



COUNTY OF HUMBOLDT
PLANNING AND BUILDING DEPARTMENT
CURRENT PLANNING DIVISION

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Hearing Date: November 15, 2018

To: Humboldt County Planning Commission

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

Subject: **Silk Ranch Cooperative, Inc.**
Application Number: 12043
Case Number: CUP16-515
Assessor's Parcel Number (APN): 223-111-006
1710 Wade Road, Garberville area

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Please contact Meghan Ryan, Planner, at (707) 445-7541 or by email at vendorlaco3@co.humboldt.ca.us if you have any questions about the scheduled public hearing item.

AGENDA ITEM TRANSMITTAL

Hearing Date November 15, 2018	Subject Conditional Use Permit	Contact Meghan Ryan
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Project Description: A Conditional Use Permit (CUP) for approximately 9,960 square feet (sf) of existing outdoor medical cannabis cultivation. Irrigation water is provided by a deeded diversion on APN 223-091-002 to a permitted pond under California Department of Fish and Wildlife Lake and Streambed Alteration Agreement 1600-2016-0327-R1. Approximately 140,092 gallons per year is required for irrigation between the months of March and October. Water storage is provided by a permitted 350,000-gallon pond and 11 3,000-gallon water tanks. There are also two water bladders, that hold 75,000 gallons of diverted water. Processing is done off-site by a licensed third-party processor. The applicant is proposing construction of a 20-foot (') x 60' metal structure to be used for future on-site processing. Access to the site is provided by Wade Road via Alderpoint Road, which is paved and stripped, Electricity is provided by solar power.

Project Location: The project is located Humboldt County, in the Garberville area, on both sides of Wade Road, approximately 1.9 miles north of the intersection of Alderpoint Road and Wade Road, on the property known as 1710 Wade Road.

Present Plan Land Use Designations: Residential Agriculture (RA40), 2017 General Plan, Density: 40 acres per dwelling unit, Slope Stability: High Instability (3).

Present Zoning: (AE-B-6) Agricultural Exclusive (AE), Building site area as shown on subdivision maps of record. Front, side and rear yards to be not less than B-4 requirements unless otherwise indicated on the subdivision maps of record.

Application Number: 12043

Case Number: CUP16-515

Assessor Parcel Numbers: 223-111-006

Applicant

Silk Ranch Cooperative Inc.
Aida Graf
773 Carole Court
Palo Alto, CA 94303

Owner

Bradley Gray
773 Carole Ct.
Palo Alto, CA 94303

Agent

Same as Applicant

Environmental Review: The project is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) per Class 1, 15301 (Existing Facilities), Class 3, 15303 (New Construction or Conversion of Small Structures), and Class 4, 15304 (Minor Alterations to Land) of the California Environmental Quality Act (CEQA) Guidelines.

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

Major Issues: None.

SILK RANCH COOPERATIVE INC.
Case Number: CUP16-515
Assessor's Parcel Number: 223-111-006

Recommended Commission Action:

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

Find the project exempt from environmental review pursuant to Sections 15301, 15303, 15304 and 15333, of the State CEQA Guidelines, make all of the required findings for approval of the Conditional Use Permit based on evidence in the staff report and any public testimony, and adopt the Resolution approving the proposed Silk Ranch Cooperative Inc., project subject to the recommended conditions.

Executive Summary: A Conditional Use Permit (CUP) for approximately 9,960 square feet (sf) of existing outdoor medical cannabis cultivation on APN 223-111-006, which is approximately 127 acres in size. The applicant also proposes construction of a 20'x 60' [2,400 square foot (sf)] metal structure to be used for future on-site processing. This location is vegetated only by upland grasses, contains a temporary 18'x36'-648 sf drying tent. The parcel is currently developed with a single-family residence, a 350,000-gallon water storage pond, 11- 3,000-gallon water tanks and four cultivation areas consisting of both full sun outdoor and greenhouses. Power is supplied by an existing solar-system. No generators are proposed or used in operations. A new 2,500 square foot processing facility and a 780,000 gallon pond are proposed.

The applicant initially submitted an application for 24,000 square feet of outdoor cultivation, of which much was occurring in the riverbeds but has since been removed and these areas have been remediated. The applicant further scaled back the proposal to 9,960 sf, which was previously confirmed through the cultivation area verification (CAV) process but was reduced in part to be responsive to Title 5 section 26051.5 (10) c) and to aid in forbearance compliance and water conservation efforts. The applicant is now requesting permitting for a total of 9,960 sf. Cultivation activities extend from March to November. typically begin in March and extent to October. The applicant would cultivate in four separate areas but would begin in greenhouse #2 and would use light deprivation in greenhouse #2, which is equipped with a blackout system. Plants would continue their vegetative cycle with limited lighting to facilitate growth. Immature clones taken on the property and may also, when needed, be obtained by a licensed third-party nursery. The applicant proposes a single cycle per year except in the green house at CA#2 where 2 cycles are proposed. No mixed light cultivation is proposed. Harvest of the mature cannabis would begin in July and usually occurs to until November. Fertilizers and amendments are safely stored in a storage shed, applied in accordance to labels All fertilizers and organic amendments are located in a storage shed. The applicant is developing a fertilizer free methodology using beneficial microbes and fungus. The locked gates restrict access to the site, the entire site is fenced, and the cultivation areas are separately fenced and gated.

The project site currently contains four separate cultivation areas (CA). CA#1 is approximately 1,560 square feet and consists of three temporary hoop-houses, a small outdoor cultivation area; CA #2 consists of an approximate 2,040 sf greenhouse and 1,760 sf of outdoor cultivation. This greenhouse also is used as a nursery from which the outdoor growing locations will be stocked. CA #3 consists of 960 sf of cultivation and uses a hydroponic watering system and 1,120 sq. ft. of outdoor cultivation. Cultivation Area #4 is located in the western portion of the property and consists of approximately 2,520 sf of outdoor cultivation. The total current cultivation area is 9,960 sf.

Once harvested, cannabis is dried on-site in an existing temporary military-style tent. This area is flat and level and contains no trees. The proposed project includes construction of a single-story, 2,400 -square-foot processing facility. Dried cannabis will be transported off-site to a licensed processing facility until the on-site processing facility is constructed. The current operations typically use family members to care for, harvest, and dry and cure cannabis. If the project requires use of employees a contracting service would be used. All employees will be properly trained, and on-site housing is not provided or proposed. The

applicant maintains an existing On-Site Wastewater Treatment (OWTS) which functions properly and can serve all persons on the site. Electricity is provided by solar power. Finished product will be locked and stored in an agricultural storage building accessible only to the property owners and authorized personnel.

Water for irrigation use is provided by an existing water diversion on a Class II unnamed watercourse tributary to Dean Creek. The diversion is on an adjacent parcel APN 223-091-002, to which the applicant has a deeded right as part of the title to the property. This diversion is upgradient and used to prevent the need for pumping. Currently, there is 33,000 gallons of water storage in eleven tanks, 75,000 gallons in two water bladders, and a 350,000-gallon permitted pond. A Lake and Streambed Alteration (LSA) Permit for the pond was filed and approved by California Department of Fish and Wildlife (CDFW) under notification number 1600-2016-0327-R1 on December 12, 2016. The pond was constructed based on plans developed Trinity Valley Consulting Engineers (TVCE). Water stored in the pond and in the 25,000-gallon bladder would also be used for fire protection purposes. Irrigation is done by hand as well as using an automated system. The applicant uses a water plan designed to conserve, capture, and re-use water, and the greenhouses use dehumidifiers to recover a portion of our irrigation water.

Travel to and from the project site would occur via a 1.74-mile segment of Wade Road which provides direct access to the site from Alderpoint Road. Alderpoint Road was previously determined by Humboldt County Department of Public works to meet Category 4 standards. Alderpoint Road provides east west access, connects to Garberville approximately 4 miles to the west and is paved and stripped. Wade Road is a privately maintained by the Overland Road association. The applicant completed and signed a Road Evaluation form and included 12 photos that document the roadway conforms to Category 4 Standards

The existing cultivation and processing aspects of the project can be considered an "Existing Facility" as defined by Section 15301 of the California Environmental Quality Act (CEQA) Guidelines because it consists of "the operation, repair, maintenance, permitting, leasing licensing or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of use beyond that existing at the time of the lead agencies determination." Staff also finds that the "New Construction or Conversion of Small Structures" exemption in Section 15303 and defined as construction and location of a limited number of new small facilities or structures, or new equipment in small structures is applicable due to the proposed construction of the metal building and removal and subsequent replacement of the water bladder with hard tanks. In addition, "Minor Alterations to Land" defined by Section 15304 exception is applicable due to the minor amount of earthwork that will be required to enable maintenance and improvements of the private roadway and continues implementation of erosion control at decommissioned areas, as well as work needed for the proposed metal structure and storage tank location. Lastly, the project is exempt because it will require a, "Small Habitat Restoration Project," as defined by Section 15333. The site of the decommissioned area of in the SMA is still being treated by the applicant to reduce the potential for erosion and impacts to downstream waters. These sites will require restoration with native plants. The revegetation of disturbed areas with native plant species is not expected to result in substantial disturbance to the area within the site, other nearby sensitive species, but is expected to improve the quality of available habitat on the site.

Based on a review of Planning Division reference sources and comments from all involved referral agencies, planning staff believes that the applicant has submitted evidence in support of making all of the required findings for approving the conditional use permit.

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

**RESOLUTION OF THE PLANNING COMMISSION
OF THE COUNTY OF HUMBOLDT
Resolution Number 18-**

**Case Number: CUP16-515
Assessor Parcel Numbers: 223-111-006**

Makes the required findings for certifying compliance with the California Environmental Quality Act and conditionally approves the Silk Ranch Cooperative Inc., Conditional Use Permit request.

WHEREAS, Silk Ranch Cooperative Inc., submitted an application and evidence in support of approving a Conditional Use Permit for an existing 9,960 square feet (sf) of outdoor medical cannabis cultivation and a proposed 2,500-square-foot processing building located on APN 223-111-006, in four existing cultivation areas and one nursery greenhouse; and

WHEREAS, the County Planning Division has reviewed the submitted application and evidence and has referred the application and evidence to involved reviewing agencies for site inspections, comments and recommendations; and

WHEREAS, the project is categorically exempt from environmental review pursuant to Class 1, 15301 (Existing Facilities), Class 3, 15303 (New Small Structures), and Class 4, 15304 (Minor Alterations to Land) of the California Environmental Quality Act (CEQA) Guidelines; and

WHEREAS, Attachment 2 in the Planning Division staff report includes evidence in support of making all of the required findings for approving the proposed Conditional Use Permit (Case Number CUP16-515); and

WHEREAS, a public hearing was held on the matter before the Humboldt County Planning Commission on November 15, 2018.

NOW, THEREFORE, be it resolved, determined, and ordered by the Humboldt County Planning Commission that:

1. The project is categorically exempt from environmental review pursuant to Class 1, Section 15301 (Existing Facilities), Class 3, Section 15303 (New Construction or Conversion of Small Structures) and Section 15304 (Minor Alterations to Land) of the California Environmental Quality Act (CEQA) Guidelines; and
2. The findings in Attachment 2 of the Planning Commission staff report for Case Number CUP16-515 support approval of the project based on the submitted substantial evidence; and
3. Conditional Use Permit CUP16-515 is approved as recommended and conditioned in Attachment 1.

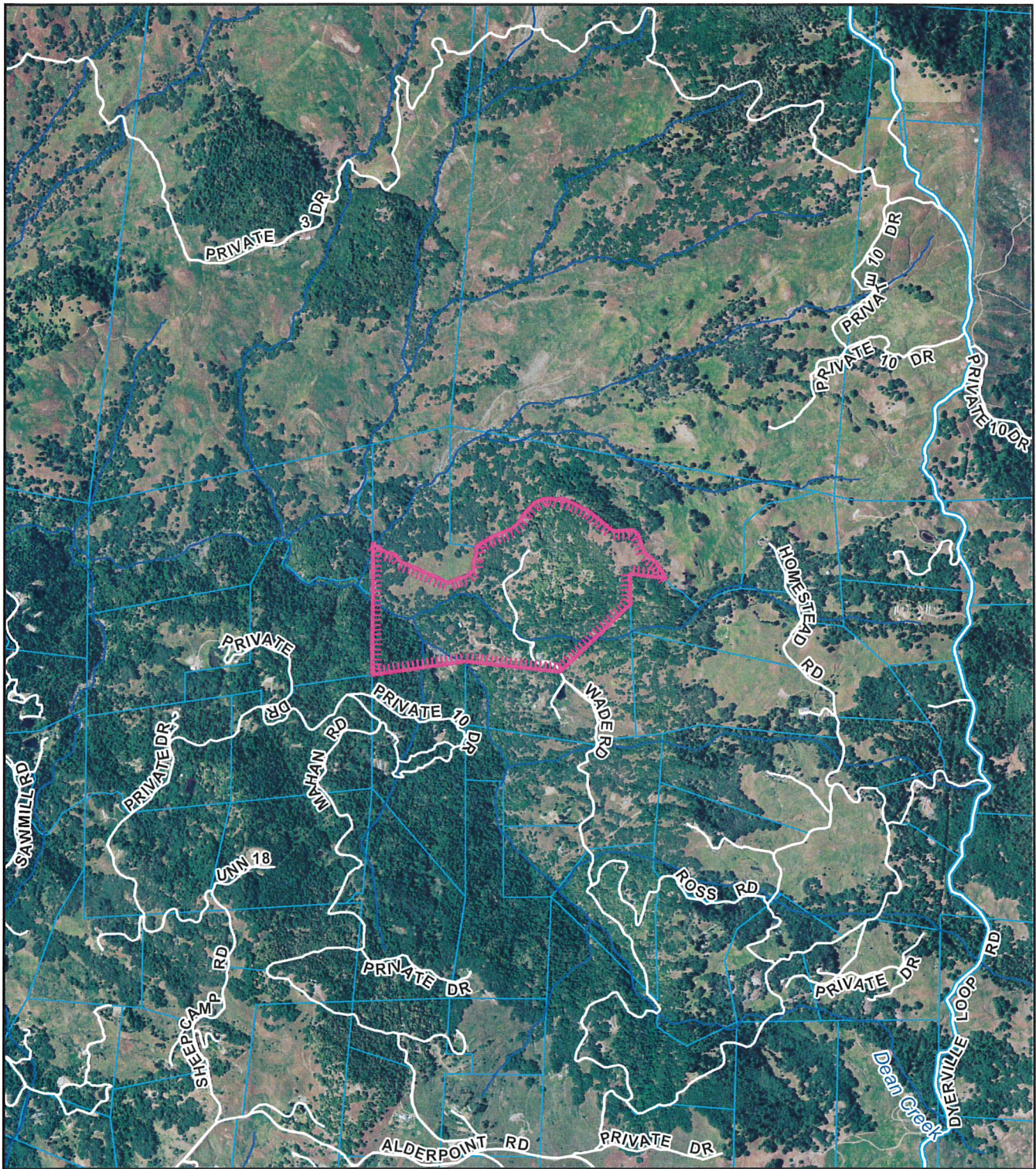
Adopted after review and consideration of all the evidence on November 15, 2018.

The motion was made by Commissioner ____ and seconded by Commissioner ____.

AYES: Commissioners:
NOES: Commissioners:
ABSTAIN: Commissioners:
ABSENT: Commissioners:
DECISION:

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

John Ford, Director
Planning and Building Department

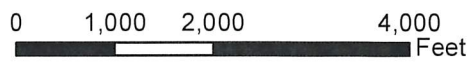


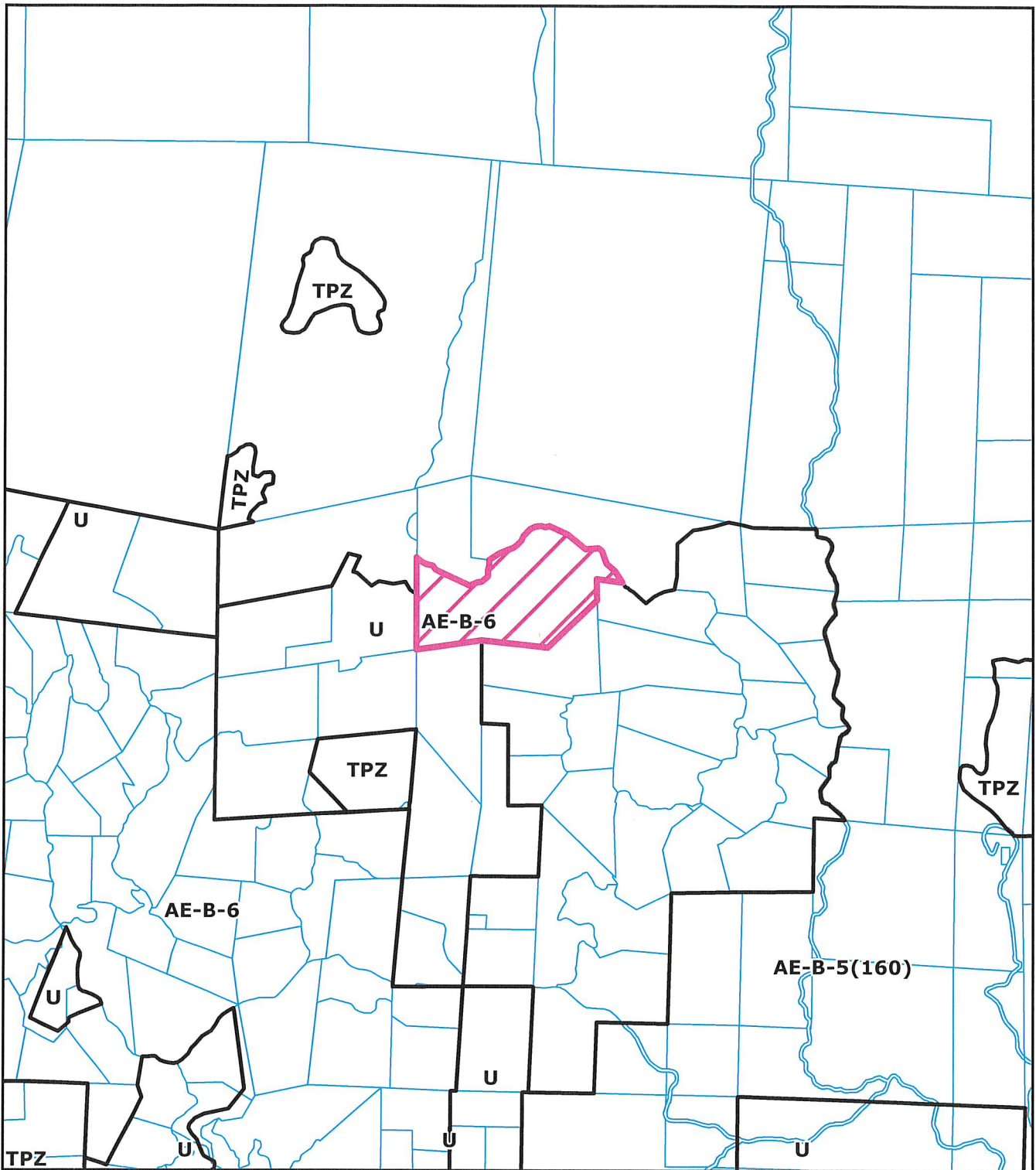
AERIAL MAP
PROPOSED SILK RANCH COOPERATIVE INC
GARBERVILLE AREA
CUP-16-515
APN: 223-111-006
T04S R04E S9; S10 HB&M (FORT SEWARD)

Project Area = 



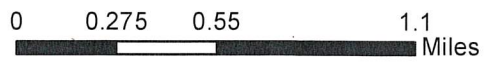
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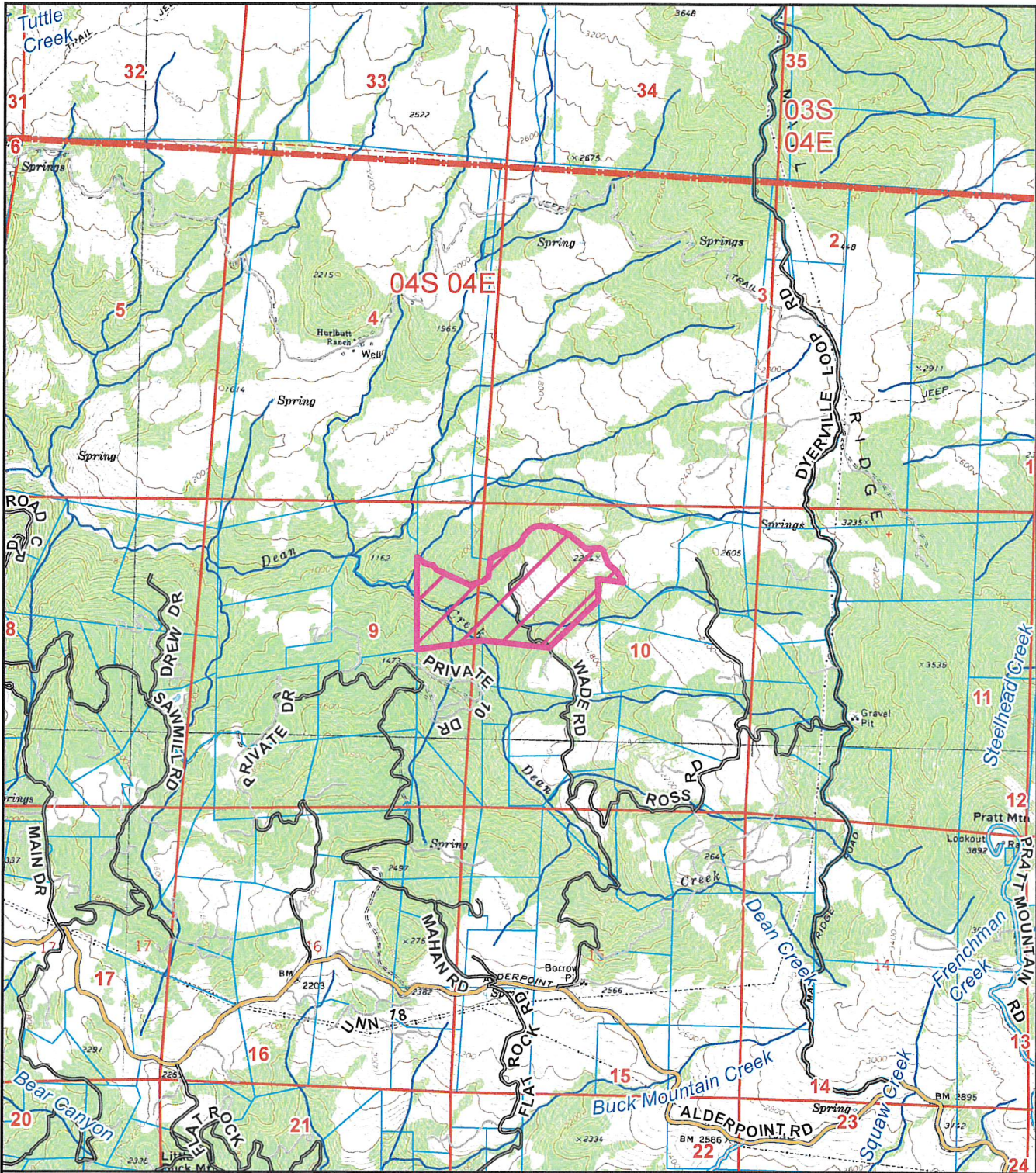


