



**COUNTY OF HUMBOLDT**  
**PLANNING AND BUILDING DEPARTMENT**  
**CURRENT PLANNING DIVISION**

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Phone: (707)445-7541 Fax: (707) 268-3792

Hearing Date: August 20, 2020

To: Humboldt County Planning Commission

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

Subject: **Rolling Meadow Ranch, LLC, Conditional Use Permits**  
Record Number: PLN-12529-CUP  
Assessor's Parcel Numbers (APNs): 217-201-001, 217-181-027, 217-181-028, 217-182-001, 217-024-011, 217-024-006, 217-024-010, 217-024-003, 217-025-001  
2189 & 2487 McCann Road and the properties know to be in Sections 35 & 26, Township 01 South, Range 03 East, H. B. & M., Blocksburg/Myers Flat area

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Please contact Meghan Ryan, Senior Planner, at (707) 445-7541 or by email at [mryan2@co.humboldt.ca.us](mailto:mryan2@co.humboldt.ca.us) if you have any questions about the scheduled public hearing item.

## AGENDA ITEM TRANSMITTAL

<b>Hearing Date</b> August 20, 2020	<b>Subject</b> Conditional Use Permits	<b>Contact</b> Meghan Ryan
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**Project Description:** Six Conditional Use Permits for 5.77 acres of mixed light cultivation and processing facilities located in four distinct cultivation areas. The proposed cannabis operation will be primarily located on APNs 217-181-028 and 217-201-001. Cultivation would occur in 16 greenhouses. Operations would occur year-round and there will be a maximum of four cultivation cycles annually. Annual water use is approximately 4,628,200 gallons. Water will be provided by three existing wells. There will be 320,000 gallons of hard-sided tank storage that will store rain from rooftop runoff. Processing, including drying, curing and trimming, will take place on site within 5 proposed processing structures totaling 33,750 square feet. There will be a maximum of 30 employees during peak operations. The proposed project includes development of power from P. G. & E. The overall development will total 7.04 acres. The project is accessed by McCann Road using the McCann Bridge. Approximately 5 miles of private ranch roads will be used to access cultivation areas. At the property entrance, employees will park their vehicles and an electric bus or similar type vehicle will be used to transport employees to the cultivation and processing areas. Secondary access through Alderpoint Road will be utilized during the rainy season when the low-water bridge is not in use.

**Project Location:** The project is located in Humboldt County, in the Blocksburg/Myers Flat area, on both sides of McCann Road, approximately 2.15 miles east from the intersection of Dyerville Loop Road and McCann Road, on the properties known as 2189 & 2487 McCann Road and the properties know to be in Sections 35 & 26, Township 01 South, Range 03 East, H. B. & M.

**Present Plan Land Use Designation:** Agriculture Grazing (AG), Density: Range is 20 to 160 acres per unit, 2017 General Plan, Slope Stability: Moderate Instability (2) and High Instability (3).

**Present Zoning:** Agriculture Exclusive with a Special Building Site combining zone; Timber Production (AE-B-5(160); TPZ).

**Record Number:** PLN-12529-CUP

**Assessor Parcel Numbers:** 217-201-001, 217-181-027, 217-181-028, 217-182-001, 217-024-011, 217-024-006, 217-024-010, 217-024-003, 217-025-001.

**Applicant**

Rolling Meadow Ranch, Inc.  
3060 Airport Road  
Vero Beach, FL 32960

**Owner**

Rolling Meadow Ranch, Inc.  
3060 Airport Road  
Vero Beach, FL 32960

**Agent**

Four Star Reality  
Attn: Jim Redd  
331 Harris Street  
Eureka, CA 95503

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

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

**Major Issues:** None.

**Rolling Meadow Ranch, LLC**

Record Number: PLN-12529-CUP

Assessor's Parcel Numbers (APNs): 217-201-001, 217-181-027, 217-181-028, 217-182-001, 217-024-011, 217-024-006, 217-024-010, 217-024-003, 217-025-001

**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:

*Adopt the Mitigated Negative Declaration prepared for the Rolling Meadow Ranch, LLC, project pursuant to Section 15074 of the State CEQA Guidelines, make all of the required findings for approval of the Conditional Use Permits based on evidence in the staff report and adopt the Resolution approving the proposed Rolling Meadow Ranch, LLC, project subject to the recommended conditions.*

**Executive Summary:** The applicant is applying for six Conditional Use Permits for new, mixed light cannabis cultivation occurring in four distinct cultivation areas in accordance with the County's Commercial Medical Land Use Ordinance (CMMLUO). The subject parcels are located within a 7,110-acre ranch that historically has been used for ranching and timber operations. The parcels are currently undeveloped. The project includes the following proposed development:

Cultivation Area	Proposed Structures*	Total Square Footage (sf)
1	Greenhouses	19,656 sf
	Processing Facility	4,500 sf
2	Greenhouses	58,752 sf
	Processing Facility	6,000 sf
3	Greenhouses	71,388 sf
	Processing Facility	8,250 sf
4	Greenhouses	117,504 sf
	Processing Facility	7,000 sf & 8,000 sf

\*Onsite Wastewater Treatment Facilities will also be developed in each cultivation area.

In addition to the greenhouses and processing facilities, Onsite Wastewater Treatment Systems (OWTS) and water storage tanks that will capture rain from the roof runoff. The overall footprint of the cultivation areas would be 5.77 acres and with all the associated development will be 7.04 acres. Hours of operation will be 7am to 7pm daily. Generally, there will 22 employees on site on any given day with a maximum of 30 employees during peak operations. Due mitigated for noise impacts, hours of operation for construction are limited to The operation of tools or equipment used in construction, drilling, repair, alteration or demolition shall only occur between the hours of 8 a.m. and 5 p.m. Monday through Friday, and between 9 a.m. and 5 p.m. on Saturdays. No heavy equipment related construction activities shall be allowed on Sundays or holidays.

Security lighting and cameras will be placed around all processing buildings. Processed cannabis will be stored in the processing buildings until it is taken off site. The buildings will always be locked. Each site will be fenced. A security gate with a guarded entrance will be placed on the private road that continues East off McCann Road East that leads to Facilities #1 and #2. This security guard will have a small 6-foot by 4-foot structure to provide shelter (See Figure 13 for guard gate location). This security guard position will be staffed 24 hours a day. Another security gate will be placed on the road that leads to Facilities #3 through #16. This gate will be locked at all times. There will be cameras at both gates.

Estimated annual water usage is 4,628,200 gallons of water for both irrigation and domestic use. Water for irrigation is estimated to be 4,555,200, which equates 780 gallons per day per greenhouse (4.5

gallons/sf/cycle). The applicant will utilize drip irrigation to conserve water and ensure there is minimal to no run-off. The proposed project includes rain catchment systems to capture runoff and will be stored near each greenhouse site in hard-sided water storage tanks. Each greenhouse will have 20,000 gallons of water stored in four (4) 5,000 gallons storage tanks. There will be 320,000 gallons of hard sided storage tanks for rainwater catchment on site. This stored rainwater water will be generally used for summertime landscaping and lawn maintenance around the facilities as well as fire protection and supplemental water for dust mitigation. Average annual rainfall is approximately 55 inches per year during an average year. Each processing facility will be larger than 4,000 square feet, therefore, more than 137,060 gallons of water could be captured by each of the five facilities. Staff determined based on average annually rainfall and size of the processing facilities, the 320,000 gallons of rain catchment is reasonable and most likely to occur.

The applicant provided well permits and well completion logs (see Appendix E in the draft Initial Study/Mitigated Negative Declaration). The well completion logs, aerial analysis using the Humboldt County WebGIS and review of the site plans indicate the following:

Well Number	APN	Distance to Nearby Watercourses	Depth to First Water (ft)	Length and depth of Screen Casing
1	217-173-002	140 feet south	65	180 ft 60 ft to 240 ft
2	217-024-010	460 feet north	42	150 ft 40 ft to 190 ft
3	217-181-028		152	200 ft 70 ft to 270 ft

The applicant provided a *Letter regarding well connectivity* from Fisch Drilling dated February 15, 2018. (see Appendix E of the draft Initial Study and Mitigated Negative Declaration). The letter states that the wells are likely drilled into perched bedrock given the soil type and depth of the wells. Therefore, staff determined the wells are hydrologically disconnected from surface water and do not require water rights for diversion and use from the State Water Resources Control Board; the rain catchment system that will be installed to capture roof runoff does not require water rights either. Conditions of approval require the applicant to meter water use to demonstrate that the well meets the water demand and provide evidence of metering at the time of annual inspection. Should the wells not provide sufficient water for the operation, the applicant is required to modify this permit and propose a different non-divisionary source of water, such as rain catchment and/or reduce the size of the cultivation area to be consistent with water availability. As conditioned, the project therefore conforms to the performance standards for water.

As stated in the *Biological Resources* evaluation contained in the draft Initial Study/Mitigated Negative Declaration (IS/MND), the project location is on the north side of the main stem Eel River within a mosaic of redwood forest, mixed evergreen forest and coastal prairie and nonnative grassland, with inclusions of black oak woodland. Red alder forest forms the main vegetation type along and mainstem Eel. These forested areas have been extensively logged by previous property owners and are largely composed of even-aged stands of second or third-growth trees. The proposed project footprint lies almost entirely within the prairie and grassland portions of this mosaic. The nearest mapped Marbled murrelet habitat is located more than 3 miles to the west of the subject parcel. The nearest Northern Spotted Owl (NSO) positive observation is located 1 mile to the northeast of Cultivation Area 1 on APN 217-181-028. According the Biological Resources section of the IS/MND, there are four activity centers within 1.3 miles of the cultivation areas. Although NSO surveys have not detected NSO and there is the potential for habitat, special noise attenuation measures due to proximity to known noise sources. In accordance with the standards set forth in Section 55.4.11 (o) of the CMMLUO and Departmental Policy Statement (DPS) 16-005, the subject parcel is considered to contain habitat or potential habitat for Northern Spotted Owl because it is within one-mile of a mapped Northern Spotted Owl activity center. The draft Initial Study/Mitigated Negative Declaration includes two mitigation measures, NOI-1 and NOI-2, to reduce potential noise impacts to less than

significant. Mitigation measures for noise require the applicant to limit the use of heavy equipment to week-day hours, ensure equipment is in good working order and limit noise from the project to no more than 50 db at 100 feet from the noise source or edge of habitat, whichever is closer, as required by the CMMLUO. No rodenticides will be used on site at any time. If rodents become an issue in the buildings, trapping or other non-poison methods will be used to remove them as stated in the IS/MND project description.

A *Botanical Survey Report* was prepared by NRM, dated July 20, 2018, for the subject parcels. The purpose of the report was to identify special status plant species or communities on the subject parcels. According to the report, no rare, endangered, or CNPS list 1, 2, 3 or 4 plants were found during the surveys. The overall survey results are summarized in Table 3 of the Botanical Survey Report found in Appendix I of the IS/MND. A total of 140 plant taxa were identified within the project area. The report concluded that development at all sites would impact small stands of *Danthonia californica* Prairie (S3), and development in Tract 1/4 would impact several small stands of *Elymus glaucus* (S3). *Mitigation Measure - Biology - 1* requires that prior to construction seed from *Danthonia californica* and *Elymus glaucus* will be collected from the site (alternatively it can be collected from other locations on the Ranch). This seed will then be used to re-vegetate fill slopes and other bare dirt areas once construction is complete.

The Project as designed will directly impact approximately 0.799 acres of potential Seasonally Saturated Nontidal Palustrine Emergent Wetland identified in a 2020 wetland delineation (See IS/MND - *Biological Resources*, Figures 38 and 39). These potential wetlands are within the project development footprint and 30-foot construction impact buffer, and completion of the project will result in unavoidable impacts. Approximately 0.56 acres will be impacted at Facility 3 and the adjacent processing building, and 0.239 acres will be impacted at site facility #10. Impacts to these wetlands will include both the placement of fill material and grading. These potential small, depressional, seasonal wetlands provide stormwater infiltration, seasonal surface water, and contribute to groundwater recharge, but are adjacent to a vast array of wetland/riparian complexes of similar type over the surrounding land ownership. Therefore, impacts to these small pockets of habitat will not significantly reduce habitat or wetland hydrologic function in the area. Additionally, a Mitigation and Monitoring Plan (MMP) will be written for the creation of in-kind wetland habitat at an appropriate location. New wetlands will be created at a ratio of between 1.5:1 and 3:1, as deemed appropriate. Equally, mitigation may entail quality and function enhancement of existing wetlands at similar ratios. Conditions of approval require the applicant to adhere to and implement the mitigation and monitoring plan for the life of the project.

A review of the California Natural Diversity Database (CNDDB) did not find any rare or species status species mapped for the subject parcels. A nine-quad search was conducted for the IS/MND and found the potential for habitat for 22 species of wildlife. A site visit was conducted by NRM in October 2017 and no species status species were detected. Because there is potential habitat for several wildlife and plant species, 11 mitigation measures are included in the IS/MND to ensure the project has a less than a significant effect on biological resources. See the *Biological Resources* Section of the IS/MND for a complete discussion. The mitigation measures include preconstruction surveys and revegetation and monitoring associated with plant restocking. Adhering to the Mitigation and Monitoring Reporting Program for the life of the project is a condition of approval. The California Department of Fish and Wildlife (CDFW) provided referral responses on January 24, 2018, and January 26, 2018 (see Attachment 5). Staff response was sent on July 8, 2020 (see Attachment 5). No response was received as of the date of drafting this report. Any comment received will be presented as a supplemental item. Several conditions of approval typically requested by CDFW for wildlife and watershed protection, such as preparation and a prohibition on use of synthetic netting, are incorporated into the project.

The access for the project is located off McCann Road. This County road currently crosses the Eel River using McCann Bridge, a low-water bridge. When the Eel River flow volume increases to 3,500 cubic feet per second (cfs), typically late November through late April, Humboldt County closes the McCann Bridge and vehicle traffic across the bridge is not possible. The County will be replacing the low-water bridge with a year-round bridge sometime in the next few years ([www.mccannbridge.com](http://www.mccannbridge.com)). Once McCann Road (West) reaches the property line, the roads become private ranch roads (see draft IS/MND - Figure 1). Approximately 5 miles, or 26,400 feet of private road will be used in reaching the project areas (see draft IS/MND - Figure 13). A gate with a guard station, bus drop off and turn-around, and 15 parking spaces will be built just after the entrance to the property (see draft IS/MND - Figure 13). Employees will enter the property and park their personal vehicles at this location. An electric bus will transport the employees to

and from the work sites. This will greatly limit the traffic on the private roads. Road Maintenance work recommended by Oscar Larson and Associates in their 2019, Supplemental Internal Road Evaluation Reports (Appendix C) was done on these roads during the summer of 2019. With the roadwork now complete, all roads (using the existing prism) have been brought up to the Fire Safe standards. The 5 miles of private driveway has a minimum of 12 feet wide traffic lane and have turnouts in conformance with the County Roadway Design Manual and at intervals per Fire Safe standards. During the maintenance work additional road rock was added as needed and any areas of grade over 15% were heavily rocked. The 5 miles of private road contains one bridge and 20 culverts. These culverts are likely a mix of stream crossings and ditch relief culverts. Once the permits are approved the project will assess all stream crossings for compliance with the Standard Conditions of the State Water Board Cannabis Cultivation Order.

Environmental review for the proposed project included the preparation of an Initial Study/Mitigated Negative Declaration (IS/MND) pursuant to the California Environmental Quality Act (CEQA) Statute (Public Resources Code 21000–21189) and Guidelines (California Code of Regulations, Title 14, Division 6, Chapter 3, Sections 15000–15387). The IS/MND was circulated from July 17, 2020, to August 17, 2020, at the State Clearinghouse. No comments were received as of the date of drafting this staff report. If comments are received, they will be submitted Planning Commission consideration as a supplemental item. These comments do not affect the conclusions of the document and do not require recirculation pursuant to Section 15073.5 of the CEQA Guidelines.

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. Modifications may cause potentially significant impacts, additional CEQA analysis and findings may be required. These alternatives could be implemented if the Commission is unable to make all of the required findings. Planning Division staff has stated that the required findings in support of the proposal have been made. Consequently, Planning staff does not recommend further consideration of either alternative.

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

**RESOLUTION OF THE PLANNING COMMISSION  
OF THE COUNTY OF HUMBOLDT  
Resolution Number 20-**

**Record Number: PLN-12529-CUP**

**Assessor Parcel Numbers: 217-201-001, 217-181-027, 217-181-028, 217-182-001, 217-024-011, 217-024-006,  
217-024-010, 217-024-003, 217-025-001**

**Makes the required findings for certifying compliance with the California Environmental Quality Act and conditionally approve the Rolling Meadow Ranch, LLC, Conditional Use Permit request.**

**WHEREAS**, Rolling Meadow Ranch, LLC, submitted an application and evidence in support of approving a Conditional Use Permit for 1 acre (43,560 square feet) of mixed light cultivation to be grown in greenhouses. Operations would occur year-round and there will be a maximum of four cultivation cycles annually. Water for irrigation is provided by three groundwater wells and rainwater catchment. Annual water use is approximately 4,628,200 gallons for the project. Water will be provided by three existing wells. There will be 320,000 gallons of hard-sided tank storage that will store rain from rooftop runoff. Processing, including drying, curing and trimming, will take place on site within 5 proposed processing structures totaling 33,750 square feet and includes associated parking facilities. The applicant must process at an off-site licensed processing facility until the Onsite Wastewater Treatment System is permitted and installed. A maximum of 30 employees are required for peak operations. Power is provided by P. G. & E.; 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**, a Mitigated Negative Declaration was prepared for the proposed Conditional Use Permits for 5.77 acres (or 251,341 square feet) 60,920 square feet of mixed light cannabis cultivation on APNs 217-201-001, 217-181-027, 217-181-028, 217-182-001, 217-024-011, 217-024-006, 217-024-010, 217-024-003, 217-025-001, pursuant to Section 15074 of the 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 Permits (Record Number: PLN-12529-CUP); and

**WHEREAS**, a public hearing was held on the matter before the Humboldt County Planning Commission on August 20, 2020; and

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

1. The Planning Commission adopts the Mitigated Negative Declaration for the Rolling Meadow Ranch, LLC, project; and
1. Planning Commission makes all the required findings in Attachment 2 of the Planning Commission staff report for Record Number: PLN-12529-CUP based on the submitted substantial evidence; and
2. The Conditional Use Permits and Special Permits (Record Number: PLN-12529-CUP) are approved as recommended and conditioned in Attachment 1.

Adopted after review and consideration of all the evidence on August 20, 2020.

