



COUNTY OF HUMBOLDT
PLANNING AND BUILDING DEPARTMENT
CURRENT PLANNING DIVISION

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

Hearing Date: November 4, 2021

To: Humboldt County Zoning Administrator

From: Cliff Johnson, Supervising Planner

Subject: **Happy Ranger, LLC. Zoning Clearance Certificate/Special Permit**
Record Number PLN-11810-ZCC
Assessor's Parcel Number (APN) 217-391-008
29191 Alderpoint Road, Blocksburg CA

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

AGENDA ITEM TRANSMITTAL

Hearing Date	Subject	Contact
November 4, 2021	Zoning Clearance Certificate/Special Permit	Jordan Mayor

Project Description: Happy Ranger, LLC seeks a Type 1 zoning clearance certificate for the continued use of 4,200 square feet (SF) of cannabis cultivation. Existing cultivation was a guerrilla grow that occurred in five separate areas. The cultivation was decommissioned due to proximity to watercourses and relocated to a single 4,200-SF greenhouse that is on a slope of 15% and outside of stream buffers. Irrigation water is sourced from a Point of Diversion from an unnamed spring that is tributary to Larabee Creek with documented water right with the State Water Resources Control Board and the diversion is on record with the California Department of Fish and Wildlife. Estimated annual water use is 45,800 gallons, of which all is currently provided by the water diversion from the unnamed spring. Water storage totals 41,500 gallons in fifteen 2,500-gallon tanks and four 1,000-gallon tanks. 40,000 additional storage tanks are proposed to allow diversion forbearance. The applicant is proposing to re-drill an existing well on the property that is expected to produce another 20,000 gallons of water annually for cannabis irrigation. Processing is done offsite at a third-party licensed facility. One to two employees will be used in the operation. Power is sourced from Pacific Gas and Electric Company, with a generator onsite for emergency backup. A Special Permit is required for work within the Streamside Management Area for the diversion maintenance and for restoration activities associated with the Lake and Streambed Alteration Agreement and retired cultivation areas.

Project Location: The project is located in Humboldt County, in the Blocksburg area, on the west side of Alderpoint/Cemetery Road, approximately 3,400 feet south from the intersection of Alderpoint Road and Homestead Road, on the property known to be in Section 17 of Township 02S, Range 05E, Humboldt Base & Meridian.

Present Plan Land Use Designations: Residential Agriculture (RA), Timberland (T), 2017 General Plan, Density: 40 acres per unit, Slope Stability: High instability (3)

Present Zoning: Agricultural Exclusive (AE), Forestry Recreation (FR), Special Building Site B-5(40)

Record Number: PLN-11810-ZCC

Assessor's Parcel Number: 217-391-008

Applicant

Happy Ranger LLC
PO Box 187
Blocksburg, CA 95514

Owner

Nickolay Kolev
1668 S Chestnut St
Des Plaines IL 60018

Agents

Green Road Consulting, Inc
1650 Central Ave, Suite C
Mckinleyville, CA 95519

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

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

Major Issues: None

Recommended Zoning Administrator Action

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

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

Executive Summary

Happy Ranger, LLC seeks a Type 1 zoning clearance certificate for the continued operation of a 4,200-square-foot (SF) outdoor cannabis cultivation project in once existing light-deprivation greenhouse in accordance with Humboldt County Code Section 314-55.4 of Chapter 4 of Division I of Title III, CMMLUO. The 47-acre parcel is designated as Rural Agriculture (RA40) and Timberland (T) in the Humboldt County 2017 General Plan Updated and zoned Agricultural Exclusive (AE), Forestry Recreation (FR), and Special Building Site B-5(40). The cannabis cultivation greenhouse is on a slope of 15% that will support light-deprivation (outdoor) cultivation without the use of artificial lights. Irrigation water is currently sourced from a point of diversion from an unnamed spring that is tributary to Larabee Creek. The applicant is proposing to re-drill an existing permitted well (16/17-0054) that is deemed no longer viable on the property and to provide a well installation report to the County (COA #12). Estimated annual water use is 45,800 gallons and water storage currently equals 41,500 gallons in 19 hard-sided tanks ranging from 1,000 to 2,500 gallons in size. 40,000 additional storage tanks are proposed to allow diversion forbearance standards required by the State Water Resources Control Board (SWRCB). Drying and processing of harvested cannabis will occur in an existing 120-SF barn once permitted (COA # 5 – 7) and further processing will occur offsite at a licensed processing facility. Pacific Gas and Electric Company provides power to the operation, with an emergency backup generator housed within a storage structure. Two annual harvests in July and October are expected from the light-deprivation greenhouse for a growing season that extends from April through October. A security gate is installed across the access road into the property and game cameras are in place over the gate, buildings, and cultivation area. A Special Permit is required for work within the Streamside Management Area (SMA) for the diversion maintenance and for restoration activities associated with the Lake and Streambed Alteration Agreement (LSAA). An additional Special Permit will be needed if the four existing water storage tanks cannot viably be relocated out of the Larabee Creek SMA (COA # 10).

Water Resources

Irrigation water for the property is sourced from a water diversion from a spring that is a tributary to Larabee Creek. This diversion is permitted by the SWRCB (SWRCB Registration H503828, Certificate H100426). Per the SWRCB Division of Water Rights, a right to divert and use water from this point of diversion is limited to 0.12 acre-feet of total storage capacity. The rate of diversion to storage shall not exceed 42,000 gallons per day or the diversion rate specified in the current version of the SWRCB Cannabis Policy, whichever is more restrictive, and all water use monitored as a condition of approval (COA #9).

The Humboldt County's WebGIS shows two mapped streams on the parcel; Larabee Creek and an unnamed tributary to Larabee Creek. The Site Management Plan (SMP) prepared for the project in accordance with the Regional Water Quality Control Board Cannabis Order WQ 2017-0023 (WDID: 1_12CC403494; Attachment 3) states the parcel contains several Class II and III tributaries to a Class I

watercourse (Larabee Creek). The SMP states there are three stream crossings across Class II streams; one of them is the responsibility of the applicant and two are the responsibility of the Larabee Creek Road Association. The recommendations made within the SMP are made a condition of approval, including relocation of the four water storage tanks within the SMA or obtainment of an encroachment easement allowed with an additional Special Permit (COA #10).

The applicant has received a Draft LSAA (No. 1600-2019-0720-R1). The Draft LSAA allows for three encroachments on the parcel: stream restoration of an historic point of diversion in the form of an unpermitted damn, water diversion from an unnamed tributary of Larabee Creek for domestic use and irrigation filed with the SWRCB application (H503828), and the implementation of a stream crossing restoration plan at a dirt ford on a historic logging trail. Abiding by the conditions of a Final LSAA is an ongoing condition of approval. In addition, during the October 4, 2019 site visit CDFW observed that the dammed pond is at risk of catastrophic failure due to the lack of a spillway and water emerging through the dam. The pond is located on two parcels—APN 217-391-008 (Permittee) and 217-391-007 (neighboring parcel to the north). CDFW recommends obtaining engineered design plans prepared in consultation with a qualified fisheries biologist with experience in fish passage restoration projects and this is made a condition of approval (COA #11). Further notification with CDFW is required to decommission the pond or repair the dam and install a spillway to meet current performance standards.

Restoration Areas

The original area of cultivation was comprised of five separate "guerilla grow" locations that were within SMAs as shown in the SMP. These five cultivation sites have been decommissioned due to proximity to watercourses and relocated to a single 4,200-SF greenhouse that is on an environmentally superior slope of 15% and 56 feet from a Class III watercourse, a distance outside of the SMA. Restoration of these retired cultivation areas and maintenance of the water diversion infrastructure from an unnamed spring-fed watercourse that is a tributary to Larabee Creek are included in the project. Abiding by a Final LSAA issued by the California Department of Fish and Wildlife (CDFW) will also be required as a condition of approval as mentioned above. As described in the revised Cultivation and Operations Plan for Happy Ranger LLC (Attachment 3), remaining cultivation waste will be removed from the guerilla grow and the area revegetated with native plant species. A restoration plan for the decommissioned areas will be prepared and submitted to the Humboldt County Planning Department as a condition of approval (COA #13).

Biological Resources

There are no mapped sensitive species onsite and although the nearest northern spotted owl (NSO) activity center is approximately 1.6 miles from the site, lands surrounding the site are forested and provide NSO habitat. The parcel is not within or adjacent to NSO critical habitat and no trees are to be removed for the existing greenhouse cultivation. To protect or restore aquatic resources associated with the watercourses on the parcel, decommissioned cultivation areas associated with the original guerilla grow and dammed pond will be restored per the Cultivation and Operations Plan and restoration plan that will be submitted to and approved by the Humboldt County Planning Department and in accordance with the Final LSAA, as a condition of approval. Appropriate facility setbacks from Class I, II, and III watercourses on the parcel will be followed, and measures described in the SMP and LSAA to protect aquatic and upland resources will be adhered to. Furthermore, the project is conditioned to adhere to Dark Sky Association standards for greenhouse lighting and security lighting, refrain from using synthetic netting, ensure refuse is contained in wildlife-proof storage, and refrain from using anticoagulant rodenticides to further protect wildlife. As proposed and conditioned, the project is consistent with CMMLUO performance standards and CDFW guidance and will not negatively affect NSO or other sensitive species.

Tribal Cultural Resource Coordination

The project was referred to the Bear River Band of the Rohnerville Rancheria and Northwest Information Center, who both concluded that the parcel should be surveyed by a qualified archaeologist. To satisfy this request, the applicant contracted with Archaeological Research and Supply Company, who conducted a Cultural Resources Investigation in May 2018. The entire parcel was surveyed and no

historic or prehistoric resources were identified as a result of the cultural resource survey. The Tribal Historic Preservation Officer Assistant of the Bear River Band of the Rohnerville Rancheria requested that the project be conditioned with the standard inadvertent discovery language. Ongoing conditions of approval are incorporated regarding the Inadvertent Discoveries Protocol to protect cultural resources and tribal cultural resources.

Access

From the town of Blocksburg, at the intersection of Alderpoint Road and Sunset Ridge Road, the parcel known as 29191 Alderpoint Road (APN: 217-391-008) is accessed from Sunset Ridge Road, a County-maintained road. The applicant submitted a photo-documented Road Evaluation Report certifying that the 0.25 mile of Sunset Ridge Road was equivalent to a road Category 4 standard (Attachment 3). Sunset Ridge Road is private and maintained by the Larabee Creek Road Association. Public Works recommendations to improve (pave) the County road-private road intersection and work with the road maintenance association to document road improvements are made a condition of approval (COA #14).

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 cultivation permits and acres which may be approved in each of the County's Planning Watersheds. The project site is located in the Lower Eel Planning Watershed, which under Resolution 18-43 is limited to 336 permits and 116 acres of cultivation. With the approval of this project the total approved permits in this Planning Watershed would be 68 cultivation permits and the total approved acres would be 29.8 acres of cultivation.

Environmental review for this project was conducted and based on the results of that analysis, staff finds that all aspects of the project have been considered in a previously adopted MND that was adopted for the CMMLUO and has prepared an addendum to this document for consideration by the Zoning Administrator (See Attachment 2 for more information).

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

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

**RESOLUTION OF THE ZONING ADMINISTRATOR
OF THE COUNTY OF HUMBOLDT
Resolution Number 21 -
Record Number PLN-11810-ZCC
Assessor's Parcel Number: 217-391-008-000**

Resolution by the Zoning Administrator of the County of Humboldt certifying compliance with the California Environmental Quality Act (CEQA) and conditionally approves Happy Ranger LLC, a Zoning Clearance Certificate and Special Permit.

WHEREAS, Happy Ranger LLC submitted an application and evidence in support of approving a Zoning Clearance Certificate for the continued operation of an existing 4,200-square-foot (SF) outdoor cannabis cultivation operation in a single light-deprivation greenhouse, with appurtenant propagation and drying activities, and a Special Permit for work conducted within Streamside Management Areas;

WHEREAS, the County Planning Division, the lead agency, prepared an Addendum to the Final Mitigated Negative Declaration (MND) prepared for the Commercial Medical Marijuana Land Use Ordinance (CMMLUO) adopted by the Humboldt County Board of Supervisors on January 26, 2016. The proposed project does not present substantial changes that would require major revisions to the 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; and

WHEREAS, the Humboldt County Zoning Administrator held a duly-noticed public hearing on November 4, 2021, and reviewed, considered, and discussed the application for a Zoning Clearance Certificate and a Special Permit and reviewed and considered all evidence and testimony presented at the hearing.

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

- 1. FINDING:** **Project Description:** The application is a Zoning Clearance Certificate to allow 4,200 SF of outdoor light-deprivation cannabis cultivation operation. Water for irrigation is provided by a spring diversion permitted by the State Water Resources Control Board (SWRCB) and the California Department of Fish and Wildlife (CDFW). A deep groundwater well application has been filed to replace a shallow well that may be hydrologically connected to surface water. Water storage onsite consists of fifteen 2,500-gallon and four 1,000-gallon hard plastic tanks for a total capacity of 41,500 gallons. Processing will be performed offsite at a third-party permitted processing facility. Power is provided by Pacific Gas and Electric Company and an emergency backup generator. A Special Permit is needed for encroachment and restoration work within the Streamside Management Area.

EVIDENCE: a) Project File: PLN-11810-ZCC
- 2. FINDING:** **CEQA.** The requirements of CEQA have been complied with. The Humboldt County Zoning Administrator has considered the Addendum to and the MND prepared for the CMMLUO adopted by the Humboldt County Board of Supervisors on January 26, 2016.

EVIDENCE: a) Addendum Prepared for the proposed project.
b) The proposed project does not present substantial changes that would require major revisions to the previous MND. No new information of

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

- c) A Site Management Plan was prepared by Green Road Consulting January 9, 2019 required by SWRCB order WQ 2017-0023-DWQ.
- d) A Cultural Resources Investigation was prepared by Archaeological Research and Supply Company, May 2018. The entire 47-acre parcel was surveyed; no prehistoric or historic resources were found as a result of the survey.
- e) The Tribal Historic Preservation Officer of the Bear River Band of the Rohnerville Rancheria requested that the project be conditioned with the standard inadvertent discovery language.
- f) The site is accessed directly off of Sunset Ridge Road; this road is maintained by the Larabee Creek Road Association and the 0.25-mile route from Alderpoint Rd was self-certified as developed to the equivalent of a Category 4 road by the applicant.

FINDINGS FOR CONDITIONAL USE PERMIT

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

EVIDENCE a) General agriculture is a use type permitted in the Agriculture Exclusive (AE), Forest Recreation (FR), and Special Building Site Combining (B5-40) zones. 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 Agriculture Exclusive (AE), Forest Recreation (FR), and Special Building Site Combining (B5-40) zone in which the site is located.

EVIDENCE a) The AE and FR-Zones are applied to areas of the county in which agriculture or recreation is the desirable predominant uses and general agriculture is the secondary uses.

b) All general agricultural uses are principally permitted in the AE and FR-Zone.

c) Humboldt County Code Section 314-55.4.8.2.2 allows cultivation of up to 5,000 SF of existing outdoor or mixed-light cannabis on a parcel of 1 acre or larger in size and subject to approval of a Zoning Clearance Certificate. The application for 4,200-SF outdoor light-deprivation cultivation in one greenhouse on a 47-acre parcel is consistent with this and with the cultivation area verification prepared by the County.

d) Humboldt County Code Section 314-61, known as the Streamside Management Areas and Wetlands Ordinance, discuss development restrictions within Streamside Management Areas (SMA). A Special Permit

is required for work within the SMA for the diversion maintenance and for restoration activities associated with the Lake and Streambed Alteration Agreement (LSAA). Further, four water storage tanks are within the SMA associated with the unnamed watercourse that crosses Sunset Ridge Road and these will need either to be relocated or an encroachment easement allowed with a second Special Permit as a condition of approval.

5. FINDING

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

EVIDENCE

- a) The CMMLUO allows existing cannabis cultivation to be permitted in areas zoned AE and FR (Section 314-55.4.8.2.2).
- b) The parcel was created in compliance with all applicable state and local subdivision regulations per Parcel Map No. 64, recorded in the Humboldt County Recorder's Office, Book 1 of Parcel Maps, Pages 95 through 114, inclusive.
- c) The project will obtain water from a non-diversionary water source (well) and a diversion that is tributary to Larabee Creek in accordance with the forbearance requirements of the SWRCB, CDFW, and the CMMLUO, whichever is stricter. The well shall be demonstrated to be non-hydrologically connected as a condition of approval or forbearance required.
- d) The site is accessed directly off of Sunset Ridge Road that is maintained by the Larabee Creek Road Association and is functionally equivalent to a Category 4 roadway. Intersection improvements are a condition of approval.
- e) The location of the cultivation complies with all setbacks required in Section 314-55.4.11.d. It is more than 30 feet from any property line and more than 600 feet from any school, church, public park or tribal cultural resource.

6. FINDING

The cultivation of 4,200 SF of outdoor light-deprivation cannabis cultivation and the conditions under which it may be operated or maintained will not be detrimental to the public health, safety, or welfare or materially injurious to properties or improvements in the vicinity.

EVIDENCE

- a) The site is located on Sunset Ridge Road, a privately maintained road developed to the equivalent of a Category 4 road standard.
- b) The site is in a rural part of the county where the typical parcel size is over 40 acres. The proposed cannabis will not be in a location where there is an established neighborhood or other sensitive receptor such as a school, church, park or other use which may be sensitive to cannabis cultivation. Approving cultivation on this 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.
- c) Irrigation water will come from 41,500 gallons of existing hard plastic storage tanks and an existing water diversion from an unnamed tributary to Larabee Creek that has been permitted by the SWRCB, Division of Water Rights, Right to Divert and Use Water (Registration H503828, Certificate H100426) and CDFW; a new ground-water well is also planned to replace historic underperforming wells.
- d) Provisions have been made in the applicant's proposal to protect water quality and thus runoff to adjacent property and infiltration of water to groundwater resources will not be affected.

- 7. FINDING** The proposed development does not reduce the residential density for any parcel below that utilized by the Department of Housing and Community Development in determining compliance with housing element law.
- EVIDENCE** a) The parcel was not included in the housing inventory of Humboldt County's 2019 Housing Element but does have the potential to support one housing unit. The approval of cannabis cultivation on this parcel will not conflict with the ability for a residence to be constructed on this parcel.
- 8. FINDING** Approval of this project is consistent with Humboldt County Board of Supervisors Resolution No. 18-43 which established a limit on the number of permits and acres which may be approved in each of the County's Planning Watersheds
- EVIDENCE** a) The project site is located in the Lower Eel Planning Watershed, which under Resolution 18-43 is limited to 336 permits and 116 acres of cultivation. With the approval of this project the total approved permits in this Planning Watershed would be 68 cultivation permits and the total approved acres would be 29.8 acres of cultivation.

DECISION

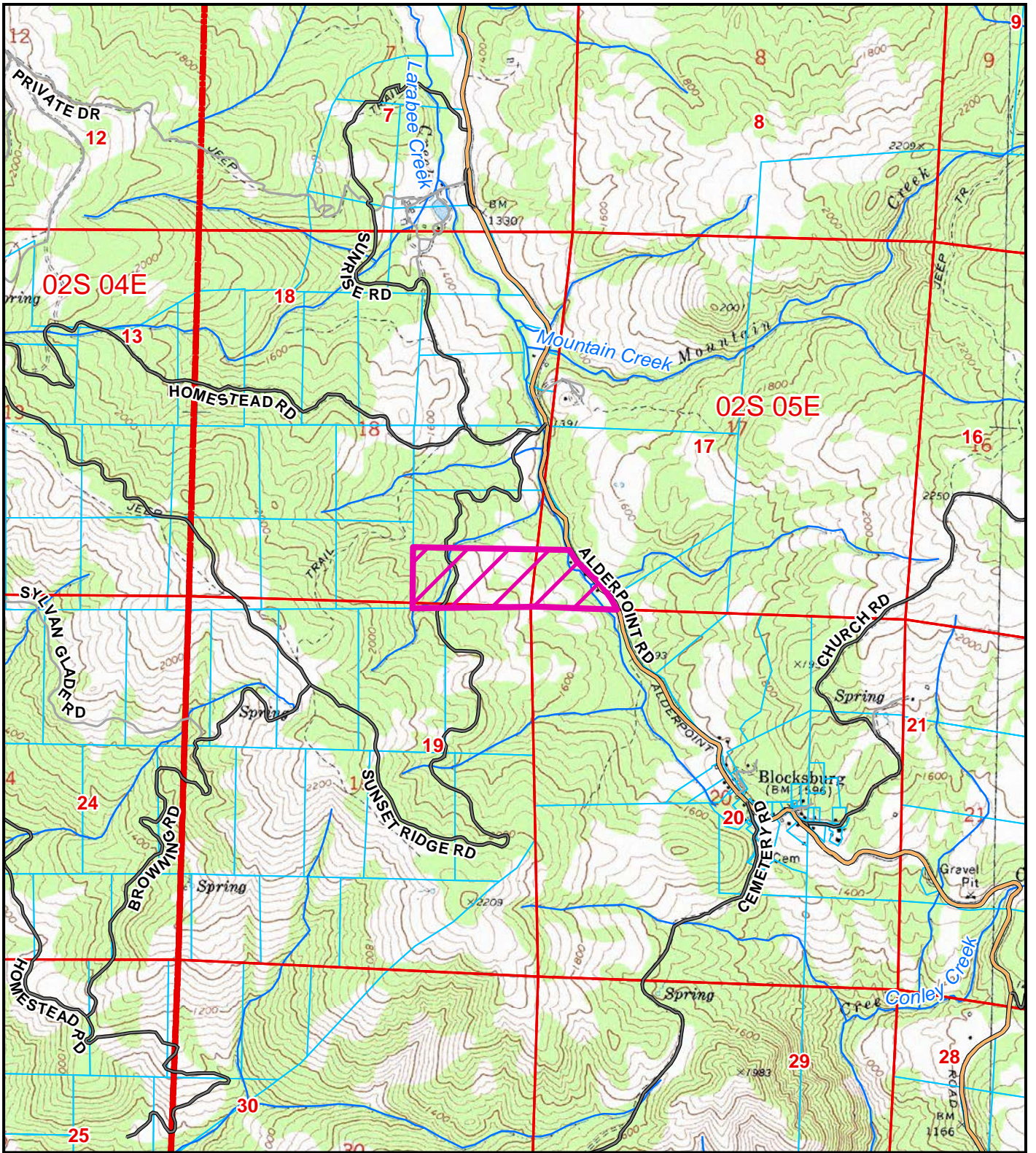
NOW, THEREFORE, based on the above findings and evidence, the Humboldt County Zoning Administrator does hereby:

- Adopt the findings set forth in this resolution; and
- Conditionally approves the Zoning Clearance Certificate and Special Permit for The Happy Ranger 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 November 4, 2021

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

John Ford, Zoning Administrator,
Planning and Building Department



**TOPO MAP
 PROPOSED HAPPY RANGER, LLC
 BLOCKSBURG AREA
 ZCC-16-259**

APN: 217-391-008-000

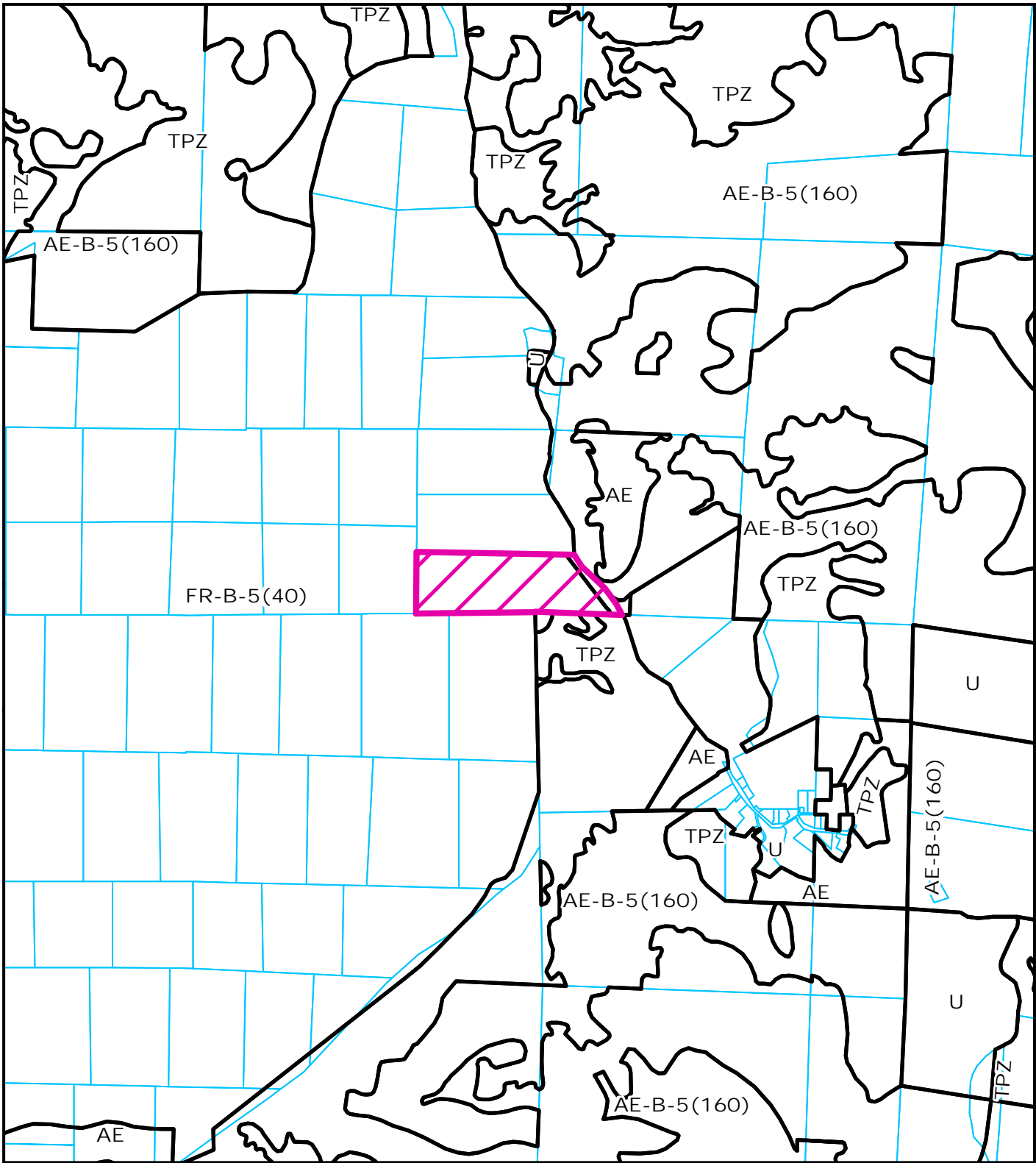
T02S R05E S18; S17; S19 HB&M (BLOCKSBURG)

