



COUNTY OF HUMBOLDT
PLANNING AND BUILDING DEPARTMENT
CURRENT PLANNING DIVISION

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Hearing Date: March 18, 2021

To: Humboldt County Planning Commission

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

Subject: **Arcata Land Company, LLC Conditional Use Permit**
Record Number: PLN-12255-CUP
Assessor's Parcel Numbers (APN): 506-231-021 and 505-151-011 (one separate legal parcel)
2920 Foster Avenue, Arcata

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Please contact Rodney Yandell, Senior Planner, at 707-445-7451 or by email at ryandell@co.humboldt.ca.us, if you have any questions about the scheduled public hearing item.

AGENDA ITEM TRANSMITTAL

Hearing Date March 18, 2021	Subject Conditional Use Permit and Special Permits	Contact Rodney Yandell
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Project Description: A Conditional Use Permit for 22.9 acres of new commercial cannabis cultivation. Cultivation will take place in four areas (geographic blocks) on two parcels totaling approximately 38.2 acres. The Project includes a combination of outdoor light-deprivation cultivation (770,939 square feet (sf)) and mixed-light cultivation (147,457 sf). In addition, there will be 27,648 sf of greenhouses dedicated to nursery stock, and 52,992 sf of greenhouses for mother plants. The Project will also include ancillary support features, such as an administrative building (21,000 square feet), propagation and office building (39,500 sf), utility building (1,600 sf), new onsite wastewater treatment system, unpaved parking areas, security fencing, and storm water management features (e.g., detention basins). Preparation of the Site for the proposed development will require approximately 23,268 cubic yards of cut and 49,181 cubic yards of fill associated with onsite access road improvements, leveling of the Site with sand/soil in the areas of the hoop structures and walkways, installation of primary and reserve leach fields, and development of two storm water detention basins totaling approximately 0.8 acre-feet in storage size. The Project is anticipated to require up to 116 full-time equivalent employees at full buildout. An existing agricultural well will provide irrigation water for the Project, while an existing potable water supply line that serves the Site will be utilized to supply drinking water. Project employees will have access to permanent restrooms in the new administration and office building that will be served by a new private onsite wastewater treatment system for sewage disposal, in addition to temporary restrooms for Site employees during peak harvest periods.

Project Location: The project is located in Humboldt County, in the Arcata area, on the north side of Foster Road, approximately 1,200 feet northeast from the intersection of Dolly Vardon Road and Foster Road, on the property known to be in the southeast quarter of Section 19, Township 06 North, Range 01 East.

Present Plan Land Use Designations: (both parcels) Agricultural Exclusive (AE), Humboldt County General Plan (HCGP), Density: 20-60 acres/unit, Slope Stability: Relatively Stable (0)

Present Zoning: (both parcels) Heavy Industrial with a Qualified Combining Zone (MH-Q)

Record Number: PLN-12255-CUP

Assessor's Parcel Numbers: 506-231-021 and 505-151-011

Applicant

Arcata Land Company, LLC
c/o: Lane Devries
3160 Upper Bay Road
Arcata, CA 95521

Owner

Arcata Land Company, LLC
c/o: Lane Devries
3160 Upper Bay Road
Arcata, CA 95521

Agent

Lenders Construction Services, LLC
c/o: Jeff Smith
PO Box 6218
Eureka, CA 95502

Environmental Review: An Initial Study/Mitigated Negative Declaration has been prepared pursuant to the California Environmental Quality Act (CEQA) Statute (Public Resources Code 21000–21189) and Guidelines (California Code of Regulations, Title 14, Division 6, Chapter 3, Sections 15000–15387).

State Appeal Status: Project is located outside the Coastal Zone and is therefore NOT appealable to the California Coastal Commission

Major Issues: Traffic, Odor, Water

Recommended Commission Action

1. Describe the application as part of the Public Hearing Agenda.
2. Request Staff to present the project.
3. Open the public hearing and receive public testimony; and
4. Close the public hearing and adopt the resolution to take the following actions:
 - (a) *Adopt the Mitigated Negative Declaration prepared for the Arcata Land Company, LLC project pursuant to Section 15074 of the State CEQA Guidelines;*
 - (b) *Make all required findings for approval of the Conditional Use Permit; and*
 - (c) *Approve the Arcata Land Company, LLC Conditional Use Permit as recommended by staff and subject to the recommended conditions.*

Executive Summary: Arcata Land Company, LLC ("ALC") proposes to develop a commercial cannabis outdoor light-deprivation and mixed-light cultivation project on property located between 27th Street and Foster Avenue, west of the City of Arcata, in an unincorporated area of Humboldt County, California ("Project"). The Project involves the conversion of flower and crop production to commercial cannabis cultivation activities on Assessor's Parcel Numbers ("APNs") 506-231-021 and 505-151-011, which total approximately 38.2 acres ("Site"). The Site is zoned Heavy Industrial with a Qualified Combining Zone. The Project involves only cultivation, with processing to occur at an existing permitted processing, manufacturing, and distribution facility located on a contiguous parcel (APN 506-231-018). Existing land uses on the Site are agricultural, while historic activities consisted of heavy industrial operations in support of the former timber products mill site located on APN 506-231-018.

The Project Site has a long history of heavy industrial and agricultural use. The Site was in agriculture (hay or livestock production) until Simpson Lumber Company constructed an industrial mill site in the late 1940's or early 1950's. The Site has been modified many times with the addition of warehouses and lumber storage racks. Between 1988 and 1993, the storage racks were removed. The fields have since been graded and are currently used for agriculture. The existing greenhouses are used to grow flowers, while the fields have been used for both flowers and mixed row crops.

Cultivation will take place in four areas (geographic blocks) of the Site totaling approximately 22.9 acres. Area 1 (6.2 acres) consists of existing hoop structures located in the northwest quadrant of the Site that will be converted from flower production (non-cannabis) to cannabis. New hoop structures totaling approximately 16.7 acres will be constructed in the northeast quadrant (Area 2; 3.9 acres), southeast quadrant (Area 3; 4.3 acres), and southwest quadrant (Area 4; 8.5 acres) of the Site, all in areas that have historically been utilized for open-field flower and crop production. The Project includes a combination of outdoor light-deprivation cultivation (770,939 sf) and mixed-light cultivation (147,457 sf). The Project will also include ancillary support features, such as an administrative building (21,000 square feet), propagation and office building (39,500 sf), utility building (1,600 sf), new onsite wastewater treatment system, an unpaved parking area, security fencing, and storm water management features (e.g., detention basins).

Preparation of the Site for the proposed development will require approximately 23,268 cubic yards of cut and 49,181 cubic yards of fill associated with onsite access road improvements, leveling of the Site with sand/soil in the areas of the hoop structures and walkways, installation of primary and reserve leach fields, and development of two storm water detention basins totaling approximately 0.8 acre-feet in storage size.

The Project is anticipated to require up to 116 full-time equivalent employees at full buildout. The existing agricultural operation on the Site requires approximately 40 full-time equivalent employees, resulting in a net increase of approximately 76 full-time equivalent employees (at full buildout). The operation will be seasonal, with the majority of employees needed beginning in April (planting) and extending through

the end of October (final harvest). Hours of operation will generally be 6:30 a.m. to 3:30 p.m., although approximately 15 employees will work an extended evening shift to manage the propagation and cultivation process.

An existing agricultural well will provide irrigation water for the Project, while drinking water will be supplied by either, or a combination of, a new 100,000-gallon water storage tank fed by the existing well, or an existing potable water supply line serviced by the City of Arcata that crosses the Site. Project employees will have access to permanent restrooms in the new administration and office building that will be served by a new private onsite wastewater treatment system for sewage disposal, in addition to temporary restrooms for Site employees during peak harvest periods.

Project Phasing

The Project is anticipated to be built out in two primary phases:

1. Phase 1 (2021): Construction of the ancillary support buildings and completion of Site preparation activities, including grading, access road development, installation of utilities, fencing and security features, septic system, and storm water management controls. Operations will consist of cultivation activities within the existing hoop structures located in the northwest corner of the property (Area 1).
2. Phase 2 (late 2021 or 2022): Construction and operation of the additional hoop structures within Areas 2-4 of the Site.

Cultivation Plan

The Project will employ on-site vegetative propagation (using "mothers" and "clones") incidental and accessory to the cultivation process. A mother is a plant that is grown specifically for cloning purposes. The mother plants are kept in a constant vegetative state and are never transitioned into the flowering stage. Twelve hoop structures totaling 52,992 sf in size (hoop designators #164-#175) are currently anticipated for mother plants (see Site and Utility Plan, Sheet C3.2 – Area 2). Once a mother plant has reached a stable point in its vegetative growth cycle, it is ready to be cloned or propagated. Cloning is the process of taking stem cuttings from a mother plant in order to develop new plants (the clones), genetically identical to the mother. Clones will be developed indoors within the propagation building located in the southwest corner of the Site (see Site and Utility Plan, Sheet C4.3, Details – Buildings). The propagation area within the building will be approximately 2,400 sf. Once the cloned plant roots are 1-2 inches in length, which may take anywhere from 7-21 days, they will be moved to designated hoop structures totaling 27,648 sf in size (hoop designators #192-#197) to allow two weeks of "starter" growth (see Site and Utility Plan, Sheet C3.3 – Area 4). Following the first two weeks of starter growth, the plants will be relocated to the cultivation hoop structures for growth and harvest.

Planting will occur within small pots for the mother plants, clones, and starter growth phase, with cultivation of mature plants occurring in planting crates. Soil will be sourced from existing supplies on an adjacent parcel, and no importation of soil is anticipated.

Odors from the cultivation process will be controlled using fans that direct airflow through the hoop structures to a carbon filtration unit. In the event that carbon filtration is inadequate, odor neutralizers such as Ecosorb, which is a water-based product that contains a proprietary blend of natural plant oils and bio-based surfactants that effectively adsorb to odor molecules, neutralizing their smell, may be utilized. Recommended conditions of approval will require odor to be managed and corrected within 10 days of any complaints that are verified by the Planning Department to be valid (On-going Condition of Approval #3).

For the mixed-light component, strict adherence to night sky standards will be achieved. Light and glare will be controlled using blackout plastic/fabric to cover the hoop structures and prevent light from escaping.

The cultivation schedule will be optimized to allow consistent production levels (weekly harvests) to minimize fluctuations in labor needs and deliver stable volumes of products to customers. A summary of anticipated seasonal cultivation activities is shown in Table 1, below:

**TABLE 1
ANTICIPATED SCHEDULE OF SEASONAL CULTIVATION ACTIVITIES**

Planting Details			Cultivation Activities			
Planting Cycle	Planting Date	Approx. No. of Hoop Structures	Plant Maintenance (Pruning)	Plant Maintenance (De-fanning)	Plant Maintenance (De-fanning)	Harvest
1	Mar 31	9	Apr 21	May 26	Jun 16	Jun 23
2	Apr 7	9	Apr 28	Jun 2	Jun 23	Jun 30
3	Apr 14	9	May 5	Jun 9	Jun 30	Jul 7
4	Apr 21	9	May 12	Jun 16	Jul 7	Jul 14
5	Apr 28	9	May 19	Jun 23	Jul 14	Jul 21
6	May 5	9	May 26	Jun 30	Jul 21	Jul 28
7	May 12	9	Jun 2	July 7	Jul 28	Aug 4
8	May 19	9	Jun 9	Jul 14	Aug 4	Aug 11
9	May 26	9	Jun 16	Jul 21	Aug 11	Aug 18
10	Jun 2	9	Jun 23	Jul 28	Aug 18	Aug 25
11	Jun 9	9	Jun 30	Aug 4	Aug 25	Sep 1
12	Jun 16	9	Jul 7	Aug 11	Sep 1	Sep 8
13	Jun 23	9	Jul 14	Aug 18	Sep 8	Sep 15
14	Jun 30	9	Jul 21	Aug 25	Sep 15	Sep 22
15	Jul 7	9	Jul 28	Sep 1	Sep 22	Sep 29
16	Jul 14	9	Aug 4	Sep 8	Sep 29	Oct 6
17	Jul 21	9	Aug 11	Sep 15	Oct 6	Oct 13
18	Jul 28	9	Aug 18	Sep 22	Oct 13	Oct 20
19	Aug 4	9	Aug 25	Sep 29	Oct 20	Oct 27

Following harvest, cannabis will be transported by a small pickup truck or off-road vehicle (e.g., golf cart or quad) with trailer a short distance (entirely within the confines of the property) to an approved processing, manufacturing, and distribution facility on an adjacent parcel (APN 506-231-018).

Water Source and Irrigation Plan

Water for irrigation will be supplied by an existing permitted on-site groundwater well (County Permit Number 18/19-0783). While this well was permitted in 2018, the landowner and the well drilling firm have both stated that the well was in existence since at least the 1990's. Analysis of satellite imagery dating back to 2005 also includes evidence of the well infrastructure being in place. The well is located east of the Project area on an adjoining parcel under common ownership (APN 505-151-012). The well is completed to a depth of approximately 150 feet and has an estimated yield of 400 gallons per minute according to the Well Completion Report (see Attachment 2 – Appendix D. As documented by the well driller (Rich Well Drilling), the well is screened approximately 100' below surface in a state designated groundwater basin (Mad River Valley - Mad River Lowland; 1-008.01).(see Attachment 2 – Appendix E). The Mad River Lowland subbasin is estimated by the California Department of Water Resources to have a groundwater storage of 25,000 acre-feet and is recharged through rainwater and percolation from the Mad River and tributaries (California Department of Water Resources California's Groundwater Bulletin 118 (2003)). According to the Department of Water Resources the total groundwater extraction

of the subbasin in 1996 was 6,335 acre-feet. This amount included the irrigation of open field crops at the Arcata Land Company site which the applicant estimates was as much as 60 acre-feet per year. This information indicates that the 52 acre-feet of irrigation needed for the project is part of the existing environmental baseline and will not have a substantial adverse effect on the groundwater basin. With the irrigation needed for cannabis production the total amount of groundwater being extracted from the groundwater basin (based on 1996 survey information) is below 30% of the total groundwater capacity. The 52 acre-feet per year needed on its own is approximately 0.2% of the total storage capacity of groundwater in the basin.

The Project's annual irrigation demand has been estimated at 52 acre-feet (17 million gallons), with a monthly maximum of approximately 12 acre-feet (4 million gallons) during the month of July (17 gal/sf/yr). The irrigation to cultivation ratio is approximately 17 gallons per square foot of cannabis to be used annually. Irrigation water will be needed from April through October of each year, with no irrigation water anticipated during the months of November through March. The estimated output of the existing on-site groundwater well is approximately 1.8 acre-feet (576,000 gallons) per day, indicating sufficient water supply to service the irrigation demands of the Project. This amount is slightly lower than the estimated amount historically utilized for the irrigation of open field crops and flowers.

The Project's estimated irrigation water usage, by month, is shown in Table 2, below.

Table 2
Projected Irrigation Water Usage

	Month ¹						
	April	May	June	July	August	September	October
Gallons (millions)	0.9	2.3	3.5	4.0	3.4	2.2	0.7
Acre-Feet	2.6	7.1	10.9	12.2	10.5	6.6	2.2

Irrigation will be controlled by an automated irrigation system (e.g., Priva process control system) that will measure soil moisture and the surrounding environment to deliver precise water-nutrient needs. The automated irrigation system will provide an advanced fertilizer mixing system, and control desired electrical conductivity, pH and flow rate. At all times, water will be applied using no more than agronomic rates. The well will be required to be metered to show annual water use. If the water use exceeds the anticipated irrigation needs the County reserves the right to reduce the cultivation area to a size relative to well water availability until additional storage adequate to meet annual irrigation needs are in place.

Existing and Project Site Drainage

Drainage from the area of existing hoop structures in the northwest corner of the Site is routed to a retention basin located west of the hoop structures on an adjacent parcel under common ownership. Surface runoff for the remainder of the parcel is directed to onsite drainage ditches that tie into a drainageway that flows northwest into the same retention basin, or drain southward into a wetland slough (located on an adjoining parcel under the same ownership southeast of the Project area). The slough flows westward to an underground culvert, which is routed underneath the mill warehouse buildings and into Liscom Slough.

The Project will add impervious area to the Site resulting from the construction of hoop houses, administration buildings, loading areas, and concrete walkways. Based on the topography of the Site, the post-development grading design splits runoff into two sub-catchments, one collects the runoff from the northern portion of the parcel, and the other the southern portion. The proposed northern sub-catchment will be primarily hoop structures and open space, while the proposed southern sub-catchment will be primarily hoop structures, open space, and office buildings located in the southwest corner of the Site. In order to separate applied irrigation water and storm water runoff, the proposed development utilizes hoop houses to isolate the cannabis crops. Runoff from the hoop structures is conveyed to storm water retention basins through a series of perforated pipes that run in between all of

the hoop houses. The perforated pipes are connected to a larger network of storm drains which convey runoff to the retention basins. The Site has two proposed retention basins, one for each sub-catchment. The preliminary design for the northeast retention basin will provide 0.5 acre-feet of storage (162,925 gallons), and the southern retention basin will provide 0.33 acre-feet (107,531 gallons). Each basin will also be equipped with an outlet structure which will allow excess flow from larger storm events to be controlled and drained into the existing ditches adjacent to the property (see Attachment 2 - Appendix F, Storm Water Management Design Memorandum).

Grading and Site Preparation

Preparation of the Site for the proposed development will require approximately 23,268 cubic yards of cut and 49,181 cubic yards of fill associated primarily with onsite access improvements, leveling of portions of the Site with sand, and development of storm water management features. The estimated cut quantity includes development of the two storm water detention basins. The estimated fill quantity includes placement of sand/soil beneath the areas of the hoop structures and walkways. The sand/soil will be obtained from existing stockpiles on an adjacent parcel. The placement of sand/soil will involve only leveling for an even, consistent grade, and will not require compaction. In addition to the placement of sand/soil, Site development will include approximately 40,500 sf of new concrete surfacing, comprised of concrete within the loading zones, walkways around the administration buildings, ADA parking stalls and ramps (12,698 sf), green waste storage area (9,460 sf), and walkways between hoops (18,342 sf). See Site and Utility Plan, Sheet C3.0. Onsite access roads and the parking areas (with exception of ADA stalls and ramps) will be unpaved to minimize the quantity of impervious surface being added and to assist with storm water management at the Site.

Storage and Use of Fertilizers, Pesticides, and Other Products

ALC has considerable experience managing and using fertilizers, pesticides, and other products in existing agricultural operations on-site, and has developed detailed Standard Operating Procedures ("SOPs") for use and management of pesticides, injury and illness prevention, and waste management. See Attachment 2 - Appendix G, Standard Operating Procedures. In addition, ALC has developed project-specific waste management and pest management plans, consistent with State of California cultivation licensing requirements. See Attachment 2 - Appendix H, Waste Management Plan, and Appendix I, Pest Management Plan.

Storage and use of fertilizers and pesticides will be conducted in accordance with the Best Practicable Treatment or Control (BPTC) measures of State Water Resources Control Board (SWRCB) Order WQ 2019-0001-DWQ, which include requirements to apply fertilizers and soil amendments at only the proper agronomic rates, and to store materials in a manner that is protected from rainfall and erosion. The proposed cannabis cultivation will occur in enclosed greenhouses with carbon filtration which will ensure that any aerosolized pesticides are kept within the greenhouse and removed from any circulated air through carbon filters.

No storage of fertilizers, pesticides, or hazardous materials will occur on the proposed cultivation site. All storage will occur on an adjacent parcel under common ownership that is currently setup and permitted to store and manage fertilizers, pesticides, and hazardous materials used in existing agricultural operations. The materials will be stored in fully enclosed, watertight containers, and in a manner so that they cannot enter or be transported into surface waters or groundwater. These storage facilities are already in place.

Access and Parking

The Project area will be accessed using an existing 20' wide access road from an existing driveway entrance off of Foster Avenue. The Foster Avenue driveway has been historically used for heavy industrial traffic associated with the former mill site and is configured to accommodate service and transport trucks (170' wide driveway apron). Onsite access roads and concrete walkways will be located to

provide pedestrian, vehicular, and equipment access throughout the Project Site (see Site and Utility Plan, Sheet C3.0).

Primary and secondary designated parking lots with a total of 116 standard parking stalls and 3 Americans with Disabilities Act ("ADA") accessible stalls will be located near the southwest corner of the Site (adjacent to the administration building) and on APN 506-231-018 (under the same ownership) (see Site and Utility Plan, Sheet C3.0 and C3.2). In addition, 12 bicycle parking spaces will be provided, consistent with the recommendations of the Traffic Impact Study (see Site and Utility Plan, Sheet C3.2, and Attachment 2 - Appendix Q, Traffic Impact Study). The parking area will be developed consistent with County Zoning Regulations §314-109.1.

Drinking Water, Toilets, and Handwashing Facilities

Drinking water will be supplied by either, or a combination of, a new 100,000-gallon water storage tank fed by the existing well, or an existing potable water supply line serviced by the City of Arcata that crosses the Site. The facility will have breakrooms and restrooms of sufficient size to accommodate the anticipated workforce. In addition, portable toilets may be utilized to accommodate seasonal workers during peak harvest periods. A shower room will be built for use by employees who work with chemicals and fertilizers, and there will be emergency eyewash stations at locations where chemicals and fertilizers are handled. See Site and Utility Plan, Sheet C4.3, Details - Buildings.

SHN Consulting Engineers and Geologists ("SHN") conducted a wastewater disposal field study and identified a suitable location for an onsite sewage disposal system located on the eastern boundary of the Project area. See Site and Utility Plan, Sheet C3.1 – Area 1, Sheet C3.2, - Area 2, and Attachment 2 - Appendix J, Septic Suitability Report.

Energy Supply and Use

The property is serviced by an existing Pacific Gas and Electric (PG&E) service line, and no new or expanded energy facilities are needed in connection with the Project.

In addition to PG&E power, the Project proposes three natural gas boilers rated at 1 million British thermal units per hour (MMBTU/hr) that will be located in the Utility Building and be used to provide temperature control within the hoop structures (see Site and Utility Plan, Sheet C4.3, Details – Buildings).

Lighting

New lighting at the Site will consist of task and operational lighting in the ancillary support structures/buildings (administration buildings), artificial lighting in a portion of the hoop structures, and outdoor lighting for security purposes. Ancillary structures/facilities (i.e., administration building, propagation and office building, utility building) would have operational and task lighting within the buildings which will not be visible outside the building due to window coverings and limited operating hours (generally daylight hours, from sunrise to sunset). Onsite staff would be responsible each evening for ensuring all lights are turned off or blacked out prior to sunset each day. Outdoor lighting at the Site will be limited to perimeter lighting installed for security purposes, and lighting in the parking and loading areas. All new outdoor lighting will be the minimum lumens required for security purposes, directed downward, and shielded to prevent lighting spillover onto adjacent properties.

For the hoop structures that will employ mixed-light cultivation, strict adherence to International Dark Sky Association standards for Lighting Zone 0 and Lighting Zone 1 is a requirement of the County Commercial Medical Marijuana Land Use Ordinance. Light and glare will be controlled using blackout plastic/fabric to cover the hoop structures and prevent light from escaping. Lighting will be designed to regulate light spillage onto neighboring properties resulting from backlight, uplight, or glare, and light will not escape at a level that is visible from neighboring properties between sunset and sunrise. The project would comply with all CMMLUO performance standards for lighting, and new structures, including lighting

plans, would be subject to approval by the Humboldt County Building Department. Should the County receive complaints of lighting not in compliance with these standards, Humboldt County Code (HCC) requires that the lights shielding and alignment shall be repaired, inspected and corrected as necessary within 10 working days of receiving notice from the County.

Security

Strict security measures will be employed at the premises, including the following:

- **Access control:** All entrances to the facility will be restricted by an access control system. 24-hour access will be provided to emergency responders via a Knox Box.
- **Fencing:** The Project area will be fenced with chain-link fencing or other similar fencing.
- **Alarm system:** Motion detection will help the security team and camera systems identify when intruders attempt to enter the property.
- **Lighting:** LED motion sensors will be discreetly placed in and around the facility in compliance with Universal Building code.
- **Security staff:** Security staff will perform routine inspections and monitor a surveillance system 24-hours per day.
- **Camera Systems:** All Project areas will be covered by camera systems for safety purposes and to help product loss prevention.
- **Limited Access:** Access will be limited to qualified personnel only.

The security measures will protect against theft and diversion not only from intruders, but also from staff members and visitors. This will be accomplished by limiting access to the Project Site and by surveillance monitoring of personnel and visitors at all times when in close proximity to the product. Strict inventory control measures will also be employed to prevent and detect diversion.

Biological Resources

SHN conducted a Biological Resources Assessment consisting of literature reviews and field observations and studies in order to identify potential sensitive biological resources that may occur within the Project area. Key findings from SHN's assessment are summarized below:

- **Special Status Species:** A review of available literature indicates that 6 special status plant species and 15 special status animal species have a moderate or higher potential to occur within the Project area; however, site investigations were conducted by SHN during appropriate seasons for detection, and no special status species were observed.
- **Designated Critical Habitat:** The Project areas do not contain designated critical habitat for any listed species. The closest designated critical habitat is for the Tidewater Goby (*Eucyclogobius newberryi*), 1.08 miles to the west of the Project area (Mad River Slough).
- **Sensitive Natural Communities:** No sensitive natural communities were identified within the Project area.
- **Wetland and Riparian Habitats:** A man-made roadside drainage ditch containing wetland indicators was mapped along the existing access road at the southwest border of the Project Site. This feature will be conserved, and will not be disrupted by Project activities (with exception of routine maintenance of the ditches, consistent with current practice).
- **Nesting Bird Habitat:** Locations with a shrub or tree canopy layer within the Project area may provide suitable nesting habitat for migratory birds. Additionally, some species, such as a western meadowlark (*Sturnella neglecta*), may nest in tall grasses. As a result, mitigation is in place so that if project-related brush clearing must occur during the breeding season, a

preconstruction nesting-bird survey shall be conducted by a qualified biologist no more than two weeks prior to Project activities. If active nests are found, a no-disturbance buffer zone of a minimum of 250 feet shall be established. Within this buffer zone, no construction shall take place until September 1 or until the biologist determines that the nest is no longer active.

- **Wildlife Movement Corridors:** No significant wildlife movement corridors were identified within the Project area, although some animals may use the existing and proposed roadways as movement corridors.

See Attachment 2 - Appendix L, Biological Resources Assessment, and Appendix M, Wetland and Other Waters Delineation Reports.

Flooding

According to the Humboldt County Geographic Information System (GIS) the project location is within the 100-year floodplain of the Mad River. However, according to an October 30, 1997 Letter of Map Amendment from the Federal Emergency Management Agency ("FEMA"), the Site is not located in a Special Flood Hazard Area, that is the area that would be inundated by a flood having a one percent chance of being equaled or exceeded in any given year (see Attachment 2 – Appendix N, FEMA Letter of Map Amendment).

Hazardous Materials

A Phase I Environmental Site Assessment and a records search of the State of California's EnviroStor database confirms that the Site is not identified on a list of known hazardous materials locations, and that no known soil / groundwater contamination issues are present. See Attachment 2 - Appendix O, EnviroStor Records Search Results, and Appendix P, Phase 1 Environmental Site Assessment. As part of the sale of the property from Simpson Redwood Company a thorough environmental assessment of the site was conducted and the property entered into a Voluntary Cleanup Agreement with the California Department of Toxic Substances Control (DTSC). Remediation work completed included the removal and off-site disposal of approximately 8,600 cubic yards of soil and the treatment of 1.2 million gallons of groundwater. DTSC certified the actions sufficiently addressed onsite contamination in February 1999 provided groundwater monitoring of the small VOC plume in the southeastern portion of the site continued. Groundwater monitoring continued until 2013 when the RWQCB and the DTSC agreed that the downward trend in concentrations of contaminants was sufficient to remove the semi-annual groundwater monitoring requirement. The area of the small VOC plume and groundwater monitoring is outside of the area proposed for the cannabis cultivation. The phase 1 ESA concludes that no additional investigation is needed.

Referral Response Comments and County Action/Response

Humboldt County Building Division

1. Recommend approval based on the condition that all required grading, building, plumbing, electrical and mechanical permits and or Agricultural Exemption are obtained. This is a condition of project approval.

City of Arcata

1. The project could create a new source of substantial light or glare which would adversely affect day or nighttime views in the area. For the hoop structures that will employ mixed-light cultivation, strict adherence to International Dark Sky Association standards for Lighting Zone 0 and Lighting Zone 1 is a requirement of the County Commercial Medical Marijuana Land Use Ordinance. Light and glare will be controlled using blackout plastic/fabric to cover the hoop structures and prevent light from escaping. Lighting will be designed to regulate light spillage onto neighboring properties resulting from backlight, uplift, or glare, and light will not escape at a level that is

visible from neighboring properties between sunset and sunrise. The project would comply with all CMMLUO performance standards for lighting, and new structures, including lighting plans, would be subject to approval by the Humboldt County Building Department.

2. It is unclear as to whether or not the cultivation will utilize existing native soils or rather cover the soil with either permeable or non-permeable surface that would result in the conversion of Prime Farmland. The site has effectively been converted previously through the adoption of the Heavy Industrial (MH) zone district. All of the Project-related uses (e.g., outdoor light-deprivation and mixed-light cultivation, accessory buildings, access roads, parking) that will occur on the prime agricultural soils are agricultural uses or agricultural related uses. Therefore, the Project would not convert any existing Farmland to non-agricultural uses.
3. Please consider the City's General Plan policy RC-Sa in which the City supports: Diverse and intensive agricultural production and increased participation shall be promoted, in order to maintain the value of agricultural lands, improve the economic base, and increase employment and food production. The proposed project will accomplish this while preserving the non-urban use of the land, without creating significant environmental impacts.
4. The City recommends that new development be clustered to maximize pervious surface. The proposed project is clustered by design.
5. Please provide a complete analysis on the Greenhouse Gas (GHG) emissions that the project may produce as a result of increased traffic, and electricity use for lighting, fans, and pumps. Illingworth & Rodkin, Inc., ("I&R") a professional air quality consulting firm, prepared a detailed greenhouse gas emissions evaluation. I&R used CalEEMod to estimate greenhouse emissions from on-site construction and operational activities, including energy usage and vehicle trips. The resulting emissions were compared against a significance threshold of 1,100 MT CO₂e/year. Areas of analysis included: energy consumption, mobile, solid waste generation, and stationary (boilers). I&R's greenhouse gas emissions analysis concludes that the Project would not exceed the relevant significance threshold of 1,100 MT CO₂e/year, and would not conflict or otherwise interfere with the County's General Plan, CMMLUO, or statewide GHG reduction measures.
6. The project could emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one quarter mile of an existing or proposed school. The Initial Study/Mitigated Negative Declaration prepared for the Project analyzed Hazards and Hazardous Materials and found that there would be a less than significant impact.
7. Significant impervious surface may create or contribute to runoff water which would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff. A professional engineering firm (Wallace Group) developed a project-specific storm water management design to effectively manage surface runoff. Based on the topography of the Site, the post-development grading design splits runoff into two sub-catchments, one collects the runoff from the northern portion of the Site, and the other the southern portion. The engineering design demonstrates that the post-development runoff volume of the 85th percentile storm will be equal to or less than the pre-development runoff volume, consistent with SWRCB General Construction Permit post-construction storm water requirements.
8. The City requests that the project provide further analysis regarding its expected trip generation of 102-228 vehicles per day and its cumulative effects on the potential increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections). The project may substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections {17th and Q Streets}) or incompatible uses (e.g., farm equipment, [school]). W-Trans Traffic Engineering Consultants prepared a Traffic

Impact Study for the Project, analyzing potential impacts relative to circulation, access for pedestrians, bicyclists, and to transit. Based on the findings of the study, the Project would only have a potential impact on Level of Service at two intersections. As a result, the Traffic Impact Study recommends that the applicant pay proportional share fees to the City of Arcata to alleviate the project's contribution to the needed improvements at Foster Avenue/Alliance Road and Sunset Avenue/US 101 North Ramps, consisting of \$13,512 and \$8,714, respectively. This is a condition of project approval for the Conditional Use Permit.

Environmental Health

1. No processing can be approved until an acceptable site suitability report can establish potential for onsite waste treatment system. Processing will take place at a permitted offsite processing facility.
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. There will be onsite restrooms and a wastewater treatment system, and portable toilets are already proposed as part of the project.
3. Legalize or destroy the wells: Existing wells are described as irrigation water source in the project description. Provide documentation to verify legal non-conforming status, retroactively permit the wells or complete a well destruction permit for each well. The well to be used for irrigation has been permitted.
4. Due to staffing demands and projected wastewater flow rates, a cumulative impact study for groundwater mounding and nitrogen loading will be required before DEH can approve any new septic construction permits. Condition of project approval.

PG&E

1. There is a 20' wide PG&E easement with building restrictions on the property. The new 40,000 square foot building will need to be outside of this easement. As a condition of project approval there shall be no development within the easement until it is approved by PG&E, or the easement is extinguished.
2. If there needs to be any rearrangement of existing facilities on the property, the owner/applicant will bear the burden of that cost. Condition of project approval.
3. Due to the size of this project there may be a need to increase gas and/or electric facilities. The project will not be drawing more than 1.9 MW at any given time. PG&E has been made aware of this and have not expressed any further concerns.
4. There is a 20' wide PG&E easement with gas transmission facilities in it along the easterly boundary line of APN 507-181-007. All proposed Project elements are more than 300' west of the gas transmission easement.

Public Works

1. All driveways and private road intersections onto the County Road shall be maintained in accordance with County Code Section 341-1 (Sight Visibility Ordinance). This is a condition of project approval.
2. If the County road has a paved surface at the location of the access road, the access road shall be paved for a minimum width of 20 feet and a length of 50 feet where it intersects the County road. This is a condition of project approval.

United States Army Corps of Engineers

1. All proposed discharges of dredged or fill material into waters of the United States must be authorized by the Corps pursuant to Section 404 of the Clean Water Act (CWA) (33 U.S.C. Section 1344). The Project does not propose to discharge dredged or fill material into waters of the United States.

Arcata Fire Protection District

1. Verify adequate fire apparatus access per California Code. Condition of project approval.

Environmental review for the proposed project included the preparation of an Initial Study/Mitigated Negative Declaration (IS/MND) pursuant to the California Environmental Quality Act (CEQA) Statute (Public Resources Code 21000–21189) and Guidelines (California Code of Regulations, Title 14, Division 6, Chapter 3, Sections 15000–15387). The IS/MND was circulated from January 28, 2021 to February 26, 2021 at the State Clearinghouse. There have been a significant number of comments from the public on the project and the Mitigated Negative Declaration, one comment from the California Department of Food and Agriculture, and one comment from the California Department of Transportation on the Initial Study and Mitigated Declaration. Comments from agencies and the public were generally regarding traffic, noise, lighting impacts, odor and pesticide use, biological resource impacts and groundwater impacts. These comments (included in Attachment 5) are more specifically discussed in the attached Resolution for the Planning Commission's consideration and have been reviewed and considered by the Department. Staff's analysis is that none of these comments change the conclusions of the Mitigated Negative Declaration.