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

**RESOLUTION OF THE PLANNING COMMISSION  
OF THE COUNTY OF HUMBOLDT  
Resolution Number 20-**

**Record Number: PLN-12529-CUP**

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217-024-010, 217-024-003, 217-025-001**

**Makes the required findings for certifying compliance with the California Environmental Quality Act and conditionally approve the Rolling Meadow Ranch, LLC, Conditional Use Permit request.**

**WHEREAS**, Rolling Meadow Ranch, LLC, submitted an application and evidence in support of approving a Conditional Use Permit for 1 acre (43,560 square feet) of mixed light cultivation to be grown in greenhouses. Operations would occur year-round and there will be a maximum of four cultivation cycles annually. Water for irrigation is provided by three groundwater wells and rainwater catchment. Annual water use is approximately 4,628,200 gallons for the project. Water will be provided by three existing wells. There will be 320,000 gallons of hard-sided tank storage that will store rain from rooftop runoff. Processing, including drying, curing and trimming, will take place on site within 5 proposed processing structures totaling 33,750 square feet and includes associated parking facilities. The applicant must process at an off-site licensed processing facility until the Onsite Wastewater Treatment System is permitted and installed. A maximum of 30 employees are required for peak operations. Power is provided by P. G. & E.; 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**, a Mitigated Negative Declaration was prepared for the proposed Conditional Use Permits for 5.77 acres (or 251,341 square feet) 60,920 square feet of mixed light cannabis cultivation on APNs 217-201-001, 217-181-027, 217-181-028, 217-182-001, 217-024-011, 217-024-006, 217-024-010, 217-024-003, 217-025-001, pursuant to Section 15074 of the 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 Permits (Record Number: PLN-12529-CUP); and

**WHEREAS**, a public hearing was held on the matter before the Humboldt County Planning Commission on August 20, 2020; and

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

2. The Planning Commission adopts the Mitigated Negative Declaration for the Rolling Meadow Ranch, LLC, project; and
3. Planning Commission makes all the required findings in Attachment 2 of the Planning Commission staff report for Record Number: PLN-12529-CUP based on the submitted substantial evidence; and
4. The Conditional Use Permits and Special Permits (Record Number: PLN-12529-CUP) is approved as recommended and conditioned in Attachment 1.

Adopted after review and consideration of all the evidence on August 20, 2020.

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.

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John Ford, Director  
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**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**, a Mitigated Negative Declaration was prepared for the proposed Conditional Use Permits for 5.77 acres (or 251,341 square feet) 60,920 square feet of mixed light cannabis cultivation on APNs 217-201-001, 217-181-027, 217-181-028, 217-182-001, 217-024-011, 217-024-006, 217-024-010, 217-024-003, 217-025-001, pursuant to Section 15074 of the 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 Permits (Record Number: PLN-12529-CUP); and

**WHEREAS**, a public hearing was held on the matter before the Humboldt County Planning Commission on August 20, 2020; and

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

3. The Planning Commission adopts the Mitigated Negative Declaration for the Rolling Meadow Ranch, LLC, project; and
5. Planning Commission makes all the required findings in Attachment 2 of the Planning Commission staff report for Record Number: PLN-12529-CUP based on the submitted substantial evidence; and
6. The Conditional Use Permits and Special Permits (Record Number: PLN-12529-CUP) is approved as recommended and conditioned in Attachment 1.

Adopted after review and consideration of all the evidence on August 20, 2020.

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.

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John Ford, Director  
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**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 Permits (Record Number: PLN-12529-CUP); and

**WHEREAS**, a public hearing was held on the matter before the Humboldt County Planning Commission on August 20, 2020; and

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

4. The Planning Commission adopts the Mitigated Negative Declaration for the Rolling Meadow Ranch, LLC, project; and
7. Planning Commission makes all the required findings in Attachment 2 of the Planning Commission staff report for Record Number: PLN-12529-CUP based on the submitted substantial evidence; and
8. The Conditional Use Permits and Special Permits (Record Number: PLN-12529-CUP) is approved as recommended and conditioned in Attachment 1.

Adopted after review and consideration of all the evidence on August 20, 2020.

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

**RESOLUTION OF THE PLANNING COMMISSION  
OF THE COUNTY OF HUMBOLDT  
Resolution Number 20-**

**Record Number: PLN-12529-CUP**

**Assessor Parcel Numbers: 217-201-001, 217-181-027, 217-181-028, 217-182-001, 217-024-011, 217-024-006,  
217-024-010, 217-024-003, 217-025-001**

**Makes the required findings for certifying compliance with the California Environmental Quality Act and conditionally approve the Rolling Meadow Ranch, LLC, Conditional Use Permit request.**

**WHEREAS**, Rolling Meadow Ranch, LLC, submitted an application and evidence in support of approving a Conditional Use Permit for 1 acre (43,560 square feet) of mixed light cultivation to be grown in greenhouses. Operations would occur year-round and there will be a maximum of four cultivation cycles annually. Water for irrigation is provided by three groundwater wells and rainwater catchment. Annual water use is approximately 4,628,200 gallons for the project. Water will be provided by three existing wells. There will be 320,000 gallons of hard-sided tank storage that will store rain from rooftop runoff. Processing, including drying, curing and trimming, will take place on site within 5 proposed processing structures totaling 33,750 square feet and includes associated parking facilities. The applicant must process at an off-site licensed processing facility until the Onsite Wastewater Treatment System is permitted and installed. A maximum of 30 employees are required for peak operations. Power is provided by P. G. & E.; 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**, a Mitigated Negative Declaration was prepared for the proposed Conditional Use Permits for 5.77 acres (or 251,341 square feet) 60,920 square feet of mixed light cannabis cultivation on APNs 217-201-001, 217-181-027, 217-181-028, 217-182-001, 217-024-011, 217-024-006, 217-024-010, 217-024-003, 217-025-001, pursuant to Section 15074 of the 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 Permits (Record Number: PLN-12529-CUP); and

**WHEREAS**, a public hearing was held on the matter before the Humboldt County Planning Commission on August 20, 2020; and

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

5. The Planning Commission adopts the Mitigated Negative Declaration for the Rolling Meadow Ranch, LLC, project; and
9. Planning Commission makes all the required findings in Attachment 2 of the Planning Commission staff report for Record Number: PLN-12529-CUP based on the submitted substantial evidence; and
10. The Conditional Use Permits and Special Permits (Record Number: PLN-12529-CUP) is approved as recommended and conditioned in Attachment 1.

Adopted after review and consideration of all the evidence on August 20, 2020.

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.

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John Ford, Director  
Planning and Building Department

**RESOLUTION OF THE PLANNING COMMISSION  
OF THE COUNTY OF HUMBOLDT  
Resolution Number 20-**

**Record Number: PLN-12529-CUP**

**Assessor Parcel Numbers: 217-201-001, 217-181-027, 217-181-028, 217-182-001, 217-024-011, 217-024-006,  
217-024-010, 217-024-003, 217-025-001**

**Makes the required findings for certifying compliance with the California Environmental Quality Act and conditionally approve the Rolling Meadow Ranch, LLC, Conditional Use Permit request.**

**WHEREAS**, Rolling Meadow Ranch, LLC, submitted an application and evidence in support of approving a Conditional Use Permit for 1 acre (43,560 square feet) of mixed light cultivation to be grown in greenhouses. Operations would occur year-round and there will be a maximum of four cultivation cycles annually. Water for irrigation is provided by three groundwater wells and rainwater catchment. Annual water use is approximately 4,628,200 gallons for the project. Water will be provided by three existing wells. There will be 320,000 gallons of hard-sided tank storage that will store rain from rooftop runoff. Processing, including drying, curing and trimming, will take place on site within 5 proposed processing structures totaling 33,750 square feet and includes associated parking facilities. The applicant must process at an off-site licensed processing facility until the Onsite Wastewater Treatment System is permitted and installed. A maximum of 30 employees are required for peak operations. Power is provided by P. G. & E.; 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**, a Mitigated Negative Declaration was prepared for the proposed Conditional Use Permits for 5.77 acres (or 251,341 square feet) 60,920 square feet of mixed light cannabis cultivation on APNs 217-201-001, 217-181-027, 217-181-028, 217-182-001, 217-024-011, 217-024-006, 217-024-010, 217-024-003, 217-025-001, pursuant to Section 15074 of the 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 Permits (Record Number: PLN-12529-CUP); and

**WHEREAS**, a public hearing was held on the matter before the Humboldt County Planning Commission on August 20, 2020; and

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

6. The Planning Commission adopts the Mitigated Negative Declaration for the Rolling Meadow Ranch, LLC, project; and
11. Planning Commission makes all the required findings in Attachment 2 of the Planning Commission staff report for Record Number: PLN-12529-CUP based on the submitted substantial evidence; and
12. The Conditional Use Permits and Special Permits (Record Number: PLN-12529-CUP) is approved as recommended and conditioned in Attachment 1.

Adopted after review and consideration of all the evidence on August 20, 2020.

The motion was made by Commissioner \_\_\_\_ and seconded by Commissioner \_\_\_\_.

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John Ford, Director  
Planning and Building Department

**RESOLUTION OF THE PLANNING COMMISSION  
OF THE COUNTY OF HUMBOLDT  
Resolution Number 20-**

**Record Number: PLN-12529-CUP**

**Assessor Parcel Numbers: 217-201-001, 217-181-027, 217-181-028, 217-182-001, 217-024-011, 217-024-006,  
217-024-010, 217-024-003, 217-025-001**

**Makes the required findings for certifying compliance with the California Environmental Quality Act and conditionally approve the Rolling Meadow Ranch, LLC, Conditional Use Permit request.**

**WHEREAS**, Rolling Meadow Ranch, LLC, submitted an application and evidence in support of approving a Conditional Use Permit for 33,541 square feet of mixed light cultivation to be grown in greenhouses. Operations would occur year-round and there will be a maximum of four cultivation cycles annually. Water for irrigation is provided by three groundwater wells and rainwater catchment. Annual water use is approximately 4,628,200 gallons for the project. Water will be provided by three existing wells. There will be 320,000 gallons of hard-sided tank storage that will store rain from rooftop runoff. Processing, including drying, curing and trimming, will take place on site within 5 proposed processing structures totaling 33,750 square feet and includes associated parking facilities. The applicant must process at an off-site licensed processing facility until the Onsite Wastewater Treatment System is permitted and installed. A maximum of 30 employees are required for peak operations. Power is provided by P. G. & E.; and

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**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 Permits (Record Number: PLN-12529-CUP); and

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14. The Conditional Use Permits and Special Permits (Record Number: PLN-12529-CUP) is approved as recommended and conditioned in Attachment 1.

Adopted after review and consideration of all the evidence on August 20, 2020.

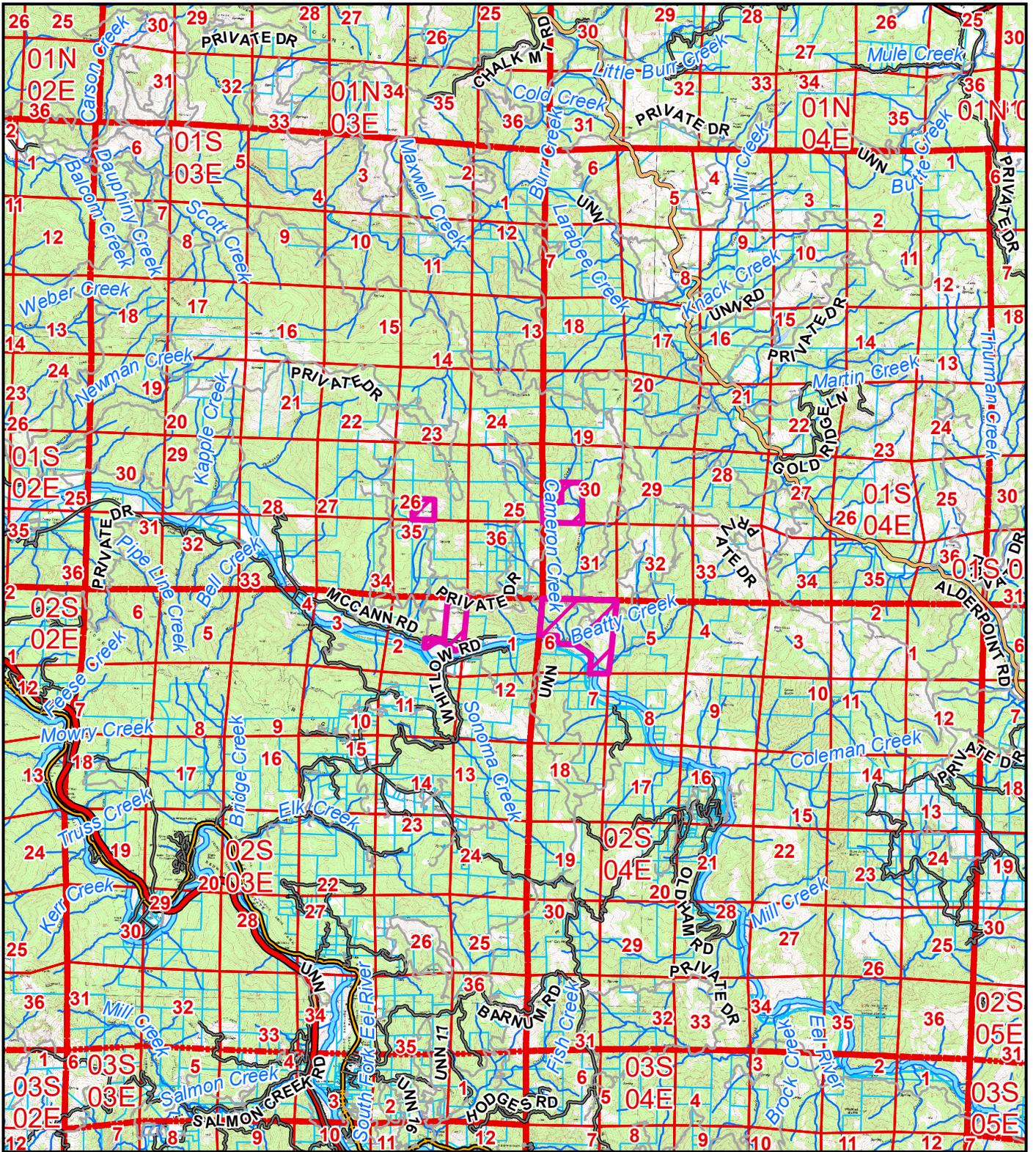
The motion was made by Commissioner \_\_\_\_ and seconded by Commissioner \_\_\_\_.

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

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John Ford, Director  
Planning and Building Department

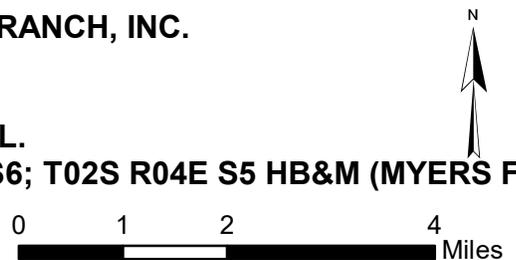


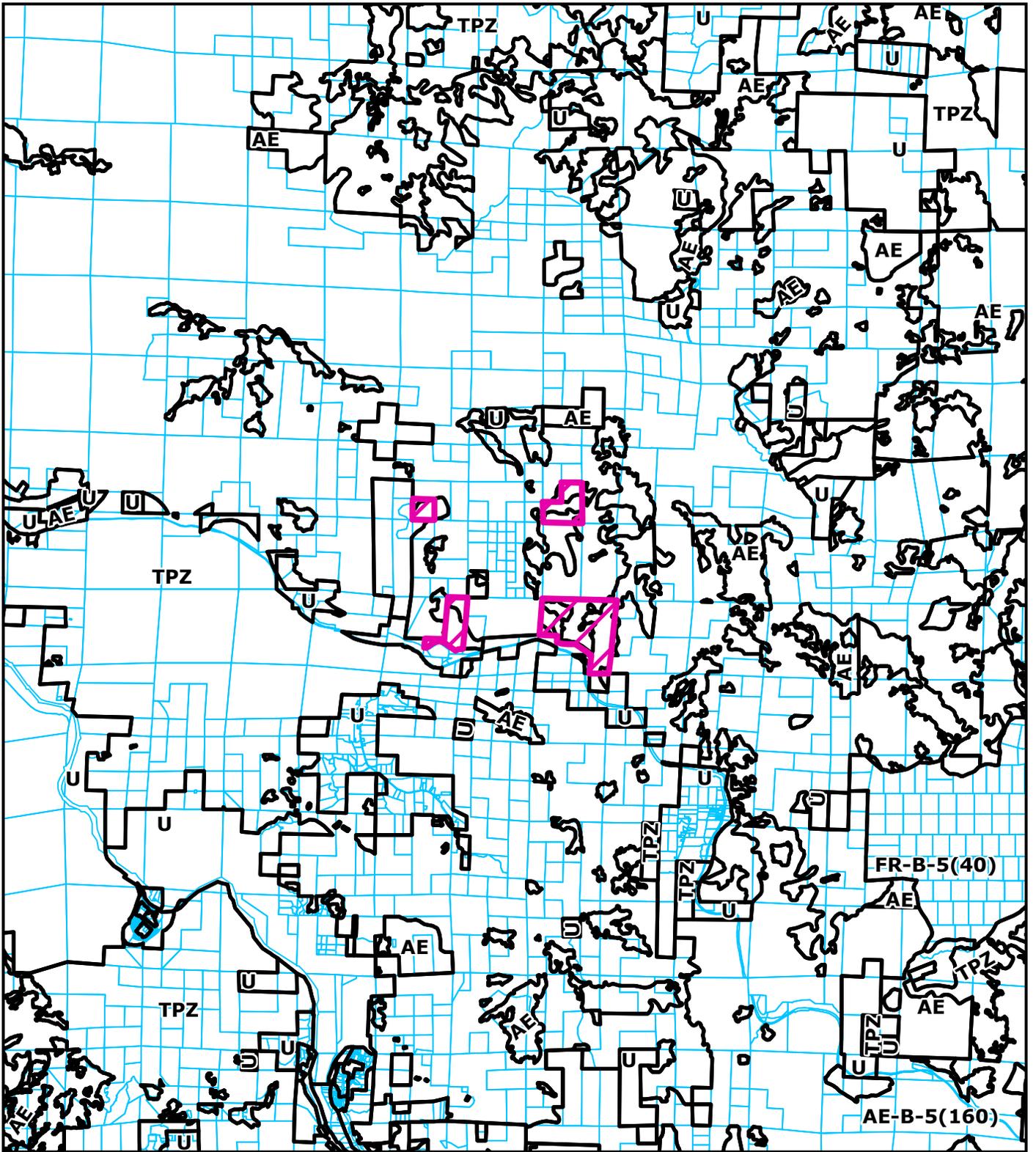
**TOPO MAP**  
**PROPOSED ROLLING MEADOWS RANCH, INC.**  
**MYERS FLAT AREA**  
**PLN-12529-CUP**  
**APN: 211-281-006; ET AL.**