Project Area = 



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



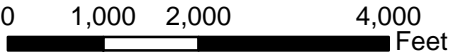


**ZONING MAP
 PROPOSED HAPPY RANGER, LLC
 BLOCKSBURG AREA
 ZCC-16-259**

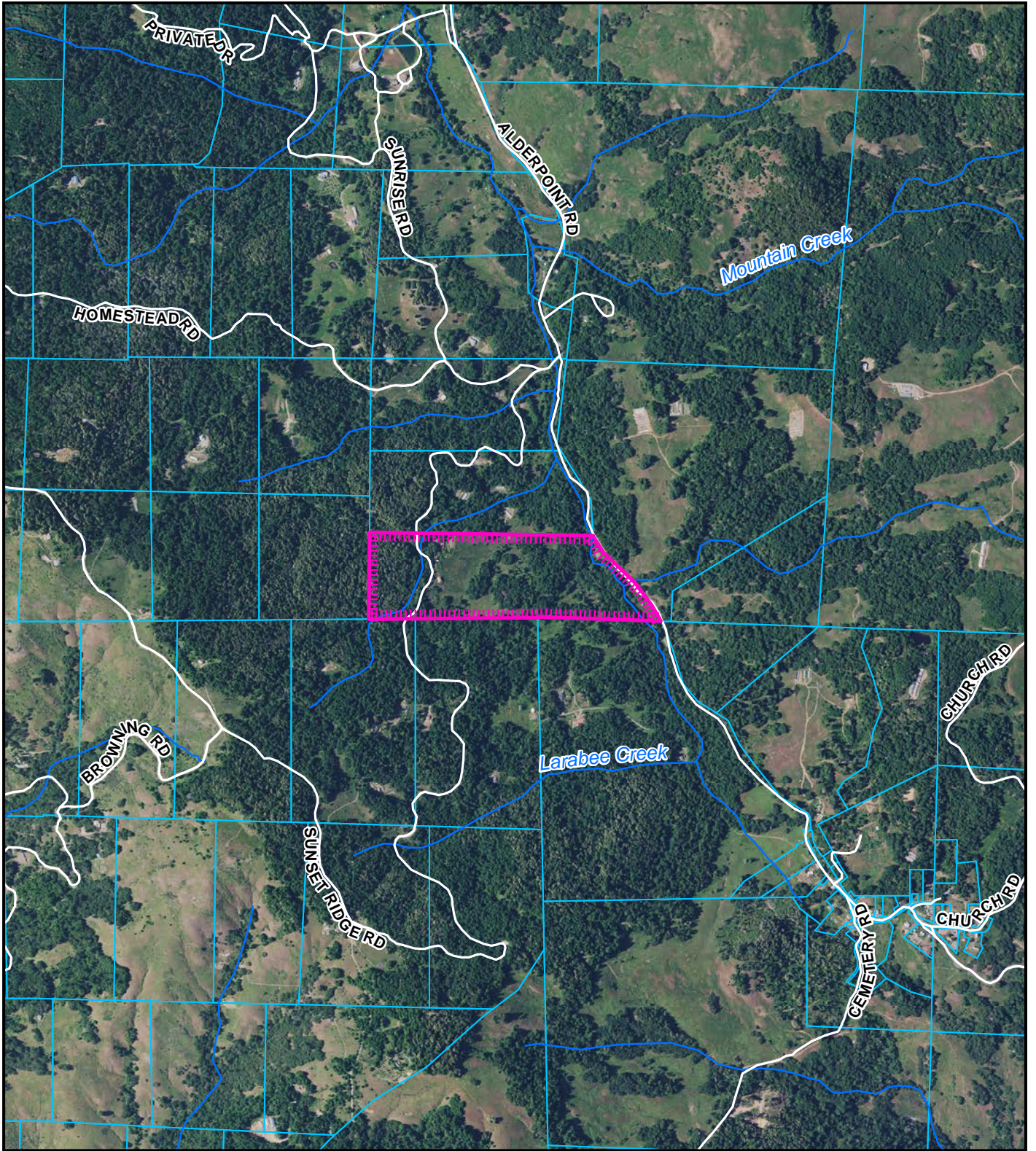
APN: 217-391-008-000

T02S R05E S18; S17; S19 HB&M (BLOCKSBURG)

Project Area = 



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**AERIAL MAP
 PROPOSED HAPPY RANGER, LLC
 BLOCKSBURG AREA
 ZCC-16-259**

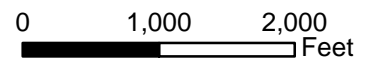
APN: 217-391-008-000

T02S R05E S18; S17; S19 HB&M (BLOCKSBURG)

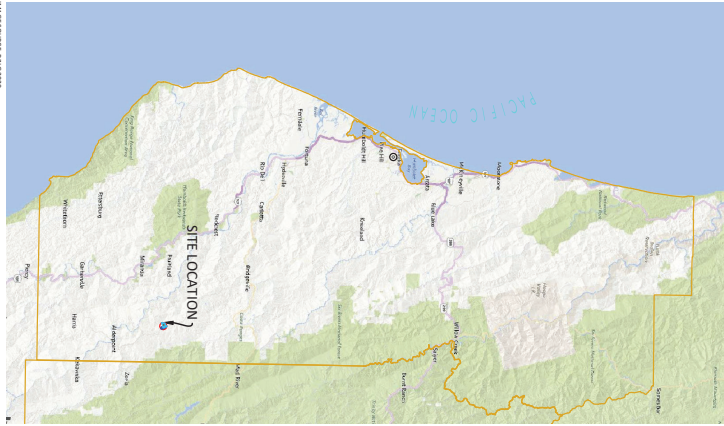
Project Area = 



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



VICINITY MAP
1:10,000



PROJECT DIRECTIONS
FROM EUREKA, CA
HEAD SOUTH ON US-101 (19.9 MI)
TURN LEFT ONTO CA-98E (2.9 MI)
TURN RIGHT ONTO ALDERPOINT RD (17.8 MI)
TURN RIGHT (200 FT)
KEEP LEFT TO ENTER PROPERTY

TRAVEL TIME
APPROXIMATELY: 1 HOUR 30 MINUTES (92.6 MI)

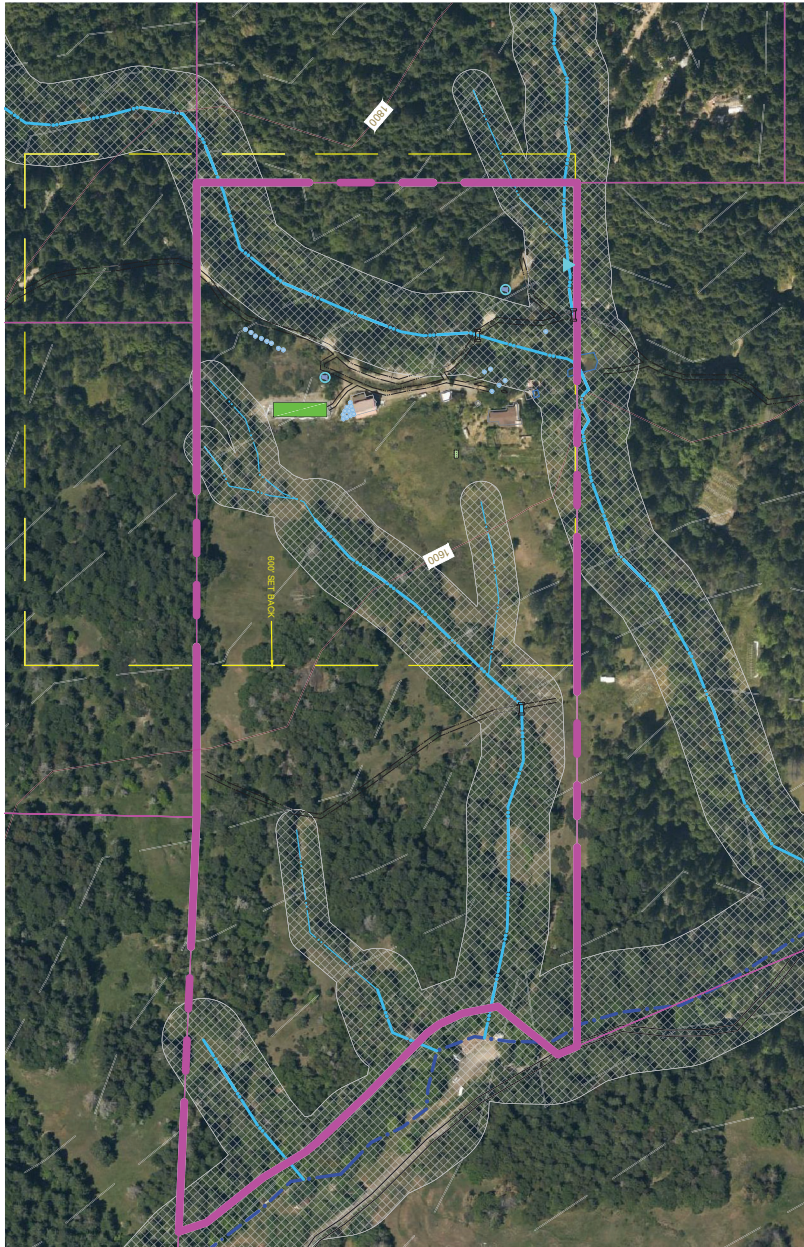
SHEET INDEX
CP - COVER PAGE
C1 - PARCEL OVERVIEW

PROJECT INFORMATION
LOT: 1
APN: 217-391-008
PARCEL SIZE: 451 ACRES
AGRICULTURE TYPE -
CONSTITUTIONAL ZONE: N
100 YEAR FLOOD: N

AGENT:
KATIE AXON
GREEN ROAD CONSULTING INC
1650 CENTRAL AVE, SUITE C
MACHINEVILLE, CA 95519
707-529-5914

HAPPY RANGER, LLC
APN: 217-391-008

AERIAL MAP



PROJECT INFORMATION

PROPERTY OWNER: NICKOLAY KOLEV
ADDRESS: APN: 217-391-008
SHEET INFO: COVER PAGE

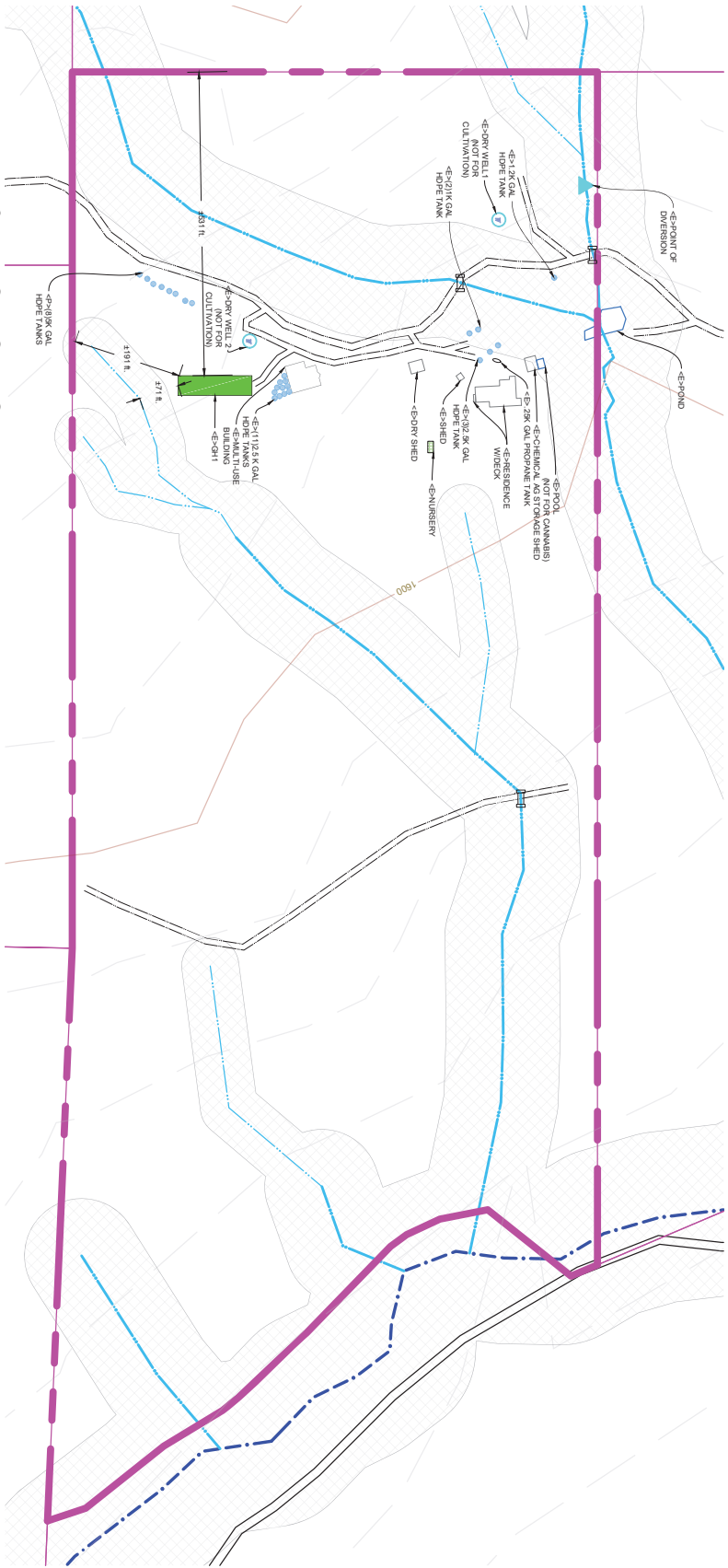


NO.	NOTES	DATE
1	NOISE ANALYSIS	08/08/20
2	NOISE ANALYSIS	08/08/20
3	NOISE ANALYSIS	08/08/20
4	NOISE ANALYSIS	08/08/20
5	NOISE ANALYSIS	08/08/20
6	NOISE ANALYSIS	08/08/20

DATE: 11/04/21
DRAWN BY: AX
SCALE: AS SHOWN
SHEET: CP

PARCEL OVERVIEW

APN: 217-391-008



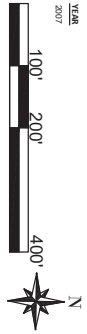
CULTIVATION INFORMATION

EXISTING LIGHT DEPRIVATION (OUTDOOR) CULTIVATION AREA	LENGTH	WIDTH	SQ FT	TYPE	WATER STORAGE AND USE	QUANTITY	GALLONS	TOTAL GALLONS
1	100	32	4,100	HOPE TANK		11	2,500	27,500
TOTAL EXISTING OUTDOOR CULTIVATION AREA = 4,100 SQ FT								
NURSERY PLANT AREA								
1	20	10	200	HOPE TANK		2	1,000	2,000
2	20	10	200	HOPE TANK		1	1,200	1,200
3	20	10	200	HOPE TANK		8	5,000	40,000
TOTAL AREA 200 SQ FT								78,200
								TOTAL AMOUNT OF WATER STORAGE = 78,200 GALLONS

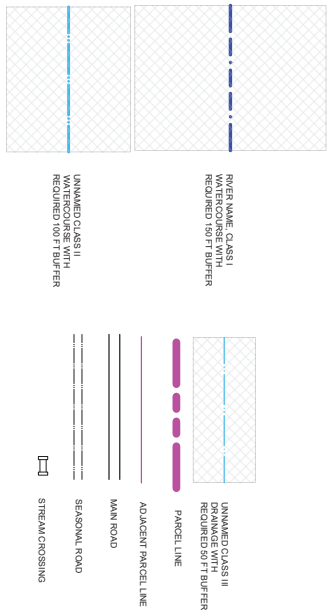
CULTIVATION BUILDINGS AND USE

BUILDINGS	USE	SIZE	YEAR
DRY SHED	DRYING/WAREHOUSE STORAGE	20'X32'	2004
MULTI-USE BUILDING	DRYING/WAREHOUSE STORAGE	2,354 FT ²	1998
CHEMICAL AG STORAGE SHED	CHEMICAL AG STORAGE	20'X20'	2006
DOMESTIC BUILDINGS AND USE	GENERAL STORAGE	11'X10'	-
RESIDENCE	SEASONAL LIVING	27'91' FT ²	2007

WATER SOURCE	TYPE	LAT/LONG	SIZE	YEAR
POINT OF DIVERSION		40.2864, -123.6582	27'91' FT ²	2007



LEGEND



PROJECT INFORMATION

PROPERTY OWNER	NICKOLAY KOLEV
ADDRESS	APN: 217-391-008
SHEET INFO	PARCEL OVERVIEW



ATTACHMENT 1

RECOMMENDED CONDITIONS OF APPROVAL

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

A. General Conditions

1. The applicant is responsible for obtaining all necessary County and State permits and licenses, and for meeting all requirements set forth by other regulatory agencies.
2. The applicant is required to pay for permit processing on a time and material basis as set forth in the schedule of fees and charges as adopted by ordinance of the Humboldt County Board of Supervisors. The Planning and Building Department will provide a bill to the applicant after the decision. Any and all outstanding planning fees to cover the processing of the application to decision by the Hearing Officer shall be paid to the Humboldt County Planning Division, 3015 "H" Street, Eureka.
3. The Applicant is responsible for costs for post-approval review for determining project conformance with conditions. A deposit is collected to cover this staff review. Permit conformance with conditions must be demonstrated prior to release of building permit or initiation of use and at time of annual inspection. A conformance review deposit as set forth in the schedule of fees and charges as adopted by ordinance of the Humboldt County Board of Supervisors (currently \$750) shall be paid within 60 days of the effective date of the permit or upon filing of the Compliance Agreement (where applicable), whichever occurs first. Payment shall be made to the Humboldt County Planning Division, 3015 "H" Street, Eureka.
4. A Notice of Determination (NOD) will be prepared and filed with the County Clerk for this project in accordance with the State CEQA Guidelines. The Department will file the NOD and will charge this cost to the project.
5. Within 60 days of the effective date of permit approval, the applicant shall execute a Compliance Agreement with the Humboldt County Planning and Building Department detailing all necessary permits and infrastructure improvements described under Conditions of Approval #6 through #17. The agreement shall provide a timeline for completing all outstanding items. All activities detailed under the agreement must be completed to the satisfaction of the Planning and Building Department before the permit may be finalized and no longer considered provisional.
6. The applicant shall secure permits for all structures related to the cannabis cultivation and other commercial cannabis activity, including but not limited to, existing and proposed greenhouses, water tanks over 5,000 gallons, existing and proposed structures associated with drying and storage or any activity with a nexus to cannabis, and any noise containment structures as necessary. The plans submitted for building permit approval shall be consistent with the project description and the approved project site plan. A letter or similar communication from the Building Division verifying that all structures related to the cannabis cultivation are permitted will satisfy this condition.
7. The approved building plans shall meet all applicable fire codes, including fire suppression infrastructure requirements deemed necessary for the project by the Building Inspection Division. Sign-off on the Occupancy Permit by the Building Division shall satisfy this requirement.
8. The applicant shall submit a grading, erosion and sediment control plan shall be prepared by a qualified engineer. The plan shall identify the cubic yards of all grading that has been completed, and any proposed. A letter or similar communication from the Building Division verifying that all

grading related to the cannabis cultivation operation are permitted, or not needed, will satisfy this condition.

9. The applicant shall install water monitoring device on each source—the surface diversion if/when utilized and the newly installed well and storage tanks as applicable—to monitor water used for cannabis irrigation separate from domestic use.
10. The applicant shall implement all corrective actions and recommendations detailed in the Site Management Plan (SMP) prepared by Green Road Consulting dated 01/09/2019, pursuant to Tier 2 enrollment under the State Water Resources Control Board (SWRCB) Cannabis Cultivation Policy, in congruence with Order WQ 2017-0023-DWQ for Cannabis Cultivation Activities. According to the SMP, the following remediation measures are to be implemented to prevent erosion or comply with streamside management ordinances:
 - a. Relocate the four water storage tanks within the Streamside Management Area associated with the unnamed watercourse that crosses Sunset Ridge Road or obtain an encroachment easement to allow a buffer reduction with a Special Permit (MP3).
 - b. Store recycling and garbage in water-tight containers with lids (MP1).
 - c. Install secondary containment for all fuel containers (MP2).
 - d. Apply straw until all bare soils and graded flats can be revegetated or stabilized (MP4).
 - e. Monitor the historic ford stream crossing and discuss potential restoration with the California Department of Fish and Wildlife (MP5).
 - f. Install a rolling dip or water bar to disperse the seasonal spring flow down roadway (MP6).
 - g. Install a rolling dip or water bar on skid road and rock line inboard ditch to alleviate sediment delivery to the head of a Class III drainage (MP7).

A letter or similar communication from the State Water Resources Control Board verifying that all their requirements have been met will satisfy this condition.

11. In abiding with the current Lake and Streambed Alteration Agreement (LSAA No. 1600-2019-0720-R1) recommendations, the existing pond onsite is in danger of catastrophic failure due to the lack of a spillway and water emerging through the dam. The pond is located on two parcels APN 217-391-008 (Permittee) and 217-391-007 (neighboring parcel to the north). CDFW recommends obtaining engineered design plans prepared in consultation with a qualified fisheries biologist with experience in fish passage restoration projects and this is made a condition of approval. Further notification with CDFW is required to decommission the pond or repair the dam and install a spillway to meet current performance standards. The engineered restoration or deconstruction design plans shall be provided to the Building Inspection Division for approval and to Planning for approval of a Special Permit to conduct the project.
12. The applicant shall provide County Planning with a well installation report capable of demonstrating that the planned well is installed to a depth and in a manner that the water is not hydrologically connected to surface waters.
13. The applicant shall prepare a restoration plan for decommissioned areas associated with the guerrilla grows for approval by Humboldt County Planning.
14. The applicant shall meet the recommended conditions of approval provided by Public Works on May 28, 2021 including:
 - a. The existence of multiple road evaluation reports for Sunset Ridge Road require a single Action Plan be prepared to implement the cumulative assortment of recommended improvements.
 - b. If the Larabee Creek Road Association (or other road maintenance association) will not be responsible for constructing all of the improvements in the Action Plan, the proportioning of

the improvements shall be clearly documented so that this applicant knows exactly what portion of the action plan they are responsible for constructing.

- c. 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 percent, those portions must be paved and must have an exception request approved (reference: County Code sections 3111-9 and 3112-5).
 - d. Applicant is advised that County maintained roads may generate dust and other impacts to farm(s). Applicant shall locate their farm(s) in areas not subject to these impacts. Applicant shall be responsible for protecting their farm(s) against these impacts. Applicant shall hold the County harmless from these impacts. Applicant is advised that a paved road may not always remain paved, and Applicant shall locate their farms appropriately. Applicant is advised that the amount of traffic on a road will vary over time which may increase or decrease the impacts.
 - e. All fences and gates shall be relocated out of the County right of way. All gates shall be setback sufficiently from the County road so that vehicles will not block traffic when staging to open/close the gate. In addition, no materials shall be stored or placed in the County right of way. This condition shall be completed to the satisfaction of the Department of Public Works prior to commencing operations, final sign-off for a building permit, or Public Works approval for a business license.
 - f. All driveways and private road intersections onto the County Road shall be maintained in accordance with County Code Section 341-1 (Sight Visibility Ordinance). This condition shall be completed to the satisfaction of the Department of Public Works prior to commencing operations, final sign-off for a building permit, or Public Works approval for a business license.
 - g. Any existing or proposed non-county-maintained access roads that will serve as access for the proposed project that connect to a county maintained road shall be improved to current standards for a commercial driveway. Applicant must apply for and obtain an encroachment permit from the Department of Public Works prior to commencement of any work in the County maintained right of way. This also includes installing or replacing intersection culverts; minimum size is typically 18 inches. If the County road has a paved surface at the location of the access road, the access road shall be paved for a minimum width of 20 feet and a length of 50 feet (or break in slope) where it intersects the County road. If the County road has a gravel surface at the location of the access road, the access road shall be rocked for a minimum width of 20 feet and a length of 50 feet where it intersects the County road. This condition shall be completed to the satisfaction of the Department of Public Works prior to commencing operations, final sign-off for a building permit, or Public Works approval for a business license.
15. If emergency response and fire suppression services are not provided, 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.
 16. The applicant shall be compliant with the County of Humboldt's Certified Unified Program Agency requirements regarding hazardous materials. A written verification of compliance shall be required before any provisional permits may be finalized. Ongoing proof of compliance with this condition shall be required at each annual inspection in order to keep the permit valid.
 17. The applicant shall execute and file with the Planning Division the statement titled, "Notice and Acknowledgment regarding Agricultural Activities in Humboldt County," ("Right to Farm" ordinance) as required by the Humboldt County Code and available at the Planning Division.