ZONING MAP
PROPOSED SILK RANCH COOPERATIVE INC
GARBERVILLE AREA
CUP-16-515
APN: 223-111-006
T04S R04E S9; S10 HB&M (FORT SEWARD)

Project Area = 



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

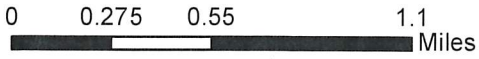


TOPO MAP
PROPOSED SILK RANCH COOPERATIVE INC
GARBERVILLE AREA
CUP-16-515
APN: 223-111-006
T04S R04E S9; S10 HB&M (FORT SEWARD)

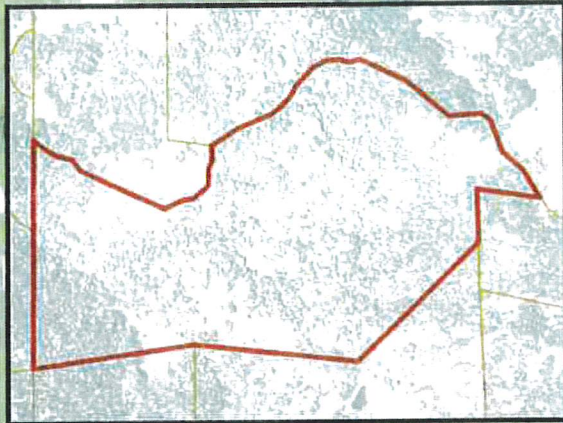
Project Area =



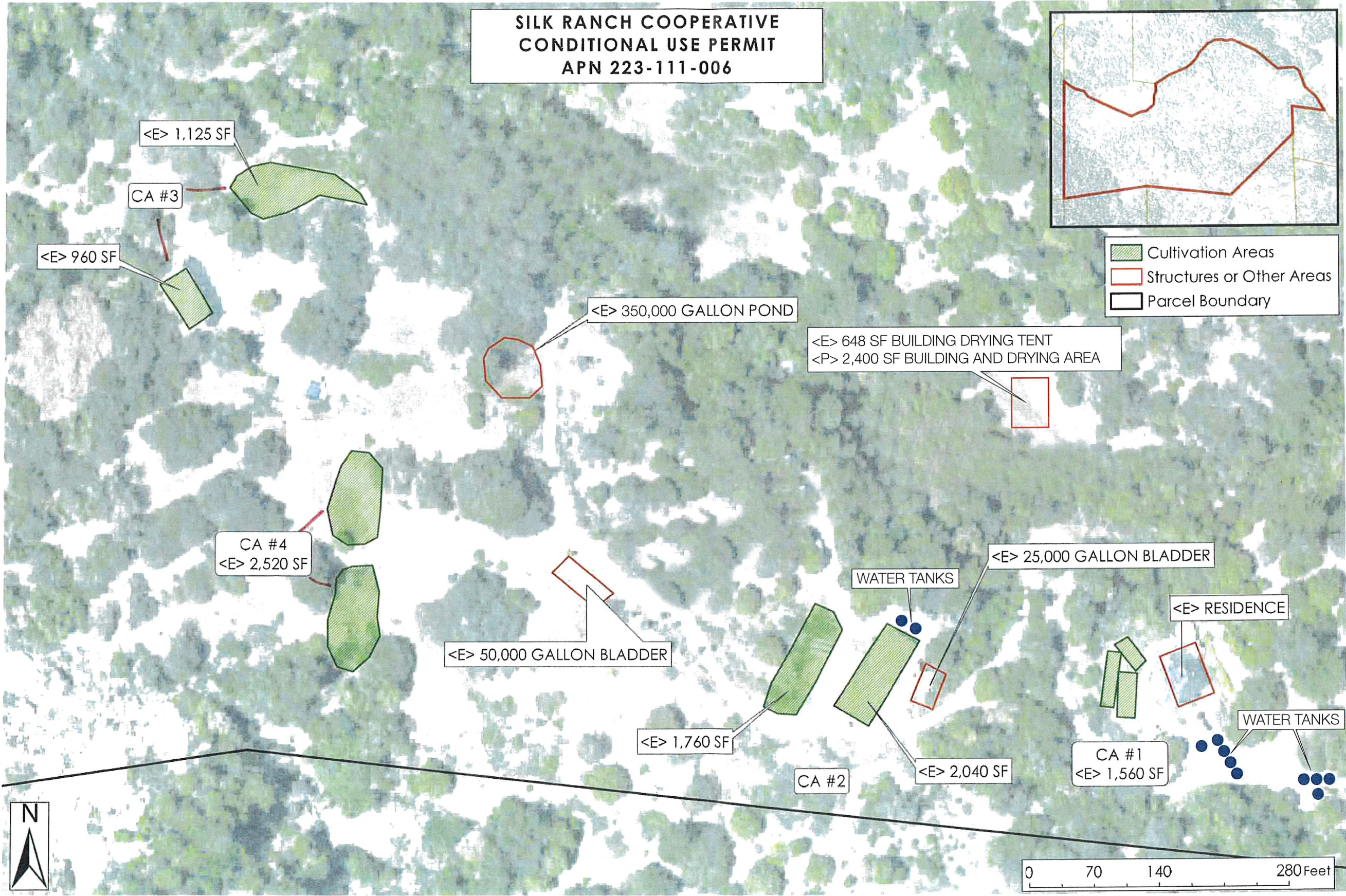
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**SILK RANCH COOPERATIVE
CONDITIONAL USE PERMIT
APN 223-111-006**



- Cultivation Areas
- Structures or Other Areas
- Parcel Boundary



DRAFT
HUMBOLDT COUNTY PLANNING
STAFF ALTERNATIVE
10/16/18

NO.	HISTORY/REVISION	BY	CHK.	DATE

SILK RANCH COOPERATIVE
CONDITIONAL USE PERMIT
1710 WADE ROAD, GARBERVILLE
APN 223-111-006

DRAWN	IMH
CHECK	MKR
APPROVED	
DATE	10/16/18
JOB NO.	
SHEET	DRAWING
1	1

ATTACHMENT 1

RECOMMENDED CONDITIONS OF APPROVAL

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

1. Within 60 days of project approval, the applicant shall execute a Compliance Agreement with the Humboldt County Planning Department detailing all necessary permits and infrastructure improvements described under Conditions of Approval #2 -24. 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.
2. The applicant shall secure permits for all structures and graded areas related to the cannabis cultivation and other commercial cannabis activity. The graded areas and structures shall be reviewed by the County Building Division and will be reviewed for consistency with applicable State, Federal, and local regulations of building standards, including those related to slope stability, ground shaking, and geologic risk. A letter or similar communication from the Building Division verifying that all structures and graded areas related to cannabis cultivation are permitted will satisfy this condition.
3. The approved building plans shall meet all applicable fire codes, including fire suppression infrastructure requirements deemed necessary for the project by the Building Inspection Division. Sign-off on the Occupancy Permit by the Building Division shall satisfy this requirement.
4. The applicant shall obtain an encroachment permit from the Department of Public Works for improvements to the intersection of Alderpoint Road and Wade Road. A letter or similar communication from the Department of Public Works stating this requirement is met will satisfy this condition.
5. The applicant shall apply for and obtain a permit from the Division of Environmental Health and the Regional Water Quality Control Board for the existing on-site wastewater disposal system that was installed prior to the permitting process. If the applicant is unable to provide this documentation, sanitary portable toilets shall be provided for all workers. An invoice, or equivalent documentation, is provided to DEH to confirm the continual use of portable toilets to serve the needs of cultivation staff prior to reissuance of an annual permit. A letter or similar communication from DEH verifying this will satisfy this condition.
6. The applicant shall contact the local fire service provider [Garberville Fire Protection District] and furnish written documentation from that agency of the available emergency response and fire suppression services and any recommended project mitigation measures. Mitigation measures shall be incorporated into the project, if applicable. If emergency response and fire suppression services are not provided, the applicant shall cause to be recorded an "ACKNOWLEDGMENT OF NO AVAILABLE EMERGENCY RESPONSE AND FIRE SUPPRESSION SERVICES" for the parcel(s) on a form provided by the Humboldt County Planning 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.
7. Prior to issuance of any building or construction permits a revised plot plan shall be prepared by the applicant and reviewed and approved by the Planning Division showing (the presence of the following have been confirmed through conversation with the applicant, review of previously completed grading plans, and views of aerials but need to be included to the plot plan):
 - a) Location of off-street parking;

- b) A note stating required distances from schools, bus stops, places of worship, public lands and parks, and cultural resources;
 - c) Compliance with emergency vehicle access requirements; and
 - d) Setback distances from cultivation areas to property lines.
8. If applicable, the applicant shall secure permits from the North Coast Unified Air Quality Management District. 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.
 9. The approved building plans shall meet all applicable fire codes, including fire suppression infrastructure requirements deemed necessary for the project by the Building Inspection Division. Sign off on the Occupancy Permit by the Building Division shall satisfy this requirement.
 10. The applicant shall demonstrate the driveway and interior emergency vehicle turn around(s) conform with the Humboldt County Code Section 3112-12, the Fire Safe Regulations. The applicant shall ensure that any fire responders have access to a dedicated 2,500-gallon water tank or that access to the 350,000-gallon pond for pumping is assured. The applicant shall be responsible for implementing any necessary improvements to bring the driveway and emergency vehicle turn around(s) into compliance.
 11. The applicant shall obtain required permits from the North Coast Regional Water Quality Control Board and the California Department of Fish and Wildlife for any new and/or repair/maintenance of culverts and/or stream crossings on the subject parcel.
 12. The applicant shall implement all corrective actions detailed within the Water Resource Protection Plan developed for the parcel, prepared pursuant to Tier 2 enrollment under the North Coast Regional Water Quality Control Board Cannabis Waste Discharge Regulatory Program, including those measures later determined necessary during annual and periodic site inspections in accordance with the monitoring element. 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 RWQCB. A letter or similar communication from the RWQCB verifying that all their requirements have been met by the listed dates or the applicant has proven to the satisfaction of RWQCB or the Third Party Consultant verifying that all the requirements in the MRP have been met will satisfy this condition. [After July 31, 2019, plans and reporting shall conform to the Cannabis Cultivation Policy and Cannabis General Order adopted October 17, 2017 by the State Water Board.]
 13. The applicant shall adhere to the Final Lake or Streambed Alteration Agreement (Notification #1600-2016-0327-R1) issued by the California Department of Fish and Wildlife.
 14. 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. 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.
 15. The pond design shall include the following:
 - a. A liner to prevent settlement by native and non-native species;
 - b. An overflow spillway that can withstand a 100-year flow event, designed with a mechanism, or low-impact design, that discourages channelization and promotes dispersal and infiltration of flows to prevent surface overflow from reaching waters of the State. The spillway shall be designed and placed to allow for a minimum of two-feet of freeboard; and
 - c. Install several exit ramps to prevent wildlife entrapment. Exit ramps shall meeting the following requirements: installed at no greater than 2:1 slope, securely fixed at the upslope end, made of solid material (e.g. wood), and be a minimum length of 1.5 times the radius of the pond.

16. Within two weeks prior to ground disturbing activities, project contractors shall be trained by a qualified biologist in the identification of the yellow-legged frog. Construction crews shall begin each day with a visual search around all stacked or stored materials, as well as along any silt fences, to detect the presence of frogs. If a yellow-legged frog is detected, construction activities shall be halted. Construction crews shall contact a qualified biologist, and gain clearance prior to re-initiating work.
17. If a rain event occurs during the construction period, all construction-related activities shall cease for a period of 48-hours after the rain stops. Prior to resuming construction activities, trained construction crew member(s) shall examine the site for the presence of frogs. If no special-status frogs are found, construction activities may resume.
18. The applicant shall submit a Bullfrog Management Plan for the review and approval of the CDFW. The applicant shall file annual Bullfrog Management monitoring reports to DFW, the Eureka office, no later than December 31.
19. If light is used for initial plant propagation, light shields shall be used so that little or no light escapes during nighttime hours and light will not be visible from neighboring properties. To the satisfaction of the County, the project will comply with the International Dark Sky Association standards for Lighting Zone 0 and Lighting Zone.
20. The applicant shall, within two-years or project approval, have the existing water bladders removed and appropriately disposed of. The applicant may replace the water storage of the bladders with hard sided tanks to the satisfaction of the County. To the maximum extent feasible, the replacement tanks shall be located within the same footprint as the water bladders and all ground disturbance and needed grading will be minimized.
21. The applicant shall submit a Small Irrigation Use Registration or other application for appropriative rights to the Division of Water Rights, State Water Resources Control Board and obtain an appropriative right for storage of diverted water from the well and/or point of diversion for domestic and irrigation use. A copy of the water right registration or license or letter or similar communication from the State Water Resources Control Board verifying that this requirement has been met will satisfy this condition.
22. The property owner 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.
23. The existing 50,000 gallon water bladder shall be removed from the site.
24. The access road shall be improved to meet the functional equivalent of a Category 4 road with slopes consistent with Fire Safe Regulation standards as certified by a licensed engineer or County staff.
25. 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 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.

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

1. All components of project shall be developed, operated, and maintained in conformance with the Project Description, the approved Site Plan, the Plan of Operations, and these conditions of approval.

Changes shall require modification of this permit except where consistent with Humboldt County Code Section 312-11.1, Minor Deviations to Approved Plot Plan.

2. Cannabis cultivation and other commercial cannabis activity shall be conducted in compliance with all laws and regulations as set forth in the CMMLUO and MCRSA, as applicable to the permit type.
3. 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 & Building Department within one (1) year of issuance of the provisional clearance or permit. If good faith effort towards compliance can be shown within the two years following the issuance of the provisional clearance or permit, The Planning Department may, at the discretion of the Director, provide for extensions of the provisional permit to allow for additional time to meet the outstanding requirements.
4. Possession of a current, valid required license, or licenses, issued by any agency of the State of California in accordance with the MCRSA, and regulations promulgated thereunder, as soon as such licenses become available.
5. 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.
6. 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).
7. Maintain enrollment in Tier 1, 2 or 3, certification with the North Coast Regional Water Quality Control Board (NCRWQCB) Order No. R1-2015-0023, if applicable, or any substantially equivalent rule that may be subsequently adopted by the County of Humboldt or other responsible agency.
8. Comply with the terms of any applicable Streambed Alteration (1600) Permit obtained from the California Department of Fish & Wildlife.
9. Consent to an annual on-site compliance inspection, with at least 24 hours prior notice, to be conducted by appropriate County officials during regular business hours (Monday – Friday, 9:00 am – 5:00 pm, excluding holidays).
10. Refrain from the improper storage or use of any fuels, fertilizer, pesticide, fungicide, rodenticide, or herbicide.
11. Pay all applicable application and annual inspection fees.
12. The noise produced by a generator used on an emergency-only basis for cannabis drying, curing, and processing shall not be audible by humans from neighboring s. The decibel level for generators measured at the property line shall be no more than 60 decibels. Where applicable, sound levels must also show that they will not result in the harassment of Marbled Murrelet or Spotted Owl species. Conformance will be evaluated using current auditory disturbance guidance prepared by the United State Fish and Wildlife Service, and further consultation where necessary. Under these guidelines, generator noise may not exceed 50dB as measured at 100 feet from the generator or at the edge of the nearest Marbled Murrelet or Spotted Owl habitat, whichever is closer.

13. Storage of Fuel - Fuel shall be stored and handled in compliance with applicable state and local laws and regulations, including the County of Humboldt's CUPA program, and in such a way that no spillage occurs.
14. The Master Log Books maintained by the applicant to track production and sales shall be maintained for inspection by the County.
15. Pay all applicable taxes as required by the Humboldt County Commercial Marijuana Cultivation Tax Ordinance (Humboldt County Code Section 719-1 et seq.).
16. The operation shall participate in the Medical Cannabis Track and Trace Program administered by the Humboldt County Agricultural Commissioner, when available.

Performance Standards for Cultivation and Processing Operations

17. 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."
18. Cultivators shall comply with all applicable federal, state, and local laws and regulations governing California Agricultural Employers, which may include: federal and state wage and hour laws, CAL/OSHA, OSHA, California Agricultural Labor Relations Act, and the Humboldt County Code (including the Building Code).
19. Cultivators engaged in processing shall comply with the following Processing Practices:
 - i. Processing operations must be maintained in a clean and sanitary condition including all work surfaces and equipment.
 - ii. Processing operations must implement protocols which prevent processing contamination and mold and mildew growth on cannabis.
 - iii. Employees handling cannabis in processing operations must have access to facemasks and gloves in good operable condition as applicable to their job function.
 - iv. Employees must wash hands sufficiently when handling cannabis or use gloves.
20. All persons hiring employees to engage in commercial cannabis cultivation and processing shall comply with the following Employee Safety Practices:
 - I. Cultivation operations and processing operations must implement safety protocols and provide all employees with adequate safety training relevant to their specific job functions, which may include:
 - (a) Emergency action response planning as necessary;
 - (b) Employee accident reporting and investigation policies;
 - (c) Fire prevention;
 - (d) Hazard communication policies, including maintenance of material safety data sheets (MSDS);
 - (e) Materials handling policies;
 - (f) Job hazard analyses; and
 - (g) Personal protective equipment policies, including respiratory protection.
 - II. Cultivation operations and processing operations must visibly post and maintain an emergency contact list which includes at a minimum:
 - (a) Operation manager contacts;
 - (b) Emergency responder contacts;
 - (c) Poison control contacts.
 - III. At all times, employees shall have access to safe drinking water and toilets and handwashing facilities that comply with applicable federal, state, and local laws and

regulations. Plumbing facilities and water source must be capable of handling increased usage without adverse consequences to neighboring properties or the environment.

- IV. On site-housing provided to employees shall comply with all applicable federal, state, and local laws and regulations.

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

- I. Processing Practices.
- II. Location where processing will occur.
- III. Number of employees, if any.
- IV. Employee Safety Practices.
- V. Toilet and handwashing facilities.
- VI. Plumbing and/or septic system and whether or not the system is capable of handling increased usage.
- VII. Drinking water for employees.
- VIII. Plan to minimize impact from increased road use resulting from processing.
- IX. On-site housing, if any.

22. 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.

23. 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 CUP or permit holder with a written statement identifying the items not in compliance, and the action that the permit holder may take to cure the non-compliance, or file an appeal within ten (10) days of the date that the written statement is delivered to the permit holder. Personal delivery or mailing the written statement to the mailing address listed on the application by regular mail, plus three (3) days after date of mailing, shall constitute delivery. The permit holder may request a reinspection to determine whether or not the permit holder has cured all issues of non-compliance. Failure to request reinspection or to cure any items of non-compliance shall terminate the 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.

24. Permit Renewals to comply with Updated Laws and Regulations. Permit renewal per Ongoing Condition of Approval #22 above is subject to the laws and regulations effective at the time of renewal, which may be substantially different than the regulations currently in place and may require the submittal of additional information to ensure that new standards are met.

25. 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.

26. Permittee further acknowledges and declares that:

- (1) All commercial cannabis activity that I, my agents, or employees conduct pursuant to a permit from the County of Humboldt for commercial cultivation, processing, manufacturing, and distribution of cannabis for adult use or medicinal use within the inland area of the County of Humboldt, shall at all times be conducted consistent with the provisions of the approved County permit; and
- (2) All cannabis or cannabis products under my control, or the control of my agents or employees, and cultivated or manufactured pursuant to local Ordinance and the State of California

Medicinal and Adult Use Cannabis Regulation and Safety Act ("MAUCRSA") (SB 94), will be distributed within the State of California; and

- (3) All commercial cannabis activity conducted by me, or my agents or employees pursuant to a permit from the County of Humboldt will be conducted in compliance with the State of California MAUCRSA

27. 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; and
- d. Acknowledgement of full responsibility for complying with the existing Permit; and
- e. Execution of an Affidavit of Non-diversion of Medical Cannabis.

28. 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 of 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 of the date of issuance of the provisional clearance or permit. Plans for curing the violations shall be submitted to the Planning and Building Department by the Permittee within one (1) year of the issuance of the provisional certificate or permit. The terms of the compliance agreement may be appealed pursuant to section 314-55.4.13 of the CMMLUO.
2. This provisional permit approval shall expire and become null and void at the expiration of one (1) year after all appeal periods have lapsed (see "Effective Date"); except where the Compliance Agreement per Condition of Approval #1 has been executed and the corrective actions pursuant to the agreement are being undertaken. Once building permits have been secured and/or the use initiated pursuant to the terms of the agreement, the use is subject to the Permit Duration and Renewal provisions set forth in Conditions of Approval #23 of the On-Going 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 as well as the appropriate Tribal Historic Preservation Officer(s) are to be contacted to evaluate the discovery and, in consultation with the applicant and 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 Section 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 Section 5097.98. Violators shall be prosecuted in accordance with Public Resources Code Section 5097.99.

4. 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 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.
5. The Applicant is responsible for costs for post-approval review for determining project conformance with conditions 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 Department will send a bill to the Applicant for all staff costs incurred for review of the project for conformance with the conditions of approval. All Planning fees for this service shall be paid to the Humboldt County Planning Division, 3015 "H" Street, Eureka.
6. A Notice of Exemption (NOE) will be prepared and filed with the County Clerk for this project in accordance with the State CEQA Guidelines. **Within three days of the effective date of permit approval**, it is requested that the applicant submit a check or money order for the required filing fee in the amount of \$50 payable to the Humboldt County Clerk/Recorder. If this payment is not received within this time period, the Department will file the NOE and will charge this cost to the project.
7. If any wildlife is encountered during the authorized activity, the applicant shall not disturb the wildlife and shall allow wildlife to leave the work site unharmed.
8. The Applicant is responsible for costs for post-approval review for determining project conformance with conditions prior to release of building permit or initiation of use and at time of annual inspection. In order to demonstrate that all conditions have been satisfied, applicant is required to pay the 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) 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.

ATTACHMENT 2

STAFF ANALYSIS OF THE EVIDENCE SUPPORTING THE REQUIRED FINDINGS

Required Findings: To approve this project, the Hearing Officer must determine that the applicant has submitted evidence in support of making **all** of the following required findings.

