



COUNTY OF HUMBOLDT
PLANNING AND BUILDING DEPARTMENT
CURRENT PLANNING DIVISION

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Hearing Date: September 15, 2022

To: Humboldt County Zoning Administrator

From: Cliff Johnson, Supervising Planner

Subject: **Tina Colafranceschi Special Permits**
Record Number: PLN-13065-SP
Assessor's Parcel Number (APN): 220-291-023
4590 Blue Slide Creek Road, Briceland area

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Please contact Megan Marruffo, Assigned Planner, at 707-443-5054 or by email at marruffom@lacoassociates.com, if you have any questions about the scheduled public hearing item.

AGENDA ITEM TRANSMITTAL

Hearing Date September 15, 2022	Subject Special Permits	Contact Megan Marruffo
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Project Description: A Special Permit for 9,998 square feet (SF) of existing outdoor cultivation and 960 SF of ancillary propagation. Irrigation water is currently sourced from a permitted groundwater well and a spring diversion; however, the applicant proposes to cease use of the well for irrigation and add rainwater catchment. Existing available water storage is 51,500 gallons in a series of hard-sided tanks and two (2) 8,000-gallon bladders, including 2,500 gallons dedicated for fire suppression. A minimum of three (3) 55-gallon barrels for rainwater catchment will be added to the site, for a total of 51,665 gallons of onsite water storage. Estimated annual water usage is 43,000 gallons. Drying and curing currently occurs onsite, with all other processing occurring offsite at a licensed processing or manufacturing facility; however, onsite processing is proposed once the proposed 1,000 SF prefabricated steel garage is constructed and fully permitted. A maximum of two (2) people may be onsite during peak operations. Power is currently provided by two (2) generators; however, there are long-term plans to add solar if financially feasible and the applicant is able to obtain grant funding. A Special Permit is also requested for development within the Streamside Management Area for the continued use and maintenance of the point of diversion.

Project Location: The project is located in the Briceland area, on the west side of Blue Slide Creek Road, approximately 4.5 miles north from the intersection of Briceland Thorne Road and Blue Slide Creek Road, on the property known as 4590 Blue Slide Creek Road.

Present Plan Land Use Designations: Residential Agriculture (RA40) Density: forty acres per dwelling unit, Slope Stability: Moderate Instability (2).

Present Zoning: Unclassified (U)

Assessor's Parcel Number: 220-291-023

Applicant

Tina Colafranceschi
P.O. Box 201
Whitethorn, CA 95589

Owner

Same as Applicant

Agent

Mother Earth Engineering
Michael Lydon
421 I Street
Arcata, CA 95521

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

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

Major Issues: None.

Recommended Zoning Administrator Action:

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

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

Executive Summary: Tina Colafranceschi seeks a Special Permit to allow the continued cultivation of 9,998 square feet (SF) of existing outdoor cultivation and 960 SF of ancillary propagation, in accordance with Humboldt County Code Section 314-55.4 of Chapter 4 of Division I of Title III, Commercial Medical Marijuana Land Use Ordinance (CMMLUO). An additional Special Permit is requested for development within the Streamside Management Area (SMA) for continued use and maintenance of a point of diversion. The site is designated as Residential Agriculture (RA40) in the Humboldt County 2017 General Plan Update and zoned Unclassified (U). Cultivation takes place within the eastern portion of the property, including 6,480 SF grown within three (3) 24-foot x 90-foot greenhouses utilizing light deprivation techniques and 3,518 SF of full-sun outdoor cultivation grown within three (3) areas within beds and pots. Ancillary propagation (960 SF total) occurs within a separate greenhouse located north of the full-sun outdoor cultivation. Two (2) harvests are anticipated annually for the light deprivation greenhouses and one (1) harvest for the full-sun outdoor cultivation for a growing season that extends from February through October.

Drying and curing occurs onsite in two (2) existing 788.5 SF (83' x 9.5') 75' x 9.5') and 712.5 SF (75' x 9.5') drying and storage hoop houses located northwest and south of the three (3) light deprivation greenhouses. Currently, all other processing occurs offsite at a licensed processing or manufacturing facility. However, onsite processing is proposed once the proposed 1,000 SF (50' x 20') prefabricated steel garage is constructed and fully permitted, proposed east of the light deprivation greenhouses. A maximum of two (2) people may be onsite during peak operations. The operation is secured behind a locked gate, locked buildings and structures, and utilizes motion-sensor lighting and guard dogs. An informal community watch is also in place in the neighborhood.

Power is provided by two (2) Honda EU3000 generators. While the Site Plan shows there are four (4) existing solar panels on the subject parcel, they are noted to not be utilized for the cannabis operation. Per the Cultivation and Operations Plan (Attachment 3), one (1) generator is used for powering a dehumidifier and trimming machine "when seasonally appropriate" and is stored adjacent to the light deprivation greenhouses, with the other generator used in the winter and spring months for powering the lights in the propagation area and stored adjacent to the onsite residence. The applicant has long-term plans to add additional solar to support the project if financially feasible and the applicant is able to obtain grant funding. Conditions of approval require the applicant to submit an energy use plan that describes the power demand for the project that includes a description of what power is required for (e.g., propagation, cultivation, and processing) and how much power is required on a monthly and annual basis. The energy plan shall also include a description of the generator(s) used to meet the power demand and state how the size of the generator is reasonable based on the power demand. The generator(s) used to support operations shall not be larger than required to meet operational needs. The plan shall also describe how the operation will transition to use of 80% renewable energy (e.g., solar, wind, and/or hydropower) sources by the end of 2026 (**Condition of Approval A.6**).

Timber Conversion

Review of aerial imagery dating back to 2004 indicates the site contained an existing open area in the eastern portion of the property, which contained the residence (noted to be constructed in 2000 per the Site Plan) and associated structures. Per review of the imagery, it appears a small amount of timber conversion occurred between 2005 and 2009 within the southeastern portion of the parcel, with additional conversion occurring between 2009 and 2010 in the southern portion of the property. Additional conversion appears to have occurred between 2010 and 2012 for cultivation in the central portion of the site, with additional conversion in the northeastern and southern corners of the property, and expanded between 2012 and 2014, and 2016 and 2020, after the CMMLUO environmental baseline date of January 1, 2016. No additional tree removal is proposed or authorized by this permit.

A Timber Conversion Evaluation was prepared by Timberland Resource Consultants in December 2018 (Attachment 3) to assess potential timberland conversion on the subject property. Per the Report, the property consists of second growth Douglas-fir and tanoak, with a minor component of madrone, with a stand age of approximately 55-60 years in age. Review of imagery from 1968 suggests the property was harvested in the late 1950s/early 1960s. The current landowner participated in the Fire-Adapted and Landscapes and Safe Homes (FLASH) Program in 2016 and 2017, where heavy thinning occurred on over 1.4 acres in February 2016 and on over 4.8 acres in February 2017, as part of a wildfire mitigation and hazardous fuel reduction project funded by a USDA grant received by the County. Observations of the Registered Professional Forester (RPF) indicates that all slash created by this program was chipped.

As noted in the Report, 0.43 acres of timberland conversion occurred onsite, which is under the three-acre conversion exemption maximum:

- Cultivation Area 1: 0.07 acres – development of the site occurred concurrent with home site development which occurred between 1998-2005
- Cultivation Area 2: 0.10 acres – initial development occurred between 2005 and 2009, and expanded between 2010 and 2016
- Cultivation Area 3: 0.06 acres – the site is nearly indiscernible in 2012 imagery, and appears to have slightly expanded between 2012 and 2016
- Cultivation Area 4: 0.20 acres – this site, consisting of the hoop houses, was initially developed between 2010 and 2012, and was expanded between 2016 and 2017 to increase sunlight.

The Report notes there are downed logs requiring treatment south of Cultivation Site 3, and slash and downed logs located south, west, and east of Cultivation Site 4 that require treatment. A condition of approval is recommended to require all remaining treatment measures identified in the Timber Conversion Evaluation be implemented by the applicant (**Condition of Approval A.11**).

In addition, the project is conditioned to require the property be evaluated by a RPF to determine the amount of timber conversion that occurred prior to and after the CMMLUO baseline date of January 1, 2016. The applicant/owner will be responsible for mitigating the environmental impacts not analyzed in the environmental document prepared for the CMMLUO. The applicant/owner shall be required to restock an area onsite equivalent to the amount of area converted after the CMMLUO baseline date at a rate of 3:1. Additionally, the project is conditioned to require preparation of a Restocking Plan within 90 days of project approval and implement the Restocking Plan within a period of two (2) years, should any timber conversion be determined to have occurred after the CMMLUO baseline date. The Restocking Plan shall include details on the locations and total areas to be restocked, the type, number, and spacing of the plantings, and a monitoring plan for three (3) years which includes performance evaluations, performance standards, and contingency measures should performance standards not be met. The Report shall include monitoring and reporting requiring a minimum of 3 years of monitoring at an 85% success rate and submission of annual monitoring reports at the time of the annual inspection (**Condition of Approval A.12**).

Water Resources

Estimated annual water usage is 43,000 gallons (4.3 gal/SF) with peak demand occurring from May through September at approximately 8,000 gallons, respectively, per the table below. As noted in the

Cultivation and Operations Plan (Attachment 3), plants are grown in bags or beds and are watered by hand every four (4) days using hoses with low-flow nozzles.

Table 1. Monthly Water Usage Estimates (in gallons)

Projected Water Use in gallons of Existing and Proposed Cultivation												
Jan	Feb	Mar	Apr	May	June	July	Aug	Sept	Oct	Nov	Dec	Total
0	0	500	1500	8000	8000	8000	8000	8000	3000	0	0	43000

Water for irrigation is currently provided by a permitted groundwater well (17/18-1355) and a spring diversion, for which a Right to Divert and Use Water (Registration ID H504798; Certificate No. H100403) was issued by the State Water Resources Control Board in January 2019. The onsite well is also registered with the California Department of Water Resources (WCR2019-015584).

As shown on the Site Plan, the well is located southeast of the light deprivation greenhouses, approximately 268 feet west of the nearest Streamside Management Area and 10 feet lower in elevation. According to the Well Completion Report (see Attachment 3), the well is 180 feet deep and drilled through sandstone and shale. A blank is installed for the first 25 feet of the well, with screening for the remaining depth of the well.

The point of diversion is located south of the well, near the southern property boundary, as depicted on the Site Plan. Per the Right to Divert and Use Water, the spring is a tributary to Blue Slide Creek, thence the Mattole River, and is registered for irrigation use. The appropriative right allows for 0.08 acre-feet (or 26,068 gallons) to be diverted annually and the total storage capacity cannot exceed 0.08 acre-feet (26,028 gallons). The diversion is also subject to the forbearance period of April 1 through October 31 annually.

Under the project, the applicant proposes to discontinue use of the well and utilize rainwater catchment to meet annual water demand. An assessment of the rainwater catchment potential of the proposed rainwater catchment was completed to determine if adequate water supply would be available to serve the project. The average rainfall for the project area is 81.19 inches, based on averaging rainfall values from 2010 through 2020 as recorded by PRISM Climate Group. Impermeable surfaces such as roofs, driveways, etc. in general allow for about 620 gallons of rainwater catchment per 1,000 SF for every inch of rainfall or 0.62 gallons per 1 SF. Based on information provided by the applicant in August 2022 (Attachment 3), the applicant plans to collect rainwater from the gutters of the existing cabana (approximately 900 SF, as per the Site Plan). Based on the impermeable rainwater catchment area of 900 SF, and an average rainfall amount of 81.19 inches, the site's potential capture amount totals 45,304 gallons per year, on average. Use of the spring diversion will also continue under the project. As such, when compared to the estimated annual water usage amount (43,000 gallons), Planning staff believes there will be sufficient water available from the rainwater catchment system, once installed, and the point of diversion to serve the project. As described by the applicant, rainwater from the roof of the cabana will be transported via a downspout to a minimum of three (3) 55-gallon barrels, where it will then be poly-piped to tanks with gravity. Under the project, 26,000 gallons of existing water storage will remain dedicated to the spring diversion, as permitted under the Right to Divert and Use Water, with the remaining existing water storage (25,500 gallons) available for rainwater catchment. Conditions of approval require that use of the groundwater well cease prior to the 2023 cultivation season (**Condition of Approval A.7**).

Existing available water storage is 51,500 gallons in a series of hard-sided tanks and two (2) 8,000-gallon bladders. Conditions of approval require the applicant to replace the two (2) existing 8,000-gallon water storage bladders with hard-sided water storage tanks equal to 16,000 gallons of water, which shall be placed on a previously disturbed area (**Condition of Approval A.8**). Conditions of approval also require the applicant to monitor water use from the well (until use ceases prior to the 2023 cultivation system), the rainwater catchment system (once operational), spring diversion, and water storage tanks annually

to demonstrate there is sufficient water available to meet operational needs (**Condition of Approval A.23**).

According to Humboldt County Web GIS and depicted on the Site Plan with respective 100-foot Streamside Management Area (SMA) buffer, Blue Slide Creek (a Class II watercourse) traverses the very northeastern corner of the subject parcel. Based on the Site Plan, all cultivation activities and respective infrastructure are located outside of the respective SMA buffer.

A Site Management Plan (SMP; WDID 1_12CC405917) was prepared for the subject site by Mother Earth Engineering and signed by the applicant in October 2019 (Attachment 3) in compliance with the State Water Resources Control Board (SWRCB) Cannabis General Order. The SMP describes how the applicant is implementing the best practical treatment or control (BPTC) measures included in Appendix A of the Cannabis General Order. The access road is noted to be outsloped for a majority of the roadway length and contain rolling dips. Additionally, roads were noted to have been rocked with new surface gravel in October 2019, and no evidence of erosion was observed at the time of the SMP. It is further noted that the roadway and points of drainage will be inspected prior to the wet season, after large storm events, and at the end of the wet season. Erosion control measures are noted to include the use of straw mulch for winterization, and vegetation preservation, where the perimeters of the cultivation areas are "undisturbed and have well established, naturally occurring vegetative buffers." No stream crossings are located onsite, although stormwater from near the residence is conveyed via a 24-inch corrugated plastic culvert to where indicated on the Site Plan, where stormwater is dispersed "into a well established vegetative outfall, and allows for percolation back into the ground, velocity dispersion, and sediment entrainment by the vegetation." Conditions of approval require continued compliance with the BPTC measures identified in the SMP related to site maintenance, erosion control, winterization, use and storage of fertilizers, soil amendments, pesticides/herbicides, and petroleum products, and refuse and waste (**Condition of Approval A.15**).

A Final Streambed Alteration Agreement was issued by the California Department of Fish and Wildlife (CDFW; Notification No. EPIMS-04237-R1; Attachment 3) in November 2019 for the point of diversion (described above) and the existing 24-inch culvert (also described above). No work is proposed for each encroachment, and only minor maintenance, such as clearing the culvert by hand, is authorized under the Final SAA. The project is conditioned to require the applicant adhere to and comply with all applicable terms of the Final SAA (**Condition of Approval A.17**).

Biological Resources

Per review of CDFW's California Natural Diversity Database (CNDDDB) in May 2022, there are no mapped sensitive species onsite and the nearest Northern Spotted Owl (NSO) activity center is located approximately 1.40 miles from the nearest cultivation area, with the nearest NSO sighting located approximately 0.80 miles away. As previously described, power for the project is currently provided by two (2) Honda EU3000 generators. While the Site Plan shows there are four (4) existing solar panels on the subject parcel, they are not utilized for the cannabis operation. The applicant has long-term plans to add additional solar to support the project. Conditions of approval require the applicant to submit an energy use plan that describes the power demand for the project that includes a description of what power is required for (e.g., propagation, cultivation, and processing) and how much power is required on a monthly and annual basis. The energy plan shall also include a description of the generator(s) used to meet the power demand and state how the size of the generator is reasonable based on the power demand. The generator(s) used to support operations shall not be larger than required to meet operational needs. The plan shall also describe how the operation will transition to use of 80% renewable energy (e.g., solar, wind, and/or hydropower) sources by the end of 2026 (**Condition of Approval A.6**). The addition of additional solar power on the subject site will reduce impacts to NSO by discontinuing the use of generators, except for back-up power.

Additional conditions of approval require the applicant to implement light and noise attenuation measures, refrain from using synthetic netting, ensure refuse is contained in wildlife proof storage, and refrain from using anticoagulant rodenticides to further protect wildlife (**Conditions of Approval A.19-22**).

and Ongoing Conditions of Approval B.1-5 and 7). As proposed and conditioned, the project is consistent with CMMLUO performance standards and CDFW guidance and will not negatively impact NSO or other sensitive species.

Access

Access to the site is via a driveway off Blue Slide Creek Road to China Creek Road to Briceland Thorne Road. Briceland Thorne Road is a County-maintained roadway that have been identified to meet or is equivalent to Category 4 road standards for cannabis projects, while Blue Slide Creek Road and China Creek Road are privately maintained. A Road Evaluation Report for an approximately 4.47-mile segment of Blue Slide Creek Road, from the private driveway to Briceland Thorne Road, was prepared by the applicant in October 2019 (Attachment 3), which indicates that the roadway meets a Category 4 road equivalent standard and is adequate for the proposed use. Planning staff believes the road evaluation includes the full route from Briceland Thorne Road to the private driveway, although it does not separate the two individual private road segments (Blue Slide Creek Road and China Creek Road). While the project was referred to the Department of Public Works, Land Use Division, in August 2017, this was prior to the Road Evaluation being prepared. As such, comments received from Department of Public Works, Land Use Division in February 2018 notes that a Road Evaluation Report is required for the project, but did not request the project be re-referred once the Road Evaluation Report was received. The project is conditioned to maintain all driveways and private road intersections onto the County road in accordance with the County's Sight Visibility Ordinance (County Code §341-1) and improve the access road that serves the project to current commercial driveway standards (**Conditions of Approval A.13-14**).

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

Planning staff determined approval of this project is consistent with Humboldt County Board of Supervisors Resolution No. 18-43, which established a limit on the number of permits and acres which may be approved in each of the County's Planning Watersheds. The project site is located in the Cape Mendocino Planning Watershed, which under Resolution 18-43 is limited to 650 permits and 223 acres of cultivation. With the approval of this project the total approved permits in this Planning Watershed would be 221 permits and the total approved acres would be 76.71 acres of cultivation.

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

Staff recommends that the Zoning Administrator describe the application as a part of the consent agenda, survey the audience to see if any person would like to discuss the application and, if no one requests discussion, make all the required findings based on the evidence in the record and approve the application subject to the recommended conditions.

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

**RESOLUTION OF THE ZONING ADMINISTRATOR
OF THE COUNTY OF HUMBOLDT
Resolution Number: 22-
Record Number: PLN-13065-SP
Assessor's Parcel Number: 220-291-023**

Resolution by the Zoning Administrator of the County of Humboldt certifying compliance with the California Environmental Quality Act and conditionally approves the Tina Colafranceschi Special Permits request.

WHEREAS, Tina Colafranceschi submitted an application and evidence in support of approving a Special Permit for the continued operation of an existing 9,998 square foot (SF) outdoor cultivation (light deprivation and full-sun outdoor) and 960 SF of ancillary propagation. Irrigation water is currently sourced from a permitted groundwater well and a spring diversion; however, the applicant proposes to cease use of the well for irrigation and add rainwater catchment. Existing available water storage is 51,500 gallons in a series of hard-sided tanks and two (2) 8,000-gallon bladders, including 2,500 gallons dedicated for fire suppression. A minimum of three (3) 55-gallon barrels for rainwater catchment will be added to the site, for a total of 51,665 gallons of onsite water storage. Estimated annual water usage is 43,000 gallons. Drying and curing currently occurs onsite, with all other processing occurring offsite at a licensed processing or manufacturing facility; however, onsite processing is proposed once the proposed 1,000 SF prefabricated steel garage is constructed and fully permitted. A maximum of two (2) people may be onsite during peak operations. Power is currently provided by two (2) generators and there are long-term plans to add solar if financially feasible and the applicant is able to obtain grant funding. A Special Permit is also requested for development within the Streamside Management Area for the continued use and maintenance of the point of diversion; and

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

WHEREAS, the Humboldt County Zoning Administrator held a duly-noticed public hearing on September 15, 2022, and reviewed, considered, and discussed the application for a Special Permit, and reviewed and considered all evidence and testimony presented at the hearing.

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

- 1. FINDING:** **Project Description:** The application is a Special Permit for the continued operation of an existing 9,998 square foot (SF) outdoor cultivation (light deprivation and full-sun outdoor) and 960 SF of ancillary propagation. Irrigation water is currently sourced from a permitted groundwater well and a spring diversion; however, the applicant proposes to cease use of the well for irrigation and add rainwater catchment. Existing available water storage is 51,500 gallons in a series of hard-sided tanks and two (2) 8,000-gallon bladders, including 2,500 gallons dedicated for fire suppression. A minimum of three (3) 55-gallon barrels for rainwater catchment will be added to the site, for a total of 51,665 gallons of onsite water storage. Estimated annual water usage is 43,000 gallons. Drying and curing currently occurs onsite, with all other processing occurring offsite at a licensed processing or manufacturing facility; however, onsite processing is proposed once the proposed 1,000 SF prefabricated steel garage is constructed and fully permitted. A maximum of two (2) people may be onsite during peak operations. Power is currently provided by two (2) generators and there are

long-term plans to add solar if financially feasible and the applicant is able to obtain grant funding. A Special Permit is also requested for development within the Streamside Management Area for the continued use and maintenance of the point of diversion.

EVIDENCE: a) Project File: PLN-13065-SP

2. FINDING: **CEQA.** The requirements of the California Environmental Quality Act have been complied with. The Humboldt County Zoning Administrator has considered the Addendum to and the Mitigated Negative Declaration (MND) prepared for the Commercial Medical Marijuana Land Use Ordinance (CMMLUO) adopted by the Humboldt County Board of Supervisors on January 26, 2016.

- EVIDENCE:**
- a) Addendum prepared for the proposed project.
 - b) The proposed project does not present substantial changes that would require major revisions to the previous MND. No new information of substantial importance that was not known and could not be known at the time was presented as described by §15162(c) of CEQA Guidelines.
 - c) A Site Management Plan (SMP; WDID 1_12CC405917) was prepared for the subject site by Mother Earth Engineering and signed by the applicant in October 2019 and a Notice of Applicability was submitted by the applicant to show compliance with the State Water Board Cannabis General Order for Waste Discharge in compliance with the State Water Resources Control Board (SWRCB) Cannabis General Order. Conditions of approval require continued compliance with the best practical treatment or control (BPTC) measures identified in the SMP, and that the applicant maintain enrollment in the State Cannabis Cultivation Policy for the life of the project.
 - d) Per review of CDFW's California Natural Diversity Database (CNDDDB) in May 2022, there are no mapped sensitive species onsite. The nearest Northern Spotted Owl (NSO) activity center is located approximately 1.40 miles from the nearest cultivation area, with the nearest NSO sighting located approximately 0.80 miles away. Power for the project is currently provided by two (2) Honda EU3000 generators. While the Site Plan shows there are four (4) existing solar panels on the subject parcel, they are not utilized for the cannabis operation. The applicant has long-term plans to add additional solar to support the project if financially feasible and the applicant is able to obtain grant funding. The project is conditioned such that combined noise generated from generators shall not exceed 50 decibels (dB) at 100 feet from the generator or at the edge of the nearest forest habitat, whichever is closer, as required by Section 314-55.4.11(o) Humboldt County Code. Furthermore, the project is conditioned to adhere to International Dark Sky Standards for any supplemental lighting used for security or within the nursery area, refrain from using synthetic netting, ensure refuse is contained in wildlife-proof storage, and refrain from using anticoagulant rodenticides to further protect wildlife. As proposed and conditioned, the project is consistent with CMMLUO performance and will not negatively impact NSO or other sensitive species.
 - e) The cultivation of cannabis will not result in the net conversion of timberland. A Timber Conversion Evaluation was prepared by Timberland Resource Consultants in December 2018, which noted 0.43 acres of timberland conversion occurred onsite in four (4) cultivation areas between 1998-2005 (Cultivation Area #1), 2005 and 2009 and expanded between 2010 and

2016 (Cultivation Area #2), 2012 and 2016 (Cultivation Area #3), and 2010 and 2012 and was expanded between 2016 and 2017 (Cultivation Area #4). The Report notes there are downed logs requiring treatment south of Cultivation Site 3, and slash and downed logs located south, west, and east of Cultivation Site 4 that require treatment. A condition of approval is recommended to require all remaining treatment measures identified in the Timber Conversion Evaluation be implemented by the applicant.

