



COUNTY OF HUMBOLDT
PLANNING AND BUILDING DEPARTMENT
CURRENT PLANNING DIVISION

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

Hearing Date: August 19, 2021

To: Humboldt County Planning Commission

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

Subject: **Humboldt Heals Conditional Use Permits and Special Permit**
Record Number: PLN-11373-CUP
Assessor's Parcel Number (APN): 523-021-004
Southwest half of Section 15, Township 07 North, Range 05 East
Willow Creek area

Record Number: PLN-11963-CUP
Assessor's Parcel Number (APN): 523-021-003
Southeast half of Section 15, Township 07 North, Range 05 East
Willow Creek area

Record Number: PLN-11965-CUP/SP
Assessor's Parcel Number (APN): 523-026-003
Northeast half of Section 22, Township 07 North, Range 05 East
Willow Creek area

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Please contact Jenifer King, Planner, at 360-647-8320 or by email at jenifer.king@aec.com, if you have any questions about the scheduled public hearing item.

AGENDA ITEM TRANSMITTAL

Hearing Date	Subject	Contact
August 19, 2021	Conditional Use Permits and Special Permit	Jenifer King

Project Description: Three Conditional Use Permits and a Special Permit for the operation of existing outdoor cannabis cultivation operations occurring across three adjacent and contiguous parcels, which are operated by Humboldt Heals:

- PLN-11373-CUP: A Conditional Use Permit for existing 16,460 square feet of outdoor cannabis cultivation in four distinct cultivation areas and three greenhouses. Cultivation activities extend from March to November. There will be two harvests annually. Water for irrigation is sourced from an existing groundwater well. Existing available water storage is 16,200 gallons in a series of hard-sided tanks. Estimated annual water usage is 89,250 gallons. The applicant is proposing construction a 230,000-gallon off-stream pond. Drying and bucking occurs in a shared 1,190-square-foot structure and stored in two existing and four proposed shipping containers located on APN 523-021-003. A maximum of two employees may be utilized during peak operations. Power is provided by solar panels and two generators.
- PLN-11963-CUP: A Conditional Use Permit for existing 11,324 square feet of outdoor cannabis cultivation that occurs in two distinct cultivation areas and three greenhouses. Cultivation activities extend from March to November. There will be two harvests annually. Water for irrigation is sourced from an existing groundwater well located on APN 523-026-003. Existing available water storage is 11,500 gallons in a series of hard-sided tanks. The project proposes construction of a 200,000-gallon off-stream pond. Estimated annual water usage is 83,000 gallons. Drying and bucking occurs in a shared 1,190-square-foot structure and stored in two existing and four proposed shipping containers located on APN 523-021-003. A maximum of two employees may be utilized during peak operations. Power is provided by solar panels and two generators.
- PLN-11965-CUP: A Conditional Use Permit for existing 11,600 square feet (SF) of outdoor cannabis cultivation in four distinct cultivation areas. Cultivation activities extend from March to November. There will be two harvests annually. Water for irrigation is sourced from one existing groundwater well. Existing available water storage is 30,550 gallons in a series of hard-sided tanks. The applicant is proposing construction of a 600,000-gallon off-stream pond. Estimated annual water usage is 108,000 gallons. Drying and bucking occurs in a shared 1,190 SF structure and stored in two existing and four proposed shipping containers. This structure provides drying and bucking for the two adjacent Humboldt Heals project sites (APN 523-021-004 and APN 523-021-003). Additional processing occurs offsite at a licensed processing or manufacturing facility. A maximum of two employees may be utilized during peak operations. Power is provided by solar panels and two generators. The applicant also seeks a Special Permit to reduce the 600-foot setback requirement to adjacent public lands.

Project Location: The projects are located in the Willow Creek area as described by the following:

- PLN-11373-CUP - APN 523-021-004: The project is located in the Willow Creek area, on both sides of Forest Service Route 07N05, approximately 1.25 miles southeast from the intersection of Horse Linto Road and USFS Route 07N05, on the property known to be in the southwest half of Section 15, Township 07 North, Range 05 East, H. B. & M.
- PLN-11963-CUP - APN 523-021-003: The project is located in the Willow Creek area, on the east side of Horse Linto Road, approximately 2.52 miles east from the intersection of Horse Linto Road and USFS Route 07N05, on the property known to be in the southeast half of Section 15, Township 07 North, Range 05 East, H. B. & M.

- PLN-11965-CUP - APN 523-026-003: The project is located in the Willow Creek area, on the east side of Horse Linto Road, approximately 2.64 miles east from the intersection of Horse Linto Road and USFS Route 07N05, on the property known to be in the northeast half of Section 22, Township 07 North, Range 05 East, H. B. & M.

Present Plan Land Use Designations: Timberland (T) Density: 1 dwelling units per 40 acres, Slope Stability: Moderate Instability (2).

Present Zoning: Timber Production Zone (TPZ).

Record Numbers: PLN-11373-CUP, PLN-11963-CUP, and PLN-11965-CUP

Assessor's Parcel Number(s): 523-021-004, 523-021-003, and 523-026-003

Record Number	Applicant	Owner	Agent
PLN-11373-CUP	Humboldt Heals C/O Tim Busman P.O. Box 991 Blue Lake, CA 95525	Ruth Gabor 11842 Moorpark, #F Studio City, CA 91604	Green Road Consulting, Inc. 1650 Central Avenue, Suite C McKinleyville, CA 95519
PLN-11963-CUP	Humboldt Heals C/O Tim Busman P.O. Box 991 Blue Lake, CA 95525	Tim Busman and Esha Bennett P.O. Box 1174 Blue Lake, CA 95525	Allwood Design P.O. Box 1174 Blue Lake, CA 95525
PLN-11965-CUP	Humboldt Heals C/O Tim Busman P.O. Box 991 Blue Lake, CA 95525	Esha Bennett P.O. Box 1174 Blue Lake, CA 95525	Same as Applicant

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

State Appeal Status: Projects are NOT appealable to the California Coastal Commission.

Major Issues: Proposed pond on steep slope areas.

Humboldt Heals

Record Number(s): PLN-11373-CUP, PLN-11963-CUP, and PLN-11965-CUP
 Assessor's Parcel Number(s): 523-021-004, 523-021-003, and 523-026-003

Recommended Commission Action:

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

Find that the Commission has considered the Addendum to the adopted Mitigated Negative Declaration for the Commercial Medical Marijuana Land Use Ordinance (CMMLUO) as described by Section §15164 of the State CEQA Guidelines, make all of the required findings for approval of the Conditional Use Permits and Special Permit and adopt the Resolution approving the Humboldt Heals projects as recommended by staff subject to the recommended conditions.

Executive Summary: Humboldt Heals seeks three Conditional Use Permits and a Special Permit to allow the continued cultivation of three commercial cannabis cultivation operations occurring across three adjacent and contiguous parcels, which together comprise Humboldt Heals. Humboldt Heals is the applicant for all three projects. The sites are designated as Timberland (T) in the Humboldt County 2017 General Plan Update and zoned Timber Production Zone (TPZ). Table 1 presents the square feet of cultivation areas; sources of irrigation water; existing and proposed water storage; water usage, including the water usage per square foot and water usage during peak demands; and power supply.

Table 1. Project Summaries						
Application No.	Cultivation Area	Source of Irrigation Water	Water Storage	Water Usage	Processing	Power
PLN-11373-CUP	<p>Total: 16,460 SF</p> <p><u>Area 1:</u> 460 SF outdoor <u>Area 2:</u> 5,000 SF outdoor <u>Area 3:</u> 5,000 SF outdoor <u>Area 4:</u> 1,600 SF outdoor <u>Greenhouse 1:</u> 1,200 SF <u>Greenhouse 2:</u> 1,200 SF <u>Greenhouse 3:</u> 2,000 SF</p>	Permitted groundwater well (Permit No. 14/15-0433, WCR2015-003414)	<p>16,200 gallons in hard-sided tanks ranging in size from 1,500 to 2,500 gallons</p> <p>Proposed 230,000-gallon pond. <u>Note: This permit does not authorize development of this pond. See discussion in Executive Summary.</u></p>	<p>89,250 gallons (5.5 gal/SF)</p> <p>Peak demand July and August (approx. 34,500 gallons and 32,000 per month, respectively)</p>	Off-site at a licensed processing facility owned by the applicant	<p>Solar array</p> <p>One Predator 3500 generator</p> <p>One Honda 7000 generator</p>
PLN-11963-CUP	<p>Total: 11,324 SF</p> <p><u>Site 1:</u> 1,440 SF outdoor 4,257 SF outdoor 2,015 SF outdoor 1,980 SF greenhouse <u>Site 2:</u> 432 SF outdoor 1,200 SF greenhouse</p>	Permitted groundwater well (Permit No. 17/18-1225, WCR2018-000034) (located on APN 523-026-003)	<p>11,500 gallons in hard-sided tanks ranging in size from 1,500 to 2,500 gallons</p> <p>Proposed 200,000-gallon off-stream pond. <u>Note: This permit does not authorize development of this pond. See discussion in Executive Summary.</u></p>	<p>83,000 gallons (6.5 gal/SF)</p> <p>Peak demand July and August (approx. 21,000 gallons per month)</p>	Off-site at a licensed processing facility owned by the applicant	<p>Solar array</p> <p>One Predator 3500 generator</p> <p>One Honda 7000 generator</p>

PLN-11965-CUP	Total: 11,600 SF <u>Site 1:</u> 1,120 SF outdoor 1,120 SF greenhouse <u>Site 2:</u> 1,000 SF outdoor <u>Site 3:</u> 2,385 SF outdoor 1,650 SF greenhouse <u>Site 4:</u> 3,205 SF outdoor 1,120 SF greenhouse	Permitted groundwater well (Permit No. 14/15-0427, WCR2015-000487)	30,550 gallons in hard-sided tanks ranging in size from 1,500 to 2,500 gallons Proposed 600,000-gallon impoundment. <u>Note: This permit does not authorize development of this pond. See discussion in Executive Summary.</u>	108,000 gallons (9.7 gal/SF) Peak demand July and August (approx. 24,000 gallons per month)	Off-site at a licensed processing facility owned by the applicant	Solar array One Predator 3500 generator One Honda 7000 generator
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Two harvests are anticipated annually on each project site during a growing season that extends from March through November. Up to two (2) employees may be utilized per project site during peak operations. Drying and bucking for the three project sites occurs in a shared 1,190-square-foot structure and stored in 2 existing and 4 proposed shipping containers located on APN 523-021-003. Additional processing occurs offsite at a licensed processing facility owned by the applicant. Other shared amenities across all three parcels include bathrooms and chemical storage. Security measures for the project sites include motion sensors, cameras, and floodlights and storage containers will be locked with key access for administrative staff only. Propagation of plants does not occur on these sites as plants are sourced from a commercial nursery. Access to the project sites is secured by locked gates.

This project was previously before the Planning Commission on May 20, 2021. The Planning Commission continued the project to allow the applicant to provide additional information regarding the access road to the project site and between the subject parcels. Additional information requested from the Planning Commission included evaluating the access road regarding functional capacity to accommodate the traffic from the project and providing a road evaluation report that included more detailed discussion of individual road points, mapping with more detail and photographs of the access road. The applicant submitted a revised Road Evaluation Report dated July 8, 2021, prepared by Trinity Valley Consulting Engineers, Inc. (TVCE) (see Attachment 3). The revised report includes the information requested by the Planning Commission. The report includes the following recommendations:

"...Use of this roadway will primarily be a function of continued maintenance. This is to include regular grading to remove ruts, addition of rock surfacing when needed to fill potholes, soft-spots and maintenance of roadway drainage controls. All Turnouts must be graded when the road is graded to prevent vegetation from growing and making the turnouts unusable. There have been thirty-one (31) turnouts identified in this road evaluation. Both existing and proposed turnouts shall be a minimum of twelve (12) feet wide and thirty (30) feet long with a minimum twenty-five (25) foot taper on each side. Vegetation must be cleared so that turnout views are not obstructed and so the roadway travel is not impeded. It is recommended that the roadway be graded annually and rocked when needed..."

The conditions of approval require the applicant to adhere to and implement the recommendations contained within the Road Evaluation Report prepared by TVCE dated July 8, 2021. It is worth noting, as stated above, that the applicant clarified processing, such as trimming, will occur off-site at a licensed facility within the City of Arcata that is also operated by the applicant. Upon review, with the revised report and clarification regarding where processing will occur, the Planning Department determined the roadway can accommodate the traffic associated with the proposed project, which includes adhering to and implementing the recommendations within the report for the life of the project.

Additionally, due to the number of cultivation projects along the private access roads (Horse Linto Road and USFS 07N05), both approved and pending, conditions of approval require the applicant to take steps to form a Road Maintenance Association (RMA) for the maintenance of Horse Linto Road. The road maintenance would include, but not be limited to, the recommendations described in the Road

Evaluation Report prepared by TVCE dated July 8, 2021. The necessary steps include sending notices to all road users of the requirement to form a Road Maintenance Association and conducting a meeting with the users of the road, especially those engaged in commercial cannabis activities, to discuss formation of the Road Maintenance Association. The applicant shall provide evidence, including notice, meeting minutes, and the decision as to whether a Road Maintenance Association is being formed to show this effort. In the event the applicant is unable to coordinate formation a Road Maintenance Association, the applicant shall pay fair-share cost for maintenance of the road to any road user engaged in maintaining the road.

In addition, the applicant seeks a Special Permit to reduce the 600-foot setback requirement to public land since Cultivation Site 4, in the southeast corner of APN 523-026-003, is within 600 feet of land owned by the Six Rivers National Forest. The parcel to the south of APN 523-026-003 is owned by the Six Rivers National Forest (SRNF) operated by the Lower Trinity Ranger District. The cultivation area within Cultivation Site 4 is located approximately 400 feet from the public land, however, no developed or designated recreational facilities are within 600 feet of any cultivation area. This portion of the SRNF in this area is non-contiguous and interspersed with privately-owned parcels. According to the Interactive Visitor Map for the SRNF, the portion of the SRNF in the vicinity of the project site does not contain any trails or other facilities developed for public use. According to the Schedule of Proposed Actions (SOPA) from 07/01/2021 to 09/01/2021 as posted online by the SRNF, there are no current plans associated with the creation of open space/public recreation in any of the SRNF parcels near the project area.

The public land is subject to the Six Rivers National Forest Plan (SRNFP) adopted in 1995. The project is consistent with the SRNFP because the cultivation activities and proposed rainwater impoundment will minimize impacts to biological resources and wildlife through measures to reduce potential light and noise impacts. The project will not require substantial road improvements or the removal of trees. The project will also protect fisheries and aquatic habitat on forest lands by maintaining buffers from streams and by placing controls on water withdrawals and on the storage and use of pesticides and fertilizers, and will minimize risk from wildfire by adhering to the County's Fire Safe Regulations and requiring adequate road access. The SRNFP's provisions for heritage resource protection will be met through the project consultation with Tribal Historic Preservation Officers and avoidance of sensitive tribal cultural resources. Additionally, the Water Resources Protection Plan (WRPP), discussed in detail below, was developed for the project to prevent and/or address poor water quality conditions and adverse impacts to water resources associated with cannabis cultivation on private land, and a Streambed Alteration Agreement (Notification No. 1600-2018-0766-R1) issued by CDFW allows five (5) encroachments to upgrade failing or undersized culverts. Finally, the project is consistent with recreational use on public lands by maintaining a minimum 600 buffer separation from developed campgrounds and/or trails. As a result, there will not be any new erosion, wind damage, elimination of wildlife corridors, loss of scenic beauty or reduction of quality habitat for plants and animals.

A Timber Conversion Report (Attachment 3) was prepared by Timberland Resource Consultants (TRC) for each of the project sites in 2018. The timber conversion reports indicated the initial conversion created the areas now used for cultivation, storage, and processing. All three cultivation sites were cleared of trees and vegetation, including all stumps. Timber conversion on each of the three parcels was below the three-acre conversion exemption maximum. No expansion of the project sites has occurred since the CMMLUO baseline of January 01, 2016. Table 2 shows the total acreage of timber conversion for each parcel and the timeframe when conversion occurred.

APN	Total Acreage	Timeframe of Conversion
523-021-004	0.77	2005-2014
523-021-003	0.67	2005-2014
523-026-003	0.73	2005-2012

TRC observed that most of the slash piles and woody debris generated from conversion activities was scattered or piled near cultivation sites on all three parcels. The timber conversion reports recommended all slash piles and woody debris be treated to comply with the California Forest Practice Act, which is

included in the Conditions of Approval. CAL FIRE reviewed all three timber conversion reports and concluded that the recommendations in the timber conversion reports are acceptable and CAL FIRE had no additional recommendations, mitigation measures, or comments (Attachment 4).

The Plot Plans show Coon Creek, Class II watercourses, and Class III watercourses flow through all three parcels. The Plot Plans show the 100-foot Streamside Management Area (SMA) buffers associated with Coon Creek and the Class II watercourses. The Plot Plans show Class III watercourses with the associated 50-foot buffers. The Class III watercourses are tributaries to the Class II watercourses, and the Class II watercourses are tributaries to Coon Creek. All current and existing development on the parcels, including the cultivation and associated structures, are located outside the SMA buffers.

WRPPs were prepared by TRC in 2016 for each of the parcels (Attachment 3) that includes recommended best practices for erosion control, monitoring irrigation volumes to prevent runoff, and utilizing a secure storage facility for all cultivation-related materials consistent with the North Coast Regional Water Quality Control Board Order RI-2015-0023. The WRPPs recommended the following remediation work for the parcels:

- **APN 523-021-004:** Twenty-one (21) sites requiring remediation work including adding or reconstructing rolling dips to interior access roads, replacing culverts, and revegetating bare soils.
- **APN 523-021-003:** Four (4) sites requiring remediation work including adding rolling dips to interior access roads and revegetating bare soils.
- **APN 523-026-003:** Forty-four (44) sites requiring remediation work including replacement of culverts at Class II watercourse crossing and adding rock armoring, water bars, and rolling dips to interior access roads.

The projects are conditioned to implement requirements of the WRPPs upon issuance of the project permits. In addition, the applicant has enrolled all three project sites in the State Water Resources Control Board (SWRCB) WQ2019-0001-DWQ General Waste Discharge Requirements for Dischargers of Waste Associated with Cannabis Cultivation Activities (General Order) under SWRCB Cannabis Cultivation Policy (WDID 1_12CC418445 Effective as of 04/16/2019; Expires 04/15/2024) (Attachment 3).

A Streambed Alteration Agreement (Notification No. 1600-2018-0766-R1) (Attachment 3) with CDFW was issued in April 2019 for APN 523-026-003 allowing five (5) encroachments to upgrade failing or undersized culverts. Section 61.1.4.1 of the Humboldt County Streamside Management Area and Wetland Ordinance allows routine maintenance activities associated with existing public or private facilities when conducted pursuant to a Department of Fish and Wildlife Lake or Streambed Alteration Agreement. According to the applicant, the deadline of October 2020 for encroachment work completion has been met, and no further work is required.

Water for irrigation on APN 523-021-004 is provided by a permitted groundwater well that is also registered with the California Department of Water Resources (Permit No. 14/15-0433, WCR2015-003414) (Attachment 3). According to the Plot Plan, the well is located south of Site 1, approximately 1,700 feet east of the nearest SMA and 1,900 feet higher in elevation based on measurements from the Humboldt County WebGIS. The Well Completion Report states the well is 200 feet deep and drilled through siltstone, shale, and hard shale with quartz. Although water is at 105 feet, a blank is installed for 110 feet of the well, a screen is installed for 110 to 190 feet, and another blank is installed for 190 to 200 feet. According to the well completion report, the well produces 10 gallons per minutes, which should produce sufficient water for irrigation. Based on the distance from the nearest watercourse and the use of a blank for casing of the majority of the well, Planning staff determined the well is likely to be hydrologically disconnected from surface waters and does not require additional water rights from the State Water Resources Control Board and is not subject to forbearance or water storage requirements. Existing available water storage, estimated annual water usage, and peak water demands are presented in Table 1.

Water for irrigation is provided by a permitted groundwater well located on APN 523-026-003 that is also registered with the California Department of Water Resources (Permit No. 17/18-1225, WCR2018-000034) (Attachment 3). According to the Plot Plan, the well is located north of Site 1, approximately 800 feet east of the nearest SMA and 2,100 feet higher in elevation based on measurements from the Humboldt County WebGIS. The Well Completion Report states the well is 240 feet deep and drilled through silty soft sandstone, and hard shale. Although water is at 107 feet, a blank is installed for the entire 240 feet of the well. According to the well completion report, the well produces 10 gallons per minutes, which should produce sufficient water for irrigation. Based on the distance from the nearest watercourse and separation in elevation from the water course, Planning staff determined the well is likely to be hydrologically disconnected from surface waters and does not require additional water rights from the State Water Resources Control Board and is not subject to forbearance or water storage requirements. Existing available water storage, estimated annual water usage, and peak water demands are presented in Table 1.

Water for irrigation is provided by a permitted groundwater well also located on APN 523-026-003 that is also registered with the California Department of Water Resources (Permit No. 14/15-0427, WCR2015-000487) (Attachment 3). As shown on the Plot Plan, the well is located within Site 2. According to Humboldt County WebGIS measurements, approximately 300 feet east of the nearest SMA and 2,500 feet higher in elevation. The Well Completion Report states the well is 100 feet deep and drilled through silty soft sandstone, and hard shale. Blanks are installed for the first 40 feet of the well, a screen is installed for 40 to 80 feet, and another blank is installed for 80 to 100 feet. According to the well completion report, the well produces 10 gallons per minutes, which should produce sufficient water for irrigation. Based on the distance from the nearest watercourse and the use of a blank casings, Planning staff determined the well is likely to be hydrologically disconnected from surface waters and does not require additional water rights from the State Water Resources Control Board and is not subject to forbearance or water storage requirements. Existing available water storage, estimated annual water usage, and peak water demands are presented in Table 1.

The applicant proposes three off-stream ponds, one on each parcel. The ponds range in size from 200,000 gallons to 300,000 gallons. Under the original application for APPS 11965, the applicant proposed a 600,000-gallon, however, is now requesting a 300,000-gallon pond. Trinity Valley Consulting Engineers Inc. (TCVE) prepared an R-2 Soils Report (APPS #11373) and Grading and Erosion Control Plans (APPS #11963 and 11965) to provide additional detail regarding pond construction (see Attachment 3). The reports indicate that between 6,000 – 7,000 cubic yards (cy) of cut and fill would be necessary to develop the ponds at each site. According to the reports from TCVE and a review of aerial mapping on the Humboldt WebGIS, slopes in this area range from 15% - 50%. It appears timber and or vegetation removal would also be required, which is not allowable under the CMMLUO. Northern Spotted Owl observations have occurred within 0.6 miles or less from each cultivation area (see discussion on next page). Lastly, the Road Evaluation Report prepared by TVCE dated July 12, 2021, indicates sections of the access road are narrow and have average slopes ranging from 4% - 18%, which may make it difficult for construction vehicles to access the site and/or increase water quality issues. For the reasons, Planning staff does not support development of the off-stream ponds on any of the subject parcels. However, because there are an existing water sources (groundwater well discussed above) that currently support the projects, Planning staff determined there is sufficient water available to support the project without construction of the ponds. Conditions of approval require the applicant to revise the site plan and operations plan to remove discussion regarding the pond. In the event that the existing water sources fail to provide enough water for the operation the applicant shall either reduce the cultivation area to what is supportable or modify the application to provide for rainwater catchment.

A Biological Assessment (On file and confidential) was prepared for each parcel in January 2019 by TRC. During the biological surveys, no special-status species were observed. The Biological Assessments concluded that the proposed projects' potential impacts are mitigated through implementation of best management practices for erosion control as described in the WRPPs and required by the SWRCB. The projects are conditioned to implement additional recommendations included in the Biological Assessments that require performing floristic surveys prior to any further ground disturbing activities and

surveying for Northern Spotted Owl (NSO) if any operation of heavy equipment occurs between the period of February 1st and July 8th of any year. The recommendations specified in the Biological Assessment Reports have been included as Conditions of Approval.

A search of the California Natural Diversity Database (CNDDDB) biological resources database was performed for each parcel in November 2020 (On file and confidential), which did not show any known rare or sensitive species on the project sites. Table 3 shows the nearest NSO activities centers and sightings from the cultivation areas on each parcel. Although no NSO activity centers or sightings have occurred on the project sites, lands surrounding the site are heavily forested the cultivation sites may provide suitable foraging habitat.

APN	Activity Center	Sighting
523-021-004	1.5	0.3
523-021-003	0.9	0.2
523-026-003	1.0	0.6

Power for each project site will be provided by one (1) Predator 3500 generator and one (1) Honda 7000 generator. The proposed cannabis cultivation operations do not require the use of a generator except for emergency back-up purposes. Performance standards for noise are set by Department Policy Statement No. 16-005 clarifying CMMLUO Section 314-55.4.11(o) Humboldt County Code which states noise levels shall not exceed 50 decibels (dB) at 100 feet from the generator or at the edge of the nearest forest habitat, whichever is closer. As a result, the project is conditioned to ensure the combination of background, generator, or other operational equipment created noise meets the noise level threshold. Conformance will be evaluated using current auditory disturbance guidance prepared by the United State Fish and Wildlife Service (USFWS). Conditions of approval also require the applicant to permit the generators with the North Coast Unified Air Quality Management District, as applicable. The project proposes only outdoor cultivation with no artificial lighting and is conditioned to ensure any supplemental lighting used for security lighting adheres to Dark Sky Association standards. The project is conditioned to refrain from using synthetic netting, to ensure refuse is contained in wildlife-proof storage, and to refrain from using anticoagulant rodenticides to further protect wildlife.

Additional measures that would also protect biological resources are identified in the WRPPs prepared for the three projects. The measures address drainage, runoff, and erosion control and proper application, storage and disposal of pesticides or petroleum products. The projects have dedicated sheds for fuel and nutrients near the cultivation areas, as shown on the Plot Plan Maps for each parcel. Per the WRPPs, fertilizers, pesticides, and herbicides are applied at agronomic rates specified on the product label and the applicant keeps a log of their fertilizers, pesticides and herbicides use for annual reporting to the SWRCB. No trash or debris will be allowed to enter a watercourse or riparian setback area. The location of compostable cultivation waste is stored in a location and manner where it cannot be transported to surface waters. As proposed and conditioned, the project is consistent with CMMLUO performance standards and CDFW guidance and will not negatively impact NSO or other sensitive species.

The projects were referred by the County to the Northwest Information Center in October 2019 (APN 523-021-004), August 2017 (APN 523-021-003), and December 2018 (APN 523-026-003). NWIC noted that for all three project sites, there was no official record of any previous cultural resource surveys for the area and recommended contacting the local Native American tribes (On file and confidential). Three Cultural Resource Investigation Reports were prepared by WRA for each project site in 2018 (On file and confidential). Cultural resources surveys conducted in March 2018 on all three parcels did not identify any archaeological or cultural resources within the project sites. The cultural investigation reports indicated that no further archeological investigations are necessary and recommended measures should be included to provide for inadvertent discovery of any buried cultural resources. William Rich and Associates (WRA) provided written and email correspondence regarding tribal cultural resources

within and in the vicinity of the project sites to the Hoopa Valley Tribe and the Tsnungwe Council in March 2018. Mr. Robert Benson of the Tsnungwe Council responded stating that no tribal cultural resources are known to exist in the project area and he expressed no further concerns. No additional responses were received. The Tsnugwe Council responded in Ongoing conditions of approval are incorporated regarding compliance with the recommendations of the Cultural Resources Investigation and the Inadvertent Discoveries Protocol to protect cultural resources.

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).

Based on a review of Planning Division reference sources and comments from all involved referral agencies, Planning staff believes that the applicant has submitted evidence in support of making all of the required findings for approval of the Conditional Use Permits (CUPs) and Special Permit (SP).

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

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

**RESOLUTION OF THE PLANNING COMMISSION
OF THE COUNTY OF HUMBOLDT
Resolution Number 21 -
Record Number: PLN-11373-CUP
Assessor's Parcel Number: 523-021-004**

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

WHEREAS, Humboldt Heals, submitted an application and evidence in support of approving a Conditional Use Permit for existing 16,460 square feet of outdoor cannabis cultivation in four distinct cultivation areas and three greenhouses. Cultivation activities extend from March to November. There will be two harvests annually. Water for irrigation is sourced from an existing groundwater well. Existing available water storage is 16,200 gallons in a series of hard-sided tanks. Estimated annual water usage is 89,250 gallons. Drying and bucking occurs in a shared 1,190-square-foot structure and stored in two existing and four proposed shipping containers located on APN 523-021-003. A maximum of two employees may be utilized during peak operations. Power is provided by solar panels and two generators. Note: This permit does not authorize construction of the proposed off-stream pond; and

WHEREAS, the County Planning Division, the lead agency, prepared an Addendum to the Final Mitigated Negative Declaration (MND) prepared for the Commercial Medical Land Use Ordinance (CMMLUO) adopted by the Humboldt County Board of Supervisors on January 26, 2016. The proposed project does not present substantial changes that would require major revisions to the previous Mitigated Negative Declaration. No new information of substantial importance that was not known and could not be known at the time was presented as described by §15162(c) of CEQA Guidelines; and

WHEREAS, the Humboldt County Planning Commission held a duly-noticed public hearing on **August 19, 2021**, and reviewed, considered, and discussed the application for a Conditional Use 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:** The application is a Conditional Use Permit for existing 16,460 square feet of outdoor cannabis cultivation in four distinct cultivation areas and three greenhouses. Cultivation activities extend from March to November. There will be two harvests annually. Water for irrigation is sourced from an existing groundwater well. Existing available water storage is 16,200 gallons in a series of hard-sided tanks. Estimated annual water usage is 89,250 gallons. Drying and bucking occurs in a shared 1,190-square-foot structure and stored in two existing and four proposed shipping containers located on APN 523-021-003. A maximum of two employees may be utilized during peak operations. Power is provided by solar panels and two generators. Note: This permit does not authorize construction of the proposed off-stream pond.

EVIDENCE: a) Project File: PLN-11373-CUP

- 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 Mitigated Negative Declaration (MND) prepared for the Commercial Medical Marijuana Land Use Ordinance (CMMLUO) adopted by the Humboldt County Board of Supervisors on January 26, 2016.

a) Addendum Prepared for the proposed project.

EVIDENCE:

b) The proposed project does not present substantial changes that would require major revisions to the previous MND. No new information of substantial importance that was not known and could not be known at the time was presented as described by §15162(c) of CEQA Guidelines.

c) A Water Resources Protection Plan (WRPP) was prepared in 2016 by Timberland Resource Consultants to show compliance with the North Coast Regional Water Quality Control Board Order No. R1-2015-0023. Conditions of approval require the applicant to adhere to and implement the recommendations in the WRPP. Conditions of approval also require the applicant to enroll in the State Water Resources Control Board Cannabis Cultivation Policy, adhere to and implement all requirements and maintain enrollment.

d) A Biological Assessment Report was carried out by Timberland Resource Consultants in January of 2019. No Special Status species were observed during the assessment. Potentially suitable habitat certain aquatic and semi-aquatic species existed on small portions of the property removed from cultivation activities. The Assessment determined that adherence to the Water Resource Protection Plan would prevent any adverse effects on aquatic habitat. Northern Spotted Owl (NSO) habitat exists in the vicinity and the nearest NSO Activity Center is approximately 1 mile from proposed cultivation areas, and the nearest sighting is approximately 0.3 mile from the proposed cultivation area. Conditions of approval will require noise to be at below 50 decibels at 100 feet which is below the guidance established by the California Department of Fish and Wildlife for protection of the species.

e) A Timber Conversion Report was prepared by Timberland Resource Consultants (TRC) in March 2018 that demonstrates no timber conversion has occurred after the environmental baseline of December 31, 2015.

f) A Cultural Resources Investigation was conducted by William Rich and Associates (WRA) in October 2018. No cultural resources were found, and the report concluded that no significant archaeological or historic period cultural resources that, for the purposes of CEQA (15064.5(a)), would be considered an historical resource exist in the limits of the project area. The report recommended Inadvertent Discoveries Protocol.

g) The applicant submitted a revised Road Evaluation Report dated July 8, 2021, prepared by Trinity Valley Consulting Engineers, Inc. (TVCE). The revised report includes the information requested by the Planning Commission. The report includes the following recommendations:

"...Use of this roadway will primarily be a function of continued maintenance. This is to include regular grading to remove ruts, addition of rock surfacing when needed to fill potholes, soft-spots and maintenance of roadway drainage controls. All Turnouts must be graded when the road is graded to prevent vegetation from growing and making the turnouts unusable. There have been thirty-one (31) turnouts identified in this road evaluation. Both existing and proposed turnouts shall be a minimum of twelve (12) feet wide and thirty (30) feet long with a minimum twenty-five (25) foot taper on each side. Vegetation must be cleared so that turnout views are not obstructed and so the roadway travel is not impeded. It is recommended that the roadway be graded annually and rocked when needed..."

The conditions of approval require the applicant to adhere to and implement the recommendations contained within the Road Evaluation Report prepared by TVCE dated July 8, 2021. Upon review, with the revised report and clarification regarding where processing will occur, the Planning Department determined the roadway can accommodate the traffic associated with the proposed project, which includes adhering to and implementing the recommendations within the report for the life of the project.

Additionally, due to the number of cultivation projects along the private access roads (Horse Linto Road and USFS 07N05), both approved and pending, conditions of approval require the applicant to take steps to form a Road Maintenance Association (RMA) for the maintenance of Horse Linto Road. The road maintenance would include, but not be limited to, the recommendations described in the Road Evaluation Report prepared by TVCE dated July 8, 2021. The necessary steps include sending notices to all road users of the requirement to form a Road Maintenance Association and conducting a meeting with the users of the road, especially those engaged in commercial cannabis activities, to discuss formation of the Road Maintenance Association. The applicant shall provide evidence, including notice, meeting minutes, and the decision as to whether a Road Maintenance Association is being formed to show this effort. In the event the applicant is unable to coordinate formation a Road Maintenance Association, the applicant shall pay fair-share cost for maintenance of the road to any road user engaged in maintaining the road.

FINDINGS FOR CONDITIONAL USE PERMIT

- 3. FINDING** The proposed development is in conformance with the County General Plan, Open Space Plan, and the Open Space Action Program.
- EVIDENCE** a) General agriculture is a use type permitted in the Timberland (T) land use designation. The proposed cannabis cultivation, an agricultural product, is within land planned and zoned for Timberland (T) uses. The project is consistent with and complimentary to the Open Space Plan and its Open Space Action Program.
- 4. FINDING** The proposed development is consistent with the purposes of the existing Timber Production Zone (TPZ) in which the site is located.
- EVIDENCE** a) The Timber Production Zone (TPZ) is intended to be applied to areas of the County in which primary uses include the growing and harvesting of timber and timber production facilities, including portable processing equipment. Principal permitted uses compatible with timber production include grazing and other agricultural uses. All general agricultural uses are principally permitted in the TPZ zone.
- b) Humboldt County Code section 314-55.4.8.2.2 allows cultivation of up to 43,560 square feet of existing outdoor cannabis and up to 22,000 square feet of existing mixed-light cannabis on a parcel over 1 acre subject to approval of a Conditional Use Permit and a determination that the cultivation was in existence prior to January 1, 2016. The application for 16,460 square feet of full-sun outdoor cultivation on a 162-acre parcel is consistent with this and with the cultivation area verification prepared by the County.

5. FINDING

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

EVIDENCE

- a) The CMMLUO allows existing cannabis cultivation to be permitted in areas zoned TPZ. (HCC 314-55.4.8.2.2).
- b) The parcel was created in compliance with all applicable state and local subdivision regulations, as it was created in its current configuration by Patent Parcel issued on September 15, 1904.
- c) The project will obtain water from a non-diversionary water source. Irrigation water will come from a groundwater well that has been permitted by the Environmental Health Department (Permit No. 14/15-0433). The well is located south of Site 1, approximately 1,700 feet east of the nearest SMA and 1,900 feet higher in elevation. The Well Completion Report states the well is 200 feet deep and drilled through siltstone, shale, and hard shale with quartz. Although water is at 105 feet, a blank is installed for 110 feet of the well, a screen is installed for 110 to 190 feet, and another blank is installed for 190 to 200 feet. The well produces 10 gallons per minutes, which should produce sufficient water for irrigation. Based on the distance from the nearest watercourse and the use of a blank for casing of the majority of the well, Planning staff determined the well is likely to be hydrologically disconnected from surface waters and does not require additional water rights from the State Water Resources Control Board and is not subject to forbearance or water storage requirements.
- d) The applicant proposes three off-stream ponds, one on each parcel. The ponds range in size from 200,000 gallons to 300,000 gallons. Under the original application for APPS 11965, the applicant proposed a 600,000-gallon, however, is now requesting a 300,000-gallon pond. Trinity Valley Consulting Engineers Inc. (TCVE) prepared an R-2 Soils Report (APPS #11373) and Grading and Erosion Control Plans (APPS #11963 and 11965) to provide additional detail regarding pond construction. The reports indicate that between 6,000 – 7,000 cubic yards (cy) of cut and fill would be necessary to develop the ponds at each site. According to the reports from TCVE and a review of aerial mapping on the Humboldt WebGIS, slopes in this area range from 15% - 50%. It appears timber and or vegetation removal would also be required. Because the site is heavily forested, restocking at a rate of 3:1 for any trees removed does not appear to be possible. Northern Spotted Owl observations have occurred within 0.6 miles or less from each cultivation area (see discussion on next page). Lastly, the Road Evaluation Report prepared by TVCE dated July 12, 2021, indicates sections of the access road are narrow and have average slopes ranging from 4% - 18%, which may make it difficult for construction vehicles to access the site and/or increase water quality issues. For the reasons, Planning staff does not support development of the off-stream ponds on any of the subject parcels. However, because there are an existing water sources (groundwater well discussed above) that currently support the projects, Planning staff determined there is sufficient water available to support the project without construction of the ponds. Conditions of approval require the applicant to revise the site plan and operations plan to remove discussion regarding the pond.
- e) The site is located on road that has been certified by a licensed engineer to safely accommodate the amount of traffic generated by the proposed cannabis cultivation.

- f) The slope of the land where cannabis will be cultivated is less than 15%.
- g) The location of the cultivation complies with all setbacks required in Section 314-55.4.11.d. It is more than 30 from any property line, more than 300 feet from any off-site residence, more than 600 feet from any school, church, public park or Tribal Cultural Resource.
- h) The cultivation of cannabis will not result in the net conversion of timberland. A Timber Conversion Report was prepared by Timberland Resource Consultants (TRC) in March 2018. The Report found the site had been converted before the environmental baseline established in the CMMLUO.

6. FINDING

The cultivation of 16,460 square feet of existing outdoor cannabis cultivation and the conditions under which it may be operated or maintained will not be detrimental to the public health, safety, or welfare or materially injurious to properties or improvements in the vicinity.

EVIDENCE

- a) The site is located on road that has been certified by a licensed engineer to safely accommodate the amount of traffic generated by the proposed cannabis cultivation.
- b) The site is in a rural part of the County where the typical parcel size is over 40 acres and many of the land holdings are very large. The proposed cannabis will not be in a location where there is an established neighborhood or other sensitive receptor such as a school, church, park or other use which may be sensitive to cannabis cultivation. Approving cultivation on this site and the other sites which have been approved or are in the application process will not change the character of the area due to the large parcel sized in the area.
- c) The location of the proposed cannabis cultivation is more than 300 feet from the nearest off-site residence.
- d) Irrigation water will come from a groundwater well that has been permitted by the Environmental Health Department (Permit No. 14/15-0433). the well is located south of Site 1, approximately 1,700 feet east of the nearest SMA and 1,900 feet higher in elevation. The Well Completion Report states the well is 200 feet deep and drilled through siltstone, shale, and hard shale with quartz. Although water is at 105 feet, a blank is installed for 110 feet of the well, a screen is installed for 110 to 190 feet, and another blank is installed for 190 to 200 feet. The well produces 10 gallons per minutes, which should produce sufficient water for irrigation. Based on the distance from the nearest watercourse and the use of a blank for casing of the majority of the well, Planning staff determined the well is likely to be hydrologically disconnected from surface waters and does not require additional water rights from the State Water Resources Control Board and is not subject to forbearance or water storage requirements.
- e) Provisions have been made in the applicant's proposal to protect water quality and thus runoff to adjacent property and infiltration of water to groundwater resources will not be affected.

7. FINDING

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

EVIDENCE

- a) The parcel was not included in the housing inventory of Humboldt County's 2019 Housing Element but does have the potential to support one housing

unit. The approval of cannabis cultivation on this parcel will not conflict with the ability for a residence to be constructed on this parcel.

DECISION

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

- Adopt the findings set forth in this resolution; and
- Conditionally approves the Conditional Use Permit for Humboldt Heals, 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 August 19, 2021.

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

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

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

John Ford, Director
Planning and Building Department

**RESOLUTION OF THE PLANNING COMMISSION
OF THE COUNTY OF HUMBOLDT
Resolution Number 21 -
Record Number: PLN-11963-CUP
Assessor's Parcel Number: 523-021-003**

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

WHEREAS, Humboldt Heals, submitted an application and evidence in support of approving a Conditional Use Permit for an existing 11,324-square-foot outdoor cannabis cultivation operation that occurs within two distinct cultivation areas and three greenhouses. Cultivation activities extend from March to November. There will be two harvests annually. Water for irrigation is sourced from an existing groundwater well located on APN 523-026-003. Existing available water storage is 11,500 gallons in a series of hard-sided tanks. The project proposes construction of a 200,000-gallon impoundment to provide additional storage. Estimated annual water usage is 83,000 gallons. Drying and bucking occurs in a shared 1,190-square-foot structure and stored in two existing and four proposed shipping containers located on APN 523-021-003. A maximum of two employees may be utilized during peak operations. Power is provided by solar panels and one Predator 3500 generator and one Honda 7000 generator. Note: This permit does not authorize construction of the proposed off-stream pond; and

WHEREAS, the County Planning Division, the lead agency, prepared an Addendum to the Final Mitigated Negative Declaration (MND) prepared for the Commercial Medical Land Use Ordinance (CMMLUO) adopted by the Humboldt County Board of Supervisors on January 26, 2016. The proposed project does not present substantial changes that would require major revisions to the previous Mitigated Negative Declaration. No new information of substantial importance that was not known and could not be known at the time was presented as described by §15162(c) of CEQA Guidelines; and

WHEREAS, the Humboldt County Planning Commission held a duly-noticed public hearing on **August 19, 2021**, and reviewed, considered, and discussed the application for a Conditional Use 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:** The application is a Conditional Use Permit for an existing 11,324-square-foot outdoor cannabis cultivation operation that occurs within two distinct cultivation areas and three greenhouses. Cultivation activities extend from March to November. There will be two harvests annually. Water for irrigation is sourced from an existing groundwater well located on APN 523-026-003. Existing available water storage is 11,500 gallons in a series of hard-sided tanks. The project proposes construction of a 200,000-gallon impoundment to provide additional storage. Estimated annual water usage is 83,000 gallons. Drying and bucking occurs in a shared 1,190-square-foot structure and stored in two existing and four proposed shipping containers located on APN 523-021-003. A maximum of two employees may be utilized during peak operations. Power is provided by solar panels and one Predator 3500 generator and one Honda 7000 generator. Note: This permit does not authorize construction of the proposed off-stream pond.

- EVIDENCE:** a) Project File: PLN-11963-CUP

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 Mitigated Negative Declaration (MND) prepared for the Commercial Medical Marijuana Land Use Ordinance (CMMLUO) adopted by the Humboldt County Board of Supervisors on January 26, 2016.

a) Addendum Prepared for the proposed project.

EVIDENCE:

b) The proposed project does not present substantial changes that would require major revisions to the previous MND. No new information of substantial importance that was not known and could not be known at the time was presented as described by §15162(c) of CEQA Guidelines.

c) A Water Resources Protection Plan was prepared in 2016 by Timberland Resource Consultants to show compliance with the North Coast Regional Water Quality Control Board Order No. R1-2015-0023. Conditions of approval also require the applicant to enroll in the State Water Resources Control Board Cannabis Cultivation Policy, adhere to and implement all requirements and maintain enrollment.

d) A Biological Assessment Report was carried out by Timberland Resource Consultants in January of 2019. No special status species were observed during the assessment. The Assessment concluded that the proposed project's potential impacts are mitigated through implementation of best management practices for erosion control as described in the WRPP and required by the State Water Board. Northern Spotted Owl (NSO) habitat exists in the vicinity and the nearest NSO Activity Center is approximately 1 mile from proposed cultivation areas, and the nearest sighting is approximately 0.8 mile from the proposed cultivation area. Conditions of approval will require noise to be at below 50 decibels at 100 feet which is below the guidance established by the California Department of Fish and Wildlife for protection of the species. Use of generators will comply with Department Policy Statement No. 16-005 clarifying CMMLUO Section 314-55.4.11(o).

e) All development currently meets appropriate Streamside Management Area (SMA) setbacks preserving them as wildlife and riparian corridors.

f) A Timber Conversion Report was prepared by Timberland Resource Consultants (TRC) in March 2018 that demonstrates no timber conversion has occurred after the environmental baseline of December 31, 2015.

g) Trinity Valley Consulting Engineers Inc. (TCVE) prepared a Grading and Erosion Control Plan in October 2016 that recommended limiting all earthmoving activities to the dry season (April 15 to October 15); the use of straw mulch, straw wattles, and fiber rolls to prevent runoff; installing and maintaining sediment control measures all year; installing and maintaining erosion control measures during the wet season; and limiting cut and fill slopes to be 1.5:1 or less. In addition, a R-2 Soils Report was prepared for the project site by TCVE in October 2016 to provide recommendations for potential to develop the proposed off-stream pond and retroactively permit two existing cultivation areas. Although the Planning Department is not recommending development of the off-stream ponds, grading conducted without the benefit of County review for development of the cultivation areas will require permitting. Conditions of approval require the

applicant to obtain grading permits from the Building Inspection Division for any proposed grading in accordance with the Grading and Erosion Control Plan and R-2 Soils Report.

- h) A Cultural Resources Investigation was conducted by William Rich and Associates (WRA) in October 2018. No cultural resources were found, and the report concluded that no significant archaeological or historic period cultural resources that, for the purposes of CEQA (15064.5(a)), would be considered an historical resource exist in the limits of the project area. The report recommended Inadvertent Discoveries Protocol.
- i) The applicant submitted a revised Road Evaluation Report dated July 8, 2021, prepared by Trinity Valley Consulting Engineers, Inc. (TVCE). The revised report includes the information requested by the Planning Commission. The report includes the following recommendations:

"...Use of this roadway will primarily be a function of continued maintenance. This is to include regular grading to remove ruts, addition of rock surfacing when needed to fill potholes, soft-spots and maintenance of roadway drainage controls. All Turnouts must be graded when the road is graded to prevent vegetation from growing and making the turnouts unusable. There have been thirty-one (31) turnouts identified in this road evaluation. Both existing and proposed turnouts shall be a minimum of twelve (12) feet wide and thirty (30) feet long with a minimum twenty-five (25) foot taper on each side. Vegetation must be cleared so that turnouts views are not obstructed and so the roadway travel is not impeded. It is recommended that the roadway be graded annually and rocked when needed..."

The conditions of approval require the applicant to adhere to and implement the recommendations contained within the Road Evaluation Report prepared by TVCE dated July 8, 2021. Upon review, with the revised report and clarification regarding where processing will occur, the Planning Department determined the roadway can accommodate the traffic associated with the proposed project, which includes adhering to and implementing the recommendations within the report for the life of the project.

Additionally, due to the number of cultivation projects along the private access roads (Horse Linto Road and USFS 07N05), both approved and pending, conditions of approval require the applicant to take steps to form a Road Maintenance Association (RMA) for the maintenance of Horse Linto Road. The road maintenance would include, but not be limited to, the recommendations described in the Road Evaluation Report prepared by TVCE dated July 8, 2021. The necessary steps include sending notices to all road users of the requirement to form a Road Maintenance Association and conducting a meeting with the users of the road, especially those engaged in commercial cannabis activities, to discuss formation of the Road Maintenance Association. The applicant shall provide evidence, including notice, meeting minutes, and the decision as to whether a Road Maintenance Association is being formed to show this effort. In the event the applicant is unable to coordinate formation a Road Maintenance Association, the applicant shall pay fair-share cost for maintenance of the road to any road user engaged in maintaining the road.

FINDINGS FOR CONDITIONAL USE PERMIT

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

EVIDENCE a) General agriculture is a use type permitted in the Timberland (T) land use designation. The proposed cannabis cultivation, an agricultural product, is within land planned and zoned primarily for timberland, but where agricultural uses are principally permitted. The use of previously converted areas and natural open spaces on the parcel for cannabis cultivation is consistent with the Open Space Plan and Open Space Action Program. Therefore, the project is consistent with and complimentary to the Open Space Plan and its Open Space Action Program.

4. FINDING The proposed development is consistent with the purposes of the existing Timber Production Zone (TPZ) in which the site is located.

EVIDENCE a) The Timber Production Zone (TPZ) is intended to be applied to areas of the County in which primary uses include the growing and harvesting of timber and timber production facilities, including portable processing equipment. Permitted uses compatible with timber production include grazing and other agricultural uses.

b) All general agricultural uses are principally permitted in the Timber Production Zone (TPZ).

c) Humboldt County Code section 314-55.4.8.2.2 allows cultivation of up to 43,560 square feet of existing outdoor cannabis and up to 22,000 square feet of existing mixed-light cannabis on a parcel over 1 acre subject to approval of a Conditional Use Permit and a determination that the cultivation was in existence prior to January 1, 2016. The application for 12,686 square feet of full-sun outdoor cultivation on a 161-acre parcel is consistent with this and with the cultivation area verification prepared by the County.

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

EVIDENCE a) The CMMLUO allows existing cannabis cultivation to be permitted in areas zoned Timber Production Zone (TPZ). (HCC 314-55.4.8.2.2).

b) The parcel was created in compliance with all applicable state and local subdivision regulations, as it was created in its current configuration as an intact patent parcel issued an unconditional cert, per DS 06-13C.

c) The project will obtain water from a non-diversionary water source. Irrigation water will come from a groundwater well located on APN 523-026-003 (also operated by the applicant) that has been permitted by the Environmental Health Department (Permit No. 17/18-1225). The well is located north of Site 1, approximately 800 feet east of the nearest SMA and 2,100 feet higher in elevation based on measurements from the Humboldt County WebGIS. The Well Completion Report states the well is 240 feet deep and drilled through silty soft sandstone, and hard shale. Although water is at 107 feet, a blank is installed for the entire 240 feet of the well. The well produces 10 gallons per minutes, which should produce sufficient water for irrigation. Based on the distance from the nearest watercourse and separation in elevation from the water course, Planning staff determined the well is likely to be hydrologically disconnected from surface waters and

does not require additional water rights from the State Water Resources Control Board and is not subject to forbearance or water storage requirements. Conditions of approval require the applicant to record an easement for use of the well on APN 223-026-003.

- d) The applicant proposes three off-stream ponds, one on each parcel. The ponds range in size from 200,000 gallons to 300,000 gallons. Under the original application for APPS 11965, the applicant proposed a 600,000-gallon, however, is now requesting a 300,000-gallon pond. Trinity Valley Consulting Engineers Inc. (TCVE) prepared an R-2 Soils Report (APPS #11373) and Grading and Erosion Control Plans (APPS #11963 and 11965) to provide additional detail regarding pond construction. The reports indicate that between 6,000 – 7,000 cubic yards (cy) of cut and fill would be necessary to develop the ponds at each site. According to the reports from TCVE and a review of aerial mapping on the Humboldt WebGIS, slopes in this area range from 15% - 50%. It appears timber and or vegetation removal would also be required. Because the site is heavily forested, restocking at a rate of 3:1 for any trees removed does not appear to be possible. Northern Spotted Owl observations have occurred within 0.6 miles or less from each cultivation area (see discussion on next page). Lastly, the Road Evaluation Report prepared by TVCE dated July 12, 2021, indicates sections of the access road are narrow and have average slopes ranging from 4% - 18%, which may make it difficult for construction vehicles to access the site and/or increase water quality issues. For the reasons, Planning staff does not support development of the off-stream ponds on any of the subject parcels. However, because there are an existing water sources (groundwater well discussed above) that currently support the projects, Planning staff determined there is sufficient water available to support the project without construction of the ponds. Conditions of approval require the applicant to revise the site plan and operations plan to remove discussion regarding the pond.
- e) The site is located on road that has been certified by a licensed engineer to safely accommodate the amount of traffic generated by the proposed cannabis cultivation.
- f) The slopes were cannabis will be cultivated is less than 15%.
- g) The location of the cultivation complies with all setbacks required in Section 314-55.4.11.d. It is more than 30 from any property line, more than 300 feet from any off-site residence, more than 600 feet from any school, church, public park or Tribal Cultural Resource.
- h) The cultivation of cannabis will not result in the net conversion of timberland. A Timber Conversion Report was prepared by Timberland Resource Consultants (TRC) in March 2018. The Report found the site had been converted before the environmental baseline established in the CMMLUO.

6. FINDING

The cultivation of 12,686 square feet of existing outdoor cannabis cultivation and the conditions under which it may be operated or maintained will not be detrimental to the public health, safety, or welfare or materially injurious to properties or improvements in the vicinity.

EVIDENCE

- a) The site is located on road that has been certified by a licensed engineer to safely accommodate the amount of traffic generated by the proposed

cannabis cultivation.

- b) The site is in a rural part of the County where the typical parcel size is over 40 acres and many of the land holdings are very large. The proposed cannabis will not be in a location where there is an established neighborhood or other sensitive receptor such as a school, church, park or other use which may be sensitive to cannabis cultivation. Approving cultivation on this site and the other sites which have been approved or are in the application process will not change the character of the area due to the large parcel sized in the area.
- c) The location of the proposed cannabis cultivation is more than 300 feet from the nearest off-site residence.
- d) Irrigation water will come from a groundwater well that has been permitted by the Environmental Health Department (Permit No. 17/18-1225).
- e) Provisions have been made in the applicant's proposal to protect water quality and thus runoff to adjacent property and infiltration of water to groundwater resources will not be affected.

7. FINDING

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

EVIDENCE

- a) The parcel was not included in the housing inventory of Humboldt County's 2019 Housing Element but does have the potential to support one housing unit. The approval of cannabis cultivation on this parcel will not conflict with the ability for a residence to be constructed on this parcel.

DECISION

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

- Adopt the findings set forth in this resolution; and
- Conditionally approves the Conditional Use Permit and Special Permit for Humboldt Heals, 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 **August 19, 2021.**

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

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

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

 John Ford, Director
 Planning and Building Department

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

**Resolution Number 21 -
Record Number: PLN-11965-CUP
Assessor's Parcel Number: 523-026-003**

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

WHEREAS, Humboldt Heals, submitted an application and evidence in support of approving A Conditional Use Permit for an existing 11,600-square-foot outdoor cannabis cultivation operation that occurs within four distinct cultivation areas. Cultivation activities extend from March to November. There will be two harvests annually. Water for irrigation is sourced from one existing groundwater well. Existing available water storage is 30,550 gallons in a series of hard-sided tanks. Estimated annual water usage is 108,000 gallons. Drying and bucking occurs in a shared 1,190 SF structure and stored in two existing and four proposed shipping containers. This structure provides drying and bucketing for the two adjacent Humboldt Heals project sites (APN 523-021-004 and APN 523-021-003). Additional processing occurs offsite at a licensed processing or manufacturing facility. A maximum of two employees may be utilized during peak operations. Power is provided by solar panels and one Predator 3500 generator and one Honda 7000 generator. The applicant also seeks a Special Permit to reduce the 600-foot setback requirement to public land since Cultivation Site 4, in the southeast corner of the parcel, is within 600 feet of land owned by the Six Rivers National Forest. Note: This permit does not authorize construction of the proposed off-stream pond; and

WHEREAS, the applicant seeks a Special Permit to reduce the 600-foot setback requirement to public land since cultivation activities in the southeast corner of the parcel is within 600 feet of the Six Rivers National Forest;

WHEREAS, the County Planning Division, the lead agency, prepared an Addendum to the Final Mitigated Negative Declaration (MND) prepared for the Commercial Medical Land Use Ordinance (CMMLUO) adopted by the Humboldt County Board of Supervisors on January 26, 2016. The proposed project does not present substantial changes that would require major revisions to the previous Mitigated Negative Declaration. No new information of substantial importance that was not known and could not be known at the time was presented as described by §15162(c) of CEQA Guidelines; and

WHEREAS, the Humboldt County Planning Commission held a duly-noticed public hearing on May 20, 2021, and reviewed, considered, and discussed the application for a Conditional Use 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:** The application is a Conditional Use Permit for an existing 11,600-square-foot outdoor cannabis cultivation operation that occurs within four distinct cultivation areas. Cultivation activities extend from March to November. There will be two harvests annually. Water for irrigation is sourced from one existing groundwater well. Existing available water storage is 30,550 gallons in a series of hard-sided tanks. Estimated annual water usage is 108,000 gallons. Drying and bucking occurs in a shared 1,190 SF structure and stored in two existing and four proposed shipping containers. This structure provides drying and bucketing for the two adjacent Humboldt Heals project sites (APN 523-021-004 and APN 523-021-003). Additional processing occurs offsite at a licensed processing or manufacturing facility. A maximum of two employees may be utilized during peak operations. Power is provided by solar panel and

one Predator 3500 generator and one Honda 7000 generator. The applicant also seeks a Special Permit to reduce the 600-foot setback requirement to public land since Cultivation Site 4, in the southeast corner of the parcel, is within 600 feet of land owned by the Six Rivers National Forest. Note: Development of the off-stream pond is not authorized by this permit.

