



COUNTY OF HUMBOLDT
PLANNING AND BUILDING DEPARTMENT
CURRENT PLANNING DIVISION

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

Hearing Date: **November 4, 2021**

To: Humboldt County Planning Commission

From: David J. R. Mack, AICP, Senior Planner (Contract)

Subject: **Macras Land Company, Inc. Conditional Use Permit**
Application Number PLN-11099-CUP
Assessor's Parcel Number (APN) 317-033-008
Stapp Road, Pilot Ridge area, CA

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Please contact David J. R. Mack, AICP, Project Manager/Senior Planner (Harris & Associates) at 831-320-0413 or by email at david.mack@weareharris.com, if you have any questions about the scheduled public hearing item.

AGENDA ITEM TRANSMITTAL

Hearing Date	Subject	Contact
November 4, 2021	Conditional Use Permit – Type III	David Mack, AICP

Project Description: Macras Land Company, Inc. ("Applicant/Owner") seeks approval for a Conditional Use Permit to permit a maximum of 19,595 square feet (SF) of cannabis cultivation, consisting of 13,035 SF outdoor cultivation and 6,560 SF mixed light cultivation. A total of 720 SF of immature/nursery space will be used for propagation.

Irrigation water is sourced from two existing groundwater wells [Permit Nos. 18/19-0423 (30 gpm) and 18/19-0264 (1 gpm)]. Annual water use is estimated at 429,500 gallons (21.92 gallons/SF). Water storage totals 25,000 gallons in eight (8) 2,500-gallon containers, and one (1) 5,000 gallon container. There is an additional 2,500-gallon fire suppression storage tank on site.

Drying/curing and processing will occur onsite within an existing 1,500 SF two-story metal building. The applicant may also utilize off-site processing should it become necessary. There would be two (2) full-time employees during normal operations, with a total of six (6) employees during peak periods. Electricity is provided through the one (1) Honda EB5000X generator, housed in a semi-enclosed structure, running at 50% load.

Project Location: The project is located in the Pilot Ridge area, on the north side of Stapp Road, approximately 5 miles from the intersection of Showers Pass Road and Stapp Road, in eastern Humboldt County.

Present Plan Land Use Designations: Timber (T), Slope Stability: High Instability (3).

Present Zoning: Timber Production Zone (TPZ)

Record Number: PLN-11099-CUP

Assessor's Parcel Number: 317-033-008-000

Applicant

Macras Land Company, Inc.
c/o Asya Stancheva
1632 Broadway St #120
Eureka, CA 95501

Owner

Macras Land Company, Inc. R T
PO Box 328
Garberville, CA 95542

Agents

Mother Earth Engineering
c/o Belle Ciotti
425 I Street
Arcata, CA 95521

belle@motherearthengineering.com

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

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

Major Issues: No major issues/concerns were identified for this project.

Macras Land Company, Inc.

Record Number: PLN-11099-CUP

Assessor's Parcel Number: 317-033-008

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 Resolution to:

1. *Find that the Commission has considered the Addendum to the adopted Mitigated Negative Declaration for the Commercial Medical Land Use Ordinance (CCMLUO), as described by Section §15164 of the State CEQA Guidelines;*
2. *Make the required findings for approval of the Special Use Permit; and*
3. *Approve the Macras Land Company, Inc. (10994) Conditional Use Permit as recommended by staff subject to the recommended conditions.*

Executive Summary: Macras Land Company, Inc. ("Applicant/Owner") seeks approval for a Conditional Use Permit to permit a maximum of 19,595 square feet (SF) of cannabis cultivation, consisting of 13,035 SF outdoor cultivation and 6,560 SF mixed light cultivation. A total of 720 SF of immature/nursery space will be used for propagation. Drying/curing and processing will occur onsite within an existing 1,500 SF two-story metal building. The medical cannabis permit application is in accordance with Humboldt County Code Section 314-55.4 of Chapter 4 of Division I of Title III, Commercial Medical Marijuana Land Use Ordinance (CMMLUO), Zoning Clearance Certificate for Interim Permit (IP), and the Cultivation Area Verification (CAV) developed for the site.

The parcel, APN 317-033-008, measures approximately 48.44 acres in size. The parcel is zoned as Timber Production Zone (TPZ) and is described in the Humboldt County General Plan as Timber (T). There are existing buildings onsite, including: one (1) 1500-SF two-story (25' x 30') metal building used for harvest storage, processing and drying; one (1) 390-SF (15' x 26') storage shed. Drying and curing will occur onsite within the existing buildings. The applicant may also utilize off-site processing should it become necessary. There would be two (2) full time employees during normal operations, with a total of six (6) employees during peak periods. Electricity is provided through the one (1) Honda EB5000X generator, housed in a semi-enclosed structure, running at 50% load.

Water Resources

Irrigation water is sourced from two existing groundwater wells [Permit Nos. 18/19-0423 (30 gpm) and 18/19-0264 (1 gpm)]. Annual water use is estimated at 429,500 gallons (21.92 gallons/SF). Water storage totals 25,000 gallons in eight (8) 2,500-gallon containers, and one (1) 5,000 gallon container. There is an addition 2,500-gallon fire suppression storage tank on site.

The Macras Land Company, Inc., property is enrolled with the North Coast Regional Water Quality Control Board (NCRWQCB), with an enrollment identification number (WDID No. 1_12CC402985 / 1B161503CHUM) for coverage as a Tier 2 Moderate Risk Site for Order WQ 2017-0023-DWQ.

Biological Resources

A list of potential special status species was generated in September 2021, using the following information systems: California Natural Diversity Database (CDFW 2019), Biogeographic Information and Observation system (BIOS), Northern Spotted Owl Viewer (CDFW 2019), and US Fish and Wildlife Service (USFWS) Information for Planning and Consultation (IPaC). The searches did not show any species of concern (flora or fauna) within the boundaries of the project site. Project activities are not expected to produce any adverse or cumulative effects to any special status species or habitat, due to the small size of the project area and the type of proposed activities. Therefore, impacts to biological resources are considered low and unlikely.

Tribal Cultural Resource Coordination

A database search for known cultural resources was requested of the Northwest Information Center (NWIC) in November 2017. Although the NWIC had no record of any previous cultural resources for the project area, NWIC recommended a survey be conducted by a qualified archaeologist to ensure that the project area does not contain evidence of any unrecorded archaeological sites. However, a formal Cultural Resources Investigation was never completed for this project. A referral to the local Tribe (Bear River Band of the Rohnerville Rancheria) resulted in no comments, except the recommendation to include inadvertent discovery protocol if any historical artifacts or human remains are encountered (**Condition 14**).

Access

The project is located in the Pilot Ridge area, on the north side of Stapp Road, approximately 5 miles from the intersection of Showers Pass Road and Stapp Road (APN: 317-033-008), in eastern Humboldt County. The Humboldt County Department of Public Works (DPW) reviewed the project and recommended conditions of approval pertaining to driveway/private road intersections (**Condition 15**) and Private road intersections (**Condition 16**). A Road Evaluation report was prepared for the project in September 2020, which recommended 1) clearing of brush on both sides of the roadway to maintain maximum intervisibility on the roadway; 2) installation of a stream crossing and 3) installation of the turnovers on both sides of the stream crossing (**Condition 17**). With these recommendations, the Road Evaluation report concludes that Stapp Road will be able to support the intended purposes of the proposed project.

CEQA

Environmental review for this project was conducted. Based on the results of that analysis, staff finds that all aspects of the project have been considered in the Mitigated Negative Declaration (MND) that was adopted for the CMMLUO and thus has prepared an addendum to the MND for consideration by the Planning Commission (See **Attachment 2** for more information).

RECOMMENDATION:

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

ALTERNATIVES: The Planning Commission could elect to 1) not approve the project, or 2) require the applicant to submit further evidence or modify the project. If modifications may cause potentially significant impacts, additional CEQA analysis and findings may be required. These alternatives could be implemented if the Commission is unable to make all of the required findings. Planning staff has stated that the required findings in support of the proposal have been made. Consequently, Planning staff does not recommend further consideration of any alternative.

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

**RESOLUTION OF THE PLANNING COMMISSION
OF THE COUNTY OF HUMBOLDT
Resolution Number 21-X
Record Number: PLN-11099-CUP
Assessor's Parcel Number: 317-033-008**

Resolution by the Planning Commission of the County of Humboldt certifying compliance with the California Environmental Quality Act and conditionally approves the Macras Land Company, Inc. (11099) Conditional Use Permit.

WHEREAS, Macras Land Company, Inc., submitted an application and evidence in support of approving the a Conditional Use Permit to permit a maximum of 19,595 square feet (SF) of cannabis cultivation, consisting of 13,035 SF outdoor cultivation and 6,560 SF mixed light cultivation. A total of 720 SF of immature/nursery space will used for propagation; and

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

WHEREAS, the Humboldt County Planning Commission held a duly-noticed public hearing on **November 4, 2021**, and reviewed, considered, and discussed the application for the requested Special Use Permits and reviewed and considered all evidence and testimony presented at the hearing.

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

- 1. FINDING:** **Project Description:** The application is for a Conditional Use Permit to permit a maximum of 19,595 square feet (SF) of cannabis cultivation, consisting of 13,035 SF outdoor cultivation and 6,560 SF mixed light cultivation. A total of 720 SF of immature/nursery space will used for propagation. Irrigation water is sourced from two existing groundwater wells [Permit Nos. 18/19-0423 (30 gpm) and 18/19-0264 (1 gpm)]. Annual water use is estimated at 429,500 gallons (21.92 gallons/SF). Water storage totals 25,000 gallons in eight (8) 2,500-gallon containers, and one (1) 5,000 gallon container. Drying/curing and processing will occur onsite within an existing 1,500 SF two-story metal building. Electricity is provided through the one (1) Honda EB5000X generator, housed in a semi-enclosed structure, running at 50% load.
EVIDENCE: Project File: PLN-11099-CUP

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

- EVIDENCE:** a) Addendum to the MND prepared for the proposed project in compliance with CEQA.
b) The proposed project does not present substantial changes that would require major revisions to the previous MND. No new information of substantial importance that was not known and could not be known at the time was presented as described by §15162(c) of CEQA Guidelines.

- c) A list of potential special status species was generated in September 2021, using the following information systems: California Natural Diversity Database (CDFW 2019), Biogeographic Information and Observation system (BIOS), Northern Spotted Owl Viewer (CDFW 2019), and US Fish and Wildlife Service (USFWS) Information for Planning and Consultation (IPaC). The searches did not show any species of concern (flora or fauna) within the boundaries of the project site. Project activities are not expected to produce any adverse or cumulative effects to any special status species or habitat, due to the small size of the project area and the type of proposed activities. Therefore, impacts to biological resources are considered low and unlikely.
- d) The Macras Land Company, Inc., property is enrolled with the North Coast Regional Water Quality Control Board (NCRWQCB), with an enrollment identification number (WDID No. 1_12CC402985 / 1B161503CHUM) for coverage as a Tier 2 Moderate Risk Site for Order WQ 2017-0023-DWQ.
- e) A database search for known cultural resources was requested of the Northwest Information Center (NWIC) in November 2017. Although the NWIC had no record of any previous cultural resources for the project area, NWIC recommended a survey be conducted by a qualified archaeologist to ensure that the project area does not contain evidence of any unrecorded archaeological sites. However, a formal Cultural Resources Investigation was never completed for this project. A referral to the local Tribe (Bear River Band of the Rohnerville Rancheria) resulted in no comments, except the recommendation to include inadvertent discovery protocol if any historical artifacts or human remains are encountered (**Condition 14**).

FINDINGS FOR CONDITIONAL USE PERMIT

3. FINDING

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

EVIDENCE

- a) General agriculture is a use type permitted in the Timberland (T) land use designation. The proposed cannabis cultivation, an agricultural product, is within land planned and zoned for agricultural purposes, consistent with the use of Open Space land for managed production of resources. The use of an agricultural parcel for commercial agriculture is consistent with the Open Space Plan and Open Space Action Program. Therefore, the project is consistent with and complimentary to the Open Space Plan and its Open Space Action Program.

4. FINDING

The proposed development is consistent with the purposes of the existing Timberland designation.

EVIDENCE

- a) Timberland is used to classify land that is primarily suitable for the growing, harvesting, and production of timber. General Agriculture and Intensive Agricultural are allowed uses within the T classification; therefore, the proposed cultivation use is consistent with this classification.
- b) Humboldt County Code Section 314-55.4 allows cultivation for up to 43,560 SF of existing mixed light cannabis on a parcel over 5 acres, subject to approval of a Conditional Use Permit and a determination that the cultivation was in existence prior to January 1, 2016. The application for a total of 19,595 SF of cannabis cultivation area on a 40-acre parcel is consistent with the Humboldt County Code and with the Cultivation Area

Verification prepared by the County.

5. FINDING

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

EVIDENCE

- a) The CMMLUO allows existing cannabis cultivation to be permitted in areas zoned Timber Production Zone (TPZ) (HCC 314-55.4.8.2.2).
- b) The parcel was created in compliance with all applicable state and local subdivision regulations, as it was created in 1977 via Book 8 of Parcel Maps, Page 115.
- c) Irrigation water is sourced from two existing groundwater wells [Permit Nos. 18/19-0423 (30 gpm) and 18/19-0264 (1 gpm)]. Annual water use is estimated at 429,500 gallons (21.92 gallons/SF). Water storage totals 25,000 gallons in eight (8) 2,500-gallon containers, and one (1) 5,000 gallon container.
- d) Electricity is provided through the one (1) Honda EB5000X generator, housed in a semi-enclosed structure, running at 50% load.
- e) The slope of the land where cannabis will be cultivated is less than 15%.
- f) The location of the cultivation complies with all setbacks required in Section 314-55.4.11.d. It is more than 30 feet from any property line, more than 300 feet from any offsite residence, and more than 600 feet from any school, church, or Tribal Cultural Resource. The entire subject parcel is located within the 600 foot buffer of State Park lands (located adjacently to the north), however there is no sensitive habitat located within 600 feet of the parcel and the project is not anticipated to have an adverse impact on park resources.

6. FINDING

The cultivation of 19,595 SF of cannabis and the conditions under which it may be operated and maintained will not be detrimental to the public health, safety, or welfare or materially injurious to properties or improvements in the vicinity.

EVIDENCE

- a) The project is located in the Pilot Ridge area, on the north side of Stapp Road, approximately 5 miles from the intersection of Showers Pass Road and Stapp Road (APN: 317-033-008), in eastern Humboldt County. The Humboldt County Department of Public Works (DPW) reviewed the project and recommended conditions of approval pertaining to driveway/private road intersections (**Condition 15**) and Private road intersections (**Condition 16**). A Road Evaluation report was prepared for the project in September 2020, which recommended 1) clearing of brush on both sides of the roadway to maintain maximum intervisibility on the roadway; 2) installation of a stream crossing and 3) installation of the turnovers on both sides of the stream crossing (**Condition 17**). With these recommendations, the Road Evaluation report concludes that Stapp Road will be able to support the intended purposes of the proposed project.
- b) The proposed cannabis cultivation will not be in a location where there is an established neighborhood or other sensitive receptor such as a school, church, park or other use which may be sensitive to cannabis cultivation. Approving cultivation on this site and the other sites, which have been approved or are in the application process, will not change the character of the area due to the large parcel sizes in the area.
- c) The location of the proposed cannabis cultivation is more than 300 feet from the nearest offsite residence.
- d) Irrigation water is sourced from two existing groundwater wells [Permit Nos.

18/19-0423 (30 gpm) and 18/19-0264 (1 gpm)].

- e) Annual water use is estimated at 429,500 gallons (21.92 gallons/SF).
- f) Water storage totals 25,000 gallons in eight (8) 2,500-gallon containers, and one (1) 5,000 gallon container.

7. FINDING

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

EVIDENCE

The parcel currently does not contain a residential unit. The approval of cannabis cultivation on this parcel will not conflict with the operation or use of the existing residential units on site.

DECISION

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

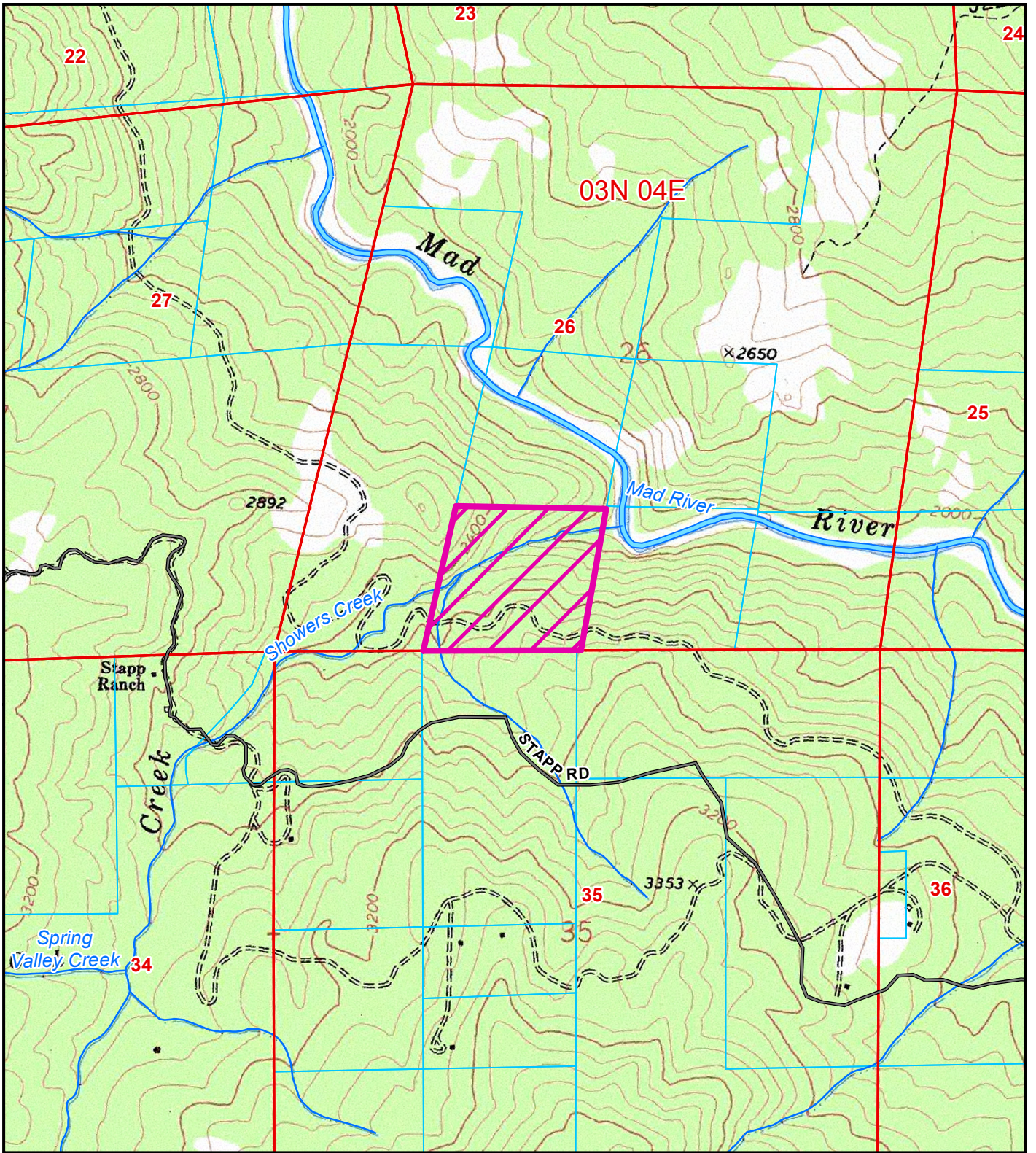
- Adopt the findings set forth in this resolution; and
- Conditionally approve the Conditional Use Permits (PLN-11099-CUP) for Macras Land Company, Inc., based upon the Findings and Evidence and subject to the conditions of approval attached hereto as Attachment 1 and incorporated herein by reference; and
- Adopted after review and consideration of all the evidence on November 4, 2021

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

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

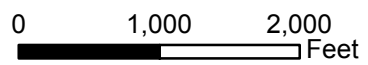
I, John Ford, Secretary to the Planning Commission of the County of Humboldt, do hereby certify the foregoing to be a true and correct record of the action taken on the above entitled matter by said Commission at a meeting held on the date noted above.

 John Ford, Director
 Planning and Building Department

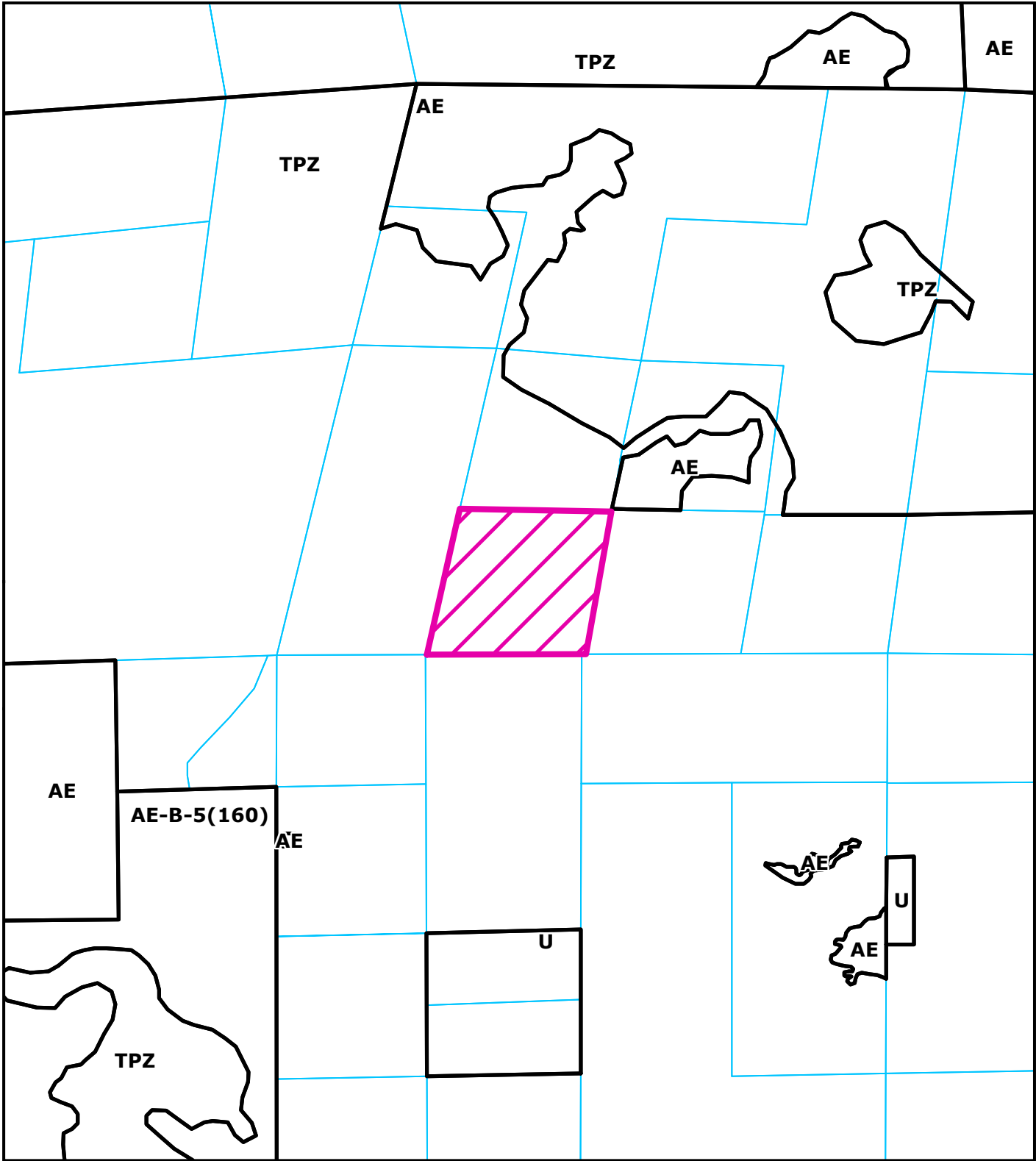


Project Area = 

**TOPO MAP
 PROPOSED MACRAS LAND CO. INC.
 PILOT RIDGE AREA
 CUP-16-147
 APN: 317-033-008
 T03N R04E S26 HB&M (SHOWERS MTN)**



