Project Referred To The Following Agencies:**

AG Commissioner, County Counsel, Environmental Health, Sheriff, PW Land Use, Building Inspections, Garberville Fire PDAA:FPD, RWQCB, NCUAQMD, Southern Humboldt JUSD:School District, Cal Fish & Wildlife, CalFire, CA Division of Water Rights, Bear River Band, Intertribal Sinkyone Wilderness Council, NWIC

**Applicant Name** Bear Butte Farms LLC **Key Parcel Number** 033-140-008-000

**Application (APPS#)** PLN-13186-CUP Historic Planning **Assigned Planner** Meghan Ryan

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

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

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

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

**Return Response No Later Than: 3/12/2019**

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

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

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

Other Comments: \_\_\_\_\_

DATE: 3/10/19

PRINT NAME: Scott McFarland