EVIDENCE: a) Project File: PLN-11965-CUP

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 Mitigated Negative Declaration (MND) prepared for the Commercial Medical Marijuana Land Use Ordinance (CMMLUO) adopted by the Humboldt County Board of Supervisors on January 26, 2016.

EVIDENCE:

- a) Addendum Prepared for the proposed project.
- b) The proposed project does not present substantial changes that would require major revisions to the previous MND. No new information of substantial importance that was not known and could not be known at the time was presented as described by §15162(c) of CEQA Guidelines
- c) A Water Resources Protection Plan was prepared in 2016 by Timberland Resource Consultants to show compliance with the North Coast Regional Water Quality Control Board Order No. R1-2015-0023.
- d) A Biological Assessment Report was carried out by Timberland Resource Consultants in January of 2019. No special status species were observed during the assessment. Potentially suitable habitat certain aquatic and semi-aquatic species existed on small portions of the property removed from cultivation activities. The Assessment determined that adherence to the Water Resource Protection Plan would prevent any adverse effects on aquatic habitat. Northern Spotted Owl (NSO) habitat exists in the vicinity and the nearest NSO Activity Center is approximately 1 mile from proposed cultivation areas. Conditions of approval will require noise to be at below 50 decibels at 100 feet which is below the guidance established by the California Department of Fish and Wildlife for protection of the species.
- e) All development currently meets appropriate Streamside Management Area (SMA) setbacks preserving them as wildlife and riparian corridors.
- f) A Timber Conversion Report was prepared by Timberland Resource Consultants (TRC) in March 2018 that demonstrates no timber conversion has occurred after the environmental baseline of December 31, 2015.
- g) The project applicant proposes an off-stream 600,000-gallon rainwater impoundment within Cultivation Site 4 of APN 523-026-003 (see Plot Plan). Trinity Valley Consulting Engineers Inc. (TCVE) prepared a Grading and Erosion Control Plan in September 2016 that indicates approximately 13,000 cubic yards of cut and fill is necessary to develop the pond. According to the Humboldt WebGIS, slopes in this area are mapped at 30% - 50%. Based on a review of aerial imagery, it appears timber removal would also be required. Because the site is heavily forested, restocking at a rate of 3:1 for any trees removed does not appear to be possible. For the reasons, Planning staff does not support development of the 600,000-gallon rainwater impoundment. However, because there is an existing water source (groundwater well

discussed above), Planning staff determined there is sufficient water available to support the project without construction of 600,000-gallon pond. Conditions of approval require the applicant to revise the site plan and operations plan to remove discussion regarding the pond.

- h) A Cultural Resources Investigation was conducted by William Rich and Associates (WRA) in October 2018. No cultural resources were found, and the report concluded that no significant archaeological or historic period cultural resources that, for the purposes of CEQA (15064.5(a)), would be considered an historical resource exist in the limits of the project area. The report recommended Inadvertent Discoveries Protocol.
- i) The applicant submitted a revised Road Evaluation Report dated July 8, 2021, prepared by Trinity Valley Consulting Engineers, Inc. (TVCE). The revised report includes the information requested by the Planning Commission. The report includes the following recommendations:

"...Use of this roadway will primarily be a function of continued maintenance. This is to include regular grading to remove ruts, addition of rock surfacing when needed to fill potholes, soft-spots and maintenance of roadway drainage controls. All Turnouts must be graded when the road is graded to prevent vegetation from growing and making the turnouts unusable. There have been thirty-one (31) turnouts identified in this road evaluation. Both existing and proposed turnouts shall be a minimum of twelve (12) feet wide and thirty (30) feet long with a minimum twenty-five (25) foot taper on each side. Vegetation must be cleared so that turnouts views are not obstructed and so the roadway travel is not impeded. It is recommended that the roadway be graded annually and rocked when needed..."

The conditions of approval require the applicant to adhere to and implement the recommendations contained within the Road Evaluation Report prepared by TVCE dated July 8, 2021. Upon review, with the revised report and clarification regarding where processing will occur, the Planning Department determined the roadway can accommodate the traffic associated with the proposed project, which includes adhering to and implementing the recommendations within the report for the life of the project.

Additionally, due to the number of cultivation projects along the private access roads (Horse Linto Road and USFS 07N05), both approved and pending, conditions of approval require the applicant to take steps to form a Road Maintenance Association (RMA) for the maintenance of Horse Linto Road. The road maintenance would include, but not be limited to, the recommendations described in the Road Evaluation Report prepared by TVCE dated July 8, 2021. The necessary steps include sending notices to all road users of the requirement to form a Road Maintenance Association and conducting a meeting with the users of the road, especially those engaged in commercial cannabis activities, to discuss formation of the Road Maintenance Association. The applicant shall provide evidence, including notice, meeting minutes, and the decision as to whether a Road Maintenance Association is being formed to show this effort. In the event the applicant is unable to coordinate formation a Road Maintenance Association, the applicant shall pay fair-share cost for maintenance of the road to any road user engaged in maintaining the road.

FINDINGS FOR CONDITIONAL USE PERMIT AND SPECIAL PERMIT

3. FINDING

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

EVIDENCE

- a) General agriculture is a use type permitted in the Timberland (T) land use designation. The proposed cannabis cultivation, an agricultural product, is within land planned and zoned primarily for timberland, but where agricultural uses are principally permitted. The use of previously converted areas and natural open spaces on the parcel for cannabis cultivation 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 proposed project includes a Special Permit to request a reduction to the 600-setback from public lands. The parcel to the south of APN 523-026-003 is owned by the Six Rivers National Forest (SRNF) operated by the Lower Trinity Ranger District. The cultivation area within Cultivation Site 4 is located approximately 400 feet from the public land; however, no developed or designated recreational facilities are within 600 feet of any cultivation area. According to the Interactive Visitor Map for the SRNF, the portion of the SRNF in the vicinity of the project site does not contain any trails or other facilities developed for public use. According to the Schedule of Proposed Actions (SOPA) from 01/01/2021 to 03/31/2021 as posted online by the SRNF, there are no current plans associated with the creation of open space/public recreation in any of the SRNF parcels near the project area.

The public land is subject to the Six Rivers National Forest Plan (SRNFP) adopted in 1995. The project is consistent with the SRNFP because the cultivation activities will minimize impacts to biological resources and wildlife through measures to reduce potential light and noise impacts. The project will not require substantial road improvements or the removal of trees. The project will also protect fisheries and aquatic habitat on forest lands by maintaining buffers from streams and by placing controls on water withdrawals and on the storage and use of pesticides and fertilizers, and will minimize risk from wildfire by adhering to the County's Fire Safe Regulations and requiring adequate road access. The SRNFP's provisions for heritage resource protection will be met through the project consultation with Tribal Historic Preservation Officers and avoidance of sensitive tribal cultural resources. Additionally, the Water Resources Protection Plan (WRPP), discussed in detail below, was developed for the project to prevent and/or address poor water quality conditions and adverse impacts to water resources associated with cannabis cultivation on private land, and a Streambed Alteration Agreement (Notification No. 1600-2018-0766-R1) issued by CDFW allows five (5) encroachments to upgrade failing or undersized culverts. Finally, the project is consistent with recreational use on public lands by maintaining a minimum 600 buffer separation from developed campgrounds and/or trails. As a result, there will not be any new erosion, wind damage, elimination of wildlife corridors, loss of scenic beauty or reduction of quality habitat for plants and animals.

4. FINDING

The proposed development is consistent with the purposes of the existing Timber Production Zone (TPZ) in which the site is located.

EVIDENCE

- a) The Timber Production Zone (TPZ) is intended to be applied to areas of the County in which primary uses include the growing and harvesting of timber and timber production facilities, including portable processing equipment. Permitted uses compatible with timber production include grazing and other agricultural uses.

- b) All general agricultural uses are principally permitted in the Timber Production Zone (TPZ).
- c) Humboldt County Code section 314-55.4.8.2.2 allows cultivation of up to 43,560 square feet of existing outdoor cannabis and up to 22,000 square feet of existing mixed-light cannabis on a parcel over 1 acre subject to approval of a Conditional Use Permit and a determination that the cultivation was in existence prior to January 1, 2016. The application for 11,600 square feet of full-sun outdoor cultivation on a 160-acre parcel is consistent with this and with the cultivation area verification prepared by the County.

5. FINDING

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

EVIDENCE

- a) The CMMLUO allows existing cannabis cultivation to be permitted in areas zoned Timber Production Zone (TPZ). (HCC 314-55.4.8.2.2).
- b) The parcel was created in compliance with all applicable state and local subdivision regulations, as it was created in its current configuration by Certificate of Subdivision Compliance, Recordation Number: 2007-27186-7 dated September 11, 2007.
- c) Water for irrigation is provided by a permitted groundwater well also located on APN 523-026-003. According to Humboldt County WebGIS measurements, approximately 300 feet east of the nearest SMA and 2,500 feet higher in elevation. The Well Completion Report states the well is 100 feet deep and drilled through silty soft sandstone, and hard shale. Blanks are installed for the first 40 feet of the well, a screen is installed for 40 to 80 feet, and another blank is installed for 80 to 100 feet. According to the well completion report, the well produces 10 gallons per minutes, which should produce sufficient water for irrigation. Based on the distance from the nearest watercourse and the use of a blank casings, Planning staff determined the well is likely to be hydrologically disconnected from surface waters and does not require additional water rights from the State Water Resources Control Board and is not subject to forbearance or water storage requirements. Existing available water storage, estimated annual water usage, and peak water demands are presented in Table 1.
- d) The site is located on road that has been certified by a licensed engineer to safely accommodate the amount of traffic generated by the proposed cannabis cultivation.
- e) The slope of the land where cannabis will be cultivated is less than 15%.
- f) The location of the cultivation complies with all setbacks required in Section 314-55.4.11.d. It is more than 30 from any property line, more than 300 feet from any off-site residence, more than 600 feet from any school, church, or Tribal Cultural Resource.
- g) The proposed project includes a Special Permit to request a reduction to the 600-setback from public lands. The parcel to the south of APN 523-026-003 is owned by the Six Rivers National Forest (SRNF) operated by the Lower Trinity Ranger District. The cultivation area within Cultivation Site 4 is located approximately 400 feet from the public land; however, no developed or designated recreational facilities are within 600 feet of any cultivation area. According to the Interactive Visitor Map for the SRNF, the portion of the SRNF in the vicinity of the project site does not contain any trails or other facilities developed for public use. According to the Schedule of Proposed Actions

(SOPA) from 01/01/2021 to 03/31/2021 as posted online by the SRNF, there are no current plans associated with the creation of open space/public recreation in any of the SRNF parcels near the project area.

- h) The public land is subject to the Six Rivers National Forest Plan (SRNFP) adopted in 1995. The project is consistent with the SRNFP because the cultivation activities will minimize impacts to biological resources and wildlife through measures to reduce potential light and noise impacts. The project will not require substantial road improvements or the removal of trees. The project will also protect fisheries and aquatic habitat on forest lands by maintaining buffers from streams and by placing controls on water withdrawals and on the storage and use of pesticides and fertilizers, and will minimize risk from wildfire by adhering to the County's Fire Safe Regulations and requiring adequate road access. The SRNFP's provisions for heritage resource protection will be met through the project consultation with Tribal Historic Preservation Officers and avoidance of sensitive tribal cultural resources. Additionally, the Water Resources Protection Plan (WRPP), discussed in detail below, was developed for the project to prevent and/or address poor water quality conditions and adverse impacts to water resources associated with cannabis cultivation on private land, and a Streambed Alteration Agreement (Notification No. 1600-2018-0766-R1) issued by CDFW allows five (5) encroachments to upgrade failing or undersized culverts. Finally, the project is consistent with recreational use on public lands by maintaining a minimum 600 buffer separation from developed campgrounds and/or trails. As a result, there will not be any new erosion, wind damage, elimination of wildlife corridors, loss of scenic beauty or reduction of quality habitat for plants and animals.
- i) The cultivation of cannabis will not result in the net conversion of timberland. A Timber Conversion Report was prepared by Timberland Resource Consultants (TRC) in March 2018. The Report found the site had been converted before the environmental baseline established in the CMMLUO.

6. FINDING

The cultivation of 11,600 square feet of existing outdoor cannabis cultivation and the conditions under which it may be operated or maintained will not be detrimental to the public health, safety, or welfare or materially injurious to properties or improvements in the vicinity.

EVIDENCE

- a) The site is located on road that has been certified by a licensed engineer to safely accommodate the amount of traffic generated by the proposed cannabis cultivation.
- b) The site is in a rural part of the County where the typical parcel size is over 40 acres and many of the land holdings are very large. The proposed cannabis will not be in a location where there is an established neighborhood or other sensitive receptor such as a school, church, park or other use which may be sensitive to cannabis cultivation. Approving cultivation on this site and the other sites which have been approved or are in the application process will not change the character of the area due to the large parcel sized in the area.
- c) The location of the proposed cannabis cultivation is more than 300 feet from the nearest off-site residence.
- d) Irrigation water will come from a groundwater well that has been permitted by the Environmental Health Department (Permit No. 14/15-0427).
- e) Provisions have been made in the applicant's proposal to protect water quality and thus runoff to adjacent property and infiltration of water to groundwater

resources will not be affected.

7. FINDING

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

EVIDENCE

- a) The parcel was not included in the housing inventory of Humboldt County's 2019 Housing Element but does have the potential to support one housing unit. The approval of cannabis cultivation on this parcel will not conflict with the ability for a residence to be constructed on this parcel.

DECISION

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

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

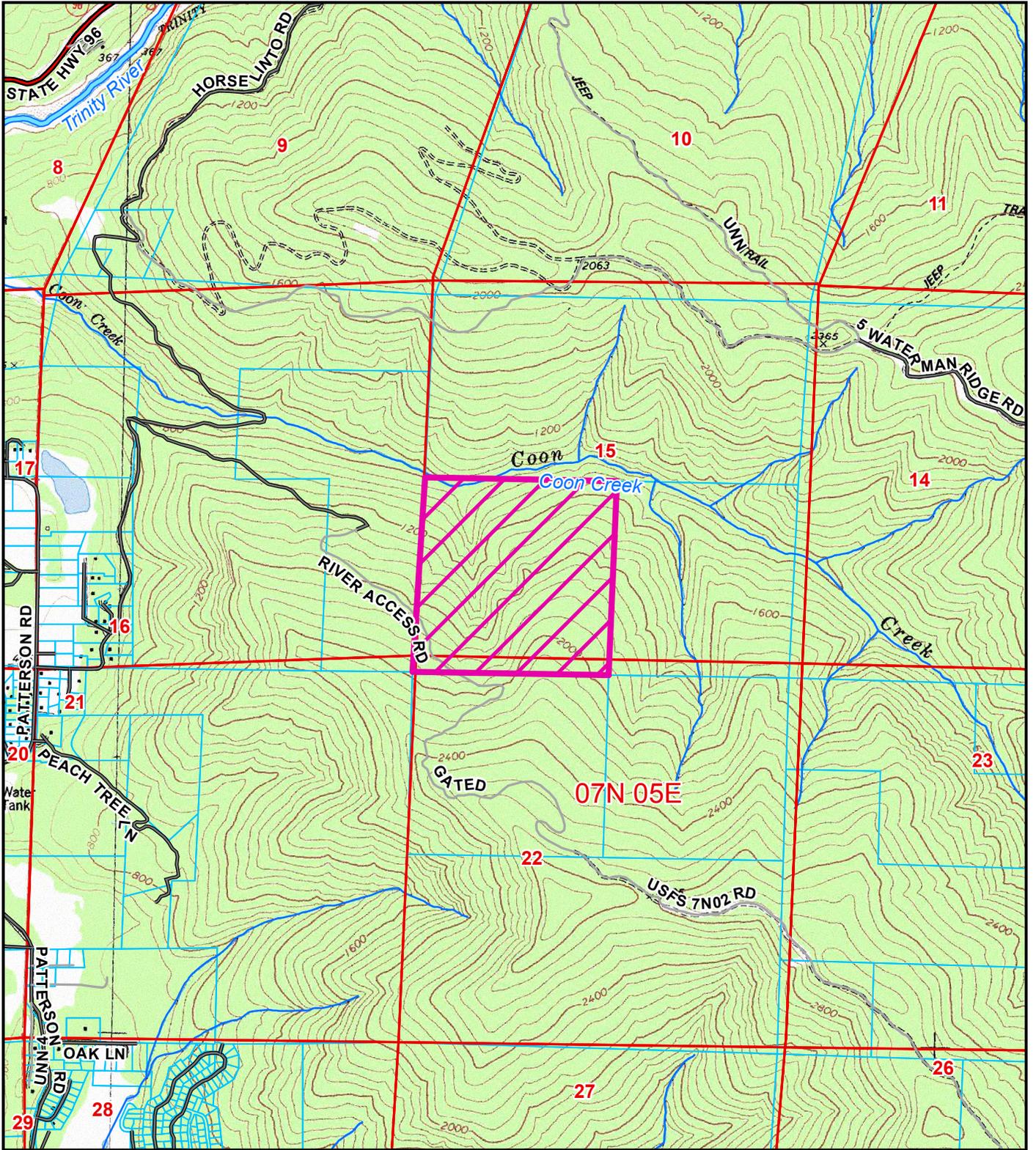
Adopted after review and consideration of all the evidence on August 19, 2021.

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

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

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

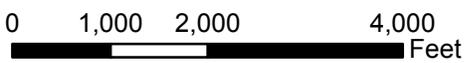
 John Ford, Director
 Planning and Building Department



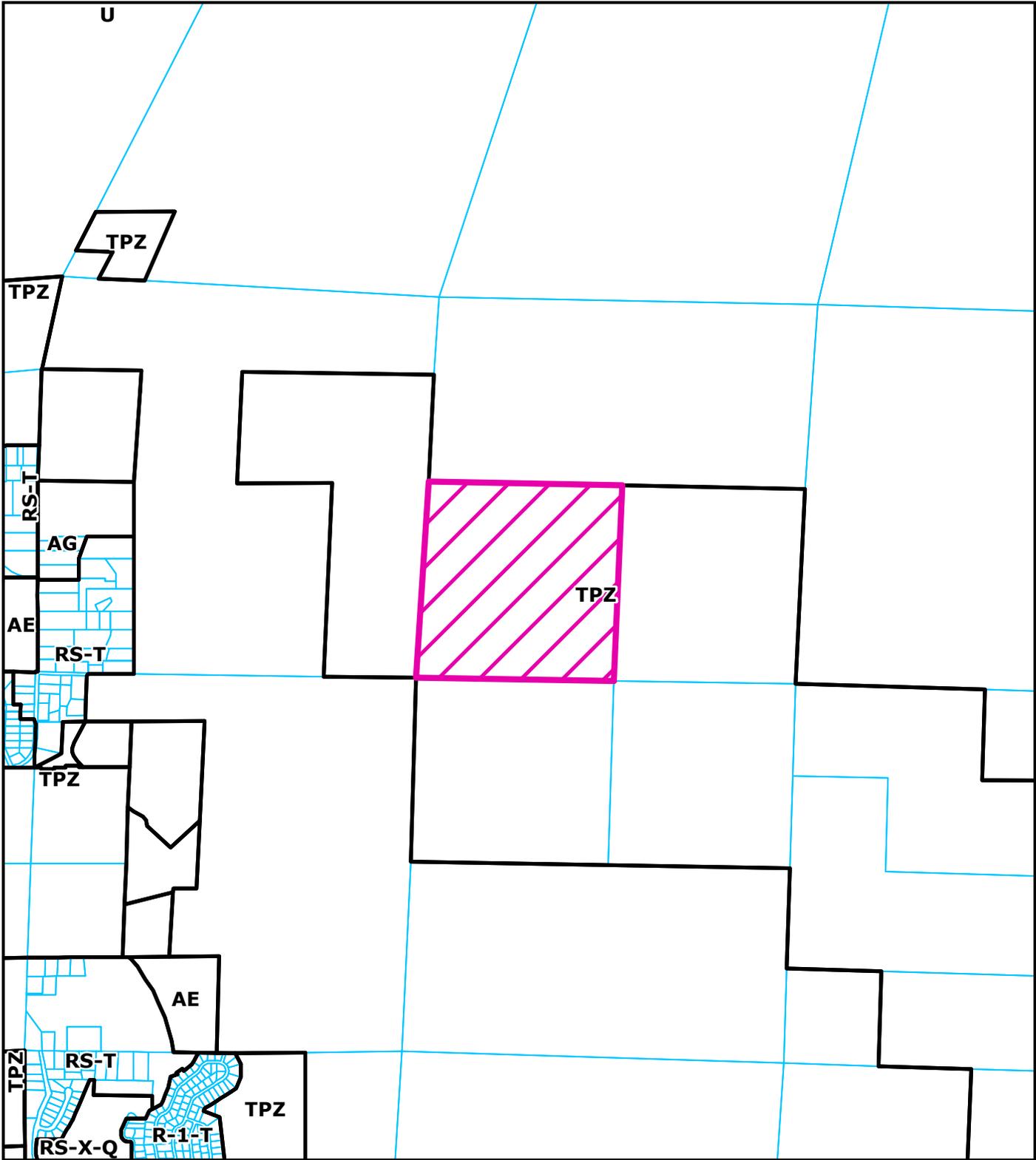
**TOPO MAP
 PROPOSED HUMBOLDT HEALS
 WILLOW CREEK AREA
 CUP-16-237**

**APN: 523-021-004-000
 T07N R05E S16; S15; S21; S22 HB&M (SALYER)**

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 HUMBOLDT HEALS
 WILLOW CREEK AREA
 CUP-16-237**

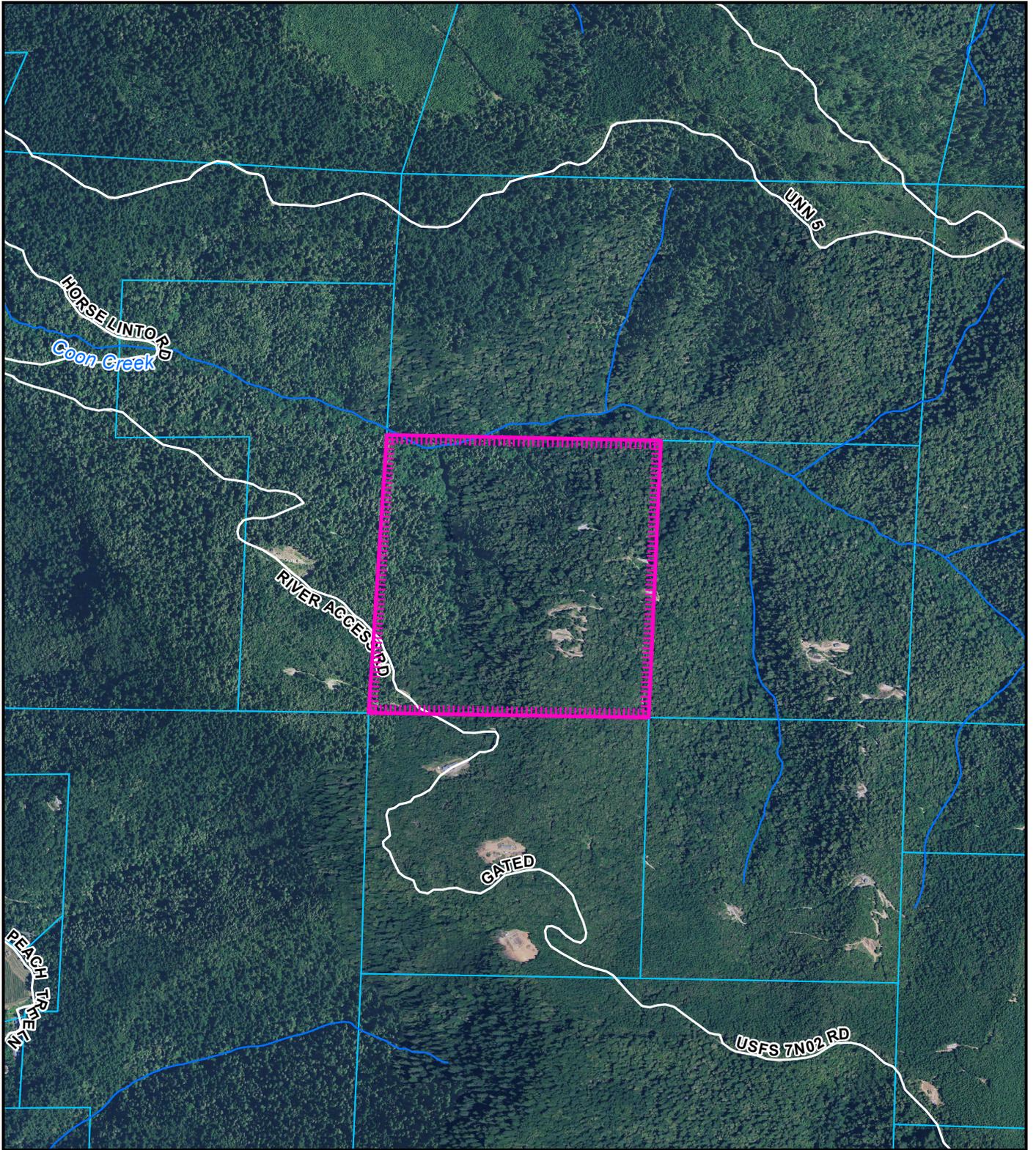
APN: 523-021-004-000

T07N R05E S16; S15; S21; S22 HB&M (SALYER)

Project Area = 



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



**AERIAL MAP
 PROPOSED HUMBOLDT HEALS
 WILLOW CREEK AREA
 CUP-16-237**

**APN: 523-021-004-000
 T07N R05E S16; S15; S21; S22 HB&M (SALYER)**

Project Area = 

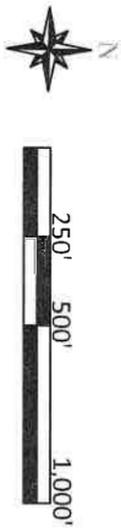
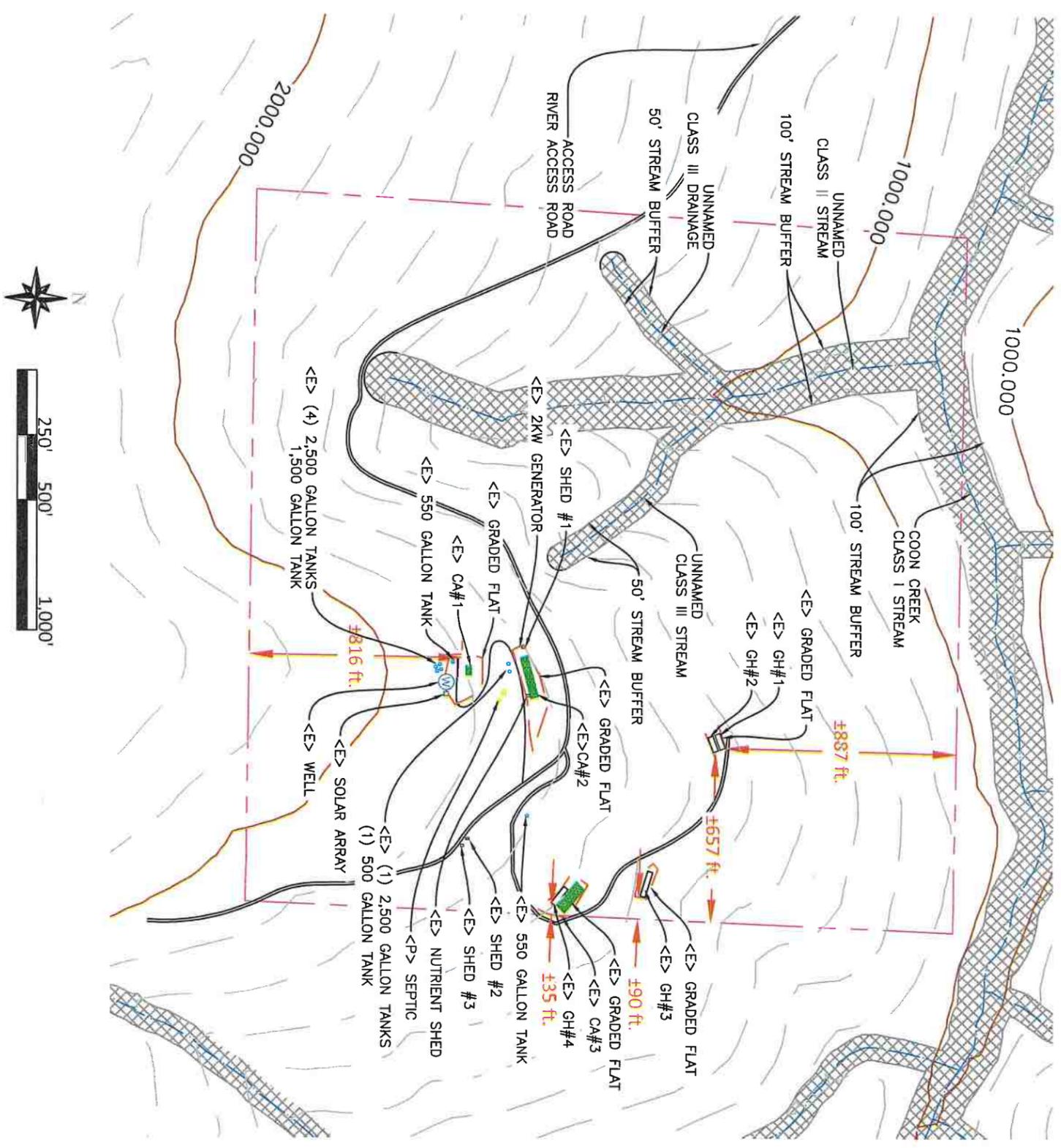


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PARCEL OVERVIEW

APN: 523-021-004



CULTIVATION INFORMATION

CULTIVATION AREA

- CA#1 = 460 FT²
- CA#2 = 5,000 FT²
- CA#3 = 5,000 FT²
- CA#4 = 1,200 FT²
- CA#5 = 2,000 FT²
- GH#4 = 1,600 FT²

TOTAL EXISTING OUTDOOR CULTIVATION AREA = 16,460 FT²

CULTIVATION BUILDINGS AND USE

BUILDING	USE	SIZE	YEAR
SHED #1	TOOL STORAGE	8'x10'	2005
SHED #2	FUEL STORAGE	8'x12'	2005
SHED #3	TRASH STORAGE	8'x16'	2005
NUTRIENT SHED	NUTRIENT STORAGE	10'x12'	2005

WATER STORAGE & USE

TYPE	NUMBER	SIZE
HDPE TANK	2	550 GALLONS
HDPE TANK	1	500 GALLONS
HDPE TANK	1	1,500 GALLONS
HDPE TANK	5	2,500 GALLONS

TOTAL AMOUNT OF WATER STORAGE = 15,600 GALLONS

WATERSOURCE

WELL

POWERSOURCE

- SOLAR ARRAY
- 2KW HONDA BACKUP GENERATOR

COON CREEK CLASS I STREAM WITH REQUIRED 100 FT BUFFER.
 UNNAMED CLASS II STREAM WITH REQUIRED 100 FT BUFFER.
 UNNAMED CLASS III STREAM WITH REQUIRED 50 FT BUFFER.

SURROUNDING BUILDINGS

THERE ARE NO SCHOOLS, BUS STOPS, PLACES OF WORSHIP, PUBLIC PARKS OR TRIBAL CULTURAL RESOURCES WITHIN 600 FEET OF THE CULTIVATION SITE.
 THERE ARE NO OFF SITE RESIDENCES WITHIN 300 FEET OF THE CULTIVATION SITE.



PROJECT INFORMATION

PROPERTY OWNER	RUTH GABOR
ADDRESS	APN: 523-021-004
SHEET INFO	PARCEL OVERVIEW

NO.	NOTES	DATE

DATE	10/21/19
DRAFTER	X
SCALE	AS SHOWN

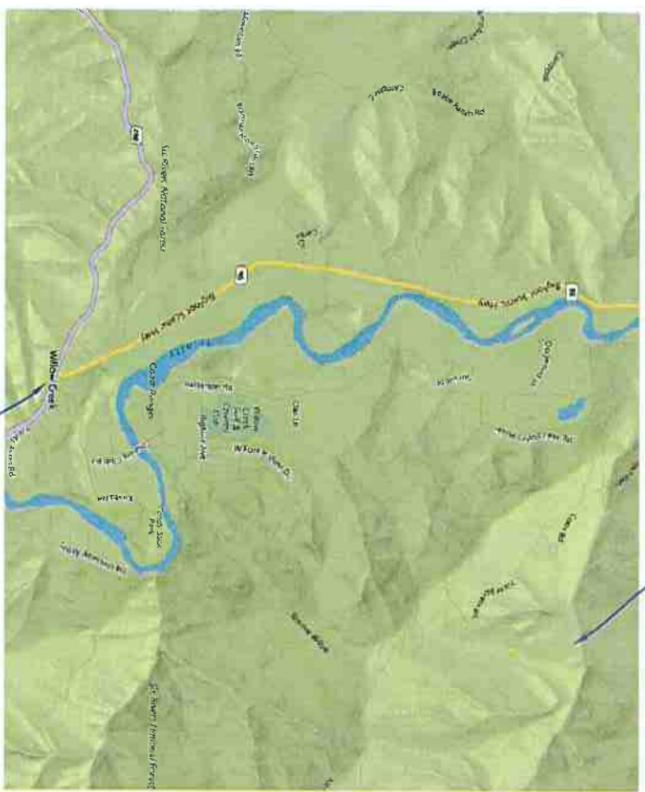
SHEET	C1
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HUMBOLDT HEALS LLC
 APN: 523-021-004



VICINITY MAP

NOT TO SCALE



SITE LOCATION

WILLOW CREEK, CA

PROJECT INFORMATION

PROJECT DIRECTIONS
 FROM: WILLOW CREEK, CA
 EAST ON CA-299
 TURN LEFT ONTO COUNTRY CLUB ROAD (1 MI)
 TURN LEFT ONTO PATTERSON ROAD (2 MI)
 TURN RIGHT ONTO HORSE LINTO CREEK ROAD (1 MI)
 TURN RIGHT ONTO RIVER ACCESS ROAD (1 MI)
 TAKE DRIVEWAY ON THE LEFT

PROJECT INFORMATION
 LAT/LONG: 40.9760, -123.6061
 APN: 523-021-004
 APPLICANT: FLORACANNA CARE
 PARCEL SIZE: ±170
 ZONING: TPZ
 APPLICATION TYPE: TYPE 3 OUTDOOR

COASTAL ZONE: NO
 100 YEAR FLOOD: NO

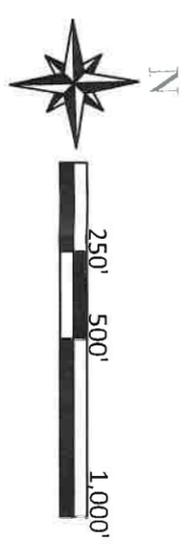
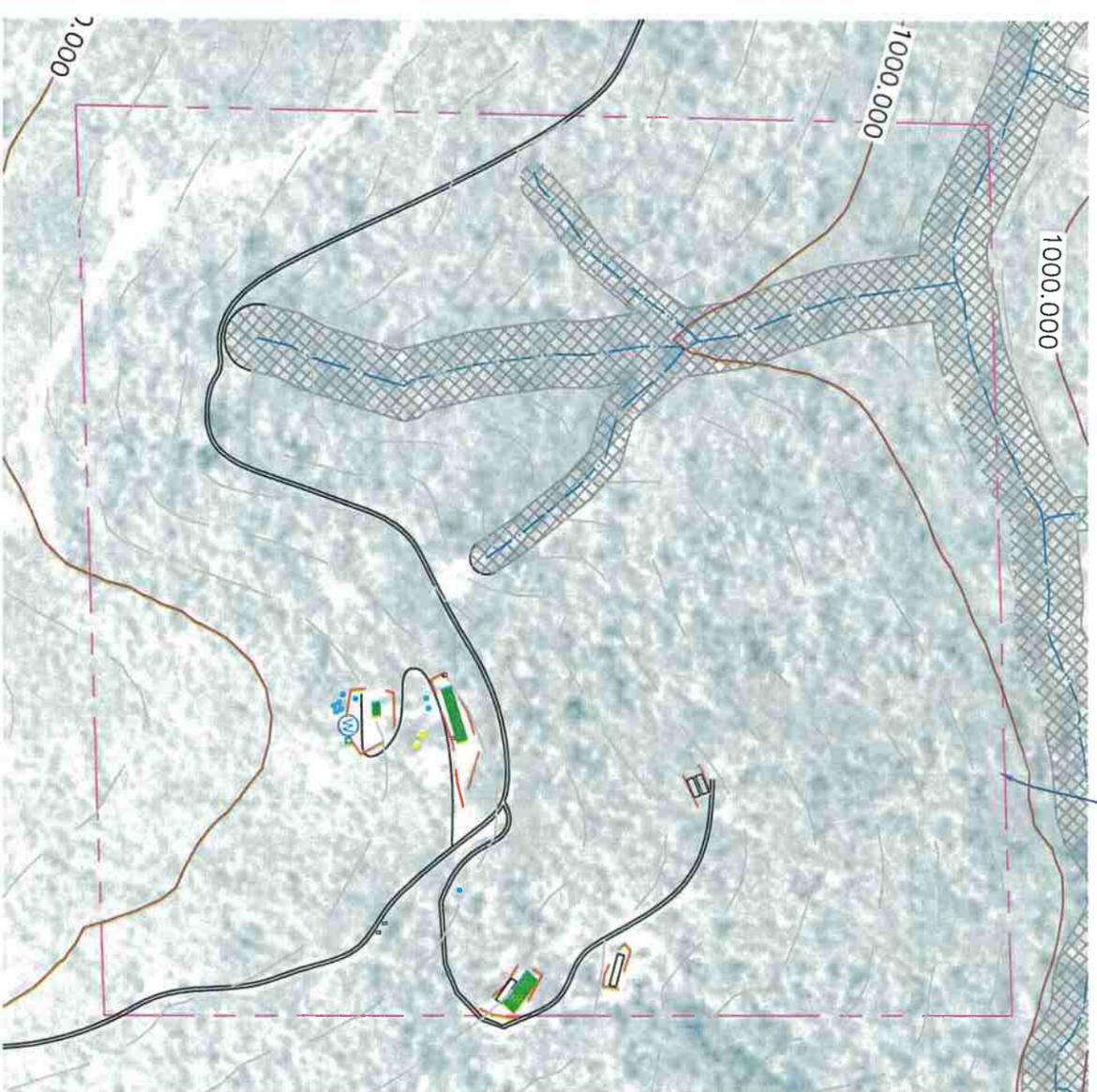
TRAVEL TIME
 APPROXIMATELY: 5.2 MILES (20 MINUTES)

SHEET INDEX
 CP-COVER PAGE
 C1-PARCEL OVERVIEW

AGENT:
 KAYLIE SAXON
 GREEN ROAD CONSULTING INC
 1650 CENTRAL AVE. SUITE C
 MCKINLEVILLE, CA 95519
 707-630-5041

AERIAL MAP

PROJECT PARCEL



PROPERTY LINES AND BUILDING LOCATIONS
 ARE APPROXIMATE AND BASED ON AERIAL
 MAPS AND GPS DATA TAKEN IN THE FIELD.



PROJECT INFORMATION

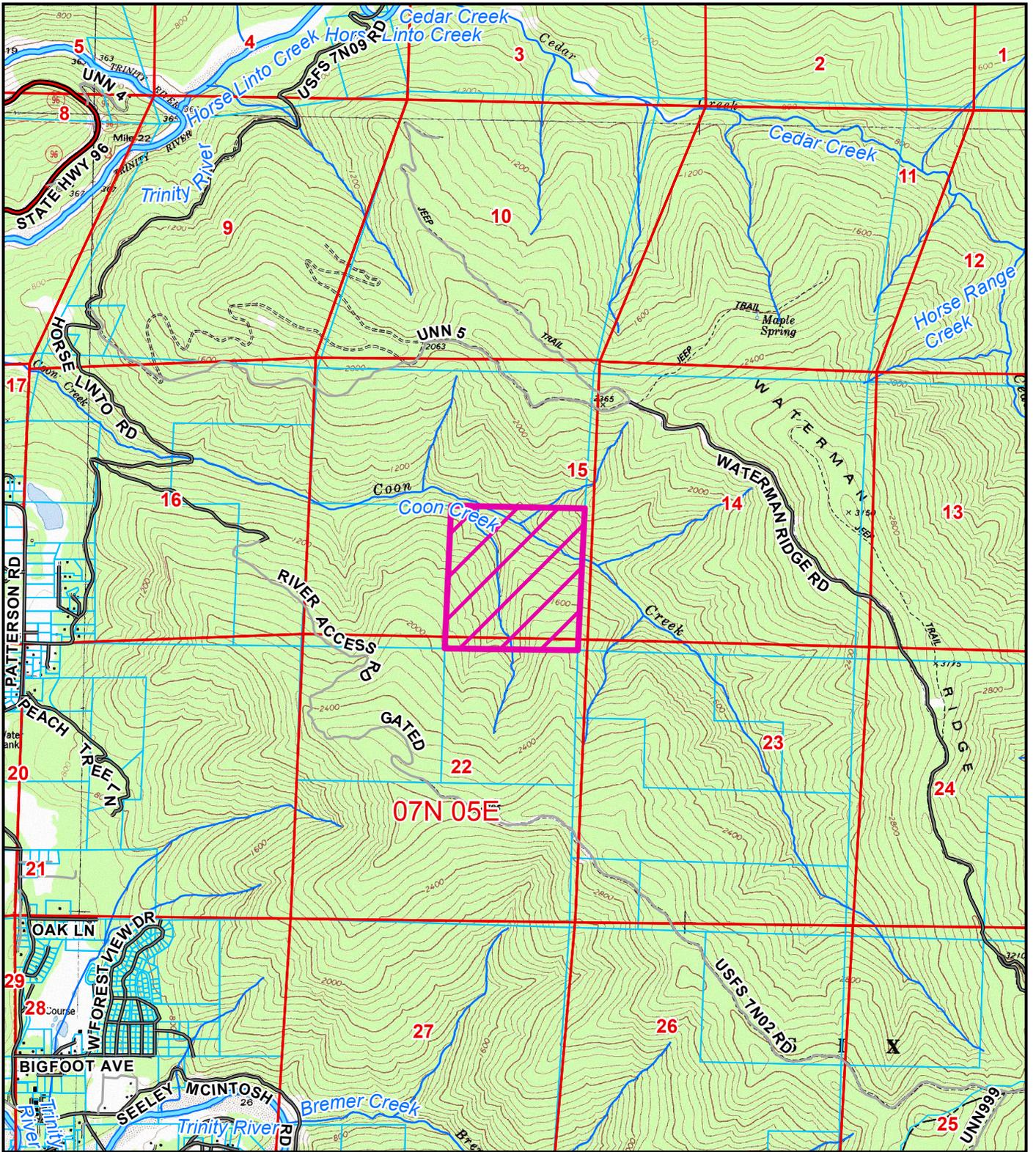
PROPERTY OWNER: RUTH GABOR
 ADDRESS: APN: 523-021-004
 SHEET INFO: COUNTY COVER PAGE

NO.	NOTES	DATE

REVISIONS

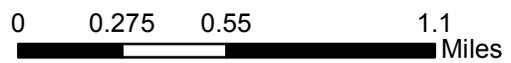
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SHEET: CP

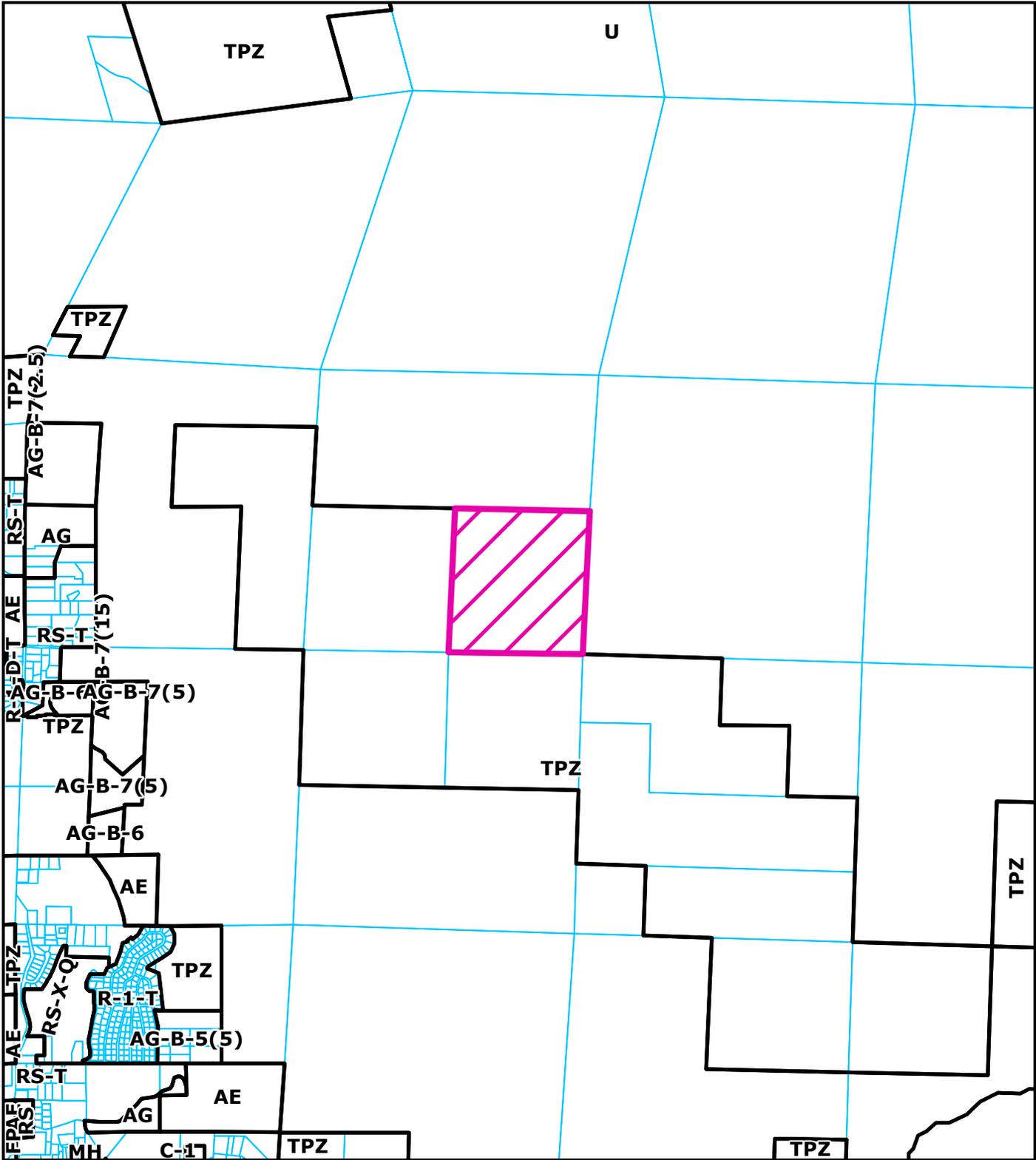


TOPO MAP
PROPOSED HUMBOLDT HEALS
WILLOW CREEK AREA
CUP-16-471
APN: 523-021-003
T07N R05E S15; S22 HB&M (SALYER)

Project Area =



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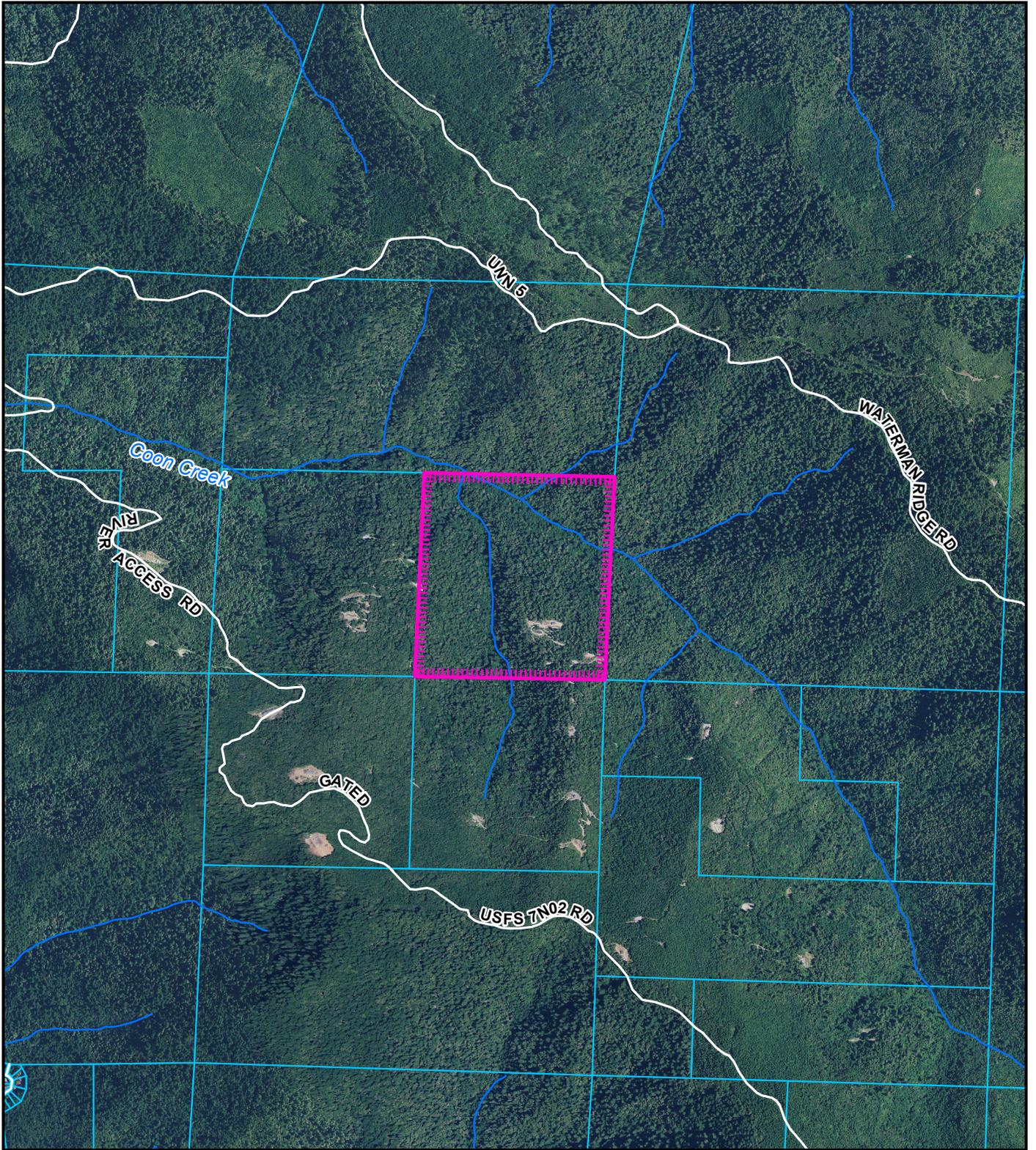
**ZONING MAP
 PROPOSED HUMBOLDT HEALS
 WILLOW CREEK AREA
 CUP-16-471**

**APN: 523-021-003
 T07N R05E S15; S22 HB&M (SALYER)**

Project Area = 



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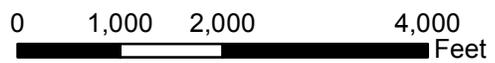


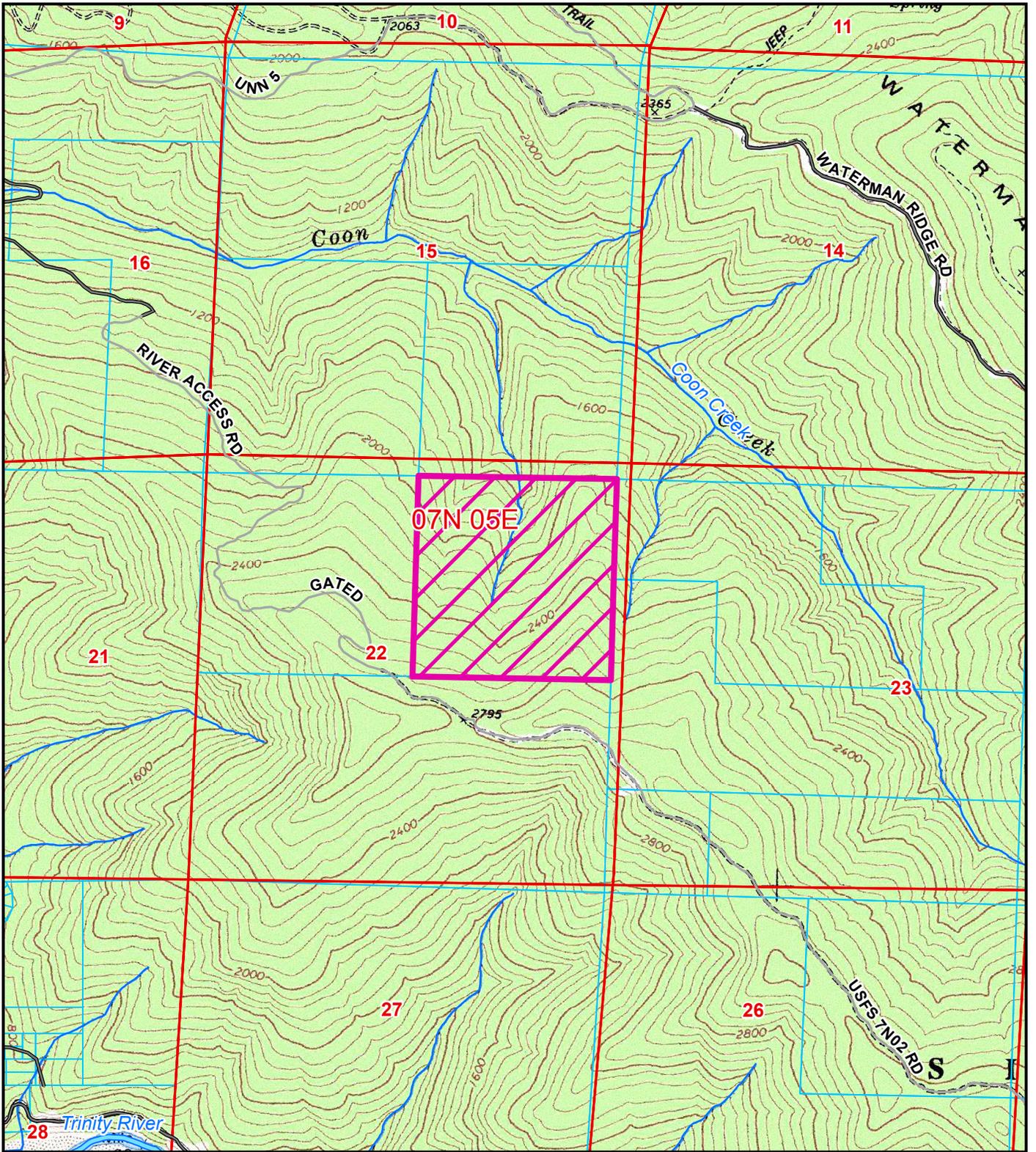
Project Area = 

AERIAL MAP
PROPOSED HUMBOLDT HEALS
WILLOW CREEK AREA
CUP-16-471
APN: 523-021-003
T07N R05E S15; S22 HB&M (SALYER)