The County Zoning Ordinance, Sections 312-1.1.2 and 312-17.1 of the Humboldt County Code (Required Findings for All Discretionary Permits) specify the findings that are required to grant a Conditional Use Permit and Special Permit:

1. The proposed development is in conformance with the County General Plan;
2. The proposed development is consistent with the purposes of the existing zone in which the site is located;
3. The proposed development conforms with all applicable standards and requirements of these regulations;
4. The proposed development and conditions under which it may be operated or maintained will not be detrimental to the public health, safety, or welfare; or materially injurious to property or improvements in the vicinity;
5. 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 (the midpoint of the density range specified in the plan designation) unless the following written findings are made supported by substantial evidence: 1) the reduction is consistent with the adopted general plan including the housing element; and 2) the remaining sites identified in the housing element are adequate to accommodate the County share of the regional housing need; and 3) the property contains insurmountable physical or environmental limitations and clustering of residential units on the developable portions of the site has been maximized; and
6. In addition, the California Environmental Quality Act (CEQA) states that one of the following findings must be made prior to approval of any development which is subject to the regulations of CEQA. The project either:
 - a. Is categorically or statutorily exempt; or
 - b. Has no substantial evidence that the project will have a significant effect on the environment and a negative declaration has been prepared; or
 - c. Has had an environmental impact report (EIR) prepared and all significant environmental effects have been eliminated or substantially lessened, or the required findings in Section 15091 of the CEQA Guidelines have been made.

Staff Analysis of the Evidence Supporting the Required Findings: To approve this project, the Hearing Officer must determine that the applicant has submitted evidence in support of making **all** of the following required findings.

1. The proposed development must be consistent with the General Plan. The following table identifies the substantial evidence which supports finding that the proposed development is in conformance with all applicable policies and standards of the Humboldt County General Plan 2017.

Plan Section	Summary of Applicable Goal, Policy or Standard	Evidence Which Supports Making the General Plan Conformance Finding
<p>Land Use Chapter 4</p> <p>Land Use Designations Section 4.8</p>	<p>Residential Agriculture (RA): Agricultural land preserved to the maximum extent possible for continued agricultural use in parcel sizes that support economically feasible agricultural operations Marginal timber, grazing, mining and quarrying, recreational areas, watershed and wildlife areas, with occasional rural residences. Resources production on allowing intensive management opportunities, recreational uses, single-family residences, and cottage industries.</p> <p>Density range is 1 dwelling unit per 160 acres to one dwelling unit per 20 acres.</p>	<p>The project includes 9,960 square feet (sf) of outdoor cannabis cultivation. The project include drying, curing and trimming of cannabis on-site in an existing 18'x36' drying tent. A licensed third party processor will be used until a proposed 2,500 square foot processing facility is constructed. General and intensive agriculture are allowed use types for this designation.</p>

Plan Section	Summary of Applicable Goal, Policy or Standard	Evidence Which Supports Making the General Plan Conformance Finding
Circulation Chapter 7	<p>Goals and policies contained in this Chapter relate to a balanced, safe, efficient, accessible and convenient circulation system that is appropriate for each type of unincorporated community (C-G1,C-G2); coordinated planning design, development, operations, and maintenance between the County and other transportation system service providers (C-G3); and access for all transportation mode types with improved opportunities to move goods within, into and out of Humboldt County. (C-G4, C-G5)</p> <p>Related policies: C-P3. Consideration of Transportation Impacts in Land Use Decision Making</p>	<p>The subject parcel is accessed by Wade Road. Wade Road is located approximately 1.74 miles from its intersection with Alderpoint Road. The applicant completed a Road Evaluation Report indicating the access to the parcel is developed to a road category 4 standard. Pictures have been submitted which demonstrate that the road appears to meet the functional capacity of a road category 4. In their response dated, February 1, 2018, the Department of Public Works recommended conditional approval of the project. Conditions of approval require the applicant to obtain an encroachment permit from the Department of Public Works to pave the intersection of Alderpoint Road and Wade Road.</p>
Housing Chapter 8	<p>Goals and policies contained in this Element seek to identify existing and projected housing needs and establish goals, policies, standards and measures for the preservation, improvement, and development of housing.</p> <p>Related policies: H-P3, Development of Parcels in the Residential Land Inventory</p>	<p>The proposed project does not involve residential development, nor is the project site part of the Housing Element, Residential Land Inventory. The project site is not developed with any existing residence and no residential units are proposed. The proposed project does not propose to provide employee housing. However, the proposed project will not preclude any future residential development on the project site or adjacent areas. The proposed project will 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. The proposed project is consistent with this section.</p>

Plan Section	Summary of Applicable Goal, Policy or Standard	Evidence Which Supports Making the General Plan Conformance Finding
<p>Conservation and Open Space Chapter 10</p> <p>Open Space Section 10.2</p>	<p>Goals and policies contained in this Chapter relate to an Open Space and Conservation Program that is complimentary to other agencies' plans and that preserves the county's unique open spaces (CO-G1,CO-G3)</p> <p>Related policies: CO-P1, Conservation and Open Space Program; CO-P12, Development Review, CO-S1. Identification of Local Open Space Plan, and CO-S2. Identification of the Open Space Action Program</p>	<p>The project site is not within or near a land use designation or zoning classification identified for the Local Open Space Plan, however, Dean Creek runs through the southwestern boundary of the subject parcel. There are also two tributaries to Dean Creek on the subject parcel as well (See Biological Resources Section 10.3 for additional discussion).</p>
<p>Conservation and Open Space Chapter 10</p> <p>Biological Resources Section 10.3</p>	<p>Goals and policies contained in this Chapter relate to mapped sensitive habitat areas where policies are applied to protect fish and wildlife and facilitate the recovery of endangered species (BR-G1, Threatened and Endangered Species, BR-G2, Sensitive and Critical Habitat, BR-G3, Benefits of Biological Resources)</p> <p>Related policies: BR-P1. Compatible Land Uses, BR-P5. Streamside Management Areas.</p>	<p>The subject parcel is located within the Dean Creek watershed, which is a tributary to the South Fork of the Eel River. Dean Creek and two tributaries are located on the subject parcel. All existing and proposed development is located outside of the Streamside Management Area (SMA). The applicant uses a point of diversion (POD) on APN 223-091-002 for irrigation uses. The applicant has 110,000 gallons of water storage in hard-sided tanks. There is a Final Lake or Streambed Alteration Agreement (Notification #1600-2016-0327-R1) for the POD. There are 11 3,000-gallon water storage tanks located in the southeast portion of the subject parcel to store the diverted water. Conditions of approval require the applicant to obtain appropriate water rights for the water diverted from APN 223-091-002 and stored on the subject parcel.</p> <p>The applicant also constructed a 350,000 gallon pond located in a swale above a Class III channel head as described by CDFW in Notification #1600-2016-0327-R1. Water for irrigation will also be sourced from the water storage pond. Conditions of approval require the applicant to adhere to the requirements, including monitoring and reporting, described in Notification #1600-2016-0327-R1.</p> <p>The parcel is forested with large open grassland areas. The CDFW resource map identified the yellow-legged frog as having potential presence on the subject parcel. Conditions of approval require, within two weeks prior to ground disturbing activities, project contractors shall be trained by a qualified biologist in the identification of yellow-legged frog.</p>

Plan Section	Summary of Applicable Goal, Policy or Standard	Evidence Which Supports Making the General Plan Conformance Finding
		<p>Additionally, if a rain event occurs during the construction period, all construction-related activities shall cease for a period of 48-hours after the rain stops. To address potential concerns to biological resources, conditions of approval require the applicant to install a pond liner, design the pond with wildlife ramps to avoid trapping of native and non-native species and approval of a bullfrog management plan. The applicant is required to work with CDFW to determine if another LSA Notification is required for the improvements to the pond. To ensure waste is handled appropriately and reduces the impact on biological resources, the project is conditioned on 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.</p>
<p>Conservation and Open Space Chapter 10</p> <p>Cultural Resources Section 10.6</p>	<p>Goals and policies contained in this Chapter relate to mapped sensitive habitat areas where policies are applied to protect fish and wildlife and facilitate the recovery of endangered species (BR-G1, Threatened and Endangered Species, BR-G2, Sensitive and Critical Habitat, BR-G3, Benefits of Biological Resources)</p> <p>Related policies: BR-P1. Compatible Land Uses, BR-P5. Streamside Management Areas.</p>	<p>There are no known cultural resources on the project site. A study entitled, Cultural Resources Investigation for Commercial Medical Cannabis Cultivation Silk Ranch, Inc. APN 223-111-006 Garberville, Humboldt County, California was completed by William Rich and Associates in March, 2018. The report concluded that no significant archaeological or historic-period cultural resources that, for the purposes of CEQA [15064.5(a)], would be considered an historical resource, exist in the limits of the project area. In addition, the report concluded that tribal cultural resources do not appear to be present and no further studies were recommended. The study; however, recommended that although discovery of cultural resources is not expected, that inadvertent discovery of cultural resources is possible. Accordingly, the standard inadvertent discovery protocol has been included as a condition of approval. Therefore, the project is consistent with this section.</p>

Plan Section	Summary of Applicable Goal, Policy or Standard	Evidence Which Supports Making the General Plan Conformance Finding
<p>Conservation and Open Space Chapter 10</p> <p>Scenic Resources Section 10.6</p>	<p>Goals and policies contained in this Chapter relate to the protection of scenic areas that contribute to the enjoyment of Humboldt County's beauty and abundant natural resources (SR-G1); and a system of scenic highways roadways that increase the enjoyment of, and opportunities for, recreational and cultural pursuits and tourism in the County. (SR-G2)</p> <p>Related policies: SR-S4. Light and Glare</p>	<p>The proposed project does not propose any mixed-light cultivation. The proposed project; however, includes one green house at site #2 that would use artificial light to establish and initiate plant growth. Light shields will be used so that little or no light escapes during nighttime hours and light will not be visible from neighboring properties. Lighting will be designed to regulate light spillage onto neighboring properties resulting from backlight, uplight, or glare (BUG). The proposed project will comply with the International Dark Sky Association standards for lighting Zone 0 and Lighting Zone. Conditions of approval have been added to ensure compliance with these requirements.</p>
<p>Water Resources Chapter 11</p> <p>Stormwater Drainage</p>	<p>Goals and policies contained in this Chapter relate to coordinated watershed planning and land use decision making to advance management priorities (WR-G3, WR-G4, WR-G5); watershed conservation and restoration efforts aimed at de-listing water bodies and watersheds which are restored to meet all beneficial uses, including water use, salmon and steelhead recovery plans, recreational activities, and the economy. (WR-G1, WR-G2, WR-G7, WR-G8, WR-G9)</p> <p>Related policies: WR-P10. Erosion and Sediment Discharge; WR-42 Erosion and Sediment Control Measures.</p>	<p>The project site falls within Tier 2 of the North Coast Regional Water Quality Control Board's (NCRWQCB) Order No. 2015-0023 (Order), which requires preparation of a Water Resources Protection Plan (WRPP) to protect water quality from cannabis cultivation and related activities. The applicant is currently preparing a WRPP for the project site. The WRPP identified areas where the project site does not meet Standard Conditions and will set a preliminary schedule prioritizing corrective actions to reach full compliance with the Order. Implementation of the WRPP has been added as a Condition of Approval to the proposed project.</p>

Plan Section	Summary of Applicable Goal, Policy or Standard	Evidence Which Supports Making the General Plan Conformance Finding
<p>Water Resources Chapter 11</p> <p>Onsite Wastewater Systems</p>	<p>Goals and policies contained in this Chapter relate to adequate public water supply as well as onsite wastewater systems and natural and developed storm drainage systems that minimize interference with surface and groundwater flows and storm water pollution. (WR-G6, WR-G9, WR G10)</p> <p>Related policies: WR-IM7. Basin Plan Septic Requirements; and IS-P17. On-Site Sewage Disposal Requirements.</p>	<p>The applicant maintains an existing On-Site Wastewater Treatment (OWTS). The OWTS is functioning properly and can serve the needs of all parties who will be working on the site but it was installed prior to the permitting process, and therefore, does not have a permit. Processing will occur off-site until a processing facility is constructed on the subject parcel. Temporary bathroom and handwashing facilities will be available on site for employees engaged in cultivation activities. Referral comments from the Department Environmental Health require processing to be off-site until a permitted Onsite Wastewater Treatment System (OWTS) is installed on the subject parcel. The applicant is required to maintain invoice(s) or equivalent documentation to provide proof of continual use of the temporary facilities. Both requirements are included in the conditions of approval for the project. The proposed processing facility will include installation of an ADA-compliant bathroom facility to meet commercial building standard requirements.</p>
<p>Noise Chapter 13</p>	<p>Goals and policies contained in this Chapter discourage incompatible uses within communities and reduce excessive noise through the application of standards. (N-G1, N-G2)</p> <p>Related policies: N-P1, Minimize Noise from Stationary and Mobile Sources; N-P4, Protection from Excessive Noise.</p>	<p>The proposed project is not mapped in the vicinity of any sensitive species or species or uses that would be sensitive to noise. The proposed project would utilize solar power for its energy needs and the use of generators is not required. The proposed project would not generate excessive noise and additional noise reduction or minimization measures are not required.</p>

Plan Section	Summary of Applicable Goal, Policy or Standard	Evidence Which Supports Making the General Plan Conformance Finding
<p>Safety Element Chapter 14</p> <p>Geologic & Seismic</p>	<p>Goals and policies contained in this Chapter relate to communities that are designed and built to minimize the potential for loss of life and property resulting from natural and manmade hazards; and to prevent unnecessary exposure to areas of geologic instability, floodplains, tsunami run-up areas, high risk wildland fire areas, and airport areas planned and conditioned to prevent unnecessary exposure of people and property to risks of damage or injury. (S-G1, S-G2)</p> <p>Related policies: S-P11. Site Suitability, S-P7. Structural Hazards.</p>	<p>The project site is not located in a mapped Alquist-Priolo fault zone nor is the site subject to liquefaction. The proposed project is located approximately 18 miles from the coast and is not at risk from tsunamis. The nearest mapped fault is an unnamed fault approximately 1.5 miles to the northeast. The project site is in an area designated with High Seismic instability, however, there are no historic landslides on the project site. In addition, although the site does have some slopes greater than 50%, none of the existing cultivation areas are located within areas with such steep slopes. According to County WebGIS, the cultivation areas would be located in areas with slopes between 0% and 30%, and only CA#4 is located on an area with slopes between 30-50%. The existing pond is located in an area with slopes less than 15%. Conditions of approval require the applicant to obtain building and grading permits for all existing and proposed development related to cannabis cultivation.</p>
<p>Safety Element Chapter 14</p> <p>Flooding</p>	<p>Goals and policies contained in this Chapter relate to the use of natural drainage channels and watersheds that are managed to minimize peak flows in order to reduce the severity and frequency of flooding. (S-G3)</p> <p>Related policies include: S-P12, Federal Flood Insurance Program; S-P13, Flood Plains; S-P15, Construction Within Special Flood Hazard Areas</p>	<p>As discussed above, the subject site is outside any mapped flood hazard areas. The project site is not within a mapped dam or levee inundation area and is outside the areas subject to tsunami run-up.</p>
<p>Safety Element Chapter 14</p> <p>Fire Hazards</p>	<p>Goals and policies of this Chapter encourage development designed to reduce the risk of structural and wildland fires supported by fire protection services that minimize the potential.</p> <p>Related policies: S-P15, Conformance with State Responsibility Areas (SRA) Fire Safe Regulations.</p>	<p>The subject parcel is located within an area with a high fire rating and high and moderate fire severity rating. The subject property is located within the Garberville Fire Protection District and the State Fire Responsibility Area where the State of California has the primary financial responsibility for the prevention and suppression of wildland fires. CAL FIRE comments recommended compliance with the requirements of the County's Fire Safe Regulations. The Humboldt County Fire Safe Ordinance (Section 3111-1 <i>et seq.</i>) establishes development standards for minimizing wildfire danger in state responsibility designated areas.. Conditions of approval for the project require the applicant to demonstrate the driveway and emergency vehicle turn around conform with the Humboldt County Code Section 3112-12, the</p>

Plan Section	Summary of Applicable Goal, Policy or Standard	Evidence Which Supports Making the General Plan Conformance Finding
		<p>Fire Safe Regulations.</p> <p>The applicant is proposing operation of an existing 9,960 sf of outdoor cannabis cultivation with an existing 33,000-gallons of water storage in tanks and a 300,000-gallon pond. The pond is available for use for fire suppression as needed. In addition, the site does have existing water courses, which could be used to supply water for fire suppression efforts. The project is not proposing any new residential or habitable structures and would not introduce any new residents to the site.</p> <p>All applicable referral agencies were referred and did not identify any issues relating to fire hazards.</p>
<p>Community Infrastructure and Services Element, Chapter 5</p> <p>Implementation Action Plan</p>	<p>IS-S5 requires new industrial, commercial and residential development located outside of fire district boundaries to obtain written acknowledgment of available emergency response and fire suppression services from the local fire agency, including any recommended mitigation.</p>	<p>To implement this policy, conditions of approval for the proposed project required the applicant to contact the local fire service provider [Garberville Fire Protection District] and furnish written documentation from that agency of the available emergency response and fire suppression services and any recommended project mitigation measures. If emergency response and fire suppression services are not provided, the applicant shall cause to be recorded an "ACKNOWLEDGMENT OF NO AVAILABLE EMERGENCY RESPONSE AND FIRE SUPPRESSION SERVICES" for the parcel(s) on a form provided by the Humboldt County Planning Division.</p>
<p>Air Quality Chapter 15</p>	<p>Goals and policies contained in this Chapter relate to improved air quality to meet current and future state and federal standards, including attainment of particulate matter requirements (AQ-G1, AQ-G2, AQ-G3) and the successful reduction of greenhouse gas emissions to levels consistent with state and federal requirements. (AQ-G3)</p> <p>Related policies: AQ-P4, Construction and Grading Dust Control, AQ-S1. Construction and Grading Dust Control, AQ-P7. Interagency Coordination.</p>	<p>As a condition of project approval, applications for grading and/or building permits shall be referred to the North Coast Air Quality Management District (NCAQMD) for review and consultation. Dust control practices during construction and grading shall achieve compliance with NCAQMD fugitive dust emission standards.</p>

2. Zoning Compliance and 3. Conforms with applicable standards and requirements of these regulations:

The following table identifies the evidence which supports finding that the proposed development is in conformance with all applicable policies and standards in the Humboldt County Zoning Regulations.

Zoning Section	Summary of Applicable Requirement	Evidence That Supports the Zoning Finding
§312-1.1.2 Legal Lot Requirement	Development permits shall be issued only for a lot that was created in compliance with all applicable state and local subdivision regulations.	The parcel of land known as APN 223-111-006 is Lot 26 of Parcel Map No. 819 recorded in Book 7 of Parcel Maps Page 45 on August 27, 1976. There is no evidence indicating there have been any subsequent acts to merge or divide this parcel. Therefore, the subject parcel was lawfully created in its current configuration and can be developed as proposed.
§314-7.1 Agriculture Exclusive (AE)	Agriculture Exclusive (AE): is intended to be applied in fertile areas in which agriculture is and should be the desirable predominant use and in which the protection of this use from encroachment from incompatible uses is essential to the general welfare.	The applicant is seeking a Conditional Use Permit for an existing 9,960 square feet (sf) of existing outdoor medical cannabis cultivation production on a property zoned AE. The proposed use is specifically allowed with a Conditional Use Permit in this zoning district and under Section 314-55.4.8.2.2 of the CMMLUO.
Minimum Lot Size	160 acres	131.29 acres
Maximum Ground Coverage	35 percent	0.24 percent
Maximum Lot Width	100 feet	3,400 feet
Maximum Lot Depth	None specified	N/A
Minimum Parcel Setbacks (through the SRA requirements)	Front: 20 feet Rear: 20 feet Side: 10 feet SRA: 30 feet, all sides	Front: 1,100 feet Rear: 400 feet Side (north): 550 feet Side (south): 80 feet
Max. Building Height	None specified	<40 feet

§ 314-55.4.8.2.2	A Zoning Clearance Certificate, Special Permit or Use Permit may be issued for outdoor or mixed-light commercial cannabis cultivation for some or all of the cultivation area in existence prior to January 1, 2016, in zoning districts U (on parcels one acre or larger), but only when possible to bring the cultivation into compliance with all applicable standards set forth in this section and to eliminate existing violations as specified in this ordinance. The total cultivation area allowed on a single parcel shall not exceed one acre for outdoor cultivation or 22,000 square feet for mixed light cultivation. No expansion of the existing cultivation area shall be permitted.	The parcel is zoned AE and is approximately 127 acres in size. There are four outdoor cultivation areas totaling 9,960 square feet. The proposed action is a Conditional Use Permit for 9,960 square feet of existing outdoor cultivation on APN 223-111-006, which is a 127-acre parcel zoned AE. Aerial imagery on TerraServer indicates that existing cultivation operations on the property prior to January 1, 2016. The cultivation area, type, status, and zoning of the parcel are consistent with the requirements for a Conditional Use Permit. The applicant will comply with all conditions of the CMMLUO, as specified in the recommended conditions of approval.
§314-55.4.8.10 Permit Limit	No more than four commercial cannabis activity permits may be issued to a single person, as defined in the referenced section.	According to records maintained by the Department, the applicant, Silk Ranch Cooperative, holds no other cannabis activity permits, and is entitled to four. This application is for one permit.
§314-55.4.9.1 Accessory Processing	Processing for cultivation requiring a Special Permit or Use Permit will be considered in the Use Permit application.	All commercial medical cannabis is currently processed off-site. The applicant is proposing to construct a 2,400-square-foot metal building that would be used for processing on-site. Ongoing conditions require the applicant to adhere to the standards for processing, including employee training and adequacy of facilities. Conditions of approval require the application to obtain building and grading permits from the Humboldt County Building Division for all proposed structures to be used in cannabis operations. The proposed processing building will be constructed to meet commercial building standards, which includes meeting ADA codes for accessibility.
§314-55.4.9.4 Pre-Application Registration	Existing cultivation sites shall register with the County within 180 days of the effective date of this ordinance.	A Commercial Cannabis Registration Form for the remediation site, APN 314-224-004 was filed with the Planning Division on August 23, 2016.
§314-55.4.10 Application Requirements	Identifies the Information Required for All Applications	Attachment 3 identifies the information submitted with the application, and shows all the required information was received.
§314-55.4.11 Performance Standards	Identifies the Performance Standards for Cannabis Cultivation Activities	All the applicable performance standards are included as conditions of project approval. They are required to be met throughout the timeframe of the permit.