In addition, the project is conditioned to require the property be evaluated by a RPF to determine the amount of timber conversion that occurred prior to and after the CMMLUO baseline date of January 1, 2016. The applicant/owner will be responsible for mitigating the environmental impacts not analyzed in the environmental document prepared for the CMMLUO. The applicant/owner shall be required to re-stock an area onsite equivalent to the amount of area converted after the CMMLUO baseline date at a rate of 3:1. Additionally, the project is conditioned to require preparation of a Restocking Plan within 90 days of project approval and implement the Restocking Plan within a period of two (2) years, should any timber conversion be determined to have occurred after the CMMLUO baseline date. The Restocking Plan shall include details on the locations and total areas to be restocked, the type, number, and spacing of the plantings, and a monitoring plan for three (3) years which includes performance evaluations, performance standards, and contingency measures should performance standards not be met. The Report shall include monitoring and reporting requiring a minimum of 3 years of monitoring at an 85% success rate and submission of annual monitoring reports at the time of the annual inspection.

No additional tree removal is proposed or authorized by this permit.

- f) The Cultural Resources referral process carried out by staff concluded that the proposed project will not result in any adverse changes to historical or archaeological resources and recommended Inadvertent Discoveries Protocol, which was also recommended by the Bear River Band of the Rohnerville Rancheria in November 2017.
- g) A Road Evaluation Report for an approximately 4.47-mile segment of Blue Slide Creek Road, from the private driveway to Briceland Thorne Road, was prepared by the applicant in October 2019, which indicates that the roadway meets a Category 4 road equivalent standard and is suitable for safe access to and from the project site. Planning staff believes the road evaluation includes the full route from Briceland Thorne Road to the private driveway, although it does not separate the two individual private road segments (Blue Slide Creek Road and China Creek Road). The project is conditioned to maintain all driveways and private road intersections onto the County road in accordance with the County's Sight Visibility Ordinance (County Code §341-1) and improve the access road that serves the project to current commercial driveway standard.

FINDINGS FOR SPECIAL PERMITS

3. FINDING

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

EVIDENCE

- a) General agriculture is a use type permitted in the Residential Agriculture (RA) land use designation. The proposed cannabis cultivation, an agricultural product, is within land planned and zoned for agricultural

purposes, consistent with the use of Open Space land for managed production of resources. The use of an agricultural parcel for commercial agriculture is consistent with the Open Space Plan and Open Space Action Program. Therefore, the project is consistent with and complimentary to the Open Space Plan and its Open Space Action Program.

4. FINDING

The proposed development is consistent with the purposes of the existing Unclassified (U) zone in which the site is located.

EVIDENCE

- a) The Unclassified Zone or U Zone is applied to all of the unincorporated area of the County not otherwise zoned and have not been sufficiently studied to justify precise zoning classifications; however, the U Zone and associated requirements have been adopted to protect the health, safety and general welfare of the citizens and to ensure orderly development in conformance with the General Plan.
- b) All general agricultural uses are principally permitted in the U zone.
- c) Humboldt County Code section 314-55.4.8.2.2 allows cultivation of up to 10,000 square feet of existing outdoor cannabis and up to 10,000 square feet of existing mixed-light cannabis on a parcel over 1 acre subject to approval of a Special Permit and a determination that the cultivation was in existence prior to January 1, 2016. The application for 9,998 square feet of outdoor cultivation on a 45.65-acre parcel is consistent with this and with the cultivation area verification prepared by the County.

5. FINDING

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

EVIDENCE

- a) The CMMLUO allows existing cannabis cultivation to be permitted in areas zoned U (HCC 314-55.4.8.2.2).
- b) The parcel was created in compliance with all applicable state and local subdivision regulations, as confirmed by the Certificate of Subdivision Compliance (2017-005376), recorded on March 27, 2017.
- c) Water for irrigation is currently provided by a permitted groundwater well (17/18-1355) and a spring diversion. Under the project, the applicant proposes to discontinue use of the well and utilize the spring diversion and rainwater catchment, to be collected from gutters on the onsite cabana (900 SF). An assessment of the rainwater catchment potential of the proposed rainwater catchment was completed to determine if adequate water supply would be available to serve the project. The average rainfall for the project area is 81.19 inches, based on averaging rainfall values from 2010 through 2020 as recorded by PRISM Climate Group. Impermeable surfaces such as roofs, driveways, etc. in general allow for about 620 gallons of rainwater catchment per 1,000 SF for every inch of rainfall or 0.62 gallons per 1 SF. Based on information provided by the applicant in May 2022, the applicant plans to collect rainwater from the gutters of the existing residence (approximately 900 SF, as per the Site Plan) and gutters on the propagation area (approximately 960 SF), for a potential capture area of 1,860 SF. Based on the impermeable rainwater catchment area of 900 SF, and an average rainfall amount of 81.19 inches, the site's potential capture amount totals 45,304 gallons per year, on average. Use of the spring diversion will also continue under the project. As such, when compared to the estimated annual water usage amount (43,000 gallons), Planning staff believes there will be sufficient water available from the rainwater

catchment system, once installed, and the point of diversion to serve the project.

A Right to Divert and Use Water (Registration ID H504798; Certificate No. H100403) was issued by the State Water Resources Control Board in January 2019 for the spring diversion. The point of diversion will continue to be utilized, as needed, for the project. Per the Right to Divert and Use Water, the spring is a tributary to Blue Slide Creek, thence the Mattole River, and is registered for irrigation use. The appropriative right allows for 0.08 acre-feet (or 26,068 gallons) to be diverted annually and the total storage capacity cannot exceed 0.08 acre-feet (26,028 gallons). The diversion is also subject to the forbearance period of April 1 through October 31 annually.

Conditions of approval require the applicant to cease use of the groundwater well prior to the 2023 cultivation season, and replace the two (2) existing 8,000-gallon water storage bladders with hard-sided tanks of a similar volume (16,000 gallons in total) in a previously disturbed area, outside of any Streamside Management Area (SMA). Conditions of approval also require the applicant to obtain building permits (as applicable), and monitor water use from the well (until use ceases prior to the 2023 cultivation system), the rainwater catchment system (once operational), spring diversion, and water storage tanks annually to demonstrate there is sufficient water available to meet operational needs.

- d) Power is currently provided by two (2) Honda EU3000 generators; however, there are long-term plans to add solar if financially feasible and the applicant is able to obtain grant funding. To reduce impacts associated with NSO, greenhouse gases, and wildfire, the conditions of approval require the applicant to submit an energy use plan that describes the power demand for the project that includes a description of what power is required for (e.g., propagation, cultivation, and processing) and how much power is required on a monthly and annual basis. The energy plan shall also include a description of the generator(s) used to meet the power demand and state how the size of the generator is reasonable based on the power demand. The generator(s) used to support operations shall not be larger than required to meet operational needs. The plan shall also describe how the operation will transition to use of 80% renewable energy (e.g., solar, wind, and/or hydropower) sources by the end of 2026. In addition, the use of fire-resistant materials shall be utilized when constructing the generator containment structures.
- e) A Road Evaluation Report for an approximately 4.47-mile segment of Blue Slide Creek Road, from the private driveway to Briceland Thorne Road, was prepared by the applicant in October 2019, which indicates that the roadway meets a Category 4 road equivalent standard and is functionally appropriate for the expected traffic. Planning staff believes the road evaluation includes the full route from Briceland Thorne Road to the private driveway, although it does not separate the two individual private road segments (Blue Slide Creek Road and China Creek Road). The project is conditioned to maintain all driveways and private road intersections onto the County road in accordance with the County's Sight Visibility Ordinance (County Code §341-1) and improve the access road that serves the project to current commercial driveway standard.
- f) The slope of the land where cannabis will be cultivated is less than 50%, as indicated by the Humboldt County WebGIS portal, which show natural

slopes range from 15% to 50% in the areas where cultivation occurs on the subject property.

- g) The cultivation of cannabis will not result in the net conversion of timberland. A Timber Conversion Evaluation was prepared by Timberland Resource Consultants in December 2018, which noted 0.43 acres of timberland conversion occurred onsite in four (4) cultivation areas between 1998-2005 (Cultivation Area #1), 2005 and 2009 and expanded between 2010 and 2016 (Cultivation Area #2), 2012 and 2016 (Cultivation Area #3), and 2010 and 2012 and was expanded between 2016 and 2017 (Cultivation Area #4). The Report notes there are downed logs requiring treatment south of Cultivation Site 3, and slash and downed logs located south, west, and east of Cultivation Site 4 that require treatment. A condition of approval is recommended to require all remaining treatment measures identified in the Timber Conversion Evaluation be implemented by the applicant.

In addition, the project is conditioned to require the property be evaluated by a RPF to determine the amount of timber conversion that occurred prior to and after the CMMLUO baseline date of January 1, 2016. The applicant/owner will be responsible for mitigating the environmental impacts not analyzed in the environmental document prepared for the CMMLUO. The applicant/owner shall be required to re-stock an area onsite equivalent to the amount of area converted after the CMMLUO baseline date at a rate of 3:1. Additionally, the project is conditioned to require preparation of a Restocking Plan within 90 days of project approval and implement the Restocking Plan within a period of two (2) years, should any timber conversion be determined to have occurred after the CMMLUO baseline date. The Restocking Plan shall include details on the locations and total areas to be restocked, the type, number, and spacing of the plantings, and a monitoring plan for three (3) years which includes performance evaluations, performance standards, and contingency measures should performance standards not be met. The Report shall include monitoring and reporting requiring a minimum of 3 years of monitoring at an 85% success rate and submission of annual monitoring reports at the time of the annual inspection.

No additional tree removal is proposed or authorized by this permit.

- h) The location of the cultivation complies with all setbacks required in Section 314-55.4.11.d. It is more than 30 feet from any property line (as indicated on the Site Plan), more than 300 feet from any off-site residence, and more than 600 feet from any school, church, public park or Tribal Cultural Resource.

6. FINDING

The cultivation of 9,998 SF of cannabis cultivation and the conditions under which it may be operated or maintained will not be detrimental to the public health, safety, or welfare or materially injurious to properties or improvements in the vicinity.

EVIDENCE

- a) The site is located on road that has been certified to safely accommodate the amount of traffic generated by the proposed cannabis cultivation. The project is conditioned require the access road be improved to current standards for a commercial driveway and maintain all driveways and private road intersections onto the County road in accordance with the County's Sight Visibility Ordinance (County Code §341-1).
- b) The site is in a rural part of the County where the typical parcel size is over 20 acres and many of the land holdings are very large. The proposed

cannabis will not be in a location where there is an established neighborhood or other sensitive receptor such as a school, church, park or other use which may be sensitive to cannabis cultivation. Approving cultivation on this site and the other sites which have been approved or are in the application process will not change the character of the area due to the large parcel sized in the area.

- c) The location of the proposed cannabis cultivation is more than 300 feet from the nearest off-site residence.
- d) Irrigation water is currently derived from a groundwater well that has been permitted by the Environmental Health Department (17/18-1355) and is also registered with the California Department of Water Resources (WCR2019-015584), in addition to a spring diversion, for which a Right to Divert and Use Water (Registration ID H504798; Certificate No. H100403) was issued by the State Water Resources Control Board in January 2019. However, under the project, the applicant proposes to cease use of the well for irrigation and add rainwater catchment.
- e) Provisions have been made in the applicant's proposal to protect water quality and thus runoff to adjacent property and infiltration of water to groundwater resources will not be affected.

7. FINDING To provide minimum standards pertaining to the use and development of land located within Streamside Management Areas (SMAs) and other wet areas (OWA) to implement the County's Open Space Element of the General Plan.

EVIDENCE a) Conditions of approval require the applicant to adhere to and implement the projects and recommendations contained in the Final SAA and provide evidence to the Planning Department that the projects included in the Final SAA are completed to the satisfaction of CDFW. Conditions of approval also require the applicant to adhere to the terms and conditions of the Right to Use and Divert Water issued by the State Water Resources Control Board (SWRCB). By implementing permit conditions from the SWRCB and CDFW, impacts to the SMA are minimized.

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

EVIDENCE a) The parcel was not included in the housing inventory of Humboldt County's 2019 Housing Element, but is currently developed with an existing residence. The approval of cannabis cultivation on this parcel will not conflict with the ability for the existing residence to continue to be utilized on this parcel.

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

EVIDENCE a) The project site is located in the Cape Mendocino Planning Watershed, which under Resolution 18-43 is limited to 650 permits and 223 acres of cultivation. With the approval of this project the total approved permits in this Planning Watershed would be 221 permits and the total approved acres would be 76.71 acres of cultivation.

DECISION

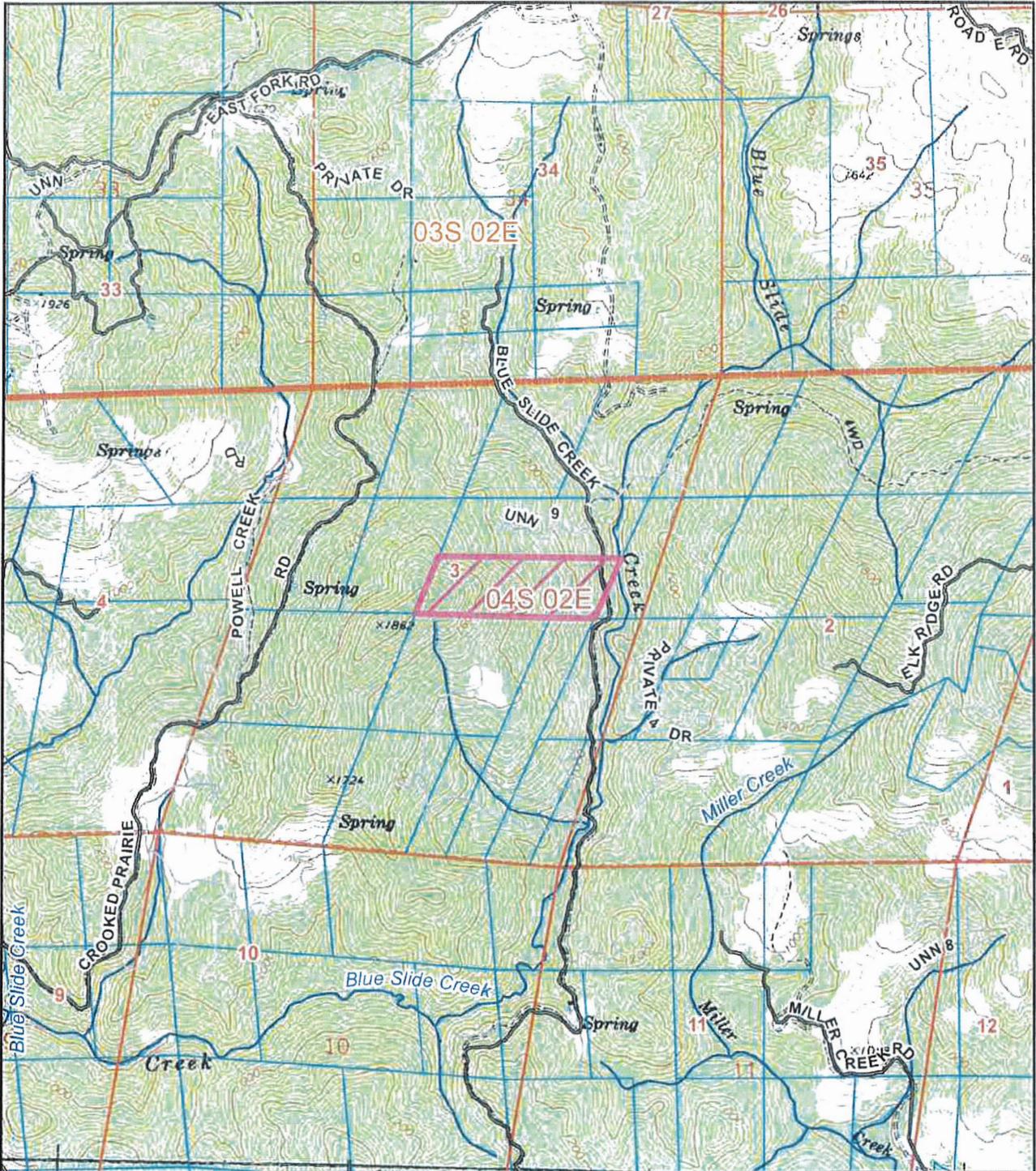
NOW, THEREFORE, based on the above findings and evidence, the Humboldt County Zoning Administrator does hereby:

- Adopt the findings set forth in this resolution; and
- Conditionally approves the Special Permits for Tina Colafranceschi, 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 **September 15, 2022**.

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

John H. Ford, Zoning Administrator,
Planning and Building Department



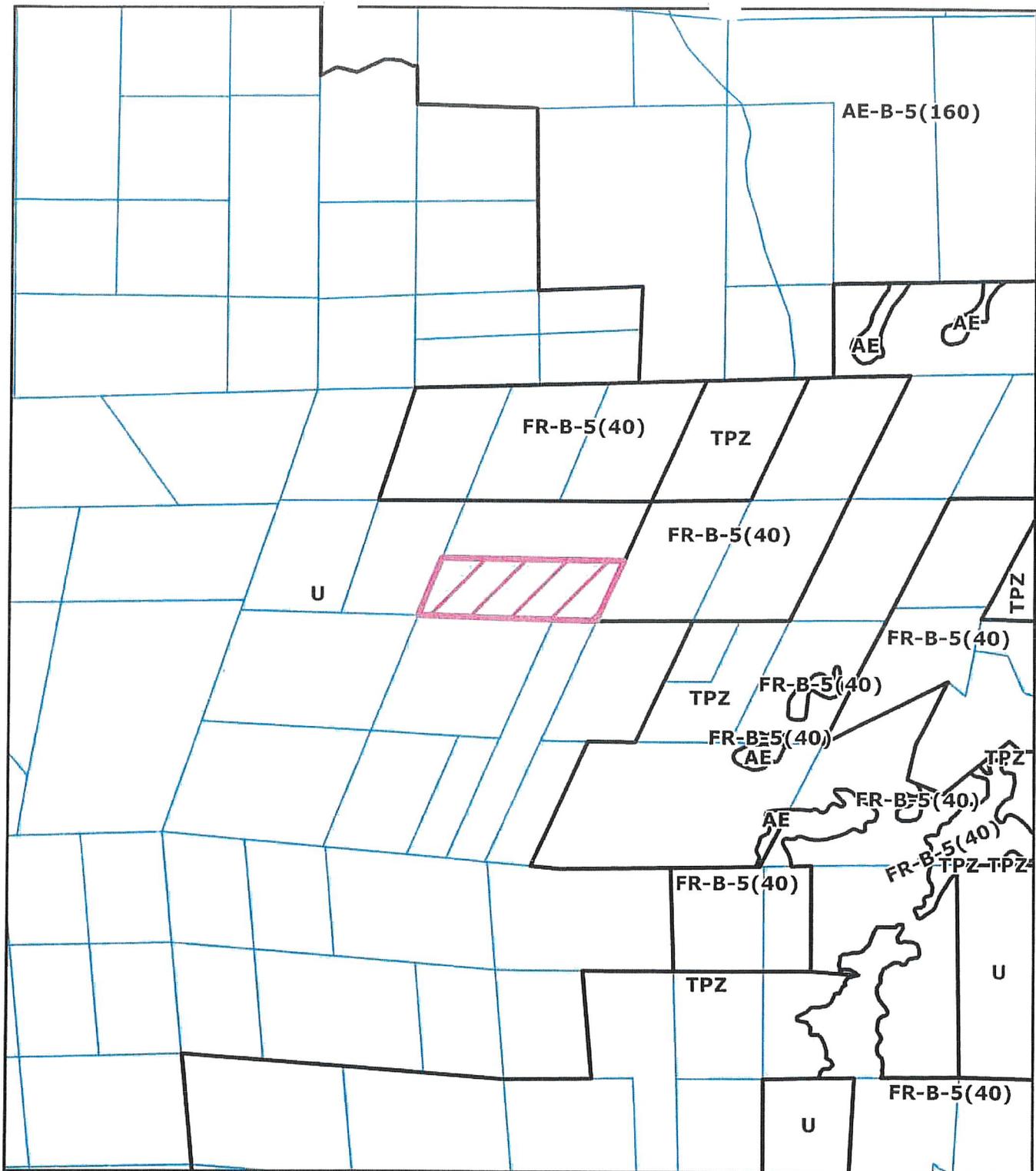
Project Area = 

**TOPO MAP
 PROPOSED TINA COLAFRANCESCHI
 BRICELAND AREA
 CUP-16-973
 APN: 220-291-023
 T04S R02E S3 HB&M (ETTERSBURG)**



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





Project Area = 

**ZONING MAP
 PROPOSED TINA COLAFRANCESCHI
 BRICELAND AREA
 CUP-16-973
 APN: 220-291-023
 T04S R02E S3 HB&M (ETTERSBURG)**



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

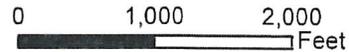


Project Area = 

**AERIAL MAP
 PROPOSED TINA COLAFRANCESCHI
 BRICELAND AREA
 CUP-16-973
 APN: 220-291-023
 T04S R02E S3 HB&M (ETTERSBURG)**



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.