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 approving the Conditional Use Permit.

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

ALTERNATIVES: The Planning Commission could elect not to approve the project, or to require the applicant to submit further evidence, or modify the project. 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 Division staff has stated that the required findings in support of the proposal have been made. Consequently, Planning staff does not recommend further consideration of either alternative.

Staff prepared a thorough environmental analysis which included the preparation of an IS/MND pursuant to the CEQA Statute (Public Resources Code 21000–21189) and Guidelines (California Code of Regulations, Title 14, Division 6, Chapter 3, Sections 15000–15387). The Commission could also decide the project may have environmental impacts that would require further environmental review pursuant to CEQA. Staff did not identify any potentially significant unmitigable impacts.

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

Resolution Number 21-

Record Number PLN-12255-CUP

Assessor's Parcel Numbers: 506-231-021 and 505-151-011

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

WHEREAS, Arcata Land Company, LLC, submitted an application and evidence in support of approving a Conditional Use Permit for Record No, PLN-12255-CUP. Permit requested is a Conditional Use Permit for 770,939 square feet (sf) of outdoor light-deprivation commercial cannabis cultivation, 147,457 sf of mixed-light commercial cannabis cultivation, 83,040 sf of ancillary nursery space, and appurtenant facilities to support the operation.

WHEREAS, a Mitigated Negative Declaration was prepared for the proposed Conditional Use Permit and circulated for public review pursuant to Section 15074 of the CEQA Guidelines; and

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

1. FINDING:

Project Description: A Conditional Use Permit for 22.9 acres of new commercial cannabis cultivation. Cultivation will take place in four areas (geographic blocks) of the Site totaling approximately 38.2 acres. The Project includes a combination of outdoor light-deprivation cultivation (770,939 square feet (sf)) and mixed-light cultivation (147,457 sf). In addition, there will be 27,648 sf of greenhouses dedicated to nursery stock, and 52,992 sf of greenhouses for mother plants. The Project will also include ancillary support features, such as an administrative building (21,000 square feet), propagation and office building (39,500 sf), utility building (1,600 sf), new onsite wastewater treatment system, unpaved parking areas, security fencing, and storm water management features (e.g., detention basins). Preparation of the Site for the proposed development will require approximately 23,268 cubic yards of cut and 49,181 cubic yards of fill associated with onsite access road improvements, leveling of the Site with sand/soil in the areas of the hoop structures and walkways, installation of primary and reserve leach fields, and development of two storm water detention basins totaling approximately 0.8 acre-feet in storage size. The Project is anticipated to require up to 116 full-time equivalent employees at full buildout. An existing agricultural well will provide irrigation water for the Project, while an existing potable water supply line that serves the Site will be utilized to supply drinking water. Project employees will have access to permanent restrooms in the new administration and office building that will be served by a new private onsite wastewater treatment system for sewage disposal, in addition to temporary restrooms for Site employees during peak harvest periods.

EVIDENCE: a) Project File: PLN-12255-CUP

2. FINDING:

CEQA. : As required by the California Environmental Quality Act, the project was found subject to CEQA and a Mitigated Negative Declaration was prepared by the Planning and Building Department, Planning Division (Attachment 2), which evaluated the project for any adverse effects on the environment.

- EVIDENCE:**
- a) The CEQA document includes an analysis of the subject Conditional Use Permit. The Initial Study and Draft Mitigated Negative Declaration (IS/MND) was circulated from January 28, 2021 to February 26, 2021.
 - b) The IS/MND included five mitigation measures which have been incorporated into a Mitigation Monitoring and Reporting Plan which is being adopted as part of the project.

3. FINDING **ENVIRONMENTAL IMPACTS FOUND NOT TO BE SIGNIFICANT- NO MITIGATION REQUIRED.** The following impacts have been found to be less than significant and mitigation is not required to reduce project related impacts: Aesthetics, Agriculture and Forestry Resources, Air Quality, Energy, Greenhouse Gas Emissions, Hazards and Hazardous Materials, Hydrology and Water Quality, Land Use and Planning, Mineral Resources, Noise, Population and Housing, Recreation, Transportation, Utilities and Service Systems, and Wildfire.

- EVIDENCE**
- a) There is no evidence of an impact to any of the above reference potential impact areas based on the project as proposed at this proposed location.
 - b) Initial Study/Mitigated Negative Declaration circulated for public review January 28, 2021 to February 26, 2021.

4. FINDING **ENVIRONMENTAL IMPACTS MITIGATED TO LESS THAN SIGNIFICANT** – The Initial Study identified potentially significant impacts to Biological Resources, Cultural Resources, Geology and Soils, and Tribal Cultural Resources, which could result from the project as originally submitted. Mitigation Measures have been required to ensure potential impacts are limited to a less than significant level.

- EVIDENCE**
- a) **Biological Resources:** Potentially significant impacts will be mitigated to a less than significant level with the implementation of the following mitigation measures for biological resources:
 - i. Project-related vegetation management should occur outside the bird nesting season, (February 28 through September 1). If project-related brush clearing must occur during the breeding season, a preconstruction nesting-bird survey shall be conducted by a qualified biologist no more than two weeks prior to Project activities. If active nests are found, a no-disturbance buffer zone of a minimum of 250 feet shall be established. Within this buffer zone, no construction shall take place until September 1 or until the biologist determines that the nest is no longer active.
 - ii. Use standard BMPs during ground disturbance activities and remove construction debris and waste from and up to 100 feet around drainage ditches.
 - b) **Cultural Resources:** Potentially significant impacts will be mitigated to a less than significant level with the implementation of the following mitigation measures for cultural resources:
 - i. If suspected cultural resources, such as lithic materials or ground stone, historic debris, building foundations, or bone are discovered during

Project activities, work shall be stopped within 100 feet of the discovery. Contact will be made to the County, a professional archaeologist and representatives from the Blue Lake Rancheria, Bear River Band of Rohnerville Rancheria, and Wiyot Tribe. The professional historic resource consultant, Tribes and County officials will coordinate provide an assessment of the find and determine the significance and recommend next steps.

If human remains are discovered during Project activities, work will stop at the discovery location, within 100 feet, and any nearby area reasonably suspected to overlie adjacent to human remains (Public Resources Code, Section 7050.5). The Humboldt County coroner will be contacted to determine if the cause of death must be investigated. If the coroner determines that the remains are of Native American origin, it is necessary to comply with state laws relating to the disposition of Native American burials, which fall within the jurisdiction of the NAHC (Public Resources Code, Section 5097). The coroner will contact the NAHC. The descendants or most likely descendants of the deceased will be contacted, and work will not resume until they have made a recommendation to the landowner or the person responsible for the excavation work for means of treatment and disposition, with appropriate dignity, of the human remains and any associated grave goods, as provided in Public Resources Code, Section 5097.98.

- c) **Geology and Soils:** Potentially significant impacts will be mitigated to a less than significant level with the implementation of the following mitigation measures for geology and soils:
 - i. In the event that paleontological resources are discovered, work shall be stopped within 100 feet of the discovery and a qualified paleontologist shall be notified. The paleontologist shall document the discovery as needed, evaluate the potential resource, and assess the significance of the find under the criteria set forth in State CEQA Guidelines Section 15064.5. If fossilized materials are discovered during construction, excavations within 100 feet of the find shall be temporarily halted or diverted until the discovery is examined by a qualified paleontologist. The paleontologist shall notify the appropriate agency to determine procedures that would be followed before construction is allowed to resume at the location of the find.

- d) **Tribal Cultural Resources:** Potentially significant impacts will be mitigated to a less than significant level with the implementation of the following mitigation measures for tribal cultural resources:
 - i. If suspected tribal cultural resources, such as lithic materials or ground stone, historic debris, building foundations, or bone are discovered during Project activities, work shall be stopped within 100 feet of the discovery. Contact will be made to the County, a professional archaeologist and representatives from the Blue Lake Rancheria, Bear River Band of Rohnerville Rancheria, and Wiyot Tribe. The professional historic resource consultant, Tribes and County officials will coordinate provide an assessment of the find and determine the significance and recommend next steps.

If human remains are discovered during Project activities, work will stop at the discovery location, within 100 feet, and any nearby area reasonably suspected to overlie adjacent to human remains (Public Resources Code, Section 7050.5). The Humboldt County coroner will be contacted to determine if the cause of death must be investigated. If the coroner determines that the remains are of Native American origin, it is necessary to comply with state laws relating to the disposition of Native American burials, which fall within the jurisdiction of the NAHC (Public Resources Code, Section 5097). The coroner will contact the NAHC. The descendants or most likely descendants of the deceased will be contacted, and work will not resume until they have made a recommendation to the landowner or the person responsible for the excavation work for means of treatment and disposition, with appropriate dignity, of the human remains and any associated grave goods, as provided in Public Resources Code, Section 5097.98.

5. FINDING

CEQA Public Comments: There have been a significant number of comments from the public on the project and the Mitigated Negative Declaration and one comment from the California Department of Food and Agriculture, and one comment from the California Department of Transportation on the Mitigated Declaration. These comments have been considered and none of these comments change the conclusions of the Mitigated Negative Declaration.

EVIDENCE

- a) Comments regarding impacts to traffic. W-Trans Traffic Engineering Consultants prepared a Traffic Impact Study for the Project, analyzing potential impacts relative to circulation, access for pedestrians, bicyclists, and to transit. Based on the findings of the study, the Project would only have a potential impact on Level of Service at two intersections. As a result, the Traffic Impact Study recommends that the applicant pay proportional share fees to the City of Arcata to alleviate the project's contribution to the needed improvements at Foster Avenue/Alliance Road and Sunset Avenue/US 101 North Ramps, consisting of \$13,512 and \$8,714, respectively.
- b) Comments regarding impacts to air quality (odor). Odors from the cultivation process will be controlled using fans that direct airflow through the hoop structures to a carbon filtration unit. In the event that carbon filtration is inadequate, odor neutralizers such as Ecosorb, which is a water-based product that contains a proprietary blend of natural plant oils and bio-based surfactants that effectively adsorb to odor molecules, neutralizing their smell, may be utilized. In addition, the approved building plans will address odor management by incorporating a ventilation/air filtration system that limits potential adverse odor emission impacts to employees and/or properties located in the vicinity. The system will be designed, signed, and stamped by a mechanical engineer for review and approval by the Building Official. There will be a description of the odor control system and procedures for ongoing maintenance of the system. The plan will designate a staff member to receive, document, and follow-up on odor complaints. The plan will include procedures to document and respond to any odor complaints that include: a contact name and phone number to report odor complaints, the source or cause of any odor complaints, and actions taken to mitigate the odors. Complaint records will be maintained for a minimum of five years from the date the complaint is received and be provided to the County or NCUAQMD upon request.
- c) Comments regarding visual impacts. The project site is not located near any designated scenic highway or scenic vista. The Project is proposed on

parcels zoned Heavy Industrial. In fact, the site was previously used as a log deck for a lumber mill. The mill buildings still remain on site. The site continues to be used for industrial purposes within the existing industrial buildings. The proposed greenhouses and accessory buildings will not be high or large as those typical at an industrial complex.

- d) Comments regarding light pollution. The CMMLUO requires that mixed light cultivation 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, uplight, or glare (BUG). The project is required to follow International Dark Sky Association Standards that 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.
- e) Comments regarding noise pollution. Project activities are not expected to generate significant noise levels that will exceed the Humboldt County General Plan Noise Element standards. Project activities within the administration buildings and hoop structures will be limited from a noise-generating perspective (e.g., conventional air movement fans, HVAC equipment) and will meet applicable County building and zoning code requirements for noise levels. Outdoor noise-generating activities will include vehicle use and small agricultural support equipment (e.g., ATVs, tractors, and forklifts). From a noise standpoint, Project activities will be consistent with agricultural and vehicle equipment used at the Site under baseline conditions.
- f) Comments regarding impacts to groundwater. The change in use from flower and crop production to cannabis will not result in additional water use, and information available through the California department of Water Resources indicates that existing groundwater extraction in the Mad River Lowland Subbasin is well below the available groundwater storage of 25,000 acre-feet (California Groundwater Bulletin 118), which recharges every year through rainwater and percolation from the Mad River and tributaries thereto.
- g) Comments regarding impacts on birds. The Project areas do not contain designated critical habitat for any listed species. However, mitigation is in place so that if project-related brush clearing must occur during the breeding season, a preconstruction nesting-bird survey shall be conducted by a qualified biologist no more than two weeks prior to Project activities. If active nests are found, a no-disturbance buffer zone of a minimum of 250 feet shall be established. Within this buffer zone, no construction shall take place until September 1 or until the biologist determines that the nest is no longer active.
- h) Comments regarding impacts from pesticide and fertilizer use. Storage and use of fertilizers and pesticides will be conducted in accordance with the Best Practicable Treatment or Control (BPTC) measures of State Water Resources Control Board (SWRCB) Order WQ 2019-0001-DWQ, which include requirements to apply fertilizers and soil amendments at only the proper agronomic rates, and to store materials in a manner that is protected from rainfall and erosion. The cultivation will occur in enclosed greenhouses that will ensure containment of fertilizers and pesticides within the cultivation area only. The enclosed greenhouses will include carbon filtration intended to control odor, and which will also ensure that any aerosolized pesticides are trapped in carbon filters before air is circulated to outside of the greenhouses. No storage of fertilizers, pesticides, or hazardous materials will occur on the proposed cultivation site. All storage

will occur on an adjacent parcel under common ownership that is currently setup and permitted to store and manage fertilizers, pesticides, and hazardous materials used in existing agricultural operations. The materials will be stored in fully enclosed, watertight containers, and in a manner so that they cannot enter or be transported into surface waters or groundwater. These storage facilities are already in place.

- i) Comments regarding energy use. The project will not be drawing more than 1.9 MW at any given time. PG&E has been made aware of this and have not expressed any further concerns.
- k) The project is conditioned to remain in compliance with the requirements of the State Water Resources Control Board (SWRCB). SWRCB Order WQ 2019-0001-DWQ prescribes Best Practicable Treatment or Control measures to control runoff and erosion, including monitoring of erosion control measures during and after design storm events, and repair or replacement, as needed, of ineffective erosion control measures immediately.

FINDINGS FOR CONDITIONAL USE PERMIT

6. 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 and Intensive Agriculture are allowable uses in the Agricultural Exclusive land use designation. The proposed cannabis project, an agricultural product, is within land planned and zoned for agricultural purposes, consistent with the use of Open Space land for managed production of resources. The use of an agricultural parcel for commercial agriculture is consistent with the Open Space Plan and Open Space Action Program. Therefore, the project is consistent with and complimentary to the Open Space Plan and its Open Space Action Program.
- b) The General Plan Circulation Element requires *Decisions to change or expand the land use of a particular area shall include an analysis of the impacts to existing and proposed transportation facilities and services so as to minimize or avoid significant operational, environmental, economic, and health-related consequences.* The project does not change or expand the allowable land uses in this area, as the project site is an existing agricultural operation. Nonetheless, the proposed project has conducted a full transportation analysis which demonstrates that there will be no significant operational, environmental, economic or health-related consequences. The Project site is accessed from Foster Avenue, a paved County maintained road. W-Trans Traffic Engineering Consultants prepared a Traffic Impact Study for the Project, analyzing potential impacts relative to circulation, access for pedestrians, bicyclists, and to transit. Based on the findings of the study, the Project would only have a potential impact on Level of Service at two intersections. As a result, the Traffic Impact Study recommends that the applicant pay proportional share fees to the City of Arcata to alleviate the project's contribution to the needed improvements at Foster Avenue/Alliance Road and Sunset Avenue/US 101 North Ramps, consisting of \$13,512 and \$8,714, respectively. This is a condition of project approval for the Conditional Use Permit.

Public Works Department recommended approval with the condition that the driveway be paved for a minimum width of 20 feet and a length of 50 feet where it intersects Foster Avenue. Public Works also requested that the intersect of the driveway and Foster Avenue be maintained in accordance

with County Code Section 351-1 (Sight Visibility Ordinance). These are included as a conditions of project approval.

- c) The proposed project is consistent with the Conservation and Open Space Element - Biological Resources as evidenced by compliance with the following polices and standards:

Streamside Management Areas (BR-P5, P6) and Wetland Identification (BR-P7): A Project-specific wetland delineation conducted by SHN did not identify any wetlands within the Project area, but did identify a man-made roadside drainage ditch approximately 5,100 square feet in size containing wetland indicators located along the existing access road at the southwest border of the Project site. The drainage ditch is classified as a Class IV watercourse (all other man-made irrigation canals) under the State Water Resources Control Board (SWRCB) Order WQ 2019-0001-DWQ, with no prescribed setback requirements.

The drainage ditch is located outside of the Project boundary, and will be conserved and not disrupted by Project activities (with exception of routine maintenance of the ditch, consistent with current practice). In addition, the Project will be subject to the water quality requirements of WQ 2019-0001-DWQ and the County's CMMLUO performance standards. This includes requiring that fertilizers and pesticides/herbicides be applied consistent with product labeling and managed to ensure that they will not enter or be released into surface or groundwater. As a result, the Project will not physically interfere with the potentially jurisdictional drainage ditch located near the Project boundary. Nevertheless, SHN recommended the following mitigation measure to ensure that no impact to potentially jurisdictional waters occurs.

Use standard BMPs during ground disturbance activities and remove construction debris and waste from and up to 100 feet around drainage ditches.

Biological Resource Maps (BRP11): SHN conducted a Biological Resources Assessment to assess the potential presence of any candidate, sensitive, or special status species within the Project area. The site was visited in December 2018 to assess available habitat for special-status species that were reported in the vicinity, and seasonally appropriate surveys occurred on May 2 and July 19, 2019.

The Site is heavily disturbed and actively managed for agricultural production. During the field surveys conducted as part of the SHN Biological Resources Assessment, no special status plant or animal species were documented within the Project area. However, due to the potential presence of nesting birds at the Site, the following mitigation is recommended in the Mitigated Negative Declaration for the Project.

Project-related vegetation management should occur outside the bird nesting season, (February 28 through September 1). If project-related brush clearing must occur during the breeding season, a preconstruction nesting-bird survey shall be conducted by a qualified biologist no more than two weeks prior to Project activities. If active nests are found, a no-disturbance buffer zone shall be established of a minimum of 250 feet. Within this buffer zone, no construction shall take place until September 1 or until the biologist determines that the nest is no longer active.

SHN found that there are no significant wildlife movement corridors within the Project area, and Project activities will not impact or restrict existing

drainage ditches and swales, maintaining general movement corridors in the Project vicinity. As a result, the Project will not interfere substantially with movement of native resident or migratory wildlife species or with established native resident or migratory wild-life corridors.

The Project does not conflict with local policies or ordinances protecting biological resources. The Project will not impact riparian or wetlands habitats or involve the removal of trees. As a result, the Project will not conflict with any local policies or ordinances protecting biological resources.

Agency Review (BR-P12): Consistent with this policy, the county has consulted with the California Department of Fish and Wildlife. The initial consultation was in October of 2017 and no comments were received. CDFW was consulted in the preparation of the Initial Study/Mitigated Negative Declaration however they chose not to submit comments.

- d) The Goals and policies of the Conservation and Open Space Cultural Resources have been complied with based on the referral of the project to the Northwest Information Center (NWIC), the Bear River Band of Rohnerville Rancheria, the Blue Lake Rancheria, and the Wiyot Tribe. A Cultural Resources Investigation was prepared for the Project by Archaeological Research and Supply Company in May 2018 (updated June 2020). No prehistoric resources were identified within the Project area, but one 1920-50s area historic trash scatter that was identified. The cultural resources study concludes that the Project will not impact significant historic or prehistoric archaeological resources so long as earth disturbances do not extend more than 8 feet below the existing ground surface and a heightened inadvertent discovery protocol is implemented. The Project does not propose to excavate greater than 8 feet in depth. To address the unlikely event that buried cultural resource deposits are discovered during Project activities, heightened inadvertent discovery protocol is an ongoing condition of project approval.
- e) The project is consistent with the Conservation and Open Space Scenic Resources policies as the only applicable policy is related to restricting light and glare. The project involves mixed-light cultivation. The CMMLUO requires that mixed light cultivation 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, uplight, or glare (BUG). The project is required to follow International Dark Sky Association Standards that 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.

The project site is not located near any designated scenic highway or scenic vista. The Project is proposed on parcels zoned Heavy Industrial. In fact, the site was previously used as a log deck for a lumber mill. The mill buildings still remain on site. The site continues to be used for industrial purposes within the existing industrial buildings. The proposed greenhouses and accessory buildings will not be high or large as those typical at an industrial complex.

- f) The project is consistent with the Water Resources Element through compliance with the following goals and policies:

- Sustainable Management (WR-P1).
Protection for Surface and Groundwater Uses (WR-P2).
The project does not utilize diversion from a surface water source, as water will come from a well that is not a diversion of surface water. The well is located within the Mad River Lowland Subbasin. The subbasin is not subject to the Sustainable Groundwater Management Act (SGMA) and the basin prioritization is very low (<https://groundwaterexchange.org/basin/mad-river-valley-lowland>). According to California Department of Water Resources California's Groundwater Bulletin 118 (2003), the subbasin has no known groundwater management plans, groundwater ordinances, or basin adjudications. Storage for the subbasin is estimated at 25,000 acre-feet. Estimates of groundwater extraction are based on a survey conducted by the California Department of Water Resources in 1996. The survey included land use and sources of water. Estimates of groundwater extraction for agricultural and municipal/industrial uses are 6,300 and 35 acre-feet respectively. Deep percolation from applied water is estimated to be 1,400 acre-feet. Groundwater recharge occurs from percolation from the Mad River and small tributary creeks in the foothills to the east of Arcata and deep percolation to floodplain deposits from precipitation and applied water. The Hookton Formation is likely recharged by rainfall in the upland recharge areas east of Arcata (DWR 1973). Some water also moves laterally into the alluvium from adjacent formations and some moves upward from leakage due to differences in pressure between the alluvium and underlying formations.
- Project Design (WR-P12). The project will not detract from the function of rivers, streams, ponds, wetlands or their setback areas.
- Storm Drainage (WR-G10). A professional engineering firm (Wallace Group) developed a project-specific storm water management design to effectively manage surface runoff.

- g) The project is in compliance with the Noise Element as there are no sensitive receptors which would be adversely affected by the project. Project parcels are a component of a large private land holding (350+ acres) of the Project applicant. The predominant land uses in the vicinity of the Project include additional land holdings of the Project applicant, as well as mixed commercial, agricultural and scattered rural residential uses. The surrounding vicinity is sparsely populated with approximately five residences located within 1,000 feet of the Project Site.

Project activities are not expected to generate significant noise levels that will exceed the Humboldt County General Plan Noise Element standards. Project activities within the administration buildings and hoop structures will be limited from a noise-generating perspective (e.g., conventional air movement fans, HVAC equipment) and will meet applicable County building and zoning code requirements for noise levels. Outdoor noise-generating activities will include vehicle use and small agricultural support equipment (e.g., ATVs, tractors, and forklifts). From a noise standpoint, Project activities will be consistent with agricultural and vehicle equipment used at the Site under baseline conditions.

- h) The project complies with the Safety Element of the General Plan as follows:
The subject parcels are not within a mapped Fire Hazard severity area.. According to the Humboldt County Geographic Information System (GIS) the project location is within the 100-year floodplain of the Mad River. However, according to an October 30, 1997 Letter of Map Amendment from the Federal Emergency Management Agency ("FEMA"), the Site is not

located in a Special Flood Hazard Area, that is the area that would be inundated by a flood having a one percent chance of being equaled or exceeded in any given year.

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

- EVIDENCE**
- a) The Heavy Industrial or MH Zone is intended to apply to areas devoted to normal operations of industries subject only to regulations as are needed to control congestion and protect surrounding areas. The existing uses on the site are intensive agricultural production, and the MH zone is specifically identified in the Commercial Medical Marijuana Land Use Ordinance as an appropriate zone district for commercial cannabis cultivation.
 - b) The purpose of the "Q" qualification is to allow for the continued use of the existing Wood Products Processing facilities with vehicular traffic of no greater intensity than an employee average daily trips (ADT) of 765 trips per day and a truck trip ADT of 54 trips per day during the hours of 6:00 A.M. to 4:00 P.M. and during the period of 4:00 P.M. to 12:00 A.M. an employee ADT of 383 "trips per day and a truck trip ADT of 27 trips per day (1,229 total trips), and to prohibit expansion of the existing use or the establishment of new uses without first obtaining a use permit. This application is for a Conditional Use Permit and the daily trips generated by the proposed project will be well below the maximum amount allowed under the Q zone.
 - c) The location and height of all project elements meet the setback and building height requirements for the MH zone.
 - d) The parcels were created in compliance with all applicable state and local subdivision regulations. The parcels known as APN 506-231-021 and 505-151-011 are one separate legal parcel created by Notice of Lot Line Adjustment and Certificate of Subdivision Compliance (LLA-17-005) recorded April 14, 2020.

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

- EVIDENCE**
- a) The CMMLUO allows commercial cannabis cultivation to be permitted in areas zoned MH (HCC § 314-55.4.8.2.1.2).
 - b) As shown on the site plan, all of the project elements other than one of the proposed stormwater detention basins and the irrigation well are within the MH zoned area.
 - c) The project will obtain water from a permitted well that is within a defined groundwater basin and is not diverting from nearby surface waters, and from the City of Arcata.
 - d) The location of the cultivation complies with all setbacks and performance standards of the CMMLUO.
 - e) All the applicable performance standards are included as conditions of project approval. They are required to be met throughout the timeframe of the permit.

9. FINDING The operation of a commercial cannabis cultivation operation 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 paved County-maintained road that can safely accommodate the amount of traffic.
- b) The proposal to operate a commercial cannabis cultivation operation is similar to other agricultural uses in the immediate area.
- c) The location of the operation is more than 600 feet from any school, school bus stop, or church.
- d) Irrigation water will be sourced from a permitted well and the City of Arcata.

10. 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 and is zoned heavy industrial.

DECISION

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

- Adopts the Mitigated Negative Declaration for the Arcata Land Company, LLC Conditional Use Permit; and
- Adopt the findings set forth in this resolution; and
- Conditionally approves the Conditional Use Permit for Arcata Land Company, LLC based upon the Findings and Evidence and subject to the conditions of approval attached hereto as Attachment 1 and incorporated herein by reference; and

Adopted after review and consideration of all the evidence on March 18, 2021.

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

AYES: COMMISSIONERS:

NOES: COMMISSIONERS:

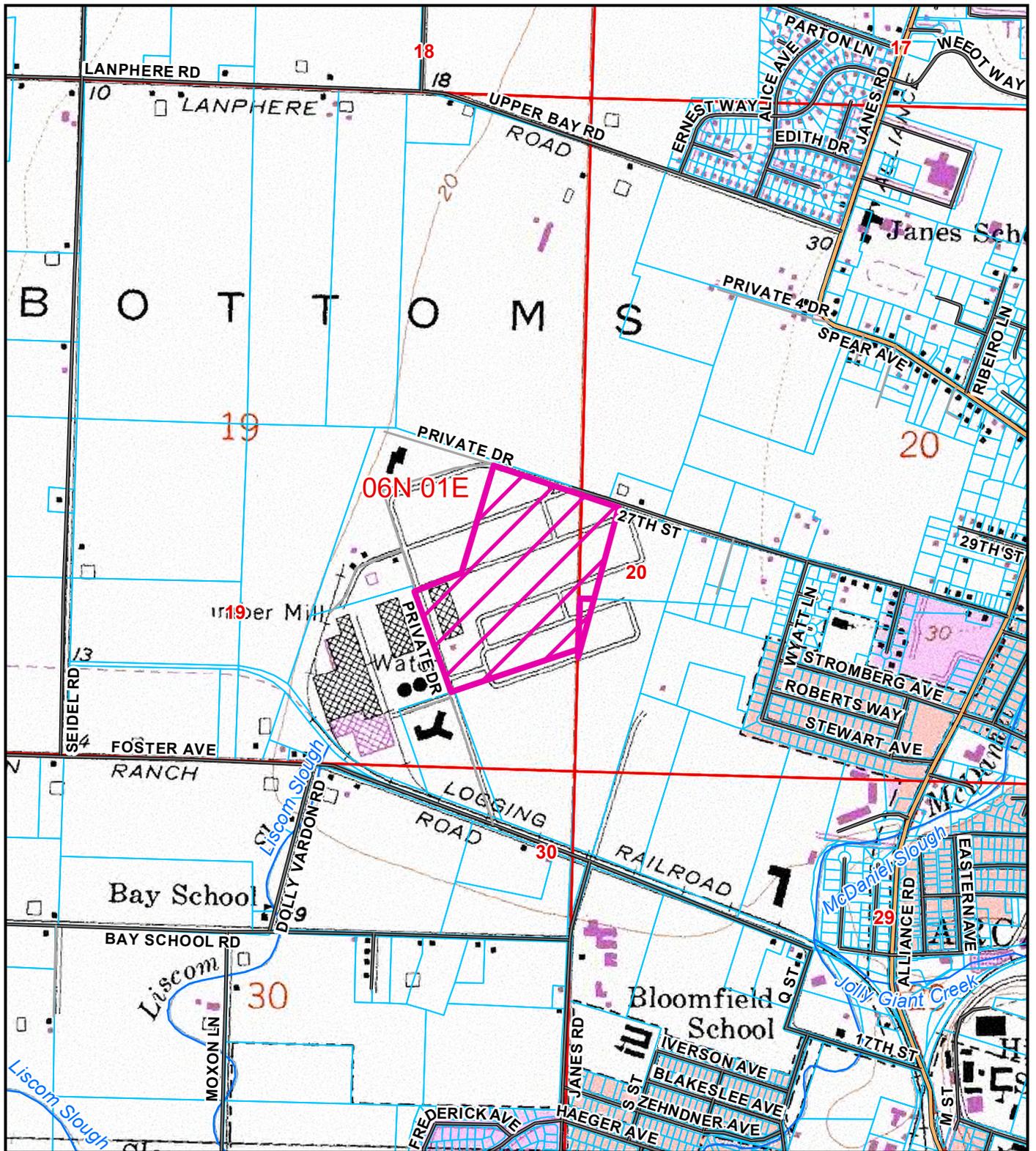
ABSENT: COMMISSIONERS:

ABSTAIN: COMMISSIONERS:

DECISION:

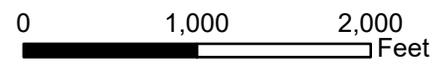
I, John Ford, Secretary to the Planning Commission of the County of Humboldt, do hereby certify the foregoing to be a true and correct record of the action taken on the above entitled matter by said Commission at a meeting held on the date noted above.

 John Ford, Director
 Planning and Building Department

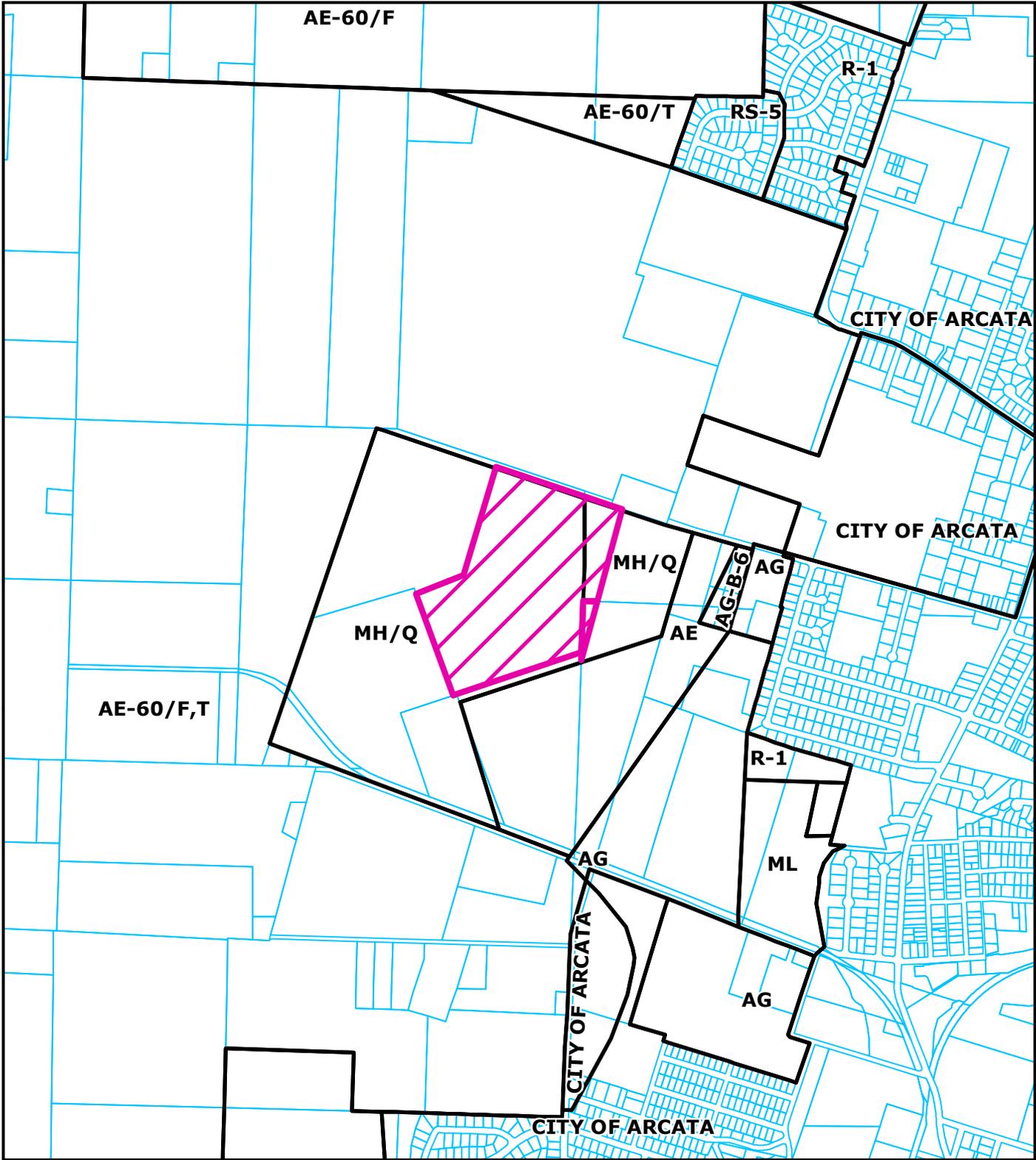


TOPO MAP
PROPOSED ARCATA LAND COMPANY, LLC
ARCATA AREA
PLN-12255-CUP
APN: 505-151-011; ET AL.
T06N R01E S19; S20 HB&M (ARCATA NORTH)

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.