<p>§314-55.4.11.c</p> <p>Performance Standards-Water</p>	<p>Compliance with all statutes, regulations and requirements of the California State Water Resources Control Board, 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.</p>	<p>The applicant uses a point of diversion (POD) on APN 223-091-002 for irrigation uses. The applicant has 110,000 gallons of water storage in hard-sided tanks. There is a Final Lake or Streambed Alteration Agreement (Notification #1600-2016-0327-R1) for the POD. There are 11 3,000-gallon water storage tanks located in the southeast portion of the subject parcel to store the diverted water. Conditions of approval require the applicant to obtain appropriative water rights for the water diverted from APN 223-091-002 and stored on the subject parcel.</p> <p>The applicant also constructed a 350,000 gallon pond located in a swale above a Class III channel head as described by CDFW in Notification #1600-2016-0327-R1. Water for irrigation will also be sourced from the water storage pond. Conditions of approval require the applicant to adhere to the requirements, including monitoring and reporting, described in Notification #1600-2016-0327-R1.</p>
<p>§314-55.4.11.d</p> <p>Performance Standards – Setbacks</p>	<p>The area of cannabis cultivation and on-site processing shall be setback at least 30 feet from any property line, and 600 feet from any school, school bus stop, church or other place of religious worship, public park, or tribal cultural resources (TCRs).</p>	<p>The applicant's site plan shows that the cultivation area conforms to the performance standards for setbacks. There are no public parks, schools, school bus stop, church, or other place of religious worship, or any known tribal cultural resources, as defined in HCC Section 314- 55.4.7 within 600 feet of the cultivation site based on a review of aerial imagery, nor is there a place of religious worship within 600 feet.</p>
<p>§314-55.4.11.o</p> <p>Performance Standards- Generator Noise</p>	<p>The noise produced by a generator used for cannabis cultivation shall not be audible by humans from neighboring residences. The combined decibel level for all noise sources, including generators, at the property line shall be no more than 60 decibels. Where applicable, sound levels must also show that they will not result in the harassment of Marbled Murrelet or Spotted Owl species, when generator use is to occur in the vicinity of potential habitat. Conformance will be evaluated using current auditory disturbance guidance prepared by the United State Fish and Wildlife Service</p>	<p>The proposed project would utilize solar power for the proposed project and does not include the use of generators. The subject property is not mapped in proximity to Northern Spotted Owl, Marbled Murrelet or any other species that would be sensitive to noise.</p>

§314-55.4.17 Sunset Date	No application for any Use Permit pursuant to the CMMLUO shall be processed for issuance or approval that is received after December 31, 2016.	The applicant filed the application on December 19, 2016.
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4. Public Health, Safety and Welfare. The following table identifies the evidence which supports finding that the proposed location of the use and 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.

Code Section	Summary of Applicable Requirement	Evidence that Supports the Required Finding
§ 312-17.1.4 Required Findings	The proposed development will not be detrimental to the public health, safety, and welfare, and will not be materially injurious to properties or improvements in the vicinity.	The Department finds that the proposed project would not be detrimental to the public health, safety, and welfare since no reviewing referral agencies have recommended denial of the proposed project and the commercial cannabis operation would be conducted in accordance with the properties or performance standards set forth in the CMMLUO. The project as proposed and conditioned is consistent with the general plan and zoning ordinances; and the proposed project is not expected to cause any environmental damage.

5. Residential Density Target: The following table identifies the evidence which supports finding that the proposed project will 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.

Code Section	Summary of Applicable Requirement	Evidence that Supports the Required Finding
§ 312-17.1.5 Housing Element Densities	The proposed development shall not reduce the residential density for any parcel below that is utilized by the Department of Housing and Community Development in determining compliance with the housing element.	The project site is not located within a Housing Opportunity Zone, as defined by the 2014 Housing Element. Additionally, the project would not reduce the residential density for any parcel. No residences exist onsite and the property would continue to operate within the property's established density of one dwelling unit per 20 to 160 acres.

6. Environmental Impact: The following table identifies the evidence which supports finding that the proposed development will not adversely impact the environment.

Code Section	Summary of Applicable Requirements	Evidence that Supports the Required Finding
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<p>§§15301, 15303, 15304, and 15333 of CEQA Guidelines</p>	<p>Categorically exempt from State environmental review.</p>	<p>Environmental review for the proposed project was conducted, and based on the results of that analysis, staff believes the existing cultivation and processing aspects of the project are Categorically Exempt from the provisions of the California Environmental Quality Act (CEQA) because they can be considered to be an "Existing Facility" per Section 15301, the proposed processing facility is considered "New Construction or Conversion of Small Structures" per Section 15303 and proposed on-site relocation would be a "Minor Alteration to Land" as defined by Section 15304 because it would involve "minor public or private alterations in the condition of land, water, and/or vegetation which do not involve removal of healthy, mature, scenic trees except for forestry or agricultural purposes." Per the submitted evidence and agency responses, none of the exceptions to the Categorical Exemption per Section 15300.2 of the State CEQA Guidelines apply to this project.</p>
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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 ¼ mile (1,320 ft.) of a school, school bus stop, church or other place of religious worship, public park, or Tribal Cultural Resource, the site plan shall include dimensions showing that the distance from the location of such features to the nearest point of the cultivation area is at least 600 feet. (Attached)
4. A cultivation and operations plan that meets or exceeds minimum legal standards for water storage, conservation and use; drainage, runoff and erosion control; watershed and habitat protection; and proper storage of fertilizers, pesticides, and other regulated products to be used on the parcel, and a description of cultivation activities (outdoor, indoor, mixed light), the approximate date(s) cannabis cultivation activities have been conducted on the parcel prior to the effective date of this ordinance, if applicable, and schedule of activities during each month of the growing and harvesting season. (Attached)
5. Copy of the statement of water diversion, or other permit, license or registration filed with the State Water Resources Control Board, Division of Water Rights, if applicable. (On file)
6. Description of water source, storage, irrigation plan, and projected water usage. (On file)
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. (On file)
8. If any on-site or off-site component of the cultivation facility, including access roads, water supply, grading or terracing impacts the bed or bank of any stream or other watercourse, a copy of the Streambed Alteration Permit obtained from the Department of Fish & Wildlife. (On file)
9. If the source of water is a well, a copy of the County well permit, if available. (not applicable)
10. If the parcel is zoned FR, U or TPZ, or involves the conversion of timberland as defined under section 4526 of the Public Resources Code, a copy of a less-than-3-acre conversion exemption or timberland conversion permit, approved by the California Department of Forestry and Fire Protection (CAL-FIRE). Alternately, for existing operations occupying sites created through prior unauthorized conversion of timberland, evidence may be provided showing that the landowner has completed a civil or criminal process and/or entered into a negotiated settlement with CAL-FIRE. (Not applicable)

11. Consent for onsite inspection of the parcel by County officials at prearranged date and time in consultation with the applicant prior to issuance of any clearance or permit, and once annually thereafter. (On file)
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. DEH Attachment for Commercial Medical Marijuana Clearances/Permits received July 31, 2017. (On file)
16. Road Evaluation Reports dated May 1, 2018. (Attached)
17. Lake or Streambed Alteration Agreement (Notification #1600-2016-0327-R1) (CDFW). (Attached)
18. R2 Soils Report prepared by Trinity Valley Consulting Engineers dated April 2017. (On file)

1. Plan Overview

a. Project Information

Silk Ranch, Inc (“Applicant”) is submitting this application for a Use Permit for commercial cannabis cultivation on 142-acre farm, located in Garberville CA, Assessor’s Parcel Number: 223-111-006-000. This application has been prepared in accordance with Humboldt County’s (“County”) Commercial Medical Marijuana Land Use Ordinance (“CMMNUO”).

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

- i. Bring the Applicant’s existing 13,800 square feet of commercial cannabis cultivation activities in existence prior to January 1, 2016 into compliance with the County CMMLUO.
 1. Applicant initially submitted for 24,000 square feet of commercial outdoor cultivation based on the assessment by Timberland consultants who surveyed the farm for cultivation activities prior 1/1/2016. Historically, the site was used for cannabis cultivation since mid 1970s. Much of the cultivation was happening in the riverbeds and under the trees, which is not visible in satellite images. Applicant discussed 6,000 mixed light on the October 31, 2017 with Humboldt county planning. At the time of the call it was explained to Applicant that any use of lighting was considered mixed light. Since then Nursery use of lighting is no longer considered mixed light. During winter 2017 – 2018 the hoop-green house in section # 3 had been removed and structural foundation support added to with stand the appropriate wind load for the area. Applicant plans to erect a long-term green house to be in compliance with county codes and permits pending the completion of this permitting process. Since and currently, the area is used as an outdoor only production.
 2. After call 10/30/17 and correspondence HCBd assessed estimate of existing cannabis use using satellite images to 3,300 mixed light and 9,904 outdoor. After submittal 6/25/18 and response 07/03/18 and review square footage was adjusted by HCBd adding 600 SqFt for a total on 13,804 SqFt.
 3. Silk Ranch scaled back operation for 2017 and 2018 to 9,960 (canopy sq feet as per Title 5 section 26051.5 (10) c) to aid in forbearance water conservation efforts.
 4. Silk Ranch does not plan to do mixed light in 2018. The only lighting in the green house at site #2 is to be used as a nursery to provide for Applicants outdoor planting needs.
 5. In 2020 applicant will resume total 13,804 sq. ft. of cultivation, at this juncture we do not have plans to resume mixed light.
 6. Applicant has no current plans to resume 24,000 production, after working with the county to approve increase from existing county estimates.

7. In 2018 total canopy space is estimated to be 9,960 sq feet, outdoor (as per Title 5 section 26051.5 (10) c)
- ii. Applicant will comply with applicable standards for water quality maintenance and water shed protection through the Waiver of Waste Discharge requirements of the North Coast Regional Water Quality Control Board (“Water Board”) and California Department of (“Fish and Wildlife”). Applicant has submitted plans for both agencies and will manage accordingly.

b. Project Location

The Applicant’s parcel is located within the Dean Creek watershed, approximately 4.4 miles northeast of the town of Garberville, County of Humboldt, State California. The Parcel is comprised of 142-acres and is identified by Assessor’s Parcel Number (“APN”) 223-111-006-000. The street address for the Parcel is 1710 Wade Rd. Garberville, CA 95542.

i. Zoning Classification

The County’s Zoning Classification is Agricultural (AG40) and Rural Residential (RR). The CMMLUO permits existing commercial cannabis cultivation on land zoned for AG with cultivation sites between 10, 000 and 43,560 square feet with a Use Permit .

- ii. **Cultural Resource study was completed and filed with county.**

c. Site Topography

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

d. Easements

There aren’t any easements for this Parcel.

e. Natural Waterways

The parcel has two class III watercourses named Dean Creek. Both areas significantly outside of the SMB buffer zones, the coursed point is more then 300 feet away from any cultivation site. A registration for Small domestic Use Appropriation has been submitted to the State Water Resource Control Board, Division of Water Rights and is included in the Other Permits, Licenses and Documents section of this application. The water used for Cannabis cultivation is gathered from the point of diversion (POD) Assessor’s Parcel Numbers 223-091-02 into tanks that can hold approximately 110,000 gallons of water when full.

f. Water Catchment Ponds

A Water Catchment and settling pond approximately 120 ft. by 80 ft. lined with a 40 mill co extruded liner with a capacity of approximately 350,000 gallons of water was created in 2017 for use in 2018 and is detailed in the grading plan. Water Catchment was designed and Engineered by Trinity Valley Consulting Engineers (TVCE) in conjunction with CDFW 1600 permit, grading plan (grading permit 43339) and an r2 soils report all submitted to county. TVCE made multiple site visits during the construction and all requirements we met and acceptance with the Engineer assigned to project.

The pond has felt and Rock lined input and outflow channels were constructed to slow the flow and properly disperse flow in prescribed manor as governed by codes and engineering. Also secondary over flow has been created as in accordance to county and state guidelines.

Bull-frog mitigation will be implemented per CDFD water resource protection plan and management will include but not limited to these types of measures.

All erosion control best management practice (BMP's) have been implemented during the wet season. Sediment control BMP's have been maintained year round. Drainage inlets immediately downstream have been protected by sediment control. All slopes and construction areas have been reseeded along with BMP. All of the erosion control measures and measures have been implemented per TVCE engineering specification and correspond codes as detailed in the grading and erosion plan. (See attached grading plan filed under grading permit 43339)

The Applicant has a Water Resource Protection Plan ("WRPP") for the Parcel and is enrolled in the Water Board's Waiver of Waste Discharge program as a Tier II discharger. A copy of the WRRP is included in the Other Permits, Licenses and Documents section of this application.

g. Location and Area of Existing Cultivation

The 9,960 square feet of existing cannabis cultivation located on the Parcel existed prior to the January 1, 2016 deadline provided by the County. 20 sq. ft planned Canopy for outdoor grow and 12 sq. ft canopy for Hydroponics systems, pursuant to California Code of Regulations Title 5 section 26051.5 (10) c

Title 5 section 26051.5 (10) c

(c) The applicant shall also provide a complete detailed diagram of the proposed premises wherein the license privileges will be exercised, with sufficient particularity to enable ready determination of the bounds of the premises, showing all boundaries, dimensions, entrances and exits, interior partitions, walls, rooms, and common or shared entryways, and include a brief statement or description of the principal activity to be conducted therein, and, for licenses permitting cultivation, **measurements of the planned canopy, including aggregate square footage and individual square footage of**

separate cultivation areas, if any, roads, water crossings, points of diversion, water storage, and all other facilities and infrastructure related to the cultivation.

The list the planned square footage of each cultivation area is also, presented in Attachment B.

Our main source of power comes from off the grid Solar systems located on the property.

Cultivation Area #1.

Cultivation Area #1 is approximately 1,560 square feet and is located in South East quadrant of the Property. It consisted of three temporary hoop-style green houses and a small outdoor cultivation area. It resides within the proper buffer zones for the County and the Water Board.

Cultivation Area #2

Cultivation Area #2 is 2040 square feet and is located in the South Eastern quadrant of the property. It is a Green House. It abides Water Board guidelines with its hydroponics system implementation.

This green house is currently listed as mixed light environment however we use this a nursery. When we originally applied for permit there was no provision for this use of mixed light. We are requesting the 3,300 sq ft of mixed light be reclassified to regular use as per section 1.a.i of this cultivation plan.

Our main source of power comes from off the grid Solar system. Occasionally, Regular fluorescent lamps are used to increase day light to 16 hours per day, being dark from 10PM till the sunrise. Lamp use is approximately totals to 2 months of the year. When lights are in operation the shade system is used preventing any light to escape.

This area includes an outdoor cultivation area – 1,760 square feet. It resides within the proper buffer zones for the County and the Water Board.

Cultivation Area #3

Cultivation Area #3 is approximately 960 square feet of canopy and is located in the North East quadrant of the property. It is an outdoor hydroponics system. Also, this are has an outdoor part with 1,120 sq. ft. total canopy size.

Cultivation Area #4

Cultivation Area #4 is approximately 2,520 square feet of canopy. Located in the West half of the property. It is an outdoor cultivation area. It resides within the proper buffer zones of the County and the Water Board.

h. Setbacks of Cultivation Area

Cultivation Area #1 setback from the Parcel lines are 160 feet from the Southern Line and 350 feet from the Eastern Line.

Cultivation Area #2 setback from the Parcel lines are 110 feet from the Southern Line and 500 feet from the Eastern Line.

Cultivation Area #3 setback from the Parcel lines are 600 feet from the Northern Line and 500 feet from the Southern line.

Cultivation Area #4 setback from the Parcel lines are 500 from Western Line and 7000 from Southern Line.

i. Access Roads

The Parcel is located off Wade Rd, which is a private Rd. maintained by the Overland Road association. See an email sent 5/18/18 4PM titled Silk Ranch Road data, detailing access road status as class 4 roadway. Included in this attachment is a plot plan detailing the roadway and corresponding photographs of the road taken at intervals along the road-way. Figure number is circled in approximate location where the photo was taken and corresponding arrow indicated approximate direction photo was taken.

j. Graded Flats

Existing Grading:

There are no new graded flats located on the Parcel except listed below.

New Grading: New Flats have been created under the grading plan filed with the county. These areas are to contain cultivation areas that were moved from an environmental undesirable area located just to the West.

k. Existing and Proposed Buildings

All buildings can be found in the Alternative Owner/Builder permit, included in the Other Permits, Licenses and Documents of this section.

Residence:

The residence was constructed in 1972 and located in the southeastern quadrant of the Parcel. The residence is currently being permitted through the Alternative Owner/Builder

process outlined by the county where required. It includes two sheds closely located to the building site. This building is not used for cultivation.

Sleeping quarters:

The building was re-hab constructed in 2013 from an existing structure and is currently being used as sleeping quarters. This building is not used for cultivation.

Building # 1. – Cannabis storage building, 10'x20'
Is a shipping metal container, it is secure and safe.

Building # 2. –Drying and Storage building, 40'x 60' -- proposed

The site is located 250 feet north by north west of the greenhouse. The proposed building would replace a temporary structure and would be also used for flower processing and storage. Structure will be metal construction on concrete slab plans are available upon request. Construction is planned to commence with in 2 to 4 years of issuance date of cannabis permit.

Greenhouse in Section 2 – Cultivating License Building 96' x 35'

The secure greenhouse was constructed in 2014 and is used for cannabis cultivation on the Parcel. It is located in the southwestern quadrant of the Parcel. There is one entrance. Dimensions are 96'x35'.

I. Water Storage, Use and Watershed Protection

i. Water Storage

Water used for the cultivation of cannabis is sourced from the point of diversion located on the parcel number 223-091-02 and from the pond.

The water is diverted to 11 x 3,000 hard water tanks, located in southeastern quadrant of the parcel. There are also two water bladders that hold 75, 000 gallons of diverted water.

In 2017 for use in 2018 a water catchment pond of approximate 350,000 gallons was created in accordance to CDFW Stream Bed Alteration Agreement #1600-2016-0327, and Grading Plan Permit Application Number #43339 (see section 1. F water catchment for further details on water catchment storage). Water was collected via runoff during non-forbearance period to fill the catchment.

ii. Water Use

The amount of water used for the cultivation of cannabis will vary throughout the year, with peak periods of water occurring during summer months.

Irrigation of Cannabis is a mix of automated irrigation and by hand.

We utilize a conscientious water usage plan designed to conserve and re-use water as much as possible. In green houses, we use dehumidifiers to recover a portion of our irrigation water. With our hydroponics systems are lined preventing and contact with ground water and enable use to recapture and re-use the irrigation water.

iii. Watershed protection

The parcel located within Dean Creek watershed. The cannabis cultivation occurs at least 50 feet away from the class III watercourse, pursuant to the Water Board's specifications.

A Lake and Streambed Alteration Permit was filed and approved by Fish and Game and corresponding grading permit has been filed with the county #43339. The Irrigation pond and water settling pond combined will store 1 acre foot of water which will be used for all irrigation needs on the property. Upon creation this will replace all water currently diverted for cultivation. This will insure the project has necessary water during minimum diversion period outlined by the California Department of Fish and Wild Life.

iv. Distances from Significant Landmarks

There are no schools, school bus stops, places of worship, public parks or Tribal Cultural Resources within 5000 feet of the cultivation site. There also are not any off-site residences within 300 feet of the cultivation site.

2. Cultivation and Operations Plan

a. Water Use

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

Irrigation of Cannabis is a mix of automated irrigation and by hand.

b. Watershed protection

The parcel located within Dean Creek watershed. The cannabis cultivation occurs at least 50 feet away from the class III watercourse, pursuant to the Water Board's specifications.

There is a Lake and Streambed Alteration Permit is being permitted. This insures the project has necessary water during minimum diversion period outlined by the California Department of Fish and Wild Life.

c. Materials Storage

Currently, there are no pesticides or herbicides registered specifically for use directly on cannabis. Neem oil, Pyrethrum, Sodium Bicarbonate are used to control mites and powdery mildew. These items were accepted under Legal Pest Management Practices for marijuana Growers in California.

All fertilizers and amendments are located in a storage shed on the Property. Fertilizers and amendments are placed on the shelves and floor where any spills will be contained. Currently, organic amendments are added to the soil. Cannabis plants are fed thought the season with fertilizers. All labels are kept and directions are followed when fertilizers are applied.

Currently, the company is developing fertilizer-free methods for Organic cannabis growing through beneficial microbes and fungus.

d. Cultivation Activities

Cultivation activities typically begin in March when cannabis plants are started in 4 inch pots in a Section 2 Green house. Plants continue their veg cycle under LED lighting until May. During this month plants being transplanted when they will continue their veg cycle or will be beginning their flowing cycle. Harvest of the cannabis begins in July and usually occurs to until November. Green house is equipped with a blackout system to keep lights inside.

e. Processing Practices

After being harvested, the cannabis is dried in Section 2 Green House. Then harvest is cured. Currently, final processing is happening off-site, but we propose a building for processing, attachment B.

f. Security Measures

Property is located at end of the road limiting accessibility. There are two Locked gates on the road controlling access. Locked Gates are forest gates constructed of heavy steel construction and a 5/16 inch harden steel shackle combination lock is used. There is a 6" perimeter fence surrounding the entry to the property and ~3 acres of the property that further restricts access through two fenced farm gates that is within the proper guidelines for the County. All

of the cultivation areas are separately fenced and gated. All greenhouses are fenced and gated. Security cameras will be installed and monitored as needed.

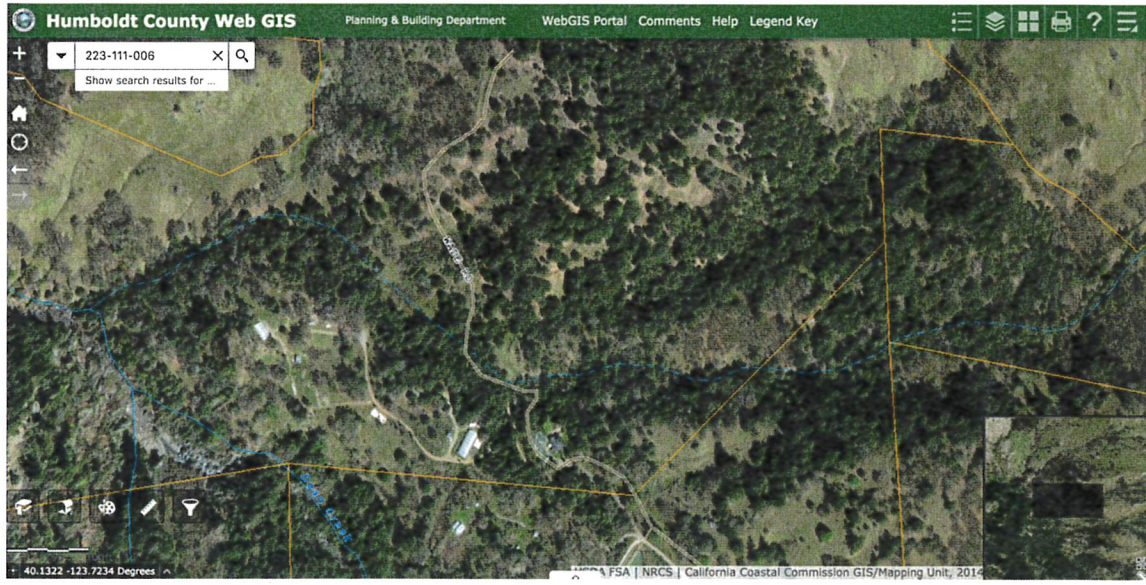
i. On-house farmworker housing and expected workforce

Silk Ranch does not offer on-site housing for farmworkers. Silk Ranch uses contracting services per needed basis. In average, business related trips are 4 times/week.

m. Conformance with Department of Forestry and Fire Protection

Bladders are engineered for 10 years per US military codes. Bladders will be removed and or replaces as required 2 years after issuance of a permit and replaced by second water catchment pond. Fire prevention is in accordance to CAL FIRE letter August 2017 and code - 2559. We will comply with cal fire sra fire safe resource management regarding setbacks , management and we provide enough water 2500 gals. Until removal 20,000 Gallons of bladder stored water is accessible for fire prevention through 2" hose.

