



COUNTY OF HUMBOLDT
PLANNING AND BUILDING DEPARTMENT
CURRENT PLANNING DIVISION

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Hearing Date: May 5, 2022

To: Humboldt County Planning Commission

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

Subject: **Nava Ranch, LLC Special Permit Modification**
Record Number: PLN-2021-17162
Assessor's Parcel Number: 107-106-006
844 Wilder Ridge Road, Honeydew Area

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Please contact Augustus Grochau, Planner I, at 707-441-2626 or by email at agrochau@co.humboldt.ca.us, if you have any questions about the scheduled public hearing item.

AGENDA ITEM TRANSMITTAL

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| Hearing Date May 5, 2022 | Subject Special Permit | Contact Augustus Grochau |
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Project Description: A Special Permit for expansion of approved project PLN-12657-SP. The project will consist of 43,560 square feet (SF) of mixed light cultivation in twelve (12) greenhouses and 2,500 SF of indoor cultivation in a converted barn. The original project consisted of 6,600 square feet of mixed light cultivation, 2,700 square feet of outdoor cultivation, and 2,500 square feet of indoor cultivation. The outdoor cultivation will be converted to mixed light and the total mixed light cultivation area will be expanded to one acre. This represents a total increase of 36,960 SF of mixed light cultivation area. The applicant hopes to achieve up to three (3) harvests annually. All water will be sourced by rainwater catchment from an existing pond, a proposed pond, and an existing rooftop rainwater catchment system. The estimated water needed annually for irrigation is approximately 550,000 gallons (11.94 gal/sq.ft./yr). The ponds will total approximately 1,050,000 gallons of storage, and twelve (12) 5,000 gallon tanks are proposed, for a total of 1,110,000 gallons of water storage. There is also one separate 5,000 gallon tank designated for fire suppression. Drying, trimming, and processing will occur onsite in the existing 900 SF storing, processing, and packaging building. Operations will utilize one (1) full-time employee, up to three (3) additional seasonal employees, and up to four (4) family members, totaling eight (8) laborers. There is a portable restroom facility on site for employees, and a cannabis support building is proposed with an additional septic system. Power is sourced from PG&E via a green energy program and there is an existing solar array onsite featuring six (6) panels with outputs of 235 watts each. There is a 25 kilowatt (kW) Whisperwatt generator kept onsite for emergency use only.

Project Location: The project is located in the Honeydew area, on the west side of Landerger Road, approximately 1,400 feet southwest from the intersection of Wilder Ridge Road and Landerger Road, on the property known as 844 Wilder Ridge Road.

Present Plan Land Use Designations: Agricultural Grazing (AG), Density: Range is 20 to 160 acres per unit; Public Lands (P), Density: N/A; 2017 General Plan, Slope Stability: Moderate Instability (2)

Present Zoning: Agriculture Exclusive (AE), Minimum building site area is 160 acres (B-5(160)); Timberland Production (TPZ)

Record Number: PLN-2021-17162

Assessor's Parcel Number: 107-106-006

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| Applicant Nava Ranch, LLC David A Nava PO Box 761 Redway, CA 95560 | Owner David A Nava PO Box 761 Redway, CA 95560 | Agent Rain & Zepp, PLC Nate Madsen 517 Third Street, Suite 30 Eureka, CA 95501 |
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Environmental Review: An Addendum to a previously adopted Environmental Impact Report 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: Public opposition, BLM setback

Recommended Planning Commission Action

1. Describe the application as a public hearing;
2. Request that staff present the project;
3. Open the public hearing and receive testimony; and
4. Close the hearing and take the following action:

*Find that the Planning Commission has considered the Addendum to the adopted Environmental Impact Report for the Commercial Cannabis Land Use Ordinance (CCLUO) as described by Section §15164 of the State CEQA Guidelines, make all of the required findings for approval of the Special Permit and adopt the Resolution approving the **Nava Ranch, LLC** Special Permit as recommended by staff subject to the recommended conditions.*

Executive Summary: A Special Permit for expansion of approved project PLN-12657-SP. The project will consist of 43,560 square feet (SF) of mixed light cultivation in twelve (12) greenhouses and 2,500 SF of indoor cultivation in a converted barn. The original project consisted of 6,600 square feet of mixed light cultivation, 2,700 square feet of outdoor cultivation, and 2,500 square feet of indoor cultivation. The outdoor cultivation will be converted to mixed light and the total mixed light cultivation area will be expanded to one acre. This represents a total increase of 36,960 SF of mixed light cultivation area. The applicant hopes to achieve up to three (3) harvests annually. All water will be sourced by rainwater catchment from an existing pond, a proposed pond, and an existing rooftop rainwater catchment system. The estimated water needed annually for irrigation is approximately 550,000 gallons (11.94 gal/sq.ft./yr). The ponds will total approximately 1,050,000 gallons of storage, and twelve (12) 5,000 gallon tanks are proposed, for a total of 1,110,000 gallons of water storage. There is also one separate 5,000 gallon tank designated for fire suppression. Drying, trimming, and processing will occur onsite in the existing 900 SF storing, processing, and packaging building. Operations will utilize one (1) full-time employee, up to three (3) additional seasonal employees, and up to four (4) family members, totaling eight (8) laborers. There is a portable restroom facility on site for employees, and a cannabis support building is proposed with an additional septic system. Power is sourced from PG&E via a green energy program and there is an existing solar array onsite featuring six (6) panels with outputs of 235 watts each. There is a 25 kilowatt (kW) Whisperwatt generator kept onsite for emergency use only.

There will be 43,560 SF of mixed light cultivation proposed to be within twelve (12) greenhouses, six of which would be 3,264 SF and six of which would be 3,978 SF. The applicant hopes to achieve up to three (3) harvests annually. Ancillary propagation is proposed to occur within a 2,500 SF greenhouse. An existing 900 SF structure will be used for drying, trimming, and packaging, although processing at a licensed third-party facility is also anticipated. The applicant shall permit or acquire agricultural exemptions for all buildings with a nexus to cannabis, including but not limited to thirteen (13) greenhouses, one (1) indoor cultivation building, one (1) drying and processing building, and one (1) chemical storage building.

The site is located in an area of Moderate Instability for seismic safety, and the applicant has obtained an R-2 Soils Report (RSR) for the proposed development. The RSR was prepared by Allan Baird of A.M. Baird Engineering and Surveying, Inc. The RSR states that the entire property appears stable and should continue to be stable, provided that the report's recommendations are followed. The RSR provides standards that the project shall adhere to which regard cut and fill of slopes, setbacks of slopes from the development, slope construction, foundation construction, dust control, drainage, erosion and sedimentation control, watercourse protection, and revegetation. These standards are included in the implementation measures of the Grading and Erosion Control Plan. The Grading and Erosion Control Plan proposes grading of slopes which are greater than 15%, however the as-built grading plan within that plan shows that these slopes are a result of previous grading activities associated with the existing cultivation from PLN-12657-SP that were in existence prior to January 1, 2016, and therefore these areas

have been considered pre-disturbed area. The flat areas of less than 15% and the piles of disturbed soil with slopes greater than 15% were in existence prior to the baseline established for the ordinance. The grading is being done to create consistent terraced flats for the new greenhouses.

The project is adjacent to a portion of the King Range National Conservation Area and the previous project on site, PLN-12657-SP, included a setback reduction to approximately 100 feet of the public lands. The findings for approval of the setback reduction can still be made for this expansion, particularly as the expansion is further back from the public lands than the existing cultivation. Additionally, given that the operation will be powered by PG&E and includes measures to ensure no light escapes, the project is consistent with the terms of the previously approved Special Permit for the setback reduction. This expansion was referred to the Bureau of Land Management who manages these adjacent public lands in April 2021 and comments were received on April 12, 2022 just prior to completion of this staff report. These comments are more specifically discussed in the Bureau of Land Management Coordination section below, however whereas BLM did not previously object to the approval of the setback reduction to public lands on the previously approved project, they express significant concerns over the reduction request for this project. While the setback reduction from BLM lands for the existing and permitted cannabis operation was approved and this proposed expansion will be further back from what was approved, given that it is an expansion staff believes this requires an additional setback reduction to be approved for the expanded cultivation. If this setback reduction is not approved the application for expansion would not be able to be approved and should be denied.

There is a septic system onsite, which needs to be permitted with the Environmental Health Division, as well as portable toilets for employee use. The project is conditioned to obtain a new permit for the onsite septic prior to commencing processing activities. The existing septic system has sufficient capacity to handle the existing load and the proposed load. The applicant plans to develop an additional cannabis support building in the future which will include an additional permitted septic system for the project.

The project is within the jurisdiction of Mattole Unified School District. A request for comment was not sent to them because they had already responded to the referral for PLN-12657-SP and it is assumed that their response would be identical. Their previous response was that the project is not within 600 feet of a school or bus stop, and that while the District may need to add a bus stop within 600 feet at some point in the future, there is no conflict at this time. They also appended their Board policy for a Drug and Alcohol-Free Workplace.

Water Resources

The project's water source is rainwater catchment. There is an existing rooftop catchment system on the residence and adjacent shop structure, an existing rainwater catchment pond capable of storing 300,000 gallons, and a proposed rainwater catchment pond capable of storing 750,000 gallons. Water from these sources will also be stored in twelve (12) 5,000 gallon tanks. There is also one (1) additional 5,000 gallon tank designated for fire suppression. Total proposed water storage for irrigation is approximately 1,110,000 gallons. The catchment surface of the proposed new pond alone is 17,375 square feet, and based on locally collected data from neighbors with rain gauges, the rainfall for a dry year is over 80 inches. Using these values alone, the total rainwater collection potential is 865,970 gallons, which would be pumped to the tanks. Any overflow not pumped to the tanks will drain away from the pond via its overflow structure. Including the 2,100 square feet of roof area and the area of the existing catchment pond, roughly estimated to be 5,800 square feet, the estimated total rainwater collection potential would be 1,258,808 gallons per year. Based on World Weather Online data, average annual rainfall for the Honeydew area in general is estimated at 56 inches per year, which would result in 881,166 gallons of rainwater collection potential. From that data, 2020 had the lowest amount of rainfall, at 32.7 inches, which would have resulted in 514,525 gallons of rainwater collection potential, and 2016 had the highest amount of rainfall, at 102.8 inches, which would have resulted in 1,617,198 gallons of rainwater collection potential. The potential rainwater catchment area which could be provided by the greenhouses has been omitted from these calculations, because they would only be utilized for catchment on an as-needed basis.

The applicant estimates that annual water usage for irrigation will be approximately 550,000 gallons (11.94 gal/sq.ft./yr). An onsite well was proposed, however preliminary test drills came up dry, so the rainwater catchment was expanded to accommodate all irrigation needs. Employee drinking water and handwashing water will be sourced by plastic water bottles and jugs brought to the site regularly. Water designated for employees was sourced differently in the Cultivation and Operations Plan, so the project is conditioned to provide an Addendum correcting that detail. The property utilizes a registered spring diversion from off site for domestic uses only. No water sourced from diversions or wells will be used for irrigation.

The subject parcel contains one Class II watercourse and one Class III watercourse which were observed by Mason London, the principal consulting biologist for the Biological Reconnaissance Survey Report (BRSR) prepared for the site. No hydric soils were found in the two (2) test pits dug into the most probable areas with proximity to the project site, so it is unlikely that any wetland habitats have potential to be impacted by the proposed project. Because of this, a protocol-level wetland determination was not performed and is not recommended by the BRSR. A 150 ft buffer from the edge of the Class II watercourse and a 50 ft buffer from the edge of the Class III watercourse are recommended by the BRSR, and the project area is well outside of each of these buffers. Map 3 in the BRSR shows the location of these watercourses and their buffers in relation to the project area.

The applicant is currently cultivating under the approved PLN-12657-SP, which was enrolled in the North Coast Regional Water Quality Control Board's (NCRWQCB) (Order No. 2015-0023) Waiver of Waste Discharge Requirements and General Water Quality Certification. A Water Resource Protection Plan was developed to comply with this order, which will need to be updated to a Site Management Plan in order to comply with the State Water Resources Control Board's (SWRCB) (Order WQ 2019-0001-DWQ) General Waste Discharge Requirements and Waiver of Waste Discharge Requirements. The project is conditioned to enroll in the SWRCB's General Order prior to commencing the expanded cultivation activities, and shall submit a Notice of Applicability letter or Notice of Receipt as proof of enrollment before those cultivation activities can occur. The project is required to have a Site Management Plan (SMP) prepared within 90 days of enrollment to outline onsite measures required to meet the standards of the SWRCB's Order. The applicant shall submit the final Site Management Plan to the Planning Division, and shall adhere to the measures and recommendations within the final SMP. The project site is located in the Cape Mendocino Planning Watershed, which under Resolution 18-43 is limited to 730 permits and 251 acres of cultivation. With the approval of this project the total approved permits in this Planning Watershed would be 214 permits and the total approved acres would be 77.19 acres of cultivation.

Processing

Drying and processing will take place in the 900 SF storing, processing, and packaging building. The building will be permitted as a commercial structure. Third-party processing is also proposed for what cannot be processed onsite. An additional cannabis support building is proposed, which will house future processing operations and will also be permitted as a commercial structure.

One (1) full-time employee and one (1) family member are required to maintain the site. Up to three (3) additional employees and up to three (3) additional family members may be required seasonally to support planting and harvest periods. The applicant has declared themselves an agricultural employer as defined in the Alatorre-Zenovich-Dunlop-Berman Agricultural Labor Relations Act of 1975.

Fire Safety

The project is located within the State Responsibility Area in an area designated as High Fire Severity. The applicant has designated a 5,000 gallon water tank for fire suppression. Additionally, the project is located in the Honeydew Volunteer Fire Company Response Area (HVFC). The project was referred to HVFC on April 26th, 2021 and no comment has been provided.

The project was referred to CalFire on April 26th, 2021 and CalFire responded on May 12th, 2021 that they could not support the project due to apparent removal of trees to construct the existing pond. This comment matches the comment from the previous project, PLN-12657-SP. The previous project had a timber conversion report prepared, which determined that no timber conversion had taken place for

the pond. The existing pond has been estimated to have been built in 1960 and the removal of two lone trees in 2017 was determined not to constitute timberland conversion.

Biological Resources

Biological resource surveys were conducted in the study area on March 16th, 2021 by Mason London and Sarah Mason, a qualified biologist and qualified botanist respectively, and on June 7th, 2021 by Sarah Mason. These surveys were used to inform the Biological Reconnaissance Survey Report (BRSR) prepared by biologist Mason London for Naiad Biological Consulting and the protocol-level Botanical Survey Report prepared by consulting botanist Michael Weldon in conjunction with Naiad Biological Consulting, prepared on April 7th, 2021 and July 8th, 2021 respectively.

The Botanical Survey Report concluded that the expansion of cultivation operations is unlikely to harm any special status plants or natural plant communities. The only special status plant species identified in the study area was the Alaskan yellow-cedar, which is believed to have been planted ornamentally. There are some native grasses present in the project area, but no sensitive natural plant communities could be established during surveys due to the large amount of invasive grasses present, consistent with historic grazing. The Botanical Survey Report identified the invasive species which shall be removed per the Invasive Species Control Plan found in the Cultivation and Operations plan prior to their bloom and seed periods each year.

The subject parcel contains mapped range for marbled murrelets, and is located outside of any mapped ranges for other rare or endangered species listed in the California Natural Diversity Database (CNDDDB) layer shown in Humboldt County's Web GIS. The BRSR determined that, due to the lack of available habitat for marbled murrelets, there is no potential of occurrence in the project area nor the surrounding area. The nearest northern spotted owl (NSO) activity center is approximately 2.20 miles from the proposed cultivation area, and there is one NSO observation that is approximately 0.6 miles from the nearest proposed cultivation area. The BRSR determined that the project site is not dominated by the NSO's preferred forest type and is therefore not likely to be utilized for nesting and roosting. There is moderate suitable habitat for NSOs surrounding the project site, but if the BRSR's recommendations are followed, all potential direct or indirect impacts to NSOs can be mitigated. Since all of the activities associated with the cultivation will have cultivation methods that minimize noise and light pollution, the cultivation is not expected to disrupt any essential NSO breeding activities or result in other harm to the species or any other species. The parcel is connected to PG&E power and has solar panels onsite, so generator use is restricted to emergency use only, minimizing noise. The project will adhere to International Dark Sky Association standards, so no light shall escape the greenhouses between dusk and dawn.

The BRSR also concluded that with the recommendations included in the report, the project will likely have no negative direct impacts to sensitive habitats, any more so than have already been impacted by historic land alteration, nor would there be any foreseeable indirect impacts to the environment, surrounding habitat, or wildlife. Recommendations within the BRSR include adhering to best management practices during the development and construction of the project, avoiding construction utilizing loud machinery during migratory bird nesting season, conducting bird surveys pre-construction if that construction must take place during nesting season, removing all cultivation material from outside of the designated project area and all trash from within and outside of the project area, complying with the protocols addressed in the CDFW Bullfrog Management Plan, conducting ground surveys for any American badger burrows prior to construction activities, and following the procedures for eradicating invasive species per the Invasive Species Control Plan. These recommendations have been included in the conditions of approval for the project, and construction activities shall only commence in the event that no rare threatened or special-status species are found onsite. If rare, threatened, or special-status species are found onsite, the biologist shall notify the Planning Director in consultation with CDFW. The Planning Director shall determine in consultation with CDFW whether modifications to the project design are possible to avoid removal of occupied habitat while still achieving project objectives, or if avoidance is not feasible.

The project was referred to the California Department of Fish & Wildlife (CDFW) on April 26th, 2021, and no comments had been received. On April 7th, 2022, CDFW noted that there was public comment regarding generator use and light pollution on the property. Also on April 7th, 2022, CDFW and Augustus Grochau, the assigned planner, discussed those potential issues in a phone conversation. The County believes that the project as conditioned will resolve or otherwise prevent those issues. The applicant for PLN-12657-SP had submitted an application for a Lake or Streambed Alteration Agreement with CDFW in 2019. The application mentions one existing stream diversion that is being used for domestic purposes only, and states that no instream work is proposed. There appears to be one stream crossing onsite, which is not proposed to be used for cultivation activities. There are two ditch-relief culverts on site which do not appear to be connected to any perennial or intermittent streams. A new notification of Lake or Streambed Alteration to CDFW will be required. The applicant shall submit the final LSA application response from CDFW, and in the event that a Streambed Alteration Agreement is required the applicant shall adhere to the work outlined in the final Agreement.

Noise

Performance Standards required in the CCLUO, per section 55.4.12.6, state that noise from cultivation and related activities shall not result in an increase of more than three decibels of continuous noise above existing ambient noise levels at any property line of site. Because the power will be sourced from PG&E and on-site solar, and the greenhouses will use low noise solar snap fans, the project is not expected to raise noise levels. The generator on site will only be used during power outages and, when in use, will produce less than 50 decibels (dba) at 100 feet when in operation. A site visit performed by Augustus Grochau, the assigned planner, and Cliff Johnson, the supervising planner, determined that the generator is presently utilized as the power source for the mixed light cultivation areas. Noise levels while the generator is running are 75 dbA at a distance of 5 feet, 50 dbA at a distance of 100 feet, and 35 dbA at a distance of 200 feet, at which point the generator is no longer audible. The generator has not been run any closer to the property line than 300 feet. The project is conditioned not to expand to the proposed cultivation area until the site is no longer dependent on generator power. The project has prepared a Noise Study to determine ambient noise levels. This study was performed on a day with windy and noisy conditions, so extended periods of noise have been omitted from the average. The ambient noise level averages between 35 and 37 decibels and the project is conditioned not to go over three decibels above that noise level for the life of the project. The project is also conditioned to prepare an additional noise study during better conditions to help establish a more typical baseline.

Energy Plan

The proposed project's power source is PG&E and an existing solar panel array. The array has some proposed upgrades, so it will better meet the project's power demands and any necessary PG&E power will be sourced from renewable energy programs. The light bulbs used during mixed light cultivation are low wattage fluorescents. For the proposed project a 25 kW WhisperWatt generator will be kept onsite for emergency use only. This generator is presently not used. The current mixed light cultivation's primary power source is a small Honda 2200 watt generator, and the project is conditioned not to expand to the proposed cultivation area until the site is no longer dependent on generator power. Presently, PG&E only serves the lower, southern portion of the property, where the previously approved indoor cultivation will occur. The applicant is proposing extending service to the upper, northern portion of the project, where the previously approved mixed light and outdoor cultivation occurs, and the proposed mixed light cultivation will occur, but the applicant is unable to invest in engineered plans for an application to PG&E until after a decision has been reached for this expansion proposal.

Tribal Cultural Resource Coordination

The project is located within the ancestral aboriginal territories of the Sinkyone Intertribal Wilderness Council and the Bear River Band of Rohnerville Rancheria. The project was referred to the Sinkyone and Bear River Band tribes on April 26th, 2021. Neither has responded with comment, however the previous project, PLN-12657-SP, had also been referred to both tribes on August 8th, 2017. Only Bear River Band responded to that referral. Bear River Band had requested a cultural resources study if one had not already been prepared. The referral response from Northwest Information Center (NWIC) on September 7th, 2017 indicated that a cultural resources study which covered approximately 100% of the proposed project area had been completed in 1976 and found no cultural resources in the proposed project area.

Further correspondence with the Bear River Band in 2018 indicated that no additional survey would be required. NWIC also identified a building in the proposed project area from the US Geological Survey Honeydew 7.5' quad map from 1970. These are likely the residence and adjacent shop estimated to have originally been built in 1950, neither of which are proposed to be used by the cultivation project, nor are they proposed for demolition. Inadvertent discovery protocols are in place for the project. In the event that cultural resources are encountered during project activities onsite, the applicant shall adhere to inadvertent discovery protocols, halt operations, and contact a qualified archaeologist.

Bureau of Land Management Coordination

Due to the proximity of the project to Kings Range National Conservation Area, the project was referred to the Bureau of Land Management (BLM) on April 26th, 2021. On April 1st, 2022, BLM corresponded with the County stating that a comment letter was being prepared and would be completed before the end of the following week. For the previous project, PLN-12657-SP, the application was referred to BLM on August 28th, 2018 and comment was received on September 12th, 2018. This comment requested that the parcel be surveyed by a licensed professional land surveyor to ensure that trespass onto public lands does not occur. A field boundary survey was performed on September 7th, 2018 by Wallace E. Wright, a licensed land surveyor, and the plot plan resulting from that survey indicated that the house onsite was 192 feet from the property line and that the driveway connecting Landergen Road and Smith-Etter Road is located entirely on the subject parcel, 107-106-006.

On April 12, 2022, BLM submitted a comment letter raising significant concerns over this project and the requested setback reduction. Staff understands that this letter was facilitated after neighboring property owners contacted BLM to express their opposition. While not specifically requesting denial of the setback reduction, BLM raises concerns and objections about the proposed project and its requested setback reduction. Below is a synopsis of the BLM concerns and a staff analysis:

- BLM states that since Smith-Etter Road provides vehicular access to public campground, trails and recreational areas this roadway should similarly be considered a recreational area under the code for which no setback reduction should be granted. BLM and other federal agencies own and maintain many public roads throughout Humboldt County and these roadways have never before been considered a recreational area for the purposes of this section and staff does not support that classification here. Of note is that Smith-Etter Road in this location is an easement with the underlying land owned by the applicant. BLM suggests that the property owner not be permitted to utilize the public road on their own property which seems somewhat problematic as an examination of the deed indicates that the property owner owns the underlying fee title to this roadway.
- BLM states that the applicant does not have a right of way over the portion of Landergen Road that comes off of Wilder Ridge Road since this portion is on underlying BLM property. This road is a county-maintained road with a County-easement for such use.
- BLM raises questions about the source of water that appear to be misinformed. The existing pond is rainwater catchment and a 750,000 rainwater catchment pond is proposed. The registered POD is not being utilized for the cannabis operation.
- BLM raises concern over impacts to Coho and Chinook salmon, and steelhead in Bear Trap Creek and Honeydew Creek. Bear Trap Creek is over 600 feet away from the project and Honeydew Creek is over 1,300 feet away and on the other side of two public roads from the project.
- Lastly, BLM raises concern over the proximity of this site to a Northern Spotted Owl (NSO) critical habitat. However, the nearest NSO activity center is over 2 miles away, which is far beyond the distance discussed in the EIR for the CCLUO as a potential impact to NSO from operation of cannabis facilities, and the Biological Study determined that, although there is moderate suitable habitat for NSOs surrounding the area, if recommendations are followed, then all potential direct or indirect impacts to the species can be mitigated.

Planning staff discussed these comments with BLM and asked them to attend the Planning Commission hearing however they stated that they did not wish to attend because they did not wish to get involved in the permitting decisions that the County makes. The BLM property for which the setback reduction is requested is an in-holding that is surrounded on all sides by private properties, all of which either have

approved or in-process cannabis applications. Given that the setback reduction was already approved for the previously approved project, and BLM previously provided comments that did not object to cannabis being operated at this site, and further that the proposed project will be further away from publicly owned lands than what was previously approved, staff supports approval of this application.

Access & Parking

Access to the site is from Landerger Road, a paved County-maintained road. The applicant also uses a portion of Smith-Etter Road, a BLM road for access across the parcel. The applicant for PLN-12657-SP submitted a road evaluation report for Landerger Road self-certifying that both are developed to the equivalent of a Category 4 road standard. The new project was referred to Public Works and comments were received May 6th, 2021. The department recommended conditions of approval for the project, including: the applicant is advised that the County-maintained roads may generate dust and other impacts to farms and the applicant shall hold the County harmless from these impacts, all fences and gates shall be relocated out of the County right-of-way with appropriate setbacks, no materials shall be stored or placed in the County right-of-way, any existing or proposed driveways accessing the project shall be improved to current standards and will require an encroachment permit from the Department of Public Works, all driveways and private road intersections onto the County Road shall be maintained in accordance with County Code Section 341-1 (Sight Visibility), and the applicant shall remove an automatic gate key punch which was installed without County review. The key punch has since been removed, but the other recommended conditions have been included in the Conditions of Approval for the project that must be met before commencing project activities onsite.

The project anticipates a maximum of four (4) employees and up to four (4) family members, including the applicant, during peak season. The current site plan designates a total of six (6) parking spaces onsite at the northern, upper cultivation site and two (2) additional parking spaces would be needed, but there is presently room for parking at the southern, lower cultivation site, near that residence.

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

Planning staff determined approval of this project is consistent with Humboldt County Board of Supervisors Resolution No. 18-43, which established a limit on the number of permits and acres which may be approved in each of the County's Planning Watersheds. The project site is located in the Cape Mendocino Planning Watershed, which under Resolution 18-43 is limited to 730 permits and 251 acres of cultivation. With the approval of this project the total approved permits in this Planning Watershed would be 214 permits and the total approved acres would be 77.34 acres of cultivation.

Environmental review for this project was conducted and based on the results of that analysis, staff finds that all aspects of the project have been considered in a previously adopted Mitigated Negative Declaration that was adopted for the Commercial Medical Marijuana Land Use Ordinance and has prepared an addendum to this document for consideration by the Planning Commission (See Attachment 2 for more information).

Public Comments

This project was scheduled and noticed for the March 17, 2022 Planning Commission hearing. Prior to the hearing, a number of public comments were submitted by neighboring property owners. These comments generally relate to allegations that the current operation is out of compliance and is operating as a public nuisance. The hearing was continued to April 21, 2022 so that staff could more fully investigate these allegations and conduct a site visit. A site inspection by County staff found that the site appears to be operating in compliance with all applicable requirements. While the site inspection was unable to verify the allegations, this project has generated extensive concern from many of the neighboring property owners. The allegations and staff findings are more specifically summarized below:

- **No evidence of sufficient power.** Though not clear in the applicant's operations plan, further discussion with the applicant and the on-site inspection reveals that the application is for a tier 1 mixed-light operation under the state, which is no more than 6 watts per square foot and it is unlikely that the entirety of the cultivation will be operating at this wattage at any single time. The applicant utilizes only small fluorescent lights for their mixed-light operation which do not

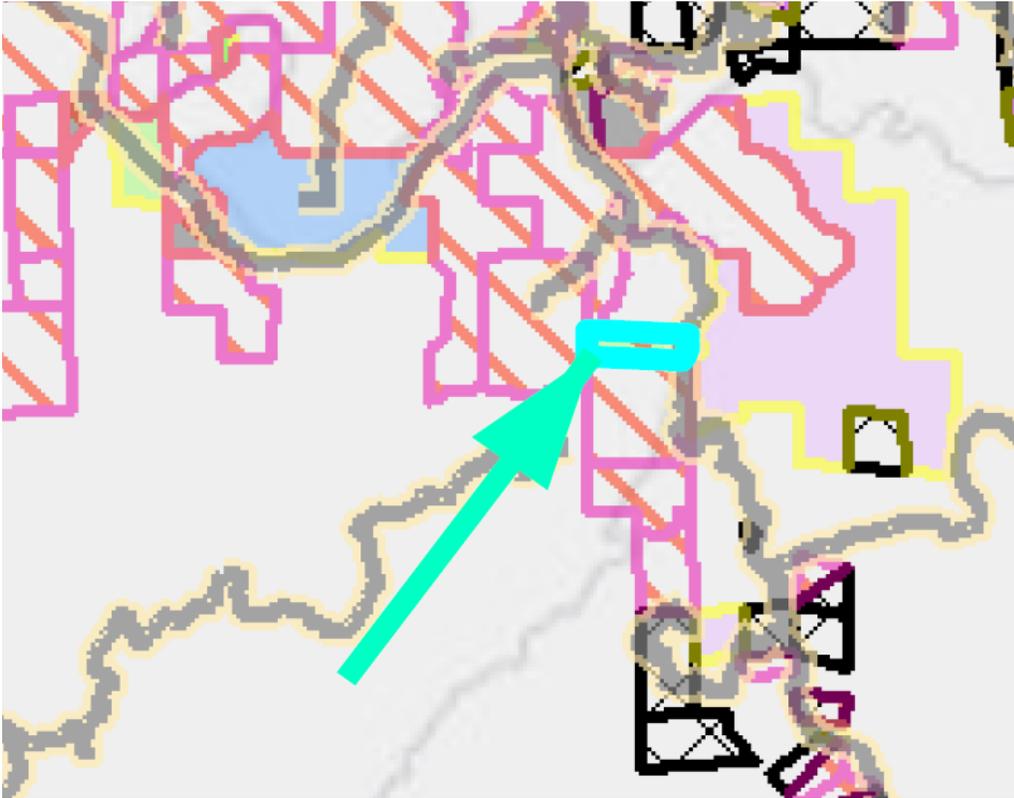
draw much power. The existing 100-amp residential service is likely sufficient for the minimal wattage needs of the project. Due to the lack of clarity in the applicant's operation plan a condition of approval has been added to require wattage not to exceed 6 watts per square foot (**COA B.2**).

- **Applicants run a loud generator all day and night and this is audible from adjacent residences. Lights are consistently uncovered and running all night and visible from adjacent residences.** Prior to the public notice for this project the County had never received a complaint about light or noise from this project site. This site is clearly visible from Wilder Ridge Road, and Smith-Etter Road runs immediately adjacent to the existing operation. Both of these roadways are relatively heavily used and the County has never before received light or noise complaints from this site. A site visit conducted by county staff shortly after these allegations were submitted found no fans or lighting in any of the currently operating greenhouses. Light shielding tarps were in place and fully functional. Low wattage fluorescent lights were stored in the on-site residential garage along with a small 2200-watt Honda generator. Per discussion with the applicant these lights are used early in the cultivation run and then removed. While on-site County staff measured the noise from the generator at full load. Noise levels at full load were measured with a properly calibrated noise meter at 75 dbA at a distance of 5 feet, 50 dbA at a distance of 100 feet, and 35 dbA at a distance of 200 feet, at which point the generator is no longer audible. The generator was also not audible at the nearest public road, Smith-Etter Road. All property lines and residences are further in distance. County staff did visually identify a 25-kw generator located on the property not in the location of the cultivation. Per the applicant this was left on the property from the previous land-owner and is not functional. Photographs submitted by the agent corroborate this disuse.
- **Employee count is under-reported.** While on-site there were a total of four employees/operators on the property and less than 10,000 square feet of cannabis was actively in cultivation. This employee count does appear low compared to similar sized operations however the applicant insists that this can be accomplished.
- **Low water use.** While the amount proposed in the operations plan is relatively low compared to typical farms, County staff does believe that cultivation methods can account for wide disparities in irrigation needs. The proposed new 750,000 gallon rainwater catchment pond should be more than sufficient to account for any overage in their irrigation needs.
- **No biological or botanical studies for public review.** Biological and botanical studies were prepared for this project and are appended to the staff report. These have been available for public review however no request to review these had been made.
- **General site cleanliness.** Staff found the site to be in good condition with no substantial visible trash or waste.
- **No State Water Board Enrollment and concern about erosion and sedimentation running into Honeydew Creek.** The applicant is currently enrolled with the Water Board (WDID#1_12CC403232) with no listed violations.
- **Property Line Setbacks.** The proposed project occurs in the northern portion of the subject parcel. A boundary survey of the northern parcel line is appended to this staff report. The structures that may be in close proximity to the southern property owner are associated with an existing residence and domestic garden which has no nexus to the proposed cannabis project in the northern portion of the property.
- **Road Evaluation not sufficient.** County staff found that the road was in good condition and capable of supporting the low traffic associated with both this project and the adjacent approved cannabis site. While not a Category 4 roadway, Landergen Road is a County-maintained road which only serves this site and one other. A Google Street View of the intersection of Wilder Ridge Road and Landergen Road is in the figure below.



Of note for the Planning Commission is that this area has a high density of cannabis applications that have already been approved or are in progress. This includes some adjacent applications that have been approved for setback reductions to public lands. The public lands that this project site is located close to is a BLM inholding (APN 107-106-001) that is surrounded by private lands, all of which either have large existing or proposed cannabis facilities. The property immediately to both the West and the North of both this project site and the public land inholding has approved cultivation permits for a total of nearly 7 acres of outdoor cannabis cultivation, and the property immediately to the east of this project site and the public land inholding has an application in progress for 1 acre of existing cultivation and 3 acres of new mixed-light cultivation. The three properties immediately south of this project site have approved cannabis cultivation permits, including one with a setback reduction to public lands that has been approved.