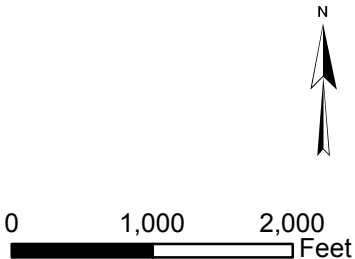
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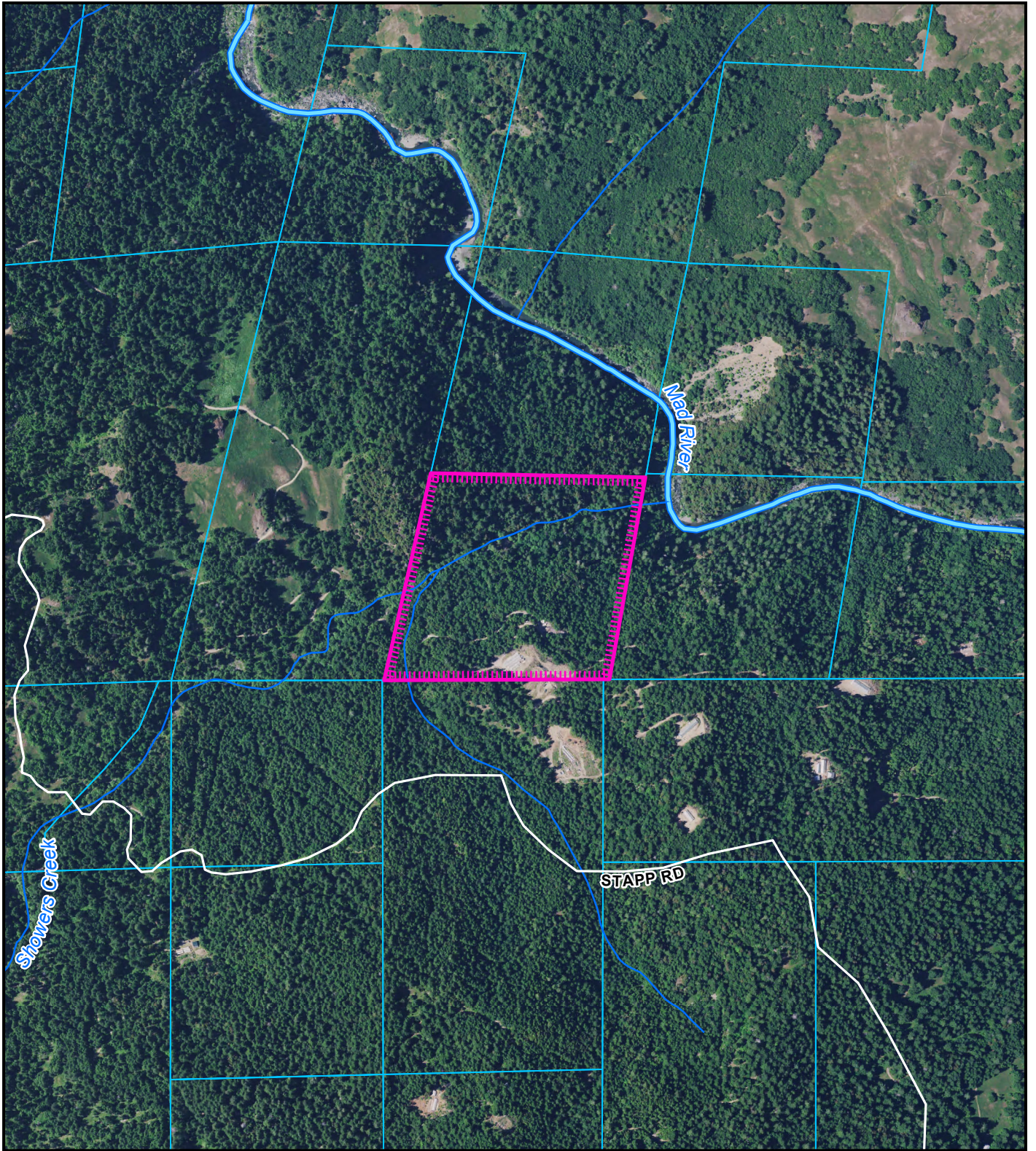


Project Area = 

ZONING MAP
PROPOSED MACRAS LAND CO. INC.
PILOT RIDGE AREA
CUP-16-147
APN: 317-033-008
T03N R04E S26 HB&M (SHOWERS MTN)

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



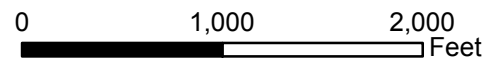


Project Area = 

AERIAL MAP
PROPOSED MACRAS LAND CO. INC.
PILOT RIDGE AREA
CUP-16-147
APN: 317-033-008
T03N R04E S26 HB&M (SHOWERS MTN)

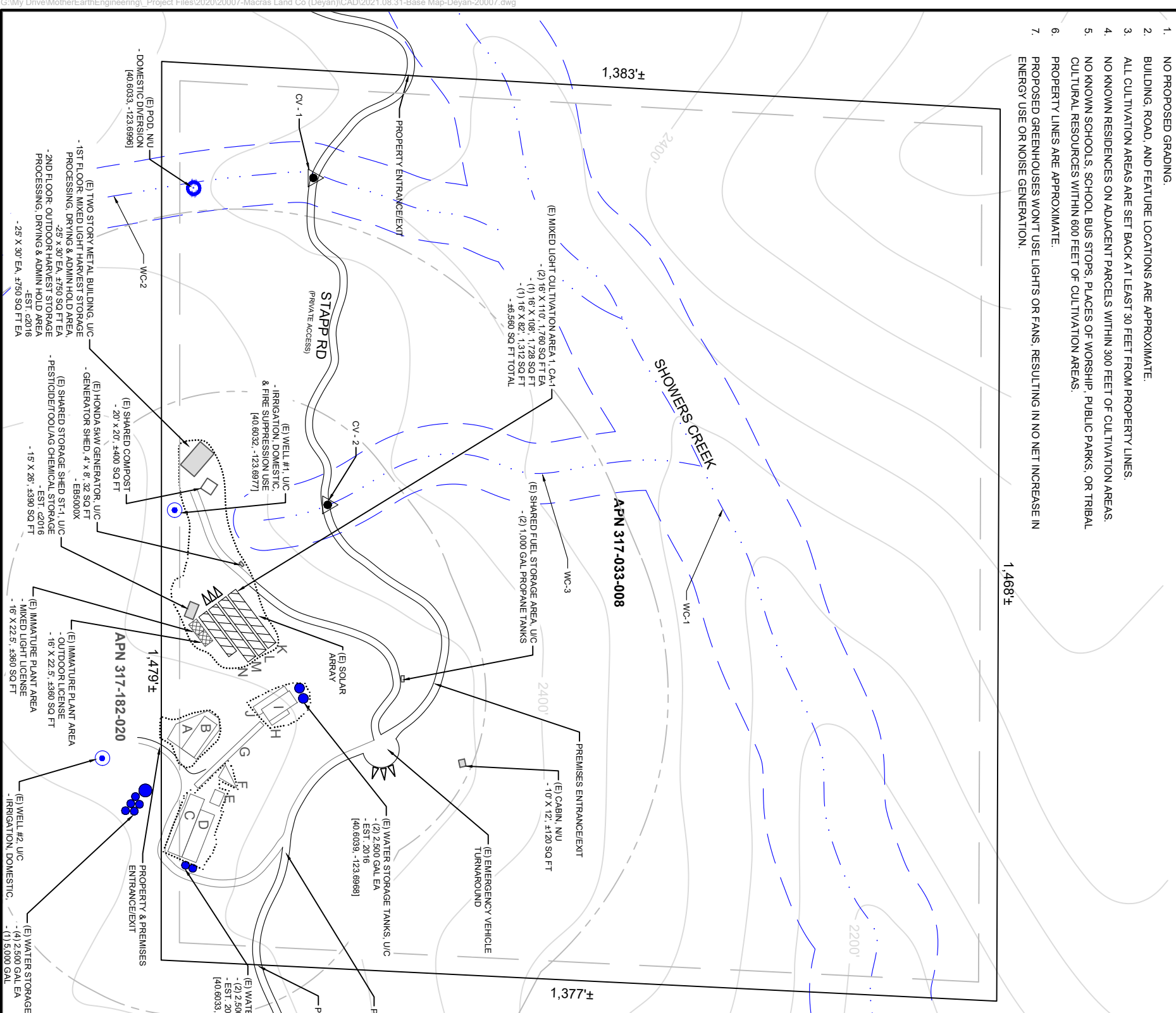


This map is intended for display purposes and should not be used for precise measurement or navigation. Data has not been completely checked for accuracy.



GENERAL NOTES:

1. NO PROPOSED GRADING.
2. BUILDING, ROAD, AND FEATURE LOCATIONS ARE APPROXIMATE.
3. ALL CULTIVATION AREAS ARE SET BACK AT LEAST 30 FEET FROM PROPERTY LINES.
4. NO KNOWN RESIDENCES ON ADJACENT PARCELS WITHIN 300 FEET OF CULTIVATION AREAS.
5. NO KNOWN SCHOOLS, SCHOOL BUS STOPS, PLACES OF WORSHIP, PUBLIC PARKS, OR TRIBAL CULTURAL RESOURCES WITHIN 600 FEET OF CULTIVATION AREAS.
6. PROPERTY LINES ARE APPROXIMATE.
7. PROPOSED GREENHOUSES WON'T USE LIGHTS OR FANS, RESULTING IN NO NET INCREASE IN ENERGY USE OR NOISE GENERATION.



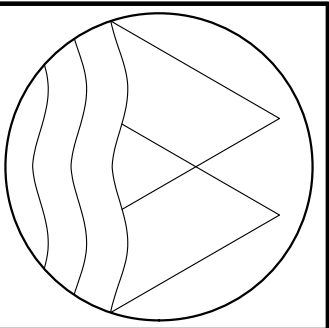
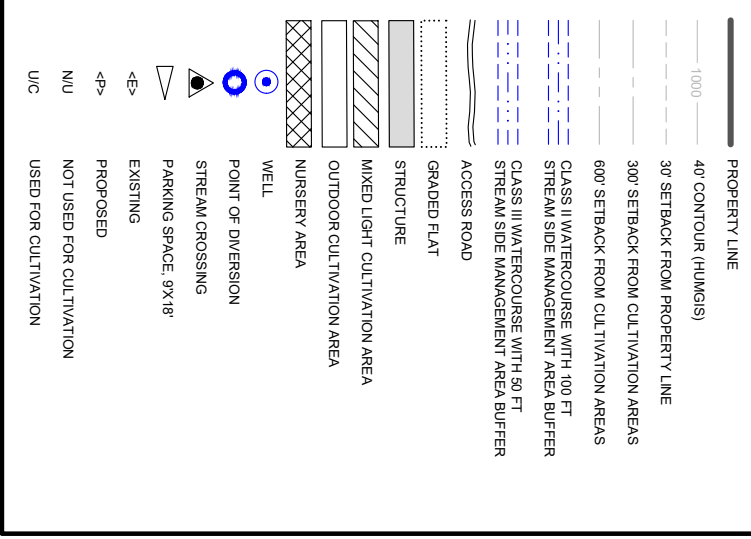
CANOPY AREA ID	LICENSE TYPE	CANOPY DIMENSIONS (FT)	CANOPY AREA (SQ FT)
A	OUTDOOR	25 X 65	1,625
B	OUTDOOR	IRREGULAR	2,310
C	OUTDOOR	25 X 102	2,550
D	OUTDOOR	25 X 85	2,125
E	OUTDOOR	17 X 23	391
F	OUTDOOR	IRREGULAR	403
G	OUTDOOR	9 X 150	1,350
H	OUTDOOR	8 X 35	280
I	OUTDOOR	23 X 55	1,265
J	OUTDOOR	IRREGULAR	736
EXISTING OUTDOOR CANOPY AREA (SQ FT)			13,035
K	MIXED LIGHT	16 X 110	1,760
L	MIXED LIGHT	16 X 110	1,760
M	MIXED LIGHT	16 X 108	1,728
N	MIXED LIGHT	16 X 82	1,312
MIXED LIGHT CANOPY AREA (SQ FT)			6,560
AGGREGATE CANOPY AREA (SQ FT)			19,595



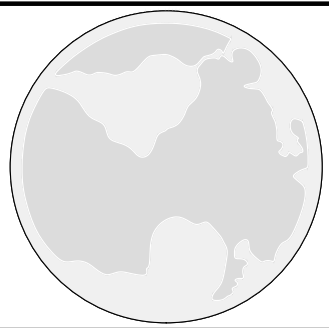
DIRECTIONS TO SITE

- FROM FRESHWATER, CA:
1. HEAD EAST ON KNEELAND RD, 16.5 MILES.
 2. TURN LEFT ONTO SHOWERS PASS RD, 10.4 MILES.
 3. SLIGHT LEFT ONTO STAPP RD, 1.0 MILES.
 4. TURN LEFT TO STAY ON STAPP RD, 3.5 MILES.
 5. PROPERTY ON THE RIGHT.

LEGEND



MOTHER EARTH ENGINEERING
425 I STREET
ARCATA, CA 95521, 707-633-8321



MEE JOB NO: 20007			
REVISION SCHEDULE			
#	DATE	BY	DESCRIPTION
0	01/31/20	JL	DRAFTED
1	9/22/20	JL	REVISIONS
2	11/04/20	JL	REVISIONS
3	01/18/21	JL	REVISIONS
4	09/01/21	DT	REVISIONS
5			

SITE PLAN
APN: 317-033-008
SITE ADDRESS: KNEELAND, CA

COUNTY CANNABIS PERMITTING
APPLICANT: MACRAS LAND CO, INC.
MAILING ADDRESS: 920 SAMOA BLVD STE 219, ARCATA CA 95521

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.

A. General Conditions:

1. The applicant is responsible for obtaining all necessary County and State permits and licenses, and for meeting all requirements set forth by other regulatory agencies.
2. The applicant is required to pay for permit processing on a time and material basis, as set forth in the schedule of fees and charges as adopted by ordinance of the Humboldt County Board of Supervisors. The Planning and Building Department will provide a bill to the applicant after the decision. Any and all outstanding planning fees to cover the processing of the application to decision by the Hearing Officer shall be paid to the Humboldt County Planning Division, 3015 "H" Street, Eureka.
3. The applicant is responsible for costs for post-approval review for determining project conformance with conditions. A deposit is collected to cover the staff review. Permit conformance with conditions must be demonstrated prior to release of building permit or initiation of use, and at the time of annual inspection. A conformance review deposit, as set forth in the schedule of fees and charges as adopted by ordinance of the Humboldt County Board of Supervisors (currently \$750), shall be paid within sixty (60) days of the effective date of the permit or upon filing of the Compliance Agreement (where applicable), whichever occurs first. Payment shall be made to the Humboldt County Planning Division, 3015 "H" Street, Eureka.
4. A Notice of Determination (NOD) will be prepared and filed with the County Clerk for this project in accordance with the State CEQA Guidelines. **Within three days of the effective date of permit approval**, it is requested that the applicant submit a check or money order for the required filing fee in the amount of \$50 payable to the Humboldt County Clerk/Recorder. If this payment is not received within this time period, the Planning and Building Department will file the NOD and will charge this cost to the project.
5. Within 60 days of the effective date of permit approval, the applicant shall execute a Compliance Agreement with the Humboldt County Planning and Building Department detailing all necessary permits and infrastructure improvements described under Conditions of Approval #6 through #18. The agreement shall provide a timeline for completing all outstanding items. All activities detailed under the agreement must be completed to the satisfaction of the Planning and Building Department before the permit may be finalized and no longer considered provisional.
6. The applicant shall secure permits for all structures related to the cannabis cultivation and other commercial cannabis activity including, but not limited to: existing and proposed greenhouses, water tanks over 5,000 gallons, existing and proposed structures associated with drying and storage or any activity with a nexus to cannabis, and any noise containment structures as necessary. The plans submitted for building permit approval shall be consistent with the project description and the approved project site plan. Communication from the Building Division, verifying that all structures related to the cannabis cultivation are permitted, was approved by Building Inspection Department on August 27, 2020.
7. Prior to renewal of the permit, the operator is required to submit to the Department of Environmental Health (DEH), receipts or copy of contract confirming sufficient use of portable toilets to serve staff for the duration of the first year, or provide written assessment from a qualified septic consultant

confirming a Tier 0 status for the addition of an onsite wastewater treatment system serving the dwelling (Department of Environmental Services).

8. Within 60 days of project approval, the owner/applicant/operator shall submit a lighting plan for all mixed light cultivation/light deprivation cultivation areas. The lighting plan shall be reviewed and approved by the Director of Planning and Building Services.
9. The applicant shall install a water monitoring device on each source – groundwater well and surface water diversion - if/when utilized and on storage tanks as applicable to monitor water used for cannabis irrigation separate from domestic use.
10. The applicant shall contact the Bridgeville Volunteer Fire Protection District and furnish written documentation from that agency of the available emergency response and fire suppression services and any recommended project mitigation measures. Mitigation measures shall be incorporated into the project, if applicable. If emergency response and fire suppression services are not provided, the applicant shall cause to be recorded an "ACKNOWLEDGMENT OF NO AVAILABLE EMERGENCY RESPONSE AND FIRE SUPPRESSION SERVICES" for the parcel(s) on a form provided by the Humboldt County Planning and Building Department. Document review fees as set forth in the schedule of fees and charges as adopted by ordinance of the Humboldt County Board of Supervisors will be required.
11. The applicant shall be compliant with the County of Humboldt's Certified Unified Program Agency (CUPA) requirements regarding hazardous materials. A written verification of compliance shall be required before any provisional permits may be finalized. Ongoing proof of compliance with this condition shall be required at each annual inspection in order to keep the permit valid.
12. The applicant shall execute and file with the Planning and Building Department 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.
13. At such time the applicant increases cultivation to maximum aggregate allotment, allowed under the CMMLUO 1.0 and Cultivation Area Verification (CAV) allowances, the applicant/operator/owner shall submit a revised site plan showing placement of all cannabis cultivation, broken down by zone and growing version (outdoor and/or mixed light), at least 30 days prior to placement/development of the cultivation area(s). The site plan shall be reviewed and approved by the Director of Planning and Building.
14. The applicant shall contact all Tribes associated with the project area to ensure that the site is outside Tribal Territories. The applicant shall implement the Inadvertent Discovery Protocol, in the event of the accidental discovery of historical artifacts or human remains. A qualified professional Archaeologist shall be contacted immediately, in order to inspect and clear the site for all further activities.
15. County Roads – Driveway & Private Road Intersections Visibility – All driveways and private road intersections onto the County Road shall be maintained in accordance with County Code Section 341-1 (Sight Visibility Ordinance). This condition shall be completed to the satisfaction of the Department of Public Works prior to commencing operations, final sign-off for a building permit, or Public Works approval for a business license.
16. County Roads – Private Road Intersection – Any existing or proposed non-county maintained access roads that will serve as access for the proposed project that connect to a county maintained road shall be improved to current standards for a commercial driveway. An encroachment permit shall be issued by the Department of Public Works prior to commencement of any work in the County maintained right of way. If the County road has a paved surface at the location of the access road, the access road shall be paved for a minimum width of 20 feet and length of 50 feet where it intersects the County road. This condition shall be completed to the satisfaction of the Department

of Public Works prior to commencing operations, final sign-off for a building permit, or Public Works approval for a business license.

17. A Road Evaluation report was prepared for the project in September 2020, which recommended 1) clearing of brush on both sides of the roadway to maintain maximum intervisibility on the roadway; 2) installation of a stream crossing and 3) installation of the turnovers on both sides of the stream crossing. These recommendations shall be completed as recommended within 12 months of project approval.
18. The use of generators as a primary power source for cannabis related activities shall cease by December 31, 2021. The applicant shall either connect to a utility or have an alternative source of power starting January 1, 2026.

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

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

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

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

Performance Standards for Cultivation and Processing Operations

24. Pursuant to the MCRSA, Health and Safety Code Section 19322(a)(9), an applicant seeking a cultivation license shall "provide a statement declaring the applicant is an 'agricultural employer,' as defined in the Alatorre-Zenovich-Dunlap-Berman Agricultural Labor Relations Act of 1975 (Part 3.5 commencing with Section 1140) of Division 2 of the Labor Code), to the extent not prohibited by law."
25. Cultivators shall comply with all applicable federal, state, and local laws and regulations governing California Agricultural Employers, which may include federal and state wage and hour laws, Cal/OSHA, OSHA, the California Agricultural Labor Relations Act, and the Humboldt County Code (including the Building Code).
26. Cultivators engaged in processing shall comply with the following Processing Practices:
 - a. Processing operations must be maintained in a clean and sanitary condition including all work surfaces and equipment.
 - b. Processing operations must implement protocols which prevent processing contamination and mold and mildew growth on cannabis.
 - c. Employees handling cannabis in processing operations must have access to facemasks and gloves in good operable condition as applicable to their job function.
 - d. Employees must wash hands sufficiently when handling cannabis or use gloves.
27. All persons hiring employees to engage in commercial cannabis cultivation and processing shall comply with the following Employee Safety Practices:
 - a. Cultivation operations and processing operations must implement safety protocols and provide all employees with adequate safety training relevant to their specific job functions, which may include:
 - (1) Emergency action response planning as necessary;
 - (2) Employee accident reporting and investigation policies;
 - (3) Fire prevention;
 - (4) Hazard communication policies, including maintenance of material safety data sheets (MSDS);
 - (5) Materials handling policies;
 - (6) Job hazard analyses; and
 - (7) Personal protective equipment policies, including respiratory protection.

- b. Cultivation operations and processing operations must visibly post and maintain an emergency contact list which includes at a minimum:
 - (1) Operation manager contacts;
 - (2) Emergency responder contacts; and
 - (3) Poison control contacts.
 - c. At all times, employees shall have access to safe drinking water and toilets and handwashing facilities that comply with applicable federal, state, and local laws and regulations. Plumbing facilities and water source must be capable of handling increased usage without adverse consequences to neighboring properties or the environment.
 - d. Onsite housing provided to employees shall comply with all applicable federal, state, and local laws and regulations.
28. All cultivators shall comply with the approved processing plan as to the following:
- a. Processing practices;
 - b. Location where processing will occur;
 - c. Number of employees, if any;
 - d. Employee Safety Practices;
 - e. Toilet and handwashing facilities;
 - f. Plumbing and/or septic system and whether or not the system is capable of handling increased usage;
 - g. Drinking water for employees;
 - h. Plan to minimize impact from increased road use resulting from processing; and
 - i. Onsite housing, if any.
29. Term of Commercial Cannabis Activity Special Permit. Any Commercial Cannabis Activity Permit issued pursuant to the CMMLUO shall expire one (1) year after date of issuance, and on the anniversary date of such issuance each year thereafter, unless an annual compliance inspection has been conducted and the permittees and the permitted site have been found to comply with all conditions of approval.
30. If the inspector or other County official determines that the permittees or site do not comply with the conditions of approval, the inspector shall serve the permit holder with a written statement identifying the items not in compliance, and the action that the permit holder may take to cure the noncompliance, or file an appeal within ten (10) days of the date that the written statement is delivered to the permit holder. Personal delivery or mailing the written statement to the mailing address listed on the application by regular mail, plus three (3) days after date of mailing, shall constitute delivery. The permit holder may request a re-inspection to determine whether or not the permit holder has cured all issues of noncompliance. Failure to request re-inspection or to cure any items of noncompliance shall terminate the Special Permit, immediately upon the expiration of any appeal period, or final determination of the appeal if an appeal has been timely filed pursuant to Section 55.4.13.
31. Permit Renewals to Comply with Updated Laws and Regulations. Permit renewal is subject to the laws and regulations effective at the time of renewal, which may be substantially different than the regulations currently in place and may require the submittal of additional information to ensure that new standards are met.
32. Acknowledgements to Remain in Full Force and Effect. Permittee acknowledges that the County reserves the right to reduce the size of the area allowed for cultivation under any clearance or permit issued in accordance with this section in the event that environmental conditions, such as a sustained drought or low flows in the watershed in which the cultivation area is located, will not support diversions for irrigation.
33. Transfers. Transfer of any leases or permits approved by this project is subject to the review and approval of the Planning Director for conformance with CMMLUO eligibility requirements and

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

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

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

Informational Notes:

1. Pursuant to Section 314-55.4.11(a) of the CMMLUO, if upon inspection for the initial application, violations of any building or other health, safety, or other state or county statute, ordinance, or regulation are discovered, the Planning and Building Department may issue a provisional clearance or permit with a written approved Compliance Agreement. By signing the agreement, the permittee agrees to abate or cure the violations at the earliest opportunity but in no event more than two (2) years after the date of issuance of the provisional clearance or permit. Plans for curing the violations shall be submitted to the Planning and Building Department by the permittee within one (1) year of the issuance of the provisional certificate or permit. The terms of the compliance agreement may be appealed pursuant to Section 314-55.4.13 of the CMMLUO.
2. This provisional permit approval shall expire and become null and void at the expiration of one (1) year after all appeal periods have lapsed (see "Effective Date"), except where the Compliance Agreement per Condition of Approval #B.11 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 #B.29 and B.30 of the Ongoing Requirements/Development Restrictions, above.
3. If cultural resources are encountered during construction activities, the contractor onsite shall cease all work in the immediate area and within a 50-foot buffer of the discovery location. A qualified archaeologist and the appropriate Tribal Historic Preservation Officer(s) are to be contacted to evaluate the discovery and, in consultation with the applicant and the lead agency, develop a treatment plan in any instance where significant impacts cannot be avoided.