LEGEND

- PROPERTY LINE
- 40' CONTOUR (HUMGIS)
- 30 FT SETBACK FROM PROPERTY LINE
- 300 FT SETBACK FROM CULTIVATION AREAS
- 600 FT SETBACK FROM CULTIVATION AREAS
- CLASS II WATERCOURSE, 100' SMA SETBACK
- GRADED AREA (< 5% AVERAGE SLOPE)
- EXISTING CULTIVATION AREA
- PUBLIC ROAD (20' WIDTH, PAVED)
- PRIVATE ACCESS ROAD (12' WIDTH, UNPAVED)
- COMPOST AREA, 8' x 8', 64 SQ FT
- SEDIMENT TANK
- WELL
- SPRING
- CULVERT
- WATER TANK
- FIRE STAND
- TRASH AND RECYCLING AREA
- SEPTIC SYSTEM LEACHFIELD
- SETBACK DIMENSION TO PROPERTY LINE
- % SLOPE GRADIENT
- USED FOR CULTIVATION ACTIVITIES
- NOT USED FOR CULTIVATION ACTIVITIES
- EXISTING
- PROPOSED
- PERSONAL USE PLANT

- 2000
- 300 FT SETBACK FROM CULTIVATION AREAS
- 600 FT SETBACK FROM CULTIVATION AREAS
- CLASS II WATERCOURSE, 100' SMA SETBACK
- GRADED AREA (< 5% AVERAGE SLOPE)
- EXISTING CULTIVATION AREA
- PUBLIC ROAD (20' WIDTH, PAVED)
- PRIVATE ACCESS ROAD (12' WIDTH, UNPAVED)
- COMPOST AREA, 8' x 8', 64 SQ FT
- SEDIMENT TANK
- WELL
- SPRING
- CULVERT
- WATER TANK
- FIRE STAND
- TRASH AND RECYCLING AREA

DIRECTIONS (FROM WHITETHORN)

HEAD NORTHEAST ON RD A TOWARD BRICELAND THORN RD
 LEFT ONTO BRICELAND THORN RD
 LEFT ONTO BLUE SPRINGS CREEK RD
 RIGHT ONTO BLUE SLIDE CREEK RD
 TURN LEFT ONTO PROPERTY

GENERAL NOTES:

1. NO KNOWN EASEMENTS EXIST ON SUBJECT PARCEL.
2. PROPERTY LINE, BUILDING, ROAD, AND FEATURE LOCATIONS ARE APPROXIMATE.
3. ALL CULTIVATION AREAS ARE SET BACK AT LEAST 30 FEET FROM PROPERTY LINES.
4. NO KNOWN WATER DIVERSIONS INCLUDING CULVERTS, PONDS, DAMS OR OTHER GROUND DISTURBANCES FROM WATER DIVERSION.
5. NO KNOWN RESIDENCES ON ADJACENT PARCELS WITHIN 300 FEET OF CULTIVATION AREAS.
6. NO KNOWN SCHOOLS, SCHOOL BUS STOPS, PLACES OF WORSHIP, PUBLIC PARKS, OR TRIBAL CULTURAL RESOURCES WITHIN 600 FEET OF CULTIVATION AREAS.
7. LOCATIONS OF STRUCTURES AND POINTS SHOWN ON THE MAP ARE APPROXIMATE, ACCORDING TO APPLICANT'S KNOWLEDGE, AND HAVE NOT BEEN VERIFIED BY MEE.
8. REFER TO TABLE FOR DESCRIPTION OF EXISTING CULTIVATION AREAS
9. ALL CULTIVATION USES NATURAL LIGHT. NO ARTIFICIAL LIGHT USED.

DESCRIPTION OF EXISTING CULTIVATION AREAS			AREA (SQ FT)
CULTIVATION #	WIDTH (FT)	LENGTH (FT)	AREA (SQ FT)
1	N/A	N/A	1,524
2	N/A	N/A	1,223
3	N/A	N/A	771
4	24	90	2160
5	24	90	2160
6	24	90	2160
TOTAL			9998

MOTHER EARTH ENGINEERING

REVISION SCHEDULE	
#	DATE
0	4/17/18
1	1/14/18
2	08/10/20
3	
4	
5	

APN: 220-291-023
 ADDRESS: 4590 BLUE SLIDE CREEK RD, WHITETHORN, CA 95560

APPLICANT: BELLAH, LLC
 ADDRESS: 4590 BLUE SLIDE CREEK RD, WHITETHORN, CA 95560

PLOT PLAN
 CULTIVATION PERMIT

DATE: 06-10-2020
 JOB NO.: 017036
 PAPER SIZE: 11" X 17"
 DRAWN: OO
 CHECKED: KM
 SHEET NO:

1

OF 1



ATTACHMENT 1

RECOMMENDED CONDITIONS OF APPROVAL

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

A. General Conditions

1. The applicant is responsible for obtaining all necessary County and State permits and licenses, and for meeting all requirements set forth by other regulatory agencies.
2. The applicant is required to pay for permit processing on a time and material basis as set forth in the schedule of fees and charges as adopted by ordinance of the Humboldt County Board of Supervisors. The Planning and Building Department will provide a bill to the applicant after the decision. Any and all outstanding planning fees to cover the processing of the application to decision by the Hearing Officer shall be paid to the Humboldt County Planning Division, 3015 "H" Street, Eureka.
3. The applicant is responsible for costs for post-approval review for determining project conformance with conditions. A deposit is collected to cover this staff review. Permit conformance with conditions must be demonstrated prior to release of building permit or initiation of use and at time of annual inspection. A conformance review deposit as set forth in the schedule of fees and charges as adopted by ordinance of the Humboldt County Board of Supervisors (currently \$750) shall be paid within sixty (60) days of the effective date of the permit or upon filing of the Compliance Agreement (where applicable), whichever occurs first. Payment shall be made to the Humboldt County Planning Division, 3015 "H" Street, Eureka.
4. A Notice of Determination (NOD) will be prepared and filed with the County Clerk for this project in accordance with the State CEQA Guidelines. The Department will file the NOD and will charge this cost to the project.
5. Within 60 days of the effective date of permit approval, the applicant shall execute a Compliance Agreement with the Humboldt County Planning and Building Department detailing all necessary permits and infrastructure improvements described under Conditions of Approval #6 through #21. The agreement shall provide a timeline for completing all outstanding items. All activities detailed under the agreement must be completed to the satisfaction of the Planning and Building Department before the permit may be finalized and no longer considered provisional.
6. Within 60 days of the effective date, the applicant shall submit an energy use plan that describes the power demand for the project that includes a description of what power is required for (e.g., propagation, cultivation, and processing) and how much power is required on a monthly and annual basis. The energy plan shall also include a description of the generator(s) used to meet the power demand and state how the size of the generator is reasonable based on the power demand. The generator(s) used to support operations shall not be larger than required to meet operational needs. The plan shall also describe how the operation will transition to use of 80% renewable energy (e.g., solar, wind, and/or hydropower) sources by the end of 2026. A sign-off from the Planning Department will satisfy this condition.
7. The use of the groundwater well shall cease prior to the 2023 cultivation season. The applicant shall submit evidence (e.g., statement from qualified professional and/or photographs) to demonstrate compliance with this condition. Alternatively, the applicant may request a site inspection with the Planning Department to verify this condition is met. A sign-off from the Planning Department will satisfy this condition. A sign-off from the Planning Department will satisfy this condition.

8. Within two years of permit issuance, the two (2) existing 8,000-gallon water storage bladders onsite shall be decommissioned and replaced with hard tanks equal to 16,000 gallons of water storage in a previously disturbed location, outside of any Streamside Management Area (SMA) or wetland setbacks. The applicant shall submit evidence (e.g., statement from qualified professional and/or photographs) to demonstrate compliance with this condition. Alternatively, the applicant may request a site inspection with the Planning Department to verify this condition is met. A sign-off from the Planning Department will satisfy this condition.
9. The applicant shall secure building and grading permits for all structures related to the cannabis cultivation and other commercial cannabis activity, including but not limited to, existing and proposed greenhouses, water tanks over 5,000 gallons, existing and proposed structures associated with drying, storage, and processing, or any activity with a nexus to cannabis, and any noise containment structures as necessary. The plans submitted for building permit approval shall be consistent with the project description and the approved project site plan. A letter or similar communication from the Building Division verifying that all structures related to the cannabis cultivation are permitted will satisfy this condition.
10. The applicant shall secure permits from the North Coast Unified Air Quality Management District, as applicable. A letter or similar communication from the North Coast Air Quality Management District verifying that all their requirements have been met and/or no additional permitting is required will satisfy this condition.
11. The applicant shall implement any remaining treatment measures identified in the Timber Conversion Evaluation prepared by Timberland Resource Consultants in December 2018. The applicant shall submit a letter or similar communication from a qualified professional (e.g., Registered Professional Forester) that the improvements were completed as recommended in the Report. A sign-off from the Planning Department will satisfy this condition.
12. The subject property shall be evaluated by a Professional Registered Forester (RPF) to determine the amount of timber conversion that occurred onsite after the CMMLUO baseline date of January 1, 2016. Any measures determined to be necessary by the RPF to mitigate timber conversion after the CMMLUO environmental baseline date shall be implemented. The applicant/owner is required to submit a letter or report prepared by a RPF detailing the conversion amount that occurred after January 1, 2016, in addition to any recommendations, as necessary. Additionally, the applicant/owner is required to re-stock an area onsite equivalent to the amount of area converted after the CMMLUO baseline date at a rate of 3:1. A Restocking Plan shall be prepared within 90 days of project approval and the Restocking Plan shall be implemented within a period of two (2) years, should any timber conversion be determined to have occurred after the CMMLUO baseline date. The Restocking Plan shall include details on the locations and total areas to be restocked, the type, number, and spacing of the plantings, and a monitoring plan for three (3) years which includes performance evaluations, performance standards, and contingency measures should performance standards not be met. A monitoring report prepared by a licensed professional forester shall be submitted annually to the Planning and Building Department until the restocking is complete as indicated by the monitoring report. The Report shall include monitoring and reporting requiring a minimum of 3 years of monitoring at an 85% success rate and submission of annual monitoring reports at the time of the annual inspection. A sign-off from the Planning Department will satisfy this condition.
13. The applicant shall improve the intersection of China Creek Road with Briceland Thorne Road to commercial driveway standards. Specifically, the access road (China Creek Road) shall be paved for a minimum width of 20 feet and a length of 50 feet where it intersects the County road (Briceland Thorne Road). The applicant shall obtain an encroachment permit from the Department of Public Works prior to commencing any work. 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. A letter or similar communication from the Department of Public Works will satisfy this condition.

14. All driveways and private road intersections onto the County road shall be maintained in accordance with County Code Section 41-1 (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. A letter or similar communication from the Department of Public Works will satisfy this condition.
15. The applicant shall implement any remaining corrective actions and continue to comply with the best practical treatment or control (BPTC) measures detailed in the Site Management Plan (SMP; WDID 1_1_12CC405917) prepared for the subject site by Mother Earth Engineering and signed by the applicant in October 2019, pursuant to Tier 1 enrollment under the State Water Resource Control Board (State Water Board) Cannabis Cultivation Policy (Cannabis Policy), in congruence with Order WQ 2017-0023-DWQ General Waste Discharge Requirements for Dischargers of Waste Associated with Cannabis Cultivation Activities (General Order). The applicant shall submit a letter or similar communication from a qualified professional (e.g., civil engineer or Registered Professional Forester) that the improvements were completed as recommended in the SMP. A sign-off from the Planning Department will satisfy this condition.
16. The applicant is required to adhere to and implement the requirements contained in the SWRCB's Cannabis Cultivation Policy, the General Order, the Site Management Plan, and the Notice of Applicability. A copy of the reporting form portion of the Mitigation and Reporting Program (MRP) shall be submitted annually to the Planning and Building Department concurrent with the submittal to the SWRCB.
17. The applicant shall adhere to and implement the requirements of the Right to Use, and Divert Water issued by the State Water Resources Control Board (SWRCB; Registration ID H504798; Certificate No. H100403). Any modifications to the Right to Use and Divert Water shall be submitted to the Planning Department within 30 days of modification.
18. The applicant shall adhere to and implement the Final Streambed Alteration Agreement (Notification No. 1600-2017-0387-R1) issued by CDFW, dated 6/13/2018. Reporting requirements shall be submitted to the Planning Department and the California Department of Fish and Wildlife at 619 Second Street, Eureka, CA 95501, no later than December 31 of each year.
19. The applicant must demonstrate that a properly functioning onsite wastewater treatment system serves the operation prior to processing on-site. This can be accomplished by either installing a new, permitted septic system; or by providing the Department of Environmental Health (DEH) with an assessment of the existing system performed by a qualified professional engineer, geologist, soil scientist, or registered environmental health specialist (REHS) that certifies that the existing system complies with the State RWQCB definition of a Tier 0 system - not impairing groundwater or surface water resources. Portable toilet and handwashing facilities may be utilized during the construction of these improvements to support cultivation staff only. The applicant shall furnish receipts or other documentation to the DEH for the continual use of portable toilets for employees until a permanent septic system is installed to their satisfaction. A letter or similar communication from DEH verifying that all their requirements have been met will satisfy this condition.
20. The applicant shall construct noise containment structures for all generators used on the parcel. The applicant shall obtain all required building permits for such structures. The applicant shall maintain generator, fan, and dehumidifier noise at or below 50 decibels at the edge of the clearing or 100 feet, whichever distance is closer. This will satisfy the auditory disturbance guidance prepared by the U.S. Fish and Wildlife (USFS), California Fish and Wildlife (CDFW) and Department Policy Statement No. 16-005 to minimize impacts to the Northern Spotted Owl and Marbled murrelet. All generators must be located on stable surfaces with a minimum 200-foot buffer from Class I and Class II streams, per

the requirements of CDFW. No generator use is authorized by this permit until the applicant can demonstrate compliance with this standard. In addition, fire-resistant materials shall be utilized for construction of the generator containment structures.

21. For the life of the project, all artificial lighting, including security and propagation area lighting, shall comply with International Dark Sky Association standards for Lighting Zone 0 and Lighting Zone 1 and be designed to regulate light spillage onto neighboring properties resulting from backlight, up light, or glare (BUG). International Dark Sky Association standards exceed the requirements of Scenic Resources Standard SR-S4, Light and Glare, that lighting be fully shielded, and designed and installed to minimize off-site lighting and direct light within the property boundaries. No use for artificial lighting is authorized by this permit until the applicant can demonstrate compliance with this standard.
22. The applicant shall not use any erosion control measures that contain synthetic (e.g. plastic or nylon) monofilament netting, including photo- or biodegradable plastic netting, on a regular and on-going basis. Geotextiles, fiber rolls, and other erosion control measures shall be made of loose-weave mesh, such as jute, hemp, coconut (coir) fiber, or other products without weaves.
23. All refuse shall be contained in wildlife proof containers, at all times, and relocated to an authorized waste management facility, in compliance with State and local laws, on a regular and on-going basis.
24. The applicant shall install and utilize a water meter to demonstrate that there is sufficient water supply to meet the demands of the project. The water use for cultivation is limited to the use of the permitted groundwater well (until installation of the rainwater catchment system prior to the 2023 cultivation season is complete) then rainwater catchment in 2023 and subsequent years, the spring diversion, and amount of water available in storage tanks, and shall be provided annually prior to or during the annual inspection.
25. The applicant shall cause to be recorded an "ACKNOWLEDGMENT OF NO AVAILABLE EMERGENCY RESPONSE AND FIRE SUPPRESSION SERVICES" for the parcel(s) on a form provided by the Humboldt County Planning Division. Document review fees as set forth in the schedule of fees and charges as adopted by ordinance of the Humboldt County Board of Supervisors will be required.
26. The applicant shall be compliant with the County of Humboldt's Certified Unified Program Agency (CUPA) requirements regarding hazardous materials. A written verification of compliance shall be required before any provisional permits may be finalized. Ongoing proof of compliance with this condition shall be required at each annual inspection in order to keep the permit valid.
27. The applicant shall execute and file with the Planning Division the statement titled, "Notice and Acknowledgment regarding Agricultural Activities in Humboldt County," ("Right to Farm" ordinance) as required by the HCC and available at the Planning Division.

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

1. The combination of background, generator and greenhouse fan or other operational equipment created noise must not result in the harassment of Northern Spotted Owl species as required to meet the performance standards for noise set by Department Policy Statement No. 16-005 clarifying CMMLUO Section 55.4.11 (o) requirements. The combined noise levels measured at 100 feet or the edge of habitat, whichever is closer, shall be at or below 50 decibels. Conformance will be evaluated using current auditory disturbance guidance prepared by the United State Fish and Wildlife Service, and further consultation where necessary. A building permit shall be obtained should any structures be necessary for noise attenuation.
2. All artificial lighting shall be fully contained within structures such that no light escapes (e.g., through blackout curtains). Structures shall be enclosed between 30 minutes prior to sunset and 30 minutes

after sunrise to prevent disruption to crepuscular wildlife. Security lighting shall be motion activated and comply with the International Dark-Sky Association standards and Fixture Seal of Approval Program; see: <https://www.darksky.org/our-work/lighting/lighting-for-citizens/lighting-basics/>. Standards include but are not limited to the following, 1) light shall be shielded and downward facing, 2) shall consist of Low Pressure Sodium (LPS) light or low spectrum Light Emitting Diodes (LED) with a color temperature of 3000 kelvins or less and 3) only placed where needed.

3. Should the Humboldt County Planning Division receive complaints that the lighting or noise is not complying with the standards listed above in items B.1. and B.2., within ten (10) working days of receiving written notification that a complaint has been filed, the applicant shall submit written verification that the lights' shielding and alignment, and noise levels have been repaired, inspected, and corrected as necessary.
4. Prohibition on use of synthetic netting. To minimize the risk of wildlife entrapment, Permittee shall not use any erosion control and/or cultivation materials that contain synthetic (e.g., plastic or nylon) netting, including photo- or biodegradable plastic netting. Geotextiles, fiber rolls, and other erosion control measures shall be made of loose-weave mesh, such as jute, hemp, coconut (coir) fiber, or other products without welded weaves.
5. All refuse shall be contained in wildlife proof storage containers, at all times, and disposed of at an authorized waste management facility.
6. Should any wildlife be encountered during work activities, the wildlife shall not be disturbed and be allowed to leave the work site unharmed.
7. The use of anticoagulant rodenticide is prohibited.
8. The operator shall provide information to all employees about the potential health impacts of cannabis use on children. Information shall be provided by posting the brochures from the Department of Health and Human Services titled "Cannabis Palm Card" and "Cannabis Rack Card." This information shall also be provided to all employees as part of the employee orientation.
9. All components of project shall be developed, operated, and maintained in conformance with the Project Description, the approved Site Plan, the Plan of Operations, and these conditions of approval. Changes shall require modification of this permit except where consistent with Humboldt County Code Section 312-11.1, Minor Deviations to Approved Plot Plan. If offsite processing is chosen to be the preferred method of processing, this permit shall be modified to identify the offsite licensed facility.
10. Cannabis cultivation and other commercial cannabis activity shall be conducted in compliance with all laws and regulations as set forth in the CMMLUO and MAUCRSA, as applicable to the permit type.
11. If operating pursuant to a written approved compliance agreement, permittee shall abate or cure violations at the earliest feasible date, but in no event no more than two (2) years from the date of issuance of a provisional clearance or permit. Permittee shall provide plans for curing such violations to the Planning and Building Department within one (1) year of issuance of the provisional clearance or permit. If good faith effort toward compliance can be shown within the two years following the issuance of the provisional clearance or permit, the Department may, at the discretion of the Director, provide for extensions of the provisional permit to allow additional time to meet the outstanding requirements.
12. Possession of a current, valid required license, or licenses, issued by any agency of the State of California in accordance with the MAUCRSA, and regulations promulgated thereunder, as soon as such licenses become available.

13. Compliance with all statutes, regulations, and requirements of the California State Water Resources Control Board and the Division of Water Rights, at a minimum to include a statement of diversion of surface water from a stream, river, underground stream, or other watercourse required by Water Code Section 5101, or other applicable permit, license, or registration, as applicable.
14. Confinement of the area of cannabis cultivation, processing, manufacture, or distribution to the locations depicted on the approved site plan. The commercial cannabis activity shall be set back at least 30 feet from any property line, and 600 feet from any school, school bus stop, church or other place of religious worship, or tribal cultural resources, except where a reduction to this setback has been approved pursuant to Section 55.4.11 (d).
15. Maintain enrollment in Tier 1, 2, or 3, certification with North Coast Regional Water Quality Control Board (RWQCB) Order No. R1-2015-0023, if applicable, or any substantially equivalent rule that may be subsequently adopted by the County of Humboldt or other responsible agency.
16. Comply with the terms of the Final Lake and Streambed Alteration Agreement (EPIMS-HUM-09230-R1), as well as any subsequent amendments, obtained from the California Department of Fish and Wildlife (CDFW).
17. Comply with the terms of a less-than-3-acre conversion exemption or timberland conversion permit, approved by the California Department of Forestry and Fire Protection (Cal Fire), if applicable.
18. Consent to an annual on-site compliance inspection, with at least 24 hours prior notice, to be conducted by appropriate County officials during regular business hours (Monday through Friday, 9:00 a.m. to 5:00 p.m., excluding holidays).
19. Refrain from the improper storage or use of any fuels, fertilizer, pesticide, fungicide, rodenticide, or herbicide.
20. Pay all applicable application, review for conformance with conditions and annual inspection fees.
21. Fuel shall be stored and handled in compliance with applicable state and local laws and regulations, including the County of Humboldt's Certified Unified Program Agency (CUPA) program, and in such a way that no spillage occurs.
22. The master log books maintained by the applicant to track production and sales shall be maintained for inspection by the County.
23. Pay all applicable taxes as required by the Humboldt County Commercial Marijuana Cultivation Tax Ordinance (Humboldt County Code Section 719-1 et seq.).

Performance Standards for Cultivation and Processing Operations

24. Pursuant to the MCRSA, Health and Safety Code Section 19322(a)(9), an applicant seeking a cultivation license shall "provide a statement declaring the applicant is an 'agricultural employer,' as defined in the Alatorre-Zenovich-Dunlap-Berman Agricultural Labor Relations Act of 1975 (Part 3.5 commencing with Section 1140) of Division 2 of the Labor Code), to the extent not prohibited by law."
25. Cultivators shall comply with all applicable federal, state, and local laws and regulations governing California Agricultural Employers, which may include federal and state wage and hour laws, Cal/OSHA, OSHA, the California Agricultural Labor Relations Act, and the Humboldt County Code (including the Building Code).

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

the items not in compliance, and the action that the permit holder may take to cure the noncompliance, or file an appeal within ten (10) days of the date that the written statement is delivered to the permit holder. Personal delivery or mailing the written statement to the mailing address listed on the application by regular mail, plus three (3) days after date of mailing, shall constitute delivery. The permit holder may request a reinspection to determine whether or not the permit holder has cured all issues of noncompliance. Failure to request reinspection or to cure any items of noncompliance shall terminate the Special Permit, immediately upon the expiration of any appeal period, or final determination of the appeal if an appeal has been timely filed pursuant to Section 55.4.13.

31. Permit Renewals to Comply with Updated Laws and Regulations. Permit renewal is subject to the laws and regulations effective at the time of renewal, which may be substantially different than the regulations currently in place and may require the submittal of additional information to ensure that new standards are met.
32. Acknowledgements to Remain in Full Force and Effect. Permittee acknowledges that the County reserves the right to reduce the size of the area allowed for cultivation under any clearance or permit issued in accordance with this section in the event that environmental conditions, such as a sustained drought or low flows in the watershed in which the cultivation area is located, will not support diversions for irrigation.
33. Transfers. Transfer of any leases or permits approved by this project is subject to the review and approval of the Planning Director for conformance with CMMLUO eligibility requirements and agreement to permit terms and acknowledgments. The fee for required permit transfer review shall accompany the request. The request shall include the following information:
 - a. Identifying information for the new owner(s) and management as required in an initial permit application;
 - b. A written acknowledgment by the new owner in accordance as required for the initial permit application;
 - c. The specific date on which the transfer is to occur;
 - d. Acknowledgement of full responsibility for complying with the existing permit; and
 - e. Execution of an Affidavit of Non-diversion of Medical Cannabis.
34. Inspections. The permit holder and subject property owner are to permit the County or representative(s) or designee(s) to make inspections at any reasonable time deemed necessary to assure that the activities being performed under the authority of this permit are in accordance with the terms and conditions prescribed herein.

Informational Notes:

1. Pursuant to Section 314-55.4.11(a) of the CMMLUO, if upon inspection for the initial application, violations of any building or other health, safety, or other state or county statute, ordinance, or regulation are discovered, the Planning and Building Department may issue a provisional clearance or permit with a written approved Compliance Agreement. By signing the agreement, the permittee agrees to abate or cure the violations at the earliest opportunity but in no event more than two (2) years after the date of issuance of the provisional clearance or permit. Plans for curing the violations shall be submitted to the Planning and Building Department by the permittee within one (1) year of the issuance of the provisional certificate or permit. The terms of the compliance agreement may be appealed pursuant to Section 314-55.4.13 of the CMMLUO.
2. This provisional permit approval shall expire and become null and void at the expiration of one (1) year after all appeal periods have lapsed (see "Effective Date"), except where the Compliance Agreement per Condition of Approval #6 has been executed and the corrective actions pursuant to the agreement are being undertaken. Once building permits have been secured and/or the use initiated pursuant to the terms of the agreement, the use is subject to the Permit Duration and

Renewal provisions set forth in Conditions of Approval #26 and 27 of the Ongoing Requirements/Development Restrictions, above.

