



COUNTY OF HUMBOLDT
PLANNING AND BUILDING DEPARTMENT
CURRENT PLANNING DIVISION

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Phone: (707) 445-7541 Fax: (707) 268-3792

Hearing Date: July 15, 2021

To: Humboldt County Planning Commission

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

Subject: **Barryland Farm, LLC Conditional Use Permit**
Application Number PLN-12259-CUP
Assessor's Parcel Number (APN) 210-131-020
5136 Burr Valley Road, Bridgeville, CA 95526

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Please contact Sarah Faraola, Planner (Harris & Associates) at 831-346-7028 or by email at sarah.faraola@weareharris.com, if you have any questions about the scheduled public hearing

AGENDA ITEM TRANSMITTAL

Hearing Date July 15, 2021	Subject Conditional Use Permit – Type I	Contact Sarah Faraola
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Project Description: Barryland Farm seeks a Conditional Use Permit (PLN-12259-CUP) for a maximum of 20,450 square feet (SF) of outdoor and mixed light cannabis cultivation. Existing cultivation includes 11,250 SF of mixed light cultivation that occurs in four (4) greenhouses and 9,200 SF of outdoor cultivation that occurs in five (5) greenhouses. Propagation takes place in two (2) 1,000-SF nursery areas (2,000 SF total).

Irrigation water is sourced from a permitted well ((No. 16/17-0380) that is hydrologically connected to surface water; therefore, it requires a water right and is subject to forbearance. A Small Domestic Use Registration (SDUR No. D033139) has been granted for an appropriate water right from Thompson Creek, to be used for irrigation activities within the project area. The registration will be deemed complete once the Division of Water Rights with State Water Resources Control Board completes the process of communicating with the California Department of Fish and Wildlife, which is scheduled to be completed by July 2021 and would result in a Water Right to be granted to the applicant. Estimated onsite water use is 122,000 gallons per year (6 gallons/SF). Total onsite water storage is 98,450 gallons, stored in 27 hard tanks as follows: seven (7) 350-gallon tanks, two (2) 3,000-gallon tanks, and eighteen (18) 5,000-gallon tanks.

Drying and processing will occur onsite within two (2) sheds, 399 SF and 1,489 SF (1,888 total). The project requires two (2) seasonal employees. Power is provided partially by solar panels (existing) and one (1) 45 KW diesel-powered Whisperwatt generator. The applicant is proposing to upgrade to a 20 kW solar panel system within two (2) years of project approval, and only retain the generator for backup purposes.

Project Location: The project is located on the property known as 5136 Burr Valley Road, on the west side of Burr Valley Road approximately 4.3 miles south from the Burr Valley Road/Buckhorn Summit Road intersection, in the unincorporated Dinsmore area in eastern Humboldt County.

Present Plan Land Use Designations Residential Agriculture (RA) 2017 General Plan; Density: 40 acres per unit; Slope Stability: High Instability (3) and; Timberland (T) Density: 40 to 160 acres per unit, 2017 General Plan.

Present Zoning: Unclassified (U)

Record Number: PLN-12259-CUP

Assessor’s Parcel Number: 210-131-020

Applicant Barryland Farm, LLC 4025 Minerva Ave Los Angeles, CA 90066	Owner Sacar78 LLC 4025 Minerva Ave Los Angeles, CA 90066	Agents Humble Servants of the Mattole 730 7 th St. STE C Eureka, CA 95501
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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: No major issues/concerns were identified for this project.

Barryland Farm LLC

Record Number: PLN-12259-CUP

Assessor's Parcel Number: 210-131-020

Recommended Commission Action

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

Adopt the Resolution to:

1. Find that the Commission has considered the Addendum to the adopted Mitigated Negative Declaration for the Commercial Medical Land Use Ordinance (CCMLUO), as described by Section §15164 of the State CEQA Guidelines;
2. Make the required findings for approval of the Conditional Use Permit; and
3. Approve the Barryland Farm, LLC Conditional Use Permit as recommended by staff subject to the recommended conditions.

Executive Summary

Barryland Farm seeks a Conditional Use Permit (PLN-12259-CUP) for a maximum of 20,450 square feet (SF) of outdoor and mixed light cannabis cultivation. Existing cultivation includes 11,250 SF of mixed light cultivation that occurs in four (4) greenhouses and 9,200 SF of outdoor cultivation that occurs in five (5) greenhouses. Propagation takes place in two (2) 1,000-SF nursery areas (2,000 SF total).

The medical cannabis permit application is in accordance with Humboldt County Code Section 314-55.4 of Chapter 4 of Division I of Title III, Commercial Medical Marijuana Land Use Ordinance (CMMLUO). The site has been issued a Zoning Clearance Certificate for Interim Permit (IP), based upon the Cultivation Area Verification (CAV) developed for the site. The cultivation area for this Conditional Use Permit is based upon the CAV prepared for the IP.

The parcel (APN 221-131-020) is 20 acres and is located within the Little Van Duzen River watershed. The present land use designation is Residential Agriculture (RA) and Timberland (T) as defined in the Humboldt County 2017 General Plan Update, and the parcel is zoned as Unclassified (U). Drying and processing occurs onsite within two (2) sheds that are 399 SF and 1,489 SF (1,888 total). The project requires two (2) seasonal employees.

Power is provided partially by solar panels (existing) and one (1) 45 KW diesel-powered Whisperwatt generator. The applicant is proposing to upgrade to a 20 kW solar panel system within two (2) years of project approval, and only retain the generator for backup purposes
(Condition 18).

Water Resources

Irrigation water is sourced from a permitted well (No. 16/17-0380) that is hydrologically connected to surface water and subject to forbearance. Diversion from the well requires a water right, which is awaiting confirmation from the State Water Resources Control Board (SWRCB) and the California Department of Fish and Wildlife (CDFW). The well has an estimated yield of 15 gallons/minute, and the depth to first water is 8 feet below the surface.

Estimated onsite water use is 122,000 gallons per year (6 gallons/SF), as shown in Table 3.1. Total onsite water storage is 98,450 gallons, stored in 27 hard tanks as follows: seven (7) 350-gallon tanks, two (2) 3,000-gallon tanks, and eighteen (18) 5,000-gallon tanks.

Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
0	0	0	10,000	12,000	14,000	30,000	30,000	16,000	10,000	0	0

A Small Domestic Use Registration (SDUR No. D033139) has been granted for an appropriate water right from Thompson Creek, to be used for irrigation activities within the project area. The registration will be deemed complete once the Division of Water Rights with SWRCB completes the process of communicating with CDFW. This is scheduled to be completed by July 2021, which would result in a Water Right to be granted to the applicant. Once the water right is granted, the applicant shall comply with all specifications within the current 'State Water Board's Cannabis Policy', to divert water only during the diversion season (November 1 – March 31), and have adequate water storage onsite to forbear completely during the forbearance period (April 1 – October 31) (**Condition 21**).

The parcel contains two (2) Class II watercourses, one (1) stream crossing and one (1) pond. A Lake and Streambed Alteration Agreement (LSAA) was filed with CDFW (LSAA No. 1600-2018-0189-R1). The LSAA covers three (3) encroachments, which include one (1) water diversion from the well, one (1) pond spillway, and one (1) steel bridge installation project. The existing culvert outlet from the pond spillway will be removed and realigned, and a rocked spillway will be installed.

The LSAA identifies specific mitigation measures that the applicant must apply to offset potential impacts to the waterway within the project area, during stream maintenance construction activities. The mitigation measures are summarized as follows: 1) All activities that occur within waterways in the project area shall be documented; 2) All work shall be confined to the dry weather period of June 15 through October 1 of each year; 3) Water diversion structures shall be constructed and maintained to not inhibit the movement of aquatic life; 4) Erosion and runoff protection measures shall be placed and maintained along streambanks prior to any construction activities; and 5) The completed project shall be inspected by Six Rivers Construction & Consulting to ensure the stream crossings were installed as designed, and a copy of the inspection report shall be submitted to CDFW within 90 days of project completion (**Condition 14**).

Water Resources Protection Plan

A Water Resources Protection Plan (WRPP) was prepared in fulfillment of State Water Resources Control Board (SWRCB) General Order WQ 2019-0001-DWQ. The project is enrolled with the North Coast Regional Water Quality Control Board (NCRWQCB) for reporting of Tier 2 discharges (WDID: 1_12CC400884). The WRPP identifies several mitigation measures designed to decrease erosion and sedimentation of waterways. A site assessment of project activities conducted by Six Rivers Construction & Consulting in 2018 determined that the project is of moderate risk, based on roads, disturbed areas, and cultivation areas. Identified sites requiring remediation throughout the project area are described in the WRPP (pg 3) and include: relocating water tanks to a stable location, removing all cultivation related waste, installing fiber rolls and jute netting at locations where sediment delivery could occur, and rock/compact access roads. (**Condition 13**). Onsite monitoring shall occur during the following activities: 1) Before and after alteration or upgrade to a stream crossing, road segment or sediment discharge site; 2) Prior to the start of the water season on October 15 and December 15, in order to evaluate site winterization and preparedness for stormwater runoff; and 3) Following any rainfall event with an intensity of 3 inches of precipitation within 24 hours (**Condition 13**).

Biological Resources

A list of special status species that could potentially occur in the project area was generated in June 2021 using the California Department of Fish and Wildlife (CDFW) California Natural Diversity

Database (CNDDDB), which includes the California Native Plant Society (CNPS) and the Northern Spotted Owl (NSO) databases. There is habitat area for American peregrine falcon, which is a sensitive species but without any special status designation, located approximately 210 meters west of the project area. Project activities are not expected to produce adverse or cumulative effects to any special status species or habitat, due to the small size of the project area and the type of proposed activities. Therefore, impacts to biological resources with mitigation measures in place are considered low and unlikely.

Tribal Cultural Resource Coordination

The project area is located within the traditional tribal territory of the Nongatl tribe. A Cultural Resources Investigation was prepared by William Rich (M.A., RPA) of William Rich and Associates, in November 2018. The Investigation included the following: a review of regional archaeological literature, a historical background search of existing maps relevant to the study area, a pedestrian survey, and correspondence with local tribal representatives of the Bear River Band of the Rohnerville Rancheria.

A records search of the project area was conducted by the Northwest Information Center (NWIC), which indicated two (2) previous cultural resources surveys were conducted within ¼ mile of the project area (Luoma 1992 and Cohoon 2013), neither of which identified any existing cultural resources.

The field survey identified three (3) debitage findings that were determined to not be culturally significant. Mr. Rich determined that no specific protection recommendations for the isolated findings are necessary at this time, and that the project would not adversely affect cultural resources. Additionally, Mr. Rich, as well as Jesse Lopez of the Bear River Tribal Band, recommend the use of Inadvertent Discovery Protocol (PRC 15064.5 (f)) by a qualified professional archaeologist, if any previously unidentified cultural resources or human remains are encountered throughout project implementation (**Condition 15**).

Access

The project is located on the property known as 5136 Burr Valley Road, on the west side of Burr Valley Road approximately 4.3 miles south from the Burr Valley Road/Buckhorn Summit Road intersection, in the unincorporated Dinsmore area in eastern Humboldt County. The applicant completed the Humboldt County Department of Public Works (DPW) Road Evaluation Report for 6.2 miles of Burr Valley Road, starting from Highway 36, and determined that Burr Valley Road is developed to the equivalent of a road category 4 standard and therefore adequate for the proposed use without further review. DPW reviewed the project referral and recommended a standard condition of approval for non-county maintained roads for Highway 36 (**Condition 19**).

The DPW also determined and condition that the project needs an Aviation Easement due to the high elevation of the project area and the potential to be within flight paths. The applicant shall file a post construction Airspace Certification Form to ensure that the proposed structures are in compliance with County Code 333-3 (**Condition 20**).

Generator Use

Power is provided partially by solar panels (existing) and one (1) 45 KW diesel-powered Whisperwatt generator. The applicant is proposing to upgrade to a 20 kW solar panel system within two (2) years of project approval, and only retain the generator for backup purposes.

The primary use of generator power is not allowed to occur beyond December 31, 2025. Therefore, consistent with past actions of the Planning Commission, a condition has been added that the power source of all cannabis related activities shall be converted to a renewable source by December 31, 2025 (**Condition 18**).

California Environmental Quality Act (CEQA)

Environmental review for this project was conducted in June 2021 by the County. Based on the results of that analysis, staff finds that all aspects of the project have been considered in the Mitigated Negative Declaration (MND) adopted for the Commercial Medical Marijuana Land Use Ordinance (CMMLUO) on January 26, 2016. Accordingly, staff has prepared an addendum to this document for consideration by the Planning Commission. See **Attachment 2** for more information.

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

ALTERNATIVES: The Planning Commission could elect to 1) not approve the project, or 2) require the applicant to submit further evidence or modify the project. If modifications may cause potentially significant impacts, additional CEQA analysis and findings may be required. These alternatives could be implemented if the Commission is unable to make all of the required findings. Planning staff has stated that the required findings in support of the proposal have been made. Consequently, Planning staff does not recommend further consideration of any alternative.

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

**RESOLUTION OF THE PLANNING COMMISSION
OF THE COUNTY OF HUMBOLDT
Resolution Number 21-X
Record Number: PLN-12259-CUP
Assessor's Parcel Number: 210-131-020**

Resolution by the Planning Commission of the County of Humboldt certifying compliance with the California Environmental Quality Act and conditionally approves the Barryland Farm, Conditional Use Permit.

WHEREAS, Barryland Farm submitted an application and evidence in support of approving the Conditional Use Permit (PLN-12259-CUP) for a maximum of 20,450 square feet (SF) of outdoor and mixed light cannabis cultivation. Existing cultivation includes 11,250 SF of mixed light cultivation that occurs in four (4) greenhouses and 9,200 SF of outdoor cultivation that occurs in five (5) greenhouses. Propagation takes place in two (2) 1,000-SF nursery areas (2,000 SF total).

WHEREAS, the County, prepared an Addendum to the Final Mitigated Negative Declaration (MND) 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 Planning Commission held a duly-noticed public hearing on **July 15, 2021**, and reviewed, considered, and discussed the application for the requested Conditional Use Permit and reviewed and considered all evidence and testimony presented at the hearing.

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

- 1. FINDING:** **Project Description:** The application is for a Conditional Use Permit (PLN-12259-CUP) for maximum of 20,450 square feet (SF) of outdoor and mixed light cannabis cultivation. Existing Cultivation includes 11,250 SF of mixed light cultivation that occurs in four (4) greenhouses and 9,200 SF of outdoor cultivation that occurs in five (5) greenhouses. Propagation takes place in two (2) 1,000-SF nursery areas (2,000 SF total). Irrigation water is sourced from a permitted well that is hydrologically connected to surface water; therefore, it requires a water right (No. 16/17-0380) and is subject to forbearance. Estimated onsite water use is 122,000 gallons per year (6 gallons/SF). Total onsite water storage is 98,450-gallons, stored in 27 hard tanks as follows: seven (7) 350-gallon tanks, two (2) 3,000-gallon tanks, and eighteen (18) 5,000-gallon tanks. Drying and processing will occur onsite in a within two (2) sheds, 399 SF and 1,489 SF (1,888 total). The project requires two (2) seasonal employees. Power is provided partially by solar panels (existing) and one (1) 45 KW diesel-powered Whisperwatt generator.

EVIDENCE: Project File: PLN-12259-CUP

- 2. FINDING:** **CEQA.** The requirements of the California Environmental Quality Act have been met. The Humboldt County Planning Commission 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 to the MND prepared for the proposed project in compliance with CEQA.
 - 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 list of special status species that could potentially occur in the project area was generated in June 2021 using the California Department of Fish and Wildlife (CDFW) California Natural Diversity Database (CNDDDB), which includes the California Native Plant Society (CNPS) and the Northern Spotted Owl (NSO) databases. There is habitat area for American peregrine falcon, which is a sensitive species but without any special status designation, located approximately 210 meters west of the project area. Project activities are not expected to produce adverse or cumulative effects to any special status species or habitat, due to the small size of the project area and the type of proposed activities. Therefore, impacts to biological resources with mitigation measures in place are considered low and unlikely.
 - d) A Cultural Resources Investigation was prepared by William Rich (M.A., RPA) of William Rich and Associates, and included the following: a review of regional archaeological literature, a historical background search of existing maps relevant to the study area, a pedestrian survey, and correspondence with local tribal representatives of the Bear River Band of the Rohnerville Rancheria. No response was received from the Bear River Band. A records search of the project area was conducted by the Northwest Information Center (NWIC). The results indicated that the project area had two (2) previous cultural resources surveys conducted within ¼ mile of the project (Luoma 1992 and Cohoon 2013), but neither study identified any cultural resources. The field survey identified three (3) debitage findings that were determined not to be culturally significant. Mr. Rich determined that no specific protection recommendations for the isolated findings are necessary at this time, and that the project would not adversely affect cultural resources. Additionally, Mr. Rich recommends the use of Inadvertent Discovery Protocol (PRC 15064.5 (f)) by a qualified professional archaeologist, if any previously unidentified cultural resources or human remains are encountered throughout project implementation (**Condition 15**).

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 Unclassified (U) zoning district. The proposed cannabis cultivation, an agricultural product, is within land planned and zoned for agricultural purposes. Therefore, the project is consistent with the Open Space Plan and its Open Space Action Program.

- 4. FINDING** The proposed development is consistent with the purposes of the existing Residential Agriculture (RA) and Timberland (T) land use designation in which the site is located.
- EVIDENCE**
- a) All general agricultural uses are principally permitted in the Unclassified (U) zone.
 - b) Humboldt County Code section 313-106.6 allows cultivation of up to 43,560 SF of existing outdoor cannabis and up to 22,000 SF of existing mixed light cannabis on a parcel over one (1) acre, subject to approval of a Conditional Use Permit and a determination that the cultivation was in existence prior to January 1, 2016. The application for up to 20,450 SF cannabis cultivation on a 20-acre parcel is consistent with the Humboldt County Code and with the Cultivation Area Verification prepared by the County.
- 5. FINDING** The proposed development is consistent with the requirements of the CMMLUO Provisions of the Zoning Ordinance.
- EVIDENCE**
- a) The CMMLUO allows existing cannabis cultivation to be permitted in areas zoned Unclassified (U) (HCC 314-55.4.8.2.2).
 - b) The parcel was created in compliance with all applicable state and local subdivision regulations, as it was created via Parcel Map No. 210, recorded in Book of Parcel Maps 210, page 13.
 - c) Irrigation water is sourced from a permitted well (No. 16/17-0380) that is hydrologically connected to surface water and subject to forbearance. Diversion from the well requires a water right, which is awaiting confirmation from the State Water Resources Control Board (SWRCB) and the California Department of Fish and Wildlife (CDFW). The well has an estimated yield of 15 gallons/minute, and the depth to first water is 8 (eight) feet below the surface. Estimated onsite water use is 122,000 gallons per year (6 gallons/SF).
 - d) The slope of the land where cannabis will be cultivated is less than 15%.
 - e) The cultivation of cannabis will not result in the net conversion of timberland. The proposed cultivation area(s) are located within a historical cultivation area.
 - f) The location of the cultivation complies with all setbacks required in Section 314-55.4.11.d. It is more than 30 feet from any property line, more than 300 feet from any offsite residence, and more than 600 feet from any school, church, public park, or Tribal Cultural Resource.
- 6. FINDING** The cultivation of 20,450 SF of cannabis and the conditions under which it may be operated and maintained will not be detrimental to the public health, safety, or welfare or materially injurious to properties or improvements in the vicinity.
- EVIDENCE**
- a) The site is accessed by a private road (Burr Valley Road) that has been assessed by the Department of Public Works, which determined the main

access road to the project area is developed to the equivalent of a road category 4 standard.

- b) The location of the proposed cannabis cultivation is more than 300 feet from the nearest offsite residence.
- c) Total onsite water storage is 98,450 gallons, stored in 27 hard tanks as follows: seven (7) 350-gallon tanks, two (2) 3,000-gallon tanks, and eighteen (18) 5,000-gallon tanks.
- d) Provisions have been made in the applicant's proposal to protect water quality through yearly site inspection, monitoring, and reporting to the North Coast Regional Water Quality Control Board (NCRWQCB). As detailed in the Water Resources Protection Plan (WRPP), the site shall be inspected and monitoring reports prepared for the following activities: 1) Before and after alteration or upgrade to a stream crossing; 2) Prior to the start of the water season on October 15 and December 15, in order to evaluate site winterization and preparedness for stormwater runoff; and 3) Following any rainfall event with an intensity of 3 inches of precipitation within 24 hours. Annual reporting shall be submitted to the NCRWQCB by March 31 of each year. Runoff to adjacent property and infiltration of water to groundwater resources will not be adversely affected. (**Condition 15**).
- e) A Lake and Streambed Alteration Agreement (LSAA) was filed with CDFW (LSAA No. 1600-2018-0189-R1). The LSAA covers three (3) encroachments, including: one (1) water diversion from the well, one (1) pond spillway, and one (1) steel bridge installation project. The existing culvert outlet from the pond spillway will be removed and realigned, and a rocked spillway will be installed. The LSAA establishes specific mitigation measures that the applicant must apply to offset potential impacts to the waterways within the project area. The mitigation measures are summarized as follows: 1) All activities that occur within waterways in the project area shall be documented; 2) All work (excluding the water diversion) shall be confined to the dry weather period of June 15 through October 1 of each year; 3) Water diversion structures shall be constructed and maintained to not inhibit the movement of aquatic life; 4) Erosion and runoff protection measures shall be placed and maintained along streambanks prior to any construction activities; and 5) The completed project shall be inspected by Six Rivers Construction & Consulting to ensure the stream crossings were installed as designed, and a copy of the inspection report shall be submitted to CDFW within 90 days of project completion (**Condition 14**).

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 contains no existing residential units. Therefore, the approval of cannabis cultivation on this parcel will not conflict with the operation or use of the existing residential units on site.