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

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

ATTACHMENT 2

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

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

**APN 317-033-008-000;
North side of Stapp Road, approximately 5 miles from the intersection of Showers Pass Road and Stapp
Road, Pilot Ridge Area, California
County of Humboldt**

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

September 2021

BACKGROUND

Purpose of Addendum

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

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

Project History

The Commercial Medical Marijuana Land Use Ordinance (CMMLUO) established specific regulations for commercial cannabis operations in Humboldt County. The CMMLUO was considered a "project" under CEQA and thus required analysis for potential environmental impacts. Therefore, the CMMLUO regulations were developed and adopted in concert with the environmental analysis and MND that was adopted for the ordinance in 2016.

The MND addressed the broad environmental impacts that could be expected to occur from the adoption and implementation of the ordinance. The MND specified that the regulations established in the CMMLUO would mitigate the impacts of existing cannabis operations and unregulated land use to help prevent and reduce environmental impacts that are known to result from unpermitted baseline cultivation operations. Commercial cannabis cultivation in existence as of December 31, 2015, was included in the environmental baseline for the MND. The MND states that "Bringing existing operations into compliance will help to attenuate potential environmental effects from existing cultivation activities, including aesthetic impacts resulting from improper operation or poor siting." As applications are filed for new or differing cultivation activities, the "modification" to the CMMLUO is evaluated for consistency and compliance with the CMMLUO MND.

Modified Project Description

Macras Land Company, Inc. seeks approval for a Conditional Use Permit to permit a maximum of 19,595

square feet (SF) of cannabis cultivation, consisting of 13,035 SF outdoor cultivation and 6,560 SF mixed light cultivation. A total of 720 SF of immature/nursery space will be used for propagation. Irrigation water is sourced from two existing groundwater wells [Permit Nos. 18/19-0423 (30 gpm) and 18/19-0264 (1 gpm)]. Annual water use is estimated at 429,500 gallons (21.92 gallons/SF). Water storage totals 25,000 gallons in eight (8) 2,500-gallon containers, and one (1) 5,000-gallon container. There is an additional 2,500-gallon fire suppression storage tank on site. Drying/curing and processing will occur onsite within an existing 1,500 SF two-story metal building. The applicant may also utilize off-site processing should it become necessary. There would be two (2) full-time employees during normal operations, with a total of six (6) employees during peak periods. Electricity is provided through the one (1) Honda EB5000X generator, housed in a semi-enclosed structure, running at 50% load.

A list of potential special status species was generated in September 2021, using the following information systems: California Natural Diversity Database (CDFW 2019), Biogeographic Information and Observation system (BIOS), Northern Spotted Owl Viewer (CDFW 2019), and US Fish and Wildlife Service (USFWS) Information for Planning and Consultation (IPaC). The searches did not show any species of concern (flora or fauna) within the boundaries of the project site. Project activities are not expected to produce any adverse or cumulative effects to any special status species or habitat, due to the small size of the project area and the type of proposed activities. Therefore, impacts to biological resources are considered low and unlikely.

A database search for known cultural resources was requested of the Northwest Information Center (NWIC) in November 2017. Although the NWIC had no record of any previous cultural resources for the project area, NWIC recommended a survey be conducted by a qualified archaeologist to ensure that the project area does not contain any evidence of unrecorded archaeological sites. However, a formal Cultural Resources Investigation was never completed for this project. A referral to the local Tribe (Bear River Band of the Rohnerville Rancheria) resulted in no comments, except the recommendation to include inadvertent discovery protocol if any historical artifacts or human remains are encountered (Condition 14).

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

Summary of Significant Project Effects and Mitigation Recommended

No changes are proposed for the original MND recommended mitigation measures. The proposal to authorize the continued operation of an existing cannabis cultivation site consisting of 19,595 square feet (SF) of cannabis cultivation, consisting of 13,035 SF outdoor cultivation and 6,560 SF mixed light cultivation, and a total of 720 SF of immature/nursery space is fully consistent with the impacts identified and adequately mitigated in the original MND. The project, as conditioned to implement responsible agency recommendations, results in no significant adverse environmental effects beyond those identified in the MND. Compliance with the CMMLUO ensures consistency with the adopted MND and provides for mitigation of all project-related impacts to a less than significant level.

In reviewing the application for consistency with the adopted MND, the County considered the following information and studies, among other documents:

- Revised Site Plan created by applicant, dated September 1, 2021.
- Cultivation and Operations Plan, created by applicant, January 19, 2021.
- Site Management Plan, (WDID: 1_12CC402985) dated April 17, 2019.
- NWIC Search conducted on November 2017.
- Correspondence from Bear River Band of the Rohnerville Rancheria (Erika Cooper, M.A.), dated March 5, 2018.

- Road Evaluation Report, prepared by Mother Earth Engineering, dated September 2020.
- Lake and Streambed Alteration Agreement (LSAA) No. 1600-2017-0360-R1, dated October 9, 2018.

Other CEQA Considerations

Staff suggests no changes for the revised project.

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

See **Purpose** statement above.

For every environmental topic analyzed in this review, the potential environmental impacts of the current project proposal, **Macras Land Company, Inc. 11099**, would be the same or similar, with no substantial increase in severity, than the initial CMMLUO project for which the MND was adopted. Based upon this review, the following findings are supported:

FINDINGS

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

CONCLUSION

Based on these findings, it is concluded that an Addendum to the certified MND is appropriate to address the requirements under CEQA for the current project proposal, **Macras Land Company, Inc. (11099)**. All of the findings, mitigation requirements, and mitigation and monitoring program of the MND, remain in full force and effect on the original project.

ATTACHMENT 3

Applicant's Evidence in Support of the Required Findings

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

1. The name, contact address, and phone number(s) of the applicant. (**On file**)
2. If the applicant is not the record title owner of parcel, written consent of the owner for the application with original signature and notary acknowledgement. (**On file**)
3. Site plan showing the entire parcel, including easements, streams, springs, ponds and other surface water features, and the location and area for cultivation on the parcel with dimensions of the area for cultivation and setbacks from property lines. The site plan shall also include all areas of ground disturbance or surface water disturbance associated with cultivation activities, including access roads, water diversions, culverts, ponds, dams, graded flats, and other related features. If the area for cultivation is within one-quarter mile (1,320 feet) of a school, school bus stop, church or other place of religious worship, public park, or tribal cultural resource, the site plan shall include dimensions showing that the distance from the location of such features to the nearest point of the cultivation area is at least 600 feet. (Revised Site Plan created by applicant, **Map 3**)
4. A cultivation and operations plan that meets or exceeds minimum legal standards for water source, storage, irrigation plan, conservation, and projected use; drainage, runoff and erosion control; watershed and habitat protection; and storage of fertilizers, pesticides, and other regulated products to be used on the parcel. 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. (Cultivation and Operations Plan, created by Applicant, **Attached**)
5. Copy of the statement of water diversion, or other permit, license or registration filed with the State Water Resources Control Board, Division of Water Rights, if applicable. (SUIR Registration No. H501532/Certificate H100454, **Attached**)
6. Description of water source, storage, irrigation plan, and projected water usage. (Included in Cultivation Operations Plan - see item 4 above)
7. Copy of Notice of Intent and Monitoring Self-Certification and other documents filed with the North Coast Regional Water Quality Control Board (NCRWQCB) demonstrating enrollment in Tier 1, 2 or 3, NCRWQCB Order No. 2015-0023, or any substantially equivalent rule that may be subsequently adopted by the County of Humboldt or other responsible agency. (Site Management Plan, (WDID: 1_12CC402985) dated April 17, 2019, **Attached**)
8. If any onsite or offsite 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 Lake and Streambed Alteration Permit obtained from the California Department of Fish and Wildlife. (Lake and Streambed Alteration Agreement (LSAA) No. 1600-2017-0360-R1, dated October 9, 2018, **On File**)
9. If the source of water is a well, a copy of the County well permit, if available. (Permit Nos. 18/19-0423 and 18/19-0264, **On file**)
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. **(On File)**

11. Consent for on-site inspection of the parcel by County officials at prearranged date and time in consultation with the applicant prior to issuance of any clearance or permit, and once annually thereafter. **(On file)**
12. For indoor cultivation facilities, identification of the source of electrical power, how it will meet the energy requirements in Section 55.4.8.2.3, and the plan for compliance with applicable building codes. **(On file)**
13. Acknowledgment 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. Acknowledgment 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)**

ATTACHMENT 4

REFERRAL AGENCY COMMENTS AND RECOMMENDATIONS

The project was referred to the following agencies for review and comment. The agencies that provided written comments are indicated with a check under Response.

Referral Agency	Response	Recommendation	Location
Department of Health & Human Services	✓	Approved	On-File
Department of Building Inspection	✓	Approved	On-File
Public Works, Land Use Division	✓	Approved with Conditions	On-File
CalFIRE	✓	Approved	On-File
Northwest Information Center (NWIC)	✓	Memo	On-File and Confidential
Bear River Band of the Rohnerville Rancheria	✓	Email	On-File

Macras Land CO., Inc.
App #: 11099
APN: 317-033-008

Cultivation and Operations Plan Addendum



Project Description

This application is for a commercial cannabis cultivation permit:

Existing Mixed Light Cultivation (Supplemental lighting): 6,861 ft²

Existing Outdoor Cultivation (no artificial lighting): 17,262 ft²

Parking Plan

Per the Cultivation and Operations plan, it is expected that an average of two employees will be onsite during normal operations, with a total of six employees during processing operations. As a result, there are a total of six parking spaces on the property and are indicated on the Revised Site Plan.

OWTS

An OWTS Feasibility Report has been completed for this property. Currently, portable toilets are utilized on site and are serviced by B&B Toilets. The long term permanent solution for the property is to implement a septic design as outlined by the Feasibility Report.

Noise Analysis

The generator used on site is a Honda EB5000X. This generator is located in a semi-enclosed structure and is typically running at 50% load. Manufacturer's specifications for this generator is 63 dB(A) at 50% rated load and 65 dB(A) at 100% rated load at a distance of 23 feet (Honda, 2017). Using the Inverse Square Law Calculator, the sound pressure level at 100 ft at 50% load is 50.2 dB(A). With the dampening effect of the semi-enclosed structure, it is expected that the sound pressure level will be below 50 dB(A) at 100 ft.

International Dark Sky Association Standards

In order to comply with the International Dark Sky Association Standards regarding nighttime light pollution, all cultivation areas utilizing mixed light will be covered at night with blackout-style woven poly tarps.

Greenhouse Floorplans and Foot Paths

All greenhouses and cultivation areas consist of raised beds or cultivation pots that exist on permeable graded flats or native soil. Figure 1 below shows the construction and setup of the cultivation areas and the permeable floors that exist throughout each greenhouse/cultivation area. No prime agricultural soil exists on the property.



Figure 1: Cultivation greenhouses on property, showing permeable foot paths throughout.

Water Bladder Replacement Plan

The Applicant will be removing the water storage bladders that were previously utilized for cannabis irrigation. No additional water storage solutions are provided at this time, as irrigation water will continue to be provided by two permitted groundwater wells and a permitted stream diversion. Water will be stored in 25,000 gallons worth of HDPE water storage tanks. This arrangement will allow for the Applicant to sufficiently store and use water during the forbearance period associated with the permitted stream diversion.

Processing

The applicant proposes processing in an existing 1,500 sq. ft. two story metal building as indicated on the Site Plan. All processing methods utilized will comply with all industry, county, and state rules and guidelines. All work surfaces and equipment maintained in a clean and sanitary condition. The applicant may also process at licensed off site facilities should it become necessary.

Processing Staffing + Staff Screening Processes:

The facility will require 6 full time employees during peak operations.

All candidates for staff will undergo criminal background checks as part of the standard screening process. To the maximum effect allowed by California and federal employment law, candidates with a violent criminal history or a history of drug abuse will be screened from employment.

Days and Hours of Operation:

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

Hours of operation will typically be from 9 AM to 5 PM; eight hours per work shift. Commercial activities such as shipping and receiving will be limited to 9AM to 2PM.

Employee Safety Practices:

Processing operations implement best practices to the highest degree feasible. The operation follows all safety protocols and provides all employees with adequate safety training pursuant to County and State regulations and guidance. Employee safety practices will be following standards set forth by the County and State which may include the following and additional elements:

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

Safe Drinking Water, Toilets, and Sanitary Facilities:

At all times, employees will have access to safe drinking water and toilets and handwashing facilities that comply with applicable federal, state, and local laws and regulations.

Domestic water shall be sourced from an onsite well.

Processing facilities shall be equipped with an ADA portable toilet until a permanent ADA restroom and septic system can be permitted and installed.

Increased Road Use:

Processing employees are expected to carpool to and from the site resulting in an increased 6 trips per day. No significant noise or traffic impacts are anticipated on access roads or impacts to neighboring properties are anticipated for processing activities.

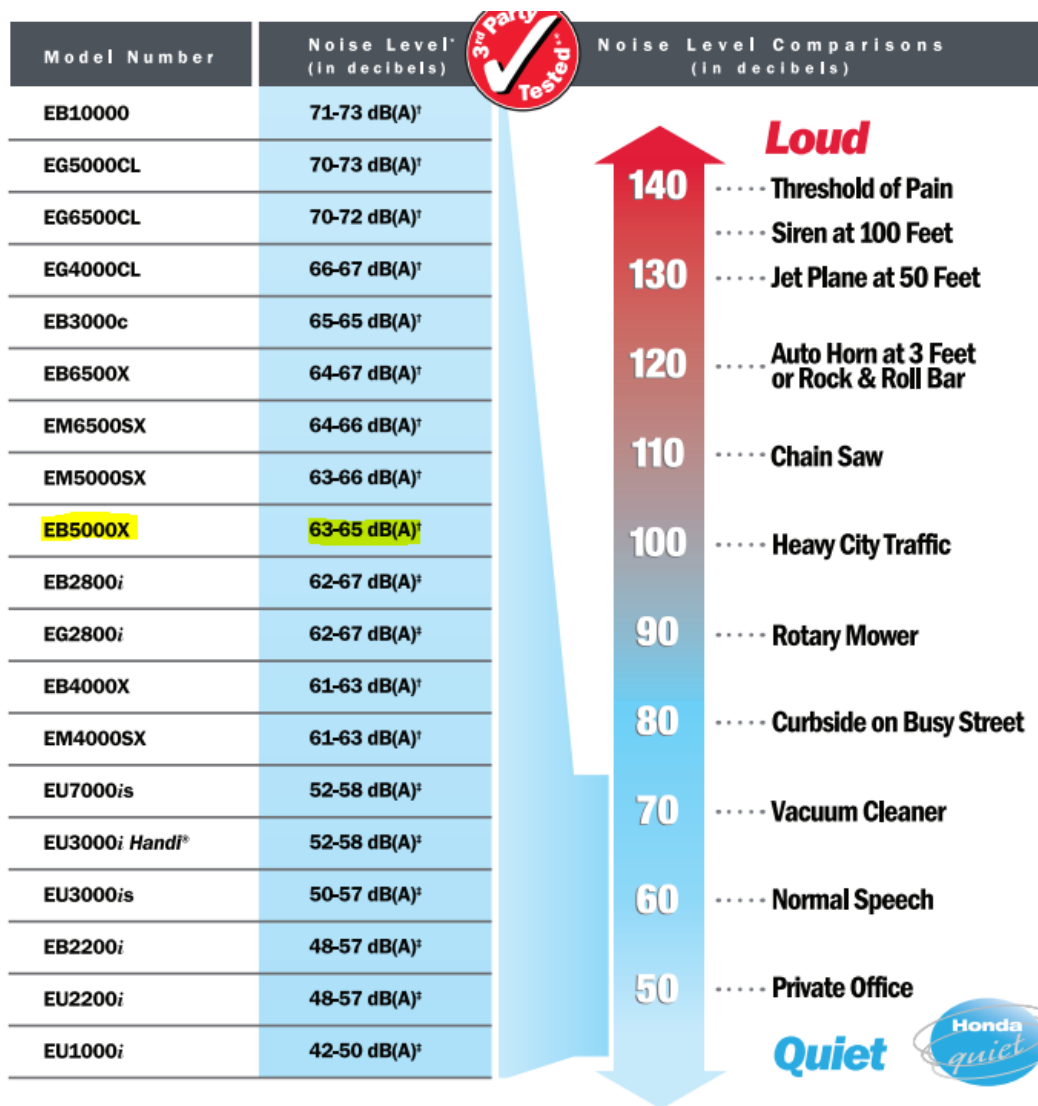
Housing: No housing shall be provided for processing employees; employees shall commute to the site.

Noise Analysis Calculations

The generator used on site is a Honda EB5000X. Manufacturer’s specifications for this generator is 63 dB(A) at 50% rated load and 65 dB(A) at 100% rated load at a distance of 23 feet (Honda, 2017). The generator used on site is typically used at 50% load. Using the Inverse Square Law Calculator, it is expected that the sound pressure level at 100 ft at 50% load is 50.2 dB(A).

Honda Noise Level chart: <http://cdn.powerequipment.honda.com/pe/pdf/misc/Honda-Generators-dBA-Chart-2018.pdf>

Inverse Square Law: https://www.engineeringtoolbox.com/inverse-square-law-d_890.html



*Tested in accordance with ISO 9614-2, sound pressure level calculated at 23 Feet (7 meters) using the front plane of the generator (control panel side) per ASHRAE Handbook 2017.
[†]3rd Party Testing by Leading Independent Laboratory. [‡]50% Rated Load-100% Rated Load. [§]25% Rated Load-100% Rated Load.

Distance (feet) (m)	Sound Pressure Level (dB)
1.25	
2.5	
5	
10	
20	
40	104
80	98
160	92
320	86
640	78
1280	74
2560	68
5120	62

www.engineeringtoolbox.com says

dL - Sound Pressure Level Difference (dB): -12.8

Lp2 - Sound Pressure Level at Distance (dB): 50.2

OK

Inverse Square Law Calculator

Use the calculator below to calculate the sound pressure level at distance.

L_{p1} - sound pressure level at location 1 (dB)

R_1 - distance from source to location 1 (m, ft)

R_2 - distance from source to location 2 (m, ft)

Calculate!

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

RECEIVED
OCT 09 2018
CDFW-NR
EUREKA LICENSE



STREAMBED ALTERATION AGREEMENT
NOTIFICATION NO. 1600-2017-0360-R1
Unnamed Tributaries to Showers Creek, Tributary to the Mad River and
the Pacific Ocean

Nathan Machiorlatti
Machiorlatti Water Diversion and Stream Crossings Project
3 Encroachments



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

RECITALS

WHEREAS, pursuant to Fish and Game Code (FGC) section 1602, the Permittee initially notified CDFW on June 19, 2017, with revisions received on June 19, 2017, July 12, 2018, July 26, 2018, August 28, 2018 and September 14, 2018 that the Permittee intends to complete the project described herein.

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

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

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

PROJECT LOCATION

The project to be completed is located within the Mad River watershed, approximately 20 miles North of the town of Bridgeville, County of Humboldt, State of California. The project is located in Section 26, T3N, R4E, Humboldt Base and Meridian; in the Showers Mountain U.S. Geological Survey 7.5-minute quadrangle; Assessor's Parcel Number 317-033-008; latitude 40.603301 N and longitude -123.699619 W.

PROJECT DESCRIPTION

The project is limited to three encroachments (Table 1). One encroachment is for water diversion from an Unnamed Tributary to Showers Creek. Water is diverted for domestic



State of California – Natural Resources Agency
DEPARTMENT OF FISH AND WILDLIFE
Northern Region
619 Second Street
Eureka, California 95501
(707) 445-6493
www.wildlife.ca.gov

EDMUND G. BROWN, Jr., Governor
CHARLTON H. BONHAM, Director



September 14, 2018

Nathan Machiorlatti
955 Samoa Blvd Suite 219
Arcata, CA 95521

Subject: Draft Lake or Streambed Alteration Agreement
Notification No. 1600-2017-0360-R1
Machiorlatti Water Diversion and Stream Crossings Project

Dear Nathan Machiorlatti:

The California Department of Fish and Wildlife (Department) has determined that your project requires a Lake or Streambed Alteration Agreement (Agreement) because it could substantially adversely affect an existing fish or wildlife resource. Enclosed is a draft Agreement that includes measures the Department has determined are necessary to protect existing fish and wildlife resources.

Within 30 days of receipt of this draft Agreement, you must notify the Department in writing whether the measures to protect fish and wildlife resources are acceptable (Fish and Game Code section 1603). If you agree with the measures set forth in the draft Agreement, you or your authorized representative **must return the draft Agreement with original signature to the above address.**

If you disagree with any measures in the draft Agreement, please contact the Department staff identified below. In the event that mutual agreement is not reached, you may follow the dispute resolution process described in Fish and Game Code section 1603(a), Part III of the "Notification Instructions and Process." If you fail to respond in writing within 90 days of receiving the draft Agreement, the Department may withdraw the draft Agreement.

Please be advised the Department may not execute the Agreement until it has complied with the California Environmental Quality Act (CEQA) (Public Resources Code section 21000 *et seq.*) as the lead or a responsible agency. Please note that the draft Agreement may be subject to change upon receipt and review of the environmental document for the project.

After you receive a final Agreement executed by the Department, you may begin the project the Agreement authorizes provided you have obtained all other necessary local, state, and federal permits or other authorizations.

Conserving California's Wildlife Since 1870

Machiorlatti
September 14, 2018
Page 2 of 2

For more information on the process described above, please refer to Part IV in the "Notification Instructions and Process" included with your notification materials, which is also available at www.wildlife.ca.gov/habcon/1600/notificationpackage.pdf.

If you have any questions regarding this letter, please contact Environmental Scientist Kalyn Bocast at kalyn.bocast@wildlife.ca.gov or (707) 441-2077.

Sincerely,


For Scott Bauer
Senior Environmental Scientist Supervisor

cc. Patricia Lai
Mother Earth Engineering
p@motherearthengineering.com

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



STREAMBED ALTERATION AGREEMENT

NOTIFICATION No. 1600-2017-0360-R1

Unnamed Tributaries to Showers Creek, Tributary to the Mad River and the Pacific Ocean

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

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

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PROJECT LOCATION

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PROJECT DESCRIPTION

The project is limited to three encroachments (Table 1). One encroachment is for water diversion from an Unnamed Tributary to Showers Creek. Water is diverted for domestic

use and irrigation. Work for the water diversion will include facility retrofit, use, and maintenance of the water diversion infrastructure. The two other proposed encroachments are to install culverts on road stream crossings with no current infrastructure. Work for these encroachments will include limited tree removal, excavation, installation of new properly sized culverts, backfilling and compaction of fill, and rock armoring as necessary to minimize erosion.

Table 1. Project Encroachments with Description

ID	Latitude/Longitude	Description
Crossing-1	40.6038, -123.6997	Install an 84" diameter culvert on a Class II stream with no existing infrastructure. Project will include removal of eight red alder trees ranging from 2"-12" in diameter. Trees will be replanted at 2:1 ratio.
Crossing-2	40.6039, -123.6978	Install a 36" diameter culvert on a Class III stream with no existing infrastructure.
POD-1	40.6033, -123.6996	1. Remove existing unpermitted water diversion. 2. Install new water diversion structure consistent with this agreement. 3. Use and maintenance of water diversion infrastructure.

PROJECT IMPACTS

Existing fish or wildlife resources the project could substantially adversely affect include Steelhead Trout (*Oncorhynchus mykiss*), Coastal Rainbow Trout (*Oncorhynchus mykiss irideus*), Southern Torrent Salamander (*Rhyacotriton variegatus*), Pacific Giant Salamander (*Dicamptodon tenebrosus*), Northwestern Salamander (*Ambystoma gracile*), Rough-skinned Newt (*Taricha granulosa*), Foothill Yellow-legged Frog (*Rana boylei*), Northern, Tailed Frog (*Ascaphus truei*), Western Pond Turtle (*Actinemys marmorata marmorata*), amphibians, reptiles, aquatic invertebrates, mammals, birds, and other aquatic and riparian species.

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

Impacts to water quality:

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

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

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

Impacts to natural flow and effects on habitat structure and process:

- cumulative effect when other diversions on the same stream are considered;
- diversion of flow from activity site;
- direct and/or incidental take;
- indirect impacts;

impediment of up- or down-stream migration;
water quality degradation; and
damage to aquatic habitat and function.

MEASURES TO PROTECT FISH AND WILDLIFE RESOURCES

1. Administrative Measures

The Permittee shall meet each administrative requirement described below.