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

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

ATTACHMENT 2

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

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

**APN 220-291-023; 4590 Blue Slide Creek Road, Briceland area
County of Humboldt**

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

August 2022

Background

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

The modified project involves a Special Permit for the continued operation of an existing 9,998 square foot (SF) outdoor cultivation (light deprivation and full-sun outdoor) and 960 SF of ancillary propagation. Irrigation water is currently sourced from a permitted groundwater well and a spring diversion; however, the applicant proposes to cease use of the well for irrigation and add rainwater catchment. Existing available water storage is 51,500 gallons in a series of hard-sided tanks and two (2) 8,000-gallon bladders, including 2,500 gallons dedicated for fire suppression. A minimum of three (3) 55-gallon barrels for rainwater catchment will be added to the site, for a total of 51,665 gallons of onsite water storage. Estimated annual water usage is 43,000 gallons. Drying and curing currently occurs onsite, with all other processing occurring offsite at a licensed processing or manufacturing facility; however, onsite processing is proposed once the proposed 1,000 SF prefabricated steel garage is constructed and fully permitted. A maximum of two (2) people may be onsite during peak operations. Power is currently provided by two (2) generators and there are long-term plans to add solar if financially feasible and the applicant is able to obtain grant funding. A Special Permit is also requested for development within the Streamside Management Area for the continued use and maintenance of the point of diversion.

The project site contains riparian habitat associated with Blue Slide Creek (a Class II watercourse), which traverses the very northeastern corner of the subject parcel. All approved cultivation activities and respective infrastructure would occur outside of the required stream setbacks and on slopes less than 50%. Per review of CDFW's California Natural Diversity Database (CNDDDB) in May 2022, there are no mapped sensitive species onsite and the nearest Northern Spotted Owl (NSO) activity center is located approximately 1.40 miles from the nearest cultivation area, with the nearest NSO sighting located approximately 0.80 miles away. The applicant has enrolled with the State Water Resources Control Board Cannabis Cultivation Policy. A condition of project approval is inadvertent discovery protocols for cultural resources consistent with the recommendation of the Bear River Band of the Rohnerville Rancheria in November 2017.

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

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

determines, on the basis of substantial evidence in the light of the whole record, one or more of the following:

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

Summary of Significant Project Effects and Mitigation Recommended

No changes are proposed for the original MND recommended mitigations. The proposal to authorize the continued operation of an existing cannabis cultivation site consisting of 9,998 square feet of outdoor cultivation with ancillary propagation, drying, and processing activities is fully consistent with the impacts identified and adequately mitigated in the original MND. The project as conditioned to implement responsible agency recommendations, results in no significantly adverse environmental effects beyond those identified in the MND. Compliance with the CMMLUO ensures consistency with the adopted MND and provides for mitigation of all project related impacts to a less than significant level.

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

- Site Plan prepared by Mother Earth Engineering, dated 12/13/21.
- Cultivation and Operations Plan prepared by Mother Earth Engineering, received 7/13/22, with additional information provided by the applicant in email correspondence to Megan Marruffo (Assigned Planner), dated 7/19/22 and 8/20/22.
- Well Completion Report (WCR2019-015584) for Permit No. 17/18-1355, received 11/21/19.
- Right to Divert and Use Water issued by the State Water Resources Control Board (Registration ID H504798; Certificate No. H100403), dated 1/7/19.
- Site Management Plan (WDID 1_12CC405917) prepared by Mother Earth Engineering for the State Water Resource Control Board (State Water Board) Cannabis Cultivation Policy (Cannabis Policy) and Order WQ 2017-0023-DWQ General Waste Discharge Requirements for Dischargers of Waste Associated with Cannabis Cultivation Activities (General Order), received 11/21/19.
- Final Streambed Alteration Agreement (Notification No. EPIMS-04237-R1) issued by the California Department of Fish and Wildlife, received 11/21/19.
- Road Evaluation Report for Blue Slide Creek Road, from private driveway to Briceland-Thorne Road, prepared by the applicant, dated 10/15/19.
- Timber Conversion Evaluation prepared by Timberland Resource Consultants, dated 12/18/18.
- Notice of Applicability (WDID 1_12CC405917) issued by the North Coast Regional Water Quality Control Board, dated 12/21/18

Other CEQA Considerations

Staff suggests no changes for the revised project.

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

See **Purpose** statement above.

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

FINDINGS

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

CONCLUSION

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

ATTACHMENT 3

Applicant's Evidence in Support of the Required Findings

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

1. The name, contact address, and phone number(s) of the applicant. (Application form on file)
2. If the applicant is not the record title owner of parcel, written consent of the owner for the application with original signature and notary acknowledgement. (On file)
3. Site plan showing the entire parcel, including easements, streams, springs, ponds and other surface water features, and the location and area for cultivation on the parcel with dimensions of the area for cultivation and setbacks from property lines. The site plan shall also include all areas of ground disturbance or surface water disturbance associated with cultivation activities, including access roads, water diversions, culverts, ponds, dams, graded flats, and other related features. If the area for cultivation is within one-quarter mile (1,320 feet) of a school, school bus stop, church or other place of religious worship, public park, or tribal cultural resource, the site plan shall include dimensions showing that the distance from the location of such features to the nearest point of the cultivation area is at least 600 feet. (**Attached** - Site Plan prepared by Mother Earth Engineering, dated 12/13/21)
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** - Cultivation and Operations Plan prepared by Mother Earth Engineering, received 7/13/22, with additional information provided by the applicant in email correspondence to Megan Marruffo (Assigned Planner), dated 7/19/222 and 8/20/22)
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. (**Attached** – Right to Divert and Use Water (Registration ID H504798; Certificate No. H100403), dated 1/7/19)
6. Description of water source, storage, irrigation plan, and projected water usage. (Included in Cultivation Operations Plan (item 4. above) and Site Management Plan prepared for State Water Board Cannabis General Order (item 7. below)
7. Copy of Notice of Intent and Monitoring Self-Certification and other documents filed with the North Coast Regional Water Quality Control Board demonstrating enrollment in Tier 1, 2 or 3, North Coast Regional Water Quality Control Board Order No. 2015-0023, or any substantially equivalent rule that may be subsequently adopted by the County of Humboldt or other responsible agency. (**Attached** – Site Management Plan (WDID 1_12CC405917) prepared by Mother Earth Engineering, received 11/21/19; On file - Notice of Applicability: Waste Discharge Requirements Water Quality Order WQ 2019-0001-DWQ (WDID 1_12CC405917) issued by the North Coast Regional Water Quality Control Board, dated 12/21/18)
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. (**Attached** – Final Streambed Alteration Agreement (Notification No. EPIMS-04237-R1) issued by the California Department of Fish and Wildlife, received 11/21/19)

9. If the source of water is a well, a copy of the County well permit, if available. (On file - Well Completion Report (WCR2019-015584) for Permit No. 17/18-1355, received 11/21/19)
10. If the parcel is zoned FR, U or TPZ, or involves the conversion of timberland as defined under Section 4526 of the Public Resources Code, a copy of a less-than-3-acre conversion exemption or timberland conversion permit, approved by the California Department of Forestry and Fire Protection (Cal Fire). Alternately, for existing operations occupying sites created through prior unauthorized conversion of timberland, evidence may be provided showing that the landowner has completed a civil or criminal process and/or entered into a negotiated settlement with Cal Fire. (**Attached** - Timber Conversion Evaluation prepared by Timberland Resource Consultants, dated 12/18/18. Condition of approval for further review and evaluation by a Registered Professional Forester.)
11. Consent for on-site inspection of the parcel by County officials at prearranged date and time in consultation with the applicant prior to issuance of any clearance or permit, and once annually thereafter. (On file)
12. For indoor cultivation facilities, identify the source of electrical power and how it will meet with the energy requirements in Section 55.4.8.2.3, and plan for compliance with applicable building codes. (Not applicable)
13. Acknowledge that the County reserves the right to reduce the size of the area allowed for cultivation under any clearance or permit issued in accordance with this Section in the event that environmental conditions, such as a sustained drought or low flows in the watershed, will not support diversions for irrigation. (On file)
14. Acknowledge that the County reserves the right to engage with local tribes before consenting to the issuance of any clearance or permit, if cultivation operations occur within an Area of Traditional Tribal Cultural Affiliation, as defined herein. This process will follow current departmental referral protocol, including engagement with the tribe(s) through coordination with their Tribal Historic Preservation Officer (THPO) or other tribal representatives. This procedure shall be conducted similar to the protocols outlined under SB 18 (Burton) and AB 52 (Gatto), which describe "government to government" consultation, through tribal and local government officials and their designees. During this process, the tribe may request that operations associated with the clearance or permit be designed to avoid, minimize, or mitigate impacts to tribal cultural resources, as defined herein. Examples include, but are not limited to, conducting a site visit with the THPO or their designee to the existing or proposed cultivation site, requiring that a professional cultural resources survey be performed, or requiring that a tribal cultural monitor be retained during project-related ground disturbance within areas of sensitivity or concern. The County shall request that a records search be performed through the California Historical Resources Information System (CHRIS). (On file)
15. Road Evaluation Report for Blue Slide Creek Road, from private driveway to Briceland-Thorne Road, prepared by the applicant, dated 10/15/19. (**Attached**)
16. Division of Environmental Health Attachment for Commercial Medical Marijuana (CMM) Clearances/ Permits (DEH Form). (On file)



Cultivation and Operations Plan

1 DESCRIPTION OF CULTIVATION

The site is located west of Redway and North of Whitehorn and is accessed via Blue Slide Creek Rd with an existing total cultivation area of 9,998 sq ft permitted under the Humboldt County CCMLUO 1.0 application process (APPS# 13065). The subject permit will be issued for outdoor cultivation.

2 TOTAL CULTIVATION

Outdoor cultivation will occur in three 94'x20' light deprivation greenhouses with no supplemental lighting and three full sun outdoor areas in 150 gallon pots in Western and Southern Cultivation Areas and in planter beds in the Eastern Cultivation Area. Square footage of each cultivation area is included in the table below. There is a preexisting ancillary propagation area located in a 960 sq ft tarped structure utilizing artificial light that conforms to International Dark Sky Standards so that no light escapes at a level visible from neighboring properties between 30 minutes prior to sunset and 30 minutes after sunrise. The footprint of the nursery structure is less than 10% of the permitted cultivation area. Cultivation activities conform with Humboldt County CCMLUO ordinance with an estimated one to two harvests per year.

Cultivation Area Description	Area (Square Feet)
Greenhouses (3 units, each 24' by 90')	6,480
Western Outdoor Cultivation Area	1,524
Southern Outdoor Cultivation Area	1,223
Eastern Outdoor Cultivation Area	771
TOTAL	9,998

3 LOCATION AND CAPACITY OF WATER STORAGE FACILITIES

Projected Water Use: Total water use is estimated at 43,000 gal per year for irrigation. Water usage will be recorded monthly and reported annually to the Water Board pursuant to NCRWCQB Order No. R-12015-0023 and as part of SWRCB reporting program. All records will be kept on-site and will be made available for inspectors to view if requested.

Table 1: Projected Water Use by month

Projected Water Use in gallons of Existing and Proposed Cultivation												
Jan	Feb	Mar	Apr	May	June	July	Aug	Sept	Oct	Nov	Dec	Total
0	0	500	1500	8000	8000	8000	8000	8000	3000	0	0	43000

Water Source:

The well is domestic use only. It will not be used for cannabis. The permitted well was drilled on 10/30/2019 by Fisch Drilling Co located south of the greenhouses (40.1450, -123.9377). The well is 180 feet deep and the aquifer is confined by layers of impermeable shale and is more than 1,000 ft from the nearest watercourse. Water from the well also used for domestic purposes which will be metered separately.

The primary water source is a point of diversion sourced from an unnamed spring registered with the State Water Board as a Small Irrigation Use Registration (SIUR H504798) and is located at the southern part of the parcel (40.1448; -123.9366). Per the water right, 26,000 gallons per year (.08 acre ft) is permitted to be withdrawn and stored for cannabis irrigation. This diversion has been registered with the California Department of Fish & Wildlife and State Water Resources Control Board and will be used in accordance with State regulations. Forbearance requirements for the point of diversion are observed and no water will be withdrawn during the dry season between March 15th and October 15th on any given year.

The applicant is proposing to obtain 17,000 gallons of rainwater catchment tanks. The total estimate of 43,000 gallons annually is sufficient to provide adequate irrigation for on-site cultivation needs. Each water source will be metered and stored separately.

Water Storage: Water is stored on site in one (1) 3,500 gallon water tank, one (1) 3,000 gallon water tank, seven (7) 2,500 gallon water tanks, one (1) 1,500 gallon water tank and (2) 8,000 gallon water bladders. The total water storage capacity is 41,500 gallons. The water bladders are proposed to be replaced with hard tank storage. A 2,500 gallon water tank will also be reserved for fire suppression.

Irrigation Plan: Plants are grown in bags or beds and are watered by hand. Water is applied every four days at agronomic rates using hoses with low-flow nozzles.

Water Management: Water is distributed by gravity, where possible, and by electric pumps.

4 SITE CHARACTERISTICS

The general slope of the parcel descends from 1,800 ft elevation at the western edge of the parcel to roughly 960 ft elevation at the northeast corner. The cultivation areas on this parcel are located downslope on areas of less than 15% grade.

5 WATERSHED + HABITAT PROTECTION

The applicant is enrolled with North Coast Regional Water Board's Cannabis Discharge Waiver Program to ensure riparian watershed and habitat protection.

6 SWRCB/RWQCB

The applicant has submitted an enrollment application under the State Water Resources Control Board Cannabis Cultivation General Order (application # H504798) and has obtained a Notice of Applicability. This project was enrolled in good standing under the North Coast Regional Water

Quality Control Board Cannabis Cultivation Waste Discharge Regulatory Program. The applicants Waste Discharger Identification number is 100403.

A Site Management Plan was prepared by Mother Earth Engineering and lists the General Order measures to be followed on site. The Site Management Plan for this project can be referenced for details.

7 STORMWATER MANAGEMENT PLAN

Drainage: The site has well-draining soils and natural vegetation is maintained around all cultivation areas.

Roads: The roads are generally in good condition and were resurfaced in 2019. They and are designed to shed surface water by outsloping the surface. There are also dips located at the base of inclines to shed water.

Roadway and points of drainage will be inspected prior to wet season, after large storm events, and at the end of the wet season. No stream crossings are located on the parcel.

Runoff and Erosion Control Measures: Water is used appropriately always and is applied at no more than agronomic rates. Perimeters of cultivation areas are undisturbed and have well established, naturally occurring vegetative buffers.

Cleared/developed areas at the site were generally compacted and covered with established cover. In disturbed area without cover straw mulch will be applied for winterization.

Drainage: Blue Slide Creek, a Class II stream, crosses the northeastern corner of the parcel and is 308 ft away from any disturbed area associated with cannabis cultivation. A 24" culvert conveys under Blue Slide Creek Road conveys pooled sheet flow that collects near the residence. This culvert disperses stormwater into a well-established vegetated outfall. This allows for percolation back into the ground, velocity dispersion and sediment entrainment by the vegetation. The culverts on site are designed and maintained to address debris associated with the expected 100-year peak streamflow.

A Site Management plan has been prepared detailing compliance to the State Water Resource Control Board General Order.

8 INVASIVE SPECIES CONTROL PLAN

Applicant will maintain a regular monitoring program for invasive species within the property particularly areas that have previously been disturbed. Any areas that have been disturbed will be monitored to ensure revegetation efforts are successful. Twice a year the applicant will survey the property for invasive species.

If these plants are found on the property, they will be removed using hand tools. Areas that are showing signs of substantial root networks of invasive species shall be smothered with cardboard and mulch.

9 MATERIALS MANAGEMENT PLAN

The applicant shall maintain a self-haul waste area and a compost area on site. Refuse and garbage is stored in a location and manner that prevents its discharge to receiving water and discourages wildlife from interacting with waste materials. Non-compostable solid waste and recyclables derived from the operations shall be placed in the self-haul waste area and periodically transported to a local transfer station. Solid waste may include, but is not limited to household trash, product packaging and containers, irrigation tubing, pots and similar containers used for propagation and cultivation, fencing. All waste plant material will be composted on site.

Storage Area: Trash and recycling are stored in wildlife proof containers and are disposed of regularly.

Removal Frequency: Trash is removed from site once a month or more as needed.

Disposal Facility: Redway transfer station.

Waste Soil/ Growth Media: All soil is amended, composted and reused on-site.

Amendments and Nutrients: Fertilizers, soils, compost, spent soil, and all other soil amendments are contained inside a shed with a roof year around. Products are purchased on an as-needed basis with a nominal 50 lbs or less stored on site. Fertilizers include: Humboldt Nutrients Natural Line, Roots Organic Terp Tea, Blissful Bloom Earthjuice Bloom, Earthjuice Grow, Vital Earth Bat Guano and Primal Harvest Seabird Guano and Molasses. Fertilizers and soil amendments are applied per packaging instructions. Tea compost is stored in tanks which are located in an enclosed shed.

Pesticides and Herbicides: Chester Boones, JM Organic Stylet and neem oil are used for pest management products. All products used on-site are consistent with product labelling and are placed, used, and stored in a shed where no products are released into surface or groundwaters. All products used on-site are consistent with product labelling and are placed, used, and stored in a shed where no products are released into surface or groundwaters.

Fuel: A 350 gallon propane tank is on-site for residence use. Less than 25 gal of gasoline stored onsite in 5-gal jerry cans with secondary containment. Spill kits will also be kept onsite. All fuels stored onsite are in compliance Site Management Plan.

Used soil will be kept in a covered area and stored until it is reused.

10 SCHEDULE OF ACTIVITIES

Month	Activities
January	No cultivation activity / idle
February	Start propagation from seed and / or acquire clones
March	Acquire clones and / or pot and maintain immature plants
April	Planting clones or immature plants in the 3 light dep greenhouses
May	Planting clones or immature plants in full sun outdoor cultivation areas
June	Vegging plants and farm operation and maintenance
July	Vegging plants and farm operation and maintenance

August	Vegging plants and flowering plants, first harvest of light dep cultivation, farm operation and maintenance, planting of second run in light dep areas (if possible)
September	Vegging and flowering plants, drying cannabis from light dep cultivation, farm operation and maintenance
October	Flowering plants, harvest outdoor cultivation areas, second harvest of light dep areas (if possible), begin processing, begin winterization of property
November	Harvesting and drying cannabis from all cultivation areas, machine trim processing and finish winterization of property
December	Machine trim processing and packaging for sale (after completion of residential accessory structure)

11 PROCESSING PLAN

Processing Practices: Crop is harvested then dried, cured in the 83'x9.5' drying and storage hoop house located northwest of the three light deprivation greenhouses and a proposed 75'x9.5' hoop house south of the three light deprivation greenhouses. A 20'x50' prefabricated steel garage is proposed to be constructed and used for drying, curing and machine trimming by immediate family members. Secondary processing (trimming) will occur offsite until the garage is constructed and fully permitted as a residential accessory structure complying with County of Humboldt Department Policy Statement No. 21-02. All processing methods utilized will comply with all industry, county, and state rules and guidelines as they become available.

All work surfaces and equipment maintained in a clean and sanitary condition. Protocols to prevent contamination of cannabis product with mold and mildew to be strictly followed.

There are flush toilets located within the residence.

Processing operations include the following Processing Practices:

- (1) Processing operations will be maintained in a clean and sanitary condition including all work surfaces and equipment.
- (2) Processing operations will implement protocols which prevent processing contamination and mold and mildew growth on cannabis.
- (3) Family members handling cannabis in processing operations will have access to facemasks and gloves in good operable condition as applicable to their job function.
- (4) Family members will wash hands sufficiently when handling cannabis of use gloves.

Days and Hours of Operation

The facility is not open to the public and will not accept visitors without a specific business purpose.

Hours of operation will typically be from 8 AM to 5 PM. Commercial activities such as shipping and receiving will be limited to the same timeframe as the hours of operation.

Employee Safety Practices: Cultivation and processing operations implement best practices to the highest degree feasible. The operation follows all safety protocols and provides all employees with

adequate safety training pursuant to County and State regulations and guidance. Employee safety practices will be in compliance with standards set forth by the County and State which may include the following and additional elements:

- Emergency action response planning as necessary; employee accident reporting and investigation policies; fire prevention; hazard communication policies; maintenance of material safety data sheets (MSDS); materials handling policies; job hazard analyses; and personal protective equipment policies, including respiratory protection.
- Visibly posted emergency contact list that includes operation manager, emergency responder contacts, and poison control contacts.

Safe Drinking Water, Toilets, and Sanitary Facilities

At all times, employees (family owned and operated) will have access to safe drinking water and utilize toilets and handwashing facilities in the onsite residence.

Domestic water comes from the onsite well and is metered separately from the cannabis operation.

Increased Road Use:

Anticipated trips on and off site are one trip per day. No significant noise or traffic impacts are anticipated on access roads or impacts to neighboring properties as the site is owner-operated.

On-site Housing: The site is owner-operated and the family lives in the onsite residence.

12 PARKING PLAN & FIRE SAFE TURNAROUNDS

There shall be a total of two parking spaces plus one addition parking space for every two employees per Ordinance No. 2599, amending sections 314-55.4, 314-55.3.11.7, 314-55.3.7 and 314-55.3.15 of Title III, Division 1, Chapter 4, Section 55.4.6.12.14, part f.2 of the Humboldt County Code. As stated, the expected maximum number of employees on site is 0; therefore, there shall be two parking spaces.

Fire safe turnarounds that comply with current State SRA Regulations are located in two places on the property. An 80 ft diameter fire safe turnaround is also located on site and complies with the current State Fire Safe Turnaround regulations.

13 ENERGY PLAN

Two Honda EU3000 generators shall be kept for use. One generator shall be used for powering a dehumidifier / trimming machine when seasonally appropriate and shall be stored adjacent to the three light deprivation hoop houses. The second shall be used in winter and spring months for powering lights in the 960 sq ft propagation area shall be stored adjacent to the residence.

The propagation area shall conform to energy performance standards listed in Ordinance No. 2599, amending sections 314-55.4, 314-55.3.11.7, 314-55.3.7 and 314-55.3.15 of Title III, Division 1, Chapter 4, Section 55.4.12.5.1 of the Humboldt County Code.

The solar panels and one 7000 w generator located on site are used for domes

14 SECURITY PLAN

The security measures located on the premises will include the following:

- (1) Lighting- Motion sensor lighting is installed around the facilities such that the site can be monitored efficiently.
- (2) Alarm- There is an informal community watch in place in the neighborhood. Guard dogs are also present on the property during operations.
- (3) Access Control- Entrance to the site is restricted by a locked gate and located at the end of the road.
- (4) All cultivation related items and products will be stored in locked locations. The security measures will secure the medical marijuana against diversion for non-medical purposes by protecting against theft not only from intruders, but also from family members onsite. 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.

15 LIGHTING POLLUTION CONTROL PLAN

No artificial light will be used in any designated cultivation areas. Artificial light will only be used in the 960 sq ft greenhouse and light never be allowed to escape preventing light pollution and insuring International Dark Sky Standards will be met.