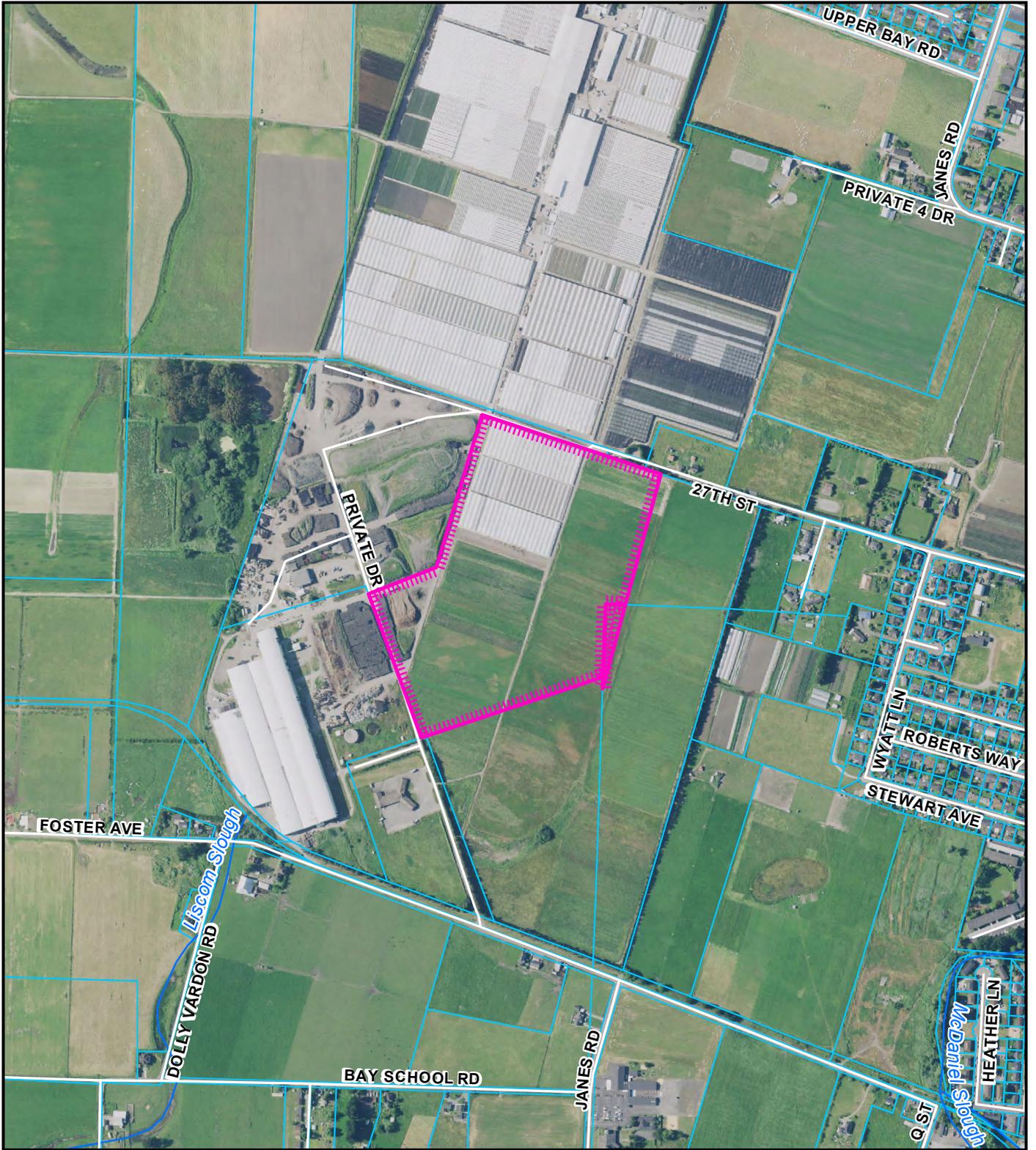


ZONING MAP
PROPOSED ARCATA LAND COMPANY, LLC
ARCATA AREA
PLN-12255-CUP
APN: 505-151-011; ET AL.
T06N R01E S19; S20 HB&M (ARCATA NORTH)

Project Area = 

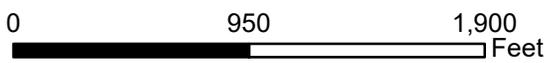


This map is intended for display purposes and should not be used for precise measurement or navigation. Data has not been completely checked for accuracy.



AERIAL MAP
PROPOSED ARCATA LAND COMPANY, LLC
ARCATA AREA
PLN-12255-CUP
APN: 505-151-011; ET AL.
T06N R01E S19; S20 HB&M (ARCATA NORTH)

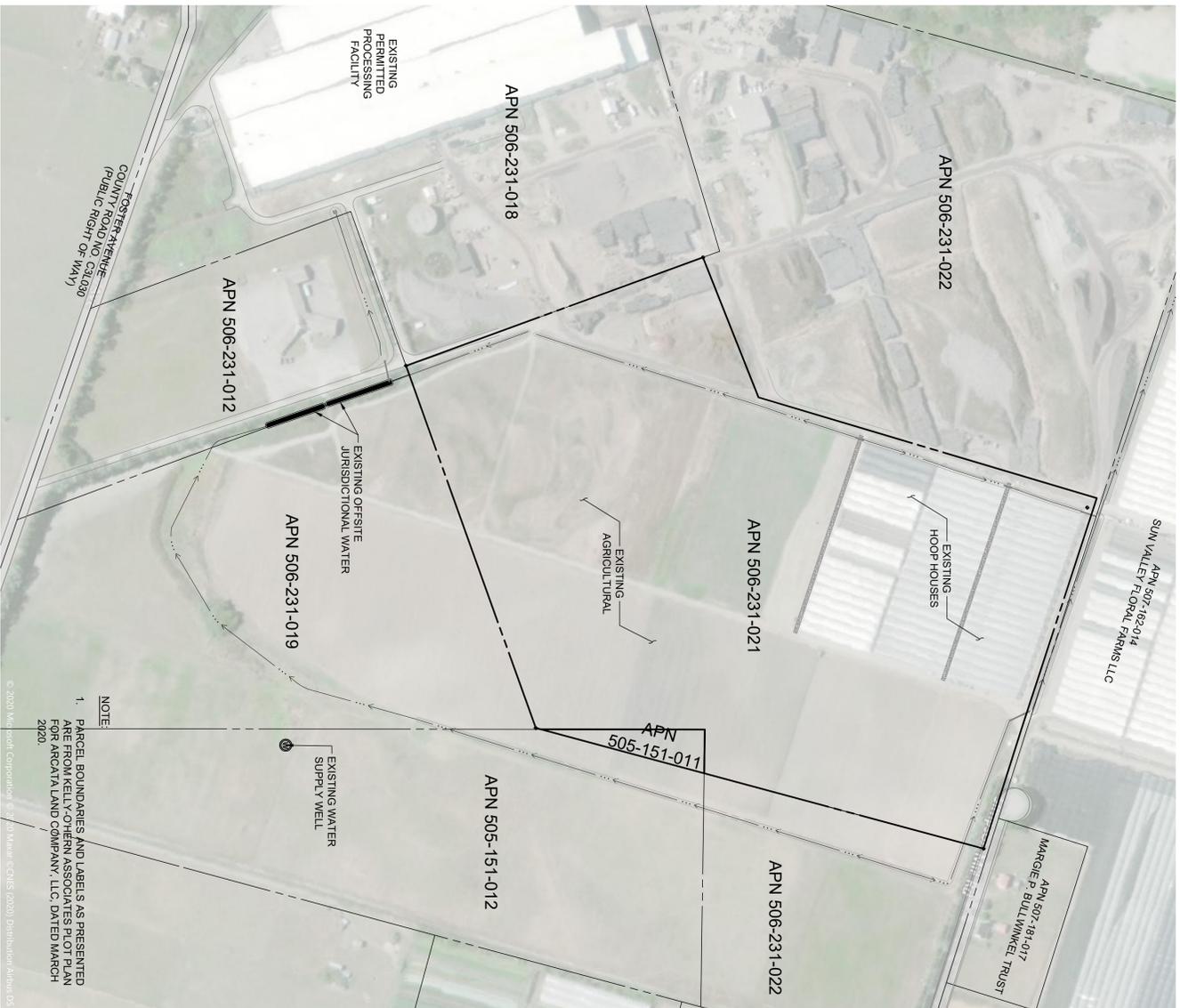
Project Area = 



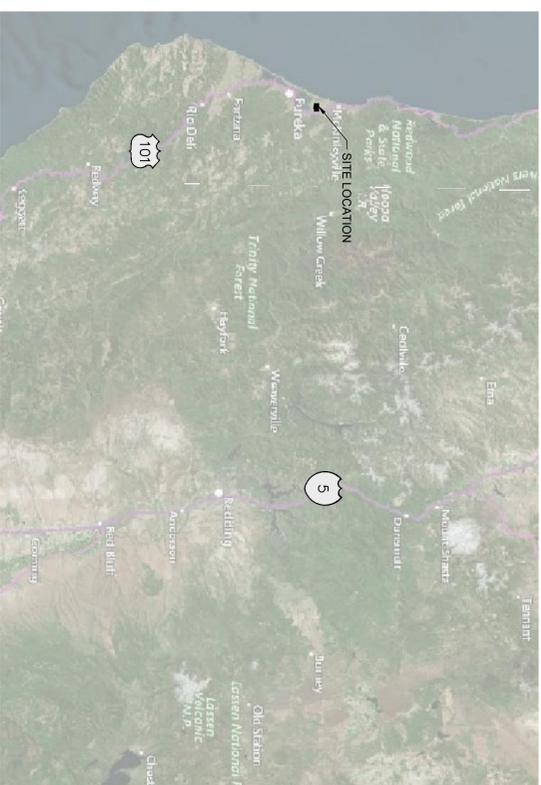
This map is intended for display purposes and should not be used for precise measurement or navigation. Data has not been completely checked for accuracy.

ARCATA LAND COMPANY, LLC COMMERCIAL CANNABIS OUTDOOR LIGHT DEPRIVATION AND MIXED-LIGHT CULTIVATION PROJECT SITE PLAN

3318 FOSTER AVENUE
ARCATA, CA 95521



EXISTING CONDITIONS SITE MAP
1" = 200'-0"



SITE LOCATION
NTS



SITE VICINITY
NTS



Sheet Number	Sheet Title
C1.0	COVER SHEET
C2.0	EXISTING CONDITIONS
C3.0	SITE AND UTILITY PLAN - OVERVIEW
C3.1	SITE AND UTILITY PLAN - AREA 1
C3.2	SITE AND UTILITY PLAN - AREA 2
C3.3	SITE AND UTILITY PLAN - AREA 3
C3.4	SITE AND UTILITY PLAN - AREA 4 AND 5
C4.0	DETAILS - HOOP HOUSES
C4.1	DETAILS - DETENTION BASINS
C4.2	DETAILS - DRAINAGE STRUCTURES
C4.3	DETAILS - BUILDINGS
C5.0	DETAILS - LIGHTING PLAN
C5.1	LIGHTING DETAILS

APPLICANT/OWNER

ARCATA LAND COMPANY, LLC
3318 FOSTER AVENUE
ARCATA, CA 95521
CONTACT: LANE DEVRIES

SITE INFORMATION

APNS: 506-151-011 AND 506-231-021
SECTIONS 19, 20, 29, & 30 T8N, R1E, HUMBOLDT MERIDIAN,
UNINCORPORATED HUMBOLDT COUNTY
ZONING: MH-Q (HEAVY INDUSTRIAL, QUALIFIED COMBINING ZONE)
ADDRESS: 3318 FOSTER AVENUE, ARCATA, CA 95521
LOT SIZE: 38.2 AC

PRELIMINARY EARTHWORK

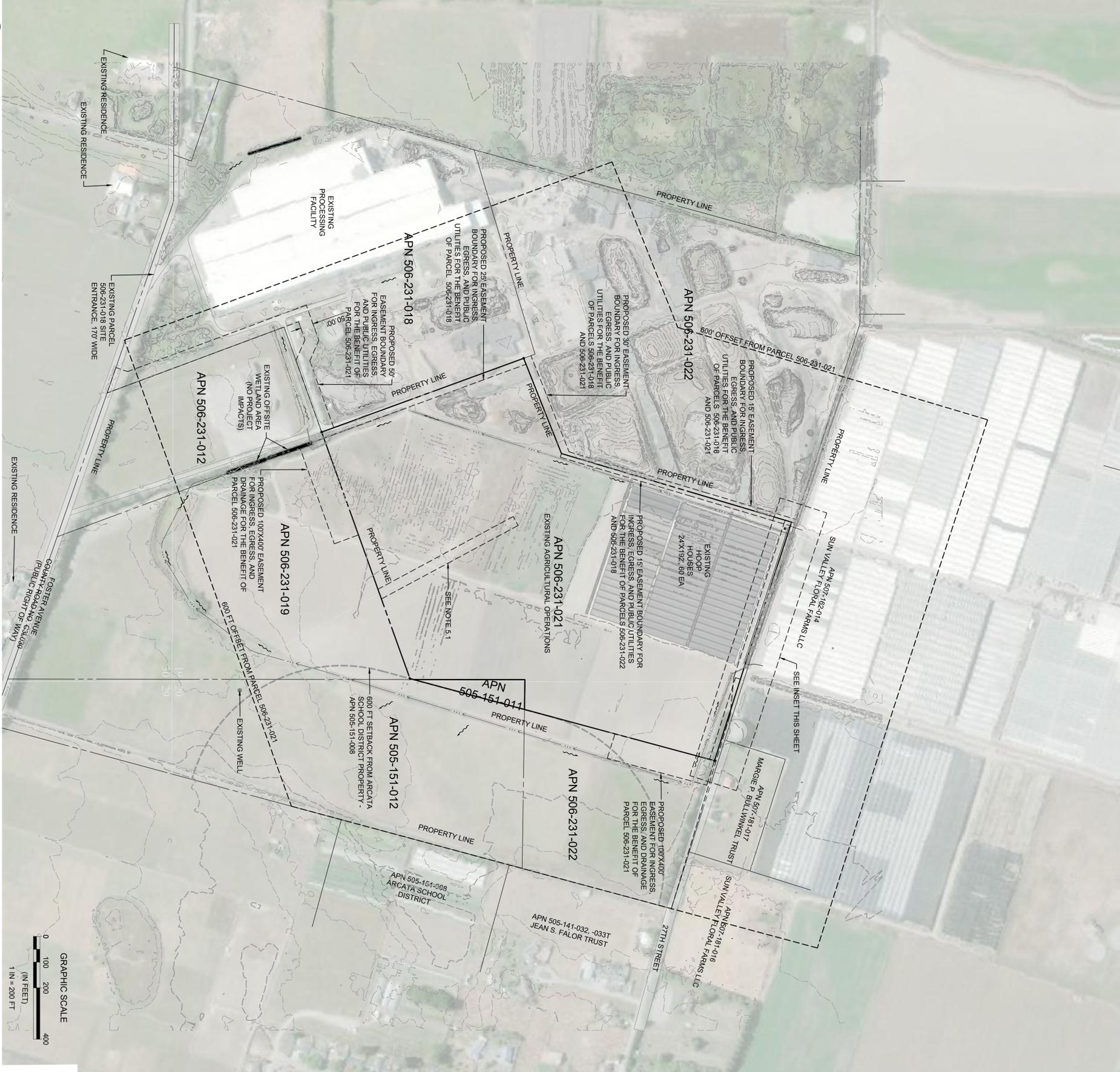
AREA OF DISTURBANCE: 33.1 AC
CUT: 18,589 CY
FILL: 46,586 CY (37,640 CY SAND/SOIL FILL FOR HOOP HOUSE AREAS)
MAX DEPTH CUT: 5.9'

SITE IMPROVEMENTS

- BUILDINGS**
- HOOP HOUSES AREA 1: 6.2 AC
- HOOP HOUSES AREA 2: 3.9 AC
- HOOP HOUSES AREA 3: 4.3 AC
- INCLUDES 1.2 AC OF MOTHER HOOP HOUSES
- HOOP HOUSES AREA 4: 8.5 AC
- INCLUDES 0.6 AC OF STARTS AND 3.4 AC OF MIXED-LIGHT PROPAGATION AND OFFICE BUILDING: 39,500 SF
- UTILITY BUILDING: 1,600 SF
- PARKING AND LOADING**
- (3) ADA STALLS (1 VAN ACCESSIBLE)
- (116) STANDARD STALLS
- (4) LOADING STALLS
- IN ACCORDANCE WITH HUMBOLDT COUNTY CODE TITLE III DIVISION 1 CH 4 SECTION 314-109
- PAVEMENT SURFACES**
- CONCRETE: 40,500 SF
- STORMWATER DETENTION**
- Basin 1 STORAGE CAPACITY: 0.50 AF
- Basin 2 STORAGE CAPACITY: 0.33 AF
- WATER STORAGE**
- WATER STORAGE TANK: 100,000 GALLONS

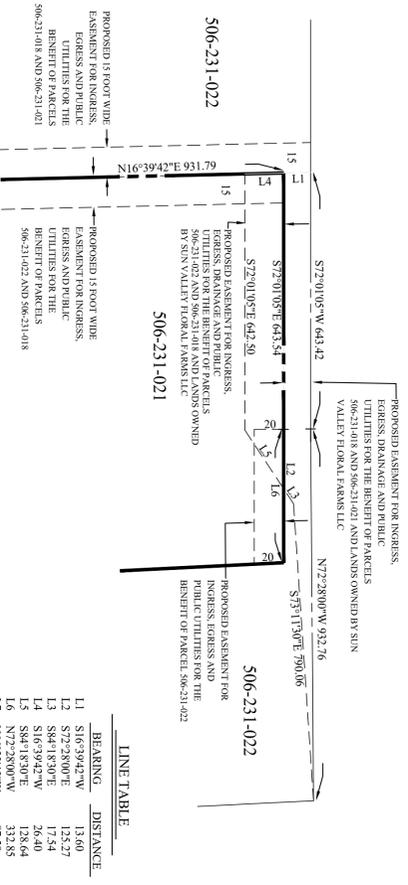
ARCATA LAND COMPANY, LLC
3318 FOSTER AVENUE, ARCATA, CA
COVER
SHEET C1.0





1 EXISTING CONDITIONS

Scale: 1:200



1 INSET AREA - EASEMENTS

Scale: NTS

LINE TABLE	
BEARING	DISTANCE
L1	S16°59'42"W 13.60
L2	S72°58'00"E 125.27
L3	S84°18'30"E 17.34
L4	S16°59'42"W 26.40
L5	S84°18'30"E 128.64
L6	N72°28'00"W 332.85
L7	N77°24'00"W 177.24
L8	S70°22'44"W 75.00
L9	N19°05'03"E 48.35
L10	N70°22'14"E 145.60
L11	S86°23'45"E 87.39
L12	N70°22'14"E 276.33

NOTE:

1. THE PROPERTY LINES SHOWN ON THIS PLOT PLAN ARE BASED ON BOOK 74 OF SURVEYS, PAGES 137 & 138. APNS WERE ASSIGNED AFTER A LOT LINE ADJUSTMENT COMPLETED IN MAY 2020.
2. BASIS OF BEARINGS: BOOK 74 OF SURVEYS, PAGES 137 & 138.
3. ACCORDING TO FLOOD INSURANCE RATE MAP NO. 0602020699E, WITH A DATE OF IDENTIFICATION OF NOVEMBER 4, 2016, FOR COMMUNITY NUMBER 060206 IN HUMBOLDT COUNTY, STATE OF CALIFORNIA, A PORTION OF THE SUBJECT PROPERTY IS LOCATED WITHIN FLOOD ZONE A WITHIN A 100-YEAR FLOOD ZONE AND A PORTION IS LOCATED WITHIN FLOOD ZONE X AREAS OF MINIMAL FLOODING. THE APPROXIMATE LOCATION OF THE LINE BETWEEN ZONE A AND FLOOD ZONE X HAS BEEN LOCATED PER SAI D FLOOD INSURANCE RATE MAP NO. 0602020699E.
- 3.1. BASED ON FEMA CASE NO. 06-09-068A, RECALCULATED BY CASE NO. 0602020699E, JULY 29, 2016, ARCATIA LAND COMPANY PARCELS ARE NOW IN ZONE X, OUTSIDE OF ZONE A.
4. DIRECTIONS OF RUNOFF ARE PER AERIAL MAPPING AND ARE APPROXIMATE.
5. THE EXISTING PROPERTY MAY BE ENCLUMBERED BY THE FOLLOWING RECORDED INSTRUMENTS:
 - 5.1. BOOK 231 DEEPS, PAGE 372 - EASEMENT GRANTED TO PACIFIC GAS AND ELECTRIC COMPANY FOR PUBLIC UTILITIES - SHEPHERSON EASEMENT WILL BE ELIMINATED WITHIN THE BOUNDARY OF 506-231-021.
 6. NO MAJOR VEGETATION REMOVAL PROPOSED.
 7. THERE ARE NO SCHOOLS, SCHOOL BUS STOPS, PLACES OF WORSHIP, PUBLIC PARKS, OR TRIBAL CULTURAL RESOURCES WITHIN 600 FEET OF THE CULTIVATION SITE.
 8. THERE ARE NO JURISDICTIONAL WATERS WITHIN THE PROJECT BOUNDARY PER FEELI AND OTHER WATERS DELINEATION REPORT PREPARED BY SHN ENGINEERS (JUNE 2020).
 9. ACCESS TO THE SUBJECT PROPERTY IS VIA A PROPOSED EASEMENT ACROSS PARCEL 506-231-018 FROM FOSTER AVENUE, SHOWN HEREON. FOSTER AVENUE IS A COUNTY MAINTAINED AD WITH AN ASPHALT-PAVED ROAD SURFACE OF 20 FEET IN WIDTH, WITH A GRADUAL GRADE.
 10. WATER SOURCE IS AN EXISTING AGRICULTURAL WELL LOCATED ON PARCEL 506-151-012 TO THE SOUTH OWNED BY ARCATIA LAND COMPANY AS SHOWN HEREON.
 11. THERE ARE NO WATER DIVERSIONS ON THE SUBJECT PROPERTY.
 12. MH ZONING REQUIRES 50' SETBACKS FROM THE FRONT AND REAR PARCEL BOUNDARIES. SIDE SETBACKS ARE SET AT 10% OF THE AVERAGE LOT WIDTH (HUMBOLDT COUNTY LAND USE REGULATIONS TITLE III, DIVISION 1, CHAPTER 4, SECTION 314.3.3). FOR THIS PARCEL, THIS SETBACK IS CALCULATED AS 90.6'.
 13. NO STORAGE OF FERTILIZERS, PESTICIDES, OR HAZARDOUS MATERIALS WILL OCCUR ON PARCEL 506-231-021. ALL STORAGE WILL OCCUR ON AN ADJACENT PARCEL OWNED BY ARCATIA LAND COMPANY, LLC.

LEGEND:

DESCRIPTION	SYMBOL
PERMETER SECURITY FENCE	X
GRADING LIMITS	---
PARCEL BOUNDARY	---
SETBACK BOUNDARY	---
EASEMENT BOUNDARY	---
FLOW LINE	---
OVERHEAD WIRE (EXISTING)	---
OVERHEAD WIRE (PROPOSED)	---
WATER LINE (EXISTING)	---
WATER LINE (PROPOSED)	---
SANITARY SEWER LINE (EXISTING)	---
SANITARY SEWER LINE (PROPOSED)	---
STORM DRAIN LINE (EXISTING)	---
STORM DRAIN LINE (PROPOSED)	---
GAS LINE (EXISTING)	---
GAS LINE (PROPOSED)	---
GENERALIZED SURFACE FLOW DIRECTION	---
MONUMENT	•
EXISTING TREE	○
EXISTING HYDRANT	⊕
EXISTING POWER POLE	⊕
LIMITS OF ALL-WEATHER SURFACE	---
GREENHOUSE CULTIVATION AREA	---
BUILDING	---

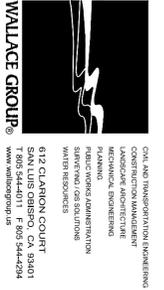
ARCATA LAND COMPANY, LLC
3318 FOSTER AVENUE, ARCATA, CA
EXISTING CONDITIONS
SHEET C2.0

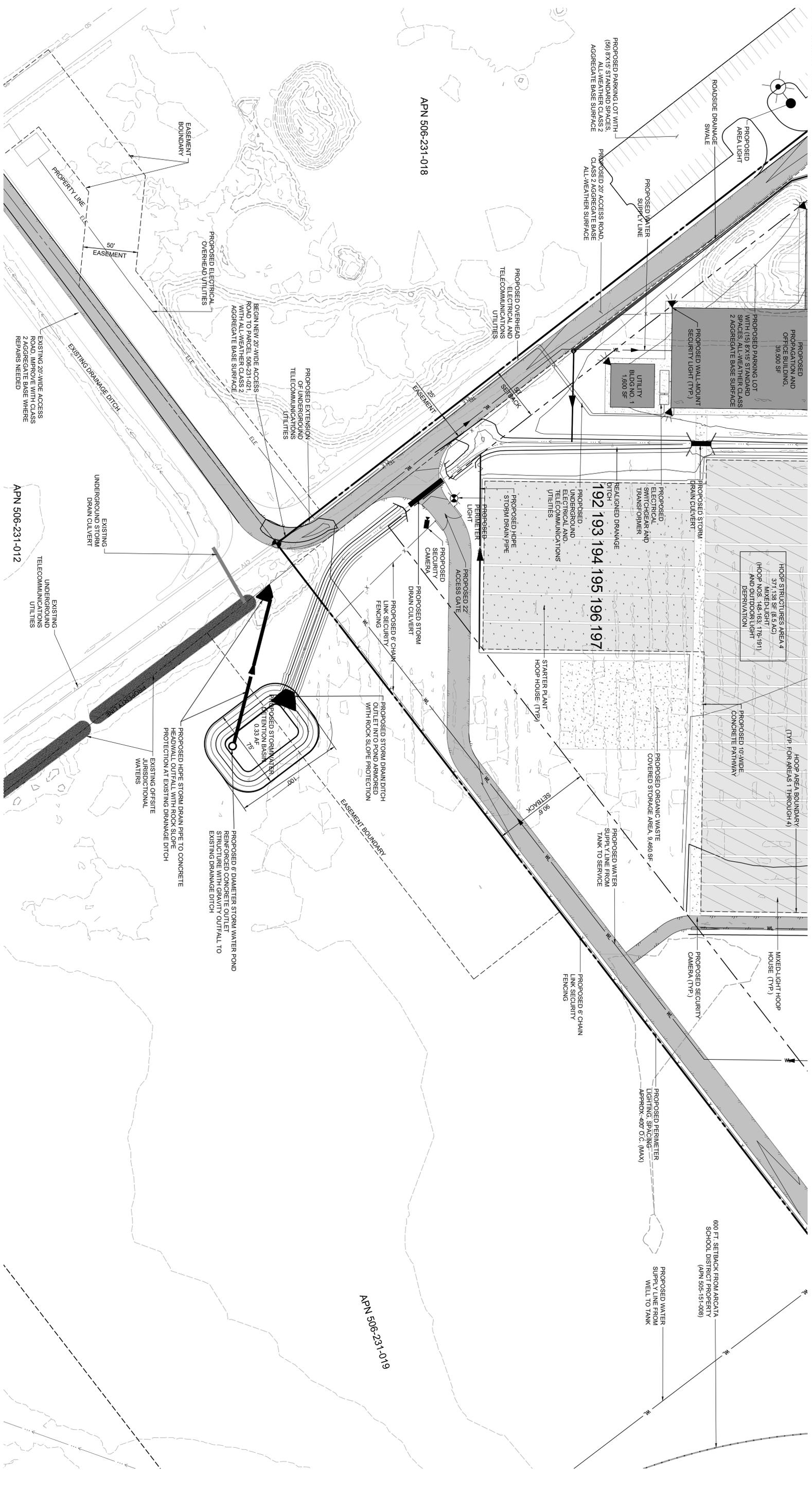


GRAPHIC SCALE



ARCATA LAND COMPANY, LLC
 3318 FOSTER AVENUE, ARCATA, CA
 SITE AND UTILITY PLAN - AREA 1
 SHEET C3.1

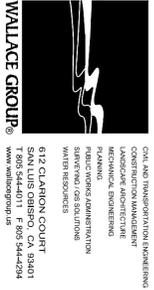


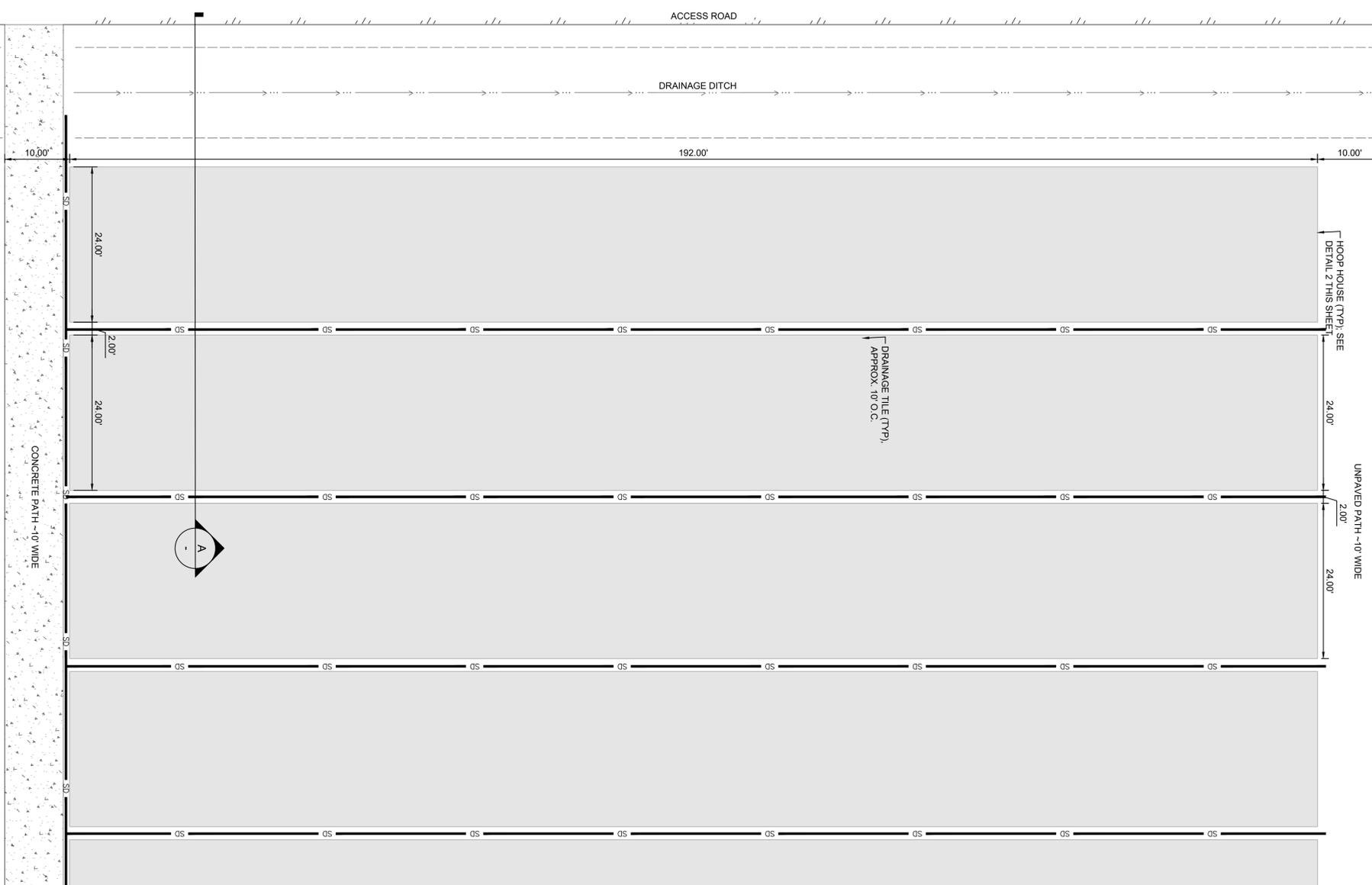


GRAPHIC SCALE

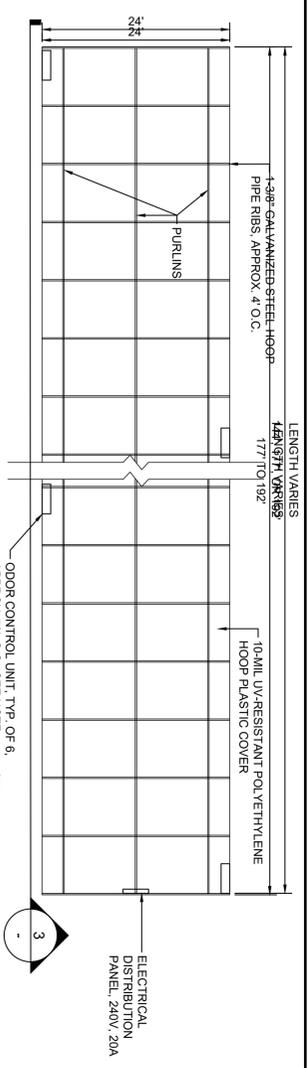


ARCATA LAND COMPANY, LLC
 3318 FOSTER AVENUE, ARCATA, CA
 SITE AND UTILITY PLAN - AREA 3
 SHEET C3.3

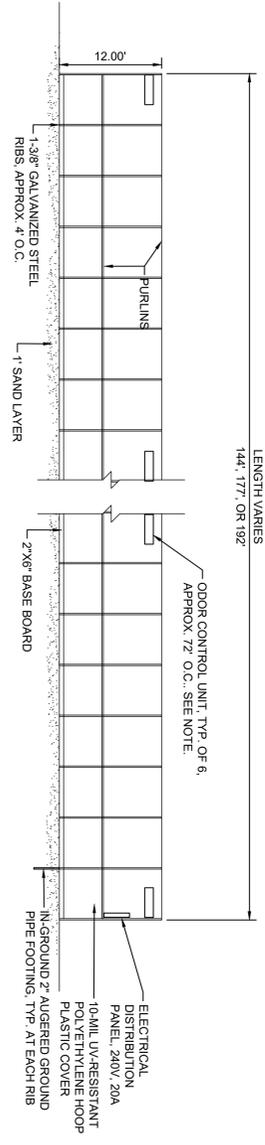




1 EXISTING HOOP HOUSE AND SUBDRAIN LAYOUT
Scale: 1:10



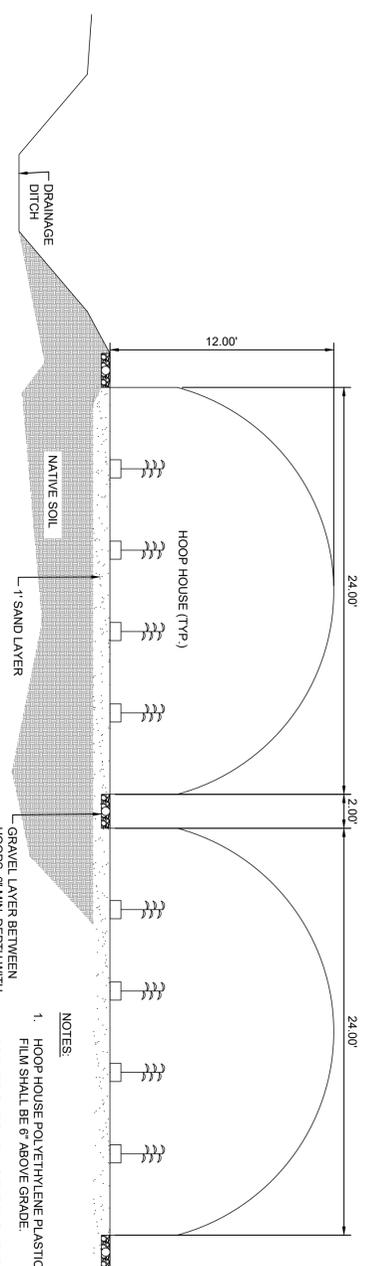
2 PROPOSED HOOP DETAIL - PLAN
Scale: NTS



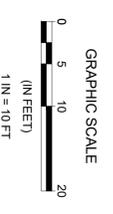
3 PROPOSED HOOP DETAIL - SECTION
Scale: NTS

- NOTE:
- HOOP HOUSE POLYETHYLENE PLASTIC FILM SHALL BE 6\"/>
 - THE PLASTIC COVERING FOR THE MIXED-LIGHT HOOP HOUSES SHALL INCLUDE PLASTIC/FABRIC TO PREVENT LIGHT FROM ESCAPING AT NIGHT.
 - ODOR CONTROL SHALL BE PROVIDED THROUGH CARBON BASED AIR FILTERS. HOOP HOUSE AIR VOLUME RANGES FROM 37,200 TO 49,500 CF. ODOR FLOW CONTROL UNITS SHALL BE SIZED TO TREAT A TOTAL OF 3 AIR VOLUMES PER HOUR.