- 1.1 **Documentation at Project Site.** The Permittee shall make the Agreement, any extensions and amendments to the Agreement, and all related notification materials and California Environmental Quality Act (CEQA) documents, readily available at the project site at all times and shall be presented to CDFW personnel, or personnel from another state, federal, or local agency upon request.
- 1.2 **Providing Agreement to Persons at Project Site.** The Permittee shall provide copies of the Agreement and any extensions and amendments to the Agreement to all persons who will be working on the project at the project site on behalf of the Permittee, including but not limited to contractors, subcontractors, inspectors, and monitors.
- 1.3 **Adherence to Existing Authorizations.** All water diversion facilities that the Permittee owns, operates, or controls shall be operated and maintained in accordance with current law and applicable water rights.
- 1.4 **Change of Conditions and Need to Cease Operations.** If conditions arise, or change, in such a manner as to be considered deleterious by CDFW to the stream or wildlife, operations shall cease until corrective measures approved by CDFW are taken. This includes new information becoming available that indicates that the bypass flows and diversion rates provided in this agreement are not providing adequate protection to keep aquatic life downstream in good condition or to avoid “take” or “incidental take” of federal or State listed species.
- 1.5 **Notification of Conflicting Provisions.** The Permittee shall notify CDFW if the Permittee determines or learns that a provision in the Agreement might conflict with a provision imposed on the project by another local, state, or federal agency. In that event, CDFW shall contact the Permittee to resolve any conflict.
- 1.6 **Project Site Entry.** The Permittee agrees to allow CDFW employees access to any property it owns and/or manages for the purpose of inspecting and/or monitoring the activities covered by this Agreement, provided CDFW: a) provides 24 hours advance notice; and b) allows the Permittee or representatives to participate in the inspection and/or monitoring. This condition does not apply to CDFW enforcement personnel.

- 1.7 **CDFW Notification of Work Initiation and Completion.** The Permittee shall contact CDFW within the seven-day period preceding the beginning of work permitted by this Agreement. Information to be disclosed shall include Agreement number, and the anticipated start date. Subsequently, the Permittee shall notify CDFW no later than seven (7) days after the project is fully completed.

2. Avoidance and Minimization Measures

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

- 2.1 **Permitted Project Activities.** Except where otherwise stipulated in this Agreement, all work shall be in accordance with the Permittee Notification received on June 19, 2017, with revisions received on June 19, 2017, July 12, 2018, and July 26, 2018, August 28, 2018 and September 14, 2018, together with all maps, BMP's, photographs, drawings, and other supporting documents submitted with the Notification.
- 2.2 **Incidental Take.** This Agreement does not allow for the take, or incidental take of any state or federal listed threatened or endangered listed species.

Project Timing

- 2.3 **Work Period.** All work, not including diversion of water, shall be confined to the period **June 15 through October 15** of each year. Work within the active channel of a stream shall be restricted to periods of **dry weather**. Precipitation forecasts and potential increases in stream flow shall be considered when planning construction activities. Construction activities shall cease and all necessary erosion control measures shall be implemented prior to the onset of precipitation.
- 2.4 **Work Completion.** The proposed work for the diversion infrastructure shall be completed no later than **November 1, 2018**. All other work shall be completed by no later than **October 15, 2019**. A notice of completed work, including photographs of each site, shall be submitted to CDFW within seven (7) days of project completion.
- 2.5 **Extension of the Work Period for Stream Crossings.** If weather conditions permit, and the Permittee wishes to extend the work period for stream crossings after October 15, a written request shall be made to CDFW at least 5-working days before the proposed work period variance. Written approval (letter or e-mail) for the proposed time extension must be received from CDFW prior to activities continuing past October 15.

Vegetation Management

- 2.6 **Minimum Vegetation Removal.** No native riparian vegetation shall be removed from the bank of the stream, except where authorized by CDFW. Permittee shall limit the disturbance or removal of native vegetation to the minimum necessary to achieve design guidelines and standards for the Authorized Activity. Permittee shall take precautions to avoid damage to vegetation outside the work area.
- 2.7 **Vegetation Management.** Permittee shall limit vegetation management (e.g., trimming, pruning, or limbing) and removal for the purpose of stream crossing or diversion infrastructure placement/maintenance to the use of hand tools. Vegetation management shall not include treatment with herbicides.

Water Diversion

- 2.8 **Maximum Diversion Rate.** The maximum instantaneous diversion rate from the water intake shall not exceed **three (3) gallons per minute (gpm)** at any time.
- 2.9 **Bypass Flow.** The Permittee shall pass **80% of the flow** at all times to keep all aquatic species including fish and other aquatic life in good condition below the point of diversion.
- 2.10 **Seasonal Diversion Minimization.** No more than **150 gallons per day** shall be diverted during the low flow season from **May 15 to October 31** of each year. Water shall be diverted only if the Permittee can adhere to conditions 2.8 and 2.9 of this Agreement.
- 2.11 **Measurement of Diverted Flow.** Permittee shall install and maintain an adequate measuring device for measuring the instantaneous and cumulative rate of diversion. This measurement shall begin as soon as this Agreement is signed by the Permittee. The device shall be installed within the flow of diverted water. The Permittee shall maintain records of diversion, and provide information including, but not limited to the following:
- 2.11.1 The date and time diversion occurred.
- 2.11.2 The amount of water used per week for cannabis cultivation separated out from the amount of water used for other irrigation purposes and other uses of water (e.g., domestic use or fire protection).
- 2.11.3 Permittee shall make available for review at the request of the department the diversion records required by the State Water Resources Control Board (Board) in Attachment A to the Board's Cannabis Cultivation Policy (October 17, 2017), No. 84, pages 40-41 (see Cal. Code Regs., tit. 23, § 2925).

2.12 **Water Management Plan.** The Permittee shall submit a Water Management Plan no later than **sixty days** from the time this Agreement is made final that describes how compliance will be achieved under this Agreement. The Water Management Plan shall include details on water storage, water conservation, or other relevant material to maintain water needs in coordination with forbearance and bypass flow requirements. The Water Management Plan shall include a brief narrative describing water use on the property, photographs to support the narrative, and water use calculations to ensure compliance with this Agreement. The Water Management Plan shall be submitted to CDFW at 619 Second Street, Eureka, CA 95501.

Water Diversion Facility Retrofit

2.13 **Intake Structure.** No polluting materials (e.g., particle board, plastic sheeting, bentonite) shall be used to construct or screen, or cover the diversion intake structure.

2.14 **Intake Structure Placement.** Infrastructure installed in the streambed (e.g., cistern or spring box) shall not exceed 10 percent of the active channel width and shall not be located in the deepest portion of the channel. The depth of the intake shall be no greater than one foot (12 inches) below the streambed.

2.15 **Intake Screening.** The Permittee shall regularly inspect, clean, and maintain screens in good condition.

2.15.1 The water intake screens shall be securely attached (e.g., threaded or clamped) to the intake line and have a minimum wetted area of 0.25 square feet.

2.15.2 The intakes screen shall be designed so that approach velocity is no more than 0.1 foot per second (fps). Approach velocity is the velocity of the water perpendicular to the screen face measured three inches in front of the screen surface.

2.15.3 A water intake screen with round openings shall not exceed 3/32-inch diameter; a screen with square openings shall not exceed 3/32-inch measured diagonally; and a screen with slotted openings shall not exceed 0.069 inches in width. Slots must be evenly distributed on the screen area.

2.15.4 The water intake screen may be constructed of any rigid material, perforated, woven, or slotted and should have a minimum of 27% open area. Stainless steel or other corrosion-resistant material is recommended to reduce clogging due to corrosion. Care should be taken not to use materials deemed deleterious to aquatic species.

- 2.15.5 The screen shall be designed to distribute the flow uniformly over the entire screen area.
- 2.15.6 The water intake screen shall be placed in fast moving water with the long axis of the screen parallel to the streamflow. The water intake shall not be placed in pool habitat.
- 2.16 Intake Shall Not Impede Aquatic Species Passage. The water diversion structures shall be designed, constructed, and maintained such that they do not constitute a barrier to upstream or downstream movement of aquatic life.
- 2.17 Exclusionary Devices. Permittee shall keep the diversion structures (e.g. cistern) covered at all times to prevent the entrance and entrapment of amphibians and other wildlife.
- 2.18 Diversion Infrastructure Plan (DIP). The Permittee shall submit a DIP for CDFW review and approval prior to diverting water. The DIP shall include a narrative describing the different elements of the water diversion infrastructure, supporting photographs and/or diagrams, and justification of how compliance with the CDFW Fish Screen Criteria will be achieved under this Agreement.
- 2.19 Diversion Intake Removal. Permittee shall plug, cap, block (e.g., with a shut-off valve), or remove all intakes at the end of each diversion season.
- 2.20 Heavy Equipment Use. No heavy equipment shall be used in the excavation or replacement of the existing water diversion structure. The Permittee shall use hand tools or other low impact methods of removal/replacement. All project materials and debris shall be removed from the project site and properly disposed of off-site upon project completion.

Diversion to Storage

- 2.21 Water Storage. All water storage facilities (WSFs) (e.g., reservoirs, storage tanks, mix tanks, and bladders tanks) must be located outside the active 100-year floodplain and outside the top of bank of a stream. Covers/lids shall be securely affixed to water tanks at all times to prevent potential entry by wildlife. Permittee shall cease all water diversion at the point of diversion when WSFs are filled to capacity.
- 2.22 Water Storage Maintenance. WSFs shall have a float valve to shut off the diversion when tanks are full to prevent overflow. The Permittee shall install any other measures necessary to prevent exorbitant use or waste of water. Water shall not leak, overflow, or overtop WSFs at any time. Permittee shall regularly inspect all WSFs and infrastructure used to divert water to storage and use and repair any leaks.

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

Stream Crossings

- 2.26 Stream Protection. No debris, soil, silt, sand, bark, slash, sawdust, rubbish, cement or concrete washings, oil or petroleum products, or other deleterious material from project activities shall be allowed to enter into or be placed where it may be washed by rainfall or runoff into the stream. All project materials and debris shall be removed from the project site and properly disposed of off-site upon project completion.
- 2.27 Equipment Maintenance. Refueling of machinery or heavy equipment, or adding or draining oil, lubricants, coolants or hydraulic fluids shall not take place within stream bed, channel and bank. All such fluids and containers shall be disposed of properly off-site. Heavy equipment used or stored within stream bed, channel and bank shall use drip pans or other devices (e.g., absorbent blankets, sheet barriers or other materials) as needed to prevent soil and water contamination.
- 2.28 Hazardous Spills. Any material, which could be hazardous or toxic to aquatic life and enters a stream (i.e. a piece of equipment tipping-over in a stream and dumping oil, fuel or hydraulic fluid), the Permittee shall immediately notify the California Emergency Management Agency State Warning Center at 1-800-852-7550, and immediately initiate clean-up activities. CDFW shall be notified by the Permittee within 24 hours at 707-445-6493 and consulted regarding clean-up procedures.
- 2.29 Dewatering.
- 2.29.1 Stream Diversion. Only when work in a flowing stream is unavoidable (e.g., perennial streams), Permittee shall divert the stream flow around or through the work area during construction operations. Stream flow shall be diverted using gravity flow through temporary culverts/pipes or pumped around the

work site with the use of hoses.

2.29.2 Maintain Aquatic Life. When any dam or other artificial obstruction is being constructed, maintained, or placed in operation, Permittee shall allow sufficient water at all times to pass downstream to maintain aquatic life below the dam pursuant to Fish and Game Code §5937.

2.29.3 Stranded Aquatic Life. The Permittee shall check daily for stranded aquatic life as the water level in the dewatering area drops. All reasonable efforts shall be made to capture and move all stranded aquatic life observed in the dewatered areas. Capture methods may include fish landing nets, dip nets, buckets and by hand. Captured aquatic life shall be released immediately in the closest suitable aquatic habitat adjacent to the work site. This condition does not allow for the take or disturbance of any State or federally listed species, or State listed species of special concern. The Department staff who prepared this agreement shall be contacted immediately if any of these species are detected.

2.29.4 Coffer Dams. Prior to the start of construction, Permittee shall divert the stream around or through the work area and the work area shall be isolated from the flowing stream. To isolate the work area, water tight coffer dams shall be constructed upstream and downstream of the work area and water diverted, through a suitably sized pipe, from upstream of the upstream coffer dam and discharge downstream of the downstream coffer dam. Cofferdams and the stream diversion system shall remain in place and functional throughout the construction period. Cofferdams or stream diversions that fail for any reason shall be repaired immediately.

2.29.5 Minimize Turbidity, Siltation, and Pollution. Permittee shall use only clean, non-erodible materials, such as rock or sandbags that do not contain soil or fine sediment, to construct any temporary stream flow bypass. Permittee shall divert stream flow around the work site in a manner that minimizes turbidity, siltation, and pollution, and does not result in erosion or scour downstream of the diversion.

2.29.6 Remove any Materials upon Completion. Permittee shall remove all materials used for the temporary stream flow bypass after the Authorized Activity is completed.

2.29.7 Restore Normal Flows. Permittee shall restore normal flows to the effected stream immediately upon completion of work at that location.

2.30 Excavated Fill. Excavated fill material shall be placed in upland locations where it cannot deliver to a watercourse. To minimize the potential for material to enter the watercourse during the winter period, all excavated and relocated fill material shall

be tractor contoured (to drain water) and tractor compacted to effectively incorporate and stabilize loose material into existing road and/or landing features.

2.31 Runoff from Steep Areas. The Permittee shall make preparations so that runoff from steep, erodible surfaces will be diverted into stable areas with little erosion potential or contained behind erosion control structures. Erosion control structures such as straw bales and/or siltation control fencing shall be placed and maintained until the threat of erosion ceases. Frequent water checks shall be placed on dirt roads, cat tracks, or other work trails to control erosion.

2.32 Culvert Installation.

2.32.1 The project is located in a moderate to very high Fire Hazard Severity Zone as designated by CAL FIRE. CDFW recommends corrugated metal pipe (CMP) for use in culvert installation and/or replacement.

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

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

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

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

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

2.33 Crossing Maintenance

2.33.1 The placement of armoring shall be confined to the work period when the stream is dry or at its lowest flow

2.33.2 No heavy equipment shall enter the wetted stream channel.

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

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

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

2.34 Road Approaches. The Permittee shall treat road approaches to new or re-constructed permanent crossings *on Class I and II watercourses* to minimize erosion and sediment delivery to the watercourse. Permittee shall ensure road approaches are hydrologically disconnected to the maximum extent feasible to prevent sediment from entering the crossing site, including when a Stream Crossing is being constructed or reconstructed. Road approaches shall be armored from the crossing for a minimum of 50 feet in both directions, or to the nearest effective water bar or point where road drainage does not drain to the crossing, with durable rock, compacted grindings, pavement, or chip-seal.

2.35 Foothill Yellow-legged Frog Avoidance

2.35.1 No crossing construction/reconstruction shall occur if water is present, unless a visual encounter survey is conducted for all life-stages of FYLF by a qualified individual (knowledgeable of all life stages of FYLF and similar species) within the project area no more than two weeks prior to operations.

2.35.2 Visual encounter surveys shall consist of walking the entire survey reach and visually scanning in the water and on the banks. Any frog species encountered shall be recorded and submitted to the Department along with the work completion report. Observation reports shall be recorded on a CNDDDB report form found at:
<https://www.wildlife.ca.gov/Data/CNDDDB/Submitting-Data>

2.35.3 Permittee shall install exclusion fencing to deter frog entry into project area during project implementation. Fencing shall be installed using the following guidelines:

2.35.3.1 Fencing shall be installed directly upstream and downstream of the project area, perpendicular to the direction of flow, within the

bankfull channel, and fitted with wings, a minimum of ten feet in length, angled 45 degrees away from the project area.

2.35.3.2 The bottom edge of fencing should be securely in contact with the ground to prevent individuals from passing underneath.

2.35.3.3 When surface flow is present, fencing material spanning the channel shall not impede natural flow of water but shall prohibit passage of juvenile frogs (e.g., netting with no greater than 0.25 inch opening size).

2.35.3.4 Wing fencing shall be made of material FYLF cannot climb (e.g. geotextile fabric).

2.36 Project Inspection. The Project shall be inspected by Mother Earth Engineering or a licensed engineer to ensure that the stream crossings were installed as designed. A copy of the inspection report, including photographs of each site, shall be submitted to CDFW within 90 days of completion of this project.

Erosion Control and Pollution

2.37 Erosion Control. Permittee shall use erosion control measures throughout all work phases where sediment runoff threatens to enter a stream, lake, or other Waters of the State.

2.38 Erosion Control. Permittee shall use erosion control measures throughout all work phases where sediment runoff threatens to enter a stream, lake, or other Waters of the State.

2.39 Seed and Mulch. Upon completion of construction operations and/or the onset of wet weather, Permittee shall stabilize exposed soil areas within the work area by applying mulch and seed. Permittee shall restore all exposed or disturbed areas and access points within the stream and riparian zone by applying local native and weed free erosion control grass seeds. Locally native wildflower and/or shrub seeds may also be included in the seed mix. Permittee shall mulch restored areas using at least two to four inches of weed-free clean straw or similar biodegradable mulch over the seeded area. Alternately, Permittee may cover seeding with jute netting, coconut fiber blanket, or similar non-synthetic monofilament netting erosion control blanket.

2.40 Erosion and Sediment Barriers. Permittee shall monitor and maintain all erosion and sediment barriers in good operating condition throughout the work period and the following rainy season, defined herein to mean October 15 through June 15. Maintenance includes, but is not limited to, removal of accumulated sediment and/or replacement of damaged sediment fencing, coir logs, coir rolls, and/or

straw bale dikes. If the sediment barrier fails to retain sediment, Permittee shall employ corrective measures, and notify the department immediately.

- 2.41 Prohibition on Use of Monofilament Netting. To minimize the risk of ensnaring and strangling wildlife, Permittee shall not use any erosion control materials that contain synthetic (e.g., plastic or nylon) monofilament netting, including photo- or biodegradable plastic netting. Geotextiles, fiber rolls, and other erosion control measures shall be made of loose-weave mesh, such as jute, hemp, coconut (coir) fiber, or other products without welded weaves.
- 2.42 Waste Containment and Disposal. Permittee shall contain all operation associated refuse in enclosed, wildlife proof, storage containers, at all times, and relocate refuse to an authorized waste management facility, in compliance with State and local laws, on a regular and ongoing basis. All refuse shall be removed from the site and properly disposed of, at the close of the cultivation season and/or when the parcel is no longer in use.
- 2.43 Site Maintenance. Permittee shall be responsible for site maintenance including, but not limited to, re-establishing erosion control to minimize surface erosion and ensuring drainage structures and altered streambeds and banks remain sufficiently armored and/or stable.
- 2.44 Cover Spoil Piles. Permittee shall have readily available erosion control materials such as wattles, natural fiber mats, or plastic sheeting, to cover and contain exposed spoil piles and exposed areas in order to prevent sediment from moving into a stream or lake. Permittee shall apply and secure these materials prior to rain events to prevent loose soils from entering a stream, lake, or other Waters of the State.
- 2.45 No Dumping. Permittee shall not deposit, permit to pass into, or place where it can pass into a stream, lake, or other Waters of the State any material deleterious to fish and wildlife, or abandon, dispose of, or throw away within 150 feet of a stream, lake, or other Waters of the State any cans, bottles, garbage, motor vehicle or parts thereof, rubbish, litter, refuse, waste, debris, or the viscera or carcass of any dead mammal, or the carcass of any dead bird.

3. Reporting Measures

- 3.1 Work Completion. The proposed work for the diversion facility retrofit shall be completed by no later than **November 1, 2018**. For all other proposed projects, work shall be completed by no later than **October 15, 2019**. A notice of completed work (condition 2.4), with supplemental photos, shall be submitted to CDFW **within seven (7) days** of project completion.

- 3.2 **Measurement of Diverted Flow.** Copies of the **Water Diversion Records** (condition 2.11) shall be submitted to CDFW at 619 Second Street, Eureka, CA 95501 no later than **December 31** of each year beginning in **2018**.
- 3.3 **Water Management Plan.** The Permittee shall submit a **Water Management Plan** (condition 2.12) within **60 days** from the effective date of this agreement. The Water Management Plan shall be submitted to CDFW at 619 Second Street, Eureka, CA 95501.
- 3.4 **Diversion Infrastructure Plan.** The Permittee shall **allow 15 days for CDFW review and approval** after submittal of a Diversion Infrastructure Plan (condition 2.18). This document shall be submitted to CDFW at the 619 Second Street, Eureka, CA 95501
- 3.5 **Project Inspection.** The Permittee shall submit the **Project Inspection Report** (condition 2.36) to CDFW, LSA Program at 619 Second Street, Eureka, CA 95501

CONTACT INFORMATION

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

To Permittee:

Nathan Machiorlatti
955 Samoa Blvd Suite 219
Arcata, CA 95521
616-460-1892
macraslandcoinc14@gmail.com

To CDFW:

Department of Fish and Wildlife
Northern Region
619 Second Street
Eureka, California 95501
Attn: Lake and Streambed Alteration Program
Notification #1600-2017-0360-R1

LIABILITY

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

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

SUSPENSION AND REVOCATION

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

Before CDFW suspends or revokes the Agreement, it shall provide the Permittee written notice by certified or registered mail that it intends to suspend or revoke. The notice shall state the reason(s) for the proposed suspension or revocation, provide the Permittee an opportunity to correct any deficiency before CDFW suspends or revokes the Agreement, and include instructions to the Permittee, if necessary, including but not limited to a directive to immediately cease the specific activity or activities that caused CDFW to issue the notice.

ENFORCEMENT

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

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

OTHER LEGAL OBLIGATIONS

This Agreement does not relieve the Permittee or any person acting on behalf of the Permittee, including its officers, employees, representatives, agents, or contractors and subcontractors, from obtaining any other permits or authorizations that might be required under other federal, state, or local laws or regulations before beginning the project or an activity related to it.

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

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

AMENDMENT

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

The Permittee may amend the Agreement at any time during its term, provided the amendment is mutually agreed to in writing by CDFW and the Permittee. To request an amendment, the Permittee shall submit to CDFW a completed CDFW "Request to Amend Lake or Streambed Alteration" form and include with the completed form payment of the corresponding amendment fee identified in CDFW's current fee schedule (see Cal. Code Regs., tit. 14, § 699.5).

TRANSFER AND ASSIGNMENT

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

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

EXTENSIONS

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

If the Permittee fails to submit a request to extend the Agreement prior to its expiration, the Permittee must submit a new notification and notification fee before beginning or continuing the project the Agreement covers (FGC section 1605(f)).

EFFECTIVE DATE

The Agreement becomes effective on the date of CDFW's signature, which shall be: 1) after the Permittee signature; 2) after CDFW complies with all applicable requirements under the California Environmental Quality Act (CEQA); and 3) after payment of the applicable FGC section 711.4 filing fee listed at http://www.wildlife.ca.gov/habcon/ceqa/ceqa_changes.html.

TERM

This Agreement shall **expire five years** from date of execution, unless it is terminated or extended before then. All provisions in the Agreement shall remain in force throughout its term. The Permittee shall remain responsible for implementing any provisions specified herein to protect fish and wildlife resources after the Agreement expires or is terminated, as FGC section 1605(a)(2) requires.

AUTHORITY

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

AUTHORIZATION

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

Continued next page...

CONCURRENCE

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

FOR Nathan Machiorlatti

Nathan Machiorlatti

Date

FOR DEPARTMENT OF FISH AND WILDLIFE

Scott Bauer
Senior Environmental Scientist Supervisor

Date

Prepared by: Kalyn Bocast, Environmental Scientist, September 14, 2018



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

DIVISION OF WATER RIGHTS

RIGHT TO DIVERT AND USE WATER

REGISTRATION *H501532*

CERTIFICATE *H100454*

Right Holder: *Nathan Machiorlatti
920 Samoa Boulevard 219
Arcata, CA 95521*

The State Water Resources Control Board (State Water Board) authorizes the diversion and use of water by the right holder in accordance with the limitations and conditions herein SUBJECT TO PRIOR RIGHTS. The priority of this right dates from *08/03/2018*. This right is issued in accordance with the State Water Board delegation of authority to the Deputy Director for Water Rights (Resolution 2012-0029) and the Deputy Director for Water Rights redelegation of authority dated October 19, 2017.

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

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

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

Name of Diversion	Source	Tributary To:	Thence	Latitude	Longitude	County	Assessor's Parcel Numbers (APN)
Macras Spring	Unnamed Spring	Unnamed Stream	Showers Creek	40.6033	-123.6996	Humboldt	317-033-008-000

2. Purpose of Use and 3. Place of Use

2. Purpose of Use	3. Place of Use		
	County	Assessor's Parcel Numbers (APN)	Acres
Irrigation, Fire Protection	Humboldt	317-033-008	0.5

Note: Assessor's Parcel Numbers provided are based on the user's entries in this portal on *02/12/2019*. The place of use is shown on the map filed on *02/12/2019* with the State Water Board.