DECISION

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

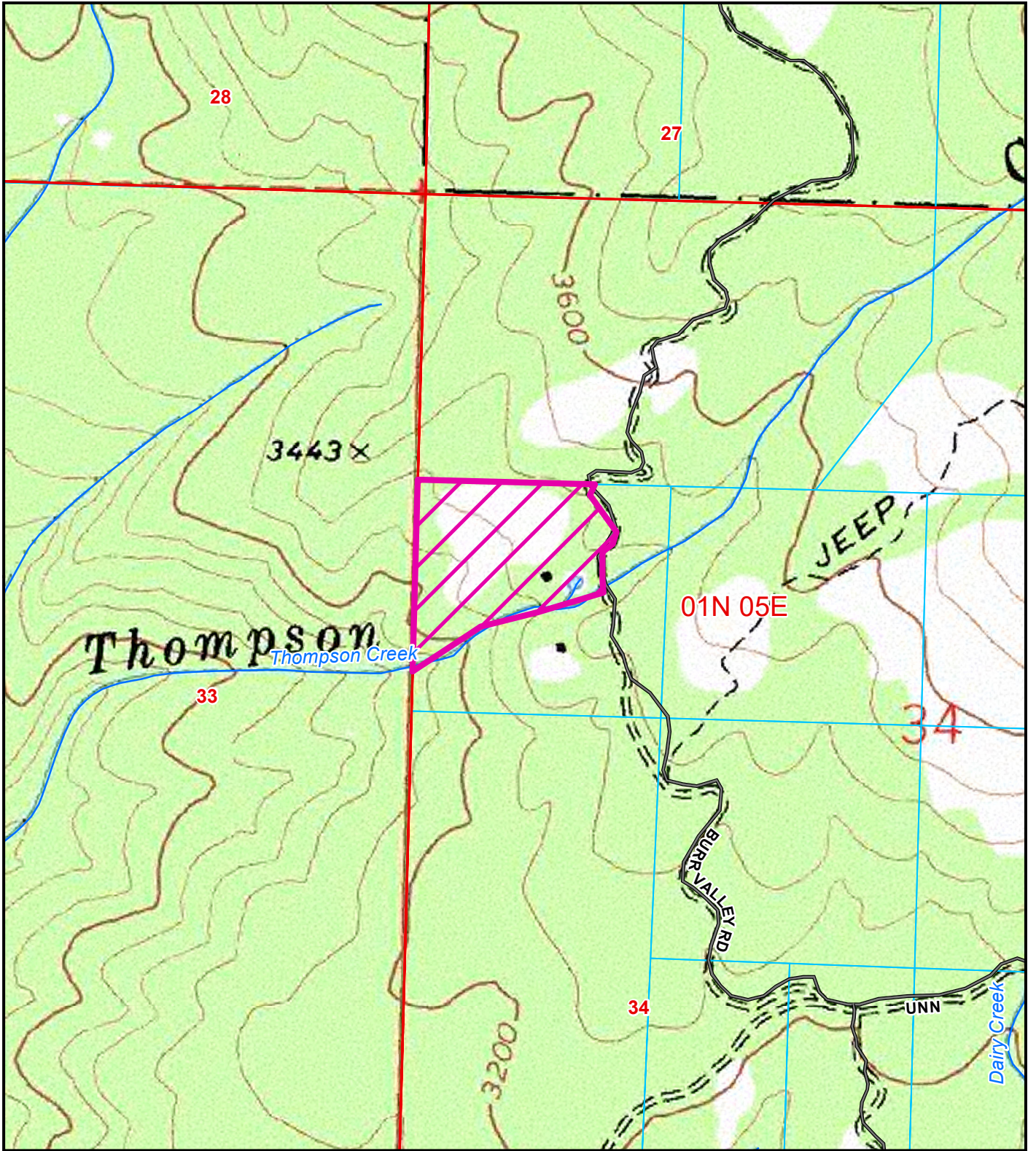
- Adopt the findings set forth in this resolution; and
- Conditionally approve the Conditional Use Permit (PLN-12259-CUP) for Barryland Farm, subject to the conditions of approval attached hereto as Attachment 1 and incorporated herein by reference; and

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

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

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

John Ford, Director
Planning and Building Department

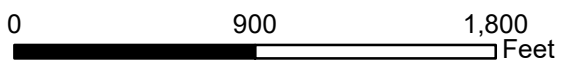


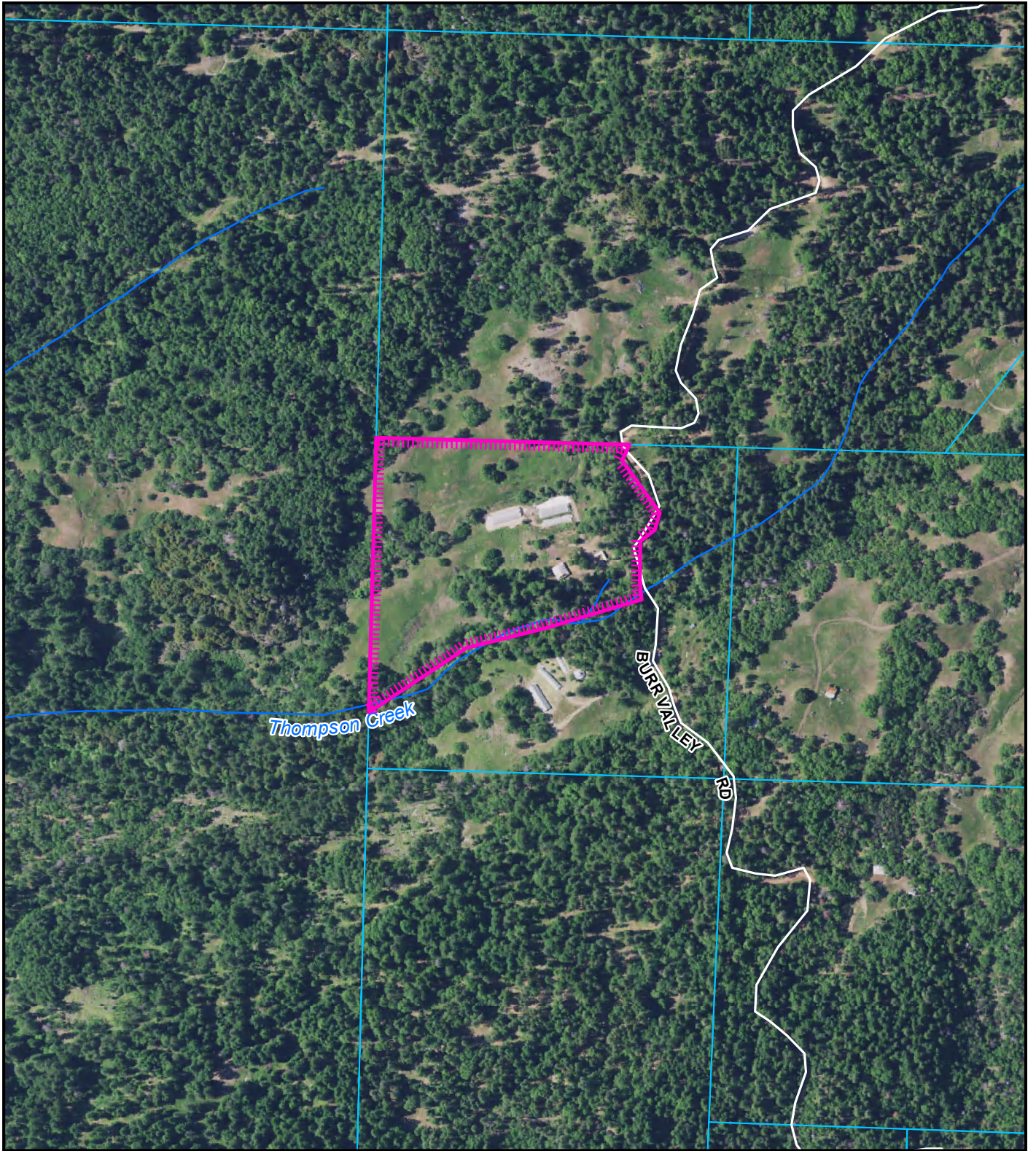
Project Area = 

TOPO MAP
PROPOSED BARRYLAND FARM LLC
DINSMORE AREA
PLN-2019-15560
APN: 210-131-020
T01N R05E S34 HB&M (DINSMORE)



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.



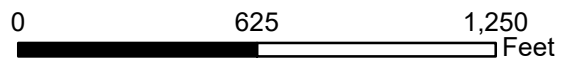


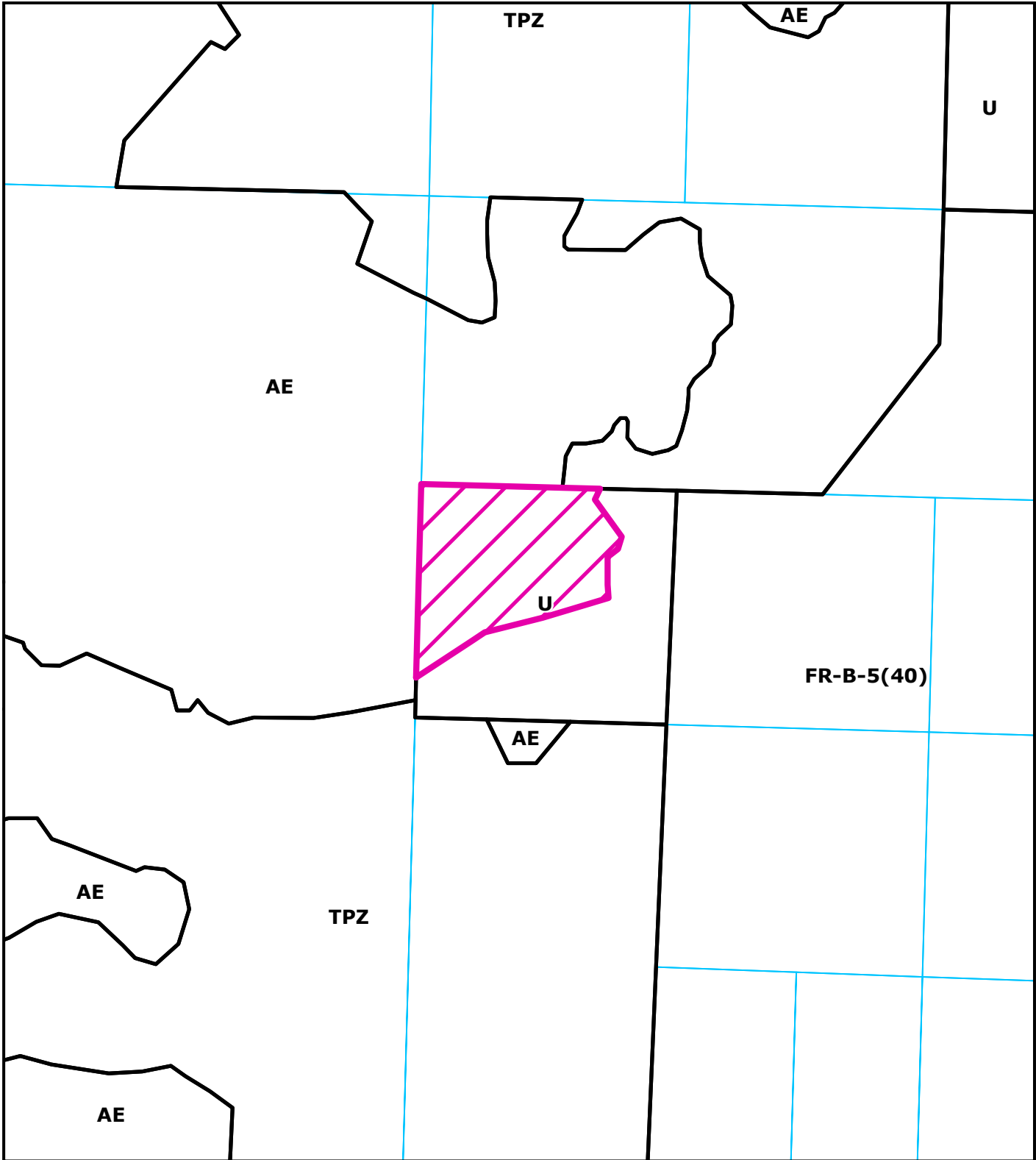
Project Area = 

**AERIAL MAP
PROPOSED BARRYLAND FARM LLC
DINSMORE AREA
PLN-2019-15560
APN: 210-131-020
T01N R05E S34 HB&M (DINSMORE)**



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.



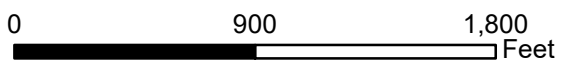


Project Area = 

ZONING MAP
PROPOSED BARRYLAND FARM LLC
DINSMORE AREA
PLN-2019-15560
APN: 210-131-020
T01N R05E S34 HB&M (DINSMORE)



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.



BARRYLAND FARM, LLC

HUMBOLDT COUNTY

APN: 210-131-020



NOTES:

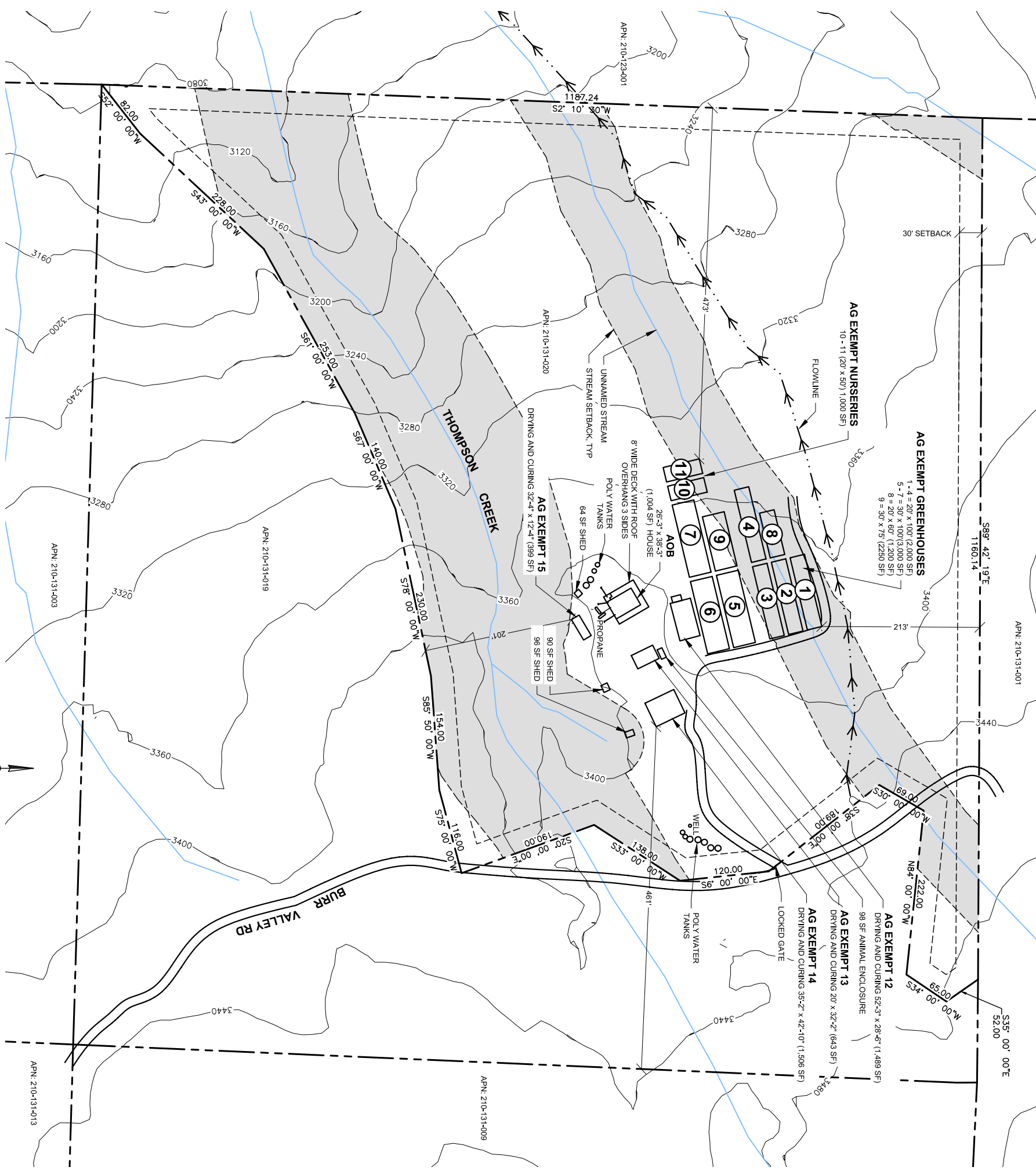
1. ALL LOCATIONS ARE APPROXIMATE. NO SURVEY WAS CONDUCTED FOR THIS PROJECT.
2. PROPERTY LINES ARE APPROXIMATE.
3. CONTOURS SHOWN HEREON ARE FROM NOAA 2018-2019 WILDFIRE SHAPE FILES.
4. IMAGE SHOWN HEREON IS FROM BING.
5. NO TREES WILL BE REMOVED FOR THIS PROJECT.

OWNER INFORMATION:

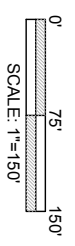
OWNER: BARRYLAND FARM, LLC

SITE INFORMATION:

20 ACRES
ZONE: U
SRA: YES



PLAN
SCALE: 1"=150'



NO.	HISTORY / REVISION	BY	CHK.	DATE



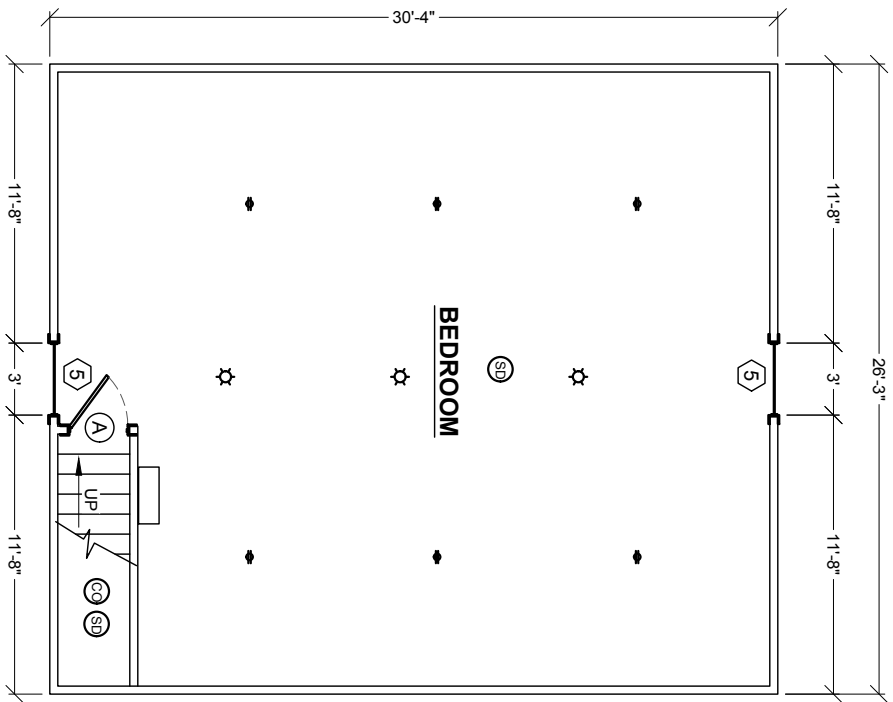
BARRYLAND FARM, LLC
BURR VALLEY ROAD
PLOT PLAN

APN: 210-131-020

157-CUP Barryland Frms

July 15, 2021

DRAWN	JDE
CHECK	9/4
APPROVED	9/4
DATE	10-29-2020
JOB NUMBER	10-29-2020
SHEET	GO.1

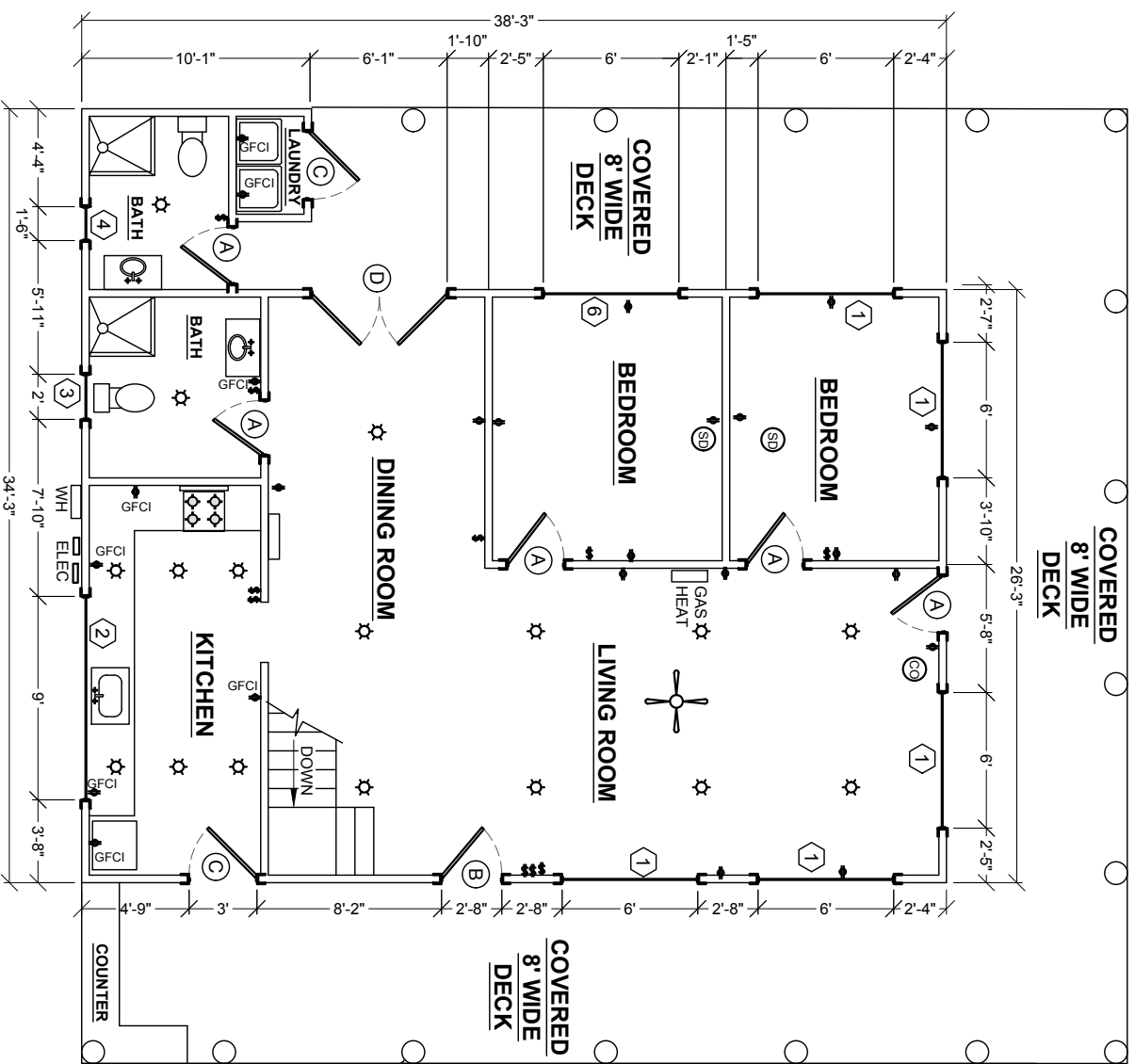


SECOND FLOOR
 PLAN

DOOR SCHEDULE		
SYM	QTY	DESCRIPTION
(A)	6	WOOD DOOR
(B)	1	WOOD DOOR
(C)	2	WOOD DOOR
(D)	1	FRENCH DOOR

WINDOW SCHEDULE		
SYM	QTY	DESCRIPTION
(1)	5	FIXED WHITE VINYL
(2)	1	WHITE VINYL SLIDER
(3)	1	WHITE VINYL SLIDER
(4)	1	WHITE VINYL SLIDER
(5)	2	WHITE VINYL SLIDER
(6)	1	WHITE VINYL SLIDER

- LEGEND:**
- ⌘ LIGHT SWITCH
 - ⊕ 110 OUTLET
 - ⊛ LIGHT
 - ⊞ EXHAUST FAN
 - ⊞ SMOKE DETECTOR
 - ⊞ CARBON MONOXIDE DETECTOR

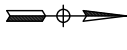


FIRST FLOOR
 PLAN

NOTES:

- GENERAL:**
- ENGINEERS LETTER CONFIRMING ALL RECOMMENDATIONS OF SOILS REPORT ARE MET TO BE SUBMITTED TO HDBD FOR APPROVAL.
 - ENGINEER TO CERTIFY FOUNDATION OF COMPLIANCE FOR APPROVED SOILS REPORT.
 - ALL EMERGENCY ESCAPE AND RESCUE OPENINGS SHALL HAVE A MINIMUM CLEAR OPENING OF 5.7 SQUARE FEET WITH A MINIMUM NET CLEAR OPENING WIDTH OF 20 INCHES AND HEIGHT OF 24 INCHES. AND A MINIMUM SILL HEIGHT OF 44" FROM FINISHED FLOOR TO NET CLEAR OPENING OF WINDOW.
- ELECTRICAL:**
- ALL KITCHEN, BATHROOM, GARAGE, LAUNDRY AND CLOSET LIGHTING MUST BE HIGH EFFICIENCY. PER TITLE 24 ENERGY REPORT.
 - ALL 120V VOLT SINGLE PHASE, 15 AND 20 AMPERE BRANCH CIRCUITS SUPPLYING OUTLETS OR DEVICES INSTALLED IN DWELLING UNIT KITCHENS, FAMILY ROOMS, DINING ROOMS, LIVING ROOMS, PARLORS, LIBRARIES, DEN, BEDROOMS, SUNROOMS, RECREATION ROOMS, CLOSETS, HALLWAYS, LAUNDRY AREAS OR SIMILAR ROOMS OR AREAS SHALL BE PROTECTED BY ALISTED COMBINATION TYPE ARC FAULT CIRCUIT INTERRUPTER, INSTALLED TO PROVIDE PROTECTION OF THE ENTIRE BRANCH CIRCUIT. SEC 210.8.