A HOOP ELEVATION
Scale: 1:5



- NOTES:
- HOOP HOUSE POLYETHYLENE PLASTIC FILM SHALL BE 6\"/>
 - DRIP IRRIGATION RUNS THROUGH THE CENTER OF ROW GROUPS.



ARCATA LAND COMPANY, LLC
3318 FOSTER AVENUE, ARCATA, CA
DETAILS - HOOP HOUSES
SHEET C4.0

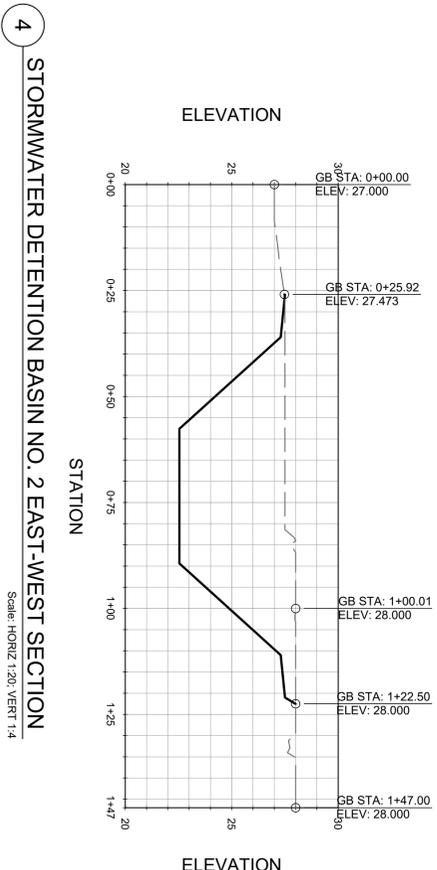
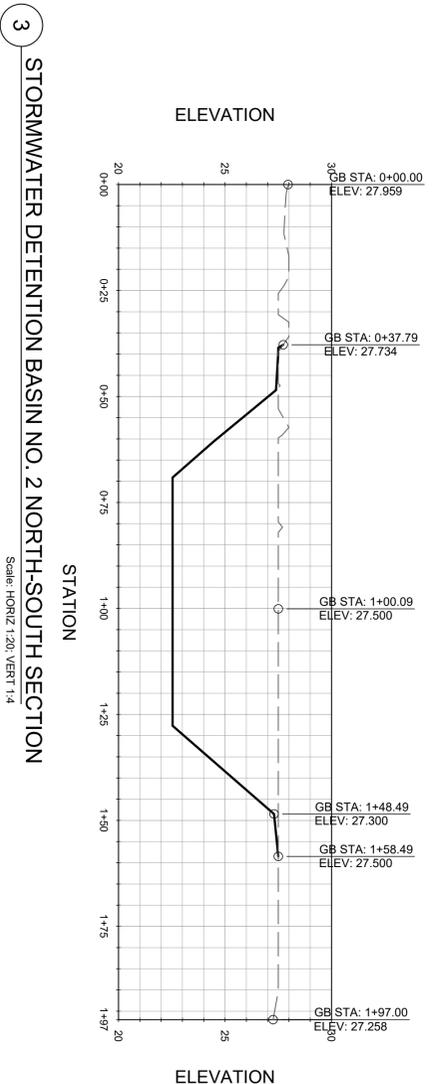
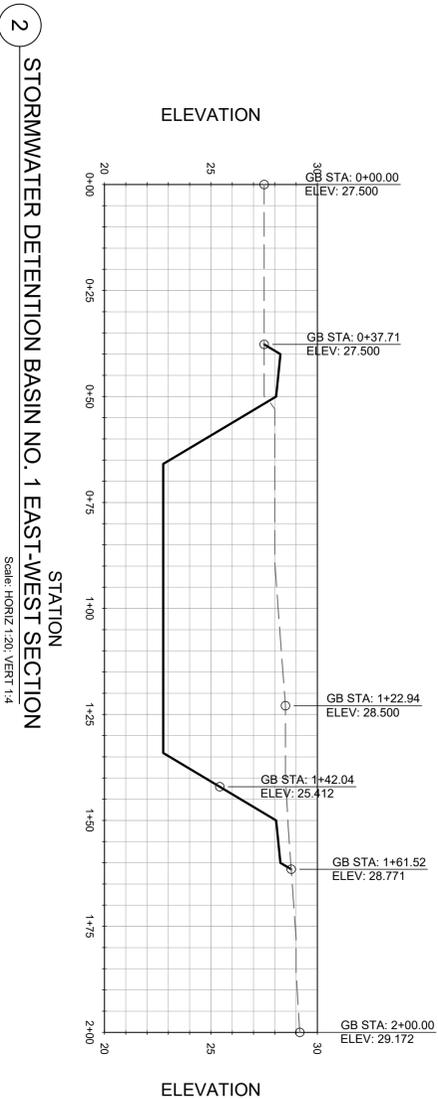
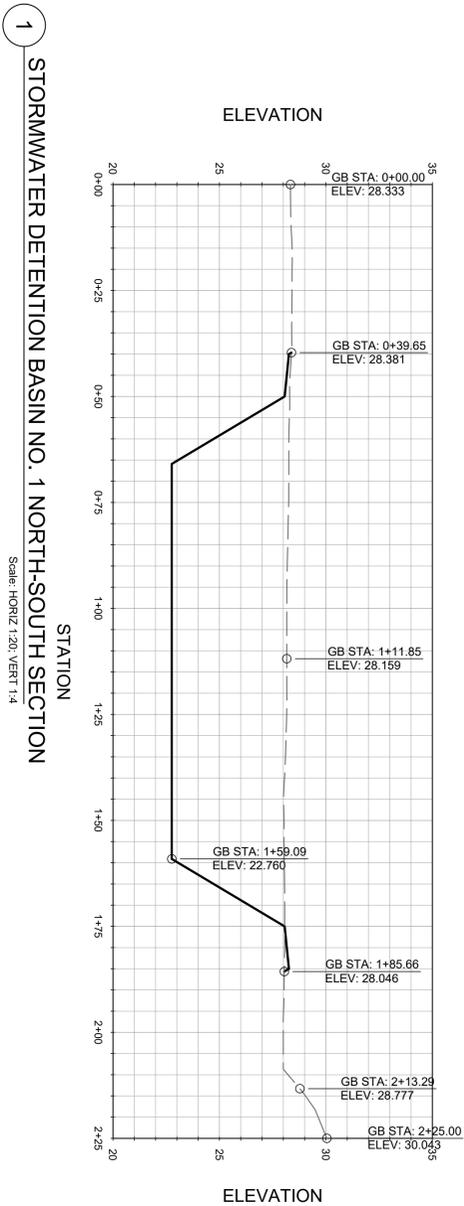
REGISTERED PROFESSIONAL ENGINEER
SHANNON JESSICA
NO. 075278
FOR PLAN REVIEW ONLY
NOT FOR CONSTRUCTION

CIVIL
SITE OF CALIFORNIA

CIVIL ENGINEER
CONSTRUCTION MANAGEMENT
LANDSCAPE ARCHITECTURE
PLANNING
PUBLIC WORKS ADMINISTRATION
MARKETING AND DESIGN
SPECIAL SERVICES

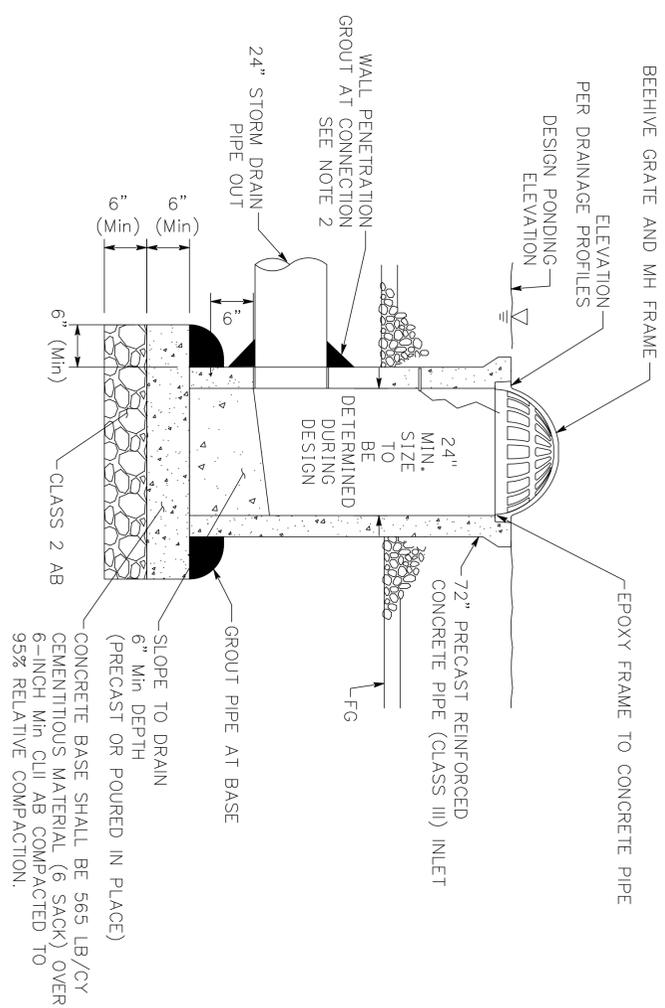
612 CLARION COURT
ARCATA, CA 95521
TEL: 800.544.4011 F: 802.544.4294
www.wallacegroup.us

WALLACE GROUP®



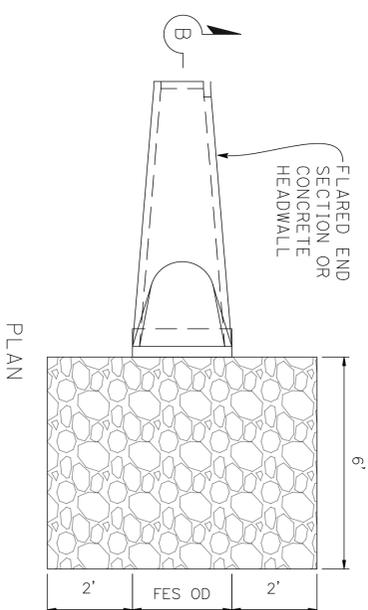
ARCATA LAND COMPANY, LLC
 3318 FOSTER AVENUE, ARCATA, CA
 DETAILS - DETENTION BASINS
 SHEET C4.1





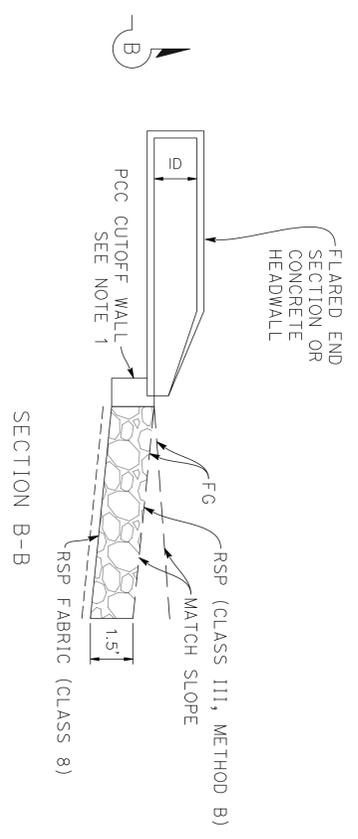
1 DETENTION POND OVERFLOW STRUCTURE

Scale: NTS



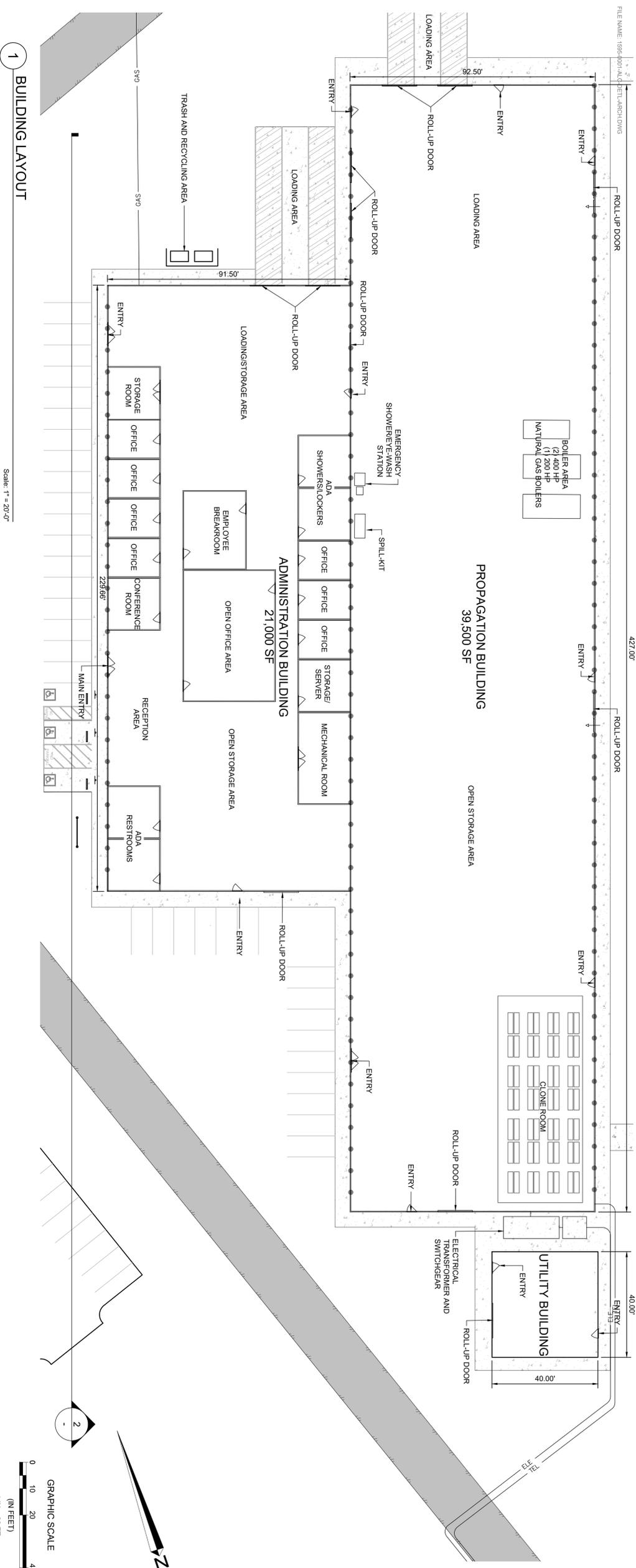
2 STORM DRAIN OUTFALL DETAIL

Scale: NTS



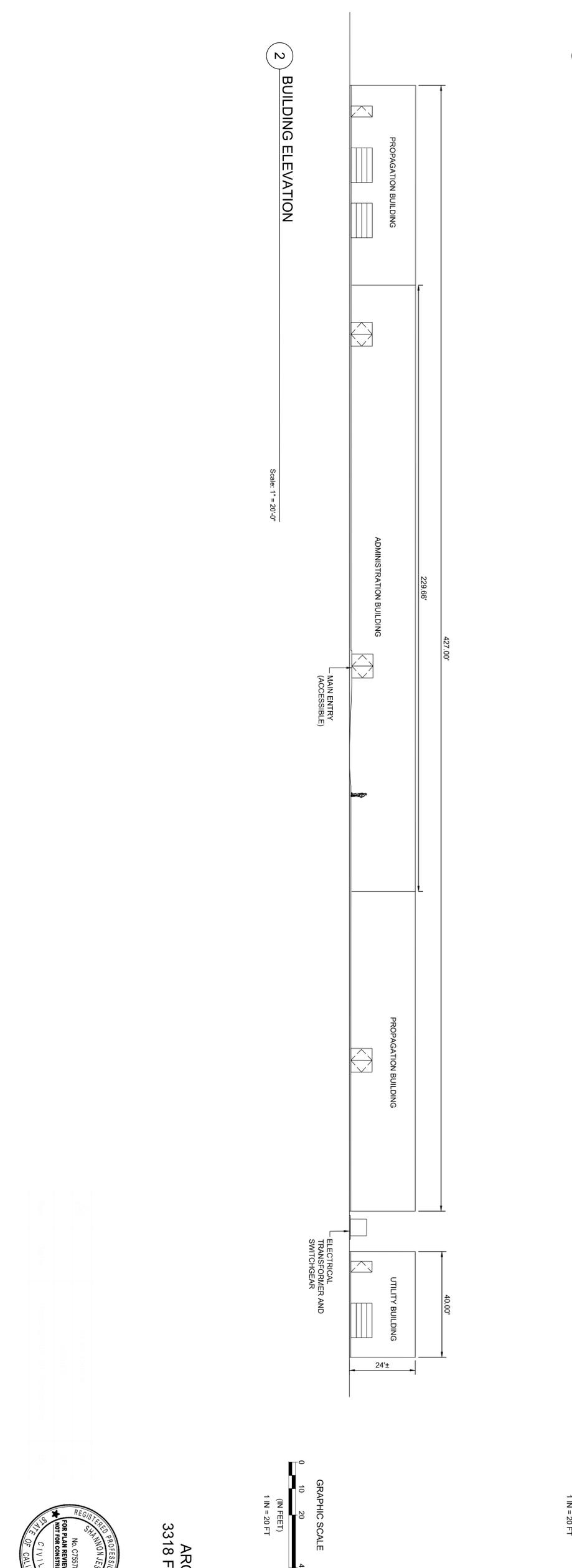
ARCATA LAND COMPANY, LLC
 3318 FOSTER AVENUE, ARCATA, CA
 DETAILS - DRAINAGE STRUCTURES
 SHEET C4.2





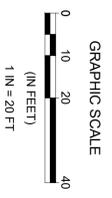
1 BUILDING LAYOUT

Scale: 1" = 20'-0"



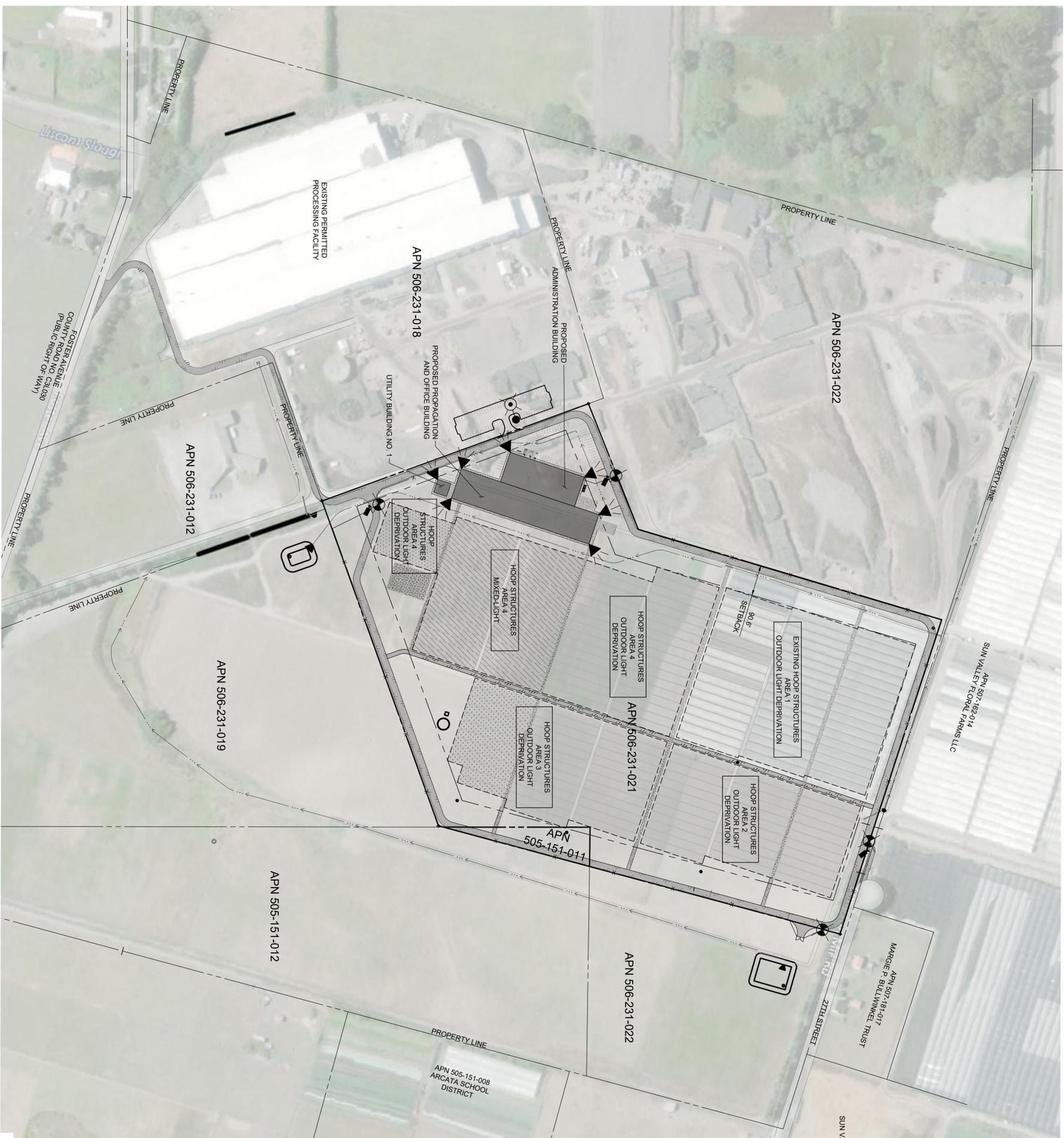
2 BUILDING ELEVATION

Scale: 1" = 20'-0"



ARCATA LAND COMPANY, LLC
 3318 FOSTER AVENUE, ARCATA, CA
 DETAILS - BUILDINGS
 SHEET C4.3



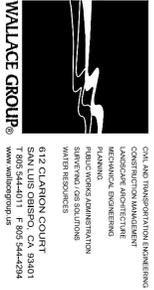


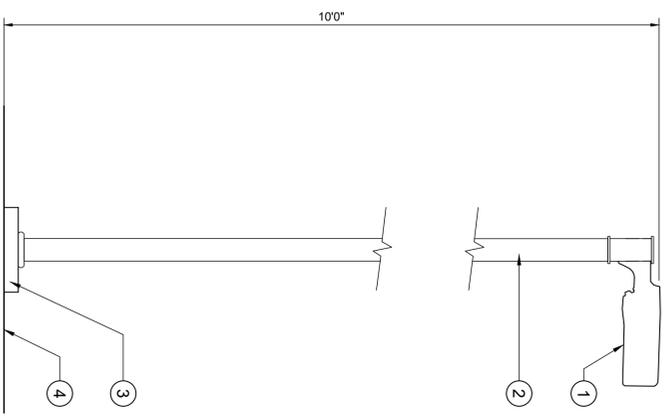
LEGEND:

DESCRIPTION	QUANTITY
FENCE MOUNT SECURITY CAMERA MOTION-ACTIVATED (UP TO 15 MIN WITH TRIGGERING)	3
WALL MOUNT SECURITY LIGHT, WITH CAMERA MOTION-ACTIVATED (UP TO 15 MIN WITH TRIGGERING)	7
PERIMETER SECURITY LIGHT, MOTION-ACTIVATED (UP TO 15 MIN WITH TRIGGERING)	4
SITE AREA LIGHT	1



ARCATA LAND COMPANY, LLC
 3318 FOSTER AVENUE, ARCATA, CA
 LIGHTING PLAN
 SHEET C5.0



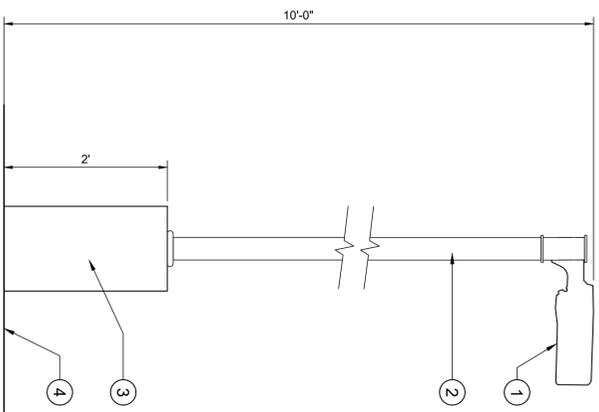


- ① LED AREA LIGHT (TWO FIXTURES PER POLE)
- ② LIGHT POLE
- ③ CONCRETE FOOTING
- ④ FINISH GRADE

NOTES
 A. STRUCTURAL ENGINEERING BY OTHERS
 B. ELECTRICAL ENGINEERING BY OTHERS
 C. ALL SECURITY LIGHTING TO BE MOTION ACTIVATED WITH LENGTH OF UP TO 15 MINUTES PER TRIGGERING

ELEVATION

1 PERIMETER SECURITY LIGHTING
 1" = 1'-0"



- ① LED AREA LIGHT
- ② LIGHT POLE
- ③ CONCRETE FOOTING
- ④ FINISH GRADE

NOTES
 A. STRUCTURAL ENGINEERING BY OTHERS
 B. ELECTRICAL ENGINEERING BY OTHERS
 C. CONNECT TO DAWN TO DUSK TIMER

ELEVATION

2 SITE AREA LIGHT
 1" = 1'-0"

superlighteds.com
 LED Parking Lot/Area Light

Project: _____ Type: _____
 Date: _____



A.LD-50K50W-C-BRC3-FM

- Features**
- 100-277 VAC and 200-480 VAC models available
 - DLC Premium - 3x40 lm/W
 - 110 V/dimmer compatible
 - 380 CRI
 - 120 rated 50,000 hour lifetime
 - Wide variety of mounting options available

Construction
 Features a low-profile aluminum body and swappable polycarbonate lens design. Engineered for minimal wind resistance.

Application

Easily replaces traditional shoulder area/parking lot lights. Type II-V distribution and the these ideal for many applications including factories, warehouses, and other large, high ceiling spaces.

Model	Width (W)	Height (H)
A.LD-K10W-C-BRC3	250 W MH	400 W MH
A.LD-K15W-C-BRC3	400 W MH	750 W MH
A.LD-K30W-C-BRC3	750 W MH	1,000 W MH
A.LD-K40W-C-BRC3	1,000 W MH	1,500 W MH
A.LD-K50W-C-BRC3	1,500 W MH	2,000 W MH

Warranty

Five (5) Year Warranty
 DLC Premium, UL Listed for damp or dry locations, and RoHS compliant.



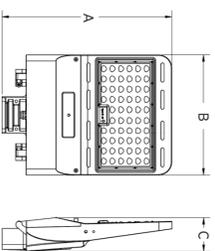
1-314-343-3087
 1-314-972-6022
 email: commercial-sales@superlighteds.com
 www.superlighteds.com/cdr/industrial-led-lighting/

4 PERIMETER SECURITY / SITE AREA LIGHT

superlighteds.com
 LED Parking Lot/Area Light

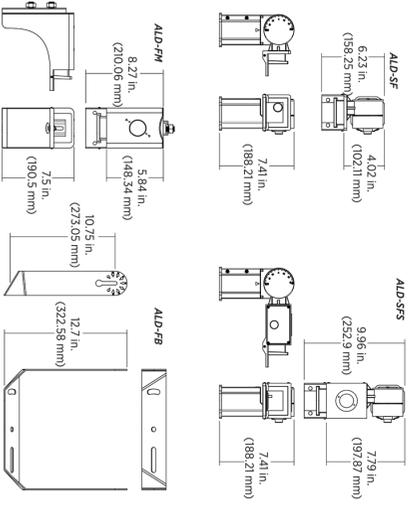
Dimensional Drawings

Lights



Model	Length (A)	Width (B)	Height (C)
A.LD-50K10W-C-BRC3	16.88 in.	12 in.	3.46 in.
A.LD-50K15W-C-BRC3	428.77 mm	304.8 mm	87.88 mm
A.LD-50K30W-C-BRC3	21.94 in.	12 in.	3.46 in.
A.LD-50K30W-B-BRC3	30.54 in.	304.8 mm	87.88 mm
A.LD-50K40W-B-BRC3	39.734 mm	339.85 mm	105.66 mm
A.LD-50K50W-B-BRC3	47.75 mm	339.85 mm	105.66 mm

Mounts



Specifications are subject to change without notice.

1-314-343-3087
 1-314-972-6022
 email: commercial-sales@superlighteds.com
 www.superlighteds.com/cdr/industrial-led-lighting/

SCALE: N/A

LIGHTING NOTES

1. ALL LIGHTS SHALL ADHERE TO THE INTERNATIONAL DARK SKY ASSOCIATION STANDARDS TO PREVENT LIGHT POLLUTION.
2. ALL SITE LIGHTING SHALL ADHERE TO THE HUMBOLDT COUNTY COMMERCIAL CANNABIS LAND USE ORDINANCE (ORDINANCE NO. 2559)
3. ALL SITE LIGHTING SHALL BE DOWN-SHIELDED TO PREVENT LIGHT FROM SPILLING OUTSIDE THE BOUNDARIES OF THE PARCEL AND OPERATED SUCH THAT FISH AND/OR WILDLIFE ARE NOT AFFECTED.

3 WALL MOUNT SECURITY LIGHT CUT SHEET

SCALE: N/A

1000 LED

FULL-CUTOFF WALL PACK LIGHT

45W



PRODUCT FEATURES:

- ❖ LUMILEDS LED: high luminous efficiency and long working life.
- ❖ High efficiency LED Driver: the wide range input voltage AC120-277V ;
- ❖ Cast alloy design, better cooling, light quality, LED Tj < 85°C.
- ❖ Optical design, greatly improved the light utilization and evenness

❖ **PHOTOCELL CONTROL (OPTIONAL)**

Additional Information:

- Power: 45W
- Input: AC 120-277V
- COT: 5000K
- Output: 4800 LM
- Light Source: LUMILEDS
- Driver: OWM

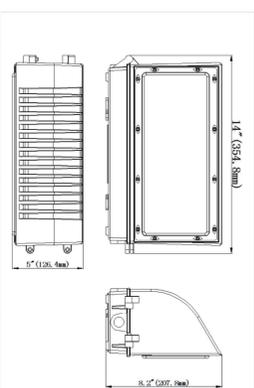
Structure Features:

- Shell Material: Alloy & PC
- Color: Dark Bronze
- Weight: 6.3 lbs.



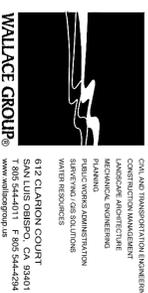
PRODUCT APPLICATIONS:

This 1000LED LED WALL PACK Lighting Series can be widely used in Pedestrian Walkways, Parking Garages, Public Areas, Schools, Hospitals, Hotels and Outdoor Walkways



NOTE:
 ALL WALL MOUNT SECURITY LIGHTS TO BE SET AT A HEIGHT OF 9' OR TO ABOVE FINISHED GRADE.

ARCATA LAND COMPANY, LLC
 3318 FOSTER AVENUE, ARCATA, CA
 LIGHTING DETAILS
 SHEET C5.1



ATTACHMENT 1A

RECOMMENDED CONDITIONS OF APPROVAL

Approval of the Conditional Use Permit is conditioned on the following terms and requirements which must be satisfied before site development or initiation of operations.

Section 1: Development Restrictions

1. The applicant shall submit a check to the Planning Division payable to the Humboldt County Clerk/Recorder in the amount of \$2,530.25. Pursuant to Section 711.4 of the Fish and Game Code, the amount includes the CDFW fee plus the \$50 document handling fee to the Clerk. This fee is effective through December 31, 2021, at such time the fee will be adjusted pursuant to Section 713 of the Fish and Game Code. Alternatively, the applicant may contact CDFW by phone at (916) 651-0603 or through the CDFW website at www.wildlife.ca.gov for a determination stating the project will have no effect on fish and wildlife. If CDFW concurs, a form will be provided exempting the project from the \$2,530.25 fee payment requirement. In this instance, only a copy of the CDFW form and the \$50.00 handling fee is required.
2. The project shall be developed and operated in accordance with the Operations Plan received October 29, 2020, and the Site and Utility Plan.
3. The project shall meet all applicable fire codes, including fire suppression infrastructure requirements deemed necessary for the project. Sign off on the Occupancy Permit by the Building Division shall satisfy this requirement.
4. The applicant shall verify adequate fire apparatus access per California Code in accordance with the comments from Arcata Fire Protection District.
5. Where feasible, new utilities shall be underground or sited unobtrusively if above ground.
6. The applicant shall obtain from the Building Division any Building or other required permits prior to commencing construction activities or the approved use (i.e. grading building plumbing electrical, mechanical, etc.).
7. Due to staffing demands and projected wastewater flow rates, a cumulative impact study for groundwater mounding and nitrogen loading will be required before the Division of Environmental Health can approve any new septic construction permits.
8. Prior to initiating commercial cannabis cultivation or associated activities the applicant shall obtain a Business License from the Humboldt County Tax Collector.
9. Prior to initiating commercial cannabis cultivation or associated activities 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.
10. The approved building plans shall address odor management by incorporating a ventilation/air filtration system that limits potential adverse odor emission impacts to employees and/or properties located in the vicinity. The system shall be designed, signed, and stamped by a mechanical engineer for review and approval by the Building Official. There shall be a description of the odor control system and procedures for ongoing maintenance of the system. The plan shall designate a staff member to receive, document, and follow-up on odor complaints. The plan shall include procedures to document and respond to any odor complaints that include: a contact name and phone number to report odor complaints, the source or cause of any odor complaints, and actions taken to mitigate

the odors. Complaint records shall be maintained for a minimum of five years from the date the complaint is received and be provided to the County or NCUAQMD upon request (**ongoing condition of approval**).