The figure below is a focused view of the Watershed Map, showing the various cannabis applications and permits in the vicinity. You will note the property immediately to the north of the project site is the BLM inholding that requires a public lands setback, and that this parcel is surrounded on all sides by cannabis activities.



Summary

Environmental review for this project was conducted and based on the results of that analysis, staff finds that all aspects of the project have been considered in a previously adopted Environmental Impact Report that was adopted for the Commercial Cannabis Land Use Ordinance and has prepared an addendum to this document for consideration by the Planning Commission (See Attachment 2 for more information). Staff recommends that the Planning Commission describe the application as a public hearing, request that staff present the project, open the public hearing and receive testimony, make all the required findings for approval of the Special Permit, and adopt the Resolution approving the application subject to the recommended conditions.

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

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

Resolution Number 22-

Record Number PLN-2021-17162

Assessor's Parcel Number: 107-106-006

Resolution by the Planning Commission of the County of Humboldt certifying compliance with the California Environmental Quality Act and conditionally approves the Nava Ranch, LLC Special Permit.

WHEREAS, Nava Ranch, LLC, submitted an application and evidence in support of approving a Special Permit for 43,560 square feet of mixed light cannabis cultivation;

WHEREAS, the County as lead agency, prepared an Addendum to the Environmental Impact Report (EIR) prepared for the Commercial Cannabis Land Use Ordinance (CCLUO) adopted by the Humboldt County Board of Supervisors on May 8, 2018. The proposed project does not present substantial changes that would require major revisions to the Environmental Impact Report. 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 **May 5, 2022**, and reviewed, considered, and discussed the application for Special Permit and reviewed and considered all evidence and testimony presented at the hearing.

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

1. FINDING:

Project Description: A Special Permit for expansion of approved project PLN-12657-SP. The project will consist of 43,560 square feet (SF) of mixed light cultivation in twelve (12) greenhouses and 2,500 SF of indoor cultivation in a converted barn. The original project consisted of 6,600 square feet of mixed light cultivation, 2,700 square feet of outdoor cultivation, and 2,500 square feet of indoor cultivation. The outdoor cultivation will be converted to mixed light and the total mixed light cultivation area will be expanded to one acre. This represents a total increase of 36,960 SF of mixed light cultivation area. The applicant hopes to achieve up to three (3) harvests annually. All water will be sourced by rainwater catchment from an existing pond, a proposed pond, and an existing rooftop rainwater catchment system. The estimated water needed annually for irrigation is approximately 550,000 gallons (11.94 gal/sq.ft./yr). The ponds will total approximately 1,050,000 gallons of storage, and twelve (12) 5,000 gallon tanks are proposed, for a total of 1,110,000 gallons of water storage. There is also one separate 5,000 gallon tank designated for fire suppression. Drying, trimming, and processing will occur onsite in the existing 900 SF storing, processing, and packaging building. Operations will utilize one (1) full-time employee, up to three (3) additional seasonal employees, and up to four (4) family members, totaling eight (8) laborers. There is a portable restroom facility on site for employees, and a cannabis support building is proposed with an additional septic system. Power is sourced from PG&E via a green energy program and there is an existing solar array onsite featuring six (6) panels with outputs of 235 watts each. There is a 25 kilowatt (kW) Whisperwatt generator kept onsite for emergency use only.

EVIDENCE: a) Project File: PLN-2021-17162

2. FINDING: **CEQA.** The requirements of the California Environmental Quality Act have been complied with. The Humboldt County Planning Commission has considered the Addendum to and the Environmental Impact Report (EIR) prepared for the Commercial Cannabis Land Use Ordinance (CCLUO) adopted by the Humboldt County Board of Supervisors on May 8, 2018.

EVIDENCE:

- a) Addendum prepared for the proposed project.
- b) The proposed project does not present substantial changes that would require major revisions to the previous EIR. 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) The project is conditioned to enroll in the State Water Resource Control Board Order No. WQ 2019-0001-DWQ, and to have a Site Management Plan prepared to show measures required to meet compliance with the standard conditions of the Order.
- d) The applicant is required to adhere to inadvertent discovery protocols for archaeological resources.
- e) An Invasive Species Control Plan was prepared for the project, and the applicant is conditioned to adhere to the recommendations within the Plan.
- f) A Biological Reconnaissance Survey Report was prepared by Naiad Biological Consulting dated April 7th, 2021 and a Botanical Survey Report was prepared by Michael Weldon dated July 8th, 2021. Recommended mitigation measures for the project have been included in the conditions of approval prior to commencing activities onsite.
- g) The Cultivation and Operation Plan states that the only water sources are via rainwater catchment, so no instream work is required for the project.

FINDINGS FOR THE SPECIAL PERMIT

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

EVIDENCE

- a) General agriculture is a use type permitted in the Agriculture Exclusive (AE) land use designation. The proposed cannabis cultivation, an agricultural product, is within land planned and zoned for agricultural purposes, consistent with the use of Open Space land for managed production of resources. The use of an agricultural parcel for commercial agriculture is consistent with the Open Space Plan and Open Space Action Program. Therefore, the project is consistent with and complimentary to the Open Space Plan and its Open Space Action Program.
- b) The site has been determined to be in an area of Moderate Instability for seismic safety, and the applicant has obtained an R-2 Soils Report (RSR) for the proposed development. The RSR was prepared by Allan Baird of A.M.

Baird Engineering and Surveying, Inc. The RSR states that the entire property appears stable and should continue to be stable, provided that the report's recommendations are followed.

There is a Grading and Erosion Control Plan which proposes grading of slopes which are greater than 15%, however the as-built grading plan within that plan shows that these slopes are likely a result of previous grading activities associated with the existing cultivation from PLN-12657-SP, so those slopes have been considered pre-disturbed area.

- c) The subject parcel contains one (1) Class II watercourse and one (1) Class III watercourse which were identified in the Biological Reconnaissance Survey Report (BRSR) prepared for the site. No hydric soils were found in the two (2) test pits dug into the most probable areas with proximity to the project site, so it is unlikely that any wetland habitats have potential to be impacted by the proposed project. Because of this, a protocol-level wetland determination was not performed and is not recommended by the BRSR. A 150 ft buffer from the edge of the Class II watercourse and a 50 ft buffer from the edge of the Class III watercourse are recommended by the BRSR, and the project area is well outside of each of these buffers. Map 3 in the BRSR shows the location of these watercourses and their buffers in relation to the project area.

4. FINDING

The proposed development is consistent with the purposes of the existing AE zone in which the site is located.

EVIDENCE

- a) The Agriculture Exclusive or AE zone is intended to be applied to areas of the County in which agriculture is and should be the desirable predominant use and in which the protection of this use from encroachment from incompatible uses is essential to the general welfare.
- b) All general agricultural uses are principally permitted in the AE zone.
- c) Humboldt County Code section 55.4.6.1.2 (b) allows cultivation of up to 43,560 square feet of new outdoor and mixed light cannabis cultivation on a parcel over 10 acres, subject to approval of a Special Permit, in AE, AG, FR, and U zones, provided that the U zone is accompanied by a Resource Production General Plan land use designation. The application for new operation of 43,560 square feet of mixed light cultivation on a 37-acre parcel is consistent with this.

5. FINDING

The proposed development is consistent with the purposes of the existing B-5(160) combining zone in which the site is located.

EVIDENCE

- a) The Special Building Site Combining of B Zones are intended to be combined with any principal zone in which sound and orderly planning indicate that lot area and yard requirements be modified. Zones with a minimum lot size of 2.5 acres or greater have their setbacks modified to 20 feet from the front yard and rear yard lot lines, and 30 feet from the interior side yard lot lines. The subject parcel does not have exterior side yard lot lines, and the project is within all of these setbacks.

- b) The B-5(160) zone sets a minimum building site area of 160 acres. The size of the parcel is not proposed to change as a part of this Special Permit.

6. FINDING

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

EVIDENCE

- a) The CCLUO allows up to 1-acre of new commercial cannabis cultivation to be permitted in areas zoned AE (HCC 314-55.4.6.1.2 (b)) with a Special Permit.
- b) The subject parcel has been determined to be one legal parcel as shown on the Parcel Map recorded in Book 107 of Parcel Maps page 10 and created by creation deed in 1934 in Book 215 of Deeds, page 141.
- c) The project will obtain water from a non-diversionary water source.
- d) Access to the site is from Landergen Road, a paved County-maintained road, and from Smith-Etter Road, a dirt road maintained by the Bureau of Land Management. The applicant for PLN-12657-SP submitted a road evaluation report for Landergen Road and Smith-Etter Road self-certifying that both are developed to the equivalent of a Category 4 road standard. It has been determined that the access roads meet the functional capacity required for the project.
- e) Some of the slope of the land where cannabis will be cultivated and development is proposed is presently greater than 15% due to grading associated with the historic cultivation. The pre-disturbed area will be graded to slopes of less than 15% prior to further development and cultivation.
- f) No timber conversion has occurred or is proposed on the project site.
- g) The location of the cultivation complies with all setbacks required in Section 314-55.4.6.4.4 (a-f). It is more than 30 feet from any property line, more than 300 feet from any off-site residence, more than 270 feet from any adjacent undeveloped parcel, more than 600 feet from any school, church or other place of religious worship, Tribal Cultural Resource, or school bus stop, and more than 1,000 feet from any known Tribal Ceremonial Sites. The proposed cultivation is roughly 100 feet from Kings Range National Conservation Area on the adjacent property and the proposed rainwater catchment pond is roughly 30 feet from the Kings Range National Conservation Area. PLN-12657-SP included a setback reduction permit allowing cultivation nearer to the Kings Range National Conservation Area, while this proposed expansion will be further back from what was approved, given that it is an expansion staff believes this requires an additional setback reduction to be approved for the expanded cultivation.

7. FINDING

The cultivation of 43,560 square feet of new mixed light commercial cannabis and the conditions under which it may be operated or maintained will not be detrimental to the public health, safety, or welfare or materially injurious to properties or improvements in the vicinity.

- EVIDENCE**
- a) Landergeren Road and Smith-Etter Road have been self-certified by the applicant to be developed to the equivalent of a Category 4 road standard and are County-maintained and Bureau of Land Management-maintained respectively.
 - b) The location of the proposed cannabis cultivation is more than 300 feet from the nearest off-site residence and more than 270 feet from any adjacent undeveloped parcel.
 - c) All irrigation water will come from rainwater catchment.
 - d) The slope where portions of the project will occur are presently greater than 15% due to grading associated with the historic cultivation. The pre-disturbed area will be graded to slopes of less than 15% prior to further development.

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

- EVIDENCE**
- a) The parcel was not included in the housing inventory of Humboldt County's 2019 Housing Element but does have two housing units. The approval of cannabis cultivation on this parcel will not remove these residences.
 - b) The parcel's land use is Agricultural Grazing, which has a density range of 20 to 160 acres per unit. The parcel has two residential units and is assessed at 37 acres, so the onsite density of 18.5 acres per unit, below the acceptable range, so additional residences could not be approved in the future.

9. FINDING Approval of this project is consistent with Humboldt County Board of Supervisors Resolution No. 18-43 which established a limit on the number of permits and acres which may be approved in each of the County's Planning Watersheds.

EVIDENCE The project site is located in the Cape Mendocino Planning Watershed, which under Resolution 18-43 is limited to 730 permits and 251 acres of cultivation. With the approval of this project the total approved permits in this Planning Watershed would be 214 permits and the total approved acres would be 77.19 acres of cultivation.

DECISION

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

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

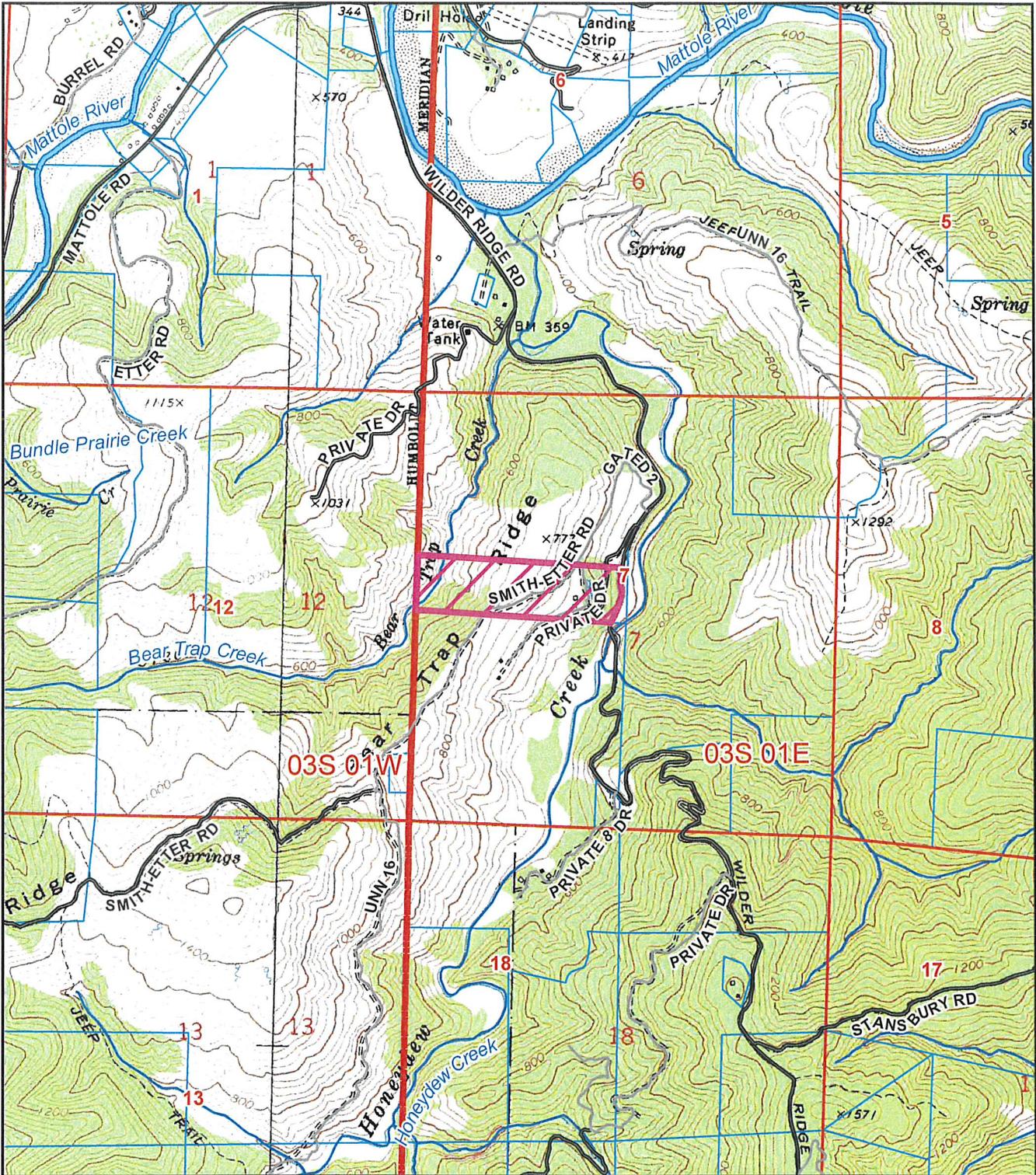
Adopted after review and consideration of all the evidence on **May 5, 2022**.

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

| | |
|-----------|----------------|
| AYES: | COMMISSIONERS: |
| NOES: | COMMISSIONERS: |
| ABSENT: | COMMISSIONERS: |
| ABSTAIN: | COMMISSIONERS: |
| DECISION: | |

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

 John Ford, Director,
 Planning and Building Department



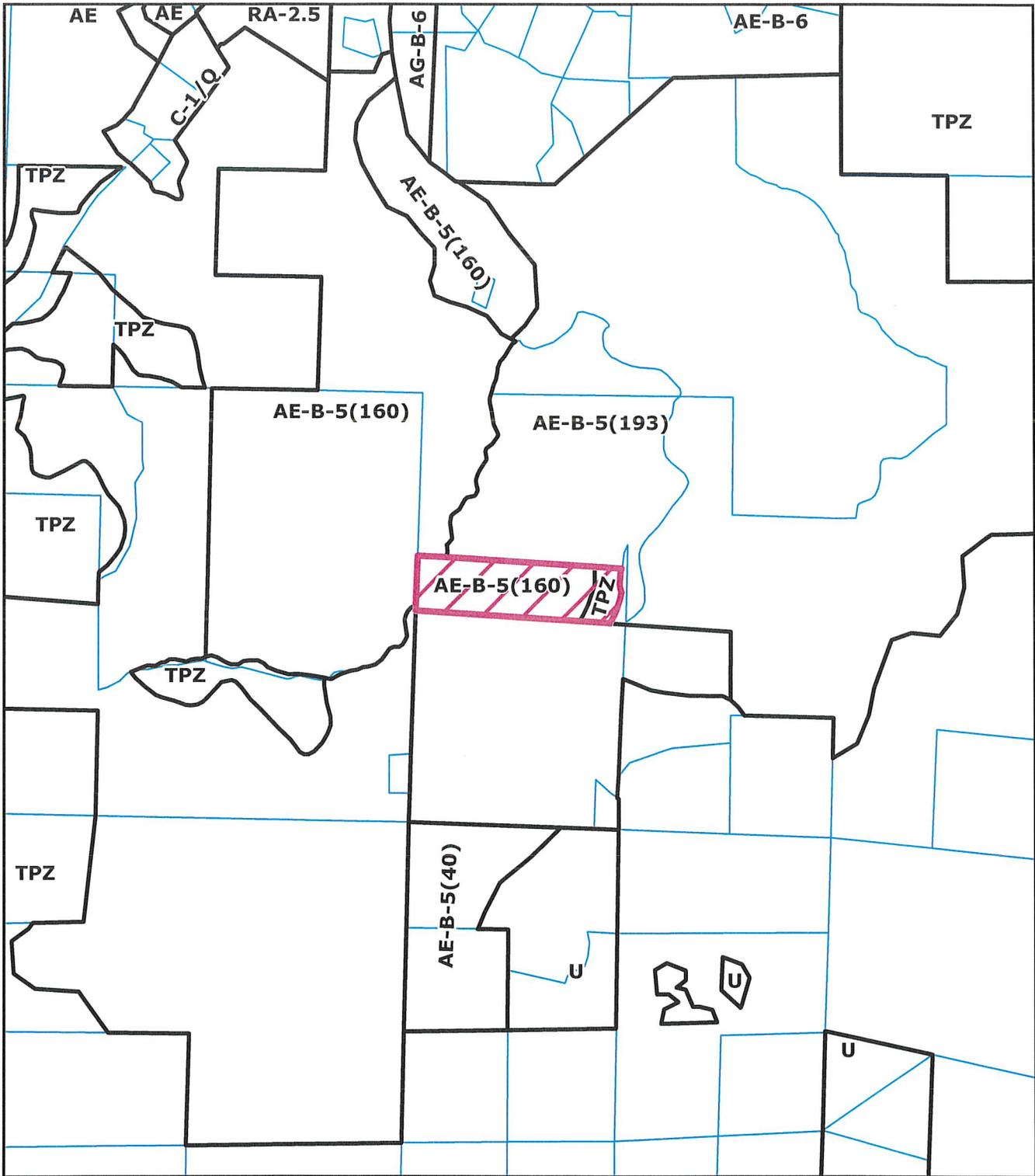
TOPO MAP
PROPOSED NAVA RANCH, INC
HONEYDEW AREA
PLN-2021-17162
APN: 107-106-006
T03S R01E S7 HB&M (HONEYDEW)

Project Area =



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





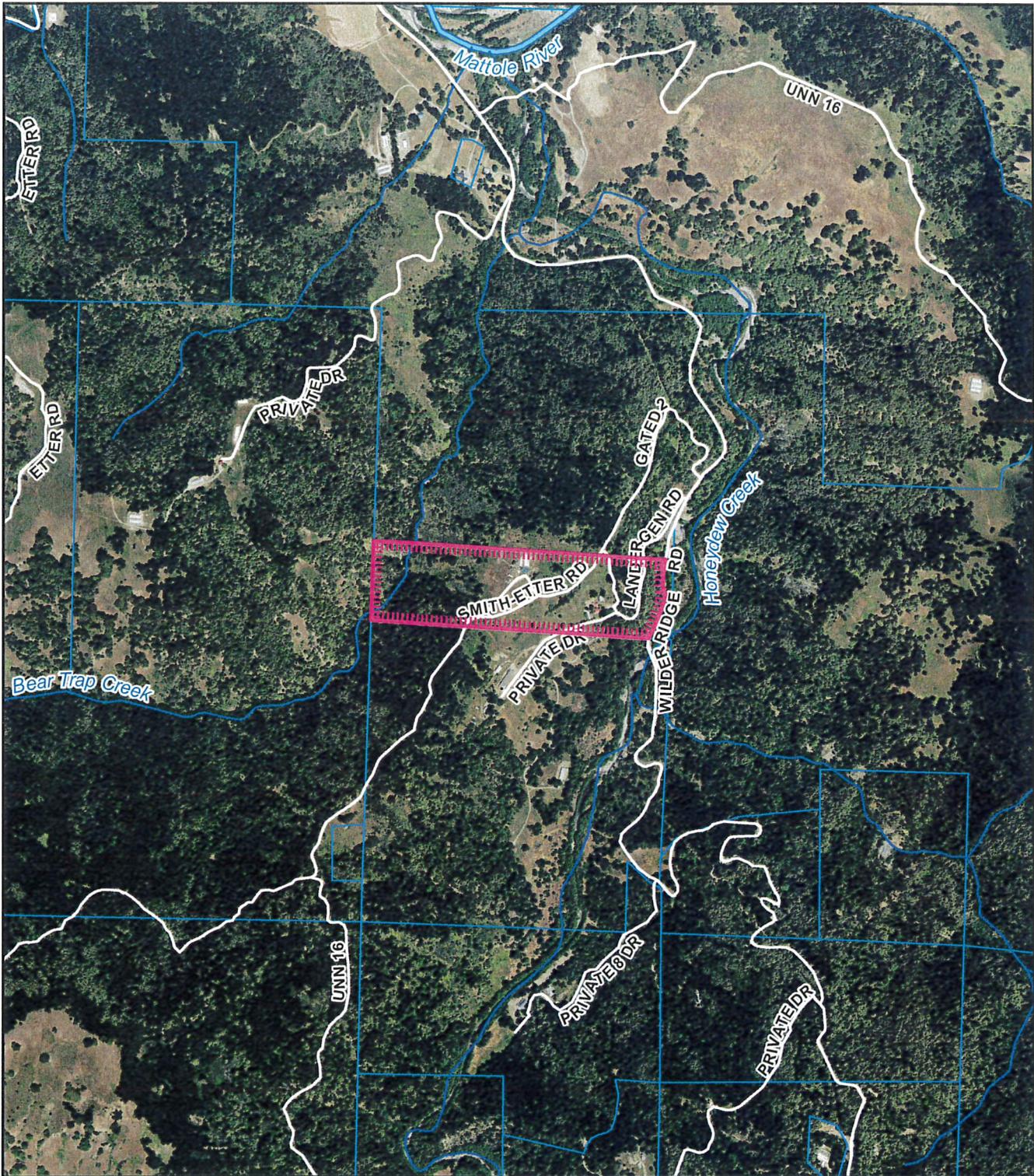
ZONING MAP
PROPOSED NAVA RANCH, INC
HONEYDEW AREA
PLN-2021-17162
APN: 107-106-006
T03S R01E S7 HB&M (HONEYDEW)

Project Area = 

N


0 1,000 2,000 4,000
 Feet

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



AERIAL MAP
PROPOSED NAVA RANCH, INC
HONEYDEEW AREA
PLN-2021-17162
APN: 107-106-006
T03S R01E S7 HB&M (HONEYDEEW)

Project Area = 



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

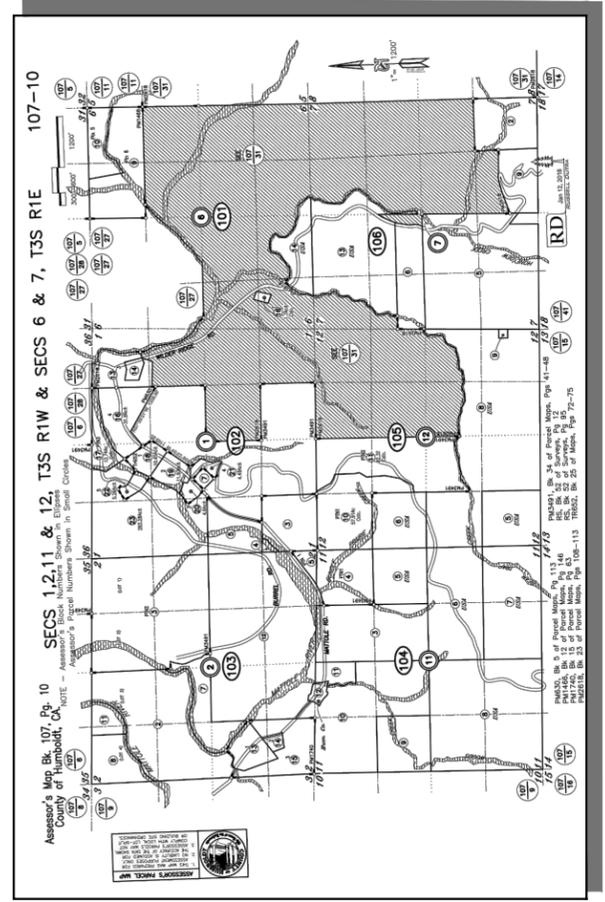


GENERAL NOTES:
 WATER: ?
 WASTE WATER: SEPTIC
 CREEKS / STREAMS: YES
 POWER: PGE

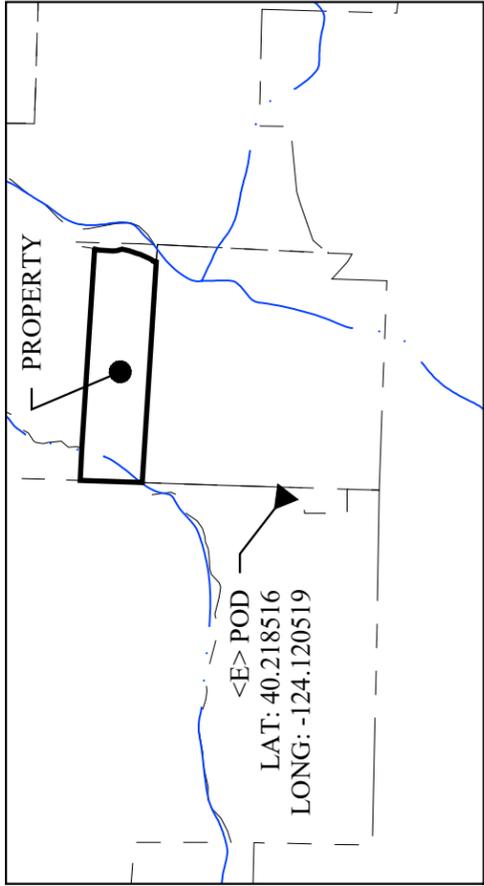
GRADING: YES
 TREES TO BE REMOVED: NO
 COASTAL ZONE: NO
 FLOOD ZONE: NO

SRA REQUIREMENTS
 ADEQUATE WATER STORAGE AND DELIVERY AS OUTLINED BY SRA ORDINANCE AND CAL FIRE REQUIREMENTS. YES
 ADEQUATE TURN AROUND AND PULLOUTS AS OUTLINED BY SRA ORDINANCE AND CAL FIRE REQUIREMENTS. YES

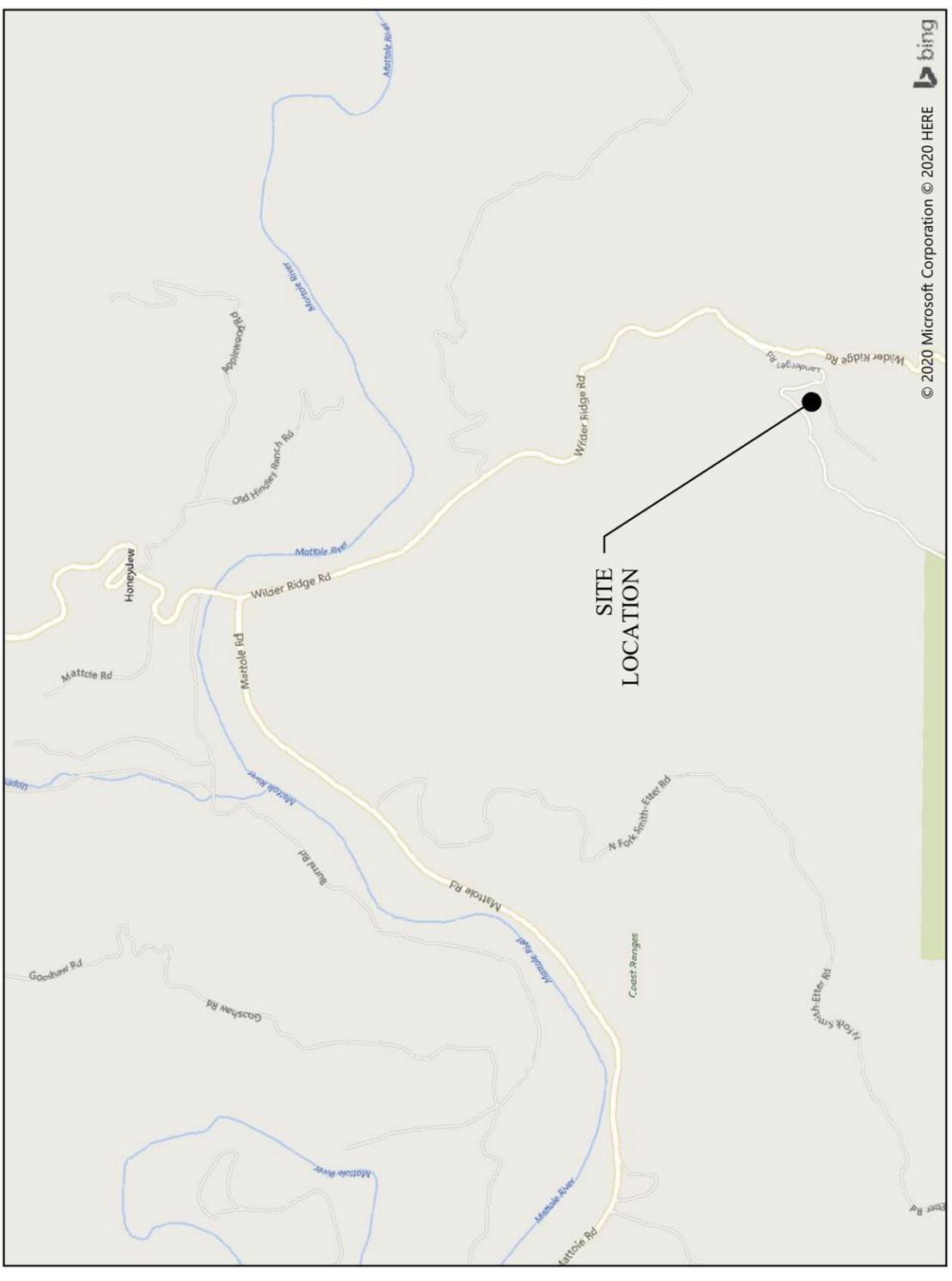
CULTIVATION NOTES
 THERE ARE NO SCHOOLS, SCHOOL BUS STOPS, PLACES OF WORSHIP, PUBLIC PARKS OR TRIBAL RECOGNIZED WITHIN 600' OF CULTIVATION AREAS.
 THERE ARE NO OFFSITE RESIDENCES WITHIN 300' OF CULTIVATION AREAS.