- PLUMBING:**
- PROVIDE WATER HEATER TEMPERATURE/PRESSURE RELIEF VALVE WITH DRAIN TO EXTERIOR OF BUILDING. PROVIDE APPROVED SEISMIC STRAPPING. CPC 504.4, 504.6, 608.5.
 - WHERE WATER HEATER IS IN A SPACE WHERE DAMAGE MAY RESULT FROM A LEAKING WATER HEATER A WATER TIGHT PAN OF CORROSION RESISTANT MATERIALS SHALL BE INSTALLED BENEATH THE WATER HEATER WITH A MINIMUM THREE QUARTER INCH DIAMETER DRAIN TO THE EXTERIOR. CPC 507.4.



NO.	HISTORY / REVISION	BY	CHK.	DATE



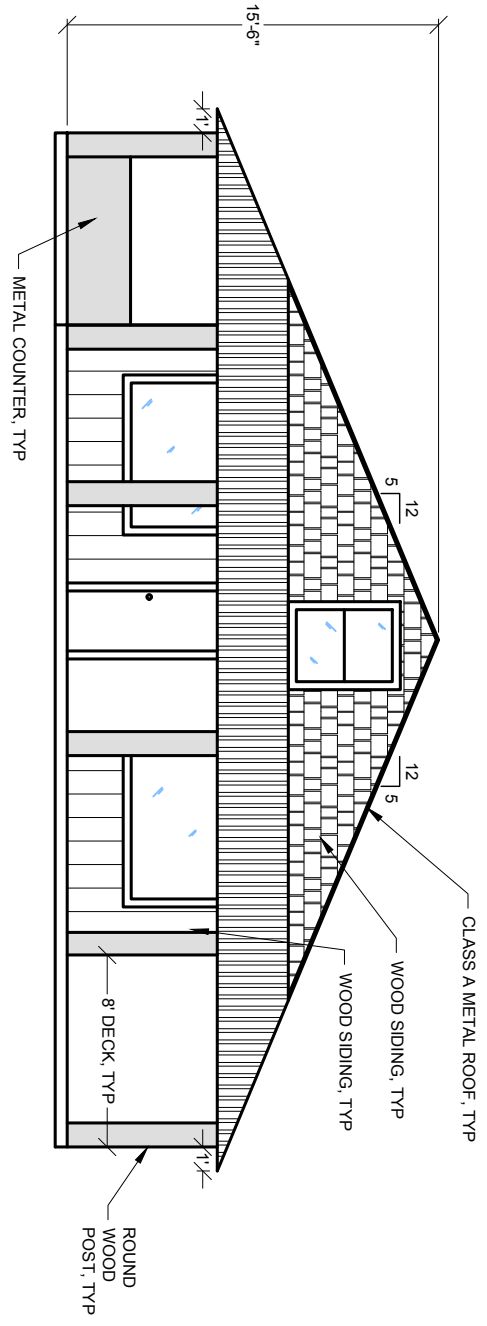
BARRYLAND FARM, LLC
 BURR VALLEY ROAD
 FLOOR PLAN

APN: 210-131-020

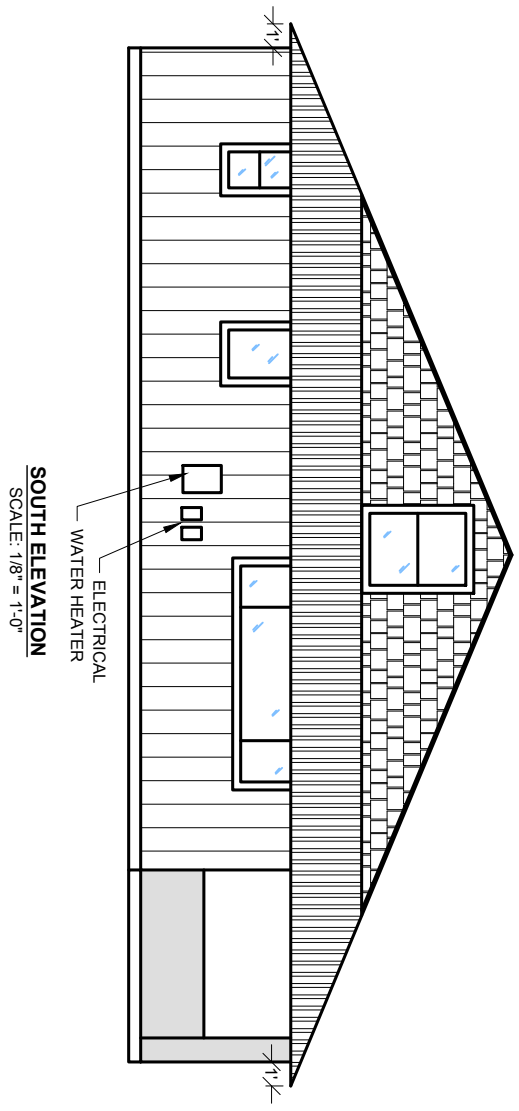
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CHECK	9/7
APPROVED	9/7
DATE	10-29-2020
JOB NUMBER	10-29-2020
SHEET	A1.0

457-CUP Barryland Frms

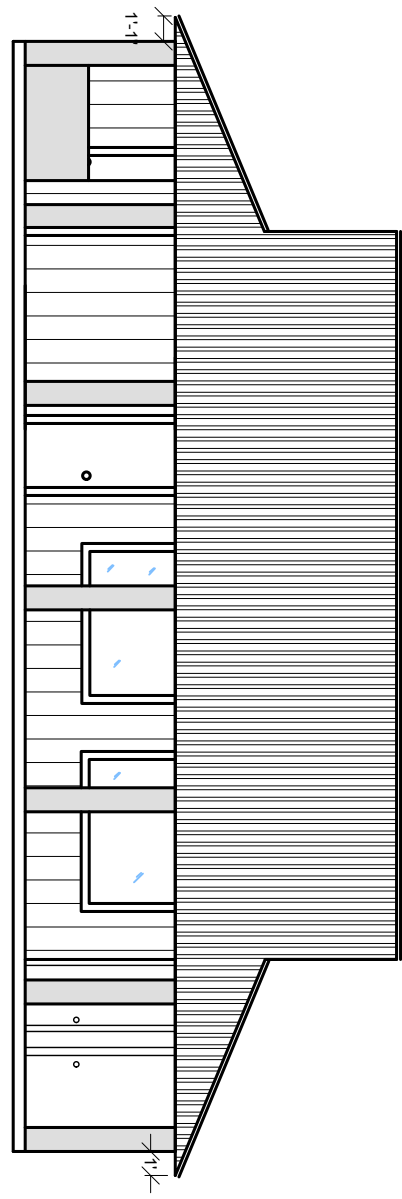
July 15, 2021



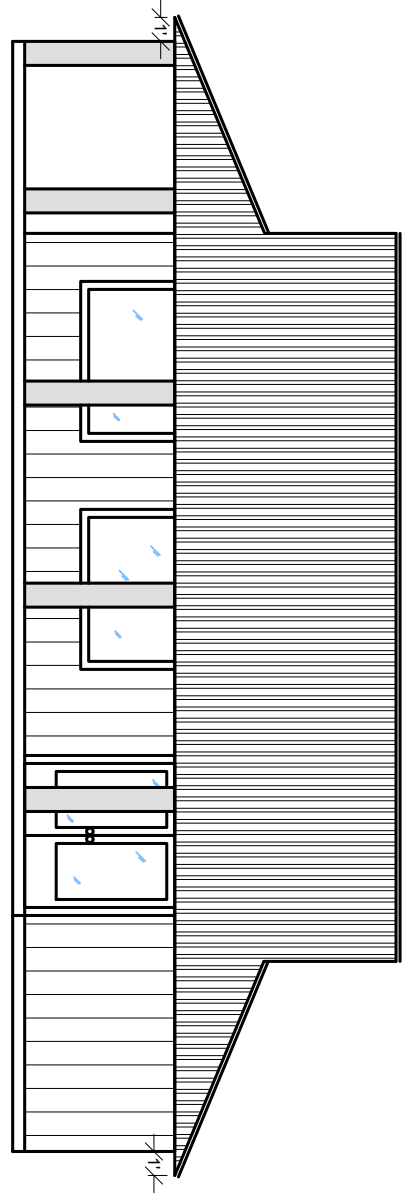
NORTH ELEVATION
 SCALE: 1/8" = 1'-0"



SOUTH ELEVATION
 SCALE: 1/8" = 1'-0"



EAST ELEVATION
 SCALE: 1/8" = 1'-0"



WEST ELEVATION
 SCALE: 1/8" = 1'-0"

DRAWN	JDE
CHECK	9/4
APPROVED	9/4
DATE	10-29-2020
JOB NUMBER	10.29.2020
SHEET	A2.0

BARRYLAND FARM, LLC
BURR VALLEY ROAD
ELEVATIONS

APN: 210-131-020

457-CUP Barryland Frms

NO.	HISTORY / REVISION	BY	CHK.	DATE

July 15, 2021

(707) 601-1558 humboldtdrafting@yahoo.com Page 17

ATTACHMENT 1

RECOMMENDED CONDITIONS OF APPROVAL

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

A. General Conditions:

1. The applicant is responsible for obtaining all necessary County and State permits and licenses, and for meeting all requirements set forth by other regulatory agencies.
2. The applicant is required to pay for permit processing on a time and material basis, as set forth in the schedule of fees and charges as adopted by ordinance of the Humboldt County Board of Supervisors. The Planning and Building Department will provide a bill to the applicant after the decision. Any and all outstanding planning fees to cover the processing of the application to decision by the Hearing Officer shall be paid to the Humboldt County Planning Division, 3015 "H" Street, Eureka.
3. The applicant is responsible for costs for post-approval review for determining project conformance with conditions. A deposit is collected to cover the staff review. Permit conformance with conditions must be demonstrated prior to release of building permit or initiation of use, and at the time of annual inspection. A conformance review deposit, as set forth in the schedule of fees and charges as adopted by ordinance of the Humboldt County Board of Supervisors (currently \$750), shall be paid within sixty (60) days of the effective date of the permit or upon filing of the Compliance Agreement (where applicable), whichever occurs first. Payment shall be made to the Humboldt County Planning Division, 3015 "H" Street, Eureka.
4. A Notice of Determination (NOD) will be prepared and filed with the County Clerk for this project in accordance with the State CEQA Guidelines. **Within three days of the effective date of permit approval**, it is requested that the applicant submit a check or money order for the required filing fee in the amount of \$50 payable to the Humboldt County Clerk/Recorder. If this payment is not received within this time period, the Planning and Building 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 #21. 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. At such time the applicant increases cultivation to maximum aggregate allotment, allowed under the CMMLUO 1.0 and Cultivation Area Verification (CAV) allowances, the applicant/operator/owner shall submit a revised site plan showing placement of all cannabis cultivation, broken down by zone and growing version (outdoor and/or mixed light), at least 30 days prior to placement/development of the cultivation area(s). The site plan shall be reviewed and approved by the Director of Planning and Building.

7. 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.
8. 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.
9. The applicant shall demonstrate that a properly functioning onsite wastewater treatment system serves the operation. This can be accomplished by either installing a new, permitted septic system or by providing Department of Environmental Health (DEH) with an assessment of the existing system performed by a qualified professional engineer, geologist, that certifies the existing system complies with the State Regional Water Quality Control Board definition of a Tier 0 system, which does not impair groundwater or surface water resources.
10. The applicant shall obtain a permit to operate the proposed generator from the North Coast Unified Air Quality Management District (NCUAQMD) and obtain an electric permit from the County's Building Department.
11. The applicant shall execute and file with the Planning and Building Department the statement titled, "Notice and Acknowledgment regarding Agricultural Activities in Humboldt County," ("Right to Farm" ordinance) as required by the HCC and available at the Planning Division.
12. The applicant shall install a water-monitoring flow meter on the water source (groundwater well) when utilized and on storage tanks as applicable to monitor water used for cannabis irrigation separate from domestic use.
13. The applicant shall complete the project site improvement recommendations as outlined in the Water Resources Protection Plan (WRPP) within six (6) months of permit approval. The WRPP recommendations include:
 - a. Relocating water tanks to a stable location;
 - b. Removing all cultivation related waste;
 - c. Installing fiber rolls and jute netting at locations where sediment delivery could occur; and
 - d. Rocking and compacting access roads.

The applicant shall complete the following onsite monitoring during the following activities:

- 1) Before and after alteration or upgrade to a stream crossing, road segment or sediment discharge site;
 - 2) Prior to the start of the water season on October 15 and December 15, in order to evaluate site winterization and preparedness for stormwater runoff; and
 - 3) Following any rainfall event with an intensity of 3 inches of precipitation within 24 hours.
14. The applicant shall comply with all mitigation measures set forth in the Lake and Streambed Alteration Agreement (LSAA) that was filed with the California Department of Fish and Wildlife (CDFW) (LSAA No. 1600-2018-0189-R1. The construction activities covered by the LSAA include removing the existing culvert outlet from the pond spillway will be removed and realigned, and a rocked spillway will be installed. The applicant shall follow all mitigation measures within

the LSAA, which includes: 1) All activities that occur within waterways in the project area shall be documented; 2) All work shall be confined to the dry weather period of June 15 through October 1 of each year; 3) Water diversion structures shall be constructed and maintained to not inhibit the movement of aquatic life; 4) Erosion and runoff protection measures shall be placed and maintained along streambanks prior to any construction activities; and 5) The completed project shall be inspected by SHN Consulting to ensure the stream crossings were installed as designed, and a copy of the inspection report shall be submitted to CDFW within 90 days of project completion.

15. The applicant shall implement the Inadvertent Discovery Protocol. In the event of the accidental discovery of historical artifacts or human remains, a qualified professional archaeologist shall be contacted immediately, in order to inspect and clear the site for all further activities. If the applicant proposes new development outside of the area that was surveyed by a certified archaeologist, a new archaeological survey covering the proposed development area will be required.
16. The applicant shall contact the Bridgeville Volunteer Fire Department and furnish written documentation from that agency of the available emergency response and fire suppression services and any recommended project mitigation measures. Mitigation measures shall be incorporated into the project, if applicable. 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 and Building Department. 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.
17. The applicant shall be compliant with the County of Humboldt's Certified Unified Program Agency (CUPA) requirements regarding hazardous materials. A written verification of compliance shall be required before any provisional permits may be finalized. Ongoing proof of compliance with this condition shall be required at each annual inspection in order to keep the permit valid.
18. The use of generators as a primary power source for cannabis related activities shall cease by December 31, 2025. The applicant shall complete the proposed 20 kW solar panel system and have the project no longer dependent on generators (used for back up use only) starting January 1, 2026.
19. NON-COUNTY MAINTAINED ROAD: The applicant shall follow all recommendations in the Road Evaluation Report for the non-county maintained road, and be signed-off to the satisfaction of the Planning and Building Department prior to commencing operations.
20. The applicant shall file an Avigation Easement with the County of Humboldt and prescribed by the Department of Public works, and is to be completed to the satisfaction of the DPW. The applicant shall file a post-construction Airspace Certification Form to ensure that all proposed structures are in compliance with Humboldt County Code 333-3. Both of these above described actions shall be completed within 4 months of the effective date of permit approval.
21. Upon permit approval, the applicant shall comply with all specifications within the current 'State Water Board's Cannabis Policy', that include:
 - a. divert water only during the diversion season (November 1 – March 31), and;

- b. have adequate water storage onsite to forbear completely during the forbearance period (April 1 – October 31).

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

1. The combined noise from background, generator, greenhouse fan, or other operational activities and equipment must not result in the harassment of Northern Spotted Owl species, as required to meet the performance standards for noise set by Department Policy Statement No. 16-005 clarifying CMMLUO Section 55.4.11 (o) requirements. The combined noise levels measured at 100 feet or the edge of habitat, whichever is closer, shall be at or below 50 decibels. Conformance will be evaluated using current auditory disturbance guidance prepared by the United State Fish and Wildlife Service (USFWS), and further consultation where necessary. A building permit shall be obtained should any structures be necessary for noise attenuation.
2. All artificial light utilized in mixed light greenhouses shall be limited to 6 watts per square foot, with no wattage limit in the ancillary propagation greenhouse. All artificial lighting shall be fully contained within structures such that no light escapes (i.e., through the use of blackout curtains). Structures shall be enclosed between 30 minutes prior to sunset and 30 minutes after sunrise to prevent disruption to crepuscular wildlife. Security lighting shall be motion activated and comply with the International Dark-Sky Association standards and Fixture Seal of Approval Program (refer to <https://www.darksky.org/our-work/lighting/lighting-for-citizens/lighting-basics/>). Standards include, but are not limited to: Light shall 1) be shielded and downward facing, 2) consist of Low Pressure Sodium (LPS) light or low spectrum Light Emitting Diodes (LED) with a color temperature of 3000 kelvins or less, and 3) only placed where needed.
3. Should the Humboldt County Planning Division receive complaints that the lighting or noise is not complying with the standards listed above in items B.1. and B.2., within ten (10) working days of receiving written notification that a complaint has been filed, the applicant shall submit written verification that the lights' shielding and alignment and noise levels have been repaired, inspected, and corrected as necessary.
4. Prohibition on use of synthetic netting. To minimize the risk of wildlife entrapment, the Permittee shall not use any erosion control and/or cultivation materials that contain synthetic (e.g., plastic or nylon) netting, including photo- or biodegradable plastic netting. Geotextiles, fiber rolls, and other erosion control measures shall be made of loose-weave mesh, such as jute, hemp, coconut (coir) fiber, or other products without welded weaves.
5. All refuse shall be contained in wildlife proof storage containers at all times and disposed at an authorized waste management facility.
6. Should any wildlife be encountered during work activities, the wildlife shall not be disturbed and shall be allowed to leave the work site unharmed.
7. The use of anticoagulant rodenticide is prohibited.
8. 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.

9. All components of the 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. Any 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.
10. Cannabis cultivation and other commercial cannabis activity shall be conducted in compliance with all laws and regulations as set forth in the CMMLUO and MAUCRSA, as applicable to the permit type.
11. If operating pursuant to a written approved compliance agreement, permittee shall abate or cure violations at the earliest feasible date, but in no event no more than two (2) years from the date of issuance of a provisional clearance or permit. Permittee shall provide plans for curing such violations to the Planning and Building Department within one (1) year of issuance of the provisional clearance or permit. If good faith effort toward compliance can be shown within the two years following the issuance of the provisional clearance or permit, the Department may, at the discretion of the Director, provide for extensions of the provisional permit to allow additional time to meet the outstanding requirements.
12. The permittee shall have 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.
13. The permittee shall be in 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.
14. The permittee shall ensure 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).
15. The permittee shall maintain enrollment in Tier 1, 2, or 3, certification with North Coast Regional Water Quality Control Board (NCRWQCB) Order No. R1-2015-0023, if applicable, or any substantially equivalent rule that may be subsequently adopted by the County of Humboldt or other responsible agency.
16. The permittee shall comply with the terms of any applicable Lake and Streambed Alteration Agreement (LSAA), Section 1600 or 1602 Permit, obtained from the California Department of Fish and Wildlife (CDFW).
17. The permittee shall comply with the terms of a less-than-3-acre conversion exemption or timberland conversion permit, approved by the California Department of Forestry and Fire Protection (CAL FIRE), if applicable.

18. The permittee shall 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).
19. The permittee shall pay all applicable fees for application review to ensure 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 (CUPA) program, and in such a way that no spillage occurs.
21. Fertilizer, pesticide, fungicide, rodenticide, or herbicide shall be properly stored, handled, and used in accordance with applicable regulations.
22. The master log books maintained by the applicant to track production and sales shall be maintained for inspection by the County.
23. The permittee shall 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

24. Pursuant to the MCRSA, Health and Safety Code Section 19322(a)(9), an applicant seeking a cultivation license shall "provide a statement declaring the applicant is an 'agricultural employer,' as defined in the Alatorre-Zenovich-Dunlap-Berman Agricultural Labor Relations Act of 1975 (Part 3.5 commencing with Section 1140) of Division 2 of the Labor Code), to the extent not prohibited by law."
25. 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).
26. 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.
27. All persons hiring employees to engage in commercial cannabis cultivation and processing shall comply with the following Employee Safety Practices:
 - a. Cultivation operations and processing operations must implement safety protocols and provide all employees with adequate safety training relevant to their specific job functions, which may include:
 - (1) Emergency action response planning as necessary,
 - (2) Employee accident reporting and investigation policies,
 - (3) Fire prevention,
 - (4) Hazard communication policies, including maintenance of material safety data sheets (MSDS),
 - (5) Materials handling policies,

- (6) Job hazard analyses, and
 - (7) Personal protective equipment policies, including respiratory protection.
- b. Cultivation operations and processing operations must visibly post and maintain an emergency contact list which includes at a minimum:
- (1) Operation manager contacts,
 - (2) Emergency responder contacts, and
 - (3) Poison control contacts.
- c. At all times, employees shall have access to safe drinking water and toilets and handwashing facilities that comply with applicable federal, state, and local laws and regulations. Plumbing facilities and water source must be capable of handling increased usage without adverse consequences to neighboring properties or the environment.
- d. Onsite housing provided to employees shall comply with all applicable federal, state, and local laws and regulations.
28. 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, and
 - i. Onsite housing, if any.
29. Term of Commercial Cannabis Activity Special Permit. Any Commercial Cannabis Activity Permit issued pursuant to the CMMLUO shall expire one (1) year after date of issuance, and on the anniversary date of such issuance each year thereafter, unless an annual compliance inspection has been conducted and the permittees and the permitted site have been found to comply with all conditions of approval.
30. If the inspector or other County official determines that the permittees or site do not comply with the conditions of approval, the inspector shall serve the permit holder with a written statement identifying the items not in compliance, and the action that the permit holder may take to cure the noncompliance, or file an appeal within ten (10) days of the date that the written statement is delivered to the permit holder. Personal delivery or mailing the written statement to the mailing address listed on the application by regular mail, plus three (3) days after date of mailing, shall constitute delivery. The permit holder may request a re-inspection to determine whether or not the permit holder has cured all issues of noncompliance. Failure to request re-inspection 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.
31. 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.
32. 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.