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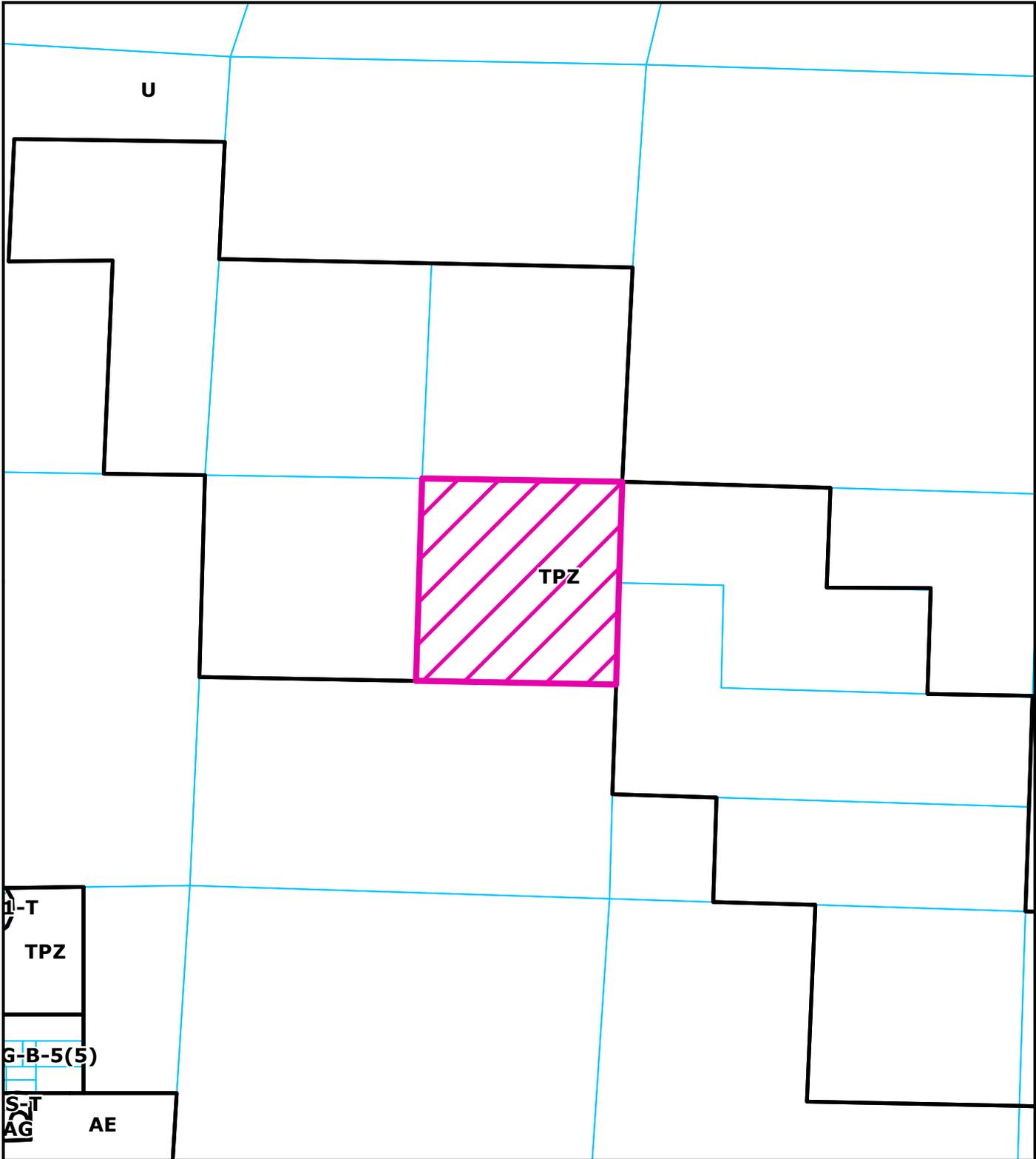


Project Area = 

**TOPO MAP
 PROPOSED HUMBOLDT HEALS
 WILLOW CREEK AREA
 CUP-16-472
 APN: 523-026-003
 T07N R05E S22 HB&M (SALYER)**



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

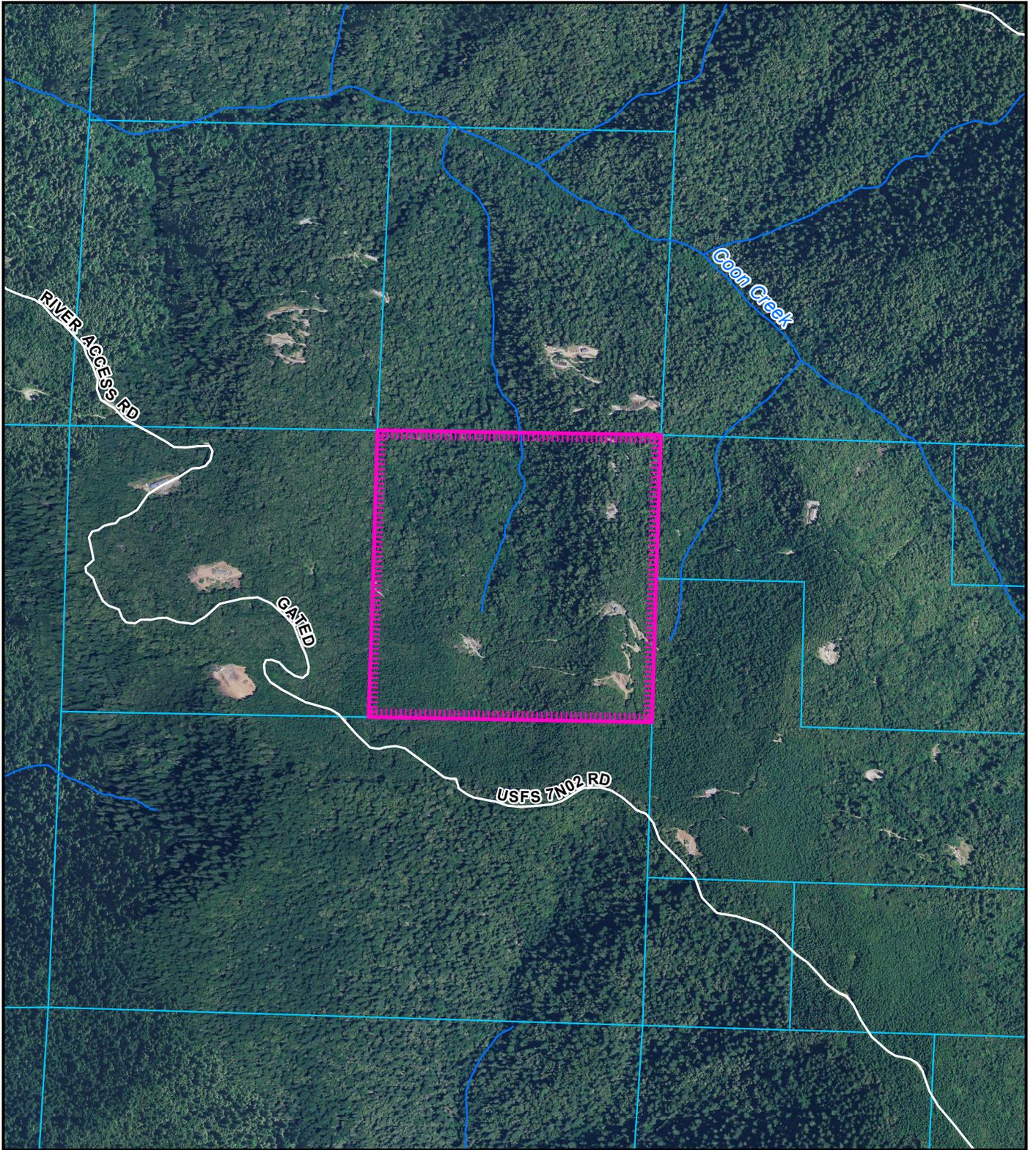


Project Area = 

ZONING MAP
PROPOSED HUMBOLDT HEALS
WILLOW CREEK AREA
CUP-16-472
APN: 523-026-003
T07N R05E S22 HB&M (SALYER)

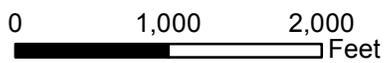


This map is intended for display purposes and should not be used for precise measurement or navigation. Data has not been completely checked for accuracy.



Project Area = 

**AERIAL MAP
 PROPOSED HUMBOLDT HEALS
 WILLOW CREEK AREA
 CUP-16-472
 APN: 523-026-003
 T07N R05E S22 HB&M (SALYER)**



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.

ROAD STANDARDS:

- ROADWAY SURFACE PROFILES UNDESIGNED ACCESS TO CONVENTIONAL DRIVE VEHICLES INCLUDING SEDANS AND FIRE TRUCKS (MINIMUM COUNTY ROAD CATEGORY 1 STANDARD FOR SURFACING TYPE).
- ROADWAY TURNOUTS (WHERE REQUIRED) ARE 10' WIDE AND BE LONG AND TAPERED 25 FEET FROM BOTH ENDS.
- ROADWAY STRUCTURES (GROTTOS AND CULVERTS) BUILT TO CARRY MINIMUM LOAD AS REQUIRED IN CALIFORNIA ROADWAY DESIGN SPEC. 500.00 (40,000 LBS.) AND COMPLY WITH THE FOLLOWING STANDARDS:
 - MINIMUM 15' VERTICAL CLEARANCES AND DESIGNED IN CONFORMANCE WITH THE COUNTY ROADWAY DESIGN MANUAL.
 - SIGNING REFLECTS CAPABILITY OF EACH BRIDGE FOR WEIGHT CLEARANCE, SINGLE LANE ACCESS, OR OTHER LIMITATIONS, UNLESS SIGNING WANTED BY THE DIRECTOR OF PUBLIC WORKS PER SECTION 172.9 OF P.C.D.
 - ONE LANE BRIDGE HAS UNOBSTRUCTED VISIBILITY FROM BOTH ENDS AND INTERSECTING TURNOUTS AT EACH END.

DRIVEWAY AND GATES:

- DRIVEWAYS MEET MINIMUM ROAD STANDARDS DESCRIBED ABOVE.
- DRIVEWAYS LESS THAN 120' LONG ARE 10' WIDE AND HAVE 15' MINIMUM VERTICAL CLEARANCE AND ARE BUILT TO COUNTY ROAD CATEGORY 1 STANDARD.
- DRIVEWAYS LONGER THAN 120' ARE 10'-12' WIDE AND HAVE 15' MINIMUM VERTICAL CLEARANCE WITH INTERSECTING TURNOUTS AND ARE BUILT TO COUNTY ROAD CATEGORY 2 STANDARD.
- DRIVEWAYS EXCEEDING 150' IN LENGTH BUT LESS THAN 600' HAVE A TURNOUT NEAR THE MIDPOINT.
- DRIVEWAYS LONGER THAN 600' HAVE TURNOUTS AT INTERSECTING LOCATIONS AT APPROXIMATELY 400' INTERVALS.
- DRIVEWAYS HAVE MAXIMUM GRADE MEETING STANDARD FOR COUNTY ROAD CATEGORY 1: 7% - 12% (NORMAL), 11% - 14% (TOLERABLE); GRADE IN EXCESS OF 15% MUST DEMONSTRATE CONFORMANCE WITH COUNTY ROADWAY DESIGN MANUAL.
- DRIVEWAYS HAVE MINIMUM CURVE RADIUS MEETING STANDARD FOR COUNTY ROAD CATEGORY 1: 120' (NORMAL), 50' (TOLERABLE); CURVE RADIUS LESS THAN 50' MUST DEMONSTRATE CONFORMANCE WITH COUNTY ROADWAY DESIGN MANUAL.
- ALL GATES AT LEAST 2' WIDER THAN THE LANES SERVING THE GATE AND ALLOW A VEHICLE TO STOP WITHOUT BLOCKING TRAFFIC.
- GATES PROVIDING ACCESS FROM A ROAD TO A DRIVEWAY ARE LOCATED AT LEAST 30' FROM THE ROADWAY EXCEPT AS PROVIDED BELOW.
- GATES LESS THAN 30' FROM THE ROADWAY ARE REPORTED WHEN TURNOUTS ARE CONSTRUCTED NEXT TO THE TRAVEL LANES WITH SAFE TURNING MOMENTS AND VISIBILITY WHEN APPROACHING FROM EITHER DIRECTION OF TRAVEL.
- ONE-WAY ROADS ACCESSING GATES HAVE TURNAROUND WITH 40' RADIUS MINIMUM.

DOMESTIC EMERGENCY WATER SUPPLY SYSTEM

- THE MINIMUM EMERGENCY WATER STORAGE VOLUME OF 2,500 GALLONS MUST BE AVAILABLE FOR FIRE USE.
- THE EMERGENCY SUPPLY MAY BE SEPARATE FROM THE DOMESTIC SUPPLY OR IT MAY BE SHARED. WHEN SHARED, AND IF THE RETAILING SUPPLY SOURCE (WELL, ETC.) CANNOT KEEP UP WITH THE DAILY DOMESTIC AND FIRE DEMAND, THE STORAGE SHOULD BE SIZED TO PROVIDE 2,500 GALLONS ARE AVAILABLE FOR FIRE USE ANY TIME OF DAY.
- THE WATER HYDRANT OR PLACE FOR WATER SUCTON MUST NOT BE FURTHER THAN 1 1/2 MILE FROM THE DWELLING, OR CLOSER THAN 50 FEET TO THE DWELLING USING ROAD MEASUREMENTS. PARCELS TO ACRES WITHIN 1,000 FEET.
- ALL HYDRANT AND WATER SUCTON LOCATIONS MUST PROVIDE A ROAD STANDARD TURNOUT OR TURNAROUND.
- ALL WATER SUPPLY HYDRANTS AND SUCTON LOCATIONS MUST BE IDENTIFIED WITH A 3" INCH REFLECTORIZED BLUE DOT LOCATED 3 TO 5 FEET ABOVE THE GROUND ON A POST THAT IS WITHIN 3 FEET OF THE HYDRANT. IF LOCATED OFF A DRIVEWAY, ANOTHER BLUE DOT MUST BE ATTACHED TO THE DRIVEWAY ADDRESS SIGN. ROAD SIGNS STATING "FIRE WATER" ARE AN ACCEPTABLE ALTERNATIVE.
- ALL EXPOSED PLUMBING SHOULD HAVE FREEZE PROTECTION AND CRASH BARRIERS AS NEEDED TO PREVENT DAMAGE.
- ALL PIPES SUPPLYING WATER TO HYDRANTS MUST BE AT LEAST 3" INCHES IN DIAMETER. SMALLER DESIGNS MUST PROVE THEMSELVES ABLE TO PROVIDE A 200 GPM FLOW FROM THE HYDRANT CONNECTION.
- ALL HYDRANTS MUST BE 18 INCHES ABOVE GROUND AT LEAST 8 FEET FROM PLANTABLE VEGETATION, AT LEAST 4 FEET FROM THE PARKING SURFACE WHERE THE FIRE EQUIPMENT WILL BE WHEN USING IT AND NO MORE THAN 12 FEET FROM THE PARKING SURFACE.
- ALL HYDRANTS MUST HAVE A 2-1/2" INCH, MAKE NATIONAL HOSE CONNECTION WITH CAP.
- ALL HYDRANTS/VALVES AND CONNECTIONS MUST BE MADE OF BRASS OR OTHER CORROSION RESISTANT MATERIAL.
- A WET HYDRANT USED WITH A GRAMMY SUPPLY OR PRESSURE SYSTEM MUST HAVE A 2-1/2" INCH VALVE.
- A DRY HYDRANT USED FOR WATER SUCTON DOES NOT NEED A VALVE, BUT DOES REQUIRE A STRAINER (PREPROVIDED PIPE LENGTH) AT THE END OF THE SUCTON PIPE. THE STRAINER MUST BE AT LEAST 3 FEET LONG.
- WHERE A PUMP IS NEEDED TO DELIVER WATER TO THE HYDRANT (NOT GRAMMY AND NOT SUCTON), IT MUST DELIVER 200 GALLONS PER MINUTE TO THE HYDRANT. IF IT IS AN ELECTRICALLY POWERED PUMP, IT MUST HAVE A FUELED ENGINE BACKUP (OR GENERATOR). ALSO, A STRAINER IS REQUIRED.
- WHERE GRAMMY IS USED TO GET THE WATER TO THE HYDRANT, THE SOURCE (TANK) MUST AT LEAST BE HIGHER THAN THE HYDRANT SO THAT ALL 2,500 GALLONS CAN DRAW OUT WITHOUT SUCTON. ALSO, THE TANK SHOULD BE NO MORE THAN 600 FEET ABOVE THE HYDRANT, OR HAVE A PRESSURE REDUCER RESTRICTING TO 250 PSI.
- WHERE SUCTON IS NEEDED TO GET THE WATER UP OUT OF A SOURCE (BY HOSE, DRY HYDRANT OR PUMP) FROM A NATURAL POND, UNDERGROUND TANK, SWIMMING POOL, ETC., THE END OF THE HOSE OR DRY HYDRANT PIPE STRAINER MUST HAVE 2 FEET OF WATER ABOVE IS AT ALL TIMES TO PREVENT CAVITATION (A VORTEX FUNNEL THAT ALLOWS AIR TO BE SUCKED IN). ALSO, THE END OF THE SUCTON HOSE OR DRY HYDRANT PIPE STRAINER MUST BE HELD 1 FOOT OF THE BOTTOM OF STORAGE THAT CAN ACCUMULATE DEBRIS. THE STRAINER MUST BE 18 INCHES ABOVE THE BOTTOM OF STORAGE. THE STRAINER AT LEAST 2,000 GALLONS MUST BE AVAILABLE 3 FEET ABOVE THE BOTTOM WHEN THE WATER IS AT THE LOWEST LEVEL OF THE YEAR.
- WHERE SUCTON THROUGH A DRY HYDRANT PIPE IS USED TO GET WATER UP TO A FIRE ENGINE, THE LEVEL WHERE THE SUCTON PIPE STRAINER IS MUST BE NO MORE THAN 15 FEET LOWER THAN THE HYDRANT CONNECTION.
- WHERE A FIRE ENGINE SUCTON HOSE IS NEEDED TO GET WATER (AND DRY HYDRANT), THE LEVEL WHERE THE SUCTON HOSE IS HELD MUST BE NO MORE THAN 15 FEET LOWER THAN THE HYDRANT CONNECTION. THE SURFACE WHERE THE ENGINE PARKS. ALSO, THE TOTAL REACH FROM THE EDGE OF THE PARKING SURFACE TO WHERE THE END OF THE SUCTON HOSE MUST BE CAN REQUIRE NO MORE THAN 15 FEET OF SUCTON HOSE AND NO SHARP BENDS. THIS MEANS THAT A TRUCK WITH NO DRY HYDRANT WILL HAVE TO BE BELOW THE ENGINE AREA, OR HAVE A LOW SLOPE WALL, BECAUSE IT COULD TAKE MORE THAN 15 FEET OF HOSE TO REACH TO THE 10' OF A TANK AND THEN BACK TO THE BOTTOM, AND COULD REQUIRE A TERN SHARP BEND.

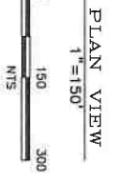
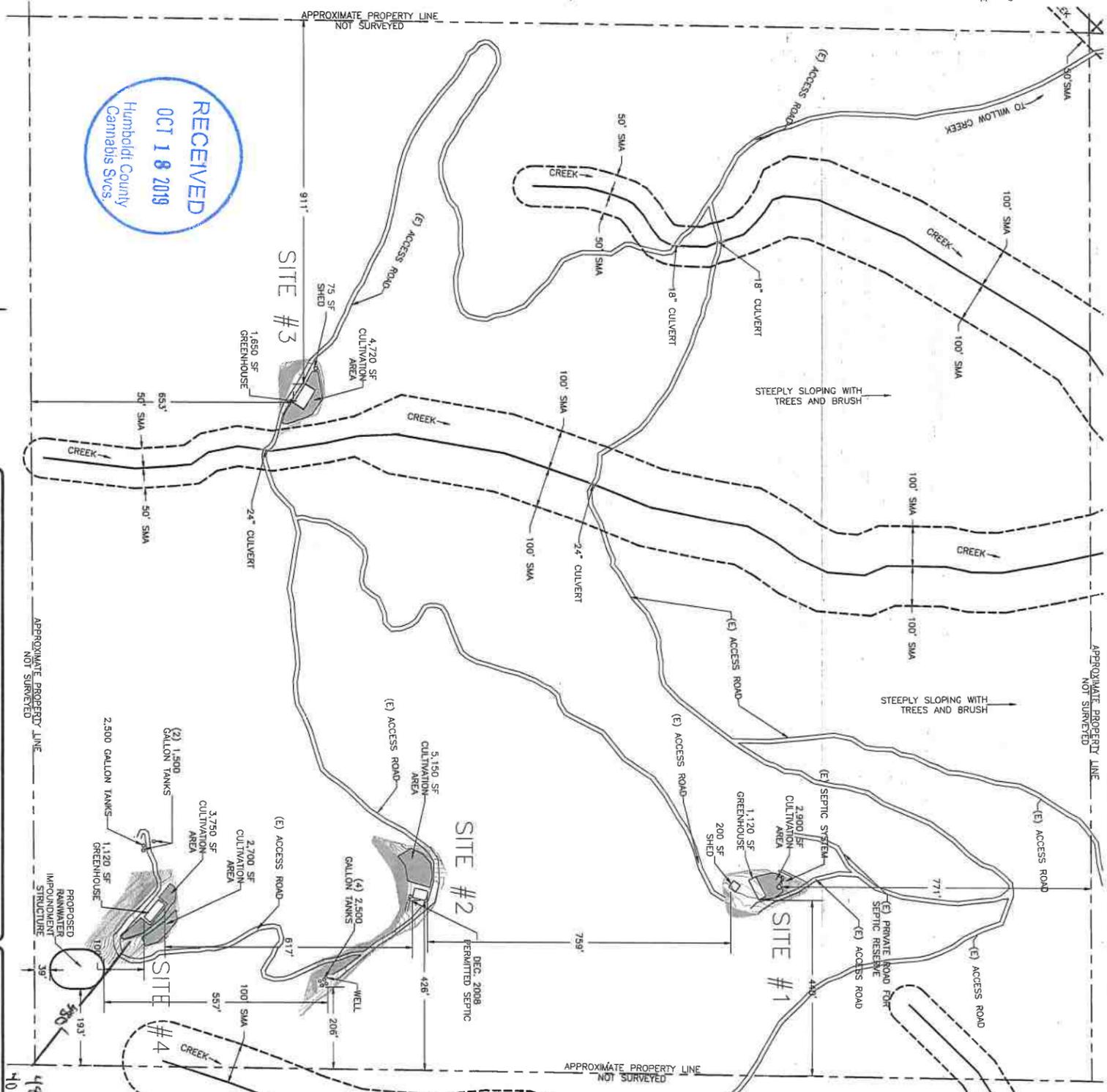
GENERATOR REQUIREMENTS:

- THE ROSE PRODUCED BY A GENERATOR USED FOR GENERATING CULTIVATION SHALL NOT BE ADDED BY HUMIDITY TO THE AIR. THE ROSE PRODUCED BY A GENERATOR USED FOR GENERATING CULTIVATION SHALL BE NO MORE THAN 60 DEGREES, WHERE APPLICABLE, SOUND LEVELS MUST ALSO SHOW THAT THEY WILL NOT RESULT IN THE HARMFUL EFFECTS OF SPOTTED OIL, STREGES, WHEN GENERATOR USE IS TO OCCUR. THE SOUND LEVELS OF THE GENERATOR SHALL BE MEASURED IN CONFORMANCE WITH THE CALIFORNIA COUNTY OF HUMBOLDT, CONFORMANCE WILL BE EVALUATED USING COMMON ADOPTED CONSULTING ENGINEER PRACTICES BY THE COUNTY STAFF AND WILDLIFE SERVICES AND FARMER CONSULTATION WHERE NECESSARY.
- NOISE SHELTER WILL BE CONSTRUCTED FOR MOBILE GENERATORS. SHELTER WILL BE CONSTRUCTED FROM LUMBER FRAMING, FIBROD PROTECTION, AND FINE MESH RESISTANT RESOLUTION IF NECESSARY.
- STORAGE OF FUEL, FUEL SHALL BE STORED AND HANDLED IN COMPLIANCE WITH APPLICABLE STATE AND LOCAL LAWS AND REGULATIONS, AND IN SUCH A WAY THAT NO SPILLAGE OCCURS.

SITE #1	AREA (SF)
CULTIVATION TYPE GREENHOUSE(S)	1,120SF
OUTDOOR	2,900SF
CULTIVATION TYPE	AREA (SF)
OUTDOOR	5,150SF
WATER STORAGE CAPACITY TANKS	(4) 2,500 GALLON

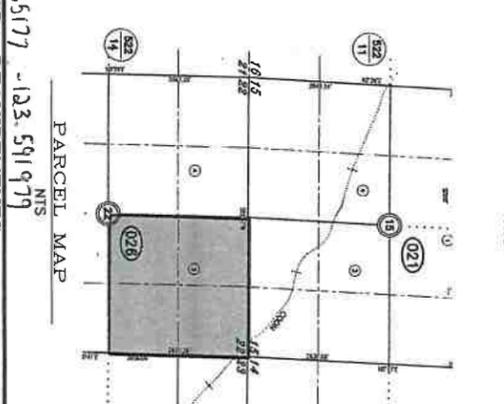
SITE #3	AREA (SF)
CULTIVATION TYPE GREENHOUSE(S)	1,650SF
OUTDOOR	4,720SF
CULTIVATION TYPE	AREA (SF)
OUTDOOR	1,120SF
WATER STORAGE CAPACITY TANKS	(2) 1,500 GALLON (1) 2,500 GALLON
RAINWATER IMPROVEMENT STRUCTURE	600,000 GALLON

PLOT PLAN
 APN: 523-026-003
 FOR
 TIM BUSMAN
 COON CREEK, WILLOW CREEK
 PO BOX 1174
 BLUE LAKE, CA 96052
 OREGON

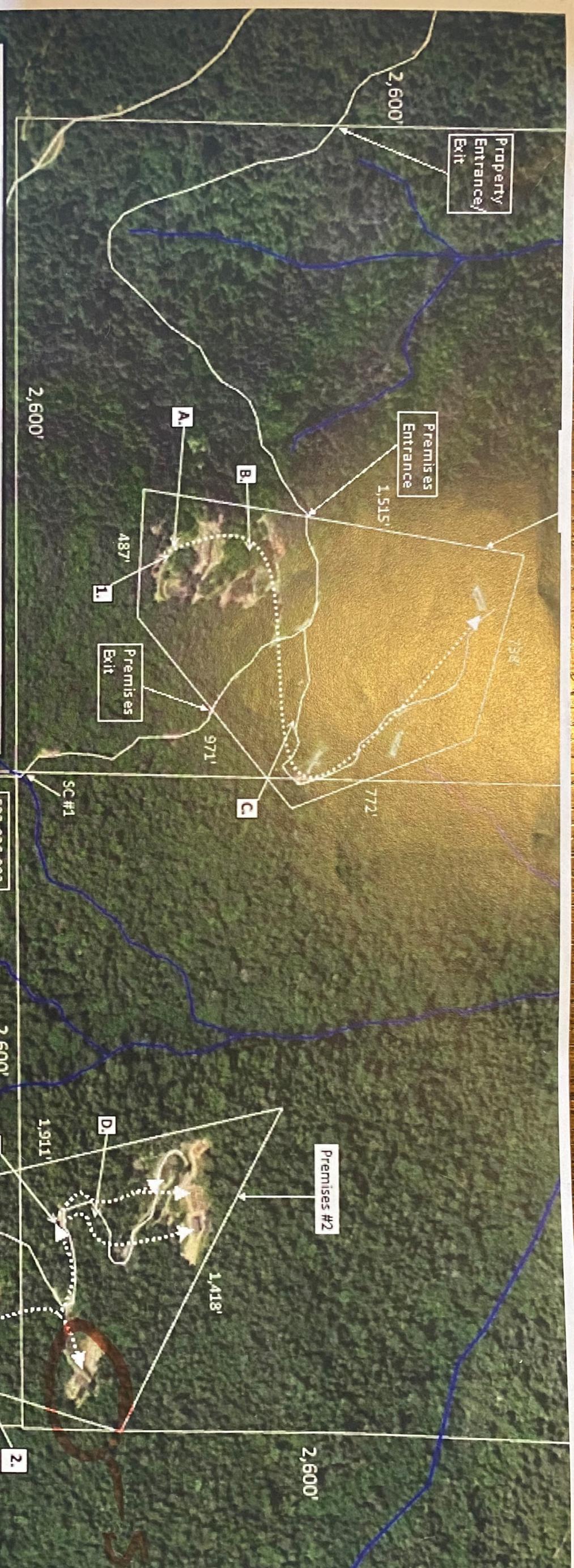


GENERAL NOTES
 WATER: ON-SITE
 WASTEWATER: TWO SEPTIC UNITS
 POWER: NONE
 PHONE: NONE
 CREEKS/STREAMS: TRIM, TO COON CREEK
 TREES TO BE REMOVED: NONE
 GRADING: MINIMAL FOR ACCESS ROAD IMPROVEMENTS, POND, AND BUILDING SITES

SRA REQUIREMENTS
 PROVIDE ADEQUATE WATER STORAGE AND DELIVERY BY SRA
 ORDINANCE AND CALIFRE REQUIREMENTS
 PROVIDE ADEQUATE TURN AROUND AND PULLOUTS AS OUTLINED BY SRA
 ORDINANCE REQUIREMENTS AND CALIFRE REQUIREMENTS



<p>DAHLIA RANCH, LLC APN: 523-026-003 COON CREEK ROAD, WILLOW CREEK PO BOX 1174 BLUE LAKE CA 96052</p> <p>PLOT PLAN HUMBOLDT COUNTY, CALIFORNIA</p>	<p>DATE: 9/30/16 PRELIMINARY DESIGN</p>	<p>SCALE: AS SHOWN</p>	<p>DRAWN BY: ERIC KEYS DESIGNED BY: A. DOONICK CHECKED BY: J. McKNIGHT APPROVED BY: TVCE</p>	<p>DATE OF ISSUE: OCTOBER 2016</p>	<p>PROJECT NO: 441</p>	<p>DRAWING NO: C01</p>	<p>DATE: 9/30/16 PRELIMINARY DESIGN</p>	<p>REV: [] DATE: [] DESCRIPTION: []</p>	<p>DMN BY: [] DES BY: [] DSK BY: [] APP BY: []</p>	<p>TVCE 67 WALNUT WAY PO BOX 1567 WILLOW CREEK, CA 95573 PHONE: (530) 629-3000 FAX: (530) 629-3011</p>
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LEGEND

Water Sources:

- 1. Well #1: (40.974051, -123.604380)
- 2. Well #2: (40.971638, -123.593267)
- 3. Well #3: (40.967393, -123.592758)

Water Storage:

- A. 11,500 Gallons Hard Plastic Storage (40.974099, -123.604538)
- B. 2,500 Gallons Hard Plastic Storage (40.974918, -123.604305)
- C. 2,200 Gallons Hard Plastic Storage (40.975450, -123.602122)
- D. 1,500 Gallons Hard Plastic Storage (40.973279, -123.594855)
- E. 6,000 Gallons Hard Plastic Storage (Fire, not for cultivation) (40.972790, -123.594802)
- F. 10,550 Gallons Hard Plastic Storage (40.971639, -123.593264)
- G. 1,500 Gallons Hard Plastic Storage (40.970133, -123.593428)
- H. 1,500 Gallons Hard Plastic Storage (40.967923, -123.593987)
- I. 3,000 Gallons Hard Plastic Storage (40.967839, -123.593430)
- J. 10,000 Gallon Hard Plastic Storage & Pump (40.967406, -123.592755)
- K. 4,000 Gallon Hard Plastic Storage (40.966120, -123.594114)



ATTACHMENT 1

RECOMMENDED CONDITIONS OF APPROVAL

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

A. General Conditions

1. The applicant is responsible for obtaining all necessary County and State permits and licenses, and for meeting all requirements set forth by other regulatory agencies.
2. The applicant is required to pay for permit processing on a time and material basis as set forth in the schedule of fees and charges as adopted by ordinance of the Humboldt County Board of Supervisors. The Planning and Building Department will provide a bill to the applicant after the decision. Any and all outstanding planning fees to cover the processing of the application to decision by the Hearing Officer shall be paid to the Humboldt County Planning Division, 3015 "H" Street, Eureka.
3. The Applicant is responsible for costs for post-approval review for determining project conformance with conditions. A deposit is collected to cover this staff review. Permit conformance with conditions must be demonstrated prior to release of building permit or initiation of use and at time of annual inspection. A conformance review deposit as set forth in the schedule of fees and charges as adopted by ordinance of the Humboldt County Board of Supervisors (currently \$750) shall be paid within sixty (60) days of the effective date of the permit or upon filing of the Compliance Agreement (where applicable), whichever occurs first. Payment shall be made to the Humboldt County Planning Division, 3015 "H" Street, Eureka.
4. A Notice of Determination (NOD) will be prepared and filed with the County Clerk for this project in accordance with the State CEQA Guidelines. **Within three days of the effective date of permit approval**, it is requested that the applicant submit a check or money order for the required filing fee in the amount of \$50 payable to the Humboldt County Clerk/Recorder. If this payment is not received within this time period, the Department will file the NOD and will charge this cost to the project.
5. Within 60 days of the effective date, the applicant shall submit a revised plot plan for showing and cultivation and operations plan each project (APPS #11373, 11963 and 11965) removing the rainwater catchment pond proposed on APN 523-026-003. The operations plan shall also be revised to remove any discussion of use of the proposed ponds as an irrigation source. A sign-off from the Planning Division will satisfy this condition.
6. The applicant shall construct noise containment structures for all generators used on the parcel. The applicant shall obtain all required building permits for such structures. The applicant shall maintain generator, fan, and dehumidifier noise at or below 50 decibels at the edge of the clearing or 100 feet, whichever distance is closer. This will satisfy the auditory disturbance guidance prepared by the U.S. Fish and Wildlife (USFS), California Fish and Wildlife (CDFW) and Department Policy Statement No. 16-005 to minimize impacts to the Northern Spotted Owl and Marbled murrelet. All generators must be located on stable surfaces with a minimum 200-foot buffer from Class I and Class II streams, per the requirements of CDFW. No generator use is authorized by this permit until the applicant can demonstrate to compliance with this standard.
7. Artificial lighting used for propagation shall comply with International Dark Sky Association standards for Lighting Zone 0 and Lighting Zone 1, and be designed to regulate light spillage onto neighboring properties resulting from backlight, up light, or glare (BUG). International Dark Sky Association standards exceed the requirements of Scenic Resources Standard SR-S4, Light and Glare, that

lighting be fully shielded, and designed and installed to minimize off-site lighting and direct light within the property boundaries. Within 30 days of the effective date of this permit, the applicant shall schedule a site inspection with the Humboldt County Planning Department to demonstrate the structures and greenhouses can be comply with this standard.

8. Within 60 days of the effective date of permit approval, the applicant shall execute a Compliance Agreement with the Humboldt County Planning and Building Department detailing all necessary permits and infrastructure improvements described under Conditions of Approval #9 through #16. The agreement shall provide a timeline for completing all outstanding items. All activities detailed under the agreement must be completed to the satisfaction of the Planning and Building Department before the permit may be finalized and no longer considered provisional.
9. The applicant shall secure building and grading permits for all structures and grading related to the cannabis cultivation and other commercial cannabis activity, including but not limited to, existing and proposed greenhouses, water tanks over 5,000 gallons existing and proposed structures associated with drying and storage or any activity with a nexus to cannabis, and any noise containment structures as necessary. The plans submitted for building permit approval shall be consistent with the project description and the approved project site plan. A letter or similar communication from the Building Division verifying that all structures related to the cannabis cultivation are permitted will satisfy this condition.
10. The applicant shall implement and adhere to all recommendations contained within the Water Resources Protection Plan (WRPP) prepared by Timberland Resources Consultants for each parcel.
11. The applicant is to submit evidence of enrollment into the State Cannabis Cultivation Discharge program by submitting copies of all documents filed with the State Water Resources Control Board (SWRCB), including, but not limited to, a Notice of Applicability and a Site Management Plan. The applicant is required to adhere to and implement the requirements contained in the SWRCB's Cannabis Cultivation Policy, the General Order and the Notice of Applicability. A copy of the reporting form portion of the Mitigation and Reporting Program (MRP) shall be submitted annually to the Planning and Building Department concurrent with the submittal to the SWRCB.
12. The applicant shall implement all recommendations for non-county roads in the Road Evaluation Report prepared by Trinity Valley Consulting Engineers dated July 8, 2021. The recommendations within the Report are the following:

"...Use of this roadway will primarily be a function of continued maintenance. This is to include regular grading to remove ruts, addition of rock surfacing when needed to fill potholes, soft-spots and maintenance of roadway drainage controls. All Turnouts must be graded when the road is graded to prevent vegetation from growing and making the turnouts unusable. There have been thirty-one (31) turnouts identified in this road evaluation. Both existing and proposed turnouts shall be a minimum of twelve (12) feet wide and thirty (30) feet long with a minimum twenty-five (25) foot taper on each side. Vegetation must be cleared so that turnout views are not obstructed and so the roadway travel is not impeded. It is recommended that the roadway be graded annually and rocked when needed..."

A letter or similar communication from a Registered Professional Engineer stating that the turnout improvements are completed as described by the Road Evaluation shall be submitted to the Planning Department for review. The applicant shall continue the regular maintenance for the life of the project, and it shall be reviewed annually at the time of inspection. A sign-off from the Planning Department will satisfy this condition.

13. The applicant shall improve the access road (Horse Linto Road) for a minimum width of 20 feet and a length of 50 feet where it intersects the County road (Patterson Road) in order to meet commercial encroachment standards. 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. A sign-off from the Department of Public Works will satisfy this condition. Alternatively, the applicant may submit a letter from the Department of Public Works stating the improvements are not required.

14. Portable toilet and handwashing facilities are required on each parcel to provide appropriate facilities to cultivation staff. The applicant shall furnish receipts or other documentation to the Planning Department during the annual inspection to show compliance with this condition until (and if) an Onsite Wastewater Treatment System (OWTS) is installed to the satisfaction of the Department of Environmental Health (DEH). A letter or similar communication from DEH verifying that all their requirements have been met shall be submitted to the Planning Department if an OWTS is installed on any parcel. A sign-off from the Planning Department will satisfy this condition.
15. The applicant shall implement recommendations in the *Timber Conversion Reports* prepared by Timberland Resource Consultants for each parcel, to comply with the California Forest Practice Act for treatment of slash piles and woody debris. The applicant shall submit a letter or similar communication from a Registered Professional Forester (RPF) stating the work was completed as recommended. Alternatively, the applicant can contact the Planning Department to schedule a site visit to confirm the work was completed as described. A sign-off from the Planning Department will satisfy this condition.
16. The applicant shall adhere to and implement the Final Streambed Alteration Agreement issued by CDFW. Reporting requirements shall be submitted to the Planning Department and the California Department of Fish and Wildlife at 619 Second Street, Eureka, CA 95501, no later than December 31 of each year.
17. The applicant shall perform floristic surveys prior to any further ground disturbing activities (e.g. for access road improvements) and surveying for Northern Spotted Owl (NSO) if any operation of heavy equipment occurs between the period of February 1st and July 8th of any year. A technical memorandum summarizing the survey methods and findings shall be prepared by a qualified biologist and submitted to the Planning Department for review and approval prior to commencing any ground disturbing activities. A sign-off from the Planning Department will satisfy this condition.
18. The applicant shall not use any erosion control measures that contain synthetic (e.g. plastic or nylon) monofilament netting, including photo- or biodegradable plastic netting, on a regular and on-going basis. Geotextiles, fiber rolls, and other erosion control measures shall be made of loose-weave mesh, such as jute, hemp, coconut (coir) fiber, or other products without weaves.
19. All refuse shall be contained in wildlife proof containers, at all times, and relocated to an authorized waste management facility, in compliance with State and local laws, on a regular and on-going basis.
20. The applicant shall secure permits from the North Coast Unified Air Quality Management District, as applicable. A letter or similar communication from the North Coast Air Quality Management District verifying that all their requirements have been met and/or no additional permitting is required will satisfy this condition.
21. The applicant shall cause to be recorded an "ACKNOWLEDGMENT OF NO AVAILABLE EMERGENCY RESPONSE AND FIRE SUPPRESSION SERVICES" for the parcel(s) on a form provided by the Humboldt County Planning Division. Document review fees as set forth in the schedule of fees and charges as adopted by ordinance of the Humboldt County Board of Supervisors will be required.
22. 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.

23. The applicant shall install water monitoring device on the well and storage tanks as applicable to monitor water used for cannabis irrigation. The applicant shall make the records available during the annual inspection.
24. The applicant shall execute and file with the Planning Division the statement titled, "Notice and Acknowledgment regarding Agricultural Activities in Humboldt County," ("Right to Farm" ordinance) as required by the HCC and available at the Planning Division.

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

1. The combination of background, generator and greenhouse fan or other operational equipment created noise must not result in the harassment of Northern Spotted Owl species as required to meet the performance standards for noise set by Department Policy Statement No. 16-005 clarifying CMMLUO Section 55.4.11 (o) requirements. The combined noise levels measured at 100 feet or the edge of habitat, whichever is closer, shall be at or below 50 decibels. Conformance will be evaluated using current auditory disturbance guidance prepared by the United State Fish and Wildlife Service, and further consultation where necessary. A building permit shall be obtained should any structures be necessary for noise attenuation.
2. All artificial light utilized in mixed-light greenhouses shall be limited to 6 watts per square foot with no wattage limit in the ancillary propagation greenhouse. All artificial lighting shall be fully contained within structures such that no light escapes (e.g., through blackout curtains). Structures shall be enclosed between 30 minutes prior to sunset and 30 minutes after sunrise to prevent disruption to crepuscular wildlife. Security lighting shall be motion activated and comply with the International Dark-Sky Association standards and Fixture Seal of Approval Program; see: <https://www.darksky.org/our-work/lighting/lighting-for-citizens/lighting-basics/>. Standards include but are not limited to the following, 1) light shall be shielded and downward facing, 2) shall consist of Low Pressure Sodium (LPS) light or low spectrum Light Emitting Diodes (LED) with a color temperature of 3000 kelvins or less and 3) only placed where needed.
3. The applicant shall abide by recommendations of the Biological Assessments prepared by Timberland Resource Consultants (TRC) in January 2019 which include but are not limited to, floristic surveys to ensure no potentially special status plant species or communities are present should additional ground disturbance or habitat conversion be proposed in the future and avoiding heavy equipment operations during NSO critical period (February 1 – July 31) or perform protocol level surveys prior to initiating that work.
4. Should the Humboldt County Planning Division receive complaints that the lighting or noise is not complying with the standards listed above in items B.1. and B.2., within ten (10) working days of receiving written notification that a complaint has been filed, the applicant shall submit written verification that the lights' shielding and alignment, and noise levels have been repaired, inspected, and corrected as necessary.
5. Prohibition on use of synthetic netting. To minimize the risk of wildlife entrapment, Permittee shall not use any erosion control and/or cultivation materials that contain synthetic (e.g., plastic or nylon) netting, including photo- or biodegradable plastic netting. Geotextiles, fiber rolls, and other erosion control measures shall be made of loose-weave mesh, such as jute, hemp, coconut (coir) fiber, or other products without welded weaves.
6. All refuse shall be contained in wildlife proof storage containers, at all times, and disposed of at an authorized waste management facility.
7. Should any wildlife be encountered during work activities, the wildlife shall not be disturbed and be allowed to leave the work site unharmed.

8. The use of anticoagulant rodenticide is prohibited.
9. The operator shall provide information to all employees about the potential health impacts of cannabis use on children. Information shall be provided by posting the brochures from the Department of Health and Human Services titled "Cannabis Palm Card" and "Cannabis Rack Card." This information shall also be provided to all employees as part of the employee orientation.
10. All components of project shall be developed, operated, and maintained in conformance with the Project Description, the approved Site Plan, the Plan of Operations, and these conditions of approval. Changes shall require modification of this permit except where consistent with Humboldt County Code Section 312-11.1, Minor Deviations to Approved Plot Plan. If offsite processing is chosen to be the preferred method of processing, this permit shall be modified to identify the offsite licensed facility.
11. Cannabis cultivation and other commercial cannabis activity shall be conducted in compliance with all laws and regulations as set forth in the CMMLUO and MAUCRSA, as applicable to the permit type.
12. If operating pursuant to a written approved compliance agreement, permittee shall abate or cure violations at the earliest feasible date, but in no event no more than two (2) years from the date of issuance of a provisional clearance or permit. Permittee shall provide plans for curing such violations to the Planning and Building Department within one (1) year of issuance of the provisional clearance or permit. If good faith effort toward compliance can be shown within the two years following the issuance of the provisional clearance or permit, the Department may, at the discretion of the Director, provide for extensions of the provisional permit to allow additional time to meet the outstanding requirements.
13. Possession of a current, valid required license, or licenses, issued by any agency of the State of California in accordance with the MAUCRSA, and regulations promulgated thereunder, as soon as such licenses become available.
14. Compliance with all statutes, regulations, and requirements of the California State Water Resources Control Board and the Division of Water Rights, at a minimum to include a statement of diversion of surface water from a stream, river, underground stream, or other watercourse required by Water Code Section 5101, or other applicable permit, license, or registration, as applicable.
15. Confinement of the area of cannabis cultivation, processing, manufacture, or distribution to the locations depicted on the approved site plan. The commercial cannabis activity shall be set back at least 30 feet from any property line, and 600 feet from any school, school bus stop, church or other place of religious worship, or tribal cultural resources, except where a reduction to this setback has been approved pursuant to Section 55.4.11(d).
16. Maintain enrollment in the Water Resources Control Board (SWRCB) WQ2019-0001-DWQ General Waste Discharge Requirements for Dischargers of Waste Associated with Cannabis Cultivation Activities (General Order) under SWRCB Cannabis Cultivation Policy (WDID 1_12CC418445 Effective as of 04/16/2019; Expires 04/15/2024).
17. Comply with the terms of any applicable Lake and Stream Alteration (1600 or 1602) Permit obtained from the California Department of Fish and Wildlife (CDFW) issued for APN 523-026-003.
18. Comply with the terms of a less-than-3-acre conversion exemption or timberland conversion permit, approved by the California Department of Forestry and Fire Protection (Cal Fire), if applicable.

19. Consent to an annual on-site compliance inspection, with at least 24 hours prior notice, to be conducted by appropriate County officials during regular business hours (Monday through Friday, 9:00 a.m. to 5:00 p.m., excluding holidays).
20. Refrain from the improper storage or use of any fuels, fertilizer, pesticide, fungicide, rodenticide, or herbicide.
21. Pay all applicable application, review for conformance with conditions and annual inspection fees.
22. Fuel shall be stored and handled in compliance with applicable state and local laws and regulations, including the County of Humboldt's Certified Unified Program Agency (CUPA) program, and in such a way that no spillage occurs.
23. The master log books maintained by the applicant to track production and sales shall be maintained for inspection by the County.
24. Pay all applicable taxes as required by the Humboldt County Commercial Marijuana Cultivation Tax Ordinance (Humboldt County Code Section 719-1 et seq.).

Performance Standards for Cultivation and Processing Operations

25. Pursuant to the MCRSA, Health and Safety Code Section 19322(a)(9), an applicant seeking a cultivation license shall "provide a statement declaring the applicant is an 'agricultural employer,' as defined in the Alatorre-Zenovich-Dunlap-Berman Agricultural Labor Relations Act of 1975 (Part 3.5 commencing with Section 1140) of Division 2 of the Labor Code), to the extent not prohibited by law."
26. Cultivators shall comply with all applicable federal, state, and local laws and regulations governing California Agricultural Employers, which may include federal and state wage and hour laws, Cal/OSHA, OSHA, the California Agricultural Labor Relations Act, and the Humboldt County Code (including the Building Code).
27. Cultivators engaged in processing shall comply with the following Processing Practices:
 - a. Processing operations must be maintained in a clean and sanitary condition including all work surfaces and equipment.
 - b. Processing operations must implement protocols which prevent processing contamination and mold and mildew growth on cannabis.
 - c. Employees handling cannabis in processing operations must have access to facemasks and gloves in good operable condition as applicable to their job function.
 - d. Employees must wash hands sufficiently when handling cannabis or use gloves.
28. All persons hiring employees to engage in commercial cannabis cultivation and processing shall comply with the following Employee Safety Practices:
 - a. Cultivation operations and processing operations must implement safety protocols and provide all employees with adequate safety training relevant to their specific job functions, which may include:
 - (1) Emergency action response planning as necessary;
 - (2) Employee accident reporting and investigation policies;
 - (3) Fire prevention;
 - (4) Hazard communication policies, including maintenance of material safety data sheets (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.
29. All cultivators shall comply with the approved processing plan as to the following:
- a. Processing practices
 - b. Location where processing will occur
 - c. Number of employees, if any
 - d. Employee Safety Practices
 - e. Toilet and handwashing facilities
 - f. Plumbing and/or septic system and whether or not the system is capable of handling increased usage
 - g. Drinking water for employees
 - h. Plan to minimize impact from increased road use resulting from processing
 - i. On-site housing, if any
30. Term of Commercial Cannabis Activity Special Permit. Any Commercial Cannabis Cultivation SP issued pursuant to the CMMLUO shall expire one (1) year after date of issuance, and on the anniversary date of such issuance each year thereafter, unless an annual compliance inspection has been conducted and the permittees and the permitted site have been found to comply with all conditions of approval.
31. If the inspector or other County official determines that the permittees or site do not comply with the conditions of approval, the inspector shall serve the permit holder with a written statement identifying the items not in compliance, and the action that the permit holder may take to cure the noncompliance, or file an appeal within ten (10) days of the date that the written statement is delivered to the permit holder. Personal delivery or mailing the written statement to the mailing address listed on the application by regular mail, plus three (3) days after date of mailing, shall constitute delivery. The permit holder may request a reinspection to determine whether or not the permit holder has cured all issues of noncompliance. Failure to request reinspection or to cure any items of noncompliance shall terminate the Special Permit, immediately upon the expiration of any appeal period, or final determination of the appeal if an appeal has been timely filed pursuant to Section 55.4.13.
32. Permit Renewals to Comply with Updated Laws and Regulations. Permit renewal is subject to the laws and regulations effective at the time of renewal, which may be substantially different than the regulations currently in place and may require the submittal of additional information to ensure that new standards are met.
33. Acknowledgements to Remain in Full Force and Effect. Permittee acknowledges that the County reserves the right to reduce the size of the area allowed for cultivation under any clearance or permit issued in accordance with this section in the event that environmental conditions, such as a sustained drought or low flows in the watershed in which the cultivation area is located, will not support diversions for irrigation.
34. Transfers. Transfer of any leases or permits approved by this project is subject to the review and approval of the Planning Director for conformance with CMMLUO eligibility requirements and

agreement to permit terms and acknowledgments. The fee for required permit transfer review shall accompany the request. The request shall include the following information:

- a. Identifying information for the new owner(s) and management as required in an initial permit application;
- b. A written acknowledgment by the new owner in accordance as required for the initial permit application;
- c. The specific date on which the transfer is to occur;
- d. Acknowledgement of full responsibility for complying with the existing permit; and
- e. Execution of an Affidavit of Non-diversion of Medical Cannabis.

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

Informational Notes:

1. Pursuant to Section 314-55.4.11(a) of the CMMLUO, if upon inspection for the initial application, violations of any building or other health, safety, or other state or county statute, ordinance, or regulation are discovered, the Planning and Building Department may issue a provisional clearance or permit with a written approved Compliance Agreement. By signing the agreement, the permittee agrees to abate or cure the violations at the earliest opportunity but in no event more than two (2) years after the date of issuance of the provisional clearance or permit. Plans for curing the violations shall be submitted to the Planning and Building Department by the permittee within one (1) year of the issuance of the provisional certificate or permit. The terms of the compliance agreement may be appealed pursuant to Section 314-55.4.13 of the CMMLUO.
2. This provisional permit approval shall expire and become null and void at the expiration of one (1) year after all appeal periods have lapsed (see "Effective Date"), except where the Compliance Agreement per Condition of Approval #1 has been executed and the corrective actions pursuant to the agreement are being undertaken. Once building permits have been secured and/or the use initiated pursuant to the terms of the agreement, the use is subject to the Permit Duration and Renewal provisions set forth in Conditions of Approval #30 and 32 of the Ongoing Requirements/Development Restrictions, above.
3. If cultural resources are encountered during construction activities, the contractor on-site shall cease all work in the immediate area and within a 50-foot buffer of the discovery location. A qualified archaeologist and the appropriate Tribal Historic Preservation Officer(s) are to be contacted to evaluate the discovery and, in consultation with the applicant and the lead agency, develop a treatment plan in any instance where significant impacts cannot be avoided.

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

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

ATTACHMENT 2

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

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

- APN 523-021-004: The project is located on both sides of Forest Service Route 07N05, approximately 1.25 miles southeast from the intersection of Horse Linto Road and USFS Route 07N05, on the property known to be in the southwest half of Section 15, Township 07 North, Range 05 East, H. B. & M.
- APN 523-021-003: The project is located on the east side of Horse Linto Road, approximately 2.52 miles east from the intersection of Horse Linto Road and USFS Route 07N05, on the property known to be in the southeast half of Section 15, Township 07 North, Range 05 East, H. B. & M.
- APN 523-026-003: The project is located on the east side of Horse Linto Road, approximately 2.64 miles east from the intersection of Horse Linto Road and USFS Route 07N05, on the property known to be in the northeast half of Section 22, Township 07 North, Range 05 East, H. B. & M.

Willow Creek, County of Humboldt

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

August 2021

Background

Modified Project Description and Project History – The Commercial Medical Marijuana Land Use Ordinance (CMMLUO) established specific regulations for commercial cannabis operations in Humboldt County. These regulations were developed in concert with the Mitigated Negative Declaration (MND) that was adopted for the ordinance in order to implement the mitigation measures of the MND. The MND addressed the broad environmental impacts that could be expected to occur from the adoption and implementation of the ordinance. The MND specified that the regulations established in the CMMLUO would mitigate the impacts of existing cannabis operations by establishing regulations for an existing unregulated land use to help prevent and reduce environmental impacts that are known to result from unpermitted baseline cultivation operations. Commercial cannabis cultivation in existence as of December 31, 2015, was included in the environmental baseline for the MND and the MND states that “Bringing existing operations into compliance will help to attenuate potential environmental effects from existing cultivation activities, including aesthetic impacts resulting from improper operation or poor siting.” The current project was contemplated by the MND and compliance with the provisions of the CMMLUO will fully mitigate all environmental impacts of the project to a less than significant level.