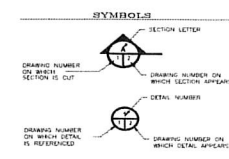
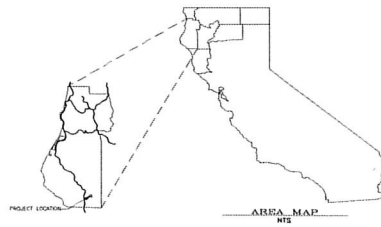
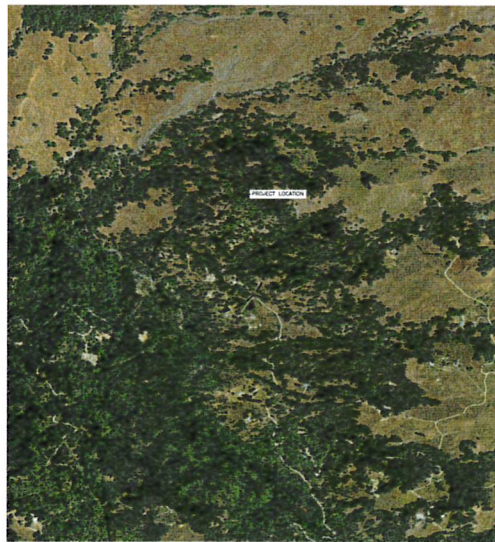
Attachment A



Site Location Map

APN: 223-111-06

FOR
BRAD GREY
GARBRVILLE, CA 95542
PHONE (707)322-6300

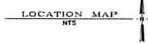


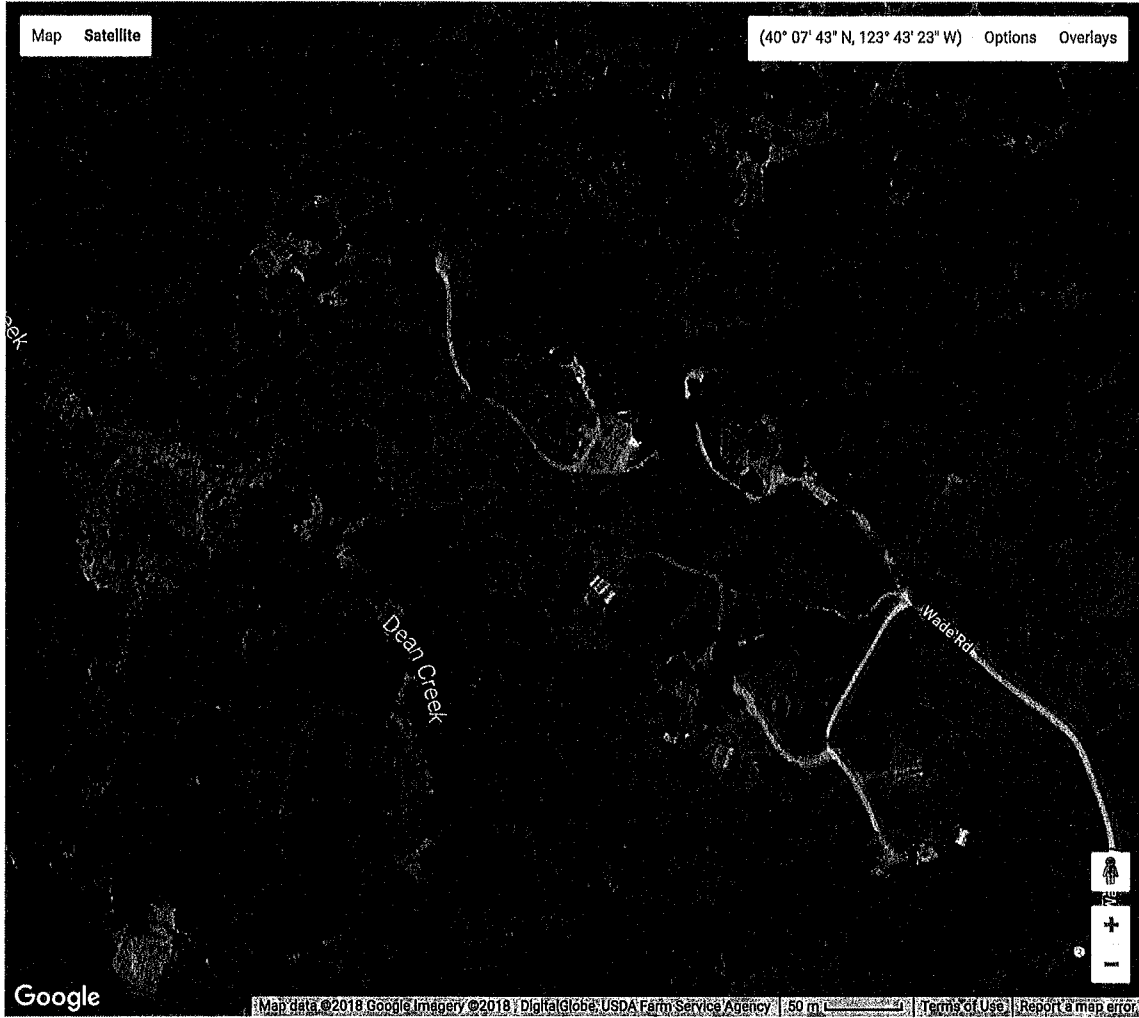
DRAWING #	TITLE	REVISION	DATE
DS1	TITLE SHEET	0	03/29/17
DS1	OVERALL GRADING & DRAINAGE PLAN	0	03/29/17
DS2	SITE 1 GRADING & DRAINAGE PLAN	0	03/29/17
DS3	SITE 2 GRADING & DRAINAGE PLAN	0	03/29/17
DS4	SITE 3 GRADING & DRAINAGE PLAN	0	03/29/17
DS5	GRADING & DRAINAGE PLAN DETAILS	0	03/29/17
DS4.1	EROSION CONTROL PLAN & DETAIL SITE-1	0	03/29/17
DS4.2	EROSION CONTROL PLAN & DETAIL SITE-2	0	03/29/17
DS4.3	EROSION CONTROL PLAN & DETAIL SITE-3	0	03/29/17
DS5.1	HYDRAULIC GRADING & DRAINAGE PLAN	0	03/29/17
DS5.2	HYDRAULIC GRADING & DRAINAGE PLAN	0	03/29/17
DS5.3	HYDRAULIC GRADING & DRAINAGE PLAN	0	03/29/17

ENGINEERING NOTES
ALL REQUIREMENTS FROM THE 2017 EDITION OF THE CALIFORNIA ENGINEERING CONTRACT DOCUMENTS SHALL BE INCORPORATED INTO THIS PLAN.
THE ENGINEER OF RECORD SHALL PROTECT ALL SITE GRADING.

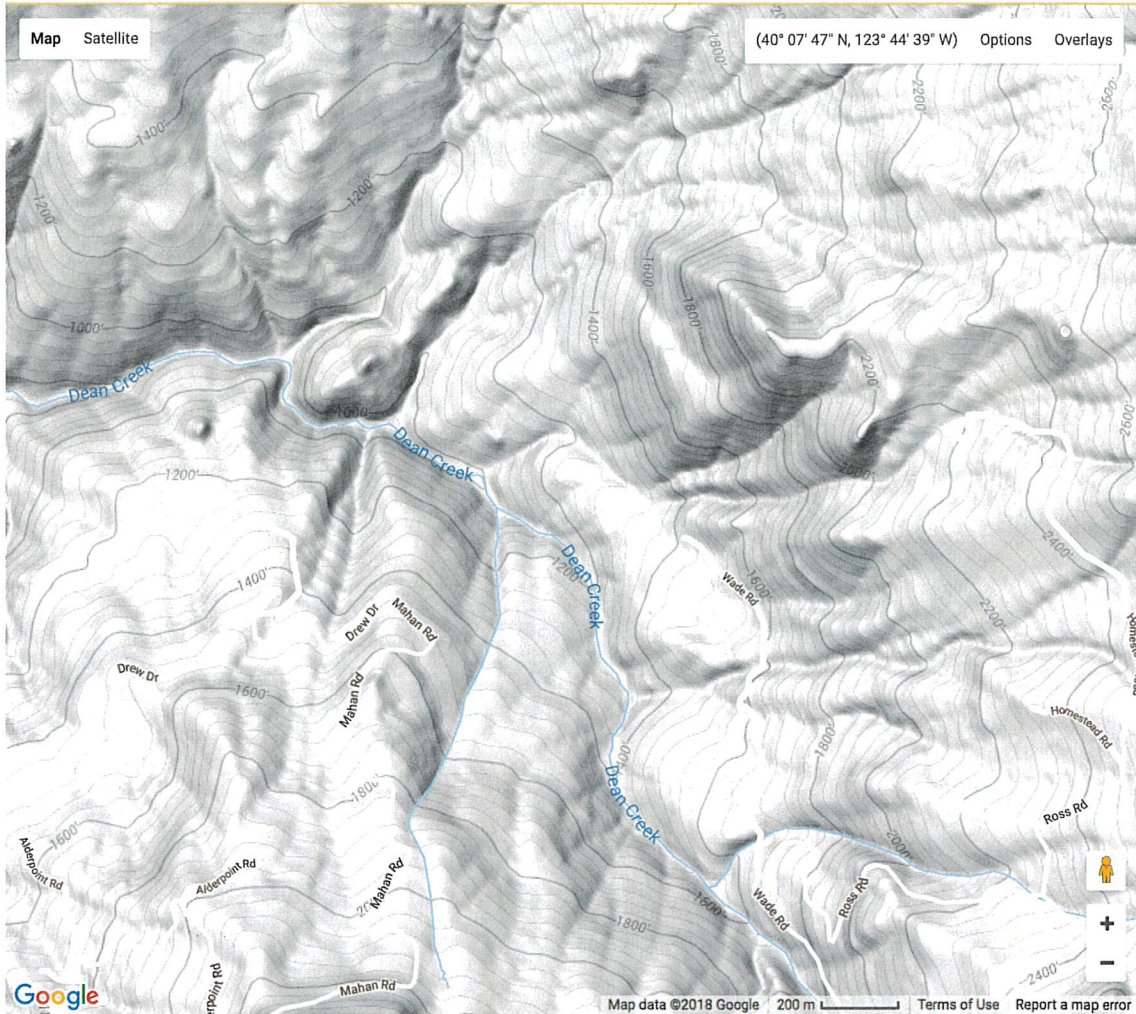
SURVEY NOTES
FIELD SURVEY FOR TOPOGRAPHIC PLANS WAS PERFORMED BY TICE ON FEBRUARY 16, 2017.
A BOUNDARY SURVEY WAS NOT CONDUCTED BY TICE.

CONTRACTOR ALERT!
CONTRACTOR MUST CONTACT USA DIS AT 800-227-2400 AT LEAST 12 HOURS BEFORE ANY EARTHWORK OR ACTIVITIES THAT MAY IMPACT EXISTING UNDERGROUND UTILITIES.
EXISTING UTILITY ALIGNMENTS BOTH HORIZONTALLY AND VERTICALLY MUST BE VERIFIED BY THE CONTRACTOR PRIOR TO ANY CONSTRUCTION ACTIVITIES.

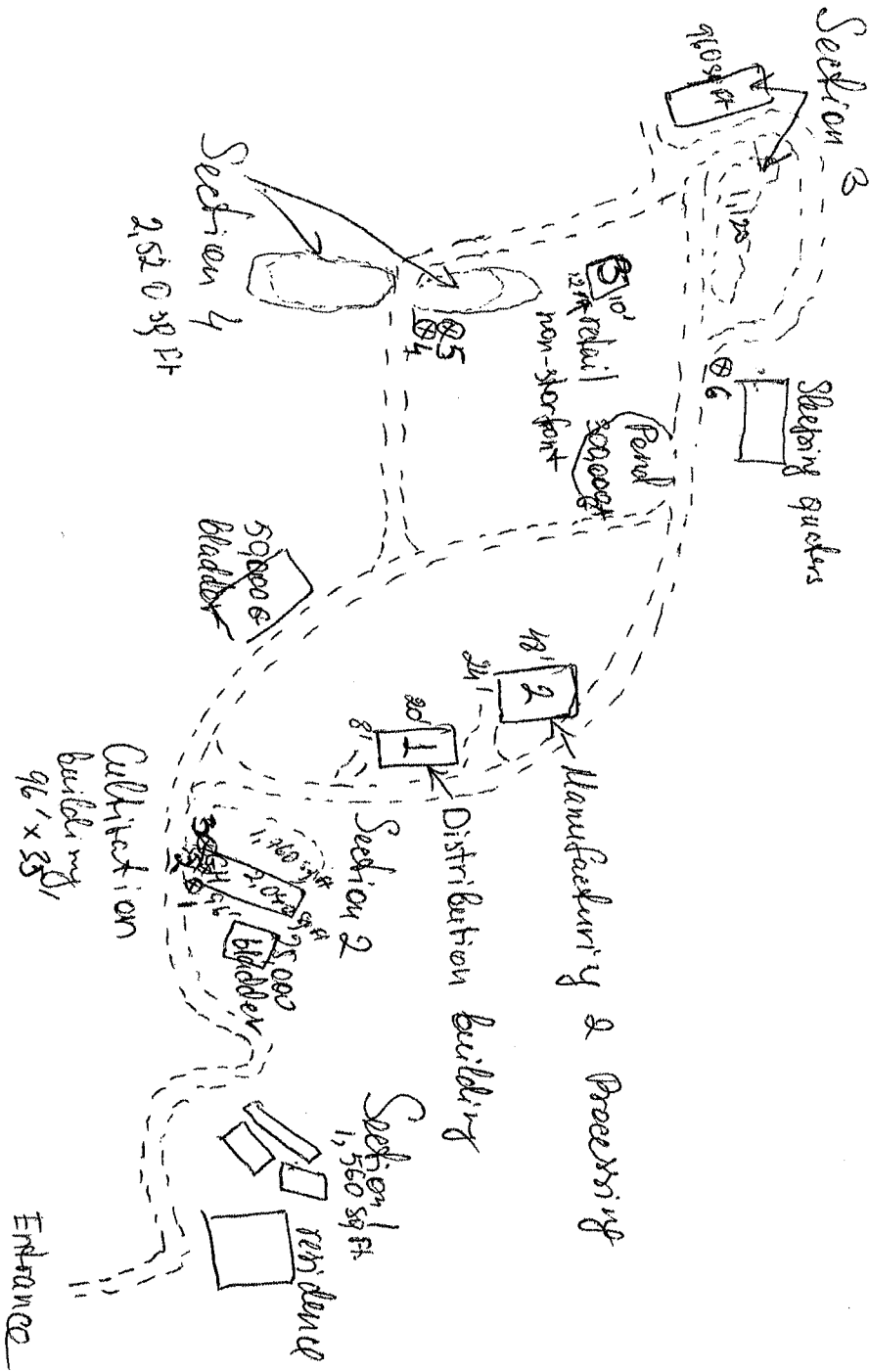




Satellite Site View



Topographical Site View



⊗ Camera's - 6 cameras

2017 Used Square Footage:

Section 1		1,560 sqf
Outdoor	1,560	
Section 2		3,800 sqf
GH Hydroponics	2,040	
Outdoor	1,760	
Section 3		2,080 sqf
Hydro Outdoor	960	
Outdoor	1,120	
Section 4		2,520 sqf
Outdoor	2,520	
Total	9,960	9,960

Attachment C Water Use

January	February	March	April	May	June
0 gallons	0 Gallons	2,700 Gallons	6,750 gallons	8,100 gallons	14,678 gallons
July	August	September	October	November	December
27,950 gallons	39,985 gallons	31,944 gallons	7,985 gallons	0 gallons	0 gallons

2017 APN 223-091-02 -- Water usage

	Section 1	Section 2	Section 3	Section 4	GH 1	Hydro 2
	GPMonth	GPMonth	GPMonth	GPMonth	GPMonth	GPMonth
Jan	0	0	0	0		
Feb	0	0	0	0		
Mar	0	0	0	0	1700	1000
Apr	0	0	0	0	4250	2500
May	0	0	0	0	5100	3000
Jun	2357	1333	1238	3000	4250	2500
Jul	5500	3111	2889	7000	5950	3500
Aug	7071	4000	3714	9000	10200	6000
Sep	6286	3556	3302	8000	6800	4000
Oct	1571	889	825	2000	1700	1000
Nov	0	0	0	0		0
Dec	0	0	0	0		0
total	140093	22786	12889	11968	39950	23500






Water usage between May 15 and October 15 is :
126,593 Gallons

Month to Month operation Plan

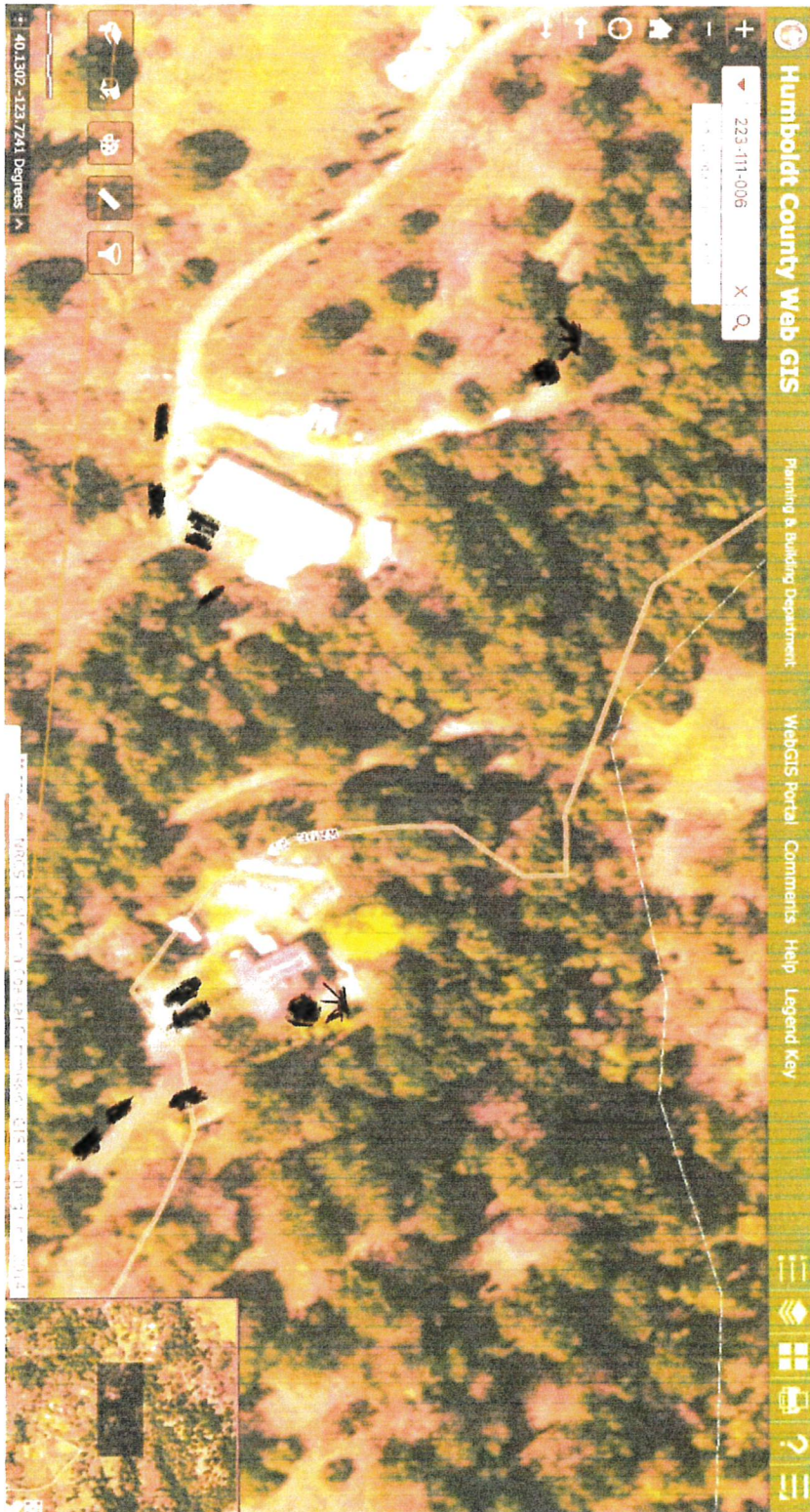
	Planting	Harvesting	
Site #1 Outdoor	mid May	mid August	To reduce water usage During lowest water inf
Site #2 Green House, hydroponics	mid May	first week of August	
Outdoor	First week of August	mid October	
Site #3 Outdoor	mid June	mid October	
Site #4 Outdoor	mid June	mid October	





Water Catchment, Toilets, Parking, Wash 1

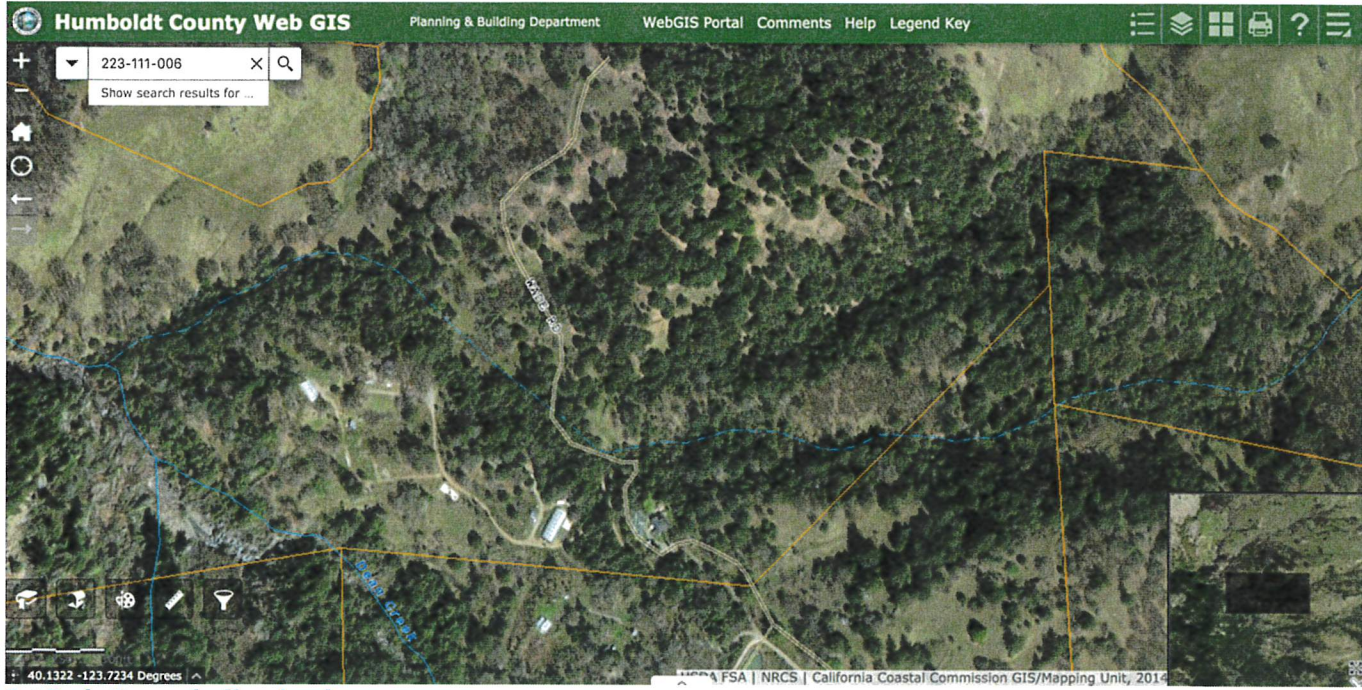


-  - pond
-  - overls
-  - showers and walking stations
-  - parking
-  - portable toilets

Culverts, Toilets, Washing, Parking



-  culverts
 -  showers
 -  parking
 -  portable toilets
- and washing stations



Set Back, Stream buffer visual

1. Plan Overview

a. Plan Information

This document serves as the water resource protection plan (WRPP) for site Parcel Number: 223-111-006-000 pursuant to Order No. R1-2015-0023. Plan is in conjunction with CDFW Lake and Stream Bed Alteration Agreement #1600-2016-0327 and Grading Plan Permit Application Number #43339 for a 142-acre farm, located in Garberville CA, Assessor's. This plan will detail water use, storage, water conservation, forbearance and other relevant material to maintain irrigation needs of Permittee.

b. Location Description

The Applicant's parcel is located within the Dean Creek watershed, approximately 4.4 miles northeast of the town of Garberville, County of Humboldt, State California. The Parcel is comprised of 142-acres and is identified by Assessor's Parcel Number ("APN") 223-111-006-000. The street address for the Parcel is 1710 Wade Rd. Garberville, CA 95542.