Project Area = 

**T01S R03E S26; T01S R04E S30; T02S R03E S2; T02S R04E S6; T02S R04E S5 HB&M (MYERS FLAT)**

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



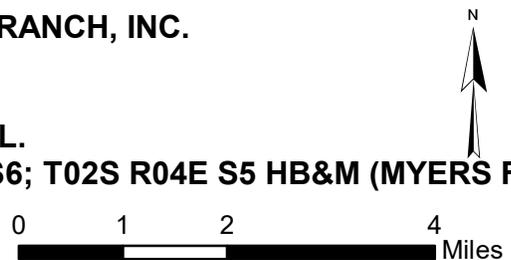


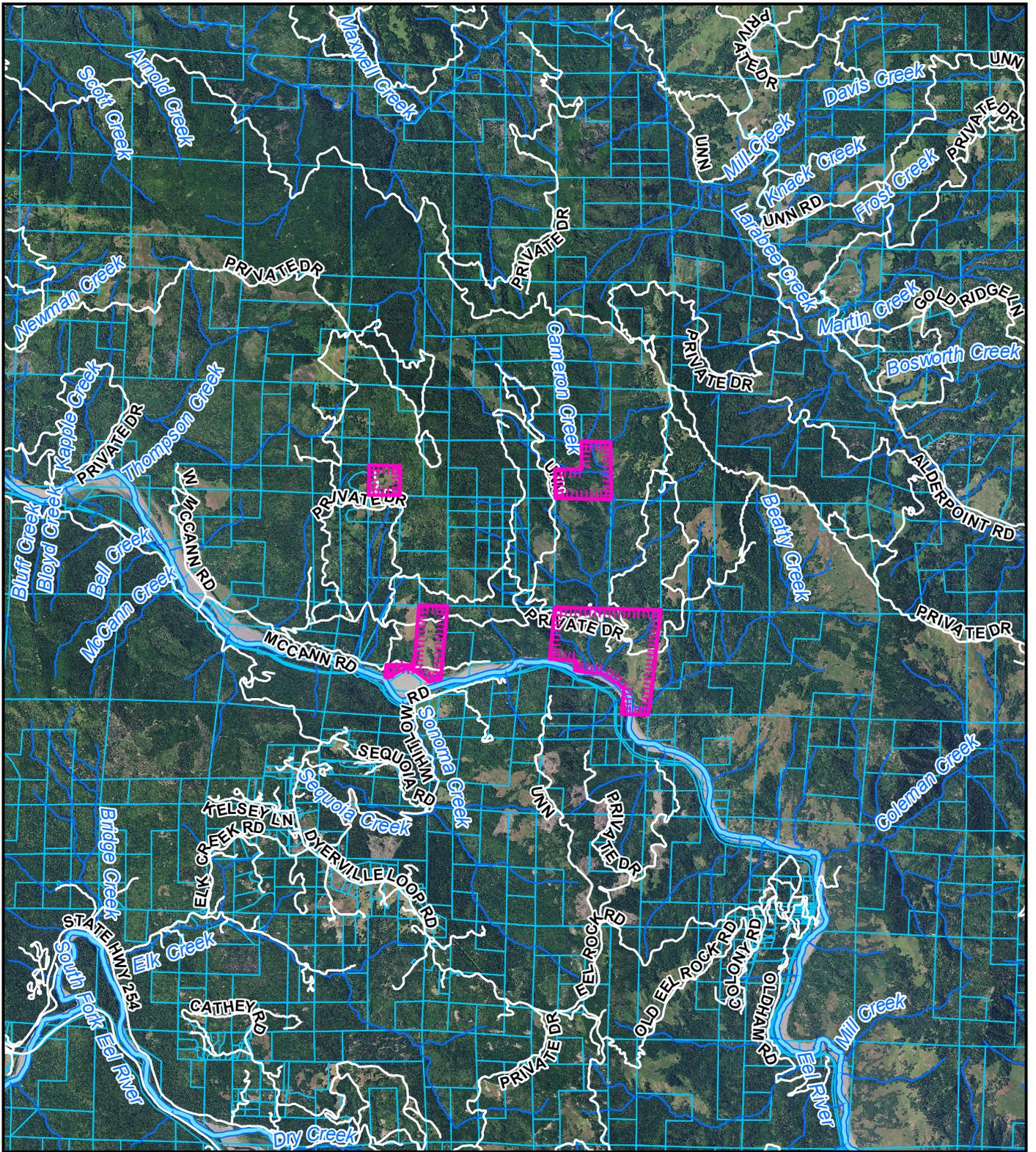
**ZONING MAP  
 PROPOSED ROLLING MEADOWS RANCH, INC.  
 MYERS FLAT AREA  
 PLN-12529-CUP  
 APN: 211-281-006; ET AL.**

Project Area = 

**T01S R03E S26; T01S R04E S30; T02S R03E S2; T02S R04E S6; T02S R04E S5 HB&M (MYERS FLAT)**

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





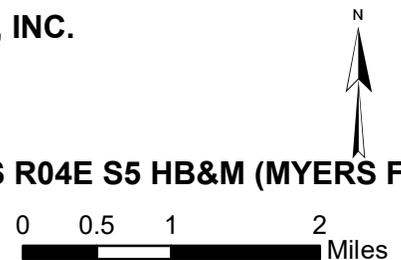
**AERIAL MAP  
 PROPOSED ROLLING MEADOWS RANCH, INC.  
 MYERS FLAT AREA  
 PLN-12529-CUP**

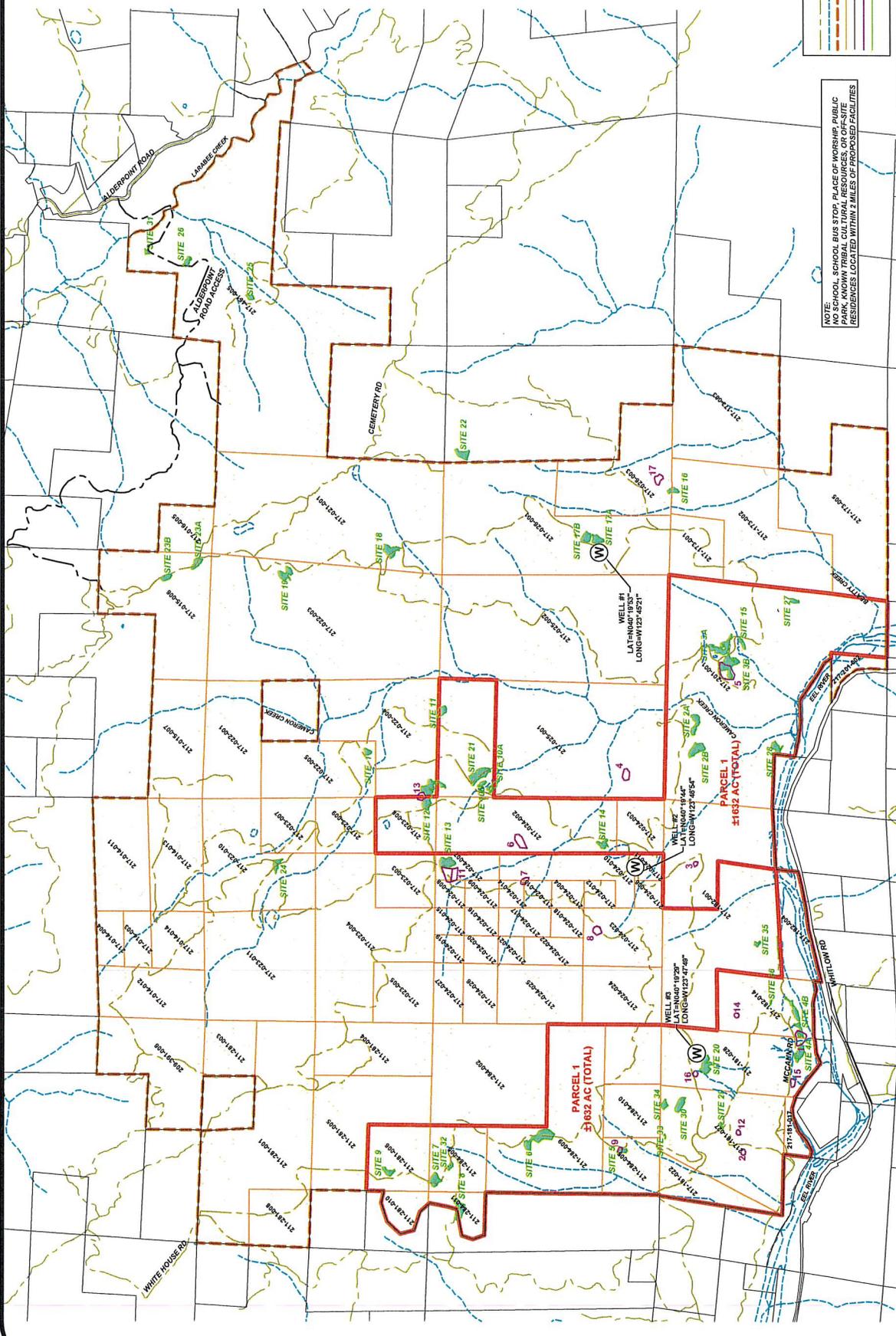
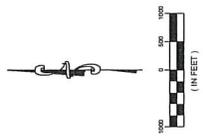
Project Area = 

**APN: 211-281-006; ET AL.**

**T01S R03E S26; T01S R04E S30; T02S R03E S2; T02S R04E S6; T02S R04E S5 HB&M (MYERS FLAT)**

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





- LEGEND**
- EXISTING ROAD/PAVEMENT
  - EXISTING ROAD/PAVEMENT WITH PROPOSED IMPROVEMENTS
  - OVERALL RANCH BOUNDARY
  - PARCELS (APN) WITHIN RANCH
  - PARCELS (APN) WITHIN RANCH
  - PROPOSED CULVERTION SITE
  - PRIME SOILS SITE

**NOTE:**  
 NO SCHOOL, SCHOOL BUS STOP, PLACE OF WORSHIP, PUBLIC PARK, KNOWN TRIBAL CULTURAL RESOURCES, OR OFF-SITE RESIDENCES LOCATED WITHIN 2 MILES OF PROPOSED FACILITIES

DRAWING NO.  
 SHEET 206\_000  
 SHEET 1 of 1  
 PROJECT NO.  
 11037

**OVERALL CANNABIS DEVELOPMENT**



**B. S. E. CONSULTANTS, INC.**  
 CONSULTING - ENGINEERING - LAND SURVEYING  
 312 SOUTH HARBOR CITY BOULEVARD, SUITE 4  
 HUMBOLDT, CALIFORNIA 95929  
 (707) 431-1199  
 CERTIFICATE OF PROFESSIONAL ENGINEER REGISTRATION NO. 11037



**ROLLING MEADOW RANCH  
 HUMBOLDT COUNTY, CA**

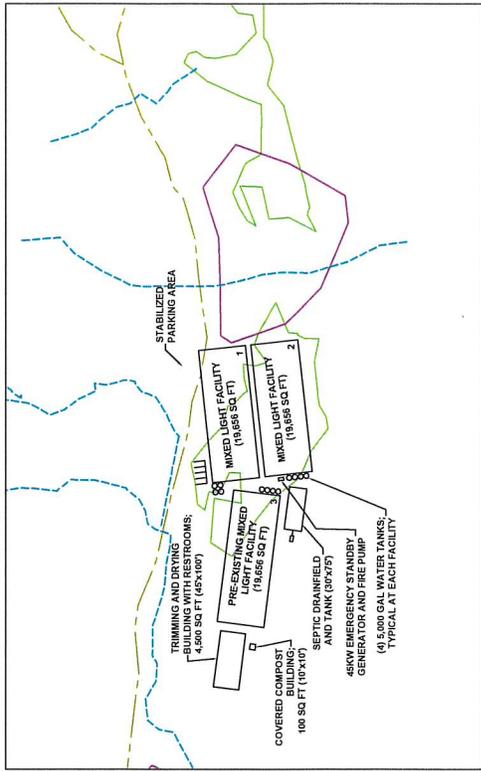




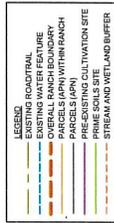




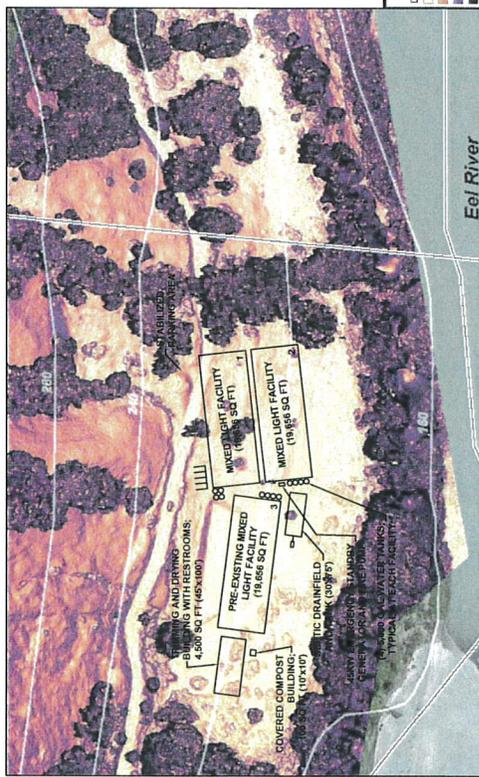
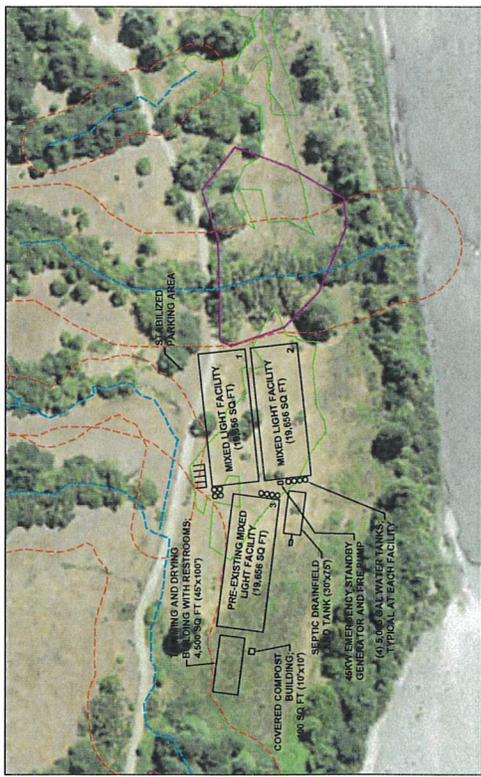




NOTE: SITE FACILITIES TO BE ENCLOSED BY PERIMETER FENCING



BACKGROUND AERIAL IMAGES AND SLOPE DATA PROVIDED BY PLANNIT TECHS, LLC (DEC. 2014); JOSHUA ALLEN; FAA PART 107 #4162800  
 DISCLAIMER: THIS IS NOT A LEGAL MAP. IMAGERY DERIVED FROM ON-SITE UAS PHOTOGRAMMETRY ACQUIRED WITH A DJI INSPIRE PRO 17MM LENS AND ANALYZED BY A LICENSED FAA UAS REMOTE PILOT WHO IS A QUALIFIED PLANNER WITH EXPERIENCE IN GEOGRAPHIC INFORMATION SYSTEMS (GIS).



DRAWING NO. 200\_003  
 SHEET 1 OF 1  
 PROJECT NO. 11207

**FACILITY #1, #2, AND #3 DETAILS**



**B.S.E. CONSULTANTS, INC.**  
 CONSULTING - ENGINEERING - LAND SURVEYING  
 312 SOUTH HARBOR CITY BOULEVARD, SUITE 4  
 HUMBOLDT, CALIFORNIA 99901-1105  
 CONTACT: 907-466-2200 FAX: 907-466-2201  
 WWW.BSECONSULTANTS.COM



**ROLLING MEADOW RANCH  
 HUMBOLDT COUNTY, CA**

DATE	DESCRIPTION





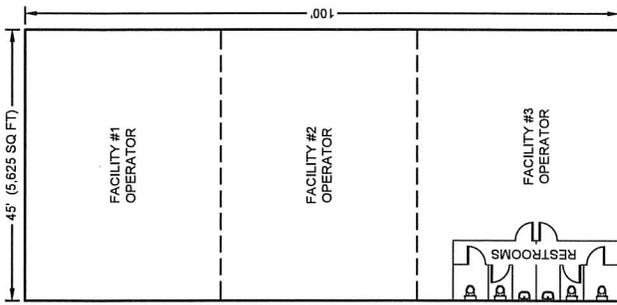




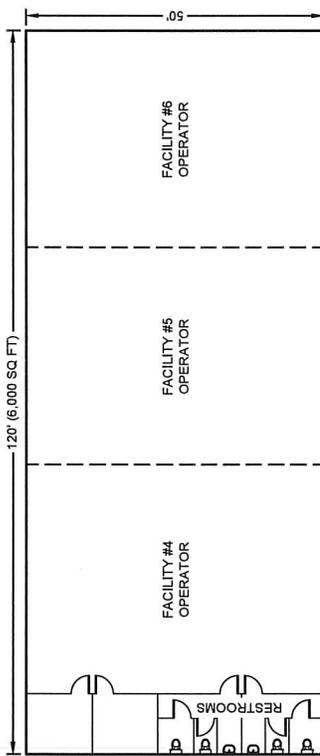




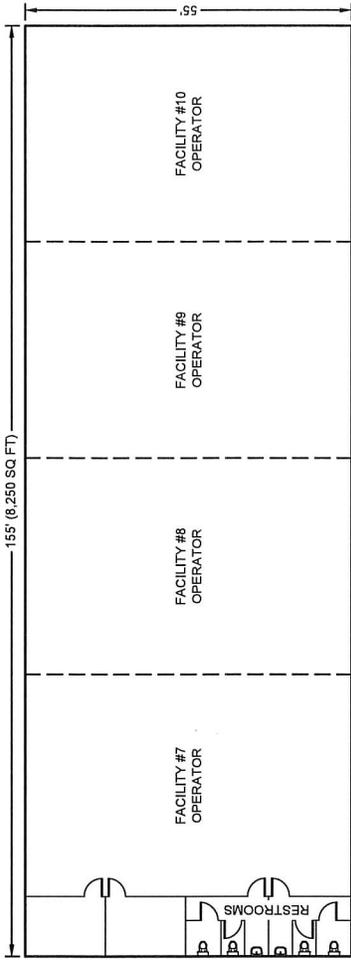
# TRIMMING AND DRYING BUILDING DETAILS



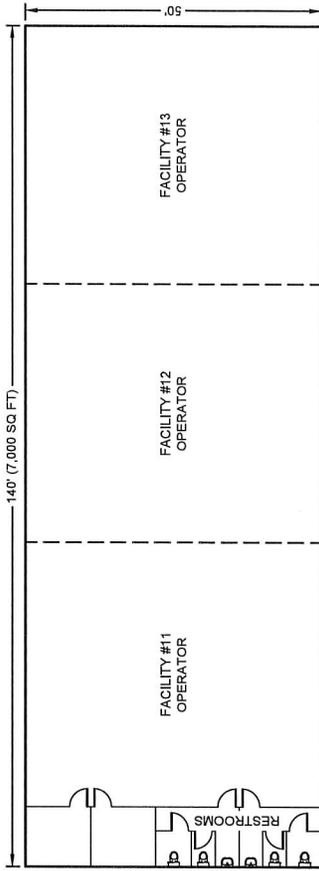
TRIMMING AND DRYING BUILDING WITH RESTROOMS AT FACILITY #1, #2, AND #3



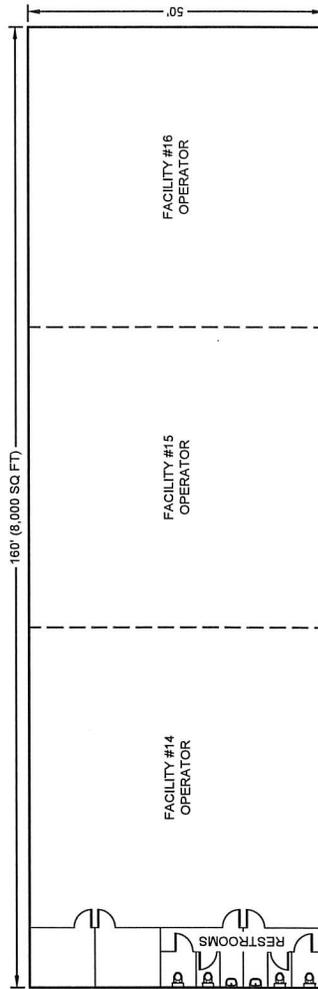
TRIMMING AND DRYING BUILDING WITH RESTROOMS AT FACILITY #4, #5 AND #6



TRIMMING AND DRYING BUILDING WITH RESTROOMS AT FACILITY #7, #8, #9, AND #10



TRIMMING AND DRYING BUILDING WITH RESTROOMS AT FACILITY #11, #12, AND #13



TRIMMING AND DRYING BUILDING WITH RESTROOMS AT FACILITY #14, #15, AND #16



**B.S.E. CONSULTANTS, INC.**  
 CONSULTING - ENGINEERING - LAND SURVEYING  
 312 SOUTH HARBOR CITY BOULEVARD, SUITE 4  
 MELBOURNE, FL 32901  
 CERTIFICATE OF BUSINESS AUTHORIZATION 4595  
 CERTIFICATE OF LAND SURVEYING BUSINESS AUTHORIZATION LIBRARY#5