Security lighting will be motion activated and comply with the International Dark-Sky Association standards and Fixture Seal of Approval Program; see: <https://www.darksky.org/our-work/lighting/lighting-for-citizens/lighting-basics/>. Standards include but are not limited to the following, 1) light shall be shielded and downward facing, 2) shall consist of low pressure Sodium (LPS) light or low spectrum Light Emitting Diodes (LED) with a color temperature of 3000 kelvins or less and 3) only placed where needed.

Facility and vicinities shall be self-inspected twice annually at nighttime during artificial light use period to assure the continued effectiveness of light containment measures. The Dark Sky Monitoring Form is included in the Appendix.

16 NOISE SOURCE ASSESSMENTS AND MITIGATION PLAN

Two Honda EU3000 generators shall be kept for use. One generator shall be used for powering a dehumidifier / trimming machine when seasonally appropriate and shall be stored adjacent to the three light deprivation hoop houses. The second shall be used in winter and spring months for powering lights in the 960 sq ft propagation area shall be stored adjacent to the residence.

The noise produced by the generators is approximately 49 dBa at proximity and is much quieter 100 feet from it. Noise shall be attenuated as necessary to prevent harassment of wildlife.

Combined decibel level for all noise sources at the property line shall be no more than 60 decibels. Noise shall be monitored monthly to assure that noise dampening measures remain effective. The Noise Monitoring Form is included in the Appendix.

Appendix

1 APPLICABLE CALCULATIONS & METHODOLOGY

NA

2 TINA COLAFRANCESCHI DARK SKY MONITORING FORM

Self-inspection to be conducted after dark, twice annually when supplemental artificial lighting is in use.

Name: _____

Date: _____

Time: _____

Walk perimeter of greenhouses.

Is light visible? No Yes

If yes describe:

Observe cultivation area from road.

Location of observation:

Observation approximate distance from cultivation areas:

Is light visible? No Yes

If yes describe:

Other Notes/Observations:

3 TINA COLAFRANCESCHI NOISE MONITORING FORM

Self-inspection to be conducted monthly.

Name: _____

Date: _____

Time: _____

Combined decibel level for all noise sources, including generators, at the property line shall be no more than 60 decibels.

Is decibel reading at 60 decibels or under at property lines? No Yes

If no, describe mitigation measures to ensure noise management at property line:

(Fill If Applicable)

Location of generator shed:

Decibel reading at generator shed:

Decibel reading at 100 feet away (in clear sight; no obstruction):

Is decibel reading 50 decibels or under? No Yes

If no, how far away until 50 decibels or under (in clear sight; no obstruction)?

(Fill If Applicable)

Location of second generator shed:

Decibel reading at generator shed:

Decibel reading at 100 feet away (in clear sight; no obstruction):

Is decibel reading 50 decibels or under? No Yes

If no, how far away until 50 decibels or under (in clear sight; no obstruction)?

Other Notes/Observations:

Megan Marruffo

From: Tina Colafranceschi <bellafarmshumboldt@gmail.com>
Sent: Tuesday, July 19, 2022 8:03 AM
To: Megan Marruffo
Subject: Re: APPS #13065 (T. Colafranceschi) - Project Questions

No well is not being used for cannabis and yes im using my diversion for this year i fallowed half the square footage I plan on using catchment and converting all my tanks to catchment tanks with a separate insert that can be bought.

On Tue, Jul 19, 2022 at 7:58 AM Megan Marruffo <marruffom@lacoassociates.com> wrote:

Good morning, Tina,

I am writing in regard to your cannabis permit application through the County of Humboldt (APPS #13065). The County forwarded me the updated Cult Ops Plan and Site Plan which were submitted on July 13th. I am working on wrapping up the staff report, but had a couple questions I was hoping you could address:

1. Is the existing well currently utilized for cannabis irrigation? The Site Plan shows that it is, but the revised Cult Ops Plan indicates the well is not used for the irrigation of cannabis.
 - a. If the well is not currently utilized, where is the additional water needed for irrigation derived from? Per your Right to Divert and Use Water, 26,000 gallons per year is permitted to be diverted and used for irrigation; however, it is noted that 43,000 gallons of water is required for the operation.
 - b. If the well is currently utilized, when do you plan to stop use of the well? When are the additional rainwater catchment tanks planned to be installed?

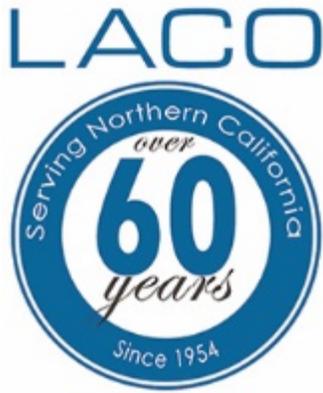
2. Where will the additional 17,000 gallons of rainwater catchment tanks be installed onsite?

3. You previously noted in email correspondence from May 5th (attached) that you plan to collect water from the house gutters and gutters on the propagation area. Is this still the plan to fill the proposed rainwater catchment tanks?

Any information you can provide is appreciated.

Thank you,

Megan



Megan Marruffo

Senior Planner / Project Manager

LACO Associates

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----- Forwarded message -----

From: Tina Colafranceschi <bellafarmshumboldt@gmail.com>

To: Megan Marruffo <marruffom@lacoassociates.com>

Cc:

Bcc:

Date: Thu, 5 May 2022 16:45:32 +0000

Subject: Re: APPS #13065 (Tina Colafranceschi) - Project Questions

Yes and would it work to collect water from my house gutters and gutters on propagation area to use instead of well i could make that happen in near future

On Thu, May 5, 2022 at 9:43 AM Megan Marruffo <marruffom@lacoassociates.com> wrote:

Is the solar currently utilized for the project? The energy discussion was cut-off in the copy of the Operations Plan that I received in the County file.

Do you think it would be feasible to add additional solar by 2026 and use the generators only for emergency back-up?

Megan Marruffo

From: Tina Colafranceschi <bellafarmshumboldt@gmail.com>
Sent: Saturday, August 20, 2022 4:36 PM
To: Megan Marruffo
Subject: Re: APPS #13065 (T. Colafranceschi) - Project Questions

That would be at least 3 pickle barrels catching water

On Sat, Aug 20, 2022 at 10:09 AM Tina Colafranceschi <bellafarmshumboldt@gmail.com> wrote:

The water to fill tanks will come from the gutters on cabana through downspout and in to a 55 gallon pickle barrel where it will be poly piped to tanks with gravity. No that solar doesn't go to greeneyes and yes i would get solar if i got the grant its the only way i don't have the \$ to put it in

On Wed, Aug 3, 2022 at 12:33 PM Megan Marruffo <marruffom@lacoassociates.com> wrote:

Hi Tina,

Thank you for the information. I'm hoping to get clarification on my few remaining questions, and then we should be able to finish the staff report and move the project forward to hearing.

If I'm understanding correctly, there is 57,500 gallons in total water storage onsite, with 52,500 gallons available for irrigation, which is more than your annual usage estimate of 43,000 gallon.

Your Right to Divert and Use Water from the SWRCB allows for storage and use of 26,000 gallons of water annually.

- Where will the remaining 17,000 gallons of water needed for irrigation come from? (You previously mentioned that you have plans to convert some tanks to rainwater catchment.)
 - Will the remaining storage tanks be converted to rainwater catchment? If so –
 - When do you expect this to occur? Will this occur before the next cultivation season?
 - How will the rainwater be captured (i.e., collected from roofs)?
 - If it will come from roofs, please identify which structure(s) will be utilized.

(This information is needed to calculate the anticipated rainwater capture potential.)

Thank you,
Megan



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

DIVISION OF WATER RIGHTS

RIGHT TO DIVERT AND USE WATER

REGISTRATION H504798

CERTIFICATE H100403

Right Holder: *Tina Colafranceschi*
P.O. Box 201
Whitethorn, CA 95589

The State Water Resources Control Board (State Water Board) authorizes the diversion and use of water by the right holder in accordance with the limitations and conditions herein SUBJECT TO PRIOR RIGHTS. The priority of this right dates from 12/18/2018. This right is issued in accordance with the State Water Board delegation of authority to the Deputy Director for Water Rights (Resolution 2012-0029) and the Deputy Director for Water Rights redelegation of authority dated October 19, 2017.

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

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

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

Name of Diversion	Source	Tributary To:	Thence	Latitude	Longitude	County	Assessor's Parcel Numbers (APN)
Primary POD	Unnamed Spring	Blue Slide Creek	Mattole River	40.144810	-123.936652	Humboldt	220291023

- 2. Purpose of Use and 3. Place of Use

2. Purpose of Use	3. Place of Use		
	County	Assessor's Parcel Numbers (APN)	Acres
Irrigation	Humboldt	220-291-023	0.46

Note: Assessor's Parcel Numbers provided are based on the user's entries in this portal on 01/07/2019.

The place of use is shown on the map filed on 01/07/2019 with the State Water Board.

- 4. Quantity and Season:

The water appropriated shall be limited to the quantity which can be beneficially used and shall not exceed 0.08 **acre-feet per year** to be collected from 01/01 to 12/31 and as permitted in the diversion season specified in the current version of the State Water Board's Cannabis Policy, whichever is more restrictive. The total storage capacity shall not exceed 0.08 acre-feet. The rate of diversion to storage shall not exceed **42,000 gallons per day (gpd)** or the **diversion rate specified in the current version of the State Water Board's Cannabis Policy, whichever is more restrictive.**

- 5. No water shall be diverted or used under this right unless the water right holder is in compliance with all applicable

PLN-13065-SP Tina Colafranceschi Special Permits in-stream flow requirements of the current version of the State Water Board's Cannabis Policy, except as follows: Page 48

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

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

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

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

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

STATE WATER RESOURCES CONTROL BOARD
DIVISION OF WATER RIGHTS

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

Dated: 01/07/2019 13:02:06

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

RECEIVED

NOV 01 2019

CDFW - EUREKA



STREAMBED ALTERATION AGREEMENT
NOTIFICATION NO. EPIMS-04237-R1
Unnamed Tributary to Blue Slide Creek, Tributary to the Mattole River
and the Pacific Ocean

Tina Colafranceschi
Colafranceschi Water Diversion and Stream Crossings Project
2 Encroachments

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

RECITALS

WHEREAS, pursuant to Fish and Game Code (FGC) section 1602, the Permittee initially notified CDFW on February 27, 2019 and revised on July 15, 2019 that the Permittee intends to complete the project described herein.

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

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

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

PROJECT LOCATION

The project to be completed is located within the Mattole River watershed, approximately 3.34 miles West of the town of Whitethorn, County of Humboldt, State of California. The project is located at Assessor's Parcel Number 220-291-023; latitude 40.1448 N and longitude -123.9368 W at the point of diversion (POD).

PROJECT DESCRIPTION

The project is limited to 2 encroachments (Table 1). One encroachment is for water diversion from an unnamed tributary to Blue Slide Creek. Water is diverted for domestic use and irrigation. Work for the water diversion will include use and maintenance of the

water diversion infrastructure. Diversion from the spring is claimed under ISDU S025870 and registered as Small Irrigation Use Registration (SIUR) ID. H504798. The other proposed encroachment is to maintain an existing stream crossing culvert. The Notification states that using the rational method enclosed in the attached hydrological study, analysis shows that the existing 24-inch HDPE culvert conveys the 100-year peak flood flow.

No other projects that may be subject to FGC section 1602 were disclosed. This Agreement does not retroactively permit any stream crossings, water diversions or other encroachments not described in Table 1.

Table 1. Project Encroachments with Description

ID	Latitude/Longitude	Description
Crossing-1	40.1462, -123.9351	Existing 24-inch diameter culvert is properly sized for a 100-year flood event and is functioning properly. No work is proposed. Only minor maintenance such as clearing the culvert by hand is authorized. Repair, reconstruction or replacement would require separate Notification or Amendment.
POD-1	40.1448, -123.9368	POD is an existing spring diversion on a unnamed tributary to Blue Slide Creek. Capacity of diversion works is 10 gpm. Water is stored in tanks and pumped to an upper tank array then gravity fed to cultivation areas. No work in proposed.

PROJECT IMPACTS

Existing fish or wildlife resources the project could substantially adversely affect include Red-bellied Newt (*Taricha rivularis*), Western Pond Turtle (*Actinemys marmorata marmorata*), North American Porcupine (*Erethizon dorsatum*), Coastal Cutthroat Trout (*Oncorhynchus clarki clarki*), Coho Salmon (*Oncorhynchus kisutch*), Chinook Salmon (*Oncorhynchus tshawytscha*), Steelhead Trout (*Oncorhynchus mykiss*), Coastal Tailed Frog (*Ascaphus truei*), Northern Red-legged Frog (*Rana aurora*), Foothill Yellow-legged Frog (*Rana boylei*), Southern Torrent Salamander (*Rhyacotriton variegatus*), amphibians, reptiles, aquatic invertebrates, mammals, birds, and other aquatic and riparian species.

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

Impacts to water quality:

increased water temperature;
 reduced instream flow;
 temporary increase in fine sediment transport;

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

loss or decline of riparian habitat;
 direct impacts on benthic organisms;

Impacts to natural flow and effects on habitat structure and process:
cumulative effect when other diversions on the same stream are considered;
diversion of flow from activity site;
direct and/or incidental take;
indirect impacts;
impediment of up- or down-stream migration;
water quality degradation; and
damage to aquatic habitat and function.

MEASURES TO PROTECT FISH AND WILDLIFE RESOURCES

1. Administrative Measures

The Permittee shall meet each administrative requirement described below.

- 1.1 **Documentation at Project Site.** The Permittee shall make the Agreement, any extensions and amendments to the Agreement, and all related notification materials and California Environmental Quality Act (CEQA) documents, readily available at the project site at all times and shall be presented to CDFW personnel, or personnel from another state, federal, or local agency upon request.
- 1.2 **Providing Agreement to Persons at Project Site.** The Permittee shall provide copies of the Agreement and any extensions and amendments to the Agreement to all persons who will be working on the project at the project site on behalf of the Permittee, including but not limited to contractors, subcontractors, inspectors, and monitors.
- 1.3 **Notification of Conflicting Provisions.** The Permittee shall notify CDFW if the Permittee determines or learns that a provision in the Agreement might conflict with a provision imposed on the project by another local, state, or federal agency. In that event, CDFW shall contact the Permittee to resolve any conflict.
- 1.4 **Project Site Entry.** The Permittee agrees to allow CDFW employees access to any property it owns and/or manages for the purpose of inspecting and/or monitoring the activities covered by this Agreement, provided CDFW: a) provides 24 hours advance notice; and b) allows the Permittee or representatives to participate in the inspection and/or monitoring. This condition does not apply to CDFW enforcement personnel.
- 1.5 **Adherence to Existing Authorizations.** All water diversion facilities that the Permittee owns, operates, or controls shall be operated and maintained in accordance with current law and applicable water rights.
- 1.6 **Other Agency Permitting Requirements.** The U.S. Army Corps of Engineers (Corps) has permitting requirements for certain instream projects under Section

404 of the Federal Clean Water Act. If this project features the placement of dredged or fill materials into the channels of streams (below the ordinary high water mark) that are waters of the United States, a permit may be required by the Corps. If your project needs a permit from the Corps, you will also need to obtain a Water Quality Certification pursuant to Section 401 of the Federal Clean Water Act from the Regional Water Quality Control Board (Regional Water Board). In addition, if your project will involve disturbance within or discharges of pollutants to Waters of the State of California, the Regional Water Boards may require a permit, whether or not the Corps requires a permit. If there is any question regarding the possibility of the project meeting the above limitations, the Permittee should contact the Corps and the Regional Water Board prior to beginning work. This Agreement in no way represents permitting requirements by the Corps or the Regional Water Board. It is the responsibility of the Permittee to contact the Corps, and to comply with the provisions of any Section 404 permit issued, if required by the Corps. Similarly, it is the responsibility of the Permittee to contact the Regional Water Board and to comply with the provisions of any Section 401 Certification, Regional Water Board Waste Discharge Requirements or waiver of Waste Discharge Requirements issued by the Regional Water Board.

- 1.7 Change of Conditions and Need to Cease Operations. If conditions arise, or change, in such a manner as to be considered deleterious by CDFW to the stream or wildlife, operations shall cease until corrective measures approved by CDFW are taken. This includes new information becoming available that indicates bypass flows, diversion rates or other measures provided in this Agreement are not providing adequate protection to keep aquatic life downstream in good condition or to avoid "take" or "incidental take" of federal or State listed species.
- 1.8 CDFW Notification of Work Initiation and Completion. The Permittee shall contact CDFW within the 7-day period preceding the beginning of work permitted by this Agreement. Information to be disclosed shall include Agreement number, and the anticipated start date. Subsequently, the Permittee shall notify CDFW no later than seven (7) days after the project is fully completed. **Notification of completion will include photographs of the completed work, erosion control measures, waste containment and disposal, and a summary of any CNDDDB submissions as required below.**
- 1.9 Notification to the California Natural Diversity Database. If any special status species are observed at any time during the project, a qualified Biologist shall submit California Natural Diversity Data Base (CNDDDB) forms to the CNDDDB within five (5) working days of the sightings. A summary of CNDDDB submissions shall be included with the completion notification. Forms and instructions for submissions to the CNDDDB may be found at:
<https://www.wildlife.ca.gov/Data/CNDDDB/Submitting-Data>.

2. Avoidance and Minimization Measures

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

- 2.1 **Permitted Project Activities.** Except where otherwise stipulated in this Agreement, all work shall be in accordance with Permittee Notification, together with all maps, Best Management Practices (BMPs), photographs, drawings, and other supporting documents submitted with the Notification and received on February 27, 2019 and revised on July 15, 2019.
- 2.2 **Listed Species.** This Agreement does not allow for the take, or incidental take of any state or federal listed threatened, endangered, or candidate species. No direct or indirect impacts shall occur to any threatened or endangered species as a result of implementing the project or the project's activities. If the project could result in the "take" of a state listed threatened or endangered species, the Permittee has the responsibility to obtain from CDFW, a California Endangered Species Act Permit (CESA section 2081).
- 2.3 **Nesting Birds.** Actively nesting birds and their nests shall not be disturbed by project activities.

Project Timing

- 2.4 **Work Period.** All work, not including diversion of water, shall be confined to the period **June 15 through October 15** of each year. Work within the active channel of a stream shall be restricted to periods of **dry weather and would require an Amendment**. Precipitation forecasts and potential increases in stream flow shall be considered when planning construction activities. Construction activities shall cease and all necessary erosion control measures shall be implemented prior to the onset of precipitation.
- 2.5 **Extension of the Work Period.** If weather conditions permit, and the Permittee wishes to extend the work period after October 15, a written request shall be made to CDFW **at least 10-working days before the proposed work period variance**. Written approval (letter or e-mail) for the proposed time extension must be received from CDFW prior to activities continuing past October 15.
- 2.6 **Work Completion.** The proposed work, including any work necessary to comply with the terms of this Agreement shall be completed by no later than **October 15, 2024**. Failure to complete work by this date may result in suspension or revocation of this Agreement. A notice of completed work, including photographs of each site, shall be submitted to CDFW within seven (7) days of project completion.

Vegetation Management

- 2.7 **Minimum Vegetation Removal.** No native riparian vegetation shall be removed from the bank of the stream, except where authorized by CDFW. Permittee shall

limit the disturbance or removal of native vegetation to the minimum necessary to achieve design guidelines and standards for the Authorized Activity. Permittee shall take precautions to avoid damage to vegetation outside the work area.

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

General Stream Protection Measures

- 2.9 **Fish and Aquatic Amphibians.** If possible, work shall be conducted when the affected stream channel is void of surface water. If surface water is present during construction, the Permittee shall: a) have a biologist or other qualified professional survey the site and adjacent area for fish, amphibians, and turtles three (3) days or less before commencing project activities and b) if fish, amphibians, or turtles are detected, CDFW will be contacted and work shall not commence until authorized by a CDFW representative.
- 2.10 **Stream Protection.** No debris, soil, silt, sand, bark, slash, sawdust, rubbish, cement or concrete washings, oil or petroleum products, or other material deleterious to fish, plant life, mammals or bird life shall be allowed to enter into or be placed where it may be washed by rainfall or runoff into the stream.
- 2.11 **No Dumping.** Permittee shall not deposit, permit to pass into, or place where it can pass into a stream, lake, or other Waters of the State any material deleterious to fish and wildlife, or abandon, dispose of, or throw away within 150 feet of a stream, lake, or other Waters of the State any cans, bottles, garbage, motor vehicle or parts thereof, rubbish, litter, refuse, waste, debris, or the viscera or carcass of any dead mammal, or the carcass of any dead bird.
- 2.12 **Maintain Aquatic Life.** When any dam or other artificial obstruction is being constructed, maintained, or placed in operation, Permittee shall allow sufficient water at all times to pass downstream to maintain aquatic life below the dam pursuant to FGC section 5937.
- 2.13 **Maintain Passing of Fish Up and Down Stream.** It is unlawful to construct or maintain in any stream any device or contrivance that prevents, impedes, or tends to prevent or impede, the passing of fish (*wild fish, mollusk, crustacean, invertebrate, amphibian, or part, spawn or ovum of any of those animals*) up and down stream pursuant to FGC section 5901
- 2.14 **Equipment Maintenance.** Refueling of machinery or heavy equipment, or adding or draining oil, lubricants, coolants or hydraulic fluids shall not take place within stream bed, channel and bank. All such fluids and containers shall be disposed of properly off-site. Heavy equipment used or stored within stream bed, channel and

bank shall use drip pans or other devices (e.g., absorbent blankets, sheet barriers or other materials) as needed to prevent soil and water contamination.

- 2.15 Hazardous Spills. Any material, which could be hazardous or toxic to aquatic life and enters a stream (i.e. a piece of equipment tipping-over in a stream and dumping oil, fuel or hydraulic fluid), the Permittee shall immediately notify the California Emergency Management Agency State Warning Center at 1-800-852-7550, and immediately initiate clean-up activities. CDFW shall be notified by the Permittee within 24 hours at 707-445-6493 and consulted regarding clean-up procedures.
- 2.16 Clean-up. Structures and associated materials not designed to withstand high seasonal flows shall be removed to areas above the ordinary high water mark before such flows occur or the end of the yearly work period, whichever comes first. All project materials and debris shall be removed from the project site and properly disposed of off-site upon project completion.
- 2.17 Erosion Control Measures
- 2.17.1 Seed and Mulch. Upon completion of construction operations and/or the onset of wet weather, Permittee shall stabilize exposed soil areas within the work area by applying mulch and seed. Permittee shall restore all exposed or disturbed areas and access points within the stream and riparian zone by applying local native and weed free erosion control grass seeds. Locally native wildflower and/or shrub seeds may also be included in the seed mix. Permittee shall mulch restored areas using at least two (2) to four (4) inches of weed-free clean straw or similar biodegradable mulch over the seeded area. Alternately, Permittee may cover seeding with jute netting, coconut fiber blanket, or similar non-synthetic monofilament netting erosion control blanket.
- 2.17.2 Erosion and Sediment Barriers. Permittee shall monitor and maintain all erosion and sediment barriers in good operating condition throughout the work period and the following rainy season, defined herein to mean October 15 through June 15. Maintenance includes, but is not limited to, removal of accumulated sediment, replacement of damaged sediment fencing, coir rolls/logs and/or straw bale dikes and ensuring drainage structures and altered streambeds and banks remain sufficiently armored and/or stable. If the sediment barrier fails to retain sediment, Permittee shall employ corrective measures, and notify CDFW immediately.
- 2.17.3 Cover Spoil Piles. Permittee shall have readily available erosion control materials such as watties, natural fiber mats, or plastic sheeting, to cover and contain exposed spoil piles and exposed areas in order to prevent sediment from moving into a stream or lake. Permittee shall apply and secure these materials prior to rain events to prevent loose soils from

entering a stream, lake, or other Waters of the State.