PLAT MAP
 NOT TO SCALE



PLAT MAP
 1" = 2,000'



VICINITY MAP
 1" = 2,000'

DIRECTIONS TO SITE:
 HUMBOLDT COUNTY PLANNING DEPARTMENT
 3015 H ST, EUREKA, CA 95501

GET ON US-101 S FROM H ST, F ST, FOLLOW US-101 S TO BULL FAIRWAY DR AND HERRICK AVE CREEK FLATS RD. TAKE EXIT 663 FROM US-101 S 7 MIN (3.3 MI)
 TAKE MATTOLE RD TO YOUR DESTINATION 59 MIN (25.4 MI)
 844 WILDER RIDGE RD HONEYDEW, CA 95545

| | |
|----------------------|------------|
| SCALE: | AS SHOWN |
| DATE: | 12/29/2021 |
| DESIGNED: | C.A.B |
| CHECKED: | C.R.B |
| CHRISTIAN@CALICC.COM | |
| PH: 707-880-4356 | |
| REVISIONS | DATE BY |

| | |
|---|-------------------------------------|
| SITE PLAN - APN: 107-106-006-000 | |
| APPLICANT - NAVA RANCH INC. - 844 WILDER RIDGE ROAD | |
| OWNER: DAVID ARELLANO NAVA | |
| NEW ROOTS DEVELOPMENT FARMINGTON, NM 87401 | HONEYDEW, HUMBOLDT COUNTY, CA 95545 |

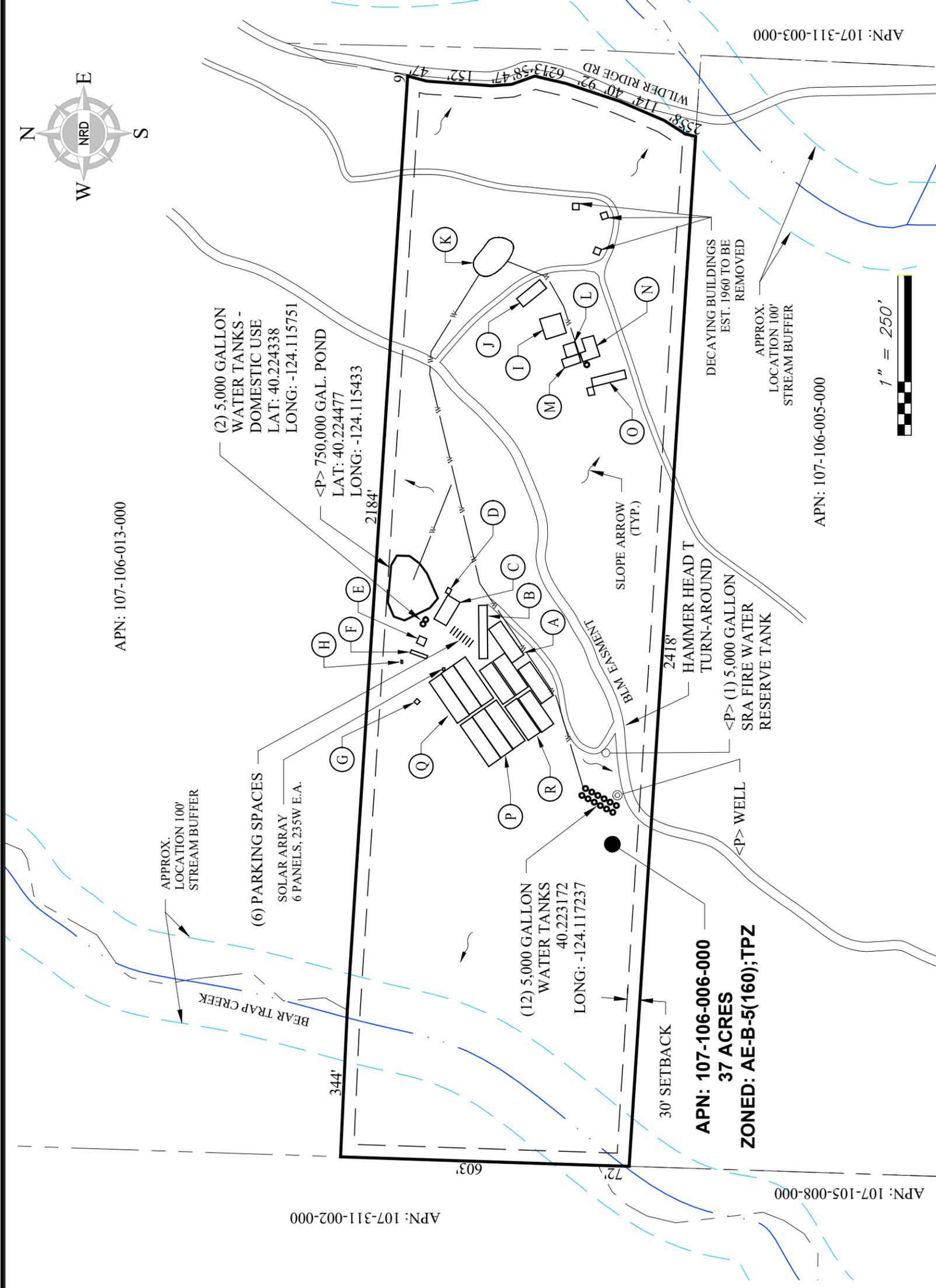
| | |
|------------|-----------|
| W.O. | WO |
| SHEET | 1 |
| OF | 2 SHEETS |
| PLOT DATE: | 29-Dec-21 |

| STRUCTURE LIST | |
|----------------|--|
| A | <E> (3) MIXED LIGHT GREENHOUSES 3,264 SQ FT E.A. |
| B | IMMATURE PLANT AREA 2,500 SQ FT |
| C | RESIDENCE EST. 2000 |
| D | SHED EST. 2000 |
| E | REFUSE & STORAGE SQ FT 370 EST. 2007 |
| F | AGRICULTURAL CHEMICAL STORAGE, PESTICIDE STORAGE 320 SQ FT |
| G | COMPOST AREA |
| H | GENERATOR |
| I | <E> BARN 2,700 SQ FT <P> INDOOR CULTIVATION AREA 2,500 SQ FT |
| J | DOMESTIC GARDEN |
| K | HISTORIC RECREATIONAL POND EST. 1920 IRRIGATION WATER STORAGE LAT:40.2237 LONG: -124.1125 |
| L | BUILDING EST. 2000, 900 SQ FT HARVEST STORAGE, PROCESSING & PACKAGING AREA 13' x 30' 390 SQ FT |
| M | SHOP EST. 1950, 950 SQ FT |
| N | RESIDENCE EST. 1950 |
| O | DOMESTIC GARDEN |
| P | <P> (3) MIXED LIGHT GREENHOUSES 3,978 SQ FT E.A. |
| Q | <P> (3) MIXED LIGHT GREENHOUSES 3,978 SQ FT E.A. |
| R | <P> (3) MIXED LIGHT GREENHOUSES 3,264 SQ FT E.A. |

<E> = EXISTING <P> = PROPOSED

PROPERTY LINES LEGEND:

- PROJECT PROPERTY LINE
- - - ADJOINING PROPERTY LINE



| | |
|----------------------|-----------|
| SCALE: | 1" = 250' |
| DATE: | 12/29/21 |
| DESIGNED: | CRB |
| CHECKED: | C.BARRETT |
| CHRISTIAN@CALICC.COM | |
| PH: 707-880-4356 | |
| REVISIONS | DATE BY |

NOTE:
PROPERTY LINES AND OTHER DATA IS APPROXIMATE AND BASED OFF OF AERIAL IMAGERY AND HUMBOLDT COUNTY GIS DATA.

NEW ROOTS DEVELOPMENT
FARMINGTON, NM 87401

SITE PLAN - APN: 107-106-006-000
 APPLICANT - NAVA RANCH INC. - 844 WILDER RIDGE ROAD
 OWNER: DAVID ARELLANO NAVA

| | |
|------------|-----------|
| W.O. | N/A |
| SHEET | 2 |
| OF | 2 SHEETS |
| PLOT DATE: | 29-Dec-21 |

HONEYDEW, HUMBOLDT COUNTY, CA 95545

ATTACHMENT 1

RECOMMENDED CONDITIONS OF APPROVAL

APPROVAL OF THE SPECIAL PERMIT IS CONDITIONED ON THE FOLLOWING TERMS AND REQUIREMENTS WHICH MUST BE SATISFIED BEFORE THE PROJECT MAY BEGIN OPERATING

A. General Conditions

1. The applicant is responsible for obtaining all necessary County and State permits and licenses, and for meeting all requirements set forth by other regulatory agencies.
2. The applicant is required to pay for permit processing on a time and material basis as set forth in the schedule of fees and charges as adopted by ordinance of the Humboldt County Board of Supervisors. The Planning and Building Department will provide a bill to the applicant after the decision. Any and all outstanding planning fees to cover the processing of the application to decision by the Hearing Officer shall be paid to the Humboldt County Planning Division, 3015 H Street, Eureka.
3. The Applicant is responsible for costs for post-approval review for determining project conformance with conditions. A deposit is collected to cover this staff review. Permit conformance with conditions must be demonstrated prior to release of building permit or initiation of use and at time of annual inspection. A conformance review deposit as set forth in the schedule of fees and charges as adopted by ordinance of the Humboldt County Board of Supervisors (currently \$750) shall be paid within sixty (60) days of the effective date of the permit or upon filing of the Compliance Agreement (where applicable), whichever occurs first. Payment shall be made to the Humboldt County Planning Division, 3015 H Street, Eureka.
4. A Notice of Determination (NOD) will be prepared and filed with the County Clerk for this project in accordance with the State CEQA Guidelines. The Department will file the NOD and will charge this cost to the project.
5. Prior to expanding to the proposed cultivation area, the applicant shall acquire PG&E electrical service for the northern cultivation area and eliminate dependence on the generator.
6. All power shall be sourced from PG&E's RePower Plus or other renewable energy program and/or on-site solar energy or other on-site renewable energy. The applicant shall submit evidence of enrollment in the renewable energy program at each annual inspection or as otherwise requested by Planning staff.
7. The applicant shall secure permits for all structures related to the cannabis cultivation and other commercial cannabis activity, including but not limited to thirteen (13) greenhouses, one (1) indoor cultivation building, one (1) drying and processing building, one (1) chemical storage building, the new rainwater catchment pond, and any other structures with a nexus to cannabis. The plans submitted for building permit approval shall be consistent with the project description and the approved project site plan. A letter or similar communication from the Building Division verifying that all structures related to the cannabis cultivation are permitted will satisfy this condition.
8. The applicant shall secure all required grading permits from the Building Inspection Division for all earthwork performed (i.e. unpermitted grading) and proposed related to the cannabis operation.
9. The applicant shall adhere to the implementation measures within the Grading, Drainage & Erosion Control Plan and the R-2 Soils Report. A letter or similar communication from the project engineer or architect stating that all work has been completed in the Grading, Drainage & Erosion Control Plan shall satisfy this requirement.

10. The project shall enroll in the SWRCB's General Order (WQ 2019-0001-DWQ) prior to commencing cultivation activities onsite, and shall submit a Notice of Applicability letter or Notice of Receipt as proof of enrollment before cultivation activities can occur.
11. Prior to construction activities, the applicant shall complete the following pre-construction surveys and the results shall be submitted to the Planning Division showing no presence of any rare, threatened, or special-status species within the proposed development area.
 - a. If loud construction or any vegetation removal will occur between February 1st and August 31st, the completion of bird surveys by a biologist a couple of weeks prior to construction activities to address the presence of any migratory or nonmigratory birds which may have constructed nests in any of the trees within a proximity to the project and may be impacted by noise disturbance.
 - b. The completion of ground surveys for potential American badger burrows no more than 30 days prior to the start of construction. If burrows are observed, pre-construction surveys should be completed by a qualified biologist before site development occurs to determine if the site contains active dens and if avoidance of these dens can occur. A pre-construction survey is not required if above-ground pots are utilized for cultivation and no ground disturbance will occur.

In the event that rare, threatened, or special-status species are found onsite, the biologist shall notify the Planning Director in consultation with CDFW. The Planning Director shall determine in consultation with CDFW, if modifications to the project design are possible to avoid removal of occupied habitat while still achieving project objectives or if avoidance is not feasible. If avoidance is not feasible, a qualified biologist shall monitor the site and no construction activities shall commence until the nest and/or den is no longer active and has been cleared.

12. The applicant shall install at least two (2) exit ramps to the proposed pond to prevent wildlife entrapment. Exit ramps shall meet the following requirements: installed at no greater than 2:1 slope, securely fixed at the upslope end, and be made of solid material (e.g. wood).
13. During construction activities, the applicant shall adhere to the following best management practices recommended within the Biological Reconnaissance Survey Report prepared by Mason London on April 7th, 2021:
 - a. The installation of waddles, silt fences, and berms to combat and prevent erosion and to eliminate contaminants and sediment movement towards Bear Trap Creek, Honeydew Creek, and other watercourses, if major ground disturbance is proposed.
 - b. Construction equipment fueling and greasing should occur within one location at the project site, at least 200 feet away from any river, watercourse, or wetland habitat. This location should be clear of brush, flat, and contain fuel mats in case of accidental spillage.
 - c. Every morning, and throughout the day during construction, the equipment should be inspected for hydraulic fluid, oil, or fuel leaks. If leaks are detected, they should be repaired immediately and before any further work is completed in order to prevent excess spillage entering the watercourse.
14. During the time of the project's site development, the applicant shall follow procedures for eradicating any invasive species identified in the project's associated Invasive Species Control Plan.
15. Prepare an addendum to the Cultivation and Operations Plan stating that employee drinking water and handwashing water will be sourced by plastic water bottles and jugs brought to the site regularly. This addendum shall be submitted to the Planning Division before employees can operate on the site.
16. Per the comments received from the Department of Public Works, conditions of approval for the roadway include:
 - a. All fences and gates shall be relocated out of the County right-of-way. All gates shall be setback sufficiently from the County road so that vehicles will not block traffic when staging to open or close the gate. In addition, no materials shall be stored or placed on the County

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

- b. Driveways that will serve as access for the proposed project and connect to a County-maintained road shall be improved to current standards for a commercial driveway. The driveway shall be paved for a minimum width of 18 feet and a length of 50 feet (or to break in slope) where it intersects the County road. An encroachment permit shall be issued by the Department of Public Works prior to commencement of any work in the County-maintained right-of-way.
- c. All driveways and private road intersections onto the County Road shall be maintained in accordance with County Code Section 341-1 (Sight Visibility). 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.

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 applicant shall execute and file with the Planning Division the statement titled, "Notice and Acknowledgment regarding Agricultural Activities in Humboldt County," ("Right to Farm" ordinance) as required by the HCC and available at the Planning Division.
19. 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.

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

1. The applicant shall prepare an additional 24-hour Noise Study recording noise levels from at least three property lines while cannabis activities are not in operation and during mild weather conditions. Project noise shall not go over three decibels above these ambient noise levels for the life of the project.
2. All lighting utilized in the mixed-light cultivation operation shall be consistent with state requirements for Tier 1 mixed-light cultivation, and shall not exceed 6 watts per square foot of area.
3. The applicant shall provide an invoice or equivalent documentation to the Planning Department to confirm the continual use of portable toilets used to serve the needs of cultivation staff. In the event that a cannabis support building with restroom facilities is permitted and constructed, and the restroom facilities are found to meet the needs of the project, the project may choose not to utilize portable toilets for onsite wastewater treatment and shall submit proof of a septic permit to the Planning Division. Processing activities cannot begin until a septic system is permitted onsite by the Department of Health and Human Services, Environmental Health Division.
4. The applicant shall submit the final LSA application response from CDFW when available, and in the

event that a Streambed Alteration Agreement is required the applicant shall adhere to the work outlined in the final Agreement.

5. The applicant shall submit to the Planning Department the final Site Management Plan, and shall adhere to the measures and recommendations within the final SMP.
6. Permittee is advised that County-maintained roads may generate dust and other impacts to farms. Permittee shall locate their farm in areas not subject to these impacts. Permittee shall be responsible for protecting their farm against these impacts. Permittee shall hold the County harmless from these impacts. Permittee is advised that a paved road may not always remain paved and Permittee shall locate their farm appropriately. Permittee is advised that the amount of traffic on a road will vary over time which may increase or decrease the impacts.
7. Lighting shall be implemented as described in the Cultivation and Operations Plan to conform to International Dark-Sky Association standards. All artificial lighting shall be fully contained within structures such that no light escapes via blackout tarp shielding. Structures shall be enclosed between 30 minutes prior to sunset and 30 minutes after sunrise to prevent disruption to crepuscular wildlife. Security lighting shall be motion activated and comply with the International Dark-Sky Association standards and Fixture Seal of Approval Program; see: <https://www.darksky.org/our-work/lighting/lighting-for-citizens/lighting-basics/>. Standards include but are not limited to the following, 1) light shall be shielded and downward facing, 2) shall consist of Low Pressure Sodium (LPS) light or low spectrum Light Emitting Diodes (LED) with a color temperature of 3000 kelvins or less and 3) only placed where needed.
8. 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.7., within ten (10) working days of receiving written notification that a complaint has been filed, the permittee shall submit written verification that the lights' shielding and alignment, and noise levels have been repaired, inspected, and corrected as necessary.
9. Prohibition on use of synthetic netting for erosion control. To minimize the risk of wildlife entrapment, Permittee shall not use any 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.
10. All cultivation material outside of the project areas designated within the Biological Reconnaissance Survey Report prepared by Mason London on April 7th, 2021, as well as all trash within and outside of those project areas, shall be removed from the area in order to avoid disturbance to surrounding wildlife, habitats, and the environment.
11. The permittee shall comply with the protocols addressed in the CDFW Bullfrog Management Plan. Reporting requirements shall be submitted to the Planning Department and CDFW at 619 Second Street, Eureka, CA 95501, no later than December 31st of each year.
12. All refuse shall be contained in wildlife proof storage containers at all times, and disposed of at an authorized waste management facility.
13. Should any wildlife be encountered during work activities, the wildlife shall not be disturbed and shall be allowed to leave the work site unharmed.
14. The use of anticoagulant rodenticide is prohibited.
15. 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.

16. 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. Changes shall require modification of this permit except where consistent with Humboldt County Code Section 312-11.1, Minor Deviation from the 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.
17. Cannabis cultivation and other commercial cannabis activity shall be conducted in compliance with all laws and regulations as set forth in the CCLUO and MAUCRSA, as applicable to the permit type.
18. 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.
19. Compliance with all statutes, regulations, and requirements of the California State Water Resources Control Board and the Division of Water Rights, as applicable.
20. 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 55.4.6.4.4 (f).
21. Maintain enrollment in Tier 2 certification with State Water Resource Control Board (SWRCB) Order No. WQ 2019-0001-DWQ, if applicable, or any substantially equivalent rule that may be subsequently adopted by the County of Humboldt or other responsible agency.
22. 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).
23. Refrain from the improper storage or use of any fuels, fertilizer, pesticide, fungicide, rodenticide, or herbicide.
24. 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.
25. Pay all applicable application fees, review for conformance with conditions fees, and annual inspection fees.
26. The master logbooks maintained by the permittee to track production and sales shall be available for inspection by the County.
27. 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

28. Pursuant to Business and Professions Code section 26051.5(a)(8), the 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."

29. 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).
30. 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.
31. All persons hiring employees to engage in commercial cannabis cultivation and processing shall comply with the following Employee Safety Practices:
 - a. Cultivation operations and processing operations must implement safety protocols and provide all employees with adequate safety training relevant to their specific job functions, which may include:
 - (1) Emergency action response planning as necessary;
 - (2) Employee accident reporting and investigation policies;
 - (3) Fire prevention;
 - (4) Hazard communication policies, including maintenance of material safety data sheets (MSDS);
 - (5) Materials handling policies;
 - (6) Job hazard analyses; and
 - (7) Personal protective equipment policies, including respiratory protection.
 - b. Cultivation operations and processing operations must visibly post and maintain an emergency contact list which includes at a minimum:
 - (1) Operation manager contacts;
 - (2) Emergency responder contacts; and
 - (3) Poison control contacts.
 - c. At all times, employees shall have access to safe drinking water and toilets and handwashing facilities that comply with applicable federal, state, and local laws and regulations. Plumbing facilities and water source must be capable of handling increased usage without adverse consequences to neighboring properties or the environment.
 - d. On site-housing provided to employees shall comply with all applicable federal, state, and local laws and regulations.
32. All cultivators shall comply with the approved processing plan as to the following:
 - a. Processing practices
 - b. Location where processing will occur
 - c. Number of employees, if any
 - d. Employee Safety Practices
 - e. Toilet and handwashing facilities
 - f. Plumbing and/or septic system and whether or not the system is capable of handling increased usage
 - g. Drinking water for employees
 - h. Plan to minimize impact from increased road use resulting from processing
 - i. Onsite housing, if any
33. Term of Commercial Cannabis Activity Special Permit. Any Commercial Cannabis Cultivation SP

issued pursuant to the CCLUO 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.

34. If the inspector or other County official determines that the permittees or site do not comply with the conditions of approval, the inspector shall serve the permit holder with a written statement identifying the items not in compliance, and the action that the permit holder may take to cure the noncompliance, or file an appeal within ten (10) days of the date that the written statement is delivered to the permit holder. Personal delivery or mailing the written statement to the mailing address listed on the application by regular mail, plus three (3) days after date of mailing, shall constitute delivery. The permit holder may request a reinspection to determine whether or not the permit holder has cured all issues of noncompliance. Failure to request reinspection or to cure any items of noncompliance shall terminate the Special Permit, immediately upon the expiration of any appeal period, or final determination of the appeal if an appeal has been timely filed pursuant to Section 55.4.5.8.
35. 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.
36. 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.
37. 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 CCLUO 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.
38. 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.

ATTACHMENT 2

**CEQA ADDENDUM TO THE
ENVIRONMENTAL IMPACT REPORT FOR THE COMMERCIAL CANNABIS LAND USE ORDINANCE**

**Commercial Cannabis Land Use Environmental Impact Report (EIR)
(State Clearinghouse # 2017042022), May 8, 2018**

**APN 107-106-006, 844 Wilder Ridge Road
Honeydew, County of Humboldt**

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

May 5, 2022

Background

Modified Project Description and Project History –

The Commercial Cannabis Land Use Ordinance (CCLUO) updated the County's existing Commercial Medical Marijuana Land Use Ordinance (Section 313-55.4 and 314-55.4 of Chapter 3 of Division 1 of Title III of the County Code) as well as repeal of the Medical Cannabis Testing and Research Laboratories provisions and onsite consumption prohibition found in Sections 313-55.3.15, 314-55.3.15, 313-55.3.11.7, and 314-55.3.11.7 of Division 1 of Title III of the County Code, respectively. These regulations establish land use regulations for the commercial cultivation, processing, manufacturing, distribution, testing, and sale of cannabis within the County. These regulations were developed in concert with the Final Environmental Impact Report (EIR) that was adopted for the ordinance in order to implement the mitigation measures of the EIR. The EIR addressed the broad environmental impacts that could be expected to occur from the adoption and implementation of the ordinance. The EIR specified that the regulations established in the CCLUO would mitigate the impacts of new cannabis operations by establishing specific regulations for location and conditions under which the development of new commercial cannabis could occur. The EIR prepared for the CCLUO also established local land use regulations for new commercial cannabis operations in the unincorporated area of the County that ensure the health and safety of residents, employees, County visitors, neighboring property owners and end users of cannabis. The proposed project is consistent with all regulations within the CCLUO and all mitigation measures of the EIR. Current project was contemplated by the EIR and compliance with the provisions of the CCLUO will fully mitigate all environmental impacts of the project to a less than significant level.

Project Description

The modified project includes a Special Permit for expansion of approved project PLN-12657-SP. The project will consist of 43,560 square feet (SF) of mixed light cultivation in twelve (12) greenhouses and 2,500 SF of indoor cultivation in a converted barn. The original project consisted of 6,600 square feet of mixed light cultivation, 2,700 square feet of outdoor cultivation, and 2,500 square feet of indoor cultivation. The outdoor cultivation will be converted to mixed light and the total mixed light cultivation area will be expanded to one acre. This represents a total increase of 36,960 SF of mixed light cultivation area. The applicant hopes to achieve up to three (3) harvests annually. All water will be sourced by rainwater catchment from an existing pond, a proposed pond, and an existing rooftop rainwater catchment system. The estimated water needed annually for irrigation is approximately 550,000 gallons (11.94 gal/sq.ft./yr). The ponds will total approximately 1,050,000 gallons of storage, and twelve (12) 5,000 gallon tanks are proposed, for a total of 1,110,000 gallons of water storage. There is also one separate 5,000 gallon tank designated for fire suppression. Drying, trimming, and processing will occur onsite in the existing 900 SF storing, processing, and packaging building. Operations will utilize one (1) full-time employee, up to three (3) additional seasonal employees, and up to four (4) family members, totaling eight (8) laborers. There is a portable restroom facility on site for employees, and a cannabis support building is proposed with an additional septic system. Power is sourced from PG&E via a green energy program and there is an existing solar array onsite featuring six (6) panels with outputs of 235 watts each. There is a 25 kilowatt (kW) Whisperwatt generator kept onsite for emergency use only.

Water Resources

The project's water source is rainwater catchment. There is an existing rooftop catchment system on the residence and adjacent shop structure, an existing rainwater catchment pond capable of storing 300,000 gallons, and a proposed rainwater catchment pond capable of storing 750,000 gallons. Water from these sources will also be stored in twelve (12) 5,000 gallon tanks. There is also one (1) additional 5,000 gallon tank designated for fire suppression. Total proposed water storage for irrigation is approximately 1,110,000 gallons. The catchment surface of the proposed new pond alone is 17,375 square feet, and based on locally collected data from neighbors with rain gauges, the rainfall for a dry year is over 80 inches. Using these values alone, the total rainwater collection potential is 865,970 gallons, which would be pumped to the tanks. Any overflow not pumped to the tanks will drain away from the pond via its overflow structure. Including the 2,100 square feet of roof area and the area of the existing catchment pond, roughly estimated to be 5,800 square feet, the estimated total rainwater collection

potential would be 1,258,808 gallons per year. Based on World Weather Online data, average annual rainfall for the Honeydew area in general is estimated at 56 inches per year, which would result in 881,166 gallons of rainwater collection potential. From that data, 2020 had the lowest amount of rainfall, at 32.7 inches, which would have resulted in 514,525 gallons of rainwater collection potential, and 2016 had the highest amount of rainfall, at 102.8 inches, which would have resulted in 1,617,198 gallons of rainwater collection potential. The potential rainwater catchment area which could be provided by the greenhouses has been omitted from these calculations, because they would only be utilized for catchment on an as-needed basis.

The applicant estimates that annual water usage for irrigation will be approximately 550,000 gallons (11.94 gal/sq.ft./yr). An onsite well was proposed, however preliminary test drills came up dry, so the rainwater catchment was expanded to accommodate all irrigation needs. Employee drinking water and handwashing water will be sourced by plastic water bottles and jugs brought to the site regularly. Water designated for employees was sourced differently in the Cultivation and Operations Plan, so the project is conditioned to provide an Addendum correcting that detail. The property utilizes a registered spring diversion from off site for domestic uses only. No water sourced from diversions or wells will be used for irrigation.

The applicant is currently cultivating under the approved PLN-12657-SP, which was enrolled in the North Coast Regional Water Quality Control Board's (NCRWQCB) (Order No. 2015-0023) Waiver of Waste Discharge Requirements and General Water Quality Certification. A Water Resource Protection Plan was developed to comply with this order, which will need to be updated to a Site Management Plan in order to comply with the State Water Resources Control Board's (SWRCB) (Order WQ 2019-0001-DWQ) General Waste Discharge Requirements and Waiver of Waste Discharge Requirements. The project is conditioned to enroll in the SWRCB's General Order prior to commencing the expanded cultivation activities, and shall submit a Notice of Applicability letter or Notice of Receipt as proof of enrollment before those cultivation activities can occur. The project is required to have a Site Management Plan (SMP) prepared within 90 days of enrollment to outline onsite measures required to meet the standards of the SWRCB's Order. The applicant shall submit the final Site Management Plan to the Planning Division, and shall adhere to the measures and recommendations within the final SMP. The project site is located in the Cape Mendocino Planning Watershed, which under Resolution 18-43 is limited to 730 permits and 251 acres of cultivation. With the approval of this project the total approved permits in this Planning Watershed would be 214 permits and the total approved acres would be 77.19 acres of cultivation.

Biological Resources

Biological resource surveys were conducted in the study area on March 16th, 2021 by Mason London and Sarah Mason, a qualified biologist and qualified botanist respectively, and on June 7th, 2021 by Sarah Mason. These surveys were used to inform the Biological Reconnaissance Survey Report (BRSR) prepared by biologist Mason London for Naiad Biological Consulting and the protocol-level Botanical Survey Report prepared by consulting botanist Michael Weldon in conjunction with Naiad Biological Consulting, prepared on April 7th, 2021 and July 8th, 2021 respectively.

The Botanical Survey Report concluded that the expansion of cultivation operations is unlikely to harm any special status plants or natural plant communities. The only special status plant species identified in the study area was the Alaskan yellow-cedar, which is believed to have been planted ornamentally. There are some native grasses present in the project area, but no sensitive natural plant communities could be established during surveys due to the large amount of invasive grasses present, consistent with historic grazing. The Botanical Survey Report identified the invasive species which shall be removed per the Invasive Species Control Plan found in the Cultivation and Operations plan prior to their bloom and seed periods each year.

The subject parcel contains mapped range for marbled murrelets, and is located outside of any mapped ranges for other rare or endangered species listed in the California Natural Diversity Database (CNDDDB) layer shown in Humboldt County's Web GIS. The BRSR determined that, due to the lack of available habitat for marbled murrelets, there is no potential of occurrence in the project area nor the surrounding area. The nearest northern spotted owl (NSO) activity center is approximately 2.20 miles from the proposed cultivation area, and there is one NSO observation that is approximately 0.6 miles from the

nearest proposed cultivation area. The BRSR determined that the project site is not dominated by the NSO's preferred forest type and is therefore not likely to be utilized for nesting and roosting. There is moderate suitable habitat for NSOs surrounding the project site, but if the BRSR's recommendations are followed, all potential direct or indirect impacts to NSOs can be mitigated. Since all of the activities associated with the cultivation will have cultivation methods that minimize noise and light pollution, the cultivation is not expected to disrupt any essential NSO breeding activities or result in other harm to the species or any other species. The parcel is connected to PG&E power and has solar panels onsite, so generator use is restricted to emergency use only, minimizing noise. The project will adhere to International Dark Sky Association standards, so no light shall escape the greenhouses between dusk and dawn.

The BRSR also concluded that with the recommendations included in the report, the project will likely have no negative direct impacts to sensitive habitats, any more so than have already been impacted by historic land alteration, nor would there be any foreseeable indirect impacts to the environment, surrounding habitat, or wildlife. Recommendations within the BRSR include adhering to best management practices during the development and construction of the project, avoiding construction utilizing loud machinery during migratory bird nesting season, conducting bird surveys pre-construction if that construction must take place during nesting season, removing all cultivation material from outside of the designated project area and all trash from within and outside of the project area, complying with the protocols addressed in the CDFW Bullfrog Management Plan, conducting ground surveys for any American badger burrows prior to construction activities, and following the procedures for eradicating invasive species per the Invasive Species Control Plan. These recommendations have been included in the conditions of approval for the project, and construction activities shall only commence in the event that no rare threatened or special-status species are found onsite. If rare, threatened, or special-status species are found onsite, the biologist shall notify the Planning Director in consultation with CDFW. The Planning Director shall determine in consultation with CDFW whether modifications to the project design are possible to avoid removal of occupied habitat while still achieving project objectives, or if avoidance is not feasible.

The project was referred to the California Department of Fish & Wildlife (CDFW) on April 26th, 2021, and no comments had been received. On April 7th, 2022, CDFW noted that there was public comment regarding generator use and light pollution on the property. Also on April 7th, 2022, CDFW and Augustus Grochau, the assigned planner, discussed those potential issues in a phone conversation. The County believes that the project as conditioned will resolve or otherwise prevent those issues. The applicant for PLN-12657-SP had submitted an application for a Lake or Streambed Alteration Agreement with CDFW in 2019. The application mentions one existing stream diversion that is being used for domestic purposes only, and states that no instream work is proposed. There appears to be one stream crossing onsite, which is not proposed to be used for cultivation activities. There are two ditch-relief culverts on site which do not appear to be connected to any perennial or intermittent streams. A new notification of Lake or Streambed Alteration to CDFW will be required. The applicant shall submit the final LSA application response from CDFW, and in the event that a Streambed Alteration Agreement is required the applicant shall adhere to the work outlined in the final Agreement.

Noise

Performance Standards required in the CCLUO, per section 55.4.12.6, state that noise from cultivation and related activities shall not result in an increase of more than three decibels of continuous noise above existing ambient noise levels at any property line of site. Because the power will be sourced from PG&E and on-site solar, and the greenhouses will use low noise solar snap fans, the project is not expected to raise noise levels. The generator on site will only be used during power outages and, when in use, will produce less than 50 decibels (dbA) at 100 feet when in operation. A site visit performed by Augustus Grochau, the assigned planner, and Cliff Johnson, the supervising planner, determined that the generator is presently utilized as the power source for the mixed light cultivation areas. Noise levels while the generator is running are 75 dbA at a distance of 5 feet, 50 dbA at a distance of 100 feet, and 35 dbA at a distance of 200 feet, at which point the generator is no longer audible. The generator has not been run any closer to the property line than 300 feet. The project is conditioned not to expand to the proposed cultivation area until the site is no longer dependent on generator power. The project has

prepared a Noise Study to determine ambient noise levels. This study was performed on a day with windy and noisy conditions, so extended periods of noise have been omitted from the average. The ambient noise level averages between 35 and 37 decibels and the project is conditioned not to go over three decibels above that noise level for the life of the project. The project is also conditioned to prepare an additional noise study during better conditions to help establish a more typical baseline.

Energy Plan

The proposed project's power source is PG&E and an existing solar panel array. Power supplied by PG&E will be from 100% renewable sources. The light bulbs used during mixed light cultivation are low wattage fluorescents. For the proposed project a 25 kW WhisperWatt generator will be kept onsite for emergency use only. This generator is presently not used. The current mixed light cultivation's primary power source is a small Honda 2200 watt generator, and the project is conditioned not to expand to the proposed cultivation area until the site is no longer dependent on generator power.

Tribal Cultural Resource Coordination

The project is located within the ancestral aboriginal territories of the Sinkyone Intertribal Wilderness Council and the Bear River Band of Rohnerville Rancheria. The project was referred to the Sinkyone and Bear River Band tribes on April 26th, 2021. Neither has responded with comment, however the previous project, PLN-12657-SP, had also been referred to both tribes on August 8th, 2017. Only Bear River Band responded to that referral. Bear River Band had requested a cultural resources study if one had not already been prepared. The referral response from Northwest Information Center (NWIC) on September 7th, 2017 indicated that a cultural resources study which covered approximately 100% of the proposed project area had been completed in 1976 and found no cultural resources in the proposed project area. Further correspondence with the Bear River Band in 2018 indicated that no additional survey would be required. NWIC also identified a building in the proposed project area from the US Geological Survey Honeydew 7.5' quad map from 1970. These are likely the residence and adjacent shop estimated to have originally been built in 1950, neither of which are proposed to be used by the cultivation project, nor are they proposed for demolition. Inadvertent discovery protocols are in place for the project. In the event that cultural resources are encountered during project activities onsite, the applicant shall adhere to inadvertent discovery protocols, halt operations, and contact a qualified archaeologist.

Access

Access to the site is from Landergen Road, a paved County-maintained road. The applicant also uses a portion of Smith-Etter Road, a BLM road for access across the parcel. The applicant for PLN-12657-SP submitted a road evaluation report for Landergen Road self-certifying that both are developed to the equivalent of a Category 4 road standard. The new project was referred to Public Works and comments were received May 6th, 2021. The department recommended conditions of approval for the project, including: the applicant is advised that the County-maintained roads may generate dust and other impacts to farms and the applicant shall hold the County harmless from these impacts, all fences and gates shall be relocated out of the County right-of-way with appropriate setbacks, no materials shall be stored or placed in the County right-of-way, any existing or proposed driveways accessing the project shall be improved to current standards and will require an encroachment permit from the Department of Public Works, all driveways and private road intersections onto the County Road shall be maintained in accordance with County Code Section 341-1 (Sight Visibility), and the applicant shall remove an automatic gate key punch which was installed without County review. The key punch has since been removed, but the other recommended conditions have been included in the Conditions of Approval for the project that must be met before commencing project activities onsite.