DATE: 06/16/20  
 DESIGNED BY: SINGIORB  
 DRAWN BY: SINGIORB  
 PROJECT #: 11367  
 SHEET 1 OF 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. The applicant shall submit a check to the Planning Division payable to the Humboldt County Clerk/Recorder in the amount of \$2,456.75. Pursuant to Section 711.4 of the Fish and Game Code, the amount includes the CDFW fee plus the \$50 document handling fee to the Clerk. This fee is effective through December 31, 2020, at such time the fee will be adjusted pursuant to Section 713 of the Fish and Game Code. Alternatively, the applicant may contact CDFW by phone at (916) 651-0603 or through the CDFW website at [www.wildlife.ca.gov](http://www.wildlife.ca.gov) for a determination stating the project will have *no effect* on fish and wildlife. If CDFW concurs, a form will be provided exempting the project from the \$2,456.75 fee payment requirement. In this instance, only a copy of the CDFW form and the \$50.00 handling fee is required. The applicant shall secure permits for all structures (including, but not limited to: greenhouses, proposed processing facility, office and accessory structures) and grading (including road improvements, graded flats and ponds) related to the historic and proposed cannabis cultivation and other commercial cannabis activity. The plans submitted for building permit approval shall be consistent with the project description and approved project site plan. A letter or similar communication from the Building Division verifying that all structures related to the cannabis cultivation are permitted will satisfy this condition. Existing structures used in the cannabis operation shall not be used/occupied until all required permits have been obtained.
2. For the life of the project, the applicant shall adhere to the Mitigation and Monitoring Program that is included in the draft Initial Study/Mitigated Negative Declaration (see Attachment 3). Annual monitoring reports shall be made available to the Planning Department at the time of the annual inspection.
3. The applicant shall secure permits for all existing and proposed structures (including greenhouses and processing facilities) and grading related to the cannabis cultivation and other commercial cannabis activity. The plans submitted for building permit approval shall be consistent with the project description and approved project site plan. A letter or similar communication from the Building Division verifying that all structures related to the cannabis cultivation are permitted will satisfy this condition.
4. The applicant shall obtain an encroachment permit from the Department of Public Works to pave a minimum width of 20 feet and a length of 50 feet where the County-maintained portions of McCann Road and Alderpoint Roads meet the privately-maintained portion the project access roads and complete the required improvements. A letter or similar communication from the Department of Public Works stating this work is completed to DPW's satisfaction will complete this condition.
5. Within 1 year from the effective date, the Applicant shall take steps to form a Road Maintenance Association for the maintenance of the privately maintained portions of the access roads (from the intersections of McCann Road and Alderpoint Road) to the Rolling Meadow Ranch. The necessary steps include sending notices to all road users of the requirement to form a Road Maintenance Association and conducting a meeting with the users of the road, especially those engaged in commercial cannabis activities to discuss formation of the Road Maintenance Association. The applicant shall provide evidence, including notice, meeting minutes, and the decision as to whether a Road Maintenance Association is being formed to show this effort. In the event the applicant is unable to coordinate formation a Road Maintenance Association, the applicant shall pay fair-share cost for maintenance of the road to any road user engaged in maintaining the road.
6. The applicant shall secure permits and install an on-site sewage disposal systems and restroom facilities prior to processing on-site. Portable toilet and handwashing facilities may not be utilized during the

construction of these improvements. The applicant shall furnish receipts or other documentation to the DEH for the continual use of portable toilets for employees until a permanent septic system is installed to their satisfaction. A letter or similar communication from DEH verifying that all their requirements have been met will satisfy this condition.

7. Applicant shall secure permits from the North Coast Unified Air Quality Management District, as applicable. A letter or similar communication from the North Coast Air Quality Management District verifying that all their requirements have been met and/or no additional permitting is required will satisfy this condition.
8. In accordance with **Mitigation Measure – Cultural Resources 1**, 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.

9. The applicant to submit copies of all documents filed with the State Water Resources Control Board, including, but not limited to, a Notice of Availability. The applicant is required to adhere to and implement the requirements contained in the SWRCB's Cannabis Cultivation Policy, the General Order, the Site Management Plan and the Notice of Applicability. A copy of the reporting form portion of the Mitigation and Reporting Program (MRP) shall be submitted annually to the Planning and Building Department concurrent with the submittal to the SWRCB.
10. In accordance with **Mitigation Measure Agriculture and Forest Resources -1**, the applicant shall implement the Revegetation and Monitoring adapted from the 2019 State Water Board Order WQ 2019-0001-DWQ; Attachment A, Section 2, number 33-35.

**NATIVE TREES - Replanting and Monitoring Plan:**

1. The cultivator will plant three native trees for every one native tree damaged or removed.
    - a. The project will plant twelve (12) trees: six (6) California Bay trees (*Umbellularia californica*) and six (6) Big Leaf Maple Trees (*Acer macrophyllum*).
    - b. Trees will be planted in groves in order to maximize wildlife benefits and will be derived from local stock.
    - c. Trees will be planted 10-foot on center.
  2. Growth and success of planted saplings will be monitored by a qualified professional for two (2) years.
    - a. After two (2) years, an 85% survival rate is required.
    - b. If success rate is less than 85%, the planting and monitoring steps will be repeated.
  3. Cannabis cultivators shall maintain a copy of the **Native Trees Replanting and Monitoring Plan** and monitoring results onsite and make them available, upon request, to Humboldt County and other Responsible Agencies under CEQA.
11. The applicant shall comply with the provisions of Section 321-14 of the Humboldt County Code concerning reapportionment or payment of special assessments.

12. The applicant shall submit a completed Notice of Merger and Certificate of Subdivision Compliance document along with legal review fees, notary fees and recording fees, as applicable.
13. The applicant shall provide documentation from the County of Humboldt Tax Collector that all property taxes for the parcels involved in the Merger have been paid in full if payable, or secured if not yet payable, to the satisfaction of the County Tax Collector's Office. Please contact the Tax Collector's Office approximately three to four weeks prior to filing the Notice of Merger to satisfy this condition.

Note: The purpose of this condition is to avoid possible title consequences in the event of a tax default and sale affecting the owner's real property interest. If property has delinquent taxes, the property cannot be combined for tax purposes. This means that the owner will receive two or more tax bills, and penalties and interest will continue to accrue against the land which has delinquent taxes. If five or more years have elapsed since the taxes on the subject property were declared in default, such property will be sold by the County Tax Collector for non-payment of delinquent taxes unless the amount required to redeem the property is paid before sale. Property combined by merger but "divided" by tax sale will require separate demonstration of subdivision compliance of all resultant parcels prior to the County's issuance of a building permit or other grant of authority to develop the subject properties.

14. The applicant shall obtain a 401 General Construction Permit (or other similar permit as applicable) from the North Coast Regional Water Quality Control Board for development activities as related to the cannabis cultivation sites and stream crossing and bridge improvements required for the project. The applicant shall adhere to and implement the recommendations and monitoring required by the permit. The applicant shall submit a copy of the permit and monitoring reports to the Planning Department to satisfy this condition.
15. The applicant shall submit a Lake or Streambed Alteration Notification to the California Department of Fish and Wildlife (CDFW) for all development within the CDFW jurisdiction as related to the cannabis cultivation project. This includes, but is not limited to installation, maintenance and repair of stream crossings, including bridges, along the access roads and internal ranch roads connecting the cultivation areas. The applicant shall submit a copy of the Final Streambed Alteration Agreement issued by CDFW. Reporting requirements shall be submitted to the Planning Department and the California Department of Fish and Wildlife at 619 Second Street, Eureka, CA 95501, no later than December 31 of each year.
16. The applicant shall adhere to the Final Streambed Alteration Agreement issued by the California Department of Fish and Wildlife (CDFW) and comply with all applicable terms.
17. The applicant shall contact CAL FIRE prior to commencing any tree removal activities on the subject parcel to determine if additional permits are required. If additional permits are required, the applicant shall adhere to and implement any requirements. To satisfy this condition, the applicant shall submit copies of any permits obtained from CAL FIRE for tree removal or provide a letter or similar communication from CAL FIRE that additional permits are not required.
18. The applicant shall be compliant with the County of Humboldt's Certified Unified Program Agency (CUPA) requirements regarding any hazardous materials. A written verification of compliance shall be required before any provisional permits may be finalized. Ongoing proof of compliance with this condition shall be required at each annual inspection in order to keep the permit valid.
19. The Applicant shall install and utilize a water meter to demonstrate that there is sufficient water supply to meet the demands of the project. The water use for cultivation is limited to the use of the well and amount of water available in storage tanks and shall be provided annually prior to or during the annual inspection.

20. The applicant shall execute and file with the Planning Division the statement titled, "Notice and Acknowledgment regarding Agricultural Activities in Humboldt County," ("Right to Farm" ordinance) as required by the HCC and available at the Planning Division.
21. The applicant shall construct noise containment structures for all generators used on the parcel. The applicant shall obtain all required building permits for such structures. The applicant shall maintain generator, fan, and dehumidifier noise at or below 50 decibels at the edge of the clearing or 100 feet, whichever distance is closer. This will satisfy the auditory disturbance guidance prepared by the U.S. Fish and Wildlife (USFS), California Fish and Wildlife (CDFW) and Department Policy Statement No. 16-005 to minimize impacts to the Northern Spotted Owl and Marbled murrelet. All generators must be located on stable surfaces with a minimum 200-foot buffer from Class I and Class II streams, per the requirements of CDFW. No generator use is authorized by this permit until the applicant can demonstrate to compliance with this standard.
22. The applicant shall not use any erosion control measures that contain synthetic (e.g. plastic or nylon) monofilament netting, including photo- or biodegradable plastic netting, on a regular and on-going basis. Geotextiles, fiber rolls, and other erosion control measures shall be made of loose-weave mesh, such as jute, hemp, coconut (coir) fiber, or other products without weaves.
23. All refuse shall be contained in wildlife proof containers, at all times, and relocated to an authorized waste management facility, in compliance with State and local laws, on a regular and on-going basis.
24. All mixed light cultivation shall comply with International Dark Sky Association standards for Lighting Zone 0 and Lighting Zone 1, and be designed to regulate light spillage onto neighboring properties resulting from backlight, up light, or glare (BUG). International Dark Sky Association standards exceed the requirements of Scenic Resources Standard SR-S4, Light and Glare, that lighting be fully shielded, and designed and installed to minimize off-site lighting and direct light within the property boundaries. Within 30 days of the effective date of this permit, the applicant shall schedule a site inspection with the Humboldt County Planning Department to demonstrate the structures and greenhouses can be comply with this standard.
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 MAUCRSA, 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 MAUCRSA, 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 Department of Fish & Wildlife.
9. Comply with the terms of a less-than-3-acre conversion exemption or timberland conversion permit, approved by the California Department of Forestry and Fire Protection (CAL-FIRE), if applicable.
10. 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).
11. Refrain from the improper storage or use of any fuels, fertilizer, pesticide, fungicide, rodenticide, or herbicide.
12. Pay all applicable application and annual inspection fees.
13. 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 residences. The decibel level for generators measured at the property line shall be no more than 60 decibels.
14. 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.
15. The Master Log Books maintained by the applicant to track production and sales shall be maintained for inspection by the County.
16. Pay all applicable taxes as required by the Humboldt County Commercial Marijuana Cultivation Tax Ordinance (Humboldt County Code Section 719-1 et seq.).
17. 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

18. 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.”

19. 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).
20. 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.
21. 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.
22. 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.

23. Term of Commercial Cannabis Activity Special Permit. Any Commercial Cannabis Cultivation SP issued pursuant to the CMMLUO shall expire one (1) year after date of issuance, and on the anniversary date of such issuance each year thereafter, unless an annual compliance inspection has been conducted and the permittees and the permitted site have been found to comply with all conditions of approval.
24. 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 SP 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.
25. Permit Renewals to comply with Updated Laws and Regulations. Permit renewal per Ongoing Condition of Approval #23 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.
26. 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.
27. Permittee further acknowledges and declares that:
- I. All commercial cannabis activity that I, my agents, or employees conduct pursuant to a permit from the County of Humboldt shall be solely for medical purposes and all commercial cannabis products produced by me, my agents, or employees are intended to be consumed solely by qualified patients entitled to the protections of the Compassionate Use Act of 1996 (codified at Health and Safety Code section 11362.5); and
  - II. 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 California Medical Marijuana Regulation and Safety Act will be distributed within the State of California; and
  - III. 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 California Medical Marijuana Regulation and Safety Act.
28. Transfers. Transfer of any leases or permits approved by this project is subject to the review and approval of the Planning Director for conformance with CMMLUO eligibility requirements, and agreement to permit terms and acknowledgments. The fee for required permit transfer review shall accompany the request. The request shall include the following information:
- 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.

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

**Informational Notes:**

1. 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. 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.
4. 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.
5. A Notice of Determination (NOD) will be prepared and filed with the County Clerk for this project in accordance with the State CEQA Guidelines. **Within three days of the effective date of permit approval**, it is requested that the applicant submit a check or money order for the required filing fee in the amount of \$50 payable to the Humboldt County Clerk/Recorder. If this payment is not received within this time period, the Department will file the NOD and will charge this cost to the project.
6. 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.

7. The operator shall provide information to all employees about the potential health impacts of cannabis use on children. Information shall be provided by posting the brochures from the Department of Health and Human Services titled *Cannabis Palm Card* and *Cannabis Rack Card*. This information shall also be provided to all employees as part of the employee orientation.

## ATTACHMENT 2

### REQUIRED FINDINGS FOR APPROVAL

**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:

1. The proposed development is in conformance with the County General Plan 2017, Open Space Plan, and Open Space Action Program;
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 State CEQA Guidelines have been made.

**1. The proposed development must be consistent with the General Plan.** The following table documents 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, Open Space Plan, and Open Space Action Program.

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>Agriculture General (AG): This designation applies to dry-land grazing areas in relatively small land holdings that support cattle ranching or other grazing supplemented by timber harvest activities that are part of the ranching operation, and other non-prime agricultural lands. Residential uses must support agricultural operation.</p> <p>Density range is 20 -160 acres/unit.</p>	<p>The Applicant is proposing new mixed light commercial cannabis cultivation operations on one legal parcel consisting of 5.77 acres (or 251,341 square feet) of cannabis cultivation consisting of on lands designated as Agriculture General. General and intensive agriculture are allowable use types for these designations. The project is, therefore, consistent with the AG designation.</p>

<b>Plan Section</b>	<b>Summary of Applicable Goal, Policy or Standard</b>	<b>Evidence Which Supports Making the General Plan Conformance Finding</b>
<p>Circulation Chapter 7</p>	<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 access for the project is located off McCann Road. This County road currently crosses the Eel River using McCann Bridge, a low-water bridge. When the Eel River flow volume increases to 3,500 cubic feet per second (cfs), typically late November through late April, Humboldt County closes the McCann Bridge and vehicle traffic across the bridge is not possible. The County will be replacing the low-water bridge with a year-round bridge sometime in the next few years (<a href="http://www.mccannbridge.com">www.mccannbridge.com</a>). Once McCann Road (West) reaches the property line, the roads become private ranch roads (see draft IS/MND - Figure 1). Approximately 5 miles, or 26,400 feet of private road will be used in reaching the project areas (see draft IS/MND - Figure 13). A gate with a guard station, bus drop off and turn-around, and 15 parking spaces will be built just after the entrance to the property (see draft IS/MND - Figure 13). Employees will enter the property and park their personal vehicles at this location. An electric bus will transport the employees to and from the work sites. This will greatly limit the traffic on the private roads. Road Maintenance work recommended by Oscar Larson and Associates in their 2019, Supplemental Internal Road Evaluation Reports (see draft IS/MND - Appendix C) was done on these roads during the summer of 2019. With the roadwork now complete, all roads (using the existing prism) have been brought up to the Fire Safe standards. The 5 miles of private driveway has a minimum of 12 feet wide traffic lane and have turnouts in conformance with the County Roadway Design Manual and at intervals per Fire Safe standards. During the maintenance work additional road rock was added as needed and any areas of grade over 15% were heavily rocked. The 5 miles of private road contains one bridge and 20 culverts. These culverts are likely a mix of stream crossings and ditch relief culverts. Once the permits are approved the project will assess all stream crossings for compliance with the Standard Conditions of the State Water Board Cannabis Cultivation Order.</p> <p>The Department of Public Works Additionally, the private road intersection will be maintained in accordance with County Code Section 341-1 (Sight Visibility Ordinance). As conditioned, the project therefore conforms with the Circulation Element of the General Plan.</p>