All Roads and developed sites were assessed for compliance with CDFW, which includes jurisdictional 1600 sites and potential California Fish and Game Code section 5650 violations by Timberland Resource Consultants Inc. The evaluation also concluded the assessment conducted for the preparation of the water resource protection plan is not expected to include any sites that are jurisdictional to CDFW per the California Fish and Game Code 1600. The cultivation sites that were located within 50 ft of a SMA were moved to a more suitable location. Landowner is enrolled in California Regional Water Quality Board North Coast Region Order No. 2015-0023, Wavier of Waste Discharge Requirements and General Water Quality Certification for Discharges of Waste Resulting from Cannabis Cultivation and Associated Activates.

i. Zoning Classification

The County's Zoning Classification is Agricultural (AG40) and Rural Residential (RR). The CMMLUO permits existing commercial cannabis cultivation on land zoned for AG with cultivation sites between 10, 000 and 43,560 square feet with a Use Permit.

ii. Road Access

The Parcel is located off Wade Rd, which is a private Rd. maintained by the Overland Road association

c. Site Topography

A map of the Parcel's topography is included in Section 3.

d. Easements

There aren't any easements on this Parcel. The parcel has deeded easement to POD on Assessor's Parcel Numbers 223-091-02.

e. Natural Waterways

The parcel has two class II watercourses named Dean Creek. A registration for Small domestic Use Appropriation has been submitted to the State Water Resource Control Board, Division of Water Rights. The water used for Cannabis cultivation is gathered from the point of diversion (POD) Assessor's Parcel Numbers 223-091-02 into tanks that can hold approximately 110,000 gallons of water when full. Creek which POD is located on flows through this Parcel further down the contour.

2. Water Management Plan - Storage, Use, and Water Shed Protection

a. Water Use Description

The Permittee irrigates 4 cultivation areas which are a combination of full term and light deprivation green houses. For the purpose of this notification, the estimated water use is 1.8 gallons per 10 sq. ft. The total cultivation area is expressed in square feet of contain soil or hydroponic media is 5,900 sq ft. As listed above by site the total water needed in storage to satisfy the 150 day forbearance period in 159,300 gallons. The amount of storage this year is 106,000 gallons which equates to 90 day of forbearance period for 2017.

The landowner has created a non-jurisdictional sources of water storage improvements to exceed forbearance requirements. and was completed at the end of the 2017 ready for use for 2018. This will increases storage by approximately 350,000 gallons.

A second non-jurisdictional sources of water storage was conceived for irrigation and planned to be completed but due to the complexity, cost, time required for, engineering, planning, permits and to schedule the work this

pond is been postponed. The pond was designed to hold an additional 700,000 gallons of water. Further it is unclear if this is needed. Upon completion the POD will be limited to domestic use only.

b. POD

The POD is located on a Rowdy Class II watercourse that has a step grade. The diversion structure is a short flume constructed between two boulders to capture flows. The end of the flume funnels into a 1 inch water line through a collection box. Water that is not taken is returned to the natural flow of the creek.

Water is metered and restricted flow upon entry to the property.

Creek which POD is on flows through this Parcel further down the contour.

c. Water Storage

All water used for the cultivation of cannabis is sources form the point of diversion, located on the parcel number 223-091-02.

The water is diverted to 12 x 3,000 hard water tanks, located in southeastern quadrant of the parcel. There are also two water bladders that hold 70, 000 gallons of diverted water.

Current:

Water Bladder's = 70,000

Hard Water Tanks = 36,000

Non jurisdictional water storage = 350,000

Total = 456,000

d. Water Use and Conservation Techniques

The amount of water used for the cultivation of cannabis will vary thought the year, with peak periods of water occurring during summer months. The Applicant's cultivation and water use is outlined in the Cultivation and Water Usage Chart in Section 4.

Total approximately 159,300 gallons of water for the year.

Irrigation of Cannabis is a mix of automated irrigation and by hand.

We utilize a conscientious water usage plan designed to conserve and re-use water as much as possible. With our hydroponics systems are lined preventing and contact with ground water and enable use to recapture and re-use the irrigation water. We usually do not need to discharge and add water to replace transpiration and evaporation. We have gotten 50% less water use with these systems. Further in greenhouses, we use dehumidifiers to recover a portion of our irrigation water.

e. Water Forbearance, Flow and Mitigation

Water entering property is metered for irrigation and domestic. All hard tanks equipped with float valves, eliminating any overflow and restricting flow to any given tank. When no water is taken flow is undisturbed at the point of diversion. Tanks fields feed the next group of down hill tanks thus limiting the total pull from diversion at any given time. Bladders are filled manually during wet period and the input is measured to know when full.

By keeping the total square footage of soil down and with increased water conservation from the recycling systems in 2017 the operators are able to make 90 days of the forbearance period. Diverted water limited to the agreed amount in the 1600 permit agreement will round out the rest of use for the 150 day forbearance.

f. Pond Health Watershed protection

The newly created water catchment and settlement pond draws water during the non-forbearance period. The pond not only functions for water storage but per CDFW Lake and Stream Bed Alteration Agreement #1600-2016-0327, Grading Plan Permit Application Number #43339 the pond was designed to catch sediment and prevent it from continuing in to the natural waterways. This measures will help prevent dust and sediment from entering the water course from normal use, roads, and any construction for years to come.

The Pond has been equipped with adequate aeration per CDFW guidelines to both keep the health of the water and prevent eutrophication. Further efforts will be mad to add filtration, sediment collection and circulation to aid in water quality and reduce sediment.

g. Restoration

Approximately 3000 SqFt. of cannabis cultivation was moved from a class III watercourse and site was restored to original conditions. Erosion control and site restoration photos were provided to HCBD. Area detailed in below image as 2,505 and 460 from document 12043CAV.pdf

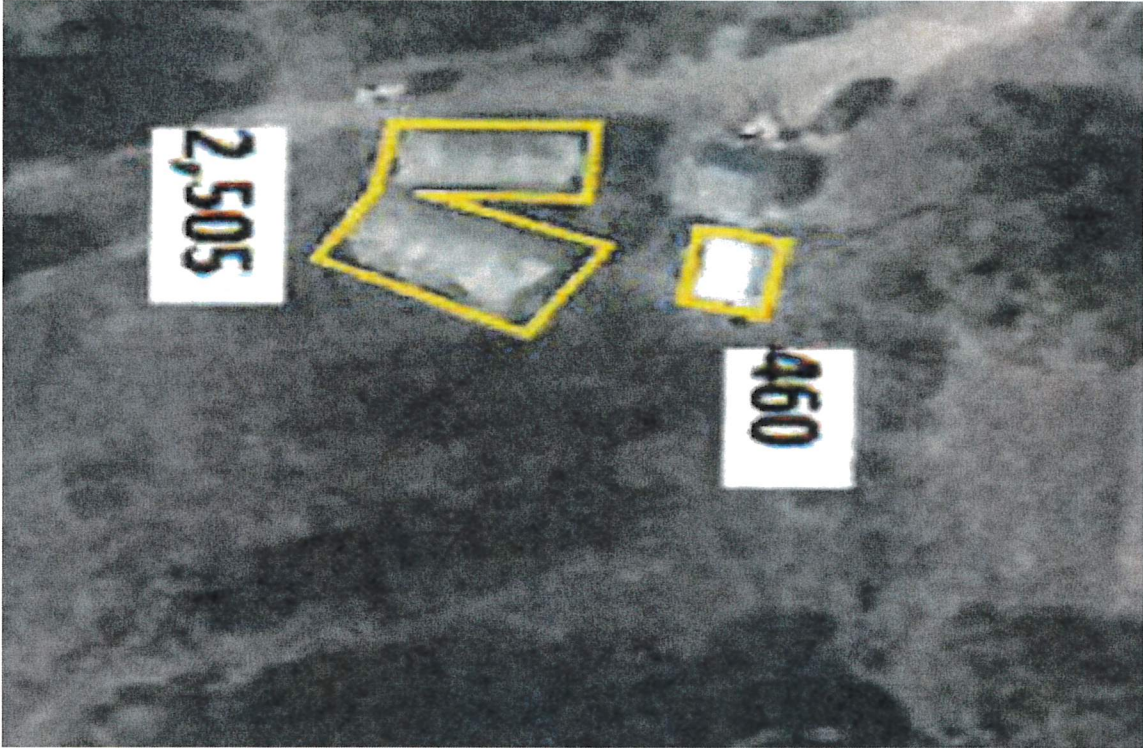


Image from HCBD document 12043Cav.Pdf. 2,505 Sq. Ft. and 460 Sq.Ft. removed from creek bed.

Restoration photos:





h. Culverts and Runoff

All culverts onsite have been upgraded and properly sized per CDFW recommendation under the Lake and Stream Bed Alteration Agreement #1600-2016-0327 and Grading Plan Permit Application Number #43339.

i. Erosion Control

All erosion control best management practice (BMP's) have been implemented during the wet season. Sediment control BMP's have been maintained year round. Drainage inlets immediately downstream have been protected by sediment control. All slopes and construction areas have been reseeded along with BMP. All of the erosion control measures and measures have been implemented per TVCE engineering specification and correspond codes as detailed in the grading and erosion plan. (See grading plan filed under grading permit application #43339)

j. Materials Storage

Currently, there are no pesticides or herbicides registered specifically for use directly on cannabis. Neem oil, Pyrethrum, Sodium Bicarbonate are used to control mites and powdery mildew. These items were accepted under Legal Pest Management Practices for marijuana Growers in California.

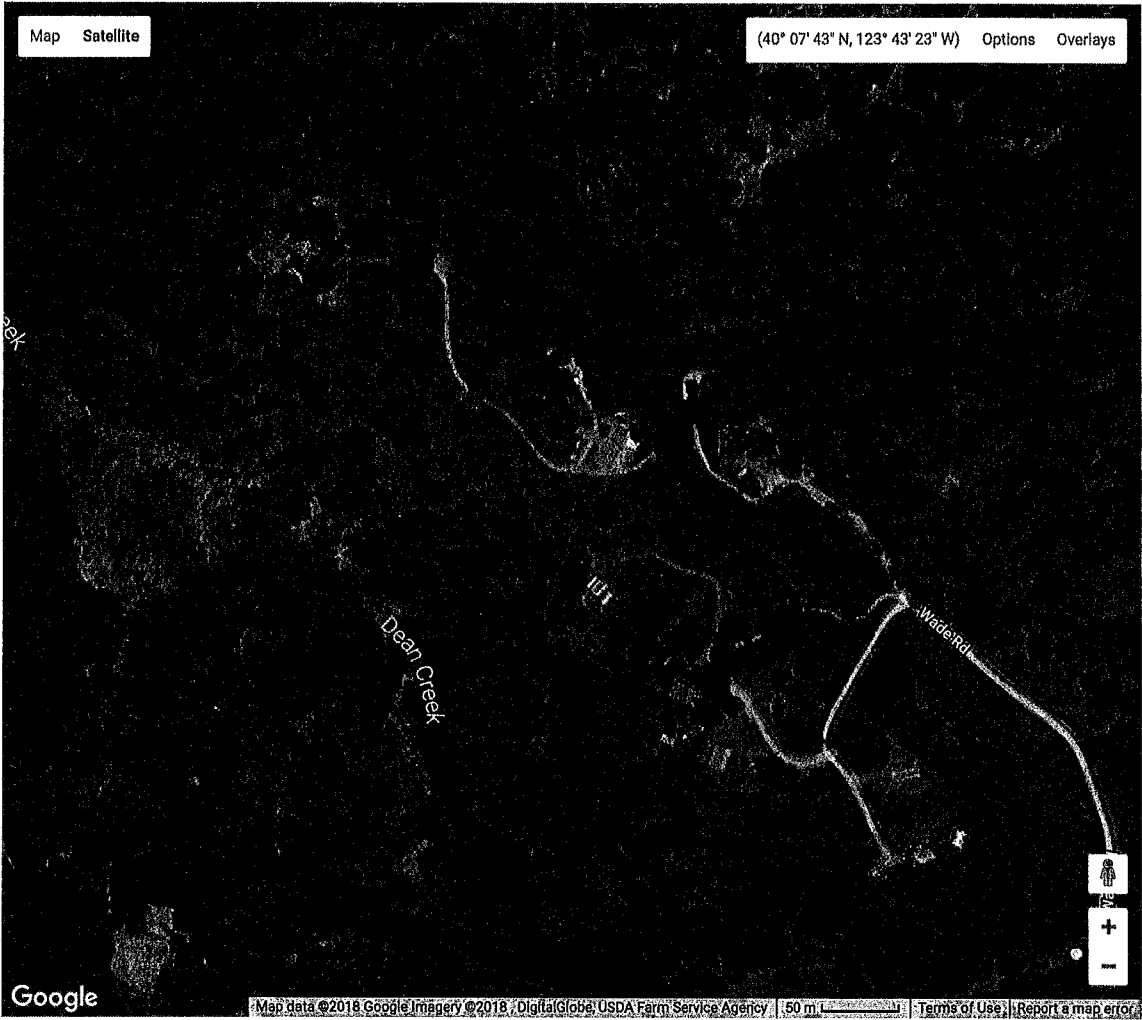
All fertilizers and amendments are located in a storage shed on the Property. Fertilizers and amendments are placed on the shelves and floor where any

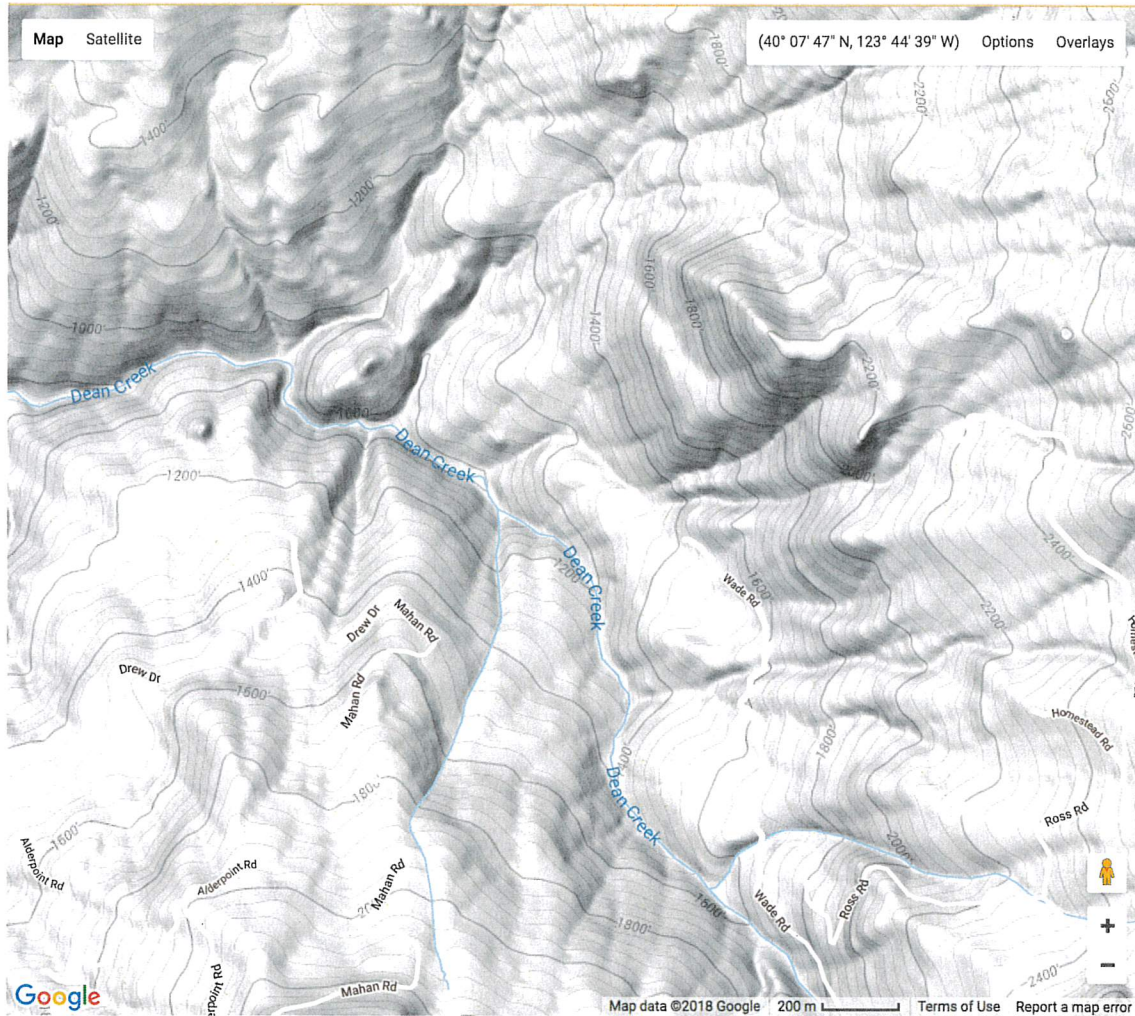
spills will be contained. Currently, organic amendments are added to the soil. Cannabis plants are fed throughout the season with fertilizers. All labels are kept and directions are followed when fertilizers are applied.

k. Water Shed Protection

The parcel located within Dean Creek watershed. The cannabis cultivation occurs at least 50 feet away from the class III watercourse, pursuant to the Water Board's specifications.

In conjunction with the Lake and Streambed Alteration Permit (CAFW Stream Bed Alteration Agreement #1600-2016-0327-R1) filed and approved by Fish and Game, a Grading and Erosion Plan was engineered and filed with Humboldt county Planning department. Both Plans include steps for erosion control and measures to insure water shed protection and water quality. When completed for 2018 combined storage over 3 acre feet of which will be used for all irrigation needs on the property. Upon creation this will replace all water currently diverted for cultivation. This will insure the project has necessary water during minimum diversion period outlined by California Department of Fish and Wild Life





4. Water Usage

Table – 1: Estimated Water Usage for Cultivation					
January	February	March	April	May	June
0 gallons	0 Gallons	2,700 Gallons	6,750 gallons	8,100 gallons	14,678 gallons
July	August	September	October	November	December
27,950 gallons	39,985 gallons	31,944 gallons	7,985 gallons	0 gallons	0 gallons

HUMBOLDT COUNTY DEPARTMENT OF PUBLIC WORKS
ROAD EVALUATION REPORT

PART A: Part A may be completed by the applicant

Applicant Name: Silk Ranch, Inc APN: _____
Planning & Building Department Case/File No.: 12043
Road Name: Wade Rd (complete a separate form for each road)
From Road (Cross street): Alder Point
To Road (Cross street): _____
Length of road segment: 1.7 miles Date Inspected: 5/1/2018
Road is maintained by: County Other Private
(State, Forest Service, National Park, State Park, BLM, Private, Tribal, etc)



Check one of the following:

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

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

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

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

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

Signature [Handwritten Signature]

Date 5/1/2018

Name Printed Silk Ranch, Inc

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.

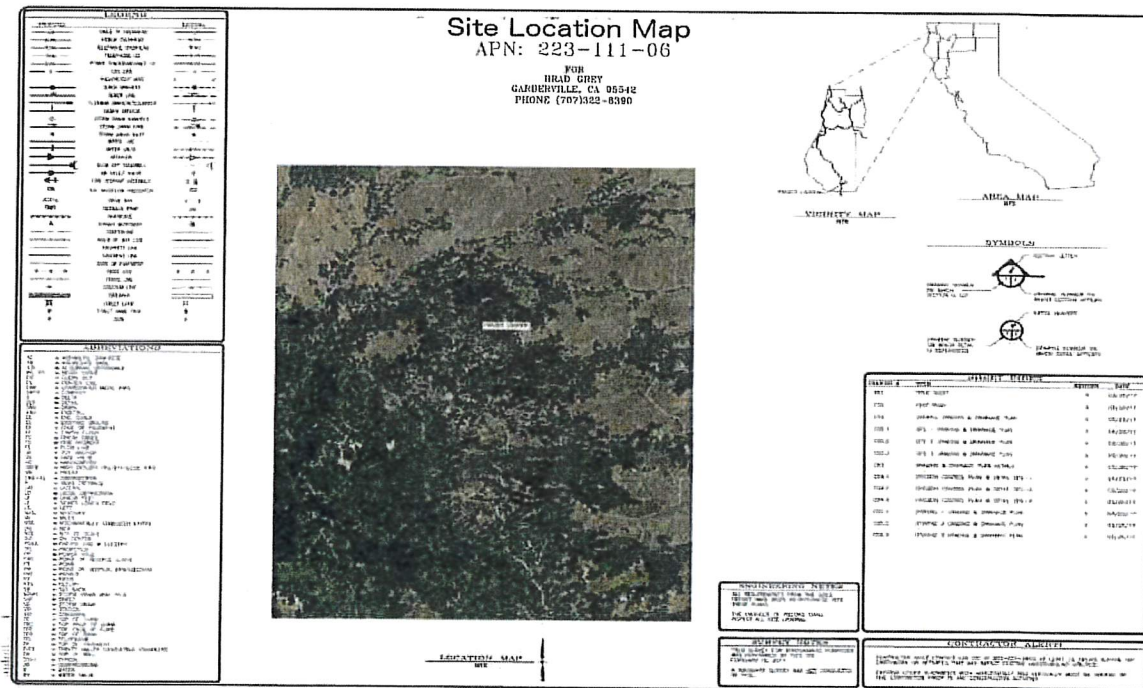
u:\pwrk\landdev\projects\referrals\forms\road evaluation report form (2017-10-26).docx



Road Evaluation Information For Silk Ranch Application

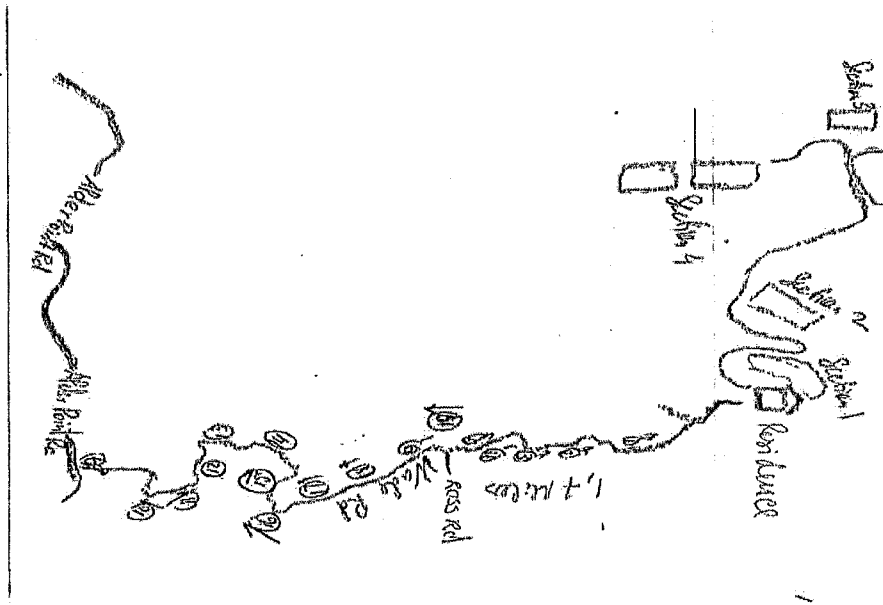
Parcel Number: 223-111-006-000
 In Conjunction with Stream Bed Alteration Agreement #1600-2016-0327,
 Grading Plan Permit Application Number #4333
 Silk Ranch, Inc.