33. 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.
34. Inspections. The permit holder and subject property owner are to permit the County or representative(s) or designee(s) to make inspections at any reasonable time deemed necessary to assure that the activities being performed under the authority of this permit are in accordance with the terms and conditions prescribed herein.

Informational Notes:

1. Pursuant to Section 314-55.4.11 (a) of the CMMLUO, if upon inspection for the initial application, violations of any building or other health, safety, or other state or county statute, ordinance, or regulation are discovered, the Planning and Building Department may issue a provisional clearance or permit with a written approved Compliance Agreement. By signing the agreement, the permittee agrees to abate or cure the violations at the earliest opportunity, but in no event more than two (2) years after the date of issuance of the provisional clearance or permit. Plans for curing the violations shall be submitted to the Planning and Building Department by the permittee within one (1) year of the issuance of the provisional certificate or permit. The terms of the compliance agreement may be appealed pursuant to Section 314-55.4.13 of the CMMLUO.
2. This provisional permit approval shall expire and become null and void at the expiration of one (1) year after all appeal periods have lapsed (see "Effective Date"), except where the Compliance Agreement per Condition of Approval #B.11 has been executed, and the corrective actions pursuant to the agreement are being undertaken. Once building permits have been secured and/or the use initiated pursuant to the terms of the agreement, the use is subject to the Permit Duration and Renewal provisions set forth in Conditions of Approval #B.29 and B.30 of the Ongoing Requirements/Development Restrictions, above.
3. If cultural resources are encountered during construction activities, the contractor onsite shall cease all work in the immediate area and within a 50-foot buffer of the discovery location. A qualified archaeologist and the appropriate Tribal Historic Preservation Officer(s) are to be contacted to evaluate the discovery and, in consultation with the applicant and the lead agency, develop a treatment plan in any instance where significant impacts cannot be avoided.

Prehistoric materials may include obsidian or chert flakes, tools, locally darkened midden soils, groundstone artifacts, shellfish or faunal remains, and human burials. If human remains are found, California Health and Safety Code 7050.5 requires that the County Coroner be contacted immediately at 707-445-7242. If the Coroner determines the remains to be Native American, the Native American Heritage Commission will then be contacted by the Coroner

to determine appropriate treatment of the remains pursuant to Public Resources Code (PRC) Section 5097.98. Violators shall be prosecuted in accordance with PRC Section 5097.99.

4. The applicant shall be aware that the Federal Government considers the cultivation of cannabis to be an illegal activity. This project is accessed by using roads that pass-through lands owned by the Federal Government. The Federal Government may not allow the applicant to use these roads to transport cannabis. In such case, Humboldt County will not provide relief to the applicant. Approval of this permit does not authorize transportation of cannabis across Federal lands.

ATTACHMENT 2

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

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

APN 210-131-020 (PLN-12259-CUP); 5136 Burr Valley Road, Bridgeville, CA 95526

County of Humboldt

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

June 2021

BACKGROUND

Purpose of Addendum

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

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

Project History

The Commercial Medical Marijuana Land Use Ordinance (CMMLUO) established specific regulations for commercial cannabis operations in Humboldt County. The CMMLUO was considered a "project" under CEQA and thus required analysis for potential environmental impacts. Therefore, the CMMLUO regulations were developed and adopted in concert with the environmental analysis and MND that was adopted for the ordinance in 2016.

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 and 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. 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." As applications are filed for new or differing cultivation activities, the "modification" to the CMMLUO is evaluated for consistency and compliance with the CMMLUO MND.

Modified Project Description

Barryland Farm seeks a Conditional Use Permit (PLN-12259-CUP) for a maximum of 20,450 square feet (SF) of outdoor and mixed light cannabis cultivation. Existing cultivation includes 11,250 SF of mixed light cultivation that occurs in four (4) greenhouses and 9,200 SF of outdoor cultivation that occurs in five (5) greenhouses. Propagation takes place in two (2) 1,000-SF nursery areas (2,000 SF total). Drying and processing will occur onsite within two (2) sheds, 399 SF and 1,489 SF (1,888 total). The project requires two (2) seasonal employees. Power is provided partially by solar panels (existing) and one (1) 45 KW diesel-powered Whisperwatt generator. The applicant is proposing to upgrade to a 20 kW solar panel system within two (2) years of project approval, and only retain the generator for backup purposes.

Irrigation water is sourced from a permitted well (No. 16/17-0380) that is hydrologically connected to surface water and subject to forbearance. Diversion from the well requires a water right, which is awaiting confirmation from the State Water Resources Control Board (SWRCB) and the California Department of Fish and Wildlife (CDFW). Estimated onsite water use is 122,000-gallons per year (6 gallons/SF). Total onsite water storage is 98,450 gallons stored in 27 hard tanks as follows: seven (7) 350-gallon tanks, two (2) 3,000-gallon tanks, and eighteen (18) 5,000-gallon tanks.

A Water Resources Protection Plan (WRPP) was created in order to protect the water resources within the project area through annual site inspection, monitoring, and reporting of Tier 2 discharges to the North Coast Regional Water Quality Control Board (NCRWQCB). The proposed project is enrolled with the NCRWQCB under the water quality identification number (WDID: WDID: 1_12CC400884).

A list of special status species that could potentially occur in the project area was generated in June 2021 using the California Department of Fish and Wildlife (CDFW) California Natural Diversity Database (CNDDDB), which includes the California Native Plant Society (CNPS) and the Northern Spotted Owl (NSO) databases. There is habitat area for American peregrine falcon, which is a sensitive species but without any special status designation, located approximately 210 meters west of the project area. Project activities are not expected to produce adverse or cumulative effects to any special status species or habitat, due to the small size of the project area and the type of proposed activities. Therefore, impacts to biological resources with mitigation measures in place are considered low and unlikely.

The project area is located within the traditional tribal territory of the Nongatl tribe. A Cultural Resources Investigation was prepared by William Rich (M.A., RPA) of William Rich and Associates, to determine if there was evidence of any existing cultural resources within the project area. The Investigation included the following: a review of regional archaeological literature, a historical background search of existing maps relevant to the study area, a records search by the Northwest Information Center (NWIC), a pedestrian survey, and correspondence with local tribal representatives of the Bear River Band of the Rohnerville Rancheria. The field survey identified three (3) debitage findings that were determined not to be culturally significant. Mr. Rich determined that no specific protection recommendations for the isolated findings are necessary at this time, and that the project would not adversely affect cultural resources. Additionally, Mr. Rich, as well as Jesse Lopez of the Bear River Tribal Band, recommends the use of Inadvertent Discovery Protocol (PRC 15064.5 (f)) by a qualified professional archaeologist, if any previously unidentified cultural resources or human remains are encountered throughout project implementation (**Condition 15**).

The modified project is consistent with the adopted MND for the CMMLUO, because it complies with all standards of the CMMLUO which were intended to mitigate impacts of existing cultivation. These include ensuring supplemental lighting and security lighting adheres to Dark Sky Association

standards, and ensuring project related noise does not harass nearby wildlife, which will limit impacts to biological resources as a result of light and noise.

Summary of Significant Project Effects and Mitigation Recommended

No changes are proposed for the original MND recommended mitigation measures. The proposal to authorize a maximum of 20,450 SF of outdoor and mixed light cannabis, including the continued operation of 11,250 SF of mixed light cultivation, is fully consistent with the impacts identified and adequately mitigated in the original MND. The project, as conditioned, 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 for the project, Barryland Farm (PLN-12259-CUP), among other documents:

- Site Plan created by Humboldt Drafting Services, 10/29/2020
- Cultivation and Operations Plan, prepared by Six Rivers Construction & Consulting, August 2018, Revised June 2021
- Water Resources Protection Plan, prepared by Six Rivers Construction & Consulting, June 2018
- CDFW CNDDDB Biological Resources Search, completed 6/5/2021
- Cultural Resources Investigation, conducted by William Rich (MA, RPA) of Rich and Associates, November 2018
- NWIC search 9/19/2019
- LSAA (No. 1600-2018-0189-R1) granted on 10/30/2020
- Well Log Application, 9/29/2017
- Small Domestic Use Registration (D033139) letter from the State Water Resources Control Board, 4/12/2021

Other CEQA Considerations

Staff suggests no changes for the revised project.

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

See **Purpose** statement above.

For every environmental topic analyzed in this review, the potential environmental impacts of the current project proposal, Barryland Farm LLC, would be the same or similar, with no substantial increase in severity, then the initial CMMLUO 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, Barryland Farm LLC (PLN-12259-CUP). 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. **(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. (Site Plan prepared by Humboldt Drafting Services, 10/29/2020 - **Attached**)
4. A cultivation and operations plan that meets or exceeds minimum legal standards for water source, storage, irrigation plan, conservation, and projected use; drainage, runoff and erosion control; watershed and habitat protection; and storage of fertilizers, pesticides, and other regulated products to be used on the parcel. 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 & Operations Plan prepared by Six Rivers Construction & Consulting, August 2018, Revised June 2021 - **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. (Small Domestic Use Registration (D033139) letter from the State Water Resources Control Board, 4/12/2021 - **On file**)
6. Description of water source, storage, irrigation plan, and projected water usage. (Included in Cultivation Operations Plan - see item 4 above)
7. Copy of Notice of Intent and Monitoring Self-Certification and other documents filed with the North Coast Regional Water Quality Control Board (NCRWQCB) demonstrating enrollment in Tier 1, 2 or 3, NCRWQCB Order No. 2015-0023, or any substantially equivalent rule that may be subsequently adopted by the County of Humboldt or other responsible agency. (Water Resources Protection Plan, prepared by Six Rivers Construction & Consulting, June 2018 - **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 Lake and Streambed Alteration Permit obtained from the California

Department of Fish and Wildlife (LSAA (No. 1600-2018-0189-R1) granted on 10/30/2020– **On file**).

9. If the source of water is a well, a copy of the County well permit, if available. (**Not applicable**).
10. If the parcel is zoned FR, U or TPZ, or involves the conversion of timberland as defined under Section 4526 of the Public Resources Code, a copy of a less-than-3-acre conversion exemption or timberland conversion permit, approved by the California Department of Forestry and Fire Protection (Cal Fire). Alternately, for existing operations occupying sites created through prior unauthorized conversion of timberland, evidence may be provided showing that the landowner has completed a civil or criminal process and/or entered into a negotiated settlement with Cal Fire. (**Not applicable**).
11. Consent for on-site inspection of the parcel by County officials at prearranged date and time in consultation with the applicant prior to issuance of any clearance or permit, and once annually thereafter. (**On file**)
12. For indoor cultivation facilities, identification of the source of electrical power, how it will meet the energy requirements in Section 55.4.8.2.3, and the plan for compliance with applicable building codes. (**Not applicable**)
13. Acknowledgment 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. Acknowledgment that the County reserves the right to engage with local tribes before consenting to the issuance of any clearance or permit, if cultivation operations occur within an Area of Traditional Tribal Cultural Affiliation, as defined herein. This process will follow current departmental referral protocol, including engagement with the tribe(s) through coordination with their Tribal Historic Preservation Officer (THPO) or other tribal representatives. This procedure shall be conducted similar to the protocols outlined under SB 18 (Burton) and AB 52 (Gatto), which describe “government to government” consultation, through tribal and local government officials and their designees. During this process, the tribe may request that operations associated with the clearance or permit be designed to avoid, minimize, or mitigate impacts to tribal cultural resources, as defined herein. Examples include, but are not limited to, conducting a site visit with the THPO or their designee to the existing or proposed cultivation site, requiring that a professional cultural resources survey be performed, or requiring that a tribal cultural monitor be retained during project-related ground disturbance within areas of sensitivity or concern. The County shall request that a records search be performed through the California Historical Resources Information System (CHRIS). (**On file**)

Cultivation & Operations Plan

**Barryland Farm LLC
APN: 210-131-020
WDID #: 1_12CC400884**

Proposed Commercial Cannabis Cultivation

Prepared For

**Humboldt County Planning & Building
Department**



**Prepared By
Elevated Solutions
3943 Walnut Dr STE E
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Revised June, 2021

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1. Project Summary

1.1 Project Objective

Barryland Farm LLC is proposing to permit existing cannabis cultivation activities in accordance with the County of Humboldt Commercial Medical Marijuana Land Use Ordinance (CMMLUO). The project requires a Conditional Use Permit (CUP), for a total of 11,250 square feet of mixed light cultivation and 9,255 of outdoor cultivation. Mixed light cultivation takes place in (3) 100'x37.5' greenhouse structures. Lower cultivation area is being relocated to new proposed landing. Please refer to *Appendix C: Grading & Remediation Plan*. Power is supplied by a 45k Whisper Watt generator. See *Appendix D* for generator specifications. The water source for cultivation is supplied by a permitted well. There is currently 98,450 gallons of water storage in the form of hard water tanks to facilitate the project during the forbearance period. There are (3) connex storage boxes (20'x8') located on the parcel that is used for storing all construction tools, nutrients, and fuel. All fuel, oil, and nutrients and stored in a safe manner as recommended by the manufacturer with secondary containment. The applicant plans to become fully compliant with state and local cultivation regulations.

1.2 Site Description

The project site is located approximately 63 miles south east of Eureka, CA. To reach the site from Eureka, take US-101 South for 17 miles to exit 685 to Hwy 36. Continue on Hwy 36 for 36.3 miles. Turn right onto Burr Valley Rd. for 5.3 miles. The destination will be on the right 5136 Burr Valley Rd. Bridgeville, CA. Approximate drive time from Eureka, CA is 1 hour and 55 minutes with a distance of 55 miles. The site is located in section 34, township site is located at 40.4238, - 123.6062. The subject parcel is approximately 16.11 acres in size (per Humboldt County WebGIS).

1.3 Land Use

The subject has a general plan designation of dispersed housing, as identified by the Northern Humboldt General Plan (NHGP), and is zoned T:U (Unclassified). The purpose for which either land or structure is designated, arranged, or intended, or for which is or may be occupied or maintained (former section INL #312-72) a; ord. 1104, sec. 210576 by ord. 2166 section 9 on 4-7-2008.

2. State & Local Compliance

2.1 State of California Commercial Cannabis Activity License

Barryland Farm LLC is seeking issuance of an interim permit from Humboldt County, upon which the applicant will apply for a Commercial Cannabis Cultivation License from the California Department of Food & Agriculture (CDFA).

2.2 North Coast Regional Water Quality Control Board

Barryland Farm LLC is currently enrolled with the NCRWQCB for coverage under Tier 2 of Order No. 2015-0023 Waiver of Waste Discharge Requirements and General Water

Quality Certification for Discharges of Waste Resulting from Cannabis Cultivation & Associated Activities or Operations, With Similar Environmental Effects. A Water Resource Protection Plan has been developed for the project by Six Rivers Construction & Consulting, and has been implemented for activities associated with onsite cultivation since August 2016. The associated WDID # is 1B161103CHUM.

2.3 State Water Resource Control Board

A total of 2 watercourses exist on the property. Water for domestic uses is provided by a point of diversion in Little Thompson Creek and permitted well. A steel pipe, 2.5 in. in diameter, is buried under large borders at the base of a large pool. The buried water line gravity feeds the applicants house and agricultural places of use. The applicant has enrolled transitioned to the State Water Resource Control Board, under Order WQ 2017-0023-DWQ, and has applied for a Small Irrigation Use Registration. CDFW has walked the entire site and has deemed the well jurisdictional. Applicant will follow the guidelines of the low flow season from May 15th to October 15th.

2.4 Humboldt County Building Department

All necessary building permits will be obtained from the Humboldt County Building Department for all existing and proposed structures and supporting infrastructure upon approval of the Conditional Use Permit. The Humboldt County Planning Department application # is 12259.

2.5 Humboldt County Agriculture Department

The applicant of Barryland Farm LLC will be assigned an Operator Identification number in order to identify specific areas that have been treated with pesticides and report monthly use of EPA regulated pesticides. Barryland Farm LLC adheres to all agriculture safety requirements for employers, including posting necessary pesticide safety forms on site and conducting pertinent training for employees. Please refer to section 2.6-3 for further information.

2.6 Cal Fire

The subject property is located within a State Responsibility Area (SRA) for fire protection. Several improvements are proposed in order to meet SRA requirements, including designation of a fire turn out area for emergency vehicles, and management of trees and vegetation around existing structures to maintain the required 100 ft. defensible space. All structures on the property meet the 30 ft. SRA setback requirement from property lines. Fire extinguishers are located at all greenhouse structures, processing facility and fuel areas.

2.7 California Department of Fish & Wildlife

A Lake Streambed Alteration Agreement (LSAA) has been completed by Chris Carroll from Timberland Resource Consultants. There are two upgrades on the project that will be completed in the 2019 season. A 45-ft. steel bridge will be installed over Thompson Creek. Mother Earth Engineering is currently drafting

plans. The current instream pond will have a new upgraded 18" x 30' long CMP installed and realigned.

3. Cultivation & Processing

3.1 Propagation & Initial Transplant

Juvenile plants are propagated on site from "mother plants" that demonstrate the desired genetics for the specific cannabis strain. Mother plants remain in the vegetative stage solely for propagation. Cuttings are sampled from the mother plants and are rooted into a growing medium, typically oasis cubes, to produce "clones". The clones are placed into the nursery, and once fully rooted, transplanted directly into (1) gallon plastic containers. The juvenile plants are irrigated using hand watering methods. After 2-3 weeks, the clones are then transplanted into 25-gallon plastic pots with a soil and perlite medium and moved into outdoor greenhouses where they continue their vegetative cycle.

3.2 Cultivation Plan & Schedule

The mixed light cultivation will occur in (3) 100'x37.5' greenhouse structures, for a combined mixed light cultivation of 11,250 sq. ft. The 9,225 sq. ft. of outdoor cultivation operation will occur on the large stable flat located behind the house and curing shed. The greenhouses consist of heavy gauge steel tubing, covered with a woven poly translucent opaque tarp. Greenhouse flooring will be upgraded to black polyurethane petromat, six inches of rock, and one foot of soil contained in garden beds. Each greenhouse is ventilated by intake and exhaust fans. The greenhouses utilize a combination of artificial light and light deprivation to produce up to (2) flowering cycles per year by pulling tarps over greenhouses, adhering to the International Dark Sky Standards, which are further detailed in *Appendix G: Light Management Plan for International Dark Sky Policy*. The monthly *Cultivation Schedule in Appendix F* details the cultivation activities associated with the mixed light cultivation operation for a typical two cycle year.

3.3 Irrigation Plan & Schedule

Irrigation and fertigation of plants occurs using top feed hand watering methods and drip admitters. Barryland Farm LLC maintains that irrigation of nutrients via hand watering methods to prevent admitters from clogging. This also allows for daily inspection of each plant by the cultivator and tailored irrigation and nutrient application dependent on the needs of each individual plant.

3.4 Harvesting, Drying & Trimming

Plants that are ready for harvest have their flowering branches removed and suspended in the drying room, which is equipped with ventilation fans and climate control measures. The drying process takes approximately one week. The dried flowers are then bucked into manageable buds and processed at an on-site processing facility.

All wet plants are weighed again to document dry loss. When the product is dried and ready for processing it is weighed again to document dry loss. When the plant

has completed the processing stage, the finished flower, trim, and stocks are weighed and will be documented to implement into the METRC System.

3.5. Processing Facility

All cannabis processing will occur on site at the 1,560 sq. ft. processing facility located by the main residence. The facility will incorporate all aspects of processing including drying, curing, and trimming, and will include a portable ADA restroom for employees.

The finished product is stored in the processed materials room before being transported to a licensed distribution facility. The waste product, “trim”, from the processing facility is collected and placed into bins to be weighed, labeled, and sealed. Trim will be transferred to an off-site facility via a licensed transportation company to a licensed manufacturing facility for processing.

3.6 Employee Plan

Barryland Farm LLC is an “agricultural employer” as defined in Alatorre-Zenovich-Dunlap-Berman Agricultural Labor Relations Act of 1975 [Part 3.5 (commencing with Section 1140) of Division 2 of the Labor Code], and complies with all applicable federal, state and local laws and regulations governing California Agricultural Employers.

3.6-1 Job Descriptions & Employee Summary

- *Agent In Charge* – Responsible for business oversight and management of Barryland Farm LLC. Responsibilities include, but are not limited to: inventory and tracking, personnel management, record keeping, budget, and liaison with State and County inspectors as needed. This is a part to full time, seasonal position.
- *Lead Cultivator* – Oversight and management of the day to day cultivation of medical cannabis. Responsibilities include, but are not limited to plant propagation and transplant, soil management, irrigation, fertilization, pesticide management, and harvesting activities. This is a full-time, year-round position.
- *Assistant Cultivator/Processing Manager* – Provides support to the lead cultivator in their day to day duties and takes the lead role during times when the lead cultivator may be off site. Once processing activities commence, the assistant cultivator duties transition to oversight and management of processing the dried medical cannabis. This is a full time, seasonal position.
- *Seasonal Labor* – Provides cultivation, harvesting, and processing support including trim machine operation and hand finished trimming. This is a part to full time, seasonal position.

3.6-2 Staffing Requirements

In addition to the agent, lead cultivator, and assistant cultivator positions, up to (2) full time seasonal labor positions may be employed. The number of seasonal laborers varies based on the needs of the farm during the cultivation, harvest and processing seasons. During the peak harvest and processing season, there are an estimated total of (4) employees on site.

3.6-3 Employee Training & Safety

On site cultivation, harvesting, and drying is performed by employees trained on each aspect of the procedure including cultivation and harvesting techniques, use of pruning tools, and proper application of pesticides and fertilizers. All employees are trained annually by a certified individual, ie. a person holding a PAC (Private Applicator Certification) issued by the Department of Pesticide Regulation, before working in treated cultivation areas and/or handling any pesticides. The Material Safety Data Sheets (MSDS), as well as an A-8 and A-9 form are kept on site and accessible to employees. Access to the onsite cultivation, drying, processing facilities is limited to authorized and trained staff.

All employees are trained in proper safety procedure including fire safety, use of rubber gloves, respirators, proper hand washing guidelines and protocol in the event of an emergency. Eye wash stations are located at areas where nutrients or fuels are used. Contact information for the local fire department, CAL FIRE, Humboldt County Sheriff Department, as well as agent in charge will be posted at the cultivation site. Each employee is provided with a written copy of emergency procedures and contact information.

All employees are required to complete sexual harassment prevention training in compliance with SB 1343. At least (1) employee on site holds a weigh master certification. All staff involved in harvesting activities will undergo METRC track & trace training, as well as any third-party track & trace training that may be implemented in the future. Employees involved in track & trace duties are required to stay current with corresponding regulations and attend any future training or refresher courses.

3.6-4 Toilet & Handwashing Facilities

The drying and processing building will include on portable ADA compliant restroom, including a flushable toilet, as well as a sink with hot and cold running water. Antibacterial liquid soap and paper hand towels are made readily available. Employees will work at a distance typically no greater than 250 ft. from the restroom.

3.6-5 On-Site Housing

The existing single-family residence located on site occupied by the property owner/agent in charge. All other full-time and seasonal employees live off-site and commute daily to the cultivation site via carpool and personal forms of transportation. No new residential structures are proposed as part of this project.