<b>Plan Section</b>	<b>Summary of Applicable Goal, Policy or Standard</b>	<b>Evidence Which Supports Making the General Plan Conformance Finding</b>
<p>Housing Chapter 8</p>	<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 project does not involve residential development, nor is the project site part of the Housing Element Residential Land Inventory. However, the project will not preclude any future residential development. The 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 project is therefore consistent with the Housing Element.</p>
<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 is consistent with the Open Space Plan because the proposed project is consistent with the allowable uses of the Land Use Designations. The proposed cannabis cultivation - an agricultural product - is within land planned for agricultural purposes, consistent with the use of Open Space land for management production of resources. There are several mapped Streamside Management Areas (SMAs), including Cameron Creek and Beatty Creek, that are tributaries to the Eel River. All development associated with the project is located outside of SMAs. See Section 10.3 <i>Biological Resources</i> for additional information.</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>According to the <i>Biological Resources</i> evaluation contained in the draft Initial Study/Mitigated Negative Declaration (IS/MND), the project location is on the north side of the main stem Eel River within a mosaic of redwood forest, mixed evergreen forest and coastal prairie and nonnative grassland, with inclusions of black oak woodland. Red alder forest forms the main vegetation type along and mainstem Eel. These forested areas have been extensively logged by previous property owners and are largely composed of even-aged stands of second or third-growth trees. The proposed project footprint lies almost entirely within the prairie and grassland portions of this mosaic.</p> <p>Based on a review of the Humboldt County WebGIS, the nearest mapped Marbled murrelet habitat is located more than 3 miles to the west of the subject parcel. The nearest Northern Spotted Owl (NSO) positive observation is located 1 mile to the northeast of Cultivation Area 1 on APN 217-181-028. According the Biological Resources section of the IS/MND, there are four activity centers within 1.3 miles of the cultivation areas. Although NSO surveys have not detected NSO and there is the potential for habitat, special noise attenuation measures due to proximity to known noise sources. In accordance with the standards set forth in Section 55.4.11(o) of the CMMLUO and Departmental Policy Statement (DPS) 16-005, the subject parcel is considered to contain habitat or potential habitat for Northern Spotted Owl because it is within one-mile of a mapped Northern Spotted Owl activity center. Ongoing conditions of approval require the maximum allowable generator noise exposure level is 50 dB when measured from the generator at a distance of 100 feet or at the edge of habitat, whichever is closer. Conditions of approval require the applicant to provide evidence that generator and fan noise exposure levels are 50 dB when measured at 100 feet or edge of habitat prior to using any artificial lighting. The draft Initial Study/Mitigated Negative Declaration includes two mitigation measures, NOI-1 and NOI-2, to reduce potential noise impacts to less than significant. Mitigation measures for noise require the applicant to limit the use of heavy equipment to week-day hours, ensure equipment is in good working order and limit noise from the project to no more than 50 db at 100 feet from the noise source or edge of habitat, whichever is closer. as required by the CMMLUO. No rodenticides will be used on site at any time. If rodents become an issue in the buildings, trapping or other non-poison methods will be used to remove them as stated in the IS/MND project description.</p>
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Plan Section	Summary of Applicable Goal, Policy or Standard	Evidence Which Supports Making the General Plan Conformance Finding
		<p>stormwater infiltration, seasonal surface water, and contribute to groundwater recharge, but are adjacent to a vast array of wetland/riparian complexes of similar type over the surrounding land ownership. Therefore, impacts to these small pockets of habitat will not significantly reduce habitat or wetland hydrologic function in the area. Additionally, a Mitigation and Monitoring Plan (MMP) will be written for the creation of in-kind wetland habitat at an appropriate location. New wetlands will be created at a ratio of between 1.5:1 and 3:1, as deemed appropriate. Equally, mitigation may entail quality and function enhancement of existing wetlands at similar ratios. Conditions of approval require the applicant to adhere to and implement the mitigation and monitoring plan for the life of the project.</p> <p>See findings for <i>Stormwater Drainage</i> (Chapter 11, <i>Water Resources</i>) for additional information regarding stormwater management and compliance with the State Cannabis Cultivation Discharge Policy.</p> <p>See findings for the <i>Streamside Management Area</i> (SMA) for additional information regarding SMAs, culverts and bridge along Alderpoint access road.</p> <p>See findings for <i>Performance Standards – Water</i> for additional information regarding the groundwater well, water use and storage.</p> <p>The California Department of Fish and Wildlife (CDFW) provided referral responses on January 24, 2018, and January 26, 2018 (see Attachment 5). Staff response was sent on July 8, 2020 (see Attachment 5). No response was received as of the date of drafting this report. Any comment received will be presented as a supplemental item. Several conditions of approval typically requested by CDFW for wildlife and watershed protection, such as preparation and a prohibition on use of synthetic netting, are incorporated into the project. As conditioned, the project is consistent with the Biological Resource policies of the General Plan.</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 the protection and enhancement of significant cultural resources, providing heritage, historic, scientific, educational, social and economic values to benefit present and future generations (CU-G1, Protection and</p>	<p>The project was referred to the Northwest Information Center (NWIC), the Bear River Band of Rohnerville Rancheria and the Intertribal Sinkyone Wilderness Council. Although the Intertribal Sinkyone Wilderness Council did not respond, NWIC and the Bear River Band of Rohnerville Rancheria requested an archeological survey of the subject parcels. The report concludes that no significant historic resources were located during this survey, nine (9)</p>

Plan Section	Summary of Applicable Goal, Policy or Standard	Evidence Which Supports Making the General Plan Conformance Finding
	<p>Enhancement of Significant Cultural Resources)</p> <p>Related policies: CU-P1. Identification and Protection, CU-P2. Native American Tribal Consultation]</p>	<p>pre-existing resources have been recorded on the property as a result of sixteen (16) previous surveys. None of the pre-existing resources will be impacted by this project, one historic burial is located adjacent an area proposed for development and should be monitored by a professional archaeologist during project implementation. The Bear River Band of Rohnerville Rancheria recommended conditional approval of the project with incorporation of inadvertent discovery protocol to protect cultural resources. Planning staff sent a formal AB 52 consultation request to the Bear River Band of Rohnerville Rancheria on July 29, 2020, and the Bear River Band of Rohnerville Rancheria has not responded as of the date of drafting these findings (July 31, 2020). Additional information from the Bear River Band of Rohnerville Rancheria will be submitted to the Planning Commission as a supplemental item. Adherence to Inadvertent Discovery Protocol is included as Cultural Resources Mitigation 1 and the conditions of approval require adherence to the mitigation measures. The project is therefore consistent with the Cultural Resource policies of the General Plan.</p>
<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 project involves the cultivation of 5.77 acres (or 251,341 square feet) of mixed light cannabis cultivation. The project has been conditioned to fully shield existing all proposed lighting so that it does not direct light within the property boundaries and complies with Dark Sky standards as required by the CMMLUO. Within 30 days of the effective date, the applicant shall contact the Planning Department to set up a site inspection to verify that greenhouses and structures meet this requirement. With these conditions of approval, the proposed project would meet the goals and policies contained in this chapter relating to the protection of scenic areas. As conditioned, the project is therefore consistent with the Scenic Resource policies of the General Plan.</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); and</p> <p>Related policies: WR-P10. Erosion and Sediment Discharge; WR-P42. Erosion and Sediment Control Measures.</p>	<p>Proposed cultivation areas at the project site will be located on slopes less than 15%, which will be graded to create flats for greenhouses, processing facilities and associated parking areas. All sites are designed to provide slope for drainage consistent with State and local requirements for stormwater drainage. Cultivation will occur in greenhouses with natural floors. All runoff will be contained inside the greenhouses. The sides of the greenhouses will be flush with the leveled greenhouse pad. This will ensure any surface water runoff from irrigation cannot leave the greenhouse. Plants will be grown in bags or pots set on the native soil surface or on benches. Drip irrigation will be used to minimize runoff. All greenhouses are located outside of stream buffers. To protect water quality, in addition to controlling irrigation water, all graded flats will have engineered design features to manage stormwater runoff (rainwater catchment tanks and engineered solutions to overflow as described above in the IS/MND). The parking spaces and pathways around and between greenhouses will be covered in gravel or wood chips to provide a stable year-round surface for walking and driving small electric utility vehicles. Any disturbed areas outside of designated parking spaces and pathways will be revegetated with grasses. In addition, prior to the wet season, the site will be winterized. Storm water from roof runoff (gutter connected greenhouses) will be stored near each greenhouse site in hard sided water storage tanks. Each greenhouse will have four (4) 5,000 gallons storage tanks. There will be 320,000 gallons of hard sided storage tanks for rainwater catchment on site (16 greenhouses). This stored rainwater water will be generally used for summertime landscaping and lawn maintenance around the facilities as well as fire protection and supplemental water for dust mitigation. Once storage capacity is reached water will travel through engineered French drains and/or infiltration trenches and be allowed to infiltrate into native soils and natural slopes without causing erosion or substantially altering the hydrology of the site. Various natural fertilizer and pesticide products will used in cultivation; only pesticide products that are citrus or neem-seed based and/or permitted for use in organic farming will be used on the site. These materials will be kept in the processing buildings and will be returned to storage immediately after use.</p> <p>Conditions of approval require the applicant to enroll in the State Cannabis Discharge program prior to operation. The applicant shall provide a copy of the Notice of Applicability as evidence of enrollment into the State Cannabis Cultivation Discharge program. Conditions of approval require the applicant to submit copies of all documents</p>
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Plan Section	Summary of Applicable Goal, Policy or Standard	Evidence Which Supports Making the General Plan Conformance Finding
		<p>filed with the State Water Resources Control Board, including, but not limited to a Site Management Plan. The applicant is required to adhere to and implement the requirements contained in the SWRCB's Cannabis Cultivation Policy, the General Order and the Notice of Applicability. A copy of the reporting form portion of the Mitigation and Reporting Program (MRP) shall be submitted annually to the Planning and Building Department concurrent with the submittal to the SWRCB. The project is consistent with the Water Resource policies of the General Plan. The project is consistent with the Water Resource policies of the General Plan.</p>
<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>Currently, there are no Onsite Wastewater Treatment Systems (OWTS) developed on the subject parcels. Department of Environmental Health recommended conditional approval for the project. Per DEH request, no processing can be approved until an acceptable site suitability report can establish potential for onsite waste treatment system and the OWTS are installed. Portable toilet and handwashing facilities will be allowed to be utilized during the construction of these permanent improvements. 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. As a part of this condition, the applicant is required to provide receipts or other documentation to the DEH for the continual use of portable toilets for employee use until a permanent septic system are installed to their satisfaction.</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>Greenhouses are equipped with dehumidifiers and fans and power is provided by P. G. &amp; E. Most noise will be generated by fans and the applicant provided a noise analysis from the fan manufacturer (see Appendix D of the draft Initial Study/Mitigated Negative Declaration). According to sound testing, at 100% speed, the 56-inch fans will produce an overall sound level of 47dB at a distance of 20-feet from the fan. The 30-inch gable fan will produce a sound level of 35 dBA at 10-feet. Other noise generated by the project includes the electric bus for transportation around the site and employees. Short term noise impacts will be generated from construction activities, which is anticipated to last 8 – 12 weeks. According the draft Initial Study and Mitigated Negative Declaration (IS/MND), the construction at the sites nearest these residences would be temporary in nature and, due to the large distances, would not exceed 61dBA at its peak.</p> <p>Based on a review of the Humboldt County WebGIS, the nearest mapped Marbled murrelet habitat is located more than 3 miles to the west of the subject parcel. The nearest Northern Spotted Owl (NSO) positive observation is located 1 mile to the northeast of Cultivation Area 1 on APN 217-181-028. According the Biological Resources section of the IS/MND, there are four activity centers within 1.3 miles of the cultivation areas. Although NSO surveys have not detected NSO and there is the potential for habitat, special noise attenuation measures due to proximity to known noise sources. In accordance with the standards set forth in Section 55.4.11(o) of the CMLLUO and Departmental Policy Statement (DPS) 16-005, the subject parcel is considered to contain habitat or potential habitat for Northern Spotted Owl because it is within one-mile of a mapped Northern Spotted Owl activity center. Ongoing conditions of approval require the maximum allowable generator noise exposure level is 50 dB when measured from the generator at a distance of 100 feet or at the edge of habitat, whichever is closer. Conditions of approval require the applicant to provide evidence that generator and fan noise exposure levels are 50 dB when measured at 100 feet or edge of habitat prior to using any artificial lighting. The draft Initial Study/Mitigated Negative Declaration includes two mitigation measures, NOI-1 and NOI-2, to reduce potential noise impacts to less than significant. Mitigation measures for noise require the applicant to limit the use of heavy equipment to week-day hours, ensure equipment is in good working order and limit noise from the project to no more than 50 db at 100 feet from the noise source or edge of habitat, whichever is closer. as required by the</p>
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Plan Section	Summary of Applicable Goal, Policy or Standard	Evidence Which Supports Making the General Plan Conformance Finding
		CMMLUO. Adhering to the Mitigation and Monitoring Reporting Program for the life of the project is a condition of approval. As conditioned, the project is consistent with the Noise Element.
<p>Safety Element Chapter 14</p> <p>Geologic &amp; 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 subject to liquefaction. The site is located in an area designated as Moderate Slope Instability (2) and High Slope Instability (3) in the County's GIS mapping. There are historic landslides located on the subject parcels, however, existing and proposed development will not be located in the historic landslide areas. A grading plan titled, <i>Rolling Meadow Ranch Humboldt County, California, Grading for Proposed Greenhouse Sites</i>, was prepared by Oscar Larson and Associates, dated January 11, 2019. The letter states that visual observations were conducted at the four distinct cultivation areas where the greenhouses are proposed and indicated grading can be balanced on-site, therefore, there will be no importing or exporting of soils. All areas proposed for development are located on slopes less than 15% (see Plan set, Pages 7 – 10 that includes imagery showing slope percent). Final grading plans will be prepared upon project approval. Conditions of approval require the applicant to obtain grading permits from the Humboldt County Building Inspection Division for all grading required for the proposed project, which will require the grading plans to meet State and local regulations. As conditioned, the project is consistent with the geologic resource policies of the Safety Element.</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>The subject site is outside any mapped flood hazard areas. The project site is not within levee inundation area, however, the parcels adjacent to the Eel River are mapped within a dam failure inundation area should the Scott or Cape Horn Dams, which are located in Mendocino County, fail in the future. According the Humboldt County Web GIS, the dam failure inundation areas are the similar to the 100-year-flood zone and all development for the proposed project is located outside of the 100-year flood zone, therefore, unlikely to be impacted by dam failures. At more than 200 feet above mean sea level and over 30 miles from the ocean, is project area is outside the areas subject to tsunami run-up. The project is consistent with the flood policies of the General Plan.</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>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 property is located within an area with very high hazard severity. The parcel is located within 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.</p> <p>According to the operations plan, a maximum of 30 employees will be on-site during peak operations. In addition to the three groundwater wells, there will be 320,000 gallons of hard-sided tank storage that will store rain from rooftop runoff that can be used for fire protection if needed. CAL FIRE was sent referrals for the project. The project is consistent with the fire protection policies of the Safety Element.</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>The subject parcels are located within the State Responsibility Area (SRA) for fire protection.</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-G4)</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. The applicant submitted to application for the five generators to be used as emergency backup power sources (see Appendix H of the draft Initial Study and Mitigated Negative Declaration). As conditioned, the project is consistent with these policies of the General Plan.</p>

**2. Zoning Compliance and 3. Conforms with applicable standards and requirements of these regulations:**  
The following table demonstrates 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 parcels of land known as APNs 217-201-001, 217-181-027, 217-181-028, 217-182-001, 217-024-011, 217-024-006, 217-024-010, 217-024-003, 217-025-001 consist of multiple patent and other legal parcels which will be merged as a condition of permit approval. There is no evidence indicating there have been any subsequent acts to merge or divide these parcels. Therefore, the subject parcels were lawfully created in its current configuration and can be developed as proposed.
§314-7.1  Agricultural Exclusive  §314-7.4  Timberland Production	<p><b>Agricultural Exclusive (AE):</b>            Intended to be applied in fertile areas in which agriculture is and should be the desirable predominant use and in which protection from encroachment from incompatible uses is essential to the general welfare. Existing outdoor cannabis cultivation is allowed on parcels zoned AE.</p> <p><b>Timberland Production (TPZ):</b>            Intended to provide standards and restrictions for the preservation of timberlands for growing and harvesting timber.</p>	The applicant is seeking six Conditional Use Permits for a proposed 5,77-acre (251,341-square-foot) mixed light cultivation operation a property zoned AE and TPZ. The proposed cannabis cultivation is specifically allowed with Conditional Use Permit in these zoning districts and under Sections 314-55.4.8.2.2 and 314-55.4.8.2.1.1.of the CMMLUO.
Minimum Lot Size:	AE: 20 acres  TPZ: 160 acres or 40 acres if the provisions of Government Code Section 51119.5 are met.	Over 800 acres (cumulative total)
Maximum Ground Coverage:	AE: 35% TPZ: None specified	<5%
Minimum Lot Width:	AE: 100 feet  TPZ: None specified	>100 feet
Maximum Lot Depth:	None specified	>100 feet

<p>Minimal Parcel Setbacks:</p> <p>(Through the SRA requirements)</p>	<p>AE: Front: 30 feet Rear: 20 feet Side: Ten percent (10%) of the lot width on each side but not more than 20 feet shall be required.</p> <p>TPZ: Front: 30 feet Rear: 20 feet Side: 20 feet</p> <p>SRA: 30 feet, all sides</p>	<p>Front: &gt;30 feet Rear: &gt;30 feet Side: &gt;30 feet</p>
<p>Max. Building Height:</p>	<p>None specified</p>	<p>&lt;35 feet</p>

<p>§314-61.1 Streamside Management Area (SMA)</p>	<p>Purpose: to provide minimum standards pertaining to the use and development of land located within Streamside Management Areas (SMAs) and other wet areas (OWA) to implement the County's Open Space Element of the General Plan.</p>	<p>Based on a review of the Humboldt County WebGIS and the site plans, there are several SMAs on the subject parcels, including Cameron Creek and Beatty Creek, that are tributaries to the Eel River. The project developments are plotted outside of the buffered areas for watercourses as defined by the SMA ordinance and the State Cannabis Cultivation Policy. The Project as designed will directly impact approximately 0.799 acres of potential Seasonally Saturated Nontidal Palustrine Emergent Wetland identified in a 2020 wetland delineation (See IS/MND - <i>Biological Resources</i>, Figures 38 and 39). These potential wetlands are within the project development footprint and 30-foot construction impact buffer, and completion of the project will result in unavoidable impacts. Approximately 0.56 acres will be impacted at Facility 3 and the adjacent processing building, and 0.239 acres will be impacted at site facility #10. Impacts to these wetlands will include both the placement of fill material and grading. These potential small, depressional, seasonal wetlands provide stormwater infiltration, seasonal surface water, and contribute to groundwater recharge, but are adjacent to a vast array of wetland/riparian complexes of similar type over the surrounding land ownership. Therefore, impacts to these small pockets of habitat will not significantly reduce habitat or wetland hydrologic function in the area. Additionally, a Mitigation and Monitoring Plan (MMP) will be written for the creation of in-kind wetland habitat at an appropriate location. New wetlands will be created at a ratio of between 1.5:1 and 3:1, as deemed appropriate. Equally, mitigation may entail quality and function enhancement of existing wetlands at similar ratios. Conditions of approval require the applicant to adhere to and implement the mitigation and monitoring plan for the life of the project.</p> <p>This project will consist of 5 miles of rockered access roads with multiple stream crossings. Overall, there is one bridge and 20 culverts on the access road. These culverts maybe a mix of stream crossing and ditch relief culverts. Conditions of approval require the applicant to submit a Lake or Streambed Alteration Notification to the California Department of Fish and Wildlife (CDFW) for all improvements with their jurisdiction related to the development of the cannabis cultivation project, including, but not limited to, the installation, repair and maintenance of the stream crossings, including bridges, along the access roads and internal ranch roads that connect the cultivation areas. The applicant is required to adhere to and implement the projects</p>
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		and recommendations contained in the Final SAA and provide evidence to the Planning Department that the projects includes in the Final SAA are completed to the satisfaction of CDFW.
§314-109.1 Off-Street Parking	Off Street Parking for Agricultural use*: Parking space per employee at peak shift. A minimum of three parking spaces are required.  *Use for this activity is not specified. Per Section 314-109.1.2.9, the Director may fix the required number of parking spaces based on standards for most comparable use.	30 spaces

**314-55.4 et seq. HCC: Commercial Cultivation, Processing, Manufacturing and Distribution of Cannabis for Medical Use Inland Land Use Regulation (CMMLUO)**