The modified project consists of three Conditional Use Permits and a Special Permit for the operation of existing outdoor cannabis cultivation operations occurring across three adjacent and contiguous parcels, which together comprise Humbolt Heals:

- APN 523-021-004: A Conditional Use Permit for an existing 16,460-square-foot outdoor cannabis cultivation operation that occurs within four distinct cultivation areas and three greenhouses. Cultivation activities extend from March to November. There will be two harvests annually. Water for irrigation is sourced from an existing groundwater well. Existing available water storage is 16,200 gallons in a series of hard-sided tanks. Estimated annual water usage is 89,250 gallons. Drying and bucking occurs in a shared 1,190-square-foot structure and stored in two existing and four proposed shipping containers located on APN 523-021-003. A maximum of two employees may be utilized during peak operations. Power is provided by solar panels and one Predator 3500 generator and one Honda 7000 generator.
- APN 523-021-003: A Conditional Use Permit for an existing 11,324-square-foot outdoor cannabis cultivation operation that occurs within two distinct cultivation areas and three greenhouses. Cultivation activities extend from March to November. There will be two harvests annually. Water for irrigation is sourced from an existing groundwater well located on APN 523-026-003. Existing available water storage is 11,500 gallons in a series of hard-sided tanks. Estimated annual water usage is 83,000 gallons. Drying and bucking occurs in a shared 1,190-square-foot structure and stored in two existing and four proposed shipping containers located on APN 523-021-003. A maximum of two employees may be utilized during peak operations. Power is provided by one Predator 3500 generator and one Honda 7000 generator.
- APN 523-026-003: A Conditional Use Permit for an existing 11,600-square-foot outdoor cannabis cultivation operation that occurs within four distinct cultivation areas. Cultivation activities extend from March to November. There will be two harvests annually. Water for irrigation is sourced from one existing groundwater well. Existing available water storage is 30,550 gallons in a series of hard-sided tanks. Drying and bucking occurs in a shared 1,190 SF structure and stored in two existing and four proposed shipping containers. This structure provides drying and bucketing for the two adjacent Humbolt Heals project sites (APN 523-021-004 and APN 523-021-003). Additional processing occurs offsite at a licensed processing or manufacturing facility. A maximum of two employees may be utilized during peak operations. Power is provided by one Predator 3500 generator and one Honda 7000 generator. The applicant also seeks a Special Permit to reduce the 600-foot setback requirement to public land since Cultivation Site 4, in the southeast corner of the parcel, is within 600 feet of land owned by the Six Rivers National Forest.

A search of CNDDDB biological resources database was performed on November 29, 2020. No special-status species have been documented on the project sites. The nearest known Northern spotted owl (NSO) activity center greater than 0.9-mile north of the cultivation sites; therefore, the cultivation site may provide suitable foraging habitat. Timber Conversion Reports were prepared for each of the project sites. The Timber Conversion Reports indicated no expansion of the project sites has occurred since the CMMLUO baseline of January 01, 2016. Conditions of approval will require noise to be at below 50 decibels at 100 feet from the generator or at the edge of the nearest forest habitat, whichever is closer, as required by Section 314-55.4.11(o) Humboldt County Code. The project is conditioned to ensure any lighting adheres to Dark Sky Association standards. The project is conditioned to refrain from using synthetic netting, to ensure refuse is contained in wildlife-proof storage, and to refrain from using anticoagulant rodenticides to further protect wildlife. Additional measures that would also protect biological resources are identified in the WRPPs prepared for the project parcels and include drainage, runoff, and erosion control; watershed and habitat protection measures; and proper application, storage and disposal of fertilizers, pesticides, herbicides, and petroleum products.

The project applicant proposes three off-stream ponds, one on each parcel. The ponds range in size from 200,000 gallons to 300,000 gallons. Under the original application for APPS 11965, the applicant proposed a 600,000-gallon, however, is now requesting a 300,000-gallon pond. Trinity Valley Consulting Engineers Inc. (TCVE) prepared an R-2 Soils Report (APPS #11373) and Grading and Erosion Control Plans (APPS #11963 and 11965) to provide additional detail regarding pond construction (see Attachment 3). The reports indicate that between 6,000 – 7,000 cubic yards (cy) of cut and fill would be necessary to develop the ponds at each site. According to the reports from TCVE and a review of aerial mapping on the Humboldt WebGIS, slopes in this area range from 15% - 50%. It appears timber and or vegetation removal would also be required. Because the site is heavily forested, restocking at a rate of 3:1 for any trees removed does not appear to be possible. Northern Spotted Owl observations have occurred within 0.6 miles or less from each cultivation area (see discussion on next page). Lastly, the Road Evaluation Report prepared by TVCE dated July 12, 2021, indicates sections of the access road are narrow and have average slopes ranging from 4% - 18%, which may make it difficult for construction vehicles to access the site and/or increase water quality issues. For the reasons, Planning staff does not support development of the off-stream ponds on any of the subject parcels. However, because there are an existing water sources (groundwater well discussed above) that currently support the projects, Planning staff determined there is sufficient water available to support the project without construction of the ponds. Conditions of approval require the applicant to revise the site plan and operations plan to remove discussion regarding the pond.

William Rich and Associates provided written and email correspondence regarding tribal cultural resources within and in the vicinity of the project sites to the Hoopa Valley Tribe and the Tsnungwe Council in March 2018. Mr. Robert Benson of the Tsnungwe Council responded stating that no tribal cultural resources are known to exist in the project area and he expressed no further concerns. Cultural resources surveys conducted in March 2018 on all three parcels did not identify any archaeological or cultural resources within the project sites. The cultural investigation reports indicated that no further archeological investigations are necessary and recommended measures should be included to provide for inadvertent discovery of any buried cultural resources. Ongoing conditions of approval are incorporated regarding compliance with the recommendations of the Cultural Resources Investigation and the Inadvertent Discoveries Protocol to protect cultural resources.

The modified projects are consistent with the adopted MND for the CMMLUO because it complies with all standards of the CMMLUO which were intended to mitigate impacts of existing cultivation. These include site drainage, erosion, and runoff control measures implemented in accordance with the Water Resources Protection Plans for the sites to protect water quality. The projects are conditioned to limit impacts to biological resources, including ensuring any supplemental lighting used for security lighting adheres to Dark Sky Association standards and project related noise does not harass nearby wildlife. The applicant has enrolled with the State Water Resources Control Board Cannabis Cultivation Policy. Additionally, all development currently meets appropriate Streamside Management Area (SMA) setbacks preserving them as wildlife corridors.

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

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

Summary of Significant Project Effects and Mitigation Recommended

No changes are proposed for the original MND recommended mitigations. The proposal to authorize the continued operation of existing 16,460-square-foot outdoor cannabis cultivation operation on APN 523-021-003, 11,324-square-foot outdoor cannabis cultivation on APN 523-023-003, and 11,600-square-foot outdoor cannabis cultivation operation, occurring across three adjacent and contiguous parcels which together comprise Humbolt Heals, is fully consistent with the impacts identified and adequately mitigated in the original MND. The project as conditioned to implement responsible agency recommendations, results in no significantly adverse environmental effects beyond those identified in the MND. Compliance with the CMMLUO ensures consistency with the adopted MND and provides for mitigation of all project related impacts to a less than significant level.

In reviewing the application for consistency with the adopted MND, the County considered the following information and studies, among other documents (see Attachment 3 for a complete listing):

PLN-11373-CUP

- Plot Plans prepared by Green Road Consulting dated October 21, 2019 and received October 25, 2019.
- Site Plan Overview and Cultivation and Operations Plan prepared by Green Road Consulting, no date, received July 11, 2017
- Cultivation and Operations Plan prepared by Green Road Consulting dated April 29, 2019 and received May 2, 2019.
- Amendment to the Operations Plan, no date, receive October 17, 2019
- Amendment to Operations Plan, no date, received October 25, 2019
- Water Resources Protection Plan (WRPP) prepared by Timber Resources Consultants for the North Coast Regional Water Quality Control Board Order No. 2015-0023, dated October 26, 2016 and received July 11, 2017.

- Well Completion Report (Permit Number 14/15-0740, 0433, WCR2015-003414), dated March 15, 2015.
- Timber Conversion Report prepared by Timberland Resource Consultants dated March 1, 2018 and received July 23, 2018.
- Roadway Evaluation River Access Road Willow Creek, California. APN 523-021-004 prepared by Trinity Valley Consulting Engineers, Inc., dated July 2018 and received November 8, 2018.
- Biological Assessment for Humboldt County Application #11373 prepared by Timberland Resource Consultants dated 1/10/19 and received 1/25/19.
- Cultural Resources Investigation for Commercial Medical Cannabis Cultivation, Spire Ridge Farms (APN 523-021-004), Willow Cree, Humboldt County prepared William Rich, M.A., RPA, William Rich and Associates dated 10/18.

PLN-11963-CUP

- Plot Plans prepared by TVCE dated 10/16 and received 10/18/2019.
- Cultivation and Operations Plan no date and received 9/6/19.
- Water Resources Protection Plan (WRPP) prepared by Timber Resources Consultants for the North Coast Regional Water Quality Control Board Order No. 2015-0023, dated 10/10/16.
- Timber Conversion Report prepared by Timberland Resource Consultants dated 3/5/18 and received 7/23/18.
- Roadway Evaluation River Access Road Willow Creek, California. APN 523-021-003 prepared by Trinity Valley Consulting Engineers, Inc., dated 7/18 and received 8/13/18.
- Division of Environmental Health Attachment for Commercial Medical Marijuana (CMM) Clearances/ Permits.
- Biological Assessment for Humboldt County Application #11963 prepared by Timberland Resource Consultants dated 1/9/19 and received 1/25/19.
- Cultural Resources Investigation for Commercial Medical Cannabis Cultivation, Spire Ridge Farms (APN 523-021-003), Willow Creek, Humboldt County prepared William Rich, M.A., RPA, William Rich and Associates dated 10/18 and received 7/23/18.
- Grading and Erosion Control Plan prepared by Trinity Valley Consulting Engineers, Inc. dated 10/16 and received 12/31/16.
- R-2 Soils Report prepared by Trinity Valley Consulting Engineers, Inc. dated 10/16 and date received not available.

PLN-11965-CUP

- Plot Plans prepared by Trinity Valley Consulting Engineers, Inc. dated 10/16 and received 10/18/2019.
- Cultivation and Operations Plan, no date.
- Water Resources Protection Plan prepared by Timber Resources Consultants for the North Coast Regional Water Quality Control Board Order No. 2015-0023, dated 10/16.
- Streambed Alteration Agreement obtained from the California Department of Fish and Wildlife, Notification No. 1600-2018-0766-R1 effective 4/11/19, received 11/30/20.
- Timber Conversion Report prepared by Timberland Resource Consultants dated 11/8/18 and received 11/9/18.
- Roadway Evaluation River Access Road Willow Creek, California. APN 523-026-003 prepared by Trinity Valley Consulting Engineers, Inc., dated 6/18 and received 11/9/18.
- Biological Assessment for Humboldt County Application #11965 prepared by Timberland Resource Consultants dated 1/8/19 and received 1/25/19.
- Cultural Resources Investigation for Commercial Medical Cannabis Cultivation, Spire Ridge Farms (APN 523-026-003), Willow Cree, Humboldt County prepared William Rich, M.A., RPA, William Rich and Associates dated 10/18, received 10/19/18.
- Grading and Erosion Control Plan prepared by Trinity Valley Consulting Engineers, Inc. dated 9/16 and received 2/8/18.

- Engineering Geologic (R-2) Soils Exploration Report prepared by Trinity Valley Consulting Engineers, Inc. dated 10/16 and received 2/8/18.

Other CEQA Considerations

Staff suggests no changes for the revised project.

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

See **Purpose** statement above.

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

FINDINGS

1. The proposed project will permit an existing cannabis operation and bring the operation into compliance with county and state requirements intended to adequately mitigate environmental impacts.
2. The circumstances under which the project was approved have not changed substantially. There are no new significant environmental effects and no substantial increases in the severity of previously identified effects.
3. For the current proposed project, there has been no new information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous MND was adopted as complete.

CONCLUSION

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

ATTACHMENT 3

Applicant's Evidence in Support of the Required Findings

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

1. The name, contact address, and phone number(s) of the applicant. (Application form on file)
2. If the applicant is not the record title owner of parcel, written consent of the owner for the application with original signature and notary acknowledgement. (On file)
3. Site plan showing the entire parcel, including easements, streams, springs, ponds and other surface water features, and the location and area for cultivation on the parcel with dimensions of the area for cultivation and setbacks from property lines. The site plan shall also include all areas of ground disturbance or surface water disturbance associated with cultivation activities, including access roads, water diversions, culverts, ponds, dams, graded flats, and other related features. If the area for cultivation is within one-quarter mile (1,320 feet) of a school, school bus stop, church or other place of religious worship, public park, or tribal cultural resource, the site plan shall include dimensions showing that the distance from the location of such features to the nearest point of the cultivation area is at least 600 feet. **(Attached)**
4. A cultivation and operations plan that meets or exceeds minimum legal standards for water storage, conservation and use; drainage, runoff and erosion control; watershed and habitat protection; proper storage of fertilizers, pesticides, and other regulated products to be used on the parcel; and a description of cultivation activities (outdoor, indoor, mixed light), the approximate date(s) cannabis cultivation activities have been conducted on the parcel prior to the effective date of this ordinance, if applicable, and schedule of activities during each month of the growing and harvesting season. **(Attached)**
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. (Riparian Water Rights Statement of Diversion and Use claims and reporting (Not applicable)
6. Description of water source, storage, irrigation plan, and projected water usage. **(Attached** - See Cultivation Operations Plans and Water Resources Management Plans).
7. Copy of Notice of Intent and Monitoring Self-Certification and other documents filed with the North Coast Regional Water Quality Control Board demonstrating enrollment in Tier 1, 2 or 3, North Coast Regional Water Quality Control Board Order No. 2015-0023, or any substantially equivalent rule that may be subsequently adopted by the County of Humboldt or other responsible agency. **(Attached** – Water Resources Protection Plans prepared by Timberland Resource Consultants dated October 2016 and Notice of Applicability; Condition of approval – Continue compliance with State Water Sources Cannabis Cultivation General Order by submitting Site Management Plans for the three parcels and monitoring reports)
8. If any on-site or off-site component of the cultivation facility, including access roads, water supply, grading or terracing impacts the bed or bank of any stream or other watercourse, a copy of the Streambed Alteration Permit obtained from the Department of Fish & Wildlife. (On file: Notification No. 1600-2018-0766-R1 executed 4/11/19 for APN 523-026-003; Condition of approval – Submit Final Streambed Alteration Agreement and show compliance with terms and conditions)
9. If the source of water is a well, a copy of the County well permit, if available. **(Attached** – Department of Environmental Health Permit and Department of Water Resources Permit Nos. 14/15-0433, WCR2015-003414; 17/18-1225, WCR2018-000034; and 1714/15-0427, WCR2015-000487)

10. If the parcel is zoned FR, U or TPZ, or involves the conversion of timberland as defined under Section 4526 of the Public Resources Code, a copy of a less-than-3-acre conversion exemption or timberland conversion permit, approved by the California Department of Forestry and Fire Protection (Cal Fire). Alternately, for existing operations occupying sites created through prior unauthorized conversion of timberland, evidence may be provided showing that the landowner has completed a civil or criminal process and/or entered into a negotiated settlement with Cal Fire. (**Attached** - Timber Conversion Report for APN 523-021-004 dated 3/1/18 prepared by Timberland Resource Consultants, Timber Conversion Report for APN 523-021-004 dated 3/5/18 prepared by Timberland Resource Consultants, Timber Conversion Report for APN 523-026-003 dated 11/8/18 prepared by Timberland Resource Consultants)
11. Consent for on-site inspection of the parcel by County officials at prearranged date and time in consultation with the applicant prior to issuance of any clearance or permit, and once annually thereafter. (On file)
12. For indoor cultivation facilities, identify the source of electrical power and how it will meet with the energy requirements in Section 55.4.8.2.3, and plan for compliance with applicable building codes. (Not applicable)
13. Acknowledge that the County reserves the right to reduce the size of the area allowed for cultivation under any clearance or permit issued in accordance with this Section in the event that environmental conditions, such as a sustained drought or low flows in the watershed, will not support diversions for irrigation. (On file)
14. Acknowledge that the County reserves the right to engage with local tribes before consenting to the issuance of any clearance or permit, if cultivation operations occur within an Area of Traditional Tribal Cultural Affiliation, as defined herein. This process will follow current departmental referral protocol, including engagement with the tribe(s) through coordination with their Tribal Historic Preservation Officer (THPO) or other tribal representatives. This procedure shall be conducted similar to the protocols outlined under SB 18 (Burton) and AB 52 (Gatto), which describe "government to government" consultation, through tribal and local government officials and their designees. During this process, the tribe may request that operations associated with the clearance or permit be designed to avoid, minimize, or mitigate impacts to tribal cultural resources, as defined herein. Examples include, but are not limited to, conducting a site visit with the THPO or their designee to the existing or proposed cultivation site, requiring that a professional cultural resources survey be performed, or requiring that a tribal cultural monitor be retained during project-related ground disturbance within areas of sensitivity or concern. The County shall request that a records search be performed through the California Historical Resources Information System (CHRIS). (On file)
15. Cultural Resources Investigation for Commercial Medical Cannabis Cultivation, Spire Ridge Farms (APN 523-021-004), Willow Cree, Humboldt County prepared William Rich, M.A., RPA, William Rich and Associates dated 10/18. (On file and confidential)
16. Cultural Resources Investigation for Commercial Medical Cannabis Cultivation, Spire Ridge Farms (APN 523-021-003), Willow Creek, Humboldt County prepared William Rich, M.A., RPA, William Rich and Associates dated 10/18. (On file and confidential)
17. Cultural Resources Investigation for Commercial Medical Cannabis Cultivation, Spire Ridge Farms (APN 523-026-003), Willow Cree, Humboldt County prepared William Rich, M.A., RPA, William Rich and Associates dated 10/18. (On file and confidential)
18. Roadway Evaluation River Access Road Willow Creek, California. APNs 523-021-003 (APP #11963), 523-021-004 (APP # 11373) and 523-026-003 (APP #11965) prepared by Trinity Valley Consulting Engineers, Inc., dated July 8, 2021. (**Attached**)

19. Biological Assessment for Humboldt County Application #11373 prepared by Timberland Resource Consultants dated 1/10/19. (On file).
20. Biological Assessment for Humboldt County Application #11963 prepared by Timberland Resource Consultants dated 1/9/19. (On file)
21. Biological Assessment for Humboldt County Application #11965 prepared by Timberland Resource Consultants dated 1/8/19. (On file)
22. Streambed Alternation Agreement obtained from the California Department of Fish and Wildlife, Notification No. 1600-2018-0766-R1 effective 4/11/19. (On file)
23. Grading and Erosion Control Plan prepared by Trinity Valley Consulting Engineers, Inc. dated 10/16. **(Attached)**
24. R-2 Soils Report prepared by Trinity Valley Consulting Engineers, Inc. dated 10/16. (On file)
25. Grading and Erosion Control Plan prepared by Trinity Valley Consulting Engineers, Inc. dated 9/16. **(Attached)**
26. Engineering Geologic (R-2) Soils Exploration Report prepared by Trinity Valley Consulting Engineers, Inc. dated 10/16. (On file)

RECORD NUMBER: PLN-11373-CUP

APPLICANT'S EVIDENCE



Site Plan Overview and Cultivation and Operations Plan

Applicant/Owner

FlorraCanna Care
1650 River Access Road
Willow Creek, CA 95573
Parcel: 523-021-004

Agent

Ariel Kittredge
Green Road Consulting
1650 Central Avenue, Suite C
McKinleyville, CA 95519



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I. Site Plan Overview

1.0 Project Information

FlorraCanna Care ("Applicant") is submitting this application for a Type 3 Use Permit for 23,100 square feet of existing outdoor commercial cannabis cultivation on a 169.66-acre parcel, located in Willow Creek, CA ("Parcel"), Assessor's Parcel Number 523-021-004.

The Applicant is sourcing water from an on site permitted well that is being stored in nine (9) HDPE Tanks totaling at 15,600 gallons. The Applicant has an annual water use of 89,250 gallons using a drip irrigation system.

There are four (4) sheds on this Parcel. Shed #1 is a 8'x10' structure that was constructed in 2005, and is used to store basic cultivation related tools. Shed #2 is a 8'x12' structure that was constructed in 2005, and is used to store cultivation related fuels such as gasoline and oil. Shed #3 is a 8'x16' structure that was constructed in 2005, and is used to store cultivation related trash that is stored in a water tight container. The Nutrient Shed is a 10'x12' structure that was constructed in 2005, and is used to store nutrients and fertilizers. It is located on the south side of Cultivation Area #4.

The Applicant is expecting two (2) harvests from outdoor cultivation in August and November. All trimming and processing occurs on the neighboring parcel by collective members.

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

The Use Permit would achieve the following results for the Applicant:

- a. Permit 23,100 square feet of outdoor commercial cannabis cultivation activities that were in existence prior to January 1, 2016, in compliance with the County CMMLUO.
- b. Comply with applicable standards for water quality maintenance and watershed protection through the Waiver of Waste Discharge requirements of the North Coast Regional Water Quality Control Board ("Water Board") and California Department of Fish and Wildlife ("Fish and Wildlife").

2.0 Project Location

The Applicant's Parcel is located in the inland zone of Humboldt County near Willow Creek, CA. The Parcel is comprised of 169.66-acres and is identified by Assessor's Parcel Number ("APN") 523-021-004.

2.1 Zoning Classification

The County's Zoning Classification of the Parcel is TPZ with a Current General Plan of T(FRWK). The CMMLUO permits existing commercial cannabis cultivation on land zoned as TPZ with cultivation sites greater than 10,000 to 43,560 square feet with a Type 3 Use Permit.

2.2 Site Topography

A map of the Parcel’s topography is included as Attachment “A.”

3.0 Easements

The following easement information is taken from Exhibit “A” of the Grant Deed, a copy of which is included in the Evidence of Ownership and Authorization section of this application.

“EXHIBIT “A”

THE LAND REFERRED TO HERIN BELOW IS SITUATED IN THE COUNTY OF HUMBOLDT, STATE OF CALIFORNIA, AND IS DESCRIBED AS FOLLOWS:

PARCEL ONE

The Southwest Quarter of Section 15, Township 7 North, Range 5 East, Humboldt Meridian.

EXCEPTING THEREFROM an undivided ½ interest in and to all oil, gas, Sulphur, coal, Fuller’s earth, quartz, agate, copper, gold, silver and other minerals and metals and precious metals and stones and other minerals and ores whether expressly defined or not, in, on and under said land, as reserved in favor of Ira B. Hahn, Jr., in the deed from Mrs. Elizabeth Cunningham to O.O. Barker dated April 20, 1945 and recorded May 4, 1945 in Book 273 of Deeds, page 325.

PARCEL TWO

A non-exclusive easement for all purposes over and across the existing road which runs Westerly from Parcel One above through Section 16, Township 7 North, Range 5 East, Humboldt Meridian to Parcel Three hereafter described.

PARCEL THREE

An easement for roadway purposes along and across a strip of land in the South Half of the Northwest Quarter, the Southwest Quarter and the West Half of the Southeast Quarter of Section 16, Township 7 North, Range 5 East, Humboldt Meridian as conveyed by the United States of America to Champion International Corporation by deed recorded January 15, 1979 in Book 1540 of Official Records, page 462, subject to the terms, provisions and conditions set forth therein.

RESERVING FROM PARCEL ONE ABOVE, for the benefit of the remaining lands of the grantor, a non-exclusive easement for ingress and egress for all purposes over and across the existing road.

ALSO RESERVING THEREFROM, for the benefit of the remaining lands of the grantor lying west of Parcel One above, the right to take water from the existing spring located nearest the Westerly boundary said Parcel One and also the right to lay a one inch pipeline from said Spring to the West line of said Parcel One above. Together with all rights incidental to the taking of the water including maintenance of said spring and pipeline and access therefor.”

4.0 Natural Waterways

There is one (1) Class I Watercourse (Coon Creek), one (1) Class II Watercourse (Unnamed), and two (2) Class III Drainages (Unnamed) that cross the Parcel.

The Applicant has a Water Resource Protection Plan ("WRPP") for the Parcel and is enrolled in the Water Board's Waiver of Waste Discharge program as a Tier II Discharger.

5.0 Location and Area of Existing Cultivation

Cultivation Area #1

Cultivation Area #1 is located at the eastern section of the Parcel and consists of approximately 2,000 square feet of cultivation.

Cultivation Area #2

Cultivation Area #2 is located west of Cultivation Area #1 and consists of approximately 7,100 square feet of cultivation.

Cultivation Area #3

Cultivation Area #3 is located south of Cultivation Area #2 and consists of approximately 8,000 square feet of cultivation.

Greenhouse #1

Greenhouse #1 is located north of Cultivation Area #2 and is 16'x75' (1,200 square feet) of cultivation.

Greenhouse #2

Greenhouse #2 is located on the east side of Greenhouse #1 and is 16'x75' (1,200 square feet) of cultivation.

Greenhouse #3

Greenhouse #3 is located north of Cultivation Area #1 and is 20'x100' (2,000 square feet) of cultivation.

Greenhouse #4

Greenhouse #4 is located west side of Cultivation Area #1 and is 16'x100' (1,600 square feet) of cultivation.

6.0 Setbacks of Cultivation Area

Cultivation Area #1

Cultivation Area #1 is setback from the southern parcel line by approximately 816 feet and the eastern parcel line by approximately 35 feet.

Cultivation Area #2

Cultivation Area #2 is setback from the southern parcel line by more than 816 feet and the eastern parcel line by approximately 648 feet.

Cultivation Area #3

Cultivation Area #3 is setback from the southern parcel line by approximately 816 feet and the eastern parcel line by more than 648 feet.

Greenhouse #1

Greenhouse #1 is setback from the northern parcel line by approximately 888 feet and the eastern parcel line by approximately 648 feet.

Greenhouse #2

Greenhouse #2 is setback from the northern parcel line by approximately 888 feet and the eastern parcel line by approximately 648 feet.

Greenhouse #3

Greenhouse #3 is setback from the northern parcel line by more than 888 feet and the eastern parcel line by approximately 90 feet.

Greenhouse #4

Greenhouse #4 is setback from the northern parcel line by more than 888 feet and the eastern parcel line by more than 35 feet.

7.0 Access Roads

The Access Road to the property is River Access Road located off Horse Linto Creek Road, which is in good condition.

The main road was generally well constructed with regular surface drainage structures, but have been worn down and will be repaired and more will be added where needed. Two (2) locations of the main road have been constructed through landslide features, but both areas have been constructed to drain water away from unstable areas.

8.0 Graded Flats

There are five (5) graded flats located on the Parcel. They may require R-2 soil testing and permitting.

9.0 Existing and Proposed Buildings

Existing Cultivation Buildings

Shed #1

Shed #1 is a 8'x10' structure that was constructed in 2005. It is used to store basic cultivation related tools. It is located on the west side of Greenhouse #2.

Shed #2

Shed #2 is a 8'x12' structure that was constructed in 2005. It is used as fuel storage, such as gas and oil. It is located east of Greenhouse #3.

Shed #3

Shed #3 is a 8'x16' structure that was constructed in 2005. It is used to store cultivation related trash that is stored in a water tight container. It is located southeast of Shed #2.

Nutrient Shed

The Nutrient Shed is a 10'x12' structure that was constructed in 2005. It is used to store nutrients and fertilizers. It is located on the south side of Greenhouse #2.

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

10.1 Water Source

The Applicant is currently sourcing water from a permitted well located on the property. Water is pulled from the well using a solar pump into HDPE Tanks. The Applicant has a well water permit filed with the Department of Environmental Health.

10.2 Water Storage

The applicant has a total of nine (9) HDPE Tanks on site, totaling in 15,600 gallons of hard tank water storage. Water is pumped from the well on site and stored in the water tanks. The size and number of tanks is outlined below.

- Two (2) 550 gallon HDPE Tanks;
- One (1) 500 gallon HDPE Tank;
- One (1) 1,500 gallon HDPE Tank; and
- Five (5) 2,500 gallon HDPE Tanks

10.3 Irrigation Plan

The irrigation of cannabis is completed by a timed, drip irrigation system, preventing any over watering or runoff.

10.3 Projected Water Use

The amount of water used for the cultivation of cannabis will vary throughout the year, with peak periods of water use occurring during the summer months. The Applicant's cultivation and water use is outlined in the Cultivation and Water Usage Chart, attached as Attachment "B."

The well meets water needs throughout the year. The well currently doesn't have a metering device and water use has been quantified by watering schedules and tank filling cycles. Water meter was installed prior to use in 2017.

The Applicant estimates their annual water use to be 89,250 gallons.

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

11.1 Site Maintenance, Erosion Control, and Drainage Features

The permanent road accessing and passing through the property was formerly a main-line haul road from timber production during the 1970s. The main road has been surface rocked and was generally well constructed with regular surface drainage structure. However, over time, the majority of these structures have been worn down and not maintained allowing the concentration or road surface runoff erode the road surface particularly within the wheel paths. These drainage structures will be repaired and some additional structures will be added to increase the frequency of surface drainage structures where needed. Within the property, there are two locations where the main road has, in the past, been constructed to drain water out of and away from the unstable areas as is appropriate.

Season roads and trails accessing the cultivation areas are in good condition.

Cultivation areas are all on graded flats and outside of the riparian area at distances greater than 200 ft. No erosional features were noted in any of the cultivation areas. Greenhouses #1 & #2 are 3,400 sq ft, consists of outdoor plants grown in ground on a graded flat less than 5% cut from hillslope approximately 25%. Greenhouse #3 is 2,000 sq ft and consists of outdoor plants grown in ground on slopes less than 5% cut from hillslopes approximately 17%. Cultivation Area #3 is 8,000 sq ft and resides on slopes less than 5% cut from hillslopes approximately 18%. Cultivation areas in their current states and locations pose no threat to water quality.

11.2 Stream Crossing Maintenance

There are no stream crossings located on the property. On Site, a discontinuous channel in an area of hummocky hillslope is drained west down the inside ditch to a ditch relief culvert. Investigation revealed no channel like features. This drainage seems to be functioning well, and also captures and drains multiple cutback seeps and should remain in its current configuration.

11.3 Riparian and Wetland Protection and Management

All cultivation areas are located at distances greater than 200' from the nearest watercourse and pose no threat to water quality.

12.0 Distances from Significant Landmarks

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

II. Cultivation and Operations Plan

1.0 Materials Storage

1.1 Fertilizers and Soil Amendments

All fertilizers and amendments are located in the Nutrient Shed on the Parcel. Fertilizers and amendments are placed on the shelves and floor where any spill will be contained. Currently, the applicant is using approved fertilizers and amendments. Earth Juice – Catalyst, Canadian Seaweed, Gypsum, Epsom Salt, Glacier Dust, Dolomite, and Oyster Shell are applied to the soil.

All labels are kept and directions are followed when nutrients are applied. The storage area is in need of posted instructions for storing fertilizers and amendments, instructions for cleaning up spills and a spill kit that contains a container, gloves, towels, absorbent socks and an absorbent material (kitty litter).

1.2 Pesticides and Herbicides

Currently, there are no herbicides registered specifically for use directly on cannabis. Neem oil, Nutrilife – SM-90, Bio Wars, and Dr.Zymes are used to control pests mold and mildew. These items were accepted under Legal Pest Management Practices for Marijuana Growers in California.

1.3 Petroleum Products and Other Chemicals

All fuel such as gas and oil are stored in Shed #2 and are stored in a secondary container preventing hazardous spills. The Applicant uses a 2KW Honda Backup Generator that is located next to Shed #1, and a Solar Array that is located next to the Well.

1.4 Cultivation-Related Wastes

One site was identified where cultivation related soils had been unloaded and transferred. Due to the proximity to adjacent watercourses, these sites pose no threat to water quality. On Site, a pile of cultivation related soil is being stored in an open pile. The soil pile poses no threat to water quality as it is located on flat ground and is out of the riparian area. These sites are also addresses in the Mitigation Report to follow.

All cultivation related waste is stored in dumpsters located on the neighboring commercial parcel, as approved by the Applicant's lease. Any green waste will be piled and kept well away from any watercourse. Less than 100 cubic yards of green waste is

composted on site. Garbage and recycling is stored in Shed #3 and will be self-removed 3x a week to McKinleyville Central Transfer Station.

1.5 Spoils Management

No construction related spoils were noted on the property during out assessments. Any future spoils generated as a result of any future construction projects stored on the property shall be done so in accordance with BPM's.

2.0 Cultivation Activities

Cultivation activities typically begin sometime during March when cannabis plants are started in 4-inch pots in the Parcel's greenhouses. Soil is amended with amendments. Vegging occurs in Greenhouses #1-#4 by use of natural light, and no artificial lighting.

Plants are transported into properly sized soil beds and/or pots once they have reached viability for the outdoors or adulthood, sometime during April.

The Applicant is expecting two (2) Full Term Outdoor harvest that will occur in August and November.

3.0 Processing Practices

Plants will be harvested one at a time using hand shears and taken into a portable carport tent where it will be dried. All trimming and processing will be performed on the neighboring parcel by the Applicant and members of the collective.

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

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

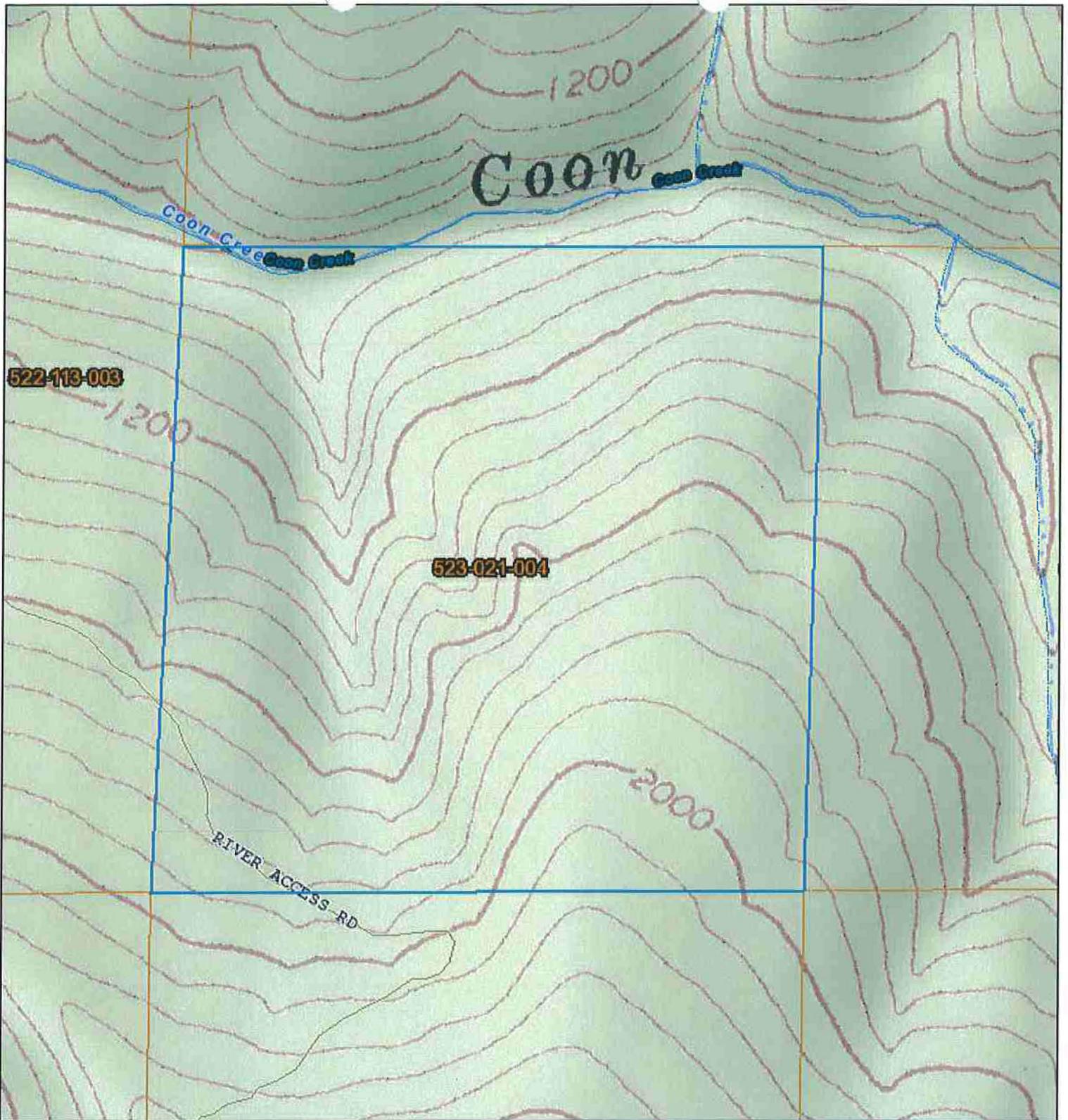
4.0 Security Measures

The Parcel is accessible in two ways: Horse Linto Creek and Waterman Road. Traffic is monitored continually with motion sensors and cameras at gates and cultivation areas. The Drying Facility is on adjoining parcel with applicant's other parcel. Locked gates are the only entry and are monitored by a camera and floodlights.



**GREEN
ROAD**
CONSULTING

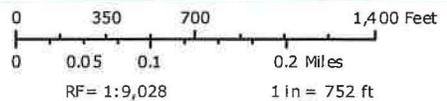
Attachment “A”



ArcGIS Web Map

Humboldt County Planning and Building Department

- | | | | |
|---------------------------|---------------------------|-----------------|---------------|
| Highways and Roads | — Private or Unclassified | — Intermittent | Green: Band_2 |
| Principal Arterials | — Major River or Stream | — Subsurface | Blue: Band_3 |
| Minor Arterials | Blue Line Streams | — City Boundary | |
| Major Collectors | — Perennial 1-3 | — Counties | |
| Minor Collectors | — Perennial >4 | — Parcels | |
| Local Roads | — Red: Band_1 | | |



Printed: June 19, 2017

Web AppBuilder 2.0 for ArcGIS

Map Disclaimer:

While every effort has been made to assure the accuracy of this information, it should be understood that it does not have the force & effect of law, rule, or regulation. Should any difference or error occur, the law will take precedence.

Source: NRCS, Humboldt County GIS, Healthy Rural Roads, Esri, HERE, DeLorme, MapmyIndia, © OpenStreetMap contributors, and the GIS user community. Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community, FRAP, FEMA, USGS





**GREEN
ROAD**
CONSULTING

Attachment “B”

Cultivation and Water Usage
FlorraCanna Care – APN: 523-021-004

Month	Stage of Cultivation			Cultivation Space per Stage (Square Footage)	Water Usage (gallons/month)
	Vegging	Flowering	Harvesting		
EXAMPLE	X	X		1,200 sq. ft. – Vegging 1,500 sq. ft. – Flowering 3,000 sq. ft. - Harvesting	5,000 gal/month
January					0
February					0
March	X			3,000 sq ft – Vegging	250 gal/month
April	X			6,000 sq ft – Vegging	1500 gal/month
May		X		6,000 sq ft – Flowering	6000 gal/month
June		X		6,000 sq ft – Flowering	15000 gal/month
July	X	X		6,000 sq ft – Flowering 8,350 sq ft – Vegging	25500 gal/month
August	X		X	8,350 sq ft – Vegging 6,000 sq ft – Harvesting	21000 gal/month
September	X	X		16,700 sq ft – Flowering	15000 gal/month
October		X		16,700 sq ft – Flowering	5000 gal/month
November			X	16,700 sq ft – Harvesting	0
December					0





Humboldt County Planning Department
3015 H Street
Eureka, CA 95501

RE: Humboldt Heals, LLC – Humboldt County APPS 11373 – APN: 523-021-004

April 29th, 2019

To Whom It May Concern:

The following information should be added to the Cultivation and Operations Plan for Humboldt Heals LLC, APPS #11373, APN: 523-021-004.

Processing

The Applicant will take harvested cannabis to a licensed third-party processor.

Employees

The Applicant anticipates on using two (2) seasonal employees.

Employees Safety Practices

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

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

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

Sanitation Facilities

The Applicant has a permitted septic on the adjacent parcel for employees.



11963 (apn 523-021-003) ,11965 (apn 523-026-003), 11373 (apn 523-021-004)

The following is a brief description of the shared amenities of these three applications. The three parcels are adjoining and behind same main gates. Humboldt Heals is the applicant for all three. Tim Busman is the CEO of Humboldt Heals and is the certified weighmaster, holds pest applicator license, and is designated METRC officer and in charge of WRPP monitoring. Currently Humboldt Heals holds provisional state medium outdoor (PAL18-0003706) and small mixed light tier 1(PAL18-0003764) permits encompassing all three adjoining parcels. Humboldt Heals found this was the simplest way for METRC as well as other guidelines required to follow. Humboldt Heals is proposing that drying will occur for all three applications now on apn# 523-021-003 in the two designated buildings. Other shared amenities include bathrooms, storage (pesticides, gas, oil). Tim Busman also has enrolled Humboldt Heals with the public health dept as a waste producer and has received an epa # with the state. Currently the security plan, road monitoring and IPM is the same. All three applications have same offsite processing plan as well.

Ammendment to operations plan

This is to clarify canopy space for CA #2 & 3.

CA #2 = 5000 sq ft of continuous canopy, a 166x30 foot bed of potting soil.

CA # 3 = 5000 sq ft of canopy in rows in the following legnthns from north to south.

- 7x 50' = 350
- 7x100'= 700
- 7x125'=875
- 7x187'=1309
- 7x132'=924
- 7x120'=840





Environmental Health
 100 H Street, Suite 100, Eureka, CA 95501
 phone: (707) 445-6215, fax: (707) 441-5699

14/15-0449

RECEIVED

WATER WELL APPLICATION
CONSTRUCTION – REPAIR – DESTRUCTION
 The Well Permit will be returned to the property owner when approved by
 Humboldt County Division of Environmental Health (DEH)

MAR 19 2015
 HUMBOLDT CO. DIVISION
 ENVIRONMENTAL HEALTH

Instructions:

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

Site Address	<u>1650 River Access Rd</u>	APN	<u>523-021-004</u>
City/State/Zip	<u>Willow Creek</u>	CA	<u>95573</u>
Directions to Site	_____		
Applicant	<u>FISCH DRILLING</u>	Contact	<u>Chris Fisch</u>
Mailing Address	<u>3150 Johnson Rd.</u>	Work Phone	<u>(707) 768-9800</u>
City/State/Zip	<u>Hydesville CA 95547</u>	Cell Phone	<u>(707) 601-3042</u>
Property Owner	<u>Ruth Gabor</u>	Home Phone	_____
Mailing Address	<u>11842 LINDH F</u>	Work Phone	_____
City/State/Zip	<u>Studio City CA 91604</u>	Cell Phone	<u>(707) 601-4206</u>
I hereby grant 'right-of-entry' for inspection purposes _____			
Drilling Contractor	<u>FISCH DRILLING</u>	C-57 License #	<u>683865</u>
I hereby agree to comply with all laws and regulations of the County of Humboldt and the State of California Department of Water Resources Bulletin 74 pertaining to water well construction. I will contact Humboldt County Division of Environmental Health (DEH) when I commence work. Within 15 days after completion of work, I will furnish DEH a report of the work performed.			
Well Driller Signature: _____			
Would driller like a copy of approved application? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No			
<input type="checkbox"/> U.S. Mail address: _____			
<input checked="" type="checkbox"/> Email address: <u>chris@fischdrilling.com</u>			
Type of Application:	Construction:	Intended Use:	
<input checked="" type="checkbox"/> Construction	Estimated Depth (ft.) _____	<input checked="" type="checkbox"/> Domestic - private	
<input type="checkbox"/> Destruction	Diameter (in.) <u>10"</u>	<input type="checkbox"/> Community Supply	
<input type="checkbox"/> Repair/Modification	Depth of Seal (ft.) <u>20'</u>	<input type="checkbox"/> Irrigation	
	Sealing Material <u>Bentonite</u>	<input type="checkbox"/> Other _____	

Estimated Work Dates:	Casing:	Type of Sewage System:
Start _____	Diameter (In.) <u>5"</u>	<input type="checkbox"/> Community Sewer
Completion _____	Material <u>PVC</u>	<input type="checkbox"/> OWTS (Septic)
		Distance from well site to OWTS <u>N/A</u>

Special Requirements/Comments:

PLOT PLAN

FOR OFFICE USE ONLY	
Fee: <u>\$ 373</u> ✓ 14604	Site Approved by: <u>A Malofsky 3/14/15</u>
Date: <u>3-20-15</u>	Site Finaled Date: <u>10-28-15</u>
Receipt: <u>544660</u>	Sealed to Depth of: <u>20 ft</u>
Project #: <u>14/15-0449</u>	Seal observed: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
	Final Approved Date: <u>[Signature] 10-28-15</u>

RECEIVED

NOV 17 2015

HUMBOLDT CO. DIVISION OF ENVIRONMENTAL HEALTH

State of California Well Completion Report WCR Form Submitted 11/16/2015 WCR2015-003414

Owner's Well Number 1 Date Work Began 10/09/2015 Date Work Ended 10/22/2015 Local Permit Agency Humboldt County Department of Health & Human Services - Land Use Program Permit Number 14/15-0433 Permit Date 03/14/2015

Well Owner (must remain confidential pursuant to Water Code 13752) Name, Mailing Address, City, State, Zip

Planned Use and Activity Activity New Well Planned Use Water Supply Domestic

Well Location Address, City Willow Creek, Zip 95573, County Humboldt, APN 523-021-02 04, Township, Range, Section, Baseline Meridian, Ground Surface Elevation, Elevation Accuracy, Elevation Determination Method

Borehole Information Orientation Vertical, Drilling Method Other - Under-Ream Down-Hole Hammer, Drilling Fluid Air, Total Depth of Boring 200 Feet, Total Depth of Completed Well 200 Feet

Water Level and Yield of Completed Well Depth to first water 130 (Feet below surface), Depth to Static, Water Level 105 (Feet), Date Measured 10/13/2015, Estimated Yield* 10, Test Type Air Lift, Test Length 4.0, Total Drawdown 95 (Feet)

Geologic Log - Free Form table with columns: Depth from Surface Feet to Feet, Description. Rows: 0-3 Top Soil, 3-45 Brown Siltstone, 45-110 Hard Shale, 110-200 Hard Shale with Quartz

Casings table with columns: Casing #, Depth from Surface Feet to Feet, Casing Type, Material, Casings Specifications, Wall Thickness (inches), Outside Diameter (inches), Screen Type, Slot Size if any (inches), Description. Rows: 1 (0-110) Blank, 1 (110-190) Screen, 1 (190-200) Blank

Annular Material table with columns: Depth from Surface Feet to Feet, Fill, Fill Type Details, Filter Pack Size, Description. Rows: 0-20 Bentonite, 20-200 Other Fill

Other Observations:

RECORD NUMBER: PLN-11963-CUP

APPLICANT'S EVIDENCE

APPLICATION
SUMMARY UPDATED



As described herein, Humboldt Heals, (hereinafter HH) is applying for permission to operate commercial cannabis operations within Humboldt County. These operations will take place at APN 523-021-003 near Willow Creek. The proposed operations will be forward-compliant with MCRSA, with the intent to apply for the following state licenses:

- Outdoor, 10,000 sq. ft. – 43,500 sq. ft. (MCRSA Type 3)

This application is compliant with Humboldt County Ordinance No. 2544, which added § 314-55.4 to Chapter 3 of Division 1 of Title III.

This application is organized following § 55.4.10, Application Requirements for All CMMLUO Clearances or Permits.

CONFIDENTIALITY
NOTICE

This document including all attachments and appendices is intended only for Humboldt Heals and Timberland Resource Consulting and may contain CONFIDENTIAL or PRIVILEGED material. Any unauthorized review, use, disclosure or distribution is prohibited.

DISCLAIMER

This is not a legally-reviewed document. Cannabis is illegal under United States federal law. This is true even if the possession of cannabis is for medical purposes. This document has been prepared in what we believe to be accordance with California state law, which allows for a medical cannabis patient program. This document is not expert legal advice nor intended to promote the illegal sale or use of cannabis in any way.

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Humboldt Application Requirements

A) Applicant Information

Humboldt County Code § 314-55.4.10(a) requires the name, contact address and phone number(s) of the applicant.

Name: Humboldt Heals

Contact Address: P.O. Box 1174, Blue Lake CA
95525

Phone number: 707-296-0519 (Tim Busman)

B) Owner Consent

Humboldt County Code § 314-55.4.10(b) requires that 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. Tim Busman and Eshea Bennett is the record title owner of parcel. A notarized copy of the Master Lease agreement consenting to allow Humboldt Heals to operate on the property is attached.

See Attachment

1.

C) Release of Liability and Hold Harmless

Humboldt County Code § 314-55.4.5 requires the applicant to indemnify and hold the county harmless for permitting commercial cannabis activities.

As a condition of approval for any Zoning Clearance Certificate, Special Permit, or Use Permit and Coastal Development Permit approved for the commercial cultivation, processing, manufacture, or distribution of cannabis for medical use, as defined herein, the owner or permittee shall indemnify and hold harmless the County of Humboldt and its agents, officers, elected officials, and employees for any claims, damages, or injuries brought by affected property owners or other third parties due to the commercial cultivation, processing, manufacture, or distribution of cannabis for medical use and for any claims brought by any person for problems, injuries, damages, or liabilities of any kind that may arise out of the commercial cultivation, processing, manufacture, or distribution of cannabis for medical use.

See Attachment
2.

D) Site Plan

Humboldt County Code § 314-55.4.10(c) requires the submission of a Site Plan:

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 1/4 mile (1,320 ft.) 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.

See Attachment

3.

E) Cultivation and Operations Plan

Humboldt County Code § 314-55.4.10(d) requires submission of a cultivation and operations plan.

A cultivation and operations plan that meets or exceeds minimum legal standards for water storage, conservation and use; drainage, runoff and erosion control; watershed and habitat protection; and proper use and 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. The operations plan shall also include a security plan describing measures to be taken to ensure the security of the medical marijuana and to safeguard against the diversion of medical marijuana for non-medical purposes, or access by minors.

Humboldt Heals has developed a detailed Cultivation and Operations Plan, divided into the following components attached for clarity:

Appendix A: Business
Plan

Appendix B: Environmental Protection Plan

Appendix C: Hazardous Materials Plan

Appendix D: Cultivation Plan

Appendix E: Processing and Quality Assurance
Plan

Appendix F: Security
Plan

Appendix G: Legal Compliance
Plan

F) Water Source Documentation

Humboldt County Code § 314-55.4.10(e) requires water source documentation.

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.

Humboldt Heals has attached copies of its State Water Resources Control Board documentation.

See Attachment
4.

G) Planned Water Use

Humboldt County Code § 314-55.4.10(f) requires a description of water source, storage, irrigation plan and projected water usage.

See: Appendix B: Environmental Protection
Plan

H) Water Monitoring Self-Certification

Humboldt County Code § 314-55.4.10(g) requires, if applicable, a copy of Notice of Intent and Monitoring Self-Certification and other documents

filed with the North Coast Regional Water Control Board demonstrating enrollment in Tier 1, 2 or 3, North Coast Regional Water Quality Control Board Order No. 2015-0023, or any substantially equivalent rule that may be subsequently adopted by the County of Humboldt or other responsible agency.

HH has filed its appropriate Tier II enrollment with the NCRWQCB.

See Attachment
5.

I) Streambed Alteration Permit

Humboldt County Code § 314-55.4.10(h) requires a Streambed Alteration Permit if any on-site or off-site component of the cultivation facility, including access roads, water supply, grading or terracing impact the bed or bank of any stream or watercourse, a copy of the Streambed Alteration Permit obtained from the Department of Fish & Wildlife.

Humboldt Heals affirms that it has not altered any streambed or watercourse. In the event such alteration becomes applicable, HH commits to filing appropriate copies obtained from the Department of Fish & Wildlife.

J) County Well Permit

Humboldt County Code § 314-55.4.10(i) requires a County Well Permit if the source of water is a well.

Humboldt Heals has a well on adjoining property exclusively for this project. Tim Busman also owns this adjoining property.

See Attachment
4.

K) Timberland Conversion

Humboldt County Code § 314-55.4.10(j) requires conversion permits if applicable.

If the parcel is zoned TC 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 if the landowner has not completed a civil or criminal process and/or entered into a negotiated settlement with CAL-FIRE, the applicant shall secure the services of a registered professional forester (RPF) to evaluate the 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.

Humboldt Heals's parcel is zoned TPZ. A copy of a less-than-3-acre conversion exemption is attached.

See Attachment
6.

L) Consent for Onsite Inspections

Humboldt County Code § 314-55.4.10(k) requires consent for onsite inspections.

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.

Through this application, Humboldt Heals gives consent for an onsite inspection, by County of Humboldt officials, at a prearranged date and time prior to issuance of any clearance or permit, and once annual thereafter.

M) Source of Electrical Power

Humboldt County Code § 314-55.4.10(l) requires electric power disclosure for indoor growing.

For indoor cultivation facilities, identify the source of electrical power and how it will meet with the energy requirements in section 55.4.8.3, and plan for compliance with applicable Building Codes.

Applicant is not developing indoor cultivation. Applicant is developing outdoor cultivation.

N) Acknowledge County Right to Reduce Cultivation Area

Humboldt County Code § 314-55.4.10(n) requires the applicant to acknowledge the county's right to reduce the cultivation area.

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 sustained drought or low flows in the watershed in which the cultivation area is located will not support diversions for irrigation.

Humboldt Heals acknowledges that the County of Humboldt reserves the right to reduce the size of the area allowed for cultivation under any clearance or permit issued in accordance with § 314-55.4 of the Humboldt County Code 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.

O) Acknowledge County Right to Engage Local Tribes

Humboldt County Code § 314-55.4.10(o) requires an acknowledgement of the county right to engage with local tribes before consenting to issue a permit.

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).

Through this application, Humboldt Heals acknowledges that the County of Humboldt reserves the right to engage the local Tribes before

consenting to the issuance of any clearance or permit, if cultivation operations occur with an Area of Traditional Cultural Affiliation, as defined within § 314-55.4.10(n) of the Humboldt County Code.

APPENDIX A: Business Plan

A) Executive Summary

Cannabis cultivation is the next great farming industry in the United States. Humboldt County will be the epicenter of this new industry, and Humboldt Heals intends to justify Humboldt's reputation for producing the world's finest cannabis.

Humboldt Heals is comprised of a dedicated family of master growers, herbalists, caretakers and connoisseurs who are proud of their Humboldt roots. Having acquired life long passion for providing healthy, organic cannabis to those in need, HH will help lay the foundation for a cannabis industry that is built on integrity and best practices, that safely serves the needs of patients, and that brings economic growth, job opportunities, tourism and other benefits to the county for generations to come.

Practicing an emphasis on sustainable permaculture farming, the company's management team has decades of combined experience in cannabis cultivation and has developed techniques to meet the needs of California's medical cannabis patients. HH's goals dovetail with the county's goals: to establish best practices that lead to safe, healthy working conditions for everyone involved in the industry.

With the upcoming state licensing process under the Medical Cannabis Regulation and Safety Act (MCRSA), medical cannabis businesses are expected to be operating in a legally regulated industry in 2018. In anticipation of this licensing process, HH has set up its articles of

incorporation and other legal paperwork, and has assembled an accomplished leadership team to guide the company into a new, regulated cannabis industry. Obtaining the proper local and county operating permits are the next step in the process. HH has relationships with industry professionals in the legal, banking, security, and consulting fields.

With its temperate rainforest, natural water resources, diverse plant and animal species, complex soil compositions, and abundant sunshine throughout the year, Humboldt County has one of the most unique natural environments on the West Coast, and an ideal environment for cannabis cultivation. As the first generation of legally registered cannabis farmers comes into the light, HH respects and appreciates the responsibility it has to the land, and is committed to doing everything possible to conserve and maintain this exceptional natural environment for generations to come.

B) Mission and Values

Humboldt Heals's mission is to serve the planet, the plant, the patients and the community.

Ecological sustainability is the responsibility of every cannabis grower in Humboldt County. Practicing its love for Mother Earth, HH strives to be an example of ecological stewardship by maintaining effective and efficient systems that reclaim water and solid waste into the plant cycle. Its head cultivator, Tim Busman, takes a craftsman's approach to nurturing the growing medium and its microbials so that the cannabis flower produced in Humboldt's unparalleled soils remains the world's finest quality.