3.7 Security Plan & Hours of Operation

3.7-1 Facility Security

The cultivation facilities including the greenhouses and processing buildings are enclosed in a secure privacy fence. An entry gate is located off of Burr Valley Rd. approximately 200 ft. on the North side of Burr Valley Rd. The entry gates remain locked at all times and access to the cultivation areas is limited to exclusively to employees. Restricted access signs are posted conspicuously at the entry gates. The cultivation and processing facility area will have low intensity exterior lighting to illuminate the entrances and will include a small number of motion activated security lights. All lighting will be designed and located, so that direct rays are confined to the property. Barryland Farm LLC will adhere to the International Dark Sky Associations' recommendations by using downward facing, warm colored, Low-pressure Sodium, High-pressure Sodium or low color-temperature LED's with a shield over the light source to minimize glare and light pollution. Please refer to *Appendix G: Lighting Management Plan for International Dark Sky Policy* for further information. Security cameras will be installed at the main access gates and entrances to the facilities, which will include an alarm system. There are motion alarms posted at various locations on the property to ensure that trespassers are not on the premises.

4. Environment

4.1 Water Source and Projected Water Use

Water for domestic and cannabis irrigation use is provided by a permitted hydrologically connected well. The location of the well is over 200' away from an unnamed class III stream. Water is then pumped and stored in hard storage tanks during the winter months to maintain water levels throughout the year.

Barryland Farm LLC utilizes water management strategies to conserve and reuse onsite water and fertilizers to achieve net zero discharge.

The table below outlines the estimated irrigation water usage for cultivation during a typical year. Variables such as weather conditions and specific cannabis strains will have a slightly different effect on water use.

Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
0	0	0	10,000	12,000	14,000	30,000	30,000	16,000	10,000	0	0

4.2 Water Storage

Water storage for irrigation use is provided in the form of water storage tanks. The property currently has (7) 350-gal, (2) 3,000-gal, and (18) 5,000-gal storage tanks for a total of 98,450 gallons of hard water storage.

4.3 Site Drainage, Runoff, & Erosion Control

Barryland Farm LLC is enrolled with the North Coast Regional Water Quality Control Board (NCRWQCB) for Tier 2 coverage, and a Water Resource Protection Plan (WRPP) has been developed utilizing Best Management Practices (BMP's) in accordance with the North Coast Regional Water Quality Control Board and the State Water Resources Control Board recommendations. The drainage and erosion control measures described are referenced from the WRPP in *Appendix H*.

4.3-1 Site Drainage & Runoff

Site Investigation for the development of the Water Resource Protection Plan (WRPP) showed no evidence of surface runoff associated with the cultivation, nor was there evidence that it had occurred in the past. This area has suitable vegetation ground cover, consisting of native grasses with no evidence of leaching from cultivation related activities.

Fertilizers and pesticides are currently stored in an agricultural storage structure that meets all requirements for secondary containment.

To further prevent runoff to riparian areas, water conservation and containment measures will be implemented, including use of hand irrigation to prevent excessive water use, and maintenance of stable, vegetated buffer between the cultivation area and riparian zone.

4.4 Erosion Control

The Water Resource Protection Plan (WRPP) includes erosion and sediment control BMP's designed to prevent contain and reduce sources of sediment. The WRPP also includes corrective actions to access road maintenance. Additionally, the WRPP requires mulch piles and spoils from any grading to be stored in a designated location away from the watercourse. Please refer to the WRPP section titled *Best Management Practices for Discharges of Waste Resulting from Cannabis Cultivation and Associated Activities* located in *Appendix H* for complete BMP recommendations and specifications.

4.5 Watershed and Habitat Protection

Adherence to the Water Resource Protection Plan ensures that the watershed and surrounding habitat are protected. The cultivation activities and associated structures are > 150 ft. from the nearest watercourse, providing a suitable buffer between cultivation operation and habitat. Additionally, site development and maintenance activities utilize BMP's in accordance with the NCRWQB/SWRCB recommendations. Any grading and earthwork activities will be conducted by a licensed contractor in accordance with approved grading permits, signed Lake and Streambed Alteration Agreement with CDFW and the WRPP. Refer to *Appendix H* for detailed descriptions of watershed and habitat protection measures.

4.6 Monitoring & Reporting

Monitoring will be conducted to confirm the effectiveness of corrected measures listed in the Water Resource Protection Plan (WRPP) and determine if the site meets all standard conditions. Inspections will include photographic documentation of any controllable sediment discharge sites as identified in the site map. Visual inspection will occur at those locations on the site where pollutants or wastes, if uncontained, could be transported into receiving waters, and those locations where runoff from roads or developed areas drain into or toward surface water. The inspection will also document the progress of any planned contingency subject to a time schedule, or in the process of being implemented. A monitoring plan is included in the WRPP with photo points identified on WRPP map.

On-site monitoring shall occur:

- Before and after any significant alteration or upgrade to a given stream crossing, road segment, or controllable sediment discharge site. Inspection should include photographic documentation with photo records to be kept on sight.
- Prior to October 15th and December 15th to evaluate site preparedness for storm events and storm water runoff.
- Following any rainfall event with an intensity of 3" precipitation in 24 hours. Precipitation data can be obtained from the National Weather Service by entering the site zip code at <http://www.noaa.gov/forecast>.

A monitoring and Reporting Forms are submitted annually under State Water Resource Control Board Order WQ 2017-0023-DWQ. The annual report will include data from the monitoring reports.

4.7 Energy & Generator Use

Off-grid electricity is provided by a 45k Whisper Watt generator for domestic and agricultural uses. The generators are located in a generator shed to ensure the noise levels do not exceed 60 dB at the property line. Decibel readings at the property line were recorded at 39.9 dB. The generator and fuel have secondary containment, eye wash stations, and fire extinguishers. Refer to *Appendix D* for more detailed generator specifications.

4.8 Use and Storage of Regulated Products

4.8-1 Best Management Practices

Best Management Practices (BMP's) are employed when storing, handling, mixing, application, and disposal of all fertilizers, pesticides, and fungicides. All nutrients, pesticides, and fungicides are located in a locked storage room, and contained within water-tight, locked and labeled containers, in accordance with manufacturers instruction. Application rates will be tracked and reported with the end of the year monitoring report required in the WRPP. Employees are trained to safely handle such pesticides, as before stated in section 2.6-3. See *Appendix H, WRPP* for complete BMP specifications for the use and storage of regulated products.

4.8-2 Fertilizers

Nutrients and biological inoculants used for cultivation include:

- Roots Organic-Formula 707 Soil
- Sparetime Bat Guano (0-7-0)
- Sparetime Bat Guano (7-3-1)
- Sparetime Mocha Bat Guano (4-6-1)
- Sparetime Bone Meal (1-12-0)
- Archipelago Phosphorus Bat Guano – (0-7-0)
- Earthworm Castings
- Alaska Fish Emulsion (6-3-3) & (2-10-10)
- Earth Juice – Grow (2-1-1)
- Earth Juice – Bloom (0-3-1)
- Earth Juice Hi-Brix Molasses
- Max Sea (16-16-16)
- Max Sea (3-20-20)
- Botanicare Cal-Mag Plus
-

Please see *Appendix B, MSDS* for complete product data.

4.8-3 Pesticides & Fungicides

Pesticides and fungicides used for cultivation include:

- Diatomaceous Earth
- Magnesium Sulfate – 9.8% Mg, 12.9% S
- Neem Oil
- Green Cleaner

4.8-4 Fuel & Oil

Barryland Farm LLC has a 500-gallon fuel tank located on the stable flat by the house with secondary containment. The 5-gallon petroleum products, oil, and nutrients are stored in (3) 20'x8' connex boxes. Spill kits, fire extinguisher, and eye wash stations are located by all fuel storage.

4.9 Waste Management Plan

4.9-1 Solid Waste Management

Trash and recycling containers are located near the processing building in a safe, enclosed location. Solid waste and recycling is hauled off-site to 965 Riverwalk Dr. Fortuna, CA 95540. Cultivation waste and soil management stalks are burned and composted or chipped for ground cover and compost. Root balls are hauled away as green waste or composted. Spent potting soil is stored in a contained area with environmental measures in place. Spent soil is covered during winter months and then amended in pots before further use. All packaging from soil amendments and fertilizers are collected and disposed at the appropriate facility.

4.9-2 Waste Water Management

The water management plan aims to achieve an entirely close-cycled irrigation and nutrient system. Hand watering methods minimize the over-irrigation of plants and subsequent runoff.

There is a working septic system that facilitates the parcel. The septic is on file with the county and a copy can be provided by the applicant if needed.

5. Product Management

5.1 Product Testing & Labeling

Samples are selected from individual harvested cannabis strains (lots) are tested by a licensed third-party lab in accordance with State and local standards. The finished product is labeled with the Barryland Farm LLC logo, or sold to a licensed distributor in bulk to be privately labeled and will include tracking ID's provided by the County of Humboldt and/or Statewide tracking systems.

5.2 Product Inventory & Tracking

The agent in charge and lead cultivator ensure all cannabis from clone to packaged product is tracked, accounted for and inventoried using METRC and any other third-party track & trace system that may be implemented in the future. Records are kept at each phase of the harvest and processing operation for reporting and compliance with state and local regulations. The information recorded for each harvest includes:

- Weight of plants (wet)
- Weight of plants (dry)
- Weight of processed flower, trim, and stalks (final product)
- Product ID numbers and product weight
- Staff identification (at each step)
- Physical location of plant material at all times

5.3 Transportation & Distribution

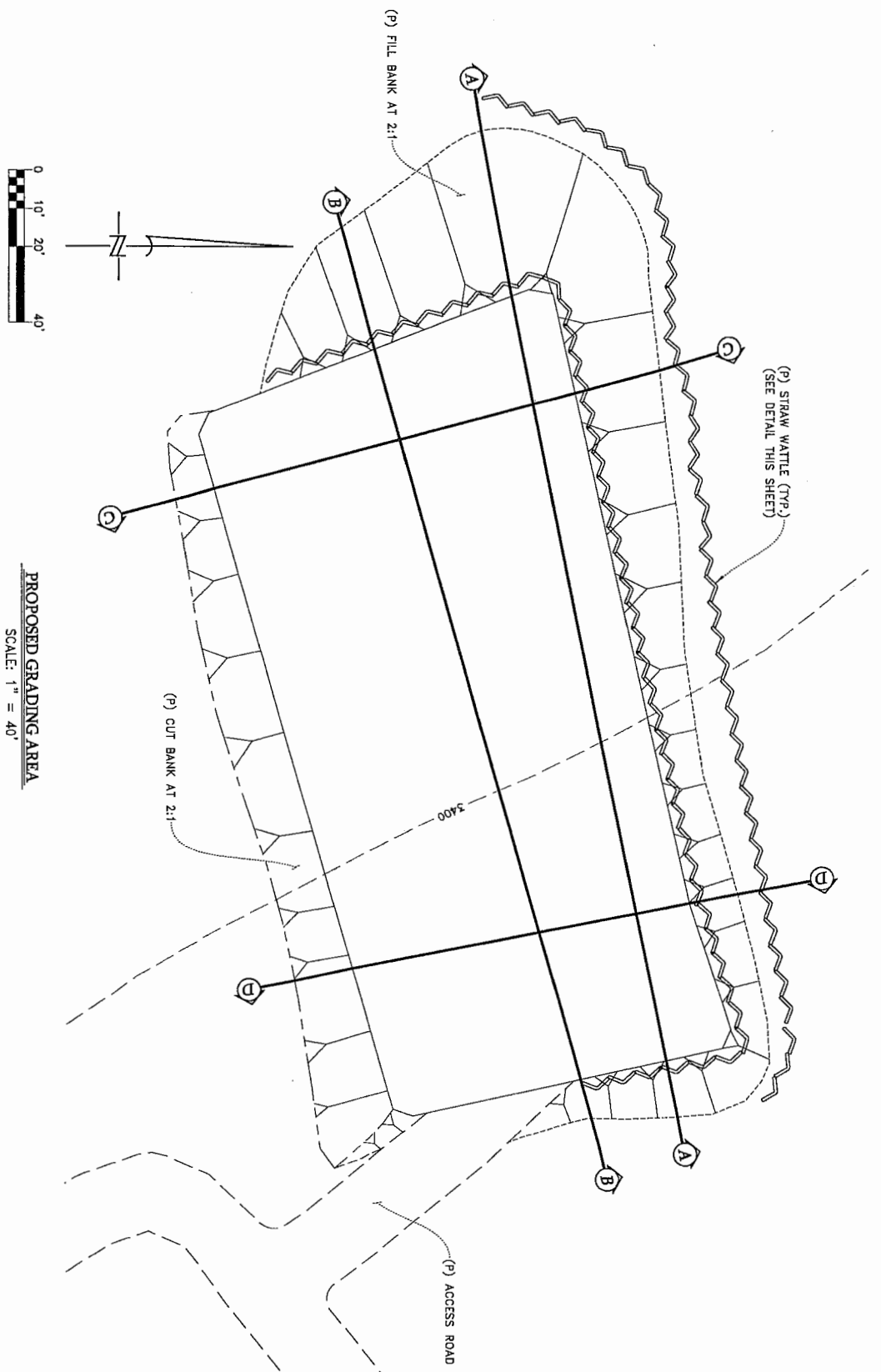
Transportation will be handled by the third-party contracted, licensed transporter/distributor in accordance with State and local regulations. All merchantable products will be distributed through licensed distribution company. Prior to moving packages from the on-site holding facility to another physical location, a transport manifest will be created by the distributor/transporter. The agent in charge and processing manager are responsible for performing a physical inventory of all packages being transported and ensuring that physical inventory coincides with the shipping manifest.

Appendix A: References

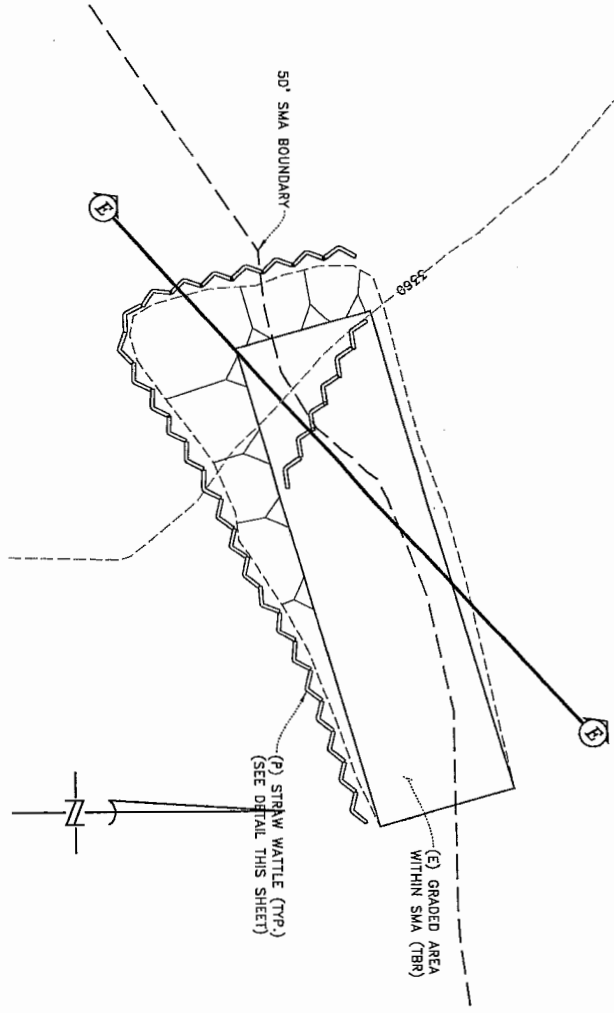
1. Bass, Ronald E., Kenneth M. Bogdan, and Terry Rivasplata. 2013. CEQA Desktop. Point Arena, CA; Solano Book Press. Page 44.
2. California Code of Regulations. Health and Safety Code Section 11357-11362.9. <<http://www.leginfo.ca.gov/cgi-bin/displaycode?section=hsc&group=11001-12000&file=11357-11362.9>> Date accessed: July 16, 2014.
3. California NORML. SB 420 Establishes Prop. 215 Guidelines, Voluntary Patient Identification Card System. <<http://www.canorml.org/laws/sb420.html>> Date accessed: July 21, 2014.
4. County of Humboldt. Medical Marijuana Land Use Ordinance (MMLUO) – Phase IV, Commercial Cultivation, Processing, Manufacturing and Distribution of Cannabis for Medical Use (Staff Report to the Board of Supervisors). January 26, 2016. <<https://humboldt.legistar.com/Calendar.aspx>> Date accessed: March 28, 2016.
5. North Coast Regional Water Quality Control Board. 2016. Cannabis Cultivation Waste Discharge Regulatory Program. http://www.waterboards.ca.gov/northcoast/water_issues/programs/cannabis/. Date accessed: March 28, 2016.
6. State Board of Equalization. Information on the Sales and Registration for Marijuana Sellers. June 2007. <<http://www.boe.ca.gov/news/pdf/173.pdf>>
7. State of California. Guidelines for the Security and Non-Diversion of Marijuana Grown for Medical Use. August 2008. http://www.ag.ca.gov/cms_attachments/press/pdfs/n1601_medicalmarijuanaguidelines.pdf

Appendix B: Plot Map

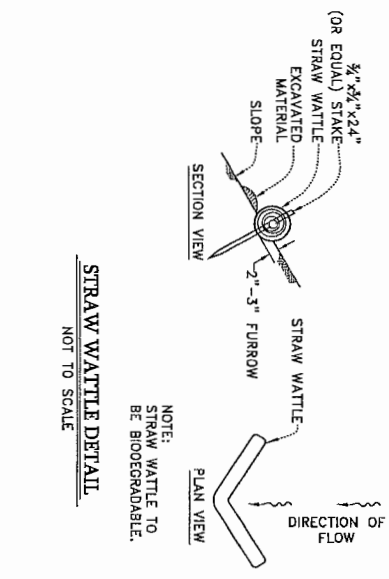
Appendix C: Grading & Remediation Plan



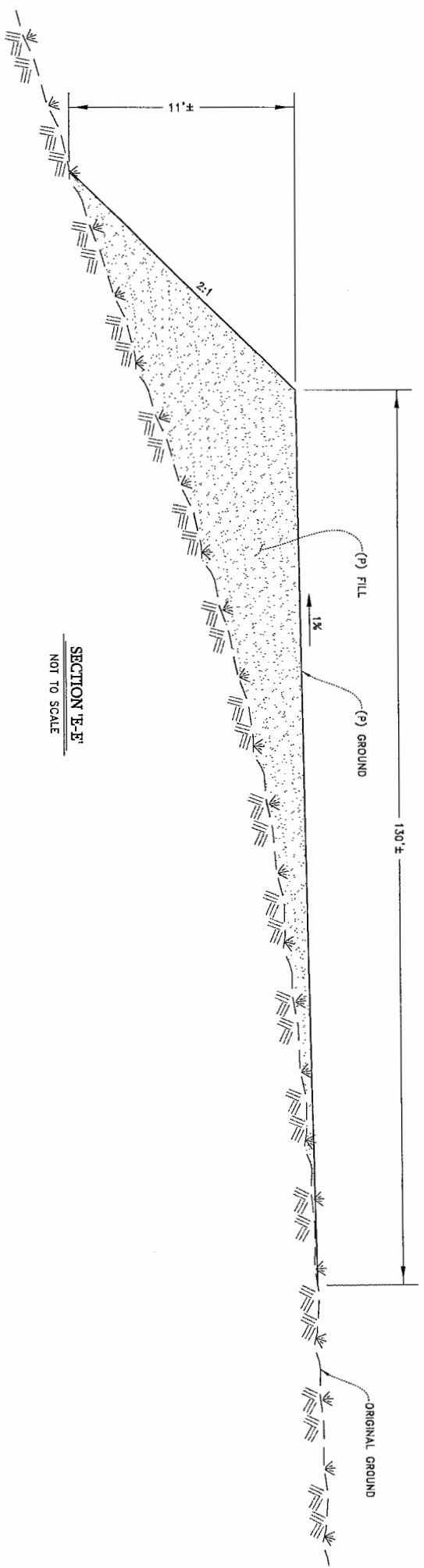
PROPOSED GRADING AREA
SCALE: 1" = 40'



GRADED AREA WITHIN SMA
SCALE: 1" = 40'



STRAW WATTLE DETAIL
NOT TO SCALE



SECTION E-E'
NOT TO SCALE

NO.	REVISION	DATE	BY

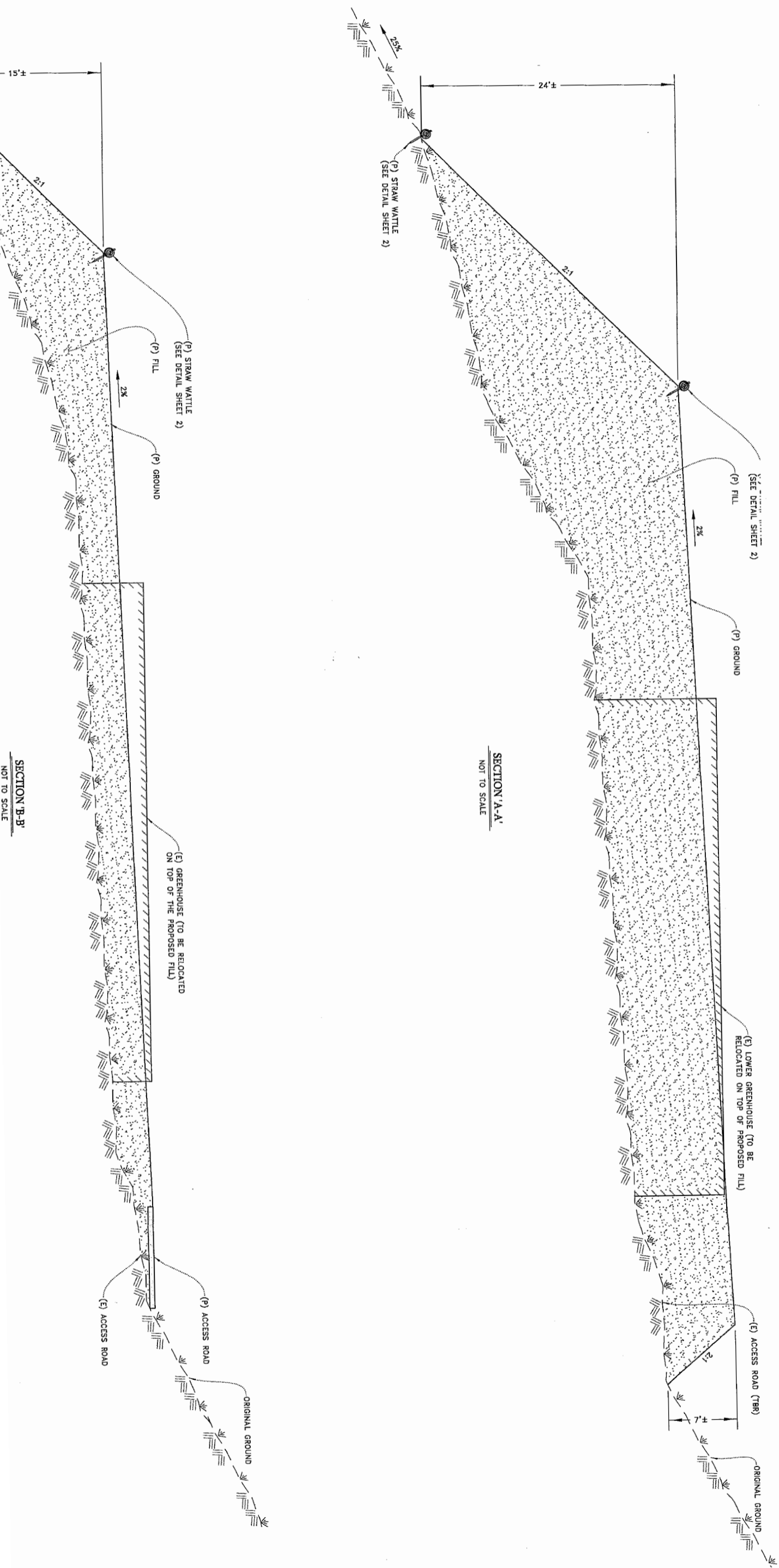
OMBERG & DESTON
424 7th Street
Burlington, CA 94901
(707) 443-8881
SURVEYORS PLANNERS ENGINEERS