11. The applicant shall be compliant with the County of Humboldt's Certified Unified Program Agency (CUPA) requirements regarding any hazardous materials. A written verification of compliance shall be required before release of the Building Permit and initiation of operations. Ongoing proof of compliance with this condition shall be required at each annual inspection in order to keep the permit valid.
12. Prior to initiating operation, the applicant shall meet all of the requirements and obtain all necessary permits from the Division of Environmental Health. The applicant shall submit written verification from that agency verifying this requirement has been met.
13. All signage shall comply with Section 314-87.2 of the Humboldt County Code, and shall be subject to review and approval by the Planning Director. Signage shall be compatible with surrounding uses and not distract from visitor serving uses in the area.
14. The existing driveway that connects to Foster Avenue shall be improved to current standards for a commercial driveway. An encroachment permit shall be obtained from the Department of Public Works prior to commencement of any work in the County maintained right of way.
15. The applicant shall pay proportional share fees to the City of Arcata to alleviate the project's contribution to the needed improvements at Foster Avenue/Alliance Road and Sunset Avenue/US 101 North Ramps, consisting of \$13,512 and \$8,714, respectively.
16. There shall be no development within the 20' wide PG&E easement shown on the Site and Utility Plan, Sheet C2.0 (Note 5.1) until it is approved by PG&E, or the easement has been extinguished.
17. If there needs to be any rearrangement of existing PG&E facilities on the property, the owner/applicant will bear the burden of that cost.

A. General Conditions

1. The applicant is responsible for obtaining all necessary County and State permits and licenses, and for meeting all requirements set forth by other regulatory agencies.
2. The applicant is required to pay for permit processing on a time and material basis as set forth in the schedule of fees and charges as adopted by ordinance of the Humboldt County Board of Supervisors. The Planning and Building Department will provide a bill to the applicant after the decision. Any and all outstanding planning fees to cover the processing of the application to decision by the Hearing Officer shall be paid to the Humboldt County Planning Division, 3015 "H" Street, Eureka.
3. The Applicant is responsible for costs for post-approval review for determining project conformance with conditions. A deposit is collected to cover this staff review. Permit conformance with conditions must be demonstrated prior to release of building permit or initiation of use and at time of annual inspection. A conformance review deposit as set forth in the schedule of fees and charges as adopted by ordinance of the Humboldt County Board of Supervisors (currently \$750) shall be paid within sixty (60) days of the effective date of the permit or upon filing of the Compliance Agreement (where applicable), whichever occurs first. Payment shall be made to the Humboldt County Planning Division, 3015 "H" Street, Eureka.

4. A Notice of Determination (NOD) will be prepared and filed with the County Clerk for this project in accordance with the State CEQA Guidelines. The Department will file the NOE and will charge this cost to the project.

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

1. All components of project shall be developed, operated, and maintained in conformance with the Project Description, the approved Site and Utility 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.
2. The well shall be metered to show annual water use. If the water use exceeds the anticipated needs. The County reserves the right to reduce the cultivation area to a size relative to well water availability until additional storage adequate to meet annual irrigation needs are in place.
3. Cannabis odor shall be controlled and managed so as not to be perceptible off of the subject property. The Planning Department shall investigate all complaints of cannabis odor and any verified odor control issues shall be corrected within 10 calendar days of the Planning Department providing a correction notice to the applicant.
4. The intersection of the access driveway and Foster Avenue shall be maintained in accordance with County Code Section 341-1 (Sight Visibility Ordinance).
5. 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.
6. 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.
7. Confinement of the area of cannabis cultivation to the locations depicted on the approved site plan. The commercial cannabis activity shall be set back at least 30 feet (or setback for the underlying zone) 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 County Code Section 55.4.11(d).
8. Maintain enrollment in Tier 1, 2 or 3, certification with the State Water Board Order WQ 2019-0001-DWQ, if applicable, or any substantially equivalent rule that may be subsequently adopted by the County of Humboldt or other responsible agency.
9. 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 – Friday, 9:00 am – 5:00 pm, excluding holidays).
10. Refrain from the improper storage or use of any fuels, fertilizer, pesticide, fungicide, rodenticide, or herbicide.
11. Pay all applicable application, review for conformance with conditions and annual inspection fees.
12. The use of monofilament netting for all uses, including but not limited for erosion control, shall be prohibited. Geotextiles, fiber rolls, and other erosion control measure materials shall be made of loose-weave mesh, such as jute, hemp, coconut (coir) fiber, or other products without welded weaves to minimize the risk of ensnaring and strangling wildlife.

13. Leave wildlife unharmed. If any wildlife is encountered during the Authorized Activity, Permittee shall not disturb the wildlife and shall allow wildlife to leave the work site unharmed.
14. All refuse shall be contained in wildlife proof storage containers, at all times, and disposed of at an authorized waste management facility.
15. The burning of excess plant material associated with the cultivation and processing of commercial cannabis is prohibited.
16. Storage of Fuel - Fuel shall be stored and handled in compliance with applicable state and local laws and regulations, including the County of Humboldt's CUPA program, and in such a way that no spillage occurs.
17. Any outdoor construction activity and use of heavy equipment outdoors shall take place between 7:00 a.m. and 6:00 p.m., Monday through Friday, and between 9:00 a.m. and 6:00 p.m. on Saturday and Sunday.
18. The Master Log-Books maintained by the applicant to track production and sales shall be maintained for inspection by the County.
19. Participate in and bear costs for permittee's participation in the State sanctioned tracking program (METRC).

Performance Standards for Cultivation and Processing Operations

20. Pursuant to the MAUCRSA, 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."
21. 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, California Agricultural Labor Relations Act, and the Humboldt County Code (including the Building Code).
22. Processing shall comply with the following Processing Practices:
 - I. Processing operations must be maintained in a clean and sanitary condition including all work surfaces and equipment.
 - II. Processing operations must implement protocols which prevent processing contamination and mold and mildew growth on cannabis.
 - III. Employees handling cannabis in processing operations must have access to facemasks and gloves in good operable condition as applicable to their job function.
 - IV. Employees must wash hands sufficiently when handling cannabis or use gloves.
23. All persons hiring employees to engage in commercial cannabis cultivation and processing shall comply with the following Employee Safety Practices:
 - I. 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.

II. Cultivation operations and processing operations must visibly post and maintain an emergency contact list which includes at a minimum:

- 8) Operation manager contacts;
- 9) Emergency responder contacts;
- 10) Poison control contacts.

III. 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.

24. All cultivators shall comply with the approved Processing Plan as to the following:

- I. Processing Practices.
- II. Location where processing will occur.
- III. Number of employees, if any.
- IV. Employee Safety Practices.
- V. Toilet and handwashing facilities.
- VI. Plumbing and/or septic system and whether or not the system is capable of handling increased usage.
- VII. Drinking water for employees.

25. Term of Commercial Cannabis Activity Permit. Any Commercial Cannabis Permit issued pursuant to the CMMLUO shall expire after 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.

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 non-compliance, 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 non-compliance. Failure to request reinspection or to cure any items of non-compliance shall terminate the Permits, immediately upon the expiration of any appeal period, or final determination of the appeal if an appeal has been timely filed pursuant to Section 55.4.12.3 of the CMMLUO.

26. Permit Renewals to comply with Updated Laws and Regulations. Permit renewal per Ongoing Condition of Approval #25, above, 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.

27. 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.

Permittee further acknowledges and declares that:

- (1) All commercial cannabis activity that I, my agents, or employees conduct pursuant to a permit from the County of Humboldt for commercial cultivation, processing, manufacturing, and distribution of cannabis for adult use or medicinal use within the inland area of the County of Humboldt, shall at all times be conducted consistent with the provisions of the approved County permit; and
- (2) All cannabis or cannabis products under my control, or the control of my agents or employees, and cultivated or manufactured pursuant to local Ordinance and the State of California Medicinal and Adult Use Cannabis Regulation and Safety Act ("MAUCRSA") (SB 94), will be distributed within the State of California; and
- (3) All commercial cannabis activity conducted by me, or my agents or employees pursuant to a permit from the County of Humboldt will be conducted in compliance with the State of California MAUCRSA.

28. 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:

- (1) Identifying information for the new Owner(s) and management as required in an initial permit application;
- (2) A written acknowledgment by the new Owner in accordance as required for the initial Permit application;
- (3) The specific date on which the transfer is to occur; and
- (4) Acknowledgement of full responsibility for complying with the existing permit; and
- (5) Execution of an Affidavit of Non-diversion of Commercial Cannabis.

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

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

ATTACHMENT 1B

MITIGATION MONITORING REPORT

Record Number: PLN-12255-CUP

Assessor Parcel Numbers: 506-231-021 and 505-151-011

Mitigation measures were incorporated into conditions of project approval for the above referenced project. The following is a list of these measures and a verification form that the conditions have been met. For conditions that require ongoing monitoring, attach the Monitoring Form for Continuing Requirements for subsequent verifications.

Mitigation Measures:

Biological Resources

BR-1: Preconstruction Bird Surveys

Project-related vegetation management should occur outside the bird nesting season, (February 28 through September 1). If project-related brush clearing must occur during the breeding season, a preconstruction nesting-bird survey shall be conducted by a qualified biologist no more than two weeks prior to Project activities. If active nests are found, a no-disturbance buffer zone of a minimum of 250 feet shall be established. Within this buffer zone, no construction shall take place until September 1 or until the biologist determines that the nest is no longer active.

Implementation Time Frame	Monitoring Frequency	Date Verified	To Be Verified By	Compliance		Comments / Action Taken
				Yes	No	
If vegetation removal is to occur during the bird nesting season (Feb 28 – Sept 1).	Annually		HCP&BD*			

BR-2: Protection of Drainage Ditches

Use standard BMPs during ground disturbance activities and remove construction debris and waste from and up to 100 feet around drainage ditches.

Implementation Time Frame	Monitoring Frequency	Date Verified	To Be Verified By	Compliance		Comments / Action Taken
				Yes	No	
During construction activity and project operations.	Continuous		HCP&BD*			

Cultural Resources

CR-1: Inadvertent Discovery Protocol

If suspected cultural resources, such as lithic materials or ground stone, historic debris, building foundations, or bone are discovered during Project activities, work shall be stopped within 100 feet of the discovery. Contact will be made to the County, a professional archaeologist and representatives from the Blue Lake Rancheria, Bear River Band of Rohnerville Rancheria, and Wiyot Tribe. The professional historic resource consultant, Tribes and County officials will coordinate provide an assessment of the find and determine the significance and recommend next steps.

If human remains are discovered during Project activities, work will stop at the discovery location, within 100 feet, and any nearby area reasonably suspected to overlie adjacent to human remains (Public Resources Code, Section 7050.5). The Humboldt County coroner will be contacted to determine if the cause of death must be investigated. If the coroner determines that the remains are of Native American origin, it is necessary to comply with state laws relating to the disposition of Native American burials, which fall within the jurisdiction of the NAHC (Public Resources Code, Section 5097). The coroner will contact the NAHC. The descendants or most likely descendants of the deceased will be contacted, and work will not resume until they have made a recommendation to the landowner or the person responsible for the excavation work for means of treatment and disposition, with appropriate dignity, of the human remains and any associated grave goods, as provided in Public Resources Code, Section 5097.98.

Implementation Time Frame	Monitoring Frequency	Date Verified	To Be Verified By	Compliance		Comments / Action Taken
				Yes	No	
During construction activity and project operations.	Continuous		HCP&BD*			

Geology and Soils

GEO-1: Inadvertent Discovery Protocol

In the event that paleontological resources are discovered, work shall be stopped within 100 feet of the discovery and a qualified paleontologist shall be notified. The paleontologist shall document the discovery as needed, evaluate the potential resource, and assess the significance of the find under the criteria set forth in State CEQA Guidelines Section 15064.5. If fossilized materials are discovered during construction, excavations within 100 feet of the find shall be temporarily halted or diverted until the discovery is examined by a qualified paleontologist. The paleontologist shall notify the appropriate agency to determine procedures that would be followed before construction is allowed to resume at the location of the find.

Implementation Time Frame	Monitoring Frequency	Date Verified	To Be Verified By	Compliance		Comments / Action Taken
				Yes	No	
During construction activity and project operations.	Continuous		HCP&BD*			

Tribal Cultural Resources

TCR-1: Inadvertent Discovery Protocol

If suspected cultural resources, such as lithic materials or ground stone, historic debris, building foundations, or bone are discovered during Project activities, work shall be stopped within 100 feet of the discovery. Contact will be made to the County, a professional archaeologist and representatives from the Blue Lake Rancheria, Bear River Band of Rohnerville Rancheria, and Wiyot Tribe. The professional historic resource consultant, Tribes and County officials will coordinate provide an assessment of the find and determine the significance and recommend next steps.

If human remains are discovered during Project activities, work will stop at the discovery location, within 100 feet, and any nearby area reasonably suspected to overlie adjacent to human remains (Public Resources Code, Section 7050.5). The Humboldt County coroner will be contacted to determine if the cause of death must be investigated. If the coroner determines that the remains are of Native American origin, it is necessary to comply with state laws relating to the disposition of Native American burials, which fall within the jurisdiction of the NAHC (Public Resources Code, Section 5097). The coroner will contact the NAHC. The descendants or most likely descendants of

the deceased will be contacted, and work will not resume until they have made a recommendation to the landowner or the person responsible for the excavation work for means of treatment and disposition, with appropriate dignity, of the human remains and any associated grave goods, as provided in Public Resources Code, Section 5097.98.

Implementation Time Frame	Monitoring Frequency	Date Verified	To Be Verified By	Compliance		Comments / Action Taken
				Yes	No	
During construction activity and project operations.	Continuous		HCP&BD*			

* HCP&BD = Humboldt County Planning and Building Department

ATTACHMENT 2

INITIAL STUDY/MITIGATED NEGATIVE DECLARATION

Found Here: <https://ceqanet.opr.ca.gov/2021010337/2>

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 in Maps Section)
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. (Not applicable)
6. Description of water source, storage, irrigation plan, and projected water usage. (Included in Cultivation Operations Plan (item 4. above)
7. Copy of Notice of 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 WQ 2019-0001-DWQ, or any substantially equivalent rule that may be subsequently adopted by the County of Humboldt or other responsible agency. (Condition of approval)
8. If any on-site or off-site component of the cultivation facility, including access roads, water supply, grading or terracing, impacts the bed or bank of any stream or other watercourse, a copy of the Streambed Alteration Permit obtained from the California Department of Fish and Wildlife (Not applicable).
9. If the source of water is a well, a copy of the County well permit, if available. (see Attachment 2 – Appendix D)
10. If the parcel is zoned FR, U or TPZ, or involves the conversion of timberland as defined under Section 4526 of the Public Resources Code, a copy of a less-than-3-acre conversion exemption or timberland conversion permit, approved by the California Department of Forestry and Fire Protection (Cal Fire). Alternately, for existing operations occupying sites created through prior unauthorized conversion of timberland, evidence may be provided showing that the landowner

has completed a civil or criminal process and/or entered into a negotiated settlement with Cal Fire.
(Not applicable)

11. Consent for on-site inspection of the parcel by County officials at prearranged date and time in consultation with the applicant prior to issuance of any clearance or permit, and once annually thereafter. (On file)
12. For indoor cultivation facilities, identify the source of electrical power and how it will meet with the energy requirements in Section 55.4.12.5 (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. Hydrologic Connectivity Letter (see Attachment 2 – Appendix E).
16. Storm Water Management Design Memo (see Attachment 2 – Appendix F).
17. Standard Operating Procedures (see Attachment 2 – Appendix G).
18. Waste Management Plan (see Attachment 2 – Appendix H).
19. Pest Management Plan (see Attachment 2 – Appendix I).
20. Septic Suitability Report (see Attachment 2 – Appendix J).
21. Air Quality and GHG Assessment (see Attachment 2 – Appendix K).
22. Biological Resources Assessment (see Attachment 2 – Appendix L).
23. Wetland Delineation Report (see Attachment 2 – Appendix M).
24. FEMA Letter of Map Amendment (see Attachment 2 – Appendix N).
25. EnviroStor Records Search Results (see Attachment 2 – Appendix O).
26. Phase 1 ESA (see Attachment 2 – Appendix P).
27. Traffic Impact Study (see Attachment 2 – Appendix Q).

Arcata Land Company LLC

APPS #12255 – 3318 Foster Avenue, Arcata, CA

Commercial Cannabis Outdoor & Mixed-Light Cultivation Facilities

Outdoor & Mixed-Light Cultivations Operations Plan & Manual

Revised 10/17/2020

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OPERATIONS PLAN & MANUAL

1) County's Access to the Facility:

- a) All facility personnel will cooperate fully with all conditions in the Permit and Permit Application requiring that the County, its agents, and employees, be granted access to the facility to seek verification of the information contained within the permit, permit applications, the Operations Manual, and the Operating Standards at any time before or after the permits are issued.
- b) The Humboldt County Sheriff's Department will be authorized to have access to the facility's security surveillance video.

2) Staffing & Staff Screening Processes

- a) The facilities will require up to 116 FTE employees at full buildout. The operation will be seasonal, with the majority of employees needed beginning in April (planting) and extending through the end of October (final harvest).
- b) All candidates for staff positions will undergo criminal background checks as part of the standard screening process. To the maximum effect allowed by California and federal employment law, candidates with a felony criminal history or a history of drug abuse will be screened from employment.

3) Vehicle Trips

- a) See Traffic Impact Study prepared for this project by W-Trans for Vehicle Trip estimates and other transportation methods; i.e. pedestrian, bicycle, transit.

4) Days and Hours of Operation

- a) The facility is not open to the public and will not accept visitors without a specific business purpose.
- b) Hours of operation will generally be 6:30 a.m. to 3:30 p.m., Monday through Saturday, although approximately 15 employees will work an extended evening shift to manage the propagation and cultivation process.

5) Location Map (See Site Plan)

6) Security Measures

- a) The security measures located on the premises will include the following:
 - i) Lighting -- outdoor lighting will be minimized and controlled by photocell switching, timers, infrared motion sensors and/or other state-of-the-art control systems to provide an appropriate light level at the exterior of the facilities to ensure that personnel and the video surveillance system can effectively monitor the space in and around the facility. Exterior lighting will be directed so as to not pose a nuisance to neighboring properties.
 - ii) Camera Systems -- All Project areas will be covered by camera systems for surveillance and worker safety purposes, and to prevent product loss or diversion.
 - iii) Alarm -- a security/burglar alarm system will be installed and operated at all appropriate times within the facility. This system will be monitored by a security staff and a third-party remote central control station which will have the responsibility for automatically providing notification to law enforcement of any breach in the facility's security system.
 - iv) Access Control -- all entrances to the facility will be restricted by an access control system. 24 hour access to the facility by emergency responders (Fire Dept.) will be provided via a Knox Box.
 - v) Fencing -- the cultivation area will be fenced with chain-link fencing.
 - vi) The Safety of Staff -- working in concert together, the access control system, lighting, fencing, surveillance, and alarm systems, will provide a secure and protected facility for the staff to occupy.
 - vii) The security measures will secure the commercial cannabis against diversion for non-commercial purposes by protecting against theft not only from intruders, but also from staff members and visitors. This is done by limiting access into the facility as necessary and by surveillance monitoring of personnel and visitors at all times when in close proximity to the product. Strict inventory control measures will also be engaged to prevent and detect diversion.
 - viii) All commercial cannabis other than lab samples will be transported to State licensed and/or locally permitted licensed commercial cannabis, processing, wholesale, distribution, or manufacturing facilities by a state licensed and/or locally permitted licensed transport company.

7) Customer Screening, Registration, and Validation Process and Procedures.

- a) The facility is for the purpose of cultivation only, and all products will be sold to state licensed facilities on a wholesale basis. As this is the case, the facility will not be open to the public and will not accept visitors without a specific pre-authorized business purpose. Only authorized representatives of state licensed customer facilities and appropriately licensed vendors will be allowed to enter the facility and be in close proximity to commercial cannabis, but in all cases supervised at all times. Any other vendors or maintenance workers allowed in the facility will be at all times escorted and sequestered from the finished products and harvested materials.

8) Inventory control processes and procedures

- a) The facilities inventory control process includes tracking of all incoming seedlings, including the name and state license number of the licensee, the testing lab data (as applicable), the strain, the supplier's product tracking identification data, and bill of lading from the transport company or nursery.

- b) All incoming plants will be assigned a unique number or identifier that can be cross-referenced to the above referenced data and stays with the product through the cultivation, harvesting, off-site processing, and to final sale to our authorized customers.
- c) All outgoing product will be tracked by SKU, batch number, invoice, and shipping documents; unless the product is not for sale and will be destroyed. The process for documenting product to be destroyed is described separately in this manual.
- d) The methodologies for tracking and inventory control of commercial cannabis may be modified subject to requirements imposed by the County, Department of Health, or Bureau of Cannabis Control, and will be adjusted accordingly as required under law.

9) Not Used:

10) Description of chemicals stored or discharged:

- a) The facility may handle routine agricultural products and support chemicals (e.g., fertilizers, pesticides, fuels, lubricants) in amounts requiring a Hazardous Material Business Plan (HMBP). If so, it will register its hazardous materials with the local agency using the Hazardous Materials/Waste Registration Form so that the local agency can evaluate the storage or use and give notice of any permits or storage/use fees that may apply.
- b) If the facility begins to handle any individual hazardous material or mixture containing a hazardous material which has a quantity at any time during the reporting year equal to or greater than those listed below, it will complete a Hazardous Material Business Plan (HMBP) and submit a copy to the local agency (Humboldt County DHHS Division of Environmental Health):
 - i) 500 pounds for solid hazardous materials. [H&SC §25503.5(a)]
 - ii) The following amounts for liquid hazardous materials:
 - (a) Lubricating oil as defined by H&SC §25503.5(b)(2)(B): 55 gallons of any type or 275 gallons aggregate quantity on site. H&SC §25503.5(b)(2)(A)
 - (b) All others, including waste oil: 55 gallons. [H&SC §25503.5(a)]
 - iii) The following amounts of hazardous material gases:
 - (a) Oxygen, Nitrogen, or Nitrous Oxide stored/handled at a physician, dentist, podiatrist, veterinarian, or pharmacist’s place of business: 1,000 cubic feet of each material on site. [H&SC §25503.5(b)(1)]
 - (b) All others: 200 cubic feet. [H&SC §25503.5(a)]
 - iv) Amounts of radioactive materials requiring an emergency plan under Parts 30, 40, or 70 of Title 10 Code of Federal Regulations or equal to or greater than applicable amounts specified in items 1, 2, or 3, above, whichever amount is smaller. [H&SC §25503.5(a)]

v) Applicable federal threshold planning quantities for extremely hazardous substances listed in 40 CFR Part 355, Appendix A.

c) Disposal of any chemical, dangerous, or hazardous waste will be conducted in a manner consistent with federal, state and local laws, regulations, rules or other requirements. Any waste solvents or other chemicals will be handled and disposed of properly by *Safety-Kleen* or another highly qualified and properly licensed contractor.

11) Consumer safety control processes, procedures, and documentation.

a) Product Quality Control:

i) In addition to meeting all state and local requirements for product quality control, the standard procedures for operation will include the following:

(1) Samples from each batch of finished products will be screened and tested by a state licensed and/or locally permitted licensed independent laboratory for pesticides, mold, and other undesirable qualities prior to release for sale to wholesalers and retailers.

(2) Documentation of all lab test results will be kept on file.

b) Packaging:

i) All final packaging of processed goods will meet state requirements for packaging.

12) Health and Safety:

a) Training.

i) Prior to engaging in the harvesting of any product, the licensee will have an owner or employee who has successfully passed an approved and accredited food safety certification examination as specified in Sections 113947.2 and 113947.3 of the California Retail Food Code. Food safety certification will be achieved by successfully passing an examination from an accredited food protection manager certification organization. The certification organization will be accredited by the American National Standards Institute as meeting the requirements of the Conference for Food Protection's "Standards for Accreditation of Food Protection Manager Certification Programs."

b) Employee Knowledge:

i) All employees will have adequate knowledge of, and will be properly trained in, food safety as it relates to their assigned duties.

ii) There will be at least one food safety certified owner or employee at the facility responsible for setting policy and providing training to employees. The certified owner or employee need not be present at the facility during all hours of operation.

iii) The certified owner or employee will be responsible for ensuring that all employees who handle, or have responsibility for handling harvested commercial cannabis, have sufficient knowledge to ensure the safe handling of the product. The nature and extent of the knowledge that each employee is required to have may be tailored, as appropriate, to the employee's duties.

c) Facility Inspection:

- i) The facility will welcome inspection of the commercial cannabis cultivation area by the local fire department, building inspector, or code enforcement officer to confirm that no health or safety concerns are present. It is understood that the inspections may result in additional specific standards to meet local jurisdiction restrictions related to commercial cannabis. An annual fire safety inspection may result in the required installation of fire suppression devices, or other means necessary for adequate fire safety.

d) Sanitary Conditions:

The facility will take all reasonable measures and precautions to ensure the following:

- i) That any person who, by medical examination or supervisory observation, is shown to have, or appears to have, an illness, open lesion, including boils, sores, or infected wounds, or any other abnormal source of microbial contamination for whom there is a reasonable possibility of contact with commercial cannabis will be excluded from any operations which may be expected to result in contamination until the condition is corrected;
- ii) Hand washing facilities will be clean, functional, and be furnished with running water. Hand washing facilities shall be located in close proximity to where good sanitary practices require employees to wash or sanitize their hands, and provide effective hand-cleaning and sanitizing preparations and sanitary towel service or suitable drying devices;
- iii) That all persons working in direct contact with commercial cannabis will conform to hygienic practices while on duty, including but not limited to:
 - (1) Maintaining adequate personal cleanliness;
 - (2) Washing hands thoroughly in an adequate hand-washing area(s) before starting work and at any other time when the hands may have become soiled or contaminated; and
 - (3) Refraining from having direct contact with commercial cannabis if the person has or may have an illness, open lesion(s), including boils, sores, or infected wounds, or any other abnormal source of microbial contamination, until such condition is corrected.
- iv) That waste is properly removed and the operating systems for waste disposal are maintained in an adequate manner so that they do not constitute a source of contamination in areas where cannabis is exposed;
- v) That there is appropriate lighting in all areas where commercial cannabis is stored, and where equipment or utensils are cleaned;
- vi) That there is adequate screening or other protection against the entry of pests. Rubbish will be disposed of so as to minimize the development of odor and minimize the potential for the waste becoming an attractant, harborage, or breeding place for pests;
- vii) That fixtures and other facilities are maintained in a sanitary condition;

- v) That toxic cleaning compounds, sanitizing agents, and other chemicals will be identified, held, stored and disposed of in a manner that protects against contamination of cannabis in a manner that is in accordance with any applicable local, state or federal law, rule, regulation or ordinance;
- vi) That all operations will be conducted in accordance with adequate sanitation principles;
- vii) That employees are provided with adequate and readily accessible toilet facilities that are maintained in a sanitary condition and good repair; and
- viii) That any cannabis or cannabis waste that can support the rapid growth of undesirable microorganisms are held in a manner that prevents the growth of these microorganisms.

13) Solid Waste:

- a) Refuse will be sorted to divert recyclables such as paper, plastic, glass, and metals from the waste stream. Those recyclables will be taken to a recycling center for recycling.
- b) The remaining solid wastes will be collected and deposited into a solid waste receptacle for temporary storage, which will be kept covered. The solid waste will be removed from the site no less frequently than weekly and disposed of at an authorized waste transfer facility. The solid waste receptacle will be sized appropriately for the volume of waste generated and may be adjusted in size periodically as conditions warrant due to production cycles and seasonal factors.

14) Disposal of Product Waste and Destroyed Product:

- a) Methods to make waste unusable and unrecognizable.
 - i) Cannabis waste will be made unusable and unrecognizable prior to leaving the facility through one of the following methods unless another method is prescribed by the County of Humboldt or the State of California:
 - (1) Grinding and/or mixing with other plant materials for composting; or if required;
 - (2) Grinding and incorporating the cannabis waste with non-consumable, solid wastes listed below such that the resulting mixture is at least 50 percent non-cannabis waste:
 - (a) Non-recyclable solid waste;
 - (b) Green waste;
 - (c) Grease or other compostable oil waste;
 - (d) Bokashi, or other compost activators;
 - (e) Other wastes approved by the State Licensing Authority that will render the cannabis waste unusable and unrecognizable as cannabis; and
 - (f) Soil.
 - ii) The methodology for destroying and disposing of cannabis waste shall be in compliance with all state regulatory requirements.
- b) Records of destroyed product:
 - i) Records of destroyed raw materials and product will be kept and cross-referenced by batch number and SKU and/or another unique identifier. The weight or volume, as appropriate, will be recorded along with the method of disposal.

- ii) The methodology for recording destroyed cannabis waste shall be in compliance with all state regulatory requirements.

Cultivation Plan

15) Basic Requirements

a) Water Quality, Conservation, & Use

- i) Description of water source, storage, irrigation plan, and projected water usage.
 - (1) All water for cultivation will be supplied by existing wells. No diverted surface water is intended nor required to be stored for use during the standard surface water diversion forbearance period.
 - (2) Project Irrigation Water Usage (Cubic Feet per month):

The Project’s estimated irrigation water use, by month, is shown below.

PROJECTED IRRIGATION WATER USAGE

	Month ¹						
	April	May	June	July	August	September	October
Gallons (millions)	0.9	2.3	3.5	4.0	3.4	2.2	0.7
Acre-Feet	2.6	7.1	10.9	12.2	10.5	6.6	2.2

Notes:

1. No irrigation water expected during the months of November through March
- ii) Irrigation will be controlled by an automated irrigation system (e.g., Priva process control system) that will measure soil moisture and the surrounding environment to deliver precise water-nutrient needs. The automated irrigation system will provide an advanced fertilizer mixing system, and control desired electrical conductivity, pH and flow rate. At all times, water will be applied using no more than agronomic rates. A copy of the Notice of Intent and Monitoring Self-Certification and other documents filed with the North Coast Regional Water Quality Control Board demonstrating enrollment either has been or will be provided.
 - iii) In lieu of establishing on-site water storage for retention of wet season flows sufficient to provide adequate irrigation water for the size of the area to be cultivated, water from the on-site well(s) will be used to meet all water usage requirements.
 - iv) An approval from the RWQCB has been or will be sought through enrollment pursuant to State Water Resources Control Board (SWRCB) Order WQ 2017-0023-DWQ. The facility will comply will all applicable water quality control measures in the order.
 - ii) No permits, licenses or registrations with the State Water Resources Control Board, Division of Water Rights are required in connection with this Project.
 - v) The applicant/operator 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 will not support diversions for irrigation.

b) Drainage, Run-off, and Erosion Control:

- i) Drainage, Run-off, and Erosion Control will all be managed within the RWQCB's requirements for dischargers. The cultivation is to be located within a fully enclosed structure(s) during the wet seasons which prevents soil erosion, and any excess water used during cultivation will be recycled or evaporated instead of discharged. No cultivation water will be disposed of by discharge.
- ii) Site maintenance, erosion control and drainage features may include the following:
 - (1) Roads will be maintained as appropriate (with adequate surfacing and drainage features) to avoid developing surface ruts, gullies, or surface erosion that results in sediment delivery to surface waters.
 - (2) Roads, driveways, trails, and other defined corridors for foot or vehicle traffic of any kind will have adequate ditch relief drains or rolling dips and/or other measures to prevent or minimize erosion along the flow paths and at their respective outlets.
 - (3) Roads and other features will be maintained so that surface runoff drains away from potentially unstable slopes or earthen fills. Where road runoff cannot be drained away from an unstable feature, an engineered structure or system will be installed to ensure that surface flows will not cause slope failure.
 - (4) Roads, clearings and work areas (cleared/developed areas with the potential for sediment erosion and transport) will be maintained so that they are hydrologically disconnected, as feasible, from surface waters, including wetlands, ephemeral, intermittent and perennial streams.
 - (5) Ditch relief drains, rolling dip outlets, and road pad or terrace surfaces will be maintained to promote infiltration/dispersal of outflows and have no apparent erosion or evidence of soil transport to receiving waters.
 - (6) Stockpiled construction materials, if necessary, will be stored in a location and manner so as to prevent their transport to receiving waters.

c) Watershed and habitat protection:

- i) Watershed and habitat protection will be provided through compliance with the RWQCB's requirements associated with their respective permits and agreements.

d) Soils Management Plan:

- i) Soils used for cultivation will be steam-sterilized and re-fortified after harvest so that it may be used again for future cultivation, and the cycle repeated as many times as feasible to minimize the amount of imported soil necessary. In the event that soil cannot be reused, it will be disposed of appropriately as solid waste.

e) Storage of fertilizers, pesticides, and other regulated products:

- i) Storage and use of fertilizers and, pesticides will be conducted in accordance with the BPTC measures of SWRCB Order WQ 2017-0023-DWQ, which include requirements to apply fertilizers and soil amendments at only the proper agronomic rates, and to store materials in a manner that is protected from rainfall and erosion.
- ii) Fertilizers, potting soils, compost, and other soils and soil amendments will be stored within fully enclosed spaces (building, greenhouses) to prevent surface water contamination.
 - (1) Pesticides/Herbicides:
 - (a) Under California law, the only pesticide products not illegal to use on cannabis are those that contain an active ingredient that is exempt from residue tolerance requirements and either registered and labeled for a broad enough use to include use on cannabis or exempt from registration requirements as a minimum risk pesticide under FIFRA section 25(b) and California Code of Regulations, title 3, section 6147. For the purpose of compliance with conditions of this Order, any uses of pesticide products will be consistent with product labelling and any products on the site will be placed, used, and stored in a manner that ensures that they will not enter or be released into surface or ground waters.
 - (2) Fertilizers and Soil Amendments:
 - (a) Fertilizers, potting soils, compost, and other soils and soil amendments will be stored in locations and in a manner in which they cannot enter or be transported into surface waters and such that nutrients or other pollutants cannot be leached into groundwater.
 - (b) Fertilizers and soil amendments will be applied and used per packaging instructions and/or at proper agronomic rates.
 - (c) Cultivation areas will be maintained so as to prevent nutrients from leaving the site during the growing season and post-harvest.
- f) Electrical Power:
 - i) The site is on the electrical grid. Generator power will not be used for cultivation.
- g) Cultivation Activities:
 - i) Cultivation activities are described as “Outdoor and Mixed-light” as defined in Humboldt County’s CMMLUO.
 - ii) Schedule of activities:
 - (1) Activities will generally include preparation for Propagation, planting, plant care, and harvesting.
 - (2) The cultivation schedule will be optimized to allow consistent production levels (weekly harvests) to minimize fluctuations in labor needs and deliver stable volumes of products to customers. A summary of anticipated seasonal cultivation activities is shown in Table 2, below:

TABLE 2
ANTICIPATED SCHEDULE OF SEASONAL CULTIVATION ACTIVITIES

Planting Details			Cultivation Activities			
Planting Cycle	Planting Date	Approx. No. of Hoop Structures	Plant Maintenance (Pruning)	Plant Maintenance (De-fanning)	Plant Maintenance (De-fanning)	Harvest
1	Mar 31	9	Apr 21	May 26	Jun 16	Jun 23
2	Apr 7	9	Apr 28	Jun 2	Jun 23	Jun 30
3	Apr 14	9	May 5	Jun 9	Jun 30	Jul 7
4	Apr 21	9	May 12	Jun 16	Jul 7	Jul 14
5	Apr 28	9	May 19	Jun 23	Jul 14	Jul 21
6	May 5	9	May 26	Jun 30	Jul 21	Jul 28
7	May 12	9	Jun 2	July 7	Jul 28	Aug 4
8	May 19	9	Jun 9	Jul 14	Aug 4	Aug 11
9	May 26	9	Jun 16	Jul 21	Aug 11	Aug 18
10	Jun 2	9	Jun 23	Jul 28	Aug 18	Aug 25
11	Jun 9	9	Jun 30	Aug 4	Aug 25	Sep 1
12	Jun 16	9	Jul 7	Aug 11	Sep 1	Sep 8
13	Jun 23	9	Jul 14	Aug 18	Sep 8	Sep 15
14	Jun 30	9	Jul 21	Aug 25	Sep 15	Sep 22
15	Jul 7	9	Jul 28	Sep 1	Sep 22	Sep 29
16	Jul 14	9	Aug 4	Sep 8	Sep 29	Oct 6
17	Jul 21	9	Aug 11	Sep 15	Oct 6	Oct 13
18	Jul 28	9	Aug 18	Sep 22	Oct 13	Oct 20
19	Aug 4	9	Aug 25	Sep 29	Oct 20	Oct 27

Notes: The anticipated schedule of seasonal activities is provided only as a guideline. Actual quantities and timing of activities will be dictated by weather, operational, and market conditions.

h) Cultivation-related wastes

i) Cultivation-related wastes including, but not limited to, empty soil bags, soil amendment bags, fertilizer bags and containers, empty plant pots or containers, dead or harvested plant waste, and spent growth medium will, for as long as they remain on the site, be stored at locations where they will not enter or be blown into surface waters, and in a manner that ensures that residues and pollutants within those materials do not migrate or leach into surface water or groundwaters.

i) Refuse and human waste

i) Refuse and garbage will be stored in a location and manner that prevents its discharge to receiving waters and prevents any leachate or contact water from entering or percolating to receiving waters.