It is HH's mission to produce medicine of the highest medicinal efficacy for California's medical cannabis patient population. By serving patients in this way, HH will also attend to the preferences of the discerning cannabis aficionado.

HH values its role as an early standard-bearer for an industry coming into the light of local and state regulation. HH will implement these values by maintaining safe facilities for its employees and by complying with all monitoring and reporting requirements in a timely and transparent fashion, as well as providing support in the form of tax revenues, donations, safe employment and training opportunities, community infrastructure improvements, and by setting high standards for other cannabis businesses to meet. HH will prove its commitment both to leadership within the county's business community and to the community as a whole.

C) Cultivation Operations

Humboldt Heals will cultivate cannabis outdoors on the property. Personnel will initially process the flower by drying and curing it on the property before the product is distributed. Security and safety are critical components to the success of HH's operations, and a detailed safety plan is included below.

Proprietary cultivation methods established by its head cultivator, Tim Busman, will allow HH the opportunity to successfully market its products. HH shall continually seek and implement the best business practices and technological processes in order to provide the highest quality cannabis products with the greatest affordability, while minimizing risks to employees, core operations, and the community.

D) Cultivation Standards

Humboldt Heal's goal is to serve the patient population in California using industry best practices to create the highest quality cannabis plants possible. The cannabis will be grown organically outdoors using a proven, successful green energy system – the sun.

HH has designed its cultivation processes to incorporate decades of best practices from commercial greenhouse agriculture and using sustainable

cultivation methods that take advantage of Humboldt County's unique natural resources and environment. Healthy and vibrant plants yield higher quality products, and the more effective HH is in cultivating high-yielding and fast-growing plants, the more affordable products will be for patients.

By using Humboldt soil and natural sunlight along with the most ecologically sustainable cultivation practices, HH will establish itself as a model cannabis producer poised to help lead Humboldt's reputation for growing world-class cannabis into the future.

E) Environmental Standards

Sustainable solutions are difficult to achieve in a non-regulated environment. Because California is prone to severe drought, Humboldt Heals takes seriously its responsibility to use the best cultivation and operations practices.

An outdoor operation, HH's cultivation facility will operate with dramatically less energy consumption than the medical cannabis industry standard. This will allow HH to be sustainable from both an ecological and a financial standpoint.

HH has included its Environmental Protection Plan below, including detailed standards for water storage, conservation and use. It addresses site drainage, runoff and erosion control measures, as well as watershed and habitat protection measures.

F) Sales and Marketing

Humboldt Heals is privileged to be located in the world's most unique and ideal environment for cannabis cultivation, and the company's marketing materials will emphasize the extraordinary quality of Humboldt

County cannabis farming.

Using exclusively environmentally friendly methods throughout, HH cultivators have both developed entirely new cannabis strains and grown all the most popular cannabis cultivars, leading dispensary buyers to recognize their advanced cultivation and processing skills. With its current team of highly skilled farmers, HH is poised to be a leader in high quality cannabis cultivation and product development for years to come.

Medical and pharmaceutical manufacturers have for many years used actors, professional athletes, musicians and other celebrities to promote their products. HH expects that the medical cannabis market will be no different. These strains will primarily be marketed in urban areas, where patients are more likely to identify with the artists and their brands.

High quality product development is key to any brand, and cannabis products vary widely in their strength, taste, medical effectiveness and other properties. Cannabis extraction and edible products are becoming an important and lucrative part of the cannabis industry in California. Humboldt Heals will be diligent in researching the market for medical cannabis and will have ongoing dialogue with dispensaries throughout the state to evaluate market demands.

Distribution of cannabis products requires developing business relationships with dispensaries, and in the near future, distributors and laboratories to independently test all products. HH will negotiate contracts with distributors and lab relationships to meet local and state requirements.

HH's innovative approach to cannabis cultivation will allow the organization to offer exceptional quality medical cannabis on a consistent, perpetual basis to its distributors and retail outlets. This will translate to overall cost savings for the California patient population, and will position HH for market success.

G) Management Team

Humboldt Heals has assembled a versatile and skilled management team that will provide a strong foundation for the company's success as it moves forward in a legal, regulated business environment. The company's team is comprised of Humboldt residents who have deep appreciation for the natural environment in Humboldt County, and are dedicated to preserving and enhancing it for future generations.

A proud, community-rooted Humboldt farmer, Tim Busman is Humboldt Heals's founder and director. He holds a commitment to ensuring Humboldt County's rightful reputation as the producer of the world's finest cannabis. Busman understands that maintaining this reputation requires the highest standards of stewardship of the land and environmental resources. Humboldt is home. Protecting the environment is more than mere obligation to future generations; it is a way of life.

Busman will work hand in hand with local officials and neighboring community farmers to bring the world's finest cannabis growing region into a new age of compliance and regulation. By transparently conducting operations, HH will lead other Humboldt farmers in navigating best business practices that provide community benefits and sustain the land for generations to come.

APPENDIX B: Environmental Protection Plan

H) Standards for Water Storage, Conservation and Use

Humboldt Heals's environmental consulting agency, Timberland Resource Consulting, will develop a detailed water source and usage plan.

Per the North Coast Regional Water Quality Control Board Order No. 2105-0023 requirements, HH acknowledges responsibility for water resource and water quality impacts associated with the occupancy of and activities on the parcel site.

HH will self-certify as a Tier II Discharger per NCRWQCB Order No. R1-2015-0023 Appendix C, indicating that the site meets Tier II characteristics and standard conditions. HH will both submit and retain a copy of the self-certification and the Order on-site. HH will facilitate any NCRWQCB inspections required to assess compliance with these conditions.

As a Tier II Discharger, HH commits to meet every component of the Water Resource Protection Plan required of Tier II dischargers and detailed in NCRWQCB Order No. R1-2015-0023 § I.B

HH also commits to abide by any required enforcement response, such as may occur upon discovery of a water quality violation or impact. HH will update the Environmental Protection Plan and any related standard operating procedures to ensure future compliance, and will fulfill any requirements, which may include cleaning up conditions, restoring impacted watercourses, removing and properly disposing of waste earthen material or other wastes, repairing or removing stream crossings, upgrading roads, improving site drainage, and/or stabilizing bare/erodible soils.

Water Source

Humboldt Heals has installed a permanent, permitted well on adjacent property which is owned by Tim Busman as well.

Water Storage

Humboldt Heals has built water storage capacity on the parcel sufficient to hold 13,000 gallons in hard containers. Per NCRWQCB, the size and scope of the water storage shall be such that the amount of water used shall not adversely impact water quality and/or beneficial uses. HH will apply for appropriate permitting for any additional on-site water storage from the Humboldt County Building Inspection Division if required.

Water Conservation and Use

HH will use best practices for water conservation, including a combination of drip irrigation, irrigation scheduling, capturing and storing water, and growing organically. At no time will water be applied faster than argonomic rates, which are defined as the rate that a plant needs to enhance its productivity and provide the forage growth with nutrients for optimum health and growth, without having excess water beyond the root zone.

Irrigatio n

HH will develop a detailed irrigation plan that explains the source of the water and the conduits and plumbing anticipated. See Appendix D for further detail.

Projected Cultivation Use

Based on calculations taken in 2016, estimated annual water usage for operations involving cannabis cultivation will be roughly 133,000 gallons, including approximately 13,000 gallons for site and staff support (e.g., drinking water, restrooms and hand washing stations).

Water Quality Monitoring

HH will test the water source quarterly, after any unusual natural event (flooding), and when PPM/pH readings change significantly. Testing will identify pathogenic microbes that may be present in water supplies (e.g., E-coli and other coliforms), heavy metals, pesticide residues, or other contaminants. All water used in the facility will, at a minimum, meet Human Health Standards for water quality.

I) Drainage, Runoff and Erosion Control

Humboldt Heals will develop a detailed drainage, runoff and erosion control plan. HH has selected flat growing sites where erosion control requirements should be minimal.

Additionally, HH will implement the above water conservation measures, as well as irrigating and applying only organic inputs at agronomic rates, limiting applications to label specifications, and maintaining stable super soils and growth media. These practices should serve to minimize the amount of runoff to no measurable discharge from the gardens.

Humboldt Heals will work with Timberland Resource Consulting and will establish high tide permaculture measures to treat, control and contain the discharge runoff to minimize the amount to zero pollutant loads and no irrigation discharge. No fertilizers, fine sediment, or other related materials will be discharged to nearby watercourses. Per the NCRWQCB, HH will acquire appropriate permitting for any discharges of waste associated with the development of the HH site. This includes coverage under the General Permit for Discharges of Storm Water Associated with Construction Activity (Construction General Permit, 2009-0009-DWQ).

To the extent that the site includes characteristics such as steep slopes, highly erodible soils, or unstable areas, HH commits to working with an appropriate California-licensed individual during construction to ensure

constructed features on the site are stable and do not represent a threat to the beneficial uses of water or public health and safety.

J) Power consumption and noise compliance

Humboldt Heals may use a generator to supply supplemental power to the site's operations when necessary. When in operation, the generator will not produce noise that is audible to humans from a neighboring residence and will at all times remain below 60 decibels of volume. HH will work with environmental consultants to evaluate the auditory disturbance and ensure compliance with guidance prepared by the United States Fish and Wildlife Service, and will consult with that agency as required to protect this important habitat.

Light pollution and spillage

Any potential future mixed-light greenhouses used by Humboldt Heals for cultivating cannabis will be built to specifications that comply with Humboldt County Code § 314-55.4.11(t) and (u). This includes ensuring that very little, if any, light escapes, minimizing any impact to the surrounding habitat. Although HH is cultivating outdoors, no light emitted by any future mixed-light greenhouses operated under potential additional future license types will be visible from any neighboring property between sunset and sunrise. Moreover, all light sources used in the production of cannabis in HH's mixed-light greenhouses will comply with International Dark Sky Association standards for Lighting Zone 0 and Lighting Zone 1 and will be designed to regulate light spillage onto neighboring properties resulting from backlight, uplight, or glare. HH acknowledges and understands that all complaints regarding light spillage must be addressed within 10 working days of receiving written notification of such a violation.

APPENDIX C: Hazardous Materials Plan

Humboldt County Code § 314-55.4.10(d) requires the applicant to outline

its plan to properly handle and store hazardous materials including any fertilizer, pesticides or other regulated products.

As an agricultural operation, Humboldt Heals will potentially need to use some hazardous materials, including fertilizers, pesticides, and other regulated products.

HH acknowledges that the Humboldt County Environmental Health Division, which administers the Hazardous Materials program as one of the Certified Unified Program Agencies (CUPA), regulates hazardous materials and wastes from agricultural businesses. HH will follow all appropriate requirements under the Hazardous Materials program.

This includes the application, inspection, enforcement, and reporting under the program requirements and standards set by the California Environmental Protection Agency (CalEPA).

When using pesticide products, HH shall be in compliance with State pesticide laws, and regulations enforced by the County Agricultural Commissioner's Office and the California Department of Pesticide Regulation.

HH has established protocols governing the use and storage of these hazardous materials.

A) Using Hazardous Materials

Although Humboldt Heals does not use pesticides or herbicides in the cultivation of cannabis, some hazardous materials will be used in the operation of the business including fertilizer, soil amendments and fuel for the on-site generator.

HH shall apply fertilizers and soil amendments and use them per packaging instructions and/or at proper agronomic rates, which are the rates of fertilizer and irrigation water that a plant needs to enhance soil productivity and provide the crop or foliage growth with needed nutrients for optimum health and growth, without having any excess water or nutrient percolate beyond the root zone.

HH's on-site generator will be housed in an appropriately rated containment container. Humboldt Heals shall document standard operating procedures for these materials and enforce compliance.

B) Storing Hazardous Materials

Humboldt Heals commits to storing any hazardous materials on the site in locations and in a manner in which they cannot enter or be transported into surface waters and such that nutrients or other pollutants cannot be leached into groundwater. Fertilizers and amendments shall be applied and used per packaging instructions and/or at proper argonomic rates. Cultivation shall be maintained so as to prevent nutrients from leaving the site during the growing season and post-harvest.

HH does not use pesticides or herbicides for cultivating cannabis.

HH will store petroleum products and other liquid chemicals that may be present so as to prevent their spillage, discharge or seepage into receiving waters.

HH commits to storing all hazardous materials in locked storage areas.

APPENDIX D: Cultivation

Plan

A) Overview of Cultivation Activities

Humboldt Heals will further the education, horticultural science, and medical relief with use of cannabis using organic methods, recyclable materials, and efficient energy and water usage.

PM's lead cultivator will be Tim Busman, an experienced grower and herbalist with many years of experience cultivating medical cannabis.

Humboldt Heals's location features multiple mixed light greenhouses, and potential future outdoor cultivation, with the intent to apply for state MCRSA licenses (subject to change as regulations develop).

Humboldt Heals site
overview:

- Outdoor, 10,000 – 43,560 sq. ft. (MCRSA Type 3)

Date Cultivation Began on the
Parcel

Cultivation on the parcel was begun in
2011.

B) Description of Cultivation Plan components

The remainder of this Cultivation Plan adds considerable detail to the planned cultivation activities, including the following components:

- Schedule by Month of Growing and Harvesting
- Cultivation Facilities: the planned features of both the outdoor sites

and greenhouse facilities

- Cultivation Cycle: the processes that make up the cultivation lifecycle of the cannabis plant
- Cultivation Inputs: the required additives for optimal harvest
- Cannabis Disposal: the protocols for tracking and disposing of cannabis waste

D) Schedule of Activity by Month of Growing and Harvesting

Humboldt Heals operates cultivation activities on the parcel for the outdoor growing season, typically beginning in February and ending in October or November.

Growing and Harvesting by Month

(current)

January – no activity

February – Amend soils, repair and/or replace any irrigation, plastic sheeting, lights, etc. Begin planting seeds in 4” pots for beginning of cycle.

March – Amend soils, repair and/or replace any irrigation, plastic sheeting, lights, etc. Ensure all is prepped and optimized for the coming season. Transplant from 4” to 3-5 gallon pots, – Maintain feeding and watering schedules in all outdoor plots.

April –. Transplant seedlings to larger final pots or amended beds for continued vigorous growth. – Maintain feeding and watering schedules in all outdoor plots.

May – Complete outdoor set ups and soil amendments. Continued transplanting to larger final outdoor pots and beds. – Maintain feeding and watering schedules in all outdoor plots.

June – Ensure all plants are in final places for full sun outdoor season. – Maintain feeding and watering schedules in all outdoor plots.

July – Maintain feeding and watering schedules in all outdoor plots, plants begin transition and set up to flower.

August – Maintain feeding and watering schedules in all outdoor plots as they begin vigorous flowering towards final harvests.

September – Prune and maintain feeding and watering schedules as flowering continues. Harvest some plants when ready.

October – Harvest as cultivars finish

November – Harvest as needed.

December – No activity

Drying and curing will take place separately and is described in the Processing Plan.

E) Cultivation Facilities

Humboldt Heals's outdoor cultivation under the MCRSA Type 3 license

type (between 10,000 – 43,560 sq. ft.) will take place on multiple sites on the parcel.

OUTDOOR

Area #1 is currently 9,662 sq. ft.

Area #2 is 432 sq. ft. of outdoor , 1200 sq. of nursery in 20x90 greenhouse and 1200 sq ft. of greenhouse space.

The total current outdoor cultivation area on Humboldt Heal's parcel is 11,294 sq. ft.

F) Cultivation Cycle

Humboldt Heals's cultivation process is described in two parts:

- Propagation
- Growing

All harvest and post-harvest procedures are covered separately in HH's Processing Plan.

Humboldt Heals will focus on propagation through taking cuttings, or "clones" from mother plants. Cuttings will be taken from mother plants in the vegetative stage only. Cannabis is an annual plant that has a life cycle of one year, however if kept in a vegetative state can live for many years. By breeding in or out specific cannabis genetic profiles, HH will be able to create precise plant medications with the appropriate cannabinoid content for the relief of clinical conditions plaguing all medical marijuana patients.

I) Growing Medium

Humboldt Heals has practiced a strict gardening policy of only using and reusing organic substances to create sustainable resources, reduce consumption of those resources, and prevent any type of harmful environmental impact. This includes HH's growing medium.

HH will use custom mixed 'super soils' with all pots for the Breeding Mothers, Breeding Fathers, Cloning Mothers and all flowering pots and beds as a primary growing medium. These soils are designed to be continually built upon and improve over time using permaculture methods of recycling all refused and pruned plant matter back into the soil.

Mychorrhizae will be added to the growing medium, increasing its mass through a blend of symbiotic organisms. This additive is a mixture of organic beneficial microbes and worms used to help break down old plant material and provide nutrition. These microbes provide aeration so oxygen can reach further to penetrate more into the plants roots. They also capture nitrogen and help make phosphorus more available, facilitating plant growth. Mychorrhizae will be used throughout the entire plant cultivation cycle.

J) Pesticides

If necessary, HH will use only organic ASA-PFC, Salmon Safe and Clean Green Certified pesticides and herbicides for pests and or diseases.

Should the use of these products be necessary, HH proposes to use Regalia, OG Biowar and Venerate, which are organic products that are microbial based and powered by several active compounds that span different chemical classes. These compounds drive multiple modes of

action, which result in exoskeleton degradation and molting interference; control of the pests is achieved through exposure and ingestion of the product. All are Clean Green certified products.

K) Disease and Pest Management Procedures

Humboldt Heals will use mold and pest resistant cultivars to maximize biological prevention of pests and diseases.

Integrated Pest Management (IPM)

The goal of IPM is to apply a combination of control methods to prevent, reduce, or maintain pest populations at non-damaging levels.

HH will implement and monitor IPM practices to predict potential levels of crop damage, mitigate risk, and control pests.

A variety of mechanical, physical, and biological controls will be implemented. The lead cultivator may implement the use of appropriate biological controls including predatory wasps and mites and nematodes, praying mantises, ladybugs, pirate bugs, and others for preventative or mitigation purposes. The use of bio dynamics will be limited to recognized and effective applications. HH may implement any practice allowed by the USDA Organic Standards.

Regular IPM practices include, but are not limited to:

- Daily monitoring of pest populations
- Removal of pest habitat, food sources, and breeding areas
- Utilization of verified “pest-free” supplies
- Prevention of access to handling facilities
- Management of environmental factors, such as temperature, light,

humidity, atmosphere, and air circulation, to prevent pest reproduction

- Disposition of infected crops
- Pest indicator and companion plants
- Use of organic pesticides as a last resort

Early identification of pest infections is crucial. Each cultivation employee will be trained on and responsible for plant inspection and identification. Indicator companion plants will be cultivated to tell HH if an infestation has occurred.

Should a pest infestation occur, HH will develop IPM programs on an as-needed basis for identifying and considering at a minimum:

- Current status of infestation
- Pest and crop life-cycle stages
- Location, size, density of infestation
- Potential to spread
- Previous results of measures taken.

Pesticide spraying protocols

As a last resort, HH will establish spraying protocols as needed. PPE required for application (i.e., mask required, Tyvex suit optional)

-

Disease Management

HH will determine acceptable methods of disease management.

The scope for disease management will include, but is not limited to:

- Soil and crop nutrient management practices
- Sanitation measures to remove disease vectors and habitat for pest organisms
- Cultural practices that enhance crop health, including selection of plant species and varieties with regard to suitability to site-specific conditions and resistance to prevalent pests and diseases
- Practices which suppress the spread of diseases or pests
- Application of biological, botanical, or mineral inputs

Signs of Pest Infestations or Disease

HH will also oversee at least weekly surveillance or inspection of companion indicator plants and crop, identifying:

- Changes in biological colonies
- Mold or mildew
- Leaf and tip burn, discoloration, and spotting
- Changes in appearance of the crop

L) Cannabis Disposal

All plant waste, including waste composed of or containing cannabis leaves or flowers, will be cycled back into the soils as food for the worms and microbes becoming then food for the next round of plants or in designated compost pile. Humboldt Heals will use best composting practices in the disposal of diseased, contaminated, or otherwise unusable medical cannabis.

APPENDIX E: Processing Plan and Quality Assurance

A) Processing Plan Overview

Humboldt County Code § 314-55.4 implies that processing is the acts by which “medical cannabis is dried, cured, graded, trimmed, and/or packaged by or under the control of one or more licensed cultivators.”

This section provides an overview of the processing practices that will take place at the Humboldt Heals site:

- Preparation
- Harvesting

- Drying and curing

B) Harvesting

Plants will be monitored continuously throughout the cultivation process. During the flowering stage of plant development, HH staff will begin monitoring trichome development and maturity. Depending on the cultivar, the cultivation director will determine – based on trichome maturity – the point at which a crop is ready to be harvested.

Mature plants that are ready to be harvested will be identified by HH and logged into HH’s inventory management system, adhering to any

seed-to- sale tracking regulations that have been promulgated by the state. Plants will be weighed after the drying and curing has been completed. Information will be tracked and entered into the inventory management system at each stage in the process.

C) Drying and Curing

Humboldt Heals is responsible for implementing and maintaining drying and curing practices to protect crops from contamination and maintain the quality of all cannabis flower produced.

All drying/curing operations will be performed in limited access areas.

Harvested plant material will be hung upside down in the drying and curing room.

D) Trimming

Trimming will be done off site.

APPENDIX F: Security Plan

A) Overview

Humboldt Heals has designed its Security Plan to allow its personnel to maintain secure control over all aspects of its commercial cannabis activity.

None of HH's cultivation areas are visible from public property.

B) Facility Security

Humboldt Heals facility security is designed to deter security breaches from the outside in. The facility will feature overlapping physical security measures and procedures that control access to cultivating and processing areas and enable rapid response in the event of an incident.

Humboldt Heals's parcel is located at APN 523-021-003 near Willow Creek. HH facilities are approachable from two possible access roads, and each approach is protected by a series of gates. The primary access approach to the parcel is from Horse Linto Creek Road, and the secondary approach derives from Watermen Road.

To access the Humboldt Heals site, all visitors must pass through a sequence of two large, alloy locked gates whether they approach from Horse Linto Creek Road or Watermen Road. All traffic through each gate is monitored continually. Motion sensors will be mounted strategically to record.

Similarly, each of HH's processing buildings where the facility's drying and curing takes place will be locked securely with keycoded entry.

C) Prevention and Detection of Diversion and Theft

Prevention of diversion and theft is the priority of the security plan, and is the highest priority for state and local oversight, and for law enforcement.

Official
visit/inspection

Examples of this incident
include:

- Federal officials
- Police/Sheriff
- Fish and Game, Fire, Building, or Health and Safety visit/inspection

At a minimum, HH will train and drill all authorized personnel, including employees and security guards, on the following, which meets the requirements of Humboldt County Code § 314-55.4.11(t)(u):

- Emergency action response planning as necessary
- Employee accident reporting and investigation policies
- Fire prevention
- Hazard communication policies, including maintenance of material safety data sheets (MSDS)
- Materials handling policies per the Hazardous Materials Plan
- Job Hazard Analysis
- Personal protective equipment policies, including respiratory protection
- Security procedures, including prevention of crimes and diversion
- Safety procedures, including medical emergencies, fire response,

chemical spills, threatening events including armed robberies and invasion, and raids

- Visitor protocols
- Secure electronic recordkeeping
- Inventory control system
- Marijuana laws and regulations (local, state, federal)

RECORD NUMBER: PLN-11965-CUP

APPLICANT'S EVIDENCE

APPLICATION SUMMARY

As described herein, Humboldt Heals (hereinafter HH) is applying for permission to operate commercial cannabis operations within Humboldt County. These operations will take place at APN 523-026-003 near Willow Creek. The proposed operations will be forward-compliant with MCRSA, with the intent to apply for the following state licenses:

- Outdoor, 10,000 sq. ft. – 43,500 sq. ft. (MCRSA Type 3)

This application is compliant with Humboldt County Ordinance No. 2544, which added § 314-55.4 to Chapter 3 of Division 1 of Title III.

This application is organized following § 55.4.10, Application Requirements for All CMMLUO Clearances or Permits.

CONFIDENTIALITY NOTICE

This document including all attachments and appendices is intended only for Humboldt Heals and Timberland Resource Consulting and may contain CONFIDENTIAL or PRIVILEGED material. Any unauthorized review, use, disclosure or distribution is prohibited.

DISCLAIMER

This is not a legally-reviewed document. Cannabis is illegal under United States federal law. This is true even if the possession of cannabis is for medical purposes. This document has been prepared in what we believe to be accordance with California state law, which allows for a medical cannabis patient program. This document is not expert legal advice nor intended to promote the illegal sale or use of cannabis in any way.

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Humboldt Application Requirements

A) Applicant Information

Humboldt County Code § 314-55.4.10(a) requires the name, contact address and phone number(s) of the applicant.

Name: Humboldt Heals

Contact Address: P.O. Box 1174, Blue Lake CA 95525

Phone number: 707-502-0245 (Timothy Busman)

B) Owner Consent

Humboldt County Code § 314-55.4.10(b) requires that 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.

Dahlia Ranch, LLC is the record title owner of parcel. A notarized copy of the Master Lease agreement consenting to allow Humboldt Heals to operate on the property is attached.

See Attachment 1.

C) Release of Liability and Hold Harmless

Humboldt County Code § 314-55.4.5 requires the applicant to indemnify and hold the county harmless for permitting commercial cannabis activities.

As a condition of approval for any Zoning Clearance Certificate, Special Permit, or Use Permit and Coastal Development Permit approved for the commercial cultivation, processing, manufacture, or distribution of cannabis for medical use, as defined herein, the owner or permittee shall indemnify and hold harmless the County of Humboldt and its agents, officers, elected officials, and employees for any claims, damages, or injuries brought by affected property owners or other third parties due to the commercial cultivation, processing, manufacture, or distribution of cannabis for medical use and for any claims brought by any person for problems, injuries, damages, or liabilities of any kind that may arise out of the commercial cultivation, processing, manufacture, or distribution of cannabis for medical use.

See Attachment 2.

D) Site Plan

Humboldt County Code § 314-55.4.10(c) requires the submission of a Site Plan:

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 ¼ mile (1,320 ft.) 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.

See Attachment 3.

E) Cultivation and Operations Plan

Humboldt County Code § 314-55.4.10(d) requires submission of a cultivation and operations plan.

A cultivation and operations plan that meets or exceeds minimum legal standards for water storage, conservation and use; drainage, runoff and erosion control; watershed and habitat protection; and proper use and 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. The operations plan shall also include a security plan describing measures to be taken to ensure the security of the medical marijuana and to safeguard against the diversion of medical marijuana for non-medical purposes, or access by minors.

Humboldt Heals has developed a detailed Cultivation and Operations Plan, divided into the following components attached for clarity:

Appendix A: Business Plan

Appendix B: Environmental Protection Plan

Appendix C: Hazardous Materials Plan

Appendix D: Cultivation Plan

Appendix E: Processing and Quality Assurance Plan

Appendix F: Security Plan

Appendix G: Legal Compliance Plan

F) Water Source Documentation

Humboldt County Code § 314-55.4.10(e) requires water source documentation.

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.

Humboldt Heals will use water for cultivation that is stored for use from a permitted well on the property.

See Attachment 4.

G) Planned Water Use

Humboldt County Code § 314-55.4.10(f) requires a description of water source, storage, irrigation plan and projected water usage.

See: Appendix B: Environmental Protection Plan

H) Water Monitoring Self-Certification

Humboldt County Code § 314-55.4.10(g) requires, if applicable, a copy of Notice of Intent and Monitoring Self-Certification and other documents filed with the North Coast Regional Water Control Board demonstrating enrollment in Tier 1, 2 or 3, North Coast Regional Water Quality Control Board Order No. 2015-0023, or any substantially equivalent rule that may be subsequently adopted by the County of Humboldt or other responsible agency.

FCC has filed its appropriate Tier II enrollment with the NCRWQCB.

See Attachment 5.

I) Streambed Alteration Permit

Humboldt County Code § 314-55.4.10(h) requires a Streambed Alteration Permit if any on-site or off-site component of the cultivation facility, including access roads, water supply, grading or terracing impact the bed or bank of any stream or watercourse, a copy of the Streambed Alteration Permit obtained from the Department of Fish & Wildlife.

Humboldt Heals affirms that it has not altered any streambed or watercourse. In the event such alteration becomes applicable, HH commits to filing appropriate copies obtained from the Department of Fish & Wildlife.

J) County Well Permit

Humboldt County Code § 314-55.4.10(i) requires a County Well Permit if the source of water is a well.

Humboldt Heals uses a permitted well for its water source. Documentation is attached.

See Attachment 4.

K) Timberland Conversion

Humboldt County Code § 314-55.4.10(j) requires conversion permits if applicable.

If the parcel is zoned TC 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 if the landowner has not completed a civil or criminal process and/or entered into a negotiated settlement with CAL-FIRE, the applicant shall secure the services of a registered professional forester (RPF) to evaluate the 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.

Humboldt Heal's parcel is zoned TPZ. A copy of a less-than-3-acre conversion exemption is attached.

See Attachment 6.

L) Consent for Onsite Inspections

Humboldt County Code § 314-55.4.10(k) requires consent for onsite inspections.

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.

Through this application, Humboldt Heals gives consent for an onsite inspection, by County of Humboldt officials, at a prearranged date and time prior to issuance of any clearance or permit, and once annual thereafter.

M) Source of Electrical Power

Humboldt County Code § 314-55.4.10(l) requires electric power disclosure for indoor growing.

For indoor cultivation facilities, identify the source of electrical power and how it will meet with the energy requirements in section 55.4.8.3, and plan for compliance with applicable Building Codes.

Applicant is not developing indoor cultivation. Applicant is developing outdoor cultivation.

N) Acknowledge County Right to Reduce Cultivation Area

Humboldt County Code § 314-55.4.10(n) requires the applicant to acknowledge the county's right to reduce the cultivation area.

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 sustained drought or low flows in the watershed in which the cultivation area is located will not support diversions for irrigation.

Humboldt Heals acknowledges that the County of Humboldt reserves the right to reduce the size of the area allowed for cultivation under any clearance or permit issued in accordance with § 314-55.4 of the Humboldt County Code 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.

O) Acknowledge County Right to Engage Local Tribes

Humboldt County Code § 314-55.4.10(o) requires an acknowledgement of the county right to engage with local tribes before consenting to issue a permit.

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).

Through this application, Humboldt Heals acknowledges that the County of Humboldt reserves the right to engage the local Tribes before consenting to the issuance of any clearance or permit, if cultivation operations occur with an Area of Traditional Cultural Affiliation, as defined within § 314-55.4.10(n) of the Humboldt County Code.

APPENDIX A: Business Plan

A) Executive Summary

Cannabis cultivation is the next great farming industry in the United States. Humboldt County will be the epicenter of this new industry, and Humboldt Heals intends to justify Humboldt's reputation for producing the world's finest cannabis.

Humboldt Heals is comprised of a dedicated family of master growers, herbalists, caretakers and connoisseurs who are proud of their Humboldt roots. Having acquired life long passion for providing healthy, organic cannabis to those in need, HH will help lay the foundation for a cannabis industry that is built on integrity and best practices, that safely serves the needs of patients, and that brings economic growth, job opportunities, tourism and other benefits to the county for generations to come.

Practicing an emphasis on sustainable permaculture farming, the company's management team has decades of combined experience in cannabis cultivation and has developed techniques to meet the needs of California's medical cannabis patients. HH's goals dovetail with the county's goals: to establish best practices that lead to safe, healthy working conditions for everyone involved in the industry.

With the upcoming state licensing process under the Medical Cannabis Regulation and Safety Act (MCRSA), medical cannabis businesses are expected to be operating in a legally regulated industry in 2018. In anticipation of this licensing process, HH has set up its articles of incorporation and other legal paperwork, and has assembled an accomplished leadership team to guide the company into a new, regulated cannabis industry. Obtaining the proper local and county operating permits are the next step in the process. HH has relationships with industry professionals in the legal, banking, security, and consulting fields.

With its temperate rainforest, natural water resources, diverse plant and animal species, complex soil compositions, and abundant sunshine throughout the year, Humboldt County has one of the most unique natural

environments on the West Coast, and an ideal environment for cannabis cultivation. As the first generation of legally registered cannabis farmers comes into the light, HH respects and appreciates the responsibility it has to the land, and is committed to doing everything possible to conserve and maintain this exceptional natural environment for generations to come.

B) Mission and Values

Humboldt Heal's mission is to serve the planet, the plant, the patients and the community.

Ecological sustainability is the responsibility of every cannabis grower in Humboldt County. Practicing its love for Mother Earth, HH strives to be an example of ecological stewardship by maintaining effective and efficient systems that reclaim water and solid waste into the plant cycle. Its head cultivator, Timothy Busman, takes a craftsman's approach to nurturing the growing medium and its microbials so that the cannabis flower produced in Humboldt's unparalleled soils remains the world's finest quality.

It is HH's mission to produce medicine of the highest medicinal efficacy for California's medical cannabis patient population. By serving patients in this way, HH will also attend to the preferences of the discerning cannabis aficionado.

Family-operated with 100 percent employee-based ownership, HH values its role as an early standard-bearer for an industry coming into the light of local and state regulation. HH will implement these values by maintaining safe facilities for its employees and by complying with all monitoring and reporting requirements in a timely and transparent fashion, as well as providing support in the form of tax revenues, donations, safe employment and training opportunities, community infrastructure improvements, and by setting high standards for other cannabis businesses to meet. HH will prove its commitment both to leadership within the county's business community and to the community as a whole.

C) Cultivation Operations

Humboldt Heals will cultivate cannabis outdoors on the property. All processing will occur off site in licensed facility and company, Today's Humboldt County owned by Tim Busman. Security and safety are critical components to the success of FCC's operations, and a detailed safety plan is included below.

Proprietary cultivation methods established by its head cultivator, Timothy Busman, will allow HH the opportunity to successfully market its products. HH shall continually seek and implement the best business practices and technological processes in order to provide the highest quality cannabis products with the greatest affordability, while minimizing risks to employees, core operations, and the community.

D) Cultivation Standards

Humboldt Heals's goal is to serve the patient population in California using industry best practices to create the highest quality cannabis plants possible. The cannabis will be grown organically outdoors using a proven, successful green energy system – the sun.

HH has designed its cultivation processes to incorporate decades of best practices from commercial greenhouse agriculture and using sustainable cultivation methods that take advantage of Humboldt County's unique natural resources and environment. Healthy and vibrant plants yield higher quality products, and the more effective HH is in cultivating high-yielding and fast-growing plants, the more affordable products will be for patients.

By using Humboldt soil and natural sunlight along with the most ecologically sustainable cultivation practices, HH will establish itself as a model cannabis producer poised to help lead Humboldt's reputation for growing world-class cannabis into the future.

E) Environmental Standards

Sustainable solutions are difficult to achieve in a non-regulated environment. Because California is prone to severe drought, Humboldt

Heals takes seriously its responsibility to use the best cultivation and operations practices.

An outdoor operation, HH's cultivation facility will operate with dramatically less energy consumption than the medical cannabis industry standard. This will allow HH to be sustainable from both an ecological and a financial standpoint.

HH has included its Environmental Protection Plan below, including detailed standards for water storage, conservation and use. It addresses site drainage, runoff and erosion control measures, as well as watershed and habitat protection measures.

F) Sales and Marketing

Humboldt Heals is privileged to be located in the world's most unique and ideal environment for cannabis cultivation, and the company's marketing materials will emphasize the extraordinary quality of Humboldt County cannabis farming.

Using exclusively environmentally friendly methods throughout, HH cultivators have both developed entirely new cannabis strains and grown all the most popular cannabis cultivars, leading dispensary buyers to recognize their advanced cultivation and processing skills. With its current team of highly skilled farmers, HH is poised to be a leader in high quality cannabis cultivation and product development for years to come.

Product Development and Distribution

High quality product development is key to any brand, and cannabis products vary widely in their strength, taste, medical effectiveness and other properties. Cannabis extraction and edible products are becoming an important and lucrative part of the cannabis industry in California. Humboldt Heals will be diligent in researching the market for medical cannabis and will have ongoing dialogue with dispensaries throughout the state to evaluate market demands.

Distribution of cannabis products requires developing business relationships with dispensaries, and in the near future, distributors and laboratories to independently test all products. HH will negotiate contracts with distributors and lab relationships to meet local and state requirements.

HH's innovative approach to cannabis cultivation will allow the organization to offer exceptional quality medical cannabis on a consistent, perpetual basis to its distributors and retail outlets. This will translate to overall cost savings for the California patient population, and will position HH for market success.

Targeted Strains and Therapies

Many California citizens suffer from debilitating medical conditions or experience severe side effects from conventional medical therapies. Due to evidence-based medical research, cannabis products are now widely accepted in the medical community as an optimal treatment option for many conditions that conventional medicine cannot treat effectively. Medical cannabis can be an effective form of alternative therapy for patients suffering from a variety of debilitating conditions, from arthritis to glaucoma, and can improve quality of life for many of them.

In order to help patients find new ways to make life with serious medical conditions livable through alternative therapies such as medical cannabis, physicians must be as informed about a patient's options as they would with traditional medication. To strengthen the knowledge base around medical cannabis treatment and provide effective, targeted care for patients, Humboldt Heals will communicate with physicians and dispensaries on effective treatment options for various chronic conditions. HH will support the medical community in California in supplying patients with the most effective medications. By soliciting feedback from the medical community about their patient populations, HH will be able to tailor cultivars to target specific illnesses and conditions.

HH will crossbreed and cultivate proprietary cultivars of medical cannabis that may provide relief from the most popular conditions that qualify to receive treatment with medical cannabis.

G) Management Team

A proud, community-rooted Humboldt farmer, Timothy Busman is Humboldt Heal's founder and director. He holds a commitment to ensuring Humboldt County's rightful reputation as the producer of the world's finest cannabis. Busman understands that maintaining this reputation requires the highest standards of stewardship of the land and environmental resources. Humboldt is home. Protecting the environment is more than mere obligation to future generations; it is a way of life.

Busman will work hand in hand with local officials and neighboring community farmers to bring the world's finest cannabis growing region into a new age of compliance and regulation. By transparently conducting operations, HH will lead other Humboldt farmers in navigating best business practices that provide community benefits and sustain the land for generations to come.

APPENDIX B: Environmental Protection Plan

A) Organic Certification

Humboldt Heals commits to organically certified cultivation operations. Various organic farming certifications are available for use in demonstrating environmental stewardship commitment. Such certifications are designed to meet national and international agricultural standards that ensure legal compliance, minimize environmental impact and regulate any chemicals that go into a consumable product.

Among several quality options is organic certification via Americans for Safe Access Patient Focused Certification. In addition, Clean Green, a leading certification designed for the shared need among cannabis

farmers to meet stewardship growing standards for producing clean, safe cannabis by legally compliant means. Organic certification includes annual site inspections to inspect growing cannabis and cleanliness of processing spaces, as well as third-party laboratory testing. It sets standards covering seed or clone selection, soil selection, choice of nutrients, pesticides, mold treatments, dust control, source of electricity, and harvesting and processing methods.

B) Standards for Water Storage, Conservation and Use

Humboldt Heal's environmental consulting agency, Timberland Resource Consulting, will develop a detailed water source and usage plan.

Per the North Coast Regional Water Quality Control Board Order No. 2105-0023 requirements, FCC acknowledges responsibility for water resource and water quality impacts associated with the occupancy of and activities on the parcel site.

FCC will self-certify as a Tier II Discharger per NCRWQCB Order No. R1-2015-0023 Appendix C, indicating that the site meets Tier II characteristics and standard conditions. HH will both submit and retain a copy of the self-certification and the Order on-site. HH will facilitate any NCRWQCB inspections required to assess compliance with these conditions.

As a Tier II Discharger, HH commits to meet every component of the Water Resource Protection Plan required of Tier II dischargers and detailed in NCRWQCB Order No. R1-2015-0023 § I.B

HH also commits to abide by any required enforcement response, such as may occur upon discovery of a water quality violation or impact. HH will update the Environmental Protection Plan and any related standard operating procedures to ensure future compliance, and will fulfill any requirements, which may include cleaning up conditions, restoring impacted watercourses, removing and properly disposing of waste earthen material or other wastes, repairing or removing stream crossings,

upgrading roads, improving site drainage, and/or stabilizing bare/erodible soils.

Water Source

Humboldt Heals will use water for cultivation that is stored for use from a permitted well on the property.

Water Storage

Humboldt Heals has built permitted water storage capacity on the parcel sufficient to hold 19,000 gallons. Water will be pumped into separate storage tanks for processing before irrigation. Per NCRWQCB, the size and scope of the water storage shall be such that the amount of water used shall not adversely impact water quality and/or beneficial uses. HH will apply for appropriate permitting for any additional on-site water storage from the Humboldt County Building Inspection Division if required.

Water Conservation and Use

HH will use best practices for water conservation, including a combination of drip irrigation, irrigation scheduling, capturing and storing water, and growing organically. At no time will water be applied faster than ergonomic rates, which are defined as the rate that a plant needs to enhance its productivity and provide the forage growth with nutrients for optimum health and growth, without having excess water beyond the root zone.

Irrigation

HH will develop a detailed irrigation plan that explains the source of the water and the conduits and plumbing anticipated. See Appendix D for further detail.

Projected Cultivation Use

Based on calculations taken in 2016, estimated annual water usage for operations involving cannabis cultivation will be roughly 83,000 gallons, including approximately 13,000 gallons for site and staff support (e.g., drinking water, restrooms and hand washing stations).

Water Quality Monitoring

FCC will test the water source quarterly, after any unusual natural event (flooding), and when PPM/pH readings change significantly. Testing will identify pathogenic microbes that may be present in water supplies (e.g., E-coli and other coliforms), heavy metals, pesticide residues, or other contaminants. All water used in the facility will, at a minimum, meet Human Health Standards for water quality.

C) Drainage, Runoff and Erosion Control

Humboldt Heals will develop a detailed drainage, runoff and erosion control plan. HH has selected flat growing sites where erosion control requirements should be minimal.

Additionally, HH will implement the above water conservation measures, as well as irrigating and applying only organic inputs at agronomic rates, limiting applications to label specifications, and maintaining stable super soils and growth media. These practices should serve to minimize the amount of runoff to no measurable discharge from the gardens.

Humboldt Heals will work with Timberland Resource Consulting and will establish high tide permaculture measures to treat, control and contain the discharge runoff to minimize the amount to zero pollutant loads and no irrigation discharge. No fertilizers, fine sediment, or other related materials will be discharged to nearby watercourses. Per the NCRWQCB, FCC will acquire appropriate permitting for any discharges of waste associated with the development of the HH site. This includes coverage under the General Permit for Discharges of Storm Water Associated with Construction Activity (Construction General Permit, 2009-0009-DWQ).

To the extent that the site includes characteristics such as steep slopes, highly erodible soils, or unstable areas, HH commits to working with an appropriate California-licensed individual during construction to ensure constructed features on the site are stable and do not represent a threat to the beneficial uses of water or public health and safety.

D) Watershed and Habitat Protection

HH will pay special attention to avoid causing any disturbance to local surface water habitats or the natural wild life. In particular, provisions will be taken to ensure the viability of the local habitat to ensure the future livelihood and sustainability of:

- The Spotted Owl
- The Pacific Fisher
- California King Salmon
- California Steelhead

Power consumption and noise compliance

Humboldt Heals may use a generator to supply supplemental power to the site's operations when necessary. When in operation, the generator will not produce noise that is audible to humans from a neighboring residence and will at all times remain below 60 decibels of volume. FCC will work with environmental consultants to evaluate the auditory disturbance and ensure compliance with guidance prepared by the United States Fish and Wildlife Service, and will consult with that agency as required to protect this important habitat.

APPENDIX C: Hazardous Materials Plan

Humboldt County Code § 314-55.4.10(d) requires the applicant to outline its plan to properly handle and store hazardous materials including any fertilizer, pesticides or other regulated products.

As an agricultural operation, Humboldt Heals will potentially need to use some hazardous materials, including fertilizers, pesticides, and other regulated products.

HH acknowledges that the Humboldt County Environmental Health Division, which administers the Hazardous Materials program as one of the Certified Unified Program Agencies (CUPA), regulates hazardous

materials and wastes from agricultural businesses. HH will follow all appropriate requirements under the Hazardous Materials program.

This includes the application, inspection, enforcement, and reporting under the program requirements and standards set by the California Environmental Protection Agency (CalEPA).

When using pesticide products, HH shall be in compliance with State pesticide laws, and regulations enforced by the County Agricultural Commissioner's Office and the California Department of Pesticide Regulation.

HH has established protocols governing the use and storage of these hazardous materials.

A) Using Hazardous Materials

Although Humboldt Heals does not use pesticides or herbicides in the cultivation of cannabis, some hazardous materials will be used in the operation of the business including fertilizer, soil amendments and fuel for the on-site generator.

HH shall apply fertilizers and soil amendments and use them per packaging instructions and/or at proper agronomic rates, which are the rates of fertilizer and irrigation water that a plant needs to enhance soil productivity and provide the crop or foliage growth with needed nutrients for optimum health and growth, without having any excess water or nutrient percolate beyond the root zone.

HH's on-site generator will be housed in an appropriately rated, locked storage area, as described below. While ignitable or reactive waste is being handled, the owner or operator shall confine smoking and open flame to specially designated locations. "No Smoking" signs shall be conspicuously placed wherever there is a hazard from ignitable or reactive waste.

While transferring, treating, storing or disposing of ignitable or reactive waste or fuels, HH employees shall take precautions to prevent reactions which:

- Generate extreme heat or pressure, fire or explosions, or violent reactions
- Produce uncontrolled toxic mists, fumes, dusts, or gases in sufficient quantities to threaten human health or the environment
- Produce uncontrolled flammable fumes or gases in sufficient quantities to pose a risk of fire or explosions
- Damage the structural integrity of the device or facility
- Through other similar means threaten human health or the environment

Humboldt Heals shall document standard operating procedures for these materials and enforce compliance.

B) Storing Hazardous Materials

Humboldt Heals commits to storing any hazardous materials on the site in locations and in a manner in which they cannot enter or be transported into surface waters and such that nutrients or other pollutants cannot be leached into groundwater. Fertilizers and amendments shall be applied and used per packaging instructions and/or at proper ergonomic rates. Cultivation shall be maintained so as to prevent nutrients from leaving the site during the growing season and post-harvest.

HH does not use pesticides or herbicides for cultivating cannabis.

HH will store petroleum products and other liquid chemicals that may be present so as to prevent their spillage, discharge or seepage into receiving waters.

HH commits to storing all hazardous materials in locked storage areas designated solely for such purpose, appropriately rated by the National Fire Protection Association, and will include the installation of concrete

slab foundation. All such areas will be spark proof with proper ventilation systems to ensure safe handling of any potential leaks or build-up of gas.

HH shall maintain these areas so as to pose no threat of safety or quality to the facility, product, or employees. The temperature and humidity of the storage spaces shall be maintained at an appropriate level for the contents, and shall be monitored to ensure ranges are always within acceptable limits.

APPENDIX D: Cultivation Plan

A) Overview of Cultivation Activities

HH's lead cultivator will be Timothy Busman, an experienced grower and herbalist with many years of experience cultivating medical cannabis.

Humboldt's location features multiple greenhouses, and outdoor cultivation, with the intent to apply for state MCRSA licenses (subject to change as regulations develop).

Humboldt Heals site overview:

- Outdoor, 10,000 – 43,560 sq. ft. (MCRSA Type 3)

B) Cannabis recordkeeping

Humboldt Heals will track all on-site cannabis from seed-to-sale using a perpetual inventory control system. HH is evaluating and remains open to alternative track and trace options.

HH will monitor the California Board of Equalization track-and-trace discussions and will choose a solution that is compliant with all eventual legislation and regulations pertaining to track-and-trace options.

Date Cultivation Began on the Parcel

Cultivation on the parcel was begun in 2008.

C) Description of Cultivation Plan components

The remainder of this Cultivation Plan adds considerable detail to the planned cultivation activities, including the following components:

- Schedule by Month of Growing and Harvesting
- Cultivation Facilities: the planned features of both the outdoor sites and greenhouse facilities
- Cultivation Cycle: the processes that make up the cultivation lifecycle of the cannabis plant
- Cultivation Inputs: the required additives for optimal harvest
- Cannabis Disposal: the protocols for tracking and disposing of cannabis waste

D) Schedule of Activity by Month of Growing and Harvesting

Humboldt Heals operates cultivation activities on the parcel for the outdoor growing season, typically beginning in February and ending in October or November.

Growing and Harvesting by Month (current)

January – no activity

February – Amend soils, repair and/or replace any irrigation, plastic sheeting, lights, etc. Begin planting seeds in 4” pots for beginning of cycle.

March – Amend soils, repair and/or replace any irrigation, plastic sheeting, lights, etc. Ensure all is prepped and optimized for the coming season. Transplant from 4” to 3-5 gallon pots, – Maintain feeding and watering schedules in all outdoor plots.

April – Transplant seedlings to larger final pots or amended beds for continued vigorous growth. – Maintain feeding and watering schedules in all outdoor plots.

May – Complete outdoor set ups and soil amendments. Continued transplanting to larger final outdoor pots and beds. – Maintain feeding and watering schedules in all outdoor plots.

June – Ensure all plants are in final places for full sun outdoor season. – Maintain feeding and watering schedules in all outdoor plots.

July – Maintain feeding and watering schedules in all outdoor plots, plants begin transition and set up to flower.

August – Maintain feeding and watering schedules in all outdoor plots as they begin vigorous flowering towards final harvests.

September – Prune and maintain feeding and watering schedules as flowering continues. Harvest some plants when ready.

October – Harvest as cultivars finish

November – Harvest as needed.

December – No activity

Drying and curing will take place separately and is described in the Processing Plan.

E) Cultivation Facilities

Humboldt Heal's outdoor cultivation under the MCRSA Type 3 license type (between 10,000 – 43,560 sq. ft.) will take place on multiple sites on the parcel.

OUTDOOR

Site #1 is 1120 sq. ft. of canopy and 1120 sq. ft greenhouse (GH 1)

Site #2 is 1000 sq. ft.

Site #3 is 2385 sq. ft. of canopy and 1650 sq. ft greenhouse (GH 2).

Site #4 is 4325 sq. ft. of canopy and includes (GH 3).

The total current outdoor cultivation area on Flora Canna Care's parcel is 11,600 sq. ft.

F) Cultivation Cycle

Humboldt Heal's cultivation process is described in two parts:

- Propagation
- Growing

All harvest and post-harvest procedures are covered separately in HH's Processing Plan.

During all phases of cultivation, Humboldt Heals will keep meticulous records using a perpetual inventory management system. HH will thoroughly train all cultivation agents on HH's selected inventory management system. Records will accurately identify and record the seeds or vegetative planting stock as to genus and species, and to subspecies, variety, cultivar, and/or hybrid if applicable. Records will also track plants individually as they progress through phases of cultivation.

HH will designate a head cultivator who will determine the mix of cultivars to be propagated and cultivated. The following items will be considered when determining cultivar selection:

- The availability of the cultivar
- Medicinal benefits
- Other cultivars currently in production
- Length of cultivation cycle
- Market demand

G) Propagation

There are three pieces to propagation:

1. Developing strong genetics by breeding parents to generate seeds
2. Germinating seeds and determining plant sex to grow new cloning mothers
3. Replicating strong genetics through cuttings of a single cloning mother

Humboldt Heals will focus on propagation through taking cuttings, or "clones" from mother plants. Cuttings will be taken from mother plants in the vegetative stage only. Cannabis is an annual plant that has a life cycle of one year, however if kept in a vegetative state can live for many years. By breeding in or out specific cannabis genetic profiles, HH will be able to create precise plant medications with the appropriate cannabinoid content for the relief of clinical conditions plaguing all medical marijuana patients.

Employees responsible for cutting and transferring clones will be thoroughly trained on how to assess mother plants as well as cut and transfer clones using methods outlined by HH.

Training will include, but is not limited to, the following items:

- Assessing and selecting mother plants
- Preparation for cutting clones

- Procedure for cutting clones, including root hormone applications
- Transplanting clones
- Clone care, organization, and tracking

H) Cultivation Inputs

Humboldt Heals is committed to the highest standards of cultivation inputs. By following rigorous protocols and permaculture and Best Management Practices (BMP's), HH maintains the highest quality of cannabis produced and mitigates the risk of wasted production.

Part of this commitment to quality is HH's ongoing evaluation of potential organic certifications, including ASA-PFC, Salmon Safe & Clean Green Certification, which indicates that:

- The product has been grown to standards that meet or exceed the standards used by the USDA in awarding organic certification, and is thus "organic" by nature
- No synthetic inputs or pesticides have been used at any point of the production/cultivation process
- Production methods are environmentally & salmon-safe
- That all processes involved during the growing and cultivation of marijuana are in full compliance with local and state jurisdictions

HH has established the highest standards for growing medium, pesticides, disease and pest management procedures.

I) Growing Medium

Humboldt Heals has practiced a strict gardening policy of only using and reusing organic substances to create sustainable resources, reduce consumption of those resources, and prevent any type of harmful environmental impact. This includes HH's growing medium.

HH will use custom mixed 'super soils' with all pots for the Breeding Mothers, Breeding Fathers, Cloning Mothers and all flowering pots and

beds as a primary growing medium. These soils are designed to be continually built upon and improve over time using permaculture methods of recycling all refused and pruned plant matter back into the soil.

Mychorrizae will be added to the growing medium, increasing its mass through a blend of symbiotic organisms. This additive is a mixture of organic beneficial microbes and worms used to help break down old plant material and provide nutrition. These microbes provide aeration so oxygen can reach further to penetrate more into the plants roots. They also capture nitrogen and help make phosphorus more available, facilitating plant growth. Mychorrizae will be used throughout the entire plant cultivation cycle.

J) Pesticides

If necessary, HH will use only organic ASA-PFC, Salmon Safe and Clean Green Certified pesticides and herbicides for pests and or diseases.

Should the use of these products be necessary, HH proposes to use Regalia, OG Biowar and Venerate, which are organic products that are microbial based and powered by several active compounds that span different chemical classes. These compounds drive multiple modes of action, which result in exoskeleton degradation and molting interference; control of the pests is achieved through exposure and ingestion of the product. All are Clean Green certified products.

K) Disease and Pest Management Procedures

Humboldt Heals will use mold and pest resistant cultivars to maximize biological prevention of pests and diseases.

Integrated Pest Management (IPM)

The goal of IPM is to apply a combination of control methods to prevent, reduce, or maintain pest populations at non-damaging levels.

HH will implement and monitor IPM practices to predict potential levels of crop damage, mitigate risk, and control pests.

A variety of mechanical, physical, and biological controls will be implemented. The lead cultivator may implement the use of appropriate biological controls including predatory wasps and mites and nematodes, praying mantises, ladybugs, pirate bugs, and others for preventative or mitigation purposes. The use of bio dynamics will be limited to recognized and effective applications. HH may implement any practice allowed by the USDA Organic Standards.

Regular IPM practices include, but are not limited to:

- Daily monitoring of pest populations
- Removal of pest habitat, food sources, and breeding areas
- Utilization of verified “pest-free” supplies
- Prevention of access to handling facilities
- Management of environmental factors, such as temperature, light, humidity, atmosphere, and air circulation, to prevent pest reproduction
- Disposition of infected crops
- Pest indicator and companion plants
- Use of organic pesticides as a last resort

Early identification of pest infections is crucial. Each cultivation employee will be trained

on and responsible for plant inspection and identification. Indicator companion plants will be cultivated to tell HH if an infestation has occurred.

Should a pest infestation occur, HH will develop IPM programs on an as-needed basis for identifying and considering at a minimum:

- Current status of infestation
- Pest and crop life-cycle stages

- Location, size, density of infestation
- Potential to spread
- Previous results of measures taken.

Pesticide spraying protocols

As a last resort, HH will establish spraying protocols as needed and will maintain records of any pesticide use in the cultivation records for at least six months.