The modified project is consistent with the adopted EIR for the CCLUO because it complies with all standards of the CCLUO which were intended to mitigate impacts of cultivation activities. These include sourcing all power from 100% renewable energy sources or purchasing carbon offset credits, ensuring supplemental lighting and security lighting adheres to Dark Sky Association standards and ensuring project related noise does not exceed 3 decibels above ambient noise levels at the property line.

Purpose - Section 15164 of the California Environmental Quality Act (CEQA) provides that the lead agency shall prepare an addendum to a previously certified Environmental Impact Report (EIR) 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 EIR 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 EIR 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 EIR was certified as complete, shows any of the following: A) the project will have one or more significant effects not discussed in the previous EIR; B) significant effect previously examined will be substantially more severe than shown in the previous EIR; 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 EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.

Summary of Significant Project Effects and Mitigation Recommended

No changes are proposed for the original EIR recommended mitigations. The proposal to authorize the 43,560 square feet of mixed light cannabis cultivation with 2,500 square feet of ancillary propagation space on a site with 2,500 square feet of approved indoor cultivation is consistent with the impacts identified and adequately mitigated in the original EIR. The project, as conditioned to implement responsible agency recommendations, results in no significantly adverse environmental effects beyond those identified in the EIR. Compliance with the CCLUO ensures consistency with the adopted EIR and provides for mitigation of all project-related impacts to a less than significant level.

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

- Cultivation and Operations Plan received September 28 2021.
- Site Plan received January 3, 2022.
- Grading and Erosion Control Plan prepared by A.M. Baird Engineering & Surveying, Inc, dated January 19, 2021.
- R-2 Soils Report prepared by A.M. Baird Engineering & Surveying, Inc, dated January 19, 2021.
- A Road Evaluation Report form dated February 2, 2018.
- A Biological Reconnaissance Survey Report prepared by Naiad Biological Consulting, dated April 7, 2021.
- A Botanical Survey Report prepared by Michael Weldon, dated July 8, 2021

Other CEQA Considerations

Staff suggests no changes for the revised project.

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

See **Purpose** statement above.

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

FINDINGS

1. The current proposed project does not contain substantial changes requiring major revisions to the previous EIR due to involvement of new significant environmental effects nor a substantial increase in the severity of previously identified significant effects.
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 EIR was adopted as complete.

CONCLUSION

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

ATTACHMENT 3

Applicant's Evidence in Support of the Required Findings

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

1. The name, contact address, and phone number(s) of the applicant. (Application form on file)
2. If the applicant is not the record title owner of parcel, written consent of the owner for the application with original signature and notary acknowledgement. (On-file)
3. Site Plan showing the entire parcel, including easements, streams, springs, ponds and other surface water features, and the location and area for cultivation on the parcel with dimensions of the area for cultivation and setbacks from property lines. The site plan shall also include all areas of ground disturbance or surface water disturbance associated with cultivation activities, including access roads, water diversions, culverts, ponds, dams, graded flats, and other related features. If the area for cultivation is within one-quarter mile (1,320 feet) of a school, school bus stop, church or other place of religious worship, public park, or tribal cultural resource, the site plan shall include dimensions showing that the distance from the location of such features to the nearest point of the cultivation area is at least 600 feet. (**Attached** with Maps)
4. A Cultivation & Operations Plan that meets or exceeds minimum legal standards for water storage, conservation and use; drainage, runoff and erosion control; watershed and habitat protection; proper storage of fertilizers, pesticides, and other regulated products to be used on the parcel; and a description of cultivation activities (outdoor, indoor, mixed light), the approximate date(s) cannabis cultivation activities have been conducted on the parcel prior to the effective date of this ordinance, if applicable, and schedule of activities during each month of the growing and harvesting season. (**Attached**)
5. Copy of the statement of water diversion, or other permit, license or registration filed with the State Water Resources Control Board, Division of Water Rights, if applicable. (Not Applicable)
6. Description of water source, storage, irrigation plan, and projected water usage. (Included in Cultivation Operations Plan, item 4. above)
7. Copy of Notice of Applicability letter for proof of enrollment under in the State Water Resources Control Board (SWRCB) under the General Order WQ 2019-0001-DWQ. (Condition of Approval)
8. A Site Management Plan to show compliance with the State Water Resource Control Board Order No. WQ 2019-0001-DWQ.(Condition of Approval)
9. If any onsite or off-site component of the cultivation facility, including access roads, water supply, grading or terracing, impacts the bed or bank of any stream or other watercourse, a copy of the Streambed Alteration Permit obtained from the California Department of Fish and Wildlife. (Not Applicable)
10. If the source of water is a well, a copy of the County well permit and well completion report, if available. (Not Applicable)
11. 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)

12. Consent for onsite inspection of the parcel by County officials at prearranged date and time in consultation with the applicant prior to issuance of any clearance or permit, and once annually thereafter. (On-file)
13. For indoor cultivation facilities, identify the source of electrical power and how it will meet with the energy requirements in Section 55.4.8.2.3, and plan for compliance with applicable building codes. (Included in Cultivation Operations Plan, item 4. above)
14. Acknowledge that the County reserves the right to reduce the size of the area allowed for cultivation under any clearance or permit issued in accordance with this Section in the event that environmental conditions, such as a sustained drought or low flows in the watershed, will not support diversions for irrigation. (On-file)
15. Acknowledge that the County reserves the right to engage with local tribes before consenting to the issuance of any clearance or permit, if cultivation operations occur within an Area of Traditional Tribal Cultural Affiliation, as defined herein. This process will follow current departmental referral protocol, including engagement with the tribe(s) through coordination with their Tribal Historic Preservation Officer (THPO) or other tribal representatives. This procedure shall be conducted similar to the protocols outlined under SB 18 (Burton) and AB 52 (Gatto), which describe "government to government" consultation, through tribal and local government officials and their designees. During this process, the tribe may request that operations associated with the clearance or permit be designed to avoid, minimize, or mitigate impacts to tribal cultural resources, as defined herein. Examples include, but are not limited to, conducting a site visit with the THPO or their designee to the existing or proposed cultivation site, requiring that a professional cultural resources survey be performed, or requiring that a tribal cultural monitor be retained during project-related ground disturbance within areas of sensitivity or concern. The County shall request that a records search be performed through the California Historical Resources Information System (CHRIS). (On-file)
16. A Timber Conversion Report prepared by Timberland Resource Consultants received March 23, 2018. (**Attached**)
17. A Biological Reconnaissance Survey Report prepared by Naiad Biological Consulting dated April 7, 2021. (**Attached** by public request)
18. A protocol-level Botanical Survey Report prepared by Michael Weldon dated July 8, 2021. (**Attached** by public request)
19. An Invasive Species Control Plan received September 28, 2021. (Included in Cultivation Operations Plan, item 4. above)
20. Division of Environmental Health Attachment for Commercial Medical Marijuana (CMM) Clearances/ Permits (DEH Form). (On-file)
21. A Road Evaluation Report for Landerger Road and for Smith-Etter Road, received in 2018. (**Attached**)
22. A Boundary Survey prepared by Wallace E. Wright, a Licensed Land Surveyor, in September 2018. (**Attached**)
23. R-2 Soils Report prepared by A.M. Baird Engineering and Surveying, dated April 15, 2021. (**Attached**)
24. A Noise Assessment for ambient noise. (Condition of Approval)
25. A Cultural Resource Investigation Report. (Not Applicable)

Nava Ranch, LLC
Cultivation and Operation Plan
APN: 107-106-006
APP# 17162

Cultivation Plan

This project is for a Special Permit to expand the existing project (APP# 12657) up to an acre as is appropriate under Humboldt County CCLUO §55.4.6.1.2(b). The expansion will consist of all mix-light cultivation.

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

Water sources include a rain catchment pond, an existing rooftop rain catchment system, and an additional rain catchment pond is in the development phases under contract with A. M. Baird Engineering. The new pond design will be submitted once complete and storage in excess of 1,000,000 gallons is anticipated. Water storage serving cultivation consists of the existing rain catchment pond with an approximately volume of 300,000 gallons, there is 70,000 gallons of hard poly tank storage (see site plan for installation date, volume per tank, and location information). There are an additional twenty, 5,000 gallon hard poly water tanks proposed to support this expansion (see site plan for proposed location). The current project irrigation water need is 135,000 gallons and the proposed project's anticipated need will be approximately 315,000 gallons. Current storage will suffice to serve the cultivation irrigation needs for the full forbearance period, but the new pond and proposed tanks once developed will greatly increase storage capacity and ensure full forbearance will continue to be achieved.

Total existing storage is approximately 370,000 gallons and total proposed storage is anticipated at 1,470,000 gallons or more.

Projected water use for the parcel leased by Nava Ranch, LLC, APN:107-106-006, after approval of the expansion is anticipated to be in accord with the following table.

| <u>Month</u> | <u>Average Daily Use</u> | <u>Monthly Total</u> |
|--------------|--------------------------|----------------------|
| January | 0 gal | 0 gal |
| February | 0 | 0 |
| March | 200 | 6,000 |
| April | 300 | 9,000 |
| May | 1,000 | 30,000 |
| June | 2,000 | 60,000 |



| | | |
|-----------|-------|--------|
| July | 2,500 | 75,000 |
| August | 2,500 | 75,000 |
| September | 1,500 | 45,000 |
| October | 500 | 15,000 |
| November | 0 | 0 |
| December | 0 | 0 |

All numbers are estimates and actual use may vary. Once the project is approved and implemented, meters will be installed and better data will be collected and reported to all relevant agencies.

Total water usage for commercial cultivation is anticipated to average 315,000 gallons per year.

Irrigation

Nava Ranch, LLC maintains that hand watering is the most effective method to ensure optimal hydration for plants while maintaining close attention to detail so no run off is allowed to occur. This technique also benefits the plants by ensuring the plants get daily attention and problems can be identified and corrected immediately reducing or eliminating the need for harsh pest treatments.

Nutrient applications are done with dry organic ingredients that are applied as top dressing, hand scratched into the surface soil and watered in by hand watering. Liquid nutrients are applied with a nutrient mixing tank.

All water and nutrient applications will be performed at agronomic rates consistent with but not in excess of plant needs or manufacturer's specifications.

Fire suppression water is provided by the designated fire water SRA tank (see site plan for details and location). All other stored water will be available in the event of a fire in addition to the designated SRA fire water reserve (see site plan for location and details on all water storage facilities).

Compliance with SWRCB Order

The applicant has had a WRPP developed for the site. Many of the proposed upgrades have already been implemented and those that remain will be completed before the time lines indicated in the conditions of approval. If additional measures are prescribed during the development and approval of this proposed expansion then those tasks will be added to the list and accomplished in the prescribed time frame.

All reporting requirements have been met to date and all future reporting requirements will be met as required.

Additional reporting will be shared as requested by all other relevant agencies if requested.

Description of Site Drainage

Site has minimal new grading. Some additional grading is proposed but the volume of dirt to be moved is limited as the area proposed for expansion is naturally very flat already. A. M. Baird Engineering has developed a grading plan and an R2 Soils Report, both of which have been submitted with this application. A grading permit will be attained prior to implementation of the plan. The site is on a ridge top; drainage measures include French drains, ditch relief culverts and a class III stream. All drainage features flow to a naturally vegetated area to assist in water infiltration and sediment stabilization.

Cultivation is performed in either plastic pots, smart pots, raised beds with 1/8 inch ground cloth 1 foot deep in the soil for gopher control, or in native soil. The final planting medium decision will be made depending on site conditions at the time of planting and will be made in accord with code requirements related to prime ag soil and slope requirements.

Prior to the onset of the rainy season the property is treated to a "winterization" implementation. Any remaining cultivation solid waste is removed from the site and delivered to a licensed receiving facility. All winter weather preparation is developed or maintained; waterbars and roadside drainage ditches are cleared as needed, straw mulch and or waddles are applied to any areas of erosion concern.

Invasive Species Control Plan

During the Biological Assessment for this project invasive species were identified in the proposed expansion location. Manual removal is recommended and will be implemented during the expansion implementation. During normal operations when invasive species are noticed they will be removed and composted on site. Prior to the bloom and seed period for any particular invasive species all reasonable effort will be made to remove as many invasive species individuals as is feasible. Invasive species will be treated as described and their spread will be reduced or eliminated as much as practicable.

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

The only road has appropriate water bars which have been in place for more than 5 years. The road is maintained by BLM and erosion potential has been mitigated as much as practicable.

Noise sources are minimized (no generator except for emergencies) and other noise sources mitigated with noise dampening measures.

Used soil is reclaimed: soil is kept in place and under cover or cultivated with green manure (a variety of legumes and clover) over the winter to avoid agricultural runoff. After the green manure has been dug back into the soil and amendments added, it is re-used in cultivation.

All structures are appropriately graded; otherwise the natural contours of the parcel have not been altered.

Fuels and other chemicals are contained in a secure location under a roof within secondary containment. No reportable quantities are housed on site.

SRA Fire Water Tank and Turn Around

There is a 5,000 gallon hard poly tank held in reserve for fire suppression if needed (see site plan for location).

There is a designated Hammer Head T Turnaround on site for emergency vehicle turnaround (see site plan for location).

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

All chemicals used in cultivation are stored in a secure chemical storage shed (see site plan for location). Proposed chemicals for use in cultivation include: 707 Roots Organic Potting Soil, Maxsea Grow and Bloom, Stutzman's - Chicken Manure, Dr. Earth - Fish Bone Meal, Aurora - Worm Castings, Alaskan Sea Pal – Veg (high nitrogen), Tapping Roots – Bloom, Down To Earth – liquid bone meal, Neem Oil, Plant Therapy, and Green-Cleaner (see materials safety data sheets submitted with the DEH form for more information on products). Nava Ranch, LLC also uses a natural compost heap.

Energy Plan

Power is sourced from PG&E and an existing solar system. The existing solar system has some proposed upgrades so it will meet more of the projects demand and any PG&E power that is required by the project moving forward will be sourced through green energy programs as feasible. A 25KW Whisper Watt generator is kept on site for emergency use only. Generator maintenance is performed off site.

Waste Management Plan

All cannabis plant material is composted on site in a secure composting location (see site plan for location).

All other solid waste is collected, sorted, and contained on site in a secure location under cover until such time as it can be hauled to a licensed waste management facilities (see site plan for location). Typically, Redway Transfer-station is used. Alternatively, Fortuna Transfer-station, or Eureka Transfer-station may be used depending on which is convenient as to schedule and efficiency with other tasks. Dump receipts are retained.

Sewage Disposal Plan

Human waste is handled by the permitted onsite waste water treatment system (septic). The existing system is functioning properly and has sufficient capacity to handle the existing and proposed load. If additional services are needed for future employee's an additional septic will be developed. There is a portable facility on site for employee use; maintenance records are retained and have been provided to DEH. While the portable facility is used it is maintained on regular intervals sufficient to ensure undesirable conditions do not develop. There is also a cannabis support building that is under development and it will include an additional permitted septic system to support the project. A. M. Baird Engineering is developing the building plans as well as the septic plans.

Hazardous Materials

There are no reportable quantities of hazardous materials kept on site. All small quantities of fuels are housed in secondary containment and stored in a secure covered location.

The North Coast Unified Air Quality Management District was contacted and a 1300 and 1301 permit application was submitted. Upon review by NCUAQMD an email response was provided indicating that

no permit was required for the activities and machinery that are on site. That email was submitted to the Humboldt County Planning and Building Department to meet a condition of approval of the existing project.

Description of Cultivation Activities

This project proposes to expand the existing approved project up to the amount authorized by the Humboldt County CCLUO for a total cultivation area of 43,560 square feet (sf) of canopy. The existing project has an outdoor component (2,700 sf), a mix light component (6,600 sf), and an indoor component (2,500 sf) for a total canopy of 11,800 sf. The proposed expansion will add 31,760 additional sf to the project. The project, once approved, will consist of 43,560 sf of mix-light cultivation.

Soil Management

Cultivation is performed with a variety of methods including raised beds, native soil beds or smart pots. Soil is turned and amended in the spring and at the time of turn over between mix light cycles. A cover crop is cultivated in the off season to ensure soil vitality is maintained for the following year.

Greenhouse Description

All cultivation will be performed in metal tubular constructed greenhouses with a poly vinyl covering. Grading will be performed once permitted. New greenhouse permits will be attained prior to installation. Cultivation canopy area will be maintained in a series of twelve greenhouses; six with dimensions of 34'x117' and six with dimension of 34'x96' for a total of 43,452 sf. The remaining 108 sf will either be forfeited or a plant or two will be put outside in full sun.

An additional greenhouse of dimension 20'x125' will be maintained for ancillary propagation area, and if additional area is need to support the project that area will be developed later with a minor amendment to this plan. Lights are run to maintain the proper light cycles and light shielding is implemented when lights are used in both the mix-light and ancillary propagation areas (see discussion below, Conformance with Dark Sky Standards).

Pest management is performed with a preventative strategy including careful plant selection to avoid any infested plant transferring that infestation to the canopy area. Careful plant thinning is practiced to enhance air flow and minimize disease development. Preventative organic spay treatments may be implemented to ensure disease cannot develop and if warranted additional treatments will be applied on an as needed basis.

Processing Plan

Processing will occur in the existing on-site 30'x30' building at this time(see call out "L" on the site plan). The building will conform to required standards and any required building permits will be attained. An additional support building plan is under development and once permitted and developed it will house future processing operations. It will be developed to F-1 occupancy standards and meet all required code conditions for the intended use. Off-site processing may also be utilized.

Drinking water is produced on site from the existing registered spring diversion. It is used for domestic purposes only. No irrigation water is sourced from the diversion.

Parking Plan

There is more than sufficient parking available on site. Specific parking is as designated on the site plan, but there is additional road side parking available if needed without blocking emergency vehicle access.

Employees

One full time employee maintains the site. At peak of season in the fall and possibly for a week or two in spring, 2 or 3 additional employees may be brought on to support the spring planting and fall harvest push as needed. Contractors may be used instead of employees. This represents minimal if any increase in road use. Carpooling is encouraged during peak seasons.

No on site housing is provided at this time.

Number of Cultivation Cycles Proposed

Both mix-light and light deprivation light cycle manipulation will be practiced on this project. Seasonal conditions will dictate the number of cultivation cycles that may be performed. A typical year will include 2 cultivation cycles and under ideal conditions 3 or more cycles may be achieved. Under no conditions will more than 5 cycles be performed per year.

Conformance with Dark Sky Standards

For mix-light cultivation areas and the ancillary propagation area, blackout tarp light shielding is used such that little to no light is allowed to escape. Light from greenhouses shall not be visible from neighboring properties between sunset and sunrise.

Noise Source Assessment and Mitigation Plan

Power is sourced with PG&E and on site solar and a low noise Whisper Watt generator may be used for emergency use only. The generator will only be used in the event of power outages and will produce less than 50 dBA at 100 feet when in operation.

Low noise solar snap fans will be used in the greenhouses.

No noise disturbance to neighbors or wildlife will result from this project.

Schedule of Activities During the Season

Plants are propagated in the propagation area. Lights are run to maintain the proper light cycle. Light shielding is implemented, as discussed above. A high nitrogen feeding regimen is implemented.

For 12 – 16 weeks, plants convert to flower. The light cycle is manipulated with light shielding tarps and the nutrient feeding regimen is switched to a lower nitrogen / higher phosphorous mix.

Once the plants are ready for harvest, they are cut down, dried and cured in the on-site drying facility for up to 3 months (see site map for location and details). Processing is performed in accord with the above described processing plan. The used soil is reclaimed as described above.

Table Describing Detailed Schedule of Activities During the Season

| Month | Activities |
|----------|--|
| February | <ul style="list-style-type: none"> • General site maintenance • Maintain and develop mother stock • Plant seeds if used |
| March | <ul style="list-style-type: none"> • General site maintenance • Maintain and develop mother stock • Plant seeds if used |
| April | <ul style="list-style-type: none"> • General site maintenance • Maintain and develop mother stock • Prepare site for growing season • Plant seeds if used |
| May | <ul style="list-style-type: none"> • Develop plant stock, cut clone starts from mother plants • Plant seeds if used • Transplant to larger pots as plants require • Plant out stock as plants become ready • Support all plants with high Nitrogen feeding mix • Amend soil • Remove lower fan leaves as conditions indicate to improve air flow and disease resistance • Spray preventative foliar treatment as needed (see above list of products) • Begin light deprivation tarp pulling as seasonal conditions and plant readiness allows • Haul garbage and recycling to the licensed transfer station (typically Redway) |
| June | <ul style="list-style-type: none"> • Plant out start stock as conditions allow • Plant support infrastructure will be implemented to support the plants as they develop. For smaller plants lateral netting may be placed such that plants can develop into the net for support when flowers are heavy later in the growing cycle. Cylinder shaped cages may be used for larger plants depending on conditions • Remove lower fan leaves as conditions indicate to improve air flow and disease resistance • Spray preventative foliar treatment unless substantial flower development is present (see product list above) |

| | |
|-----------|---|
| | <ul style="list-style-type: none"> • Continue light deprivation tarp pulling as seasonal conditions allow • Begin light deprivation harvest/processing if seasonal conditions were optimal • Haul garbage and recycling to the licensed transfer station (typically Redway) |
| July | <ul style="list-style-type: none"> • Add top dressing soil conditioners as plant conditions indicate • Apply pest management techniques as needed in accord with the pest management plan • Remove lower fan leaves as conditions indicate to improve air flow and disease resistance • Spray preventative foliar treatment unless substantial flower development is present (see product list above) • Light deprivation harvest/processing as seasonal conditions allow • Haul garbage and recycling to the licensed transfer station of choice |
| August | <ul style="list-style-type: none"> • Apply top dress fertilizer as conditions indicate • Spray preventative foliar treatment unless substantial flower development is present (see above list of products) • Remove lower fan leaves as conditions indicate to improve air flow and disease resistance • Continue light deprivation harvest/processing as seasonal conditions allow • Haul garbage and recycling to the licensed transfer station (typically Redway) |
| September | <ul style="list-style-type: none"> • Cease Feeding plants prior to harvest to allow sufficient time to flush nutrients from flowers • Apply top dress fertilizer as conditions indicate • Limit preventative foliar treatment where substantial flower development is present • Continue light deprivation harvest/processing as seasonal conditions allow • Haul garbage and recycling to the licensed transfer station (typically Redway) |
| October | <ul style="list-style-type: none"> • Cease Feeding plants prior to harvest to allow sufficient time to flush nutrients from flowers • Dry in accord with drying procedure • Continue processing in accord with the processing plan while continuing to harvest as conditions and time permit • Haul garbage and recycling to the licensed transfer station (typically Redway) |
| November | <ul style="list-style-type: none"> • Remove and compost any post-harvest remaining plant material |

| | |
|----------|---|
| | <ul style="list-style-type: none">• Begin planting cover crop for winter if used• Finish drying any remaining flowers• Begin processing full-term dry flowers in accord with processing plan• Haul garbage and recycling to the licensed transfer station (typically Redway) |
| December | <ul style="list-style-type: none">• Finish planting cover crop• Put away irrigation system for winter• General Property maintenance including road and site run off mitigation and refuse disposal in accord with operations plan |
| January | <ul style="list-style-type: none">• General property maintenance including further road and site run off mitigation and refuse disposal as needed |

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

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

Security Plan

The cultivation area is in a remote location and is accessible only through locked gates. Game cameras and motion detection lights with downward light shielding may be added at strategic locations.

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Applicant: Nava Ranch, LLC
APN: 107-106-006
App# 12657 & 17162

Operations Plan Addendum

Mixed-Light Containment Plan

On the approved existing project and the proposed expansion Nava Ranch, LLC does and will continue to cover greenhouses any time lights are run. Typical light shielding scheduling is such that tarps are pulled to shield light at 5PM any time lights are run, and the covers remain in place until lights are turned off or a half hour after sunrise, which ever comes first. At no time shall greenhouses remain uncovered if supplemental lighting is turned on.

Light deprivation tarps are pulled at 7PM and uncovered at 7AM. During light deprivation no supplemental lighting is used.



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January 26, 2018

Steven Conselvi & Loree Powell
1535 I Street
Eureka, Ca 95501

Re: APN 107-106-006 / Application #: 12657

The following is an evaluation of potential timberland conversion on proposed cannabis cultivation sites and associated areas included in the Humboldt County Cannabis Permit Application for Steven Consalvi & Loree Powell within APN 107-106-006. Please accept this letter as the RPF's written report required by Humboldt County Code, Ordinance No. 2559 (Commercial Medical Marijuana Land Use), Section 55.4.10 (j), cited below.

"Alternately, for existing operations occupying sites created through prior unauthorized conversion of timberland, if the landowner has not completed a civil or criminal process and/or entered into a negotiated settlement with CALFIRE, the applicant shall secure the services of a registered professional forester (RPF) to evaluate site conditions and conversion history for the property and provide a written report to the Planning Division containing the RPF's recommendation as to remedial actions necessary to bring the conversion area into compliance with provisions of the Forest Practices Act. The Planning Division shall provide CAL-FIRE written Notice of Availability of the RPF's report. If CAL-FIRE takes no action within ten (10) days of the notice of availability, the report recommendations shall become final."

Timberland Resource Consultants (TRC) inspected and evaluated the proposed cultivation sites and associated areas contained within the application on January 24, 2018. The RPF exercised due diligence in reviewing all sites and all available resources to fully assess potential timberland conversion. This report evaluates the cultivation sites and associated areas for timber operations only. All other land alteration such a grading, construction, and other permit-regulated activities do not fall within the scope of this report. All property features and sites unrelated to cultivation activities also do not fall within the scope of this report. All findings are summarized in the report below.

Project Summary

The property is an approximately 40-acre parcel located at 844 Wilder Ridge Road in Honeydew. Legal description is the S½ of NW ¼ of Section 7, Township 3S, Range 1E, Humboldt County, Humboldt Base & Meridian. The property has two houses, numerous outbuildings, two existing cultivation sites, and two off-stream ponds as described below. The majority of the property consists of natural grassland peppered with walnut trees and encroaching brush. The eastern and western portions of the property consist of second growth conifer and hardwood (Douglas-fir, tanoak, and Pacific madrone) located on the steeper slopes leading down into Honeydew Creek and Bear Trap Creek. Based upon increment borings of dominant Douglas-fir trees and local historical knowledge, the parcel appears to have been harvested approximately 50-70 years ago in association with Honeydew's lumber boom of the 1940-1950s. During this era, a few sawmills were located in the greater Honeydew area, one on the river flats west of the Honeydew Store called the Honeydew Lumber Company and another was called the North Fir Lumber Company, both of which operated in the 1950s. Review of 1968-2016 aerial imagery reveals no signs of ground disturbance or changes in stand structure or composition suggesting additional logging entries have occurred since the original harvest. Moreover, none have been recorded by Cal Fire (Watershed Mapper v2 http://egis.fire.ca.gov/watershed_mapper/). The current landowners, Steven Consalvi & Loree Powell purchased the property from Richard R & Kimberly Rollins in March 2017.

Lower Cultivation Site

Per Mother Earth Engineering's Existing Site Map (12-21-2017), the lower cultivation area previously consisted of Cultivation Area #3, #4, & #5, which equates to approximately 3,830 ft² of cultivation. During the 1-24-2018 inspection the only cultivation site observed was a 3,900 ft² (34-ft x 115-ft) greenhouse located between the house and ponds. Review of past aerial imagery reveals that this site was constructed post 2016 in a grassy opening surrounded by walnut trees concurrent with the demolition of an old barn. The demolition of the barn required the removal of several large walnut trees. The walnut trees are discernable on 1964 imagery and were likely planted when the property was originally homesteaded. Walnut is not a "Commercial Species" per 14CCR 895.1 of the Forest Practice Rules and therefore their removal does not constitute a conversion of timberland. There are several Douglas-fir trees (see Picture 3) located north-northeast of the greenhouse that have been harvested and/or trimmed in association with PG&E's tree maintenance program. This was done pursuant to 14CCR 1104.1(c), which allows the "*The clearing of trees from timberland by a private or public utility for construction of gas, water, sewer, oil, electric, and communications (transmitted by wire, television, radio, or microwave) rights-of-way, and for maintenance and repair of the utility and right-of-way.*" The installation of the existing 3,900 ft² greenhouse does not constitute timberland conversion.

Upper Cultivation Site

Per Mother Earth Engineering's Existing Site Map (12-21-2017), the upper cultivation area previously consisted of Cultivation Area #1, & #2, which equates to approximately 9,000 ft² of cultivation. During the 1-24-2018 inspection the only cultivation site observed was a 2,900 ft² (20-ft x 145-ft) greenhouse located southwest of the house on a recently graded flat. According to the owner all pre-existing cultivation shall be relocated to this area. Review of past aerial imagery reveals that this site was constructed post 2016 in a grassy opening with no trees removed. All areas surrounding the graded flat were closely inspected for signs or presence of encroaching conifers and/or hardwood trees with none observed. The construction of the graded flat and installation of the existing 2,900 ft² greenhouse does not constitute timberland conversion.

Pond Site

Per Mother Earth Engineering's Existing Site Map (12-21-2017), the ponds are approximately 5,000 and 300,000 gallons in size and were established in 1950. The two existing off-stream ponds are visible on 1964 imagery and are depicted on the 1974 Honeydew USGS 7.5' Quadrangle (see attached General Location Map). According to the landowner, the southern-most or largest pond was lined last summer, which resulted in the harvesting of several Douglas-fir trees and removal of brush. Field reconnaissance confirms that at least two Douglas-fir trees, approximately 14-inches and 18-inches DBH were harvested. The ponds are part of a pre-existing site that has been in place for at least 54+ years. The two Douglas-fir trees removed are "in-growth", which occurred post pond site construction, and the area does not meet the definition of timberland as follows.

PRC 526. "Timberland" means land, other than land owned by the federal government and land designated by the board as experimental forest land, which is available for, and capable of, growing a crop of trees of a commercial species used to produce lumber and other forest products, including Christmas trees. Commercial species shall be determined by the board on a district basis.

The removal of these two trees does not constitute a conversion of timberland. The two lone trees are not associated with a forested landscape that is available for and capable of growing a crop of trees.

14CCR 895.1. "Forested landscapes" means those tree dominated landscapes and their associated vegetation types on which there is growing a significant stand of tree species, or which are naturally capable of growing a significant stand of native trees in perpetuity, and is not otherwise devoted to non-forestry commercial, urban, or farming uses.

Limitations and Considerations for Timberland Conversion Activities

Watercourses and Water Resources

14CCR 1104.1(a)(2)(F): "No timber operations are allowed within a watercourse and lake protection zone unless specifically approved by local permit (e.g., county, city)."

Lower Cultivation Site: The closest watercourse is Honeydew Creek located approximately 700 feet east. No conversion of timberland occurred at this site.

Upper Cultivation Site: The closest watercourses are Class III tributaries to Bear Trap Creek located approximately 200-300 feet west. No conversion of timberland occurred at this site.

Slash and Woody Debris Treatment

14CCR 1104.1(a)(2)(O)(6): "Full slash and woody debris treatment may include any of the following: a. burying; b. chipping and spreading; c. piling and burning; or d. removing slash and woody debris from the site for treatment in compliance with (a)-(b). Slash and woody debris may not be burned by open outdoor fires except under permit from the appropriate fire protection agency, if required, the local air pollution control district or air quality management district. The burning must occur on the property where the slash and woody debris originated."

No conversion of timberland occurred on the property and therefore no slash or woody debris treatment is required. Slash generated from the removal of the walnut trees and PG&E vegetation management activities are not required to be treated.

Biological Resources and Forest Stand Health

14 CCR 1104.1 (2)(H): "No sites of rare, threatened or endangered plants or animals shall be disturbed, threatened or damaged and no timber operations shall occur within the buffer zone of a sensitive species as defined in 14 CCR 895.1"

No conversion of timberland occurred on the property.

A query of the California Natural Diversity Database (CNDDDB) on January 26, 2018 showed no observations of sensitive, rare, threatened, or endangered species or species of special concern within or 2,500 feet surrounding the cultivation sites and associated areas. The query of the CNDDDB NSO Database revealed no known Northern Spotted Owl (NSO) Activity Centers within the 0.7-mile biological assessment area surrounding the cultivation sites and associated areas.

Cultural Resources

14 CCR 1104.1 (2)(1): "No timber operations are allowed on significant historical or archeological sites."

No conversion of timberland occurred on the property.

Recommendations

None. No conversion of timberland occurred on the property.

Sincerely,



Chris Carroll, RPF #2628
Timberland Resource Consultants

Pictures



Picture 1: Lower Cultivation Site consisting of a 34-ft by 115-ft greenhouse. Concrete slab foundation of demolished barn to right of greenhouse. Photo date 1-24-2018.

Pictures



Picture 2: Lower Cultivation Site. Slash in foreground is from two walnut trees harvested. Note walnut trees growing directly south of greenhouse. Photo date 1-24-2018.

Pictures



Picture 3: Lower Cultivation Site. The two Douglas-fir trees and walnut tree that have been harvested and trimmed north of greenhouse was done in association with PG&E's tree maintenance program. Photo date 1-24-2018.

Pictures



Picture 4: Upper Cultivation Site. This entire site was previously occupied by natural grasslands with some encroaching brush species. No conifer or hardwood trees were removed during the construction of this graded flat. Photo date 1-24-2018.

Pictures



Picture 5: Upper Cultivation Site. Area north of cultivation site consisting of mostly undisturbed native grasslands and brush with no encroaching conifers or hardwood trees. The small row of trees located behind the storage container and solar array are non-native juniper trees and not encroaching Douglas-fir. Photo date 1-24-2018.

Pictures



Picture 6: Upper Cultivation Site. Area north of cultivation site consisting of mostly undisturbed native grasslands and brush with no encroaching conifers or hardwood trees. Photo date 1-24-2018.