Wade Road Access Plot Map





Ariel view of Wade Rd from Alderpoint Rd to Site location. Numbers indication approximate location of Photos. All Places areas indicated Measures over 20 Ft in Width.



Map indicated Approximate location of Photo and direction photo was taken. The line from circle number indicated direction of photo.

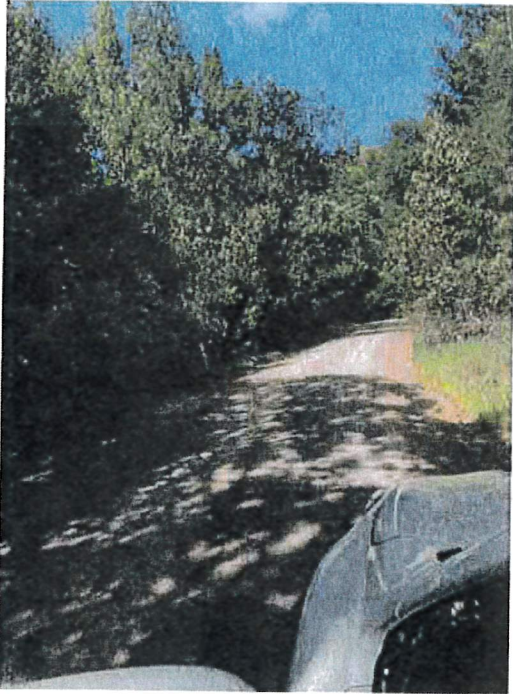


Figure 1: LowerWade



Figure 2: LowerWade

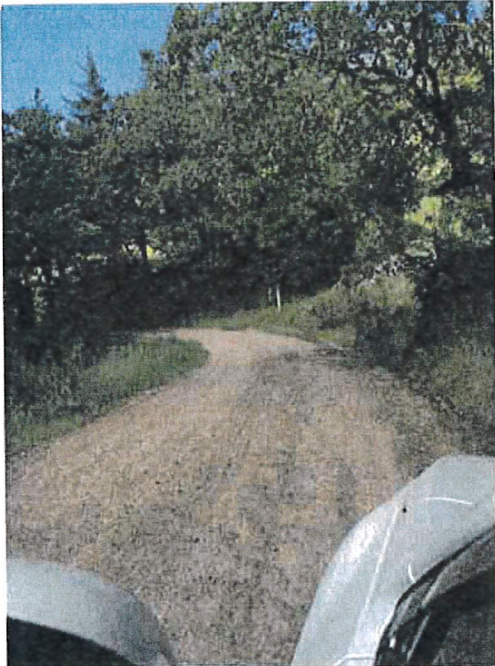


Figure 3: Lower Wade



Figure 4: Lower Wade



Figure 5: LowerWade



Figure 6:Upper Wad1



Figure 7:UpperWade



Figure 8:UpperWade

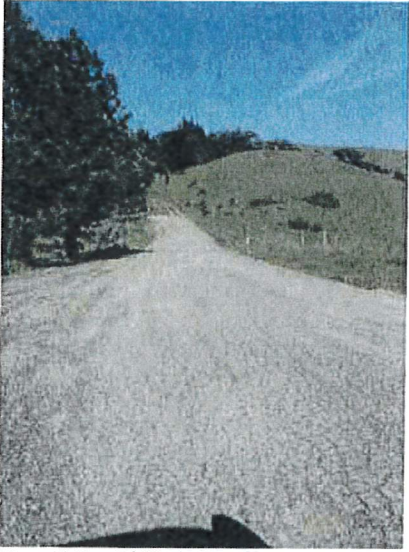


Figure 9: Top Of Wade-Down

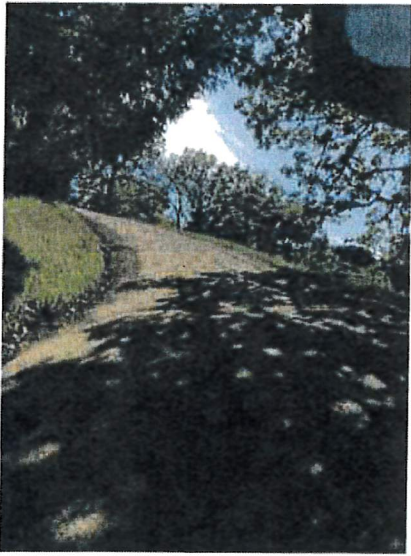


Figure 10: Upper Wade



Figure 11: Upper Wade



Figure 12: Upper Wade

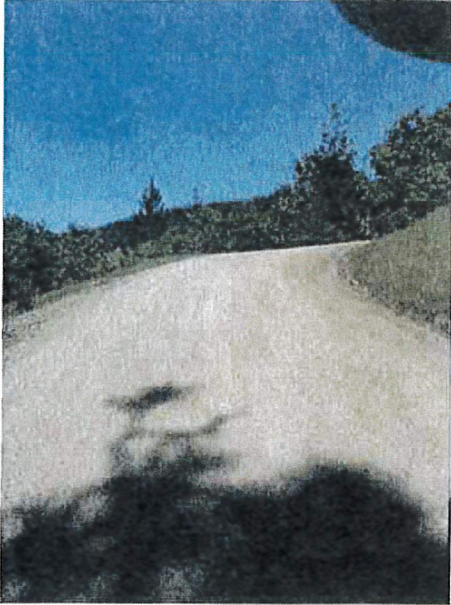


Figure 13:Upper Wade



Figure 14:Upper Wade



Figure 15: Upper Wade

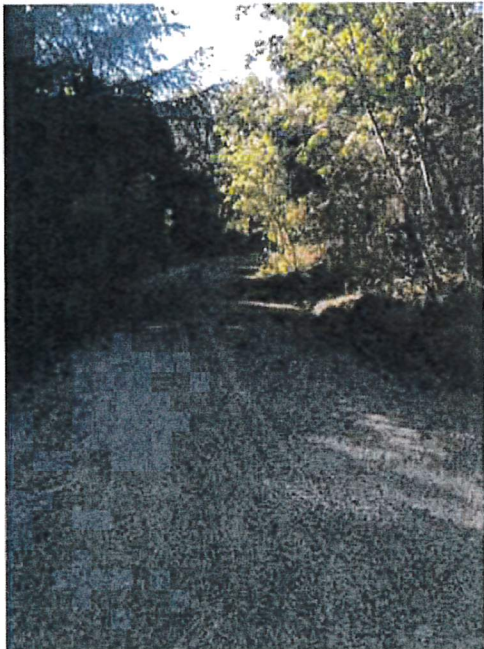


Figure 16: Upper Wade



Figure 17: Upper Wade

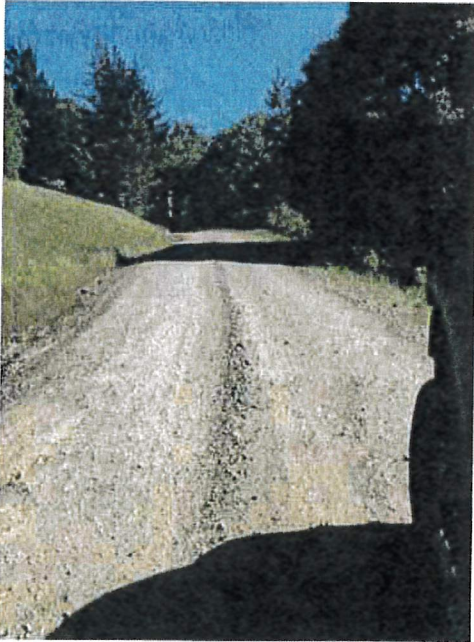


Figure 18: Wade Ross

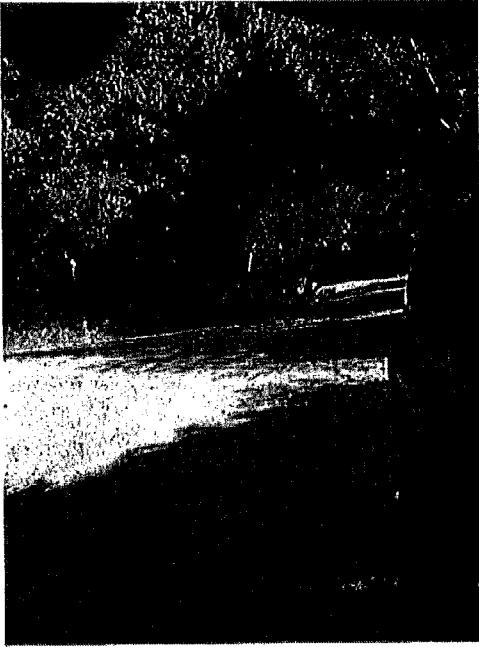


Figure 19:Wade Ross

RECEIVED

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

DEC 14 2016

CDFW - EUREKA



STREAMBED ALTERATION AGREEMENT

NOTIFICATION NO. 1600-2016-0327-R1

Unnamed Tributaries to Dean Creek, Tributary to the South Fork Eel River, Tributary to the Eel River and the Pacific Ocean

Mr. Bradley Epranian
Epranian Water Diversion, Stream Crossing, and Pond Construction Project
3 Encroachments

This Streambed Alteration Agreement (Agreement) is entered into between the California Department of Fish and Wildlife (CDFW) and Mr. Bradley Epranian (Permittee).

RECITALS

WHEREAS, pursuant to Fish and Game Code (FGC) section 1602, the Permittee initially notified CDFW on July 14, 2016, 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 Dean Creek watershed, approximately 4.4 miles northeast of the town of Garberville, County of Humboldt, State of California. The project is located in Section 10, T4S, R4E, Humboldt Base and Meridian; in the Fort Seward U.S. Geological Survey 7.5-minute quadrangle; Assessor's Parcel Numbers 223-091-02 at the point of diversion (POD) and 223-111-06 at the place of use; latitude 40.1272 N and longitude 123.7187 W at the POD.

PROJECT DESCRIPTION

The project is limited to three encroachments. One encroachment is for water diversion for domestic use and irrigation. Work for the water diversion will include use and maintenance of the water diversion infrastructure. One encroachment is proposed to upgrade an undersized stream crossing to a minimum 18" diameter culvert (40.1308, -123.7265). The final proposed encroachment is to construct a pond (40.1305, -123.7261) in a swale above a Class III channel head. Work for this project and the culvert replacement will include excavation, placement of a culvert and spillway, soil compaction, placement of rock armoring, and revegetation as necessary to minimize erosion.

PROJECT IMPACTS

Existing fish or wildlife resources the project could substantially adversely affect include: Chinook salmon (*Oncorhynchus tshawytscha*), coho salmon (*O. kisutch*), steelhead trout (*O. mykiss*), 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 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.
- 1.4 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.
- 1.5 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.
- 1.6 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.

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 the Permittee Notification received on July 14, 2016, together with all maps, BMP's, photographs, drawings, and other supporting documents submitted with the Notification.
- 2.2 Maximum Diversion Rate. The maximum instantaneous diversion rate from the water intake shall not exceed 3 gallons per minute at any time.

- 2.3 Bypass Flow. The Permittee shall pass sufficient flow at all times to keep all aquatic species including fish and other aquatic life in good condition below the point of diversion.
- 2.4 Seasonal Diversion Minimization. No more than 250 gallons per day shall be diverted in total from the POD during the season from May 15 to October 15 of any year beginning when this Agreement is signed. Water shall be diverted only if the Permittee can adhere to conditions 2.2 and 2.3 of this Agreement.
- 2.5 Measurement of Diverted Flow. The Permittee shall install a device acceptable to CDFW for measuring the quantity of water diverted to and from the storage system. This measurement shall begin as soon as this Agreement is signed by the Permittee. The Permittee shall record the quantity of water pumped to and from the system on a weekly basis. Alternatively, the Permittee can record the frequency of pumping and the time to fill storage.
- 2.6 Monitoring of Seasonal Low Flow Diversion. The Permittee or their agent shall submit photographs of the POD looking both upstream and downstream (2 photographs). Photographs shall be taken within 10 days of the dates of August 15 and September 15 of any year in which water is diverted. The photographs shall be submitted to CDFW with the water diversion records of diverted flow by December 31 of each year.
- 2.7 Water Management Plan. The Permittee shall submit a Water Management Plan no later than May 15, 2017, that describes how forbearance will be achieved under this Agreement. The Water Management Plan shall include details on water storage, water conservation, or other relevant material to maintain irrigation needs in coordination with forbearance and bypass flow requirements. The Water Management Plan shall include a brief narrative describing water use on the property, photographs to support the narrative, and water use calculations to ensure compliance with this Agreement. The Water Management Plan shall be submitted to CDFW at 619 Second Street, Eureka, CA 95501.
- 2.8 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.
- 2.9 Intake Screening. Screens shall be installed on intakes wherever water is diverted, and shall be in place whenever water is diverted. Openings in intakes shall not exceed 1/8 inch diameter (horizontal for slotted or square openings) or 3/32 inch for round openings. The Permittee shall regularly inspect, clean, and maintain screens in good condition.
- 2.10 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.

- 2.11 Water Conservation. The Permittee shall make best efforts to minimize water use, and to follow best practices for water conservation and management.
- 2.12 Water Storage Maintenance. Storage tanks shall have a float valve to shut off the diversion when tanks are full to prevent overflow from being diverted when not needed. The Permittee shall install any other measures necessary to prevent overflow of tanks resulting in more water being diverted than is used.
- 2.13 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.swwcb.ca.gov/water/rights/publications_forms/fornewrights/fornewrights.pdf.

Instream Work

- 2.14 Work Period. All work, not including water diversion, shall be confined to the period May 15 through October 15 of each year. Work within the active channel of a stream shall be restricted to periods of **dry weather**. 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.
- 2.15 Extension of the Work Period. If weather conditions permit, and the Permittee wish to extend the work period after October 15, a written request shall be made to CDFW at least 5-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 extraction activities continuing past October 15.
- 2.16 Excavated Fill. Excavated fill material shall be placed in 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.
- 2.17 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.
- 2.18 Pond Construction Survey. Prior to pond construction, the proposed pond area shall be surveyed. The Permittee shall conduct a protocol-level survey within the

project footprint and adjacent habitat (within 10 feet of the project footprint) prior to any vegetation removal in order to identify and establish buffers for any sensitive natural communities, such as wetlands, springs, seeps, and riparian areas, or plants with a State Rare Plant Rank of 1 or 2.

2.19 Pond Construction Design. Prior to pond construction, the Permittee shall submit a design plan stamped by a licensed engineer that specifies how the pond will be constructed, and includes detail on the spillway design and connection to the Class III watercourse.

2.20 Culvert Installation.

2.20.1 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.

2.20.2 Culvert shall be installed to grade, 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).

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

2.20.4 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.

2.20.5 Permanent culverts shall be sized to accommodate the estimated 100-year flood flow [i.e. ≥ 1.5 times the width of the active (bankfull) channel width or the 100-year flood size, whichever is greater], including debris, culvert embedding, and sediment loads.

2.21 Rock Armor Placement.

2.21.1 No heavy equipment shall enter the wetted stream channel.

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

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

2.21.4 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.

2.22 Stream Protection. No debris, soil, silt, sand, bark, slash, sawdust, rubbish, cement or concrete washings, oil or petroleum products, or other deleterious material from project activities shall be allowed to enter into or be placed where it may be washed by rainfall or runoff into the stream. All project materials and debris shall be removed from the project site and properly disposed of off-site upon project completion.

2.23 Vegetation Disturbance. Vegetation disturbance shall not exceed the minimum necessary to perform the work. Revegetation shall follow the specifications included in the Notification.

2.24 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.

2.25 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.

2.26 Project Inspection. The Project shall be inspected by Timberland Resource Consultants or a licensed engineer to ensure that the crossings and pond construction were built as designed. A copy of the inspection report, including photographs of each site, shall be submitted to CDFW within 90 days of completion of this project.

3. Reporting Measures

3.1 Measurement of Diverted Flow. Copies of the **water diversion records** (condition 2.5) shall be submitted to CDFW at 619 Second Street, Eureka, CA 95501 office **no later than December 31 of each year beginning in 2016**.

3.2 Water Management Plan. The Permittee shall submit a **Water Management Plan** no later than **May 15, 2017**, that describes how forbearance will be achieved under this Agreement. (condition 2.7). The Water Management Plan shall be submitted to CDFW at 619 Second Street, Eureka, CA 95501.

3.3 Project Inspection. The Permittees **shall submit the Project Inspection Report** (condition 2.26) to CDFW, LSA Program at 619 Second Street, Eureka, CA 95501.

CONTACT INFORMATION

Written communication that the Permittee or CDFW submits to the other shall be delivered to the address below unless the Permittee or CDFW specifies otherwise.

To Permittee:

Mr. Bradley Epranian
773 Carole Court
Palo Alto, California 94303
707-322-6390

To CDFW:

Department of Fish and Wildlife
Northern Region
619 Second Street
Eureka, California 95501
Attn: Lake and Streambed Alteration Program
Notification #1600-2016-0327-R1

LIABILITY

The 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 the Permittee or any person acting on behalf of the Permittee, including its officers, employees, representatives, agents, or contractors and subcontractors, from 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.

This Agreement does not relieve the Permittee or any person acting on behalf of the Permittee, including its officers, employees, representatives, agents, or contractors and subcontractors, from complying with other applicable statutes in the FGC including, but not limited to, FGC sections 2050 *et seq.* (threatened and endangered species), 3503 (bird nests and eggs), 3503.5 (birds of prey), 5650 (water pollution), 5652 (refuse disposal into water), 5901 (fish passage), 5937 (sufficient water for fish), and 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(b), the 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, the 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 1605(b) through (e).

If the Permittee fails to submit a request to extend the Agreement prior to its expiration, the Permittee must submit a new notification and notification fee before beginning or continuing the project the Agreement covers (FGC section 1605(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 the California Environmental Quality Act (CEQA); and 3) after payment of the applicable FGC section 711.4 filing fee listed at

TERM

This Agreement shall **expire five 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(a)(2) requires.

AUTHORITY

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


AUTHORIZATION

This Agreement authorizes only the project described herein. If the Permittee begins or completes a project different from the project the Agreement authorizes, the 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 Mr. Bradley Epranian



Bradley Epranian

12/10/16

Date

FOR DEPARTMENT OF FISH AND WILDLIFE

Scott Bauer
Senior Environmental Scientist Supervisor

Date

Prepared by: David Manthorne, Environmental Scientist, November 9, 2016

ATTACHMENT 4

REFERRAL AGENCY COMMENTS AND RECOMMENDATIONS

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

Referral Agency	Response	Recommendation	Location
Building Inspection Division	✓	Conditional approval	Attached
Public Works Land Use Division	✓	Conditional approval	Attached
Human and Health Services Environmental Health Division	✓	Conditioned approval	Attached
Bear River Band Rohnerville Rancheria	✓	Conditional approval	On file with Planning
Sinkyone Intertribal Wilderness Council		No response	
Northwest Information Center	✓	Further study	On file with Planning
Agricultural Commissioner		No response	
District Attorney		No response	
Department of Fish & Wildlife	✓	Conditional approval	Attached
CAL-FIRE	✓	Conditional approval	Attached
Regional Water Quality Control Board	✓	Conditional approval	Project reviewed during phone meeting with RWQCB staff on November 2, 2018
Sheriff		No response	
Southern Humboldt Unified School District		No response	
State Water Resources Control Board Division of Water Rights	✓	Conditional approval	Project reviewed during phone meeting with SWRCB staff on November 2, 2018



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



8/17/2017

PROJECT REFERRAL TO: Building Inspection Division

Project Referred To The Following Agencies:

Building Inspection Division, Public Works Land Use Division, Health and Human Services Environmental Health Division, County Counsel, CalFire, California Department of Fish And Wildlife, Northwest Information Center, Bear River Band Rohnerville Rancheria, Regional Water Quality Control Board, Humboldt County District Attorney, Humboldt County Agriculture Commissioner, Intertribal Sinkyone Wilderness Council, Sheriff, Southern Humboldt Jt. Unified School District, State Water Resources Control Board Division of Water Rights

223-111-06

Applicant Name Silk Ranch Cooperative Inc **Key Parcel Number** 223-111-006-000

Application (APPS#) 12043 **Assigned Planner** Cannabis Planner (CPOD) (707) 445-7541 **Case Number(s)** CUP16-515

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

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

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

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

Return Response No Later Than 9/1/2017 Planning Commission Clerk
County of Humboldt Planning and Building Department
3015 H Street
Eureka, CA 95501
E-mail: PlanningClerk@co.humboldt.ca.us **Fax:** (707) 268-3792

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

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

Other Comments: _____

DATE: 11/15/17 PRINT NAME: MARK PHIPPEN



COUNTY OF HUMBOLDT
PLANNING AND BUILDING DEPARTMENT
BUILDING DIVISION

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

Building Division's Referral Comments for Cannabis Operations:

Application No.: #43339 GRADING APPLIC.
#4792 / #12043
Parcel No.: 223-111-006
Case No.: CUP16-515

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

- Site/plot plan appears to be accurate.
- Submit revised site/plot plan showing all of the following items: all grading including ponds and roads, location of any water course including springs, all structure including size and use and all setbacks from the above stated to each other and property lines.
- Existing operation appears to have expanded, see comments: _____

- Existing structures used in the cannabis operation shall not to be used/occupied until all required permits have been obtained.
- Proposed new operation has already started.
- Recommend approval based on the condition that all required grading, building, plumbing electrical and mechanical permits and or Agricultural Exemption are obtained.
- Other Comments: PROVIDE DISTANCE FROM ALL CONSTRUCTION TO SMA'S. GRADING STARTED FOR LOWER POND 200,000 GAL. SHOWN ON PLOT PLAN. SEE PHOTOS ATTACHED UNDER AP#.