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

1. The combination of background, generator and greenhouse fan or other operational equipment created noise must not result in the harassment of northern spotted owl species as required to meet the performance standards for noise set by Department Policy Statement No. 16-005 clarifying Commercial Medical Marijuana Land Use Ordinance (CMMLUO) Section 55.4.11 (o) requirements. The combined noise levels measured at 100 feet or the edge of habitat, whichever is closer, shall be at or below 50 decibels. Conformance will be evaluated using current auditory disturbance guidance prepared by the United States Fish and Wildlife Service, and further consultation where necessary. A building permit shall be obtained should any structures be necessary for noise attenuation.
2. 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. within 10 working days of receiving written notification that a complaint has been filed, the applicant shall submit written verification that the noise levels have been repaired, inspected, and corrected as necessary.
3. Prohibition on use of synthetic netting. To minimize the risk of wildlife entrapment, Permittee shall not use any erosion control materials that contain synthetic (e.g., plastic or nylon) netting, including photo- or biodegradable plastic netting. Geotextiles, fiber rolls, and other erosion control measures shall be made of loose-weave mesh, such as jute, hemp, coconut (coir) fiber, or other products without welded weaves.
4. All refuse shall be contained in wildlife-proof storage containers, at all times, and disposed of at an authorized waste management facility.
5. Should any wildlife be encountered during work activities, the wildlife shall not be disturbed and be allowed to leave the work site unharmed.
6. The use of anticoagulant rodenticide is prohibited.
7. 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.
8. 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.
9. Cannabis cultivation and other commercial cannabis activity shall be conducted in compliance with all laws and regulations as set forth in the CMMLUO and the Medicinal and Adult-Use Cannabis Regulation and Safety Act (MAUCRSA), as applicable to the permit type.
10. If operating pursuant to a written approved compliance agreement, permittee shall abate or cure violations at the earliest feasible date, but in no event no more than 2 years from the date of issuance of a provisional clearance or permit. Permittee shall provide plans for curing such violations to the Planning and Building Department within 1 year of issuance of the provisional clearance or permit. If good faith effort toward compliance can be shown within the 2 years following the issuance of the provisional clearance or permit, the Department may, at the discretion of the Director, provide for extensions of the provisional permit to allow additional time to meet the outstanding requirements.

11. 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.
12. 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. The applicant shall abide by the terms and conditions of the Right to Divert and Use Water Registration H503828, Certification H100426 filed with the SWRCB.
13. 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).
14. Maintain enrollment in either a Tier 1 or 2 certification with State Water Resources Control Board Order No. WQ 2019-0001-DWQ, if applicable, or any substantially equivalent rule that may be subsequently adopted by the County of Humboldt or other responsible agency.
15. Comply with the terms of any applicable LSAA (1600 or 1602) Permit obtained from the CDFW.
16. Comply with the terms of a less-than-3-acre conversion exemption or timberland conversion permit, approved by the California Department of Forestry and Fire Protection, if applicable.
17. Consent to an annual onsite compliance inspection, with at least 24 hours prior notice, to be conducted by appropriate County officials during regular business hours (Monday through Friday, 9:00 a.m. to 5:00 p.m., excluding holidays).
18. Refrain from the improper storage or use of any fuels, fertilizer, pesticide, fungicide, rodenticide, or herbicide.
19. Pay all applicable application, review for conformance with conditions and annual inspection fees.
20. Fuel shall be stored and handled in compliance with applicable state and local laws and regulations, including the County of Humboldt's Certified Unified Program Agency program, and in such a way that no spillage occurs.
21. The master log books maintained by the applicant to track production and sales shall be maintained for inspection by the County.
22. 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

23. Pursuant to Business and Professions Code section 26051.5(a)(8), an applicant seeking a cultivation license shall "provide a statement declaring the applicant is an 'agricultural employer,' as defined in the Alatorre-Zenovich-Dunlap-Berman Agricultural Labor Relations Act of 1975 (Part 3.5 commencing with Section 1140) of Division 2 of the Labor Code), to the extent not prohibited by law."
24. 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).

25. 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.
26. All persons hiring employees to engage in commercial cannabis cultivation and processing shall comply with the following Employee Safety Practices:
 - a. Cultivation operations and processing operations must implement safety protocols and provide all employees with adequate safety training relevant to their specific job functions, which may include:
 - (1) Emergency action response planning as necessary;
 - (2) Employee accident reporting and investigation policies;
 - (3) Fire prevention;
 - (4) Hazard communication policies, including maintenance of material safety data sheets;
 - (5) Materials handling policies;
 - (6) Job hazard analyses; and
 - (7) Personal protective equipment policies, including respiratory protection.
 - b. Cultivation operations and processing operations must visibly post and maintain an emergency contact list which includes at a minimum:
 - (1) Operation manager contacts;
 - (2) Emergency responder contacts; and
 - (3) Poison control contacts.
 - c. At all times, employees shall have access to safe drinking water and toilets and handwashing facilities that comply with applicable federal, state, and local laws and regulations. Plumbing facilities and water source must be capable of handling increased usage without adverse consequences to neighboring properties or the environment.
 - d. Onsite housing provided to employees shall comply with all applicable federal, state, and local laws and regulations.
27. All cultivators shall comply with the approved processing plan as to the following:
 - a. Processing practices
 - b. Location where processing will occur
 - c. Number of employees, if any
 - d. Employee Safety Practices
 - e. Toilet and handwashing facilities
 - f. Plumbing and/or septic system and whether or not the system is capable of handling increased usage
 - g. Drinking water for employees
 - h. Plan to minimize impact from increased road use resulting from processing
 - i. Onsite housing, if any
28. Term of Commercial Cannabis Activity Special Permit. Any Commercial Cannabis Cultivation Special Permit issued pursuant to the CMMLUO shall expire 1 year after date of issuance, and on the anniversary date of such issuance each year thereafter, unless an annual compliance inspection has been conducted and the permittees and the permitted site have been found to comply with all conditions of approval.

29. If the inspector or other County official determines that the permittees or site do not comply with the conditions of approval, the inspector shall serve the permit holder with a written statement identifying the items not in compliance, and the action that the permit holder may take to cure the noncompliance, or file an appeal within 10 days of the date that the written statement is delivered to the permit holder. Personal delivery or mailing the written statement to the mailing address listed on the application by regular mail, plus 3 days after date of mailing, shall constitute delivery. The permit holder may request a reinspection to determine whether or not the permit holder has cured all issues of noncompliance. Failure to request reinspection or to cure any items of noncompliance shall terminate the Special Permit, immediately upon the expiration of any appeal period, or final determination of the appeal if an appeal has been timely filed pursuant to Section 55.4.13.
30. 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.
31. 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.
32. 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.
33. Inspections. The permit holder and subject property owner are to permit the County or representative(s) or designee(s) to make inspections at any reasonable time deemed necessary to assure that the activities being performed under the authority of this permit are in accordance with the terms and conditions prescribed herein.

Informational Notes:

1. Pursuant to Section 314-55.4.11(a) of the CMMLUO, if upon inspection for the initial application, violations of any building or other health, safety, or other state or county statute, ordinance, or regulation are discovered, the Planning and Building Department may issue a provisional clearance or permit with a written approved Compliance Agreement. By signing the agreement, the permittee agrees to abate or cure the violations at the earliest opportunity but in no event more than 2 years after the date of issuance of the provisional clearance or permit. Plans for curing the violations shall be submitted to the Planning and Building Department by the permittee within 1 year of the issuance of the provisional certificate or permit. The terms of the compliance agreement may be appealed pursuant to Section 314-55.4.13 of the CMMLUO.
2. This provisional permit approval shall expire and become null and void at the expiration of 1 year after all appeal periods have lapsed (see "Effective Date"), except where the Compliance Agreement per Condition of Approval #5 has been executed and the corrective actions pursuant to the agreement are being undertaken. Once building permits have been secured and/or the use

initiated pursuant to the terms of the agreement, the use is subject to the Permit Duration and Renewal provisions set forth in the Ongoing Requirements/Development Restrictions, above.

3. If cultural resources are encountered during construction activities, the contractor on-site shall cease all work in the immediate area and within a 50-foot buffer of the discovery location. A qualified archaeologist and the appropriate Tribal Historic Preservation Officer(s) are to be contacted to evaluate the discovery and, in consultation with the applicant and the lead agency, develop a treatment plan in any instance where significant impacts cannot be avoided.

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

ATTACHMENT 2

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

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

**APN 217-391-008; 29191 Alderpoint Rd, Blocksburg
County of Humboldt**

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

November 2021

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 Zoning Clearance Certificate (PLN-11810) for the continued use of 4,200 square feet (SF) of cannabis cultivation and a Special Permit for work within the Streamside Management Area (SMA) for the diversion maintenance and for restoration activities associated with retired cultivation areas within the SMA. Further, four water storage tanks are within the SMA associated with the unnamed watercourse that crosses Sunset Ridge Road and these will need either to be relocated or an encroachment easement allowed with a Special Permit. Existing cultivation was a guerrilla grow that occurred in five separate areas. The cultivation was decommissioned due to proximity to watercourses and relocated to a single 4,200-SF greenhouse that is on a slope of 15% and outside of stream buffers. Irrigation water is sourced from a Point of Diversion from an unnamed spring that is tributary to Larabee Creek and is permitted by the State Water Resources Control Board and the California Department of Fish and Wildlife. The applicant is proposing to re-drill an existing well on the property that is expected to produce another 20,000 gallons of water annually for cannabis irrigation. Estimated annual water use is 45,800 gallons, of which all is currently provided by the water diversion from the unnamed spring. Water storage totals 41,500 gallons in fifteen 2,500-gallon tanks and four 1,000-gallon tanks. 40,000 additional storage tanks are proposed to allow diversion forbearance. Processing is done offsite at a third-party licensed facility. One to two employees will be used in the operation. Power is sourced from Pacific Gas and Electric Company, with a generator onsite for emergency backup.

A Cultural Resources Investigations Report prepared by Archaeological Research and Supply Company in May 2018 and no historic or prehistoric resources were found within the parcel. The Tribal Historic Preservation Officer of the Bear River Band of the Rohnerville Rancheria requested that the project be conditioned with the standard inadvertent discovery language. Ongoing conditions of approval are incorporated regarding the Inadvertent Discoveries Protocol to protect cultural resources and tribal cultural resources.

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

Purpose - Section 15164 of the California Environmental Quality Act (CEQA) provides that the lead agency shall prepare an addendum to a previously certified MND if some changes or additions are necessary but none of the conditions described in Section 15162 calling for a subsequent Environmental Impact Report (EIR) or Negative Declaration have occurred. Section 15162 states that when an EIR has

been certified for a project, no subsequent EIR shall be prepared for that project unless the lead agency determines, on the basis of substantial evidence in the light of the whole record, one or more of the following:

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

Summary of Significant Project Effects and Mitigation Recommended

No changes are proposed for the original MND recommended mitigations. The proposal to authorize the continued operation of an existing cannabis cultivation site consisting of 4,200 SF of cultivation with ancillary drying activities is fully consistent with the impacts identified and adequately mitigated in the original MND. The project as conditioned to implement responsible agency recommendations, results in no significantly adverse environmental effects beyond those identified in the MND. Compliance with the CMMLUO ensures consistency with the adopted MND and provides for mitigation of all project related impacts to a less-than-significant level.

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

- Revised Site Plan prepared by Green Road Consulting dated 4/14/2021.
- Cultivation and Operations Plan and revisions prepared by Green Road Consulting dated 1/21/2019.
- Site Management Plan prepared by Green Road Consulting dated 1/9/2019 for the State Water Resources Control Board and North Coast Regional Water Quality Control Board Order WQ 2017-0023.
- Right to Divert and Use Water Certificate H100426 prepared 2/13/2019 by the State Water Resources Control Board.
- Building Inspection Division project referral response dated 8/13/2019.
- Road Evaluation Report dated 7/22/2019 and received 7/29/2019.
- Northwest Information Center project referral response dated 8/8/2019.
- Bear River Band of the Rohnerville Rancheria project referral response dated 9/10/2019.
- Cultural Resources Investigation dated May 2018 and prepared by Archaeological Research and Supply Company.
- Draft Lake or Streambed Alteration Agreement, Notification No. 1600-2019-0720-R1, Penev Diversion and Crossings Project, APN 217-391-008, dated 3/10/2021.
- Public Works referral response dated 5/28/21.

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. (Original Site Plan prepared by Green Road Consulting received 7/29/2019 and Revised Site Plan received 4/14/2021 - **Attached** in Maps).
4. A cultivation and operations plan that meets or exceeds minimum legal standards for water storage, conservation and use; drainage, runoff and erosion control; watershed and habitat protection; proper storage of fertilizers, pesticides, and other regulated products to be used on the parcel; and a description of cultivation activities (outdoor, indoor, mixed light), the approximate date(s) cannabis cultivation activities have been conducted on the parcel prior to the effective date of this ordinance, if applicable, and schedule of activities during each month of the growing and harvesting season. (Cultivation and Operations Plan and revisions prepared by Green Road Consulting received 1/21/2019 - **Attached**).
5. Copy of the statement of water diversion, or other permit, license or registration filed with the State Water Resources Control Board, Division of Water Rights, if applicable. (Right to Divert and Use Water; Registration H503828, Certificate H100426 – **Attached**).
6. Description of water source, storage, irrigation plan, and projected water usage. (Included in Cultivation Operations Plan (item 4. above).
7. Copy of Notice of Intent (NOI) and Monitoring Self-Certification and other documents filed with the North Coast Regional Water Quality Control Board demonstrating enrollment in Tier 1, 2 or 3, North Coast Regional Water Quality Control Board Order No. 2015-0023, or any substantially equivalent rule that may be subsequently adopted by the County of Humboldt or other responsible agency. (NOI and reporting, and Site Management Plan prepared by Green Road Consulting dated 1/9/2019. (**Attached**))
8. If any onsite or offsite 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. (Draft on file, abiding by the final a condition of approval - **Attached**)
9. If the source of water is a well, a copy of the County well permit, if available. (application on file)

10. If the parcel is zoned FR, U or TPZ, or involves the conversion of timberland as defined under Section 4526 of the Public Resources Code, a copy of a less-than-3-acre conversion exemption or timberland conversion permit, approved by the California Department of Forestry and Fire Protection (Cal Fire). Alternately, for existing operations occupying sites created through prior unauthorized conversion of timberland, evidence may be provided showing that the landowner has completed a civil or criminal process and/or entered into a negotiated settlement with Cal Fire. (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. (see item 16 below)
15. Division of Environmental Health Attachment for Commercial Medical Marijuana Clearances/ Permits. (On file)
16. Cultural Resources Investigation dated May 2018 and prepared by Archaeological Research and Supply Company. (On file and confidential)
17. Final Road Evaluation 6.29.19 (**Attached**)



Humboldt County Planning Department
3015 H Street
Eureka, CA 95501

RE: Happy Ranger, LLC – Humboldt County APPS 11810– APN: 217-391-008

January 21st, 2019

To Whom It May Concern:

The following information should be added to the Cultivation and Operations Plan for Happy Ranger LLC, APPS #11810, APN: 217-391-008.

Cultivation Area

The Applicant has a total of 4,200 square feet outdoor cultivation that was existence prior to 2016. The cultivation occurs in the southwestern section of the parcel.

GH#1

GH#1 contains approximately 4,200 square feet of light depravation (outdoor) cultivation.

Relocation/Remediation

The new location of the cultivation is environmentally superior to the areas where guerilla grow was historically located. The majority of the historic guerilla grow was located within riparian buffer zones, thus rendering these areas unsuitable for cannabis cultivation. It is recommended that the Applicant remove any remaining cultivation waste and revegetate the areas with plant species native to the area.

The current cultivation area has a slope of approximately 15% and is located 56 feet from the nearest watercourse (Class III).

(The following information was taken directly from the Applicant Site Management Plan. The site visit for the SMP/ Transition into the State Water Resources Quality Control Board occurred in January 2019. This section contains details regarding the remediation of the historic cultivation/ disturbed areas, points called out are in reference to the maps provided in the Applicants Site Management Plans):

The site currently has two areas where cultivation takes place delineated on attached maps as **(CA)**. The total garden area across these sites totals to 8,800 -ft². The site will be only using **CA1** for cannabis cultivation since the County only approved the parcel with 4,200-ft². **CA2** is used to

start plants and is only used for a short portion of the season. CA3 and CA4 will be decommissioned since the County did not approve all of the cultivation square footage. Vegetation removal and/or exposed earth were observed adjacent to some garden areas and were mapped as disturbed area. The site had approximately 22,110-ft² of disturbed area that was located outside of the watercourse buffers. Proper adherence to the erosion and sediment control measures specified in the "Erosion Prevention and Sediment Capture" section of this report will be necessary to ensure that these areas are sufficiently stabilized.

Immature Plants

The Applicant purchases immature plants from a licensed, offsite nursery. When brought to the parcel, they are immediately placed in GH#1.

Employees Safety Practices

All those working on the property will be instructed in safe and proper techniques for performing any duties pretraining to cultivation. This includes the utilization of personal protective equipment and proper use of tools and necessary instruments required for the performance of one's duties. Personal protective equipment shall be provided for all employees and/or independent contractors via the proponent as well as having ample personal protective equipment in stock and onsite. Clean and safe drinking water will be in the form of filtered spring water. For the safety of the public and employees working while intoxicated will not be tolerated. All Employee and/or independent contractors shall be made aware of the following.

- I. Location of fire extinguishers and the "P.A.S.S" technique.
- II. List of operations manager contacts;
- III. List of emergency control contacts;
- IV. List of poison control contacts;
- V. Location of first aid kit;
- VI. Location of Restroom and hand washing stations;
- VII. Location of clean drinking water and;
- VIII. Location of Personal protective equipment.

All work surfaces and equipment are maintained in a clean, sanitary condition. Protocols to prevent the spread of mold are strictly followed.

Processing

The Applicant will utilize an offsite licensed third-party processor.

Employee Onsite Housing

There will be no employee housing onsite.

Number of Employees

The Applicant expects 1-2 seasonal employees.

Onsite Sanitation

Until the Applicant can permit a septic with the Humboldt County Department of Environmental Health, the Applicant will provide their employees with serviceable portable toilets.

Power Source

The Applicant acquires their power from PG&E. A portable generator is used only as a back-up power.

Greenhouse Fans

The Applicant will use two (2) electric fans in their Greenhouse for ventilation.

Surface Diversion/Water Source

The Applicant has a legal spring diversion on an unnamed stream which is a tributary to Larabee Creek. The Lat/Long coordinates for the diversion are 40.286310/-123.656108 (registration ID H100426). The right to divert from this point was granted to the Applicant on 2/13/19.

Increased Road Usage

Vehicles usage within the property is minimal as vehicles are not necessary for the Applicants daily onsite operations.

1600/LSAA

Green Road Consulting has been contracted to complete the Applicants 1600 notification. It is currently in process. Once the 1600 notification has been completed a copy will be provided to your office.



GREEN ROAD CONSULTING

Applicant: Happy Ranger, LLC.

Parcel: 217-391-008

Cultivation and Operations Plan

Site Plan Overview and Cultivation and Operations Plan





GREEN ROAD CONSULTING

Site Plan Overview and Cultivation and Operations Plan

Applicant/Owner

Happy Ranger, LLC.

PO Box 187

Blocksburg, CA 95514

Agent

Ariel Kittredge

Green Road Consulting

1650 Central Avenue, Suite C

McKinleyville, CA 95519



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I. Site Plan Overview

1.0 Project Information

Happy Ranger, LLC. ("Applicant") is submitting this application for a Type 1 Zoning Clearance Certificate for 5,000 square feet of existing outdoor commercial cannabis cultivation on a 50.97-acre parcel, located near Blocksburg, CA ("Parcel"), Assessor's Parcel Number 217-391-008.

All water used for cultivation is sourced from a Point of Diversion sourced from a spring. The Applicant has a proposed well located on the property. There is one (1) 2,500-gallon and two (2) 1,100-gallon HDPE water tanks that total 4,700 gallons of hard tank water storage. The Applicant is proposing nine (9) 2,500-gallon HDPE water tanks. Once the water tanks are installed the Applicant will have a total of 27,200 gallons of water storage. The Applicant estimates their annual water use to be 45,800-gallons. The Applicant will need to add 20,000-gallons of water storage to become in compliance with standard conditions for the Regional Water Board.

There are five (5) existing buildings located on the parcel. The Pool House and Residence are existing structures that are not being used for the cultivation process. The Residence does store fertilizers in a storage area beneath the Residence. The Carport is an existing 20'x20' structure and was built in 2004. It is used for processing harvest cannabis. The Barn is an existing 40'x30' structure and was built in 1998. It is used to dry harvested cannabis and store cultivation tools. The Generator House is an existing 8'x8' structure and was built in 2009. It is used to store backup generators.

The applicant is expecting to have two (2) harvests of cannabis via light deprivation, sometime in July and October. All processing will be in the Carport performed by collective members using a trim machine.

This application is submitted through his agent, Ariel Kittredge of Green Road Consulting, Inc., and has been prepared in accordance with Humboldt County's ("County") Commercial Medical Marijuana Land Use Ordinance ("CMMLUO").

The Type 1 Zoning Clearance Certificate would achieve the following results for the Applicant:

- a. Permit up to 5,000 square feet of Outdoor commercial cannabis cultivation activities that were in existence prior to January 1, 2016, in compliance with the County CMMLUO; and
- b. Comply with applicable standards for water quality maintenance and watershed protection through the Waiver of Waste Discharge requirements of the North Coast Regional Water Quality Control Board ("Water Board") and California Department of Fish and Wildlife ("Fish and Wildlife").

2.0 Project Location

The Applicant's Parcel is located in the inland zone of Humboldt County near Blocksburg, CA. The Parcel is comprised of 50.97-acres and is identified by Assessor's Parcel Number ("APN") 217-391-008.

2.1 Zoning Classification

The County's Zoning Classification of the Parcel is AR; FR with a Current General Plan of T (FRWK). The CMMLUO permits existing Outdoor commercial cannabis cultivation on land zoned as AR; FR with cultivation sites up to 5,000 square feet with a Type 1 Zoning Clearance Certificate.

2.2 Site Topography

A map of the Parcel's topography is included as Attachment "A."

3.0 Easements

The following information is taken from Exhibit "A" of the recorded Grant Deed, a copy of which is included in the Evidence of Ownership and Authorization section of this Application.

"That real property situate in the County of Humboldt, State of California, described as follows:

PARCEL ONE:

Parcel No. 32 as shown on that certain Parcel Map No. 64, recorded in the Humboldt County Recorder's Office, Book 1 of Parcel Maps, Pages 95 through 114, inclusive.

Reference to said Parcel Map No. 64 does not constitute a recognition or creation of any rights or easements in the roads as shown on said Parcel Map, said roads having been relocated and superseded by the roads shown on the Record of Survey in Parcel Two below.

PARCEL TWO:

A non-exclusive easement for ingress, egress and public utility purposes 50 feet in width, the centerline of which is as shown on that certain Record of Survey recorded in Book 37 of Surveys, Pages 41 through 48, inclusive, Official Records, Humboldt County Records; the easements as shown on said Record of Survey supersedes the easements as shown on Parcel Map No. 64 referred to in Parcel One above.

PARCEL THREE:

An easement for encroachment purposes and water rights and purposes incidental thereto as further described in and subject to the terms of that certain document entitled "Grant of Easement" recorded November 21, 1996, as Instrument No. 1996-26799-11, Humboldt County Official Records."

4.0 Natural Waterways

The Parcel has one (1) Class I Watercourse, five (5) Class II Watercourses, and four (4) Class III Drainages.

The Applicant will not have a Water Resource Protection Plan ("WRPP") for the Parcel because they are enrolled in the Water Board's Waiver of Waste Discharge program as a Tier I discharger.

5.0 Location and Area of Existing Cultivation

The 5,000 square feet of cannabis cultivation is proposed to occur in three (3) locations on the Parcel and can be viewed on the Site Plan, included in the Site Plan of Entire Parcel section of this application.

Greenhouse #1

Greenhouse #1 is located in the northwestern section of the parcel on an existing graded flat. It consists of 920 square feet of outdoor cultivation.

Greenhouse #2

Greenhouse #2 is located in the southwestern section of the parcel on an existing graded flat. It consists of 4,080 square feet of outdoor cultivation.

6.0 Setbacks of Cultivation Area

Greenhouse #1

Greenhouse #1 is setback from the northern parcel line by approximately 41 feet and the western parcel line by approximately 760 feet.

Greenhouse #2

Greenhouse #2 is setback from the southern parcel line by approximately 292 feet and the western parcel line by approximately 683 feet.

7.0 Access Roads

The Parcel is located off Alderpoint Road, which is in usable condition.

8.0 Graded Flats

There are existing flats on the Parcel. They may require permitting with the Humboldt County Building Department.

9.0 Existing Buildings

Residence

The Residence is an existing 1,500 square feet structure that is used as a place of living, and not for the cultivation process. The Residence does store fertilizers in a storage area beneath the

Residence. It was constructed in 1998 and will require permitting with the Humboldt County Building Department.

Pool House

The Pool House is an existing 15'x20' structure that is used to as domestic storage, and not for the cultivation process. It was constructed in 2006 and will require permitting with the Humboldt County Building Department.

Barn

The Barn is an existing 40'x30' square feet structure that is used dry and process harvested cannabis and store cultivation related tools. It was constructed in 1998 and will require permitting with the Humboldt County Building Department.

Carport

The Carport is an existing 20'x20' square feet structure that is used to store fertilizers. It was constructed in 2004 and will require permitting with the Humboldt County Building Department.

Generator House

The Generator House is an existing 8'x8' square feet structure that is used to store generators. It was constructed in 2009 and will require permitting with the Humboldt County Building Department.

10.0 Water Source, Storage, Irrigation Plan and Projected Water Usage

10.1 Water Source

All water used for cultivation is sourced from a Point of Diversion sourced from a Spring. The Applicant has proposed a well located on the property.

10.2 Water Storage

There is one (1) 2,500-gallon and two (2) 1,100-gallon HDPE water tanks that total 4,700 gallons of hard tank water storage.

The Applicant is proposing to add nine (9) 2,500-gallon HDPE water tanks that will total to 22,500-gallons. Once the Applicant has installed the tanks their water storage will increase to a total of 27,200-gallons.

The Applicant will need to add 20,000-gallons of water storage to become in compliance with standard conditions for the Regional Water Board.

10.3 Irrigation Plan

All irrigation of cannabis is completed by hand watering at an agronomic rate.

10.4 Projected Water Use

The amount of water used for the cultivation of cannabis will vary throughout the year, with peak periods of water use occurring during the summer months. The Applicant's

cultivation and water use is outlined in the Cultivation and Water Usage Chart, attached as Attachment "B."

The Applicant estimates their annual water use to be 45,800-gallons.

11.0 Site Drainage, Runoff, Erosion Control Measures and Watershed Protection

The Parcel has one (1) Class I Watercourse, five (5) Class II Watercourses, and four (4) Class III Drainages.