Pictures



Picture 7: Upper Cultivation Site.

Pictures



Picture 8: Pond Site. Northern-most pond with PG&E harvest trees in distance across the road. Photo date 1-24-2018.

Pictures



Picture 9: Pond Site. Southern-most pond facing south. Photo date 1-24-2018.

Pictures



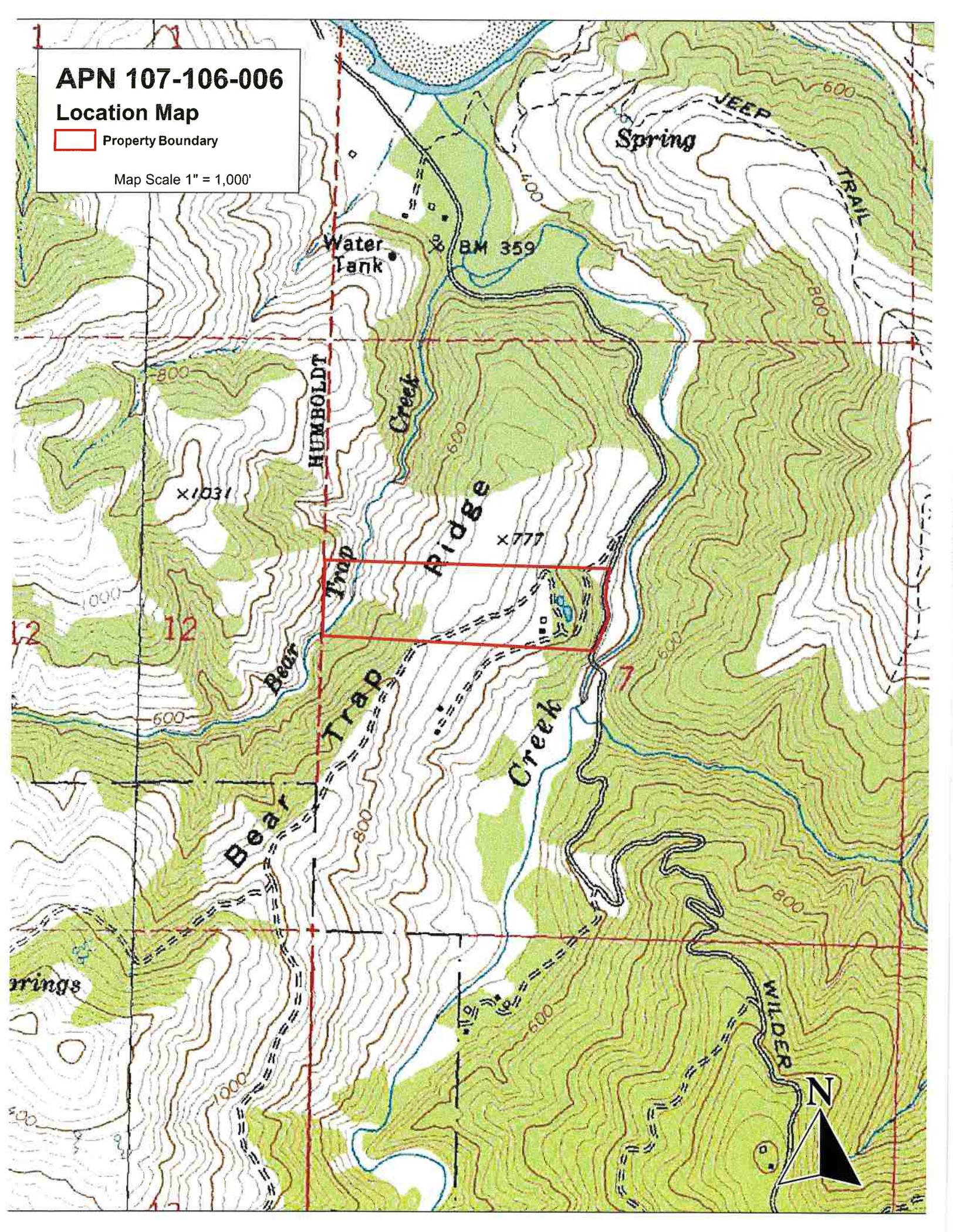
Picture 10: Pond Site. Southern-most pond facing north. Douglas-fir stump in foreground was one of several trees cut down to facilitate the installation of the pond liner. Photo date 1-24-2018.

APN 107-106-006

Location Map

 Property Boundary

Map Scale 1" = 1,000'



17162

BOTANICAL SURVEY REPORT



APN: 107-106-006

HONEYDEW, HUMBOLDT COUNTY, CA

JULY 8TH 2021

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SPECIAL STATUS NATIVE PLANT POPULATIONS AND NATURAL COMMUNITIES SURVEY REPORT

SUMMARY INFORMATION

Legal description: Portion of section 7 of TSS, R1E H.B.&M.
APN: 107-106-006
USGS 7.5' Quad: Honeydew (4012421)
Project size: 10 acres
Dates of survey: March 16, 2021 & June 7, 2021
Surveyed by: Sarah Mason
Field survey effort: 4 hours
Results: **No CRPR 1 or 2 plants were observed**

1. Introduction

This botanical survey report summarizes the results of a survey conducted on a project area located along S Fork Smith-Etter Road, Honeydew, California (APN 107-106-006). The survey was performed to identify special status plants and sensitive plant communities that could be impacted by the expansion of existing permitted cannabis cultivation operations in accordance with the California Environmental Quality Act (CEQA) using the California Department of Fish and Wildlife's *Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Natural Communities* (CDFW 2018).

2. Definitions

Special Status Plants

Special status plants include taxa that are listed under the Endangered Species Act (ESA) and/or the California Endangered Species Act (CESA) in addition to plants which meet the definition of rare or endangered under the California Environmental Quality Act (CEQA). This includes plants with California Rare Plant Ranks (CRPR) 1A, 1B, 2A, 2B or other species that warrant consideration based on local or biological significance.

Special Status Plant Communities

Special status plant communities are communities with limited distribution that may be vulnerable to environmental impacts. The global (G) and state (S) rarity rankings for currently recognized vegetation alliances are provided on the CDFW *Natural Communities List* (CDFW 2020). The list is based on the vegetation

classification in *A Manual of California Vegetation, 2nd Edition* (Sawyer et al, 2009). Natural communities with S ranks of 3 or lower are considered of special concern. However, they may not warrant protection under CEQA unless they are considered high quality. Human disturbance, invasive species, logging and grazing are common factors considered when judging whether the stand is high quality and warrants protection.

3. Environmental Setting

Project Location

The project area is located on the Honeydew USGS 7.5' quadrangle, section 7 of T3S, R1E, H.B.&M.

Soil, Topography, and Hydrology

Data from *Web Soil Survey* for the survey area do not indicate any unique soil types that would provide habitat for rare plants such as serpentinite or peat.

The survey area is situated along a ridge between Bear Trap creek and Mattole river, approximately 1 mile south of the convergence between the two. It is located in the Honeydew Creek watershed (1112.300402), which drains into Mattole River.

The project area is on a mild slope with a very slight south/southeast aspect ranging from ~ 680 to ~780 feet in elevation.

4. Survey Methodology

Scoping

The *California Natural Diversity Database* (CDFW 2021) and the *CNPS Inventory of Rare and Endangered Plants* (CNPS 2021) website applications were used to generate a list of special status plants that could potentially occur within the project area. The scoping list was refined to omit species for which suitable habitat does not exist in the project area to allow surveyors to focus on species with higher potential to be located during surveys. This list includes CRPR 1 and 2 plants that have been observed within a 9-quad search centered on the Honeydew quadrangle. USGS quadrangles within the 9-quad search areas include: Buckeye Mtn., Bull Creek, Weott, Shubrick Peak, Honeydew, Ettersburg, Shelter Cove and Briceland. Only 8 quads show up in the 9-quad search due to proximity to the coast. The results of the project scoping are presented below in Table 1. The list may also include plants that are known to occur in this region and for which similar habitat exists within the project area.

Reference Populations

Reference populations were used to determine the timing of seasonally appropriate surveys. When access to suitable reference populations was unavailable, iNaturalist observations were used. The following reference populations of rare plants were used for this project:

- *Montia howellii* located approximately 38 miles north of the project area was observed in bloom on April 7, 2021.
- *Sidalcea malviflora ssp. patula* located 18 miles northwest of the project area was observed in bloom on June 7, 2021.
- *Gilia capitata ssp. pacifica* located approximately 5 miles northeast of the project area was observed in bloom on May 19, 2021.

Factors Affecting Accuracy of Surveys

The likelihood of false negative survey results is low, but may still be possible for a number of reasons:

- Drought conditions exist and may have precluded some sensitive plants from blooming or shortened their bloom period.
- The bloom periods of the reference populations might not accurately represent the bloom periods of target plants within the survey area due to differences in elevation or proximity to the coast, etc. There are likely other reference populations that would more accurately predict the bloom period of target rare plants within the survey area, but those reference populations were not publicly accessible.
- Grazing by herbivores could remove the identifiable portions of the plants before they are located. The property has cattle grazing in the project area and there is ample habitat for deer within the survey area.

Survey

The botanical surveys were conducted by Sarah Mason. Sarah holds a BS in Botany from Humboldt State University (HSU). Sarah has worked professionally as a Botanical Technician for the Bitterroot National Forest and the Klamath National Forest, as an assistant botanist for Caltrans District 1, and is currently working towards receiving her MSc in Biology with a concentration in bumblebee ecology. Sarah specializes in rare plant identification and teaching plant taxonomy at the university level.

Surveys were floristic in nature and conducted in a manner consistent with the *Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Natural Communities* (CDFW 2018). Per the protocols, surveys were conducted by a qualified botanist with an average survey rate of no more than 10 acres per hour.

Botanical surveys were conducted throughout the areas proposed for cannabis cultivation and the associated road system. Surveys were conducted in an intuitive meander focused on areas likely to provide habitat for rare plant species and/or potentially affected (directly or indirectly) by cultivation operations. These areas include but are not limited to: existing permanent and seasonal roads, new road construction, road points and crossings, forest openings (i.e. meadows, landings, and cut banks), springs and watercourses.

Plants were identified to the lowest taxonomic level necessary to ensure that they were not a species of concern. If a species could not be identified on site, it was keyed using the references cited at the end of this report. Refer to Figure 1 for the survey routes.

Survey Results

Special Status Plants: No CRPR 1 or 2 plants were encountered in the project area. A list of all plants observed during the surveys is provided in Table 2. *Callitropsis nootkatensis* was observed during surveys but is believed to be a planted ornamental and should not be impacted by expansion of operations.

Special Status Plant Communities: The project area habitat is typical of valley and foothill grasslands (VFGRs) and coastal prairie (CoPrr) within the Northern Coast Ranges (NCoR). See figures 2,3 and 4 for example of habitat. The surrounding area on the parcel outside of the project area is consistent with North Coast coniferous forest (NCFrs), with canopy dominated by Douglas fir (*Pseudotsuga menziesii*). Some native grasses are present, including *Elymus glaucus*, but no sensitive natural communities could be established during surveys due to the large amount of invasive grasses present, consistent with historic grazing. No watercourses exist within the project area.

Mitigation Recommendations: No mitigations are recommended for any natural communities located within the project area. The cultivation sites and appurtenant roads are already existing and because of the low quality of the habitat within the project area due to historic grazing and associated invasive species, the expansion of cultivation operations are unlikely to harm any special status plants or sensitive natural plant communities.

5. References

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Table 1: Rare Plant Scoping List

USGS 7.5' Quads: Buckeye Mtn. (4012432), Bull Creek (4012431), Weott (4012338), Shubrick Peak (4012422), Honeydew (4012421), Ettersburg (4012328), Shelter Cove (4012411), Briceland (4012318)

| Scientific Name | Common Name | CRPR/ CESA/FESA | Elevation (meters) | General Habitats | General Microhabitats | Blooming Period | | | | | | | | | | | |
|--|------------------------------|--------------------|-----------------------|---|--|-----------------|-----|-----|-----|-----|-------|-----|-----|-------|--|--|--|
| | | | | | | Feb | Mar | Apr | May | Jun | Jul | Aug | Sep | Oct | | | |
| <i>Astragalus agnicidius</i> | Humboldt County milk-vetch | 1B.1 | 120-800 | BUFRs, NCFrs | Openings, disturbed areas, sometimes roadsides | | | | | | | | | | | | |
| <i>Carex arcta</i> | Northern clustered sedge | 2B.2 | 60-1400 | BgFn, NCFrs (mesic) | | | | | | | | | | | | | |
| <i>Castilleja litoralis</i> | Oregon coast paintbrush | 2B.2 | 15-100 | CBScr, CoDu, CoScr | Sandy | | | | | | | | | | | | |
| <i>Clarkia amoena</i> ssp. <i>whitneyi</i> | Whitney's farewell-to-spring | 1B.1 | 10-100 | CBScr, CoScr | | | | | | | | | | | | | |
| <i>Erythronium oregonum</i> | Giant fawn lily | 2B.2 | 100-1150 | CMWld, Mdws | Sometimes serpentine, rocky openings | | | | | | (Jul) | | | | | | |
| <i>Erythronium revolutum</i> | Coast fawn lily | 2B.2 | 0-1600 | BgFn, BUFRs, NCFrs | Mesic, streambanks | | | | | | | | | (Aug) | | | |
| <i>Gilia capitata</i> ssp. <i>pacifica</i> | Pacific gilia | 1B.2 | 5-1665 | CBScr, Chpl (openings), CoPrr, VFGrs | | | | | | | | | | | | | |
| <i>Kopsiopsis hookeri</i> | Small groundcone | 2B.3 | 90-885 | NCFrs | | | | | | | | | | | | | |
| <i>Lasthenia californica</i> ssp. <i>macrantha</i> | Perennial goldfields | 1B.2 | 5-520 | CBScr, CoDu, CoScr | | | | | | | | | | | | | |
| <i>Lathyrus palustris</i> | Marsh pea | 2B.2 | 1-100 | BgFn, CoPrr, CoScr, LMFrs, MshSw, NCFrs | Mesic | | | | | | | | | | | | |

Table 1 (cont'd): Rare Plant Scoping List

| | | Blooming Period | | | | | | | | | | | | |
|--|----------------------------|-----------------------|--------------------|---------------------|-------------------------------------|-----|-------|-----|-----------|-----|-------|-----|-----|-----|
| USGS 7.5' Quads: Buckeye Mtn. (4012432), Bull Creek (4012431), Weott (4012338), Shubrick Peak (4012422), Honeydew (4012421), Ettersburg (4012328), Shelter Cove (4012411), Briceland (4012318) | | General Microhabitats | Feb | Mar | Apr | May | Jun | Jul | Aug | Sep | Oct | | | |
| Scientific Name | Common Name | CRPR/ CESA/FESA | Elevation (meters) | General Habitats | General Microhabitats | Feb | Mar | Apr | May | Jun | Jul | Aug | Sep | Oct |
| <i>Montia howellii</i> | Howell's montia | 2B.2 | 0-835 | Mdws, NCFrs, VrPl | Vernally mesic, sometimes roadsides | | (Feb) | | | | | | | |
| <i>Packera bolanderi</i> var. <i>bolanderi</i> | Seacoast ragwort | 2B.2 | 30-650 | CoScr, NCFrs | | | | | (Jan-Apr) | | (Aug) | | | |
| <i>Piperia candida</i> | White-flowered rein orchid | 1B.2 | 30-1310 | BUFRs, LMFrs, NCFrs | | | | | | | | | | |
| <i>Sidalcea malviflora</i> ssp. <i>patula</i> | Siskiyou checkerbloom | 1B.2 | 15-1230 | CBScr, CoPrr, NCFrs | | | | | | | | | | |
| <p>Key To Habitats: BgFn=Bogs Fens, BUFRs= Broad-Leaved Upland Forest, CBSCr=Coastal Bluff Scrub, CCFrs=Closed Cone Coniferous Forest, Cnpl=Chaparral, CmWid= Cismontane Woodland, Cobu=Coastal Dunes, CoPrr=Coastal Prairie, CoScr= Coastal Scrub, LCFrs= Lower Montane Coniferous Forest, Mdws= Meadows, MshSw= Marsh, NCFrs= North Coast Coniferous Forest, RpScr=Riparian Scrub, RpFr= Riparian Forest, UCFrs= Upper Montane Coniferous Forest, VFGrs=Valley Foothill Grassland, VrPl=Vernal Pools. Note: Grey shading denotes months in which species are likely to be blooming and readily identifiable.</p> | | | | | | | | | | | | | | |

Table 2: List of plant species encountered during surveys.

Tree Species:

| Species | Common Name | Special Status |
|-------------------------------------|------------------|------------------|
| <i>Callitropsis nootkatensis</i> | Alaska cedar | CRPR 4.3 |
| <i>Malus sp.</i> | Apple | |
| <i>Notholithocarpus densiflorus</i> | Tanoak | |
| <i>Pseudotsuga menziesii</i> | Douglas fir | |
| <i>Quercus chrysolepis</i> | Canyon live oak | |
| <i>Quercus garryana</i> | Oregon white oak | |
| <i>Robinia pseudoacacia</i> | Black locust | CAL-IPC: Limited |
| <i>Umbellularia californica</i> | Pepperwood | |

Brush species:

| Species | Common Name | Special Status |
|-----------------------------------|----------------------|----------------|
| <i>Agave americana</i> | Century plant | |
| <i>Baccharis pilularis</i> | Coyote brush | |
| <i>Lavendula sp.</i> | Lavender | |
| <i>Rosa sp.</i> | Ornamental rose | |
| <i>Rubus armeniacus</i> | Himalayan blackberry | CAL-IPC: High |
| <i>Rubus ursinus</i> | Trailing blackberry | |
| <i>Toxicodendron diversilobum</i> | Poison oak | |

Herbaceous species:

| Species | Common Name | Special Status |
|---------------------------------|------------------------|-------------------|
| <i>Acmispon parviflorus</i> | Hill lotus | |
| <i>Bellis perennis</i> | English daisy | |
| <i>Brodiaea elegans</i> | Harvest brodiaea | |
| <i>Carduus pycnocephalus</i> | Italian thistle | Cal-IPC: Moderate |
| <i>Erodium brachycarpum</i> | White stemmed filaree | |
| <i>Erodium cicutarium</i> | Coastal heron's bill | Cal-IPC: Limited |
| <i>Eschscholzia californica</i> | California poppy | |
| <i>Galium aparine</i> | Cleavers | |
| <i>Hypochaeris glabrata</i> | Smooth cat's ear | Cal-IPC: Limited |
| <i>Hypochaeris radicata</i> | Hairy cat's ear | Cal-IPC: Moderate |
| <i>Linum bienne</i> | Flax | |
| <i>Lupinus bicolor</i> | Miniature lupine | |
| <i>Mentha pulegium</i> | Pennyroyal | Cal-IPC: Moderate |
| <i>Plantago lanceolata</i> | Narrow leaved plantain | |
| <i>Rumex acetosella</i> | Sheep sorrel | Cal-IPC: Moderate |
| <i>Silybum marianum</i> | Milk thistle | Cal-IPC: Limited |
| <i>Sonchus asper</i> | Prickly sow thistle | |
| <i>Spergularia rubra</i> | Purple sand spurry | |

| | | |
|--------------------------------|-------------------------|-------------------|
| <i>Torilis arvensis</i> | Tall sock-destroyer | Cal-IPC: Moderate |
| <i>Trifolium angustifolium</i> | Narrow-leaved trifolium | |
| <i>Trifolium dubium</i> | Little hop clover | |
| <i>Trifolium subterraneum</i> | Subterranean clover | |
| <i>Vicia hirsuta</i> | Hairy vetch | |

Ferns and Allies:

| Species | Common Name | Special Status |
|----------------------------|---------------------|----------------|
| <i>Pteridium aquilinum</i> | Western brackenfern | |

Grasses and Graminoids:

| Species | Common Name | Special Status |
|--------------------------------------|------------------------|-------------------|
| <i>Agrostis stolonifera</i> | Creeping bent | Cal-IPC: Limited |
| <i>Aira caryophyllea</i> | Shiver grass | |
| <i>Avena barbata</i> | Slim oat | CAL-IPC: Moderate |
| <i>Briza maxima</i> | Rattlesnake grass | CAL-IPC: Limited |
| <i>Bromus diandrus</i> | Ripgut brome | CAL-IPC: Moderate |
| <i>Bromus hordeaceus</i> | Soft brome | CAL-IPC: Limited |
| <i>Bromus rubens</i> | Red brome | CAL-IPC: High |
| <i>Cynodon dactylon</i> | Bermuda grass | CAL-IPC: Moderate |
| <i>Cynosurus echinatus</i> | Dogtail grass | CAL-IPC: Moderate |
| <i>Elymus caput-medusae</i> | Medusa head | CAL-IPC: High |
| <i>Elymus glaucus</i> | Blue wildrye | |
| <i>Festuca arundinacea</i> | Tall fescue | CAL-IPC: Moderate |
| <i>Festuca myuros</i> | Rattail sixweeks grass | CAL-IPC: Moderate |
| <i>Festuca perennis</i> | Italian rye grass | CAL-IPC: Moderate |
| <i>Holcus lanatus</i> | Velvet grass | CAL-IPC: Moderate |
| <i>Hordeum murinum</i> | Barley | CAL-IPC: Moderate |
| <i>Juncus effusus ssp. pacificus</i> | Pacific rush | |
| <i>Poa annua</i> | Annual blue grass | |

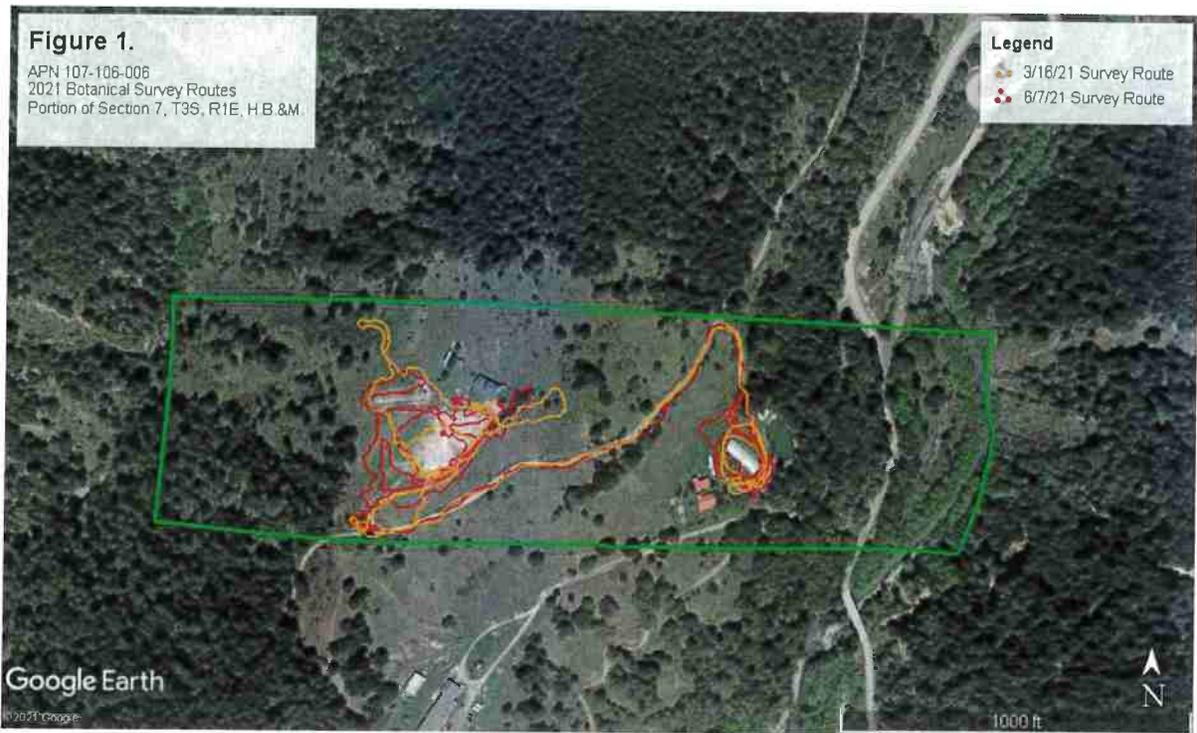


Figure 1: Map of botanical survey routes.

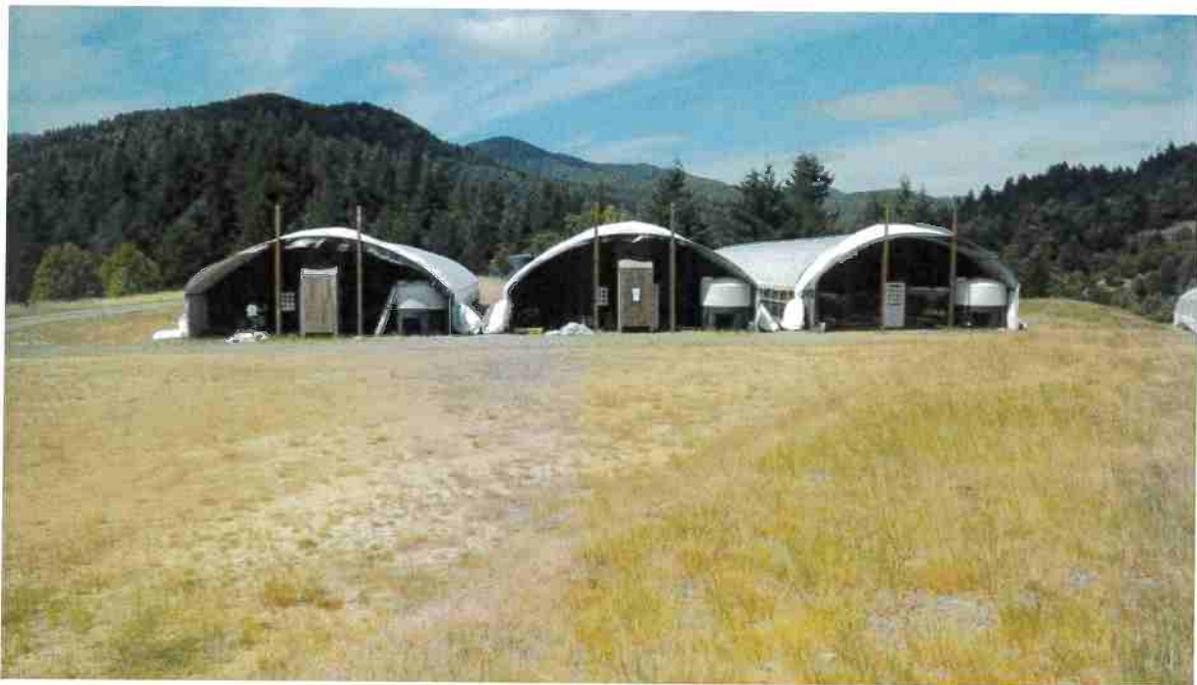


Figure 2: Image showing example of coastal prairie (CoPrr) habitat and existing permitted structures within project area with North Coast coniferous forest (NCFrs) in the background.

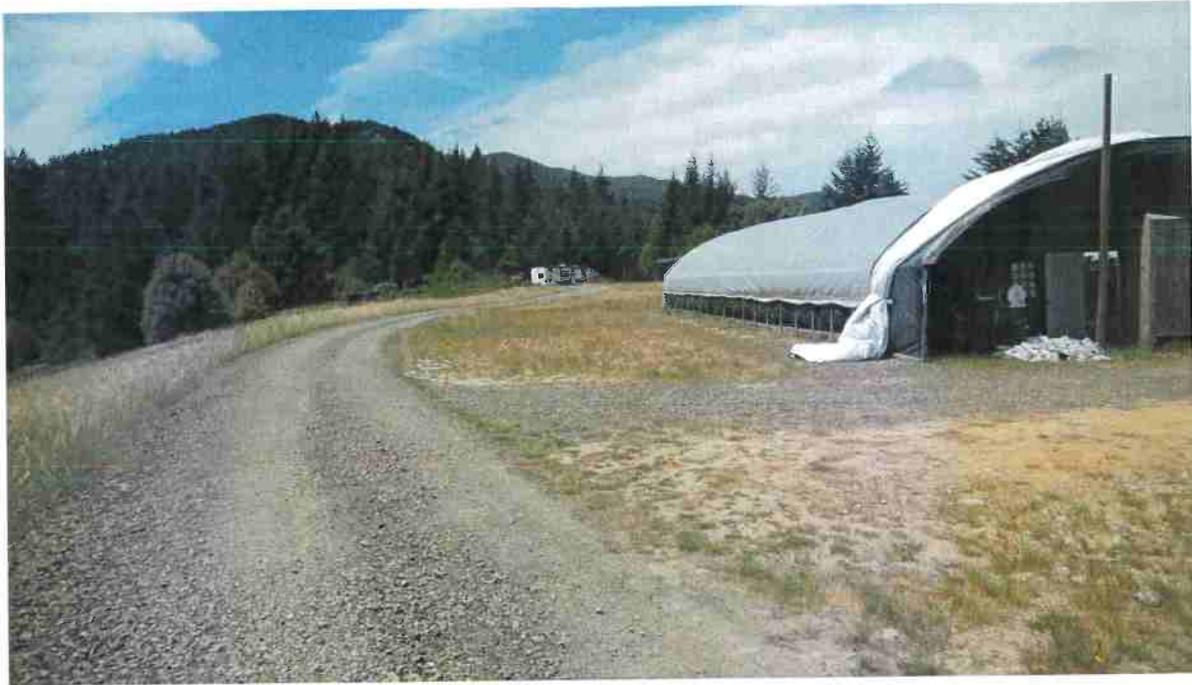


Figure 3: Example of grassland habitat, permanent road and existing permitted structure within project area.

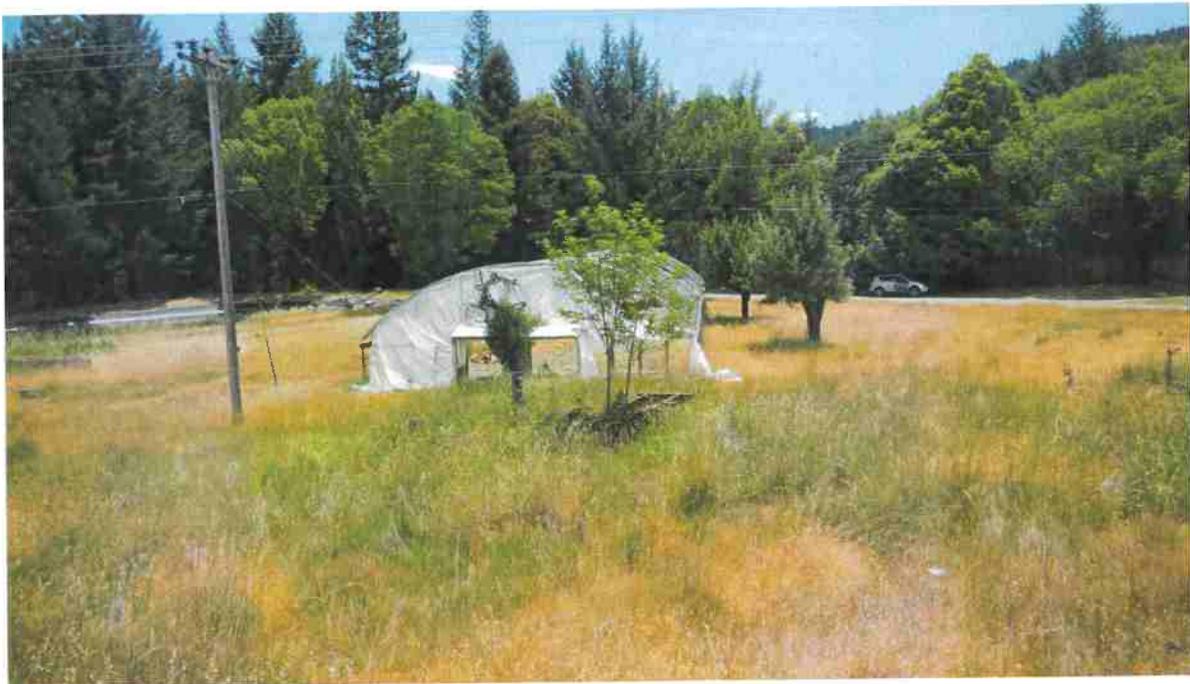
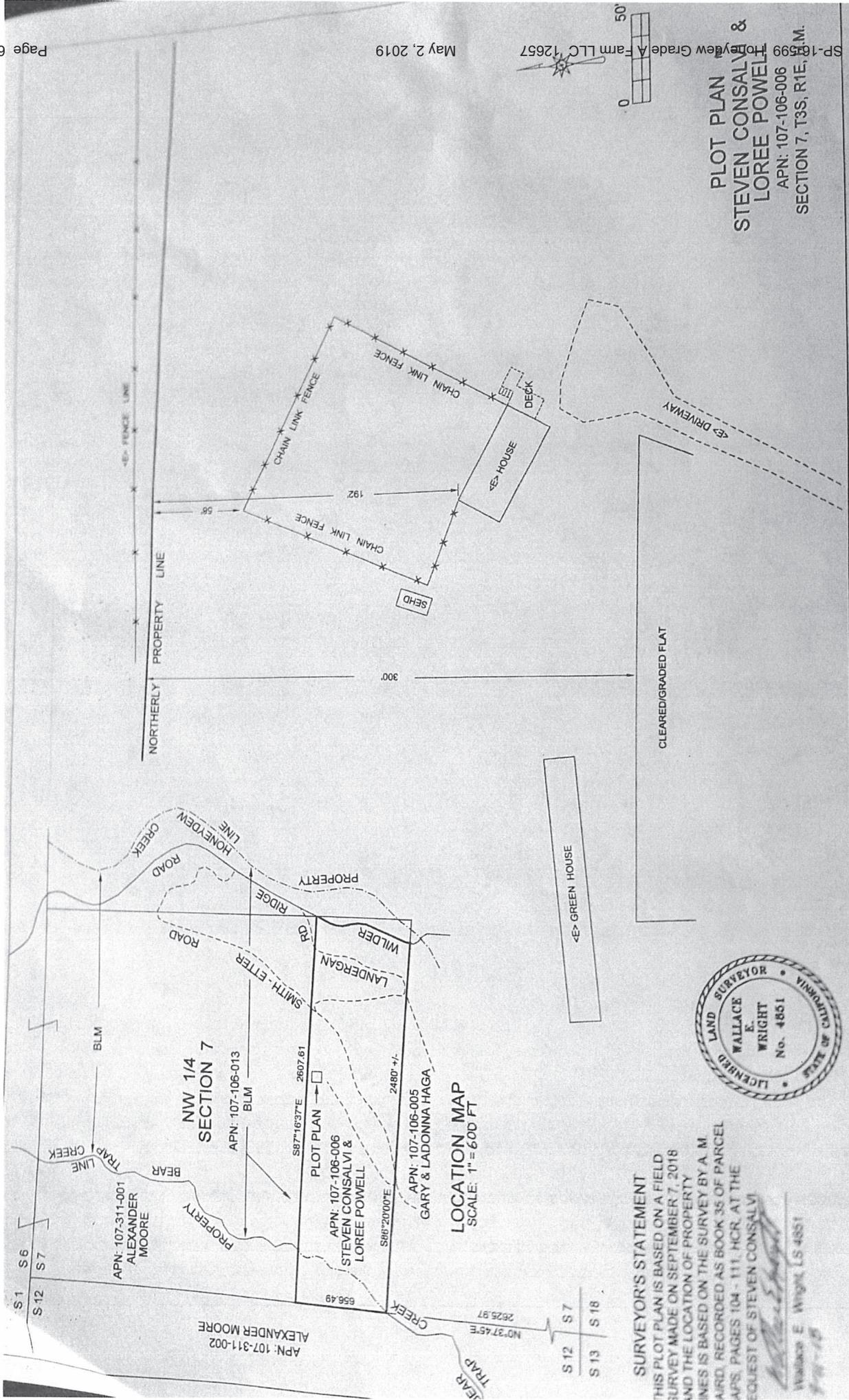


Figure 4: Image showing grassland habitat impacted by invasive grasses.