- ii) Garbage and refuse will be disposed of at an appropriate waste disposal location (see “Solid Waste” Section above for more details).

16) General Performance Requirements:

- a) Water Quality – See “Water Quality, Conservation, & Use” above.
- b) Setbacks:
 - i) The area of cannabis cultivation is located as shown on the application site plan, appropriately set back at least 30 feet from any property line (unless adjoining parcel is of common ownership), and more than 600 feet from any School, School Bus Stop, Church or other Place of Religious Worship, Public Park, or Tribal Cultural Resource as requested by a tribal THPO.
 - ii) The property line of cultivation parcel is greater than 600’ from the property line of any school.
 - iii) Cultivation areas and associated facilities observe all required setbacks from watercourses, wetlands and Environmentally Sensitive Habitat Areas, as described within sections 313-33 and 313-38 of the code, as well as applicable resource protection policies. Where enhanced, reduced, or modified watercourse or wetland setbacks have been agreed to by the operator and RWQCB under enrollment pursuant to NCRWQB Order No. 2017-0023 and/or preparation of a Water Resources Protection Plan, these may control and supersede any setback applied pursuant to 314-61.1.
- c) Land Use:
 - i) The cultivation is located on land with a zoning classification of MH-Q.
- d) Odor Control:
 - i) All cannabis will be grown in enclosed greenhouse/hoop-house structures.
 - ii) Odor control measures will be deployed to reduce the odor of exhaust air from the enclosed greenhouses. Such measures may include carbon filtration, particle filtration, bio-filtration, sealed air-recirculation, and/or other feasible measures as advancements are made in odor control technology.
- e) Chemical, Hazardous, and Dangerous Materials –
 - i) Operator will refrain from the improper storage or use of any fuels, fertilizer, pesticide, fungicide, rodenticide, or herbicide. It is recognized that hazardous materials and wastes from agricultural businesses are regulated by the Humboldt County Environmental Health Division, that administers the Hazardous Materials program as one of the Certified Unified Program Agencies (CUPA).
- f) Electrical Generators:
 - i) Electrical Generators are not planned to be used at this facility.

17) Cultivation Operations Performance Standards:

- a) Labor:
 - i) Pursuant to the Medicinal and Adult Use Cannabis Regulation and Safety Act (“MAUCRSA”), Health and Safety Code section 19322(a)(9), the applicant hereby declares that it is a 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.”
 - ii) In addition to the above declaration of status as an “Agricultural Employer” per Labor Code Sections 1140-1166.3, the applicant/employer hereby agrees to comply with all applicable federal, state, and local laws and regulations governing California agricultural employers, which may include: federal and state wage and hour laws, CAL/OSHA, OSHA, California Agricultural Labor Relations Act, and the Humboldt County Code (including the Building Code).
- b) Processing Practices:
 - i) After being harvested, the cannabis is taken to an adjacent off-site CMMLUO permitted processing facility where it is trimmed, hung to dry, processed, cured and sorted.
- c) Employee/Worker Safety
 - i) Regarding employees engaging in commercial cannabis cultivation and processing, the licensee/employer will comply with the following Employee Safety Practices:
 - (1) Cultivation operations will implement safety protocols and provide all employees with adequate safety training relevant to their specific job functions, which may include:
 - (a) Emergency action response planning as necessary;
 - (b) Employee accident reporting and investigation policies;
 - (c) Fire prevention;
 - (d) Hazard communication policies, including maintenance of material safety data sheets (MSDS);
 - (e) Materials handling policies;
 - (f) Job hazard analyses; and
 - (g) Personal protective equipment policies, including respiratory protection.
- d) Emergency Contact List:
 - i) The licensee/employer will visibly post and maintain an emergency contact list which includes at a minimum:
 - (1) Operation manager contacts;
 - (2) Emergency responder contacts;
 - (3) Poison control contacts.
- e) Safe Drinking Water, Toilets, & Sanitary Facilities:
 - i) At all times, employees will have access to safe drinking water and toilets and hand washing facilities that comply with applicable federal, state, and local laws and regulations. The

licensee/employer will contract with a professional temporary sanitation facilities services provider to provide and maintain toilet and hand-washing facilities in accordance with the requirements of Cal-OSHA and ADA/California Accessibility regulations.

- f) On-Site Housing:
 - i) There is no intent to provide worker on-site housing at this time.

18) Performance Standards for Mixed-Light Cultivation:

- a) Shields:
 - i) When using artificial lighting for mixed-light cultivation, shields will be deployed to shield greenhouses so that little to no light escapes during nighttime hours. Light will be prevented from escape at a level that is visible from neighboring properties between sunset and sunrise. The shields will be constructed of Obscura fabric by Ludvig Svensson Company or equivalent.
- b) Design Standards:
 - i) The light source will comply with the International Dark Sky Association standards for Lighting Zone 0 and Lighting Zone 1, and be designed to regulate light spillage onto neighboring properties resulting from backlight, uplight, or glare (BUG).
- c) Compliance:
 - i) The applicant understands and agrees that should the Humboldt County Planning Division receive complaints that the lighting is out of alignment or not complying with these standards, within ten (10) working days of receiving written notification that a complaint has been filed, the applicant shall submit written verification that the lights' shielding and alignment has been repaired, inspected and corrected as necessary



Addendum No. 1 to the Operations Manual

February 18, 2021

PROJECT: APPS #: 12255
Applicant: Arcata Land Company, LLC

GENERAL: This Addendum No. 1 supplements the previously submitted Operations Manual for the above referenced project.
This addendum consists of 1 page(s).

ADDENDUM No. 1:

Projected Electrical Load and Consumption:

The Project involves only cultivation, with processing to occur at an offsite location. The Project will utilize energy resources primarily through use of artificial lighting in a portion of the hoop structures, and to a lesser extent, task and operational lighting in the ancillary support structures / buildings (administration buildings), and outdoor lighting for security purposes. The property is serviced by an existing Pacific Gas and Electric (PG&E) service line, and no new or expanded energy facilities are needed in connection with the Project. No generator is anticipated.

Most of the hoop structures are proposed as full sun, and will require no artificial lighting. The remaining 5.73 acres of the hoop structures will utilize a combination of natural and artificial lighting to improve cultivation yields. The mixed-light component of the Project is anticipated to be classified as Mixed-Light Tier 1 for licensing purposes. Energy use associated with the operation of the mixed light hoop-style greenhouses is conservatively estimated at 27 kilowatt hours (kWh) per square foot of canopy using the results of a 2018 energy use survey conducted by the Northwest Power and Conservation Council. Thus, the annual energy consumption from the mixed light hoop houses proposed by the project is estimated at 6,750,000 kWh (or 6,750 MWh). During vegetative growth stage of plant development, artificial lighting will be used to compensate for seasonal irregularities of sunlight availability with maximum loading of 7.5-watts or 5-watts average per square foot of the mixed-light area for up to 10 to 12 hours per day respectively, requiring an electrical service estimated at less than 1.9 MW.

ATTACHMENT 4

REFERRAL AGENCY COMMENTS AND RECOMMENDATIONS

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

Referral Agency	Response	Recommendation	Location
Building Inspection Division	✓	Conditional Approval	Attached
Division Environmental Health	✓	Conditional Approval	Attached
Public Works, Land Use Division	✓	Conditional Approval	Attached
Humboldt County Sheriff			
City of Arcata	✓	Conditional Approval	Attached
California Department of Fish & Wildlife			
District Attorney			
Wiyot Tribe			
Ag Commission			
NWIC	✓	Further study	On file
PG&E	✓	Conditional Approval	Attached
Bear River Band	✓	Archaeological Survey	On file
North Coast Regional Water Quality Control Board			
Blue Lake Rancheria	✓	Site visit	On file
Northern Humboldt Union High School District	✓	Denial	Attached
Pacific Union School District	✓	No recommendation	Attached
Arcata Fire Protection District	✓	Conditional approval	Attached
Division of Water Resources			
USACE	✓	Further study	Attached



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



9/19/2017

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, California Department of Fish And Wildlife, Northwest Information Center, Bear River Band Rohnerville Rancheria, Blue Lake Rancheria, Wiyot Tribe, City of Arcata, Regional Water Quality Control Board, Pacific Gas and Electric, Humboldt County District Attorney, Humboldt County Agriculture Commissioner, California Division of Water Resources, Arcata Fire Protection District, Pacific Union School District, Humboldt County Sheriff, Northern Humboldt Union School District

Applicant Name Arcata Land Company LLC **Key Parcel Number** 506-231-011-000
Application (APPS#) 12255 **Assigned Planner** Cannabis Planner (CPOD) (707) 445-7541 **Case Number(s)** CUP16-583

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 10/4/2017 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: _____

DATE: 11-8-17 PRINT NAME: Gustin Dumlauer

506-231-011



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.: 12255 (45071)
Parcel No.: 506-231-011
Case No.: CUP 10-583

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 @ CUP 10-583 - folder 506-181-007
Parcel 2

Name: Justin Dumber

Date: 11-8-17

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.

VERIFY SCALES
 BAR IS ONE INCH ON ORIGINAL DRAWING
 IF NOT ONE INCH ON THIS SHEET, ADJUST SCALES ACCORDINGLY

WWW.SHN-ENG.COM
 707-441-8855
 812 W. WABASH AVE.
 EUREKA, CA 95501

SHN & GEOLOGISTS, INC.
 CONSULTING ENGINEERS



NO.	DATE	REVISION	BY

APVD: GSW
 CHK: GSW
 DR: NMD
 DSGN: GSW

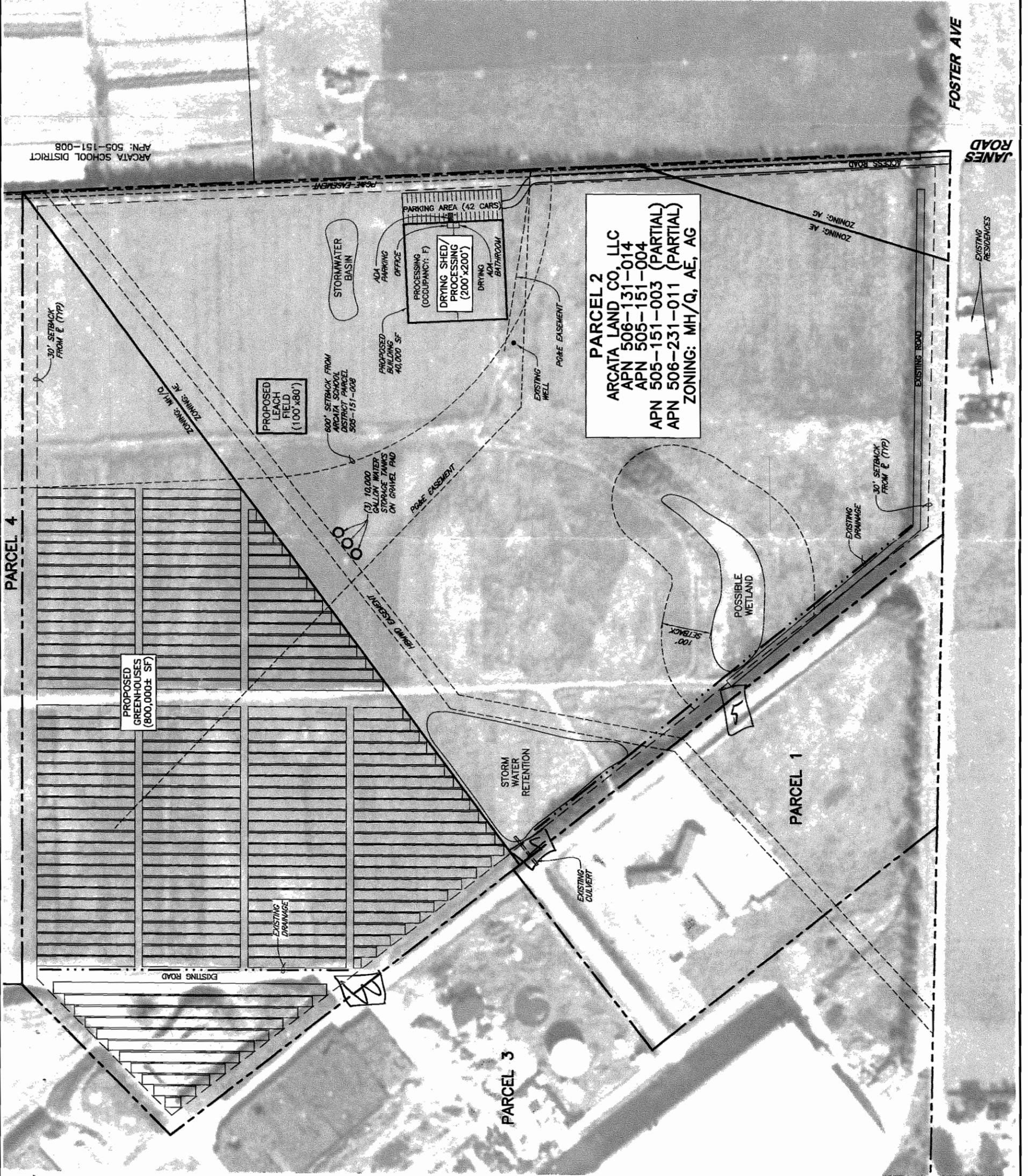
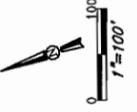
ARCATA LAND COMPANY, LLC
 ARCATA, CALIFORNIA
SITE PLAN
PARCEL 2

SHEET C-2
 SEC 2
 DATE 09/2017
 PROJ. NO. 017062

NOTES:

1. NO KNOWN SCHOOLS, SCHOOL BUS STOPS, PLACES OF WORSHIP, PUBLIC PARKS, OR TRIBAL CULTURAL RESOURCES WITHIN 600' OF CULTIVATION AREAS.
2. NO KNOWN RESIDENCES ON ADJACENT PARCELS WITHIN 300' OF CULTIVATION AREAS. (IF APPLICABLE)
3. ALL CULTIVATION AREAS ARE SET BACK AT LEAST 30 FEET FROM PROPERTY LINES.
4. IRRIGATION WATER PROVIDED BY WELL. NO DIVERSIONS.

PRELIMINARY



PARCEL 2
 ARCATA LAND CO, LLC
 APN 506-131-014
 APN 505-151-004
 APN 505-151-003 (PARTIAL)
 APN 506-231-011 (PARTIAL)
 ZONING: MH/Q, AE, AG

PROPOSED GREENHOUSES (800,000± SF)

PROPOSED LEACH FIELD (100' x 80')

DRYING SHED/PROCESSING (200' x 200')

STORMWATER BASIN

PARKING AREA (42 CARS)

PROPOSED BUILDING 40,000 SF

(3) 10,000 GALLON WATER STORAGE TANKS ON GRAVEL PAD

PARCEL 3

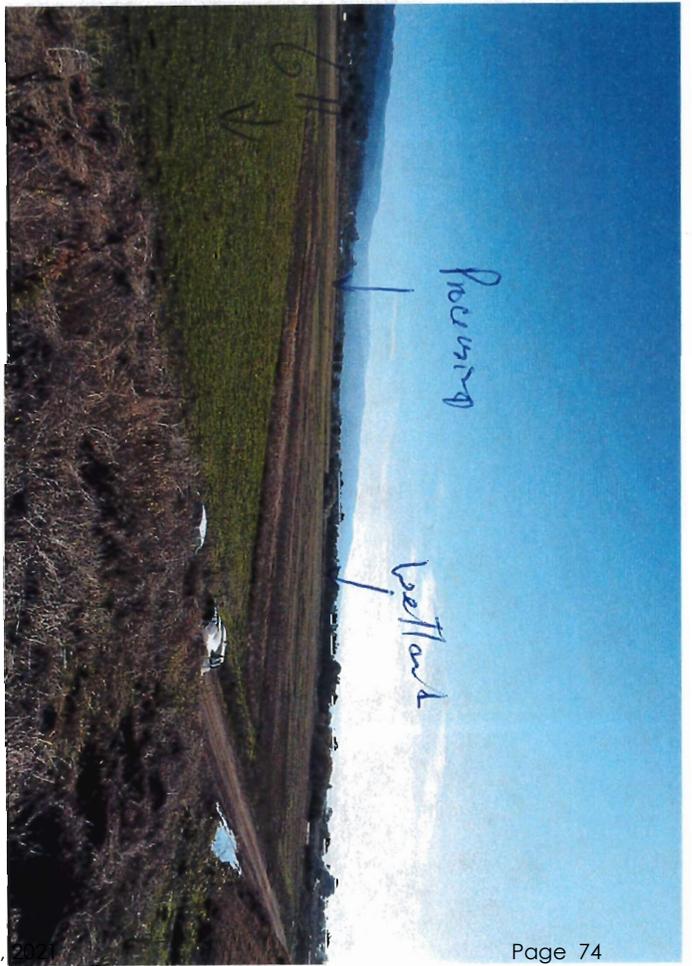
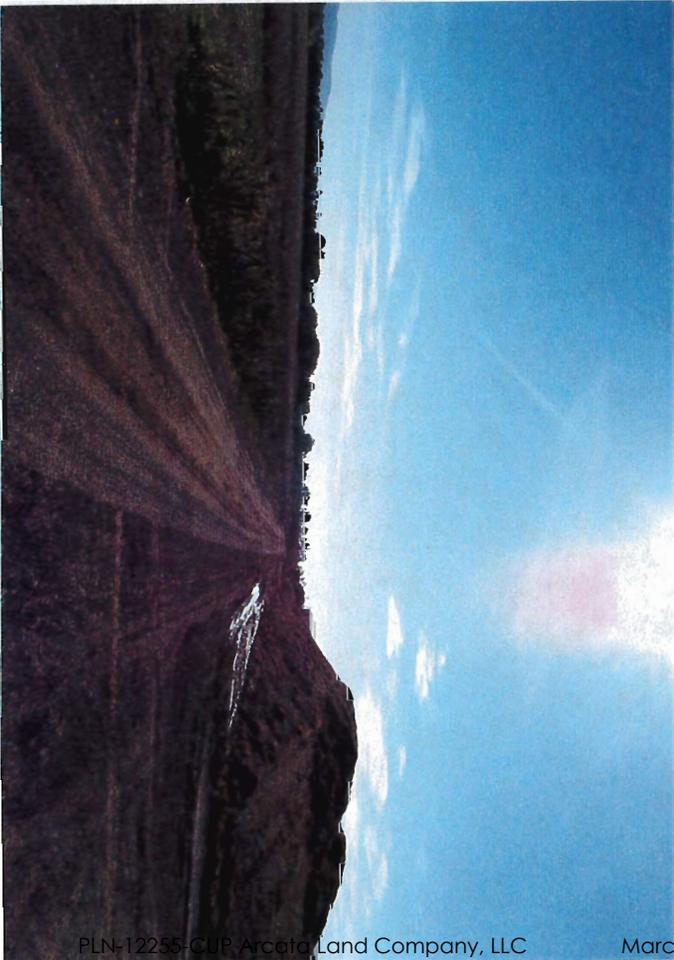
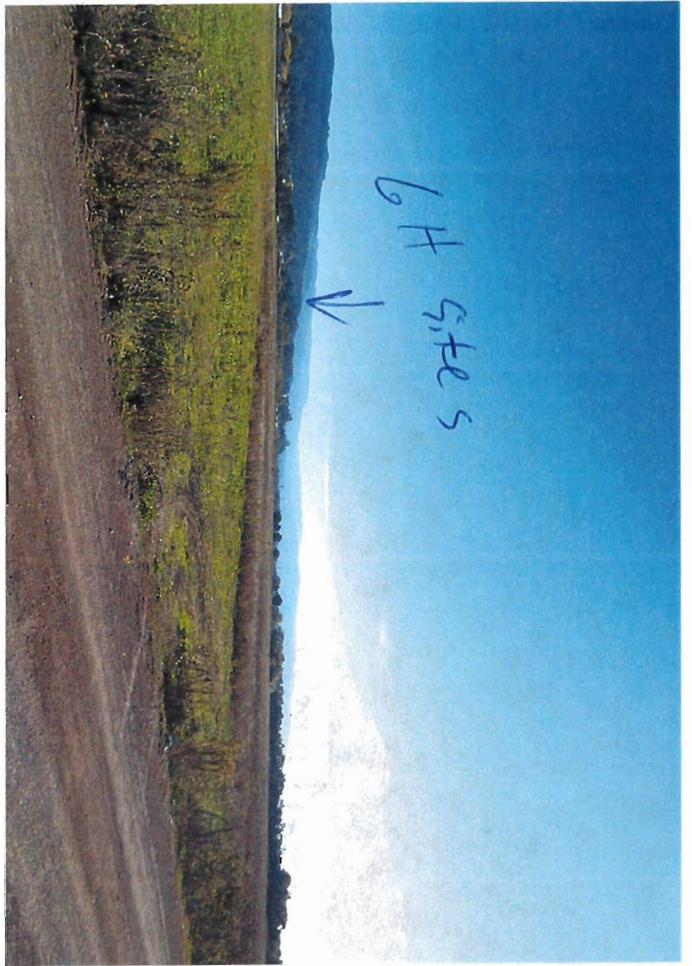
PARCEL 1

PARCEL 4

JANES ROAD

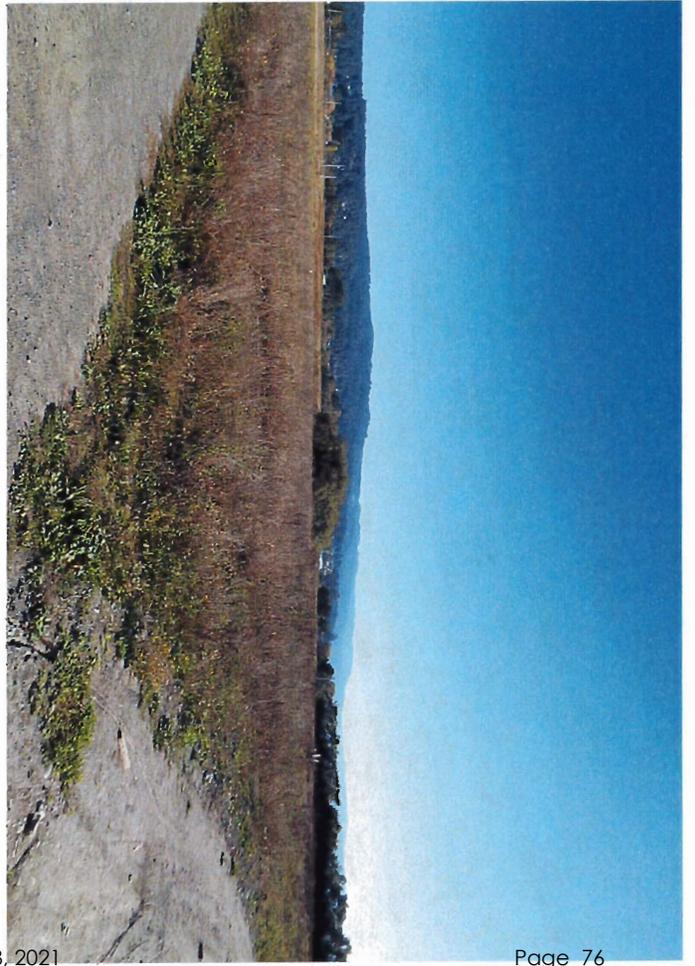
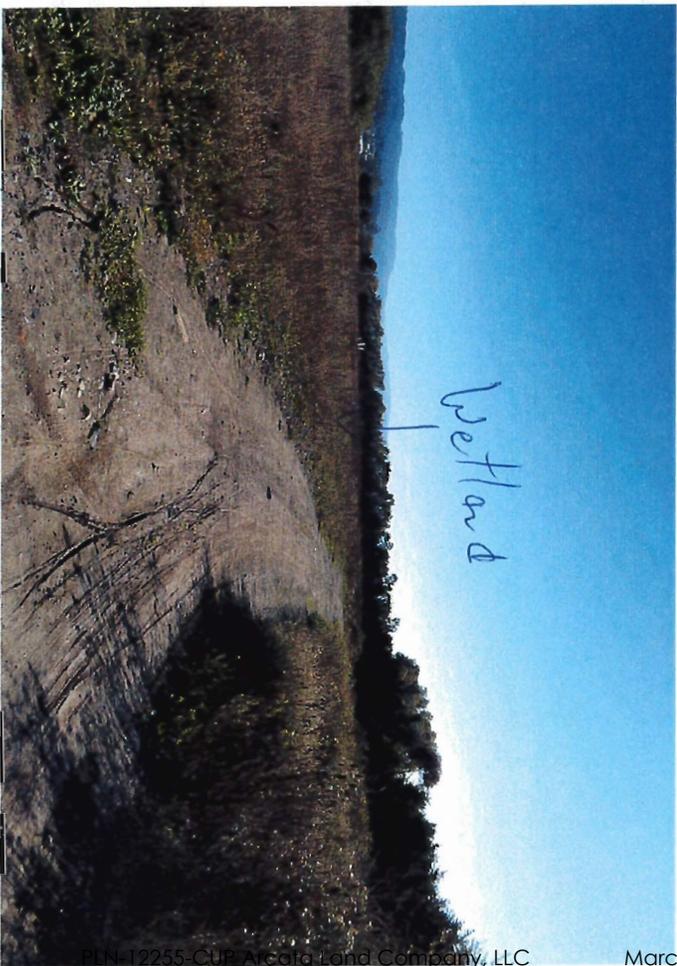
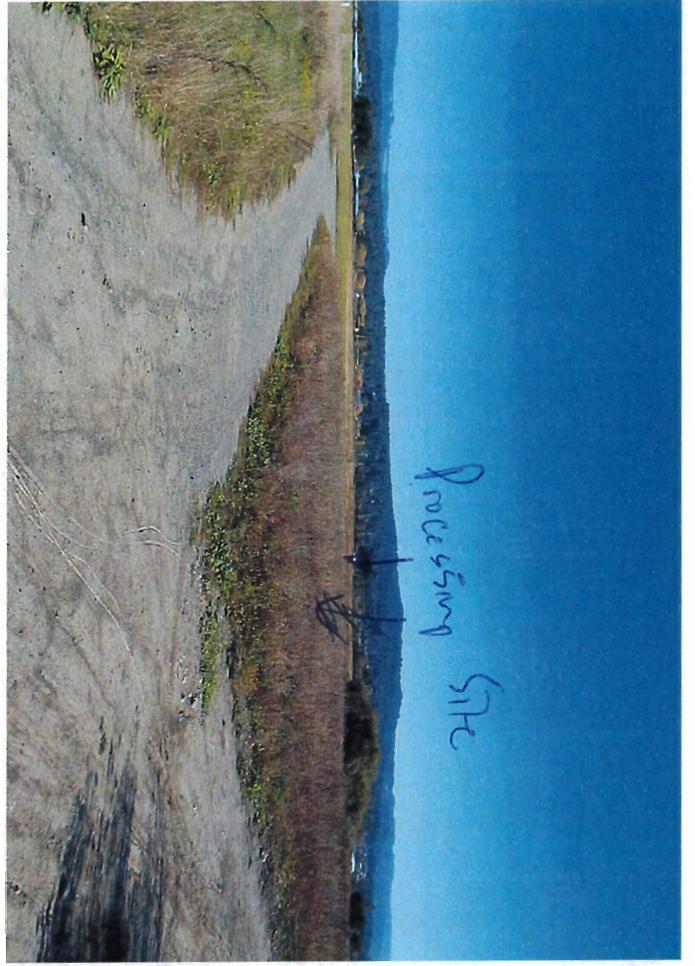
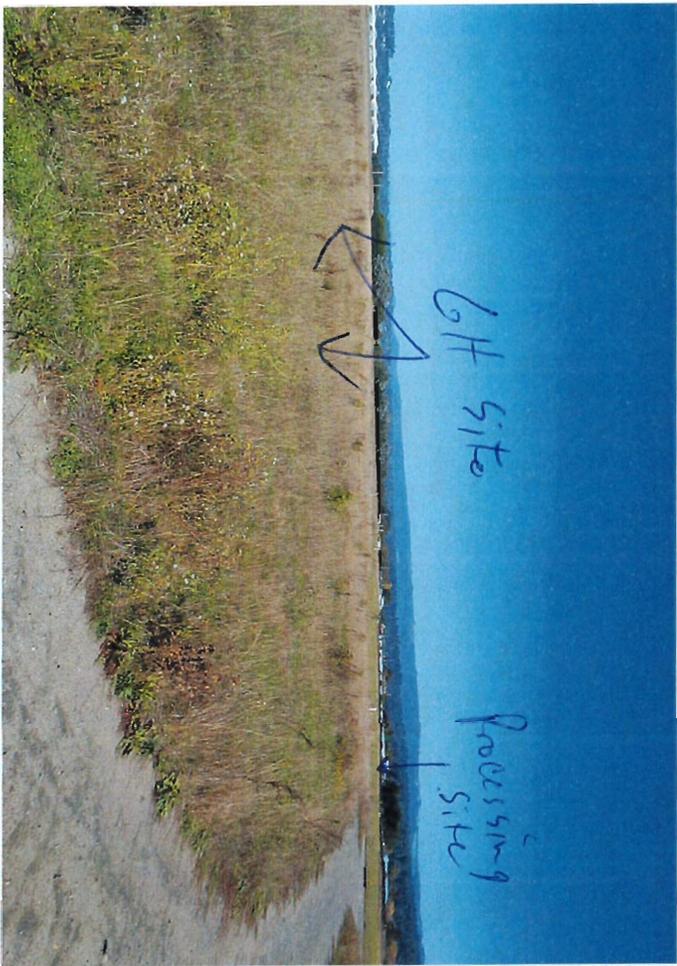
FOSTER AVE