Site Drainage, Runoff, Erosion Control Measures

An in-board ditch along a legacy skid road leads to the head of a class III drainage. A rolling dip or water bar should be installed and the ditch should be lined with rock to alleviate sediment delivery. A historic skid road that crosses a Class II Watercourse. The crossing is a fill crossing that is eroding at the outlet and should be pulled from top to bottom (approx. 90 ft.) as flagged in the field. A seasonal spring flows down the same skid road. A rolling dip or water bar should be installed to disperse water from the roadway. A different legacy skid road crosses a Class III Drainage in the northwest of the property. The stream channel should be re-contoured from top to bottom as flagged in the field. Remove excess perched fill from next to the channel.

Watershed Protection

A 500-gallon HDPE water tank is located immediately adjacent to a Class II Watercourse. It should be re-located to maintain a minimum 100-foot stream buffer.

Distances from Significant Landmarks

There are no schools, school bus stops, state parks, places of worship or Tribal Cultural Resources within 600 feet of the cultivation site.

II. Cultivation and Operations Plan

1.0 Materials Storage

The Applicant will be using items that were accepted under Legal Pest Management Practices for Marijuana Growers in California.

All fertilizers and amendments are located in beneath the Residence on the Parcel. Fertilizer bottles are left in the open and should be provided secondary containment. Fertilizers and amendments will need to be placed in covered bins where any spill will be contained. All labels are kept and directions are followed when nutrients are applied. The storage area is in need of posted instructions for storing fertilizers and amendments, instructions for cleaning up spills and a spill kit that contains a container, gloves, towels, absorbent socks and an absorbent material (kitty litter).

A large metal fuel container is currently stored in a shed and should be provided secondary containment. The Applicant has PG&E power located on the Parcel, and uses for all powering needs.

The applicant does not have any compost piles. Garbage and recycling are left in the open. Both should be kept in watertight containers and regularly disposed of at an appropriate location. All cultivation related waste will be stored in water tight trash containers near the Residence and disposed of weekly. The Residence has an existing septic system that, while showing no signs of failure, is unregistered and requires back-permitting.

The Applicant brings in soil to fill the beds and pots. The soil is reamended for each cultivation cycle. Once the dirt is no longer viable for cultivation, it is removed and disposed of at Wes Green in Arcata. The graded flat containing Cultivation Area #1 has exposed soils with fill slopes that appear unconsolidated. The disturbed area should be spread with straw and seed to stabilize the soil, prevent erosion, and reduce the chances of sediment delivery to the nearby Class III Drainage.

2.0 Cultivation Activities

Cultivation activities typically begin sometime during April when cannabis plants are brought to the Parcel for planting.

The applicant will be pulling tarps over the greenhouses in order to have two (2) harvests of cannabis via light deprivation, sometime in July and October. Tarps will be pulled by hand and will not have any negative effects to the surrounding area or the cannabis. The outdoor cultivation will be harvested in October.

3.0 Processing Practices

Plants will be harvested one at a time using hand shears and taken into the Carport where it will be dried and cured. All processing will be in the Carport performed by collective members using a trim machine.

All work surfaces and equipment are maintained in a clean, sanitary condition. Protocols to prevent the spread of mold are strictly followed. The final cannabis product is stored in a secure location.

The Applicant will be utilizing any Track and Trace program the County seeks to implement, abiding by all appropriate record keeping practices.

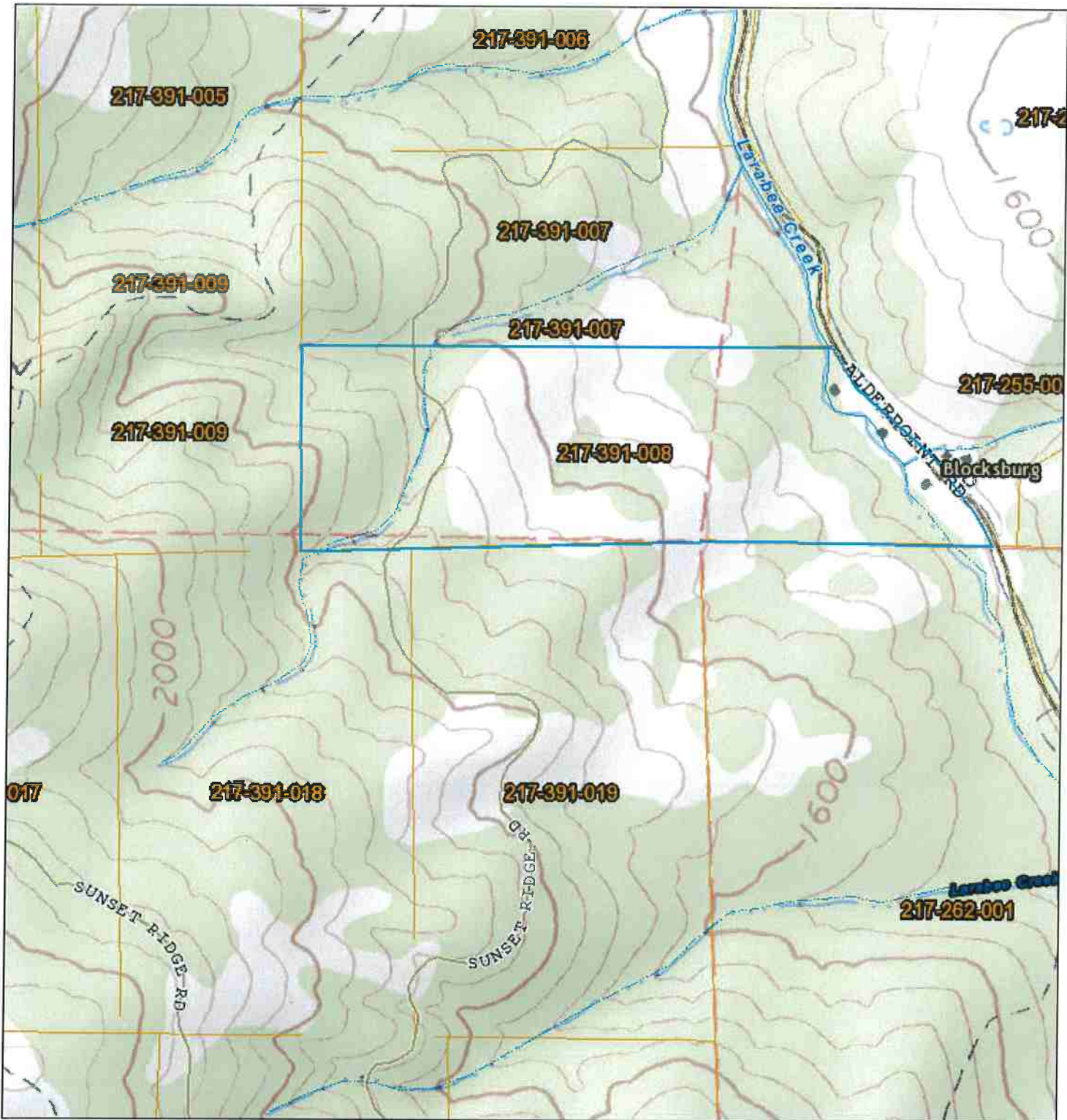
4.0 Security Measures

The access to the parcel is gated and locked. There are game cameras placed over the gate, buildings and cultivation areas.



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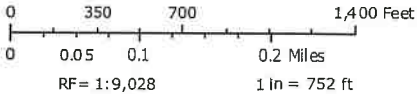
Attachment "A"



ArcGIS Web Map

Humboldt County Planning and Building Department

- Highways and Roads**
 - Private or Unclassified
 - Intermittent
 - Principal Arterials
 - Major River or Stream
 - Subsurface
 - Minor Arterials
 - Major Collectors
 - Minor Collectors
 - Local Roads
- Blue Line Streams**
 - Perennial 1-3
 - Perennial >4
- City Boundary
- Counties
- Parcels



Printed: September 13, 2017 Web AppBuilder 2.0 for ArcGIS

Map Disclaimer:
 While every effort has been made to assure the accuracy of this information, it should be understood that it does not have the force & effect of law, rule, or regulation. Should any difference or error occur, the law will take precedence.
 Source: NRCS, Humboldt County GIS, Healthy Rural Roads, Esri, HERE, DeLorme, MapmyIndia, © OpenStreetMap contributors, and the GIS user community, Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community, FRAP, FEMA, USGS



**GREEN
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Attachment “B”

Water Use and Cultivation Form



Name:	Nikolay Kolev
APN:	217-391-008-000
WDID:	
Reporting Year	2016
Storage (Gallons):	4,500
Total Cultivation (ft ²):	5,000

Cultivation Information			
Cultivation Area	Distance to watercourse (ft)	Watercourse Classification	Average Slope
CA1	58	Class III	15%
CA2	230	Class II	15%
CA3	200	Class II	15%

Total Water Surface Diversion (Gallons)													
Source	January	February	March	April	May	June	July	August	September	October	November	December	Total
unnamed stream	500	1,000	3,720	9,300	3,960	5,000	6,440	7,640	6,740	1,000	500	-	45,800

Water Input to Storage by Source (Gallons)													
Source to Storage	January	February	March	April	May	June	July	August	September	October	November	December	Total
unnamed stream	-	-	-	4,500	-	-	-	-	-	-	-	-	4,500

Water Use by Source (Gallons)													
Source	January	February	March	April	May	June	July	August	September	October	November	December	Total
unnamed stream	500	1,000	3,720	4,800	3,960	5,000	6,440	7,640	6,740	1,000	500	-	41,300
storage	-	-	-	-	1,000	1,000	1,000	1,000	500	-	-	-	4,500

* Water use is estimated from the best information available, if water meters are not installed.

Standard Conditions to Address	Brief Description
Site maintenance, erosion control, and drainage features	MP7- An in-board ditch along a legacy skid road leads to the head of a class III drainage. A rolling dip or water bar should be installed and the ditch should be lined with rock to alleviate sediment delivery.
Stream Crossing	MP5- A historic skid road that crosses a class II stream. The crossing is a fill crossing that is eroding at the outlet and should be pulled from top to bottom (approx. 90 ft.) as flagged in the field. MP6- A seasonal spring flows down the same skid road. A rolling dip or water bar should be installed to disperse water from the roadway. MP8- A different legacy skid road crosses a class III drainage in the northwest of the property. The stream channel should be re-contoured from top to bottom as flagged in the field. Remove excess perched fill from next to the channel.
Riparian and Wetland Protection and Management	MP3- a 500 gallon HDPE water tank is located immediately adjacent to a Class II stream . It should be re-located to maintain a minimum 100 foot stream buffer.
Spoils Management	MP4- The graded flat containing CA1 has exposed soils with fill slopes that appear unconsolidated. The disturbed area should be spread with straw and seed to stabilize the soil, prevent erosion, and reduce the chances of sediment delivery to the nearby Class III drainage.
Water Storage and Use	Water storage facilities are currently insufficient to minimize diversion during low flow periods. Storage should be increased and an appropriate right should be sought if use of the diversion is continued.
Fertilizers and Soil Amendments	Fertilizer bottles are left in the open and should be provided secondary containment.
Petroleum Products and Other Chemicals	MP2- A large metal fuel container is currently stored in a shed and should be provided secondary containment.
Refuse and Human Wastes	MP1- Garbage and recycling are left in the open. Both should be kept in watertight containers and regularly disposed of at an appropriate location. The residence has an existing septic system that, while showing no signs of failure, is unregistered and requires back-permitting.

Water Use and Cultivation Form



Name:	Nikolay Kolev
APN:	217-391-008-000
WDID:	
Reporting Year	2016
Storage (Gallons):	4,500
Total Cultivation (ft ²):	5,000

Cultivation Information			
Cultivation Area	Distance to watercourse (ft)	Watercourse Classification	Average Slope
CA1	58	Class III	15%
CA2	230	Class II	15%
CA3	200	Class II	15%
			Area (ft ²)
			3,000
			200
			1,800

Total Water Surface Diversion (Gallons)											
Source	January	February	March	April	May	June	July	August	September	October	Total
unnamed stream	500	1,000	3,720	9,300	3,960	5,000	6,440	7,640	6,740	1,000	45,800

Water Input to Storage by Source (Gallons)											
Source	January	February	March	April	May	June	July	August	September	October	Total
unnamed stream	-	-	-	4,500	-	-	-	-	-	-	4,500

Water Use by Source (Gallons)											
Source	January	February	March	April	May	June	July	August	September	October	Total
unnamed stream	500	1,000	3,720	4,800	3,960	5,000	6,440	7,640	6,740	1,000	41,300
storage					1,000	1,000	1,000	1,000	500	-	4,500

* Water use is estimated from the best information available, if water meters are not installed.

Standard Conditions to Address	Brief Description
Site maintenance, erosion control, and drainage features	MP7- An in-board ditch along a legacy skid road leads to the head of a class III drainage. A rolling dip or water bar should be installed and the ditch should be lined with rock to alleviate sediment delivery.
Stream Crossing	MP5- A historic skid road that crosses a class II stream. The crossing is a fill crossing that is eroding at the outlet and should be pulled from top to bottom (approx. 90 ft.) as flagged in the field. MP6- A seasonal spring flows down the same skid road. A rolling dip or water bar should be installed to disperse water from the roadway. MP8- A different legacy skid road crosses a class III drainage in the northwest of the property. The stream channel should be re-contoured from top to bottom as flagged in the field. Remove excess perched fill from next to the channel.
Riparian and Wetland Protection and Management	MP3- a 500 gallon HDPE water tank is located immediately adjacent to a Class II stream . It should be re-located to maintain a minimum 100 foot stream buffer.
Spoils Management	MP4- The graded flat containing CA1 has exposed soils with fill slopes that appear unconsolidated. The disturbed area should be spread with straw and seed to stabilize the soil, prevent erosion, and reduce the chances of sediment delivery to the nearby Class III drainage.
Water Storage and Use	Water storage facilities are currently insufficient to minimize diversion during low flow periods. Storage should be increased and an appropriate right should be sought if use of the diversion is continued.
Fertilizers and Soil Amendments	Fertilizer bottles are left in the open and should be provided secondary containment.
Petroleum Products and Other Chemicals	MP2- A large metal fuel container is currently stored in a shed and should be provided secondary containment.
Refuse and Human Wastes	MP1- Garbage and recycling are left in the open. Both should be kept in watertight containers and regularly disposed of at an appropriate location. The residence has an existing septic system that, while showing no signs of failure, is unregistered and requires back-permitting.



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Attachment 2



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

DIVISION OF WATER RIGHTS

RIGHT TO DIVERT AND USE WATER

REGISTRATION H503828

CERTIFICATE H100426

Right Holder: *Krasimir Penev*
 29191 Alderpoint Road
 Blocksburg, CA 95514

The State Water Resources Control Board (State Water Board) authorizes the diversion and use of water by the right holder in accordance with the limitations and conditions herein SUBJECT TO PRIOR RIGHTS. The priority of this right dates from 01/19/2019. This right is issued in accordance with the State Water Board delegation of authority to the Deputy Director for Water Rights (Resolution 2012-0029) and the Deputy Director for Water Rights redelegation of authority dated October 19, 2017.

The Deputy Director for Water Rights finds that this registration meets the requirements for registration of small irrigation use appropriation. (Wat. Code, § 1228 et seq.)

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

1. Location of point(s) of diversion (**Coordinates in WGS 84**)

Name of Diversion	Source	Tributary To:	Thence	Latitude	Longitude	County	Assessor's Parcel Numbers (APN)
Primary POD	Unnamed Stream	Larabee Creek	Eel River	40.286310	-123.656108	Humboldt	217391008

2. Purpose of Use and 3. Place of Use

2. Purpose of Use	3. Place of Use		
	County	Assessor's Parcel Numbers (APN)	Acres
Irrigation, Aesthetic	Humboldt	217-391-008	0.1

Note: Assessor's Parcel Numbers provided are based on the user's entries in this portal on 02/13/2019. The place of use is shown on the map filed on 02/13/2019 with the State Water Board.

4. Quantity and Season:

The water appropriated shall be limited to the quantity which can be beneficially used and shall not exceed **0.12 acre-feet per year** to be collected from 01/01 to 12/31 and as permitted in the diversion season specified in the current version of the State Water Board's Cannabis Policy, whichever is more restrictive. The total storage capacity shall not exceed 0.12 acre-feet. The rate of diversion to storage shall not exceed **42,000 gallons per day (gpd) or the diversion rate specified in the current version of the State Water Board's Cannabis Policy, whichever is more restrictive.**

5. No water shall be diverted or used under this right unless the water right holder is in compliance with all applicable PLN conditions, including the permit, and narrative instream flow requirements, of the current version of the State Water Board's

Right holders enrolled under Regional Water Quality Control Board Order R1-2015-0023 or Order R5-2015-0113 shall comply at all times with requirements related to flow, diversion, storage, and similar requirements of Attachment A of the Cannabis Policy identified by the Division of Water Rights below in this condition. This condition remains in effect until July 1, 2019, or when the right holder enrolls under the statewide Cannabis General Order, whichever comes first, at which time right holders shall comply with all applicable conditions and requirements of Attachment A of the Cannabis Policy.

- Section 1 – Term Numbers 4, 15, 17, 24, 26, and 36.
- Section 2 – Term Numbers 23, 63, 64, 66, 69 – 78, 82 – 94, 96, and 98 – 103.
- Section 3 – All Instream Flow Requirements for Surface Water Diversions (Requirements 1 – 7) and the Gage Installation, Maintenance, and Operation Requirements.
- Section 4 – All requirements and conditions.

The current version of the State Water Board's *Cannabis Policy* is available online at:
https://www.waterboards.ca.gov/water_issues/programs/cannabis/docs/policy.pdf.

6. No water shall be diverted or used under this right, and no construction related to such diversion shall commence, unless right holder has obtained and is in compliance with all necessary permits or other approvals required by other agencies.
7. Diversion works shall be constructed and water applied to beneficial use with due diligence.
8. No water shall be diverted under this right unless right holder complies with all lawful conditions required by the California Department of Fish and Wildlife. (Wat. Code, § 1228.6, subd. (a)(2).)
9. No water shall be diverted under this right unless it is diverted in accordance with the information set forth in the completed registration form as to source, location of point of diversion, purpose of use, place of use, quantity, and season of diversion. This information is reproduced as conditions 1 through 4 of this certificate.
10. No water shall be diverted under this right unless right holder complies with all applicable state, city, county, and local laws, regulations, ordinances, permits, and license requirements including, but not limited to those for cannabis cultivation, grading, construction, and building.
11. Pursuant to Water Code sections 100 and 275 and the common law public trust doctrine, all rights and privileges under this right, including method of diversion, method of use, and quantity of water diverted, are subject to the continuing authority of the State Water Board in accordance with law and in the interest of the public welfare to protect public trust uses and to prevent waste, unreasonable use, unreasonable method of use, or unreasonable method of diversion of said water.
12. The State Water Board reserves jurisdiction over this registration to change the season of diversion and rate of diversion based on later findings of the State Water Board concerning availability of water and the protection of beneficial uses. Any action to change the authorized season of diversion and rate of diversion will be taken only after notice to interested parties and opportunity for hearing.
13. Right holder shall grant, or secure authorization through right holder's right of access to property owned by another party, the staff of the State Water Board, and any other authorized representatives of the State Water Board the following:
 - a. Entry upon property where water is being diverted, stored, or used under a right issued by the State Water Board or where monitoring, samples and/or records must be collected under the conditions of this right;
 - b. Access to copy any records at reasonable times that are kept under the terms and conditions of a right or other order issued by the State Water Board;
 - c. Access to inspect at reasonable times any project covered by a right issued by the State Water Board, equipment (including monitoring and control equipment), practices, or operations regulated by or required under this right; and,
 - d. Access to photograph, sample, measure, and monitor at reasonable times for the purpose of ensuring compliance with a right or other order issued by the State Water Board, or as otherwise authorized by the Water Code.
14. Diversion of water under this right is subject to prior rights. Right holder may be required to curtail diversion or release water stored during the most recent collection season should diversion under this right result in injury to holders of legal downstream senior rights. If a reservoir is involved, right holder may be required to bypass or release water through, over, or around the dam. If release of stored water would not effectively satisfy downstream prior storage rights, right holder may be required to otherwise compensate the holders of such rights for injury caused.

16. All rights are issued subject to available flows. Inasmuch as the source contains treated wastewater, imported water from another stream system, or return flow from other projects, there is no guarantee that such supply will continue.
17. If storage or diversion of water under this right is by means of a dam, right holder shall allow sufficient water at all times to pass through a fishway or, in the absence of a fishway, allow sufficient water to pass over, around, or through the dam to keep in good condition any fish that may be planted or exist below the dam; provided that, during a period of low flow in the stream, upon approval of the California Department of Fish and Wildlife, this requirement will be satisfied if sufficient water is passed through a culvert, waste gate, or over or around the dam to keep in good condition any fish that may be planted or exist below the dam if it is impracticable or detrimental to pass the water through a fishway. In the case of a reservoir, this provision shall not require the passage or release of water at a greater rate than the unimpaired natural inflow into the reservoir. (Fish & G. Code, § 5937.)
18. The facilities for diversion under this right shall include satisfactory means of measuring and bypassing sufficient water to satisfy downstream prior rights and any requirements of the California Department of Fish and Wildlife and the State Water Board's Cannabis Policy.
19. This right does not authorize any act which results in the taking of a threatened, endangered, or candidate species or any act which is now prohibited, or becomes prohibited in the future, under either the California Endangered Species Act (Fish and Game Code section 2050 et seq.) or the federal Endangered Species Act (16 U.S.C.A. section 1531 et seq.). If a "take" will result from any act authorized under this water right, the right holder shall obtain authorization for an incidental take prior to construction or operation of the project. Right holder shall be responsible for meeting all requirements of the state and Federal Endangered Species Acts for the project authorized under this right.
20. This right is subject to the submittal of an annual report of water use and satisfactory renewal, on forms to be furnished by the State Water Board, including payment of the then-current annual renewal fees. (Wat. Code, § 1228.5.)
21. This right shall be totally or partially forfeited for nonuse if the diversion is abandoned or if all or any part of the diversion is not beneficially used for a continuous period of five years.
22. This right is subject to enforcement, including but not limited to revocation, by the State Water Board if 1) the State Water Board finds that the right holder knowingly made any false statement, or knowingly concealed any material fact, in the right; 2) the right is not renewed as required by the conditions of this certificate; or 3) the State Water Board finds that the right holder is in violation of the conditions of this right. (Wat. Code, § 1228.4 et seq.)
23. The State Water Board intends to develop and implement a basin-wide program for real-time electronic monitoring and reporting of diversions, withdrawals, releases, and streamflow in a standardized format if and when resources become available. Such real-time reporting will be required upon a showing by the State Water Board that the program and the infrastructure are in place to accept real-time electronic reports. Implementation of the reporting requirements shall not necessitate amendment to this right.

STATE WATER RESOURCES CONTROL BOARD
DIVISION OF WATER RIGHTS

This certificate was issued automatically as a result of the registrant self-certifying submittal of a water right registration filing in substantial compliance with Water Code §1228.3.

Dated: 02/13/2019 06:38:25

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Site Management Plan

WDID: 1_12CC403494



Prepared for:
State Water Resources Control Board (SWRCB)
North Coast Regional Water Quality Control Board (NCRWQCB)

Prepared by:
Green Road Consulting
1650 Central Ave., Suite C, McKinleyville CA, 95519
(707) 630-5041

Date of completion:
1/9/2019

General Site Information

Discharger: Happy Ranger, LLC

Land Owner: Nikolay Kolev

Site Address: 29191 Alderpoint Rd, Blocksburg CA 95514

Mailing Address: PO Box 187 Blocksburg CA 95514

Parcel Number: 217-391-008

General Plan Designation: RA40;T

Zone: AE;FR-B-5(40)

Parcel Size: 47 Acres

HUC12 Watershed: 180101050601

Disturbed Area: 22,110-ft²

Cultivation Area: 4,200-ft²

Tier Level: 1

Risk Level: Low

Abbreviations

CA	Cultivation Area
CPP	Corrugated Plastic Pipe
CMP	Corrugated Metal Pipe
CDFW	California Department of Fish and Wildlife
DRC	Ditch Relief Culvert
GRC	Green Road Consulting
IBD	In-board Ditch
NCRWQCB	North Coast Regional Water Quality Control Board
PWA	Pacific Watershed Associates
SWRCB	State Water Resources Control Board
STX	Stream Crossing

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1. Introduction

This document was prepared by Green Road Consulting (GRC) for Happy Ranger, LLC parcel number 217-391-008 as required by the SWRCB Order WQ 2017-0023-DWQ¹. The purpose of the order is to provide a regulatory structure for cannabis cultivation that reduces contributions to existing water quality issues and prevents additional adverse impacts to water resources throughout California. The purpose of the Site Management Plan is to identify conditions present on a parcel that may pose a threat to water quality and resources and establish a plan to meet or surpass requirements set forth in the order.

Green Road Consulting (GRC) has made an initial assessment of this parcel through field work as well as through a variety of county, state, and private websites (e.g. USDA web soil survey, USGS stream stats program, Google Earth, Humboldt County Web GIS). The site was surveyed with a GPS unit (2 to 4-meter accuracy) to document roads, buildings, cultivation sites, watercourses, and areas requiring remediation. Maps were created using the software ESRI ArcMap.

2. Site Characteristics

2.1. General

The site is located in Southeastern Humboldt County, approximately 1-mile north of the unincorporated community of Blocksburg and can be accessed from Alderpoint Road off of CA SR-36. The elevation of the site is approximately 1,600 feet above sea level. The parcel is located on a mountainous hillslope with unnamed drainages that flow northeast into Larabee Creek, tributary to Eel River. The Eel River is on the USEPA's Section 303(d) list for impairment or threat of impairment to water quality associated with elevated sediment and temperature levels. The Eel River Watershed is known to have Coho and Chinook Salmon as well as Steelhead trout which are designated as a Federally and State threatened species. Slopes on the site range from 19-22%. The hillslopes in the region are known to have moderate instability. The site geology is part of the Franciscan Complex which is primarily composed of Late Cretaceous to Pliocene sandstone, shale and minor conglomerate. The region was historically logged with legacy logging roads and landings throughout the site.

2.2. Site Overview

The approximately 47-acre property has a permitted groundwater well, permitted septic system, and a permitted residence. Accessory structures on the parcel include a shed for nutrient and petroleum storage as well as a barn for processing and drying harvested cannabis. Water for cultivation and domestic use is sourced via well and one surface diversion. The applicant has applied for a SIUR to store surface water for use during the forbearance season.