2.17.4 Prohibition on Use of Monofilament Netting. To minimize the risk of ensnaring and strangling wildlife, Permittee shall not use any erosion control materials that contain synthetic (e.g., plastic or nylon) monofilament netting, including photo- or biodegradable plastic netting. Geotextiles, fiber rolls, and other erosion control measures shall be made of loose-weave mesh, such as jute, hemp, coconut (coir) fiber, or other products without welded weaves.

2.18 Site Management Plan. Permittee shall submit to CDFW the initial preparation and subsequent updates to the project's Site Management Plan that is prepared in conformance with the State Water Board's Cannabis Cultivation Policy and Guidelines.

Water Diversion

2.19 Maximum Diversion Rate. The maximum instantaneous diversion rate from the water intake shall not exceed **eight (8) gallons per minute (gpm)** at any time.

2.20 Bypass Flow. The Permittee shall pass **90% of the flow** at all times to keep all aquatic species including fish and other aquatic life in good condition below the POD.

2.21 Seasonal Diversion Minimization. No more than **225 gallons** in any one day shall be diverted (intend for household domestic use for three residents) during the low flow season from **May 15 to October 31** of each year. Water shall be diverted only if the Permittee can adhere to the maximum diversion rate and bypass flow conditions of this Agreement.

2.22 Measurement of Diverted Flow. Permittee shall install and maintain an adequate measuring device for measuring the instantaneous and cumulative rate of diversion. This measurement shall begin as soon as this Agreement is signed by the Permittee. The device shall be installed within the flow of diverted water. The Permittee shall maintain records of diversion, and provide information including, but not limited to the following:

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

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

2.22.3 Permittee shall make available for review at the request of CDFW the diversion records required by the State Water Resources Control Board (Board) in Attachment A to the Board's Cannabis Cultivation Policy

(October 17, 2017), No. 84, pages 40-41 (see Cal. Code Regs., tit. 23, § 2925).

Water Diversion Infrastructure

- 2.23 Intake Structure.** No polluting materials (e.g., particle board, plastic sheeting, bentonite) shall be used to construct or screen, or cover the diversion intake structure.
- 2.24 Intake Structure Placement.** Infrastructure installed in the streambed shall not exceed 10% of the active channel width and shall not be located in the deepest portion of the channel. The depth of the intake shall be no greater than one foot (12 inches) below the streambed.
- 2.25 Intake Screening.** The Permittee shall regularly inspect, clean, and maintain screens in good condition.
- 2.25.1** The water intake screens shall be securely attached (e.g., threaded or clamped) to the intake line and have a minimum wetted area of 0.25 square feet.
- 2.25.2** The intakes screen shall be designed so that approach velocity is no more than 0.1 foot per second (fps). Approach velocity is the velocity of the water perpendicular to the screen face measured three (3) inches in front of the screen surface.
- 2.25.3** A water intake screen with round openings shall not exceed 3/32-inch diameter; a screen with square openings shall not exceed 3/32-inch measured diagonally; and a screen with slotted openings shall not exceed 0.069 inches in width. Slots must be evenly distributed on the screen area.
- 2.25.4** The water intake screen may be constructed of any rigid material, perforated, woven, or slotted and should have a minimum of 27% open area. Stainless steel or other corrosion-resistant material is recommended to reduce clogging due to corrosion. Care should be taken not to use materials deemed deleterious to aquatic species.
- 2.25.5** The screen shall be designed to distribute the flow uniformly over the entire screen area.
- 2.25.6** The water intake screen shall be placed in fast moving water with the long axis of the screen parallel to the streamflow. The water intake shall not be placed in pool habitat.

- 2.26 Intake Shall Not Impede Aquatic Species Passage.** The water diversion structures shall be designed, constructed, and maintained such that they do not constitute a barrier to upstream or downstream movement of aquatic life.
- 2.27 Intake Maintenance.** Intakes shall be kept in good repair. Intakes shall be inspected periodically and kept clean and free of accumulated algae, leaves or other debris, which could block portions of the screen surface and increase approach velocities at any point on the screen. No part of screen surfaces shall be obstructed.
- 2.28 Exclusionary Devices.** Where applicable, Permittee shall keep the diversion structures covered at all times to prevent the entrance and entrapment of amphibians and other wildlife.
- 2.29 Diversion Intake Removal.** Permittee shall plug, cap, block (e.g., with a shut-off valve), or remove all intakes at the end of each diversion season or when the intake is not being used for more than a week.
- 2.30 Heavy Equipment Use.** No heavy equipment shall be used in the excavation or replacement of the existing water diversion structure. The Permittee shall use hand tools or other low impact methods of removal/replacement. All project materials and debris shall be removed from the project site and properly disposed of off-site upon project completion.
- 2.31 Diversion Infrastructure Plan (DIP).** The Permittee shall submit a DIP for CDFW review and approval prior to diverting water. The DIP shall include a narrative describing the different elements of the water diversion infrastructure, supporting photographs and/or diagrams, and justification of how compliance with the **Water Diversion Infrastructure** conditions will be achieved under this Agreement.

Diversion to Storage

- 2.32 Water Storage.** All water storage facilities (WSFs) (e.g., reservoirs, storage tanks, mix tanks, and bladders tanks) must be located outside the active 100-year floodplain and outside the top of bank of a stream. Covers/lids shall be securely affixed to water tanks at all times to prevent potential entry by wildlife. Permittee shall cease all water diversion at the POD when WSFs are filled to capacity.
- 2.33 Water Storage Maintenance.** WSFs shall have a float valve to shut off the diversion when tanks are full to prevent overflow. Water shall not leak, overflow, or overtop WSFs at any time. Permittee shall regularly inspect all WSFs and infrastructure used to divert water to storage and use and repair any leaks.
- 2.34 Water Conservation.** The Permittee shall make best efforts to minimize water use, and to follow best practices for water conservation and management.

- 2.35 Limitations on Impoundment and Use of Diverted Water. The Permittee shall impound and use water in accordance with a valid water right, including any limitations on when water may be impounded and used, the purpose for which it may be impounded and used, and the location(s) where water may be impounded and used.
- 2.36 State Water Code. This Agreement does not constitute a valid water right. The Permittee shall comply with State Water Code sections 5100 and 1200 *et seq.* as appropriate for the water diversion and water storage. The application for this registration is found at:
http://www.swrcb.ca.gov/waterrights/publications_forms/forms/docs/sdu_registration.pdf.

Stream Crossings

- 2.37 Road Approaches. The Permittee shall treat road approaches to new or re-constructed permanent crossings to minimize erosion and sediment delivery to the watercourse. Permittee shall ensure road approaches are hydrologically disconnected to the maximum extent feasible to prevent sediment from entering the crossing site, including when a Stream Crossing is being constructed or reconstructed. Road approaches shall be armored from the crossing for a minimum of *50 feet in both directions*, or to the nearest effective water bar or point where road drainage does not drain to the crossing, with durable, clean, screened, angular rock.
- 2.38 Excavated Fill. Excavated fill material shall be placed in upland locations where it cannot deliver to a watercourse. To minimize the potential for material to enter the watercourse during the winter period, all excavated and relocated fill material shall be tractor contoured (to drain water) and tractor compacted to effectively incorporate and stabilize loose material into existing road and/or landing features.
- 2.39 Runoff from Steep Areas. The Permittee shall make preparations so that runoff from steep, erodible surfaces will be diverted into stable areas with little erosion potential or contained behind erosion control structures. Erosion control structures such as straw bales and/or siltation control fencing shall be placed and maintained until the threat of erosion ceases. Frequent water checks shall be placed on dirt roads, cat tracks, or other work trails to control erosion.
- 2.40 Crossing Maintenance. The Permittee shall provide site maintenance for the life of the structures, including, but not limited to, re-applying erosion control to minimize surface erosion and ensuring drainage structures, streambeds and banks remain sufficiently armored and/or stable.
- 2.40.1 The placement of armoring shall be confined to the work period when the stream is dry or at its lowest flow.

2.40.2 No heavy equipment shall enter the wetted stream channel.

2.40.3 No fill material, other than clean rock, shall be placed in the stream channel.

2.40.4 Rock shall be sized to withstand washout from high stream flows, and extend above the ordinary high water level.

2.40.5 Rock armoring shall not constrict the natural stream channel width and shall be keyed into a footing trench with a depth sufficient to prevent instability.

2.41 Culvert Stream Crossings.

2.41.1 Permanent culverts shall be sized to accommodate the estimated 100-year flood flow [i.e. ≥ 1.0 times the width of the bankfull channel width or the 100-year flood size, whichever is greater], including debris, culvert embedding, and sediment loads.

2.41.1 Where diversion potential exists, a critical dip shall be installed to direct flood flow over the crossing fill and back into the channel. Critical dips shall be constructed to accommodate the entire estimated 100-year flood flow and may be installed by lowering the existing fill over the crossing or by constructing a deep, broad rolling dip over the crossing surface to prevent flood flow from diverting down the road.

2.41.2 If the project is located in a high to very high Fire Hazard Severity Zone as designated by CAL FIRE, CDFW recommends culvert materials consist of corrugated metal pipe (CMP). Use of High Density Polyethylene (HDPE) pipe is discouraged.

http://www.fire.ca.gov/fire_prevention/fire_prevention_wildland_zones_maps

2.41.3 Existing fill material in the crossing shall be excavated down vertically to the approximate original channel and outwards horizontally to the approximate crossing hinge points (transition between naturally occurring soil and remnant temporary crossing fill material) to remove any potential unstable debris and voids in the older fill prism.

2.41.4 Culvert shall be installed to grade (not perched or suspended), aligned with the natural stream channel, and extend lengthwise completely beyond the toe of fill. If culvert cannot be set to grade, it shall be oriented in the lower third of the fill face, and a downspout or energy dissipator (such as boulders, rip-rap, or rocks) shall be installed above or below the outfall as needed to effectively control stream bed, channel, or bank erosion (scouring, headcutting, or downcutting). The Permittee shall ensure basins are not constructed and channels are not be widened at culvert inlets.

2.41.5 Culvert bed shall be composed of either compacted rock-free soil or

crushed gravel. Bedding beneath the culvert shall provide for even distribution of the load over the length of the pipe, and allow for natural settling and compaction to help the pipe settle into a straight profile. The crossing backfill materials shall be free of rocks, limbs, or other debris that could allow water to seep around the pipe, and shall be compacted.

2.41.6 Culvert inlet, outlet (including the outfall area), and fill faces shall be armored where stream flow, road runoff, or rainfall energy is likely to erode fill material and the outfall area.

3. Reporting Measures

Permittee shall meet each reporting requirement described below.

- 3.1 **CDFW Notification of Work Initiation.** The Permittee shall contact CDFW within the seven-day period preceding the beginning of work permitted by this Agreement. Information to be disclosed shall include Agreement number, and the anticipated start date.
- 3.2 **Work Completion.** The proposed work shall be completed by no later than **October 15, 2024**. Failure to complete work by this date may result in suspension or revocation of this Agreement. **Notification of completion will include photographs of the completed work, erosion control measures, waste containment and disposal, and a summary of any CNDDDB submissions** and shall be submitted to CDFW, LSA program at 619 Second Street, Eureka, CA 95501 **within seven (7) days** of project completion.
- 3.3 **Measurement of Diverted Flow.** Copies of the **Water Diversion Records** shall be submitted to CDFW, LSA Program at 619 Second Street, Eureka, CA 95501 no later than **December 31** of each year beginning in **2019**.
- 3.4 **Diversion Infrastructure Plan.** The Permittee shall submit **Diversion Infrastructure Plan** within **60 days** from the effective date of this Agreement. Permittee shall **allow 60 days for CDFW review and approval** after submittal of a Diversion Infrastructure Plan. The plan shall describe any work proposed to comply with the terms of this Agreement. This document shall be submitted to CDFW at the 619 Second Street, Eureka, CA 95501.
- 3.5 **Site Management Plan.** The Permittee shall submit to CDFW the project's **Site Management Plan** within **60 days** from the effective date of this Agreement. Permittee shall submit subsequent revisions and updates to the Site Management Plan that is prepared in conformance with the State Water Board's Cannabis Cultivation Policy and Guidelines.

CONTACT INFORMATION

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

To Permittee:

Tina Colafranceschi
PO Box 201
Whitethorn, California 95589
707-849-4967

~~tzpkbunny@protonmail.com~~ Bella5hl.LLC@gmail.com

To CDFW:

Department of Fish and Wildlife
Northern Region
619 Second Street
Eureka, California 95501
Attn: Lake and Streambed Alteration Program
Notification #EPIMS-04237-R1

LIABILITY

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

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

SUSPENSION AND REVOCATION

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

Before CDFW suspends or revokes the Agreement, it shall provide the Permittee written notice by certified or registered mail that it intends to suspend or revoke. The notice shall state the reason(s) for the proposed suspension or revocation, provide the

Permittee an opportunity to correct any deficiency before CDFW suspends or revokes the Agreement, and include instructions to the Permittee, if necessary, including but not limited to a directive to immediately cease the specific activity or activities that caused CDFW to issue the notice.

ENFORCEMENT

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

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

OTHER LEGAL OBLIGATIONS

This Agreement does not relieve Permittee or any person acting on behalf of Permittee, including its officers, employees, representatives, agents, or contractors and subcontractors, from complying with, or obtaining any other permits or authorizations that might be required under, other federal, state, or local laws or regulations before beginning the project or an activity related to it. For example, if the project causes take of a species listed as threatened or endangered under the Endangered Species Act (ESA), such take will be unlawful under the ESA absent a permit or other form of authorization from the U.S. Fish and Wildlife Service or National Marine Fisheries Service.

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

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

AMENDMENT

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

The Permittee may amend the Agreement at any time during its term, provided the amendment is mutually agreed to in writing by CDFW and the Permittee. To request an

amendment, the Permittee shall submit to CDFW a completed CDFW "Request to Amend Lake or Streambed Alteration" form and include with the completed form payment of the corresponding amendment fee identified in CDFW's current fee schedule (see Cal. Code Regs., tit. 14, § 699.5).

TRANSFER AND ASSIGNMENT

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

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

EXTENSIONS

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

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

EFFECTIVE DATE

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

TERM

This Agreement shall **expire five (5) years** from date of execution, unless it is terminated or extended before then. All provisions in the Agreement shall remain in force throughout its term. The Permittee shall remain responsible for implementing any

provisions specified herein to protect fish and wildlife resources after the Agreement expires or is terminated, as FGC section 1605, subdivision (a)(2) requires.

AUTHORITY

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

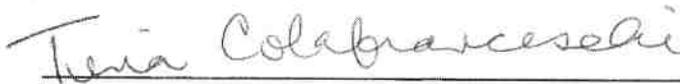
AUTHORIZATION

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

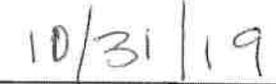
CONCURRENCE

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

FOR TINA COLAFRANCESCHI



Tina Colafranceschi



Date

FOR DEPARTMENT OF FISH AND WILDLIFE



Cheri Sanville
Senior Environmental Scientist Supervisor



Date

Site Management Plan

Form is from publicly available materials provided by
Eastern California Regional Water Board (Lahontan)



County:	Humboldt	Tier:	1
Operation Name:	Bellahl, LLC	Risk:	Low
Site Name:		Disturbed Area (ft²):	20000
Site Address:	6020 bellsprings rd	Cultivation Area (ft²):	26964
APN(s):	220-291-023	Cumulative Disturbed Area (ft²)*:	n/a
Application ID #:	1_12CC405917	Cumulative Cultivation Area (ft²)*:	n/a

**For sites with multiple enrollments on the same property, report the combined disturbed area and cultivation area of all cannabis cultivation on the property. If this does not apply, leave this section blank.*

This plan describes how the cultivator is implementing the best practical treatment or control (BPTC) measures listed in Attachment A of the Cannabis General Order. Refer to Attachment D of the General Order for further technical report guidance. If the sections below do not provide sufficient space, you may attach additional pages.

Email the completed and saved electronic form along with maps and photos to Lahontan.Cannabis@waterboards.ca.gov

1. Sediment Discharge BPTC Measures

A. Site Characteristics

i. Site Map
<p>Attach a map of the site. The map should contain the following features with labels:</p> <ul style="list-style-type: none"> • Access roads • Vehicle parking areas • Streams • Stream crossings • Cultivation site(s) • Disturbed areas • Buildings • Other site features that are referenced in this plan. (e.g. BPTC measures, pesticide/ fertilizer storage, trash/ refuse storage, etc.) <p>The map should also include:</p> <ul style="list-style-type: none"> • A legend • A north arrow • A scale bar • Topographic lines
ii. Access Road Conditions
<p>a. What is the road surface type(s)? Check all that apply.</p> <p><input type="checkbox"/> Asphalt <input checked="" type="checkbox"/> Gravel <input type="checkbox"/> Dirt <input type="checkbox"/> Concrete <input type="checkbox"/> Other (describe): _____</p>

b. Is there evidence of erosion, such as gullies or rills? If yes, describe current conditions and how they will be remediated in the space below.

Yes No

No evidence of erosion. Roads were maintained and rocked with new surface gravel in October of 2019.

c. Does any portion of the access road(s) act as a conveyance for water? If yes, describe in the space below.

Yes No

No. Surface is outsloped for a majority of the access roadway length. There are also dips to shed water at the bottom of inclines.

d. What is the estimated vehicle traffic on these roads?

Commuter vehicles: 1 per Day

Commercial vehicles: _____ per Day

Heavy equipment: _____ per Day

Other _____: _____ per Day

e. How is storm water drained from the roads? Check all that apply. Refer to *The Handbook for Forest Ranch and Rural Roads* for information on the methods listed below. (Available at <http://www.pacificwatershed.com/PWA-publications-library>.)

Crowned Out slope Armored ditch Culverts Rolling dips Other (describe below)

f. Describe the number, spacing, and discharge location of water drainage features.

Roadway is designed to shed surface water by outsloping the surface. There are also dips located at the base of inclines to shed water.

g. Select the erosion control and sediment capture measures used on the access roads and water drainage features. Check all that apply.

Erosion Control Measures

- Erosion control blankets Geotextiles Straw mulch Hydromulch Wood mulch
 Vegetation Preservation Vegetation Planting Hydroseeding Vegetated channels
 Check dams Other: _____

Sediment Capture Measures

- Fiber Rolls Silt fences Other: vegetative buffers and unaltered forest understory

Describe the selected measures in the space below:

Cultivation areas covered in straw mulch for winterization. Perimeters of cultivation areas are undisturbed and have well established, naturally occurring vegetative buffers.

h. What activities are done to maintain the roads? What activities are done to maintain erosion control measures? What is the maintenance schedule?

Road has been maintained and resurfaced as of October of 2019. Roadway and points of drainage will be inspected prior to wet season, after large storm events, and at the end of the wet season.

iii. Streams

a. Do you have any streams, drainages, or channels on or adjacent to your property?

Yes No

b. If applicable, provide the name(s) of the stream(s). If the stream, drainage, or channel doesn't have a name, write "Unnamed Stream":

Blue Slide Creek crosses the north eastern corner of the parcel. There are no crossings on the parcel.

c. If there is a stream, what is the distance between the edge of the stream bank and the edge of the disturbed area at the closest point? How did you take this measurement?

308 feet Measurement method: Aerial imagery. Distance from Creek to closest cultivation.

d. Do you have any stream crossings?

Yes No

e. If yes, what types of crossings are they? If there are multiple crossings, check all that apply.

Bridge Culvert Low water Other, Describe: _____

f. If yes, was the crossing designed by a Qualified Professional (e.g. licensed engineer)?

Yes No

g. Provide a description of all stream crossings, including who designed them, number of crossings, material, size, frequency of use, and any other relevant details. Indicate the location of stream crossings on your site map. Attach photos of all stream crossings and cross-sectional areas of all engineered flow conveyances (e.g. culverts and ditches) used at crossings.

There are no stream crossings on the parcel. The culvert labeled on the map that conveys under Blue Slide Creek Road conveys pooled sheet flow that collects near the residence. This culvert is a 24" diameter corrugated plastic pipe.

B. Sediment Erosion Prevention and Sediment Capture

If you are classified as Moderate Risk Tier 1 or Moderate Risk Tier 2 and are submitting a Site Erosion and Sediment Control Plan that includes the following information, you may skip this section.

<p>i. Erosion Prevention BPTC Measures</p> <p><i>On your site map, indicate the location of erosion prevention BPTC measures described below. Describe erosion prevention BPTC measures around all disturbed areas and features. Include BPTC measures implemented to address erosion resulting from storm water runoff from impervious surfaces, including but not limited to parking lots and roofs of greenhouses, warehouses, or storage facilities. Attach photos documenting implemented measures and locations for planned implementation.</i></p>
<p>a. How is storm water drained from buildings, greenhouses, and other structures? How are storm water conveyance systems monitored and maintained to protect water quality?</p> <p>Any stormwater that pools near the residence is conveyed via corrugated plastic culvert to the crossing indicated on the Site Plan Map. This culvert disperses stormwater into a well established vegetated outfall. This allows for percolation back into the ground, velocity dispersion and sediment entrainment by the vegetation.</p>
<p>b. What physical BPTC measures have been implemented to prevent or limit erosion? Check all that apply.</p> <p><input checked="" type="checkbox"/> Straw mulch <input type="checkbox"/> Wood mulch <input type="checkbox"/> Hydromulch <input checked="" type="checkbox"/> Plastic covers <input type="checkbox"/> Slope stabilization <input type="checkbox"/> Soil binders <input type="checkbox"/> Erosion control blankets <input type="checkbox"/> Geotextiles <input type="checkbox"/> Culvert outfall armoring <input type="checkbox"/> Other:</p> <p>Describe the physical BPTC measures checked above, including when they are used and where they are placed. Straw mulch is layed in the cultivation areas at the end of every season. Mixed light cultivation areas are kept covered with plastic covers.</p>
<p>c. What biological BPTC measures have been implemented to prevent or limit erosion? (e.g. vegetation preservation/ replacement, hydro seeding, etc.)? Check all that apply.</p> <p><input checked="" type="checkbox"/> Vegetation preservation <input type="checkbox"/> Vegetation planting <input type="checkbox"/> Hydroseeding <input type="checkbox"/> Other:</p>

Describe the biological BPTC measures checked above, including when they are used and where they are employed.

All perimeters of cultivation areas and access road have been undisturbed and have well established, abundant vegetative buffers.

d. What physical and biological BPTC measures do you plan to implement to prevent or limit erosion? Check all that apply.

Physical BPTC measures:

- Straw mulch Wood mulch Plastic covers Slope stabilization Soil binders
 Culvert outfall armoring Other:

Biological BPTC measures:

- Vegetation preservation Native vegetation planting Hydroseeding Other:

Describe the planned BPTC measures and provide an implementation schedule below.

Mulch is applied at the end of the season, usually in late October. Covers are installed year round at mixed light cultivation areas. Vegetated buffers are left undisturbed at cultivation area perimeters.

ii. Sediment Control BPTC Measures

On your site map, indicate the location of sediment control BPTC measures described below. Describe sediment control BPTC measures around all disturbed areas and features. Attach photos documenting implemented measures and locations for planned implementation.

a. What physical BPTC measures have been implemented to capture sediment that has been eroded? Check all that apply.

- Silt fences Fiber rolls Settling ponds/ areas Other:

Describe the physical BPTC measures checked above, including when they are used and where they are placed. Vegetated buffer perimeter is left undisturbed.

b. What biological BPTC measures have been implemented to capture sediment that has been eroded? Check all that apply.

- Vegetated outfalls Hydro seeding Other:

Describe the biological BPTC measures checked above, including when they are used and where they are employed. All perimeters have a well established vegetative buffer.

c. What physical and biological BPTC measures do you plan to implement to prevent or limit erosion? Check all that apply.