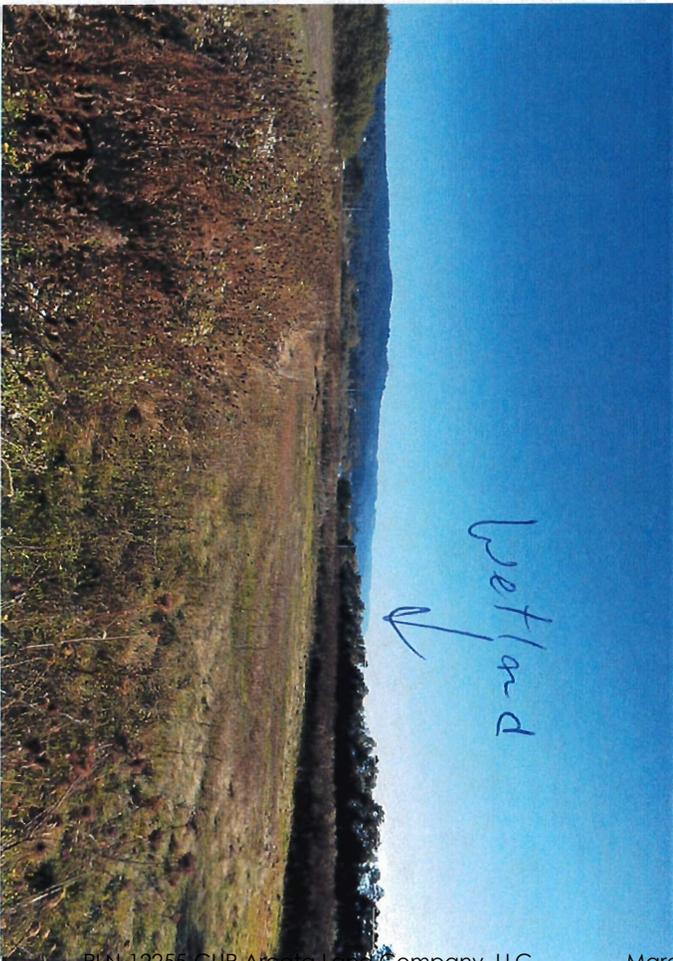
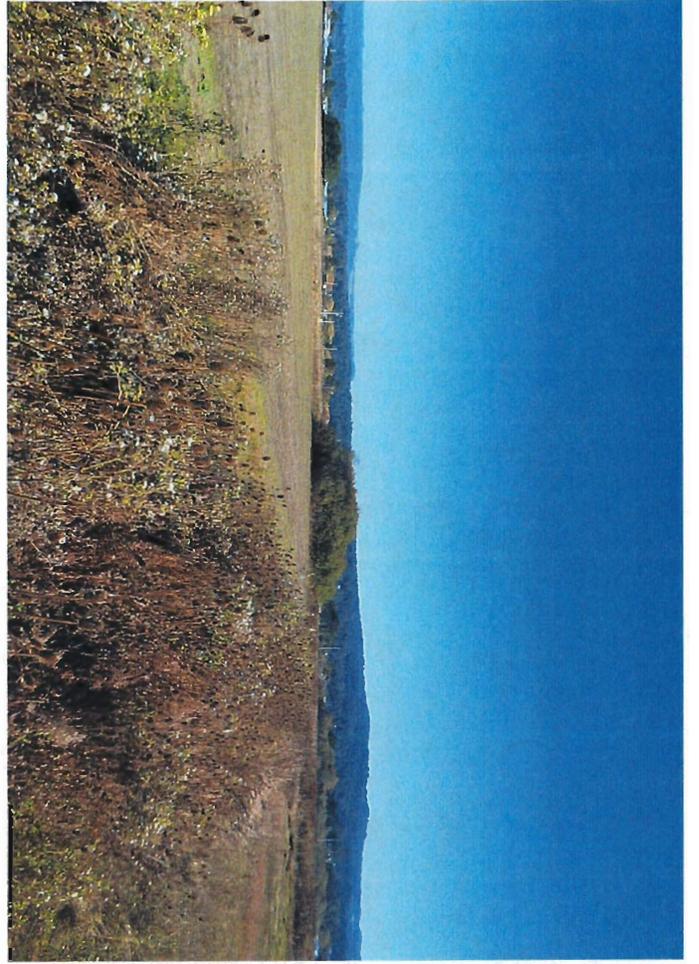
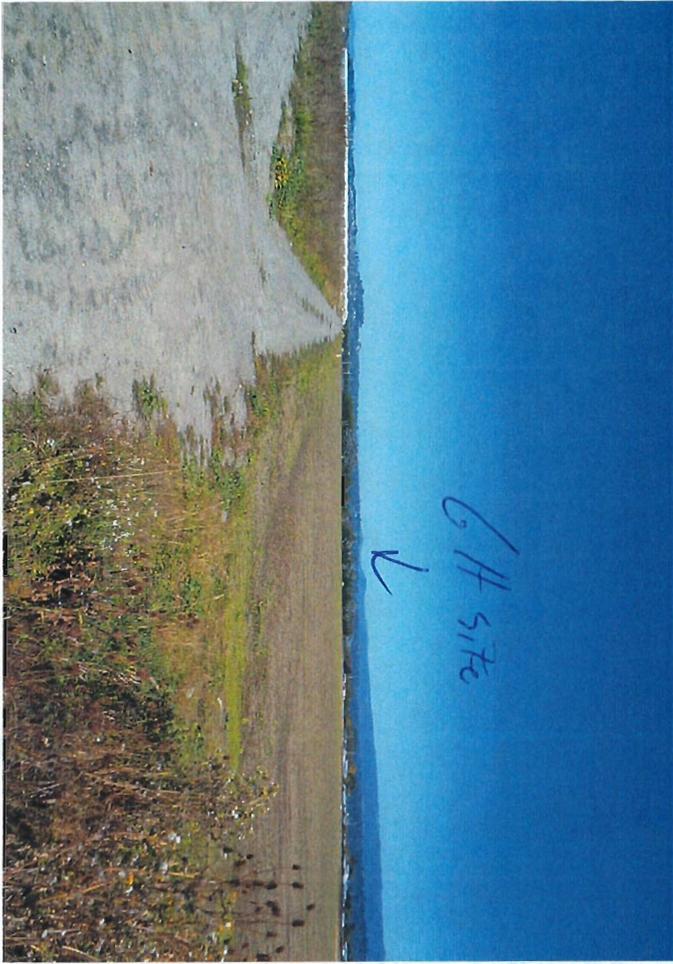
10/31/17 SO7-181-007 (Parcel 2) Wetland



10/31/17

507-181-007 (Parcel 2)







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



10/13/2017

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, California Department of Fish And Wildlife, Northwest Information Center, Bear River Band Rohnerville Rancheria, Blue Lake Rancheria, Wiyot Tribe, City of Arcata, Regional Water Quality Control Board, North Coast Unified Air Quality Management District, United States Army Corps of Engineers, Pacific Gas and Electric, Humboldt County District Attorney, Humboldt County Agriculture Commissioner, California Division of Water Resources, Arcata Fire Protection District, Pacific Union School District, Humboldt County Sheriff, Northern Humboldt Union High School District

Applicant Name Arcata Land Company, LLC **Key Parcel Number** 507-181-007-000

Application (APPS#) 12262 **Assigned Planner** Cannabis Planner (CPOD) (707) 445-7541 **Case Number(s)** CUP16-591

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 10/28/2017

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: _____

507-181-007



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.: 12262 (45072)
Parcel No.: 507-181-007
Case No.: CUP16-591

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 @ CUP16-591 - folder 507-181-007

Name: Gustin Dumluer

Date: 11-8-17

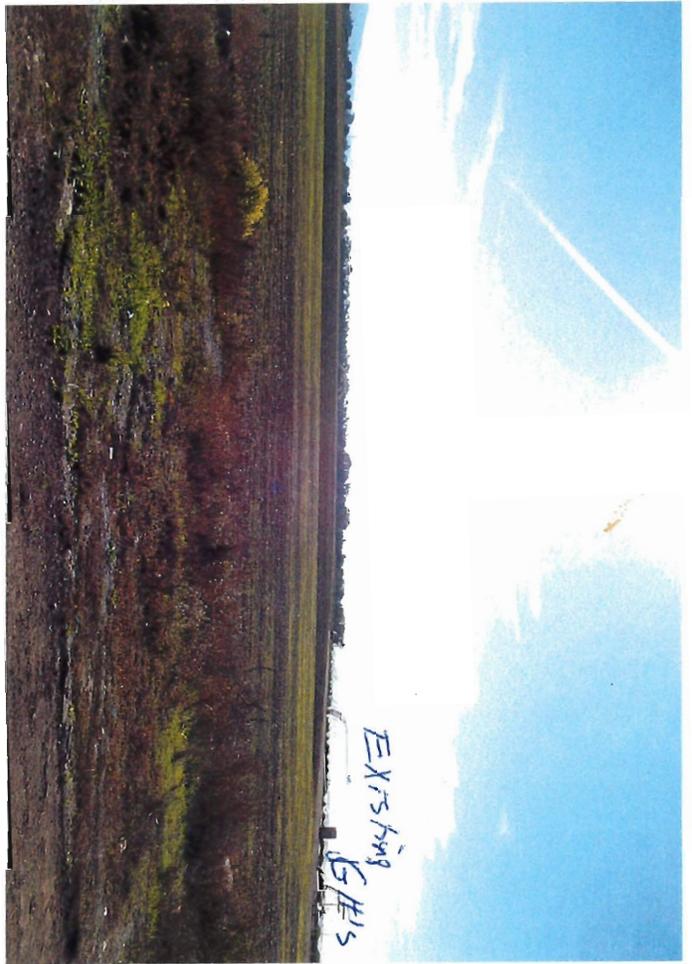
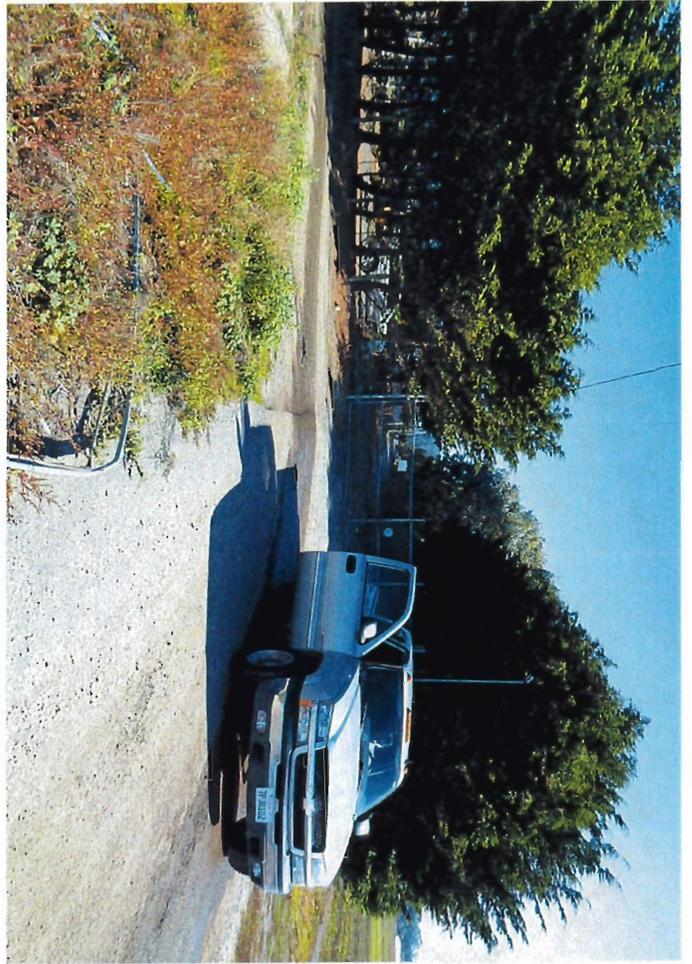
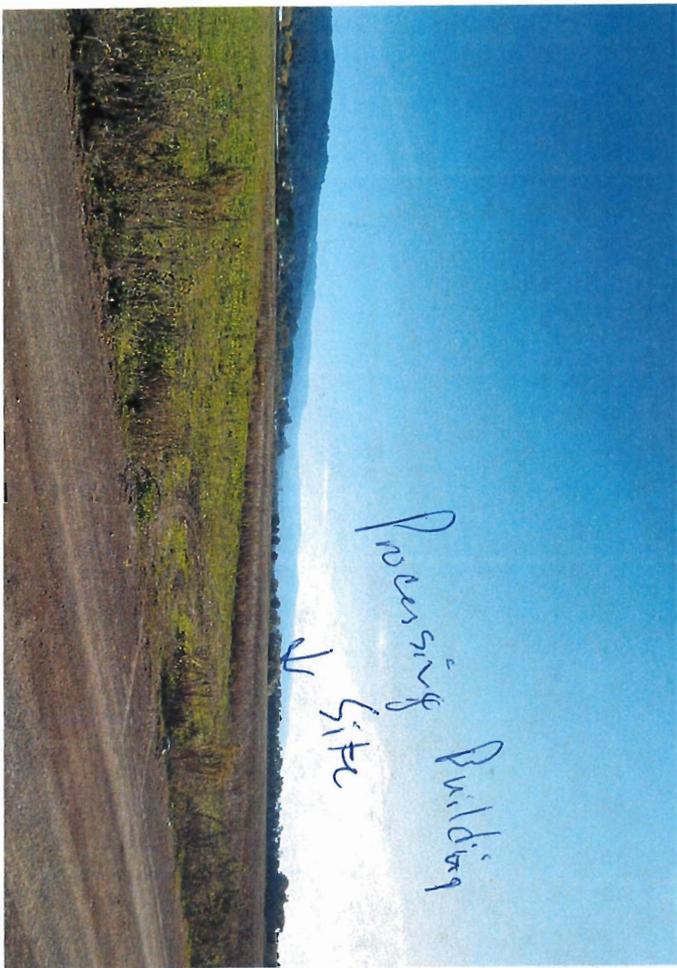
Note: Remember to take photographs and then save them to the Planning's case number. File location J, Current Planning, Projects,(CUP, SP, ZCC) Case number.

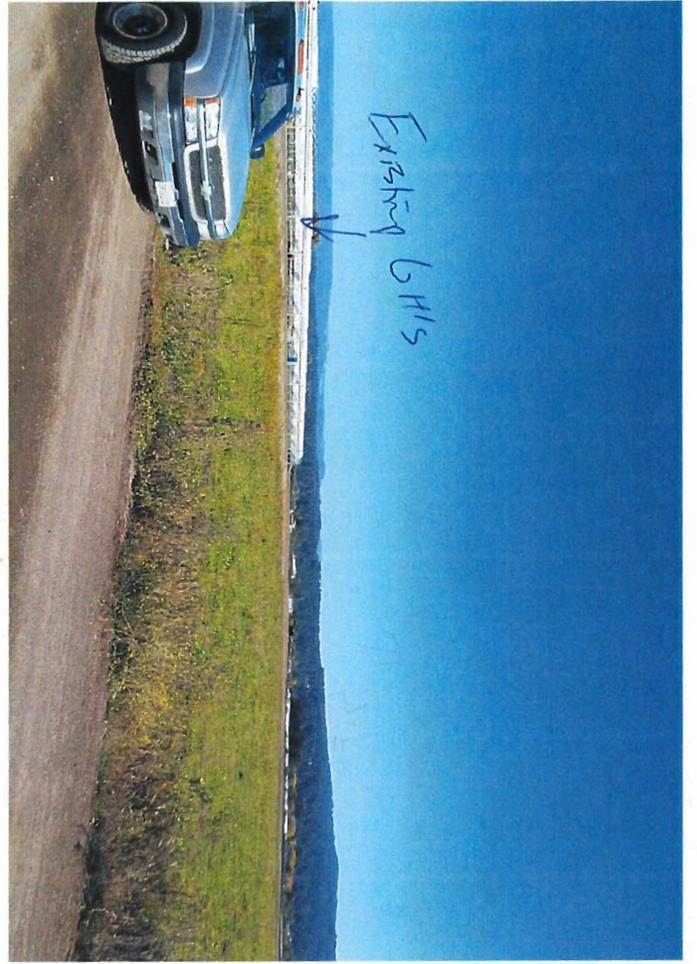
10/31/17 507-181-007





10/31/17 SD 7-181-807





Yandell, Rodney

From: Whittlesey, Joseph
Sent: Friday, February 26, 2021 3:36 PM
To: Yandell, Rodney
Subject: Arcata Land Company - OWTS Cumulative Impact Report Follow-Up
Attachments: E3902_20210226_085939.pdf

Hi Rodney,

Thank you for taking the time to discuss some of the wastewater challenges of this project with me this afternoon. While my concerns were focused on the 23 acre cultivation project (APPS# 12255, AP# 506-231-021), some aspects were related and applicable to the processing and manufacturing project (APPS# 15594, AP# 506-231-010) on the adjacent parcel.

To summarize our conversation, due to staffing demands and projected wastewater flow rates, a cumulative impact study for groundwater mounding and nitrogen loading will be required before DEH can approve any new septic construction permits. Per Humboldt's OWTS regulations and technical manual, this requirement is applicable for these projects because the daily wastewater flow rate exceeds 1500 gallons for each system. This requirement has been relayed to Arcata Land Company regarding the OWTS proposed for the processing site on AP# 506-231-010 following preliminary DEH review of the septic design (see attachment); however, I wanted to clarify that this will be required for both projects. We have yet to receive a study that satisfies this requirement for the processing site, and it may be possible for one study to satisfy the requirement for both the cultivation and processing projects.

Also, we briefly discussed the post monitoring approval status of the processing site. You mentioned that the conditional approval has been drafted, but processing/manufacturing operations have yet to begin. Our office has yet to receive the associated conditions of approval, and would greatly appreciate a copy to have on file.

Thank you,

Joey Whittlesey
Senior Environmental Health Specialist
[Land Use Program](#)
[Division of Environmental Health](#)
100 H Street, Suite 100, Eureka, CA 95501
Phone: (707) 268-2240 – Fax: (707) 441-5699



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

*DEH received
9-19-17*

PROJECT REFERRAL TO: Health and Human Services Environmental Health Division

Project Referred To The Following Agencies: *1718-0731*
Building Inspection Division, Public Works Land Use Division, Health and Human Services Environmental Health Division, County Counsel, California Department of Fish And Wildlife, Northwest Information Center, Bear River Band Rohnerville Rancheria, Blue Lake Rancheria, Wiyot Tribe, City of Arcata, Regional Water Quality Control Board, Pacific Gas and Electric, Humboldt County District Attorney, Humboldt County Agriculture Commissioner, California Division of Water Resources, Arcata Fire Protection District, Pacific Union School District, Humboldt County Sheriff, Northern Humboldt Union School District, City of Arcata

Applicant Name Arcata Land Company, LLC **Key Parcel Number** 506-231-011-000
Application (APPS#) 12255 **Assigned Planner** Cannabis Planner (CPOD) (707) 445-7541 **Case Number(s)** CUP16-583

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
5-21-18

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.
3. **Legalize or destroy the wells:** Existing wells are described as irrigation water source in the project description. Provide documentation to verify legal non-conforming status, retroactively permit the wells or complete a well destruction permit for each well.

*Please provide a copy of the written Approved Compliance Agreement to DEH per HCC §313-55.4.11

2746

*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.

Response Date: 5/17/2018 **Recommendation By:** Adam Molofsky



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

17/18-0907

RECEIVED

OCT 13 2017

10/13/2017

PROJECT REFERRAL TO: Health and Human Services Environmental Health Division

HUMBOLDT CO. DIVISION OF ENVIRONMENTAL HEALTH

Project Referred To The Following Agencies:

Building Inspection Division, Public Works Land Use Division, Health and Human Services Environmental Health Division, County Counsel, California Department of Fish And Wildlife, Northwest Information Center, Bear River Band Rohnerville Rancheria, Blue Lake Rancheria, Wiyot Tribe, City of Arcata, Regional Water Quality Control Board, North Coast Unified Air Quality Management District, United States Army Corps of Engineers, Pacific Gas and Electric, Humboldt County District Attorney, Humboldt County Agriculture Commissioner, California Division of Water Resources, Arcata Fire Protection District, Pacific Union School District, Humboldt County Sheriff, Northern Humboldt Union High School District

Applicant Name Arcata Land Company, LLC Key Parcel Number 507-181-007-000

Application (APPS#) 12262 Assigned Planner Cannabis Planner (CPOD) (707) 445-7541 Case Number(s) CUP16-591

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 10/28/2017

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: _____

DISTRIBUTED
4-24-18

* 4/23/18

Ben Duff

2746



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
839-5401

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

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

AVIATION	ADMINISTRATION	445-7491	NATURAL RESOURCES	445-7741	LAND USE	445-7205
	BUSINESS	445-7652	NATURAL RESOURCES PLANNING	267-9540		
	ENGINEERING	445-7377	PARKS	445-7651		
	FACILITY MAINTENANCE	445-7493	ROADS & EQUIPMENT MAINTENANCE	445-7421		

LAND USE DIVISION INTEROFFICE MEMORANDUM

TO: Michelle Nielsen, Senior Planner, Planning & Building Department

FROM: Kenneth M. Freed, Assistant Engineer *KMF*

DATE: 4-17-2018

RE:

Applicant Name	<i>Arcata Land Company LLC</i>
APN	<i>506-231-011</i>
APPS#	<i>12255</i>
CASE#	<i>CUP16-583</i>

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:

Project parcel has an existing surfaced approach from Foster Ave.

// END //



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: 5-11-2018

RE:

Applicant Name	Arcata Land Company, LLC	
APN	507-181-007	
APPS#	12262	CUP16-591

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:

SITE PLAN DOES NOT SHOW ACCESS LOCATION
AT COUNTY ROAD.

// END //

Exhibit "A"

Public Works Recommended Conditions of Approval

(All checked boxes apply)

APPS # 12262

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

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

COUNTY ROADS- DRIVEWAY (PART 1):
The submitted site plan is unclear and/or shows improvements that are inconsistent with County Code and/or Department of Public Works policies. The applicant is advised that these discrepancies will be addressed at the time that the applicant applies to the Department of Public Works for an Encroachment Permit. If the applicant wishes to resolve these issues prior to approval of the Planning & Building permit for this project, the applicant should contact the Department to discuss how to modify the site plan for conformance with County Code and or Department of Public Works policies. Notes:

COUNTY ROADS- DRIVEWAY (PART 2):
Any existing or proposed driveways that will serve as access for the proposed project that connect to a county maintained road shall be improved to current standards for a commercial driveway. An encroachment permit shall be issued by the Department of Public Works prior to commencement of any work in the County maintained right of way. This also includes installing or replacing driveway culverts; minimum size is typically 18 inches.

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

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

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

COUNTY ROADS- DRIVEWAY (PART 3):
The existing driveway will require substantial modification in order to comply with County Code. The applicant may wish to consider relocating the driveway apron if a more suitable location is available.

COUNTY ROADS-PARKING LOT- STORM WATER RUNOFF:
Surfaced parking lots shall have an oil-water filtration system prior to discharge into any County maintained facility.

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

COUNTY ROADS- DRIVEWAY & PRIVATE ROAD INTERSECTION VISIBILITY:
All driveways and private road intersections onto the County Road shall be maintained in accordance with County Code Section 341-1 (Sight Visibility Ordinance).

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

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

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

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

// END //



736 F Street
Arcata, CA 95521

City Manager (707) 822-5953	Environmental Services 822-8184	Police 822-2428	Recreation 822-7091
Community Development 822-5955	Finance 822-5951	Public Works 822-5957	Transportation 822-3775



Michelle Nielsen, Senior Planner
Humboldt County Planning & Building
3015 H Street
Eureka, CA 95501

February 28, 2018

Subject: Referral Comments re: Application Nos. 12255, 12262, and 12268; Arcata Land Company, LLC.; APNs 506-231-010, -011, and 507-181-007

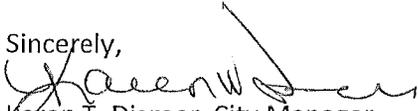
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Sincerely,



Karen T. Diemer, City Manager

City of Arcata

736 F Street

Arcata, CA 95521 | 707-822-5953

CC: John Ford, Director of Planning & Building, Humboldt County



From: [Nielsen, Michelle](#)
To: [Planning Clerk](#)
Subject: FW: Simpson Mill site cultivation comments
Date: Tuesday, February 27, 2018 9:53:25 AM
Attachments: [Simpson Mill site referral letter 2-26-18 signed.pdf](#)

Please post the attached comments to Apps # **12255**, 12262, and 12258, and generate hard copies for the project files. Thanks, Michelle

Michelle Nielsen, Senior Planner
Current Planning, Cannabis Services
[Planning & Building | Humboldt County, CA - Official Website](#)
3015 H Street | Eureka, CA 95501
Main: 707-445-7541
mnielsen@co.humboldt.ca.us

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Sent: Tuesday, February 27, 2018 9:18 AM
To: Nielsen, Michelle <MNIelsen@co.humboldt.ca.us>
Subject: Simpson Mill site cultivation comments

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City of Arcata Community Development Dept.
736 F Street | Arcata, CA 95521
707.825.2040

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City of Arcata

736 F Street

Arcata, CA 95521 | 707-822-5953

CC: John Ford, Director of Planning & Building, Humboldt County



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Arcata, CA 95521

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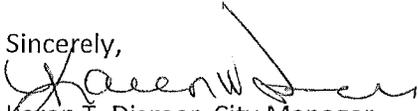
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City of Arcata

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CC: John Ford, Director of Planning & Building, Humboldt County

Yandell, Rodney

From: Mossman, Alex <AWM9@pge.com>
Sent: Thursday, February 25, 2021 12:41 PM
To: Jeffrey Smith; Yandell, Rodney
Cc: 'Jordan Main'
Subject: RE: Arcata Land Co: APPS # 12255 Addendum No. 1 to Ops Manual

Thank you. This adequately reflects our prior understanding.

THX

Alex Mossman
Industrial Power Engineer
PG&E
Phone: 707.445.5594
Company: 374.5594
Cell: 707.599.4808
Fax: 707.445.5528
AWM9@PGE.COM

[Submit an Application](#)
[PG&E Greenbook](#)
[Customer Connections Online](#)

From: Jeffrey Smith <jeff@lendersconstructionservices.com>
Sent: Sunday, February 21, 2021 11:21 AM
To: 'Rodney Yandell (ryandell@co.humboldt.ca.us)' <ryandell@co.humboldt.ca.us>
Cc: 'Jordan Main' <jmain@compassland.net>; Mossman, Alex <AWM9@pge.com>
Subject: Arcata Land Co: APPS # 12255 Addendum No. 1 to Ops Manual

*******CAUTION: This email was sent from an EXTERNAL source. Think before clicking links or opening attachments.*******

Rodney,

Please find attached Addendum #1 to the Operations Manual explaining that the estimated load for the electrical service will be less than 1.9 MW. Please let me know if you have any questions.

Also, if not too inconvenient, please stamp this document as received and send me a scanned copy of the stamped document.

Thank you!

Sincerely,

Jeff Smith
Lenders Construction Services, LLC
P.O. Box 6218, Eureka, CA 95502
(707) 496-9998



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



9/19/2017

PROJECT REFERRAL TO: Pacific Gas and Electric

Project Referred To The Following Agencies:

Building Inspection Division, Public Works Land Use Division, Health and Human Services Environmental Health Division, County Counsel, California Department of Fish And Wildlife, Northwest Information Center, Bear River Band Rohnerville Rancheria, Blue Lake Rancheria, Wiyot Tribe, City of Arcata, Regional Water Quality Control Board, Pacific Gas and Electric, Humboldt County District Attorney, Humboldt County Agriculture Commissioner, California Division of Water Resources, Arcata Fire Protection District, Pacific Union School District, Humboldt County Sheriff, Northern Humboldt Union School District

Applicant Name Arcata Land Company LLC **Key Parcel Number** 506-231-011-000

Application (APPS#) 12255 **Assigned Planner** Cannabis Planner (CPOD) (707) 445-7541 **Case Number(s)** CUP16-583

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 10/4/2017 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: AN EXISTING APG+E EASEMENT (VOL. 1763 OR PG. 118) IS NEAR THE SW CORNER OF THE PROPOSED 40,000 SF BUILDING. ENSURE BUILDING IS OUTSIDE OF THIS 20' WIDE EASEMENT

DATE: 12/1/17

PRINT NAME: JASON BARREY - PG&E

From: [Berrey, Jason](#)
To: [Planning Clerk](#)
Subject: Referral Response APPS# 12255 | CUP16-583
Date: Friday, December 01, 2017 1:40:05 PM
Attachments: [APPS#12255 Referral Response.pdf](#)
[Vol. 1763 OR Pg. 118.pdf](#)

Hello,

I'm so sorry for the lateness of my response. Please see attached. There is a 20' wide PG&E easement with building restrictions on the property. The new 40,000 square foot building will need to be outside of this easement. If you could pass this along to the applicant that would be very much appreciated. Thanks in advance for your help and I apologize for the inconvenience.

Jason Berrey, LSIT



Land Technician | LS&ES | North Coast
2555 Myrtle Ave., Eureka, CA 95501
Office: 707.445.5502 | Cell: 707.382.6120
jason.berrey@pge.com

5274

AFTER RECORDING
RETURN TO:

RECORDED AT REQUEST OF
PACIFIC GAS AND ELECTRIC COMPANY

1106-01-1256

PACIFIC GAS AND ELECTRIC COMPANY

VOL 1763 OFFICIAL RECORDS PG 118

FOR RECORDER'S USE ONLY

MAR 28 3 09 PM '85

HUMBOLDT COUNTY RECORDS
GRACE JACKSON, RECORDER

Location: ~~C&M~~ Uninc.

Recording Fee \$900

Documentary Transfer Tax \$ none

- Computed on Full Value of Property Conveyed, or
- Computed on Full Value Less Liens & Encumbrances Remaining at Time of Sale
- Consideration or Value of Interest Conveyed Herein Does Not Exceed \$100.00

Marcia Couder
Signature of declarant or agent determining tax

Debra Thode DEPUTY RECORDER
FEE \$900

EASEMENT

SIMPSON REDWOOD COMPANY, a Washington corporation

first party, hereby grants to PACIFIC GAS AND ELECTRIC COMPANY, a California corporation,

second party, the right from time to time to construct, install, inspect, maintain, replace, remove, and use facilities of the type hereinafter specified, together with a right of way therefor, within a strip or parcel of land or along a route as hereinafter set forth, and also ingress thereto and egress therefrom, over and across the lands situate in the _____ County of Humboldt, State of California, described as follows:

(APN 505-151-03)

That portion of the southwest quarter of the southwest quarter of Section 20, Township 6 North, Range 1 East, Humboldt Base and Meridian conveyed by Simpson Timber Company to Simpson Redwood Company by deed dated December 22, 1980 and recorded in the office of the County Recorder of said County of Humboldt in Book 1631 of Official Records at page 324.

Said facilities shall consist of:

Such poles, aerial wires, cables, electrical conductors with associated crossarms, braces, transformers, anchors, guy wires and cables, fixtures, and appurtenances, as second party deems necessary located along the route described as follows:

Beginning at a point in the southeasterly boundary line of said lands and running thence North $64^{\circ} 40 \frac{1}{2}'$ West approximately 125 feet to a point herein called point "A"; thence North $63^{\circ} 11 \frac{1}{2}'$ West 253.9 feet; said point "A" bears North $24^{\circ} 06 \frac{1}{2}'$ West 192.4 feet distant from the $2 \frac{1}{2}$ inch brass cap marked RE 1754 accepted as marking the intersection of the southerly boundary line of said Section 20 with the southeasterly boundary line of said lands.

First party shall not erect or construct any building or other structure or drill or operate any well under second party's electrical conductors or with 10 feet of the center line of said pole line.

First party further grants to second party the right to assign to another public utility as defined in Section 216 of the California Public Utilities Code the right to install, inspect, maintain, replace, remove and use communication facilities along said route including ingress thereto and egress therefrom.

Second party shall also have the right from time to time to trim and to cut down and clear away any and all trees and brush now or hereafter on said strip or on said parcel of land or along said route, as hereinbefore set forth, and shall have the further right from time to time to trim and to cut down and clear away any trees on either side of said strip or said parcel of land or along said route, as hereinbefore set forth, which now or hereafter in the opinion of second party may be a hazard to the facilities installed hereunder by reason of the danger of falling thereon, provided, however, that all trees which second party is hereby authorized to cut and remove, if valuable for timber or wood, shall continue to be the property of first party, but all tops, lops and brush shall be burned or removed by second party.

The provisions hereof shall inure to the benefit of and bind the successors and assigns of the respective parties hereto.

IN WITNESS WHEREOF first party has executed these presents this 12th day of February, 1985

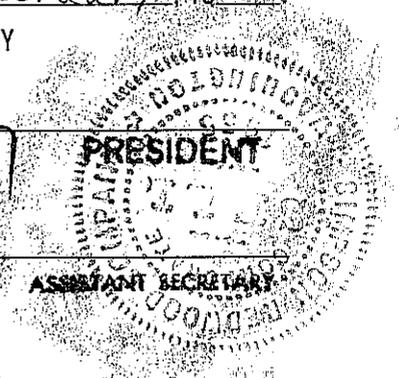
SIMPSON REDWOOD COMPANY

[Signature]

F. C. MOSELEY

[Signature]

JOSEPH R. BREED



Executed in the presence of:

Humboldt
WO 17988-C
Map HL-3735
Section 20
T.6N., R.1E., H.B.&M.
SW 1/4 of SW 1/4

WITNESS

Prepared [Signature]

Checked [Signature]

FOR NOTARY'S USE ONLY

STATE OF WASHINGTON
COUNTY OF KING

ON February 12, 1985,
before me, the undersigned, a Notary Public in and for said State, personally appeared
F.C. Moseley and Joseph R. Breed
known to me to be the
President and Assistant Secretary
of the Simpson Redwood Company
the Corporation that executed the within Instrument, known to me to be the person who
executed the within Instrument, on behalf of the Corporation, therein named, and acknowledged
to me that such Corporation executed the same.



WITNESS my hand and official seal.

[Signature]

Notary Public in and for said State.

From: [Young, Denise](#)
To: [Planning Clerk](#)
Cc: [Mossman, Alex](#)
Subject: Case Number CUP16-591 APPS# 12262
Date: Thursday, October 19, 2017 1:47:39 PM
Attachments: [image001.png](#)

Thank you for giving PG&E the opportunity to review this project. It does not appear that there are gas or electric facilities that will be in conflict with the proposed greenhouses and drying shed. However, if there needs to be any rearrangement of existing facilities on the property the owner/applicant will bear the burden of that cost.

Due to the size of this project there may be a need to increase gas and/or electric facilities. Please contact Alex Mossman at 707-445-5594 to discuss the projected loads.

Thank you,

Denise Young

Land Agent | Land Rights Services
Pacific Gas & Electric Company
2555 Myrtle Avenue, Eureka CA 95501 |
707.445.5548 | denise.young@pge.com



Who's your local Land Management contact? [Click Here](#) to find out!

From: [Young, Denise](#)
To: [Planning Clerk](#)
Cc: [Mossman, Alex](#)
Subject: REV RESPONSE - Case Number CUP16-591 APPS # 12262
Date: Thursday, October 19, 2017 2:32:07 PM
Attachments: [image001.png](#)
[Simpson Timber Easement.pdf](#)

Hello,

So sorry to be sending another email but I did want to point out that there is a 20' wide PG&E easement with our gas transmission facilities in it along the easterly boundary line of APN 507-181-007.

As I mentioned in my previous email, it does not appear that there is a conflict with the drying shed and our gas transmission line but the easement is building restrictive so PG&E does not want any structures or fencing within the easement area. See attached easement for reference.

Thank you again,

Denise Young

Land Agent | Land Rights Services
Pacific Gas & Electric Company
2555 Myrtle Avenue, Eureka CA 95501 |
707-445-5548 | denise.young@pge.com



Who's your local Land Management contact? [Click Here](#) to find out!