The site currently has two areas where cultivation takes place delineated on attached maps as **(CA)**. The total garden area across these sites totals to 8,800 -ft². The site will be only using **CA1** for cannabis cultivation since the County only approved the parcel with 4,200-ft². **CA2** is used to start plants and is only used for a short portion of the season. **CA3** and **CA4** will be decommissioned since the County did

¹ Order entitled "STATE WATER RESOURCES CONTROL BOARD ORDER WQ 2017-0023-DWQ GENERAL WASTE DISCHARGE REQUIREMENTS AND WAIVER OF WASTE DISCHARGE REQUIREMENTS FOR DISCHARGES OF WASTE ASSOCIATED WITH CANNABIS CULTIVATION ACTIVITIES"

not approve the all of the cultivation square footage. Vegetation removal and/or exposed earth were observed adjacent to some garden areas and were mapped as disturbed area. The site had approximately 22,110-ft² of disturbed area that was located outside of the watercourse buffers. Proper adherence to the erosion and sediment control measures specified in the “Erosion Prevention and Sediment Capture” section of this report will be necessary to ensure that these areas are sufficiently stabilized.

Table 1 Cultivation area overview.

Cultivation Area (CA)	Cultivation Area (ft ²)	Natural Slope (%)	Distance to Water Body (ft)	Water Body Classification
Area 1 (CA1)	4,200	15%	56	Class III
Area 2 (CA2)	300	19%	156	Class III
Area 3 (CA3)	2,000	19%	154	Class III
Area 4 (CA4)	2,300	19%	101	Class III

2.3. Access Roads

The site has 0.18-miles of permanent roads, 0.08-miles of seasonal access roads, and 0.31-miles of skid roads. The main road network is maintained by the Larabee Creek Road Association. The roads on site were in ok condition and will require regular maintenance (shaping and rocking surface).

The seasonal roads are native surface with sections of roads that are drained via out-sloping. The seasonal access roads on the site were fully stable according to the Pacific Watershed Associates (PWA) “Handbook for Forest, Ranch, and Rural Roads”. For location of disturbed areas requiring work see the Disturbed Area Map. The skid roads on the site are stable and do not require any remediation measures.

Short sections of the access roads on the site had slopes that approached 20%. These sections will be armored with crushed angular rock. The access roads on the site are maintained when needed. The roads are used all year are used minimally by workers navigating the site and bringing in supplies. Workers are on the site daily and most supplies are brought in the beginning of the season. Vehicles are mainly parked near the residence. Stabilization of existing roads will be addressed in the Site Erosion and Sediment Control Plan.

2.4. Stream Crossings

There are three (3) stream crossings (**STX**) on the property and only one stream crossing (**STX1**) is the responsibility of the property owner. See “Site Overview Map” for locations of the stream crossing. **STX1** is on a class II watercourse that crosses an old skid road. The crossing was likely a fill crossing at one time and is now more like a wetland. The skid road is not used, and the crossing was not actively eroding or delivering sediment (**MP5**). The watercourse at the crossing was dispersed with riparian vegetation and did not have defined channel. This stream crossing should be monitored and potentially restored depending on CDFW and SWB. **STX2** is a 54-inch diameter 60-ft long on a class II watercourse. The crossing is maintained by the Larabee Creek Road Association. The culvert was in good condition with a 5% rust line. **STX3** is a 54-inch diameter 60-ft long on a class II watercourse. The crossing is maintained by the Larabee Creek Road Association. The culvert was in good condition with a <10% rust line. All

stream crossing will be permitted through the appropriate agencies (e.g CDFW, NCRWQCB) before work commences.

Table 2: Overview of stream crossing on the property.

Label	Size (inch)	Type	Watercourse Class	Condition
STX1	NA	Historic	Class II	Ok
STX2	54"	CMP	Class II	Good
STX3	54"	CMP	Class II	Good

2.5. Legacy Waste Discharges

The site was historically used for logging with existing skid roads, and landings on the property. The site utilized the existing infrastructure from historic logging practices which required minimal grading and brush clearing. Skid roads on the site were in stable condition with no major erosion or sediment delivery to any watercourse. An existing historic skid road that crosses a Class II stream. See the "Historical Imagery Map" for locations of historic logging road from 1963.

3. Erosion Prevention and Sediment Capture

The disturbed areas consisted of the cultivation areas, soils/amendment piles, unstable road segments, and a processing area as shown on the Disturbed Area Map. See the "Erosion and Sediment Control Map" for locations of Map Points (MP) referred to through out the report.

A graded flat with bare soil exposed that is located just outside of the stream buffer (MP4). The landing and the fill slope will have straw and seed applied to all bare soil. Fibers rolls shall be installed every 10-ft on the fill slope. A seasonal spring seep flowing down roadway. Install a rolling dip or water bar to disperse flow off skid road (MP6). An In-board ditch leading to the head of a Class III drainage. Install a rolling dip or water bar on skid road and rock line in-board ditch to alleviate sediment delivery (MP7).

4. Water Uses

Water for cannabis irrigation and domestic use is primarily sourced from one (1) surface diversion and from a well that was not producing much water during the initial site investigation. The well will be re-drilled to see if it will produce more flow. There is a pending SIUR application for the stream diversion, Registration ID: H503828 and an existing Riparian Claim ID: S027069. The diversion of water to storage for the purpose of irrigating cannabis crops at a later date shall generally only be collected from November 1st-March 31st. However, prior to diverting to storage, the diverter shall use the Online Cannabis Compliance Gage Mapping Tool to check whether they may divert for cannabis cultivation on a given day. The online mapping tool is located at:

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

The site has fifteen (15) 2,500-gallon HDPE tanks and four (4) 1,000-gallon HDPE tanks, totaling to 41,500-gallons. A 500-gallon water tank in the stream channel (**MP3**). Relocate the water tank out of the stream buffer. All irrigation infrastructure will be regularly inspected for leaks and immediately repaired if any are found. Weed free mulch or straw will be used in cultivation areas that do not have ground cover to reduce evaporation and conserve water. The cultivator is required to record daily irrigation water usage and maintain records on site for a minimum of 5 years. The estimated annual water use is summarized below.

Table 3: Annual water use on the parcel.

Source	Use	Start Date	End Date	To Storage (gallons)	To Use (gallons)
Surface POD1	Cultivation	Jan. 1	Mar. 31	41,500	
Storage	Cultivation	Apr. 1	Oct. 1		41,500
Surface POD1	Domestic	Jan. 1	Dec. 31		40,000
Well	Cannabis	Apr. 1	Oct. 31		20,000

The site currently has 41,500-gallons of water storage available a summarized in Table 3. Water meters will be installed to monitor use. To conserve water, a straw or mulch ground cover should be applied to reduce water evaporation. Water conservation methods such as watering method and timing will be employed to ensure water is applied at agronomic rates.

Table 4: Summary of existing water storage on the parcel.

Water Storage Type	Size (gallons)	Number	Total (gallons)
Hard Tank	2,500	15	37,500
Hard Tank	1,000	4	4,000
Total			41,500

5. Fertilizers, Pesticides and Herbicides

5.1. Application, Storage and Disposal

All fertilizers, Pesticides, Herbicides and Rodenticides will be mixed or prepared in locations where they cannot enter a waterbody (surface or groundwater). Fertilizers, Pesticides, Herbicides and Rodenticides shall be applied at agronomic rates specified on the product label. The enrollee will keep a log of their fertilizers, pesticides and herbicides use for annual reporting. All labels will be kept, and directions followed when amendments and fertilizers are applied. All liquid chemicals will be stored in *separate* secondary containment. During the off season all chemicals will be stored in a locked building. **Agricultural chemicals will not be applied within 48-hr of a predicted rain event with a 50% or greater chance of 0.25-inches.** Disposal of unused products will be consistent with labels on containers. Empty containers will be disposed of at an authorized recycling center. A spill clean-up kit will be stored in the garage/shop. No restricted materials or pesticides will be used or stored on site. No greater than 319 pounds of nitrogen per acre per year shall be applied. A summary of fertilizers, pesticides, and herbicides used annually are listed below.

Table 2: Overview of annual chemical use.

Product Name	Chemical Type	N-P-K or Active Ingredient	Annual Use (lbs. or gallons)
MaxSea Grow	Fertilizer	16-16-16	50 lbs
MaxSea Bloom	Fertilizer	3-20-20	150 lbs
Molasses	Fertilizer	Sugar/sucrose	66 lbs
SeaWeed	Fertilizer	0-1-12	66 lbs
Cal-Mag	Fertilizer	2-0-0	25 gal
BioMarine	Fertilizer	2-3-1	35 gal
BioRoot	Fertilizer	1-1-1	15 gal
BioWeed	Fertilizer	0.2-0-0.3	10 gal
BioBud	Fertilizer	0.5-0.1-1	10 gal
BioThrive	Fertilizer	2-4-4	15 gal
Green Cleaner	Fungicide/Pesticide	Soybean Oil (39%) and Sodium Lauryl Sulfate (19%)	20 gal
Neem Oil	Pesticide	azadirachtin	7 gal
Chicken Fertilizer	Fertilizer		100 lbs
Fulvex	Fertilizer		25 gal
Canna Rhizotonic	Fertilizer	0-0-0.6	2 gal
Root Shield	Fungicide	Trichoderma harzianum	25 gal
pH Down	Fertilizer	Sodium Bisulfate	20 gal

5.2. Spill Prevention and Clean Up

A spill cleanup kit will be located in the barn. In case of a major spill of fertilizers, or any petroleum products, the cannabis cultivator shall immediately notify the California Office of Emergency Services at 1-800-852-7550 and initiate cleanup activities for all spills that could enter a waterbody or degrade groundwater.

6. Petroleum

6.1. Use, Storage, and Disposal

The site is grid tied and uses minimal petroleum products. A large fuel container in a shed with no secondary containment (**MP2**). Install secondary containment or dispose of fuel storage tank. Generators are only used as a backup system and are not the primary power source. While in use, the generators will need to be stored with drip containment outside of riparian setbacks. Fueling of the generators, as well as any other equipment or vehicles, will also take place outside of the riparian

setbacks. All equipment containing petroleum derivatives will be inspected regularly for leaks. When the generators are not in use they will be stored in a covered building.

Table 3: Overview annual petroleum usage.

Product	Chemical Type	Annual Use (lbs. or gallons)
Gasoline	Petroleum	20 gallons
Motor Oil	Petroleum	5 gallons

7. Cultivation Waste, Trash/Refuse and Domestic Wastewater

7.1. Trash/Refuse Overview

Garbage and recyclables were stored inappropriately (**MP1**). They should be stored in water tight containers with a lid. Recycling must be stored separate from garbage. All waste material must be removed on a weekly basis to maintain a clean and sanitary site. All trash will be stored in a shed on site and will be removed on a weekly basis to an authorized landfill. No trash or debris will be allowed to enter a watercourse or riparian setback area. Compostable cultivation waste will be stored in a location and manner where it cannot be transported to surface waters. Spent growth medium (e.g. soil) shall either be reused, disposed of at an appropriate waste site, or be spread outside of riparian setbacks and planted with native vegetation.

7.2. Domestic Wastewater BPTC Measures

The residence on the site has a permitted septic system. Portable toilets will be brought onto the site for the seasonal workers if needed. Portable toilets will be serviced regularly and located outside of riparian setbacks and away from unstable areas.

8. Winterization Measures

8.1. Summary

It is required that winterization measures be completed annually before the onset of the winter rainy season. The SWRCB has defined the winter season as beginning November 1st and concluding April 1st. Winterization measures apply to cultivation areas, any additional disturbed areas including roads, and stream crossings. These measures aim to prepare the site for an extended period of heavy precipitation during which frequent access, monitoring, and maintenance can be challenging or infeasible. The end goal is to reduce the erosion of unstable areas and prevent the delivery of eroded sediment to sensitive waterways.

One of the primary techniques of winterization consists of stabilizing all bare soils with straw and seed. Fiber rolls shall additionally be installed at grade breaks and along slopes of disturbed areas to break up

flow paths, thereby reducing the speed and erosive energy of runoff. No heavy machinery shall be used during the winter season to avoid the degradation of saturated roadways and unstable surfaces. Soil stock piles shall be guarded before the onset of winter with a cover and/or perimeter controls such as fiber rolls. Culverts shall be inspected and maintained to ensure integrity during winter. This includes clearing inlets and outlets of sediment and/or debris and ensuring that sufficient energy dissipation exists at outlets to reduce bank erosion. Seasonal access roads shall be locked to ensure that roads are not in use during the wet season by trespassers.

Aside from the erosion control components to winterization, a general and thorough site cleanup will be performed to remove all refuse from the site. Additionally, all fertilizers and petroleum products to be left on site will be stored in secondary containment and locked in the shipping container to avoid spillage and discharge to surface or groundwater.

9. Monitoring

Monitoring is broken up into 3 reports; Facility Status, Site Maintenance, and Storm Water Runoff Monitoring. For Low Risk sites the only monitoring report required is the Facility Status Report. For Moderate and High-Risk sites all three monitoring reports need to be completed. See “Site Erosion and Sediment Control Plan” for details on the Site Maintenance and Storm Water Runoff Monitoring.

Annual reports for the cultivation site will be submitted to the North Coast Regional Water Quality and Control Board (NCRWQCB) prior to March 1 of the following year. The annual report shall include the following:

Facility Status, Site Maintenance, and Storm Water Runoff Monitoring

Name and contact information for the person responsible for operation, maintenance, and monitoring.

Reporting documents can be emailed to northcoast@waterboards.ca.gov or mailed to **5550 Skylane Blvd., Ste. A, Santa Rosa, CA 95403.**

Table 4: Facility status monitoring requirements.

<u>Monitoring Requirement</u>	<u>Description</u>
Winterization Measures Implemented	Report winterization procedures implemented, any outstanding measures, and the schedule for completion.
Tier Status Confirmation	Report any change in tier status. (Stabilization of disturbed areas may change the tier status of a facility. Contact the Regional Water Board if a change in status is appropriate.)
Third Party Identification	Report any change in third party status as appropriate.
Nitrogen Application	Report monthly and annual total nitrogen use for bulk, solid, and liquid forms of nitrogen. Provide the data as lbs./canopy acre/time (month or year) as described in Nitrogen Management Plan.

“I certify under penalty of law that I have personally examined and am familiar with the information submitted in this document and all attachments and that, based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the information is true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment.”

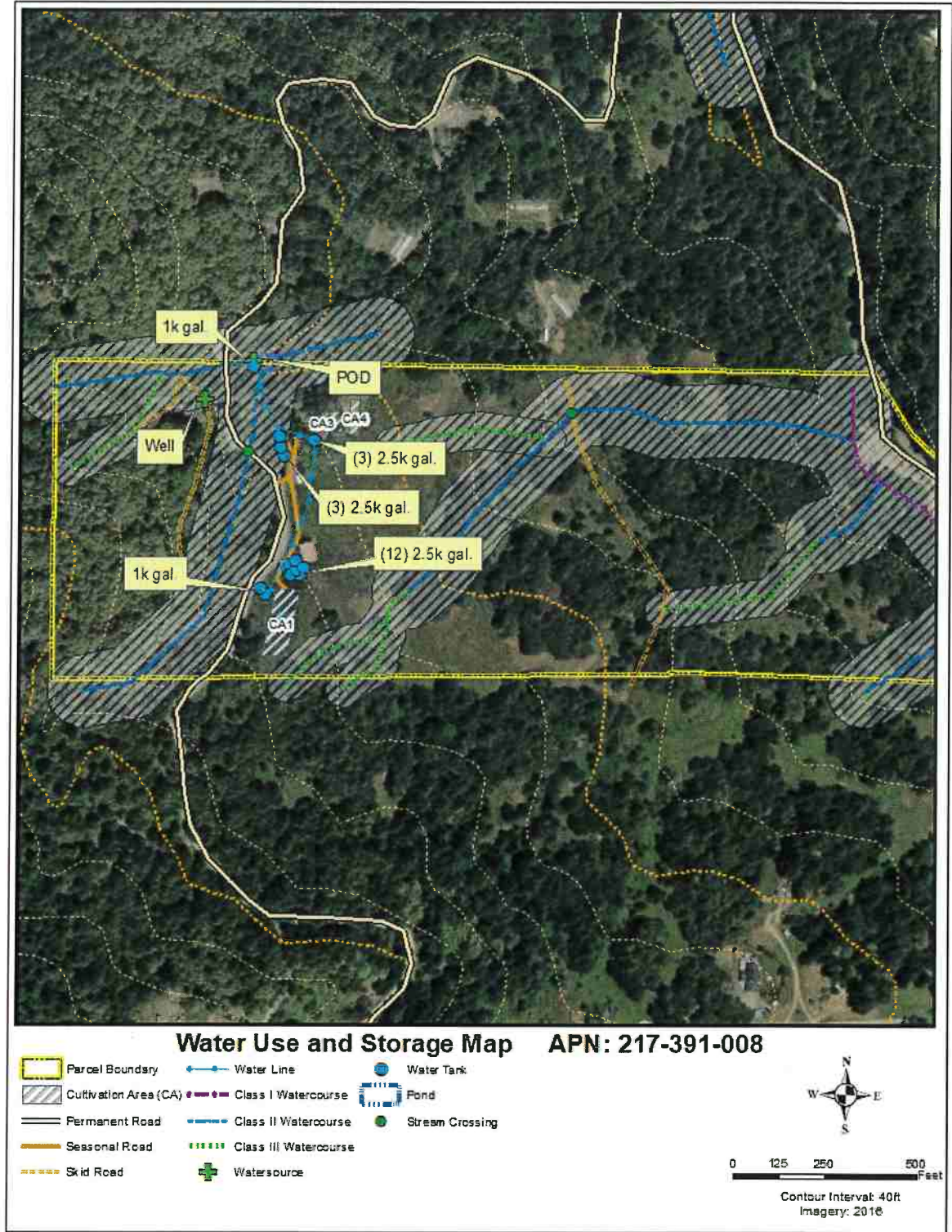
Legally Responsible Person _____ Date _____

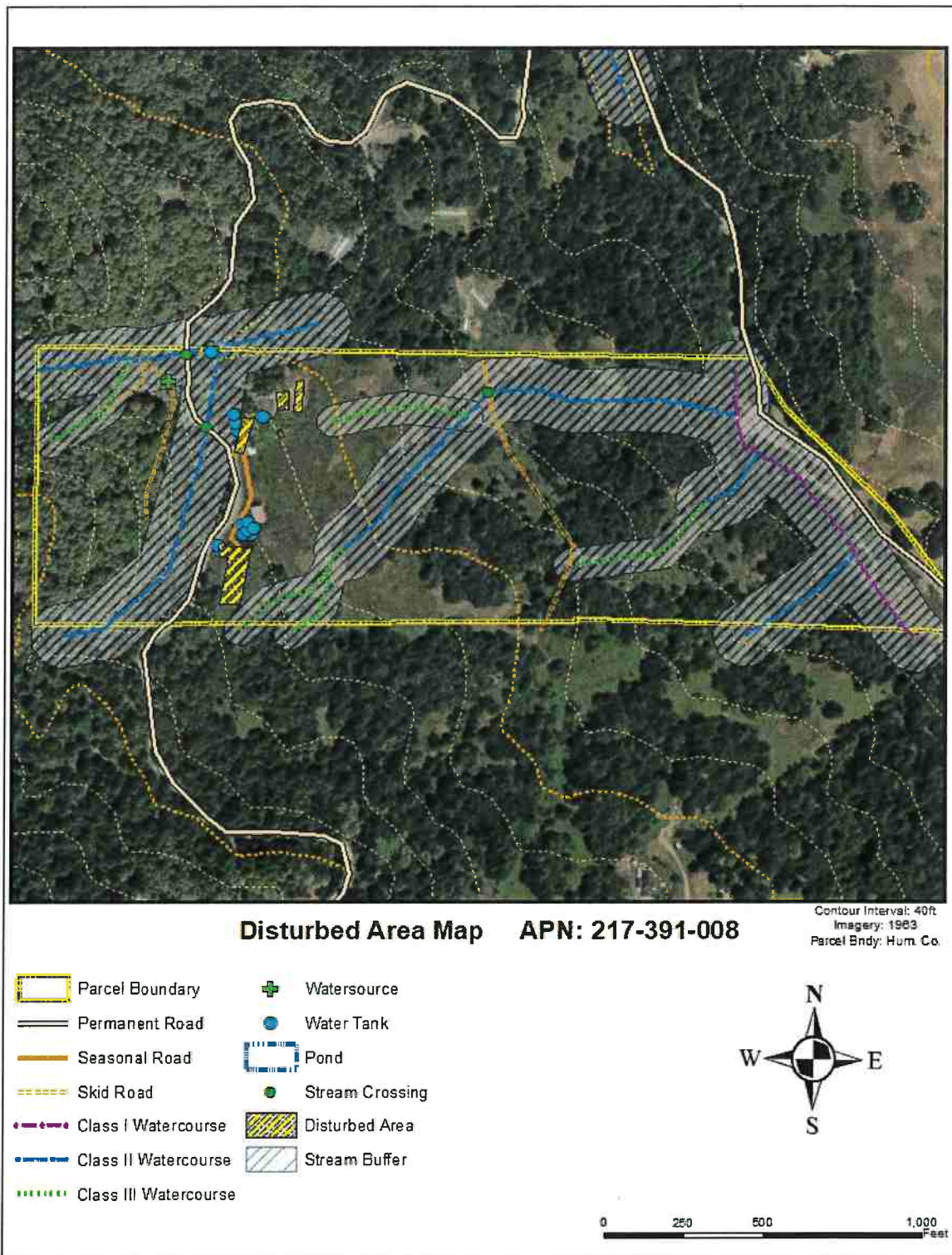
10. Remediation Summary and Compliance Schedule

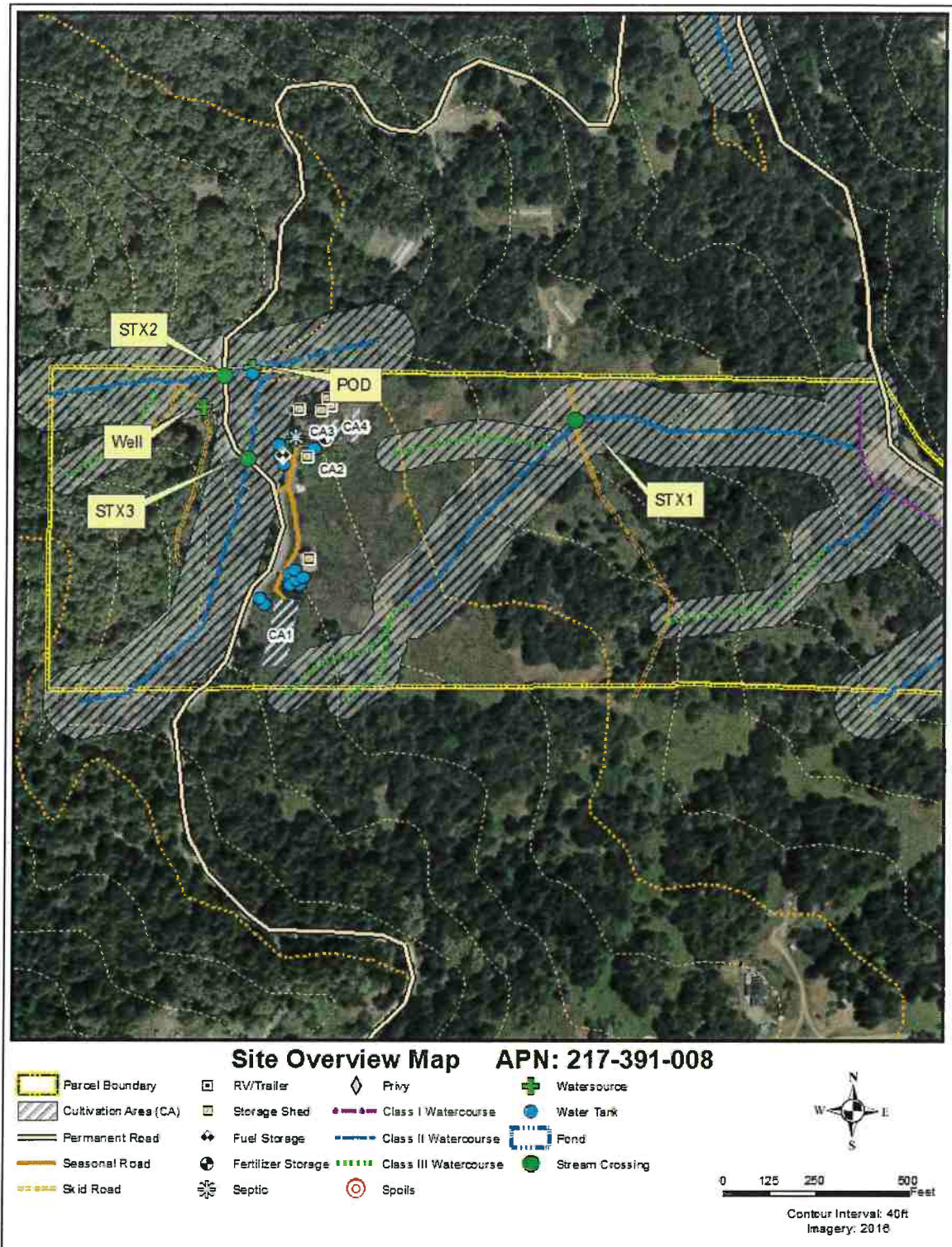
Table 5 Summary table of remediation measures and compliance schedule.