§314-55.4.8.2  Timber Conversion	In all zones where cultivation is allowed consisting of timberland, the commercial cultivation of cannabis for medical use shall only be permitted within a 3-acre conversion exemption area, or non-timberland open area, subject to the conditions and limitations set forth in this Section.	The subject parcel is split-zoned AE and TPZ. All development associated with the proposed project will occur on the portions of the site zoned AE. The proposed project is for 5.77 acres of new mixed light cultivation. The proposed project includes removal of four mature trees, two Big leaf maples and two California Bay trees. Doug fir saplings (< 5 inches dbh) and trees are not included in the total count, as this species is often associated with meadow encroachment and the active removal of these trees is facilitated by the State of California's Oak Woodlands Exemption as described by the draft Initial Study and Mitigated Negative Declaration (IS/MND). Also excluded from the list is the single tree of a domestic apple variety that is in the footprint of Facility #14 and three domestic apple tree species in the footprint of Facility #1. The IS/MND includes Mitigation Measure 1 – Agriculture and Forest Resources that requires a revegetation and monitoring plan to replace the Big leaf maples and California bay trees at a rate of 3:1 and requires monitoring for a minimum of 2 years with a 85% success rate for the replacement trees. Because the trees proposed for removal will be replaced, this does not constitute a timber conversion. Conditions of approval require the applicant to contact CAL FIRE prior to removal of any trees and obtain any necessary permits. Conditions of approval require the applicant to adhere to the mitigation and monitoring program for the life of the project. As conditioned, the project therefore conforms with this section.
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<p>§314-55.4.8.2.1.1</p> <p>New Outdoor and Mixed-Light Cultivation Areas</p>	<p>On parcels 320 acres or larger in size, in the eligible zoning districts described in 55.4.8.2.1, one additional cultivation area permit of up to one acre each for each one hundred acre increment (e.g. 3 for a 320 acre parcel, 6 for a 600 acre parcel, etc.), up to a maximum of 12 permits, may be issued with a Use Permit, subject to the limitations contained in section 55.4.8.10. No more than 20% of the area of Prime Agricultural soils on the parcel may be utilized for commercial medical marijuana cultivation activities.</p>	<p>The proposed action is for six Conditional Use Permits for 5.77 acres (or 251,341 square feet) of new mixed-light cultivation on APNs 217-201-001, 217-181-027, 217-181-028, 217-182-001, 217-024-011, 217-024-006, 217-024-010, 217-024-003, 217-025-001, which will be merged into one, legal parcel, consisting of over 800 acres that are split-zoned AE and TPZ. All proposed cultivation areas and associated development would be constructed on the AE-zone portions of the subject parcels. According to the</p> <p>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.</p>
<p>§314-55.4.8.10</p> <p>Permit Limit</p>	<p>No more than four commercial cannabis activity permits may be issued to a single person, as defined in the referenced section.</p>	<p>According to records maintained by the Department, the applicant has not applied for any other cannabis activity permits and is entitled to four. Pursuant to CMMLUO Section 314-55.4.8.2.1.1, on parcels 320 acres or larger in size, in the eligible, one additional cultivation area permit of up to one acre each for each one hundred acre increment (e.g. 3 for a 320 acre parcel, 6 for a 600 acre parcel, etc.), up to a maximum of 12 permits, may be issued with a Use Permit. The subject parcel contains xx acres; therefore, the applicant is eligible for 12 acres of cultivation. This application is for 5.77 acres (or 251,341 square feet) of mixed light cannabis cultivation. If approved, the applicant will hold 6 Conditional Use Permits pursuant to CMMLUO Section 314-55.4.8.2.1.1.</p>
<p>§314-55.4.9.1</p> <p>Accessory Processing</p>	<p>Processing for cultivation requiring a Special Permit or Use Permit will be considered in the Use Permit application.</p>	<p>Processing, including drying, curing and trimming, will take place on site within 5 proposed processing structures totaling 33,750 square feet. A maximum of 30 employees will be on-site during peak operations. Until the Onsite Wastewater Treatment Facility (OWTS) is installed to the satisfaction of the Department of Environmental Health, processing is required to take place at an off-site licensed processing facility. The applicant can also take harvested cannabis to a licensed processing facility for processing should they choose once the OWTS is installed. Conditions of approval require processing to occur off-site until the septic system is permitted.</p>
<p>§314-55.4.10</p> <p>Application Requirements</p>	<p>Identifies the Information Required for All Applications</p>	<p>Attachment 4 identifies the information submitted with the application and shows all the required information was received.</p>

§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.
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<p>§314-55.4.11.c 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>Estimated annual water usage is 4,628,200 gallons of water for both irrigation and domestic use. Water for irrigation is estimated to be 4,555,200, which equates 780 gallons per day per greenhouse (4.5 gallons/sf/cycle). The applicant will utilize drip irrigation to conserve water and ensure there is minimal to no run-off. The proposed project includes rain catchment systems to capture runoff and will be stored near each greenhouse site in hard-sided water storage tanks. Each greenhouse will have 20,000 gallons of water stored in four (4) 5,000 gallons storage tanks. There will be 320,000 gallons of hard sided storage tanks for rainwater catchment on site. This stored rainwater water will be generally used for summertime landscaping and lawn maintenance around the facilities as well as fire protection and supplemental water for dust mitigation. Average annual rainfall is approximately 55 inches per year during an average year. Each processing facility will be larger than 4,000 square feet, therefore, more than 137,060 gallons of water could be captured by each of the five facilities. Staff determined based on average annually rainfall and size of the processing facilities, the 320,000 gallons of rain catchment is reasonable and most likely to occur. The applicant provided well permits and well completion logs (see Appendix E in the draft Initial Study/Mitigated Negative Declaration). The well completion logs indicate the wells are all drilled over 200 feet deep. The well was drilled through layers of sandstone and shale. The applicant provided a <i>Letter regarding well connectivity</i> from Fisch Drilling dated February 15, 2018. (see Appendix E of the draft Initial Study and Mitigated Negative Declaration). The letter states that the wells are likely drilled into perched bedrock given the soil type and depth of the wells. Therefore, staff determined the wells are hydrologically disconnected from surface water and do not require water rights for diversion and use from the State Water Resources Control Board; the rain catchment system that will be installed to capture roof runoff does not require water rights either. Conditions of approval require the applicant to meter water use to demonstrate that the well meets the water demand and provide evidence of metering at the time of annual inspection. Should the wells not provide sufficient water for the operation, the applicant is required to modify this permit and propose a different non-divisionary source of water, such as rain catchment and/or reduce the size of the cultivation area to be consistent with water availability. As conditioned, the project therefore conforms to the performance standards for water.</p>
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<p>§314-55.4.11.d 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>Based on a review of aerial imagery and referral agency comments, the cultivation area conforms to the 600-foot setback for schools, school bus stops, parks, or places of religious worship. The cultural study prepared for the project indicated that there were not any nearby Tribal Cultural Resources.</p>
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<p>§314-55.4.11.o 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>Greenhouses are equipped with dehumidifiers and fans and power is provided by P. G. &amp; E. Most noise will be generated by fans and the applicant provided a noise analysis from the fan manufacturer (see Appendix D of the draft Initial Study/Mitigated Negative Declaration). According to sound testing, at 100% speed, the 56-inch fans will produce an overall sound level of 47dB at a distance of 20-feet from the fan. The 30-inch gable fan will produce a sound level of 35 dBA at 10-feet. Other noise generated by the project includes the electric bus for transportation around the site and employees. Short term noise impacts will be generated from construction activities, which is anticipated to last 8 – 12 weeks. According the draft Initial Study and Mitigated Negative Declaration (IS/MND), the construction at the sites nearest these residences would be temporary in nature and, due to the large distances, would not exceed 61dBA at its peak.</p> <p>Based on a review of the Humboldt County WebGIS, the nearest mapped Marbled murrelet habitat is located more than 3 miles to the west of the subject parcel. The nearest Northern Spotted Owl (NSO) positive observation is located 1 mile to the northeast of Cultivation Area 1 on APN 217-181-028. According the Biological Resources section of the IS/MND, there are four activity centers within 1.3 miles of the cultivation areas. Although NSO surveys have not detected NSO and there is the potential for habitat, special noise attenuation measures due to proximity to known noise sources. In accordance with the standards set forth in Section 55.4.11(o) of the CMMLUO and Departmental Policy Statement (DPS) 16-005, the subject parcel is considered to contain habitat or potential habitat for Northern Spotted Owl because it is within one-mile of a mapped Northern Spotted Owl activity center. Ongoing conditions of approval require the maximum allowable generator noise exposure level is 50 dB when measured from the generator at a distance of 100 feet or at the edge of habitat, whichever is closer. Conditions of approval require the applicant to provide evidence that generator and fan noise exposure levels are 50 dB when measured at 100 feet or edge of habitat prior to using any artificial lighting. The draft Initial Study/Mitigated Negative Declaration includes two mitigation measures, NOI-1 and NOI-2, to reduce potential noise impacts to less than significant. Mitigation measures for noise require the applicant to limit the use of heavy equipment to week-day hours, ensure equipment is in good working order and limit noise from the project to no more than 50 db at 100 feet from the noise source or edge of</p>
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		habitat, whichever is closer. as required by the CMMLUO. Adhering to the Mitigation and Monitoring Reporting Program for the life of the project is a condition of approval. As conditioned, the project is consistent with the performance standards for noise.
§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 applications on December 27, 2016.

**4. Public Health, Safety and Welfare:** The following table identifies the evidence which supports finding that the proposed development will not be detrimental to the public health, safety and welfare or materially injurious to properties or improvements in the vicinity.

Code Section	Summary of Applicable Requirements	Evidence that Supports the Required Finding
§312-17.1.4  Required Findings for All Permits	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 will not be detrimental to the public health, safety and welfare since all reviewing referral agencies have approved the proposed project design. The project as proposed and conditioned is consistent with the general plan and zoning ordinances; and the proposed project is not expected to cause significant 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
17.1.5 Housing Element Densities	The proposed development shall 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), except where: 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.	As discussed above the property was not included in the 2019 Housing Inventory. The subject parcels do not contain housing units; however, the proposed project does not exclude development of dwelling units in the future. The project is in conformance with the standards in the Housing Element.

**6. Environmental Impact:** As required by the California Environmental Quality Act, the project was found subject to CEQA and a Mitigated Negative Declaration was prepared by the Planning and Building Department, Planning Division (Attachment 3), which evaluated the project for any adverse effects on the environment. The CEQA document includes an analysis of the subject Conditional Use Permits. As of the date of the drafting of this report (July 28, 2020), no written comments have been received regarding the draft Initial Study/Mitigated Negative Declaration. Based on a site inspection, information in the application, and a review of relevant references in the Department, staff has determined that there is no evidence before the Department that the project will have any potential adverse effect, either individually or cumulatively, on the environment. The environmental document on file in the Department includes a detailed discussion of all relevant environmental issues.

**Because the project was found subject to CEQA and a Mitigated Negative Declaration was prepared, the provisions of Section 711.4 of the California Fish and Game Code apply to this project. Within five (5) days of the effective date of the approval of this Conditional Use Permit and Special Permit,** the applicant shall submit a check to the Planning Division payable to the Humboldt County Clerk/Recorder in the amount of \$2,456.75. Pursuant to Section 711.4 of the Fish and Game Code, the amount includes the CDFW fee plus the \$50 document handling fee to the Clerk. This fee is effective through December 31, 2020, at such time the fee will be adjusted pursuant to Section 713 of the Fish and Game Code. Alternatively, the applicant may contact CDFW by phone at (916) 651-0603 or through the CDFW website at [www.wildlife.ca.gov](http://www.wildlife.ca.gov) for a determination stating the project will have *no effect* on fish and wildlife. If CDFW concurs, a form will be provided exempting the project from the \$2,456.75 fee payment requirement. In this instance, only a copy of the CDFW form and the \$50.00 handling fee is required. This requirement appears as Condition #2 of Attachment 1 (Section 1).

**ATTACHMENT 3**

**Initial Study and Mitigated Negative Declaration**

**Attached Separately**

## ATTACHMENT 4

### Applicant's Evidence in Support of the Required Findings

Attachment 4 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  $\frac{1}{4}$  mile (1,320 ft.) of a school, school bus stop, church or other place of religious worship, public park, or Tribal Cultural Resource, the site plan shall include dimensions showing that the distance from the location of such features to the nearest point of the cultivation area is at least 600 feet. (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– see Project Description in draft Initial Study/Mitigated Negative Declaration)
5. Copy of the statement of water diversion, or other permit, license or registration filed with the State Water Resources Control Board, Division of Water Rights, if applicable. (Not applicable)
6. Description of water source, storage, irrigation plan, and projected water usage. (Attached in operations plan)
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. (Condition of approval)
8. If any on-site or off-site component of the cultivation facility, including access roads, water supply, grading or terracing impacts the bed or bank of any stream or other watercourse, a copy of the Streambed Alteration Permit obtained from the Department of Fish & Wildlife. (Condition of approval – obtain Final Streambed Alteration Agreement)
9. If the source of water is a well, a copy of the County well permit, if available. (Attached – see Appendix E in the draft Initial Study/Mitigated Negative Declaration)
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 Worksheet. (On file)
16. *Rolling Meadow Ranch Humboldt County, California, Grading for Proposed Greenhouse Sites*, prepared by Oscar Larson and Associates, dated January 11, 2019. (Attached – see Appendix B of the draft Initial Study and Mitigated Negative Declaration)
17. *Road Evaluation Report* prepared by David Rask dated November 16, 2017. (Attached – see Appendix C of the draft Initial Study and Mitigated Negative Declaration)
18. *Alderpoint Access Evaluation Letter* prepared by Manhard Consulting dated January 10, 2018. (Attached – see Appendix C of the draft Initial Study and Mitigated Negative Declaration)
19. *Engineer's Report of Rolling Meadow Ranch Internal Access Road Evaluation*, prepared by Oscar Larson and Associates, dated April 3, 2018. (Attached – see Appendix C of the draft Initial Study and Mitigated Negative Declaration)
20. *Supplemental Field Investigation Rolling Meadow Ranch Internal Access Road Evaluation*, prepared by Oscar Larson and Associates, dated January 14, 2019. (Attached – see Appendix C of the draft Initial Study and Mitigated Negative Declaration)
21. *Gro-Tech Greenhouse Sample Schematic*, prepared by Linchpin Structural Engineering, dated June 9, 2017. (Attached – see Appendix D of the draft Initial Study and Mitigated Negative Declaration)
22. Letter regarding Fan Noise prepared by CRS Supply Group. (Attached - prepared by Oscar Larson and Associates, dated April 3, 2018. (Attached – see Appendix D of the draft Initial Study and Mitigated Negative Declaration)
23. Letter regarding well connectivity from Fisch Drilling dated February 15, 2018. (Attached – see Appendix E of the draft Initial Study and Mitigated Negative Declaration)
24. Prime agricultural soils information. (Attached – see Appendix F of the draft Initial Study and Mitigated Negative Declaration)

25. Northern Spotted Owl Survey data from Rolling Meadow Ranch THP. (Attached – see Appendix G of the draft Initial Study and Mitigated Negative Declaration)
26. Application form to the North Coast Unified Air Quality Management District for use of 5 generators for emergency purposes. (Attached – see Appendix H of the draft Initial Study and Mitigated Negative Declaration)
27. *Botanical Survey Report: Rolling Meadow Ranch Tract 1/4: Humboldt County APN 217-201-001, Tract 2/3: Humboldt County APNs 217-181-028, 217-182-014, and 211-284-009*, prepared by NRM, dated July 20, 2018. (Attached – see Appendix I of the draft Initial Study and Mitigated Negative Declaration)
28. *A Cultural Resources Investigation of the Rolling Meadows Machata Property Final Report*, APNs 217-201-001, 217-181-027, 217-181-028, 217-182-001, 217-024-011, 217-024-006, 217-024-010, 217-024-003, 217-025-001, completed by Archeological Research and Supply Company, dated October 2017. (On file and confidential)

## ATTACHMENT 5

### 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.

<b>Referral Agency</b>	<b>Response</b>	<b>Recommendation</b>	<b>Location</b>
Building Inspection Division	✓	Conditional approval	Attached
Public Works - Land Use Division	✓	Conditional approval	Attached
Division Environmental Health	✓	Conditional approval	Attached
CAL FIRE	✓	Conditional approval	Attached
Department of Fish & Wildlife	✓	Comments	Attached
NWIC	✓	Further Study	On file with Planning
Bear River Band of Rohnerville Rancheria	✓	Conditional approval	On file with Planning
Intertribal Sinkyone Wilderness Council		No response	
RWQCB		No response	
Humboldt County District Attorney		No response	
Humboldt County Agricultural Commissioner		No response	
Southern Humboldt Unified School District		No response	



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



**6/20/2017**

**PROJECT REFERRAL TO: Building Inspection Division**

**Project Referred To The Following Agencies:**

Building Inspection Division, Public Works Land Use Division, Health and Human Services Environmental Health Division, Supervising Planner, Current Planning Division, County Counsel, CalFire, California Department of Fish And Wildlife, Northwest Information Center, Bear River Band Rohnerville Rancheria, Regional Water Quality Control Board, Pacific Gas and Electric, Humboldt County District Attorney, Humboldt County Agriculture Commissioner, Intertribal Sinkyone Wilderness Council, Southern Humboldt Joint Unified School District, Humboldt County Sherrif

**Applicant Name** Rolling Meadow Ranch, Inc. (Tract 1) **Key Parcel Number** 217-022-004-000

**Application (APPS#)** 12529 **Assigned Planner** Michelle Nielsen (707) 268-3708 **Case Number(s)** CUP16-720  
CUP16-721  
CUP16-722  
CUP16-723  
CUP16-752

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 7/5/2017** Planning Commission Clerk  
County of Humboldt Planning and Building Department  
3015 H Street  
Eureka, CA 95501  
**E-mail:** PlanningClerk@co.humboldt.ca.us **Fax:** (707) 268-3792

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

Recommend Approval. The Department has no comment at this time.

Recommend Conditional Approval. Suggested Conditions Attached.

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

Recommend Denial. Attach reasons for recommended denial.

Other Comments: see paperwork



COUNTY OF HUMBOLDT  
PLANNING AND BUILDING DEPARTMENT  
BUILDING DIVISION

3015 H STREET EUREKA CA 95501 FAX: (707) 445-7446 PHONE: (707) 445-7245  
<http://www.co.humboldt.ca.us/planning/>

Planning Referral Comments

- Submit complete plan of operations, including any plans of employees, processing, or manufacturing.
- Secure all building permits for any tenant improvements, all non-permitted structures, and all proposed structures.
- Submit current plot plan showing all grading, pond building, and springs, with all structures on parcel, include dimensions of all structures, with declared use, and setbacks to property lines, roads, right of ways, and creeks and streams.
- Submit floor plans including dimensions with electrical, mechanical and plumbing details for all existing and proposed Ag exempt structures and an Ag Exempt letter of intent for each.
- Submit 2 complete sets of construction plans for all proposed buildings that are not AG exempt.
- Declare amount in cubic yards of all grading that has been done and any proposed grading.
- Recommend conditional approval based on application required for Building Department permits such as; Grading, Building, Ag exempt structures, Commercial grow processing structures, etc.,



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

*TW*



6/20/2017

**PROJECT REFERRAL TO: Building Inspection Division**

**Project Referred To The Following Agencies:**

Building Inspection Division, Public Works Land Use Division, Health and Human Services Environmental Health Division, Supervising Planner, Current Planning Division, County Counsel, CalFire, California Department of Fish And Wildlife, Northwest Information Center, Regional Water Quality Control Board, Pacific Gas and Electric, Humboldt County District Attorney, Humboldt County Agriculture Commissioner, Intertribal Sinkyone Wilderness Council, Southern Humboldt Joint Unified School District, Humboldt County Sherrif

**Applicant Name** Rolling Meadow Ranch, Inc. (Tract 4) **Key Parcel Number** 217-201-001-000  
**Application (APPS#)** 12542 **Assigned Planner** Michelle Nielsen (707) 268-3708 **Case Number(s)** CUP16-734  
 CUP16-735  
 CUP16-736  
 CUP16-737

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 7/5/2017** Planning Commission Clerk  
 County of Humboldt Planning and Building Department  
 3015 H Street  
 Eureka, CA 95501  
**E-mail:** PlanningClerk@co.humboldt.ca.us **Fax:** (707) 268-3792

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

Recommend Approval. The Department has no comment at this time.

Recommend Conditional Approval. Suggested Conditions Attached.