May 2, 2019

SP-18599 Toylew Grade Farm LLC 12657

PLOT PLAN
STEVEN CONSALVI & LOREE POWELL
APN: 107-106-006
SECTION 7, T3S, R1E, M.



SURVEYOR'S STATEMENT
 THIS PLOT PLAN IS BASED ON A FIELD SURVEY MADE ON SEPTEMBER 7, 2018 AND THE LOCATION OF PROPERTY LINES IS BASED ON THE SURVEY BY A. M. AIRD, RECORDED AS BOOK 35 OF PARCEL APTS. PAGES 104 - 111, HCR. AT THE REQUEST OF STEVEN CONSALVI

Wallace E. Wright, LS 4851

LOCATION MAP
SCALE: 1" = 600 FT

NW 1/4 SECTION 7

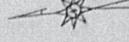
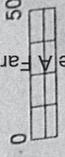
PLOT PLAN
APN: 107-106-006
STEVEN CONSALVI & LOREE POWELL

APN: 107-106-005
GARY & LADONNA HAGA

APN: 107-311-002
ALEXANDER MOORE

APN: 107-311-001
ALEXANDER MOORE

S 12 S 7
S 13 S 18



HUMBOLDT COUNTY DEPARTMENT OF PUBLIC WORKS
ROAD EVALUATION REPORT

PART A: Part A may be completed by the applicant

Applicant Name: Steve Conselvi APN: 107-106-006

Planning & Building Department Case/File No.: 12657

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

From Road (Cross street): Wilder Ridge

To Road (Cross street): Property

Length of road segment: 0.3 miles miles Date Inspected: 2/1/2018

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

Check one of the following:

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

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

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

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

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

[Signature]
Signature

2/2/2018
Date

Steve Conselvi
Name Printed

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

HUMBOLDT COUNTY DEPARTMENT OF PUBLIC WORKS
ROAD EVALUATION REPORT

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

Applicant Name: Steve Conselvi APN: 107 106 006

Planning & Building Department Case/File No.: 12657

Road Name: Smith-Etter (complete a separate form for each road)

From Road (Cross street): Prize Property

To Road (Cross street): Property

Length of road segment: 2 miles miles Date Inspected: 2/1/2018

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

Check one of the following:

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

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

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

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

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

Signature

Date

Steve Conselvi

Name Printed

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

Honeyden GRADE A 107 106 006



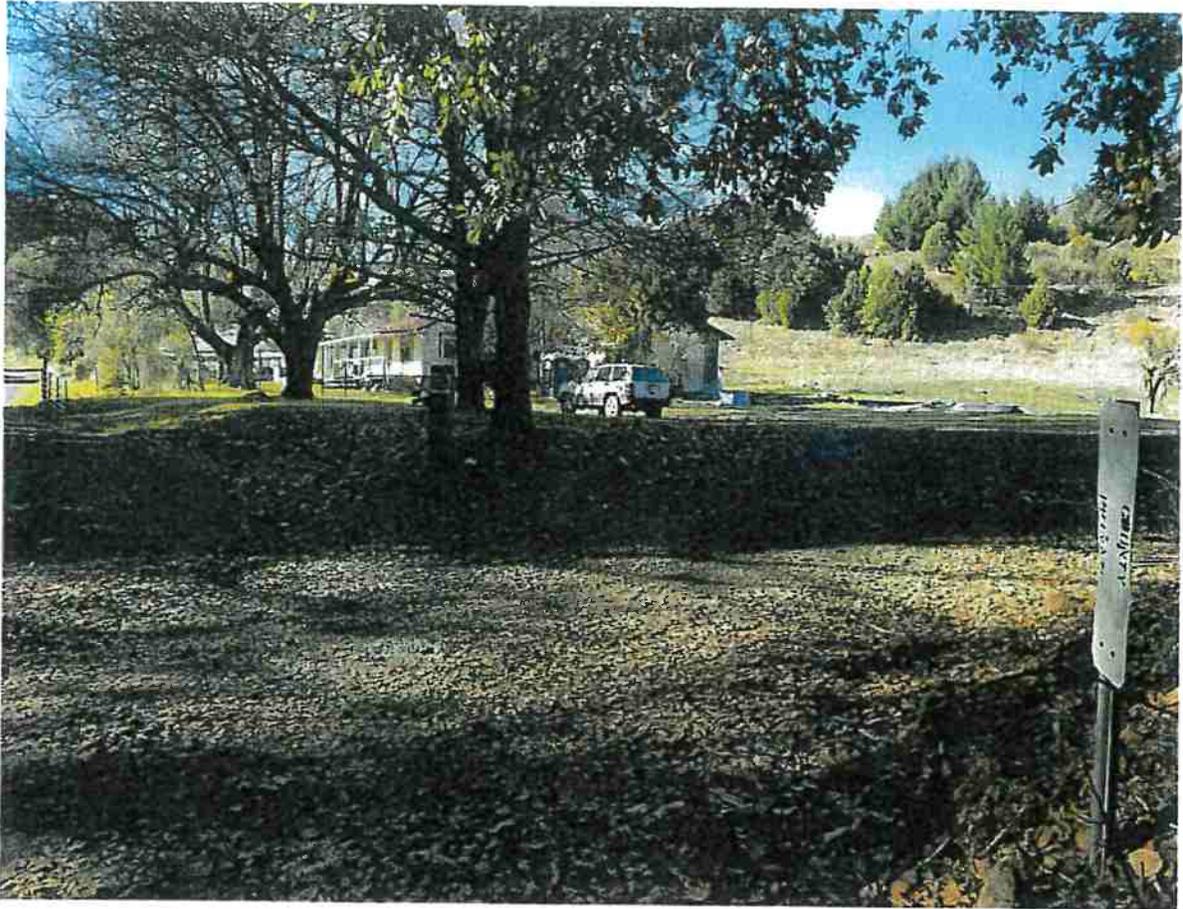
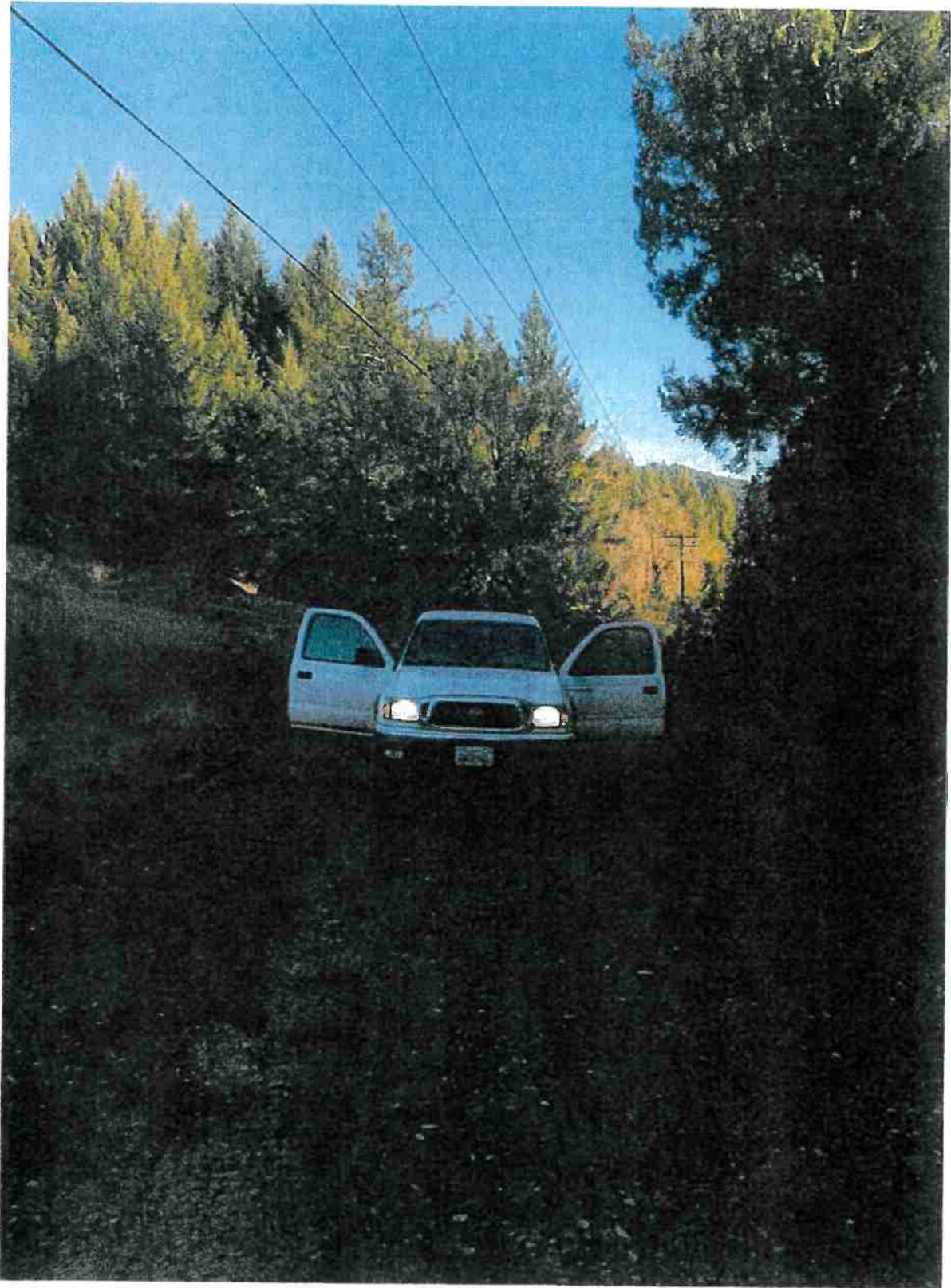
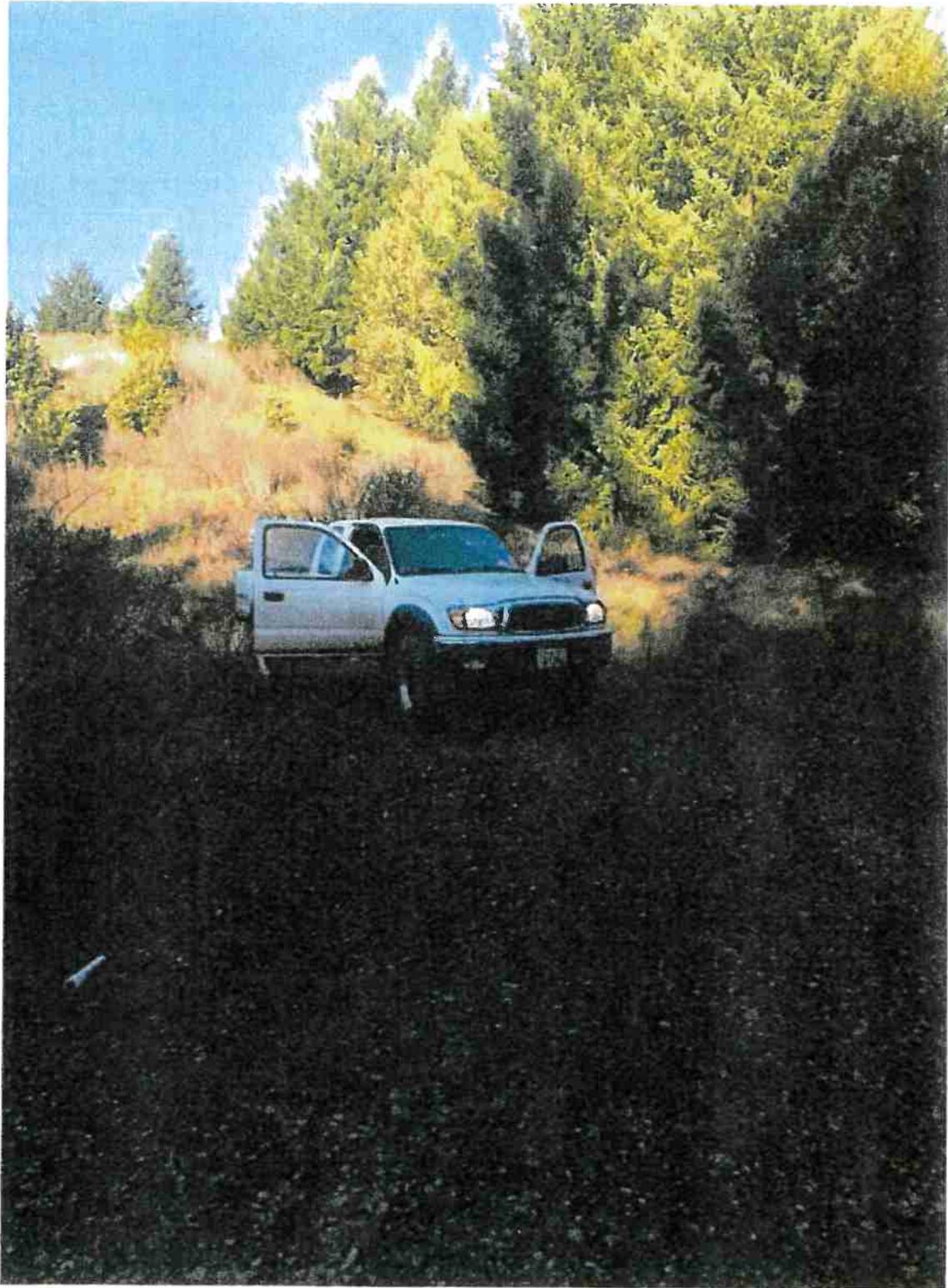


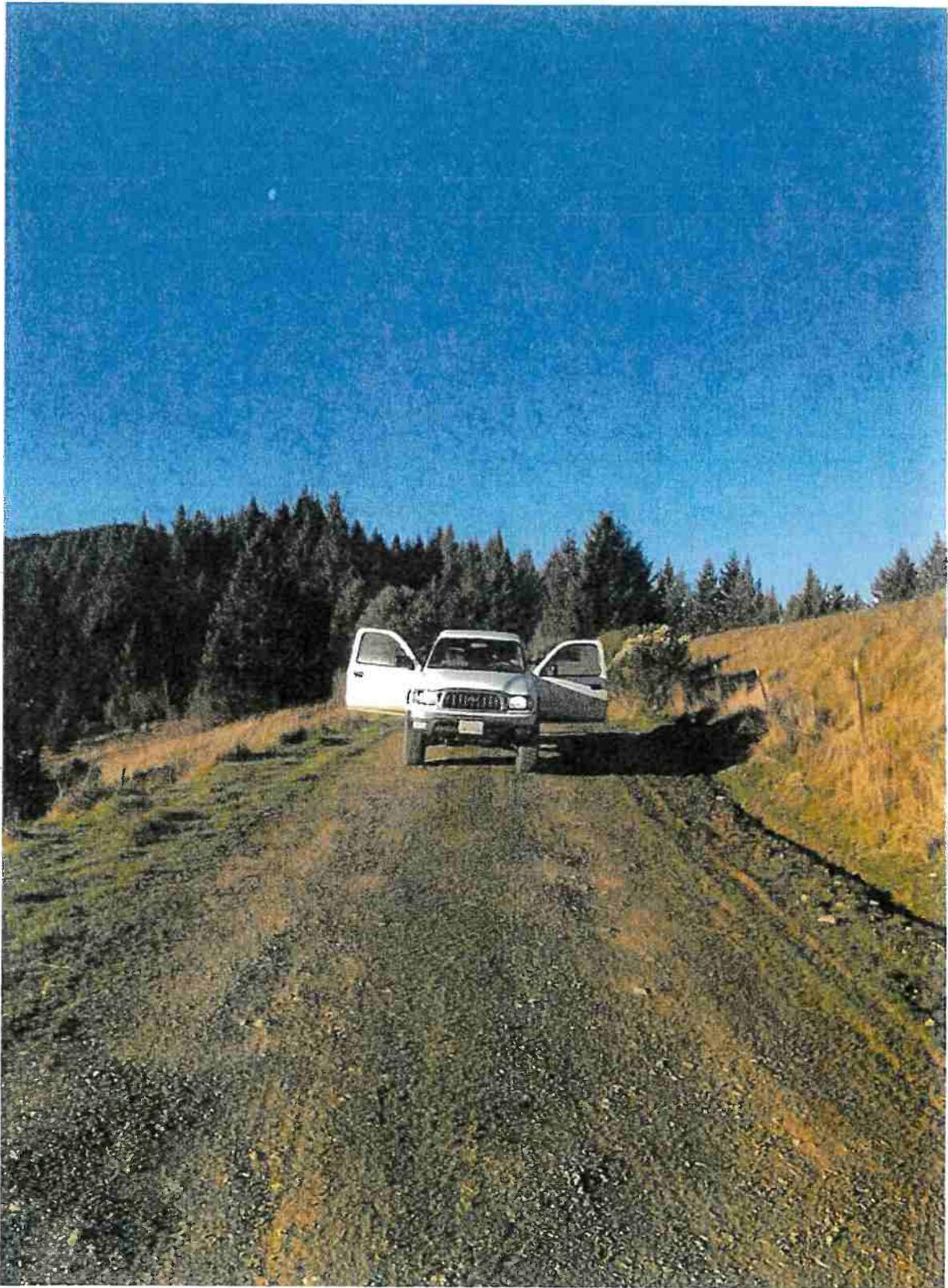
PHOTO: @ PROPERTY ENTRANCE.
VIEW TOWARDS PARKING AREA
POST ON RIGHT SHOWS
COUNTY / PRIVATE NEXUS



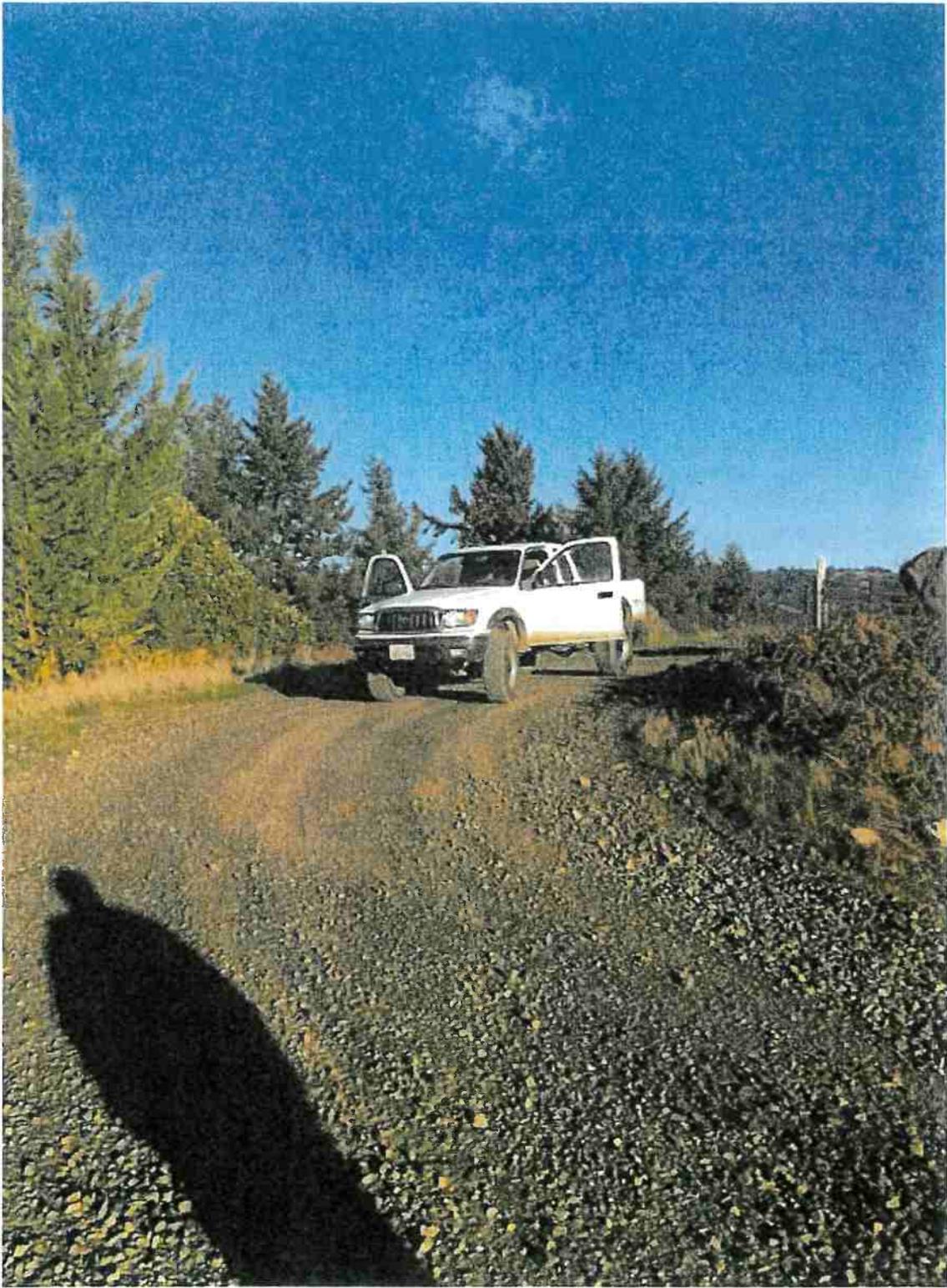
#2: MIDPT ON PRIVATE ACCESS ROAD



#3: where private access RD
meets BLM RD



#4: MIBPT ON BLM RD



#5: entrance to upper portion
of property @ BLM RD

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 |
|---|-----------------|-----------------------|-----------------|
| Division Environmental Health | ✓ | Conditional Approval | Attached |
| Public Works, Land Use Division | ✓ | Conditional Approval | Attached |
| Humboldt County Sheriff | ✓ | Approval | On file |
| Building Inspection Division | ✓ | Conditional Approval | Attached |
| CalFire | ✓ | Comments | Attached |
| Bureau of Land Management | ✓ | Comments | Attached |
| California Department of Fish & Wildlife | ✓ | No Comments | |
| Honeydew Volunteer Fire Company | | No Response | |
| Bear River Band THPO | | No Response | |
| Intertribal Sinkyone Wilderness Council | | No Response | |
| Humboldt County Counsel | | No Response | |
| Humboldt County Agricultural Commissioner | | No Response | |
| Humboldt County District Attorney | | No Response | |
| North Coast Regional Water Quality Control Board | | No Response | |
| North Coast Unified Air Quality Management District | | No Response | |

Environmental Health

1/25/2022



1/26/2022



JWHITTLESEY

Approved with Conditions

Processing activities must be supported by an approved onsite wastewater treatment system (OWTS). Seasonal/outdoor cultivation sites may be supported by portable toilets. Applicant must obtain a permit for, and install, an approved OWTS to support the processing location and either install approved OWTS or provide portable toilets to cultivation areas.

The OWTS Repair Permit (18/19-0356) included in "Environmental Health Permit 04.15.2021" document expired 3/5/20 and does not represent an OWTS with DEH construction approval.



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

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

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

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

| | | | |
|---------------------|----------|----------------------------|----------|
| 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 |

LAND USE 445-7205

LAND USE DIVISION INTEROFFICE MEMORANDUM

TO: Anna Colegrove-Powell, Planner, Planning & Building Department
FROM: Kenneth M. Freed, Assistant Engineer 
DATE: 05/06/2021

RE:

| | |
|----------------|-------------------|
| Applicant Name | NAVA RANCH INC |
| APN | 107-106-006 |
| APPS# | PLN-2021-17162 SP |

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 shall remove an automatic gate key punch installed, without the benefit of County review, within the County maintained road right of way known as Landergen Road.

// END //

Exhibit "A"

Public Works Recommended Conditions of Approval

(All checked boxes apply)

APPS # 17162

COUNTY ROADS- PROXIMITY OF FARMS:

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

COUNTY ROADS- FENCES & ENCROACHMENTS:

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

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

COUNTY ROADS- DRIVEWAY (PART 1):

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

Site plan did not label Landergeren Road, a paved County maintained road.

COUNTY ROADS- DRIVEWAY (PART 2): OFF LANDERGEREN ROAD

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

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

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

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

COUNTY ROADS- DRIVEWAY (PART 3):

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

COUNTY ROADS-PARKING LOT- STORM WATER RUNOFF:

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

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

COUNTY ROADS- DRIVEWAY & PRIVATE ROAD INTERSECTION VISIBILITY:

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

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

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

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

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

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

COUNTY ROADS- ROAD EVALUATION REPORT(S):

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

// END //

| STRUCTURE LIST | | |
|----------------|--|---------------|
| A | <P> (1) MIXED LIGHT GREENHOUSES 3,264 SQ. FT. E.A. | 34' x 96' |
| B | IMMATURE PLANT AREA 2,500 SQ. FT. | 20' x 125' |
| C | RESIDENCE EST. 2000 | 2,100 SQ. FT. |
| D | SHED EST. 2000 | 130 SQ. FT. |
| E | REFUSE & STORAGE SQ. FT. 370 EST. 2007 | 8' x 40' |
| F | AGRICULTURAL CHEMICAL STORAGE, PESTICIDE STORAGE 120 SQ. FT. | 8' x 40' |
| G | COMPOST AREA | 10' x 10' |
| H | GENERATOR | |
| I | <P> BARN 2,780 SQ. FT. <P> INDOOR CULTIVATION AREA 2,500 SQ. FT. | 50' x 54' |
| J | DOMESTIC GARDEN | 2,850 SQ. FT. |
| K | HISTORIC RECREATIONAL FOND EST. 1920 IRRIGATION WATER STORAGE LAT: 40.2237 LONG: -124.1123 | 300,000 GAL. |
| L | BUILDING EST. 2000, 900 SQ. FT. HARVEST STORAGE, PROCESSING & PACKAGING AREA 13' x 30' 390 SQ. FT. | 30' x 30' |
| M | SHOP EST. 1990, 950 SQ. FT. | 20' x 45' |
| N | RESIDENCE EST. 1980 | 1,790 SQ. FT. |
| O | DOMESTIC GARDEN | 1,600 SQ. FT. |
| P | <P> (3) MIXED LIGHT GREENHOUSES 3,978 SQ. FT. E.A. | 34' x 117' |
| Q | <P> (3) MIXED LIGHT GREENHOUSES 3,978 SQ. FT. E.A. | 34' x 117' |
| R | <P> (3) MIXED LIGHT GREENHOUSES 3,264 SQ. FT. E.A. | 34' x 96' |

PROPERTY LINES LEGEND:

— PROJECT PROPERTY LINE

- - - ADJOINING PROPERTY LINE

| REVISIONS | DATE | BY |
|-----------|------|----|
| | | |
| | | |
| | | |

SCALE: 1" = 250'

DATE: 4/15/21

DESIGNED: CRB

CHECKED: C. BARRETT

CHRISTIAN@CALCC.COM

PH: 707-880-4556

NOTE: PROPERTY LINES AND OTHER DATA IS APPROXIMATE AND BASED OFF OF AERIAL IMAGERY AND HUMBOLDT COUNTY GIS DATA.

NEW ROOTS DEVELOPMENT FARMINGTON, NM 87401

SITE PLAN - APN: 107-106-006-000

APPLICANT - NAVVA RANCH INC. - 844 WILDER RIDGE ROAD

OWNER: DAVID ARELLANO NAVVA

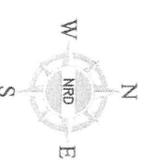
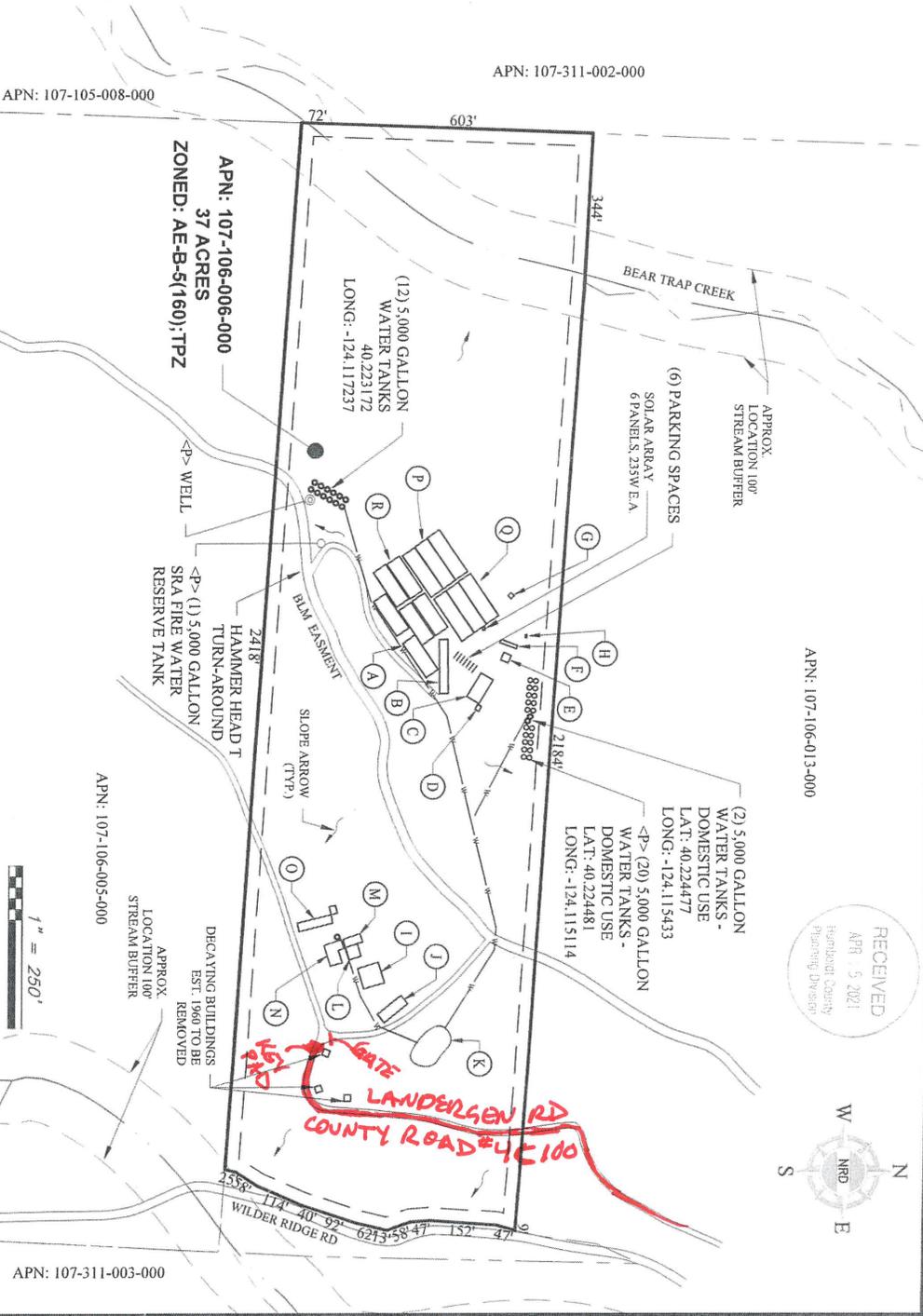
HONEYDEW, HUMBOLDT COUNTY, CA 95545

W.O. N/A

SHEET 2

OF 2 SHEETS

PLLOT DATE: 15-Apr-21



Russ



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



4/26/2021

Project Referred To The Following Agencies:

County Counsel, Sheriff, PW Land Use, Building Inspections, Bureau of Land Management, FPD: Honeydew VFD, Cal Fish & Wildlife, CalFire, Bear River Band, Intertribal Sinkyone Wilderness Council

Applicant Name Nava Ranch, Inc **Key Parcel Number** 107-106-006-000

Application (APPS#) PLN-2021-17162 **Assigned Planner** Anna Colegrove-Powell

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

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

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

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

Return Response No Later Than: 5/11/2021

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

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

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

Other Comments: Site map appears accurate at this time. Inspection done using GIS.

DATE: 4/20/21 PRINT NAME: Dean Beck



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

- The Department has no comment at this time.
- Suggested conditions attached.
- Applicant needs to submit additional information. List of Items attached.
- Recommend denial.
- Other comments.