Records must include:

- Reason for application
- Method of application
- Frequency of application
- Next scheduled date of application
- Employee responsible for next application
- PPE required for application (i.e., mask required, Tyvex suit optional)
- Restrictions preventing application (i.e., do not apply within four hours of any foliar application)
- Life Cycle Stage restrictions - (i.e., apply in vegetative state only or may be applied in all stages)
- Re-entry intervals
- Posting requirement
- Other precautions (i.e. cover medium)

Disease Management

HH will determine acceptable methods of disease management. The scope for disease management will include, but is not limited to:

- Soil and crop nutrient management practices

- Sanitation measures to remove disease vectors and habitat for pest organisms
- Cultural practices that enhance crop health, including selection of plant species and varieties with regard to suitability to site-specific conditions and resistance to prevalent pests and diseases
- Practices which suppress the spread of diseases or pests
- Application of biological, botanical, or mineral inputs

Signs of Pest Infestations or Disease

HH will also oversee at least weekly surveillance or inspection of companion indicator plants and crop, identifying:

- Changes in biological colonies
- Mold or mildew
- Leaf and tip burn, discoloration, and spotting
- Changes in appearance of the crop

All crops are to be inspected by two or more trained employees for all visible foreign matter and sub-standard material to be recycled. These employees will also perform a visual microscopic and naked-eye inspection of each crop processed to determine:

- Organoleptic characteristics (color, texture and odor)
- Presentation of the material (raw, cut, crushed, compressed)
- The presence of admixtures, foreign matter (sand, particles, dirt) mold, or signs of decay
- The presence of insects

HH will schedule as needed in-house testing based on current operational needs and recorded in the crop management system. Tests that will be performed include:

- Soil pH

- Nutrient pH
- Total Dissolved Solids (TDS)
- Electro-Conductivity (EC)
- Soil EC/pH testing using a saturated media extraction (1 part soil to 2 parts water filtered)
- The leachate pour-through method

Damaged and/or degraded plant material will be recycled into the soils for worms and microbes to consume with approval from FCC and in accordance with waste disposal policies and procedures.

L) Cannabis Disposal

All plant waste, including waste composed of or containing cannabis leaves or flowers, will be cycled back into the soils as food for the worms and microbes becoming then food for the next round of plants. Humboldt Heals will use best composting practices in the disposal of diseased, contaminated, or otherwise unusable medical cannabis. All recycled or composted cannabis will be accounted for in written daily log and verified by camera and/or the perpetual inventory control technology.

APPENDIX E: Processing Plan and Quality Assurance

A) Processing Plan Overview

Humboldt County Code § 314-55.4 implies that processing is the acts by which “medical cannabis is dried, cured, graded.

This section provides an overview of the processing practices that will take place at the Humboldt Heals site:

- Preparation
- Harvesting

B) Harvesting

Plants will be monitored continuously throughout the cultivation process. During the flowering stage of plant development, HH staff will begin monitoring trichome development and maturity. Depending on the cultivar, the cultivation director will determine – based on trichome maturity – the point at which a crop is ready to be harvested.

Mature plants that are ready to be harvested will be identified by HH and logged into HH's inventory management system, adhering to any seed-to-sale tracking regulations that have been promulgated by the state. Plants will be weighed after the drying and curing has been completed. Information will be tracked and entered into the inventory management system at each stage in the process.

C) Drying and Curing

Humboldt Heals is responsible for implementing and maintaining drying and curing practices to protect crops from contamination and maintain the quality of all cannabis flower produced.

All drying/curing operations will be performed in limited access areas. The drying and curing room will be maintained to ensure that there is sufficient ventilation for airborne moisture to escape providing adequate air circulation throughout the drying area and sufficient odor mitigation.

Harvested plant material will be hung upside down in the drying and curing room. The drying and curing room will feature an independent climate control and HVAC to ensure that optimal and sanitary conditions are maintained at all times throughout the drying and curing process.

Before processing or handling any raw plant material, all equipment – clippers, hand scissors, scales, bins, pans, trays, etc. – will be sterilized as per HH's SOPs. All equipment will, additionally, be sterilized after each use.

For more details regarding HH's sanitation and quality control standards, please refer to the Quality Assurance Plan.

D) Trimming

Processing will take place off site at Today's Humboldt County 5065 Boyd Rd Suite F. Arcata, CA 95521. This company is also owned by Tim Busman. processes and procedures used to support the consistent creation of high-quality cannabis and cannabis products.

Standards for Equipment Maintenance

Equipment used in processing cannabis and cannabis products will be calibrated, sanitized and otherwise maintained according to the instructions provided by the manufacturer, or to a higher standard as required by applicable laws.

Humboldt Heals will require that any scale, balance, or other device used to process cannabis is routinely calibrated and periodically checked to ensure the accuracy of production. All scales/balances/other measurement devices will be registered with, and calibration techniques shall conform to, the standards developed by the California State Department of Agriculture.

Cannabis Recall Protocol

Humboldt Heals is committed to patient and product safety, and will institute a thorough product recall plan into HH's operational manual.

Once a product has been labeled for recall, the head processing agent will immediately begin an in-house investigation into the batch and lot number of the cannabis in question (1) to identify the appropriate products that need to be recalled; (2) to identify and inform the distributors that have procured and transported the cannabis in question; (3) to identify, dispose of and prevent further distribution of any remaining product in storage at the FCC site.

APPENDIX F: Security Plan

A) Overview

Humboldt Heals has designed its Security Plan to allow its personnel to maintain secure control over all aspects of its commercial cannabis activity.

None of FCC's cultivation areas are visible from public property.

Per Humboldt County Code § 314-55.4.11(t)(vi), FCC will maintain at all times at all cultivation and processing locations, as well as at security stations, emergency contact numbers for the following:

- Fire Department (both emergency and non-emergency)
- Police Department
- Department of Health contact
- 9-1-1
- Poison control center

B) Facility Security

Humboldt Heals facility security is designed to deter security breaches from the outside in. The facility will feature overlapping physical security measures and procedures that control access to cultivating and processing areas and enable rapid response in the event of an incident.

Humboldt Heal's parcel is located at APN 523-026-003 near Willow Creek. HH facilities are approachable from two possible access roads, and each approach is protected by a series of gates. The primary access approach to the parcel is from Horse Linto Creek Road, and the secondary approach derives from Watermen Road.

To access the Humboldt Heals site, all visitors must pass through a sequence of two large, alloy locked gates whether they approach from Horse Linto Creek Road or Watermen Road. All traffic through each gate is monitored continually. Motion sensors and surveillance cameras will be mounted strategically to record and notify onsite security personnel of all attempts to access the property, whether permitted or not.

Similarly, each of HH's processing buildings where the facility's drying and curing takes place will be locked securely with keycoded entry.

C) Prevention and Detection of Diversion and Theft

Prevention of diversion and theft is the priority of the security plan, and is the highest priority for state and local oversight, and for law enforcement.

There is zero tolerance for diversion. Any person that is part of or aware of any theft or diversion of cannabis will result in immediate termination from HH and reporting the incident to the proper authorities. All personnel will sign documents agreeing to this clause before beginning employment, and the documents will be stored with the employee's file.

HH will use perpetual inventory tracking software and commits to continued adoption of track and trace best practices. All inventory discrepancies will be investigated and noted in the incident log, along with any resolution or explanation that is determined. All investigations shall be resolved within five business days with a written report.

D) Incident Management and Emergency Response

The emergency response plan and measure for incident management will be updated in response to any applicable local, county, and state regulations. Provisions include safety procedures for natural disaster, unauthorized access, theft, or disclosure of confidential information.

Incident management protocol and emergency response plans will be designed to effectively ensure:

- The safety and security of HH employees
- The immediate safety and security of the surrounding area and community
- The facility's return to a safe, secure, and normally operating condition
- Quick, expedient notifications for all product and/or safety recalls

APPENDIX G: Legal Compliance Plan

At California's state level, the Medical Cannabis Regulation and Safety Act consists of three separate bills that were enacted together on Oct. 9, 2015. The bill creates a comprehensive state licensing system for the commercial cultivation, manufacture, retail sale, transport, distribution, delivery, and testing of medical cannabis. Commercial cannabis operations require both a state license and a license, permit, or other authorization from a local government.

The state intends to begin licensing cannabis businesses in 2018, and FCC intends to do everything possible in advance to prepare for this licensing process.

E) Tracking, Records & Lab Testing

If a product does not meet up to Humboldt Heal's high standards, or if a lab result indicates a defect with the product, our RFID batch, and lot recall process will ensure that all products from the same production run can be quickly identified. All active ingredients will be traceable from seed, to plant, to extraction, to compounding, to dispensary.

All data will be properly, accurately, and completely entered in the inventory control system. The director of each operating unit will ensure that if the inventory control system is not functional for any reason that all entries are recorded manually entered into the system as soon as it is available. All records will be kept for at least five years after the batch has been distributed.

Data collection will be compliant with all HH policies and procedures, state and local laws and regulations, and will include for official and internal tracking purposes the names, initials, or employee identification numbers of the individuals who processed, packaged, and labeled the medical cannabis.

Each batch of HH's cannabis flowers and extracts will go through a full spectrum analysis to ensure that the medicine is free of pesticides and does not contain a harmful level of microbiological mold spores. Each batch will also have a full terpene and potency analysis.

F) Annual Reporting and Renewal

County and state regulations promulgated under MCRSA require annual reporting and/or renewal of licensure and permits relevant to commercial cannabis activity. Humboldt Heals commits to fulfilling its obligations for timely reporting and renewal of permits and licenses as required by law.

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.

RECORD NUMBER: PLN-11373-CUP			
Referral Agency	Response	Recommendation	Location
Building Inspection Division	✓	Comments	Attached
Division Environmental Health		No Response	
Public Works, Land Use Division	✓	Comments	Attached
CAL FIRE	✓	Comments	Attached
California Department of Fish & Wildlife		No Response	Attached – staff request for comments
Northwest Information Center	✓	Comments	On file and confidential
Hoop Valley Tribe		No Response	
Tsungwe Council	✓	Conditional approval	On file and confidential
Klamath-Trinity Joint Unified School District	✓	Comments	Attached
Willow Creek Volunteer Fire Department		No Response	
Humboldt County Sheriff		No Response	
Humboldt County Agricultural Commissioner		No Response	
Humboldt County District Attorney		No Response	
California Department of Water Resources	✓	Comments	Attached
North Coast Unified Air Quality Management District		No Response	
North Coast Regional Water Quality Control Board		No response	
State Water Resources Control Board – Division of Water Rights		No Response	
U.S. Forest Service		No Response	



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

11/2/2020

Project Referred To The Following Agencies:

AG Commissioner, County Counsel, District Attorney, Environmental Health, Sheriff, PW Land Use, Building Inspections, US Forest Service, FPD: Willow Creek VFD, RWQCB, NCUAQMD, School District: Klamath -Trinity JUSD, Cal Fish & Wildlife, Division of Water Resources, CalFire, CA Division of Water Rights, Hoopa Valley Tribe, NWIC, Tsnungwe Council

Applicant Name Key Parcel Number 523-021-004-000

Application (APPS#) PLN-11373-CUP **Assigned Planner** Megan Acevedo

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: 11/17/2020

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: Recommends approval based on the condition that all requires grading, building, plumbing, electrical and mechanical permits and or Ag Exemption are obtained

DATE: 11-2-2020 PRINT NAME: Rob Edwards



COUNTY OF HUMBOLDT
PLANNING AND BUILDING DEPARTMENT
BUILDING DIVISION

3015 H STREET EUREKA CA 95501
PHONE: (707) 445-7245 FAX: (707) 445-7446

Building Division's Referral Comments for Cannabis Operations:

Accela Record No: PLN-11373-CUP APN: 523-021-004

The following comments apply to the proposed project, (check all that apply).

Site plan appears to be accurate.

N/A Site plan is not accurate, submit revised site plan showing the following items:

- All grading including ponds and roads,
- Location of any water course including springs,
- All structures including size and use and all setbacks from each other, above stated items, and property lines.

N/A Existing operation appears to have expanded as follows: _____

Proposed new operation has already started. Existing farm

N/A Development is near a wet area. If yes, distance from development: _____

N/A Development is near a Steam side Management Area (SMA). If yes, distance from development: _____

Recommend approval based on the condition that all required grading, building, plumbing, electrical, and mechanical permits and or Agricultural Exemptions are obtained.

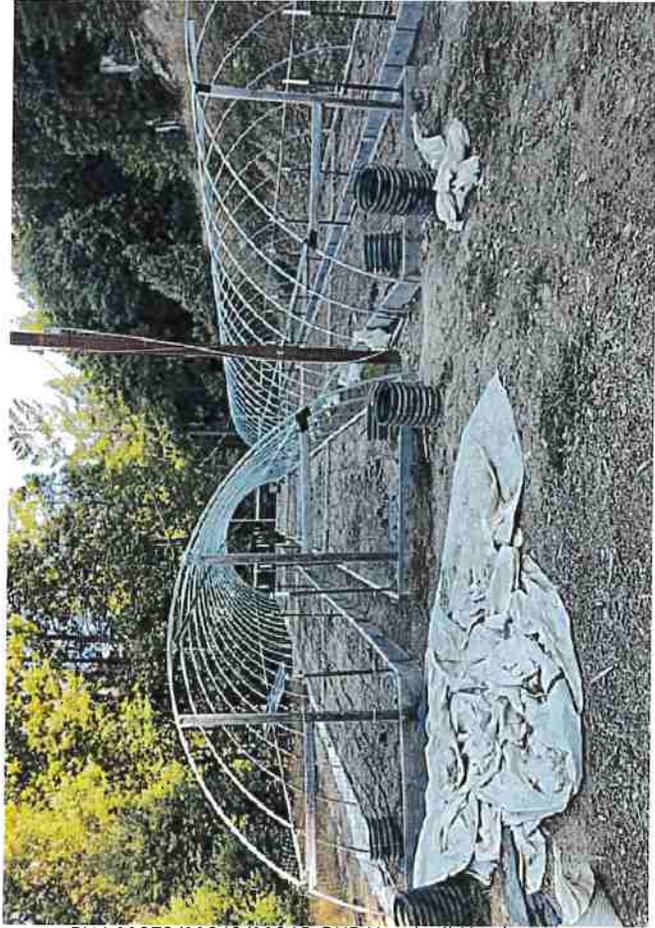
Other Comments: CULTIVATION AREA #1 ON SITE PLAN IS 5,000 FT²

CULTIVATION AREA #3 ON SITE PLAN IS 460 FT²

SMA IS ON PARCEL DEVELOPMENT IS NOT NEAR SMA

Name: Rob Edwards

Date: 11-2-2020

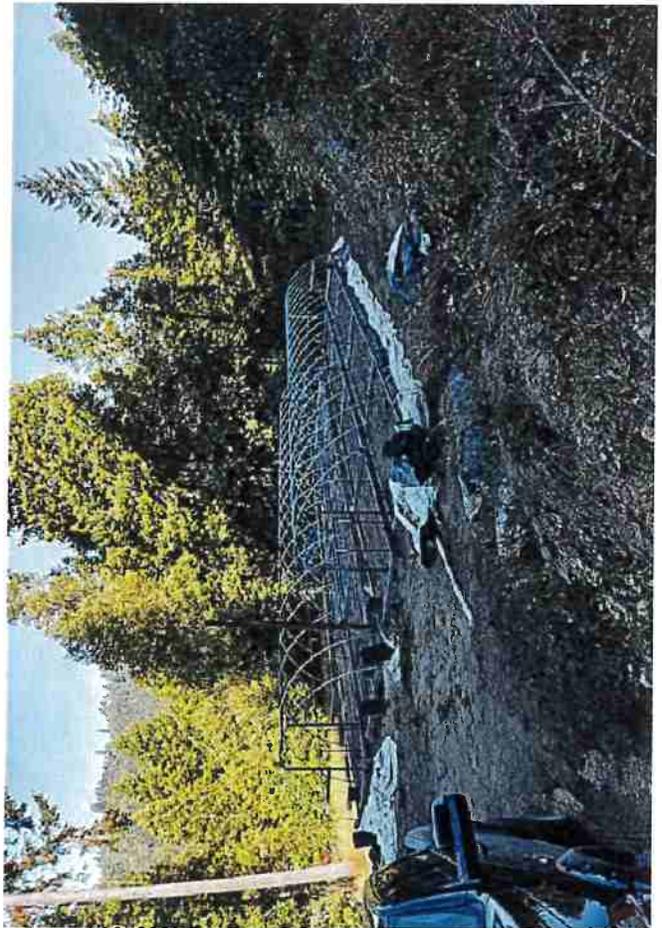


PLN-11373/11963/11965-CUP Humbolt Heals

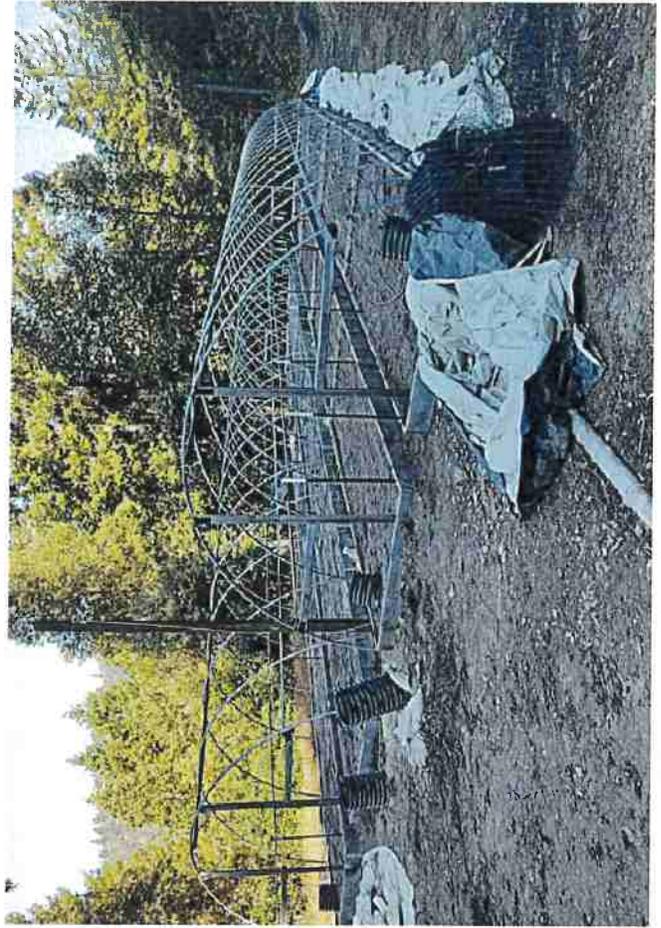
GH # 1, 2



GH 3



GH 1,2



GH 1,2

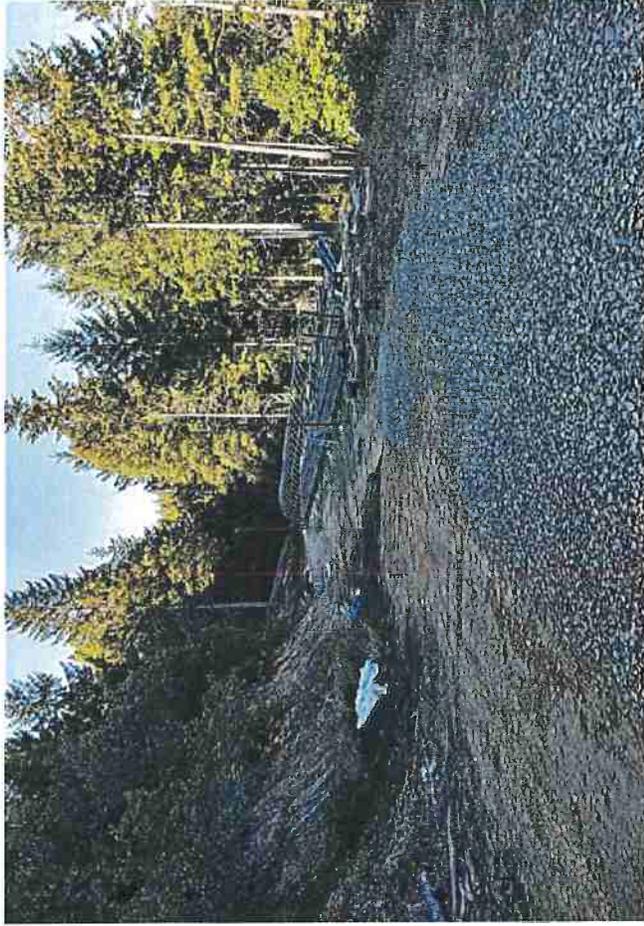
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523-021-004

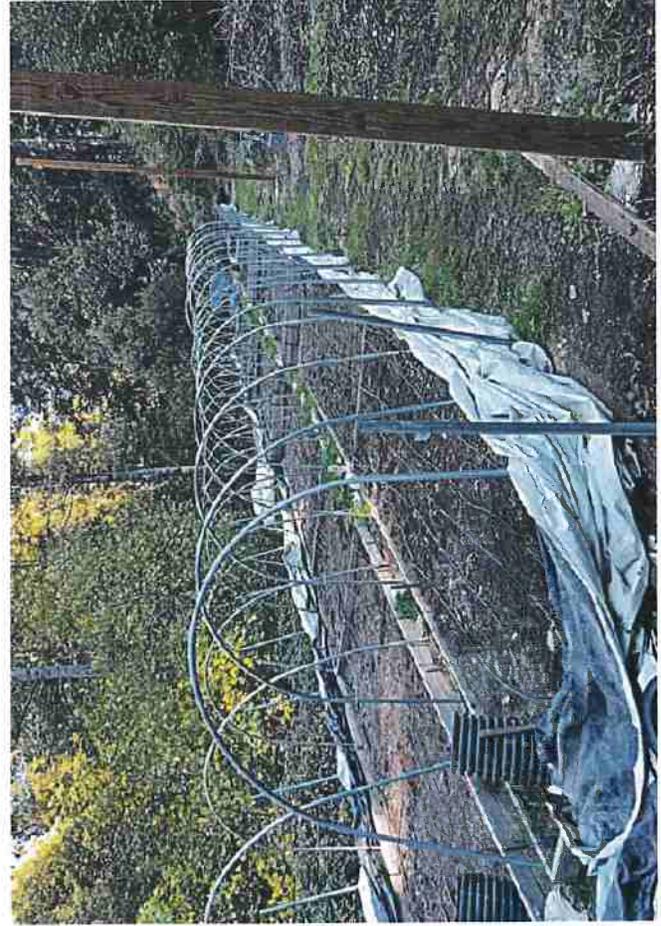


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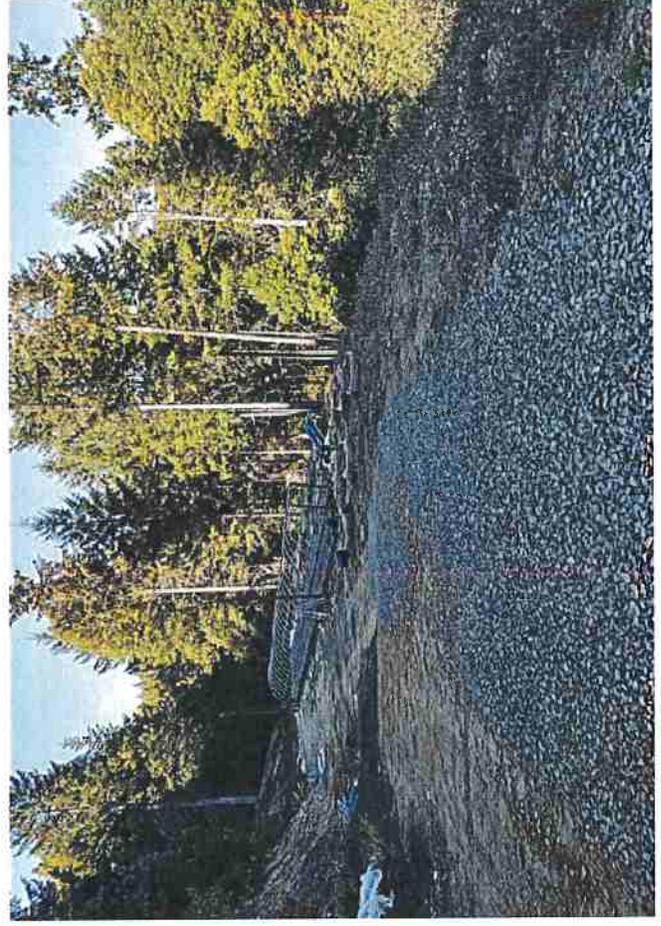
PLN-11373/11963/11965-CUP Humbolt Heals



GH 4 CA

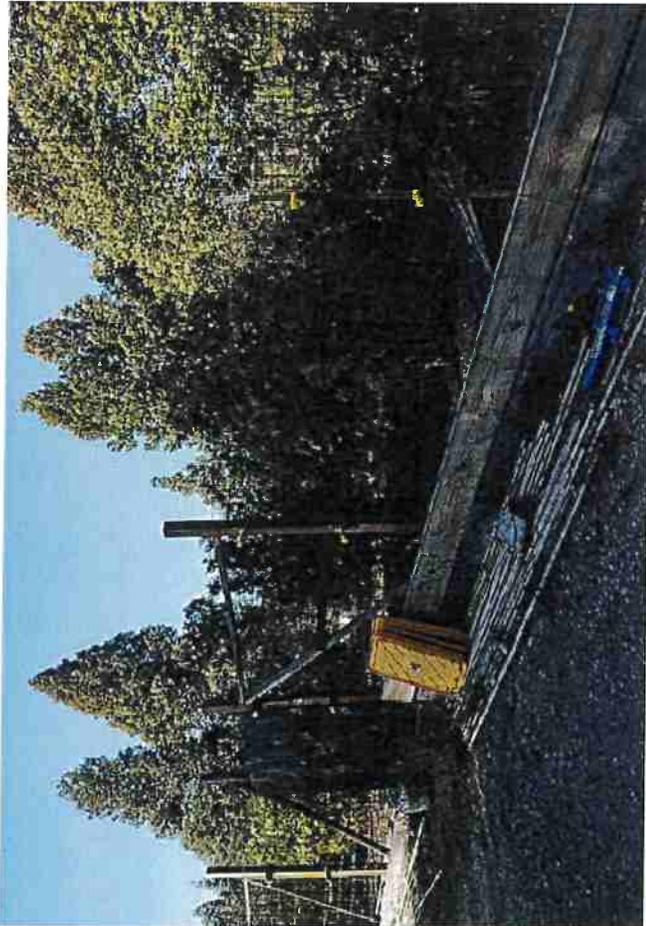


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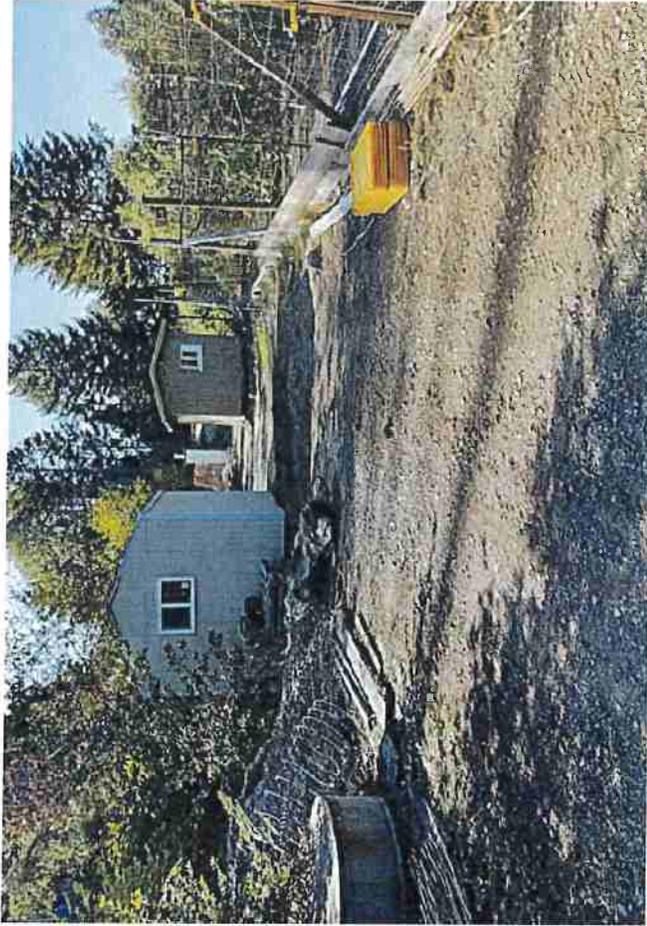


GH 4 CA

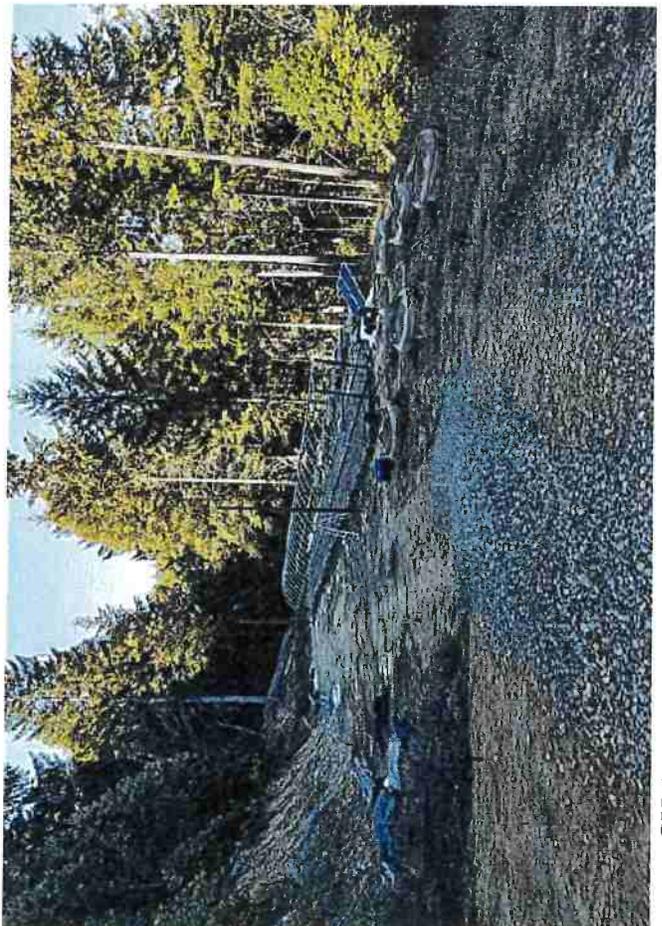
August 19, 2021



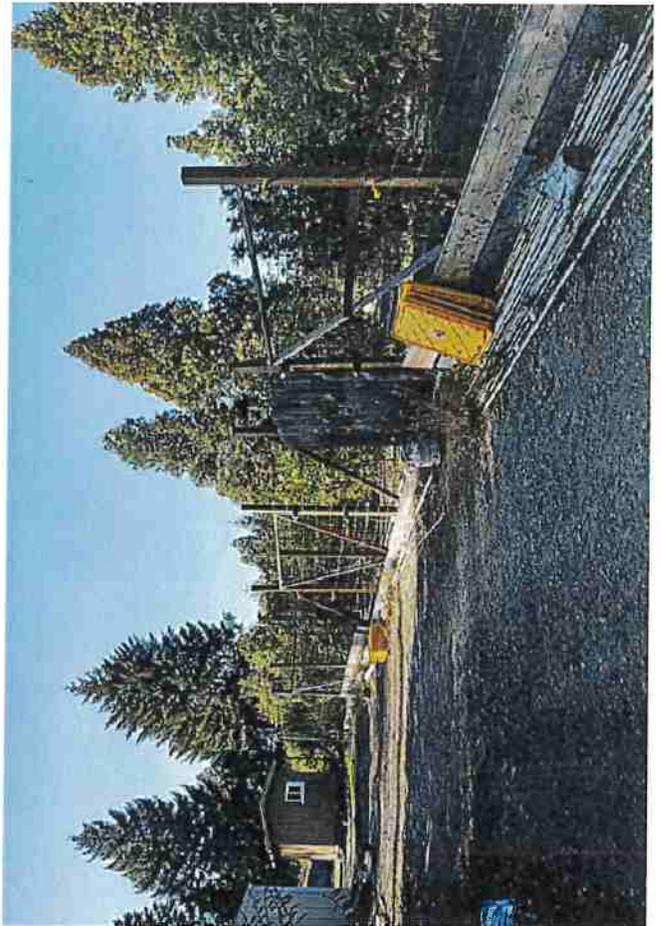
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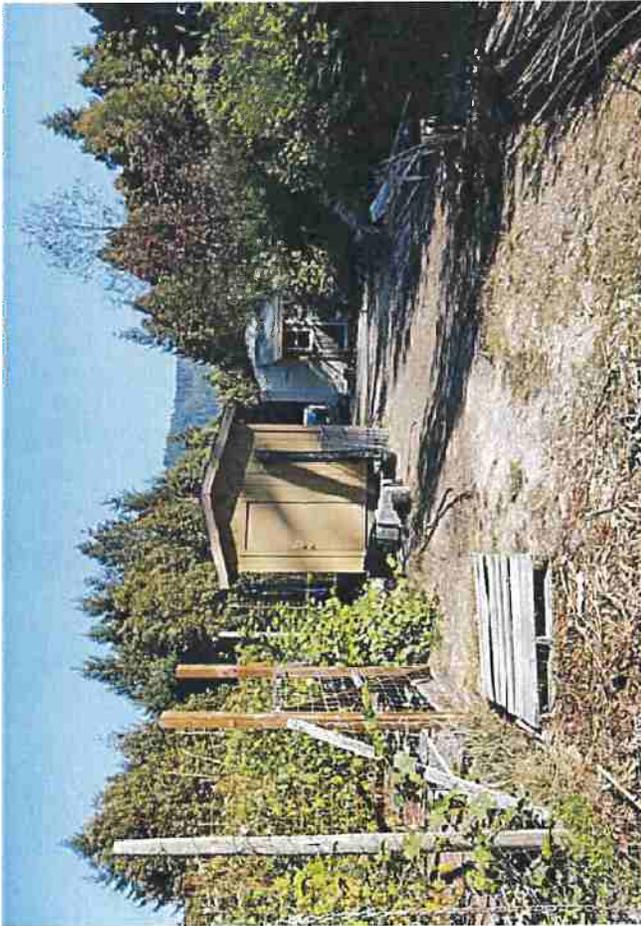
Ca 2 sheds



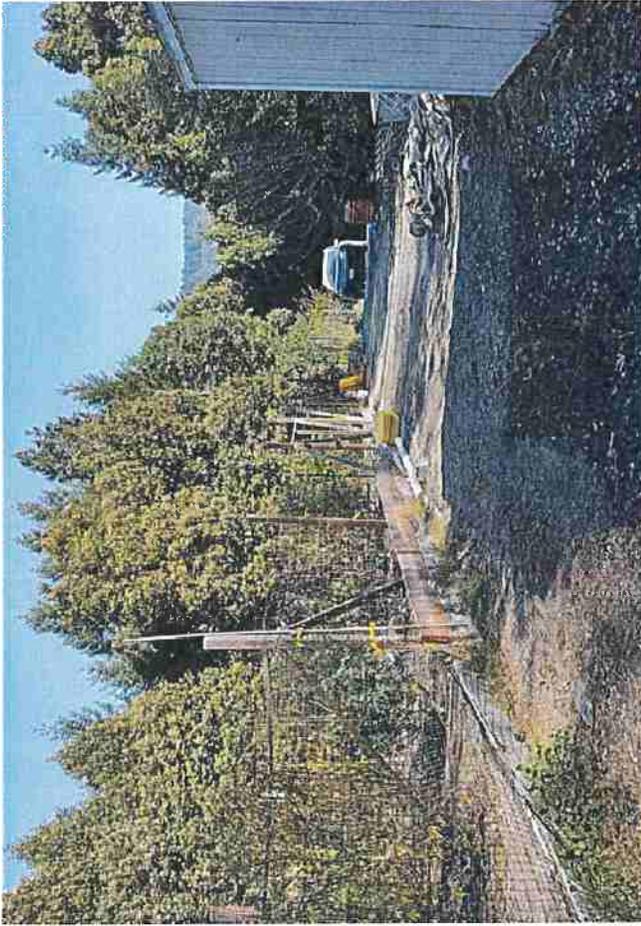
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CA 2 sheds



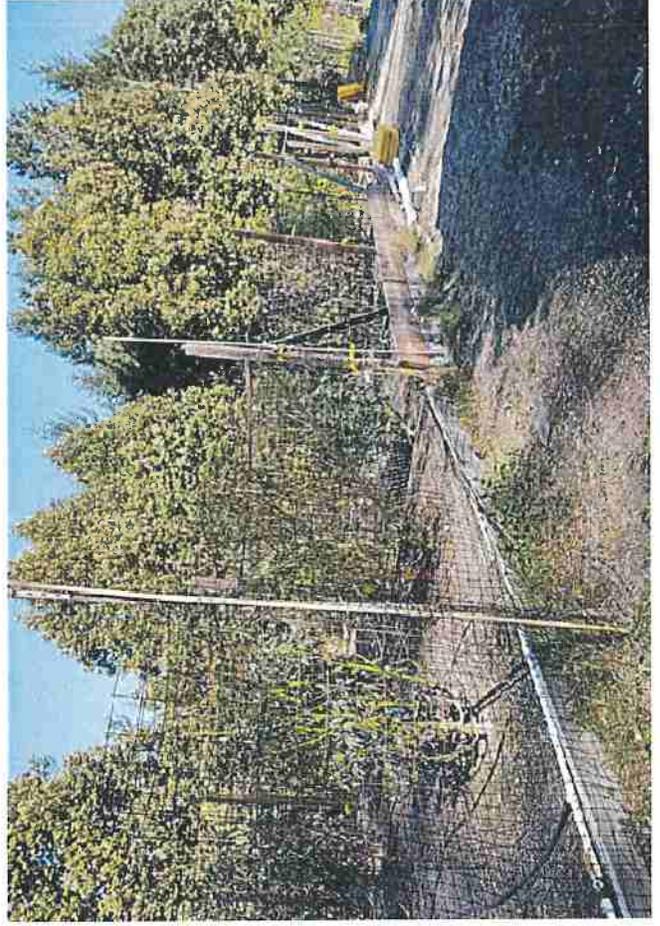
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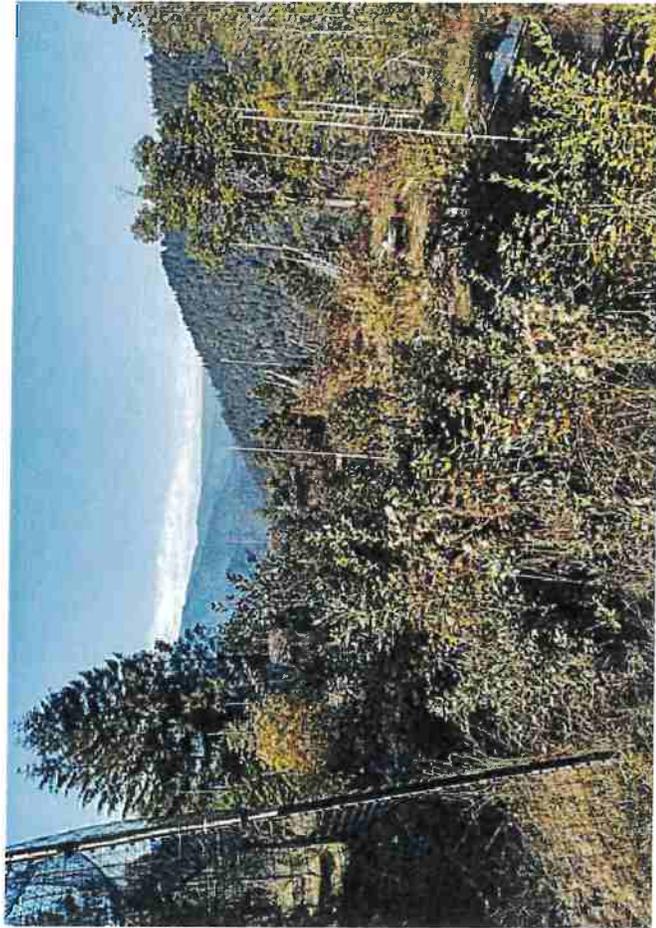
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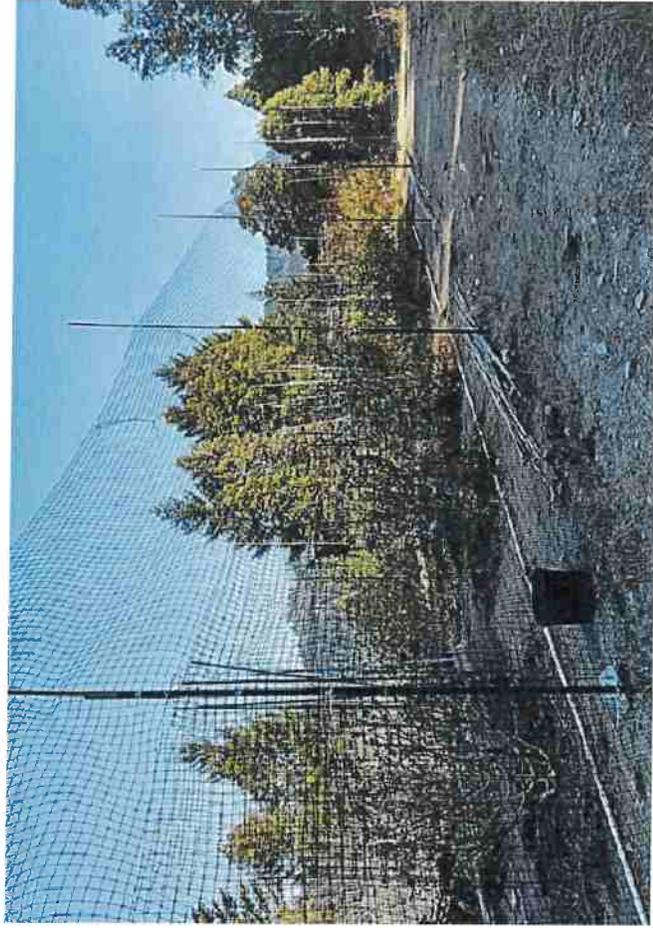
August 19, 2021



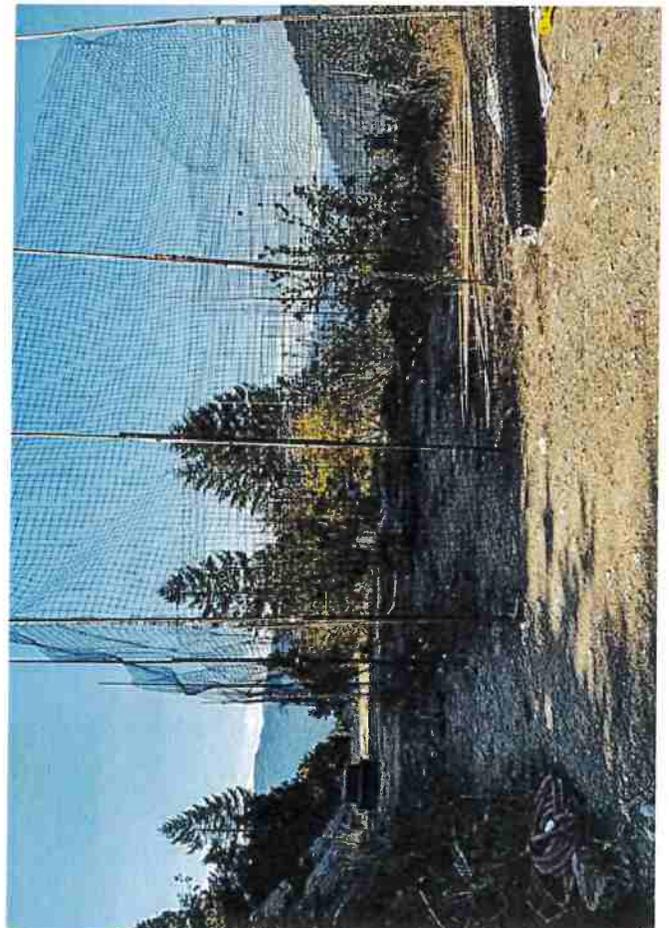
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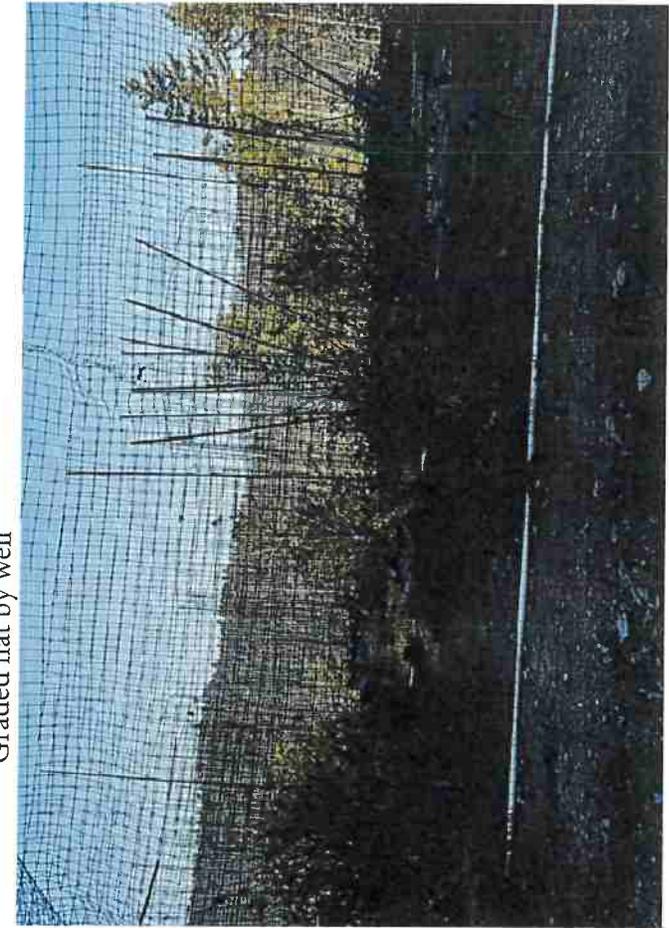
PLN-11373/11963/11965-CUP Humbolt Heals



Graded flat by well

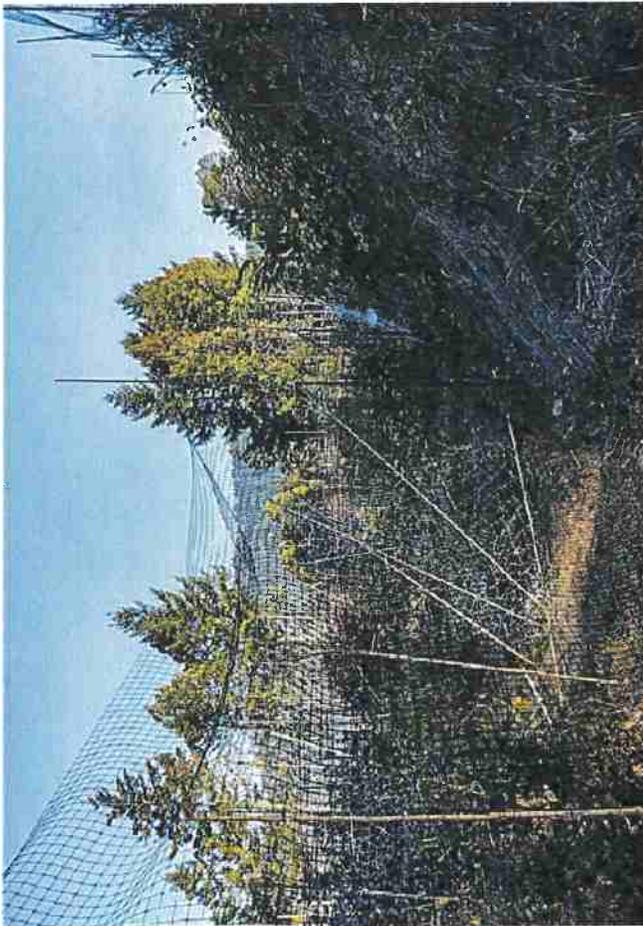


August 19, 2021



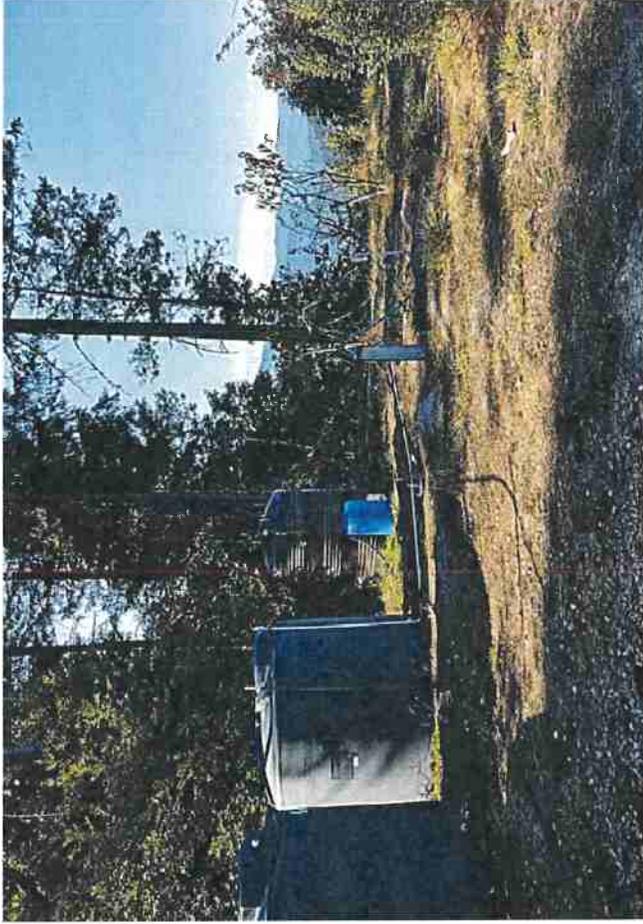
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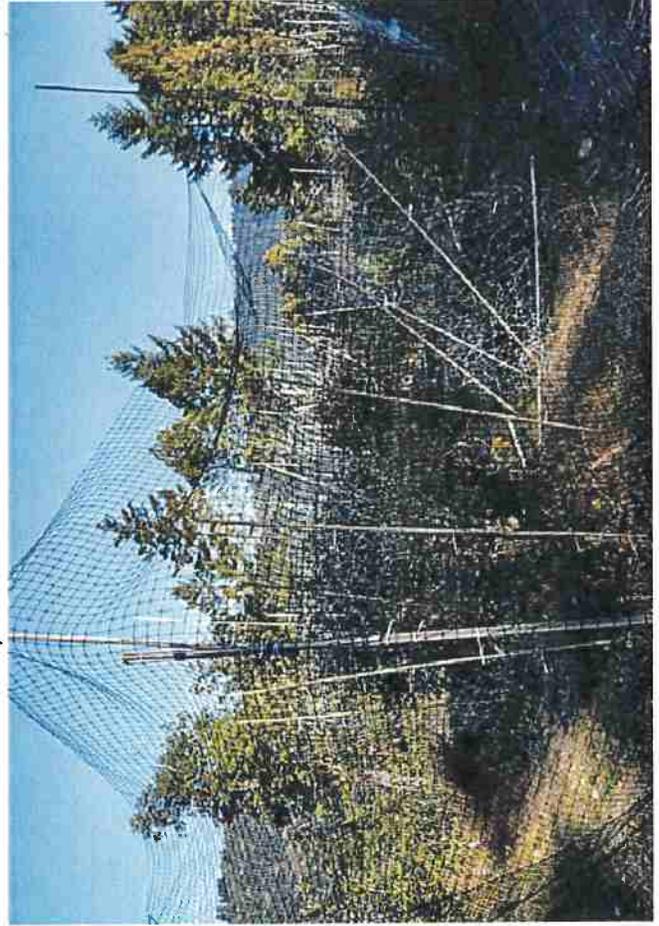


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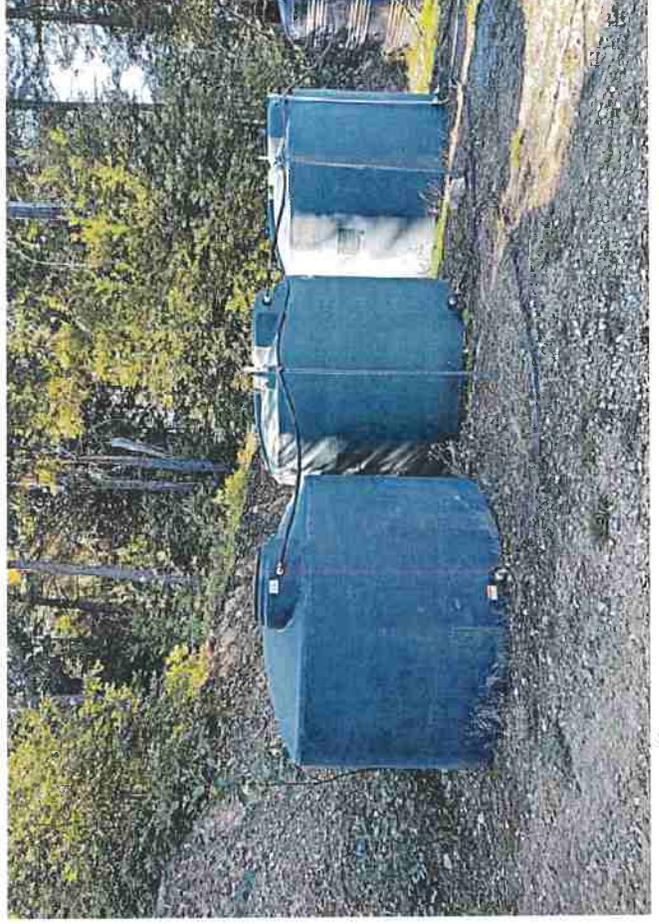
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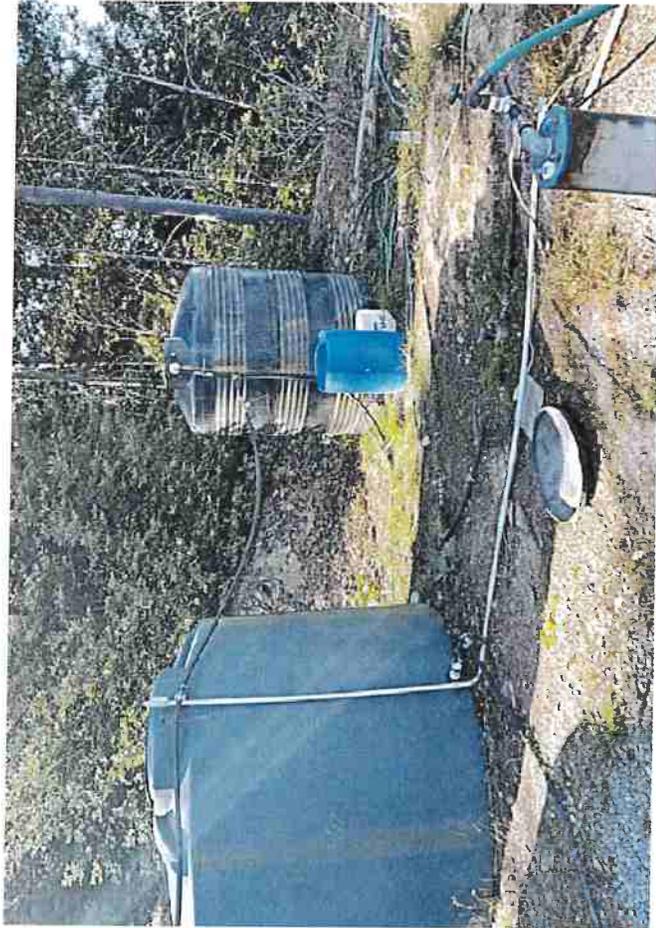
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Graded flat by well



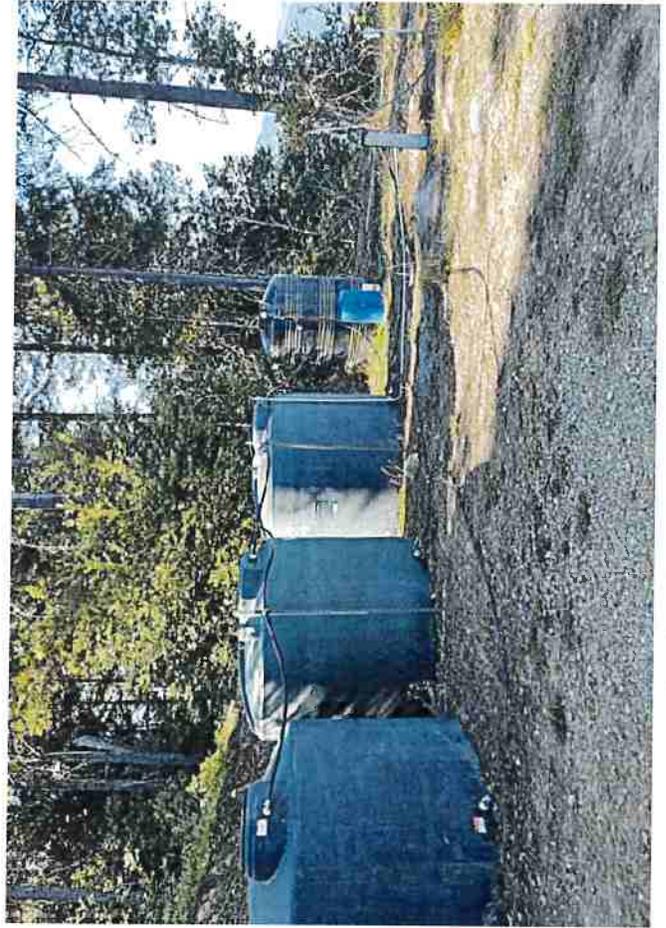
well



well and tanks



well



well and tanks



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

10/29/2019

Project Referred To The Following Agencies:

AG Commissioner, County Counsel, District Attorney, Environmental Health, Sheriff, PW Land Use, Building Inspections, US Forest Service, FPD: Willow Creek VFD, RWQCB, NCUAQMD, School District: Klamath -Trinity JUSD, Cal Fish & Wildlife, Division of Water Resources, CalFire, CA Division of Water Rights, Hoopa Valley Tribe, NWIC, Tsnungwe Council

Applicant Name Key Parcel Number 523-021-004-000

Application (APPS#) PLN-11373-CUP **Assigned Planner** Vendor LACO

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: 11/13/2019

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

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

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

Other Comments: _____

DATE: 11/26/2019 PRINT NAME: Jonathan Pham, Cannabis Registration Unit - Division of Water Rights

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

The Department has no comment at this time.