Name: MARC PHIPPEN

Date: 11/15/17

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



HUMBOLDT COUNTY
PLANNING AND BUILDING DEPARTMENT ~ BUILDING DIVISION
 3015 H STREET, EUREKA, CA 95501 ~ PHONE (707) 445-7245
PRE-SITE APPLICATION AND PRELIMINARY REVIEW FORM
 THIS IS NOT A PERMIT DOCUMENT

11/13

RECEIVED
NOV 20 2017
 Humboldt County
 Planning Division

Applicants are responsible for notifying the Building Division regarding project status.
 The Building Division retains project paperwork for 365 days. After 365 days,
 a new permit application and additional fee payment will be required.

OWNER INFO		APPLICANT INFO	
Name	Gray Bradley Phone	Name	Silk Ranch Cooperative Inc Phone 408-306-0640
Address 1	Address 2 773 Carole Ct	Address 1	Aida Graf Address 2 773 Carole Court
City	Palo Alto State CA Zip 94303	City	Palo Alto State CA Zip 94303

APPLICATION INFO			
Application Number	44792	Parcel Number	223-111-006-000 Project Location See attached paperwork (Planning Referral)
Project Type	PR - Planning Referral	Permit Staff	Donna J Date Generated 9/28/2017
Project Description	See attached paperwork (Planning Referral)		
Contractor	Contractor Phone		
Inspector District	3 Approx Sq Ft	Estimated Project Value \$	
Public Water	No. of Stories	No. of Units	
Public Sewer	Height	Fire SRA	Yes
Garbage Disposal	No. of Bedrooms	Parking Spaces	
Improv	\$171,278 SRA Exempt		
Zoning	AE-B-6 Flood Zone No Firm #		
Qualifies for Ag Exempt	No	Qualifies for Alternative Owner Builder (AOB)	
Geo Hazard #	3- High Instability	Old Parcel Number(s)	
Improvement Level			

DEVELOPMENT STANDARDS	
Max Height-Princ. ft	Max Lot Coverage %
Max Height-Acc. ft	

SETBACKS	
Front	30.00ft Rear 30.00ft
Int. Side	30.00ft Ext. Side 30.00ft

Notes: _____

Records check: _____

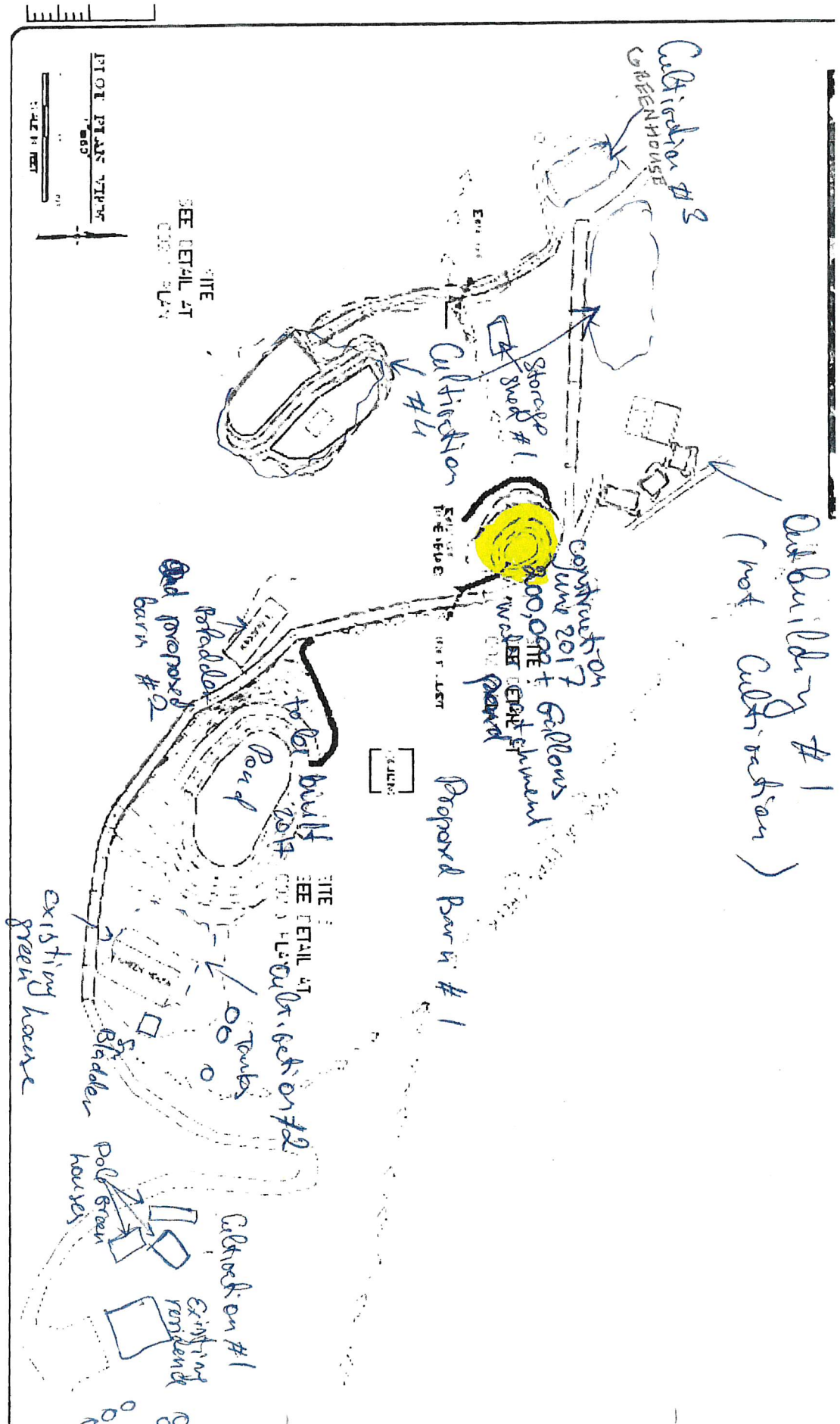
OSE Check: _____
OSE Setback Required: _____
Design Review by: _____

Coastal Zone	No
CDP required from:	
_____ Humboldt County Planning	
_____ Calif. Coast Commission	
_____ Excluded / Exempted from CDP	
Section _____	

Attachment A

Site Plan

APN: 223-111-06





DEPARTMENT OF PUBLIC WORKS
COUNTY OF HUMBOLDT

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

ARCATA-EUREKA AIRPORT TERMINAL
MCKINLEYVILLE
FAX 839-3596

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

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

AVIATION 839-5401

ADMINISTRATION 445-7481
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: 1-24-18

RE:	Applicant Name	<i>SILK RANCH COOPERATIVE INC</i>
	APN	<i>223-111-006</i>
	APPS#	<i>12043</i>

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

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

*Note: Exhibits are attached as necessary.

Additional comments/notes:

Review Item #4 on Exhibit "C"

// END //

Exhibit "A"

Public Works Recommended Conditions of Approval

APPS # 12043

(All checked boxes apply)

COUNTY ROADS- FENCES & ENCROACHMENTS:

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

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

COUNTY ROADS- DRIVEWAY (PART 1):

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

COUNTY ROADS- DRIVEWAY (PART 2):

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

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

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

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

COUNTY ROADS- DRIVEWAY (PART 3):

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

COUNTY ROADS-PARKING LOT- STORM WATER RUNOFF:

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

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

COUNTY ROADS- DRIVEWAY & PRIVATE ROAD INTERSECTION VISIBILITY:

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

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

COUNTY ROADS- PRIVATE ROAD INTERSECTION:

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

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

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

COUNTY ROADS- ROAD EVALUATION REPORT(S):

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

// END //

Exhibit "C"

Additional Review is Required by Planning & Building Staff

APPS # 12043

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

- 1. **ROADS – PART 1.** Does the project takes access from a series of non-county maintained roads that connect directly to a State Highway (36, 96, 101, 255, 299, etc...)?
 YES NO

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

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

- 2. **ROADS – PART 2.** Does the project takes access from a series of non-county maintained roads that connect directly to a Caltrans State Highway, US Forest Service Road, BLM Road, or a City road?
 YES NO

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

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

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

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

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

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

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

If YES, include the following requirement:

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

Exhibit "C"

Additional Review is Required by Planning & Building Staff

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

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

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

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

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

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

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

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

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

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

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

// END //

Exhibit "D"

Road Evaluation Reports

The Department is working towards identifying which County maintained roads meet (or are equivalent to) Road Category 4 standards for cannabis projects. Two lists are being prepared: the first list with the **green** heading shows which roads (or portions thereof) meet or are equivalent to Road Category 4 standard (AKA "Approved List"); and the second list with the **red** heading shows which roads (or portions thereof) that do not meet or are not equivalent to Road Category 4 standards. These lists will be updated as information becomes available. **This list will be updated frequently. Make sure you are using the most up to date list.**

On occasion there may be more than one road that has the same name; in these instances check the road number to ensure that you are referencing the correct road. Until such time as the GIS roads layer has been proofed by the Department, the GIS is not to be used for this task. Use the paper road maps to check road numbers.

If the subject property takes direct access from a road on the "approved list", no further road evaluation needs to be done.

"APPROVED LIST"		
List of County Maintained Roads that meet (or are equivalent to) Road Category 4 standards for Cannabis Projects		
Road Name	Road Number	Range meeting (or equivalent to) Road Category 4 standard
Alderpoint Road	F6B165	All
Benbow Drive	6B180	Oakcrest Dr to State Hwy 101
Blue Slide Road	F2G100	All [Grizzley Bluff Rd to City limits of Rio Dell]
Brannon Mountain Road	7M100	State Hwy 96 to Creekside Lane
Briceland Thorne Road	F5A010	All
Cathy Road	6D050	State Park to P.M. 0.87 [End of County maintained]
Fickle Hill Road	C5T040	Arcata city limits at PM [] to PM [] [end of centerline stripe]
Fieldbrook Road	C4L760	All
Freshwater Road	F6F060	All
Friday Ridge Road	8L100	State Hwy 299 to PM 3.37[End of County maintained] then becomes USFS Road
Greenwood Heights Drive	C4K160	All
Grizzley Bluff Road	F2G100	All [City limits of Ferndale to Blue Slide Rd]
Jacoby Creek Road	C4K230	Old Arcata Road to P.M. 2.50
Jacoby Creek Road	4K230	From P.M. 2.5 to P.M. 2.69
Kneeland Road	F6F060	Freshwater Road to Mountain View Road
Maple Creek Road	5L100	All
Mattole Road	F3D010	All
Mattole Road	F3C010	All
McCann Road	6D090	Dyerville Loop Road to P.M. 1.0
McCellan Mtn Road	7F010	State Hwy 36 to P.M. 3.57[End of County maintained]
Murray Road	C3M020	All
Old Three Creeks	6L250	State Hwy 299 to P.M. 2.8 [End of County maintained]
Panther Gap Road	4D010	Mattole Road to P.M. 1.83[End of County maintained] continues as a non- County maintained road
Patterson Road	C3M130	All
Salmon Creek Road	6C030	Hwy 101 to P.M. 5.39 [End of County maintained]
Shelter Cove Road	C4A010	All
Sprowel Creek Road	C6B095	PM 0.0 to PM 2.11
Sprowel Creek Road	6B095	PM 2.11 to PM 4.00
Thomas Road	6C040	Salmon Creek Road to P.M. 4.03 [End of County maintained] continues as a non- County maintained rd
Titlow Hill Road	7K100	Hwy 299 to PM 4.7[End of County maintained] then becomes USFS Road
West End Road	5L010	PM 0.0 at Arcata City Limits to Warren Creek Road
Wilder Ridge Road	C5B010	All

Exhibit "D"

Road Evaluation Reports

List of County Maintained Roads that do not meet (or are not equivalent to) Road Category 4 standards for Cannabis Projects		
Road Name	Road Number	Range not meeting (or not equivalent to) Road Category 4 standard
Benbow Drive	6B180	Oakcrest Dr to end
Brannon Mountain Road	7M100	Creekside Lane to PM 5.0 [End of County maintained] then becomes USFS Road
Essex Lane	C4L780	P.M. 0.2 to P.M. 0.9 [End of County maintained]
McCann Road	6D090	PM 1.0 to P.M.2.6 [End of County maintained]
Warren Creek Road	5L740	PM 0.0 to PM 0.95 [End of County maintained]
Sprowel Creek Road	6B095	PM 4.00 to PM 7.22 [End of County maintained]

// END //



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



DEH received
8-17-17

1718-0333

PROJECT REFERRAL TO: Health and Human Services Environmental Health Division

Project Referred To The Following Agencies:

Building Inspection Division, Public Works Land Use Division, Health and Human Services Environmental Health Division, County Counsel, CalFire, California Department of Fish And Wildlife, Northwest Information Center, Bear River Band Rohnerville Rancheria, Regional Water Quality Control Board, Humboldt County District Attorney, Humboldt County Agriculture Commissioner, Intertribal Sinkyone Wilderness Council, Sheriff, Southern Humboldt Jt. Unified School District, State Water Resources Control Board Division of Water Rights

Applicant Name Silk Ranch Cooperative Inc **Key Parcel Number** 223-111-006-000

Application (APPS#) 12043 **Assigned Planner** Cannabis Planner (CPOD) (707) 445-7541 **Case Number(s)** CUP16-515

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

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

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

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

Return Response No Later Than Planning Commission Clerk
County of Humboldt Planning and Building Department
3015 H Street
Eureka, CA 95501
E-mail: PlanningClerk@co.humboldt.ca.us **Fax:** (707) 268-3792

We have reviewed the above application and recommend the following:

Conditional Approval

DISTRIBUTED

2-21-18

Comments:

DEH recommends approval with the following conditions:

(1) **No processing can be approved** until an acceptable site suitability report can establish potential for onsite waste treatment system.

(2) **An invoice, or equivalent documentation, is provided to DEH** to confirm the continual use of portable toilets to serve the needs of cultivation staff prior to reissuance of annual permit.

*This review and recommendation is for the Land Use aspects of the planning project and does not include or imply compliance with all DEH programs. Although DEH recommends the approval of the Planning project, Solid Waste and HazMat Program requirements need to be addressed directly with staff from those programs.

* **Response Date:** 2/15/2018 **Recommendation By:** Adam Molofsky

CUP 16-515 Silk Ranch Cooperative 12043

November 15, 2018

2746
Page 103



**California Department of Fish and Wildlife
CEQA Referral Checklist**

Applicant: Silk Ranch Cooperative Inc.		Date: 9/19/2018	
APPS No.: 12043	APN: 223-111-006	DFW CEQA No.: 2017-0496	Case No.: CUP16-515
<input type="checkbox"/> New	<input checked="" type="checkbox"/> Existing	<input checked="" type="checkbox"/> Mixed-light (SF): 3,300	<input checked="" type="checkbox"/> Outdoor (SF): 24,500 <input type="checkbox"/> Indoor <input type="checkbox"/> RRR

Thank you for referring this application to the California Department of Fish and Wildlife (CDFW) for review and comment.

CDFW offers the following comments on the Project in our role as a Trustee and Responsible Agency pursuant to the California Environmental Quality Act (CEQA; California Public Resource Code Section 21000 *et seq.*). These comments are intended to assist the Lead Agency in making informed decisions early in the planning process.

- Recommend Approval. The Department has no comment at this time.
- Recommend Conditional Approval. Suggested conditions below.
- Applicant needs to submit additional information. Please see the list of items below.
- Recommend Denial. See comments below.

Please note the following information:

- A Final Lake or Streambed Alteration Agreement (1600-2016-0327) has been issued to the applicant.
- 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.
- Leave wildlife unharmed. If any wildlife is encountered during the Authorized Activity, Permittee shall not disturb the wildlife and shall allow wildlife to leave the work site unharmed.
- The environmental impacts of improper waste disposal are significant and well documented. CDFW requests, as a condition of Project approval, that all refuse be contained in wildlife proof storage containers, at all times, and disposed of at an authorized waste management facility.
- The referral materials state that a rainwater catchment pond has been constructed onsite. CDFW requests:
 - That the applicant install several exit ramps to prevent wildlife entrapment. Exit ramps shall meet the following requirements: installed at no greater than 2:1 slope, securely fixed at the upslope end, made of solid material (e.g. wood).
 - That the applicant comply with the attached CDFW Bullfrog Management Plan (**Exhibit A**). Reporting requirements shall be submitted to CDFW at 619 Second Street, Eureka, CA 95501, no later than December 31 of each year.

- That fish stocking be prohibited without written permission from the Department pursuant to Section 6400 of the Fish and Game Code.
- ☒ Human induced noise pollution may adversely affect wildlife species in several ways including abandonment of territory, loss of reproduction, auditory masking (inability to hear important cues and signals in the environment), hindrance to navigation, and physiological impacts such as stress, increased blood pressure, and respiration. To avoid disturbance, CDFW requests, as a condition of project approval, the construction of noise containment structures for all generators and fans on the parcel; noise released shall be no more than 50 decibels measured from 100ft.
- ☒ This project has the potential to affect sensitive fish and wildlife resources such as Foothill Yellow-legged Frog (*Rana boylei*), Pacific Giant Salamander (*Dicamptodon tenebrosus*), Northern Red-legged Frog (*Rana aurora*), and other amphibians, reptiles, aquatic invertebrates, mammals, birds, and other aquatic and riparian species.

Thank you for the opportunity to comment on this Project. Please send all inquiries regarding these comments to kalyn.bocast@wildlife.ca.gov .

Please confirm that you have received this email.

Sincerely,

California Department of Fish and Wildlife
619 2nd Street
Eureka, CA 95501

EXHIBIT A.**BULLFROG MONITORING AND MANAGEMENT PLAN FOR CEQA-2017-0496-R1****GENERAL BULLFROG INFORMATION**

The American bullfrog (*Lithobates catesbeianus* = *Rana catesbeiana*); hereafter bullfrog, is an invasive non-native species in California and poses a significant threat to California's native fish and wildlife resources. Bullfrogs were introduced in California over 100 years ago from eastern parts of the United States as a food supply, but have since caused substantial ecological consequences. Bullfrogs are considered highly invasive and are well documented to be prey upon a variety of fish and wildlife species, including some that are rare, threatened, and endangered. Human modifications to the environment provide favorable condition to bullfrogs such as artificially created agricultural ponds, canals and ditches where warm still water occurs. As a result bullfrogs have spread throughout California.

Efforts to control bullfrogs have been met with varying degrees of success because: 1) bullfrogs can be difficult to detect and go dormant from fall through winter, 2) bullfrogs often take cover in difficult areas to manage (e.g. dense vegetation), 3) they can travel long distances to colonize and re-colonize areas, 4) they have high reproductive output, 5) they are weary and readily flee perceived threats, and 6) they can survive physical trauma remarkably well. CDFW scientific staff recognizes there is an urgent and immediate need to develop improved bullfrog management strategies to protect California's diverse fish, wildlife, and plant resources, and the habitats upon which they depend, for their ecological values and for their use and enjoyment by the public. Public support and implementation of bullfrog control in California is an important conservation strategy that will help protect natural resources for future generations.

MONITORING

The Project reservoir(s) shall be monitored for bullfrog presence on an annual basis with a minimum of five total surveys, no less than two weeks apart, throughout the months of May-July

- All pond survey effort must be made by a person knowledgeable in bullfrog identification (see Appendix A for reference photos);
- Survey efforts shall include listening for bullfrog calls and slowly walking the complete perimeter of the pond at night* (dusk or later) while shining a flashlight to detect movement and eye-shine

If bullfrogs are not detected upon completion of five total surveys, or at any other time of the year incidentally, removal efforts are not required that year.

*Day time monitoring can also be conducted to aid detection but is not required under this plan.

SUCCESS CRITERIA

The level of effort needed to successfully manage bullfrog populations varies with infestation levels. This plan shall be considered successfully implemented if sufficient effort is provided to prevent adult bullfrogs from reproducing in the reservoir(s) each year, and no bullfrog life-stages can be detected. Bullfrogs are capable of traveling long distances over-land, and on-going

Pond Dewatering

In order to prevent and/or control infestations, annual pond dewatering shall be implemented, under the condition that the reservoir can be successfully dewatered without adversely affecting stream resources. Careful planning and coordination with CDFW, is necessary to ensure potential impacts to stream resources can be addressed, prior to commencing with pond draining. Discharge of polluted water to waters of the state may require permitting from other agencies with permitting authority, such as the Regional Water Quality Control Board.

In general, bullfrog tadpoles require two years to develop into frogs, whereas native amphibians only require one year. Therefore, draining a reservoir every year is intended to interrupt bullfrog tadpole development, dramatically decrease bullfrog populations and allow for reduced efforts as a measure of adaptive management. Typically in Northern California, reservoir draining should occur in September through October to avoid impacts to sensitive native amphibian and fishery resources. While draining occurs, direct removal efforts should be employed as described above if possible.

REPORTING

A written log shall be kept of monitoring and management efforts and shall be provided to CDFW **each year** by December 31. The written log shall include: 1) date and time of each monitoring and management effort, 2) approximate number of each bullfrog life stage detected and/or removed per effort, and 3) amount of time spent for each monitoring and management effort.

APPENDIX A. BULLFROG REFERENCE PHOTOS



This is a photo of a Bullfrog tadpole. (Photo taken by Mike van Hattem).



The photos shown in this Appendix demonstrate a medium sized adult bullfrog that was removed from Ten Mile Creek, Mendocino County. Note the bullfrog has a large tympanum, (circular ear drum shown with an arrow) and **does not** have distinct ridges along its back (dorsolateral folds). Photo taken by Wes Stokes.



The bullfrog has somewhat distinct mottling and **the underside of the bullfrogs hind legs are not shaded pink or red.**

Laney, Megan

From: HUU CEQA@CALFIRE <HUUCEQA@fire.ca.gov>
Sent: Monday, October 02, 2017 3:46 PM
To: Planning Clerk
Subject: FW: 223-111-006-000 Silk Ranch Cooperative, Inc.



Chris Ramey
Battalion Chief, Fire Planning

CAL FIRE

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

From: Lake, M. Isaac@CALFIRE
Sent: Friday, September 22, 2017 3:07 PM
To: HUU CEQA@CALFIRE <HUUCEQA@fire.ca.gov>
Subject: APN: 223-111-006-000 Silk Ranch Cooperative, Inc.

No additional comments from B-1211 other than any artificial lighting being used shall be shielded so that little or no light escapes.

M. Isaac Lake

Battalion Chief

CAL FIRE

HUMBOLDT-DEL NORTE UNIT

Battalion 1

Alderpoint~Garberville~Thorn

Cell (707) 499-2249

Office (707) 923-3446

Schedule Thrs, Fri, Sat

MLake@fire.ca.gov

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