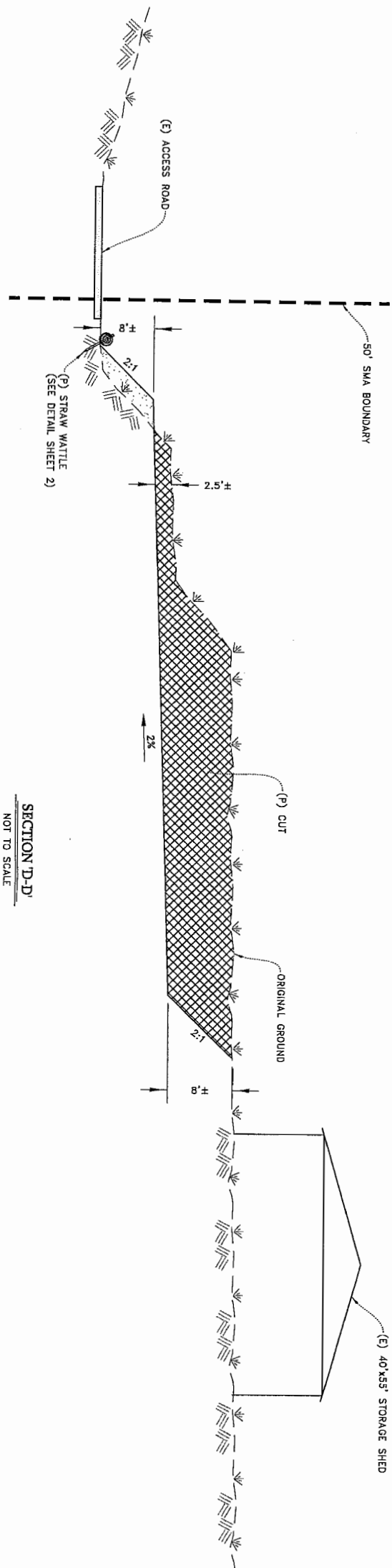
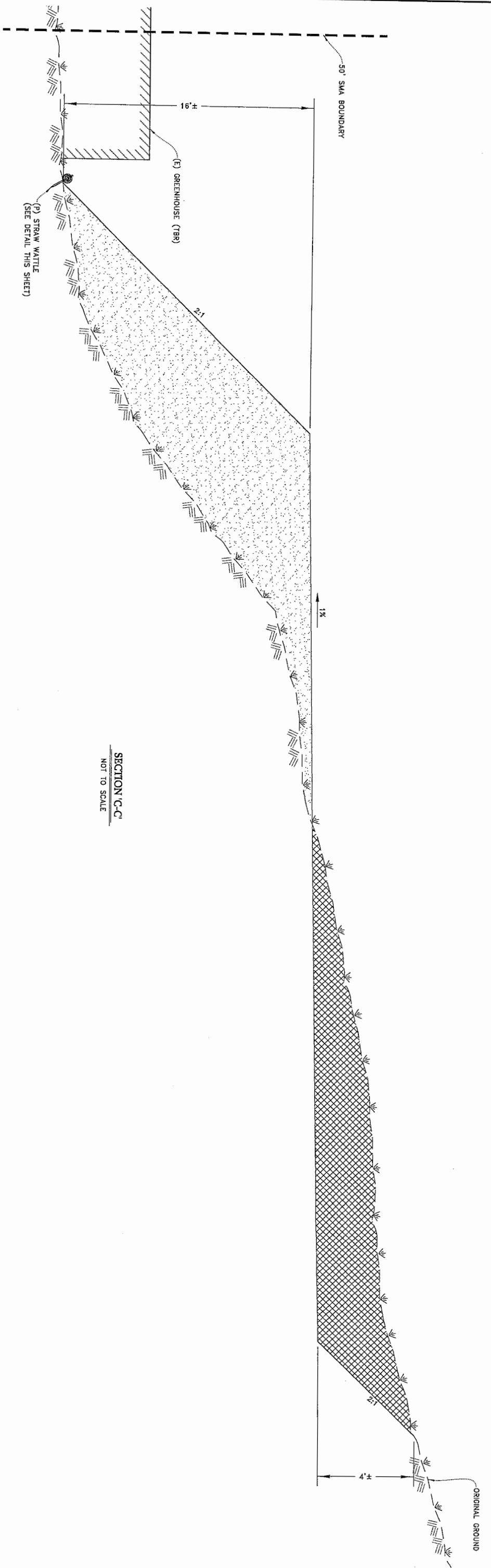
DESIGNED BY: SON
DRAWN BY: CWP
CHECKED BY: STEPHEN G. NESBOLD
DATE: 08/24/18
DATE: 08/24/18
RCE

PROPOSED GRADING AREA & GRADED AREA WITHIN SMA (TRB)
BARRYLAND FARM, LLC
In the unincorporated area of Humboldt County
Section 34, T.1N., R.5E., H.8W.

APN 210-131-020

SCALE: AS SHOWN
SHEET 2 OF 4





NO.	REVISION	DATE	BY

OMBERG & DEBON 4547 7th Street Berkeley, CA 94702 Telephone: (925) 443-8881 Fax: (925) 443-8882 ENGINEERS	DESIGNED BY: SON	DATE: 08/24/18
	DRAWN BY: CWR	DATE: 08/24/18

APN 210-131-020 CROSS SECTIONS BARRYLAND FARM, LLC In the unincorporated area of Humboldt County Section 34, T11N, R12E, N18E, 1/4	SCALE: AS SHOWN JOB NO.: 18-2049-1 SHEET: 4 OF 4
--	---

Appendix D: Generator Specifications

Appendix E: Material Safety Data Sheet (MSDS)

Appendix F: Cultivation Schedule

February 1-April 1st: Clone Propagation

All plant used in Barryland Farm, LLC cultivation sites will be composed of clones taken from “mother” plants. Mother plants are composed of samples that have been deemed to demonstrate superior genetics for desired outcomes. Cuttings, or clones, are taken from the mother plants at various intervals. Mother Plants, Clones are grown in the on-site processing facility.

Clones will be cut from mother plants and will be placed within trays to root. After approximately 2-3 weeks, rooted clones will be transferred to 5” by 5” pots within the mixed light square footage green house to acclimate.

April 1 – April 15: Transplant Phase

When the plants have achieved desired height and plant growth density for transplant, the plants are immediately planted into 25-gal pots. Due to the increase in container size and increase in daylight hours, the plants will continue to grow in a vegetative state for 2-4 weeks. The approximate desired height and growth density would be 3’-4’. Upon final transplant, plants will be hand-watered and fertilized. All fertilizers and supplements used are in accordance with Humboldt County and State of California Department of Agriculture compliance. Once the desired height and vegetative growth density has been achieved the Light Deprivation Phase begins.

April 15 – Jun 15: Light Deprivation Phase-Cycle 1

Taking into account factors such as height, growth density and overall health of the plant, determination of the exact date for the light deprivation process begins. Once that date is determined, 100% light resistant, specifically designed tarps will be automatically pulled over the outside of the greenhouses. This process will reduce the daylight hours from approximately fifteen (15) hours of daylight to the desired twelve (12) hours of daylight, twelve (12) hours of darkness desired to induce flowering. During the first two weeks of light deprivation, the plants will enter into a transitional phase. During this transitional phase plants will continue vegetative growth while transitioning into flowering.

It is not uncommon for plants to obtain 25% of their entire height and vegetative growth density during the transitional phase. Once the plants enter in the final bloom or flowering phase, they will begin to expend energy into the production of flowers, therefore, ceasing vegetative growth and begin to flower. The entire flowering process, including the transitional and final bloom phases, will last fifty-five (55) to sixty-five (65) days depending on strain variation and weather conditions.

June 15 – 22: First Harvest and Re-Planting

Once the light deprivation phase has concluded and it has been determined that the plants are at their peak, harvest procedures will be initiated. (See Section 2.4 of the Cultivation and Operations Plan). The soil in the pots will be turned and amended. All amendments used are in accordance with Humboldt County and State of California Department of Agriculture compliance. New clones obtained from the “mother” will be transplanted into the greenhouses. Due to the length of daylight hours, the plants will continue in a vegetative state for approximately one month. Plants will be planted using the same methodology as with the Transplant Phase.

June 22 – September 15: Light Deprivation-Cycle 2

See Light Deprivation-Cycle 1 for a description of activities during this phase.

September 15 - September 22 – Second Harvest and Re-Planting

See First Harvest and Re-Planting for a description of activities during this phase.

October 1 – February 1st- Repair, Upgrade and Recondition Phase

Barryland Farm, LLC will inspect all cold frames and covers for wear and replace as necessary. All watering hoses, etc. will be inspected and repaired or replaced, as appropriate. Refilling of irrigation tanks will commence in accordance with the Small Irrigation Use Registration and Conditions of the Department of Fish and Wildlife (DFW) Lake or Streambed Alteration Agreement (LSAA). Pots will be turned over and composted within the greenhouses to prepare for the upcoming season.

Appendix G: Lighting Management Plan for International Dark Sky Policy

1. Purpose and Philosophy

This Lighting Management Plan (LMP) is intended to be used by Barryland Farm, LLC as a guide in the selection, placement, installation and operation of all Mixed Light Cultivation area. Its function is to regulate the use of Artificial Light At Night (ALAN) at Barryland, LLC in a way that prioritizes the safety of staff while minimizing the impact of such light on protected wildlife. Therefore, all instances of the use of ALAN at Barryland Farm, LLC will adhere to the principle that any artificial light will be deployed only: (1) when it is strictly needed; (2) where it is needed; (3) in the appropriate amount for a specific task; and (4) with the appropriate spectrum and in accordance with Humboldt County Medical Marijuana Land Use Ordinance (CMMLUO) Section 55.4.1 (V) et. seq. Performance Standard for Mixed Light Cultivation and Processing Operations and the State of California Department Medicinal And Adult-Use Cannabis Regulation and Safety Act (MAUCRSA) and the California Department of Food Administration (CDFA) Regulation Code Article 4. Section 8304 Cultivation Site Requirements. General Environmental Protection Measures (c) & (g).

2. Applicability

Barryland Farm, LLC represents that this Lighting Management Plan (LMP) meets or exceeds all applicable agency and/or departmental policies regarding outdoor lighting and conforms to all local, regional, and national laws. Humboldt County Medical Marijuana Land Use Ordinance (CMMLUO) Section 55.4.1 (V) et. seq. Performance Standard for Mixed Light Cultivation and Processing Operations and the State of California Department Medicinal And Adult-Use Cannabis Regulation and Safety Act (MAUCRSA) and the California Department of Food Administration (CDFA) Regulation Code Article 4. Section 8304 Cultivation Site Requirements. General Environmental Protection Measures (c) & (g).

Those cultivators using artificial lighting for mixed-light cultivation shall shield greenhouses so that little to no light escapes. Light shall not escape at a level that is visible from neighboring properties between sunset and sunrise.

The light source should comply with the International Dark Sky Association standards for Lighting Zone 0 and Lighting Zone 1, and be designed to regulate light spillage onto neighboring properties resulting from backlight, uplight, or glare (BUG). Should the Humboldt County Planning Division receive complaints that the lighting is out of alignment or not complying with these standards, within ten (10) working days of receiving written notification that a complaint has been filed, the applicant shall submit written verification that the lights' shielding and alignment has been repaired, inspected and corrected as necessary.

All outdoor lighting used for security purposes shall be shielded and downward facing Mixed-Light license types of all tiers and sizes shall ensure that lights used for cultivation are shielded from sunset to sunrise to avoid nighttime glare.

5. Shielding

Barryland Farm, LLC currently has manual Blackout curtains that shield the night and early morning sky from light pollution. Black out curtains are pulled before dusk prior to any artificial light use in Greenhouse structures. Further, to the greatest possible extent, Barryland Farm,

LLC will endeavor to limit the inadvertent or incidental emission of light from Greenhouse Structures to the outdoors through the use of automated deprivation curtains, indoor lighting timers/switches, and other appropriate measures.

In all applications, outdoor lighting deployed throughout the developed area at Barryland Farm, LLC will use the most energy efficient lamp technology that minimizes the emission of short-wavelength light into the nighttime environment. This will include outdoor lighting on all structures, including but not limited to House, Processing facility, Sheds, etc.

8. Application

Artificial lighting will only be used when needed and limited to times of the year when the natural light cycle will not be significant for vegetative plant growth.

9. Curfew

Barryland, LLC will follow the Dusk to Dawn International Dark Sky Standard. All Greenhouse curtains will be pulled and secured prior to any artificial light use. When possible lighting at Barryland Farm, LLC will be extinguished between the hours of 10pm and one hour before sunrise except in cases where staff safety is at risk.

10. Adaptive Controls

To the greatest practical extent possible, all lighting at Barryland Farm, LLC will make appropriate use of adaptive controls to limit the duration, intensity, and/or extent of outdoor lighting. Barryland Farm, LLC is proposing to install automated black out curtains and automated lighting timer to reduce the human error factor. Staff will be required to do mandatory inspections of all Greenhouse Structures to reduce mechanical error. All staff will be required as a part of the employment training program regarding the International Dark Sky Standards and this Lighting Management Plan will be added to the Operation Plan and Employee Handbook.

References

1. Humboldt County Medical Marijuana Land Use Ordinance (CMMLUO) Section 55.4.1 (V) et. seq. Performance Standard for Mixed Light Cultivation and Processing Operations

<https://humboldt.gov/2124/Medical-Marijuana-Land-Use-Ordinance>

2. State of California Department Medicinal And Adult-Use Cannabis Regulation and Safety Act (MAUCRSA) and the California Department of Food Administration (CDFA) Regulation Code

Article 4. Section 8304 Cultivation Site Requirements. General Environmental Protection

Measures (c) & (g).

https://static.cdfa.ca.gov/MCCP/document/CDFA%20Final%20Regulation%20Text_01162019_Clean.pdf

c. California Cannabis Laws and Regulations 2019 Edition- ©2019 Omar Figueroa, ALL rights reserved ISBN 978-0-9984215-3-7 A Review of the Potential Impacts of Cannabis Cultivation on Fish and Wildlife Resources California Department of Fish and Wildlife Habitat Conservation Planning Branch July 2018

<https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=160552&inline> Pages: 14-16

Appendix H: Water Resource Protection Plan

Water Resources Protection Plan

For

APN#: 210-131-020

WDID# 1B161103CHUM

Barryland Farm, LLC

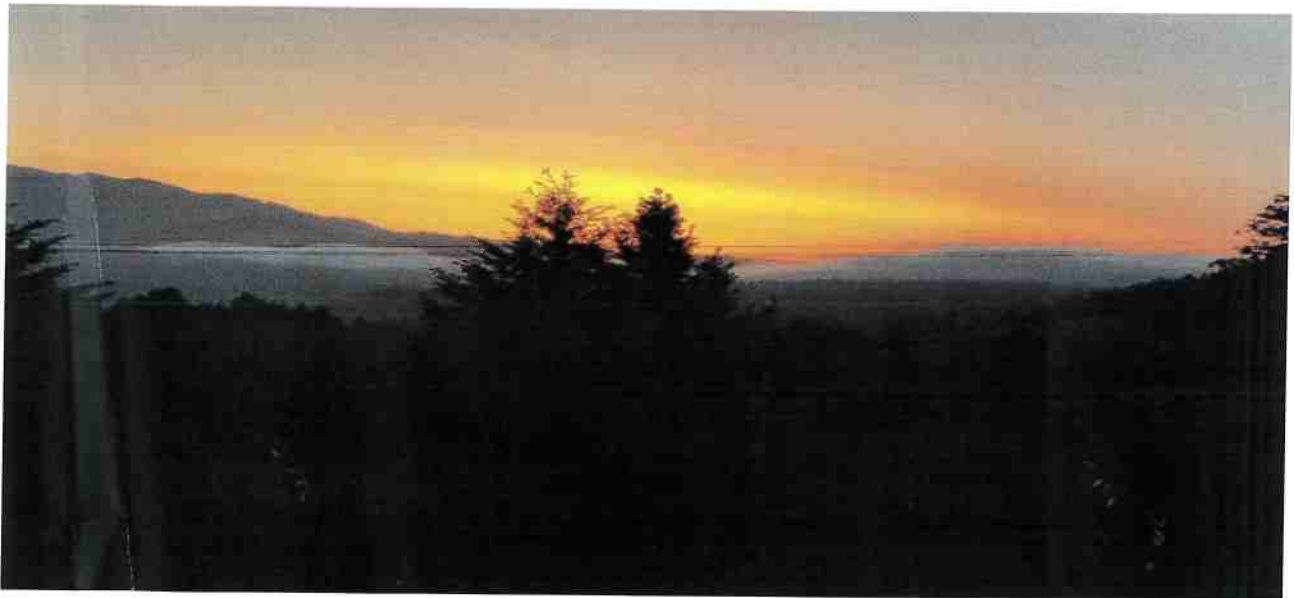
Submitted to:

California Regional Water Quality Control Board.

North Coast Region

5550 Skylane Boulevard, Suite A

Santa Rosa, California 95403



Prepared By:

Six Rivers Construction and Consulting

600 F Street Suite 3 #223

Arcata Ca 95521

June 2018

SITE ADDRESS: 5136 Burr Valley Road
Bridgeville CA,95526

Propose:

This Water Resource Protection Plan (WRPP) has been prepared on behalf of the property owner, and the leasing agent Barryland Farm, LLC by agreement and in response to the California Water Code Section 13260 (a), which requires that any person discharging waste or proposing to discharge waste within any region that could affect the quality of the waters of the state, other than into a community sewer system, shall file with the appropriate regional water board a Report of the Waste Water Discharge (ROWD) containing such information and data as may be required by the Regional Water Board. The Regional Water Board may waive the requirements of the Water Code Section 13260 for specific types of discharge if the waiver is consistent with the basin Plan and in the public interest. Any waiver is conditional and may be terminated at any time. Order R1-2015-0023 Conditionally waives the requirement to file a ROWD for discharges and associated activities described in finding 4.

Scope of Report:

Order No. R-1-2015-0023 states that "Tier 2 Dischargers and Tier 3 Dischargers who intend to cultivate cannabis before, during or following site cleanup activities shall develop and implement a water resource protection plan that contains the elements listed and addressed below. Discharger must keep a copy of this report on site and produce it upon request by the Regional Water Board staff. Best Management Practices (BPM's) shall be properly designed and installed, and assessed periodically for effectiveness. If a management measure is found to be ineffective, the plan must be adapted and implemented to new or additional management practices to meet the standard conditions. The Discharger shall certify annually to the Regional Water Board individually or through an approved third party program to insure the plan is being implemented and is effectively protecting water quality, and report on the progress in implementing site improvements intended to bring the site into compliance with all conditions of this order.

Methods:

The methods used to develop this WRPP include both Field and Office Components. The office component consisted of reviewing maps (Web Soil Survey) and geologic maps (CGS, Geologic Data Map No. 2, 1977). The field time consisted of GPS mapping all watercourses, wetlands, wet areas, associated facility, and all appurtenant roads accessing such areas. An acute location of the Waters of the State is necessary to make an assessment of whether potential and existing erosion sites/pollution sites have the potential to discharge waste to an area that could affect State (including underground). Next, all cultivation areas, associated facilities, and all appurtenant roads accessing such area were assessed for discharges and related controllable water quality factors from the activities list in order R1-2015-0023. The water resource

protection plan required under Tier 2 are meant to describe the specific measure a discharger implements to achieve compliance with standard conditions. Therefore, all required components of the water resource protection plan per provision 1.8 of Order No. R1-2015-0023 were physically inspected and evaluated. A comprehensive summary of each Standard Condition as it relates to the subject property is appended.

Identified Sites Requiring Remediation:

Unique Map Point(s)	Map Point Description	Associated Standard Conditions	Temporary BMP	Permanent BMP	Priority of Action	Time for schedule Permanent BMP	Completion Date
BMP	Best Management Practices	1.A.9.A	Water tanks located on unstable location	Tanks will be Relocated	1	10/2017	
F-1	Fertilizer Containment	1.A.7.A	Fertilizer stored outside no secondary containment	Fertilizers shall be stored in secondary containment	1	10/2017	
CW-1	Cultivation Waste	1.A.10	Cultivation waste and garbage indemnified by all GH locations	Remove all trash and cultivation waste from job site	1	10/2017	
SC-1	Sediment Control	1.A.1.C 1.A.1.D 1.A.6	Potential sediment delivery	Install fiber rolls to prevent sediment	2	11/2017	
Unique Map Point(s)	Map Point Description	Associated Standard Conditions	Temporary BMP	Permanent BMP	Priority of Action	Time for schedule Permanent BMP	Completion Date
EC-1	Erosion Control	1.A.1.C 1.A.1.D	Erosion control measures needed	Install jute netting along slope to top of bench. Seed and Straw	2	11/2017	

EC-2	Erosion Control	1.A.1.A 1.A.1.D	Inboard ditch obstructed with Sediment & Debris	Remove Sediment & debris from ditch. Install 6" rip rap n outlet	2	11/2017	
RD	Rolling Dips	1.A.1.A 1.A.1.B 1.A.1.D	Sections of Road have no drainage pattern	Install Rd in locations identified out field analysis	2	11/2017	
CW-2	Cultivation Waste	1.A.10	Cultivation waste identified in forest	Remove all Cultivation waste in forest. Process & Compost	2	11/2017	

Treatment Priority: The time frame for treatment of the site. (1) Would indicate a very high priority with treatment being planned to occur immediately. (2) Would indicate a high priority site with treatment to occur prior to the start of the winter period (Oct. 15). (3) Would indicate a moderate priority with treatment operations. (4) Would indicate a low priority with treatment being planned to occur in the shortest time possible, but no later than the expiration of this order (five years).

Monitoring Plan:

Tier 2 Discharger shall include a monitoring element in the water resource protection plan that at a minimum provides for periodic inspection of the site, Checklist to confirm placement and efficiency of management measures, and document progress on any plan elements subject to a time schedule. Tier 2 annual reporting is a function that may be provided through an approved third party program. Monitoring of the site includes visual inspection and photographic documentation recorded with any notable changes to the site map, with new photographic documentation of each feature of interest listed on the site map with notable changes to the feature of interest. At a minimum, all site features must be monitored annually, to provide a basis for completion of the annual re-certification process. Additionally, sites shall be monitored at the following times to ensure timely identification of changed site conditions and to determine whether implementation of additional management measures is necessary to prevent, minimize and mitigate discharges of waste to surface water: 1) Just prior to October 15 to evaluate site preparedness for storm events and storm water runoff, 2) following the accumulation of 3" total precipitation or by December 15, whichever is sooner and 3) following any rainfall event with an intensity of 3" precipitation in 24 hrs. Precipitation data can be obtained from the National Weather Service Forecast Office (e.g. by entering the zip code of the parcel location at <http://www.srh.noaa.gov/forecast>).