Suggested conditions attached.

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

Recommend denial.

Other comments.

Date:

Name:

Forester Comments:

Date:

Name:

Battalion Chief Comments:

Summary:



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



10/29/2019

Project Referred To The Following Agencies:

AG Commissioner, County Counsel, District Attorney, Environmental Health, Sheriff, PW Land Use, Building Inspections, US Forest Service, FPD: Willow Creek VFD, RWQCB, NCUAQMD, School District: Klamath -Trinity JUSD, Cal Fish & Wildlife, Division of Water Resources, CalFire, CA Division of Water Rights, Hoopa Valley Tribe, NWIC, Tsungwe Council

Applicant Name Key Parcel Number 523-021-004-000

Application (APPS#) PLN-11373-CUP Assigned Planner Vendor LACO

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.

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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: _____

DATE: 11-4-19 PRINT NAME: Missie Annun



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: Caitlin Castellano, Planner, Planning & Building Department

FROM: Kenneth M. Freed, Assistant Engineer 

DATE: 11/15/2019

RE:

Applicant Name	HUMBOLDT HEALS
APN	523-021-004
APPS#	PLN-2019-11373-CUP

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

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

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

No re-refer is required.

*Note: Exhibits are attached as necessary.

Additional comments/notes:

Applicant has submitted a road evaluation report, stamped received by the Humboldt County Planning Division on November 8, 2018, with Part A –Box 3 and Part B #3 checked, certifying that the roadway can accommodate the cumulative increased traffic from this project and all known cannabis projects identified above, if the recommendations on the submitted report are completed/implemented.

The Department recommends that all recommendations mentioned in the road evaluation report by Trinity Valley Engineering for non-county maintained road(s) be constructed/implemented to the satisfaction of the Planning & Building Department prior to commencing operations or final sign-off for a building permit. The evaluation report mentions excessive road grades (up to 27%) but fails to address solutions on how to bring into compliance with Fire Safe Regulations (County Code Section 3112-12).

// END //

Additional Review is Required by Planning & Building Staff

APPS # 11373

All of the following questions are to be answered by Planning and Building Department staff. No further involvement with the Department of Public Works is required for these items; however Public Works staff is available to answer any questions that may arise.

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

YES NO

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

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

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

YES NO

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

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

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

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

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

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

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

If YES, include the following requirement:

The applicant shall cause to be dedicated to the County of Humboldt an Avigation Easement. The avigation easement shall be on the form prescribed by the Department of Public Works. This condition shall be completed to the satisfaction of the Department of Public Works prior to commencing operations, final sign-off for a building permit, or Public Works approval for a business license.

Additional Review is Required by Planning & Building Staff

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

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

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

7. **AIRPORT – PART 3 (Height Restrictions).** Planning & Building Staff shall review the completed *Airspace Certification Form* as follows:

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

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

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

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

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

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

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

// END //

Record Number: PLN-11963-CUP

Referral Agency	Response	Recommendation	Location
Building Inspection Division	✓	Comments	Attached
Division Environmental Health	✓	Comments	Attached
Public Works, Land Use Division	✓	Comments	Attached
CAL FIRE	✓	Comments	Attached
California Department of Fish & Wildlife		No Response	Attached – staff request for comments
Northwest Information Center	✓	Comments	On file and confidential
Hoopa Valley Tribe	✓	Approval	On file and confidential
Tsungwe Council	✓	Conditional approval	On file and confidential
Klamath-Trinity Joint Unified School District		No Response	
Willow Creek Volunteer Fire Department		No Response	
Humboldt County Sheriff		No Response	
Humboldt County Agricultural Commissioner		No Response	
Humboldt County District Attorney		No Response	
California Department of Water Resources		No Response	
North Coast Unified Air Quality Management District		No Response	
North Coast Regional Water Quality Control Board		No response	
State Water Resources Control Board – Division of Water Rights		No Response	
U.S. Forest Service	✓	Comments	Attached

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

The Department has no comment at this time.

Suggested conditions attached.

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

Recommend denial.

Other comments.

Date:

Name:

Forester Comments:

Date:

Name:

Battalion Chief Comments:

Summary:



**HUMBOLDT COUNTY
PLANNING AND BUILDING DEPARTMENT
CURRENT PLANNING DIVISION
3015 H STREET, EUREKA, CA 95501 ~ PHONE (707) 445-7541**

M



8/4/2017

PROJECT REFERRAL TO: Building Inspection Division

Project Referred To The Following Agencies:

Building Inspection Division, Public Works Land Use Division, Health and Human Services Environmental Health Division, Supervising Planner, Current Planning Division, County Counsel, CalFire, California Department of Fish And Wildlife, Northwest Information Center, Hoopa Valley Tribe, Tsnungwe Council, Regional Water Quality Control Board, Humboldt County District Attorney, Humboldt County Agriculture Commissioner, Klamath Trinity Jt School District, Sheriff

Applicant Name Humboldt Heals **Key Parcel Number** 523-021-003-000

Application (APPS#) 11963 **Assigned Planner** Cannabis Planner (CPOD) (707) 445-7541 **Case Number(s)** CUP16-471

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

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

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

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

Return Response No Later Than 8/19/2017

Planning Commission Clerk
County of Humboldt Planning and Building Department
3015 H Street
Eureka, CA 95501
E-mail: 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: See other

DATE: 8-22-17

PRINT NAME: Gustin Dumlauer



COUNTY OF HUMBOLDT
PLANNING AND BUILDING DEPARTMENT
BUILDING DIVISION

3015 H STREET EUREKA CA 95501
PHONE: (707) 445-7245 FAX: (707) 445-7446

Building Division's Referral Comments for Cannabis Operations:

Application No.: 11963
Parcel No.: 523-021-003
Case No.: CUP16-471

The following comments apply to the proposed project, (check all that apply).

- Site/plot plan appears to be accurate.
- Submit revised site/plot plan showing all of the following items: all grading including ponds and roads, location of any water course including springs, all structure including size and use and all setbacks from the above stated to each other and property lines.
- Existing operation appears to have expanded, see comments: _____

- Existing structures used in the cannabis operation shall not to be used/occupied until all required permits have been obtained.
- Proposed new operation has already started.
- Recommend approval based on the condition that all required grading, building, plumbing electrical and mechanical permits and or Agricultural Exemption are obtained.
- Other Comments: See photos @ CUP16-471 Alder 523-021-003

Name: Gustin Damlar

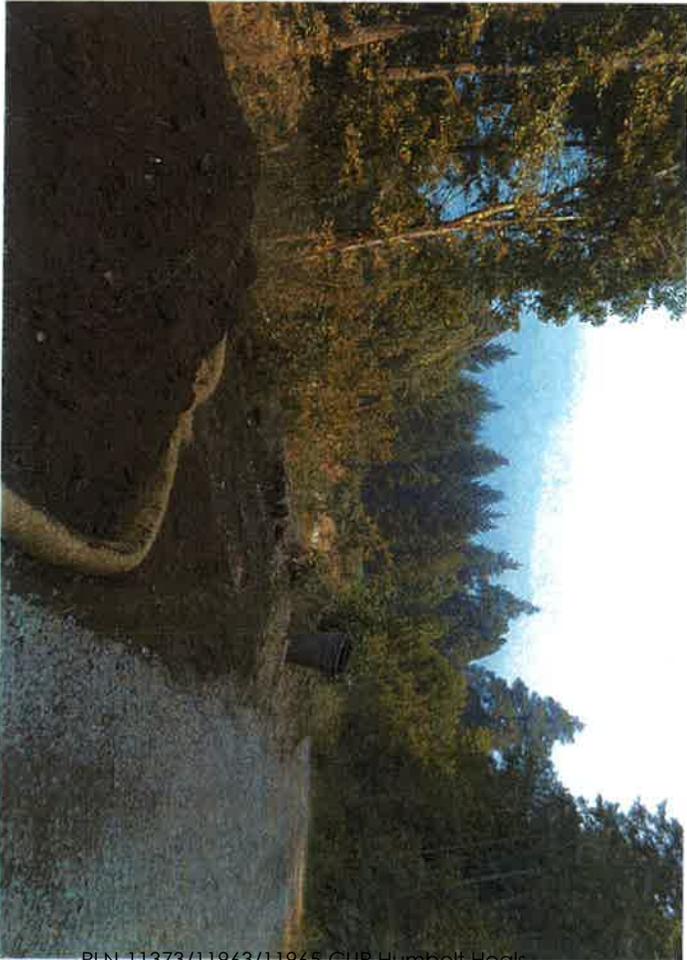
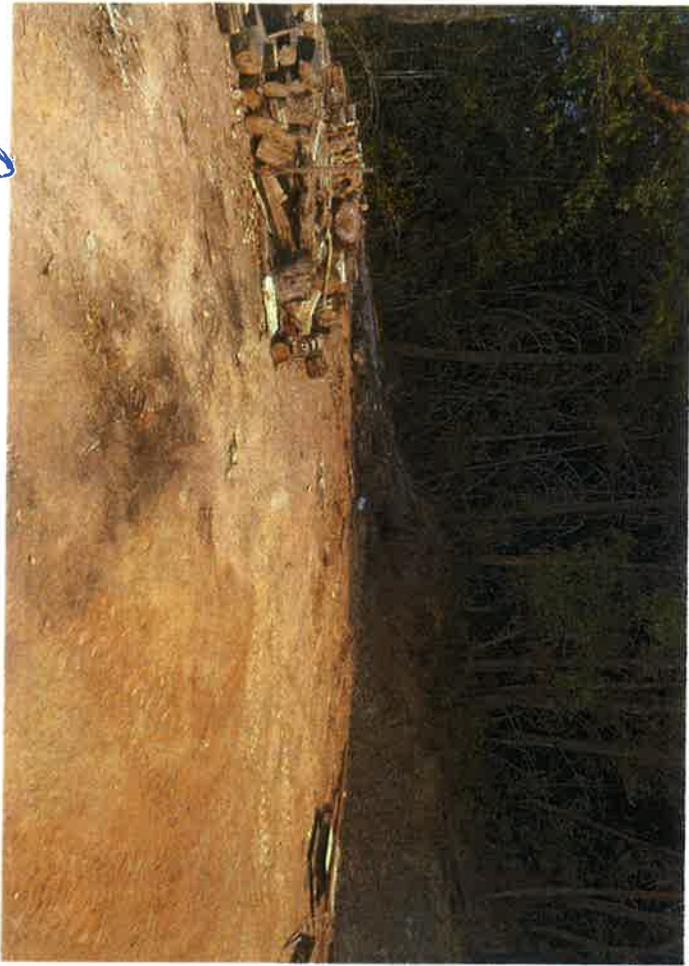
Date: 8-22-17

Note: Remember to take photographs and then save them to the Planning's case number. File location J, Current Planning, Projects,(CUP, SP, ZCC) Case number.

Red
Site ↗

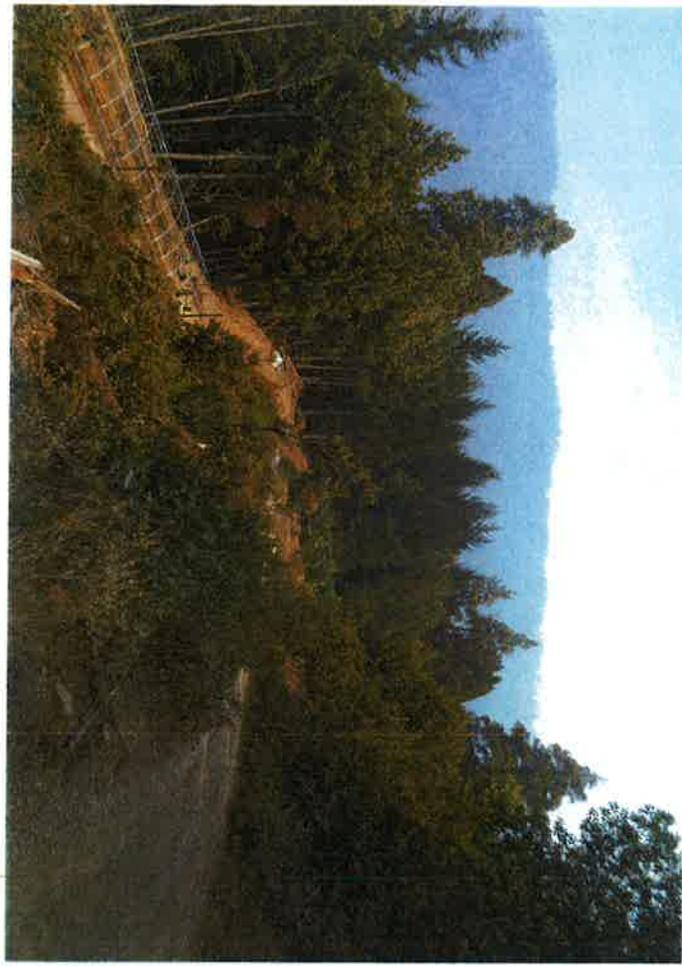
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523-021-803



Site 2

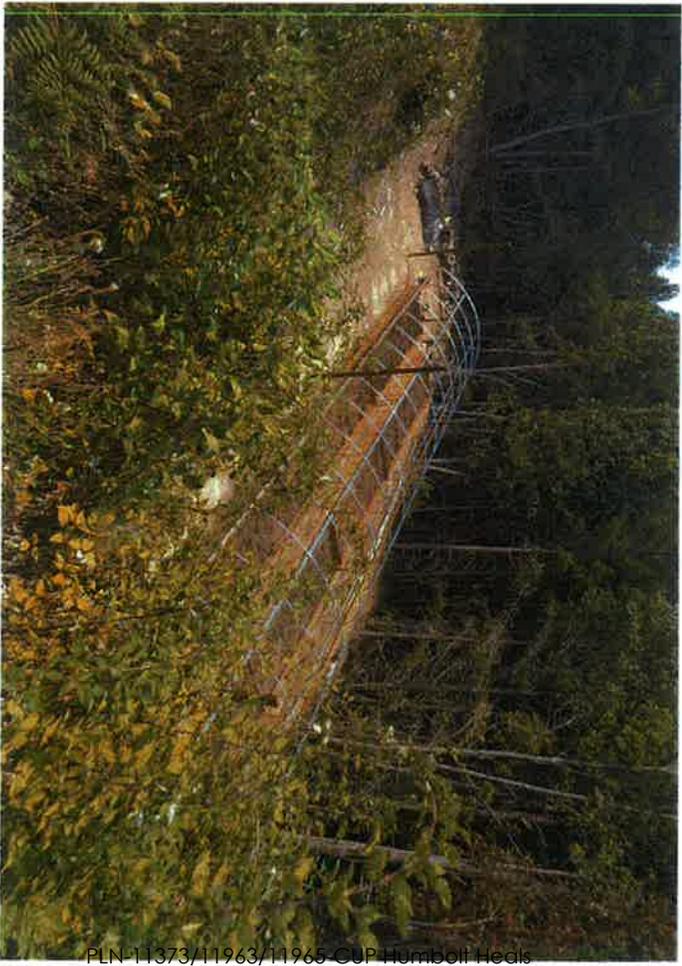
Site 2



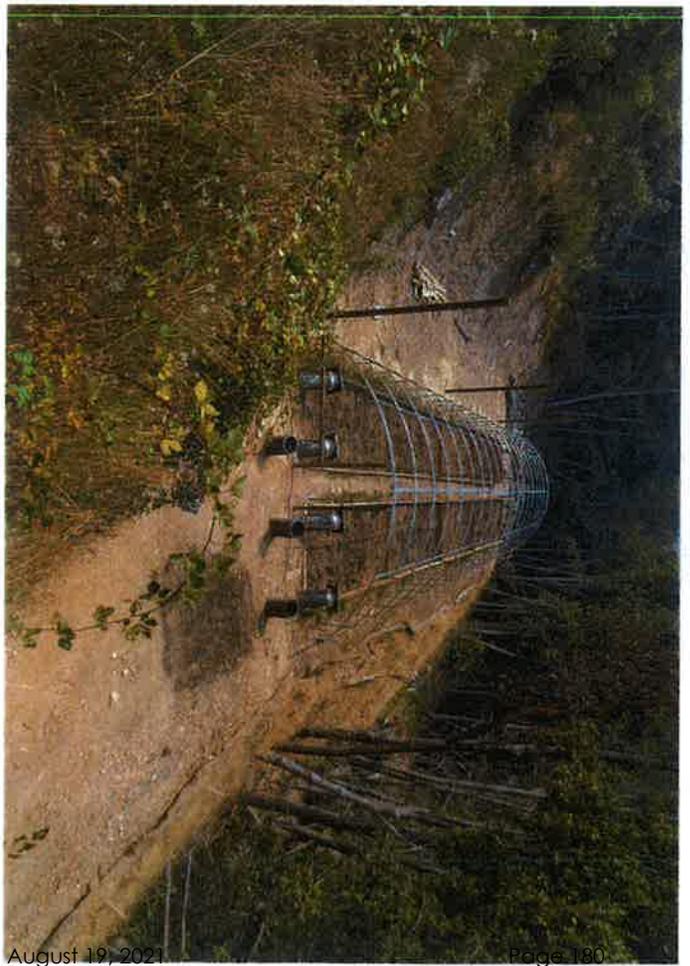
Site 1



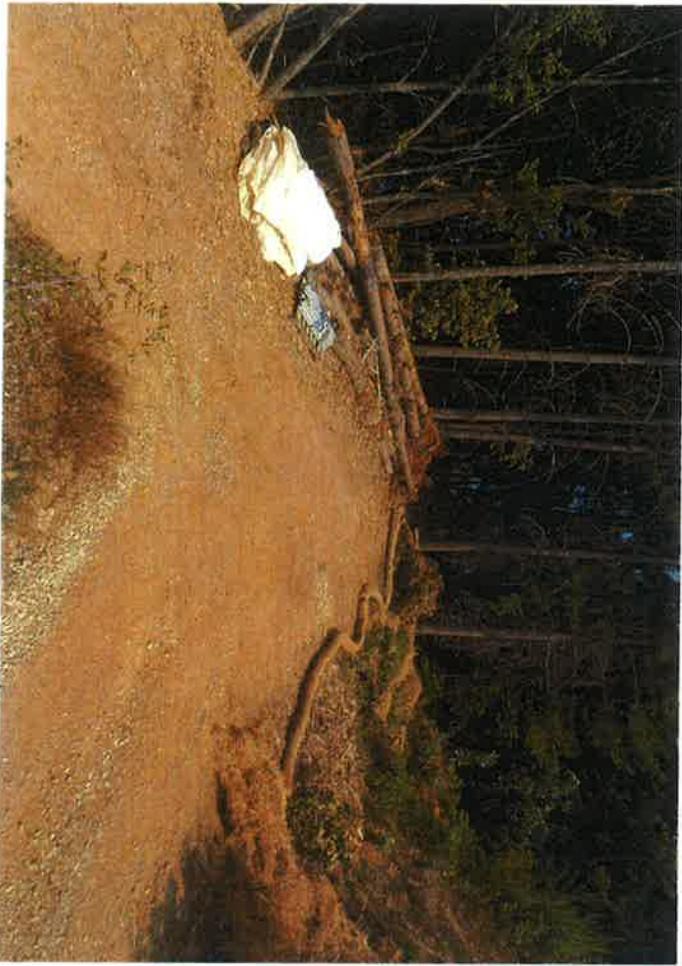
Site 2



Site 2 Grading



8-21-17 5-23-021-003



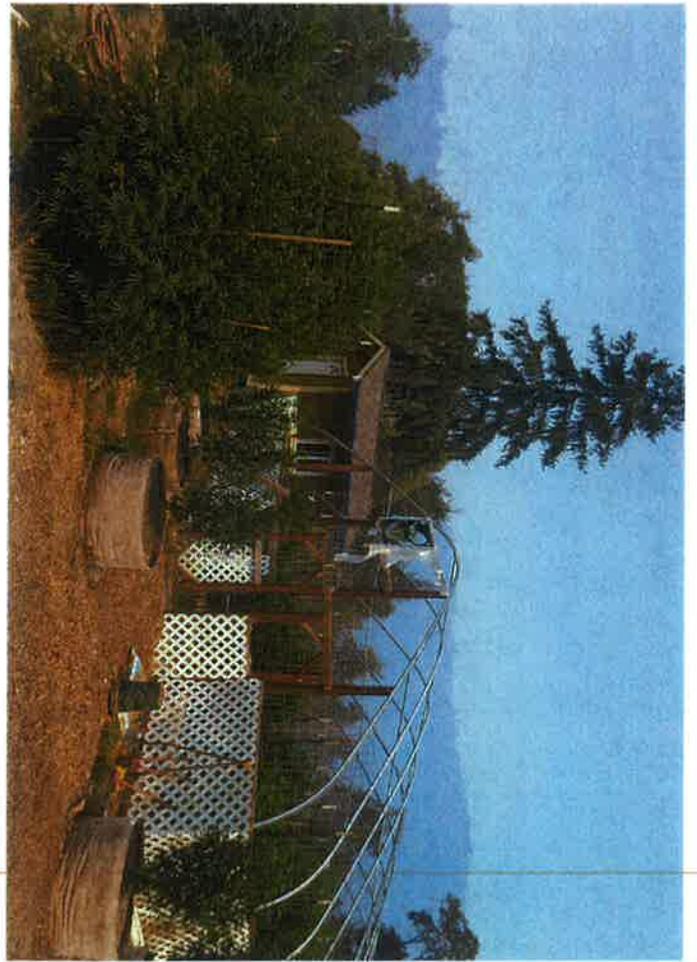
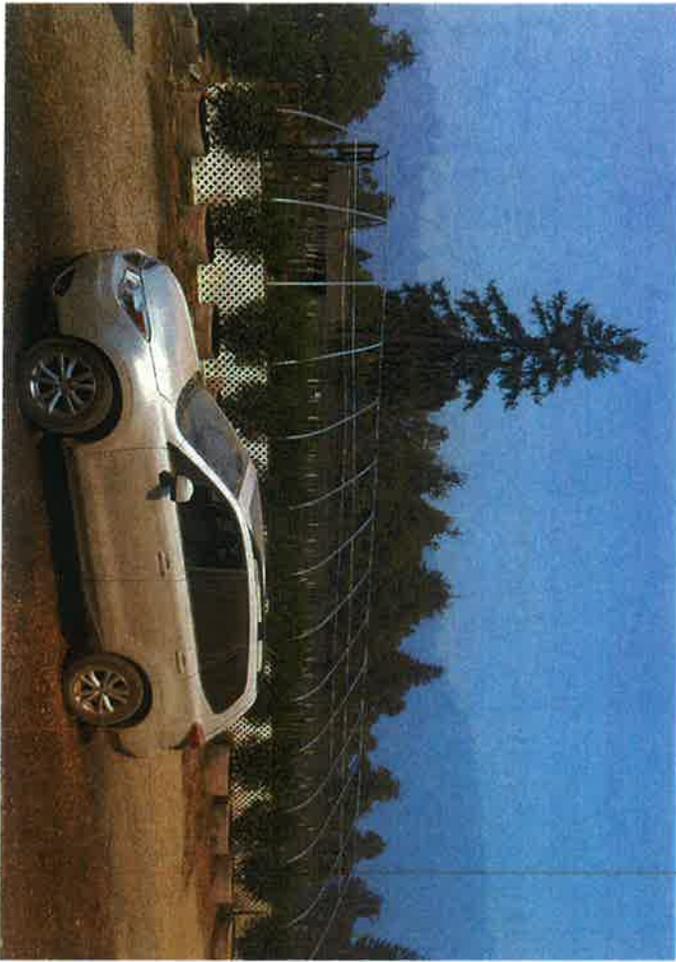
PLN-11373/11963/11965-CUP Humboldt Heals



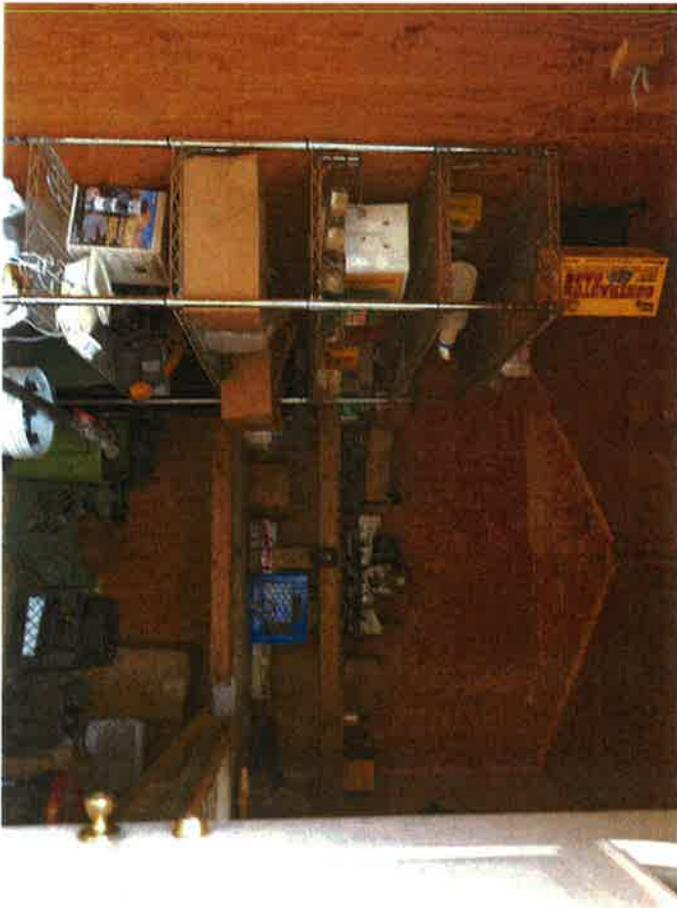
August 19, 2021

Bladder

Site 3

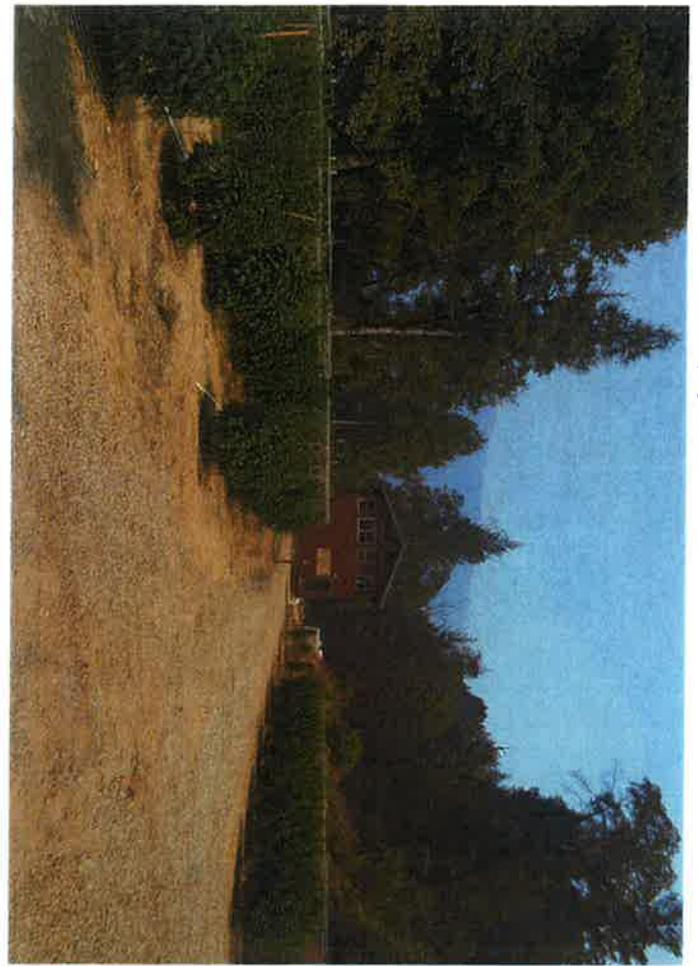
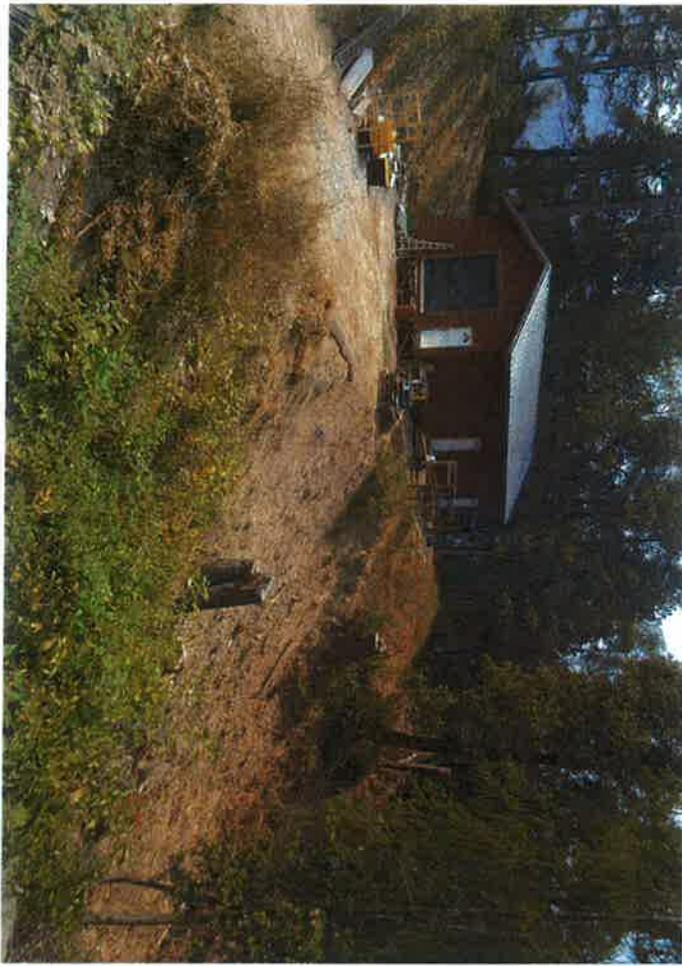


Site 3

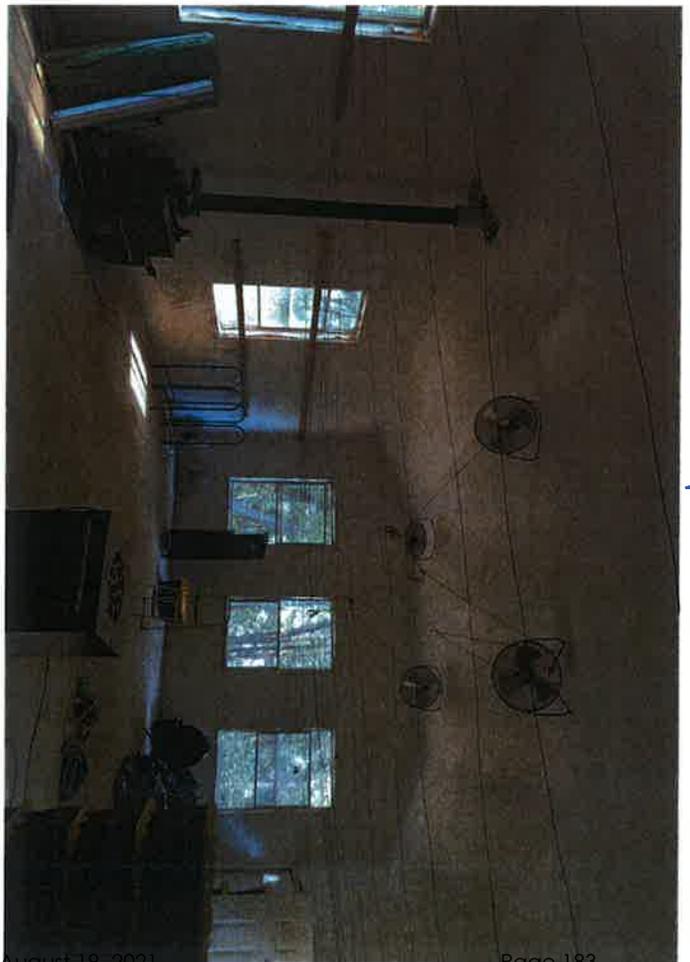
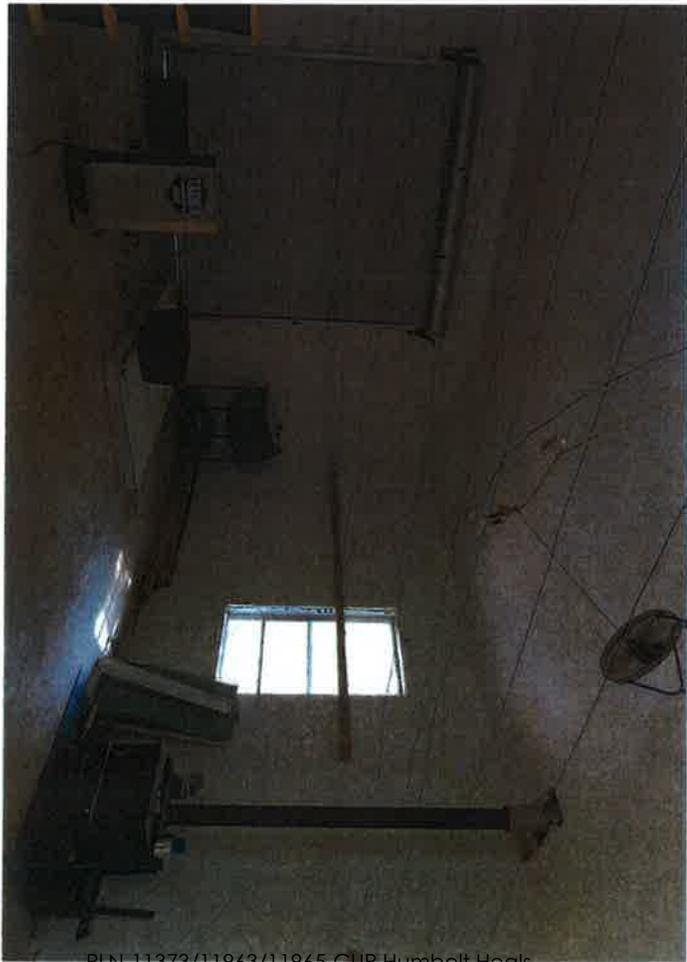


Shop Site 5

Shop 8-21-17 523-081-003



Residence

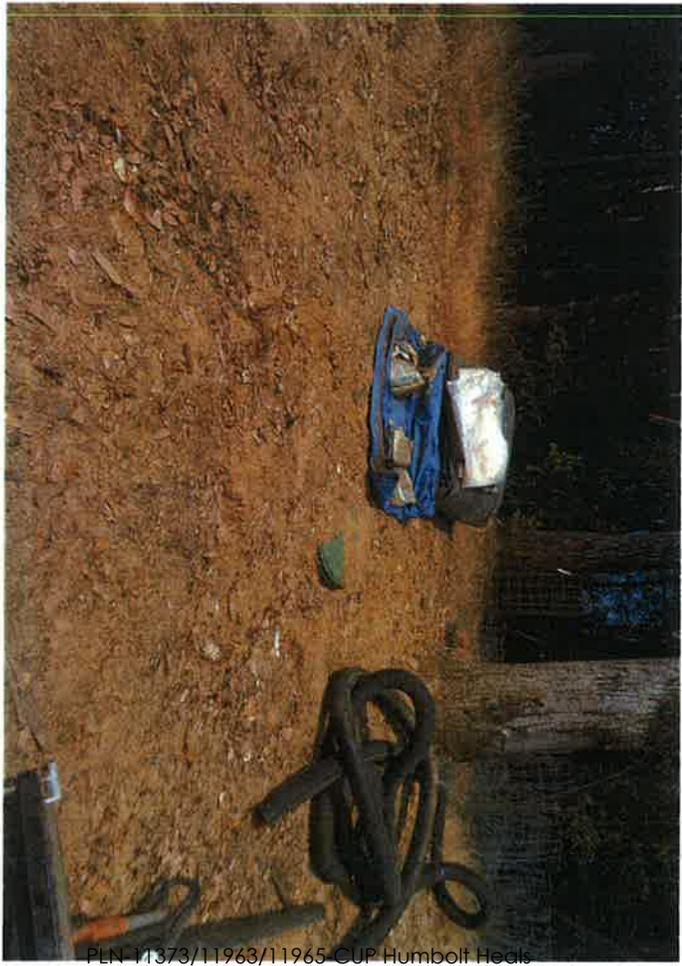


Shop

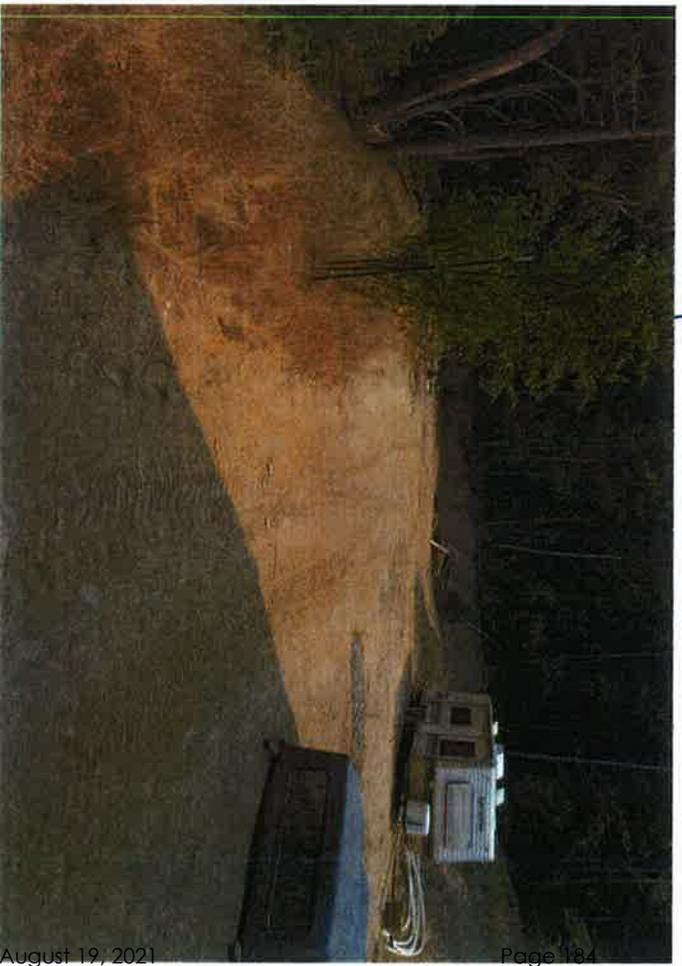
Residence



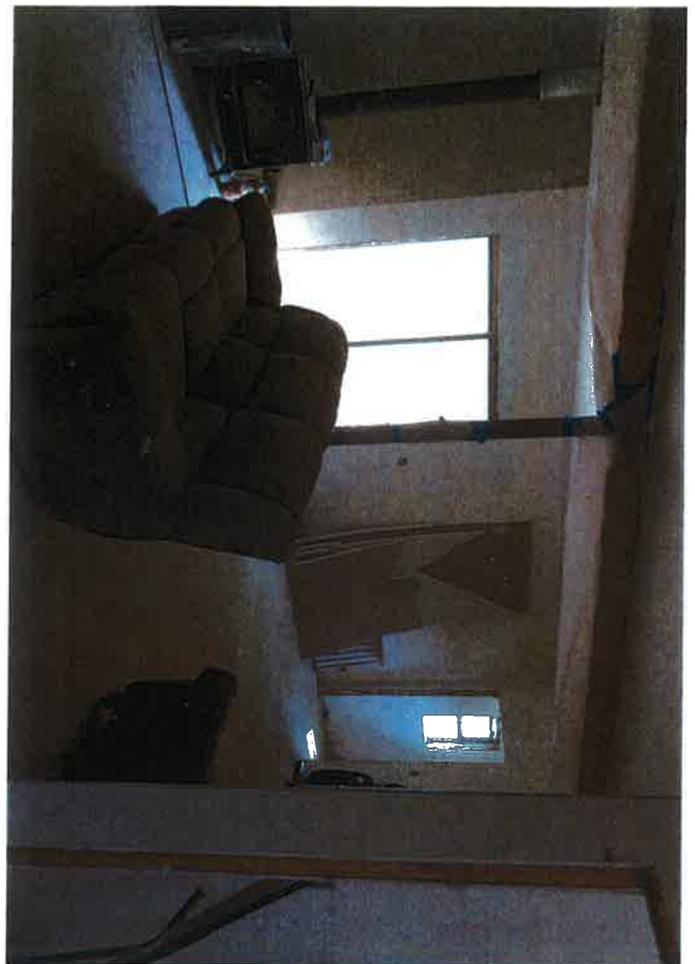
Septic



Pond site



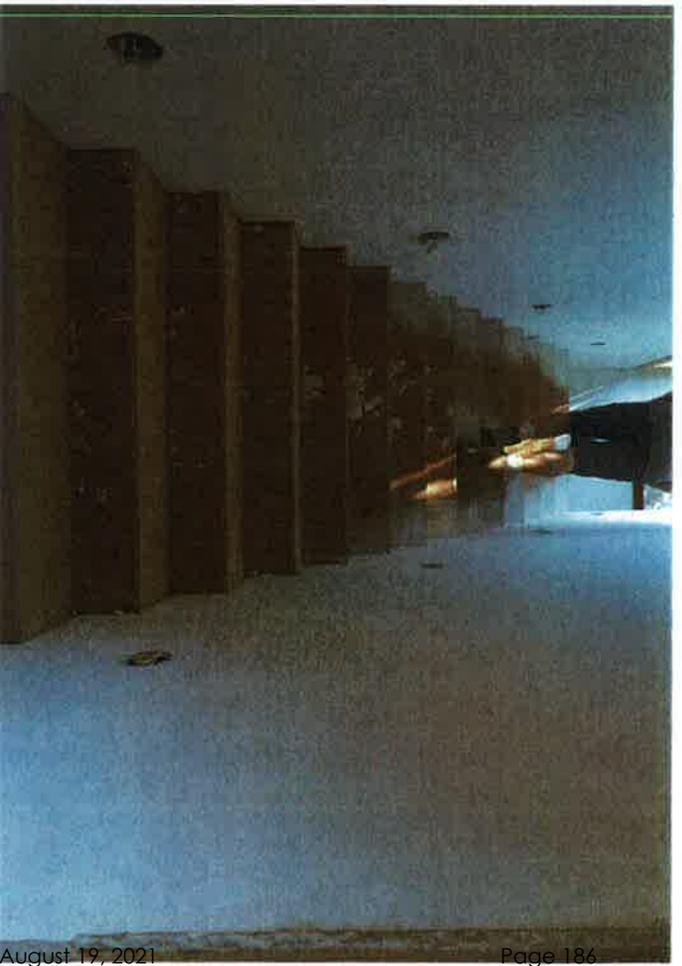
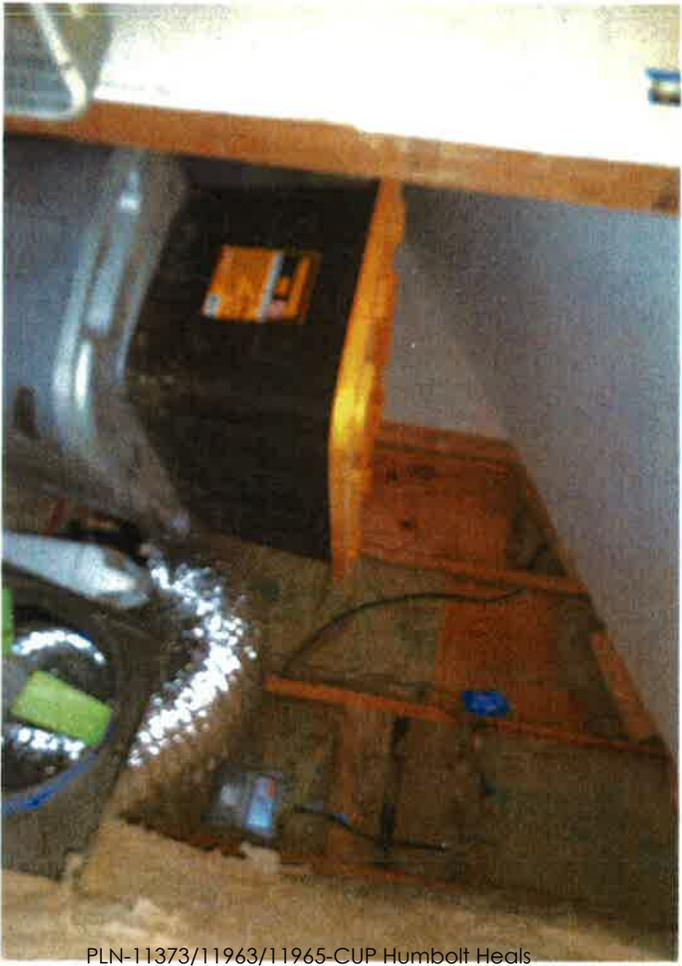
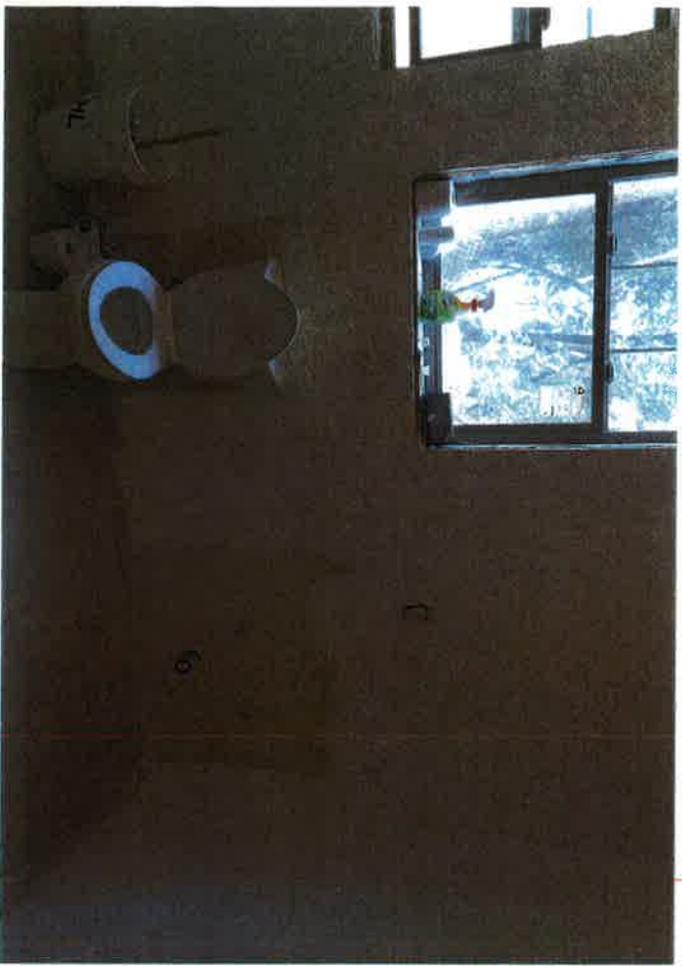
8-21-17 523-021-003



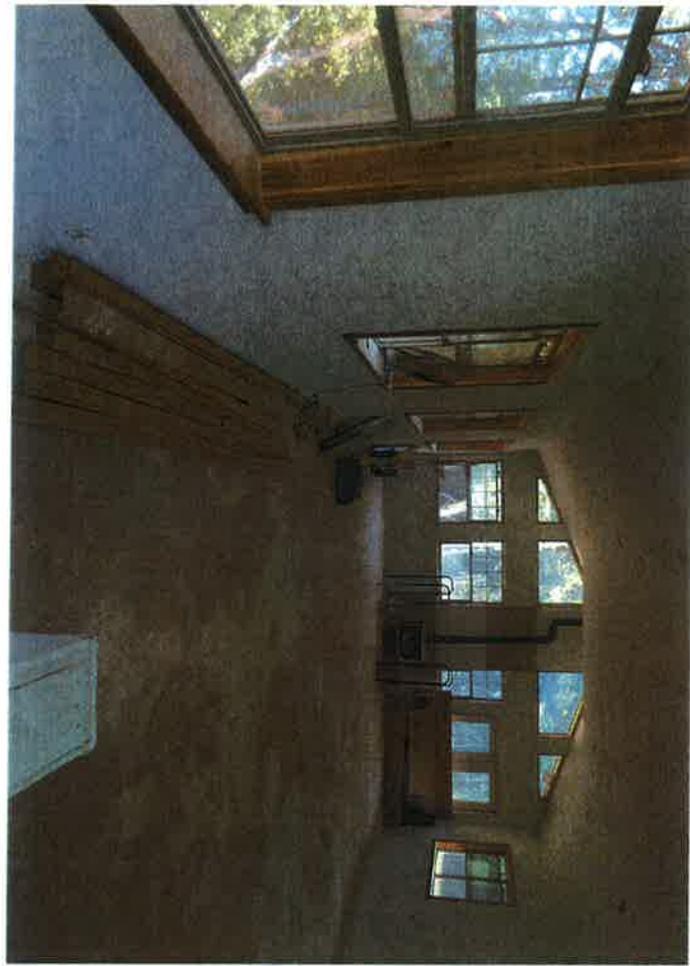
Residence



Residans.



8-21-17 523-621-003



2nd Fl Residence





0 350 700 1,400 Feet
 0 0.05 0.1 0.2 Miles
 1 in = 752 ft
 RF = 1:9,028

Sources: NRCES
 Humboldt County GIS
 Healthy Rural Roads
 Esri, HERE, DeLorme, MapmyIndia, © OpenStreetMap contributors, and the GIS user community
 Sources: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community
 FRAP, FEMA, USGS

Highways and Roads

- Principal Arterials
- Minor Arterials
- Major Collectors
- Minor Collectors
- Local Roads

Blue Line Streams

- Perennial 1-3
- Perennial >4

Private or Unclassified

- Major River or Stream
- Intermittent
- Subsurface

City Boundary

- Countries
- Parcels (Owners)

523-021-003

Humboldt County Planning and Building Department

Printed: August 22, 2017 Web AppBuilder 2.0 for ArcGIS

Map Disclaimer:
 While every effort has been made to assure the accuracy of this information, it should be understood that it does not have the force & effect of law, rule, or regulation. Should any difference or error occur, the law will take precedence.

DEPARTMENT OF FORESTRY AND FIRE PROTECTION

Humboldt – Del Norte Unit
118 Fortuna Blvd.
Fortuna, CA 95540
Website: www.fire.ca.gov
(707) 726-1272



Ref: 7100 Planning
Date: August 8, 2017



John Ford, Director
Humboldt County Planning and Building Department – Planning Division
3015 H Street
Eureka, CA 95501

Attention: Cannabis Planner (CPOD)
Applicant: Humboldt Heals
APN: 523-021-003-000
Area: Willow Creek
Case Numbers: CUP16-471

Humboldt County Application #: 11963
Type of Application: Conditional Use Permit
Date Received: 8/7/2017
Due Date: 8/19/2017

Project Description: A Conditional Use Permit for 16,580 square feet of existing outdoor medical cannabis cultivation. The water source is a well. Water storage is in tanks totaling 13,000 gallons. The estimated water usage to support the cultivation is 83,000 gallons annually. A 200,000 gallon rainwater catchment pond is proposed. Processing including drying, curing and trimming will occur on-site in an existing building. The average number of employees will be two (2). Electricity is provided by a generator.

Mr. Ford,

The California Department of Forestry and Fire Protection (CALFIRE) provides these standard project review comments on the above noted project for the following subject matter:

- Fire Safe
- Resource Management
- Cannabis

The following pages address these concerns directly.

If CALFIRE staff develops additional comment on this project, it will be forwarded in an additional response letter.

By: Planning Battalion
CALFIRE Humboldt – Del Norte Unit

For **Hugh Scanlon**, Unit Chief

FIRE SAFE

General:

CALFIRE has responsibility for enforcement of Fire Safe Standards as required by Public Resources Code (PRC) 4290 and 4291. However CALFIRE is not the lead agency in planning development and project permitting. CALFIRE provides input as a contributing agency, generally limited to plan review, and is not the approving agency for these projects.

Local Responsibility Areas:

Should this project include Local Responsibility Area (LRA) lands, CALFIRE has no direct fire safe input on those parcels. However, in those areas with LRA parcels adjacent to State Responsibility Area (SRA) land, CALFIRE recommends that local standards be applied that are consistent with those CALFIRE makes for SRA lands.

State Responsibility Areas:

Should this project include State Responsibility Area (SRA) lands, the following are CALFIRE's Fire Safe minimum input and recommendation for any and all development.

1. In Humboldt County, developments must meet minimum fire safe standards by constructing the project in conformance with County Fire Safe Ordinance 1952, which the California Board of Forestry and Fire Protection has accepted as functionally equivalent to PRC 4290. The County Fire Safe Ordinance provides specific standards for roads providing ingress and egress, signing of streets and buildings, minimum water supply requirements, and setback distances for maintaining defensible space.
2. New buildings located in any Fire Hazard Severity Zone within State Responsibility Areas shall comply with the 2007 California Building Code (CBC) Section 701A.3.2. This requires roofing assemblies, attic and eave ventilation, exterior siding, decking and deck enclosure, windows and exterior doors, and exposed under floor areas that are approved "ignition resistive" in design.
3. All development, especially commercial or industrial development, should be designed to comply with the most current versions of the following standards:
 - a) California Fire Code (CFC) — for overall design standards
 - b) Public Utilities Commission (PUC) General Order 103 — for design of water systems
 - c) National Fire Protection Association Standards (NFPA) for fire flow minimums and other design questions not specifically covered by CFC and PUC
 - d) Housing and Community Development Codes and Standards —for mobile home parks and recreational camps
4. For Department of Real Estate reporting purposes, fire protection coverage in SRA is generally described as follows:

During the declared fire season (usually June through October) CALFIRE responds to all types of fires and emergencies in SRA.

During the remainder of the year (winter period), CALFIRE responds to emergency requests with the closest available fire engine, if a response can reasonably be expected to arrive in time to be effective. A fire engine is usually available somewhere in the Unit, but may have an extended response time.