Map Point (MP)	Issue	Remediation Measure	Treatment Priority	Expected Completion Date	Actual Completion Date
MP1	Garbage and recyclables should be stored in water tight containers with a lid.	Recycling must be stored separate from garbage. All waste material must be removed on a weekly basis to maintain a clean and sanitary site.	Moderate	October 2019	
MP2	A large fuel container in a shed with no secondary containment.	Install secondary containment or dispose of fuel storage tank.	High	October 2019	
MP3	A 500-gallon water tank in the stream channel.	Relocate the water tank out of the stream buffer.	Moderate	October 2019	
MP4	A graded flat with bare soil exposed.	The landing and the fill slope will have straw and seed applied to all bare soil. Fibers rolls shall be installed every 10-ft on the fillslope.	High	October 2019	
MP5	An existing historic skid road that crosses a Class II stream.	This stream crossing should be monitored and potentially restored depending on CDFW and SWB.	Low	October 2019	
MP6	A seasonal spring seep flowing down roadway.	Install a rolling dip or water bar to disperse flow off skid road.	Moderate	October 2019	
MP7	An In-board ditch leading to the head of a Class III drainage.	Install a rolling dip or water bar on skid road and rock line in-board ditch to alleviate sediment delivery.	High	October 2019	

11. Map



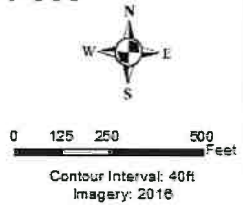


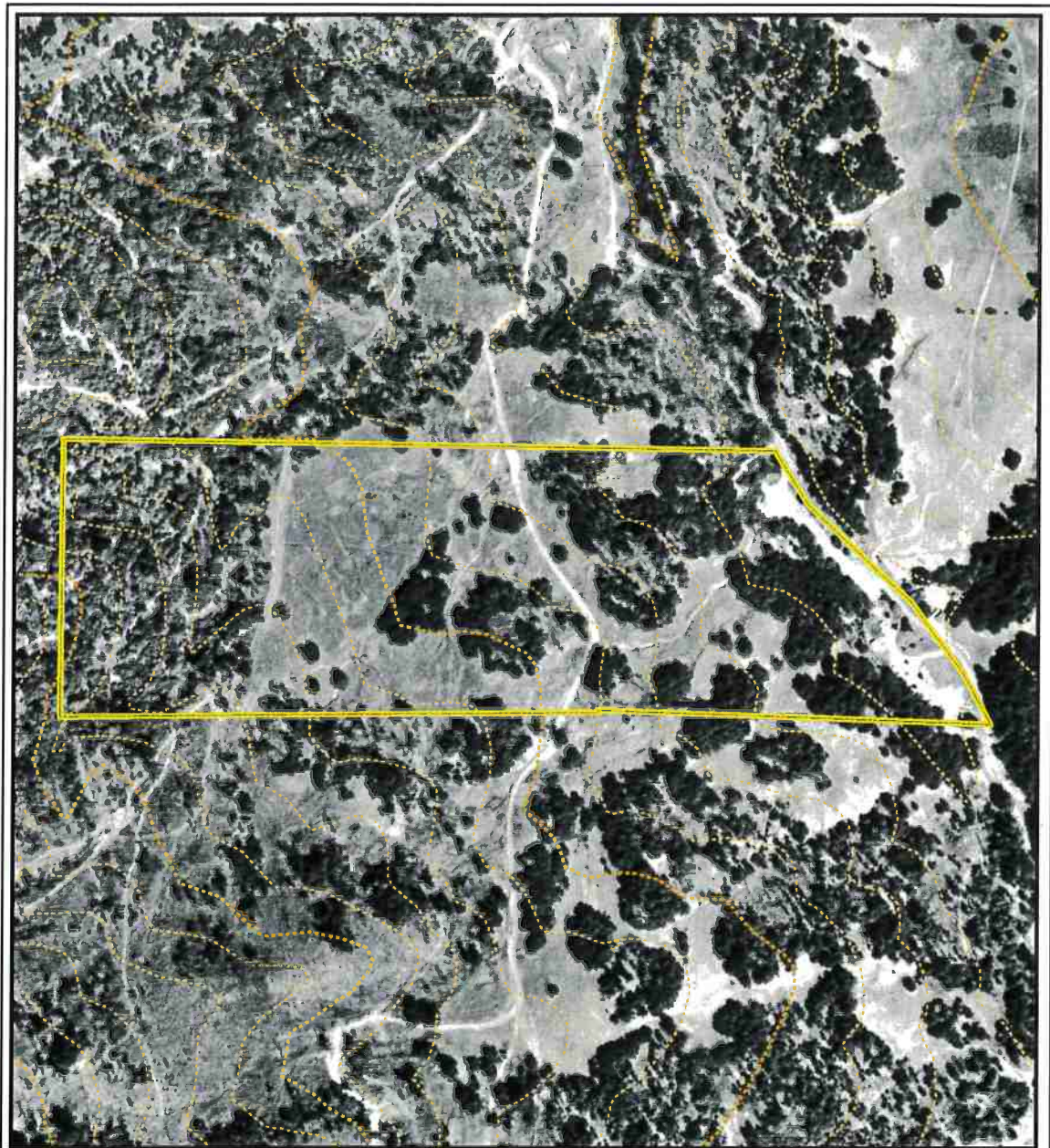




Erosion and Sediment Control Map APN: 217-391-008

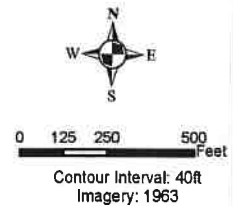
- | | | |
|-----------------|----------------------|-----------------------|
| Parcel Boundary | Map Point (MP) | Class III Watercourse |
| Permanent Road | Rolling Dip | Watersource |
| Seasonal Road | Class I Watercourse | Pond |
| Skid Road | Class II Watercourse | Stream Crossing |





Historical Imagery APN: 217-391-008

 Parcel Boundary





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

GAVIN NEWSOM, Governor
CHARLTON H. BONHAM, Director



March 10, 2021

Krasimir Penev
Happy Ranger
29191 Alderpoint Road
Blocksburg, CA 95514
hristianip@gmail.com

Subject: Draft Lake or Streambed Alteration Agreement, Notification No. 1600-2019-0720-R1, Penev Diversion and Crossings Project, APN 217-391-008

Dear Krasimir Penev:

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

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

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

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

Conserving California's Wildlife Since 1870

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

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

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

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

Sincerely,



Cheri Sanville
Senior Environmental Scientist Supervisor

Ec: Green Road Consulting
Kelly@greenroadconsulting.com, Steve@greenroadconsulting.com

Owner, Nick Kolev nick@kikosoft.net

Department of Fish and Wildlife
Christine.HahnVertical@wildlife.ca.gov Greg.OConnell@wildlife.ca.gov
Dave.Manthorne@wildlife.ca.gov

County of Humboldt
mashton@co.humboldt.ca.us

Larabee Creek Road Association Secretary, Treasurer
Becky Paterson K-Bcollins@msn.com

North Coast Regional Water Quality & State Water Resources Control Board
NorthCoast.Cannabis@Waterboards.ca.gov

Jonathan Pham Jonathan.Pham@Waterboards.ca.gov

Stormer Feiler Stormer.feiler@waterboards.ca.gov

Phillip Dutton Phillip.dutton@waterboards.ca.gov

Akiko Masuda Akiko.Masuda@waterboards.ca.gov

CALIFORNIA DEPARTMENT OF FISH AND WILDLIFE
REGION 1 – NORTHERN REGION, COASTAL
619 Second Street
Eureka, CA 95501



STREAMBED ALTERATION AGREEMENT

NOTIFICATION No. 1600-2019-0720-R1

Unnamed Tributary to Larabee Creek, Tributary to the Eel River and the Pacific Ocean

Krasimir Penev
Penev LSA
3 Encroachments

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

RECITALS

WHEREAS, pursuant to Fish and Game Code (FGC) section 1602, the Permittee initially notified CDFW on August 30, 2019, with additional information obtained during an October 4, 2019 CDFW site visit, and revised on November 27, 2019, November 17, 2020, and December 18, 2020, that the Permittee intends to complete the project described herein.

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

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

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

PROJECT LOCATION

The project is located within the Eel River watershed, approximately 0.9 miles North of the town of Blocksburg, County of Humboldt, State of California; Assessor's Parcel Number 217-391-008; latitude 40.286304 N and longitude -123.655198 W at the first point of diversion (POD).

PROJECT DESCRIPTION

This Agreement relies on the Notification materials and a CDFW site inspection by Environmental Scientist Greg O'Connell on October 4, 2019.

The project is limited to 3 encroachments (Table 1). The first encroachment includes work to restore the stream to natural conditions from a historic unpermitted diversion in the form of a wooden slat dam. The second encroachment is for water diversion from unnamed tributaries to Larabee Creek. Water is diverted for domestic use and irrigation. Work for the water diversion will include use and maintenance of the water diversion infrastructure. The other proposed encroachment is to upgrade a failing and undersized stream crossing. Work for this encroachment will include excavation, removal of the failing crossings, replacement with new properly sized crossings, backfilling and compaction of fill, and rock armoring as necessary to minimize erosion.

Table 1. Project Encroachments Covered by this Agreement with Description

ID	Latitude/Longitude	Description
Stream Restoration	40.0187, -123.8443	Remove historic POD infrastructure in the form of an unpermitted dam. This includes a wooden dam, plastic liner, metal stakes, fasteners, and piping. Remove sediment wedge and restore stream to natural conditions. Weirs and check dams are not covered under this Agreement. Hand place appropriately sized rock as control structures to minimize knickpoints, potential incision, or scour pools. Implement measures 2.59 to restore the stream to natural conditions as described within the notification materials representing an accepted stream restoration plan.
POD-1 Spring Box	40.2864, -123.6551	Water diversion from unnamed tributary of Larabee Creek for domestic use and irrigation from storage. Cannabis Irrigation SWRCB application ID: H503828 Permittee shall follow SWRCB Cannabis Policy; diversion to storage for cannabis irrigation from November 1 – March 31 when sufficient flows exist, 10 gallons per minute, 80% bypass at all times. Domestic Use Water diversion for domestic use year-round. Permittee shall implement Seasonal Diversion Minimization: 200 gallons per day from May 15 – October 31, 80% bypass at all times.
STX1	40.2860, -123.6513	Historical logging trail, a dirt ford, with no formal crossing described as a wetland will be restored to natural conditions. As stated in the Notification sediment will be removed and knickpoints and head cuts will be treated with appropriate sized rock to withstand 100-year flow and debris. Revegetate with natives and implement the accepted stream

ID	Latitude/Longitude	Description
		restoration plan as notified and including measures 2.59 to restore the stream to natural conditions.

Table 2. Description of Features Disclosed in the Notification, but are not Covered Under this Agreement

ID	Latitude/Longitude	Description
On Stream Pond	40.2836, -123.6542	<p>A continuous and ongoing water diversion from unnamed tributary of Larabee Creek into an onstream pond. Pond appears almost dry in the low flow season.</p> <p>Cannabis Irrigation: SWRCB application ID: S026483 Although an initial statement of Water Diversion and Use was filed within eWRIMS from the applicant for the irrigation of cannabis in 2016, the revised notification indicates no current use.</p> <p>During the October 4, 2019 site visit CDFW observed that the pond is at risk of catastrophic failure. No spillway or other overflow structure was located and water leaving the dam is emerging from underneath or through the dam. The pond is located on two parcels APN 217-391-008 (Permittee) and 217-391-007 (neighboring parcel to the north). Approximately half the dam is sited on the Permittees parcel according to Kolstad Land Surveyors, Site Exhibit included in the Notification materials. CDFW recommends obtaining engineered design plans prepared in consultation with a qualified fisheries biologist with experience in fish passage restoration projects. Notification is required to decommission the pond or repair the dam and install a spillway to meet current performance standards. If any instream fencing is located on the Permittees parcel all stream stream-spanning fencing shall be removed.</p> <p>No diversion authorized under this Agreement.</p>
STX2	40.2863, -123.6547	<p>A 54" diameter culvert was covered under LSAA 1600-2005-0289-R1, this permit expired in 2010. Work identified during the site visit is to remove all non-native materials including pvc pipes located in bank and t-stakes in the streambed. The culvert appears not embedded properly with visible under flow causing rusting which, may be a potential velocity barrier to aquatic life. Contact for the Larabee Creek Road Association is Becky Paterson</p>

ID	Latitude/Longitude	Description
		& 707.498.9043, verification needed. CDFW observed that the outlet needed rocking. Work must be authorized under a separate notification or a major amendment to this Agreement.
STX3	40.2857, -123.6545	A 54" diameter culvert installed and maintained by the Larabee Creek Road Association, contact Becky Paterson 707.498.9043, verification needed. CDFW observed that no work was needed at the time of the site visit. If maintenance or replacement becomes necessary, it must be covered under a separate notification or a major amendment to this Agreement.

The Notification also discloses two dry wells located at Lat/Long 40.2859, -123.6549 and 40.2848, -123.6542. The first well is described as not yielding water but may be hydrologically connected since it fills with water occasionally as stated in the notification. Rain catchment and POD 1 are presented as the only sources of water for all needs on the property according to the notification, but the Site Management Plan indicates that domestic and irrigation needs are also being serviced by a well. CDFW did not evaluate hydraulic connection of the well to surface water, nor was a hydrogeologic evaluation prepared by a licensed geologist provided for CDFW review. Based on the available resources, and the site inspection, one of the two wells may be hydraulically connected to streams and/or springs and shall be evaluated for potential impacts from commercial cannabis irrigation use through the Humboldt County’s conditional use permit/cannabis cultivation permit (PLN-11810-ZCC and PLN-2020-16696 CUP/SP).

No other projects that may be subject to FGC section 1602 were disclosed. This Agreement does not retroactively permit any constructed reservoirs (including “ponds”), stream crossings, water diversions, modifications to riparian buffers, or other encroachments not described in Table 1.

PROJECT IMPACTS

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

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

Impacts to water quality:

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

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

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

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

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

MEASURES TO PROTECT FISH AND WILDLIFE RESOURCES

1. Administrative Measures

Permittee shall meet each administrative requirement described below.

- 1.1 Documentation at Project Site. Permittee shall make the Agreement, any extensions and amendments to the Agreement, and all related notification materials and California Environmental Quality Act (CEQA) documents, readily available at the project site at all times and shall be presented to CDFW personnel, or personnel from another state, federal, or local agency upon request.
- 1.2 Providing Agreement to Persons at Project Site. Permittee shall provide copies of the Agreement and any extensions and amendments to the Agreement to all persons who will be working on the project at the project site on behalf of Permittee, including but not limited to contractors, subcontractors, inspectors, and monitors.
- 1.3 Notification of Conflicting Provisions. Permittee shall notify CDFW if Permittee determines or learns that a provision in the Agreement might conflict with a provision imposed on the project by another local, state, or federal agency. In that event, CDFW shall contact Permittee to resolve any conflict.
- 1.4 Project Site Entry. Permittee agrees to allow CDFW employees access to the Project site for the purpose of inspecting and/or monitoring, provided CDFW: a) provides 24 hours advance notice; and b) allows Permittee or representatives to

participate in the inspection and/or monitoring. This condition does not apply to CDFW law enforcement personnel.

1.5 Applicable Permits. Land development or alterations may be subject to additional federal, state and local laws, regulations, and permitting requirements, including but not limited to the following:

- The Clean Water Act (CWA) as implemented through permits, enforcement orders, and self-implementing requirements. When needed per the requirements of the CWA, Permittee shall obtain a CWA section 404 (33 U.S.C. § 1344) permit from the United States Army Corps of Engineers (Army Corps) and a CWA section 401 (33 U.S.C. § 1341) water quality certification from the State Water Board or the Regional Water Board with jurisdiction.
- The California Water Code as implemented through applicable water quality control plans (often referred to as Basin Plans), waste discharge requirements (WDRs) or waivers of WDRs, enforcement orders, and self-implementing requirements issued by the State Water Resources Control Board (State Water Board) or Regional Water Quality Control Boards (Regional Water Boards).
- All applicable state, city, county, or local regulations, ordinances, or license requirements including, but not limited to those for grading, construction, and building.
- All applicable requirements of the California Department of Forestry and Fire Protection (CAL FIRE), including the Board of Forestry.

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

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

1.6.2 Compliance Gauges. The authorized surface water diversion period for commercial cannabis cultivation is December 15 through March 31; under certain circumstances, diversion may begin between November 1 to December 14 (SWRCB Cannabis Cultivation Policy, Attachment A, Section 3, Requirement 5). Water diversion for cannabis cultivation may only occur if

sufficient flow exists at the Permittee's assigned compliance gauge. The State Water Resources Control Board developed an online mapping tool to assist cannabis cultivators with finding their assigned compliance gauge used to determine whether diversion may occur:

https://www.waterboards.ca.gov/water_issues/programs/cannabis/online_mapping_tool.html. Permittee must check the compliance gauge daily prior to diverting to ensure sufficient water is available.

1.6.3 Onstream Reservoirs. Use of onstream reservoirs for cannabis cultivation requires a Small Irrigation Use Registration, in addition to a LSAA. Registrants must request a joint determination from the Deputy Director of the Division of Water Rights and CDFW. If additional work or reservoir decommissioning is deemed necessary, Permittee shall submit an amendment request or new Notification.

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

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

1.9 Notification Materials. Permittee's Notification of Lake or Streambed Alteration, together with all maps, plans, photographs, drawings, and all other supporting documents submitted with the Notification and received on August 30, 2019, with additional information obtained during an October 4, 2019 CDFW site visit, and revised on November 27, 2019, November 17, 2020, and December 18, 2020, is hereby incorporated by reference into this Agreement. Permittee shall conduct project activities within the work areas, and using the protective measures, described in the Notification and supporting documents, unless such project activities, work areas or protective measures are modified by the provisions of this Agreement, in which case the activities shall be conducted as described in this Agreement.

2. Avoidance and Minimization Measures

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

Work Periods and Pre-Project Notice

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

General Stream Protection Measures

- 2.4 Prohibition of Live Stream Work. No work is authorized in a live flowing stream. All work shall be conducted when the stream is dry. Permittee shall notify CDFW if it determines that work in a live flowing stream is required to complete a project and will submit a diversion plan.
- 2.5 Fish and Aquatic Species. If surface water is or becomes present during construction, Permittee shall: a) have the Designated Biologist survey the site and adjacent area for fish, amphibians, and turtles three (3) days or less before commencing project activities and b) if fish, amphibians, or turtles are detected,

CDFW shall be contacted and work shall not commence until authorized by a CDFW representative.

- 2.6 Maintain Passing of Fish Up and Down Stream. It is unlawful to construct or maintain in any stream any device or contrivance that prevents, impedes, or tends to prevent or impede, the passing of fish (as defined in FGC Section 45 "fish" means a wild fish, mollusk, crustacean, invertebrate, amphibian, or part, spawn, or ovum of any of those animals) up and down stream pursuant to FGC section 5901.
- 2.7 Decontamination. Permittee shall ensure all project personnel adhere to the Northern Region California Department of Fish and Wildlife Aquatic Invasive Species Decontamination Protocol for all field gear and equipment that will be in contact with water. Heavy equipment and other motorized or mechanized equipment that contacts water shall adapt watercraft decontamination protocols found in the AIS Decontamination Protocol.
<https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=92821&inline>
- 2.8 Staging and Storage. Staging and storage areas for equipment, materials, fuels, lubricants and solvents shall be located outside of the stream channel and banks, and away from riparian vegetation. Structures and associated materials not designed to withstand high seasonal flows shall be removed to areas above the ordinary high-water mark before such flows occur or at the end of the yearly work period, whichever occurs first.
- 2.9 Equipment and Vehicle Leaks. Equipment or vehicles operated in or near the stream shall be checked and maintained daily to prevent leaks. Stationary equipment (e. g. motors, pumps, generators, welders, etc.) in or near the stream shall be positioned over drip pans. Stationary heavy equipment shall have sufficient containment to manage catastrophic spills or leaks.
- 2.10 Hazardous Substances. Debris, soil, silt, bark, slash, sawdust, rubbish, creosote-treated wood, raw cement/concrete or washings thereof, asphalt, paint or other coating material, oil or other petroleum products, or any substance or material deleterious to fish, plant life, mammals, or bird life, or their habitat, shall be prevented from contaminating the soil and/or entering the waters of the State, pursuant to FGC Sections 5650 and 5652. Permittee shall ensure hazardous or toxic materials are stored in watertight containers and promptly removed from the worksite.
- 2.11 Spill Containment and Cleanup. All authorized activities performed in or near a stream shall have on-site cleanup equipment (e. g. boom, skimmers, etc.) and absorbent materials for spill containment and cleanup prior to the start of work and for the duration of the project. In the event of a spill, Permittee shall immediately notify the California Office of Emergency Services State Warning Center at 1-800-852-7550 and initiate clean-up. Permittee shall immediately notify CDFW of any spills and shall follow CDFW cleanup procedures and guidance.

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

- 2.21 Remove Temporary Flagging, Fencing, and Barriers. Permittee shall remove all temporary flagging, fencing, and/or barriers from the project site and vicinity of the stream upon completion of project activities.

Designated Biologist

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

Special Status Species Avoidance and Minimization

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

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

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

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

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

Vegetation Management

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

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

2.30 Vegetation Maintenance. Permittee shall limit vegetation management (e.g., trimming, pruning, or limbing) and removal for the purpose of the authorized activity to the use of hand tools. Vegetation management shall not include treatment with herbicides.

2.31 Invasive Plant Species. Permittee shall not plant, seed or otherwise introduce invasive plant species within the Project area. Invasive plant species include those identified in the California Invasive Plant Council's inventory database, which is accessible at: <https://www.cal-ipc.org/plants/inventory/>.

Water Diversion

2.32 Maximum Diversion Rate. The maximum instantaneous diversion rate from the water intake for POD-2 only shall not exceed **ten (10) gallons per minute** at any time.

2.33 Bypass Flow. Permittee shall pass **80% of the flow** at all times to keep all aquatic species including fish and other aquatic life in good condition below the POD.

2.34 Seasonal Diversion Minimization. For POD-1, no diversion authorized. For POD-2, Permittee shall follow SWRCB Cannabis Policy; season of diversion is **November 1 – March 31**, only when flows are sufficient at the appropriate compliance gauge no more than 200 gallons in any one day shall be diverted (intended for household domestic use only) during the low flow season from **May 15 to October 31** of each year. Water shall be diverted only if Permittee can adhere to the maximum diversion rate and bypass flow conditions of this Agreement.

2.35 Measurement of Diverted Flow. Permittee shall install and maintain an adequate measuring device for measuring the instantaneous (gallons per minute) and cumulative (gallons per day) rates of diversion. Measurement shall begin as soon as this Agreement is signed by Permittee. The device shall be installed within the flow of diverted water. Permittee shall maintain records of diversion, and provide information including, but not limited to the following:

2.35.1 A log including the date, time and quantity of water diverted from the POD.

2.35.2 The amount of water used per day for cannabis cultivation separated out from the amount of water used for other irrigation purposes and other uses of water (e.g., domestic use or fire protection).

2.35.3 Permittee shall make available for review at the request of CDFW the diversion records required by the SWRCB Cannabis Cultivation Policy.

2.36 ensure compliance with this Agreement.

Water Diversion Infrastructure

2.37 Intake Structure. No polluting materials (e.g., particle board, plastic sheeting, bentonite) shall be used to construct or screen, or cover the diversion intake structure.

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

Diversion to Storage

- 2.45 Water Storage. All water storage facilities (WSFs) (e.g., reservoirs, storage tanks, mix tanks, and bladders tanks), shall be located outside the active 100-year floodplain. Covers/lids shall be securely affixed to water tanks to prevent entry by wildlife. Permittee shall cease all water diversion at the POD when WSFs are full.
- 2.46 Water Storage Maintenance. WSFs shall have float valves to prevent overfilling. Water shall not leak, overflow, or overtop WSFs at any time. Permittee shall regularly inspect all WSFs and water diversion infrastructure, and immediately repair leaks.
- 2.47 Water Conservation. Permittee shall make best efforts to minimize water use, and to follow best practices for water conservation and management.
- 2.48 Limitations on Impoundment and Use of Diverted Water. Permittee shall impound and use water in accordance with a valid water right, including any limitations on when water may be impounded and used, the purpose for which it may be

impounded and used, and the location(s) where water may be impounded and used.

Stream Crossings

- 2.49 Road Approaches. Permittee shall treat road approaches to new or re-constructed crossings to minimize erosion and sediment delivery to the stream. Permittee shall ensure road approaches are hydrologically disconnected to the maximum extent feasible to prevent sediment from entering the crossing site, including during the construction or reconstruction of a stream crossing. Road approaches shall be armored from the crossing for a minimum of 50 feet in both directions, or to the nearest effective water bar or point where road drainage does not drain to the crossing, with durable, clean, screened, angular rock.
- 2.50 Excavated Fill. Excavated fill material shall be placed in upland locations where it cannot deliver to a watercourse. To minimize the potential for material to enter the stream, all excavated and relocated fill material shall be tractor contoured (to drain water) and tractor compacted to effectively incorporate and stabilize loose material into existing road and/or landing features.
- 2.51 Runoff from Steep Areas. Permittee shall make preparations so that runoff from steep, erodible surfaces will be diverted into stable areas with little erosion potential or contained behind erosion control structures. Erosion control structures such as straw bales and/or siltation control fencing shall be placed and maintained until the threat of erosion ceases. Frequent water checks shall be placed on dirt roads, cat tracks, or other work trails to control erosion.
- 2.52 No Equipment in Wetted Areas. No heavy equipment shall enter the wetted stream channel.
- 2.53 Fill Materials. No fill material, other than clean rock, shall be placed in the stream channel.
- 2.54 Material Sizing. Rock shall be sized to withstand washout from high stream flows and extend above the ordinary high-water level.
- 2.55 Crossing Maintenance. Permittee shall provide site maintenance for the life of the structures, including, but not limited to, re-applying erosion control to minimize surface erosion, and ensuring drainage structures, streambeds and banks remain sufficiently armored and/or stable. Permanent culverts shall be maintained and kept open year-round. Permittee is responsible for such maintenance as long as the culvert remains in the stream.
- 2.56 Armoring. The placement of armoring shall be confined to the work period when the stream is dry or at its lowest flow.

- 2.57 Armor Placement. Rock armoring shall not constrict the natural stream channel width and shall be keyed into a footing trench with a depth sufficient to prevent instability.
- 2.58 Crossing Decommissioning. When stream crossings and fills are removed, all fill shall be excavated down to the original stream channel and outwards, horizontally, as wide as or wider than the natural channel to form a channel as close as feasible to the natural stream grade and alignment. The restored stream bank slopes shall be no steeper than a 2:1 slope (horizontal: vertical) or natural slope. Restored slopes shall be stabilized to prevent slumping and to minimize soil erosion that could lead to sediment deposition into Waters of the State.