Inspection Personnel Contact Information:

Steve Doyle
Six Rivers Construction & Consulting
707-273-8996
Doyle.srcc@gmail.com

Monitoring Plan Reporting Requirements:

Order No. R1-2015-0023, Appendix C must be submitted to the Regional Water Board or approved third party program upon initial enrollment in the order (NOI) and annually thereafter by March 31. Forms submitted to the Regional Water Board shall be submitted electronically to Northcoast@waterboards.ca.gov. If electronic submission is infeasible, hard copies can be submitted to:

North Coast Regional Water Quality Control Board:
5550 Skylane Boulevard, Suite A, Santa Rosa, CA 95403

**Water Resource Protection Plan
Assessment of Standard Conditions
For
APN: 108-023-008
Barryland Farm, LLC**

A. Standard Conditions, Applicable to All Dischargers

1. Site Maintenance, Erosion Control, and Drainage Features

- a. Roads shall be maintained as appropriate (with adequate surfacing and drainage features) to avoid developing surface ruts, gullies, or surface erosion that results in sediment delivery to surface waters.
 - **Road will need to be rocked and compacted.**
- b. Roads, Driveways, trails, and other defined corridors for foot or vehicle traffic of any kind shall have adequate ditch drains relief or rolling dips and/or other measures to prevent or minimize erosion along the flow paths and at their respective outlets.
 - **Road needs to be processed after winter rains, rocked and compacted. Rolling dips will be installed and road will be outsloped.**
- c. Roads and other features shall be maintained so that surface water drains away from potentially unstable slopes or earthen fills. Where road runoff cannot be drained away from an unstable feature, an engineered structure or system shall be installed to ensure that surface flows will not cause slope failures.
 - **All ditches are to be cleaned out and clear of all debris.**
- d. Roads, clearings, fill prisms, and terraced areas (clear/developed areas with the potential for erosion and sediment and delivery) shall be maintained so that they are hydrologically disconnected, as feasible, from surface waters, including wetlands, ephemeral, intermittent and perennial streams.
 - **Erosion and Sediment control measures will be implimented**
- e. Ditch relief drains, rolling dip outlets, and road pad or terrace surface shall be maintained to promote infiltration/dispersal of outflows and have no apparent erosion or evidence of soil transport to receiving waters.

- **Slope correction to improve the water flow by out sloping and installing rolling dips to control erosion or sediment delivery.**
- f. Stockpiled construction materials stored in a location and manner so as to prevent their transport to receiving waters.
- **There is an area by the storage shed that is used for storage of construction supplies such as wood, posts, and processing firewood. All these materials are stored in a safe organized location. This is also the location where tools and extra supplies are stored.**

2. Stream Crossing Maintenance

- a. Culverts and stream crossings shall be sized to pass the expected 100year peak streamflow.
- **Project proposes to install a minimum 45 foot steel bridge on Burr Valley Road over Thompson Creek per the 1600 permit for CDFW.**
- b. Culverts and stream crossings shall be designed and maintained to address debris associated with the excepted 100 year peak streamflow.
- **18 inch Ditch Relief Culvert will have concrete debris removed**
- c. Culverts and stream crossings shall allow passage of all life stages of fish in fish bearing or restoration sites.
- **YES**
- d. Stream crossings shall be maintained so as to prevent or minimize erosion from exposed surfaces adjacent to and in the channel and on the banks.
- **All banks will be stabilized and erosion and sediment devices will be installed. All exposed dirt will get seed and straw**
- e. Culverts shall align with the stream channel at the inlet and outlet where feasible.
- **YES**

- f. Stream crossing shall be maintained so as to prevent stream diversion in the event that the culvert/crossing is plugged and critical dips shall be employed with all crossing installations where feasible.

- **YES**

3. Riparian and Wetland Protection and Management

- a. For Tier 1 Dischargers, Cultivation areas or associated facilities shall not be located within 200 feet of surface waters. While 200 foot buffers are preferred for Tier 2 sites, at a minimum, cultivation areas and associated facilities shall not be located or occur within 100 feet of any class 1 or 2 watercourse or within 50 feet of any class 3 water course or wetland. The Regional Water Board or its or its Executive Officers may apply additional or alternative conditions on enrollment, including site-specific riparian buffers and other BMPs beyond those identified in water resource protection plans to ensure water quality protection.

All BMPs will be applied

- b. Buffers shall be maintained at a natural slope with native vegetation.
 - **Slopes around greenhouses are sloped with the natural contour of the landscape with existing vegetation.**

- c. Buffers shall be of sufficient width to filter wastes from runoff discharging from production lands and associated facilities to all wetlands, streams, drainage, ditches, or other conveyances.
 - **Lower greenhouse will be relocated to upper landing by house, it does not meet buffer from a class 3 stream. Pending grading permits from Humboldt County.**
- d. Riparian and wetland areas shall be protected in a manner that maintains their essential functions, including temperature and microclimate control, filtration of sediment and other pollutants, nutrients cycling, woody debris recruitment groundwater recharging, streambank stabilization, and flood peak attenuation, and flood water storage.
 - **Silt fencing, fiber rolls, and seed and straw will be applied where needed. BMPs will be applied.**

4. Spoils Management

- a. Spoils shall not be stored or placed in or where they can't enter any surface water.
 - **All spoils are stored in a manner in which prohibit them from entering waterways.**
- b. Spoils shall be adequately contained or stabilized to prevent sediment delivery to surface water.
 - **Stabilization measures need to be installed on cut slope. Fiber rolls will be installed**
- c. Spoils generated through development or maintenance of roads, driveways, earthen filled pads, or other cleared or filled areas shall not be sidecast in any location where they can enter or be transported to surface waters.
 - **No grading has been done to generate spoils.**

5. Water Storage and Use

- a. Size and scope of an operation shall be such that the amount of water uses shall not adversely impact instream flow requirements and/or benefits uses, including and in consideration with other water use by operations instream flow requires and/or needs in the watershed, defined at the scale of a HUC-12 watershed or at a smaller hydrologic watershed as determined necessary by the Regional Water Board Executive Officer.
 - **N/A**
- b. Water conservation measures shall be implemented. Examples include use of rainwater catchment systems or watering plants with a drip irrigation system rather than with hose or a sprinkler system.

Barryland Farm, LLC has a total of 17,900 gallons of hard storage of water on site.

- **Water is conserved by the use of meters installed on watering devices**
- **Water conservation practices are being investigated to explore the best solutions for environment and staff use.**

- c. For Tier 2 Dischargers, if possible, develop off stream storage facilities to minimize surface water diversion during low flow periods.
 - **N/A**
- d. Water is applied using no more than agronomics rates.
 - **YES**
- e. Diversion and/or storage of water from a stream should be conducted pursuant to a valid water right and in compliance with reporting requirements under Water Code Section 5101.
 - **Applicant has filed for a small irrigation use registration**
- f. Water storage features, such as ponds, tanks and other vessels shall be selected, sited, designed, and maintained so as to insure integrity and to prevent release into Waters of the State in the event of a containment failure.
 - **Please see list below of all Water Storage Tanks.**

List of Current Total Water Storage on Barryland Farm, LLC

Type:	Quantity (gal)	Number	Total Storage
Plastic Tank	1500	0	0
Plastic Tank	500	2	1000
Plastic Tank	300	3	900
Plastic Tank	3000	2	6000
Plastic Tank	5000	2	10000
Pioneer Tank	30,000	0	0

Total Storage: 17,900

6. Irrigation Runoff

- a. Implementing water conservation measures, irrigating at agronomic rates, applying fertilizers at agronomic rates, applying chemicals according to the label specifications, and the concentration of chemicals in the water. In the event that irrigation runoff occurs, measures shall be in place to treat/control/contain the runoff and the concentration of chemicals in that water. Irrigation runoff shall be managed so that any entrained constituents, such as fertilizers, fine sediment, suspended organic particles, and other oxygen consuming materials are not discharged to nearby watercourses. Best Management Practices (BMP's) include, but not limited to, modification to irrigation systems that reuse tail water by constructing off-stream retention basins, and active (pumping) and or passive (gravity) tail water recapture/redistribution systems. Care shall be taken to ensure that irrigation tail water is not discharged towards or impounded over unstable features or landslides.
 - **Barryland Farm, LLC irrigates at an agronomic rate, which does not produce runoff.**
 - **An inspection of the cultivation site revealed no sign of overwatering.**

○ Corrective Measures:

- i. *Drainage feature will be installed at toe of slope at each cultivation location as erosion and sediment control measures.*
- ii. *Spill kits will be installed at all mixing locations, at each cultivation location, all generators, and petroleum products.*

7. Fertilizers and Soil Amendment

- a. Fertilizers, potting soils, compost, and other soils and soil amendments shall be stored in locations and in a manner in which they cannot enter or be transported into surface waters and such that nutrients or other pollutants cannot be leached into groundwater.
 - **Fertilizers are stored in a safe secondary containment building located on the map as "Storage Shed."**

- b. Fertilizers and soil amendments shall be applied and used per packaging instructions and/or at proper agronomic rates.
 - **All manufactures recommendations are used when storing, mixing and feeding nutrients to assure the proper use.**

- c. Cultivation area shall be maintained so as to prevent nutrients from leaving the site during the growing season and post-harvest.
 - **All nutrients are to be stored in a secondary storage area.**
 - **Cultivation waste is removed from the cultivation site at the end of each cycle.**
 - **Soil waste is stored in a contained soil area, and is covered between Oct 15 – April 15. “Soil Containment Area.”**
 - **Soil will be covered with plastic and fiber roll installed from October 15- April 15**
 - **Corrective Measures:**
 - i. **Drains will be installed to assure that water flows away from the cultivation areas to assure that runoff doesn’t occur.**
 - ii. **Sediment and erosion control measures will be installed to assure there is not cultivation runoff.**
 - iii. **Install fiber rolls at all slopes at cultivation sites to prevent sediment delivery. Spacing will be used per NCRWB specifications**

8. Pesticides/Herbicides

- a. At the time, there are no pesticides or herbicides registered specifically for use directly on cannabis. The use of pesticides on cannabis plants has not been reviewed for safety, human health effects, or environmental impacts. Under California law, the only pesticide products not legal to use on cannabis are those that contain an active ingredient that is exempted from residue tolerance requirements and either registered and labeled for a broad use to include use on cannabis or exempt from registration requirements as a minimum risk pesticide under FIFRA section 25(b) and California Code of Regulations, title 3, section 6147. For the purpose of compliance with conditions of this Order, any use of pesticide products shall be consistent with product labeling and any products on the site shall be placed, used, and stored in a manner that they will not enter or be released into surface or ground waters.

- N/A

9. Petroleum Products and other Chemicals

- a. Petroleum products and other liquid chemicals, including but not limited to diesel, bio-diesel, gasoline, and oil shall be stored so as to prevent their spillage, discharge, or seepage into receiving waters. Storage tanks and containers must be of suitable material and construction to be compatible with the substance(s) stored and conditions of storage such as pressure and temperature.
 - **All petroleum products are stored in secondary containment.**
- b. Above ground storage tanks and containers shall be provided with a secondary means of containment for the entire capacity of the largest and single container and sufficiently freeboard to contain precipitation.
 - **Secondary containment for fuel storage has been implemented.**
- c. Dischargers shall ensure that diked areas are sufficiently impervious to contain discharger chemicals.
 - **Secondary containment has been implemented.**

- d. Discharger(s) shall implement spill prevention, control, and countermeasures (SPCC) and have appropriate cleanup materials available onsite.
 - **Spill kits to be installed in all areas containing Petroleum Products and other chemical.**
- e. Underground storage tank 110 gallons and greater shall be registered with the appropriate County Health Department and comply with State and Local requirements for leak detection, spill overflow, corrosion protection, and insurance coverage.
 - **N/A**

10. Cultivation-Related Wastes:

- a. Cultivation related wastes including, but not limited to, empty soil, soil amendment, fertilizers, pesticide bags, and containers, empty plant pots or containers, dead or harvested plant waste, and spent growth medium shall for as long as they remain on the site be stored at locations where they will not enter or be divided into surface waters, and in a manner, that ensure that residues and pollutants within those materials do not migrate or leach into surface water or ground waters.
 - **All trash is removed from job site on a weekly schedule. All cultivation waste that is non-organic is taken to the local waste facility. Items that can be recycled are separated and recycled.**
 - **All organic plant matter is processed and composted in a contained area.**

11. Refuse and Human Waste:

- a. Disposal of domestic sewage shall meet applicable county health standards, local agency management plans and ordinances, and/or the Regional Water Board's Onsite Wastewater Treatment System (OWTS) policy, and shall not represent a threat to surface water or groundwater.
 - **All trash is removed from job site on a weekly schedule. All cultivation waste that is non-organic is taken to the local waste facility. Items that can be recycled are separated and recycled.**

- b. Refuse and garbage shall be stored in a location and manner that prevents its charge to receiving waters and prevents and leachate or contact water from entering or percolating to receiving waters.
 - **All trash is stored in an enclosed secured 10x10 shed.**
- c. Garbage and refuse shall be disposed of at an appropriate waste disposal location.
 - **Human waste disposal systems consist of bathrooms in the main residence. Septic system is on record with Humboldt County Department of Human and Health services.**

12. Remediation/Cleanup/Restoration

- a. Remediation/Cleanup/Restoration activities may include, but are not limited to, removal of fill from watercourse, stream restoration, riparian vegetation planting and maintenances, soil stabilization, erosion control, upgrading stream crossings, road out sloping and rolling dip installation where safe and suitable, installing ditch relief culverts and oversize drains removing berms, stabilizing unstable areas, reshaping cutback, and rocking native-surface roads. Restoring and cleanup conditions and provisions generally apply to Tier 3 sites, however owners/operators of a Tier 1 or Tier 2 sites may identify or propose water resource improvement or enhancing projects and mitigation measure that apply to cleanup activities such as, temporal limitations on earthmoving and construction equipment guidelines for removal of plants and revegetation conditions for erosion control, limitations on work in streams, riparian and wetland areas and other measures.
 - **Mitigation measures are listed in the Water Resource Protection Plan and also noted above in the document.**

Pictures: * indicates that corrective measures have been addressed.

Water tanks need to be place on flat stabile ground.
Completion date will be 06/30/2017

Nutrients shall be stored in a safe secondary contained area.
*Move to storage shed for safe storage.

Cultivation waste shall be disposed of in the proper manner. Non-bio-degradable materials shall be removed from property and disposed of in a secure manner.

Soil containment area located below Green House #4.
Jut Netting, straw wattles and silt fencing to prevent sediment delivery.

Soil waste will be covered during winter months to prevent runoff.

Clean out inboard ditches so water can flow freely to natural outlet.

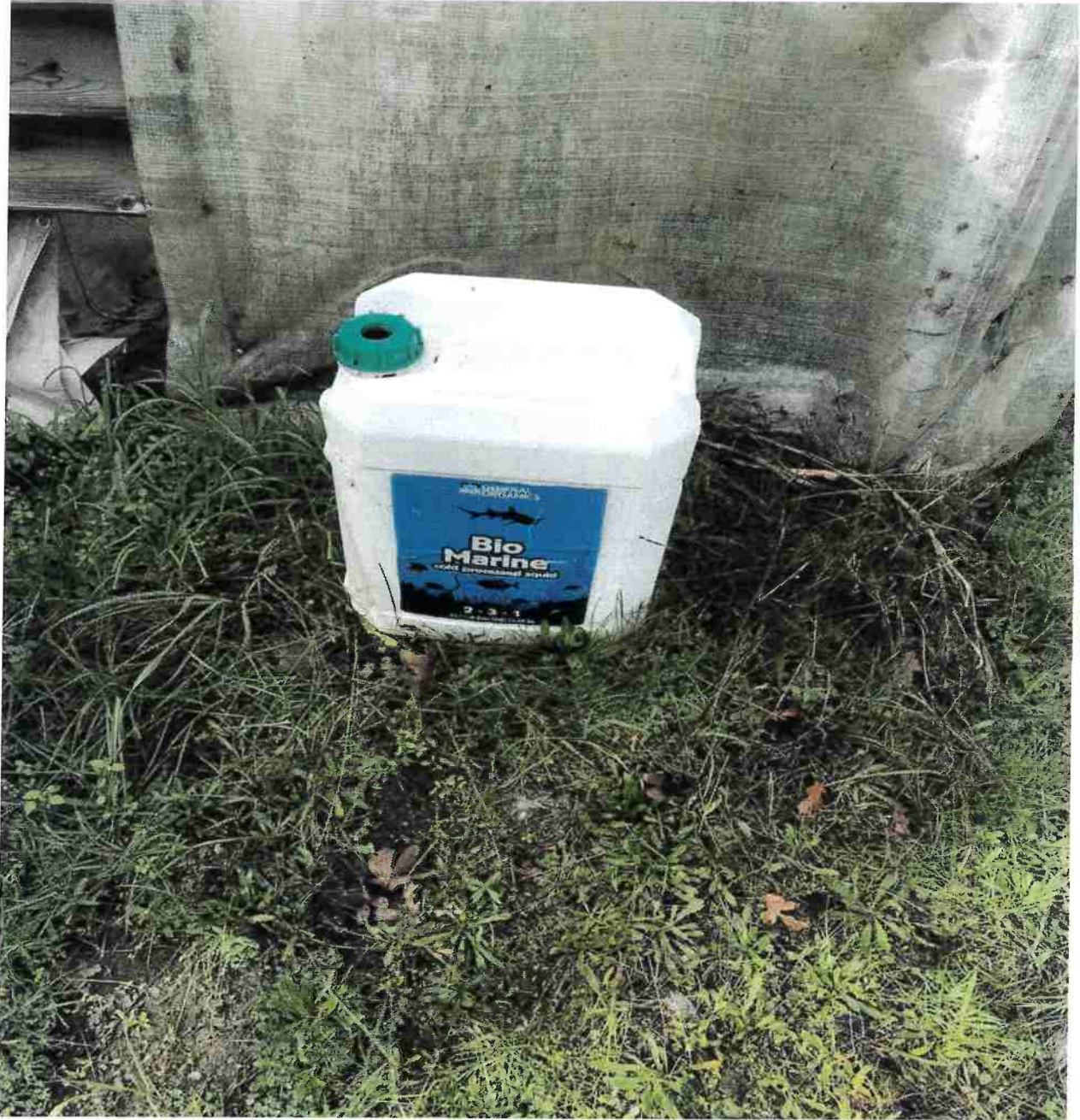
Install rolling dip to slow down water and assure natural flow.
All roads need to be processed after winter rains.



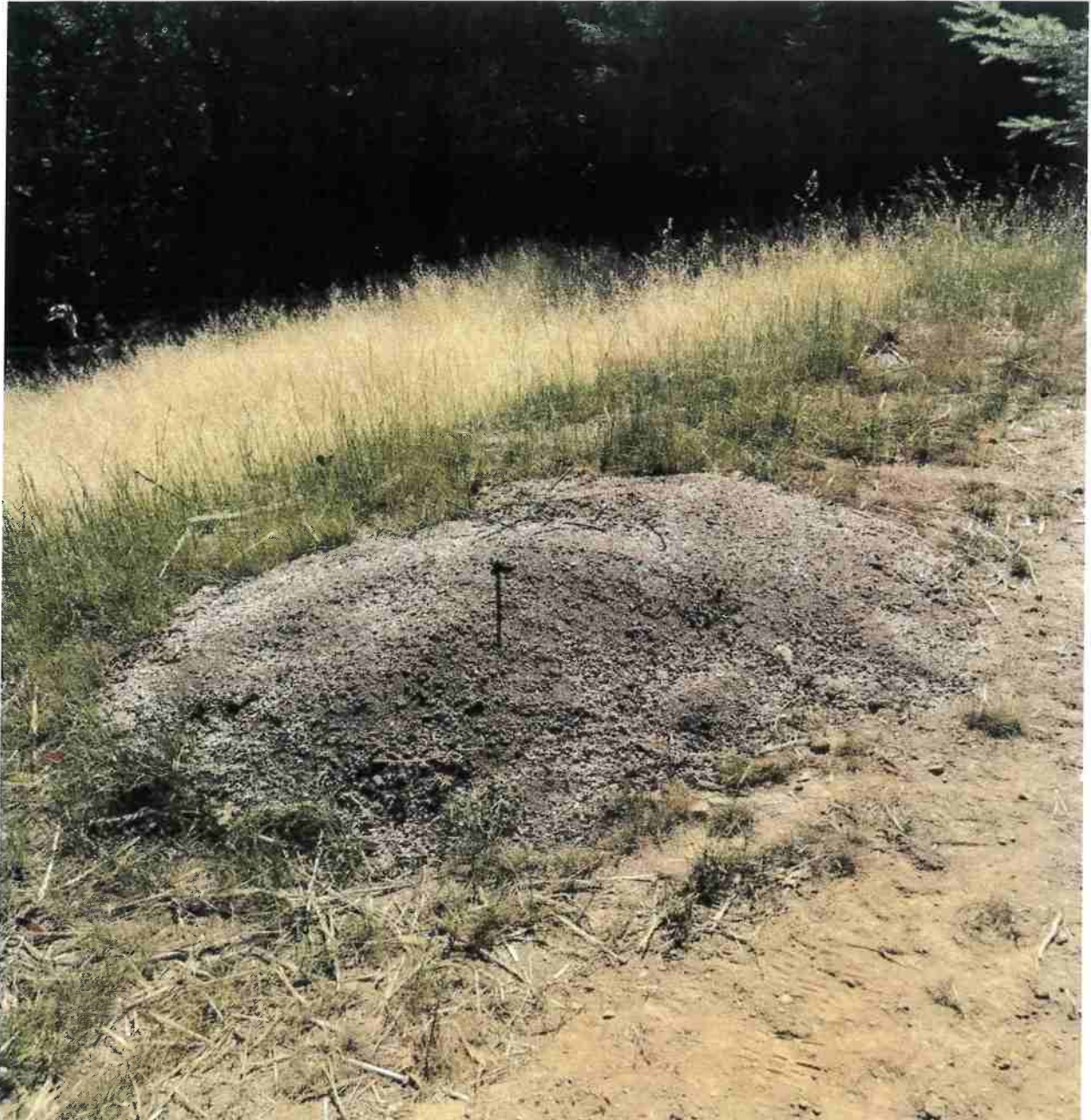
Cultivation waste needs to be removed and addressed as stated in the WRPP.