Physical BPTC measures:

- Silt fences Fiber rolls Settling ponds/ areas Other: rocked roads and landings, straw mulch

Biological BPTC measures:

- Vegetated outfalls Hydro seeding Other:

Describe the planned BPTC measures and provide an implementation schedule below.

iii. Maintenance Activities- Erosion Prevention and Sediment Control

a. How will erosion prevention BPTC measures, sediment control BPTC measures, and stormwater conveyance systems be monitored and maintained to protect water quality? Describe all required maintenance tasks and a schedule for implementation.

Any ditches and culverts will be checked and kept in working order during rain seasons on a monthly and sometimes weekly basis or as needed schedule. Gravel will be added if necessary to roads.

b. How will captured sediment be handled? Check all that apply.

- Stabilized in place. Excavated and stabilized on site. Removed from the site.

Describe the procedure for handling captured sediment below:

If any captured sediment is gathered will be used to top dress on raised beds.

B. Product Storage Location

i. Do you use secondary containment for the storage of fertilizers, pesticides, herbicides, and rodenticides?

Yes No

ii. Where are products stored on site? Indicate the storage location on your site map.

Most products are used as they are brought to the site. Any remaining products are stored in waterproof bins under a tarp or in the temporary processing structure.

C. Bulk Fertilizers and Chemical Concentrates

i. How are bulk fertilizers and chemical concentrates stored, mixed, and applied?

Most products are used immediately. Smaller tanks are used for mixing nutrients. Any leftover nutrients are stored in waterproof bins and kept under cover.

ii. How are empty containers disposed of?

Taken to recycling center on weekly basis or as needed.

D. Spill Prevention and Cleanup Plan

i. What procedures are in place to prevent spills of fertilizers, pesticides, herbicides, and rodenticides?

There are clean up pads and cat litter on site as needed for any spills.

ii. What procedures are in place to clean up spills if they occur?

There is cat litter, contractor bags and garbage cans with lids and on site. Any spills will be covered with absorbent cat litter and then removed by shovel into bags in refuse cans then taken to Eureka hazardous materials site.

3. Petroleum Product BPTC Measures

A. Product List	
<i>In the sections below, list all products used and describe how they are delivered to the site, how they are stored, and how they are used at the site. Also describe how products will be removed from the site or stored to prevent discharge if they are not consumed before the winter season.</i>	
<i>Product Name</i>	<i>Product Description</i>
Gas	In industry standard containers. Stored in tool shed.
B. Product Storage Location	
i. Do you use secondary containment for the storage of petroleum products?	
<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	

ii. Where are products stored on site? Indicate the storage location on your site map.

Fuel is stored in standard gas cans which are kept in waterproof bins inside of waterproof tool shed.

C. Product Use

i. How are fuels, lubricants, and other petroleum products stored, mixed, and applied?

Stored in tool shed. Used for running backup

ii. How are empty containers disposed of?

Cocontainers are reused until they fail, then taken to Eureka Recology site.

D. Spill Prevention and Cleanup Plan

i. What procedures are in place to prevent spills of petroleum products?

Petroleum products are stored in safe location with absorbent materials onsite.

ii. What procedures are in place to clean up spills if they occur?

Cat litter and contractor bags with cans remove any spillage into and taken to hazardous waste in Eureka Recology Site.

4. Trash/ Refuse, and Domestic Wastewater BPTC Measures

A. Type of Trash/ Refuse

i. What types of trash/ refuse will be generated at the site? Include a description of all solid waste materials (e.g. spent hydroponic growing media, organic materials, plastic, paper, glass, clay, etc.)

Domestic and cultivation related refuse is generated at the site. All cardboard will be recycled as possible. Growth medium used for starts will be used in raised beds.

ii. How will trash/ refuse be contained and properly disposed of?

Recycling and refuse is stored in waterproof containers and self hauled weekly or as needed.

iii. Where will trash/ refuse be stored? Indicate the location of trash/ refuse storage on your site map.

Located near residence.

B. Personal Waste

i. How many employees, visitors, and residents will you have at the site?

Employees: 0

Residents: 1

Visitors: 1 per Week

ii. What types of domestic wastewater will be generated at the site? Check all that apply.

Household generated wastewater Chemical toilet waste Other:

iii. How will domestic wastewater be disposed? Check all that apply.

Sewer

Permitted onsite wastewater treatment system (e.g. septic tank and leach lines) Provide a schematic and a copy of your permit for the system.

Chemical toilets or holding tank. If so, provide the name of the servicing company and frequency of service:

Outhouse, pit privy, or similar. (Use of this alternative requires approval from the Regional Board Executive Officer. Attach the approval from the Executive Officer and any conditions imposed if using this alternative. Indicate the location of any domestic wastewater treatment, storage, or disposal areas on your site map, as well as the locations of all water wells (e.g. drinking water, irrigation water, commercial water, etc.) inside or within 0.5 mile of the site boundary.)

5. Winterization BPTC Measures

A. Winterization Activities Performed

What activities will be performed to winterize the site and prevent discharges of waste?

Raised beds will be seeded with a cover crop. Cultivation areas will be surrounded by straw wattles.

B. Maintenance of Drainage and Sediment Capture Features

What maintenance activities will be performed to remove debris and soil blockages from drainage and sediment capture features (e.g. drainage culverts, drainage trenches, settling ponds, etc.) and ensure adequate capacity exists? Include a description of how all solid waste materials are managed.

Any organic material including branches, leaves will be removed from culverts and ditches. Generally allowed to compost naturally on ground and dispersed to hillside below roads so they don't relog any ditches or culverts. During tree downing events, wood will be cut into smaller peices to be removed.

C. Revegetation Activities

What revegetation activities will occur at the beginning or end of the precipitation season?

Cover crops broadcast at any disturbed areas.

D. Compliance Schedule

If any Winterization BPTC measure cannot be completed before the onset of winter period, contact the Regional Water Board to establish a compliance schedule.

Provide a timeline for implementation of these measures:

Winterization will be completed by the onset of the winter period.

6. Cannabis Cultivation Details

A. Growing Methods
i. Where is cannabis grown? <input checked="" type="checkbox"/> Fully outdoor <input type="checkbox"/> Hoophouse <input checked="" type="checkbox"/> Greenhouse with permeable floors <input type="checkbox"/> Other (please describe):
ii. What type of container is cannabis grown in? Check all that apply. <input type="checkbox"/> In ground <input checked="" type="checkbox"/> Raised beds <input checked="" type="checkbox"/> Pots/ grow bags/ trays on the ground <input type="checkbox"/> Pots/ grow bags/ trays elevated off the ground <input type="checkbox"/> Other (describe): _____
iii. If cannabis is grown in containers elevated off the ground, is irrigation tailwater collected? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> A portion of it is collected <input type="checkbox"/> N/A If yes, describe what you do with the captured irrigation tailwater:
B. Irrigation Water Treatment
i. Is irrigation water filtered prior to use? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If irrigation water is filtered, answer the questions below:
ii. What type of filtration is used (i.e. reverse osmosis, ion exchange, etc.)? sediment filter only
iii. What is the maximum volume of water filtered per day? 200 gallons
iv. How are filter residuals (i.e. brines, etc.) disposed of? Filter canister removed and taken to recycling depot
v. What is the volume of residual produced? unknown gallons per Month

7. Certification

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

I have read and accept the above terms.

Operator/Responsible Party TINA COLAFRANCESCHI Date Prepared 10/20/2019

Site Management Plan

Form is from publicly available materials provided by
Eastern California Regional Water Board (Lahontan)

County:	Humboldt	Tier:	1
Operation Name:	Bellahl, LLC	Risk:	Low
Site Name:		Disturbed Area (ft ²):	20000
Site Address:	6020 bellsprings rd	Cultivation Area (ft ²):	26964
APN(s):	220-291-023	Cumulative Disturbed Area (ft ²)*:	n/a
Application ID #:	1_12CC405917	Cumulative Cultivation Area (ft ²)*:	n/a

**For sites with multiple enrollments on the same property, report the combined disturbed area and cultivation area of all cannabis cultivation on the property. If this does not apply, leave this section blank.*

This plan describes how the cultivator is implementing the best practical treatment or control (BPTC) measures listed in Attachment A of the Cannabis General Order. Refer to Attachment D of the General Order for further technical report guidance. If the sections below do not provide sufficient space, you may attach additional pages.

Email the completed and saved electronic form along with maps and photos to
Lahontan.Cannabis@waterboards.ca.gov

1. Sediment Discharge BPTC Measures

A. Site Characteristics

i. Site Map
<p>Attach a map of the site. The map should contain the following features with labels:</p> <ul style="list-style-type: none"> • Access roads • Vehicle parking areas • Streams • Stream crossings • Cultivation site(s) • Disturbed areas • Buildings • Other site features that are referenced in this plan. (e.g. BPTC measures, pesticide/ fertilizer storage, trash/ refuse storage, etc.) <p>The map should also include:</p> <ul style="list-style-type: none"> • A legend • A north arrow • A scale bar • Topographic lines
ii. Access Road Conditions
<p>a. What is the road surface type(s)? Check all that apply.</p> <p><input type="checkbox"/> Asphalt <input checked="" type="checkbox"/> Gravel <input type="checkbox"/> Dirt <input type="checkbox"/> Concrete <input type="checkbox"/> Other (describe): _____</p>

b. Is there evidence of erosion, such as gullies or rills? If yes, describe current conditions and how they will be remediated in the space below.

Yes No

No evidence of erosion. Roads were maintained and rocked with new surface gravel in October of 2019.

c. Does any portion of the access road(s) act as a conveyance for water? If yes, describe in the space below.

Yes No

No. Surface is outsloped for a majority of the access roadway length. There are also dips to shed water at the bottom of inclines.

d. What is the estimated vehicle traffic on these roads?

Commuter vehicles: 1 per Day

Commercial vehicles: _____ per Day

Heavy equipment: _____ per Day

Other _____: _____ per Day

e. How is storm water drained from the roads? Check all that apply. Refer to *The Handbook for Forest Ranch and Rural Roads* for information on the methods listed below. (Available at <http://www.pacificwatershed.com/PWA-publications-library>.)

Crowned Out slope Armored ditch Culverts Rolling dips Other (describe below)

f. Describe the number, spacing, and discharge location of water drainage features.

Roadway is designed to shed surface water by outsloping the surface. There are also dips located at the base of inclines to shed water.

g. Select the erosion control and sediment capture measures used on the access roads and water drainage features. Check all that apply.

Erosion Control Measures

- Erosion control blankets Geotextiles Straw mulch Hydromulch Wood mulch
 Vegetation Preservation Vegetation Planting Hydroseeding Vegetated channels
 Check dams Other: _____

Sediment Capture Measures

- Fiber Rolls Silt fences Other: vegetative buffers and unaltered forest understory

Describe the selected measures in the space below:

Cultivation areas covered in straw mulch for winterization. Perimeters of cultivation areas are undisturbed and have well established, naturally occurring vegetative buffers.

h. What activities are done to maintain the roads? What activities are done to maintain erosion control measures? What is the maintenance schedule?

Road has been maintained and resurfaced as of October of 2019. Roadway and points of drainage will be inspected prior to wet season, after large storm events, and at the end of the wet season.

iii. Streams

a. Do you have any streams, drainages, or channels on or adjacent to your property?

Yes No

b. If applicable, provide the name(s) of the stream(s). If the stream, drainage, or channel doesn't have a name, write "Unnamed Stream":

Blue Slide Creek crosses the north eastern corner of the parcel. There are no crossings on the parcel.

c. If there is a stream, what is the distance between the edge of the stream bank and the edge of the disturbed area at the closest point? How did you take this measurement?

308 feet Measurement method: Aerial imagery. Distance from Creek to closest cultivation.

d. Do you have any stream crossings?

Yes No

e. If yes, what types of crossings are they? If there are multiple crossings, check all that apply.

Bridge Culvert Low water Other, Describe: _____

f. If yes, was the crossing designed by a Qualified Professional (e.g. licensed engineer)?

Yes No

g. Provide a description of all stream crossings, including who designed them, number of crossings, material, size, frequency of use, and any other relevant details. Indicate the location of stream crossings on your site map. Attach photos of all stream crossings and cross-sectional areas of all engineered flow conveyances (e.g. culverts and ditches) used at crossings.

There are no stream crossings on the parcel. The culvert labeled on the map that conveys under Blue Slide Creek Road conveys pooled sheet flow that collects near the residence. This culvert is a 24" diameter corrugated plastic pipe.

B. Sediment Erosion Prevention and Sediment Capture

If you are classified as Moderate Risk Tier 1 or Moderate Risk Tier 2 and are submitting a Site Erosion and Sediment Control Plan that includes the following information, you may skip this section.

<p>i. Erosion Prevention BPTC Measures</p> <p><i>On your site map, indicate the location of erosion prevention BPTC measures described below. Describe erosion prevention BPTC measures around all disturbed areas and features. Include BPTC measures implemented to address erosion resulting from storm water runoff from impervious surfaces, including but not limited to parking lots and roofs of greenhouses, warehouses, or storage facilities. Attach photos documenting implemented measures and locations for planned implementation.</i></p>
<p>a. How is storm water drained from buildings, greenhouses, and other structures? How are storm water conveyance systems monitored and maintained to protect water quality?</p> <p>Any stormwater that pools near the residence is conveyed via corrugated plastic culvert to the crossing indicated on the Site Plan Map. This culvert disperses stormwater into a well established vegetated outfall. This allows for percolation back into the ground, velocity dispersion and sediment entrainment by the vegetation.</p>
<p>b. What physical BPTC measures have been implemented to prevent or limit erosion? Check all that apply.</p> <p><input checked="" type="checkbox"/> Straw mulch <input type="checkbox"/> Wood mulch <input type="checkbox"/> Hydromulch <input checked="" type="checkbox"/> Plastic covers <input type="checkbox"/> Slope stabilization <input type="checkbox"/> Soil binders <input type="checkbox"/> Erosion control blankets <input type="checkbox"/> Geotextiles <input type="checkbox"/> Culvert outfall armoring <input type="checkbox"/> Other:</p> <p>Describe the physical BPTC measures checked above, including when they are used and where they are placed. Straw mulch is layed in the cultivation areas at the end of every season. Mixed light cultivation areas are kept covered with plastic covers.</p>
<p>c. What biological BPTC measures have been implemented to prevent or limit erosion? (e.g. vegetation preservation/ replacement, hydro seeding, etc.)? Check all that apply.</p> <p><input checked="" type="checkbox"/> Vegetation preservation <input type="checkbox"/> Vegetation planting <input type="checkbox"/> Hydroseeding <input type="checkbox"/> Other:</p>

Describe the biological BPTC measures checked above, including when they are used and where they are employed.

All perimeters of cultivation areas and access road have been undisturbed and have well established, abundant vegetative buffers.

d. What physical and biological BPTC measures do you plan to implement to prevent or limit erosion? Check all that apply.

Physical BPTC measures:

- Straw mulch Wood mulch Plastic covers Slope stabilization Soil binders
 Culvert outfall armoring Other:

Biological BPTC measures:

- Vegetation preservation Native vegetation planting Hydroseeding Other:

Describe the planned BPTC measures and provide an implementation schedule below.

Mulch is applied at the end of the season, usually in late October. Covers are installed year round at mixed light cultivation areas. Vegetated buffers are left undisturbed at cultivation area perimeters.

ii. Sediment Control BPTC Measures

On your site map, indicate the location of sediment control BPTC measures described below. Describe sediment control BPTC measures around all disturbed areas and features. Attach photos documenting implemented measures and locations for planned implementation.

a. What physical BPTC measures have been implemented to capture sediment that has been eroded? Check all that apply.

- Silt fences Fiber rolls Settling ponds/ areas Other:

Describe the physical BPTC measures checked above, including when they are used and where they are placed. Vegetated buffer perimeter is left undisturbed.

b. What biological BPTC measures have been implemented to capture sediment that has been eroded? Check all that apply.

- Vegetated outfalls Hydro seeding Other:

Describe the biological BPTC measures checked above, including when they are used and where they are employed. All perimeters have a well established vegetative buffer.

c. What physical and biological BPTC measures do you plan to implement to prevent or limit erosion? Check all that apply.

Physical BPTC measures:

Silt fences Fiber rolls Settling ponds/ areas Other: rocked roads and landings, straw mulch

Biological BPTC measures:

Vegetated outfalls Hydro seeding Other:

Describe the planned BPTC measures and provide an implementation schedule below.

iii. Maintenance Activities- Erosion Prevention and Sediment Control

a. How will erosion prevention BPTC measures, sediment control BPTC measures, and stormwater conveyance systems be monitored and maintained to protect water quality? Describe all required maintenance tasks and a schedule for implementation.

Any ditches and culverts will be checked and kept in working order during rain seasons on a monthly and sometimes weekly basis or as needed schedule. Gravel will be added if necessary to roads.

b. How will captured sediment be handled? Check all that apply.

Stabilized in place. Excavated and stabilized on site. Removed from the site.

Describe the procedure for handling captured sediment below:

If any captured sediment is gathered will be used to top dress on raised beds.

B. Product Storage Location

i. Do you use secondary containment for the storage of fertilizers, pesticides, herbicides, and rodenticides?

Yes No

ii. Where are products stored on site? Indicate the storage location on your site map.

Most products are used as they are brought to the site. Any remaining products are stored in waterproof bins under a tarp or in the temporary processing structure.

C. Bulk Fertilizers and Chemical Concentrates

i. How are bulk fertilizers and chemical concentrates stored, mixed, and applied?

Most products are used immediately. Smaller tanks are used for mixing nutrients. Any leftover nutrients are stored in waterproof bins and kept under cover.

ii. How are empty containers disposed of?

Taken to recycling center on weekly basis or as needed.

D. Spill Prevention and Cleanup Plan

i. What procedures are in place to prevent spills of fertilizers, pesticides, herbicides, and rodenticides?

There are clean up pads and cat litter on site as needed for any spills.

ii. What procedures are in place to clean up spills if they occur?

There is cat litter, contractor bags and garbage cans with lids and on site. Any spills will be covered with absorbent cat litter and then removed by shovel into bags in refuse cans then taken to Eureka hazardous materials site.

3. Petroleum Product BPTC Measures

A. Product List

In the sections below, list all products used and describe how they are delivered to the site, how they are stored, and how they are used at the site. Also describe how products will be removed from the site or stored to prevent discharge if they are not consumed before the winter season.

Product Name	Product Description
Gas	In industry standard containers. Stored in tool shed.

B. Product Storage Location

i. Do you use secondary containment for the storage of petroleum products?

Yes No

ii. Where are products stored on site? Indicate the storage location on your site map.

Fuel is stored in standard gas cans which are kept in waterproof bins inside of waterproof tool shed.

C. Product Use

i. How are fuels, lubricants, and other petroleum products stored, mixed, and applied?

Stored in tool shed. Used for running backup

ii. How are empty containers disposed of?

Cocontainers are reused until they fail, then taken to Eureka Recology site.

D. Spill Prevention and Cleanup Plan

i. What procedures are in place to prevent spills of petroleum products?

Petroleum products are stored in safe location with absorbent materials onsite.

ii. What procedures are in place to clean up spills if they occur?

Cat litter and contractor bags with cans remove any spillage into and taken to hazardous waste in Eureka Recology Site.

4. Trash/ Refuse, and Domestic Wastewater BPTC Measures

A. Type of Trash/ Refuse

i. What types of trash/ refuse will be generated at the site? Include a description of all solid waste materials (e.g. spent hydroponic growing media, organic materials, plastic, paper, glass, clay, etc.)

Domestic and cultivation related refuse is generated at the site. All cardboard will be recycled as possible. Growth medium used for starts will be used in raised beds.

ii. How will trash/ refuse be contained and properly disposed of?

Recycling and refuse is stored in waterproof containers and self hauled weekly or as needed.

iii. Where will trash/ refuse be stored? Indicate the location of trash/ refuse storage on your site map.

Located near residence.

B. Personal Waste

i. How many employees, visitors, and residents will you have at the site?

Employees: 0

Residents: 1

Visitors: 1 per Week

ii. What types of domestic wastewater will be generated at the site? Check all that apply.

Household generated wastewater Chemical toilet waste Other:

iii. How will domestic wastewater be disposed? Check all that apply.

Sewer

Permitted onsite wastewater treatment system (e.g. septic tank and leach lines) Provide a schematic and a copy of your permit for the system.

Chemical toilets or holding tank. If so, provide the name of the servicing company and frequency of service:

Outhouse, pit privy, or similar. (Use of this alternative requires approval from the Regional Board Executive Officer. Attach the approval from the Executive Officer and any conditions imposed if using this alternative. Indicate the location of any domestic wastewater treatment, storage, or disposal areas on your site map, as well as the locations of all water wells (e.g. drinking water, irrigation water, commercial water, etc.) inside or within 0.5 mile of the site boundary.)

5. Winterization BPTC Measures

A. Winterization Activities Performed

What activities will be performed to winterize the site and prevent discharges of waste?

Raised beds will be seeded with a cover crop. Cultivation areas will be surrounded by straw wattles.

B. Maintenance of Drainage and Sediment Capture Features

What maintenance activities will be performed to remove debris and soil blockages from drainage and sediment capture features (e.g. drainage culverts, drainage trenches, settling ponds, etc.) and ensure adequate capacity exists? Include a description of how all solid waste materials are managed.

Any organic material including branches, leaves will be removed from culverts and ditches. Generally allowed to compost naturally on ground and dispersed to hillside below roads so they don't relog any ditches or culverts. During tree downing events, wood will be cut into smaller peices to be removed.

C. Revegetation Activities

What revegetation activities will occur at the beginning or end of the precipitation season?

Cover crops broadcast at any disturbed areas.

D. Compliance Schedule

If any Winterization BPTC measure cannot be completed before the onset of winter period, contact the Regional Water Board to establish a compliance schedule.

Provide a timeline for implementation of these measures:

Winterization will be completed by the onset of the winter period.

6. Cannabis Cultivation Details

A. Growing Methods
i. Where is cannabis grown? <input checked="" type="checkbox"/> Fully outdoor <input type="checkbox"/> Hoophouse <input checked="" type="checkbox"/> Greenhouse with permeable floors <input type="checkbox"/> Other (please describe):
ii. What type of container is cannabis grown in? Check all that apply. <input type="checkbox"/> In ground <input checked="" type="checkbox"/> Raised beds <input checked="" type="checkbox"/> Pots/ grow bags/ trays on the ground <input type="checkbox"/> Pots/ grow bags/ trays elevated off the ground <input type="checkbox"/> Other (describe): _____
iii. If cannabis is grown in containers elevated off the ground, is irrigation tailwater collected? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> A portion of it is collected <input type="checkbox"/> N/A If yes, describe what you do with the captured irrigation tailwater:
B. Irrigation Water Treatment
i. Is irrigation water filtered prior to use? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If irrigation water is filtered, answer the questions below:
ii. What type of filtration is used (i.e. reverse osmosis, ion exchange, etc.)? sediment filter only
iii. What is the maximum volume of water filtered per day? 200 gallons
iv. How are filter residuals (i.e. brines, etc.) disposed of? Filter canister removed and taken to recycling depot
v. What is the volume of residual produced? <u>unknown</u> gallons per Month

7. Certification

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

I have read and accept the above terms.