PACIFIC GAS AND ELECTRIC COMPANY

8813 FOR RECORDER'S USE ONLY
RECORDED AT REQUEST OF
PACIFIC GAS AND ELECTRIC COMPANY
OFFICIAL
VOL 687 RECORDS PG 616

97
1192-235

MAY 18 3 21 PM 1962

1106-01-0381
INDEXED

HUMBOLDT COUNTY RECORDS
EMMA COX ALCALA RECORDER
Tilda Alless DEPUTY
FEE \$5.20

McKinterville-Blue Lake GK Ext

\$ 900.00

✓
COPY SENT
TO DIVISION

SIMPSON REDWOOD COMPANY, a Washington corporation,

hereinafter called first party, in consideration of value paid by PACIFIC GAS AND ELECTRIC COMPANY, a California corporation, hereinafter called second party, the adequacy and receipt whereof are hereby acknowledged, hereby grants to second party the right to excavate for, install, replace (of the initial or any other size), maintain and use such pipe lines as second party shall from time to time elect for conveying gas, with necessary and proper valves and other appliances and fittings, and devices for controlling electrolysis for use in connection with said pipe lines, together with adequate protection therefor, and also a right of way, within the hereinafter described strip of those certain lands which are situate in the _____ County of _____ Humboldt _____, State of California, and described as follows:

Those portions of Sections 20 & 29, T. 6 N., R. 1 E., H. B. & M., conveyed by deed from Simpson Timber Company to Simpson Redwood Company dated May 31, 1956 and recorded in the office of the County Recorder of said County of Humboldt in Book 395 of Official Records at page 56.

The aforesaid strip extends entirely across said lands and is particularly described as follows:

A strip of land of the uniform width of 20 feet lying 8 feet on the westerly side and 12 feet on the easterly side of the line which begins at a point in the southerly boundary line of said lands, said southerly boundary line being the northerly boundary line of that certain 40 foot strip of land conveyed by William Nixon to Humboldt Northern Railway Company by deed dated October 29, 1912 and recorded in the office of said County Recorder in Book 121 of Deeds at page 237, from which the 2 1/2 inch brass cap (marked SL-8 R.E. 1754) marking the intersection of the northerly boundary line of said 40 foot strip of land with the easterly boundary line of said lands bears S. 70° 46 1/2' E. 15.0 feet distant and runs thence N. 15° 21 1/2' E. 657.2 feet; thence N. 15° 17 1/2' E. 1814.2 feet; thence N. 14° 43' E. 198.9 feet, more or less, to the northeasterly boundary line (marked by a fence now upon the ground) of said lands.

(see over)

8813

First party further grants to second party:

(a) the right of ingress to and egress from said strip over and across said lands by means of roads and lanes thereon, if such there be, otherwise by such route or routes as shall occasion the least practicable damage and inconvenience to first party; provided that such right of ingress and egress shall not extend to any portion of said lands which is isolated from said strip by any public road or highway now crossing or hereafter crossing said lands; provided, further, that if any portion of said lands is or shall be subdivided and dedicated roads or highways on such portion shall extend to said strip, said right of ingress and egress on said portion shall be confined to such dedicated roads and highways;

(b) the right to use such portion of said lands contiguous to said strip as may be reasonably necessary in connection with the installation and replacement of such pipe lines;

(c) the right from time to time to trim and to cut down and clear away any and all trees and brush now or hereafter on said strip and to trim and to cut down and clear away any trees on either side of said strip which now or hereafter in the opinion of second party may be a hazard to said pipe lines, valves, appliances or fittings, by reason of the danger of falling thereon, or may interfere with the exercise of second party's rights hereunder; provided, however, that all trees which second party is hereby authorized to cut and remove, if valuable for timber or wood, shall continue to be the property of first party, but all tops, lops, brush and refuse wood shall be burned or removed by second party;

(d) the right to install, maintain and use gates in all fences which now cross or shall hereafter cross said strip;

(e) the right to mark the location of said strip by suitable markers set in the ground; provided that said markers shall be placed in fences or other locations which will not interfere with any reasonable use first party shall make of said strip.

Second party hereby covenants and agrees:

(a) second party shall not fence said strip;

(b) second party shall promptly backfill any trench made by it on said strip and repair any damage it shall do to first party's private roads or lanes on said lands;

(c) second party shall indemnify first party against any loss and damage which shall be caused by the exercise of said ingress and egress or by any wrongful or negligent act or omission of second party or of its agents or employees in the course of their employment.

First party reserves the right to use said strip for purposes which will not interfere with second party's full enjoyment of the rights hereby granted; provided that first party shall not erect or construct any building or other structure, or drill or operate any well, or construct any reservoir or other obstruction on said strip, or diminish or substantially add to the ground cover over said pipe lines.

The provisions hereof shall inure to the benefit of and bind the successors and assigns of the respective parties hereto, and all covenants shall apply to and run with the land.



IN WITNESS WHEREOF first party has executed these presents this 29th day of January, 1962

[Signature]

SIMPSON REDWOOD COMPANY

By *[Signature]*
Its

And By *[Signature]*
Its Secretary

PACIFIC GAS AND ELECTRIC COMPANY,
A California Corporation

By *[Signature]*
Its Vice President and Executive Engineer

And by *[Signature]*
Its

Executed in the presence of

[Signature]
Witness

FOR NOTARY'S USE ONLY

Subscribed and sworn to before me this 29th day of January, 1962.

[Signature]
Notary Public in and for the State of Washington residing in Seattle.
My commission expires 12-17-62

Humboldt
GM 150011
Dwg. B-4796
Sheets 2 and 3
T.G.N., R.L.E.,
H.B. & M.
374

APPROVED

[Signature]
W. P. IN CHARGE OF GEN

APPROVED

Prepared *[Signature]*

Checked *[Signature]*

NOV 15 '61

8813

STATE OF WASHINGTON)
) SS.
COUNTY OF KING)

On this 24th day of January, in the year nineteen hundred and sixty-two, before me, ANN CARY, a Notary Public in and for the County of King, State of Washington, duly commissioned and sworn, personally appeared THOS. F. GLEED, and C. E. RUNACRES, JR., known to me to be, respectively, the President and Secretary of the corporation that executed the within instrument, and acknowledged to me that such corporation executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal in the County of King, the day and year in this certificate first above written.

Ann Cary
Ann Cary, Notary Public in and for
the County of King, State of Washington.

My commission expires December 17, 1962.



68-4024 3-60 State of California,)
 City and County of San Francisco) ss.
 On this 26th day of April, in the year 1962, before me,
Rita J. Green, a Notary Public in and for the said
 City & County, duly commissioned and sworn, personally appeared
J. S. Moulton, E. E. Manhard
 known to me to be the Vice-Pres. & Exec. Engr.
 & Secretary of the corporation that executed the
 within and foregoing instrument, and to be the person who executed
 the said instrument on behalf of said corporation therein named, and
 acknowledged to me that such corporation executed the within instru-
 ment pursuant to its by-laws or a resolution of its board of directors.
 In Witness Whereof, I have hereunto set my hand and affixed my
 official seal, in the City & County of San Francisco,
 the day and year in this certificate first above written.

Rita J. Green
 8813 Rita J. Green
 Notary Public in and for the City and County
 of San Francisco, State of California
 My Commission Expires: July 16, 1963

T 6N, R 1E, SECTION 20

MAP 784-G1
& N9-9

SUN VALLEY FLORAL FARMS
PARTNERSHIP
1991-28015-4
DATED NOVEMBER 27, 1991
APN 507-181-16

27TH STREET

Existing gas main

Existing 20' PG&E easement
dated December 19, 1961
from Lawrence Hoopes
672 OR p199

507-181-
007

Simpson Redwood Co

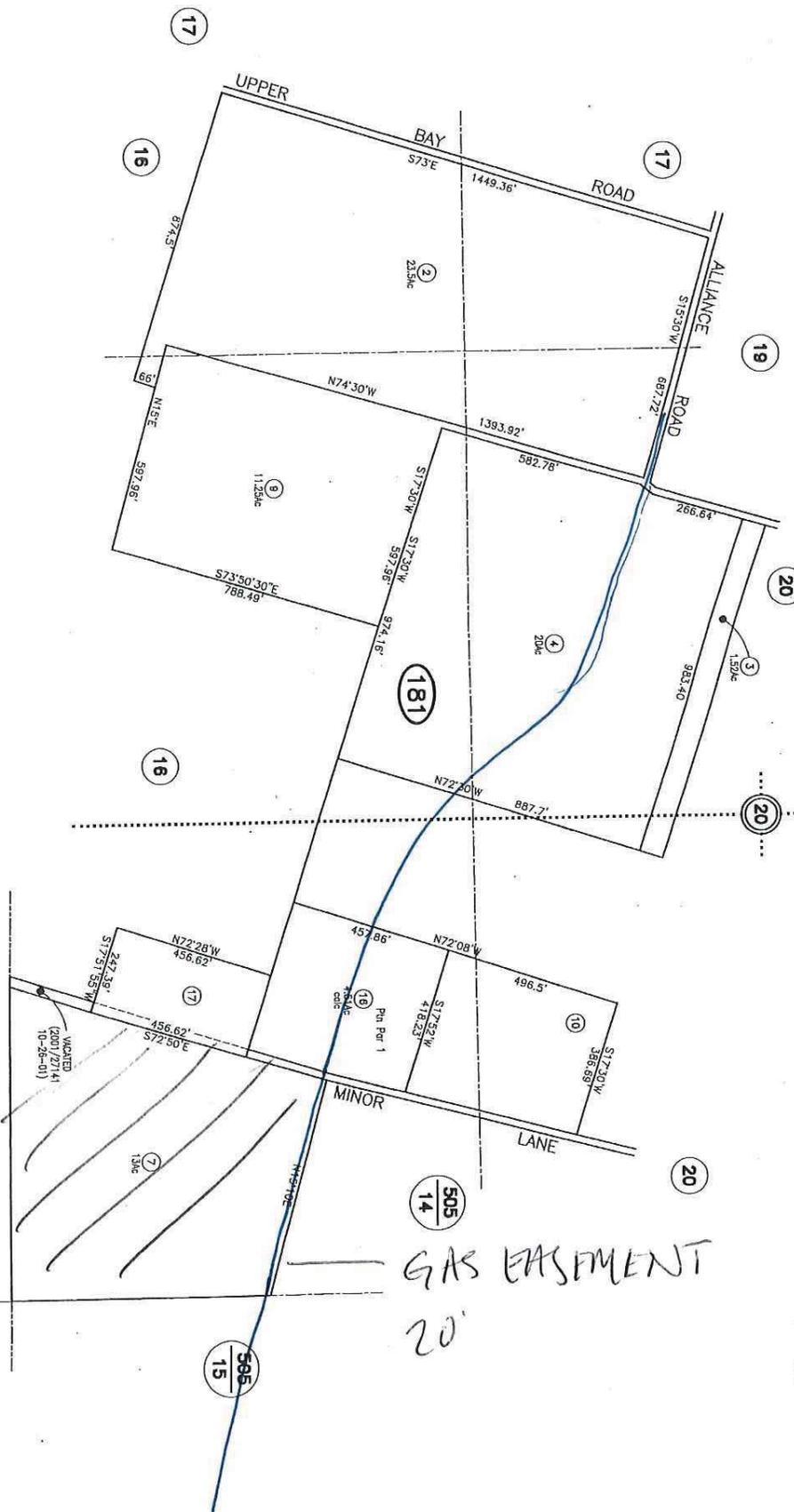
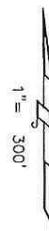
Unless otherwise shown
all courses extend to or
along boundaries or lines

OTHER REFERENCES:

FACILITY Underground Gas Extension		DATE June 2, 1998	SCALE 1" = 200'	
CITY Arcata		COUNTY OF Humboldt (507-18)		
RANCHO		Sec. 20, T 6N, R 1E		HB&M
D&C	SHEET NO. 1	F. B.:	DR. BY: DRS	REP:
097AG04003 NW1/4 of SW1/4	North Coast	7015131	HL-5012	CHG.
REFERENCES	DIVISION	AUTHORIZATION	DRAWING NO.	

PTN SEC 20 T6N, R1E H.B.& M.

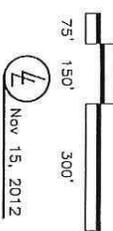
507-18



ASSESSOR'S PARCEL MAP
 1. THIS MAP WAS PREPARED FOR THE COUNTY OF HUMBOLDT, CALIFORNIA.
 2. NO WARRANTY IS ASSURED FOR THE ACCURACY OF THE DATA SHOWN.
 3. ASSESSOR'S PARCELS MAY NOT COMPLY WITH LOCAL LOT-SPLIT OR BUILDING SITE ORDINANCES.

- RS, BK 1 of surveys, Pg 31
- RS, BK 2A of surveys, Pg 44
- RS, BK 8 of surveys, Pg 31
- RS, BK 8 of surveys, Pg 57
- RS, BK 10 of surveys, Pg 81
- RS, BK 60 of surveys, Pg 19
- RS, BK 89 of surveys, Pgs 125-127

NOTE - Assessor's Block Numbers Shown in Ellipses
 Assessor's Parcel Numbers Shown in Circles
 Assessor's Map Bk.507, Pg.18
 County of Humboldt, CA.





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



9/19/2017

PROJECT REFERRAL TO: Northern Humboldt Union 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, California Department of Fish And Wildlife, Northwest Information Center, Bear River Band Rohnerville Rancheria, Blue Lake Rancheria, Wiyot Tribe, City of Arcata, Regional Water Quality Control Board, Pacific Gas and Electric, Humboldt County District Attorney, Humboldt County Agriculture Commissioner, California Division of Water Resources, Arcata Fire Protection District, Pacific Union School District, Humboldt County Sheriff, Northern Humboldt Union School District

Applicant Name Arcata Land Company LLC **Key Parcel Number** 506-231-011-000

Application (APPS#) 12255 **Assigned Planner** Cannabis Planner (CPOD) (707) 445-7541 **Case Number(s)** CUP16-583

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 10/4/2017 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: _____

DATE: 9/25/17 PRINT NAME: Roger Macdonald



Northern Humboldt Union High School District

2755 McKinleyville Avenue, McKinleyville, CA 95519-3400
TELEPHONE: (707) 839-6470 • FAX: (707) 839-6477
www.nohum.k12.ca.us

ROGER MACDONALD
District Superintendent

CINDY VICKERS
Director of Fiscal Services

September 25, 2017

Humboldt County Planning Commissioners
Planning Commission Clerk
3015 H Street
Eureka, CA 95501

RE: Case No. CUP16-583

The proposed facility is not within 600 feet of a school or existing bus stop. However, Northern Humboldt Union High School District has concerns about this proposed facility as cannabis is still illegal under federal law and our district receives federal funds.

Additionally, the district has concerns about a grow operation in an area where current and/or future students may live in the area or near the facility, and be required to pass by it to and from school.

Should you have any further questions, please let me know.

Sincerely,

ROGER MACDONALD
Superintendent



Pacific Union School District

3001 Janes Road • Arcata, California 95521 • 707/822-4619 FAX 707/822-0129

Karla K. Darnall
Superintendent/Principal

Alyse Eckenrode
Associate Principal

Board Of Trustees
Jason Barr
Karan Collenberg
Chris Emmons
Dirk Luoma
Ted Weller

October 4, 2017

Via Email

Planning Commission Clerk
County of Humboldt Planning and Building Department
3015 H Street
Eureka, CA. 95501
Email: PlanningClerk@co.humboldt.ca.us



Re: Arcata Land Company, LLC, Application 12255, Case Number CUP16-583, Key Parcel Number 506-231-011-000

To Whom This Concerns,

Pacific Union School District ("District") desires to promote a safe, drug-free environment for our students and staff. In our attempts to ensure a drug-free campus, we have adopted Board Policy 4020, "Drug and Alcohol-Free Workplace," and Board Policy 5131.6, "Alcohol and Other Drugs." These policies are maintained and strictly enforced. Pacific Union School District does not condone any illegal activity and endeavors to promote a safe and healthy lifestyle.

You have asked the District to recommend an action as to the proposal. The proposal for approval of the above-referenced application raises concerns for the District. The proposed business, which may be legal in Humboldt County, is not legal on a federal level. As such, the District cannot "recommend" approval of a permit to engage in illegal activity without risking federal consequences, including, but not limited to, jeopardizing its federal funds. Further, the District does not wish to restrict its own ability to add a bus stop within 600 feet of this location should such a need arise in order to serve our students.

You also asked if the proposed location is within 600 feet of a school bus stop. At this time, this location is further away than 600 feet from the closest existing bus stop.

Sincerely,

Karla Darnall, Superintendent
Pacific Union School District



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

9/19/2017

PROJECT REFERRAL TO: Pacific Union 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, California Department of Fish And Wildlife, Northwest Information Center, Bear River Band Rohnerville Rancheria, Blue Lake Rancheria, Wiyot Tribe, City of Arcata, Regional Water Quality Control Board, Pacific Gas and Electric, Humboldt County District Attorney, Humboldt County Agriculture Commissioner, California Division of Water Resources, Arcata Fire Protection District, Pacific Union School District, Humboldt County Sheriff, Northern Humboldt Union School District

Applicant Name Arcata Land Company LLC **Key Parcel Number** 506-231-011-000

Application (APPS#) 12255 **Assigned Planner** Cannabis Planner (CPOD) (707) 445-7541 **Case Number(s)** CUP16-583

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 10/4/2017

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 accompanying letter.

DATE: 4. October 2017

PRINT NAME: Karla K Darnall

*Karla K Darnall
Superintendent/Principal*



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

10/13/2017

PROJECT REFERRAL TO: Pacific Union 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, California Department of Fish And Wildlife, Northwest Information Center, Bear River Band Rohnerville Rancheria, Blue Lake Rancheria, Wiyot Tribe, City of Arcata, Regional Water Quality Control Board, North Coast Unified Air Quality Management District, United States Army Corps of Engineers, Pacific Gas and Electric, Humboldt County District Attorney, Humboldt County Agriculture Commissioner, California Division of Water Resources, Arcata Fire Protection District, Pacific Union School District, Humboldt County Sheriff, Northern Humboldt Union High School District

Applicant Name Arcata Land Company, LLC **Key Parcel Number** 507-181-007-000

Application (APPS#) 12262 **Assigned Planner** Cannabis Planner (CPOD) (707) 445-7541 **Case Number(s)** CUP16-591

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 10/28/2017 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 accompanying letter

updated: 27 November 2017

Karla K Darnall
Karla K Darnall
Superintendent/Principal
Karla K Darnall



Pacific Union School District

Karla K. Darnall
Superintendent/Principal
Alyse Eckenrode
Associate Principal
Board Of Trustees
Jason Barr
Karan Collenberg
Chris Emmons
Dirk Luoma
Ted Weller

3001 Janes Road • Arcata, California 95521 • 707/822-4619 FAX 707/822-0129

November 27, 2017

Via Email

Planning Commission Clerk
County of Humboldt Planning and Building Department
3015 H Street
Eureka, CA. 95501
Email: PlanningClerk@co.humboldt.ca.us

ATTN: Rodney Yandell

Re: Arcata Land Company, LLC., Application 12262, Case Number CUP16-591, Key Parcel
Number 507-181-007-000

To Whom This Concerns,

This letter replaces my letter dated October 20, 2017 regarding this application.

Pacific Union School District ("District") desires to promote a safe, drug-free environment for our students and staff. In our attempts to ensure a drug-free campus, we have adopted Board Policy 4020, "Drug and Alcohol-Free Workplace," and Board Policy 5131.6, "Alcohol and Other Drugs." These policies are maintained and strictly enforced. Pacific Union School District does not condone any illegal activity and endeavors to promote a safe and healthy lifestyle.

You have asked the District to recommend an action as to the proposal. The proposal for approval of the above-referenced application raises concerns for the District. The proposed business, which may be legal in Humboldt County, is not legal on a federal level. As such, the District cannot "recommend" approval of a permit to engage in illegal activity without risking federal consequences, including, but not limited to, jeopardizing its federal funds. Further, the District does not wish to restrict its own ability to add a bus stop within 600 feet of this location should such a need arise in order to serve our students.

You also asked if the proposed location is within 600 feet of a school bus stop. At this time, this location is further away than 600 feet from the closest existing bus stop.

Sincerely,

Karla Darnall, Superintendent
Pacific Union School District



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



9/19/2017

PROJECT REFERRAL TO: Arcata Fire Protection District

Project Referred To The Following Agencies:

Building Inspection Division, Public Works Land Use Division, Health and Human Services Environmental Health Division, County Counsel, California Department of Fish And Wildlife, Northwest Information Center, Bear River Band Rohnerville Rancheria, Blue Lake Rancheria, Wiyot Tribe, City of Arcata, Regional Water Quality Control Board, Pacific Gas and Electric, Humboldt County District Attorney, Humboldt County Agriculture Commissioner, California Division of Water Resources, Arcata Fire Protection District, Pacific Union School District, Humboldt County Sheriff, Northern Humboldt Union School District

Applicant Name Arcata Land Company LLC **Key Parcel Number** 506-231-011-000

Application (APPS#) 12255 **Assigned Planner** Cannabis Planner (CPOD) (707) 445-7541 **Case Number(s)** CUP16-583

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 10/4/2017 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. */see below*

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

Recommend Denial. Attach reasons for recommended denial.

Other Comments: Verify adequate Fire apparatus access per California Code

DATE: Sept 29, 2017

PRINT NAME: Ed Cardlaw



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

10/13/2017

PROJECT REFERRAL TO: Arcata Fire Protection District

Project Referred To The Following Agencies:

Building Inspection Division, Public Works Land Use Division, Health and Human Services Environmental Health Division, County Counsel, California Department of Fish And Wildlife, Northwest Information Center, Bear River Band Rohnerville Rancheria, Blue Lake Rancheria, Wiyot Tribe, City of Arcata, Regional Water Quality Control Board, North Coast Unified Air Quality Management District, United States Army Corps of Engineers, Pacific Gas and Electric, Humboldt County District Attorney, Humboldt County Agriculture Commissioner, California Division of Water Resources, Arcata Fire Protection District, Pacific Union School District, Humboldt County Sheriff, Northern Humboldt Union High School District

Applicant Name Arcata Land Company, LLC **Key Parcel Number** 507-181-007-000

Application (APPS#) 12262 **Assigned Planner** Cannabis Planner (CPOD) (707) 445-7541 **Case Number(s)** CUP16-591

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 10/28/2017

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: _____



DATE: 10/13/2017 Ed Laidlaw
 PRINT NAME: Ed Laidlaw



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



10/13/2017

PROJECT REFERRAL TO: United States Army Corps of Engineers

Project Referred To The Following Agencies:

Building Inspection Division, Public Works Land Use Division, Health and Human Services Environmental Health Division, County Counsel, California Department of Fish And Wildlife, Northwest Information Center, Bear River Band Rohnerville Rancheria, Blue Lake Rancheria, Wiyot Tribe, City of Arcata, Regional Water Quality Control Board, North Coast Unified Air Quality Management District, United States Army Corps of Engineers, Pacific Gas and Electric, Humboldt County District Attorney, Humboldt County Agriculture Commissioner, California Division of Water Resources, Arcata Fire Protection District, Pacific Union School District, Humboldt County Sheriff, Northern Humboldt Union High School District

Applicant Name Arcata Land Company, LLC **Key Parcel Number** 507-181-007-000

Application (APPS#) 12262 **Assigned Planner** Cannabis Planner (CPOD) (707) 445-7541 **Case Number(s)** CUP16-591

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E-mail: PlanningClerk@co.humboldt.ca.us **Fax:** (707) 268-3792

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- 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: _____

PRINT NAME: _____



DEPARTMENT OF THE ARMY
SAN FRANCISCO DISTRICT, U.S. ARMY CORPS OF ENGINEERS
1455 MARKET STREET
SAN FRANCISCO, CALIFORNIA 94103-1398

October 16, 2017

Regulatory Division

SUBJECT: File Number 2017-489N

Arcata Land Company, LLC
Attn: Casey Razma
P.O. Box 997
Arcata, California 95519

Dear Mr. Razma:

This letter is written in response to a request for comments by the Planning Commission Clerk, County of Humboldt Planning and Building Department, dated October 13, 2017 concerning a proposal by Arcata Land Company, LLC to seek out a conditional use permit for 18.5 acres of new mixed-light cannabis cultivation. This project is located in the Arcata Bottoms area, on the north side and adjacent to 27th Street, approximately .67 miles west from the intersection of Alliance Road and 27th Street (APN: 507-181-007), in Humboldt County, California. The proposed activity includes, building a new 18.5 acre mixed-light cannabis cultivation. Processing for the operation will be done on site in a proposed ADA compliant facility. Water used for irrigation will be supplied by a proposed well in addition to which 30,000 gallons of water storage is proposed. Since this activity may involve impacts to wetlands adjacent to other waters of the United States and, therefore, may impact a water of the U.S.; the United States Army Corps of Engineers (Corps) will need to review those portions of your project.

All proposed discharges of dredged or fill material into waters of the United States must be authorized by the Corps pursuant to Section 404 of the Clean Water Act (CWA) (33 U.S.C. Section 1344). Waters of the United States generally include tidal waters, lakes, ponds, rivers, streams (including intermittent streams), and wetlands.

Your proposed work may be within our jurisdiction. **Please note:** Cultivation of marijuana is considered a crime under Federal law and, therefore, the Corps is unable to issue a 404 CWA permit for any discharge of fill into waters of the United States associated with this project. We recommend that the project be designed to avoid all impacts to jurisdictional waters of the United States, including Liscom Slough and its tributary, and any adjacent wetlands that may be present.

We further recommend that a jurisdictional survey (delineation) be conducted for your property and an illustrated and scaled topographic map, or site plan provided to this office for verification. When this document is forwarded, the Corps staff will validate and authenticate the limits of Corps jurisdiction. While it is not necessary to confirm all boundary points, the Corps will verify the jurisdictional boundary along one or more transects and may visit random intermediate points. All delineations of wetlands must be conducted in accordance with the 1987

Corps of Engineers Wetlands Delineation Manual, or appropriate Regional Supplement, and submitted to the District for review and verification. Two Regional Supplements have been approved for use within the boundaries of the San Francisco District: the Arid West Supplement, and the Western Mountains, Valleys and Coast Supplement. Copies of these documents are available to download on our website: <http://www.spn.usace.army.mil/Missions/Regulatory/JurisdictionDeterminations.aspx>.

Corps staff will do the jurisdictional mapping, if you so choose. However, due to limited staff and resources, response time can be several months or longer. To expedite this process, the San Francisco District encourages applicants to use consultants to conduct wetland delineations, especially for large and/or complex areas. The San Francisco District is not authorized to recommend any private consulting services and advises applicants to check references and referrals of prospective consultants before contracting services.

The Corps also suggests that you contact the appropriate Regional Water Quality Control Board and California Department of Fish and Wildlife offices to ensure they review your project relative to their permitting requirements for activities that may impact aquatic resources.

You may refer any questions on this matter to the Eureka Field Office Regulatory staff by telephone at 707-443-0855 or by e-mail at Cameron.R.Purchio@usace.army.mil or L.K.Sirkin@usace.army.mil. All correspondence should be addressed to the Regulatory Division, North Branch, referencing the file number at the head of this letter.

Sincerely,

A handwritten signature in black ink, appearing to read "H. Kasey Costa", with a long horizontal line extending to the right.

Holly Costa
Regulatory North Branch Chief

ATTACHMENT 5

AGENCY COMMENT

AND PUBLIC COMMENT-CEQA CIRCULATION PERIOD (Attached Separately)

AND 10-DAY NOTICING PERIOD (Attached Separately)

February 26, 2021

Rodney A Yandell
Humboldt County Planning and Building
3015 H Street
Eureka, CA 95501

Subject: Initial Study/Mitigated Negative Declaration (SCH#2021010337) – Arcata Land Company, LLC Commercial Cannabis Outdoor Light-Deprivation and Mixed-Light Cultivation Project

Dear Mr. Yandell:

Thank you for providing the California Department of Food and Agriculture (CDFA) CalCannabis Cultivation Licensing Division (CalCannabis) the opportunity to comment on the Initial Study/Mitigation Negative Declaration (IS/MND) (SCH#2021010337) prepared by the County of Humboldt for Arcata Land Company, LLC Commercial Cannabis Outdoor Light-Deprivation and Mixed-Light Cultivation Project (Proposed Project).

CDFA has jurisdiction over the issuance of licenses to cultivate, propagate and process commercial cannabis in California. CDFA issues licenses to outdoor, indoor, and mixed-light cannabis cultivators, cannabis nurseries and cannabis processor facilities, where the local jurisdiction authorizes these activities. (Bus. & Prof. Code, § 26012, subd. (a)(2).) All commercial cannabis cultivation within California requires a cultivation license from CDFA. For a complete list of all license requirements contained in the CalCannabis Licensing Program regulations, please visit: https://static.cdfa.ca.gov/MCCP/document/CDFA%20Final%20Regulation%20Text_01162019_Clean.pdf.

CDFA expects to be a Responsible Agency for this project because the project will need to obtain an annual cultivation license from CDFA. In order to ensure that the IS/MND is sufficient for CDFA's needs at that time, CDFA requests that a copy of the IS/MND, revised to respond to the comments provided in this letter, and a signed Notice of Determination be provided to the applicant, so the applicant can include them with the application package it submits to CDFA. This should apply not only to this

Proposed Project, but to all future California Environmental Quality Act (CEQA) documents related to cannabis cultivation applications in Humboldt County.

CDFA offers the following comments concerning the IS/MND.

General Comments (GCs)

GC 1: Acknowledgement of CDFA Regulations

The IS/MND acknowledges that CDFA is an agency whose approval may be required for the Proposed Project. CDFA is responsible for the licensing of cannabis cultivation and is responsible for the regulation of cannabis cultivation and enforcement, as defined in the Medicinal and Adult Use Cannabis Regulation and Safety Act (MAUCRSA) and CDFA regulations related to cannabis cultivation (Bus. & Prof. Code, § 26103(a)). The IS/MND's analysis would benefit from discussion of the protections for environmental resources provided by CDFA's regulations (Cal. Code Regs. tit.3, § 8000 et seq.). In particular, the impact analysis would be further supported by a discussion of the effects of state regulations on reducing the severity of impacts on the following resource topics:

- Aesthetics (See 3 California Code of Regulations § 8304(c); § 8304(g).)
- Air Quality and Greenhouse Gas Emissions (See § 8102(s); § 8304(e); § 8305; § 8306.)
- Biological Resources (See § 8102(w); § 8102(dd); § 8216; § 8304(a-c); § 8304(g).)
- Cultural Resources (See § 8304(d).)
- Hazards and Hazardous Materials (See § 8102(q); § 8106(a)(3); § 8304(f); § 8307.)
- Hydrology and Water Quality (See § 8102(p); § 8102(v); § 8102(w); § 8102(dd); § 8107(b); § 8216; § 8304(a and b); § 8307.)
- Noise (See § 8304(e); § 8306.)
- Utilities and Service Systems (See § 8102(s); § 8108; § 8308.)
- Energy (See § 8102(s); § 8305; § 8306.)
- Cumulative Impacts (related to the above topics).

GC 2: Proposed Project Description

In general, more detailed information related to Proposed Project operations and routine maintenance would be helpful to CDFA. This includes:

- the types of equipment and projected duration of use anticipated for operations and maintenance activities; and

- the source (equipment) and amounts of energy expected to be used in operating the cultivation facility, including any energy management and efficiency features incorporated into the Proposed Project.

Specific Comments and Recommendations

In addition to the general comments provided above, CDFA provides the following specific comments regarding the analysis in the IS/MND.

Comment No.	Section Nos.	Page No(s).	Resource Topic(s)	CDFA Comments and Recommendations
1	X	56	Hydrology and Water Quality	The IS/MND could be improved if the applicant provided proof of enrollment in or exemption from the applicable SWRCB or Regional Water Quality Control Board (RWQCB) program for water quality protection (Cal. Code Regs., tit. 3 § 8102(o)), and either a final copy of proof of a lake and streambed alteration agreement issued by the California Department of Fish and Wildlife (CDFW) or written verification that an agreement is not needed (Cal. Code Regs., tit. 3 § 8102(w)).
2	X(b)	58-59	Hydrology and Water Quality	The IS/MND would be improved if it provided additional information and analysis of whether the amount of water required for the Proposed Project would substantially decrease groundwater supplies or interfere substantially with groundwater recharge.
3	X(b)	58-59	Hydrology and Water Quality	The IS/MND would be improved if it provided an analysis of whether there are sufficient groundwater supplies to serve the Proposed Project and reasonably foreseeable future development during normal, dry and multiple dry years. In addition, the document would be improved if it referenced the state's requirements regarding proposed water sources and groundwater use (Cal. Code Regs., tit. 3 §§ 8102(v), 8107(b)).
4	X(e)	60	Hydrology and Water Quality	The document would be improved if it described any applicable water quality control plans and sustainable groundwater management plans, then provided an analysis of whether the Proposed Project would conflict with such plans.

Conclusion

CDFA appreciates the opportunity to provide comments on the IS/MND for the Proposed Project. If you have any questions about our comments or wish to discuss them, please contact Kevin Ponce, Senior Environmental Scientist Supervisor, at (916) 247-1659 or via e-mail at kevin.ponce@cdfa.ca.gov.

Sincerely,

Lindsay Rains
Licensing Program Manager

DEPARTMENT OF TRANSPORTATION

DISTRICT 1
P O BOX 3700
EUREKA, CA 95502-3700
PHONE (951) 616-4101
TTY 711
www.dot.ca.gov/dist1



Making Conservation
a California Way of Life.

March 5, 2021

1- HUM- 101- 88.319
Arcata Land Use Co.
APPLICATION NO. 12255

Rodney Yandell, Senior Planner
Humboldt County
3015 H St.
Eureka, CA 95501

Dear Mr. Yandell,

Thank you for the opportunity to comment on the proposed Conditional Use Permit to allow approximately 22.9 acres of outdoor cannabis cultivation located at APN: 506-231-021 & 505-151-011. This project is located between 27th Street and Foster Avenue, west of the City of Arcata, in an unincorporated area of Humboldt County, California. We have the following comments:

District 1, concurs with all but one of the conclusions and recommendations in the Transportation Impact Study (TIS), made pertaining to the SHS, with the exception that we dispute the study's conclusion that collision rates are higher than statewide average at the intersections of Sunset Ave and US-101.

When collision rates are compared with the Statewide average, it is for a given segment of highway. Each on and off-ramp is considered as an individual highway segment. When the collisions for each ramp discussed in the study are individually compared to the statewide average, those collisions are significantly below the statewide average; ranging from 30% to 80% below the statewide average.

Because the collision rates for the ramps between Sunset Ave and US-101 are below statewide average, we consider the recommendation made in the TIS to notify drivers via signage to be inapplicable.

Mr. Rodney Yandell
March 5, 2021
Page 2

While the Caltrans District Planning staff telework, feel free to contact me regarding the above comments by email at: <jacob.rightnar@dot.ca.gov>.

Sincerely,

A handwritten signature in black ink, appearing to read "Jacob Rightnar". The signature is fluid and cursive, with the first name "Jacob" and last name "Rightnar" clearly distinguishable.

Jacob Rightnar
Transportation Planning
Caltrans District 1

*"Provide a safe, sustainable, integrated and efficient transportation system
to enhance California's economy and livability"*