Stream Remediation and Restoration

- 2.59 Stream Restoration Plan. The Permittee shall implement the Stream Restoration Plan included in the notification that is approved by CDFW. The Stream Restoration Plan (SRP) identified the dimensions and slopes of the existing stream channel and proposed remediation. The notified SRP shall be used as a guide to restore the channel to a natural condition. The SRP included a revegetation plan for remediation of the impacted channel reach.
- 2.60 Revegetation Plan. Permittee submitted a Revegetation Plan with the SRP to CDFW and is accepted for implementation of riparian habitat restoration activities. The Revegetation Plan shall, at a minimum, include the following:
- 2.60.1 The identification of the area and vegetation types that will be restored.
 - 2.60.2 A planting design and palette appropriate to the vegetation type, cover, stratum, and level of biodiversity (i.e., species richness and composition). Use of a reference site is recommended.
 - 2.60.3 Use regionally appropriate native plants for a riparian vegetation type. The derivation of plant material such as containers, plugs, cuttings, divisions, or seeds from coastal areas of Humboldt, Del Norte, and Mendocino Counties within 30 miles of the coast. All native seed material shall be from the North Coast ecoregion (Humboldt, Mendocino, Sonoma, or Del Norte Counties), if practical. If quantities are not able to be satisfied from these collection sites, propagules may be obtained from other counties in Northern California with pending approval from a restoration ecologist or botanist.
 - 2.60.4 Cuttings of willows, cottonwoods conducted when dormant. Collection of cuttings within an area dispersed to maintain genetic and sexual diversity, and to avoid adversely impact existing riparian vegetation. Cuttings hydrated between harvesting and planting (e.g., soak cuttings in water several days to a week to stimulate rooting prior to planting). Cuttings planted to depth of 75% of their length with buds pointing up and bottom of

cutting in moist soil or water.

2.60.5 Planting conducted after the first seasonal rains have saturated soils beyond the first several inches (November/December) and before April.

2.60.6 No application of fertilizer on plants or chemical controls on weeds.

2.60.7 Measurable success criteria based on plant survival, density, or cover.

2.60.8 Monitoring conducted for a minimum of five years to determine whether the revegetation goals and objectives have been met. Remedial measures if revegetation goals and objectives are not met.

2.60.9 Annual status reports on the revegetation efforts shall be submitted to CDFW in the by **October 31 of each year** following initial planting for the length of the monitoring period.

2.61 Project Inspection. The Project shall be inspected by qualified professional licensed to practice in California to ensure that the stream restoration was implemented and functioning as designed. A copy of the inspection report, including photographs of each site, shall be submitted to CDFW within 90 days of completion of this project.

3. Reporting Measures

Permittee shall meet each reporting requirement described below.

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

3.2 Work Completion. The proposed work shall be completed by no later than October 15, 2021. Notification of completion will include dates work occurred, photographs of work stages and the completed work, erosion control measures, waste containment and disposal, and a summary of any CNDDDB submissions and shall be submitted to CDFW LSA program at 619 Second Street, Eureka, CA 95501 within seven (7) days of project completion.

3.3 Project Inspection. The Project shall be inspected a by qualified professional licensed to practice in California to ensure that the stream crossing was decommissioned as designed and in accordance with this Agreement, and the stream restoration was implemented as designed and/or the diversion infrastructure complies with the terms of this Agreement. A copy of the inspection report, including photographs of each site, shall be submitted to CDFW within 90 days of completion of each separate project. Permittee shall submit the **Project**

Inspection Report to CDFW, LSA Program at 619 Second Street, Eureka, CA 95501.

- 3.4 Measurement of Diverted Flow. Copies of the **Water Diversion Records** shall be submitted to CDFW LSA Program at 619 Second Street, Eureka, CA 95501 no later than **March 31** of each year beginning in **2021**, to report the preceding year's diversion.
- 3.5 Site Management Plan and Related Technical Reports. Permittee shall submit to CDFW the project's current draft of the Site Management Plan and related technical reports if it was not included in the Notification. If the Site Management Plan and/or related technical reports are still in preparation, Permittee shall submit it and all subsequent revisions and updates within **30 days** of submittal to the SWRCB.
- 3.5.1 Annual status reports on the revegetation efforts shall be submitted to CDFW by **October 31 of each year** following initial planting for the length of the monitoring period.
- 3.6 Notification to the California Natural Diversity Database. If any special status species are observed at any time during the project, the Designated Biologist shall submit California Natural Diversity Data Base (CNDDDB) forms to the CNDDDB within **five (5) working days** of the sightings. A summary of CNDDDB submissions shall be included with the completion notification. Forms and instructions for submissions to the CNDDDB may be found at:
<https://www.wildlife.ca.gov/Data/CNDDDB/Submitting-Data>.

CONTACT INFORMATION

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

To Permittee:

Krasimir Penev
29191 Alderpoint Road
Blocksburg, California 95514
APN 217-391-008
hristianip@gmail.com

To CDFW:

Department of Fish and Wildlife
Northern Region

619 Second Street
Eureka, California 95501
Attn: Lake and Streambed Alteration Program – Christine Hahn Vertical
Notification #1600-2019-0720-R1

LIABILITY

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

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

SUSPENSION AND REVOCATION

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

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

ENFORCEMENT

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

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

OTHER LEGAL OBLIGATIONS

This Agreement does not relieve Permittee or any person acting on behalf of Permittee, including its officers, employees, representatives, agents, or contractors and subcontractors, from complying with, or obtaining any other permits or authorizations

that might be required under, other federal, state, or local laws or regulations before beginning the project or an activity related to it. For example, if the project causes take of a species listed as threatened or endangered under the Endangered Species Act (ESA), such take will be unlawful under the ESA absent a permit or other form of authorization from the U.S. Fish and Wildlife Service or National Marine Fisheries Service.

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

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

AMENDMENT

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

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

TRANSFER AND ASSIGNMENT

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

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

EXTENSIONS

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

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

EFFECTIVE DATE

The Agreement becomes effective on the date of CDFW's signature, which shall be: 1) after the Permittee signature; 2) after CDFW complies with all applicable requirements under CEQA; and 3) after payment of the applicable FGC section 711.4 filing fee listed at <https://www.wildlife.ca.gov/Conservation/CEQA/Fees>.

TERM

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

AUTHORITY

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

AUTHORIZATION

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

CONCURRENCE

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

FOR KRASIMIR PENEV

Krasimir Penev

Date

FOR DEPARTMENT OF FISH AND WILDLIFE

Cheri Sanville
Senior Environmental Scientist Supervisor

Date

Prepared by: Christine Hahn Vertical, Environmental Scientist, March 1, 2021

HUMBOLDT COUNTY DEPARTMENT OF PUBLIC WORKS
ROAD EVALUATION REPORT



PART A: Part A may be completed by the applicant

Applicant Name: Happy Ranger, LLC APN: 217-391-008

Planning & Building Department Case/File No.: Apps No. 11810

Road Name: Sunsnet Ridge Rd. (complete a separate form for each road)

From Road (Cross street): Alder Point Rd.

To Road (Cross street): Property Entrance

Length of road segment: .25 miles Date Inspected: 7/20/19

Road is maintained by: County Other Road Association
(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.

Nick Kolev
Signature

7/22/19
Date

Nick Kolev

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.



Road Eval Photos/Access Route Map

Apps No: 11810

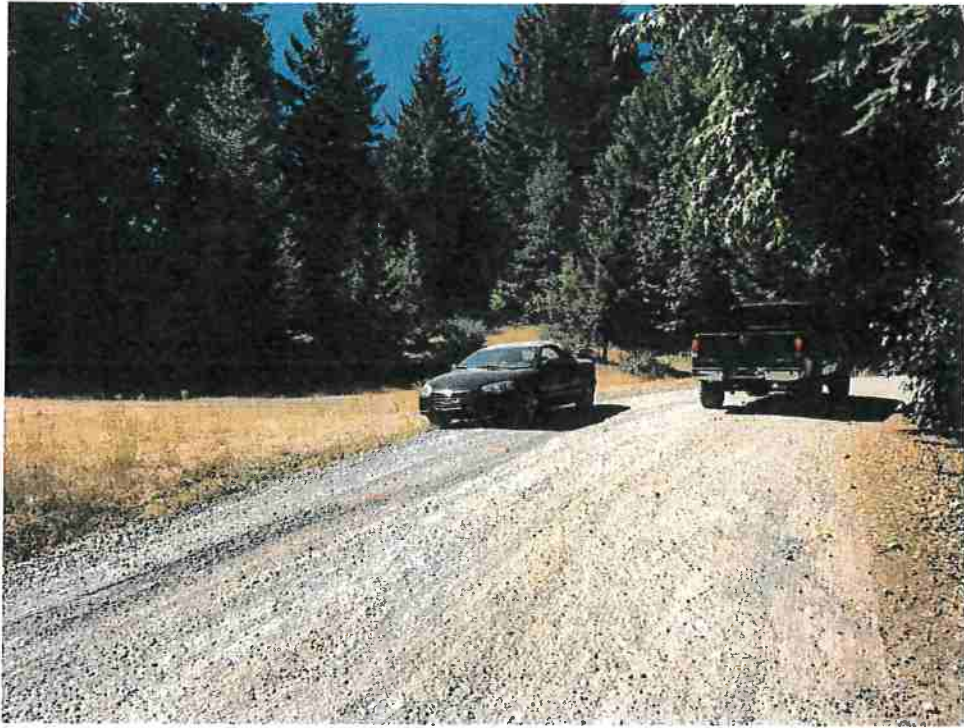
APN: 217-391-008



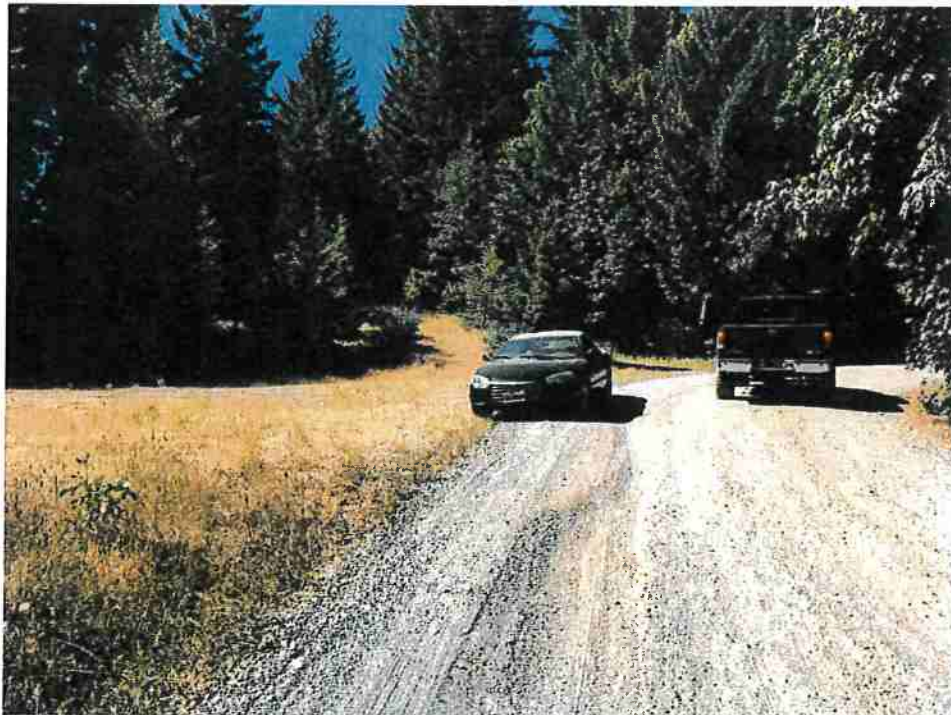
Access Road Map



Road Photo#1



Road Photo#2



Road Photo#3



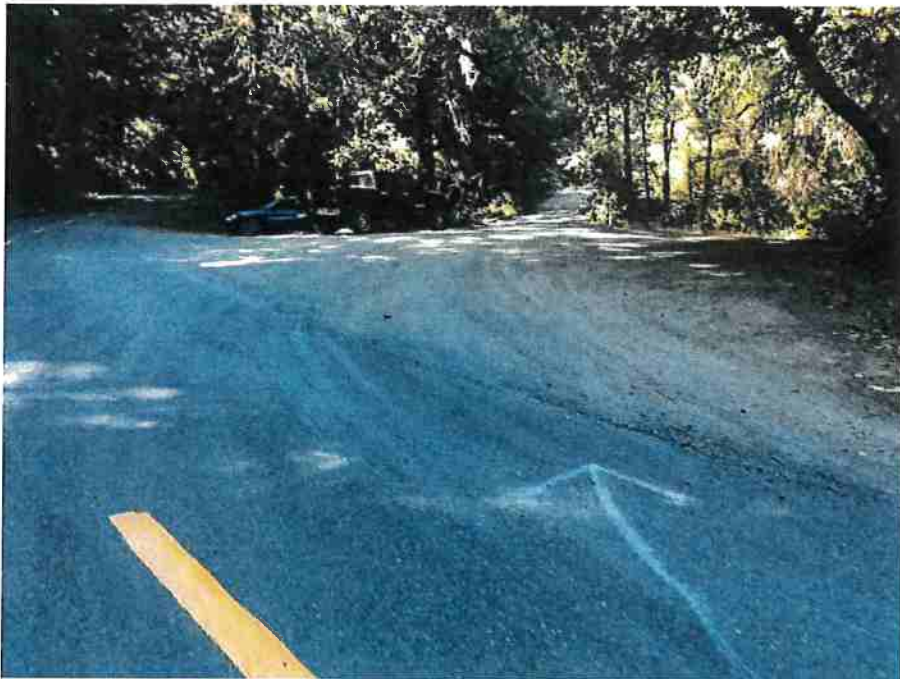
Road Photo#4



Road Photo#5



Road Photo#6



Road Photo#7

ATTACHMENT 4

REFERRAL AGENCY COMMENTS AND RECOMMENDATIONS

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

Referral Agency	Response	Recommendation	Location
Building Inspection Division	✓	Conditional Approval	Attached
Division Environmental Health	✓	Approved	Attached
Public Works, Land Use Division	✓	Conditional Approval	Attached
California Department of Fish & Wildlife		No Response	
Northwest Information Center	✓	Further Study	On file - Confidential
Bear River Band of the Rohnerville Rancheria	✓	No Response	On file - Confidential
Southern Humboldt JUSD		No Response	



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

7/31/2019

Project Referred To The Following Agencies:

Environmental Health, PW Land Use, Building Inspections, School District: Southern Humboldt JUSD, Cal Fish & Wildlife, Bear River Band, NWIC

Applicant Name Happy Ranger, LLC **Key Parcel Number** 217-391-008-000

Application (APPS#) PLN-11810-ZCC **Assigned Planner** Stephen Luther

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: 8/15/2019

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

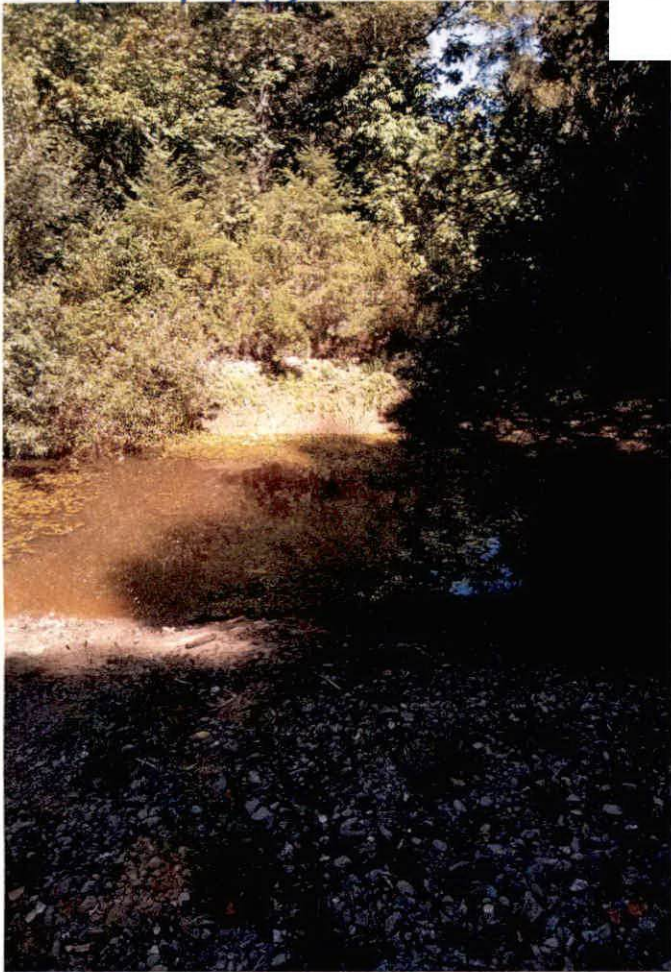
We have reviewed the above application and recommend the following (please check one):

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

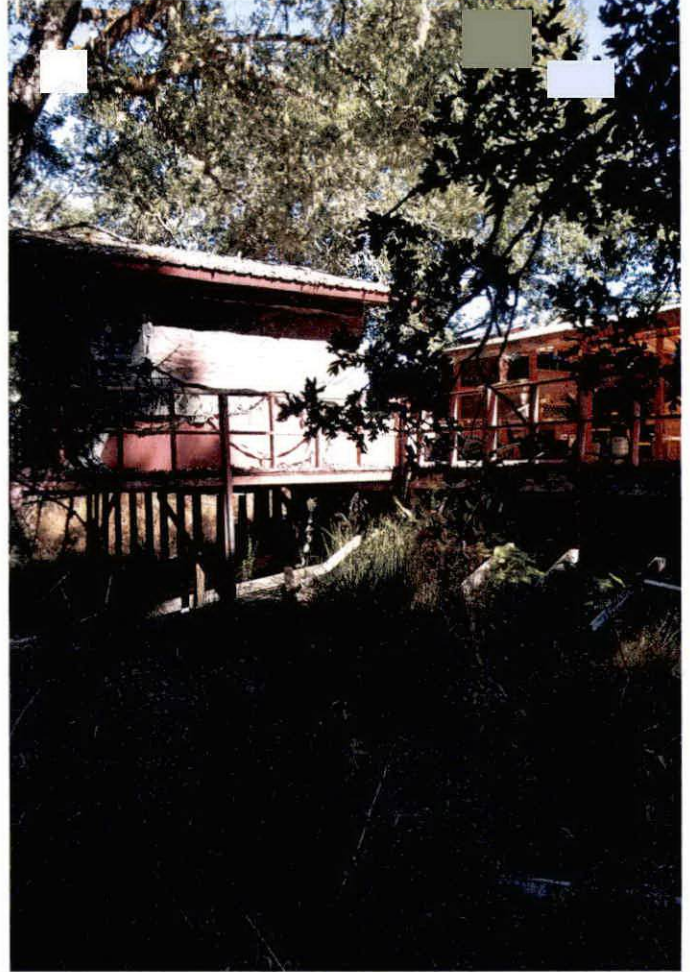
Other Comments: Plot plan incorrect, many things missing. Additional Building Dept. permits required. See comments in checklist, & photos.