4. Quantity and Season:

The water appropriated shall be limited to the quantity which can be beneficially used and shall not exceed **1.79 acre-feet per year** to be collected from 11/01 to 05/31 and as permitted in the diversion season specified in the current version of the State Water Board's Cannabis Policy, whichever is more restrictive. The total storage capacity shall not exceed 1.77 acre-feet. The rate of diversion to storage shall not exceed **42,000 gallons per day (gpd) or the diversion rate specified in the current version of the State Water Board's Cannabis Policy, whichever is more restrictive.**

5. No water shall be diverted or used under this right unless the water right holder is in compliance with all applicable conditions, including the numeric and narrative instream flow requirements, of the current version of the State Water Board's Cannabis Policy, except as follows:

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

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

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

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

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

STATE WATER RESOURCES CONTROL BOARD
DIVISION OF WATER RIGHTS

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

Dated: 02/12/2019 12:08:49

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D. Well Completion Reports



State of California
Well Completion Report
 Form DWR 188 Submitted 11/19/2018
 WCR2018-010452

Owner's Well Number _____ Date Work Began 10/18/2018 Date Work Ended 10/25/2018
 Local Permit Agency Humboldt County Department of Health & Human Services - Land Use Program
 Secondary Permit Agency _____ Permit Number 18/19-0264 Permit Date 09/25/2018

Well Owner (must remain confidential pursuant to Water Code 13752)			Planned Use and Activity	
Name			Activity	<u>New Well</u>
Mailing Address			Planned Use	<u>Water Supply Irrigation - Agriculture</u>
City	State	Zip		

Well Location					
Address			APN <u>B17-033-008</u>		
City	<u>Kneeland</u>	Zip	<u>95549</u>	County	<u>Humboldt</u>
Latitude	<u>40</u> <u>36</u> <u>10.7568</u> N	Longitude	<u>-123</u> <u>41</u> <u>46.3955</u> W	Township	<u>03 N</u>
	Deg. Min. Sec.		Deg. Min. Sec.	Range	<u>04 E</u>
Dec. Lat.	<u>40.602988</u>	Dec. Long.	<u>-123.696221</u>	Section	<u>35</u>
Vertical Datum	Horizontal Datum		<u>WGS84</u>		
Location Accuracy	Location Determination Method		Elevation Accuracy		
			Elevation Determination Method		

Borehole Information		Water Level and Yield of Completed Well	
Orientation	<u>Vertical</u> Specify	Depth to first water	<u>105</u> (Feet below surface)
Drilling Method	<u>Direct Rotary</u> Drilling Fluid <u>Air</u>	Depth to Static	
Total Depth of Boring	<u>260</u> Feet	Water Level	<u>92</u> (Feet) Date Measured <u>10/25/2018</u>
Total Depth of Completed Well	<u>230</u> Feet	Estimated Yield*	<u>7</u> (GPM) Test Type <u>Air Lift</u>
		Test Length	<u>4</u> (Hours) Total Drawdown <u>138</u> (feet)
*May not be representative of a well's long term yield.			

Geologic Log - Free Form		
Depth from Surface	Feet to Feet	Description
0	5	top soil
5	12	silt and sandstone
12	75	shale
75	160	shale sandstone mix
160	185	basalt
185	260	soft shale with small layers of sandstone

ENTERED

11-20-18

RECEIVED

NOV 20 2018

HUMBOLDT CO. DIVISION
 OF ENVIRONMENTAL HEALTH

Casings										
Casing #	Depth from Surface Feet to Feet		Casing Type	Material	Casings Specifications	Wall Thickness (Inches)	Outside Diameter (Inches)	Screen Type	Slot Size If any (Inches)	Description
1	0	70	Blank	PVC	OD: 5.863 in. SDR: 21 Thickness: 0.265 in.	0.265	5.863			
1	70	230	Screen	PVC	OD: 5.863 in. SDR: 21 Thickness: 0.265 in.	0.265	5.863	Milled Slots	0.032	

Annular Material					
Depth from Surface Feet to Feet	Fill	Fill Type Details		Filter Pack Size	Description
0	20	Bentonite	Other Bentonite		Sanitary Seal
20	260	Filter Pack	Other Gravel Pack	3/8 inch	Pea Gravel

Other Observations:

Borehole Specifications		
Depth from Surface Feet to Feet	Borehole Diameter (Inches)	
0	260	10

Certification Statement			
I, the undersigned, certify that this report is complete and accurate to the best of my knowledge and belief			
Name	FISCH DRILLING		
Person, Firm or Corporation			
3150 JOHNSON ROAD	HYDESVILLE	CA	95547
Address	City	State	Zip
Signed: <i>electronic signature received</i>	11/19/2018	683865	
C-57 Licensed Water Well Contractor	Date Signed	C-57 License Number	

Attachments
scan.pdf - Location Map

DWR Use Only			
CSG #	State Well Number	Site Code	Local Well Number
		N	W
Latitude Deg/Min/Sec		Longitude Deg/Min/Sec	
TRS:			
APN:			

State of California
Well Completion Report
 Form DWR 188 Submitted 7/29/2019
 WCR2019-010450

Owner's Well Number _____ Date Work Began 07/11/2019 Date Work Ended 07/26/2019
 Local Permit Agency Humboldt County Department of Health & Human Services - Land Use Program
 Secondary Permit Agency _____ Permit Number 18/19-0423 Permit Date 11/15/2018

Well Owner (must remain confidential pursuant to Water Code 13752)		Planned Use and Activity
Name _____	Activity <u>New Well</u>	
Mailing Address _____	Planned Use <u>Water Supply Irrigation - Agriculture</u>	
City _____ State _____ Zip _____		

Well Location					
Address _____					
City <u>Kneeland</u>	Zip <u>95548</u>	County <u>Humboldt</u>	Township <u>03 N</u>	APN <u>817-033-008</u>	Range <u>04 E</u>
Latitude <u>40 36 11.592 N</u>	Longitude <u>123 47 51.972 W</u>		Section <u>26</u>	Baseline Meridian <u>Humboldt</u>	
Deg. Min. Sec.	Deg. Min. Sec.		Ground Surface Elevation _____		
Dec. Lat. <u>40.60322</u>	Dec. Long. <u>-123.69777</u>		Elevation Accuracy _____		
Vertical Datum _____			Elevation Determination Method _____		
Horizontal Datum <u>WGS84</u>			Location Accuracy _____		
Location Determination Method _____			Location Accuracy _____		

Borehole Information	Water Level and Yield of Completed Well
Orientation <u>Vertical</u> Specify _____	Depth to first water <u>57</u> (Feet below surface)
Drilling Method <u>Other - Under-ream Downhole Hammer</u> Drilling Fluid <u>Air</u>	Depth to Static _____
Total Depth of Boring <u>180</u> Feet	Water Level <u>55</u> (Feet) Date Measured <u>07/26/2019</u>
Total Depth of Completed Well <u>180</u> Feet	Estimated Yield* <u>30</u> (GPM) Test Type <u>Air Lift</u>
	Test Length <u>4</u> (Hours) Total Drawdown <u>103</u> (feet)
	*May not be representative of a well's long term yield.

Geologic Log - Free Form		
Depth from Surface Feet to Feet		Description
0	2	fill top soil
2	31	shale
31	56	shale & sandstone mix
56	93	shale, chert, sandstone, quartz
93	180	shale melange

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HUMBOLDT CO. DIVISION
OF ENVIRONMENTAL HEALTH

Casings										
Casing #	Depth from Surface Feet to Feet		Casing Type	Material	Casings Specifications	Wall Thickness (Inches)	Outside Diameter (Inches)	Screen Type	Slot Size If any (Inches)	Description
1	0	57	Blank	Low Carbon Steel	Grade: ASTM A53	0.188	6			
1	57	86	Screen	Low Carbon Steel	Grade: ASTM A53	0.188	6	Milled Slots	0.05	
1	86	160	Blank	Low Carbon Steel	Grade: ASTM A53	0.188	6			

Annular Material					
Depth from Surface Feet to Feet		Fill	Fill Type Details	Filter Pack Size	Description
0	20	Bentonite	Other Bentonite		Sanitary Seal
20	160	Filter Pack	Other Gravel Pack	3/8 Inch	Pea Gravel

Other Observations:

Borehole Specifications		
Depth from Surface Feet to Feet	Borehole Diameter (Inches)	
0	160	10

Certification Statement			
I, the undersigned, certify that this report is complete and accurate to the best of my knowledge and belief			
Name	FISCH DRILLING		
Person, Firm or Corporation			
3150 JOHNSON ROAD	HYDESVILLE	CA	95547
Address	City	State	Zip
Signed	<i>electronic signature received</i>	07/29/2019	683865
C-57 Licensed Water Well Contractor		Date Signed	C-57 License Number

Attachments
Scan.pdf - Location Map

DWR Use Only			
CSG #	State Well Number	Site Code	Local Well Number
		N	W
Latitude Deg/Min/Sec		Longitude Deg/Min/Sec	
TRS:			
APN:			



DEPARTMENT OF FORESTRY AND FIRE PROTECTION

135 Ridgway Ave.
Santa Rosa, CA 95401
Website: www.fire.ca.gov
(707) 576-2959



Date: June 10, 2014
Ref.: 1-14EX-163-HUM



JIMI TITCHENELL
638 N WESTHAVEN DRIVE
TRINIDAD, CA 95570

Dear MR. TITCHENELL:

This is to acknowledge that your **Less Than 3 Acre Conversion Exemption** was accepted on **June 9, 2014**. It has been assigned the above listed Exemption number. All timber operations must be complete within one year. All conversion activities must be complete within two years, unless under permit by local jurisdiction.

*****Please read the enclosed notice regarding Listed Anadromous Salmonids, Slash Clean-up, Sudden Oak Death, Pitch Canker, and Operations between October 15 – May 1.*****

In addition, please note the requirement for submittal of the Timber Operations Work Completion and/or Stocking Report (blue form) upon completion of the project.

Compliance with all provisions of the Forest Practice Act, rules pursuant to Section 1104.1(a)--Title 14 of the California Code of Regulations, will be determined by future inspection(s).

If you have any questions you may contact your local CAL FIRE Forest Practice Inspector or me at (707) 576-2959.

Sincerely,

Daniel Sooy
Staff Forester
RPF #2793

Enclosure

- cc: Unit
- Fish & Wildlife
- Water Quality
- County Planning
- Board of Equalization
- RPF – Chris Carroll
- LTO – Rice Equipment
- File

LESS THAN 3 ACRE CONVERSION EXEMPTION

STATE OF CALIFORNIA
DEPARTMENT OF FORESTRY AND FIRE PROTECTION
NOTICE OF TIMBER OPERATIONS THAT ARE EXEMPT FROM
CONVERSION AND TIMBER HARVESTING PLAN REQUIREMENTS
RM-73 (1104.1a) (11/12)

VALID FOR ONE YEAR FROM DATE OF RECEIPT BY CAL FIRE
TIMBER OPERATIONS CANNOT START UNTIL VALID COPY
OF A NOTICE OF ACCEPTANCE IS RECEIVED FROM CAL FIRE

FOR ADMIN. USE ONLY
Ex. # 1-14EX-163 NUM
Date of Receipt MAY 22 2014
Date Accepted 6.9.2014
Date Expires 6-8-2015

The Director of the Department of Forestry and Fire Protection (CAL FIRE) is hereby notified of timber operations under the requirements of 14 CFR § 1104.1(a): Harvesting of trees that is a single conversion to a non-timber growing use of timberland of less than three acres. (See 14 CFR § 1104.1(a) for a description of the conditions on the conduct of this type of timber operation and additional information that is required to be submitted.) Complete items 1 through 8 on both pages of this notice.

1. TIMBER OWNER(S) OF RECORD: Jimi Titchanell

Address: 838 N. Westhaven Drive

City: Trinidad State: CA Zip: 95670 Phone: 707-602-6027

TIMBER TAX EXEMPTION: Timber owners owe timber yield tax when they harvest trees unless the harvest is exempt (Revenue and Taxation Code sec. 38116). Some small or low value harvests may be exempt from timber yield tax: Timber removed from an operation whose value does not exceed \$3,000 within a quarter, according to BOE Harvest Value Schedules, Rule 1024. If you believe your harvest may qualify for this exemption, please complete items A and B below. For timber yield tax information or for further assistance with these questions call the State Board of Equalization, 1-800-400-7115, or write: Timber Tax Section, MIC: 60, State Board of Equalization, P.O. Box 942879, Sacramento, California 94279-0080; or contact the BOE Web Page on the Internet at http://www.boe.ca.gov.

A. Circle the option that most closely estimates the total volume for this harvest, in thousands of board feet (mbf - Net Scribner short log):

Under 8 mbf 8-15 mbf 16-25 mbf Over 25 mbf

B. Estimate the species composition of the timber that will be removed during this harvest (numbers should sum to 100%):

Redwood _____%; Ponderosa/Sugar pine _____%; Douglas-fir 95%; Fir _____%;
Port-Orford Cedar _____%; Cedar (CO, WRC) _____%; Other conifer _____%; Other hardwood 5%

2. TIMBERLAND OWNER(S) OF RECORD: Jimi Titchanell

Address: 838 N. Westhaven Drive

City: Trinidad State: CA Zip: 95670 Phone: 707-602-6027

I certify, under penalty of perjury, that this is a one-time conversion to a non-timberland use and that there is a "bona fide intent" [14 CFR § 1100(h)] to convert to Agriculture.

SIGNATURE Jimi Titchanell Date 5/12/14

3. LICENSED TIMBER OPERATOR(S): Rice Equipment

Lic. No. A-10930

Address: P.O. Box 66

City: Burnt Ranch State: CA Zip: 95627 Phone: 530-829-1929

SIGNATURE [Signature] Date

4. Designate the legal land description of the location of timberland conversion. A map showing the location of the timberland conversion MUST be attached. The map must show the ownership boundaries, the location of the timber operation, boundaries of the conversion, location and classification of watercourses, and landing locations.

Section 26 Township 3N Range 4E Base & Meridian Humboldt County Humboldt Acreage to be Converted 2.7 Assessor's Parcel Number 317-033-00

Page 1 NOTE: This form has two pages. Continue on and complete page 2. Read the instructions before attempting to complete.

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MAY 22 2014

COAST AREA OFFICE RESOURCE MANAGEMENT

LESS THAN THREE ACRE CONVERSION EXEMPTION Page 2

6. The following are limitations or requirements for timber operations conducted under a Less Than Three Acre Conversion Exemption (Notice, Notice of Conversion Exemption, Conversion Exemption):
- A. Timber operations shall comply with all other applicable provisions of the Forest Practice Act and regulations, county general plans, zoning ordinances, and any implementing ordinances; copies of the state rules and regulations may be found on CAL FIRE's Web Page on the Internet at <http://www.fire.ca.gov>.
 - B. All timber operations shall be complete within one year from the date of acceptance by CAL FIRE.
 - C. All conversion activities shall be complete within two years from the date of acceptance by CAL FIRE unless under permit by local jurisdiction. Failure to complete the conversion requires compliance with stocking standards and stocking report requirements of the Forest Practice Act and Board of Forestry and Fire Protection regulations.
 - D. The timber operator shall remove or dispose of all slash or woody debris in accordance with 14 CCR § 1104.1(a)(2)(D)(1)-(3). The timberland owner may assume responsibility for the slash treatment; provided the landowner acknowledges in writing to CAL FIRE such responsibility at the time of submission of this notice. The specific requirements shall be included with the acknowledgement.
 - E. Timber operations may be conducted during the winter period. Tractor operations in the winter period are allowed under any of the conditions described in 14 CCR § 1104.1(a)(2)(E)1.-3.
 - F. No timber operations are allowed within a watercourse and lake protection zone unless specifically approved by local permit (e.g., county, city).
 - G. No timber operations shall be conducted until CAL FIRE's notice of acceptance is received and a valid copy of this notice and CAL FIRE's acceptance shall be kept on site during timber operations.
 - H. No sites of rare, threatened or endangered plants or animals or species of special concern shall be disturbed, threatened, or damaged.
 - I. No timber operations are allowed on significant historical or archeological sites.
 - J. Within one month of the completion of timber operations, including slash disposal, the timberland owner shall submit a work completion report to CAL FIRE.
 - K. A violation of the conversion exemption, including a conversion applied for in the name of someone other than the person or entity implementing the conversion in bona fide good faith, are violations of the Forest Practice Act and penalties may accrue up to ten thousand dollars (\$10,000) for each violation pursuant to Article 6 (commencing with Section 4601).

6. I, _____, declare as the authorized designee of the County Board of Supervisors that this conversion exemption is in conformance with all county regulatory requirements, including public notice. (If the county has authorized a designee this item MUST be completed. If it has not, see item 7.)

SIGNATURE _____ Date _____

7. Registered Professional Forester preparing Notice: Chris Carroll Number 2628

Address Timberland Resource Consultants, 165 South Fortuna Blvd, Suite A

City Fortuna State CA Zip 95540 Phone 707-726-1997

I have, or my supervised designee has, (1) prepared this Notice of Conversion Exemption Timber Operations; (2) visited the site and flagged the boundaries of the conversion exemption, applicable WEPZs and equipment limitation zones; (3) prepared a Neighborhood Notice of Conversion Exemption according to 14 CCR § 1104.1(a)(3) to be mailed by the landowner to adjacent landowners; and (4) posted and dated a copy of the Neighborhood Notice of Conversion Exemption on the ownership, visible to the public, at least 5 days prior to the postmark date of submission of the Notice of Conversion Exemption. I certify that if the County Board of Supervisors has not designated a representative authorized to sign in item 6 that I, or my supervised designee, contacted the county and the Notice is in conformance with county regulations.

SIGNATURE OF RPF Chris Carroll Date 5-22-14

8. NOTICE SUBMITTER(S): Jim Titahnell

Address: 836 N. Waalhaven Drive

City: Trinidad State: CA Zip: 95570 Phone: 707-502-9027

Submitter must be 1, 2, or 3 above, and must sign.

SIGNATURE Jim Titahnell Date 5/12/14

FILE THIS NOTICE WITH THE CAL FIRE OFFICE BELOW FOR THE COUNTY IN WHICH THE OPERATION WILL OCCUR

Forest Practice, CAL FIRE 135 Ridgway Avenue Santa Rosa, CA 95401	Forest Practice, CAL FIRE 6105 Alpoit Road Redding, CA 96002	Forest Practice, CAL FIRE 1234 East Shaw Avenue Fresno, CA 93710
Alameda, Colusa, Contra Costa, Del Norte, Humboldt, Lake, Marin, Mendocino, Napa, San Mateo, Santa Clara, Santa Cruz, Solano, Sonoma, western Trinity and Yolo Counties	Butte, Glenn, Lassen, Modoc, Nevada, Placer, Plumas, Shasta, Sierra, Siskiyou, Sutter, Tehama, eastern Trinity and Yuba Counties	Alpine, Amador, Calaveras, El Dorado, Fresno, Imperial, Inyo, Kern, Los Angeles, Madera, Mariposa, Merced, Mono, Monterey, Orange, Riverside, San Benito, San Bernardino, San Diego, San Luis Obispo, Santa Barbara, Stanislaus, Tuolumne, Tulare, and Ventura Counties

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Project Description

This conversion proposes to convert timberland into an agricultural site. Per the Humboldt County General Plan, the conversion exemption area is presently zoned Timber Production (TPZ). Humboldt County's Grading and Open Space Ordinance does not apply to this project because the conversion exemption area is zoned TPZ, and the property is greater than 3 acres in size. Consequently, Item 6 is not signed by the County's designee. The RPF has attached an e-mail from Humboldt County Planning, which states that no County review is required for Less Than 3-Acre Conversion Exemptions on TPZ lands. Agriculture is a principally permitted activity on TPZ lands

Addendum 14CCR 1104.1(a)(1)(E)(1-4)

The timberland owner has certified via his signature, under penalty of perjury, that this is a one-time conversion to Agriculture. The timberland owner understands that a "Bona Fide Intention or bona fide intent" is a present, sincere intention of the applicant to conform with and successfully execute the conversion plan, as determined by the Director in accordance with provisions of Sec. 1106.2 (Ref.: Sec. 4623, PRC). The timberland owner, acting as an individual, acting as a member of a partnership, or acting as an officer or employee of a corporation or other legal entity, has not obtained an exemption pursuant to this section in the last five years.

Addendum 14CCR 1104.1(a)(2)(F)

There are no watercourses, ELZs, or WLPZs within the conversion exemption area.

Addendum 14CCR 1104.1(a)(6)

The extent of the vegetation removal and site preparation required for the conversion;

The conversion area consists of merchantable Douglas-fir with a minor component of tanoak and madrone. This conversion will require timber harvesting and treatment of logging slash. Grading and excavation shall be required but no significant earthwork appears necessary to successfully convert the sites.

The suitability of soils, slope, aspect, and microclimate for the stated non-timber use;

The conversion exemption area's slopes are gentle to moderately sloping with aspects represented that are favorable for agriculture. The soils are inadequate for agriculture but grow medium is imported and therefore not a limiting factor.

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RESOURCE MANAGEMENT

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RESOURCE MANAGEMENT

Addendum 14CCR 1104.1(a)(2)(D) - Treatment of Logging Slash and Woody Debris.

1. Unless otherwise required, slash greater than one inch in diameter and greater than two feet long, and woody debris, except pine, shall receive full treatment no later than April 1 of the year following its creation, or within one year from the date of acceptance of the conversion exemption by the Director, whichever comes first.
2. All pine slash three inches and greater in diameter and longer than four feet must receive initial treatment if it is still on the parcel, within 7 days of its creation.
3. All pine woody debris longer than four feet must receive an initial treatment prior to full treatment.
4. Initial treatment shall include limbing woody debris and cutting slash and woody debris into lengths of less than four feet, and leaving the pieces exposed to solar radiation to aid in rapid drying.
5. Full treatment of all pine slash and woody debris must be completed by March 1 of the year following its creation, or within one year from the date of acceptance of the conversion exemption by the Director, whichever comes first.
6. Full slash and woody debris treatment may include any of the following:
 - a. Burying;
 - b. Chipping and spreading;
 - c. Piling and burning; or
 - d. Removing slash and woody debris from the site for treatment in compliance with (a)-(b). Slash and woody debris may not be burned by open outdoor fires except under permit from the appropriate fire protection agency, if required, the local air pollution control district or air quality management district. The burning must occur on the property where the slash and woody debris originated.
7. Slash and woody debris, except for pine, which is cut up for firewood shall be cut to lengths 24 inches or less and set aside for drying by April 1 of the year following its creation. Pine slash and woody debris which is cut up for firewood shall be cut to lengths 24 inches or less and set aside for drying within seven days of its creation.
8. Any treatment which involves burning of slash or woody debris shall comply with all state and local fire and air quality rules.