Forester Comments: Date: Name:

AP# 17162
APN 107-106-006

CALFIRE can not support this project

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

Battalion Chief Comments: Date: Name:

Summary:

16946

Application Number

105-091-043

Key APN



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

- The Department has no comment at this time.
- Suggested conditions attached.
- Applicant needs to submit additional information. List of Items attached.
- Recommend denial.
- Other comments.

Forester Comments: Date: Name:

AP# 16946
APN 105-091-043

Battalion Chief Comments: Date: Name:

Summary:



United States Department of the Interior
BUREAU OF LAND MANAGEMENT

Arcata Field Office
1695 Heindon Road
Arcata, CA 95521-4573
www.blm.gov/california



September 12, 2018

Planning Commission Clerk
County of Humboldt County
Planning and Building Department
3015 H Street, Eureka, CA 95501

Dear Sir or Madam:

In response to Application (APPS#) 12657.

BLM has had issues with trespass on public lands. The applicant should have their parcel surveyed by a licensed professional land surveyor. The survey will define the applicant's property boundary and will prevent potential trespass issues on BLM in the future.

Any activity related to cannabis operations on public land such as the cultivation, production, transportation or distribution of supplies or product will violate the Controlled Substances Act and may be subject to federal criminal and/or civil action.

Sincerely,

Molly Brown
Field Manager



United States Department of the Interior
BUREAU OF LAND MANAGEMENT

Arcata Field Office
1695 Heindon Road
Arcata, CA 95521-4573
www.blm.gov/california



4/12/2022

Planning Commission Clerk
County of Humboldt County
Planning and Building Department
3015 H Street, Eureka, CA 95501

Dear Sir or Madam:

In response to Application APP(S) PLN-2021-17162, APN# 107-106-006-000

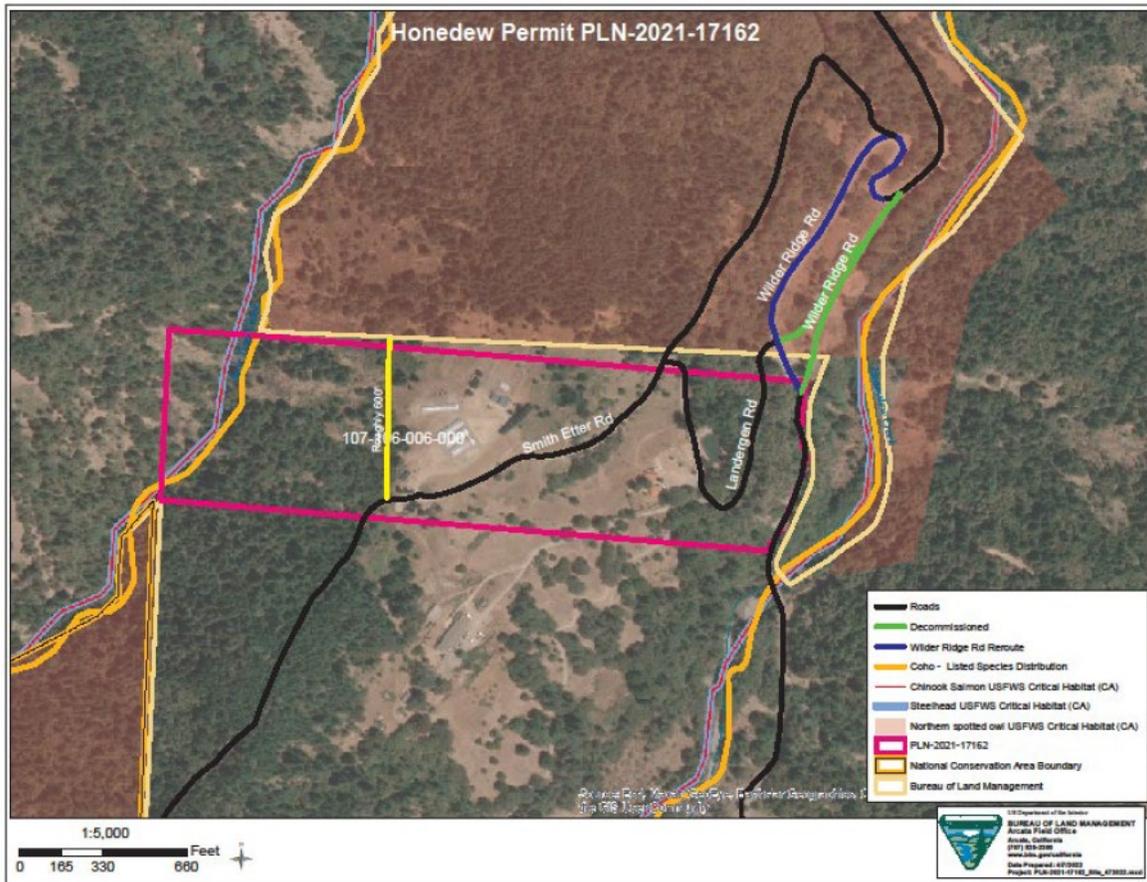
The BLM is submitting this letter with concerns about the proposed cannabis expansion PLN-2021-17162. The proposed cannabis cultivation site is contiguous with BLM lands near the King Range National Conservation Area (NCA) and Honeydew Creek Day Use Area. The applicants permit site is bisected by the Smith-Etter Road, which is a primary access point to several recreation trail heads for the north end of the NCA (see map below). County ordinance 2599 requires a six-hundred-foot setback from ‘Public Parks’. The definition in 55.4.6.4.4 further explains that this definition shall be applied to “developed recreational facilities such as picnic areas and campgrounds, trails, river and fishing access points, *and like facilities* under public ownership.” BLM considers the primary access to the north end NCA backcountry to be a public access point.

Site plans show access from Wilder Ridge Road via Landergen or Smith-Etter Roads that originate on BLM lands. The applicant does not have a ROW through BLM for access. Any application for commercial use access related to PLN #2021-17162 would not be authorized. Any activity or resource damage related to cannabis operations on public land such as the *cultivation, production, transportation or distribution of supplies or product* will violate the Controlled Substances Act and may be subject to federal criminal and/or civil action.

The applicant has a point of diversion water right, POD S027312_01 (a spring). This POD is registered for domestic use only. The applicant’s site plan includes thirty-four (34) 5,000-gallon tanks and a 300,000-gallon pond totaling 470,000 gallons of water storage. This volume of water storage is inconsistent with ‘domestic use’, and the actual ability of this small parcel to capture or otherwise supply the quantity of water required to support this operation is questionable. Waterlines reaching from Bear Trap Creek to the site have been reported as recently as July 2021 and were the subject of BLM law enforcement investigations in the past. Internal staff observations have noted that Bear Trap Creek now regularly dries up prior to reaching Honeydew Creek. Clearly a meter should be installed at POD S027312_01 with resulting data reported back to the State on a regular basis.

Bear Trap Creek in the western portion of the application site is habitat for the listed Coho and Chinook salmon and steelhead species. The neighboring Honeydew Creek to the east side of the parcel is eligible for inclusion into the national Wild and Scenic Rivers System due to the quality of its spawning and rearing habitat for Coho and Chinook salmon, and steelhead. For these reasons, BLM lands are managed to conserve and protect these species and their habitats. The Mattole River and its tributaries are listed as sediment-impaired under the Clean Water Act. The proximity of the proposed project area has the potential to deliver nutrients and other pollutants to both Bear Trap and Honeydew Creeks.

Adjacent BLM lands are designated as Critical Habitat for northern spotted owl (NSO) by the U.S. Fish and Wildlife Service (USFWS). There is a potential for light, generator noise, runoff, and rodenticide use from the applicant's operation to impact BLM land and sensitive wildlife species such as the NSO. The NSO continues to suffer population loss across its range due, in part, to habitat loss and human encroachment. The BLM is concerned about the proximity of this proposed cannabis operation to NSO critical habitat and a historic NSO activity center.



Sincerely,

Dan Wooden
Field Manager, Detailed

ATTACHMENT 5
Public Comments

April 21, 2022

Updated Letter from Concerned Neighbors regarding Nava Ranch, Inc. Special Permit Application (PLN-2021-17162) for Commercial Cannabis Expansion on APN 107-106-006

Dear Planning Commissioners,

We, Gary Haga and LaDonna Landergen-Haga of The Honeydew Creek Original Family Farms, are Honeydew residents adjacent to the proposed Nava Ranch project. We objected to the approval of this project at the March 17th, 2022, Planning Commission hearing based on the applicant's non-compliance with the original 1.0 permit (e.g., bright lights emitted into the Honeydew Valley at night, loud generators, etc.) and based on inconsistencies and incorrect information in the project materials (e.g., the proposal for a new acre of mixed-light with no legitimate power source, lack of power demand calculations, extremely low water use numbers, the proposal for 1 employee to run the entire acre of cultivation, lack of a noise study, adjacency to the King Range and potential to impact tourists/recreationists, etc.).

We have reviewed the updated Staff Report for the April 21st, 2022, hearing, and are appreciative that some of our original questions and concerns have been addressed. For instance, we are glad that the trash has been cleaned up and that the light pollution prevention mechanisms are now in place (that was not previously the case, as we could see lights every single night coming from their greenhouses – see photos). We appreciate that the County made a site visit to assess our concerns, however the county staff gave the applicant 11 days' notice prior to an inspection. We observed many trucks coming and going from the parcel during that 11-day period and suspect that generators and non-compliant items were removed.

Additionally, we still have outstanding concerns that were not addressed. We still hear the applicant's 25kW generator running from our back porch, despite claims in the Staff Report that it is not in use. There is still no information regarding the energy demand for this project, and there is still no legitimate energy source for this project (the 100-amp residential service is insufficient). We do not understand how such a large, mixed-light operation can be approved so close to the King Range Wilderness, especially since the Bureau of Land Management (BLM) has significant concerns about the proposed project that were not addressed, and because some project elements are closer to the Public Lands than what was originally approved. We agree with the BLM that there should be an additional setback waiver request – currently not part of the application package, to our knowledge – prior to a public hearing on this project.

Specifically, we continue to oppose this project for the following reasons:

1. Still No Information Regarding Energy Demand

- In our previous letter, we requested calculations or energy demand estimates for the proposed project. Unfortunately, those were not provided by the applicant and are not discussed in the Staff Report. No details on light wattage, number of lights, number of fans, fan energy demand, etc., were provided to be able to make informed calculations regarding energy.
- The Staff Report claims that because lights will not exceed 6 watts per square foot that the 100-amp residential service is “likely sufficient for the minimal wattage needs of this project” (Staff Report, pg. 10). This is vague and completely unrealistic:
 - o For just the acre of mixed light alone, as a rough and conservative estimate, 6 watts per square foot equates to approximately 1000 amps of demand ($6 \text{ W/SF} \times 43,560 \text{ SF} = 261,360 \text{ SF} \cdot 261,360 \text{ W} / 240 \text{ V} = 1,089 \text{ amps}$). This estimate does not include fans or additional line losses based on the distance between fixtures.
 - This does not even begin to include energy demand from the 2,500 sq. ft. of indoor cultivation, the processing/drying activities, and ongoing residential activities.
 - The six (6) 235-watt solar panels (1,410 watts total) help minimally, but do not come close to be able to power the entire operation.
 - o Even if cultivation is staggered and only half of the cultivation is using lights at one time, as described in the staff report, over 500 amps would be required, again for just the mixed-light expansion alone (and that's still not even including indoor cultivation, residential, or processing/drying needs).

- **There is no information regarding energy demand, and 100-amp service is wholly insufficient to power the entire residence, 2,500 sq. ft. of indoor cultivation, an acre of mixed-light cultivation (even at 6 watts per sq. ft.), and processing/drying activities.**

2. Still Lack of Sufficient Power and a Legitimate Source to Serve Proposed Operation

- The Staff Report does include a Condition of Approval that states, “Prior to expanding the proposed cultivation area, the applicant shall acquire PG&E electrical service for the northern cultivation area and eliminate dependence on the generator” (Condition #5, pg. 23).
- However, as everyone is aware, a PG&E upgrade in the Honeydew Valley area is at least 4-5 years out, if it’s even possible at all.
- That would mean that this project could not build-out for years (and, as described above, the 100-amp service would not be enough to support expansion). As the applicants already run their generator out of compliance, we are very concerned that the generator will continue to be used (or even increased) to support the power demand for this project.
- The applicants already power their generator day and night, out of compliance with the original approval. We hear it from our house all day, every day. We fear that without a legitimate power source, their generator use will continue or increase with expansion of the proposed project.
- **While well-intended, the condition to obtain PG&E prior to expansion is unrealistic and compliance seems nearly impossible, leaving us with remaining generator concerns and leaving the project without a legitimate power source, even with the limitation of 6 watts per square foot.**

3. Noise

- We understand that the County conducted a site visit after the March 17th, 2022, Planning Commission meeting. Noise levels were measured from the small, 2200-watt Honda generator and levels were found to be in compliance. However, this does not address our concern because it is the 25kW WhisperWatt generator, which we hear from our back porch 24/7, that is our concern. The Staff Report claims the applicant does not use this generator. This is false, as we can hear it daily. If they are not using the 25kW generator, which generator do we hear?
- From Correspondence uploaded to Accela, it seems that Planning Staff saw this 25kW generator on the way out, which confirms that it is indeed located onsite, but did not take noise level readings from this generator.
- We understand that the 25kW generator is not being approved as a power source as a part of this project. However, the fact that it already runs 24/7 - out of compliance with their existing permit - does not give us peace of mind that this generator won’t continue to be utilized as a result of potential approval of this project.
- There is an Ongoing Requirement/Development Restriction to prepare a 24-hour Noise Study (B1, pg. 25 of the Staff Report). However, this is something that all 2.0 applicants need to submit *as a part of their application to the County*. Why is this project being approved without a Noise Study to demonstrate compliance?
- **It does not feel as if our concerns regarding noise have been addressed at all, as a Noise Study has still not been completed by the applicant and the County took noise measurements from the wrong generator.**

4. Potential Impacts to Sensitive Species (especially Northern Spotted Owls and Marbled Murrelets)

- **The proposed project is in mapped Marbled Murrelet habitat and adjacent to mapped Northern Spotted Owl Critical Habitat, with a positive Northern Spotted Owl observation located within 0.6 miles of the proposed project.**
- We appreciate that the Biological Reconnaissance Survey Report (BRSR) was made available for review (it was not available prior to the last Planning Commission meeting). The Staff Report and the BRSR state that all potential impacts to Northern Spotted Owls and other sensitive species would be mitigated based on the projects lack of noise or light pollution.
- However, this finding is based on the assumption that the project will not emit light or produce excessive noise. Unfortunately, we know this to not be the case, as we have seen light coming from the greenhouses and can hear the generators from our house.

5. Inconsistencies in the Staff Report Regarding Public Lands Setback

- The Executive Summary of the project states that the findings for the original setback reduction from Public Lands hold true for this proposed project.

- The Staff Report contradicts this however, stating that "... given that [this project] is an expansion staff believes this requires an additional setback reduction to be approved for the expanded cultivation. If this setback reduction is not approved the application for expansion would not be able to be approved and should be denied" (Staff Report, pg. 4).
 - We do not see an application or Special Permit for an additional setback reduction, however the BLM requested it and the Staff Report itself says that one is needed. **How can the Staff Report itself state that a setback reduction is needed, but a Special Permit for a setback reduction is not included in the overall permit approval?**
6. Bureau of Land Management Concerns and Lack of Sufficient Public Lands Setback
- Similar to the above comment, the BLM provided comments in an April 12th, 2022, letter that expressed significant concerns about the proposed project. While the Staff Report addresses some concerns, it does not address the BLM's concerns over the **project being located within 600' of a public trailhead** (something the original setback waiver for the approved project [PLN-12657-SP] did not discuss or address).
 - The BLM brings up this trailhead (primary access to the north end of the National Conservation Area Backcountry) as potentially being out of compliance with CCLUO §55.4.6.4.4. An adequate response to this comment should be made prior to the public hearing, and a new setback waiver should be sought from the BLM.
7. Lack of Sufficient Setback Waiver from Public Lands
- The Staff Report states that "Given that the setback reduction was already approved for the previously approved project ... and further that the proposed project will be further away from publicly owned lands than what was previously approved, staff supports approval of this application" (Staff Report, pg. 8-9).
 - This is not the case. The original setback reduction was to reduce the 600-foot setback to approximately 100 feet from public lands (PLN-12657-SP) and the proposed rainwater catchment pond associated with this project to be located 30 feet from the public lands.
 - **How is an additional setback reduction waiver not required, when parts of the proposed project are actually closer to Public Lands and the BLM has specifically requested it?**
8. Remaining Concerns Regarding King Range Wilderness Proximity and Tourism
- Smith-Etter Road is used to access numerous campsites and trails in the King Range Wilderness, including the Kinsey and Spanish Ridge Trailheads, Miller Camp, and Bear Hollow Camp, among others. The existing greenhouses are clearly visible from Smith-Etter Road, as the road runs directly next to the project site. The expanded greenhouses would be even more visible.
 - Hunters, tourists, recreationists, naturalists, hikers, and campers who visit the King Range Wilderness will be driving by this site. In fact, we have seen them already this year, parking at the gate to access the Kings Range National Conservation Area. They should not have to drive next to a mixed-light cultivation operation in the middle of the pristine Honeydew Valley, especially when the Bureau of Land Management still has unaddressed concerns regarding the project.
9. Minimal Calculations to Support Harvest Volumes During Drought Year
- Total annual water usage has been adjusted from 315,000 gallons, or 6.83 gallons/sq. ft./year, to 550,000 gallons, at 11.9 gallons/sq. ft./year. This seems more reasonable, and while we understand that during an average year there would be enough collected rainwater to support the project, we still feel that there is not enough information in the Operations Plan or the Staff Report to support the proposed expansion during a drought year.
 - In our original letter, we requested additional information regarding the proposed rainwater catchment collection potential during a drought year. Per correspondence dated March 30th, 2022, the catchment area of the proposed 750,000-gallon capacity pond is approximately 15,937 sq. ft. In the 2013 calendar year, there were only 27 inches of rain in this area. Similarly, during the 2020 calendar year, there were only 54 inches of rain. With 54 inches of rain, the pond with an area of 15,937 sq. ft. would have the potential to collect approximately 536,152 gallons of water, not accounting for evaporation. With 27 inches of rain, the pond would only collect 268,076 gallons of water, again, not accounting for evaporation.
 - With increasing drought years, it is important for projects to be drought-resilient and ensure a plan for low-precipitation years. We believe the applicants still need to provide additional information to demonstrate how they could successfully operate and account for evaporation, during a drought year.

10. Lack of Site Management Plan

- All cannabis cultivators are required to be enrolled in the State Water Resources Control Board (SWRCB) General Order (Order WQ 2019-0001-DWQ). A Site Management Plan is required to be submitted to the SWRCB within 90 days of enrollment. According to the Staff Report, the project does not have a current Site Management Plan.
- They enrolled in the General Order on 7/25/2018 (per the California Integrated Water Quality System Project for WDID 1_12CC403232), so they should have submitted a Site Management Plan to demonstrate onsite erosion control measures within 90 days of enrollment. **They are nearly 4 years late.** This is something that should be addressed *before* the operators are allowed to expand, not as an afterthought.
- Additionally, if the project is already enrolled in the SWRCB General Order, why is it a Condition of Approval for the applicant to enroll in the general order and submit a Notice of Applicability? (Condition #10)?

11. Roads

- The applicant submitted a self-certification for access from a gravel road.
- The access to the project driveway is not paved and does not have a centerline stripe.
- The storm water from the applicants site runs down Landergen road and discharges right on top of a large landslide above Honeydew Creek and eventually into the creek.
- A road evaluation report should be prepared by an Engineer and should address and minimize stormwater and sediment discharge into the Creek.
- See attached image that shows the gravel county road and the tracks documenting the heavy traffic that occurred between the last hearing and the staff inspection.

12. Remaining Neighborhood Compatibility Concerns

- As we stated before, we have lived in the Honeydew Valley for decades. We love our home here and love the community. This applicant is not involved in any of our neighborhood activities, including the Mattole Valley community Neighborhood Emergency Services Teams (NEST) coalition to be able to effectively respond to emergencies as a community. Unfortunately, the applicant has not attempted to join or assist with this effort. As you can see in the attachment, though they live with us on Landgren Road, they are not involved in protecting community safety.

Unfortunately, despite additional information, we still oppose this project and feel that not all questions have been answered. The Staff Report appears to have some significant gaps that we do not know how to reconcile (e.g., lack of a legitimate power source for this mixed-light project). Additionally, we still hear the generator and see the lights from this project, despite claims that this is not the case. We live it and we see it.

We support cannabis farmers, as we are farmers ourselves, but we also want to protect our home and way of life here in the beautiful Honeydew Valley. We still do not believe that this project would be compatible with the neighborhood, the BLM managed accesses road leading into the pristine Kings Range Wilderness, our local wildlife, or our Honeydew community as a whole. Please vote to deny this project.

Respectfully,

Gary Haga and LaDonna Landergren-Haga
The Honeydew Creek Original Family Farms Photos



County Gravel Road used to access the property. Paved road is the driveway.



Lit up greenhouses at night – from our house (Photo from March 2022)

From: "Johnson, Cliff" <CJohnson@co.humboldt.ca.us>

Date: Tuesday, March 29, 2022 at 9:40 AM

To: Nate Madsen <NateMadsen@RainZeppLaw.com>, "Grochau, Augustus" <agrochau@co.humboldt.ca.us>

Subject: RE: Nava Ranch, LLC 107-106-006 APPS:17162 Site Visit

Thanks Nate,

This summarizes the outcome of our meeting. One last thing we need to follow up on as we noticed this generator on the way out. Can you have the applicants clarify what this generator (below) has been used for and/or what it is doing on the property? Especially given the noise complaints we need to make sure that this is addressed. This was seen in the shed just inside the front gate.



Proof of larger generator (likely the 25kW generator) onsite. Planning Staff did not conduct noise readings from this generator, and the Staff Report claims it is not in use. If this generator is not in use, then what generator do we hear from our back porch every night?

2022 NEST Neighborhood Emergency Service Teams

This list of adults living full- or part-time in the Mattole Valley is for emergencies or major catastrophes. Phone numbers are for quick notification. Names/structures are to identify and help people who are injured or trapped. Neighbors check on neighbors. Neighborhood coordinators notify or account for adults in their NESTs. Parents account for children.

BEFORE AN EMERGENCY

- ◆ Pre-arrange a rendezvous with family members
- ◆ Have ready: first aid kit, food & water, flashlight, clothes & shoes, battery-operated radio

WHEN AN EMERGENCY OCCURS

- ◆ Turn off gas, and electricity, water if appropriate
- ◆ Locate family members
- ◆ Assess injury and damage
- ◆ Check with neighbors
- ◆ Community Liaison, Petrolia - Travis Howe, 629-3478
- ◆ Community Liaison, Honeydew - Claire Trower, 986-7688

**FIRES: call 911 first. Tell dispatcher which local fire company is closest.
Give good directions. Local fire companies will immediately be notified.**

Petrolia Volunteer Fire Department: call 911 first

Petrolia Fire Department (EMERGENCY): 629-3535
Petrolia Fire Department (non-emergency): 629-3558 Travis Howe, chief (629-3478)

Honeydew Volunteer Fire Company: call 911 first

Peter Marshall (499-2061) Claire Trower (land 986-7688, cell 499-4074)

Lower Mattole Valley NEST Coordinators:

Kathy Radke (629-3265) Gaby Cohen (629-3656) Amanda Malachesky (629-3614)
Sarah Balster Honeydew (834-4205)

Food and Shelter:

Mattole Valley Community Center (629-3565) Mattole Grange (629-3421)
Mattole Elementary School (629-3311, 629-3250), Honeydew School (629-3230) for children

MEDICAL: emergencies call 911

Josh Ennis MD (344-7500), Ellen Taylor PA (629-3500), Dick Scheinman MD (629-3365)
Marika Ennis MD (430-3651)

Other Numbers:

| | |
|---|--|
| PG&E updates (1-800-743-5002) | HumCo Sheriff's Office (445-7251) |
| Roads (445-7421 or 1-800-427-7623) | HumCo Sheriff Search & Rescue (911) |
| Weather - NOAA (443-7062) | Mattole Valley Resource Center |
| CalFire Mattole Station (629-3344) seasonal | including emergency food (629-3348) |
| CalFire Weott Station (946-2215) all year | Mental Health - Monica Hubbard, MFT#111094 |
| Burn Day (443-7665) (1-800-287-6329) | (206-409-5393 non-emergency appts) |
| Humboldt earthquake hot-line (826-6020) | HumCo Mental Health (1-888-849-5728) |
| Office of Emergency Services (268-2500) | Rape Crisis Line (445-2881) |
| Red Cross (443-4521) | Suicide life-line (1-800-273-8255) |
| Poison Control (1-800-222-1222) | Frontier local questions - Bill (786-0011) |

Honeydew Post Office (629-3501)
Honeydew Store (629-3310)

Petrolia Post Office (629-3345)
Petrolia Store (629-3455)

| | | | |
|----------------------------|----------|-------------------------|----------|
| Catalina, Maureen 499-4855 | 629-3699 | Lyons, Linda & Ron | 986-7258 |
| Correll, Lee & Robin | 986-7645 | Morrison, Lisa | 599-2107 |
| Lee, Sissy | 273-2549 | Timber Guildler | 498-1918 |
| @*Teresa Davey | 599-9727 | *Claire Trower 499-4074 | 986-7688 |

Landerger Road E186 (coordinators needed)

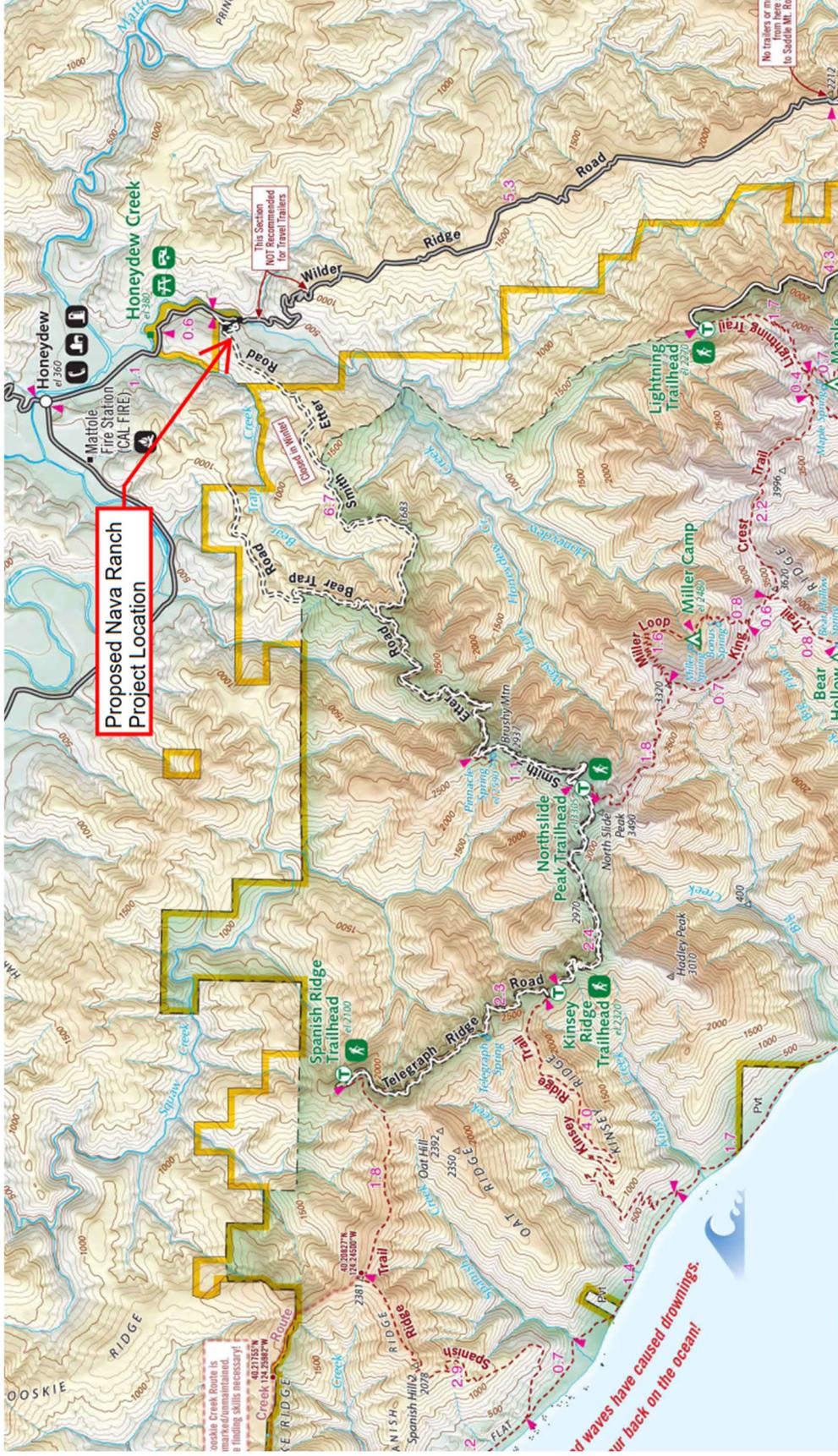
| | | |
|----------------------|----------|--|
| Haga, Gary & LaDonna | 629-3341 | |
|----------------------|----------|--|

Meaux Road E175 (coordinators needed)

| | | |
|--|-------------------|----------|
| Hird, Ira 599-8497 & Mariah Gregori 599-8498 | @*Marshall, Peter | 499-2061 |
|--|-------------------|----------|

Cathryn's Road E175 (coordinators needed)

Photo of Neighborhood Emergency Services Teams (NEST); Note the applicants on Landerger Road are absent



Screenshot of BLM Map. Note that all access to Spanish Ridge, Kinsey Ridge, Northside Peak, among others, are accessed through Smith-Etter Road, which runs directly through the existing and proposed project site.

March 15, 2022

Letter from Concerned Neighbors regarding Nava Ranch, Inc. Special Permit Application (PLN-2021-17162) for Commercial Cannabis Expansion on APN 107-106-006

Dear Planning Commissioners,

We, Gary Haga and LaDonna Landergen-Haga of The Honeydew Creek Original Family Farms, are Honeydew residents adjacent to the proposed Nava Ranch project. We have lived here for decades, and our family has been on this property for more than one hundred years. We support cannabis farms and are cultivators ourselves who have gone through the difficult permitting process; however, we oppose this project because the applicant is an irresponsible operator with a project that is already out of compliance and should not be allowed to expand their operation nearly 5-fold.

The operation is not in compliance with the approved Special Permit. They currently cause noise and light pollution nightly, running a loud generator and never covering their greenhouses. We see lights every night from our living room and hear their generator from our back porch. If the existing project emits noise & light that impacts neighbors & wildlife – why should they be allowed to expand nearly 500%?

Additionally, information is inaccurate or missing from the application materials. There is absolutely zero evidence to support a legitimate source of power for this massive, mixed-light project, and it is impossible that one (1) full-time employee could operate a project of this size. Water use volumes are suspiciously low. No noise study was conducted to prevent noise impacts. Additionally, no Biological or Botanical reports were made available for the public to review prior to the hearing.

Hikers, hunters, and tourists recreating in the King Range Wilderness drive directly through the proposed project site on Smith-Etter Road to access trails and campsites. The existing greenhouses are visible from the road. Do you, Planning Commission, want visitors to encounter an environmentally irresponsible operation when they are coming to enjoy the natural beauty of the Mattole Valley?

Lastly, we received notice that the project would be heard on Thursday, March 24th, at 10 a.m., not Thursday, March 17th, at 6 p.m. It is possible that other concerned neighbors received the wrong notice and are unaware of this hearing due to this clerical error. For that reason alone, the project should be automatically continued.

Specifically, we oppose this project for the following reasons:

1. No Evidence of Sufficient Power to Support Expansion

- The proposed Nava Ranch, Inc. application would expand the approved 2,500 sq. ft. of indoor cultivation and the 9,100 sq. ft. of mixed-light cultivation to 2,500 sq. ft. of indoor and 43,560 sq. ft. of mixed-light cultivation, representing a nearly 5-fold increase of the existing project cultivation footprint. The proposed project also includes a new processing building.
- **There is no evidence in the Operations Plan or the Staff Report to demonstrate sufficient PG&E power to operate the project.**
 - o What is the existing PG&E service? There are no details in the project materials. If it is a 100-amp residential service, it would be wholly insufficient to serve the proposed

project. From the 1.0 application, there was only enough PG&E to serve the 2,500 sq. ft. of indoor.

- Are we supposed to believe the applicant is getting a PG&E upgrade? As we know, a PG&E upgrade in the Honeydew Valley is not a viable option, at least not for several years.
 - Are we then supposed to believe that the entire acre will run off of solar? If so, six (6) solar panels are completely insufficient to operate the acre of mixed-light cultivation, and no other areas for additional proposed solar are identified on the map.
 - There is no estimate of energy demand calculations in the application materials that would suggest the existing service could power the project.
- The applicants already power their generator day and night, out of compliance with the original approval. We hear it from our house all day, every day. We fear that without a legitimate power source, their generator use will continue or increase with expansion of the proposed project.

2. Light Pollution & Non-compliance with Approved Permit

- As an adjacent neighbor to the proposed project site, we see the lights gleaming from their mixed-light operation nightly. I can see it from my living room window; it lights up the entire valley almost every night.
- The approved project Staff Report for the Special Permit states that “the applicant would deploy light-proof covers/traps on the mixed-light hoop houses during the use of supplemental lighting to prevent spillover” (pg. 4). This has not been occurring. With their nightly light pollution, they impact nearby biological resources (e.g., Northern Spotted Owls) and disturb the peaceful atmosphere neighbors have come to enjoy.
- **Why should we allow an existing irresponsible applicant to dramatically expand their mixed-light cultivation activities when they already cannot cover or tarp their existing operation?** The proposal is not compatible with the neighborhood.