DATE: 8-13-19 PRINT NAME: Ross Eskra

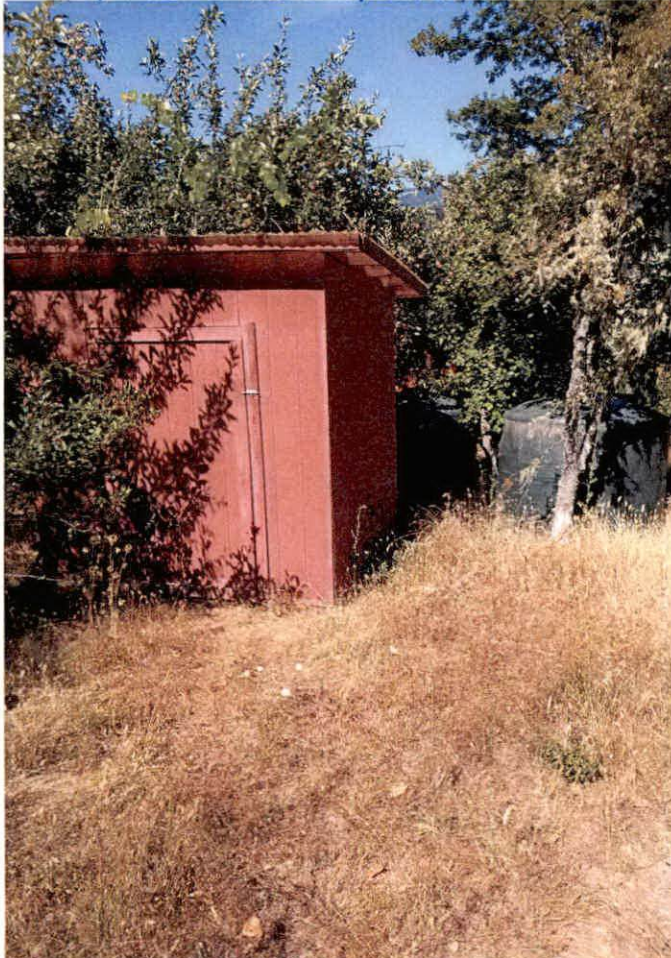
pond by spring/well not shown



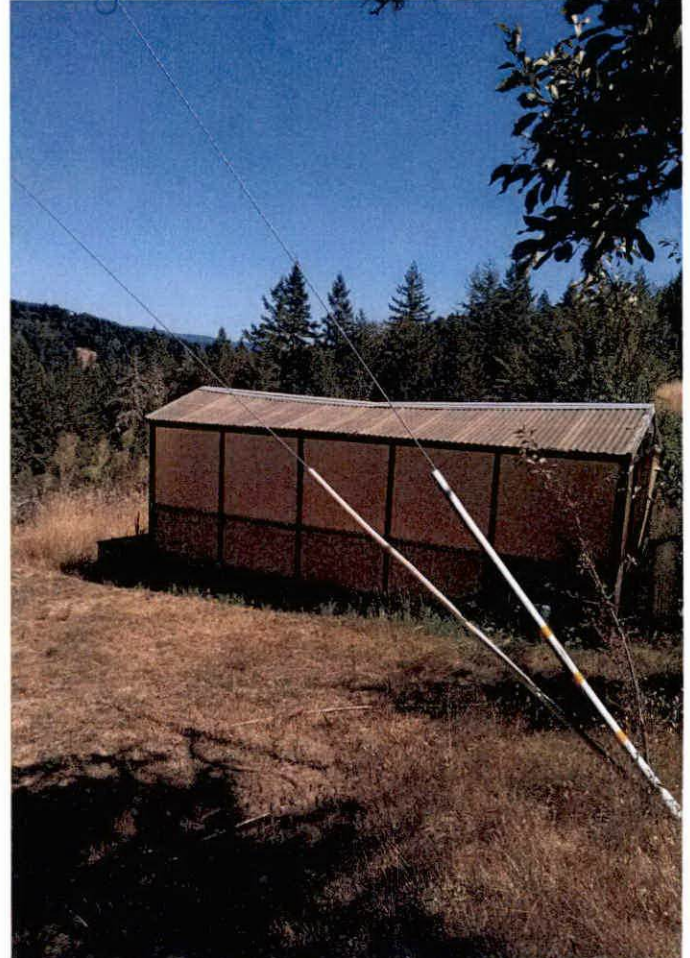
Back view of pool house/pool/deck



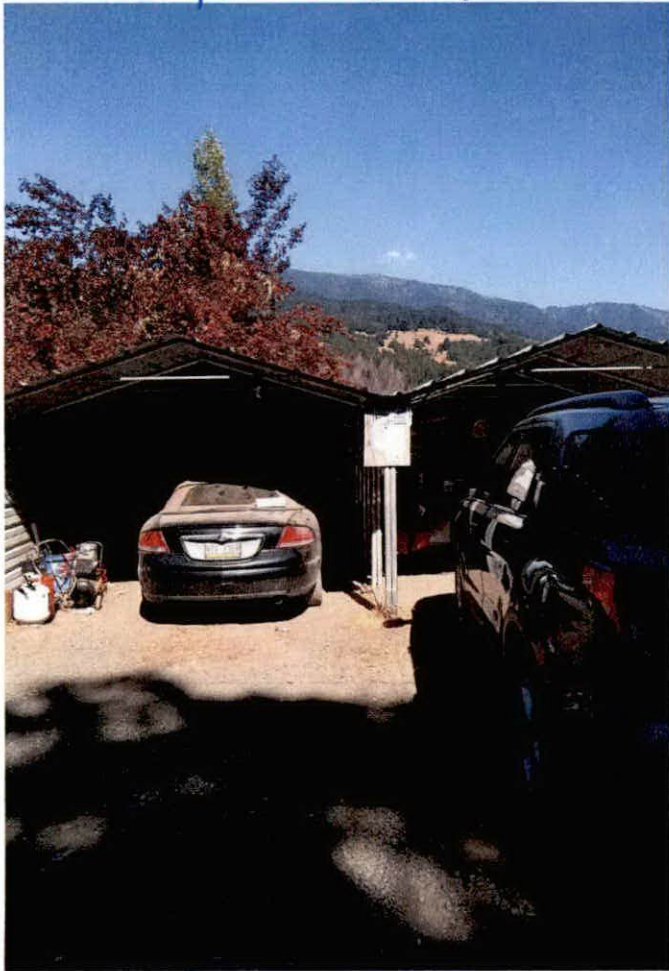
Misc. not shown outbuilding



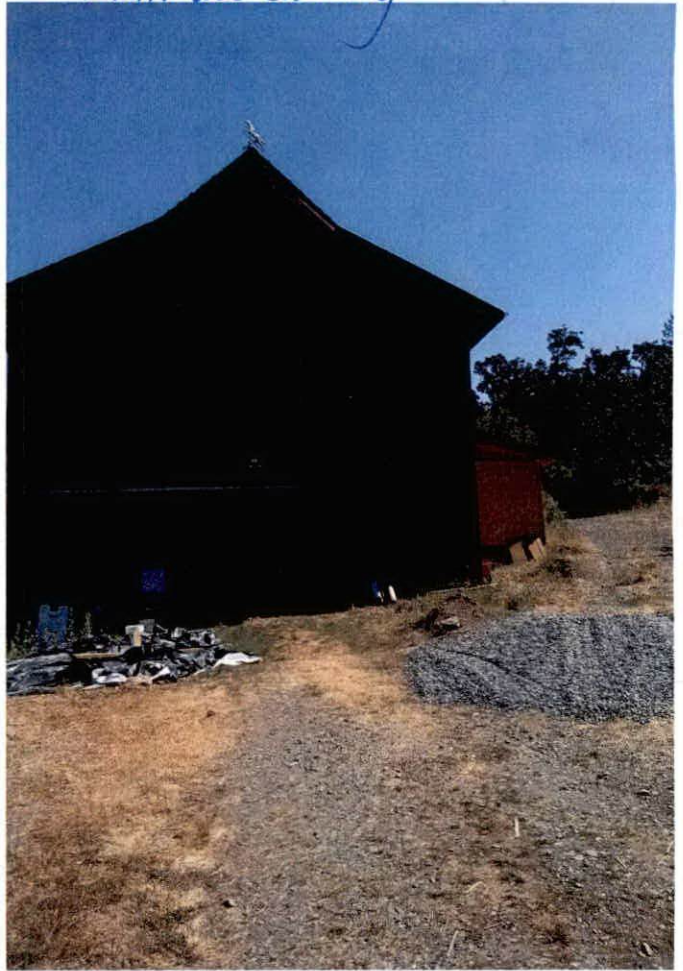
sm. greenhouse not shown



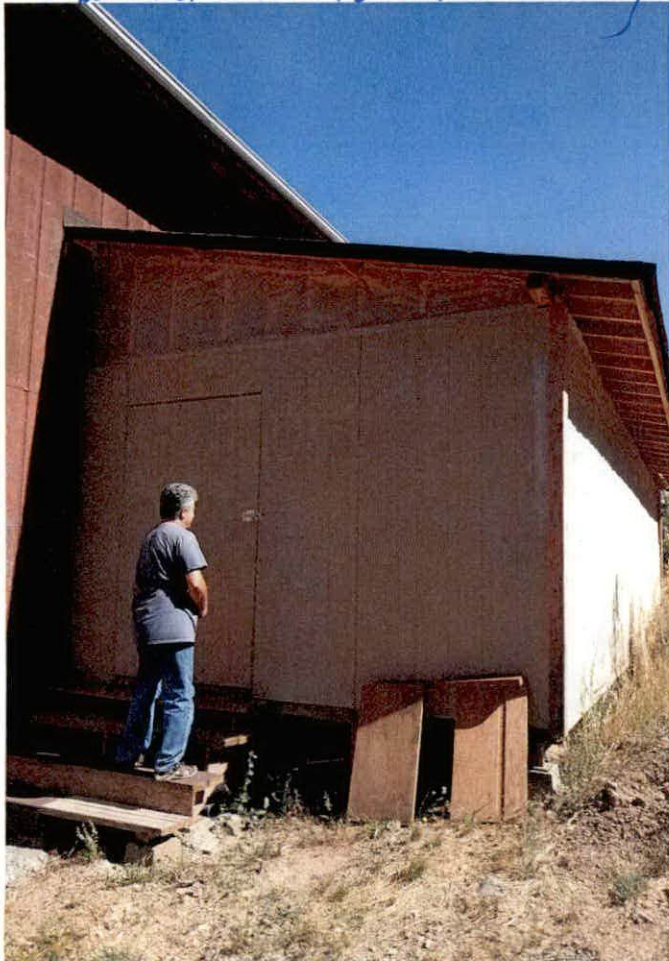
2 carports not shown



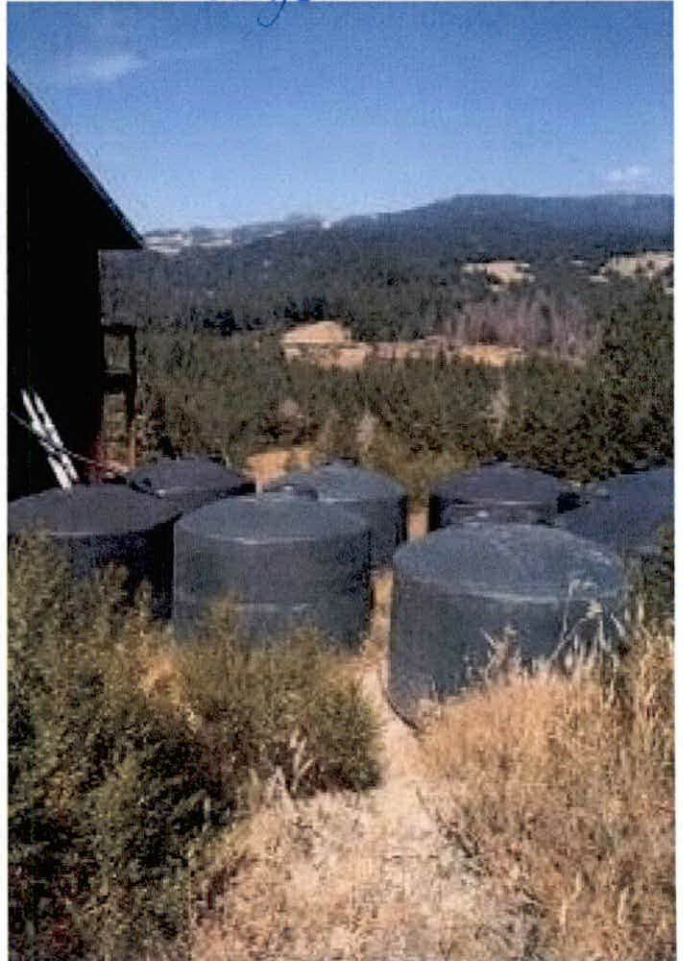
Multi-use building



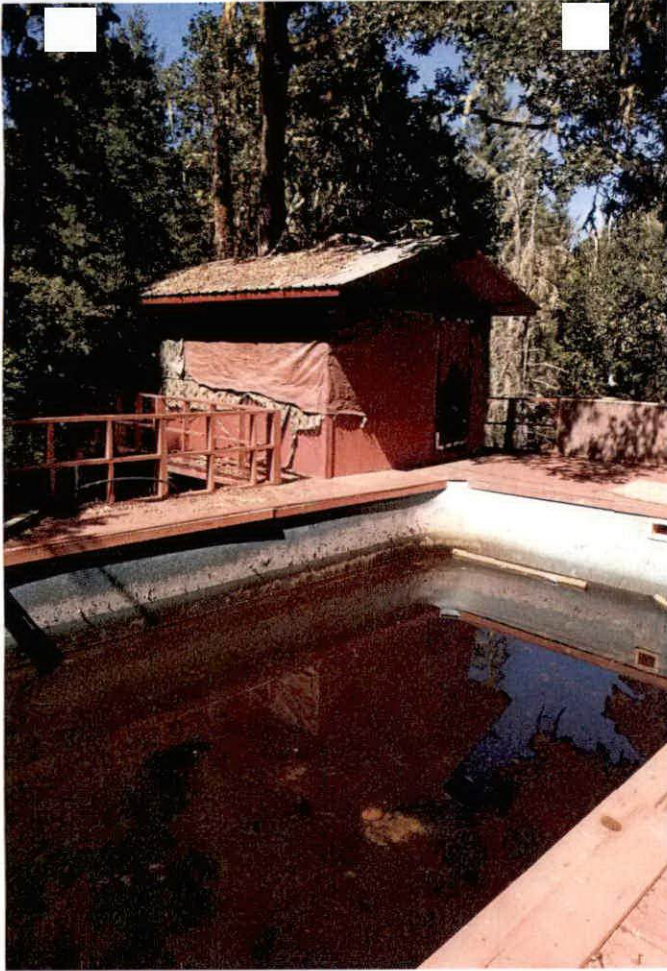
Unpermitted Add on to multi-use building



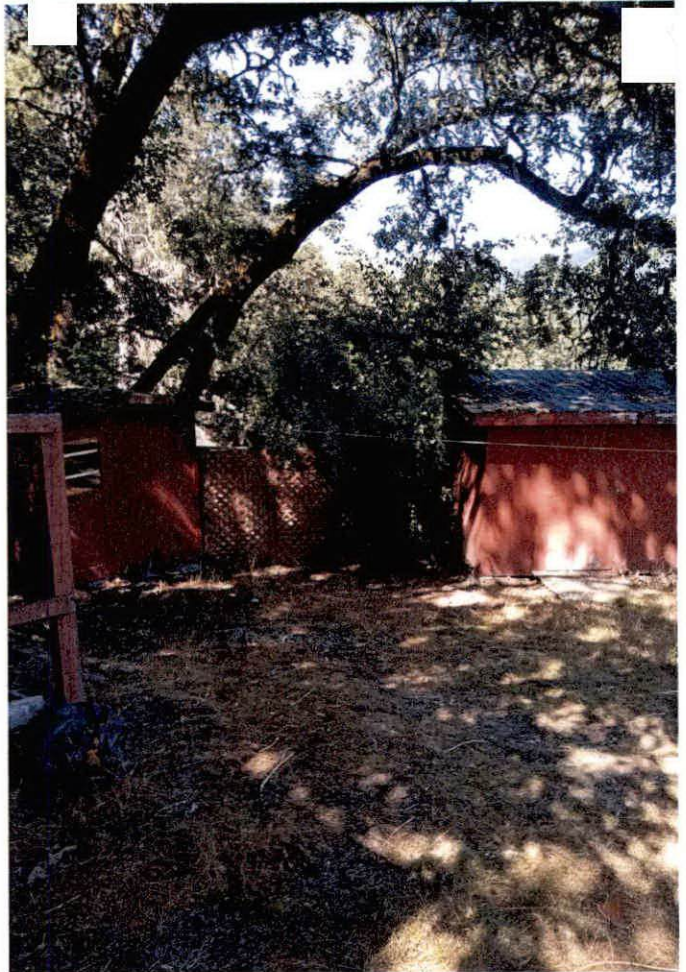
water storage



pool, lg. deck, pool house etc. not on plot plan



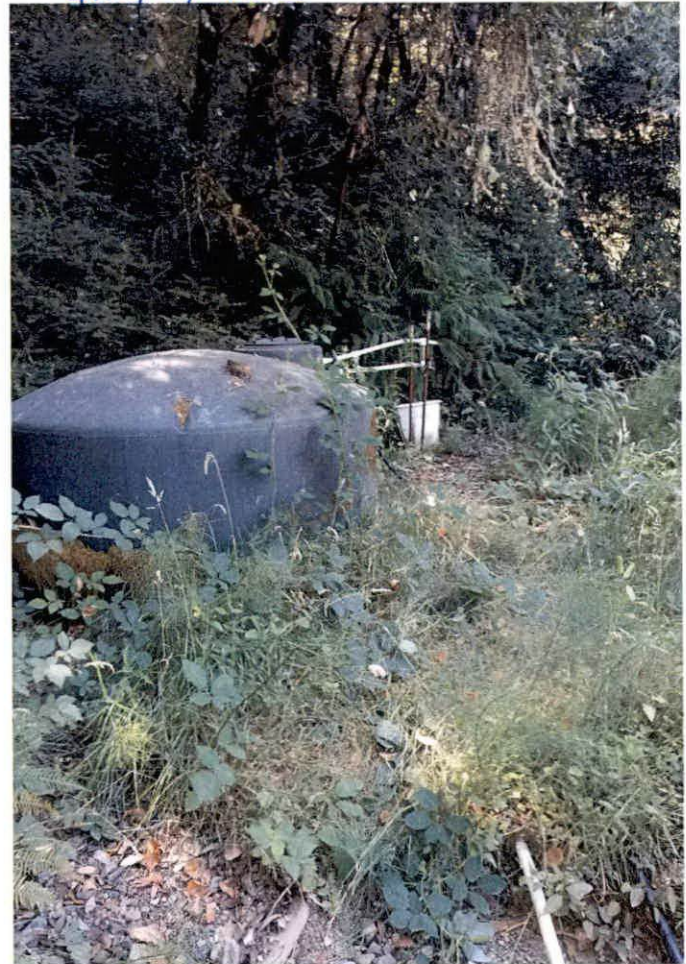
sheds to E. of chem. storage



chem. storage



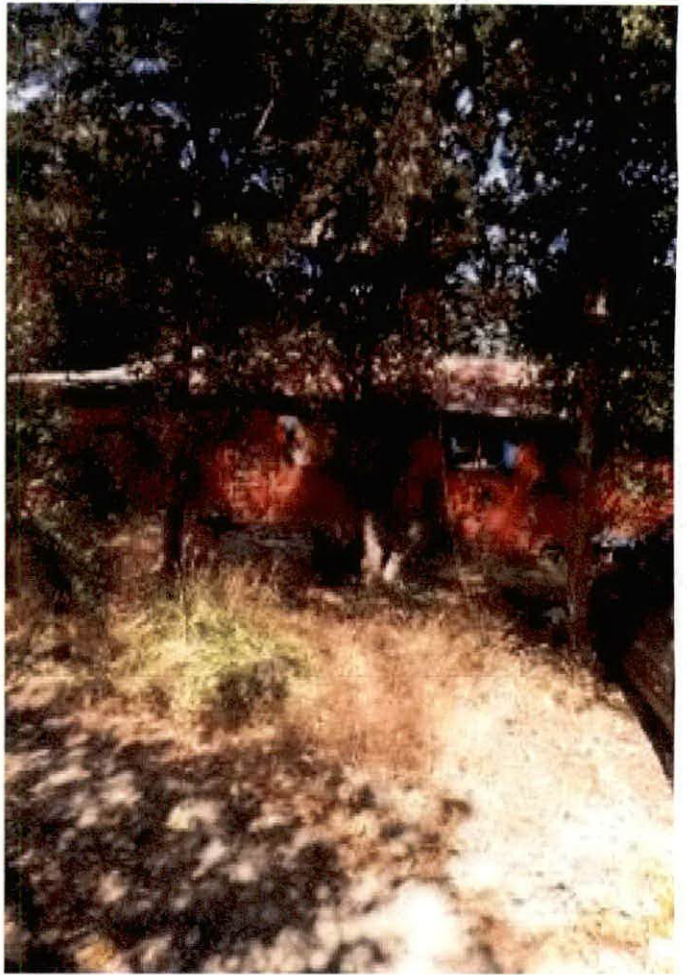
spring w/ tank



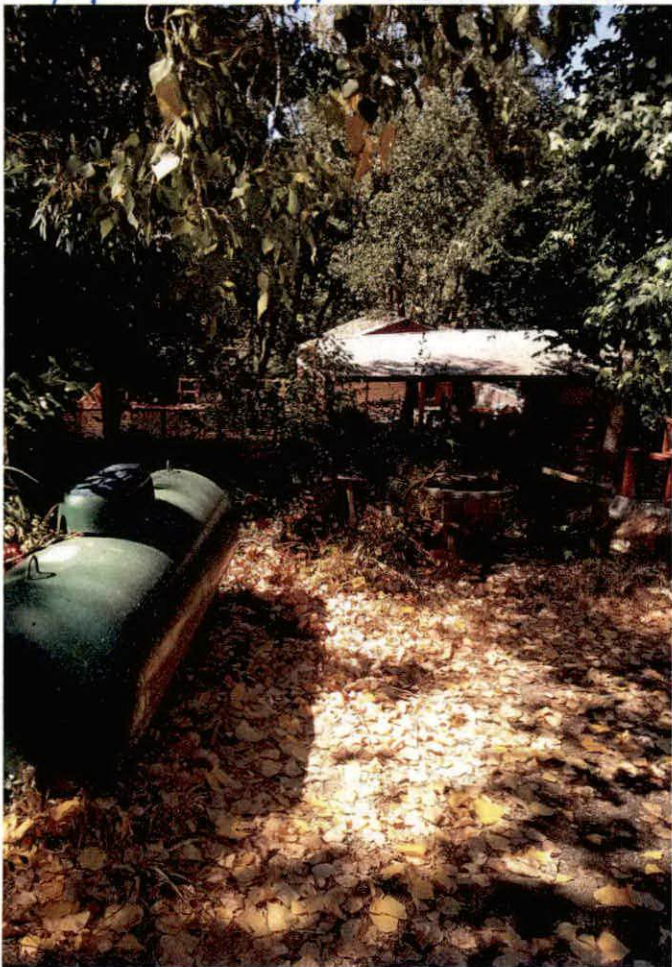
Greenhouse to N. of 3 water tanks



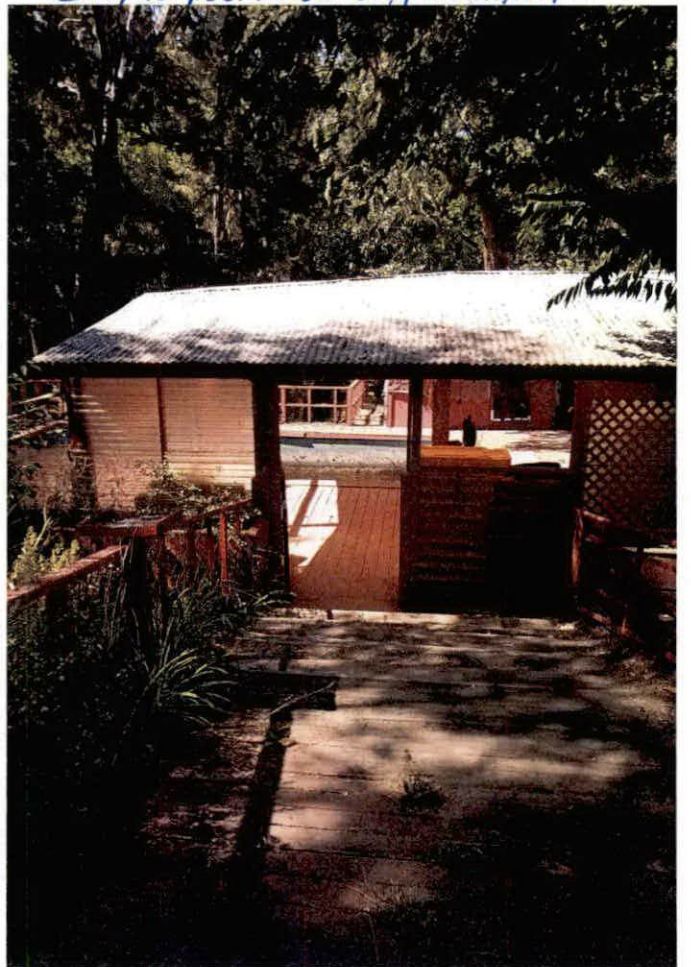
Main house



propane not shown, pool house etc. in back



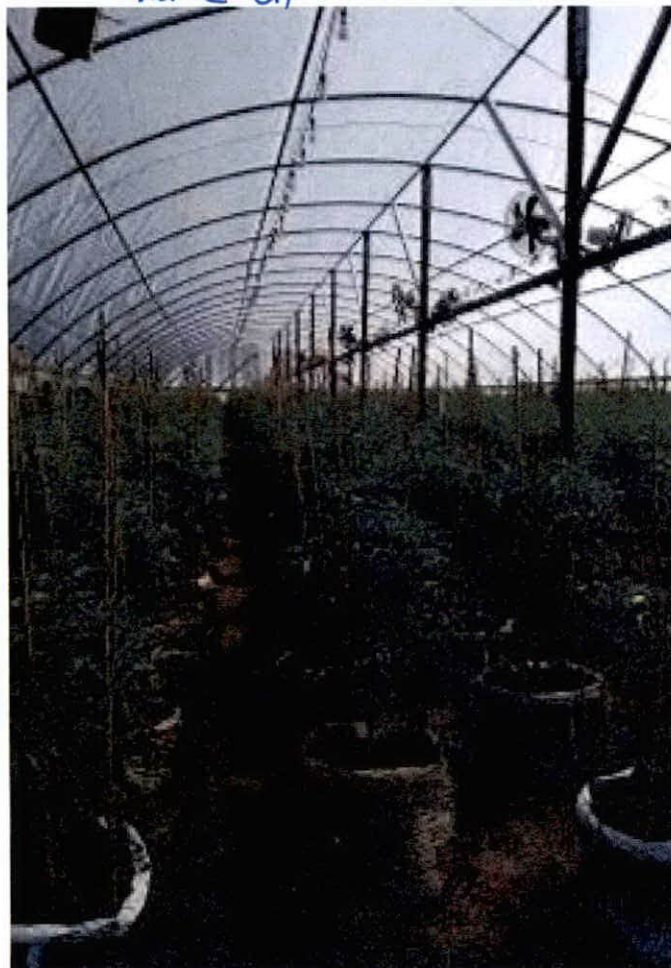
Entry to poolhouse conglomeration



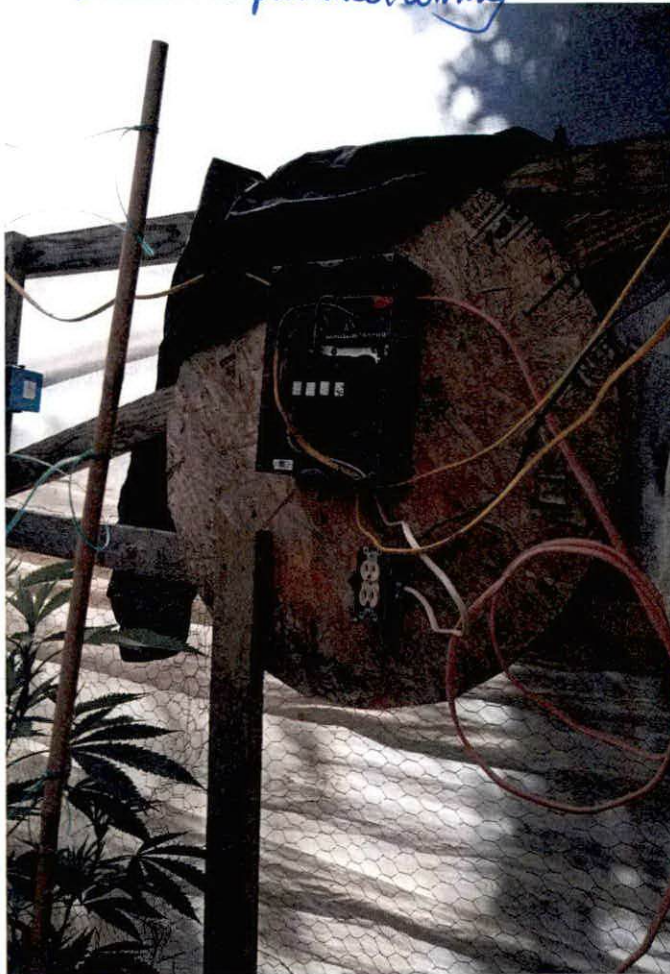
GH



Inside GH



MISC. unpermitted wiring



3 tanks entryway into property




Happy Ranger, LLC: Existing 4,200 square f...
An application to permit the continued us...

> Hearing
10/25/2021 by Laura McClenegan

> Blo

- Summary
- Project Description
- Workflow
- 1 Referral Assignments
- 2 Planning Information
- 3 GP / Zoning Information
- 4 CEQA
- 5 Cannabis
- Project Tracking
- 6 Referral Task Log (2)
- Fee (12)
- Payment
- Workflow History (14)**



A notice was added to this record on 2021-05-25.
 Condition: Parcel Status : 217-391-008 LP 1:1 Severity: Notice
 Total conditions: 1 (Notice: 1)

[View notice](#)

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

Task	Due Date	Assigned Date
Environmental Health	08/15/2019	08/02/2019
Assigned to Department	Assigned to	Status
Environmental Health	Joey Whittlesey	Approved
Action by Department	Action By	Status Date
Environmental Health	Ben Dolf	08/05/2019
Start Time	End Time	Hours Spent
		0.0
Billable	Overtime	Comments
No	No	
Time Tracking Start Date	Est. Completion Date	In Possession Time (hrs)
Display E-mail Address in ACA	<input checked="" type="checkbox"/> Display Comment in ACA	Comment Display in ACA
No		<input checked="" type="checkbox"/> All ACA Users
		<input checked="" type="checkbox"/> Record Creator
		<input checked="" type="checkbox"/> Licensed Professional
		<input checked="" type="checkbox"/> Contact
		<input checked="" type="checkbox"/> Owner
Estimated Hours	Action Updated	Workflow Calendar
0.0		



DEPARTMENT OF PUBLIC WORKS
C O U N T Y O F H U M B O L D T
 MAILING ADDRESS: 1106 SECOND STREET, EUREKA, CA 95501-0579
 AREA CODE 707

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

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

ADMINISTRATION	445-7491	NATURAL RESOURCES	445-7741
BUSINESS	445-7652	NATURAL RESOURCES PLANNING	267-9540
ENGINEERING	445-7377	PARKS	445-7651
FACILITY MANAGEMENT	445-7493	ROADS	445-7421

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

LAND USE 445-7205

LAND USE DIVISION INTEROFFICE MEMORANDUM

TO: Stephen Luther, Planner, Planning & Building Department
 FROM: Kenneth M. Freed, Assistant Engineer *KA*
 DATE: 08/05/2019

RE:	Applicant Name	HAPPY RANGER LLC
	APN	217-391-008
	APPS#	PLN-11810-ZCC

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, dated 7/22/2019, with Part A – Box 2 checked, certifying that the road is equivalent to a road Category 4 standard.

The County GIS shows that at the intersection of the paved County maintained road, Alderpoint Road, Homestead Road proceeds for approximately 254 feet before intersecting with Sunset Ridge Road. Appears that no road evaluation report for the non-County maintained road known as "Homestead Road" per GIS has been submitted.

// END //

Exhibit "A"

Public Works Recommended Conditions of Approval

(All checked boxes apply)

APPS # 11810

COUNTY ROADS- FENCES & ENCROACHMENTS:

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

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

COUNTY ROADS- DRIVEWAY (PART 1):

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

COUNTY ROADS- DRIVEWAY (PART 2):

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

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

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

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

COUNTY ROADS- DRIVEWAY (PART 3):

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

COUNTY ROADS-PARKING LOT- STORM WATER RUNOFF:

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

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

COUNTY ROADS- DRIVEWAY & PRIVATE ROAD INTERSECTION VISIBILITY:

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

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

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

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

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

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

COUNTY ROADS- ROAD EVALUATION REPORT(S):

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

// END //