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COAST AREA OFFICE
RESOURCE MANAGEMENT

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MAY 22 2014

COAST AREA OFFICE
RESOURCE MANAGEMENT

APN 317-033-008

General Location Map

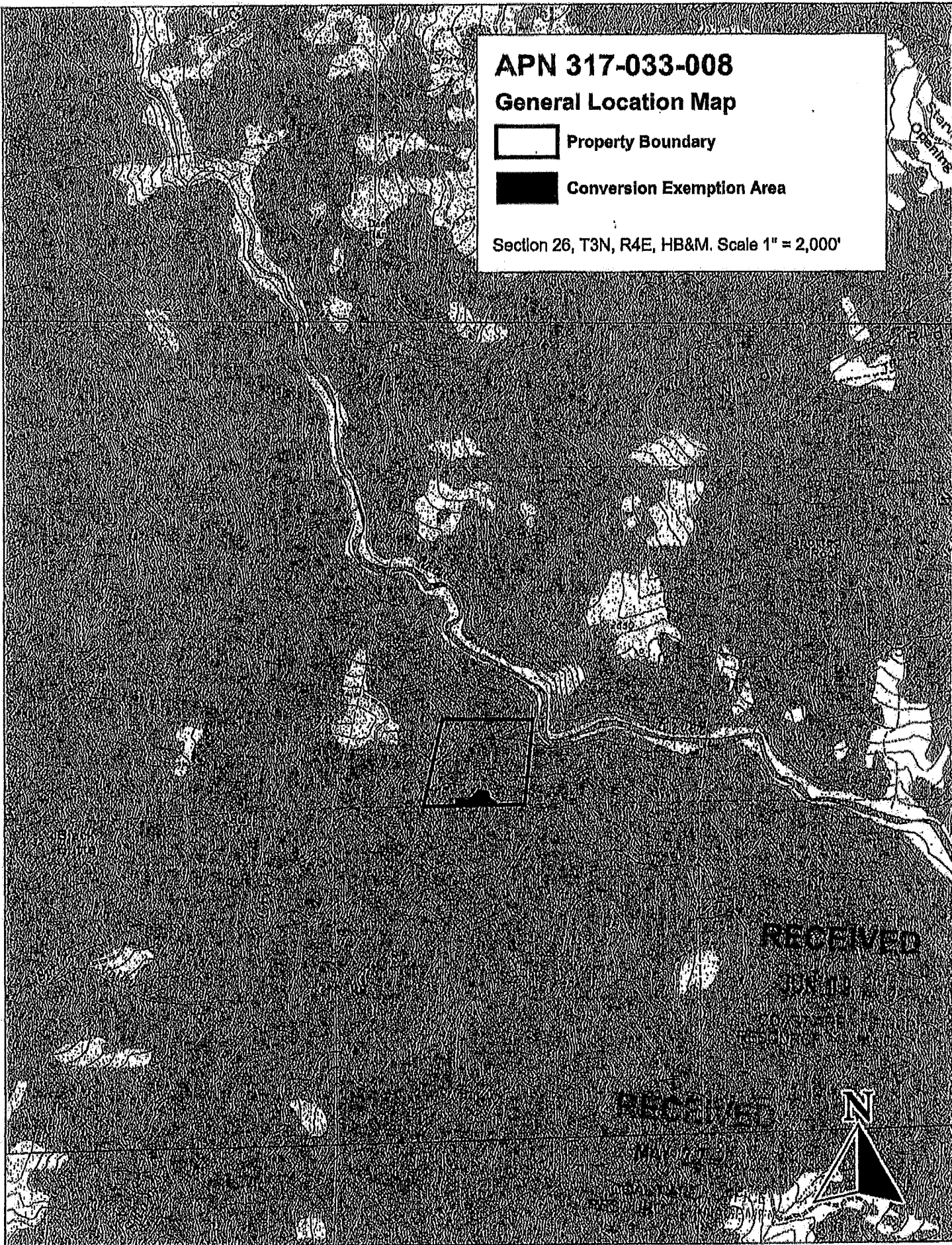


Property Boundary



Conversion Exemption Area

Section 26, T3N, R4E, HB&M. Scale 1" = 2,000'



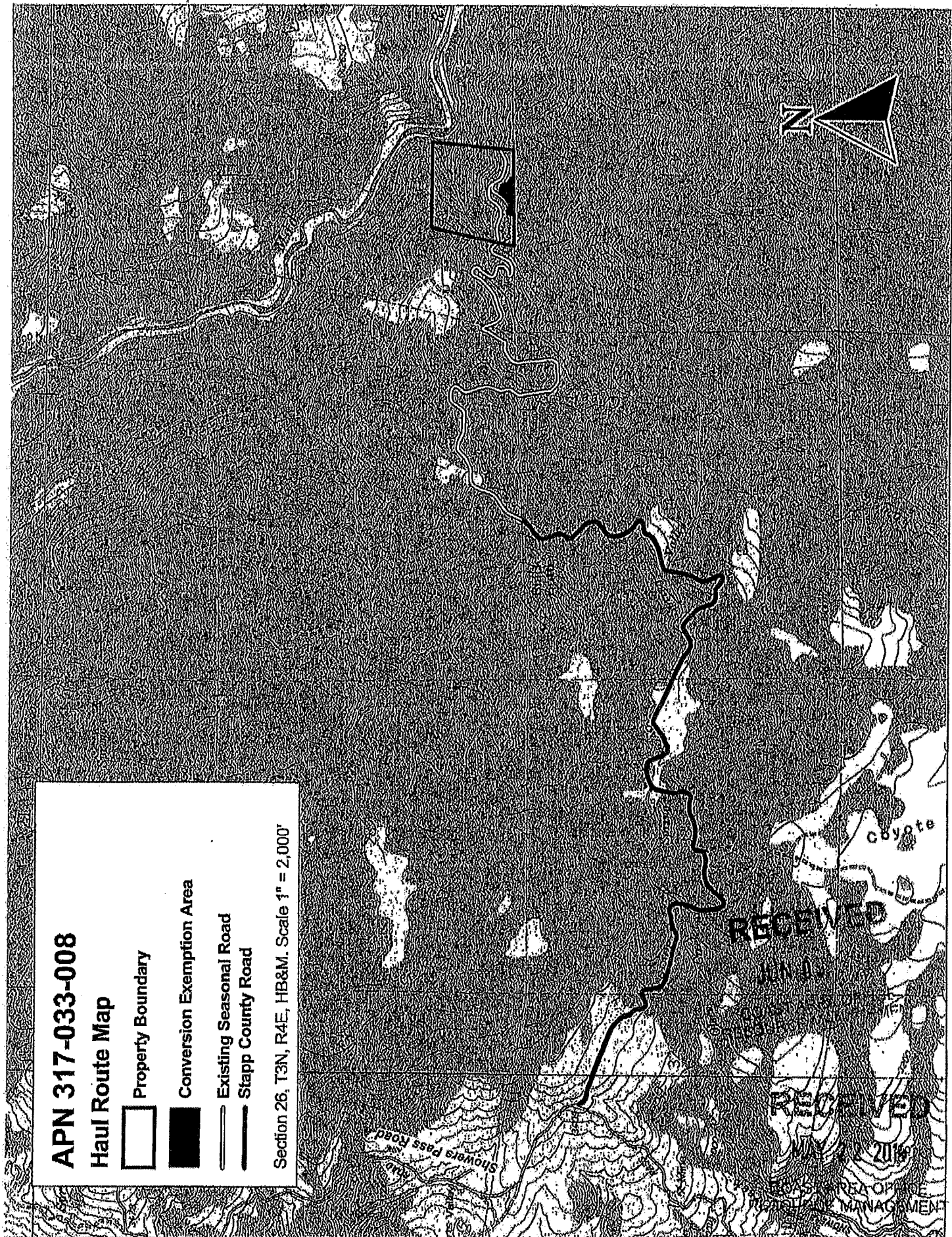
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APN 317-033-008
Haul Route Map

-  Property Boundary
-  Conversion Exemption Area
-  Existing Seasonal Road
-  Stapp County Road

Section 26, T3N, R4E, HB&M. Scale 1" = 2,000'

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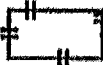
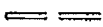

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Coyote

Showers Pass Road

2016
 COUNTY OF STAPP
 LAND MANAGEMENT

Titchenell Conversion Operations Map

-  Property Boundary
-  Conversion Exemption
-  Existing Seasonal Road
-  Landing

Scale 1" = 150'
Section 26, T3N, R4E, HB&M.

showers creek
Glassy Watercourse

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NOV 19 2021





Onsite Relocation: Environmental Superiority Analysis and Remediation Plan

APN: 317-033-008

December 2020

Prepared for:

Macras Land Co., Inc.
Permit App No. 11099
(305) 490-7890
Macraslandcoinc14@gmail.com

Prepared by:

Trillian Schroeder
Senior Project Manager
trill@mothereathengineering.com
MEE Project #20007



**MOTHER EARTH
ENGINEERING**

425 I Street Arcata, California 95521
707-633-8321 | mothereathengineering.com

1 PROJECT LOCATION

APN: 317-033-008

Section 26, Township 3N, Range 4E

USGS 7.5 Minute Quad: Showers Mountain

HUC-12: 180101020401 – Bug Creek – Mad River

2 PROJECT DESCRIPTION

Macras Land Co., Inc. is currently permitted to cultivate 17,262 sq. ft. of existing outdoor and 6,861 sq. ft. of existing mixed light. In its current configuration the applicant is cultivating 15,930 square feet of existing outdoor cultivation and 6,848 square feet of existing mixed light cultivation at subject parcel 317-033-008 in the Pilot Ridge area of Humboldt County, CA. Two (2) of the existing sites, L and K (Map 1) were observed to have steep areas with slopes ranging from 22-33%. Macras Land Co., Inc. proposes to relocate cultivation from steep slopes to relocation sites Relo 1, Relo 2 and to site J (Map 1). This relocation will create 17,232 sq. ft. of outdoor cultivation on the site.

3 ENVIRONMENTAL SUPERIORITY OF THE RELOCATION SITES

Mother Earth Engineering (MEE) staff conducted a field visit on 12/7/20 to inspect existing conditions, relocation sites, and assess the parcel for overall compliance with Water Board, Humboldt County and California Department of Fish and Wildlife (CDFW) regulations. Based on the site investigation, the relocation sites at Relo 1, Relo 2, and site J was found to be environmentally superior to areas of the former cultivation sites at L and K. These relocation sites are on previously developed areas with slopes ranging from 3-13%, no new land disturbance will occur as a result of this relocation.

3.1 EXISTING CONDITIONS

On 12/7/20, MEE staff observed that areas of the former cultivation sites L and K that are proposed for relocation were fully revegetated with remnant cages on site. There was no evidence of legacy soil piles, spoils or current cultivation at these sites.

3.2 SUPERIOR SLOPES

Relo 1 is a previously developed legacy road feature between sites L and K. This site is approximately 901 square feet with 13% slopes. Relo 2 is also a previously developed road feature south and adjacent to Site L. This site is approximately 401 square feet with 3% slopes. The reduced slopes at these sites will reduce erosion risk, reduce potential sediment and nutrient runoff, and allow for stormwater runoff to attenuate and dissipate much more quickly and completely than areas with steeper slopes. Therefore, the relocation sites were found to be environmentally superior to cultivating at the existing sites L and K to the fullest extent.

3.3 PROPOSED GREENHOUSES

The Applicant is proposing moving a portion of existing full sun outdoor cultivation on sites I, J, & K into proposed greenhouses A, B, C, & D. These greenhouses will be constructed within the bounds of sites I, J, & K and will not result in any new ground disturbance. Proposed greenhouses will not require any increased generator use as no lights or plugin fans are proposed. Cultivation under the protection of greenhouse tarps will reduce nutrient runoff

from cultivation sites as stormwater will not be percolating through growing medium and contaminating stormwater runoff.

4 REMEDIATION AND MONITORING PROTOCOL

4.1 BEST MANAGEMENT PRACTICES (BMPs)

Best Management Practices for operations, work, construction, erosion control and other elements will be followed at all times as stipulated by:

1. Regional Water Board – Order R1-2015-0023, Appendix B
2. California Department of Fish and Wildlife
3. State Water Board Cannabis General Order

4.2 REMEDIATION

Currently, the former sites are well vegetated with a mix of native and nonnative species. However, growing cages were observed during the 12/7/20 site visit. Therefore, remediation efforts are to continue the clearance of former debris, including growing cages, from these sites.

4.3 REVEGETATION

Based on the 12/7/20 site visit, the former cultivation sites were well vegetated with a mix of native and nonnative species (Pictures 1-2). There are no recently disturbed areas that require revegetation. Therefore, revegetation efforts at these sites are not required.

6 PHOTOS



Pictures 1-2: View of the existing conditions at the former cultivation site with 22% slopes. Site is well revegetated with growing cages observed.



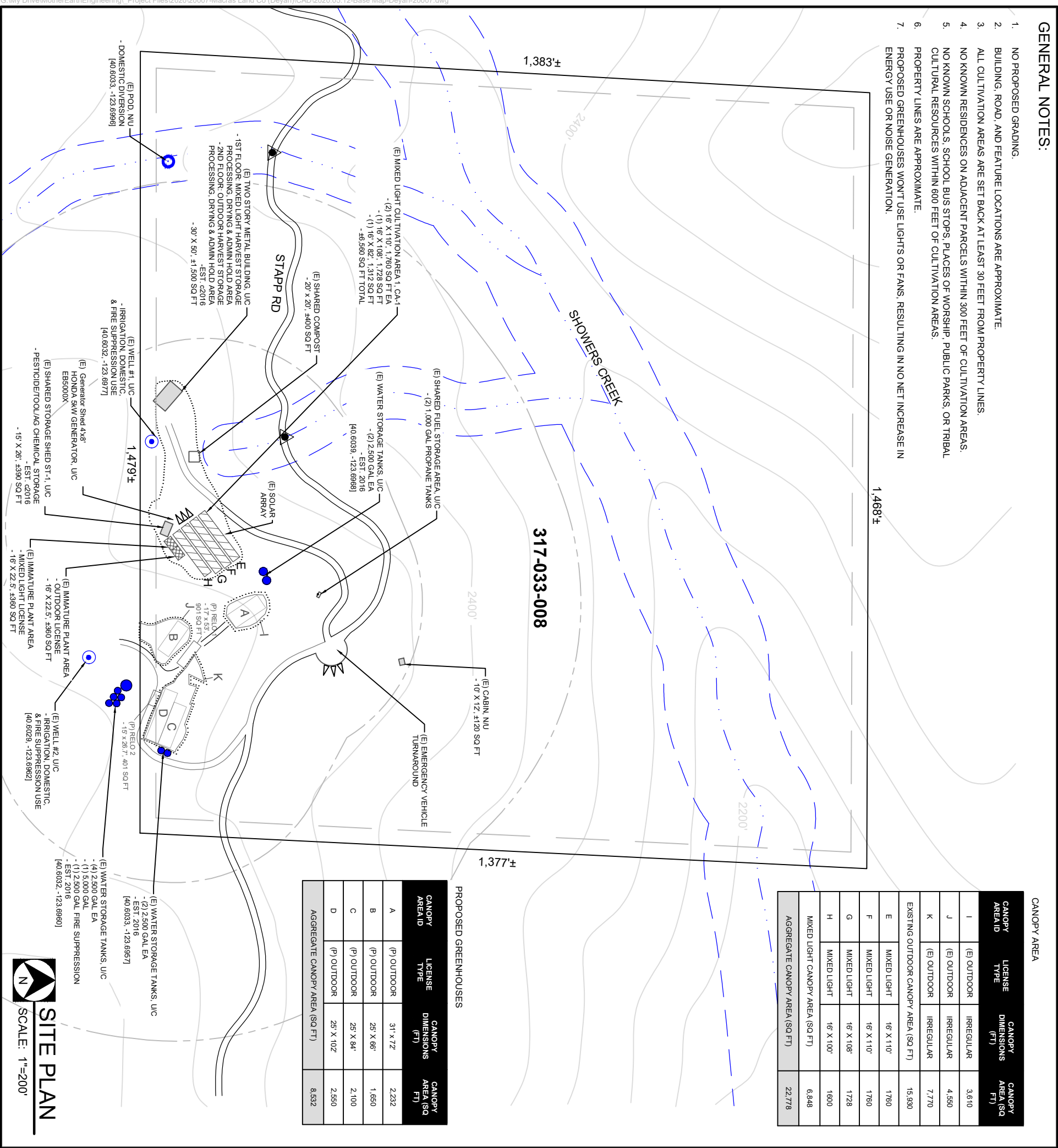
Picture 3: View of the relocations site, Relo 1. This site is a previously disturbed flat with 13% slopes.



Picture 4: View the relocation site, Relo 2. This site is also a previously disturbed flat with 3% slopes.

GENERAL NOTES:

1. NO PROPOSED GRADING.
2. BUILDING, ROAD, AND FEATURE LOCATIONS ARE APPROXIMATE.
3. ALL CULTIVATION AREAS ARE SET BACK AT LEAST 30 FEET FROM PROPERTY LINES.
4. NO KNOWN RESIDENCES ON ADJACENT PARCELS WITHIN 300 FEET OF CULTIVATION AREAS.
5. NO KNOWN SCHOOLS, SCHOOL BUS STOPS, PLACES OF WORSHIP, PUBLIC PARKS, OR TRIBAL CULTURAL RESOURCES WITHIN 600 FEET OF CULTIVATION AREAS.
6. PROPERTY LINES ARE APPROXIMATE.
7. PROPOSED GREENHOUSES WON'T USE LIGHTS OR FANS, RESULTING IN NO NET INCREASE IN ENERGY USE OR NOISE GENERATION.



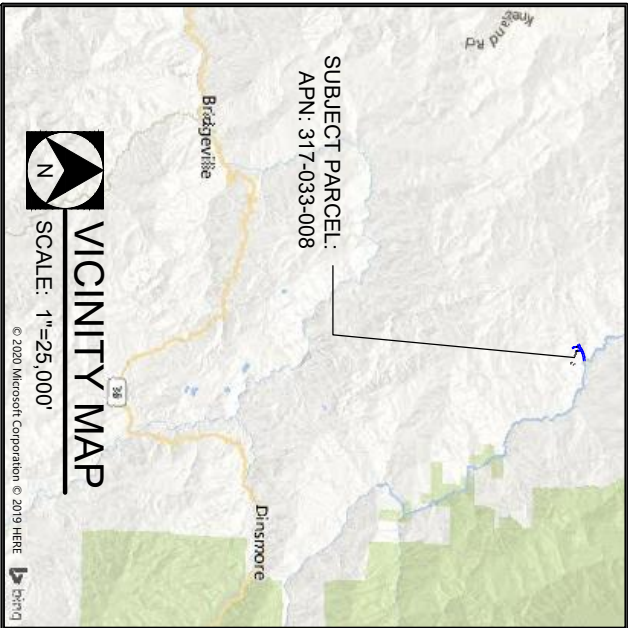
CANOPY AREA

CANOPY AREA ID	LICENSE TYPE	CANOPY DIMENSIONS (FT)	CANOPY AREA (SQ FT)
I	(E) OUTDOOR	IRREGULAR	3,610
J	(E) OUTDOOR	IRREGULAR	4,550
K	(E) OUTDOOR	IRREGULAR	7,770
EXISTING OUTDOOR CANOPY AREA (SQ FT)			
E	MIXED LIGHT	16' X 110'	1760
F	MIXED LIGHT	16' X 110'	1760
G	MIXED LIGHT	16' X 108'	1728
H	MIXED LIGHT	16' X 100'	1600
MIXED LIGHT CANOPY AREA (SQ FT)			
AGGREGATE CANOPY AREA (SQ FT)			
22,778			

PROPOSED GREENHOUSES

CANOPY AREA ID	LICENSE TYPE	CANOPY DIMENSIONS (FT)	CANOPY AREA (SQ FT)
A	(P) OUTDOOR	31' X 72'	2,232
B	(P) OUTDOOR	25' X 66'	1,650
C	(P) OUTDOOR	25' X 84'	2,100
D	(P) OUTDOOR	25' X 102'	2,550
AGGREGATE CANOPY AREA (SQ FT)			
8,532			

SITE PLAN
SCALE: 1"=200'



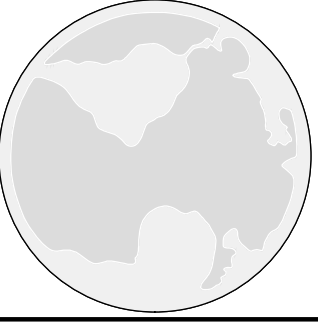
DIRECTIONS TO SITE

- FROM FRESHWATER, CA:
1. HEAD EAST ON KNEELAND RD, 16.5 MILES.
 2. TURN LEFT ONTO SHOWERS PASS RD, 10.4 MILES.
 3. SLIGHT LEFT ONTO STAPP RD, 1.0 MILES.
 4. TURN LEFT TO STAY ON STAPP RD, 3.5 MILES.
 5. PROPERTY ON THE RIGHT.

LEGEND

- PROPERTY LINE
- 40' COUNTRY (HUNGIS)
- 30' SETBACK FROM PROPERTY LINE
- 300' SETBACK FROM CULTIVATION AREAS
- 600' SETBACK FROM CULTIVATION AREAS
- CLASS II WATERCOURSE WITH 100 FT STREAM SIDE MANAGEMENT AREA BUFFER
- CLASS III WATERCOURSE WITH 50 FT STREAM SIDE MANAGEMENT AREA BUFFER
- ACCESS ROAD
- GRADED FLAT
- STRUCTURE
- MIXED LIGHT CULTIVATION AREA
- OUTDOOR CULTIVATION AREA
- NURSERY AREA
- WELL
- POINT OF DIVERSION
- STREAM CROSSING
- PARKING SPACE, 9'X18'
- EXISTING
- PROPOSED
- NOT USED FOR CULTIVATION
- USED FOR CULTIVATION

MOTHER EARTH ENGINEERING
425 I STREET
ARCATA, CA 95521, 707-633-8321



MEE JOB NO: 20007

REVISION SCHEDULE		
#	DATE	DESCRIPTION
0	01/31/20	DRAFTED
1	9/22/20	REVISIONS
2	11/04/20	REVISIONS
3	01/18/21	REVISIONS
4		
5		

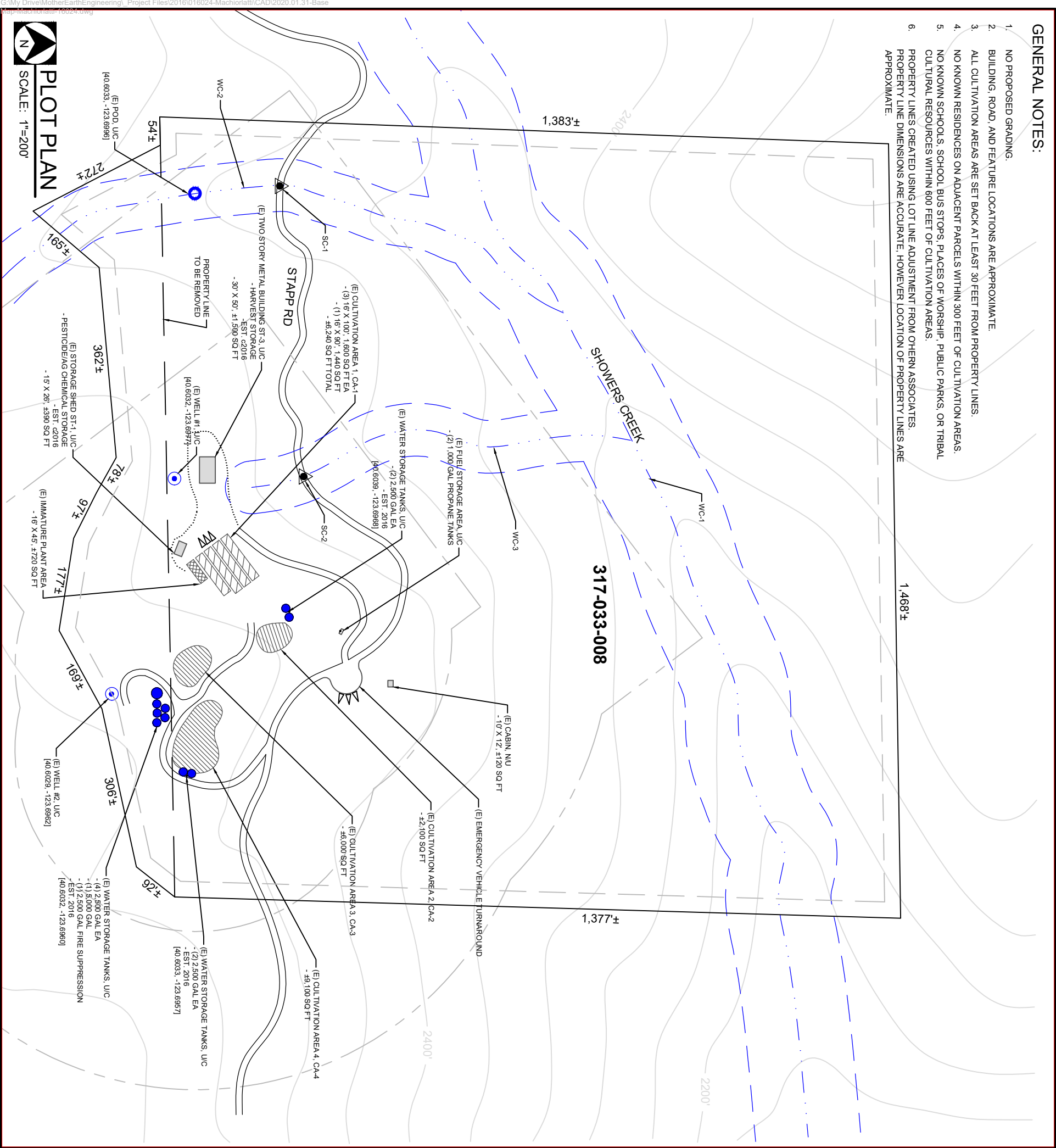
SITE PLAN
APN: 317-033-008
SITE ADDRESS: KNEELAND, CA

COUNTY CANNABIS PERMITTING
APPLICANT: MACRAS LAND CO, INC.
MAILING ADDRESS: 920 SAMOA BLVD STE 219, ARCATA CA 95521

SHEET NO: **1**

GENERAL NOTES:

1. NO PROPOSED GRADING.
2. BUILDING, ROAD, AND FEATURE LOCATIONS ARE APPROXIMATE.
3. ALL CULTIVATION AREAS ARE SET BACK AT LEAST 30 FEET FROM PROPERTY LINES.
4. NO KNOWN RESIDENCES ON ADJACENT PARCELS WITHIN 300 FEET OF CULTIVATION AREAS.
5. NO KNOWN SCHOOLS, SCHOOL BUS STOPS, PLACES OF WORSHIP, PUBLIC PARKS, OR TRIBAL CULTURAL RESOURCES WITHIN 600 FEET OF CULTIVATION AREAS.
6. PROPERTY LINES CREATED USING LOT LINE ADJUSTMENT FROM OHERN ASSOCIATES. PROPERTY LINE DIMENSIONS ARE ACCURATE, HOWEVER LOCATION OF PROPERTY LINES ARE APPROXIMATE.



PLOT PLAN
SCALE: 1"=200'

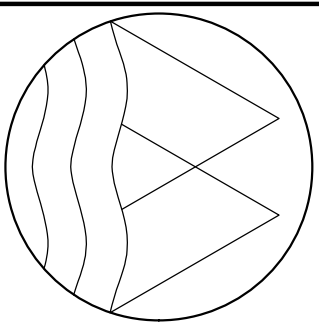


DIRECTIONS TO SITE

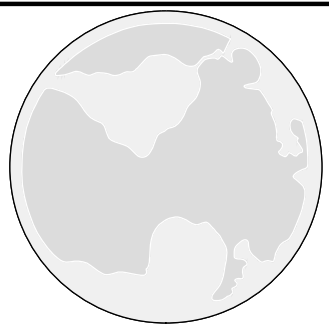
- FROM FRESHWATER, CA:
1. HEAD EAST ON KNEELAND RD, 16.5 MILES.
 2. TURN LEFT ONTO SHOWERS PASS RD, 10.4 MILES.
 3. SLIGHT LEFT ONTO STAPP RD, 1.0 MILES.
 4. TURN LEFT TO STAY ON STAPP RD, 3.5 MILES.
 5. PROPERTY ON THE RIGHT.