There are many hazards confronting fire protection agencies in most subdivisions on SRA lands. Steep terrain and heavy wildland fuels contribute to fire intensity and spread. The distances from fire stations and road grades encountered usually create an excessive response time for effective structure fire suppression purposes.

Subdivisions increase fire risks from additional people and increase probable dollar losses in the event of fire due to added structures and improvements.
5. If the project expects to produce densities consistent with a major subdivision, the impacts on all infrastructures should be mitigated. Local government more appropriately provides the responsibility for high-density area protection and services. Annexation or inclusion into Local Responsibility Area should be studied as well.

6. CALFIRE does not support development in areas where there is no local agency fire service for structure fires and emergency medical response. Fire services should be extended into service gap areas as a condition of development. New development can adversely impact existing fire services. Careful consideration must be given where development may overload the local fire service's ability to respond.

RESOURCE MANAGEMENT

CALFIRE has enforcement responsibility for requirements of the Z'berg—Nejedly Forest Practice Act of 1973. CALFIRE is also the lead agency for those parts of projects involving the scope of the Forest Practice Act. The following basic input will cover the majority of projects. Each project will be reviewed with additional input sent at a later date, if needed.

The following comments reflect the basic Resource Management policies of the Board of Forestry and Fire Protection and CALFIRE on CEQA review requests. These policies apply to both Local and State Responsibility Areas.

1. If this project reduces the amount of timberland, by policy, the Board of Forestry and CALFIRE cannot support any project that will reduce the timberland base of California. "Timberland" means land which is available for, and capable of, growing a crop of trees of any commercial species used to produce lumber and other forest products, including Christmas trees regardless of current zoning (PRC 4526). However, if the zoning and intended use are consistent with the county's general plan; and if no land other than timberland can be identified to site the project; then CALFIRE may choose not to oppose the project.
2. If **any** commercial timber operations are involved with a project, the timber operations cannot be conducted without a CAL FIRE permit. Commercial timber operations include the cutting or removal of trees offered for sale, barter, exchange, or trade or the conversion of timberlands to land uses other than the growing of timber (PRC 4527). Contact your nearest CAL FIRE Resource Management office for guidance on obtaining the necessary permits.
3. If **any** timberlands are being converted to a non-timber growing use by this project, the conversion operations cannot be conducted without a CAL FIRE permit (PRC 4621). Conversion of timberland takes place when trees are removed and the land use changes, even without the sale, barter, exchange, or trade of the trees. Contact your nearest CAL FIRE Resource Management office for guidance on obtaining the necessary permits.
4. If timberland is in the viewshed of a project, the current and future owners should be overtly notified that changes will occur to their views due to timber management activities. Further, no project should be allowed to negatively affect access to timberland for timber management purposes; neither on the project parcel(s) nor any other timberland parcels.
5. If timber harvesting has occurred and post-harvest restocking and prescribed erosion control maintenance obligations have not been met on a parcel, future owners should be overtly notified (14 CCR 1042). The current owner of a parcel is responsible for restocking requirements and maintenance of roads whether or not they were involved in the actual harvest plan.
6. If the project involves the development of parcels zoned as Timber Production Zone (TPZ), CALFIRE cannot support the project. Dividing TPZ land into parcels of less than 160 acres requires a Joint Timber Management plan prepared by a Registered Professional Forester (RPF), recorded as a deed restriction for a minimum of 10-years on all affected parcels, and approved by a four – fifths vote of the full board (Govt. Code 51119.5). TPZ may be rezoned using a "Ten Year Phase Out," which precludes the need for a Timberland Conversion Permit. CALFIRE opposes immediate rezoning of TPZ land.

Cannabis

General:

CALFIRE has responsibility for enforcement of Fire Safe Standards as required by Public Resources Code (PRC) 4290 and 4291. CALFIRE is not the lead agency in planning development and project permitting. However, CALFIRE provides comment as an emergency response expert agency, generally limited to plan review, and is not the approving agency for these projects.

Local Responsibility Areas:

Should this project include Local Responsibility Area (LRA) lands, CALFIRE has no direct fire safe input on those parcels. However, in those areas with LRA parcels adjacent to State Responsibility Area (SRA) land, CALFIRE recommends that local standards be applied that are consistent with those CALFIRE makes for SRA lands. Also CAL FIRE is the primary command and control dispatch, for most local agency fire districts and departments.

State Responsibility Areas:

Should this project include State Responsibility Area (SRA) lands, the following are CALFIRE's minimum input.

1. Agricultural cannabis growing operations medicinal or commercial shall have an easily accessible material safety data sheet (MSDS) or safety data sheet (SDS) for all chemicals and hazardous materials on site. Posted (NFPA 704) Placard clearly visible to emergency responders
2. California code of regulations Health and Safety (CCR 11362.769.) Indoor and outdoor medical marijuana cultivation shall be conducted in accordance with state and local laws related to land conversion, grading, electricity usage, water usage, water quality, woodland and riparian habitat protection, agricultural discharges, and similar matters. State agencies, including, but not limited to, the State Board of Forestry and Fire Protection, the Department of fish and Wildlife, the State Water Resources Control Board, the California regional water quality control boards, and traditional state law enforcement agencies shall address environmental impacts of medical marijuana cultivation and shall coordinate, when appropriate, with cities and counties and their law enforcement agencies in enforcement efforts.
3. International Fire Code (N101.1 Scope) Marijuana growing and extraction shall be in accordance with this chapter, of the International Building Code, and the International Mechanical Code. Cryogenic fluids shall comply with Chapter 55. Compressed gases shall comply with Chapter 53. Flammable and combustible liquids shall comply with Chapter 57. Hazardous materials shall comply with Chapter 50. LP-gas shall comply with Chapter 61 and the International Fuel Gas Code. All applicable California State Fire Marshal standards and regulations for the designated occupancy must be met.
4. Growing marijuana and the extracting of oils
Extraction of marijuana oils; All materials hazardous and non-hazardous associated with the extraction process shall be utilized in conformance of the law and fire safe codes.



DEPARTMENT OF FORESTRY AND FIRE PROTECTION

Website: www.fire.ca.gov

March 13, 2018

TIMOTHY BUSMAN
ESHEA BENNETT
PO BOX 1174
BLUE LAKE, CA 95525

NOTICE OF VIOLATION OF FOREST PRACTICE LAWS

Section 4604 of the Public Resources Code (PRC) requires the department to inspect timber operations for compliance with the Forest Practice Act and rules of the Board of Forestry and Fire Protection. Violations may be cause for prosecution as a misdemeanor (Public Resources Code 4601), action against a Timber Operator License (PRC 4573 and 4576), injunction action (PRC 4605 and 4606), or a combination of the foregoing actions. Civil penalties may also be imposed (see PRC 4601.1). The following letter details code sections violated, mitigations required and date by which all work must be completed.

Harvest Document: 1-18NON-003-HUM
Violators: TIMOTHY BUSMAN & ESHEA BENNETT
Inspection Date: March 13, 2018
Inspection Type: OTHER
Inspection Number: 1
Person Contacted: N/A

These violations only apply to those listed as the “Violator”. The “Notice” to others is for **informational purposes only**.

VIOLATION OF PRC 4621 (a) Application For Conversion

Violator(s): Timothy Busman & Eshea Bennett

RULE: Any person who owns timberlands which are to be devoted to uses other than the growing of timber shall file an application for conversion with the Board.

VIOLATION: Timothy Busman & Eshea Bennett converted timberland to uses other than the growing of timber on property identified as Humboldt County Assessor Parcel # 523-021-003-000. The converted timberland is being used for permanent structures and greenhouses. Humboldt County Assessor records listed Timothy Busman & Eshea Bennett as the landowner at the time the conversions took place.

MITIGATION: Not applicable.

COMMENT: By converting 1 acre of timberland to uses other than the growing of trees, Timothy Busman & Eshea Bennett conducted commercial timber operations in the area converted. Timothy Busman & Eshea Bennett did not apply for, nor did it obtain a valid

Conversion Permit or conversion exemption prior to converting the subject timberland for uses other than growing of trees.

VIOLATION OF PRC 4581 Necessity of a Timber Harvest Plan

Violator(s): Timothy Busman & Eshea Bennett

RULE: No person shall conduct timber operations unless a timber harvest plan or applicable exemption prepared by the registered professional forester has been submitted for such operations to the department pursuant to this article. Such plan shall be required in addition to the license required in section 4571.

VIOLATION: Timothy Busman & Eshea Bennett conducted timber operations without a Timber Harvest Plan or valid harvest document by removing timber for the purpose of permanent structures and cultivation, located on property identified as Humboldt County Assessor Parcel # 523-021-003-000. The total acreage of the conversion area is approximately 1 acre, which requires a conversion permit or Less Than 3 Acre Conversion Exemption.

MITIGATION: Not applicable.

COMMENT: Timber Operations is defined by PRC4527

(a) (1) "Timber operations" means the cutting or removal, or both, of timber or other solid wood forest products, including Christmas trees, from timberlands for commercial purposes, together with all the incidental work, including, but not limited to, construction and maintenance of roads, fuel breaks, firebreaks, stream crossings, landings, skid trails, and beds for the falling of trees, fire hazard abatement, and site preparation that involves disturbance of soil or burning of vegetation following timber harvesting activities conducted after January 1, 1988, but excluding preparatory work such as tree marking, surveying, or road flagging.

(2) "Commercial purposes" includes (A) the cutting or removal of trees that are processed into logs, lumber, or other wood products and offered for sale, barter, exchange, or trade, or (B) the cutting or removal of trees or other forest products during the conversion of timberlands to land uses other than the growing of timber that are subject to the provisions of Section 4621, including, but not limited to, residential or commercial developments, production of other agricultural crops, recreational developments, ski developments, water development projects, and transportation projects.

Clearing timberland for the purpose of constructing greenhouses and cultivation meets the definition of a commercial purpose. By converting approximately 1 acre of timberland, Timothy Busman & Eshea Bennett conducted timber operations without a required valid Conversion Permit and a valid Timber Harvest Plan, or conversion exemption.

COMMENT: A timberland conversion report was received by the department on March 8, 2018 from RPF Chris Carroll. The report details site conditions of the conversions on the subject parcel. This report, combined with analysis of satellite imagery, confirms the existence of unpermitted timberland conversions and therefore a site inspection was not deemed necessary. No further enforcement action by CAL FIRE is anticipated at this time.

If you have any question about this matter, please contact Chris Poli at 707-599-0609

Signature

CHRIS POLI
Forester I
Humboldt-Del Norte Unit
P.O. Box 749, Trinidad, CA 95580
707-677-0761 office
707-599-0609 cell

cc: Unit, Region, TLO, RPF



HUMBOLDT COUNTY
 PLANNING AND BUILDING DEPARTMENT
 CURRENT PLANNING DIVISION
 3015 H STREET, EUREKA, CA 95501 ~ PHONE (707) 445-7541

DEH received
 8-7-17

PROJECT REFERRAL TO: Health and Human Services Environmental Health Division

17/18-0236

Project Referred To The Following Agencies:

Building Inspection Division, Public Works Land Use Division, Health and Human Services Environmental Health Division, Supervising Planner, Current Planning Division, County Counsel, CalFire, California Department of Fish And Wildlife, Northwest Information Center, Hoopa Valley Tribe, Tsnungwe Council, Regional Water Quality Control Board, Humboldt County District Attorney, Humboldt County Agriculture Commissioner, Klamath Trinity Jt School District, Sheriff, Calfire- Timber Conversion Report, US Forest Service

Applicant Name Humboldt Heals **Key Parcel Number** 523-021-003-000

Application (APPS#) 11963 **Assigned Planner** Cannabis Planner (CPOD) (707) 445-7541 **Case Number(s)** CUP16-471 SP17-128

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

We have reviewed the above application and recommend the following:

Conditional Approval

DISTRIBUTED
 4-11-18

Comments:

- DEH recommends approval with the following conditions:
- (1) **No processing can be approved** until an acceptable site suitability report can establish potential for onsite waste treatment system.
 - (2) **An invoice, or equivalent documentation, is provided to DEH** to confirm the continual use of portable toilets to serve the needs of cultivation staff prior to reissuance of annual permit.

*This review and recommendation is for the Land Use aspects of the planning project and does not include or imply compliance with all DEH programs. Although DEH recommends the approval of the Planning project, Solid Waste and HazMat Program requirements need to be addressed directly with staff from those programs.



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

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



ARCATA-EUREKA AIRPORT TERMINAL
MCKINLEYVILLE
FAX 839-3596

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

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

AVIATION 839-5401

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

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

LAND USE 445-7205

LAND USE DIVISION INTEROFFICE MEMORANDUM

TO: Michelle Nielsen, Senior Planner, Planning & Building Department

FROM: Kenneth M. Freed, Assistant Engineer

DATE: 1-09-2018

RE:

Applicant Name	HUMBOLDT HEALS
APN	523-021-003
APPS#	11963

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"**. **No re-refer is required.**

*Note: Exhibits are attached as necessary.

Additional comments/notes:

Review Items 2&4 on Exhibit "C"

// END //

Additional Review is Required by Planning & Building Staff

APPS # 11963

All of the following questions are to be answered by Planning and Building Department staff. No further involvement with the Department of Public Works is required for these items; however Public Works staff is available to answer any questions that may arise.

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

[] YES [] NO

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

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

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

[] YES [] NO

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

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

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

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

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

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

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

If YES, include the following requirement:

The applicant shall cause to be dedicated to the County of Humboldt an Avigation Easement. The avigation easement shall be on the form prescribed by the Department of Public Works. This condition shall be completed to the satisfaction of the Department of Public Works prior to commencing operations, final sign-off for a building permit, or Public Works approval for a business license.

Exhibit "C"

Additional Review is Required by Planning & Building Staff

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

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

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

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

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

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

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

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

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

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

// END //

Exhibit "D"

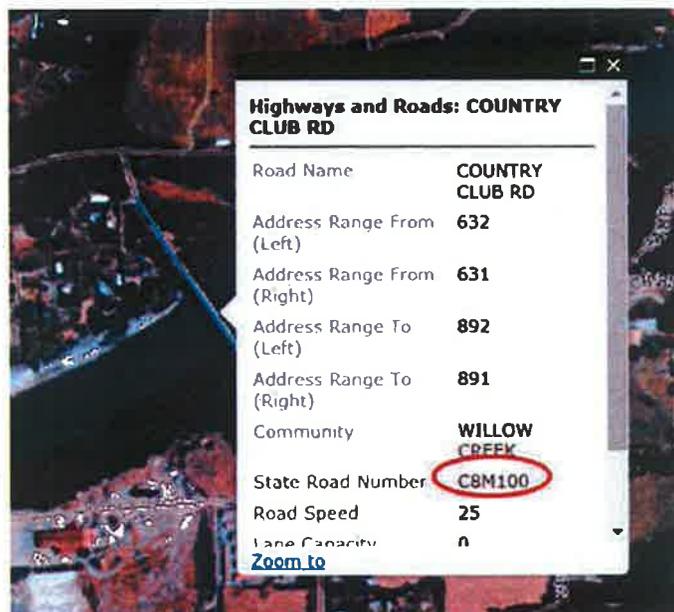
Road Evaluation Reports

1. **ROADS – Road Evaluation Reports.** **Planning and Building Department staff shall request that the applicant provide Road Evaluation Reports for the project.** The particular roads that require a *Road Evaluation Report* is to be determined by following the guidance shown below.

The Department has developed a *Road Evaluation Report* form so that an applicant can address the adequacy of the various roads used by their project. Most projects will require that a *Road Evaluation Report* form be completed.

When viewing the project site on google earth, if the County maintained road (or other publicly maintained road) has a centerline stripe, the road is adequate. If there is no centerline stripe, then the roads leading from the nearest publicly maintained road with a paved centerline stripe (or a known category 4 road) must be evaluated. A separate *Road Evaluation Report* form is needed for each road. This applies to all roads regardless if they are publicly or privately maintained. The Department has prepared a "approved list" of known County maintained roads that are category 4 (or are equivalent to category 4) standards for cannabis projects. The Department has also prepared a list of roads that are known to not meet road category 4 of equivalent. Both of these lists will be updated as the County information regarding the County maintained roads becomes available.

The *Road Evaluation Report* form needs to be provided to applicants to complete. It is important that Planning and Building Department staff provide the applicant with a map that has the roads to be evaluated highlighted. This will most likely include a combination of County maintained roads and non-County maintained roads. This will give the applicant clear direction on which roads need to be evaluated.



Above: screenshot from the WebGIS showing County Road Number circled in **RED**.

A County maintained road will have a 5 or 6 character identifier. The general format is **ABCDDD** where:

- A** is an optional identifier for the functionality of the road (A=Arterial, C=Collector, F=Federal Aid)
- B** is a grid identifier number for the X-axis of a "battleship" style grid that was drawn on a county map to divide the county into a series of squares.
- C** is a grid identifier letter for the Y-axis for the grid.
- DDD** is a three digit road identification number within a particular grid. Each grid can have up to 999 roads in them

Examples:

ABCDDD

A 3 M 0 2 0 Murray Road
F 6 B 1 6 5 Alderpoint Road
6 C 0 4 0 Thomas Road

Exhibit "D"

Road Evaluation Reports

The Department is working towards identifying which County maintained roads meet (or are equivalent to) Road Category 4 standards for cannabis projects. Two lists are being prepared: the first list with the green heading shows which roads (or portions thereof) meet or are equivalent to Road Category 4 standard (AKA "Approved List"); and the second list with the red heading shows which roads (or portions thereof) that do not meet or are not equivalent to Road Category 4 standards. These lists will be updated as information becomes available. **This list will be updated frequently. Make sure you are using the most up to date list.**

On occasion there may be more than one road that has the same name; in these instances check the road number to ensure that you are referencing the correct road. Until such time as the GIS roads layer has been proofed by the Department, the GIS is not to be used for this task. Use the paper road maps to check road numbers.

If the subject property takes direct access from a road on the "approved list", no further road evaluation needs to be done.

"APPROVED LIST"		
List of County Maintained Roads that meet (or are equivalent to) Road Category 4 standards for Cannabis Projects		
Road Name	Road Number	Range meeting (or equivalent to) Road Category 4 standard
Alderpoint Road	F6B165	All
Brannon Mountain Road	7M100	State Hwy 96 to Creekside Lane
Briceland Thorne Road	F5A010	All
Fickle Hill Road	C5J040	Arcata city limits at PM [] to PM [] [end of centerline stripe]
Fieldbrook Road	C4L760	All
Freshwater Road	F6F060	All
Friday Ridge Road	8L100	State Hwy 299 to PM 3.37[End of County maintained] then becomes USFS Road
Greenwood Heights Drive	C4K160	All
Kneeland Road		Freshwater Road to Mountain View Road
Maple Creek Road	5L100	All
Mattole Road	F3D010	All
Mattole Road	F3C010	All
Murray Road	C3M020	All
Patterson Road	C3M130	All
Shelter Cove Road	C4A010	All
Sprowel Creek Road	C6B095	PM 0.0 to PM 2.11
Sprowel Creek Road	6B095	PM 2.11 to PM 4.00
Titlow Hill Road	7K100	Hwy 299 to PM 4.7[End of County maintained] then becomes USFS Road
West End Road	5L010	PM 0.0 at Arcata City Limits to Warren Creek Road
Wilder Ridge Road	C5B010	All

List of County Maintained Roads that do not meet (or are not equivalent to) Road Category 4 standards for Cannabis Projects		
Road Name	Road Number	Range not meeting (or not equivalent to) Road Category 4 standard
Brannon Mountain Road		Creekside Lane to PM 5.0 [End of County maintained] then becomes USFS Road
Warren Creek Road	5L740	PM 0.0 to PM 0.95 [End of County maintained]
Sprowel Creek Road	6B095	PM 4.00 to PM 7.22 [End of County maintained]

// END //



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

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

ARCATA-EUREKA AIRPORT TERMINAL
McKINLEYVILLE
FAX 839-3596

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

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

AVIATION 839-5401

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

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

LAND USE 445-7205

LAND USE DIVISION INTEROFFICE MEMORANDUM

TO: Caitlin Castellano, Planner, Planning & Building Department
FROM: Kenneth M. Freed, Assistant Engineer *KF*
DATE: 10/10/2018

RE:

Applicant Name	HUMBOLDT HEALS
APN	523-021-003
APPS#	11963
CASE#	CUP16-471 SP17-128

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"**. **No re-refer is required.**

*Note: Exhibits are attached as necessary.

Additional comments/notes:

Applicant has submitted a road evaluation report, stamped received by the Humboldt County Planning Division on August 13, 2018, with Part A –Box 3 and Part B #3 checked, certifying that the roadway can accommodate the cumulative increased traffic from this project and all known cannabis projects identified above, if the recommendations on the submitted report are completed/implemented.

The Department recommends that all recommendations mentioned in the road evaluation report by Trinity Valley Engineering for non-county maintained road(s) be constructed/implemented to the satisfaction of the Planning & Building Department prior to commencing operations or final sign-off for a building permit. The evaluation report mentions excessive road grades (up to 30%) but fails to address solutions on how to bring into compliance with Fire Safe Regulations (County Code Section 3112-12).

// END //



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



3/14/2019

Project Referred To The Following Agencies:

Supervising Planner, Cal Fish & Wildlife, Hoopa Valley Tribe, RWQCB, District Attorney, AG Commissioner, Klamath-Trinity Joint Unified School District, CalFire, NWIC, Tsnungwe Council, Sheriff, PW Land Use, **Six Rivers NF:US** Forest Service, County Counsel, Building Inspections, Environmental Health, NCUAQMD

Applicant Name Humboldt Heals **Key Parcel Number** 523-021-003-000

Application (APPS#) PLN-11963-CUP Historic Planning **Assigned Planner** Issac Hansen

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

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

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

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

Return Response No Later Than: 3/29/2019

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

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

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

Other Comments: Transportation of cannabis over Forest Service Roads is illegal. See Attached letter.

DATE: 3/15/2019 PRINT NAME: George Frey
Lands & Minerals
Six Rivers N.F.



United States
Department of
Agriculture

Forest
Service

Pacific Southwest Region
Six Rivers National Forest

1330 Bayshore Way
Eureka, CA 95501
707-442-1721
TDD: 707-442-1721
Fax: 707-442-9242

File Code: 1500
Date: August 29, 2018

Michelle Nelson
Planning and Building Department
Humboldt County
3015 H Street
Eureka, CA 95501

Dear Ms. Nelson:

Thank you for providing the USDA Forest Service with the opportunity to provide input to Humboldt County's land use regulations governing cannabis cultivation on private property as they relate to National Forest System (NFS) lands.

The use, cultivation and transportation of cannabis on Forest Service lands is illegal. The Comprehensive Drug Abuse Protection and Control Act of 1970, and more specifically Title II of the act (the Controlled Substances Act), lists cannabis as a Schedule 1 drug. The Forest Service does not have discretion to permit activities on NFS lands that will violate the Controlled Substances Act or any other federal law. The Forest Service cannot authorize any activities related to cannabis operations on public land, such as the cultivation, production, transportation, or distribution of supplies or product.

We recommend that applicants for county cannabis permits who are adjacent to or near Forest Service lands have their parcels surveyed by a professional land surveyor to ensure their operations are not trespassing upon or causing impacts to federal lands. Individuals that cause resource damage, including soil erosion and contamination to Forest Service administered lands from illicit acts including the manufacture of cannabis, may be subject to federal criminal and/or civil action. Permit applicants should be aware that transporting cannabis across an existing right of way on federal lands to access a private parcel, is also illegal under federal law, and violators could face federal criminal action.

We appreciate the opportunity to comment on the county's cannabis-use regulations. If you need further information on this subject, please contact me at (707) 441-3531.

Sincerely,

MICHAEL A. GREEN
Acting Forest Supervisor



RECORD NUMBER: PLN-11965-CUP

Referral Agency	Response	Recommendation	Location
Building Inspection Division	✓	Comments	Attached
Division Environmental Health	✓	Comments	Attached
Public Works, Land Use Division	✓	Comments	Attached
CAL FIRE	✓	Comments	Attached
California Department of Fish & Wildlife		No Response	Attached – staff request for comments
Northwest Information Center	✓	Comments	On file and confidential
Hoopla Valley Tribe		No Response	
Tsungwe Council	✓	Conditional approval	On file and confidential
Klamath-Trinity Joint Unified School District	✓	Comments	Attached
Willow Creek Volunteer Fire Department		No Response	
Humboldt County Sheriff		No Response	
Humboldt County Agricultural Commissioner		No Response	
Humboldt County District Attorney		No Response	
California Department of Water Resources		No Response	
North Coast Unified Air Quality Management District		No Response	
North Coast Regional Water Quality Control Board		No Response	
State Water Resources Control Board – Division of Water Rights		No Response	
U.S. Forest Service		No Response	



HUMBOLDT COUNTY
 PLANNING AND BUILDING DEPARTMENT
 CURRENT PLANNING DIVISION
 3015 H STREET, EUREKA, CA 95501 ~ PHONE (707) 445-7541



12/28/2017

PROJECT REFERRAL TO: Building Inspection Division

Project Referred To The Following Agencies:

Building Inspection Division, Public Works Land Use Division, Health and Human Services Environmental Health Division, County Counsel, CalFire, California Department of Fish And Wildlife, Northwest Information Center, Hoopa Valley Tribe, Tsnungwe Council, Regional Water Quality Control Board, North Coast Unified Air Quality Management District, United States Army Corps of Engineers, Humboldt County District Attorney, Humboldt County Agriculture Commissioner, SWRCB - Division of Water Rights, Sheriff, Klamath-Trinity Joint Unified School District

Applicant Name FloraCanna Cares **Key Parcel Number** 523-026-003-000
Application (APPS#) 11965 **Assigned Planner** Cannabis Planner (CPOD) (707) 445-7541 **Case Number(s)** CUP16-472

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 1/12/2018 Planning Commission Clerk
 County of Humboldt Planning and Building Department
 3015 H Street
 Eureka, CA 95501
E-mail: 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: revise plot plan

DATE: 1/22/18 PRINT NAME: Lan Mion

523-026-003



COUNTY OF HUMBOLDT
PLANNING AND BUILDING DEPARTMENT
BUILDING DIVISION

3015 H STREET EUREKA CA 95501
PHONE: (707) 445-7245 FAX: (707) 445-7446

Building Division's Referral Comments for Cannabis Operations:

Application No.: 4571A apps # 11965
Parcel No.: 523-026-1003
Case No.: CUP16-472

The following comments apply to the proposed project, (check all that apply).

- Site/plot plan appears to be accurate.
- Submit revised site/plot plan showing all of the following items: all grading including ponds and roads, location of any water course including springs, all structure including size and use and all setbacks from the above stated to each other and property lines.

Existing operation appears to have expanded, see comments: _____

Existing structures used in the cannabis operation shall not to be used/occupied until all required permits have been obtained.

Proposed new operation has already started.

Recommend approval based on the condition that all required grading, building, plumbing electrical and mechanical permits and or Agricultural Exemption are obtained.

Other Comments: _____

Name: Ian Mison

Date: 1/22/18

Note: Remember to take photographs and then save them to the Planning's case number. File location J, Current Planning, Projects,(CUP, SP, ZCC) Case number.



From: Poli, Chris@CALFIRE
To: HUU.CEQA@CALFIRE
Cc: [Planning Clerk](#)
Subject: CUP; APN 523-026-003-000; APPS#11965; willow creek; FloraCanna Cares
Date: Thursday, January 04, 2018 11:52:54 AM

No comments at this time

Chris Poli
Forester I - RPF #2930
CAL FIRE
Trinidad Resource Management
Humboldt-Del Norte Unit
P.O. Box 749
Trinidad, CA 95570
Office [\(707\) 677-0761](tel:(707)677-0761)
Cell [\(707\) 599-0609](tel:(707)599-0609)

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DEPARTMENT OF FORESTRY AND FIRE PROTECTION



Humboldt – Del Norte Unit
118 Fortuna Blvd.
Fortuna, CA 95540
Website: www.fire.ca.gov
(707) 726-1272

Ref: 7100 Planning
Date: January 2, 2018

John Ford, Director
Humboldt County Planning and Building Department – Planning Division
3015 H Street
Eureka, CA 95501

Attention: Cannabis Planner
Applicant: FloraCanna Cares
APN: 523-026-003-000
Area: Willow Creek
Case Numbers: CUP16-472

Humboldt County Application #: 11965
Type of Application: Conditional Use Permit
Date Received: 12/29/2017
Due Date: 1/12/2018

Project Description: A Conditional Use Permit for 23,110 square feet (SF) of existing, outdoor, medical cannabis cultivation. Water for irrigation is sourced from an existing on-site well, and a proposed rain catchment pond. Water is stored in hard tanks totaling 19,000 gallons. The applicant proposes to construct a 600,000 gallon rain catchment pond for cultivation activities. Process, including drying and trimming, occurs on-site in existing sheds. Electricity is sourced from generator power.

Mr. Ford,

The California Department of Forestry and Fire Protection (CALFIRE) provides these standard project review comments on the above noted project for the following subject matter:

- Fire Safe
- Resource Management
- Cannabis

The following pages address these concerns directly.

If CALFIRE staff develops additional comment on this project, it will be forwarded in an additional response letter.

By: Planning Battalion
CALFIRE Humboldt – Del Norte Unit

For **Eric Hoffmann**, Unit Chief

FIRE SAFE

General:

CALFIRE has responsibility for enforcement of Fire Safe Standards as required by Public Resources Code (PRC) 4290 and 4291. However CALFIRE is not the lead agency in planning development and project permitting. CALFIRE provides input as a contributing agency, generally limited to plan review, and is not the approving agency for these projects.

Local Responsibility Areas:

Should this project include Local Responsibility Area (LRA) lands, CALFIRE has no direct fire safe input on those parcels. However, in those areas with LRA parcels adjacent to State Responsibility Area (SRA) land, CALFIRE recommends that local standards be applied that are consistent with those CALFIRE makes for SRA lands.

State Responsibility Areas:

Should this project include State Responsibility Area (SRA) lands, the following are CALFIRE's Fire Safe minimum input and recommendation for any and all development.

1. In Humboldt County, developments must meet minimum fire safe standards by constructing the project in conformance with County Fire Safe Ordinance 1952, which the California Board of Forestry and Fire Protection has accepted as functionally equivalent to PRC 4290. The County Fire Safe Ordinance provides specific standards for roads providing ingress and egress, signing of streets and buildings, minimum water supply requirements, and setback distances for maintaining defensible space.
2. New buildings located in any Fire Hazard Severity Zone within State Responsibility Areas shall comply with the 2007 California Building Code (CBC) Section 701A.3.2. This requires roofing assemblies, attic and eave ventilation, exterior siding, decking and deck enclosure, windows and exterior doors, and exposed under floor areas that are approved "ignition resistive" in design.
3. All development, especially commercial or industrial development, should be designed to comply with the most current versions of the following standards:
 - a) California Fire Code (CFC) — for overall design standards
 - b) Public Utilities Commission (PUC) General Order 103 — for design of water systems
 - c) National Fire Protection Association Standards (NFPA) for fire flow minimums and other design questions not specifically covered by CFC and PUC
 - d) Housing and Community Development Codes and Standards —for mobile home parks and recreational camps
4. For Department of Real Estate reporting purposes, fire protection coverage in SRA is generally described as follows:
 - During the declared fire season (usually June through October) CALFIRE responds to all types of fires and emergencies in SRA.
 - During the remainder of the year (winter period), CALFIRE responds to emergency requests with the closest available fire engine, if a response can reasonably be expected to arrive in time to be effective. A fire engine is usually available somewhere in the Unit, but may have an extended response time.
 - There are many hazards confronting fire protection agencies in most subdivisions on SRA lands. Steep terrain and heavy wildland fuels contribute to fire intensity and spread. The distances from fire stations and road grades encountered usually create an excessive response time for effective structure fire suppression purposes.
 - Subdivisions increase fire risks from additional people and increase probable dollar losses in the event of fire due to added structures and improvements.
5. If the project expects to produce densities consistent with a major subdivision, the impacts on all infrastructures should be mitigated. Local government more appropriately provides the responsibility for high-density area protection and services. Annexation or inclusion into Local Responsibility Area should be studied as well.

6. CALFIRE does not support development in areas where there is no local agency fire service for structure fires and emergency medical response. Fire services should be extended into service gap areas as a condition of development. New development can adversely impact existing fire services. Careful consideration must be given where development may overload the local fire service's ability to respond.

RESOURCE MANAGEMENT

CALFIRE has enforcement responsibility for requirements of the Z'berg—Nejedly Forest Practice Act of 1973. CALFIRE is also the lead agency for those parts of projects involving the scope of the Forest Practice Act. The following basic input will cover the majority of projects. Each project will be reviewed with additional input sent at a later date, if needed.

The following comments reflect the basic Resource Management policies of the Board of Forestry and Fire Protection and CALFIRE on CEQA review requests. These policies apply to both Local and State Responsibility Areas.

1. If this project reduces the amount of timberland, by policy, the Board of Forestry and CALFIRE cannot support any project that will reduce the timberland base of California. "Timberland" means land which is available for, and capable of, growing a crop of trees of any commercial species used to produce lumber and other forest products, including Christmas trees regardless of current zoning (PRC 4526). However, if the zoning and intended use are consistent with the county's general plan; and if no land other than timberland can be identified to site the project; then CALFIRE may choose not to oppose the project.
2. If **any** commercial timber operations are involved with a project, the timber operations cannot be conducted without a CAL FIRE permit. Commercial timber operations include the cutting or removal of trees offered for sale, barter, exchange, or trade or the conversion of timberlands to land uses other than the growing of timber (PRC 4527). Contact your nearest CAL FIRE Resource Management office for guidance on obtaining the necessary permits.
3. If **any** timberlands are being converted to a non-timber growing use by this project, the conversion operations cannot be conducted without a CAL FIRE permit (PRC 4621). Conversion of timberland takes place when trees are removed and the land use changes, even without the sale, barter, exchange, or trade of the trees. Contact your nearest CAL FIRE Resource Management office for guidance on obtaining the necessary permits.
4. If timberland is in the viewshed of a project, the current and future owners should be overtly notified that changes will occur to their views due to timber management activities. Further, no project should be allowed to negatively affect access to timberland for timber management purposes; neither on the project parcel(s) nor any other timberland parcels.
5. If timber harvesting has occurred and post-harvest restocking and prescribed erosion control maintenance obligations have not been met on a parcel, future owners should be overtly notified (14 CCR 1042). The current owner of a parcel is responsible for restocking requirements and maintenance of roads whether or not they were involved in the actual harvest plan.
6. If the project involves the development of parcels zoned as Timber Production Zone (TPZ), CALFIRE cannot support the project. Dividing TPZ land into parcels of less than 160 acres requires a Joint Timber Management plan prepared by a Registered Professional Forester (RPF), recorded as a deed restriction for a minimum of 10-years on all affected parcels, and approved by a four – fifths vote of the full board (Govt. Code 51119.5). TPZ may be rezoned using a "Ten Year Phase Out," which precludes the need for a Timberland Conversion Permit. CALFIRE opposes immediate rezoning of TPZ land.

CANNABIS PROJECTS

Local Responsibility Areas:

CAL FIRE is the primary command and control dispatch center for many local agency fire districts and departments. Potential life hazard threats associated with a project must be identified and documented for the protection of the public and first responders. Projects which include timber harvesting or conversion of timberland are subject to the Forest Practices Act and Rules, regardless of wildland fire responsibility area.

State Responsibility Areas:

Should this project include State Responsibility Area (SRA) lands, the following are CAL FIRE's minimum input.

Conversion of timberland to a non-timber producing use is subject to permit from CAL FIRE. Commercial timber harvesting operations to facilitate cannabis cultivation and processing are subject to permitting and regulation under the Forest Practice Act and Rules. Please refer to the RESOURCE MANAGEMENT comments.

General Recommendations:

The following recommendations are made by CAL FIRE with the understanding that most areas of Humboldt County do not have a paid fire department providing fire prevention services.

1. Cannabis growing operations shall have easily accessible safety data sheets (SDS) for all chemicals and hazardous materials on site. Commercial operations must have a current Hazardous Materials Business Plan on file with Humboldt County Environmental Health, where applicable.
2. California Health and Safety Code (HSC 11362.769.) Requires that indoor and outdoor medical marijuana cultivation shall be conducted in accordance with state and local laws related to land conversion, grading, electricity usage, water usage, water quality, woodland and riparian habitat protection, agricultural discharges, and similar matters.
3. Cannabis growing and extraction shall be in accordance with Chapter N101.1 of the International Fire Code, the International Building Code, and the International Mechanical Code. Hazardous materials shall comply with Chapter 50. Compressed gases shall comply with Chapter 53. Cryogenic fluids shall comply with Chapter 55. Flammable and combustible liquids shall comply with Chapter 57. LP-gas shall comply with Chapter 61 and the International Fuel Gas Code. All applicable California State Fire Marshal standards and regulations for the designated occupancy must be met.
4. Growing and processing of cannabis is generally an agricultural operation. However, manufacture of marijuana extracts and concentrates are commercial or industrial activities, and may be subject to the county's SRA Fire Safe Ordinance. Any new residential units associated with cannabis cultivation and processing may also be subject to the SRA Fire Safe Ordinance. All materials hazardous and non-hazardous associated with the extraction process shall be utilized in conformance of the law and fire safe codes.
5. Humboldt County Ordinance 55.4.11(u) (a) states; "Those cultivators using artificial lighting for mixed-light cultivation shall shield greenhouses so that little to no light escapes. Light shall not escape at a level that is visible from neighboring properties between sunset and sunrise." Failure to shield artificial light during the night creates a light pollution that is easily mistaken for a fire. As a result, a CAL FIRE wildland fire response may be initiated and ultimately terminated as a false alarm. This false alarm may result in citation and/or fine to the violator.



**HUMBOLDT COUNTY
PLANNING AND BUILDING DEPARTMENT
CURRENT PLANNING DIVISION
3015 H STREET, EUREKA, CA 95501 ~ PHONE (707) 445-7541**

*DEH received
12-28-17*

PROJECT REFERRAL TO: Health and Human Services Environmental Health Division

17/18-1264

Project Referred To The Following Agencies:

Building Inspection Division, Public Works Land Use Division, Health and Human Services Environmental Health Division, County Counsel, CalFire, California Department of Fish And Wildlife, Northwest Information Center, Hoopa Valley Tribe, Tsnungwe Council, Regional Water Quality Control Board, North Coast Unified Air Quality Management District, United States Army Corps of Engineers, Humboldt County District Attorney, Humboldt County Agriculture Commissioner, SWRCB - Division of Water Rights, Sheriff, Klamath-Trinity Joint Unified School District

Applicant Name FloraCanna Cares **Key Parcel Number** 523-026-003-000

Application (APPS#) 11965 **Assigned Planner** Cannabis Planner (CPOD) (707) 445-7541 **Case Number(s)** CUP16-472

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

We have reviewed the above application and recommend the following:

Conditional Approval

DISTRIBUTED
3-19-18

Comments:

DEH recommends conditional approval pending the following:

- Operator shall apply to install a permitted Onsite Waste Treatment System (OWTS) within 12 months and obtain final approval of the installation within 24 months of receiving Planning approval. The use of portable toilets in the interim is approved in accordance with the following condition.
- Prior to renewal of permit the operator is required to submit receipts, or copy of contract confirming sufficient use of portable toilets to serve cultivation staff for duration of first year.

*This review and recommendation is for the Land Use aspects of the planning project and does not include or imply compliance with all DEH programs. Although DEH recommends the approval of the Planning project, Solid Waste and HazMat Program requirements need to be addressed directly with staff from those programs.

2746



**HUMBOLDT COUNTY
PLANNING AND BUILDING DEPARTMENT
CURRENT PLANNING DIVISION
3015 H STREET, EUREKA, CA 95501 ~ PHONE (707) 445-7541**



12/28/2017

PROJECT REFERRAL TO: Klamath-Trinity Joint Unified School District

Project Referred To The Following Agencies:

Building Inspection Division, Public Works Land Use Division, Health and Human Services Environmental Health Division, County Counsel, CalFire, California Department of Fish And Wildlife, Northwest Information Center, Hoopa Valley Tribe, Tsnungwe Council, Regional Water Quality Control Board, North Coast Unified Air Quality Management District, United States Army Corps of Engineers, Humboldt County District Attorney, Humboldt County Agriculture Commissioner, SWRCB - Division of Water Rights, Sheriff, Klamath-Trinity Joint Unified School District

Applicant Name FloraCanna Cares **Key Parcel Number** 523-026-003-000

Application (APPS#) 11965 **Assigned Planner** Cannabis Planner (CPOD) (707) 445-7541 **Case Number(s)** CUP16-472

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 1/12/2018

Planning Commission Clerk
County of Humboldt Planning and Building Department
3015 H Street
Eureka, CA 95501
E-mail: 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: NO Bus Stops at this location at this time (KTJUSD)

DATE: 1-8-18

PRINT NAME: Missie Arum

PURPOSE: The *Road Evaluation Report* is intended as a way for an applicant to document the condition of the access road(s) serving the subject property for cannabis projects that require a Conditional Use Permit (CUP), Special Permit (SP), or Zoning Clearance Certificate (ZCC). This report is not intended to be used for any other type of Planning & Building Department permit application. This will enable Public Works staff to determine if the existing roadway network [excluding on-site driveway(s)] is suitable to accommodate the proposed use on the subject property.

In rural areas, a category 4 road is usually adequate for most uses. If the road is paved and has a centerline stripe it is considered by the Department to be a category 4 road. In urban and suburban areas, the road may also need to accommodate other road users (pedestrians, bicycles, equestrians, etc.). When roads meet or exceed this standard, the roadways can typically accommodate increased traffic. This evaluation is accomplished by the applicant completing Part A of the *Road Evaluation Report*.

When the roadways do not meet a category 4 standard, there is a question that road may not be able to accommodate traffic from the proposed use. The goal is to evaluate roads that do not meet road category 4 standards in order to determine if the roads can accommodate increased traffic. This evaluation is accomplished by the applicants engineer completing Part B of the *Road Evaluation Report*.

In lieu of constructing road improvements to meet a category 4 road standard, the Department may approve a *Neighborhood Traffic Management Plan*. A neighborhood traffic management plan may include (but is not limited) the following elements: restricting the times that project traffic will use the road to off-peak hours; combining trips to reduce the volume of project traffic; carpooling to reduce the volume of project traffic; the use of signs and CB radios to coordinate traffic using the road(s); etc. The Department's criteria for approving a *Neighborhood Traffic Management Plan* is based upon site specific conditions; sound engineering judgment; the proposed ADT and DHV of the roads; the need to accommodate other road users (pedestrians, bicycles, equestrians, and other cannabis projects using the road, etc.); and the frequency and quantity of traffic associated with the proposed use. The applicant's Civil Engineer can address this in Part B of the *Road Evaluation Report*.

There may be other cannabis projects that use the same access road(s) as your project. Part B of the *Road Evaluation Report* needs to address the cumulative impacts from your project and all other cannabis projects that will also use the same road(s). There may be benefits of applicants collectively working together with one engineer to complete the *Road Evaluation Reports* for all of the projects.

(continued on next page)

REFERENCES:

- Humboldt County *Road Design Manual*, Chapter 7, Design Standards for Roadway Categories.
- American Association of State Highway and Transportation Officials (AASHTO) *Guidelines for Geometric Design of Very Low-Volume Local Roads (ADT ≤400)*.
- American Association of State Highway and Transportation Officials (AASHTO) *A Policy on Geometric Design of Highways and Streets* (AKA "Green Book")
- Institute of Transportation Engineers (ITE) *Trip Generation*

INSTRUCTIONS: The *Road Evaluation Report* consists of two parts. The first part (Part A) may be completed by the applicant. If the second part (Part B) is needed, it must be completed by a Civil Engineer licensed by the State of California. The .pdf version of this document provides fields that can be filled in.

A separate *Road Evaluation Report* is required for each road. **Save Time: before completing these forms consult with the Land Use Division at 707.445.7205 to make sure you are evaluating all of the necessary roads for your project; that other cannabis projects in the vicinity have been included; and to make sure that you understand what is needed.**

Special instructions to the applicant's Civil Engineer in completing Part B:

- Engineer will need to contact the Department for a list of other cannabis projects that may be using all or some of the same roads in the roadway network.
- Engineer will need to determine which of these projects utilize the roads within the same roadway network by personally reviewing the cannabis project applications at the Planning & Building Department. Many of the cannabis project applications are incomplete; therefore the engineer may need to directly contact other applicants to determine how these other cannabis projects will utilize the roads in question.
- Engineer may propose a master plan in which any required roadway improvements are incrementally divided among several cannabis projects. However, the master plan must be designed so that improvements to the road(s) will be adequate when constructed incrementally.

// END //

**HUMBOLDT COUNTY DEPARTMENT OF PUBLIC WORKS
ROAD EVALUATION REPORT**

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

Applicant Name: _____ APN: _____

Planning & Building Department Case/File No.: _____

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

From Road (Cross street): _____

To Road (Cross street): _____

Length of road segment: _____ miles Date Inspected: _____

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. A map showing the location and limits of the road being evaluated in PART A is attached.

Signature

Date

Name Printed

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

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

Road Name: _____ Date Inspected: _____ APN: _____
From Road: _____ (Post Mile _____) Planning & Building
To Road: _____ (Post Mile _____) Department Case/File No.: _____

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

Number of other known cannabis projects included in ADT calculations:

(Contact the Planning & Building Department for information on other nearby projects.) _____

ADT: _____ Date(s) measured: _____

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

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

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

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

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

A. Pattern of curve related crashes.

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

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

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

C. Substantial edge rutting or encroachment.

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

D. History of complaints from residents or law enforcement.

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

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

Check one: No. Yes.

F. Need for turn-outs.

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

3. Conclusions/Recommendations per AASHTO. Check one:

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

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

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

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

(SEAL)

Signature of Civil Engineer

Date

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.



DEPARTMENT OF PUBLIC WORKS
COUNTY OF HUMBOLDT

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

ARCATA-EUREKA AIRPORT TERMINAL
McKINLEYVILLE
FAX 839-3596

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

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

AVIATION 839-5401

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

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

LAND USE 445-7205

LAND USE DIVISION INTEROFFICE MEMORANDUM

TO: Michelle Nielsen, Senior Planner, Planning & Building Department

FROM: Kenneth M. Freed, Assistant Engineer *KMF*

DATE: 03-14-2018

RE:

Applicant Name	FLORACANNA CARES
APN	523-026-003
APPS#	11965
CASE#	CUP 16-472

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"**. **No re-refer is required.**

*Note: Exhibits are attached as necessary.

Additional comments/notes:

Review Item #2 on Exhibit "C"

// END //

Additional Review is Required by Planning & Building Staff

APPS # 11965

All of the following questions are to be answered by Planning and Building Department staff. No further involvement with the Department of Public Works is required for these items; however Public Works staff is available to answer any questions that may arise.

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

[] YES [] NO

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

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

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

[x] YES [] NO

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

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

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

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

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

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

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

If YES, include the following requirement:

The applicant shall cause to be dedicated to the County of Humboldt an Avigation Easement. The avigation easement shall be on the form prescribed by the Department of Public Works. This condition shall be completed to the satisfaction of the Department of Public Works prior to commencing operations, final sign-off for a building permit, or Public Works approval for a business license.

Additional Review is Required by Planning & Building Staff

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

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

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

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

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

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

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

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

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

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

// END //

Exhibit "D"

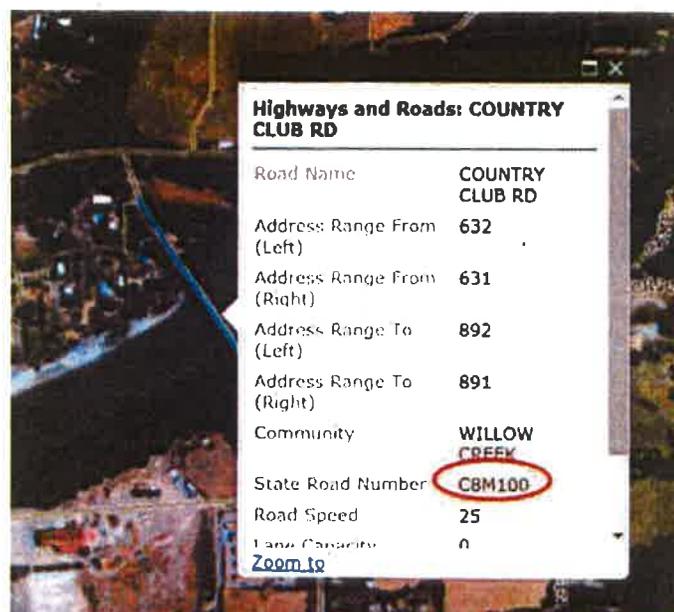
Road Evaluation Reports

1. **ROADS – Road Evaluation Reports.** **Planning and Building Department staff shall request that the applicant provide Road Evaluation Reports for the project.** The particular roads that require a *Road Evaluation Report* is to be determined by following the guidance shown below.

The Department has developed a *Road Evaluation Report* form so that an applicant can address the adequacy of the various roads used by their project. Most projects will require that a *Road Evaluation Report* form be completed.

When viewing the project site on google earth, if the County maintained road (or other publicly maintained road) has a centerline stripe, the road is adequate. If there is no centerline stripe, then the roads leading from the nearest publicly maintained road with a paved centerline stripe (or a known category 4 road) must be evaluated. A separate *Road Evaluation Report* form is needed for each road. This applies to all roads regardless if they are publicly or privately maintained. The Department has prepared a "approved list" of known County maintained roads that are category 4 (or are equivalent to category 4) standards for cannabis projects. The Department has also prepared a list of roads that are known to not meet road category 4 of equivalent. Both of these lists will be updated as the County information regarding the County maintained roads becomes available.

The *Road Evaluation Report* form needs to be provided to applicants to complete. It is important that Planning and Building Department staff provide the applicant with a map that has the roads to be evaluated highlighted. This will most likely include a combination of County maintained roads and non-County maintained roads. This will give the applicant clear direction on which roads need to be evaluated.



Above: screenshot from the WebGIS showing County Road Number circled in **RED**.

A County maintained road will have a 5 or 6 character identifier. The general format is **ABCDDD** where:

- A** is an optional identifier for the functionality of the road (A=Arterial, C=Collector, F=Federal Aid)
- B** is a grid identifier number for the X-axis of a "battleship" style grid that was drawn on a county map to divide the county into a series of squares.
- C** is a grid identifier letter for the Y-axis for the grid.
- DDD** is a three digit road identification number within a particular grid. Each grid can have up to 999 roads in them

Examples:

ABCDDD
A 3 M 0 2 0 Murray Road
F 6 B 1 6 5 Alderpoint Road
6 C 0 4 0 Thomas Road

Exhibit "D"

Road Evaluation Reports

The Department is working towards identifying which County maintained roads meet (or are equivalent to) Road Category 4 standards for cannabis projects. Two lists are being prepared: the first list with the **green** heading shows which roads (or portions thereof) meet or are equivalent to Road Category 4 standard (AKA "Approved List"); and the second list with the **red** heading shows which roads (or portions thereof) that do not meet or are not equivalent to Road Category 4 standards. These lists will be updated as information becomes available. **This list will be updated frequently. Make sure you are using the most up to date list.**

On occasion there may be more than one road that has the same name; in these instances check the road number to ensure that you are referencing the correct road. Until such time as the GIS roads layer has been proofed by the Department, the GIS is not to be used for this task. Use the paper road maps to check road numbers.

If the subject property takes direct access from a road on the "approved list", no further road evaluation needs to be done.

"APPROVED LIST"		
List of County Maintained Roads that meet (or are equivalent to) Road Category 4 standards for Cannabis Projects		
Road Name	Road Number	Range meeting (or equivalent to) Road Category 4 standard
Alderpoint Road	F6B165	All
Bair Road	C6L300	All
Bair Road	6L300	All
Bald Hills Road	F4R300	All
Benbow Drive	6B180	Oakcrest Drive to State Hwy 101
Blue Slide Road	F2G100	All [Grizzley Bluff Rd to City limits of Rio Dell]
Brannon Mountain Road	7M100	State Hwy 96 to Creekside Lane
Briceland Thorne Road	F5A010	All
Burrell Road	3D030	From Mattole Rod to P.M. 067
Cathey Road	6D050	State Park to P.M. 0.87 [End of County maintained]
Chemise Mountain Road	C4A030	Shelter Cove Road to P.M. 3.0
Eel Rock Road	7D010	All
Eighth Avenue	4N080	All
Ettersburg Honeydew Road	F5A010	All
Fickle Hill Road	C5J040	PM 1.55 [end of centerline stripe] to P.M. 8.00
Fieldbrook Road	C4L760	All
Freshwater Road	F6F060	All
Friday Ridge Road	8L100	State Hwy 299 to PM 3.37[End of County maintained] then becomes USFS Road
Greenwood Heights Drive	C4K160	All
Grizzley Bluff Road	F2G100	All [City limits of Ferndale to Blue Slide Rd]
Jacoby Creek Road	C4K230	Old Arcata Road to P.M. 2.50
Jacoby Creek Road	4K230	From P.M. 2.5 to P.M. 2.69
Kneeland Road	F6F060	Freshwater Road to Mountain View Road
Maple Creek Road	5L100	All
Mattole Road	F3D010	All
Mattole Road	F3C010	All
McCann Road	6D090	Dyerville Loop Road to P.M. 1.0
McCellan Mtn Road	7F010	State Hwy 36 to P.M. 3.57[End of County maintained]
Mountain View Road	6H010	All
Murray Road	C3M020	All
Old Three Creeks Road	6L250	State Hwy 299 to P.M. 2.8 [End of County maintained]
Panther Gap Road	4D010	Mattole Road to P.M. 1.83[End of County maintained] continues as a non- County maintained road
Patterson Road	C3M130	All
Salmon Creek Road	6C030	Hwy 101 to P.M. 5.39 [Gate]
Shelter Cove Road	C4A010	All
Sprowel Creek Road	C6B095	PM 0.0 to PM 2.11
Sprowel Creek Road	6B095	PM 2.11 to PM 4.00
Thomas Road	6C040	Salmon Creek Road to P.M. 4.03 [End of County maintained] continues as a non- County maintained rd
Titlow Hill Road	7K100	Hwy 299 to PM 4.7[End of County maintained] then becomes USFS Road
West End Road	5L010	PM 0.0 at Arcata City Limits to Warren Creek Road
Wilder Ridge Road	C5B010	All

Exhibit "D"

Road Evaluation Reports

List of County Maintained Roads that do not meet (or are not equivalent to) Road Category 4 standards for Cannabis Projects		
Road Name	Road Number	Range not meeting (or not equivalent to) Road Category 4 standard
Bark Shanty Road	9R105	All
Benbow Drive	6B180	Oakcrest Dr to end of County maintained
Brannon Mountain Road	7M100	Creekside Lane to PM 5.0 [End of County maintained] then becomes USFS Road
Burrell Road	3D030	P.M. 067 to P.M. 2.22 [End of County maintained]
Butte Creek Road	6H020	All
Chemise Mountain Road	C4A030	P.M. 3.0 to P.M. 4.09 [Mendocino County Line]
Essex Lane	C4L780	P.M. 0.2 to P.M. 0.9 [End of County maintained]
Fickle Hill Road	C5J040	P.M. 8.0 to P.M. 11.72
Kings Peak Road	C4A020	P.M. 1.0 to P.M 12.20
McCann Road	6D090	P.M.1.0 to P.M.2.6 [End of County maintained]
Mill Street	3G305	Country Club Estates to P.M. 0.49[End]
Old Eel Rock Road	7D025	All
River Bar Road	4G010	Hwy 36 to P.M. 1.76 [End of County maintained]
Salmon Creek Road	6C030	P.M. 5.39 to P.M. 5.88[End of County maintained]
Sprowel Creek Road	6B095	P.M 4.00 to PM 7.22 [End of County maintained]
Stapp Road	7H010	P.M 0.00 to 3.25[End of County maintained]
Warren Creek Road	5L740	P.M 0.0 to PM 0.95 [End of County maintained]
Williams Creek Road	2G045	All

// END //

3