3. Noise Pollution & Lack of Evidence the Proposed Project would meet CCLUO Performance Standards

- How is this project being approved without a Noise Study? All projects have to submit a noise study at the time of application. Why is this applicant allowed to submit a noise study as a condition?
- We live less than 600 feet from the existing operation, and it is already extremely noisy. **They run their generator nearly 24/7, which is out of compliance with their existing permit.** We can hear the generator from our back porch. We used to have peaceful nights; now all we hear is this applicant’s generator. We are very worried that, despite the conditions and requirements, allowing this already-noisy operator to expand - without evidence or data that they will meet noise performance standards - is irresponsible.

4. Employee Count

- The project only proposes one (1) full-time and up to three (3) seasonal employees for an acre of mixed-light cultivation and a 2,500-sq. ft. indoor operation, with onsite trimming & 3 cycles per year? This is completely false and ridiculous; anyone knows it takes more than four people to operate a farm of this magnitude.
- We know they already use more employees than that. From our home, we witness at least a dozen people currently operating the existing farm on some days. **How would you increase the operation by 500% and reduce employees?**

5. Low Water Use & No Calculations to Support Harvest Volumes

- Total annual water usage is proposed to be 315,000 gallons, or **6.83 gallons/sq. ft./year**. This is an extremely low water use, and honestly seems impossible, especially for the Honeydew Valley Area and for a project with up to 5 cycles per year. **The applicant should provide additional information to demonstrate how they are going to be so water efficient.**
- The approved Special Permit had a projected water use of 135,000 gallons, or 11.6 gallons/sq. ft., which is typically more along the lines of cannabis farms in the area. How are the applicants proposing to increase the footprint while reducing water usage?
- What is the point of the additional 750,000-gallon pond if water use is only 315,000 gallons? Those numbers don't add up.
- Operations Plans typically include calculations to demonstrate the proposed rainwater catchment surfaces will capture sufficient water for the proposed project. With increasingly dry winters, how is it demonstrated that this project would function in a drought year? Calculations surrounding rain catchment should have been included in the Operations Plan.

6. No Biological or Botanical Studies for Public Review

- We were unable to locate the referenced Biological or Botanical studies in the Staff Report or on Accela. How can concerned neighbors, resource agencies, & the public properly analyze this project and make informed comments without having access to the Biological and Botanical Studies? This should have been made available prior to the hearing. **The project should not be approved without the ability for the public to review missing application materials.**
- The existing project already emits light and noise at night that likely impacts wildlife. How is it demonstrated – and how will it be enforced – that this operator will not impact wildlife with a greatly expanded project?
- This is a noisy, light-emitting project on the border of the Kings Range Wilderness, a haven for wildlife. As neighbors who have lived in the valley for years, we worry that the proposed project would greatly harm our beloved wildlife. An acre of mixed-light cultivation does not belong in the Kings Range Wilderness.

7. Neighborhood Incompatibility & Safety Concerns

- We have lived in the Honeydew Valley for decades. It is our home, and we treat it as such. This applicant does not care about the community; they have never once come to say hi.
- The entire Mattole Valley community is involved in neighborhood safety and have formed a Neighborhood Emergency Services Teams (NEST) to be able to respond to emergencies as a community. Unfortunately, the Nava Ranch applicants have not attempted to join or assist with this group. As you can see in the attachment, though they live on Landergren Road, they are not involved in community safety.
- Additionally, there was a small vegetation fire on the property last year that I, Gary, helped to fight. The operators were not onsite. We successfully extinguished the fire, and the applicants never once came and said thank you.
- **The applicants and this noisy, light-emitting project are incompatible with our neighborhood and our community's safety goals.**

8. General Site Cleanliness

- The operators leave tarps, netting, and other plastic along the road for their neighbors to pick up. Since the property changed owners to Nava Ranch, I have been picking up garbage from their operation constantly. **The operators do not keep a clean site and should not be allowed to produce even more unnecessary waste.**

9. King Range Wilderness Tourism

- Smith-Etter Road is used to access numerous campsites and trails in the King Range Wilderness, including the Kinsey and Spanish Ridge Trailheads, Miller Camp, and Bear Hollow Camp, among others. The existing greenhouses are clearly visible from Smith-Etter Road, as the road runs directly next to the project site. The expanded greenhouses would be even more visible.
- Hunters, tourists, recreationists, naturalists, hikers, and campers who visit the King Range Wilderness will be driving by this site. They should not have to drive next to a polluting, environmentally damaging site in the middle of this pristine wilderness, especially when they are there to enjoy the unique natural beauty that the Mattole Valley has to offer.

10. Public Lands Setback

- The approved project included a Special Permit to reduce the setback from Public Lands to 100 feet. The Staff Report claims that, as the operation is powered by PG&E and includes measures to ensure no light escape, the project is consistent with the terms of the previously approved Special Permit for the setback reduction. However, the existing project *does* emit light, and the generator is used constantly. Has Bureau of Land Management commented on this project?

11. Road Evaluation

- The self-certified 1.0 Road Evaluation does not seem sufficient to meet 2.0 standards. Where are the improvements regarding water quality? This year I witnessed silty water running off of their property, down the road toward Honeydew Creek. This should be addressed in the Road Evaluation, and in a Site Management Plan.
- We measured the road width of Landergren Road, and it only includes 12-15 feet of pavement. It is not 18 feet all the way through.

12. Enrollment in General Order

- The Staff Report includes a condition to enroll in the SWRCB General Order. All existing operations, including this one, should be enrolled in the General Order and should have an up-to-date Site Management Plan that describes how erosion and sediment control measures are implemented onsite.
- With no Site Management Plan, it seems erosion and sedimentation are not being controlled. I have witnessed silty brown water leaving their site. The project is adjacent to Honeydew Creek, a fish-bearing stream, and I am concerned about the water quality impacts this project poses. This is something that should be addressed before the operators are allowed to expand.

13. 30' Property Line Setbacks

- Though it is not depicted on the map, the applicant's well, water tanks, and other items are currently located within 30 feet of our property line. The existing project does not meet the property setbacks as designated by CalFIRE. We believe a property boundary survey should be conducted prior to approval to demonstrate compliance with property line setbacks.

We do not believe you should reward an operator who can't cover their greenhouses, leaves trash around, and runs their generator 24/7. We have deep roots in this community and a profound love for the Mattole Valley. Unfortunately, expansion of an already out-of-compliance, noisy, light-polluting, wasteful mixed-light cannabis operation with no legitimate power source located less than 100 feet from the pristine Kings Range Wilderness and Honeydew Creek would not further the peace and safety of residents and wildlife in the Mattole Valley. Please vote to deny this project.

Respectfully,

Gary Haga and LaDonna Landergren-Haga
The Honeydew Creek Original Family Farms

Photos



Lit up greenhouses at night – from our house (Photo from March 2022)



Lit up greenhouses at night – from our neighbor’s house (Photo from February 2022)



Example of trash laying around their site: plastic tarp, cultivation materials (Photo from March 2022)

2022 NEST Neighborhood Emergency Service Teams

This list of adults living full- or part-time in the Mattole Valley is for emergencies or major catastrophes. Phone numbers are for quick notification. Names/structures are to identify and help people who are injured or trapped. Neighbors check on neighbors. Neighborhood coordinators notify or account for adults in their NESTs. Parents account for children.

BEFORE AN EMERGENCY

- ◆ Pre-arrange a rendezvous with family members
- ◆ Have ready: first aid kit, food & water, flashlight, clothes & shoes, battery-operated radio

WHEN AN EMERGENCY OCCURS

- ◆ Turn off gas, and electricity, water if appropriate
- ◆ Locate family members
- ◆ Assess injury and damage
- ◆ Check with neighbors
- ◆ Community Liaison, Petrolia - Travis Howe, 629-3478
- ◆ Community Liaison, Honeydew - Claire Trower, 986-7688

**FIRES: call 911 first. Tell dispatcher which local fire company is closest.
Give good directions. Local fire companies will immediately be notified.**

Petrolia Volunteer Fire Department: call 911 first

Petrolia Fire Department (EMERGENCY): 629-3535
Petrolia Fire Department (non-emergency): 629-3558 Travis Howe, chief (629-3478)

Honeydew Volunteer Fire Company: call 911 first

Peter Marshall (499-2061) Claire Trower (land 986-7688, cell 499-4074)

Lower Mattole Valley NEST Coordinators:

Kathy Radke (629-3265) Gaby Cohen (629-3656) Amanda Malachesky (629-3614)
Sarah Balster Honeydew (834-4205)

Food and Shelter:

Mattole Valley Community Center (629-3565) Mattole Grange (629-3421)
Mattole Elementary School (629-3311, 629-3250), Honeydew School (629-3230) for children

MEDICAL: emergencies call 911

Josh Ennis MD (344-7500), Ellen Taylor PA (629-3500), Dick Scheinman MD (629-3365)
Marika Ennis MD (430-3651)

Other Numbers:

| | |
|---|--|
| PG&E updates (1-800-743-5002) | HumCo Sheriff's Office (445-7251) |
| Roads (445-7421 or 1-800-427-7623) | HumCo Sheriff Search & Rescue (911) |
| Weather - NOAA (443-7062) | Mattole Valley Resource Center |
| CalFire Mattole Station (629-3344) seasonal | including emergency food (629-3348) |
| CalFire Weott Station (946-2215) all year | Mental Health - Monica Hubbard, MFT#111094 |
| Burn Day (443-7665) (1-800-287-6329) | (206-409-5393 non-emergency appts) |
| Humboldt earthquake hot-line (826-6020) | HumCo Mental Health (1-888-849-5728) |
| Office of Emergency Services (268-2500) | Rape Crisis Line (445-2881) |
| Red Cross (443-4521) | Suicide life-line (1-800-273-8255) |
| Poison Control (1-800-222-1222) | Frontier local questions - Bill (786-0011) |

Honeydew Post Office (629-3501)
Honeydew Store (629-3310)

Petrolia Post Office (629-3345)
Petrolia Store (629-3455)

| | | | |
|----------------------------|----------|-------------------------|----------|
| Catalina, Maureen 499-4855 | 629-3699 | Lyons, Linda & Ron | 986-7258 |
| Correll, Lee & Robin | 986-7645 | Morrison, Lisa | 599-2107 |
| Lee, Sissy | 273-2549 | Timber Guildler | 498-1918 |
| @*Teresa Davey | 599-9727 | *Claire Trower 499-4074 | 986-7688 |

Landergen Road E186 (coordinators needed)

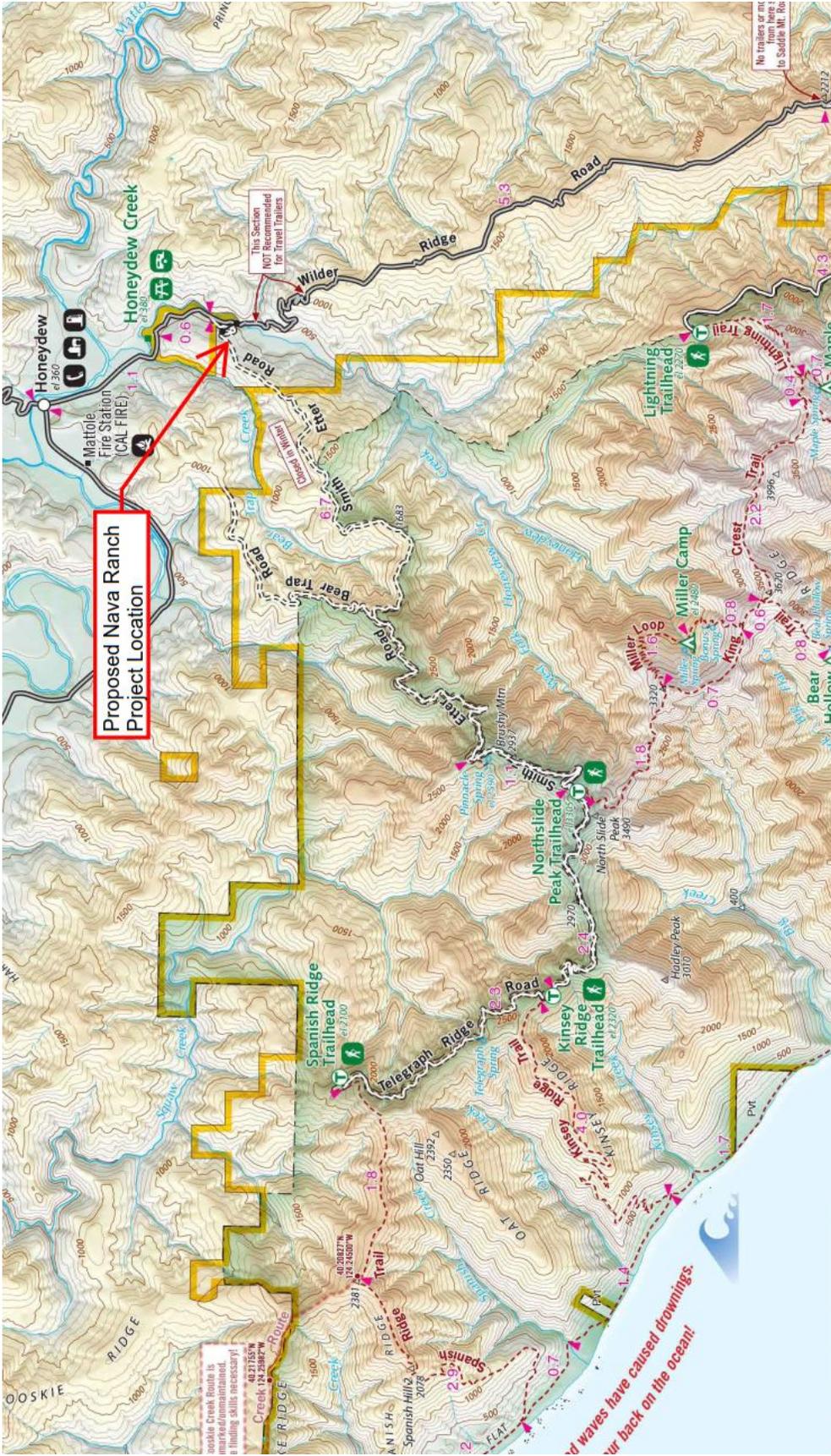
| | | | |
|----------------------|----------|--|--|
| Haga, Gary & LaDonna | 629-3341 | | |
|----------------------|----------|--|--|

Meaux Road E175 (coordinators needed)

| | | |
|--|-------------------|----------|
| Hird, Ira 599-8497 & Mariah Gregori 599-8498 | @*Marshall, Peter | 499-2061 |
|--|-------------------|----------|

Cathartes Peak E175 (coordinators needed)

Photo of Neighborhood Emergency Services Teams (NEST); Note the applicants on Landergen Road are absent



Screenshot of BLM Map. Note that all access to Spanish Ridge, Kinsey Ridge, Northside Peak, among others, are accessed through Smith-Etter Road, which runs directly through the existing and proposed project site.

McClenagan, Laura

From: Grochau, Augustus
Sent: Thursday, March 17, 2022 3:40 PM
To: Planning Clerk
Cc: Giannini, Trip; McClenagan, Laura
Subject: FW: Expansion PLN 2021-17162

Hey Laura and Trip,

Please forward to the commissioners as public comment.

Thank you,



AUGUSTUS GROCHAU

Planner I

[Planning and Building Department](#)

County of Humboldt

Email: agrochau@co.humboldt.ca.us

From: Linda Franklin <wl_franklin@sbcglobal.net>
Sent: Thursday, March 17, 2022 3:22 PM
To: Grochau, Augustus <agrochau@co.humboldt.ca.us>
Subject: Expansion PLN 2021-17162

Caution: This email was sent from an EXTERNAL source. Please take care when clicking links or opening attachments.

I grew up in Honeydew on AP # 107-106-006, the subject property indicated in application PLN 2021-17162.

I wish to correct the date of the pond construction, the large pond on the east side of the property was built in 1960, not 1920 as indicated in the application.

We own private property that is accessed through the BLM right of way across the middle of the property at 844 Wilder Ridge Rd., Honeydew, CA., Assessors Parcel #107-106-006. Our property is on the Lost Coast, address: 18000 Smith Etter Rd., our access is on the BLM right of way through the center of the proposed grow operation expansion. We want to be assured that we will continue to have year around access to our property without additional gates or restrictions.

Late last summer we stopped on the cattle guard that is on the BLM right of way to pick some blackberries when we experienced gun shots being fired, they sounded like they were directed at us. It was frightening, we left immediately.

From: [Maureen Catalina](#)
To: [Maureen Catalina](#); [Planning Clerk](#)
Subject: Nava Ranch expansion
Date: Wednesday, March 16, 2022 3:13:08 PM

Caution: This email was sent from an EXTERNAL source. Please take care when clicking links or opening attachments.

Dear people,

This letter is in response to Nova Ranch Inc. record number PL – 2021–17162. Parcel number 107–1 06–006 of Humboldt county.

Just when you thought bad neighbors could not get worse, Nava Ranch Inc. is asking the county for an expansion. This project report is presented with so many false hoods, sensationalisms, and outright lies, that it has taken me hours to get through it, all 82 pages. I am outraged that I have to look at this paperwork in order to correct the numerous mistakes and assumptions throughout the document. Furthermore Nava Ranch has never complied with the existing laws on their existing Farm. I will provide proof in this letter.

I live one parcel over from this project, right on Honeydew Creek. It is the most peaceful gorgeous setting you could imagine. I have been in this location for 25 years. The night skies are pristine. The sounds are only the natural sounds of the wind, the creek, birds, insects, frogs, and untold wild creatures lurking everywhere, with the very occasional sound of a vehicle up on the county road. I love it. It's heaven. That was, until Nava Ranch moved in. I can hear their generator from my back deck. I can hear their generator from my pasture. There is no peace and quiet. They run this HUGE LOUD generator at all different hours. I live on the grid and that generator is running when the power is on. It is not saved for emergency use.

They DO NOT cover their greenhouses at night. I can see the greenhouse lights from inside of my house. I will attach photos. I can see their greenhouse lights from my back deck. I will attach photos. I also own the property next to this one at 2252 Wilder ridge Rd. and I can also see their lights and hear their generator from up there. It is like a huge amphitheater living in these mountains. Sound travels. It's loud. I can hear it over the sound of Honeydew creek and the tree frogs at night.

If you look at their original permits they only had ONE greenhouse that was 2500 ft.². All the rest of the square footage was permitted for outdoor. Yet there are three huge green houses up there right now. These greenhouses appear to be at least 25' x 100' in size. Why is that? I'll tell you why... Because they are NOT complying with what they agreed to comply with. No one comes out here to check on them. There is no enforcement of the rules! They don't follow the rules and they don't care. I have been so stressed out by this situation. It has destroyed the peace and quiet, and the night skies, in this neighborhood. In this vicinity!
Based on their track record alone, this project should be denied. And the existing project should probably be inspected immediately for all of the other infractions and laws they have broken with the existing permit.

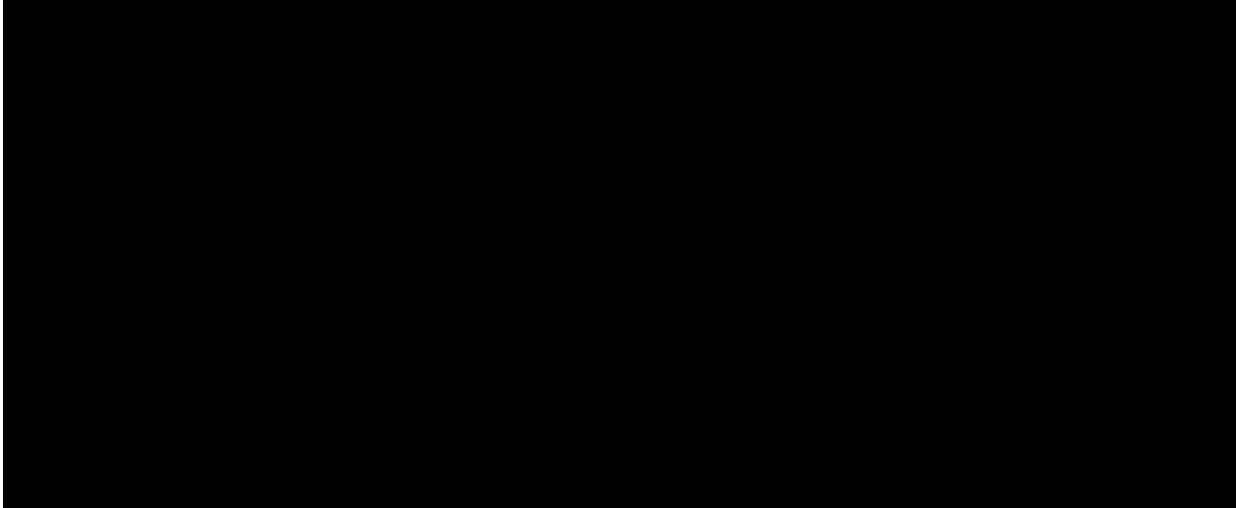
I would like to point out some of these unbelievable statements in the staff report.

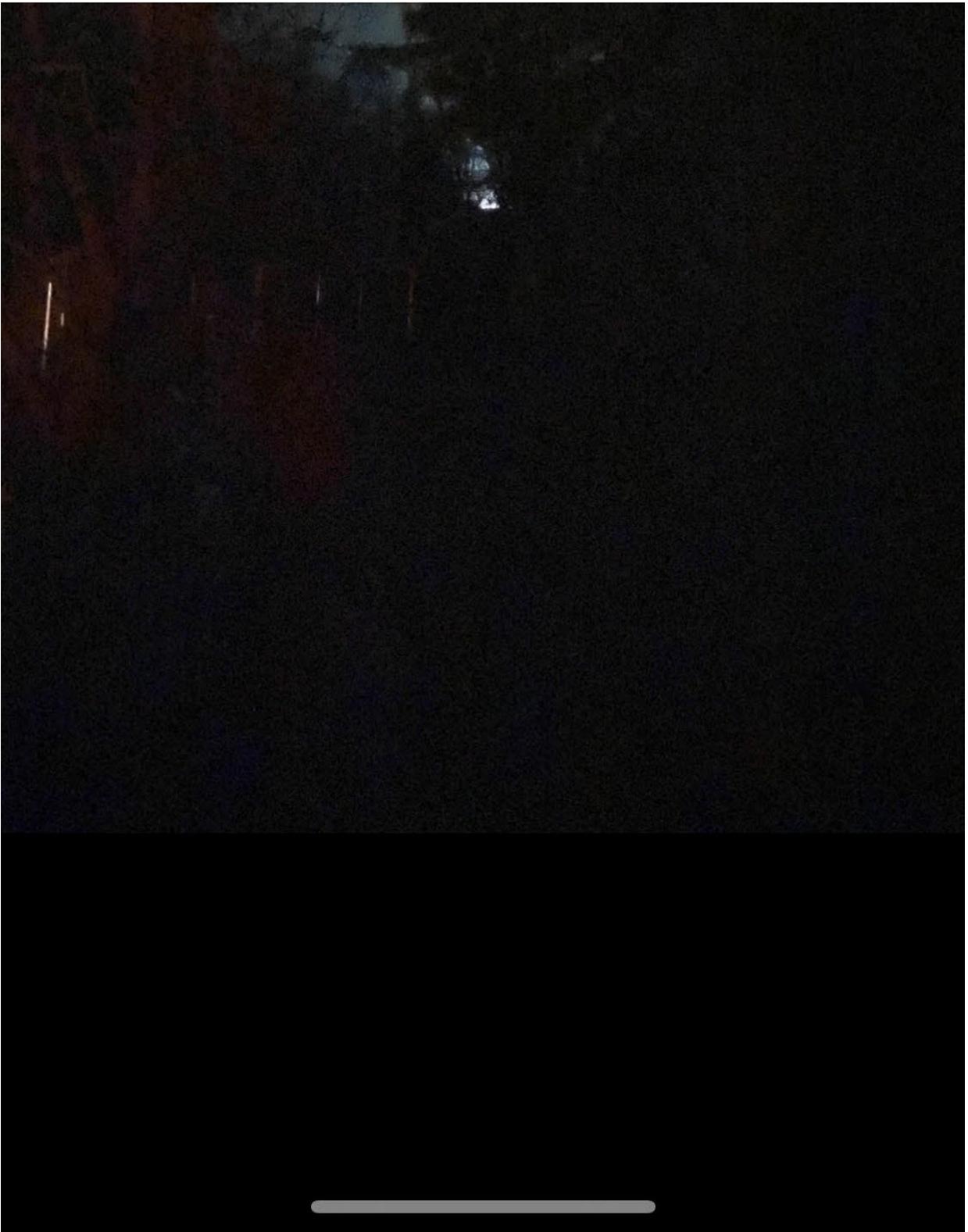
- 1) Rain catchment. Has anyone ever seen the rain catchment system? I don't believe they have enough roof top area to collect the water necessary for what they are growing right now. The plan does not call for another building yet they are somehow going to fill a new pond with 750,000 gallons of rainwater off of a 2000 square-foot rooftop? If Honeydew was lucky enough to get 100 inches of rain each year that would give them about 100,000 gallons of rainwater collection. The math does not add up. There is mention of a "cannabis support building" but there is no description whatsoever of the size or function of that building. Why is it even in the report? It's like wishful thinking... There's no commitment. It would take 10,000 ft.² of rooftop to collect 1,000,000 gallons of water, and that's only if it rains 100 inches every winter in Honeydew California. Who here would like to predict the weather? And what is the back up plan if it does not rain?
- 2) Am I expected to believe that they are going to be drying, trimming, processing, and storing everything in a 900 square-foot building? Hello! This is physically impossible.
- 3) One full-time employee. That's right, that's what it says, "one full-time employee". Hello! Have you read the report and seen what this person has to do on this 43,560 square-foot project? There is a month by month description of the workload on this farm. This one person is going to pull the tarps, hand water, apply fertilizer by hand gently massaging it into the soil, bring trash to the dump once a month, remove extra leaves from the plants, take care of the mother plants, start seeds or clones. Shall I go on? Is everyone at the planning department aware of what it takes to "pull tarps"? Have any of the people that are reading this report ever worked on a cannabis farm or have any experience whatsoever with farming? This isn't like going out and covering your firewood with a tarp folks. Depending on the system that is implemented, and there's no mention of this in the paperwork, it would be impossible for one person to pull the tarps on a Cannabis canopy of this size. Hand watering alone would take approximately 48 hours and that's just one time watering. Plants need to be watered every day. The last time I checked, there were not 48 hours in one day.
- 4) Up to 3 "seasonal" employees. What is the legal definition of seasonal? Well, let me tell you, it means a person that works for six months or less during a particular busy season. If you are having up to FIVE harvests a year, with 43,560 Square feet of cannabis, those employees are full-time, because the operation is full-time. Farming doesn't just end because you cut the product off at the base. There is always something to do on a farm of this size. It is an almost never ending process when you are a cannabis farmer with almost an acre of cannabis canopy and are implementing such processes as pulling tarps and hand watering, and basic processing. Please note that there is no mention of any of these employees doing weed eating or making things safe for the fire season. Please note that there is no housing for these employees and I don't know of any rentals available to them. The idea that only three seasonal employees are needed is absurd and unacceptable.
- 4) Fire safety. There are no address numbers posted anywhere for the fire department to respond properly, although they were requested to do so when they filed the first staff report on May 21, 2021. Here is a quote from our local fire dispatcher for the Honeydew volunteer fire department, Claire Trower, "The 2 fires were different people, but the last one was the current crew. They didn't call 911, but waited until someone called me (Wren saw smoke from the "Dew Store up Honeydew Creek drainage), and we went on a smoke check. They weren't prepared, and their explanation as to how it started was sorta sketchy. 5 acres of grassland burned on that fire."
It is my personal understanding that the fire was started when someone poured gasoline into a beehive in the ground and lit it on fire. Brilliant. This is what we have to live with as neighbors to untrained employees. Cal Fire responded by saying "cannot support this project"
- 5) Will be using PG&E via a green energy program. That sure sounds lovely but that just means that you are buying energy credits, it has nothing to do with what type of energy you are actually getting. It's basically for corporations to get green energy credits towards the pollution that they create. PG&E is 2 to 4 years out on any new major hook ups in our area. The only PG&E service on that property is down by a small house next to their gate. There is no PG&E service where they want to put the green houses! I would be guessing, but I think it's about a quarter mile away at least. It's not a small project to get the PG&E service up there.
- 5) Handwashing and drinking water shall be brought in in plastic bottles. Do you realize how many gallons of water a day it will take for the employees to wash their hands on a regular basis? They are going to be using bottled water? This is so wasteful and so disgusting how is this even legal? How is this OK with you? It's not realistic.
- 6) Access. The county road is not 18 foot wide. The self-assessment made by the applicant is clearly not accurate.
- 7) Planning department comment, "the cultivation of 43,560 ft.² of new mix light commercial cannabis and the conditions under which it may be operated or maintained will not be detrimental to the public health, safety, or welfare or materially injurious to properties or improvements in the vicinity" this is the final comment right above the signature line of John Ford. This comment is not correct. My health, safety, and welfare is affected by this project. Furthermore, the aesthetic value of my property is greatly reduced by this eyesore and will be detrimental to the resale value of my home. Multiple respected reports show that aesthetic degradation in any area will reduce a property's value by 30%. No one wants to live next to this commercial disaster. Please consider the actual vicinity, which means village. Our valley, our village, is greatly affected by these ugly plastic Quonset huts that are sweetly and inaccurately named "greenhouses". There's nothing green about them. We see the lights at night. We hear the generators above the natural sounds.
I implore you to stop this expansion and protect the citizens that have lived here for over 40 years. I raised my children here. I donate to the local fire department. I interact with my community on personal and community levels. We have yet to even meet the owners of the project or their employees. I have paid my dues. I have paid my taxes. I deserve to live in peace and quiet, and enjoy the natural beauty of the Mattole Valley. It is my right. It's the law.
The applicant has never run the existing farm properly. It has caused me so much personal stress. The lights at night and the generator at all hours should be enough to shut this operation down immediately. An inspection once a year is not enough. The local population should not have to be the ones that enforce the laws. Please stop this expansion.

Sincerely, maureen catalina
2250 Wilder ridge Rd.
Honeydew, California
Phone 7076293699

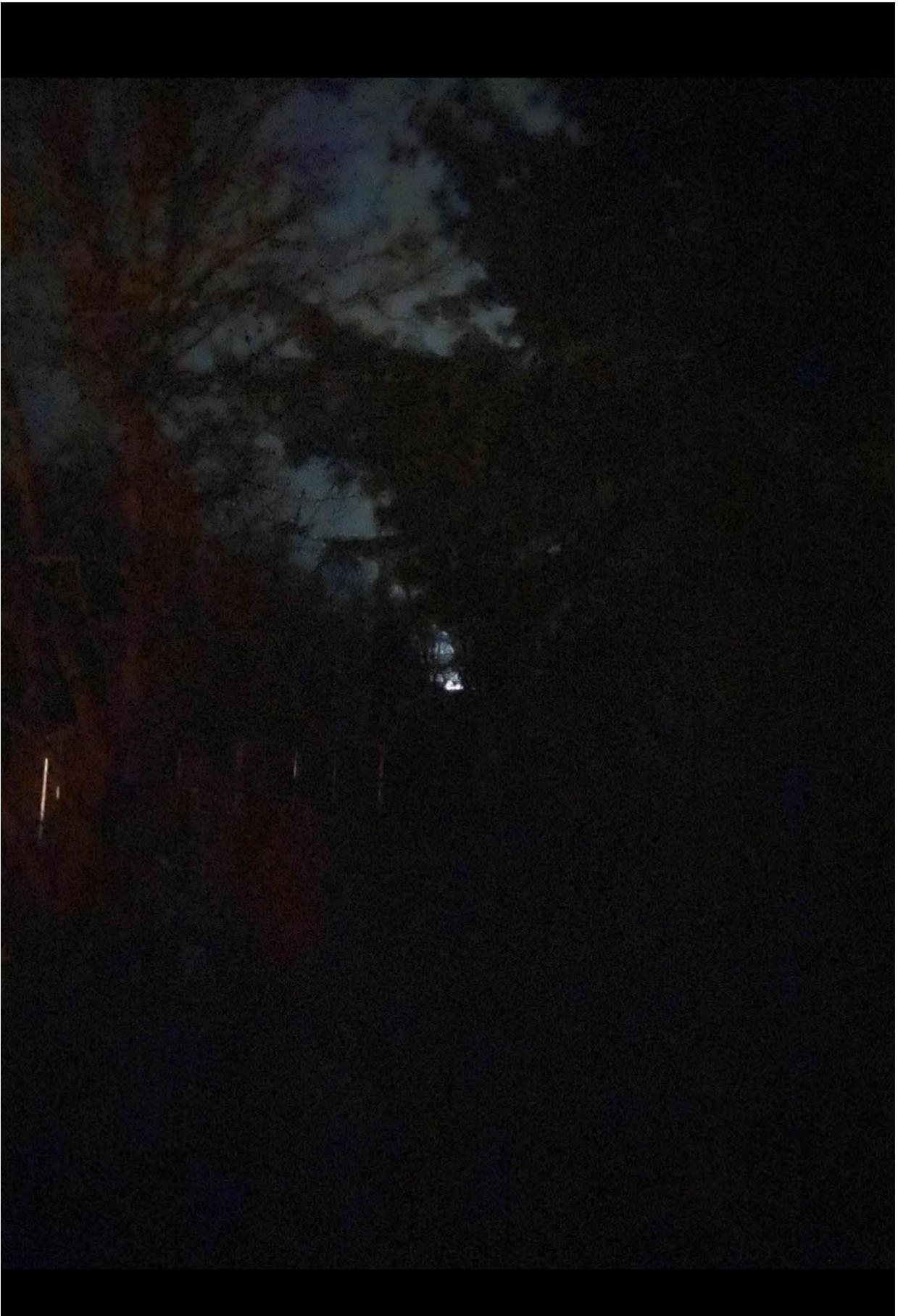
The attached photos were taken on February 21, 2022 and on March 14, 2022. Two are from INSIDE of my home as you can see. In the right hand corner of my living room window you can see the greenhouse lit up at Nava Ranch. The other photos are from my back deck. You may have to zoom in because it's hard to take a photo in the dark, but it's quite obvious that

the greenhouse at Nava Ranch is lit up. And this was only three days ago!!!











Sent from my iPhone