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

Recommend Denial. Attach reasons for recommended denial.

Other Comments: See paperwork.

DATE: 7/11/17 PRINT NAME: Patrick McVey  
 PLN-12529-CUP Rolling Meadow Ranch, LLC August 20, 2020 Page 78



**PLANNING AND BUILDING DEPARTMENT  
BUILDING DIVISION**

3015 H STREET EUREKA CA 95501 FAX: (707) 445-7446 PHONE: (707) 445-7245  
<http://www.co.humboldt.ca.us/planning/>

**Planning Referral Comments**

- Submit complete plan of operations, including any plans of employees, processing, or manufacturing.
- Secure all building permits for any tenant improvements, all non-permitted structures, and all proposed structures.
- Submit current plot plan showing all grading, pond building, and springs, with all structures on parcel, include dimensions of all structures, with declared use, and setbacks to property lines, roads, right of ways, and creeks and streams.
- Submit floor plans including dimensions with electrical, mechanical and plumbing details for all existing and proposed Ag exempt structures and an Ag Exempt letter of intent for each.
- Submit 2 complete sets of construction plans for all proposed buildings that are not AG exempt.
- Declare amount in cubic yards of all grading that has been done and any proposed grading.
- Recommend conditional approval based on application required for Building Department permits such as; Grading, Building, Ag exempt structures, Commercial grow processing structures, etc.,



DEPARTMENT OF PUBLIC WORKS  
**COUNTY OF HUMBOLDT**

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

ARCATA-EUREKA AIRPORT TERMINAL  
McKINLEYVILLE  
FAX 839-3596

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

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

AVIATION 839-5401

ADMINISTRATION 445-7491  
BUSINESS 445-7652  
ENGINEERING 445-7377  
FACILITY MAINTENANCE 445-7493

NATURAL RESOURCES 445-7741  
NATURAL RESOURCES PLANNING 267-9540  
PARKS 445-7651  
ROADS & EQUIPMENT MAINTENANCE 445-7421

LAND USE 445-7205

**LAND USE DIVISION INTEROFFICE MEMORANDUM**

TO: Cannabis Planner, Planning & Building Department

FROM: Ken Freed, Assistant Engineer

DATE: 8/9/2017

RE: **NOTICE OF INCOMPLETE APPLICATION**  
APPLICATION No. 12529; APN 217-022-004



The Department has received a greater number of projects than can be processed in the time frame provided. The Department is providing the following abbreviated review of the project. Once the requested information has been provided, please re-refer the project to the Department.

All boxes that are checked apply.

- (1) Prior to the project being presented to the Planning Commission or the Zoning Administrator, it is recommended that the project should be referred to:
  - Caltrans;  Bureau of Land Mgmt.;  US Forest Service;  City of \_\_\_\_\_

**Prior to the project being presented to the Planning Commission of the Zoning Administrator, the following must be done:**

- (2) Applicant shall submit a completed Public Works Road Evaluation Report form for each road that is used to access the subject property. The applicant shall provide a "google earth" type map showing the locations of the road being evaluated that is indexed to each Road Evaluation Form. Road evaluations are needed for all roads that access off of McCANN RD.

Including McCANN RD (FROM DYERVILLE LOOP RD TO ACCESS).

A Road Evaluation Report form is available from the Land Use Division. The Department recommends that the applicant make an appointment with staff to go over the road evaluation process.

- The submitted Road Evaluation Form(s) is(are) inadequate. See attached road evaluation report response for comments.

- (3) Applicant shall submit Airspace Clearance Form. The subject property is located within the area covered by County Code section 333-1 et seq., the applicant shall submit evidence that the project complies or will comply with County Code.

The submitted Airspace Clearance Form is inadequate. See below for comments.

- (4) The subject property has deferred subdivision improvements that must be completed. Prior to the project being presented to the Planning Commission or the Zoning Administrator for approval or prior to the issuance of any building permits, whichever occurs first.



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

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



ARCATA-EUREKA AIRPORT TERMINAL  
McKINLEYVILLE  
FAX 839-3596

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

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

AVIATION 839-5401

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

LAND USE 445-7205

**LAND USE DIVISION INTEROFFICE MEMORANDUM**

TO: Cannabis Planner, Planning & Building Department

FROM: Ken Freed, Assistant Engineer *KF*

DATE: 8/19/2017

RE: **NOTICE OF INCOMPLETE APPLICATION**  
APPLICATION No. 12542 ; APN 217-201-001

The Department has received a greater number of projects than can be processed in the time frame provided. The Department is providing the following abbreviated review of the project. **Once the requested information has been provided, please re-refer the project to the Department.**

All boxes that are checked apply.

- (1) Prior to the project being presented to the Planning Commission or the Zoning Administrator, it is recommended that the project should be referred to:
  - Caltrans;  Bureau of Land Mgmt.;  US Forest Service;  City of \_\_\_\_\_

**Prior to the project being presented to the Planning Commission of the Zoning Administrator, the following must be done:**

- (2) Applicant shall submit a completed Public Works Road Evaluation Report form for each road that is used to access the subject property. The applicant shall provide a "google earth" type map showing the locations of the road being evaluated that is indexed to each Road Evaluation Form. Road evaluations are needed for all roads that access off of McCann Rd.
  - Including McCann Rd (from Dyerville Loop Rd to Access Rd).

A Road Evaluation Report form is available from the Land Use Division. The Department recommends that the applicant make an appointment with staff to go over the road evaluation process.
- The submitted Road Evaluation Form(s) is(are) inadequate. See attached road evaluation report response for comments.
- (3) Applicant shall submit Airspace Clearance Form. The subject property is located within the area covered by County Code section 333-1 et seq., the applicant shall submit evidence that the project complies or will comply with County Code.
  - The submitted Airspace Clearance Form is inadequate. See below for comments.
- (4) The subject property has deferred subdivision improvements that must be completed. Prior to the project being presented to the Planning Commission or the Zoning Administrator for approval or prior to the issuance of any building permits, whichever occurs first.



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

**PROJECT REFERRAL TO: Health and Human Services Environmental Health Division**

16/17-1399

**Project Referred To The Following Agencies:**

Building Inspection Division, Public Works Land Use Division, Health and Human Services Environmental Health Division, Supervising Planner, Current Planning Division, County Counsel, CalFire, California Department of Fish And Wildlife, Northwest Information Center, Bear River Band Rohnerville Rancheria, Regional Water Quality Control Board, Pacific Gas and Electric, Humboldt County District Attorney, Humboldt County Agriculture Commissioner, Intertribal Sinkiyone Wilderness Council, Southern Humboldt Joint Unified School District, Humboldt County Sherrif

**Applicant Name** Rolling Meadow Ranch, Inc. (Tract 1) **Key Parcel Number** 217-022-004-000

**Application (APPS#)** 12529 **Assigned Planner** Michelle Nielsen (707) 268-3708 **Case Number(s)** CUP16-720  
CUP16-721  
CUP16-722  
CUP16-723  
CUP16-752

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

**Comments:**

Staffing is proposed at 17 employees during peak operations. No soil testing or site evaluation has been provided to DEH with respect to onsite waste treatment systems. With 436 acres, it is likely there will be acceptable area; however, the OWTS capacity may limit the staffing to levels less than those proposed.

\*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.





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

16/17-1403

RECEIVED

6/20/2017

JUN 27 2017

**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, Supervising Planner, Current Planning Division, County Counsel, CalFire, California Department of Fish And Wildlife, Northwest Information Center, Regional Water Quality Control Board, Pacific Gas and Electric, Humboldt County District Attorney, Humboldt County Agriculture Commissioner, Intertribal Sinkiyone Wilderness Council, Southern Humboldt Joint Unified School District, Humboldt County Sherrif

HUMBOLDT CO. DIVISION OF ENVIRONMENTAL HEALTH

**Applicant Name** Rolling Meadow Ranch, Inc. (Tract 4) **Key Parcel Number** 217-201-001-000

**Application (APPS#)** 12542 **Assigned Planner** Michelle Nielsen (707) 268-3708 **Case Number(s)** CUP16-734  
 CUP16-735  
 CUP16-736  
 CUP16-737

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 7/5/2017** 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: \_\_\_\_\_

**DEPARTMENT OF FORESTRY AND FIRE PROTECTION**

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



Ref: 7100 Planning  
Date: July 6, 2017

John Ford, Director  
Humboldt County Planning Department  
3015 H Street  
Eureka, CA 95501

**Attention:** Michelle Nielsen  
**Applicant:** Rolling Meadow Ranch, Inc. (Tract 1)  
**APN:** 217-022-004-000  
**Area:** Blocksburg/Myers Flat  
**Case Numbers:** CUP16-720, CUP16-721  
CUP16-722, CUP16-723, CUP16-752

**Humboldt County Application #:** 12529  
**Type of Application:** Conditional Use Permit  
**Date Received:** 6/29/2017  
**Due Date:** 7/5/2017

**Project Description:** Five (5) Conditional Use Permits for commercial medical cannabis cultivation on the subject parcel of land that is approximately 436 acres in size, and is referred to as Tract 1 of Rolling Meadow Ranch. On Tract 1, the applicant proposes mix-light commercial medical cannabis cultivation totaling 132,000 square feet (SF) in size, in two (2) locations, to occur in six (6) new greenhouses that are each 22,000 SF in size. The application seeks CUPs for both new and existing cannabis cultivation. Three (3) areas of existing cannabis cultivation within the boundaries of Tract 1 will be repositioned to the two (2) areas of mix-light cultivation as described above. Additionally, the development of two (2) 2,000 SF appurtenant processing facilities, each to be served by a sewage disposal system, and two (2) parking areas. These ancillary improvements will be adjacent to the cultivation areas. The applicant estimates that each 22,000 SF greenhouse will have a total water demand of approximately 820 gallons per day: 780 gallons (gal.) for cultivation; 30 gal. for general and personal use, and 20 gal. for addition when processing. Irrigation water for cultivation is proposed to be sourced from four (4) on-site wells: the applicant has applied for well permits from the County of Humboldt. Irrigation water will be applied using drip irrigation. If required, the applicant will capture rainwater from the roofs of the greenhouses, and store the water in containment ponds or tanks, and it will be used for landscaping and fire suppression. All power is proposed to be from the electrical grid. A propane standby generator will only be used in the event of a power failure. The applicant estimates there will be seventeen (17) employees at peak operations. In order to comply with Humboldt County Code Section 314-55.4.8.10, the applicant will transfer all approved permits above the specified limit of four (4) permits to eligible independent third parties prior to initiating cultivation activities.

Mr. Ford,

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

- Fire Safe
- Resource Management
- Cannabis

The following pages address these concerns directly.

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

By: Planning Battalion  
CALFIRE Humboldt – Del Norte Unit  
For **Hugh Scanlon**, Unit Chief

## FIRE SAFE

### **General:**

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

### **Local Responsibility Areas:**

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

### **State Responsibility Areas:**

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

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

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

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

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

Subdivisions increase fire risks from additional people and increase probable dollar losses in the event of fire due to added structures and improvements.
5. If the project expects to produce densities consistent with a major subdivision, the impacts on all infrastructures should be mitigated. Local government more appropriately provides the responsibility for

high-density area protection and services. Annexation or inclusion into Local Responsibility Area should be studied as well.

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

## RESOURCE MANAGEMENT

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

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

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

## Cannabis

### **General:**

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

### **Local Responsibility Areas:**

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

### **State Responsibility Areas:**

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

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

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Humboldt – Del Norte Unit

118 Fortuna Blvd.  
 Fortuna, CA 95540  
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 (707) 726-1272



Ref: 7100 Planning  
 Date: July 6, 2017



John Ford, Director  
 Humboldt County Planning Department  
 3015 H Street  
 Eureka, CA 95501

**Attention:** Michelle Nielsen**Applicant:** Rolling Meadow Ranch, Inc. (Tract 4)**APN:** 217-201-001-000**Area:** Blocksburg**Case Numbers:** CUP16-734, CUP16-735  
CUP16-736. CUP16-737**Humboldt County Application #:** 12542**Type of Application:** Conditional Use Permit**Date Received:** 6/29/2017**Due Date:** 7/5/2017

**Project Description:** Four (4) Conditional Use Permits for commercial medical cannabis cultivation on the subject parcel of land that is approximately 420 acres in size, and is referred to as Tract 4 of Rolling Meadow Ranch. On Tract 4, the applicant proposes mix-light commercial medical cannabis cultivation totaling 88,000 square feet (SF) in size, on one (1) location, to occur in four (4) new greenhouses that are each 22,000 SF in size. The application seeks CUPs for both new and existing cannabis cultivation. One area of existing cannabis cultivation within the boundaries of Tract 4 will be repositioned to the area of mix-light cultivation as described above. Additionally, the applicant proposes the development of a 2,000 SF appurtenant processing facility, to be served by a sewage disposal system, and parking areas. These ancillary improvements will be adjacent to the cultivation areas. The applicant estimates that each 22,000 SF greenhouse will have a total water demand of approximately 820 gallons per day: 780 gallons (gal.) for cultivation; 30 gal. for general and personal use, and 10 gal. for additional when processing. Irrigation water for cultivation is proposed to be sourced from an on-site well for which the applicant has applied for a well permit from the County of Humboldt. Irrigation water will be applied using drip irrigation. If required, the applicant will capture rainwater from the roofs of the greenhouses, and store the water in containment ponds or tanks, and it will be used for landscaping and fire suppression. All power is proposed to be from the electrical grid. A propane standby generator will only be used in the event of a power failure. The applicant estimates there will be seventeen (17) employees at peak operations. In order to comply with Humboldt County Code Section 314-55.4.8.10, the applicant will transfer all approved permits above the specified limit of four (4) permits to eligible independent third parties prior to initiating cultivation activities.

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4. Growing marijuana and the extracting of oils  
Extraction of marijuana oils; All materials hazardous and non-hazardous associated with the extraction process shall be utilized in conformance of the law and fire safe codes.

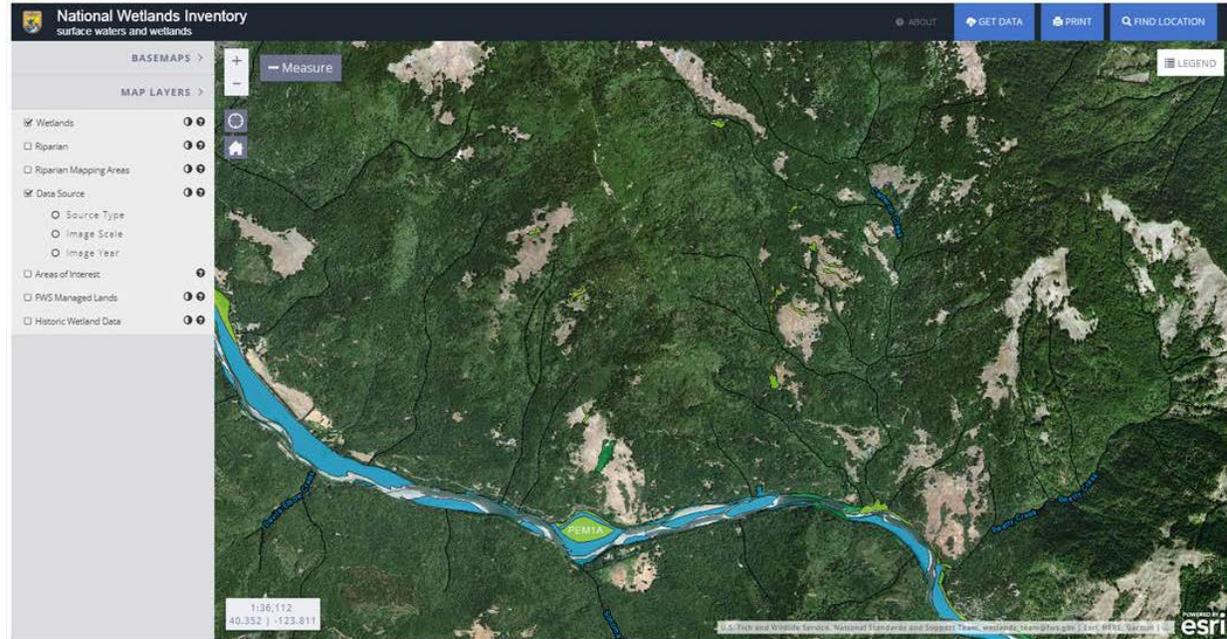


**From:** Bocast, Kalyn@Wildlife  
**To:** [Nielsen, Michelle](mailto:Nielsen,Michelle)  
**Cc:** [Planning Clerk: Bauer, Scott@Wildlife](mailto:Planning.Clerk@Bauer.Scott@Wildlife)  
**Subject:** CDFW: Rolling Meadows Ranch, Conditional Use Permits, APPS-12529, 12536, 12540, 12542, CEQA-2017-0253, 0254, 0255, 0256  
**Date:** Friday, January 26, 2018 10:45:27 AM  
**Attachments:** [Exhibit A Bullfrog Management Plan-CEQA\\_2017\\_0253\\_0254\\_0255\\_0256.docx](#)  
[CEQA Referral\\_APPS-12529\\_12536\\_12540\\_12542\\_CEQA-2017-0253\\_0254\\_0255\\_0256.pdf](#)

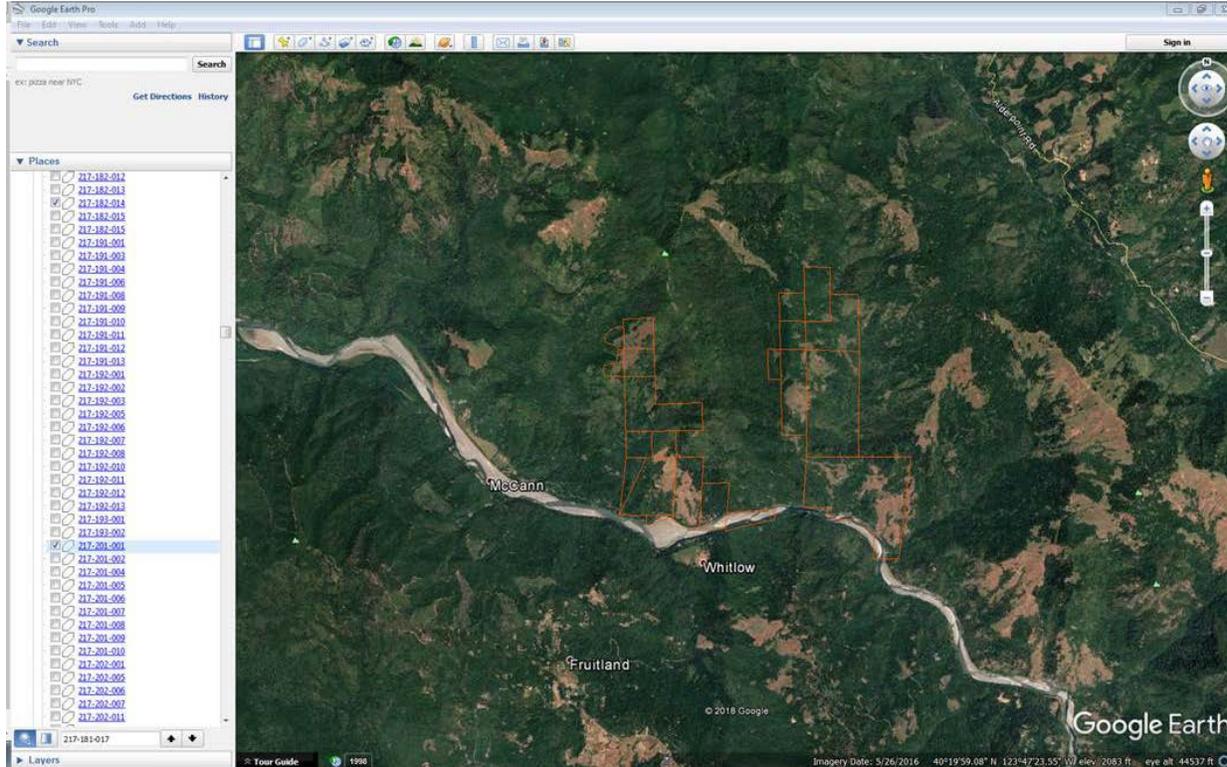
To Whom It May Concern,

Please see the attached comments for the subject applications along with a map from the National Wetlands Inventory (NWI) database below. To use as comparative reference for the NWI map, I have included aerial imagery from Google Earth. Please note, CDFW has requested revised project details for some of the application numbers listed. CDFW intends to provide additional comments once requested information is received.