LEGEND

- PROPERTY LINE
- PROPERTY LINE TO BE REMOVED BY U/LA
- 30' SETBACK FROM PROPERTY LINE
- 300' SETBACK FROM CULTIVATION AREAS
- 600' SETBACK FROM CULTIVATION AREAS
- CLASS II WATERCOURSE WITH 100 FT STREAM SIDE MANAGEMENT AREA BUFFER
- CLASS III WATERCOURSE WITH 50 FT STREAM SIDE MANAGEMENT AREA BUFFER
- ACCESS ROAD
- GRADED FLAT
- STRUCTURE
- CULTIVATION AREA
- NURSERY AREA
- WELL
- POINT OF DIVERSION
- STREAM CROSSING
- PARKING SPACE, 9'X18'
- EXISTING
- PROPOSED
- NOT USED FOR CULTIVATION
- USED FOR CULTIVATION



MOTHER EARTH ENGINEERING
425 I STREET
ARCATA, CA 95521, 707-633-8321



MEE JOB NO: 16024

REVISION SCHEDULE

#	DATE	BY	DESCRIPTION
0	01/31/20	JL	DRAFTED
1			
2			
3			
4			
5			

PLOT PLAN
APN: 317-033-008
SITE ADDRESS: KNEELAND, CA

SITE MANAGEMENT PLAN
APPLICANT: MACRAS LAND CO, INC.
MAILING ADDRESS: 920 SAMOA BLVD STE 219, ARCATA CA 95521

SHEET NO:
1

Map 2. Previous Site Map with former configuration.

HUMBOLDT COUNTY DEPARTMENT OF PUBLIC WORKS
ROAD EVALUATION REPORT



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

Applicant Name: Macras Land Co. Inc. APN: 317-033-008

Planning & Building Department Case/File No.: PLN-11099-CUP

Road Name: Stapp Road *(complete a separate form for each road)*

From Road (Cross street): County Maintained Stapp Road

To Road (Cross street): Property

Length of road segment: 2.9 miles Date Inspected: 9/4/2020, 9/22/2020

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

Check one of the following:

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

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

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

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

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

Signature _____

Date _____

Name Printed _____

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

PART B: Only complete Part B if Box 3 is checked in Part A. Part B is to be completed by a Civil Engineer licensed by the State of California. Complete a separate form for each road.

Road Name: Stapp Road Date Inspected: 9/4/2020, 9/22/2020 APN: 317-033-008
 From Road: Stapp Road County Maintained (Post Mile _____) Planning & Building
 To Road: Property, 2.9 miles (Post Mile _____) Department Case/File No.:
 PLN-11099-CUP

1. What is the Average Daily Traffic (ADT) of the road (including other known cannabis projects)?

Number of other known cannabis projects included in ADT calculations:
 (Contact the Planning & Building Department for information on other nearby projects.) 3

ADT: 10 Date(s) measured: 9/4/20, 9/22/20 Method: Direct Observation

Method used to measure ADT: Counters Estimated using ITE *Trip Generation Book*

Is the ADT of the road less than 400? Yes No

If **YES**, then the road is considered very low volume and shall comply with the design standards outlined in the American Association of State Highway and Transportation Officials (AASHTO) *Guidelines for Geometric Design of Very Low-Volume Local Roads (ADT ≤400)*. Complete sections 2 and 3 below.

If **NO**, then the road shall be reviewed per the applicable policies for the design of local roads and streets presented in AASHTO *A Policy on Geometric Design of Highways and Streets*, commonly known as the "Green Book". Complete section 3 below.

2. Identify site specific safety problems with the road that include, but are not limited to: (Refer to Chapter 3 in AASHTO *Guidelines for Geometric Design of Very Low-Volume Local Roads (ADT ≤400)* for guidance.)

A. Pattern of curve related crashes.

Check one: No. Yes, see attached sheet for Post Mile (PM) locations.

B. Physical evidence of curve problems such as skid marks, scarred trees, or scarred utility poles

Check one: No. Yes, see attached sheet for PM locations.

C. Substantial edge rutting or encroachment.

Check one: No. Yes, see attached sheet for PM locations.

D. History of complaints from residents or law enforcement.

Check one: No. Yes (check if written documentation is attached)

E. Measured or known speed substantially higher than the design speed of the road (20+ MPH higher)

Check one: No. Yes.

F. Need for turn-outs.

Check one: No. Yes, see attached sheet for PM locations.

3. Conclusions/Recommendations per AASHTO. Check one:

The roadway can accommodate the cumulative increased traffic from this project and all known cannabis projects identified above.

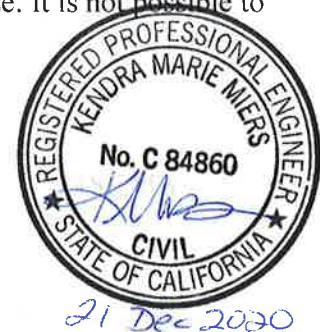
The roadway can accommodate the cumulative increased traffic from this project and all known cannabis projects identified above, if the recommendations on the attached report are done. (check if a *Neighborhood Traffic Management Plan* is also required and is attached.)

The roadway cannot accommodate increased traffic from the proposed use. It is not possible to address increased traffic.

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


 Signature of Civil Engineer

12-21-2020
 Date



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

Road Evaluation

APN 317-033-008

September 2020

Prepared for:

Applicant-Macras Land Co. Inc.
PLN-11099-CUP
macraslandcoinc14@gmail.com

Prepared by:

Kendra Miers, PE
Belle Ciotti, EIT
MEE Project #20007
k@motherearthengineering.com



425 I Street Arcata, California 95521
707-633-8321 | motherearthengineering.com

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1 INTRODUCTION

The proposed project on APN 317-033-008 is a Conditional Use Permit for existing outdoor and mixed-light cannabis cultivation. This road evaluation was developed as part of the proposed project application requirements. This road evaluation is meant to address the following:

- Humboldt County Department of Public Works Road Evaluation Report for Box 3. Box 3 is defined as the following, from the application:

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

1.1 Roadway Design Standards

Roadway Category #4 Design Standard: The design standard for a Roadway Category #4, from Humboldt County Code Ordinance 2643, is:

- (1) Two lane – narrow roadway, low to moderate speed – 25-40 mph.
- (2) No parking on traveled way.
- (3) Serves a maximum of 100 parcels with no more than one dwelling unit per parcel.
- (4) *Urbanization situation.* Vicinity is beginning to undergo a transition from rural to urban.

Roadway Category #2 Design Standard: The design standard for a Roadway Category #2, from Humboldt County Code Ordinance 2643, is:

- (1) Single lane – with intervisible turnouts not to exceed ¼ mile spacing.
- (2) No parking on traveled way.
- (3) Rural area only.
- (4) Low speed – 25 mph.

2 ROAD LOCATION AND GENERAL DESCRIPTION

The access road to APN 317-033-008 is Stapp Road. Stapp Road begins from Showers Pass Road approximately 17.6 miles north-east from the town of Bridgeville. The first portion of Stapp Road is county maintained, approximately 3.25 miles. From the end of the county-maintained portion of Stapp Road to the subject parcel is approximately 2.9 miles; this 2.9-mile section of private road has been evaluated in this report. HumGIS property boundary information research reveals that the private portion of the road accesses a total of six parcels before entering the subject parcel. Humboldt County Planning Department indicated there are three other cannabis projects utilizing portions of the same roadway. The site terrain is mountainous.

The parcel and roadway are located on the Showers Mountain USGS 7.5-minute quadrangle map (2018). The road access point from Stapp Road is located at 40.6002 latitude and -123.7180 longitude. The assessed parcel size is 44 acres.

3 FIELD AND ASSESSMENT METHODS

The private portion of Stapp Road was inspected on September 4th & 22nd, 2020. GPS tracks and points were taken using a Garmin 650t unit and the Solocator application on handheld cellular units. Photographs, measurements and notes were also collected during the field visit. Measurements including width and incline of road were taken, at a minimum, every one-tenth of a mile to characterize and describe the roadway. Road and shoulder width were taken by tape measure and road incline was measured with a digital level. Additionally, coordinates and description were noted for all existing structures such as gates, culverts, rolling dips, water bars, turnouts, intersections and ditch relief culverts. Office analyses of aerial imagery obtained from Google Earth and HumGIS were also used in the generation of this report.

4 SITE INVENTORY

The private portion of Stapp Road was observed to generally be in conformity with Roadway Category #2 Design Standard. The road traveled way width is 10-12 feet, or greater, with 1-foot shoulders. The steepest grades were measured at 16% over short distances. Most of the road grades were measured below 10%. There are seven (7) existing turnouts along the access road. The road surface was observed as native gravel. The private portion of Stapp Road is drained by rolling dips, water bars, inside road ditches and ditch relief culverts. There are twenty existing stream crossings along the access road and two installed ditch relief culverts.

4.1 Traffic Volumes

Current Average Daily Traffic Estimate

During two field visits, the daily traffic was observed as less than ten (10) trips. The private portion of Stapp Road directly crosses six other parcels (Table 1). The average daily traffic estimate (ADT) is ten (10) daily trips. This estimate is based on direct observation, the number of parcels using the road and engineering judgement.

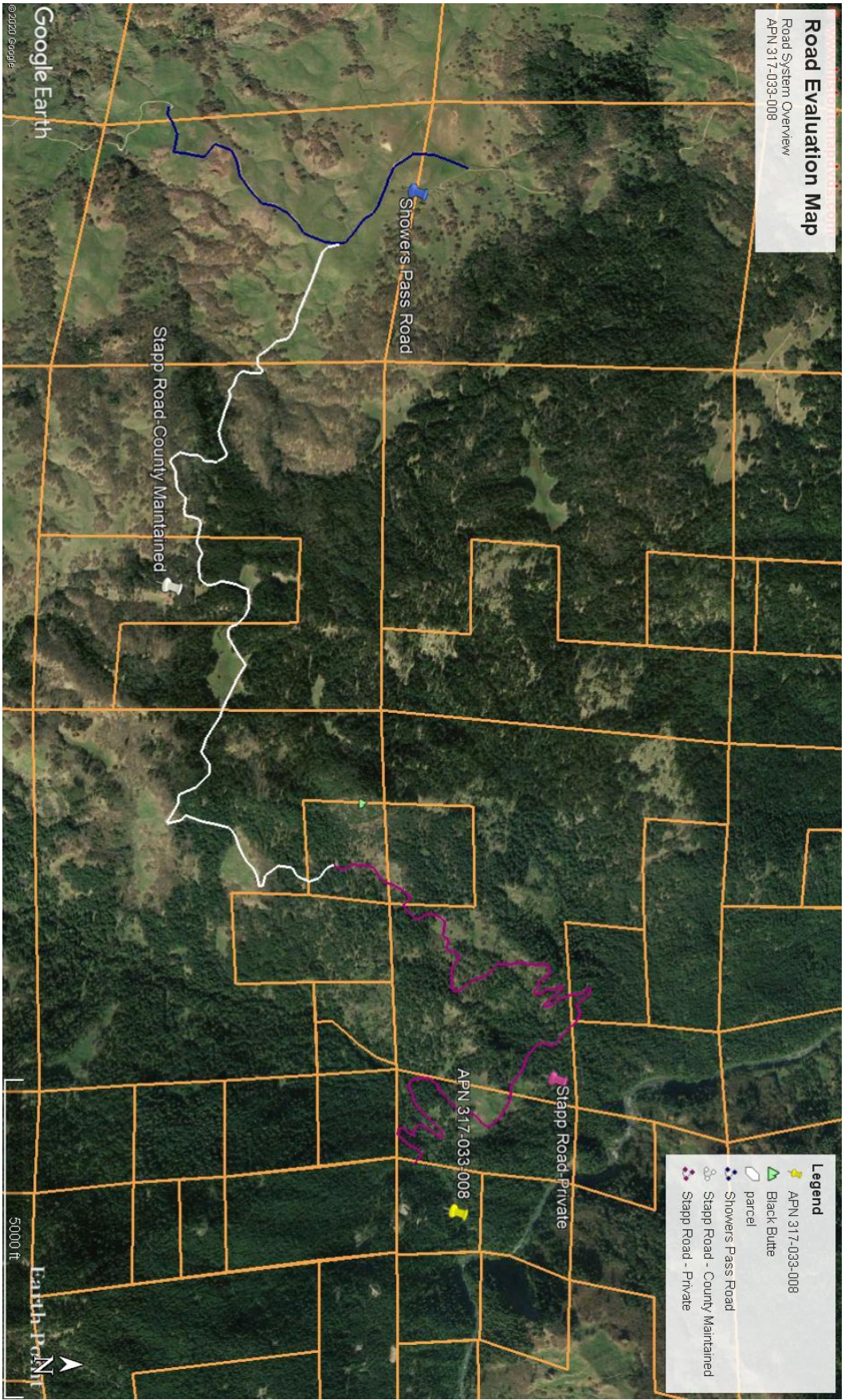
Anticipated Average Daily Traffic

The cannabis operations proposed on the subject parcel include cultivation of 17,262 square feet of existing outdoor and 6,861 square feet of existing mixed light. The traffic from the proposed commercial project is not expected to increase the ADT as the project operations are already existing. The site is expected to have 1-2 employees and no visitors per day. Humboldt County Planning Department indicated there are three other cannabis projects utilizing portions of the same roadway (see Table 1).

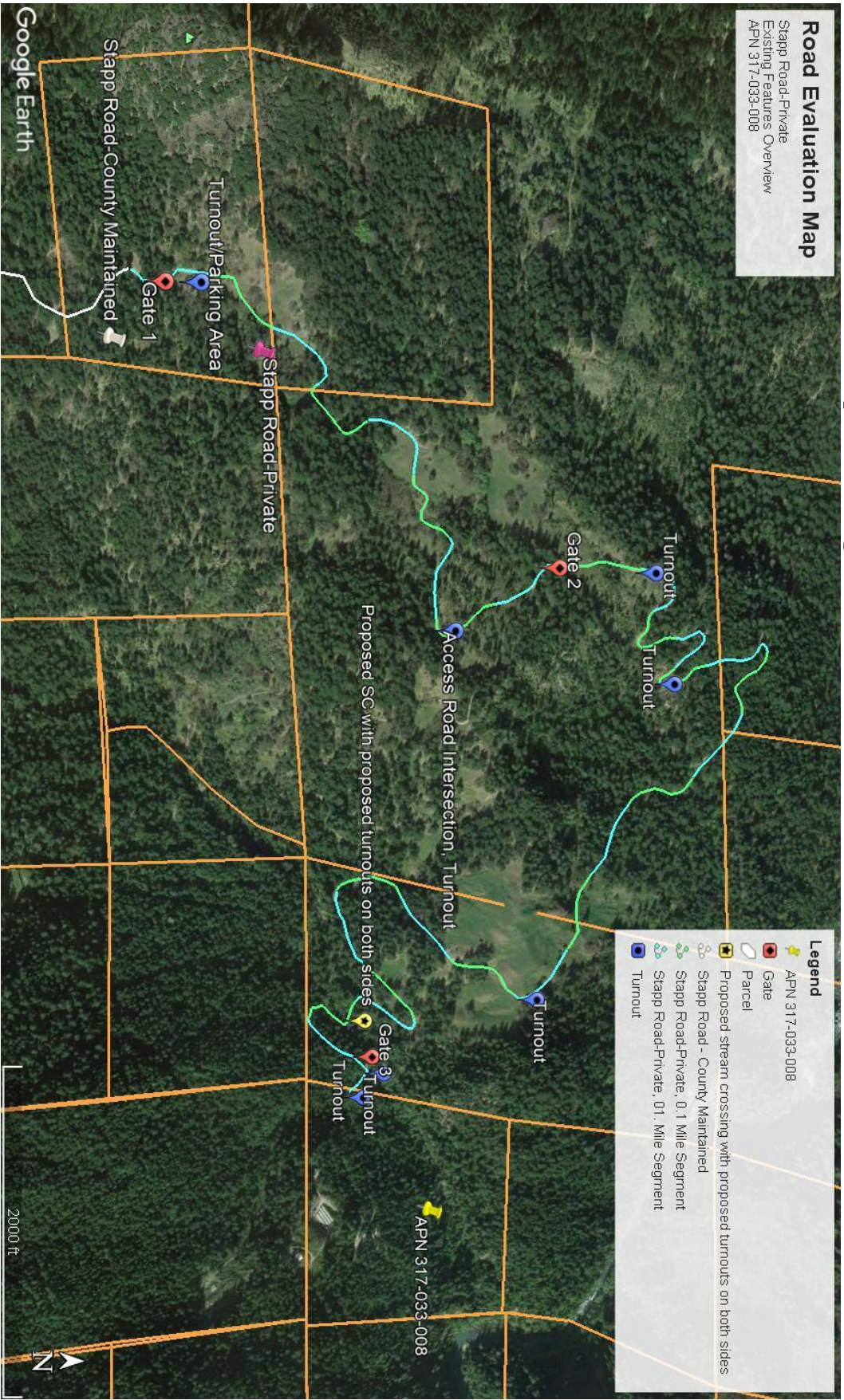
Table 1: Properties directly crossed by the private portion of Stapp Road and listed cannabis projects utilizing the roadway.

APN	Cannabis Project listed with Humboldt County (APPS #)	Type of Project	Permit Status (with Humboldt County Planning)
317-033-002	NA	NA	NA
317-032-004	NA	NA	NA
317-032-002	NA	NA	NA
317-032-003	NA	NA	NA
317-032-005	NA	NA	NA
317-181-005	NA	NA	NA
317-183-007	11911	Existing 22,000 sf outdoor	Post Approval Monitoring
317-182-021	12556	Existing 13,688 sf outdoor	In Referrals
317-182-020	11989	Existing 21,000 sf outdoor	With Consultant – Phase 2

4.2 Access Road Map



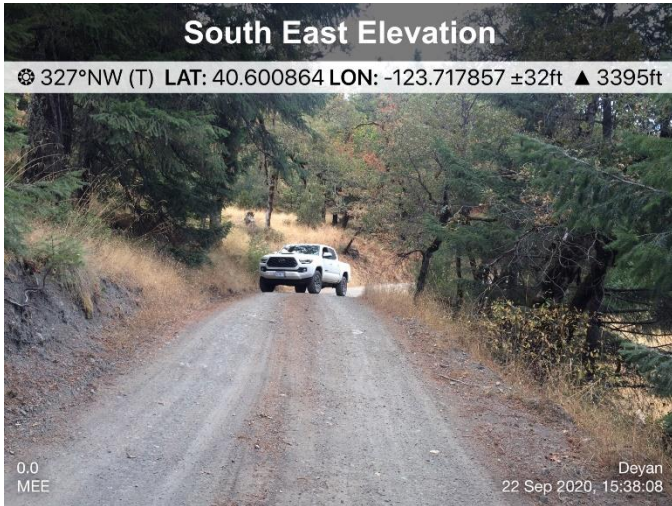
4.3 Road Evaluation Map- Existing Features



4.4 Road Segment Descriptions

The private portion of Stapp Road to the subject parcel is described in detail, below, in one-tenth of a mile increments.

Mile 0-0.1



Segment description:

Road Width (Ft)	Shoulder Widths (Ft)	Incline (%)	Notes
12	1	3	

Picture 1: Mile 0-0.1

Mile 0.1-0.2



Segment description:

Road Width (Ft)	Shoulder Widths (Ft)	Incline (%)	Notes
12	1	6	

Picture 2: Mile 0.1-0.2

Mile 0.2-0.3



Picture 3: Mile 0.2-0.3

Segment description:

Road Width (Ft)	Shoulder Widths (Ft)	Incline (%)	Notes
10	1	11	

Mile 0.3-0.4



Picture 4: Mile 0.3-0.4

Segment description:

Road Width (Ft)	Shoulder Widths (Ft)	Incline (%)	Notes
10	1	9	

Mile 0.4-0.5



Picture 5: Mile 0.4-0.5

Segment description:

Road Width (Ft)	Shoulder Widths (Ft)	Incline (%)	Notes
12	1	15	

Mile 0.5-0.6



Picture 6: Mile 0.5-0.6

Segment description:

Road Width (Ft)	Shoulder Widths (Ft)	Incline (%)	Notes
11	1	4	

Mile 0.6-0.7



Picture 7: Mile 0.6-0.7

Segment description:

Road Width (Ft)	Shoulder Widths (Ft)	Incline (%)	Notes
11	1	10	

Segment recommendations:

- None

Mile 0.7-0.8



Picture 8: Mile 0.7-0.8

Segment description:

Road Width (Ft)	Shoulder Widths (Ft)	Incline (%)	Notes
11	1	2	

Mile 0.8-0.9

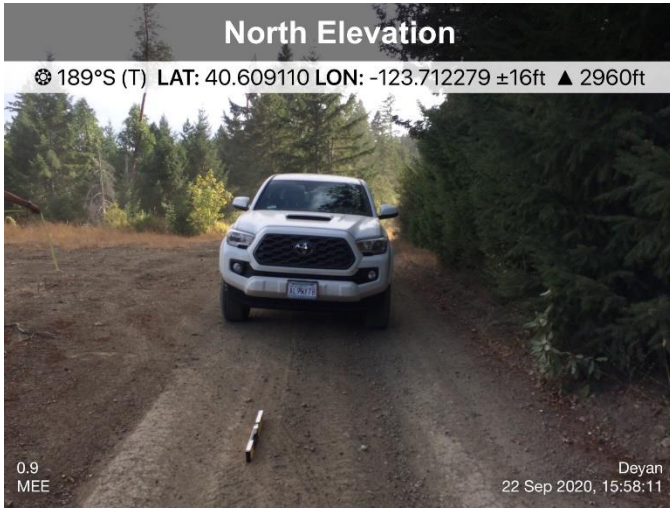


Picture 9: Mile 0.8-0.9

Segment description:

Road Width (Ft)	Shoulder Widths (Ft)	Incline (%)	Notes
11	1	3	

Mile 0.9-1.0



Segment description:

Road Width (Ft)	Shoulder Widths (Ft)	Incline (%)	Notes
11	1	4	

Picture 2: Mile 0.9-1.0

Mile 1.0-1.1



Segment description:

Road Width (Ft)	Shoulder Widths (Ft)	Incline (%)	Notes
12	2	4	

Picture 3: Mile 1.0-1.1

Mile 1.1-1.2



Picture 4: Mile 1.1-1.2

Segment description:

Road Width (Ft)	Shoulder Widths (Ft)	Incline (%)	Notes
11	1	3	

Mile 1.2-1.3



Picture 5: Mile 1.2-1.3

Segment description:

Road Width (Ft)	Shoulder Widths (Ft)	Incline (%)	Notes
12	1	16	

Mile 1.3-1.4



Picture 6: Mile 1.3-1.4

Segment description:

Road Width (Ft)	Shoulder Widths (Ft)	Incline (%)	Notes
10	1	8	

Mile 1.4-1.5



Picture 7: Mile 1.4-1.5

Segment description:

Road Width (Ft)	Shoulder Widths (Ft)	Incline (%)	Notes
10	2	14	

Mile 1.5-1.6



Picture 8: Mile 1.5-1.6

Segment description:

Road Width (Ft)	Shoulder Widths (Ft)	Incline (%)	Notes
12	1	12	

Mile 1.6-1.7



Picture 9: Mile 1.6-1.7

Segment description:

Road Width (Ft)	Shoulder Widths (Ft)	Incline (%)	Notes
12	1	11	

Mile 1.7-1.8



Segment description:

Road Width (Ft)	Shoulder Widths (Ft)	Incline (%)	Notes
12	1	12	

Picture 10: Mile 1.7-1.8

Mile 1.8-1.9



Picture 11: Mile 1.8-1.9

Segment description:

Road Width (Ft)	Shoulder Widths (Ft)	Incline (%)	Notes
12	1	9	

Mile 1.9-2.0



Picture 12: Mile 1.9-2.0

Segment description:

Road Width (Ft)	Shoulder Widths (Ft)	Incline (%)	Notes
15	1	5	

Mile 2.0-2.1

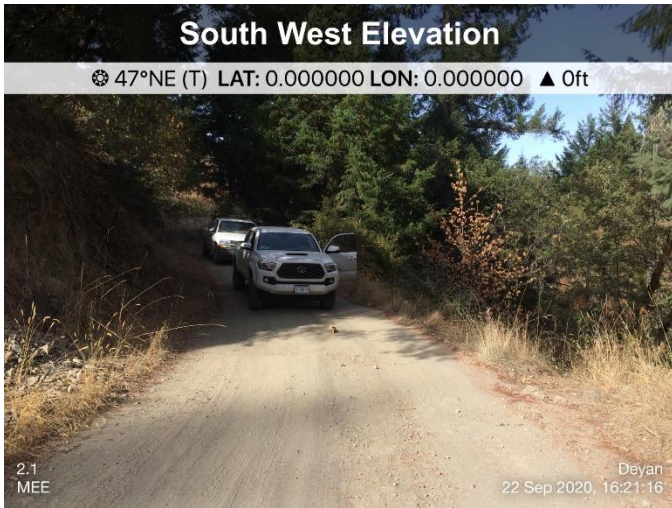


Segment description:

Road Width (Ft)	Shoulder Widths (Ft)	Incline (%)	Notes
12	1	6	

Picture 13: Mile 2.0-2.1, proposed water bar location

Mile 2.1-2.2



Segment description:

Road Width (Ft)	Shoulder Widths (Ft)	Incline (%)	Notes
10	1	3	

Picture 14: Mile 2.1-2.2

Mile 2.2-2.3



Picture 15: Mile 2.2-2.3

Segment description:

Road Width (Ft)	Shoulder Widths (Ft)	Incline (%)	Notes
11	1	10	

Segment description:

Road Width (Ft)	Shoulder Widths (Ft)	Incline (%)	Notes
13	1	12	

Mile 2.3-2.4



Picture 16: Mile 2.3-2.4

Mile 2.4-2.5



Segment description:

Road Width (Ft)	Shoulder Widths (Ft)	Incline (%)	Notes
12	1	6	

Picture 17: Mile 2.4-2.5

Mile 2.5-2.6



Segment description:

Road Width (Ft)	Shoulder Widths (Ft)	Incline (%)	Notes
13	1	10	

Picture 18: Mile 2.5-2.6

Mile 2.6-2.7



Picture 19: Mile 2.6-2.7

Segment description:

Road Width (Ft)	Shoulder Widths (Ft)	Incline (%)	Notes
11	1	3	

Mile 2.7-2.8



Picture 20: Mile 2.7-2.8

Segment description:

Road Width (Ft)	Shoulder Widths (Ft)	Incline (%)	Notes
13	1	6	Unimproved stream crossing needs approved crossing installed (Photo 21, Lat/Long 40.6038, -123.7014). Install turnouts on both sides of unimproved stream crossing. Turnouts shall be intervisible with the stream crossing.