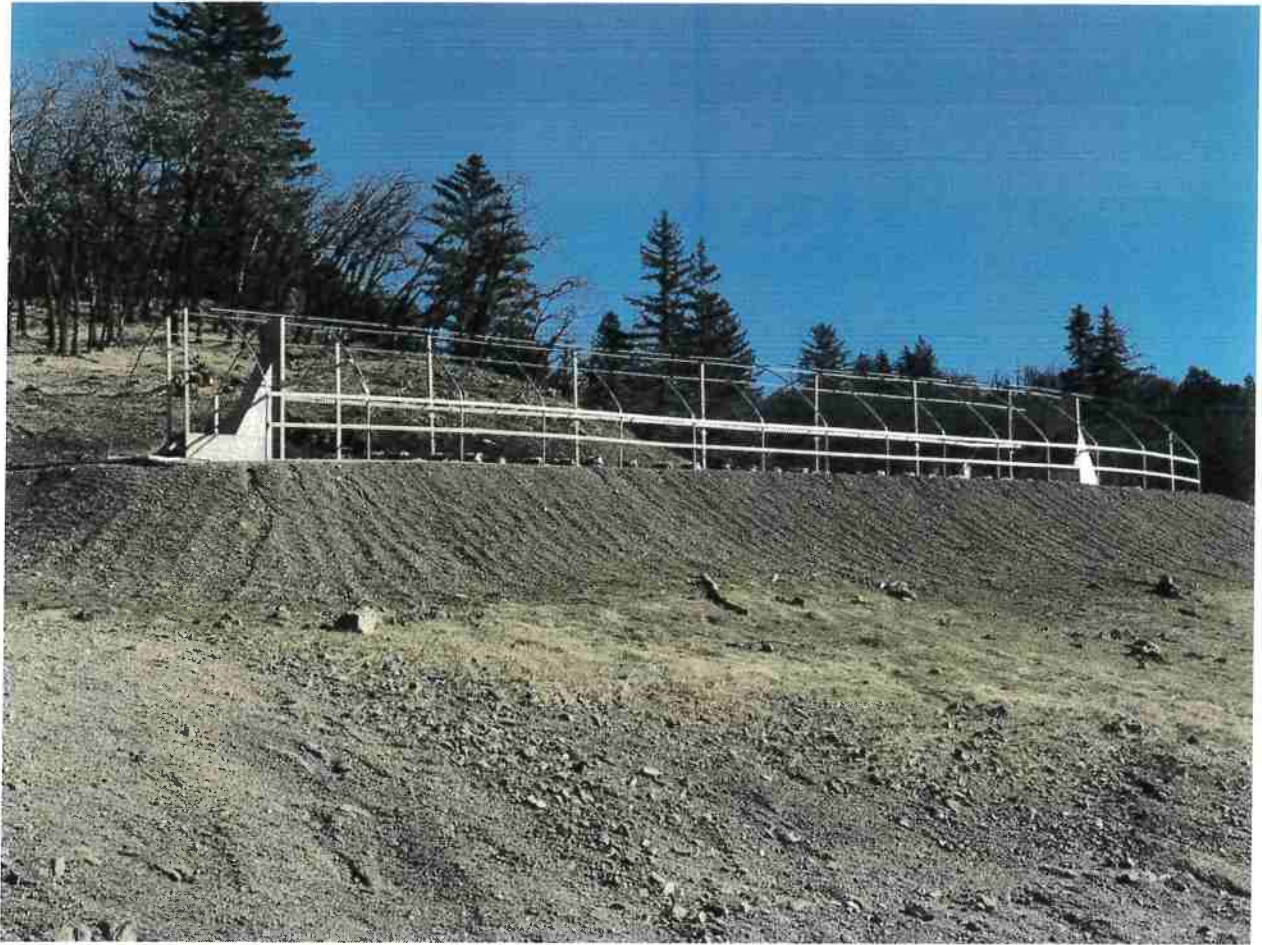
Move Tanks to Stable place



Secondary Containment & Storage for Nutrients



Control sedimate control



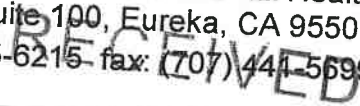
Erosion control to be installed



Ditch obstructed with sediment and debris



Cultivation Waste to be cleaned



OCT 12 2016

WATER WELL APPLICATION

CONSTRUCTION – REPAIR – DESTRUCTION

The Well Permit will be returned to the property owner when approved by Humboldt County Division of Environmental Health (DEH)

HUMBOLDT CO. DIVISION
OF ENVIRONMENTAL HEALTH

Instructions:

1. Complete pages 1 and 2 of the application and submit the required fee with the Well Permit application, including Well Driller's signature and property owner's signature.
2. Work on the well shall not be started prior to approval of the Well Permit Application by DEH.
3. Any changes made to the location of a new well shall be approved by DEH prior to commencement of drilling.
4. DEH shall be notified by the Well Driller a minimum of 24 hours prior to sealing the annular space.

Final Dec. 25th '18.

Site Address Burr Valley Rd. APN 210-131-020
 City/State/Zip Bridgeville, CA 95526
 Directions to Site _____

Applicant FISCH DRILLING Contact CHRIS FISCH
 Mailing Address 3150 JOHNSON RD Work Phone (707) 768-9800
 City/State/Zip HYDESVILLE, CA 95547 Cell Phone (707) 601-3042

Property Owner Georgi Yanev Home Phone 707-499-5428
 Mailing Address 2850 Jefferson Ln. Work Phone _____
 City/State/Zip Concord, CA 94519 Cell Phone _____

I hereby grant 'right-of-entry' for inspection purposes _____

Drilling Contractor FISCH DRILLING C-57 License # 683865

I hereby agree to comply with all laws and regulations of the County of Humboldt and the State of California Department of Water Resources Bulletin 74 pertaining to water well construction. I will contact Humboldt County Division of Environmental Health (DEH) when I commence work. Within 30 days after completion of work, I will furnish DEH a report of the work performed.

Well Driller Signature: Chris Fisch

Would driller like a copy of approved application? Yes No

U.S. Mail address: _____
 Email address: chris@fischdrilling.com

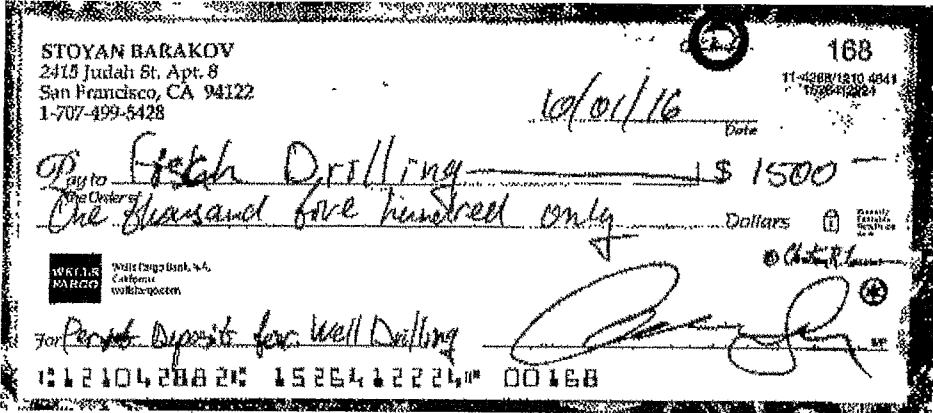
Type of Application:	Construction:	Intended Use:
<input checked="" type="checkbox"/> Construction	Estimated Depth (ft.) _____	<input checked="" type="checkbox"/> Domestic - private
<input type="checkbox"/> Destruction	Diameter (in.) _____	<input type="checkbox"/> Community Supply
<input type="checkbox"/> Repair/Modification	Depth of Seal (ft.) <u>20'</u>	<input type="checkbox"/> Irrigation
	Sealing Material <u>Bentonite</u>	<input type="checkbox"/> Other _____



Wells Fargo Business Online®

View Check Copy

Check Number	Date Posted	Check Amount	Account Number
168	10/12/16	\$1,500.00	CHECKING XXXXXX2224



63958000586210

PAY TO THE ORDER OF
VALLEY SPRINGS, CA 95952-8492
UNIONIA BANK
1217A1819
FOR DEPOSIT ONLY
FISCH DRILLING
98090441

Equal Housing Lender

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State of California
Well Completion Report
 Form DWR 188 Submitted 11/9/2017
 WCR2017-005200

Owner's Well Number 1 Date Work Began 09/29/2017 Date Work Ended 10/13/2017
 Local Permit Agency Humboldt County Department of Health & Human Services - Land Use Program
 Secondary Permit Agency _____ Permit Number 16/17-0380 Permit Date 10/18/2016

Well Owner (Must remain confidential pursuant to Water Code 13752)	Planned Use and Activity
Name _____ Mailing Address _____ City _____	Activity <u>New Well</u> Planned Use <u>Water Supply Irrigation - Agriculture</u>

Well Location	
Address _____	APN <u>210-131-020</u>
City <u>Bridgeville</u> Zip <u>95526</u> County <u>Humboldt</u>	Township <u>01 N</u>
Latitude _____ N Longitude _____ W	Range <u>05 E</u>
Deg. Min. Sec. Deg. Min. Sec.	Section <u>34</u>
Dec. Lat. <u>40.4237650</u> Dec. Long. <u>-123.6060790</u>	Baseline Meridian <u>Humboldt</u>
Vertical Datum _____ Horizontal Datum <u>WGS84</u>	Ground Surface Elevation _____
Location Accuracy _____ Location Determination Method _____	Elevation Accuracy _____
	Elevation Determination Method _____

Borehole Information	Water Level and Yield of Completed Well
Orientation <u>Vertical</u> Specify _____	Depth to first water <u>8</u> (Feet below surface)
Drilling Method <u>Other - under-ream down-hole hammer</u> Drilling Fluid <u>Air</u>	Depth to Static _____
Total Depth of Boring <u>200</u> Feet	Water Level <u>101</u> (Feet) Date Measured <u>10/13/2017</u>
Total Depth of Completed Well <u>200</u> Feet	Estimated Yield* <u>15</u> (GPM) Test Type <u>Air Lift</u>
	Test Length <u>4</u> (Hours) Total Drawdown <u>99</u> (feet)
	*May not be representative of a well's long term yield.

Geologic Log - Free Form		
Depth from Surface	Feet to Feet	Description
0	3	top soil
3	18	brown sand stone fractured
18	22	basalt
22	111	shale clay
111	132	fractured green chert
132	182	shale clay
182	196	serpentine
196	200	shale clay

RECEIVED

NOV 17 2017

HUMBOLDT CO. DIVISION
OF ENVIRONMENTAL HEALTH

Page 1 of 2

ENTERED



ARC GIS Web Maps

Humboldt County Planning and Building Department

Printed: October 7, 2018

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.

Circulation Roads (CRS)

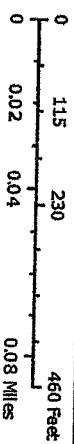
Other Freeway or Expressway

Other Principal Arterial

Minor Arterial

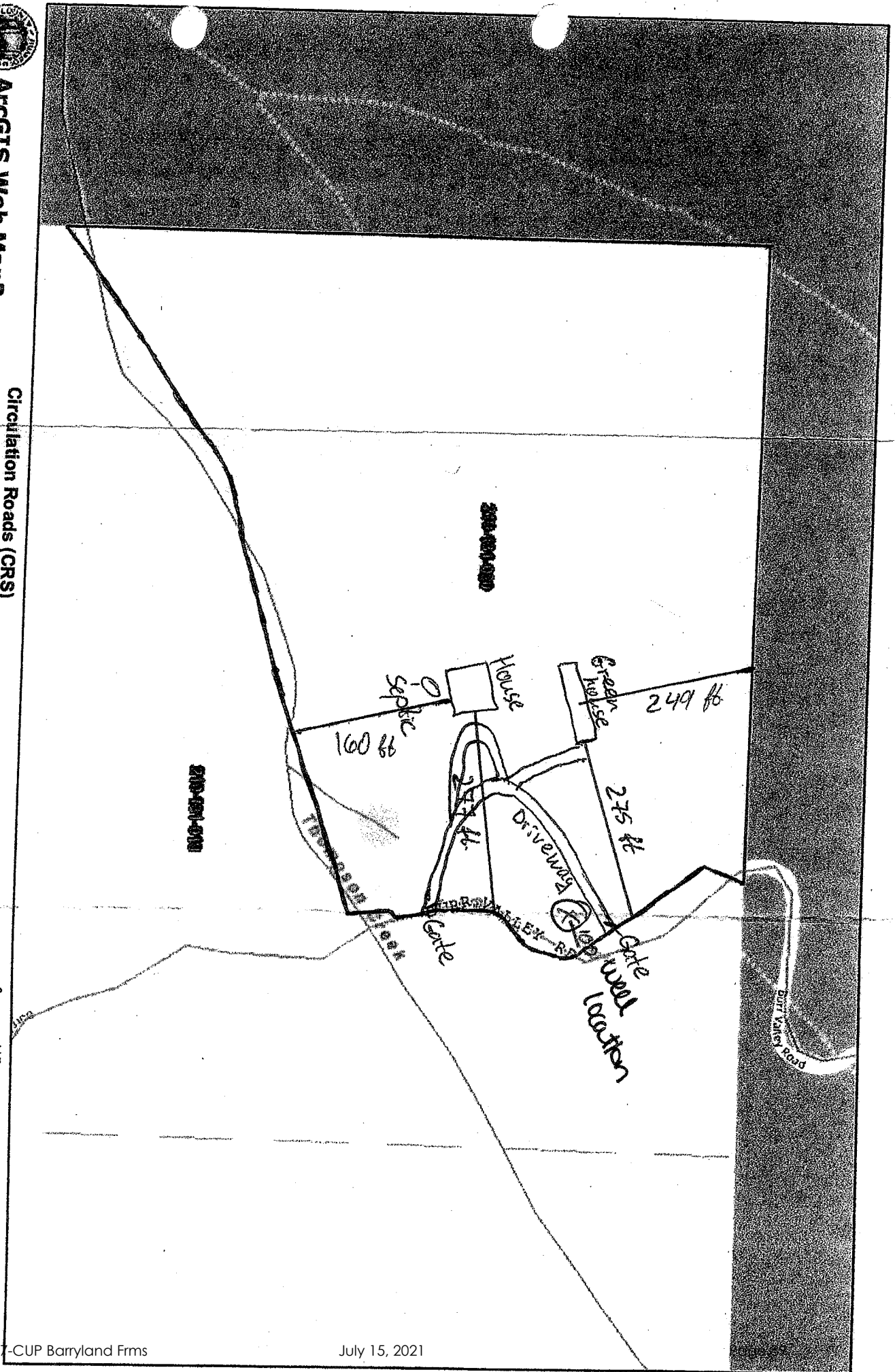
Major Collector

*Driving Directions:
Turn on Barr Valley Rd
and go for about 7 miles
The parents will be on the right side. Look for a wooden fence*



PL 457-CUP Barryland Frms

July 15, 2021



FISCH DRILLING

3150 JOHNSON RD.
HYDESVILLE, CA 95547

PHONE: (707) 768-9800

FAX (707) 768-9801

LICENSE # 683865

Proposal Submitted to: _____ Date: _____ Phone: 724 522 2448
Name: STOYAN BARGICOV
Street: 1025 MINERVA AVE
City: LOS ANGELES State: CA Zip: 90066
We here by submit the specifications and estimates for the following:

Installation of Grundfos 10SQ05-160 115V Pump

Sub Total \$ 1795.37

Sales Tax \$ 139.14

Estimated Labor \$ 450.00

Total Estimated Cost \$ 2384.51

We hereby propose to furnish labor and materials-complete in accordance with the above specification, for the sum as indicated above with payment to be made as follows: **Balance due and payable upon completion of work** This proposal valid for 60 days only.

1. All material is guaranteed to be as specified. All work to be completed in a workmanlike manner according to standard practices. Any alteration or deviation from above specifications involving extra costs, will become an extra charge over and above the estimate. All agreements contingent upon strikes, accidents or delays beyond our control.
2. Owner hereby gives Contractor, his employees, and equipment, free ingress and egress upon the owner's land, for the purpose of water system installation/repair. Owner also agrees that any damage to fixed property of owner because of ingress and egress over grounds designated by owner, or any underground damage to property of owner because of the pursuance of this contract and incidental and necessary to the completion thereof at the site designated by owner, shall not be the liability of contractor.
3. The Contractor shall not be liable for any damages arising out of any delay or failure due to hazards but in the event of unreasonable delay or failure, this contract may be terminated by the owner, upon payment to the contractor for services and materials furnished.
4. Contractor without charge to purchaser shall undertake necessary inspections, adjustments or repairs, for the period of one-year following completion of the job. Contractor shall have access to the premises of the purchaser for such purposes and ad the work schedule of Contractor permits.
5. Should default be made in payment and it becomes necessary to force collection with or without suit, I/we promise to pay all costs and expenses of such collection including all attorney fees and court costs, 2% per month service charge of overdue accounts.

Acceptance:

The above prices, specifications and conditions are satisfactory and hereby accepted. You are authorized to do the work specified. Payment will be made as outlined above.

Date: 10-16-17

Contractor: _____

Purchaser: _____

ATTACHMENT 4

REFERRAL AGENCY COMMENTS AND RECOMMENDATIONS

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

Referral Agency	Response	Recommendation	Location
Humboldt County Division of Environmental Health	✓	Conditional approval	Attached
Humboldt County Building Inspection Division	✓	Conditional approval	On file
Humboldt County Public Works, Land Use Division	✓	Conditional approval	Attached
CAL FIRE		No comments	On file
Northwest Information Center (NWIC)	✓	Comments	On file and confidential
California Department of Fish and Wildlife (CDFW)	✓	Comments	
Regional NCUAQMD		No response	
North Coast Regional Water Quality Control Board (NCRWQCB)		No response	
Humboldt County District Attorney		No response	
Federal Public Defender, Palo Verde		No response	
Federal Public Defender, Garberville		No response	
Humboldt County Agriculture Commissioner		No response	
Humboldt County Sheriff	✓	Comments	On file
California Division of Water Rights		No response	
Southern Humboldt Joint Unified School District		No response	



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: Elizabeth Moreno, Planner, Planning & Building Department
 FROM: Kenneth M. Freed, Assistant Engineer 
 DATE: 01/14/2020

RE:

Applicant Name	BARRYLAND FARM
APN	210-131-020
APPS#	PLN-12259

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 8/16/2018, stamp received by the Humboldt County Cannabis Services on September 14, 2018, with Part A –Box 1 completed but then filled our Part B and checked #3, certifying that the roadway can accommodate the increased traffic from this project. Part B was not filled out by a licensed Engineer.

Included with the road evaluation report was a paragraph written by a licensed contractor that states the road varies from 14 feet to 20 feet. And a statement that after applying rock and compaction to the road it will be able to meet Humboldt County road standards.

The conflicting statements make it difficult to make recommendations. Applicant can revise the evaluation report self-certifying that that the road is developed to the equivalent of a Cat 4 road, as it appears to have pinch points. Or hire an Engineer to complete Part B and perform all recommendations regarding functionality of the road.

// END //

Additional Review is Required by Planning & Building Staff

APPS # 12259

All of the following questions are to be answered by Planning and Building Department staff.

No further involvement with the Department of Public Works is required for these items; however Public Works staff is available to answer any questions that may arise.

- 1. ROADS – PART 1. Does the project take access from a series of non-county maintained roads that connect directly to a State Highway (36, 96, 101, 255, 299, etc...)?

[X] YES [] NO

If YES, the project does not need to be referred to the Department. Include the following requirement:

All recommendations in the Road Evaluation Report(s) for non-county maintained road(s) shall be constructed/implemented to the satisfaction of the Planning & Building Department prior to commencing operations, final sign-off for a building permit, or approval for a business license. A grading permit may be required; check with the Building Division of the Planning and Building Department for any permit requirements.

- 2. ROADS – PART 2. Does the project take access from a series of non-county maintained roads that connect directly to a Caltrans State Highway, US Forest Service Road, BLM Road, or a City road?

[X] YES [] NO

If YES, the Department recommends that prior to the project presented to the Planning Commission or Zoning Administrator, that the project should be referred to the affected road agency(ies).

- 3. ROADS – PART 3. Does the project take access or use a county maintained road that does not have a centerline stripe or is not on the "approved list" of known category 4 roads? [] YES [] NO

If YES, a Road Evaluation Report must be done for the County road(s) that do not have a centerline stripe or are not on the "approved" list. The project along with the road evaluation report(s) for the County maintained road(s) must be referred to Public Works for review to ensure that the Department supports the findings in the report. If the road is on the "not approved" list, then Part B of the Road Evaluation Report form must be completed.

- 4. Deferred Subdivision Improvements. Does the project have deferred subdivision improvements? [] YES [] NO

How to check: Method 1: Planning and Building Department staff review the legal description for the subject property in the deed. If the deed reads similar to "Parcel __ of Parcel Map No. ___" then there may be deferred subdivision improvements; further research will be needed. Method 2: Planning and Building Department staff need to review the title report(s) for the subject property(ies) to see if a "Notice of Construction Requirements" document is listed. If the document is listed, then there are deferred subdivision improvements.

If YES then the subject property has deferred subdivision improvements. The project cannot be presented to the Zoning Administrator or the Planning Commission until the deferred subdivision improvements are completed. The applicant should be directed to the Department of Public Works regarding the deferred subdivision improvements.

- 5. AIRPORT- PART 1 (ALUCP). Is the project located within Airport Land Use Compatibility Plan (ALUCP) Zone A, B, B1, B2, or B3 as shown on the ALUCP GIS layer? [] YES [] NO

If YES, include the following requirement:

The applicant shall cause to be dedicated to the County of Humboldt an Avigation Easement. The avigation easement shall be on the form prescribed by the Department of Public Works. 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.

Additional Review is Required by Planning & Building Staff

The applicant shall conduct all operations consistent with the ALUCP and in a manner that does not attract flocks of birds. Open ponds shall not be permitted.

- 6. **AIRPORT – PART 2 (County Code Section 333).** Is the project is located within the County Code Section 333 GIS layer **AND** is the project proposing to construct (or permit) a fence, building or other structure? YES NO

If **YES**, the applicant shall submit a completed *Airspace Certification Form* prior to the project being presented to the Zoning Administrator or the Planning Commission for approval.

- 7. **AIRPORT – PART 3 (Height Restrictions).** Planning & Building Staff shall review the completed *Airspace Certification Form* as follows:
 - o If Box 1 is checked **NO**, the applicant shall either modify the project to comply with County Code Section 333-4 or the applicant shall request a variance pursuant to County Code Section 333-8. The project shall not be presented to the Zoning Administrator or the Planning Commission for approval until the variance is approved by the Board of Supervisors, or the project was modified to comply with County Code Section 333-4.
 - o If Box 2 is checked **YES**, the applicant shall submit form FAA 7460-1 to the FAA for review and comment. The project shall not be presented to the Zoning Administrator or the Planning Commission for approval until the FAA supports the project.
 - o If Box 3 is checked **YES**, then the project cannot be permitted and must be modified to conform to the easement. As an alternative, the applicant may wish to seek approval from both the County and the FAA to quitclaim a portion of the easement to allow the project to be permitted.
 - o If Box 1 is checked **YES** and Box 2 is checked **NO** and Box 3 checked **NO or NA**, then Planning & Building staff shall signoff on the project in the "county use only" section of the form. In the "pre-construction" right of way (or "post construction" right of way if the building exists), check the approval box; date and initial your work.

Note that if the proposed structure is close to the imaginary surface (within 5 feet), then require a post construction certificate to be filed. By including the following requirement:

Applicant shall file a post construction *Airspace Certification Form* to ensure that the proposed structures are in compliance with County Code 333-3. This shall be completed within 90 days of completion of construction or prior to building final, whichever occurs first.

Submit a copy of all processed *Airspace Certification Forms* to the Land Use Division.

- 8. **MS4/ASBS Areas.** Is the project located within MS4 Permit Area as shown on the GIS layer? YES NO

If **YES**, include the following requirement:

The applicant shall demonstrate to the satisfaction of the Planning & Building Department that the project is in compliance with MS4/ASBS requirements.

// END //