National Wetlands Inventory Map (all four project tracts included)



Google Earth Image (all four project tracts included)



Thank you for the opportunity to comment on this Project. For additional information, please email inquiries to [kalyn.bocast@wildlife.ca.gov](mailto:kalyn.bocast@wildlife.ca.gov).

Please confirm that you have received this email.

Sincerely,

Kalyn Bocast  
Environmental Scientist  
Watershed Enforcement Team  
California Department of Fish and Wildlife  
619 2nd Street  
Eureka, CA 95501  
(707) 441-2077

## **EXHIBIT A.**

### **BULLFROG MONITORING AND MANAGEMENT PLAN FOR CEQA-2017-0253-R1 THROUGH CEQA-0256-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

efforts will be required to ensure dispersing bullfrogs do not colonize the reservoir(s) at a future time.

## **MANAGEMENT METHODS**

Two removal methods may be employed for controlling bullfrogs under this plan and include:

- Manual direct removal
- Reservoir de-watering (Hydro-modification)

Implementing both reservoir de-watering and manual direct removal is currently believed to be the most effective method of managing bullfrog infestations. Prior to conducting reservoir dewatering activities, please coordinate with CDFW Environmental Scientist Kalyn Bocast by email at [kalyn.bocast@wildlife.ca.gov](mailto:kalyn.bocast@wildlife.ca.gov).

### **Direct Removal**

All direct removal efforts must be made by a person knowledgeable in bullfrog identification.

- Removal efforts must occur during, but are not be limited to the active/breeding season, occurring May – July;
- A minimum of **two** efforts throughout the season are considered necessary;
- Direct removal efforts are typically most effective when conducted at night with use of lights but can also be conducted during the day;
- Direct removal must include working the entire perimeter of the reservoir;
- A rubber raft or small boat may be necessary to successfully remove some individuals;
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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 Hatterm).



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.



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CEQA Referral Checklist**

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<input type="checkbox"/> New <input type="checkbox"/> Existing	<input type="checkbox"/> Mixed-light (SF):	<input type="checkbox"/> Outdoor (SF):	***Need Revised Project Transmittal

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APPS No.: 12540	APN: 217-181-017 etc.	CDFW CEQA: 2017-0254	Case No.: CUP16-730-733
<input checked="" type="checkbox"/> New <input checked="" type="checkbox"/> Existing	<input checked="" type="checkbox"/> Mixed-light (SF): 88,000	<input type="checkbox"/> Outdoor (SF):	<input type="checkbox"/> Indoor <input checked="" type="checkbox"/> RRR

Applicant: Rolling Meadows Ranch (Tract 4)		Date: 1/24/2018	
APPS No.: 12542	APN: 217-201-001 etc.	CDFW CEQA: 2017-0255	Case No.: CUP16-734-737
<input checked="" type="checkbox"/> New <input checked="" type="checkbox"/> Existing	<input checked="" type="checkbox"/> Mixed-light (SF): 88,000	<input type="checkbox"/> Outdoor (SF):	<input type="checkbox"/> Indoor <input type="checkbox"/> RRR

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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.

**Please provide and/or note the following information:**

- Recommend Approval. The Department has no comment at this time.
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  - Include a topographic map that identifies all surface water, wetlands, or other sensitive habitats onsite and the appropriate buffer distances for each.
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  - Aerial imagery suggest that wetlands may occur onsite. CDFW requests that the applicant, prior to Permit approval, provide a wetland delineation conducted by a qualified person (i.e. at minimum, successfully completed a 40-hour training that satisfies the requirements for basic wetland delineation training as specified by the Army Corps of Engineers using the 1987 ACOE Wetland Delineation manual and appropriate regional supplements).
  - If the project proposes to remove vegetation, include description of project (type of vegetation/amount/location).
  - If the Project requires fill disposal, include the disposal location on the site plan/map.
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- ☒ A biological survey of the property was conducted to determine whether rare species or sensitive natural communities are present on the proposed project site. Based on report findings CDFW has identified the following:
  - The report findings show that Grasshopper Sparrow (*Ammodramus savannarum*), was identified onsite however, it was not identified as a special status species. Grasshopper sparrow is a State Species of Special Concern and is currently undergoing significant declines throughout its range. CDFW requests that the scientist re-evaluate the potential impacts to this species.
  - Based on the photo documentation provided in the Report and known species range, it appears that the site contains potential habitat for Bryant's Savannah Sparrow (*Passerculus sandwichensis alaudinus*), a State Special Species of Concern. CDFW requests that the scientist re-evaluate the potential impacts to this species.
  - Report findings suggest that multiple bat species utilize the large building located on Project Tract 4, primarily as a night roost site. CDFW requests a qualified bat biologist survey the site during the maternity season and conduct a more comprehensive habitat assessment to provide more concrete findings of the type and duration of use. In addition, CDFW requests that the assigned biologist provide more information about the amount and type of guano found on site.
  - The Report states, "There have been no reported activity for NSO in the vicinity for 12 years, and the closest NSO AC (HUM 0523) has not been active for 17 years." This statement is misleading. Unless additional surveys have been conducted, it is inaccurate to state that the AC has been inactive for 17 years, as there are no data to determine whether the AC has been active or inactive. According to the information provided, the last surveys were completed 17 years ago, which resulted in a positive occurrence, and no data have been collected since then. A lack of data is not equivalent to species absence. Additional protocol level surveys are necessary to determine the current status of NSO in the project area.
  - The timeline to conduct protocol level surveys for Northern Spotted Owl is insufficient based on the proposed 2018 start date. As stated in the *Protocol for Surveying Proposed Management Activities That May Impact Northern Spotted Owls (USFWS, 2012)*, six complete surveys over the course of two years shall be completed to determine the presence or absence of NSO.
  - Preconstruction surveys by a qualified wildlife biologist should be conducted to avoid disturbance to special status species including Fisher (*Pekania pennanti*), a state candidate threatened species. If Humboldt Marten or Fisher dens are found onsite, construction of project facilities and roads shall take place after August 31.

- ☒ Leave Wildlife Unharmred. If any wildlife is encountered during the Authorized Activity, Permittee shall not disturb the wildlife and shall allow wildlife to leave the work site unharmred.
- ☒ CDFW is concerned that the Project may result in potentially significant direct and cumulative adverse impacts to fish and wildlife resources. CDFW believes an environmental document such as a mitigated negative declaration or an environmental impact report is required for approval of this Project.
- ☒ This project has the potential to affect sensitive fish and wildlife resources such as Northern Spotted Owl (*Strix occidentalis caurina*), Grasshopper Sparrow (*Ammodramus savannarum*), Bryant's Savannah Sparrow (*Passerculus sandwichensis alaudinus*), Townsend Big-eared Bat (*Corynorhinus townsendi*), Bank Swallow (*Riparia riparia*), Fisher (*Pekania pennanti*), Chinook Salmon (*Oncorhynchus tshawytscha*), Coho Salmon (*O. kisutch*), Steelhead Trout (*O. mykiss*), Green Sturgeon (*Acipenser medirostris*), Pacific Lamprey (*Entosphenus tridentatus*), Foothill Yellow-legged Frog (*Rana boylei*), Pacific Giant Salamander (*Dicamptodon tenebrosus*), Northern Red-legged Frog (*Rana aurora*), Tailed Frog (*Ascaphus truei*), Western Pond Turtle (*Actinemys marmorata marmorata*), and 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](mailto: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

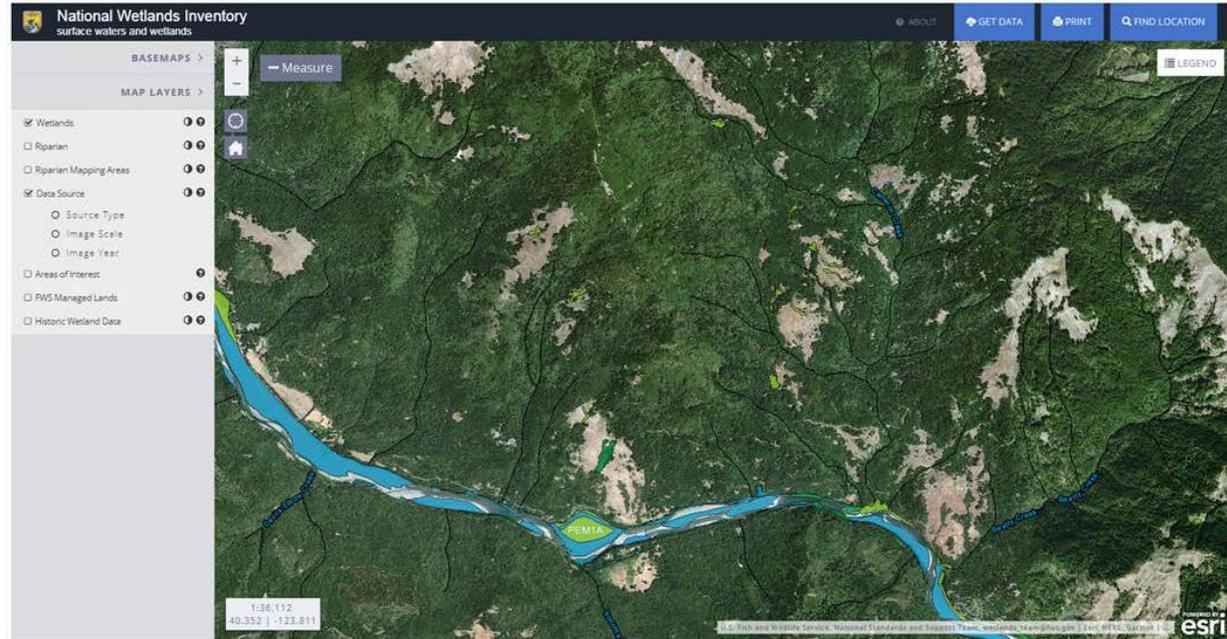


**From:** Bocast, Kalyn@Wildlife  
**To:** [Nielsen, Michelle](#)  
**Cc:** [Planning Clerk: Bauer, Scott@Wildlife](#)  
**Subject:** CDFW: Rolling Meadows Ranch, Conditional Use Permits, APPS-12529, 12536, 12540, **12542**, CEQA-2017-0253, 0254, 0255, 0256  
**Date:** Friday, January 26, 2018 10:45:27 AM  
**Attachments:** [Exhibit A Bullfrog Management Plan-CEQA 2017\\_0253\\_0254\\_0255\\_0256.docx](#)  
[CEQA Referral APPS-12529\\_12536\\_12540\\_12542 CEQA-2017-0253\\_0254\\_0255\\_0256.pdf](#)

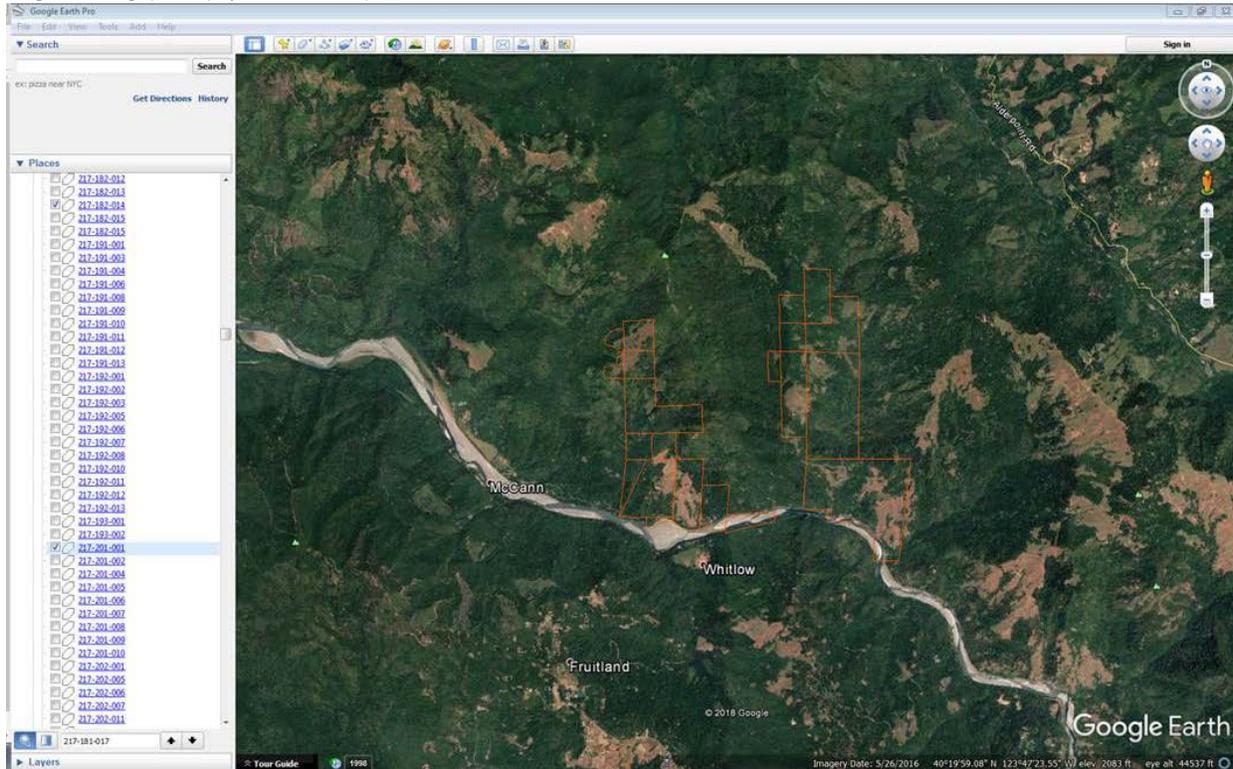
To Whom It May Concern,

Please see the attached comments for the subject applications along with a map from the National Wetlands Inventory (NWI) database below. To use as comparative reference for the NWI map, I have included aerial imagery from Google Earth. Please note, CDFW has requested revised project details for some of the application numbers listed. CDFW intends to provide additional comments once requested information is received.

National Wetlands Inventory Map (all four project tracts included)



Google Earth Image (all four project tracts included)



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Environmental Scientist  
Watershed Enforcement Team  
California Department of Fish and Wildlife  
619 2nd Street  
Eureka, CA 95501  
(707) 441-2077

## **EXHIBIT A.**

### **BULLFROG MONITORING AND MANAGEMENT PLAN FOR CEQA-2017-0253-R1 THROUGH CEQA-0256-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

efforts will be required to ensure dispersing bullfrogs do not colonize the reservoir(s) at a future time.

## **MANAGEMENT METHODS**

Two removal methods may be employed for controlling bullfrogs under this plan and include:

- Manual direct removal
- Reservoir de-watering (Hydro-modification)

Implementing both reservoir de-watering and manual direct removal is currently believed to be the most effective method of managing bullfrog infestations. Prior to conducting reservoir dewatering activities, please coordinate with CDFW Environmental Scientist Kalyn Bocast by email at [kalyn.bocast@wildlife.ca.gov](mailto:kalyn.bocast@wildlife.ca.gov).

### **Direct Removal**

All direct removal efforts must be made by a person knowledgeable in bullfrog identification.

- Removal efforts must occur during, but are not be limited to the active/breeding season, occurring May – July;
- A minimum of **two** efforts throughout the season are considered necessary;
- Direct removal efforts are typically most effective when conducted at night with use of lights but can also be conducted during the day;
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  - Based on the photo documentation provided in the Report and known species range, it appears that the site contains potential habitat for Bryant's Savannah Sparrow (*Passerculus sandwichensis alaudinus*), a State Special Species of Concern. CDFW requests that the scientist re-evaluate the potential impacts to this species.
  - Report findings suggest that multiple bat species utilize the large building located on Project Tract 4, primarily as a night roost site. CDFW requests a qualified bat biologist survey the site during the maternity season and conduct a more comprehensive habitat assessment to provide more concrete findings of the type and duration of use. In addition, CDFW requests that the assigned biologist provide more information about the amount and type of guano found on site.
  - The Report states, "There have been no reported activity for NSO in the vicinity for 12 years, and the closest NSO AC (HUM 0523) has not been active for 17 years." This statement is misleading. Unless additional surveys have been conducted, it is inaccurate to state that the AC has been inactive for 17 years, as there are no data to determine whether the AC has been active or inactive. According to the information provided, the last surveys were completed 17 years ago, which resulted in a positive occurrence, and no data have been collected since then. A lack of data is not equivalent to species absence. Additional protocol level surveys are necessary to determine the current status of NSO in the project area.
  - The timeline to conduct protocol level surveys for Northern Spotted Owl is insufficient based on the proposed 2018 start date. As stated in the *Protocol for Surveying Proposed Management Activities That May Impact Northern Spotted Owls (USFWS, 2012)*, six complete surveys over the course of two years shall be completed to determine the presence or absence of NSO.
  - Preconstruction surveys by a qualified wildlife biologist should be conducted to avoid disturbance to special status species including Fisher (*Pekania pennanti*), a state candidate threatened species. If Humboldt Marten or Fisher dens are found onsite, construction of project facilities and roads shall take place after August 31.

- ☒ Leave Wildlife Unharmred. If any wildlife is encountered during the Authorized Activity, Permittee shall not disturb the wildlife and shall allow wildlife to leave the work site unharmred.
- ☒ CDFW is concerned that the Project may result in potentially significant direct and cumulative adverse impacts to fish and wildlife resources. CDFW believes an environmental document such as a mitigated negative declaration or an environmental impact report is required for approval of this Project.
- ☒ This project has the potential to affect sensitive fish and wildlife resources such as Northern Spotted Owl (*Strix occidentalis caurina*), Grasshopper Sparrow (*Ammodramus savannarum*), Bryant's Savannah Sparrow (*Passerculus sandwichensis alaudinus*), Townsend Big-eared Bat (*Corynorhinus townsendi*), Bank Swallow (*Riparia riparia*), Fisher (*Pekania pennanti*), Chinook Salmon (*Oncorhynchus tshawytscha*), Coho Salmon (*O. kisutch*), Steelhead Trout (*O. mykiss*), Green Sturgeon (*Acipenser medirostris*), Pacific Lamprey (*Entosphenus tridentatus*), Foothill Yellow-legged Frog (*Rana boylei*), Pacific Giant Salamander (*Dicamptodon tenebrosus*), Northern Red-legged Frog (*Rana aurora*), Tailed Frog (*Ascaphus truei*), Western Pond Turtle (*Actinemys marmorata marmorata*), and 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](mailto:kalyn.bocast@wildlife.ca.gov) .

Please confirm that you have received this email.

Sincerely,

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