Figure 21. Unimproved stream crossing (Lat/Long 40.6038, -123.7014).

Mile 2.8-2.9



Picture 22: Mile 2.8-2.9

Segment description:

Road Width (Ft)	Shoulder Widths (Ft)	Incline (%)	Notes
11	1	5	

Mile 2.9



Picture 23: Mile 2.9-3.0

Segment description:

Road Width (Ft)	Shoulder Widths (Ft)	Incline (%)	Notes
11	1	5	

5 SUMMARY OF RECOMMENDATIONS FOR ROAD ENHANCEMENTS

- Clear brush on both sides of roadway to maintain maximum intervisibility on roadway.
- Install an approved crossing at the existing unimproved stream crossing site, Lat/Long 40.6038, -123.7014 (Photo 21), see Section 4.3 Road Evaluation Map-Existing Features.
- Install turnouts on both sides of unimproved stream crossing (Lat/Long 40.6038, -123.7014). Turnouts shall be intervisible with the stream crossing.

6 CONCLUSION

The private portion of Stapp Road was observed to not be developed to the equivalent of Road Category 4 or better. With the recommendations for road enhancements (Section 5 of this report) the road will be able to support the intended purposes of the proposed commercial cannabis project.

REFERENCES

Google Earth. (1993). Image U.S. Geological Survey Image NASA.

USGS. (2018). Showers Mountain, CA. 7.5 Minute Series Quadrangle Map.

Humboldt County Code Ordinance 2599.

Title III Div, 2 APPENDIX Establishing Subdivision Design and Improvement Standards. Humboldt County.

ATTACHMENT 5
PUBLIC COMMENTS



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



DEH received
8-29-17

17/18-0505

PROJECT REFERRAL TO: Health and Human Services Environmental Health Division

Project Referred To The Following Agencies:

Building Inspection Division, Public Works Land Use Division, Health and Human Services Environmental Health Division, County Counsel, CalFire, California Department of Fish And Wildlife, Northwest Information Center, Bear River Band Rohnerville Rancheria, Regional Water Quality Control Board, Humboldt County District Attorney, Humboldt County Agriculture Commissioner, California Division of Water Resources, Bridgeville School District, Humboldt County Sheriff

Applicant Name Macras Land Co., Inc. **Key Parcel Number** 317-033-008-000

Application (APPS#) 11099 **Assigned Planner** Cannabis Planner (CPOD) (707) 445-7541 **Case Number(s)** CUP16-147

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

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

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

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

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

We have reviewed the above application and recommend the following:

Conditional Approval

DISTRIBUTED

10-27-17

Comments:

DEH recommends approval with the following conditions:

- (1) **No processing can be approved** until an acceptable site suitability report can establish potential for onsite waste treatment system.
- (2) **An invoice, or equivalent documentation, is provided to DEH** to confirm the continual use of portable toilets to serve the needs of cultivation staff prior to reissuance of annual permit.

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





COUNTY OF HUMBOLDT
PLANNING AND BUILDING DEPARTMENT
BUILDING DIVISION

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



Building Division's Referral Comments for Cannabis Operations:

Application No.: 44652
Parcel No.: 317-033-008
Case No.: 11099

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

- Site/plot plan appears to be accurate.
- Submit revised site/plot plan showing all of the following items: all grading including ponds and roads, location of any water course including springs, all structure including size and use and all setbacks from the above stated to each other and property lines.
- Existing operation appears to have expanded, see comments: greenhouse
not on plot plan
- Existing structures used in the cannabis operation shall not to be used/occupied until all required permits have been obtained.
- Proposed new operation has already started.
- Recommend approval based on the condition that all required grading, building, plumbing electrical and mechanical permits and or Agricultural Exemption are obtained.
- Other Comments: _____

Name: Ian Mion

Date: 10/5/17

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



9/19

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

317-033-008

8/28/2017

PROJECT REFERRAL TO: Building Inspection Division

Project Referred To The Following Agencies:

Building Inspection Division, Public Works Land Use Division, Health and Human Services Environmental Health Division, County Counsel, CalFire, California Department of Fish And Wildlife, Northwest Information Center, Bear River Band Rohnerville Rancheria, Regional Water Quality Control Board, Humboldt County District Attorney, Humboldt County Agriculture Commissioner, California Division of Water Resources, Bridgeville School District, Humboldt County Sheriff

Applicant Name Macras Land Co., Inc. **Key Parcel Number** 317-033-008-000

Application (APPS#) 11099 **Assigned Planner** () - **Case Number(s)** CUP16-147

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

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

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

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

Return Response No Later Than 9/12/2017

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: revise plot plan to show greenhouses

DATE: 10/5/17

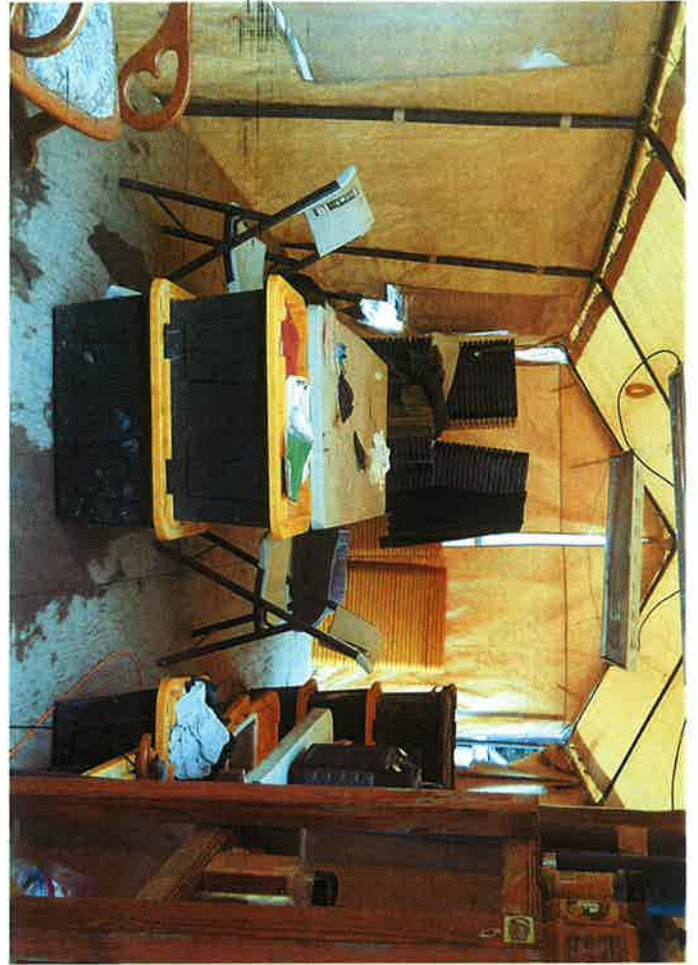
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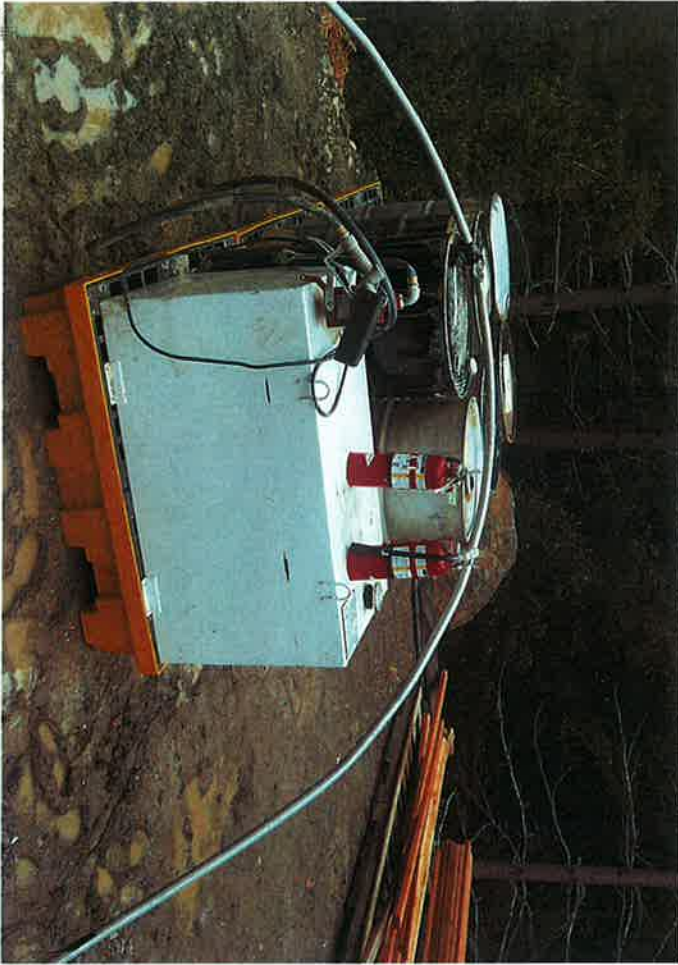


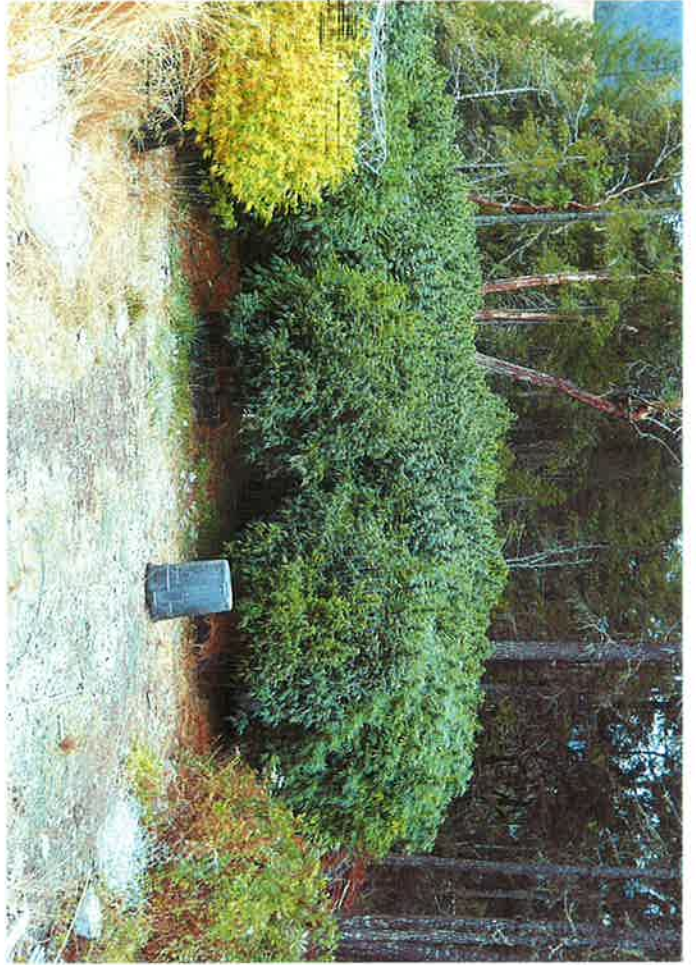
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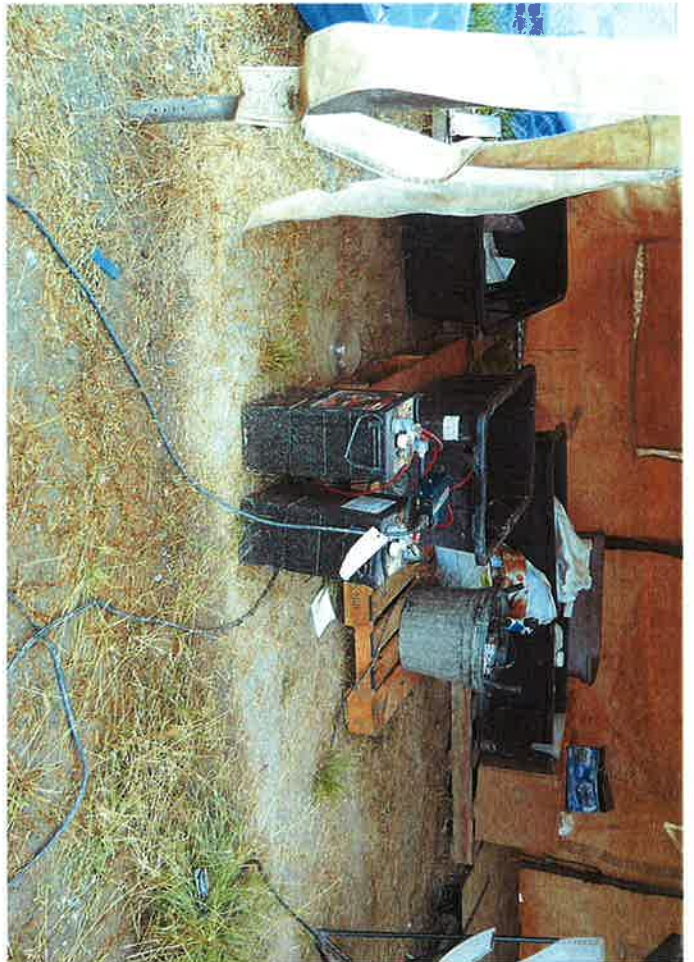
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**HUMBOLDT COUNTY
PLANNING AND BUILDING DEPARTMENT
CURRENT PLANNING DIVISION**
3015 H STREET, EUREKA, CA 95501 ~ PHONE (707) 445-7541



RECEIVED

8/28/2017

AUG 30 2017

PROJECT REFERRAL TO: Public Works Land Use Division

**HUMBOLDT CO. PUBLIC WORKS
LAND USE DIVISION**

Project Referred To The Following Agencies:

Building Inspection Division, Public Works Land Use Division, Health and Human Services Environmental Health Division, County Counsel, CalFire, California Department of Fish And Wildlife, Northwest Information Center, Bear River Band Rohnerville Rancheria, Regional Water Quality Control Board, Humboldt County District Attorney, Humboldt County Agriculture Commissioner, California Division of Water Resources, Bridgeville School District, Humboldt County Sheriff

Applicant Name Macras Land Co., Inc. **Key Parcel Number** 317-033-008-000

Application (APPS#) 11099 **Assigned Planner** () - **Case Number(s)** CUP16-147

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

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

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

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

Return Response No Later Than 9/12/2017 Planning Commission Clerk
County of Humboldt Planning and Building Department
3015 H Street
Eureka, CA 95501
E-mail: PlanningClerk@co.humboldt.ca.us **Fax:** (707) 268-3792

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

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

Recommend Conditional Approval. Suggested Conditions Attached.

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

Recommend Denial. Attach reasons for recommended denial.

Other Comments: _____

DATE: _____ PRINT NAME: _____



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

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

ARCATA-EUREKA AIRPORT TERMINAL
MCKINLEYVILLE
FAX 839-3596

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

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

AVIATION 839-5401

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

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

LAND USE 445-7205

LAND USE DIVISION INTEROFFICE MEMORANDUM

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

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

DATE: 2-20-2018

RE:

Applicant Name	MACRAS LAND CO., INC
APN	317-033-008
APPS#	11099

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

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

*Note: Exhibits are attached as necessary.

Additional comments/notes:

// END //

Exhibit "A"

Public Works Recommended Conditions of Approval

(All checked boxes apply)

APPS # 11099

COUNTY ROADS- FENCES & ENCROACHMENTS:

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

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

COUNTY ROADS- DRIVEWAY (PART 1):

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

COUNTY ROADS- DRIVEWAY (PART 2):

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

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

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

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

COUNTY ROADS- DRIVEWAY (PART 3):

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

COUNTY ROADS-PARKING LOT- STORM WATER RUNOFF:

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

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

COUNTY ROADS- DRIVEWAY & PRIVATE ROAD INTERSECTION VISIBILITY:

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

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

COUNTY ROADS- PRIVATE ROAD INTERSECTION:

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

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

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

COUNTY ROADS- ROAD EVALUATION REPORT(S):

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

// END //

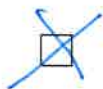
Exhibit "B"

Additional Information is Requested

(All checked boxes apply)

APPS # 11099

Please re-refer the project to the Department when all of the requested information has been provided.



COUNTY ROADS- MISSING/INCOMPLETE ROAD EVALUATION REPORT(S)

Road Evaluation Report(s) for the following County maintained road(s) were not provided:

Road Name	Part B Road Evaluation Report Required?
STAPP ROAD (7H010)	<input checked="" type="checkbox"/> YES
	<input type="checkbox"/> YES
	<input type="checkbox"/> YES
	<input type="checkbox"/> YES
	<input type="checkbox"/> YES

The Department cannot recommend approval of the project until the Road Evaluation Report(s) adequately address the County road(s).

COUNTY ROADS- INADEQUATE ROAD EVALUATION REPORTS:

The Department cannot support the proposed recommendations within the *Road Evaluation Reports* for the following County maintained roads:

The Department cannot recommend approval of the project until the *Road Evaluation Reports* adequately addresses the County road. The applicant's civil engineer is advised to contact the Department for details.

COUNTY ROADS- ON-SITE PARKING & INTERNAL TRAFFIC CIRCULATION PLAN:

The Department has reviewed the proposed on-site parking area(s) and internal traffic circulation plan(s) pursuant to County Code Section 313-109.1.3.2.5 (Coastal) and 314-109.1.2.2.5 (inland). The Department cannot support the proposed parking area and traffic circulation plan. The applicant must submit a realistic parking plan to the Department for review.

// END //

Exhibit "D"

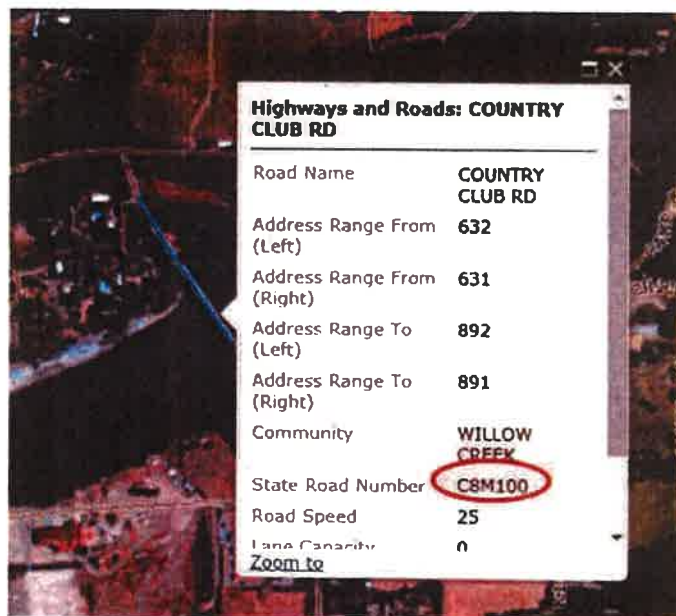
Road Evaluation Reports

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

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

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

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



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

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

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

Examples:

ABCDDD

A 3 M 0 2 0 Murray Road

F 6 B 1 6 5 Alderpoint Road

6 C 0 4 0 Thomas Road

Exhibit "D"

Road Evaluation Reports

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

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

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

"APPROVED LIST"		
List of County Maintained Roads that meet (or are equivalent to) Road Category 4 standards for Cannabis Projects		
Road Name	Road Number	Range meeting (or equivalent to) Road Category 4 standard
Alderpoint Road	F6B165	All
Bair Road	C6L300	All
Bair Road	6L300	All
Bald Hills Road	F4R300	All
Benbow Drive	6B180	Oakcrest Drive to State Hwy 101
Blue Slide Road	F2G100	All [Grizzley Bluff Rd to City limits of Rio Dell]
Brannon Mountain Road	7M100	State Hwy 96 to Creekside Lane
Briceland Thorne Road	F5A010	All
Burrell Road	3D030	From Mattole Rod to P.M. 067
Cathey Road	6D050	State Park to P.M. 0.87 [End of County maintained]
Fickle Hill Road	C5J040	PM 1.55 [end of centerline stripe] to P.M. 8.00
Fieldbrook Road	C4L760	All
Freshwater Road	F6F060	All
Friday Ridge Road	8L100	State Hwy 299 to PM 3.37[End of County maintained] then becomes USFS Road
Greenwood Heights Drive	C4K160	All
Grizzley Bluff Road	F2G100	All [City limits of Ferndale to Blue Slide Rd]
Jacoby Creek Road	C4K230	Old Arcata Road to P.M. 2.50
Jacoby Creek Road	4K230	From P.M. 2.5 to P.M. 2.69
Kneeland Road	F6F060	Freshwater Road to Mountain View Road
Maple Creek Road	5L100	All
Mattole Road	F3D010	All
Mattole Road	F3C010	All
McCann Road	6D090	Dyerville Loop Road to P.M. 1.0
McCellan Mtn Road	7F010	State Hwy 36 to P.M. 3.57[End of County maintained]
Mountain View Road	6H010	All
Murray Road	C3M020	All
Old Three Creeks Road	6L250	State Hwy 299 to P.M. 2.8 [End of County maintained]
Panther Gap Road	4D010	Mattole Road to P.M. 1.83[End of County maintained] continues as a non- County maintained road
Patterson Road	C3M130	All
Salmon Creek Road	6C030	Hwy 101 to P.M. 5.39 [End of County maintained]
Shelter Cove Road	C4A010	All
Sprowel Creek Road	C6B095	PM 0.0 to PM 2.11
Sprowel Creek Road	6B095	PM 2.11 to PM 4.00
Thomas Road	6C040	Salmon Creek Road to P.M. 4.03 [End of County maintained] continues as a non- County maintained rd
Titlow Hill Road	7K100	Hwy 299 to PM 4.7[End of County maintained] then becomes USFS Road
West End Road	5L010	PM 0.0 at Arcata City Limits to Warren Creek Road
Wilder Ridge Road	C5B010	All

Exhibit "D"

Road Evaluation Reports

List of County Maintained Roads that do not meet (or are not equivalent to) Road Category 4 standards for Cannabis Projects		
Road Name	Road Number	Range not meeting (or not equivalent to) Road Category 4 standard
Bark Shanty Road	9R105	All
Benbow Drive	6B180	Oakcrest Dr to end
Brannon Mountain Road	7M100	Creekside Lane to PM 5.0 [End of County maintained] then becomes USFS Road
Burrell Road	3D030	P.M. 067 to P.M. 2.22 [End of County maintained]
Essex Lane	C4L780	P.M. 0.2 to P.M. 0.9 [End of County maintained]
Fickle Hill Road	C5J040	P.M. 8.0 to P.M. 11.72
McCann Road	6D090	P.M.1.0 to P.M.2.6 [End of County maintained]
Warren Creek Road	5L740	P.M 0.0 to PM 0.95 [End of County maintained]
Sprowel Creek Road	6B095	P.M 4.00 to PM 7.22 [End of County maintained]
Stapp Road	7H010	P.M 0.00 to 3.25[End of County maintained]

// END //