Operator/Responsible Party TINA COLAFRANCESCHI Date Prepared 10/20/2019

HUMBOLDT COUNTY DEPARTMENT OF PUBLIC WORKS
ROAD EVALUATION REPORT



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

Applicant Name: Tina Colafranceschi APN: 220-291-023

Planning & Building Department Case/File No.: 13065

Road Name: Blue Slide Creek Road (complete a separate form for each road)

From Road (Cross street): Private Driveway

To Road (Cross street): Briceland Thorne Road

Length of road segment: 4.47 miles Date Inspected: 08/06/2019

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

Check one of the following:

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

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

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

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

The statements in PART A are true and correct and have been made by me after personally inspecting and measuring the road. A map showing the location and limits of the road being evaluated in PART A is attached.

Tina Colafranceschi

10/15/2019

Signature

Date

Tina Colafranceschi

Name Printed

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

Applicant's parcel is 4.47 miles from the closest County Maintained Road, Briceland-Thorne Road. Access to applicants parcel is on Blue Slide Creek Road which is maintained by a private Road Maintenance Association. Pinchpoints on this road are one lane bridges, which do have pull outs and open visibility to oncoming traffic.

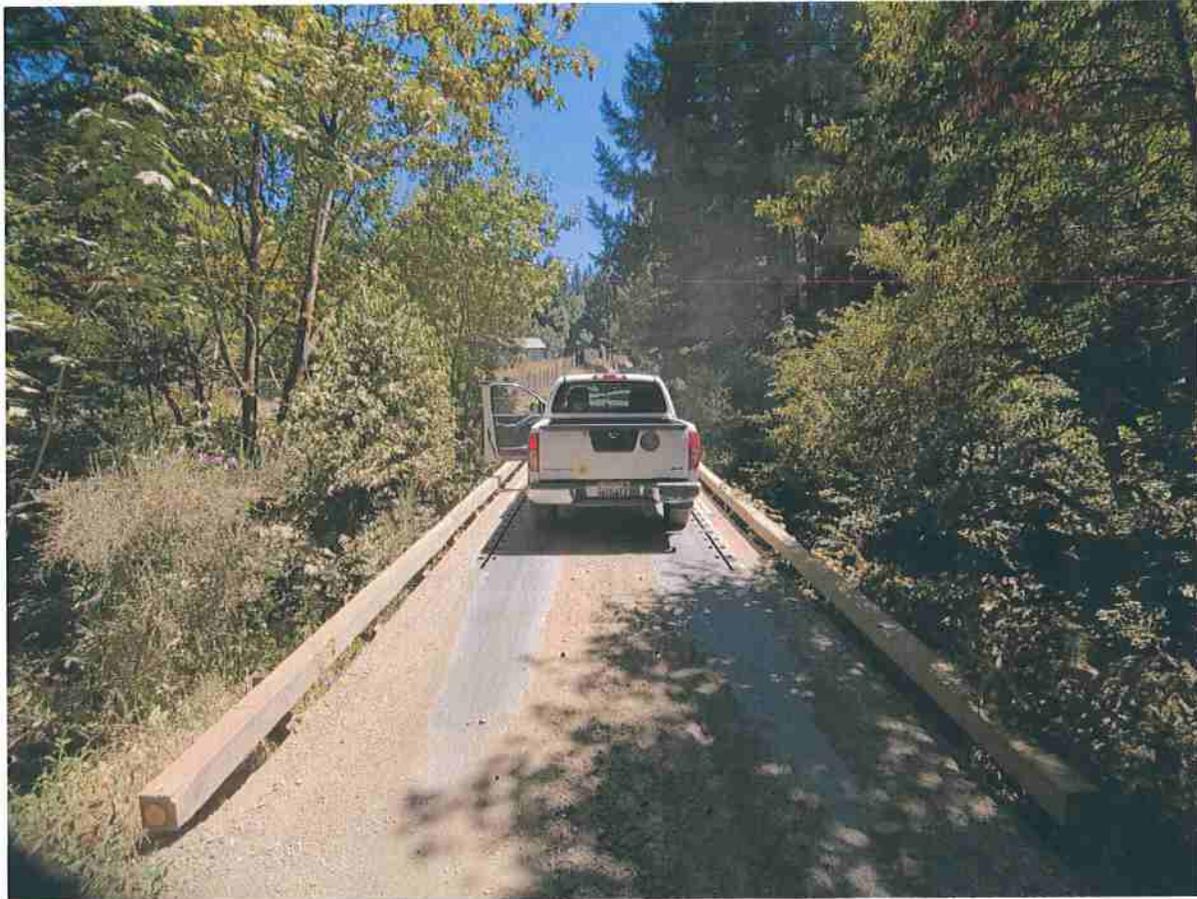


Figure 1: One lane bridge, approximately 1.6 miles from Briceland-Thorne Road heading to the subject parcel.

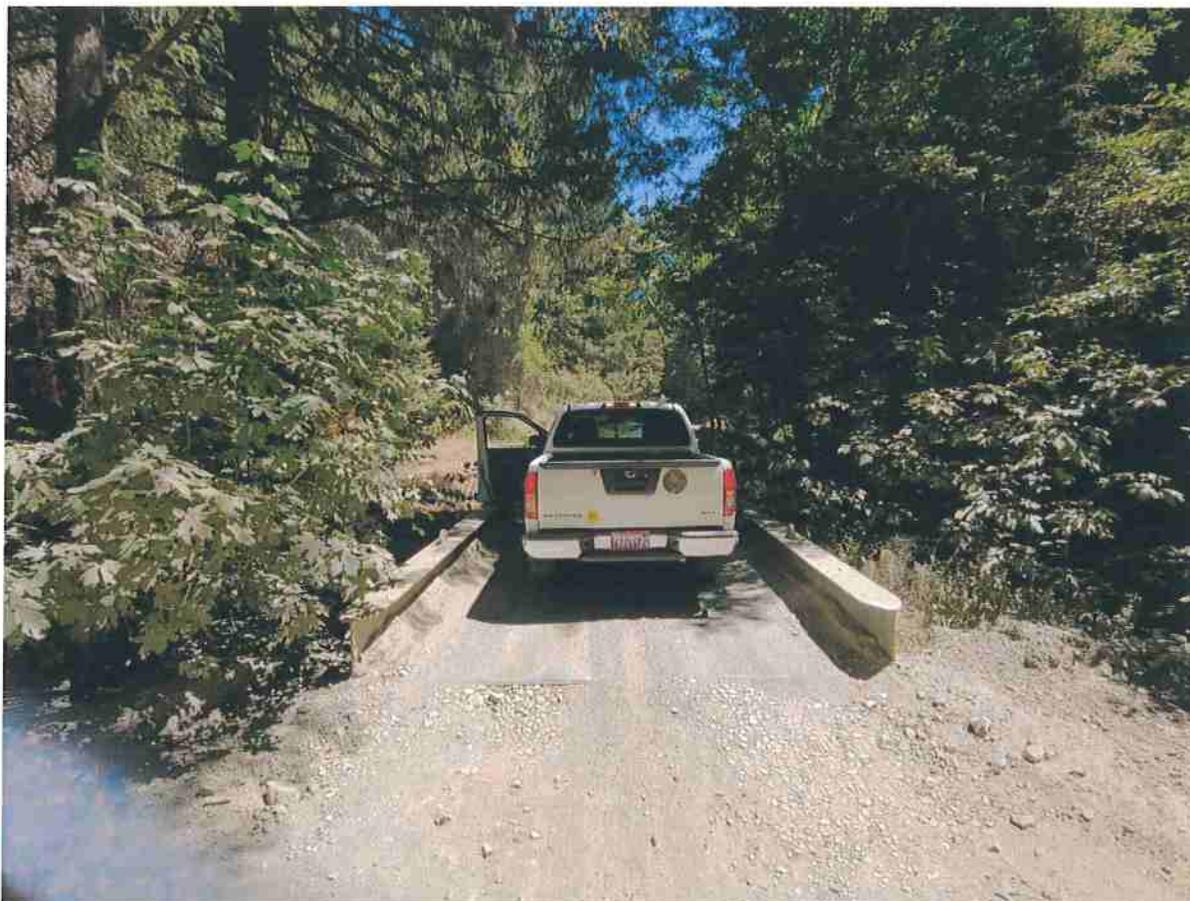


Figure 2: One lane bridge, approximately 3.9 miles from Briceland-Thorne Road heading to the subject parcel.

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	✓	Comments	Attached
Division Environmental Health	✓	Conditional Approval	Attached
Public Works, Land Use Division	✓	Comments	Attached
CAL FIRE	✓	Comments	Attached
Bridgeville Fire Protection District		No Response	
Briceland Fire Protection District		No Response	
California Department of Fish & Wildlife		No Response	
Northwest Information Center	✓	Further Study	On file and confidential
Bear River Band of the Rohnerville Rancheria	✓	Comments	On file and confidential
Intertribal Sinkyone Wilderness Council		No Response	
Southern Humboldt Unified School District		No Response	
Humboldt County Sheriff		No Response	
Humboldt County Agricultural Commissioner		No Response	
Humboldt County District Attorney		No Response	
North Coast Regional Water Quality Control Board		No Response	



DEPARTMENT OF PUBLIC WORKS
C O U N T Y O F H U M B O L D T

MAILING ADDRESS: 1106 SECOND STREET, EUREKA, CA 95501-0579
AREA CODE 707

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: 2-23-2018

RE:

Applicant Name	TINA COLAFRANCESCHI	
APN	220-291-023	
APPS#	13065	CUPI6-973

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:

// END //

Exhibit "D"

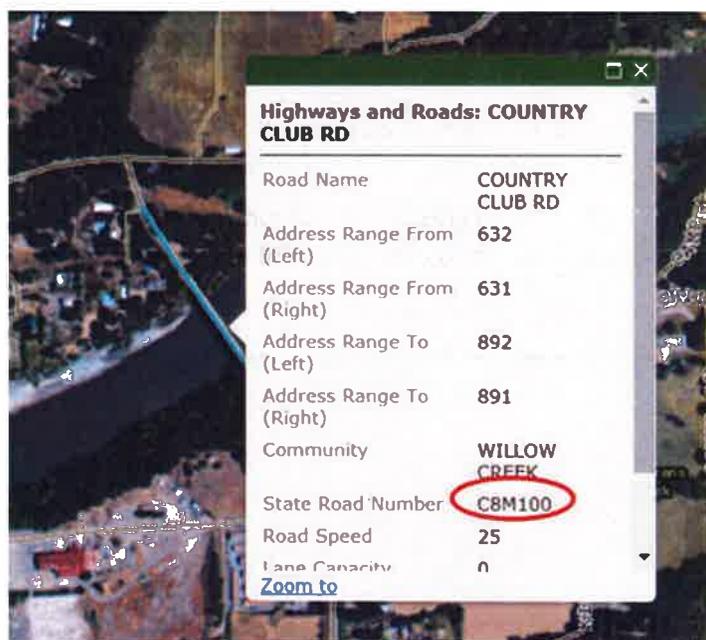
Road Evaluation Reports

1. **ROADS – Road Evaluation Reports. Planning and Building Department staff shall request that the applicant provide Road Evaluation Reports for the project.** The particular roads that require a *Road Evaluation Report* is to be determined by following the guidance shown below.

The Department has developed a *Road Evaluation Report* form so that an applicant can address the adequacy of the various roads used by their project. Most projects will require that a *Road Evaluation Report* form be completed.

When viewing the project site on google earth, if the County maintained road (or other publicly maintained road) has a centerline stripe, the road is adequate. If there is no centerline stripe, then the roads leading from the nearest publicly maintained road with a paved centerline stripe (or a known category 4 road) must be evaluated. A separate *Road Evaluation Report* form is needed for each road. This applies to all roads regardless if they are publicly or privately maintained. The Department has prepared a "approved list" of known County maintained roads that are category 4 (or are equivalent to category 4) standards for cannabis projects. The Department has also prepared a list of roads that are known to not meet road category 4 of equivalent. Both of these lists will be updated as the County information regarding the County maintained roads becomes available.

The *Road Evaluation Report* form needs to be provided to applicants to complete. It is important that Planning and Building Department staff provide the applicant with a map that has the roads to be evaluated highlighted. This will most likely include a combination of County maintained roads and non-County maintained roads. This will give the applicant clear direction on which roads need to be evaluated.



Above: screenshot from the WebGIS showing County Road Number circled in **RED**.

A County maintained road will have a 5 or 6 character identifier. The general format is **ABCDDD** where:

- A** is an optional identifier for the functionality of the road (A=Arterial, C=Collector, F=Federal Aid)
- B** is a grid identifier number for the X-axis of a "battleship" style grid that was drawn on a county map to divide the county into a series of squares.
- C** is a grid identifier letter for the Y-axis for the grid.
- DDD** is a three digit road identification number within a particular grid. Each grid can have up to 999 roads in them

Examples:

ABCDDD
A 3 M 0 2 0 Murray Road
F 6 B 1 6 5 Alderpoint Road
6 C 0 4 0 Thomas Road

DEPARTMENT OF FORESTRY AND FIRE PROTECTION

Humboldt – Del Norte Unit
118 Fortuna Blvd.
Fortuna, CA 95540
Website: www.fire.ca.gov
(707) 726-1272

Ref: 7100 Planning
Date: September 12, 2017

John Ford, Director
Humboldt County Planning and Building Department – Planning Division
3015 H Street
Eureka, CA 95501

Attention: Cannabis Planner (CPOD)
Applicant: Colafranceschi, Tina
APN: 220-291-023-000
Area: Briceland
Case Numbers: CUP16-973

Humboldt County Application #: 13065
Type of Application: Conditional Use Permit
Date Received: 9/1/2017
Due Date: 9/15/2017

Project Description: An application for a Conditional Use Permit for 20,000 square feet of existing, outdoor, medical cannabis cultivation. Water for irrigation is sourced from an existing on-site spring. Water is stored in hard tanks for a total of 26,500 gallons of available water storage. Processing, including drying and trimming, occurs in an existing on-site outbuilding. Electricity is sourced from a solar array with a backup generator.

Mr. Ford,

The California Department of Forestry and Fire Protection (CALFIRE) provides these standard project review comments on the above noted project for the following subject matter:

- Fire Safe
- Resource Management
- Cannabis

The following pages address these concerns directly.

If CALFIRE staff develops additional comment on this project, it will be forwarded in an additional response letter.

By: Planning Battalion
CALFIRE Humboldt – Del Norte Unit

For **Hugh Scanlon**, Unit Chief

FIRE SAFE

General:

CALFIRE has responsibility for enforcement of Fire Safe Standards as required by Public Resources Code (PRC) 4290 and 4291. However CALFIRE is not the lead agency in planning development and project permitting. CALFIRE provides input as a contributing agency, generally limited to plan review, and is not the approving agency for these projects.

Local Responsibility Areas:

Should this project include Local Responsibility Area (LRA) lands, CALFIRE has no direct fire safe input on those parcels. However, in those areas with LRA parcels adjacent to State Responsibility Area (SRA) land, CALFIRE recommends that local standards be applied that are consistent with those CALFIRE makes for SRA lands.

State Responsibility Areas:

Should this project include State Responsibility Area (SRA) lands, the following are CALFIRE's Fire Safe minimum input and recommendation for any and all development.

1. In Humboldt County, developments must meet minimum fire safe standards by constructing the project in conformance with County Fire Safe Ordinance 1952, which the California Board of Forestry and Fire Protection has accepted as functionally equivalent to PRC 4290. The County Fire Safe Ordinance provides specific standards for roads providing ingress and egress, signing of streets and buildings, minimum water supply requirements, and setback distances for maintaining defensible space.
2. New buildings located in any Fire Hazard Severity Zone within State Responsibility Areas shall comply with the 2007 California Building Code (CBC) Section 701A.3.2. This requires roofing assemblies, attic and eave ventilation, exterior siding, decking and deck enclosure, windows and exterior doors, and exposed under floor areas that are approved "ignition resistive" in design.
3. All development, especially commercial or industrial development, should be designed to comply with the most current versions of the following standards:
 - a) California Fire Code (CFC) — for overall design standards
 - b) Public Utilities Commission (PUC) General Order 103 — for design of water systems
 - c) National Fire Protection Association Standards (NFPA) for fire flow minimums and other design questions not specifically covered by CFC and PUC
 - d) Housing and Community Development Codes and Standards —for mobile home parks and recreational camps
4. For Department of Real Estate reporting purposes, fire protection coverage in SRA is generally described as follows:

During the declared fire season (usually June through October) CALFIRE responds to all types of fires and emergencies in SRA.

During the remainder of the year (winter period), CALFIRE responds to emergency requests with the closest available fire engine, if a response can reasonably be expected to arrive in time to be effective. A fire engine is usually available somewhere in the Unit, but may have an extended response time.

There are many hazards confronting fire protection agencies in most subdivisions on SRA lands. Steep terrain and heavy wildland fuels contribute to fire intensity and spread. The distances from fire stations and road grades encountered usually create an excessive response time for effective structure fire suppression purposes.

Subdivisions increase fire risks from additional people and increase probable dollar losses in the event of fire due to added structures and improvements.
5. If the project expects to produce densities consistent with a major subdivision, the impacts on all infrastructures should be mitigated. Local government more appropriately provides the responsibility for high-density area protection and services. Annexation or inclusion into Local Responsibility Area should be studied as well.

6. CALFIRE does not support development in areas where there is no local agency fire service for structure fires and emergency medical response. Fire services should be extended into service gap areas as a condition of development. New development can adversely impact existing fire services. Careful consideration must be given where development may overload the local fire service's ability to respond.

RESOURCE MANAGEMENT

CALFIRE has enforcement responsibility for requirements of the Z'berg—Nejedly Forest Practice Act of 1973. CALFIRE is also the lead agency for those parts of projects involving the scope of the Forest Practice Act. The following basic input will cover the majority of projects. Each project will be reviewed with additional input sent at a later date, if needed.

The following comments reflect the basic Resource Management policies of the Board of Forestry and Fire Protection and CALFIRE on CEQA review requests. These policies apply to both Local and State Responsibility Areas.

1. If this project reduces the amount of timberland, by policy, the Board of Forestry and CALFIRE cannot support any project that will reduce the timberland base of California. "Timberland" means land which is available for, and capable of, growing a crop of trees of any commercial species used to produce lumber and other forest products, including Christmas trees regardless of current zoning (PRC 4526). However, if the zoning and intended use are consistent with the county's general plan; and if no land other than timberland can be identified to site the project; then CALFIRE may choose not to oppose the project.
2. If **any** commercial timber operations are involved with a project, the timber operations cannot be conducted without a CAL FIRE permit. Commercial timber operations include the cutting or removal of trees offered for sale, barter, exchange, or trade or the conversion of timberlands to land uses other than the growing of timber (PRC 4527). Contact your nearest CAL FIRE Resource Management office for guidance on obtaining the necessary permits.
3. If **any** timberlands are being converted to a non-timber growing use by this project, the conversion operations cannot be conducted without a CAL FIRE permit (PRC 4621). Conversion of timberland takes place when trees are removed and the land use changes, even without the sale, barter, exchange, or trade of the trees. Contact your nearest CAL FIRE Resource Management office for guidance on obtaining the necessary permits.
4. If timberland is in the viewshed of a project, the current and future owners should be overtly notified that changes will occur to their views due to timber management activities. Further, no project should be allowed to negatively affect access to timberland for timber management purposes; neither on the project parcel(s) nor any other timberland parcels.
5. If timber harvesting has occurred and post-harvest restocking and prescribed erosion control maintenance obligations have not been met on a parcel, future owners should be overtly notified (14 CCR 1042). The current owner of a parcel is responsible for restocking requirements and maintenance of roads whether or not they were involved in the actual harvest plan.
6. If the project involves the development of parcels zoned as Timber Production Zone (TPZ), CALFIRE cannot support the project. Dividing TPZ land into parcels of less than 160 acres requires a Joint Timber Management plan prepared by a Registered Professional Forester (RPF), recorded as a deed restriction for a minimum of 10-years on all affected parcels, and approved by a four – fifths vote of the full board (Govt. Code 51119.5). TPZ may be rezoned using a "Ten Year Phase Out," which precludes the need for a Timberland Conversion Permit. CALFIRE opposes immediate rezoning of TPZ land.

Cannabis

General:

CALFIRE has responsibility for enforcement of Fire Safe Standards as required by Public Resources Code (PRC) 4290 and 4291. CALFIRE is not the lead agency in planning development and project permitting. However, CALFIRE provides comment as an emergency response expert agency, generally limited to plan review, and is not the approving agency for these projects.

Local Responsibility Areas:

Should this project include Local Responsibility Area (LRA) lands, CALFIRE has no direct fire safe input on those parcels. However, in those areas with LRA parcels adjacent to State Responsibility Area (SRA) land, CALFIRE recommends that local standards be applied that are consistent with those CALFIRE makes for SRA lands. Also CAL FIRE is the primary command and control dispatch, for most local agency fire districts and departments.

State Responsibility Areas:

Should this project include State Responsibility Area (SRA) lands, the following are CALFIRE's minimum input.

1. Agricultural cannabis growing operations medicinal or commercial shall have an easily accessible material safety data sheet (MSDS) or safety data sheet (SDS) for all chemicals and hazardous materials on site. Posted (NFPA 704) Placard clearly visible to emergency responders
2. California code of regulations Health and Safety (CCR 11362.769.) Indoor and outdoor medical marijuana cultivation shall be conducted in accordance with state and local laws related to land conversion, grading, electricity usage, water usage, water quality, woodland and riparian habitat protection, agricultural discharges, and similar matters. State agencies, including, but not limited to, the State Board of Forestry and Fire Protection, the Department of fish and Wildlife, the State Water Resources Control Board, the California regional water quality control boards, and traditional state law enforcement agencies shall address environmental impacts of medical marijuana cultivation and shall coordinate, when appropriate, with cities and counties and their law enforcement agencies in enforcement efforts.
3. International Fire Code (N101.1 Scope) Marijuana growing and extraction shall be in accordance with this chapter, of the International Building Code, and the International Mechanical Code. Cryogenic fluids shall comply with Chapter 55. Compressed gases shall comply with Chapter 53. Flammable and combustible liquids shall comply with Chapter 57. Hazardous materials shall comply with Chapter 50. LP-gas shall comply with Chapter 61 and the International Fuel Gas Code. All applicable California State Fire Marshal standards and regulations for the designated occupancy must be met.
4. Growing marijuana and the extracting of oils
Extraction of marijuana oils; All materials hazardous and non-hazardous associated with the extraction process shall be utilized in conformance of the law and fire safe codes.

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

The Department has no comment at this time.

Suggested conditions attached.

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

Recommend denial.

Other comments.

Date:

Name:

Forester Comments:

Date:

Name:

Battalion Chief Comments:

Summary:

Laney, Megan

From: HUU CEQA@CALFIRE <HUUCEQA@fire.ca.gov>
Sent: Tuesday, September 12, 2017 11:57 AM
To: Planning Clerk
Subject: FW: APN# 220-291-023 Colafranceschi, Tina

Chris Ramey
Battalion Chief, Fire Planning

CAL FIRE

Humboldt-Del Norte Unit
C: 707-599-6442
Duty Days: Tues-Fri

From: Titus, Lucas@CALFIRE
Sent: Tuesday, September 12, 2017 10:00 AM
To: HUU CEQA@CALFIRE <HUUCEQA@fire.ca.gov>
Cc: fzpkbunnyslpres@gmail.com
Subject: APN# 220-291-023 Colafranceschi, Tina

It may be necessary for a CALFIRE harvest permit to be obtained prior to expanding this cultivation and new development sites. A Registered Professional Forester may be required to advise the landowner of necessary permits from CALFIRE. Previous land use activities may have resulted in harvest without a permit and harvesting without a plan or a license. More information is required for a proper evaluation.

Lucas Titus

Forester I, Bridgeville Resource Management

Department of Forestry and Fire Protection

CAL FIRE

Humboldt-Del Norte Unit

Office (707)777-1720

Cellular (707)599-6893

Every Californian should conserve water. Find out how at: